



**DESIGN REVIEW MANUAL  
FOR  
THURSTON GROVES**

**Promulgated by the Design Review Board  
for  
Thurston Groves Homeowners Association, Inc.**

**REVISED  
February 2004**

Design Review Manual  
for  
THURSTON GROVES

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## **PART I: THE DESIGN REVIEW BOARD**

The most effective method of ensuring the preservation of the master land concept, community lifestyles, environment and individual property values is through the establishment of flexible design review standards. In order to accomplish this objective, the DESIGN REVIEW BOARD (hereafter referred to as "DRB") has been created as a Standing Board of the Thurston Groves Homeowners Association, Inc. (the "Association") to control all Design Review functions at Thurston Groves. The DRB shall review all applications from Builders or Homeowners (collectively hereafter referred to as "Applicant") for compliance with the Design Standards and the Declaration of Covenants, Conditions and Restrictions for Thurston Groves ("Declaration").

### **A. Purpose**

1. The DRB shall review Applications for all new improvements and all alterations, modifications or changes to existing approved improvements, including landscaping.
2. The DRB shall review and approve, approve with conditions or disapprove all Applications submitted to it on the basis of functional, public safety and aesthetic considerations, and the overall benefit or detriment to Thurston Groves; and for compliance with the Declaration and Design Standards as set forth in this Design Review Manual.
3. Each Application shall be evaluated on its own merits with reasonable flexibility for design function and creativity. The disapproval of any Application shall not be deemed to constitute a waiver of any future approval to any similar Applications.

### **B. Authority**

1. The authority for the DRB is set forth by the By-Laws of the Association and the Declaration, which encumber all property at Thurston Groves. The DRB is responsible for carrying out its duties on behalf of all members of the Association for the benefit of the total community.

### **C. Membership**

1. The DRB shall consist of three (3) members appointed by the Declarant, or its successor and assigns thereof, and shall hold office until all Lots planned for the Properties have been conveyed, or sooner, at the option of the Declarant. Thereafter, each new member of the DRB shall be

appointed by the Board of Directors of the Association, and shall hold office until such time as such person has resigned or has been removed, or a successor has been appointed as provided herein. Members of the DRB may be removed at any time without cause.

2. Members shall consist of individuals with expertise in engineering, architecture, construction and landscape architecture. The DRB reserves the right to appoint substitute members in the event principal board members are absent or otherwise unavailable to expedite timely review of applications.

**D. Majority Votes**

1. Each member of the DRB shall have an equal vote and the majority of all members of the Board shall constitute a decision for approval or denial of an Application.

**E. Meetings**

1. The DRB shall meet as necessary to review Applications.

**F. Applications**

1. All Applications shall be received at least five (5) business days prior to a scheduled DRB meeting. Any incomplete Applications shall be returned, with no action taken. An Application for withdrawal may be made without prejudice; provided the request for withdrawal is made in writing and filed with the DRB 24 hours prior to the review and/or action on the Application. Applicants shall be advised of the place that Application will be reviewed.

**G. Appeals**

1. If an Application for approval has been denied; or if an approval is subject to conditions which an Applicant feels create a hardship unique to the improvement under consideration or are unwarranted; the Applicant may request a hearing before the Board and DRB. At the hearing, the Applicant will be allowed to present its position on the matter and make requests or recommendations as to an alternative action. After the hearing, the Board and DRB will review the information presented and notify the Applicant of their final decision within ten (10) working days of the hearing. The decision of the Board and the DRB regarding the appeal shall be final.

#### **H. Variances and Special Exceptions**

1. The DRB shall be authorized to grant variances and/or special exceptions from any of the rules, standards, regulations and procedures established by it or contained in the Design Standards, owing to existing or special conditions and/or circumstances whereby a literal enforcement of the provisions thereof would result in hardship, provided said variance or exception does not adversely affect the overall character and quality of Thurston Groves, nor set any precedent that might affect future decisions of the DRB on similar matters. In granting any variance or exception, the DRB may prescribe any conditions and safeguards as terms under which such variances or exceptions shall be granted.

#### **I. Responsibilities**

On behalf of the Association, the DRB shall be empowered to perform the following services:

1. To require high standards of design and quality of construction through enforcement of the Declaration and Design Review Manual for Thurston Groves;
2. To assure compatible architectural designs and harmonious relationships with neighboring properties and land uses;
3. To establish and collect fees for the review of Applications as may be required, and subject to change from time to time;
4. To assure that all properties are properly maintained as prescribed herein by the Declaration;
5. To accept and/or amend Design Review Standards and/or procedures as may be required from time to time;
6. To meet with members of the Board during regularly scheduled meetings of the DRB;
7. To contact Applicants whose plans and specifications have been approved with conditions or disapproved and to provide reasonable assistance and recommendations for adjustments to bring Applications into compliance with the Declaration and the Design Review Manual;
8. To maintain copies of Applications, design documents, and related records;

9. To provide recommendations, as required, to the Board for the improvement of common areas;
10. To inform members of the Board regarding activities of the DRB and changes in the Design Review Manual as they may occur; and
11. To monitor violations of Design Review Standards and notify the Board for appropriate action.

**J. Limitation of Responsibilities**

The DRB shall not be responsible for any of the following:

1. The structural adequacy, capacity or safety features of any proposed improvement;
2. Finish floor elevations, soil erosion, uncompactable or unstable soil conditions, or site grading and drainage;
3. Compliance with any local, state and/or federal building codes, safety requirements, governmental laws, regulations and/or ordinances;
4. Performance or quality of work of any Contractor; and/or
5. The DRB, said Board, and the officers and members thereof shall not be deemed to have assumed any liability for any damage, loss or prejudice suffered or claimed on account of any undertaking by consequence of its enactment and enforcement of, or failure to enact or enforce minimum standards for such improvement, and no act or omission shall be construed to impose any liability upon the Board, or the officers and members thereof for damages which any Applicant may sustain. Applicant in each instance shall be responsible for the safety and quality of the improvement constructed or erected by or for said Applicant. It is understood that the standards imposed by these restrictions and the Board are in all cases minimum standards.

**K. Construction**

1. The DRB shall have the right, but not the obligation, to make periodic field visits to observe construction to determine compliance of any Application with this Design Review Manual and the Declaration. The DRB is empowered to enforce compliance, as set forth in the Declaration, and this Design Review Manual by any action, including an action in a court of law.

## **PART II: DESIGN REVIEW PROCEDURES**

### **A. General Information**

1. The Declaration has caused to be created a standing committee of the Association called the Design Review Board, whose function is to review (and approve, approve with conditions or disapprove) Applications for any proposed improvement or alteration within Thurston Groves. The Declaration and the Design Review Manual have granted the DRB broad discretionary powers regarding the aesthetic impact of design, construction and development, including architectural style, color, texture, materials, landscaping, overall impact on surrounding property, and other aesthetic matters. It shall not be the intent of the DRB to impose a uniform appearance within Thurston Groves, nor to discourage creativity of behalf of Applicants. Its intent is to promote and assure that all improvements are aesthetically compatible with each other; incorporate a unique yet pleasing and discriminating character; and, are constructed to reflect the quality and permanence of an elegant living environment.
2. This Design Review Manual has been prepared by the DRB as a guideline for Applicants in their selection of design concepts for constructing improvements within Thurston Groves. This Manual does not include all building, use, and other deed restrictions associated with Thurston Groves and, accordingly, each Applicant should familiarize itself with the provisions of the Declaration, and rules and regulations of the DRB. The inclusion of any recommendation in this Manual shall not preclude the DRB's right to disapprove any proposed matter for any reason.

