

Bayou Club Community Association, Inc.

Architectural Control Committee

Procedures, Standards,
Rules and Regulations



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Part 1. Property Site Standards and Property Maintenance
Rules & Regulations



1. Introduction

1.1. Bayou Club Community Association, Inc.

The Bayou Club Community Association, Inc. (BCCA) is a homeowners association incorporated under Florida Statutes Chapter 617, which is responsible for the operation of the Bayou Club Community, a private gated community. Property in the Bayou Club Community is subject to certain restrictions as defined in the Master Declaration of Covenants, Conditions and Restrictions. The BCCA is also subject to Florida Statutes Chapter 720.

The BCCA is governed by an elected Board of Directors. The Board of Directors is responsible for the day-to-day operations of the BCCA, project control, ownership and maintenance of all common areas, and the promulgation and enforcement of the BCCA Rules and Regulations and Master Declaration restrictions.

This manual is designed to establish procedures, policies, standards, rules and regulations and the maintenance standards of all structures and landscaping in the Bayou Club Community for the new construction, renovations, additions, and modifications.

The ACC has the right to interpret these Procedures, Standards, Rules and Regulations in accordance with the Master Declaration of Covenants, Conditions and Restrictions.

Noncompliance with the BCCA ACC Rules and Regulations shall result in sanctions to the Owner including fines, suspensions, and legal action.

1.2. Architectural Control Committee

The Architectural Control Committee (ACC) shall consist of three (3) members appointed by the Board of Directors in accordance with the Master Declaration of Covenants, Conditions and Restrictions Article III, Section 6.

1.3. Goals of the ACC

The primary goals of the ACC are:

1. To promulgate and enforce the ACC Rules and Regulations (see Section 2 and 3) for the maintenance of structures and landscaping.
2. To enforce the use restrictions contained in the Master Declaration of Covenants, Conditions and Restrictions.
3. To review the application, plans, specifications, contractors, materials, and samples submitted for renovations, proposed landscaping, and new construction.
4. To determine if the proposed structure and/or landscaping conforms in appearance and construction criteria with the standards and policy as set forth by the ACC.

1.4. Functions of the ACC

The functions of the ACC are:

1. The ACC will evaluate each of the properties of the BCCA on adherence to the performance and quality standards set forth in these Procedures, Standards, Rules and Regulations. Property inspections normally will be performed annually, Monday through Friday, between the hours of 8:30AM and 5:30PM. Upon verbal or written approval of the homeowner and the ACC, inspections may be performed on other days or times.
2. The ACC shall issue notices and/or letters of violations.
3. The ACC shall recommend to the Compliance Committee appropriate legal action, suspensions and/or fines for noncompliance with the Master Declaration use restrictions and the ACC Procedures, Standards, Rules and Regulations.
4. The ACC will interpret the standards at the request of the Owner. If conflicts arise in meeting these standards, the ACC will review and evaluate the conditions.
5. The ACC has the right to grant variances from these Procedures, Standards, Rules

and Regulations in accordance with the Master Declaration of Covenants, Conditions and Restrictions.

6. The ACC has the right to monitor and overview the design and construction process to ensure conformance with the approved documents and the standards set forth in these Procedures, Standards, Rules and Regulations.
7. The ACC shall review each submittal and respond, authorizing the continuation through the next phase of the review process. Unapproved submissions shall be revised and resubmitted for review and approval. Approval will be in writing and shall in no way relieve the Owner of his responsibility and liability for adherence to any applicable ordinances and codes.
8. After the initial and major design review and approval by the ACC, the Owner must begin construction within six months from the date of final approval or forfeit all approvals. In that event, a new application must be submitted, and approval obtained before commencement of construction.

1.5. ACC Rules and Regulations

The ACC is empowered by the Master Declaration of Covenants, Conditions and Restrictions Article IV Section 2 to promulgate and enforce rules and regulations. The ACC and Board of Directors are authorized to initiate the appropriate actions that include but are not limited to legal action, suspension and or fines for violations of the ACC Rules and Regulations.

The ACC Rules and Regulations may be modified from time to time in accordance with the Master Declaration and Florida Statutes Chapter 720.

1.6. Notice of Violation/Fines

When a violation of the: ACC Procedures and Standards; ACC Property Maintenance Rules and regulations (see Section 2 and 3); BCCA Rules and Regulations; use restrictions contained in the Master Declaration; or ACC rules for Contractors, Owners and Construction Personnel (see Section 7) occurs, the ACC shall

have the BCCA Association Manager send a written notice to the Owner. The notice shall be mailed to the Owner via first class mail and shall detail the date the violation was observed or occurred and shall cite the specific authority for the violation.

If applicable, a "corrective period" or "curative period" will be noted in the letter. The ACC is hopeful the Owner will make the necessary corrections during this period. If the corrections are not made within the period specified in the letter, the ACC is authorized to initiate the appropriate actions that include but are not limited to legal action, suspension and/or fines.

Unless noted elsewhere in this document or in the ACC Property Maintenance Rules and Regulations (Section 2 and 3) or the BCCA Rules and Regulations or the Rules for Contractors, Owners and Construction Personnel (Section 7), the "corrective or curative" period shall be no more than 30 days from the receipt of the letter and the fine for noncompliance shall be a minimum of \$10.00 per day up to a maximum of \$100 per day per violation until the violation is corrected up to the maximum amount for continuous violations authorized by Florida Statutes Chapter 720.

In some instances, the violation cannot be corrected, e.g., the parking of a vehicle on the turf areas or removal of a tree. For this type of "non-correctable violation" the Owner shall be given one warning letter. Recurrence of the violation shall result in sanctions and/or fines against the Owner.

Unless noted elsewhere in this document or in the ACC Property Maintenance Rules and Regulations (Section 2 and 3) or the BCCA Rules and Regulations or the Rules for Contractors, Owners and Construction Personnel (Section 7), the fine for a non-correctable violation shall be no more than \$100.00 per day per violation up to the maximum authorized by Florida Statutes Chapter 720.

Failure to pay a fine within 30 days of issuance shall result in deactivation of RFID gate access. See BCCA rules and regulations for details.

2. Property Site Standards

2.1. Roofs

Roofing material is to be washed clean when excessive mildew, mold or dust accumulates on it. The ACC Committee will determine through its periodic inspection which owners' roofs need cleaning.

2.2. Landscape Requirements

1. All houses shall be landscaped with the following or combination thereof: grass, groundcovers, shrubs, vines, trees, and palms.
2. Yards shall be predominately native, not exotic in landscape character. Landscape plants must utilize at least 75% native or complementary species unless otherwise approved by the ACC. Exotic species (specimens, cactus, etc.) should be limited to private courtyards, formal entries and enclosed gardens if used at all.
3. Stone, sand, artificial turf, or pebbles are not considered an acceptable alternative to non-bed areas on the property unless approved by the ACC.
4. All shrub and tree beds shall be planted with ground cover or receive a 2-inch layer of cypress mulch, pine bark, or pine straw. No bare ground is acceptable.
5. All planted areas shall receive 100% automatic irrigation coverage. Wells are not permitted without an approval by the ACC or if required by a government agency. Sprinkler heads installed in sodded areas shall be at turf level or below, and all valves must be installed below grade. The system shall provide complete coverage to edge of road and shall minimize spray on streets, walks, adjacent properties, etc. The irrigation system shall be functional at the time of landscape installation. Irrigation requirements may be waived in areas planted with native species subject to the review and approval of the ACC.

6. All grass areas in each development including front, back and side yards shall be St. Augustine "Floratum" or equal, as approved by the ACC. All such grass areas shall also be mainly free of weeds. Weed control through fertilization is highly recommended.
7. All corner lots shall have front yard trees and trees on all street sides unless otherwise approved by the ACC.
8. Vines or other vegetation are not to be on the outdoor walls of the house or the garage unless approved by the ACC.
9. The homes and lots in Bayou Club are different and unique. This can, at times, create both challenges and opportunities when attempting to comply with all Landscaping and Streetscaping Guidelines. Any homeowner may submit landscaping plans for review and approval that offer attractive and complementary alternatives to the Guidelines. The ACC will review such plans, and may, at its sole discretion, approve exceptions to the guidelines. Please remember that plans, whether strictly in compliance or not, must be submitted and approved before any work can begin.

