

**Water Oak Homeowners Association of Manatee County Inc.  
Homeowner Modification Options Resolution**

Whereas, Article IV Section 4.1 and Article V of the Water Oak Homeowners Association of Manatee County Inc. (WOHA) Covenants, Conditions, and Restrictions gives the Board of Directors the powers and duties necessary to conduct the affairs of the Association and to make such rules and regulations as the Directors deem in the best interests of the Association; and

Whereas this resolution is reasonable, consistent with the Declaration, Bylaws, and State Statutes, and does not exceed the authority given to the Board. For the health, safety, welfare, and comfort and convenience of all residents, the Board wishes to establish rules enforcement policies and procedures so that it may fairly and consistently enforce the governing documents; and

Therefore the Water Oak Homeowners Association of Manatee Inc. has adopted the following:

**Homeowner Modification Options Resolution**

From time to time, homeowners may wish to make changes that suit their current lifestyle and creative needs. The WOHA Board of Directors (BOD) recognizes this need and wants to accommodate these changes while adhering to its fiduciary duty to the community.

This resolution aims to encourage harmonious and attractive streetscapes through attention to the exterior architectural quality and appearance of Water Oak residences. Therefore, modifications should match the builder's original architectural style and reflect the adjacent structures' established rhythm and scale.

To accomplish this, the BOD has created the following list of modifications or changes that at the Boards discretion may not require an Architectural Review Request to be submitted.

**IMPORTANT:** Please read your selection carefully. Some modifications listed will say, "This is a Homeowner Option with some restrictions." These still require BOD pre-approval for some aspects and are shown as **SR** in the table of contents. Also, the Board may allow, but shall not be obligated to allow any of these modifications.

It is important to note that some changes may affect our neighborhood's character and the community's tone and must be regulated.

With that in mind, unless noted below as a Homeowner Option, all modifications must be approved by the Board of Directors (BOD) or its designee prior to work being started.

The BOD is charged with the responsibility of maintaining the original community design standards. It is for this reason that the BOD must approve changes not addressed within this guideline. Architectural Review Request forms are available from our Management company or at <http://www.mywhisperbend.com/links>

**This is not a complete list. Other restrictions may apply as outlined in the WOHA bylaws and covenants or by directive of the BOD.**

**If it's not on this list—or you have any doubts at all, play it safe and fill out an Architectural Review Request.**

**Failure to comply with these guidelines or the WOHA bylaws and documents can lead to a fine of \$100.00 per day up to \$1,000.00.**

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**Antennas/Satellite Dishes**

Section 207 of the Telecommunications Act of 1996 allows homeowners to place a satellite dish on private balconies, patios, roofs, and exterior walls provided that the dish is less than one (1) meter in diameter. For exterior walls, an exception would be if the satellite dish was mounted to stick out over Property owned by the Association.

Satellite dishes, television antennas, and wireless cable antennas are also allowed on Property that a resident owns or over which the resident has exclusive use or control. These rules do not apply to common areas or common elements that are owned by a community association, easements, or right-of-way.

Therefore, an association may properly prohibit a resident from installing a satellite dish antenna on the Association's common areas or common elements that are not for the resident's exclusive use. Even if a resident cannot receive an acceptable signal from the resident's lot, Unit, or area of exclusive use or control, the Association is under no obligation to provide the resident with a location for the resident to install their antenna. Therefore, no exterior antennas, aerials, satellite dishes, or other apparatus for the transmission of television, radio, or other signals of any kind shall be placed, allowed, or maintained upon any portion of the common area without the prior written consent of the Board or its designee. The Association shall have the right, without obligation, to erect an aerial, satellite dish, or other apparatus for a master antenna or cable system to benefit all or a portion of the Property.

**Awnings: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) Awnings are only allowed inside a caged lanai at the rear of the Property.
- b) Awnings and Shutters of unfinished aluminum, bright finished, or shiny plated metal on exterior doors, windows, frames, screens, louvers, exterior trim, or structural members are not be permitted.
- c) Metal frames shall be either anodized or electrostatically painted and in harmony with the residence's exterior color and texture.
- d) Wood frames must be painted, sealed, or stained.
- e) Other restrictions may apply.

