

# **COMMUNITY DEVELOPMENT CODE**

## **ABERDEEN**

**Promulgated by the  
BOARD OF DIRECTORS  
For  
Aberdeen Homeowners' Association**

*Amended October, 2020*

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## COMMUNITY DEVELOPMENT CODE

The following is the Community Development Code for Aberdeen, which has been adopted by the Board of Directors pursuant to the authority set forth in the Declaration of Covenants, Conditions and Restrictions of Aberdeen as recorded at Official Record Book 17601 Page 729-751 of the Public Records of Pinellas County, Florida.

### 1. RECONSTRUCTION AND/OR ADDITIONS TO EXISTING STRUCTURES AND DWELLINGS

- a. Any repair, rebuilding or reconstruction due to casualty or other damage to any Unit or Common Area, or any part or parts thereof, shall be substantially in accordance with the plans and specifications for such property and areas as originally constructed or with new plans and specifications approved by the Architectural Control Committee (also referred to as the ACC). All Structures or Dwellings shall be located and positioned on Lots as approved by the Architectural Control Committee. No Structure or Dwelling shall be erected, altered, placed or permitted to remain on any Lot other than one (1) detached, single family dwelling.
- b. Foundations: No foundation for a building or structure shall be placed, nor shall construction commence in any manner or respect, until all permits have been obtained from necessary regulatory authorities and all plans and specifications have been submitted and approved by the ACC. The Applicant shall locate such foundations to minimize the removal of existing trees and to place any improvements on the property in conformance with the Design Standards as set forth herein.
- c. The Living Area: The living area of each principal residence shall be in conformance with the following:
  - i. General: Each Architectural Design (exterior) shall be considered on an individual basis with specific emphasis on impact and harmony with surrounding residences and styles.
  - ii. Building and Structure Setbacks: Building and structure setbacks shall conform to the following:
    1. All dwellings and/or structures pertaining thereto must be set back a minimum of 25 feet from the front lot line. No detached garage structures are permitted. Carports are not allowed.
    2. No Structure or Dwelling shall be erected nearer than seven and one-half (7 1/2) feet from a side Lot line, except where said side Lot line faces a street, in which case no Structure shall be erected nearer than twenty-five (25) feet from a side street Lot line.

3. No structure or Dwelling shall be erected nearer than ten (10) feet from a rear Lot line. A swimming pool and/or the screen enclosure must be set back a minimum of 5 feet from the rear lot line. A swimming pool may not be located in the front yard of any Lot, nor past the building on a side street Lot line.
  4. Yard setbacks to any principal residence/structure on corner lots shall be a minimum of twenty-five (25) feet from each lot abutting the street.
- iii. Minimum Air Conditioned Area: New dwellings will contain square footage which is equal or greater than that of the preexisting structure. The design of the new structure will be similar to the preexisting structure and remain one story, if such preexisted.
  - iv. The addition of a screened room to the dwelling is not permitted.

## 2. EXTERIOR DESIGN

- a. General: The ACC does not seek to unduly restrict individual taste or preference. Rather, the goal is to emphasize architectural designs which enhance a harmonious blend between the man-made and natural environment of Aberdeen.
- b. Color: The ACC shall have final approval of all exterior colors. Each applicant shall submit to the ACC as part of the application, a color plan and color samples showing proposed changes in color of roof, exterior walls, trim, and doors, including garage doors. The ACC shall consider the extent to which the colors conform to the natural earth tone scheme of Aberdeen. Exterior colors that in the opinion of the ACC are not harmonious or are inconsistent with the overall look of Aberdeen and those of surrounding houses, shall not be permitted.
- c. Materials: The following materials shall be used:
  - i. Masonry: Stone, brick, or split rock.
  - ii. Wood: The use of exterior wood siding is not recommended. Limited use of wood siding must be approved by the ACC.
  - iii. Stucco:
    1. All decorative stucco banding must be a minimum of 6" in width, must enhance the architectural intent, must be consistent with the structure's design, and must be approved by the ACC.
    2. Wood covered by "secured" masonry lath is to be 5/8" plywood sheeting or better. No "plywood-like wood" material shall be used under stucco

surfaces, unless such processed materials are superior in quality to 5/8” plywood.

