



Holley by the Sea Improvement Association

# Architectural Rules and Policies\*

Approved by the Board of Directors March 15, 2018  
*This document replaces all previous versions*

\*This document is for the members of Holley by the Sea and Hidden Creek Estates. Hidden Creek Estates has additional covenants that may conflict with some of the rules and policies contained in this document. When that occurs, the covenants will override this document.

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# 1. Parking and Issuance of Special Permit

## A. PREAMBLE

**Purpose:** This policy specifies the eligibility requirements and use restrictions associated with the special permits for parking referenced in Article VII, Section of the Declaration.

**Applicability:** This Policy does NOT apply to those lots in HBTS that are designated as Hidden Creek Estates, which have separate restrictive architectural covenants.

**Authorizing Authority:** Declaration, Article VII, Section 5, 10 and 26

## B. General

- a. HBTS Residents shall park passenger vehicles in garage, on driveway or on HBTS ACC Approved locations.
- b. Parking on easements, another's property, or in designated no parking zones as well as in such a manner as to block a fire hydrant or mail box will be subject to County and/or State parking or trespassing laws. (Santa Rosa County, FL – Code of Ordinances, Chapter 21, Section 21-2; and FL Statutes, Title XLVI, Chapter 810.)
- c. Any vehicle left unmoved in an area defined in paragraph 1.B.(b) above, for more than 14 consecutive days will be considered abandoned and remanded to the County for disposition. (Santa Rosa County, FL – Code of Ordinances, Chapter 10, Article VI)
- d. Derelict, non-functional or unlicensed vehicle parking is prohibited.
- e. Tarps shall not be used to cover any vehicle or item that is located on the driveway or in front of the house. Tarps are permitted to cover vehicles or other miscellaneous items so long as the vehicle or item is located in the back yard. For vehicles with long-term parking permits, tarps may be used only when the vehicle is parked in accordance with the parking permit: ten feet back from the front of the home.

## C. Special Permit for extended parking/storage and short term parking

### 1. General

- a. Commercial vehicles, as specified in the NADA Official Commercial Truck Guide®, are not eligible for special permits for parking/storage.
- b. Campers, self-propelled mobile homes, trailers, boats, and portable moving and storage containers as well as any vehicles that have a commercial

sign, advertising, or commercial equipment visible, including but not limited to agricultural, industrial and construction equipment, or any vehicle which is used or intended for use primarily to haul or carry material and/or equipment shall be required to obtain a special parking permit and adhere to the requirements provided herein.

- c. This provision does not apply to law enforcement, emergency vehicles; auto dealer affixed advertising that indicates from which dealer the vehicle was purchased or official military decals for the purpose of access to military installations.
- d. In no event does the “special permit” allow for occupancy of the unit for any period of time. (This is a Santa Rosa County Land Use restriction.)
- e. No more than three (3) “special permits” will be allowed per address.
- f. Vehicles with a long-term parking permit shall not be parked in a manner that causes ruts, divots, or bare spots in the yard from parking or driving back and forth. The issuance of a “special permit” does not exempt owners from the requirement to maintain their yard in accordance with the restrictive covenants in the Declaration.

## 2. Short term parking

- a. A permit may be issued for up to 14 days.
- b. Repeated extension requests must be justified, and may require verifiable documentation.
- c. The permit may be issued to accommodate visitors or owner/tenant while preparing for long term parking/storage.
- d. The permitted vehicle shall be parked in the driveway.
- e. In no event does the “special permit” allow for occupancy of the unit for any period of time. (This is a Santa Rosa County Land Use restriction.)

## 3. Long term parking/storage

- a. The “special permit” required for the long-term parking/storage (more than 14 days) of the vehicles identified in **Section 1.C.1.b.** shall be requested

by the member/owner (if a lessee/tenant, endorsed by the owner or agent) from HBTS. If approved, the permit will be issued to the member/owner and a copy will be kept in HBTS files. The permit will specify the member/owner (and lessee/tenant, if applicable), address, the specific vehicle parked/stored (including type, size, make, model, registration and license plate number) and any conditions required for the "special permit". The permit shall be valid only until there is a change in ownership of the vehicles or home, change in vehicle, or the change in the parking location. All vehicles issued permits must have and maintain a current license plate/registration.