**Basketball Hoops: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) A portable basketball pole, hoop, and backboard may be used on a Unit without the need for Association approval, provided that:
  - b) All hoops are placed by the driveway's side to facilitate the actual play being in the driveway.
  - c) Basketball playing in the street is not permitted at any time.
  - d) It is maintained in good condition and repair, is used only on the Unit (and not on a sidewalk, street, or area between sidewalk and street and not on any county easement)
  - e) It is only used between the hours of 9:00 a.m. and 9:00 p.m.
  - f) Does not obstruct any vehicle from parking on a driveway (so as to cause parking of the vehicle on the street and not on the driveway)
  - g) It is stored during any heavy storm warning so as to not present a hazard.
  - h) Portable basketball hoops must either be upright or stored in the garage.
  - i) Hoops that fit into a sleeve and can be removed or retracted during severe weather are allowed.
  - j) No hoops or basketball backboards may be permanently installed.
  - k) Other restrictions may apply.

**Birdhouse, Birdbath, and Bird Feeders:**

A Homeowner Option. The Board may allow, but shall not be obligated to allow this modification.

Birdhouses, Birdbaths, and Bird Feeders are allowed within the community. **It is well to note that feeding wild animals is a violation of Florida State Statute 379.412.**

Other restrictions may apply.

**Boating/Kayaking: SR**

This is a Homeowner Option with some restrictions.

Boating/Kayaking is allowed in any of the ponds. However, no motorized equipment may be used, only wind or muscle.

Vendors contracted by the WOHA Board are exempt. They may use motorized equipment on the lake in the performance of their duties. Other restrictions may apply.

### **Coach Lamps: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) The color must be either black, white, or bronze.
- b) Homeowners may match the coach lamps with the post lamp if desired.
- c) Blinking or colored bulbs are not permitted.
- d) If lamps have multiple sockets, all must have operational light bulbs installed.
- e) Other restrictions may apply.

### **Decorations; Holiday:**

A Homeowner Option. The Board may allow, but shall not be obligated to allow this modification.

- a) Holiday decorations are welcome and may be regulated by the BOD as to quantity.
- b) If a homeowner objects to another homeowner's decorations, the BOD will decide. The BOD decision will be final.
- c) Decorations may remain in place four weeks before the holiday and two weeks after the holiday.
- d) Other restrictions may apply.

### **Decorative Landscaping Curbing: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

Decorative curbing must be of earth tones and not in contrast with the house colors. The total height may not exceed eight (8) inches. Also, see Landscape Edging. Other restrictions may apply.

### **Decorative Backflow Covers SR**

A Homeowner Option. The Board may allow, but shall not be obligated to allow this modification.

Rock-like decorative backflow covers are allowed. Other restrictions may apply.

### **Decorative Items and Benches: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) Planters shall have a maximum height of twenty (20) inches, shall be in earth tone colors (i.e., shades of brown, gray, or white) must be placed in the planting beds adjacent to the home. They may not be more than ten (10) feet from the front of the house and are limited to a quantity of three (3).
- b) Any sized planter may be placed inside a screened-in lanai.
- c) English Garden Globes may not be placed in locations visible from the street.
- d) BOD Pre-Approval is required for all decorative items more than twenty (20) inches in height or non-conforming.
- e) Decorative fountains, and benches, require BOD Pre-Approval. They will be considered on a case by case basis. A color picture of the fountain or birdbath must accompany the homeowner's request. They must supply information on the dimensions and material. A picture of the proposed location, which clearly shows the house's color and the surrounding landscape, must also be submitted. If it is determined that the fountain, bench, or birdbath is in keeping with the home and surrounding landscape, the (20) twenty-inch height limit may be waived.
- f) Shepherds hooks over (30) thirty inches tall are prohibited.
- g) Other restrictions may apply.

### **Door and Window Treatments: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a. Doors and windows may have protective film or tinting provided that it is non-reflective. (If reflective film or tinting is installed, the homeowner may be required to remove it at their expense.)
- b. Non-traditional window treatments such as bedsheets, drop cloths, or paper of any sort may be used for a maximum of six weeks from the date the owner moves in. Owners may apply to the BOD for a one-time thirty-day extension. (In the case of rentals, it is the owner's responsibility to assure that they or their

- tenant have traditional window treatments in place.)
- b) Garage windows that face the street must be covered with conventional window treatments. Replacing existing windows without changing the design is permitted. Front-facing windows must have muntins or mullions (grids).
  - c) Changing the window openings or architectural design requires BOD Pre-Approval.
  - d) Adding or removing windows, sliding doors, French doors, or other outside doors requires BOD pre-approval.
  - e) Other restrictions may apply.