- d. Fireplaces and Chimneys: Fireplaces and/or chimney additions shall be in accordance with existing building codes. A non-wood burning fireplace must have the propane tank buried or sufficiently screened from the street and adjacent property. If a chimney is necessary, the chimney must be made of material complimentary to the exterior of the house.
- e. Roofs: Roofs are a critical architectural element in the design of any building or structure. With this in mind, the ACC will exercise its substantial latitude and discretion when reviewing all roof elements. Recommended design considerations include the following:
  - i. New and replacement roofs shall have a similar pitch to the preexisting roof and shall meet all required building codes. The roof design shall be consistent with the main residence and give the appearance of unity of structure.
  - ii. Large roof overhangs which create visual interest and solar control through strong and varied shadow lines are encouraged. With the exception of structural necessity, no roof overhang shall be less than 12 inches.
  - iii. All roof vents, plumbing stacks, flashing and chimney caps shall be painted to conform to approved roof colors. Where possible, all roof vents and plumbing stacks shall be placed so as to minimize their view from the street.
  - iv. Roof materials shall be clay tile, concrete tile, and/or steel (coated with stone to resemble tile). No cedar shakes, bare metal, copper, fiberglass or asphalt shingles are permitted. Gravel roofs are not permitted.
  - v. Roof colors shall be compatible with the exterior color scheme of the building or structure. Painting of roofs shall not be permitted. The owner is responsible for the maintenance and cleaning of the roof. If the roof becomes substantially soiled, or develops a substantial and unsightly amount of mold, and/or mildew, due to the elements, or other reasons, the ACC will notify the homeowner in writing that cleaning is required. Enforcement procedures will commence if the homeowner does not rectify the situation.
  - vi. Solar water heating panels should be hidden from street view. The ACC shall review and approve the placement of all solar panels, which must be located as inconspicuously as possible in terms of visibility from the street and neighboring properties while still accomplishing the goals of such panels. Solar collection system applications must include the number and location of all panels provided by the proposed installation company. In accordance with Florida statute 163.04, the ACC will determine the specific location where solar collectors may be installed on the roof within an orientation to the south or within 45° east or west of due south if such determination does not impair the effective operation of the solar collectors. If such location does impair the effective operation of the solar collectors, the

homeowner's system should utilize solar collectors that are integrated into roofing tiles that are as similar as possible to those specified in section 2. e. iv. instead of being mounted on a rack system over the roof (i.e. solar collector "tiles" designed to resemble clay tile, such as Tesla Tuscan).

- vii. All finished Fascia shall be a 2"x8" minimum and shall be continuous and consistent. Materials such as cedar and redwood are encouraged. Fascia shall be maintained in order to retain the integrity and the appearance of the dwelling.
- viii. Soffits must be composed of durable materials that will not readily deteriorate due to exposure to the elements. Soffits must have sufficient surface area to meet attic ventilation requirements.
- ix. All roof sheeting shall be 15/32' CDX plywood or better. No pressed particle, or processed "plywood-like" sheet materials are allowed unless such materials are proven to be of superior quality.

f. Windows and Doors:

- i. Clerestory windows, and/or bay windows that are shaded with large roof overhangs, are encouraged. Window sizes shall be kept in proportion to other design elements.
- ii. The main entrance shall be designed to create a strong entry statement, and architecturally, be in harmony with the dwelling.
- iii. Metals, such as window frames, screen enclosures, etc., shall be factory finished in durable anodized aluminum with vinyl clad or baked -on enamel. No unpainted mill finish aluminum shall be allowed.
- iv. Double wood doors with leaded glass and/or wood frame windows are encouraged.
- v. All windows shall be recessed a minimum of two (2) inches from the finished face of the exterior wall. All windows shall have window sills constructed of material consistent with that of the original structure.
- vi. All exterior ingress/egress doors shall be a minimum of thirty (30) inches in width.
- vii. Storm and/or screen doors that are visible from the street are not permitted.