- b. All vehicles issued permits shall be parked adjacent to the side or back of the primary structure constructed on the lot, which shall comply with all set back requirements (10 feet from front corner of house if vehicle is parked on the side). As a condition precedent to issuing a permit for a heavy weight vehicle exceeding 4,500 pounds (curb weight), HBTS may require, at its discretion, the installation of a level hard surface parking pad/driveway extension to prevent sinking into the ground. All permitted vehicles shall be parked in a manner that minimizes exposure to the front of a neighboring home. Placement will not be in front of garage doors. No equipment or any other items may be stored under, against, around, protruding from, or on top of any permitted vehicle. Any trailer or equipment towed by the permitted vehicle must be disconnected and stored out of sight of neighboring homes. (Refer to attached illustrations of acceptable areas for submission of Application for Special Permit.)
- c. No vehicle requiring a "special permit" shall be parked/stored on vacant lots, streets, the right-of-way, easements, county/school/utility owned property, or greenbelts. (Santa Rosa County, FL – Code of Ordinances, Chapter 21, Section 21-2; and FL Statutes, Title XLVI, Chapter 810.)
- d. Vehicles identified in **Section 1.C.1.b.** will be allowed to park on paved driveways for a period of up to 3 day in a 7 day period, for the purpose of loading, unloading, and cleaning. The HBTS architectural office must be notified by phone of the vehicle type identified in **Section 1.C.1.b.** Failure to give notification to the architectural department may result in a Violation being issued for improper storage of vehicles identified in Paragraph 2.b.
- e. All parking pads/driveway extensions required as a condition precedent to issuing a special permit pursuant to **Section 1.C** shall require the submit-tal of a separate application and approval from the Architectural Control Committee. Any parking pads/driveway extensions that are proposed to be located within the specified front setback (10 feet) or drainage/utility easement side setback (6 feet) are prohibited from being constructed un-less a setback variance is granted.

- f. At its sole discretion, and upon the production of written documentation substantiating previous HBTS approval to park a vehicle or trailer in violation of the policy adopted herein, HBTS may grant a “special permit” to members who claim to have continuously complied with the provisions of the prior HBTS approval. In such instances where a “special permit” is granted, the permit shall only be valid until there is a change in ownership of the vehicle or home, change in vehicle or trailer specified, or the change in the parking location.

#### D. Special Provisions for Vehicles with Commercial Signs or Advertising

1. A vehicle that has commercial signs or advertising may be parked on the driveway so long as:
  - a. The commercial sign or advertising is covered with a magnet of similar color of the car, which covers the entirety of the commercial sign or advertisement.
  - b. The vehicle is covered with a neutral-colored vehicle cover manufactured for the vehicle it is covering.
  - c. The vehicle is parked in such a manner on the driveway that the commercial sign or advertisement is not in public view, i.e. front of vehicle facing street.
2. Commercial vehicles as specified in the NADA Official Commercial Truck Guide®, are not eligible for the provisions contained in this section.

#### E. Violations

Infractions of the Parking Policy will follow the new “Process to Resolve Covenant and Rule Violations” procedures: effective 01 August 2016.

#### F. Approval of Special Permits

The Architectural Department Supervisor will review and approve/deny all short-term parking permits for a period of not more than 14 days. Any extension requests will be reviewed and approved/denied by the Architectural Control Committee Chair.

The Architectural Control Committee will review and approve/deny all “special permits” for long-term parking/storage.

## 2. New Residential Structures

### A. Special requirements based on location and type

See CONSOLIDATION OF DECLARATION OF PROTECTIVE PROPERTY RIGHTS AND RESTRICTIONS OF HOLLEY BY THE SEA AND HOLLEY BY THE SEA IMPROVEMENT ASSOCIATION, INC. **Article XII section 2 and section 3**

### B. Model Home Requirements

- Home will include a circular driveway; street parking is prohibited.
- Home will be listed for sale within 24 months after receiving the final inspection.
- Only one permanent sign posted on the lot.
- HBTS will hold the builders bond of \$2,000 until the home is sold and proof provided to HBTS.

### C. Duplex Policy

Per the Covenants: Article 7 Section 6

Re-Subdivision. No lot or Parcel, except those lots or parcels designated as Commercial lots in Exhibit C of the Declaration, shall be re-subdivided into smaller lots nor conveyed or encumbered in less than the full original dimensions of such lot or parcel as shown on the plat of HOLLEY BY THE SEA, provided, however, that a lot may be enlarged by adding to it portions of an adjoining lot or lots.