### **Driveway Changes: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) Clear sealing of concrete is permitted.
- b) Patterned concrete overlay is permitted but requires pre-approval by the BOD.
- c) Brick, interlocking pavers, and integrated stone finishes are permitted but require pre-approval by the BOD.
- d) Any Material or color change requires BOD approval.
- e) Asphalt, blacktop, stained concrete, and epoxy-bonded aggregate are prohibited.
- f) Other restrictions may apply.

### **Drying Clothing or other items: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) Drying clothing or other items in yard space is Strictly Prohibited.
- b) It may be done on the homeowner's lanai if a privacy screen is used. The privacy screening must be mounted within the cage area and must be an earth tone color or tinted to match the cage's metal.
- c) Pool towels may temporarily hang on the homeowner's lanai, but they should not be visible from the street.
- d) Other restrictions may apply.

### **Flags:**

A Homeowner Option. The Board may allow, but shall not be obligated to allow this modification.

- a) Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the Association, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The homeowner may further display, in a respectful manner, from that flagpole, regardless of any covenants, restrictions, bylaws, rules, or requirements of the Association, one official United States flag, not larger than 41/2 feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Such an additional flag must be equal in size to or smaller than the United States flag.
- b) An additional flag, if commemorating a holiday, must be removed within 48 hours after the holiday.
- c) Brackets may be attached to the house to hold a maximum-sized flag of four by six feet.
- d) The American flag will be flown in accordance with Federal Statutes.
- e) Other restrictions may apply.

### **Fences**

THIS IS NOT A HOMEOWNER OPTION. You MUST submit an ARC request form before putting up a fence, and a blueprint must be provided with the request showing all measurements. Fences may not encroach on any easements. The Board may allow, but shall not be obligated to allow this modification.

- a) The style and placement of fences within WO will be strictly controlled by the ARC. Any wall or fence in WO must be specifically approved by the ARC before it is installed. All walls and fences within WO must be designed and installed in accordance with applicable local codes and restrictions.
- b) The styles, sizes, and color of privacy fences allowed in WO are strictly regulated. Privacy fences may be installed on lots that back up to community streets and on all interior lots. Corner lots, perimeter lots, and lots that open to amenity locations such as ponds or lakes have unique restrictions for fences, materials, and locations.
- c) The standard privacy fences allowed in WO will be a six (6) foot high wood fence of board design or a white

PVC fence of standard design. Detailed drawings of approved fence styles are shown in Exhibit C of our documents. Privacy fences must be installed so that rails and posts are positioned on the inside facing the lots' interior.

- d) **Fences may not extend more than ten (10) feet forward from the house's rear corner.** All wood privacy fences must be painted with Sherwin-Williams Woodscapes Pure White. No other fence colors are allowed.
- e) On corner lots, privacy fences must be set back from the side lot line to allow planting of the mandatory landscape buffer. They must be meet all Manatee County codes.
- f) No fences will be allowed within 20 feet of the rear lot line of any lot that abuts any portion of a lake or pond.
- g) No fences will be allowed within the side easement of homes or the wall or fence surrounding Water Oak.
- h) Fences must not obstruct drainage patterns as shown on the site construction plans.
- i) Any fence installed in WO must be maintained in good condition and repainted as needed.
- j) Perimeter lot owners must maintain the property up to the wall or fence, including the easement.
- k) No vegetation except grass may be planted on the perimeter easements.

### **Fences Continues - Manatee County Land Development Code**

#### Chapter 5 – Accessory and Specific Uses and Structures

##### 511.6. Fences and Walls

###### A. Generally.

1. No fence or wall may be located in a right-of-way or easement. Wood, plastic composition, aluminum, wrought iron or chain-link fences may be permitted to run along and across drainage or utility easements provided the property owner signs a notarized hold harmless agreement with the County agreeing to remove or replace the fence at the owner's expense in the event Manatee County or other appropriate agency finds it necessary to utilize the easements. The hold harmless agreement with the County, on a form supplied by the County, shall indemnify the County or other appropriate agency from any liability caused by and to the fence.

### **Fertilizer: SR**

This is a Homeowner Option with some restrictions. See [Lawn Fertilizer](#) for rules. The Board may allow, but shall not be obligated to allow this modification.