### 3. GARAGES, DRIVEWAYS, WALKWAYS, AND SIDEWALKS

- a. General: All residences shall have a minimum two-car garage with automatic garage door opener(s). Garage door colors must match the exterior colors of the dwelling (refer to Section 2b). Side entry garages are acceptable. Front entry garages may be permitted on any lot. Circular driveways are permitted, except where the drive enters on one street and

exits on another. Access to corner lots shall be from the least traveled street if possible. Garage doors, when not in use, should remain closed for aesthetic and security reasons.

- b. Minimum Driveway Width: All driveways shall be a minimum of 16-feet wide.
- c. Pavement Requirements: All residences shall have a paved driveway of stable and permanent construction. All concrete driveways and walkways shall have a light broom finish. To prevent surface cracking, concrete driveways must have contraction and expansion joints that are both functional and aesthetically pleasing.
- d. Pavement Types: In addition to broom finished concrete, the following pavement types are permitted with prior written approval by the ACC as to the design and colors required:
  - i. Concrete Paving Block
  - ii. Stamped Concrete
  - iii. High Tech Decorative Concrete
  - iv. Brick Pavers
  - v. Quarry Tile Pavers
  - vi. Granite Pavers
- e. Driveway Aprons and Curb Transition: Driveway apron(s), i. e. the connection(s) between the driveway and the street, will be constructed with the same materials, color and pattern as the driveway.
- f. Sidewalks: All sidewalks shall be five (5) feet from back of curb, four (4) feet in width and shall be continuous between lot lines. Sidewalk coverage will be consistent with length of street exposure. No vehicles, basketball stands, or anything else may obstruct the sidewalks at any time.
- g. Driveways, sidewalks, and walkways, other than as set forth above, require the approval of the ACC. The owner is responsible for the maintenance and cleaning. If the driveway and sidewalk become substantially soiled or develops substantial and unsightly amount of mold or mildew due to the elements or other reasons, the Association will notify the homeowners, in writing, that cleaning is required. Enforcement procedures will commence if the homeowner does not rectify the situation.

#### 4. EXTERIOR LIGHTING & MAILBOXES

- a. Front Lot Lights / Mailboxes: Notwithstanding the prior responsibility of the Lot Owner for the installation and maintenance of the light fixture and mailbox, following the adoption of an amendment in April 2011, the Association was given authority to remove and replace the existing light fixture, light post, and mailbox with a new light fixture, light post, and mailbox which was approved by the Board of Directors as to the design. From that point forward, the Association has assumed responsibility for the maintenance, repair and replacement of all portions of the light fixture, light post, and mailbox, provided that:

- i. The Lot Owner will remain responsible for providing electricity for the light, including the power, as well as any electrical lines running from the junction box at the light post to the residence on the Lot. The Association will maintain the photo electric sensor, or bulb and ballast which is to be installed as part of the light post fixture. The Lot Owner must promptly restore any electricity to the light fixture if there is a power failure of any kind other than those beyond the control of the Lot Owner; and
  - ii. In the event that any damage is caused to the light fixture, light post, or mailbox by an Owner, tenant, guest or invitee, as a result of any negligent or intentional act, the Lot Owner will be responsible for reimbursing the Association for all costs to repair such damage, and any costs and attorneys' fees incurred by the Association in collecting the amount due. If the cause of any damage and/or the person responsible cannot be determined, the Association will be responsible for the repair.
  - iii. The Lot Owner shall not alter or interfere with the new installation, or install any flowers, landscaping or other improvements of any kind around or near to the base of the lamppost without obtaining prior written approval from the Association. Any unapproved alterations or additions may be removed by the Association.
  - iv. The Lot Owner will remain responsible for maintaining the area immediately surrounding the mailbox, including keeping the white marble rock free of weeds, mildew, and any other plantings. The black PVC border surrounding the white marble rock is to be kept in good order. Any upgraded border must be approved in advance by the ACC.
- b. Additional lighting: All lighting, except landscape lighting, shall be wall mounted. The style, color, and type of lighting fixtures shall be compatible with the residential building design and the established character of Aberdeen. The lighting should be installed so as to minimize spillover and glare to adjacent properties and the street.
  - c. All electrical wiring for exterior lighting shall be placed underground. All non decorative supports, transformers, junction boxes, remote ballasts, etc. shall be located in low travel areas and screened from public view.
  - d. Up lighting and/or down lighting is permitted for landscaped areas and walkways providing that such lighting minimizes excess glare and spillover to adjacent properties.
  - e. Holiday Lighting, Decorations and Ornaments: Holiday lighting shall be installed so that spillover light and glare to adjacent properties and the street are minimized. No noise generating decorations are permitted. The following holiday decorations will be permitted, as well as the period of time that such decorations may be displayed: Fifteen days (15) before and after Halloween, Thanksgiving, and Easter, respectively.
  - f. December religious holidays - From Thanksgiving Day until the 15th of January of the next calendar year.