### **B. The Review Process: Overview**

1. General. The design and construction review process is a four-step process as follows:  
  
Step 1:       Application Submittal and DRB Review, including Optional Pre-design Conference  
  
Step 2:       Submission of Approved DRB Plans for Permits  
  
Step 3:       Commencement of Construction and Field Staking/ Observation  
  
Step 4:       Final DRB Inspection and Acceptance

2. Review Fees. When an Applicant submits plans to the DRB for Approval, the submission shall include the non-refundable Review Fee(s). The Application Form (available from the DRB) shall be used as a transmittal record of the submission and DRB response as to the submission.

a. The Review Fees shall be as follows:

- |    |  |          |
|----|--|----------|
| 1) | <u>New-Home Construction:</u> the original contemplated alteration of a property from its natural state into a principal residence and related improvements, including an optional Pre-Design Conference with a DRB member to clarify any Application requirements.  | \$100.00 |
| 2) | <u>Major Alteration or Addition:</u> a structural or site modification taking place after the original new-home construction which is significant enough to warrant the re-issuance of a building permit by a governmental authority.  | \$75.00  |
| 3) | <u>Minor Alteration or Addition:</u> structural or site modifications of a relatively insignificant matter taking place after the original new-home construction which do not require the re-issuance of a building permit.  | N/C      |
| 4) | <u>Changes to or Re-Submission of Plans:</u> whenever an Application for which the DRB previously granted Approval is resubmitted for Approval to the DRB due to a change in the originally approved conditions, or whenever an Application whose Approval was previously denied by the DRB is resubmitted by an Applicant for Approval. | \$50.00  |

C. Submission Requirements

Step 1: Application Submittal & DRB Review

1. Pre-Design Conference: Any Applicant may meet with a member of the DRB in a pre-design conference prior to the preparation and submission of detailed plans and specifications for Approval. This meeting is not

mandatory, but is provided for the convenience of the Applicant in order that they may accomplish a timely and thorough preparation and, ultimately, receive Approval of their construction, landscape or hardscape plans and other submittals. Any information provided by the DRB, however, shall not constitute approval for the commencement of construction nor approval of any application material being discussed.

2. Application Submittal:

- a. No construction of a building or structural improvement; no landscaping or other site improvement; and no alteration or addition to any existing site improvement shall be made on any property until the plans and specifications showing the proposed design, nature, kind, shape, size, color, materials, and location of the same shall have been submitted to and shall have received Approval by the DRB. Applicants requesting Approval shall submit sufficient materials to demonstrate complete compliance with the standards and requirements of this Design Review Manual.
- b. The Applicant shall submit to the DRB **four (4) sets** of final plans (drawings, etc.) with an architects seal, the Application and the following:
  - 1) A site plan at a legible scale showing:
    - (a) Property, right-of-way and easement lines;
    - (b) Existing and proposed spot elevations at: lot corners, centerline of lot and proposed corners and finish floor(s) of new construction, right-of-way, back of curb, drainage structures and any major changes in grade;
    - (c) A proposed drainage layout consistent with construction plans for Thurston Groves on file with Pinellas County.
    - (d) Location and size of existing trees to be removed or relocated; and
    - (e) The dimension, location and/or required setback of all proposed buildings, driveways, curb cuts, sidewalks, walkways, pools, decks, patios, fences and/or walls, mechanized equipment, utility lines, meters, tap-in points and/or easements (water, power, storm

drainage, telephone, cable, etc.), street pavement location and all other proposed improvements to the Lot.

- 2) Landscape and Irrigation Plans at a legible scale showing: the size, species, location and spacing of all planting materials, including existing plant materials incorporated into the plan; choice of landscape plan as supplied by the landscape architect of the Developer with the house set on Lot with that landscape plan indicated and irrigation data showing a complete materials schedule, legend, GPM calculations per zone and the source of water supply (see Part V of the Design Review Manual).
- 3) Architectural plans at a minimum scale of  $1/4" = 1'0"$  for all floors, cross sections and elevations for all sides showing location of windows and doors, materials including projections and wing walls (floor plans should also show finish floor elevations and total square feet of air conditioned living area).
- 4) Architectural Plans, elevations and other information associated with any other site improvement or ornamentation including, but not limited to, exterior lighting, walls, fencing and screening, patios, decks, pools, porches and signage.
- 5) Specifications, manufacturers models (if applicable), photos, product samples and color chips of all exterior finishes and materials (including special paving) to be incorporated into the plan.
- 6) Such other information, data and drawings as may be reasonably requested by the DRB.

### 3. DRB Review

- a. The DRB shall review a complete Application within thirty (30) days following receipt of such Application and the required fees, and return **three** set of plans to the Applicant with the appropriate comments. In the event that the DRB fails to approve the plans and specifications within thirty (30) days after said plans and specifications have been submitted, the plans and specifications shall be deemed approved.

- b. The decisions of the DRB shall be in writing on the returned plans, whether approving, approving with conditions, or disapproving an Application. If disapproved, the DRB shall provide reasons for its disapproval and notify the Applicant of violations of the Design Review Manual and/or other applicable regulations referenced in the Declaration for Thurston Groves. The Applicant may resubmit his plan with corrected modifications as recommended by the DRB.
- c. All decisions of the DRB shall be considered final. In the event any Applicant shall be aggrieved by an action or decision of the DRB, recourse may be undertaken by requesting an appeal hearing before the Board as set forth under Part II of the Design Review Manual.

Step 2: Submission of Approved Plans for Permits

- 1. Following application review and approval by the DRB, the applicant shall submit approved plans to the City of Seminole Building Department and/or any other regulatory agencies having jurisdiction for the required permits.

Step 3: Construction

- 1. Commencement: Upon receipt of DRB approval and any required permits, the Applicant may commence construction. Construction shall commence within ~~six (6) months~~ from the date of Final Approval of the DRB or all DRB Approvals shall be forfeited. If final approval is granted subject to conditions, the conditions shall be satisfied within ninety (90) days of issuance or all DRB Approvals shall be forfeited. If either time period is permitted to elapse, a new Application must be submitted and Approvals obtained before commencement of construction. Commencement of construction shall be within 1 (one) year from the closing and transfer of deed, the owner must commence construction on that lot within that one year time or have received an exception from the Design Review Board at time of Design Review Application.
- 2. Alteration or Additions: If, after the commencement of construction, an Applicant desires Approval for an alteration or addition to a previously approved Application, sufficient support data (as required) shall be submitted to the DRB to process and allow it to fully understand the proposed alteration or addition. Any major deviations (as solely determined by the DRB) may require full DRB approval prior to commencement of any changes.

3. Construction Observation: the DRB shall have the right to enter upon and conduct construction observation on any property at any time before, during, or after the completion of work for which approval is required under this Design Review Manual and/or the Declaration. The Declaration has granted to the DRB and the Association broad discretionary powers regarding the remedy or removal of any non-complying improvement constructed within Thurston Groves. In this regard, if the DRB finds that any improvement was not performed or constructed in substantial compliance with the Application receiving Approval, the Board, or the DRB, may stop work, remedy or remove the non-complying improvement, and charge the action to the Applicant.
4. Conduct: All Applicants shall be held responsible for the acts of their employees, sub-contractors, suppliers and any other persons or parties involved in construction or alteration on property at Thurston Groves. These acts shall include but not be limited to the following:
  - a. Ensuring that the construction site is kept clean and free of all debris and waste materials, and that stockpiles of unused material are kept in a neat and orderly fashion;
  - b. Prohibiting the consumption of alcoholic beverages, illegal drugs or other intoxicants that could hamper the safety or well-being of other personnel on the site or affect the quality of workmanship;
  - c. Assuring that the aforementioned are properly insured; and
  - d. Assuring that the aforementioned do not commit any violations of the rules and regulations of the Association or the DRB.
5. Work hours and construction time: Construction shall be a continuous process with the exception of no work on Sundays. However, an explanation in writing shall be sent to the DRB explaining the circumstances should a prolonged delay of two (2) weeks or more occur from any cause other than the weather. It will be the DRB's sole judgment as to whether temporary structures, etc. shall be removed until such time that construction is again commenced. Work hours shall be between 7:30 a.m. and 5:30 p.m.

Step 4: Final DRB Inspection and Acceptance

1. Upon completion of construction, the Applicant shall give written notice to the DRB requesting a final inspection and acceptance of the project. Attached to the notice shall be a final survey and a copy of the certificate of occupancy for the newly constructed improvement. Upon "Final

inspection" of the improvements by the DRB and, provided that such inspection determines that the improvements were constructed in substantial compliance with the plans and specifications submitted for Approval, the DRB shall grant, in writing to the Applicant, final acceptance of the project.

