

## Fences

All fences must be reviewed and approved by the DRB on a Lot by Lot basis prior to proceeding with construction. Fences are not permitted on any townhome home sites within the neighborhood known as “Residences at Tohoqua.” Fencing shall be located within property lines and coordinated with other existing adjacent fencing. General guidelines for the construction of fences are provided below:

- Fence Types and Material:
  - Approved fencing materials: PVC Vinyl (tan or dark wood grain colors) and black aluminum. NO White fencing is allowed within the Tohoqua community.
  - No wood, chain link, mesh, barbed wire or hog wire fences will be allowed.
  - Fencing considerations shall be made on a case by case basis and decisions shall be at the sole discretion of the DRB.
- Fence Limitations on Interior Lots - The height of the fence shall not exceed six (6) feet above ground level. Fencing on interior Lots shall be solid or open picket style.
- Fence Limitations on Open Space/Stormwater Lots - Fencing on Lots that are adjacent to retention areas, natural areas, parks, wetlands, lakes or ponds must not be solid. Height shall not exceed four (4) feet and shall be an open picket style and must be black in color. Fences must taper in situations where different heights are required. Bushes may be installed to provide privacy.
- Fence Limitations on Rear Loaded Lots – Rear loaded Homes may request the use of a 4’ picket fence or 6’ tall PVC privacy fence to close in the rear yards. A 2’ setback will be required from the rear and side (if corner Lot) property corners to provide space for additional landscape buffering to screen the fence from the alley.
- Rear Yard Fencing- Fences located in the rear yard of the Lot shall not extend forward beyond the back of the Home more than 10’ towards the front of the Home. However, if there is an existing fence on an adjacent Lot the fence corner needs to be shown on the fencing plan and an effort should be made to match the fence corners. Fencing within a Lot will be a consistent style and size. An exception to consistent styles will be made when a different fence style has been erected by an adjoining neighbor or when considering unusual property configurations. HVAC units may be included within the rear yard fencing up to an additional 5’ of fencing from the back of the Home. Fencing shall not cross over the driveway.
- Front Yard Fencing – Front yard fences are acceptable but shall be reviewed by the DRB on a case-by-case basis. Fences shall be an open picket style and shall not exceed four (4) feet in height. All design, style and color of fencing for front yards must be approved by DRB. Additional landscape buffering may be required. All fencing should start 15’ from the front of the façade of the Home and to the back. No fencing is allowed to cross over the driveway.
- Corner Lots Front Yard Condition – a 4’ aluminum picket fence cannot extend beyond the corner of the Home towards the side street. This shall also apply to Home with their side Lot boundary line adjacent to a private alley. Privacy fencing shall not be allowed on corner lots.

- Corner Lots Side Yard Condition – a 4' tall aluminum picket fence or a 4' tall PVC picket fence can extend from the rear corner of the Home towards the side street or sidewalk. A 2' setback from the side street or sidewalk is required to provide room for adequate landscape buffer between fence and sidewalk. If Lot is bordered by a private alley, then the required setback and landscape buffer shall be measured from the boundary line of the Lot.
- Fencing which is finished on one side only must be constructed with finished side facing out. All fence pickets must be installed on the outside of the posts. Gates must be constructed of the same height as the fence and be of the same material as the fence. Gate hardware shall be unobtrusive and rust resistant.
- Compliance with this Design Review Manual is not a substitute for compliance with applicable governmental or regulatory ordinances, rules and regulations.
- Fencing may be allowed over utility, drainage and water quality easements. The Owner of the Lot shall be responsible for any/all cost to removing fencing if required for maintenance. Fencing shall not impede or change drainage patterns.
- Fences may not restrict access for maintenance to any utility or drainage easement
- Fences should not be installed in step manner when in a sloped side. The fence should follow the contour of the slope.
- No parallel fences shall be installed. If there is an existing fence, new fence should be installed by connecting to existing fence.

## Landscaping

All landscape installations or changes must be approved in advance by the DRB, including pavers. Each request shall be reviewed on a case by case basis and the decision is at the absolute discretion of the DRB. A landscape plan must be submitted for all major landscape installations or changes and design of the landscaping should be considered as a part of the architectural design process. Landscape plans shall show the location of all proposed plant materials and include a plant legend comprised of the plant species, quantities and sizes at the time of planting. Landscape designs must contain a variety of plant materials arranged in a manner consistent with the native surrounding landscape. Informal, natural groupings are suitable and encouraged. Utilization of Xeriscaping practices common to Florida is strongly recommended. (See attached exhibit for approved plant species.)

Approved landscape plans modifications shall be completed within sixty (60) days of DRB application approval date.

Low water use turf species such as Saint Augustine and Bahia grasses are encouraged for uses within TOHOQUA. Notwithstanding the foregoing, Bahia grasses are not approved for use within the front or side yards. Subject to applicable law and local ordinances, only St. Augustine grass (i.e. Floratam or a similar variety) is permitted in the front yards and side yards, including side yards facing a street.

Neither front yards or rear yards are not permitted to be all rock, mulch, stone, etc. Landscaping shall never be painted.

The homeowner is responsible for maintaining the lawn and plantings areas from the back of the curb or the sidewalk as well as the entire landscape areas within the property lines, including any weather-related landscaping and/or tree damage.

No additional landscaping other than City of Saint Cloud required street trees is allowed between the sidewalk and back of curb. Street trees shall only contain approved mulch.

Not more than five (5) landscape pots equal to or less than twenty-four inches (24") that are visible from the street are permitted within any Lot. All landscape pots which are visible from the street must be earth tone in color.

No decorative objects including, but not limited to, birdbaths, light fixtures, sculptures, statues, or weathervanes shall be installed or placed within or upon any portion of a Lot without the prior written approval of the DRB.

*Minimum Landscape Requirements for single family detached residential Lots:*

- Minimum One (1) front yard canopy Tree (4" caliper). This is in addition to City of Saint Cloud required Street trees which are part of the community master landscape plan.
- Corner Lots shall have 2 additional side yard canopy trees (4" caliper)
- One front yard accent plant of 65 gallon (3" caliper) or multi trunk.
- Except as otherwise approved by the DRB, all home sites shall maintain the same minimum number of plants or planting area within the front yards as provided in the initial landscape package to maintain a consistent community streetscape. (See attached exhibit for approved plant species.)
- Corner Lots must have a continuous hedge of 3-gallon plants along house structure on the open roadside.

Saint Augustine grass is required on all front and side yards. Optional Bahia grass may be installed from the rear of the house structure to rear boundary line of the Lot.