## 5. SIGNS, ANTENNAS AND FLAGPOLES

- a. House address numbers. Address numbers are on the mailboxes maintained by the homeowners' association. Any additional house address numbers should be black or gold (brass), and mounted on the garage so that they are visible from the street. Address numbers shall be a minimum of four (4) inches, but no more than eight (8) inches high.
- b. Satellite Dishes. No satellite dish, television antenna, radio antennae or other type of antenna or receiving device shall be erected or installed on any Lot or upon the exterior of any dwelling without the prior consent of the ACC, except as such items are required by law to be permitted. All satellite dishes and antennas shall be standard sized, approximately 18" in diameter, and placed on the least visibly obtrusive location on the Lot. The ACC may require painting and/or screening of any dish or antenna, in order to reduce their visual impact on adjacent lot owners and may require that any approved satellite dish or antenna be placed in a location not visible from the street as long as an equally acceptable signal may be achieved in such location.
- c. Flags and Flagpoles. In accordance with the requirements of Florida law, allowable flags, including the flag of the United States, official flags of the State of Florida, and an official flag of the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag shall be permitted to be displayed. Other seasonal or sport team flags are permitted, provided such flags are tasteful and not of an offensive nature. Such allowed flags shall be mounted on a pole that is located on the mailbox post or the front of the dwelling. Flags are not to exceed the maximum number or size permitted by State law. Flags of political candidates, political parties or civil causes/movements are not permitted.
- d. Signs and Other Types of Displays. No signs, billboards, or advertising structures shall be permitted on any lot except a temporary standardized real estate sign. The Board shall determine the standard size, color, content of the sign. The location of this temporary sign should be five to six feet from the sidewalk. Signs may be obtained by contacting the management company for Aberdeen.
  - i. Signs that include a gate access code or a phone number to call to be provided an access code are expressly NOT allowed and are considered by the Board to constitute a security issue to other Aberdeen residents, and hence shall be subject to removal and an immediate fine.
  - ii. Signs adhered to entrance gate areas are expressly NOT allowed and are subject to immediate removal. If removal, whether by the owner or the Board or a designee of the Board, causes damage to the paint or stucco of the gate, the owner who placed the sign there shall be responsible for the cost of any repairs and/or repainting.
  - iii. Banners, inflatables, signs or other displays advocating or opposing a political candidate, political parties or civil causes / movements are not permitted to be displayed anywhere on the Lot, including inside the home's windows if viewable from outside.

