



MAY 2023

Owner-Tended Garden Policy

INTRODUCTION

As a condo association, all the common limited common areas including the garden beds near each unit are the responsibility of the association. Over the years, some co-owners have taken to gardening in their own beds and the board has allowed this, understanding that well-tended gardens enhance our community. However in recent years, since the lawn care/landscaping contractors have changed multiple times over the last few years, it has become unwieldy to keep track of which units have opted to care for their own beds, and there was no official process for accountability.

To this end, the board wrote a new policy to clarify the use of limited common areas and provide guidelines for plantings to maintain a cohesive, yet individualized landscape in our community. The board distributed a proposed Owner-Tended Garden Policy in 2020 for review and feedback. After some contractor and management setbacks, this year we will begin to implement this policy on a trial basis, to see how it works for our co-owners. We will assess at the end of the year.

Please note: We are starting from our *current state*, so if you already have a garden that you have been tending up to this point, we are not asking you to revise or remove items to retroactively fit the new guidelines at this time, unless the current plantings are attached to the building or are causing issues for lawn care.

Our primary goals are to:

1. Establish a foundation for garden care moving forward that provides some aesthetic consistency and shared understanding of "common areas"
2. Allow those who wish to participate in tending a garden adjacent to their unit to clearly mark their garden, alerting the landscape crew to steer clear

The policy includes a request form for owners to be placed on the "Owner-Tended Garden List" and receive 2 downspout bands to mark their unit. The bands will be placed on the downspouts in front and behind your unit. These are meant to be unobtrusive, yet identifiable by the lawn crew.

Please also use the form if you *plan to stop* maintaining your garden beds.

Thank you for your attention and participation.

— Your TVC Board of Directors

OWNER-TENDED GARDEN POLICY

Our bylaws prohibit individual Owners from planting or removing anything in the ground anywhere in the Common Elements:

Article VI, Section 11. Landscaping. No Co-owner shall perform any landscaping or plant any trees, shrubs or flowers or place any ornamental materials upon the Common Elements without the prior written approval of the Association.

The Common and Limited Common Elements include all of the lawn and planting beds, even those immediately beside individual units. These areas are owned collectively by all Turnberry Village owners through the HOA, not any individual owner. For the enjoyment of all co-owners, Turnberry Village Condominiums provides landscaping services for these areas through a selected vendor, paid from our monthly Association Fees. This service includes mowing and edging of all common areas, garden bed weeding, mulch application of limited common elements, and planting annuals, etc.

In our condominium community, there is a need for a cohesive aesthetic that can be easily maintained. However, some co-owners would like to care for and enhance the gardens in the limited common areas directly adjacent to their units.

Per the bylaws, written permission must be obtained in advance from the Board. The request must be made by a *deeded* co-owner.

If you would like to maintain your own Limited Common Element garden beds, please complete the Owner Tended Garden Application Form. (Attached)

In order to do so, you must review and agree to adhere to the following guidelines:

1. At least 2 inches of mulch will be applied every other year of shredded hardwood mulch, matching the color supplied by the association.
2. Extending, reshaping, or adding new flowerbeds requires advance written approval of the executive Board via Modification Request.
3. All removals of trees, shrubs, and plantings taller than 36" require advance written approval of the executive Board via Modification Request.
4. All new plantings with a growth height of 36" or more, require advance written approval of the executive Board via Modification Request.
5. A trellis may be added to support a vine against a garage wall or back wall, however the trellis may not be bolted to the brick or permanently attached to the building. (Per bylaws, any alterations in exterior appearance or structural modifications require a modification request approval.) A trellis or vine may not be used to *enclose* a porch, deck, patio, or other area without written approval from the Board.

6. Brackets for hanging baskets may not be affixed to the buildings without written approval. (Per bylaws, any alterations in exterior appearance or structural modifications require a modification request approval.)
7. Structural borders, such as landscaping bricks, plastic edging or low fencing, may be added to flowerbeds. However, borders must be less than or equal to 8". Colors should be brick, black, or earth tones (e.g. no bright colors or silver metallic, etc) to visually blend with the mulch.
8. Flowerboxes, planters, and hanging baskets may be used on front porches, decks, and in the flowerbeds immediately next to the unit, as long they are removable and do not overhang or obstruct any walkways. Planters, baskets, and garden decor *may not* be used in shared beds, or common tree areas.
9. All plantings, borders, or trellis structures in the Limited Common Elements are subject to review by the Executive Board *upon complaint of any Unit Owner*. The Association has the right to require an owner to remove items at any time upon written notification to that effect and the Unit Owner shall be responsible for restoring the landscaping to its original condition.

Status is *not transferable* to a new owner when a unit is sold. Each owner must apply for their unit in order to maintain their own garden.

OWNER-TENDED GARDEN APPLICATION FORM:

Deeded Owner's Name _____

Address / Unit Number _____

Phone number _____ Email _____

AGREEMENT:

☐ I have read and understand and agree to the TVC Garden Policy. **(required)**

RESPONSIBILITY:

☐ **Start:** I want to start maintaining my own garden.

☐ **Continue:** I have an existing modified garden bed(s) and would like to maintain my current garden.

☐ **Stop:** I have an existing modified garden bed(s), and I want to stop maintaining my garden bed(s) and relinquish them to the TVC association.

If you have a shared center garden bed, what is your understanding with your neighbor?

☐ I will maintain my half of the bed

☐ I will maintain the entire bed —requires signature below:

Neighbor's Signature _____ Unit #: _____

MULCH OPTIONS:

☐ I want the landscape company to handle mulching my garden.

☐ I will handle my own mulching (at least 2" every other year, hardwood mulch, same color).

GARDEN MARKER:

☐ I need a new pair of downspout band markers.

Additional notes for the Board:

Signature: _____ Date: _____