2.3. Streetscape Requirements

The plant material shall consist of trees and turf only. Trees shall be a minimum of 3 to 3 1/2 "Caliper 10 to 12 feet overall height and 6-foot spread planted no further than 25 feet apart along the entire lot frontage. The street trees must be planted within 10 feet of the right of way line on either side of the property line and must be Live Oak, or Heritage Live Oak. It will be the responsibility of the Owner for the maintenance of street trees including watering, fertilizing, and trimming of the trees but also letting it grow to its natural shape and size to recreate the natural environment. Owners must have street trees trimmed so that no tree branches overhanging the sidewalk shall be closer to the sidewalk than 8 feet above it. The owner is also responsible for replacing damaged or dead trees. The BCCA may perform

limited trimming of street trees for the safety of vehicles using the streets.

Front yard trees shall be a minimum 2-inch caliper and 8 feet tall unless multi-trunk or palms.

2.4. Driveways

1. Asphalt driveways and asphalt driveway aprons are prohibited.
2. Brick, interlocking pavers, bomanite, fixed exposed aggregate, finished or patterned concrete, or other stone finished are encouraged.
3. Driveway size, location, materials, color, and pattern shall compliment and be an integral part of the home architectural and landscape design and exterior color. Inconsistent, offensive colors, patterns or textures are not permitted.
4. The driveway shall not be of such size and location as to compromise the streetscape and landscape standards for turf, plants, and trees.
5. Driveways shall not be constructed to create parking areas that extend beyond a parallel line drawn from a corner of the house structure.
6. A circular driveway is permitted only if it does not compromise the streetscape and landscape standards for turf, plants, and trees. The inside arc of the driveway shall be no closer to the sidewalk than ten (10) feet and should be screened by appropriate foliage.
7. Driveways shall not extend into the side yard or rear yard setbacks.
8. Driveway aprons must be of the same materials, color, and pattern as the driveway.
9. Interlocking pavers will weather but shall maintain a consistent appearance.
10. Repairs, additions, or modifications to installed driveways shall use the same

finish materials as the existing or unrepaired driveway. Specifically, the repaired driveway shall be consistent in appearance with the existing or unrepaired driveway, with no noticeable inconsistency in materials, shape, design, color and other features and dimensions.

11. Where possible access to corner lots shall be from the least travelled street.
12. Every driveway shall provide positive drainage away from the house and garage.
13. Driveways that have raised bricks or broken concrete due to the growth of the tree roots or other causes must be repaired.

2.5. Parking

1. Garages for at least two cars are required along with a recommended two uncovered spaces for parking. Curved or offset driveways which prevent a direct view into the garage are preferable.
2. No curb side parking areas shall be created by extending any portion of the street pavement.
3. No parking area shall be created by extending or widening the driveway such that it extends beyond a parallel line from the house structure or takes out excessive foliage.
4. Parking or storing vehicle of any type on turf areas, landscaped areas, walkways, or sidewalk of the lot is prohibited.
5. Long term parking or storing a trailer, motorcycle, recreational vehicle, or watercraft of any type on turf areas, landscaped areas, walkways, sidewalk, or driveway of the lot is prohibited. Long term parking is parking over four hours.

2.6. Lighting

1. No exterior lighting shall be permitted which in the opinion of the Architectural Control Committee would create a nuisance

to the adjoining property owners.

2. No glare of hotspots will be allowed to be viewed from adjacent properties or the golf course.
3. Posted lights are discouraged when not an integral part of the architecture of site lighting.
4. No colored light sources shall be allowed unless seasonal or temporary in nature.

2.7. Walkways

All walkways are to be clean and free of dirt, excessive mildew, or mold.

2.8. Walls and Enclosures

All proposed walls, enclosures and fences must be approved by the ACC prior to installation.

1. No chain-link fences are allowed except for tennis courts.
2. Fencing, walling, or enclosing of the front yard areas is not permitted without prior approval of the ACC.
3. Complete rear yard fencing, walling, or enclosing is discouraged as the feeling of open space and the unity of the surrounding area is an important part of traditional Florida design concepts.
4. The walling or enclosing of water softeners, sprinkler controls, wells and other similar utilitarian devices is encouraged, provided such devices do not extend more than 4 feet into the setback and they are properly screened from view in a manner approved by the ACC.
5. All walls and enclosures shall be painted and shall be compatible with the house and adjacent properties.
6. Walls, enclosures, and fences are discouraged inside yards, except small enclosures for mechanical equipment, lanai areas, spas, play equipment, or to screen trash containers; and when approved, shall not extend beyond the sightlines of the adjacent house.

7. Any wall, enclosure and/or fence should be constructed of materials common to the house or materials to complement the house.

8. Any fencing abutting a road right of way or common space shall be of masonry construction on the property line from corner to corner and coordinated with the adjacent property.

9. The walls, enclosures and fences shall be landscaped on the street side and the side facing adjacent properties.

2.9. Air Conditioners and Mechanical Equipment

1. All air-conditioning units shall be shielded and hidden so that they should not be visible from any street or adjacent property.
2. Window and/ or wall air-conditioning units are not permitted.
3. All mechanical equipment not screened by a wall or fence shall be screened with planting materials.

2.10. Barbeques

Barbecue areas shall be designed to be integral with patio areas. Prevailing winds should be considered during placement to avoid excessive smoke and odor oriented toward adjacent homes.

2.11. Mailboxes

1. All mailboxes within the community are required to be placed in a pier type structure and must complement the style of the house.
2. The same architectural style and materials as installed on the exterior of the house should be used in the design of the mailbox structure.
3. The main body of the mailbox structure may be no less than 24 inches square and a maximum of 30 inches square. Any banding

to coincide with the house elevation should extend outside the minimum 24 inches square body dimension.

4. Overall height of the pier from ground level should be no greater than 68 inches and at least 54 inches.
5. No super graphics will be allowed.
6. All mailboxes are to be even to the ground and not slanted. Where mailboxes are slanted due to tree roots growing below them the roots are to be cut or removed and the mailbox reset to be even to the ground. Any cracks that affect the sturdiness to the mailbox are to be corrected. Any pieces of the mailbox that are chipped away must be repaired. The letter box must be in good working condition. A repaired mailbox structure is to be repainted to its current color.
7. All mailboxes shall have the house number displayed on the mailbox in numerals at least 4 inches in height that are easily read from the street and / or prominently displayed on the fascia of the home.

2.12. Flagpoles

Flagpoles must be approved by and ACC and must meet all the following criteria.

1. All cords, pulleys, etc. must be incorporated within the interior of the pole. No exposed mechanisms will be permitted.
2. Poles may be no more than 20 feet in height.
3. The color of the pole should be anodized aluminum or white aluminum.
4. The location of the flagpole is at the discretion of the ACC, although rear yard locations are preferable in most cases.
5. Flag size may be no more than 3x5 feet.
6. The American Flag and an U.S. Armed Services flag are the only flags permitted.

2.13. Satellite Dishes

1. Satellite dishes are not to be in the front yard.
2. The placement of the dish shall be at the lowest possible measurement above the ground and at or below the first-floor fascia in the least visible location.
3. The size of the dish shall not exceed 18 inches in diameter without the approval of the ACC.
4. The dish needs to be hidden from the street with shrubbery, bushes, or trees if possible.
5. Periodic cleaning and/or painting of the dish is required to maintain the original appearance and to keep the dish free of excessive dirt, mold, and mildew.
6. Satellite dishes no longer in operation are to be removed by the owner.

2.14. Yard Signs

1. No sign, after occupancy of a house, shall be displayed to public view on such house except one customary name and address sign and/or an "Available" sign.
2. An "Available" sign indicating a house is for sale or rent is permitted and shall comply with all the following criteria:
 - a) All signs shall be professionally made, 18 inches by 24 inches in size, with white lettering on a dark green background.
 - b) The sign shall be mounted on a 4x4 inch pole with the top of the sign no more than four feet above ground level.
 - c) The wording on the sign is restricted to "Available" and a single telephone number.
 - d) The sign is to be placed between the sidewalk and the house.
 - e) No signs may be placed on the

“parkway” or that space between the sidewalk and the street curbing.