### **Fruit/Citrus Trees: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification. **FRUIT TREES DRAW WILDLIFE AND RODENTS!**

To promote the common benefit and enjoyment of members in the Water Oak Homeowners Association, and to prevent wild animals, rodents, and insects from using fruit as a food source:

1. No fruit-bearing/producing tree or any other tree type may be planted within the Water Oak community without Architectural Review Committee (ARC) permission.
2. Any existing fruit trees previously approved by the ARC are grandfathered in upon the approval of this document. If the tree is determined to be a health hazard by the Board, it must be removed at the Board's sole discretion. All others will be reviewed by the ARC on a case-by-case basis.
3. Any fruit tree not approved by the ARC must be removed at the member's expense within five (5) days of written notification.
  - a) Fruit trees are allowed in a container inside of a screened-in lanai.
  - b) Fruit trees must not be planted anywhere outside the screened-in lanai.
  - c) Any fruit falling to the ground or touching the land must be removed within 24 hours.
  - d) Fruit must be appropriately disposed of and not allowed to rot or be thrown into the lake or down the street stormwater drains (Sewers).
  - e) If rats or other scavengers are drawn to neighboring properties, the tree must be removed, and fruit tree homeowners pay for traps.
  - f) Fruit tree homeowners are responsible for any damage to a neighboring property or common areas.

Other restrictions may apply. (See Tress and Landscaping Resolution)

Members failing to comply will be subject to fines as outlined elsewhere in the declarations, articles, bylaws, provisions, and other documents of Water Oak Homeowners Association of Manatee, Inc.

### **Garage Sales:**

- a) Homeowners may conduct one garage sale or "Yard Sale" per quarter and can request additional garage sales. A fine of \$100.00 will be imposed for each violation of this restriction. The Board may allow, but shall not be

obligated to allow garage sales.

- b) Except for sales sanctioned by WOHA (i.e., garage, moving, yard, for sale by owner), any other type of selling is strictly prohibited. Other restrictions may apply.

### **Garbage, Yard Waste, and Trash Disposal Containers: SR**

This is a Homeowner Option with some restrictions.

- a) Garbage pickup is on Tuesdays and Fridays. If using rigid containers, tight-fitting lids are to be used.
- b) Recycling pickup is on Tuesdays. Recycling bins can be picked up at the Manatee County Public Works Department when you register.
- c) Yard waste is picked up on Wednesdays.
- d) Containers must not be placed out for pick up sooner than twelve hours before the scheduled collection. They must be removed within twelve hours after collection and stored out of sight.
- e) All garbage/trash left behind must be removed by the homeowner.
- f) Other restrictions may apply.

### **Generators: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) Portable gas-powered generators are allowed. But they must be run outside of the house.
- b) Permanent natural gas generators are also permitted and require BOD Pre-Approval before purchasing materials or signing contracts.
- c) A County permit is required for permanent generators.
- d) Generators are to be used for emergency purposes only.
- e) Homeowners may test generators once a quarter. However, if a neighboring homeowner complains about the noise, the BOD will make the final decision.
- f) Other restrictions may apply.

### **Grills: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) Portable grills are allowed and must be used on the rear lanai or on a slab in the house's back yard.
- b) Permanent built-in grills are also allowed on the lanai. A permit must be obtained from Manatee County.
- c) The grill installation must pass an inspection by the County or qualified home inspector. The BOD may require the homeowner to provide proof of inspection passage.
- d) If in view of neighbors, it must be privacy screened.
- e) Other restrictions may apply.

### **Gutters: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) Gutters may be added at any time.
- b) The color must match the approved fascia color or be white.
- c) Downspouts may empty onto the easement but must not extend onto a neighbor's Property in a manner that would cause erosion or compromise their structure in any way.
- d) Other restrictions may apply.

### **Irrigation: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) The homeowner may use portable watering devices to water small lawn areas after planting new sod or seed.
- b) The use of an in-ground sprinkler system is a Mandatory Requirement of the residents of WOHA.
- c) Owners are responsible for providing proper irrigation. However, they must be in compliance with existing Southwest Florida Water Management District and Governmental regulations.
- d) Irrigation of existing lawns and landscaping is governed by the County. It is limited to once a day, two times per week during certain times. See (h) for a schedule.
- e) Irrigation days are by odd or even address.

- f) Irrigation is only allowed before 10 a.m. or after 4 p.m. on approved days.
- g) Watering may not be necessary during the rainy summer months, typically mid-June through mid-September.
- h) Refer to the current watering schedule for your day and time, which may be obtained online at <https://www.mymanatee.org/>.
- i) Other restrictions may apply.

### **Lanai**

The Board may allow, but shall not be obligated to allow this modification.

