

## HELPFUL TIPS FOR RESIDENTS PLANNING A POOL INSTALLATION

As a deed-restricted community, most changes to the exterior of Watercrest homes and/or properties require approval from our Architectural Review Committee (ARC). Pools and their cages are probably among the more complex installations requiring ARC approval, but delays can be minimized by following these recommended steps:

1. As with any exterior change, **your first step is always to check the Watercrest governing documents** to verify that your tentative pool plan meets the stipulations in our Declaration of Restrictions and the Community Wide Standards (CWS) - both available, along with the ARC Request Form, on **mywatercrest.com**. The relevant CWS articles include (but are not limited to) **Pools and Spas, HVAC and Pool Equipment, Lanai, Drainage, Easements, Fences and Walls, Irrigation and Watering, Landscape Design and Material, and Trees**. It is also essential that you refer to the Declaration of Restrictions to read the Article 9 Restrictions covering **Drainage, Fences and Walls, Swimming Pools, Setback Lines, Landscaping, Irrigation, Screening, Clearing of Trees and Governmental Regulations**.

2. With the above-noted stipulations in mind, you and your pool contractor can now prepare your ARC request for submission:

a) Be sure to include a **survey of your property**, marked to scale with the dimensions of the pool, cage, and (if applicable) spa you wish to install.

b) If trees need to be relocated, a copy of your **Tree Permit** from Sarasota County should be attached (***check first with the County to determine if a tree permit is needed***), and ensure the trees' new location is marked on the survey.

c) The **pool design plan** supplied by your contractor (attach their **business license and certificate of liability insurance**), along with **dimensions and color samples**, will also be needed.

d) Your **landscape plan** for plant material around the cage will also form a part of your submission, ***either with your initial request or as a separate ARC request as the pool construction nears completion***.

3. Please take careful note of the following:

a) **Getting ARC approval first**, before submitting your pool plan to Sarasota County for a building permit, will avoid costly delays and possible revisions. The Watercrest governing documents may be more stringent than the County requirements in some crucial respects (for example, cage setback distance from the rear lot line).

b) In most cases, **your backyard irrigation lines** will need to be capped and moved. The CWS stipulates that any **irrigation changes must be performed by the approved/current Watercrest irrigation contractor** (currently ArtisTree).

c) Your pool design may require that one or both of your backyard hardwood trees be moved. Sarasota County has **stringent rules about moving, replacing or removing trees**. In many cases, a **Tree Permit** is needed from the County before this can be done. **Be sure to contact the County to verify what is required in your own circumstance**.

d) There is no formal requirement in our governing documents that our landscape contractor, ArtisTree, move or replace hardwood trees, or supply and plant the other plant material that will go around your pool cage. You may choose your own landscaper to perform this work, ensuring that your ARC request for landscaping includes the **landscape contractor's business license and certificate of liability insurance**. Please note: the **only warranty on this work and plant material** is the one offered by your landscaper of choice.

e) Before any work may begin, you must **obtain in writing from each adjacent property owner** their acknowledgement that your project will soon be underway, and their permission for contractors' equipment to access your backyard by possibly trespassing over their property, any damage to which you pledge to repair at your own cost. Such permission forms may be available from your pool contractor; if not, they can be obtained from the ARC or **mywatercrest.com**. Once completed, **please submit them to ARC with your pool request.**

4. For your convenience, a sample set of **typical pool stipulations** follows. Every case is different and yours may require some additional specifications, depending on what you are planning to include in your plan. But these will give you and your contractor a good idea of what to expect once your pool request is granted:

### **SAMPLE POOL STIPULATIONS**

**Please read these stipulations very carefully before proceeding.**

- ❖ **It is in your best interest to have your contractor read and understand them before proceeding with work.**
- ❖ **We recommend that you append this approval to your contract with your service provider and insist that they acknowledge their responsibility to satisfy these stipulations as part of their contractual obligations.**
- ❖ **For your protection, we recommend that your contract holds your contractor responsible for damage to both private and common area property.**

N.B. The work covered by this approval must be completed exactly as stipulated. Any changes, big or small, must first be pre-approved by the ARC.

N.B. The ARC may visit the property at any time during or after the project, to inspect the work covered by this approval.

**The governing Watercrest documents used in this approval include the Declaration of Restrictions and the Community Wide Standards (CWS). This approval is contingent on this project conforming in all respects with these documents, including but not limited to the relevant articles therein on Swimming Pools, Setback Lines, Irrigation, Landscaping, Screening, Clearing of Trees, and Lanai-Extended.**

1. Lanai cage must be Mansard style with dark bronze aluminum and charcoal screen.
2. Paver door pads on either side of the screen enclosure must be no larger than 3' X 3'.
3. **No pool equipment and/or pad shall encroach on the lot's D.U.E.**

#### 4. As per the **Watercrest Community Wide Standards (CWS) - Side Yard:**

1 - A D.U.E. (Drainage Utility Easement) is normally located in the Side Yard area. The D.U.E. is shown on the lot's Drainage Plan and Boundary Survey. The D.U.E. between homes is commonly 2.5 feet, but must be verified before commencing construction or landscaping. D.U.E. must remain open to allow adequate drainage as designed by the engineer and to allow access for maintenance and repair of the drainage area.