### **PART III: SITE AND ARCHITECTURAL DESIGN STANDARDS**

The following list summarizes those design elements which the DRB requires, recommends and/or encourages:

#### **A. Grading and Drainage**

1. Clearing: No bulldozing or clearing of trees shall be commenced until plans and specifications showing the nature, kind, shape and location of the work have been submitted and approved by the DRB. Fill shall not be deposited on any property without prior DRB approval. Cut or fill areas should be replanted with plant materials which shall blend with native vegetation. Cuts and fills shall be designed to complement the natural topography of the site.
2. Lot Drainage: The Applicant shall also provide lot drainage for the property in accordance with the grading and drainage plans as approved by Pinellas County and current at the time of construction.
3. Finish Floor Elevation: All buildings and/or structures shall be sited at a minimum finished floor elevation as established on the final engineering construction plans for Thurston Groves and approved by Pinellas County and current at the time of construction.
4. Paved Areas: Paved areas shall be designed so that surface waters shall be collected at intervals in conformance with local regulatory codes and will not obstruct the movement of vehicular or pedestrian traffic nor create puddles or ponding in paved or swale areas.
5. Preservation of Natural Character: Emphasis shall be placed on the natural character of the site, and in so doing, all improvements shall conform to the natural contours of the land as close as possible.

#### **B. Size and Height of Buildings, Structures and Setbacks**

1. Foundation: No foundation for a building or structure shall be placed, nor shall construction commence in any manner or respect, until all permits from regulatory authorities and Approvals are obtained from the DRB. The Applicant shall locate such foundations to minimize disruption of

existing trees and place the improvements on the property in conformance with the Design Standards as set forth herein.

2. The Living Area: The living area of each principal residence shall be in conformance with the following:
  - a. General: Each Architectural Design shall be considered on an individual basis with specific emphasis an impact and harmony with surrounding residences and styles. No home shall be approved with the same or **similar** elevation within five (5) houses on each side of subject home and ten (10) houses across the street from the subject home, if applicable, to location of subject home. DRB reserves the right to determine the similarity to each home and the elevation to be approved.
  - b. Building and structure Setbacks: Building and structure setbacks shall conform to the following: *See "Exhibit B" attached*
    - 1) There shall be a twenty (20) foot setback from the front lot line to the principal residence/structure. Garage structures, shall be setback twenty (20) feet from the front lot line.
    - 2) The side lot line shall be six (6) feet from the principal residence/structure.
    - 3) The setback from the rear lot line to any principal residence/structure exclusive of fences, screen walls, decks, pools, pool enclosures or wing walls shall be ten (10) feet.
    - 4) No principal residence/structure exclusive of fences, screen walls or wing walls shall be built on a utility or drainage easement.
    - 5) Yard setbacks to any principal residence/structure on corner lots shall be a minimum of twenty (20) feet from each lot line abutting the street.
3. Minimum Air Conditioned Area: The required one-story air conditioned minimum square footage for Thurston Groves shall be **3,000** square feet. The required two-story air conditioned minimum square footage for Thurston Groves shall be **3,000** square feet, with a minimum of **2,200** square feet located on the first story, unless otherwise approved by the DRB. **EXCEPTION:** The minimum heated & cooled square footage shall be **3400** square feet on the homes to be built upon Lots 20, 12, 8, 84, 85, 77, 76, 75, 74, 73, 72, 71, 70, 69, 68, 80, 86, 81, 82.

### C. Exterior Design

1. General: The DRB does not seek to unduly restrict individual taste or preference. Rather, its aim is to emphasize thoughtful architectural design that exudes warmth and artistic taste, fosters a revival of traditional design concepts, and enhances a harmonious blend between the man-made environment and the natural character of Thurston Groves.
2. Elevations: The treatment of an elevation shall be consistent in architectural design and materials.
3. Materials and Colors: The use of the following materials is encouraged:
  - a. Masonry: Stone, brick, or split rock.
  - b. Metals (windows, screen enclosures, etc.): Factory finished in durable anodized aluminum with vinyl clad or baked-on enamel, or painted wrought iron.
  - c. Stucco: Stucco shall be used only when it is demonstrated to the DRB that it is the best material to achieve the required architectural effect. Stucco, if used, shall be used with thoughtfulness and great design sensitivity. EXAMPLE: Stucco bandings, quoins, stucco detail to change elevation of a plain stucco wall, stone, brick columns, stucco shelves, etc.
  - d. Inappropriate Materials: Inappropriate materials shall not be permitted and shall specifically include the following:
    - 1) Exterior artificial, simulated or imitation materials.
    - 2) The use of plywood, T-111, hardboard or any similar composition board.
    - 3) No wood plank or tongue-groove cedar siding.
  - e. Color: The DRB shall have final approval of all exterior colors. Each Applicant shall submit to the DRB as part of the Application, a color sample of the roof tile. After installation of the roof, color samples shall be painted on the exterior walls, and trims. The DRB shall consider on site, the extent to which the color plan conforms to the natural color scheme of and for Thurston Groves. Exterior colors that, in the opinion of the DRB, will be

inharmonious, discordant and/or incongruous to Thurston Groves shall not be permitted.

4. **Roofs:** Roofs are an important element in the design of any building or structure. Recommended applications include the following:
- a. Roofs may be steeply pitched of varying heights. The main roof line should be broken to establish individuality and interest.
  - b. Dormers, clerestory windows and shed roofs which break up a roof's mass and add variety and individuality to a residence are encouraged.
  - c. Large roof overhangs which create visual interest and solar control through strong and varied shadow lines are encouraged; **minimum overhang of sixteen (16 ) inches.**
  - d. All roof vents, plumbing stacks, flashing and metal chimney caps shall be painted to match the approved roof colors. Where possible all roof vents and plumbing stacks shall be hidden from public view by placing on remote slopes of the roofs.
    - 1. **The roof material shall be cement tile or integral color concrete tile except as set forth below.**
    - 2. If the pitch of the main roof is 10/12 or greater, a tile exemption may be requested by the contractor. If a tile exemption is granted, the only permissible materials are as follows: cedar shakes, SEMCO metal components, copper, or "Designer" heavy weight 40 or 50 year shingles.  
**ELK Premium Roofing capstone [www.elkcorp.com](http://www.elkcorp.com)**  
**GAF Grand Canyon Sequoia series [www.GAF.com](http://www.GAF.com)**  
**Owens Corning Architectural Series Oakridge Pro 40 or better**
- Final approval by the DRB shall be required on all roof materials. If the roof, by special exception, shall be a non-tile roof, then a full tab and manufacture specifications shall be furnished to the DRB with each plan to be submitted.
- f. Roof colors shall be an integral part of the exterior color scheme of the building or structure.

- g. Solar water heating panels shall be reviewed on an individual basis by the DRB.

5. Windows and Doors:

- a. The use of dormers, clerestory windows, bay and bow windows, shaded with large roof overhangs, is encouraged. Window sizes shall be kept in proportion to other design elements.
- b. Entrance shall be designed to create a strong entry statement and sense of arrival.
- c. No unpainted mill finish aluminum shall be allowed.
- d. Wood doors and wood frame windows are encouraged.
- e. **Front Entry Door shall be of a decorative glass variety approved by the DRB.**

D. Garages, Driveways and Sidewalks

- 1. General: All residences shall have a minimum three-car garage with automatic garage door opener(s). Carports are not permitted. Side or rear entry garages are recommended. Front entry garages may be permitted on any lot. Circular driveways may be permitted, but not where the drive enters on one street and exits on another street. Where possible, access to corner lots shall be from the least traveled street.
- 2. Minimum Driveway Width: As approved by DRB upon site and house review for each home site.
- 3. Pavement Requirements: All residences shall have a paved driveway of stable and permanent construction. Use of black top is prohibited. All concrete driveways shall have a light broom finish with contraction and expansion joints provided in a functional and aesthetic manner to prevent surface cracking.
- 4. Special Paving: Special paving materials, other than poured-in-place concrete shall be permitted with the prior approval of the DRB. All special pavements shall be installed to high standards of workmanship by competent installers possessing a reputable track record. Applicants may, upon request by the DRB, be required to demonstrate that a prepared special pavement is capable of performing a utilitarian and low-maintenance role commensurate with its anticipated use.

5. Special Pavement Types: Special pavements shall include the following:
  - Concrete Paving Block (Uni-Stone or approved equivalent)
  - Stamped Concrete (Bomanite Corp. or approved equivalent)
  - Brick Pavers (Hastings or approved equivalent)
  - Quarry Tile Pavers (Structural Stoneware or approved equivalent)
  - Granite Pavers (Cold Spring or approved equivalent)
6. Driveway Aprons and Curb Transition: Driveway apron(s) shall be constructed with the same materials, color and pattern as the driveway. A transition in curb types shall occur at all driveway aprons.
7. Sidewalks: Each applicant shall be required to construct sidewalks on each Lot in accordance with Pinellas County standards and as noted on the final approved construction plans for Thurston Groves.

