

**Smithville/Four Seasons Homeowners  
Association, Inc.**

**LANDSCAPING & GROUNDS  
COMMITTEE (L&G)**

**RULES & REGULATIONS**

**EFFECTIVE DATE FEBRUARY 1, 2024**

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LANDSCAPING & GROUNDS COMMITTEE (L&G)  
RULES & REGULATIONS  
February 1, 2024

**A. INTRODUCTION**

The Landscaping and Grounds Committee oversees both the contractual and non-contractual landscaping and irrigation throughout the community. The committee’s objective is to maintain the aesthetic appearance of the lawns and common ground surrounding the clubhouse, and single-family and condominium homes within the budget limitations established by the homeowner’s association (HOA). Through annual inspections, the committee monitors homeowner compliance with the governing documents and rules and regulations. The committee monitors the appearance of landscaped areas, the irrigation system, and collaborates with the BOT on contract negotiations.

**B. WHAT REQUIRES L&G APPROVAL**

Prior to making any change or modification, no matter how big or small, to the landscaping or irrigation surrounding a home, an *Application for Landscaping/Tree Changes* must be submitted to the L&G Committee for review and approval. Planting flowers, shrubs, and dwarf-type trees in the planting beds installed by the builder do not require an application and must not impede or damage the sprinkler system. Only the HOA’s landscape contractor is authorized to make changes to the irrigation system, at the homeowner’s expense.

Written approval is required even if an identical change or modification has been approved and installed elsewhere in the community. What appears to be a request similar to another approved application may on closer inspection reveal deviations that alter the scope of the project. The L&G Committee reserves the right to consider each application on an individual basis.

Upon completion of the approved project, L&G will inspect the area to ensure adherence to the approved application. Non-adherence to the application will result in immediate remediation at the homeowner’s expense. All applications are retained in the homeowner’s file and maintained by the Association for reference.

***L&G applications should not be considered “Approved”  
until the homeowner receives a written approval  
from the L&G Committee.***

### **C. APPLICATION PROCEDURE**

This procedure applies to both Common Ground and homeowner properties that require approval.

- Obtain an *Application for Landscaping/Tree Changes* from the website or the clubhouse front desk.
- Complete and submit the application with a drawing on your plot plan outlining your proposed change, dimensions, type or variety of plantings, and specific location for each change.
- Obtain a written approval from the HOA's landscaping contractor for any required changes to the irrigation system. Only the HOA's landscape contractor is authorized to make changes or repair any damage to the irrigation system resulting from a homeowner's alteration—at the homeowner's expense.
- Submit the completed application to the management at the clubhouse front desk for the L&G Committee to review.
- Members of the L&G Committee will review and/or inspect the submitted plans and the property. The committee recommends homeowner be available during inspection to verify changes.
- You will be notified of the committee's decision by letter from the Community Manager. Approved applications are valid for 6 months.
- Before work begins on the expansion of mulch beds, the HOA's landscape contractor must be contacted to complete any required irrigation changes at the homeowner's expense.
- When the approved landscaping changes have been completed, notify the front desk and a final inspection will be made. No deviations from the original approved plan are allowed.

### **D. RESTRICTIONS AND LIMITATIONS**

The following are the most commonly addressed restrictions and modifications. The list is not all inclusive, and the L&G Committee retains the right to reject or approve any application. L&G decisions may be appealed to BOT within 14 days of the date of the action.

#### **1) Air Conditioning Units**

Require a minimum 12-inch grass-free clearance around all sides of the units.

#### **2) Arbors and Trellises**

Are only to be used for plantings/vines and not to be used as fencing. Maximum size to be no greater than 6 foot high by 3 foot wide. Trellises are NOT to be grouped together to form a fence. Arbor and trellises are permitted in the rear and side planting beds only.

*L&G Application and written approval is required.*

#### **3) Common Ground Areas**

It is prohibited for any resident or contractor to plant, prune, remove or use any type of chemical in any common ground area. If a resident feels that work is necessary, a work order must be submitted.

It is forbidden for any resident or contractor to dispose of or dump any grass clippings, leaves, branches, sticks, construction debris etc. in any common ground or wooden area.

#### **4) Decorative Objects**

A maximum of five ground ornaments are permitted in the front, rear, or side planting beds no higher than 36 inches.

