

**Lake Jovita HOA**  
**Application for Tree Removal**

Date \_\_\_\_\_

Day Phone \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Common Name of Tree: \_\_\_\_\_

Please describe your project and reason for removal:

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Type of replacement tree(s) requested: \_\_\_\_\_

The following trees are acceptable replacements (Subject to HOA approval. Height/diameter and quantity to be determined based on Covenants and HOA policy regarding tree removal)

Ash, Marshall's Green	Elm, Winged	Magnolia	Sabal Palm, Cabbage Palm
Blackgum	Hawthorn	Maple	Southern Red Cedar
Cypress	Hickory	Oak	Sweet Gum
Date Palm	Holly	Redbud	Tulip Tree
Elm, Drake	Long-leaf Pine	River Birch	Washington Palm

The following trees are not controlled by the HOA.

Bottlebrush	Fringe Tree	Sweet Osmanthus
Crape myrtle	Hornbeam	Walter Viburnum, Black Haw
Dogwood	Plum	Wax myrtle

Comments: \_\_\_\_\_

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***\*ALL PROPERTIES MUST ADHERE TO THE COVENANTS AND POLICY  
PERTAINING TO TREE REMOVAL\****

***Please allow 30 days for a response to your request.***

The HOA Board has reviewed your request as stated above (approved)\_\_\_\_ (disapproved)\_\_\_\_  
your request.

Date \_\_\_\_\_ Board Member \_\_\_\_\_

Date \_\_\_\_\_ Homeowner \_\_\_\_\_

## Obtaining Approval to Remove a Tree In Lake Jovita

All trees within Lake Jovita are within this policy regardless of species except for those small ornamental trees separately identified in the application as not controlled by the HOA.

**Intent:** Maintaining a large number of mature trees within LJ is important to the community overall, not just to the individual homeowners in each case. Trees are an important part of the beautiful natural habitat we all enjoy.

**Process:** Any homeowner who wishes to remove a tree must obtain prior written approval from the HOA. Failure to comply with this requirement may result in daily fines imposed by the HOA until a resolution is reached. In application decisions where the homeowner disagrees with the HOA's conclusion on removal, the HOA has retained an arborist who will provide an additional opinion to the HOA at the homeowner's expense if the homeowner so desires. However, the final decision rests with the HOA.

### **Criteria which may allow for tree approval:**

1. **Safety** - Whether the tree poses a clear and immediate hazard which cannot be significantly moderated through trimming or other means.
2. **Species** - Whether the tree is considered an invasive or undesirable species and the HOA agrees that it warrants removal.
3. **Tree Condition** - Whether a tree is dead or mostly dead, irreversibly diseased or insect ridden, weakened by age, storm, fire, or other natural causes, or extremely misshapen and it is beyond saving.
4. **Tree Location** - Tree location is generally not a valid reason for removal but may be considered by the HOA in the following cases:
  - a. **Proximity to structures** - whether a tree is significantly detrimental to an existing or proposed structure and such damage cannot be significantly mitigated through trimming or other techniques.
  - b. **Thinning**- whether the tree is clearly planted too close to other trees and impinges or will impinge significantly on the growth of other trees.
  - c. **Utilities** - whether the tree poses a significant risk in the judgement of the HOA of interference with utility service.
  - d. **Nuisance** - In rare instances, the HOA may approve removals where the tree is dropping branches or overhanging the homeowner's or neighbors' house or similar issues where the issues cannot be resolved by trimming or other means.
  - e. **Other** - the HOA will consider requests for tree removal in some cases where the tree was simply planted in the wrong location – too close to a house, blocking the view, etc. However, such removals will typically be denied and if approved, will require significant tree replacement in other locations. It is unlikely that large mature oaks and other species will be approved for removal on this basis.

### **Factors which would discourage tree removal approval:**

1. The HOA will consider whether in its judgement the removal of a tree will significantly alter the appearance of the homeowner's yard or neighborhood. The HOA will not likely approve removal of significant trees in front yards or highly visible neighborhood locations unless the case for removal is very compelling.
2. The HOA will not likely approve removal of very large (12"+ diameter trees) unless there is a very compelling case with no alternative solutions.

### **Requirements for replacement tree(s):**

The HOA may require homeowners to plant a qualified replacement tree or trees on their lot or, if no replacement on the homeowners' lot is deemed desirable by the homeowner and the HOA, to pay for an equivalent replacement tree to be planted by the HOA on common grounds. Replacement trees will typically be required as follows:

1. For a tree removed that is less than 4" in diameter at a point 24" above the ground, no replacement tree is generally required except where there are aesthetic reasons for replacement in the opinion of the HOA.
2. For a tree removed that is 4" or more in diameter but less than 12", one qualified replacement tree (as defined by the HOA) of at least 4" diameter will be required by the HOA.
3. For a tree removed that is 12" or more in diameter but less than 34", at least two qualified replacement trees of at least 4" will be required.
4. An inch for inch replacement of trees will not be required except in the case of Grandfather Oaks as defined below. The HOA will typically require 3 or more replacement trees for removal of trees of 34" or more.
5. Grandfather Oaks are defined as 34" or more in diameter at 4.5 feet above grade. They should never be removed unless every effort has been made to save them. They typically will require several replacement trees.
6. The HOA will consider the number of trees existing on the lot and may not require replacement trees in all cases – particularly when there are already many trees on the lot – such as 2-3X the county minimum.