All new lanais must be approved by the ARC/Board. A blueprint and county permit is required with submission.

### **Landscaping/Lawn Maintenance: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

Owners of all properties are required to maintain their landscape in a manner that is in keeping with WOHA documents' standards. This maintenance requirement includes plantings, mowing of grass, edging, trimming, and fertilizing regularly. Weed control and insecticide applications must be made as needed. (See Fertilizer).

Dead trees, shrubs, and flowers must be removed promptly. Live tree removal requires BOD Pre-Approval.

The size and shape of trees and shrubs must be maintained to not pose a safety hazard by restricting visibility and must not impede pedestrian traffic or impinge upon sidewalks or driveways.

- a) Hedges and bushes may be trimmed or removed at the Homeowners Option.
- b) Changing plants - in the original beds is a Homeowner option.
- c) Modifying the size or shape of existing beds or creating new beds, and using shrubs, trees, or perennial flowers that are not on the approved palette all require BOD Pre-Approval.
- d) Landscape devices, artificial grass, plants, and vegetation are Strictly Prohibited on the exterior portion of any lot. However, the BOD may approve artificial rocks or mulch.
- e) Mulch – Plant beds must have a good layer of mulch at all times. Bare areas are not acceptable.
- f) Rock or stone — White marble chips or white stones are not permitted as mulch. Other stone/rock, such as lava rock, is acceptable.
- g) Mowing - The lakefront property owners are responsible for mowing and maintaining the lake bank down to the waterline.
- h) The perimeter property owners are responsible for mowing and maintaining the lawn up to the wall or fence.
- i) To keep grass clippings and other pollutants from entering the lakes, owners of a lakefront property are strongly encouraged to allow a 14 to a 24-inch-wide barrier of grass to remain uncut along the lakefront. This barrier should be allowed to grow 6 to 8 inches high and may be top-trimmed level for aesthetics.
- j) Street trees - Live Oaks or other trees in the County right-of-way (which extends eleven feet from the curb) must be pruned by the homeowner to provide a minimum clearance height of eight (10) feet above the sidewalk.
- k) Per Manatee County directions, oak trees with a canopy extending over the street must be pruned to provide a fourteen (14) foot clearance above the road to allow the passage of emergency vehicles.
- l) Homeowners may not remove the mandatory street tree. All tree removal/replacement must have BOD Pre-Approval.
- m) St. Augustine “Floritam,” in sod or plug form, or Zoysia “Empire” grass in sod or plug form is the only acceptable turf for Water Oak. The use of rye seed or Bahia grass in any way is Strictly Prohibited.
- n) Lawnmowers and leaf blowers should not be used before 7:00 a.m. on weekdays and 8:00 a.m. on weekends and holidays.
- o) If approved by the BOD, citrus trees/fruit trees are only permitted in the rear yard and are limited to one (1).
- p) Other restrictions may apply.

### **Landscape Edging: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

Two tiers of landscape stone, in natural tone colors, are permitted. The total height may not exceed ten inches (10”). Also, see Decorative [Landscaping Curbing](#).

**Lawn Fertilizing: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) The use of liquid fertilizer on turf areas of lakefront property is Prohibited
- b) 50% of slow-release granular fertilizer is strongly recommended. Homeowners are responsible for fertilizers applied to their turf by professional lawn service companies.
- c) Other restrictions may apply.

**Lawn Furniture: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

Lawn Furniture is permitted in the rear yard or the front entryway only.

This includes chairs, hammocks, and gliders. BOD Pre-Approval is required for anywhere else.

Other restrictions may apply.

**Lighting (Exterior): SR (Also see [Post Lights](#))**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

Additional Lighting may be added to highlight sidewalks and planting beds. Any exterior light that is determined to be a nuisance to neighbors will be considered a violation. The owner will be required to adjust or remove the light. Other restrictions may apply.

**Light posts (Also see [Post Lights](#))**

The ARC will allow white, black, or bronze posts, provided the coach lights on the garage are also of the same color. In no case will two light fixtures, or trident light fixtures (Three light fixtures on one post), be allowed on the light poles. See [Post Lights](#) for further restrictions. The Board may allow, but shall not be obligated to allow this modification.

