

Bayway Isles Homeowners Club, Inc. (the “Association”)
Architectural and Building Review Committee
Standards and Guidelines

Bayway Isles is a unique community consisting of 213 single-family home sites. Compliance with our Association’s Architectural and Building Standards is critical to the character and image of our community and to the maintenance of the property values of our homes.

Your Board of Directors takes very seriously its responsibility to review building plans, as provided for in our protective covenants (“Deed Restrictions”). Specifically, no building, wall, structure (including fence, dock, and dock-related structures) or other improvement may be placed upon a Bayway Isles lot unless and until the plans and specifications therefore and the plot plan have been approved in writing by the Association. Similarly, no alteration in the exterior appearance of the land, buildings or structures shall be made without like approval. This document does not supersede anything required of the property owner by our Deed Restrictions and Protective Covenants.

In order to discharge our obligation in a fair, consistent and effective manner the Board has established an Architectural and Building Review Committee and adopted these Standards and Guidelines.

The property owner is responsible for ensuring that these Standards and Guidelines are provided to their architects and builders and incorporated into all building and renovation planning.

1. Compliance with Building Codes

Any and all existing building code requirements, regulations, or restrictions of the Florida Building Code, or as the same from time to time shall be amended, shall be the minimum building code requirements for improvements on Bayway Isles, provided, however, that all improvements shall also meet the minimum requirements of the City of St. Petersburg, Florida. This shall not prevent the Association from imposing more rigid or stringent requirements.

2. Submittal of Building and Renovation Plans

A Building Review Committee Project Application Form is available on the Association’s website at <https://www.baywayisles.com/deed-restrictions>. Electronic transmission of plans is suitable as long as the details are complete and clearly readable. Alternatively, two sets of building, fence, and/or dock plans showing proposed setbacks, elevations, construction details, and materials to be used may be submitted to the Architectural and Building Review Committee, Bayway Isles Homeowners Club, Inc., 5650 Leeland St S, St. Petersburg, Florida 33715. As noted above, Association approval is required prior to making any changes to the exterior of a property. The property owner is encouraged to confirm receipt of plans with the Building Review Committee Chairman or their designate.

Owners are strongly encouraged to submit proposed plans to the Committee before final construction drawings are completed and before they are submitted to the city or county for permit approval. The Committee will review the plan documents within thirty days after submission and the Association will provide written approval or disapproval of the submitted plans. Incomplete submittals or the need for additional information may extend the approval period beyond thirty days.

3. Condition for Approval

The property owner must be a member in good standing in the Association and current on their membership dues and any annual or special assessments.

4. Information to be provided

The property owner shall identify any requested variances to Bayway Isles Deed Restrictions or to these Standards and Guidelines.

The Committee reserves the right to request and review the following elements of the building plan:

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Final Exterior Elevations: Specifications, materials.

Roofs: Structure, pitch, materials, product photos, installation details.

Fascia and Trim: Section details, materials.

Exterior Doors and Garage Doors: Specifications, materials, and product photos.

Patios, Decks, Balconies, and Porches: Specifications, materials.

Fences/Walls: Design details, materials, and product photos.

Screened Porches and Pool or Deck Enclosures: Structure, materials, and roof details.

Mechanical Equipment (HVAC, Pool pumps/filters/heaters, etc.): Location, screening details.

Docks and Dock-Related Structures: Permit application, materials, and product photos.

Driveways: Materials, color, pattern and finish.

5. Architectural Design

Exterior elevations shall be complementary in architectural design and materials, and compatible with neighboring structures and with the character of the neighborhood.

6. Minimum Living Area

A minimum of 2,200 square feet of enclosed living area is required.

7. Pools and Patio Decks

Swimming pools are to be in-ground only, with prior Committee approval for location, size, and screening from view. All swimming pools are to adhere to the setback requirements contained in our Deed Restrictions. Pool or Patio decks, spas, fire pits, etc. that are 12 inches or less above grade may intrude up to 5 feet into the required 15 foot rear-yard setback. Swimming pool accessories, such as ladders, slides, waterfalls, etc. must not exceed six feet in height.

