

# OAKSTEAD HOMEOWNERS ASSOCIATION

## DESIGN REVIEW BOARD GUIDE

Community Standards – supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Oakstead (recorded April 12, 2002)

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**Approved by: Oakstead Homeowners Association Board of Directors**

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## INTRODUCTION

This community standards document includes procedures and standards to assist the Oakstead Design Review Board (DRB), the community Property Manager, and property owners and residents in understanding and complying with deed restrictions, requirements, and alteration applications.

The document supports, clarifies, and amplifies the *Amended and Restated Declaration of Covenants, Conditions and Restrictions of Oakstead (recorded April 12, 2002) in the Public Records of Pasco County, Florida, in Official Records Book Number 4611 at Pages 1233 et al, as amended*, and other governing documents that bind each property owner. Establishing and enforcing these standards are essential: to create and preserve a community that is attractive and livable; to approach enforcement with as much consistency as possible; and to protect and enhance property values. The authority to create these standards can be found in the Declaration of Covenants, Conditions and Restrictions of Oakstead in Article IX C.

Hard copies of the first revision of the document were mailed in June 2009 to each property owner of record with the Association. The second revision, completed in May 2017, has been available on the community web site since June 2017 at [www.myoakstead.com](http://www.myoakstead.com). The third revision, completed in September 2019, will be available on the community website as of October 2019.

Each property owner and resident are responsible for reading and understanding the contents of this document.

As of October 2019, with the official posting of this revision, each property resident will be held responsible for compliance with its contents.

If you have misplaced your hard copy and cannot access the document online, please contact the management company immediately for a replacement copy.

# PROCEDURES FOR MANAGING PROPERTY ALTERATIONS

## Quick Reference Lists — Common Issues

Two quick reference lists are included to highlight common issues that ALWAYS REQUIRE APPLICATION and common issues that ARE NEVER ALLOWED. These lists do not necessarily include every possible standard or alteration circumstance. Please refer to individual standards within this publication as well as master documents for additional detail. Reference is provided to Amended and Restated Declaration of Covenants, Conditions and Restrictions of Oakstead (recorded April 12, 2002) in the Public Records of Pasco County, Florida, in Official Records Book Number 4611 at Pages 1233 et al, as amended.

### Always Require Application and Approval

These property alterations require the completion of a Design Review (DRB) formal application approval process. The process requires a fully executed Application to be presented to the Association via the Property Manager, approval from the Association, and compliance with any conditions which may accompany the approval. Work may not begin until an official written approval from the Association, through its Property Manager, is received by the homeowner.

- Fencing (new, added, or replacement), privacy walls, and gates
- Construction of fountains, swimming pools, whirlpools, or aquatic structures.
- Lanais, sun rooms and screen enclosures, rear porches and all enclosures
- Exterior painting or other alteration of a dwelling (including doors, windows and roof)
- Play sets, trampolines and other allowable outdoor recreational equipment
- Decks, patios, pads, sidewalks, pavers
- Elevation changes
- Window replacement or changes, window tinting, installation of patterned or brightly colored internal window treatment
- Driveway and front walkway reconstruction or resurfacing
- Conversion or alteration of garage area for other than vehicle parking use (this includes temporary parking of PODS or Moving Vans)
- Awnings, exterior shutters including storm coverings, gutters/downspouts.
- Roofing modification or replacement
- Exterior landscaping including trees, shrubs, hedges and sod
- Pergolas – only allowed in rear of home.
- Alteration of the landscaping or topography of the parcel including fountains, hard curbing, walls, statutes and other outdoor ornamentation
- Installation of solar panels or other energy-generating devices
- Antennas, satellite dishes and flagpoles

This list is not all inclusive, and only contains the most common alterations. If you are not sure whether you should submit an application, submit one. Failure to submit an application can result in added costs to redo or remove a project and fines.

## Never Allowed

Certain alterations / conditions are not allowed within the Master Covenants and include, but are not limited to, those in this category. They are considered to be in violation and subject to immediate action by the Homeowners Association.