**E. Air Conditioners, Trash Containers and other Utilization Devices**

1. All central air conditioning units, trash containers, water softeners, sprinkler controls and other similar utilization devices shall be hidden from public view by landscaping and/or a concrete block wall to match house exterior finish, or placement in the garage.
2. Window and/or wall air conditioning units shall not be permitted.

**F. Exterior Lighting**

1. All exterior residential lighting shall be identified on the final plans and approved by the DRB. Lighting shall be consistent with the character established in Thurston Groves and be limited to the minimum necessary for safety, identification and decoration.
2. The source of lighting shall be designed so that visibility from streets or other common areas and spillover or glare is minimized. No open bulbs, lanterns, spotlights, colored lenses or lamps, flashing or blinking lamps or portable light sources shall be permitted.
3. All lighting except landscape lighting shall be wall or pole mounted and the style, color and type of fixtures and/or poles/brackets shall be compatible with the residential building design and materials and the character established at Thurston Groves. Lamp ballast shall be incandescent or metal halide lighting and enclosed in shatter proof translucent/lexan lenses.

4. All electrical wiring for exterior lighting shall be placed underground. All non-decorative supports, transformers, junction boxes, remote ballast, etc. shall be located in low travel areas and screened from public view.
5. Uplighting and/or downlighting in landscaped planting areas under and in tree and shrub masses and along walkways shall be permitted provided there is no glare or excessive spillage. The lamp ballast shall be low voltage, incandescent or par lighting and concealed from public view. Walkway lighting shall be "mushroom" or bollard type down lighting not exceeding 48-inches in height. All walkway lighting shall be anchored to the finish grade with cast-in-place concrete footers.

**G. Mailboxes, Signs, Antennas and Flagpoles**

1. All mailboxes and house address signs shall conform to the approved Thurston Groves mailbox design and specifications. Each Applicant shall purchase one mailbox per Lot from the Developer's supplier of the approved mailbox. The house address number shall be placed on the approved mailbox in accordance with the Developer-approved design. All mailboxes shall be installed a set distance from the curb, as established by the local postal authority.
2. Outside antennas and satellite dishes shall not be permitted without prior approval of the DRB.
3. A flagpole shall be permitted, subject to the DRB approval of placement and design. No flagpole shall be used as an antenna.
4. No signs, billboards or advertising -structures shall be permitted on any Lot except temporary real estate signage and only with the written permission of the DRB. The DRB shall determine size, color, content and location of any such temporary signage.

**H. Swimming Pools, Screen Enclosures and Accessory Structures**

All Pools, Spas & Enclosures shall be approved by the DRB:

1. Above-ground swimming pools: Above-ground swimming pools shall not be permitted.
2. In-ground swimming pools and spas: In-ground swimming pools and spas shall not be permitted on the street side of the residence.

3. 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.
4. Accessory structures: Accessory structures including, but not limited to, playhouses, tool sheds and doghouses shall not be permitted without the written approval of the DRB.
5. Playground equipment: All playground equipment shall be placed to the rear yard of the residence and only with the prior approval of the DRB.
6. Decorative objects: Decorative objects including, but not limited to sculptures, birdbaths and fountains and architectural features and lawn furnishings (as set forth in Section C of the Landscape and Irrigation Design Guidelines) shall not be placed or installed on any Lot without the prior approval of the DRB.
7. Clothes lines: All outdoor clothes hanging and drying activities shall be done in a manner so as not to be visible from any Front Street or Side Street or any adjacent or abutting property, and are hereby restricted to the areas between the Rear Dwelling Line and the Rear Yard Line, and in the cases of Lots bordering a Side Street, to that portion of the aforescribed area which is not between the Side Street and the Side Dwelling Line.
8. Tennis courts: Tennis courts may be permitted on Lots but only with the prior express written consent of the DRB.
9. Wing walls and driveways: Wing walls, if approved, shall be located no closer than six (6) feet to the property line nor within twenty (20) feet of any intersecting right-of-way lines at a corner.
10. Pool enclosures: If structural elements of pool enclosures are aluminum, they shall be electrostatically plated and the color shall be approved by the DRB prior to installation.
11. Patios and Decks: Patios and decks shall require prior approval by the DRB and be located in the side or rear yard. Patios located on the street side of the lot may be approved by the DRB 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. Conversely, no decking shall be permitted in any front or side yard.

No patio or deck shall cover more than 25% of the total Lot area excluding any buildings, structures, and paved areas.

All decks shall be screened from public view by an approved fence or by a landscape buffer (as set forth in *Section D of the Landscape and Irrigation Design Standards*). NO wood decks of any type will be allowed.

Patios shall be constructed of the same materials permitted for driveways including special paving and as per applicable local regulatory codes.

Awnings and overhead trellis work used on patios and decks shall require the approval of the DRB 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 similar to those found in the principal residence. No unfinished metal or fiberglass products shall be used.

#### **I. Fences and Walls**

1. The location, type and design of all proposed fences and/or walls shall be approved by the DRB prior to installation. Green vinyl-covered chain link fences shall be allowed with prior approval of DRB. No wood, barbed wire, plastic or electrical strands shall be used as a fence or part of a fence at Thurston Groves. All fences and/or walls, where permitted, shall be of the same or complementary material and design as the residence. Where a proposed fence or wall is deemed by the DRB to be unnecessary or unsightly and detracting from the character of Thurston Groves, a landscape screen in lieu of a fence or wall may be required. In general, fences or walls are not encouraged within Thurston Groves except where they are integrated with the design of the principal residence and enhance the overall character of Thurston Groves. Hedges, low berms and/or clusters of trees and understory shrubs are preferred (see *Section D of the Landscape and Irrigation Design Standards*).
2. Fences and/or walls, where permitted, shall be high enough to provide definition and privacy yet low enough to remain unobtrusive. Height shall range from a minimum of two (2) feet to a maximum of five (5) feet. No fence or wall over five (5) feet in height shall be permitted except for special conditions as approved by the DRB and the Pinellas County Board of Adjustment after a public hearing.
3. Fences and/or walls shall be placed within the area of each Lot and located so as not to accentuate property lines. Individual Lots at Thurston Groves shall blend into each other in as natural a way as possible.

4. Fences and/or walls in the front yard areas shall not be permitted except where such elements are integral with the architecture of the principal residence and, in the opinion of the DRB, enhance the character of Thurston Groves. In such instances, the maximum height of such elements shall not exceed three and one-half feet (3-1/2'). Complete enclosure of rear yards by walls and/or fencing is also discouraged as the feeling of open space and the unity of the surrounding area is an important part of reinforcing the natural character of Thurston Groves.
  5. Water softeners, sprinkler controls, air conditioners, trash containers, and other similar utilitarian devices shall be visually screened from view.
- J. Gas Energy. Lot owners are strongly encouraged to utilize natural gas appliances in the construction of their home, in that such a program will lessen the demand for electrical energy and thereby help to conserve electrical resources.

#### **PART IV: LANDSCAPE AND IRRIGATION DESIGN STANDARDS**

##### **A. Overall Design and Functional Objectives**

1. General: All homes in Thurston Groves shall be landscaped according to landscape plans approved by the DRB. Any additional landscaping or changes to the approved landscape plan shall be subject to the approval of the DRB prior to installation. The landscape plan shall be designed in accordance with the Landscape Design Standards set forth herein.
2. Landscape Major Design considerations: Planting designs which utilize a limited number of complementary species in a blended naturalistic/formal layout of layered plant masses is greatly encouraged.

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.

Plant materials should be selected and grouped to reflect ultimate growth, maintenance requirements, texture and structural contrast and seasonal color.

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.

