

Decorative Fencing and Cover Details

Name: _____
Address: _____
Lot #: _____ Phone number _____

Requirements: 5.05 Fencing and 5.05.6 Decorative Fencing:

Following information must be included:

- **Purpose letter** - Describing project and materials
- Plot map, **including placement with measurements and distance to property lines.**
- Replacement of existing Fence? Y / N
- Split rail is the preferred decorative fence, Natural in color.
- Drawing details including materials
- **Minimum** distance to side property line is 12"
- **Minimum** distance to front property line is 10 feet.
- **Minimum** distance to rear property line is 10 feet.
- Split rail fencing shall not exceed two feet in height measured from the ground to the uppermost part of the rail, nor shall the supporting posts exceed 30 inches in height.
- Post Material? _____ (T-Post, 4x4, lodge pole, etc.)
- Spacing of Posts? _____ (6', 8', etc.)
- Will Fence be framed? Top _____, bottom _____
- Number of gates? _____, Size? _____
- Fence material? _____ (welded wire, wood, steel framed, etc.)
- Color of Fence? _____, if wood will it be painted or natural _____

_____ Right of Entry to review project location, and agree to allow EC and ECC to view site with prior notice (if necessary).

I/we have read and initialed the above and agree to abide by **ALL** requirements as stated.

_____ Date _____ _____ Date _____

OFFICE USE ONLY --Variance required : Yes _____ No _____ Variance form completed? Yes _____ No _____

Meets setbacks: Yes _____ No _____

Meets guidelines: Yes _____ No _____

Overview

The following items are required when submitting plans to the ECC. Failure to supply required information will delay the approval process. All plans must be submitted by the lot owner or have written authorization from the owner. **Please review and initial the Environmental Standards for detailed requirements for this specific project prior to submitting plans.**

5.05 Fencing (Environmental Standards)

In order to preserve the natural quality and aesthetic appearance within Lake of the Pines, all property lines shall be kept free and open one to another. No fences (as defined in Article V, section 1(b)), shall be permitted within any lot or along (or adjacent to) any lot line, except where in the opinion of the ECC, a fence or other enclosure: (a) is consistent with the external design and aesthetic features of other improvements on the lot, and (b) the fence will either benefit neighboring lots by screening uses or activities that may cause visual blight or by confining pets (such as a dog run) or provide for the safety of individuals (such as pool enclosure). In reviewing fence improvement proposals the ECC shall consider the general policy of this declaration to keep property lines open and the possible adverse impacts resulting to neighboring lots.

All fencing must receive ECC approval. This includes vines, shrubs, and trees when they are placed close enough together that they form a visual barrier. When appropriate, natural vegetation is encouraged in place of other fencing materials.

- (a) Fence plans submitted to the ECC for approval must include a plot plan denoting the property dimensions. The plan shall indicate the footprint size of all structures and the position of the fencing in regards to those structures and property lines. The plans must also show the type of fence materials, length, height, and color. Fencing must meet the individual requirements for its type as listed below and in any case may not be closer than twelve (12) inches from any side property line, ten (10) feet from any front or rear property line, and fifteen (15) feet from any common area such as golf course, park, street, etc. Maximum height for any fence is six (6) feet unless County regulations specifically require a different height. All fencing is to have minimal visual impact and therefore must blend in with the surroundings. Chicken wire, and lattice (except as used for privacy screening) are not appropriate fencing materials. When lattice is used as privacy screening it must be framed with top and bottom rails. All fencing must be constructed and maintained in a workmanlike manner.
- (b) ***All fencing is considered temporary*** and removal may be required at the owner's expense upon change of use, sale of property, deterioration of appearance, or the need for easement access. New owners may re-apply to the ECC for continued use of temporary fence.

_____ **Please initial you have read and understand above information.**

5.05.6 Decorative Fencing

The ECC considers decorative fencing to be a landscape feature. Therefore all plans for decorative fencing must receive ECC approval and meet the following standards. A split rail fence is the preferred decorative fence.

- (a) Decorative fencing shall not exceed two feet in height measured from the ground to the uppermost part of the top rail, nor shall the supporting posts exceed thirty (30) inches in height. There shall be no more than two rails and the design shall be such that the fence will be non-obtrusive. Natural wood colors are recommended.
- (b) No fees will be assessed for plan review of this type of fence even though ECC approval is required.

_____ **Please initial you have read and understand the above requirements.**

CC&R's Article V Section 1b & Article VI Section 20

(b)Definition of "Improvement", The term "Improvement" as used herein includes, without limitation, the construction, installation, alteration or remodeling of any buildings, walls, decks, fences, swimming pools, landscape structures, solar heating equipment, spas, antennas, television satellite reception dishes, docks, piers, utility lines or any other structure of any kind. With the exception of any proposed Improvement projects involving garage modifications, in no event shall the term "improvement" be interpreted to include Improvement projects which are restricted to the interior of any building structure. Whenever reference is made in the Declaration or in the Environmental Standards to a "fence", the term shall mean and include any hedge, structure or partition of any kind erected for the purpose of enclosing a Lot or parcel, or to divide a Lot or parcel into distinct areas or enclosures, or to separate two contiguous Lots or parcels, regardless of whether the fence is comprised of wood, wire, iron, living plant materials or trees or other materials that are intended to prevent intrusion from without, straying from within or to create a visual barrier or screen.

Section 20. Fences, in order to preserve the natural quality and aesthetic appearance of the existing geographic areas within Lake of the Pines, all property lines shall be kept free and open one to another. No fences (as defined in Article V, section 1(b)) shall be permitted within an Lot or along (or adjacent to) any Lot line, except where, in the opinion of Environmental Control Committee, a fence or other enclosure (a) is consistent with the external design and aesthetic features of other improvements on the Lot and (b) the fence will either benefit neighboring Lots by screening uses or activities that may cause visual blight or by confining pets (such as a dog run) or provide for the safety of individuals (such as a pool enclosure). In reviewing fence Improvement proposals the Environmental Control Committee shall consider the general policy of this Declaration to keep property lines open and the possible adverse impacts resulting to neighboring Lots.

_____ **Please initial you have read and understand the above information.**

CC&Rs Article V **Architectural and Environmental Control:**

Section 15. Limitation on Liability. Neither the Association, nor the Board or the Environmental Control Committee or any member thereof, shall be liable to any Owner for any damage, loss or prejudice suffered or claimed on account of any mistakes in judgment, negligence or nonfeasance arising out of (a) the approval or disapproval of any plans, drawings and specifications, whether or not defective; (b) the construction or performance of any work, whether or not pursuant to approved plans, drawings or specifications; (c) the development of any Lot within Lake of the Pines; or (d) the execution and filing of a Notice of Noncompliance pursuant to section 13, above, or a Compliance Certificate pursuant to section 14, above, whether or not the facts therein.