Per the Covenants: Exhibit C

The following described lots are hereby designated as Commercial lots:

FIRST CORRECTED AND AMENDED PLAT OF HOLLEY BY THE SEA, Plat Book C, page 166

All lots in Block 1 – Multi-family residential structures only

All lots in Block 2 – Multi-family residential structures only

Lots 1 through 10, inclusive in Block 3, Multi-family residential structures only

Lot 1, Block 14 – Multi-family residential structures only

Lot 1, Block 109A – Multi-family residential structures or commercial structures

Lot 2 through 12, inclusive, Block 109 – Multi-family residential structures or commercial structures

Lots 15 through 18, inclusive, Block 110 – Multi-family residential structures or commercial structures



## D. Duplex Policy Options

- A member who owns a lot with a duplex may subdivide their lot through the county; they then have one assessment for each side to have usage of the facility. As this refers to voting, the member would then be able to hold two votes on association business as voting rights pertain to lot(s) owned.
  
- A member may pay one assessment.
  - If member is living in one half of the duplex then he can decide if he wants to utilize exclusive easement of enjoyment or he can transfer usage to his renter. The renter would then have easement of enjoyment based on the usage policy
  
  - If both sides of the duplex are rented then the easement of enjoyment will fall to one side or the other based on the owners choosing and the usage policy would apply to that renter.

## E. Required Documents for New Construction

- a. Access street(s), walkway(s), drives and other exterior improvements.
- b. Foundation plans if other than slab on grade.
- c. Lot survey showing location of structures on property, i.e., a plot plan.
- d. Elevation drawing showing views from all four sides of the structure and square footage is required.
- e. HCE (Hidden Creek Estates) --Must also include floor plans with an exact computation of the square footage of each floor in two (2) copies.
- f. (INFO) Properties where sewer is available must connect to it.
- g. If sewer is not available, denote where septic tank is being placed.
- h. Detailed drawing of other features desirable for clarification such as exterior walls, screens, pools, fencing, and any provisions for camper, self-propelled mobile home, trailer, boat, any vehicle that has commercial signs, advertising, or commercial equipment.
- i. Total enclosed heated/air conditioned square footage (state by floor plan in the case of a two-story residence).
- j. **All roof mounted** equipment and solar collectors.
- k. Landscape drawing that indicates sod, sprinkler system and other landscape improvements; must be signed by builder and property owner (denote where Florida Friendly landscaping permitted).
- l. Rain Sensor specifications as required by Florida State Statute 373.62.
- m. If dumpster is not available, then trash management system must be established and maintained at all times. When Construction sequencing

such as concrete and trusses prevents the ability to site a dumpster, another active and continuous waste management system must be used.

Trash that can blow away must be eliminated by the work day's end

- n. Complete clearing of lot is prohibited without additional architectural committee approval.
- o. Survey pin flags will remain in place until the HBTS Architectural final is complete.
- p. Holley by the Sea Drainage policy must be signed and returned with application and wetland assessment.

Any submission that does not include all plans, materials, applications and other items as required will be rejected by the Architectural Control Committee and will not be approved until all requirements have been met. Any changes to the approved application must be submitted to the Architectural Control Committee for approval. Rejected sub- missions must be resubmitted a minimum of 7 days in advance of the next meeting. **If application is rejected twice, the application process must start completely over with a new application and a \$500 fee.**

## F. Other Requirements

Rain Sensors must be installed. (Required by FL Statue 373.62)

Erosion control must be used during construction

**It is a requirement to sod and install a sprinkler system in all cleared areas. The front and side yards must end at the street edge.** Driveways must be paved to the street. On the unpaved roads, sod must be laid to within at least 15 feet from the front property line to the street's edge. Any damage to adjacent lots must be brought back to original state. Builder is responsible for containing storm water run-off on the property and must install proper equipment to drain water out to the culvert or swale. All construction shall be completed in accordance with the submitted information and completed within one year from the starting date.

You must meet with an architectural staff member before clearing any lot, and a final inspection must take place before occupancy. Failure to obtain a FINAL inspection before occupancy may result in forfeiture of the \$2000 Builder Bond. You must post the HBTS construction permit on every lot that has been approved by the HBTS Architectural Committee.

**HBTS WILL NOT GRANT ANY VARIANCE THAT CONFLICTS WITH COUNTY, STATE, OR FEDERAL CODES.**

**NO CONSTRUCTION IS PERMITTED UNTIL APPROVED**

### 3. DRAINAGE/WETLANDS

The following policy will be adhered to by building contractors for new home construction in Holley by the Sea. The building contractor shall sign this policy and provide it to the Association with the New Residential Structure application (NSR).

A NSR Application will not be approved (and no lot may be cleared and no construction may be commenced) unless and until this Drainage Policy is signed by the building contractor, acknowledging adherence to its requirements.