## 6. SWIMMING POOLS, SCREEN ENCLOSURES AND ACCESSORY STRUCTURES

- a. Above ground swimming pools shall not be permitted.
- b. In-ground swimming pools and spas. In-ground swimming pools and spas shall be permitted on the back side of the residence.
- c. Pool and spa equipment. All pool and spa equipment shall be visually screened as set forth herein so that they are not visible to the public from any street.
- d. Outbuildings. Structures, including, but not limited to, tool sheds and doghouses shall not be permitted.
- e. Playground equipment. All permanent playground equipment shall be placed on the property with strict regard for visual impact to others. All plans for permanent playground equipment must be submitted to the ACC for approval, and accompanied by the signed approval of at least two neighbors, including any whose view or quiet enjoyment might be affected by the playground equipment. Metal playground equipment is not permitted
- f. Tennis Courts. Tennis courts may be permitted on lots but only with the express written consent of the ACC.
- g. Clotheslines. Clotheslines may be permitted if they are retractable or umbrella style, but must be out of view from the street or the neighbor(s). Clotheslines must be stored when not in use.
- h. Air conditioners, Propane Gas Tanks, Heat Pumps, Generators, and Water Softeners. All air conditioners, propane gas tanks, heat pumps, water softeners and other similar utilization devices must be placed on the side or rear of the house and visually screened from the street by an approved hedge. No portable and/or window air conditioning units shall be permitted.
- i. Trash Containers. Trash containers must be kept in the garage or covered in a secure area that cannot be viewed from the street or adjacent homeowner(s). Trash cans will only be permitted outside the evening before and until the evening of the assigned refuse pickup day and time.
- j. Pool Enclosures. Pool enclosures shall be factory finished in durable anodized aluminum with vinyl clad or baked-on enamel. No unpainted mill finish aluminum shall be allowed. Any new or major changes to existing structures shall be submitted to the ACC for approval
- k. Patios and Decks.
  - i. Patios and decks all require prior approval by the ACC. Patios and decks must be located in the side or rear yard. Patios located on the street side of the lot may be approved by the ACC if they are constructed flush with finish grade, located

immediately adjacent to the principal residence, and represent a logical extension or component of the architectural design. No decking shall be permitted in any front yard.

- ii. All decks shall be constructed in compliance with regulatory codes and built with materials similar to those used in the principal residence. All wood posts, beams, joists and other structural elements of decks should be pressure treated to deter insect and rot infestation. All wood finish decking shall be No. 1 grade or better redwood, cedar or fir and permitted to weather naturally, be painted or stained with colors to match the principal residence as approved by the ACC. No decks shall exceed (on average) a vertical finish height of 24-inches above existing grade. The overall average height of any deck from finish grade to the average height of any deck railing shall not exceed 5' 6". All decks shall be screened from public view by an approved fence or hedge.
  - iii. Retractable awnings and any trellis work used on patios and decks shall require the approval of the ACC prior to installation. Such elements, if allowed, shall be designed as an integral extension of the architecture of the principal residence and shall be finished and constructed of quality materials. No unfinished metal or fiberglass products shall be used.
- l. Awnings and Shutters. Window awnings and decorative shutters require the approval of the ACC. Colors must coordinate with the exterior colors of the residence (refer to Section 2b).
  - m. Outdoor Kitchens, Grills and Barbeque Equipment. Outdoor kitchens, grills and barbeque equipment shall be constructed and/or installed within the pool deck and lanai area. Any construction of outdoor kitchen additions, grills and/or barbeques outside the pool deck and lanai area must be submitted to the ACC for approval.

## 7. FENCES

- a. The location, size, type, color, location and design of all proposed fences shall be approved by the ACC prior to installation. All plans for fences must be submitted to the ACC for approval, and accompanied by the signed approval of at least two neighbors, including any whose view might be affected by the fence.
- b. All fences must be installed with the posts on the inside, and must have landscape buffers as may be required. No fence or wall may be constructed on any lot that adjoins the East Lake Woodlands C.C. golf course unless the aforementioned fence or wall is in compliance with Section 2.06 (g) of the "Declaration of Covenants, Conditions and Restrictions for Aberdeen". Chain link fences are prohibited. PVC fencing may be considered for approval by the ACC, provided that the material, dimensions, specifications, and color are virtually identical to wood in appearance. No fence or wall may be constructed on any lot bordering on any portion of the golf course, unless approved by the Board of Directors of the Association, the ACC and the owner of the golf course.
- c. All fencing and landscape buffers shall be maintained in a good condition by the owner.

