

BAYPORT WEST NEWS

AUGUST 2023



VIOLATIONS AND REPAIR SCHEDULE

Friendly Reminder	-Yard Maintenance- 2 weeks -Trim, Gables. Walls- 25 days
Second Notice	-2 weeks
Final Notice	-2 weeks

The cost to the members is \$12.05 plus attorney time to send a letter if not completed. It is best to get in done on the first notice if possible

Privacy Fence Repairs: include replacing boards on the original pressure treated board fences or replacing fences with an Architectural Control Request for natural wood or tan vinyl. Painting a natural wood fence Bayport West Medium has been the only paint option since 1984 when General Homes built this subdivision.

Gables and Siding: The approved siding for walls and gables can be seen in the photos below. Tan vinyl, T-111 wood or Hardy Board painted Bayport Medium or Bayport Dark depending on your house's original gable color or Bayport light for Stucco. No trim boards on walls or gables have been approved unless hidden from public view.



Trim Board Not Approved on Gable



Hello BPW Homeowners!

This month we have a "Survey For Changes" requested by BPW homeowners. Feel free to add ideas! With the exception of color and height of fences two thirds of homeowners' signatures will determine any changes made to our Declaration.

New homeowners please know that Bayport West is a "Deed Restricted" community. Our "Welcome Packet" with documents explain restrictions and give you other helpful information. Go to bayportwesthoa.org to contact a board member with any questions.

Our Proposed Amendment is in the newsletter **FIRST**. We need help in getting the signatures for approval. **THIS IS IMPORTANT!!** Investment companies are costing all of us a great deal of money for not keeping their properties up to a presentable appearance. Please reread and sign the document approval on the right side on the 3 lines.

Just like Article III, Section 1 we can add other amendments for changes to our documents. See our "**INTEREST IN CHANGE SURVEY**" **SECOND** in the newsletter! These are ideas that came from our community. Add your ideas! These ideas may also become new amendments with a 2/3 vote for approval. Check "Traffic Violations" **NEXT**.

THIRDLY, there are articles on topics homeowners requested about. 1.) "Coyotes," 2.) "Managing Feral and Stray Cats" 3.) "Maintenance Free Yard Landscape Bed."

FOURTHLY there is correspondence from our attorney on Drainage Easements at Bayport West.

FIFTH Some homeowners have redesigned their landscaping by adding pavers, flowers and plants; by painting, and repairing or replacing fences, roofs and trim See photos!

There has been a **drop in violations** from March to August. (Recent increases bring the violation letter cost to \$4.35). We placed some of our **money market funds** into a 7-month CD at a yield of 5% yearly (a homeowner suggestion) helping our **BUDGET!**

You may see our new Ameritech manager, Magda, doing her weekly check of the neighborhood properties. She drives the streets and walks the ponds and grassy area behind the privacy fences on Drainage Easements as is required by our Declaration. Board members may do this as needed according to our Declaration as well.

Please consider what you may say at a Board meeting as it is a public forum. Neighbors should not openly complain about a particular address in our community. If you have a legitimate concern please email a board member or Management for follow-up.

If you hire a handyman, or contractor, please explain our rules to him, or her. No architectural changes can be made without approval from the Architectural Control Committee.

Check out some vendors on the **LAST PAGE** of this newsletter! **THANK YOU TO ALL WHO HELP!**

Board of Directors

ATTENTION ALL BPW HOMEOWNERS

In March, the Board of Directors asked the membership to review the proposed Amendment for Rental Restrictions. Many people stated they did not see the March 5, 2023 letter toward the end of the newsletter. **WE MUST GET THIS AMENDMENT PASSED!**

The Investment Companies that have purchased many properties in BPW are now expecting their tenants to keep up the property rather than including mowing, edging, painting, repairing, etc. This has created big problems as the renters do not take care of the properties. These properties have to involve BPW's attorney and legal battles that take time to win! Meanwhile, we all pay those bills related to these battles and they are thousands of dollars each. Four of those corporations have not paid their 2023 assessment on top of the attorney fees they owe at this time.

The rental agreement is simple. See Article II, Use Restrictions Section 1 and 1a. Section 1b is already an amendment in our Declaration. Remember it only states that anyone who purchases property in BPW must live in that home for 18 months prior to renting the property to anyone else.

For approval of Article III, S.1, owners do not fill in the left side of the approval. Witnesses are not required. Owners fill in the lines on the right side of the approval. Print address, sign name on top of the "Owner" line, and print your name on the last line! Then put it in the black box on the gate at 7004 Drury Street.

This will make a huge difference in the look of our subdivision and cut back a big expense we are all paying for lack of action with respect to the properties appearance.