#### A. Compliance with Santa Rosa County Requirements

1. **Grading and Swales:** The lot shall be graded and swales installed in accordance with Santa Rosa County's current Typical Yard Grading Guidelines ("Grading Guideline") and as may otherwise be required by Santa Rosa County for the particular lot. (and Florida Building Code Residential R401.3 and Florida Land Development Code 4.03.06 Drainage Plans.) A copy of the Grading Guideline is attached hereto. If a variance to the Grading Guideline is authorized or required by the County, a copy of the written authorization shall be provided to the Association.

2. **Erosion Control During Construction:** The building contractor shall comply with Santa Rosa County Erosion and Sedimentation Control During Construction, pursuant to the Land Development Code Section 4.04.03(J) (copy of County requirement attached hereto)

3. **Site Inspection Approvals:** A copy of the Santa Rosa County site inspection approval required prior to construction of the foundation shall be provided to the Association before commencing such construction.

#### B. Wetlands

Exempted from this requirement are those lots determined, by a professionally performed wetlands jurisdictional delineation assessment, to be entirely uplands (no wetlands present). In such instances, a copy of the delineation assessment showing the absence of wetlands shall be provided to and verified by the Association prior to the commencement of any construction.

For those lots in Holley by the Sea which contain wetlands, construction shall be in compliance with the Department of the Army Regional General Permit SAJ-103, effective September 30, 2016, including but not limited to erosion control. A copy of the written U.S. Army Corps of Engineers ("USACE") authorization to proceed pursuant to Regional General Permit SAJ-103 shall be provided to the Association prior to commencement of the permitted work, as well as a copy of the notice of commencement to be provided to USACE and Self-Certification Statement of Compliance required under General Permit SAJ-103.

**NOTE: The person signing this document must be an authorized representative of the building contractor. Signing this document means all requirements are understood, and will be met or exceeded.**

#### **4. Final Inspection Checklist items:**

1. All areas surrounding the lot free of debris/trash/building materials
2. Landscaping must be completed as shown on approved plans to include:

Yard sodded and irrigated sodding must be to the road (front yard) lot line (back & side yards) except in "natural areas"

Trees left Standing as shown on original tree clearance paperwork

All lawn sprinkler heads must be clearly flagged and/or an operational/functional test of the system accomplished

3. Driveway completed as shown on approved plan.
4. Dumpster(s), Pallet(s), Porta John(s), etc. must be removed from the site and any adjacent sites.
5. Rain Sensors Installed?
6. Temporary power pole removed?
7. Certificate of Occupancy?

Note: This inspection must be accomplished before owner occupancy and may be considered "a condition of the bond" outlined in Article VI.

## 5. Exterior Home Improvement

### A. Items be included with your application

Lot survey showing location of structures on property with one (1) copy of plot plan (can be found in closing documents or at the county office.)

Detailed drawing and photo of other features desirable for clarification such as exterior walls, screens, pools, fencing, etc. Provisions for recreation vehicles, boats, etc.

County approved drainage plans if applicable.

Hidden Creek Estates Residents must review the Hidden Creek Estates Covenants for additional restrictions.

### B. Pool Improvements

Information needed for application:

- Type and material of pool.
- Dimensions of pool: width, length and depth
- Type and material of enclosure.

All enclosures must meet HBTS setbacks, and SRC ordinances and setbacks.

A layout/plot plan (one copy) of the property with a drawing or a picture showing the proposed pool (and enclosure if applicable) and its location and setbacks is required.

### C. Pet House/Enclosure/Coop Improvements

All enclosures must be no higher than 6ft at the highest point.  
Materials and dimensions must be included

A layout/plot plan (one copy) of your property with a drawing or a picture showing the proposed building and its location and setbacks is required.

### D. Improvements for ADA Accommodation

(Per FL Statute 720.304 5(a) - 5 (b))

Any parcel owner may construct an access ramp if a resident or occupant of the parcel has a medical necessity or disability that requires a ramp for egress and ingress under the following conditions:

1. The ramp must be as unobtrusive as possible, be designed to blend in aesthetically as practicable, and be reasonably sized to fit the intended use.
2. Plans for the ramp must be submitted in advance to the homeowners' association. The association may make reasonable requests to modify the design to achieve architectural consistency with surrounding structures and surfaces.