Flowerpots, hanging plants, and planters are not considered ground ornaments as long as they contain live plants or flowers.

#### **5) Mulch**

Red mulch is NOT permitted. Bark, root or dark hardwood mulching material is permitted only. No other type, such as marble, stone chips, seashells, pea gravel, shredded rubber, etc., is permitted.

#### **6) Mulch Beds**

Mulch beds on the sides of homes must be a minimum of 1 foot and a maximum of 3 feet. However, there must be at least a 30-inch clearance from your property line to the mulch bed. Front and rear mulch beds size must conform to the Declaration of Covenants and Restrictions for the community. An application is needed for any changes to existing mulch beds.

#### **7) Decorative Stones**

The use of river rocks/stone, fieldstone, lava rock, river rock boulders, pavers or any other type of decorative stone requires an *L&G application and written approval prior to installation.*

River rocks/stones must be a minimum of 2 inches in size and require installation of an edging. *An L&G application and written approval is required prior to installation.*

#### **8) Edging**

Mulch bed edging is permitted using material approved by the L&G Committee and not to exceed 15 inches high. An L&G application and written approval from L&G and irrigation contractor is required prior to installation. When using pavers in the mulch bed, the first course should be half buried giving support to the additional courses. All beds containing gravel or stone MUST have an edging. *L&G Approval is required for all edging materials.*

#### **9) Digging**

Digging, earth removal, or regrading on any property outside the planting beds requires an L&G application and written approval in addition to notifying the utility company for mark outs to guard against inadvertently disrupting underground services. Along with the L&G application, a plot plan is required indicating the proposed changes.

#### **10) Dog or Pet Houses, Pens, and Runs**

Dog or pet houses, pens, and runs are not permitted.

#### **11) Fences or Walls**

Fences or walls around the boundary of the property or around the patio, porch, or seasonal room are not permitted. Trellises are prohibited from being used as fencing.

## **12) Flags and Flagpoles**

One flagpole for an **official American Flag** is allowed within the mulch bed. The pole is not to exceed 15 feet in height. The 50-star flag is the official flag, designated officially on July 4, 1960. No flags or flag poles are to be attached or hung onto trees on the common ground anywhere in the community.

## **13) Garage and Yard Sales**

Garage and yard sales are not permitted.

## **14) Garbage/Trash**

All waste and recyclables must be kept in sanitary containers and stored in the garage. Garbage enclosures, sanitary containers or recycle containers are not permitted on the exterior of the home. Sanitary containers and recycle containers must be left curbside, not on lawns, no earlier than 3 p.m. on the day before scheduled collection.

All debris resulting from work performed on the property must be collected and disposed of at the conclusion of each workday.

## **15) Garden Plaques/Signs**

Decorative plaques with name, address, welcome, warning, security, etc., are permitted in the planting area only and must not exceed 12 inches by 18 inches.

## **16) Holiday/Seasonal Decorations**

Display of holiday and/or seasonal decorations are permitted during the relevant holiday season. Decorations cannot be displayed earlier than 4 weeks before the holiday. Seasonal winter decorations must be removed no later than 2 weeks following the holiday, weather permitting. For all other holidays, decorations must be removed within 1 week following the holiday. Decorations may be displayed in planting bed areas only during the holiday season. Decorations are not permitted on lawns or common grounds, they only permitted in mulch beds.

## **17) Irrigation System**

Homeowners and private contractors hired by homeowners are not permitted to tamper with or modify the irrigation system. For problems with the system, call the HOA's landscape contractor directly at 732-833-7702.

## **18) Lawn Lighting**

Lighting fixtures are only permitted in mulch beds. Outdoor low voltage landscaping lights or solar lights are acceptable in the planting beds with the following conditions and with *L&G application and written approval*.

No taller than 18 inches above the ground and spaced no closer than 3 feet apart.

The bulbs must be clear or white.

Fixtures must be placed a minimum of 6 inches away from grass line and not interfere with the lawn and snow clearing equipment.

Lighting cannot point towards any common grounds, or any residences' other than your own.

## **19) Mailboxes**

Plantings near or around mailboxes or posts at ground level is not permitted. The area must remain clear to permit grass cutting, fertilizing, and spraying for weeds. No changes are allowed to builder-installed mailboxes.