Board of Directors
Bayport West HOA
August Newsletter

ARTICLE III USE RESTRICTIONS

Section 1. Single Family Side Yard Concept Option.

No building shall be erected, altered, or permitted to remain on any Lot other than one detached Single Family Side Yard Concept Option dwelling used for residential purposes only, and not to exceed two (2) stories in height. Each such dwelling on a Lot shall have an attached or detached garage or carport for one (1) or more cars, but not more than three (3) cars, provided that the Architectural Control Committee may, in its discretion, permit the construction of a carport on a Lot and/or a garage for more than three (3) cars, such permission to be granted in writing as hereinafter provided. As used herein, the term "residential purposes" shall be construed to prohibit mobile homes or trailers being placed on the Lots, or the use of said Lots for garage apartments or for apartment houses; and no Lot shall be used for business or professional purposes of any kind nor for any commercial or manufacturing purposes. No building of any kind shall ever be moved onto any Lot within said Subdivision, it being the intention that only new construction shall be placed and erected thereon, except with the prior written consent of the Architectural Control Committee. All dwellings on a Lots shall be occupied by a Single Family only. For purposes of this Declaration of Covenants and the provisions relating to leasing, "Single Family" and "Family" is defined as follows: the terms "Single Family" and "Family" shall be defined as a maximum of two (2) unrelated persons living together as a single housekeeping unit, sharing kitchen and bedroom facilities; or one (1) individual living alone. No more than six (6) persons will be considered a Single Family unless at least four (4) of them are related to each other by blood, marriage, or adoption.

1A. No Owner shall enter into a lease, rental agreement, or other similar conveyance of use of a Lot during the first eighteen (18) months of ownership of that Lot. The Board of Directors has the right to make hardship exceptions to this requirement. Reasons for a hardship exception include, but are not limited to, owners who serve in the military and receive transfer orders or otherwise receive orders for long term deployment that prohibits their occupancy of the Lot. Only one (1) hardship exception can be granted by the Board of Directors during the first eighteen (18) months of ownership of the Lot. If it is determined by the Board of Directors that an Owner has entered into a lease, rental agreement, or other similar conveyance or use of a Lot during the first eighteen (18) months of ownership of that Lot, all Lots owned by that Owner shall not be eligible for lease rental or other conveyance for an additional eighteen (18) months after it has been determined that the Owner has leased, rented or otherwise conveyed the use of any of the Owner's Lots during the first eighteen (18) months of ownership. If the Board of Directors determines that there has been a second violation of the prohibition of the lease, rental or other similar conveyance or use of a Lot during the initial eighteen months (18) of ownership, that Owner shall be forever banned from leasing, renting or otherwise conveying the use of any of those Lots owned by the Owner. If a Lot is conveyed that has been forever banned from being leased, rented or otherwise similarly conveyed for use, the party acquiring title will be permitted to lease, rent or otherwise similarly convey use of the Lot after the first eighteen (18) months of ownership by that new owner.

ARTICLE III
USE RESTRICTIONS
(CONTINUED)

1B. No lease shall be for a period of less than six (6) months. A Lot Owner making a bona fide lease of said Lot Owner's Lot shall give the Association notice of such lease upon execution to ~~either~~ with the name and address of the lessee.

(Additions indicated by underlining deletions by strike through, omitted, unaffected language by ellipses . . .)



APPROVAL OF ARTICLE III, §1

The undersigned, current owners of homes located within Bayport West subdivision, hereby approve of the Amendments to Article III §1, Defining single family and imposing rental restrictions requiring ownership of a Lot for 18 months before a home is eligible for rental and establishing a minimum lease term of 6 months. By this page, the undersigned homeowners acknowledge that they have reviewed the proposed amendments and approve of same.

Witness

Print Name

Witness

Print Name

Address

Owner

Print Name

Second Owner signs below. May use witnesses if both witnesses are present for each owner signature.

Witness

Print Name

Witness

Print Name

Address

Owner

Print Name

INTEREST IN CHANGE SURVEY

Please view the following choices for possible changes in our community. The following ideas were brought to the Board from various homeowners.