The parcel owner must submit to the association an affidavit from a physician attesting to the medical necessity or disability of the resident or occupant of the parcel requiring the access ramp. Certification used for s.20.0848 shall be sufficient to meet the affidavit requirement. Layout/plot plans of your property with a drawing or a picture showing the proposed improvement are required.

### E. Shed/Garage Improvements

Building must be set a minimum of 10' from side property line and 5' (SRC) from rear property line. Building size should not exceed 600 sq. ft. and roof shall not be higher than existing home. Santa Rosa County also requires you obtain an "Accessory Building Permit Exemption" from the county if your building is 600 sq. ft. or less. Must be tied down if more than 10' from main structure. Please include tie down specifications. Buildings must not be designed for human habitation in accordance with Santa Rosa County Code. The roof material must be "non-reflective"

A layout/plot plan (one copy) of your property with a drawing or a picture showing the proposed building and its location and setbacks is required.

### F. Tree/Brush Removal Improvements

*"No trees of four (4) or more inches in diameter at two (2) feet above natural grade shall be cut or removed without approval of the Architectural Committee."* (HBTS Covenants: Article VII Section 2.a.)

Required information for application:

- Type of Tree/Brush
- Number of plants/trees being removed
- Reason for removal
- Width of plants being removed
- If you are Replanting plants/trees or not
- Type of plants/trees being replanted.

## G. Driveways:

All driveways, driveway extensions, secondary driveways will be constructed of pavers, asphalt, poured-in-place concrete, and will be set back ten feet from the side property line and five feet from the rear property line, unless a variance request has been approved by the HBTS Board of Directors.

If painted, stained or stamped, the driveway will be a solid color that is harmonious with the surrounding homes/driveways. The owner shall be responsible for and shall maintain and keep in good condition the painted or stained driveway.

An Exterior Home Improvement (EHI) Application shall be completed/submitted by the member, and approved by the Architectural Control Committee **prior** to any work being conducted. Required information to be included in the EHI will be:

- Material
- Color if painted or stained
- Layout/plot plan of property with drawing showing proposed improvement, its location and set backs
- Photos if obtainable

## H. Other Improvements:

Contact the HBTS architectural department for guidance.

## I. Fence Improvements

### **Article VI, Section 1 of the Protective Property Rights and Restrictions states:**

Review by Committee: No building, **fence**, wall or other structure or improvement shall be commenced, erected or maintained upon The Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing, as to harmony of structures and topography, by the HBTS Architectural Committee.

***An Exterior Home Improvement application is required to be completed, submitted and approved by the HBTS ACC prior to commencement of any work. The HBTS Association is not responsible for any fencing/property line disputes. It is the responsibility of the home/lot owner to ensure the fence does not encroach upon adjacent property.***

Fencing shall be:

1. Type of fencing. Fencing can be constructed of:

- a. Wood posts and pickets
  - b. Chain link and metal posts
  - c. Vinyl
  - d. Any material reviewed and approved by the ACC on a case-by-case basis, to include split rail fencing, horizontal stack fencing, etc.
2. Type of surface treatment. Fencing may be:
- a. Painted with earth tone colors or white approved by the ACC; fence color must be included on EHI application and approved by the HBTS ACC.
  - b. Treated with wood stain and preservative, with stain color approved by HBTS ACC.
  - c. Left untreated/unpainted.
  - d. Treated with a clear preservative that does not change the material color.
3. Shape and Height of the fence. Fencing may be:
- a. Wood pickets with the finished side installed facing the street or adjoining neighbor. That is, pickets installed outside the fence frame.
  - b. Wood pickets in a 'shadow box' shape. That is, pickets installed alternately, one on the inside of the frame, the next on the outside of the frame, repeat.
  - c. Wooden fence will be no higher than six (6) feet high. (SRC Ordinance 6.04.16.A)
  - d. Chain Link fence will be no higher than five (5) feet high. (SRC Ordinance 6.04.16.C)
  - e. Vinyl fencing will be no higher than six (6) feet high. (SRC Ordinance 6.04.16.A)
  - f. Any homeowner desiring a higher than six (6) feet high fence must receive a variance request approval from Santa Rosa County **and** the HBTS Board of Directors **prior** to installation.
4. Location of the fence.
- a. Fencing shall not be installed in the front of the house or front yard. The fence shall be 10 feet back from the front corners of the house on either side.
  - b. There are no setbacks for side or rear fencing. Side and rear fencing may be installed on the property line but two provisions/warnings apply;
    - i. Utility and drainage easements exist on most lots. Fences can be built to encroach on these easements, but the home owner is responsible if any part of the fence must be removed for access to these easements.
    - ii. Homeowners must ensure that fencing does not encroach on a neighbor's lot or County Rights of Way. The homeowner is responsible if any part of the fence encroaches on a neighbor's lot or onto a County Right of Way.
  - c. Fencing of any kind cannot be installed within 20 feet of a road intersection. (SRC Ordinance 6.04.16.B)
- 5. Any deviation from the aforementioned requirements requires a variance request stating the variance and the reason, and must be approved by the HBTS Board of Directors prior to any work being completed.**



## J. General Information

Driveways cannot be closer than 10' to side lot lines without a variance from the BOD.