- f) A house bordering the golf course property may have a sign in the rear yard.
 - g) No other wording, attachments or riders are permitted.
3. A temporary “Open House” sign is permitted to be placed between the sidewalk and the front of the house and is only permitted during the hours of the open house.
 4. Real estate directional signs within the community are not permitted at any time.
 5. Such signs that are allowed must be always maintained in good condition and must be removed on the termination of their use.
 6. Advertising and/or contractor signs etc. are prohibited.

2.15. Basketball Standards and Backboards

A basketball standard or backboard shall not be installed without prior written consent of the ACC. A written request for the installation of a basketball standard or backboard shall be submitted to the ACC for approval prior to installation.

1. The request shall include the size and dimensions of the basketball standard or backboard and a drawing or photograph that shows the location and/or placement of the standard or backboard.
2. Basketball standards and backboards shall be permanently installed and located away from the street.
3. House mounted backboards are preferred. Pole mounted backboards are also acceptable.
4. The location of the backboard shall be chosen to least effect the adjacent residents and should not be visually obtrusive to the

community.

5. Backboards are to be clear or smoke colored acrylic. The pole color shall be black or grey.
6. Periodic maintenance shall be performed by the Owner on the pole, netting and backboard to maintain the original appearance.
7. Portable backboards must be stored in the garage when not in use.

2.16. Antennas

Exterior transmitting or receiving antennas or aerials are not allowed. If an antenna is required for a particular electrical function, it shall be mounted inside the house, attic, or garage.

2.17. Recreational Items, Accessory Structures & Decorative Objects

1. Accessory structures, such as playhouses, tool sheds or dog houses shall not be permitted unless specific written approval of the ACC is obtained.
2. No decorative objects such as sculptures, bird baths, fountains, and the like shall be placed or installed on the street side of any lot or within view from the golf course without approval of the ACC.
3. Clothes lines should not be visible from the street or adjacent lots.
4. Tennis courts are discouraged.
5. Play equipment shall be allowed, subject to ACC restrictions on location and screening. All play equipment shall be restricted to backyards unless a variance is granted by the ACC.
6. Children's toys, bicycles, skateboards, tools or any items that are not part of the natural landscaping must be

stored in the garage or a behind privacy wall unless actively in use.

2.18. Recreational Vehicles

All recreational vehicles, including golf carts, shall be parked within a garage. Recreational vehicles, such as boats, motor homes and campers shall not be parked or stored on the lot unless they are garaged.

See the BCCA Rules and Regulations for specific guidance.

2.19. Swimming Pools, Hot Tubs and Spas

1. Above ground swimming pools shall not be permitted.
2. Swimming pools, hot tubs or spas are only permitted in back yards and shall not be permitted on the street side of the house without special permission from the ACC.
3. Enclosure screening shall not be visible from the street in front of the house.
4. Enclosure screening colors shall complement and blend with the house (green is not allowed).
5. Enclosure framing shall repeat building architecture and shapes. No mill-finish aluminum shall be allowed as framing for a pool enclosure.
6. Pool equipment (pump, filter, heater, etc.) shall not be visible from the street in front of the house. The equipment shall be enclosed by a winged wall and landscaped appropriately.

2.20. Fountains

Fountains must be approved in writing by the ACC. Each of the below criteria must be met for approval.

1. All fountains must have an underground electrical connection to operate a circulating pump, so water movement is provided.

2. The fountain design shall correspond with the architectural details of the house in both style and color.
3. No images or figures of any nature are permitted on fountains.
4. A fountain shall be no more than 54 inches from ground level to the highest point of the fountain.
5. The fountain should be primarily for the enjoyment of the resident, not drive by or golf course traffic.

2.21. Awnings and Canopies

1. Awnings and canopies shall not be permitted or affixed to the exterior of the residence without the prior written approval of the Architectural Control Committee.
2. Awnings must be replaced when torn, faded or otherwise beyond repair. Replacement awning must be solid color, no stripes allowed.

2.22. Exterior Colors

1. Structure exterior colors (to include trim) require the written approval of the ACC prior to commencement of the painting or repainting.
2. Exterior painting shall be required as necessary to maintain the original appearance and architectural standards.
3. Quality control is the Owner's responsibility, however the coating condition or failure including but not limited to peeling, mildew, excessive fading, and rusting shall require repair as determined by the ACC.
4. The exterior paint color should not be the same as the houses to the immediate left or right of the house being painted and shall be coordinated with and blend with the roof tile color.
5. The trim color shall be coordinated to the exterior wall color. The fascia is considered trim, and when painting must be identified as to color.

6. Inappropriate use of colors, as determined by the ACC shall not be allowed, particularly bright colors. The exterior colors shall be selected from the sample color palette maintained in the BCCA Management Office.
7. The exterior color of the home must be approved by the ACC. A 2" by 2' square of the desired paint shall be painted on an exterior wall of the house or a sample board by the homeowner. The ACC, or its representative, will inspect the residence paint sample for approval. If approved, the homeowner will submit a design application with the paint brand or manufacturer, color name and/or number, and luster. No bright colors are allowed.

2.23. Windows

All broken windows and screens, including lanai screens must be repaired immediately.

2.24. Cables

Permanent cables cannot be exposed lying on the ground. They must be buried underground.

2.25. Porta Potty

Porta Potty or similar structures are allowed on Homeowner's property with written approval from the ACC for 30 days. Each additional 30 days must be approved by the ACC in writing.

2.26. Tarps on Roof

Tarps on roofs will not exceed 90 days and must be approved by the ACC in writing. Each additional 30 days must be approved by the ACC in writing.

2.27. Covered Vehicles

No vehicles or items of any kind are to be in driveways or visible from the street with covers or tarps on them.

3. ACC Property Maintenance Rules and Regulations

3.1. Storm Protection Device Installation

The installation or deployment of exterior window and/or door storm protection devices, materials or coverings more than 24 hours before a hurricane watch has been issued by the National Weather Service that includes Pinellas County is prohibited.

Failure to comply with this Rule within 15 days after notice by the Association shall result in a fine of \$10.00 per day, up to the maximum allowed by Florida Statutes Chapter 720, for each day any exterior door or window remains covered.

3.2. Storm Protection Device Removal

All exterior window and/or door storm protection devices, materials or coverings must be removed within 14 days after the National Weather Service lifts the hurricane watch that includes Pinellas County.

Failure to comply with this Rule within 15 days after notice by the Association shall result in a fine of \$10.00 per day, up to the maximum allowed by Florida Statutes Chapter 720, for each day any exterior door or window remains covered.

3.3. Mowing Turf Area

All turf areas of each lot shall be mowed weekly during the growing season (April 1 to October 31) and bi-weekly during the non-growing season (November 1 to March 31) to maintain the turf height of no more than four (4) inches.

Failure to comply with the Rule within 7 days after notice by the Association shall result in a fine of \$10.00 per day, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance.

3.4. Edging

Sidewalks, curbs, and driveways shall be edged in conjunction with the mowing schedule (see 3).

Failure to comply with this Rule within 7 days after notice by the Association shall result in a \$10.00 per day fine, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance.

3.5. Palm Trees

Palms of all heights on developed and undeveloped lots shall be pruned at least once per year. Palm boots and dead fronds are to be pruned and removed in conjunction with the mowing schedule (see 3).

Failure to comply with this Rule within 15 days after notice by the Association shall result in a \$10.00 per palm per day fine, up to the maximum allowed by Florida Statutes Chapter 720, or each day the lot remains in noncompliance.

3.6. Hedges

Hedges on lots shall be kept trimmed. Should a neighbor object to a hedge of height greater than 8', the hedge between homes must not exceed 8 feet in height. Hedges in rear yard along or near the property line must not exceed 4 feet in height without the agreement of adjacent or effected property owners.

Failure to comply with this Rule within 10 days after notice by the Association shall result in a \$10.00 per day fine, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance.

3.7. Turf

Diseased, heavily weeded and/or dead turf on developed lots shall be removed and replaced with sod consistent with the St. Augustine grass installed on the remaining turf area of the lot.