## B. PLANT MATERIALS

1. All plant materials species and minimum sizes used in the landscape plan shall be selected from the Approved Plant Species List and Schedule. Additions or substitutions to this list may be permitted by the DRB, but only in cases of exceptional design merit, unavailability or extreme hardship.
2. Prohibited Species and Materials: Prohibited plant species and materials shall include the following:
  - Ear Tree - *Enterolium cyclocarpum*
  - Australian Pine - *Casuarina equisetifolia*
  - Brazilian Pepper - *Schinus terebinthifolius*
  - Cherry Laurel - *Prunus caroliniana*
  - Punk Tree - *Malalenca quinquenervia*
  - Any synthetic or artificial plant material
3. Minimum Quality and Grade: All plant materials shall equal or exceed the standards for Florida No. 1 grade as given in "Grades and Standards for Nursery Plants", Parts I and II, State of Florida, Department of Agriculture current edition and any amendments thereto. All grass sod shall equal or exceed the Standards for Florida Premium Grade or Florida Standard Grade as established by Turfgrass Producers of Florida, Post Office Box 146, Okeechobee, FL 34973, (813) 467-2224.
4. All plant materials shall also be true to name, size, genus, species and variety as established by the American Joint Committee on Horticultural Nomenclature publication Standard Plant Names and as per the recommendations and requirements of ANSI Z60.1, American Standard for Nursery Stock.
5. Grass Sod Coverage Requirements: All property, easements and right-of-way in Thurston Groves not covered with pavement, buildings, shrub beds and/or groundcover/annual beds shall be completely covered with *Stenotaphrum secundatum* "Floratum" or "Floralawn" Premium Grade or "Bitter Blue" Standard Grade Grass Sod.
6. Mulch Requirements: All new trees and individual specimen shrubs shall possess a minimum 3-inch deep layer of shredded Bark Mulch completely surrounding the trunk to a minimum radius of 1-foot to create a functional watering ring.

All shrub and ground cover shall possess a minimum 3-inch deep layer of shredded Bark Mulch.

7. Prohibited Mulch Material, Bare Ground and Gravel: No bare ground shall be permitted, except in annual beds. Other types of mulch including, but not necessarily limited to, pine bark, pine straw, bark nuggets or chips, white rock, sand, pebbles, washed stone and other inorganic materials shall be permitted only with the approval of the DRB.
8. Approved Landscape Materials And Systems: The following approved plant materials have been chosen for their natural or adaptable qualities, their function in the landscape, and their availability in the commercial nursery trade. Exceptions to this list must be approved by the Thurston Groves Homeowner's Association (TGHA) in writing.

#### LANDSCAPE MATERIALS PALETTE

Botanical name	Common name
<b>A. SHADE TREES</b>	
Brusera Simaruba	Gumbo Limbo
Coccoloba diversifolia	Pigeon Plum
Conocarpus erectus	Buttonwood
Quercus virginiana	Live Oak
Ilex opaca 'East Palatka'	East Palatka Holly
Ilex cassine,	Dahoon Holly,
Juniperous silicicola	Southern Red Cedar
Ulmus parvifolia 'Drake', 'Alee'	Drake Elm, Alee Elm
Persia borbonia	Red Bay
<b>B. ORNAMENTAL TREES</b>	
Lagerstroemia indica	Crape Myrtle (all colors)
Myrica cerifera	Wax Myrtle
Ligustrum japonicum	Tree-form Ligustrum
Callistemon spp.	Bottlebrush
Ilex vomitoria pendula	Weeping Yaupon Holly
Ilex opaca 'Savannah'	Savannah Holly
Ilex opaca 'Nellie R. Stevens'	Nellie R. Stevens Holly
Parkinsonia aculeata	Jerusalem Thorn
Rhapiolepis umbellata	Tree-form India Hawthorn

Tabebuia argentea  
Tabebuia heterophylla  
Hibiscus rosa sinensis  
Nerium oleander 'standard'

Yellow Trumpet Tree  
Pink Trumpet Tree  
Tree-form Hibiscus  
Tree-form Oleander

#### C. PALMS

Acoelorrhaphe wrightii  
Sabal palmetto  
Phoenix canariensis  
Phoenix dactylifera  
Phoenix reclinata  
Washingtonia robusta  
Arecastrum romanzoffianum  
Veitchia merillii  
Ptychosperma elegans  
Wodeyetia bifurcata

Paurotis Palm  
Sabal Palm  
Canary Island Date Palm  
Medjool Date Palm  
Reclinata Palm  
Washington Palm  
Queen Palm  
Christmas Palm  
Alexander Palm  
Foxtail Palm

#### D. ACCENT PALMS

Trachycarpus fortunei  
Rhapidophyllum hystrix  
Raphis excelsa  
Phoenix roebellini  
Livistona chinensis  
Chamaerops humilis

Windmill Palm  
Needle Palm  
Lady Palm  
Roebellini / Pigmy Date Palm  
Chinese Fan Palm  
European Fan Palm

#### E. ACCENT PLANTS

Acrostichum danaeifolium  
Gardenia jasminoides  
Crinum asiaticum  
Cycas revoluta  
Fatsia japonica  
Strelitzia reginae  
Strelitzia nicolai  
Heliconia spp.  
Zamia furfuracea  
Zamia floridana  
Jatropha hastata compacta  
Gamolepsis chrysanthemoides  
Yucca aeolifolia  
Canna flacida  
Eugenia uniflora

Leatherleaf Fern  
Grafted Gardenia  
Crinum Lily  
King Sago  
Fatsia  
Bird of Paradise  
White (giant) Bird of Paradise  
Heliconia Lily (many varieties)  
Cardboard Palm  
Coontie Palm  
Jatropha  
California Bush Daisy  
Soft Tipped Yucca  
Canna Lily  
Bush Cherry

## F. SHRUBS

Myricanthes fragrans  
Duranta repens  
Illicium floridana  
Hibiscus rosa sinensis  
Leucophyllum frutescens  
Nerium oleander  
Russelia equisetiformis  
Shefflera arbuticola  
Ilex cornuta 'Burfordi'  
Ilex vomitoria 'schillings'  
Jasminum spp  
Plumbago capensis  
Thryallis glauca  
Ligustrum japonicum  
Viburnum suspensum  
Nandina domestica  
Philodendron xanadu  
Podocarpus macrophylla  
Rhapiolepis indica  
Carrissa sp.  
Coccoloba uvifera  
Codiaeum variegatum  
Eleagnus pungens

simpson stopper  
golden dewdrop  
Florida anise  
hibiscus  
texas sage  
oleander  
firecracker plant  
dwf shefflera  
dwarf burford  
dwarf yaupon holly  
jasmynes  
plumbago  
golden thryallis  
wax leaf privet  
sandankwa  
heavenly bamboo  
xanadu philodendron  
yew podocarpus  
India hawthorn  
natal plum  
seagrape  
croton  
silverthorn

## G. GROUNDCOVERS

Aspidistra elatior  
Moraea iridioides  
Hemerocallis spp.  
Juniperus sp.  
Hedera helix spp.  
Liriope muscari 'Evergreen Giant'  
Liriope muscari  
Ophiopogon japonicus  
Lantana spp.  
Trachelospermum jasminoides nana  
Trachelospermum jasminoides  
    varieg. nana  
Spathiphyllum spp.  
Cyrtomium falcatum  
Nephrolepis exaltata  
Carissa grandiflora 'boxwood beauty'  
Hymenocallis

cast iron plant  
African iris  
day lily  
    juniper  
English ivy  
evergreen giant liriope  
lily turf  
mondo grass  
lantana (all colors)  
dwarf Confederate jasmine  
  
dwarf variegated Confed. jasmine  
peace lily (many varieties)  
holly fern  
Boston fern  
dwarf carissa  
    spiderlily

Agapanthus africanus	lily of the Nile
Borrchia frutescens	sea oxeye daisy
Helianthus debilis	beach sunflower
Hemerocallis x	daylily
Portulaca sp.	Purslane
Rhoeo spathacea 'nana'	Dwf. oyster plant
Setcreasea sp.	purple queen

#### H. VINES

Gelsemium sempervirens	Carolina jasmine
Allamanda cathartica	allamanda, yellow trumpet vine
Bougainvillea spp.	bougainvillea (all colors)
Lonicera japonica	Japanese honeysuckle
Trachelospermum jasminoides	Confederate jasmine

#### I. ORNAMENTAL GRASSES

Tripsacum floridana	Florida gamma grass
Tripsacum dactyloides	fakahatchee Grass
Pennisetum sp.	fountain grass
Muhlenbergia capensis	muhley grass
Spartini bakeri	Sand cordgrass

#### J. AQUATICS (to be installed and maintained by the TGHA only)

Sagittaria lancifolia	arrowhead
Myriophyllum aquaticum	parrot feathers
Pontederia cordata	pickersweed
Scirpus validus	soft stem bulrush
Bacopa monnieri	water hyssop
Nymphaea spp.	water lilies

#### K. MULCH

All trees, shrubs, and groundcovers shall be contained in a mulch bed that has a minimum radius of 3 feet from the center of the tree or 12 inches from the edge of the shrub or groundcover. Shrubs or groundcover planted in mass shall have a continuous mulch bed at least 3 inches in depth. All mulch for residential applications to be shredded natural wood products. Shredded Cypress or Melaleuca are the preferred sources. No other types of mulch may be applied without the written approval of the TGHA.