Alterations or changes in color/type of roofs require Architectural Committee approval

Homeowner is responsible for containing storm water runoff on the property and installation of proper equipment to drain water out to the culvert if applicable for this improvement.

No one (homeowner/contractor) shall change the natural contours of the land causing undue and harmful flow of the surface water drainage to adjoining property owners. Any drainage easement or swale shall not be obstructed in any way.

**HBTS will not grant any variance that conflicts with county, state or federal codes nor does approval of this application assure compliance with these codes.**

**NO CONSTRUCTION IS PERMITTED UNTIL APPROVED AND PERMIT IS ISSUED.**

All applications that do not include all plans, materials, applications and other required items will be rejected by the Architectural Committee. Any changes to the approved application must be submitted to the Architectural Committee for approval. Rejected submissions must be resubmitted a minimum of 7 days in advance of the next meeting.

All improvements shall be completed in accordance with the submitted information and completed no more than 180 days from the starting date. A variance may be requested if the 180-day period cannot be achieved. Prior to construction the homeowner must be in possession of the HBTS permit.

An appointment for a Home Improvement Final Inspection must be made with a Holley by the Sea Architectural Office Staff Member within two (2) business days of completing the project.

*The approval of the application excludes any and all errors generated by the Architectural Control Committee and/or the Board of Directors. In the event an error is recognized it is the responsibility of the Homeowner and the Association to agree upon a resolution in keeping with the Covenants and current policies.*

**Failure to request and have a final inspection preformed will result in a violation against the new improvement. A violation may result in loss of usage rights.**

## 6. Yard/Lot Maintenance and Improvement

Pursuant to CONSOLIDATION OF DECLARATION OF PROTECTIVE PROPERTY RIGHTS AND RESTRICTIONS OF HOLEY BY THE SEA AND HOLLEY BY THE SEA IMPROVEMENT ASSOCIATION, INC. ARTICLE VII GENERAL RESTRICTIONS AND COVENANTS LAND USE AND BUILDING TYPE.

Section 5. Maintenance of Lots and Improvements. The Owner shall be responsible for and shall maintain and keep in good condition the lot and all improvements thereon. In the event of the failure of the Owner to maintain the lot (yard) and/or the improvements thereon in good condition, the Association may make such repairs and perform such maintenance as may be necessary for the general benefit of the remaining owners. The cost thereof shall be assessed against the Owner, and such assessment shall be enforced as other liens herein provided for.

1. For this section, the word "lot" is understood to mean a vacant lot for unimproved properties and is understood to mean "yard" for improved properties where a house has been constructed on the property. "Maintain and keep in good condition" means:
  - a. The owner shall maintain sod areas throughout the entire year (front, back and side yards).
  - b. During the growing season months (Mar-Oct), the entire lawn (front, back and side) will be mowed on a regular basis to ensure a neat appearance.
  - c. Property Owners can obtain information on specific grasses recommended for Northwest Florida plus proper irrigation practice, fertilization recommendations and requirements for maintaining Northwest Florida Grasses, and the importance of understanding the benefits and hazards from the improper use of chemicals for the treatment of pest and weed control while maintaining a health Florida lawn by contacting the Santa Rosa County Extension Office (850-623-3868 or 850-932-9047).
  - d. Anytime more than 20% of the lawn area is dead or barren, re-sodding or seeding will be necessary.
  - e. Grass and landscaped areas shall be kept neat and free from weeds regularly.
  - f. House, shed and garage roofs, soffits, siding, chimneys and attic vents shall be maintained in good condition. Any damage or

deterioration shall be repaired within 90 days of notification of a deficiency by the HBTS Architectural Office.