**Moving PODS, U-Haul's, Etc.: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) Moving PODS, U-Haul's, and Construction Dumpsters - Temporary PODS, U-Haul's, and/or dumpsters may be parked in a driveway for one week to facilitate moving or construction. If extenuating circumstances require a longer-term, the Board will grant permission on a case-by-case basis.
- b) Parking a vehicle of any sort on any dirt or grass areas, whether private Property, curbing, medium, or common area, is Strictly Prohibited.
- c) Pursuant to Florida statutes and Manatee County codes, vehicles of any kind are strictly prohibited from obstructing public walkways. Homeowners should refer to the appropriate law enforcement group.
- d) Other restrictions may apply.

**Outdoor Kitchens: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

An outdoor kitchen may be installed inside a screened-in lanai. However, a permit must be obtained from Manatee County. The kitchen installation must pass an inspection by the County or qualified home inspector. The BOD may require the homeowner to provide proof of inspection passage. Other restrictions may apply.

**Painting (Exterior of Home): SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) Repainting the outside of the home EXACTLY the same color and shade with no trim color changes or anything else is permitted.
- b) If ANYTHING changes to a different color, even if it is a shade lighter or darker, it must be on the paint palette and requires BOD Pre-Approval.
- c) A paint palette sample book is available from the BOD. Sample books may be borrowed for one week with a \$20.00 (cash or check) refundable deposit. If not returned within one week, it will be considered a violation, carrying a fine of up to \$100.00.

- d) A before and after picture is required.
- e) Other restrictions may apply.

**Please Note:** Make sure to review the sample book before purchasing any materials or signing any contracts.

### **Parking: SR**

The Board Of Directors shall determine whether a vehicle is for commercial, private or public service use.

#### Definitions:

Passenger Vehicles For the purposes of this section Passenger Vehicles include cars, station wagons, passenger and minivans, sports utility vehicles, SUV's and pickup trucks, without any lettering, graphics or signage, primarily used for personal, not business or commercial transportation.

Commercial and Public Service Vehicles: For the purposes of this section, Commercial and Public Service shall mean those vehicles not designed and used customarily for personal or family purposes. The presence of lettering, graphics or signage anywhere on the vehicle, ladder racks, and other factors may be considered when the BOD determines whether a vehicle is for commercial, private or public service use.

- a) Visitor's passenger vehicles may be parked on the street overnight, on a limited basis, by obtaining a permit beforehand from the Board President or Vice President. The plate number and make and model are required. No commercial vehicles may be parked in driveways or in the street overnight. *See Moving PODS, U-Haul's for exceptions.*
  - b) RVs, Boats, and Trailers may only be parked overnight in the owner's driveway, the day before and the day after use, by obtaining a permit beforehand from the Board President or Vice President.
  - c) Overnight Street Parking is NOT a Homeowner Option. Parking any vehicle on the street overnight is Strictly Prohibited. A violation occurs if the same vehicle is observed parked in the street at 11:00 p.m. and the following morning anytime between 5:00 and 7:00 a.m.
1. Except as noted in "b" above, the following vehicles may ONLY be parked in an enclosed garage overnight:
- Commercial and public service vehicles (except for police passenger vehicles)
  - Riding mowers
  - Canoes, kayaks, and boats of all descriptions
  - Campers, mobile homes, motor homes
  - Recreational cars and ATV's
  - Horse vans
  - Motorcycles, motorbikes
  - Trailers of any description.
- d) Any vehicles that are not validly licensed or are not in operable condition and similar conveyances are also restricted.
  - e) Other restrictions may apply.

### **Pavers SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) Pavers are permitted within the screened-in portion of the rear lanai without BOD permission.
- b) Anywhere else requires BOD pre-approval. Also, see Driveways.
- c) Other restrictions may apply.

### **Pets: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

Pets are allowed with certain restrictions (See our documents for all details).

- a) Dogs may be confined in a fenced rear yard while the owner is at home, as long as dogs do not become a nuisance to the neighbors.
- b) Leash rule - Under Manatee County code and WOHA regulations, cats and dogs must be on a leash. They must be controlled by an adult or mature teenager who can handle the dog or cat when being walked.
- c) Keeping more than two pets (cats and/or dogs) per household is Strictly Prohibited.
- d) Fish and household birds may be kept, provided that they are indoors and do not become a nuisance to neighbors.
- e) Pet excretions - Under the Manatee County code and WOHA regulations, owners are responsible for the

- immediate cleanup of pet excretions if they should occur.
- f) Doghouses or cages are Strictly Prohibited outside of the screened lanai.
  - g) Keeping pets outdoors overnight is Strictly Prohibited.
  - h) The keeping of livestock, reptiles, wildlife, or poultry for any purpose is Strictly Prohibited.
  - i) Potbellied pigs are Prohibited as domestic pets.
  - j) Other restrictions may apply.