#### L. SOD

All areas of the yard not planted or covered by improvements shall be solid sodded with St. Augustine "Floradam" or other approved St. Augustine variety. In shady areas, a shade tolerant St. Augustine such as "Bitter Blue", "Delmar", or other approved St. Augustine variety shall be installed. Sprigging and seeding installation methods are not permitted.

#### M. UNACCEPTABLE TREES

Certain plant species shall not be permitted at Thurston Groves because of their nuisance characteristics, brittleness, exotic origin, pest problems, or high maintenance concerns. The following trees are prohibited for use in the landscape:

Botanical name	Common name
<i>Casuarina equisetifolia</i>	Australian pine
<i>Melaleuca leucadendron</i>	pink or cajuput tree
<i>Schinus terebinthifolius</i>	Brazilian pepper
<i>Amelia azederiach</i>	Chinaberry
<i>Dalbergia sisoo</i>	Indian rosewood
<i>Enterolobium cyclocarpum</i>	ear tree
<i>Eucalyptus</i> spp.	Eucalyptus (except silver dollar tree)
<i>Ficus</i> spp.	Ficus (including banyan tree)
<i>Araucaria</i> spp.	Monkey puzzle
<i>Araucaria excelsa</i>	Norfolk Island pine
<i>Grevillia robusta</i>	silk oak
<i>Bischofia javanica</i>	toog tree
<i>Albizia</i> spp.	woman's tongue tree
<i>Prunus caroliniana</i>	cherry laurel
<i>Sapium sebiferum</i>	Chinese tallow tree
* <i>Persea americana</i>	avocado
*Citrus family	orange, grapefruit, lemon, lime, kumquat
<i>Cupressus sempervirens</i>	Italian cypress
<i>Jacaranda acutifolia</i>	jacaranda
<i>Mangifera indica</i>	mango
<i>Quercus laurifolia</i>	laurel oak
<i>Acacia auriculiformis</i>	earleaf acacia
<i>Araucaria bidwillii</i>	monkey puzzle
<i>Bombax malabaricum</i>	bombax tree
<i>Broussonetia papyrifera</i>	paper mulberry
<i>Calophyllum</i> spp.	calophyllum species
<i>Ceiba pentandra</i>	ceiba

<i>Cercis canadensis</i>	redbud
<i>Cinnamomum camphor</i>	camphor tree
<i>Cornus florida</i>	dogwood
<i>Grevellea banksii</i>	banks grevillea
<i>Hibiscus tiliaceus</i>	mahoe
<i>Leucaena leucocephala</i>	lead tree
<i>Kigelia pinnata</i>	sausage tree
<i>Manilkara zapota</i>	sapodilla
<i>Melia azedarach</i>	chinaberry
<i>Metopium toxiferum</i>	poisonwood
<i>Morus rubra</i>	American mulberry
<i>Musa</i> spp.	banana
<i>Ochrosia elliptica</i>	ochrosia
<i>Szygium cumini</i>	java plum
<i>Thespesia populnea</i>	portia tree

\*all fruit and nut trees are not allowed, except with the permission of the TGHA.

#### N. UNACCEPTABLE SHRUBS AND GROUND COVERS

Certain plant species shall not be permitted at Thurston Groves because of their nuisance characteristics, exotic origin, pest problems, or high maintenance concerns. The following shrubs, groundcovers, and sod are prohibited for use in the landscape:

Botanical name	Common Name
<i>Pyrocantha coccinea</i>	firethorn
<i>Cereus</i> spp.	thorny cactus (many varieties)
<i>Camellia</i> spp.	camellia
<i>Aecmea</i> spp.	bromeliad species
<i>Agave americana</i>	century plant
<i>Ananas comosus</i>	pineapple
<i>Antigonon leptopus</i>	coral vine
<i>Berberis</i> spp.	barberry
<i>Cannabis</i> spp.	cannabis
<i>Catopsis berteroniana</i>	air plant
<i>Cortaderia selloana</i>	pampas grass
<i>Clerodendrum species</i>	glorybower
<i>Datura arborea</i>	angel's trumpet
<i>Dioscorea bulbifera</i>	air potato

Euphorbia lactea	milkstripe euphorbia
Jatropha curcas	physic nut
Mahoeviscus arboreus	turk's cap
Passiflora incarnata	passion flower vine
Photinia spp.	photinia
Platycladus Orientalis	arborvitae
Pueraria lobata	kudzu
*Rhododendron spp.	azaleas
*Rosa spp	roses
Syngonium spp.	syngonium vine
Tillandsia spp	air plant
Tradescantia ohiensis	spiderwort
Tribulus cistoides	puncture vine
Triphasia trifolia	limeberry
*Tulbaghia violacea	society garlic
Turnera ulmifolia	yellow elder
Typha latifolia	cattail
Yucca smalliana	adams needle
Vitex spp.	vitex

\* plants subject to conditional approval by (TGHA).

### C. Hardscape Landscape Materials

1. Low Retaining/Planter Walls may be used subject to approval by the DRB and if in conformance with the requirements set forth hereunder. Such walls shall not exceed three (3) feet in height and shall be used in very limited situations where tree preservation, architectural enhancement or major grade transitions are the primary objective.

Retaining/planter walls shall be constructed of stone, brick, poured-in-place concrete, treated wood or concrete block with a smooth stucco finish. No exposed concrete block shall be used. All walls shall be a minimum of six (6) inches thick, possess adequate structural stability and be located no closer than five (5) feet from any underground utility, property or easement line.

2. Special Paving: Special paving materials for interior walkways and/or driveways may be used subject to approval by the DRB and if in conformance with the requirements set forth hereunder.
3. Architectural Features and Lawn Furnishings: No flag poles, lawn sculpture bird baths or similar types of lawn accessories and furnishings

shall be permitted on any property within public view without the approval of the DRB.

Special architectural features such as wing walls, covered walkways, sculpture, boulder groupings and fountains may be used subject to the approval of the DRB. Such elements must be successfully integrated into the architecture of the principal residence, site layout and landscape design and also serve to improve the overall character at Thurston Groves. Conversely, any such features which are considered obtrusive or create disharmony at Thurston Groves will not be allowed.

4. Landscape Lighting: Landscape lighting may be used subject to approval by the DRB and if provided in conformance with the requirements set forth hereunder.

#### **D. Individual Lot Requirements**

1. To insure that the overall beauty of the community is preserved and enhanced, the DRB has the authority to approve or disapprove landscape plans for individual residences. Landscape plans shall be drawn by a landscape architect or experienced landscape designer, and must be drawn to a minimum scale of 1 inch equals 10 feet (1" = 10'). Partial plans will not be approved and landscaping personnel will not be allowed to work on a residence until the landscape plans have been approved.
2. Regulatory Compliance: All landscape plans shall meet the minimum landscaping criteria (if any) imposed by local regulatory codes including, but not limited to: the Pinellas County Grounds Improvement Ordinance No. 76-15, the Current Approved Tree Replacement Species List and the Pinellas County Tree Ordinance No. 76-16 and current Species List. Proof of compliance and receipt of any necessary approvals or permits, if required, shall be documented in writing on the landscape plan.
3. Streetscape Planting: Every lot in Thurston Groves shall possess one or more street trees planted in a five (5) foot wide landscape easement located directly adjacent and parallel to the back of sidewalk. Street trees shall be located in the landscape easement with each tree located three (3) feet from the back of sidewalk. The placement of trees on individual lots shall generally conform to the location shown on the tree planting plan. Any major adjustments in location (over five (5) feet in any direction) to accommodate driveways, etc. must be approved by the DRB prior to installation. **There shall not be any plantings other than sod between the street curb and sidewalk.**

Each street tree shall be *Quercus Virginiana* (Live Oak), a minimum of 3-1/2-inches to 4-inches caliper trunk, with a minimum overall height of 14 to 16 feet and a minimum spread of 7 to 8-feet at the time of planting. Street trees shall exhibit superior symmetry, form and branching, possess a single central leader, be sound, healthy, vigorous, full and free from disease and objectionable disfigurements.