Failure to comply with this Rule within 15 days after notice by the Association shall result in a \$10.00 per day fine, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance.

3.8. Palmetto Clusters

Palmetto clusters on lots shall be kept trimmed. Dead fronds are to be removed in conjunction with the mowing schedule (see 3).

Failure to comply with this Rule within 15 days after notice by the Association shall result in a \$10.00 per day fine, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance.

3.9. Cleaning Driveways and Sidewalks

Driveways and sidewalks shall be kept free of mold, mildew and excessive dirt buildup and shall be pressure washed/cleaned as needed but not less frequently than annually.

Failure to comply with this Rule within 30 days after notice by the Association shall result in a \$10.00 per day fine, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance.

3.10. Vacant or Undeveloped Lot Debris

The stockpiling or dumping of building materials, fill materials, or debris on vacant or undeveloped lots is not permitted.

Failure to comply with this Rule within 10 days after notice by the Association shall result in a \$10.00 per day fine, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance.

3.11. Unallowed Items on Developed Lots

The storing, dumping, or stacking of rubbish, trash, landscape trimmings or other such items on developed lots is not permitted.

Failure to comply with this Rule within 10 days after notice by the Association shall result in a \$10.00 per day fine, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance.

3.12. Trash Removal

Garbage cans, trash cans, rubbish and rubbish containers shall not be placed curbside more than 24 hours prior to a scheduled collection time and must be removed from curbside within 24 hours after collection.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

3.13. Storage of Trash Cans

Garbage cans and/or trash cans shall be stored out of view behind privacy walls or within garages unless placed at curbside on collection days.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

3.14. Unacceptable Item in Front Yard

Toys, tricycles, bicycles, skateboards, etc. shall remain out of view from the street that is in front of the house unless actively in use.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

3.15. Drying Items in View

The drying or airing of clothing, linens, bedding or carpeting in the front yard or side yard area is not permitted.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

Part 2. – New Construction and Renovation



4. New Construction and Renovation - Introduction

4.1. Key Design Guidelines

The following list summarizes those design elements required by the BCCA.

1. Preservation of the natural character of the site.
2. Use of licensed professionals qualified in the fields of planning, architecture, landscape architecture engineering, surveying, and construction.
3. Emphasis on the thoughtful architectural designs that include warmth, artistic taste and foster indigenous Florida design concepts to enhance a harmonious blend between the man-made environment and the natural character of the Bayou Club Community.
4. Architectural elements that complement and reinforce the natural characteristics of the site including steeply pitched roofs of varying heights with large overhangs, window openings, porches, patios, and lanais. An abundant use of glass, including dormers, clerestory windows, bay and bow windows, careful and sensitive detailing on entrances, facias, soffits, gable ends, above doors and windows is desired. Finally, an emphasis on natural materials, such as brick, stucco, or wood, and overall, high-grade, quality construction that is in harmony with the land.

4.2. Limits of Review and Evaluation

The ACC's review and evaluation of construction and landscaping plans and work shall not include the following:

1. The structural adequacy, capacity or safety features of the proposed improvement or structure.
2. Soil erosion, non-compactable or unstable soil conditions, or site/drainage elevations.

3. Compliance with any or all building codes, safety requirements, governmental laws, regulations, or ordinances.
4. Performance and/or quality of work by any contractor.

The BCCA and the ACC shall have no responsibility whatsoever to the Owner, contractor or other parties related to the ACC's evaluation and approval of construction and landscaping plans and work.

4.3. Application and Approval Procedure

All construction, including new structures, renovations, additions to, or modifications to existing structures or driveways require written approval from the ACC prior to commencement of the activity.

All new landscaping or changes or modifications to existing landscaping, including the removal or addition of trees requires written approval from the ACC prior to commencement of the activity.

The addition, modification, or alteration to items covered in Section 4 Architectural Standards and Section 5 Site Standards require the prior written approval of the ACC.

If you are unsure if ACC approval is required, please contact the BCCA management office. Commencement of or completion of projects without the proper ACC approval is considered a violation of the ACC Rules and Regulations and shall result in sanctions to the Owner including fines and legal action.

The ACC also requires that the following, as appropriate, shall be submitted with the request form: site plan, construction blueprints (preliminary and final), proposed elevations, landscape renderings, drawing and plans, irrigation plans, samples of exterior colors, finishes, materials, estimated cost of completion, construction schedule, and name of contractor (s).

The ACC will review the submitted materials. The Owner may and is encouraged to attend the ACC meeting where his request will be

considered. The ACC will respond in writing with its approval, disapproval, request for additional information etc.

Blank application forms are included as Attachments to this document. Forms are also available from the BCCA management office.

4.4. Damages to Common Areas.

The lot owner shall be responsible for the following:

1. The cost of repair of any damage to the common areas of the Bayou Club Community caused by the Lot Owner or by the Contractor, its employees, agents or subcontractors, during the period of construction of the improvements and/or landscaping on the Lot through the date of final approval of construction by the ACC.
2. The cost of lawn or landscaping maintenance, debris or equipment removal or other maintenance or repairs to the Lot performed by the Association, during the period of construction of the improvement and/or landscaping on the Lot through the date of final approval of construction by the ACC.
3. Any fines against the Lot Owner imposed by the Association for violation of or noncompliance with any covenants or requirements of the Master Declaration, the ACC Procedures, Standards, Rules and Regulations or the Association Rules.
4. Any attorney's fees and costs incurred by the Association for interpretation and enforcement of any covenants or requirements of the Master Declaration, the ACC Procedures, Standards, Rules and Regulation or the Association Rules against the Lot Owner.
5. Any unpaid monthly or special assessments on the Lot owned by the Lot Owner.

The following is an outline of each phase of the design review process and submittal requirements for each phase.

4.5. Pre-Design Conference

Upon selection of a lot or lots and prior to the beginning of a preliminary design, it is strongly

recommended that the Owner consult with an architect/landscape architect/engineer to avoid delays because of improper site planning.

After this it is recommended that a pre-design conference be held with the ACC. It is recommended that the consultants take into consideration the way a lot faces the street, existing trees, adjoining houses, street settings, and other details prior to actual design of a house.

In short, a house should be designed to fit a particular lot with site planning being an important consideration in accenting design.

At this time, the Owner shall make available the following:

1. A general description of the lot.
2. General information, including but not limited to the Owner's name, address and contact person, landscape architect, engineer, builder, and other consultants.
3. A schedule to show anticipated planning and design time frame and the beginning and completion of construction.
4. Builder qualifications.

4.6. Initial design Review

Owner must submit to the ACC, two (2) sets of the following:

1. Initial Design Review Application.
2. A site survey of the lot at a minimum scale of 1" = 20'. Base data pertaining to lot lines, topography at a contour interval of 1 foot, easements, all existing vegetation, etc. are to be shown on the survey.
3. Preliminary site plans. Indicate location of structure, swimming pool, walls, enclosures, docks, decks, all lot utilities, etc. Scale to a minimum of 1" = 20'. Show all setbacks and proposed pad elevations in relationship to street elevations. The Site Plan must show all existing trees of 4" caliper and larger and indicate which are to remain and which will be removed.

4. Preliminary floor plan drawn to a 1/4" scale indicating room sizes and intended uses.
5. Proposed elevations and sections of all sides of the proposed structure, together with roof pitches, heights of structures, chimneys, etc.
6. Square footage must be indicated on the plans in the following manner:
 - a. First Floor
 - b. Second Floor (if applicable), including any balconies
 - c. Garage
 - d. Patio, decks, courtyard, etc.
7. Schedule to show time frame of construction.
8. Builder qualifications.

The ACC shall review the application and design documents within fifteen (15) days after receipt of the same and shall return one set of plans to the Owner with the appropriate comments. If the design documents are incomplete, the ACC shall so notify the Owner within ten (10) days after receipt of the same.

4.7. Major Design review

The Owner shall submit two (2) complete sets of working drawings, showing on each sheet the seal and signature of a registered architect and/or engineer, and specifications for final review to ensure adherence to the approved preliminary design before making any submissions to any governmental authority.