8. Building Details

Soffit options are stucco on galvanized steel or better lathing and PVC or composite systems.

Concrete, ceramic and clay tile or standing seam metal are the minimum acceptable roofing materials.

Desired roof pitch is 5:12 and minimum acceptable is 4:12.

Flat roofs that can be seen from neighboring property are not allowed.

Roof top “Sun Decks” that permit viewing of adjacent properties are not permitted.

Imitation brick, stone or Masonite® type exteriors are not acceptable.

The preferred material for chimneys is stucco with an angled metal chimney cap.

Metal chimneys are not allowed.

9. Fence and Wall Details

Any walls built on or alongside property lines will be of the concrete masonry type. PVC and other composite fences may be permitted subject to Committee review. Wrought iron or better quality decorative fences are acceptable in pool and patio areas. Chain link and wood fences, other than decorative wood in appropriate areas, are not acceptable. Proposed fence layouts must provide for an open and airy street view. Fence width, height, design and materials will be the determining factors in Committee approval.

Fences are not allowed in front yards. The point at which the fence ties to the house shall be no closer to the front of the house than ten feet. Exceptions may be granted for low or decorative fences or walls that serve as an architectural feature of the house, or screen mechanical equipment or an entry.

There may be only one fence separating adjoining lots. Double fencing along or within three feet of common boundary lines is prohibited. This prohibition exists regardless of the type, design, or height of the existing and/or proposed fences. Proposed fences must tie into any existing fences.

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10. Setbacks

Bayway Isles emphasizes **open sight lines**. For this reason we require that parcel owners adhere to the setbacks specified in our deed restrictions, although they may be more stringent than those required by the City of St. Petersburg. In the case of pool cages / screen rooms / screen enclosures / pergolas, the minimum setback from any side or rear property line is ten feet, unless the supporting pool or deck is elevated more than 12 inches above grade or the screened-in area has a solid roof, in which case the minimum rear setback is fifteen feet.

11. Mechanical equipment

Mechanical equipment (HVAC, pool/spa pumps, filters, etc.) must be contained in the side or rear yard and within a concealed area so that it is not visible from the front or side street or from the waterway. Said concealment may be accomplished with architecturally compatible building materials (e.g., masonry wall, concrete decorative block), shrubbery, or other means as approved by the Committee. Materials used for concealment must be designed for outdoor use such as concrete/stucco, PVC, or anodized or powder-coated aluminum. Wood is not an acceptable material for this purpose.

12. Signs and flags

No signs or flags may be placed in Bayway Isles except street location (name and/or address) signs located upon a mailbox or within the front yard. Street location signs may not exceed one square foot in size and must be architecturally compatible with the home. Specifically prohibited are vehicle signs or any sign or flag placed in the right of way or upon or over any part of lots, walls, fences or docks. No sign or flag may be placed in the windows of homes or painted upon or attached to any part of a home or structure. Except as provided for in **Outdoor Lighting Standards** decorative flags, pennants, streamers, etc. with text are considered signs and are prohibited.

Exceptions:

In accordance with Florida State law (F.S. Chapter 720.304) a homeowner may display:

- No more than one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4 1/2 feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag
- One sign of reasonable size provided by a contractor for security services within 10 feet of any entrance to the home

The Association may approve the temporary placement of legally-required “No Trespassing” signs upon empty parcels, as long as they are associated with a current St. Petersburg police department blanket trespass notice and are tasteful and limited in size. Association approval is required for all “No Trespassing” signs.

13. Mailboxes

In accordance with the ordinances of the City of St. Petersburg all homes shall have a mailbox attached to the exterior wall of the structure adjacent to the front door or a mail drop slot in the front door of the structure. Standalone mailboxes are not permitted.