- Signs except specific real estate signs approved by the HOA Board, one small sign indicating a home alarm system and one election sign not to exceed 24"x18"
- Sheds
- Septic tanks
- Screened enclosures at the home's front entry or front porch
- Screened garage entries
- Chain link fences
- Aluminum or vinyl-sided screen enclosures
- Above-ground swimming pools
- Carports or detached garages
- Front yard furniture of any kind such as chairs, couches, benches, gazebos, fire-pits, patios, and swings.
- Permanent Basketball courts, standards or backboards, batting cages, golf nets or other sporting equipment not approved by the DRB

## **VIOLATION OF GUIDELINES**

Applications for changes as required by these Guidelines or changes detailed in the *Amended and Restated Declaration of Covenants, Conditions and Restrictions of Oakstead (recorded April 12, 2002)* will not be approved under the following conditions:

- When a homeowner has been referred to the Association attorney for enforcement of any kind.
- When a homeowner is in violation of the requirements of this Document or the *Amended and Restated Declaration of Covenants, Conditions and Restrictions of Oakstead (recorded April 12, 2002)*.

### **Applications**

All applications are sent for DRB review that require Pasco County or other governing agency permit approval, if approved by the DRB, and the required permit is not obtained, the DRB approval will be revoked.

### **Completion**

Approved projects must be commenced within a maximum of three (3) months after DRB approval and be completed within a maximum of six (6) months of such approval. Specific projects may be subject to shorter time periods, and such changes will be noted with approval detail. All construction shall be completed in a timely and continuous manner. After three months, re-submittal and re-approval is required. The Property Manager and/or the DRB may grant an extension due to extenuating circumstances brought to its attention.

## **COMMUNITY STANDARDS — DESIGN**

### **General**

Living Units shall be of an attractive and high-quality architectural design that is compatible in external appearance, design and quality with existing structures. "Screened from public view" means using shrubs, trees or a pre-approved fence that will prevent an object from being seen from the street.

### **Drainage**

Roof gutters and downspouts are permitted and shall be the trim color, white or the same color of the dwelling to which they are installed. Downspouts shall not direct water onto common areas or neighboring property and must drain according to building code. Application and DRB approval are required.

### **Driveways**

Any driveway material other than concrete slab construction (including artistic effects of content, style, sealant, color) or the addition of pavers must be approved by the DRB. Colors and styles will be considered on a case-by-case basis with the emphasis on compatibility with the exterior design and color of the dwelling to which it is attached. Any paver addition must leave the joint between the sidewalk and driveway level at the surface. Circular driveways or other driveway configurations will be considered on a case-by-case basis and must meet Pasco County codes. Application and DRB approval are required. Existing footprint of driveway cannot be altered or expanded without DRB approval.

### **Garages**

Garage doors shall be of standard solid panel construction, which will conceal the contents of the garage. Garage doors are the same color as the body of the dwelling. Dark or contrasting colors are not allowed. Garage doors shall be kept closed except when access or an activity requires them to be open. The structure shall relate to the dwelling in respect to character, material, and finish. Screened panels at the garage opening are not permitted. Decorative garage door hardware other than the lift handle requires DRB approval. Carports and unattached garages are not permitted. Application and DRB approval are required.

### **Porches, Decks and Patios**

All porches, decks and patios shall have an appearance consistent with the dwelling and the community. Any porch, patio or deck shall comply with existing setback governances. Porches or decks constructed above ground must be finished to the ground with materials compatible with the deck or the dwelling. Screened enclosure roofs must be of 3" insulated material rather than 'pan' roof. Front porches may not be enclosed with screening or any other type of material. DRB approval is required. Patios or any other

sitting area not part of the original home construction are not permitted in the front or side yards.

