

Retreat Zero Lot Line Explained:

Revised 9/11

The Zero Lot Line (ZLL) exists and affects all owners of Oakmonts and Carlyles. Capri III's do not have one. It is the 3'1" strip of land that adjoins the blind side or blocking wall side of the homes. It begins, facing the home from the street, at the front corner of the garage and runs 3'1" wide to the rear property line not just to the end of the blocking wall.

The owner that faces a zero lot line wall is responsible for the plants along his neighbor's wall as he looks at them. Neither the homeowner that technically owns that 3'1" land strip, nor the neighbor that faces it, have exclusive easement rights in that zone, so it may only be used for:

1. Access by the owner for maintenance to his wall and roof overhang;
2. The irrigation system (maintained by the Association);
3. Any and all plantings in the zero lot line zone. (The facing neighbors responsibility)

The original building permits and easements allowed for other items and services to be placed in this 3'1" zero lot line zone. They are water, electric, cable and phone services; in some cases sewer pipes and in some areas the cement slab required outside the garage "man door".

An Oakmont or Carlyle owner or the neighbor that faces his neighbor's zero lot line wall is **not** allowed to place any other items in this zone.

- a. Satellite dishes may not be attached to this wall or exist in this zone.
- b. Water softeners/conditioners may not be placed in this zone.
- c. Approved fences may not cross into this 3'1" wide zone unless it has approved removable sections that don't attach to the wall.
- d. No other items, services, etc may exist in this zone.

Note: If a facing neighbor must replace plantings in the ZLL the following applies:

- a. If changing plants from DiVosta originals, ACC approval is needed.
- b. New plants need to be on approved plant list.
- c. Any plants, DiVosta originals or replacements must be maintained at about waist high level as the owner must have access for maintenance, hurricane shutters, etc.
- d. When the facing neighbor replaces plantings in the ZLL with different than original DiVosta types, he is expected to get signed approval from the ZLL owner that he agrees with the planting types and the maintenance of the new plantings to waist high levels.
- e. If the ZLL owner wishes to share in the cost of new plantings, that would be ideal, as the plants reflect upon his house. However, it is the facing neighbor that is charged with the mandated replacement of all dead plants in the ZLL and this cost falls to them if sharing the expense does not occur. The HOA then maintains the plants in the ZLL area.

Why is this important and why is the Retreat Board of Directors and the Architectural Control Committee (ACC) concerned with the enforcement of these rules.

1. We are charged with maintaining the Community-Wide Standard and maintaining property values for all.
2. Satellite Dishes - When placed on this wall by an owner, the neighbor and those passing on the street are affected by its view.
3. Water conditioners/softeners – Again, the neighbor may have to look at the tanks, half buried or not. Also, the salt and contaminated discharge from these units is often run through a hose in to the planting beds along the zero lot line. Thus the units discharge may be adding excess moisture and chemicals that adversely affect the zero lot line plantings which belong to the neighbor who would have to bare the cost of replacing them.
4. Fences – As of February, 2008, approved fences will not be allowed to cross into the zero lot line zone. Approved fences prior to that date that have already received ACC approval will be grandfathered until they are removed or changed, at which time they will need to comply with the new standards. NOTE: Dense plantings that are allowed in this zone may be used to complete the fence extension across the zero lot line width to the wall, or removable fence sections slid into pipe segments buried in the ground may be used to extend the fence to the wall but not attached to it.