14. Landscaping

All lots are to be laid with St. Augustine or Zoysia type sod. At least 50% of the front yard must be sod. Exceptions may be granted for xeriscaping. The use of natural grasses, groundcovers, and shrubbery is encouraged as an acceptable alternative to sod. No white rock, sand or pebbles or the like is permitted for use or substitution for shrubs, ground cover or grass lawn. Accent and decorative landscape lighting is encouraged but must be approved by the Committee.

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Drainpipes tied into rain gutter downspouts must be completely hidden from view. Drains may be screened with shrubs or ground cover. Use splash blocks and gravel at the base of downspout. Roof runoff must not be diverted onto neighboring property.

15. Children's Play Structures

Play structures shall be of wood or composite construction. No platform shall be higher than five feet from the original grade at rest. No part of the structure shall be higher than eleven feet from the original lot grade. The platform may not exceed six-by-six feet or thirty-six square feet in area. All play structures require prior Committee approval regarding placement and construction.

16. Basketball and other Recreational Structures

Portable basketball hoops are permitted, which should be stored out of public view after each use. Other recreational structures require the approval of the Association and may be subject to size, height, location, setback and shielding requirements.

17. Outdoor Furniture

Furniture designed for outdoor use consisting of benches, chairs, and small tables with tops not to exceed 36" in width is allowed in the front entry area of a home and on second-floor balconies. Folding chairs, lounge chairs or other "beach" type furniture is not permitted. Otherwise, outdoor furniture, cooking equipment, fire pits and similar entertainment equipment is permitted only in private areas such as enclosed side or rear yard areas and is not allowed in driveways, front yards or where it can be visible from the street.

18. Hurricane Protection

Hurricane protection shall consist of impact-resistant windows, roll down shutters, accordion shutters, and/or removable corrugated panels. Shutters and tracks will match window frames if available, and if not, use white or the house color. Plywood may be used as temporary storm protection; however, such temporary protection may be utilized only after the issuance of a hurricane watch and must be removed 48 hours after the hurricane watch / warning is cancelled.

19. Sunroom & Atriums

A Sun Room (or Atrium) is a structure attached to a residence that is part of the conditioned air space of the residence. The Sun Room/Atrium must be attached to the house structure and may not be installed facing any street. Frame construction may consist of vinyl, wood, or metal (aluminum or hot dipped galvanized steel). The height of the Sun Room structure is not to exceed the existing roofline.

20. Satellite Dishes & Television Receiving Antennae

To the extent that acceptable signals can be received, satellite dishes and over-the-air TV antennae should be placed so that the satellite dish and antennae cannot be seen from the front of the home. Placement of the satellite dish and antennae on either side or the rear of the home, or concealed in an attic is preferable as long as it does not unreasonably increase the cost of installation. The overall height is not to exceed twelve feet above the roofline. The size of the satellite dish shall be 1 meter or less.

21. Solar Water Heaters

Exposed pipes extending up the sides of the home shall be painted the same color as the walls. Roof pipes shall be painted the same color as the roof.

22. Lawn Ornaments (includes Fountains)

Note: See St. Petersburg City Code 16.60.010.8. for definition of “yard”

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A lawn ornament is a decorative object placed in the front, side, or rear yard outside of the footprint of the structure. Except as provided below, lawn ornaments may be placed no closer to the front property line than ten feet and no closer to the side or rear yard line than three feet.

Bayway Isles permits a limited number of tasteful lawn ornaments on each lot. Garish, brightly colored or ‘kitsch’ objects such as skeletons, scarecrows, toy figures, etc. are not permitted outside of holiday seasons. Lawn ornaments may not be animated, make noise, or emit smoke or light. Except as provided for in **Outdoor Lighting Standards** lawn ornaments displaying text are considered signs and are prohibited.