- g.* Houses with exterior paint require repainting as part of routine maintenance. The property owner of a house with excessive peeling or fading of the paint will be notified of the requirement for repainting. The owner is responsible for repainting within 90 days of notifications by the HBTS Architectural Office of a deficiency.
- h.* Garage doors shall be kept in good repair. Garage doors shall be fully functional and operational as designed.
- i.* Driveways shall be maintained in good condition. Any driveway with excessive cracking/ settlement will be required to be repaired. Owner is responsible to have the driveway repaired within 90 days of receiving notice from the HBTS Architectural Office of a deficiency.
- j.* All permitted construction must be completed within 180 days of issuance of a permit unless the property is in violation at the time the request is submitted; if so, the permitted construction must be completed within 90 days of issuance of the permit.
- k.* Derelict, non-functional or unlicensed vehicle parking is prohibited.

## **7. HOLLEY BY THE SEA AND HIDDEN CREEK ESTATES SIGN POLICY**

Pursuant to CONSOLIDATION OF DECLARATION OF PROTECTIVE PROPERTY RIGHTS AND RESTRICTIONS OF HOLLEY BY THE SEA AND HOLLEY BY THE SEA IMPROVEMENT ASSOCIATION, INC. - ARTICLE VII GENERAL RESTRICTIONS AND COVENANTS LAND USE AND BUILDING TYPE.

*Section 13. Pets and Signs...No signs of any kind shall be displayed on any residential lot unless the form and size of such signs be first approved by the Sub divider.*

Pursuant to HIDDEN CREEK ESTATES PROPERTY RIGHTS AND RESTRICTIONS AND BY-LAWS, DECLARAION OF COVENANTS AND RESTRICTIONS FOR FLORIDA HIDDEN CREEK ESTATES - ARTICLE VII OCCUPANCY AND USE RESTRICTIONS.

*Section 7.6.2 No signs. Except small name signs approved by the Architectural Control Committee, shall be placed or erected or displayed on any Lot or Living Unit (such as same may be viewed from any roadway, any other Living Unit or Lot or from the COUNTRY CLUB). Proviso: The aforesaid shall not apply to any official notices posted by the Association or any signs required by legal proceedings.*

The Architectural Holley by the Sea and Hidden Creek Estates Control Committee received approval of the following policy for signs:

1. Garage sale signs are permitted, but no signs are to be posted on and/or obstruct any utility poles, street signs or County signs.
2. All signs must be removed on last day of the sale
3. Professional real estate signs to rent or sell a home in HBTS can be placed on the lot to be sold or rented. "Open House" temporary signs can be used but must be removed when agent or owner is not on site.
4. Professionally made political signs are permitted on the lot when permission has been secured from property owner/tenant. These signs show an interest in our political community and we encourage homeowners to be aware of their options and to vote on the issues. These signs (maximum of three) should not, however, create a nuisance or be unsightly
5. Signs and banners to indicate a security system and those for "neighborhood watch" programs are allowed.
6. No commercial signs can be erected on any lot or within the HBTS residential areas. (Exception: a business may place their sign on the property while they are doing work on said property.)
7. A lot under development must have a temporary sign erected to show the permit to build. The builder is also permitted to place a sign on that lot while it is under construction.
8. Seasonal signage and banners (i.e. sports, school, holiday related) are acceptable during the season.
9. No signs / banners can be larger than 6 sq. ft. in surface area or placed within the road right-of-way and no closer than twenty (20) feet to the curb, edge of the pavement or corner of an intersection.
10. A maximum of five (5) temporary signs are permitted on the property at any one time.
11. Other signage meeting Santa Rosa County Land Development Code 8.08.00 "Temporary Signs" guidelines are permitted.

Signs not meeting the above criteria must be submitted for approval. All signage must fall within Santa Rosa County Land Development guidelines to be considered for approval.

**Violations:** The Architectural Office staff will send a letter outlining the violation and will identify the corrective action needed to come into compliance with governing documents. If corrective action is not taken, HBTS may take corrective actions including removal of the sign

## 8. Garage or Yard Sales

Garage or yard sales are to be held only during daylight hours. Members/Renters are limited to no more than four (4) garage or yard sales per calendar year. Signs promoting garage or yard sales placed at the entrance of the community, road intersections and other locations within the boundaries of HBTS, must be in accordance with Santa Rosa County Sign Ordinance 8.08.00:

- a. Signs must be free standing or self-supporting
- b. Signs must be removed within 24 hours after the garage or yard sale.

## 9. Sandbag Storage

Sandbags may remain on your property if there is standing water; once water has dissipated sandbags need to be removed from view from the street.

## 10. Yard Decorations

Yard decorations for the various holidays throughout the year are encouraged in HBTS/HCE. It is, however, necessary to remove the decorations within 20 days after the holiday. No application or notification to HBTS are needed to decorate for a holiday, however, failure to remove decorations in the allotted time may result in a violation notice.