Any subsequent changes required to comply with applicable codes must be resubmitted for approval.

Any changes in material samples shall be submitted. A copy of a final color rendering is required.

A construction and completion schedule shall be included.

The ACC may request a meeting to discuss modifications of the drawings or in the specifications.

The ACC shall review all design documents within fifteen (15) days after receipt of the

same in complete form and shall return one set of plans to the Owner with the appropriate comments. If the design documents are incomplete, the ACC shall so notify the Owner within fifteen (15) days after receipt of the same.

The Owner shall submit the final construction plans (two sets), material samples, and color chips as follows:

INCOMPLETE PACKAGES WILL BE REJECTED AND RETURNED TO OWNER.

1. Major Design Review Application
2. Final Site Plan, which must include as applicable:
 - a. Scale 1" = 20' (minimum)
 - b. Property lines
 - c. Easements, rights-of-way, and setbacks
 - d. Driveways, sidewalks, and walkways
 - e. Culverts, drainage/proposed grading plan with percentage of slope
 - f. Location of structure
 - g. Pools, decks, patios
 - h. Roadways
 - i. Existing grade/finished floor elevations
 - j. Existing tree locations and sizes
 - k. All utility routing and equipment, including Power, Water Sewer, Phone, Cable TV, etc.
 - l. Fences and/or walls
 - m. Mechanical equipment location
 - n. Trash can location
 - o. Dimensioned building location, driveways, walks, patios, etc.
 - p. Swimming pools or tennis courts
 - q. Mail receptacle location
3. Final Floor Plans
 - a. Scale 1/4" = 1'0"
 - b. Finished floor elevation
 - c. Complete mechanical plan including location of equipment
 - d. All electrical including any exterior lighting
4. Final Exterior Elevations
 - a. Scale 1/4" = 1'0"
 - b. Plans must show all four elevations

of the house, doors, windows, fences, mechanical equipment, and any surface mounted exterior lighting fixtures.

Note: If the ACC deems the elevation to be unusual in design, it may require a color rendering or scale model of the structure.

- a. Lot Corners
- b. Dwelling
- c. Driveway and driveway aprons
- d. Sidewalks and walkways
- e. Pools, decks, and patios
- f. Fences
- g. Easements and rights-of-way
- h. Elevations for ground floor of residence

5. Final Building Details

- a. Minimum scale of $\frac{1}{2}'' = 1'0''$
- b. Building Sections
- c. Detail roof sections, pitch, type
- d. Detail wall sections
- e. Detail fascia and trim
- f. Mail receptacle design

2. Certificate of Occupancy.

6. Exterior Colors/Finishes/Materials

- a. Specifications
- b. Manufacturers/Models (if possible)
- c. Product samples/photos
- d. Color chips

7. Landscape Plan and Irrigation Plan, which must include final grading and existing trees and plantings to remain and to be removed.

- a. Scale $1'' = 10'$
- b. Topography
- c. Drainage patterns
- d. Easements and rights-of-ways
- e. Existing trees (4" diameter)
- f. Complete irrigation plan
- g. Plant list with quantities, size and plant spacing
- h. Plant material locations
- i. Site and accent lighting details
- j. Surface material
- k. Boundaries of all landscape treatments including sod and planting areas

8. Cost estimate for building construction and site/landscape improvements.

9. Construction Schedule

10. Builder Qualifications

4.8. Survey/Certificate of occupancy

Upon completion of construction the following shall be submitted to the ACC:

1. Final survey showing as-built conditions of the following:

5. Design Review Process

5.1. Tree Preservation

One of the ACC's primary goals for the home site is to minimize the disturbance of existing ecological systems and to preserve existing vegetation (trees, shrub, and groundcover). Owners and builders may not remove trees prior to final approval of plans by the ACC. Trees may be cut after such approval only for clearing for driveways and building pads. All other tree cutting must be approved as part of the landscape plan.

The following measures shall be undertaken to ensure preservation of existing vegetation.

1. A tree survey shall be completed (in conjunction with other required survey work). Although major trees should be located prior to schematic design, at the time of the initial design conference a tree survey covering all areas that will be affected by construction shall be necessary.
2. The tree survey shall be used as an aid in developing preliminary plans. Tree preservation should be a high priority in site plans of buildings, parking, drives and other site elements.
3. Final plans must clearly delineate trees to be preserved and a limit of disturbance line. This should be cross-referenced with all aspects of the development such as utilities, grading, layout, etc.
4. The limit of disturbance line must be protected with fencing, conspicuous and high enough to be seen by equipment operators. Fencing must be installed far enough from the tree to prevent compaction and puddling over the root system and large enough to include the area within the drip line of trees to be preserved. Sensitive root systems fall within this area and must be protected.
5. No equipment storage or parking shall be allowed within these preservation areas. Weed and debris

within these areas must be removed with hand tools.

6. Silt fencing must be installed prior to any clearing or construction and must be maintained in good condition until construction is completed.

5.2. Landscaping Standards

To ensure that the overall beauty of the community is preserved and enhanced, the ACC has the authority to approve or disapprove landscape plans for individual houses. A recommended plant list is provided as Appendix A.

1. At the Major Design Review, the Owner must submit plans and specifications for construction of improvements upon his lot to the ACC.
2. A landscape survey or plan shall also be submitted for approval.
3. All lots or other property which is subject hereto upon which a house or other improvement will be or has been constructed shall be fully sodded and shall be maintained with at least the minimum landscaping required and approved by the ACC, including but not limited to specific types and sizes of trees and other plantings.
4. The landscape requirement for an Owner to install around a new house must not be less than 1.5% of the house value, unless approved in writing by the ACC. This landscaped treatment shall be concentrated around the front and entrance of the house. The monies applied to the landscaping requirement shall not include mulch, river stone, fencing, irrigation, sod, etc.
5. All disturbed areas must be re-vegetated either with turf, groundcover, or shrub masses.
6. All mechanical equipment not screened by a fence or wall shall be screened with planting material. Plant material height must be greater than the height of the equipment at the time of installation.
7. Adherence to public utility setbacks is required.

See the ACC Property Maintenance Rules and Regulations (Section 2 and 3) for additional details concerning landscape maintenance requirements.

5.3. Site Improvement Standards

The ACC shall consider each site independently but shall consider each individual plan's impact upon adjacent home sites and view corridors.

Care must be taken to locate each structure, whenever possible, so as not to infringe upon view corridors, adjacent structures and home sites, and natural amenities of the area. Consideration in this regard includes:

1. Physical terrain of the site.
2. Views from the site.
3. Views to the site from adjacent lots or golf course property if applicable.
4. Natural amenities such as existing vegetation and existing water and drainage channels.
5. Driveway access.
6. Height of structures.

No bulldozing or clearing of trees shall be commenced until plans and specifications showing the nature, kind, shape, and location of work have been submitted and approved by the ACC. Fill shall not be deposited at any location without prior ACC approval. Cuts and fills should be designed to complement the natural topography of the site, and not cut or fill should occur within the drip line of existing trees.

Lot drainage shall be designed to conform to the engineer's criteria for the lot as estimated by county requirements. Each lot is responsible for drainage of all surface water within the confines of its own lot.

5.4. Supplemental Covenants

The Supplemental Covenants, Conditions and Restrictions specify the house minimum square footage and minimum setback standards for each tract and/or phase. The BCCA

management office maintains a list that identifies each lot address by tract and/or phase.

5.5. Minimum Square Footage

The minimum living area (fully enclosed floor areas above the elevation of the finished grade of the unit, exclusive of roofed or unroofed porches, terraces, garages, or outbuildings) shall be as indicated in the Supplemental Covenants, Conditions and Restrictions.

1. Tract 5 Phase 1-1,700 Square Feet
2. Tract 5 Phase 2-2,400 Square Feet
3. Tract 5 Phase 4-2,400 Square Feet
4. Phase 11-3,500 Square Feet
5. All others-3,000 Square Feet

The floor space within the garage, or breezeway, a porch or an unfinished storage or utility room shall not be included within the living area for the purpose of this provision.

5.6. Structure Height

See Subsection 4.1 for structure height limitations.

