

BAYWOOD COLONY VILLAS ASSOCIATION
Guidelines and Unit Owner Responsibilities for Plantings,
Landscaping and Site Furnishings
March 2023

Definitions:

Three-foot area: the immediate area around a Unit that is part of the Common Element but available for use by a Unit Owner for plantings and landscaping. (**Declaration of Condominium (DOC) 4.1, 4.2, 6.2.7**)

Plantings: plants and dwarf shrubs (no trees or palms)

Soft Landscaping: mulch, small gravel (3" or less), washed seashells, etc.

Hard Landscaping: paver stone, large rocks (over 3"), collars/borders of woods, stones, or bricks.

Site Furnishings: furniture, garden art, statuary, planters, pots, solar lights, etc.

General Information

1. All plantings, landscaping and site furnishings are part of the Common Element of Baywood Colony Villas Association.
2. No plantings, landscaping or site furnishings may be added to the Common Element without the prior permission of the Board of Directors through the submission of a Landscape Request Form. (**DOC 6.2.4**)
3. Trimming of all trees (oaks, palms, etc.) near a Unit are the responsibility of the Association and may not be trimmed by a Unit Owner. (**DOC 6.2.4**)

Three-foot Area

1. No permanent plantings, landscaping or site furnishings may be placed in these spaces without the initial approval of the Grounds & Gardens Committee and final approval by the Board.
2. All plantings, landscaping and site furnishings in these areas are to be maintained by the Unit Owner. (**DOC 6.2.5**)
3. Failure to maintain these areas subjects the plantings, landscaping and site furnishing to maintenance or removal by the Association. Costs for such action by the Association shall be charged to the Unit Owner. (**DOC 6.3**)

Soft Landscaping and Site Furnishings

BVCA Declaration of Condominium 9.1.1 states: *"All Units shall be and remain of like exterior design... and appearance as other Units of the same class or type."* The front of our units represents the face of our community. A coordinated look enhances the street appeal of all our units and represents the spirit of cooperation from owners and residents.

1. **Mulch:** Natural Florida dark brown mulch (not dyed) is recommended because of the toxins released from dyed mulch in the rainy season and Baywood Colony's proximity to Sarasota Bay.
2. **Furniture:** No furniture should be placed permanently in the 3' area in front of the villa without the submission of a Landscape Request Form. The following exceptions may be installed without a Landscape Request Form:
 - a. one standard, non-plastic 2-person bench. A bench may not display sports team logos, advertising, or obscene designs.

- b. two small non-plastic chairs. The same restrictions apply with respect to designs.
3. **Planters & Pots:** Planters and pots placed in the 3' area require the submission of a Landscape Request Form in addition to a photo/drawing of where the planter is to be placed. The following exception may be installed without a Landscape Request form:
 - a. two non-plastic pots may be placed in the front 3-foot area.Keep in mind that dwarf shrubs planted in the ground are easier to maintain, once established, than a planter that needs constant watering.
4. **Statuary and yard art (decorative flags, spinners, etc.):** These require a Landscape Request Form whether they are placed in the 3' area or the Common Element gardens behind the villas. Keep **DOC 9.1.1** above in mind when requesting placement of multiple pieces of statuary etc., in the 3' area.
5. The Board recommends that holiday decorations, which do not require a Landscape Request Form, should be removed no more than two weeks following the holiday.
6. **Solar lights:** Black framed, unobtrusive solar lights placed along the villa walkway or across the front of the villa are permitted. A Landscape Request Form is necessary for placement of black framed unobtrusive solar lights outside the 3' area and for colored or decorative solar lights inside or outside the 3' area.

How to Plant and Maintain the Three-foot Area

1. Removal of plantings, landscaping and site furnishings does not require the prior permission of the Association.
2. Dwarf shrubs are highly recommended as their growth stays under roof line.
3. Prior to planting, landscaping, and site furnishing, submit a **Landscape Request Form** to Casey Management. Be specific – diagrams, plans and details of plant listings should be included.
4. Plant trunks and root balls must remain approximately one foot from the Unit walls and pillars.
5. Plantings should be trimmed to minimize contact with and avoid damage to the stucco finish of walls and pillars.
6. Plant growth should always be kept below the lower edge of the sloping roofs/overhangs.
7. Bushes and shrubs should be kept trimmed and shaped.
8. Plantings, collars, borders, hard landscaping and site furnishings, may not hinder the lawn mowing.
9. Seasonal Unit Owners are strongly encouraged to hire a caretaker for their plantings while the Unit is vacant. Recommendations:
 - a. Brightview: contact Collin Cruzan at collin.cruzan@brightview.com
 - b. Mark Spreen (neighborhood landscaper) at mdspreen@msn.com or 941-724-5530

Donated Tree Guidelines

1. A tree or palm may be donated as a replacement for one that has died, been destroyed, or been removed within the last year or so.
2. Other than replacement trees, donated trees/palms should be strategically placed in an aesthetically pleasing manner. Clustered tree/palm gardens are encouraged in the shared green area between Driftwood and Tidewood Avenues. Placement must not impede mowing capability nor require an increase in weed wacking work done by our landscapers.
3. People donating trees are required to:

- a. obtain neighbor input as to the placement of the tree. A form is available for this purpose.
 - b. call 811 to make sure no utilities are affected by the planting. Once the flags have been installed, contact the Grounds and Gardens committee before digging.
 - c. purchase, arrange delivery, install, spread one bag of mulch around the base of the donated plant, and water until the tree has been established.
4. To minimize negative impacts on our community, only trees/palms that do not support/attract roof rats/other critters may be planted.
 5. To minimize increased maintenance costs, donated trees/palms should not require a significant amount of trimming maintenance (may include self-pruning trees). Please see the suggested list of Recommended Trees and Palms for Donations.

Enforcement of the Failure to Maintain

1. Unit inspections by the Grounds Committee shall be made throughout the year.
2. If the Grounds Committee believes a violation (non-compliance with Guidelines) exists, a photograph shall be made of the violation and forwarded the Property Manager and the Board of Directors. The Property Manager will verify the Failure to Maintain. (**DOC 9.1.2** "All property shall be kept in a neat and orderly manner").
3. The Unit Owner will be notified in person, by phone, letter or email with an explanation of the violation. Remedy must be made within 14 days. A Unit Owner may contact the Property Manager for remedy options.
4. After re-inspection, if the violation continues to exist, the Association shall make remedy and the Unit Owner shall be charged the cost thereof. Minimum charge shall be \$100. (**DOC 6.3**)