- d. Fence specification:
  - i. 6 ½ feet maximum overall height
  - ii. All surfaces to be wood, pressure treated with a preservative, and stained a natural color so approved by the ACC in order to blend in naturally into the background.
  - iii. All wood posts are to be 4 x 4, with protective, architecturally appealing fence post caps.
  - iv. Fencing to be shown on building/lot site plan
  - v. Landscaping may be required, and if required, is to face the abutting lots. If a landscape buffer is required, the fence shall be set back a sufficient distance (not less than 18 inches) to accommodate the landscape buffer.
- e. Other fence types (e.g. black powder coated aluminum or steel with narrow vertical rungs approx. three feet high) will be considered by the Board on a case by case basis, in the Board's sole discretion. The homeowner shall document their request in detail, clearly showing the proposed fence design, location, landscaping buffer, etc. If possible, mock side elevation drawings or pictures should be included. The Homeowner is encouraged to present their proposed fence design exception to the Board at its monthly meeting. The Board will consider how visible such fence would be to other neighbors, visual appeal, etc. in determining whether to grant an exception.
- f. Fence Locations: No fence may be constructed in the following areas:
  - i. Between the street facing the front of the Dwelling ("the Front Street") and a straight line connecting the front living area of the Dwelling to the Side Lot Lines (the "Front Dwelling Line");
  - ii. Between the street facing the side of the Dwelling (the "Side Street") and a straight line connecting the side of the Dwelling to the Rear Lot Line ("Side Dwelling Line");or
  - iii. The location of any fence must also not impair the view of surrounding owners in the front or rear yard area of the properties.
- g. Invisible Electric Fence for Pets: No structure for the care, housing or confinement of any pet, including electronic or invisible fences, shall be constructed or maintained on any part of the Lot without prior written Architectural Control Committee approval. Invisible electric fences are permitted under the following conditions:
  - i. A detailed drawing must be submitted to the ACC showing the location of the proposed underground fence.
  - ii. The electric fence must not extend beyond the front line of the house foundation.
  - iii. No invisible fence may be installed on any portion of the property that abuts the East Lake Woodlands Golf Course.

- iv. Owner agrees in writing that all dogs which are outside of the Dwelling on the Lot must be under constant and direct supervision of a responsible person at all times, and pets that are contained within the invisible fence must not cause a disturbance(s) to the adjacent neighbors.
- v. Failure to comply with any of the above conditions will constitute a breach of paragraph 7, e. and the owner may be subject to a fine and having the permission for the fence rescinded.

## 8. WALLS AND BERMS

Walls, unless part of the structure of a dwelling, shall not be permitted.

### a. Low Retaining/Planter Walls:

- i. All new walls will be subject to approval by the ACC. Aforementioned walls shall not exceed 3-feet in height and shall be used in very limited situations where tree preservation, architectural enhancements or major grade transitions are the primary objective.
- ii. Retaining/planter walls shall be constructed of stone, brick, poured in place concrete, treated wood or concrete block with a smooth stucco finish. Exposed concrete block is not permitted. All walls shall be a minimum of six inches (6") thick, poses adequate structural stability, and be located no nearer than 5-feet to any underground utility, property or easement line.

b. Berms or any alteration of the original finished grade of the Lot shall be prohibited unless approved by the ACC.

## 9. LANDSCAPE AND IRRIGATION DESIGN STANDARDS

- a. All significant changes or additions to landscaping must be submitted to and approved by the ACC in advance of installation. Landscape major design considerations:
  - i. Mature Trees (pines, live oak, etc. over 20 feet in height or over 6 inches in trunk diameter) contribute to the overall aesthetics of Aberdeen, while providing shade from the hot Florida sun. Before a mature tree can be removed (with the exception of any Brazilian Pepper trees, and dead trees as discussed below), the homeowner must not only have prior written approval from the Association, but in order to obtain approval the owner must submit a copy of any required permit from Pinellas County, as well as a written opinion from an independent arborist who is certified by the International Society of Arboriculture (ISA), or another professional organization with similar standards that is approved by the Board of Directors. Such opinion must confirm that the tree is diseased or dying and that its removal is recommended. As to trees which have died, or represent an emergency hazard to persons or property due to their condition, the removal of such trees may be authorized by a representative of

the Association appointed by the Board for this purpose, and an opinion from an arborist will not be required. If a tree removal request is approved, the Board's approval may, at its sole discretion, require replanting to replace removed trees.