- | | |
|---|-------------------|
| Change colors to Bayport Light with Light and Dark Gray? | YES_____ NO _____ |
| Change colors to Bayport Light with Light and Navy Blue? | YES_____ NO _____ |
| Replace sidewalks from driveway to front door with pavers? | YES_____ NO _____ |
| Allow sheds completely hidden behind privacy fences in back yard? | YES_____ NO _____ |
| Allow decorative art pieces on front stucco privacy walls? | YES_____ NO _____ |
| Allow basketball hoops on front gable facing driveway? | YES_____ NO _____ |
| Offer an "On Site Library" with sitting area and a BOOK DROP BOX | YES_____ NO _____ |
| Community Garage Sale the third weekend of every September? | YES_____ NO _____ |
| Keep garden hoses out of public view on ground or behind shrubs? | YES_____ NO _____ |
| Keep tall plants and palm bushes off Outer Wall- DAMAGES WALL! | YES_____ NO _____ |
| Use trim boards on the back gables to make an attractive 3D look? | YES_____ NO _____ |
| Have items from homeowners on a FOR SALE page in newsletter' | YES_____ NO _____ |

Please add any other ideas for change on the following lines. Place this survey in the black mailbox on the gate at 7004 Drury St. Results announced at the December Board meeting.

***** Note: Homeowners asked to change two colors to add choices to go with Bayport Light. The stucco privacy walls would stay Bayport Light as this wall runs continuously from one property to the next over the 3 foot easements. (i.e. Dark Blue trim with light blue garage door and siding).**

Tampa Coyotes

Coyotes are an important part of the landscape in Florida. According to Florida Fish and Wildlife (FWC), they help maintain healthy ecosystems by managing populations of rodents, insects, and other small animals. They are very intelligent and adaptable. Their adaptability is why more are being spotted throughout the US, including in Hillsborough County.

They are a midsized canine averaging 30 pounds in Florida. They are typically tan, gray, brown, or black. They are considered naturalized because they were part of a natural range expansion of migration. They are all over every county in Florida.

Observing a coyote in your area is not necessarily a cause for concern. They gradually become accustomed to people; they are curious but timid. To deter a coyote, wave your arms above your head and loudly yell “go, get”. This is called hazing. Be sure to act aggressive while you yell and wave your arms. You can also use a noise maker/shaker or wave a stick to make yourself look bigger.

If you have a small pet, pick it up and hold it close to you as you haze the coyote. Spraying a hose at them may also work. Whatever you do, just scare them away. However, do not hit them or harm them. We are seeing coyotes in our area because of the construction behind Bayport West for additional condos and apartments. Since their homes are ruined, they have no place else to go while they’re looking for food.

Florida Fish and Wildlife (FWC) Do’s

- Secure all trashcans and food.
- Clean up pet food and fallen fruit near your home.
- Protect pets by keeping them inside a 6’ fence or taller.
- Walk dogs on a short leash, especially at night.
- Close off crawl spaces under porches and sheds.
- Haze continuously if a coyote is nearby you.
- Share these tips with your neighbors.

Florida Fish and Wildlife (FWC) Don’ts

- Don’t feed coyotes.
 - Don’t run if you see a coyote. (Stand your ground and haze them)
 - Don’t allow pets to roam freely.
 - Don’t walk pets late at night. Try to walk them early in the morning.
- ***Be aware of unusual coyote behavior. This includes a coyote that has lost his fear of humans and is approaching people, chasing joggers/runners, and attacking leashed pets.

To report unusual coyote behavior, call the FWC at 863-648-3200.



Maintenance Free Yard Landscape Bed By the street (9' x 24')

Materials:

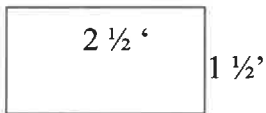
- **Warp's Plastic Sheeting** ○ 3 mil ○ 10' x 25' ○ 2 rolls at \$9.67 ○ Big Lots has the best price

- **Trim/Retaining Wall Blocks** ○ 4" x 11 ½" ○ 25 blocks x 9 blocks

25 blocks x 9 blocks = 68 blocks at
\$2.28 each = 5% more off at Lowe's
with card

- Cypress No Float Mulch**

- 216 sq. ft.—9 bags across and 4 bags down
- 36 bags of mulch at \$2.97 (2 cu. ft)
- Only at Home Depot
- Mulch Bag



Estimated Cost:

Plastic Sheeting: \$19.34

+

Trimmers: \$166.67

+

Mulch: \$104.94

\$290.19

up and

****Another option is Marble Chips (more expensive)**

- 6 x 16
- 96 bags at \$6.47/\$6.48

[illegible]

Directions:

1. Clean or weed whack entire rectangular space.
2. Flatten the space. Level at a downward angle toward the street.
3. Place 1 full plastic sheet on the rectangle of ground with 6 inches hanging over.
4. Place the other full sheet of plastic on top of the first sheet.
5. Place trimmers just inside the concrete along the sidewalk and road across ends.
6. The 6 inches of plastic that hangs over must be folded over in half. Three inches will go under the trimmer and three inches will be up against the concrete sidewalk. You may need to dig down 3 inches to do this. It will hold everything in place.
7. No weeds can grow in through 6 mil of plastic held down by 12 lbs. trimmer blocks tightly set together in a row.
8. Make sure the land is flattened but still at an angle toward the street so water can flow down the hill.
9. Place No Float Mulch Bags—9 across longways running with the sidewalk and end to end. Then fill in with 4 bags or 4 rows of mulch (9' x 4' of mulch!) and spread the mulch.