### **Exterior Finish and Colors**

All exteriors shall be of first quality standard stucco compound with a knockdown finish unless originally built with different materials. This shall apply to any parts or attachments to any structure on any lot, including barrier walls. All exterior colors must comply with the community color scheme; a pallet of approved colors (as supplied by the original builders and updated in 2019) for each Village is available at the Clubhouse. All exterior painting requires application and approval — whether repainting in existing color or a replacement color. All body colors shall be compatible with existing homes in the Village (Brenford, Keswick, etc.). Garage doors, including any side or rear exterior entry doors, must be painted the same color as the body of the house. Accent colors for trim and fascia/soffits must be compatible with the body color. Front doors must be compatible with the body and trim colors. The metal drip edge for the roof must be the same or similar color as the fascia board that borders the roof. Contrasting colors are not permitted. Selected color must be visually different from first house on each side, in front and to the rear. Application and DRB approval are required.

### **Roofs**

Approved roofing materials are compound shingle, dimensional shingle, or cement or clay tile. Other materials will be judged on a case-by-case basis and must be submitted for material, color, and texture approval. Roofing color and hue, materials and configurations shall be compatible with existing homes within the Village. Application and DRB approval are required.

### **Play Equipment**

All play sets, swing sets, trampolines or other playground equipment or sporting equipment require DRB approval. The overall allowable height and dimensions of this play equipment shall be determined based on location, lot size and placement, visibility, and intrusion on neighbor lines of sight. In no case shall this play equipment set exceed thirteen (13) feet in height. DRB approvals may include requirements for buffering the structure's visual impact to neighboring home sites and/or the street, with approved fencing, shrubbery or landscaping. Application and DRB approval are required.

- Applications for fencing buffers must be submitted prior to installation of the play equipment or fence. Fence buffers must meet current fencing standards.
- Play sets must be constructed of wood or recycled plastic. Aluminum or metal tubing is not permitted.
- Swimming Pools, Spas, Whirlpools, and Hot Tubs. Swimming pools must be below ground and either concrete body or one-piece fiberglass. Pool slides are not to exceed 6 ft.



- Homeowners must fence or enclose the perimeter of the pool area to prevent access to such area. Please note Pasco County safety regulations.
- Pool service equipment, heating equipment, and propane/fuel tanks must be screened from public view with landscaping or approved fencing.
- Freestanding hot tubs, spas, whirlpools must be fenced, or the perimeter enclosed. View must be buffered from view from roads or adjacent property within Oakstead with shrubbery or an approved fence. Application and DRB approval are required.

### **Poles and Antennae**

- Exterior poles, antennae, and towers are subject to DRB review. Such items shall not be installed on an easement and shall be located at least five (5) feet from any property line.
- Freestanding flagpoles are subject to DRB review and will be limited to twenty (20) feet in height. Florida statute 720.304 shall govern appropriate flags and times to be flown. Only the American flag, State of Florida flag or the official flag of a branch of the military, can be flown.
- Satellite dishes, limited to one per residence, of approvable size one (1) meter in diameter and smaller shall be mounted in a location that minimizes, as much as possible, visibility from any road or adjacent property within Oakstead. In no cases shall a satellite dish be mounted on the front of the house; nor, when mounted on a side of the house, within ten (10) feet from the front edge of the house.
- Free-standing bird houses shall not exceed twelve (12) feet in height; nor shall they be installed within five (5) feet of any property line. Bird houses in the front yard is not permitted. Application and DRB approval are required.

### **Permanent Generators**

Permanently installed electrical generators require DRB approval. They shall be placed to minimize noise to adjacent dwellings and shall be screened from view with approved shrubbery or fencing. Please note Pasco County safety and noise abatement regulations. Application and DRB approval are required.

### **House Numbers**

House numbers must be clearly readable from the street and compatible with the overall design of the structure. The numbers should be similar in size as originally installed by the builder, but not to exceed four (4) inches in height. The numbers shall be horizontal and placed above the garage doors or on the wall/fascia adjacent to the garage doors. Under no circumstances are illuminated numbers permitted. Address plaques require a DRB application and will be considered on a case by case basis. Any variances must have an application and DRB approval is required.

## **Mailboxes**

The design of mailboxes is specific to villages. Mailboxes must meet the design requirements of the village; materials, paint, numbering and color of the box are to meet the village standards. Any modifications require DRB approval.

## **Windows and Doors**

Window and door replacement must be compatible with the type and style of windows and doors used within the Village. Window grids are required for windows that are in the front of the home and must be either colonial or prairie style. Storm doors are permitted but must have a full-glass panel. DRB approval is required.