- ii. Planting designs which utilize a limited number of complementary species in a blended naturalistic/formal layout of layered plant masses is greatly encouraged.
  - iii. The planting design should also establish a clear hierarchy of spatial zones: i.e. main entrance, walkways, foundation area, floral beds, open lawn area, streetscape/right-of-way plantings, etc.
  - iv. Plant materials should be selected and grouped to reflect ultimate growth, maintenance requirements, texture and structural contrast and seasonal color.
  - v. Plants shall be grouped together in drifts or masses whenever possible rather than being spaced equally around the property. All plant material used for hedges and visual buffers shall be planted to create an 80% opaque screen at 30-inches of height within 12 months of planting.
  - vi. Hedges and shrubs, used as a hedge longer than 10 feet, must be maintained and trimmed to a maximum height of 4 feet along the front of the lot, up to six feet around utility installations to completely hide these installations, 8 feet along the side lot line(s) and 10 feet along the rear lot line, provided that the view of surrounding homes is not to be impaired by any installations in the rear of any home. Exceptions from these guidelines for height restrictions must be submitted to the ACC for approval. Whenever possible hedges and shrubs need to be trimmed so that there is at least a 1-foot space between these plantings and the sidewalk to enable access for pedestrian traffic.
  - vii. Any application for Xeriscape design must be submitted to the ACC in accordance with Southwest Florida Water Management District Standards.
- b. Grass Sod Coverage Requirements: All property, easements, and rights-of-way in Aberdeen not covered with pavement, buildings, shrub beds, and/or groundcover/annual beds shall be completely covered with *Stenotaphrum secundatum* "Floritam" Premium Grade or "Bitter Blue" Standard Grade Grass Sod. (St. Augustine grass)
- c. Mulch Requirements:
- i. The ACC suggests that all new trees and individual specimen shrubs shall possess a layer of shredded Bark Mulch completely surrounding the trunk to create a functional watering ring. Landscape cloth usage is recommended under the mulch.
  - ii. The ACC recommends that all shrub, ground cover and annual beds possess a layer of shredded Bark Mulch.

- iii. No bare ground shall be permitted. Other types of mulch including, but not limited to, pine bark, pine straw, bark nuggets or chips, white rock, pebbles, washed stone, and other inorganic materials, shall be permitted

d. Statues, Sculptures, Birdbaths and Fountains

- i. Up to two small statues, sculptures, or birdbaths may be submitted for approval to the ACC. The aforementioned statues, etc. may not exceed 5 feet in height and width, may not be religious or political in nature, and must complement the dwelling. As an addition to the landscape, the aforementioned items require the approval of the ACC.
- ii. Water fountains are not permitted except where approved by the ACC based upon a determination that said fountains have been incorporated in, and/or are consistent with the overall landscape design of the home.

10. LANDSCAPE IRRIGATION REQUIREMENTS

- a. Minimum Coverage: All lots and associated utility or landscape easements and road rights-of-way shall be irrigated with an automatic underground landscape sprinkler system providing 100% coverage to all landscaped areas.
- b. Water Source: All property owners will adhere to and comply with the watering guidelines set by the respective governmental agencies.
- c. Controls: All underground landscape sprinkler systems shall possess an electromechanical or computer controller and electric control valves to automatically control the irrigation system.
- d. Other Equipment: All underground landscape sprinkler systems shall possess a gate valve located in an underground valve control box and shall be hidden from public view.

11. LANDSCAPE MAINTAINANCE REQUIREMENTS

- a. General: All landscaped areas located on individual properties, including any easements, shall be maintained by the property owner. Maintenance shall begin immediately after the plant materials are installed.
- b. Individual Properties: All landscaped areas shall be kept well-maintained, properly cultivated, and free of trash and other unsightly materials. Maintenance shall include, but not be limited to, the following:
  - i. Plants shall be kept in a healthy, growing condition on a continuous basis by watering, spraying, weeding, fertilizing and any other necessary operations of maintenance.