This will last for years! No more mowing or pulling weeds. To keep cats at bay, spray with peppermint oil and water (mixture is 90 drops of oil to 1 gallon of water). You can also place 4 pots of citronella plants at the corners. I can grow it for you at no cost. It is pretty too! If you need help doing this, call me at 813854-1248.

Sherry
BPW neighbor



BAYPORT

West

FERAL CAT COMMITTEE

MANAGING FERAL AND STRAY CATS

*Submitted by: Claire Matthews
Bayport West Feral Cat Committee*

The Bayport West Feral Cat Committee was formed in 2019 to address the overpopulation of stray cats in our neighborhood. We work in partnership with the Humane Society and alongside homeowners in the community to help reduce the feral cat population. Our efforts have made a long-lasting difference.

The process is simple: Cats are caught, transported to the Humane Society, vaccinated, spayed or neutered; their left ear is “tipped” which is the universal sign that the cat has been fixed, and the cat is then returned to their original habitat. This practice is commonly referred to as “TNVR.” Over the past 4 years, the committee has successfully TNVR’d approximately 3 dozen cats and kittens.

What's the difference?

STRAY CAT

A tame cat who has become lost or has been abandoned, she has been socialized to people at some point in her life.

FERAL CAT

A cat who has little contact with humans, is fearful of people and usually lives on her own outdoors.

The uncontrolled breeding of feral and stray cats poses many problems for a community. Male unneutered cats roam, fight to find mates and spray to mark and defend their territories. Unspayed female cats can reproduce 2–3 times per year with an average litter of 5 kittens. Cats can become pregnant as early as 5 months of age. A pair of breeding cats, with two or more litters

per year, can exponentially produce **420,000 offspring over a seven-year period.**

The TNVR program has been shown to be effective because the cats can no longer reproduce, their population then has the potential to decline over time, and nuisance behavior is greatly reduced. If you have a cat or kitten that you suspect is a stray or feral cat, please be pro-active and contact us. The sooner we can TNVR the cat, the greater the chance of controlling the population and allowing the cat to have a safer and healthier life.

It is important that we remain diligent with our efforts for the health and safety of our community and for the animals.

Claire Matthews
Feral Cat Committee Chair
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**Board Certified in Condominium
and Planned Development Law*

July 11, 2023

Board of Directors
Bayport West Homeowners Assoc. Inc.
c/o Ameri-Tech Community Management, Inc.
24701 US Highway 19N, Suite 102
Clearwater, FL 33763

Re: Structures Placed in Drainage Easements

Dear Board:

It was requested that your governing documents be reviewed to determine if owners can place structures within the drainage easements of the subdivision. As has previously been explained, the owners' lots extend into the ponds and other bodies of water located within Bayport West Phase 1 and Bayport West Phase 2. The plats of the subdivision clearly indicate that certain areas of the subdivision have been designated as "drainage easements" on the final plat. No permanent improvements or structures shall be placed or erected upon the drainage easements. In addition, no fences, driveways, pools and decks, patios, air conditioners, any impervious surface improvements, utility sheds, sprinklers systems, trees, shrubs, hedges, plants or any other landscaping elements other than sod shall be placed or erected upon the drainage easements. This specific prohibition is supposed to be included on all deeds.

If owners are now extending their backyards into the drainage easement areas by fencing in these areas, which are clearly delineated on the plats, the association can take the steps needed to prohibit such improvements. Owners do not have a right to place fences in the drainage easement areas, thus extending their backyards.

If you have any questions, after review, please let me know.

Very truly yours,
FRISCIA & ROSS, P.A.



Francis E. Friscia
Email: ffriscia@frpalegal.com

FEF/ag

APPROVED:

3' - 4' Back Fence Facing Pond
with 6' Privacy Side Fence



BAYPORT WEST Traffic Violations								
	3-Apr	22-Apr	10-May	20-May	5-Jun	12-Jun	10-Jul	31-Jul
Speeding	2	2	2	3	4	3	3	2
Stop Sign	2	2	2	2		2	1	1
Insurance	1	3	1	2	1	2		1
D. License							2	1
Texting								
Window Tint				1		1		
Seat Belt								1
Exhaust		1						
Tag/Registration					2			1
Bike Light		1						
Faulty Equipment								



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