### **Play Equipment: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) Play equipment must be contained within the standard side or rear yard setbacks on any lot in Water Oak and must not be visible from the front.
- b) Corner lots must seek BOD approval before installing any play equipment.
- c) Other restrictions may apply.

### **Pools and Pool Equipment SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) All new pools must be approved by the ARC/Board. A permit is required, and a blueprint must be submitted with the request. The pool must be flush with the lanai. No walls or backdrops are allowed.
- b) Pool and lanai must be surrounded by a screened enclosure that meets or exceeds county safety codes.
- c) Pool repairs and resurfacing are allowed as needed.
- d) Pool equipment repair, replacement, or changeover to saltwater are allowed.
- e) No above ground pools are allowed.
- f) Standalone hot tubs are allowed on the rear lanai but must be screened from neighbors. (see Privacy Screening).
- g) Other restrictions may apply.

### **Porch (front existing):**

Some homes in Water Oak were built with a front porch. For those homes, this is a Homeowner Option. The Board may allow, but shall not be obligated to allow this modification.

- a) May contain furniture designed for outdoor use.
- b) Flowerpots intended for outdoor use are also permitted with some restrictions on color and size. (See Decorative Items)
- c) Other restrictions may apply.

### **Post Lights: SR (Also see [Lighting](#))**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) Yard Post Lamps are required and may not be removed. They shall be lit dusk to dawn and be controlled by an electronic photosensor. There are not many street lights on our streets, and the post lamps help with safety and security.
- b) The color must be either black, white, or bronze.
- c) Homeowners must match the post lamp head with the coach lamps.
- d) Blinking or colored bulbs are not permitted.
- e) If yard lamps have multiple sockets, all must have operational light bulbs installed.
- f) If a bulb goes out, it MUST be replaced immediately.

### **Privacy Screens: SR**

A Homeowner Option with restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) The privacy screening must be mounted within the caged lanai area and must be an earth tone color or tinted to match the cage's metal. Other restrictions may apply.

### **Rentals: SR**

This is a Homeowner option after two (2) years of the closing date. The Board may allow rentals but shall not be obligated to allow rentals.

Several particular requirements must be met PRIOR to leasing your property. They relate to leasing agreements, owner

deposits, escrow accounts, landscape, and irrigation, etc. A fine of \$100.00 will be imposed for leases submitted after the commencement date. Review WOHA documents before entering into any agreements. Other restrictions may apply.

### **Roofs SR**

A Homeowner Option with restrictions. The Board may allow, but shall not be obligated to allow this modification.

Roof Leaks - If there is a leak, no ARC request is needed to repair the leak.

- a) The Roof color should be an integral part of the exterior coloring of the residence.
- b) Roof Replacement – If the same or similar color, no ARC request is needed.
- c) Changes - If anything else besides roof shingles is being added or removed from the roof, i.e., satellite dishes, etc. or is changing, a pre-approval ARC request is needed
- d) Shingle Requirements - Heavyweight dimensional 25-year shingles are a minimum requirement for all roofs.
- e) Barrel tile and tin roofs are not permitted. (Roof rafters were not engineered to support Barrel tile.)
- f) Solar Panels or solar pool heaters are allowed to be mounted on roofs only.
- g) Other restrictions may apply.

### **Satellite Dishes SR** – See [Antennas](#)

### **Screened Enclosures Lanais, Pool decks Etc. Size limits**

- a) The Board may allow, but shall not be obligated to allow this modification.
- b) A permit issued by the County and a blueprint showing the location, boundary lines, easements, and size and scale must be provided. The enclosure size color and roof type must also be provided with the ARC request.
- c) Screen enclosures must be bronze or a white aluminum frame with Charcoal screening.
- d) Screen enclosures, lanais, pool decks, etc., cannot extend beyond the house structure's rear corners into the side yard area, or within 20 feet of the rear lot line, measured to the lake or pond, of any lot that abuts any portion of a lake or pond.
- e) Screen enclosures cannot extend forward beyond the rear corners of the house structure.
- f) No metal-pan roofs are allowed. Insulated metal panel roofs may be allowed, at the Board's discretion, provided the roof finish matches the existing house finish both in material and color, i.e., shingle or tile. PLEASE NOTE: From past experience, even if the Board approves the roof, the County will not issue a permit.
- g) Kick plates (solid panels) are allowed at screen enclosures, provided they do not exceed 14" maximum height.
- h) Other than at the screen door, if kick plates (solid panels) are used, they must be landscape buffered with hedge type planting. The plantings must be at 24" to 32" on-center spacing at all kick plate locations other than doors.
- i) The bearing height for screen enclosure walls cannot be higher than the house structure's one-story bearing height.
- j) For two-story houses, the one-story bearing height is the bearing height of the second-floor floor joists. The screen roof structure can be a "hip," "gable," or "mansard" configuration.
- k) Arch, dome, flat, and shed configurations are not acceptable.