- ii. Plant saucers and beds shall be kept free of weeds, grass and other undesired vegetation.
- iii. Grass sod shall be kept free of insect pests, fungus, excessive clipping and weeds, and shall be kept mowed to a uniform height of approximately 3 inches.
- iv. Dead or dying plants shall be removed and may be replaced within 30 days upon reaching this condition.
- v. All plantings shall be irrigated to maintain healthy growing conditions. Irrigation systems shall be kept in proper working conditions. Adjustment, repair and cleaning to be done on a regular basis.
- vi. If minimum maintenance standards are not achieved by the property owner, the ACC shall issue a letter requesting immediate compliance. If the maintenance deficiency is not remedied, the Association shall commence enforcement procedures.

## 12. STORMS AND / OR PROTECTION FROM NATURAL DISASTERS

The homeowner(s) is encouraged and permitted by the ACC to protect the dwelling from the threat of impending weather conditions including, but not limited to, hurricanes, tropical storms, and/or cyclones. The ACC recognizes two categories of protection for the exterior openings of the home: A) shutters that have been installed and permanently attached to the dwelling's exterior and B) removable panels.

### a. Permanent Shutters:

- i. The ACC recommends the following shutters: Accordion, Bahama and Roll-down. The homeowner must submit to the ACC plans that detail the color and materials to be used in constructions of the shutters. The homeowner is required to choose colors, as established by the ACC that complement and blend with the exterior of the dwelling.
- ii. No shutters may be rolled down or otherwise utilized for protection of a home until such time as a hurricane or tropical storm watch or warning has been issued for the East Lake Woodlands areas. Further, all shutters must be retracted to their pre-storm position no more than two weeks after the departure of a storm system except under the following circumstances:
  - 1. An approaching severe weather system requires that the shutters remain closed; and/or
  - 2. Devastation to the home or surrounding area, Aberdeen, prevents the homeowner from returning to and occupying the dwelling.



- b. Removable Panels: The ACC does not encourage removable panels due to their construction and / or color. Notwithstanding, the ACC prefers, although does not legally require, the use of transparent in lieu of non- transparent storm panels.
  - i. Removable transparent storm panels may be put in place when a hurricane or tropical storm watch or warning, as determined by the United States Weather Bureau, has been issued for the East Lake Woodlands area. The ACC requires that clear panels be used to cover all exterior openings that face the street, or streets, in the case of corner lots. All panels must be removed within two weeks following the passage of a storm system, unless another storm system, as determined by the U. S. Weather Bureau approaches: and/or the devastation to the home or the immediate surrounding area, Aberdeen, is so great that the homeowner is prevented from returning to and occupying the dwelling.
  - ii. Non Transparent Storm Panels: The ACC does not encourage the use of wood, fabric, or steel removable panels, since the aforementioned neither blends nor complement the home's exterior. All non-transparent panels must be removed within two weeks following the passing of the storm system, with the only exceptions being those set forth above.

### 13. GUTTERS AND DOWNSPOUTS

The colors of gutters and downspouts must match the exterior color of the dwelling, and must be painted whenever the exterior is repainted. Care must be taken to place downspouts so as to minimize erosion and drainage concerns.

### 14. PORTABLE ON-DEMAND STORAGE

Portable on demand storage units may be placed on the lot for the purposes of moving in or out of the residence, transferring items from the home to an off-site storage facility, or for temporary construction projects at the residence, under the following conditions:

- a. Portable on demand storage units may be kept on a lot for no more than five (5) consecutive days.
- b. The unit(s) may not be placed on the lot more than 2 times in ONE 6 month period, and no more than THREE times in any consecutive 12 months.
- c. Written approval from the ACC is required should the homeowner wish to exceed the maximum five (5) day period.
- d. Not more than two (2) portable storage units may be placed on a Lot at any one time.

### 15. APPLICATION AND APPROVAL PROCESS

Homeowners wishing to make any material exterior change (other than replacement of dead or diseased shrubbery with essentially identical plantings) need to obtain an Application For Exterior Change To Building Or Grounds from the HOA Board, ACC or Aberdeen’s management company. The form shall be completed in full and submitted to the applicable recipient of such form IN ADVANCE of the proposed work. Reasonable efforts shall be used to promptly consider and approve or deny all such applications. Denials will specify the reason for such denial. The following requested changes shall also require the homeowner to obtain approval of at least two neighbors, including any likely to be affected by the proposed change:

- a. Fences
- b. Playground equipment