## **Permits**

Any exterior project that requires a Pasco County Permit, must be obtained prior to the start of the project and a copy of the permit must be included in the DRB application.

## **Signs**

For Sale and For Lease signs are permitted but must be the HOA Approved/Oakstead Community specific signs. Presidential election signs are permitted but limited to one sign per property that cannot exceed 24"x18" in size. The placement of the political sign is allowed 30 days prior to the election and must be removed the day following the election. Alarm or security signs are permitted but will be limited in size and number. Commercial signs, including contractor signs are strictly prohibited.

## **COMMUNITY STANDARDS — LANDSCAPE**

All Lots shall be landscaped in a manner that is harmonious and compatible with the overall landscaping policy. All homeowners, whether in occupancy or not, shall maintain their property by exercising accepted garden management practices necessary to promote a high quality, healthy, weed free environment for optimum plant growth and control.

Trees and plants defined as Florida Friendly for the Pasco County area by the University of Florida are recommended.

### **Lawn Maintenance**

Lawns shall be cut on a regular schedule, which maintains the lawn in a neat and appropriate manner. No owner shall allow any grass or weed on his or her lot to attain a height in excess of ten (10) inches over root mass. Cuttings should be picked up and disposed of and not blown into the street or sewers.

Edging shall be performed on a regular schedule, in line with mowing requirements. Clean edging is required for all lawn areas meeting curbing, sidewalks, driveways, house, garage, plant beds, pool equipment, porch/lanai foundations, utility boxes, fences, etc.

Lawns will be kept disease free without bare, dead, brown, or burned spots. Insect and disease damages will be treated and mitigated immediately upon identification. Widespread disease damage or un-repairable disease damage will be addressed by re-sodding or other DRB approved method, within a reasonable period, e.g., 60 days from first treatment. All other causes of bare, dead, brown, or burned spots on lawns will be addressed in a similar timely fashion. St. Augustine is the only species of grass permitted.

No weed growth is permitted in expansion joints, curbs, driveways, and sidewalks. No weed growth or excessive grass growth is permitted around trees, up against any structure, etc. Lawns must be treated to eliminate weeds as they appear.

Lawns shall be fertilized regularly to promote a healthy appearance.

### **Tree Maintenance**

Pasco County approved shade trees are the only trees approved for right-of-way planting. (The right-of-way is defined as the grassy area between the sidewalk and the street). Trees in the right-of-way shall be pruned, not artificially shaped, to maintain a neat appearance. The trees shall be limbed to provide 14 feet of clearance for pedestrians and vehicles to pass under without hitting branches or leaves. They shall also be limbed to remove dead branches, when they become a hazard or when they become overgrown. Property owners are responsible for tree maintenance, and must promptly replace them should they become diseased, damaged, uprooted, or die. The homeowner shall remove any stump for any tree that has been uprooted or removed at the time of the tree removal.

Replacement trees will have a minimum trunk diameter of one- & one-half inches (1 1/2") measured at four feet six inches (4' 6") from the ground.

Yard trees shall be pruned and maintained according to standard practices for the specific species and in accordance with standard neighborhood and common areas. The trees will be maintained at heights and widths compatible with the home and neighboring properties. Trees shall be properly fertilized to ensure good color and growth. Diseased, dead, uprooted or damaged trees shall be removed in accordance with standard practices. The homeowner shall remove any stump for any tree that has been uprooted or removed at the time of tree removal. Pasco County and HOA standards relative to trees per lot and species, must be strictly followed. No lot should be tree-less.

## **Pasco County Tree Ordinance**

### Palm Trees and Ornamental Palms

Palm trees shall be maintained to enhance the landscaping of the property and to present a neat appearance. Mature trees shall not be allowed to become so large as to overpower the yard landscape, overpower the yard, or block major portions of the home. Palm fronds shall be removed when they are dead and palm seedpods shall be removed after they have opened. Palms shall be fertilized to ensure good color, growth, and appearance. Diseased, dead, uprooted or damaged trees shall be removed in accordance with standard practices. The homeowner shall remove any stump for any tree that has been uprooted or removed at the time of the tree removal. Care should be taken when selecting palms for planting to ensure proper size upon maturity of trees and compatibility with the home site.