5.7. Setbacks

The following setbacks are defined in the Supplemental Covenants, Conditions and Restrictions as minimum standards and are measured from the property lines:

Replat Phase 1	
Replat Phase 2	
Phase 3 / Phase 4 / Phase 7 / Phase 9 / Phase 10	
Side Yard Setback	7.5 feet
Front Yard Setback	25 feet
Non Lake Rear Yard Frontage-	
Rear Yard Setback	25 feet
Lake Rear Yard Frontage-	
Rear Yard Setback	20 feet

Bayou Club Blvd Extension Tract 1 Phase 1 And
Tract 2 Phase 1
Phase 5 / Phase 8
Tract 1 Phase 2
Tract 2 Phase 2
Tract 4

Yard Setback 7.5 feet
 Front Yard Setback 25 feet
 Rear Yard Setback on lake
 and Interior Lots 20 feet
 Rear Yard Setbacks on
 Golf Course Lots 25 feet

Tract 5 Phase 2 and Tract 5 Phase 4
 Side Yard Setback 7.5 feet
 Front Yard Setback 25 feet
 Rear Yard Setback 10 feet

Tract 5 Phase 1
 Side Yard Setback 7.5 feet
 Front Yard Setback 25 feet
 Rear Yard on Lake Setback 20 feet
 Rear Yard Setback on Golf Course
 and Interior Lots 10 feet

Tract 2 Phase 3
 Side Yard Setback 7.5 feet
 Front Yard Setback 25 feet
 Rear Yard Setback 25 feet

Phase 11
 Side Yard Setback 7.5 feet
 Front Yard Setback 25 feet
 Rear Yard Setback 20 feet

For some building lots within the community it may be impossible or inadvisable to develop setback requirements according to the previous standards due to the natural terrain, lot configurations, and/or proximity of adjacent structures. Therefore, the ACC may approve specific deviations to these setbacks which it believes to be beneficial to a specific house site or to adjacent house sites. Deviations from the minimum setbacks must be reviewed by the BCCA Board of Directors.

Staggering building setbacks from road rights-of-way should be utilized to eliminate a regimented and monotonous streetscape. Staggering the facades of individual residences can be done to achieve a similar effect.

6. General Development Standards

6.1. House Styles

1. Housing types or styles should not be repetitive from lot to lot along a neighborhood street. Rather, a variety of houses are encouraged.
2. Each house shall have as a minimum an attached two car garage, as further provided in Subsection 4.6.
3. No building shall exceed a height of 35 feet above grade, which may consist of two and one-half (2 ½) stories above grade.

6.2. Exterior Materials

Exterior artificial, simulated, or imitation materials shall not be permitted without the approval of the ACC.

The use of the following materials is appropriate:

1. Stucco – in light, warm colors.
2. Masonry – brick, stone (as integral part of the architecture but not as decorative appliqué).
3. Wood – as a trim or accent

NOTE: NO PLYWOOD, VINYL OR METAL SIDING IS ALLOWED OR PERMITTED

Inappropriate use of materials and colors, as determined by the ACC, shall not be allowed, particularly bright colors.

6.3. Roofs

1. Roof pitches and overhangs may vary as necessitated by architectural design; however, no flat roofs are allowed as a major structural element.
2. A minimum 5 to 12 slope is set as a standard.

3. See Subsection 4.1 for building (roof) height limitations
4. No mansard roofs shall be allowed.
5. Roof overhangs are recommended to protect from the sun, and along with trellises, will provide passive energy conservation.
6. All roof stacks, flashings and metal chimney caps and gutters shall be painted to match the approved roof colors. Roof stacks and plumbing vents shall be placed on rear slopes of the roofs where possible.
7. Roof colors and textures shall be an integral part of the exterior color scheme of the building. Inappropriate use of materials and colors, as determined by the ACC, shall not be allowed.
8. Solar water heating panels shall be reviewed on an individual basis and approval based upon the visual effect to the surrounding area. Generally, their use is discouraged.
9. All roofing material must be approved by the ACC.
10. Roofing materials will weather but shall maintain a consistent appearance. In the event a portion of the roofing architectural finish (tiles) is replaced, the replacement tiles shall be consistent in appearance with the original remaining tiles, with no noticeable inconsistency in material, shape, design, color and other features and dimensions.
11. Structural additions and repairs shall use the same roofing architectural finish (tiles) as the roofing finish on the existing structure and shall maintain a consistent appearance. In the event of a structural addition or repair, the new or replacement tiles shall be consistent in appearance with the original remaining tiles, with no noticeable inconsistency in material, shape, design, color and other features and dimensions.

6.4. Windows/Doors/Front Entrances

1. All window muntin and grids shall be permanent and constructed of full profile (minimum ¾" width) muntin bars. Muntin grid patterns must remain uniform from window to window. Shifts in grid alignment shall not be permitted.
2. Assorted window styles will be discouraged on an individual home (i.e., cathedral fan arches mixed with flat spring arches).
3. Windows shall be recessed from the wall to provide a shadow line.
4. Windows shall be clear glass or bronze, gray, or smoke colors. No mirrored reflective glass or mirrored reflective tinting should be used.
5. Bright finished or bright plated metal exterior doors, windows, window screens, louvers, exterior trim, or structural members shall not be permitted.
6. All the main entrances shall be enhanced by a projecting roofed portico and shall be strongly detailed and recessed to provide a protected focused entry.
7. "Façade" flat entrance doors are not permitted.

6.5. Garages

1. An attached two car garage shall be required as a minimum, with either a single door, or two overhead doors, sized for single cars.
2. All doors should be compatible with the exterior design.
3. All garage doors shall have an automatic opener installed and should be kept closed when not in use.
4. Carports are not allowed.
5. Garages shall be located and treated so that approaches to houses are not visually dominated by the garage.

6. When garages are detached from houses, they shall maintain the architectural style of the house.
7. Covered walkways are encouraged between detached garages and houses.

6.6. Roof Windows

Skylights and/or roof windows shall not be permitted on the primary elevations of the home. These roof windows shall only be permitted on secondary elevations if they properly align and complement the home elevation.

Dormer windows are the preferred alternative. Dormers must also maintain an alignment balance with the home elevation.

6.7. Chimneys

1. All home chimneys shall be full foundation based masonry chimneys.
2. Wood siding chimneys shall not be permitted.
3. All chimneys shall be compatibly positioned and proportionately balanced within the home's elevation (s).

6.8. Gutters

The use of gutters is recommended unless gutters are not in character with the architectural style of the home.

1. Gutters shall be installed at entrances and must extend the full length of the plane of the house at which the entrance occurs.
2. Downspouts shall be designed to be compatible with the building elevations (i.e., located in corners, not protruding from walls).

6.9. Decks/Porches/Lanais

1. Detailing of all patios, decks and lanais shall be architecturally compatible with the home.

2. Patios and decks shall be designed to serve as an extension of the house. Rails, pickets, and underpinning should be painted white or to match the trim of the house.
3. Views to the underside of decks shall be screened with an underpinning (latticing, etc.) and/or landscape material large enough to provide screening upon installation.
4. Porch, deck, and lanai screen colors shall complement and blend with the house (green is not allowed).

6. The sill angle is either mounted on the sill or directly below the opening being protected. The sill angle should be made removable and only installed if hurricane warnings, tropical storm warnings or tornado warnings have been issued by the National Weather Service for the Tampa Bay area.
7. The header, slide tracks and sill angle finish shall be painted to match soffit, house, or trim colors. Paint colors shall be selected to best make the tracks and housing of the shutters blend into the house as naturally as possible.

6.10. Hurricane Shutters

The window protection system (panels, coverings etc.) shall be deployed/installed and removed in accordance with the ACC Property Maintenance Rules and Regulations (see Section 7).

1. Hurricane shutters and window protection must be approved in writing by the ACC. The request for ACC approval shall include the cost estimate to install the product, a description of the shutter and/or materials to be used, samples or brochures describing the product and method of installation, color samples and applicable drawings and illustrations.
2. It is the Owner's responsibility that each hurricane shutter shall be designed and installed in accordance with the Florida Building Code requirement to meet either the Standard Exposure requirement or the Coastal Exposure requirements, as appropriate.
3. All front, main entrance, side, and rear openings containing glass may be covered with clear, storm rated panels or corrosion resistant metal panels.
4. The headers, slide tracks and sill angle supports shall consist of corrosion resistant materials.
5. The header shall be mounted directly above the opening to be protected in such a way as to touch soffit above and to minimize its visibility.

