

DEVONSHIRE TREE POLICY

1/20/2024

For some time, Devonshire Neighborhood Association has followed a program of care of trees in its community. There are several factors that make up the practices that are to be followed by both the Association and by individual residents.

The Association is aligned and follows the Architectural Guidelines adopted by the Kings Ridge Master Association. As a part of Kings Ridge, Devonshire may implement policy guidelines that are more restrictive than those of the Master Association. *Please see Kings Ridge Architectural Guideline # 4.10 (Canopy Trees) for information as to the governing guideline Devonshire residents must follow regarding removal and planting of canopy trees.*

Residents are responsible for those trees that are within their property lines. Failure to maintain these trees may result in damage to the home-site as well as neighboring properties. The Association is not responsible for maintenance and/or replacement of these trees.

As a “value added service” to homeowners, Devonshire HOA has historically provided basic preventative maintenance (canopy pruning) to existing trees that “front” a resident’s property. These trees can be identified as those that are located within 12 feet from the edge of the roadway. This may also include trees which may be present on side boundaries of a resident’s property (typically larger corner lots) that are located within 12 feet from the edge of the road. The cost of maintenance for trees beyond 12’ from the edge on either side the road are the sole responsibility of the homeowner.

“Preventative Maintenance” is defined as providing canopy pruning service (on an “as needed basis” and as the Devonshire HOA annual budget dollars allow) in order to mitigate risk of damage during strong windstorms and hurricanes. Cosmetic trimming of a front canopy tree that may be desired by the resident such as to remove tree branch “shooters” and / or “suckers” are not “in scope”. These visible outgrowths may be removed at any time by the resident at their cost. The Association will continue the practice of providing this preventative maintenance as a service to residents on an “as needed” basis. The trees chosen for canopy pruning are determined and prioritized (on an annual basis) by a certified arborist and approved by the Association.

A homeowner may request to remove a front canopy tree that is located within the aforementioned 12’ boundary. To do this, the homeowner must first submit their request in writing (*via the standard ACC Approval documents required to remove an existing front canopy tree*) to the Devonshire HOA for review and approval (*prior to submitting the application to the ACC for approval*) to confirm the resident has committed (*in writing*) to replace the front canopy being removed with an approved type and size of canopy tree per the Kings Ridge ACC Guideline 4.10 (*even if the city permit states “no replacement is required”*). The size and type of approved replacement canopy trees are governed by ACC Guideline 4.10. **All costs associated with removing the canopy tree, replacing it with an approved type and size, along with required site reclamation (such as sod and mulch to blend with the surrounding landscape) are the sole responsibility of the homeowner.**

IMPORTANT: The Devonshire Association is not responsible or liable for any damage to an adjacent residential property suspected to be “front canopy” tree related: *The general principal of applicable Florida law provides that the landowner (in the case of front canopy trees owned by the community association) is not responsible for damage caused by natural vegetation, including roots, which may or have intruded upon an adjacent neighbor’s land.*

Adopted by the Devonshire Board of Directors: 2/20/2024

President: Todd Denny