

BALLANTRAE HOMEOWNERS' ASSOCIATION
FENCING GUIDELINES

No fence of any kind shall be installed or maintained on any Lot without **prior written approval** of the Design Review Board (DRB).

In general, fences are not encouraged within the community except where they are integrated with the design of the dwelling and enhance the overall character of the community. Hedges and /or clusters of trees, berms, shrubs and other landscape alternatives are preferred. Complete enclosure of rear yards by fencing is also discouraged as the feeling of open space and the unity of surrounding area is an important part of reinforcing the natural character of the community. Where a proposed fence is deemed by the DRB to be unnecessary or unsightly and detracting from the character of the community, a landscape screen in lieu of a fence may be required.

The addition of a fence to a Lot or dwelling may be approved to help provide privacy. In these requests, the DRB will consider the design, location and specifications to ensure that all elements are consistent with the architectural styling and visual aesthetics of the community. The goal of the DRB is a consistency in the quality of the design, the materials and the placement of any fence. Therefore, it will establish the materials, height and appearance of each type of fence according to its location, purpose durability and the desired visual effect.

Except as installed by the Declarant, the location, type and design of all proposed fences shall be approved by the DRB **prior to installation**. No woven-wire (field fence), barbed wire or electrical strands shall be used as a fence or part of a fence. All approved fences shall be of a complementary material, design and color to the dwelling.

The DRB's approval of any fence may be conditioned upon (without limitation) the installation and continued maintenance of hedges, and continuing maintenance provisions to the fence and landscaping in addition to those set forth herein. Should a fence or the required accompanying landscaping not be maintained as stated herein, or as required by the DRB approval, the Association may require the owner of the fence to remove it upon thirty (30) days written notice to do so. Nothing stated in this section shall be interpreted to mean that the DRB is required or obligated to approve a fence for, or installation on, any Lot, or that because a fence has previously been approved on a specific Lot, that it will be approved for installation on any other Lot.

The following are the approved fence types for the community.

Black vinyl clad chain link with shrubs planted on the outside of **all** sides of the fence so that the shrubs are facing all streets and any and all neighboring Lots. Fence shall be installed an adequate distance inside the property line to provide the necessary space for a planting bed. Fence height shall not exceed four (4) feet and the height of the shrubs, when planted, shall be no less than 75% of the height of the fence and 75% opaque. Shrubs shall be well fertilized and irrigated so that maximum growth is achieved and their height shall be maintained at the height of the fence. Any dead shrubs/plants shall be removed and replaced immediately.

PVC: tongue and groove (aka/"solid" or "board to board") or vertical shadow box or picket. Picket shall not exceed four (4) feet in height. Any gates shall be in the same style, materials and color as the fence.

Color for all PVC fence shall be beige (tan) only.

WOOD: stockade, board-on-board, vertical shadow box or picket. Picket shall not exceed four (4) feet in height. Any gates shall be in the same style, materials and color as the fence.

General Guidelines for fencing are as follows:

I. Privacy Fences: Maximum height of a fence, where permitted, is 6 feet and the minimum height is three (3) feet except as may be installed by the Declarant. These fences are PVC tongue and groove ("solid" or "board to board"), vertical shadow box, wood stockade, wood board-on-board or wood vertical shadow box. These fences are typically installed between houses on side property lines and on rear property lines between houses.

II. View Corridor Fences: Fences on lots with view corridors such as ponds and conservation areas or other view enhanced areas or amenities shall be reduced to a maximum height of 4 feet, for the last twenty (20) feet to the rear property line. The transition in height shall be gradual over a distance of six (6) feet to eight (8) feet and not an abrupt change between the heights. The lower height of 4 feet, maximum, shall also be maintained across the total distance of the rear property line. These fences are PVC tongue and groove ("solid" or "board to board"), wood stockade, wood board-on-board, wood vertical shadow box, wood picket, vinyl clad chain link with shrubs or aluminum picket. Aluminum picket shall not exceed four (4) feet in height and shall be in bronze or black color. No reduction in height is required for the black vinyl clad chain link fence with planted shrubs or the aluminum picket.

III. Generally, a fence will not be approved if it is located closer than 10 feet from the front corners of the house on regularly shaped lots.

IV. The finished side of the fence must face the neighboring properties.

V. Any fence shall be constructed so that it will connect to and with any existing fences on any neighboring Lot(s).

VI. If a fence abuts a community fence or wall then its height shall not exceed that of the community fence or wall.

VII. Wood fences shall not be stained or painted unless approved, in writing, prior to the staining or painting, by the DRB.

VIII. All fences shall be maintained by the Lot owner (not the Association or the C.D.D.) and kept in good order and repair, clean and in like-new condition.

IX. Fence styles must be consistent with the pre-approved styles, types and colors.

X. All fences shall be built to and conform to all manufactures' specifications.

XI. The Declarant reserves the right to erect fences and walls outside the scope of these guidelines.

XII. Homeowner shall be responsible for making certain that any required and necessary governmental permits are obtained.

XIII. Homeowner shall be responsible for making certain that the location of the fence does not encroach onto any other Lot, Common Area, Association or CDD owned property or easements **and does not block, obstruct or otherwise impede the designed drainage flow on his or any adjoining Lots.**

XIV. Notwithstanding any other governmental regulations, any side fencing on a typical or regularly shaped **corner lot** shall be **located no more than five (5) feet from the wall of the house on that side next to the side street.** Fence set backs on irregularly shaped corner lots will be reviewed on a case by case basis.

The Board of Directors may, from time to time, revise, amend, alter or otherwise change these Fencing Guidelines per the authority given it in the Association's governing documents.

10-24-05

**CASTLEWAY AT BALLANTRAE
ADDITIONAL FENCING GUIDELINES FOR SPECIFIC LOTS**

BLOCK 4, Lots #19 through #44.

All rear property line fences shall be installed within six (6) inches of the rear property line so that the Lot Owner will have full access to the fifteen (15) foot wall, landscape and grading easement (WL&GE) that lies at the rear of the Lot. The Lot Owner is solely responsible for mowing and maintenance of that portion of his/her Lot. Rear property line fences installed at any other location will not be approved.

BLOCK 4, Lots #44 through #58.

All rear property line fences shall be six (6) feet high wood, board on board, or tan (beige) PVC tongue and groove with flat top posts (no finials on wood or PVC) and installed as close to the rear property line as possible. Any newly installed fence shall be constructed so that it will connect to and with any existing fence(s) on any neighboring Lot(s). However, the landscaping of bushes, shrubs and trees located at the rear property line of each Lot will be on the outside (north side) of the fence. Any and all fences on this line shall be of these materials and design. Fences installed on side property lines can be of different materials as described in the Ballantrae Fencing Guidelines. The Lot Owner is solely responsible for mowing and maintaining that portion of his/her Lot that lies within the fifteen (15) foot wall, landscape and grading easement (WL&GE) located at the rear of the Lot.

Except as stated above, all other requirements of the Ballantrae Fencing Guidelines shall apply to the above listed Lots.