8. Permanent fasteners for temporary window coverings shall be painted to match adjoining surface.
9. The rear porch/lanai area, doors and windows may be covered with an accordion type of shutter system forming an enclosure. The top track, bottom track and blades shall be of corrosion resistant materials which are color coordinated with the house. The top and bottom tracks shall be mounted directly above and below (respectively) the opening being covered.
10. TEMPORARY window coverings (such as plywood, with appropriate fasteners, i.e., tap cons) may be used in emergency situations but any damaging marks to the exterior of the house must be patched and painted immediately upon removal of the covering.
11. All hurricane panels and window protection coverings shall be stored inside and not visible from the exterior of the home.

7. Rules for Contractors, Owners and Construction Personnel

7.1. The Limitations

After the initial and major design review and approval by the ACC, the Owner must begin construction within six months from the date of final approval or forfeit all approvals. In that event, a new application must be submitted, and approval obtained before commencement of construction.

Important Notice

The Bayou Club Community is a restricted community with architectural control guidelines which every Owner must comply with before any improvement or landscaping may be made on his lot. If approval has not been obtained, the Owner is in violation of the governing use restrictions of the Master Declaration of Covenants, Rules of the Bayou Club Community Association, Inc. (BCCA) and Rules of the Architectural Control Committee (ACC) and is subject to legal action. As Owner or agent of the Owner, you may be subject to legal proceedings related to your work, including, but not limited to injunctive relief requiring stoppage of work and removal of improvements constructed or landscaping installed without approval. Additionally, legal action may be taken directly against you for violation of the Rules set forth below. Damages to utilities and common areas, including but not limited to gates and gate arms, are to be reported immediately to security personnel and/or BCCA Management Office. Please read these Rules carefully and be governed accordingly.

7.2. Notice of Violation

ACC Rules for Contractors, Owners and Construction Personnel (see Section 6) occurs, the BCCA Association Manager shall prepare a written notice to the Owner. The notice shall be mailed to the Owner via first class mail and shall detail the date the violation was observed or occurred and shall cite the specific authority for

the violation.

If applicable, a “corrective period” or “curative period” will be noted in the letter. The ACC is hopeful the Owner will make the necessary corrections during this period. If the corrections are not made within the period specified in the letter, the ACC shall initiate the appropriate actions that include but are not limited to legal action and/or fines.

Unless noted elsewhere in this document or in the ACC Property Maintenance Rules and Regulations (Part 2) or the BCCA Rules and Regulations or the Rules for Contractors, Owners and Construction Personnel (Section 6), the “corrective or curative” period shall be no more than 30 days from the receipt of the letter and the fine for noncompliance shall be no more than \$100.00 per day until the violation is corrected up to the maximum amount for continuous violations authorized by Florida Statutes Chapter 720.

7.3. General Rules

In some instances, the violation cannot be corrected, e.g., the parking of a vehicle on the turf areas or removal of a tree. For this type of “non-correctable violation” the Owner shall be given one warning letter. Recurrence of the violation shall result in sanctions and/or fines against the Owner.

The following Rules apply to all contractors, employees of the contractors and service personnel while on the Bayou Club Community premises.

1. All city, county, and state codes, as well as BCCA and ACC Rules and Regulations must be complied with. All necessary permits must be pulled and posted.
2. Checking in with security upon entrance is mandatory. If an Owner has not informed security of your arrival, entrance will be denied. All drivers must have a valid driver’s license.
3. All contractor personnel are required to enter and leave through the Belcher Road gate.

Failure to comply with this Rule shall result in one warning notice to the Owner.

Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

4. Entry for Contractor Service Vendor Delivery personnel will continue to be allowed from 7am to 5:30pm, Monday thru Saturday. Entry will also be allowed from 5:30pm until 9pm, Monday thru Saturday only for work to be done inside the house that cannot be heard outside the residence.

During these extended hours, work will not be allowed outside the residence. Work will not be allowed on Sundays and Federal Holidays.

In case of an emergency, entry will be allowed 24/7 (i.e., fire, medical, major household damage/danger: i.e., ruptured water line, gas leak, loss of power, cable, or internet).

Failure to comply with this Rule shall result in one warning notice to the Owner.

Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

5. Contractors are required to keep their job sites as neat and clean as possible. Trash and discarded materials must be removed weekly. There will be no stockpiling or dumping on adjacent lots or on streets. Construction materials are to be neatly piled on site; debris and rubbish are to be contained and periodically removed; tall or unsightly weeds are to be routinely cut back, streets adjoining a construction site are to be frequently swept clean of dirt and construction trash. Trash not removed will be removed by the BCCA and billed to the responsible contractor or subcontractor or the Owner.
6. When particularly loud or exterior construction activities occur adjacent to a developed lot or otherwise sensitive land, the ACC may require the contractor to erect a proper fence to screen that activity. The design of that fence must be approved by the ACC. Adjacent lots must also be protected from wind-borne dust, debris, and

paint.

Failure to comply with this Rule within 10 days after notice by the Association shall result in a fine of \$10.00 fine per day, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance.

7. The installation and location of all temporary structures such as site trailers and offices are prohibited.

Failure to comply with this Rule within 10 days after notice by the Association shall result in a fine of \$10.00 fine per day, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance.

8. All vacant lots shall be kept neat and cleared of debris and shall be well and continuously maintained before and during construction.

Failure to comply with this Rule within 10 days after notice by the Association shall result in a fine of \$10.00 fine per day, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance.

9. Contractors will use only the utilities provided on the immediate site on which they are working.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

10. Any damage to streets and the curbs, drainage inlets, streetlights, street markers, mailboxes, or walls, gates, gate arms, or other common property etc. will be repaired by the BCCA and such cost billed to the responsible contractor or subcontractor or the Owner.

11. There will be no washing of any truck on the streets. Any concrete delivery truck washed out must be on the construction site.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

12. Operators of vehicles must take precautions to avoid spilling any materials or debris while within the Bayou Club Community; and, if spillage overload occurs, operators are responsible for cleaning it up. Cleanups done by the BCCA will be billed to the responsible party or the Owner. Please report any spills as soon as possible to the BCCA Management Office or security personnel.

13. If you cut any telephone, cable TV, electrical, water or sewer lines, it is your responsibility to report such an accident to the BCCA Management Office and the appropriate utility within 30 minutes.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

14. All Personnel working in the Bayou Club Community must ensure that they keep all areas in which they work or travel free of discarded materials such as lunch bags, paper cups and other objects. Objects should not be thrown out of cars or trucks.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

15. The stockpiling of any materials on adjacent lots is not permitted.

Failure to comply with this Rule within 7 days after notice by the Association shall result in a fine of \$10.00 per day, up to the maximum allowed by Florida Statutes Chapter 720, for each day the lot remains in noncompliance.

16. Radios or loud noise shall not be allowed within the Bayou Club Community. This is distracting and discomforting to owners

and golfers alike. Normal radio volume levels are acceptable. Do not mount speakers on vehicles or outside of homes under construction. Remember, sound travels a long way on a windy day.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

17. No shortcuts across golf course property are allowed. Any contractor working on a lot adjacent to the golf course must have a full-time golf club employee show him the paths of access and egress.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

18. No commercial vehicles or trailers shall be left in the Bayou Club Community overnight. Construction equipment may be left on the site while needed but shall not be on the street.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

19. Contractor parking during working hours should be on the construction site whenever possible. Contractor parking violations will be charged to the Owner. See BCCA Parking Rules and Regulations.

20. No contractor or subcontractor personnel shall be permitted to bring pets into the Bayou Club Community.

Failure to comply with this Rule shall result in one warning notice to the Owner. Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

21. Only bona fide workers are allowed on site. Workers may be driven to the site and picked up, but the driver of the vehicle must

not remain on the site unless he is an actual employee of the contractor or subcontractor.