Ornamental palms shall be maintained in a manner similar to palm trees, above. Care should be taken when selecting ornamental palms to ensure compatibility with existing landscaping.

### Shrubs, Bushes, and Hedges

Free standing shrubs, bushes and hedges shall be fertilized and pruned to maintain a neat appearance and in accordance with standard gardening practices for the specific species. Height and width of hedges will be compatible with the home and neighboring properties but shall not exceed six (6) feet in height. Shrubs, bushes and hedges shall not be allowed to become overgrown causing major portions of the home to be blocked.

Food-producing and artificial plants are not allowed in the front yard or visible from Oakstead streets. Ornamental plants may be exempted. Invasive species of plants, such as bamboo, are not permitted.

In all cases, landscaping is required at the front of the home and side of the home for corner properties.

### Plantings and Flower Beds

Beds shall be maintained in such a manner as to enhance the beauty of the home and neighborhood. Plantings shall be fertilized and maintained by trimming and pruning of plants to prevent overgrowth in accordance with the specific species and good gardening practices. Dead or damaged plants shall be promptly removed and properly disposed.

All plant beds must be maintained to be weed-free and trimmed.

Planting beds in the right-of-way require DRB approval. Right-of-way beds shall not exceed more than ten (10) percent of the area of the right-of-way.

Plants shall not encroach on sidewalks, driveways, or streets.

Residential unit front yards shall have at least 1/3 of the total nonconcrete area in grass. Landscaping is required.

### **Irrigation**

Lawns and other landscaping shall be watered as needed, and as permitted by ordinance, to maintain growth and a healthy condition. Irrigation may be by automatic sprinkler systems or manual/hand watering methods. If manual methods are used, the watering equipment must be removed immediately after watering is complete. The lack of an automatic sprinkler system is not sufficient grounds for non-watering.

Automatic sprinklers shall be maintained to promote proper watering of the area to be watered and aimed in such a manner to avoid sidewalks and hindering pedestrian and vehicle traffic. Sprinkler systems shall be adjusted or expanded as required to ensure sufficient grass and landscaped areas after landscape changes or lot improvements.

Sprinklers on either reclaimed or city water must adhere to the days and times published by Pasco County. Water Restrictions Using Reclaimed Water

### **Insect, Disease Control, and Fertilization**

Each owner shall maintain lawns, trees, plantings and all landscaping with recommended agents to prevent and control insects, fungus and diseases.

Lawns, trees, plantings and all landscaping shall be fertilized on a regular basis consistent with recommended standard gardening practices to promote growth and a healthy appearance.

## **Yard Ornamentation, Accent Lighting and Outdoor Furniture**

Any visible ornamentation may be subject to review and requests for removal from the HOA. Quality of yard ornamentation must be consistent with the community. Decisions regarding quality and excess are at the discretion of the HOA.

Statuary shall not exceed two (2) feet in height.

Planters larger than 30" in diameter and ornamental rocks larger than 36" in any one direction require specific DRB approval.

Seasonal holiday decorations are exempt from the item above but shall be installed no more than 45 days before the holiday and removed within two weeks after the holiday season ends.

Fountains (including bird baths), gazebos, and their location require an application and DRB approval is required.

All other decorative landscaping, lawn and exterior ornamentation must be approved by the HOA.

Flag poles attached to the house are limited in the types of flags and the times to be flown by Florida statute 720.304. Any homeowner may display 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,

Flying of American flags is governed by Federal Flag Code and the Freedom to Display the American Flag Act of 2005.

Ornamentation shall not be allowed in any right-of-way.

While the placement of outdoor furniture at the front of the house, on the porch, or in the front entryway does not require DRB approval, furniture, chairs, swing sets and benches are not allowed on any part of the front yard not considered part of the house. Not all models of homes have designated porch areas. Patios installed in the front yards, excluding courtyards that were part of the original design homes in Ballastone, is prohibited. Furniture must be good quality outdoor furniture and be maintained. Any outdoor furniture not being properly maintained or deemed inappropriate by the HOA or DRB, will be promptly replaced or removed.