## 11. Holley by the Sea Trash Container Requirements

Article VII Section 11. Garbage and refuse disposal (HBTS). No lot shall be used or maintained as a dumping ground for rubbish. **Trash garbage or other waste shall not be kept except in sanitary containers concealed from public view.** All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

**Trash/Recyclable containers may be placed outside no earlier than after sunset the day before trash collection, and shall be returned to the proper location - out of public view - by sunrise the morning after trash collection day.**

1. Trash/Recyclable containers shall be stored out of public view, except on trash collection days, per covenants by:

Acceptable storage of containers:

- Back yard behind privacy fence
- In Garage
- Behind approved decorative/ornamental screen
- Behind natural landscaping

Privacy fence no higher than six feet and set ten feet back from the front corner of each side of the house in accordance with the HBTS Consolidated Architectural Rules and Regulations, and with an approved Exterior Home Improvement permit on file. *(Read HBTS Architectural Rules and Policies for additional privacy fence requirements)*

Decorative/ornamental screen may be placed at the front corner of the home, not to extend beyond front corner and shall be constructed to meet the following criteria:

- Wooden posts and pickets not to exceed six feet in height (6' X 8' wood panel)
- Lattice
- Vinyl
- Stone or brick
- Any materials reviewed and approved by the ACC.

2. Decorative/Ornamental screens shall hide trash containers so as to be concealed from public view (visible from the street). **On corner lots**, trash containers shall be concealed from public view from either street bordering home.

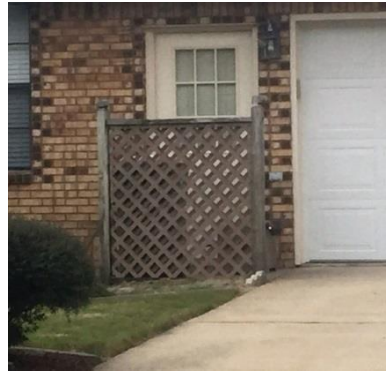
3. Natural landscaping may be used in lieu of decorative/ornamental screen. Natural landscaping such as trees/bushes must be of such characteristics so as to shield the trash containers from public view.

4. In accordance with Santa Rosa County Ordinance, trash containers shall be secured to prevent bear intrusion. *(SRC Ordinance Sec. 18-68. - Use of garbage carts; regulations)*

**HIDDEN CREEK ESTATES Trash Receptacle Requirements**

Article VII Occupancy and Use Restrictions (7.7): “Except during pickup, all trash, garbage and other waste shall be stored and/or maintained so as not to be visible from adjoining or adjacent Lots and Units, from any roadway within HIDDEN CREEK ESTATES or from the COUNTRY CLUB. For pickup, trash, garbage and other waste shall be placed out only in those areas designated by the Association for such purpose and in no event earlier than sundown on the evening prior to the day(s) on which trash, garbage or other waste is collected.”

**Examples of Acceptable Decorative/Ornamental Screens**



## **12. CONFLICT OF PROVISIONS**

When there is a discrepancy between these rules and application forms, these rules shall prevail. When there is a discrepancy between these rules and the Declaration, the Declaration shall prevail.

**This document replaces all previous architectural policies and rules.**



## 13. Revision History

1. 05/09/2017: Document originally approved by BOD for content
2. 06/13/2017: Added the Yard Decoration policy that was previously approved but not included in original document in error.
3. 08/10/2017: Amended short-term parking policy to allow architectural supervisor to approve/deny 14-day short-term parking permits. Extension requests will be approved/denied by the Architectural Control Committee chair.
4. 09/12/2017: Added Garage/Yard Sale policy that was previously approved but not included in original document in error.
5. 11/16/2017: Amended fence policy to clarify setbacks, height requirements, color, and other provisions.
6. 01/11/2018: Added Trash Container Requirements.
7. 02/15/2018: Amended parking policy to require HBTS residents to park in garage, on driveway or on HBTS ACC Approved locations.
8. 02/15/2018: Amended Long-Term Parking requirements to clarify vehicles with long-term parking permits shall not park in a manner that causes ruts, divots, or bare spots in yard.
9. 02/15/2018: Amended Driveway Improvements to clarify material, color, process, and other provisions.
10. 02/15/2018: Amended to add Special Provisions for Vehicles with Commercial Signs or Advertisement.
11. 03/15/2018: Amended to add tarp use provision.