### **Screen Enclosure Variance**

At the Boards discretion, a variance may be given to allow an enclosure to be taller than one-story. To receive a variance, the builder or homeowner will be required to obtain a signed "letter of acknowledgment." They must be from currently occupied residences at either side of the subject property and any other residence that the Architectural Review Committee or Board may deem necessary.

### **Signs, For Sale, and For Sale by Owner Signs, etc.: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) For Sale Signs: no wider than three (3) feet nor higher than three (3) feet, may be displayed on a Lot by the owner or the agent for the owner thereof. A "For Sale" sign, as furnished by a real estate agent, is permissible without BOD review. However, a "For Sale by Owner" sign shall be of the style, size, color, configuration, and manner specified by the BOD. Multiple signs are not permitted on any lot.
- b) Open House Signs: Open House signs not larger than four (4) square feet and no wider than two (2) feet or higher than two (2) feet may be displayed on a lot by the owner or the agent for the owner thereof. Open house signs may be placed on common areas of the community to direct traffic to the open house no

sooner than one (1) hour before the open house and must be removed no later than five (5) PM of the same day.

- c) Political signs: Political signage may be erected upon a Lot by the owner of such lot advocating the election of one or more political candidates or the sponsorship of a political party, issue, or proposal, provided that such sign shall not be erected more than ninety (90) days in advance of the election to which they pertain and are removed within fifteen (15) days after the election.
- d) Contractor Signs: When work is being performed at a Lot by a professional contractor, the contractor may position one (1) temporary sign on the lot advertising their company and services. The sign must be in accordance with the rules stated above and may be displayed on the lot only while the work is being performed.
- e) Temporary Exceptions: Temporary exceptions may be granted subject to the BOD's approval.
- f) Other restrictions may apply.

### **Sheds (Storage): SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a. On a screened lanai, they are a Homeowner Option. However, they may not be visible to a neighbor or public view. If privacy screening is used, it must be installed inside the cage area and tinted to match the cage's metal.
- b. Storage sheds not in a screened cage are not allowed, and if they are existing, they must be removed.
- e) Other restrictions may apply.

### **Shutters - Hurricane and Decorative: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

- a) Bahama Shutters are not allowed.
- b) Decorative (non-functioning) shutters are allowed but must be painted a color approved in our color palate.
- c) Hurricane shutters or hurricane screens are permitted. Hurricane protection within the lanai is a Homeowner Option. Permanently installed hardware for hurricane shutters must be painted to match the attachment site.
- d) Hurricane shutters visible from the street may remain in place from the time the storm watch is issued until seven (7) calendar days after the same storm watch is lifted.
- e) Other restrictions may apply.

### **Swings**

The Board may allow, but shall not be obligated to allow this modification.

- a) Allowable playground equipment must be the standard height of a swing set, and it must be behind a fenced area. The neighboring homeowner(s) will also be asked for input. They have the right to peaceful enjoyment of their property.
- b) Homes where the back yard is on a lake/pond, cannot place any playground equipment in their back yard.
- c) Temporary (not more than two days) or rented playground equipment will be approved or denied on a request basis.
- d) Playground swings are allowed in the rear of the property, as long as they can't be seen from the road.
- e) Tree swings, hanging benches, or rounds are allowed to be attached to a tree's overhanging branch on the owner's property. Still, they cannot be an eyesore or safety hazard.
- f) The owner is responsible for any damage or injury caused by any play equipment.

### **Tents: SR**

This is a Homeowner Option with some restrictions. The Board may allow, but shall not be obligated to allow this modification.

Tents for celebrations or for children's overnight activities may stay up for a (24) twenty-four-hour period. **Note:** Manatee County requires a permit for any tent larger than (10) ten ft by (10) ten ft.

Other restrictions may apply.

### **Tree's and Tree Trimming**