Allowable Lawn Ornaments:

- Two white or earth tone guardian lion statues astride a home’s driveway(s) entrance / exit and no closer to the front property line than three feet
- One wind chime. Wind chimes must be hung within five feet of the home’s structure and shall not produce sound at a level that is clearly audible at the nearest adjacent home, public street or waterway
- In addition to the allowable ornaments above, in the front and side yards combined a maximum of three other lawn ornaments that are larger than 18 inches in height including stand
- Parcels with street-side yards may have a maximum of an additional three other lawn ornaments larger than 18 inches in height including stand in the street-side yard

The Building Review Committee will consider approving additional lawn ornaments for homes on oversize parcels. Prior approval by the Building Review Committee is required on all lawn ornaments over eighteen inches in height including stand, as well as any lawn ornament that will be externally illuminated. All lawn ornaments must be architecturally compatible with neighboring properties and in proportion (number, size, shape, color, and location) to the lot(s) and improvements. Residents are encouraged to inquire with the Building Review Committee prior to purchase of lawn ornaments.

23. Garden Borders

Edge materials such as rocks or other material used for garden borders or boundaries which are visible from streets or waterways are subject to approval.

24. Garages, Vehicle Parking and Storage

Note: See St. Petersburg City Code 16.40.100.2. for definition of “commercial / domestic equipment”

Except for brief periods of loading and unloading commercial and domestic equipment including but not limited to work trucks or vans, watercraft, watercraft or utility trailers, recreational vehicles, camper trucks or trailers, “fifth wheels”, tractor trucks and buses may not be parked in driveways or on the street overnight and must be stored out of sight in a fully enclosed garage with the door closed. Non-commercial passenger vehicles such as vans, pickup trucks and sport utility vehicles are exempt, as are contractor vehicles and trailers during periods of active construction or property maintenance.

25. Seawalls, Docks and Dock-Related Structures

No dock may be designed, built, used, located, or maintained in such a way that it deprives the right of adjacent parcel owners to unencumbered access to their property, or that it becomes a hazard to navigation. Floating docks are not allowed.

During replacement or repairs seawalls may be elevated no more than 12 inches (Bayway Unit 1) or 18 inches (Bayway Isles Unit 2) from original grade. In the event that a parcel’s seawall cap is raised above that of adjacent properties end cap diverters must be installed to insure proper drainage.

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Seawalls, docks, and dock-related structures must be kept in good repair at all times.

26. Outdoor Lighting Standards

Light Trespass: All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the light source. No light fixture shall produce glare or light spillage exceeding one-half foot-candle outside the property line.

Underwater lighting fixtures shall be installed within the boundaries of the homeowner’s dock or boat lift and must comply with all federal, state, county and local regulations. Association approval is required for all permanent underwater lighting installations.

Seasonal decorative lighting: No Architectural Review Committee approval is necessary for seasonal, decorative lighting and decorations. All decorations and exterior lighting will not be displayed more than forty-five (45) days before the holiday event and must be taken down and removed from all structures and property within thirty (30) days after the event. Seasonal decorations with text such as “Happy Holidays” are permitted during the display period.

27. Demolition

Prior approval is required to demolish existing structures, including buildings, fences, walls, docks, and dock-related structures. Depending upon the extent of the demolition, exterior demolition projects may require fencing in adherence to Construction Practices, below. Association approval is not required for interior demolition projects.

28. Construction Practices

Temporary chain link fences may be erected while building permits are in effect, however any chain link fence must be covered on the street and adjacent yard sides with an opaque material in green or blue. Such fences must be wholly contained within the property lines and may not encroach upon the street.

Disclaimer:

Approval of building plans under these Standards and Guidelines is conditional upon accurate representation of all material facts by the property owner.

If the Architectural and Building Review Committee should fail to detect an unstated variance or otherwise incorrectly interprets the plans, the owner retains all responsibility for complying with the Bayway Isles Deed Restrictions and these Standards and Guidelines. In the event of such an error the property owner will solely bear the cost of any corrections required to bring their project into compliance.

The Association reserves the right to modify or amend these Standards and Guidelines at any time.