

**NEW: Restrictions for any plants, trees, improvements, or construction within the 5-foot landscape buffer area along Gatlin Wall. Effective 10/27/24**

There is a 5-foot “landscape buffer” along wall along Gatlin Ave. This has been in the Covenants and Restrictions since Windward Estates HOA was established in 1987. The HOA is responsible for maintaining the landscape buffer.

Trees/ plants planted within the landscape buffer caused significant damage to the wall in 2024, resulting in the removal of 13 trees along wall at HOA expense (\$7,500). The wall is now stabilized; no future repair is anticipated at this time. Repair to a masonry wall is very expensive.

Which homes are impacted by this Amendment? 11 homes are impacted by the “landscape buffer” as described above : Wheelhouse Court 4503, 4509, 4515, 4521, 4527, 4533 and 4359 and Yachtmans Court 4479, 4485, 4491, and 4497.

- Any plants, trees, improvements, or construction within the 5-foot landscape buffer area must be reviewed and approved in advance by the ARB and Board.
  - Approval to plant or construct within the 5-foot buffer area, if granted, will be contingent upon the Owners’ acceptance of responsibility for future damage to wall caused by plants, trees, or other improvements.
- Any tree planted within 15 feet of wall must also be approved by the ARB and the Board. The purpose of this approval is to ensure that the root structure will not negatively impact the Wall.
  - The ARB and Board may require, depending on the type of tree to be planted, that the Owner submit a statement from a licensed arborist that the tree roots in the chosen location will not negatively impact the Wall in the future.

Existing plants and/or structures in the landscape buffer as of 10/27/24 are not included, i.e. grandfathered in.