Landscape lighting is permitted if it is not excessive and the lighting enhances the beauty of the home. Lamps shall be aimed in a manner that they not interfere with neighboring properties and traffic. Landscape lighting will not be allowed in the right-of-way. Decorative colored landscape lighting is only permitted during holiday seasons and must be changed back to the standard white light within the timeframe provided in the documents for holiday decorations.

## **Mulching**

All plant beds must be mulched and replenished as needed to maintain plants in a healthy manner consistent with standard gardening practices.

Mulch shall consist of shredded natural tree products, stone, river rock or lava rocks or rubber. Acceptable colors draw from a color palette of whites, browns, tans, grays, and natural reds. Black is not considered an acceptable color. Additionally, the colors are to be muted and flat in an emulation of the natural colors found in sand, dirt, and rocks.

## **Hard Bedding, Edging, and Curbing**

Hard surface edging or curbing includes landscape timbers, rock, block, brick, pavers and poured concrete; all require an application and DRB approval. Poured continuous curbing that cracks, breaks and rising above the acceptable surface needs to be removed. All curbing needs to be maintained in a neat appearance

## COMMUNITY STANDARDS — FENCING

### Application and Approval

The set of specifications provided in this section is to be considered only as a guideline for fences. The DRB, prior to any installation, must approve all fences in writing, even if it meets these specifications.

Application for approval of a fence installation requires a survey or plot plan showing the owner's property and adjoining properties with all permanent structures (including existing fences) located on them. The survey must show the location of proposed fence(s), fence height(s), all transition points of fences, gate locations, distances from property lines, existing or proposed grades, all easements, drainage or utility structures, and a detailed list of specifications for all fence's materials.

For homes on corner lots, the fence on the street sides cannot be placed at a distance that exceeds twelve (12) feet forward from the rear corner of the house. The distance from the sidewalk or street to the fence shall maintain the setback distance as referenced in:

*Amended and Restated Declaration of Covenants, Conditions and Restrictions of Oakstead (recorded April 12, 2002) Article VIII, B.* In most cases, a minimum of a 9-foot setback is required.

Shrubs or other buffering for street-side fences may be required at the sole discretion of the DRB.

No fence installation shall infringe upon any street intersection visibility as referenced in:

*Amended and Restated Declaration of Covenants, Conditions and Restrictions of Oakstead (recorded April 12, 2002) Article VIII, L.*

Fencing is unique in its great potential to alter line-of-sight, ventilation and restrict access. Therefore, when considering fence installation, residents are encouraged to consult with neighboring property owners. In many instances, adjoining lot owners may agree on a mutual fence style and share costs as well as maintain aesthetic integrity between the homes.

These requirements for fencing are to provide for consistent and appealing fences in the community. Other fences may be considered by the DRB at its discretion.

Fencing should always be installed with the smooth or finished side facing outward.

For corner lots, fence lines must be setback a minimum of 9 feet from the line that parallels the sidewalk. The homeowner is responsible for all repair, replacement and installation costs for any fencing located on or in a right-of way should removal of the fence be required for access to the right of way.



Fence heights are limited to 6 feet. In conservation, lake and wetland areas, the maximum height is 4 feet.

For homeowners whose properties include a street stormwater drainage easement, the placement of a fence will be conditioned on allowing ample access to the lakes and ponds for maintenance as required.

Any inconsistencies or conflicts in these standards will be settled at the DRB's sole discretion or at the Owners' request to exercise their right to an appearance at an OHOA meeting as per:

*the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Oakstead (recorded April 12, 2002), Article 1X, Section D.*

### **Vinyl fencing materials and color**

Vinyl materials will be pure vinyl and not vinyl-clad wood or coextruded material. Color of vinyl fencing will be shall be compatible with the exterior design and color of the dwelling to which they are installed. Wood and wrought iron fences are also permitted. Chain link fences are strictly prohibited. Application and DRB approval are required.