4. Buffer Landscaping Between Lots: Side yards between Lots may be landscaped with plant materials to provide design articulation or visual screening. Continuous linear runs shall not exceed fifty (50) feet in length. Curvilinear shrub hedges augmented by understory/ ornamental, shade and/or palm trees are preferred. Buffer landscaping shall not be located any closer than one (1) foot to the property line, nor extend into any front yard setbacks or obstruct the vision and safety of vehicular or pedestrian traffic. All understory shrubs shall be planted and maintained so as to form a continuous, unbroken 80% visual screen within one year of installation. Shrubs shall consist of one predominant species, 2'6", o.c., with each plant having a minimum size of three gallon, 24-inches tall and 18-inches wide at the time of planting. Full size shrubs such as Oleander shall be a spaced 5-feet o.c. with each plant having a minimum size of 7 gallon, 36-inches tall and 24-inches wide at the time of planting. A mix of understory and full size shrubs may be used if designed to complement one another. On Lots with a view to the pond, hedge material from the rear building set back to the property line should be maintained at a 4 foot height to ensure visibility. The selection of buffer landscaping species shall be made from the approved Plant Species List and Schedule.
5. Individual Lot Requirements: A minimum of thirty percent (30%) of the "green space" area (excluding driveway and sidewalk) shall be landscaped with trees, shrubs, accents and groundcovers. The remainder (if any) shall be St. Augustine "Floratum" solid sod.
  - a. Canopy Trees: Each lot shall have a minimum of four (4) shade/canopy trees (not including the requirements for street trees), of which no less than one (1) shall be located in the front yard of the principal residence. Shade/canopy trees shall not be planted in locations that would immediately or in the future create a nuisance, deter access to utility lines or adversely screen the sight distance of motorists. Rather, these trees should be used to enframe major spaces and provide appropriate screening, scale and shading. Canopy trees should consist of not more than 2 species selected from the approved Plant Species List and Schedule. Trees of the same species should be grouped or located in close proximity to one another to create a unifying effect.

The minimum size and spacing of canopy trees shall reflect the requirements set forth in the schedule. Canopy trees shall possess the same features as those required for street trees.

- b. Understory/ornamental Trees: Each lot shall possess a minimum of eight (8) understory/ornamental trees of which no less than four (4) shall be located in the front yard of the principal residence. Understory/ornamental trees should be used as focal and accent plantings and to provide seasonal color and scale immediately adjacent to the principal residence. The species, be selected from the approved Plant Species List and Schedule and shall be either single stem or multi-stem based upon the requirements set forth therein.
- c. Shrub Beds: All Lots shall possess shrub planting beds which shall consist of individual plants placed together in curvilinear masses and top dressed with shredded Bark Mulch. Where possible, shrub beds shall be layered to create depth and variety. Annuals, grass sod, ground cover and/or dwarf facer shrubs should be used in the foreground with taller understory shrubs placed behind or in the middle to create an effective backdrop.

At a minimum, shrub beds shall be provided on each lot to:

- 1) Provide an effective foundation planting by creating a fluid transition from the vertical face of the principal residence to the horizontal ground plane;
- 2) Provide appropriate understory coverage under groupings of existing or proposed canopy/ornamental trees;
- 3) Provide buffering of utilities from public view and/or between various use areas internal to each building lot; and
- 4) Under certain circumstances, function as focal and/or accent plantings.

Each Lot shall possess shrub beds exclusive of any landscape buffers. The number of different shrub species shall be kept to a minimum. Species shall be selected from the approved Plant Species List and Schedule. Similarly, the minimum size and spacing of shrubs at the time of planting will vary by species and shall reflect the minimum requirements set forth in the schedule.

- d. Groundcover Beds: All lots shall possess groundcover beds which shall consist of individual plants placed together in curvilinear masses and top dressed with shredded Cypress Bark Mulch. Where possible groundcover beds shall be combined with shrub beds to create a layered look (see previous discussion regarding shrub layout).

At a minimum, groundcover beds shall be provided on each Lot to:

- 1) Supplement shrub beds in achieving the design requirements for this material;
- 2) Provide an alternative to coverage by grass sod such as heavy shade areas, steep slopes, small or narrow areas of high maintenance and raised planters;
- 3) Provide an alternative source of seasonal color in lieu of high maintenance annuals; and
- 4) Provide low articulation of major use areas and/or traffic control.

Each lot shall possess groundcover beds as described in the Landscape Plan that is approved for that Lot. The number of groundcover species should be kept to a minimum. Species shall be selected from the approved Plant Species List and Schedule. The minimum size of groundcover at the time of planting will vary by species and shall reflect the minimum requirements set forth in the schedule.

- e. Annual Beds: All Lots shall possess annual beds which shall consist of individual plants placed together in curvilinear masses and top dressed with either dirt or finely ground "Nature's Helper" mulch. Where possible annual beds shall be integrated into, or located adjacent to, groundcover and/or shrub beds.

At a minimum, annual beds shall be provided on each Lot to:

- 1) Supplement shrub and groundcover beds in achieving their individual requirements;
- 2) Provide "pockets" of color at key focal/accent points in the overall landscape design; and

- 3) Provide an alternative to coverage by grass sod where year round color is preferred.

Each lot shall possess flower beds as approved in the Landscape Plan approved for that Lot. This requirement may be waived, however, if adequate seasonal color is provided by the shrub and/or groundwater beds. The minimum plant size shall be 4-inch pots and maximum spacing shall be 9-inches o.c.

- f. Grass Sod: See Section B of the Landscape and Irrigation Design Standards for materials and coverage requirements.

#### **E. Existing Trees: Removal/Relocation/Preservation**

1. Existing Tree Removals: In order to preserve the natural beauty at Thurston Groves, no tree of a permitted species and in healthy condition having a caliper of 4-inches or more (as measured four and one half feet (4-1/2) above existing grade) or a cluster of trees having an aggregate caliper of 6-inches or more shall be damaged or removed unless approved by the DRB in connection with its approval of the plans and specifications for the construction of improvements at Thurston Groves. Where existing trees meet the criteria set forth in the Declaration, directly conflict with the location of major improvements and/or substantial changes in existing grade make alternative forms of tree preservation; i.e., retaining walls, etc., prohibitively expensive, the removal of trees may be permitted by the DRB. Where possible, however, improvements shall be sited to avoid major impacts with existing trees and relocation of existing trees shall be undertaken prior to construction.
2. Existing Tree Relocations: Existing trees to be relocated shall be pruned and moved prior to construction and shall be immediately planted, barricaded against construction activity, firmly secured in the ground by staking and adequately watered and fertilized until firmly established. Any relocating of existing trees should be done by a licensed professional and adhere to nursery standards for relocating. Any relocated trees which die within one year of completion of construction shall be removed and replaced with nursery stock approved by the DRB.
3. Existing Tree Credit: The DRB, at its discretion, shall approve credits for existing trees preserved in lieu of providing equivalent landscape materials. The amount of credit will vary on an individual property basis and will depend to a large degree upon the extent to which the existing trees are successfully integrated into the landscape design.

#### **F. Landscape Irrigation Requirements**

1. Minimum coverage: All lots and associated utility or landscape easement and road right-of-way shall be irrigated with an automatic underground landscape sprinkler system providing 100% "head to head" coverage to all landscaped areas. **Sprinkler system shall irrigate grass in common area for houses located on the lake.**
2. Water Source: Each sprinkler system shall utilize either potable water or water obtained from either a shallow or deep well. Water from shallow wells shall be permitted but an iron de-ironizer shall be installed and maintained in such a manner that it is effective at all times. Well water sources should be located in the side or rear of the Lot, in non-conspicuous areas. The well cap should be incorporated into landscape beds wherever possible. Use of wells shall require that all necessary permits be obtained prior to drilling.
3. Controls: All underground landscape sprinkler systems shall possess an electromechanical or computer controller and electric control valves to automatically control the irrigation system, and include a rain sensor shut off device. The use of pressure-regulating valves is recommended where applicable.
4. Other Equipment: All underground landscape sprinkler systems shall possess a backflow preventer, meter and gate valve located in an underground valve control box hidden from public view.
5. Design and Installation: All underground landscape sprinkler systems shall be installed by skilled personnel, proficient in the trade, in a neat, orderly and responsible manner within recognized standards of workmanship. Personnel shall have had considerable experience and demonstrated ability in the installation of sprinkler systems of this type. A layout plan and materials schedule shall be prepared by the installer for each Lot to direct the installation in conformance with the particular watering requirements of plant materials shown on the landscape plan. Sod and shrub zones should be separated where possible. In addition, rotors and spray zones should be on individual zones. Shrub beds should use either 12" pop-up spray heads or shrub risers. It is recommended that all shrub risers in plain view be painted green. All spray heads in turf areas should use 6" pop-ups or rotors. Spray zones should operate at 30 p.s.i. and rotors should operate at 50 p.s.i. for optimal performance. Coordination with hardscape elements such as drives, walks, patios and pool areas for irrigation sleeving should be considered during construction.