Failure to comply with this Rule shall result in one warning notice to the Owner.

Subsequent violations shall result in a \$50.00 fine per reoccurrence, up to the maximum allowed by Florida Statutes Chapter 720.

22. Vehicle parking shall not block or impede the access of Owners of adjacent lots to their driveways or mailboxes. (See #6.22)
23. Infractions of these Rules for Contractors, Owners and Construction Personnel, the BCCA Rules and Regulations and other ACC Rules and Regulations may result in sanctions and/or fines to the Owner.

Appendix A Recommended Trees

<u>Scientific Name</u>	<u>Common Name</u>
Ligustrum japonicum	Japanese Privet
Ligustrum lucidum	Glossy Privet
Lagerstroemia indica	Crepe Myrtle
Myrica ceritera	Wax Myrtle
Ilex opaca	American Holly
Ilex cassine	Dahoon Holly
Sabal palmetto	Cabbage Palm
Phoenix reclinata	Senegal Date Palm
Phoenix canariensis	Canary Island Date Palm
Pinus elliottii	Slash Pine
Pinus clausa	Sand Pine
Pinus glabra	Spruce Pine
Pinus palustris	Longleaf Pine
Pinus taeda	Loblolly Pine
Ulmus parvifolia sempervirens	Drake Elm
Ulmus Americana var. floridana	Florida Elm
Ulmus alata	Winged Elm
Ulmus parvifolia	Chinese (Weeping) Elm
Quercus laurifolia	Laurel Oak
Quercus nigra	Water Oak
Quercus virginiana	Live Oak
Quercus virginiana "Heritage"	Heritage Live Oak
Taxodium ascendens	Pond Cypress
Taxodium distichum	Bald Cypress Southern
Juniperus silicicola	Red Cedar Eastern
Juniperus virginiana	Red Cedar
Salix babylonica	Weeping Willow
Salix caroliniana	Coastal Plains Willow
Prunus angustifolia	Chickasaw Plum
Acer rubrum	Red Maple
Cercis Canadensis	Redbud
Mangolia virginiana	Sweetbay
Liquidambar styraciflua	Sweetgum
Magnolia grandillora	Southern Magnolia
Cornus florida	Florida Dogwood
Chionanthus virginicus	Fringe-tree
Crataegus spp.	Hawthorns
Gordonia lasianthus	Loblolly-bay
Koelreuteria formosana	Golden Rain

Appendix B Recommended Shrubs

<u>Scientific Name</u>	<u>Common Name</u>
Nerium oleander	Oleander
Ligustrum sinense	Variiegated Ligustrum
Ligustrum japonicum	Japanese Privet
Pittosporum tobira	Pittosporum
Pittosporum tobira variegatum	Variiegated Pittosporum
Feijoa sellowiana	Pineapple Guava
Abelia grandiflora	Abelia
Rhododendron simsii	Indian Azalea
Rhododendron obtusum	Azalea Dwarf/Semi Dwarf
Ilex cornuta burfordii	Chinese Holly
Jasminum mesnyi	Primrose
Jasminum nudiflorum	Jasmine
Jasminum multiflorum	Shining Jasmine
Gardenia jasminoides	Star Jasmine
Plumbago capensis	Gardenia Plumbago
Juniperus chinensis var. Blue Vase	Blue Vase Juniper
Eleagnus pungens	Silverthorn
Pyracantha coccinea	Firethorn
Bougainvillea glabra	Bougainvillea
Raphis excelsa	Lady Palm
Raphiolepis indica	Indian Hawthorn
Cortaderia selloana	Pampas Grass
Myrica cerifera	Wax Myrtle
Viburnum suspensum	Sandankwa Viburnum
Viburnum odoratissimum	Sweet Viburnum
Podocarpus macrophylla	Podocarpus

NOTE: The preceding list of plant materials is a guide only and each site may provide unique microclimates or situations where other plants may be appropriate. Each landscape plan will be reviewed on an individual basis.

Appendix C Recommended Ground Cover

<u>Scientific Name</u>	<u>Common Name</u>
Trachebpermum jasmininoides	Confederate Jasmine
Juniperus chinesis "Parsonii"	Parsons Juniper
Juniperus chinesnsis "Blue Rug"	Blue Rug Juniper Varied
Liriope (spp.)	Varied
Hedera helix	English Ivy
Ficus pumila	Creeping Fig
Moraea iridoides	White Iris
Hemerocallis sp.	Day Lilies
Agapanthus africanus	African Lily
Zamia floridana	Coontie Holly Fern
Cyrtomium falcatum	Holly Fern
Gardenia radicans	Dwarf Gardenia
Pittosporum wheeleri	Dwarf Pittosporum
Wedelia trilobata	Wedella
Asparagus sprengeri	Asparagus Fern

Attachments

Bayou Club Community Association, Inc.

Design Review Application

Design Review Application

Initial Review _____ **Major Design Review** _____

Date: _____

Owner Name: _____

Telephone # _____ E-Mail Address: _____

Property Address: _____

Mailing Address: _____

Builder/Contractor Name and Address: _____ Telephone: _____

We propose to commence on or about _____ and complete by _____.

Estimated cost of project excluding landscaping and sod: _____

Estimate cost of Landscaping excluding sod and mulch: _____

Bayou Club Community Association, Inc.

Design Review Application

I have read and agree with the following:

BCCA Architectural Control Committee Procedures, Standards, Rules and Regulations

No occupancy of the residence is permitted until all construction and landscaping is completed in accordance with the plans, drawings, specifications and landscape information approved by the ACC.

I agree to reimburse the BCCA for the cost of repairing damage to the common areas caused as a result of this project.

Owner Signature: _____ Date _____

Printed Name:

General Information:

Lot Dimensions: _____

Residence Square Footage: _____

Bedrooms: _____

Baths: _____

Height from slab: _____

Stories: _____

Height from crown of road to roof ridge: _____

Bayou Club Community Association, Inc.

Design Review Application

The following document/materials/samples are provided for the ACC:

<u>Initial Design Review</u>	<u>Major Design Review</u>
_____ Site Survey (2)	_____ Final Site Plan (2)
_____ Preliminary Site Plans (2)	_____ Final Floor Plan (2)
_____ Preliminary Floor Plans (2)	_____ Final Exterior
_____ Proposed Elevations (2)	_____ Final Building Plans (2)
	_____ Exterior Colors/Finished/Materials
	_____ Final Landscaping and Irrigation Plans (2)
	_____ Construction Schedule

Please provide a description of the project:

Bayou Club Community Association, Inc.

Architectural Control Committee

Hurricane Shutter Installation Application

Date: _____

Property Address:

Unit Owner Name:

Mailing Address:

Telephone # _____ E-Mail Address: _____

Hurricane panels, shutters and exterior window protection shall only be deployed/installed per the ACC Rules and Regulations and must be removed per the ACC Rules and Regulations.

Estimated Cost: _____

Description of product(s) to be used: Submit photos, product brochures, product specifications:

Detail of colors to be used: Submit color samples

Description of location where product will be installed: Front, sides, rear

Installation company name, telephone # and address

Bayou Club Community Association, Inc.

Architectural Control Committee

Approval: Granted: _____ Denied: _____ Date: _____

Signed: _____

Bayou Club Community Association, Inc.

Architectural Control Committee

Landscaping Application

Date: _____

Property Address:

Unit Owner Name:

Mailing Address:

Telephone # _____ E-Mail Address: _____

Estimated Cost: _____

We propose to commence on or about _____ and complete by

The following must be submitted with the application:

_____ Landscaping drawing or rendering

_____ Plant list to include quantity and size

_____ Identification of trees to be removed Landscape company name, telephone # and address

I have read and agree to comply with the following:

1. BCCA Architectural Control Committee Procedures, Standards, Rules and Regulations
2. Rules for Contractors, Owners and Construction Personnel
3. I agree to reimburse the BCCA for the cost of repairing damage to the common areas caused as a result of this project.

Owner Signature: _____ Date:

Printed Name: _____

Bayou Club Community Association, Inc.

Architectural Control Committee

Approval: Granted: _____ Denied: _____ Date: _____

Signed: _____