2 - **Outdoor Mechanicals Screening** is required by the Declaration of Restrictions, although some locations have swale restrictions where screening may be limited or is not possible (only as determined by ARC).

3 - All air conditioning equipment, water softeners, **pool pumps, pool filters and pool heaters shall have a concrete pad** or similar fiber reinforced composite pad material and shall be anchored. Pads shall be 3 ½ inches thick and 2" above finished grade. **Equipment Pads must be no wider than 36 inches and must be placed as not to extend more than 3 feet from the home.** All equipment and pads must allow for the 2.5 feet D.U.E. (Drainage Utility Easement) on each side of the lot line.

4 - This section may apply to the rear wall of the home, if mechanicals must be located on rear wall.

5 - Adequate equipment ventilation is the responsibility of the homeowner. Other than Equipment Screening, no other Partition Fence or Screening Wall is allowed in the Side Yard.

6 - Hedges used for Equipment Screening shall be no taller than necessary to hide its equipment from normal viewing angles.

5. All swimming pools shall be designed and constructed so that the pool and the surrounding deck or walkway are at ground level.

6. Per CWS Lanai section (Extended 9.9), no reflective or opaque material may be used to substitute for screening.

7. Prior to commencing the work, the impacted landscape material shall be removed and irrigation shall be capped. In addition, **the irrigation for the lot must be modified to accommodate the pool cage/extended lanai and to properly irrigate the additional required buffer landscaping. Artistree Landscaping (Contact: 941-488-8897) must be engaged to perform these landscaping and irrigation modifications** and must be provided a minimum of 10 days' notice.

8. **Additional landscaping must be installed to shield the lanai and cage from neighbors.** Hedges required to shield/soften caged lanais are to be located and maintained within a mulched bed up to **36 inches wide directly adjacent to the cage** and are to be maintained at a **height of no more than 4-5 feet from the floor of the caged area.** Only approved plant types well known to tolerate long term maintenance at or less than the above specified dimensions shall be allowed. ARC recommends a **continuous hedge of 3 or 7 gallon viburnum, podocarpus, hibiscus or cocoplum, planted 3' on center** within a bed of cocoa brown mulch (3" thick) along the sides of the paver lanai and 2' away from the enclosure, to allow for plant growth. The landscaping currently planted along the rear of the home shall be removed and properly disposed of. New material shall be installed consistent with the original approved landscape plans for the home along the rear of the lanai.

**9. Any tree material being transplanted, removed or replaced may require a permit from Sarasota County.** This is the responsibility of the property owner.

10. Any substitute plant material must be on an approved species material list with a layout design matching builder landscape plans as stipulated in the ARC approval.

11. The Watercrest governing documents do not require owners to use Artistree to supply and plant new trees and/or plant material. The only warranty for this work and plant material is that offered by the owner's landscaper of choice.

**Should an owner choose to have plant material supplied and installed by a third party, liability for any and all damage falls upon the owner.**

12. The improvements must meet all applicable governmental setbacks, engineering and permitting requirements.

**13. The improvements shall not alter or impede any drainage flow, and will be in compliance with the engineering and drainage plans for the community, including any governmental regulations.**

N.B.

a) Pool overflow drain must NOT dump water into the yard or lanai of any adjacent home.

b) The swale is graded to drain water away between the two homes. The grade of the swale must not be compromised during construction of the pool. If it is, the homeowner is responsible for re-grading it to the original specifications.

14. All work associated with this request is to be at the sole cost of the Owner.

15. **Owner agrees to get permission in writing from all adjacent property owners** that will be affected by this project. A form to be filled out by each adjacent neighbor may be available from the pool contractor, and is also available from the Watercrest ARC or ***mywatercrest.com***.

16. **Owner assumes responsibility for privately hired contractors and shall repair any damage, alterations, or wear, to any adjacent property, caused by or during the work.**

17. Any lighting fixtures or pool equipment are subject to nuisance restrictions.

**18. Once the entire project is complete, a final inspection by the ARC will take place. Please contact ARC Chair, Pam Matsanka, at watercrest.arc.pchair@gmail.com, to schedule this inspection as soon as the project has been completed.**

19. Any violation of Watercrest documents could result in removal of an at-fault project and/or fines.

20. The work must commence by day/month/year, or this approval will automatically be null and void.

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