**G. Landscape Maintenance Requirements**

1. General: All landscaped areas located on individual properties, including any easements, shall be maintained by the property owner. The property owner shall be responsible for maintaining the street trees and grass sod located in the landscape easement in an acceptable manner. Maintenance shall begin immediately after the plant materials are installed. The property owner shall be responsible for complying with all city or county stipulated watering schedules.
2. Individual Properties: All landscaped areas shall be kept well-maintained, properly cultivated and free of trash and other unsightly material. Maintenance shall include, but not be necessarily limited to, the following:
  - a. 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.
  - b. Plant saucers and beds shall be kept free of weeds, grass and other undesired vegetation.
  - c. Grass sod shall be kept free of insect pests, fungus, excessive clippings and weeds and shall be kept mowed to a uniform height of 3-inches.
  - d. Dead or dying plants shall be removed and replaced within 30 days of each occurrence.
  - e. All plantings shall be irrigated as often as necessary to maintain healthy growing conditions. Over watering is discouraged. Irrigation systems shall be kept in proper working condition. Adjustment, repair and cleaning to be done on a regular basis.
  - f. Tree staking materials shall be adjusted on a regular basis to maintain a neat appearance and permit plant growth to occur. All staking materials shall be removed one (1) year after initial installation.
  - g. If minimum maintenance standards are not achieved by the property owner, the DRB shall issue a letter requesting immediate compliance. If the maintenance deficiency is not remedied within fourteen (14) days of issuance of such letter, the DRB may have the maintenance work performed and shall charge the property owner for all costs incurred.

## **PART V: DEFINITIONS**

The following words and terms, when used in this Design Review Manual for Thurston Groves (unless the context clearly shall indicate otherwise), shall have the following meanings:

Abandon:	To discontinue a use for more than ninety (90) consecutive days.
Accessory Use:	A use which is incidental and related to the main use of the premises.
Alteration:	Any change, rearrangement, enlargement, extension, reduction or moving of any structure or part thereof, including any change of electrical wiring, plumbing or heating systems.
Applicant:	Shall mean a builder or individual homeowner owning property at Thurston Groves and filing an application with the Design Review Board for approval.
Associate Member:	Shall mean and refer to those persons who are not Owners but who, by reason of their residence within the Properties as tenants of an Owner, may enjoy the benefits of the Common Properties.
Association:	Shall mean the Thurston Groves Homeowners Association, Inc., a Florida Non-profit Corporation.
Board:	Shall mean the Board of Directors of the Thurston Groves Homeowners Association, Inc.
Building:	Shall mean and include all structures to be used for residential purposes, together with all projections and extensions thereof and accessory structures or enclosures whether or not connected or attached, including, but not limited to, garages, porches, canopies, shelters and storage areas.
Building and Height of:	The vertical distance from the finished ground elevation to the highest point of the coping or roof, whichever is higher.
Building Lines:	The extreme outer dimensions of any structure, whether constructed or staked out for construction, including all

structural components except the chimneys, cornices, sills or eaves; provided, however, that where the projection of any chimney, cornice, sill or eave extends more than three (3) feet beyond the building line as defined above, the building line shall be considered to be three (3) feet inside the outermost extension of any such projection.

**Building  
Set-Back Line:**

A line parallel to the property line at the distance prescribed by local regulatory codes.

**Building Site Area  
Requirements:**

Those portions of local regulatory codes which regulate the size of the areas upon which structures may be located.

**Common Properties:**

Shall mean and refer to those areas of land so designated on any recorded division plat of any part of the Properties, or any property, building and facilities otherwise acquired by the Association by purchase, gift, lease or otherwise, to be devoted to the common use and enjoyment of the owners of the Properties.

**Declaration of  
Covenants and  
Restrictions:**

Shall mean those covenants, restrictions, conditions and assessments together with all of the provisions contained in the Declaration of Thurston Groves as they now appear or as they may hereafter be amended.

**Design Review  
Board:**

Shall mean the Design Review Board discussed in Part II hereof, which Board shall consist of members appointed by the Declarant or its successor and assigns thereof during such periods as the Declarant is the holder of record title to the fee interest in any land included within the definition of the Properties hereof, and shall consist of members appointed by the Association or its successors and assigns at all other times.

**Declarant:**

Shall mean Thurston Property Group, Inc., a Florida corporation, and any successor or assignee thereof.

**Exempt Property:**

Shall mean the following portions or parts of the Property: all or any portion of the Property dedicated to public use or owned by the United States, the State of Florida, Pinellas County, Florida, any school board, or any municipality or agency of any such

	entity, for so long as such property is not used for residential or commercial purposes.
Improvements:	Shall mean and include, without limitation, buildings, structures, roads, driveways, parking areas, fences, retaining walls, swimming pools, screening walls, ornamentation, signs, stairs, decks, hedges, wind-breaks, plantings, planted trees and shrubs, poles and all other structures and landscaping.
Lot:	Shall mean and refer to any improved or unimproved plot of land shown upon any recorded final subdivision map of any part of the Properties at Thurston Groves, with the exception of Common Properties.
Lot Corner:	A Lot abutting upon two (2) intersecting streets at their intersection.
Lot Depth:	The depth of a Lot is the distance measured in the mean direction of the side lines of the Lot from the midpoint on the front lot line to the midpoint of the opposite main rear line of the Lot.
Lot, Double Frontage:	A Lot which has street frontages at opposite boundaries of the Lot excluding alleys.
Lot Width:	The lot width is the width of the Lot at the front building setback line.
Living Unit:	Shall mean and refer to any portion of any building situated upon the Properties designed and intended for use and occupancy as a residence.
Members:	Shall mean and refer to all those Owners who are members of the Association as provided in Article IV of the Declaration of Thurston Groves.
Owner:	Shall mean and refer to the record owner, whether one or more persons, firms, associations, corporation or other legal entities, of the fee simple title to any Lot or Living Unit situated upon the Properties but, notwithstanding any applicable theory of a mortgage, shall not mean or refer to the mortgagee unless and until such mortgagee has acquired title pursuant to foreclosure proceedings or any proceeding in lieu of foreclosure; nor shall

	the term "Owner" mean or refer to any lessee or tenant of an Owner.
Non-Conforming:	Any use or structure which does not conform to the requirements of the Declaration or Design Review Manual for Thurston Groves.
Open Space:	Open space is the land between and around structures, including required setbacks areas, roadways, and parking areas.
Principal Residence/ Structure:	New home construction of a building whose intended use is to serve as dwelling unit for the property owner.
Properties:	Shall mean and refer to the real property described in Exhibit "A" attached to the Declaration.
Property Line:	A line which separates a Lot from an adjoining lot or right-of-way.
Right-of-way:	The area of a highway, road, street or way reserved for public use, whether established by prescription, dedication, gift, purchase, eminent domain or any other legal means.
Special Exception:	A specific exception from the rules, standards, regulations and/or procedures prescribed herein, which may be allowed by the DRB only as set forth under the Design Review Board of the Design Review Manual for Thurston Groves.
Structure:	Anything constructed or erected, the use of which required permanent location on the lot or attachment to something having a permanent location on the Lot. Sidewalks, patios slabs, driveways and utility poles shall not be considered structures.
Structural Alteration:	Any change in the supporting members of a structure such as bearing walls, columns, beams or girders, except for the repair or replacement thereof.
Yard:	That open area of a Lot or Parcel which is provided as a setback area or is unoccupied by any structure.
Yard, Front:	A yard across the full width of the lot or parcel extending from the nearest wall or other vertical portion of the structure to the front line of the Lot or Parcel.

- Yard, Rear:** A yard extending across the full width of the Lot or Parcel and measured between the rear line of the Lot or Parcel and the nearest wall or other vertical portion of the main structure.
- Yard, Side:** An open unoccupied space, on the same Lot or Parcel with a structure, between the nearest wall or other vertical portion of the structure and the side line of the Lot or Parcel extending through from the front yard to the rear yard or to the rear line of the Lot or Parcel where no rear yard is required.

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