## **20) Outdoor Storage**

Outside storage sheds are prohibited. Barrels, gardening equipment and supplies, ladders, lumber, and other miscellaneous items are not permitted to be stored or left outdoors. Storage bins are permitted with L&G approval and must be stored on the rear patio. Storage bins must be no larger than 5 feet long, 2 ½ foot wide, and 4 foot high and must adhere to the appearance of the community.

Mounted type hose storage holders must be of a type specifically designed and manufactured for this purpose and shall only be affixed to the host at hose bib locations.

The use of the gas meter for storage of the garden hose is prohibited.

Hose handling and the hose storage carts are allowed and must be placed in foundation mulch bed near the hose bib.

Portable outdoor grills and outdoor lawn furniture must be stored in the rear of the living unit and not visible from the front yard. Garden hose and racks are permitted to be stored outdoors but are not to be seen from the front of the house.

## **21) Porches and Seasonal Rooms**

Enclosed porches, seasonal and all-season rooms must have a minimum of 12-inch mulch bed around the structure to eliminate landscaping damage to siding and screens. An L&G application is required for changes to existing mulch beds. Along with the L&G application, a plot plan is required indicating shape and size of the proposed changes. The HOA's landscape contractor will inspect for potential changes to the irrigation system due to the change.

## **22) Property Damage**

Any damage to property, lawns, plants or irrigation caused by homeowner construction or modification activity is the responsibility of the homeowner and the area must be returned to its condition prior to the construction project.

## **23) Signage**

Signs are not permitted on personal property with the exception of alarm company logos and one political sign. Political sign must be no larger than two feet by three feet, located in the front mulch bed only, displayed no more than 30 days prior to an election, and removed immediately after the election.

## **24) Trees and Shrubs**

Trees and shrubs on homeowners' property must not be planted in a straight line creating a wall or fence, except at the side of patios, rear porches or decks. All other plantings must be in a random pattern spaced no less than 7 feet apart (tree trunk to tree trunk) with a mulched bed of at least 2 feet in diameter at the base of each individual tree or group of trees. *An L&G Application and written approval is required* before planting or replacing trees or shrubs on homeowner property not within the original planting beds.

Plantings around patios, decks, porch and seasonal rooms require an L&G application and written approval. Plant groupings cannot exceed 8 feet in height. A stand-alone tree may exceed 8 feet in height.

Bushes and shrubs located in front of front windows must be trimmed/pruned. All shrubs height cannot exceed the bottom 3 horizontal panes of the window.

All shrubs around the perimeter of the home must be pruned and well maintained.

Dead trees/shrubs in resident's mulch beds must be removed at the homeowners' expense.

Dead trees on common ground will be cut down and removed at the HOAs expense when the height of a dead tree exceeds the distance between the tree and a house. Dead trees on common ground planted by the homeowner are the responsibility of the homeowner.

Trees and shrubs within the property lines of a single-family property are the responsibility of the homeowner to maintain and/or remove at their expense, when deemed necessary.

#### **25) Utility Box Plantings**

Plantings around utility boxes located on homeowners' properties are permitted in accordance with Conectiv, Verizon, and Comcast Cable guidelines. The front of the boxes must remain clear and planting around the other three sides is permitted according to the utility company rules. Homeowners are responsible for trimming and maintaining the plantings. A mulch bed as wide as the plantings is required and must remain weed free. *An L&G application and written approval are required prior to planting.*

#### **D. APPEALS**

Any action, ruling or decision of the L&G Committee may be appealed to the BOT within 14 days of the date of the action, ruling or decision by any party in good standing and deemed by the Judiciary Committee to have standing as an aggrieved party.

#### **E. RULES AND REGULATIONS SUMMARY**

The L&G Committee retains the right to reject or approve any application, regardless of what may or may not be specified in the L&G Rules & Regulations. All completed projects are reviewed after completion to verify that the approved applications were adhered to. Any deviations to the approved application can be cause for removal at the expense of the homeowner. Any changes made to any home or common ground without an approved L&G application may also be subject to removal at the exclusive expense of the homeowner. The L&G Committee retains the right to ask for any additional information they may need in order to approve applications.