

**WEST MEADOWS HOMEOWNERS ASSOCIATION, INC.
FENCE AND HEDGE GUIDELINES**

Pursuant to the Declaration of Covenants, Conditions, Restrictions and Easements for West Meadows, Article VII, §A, gives the Association the right to exercise architectural control, through the Architectural Control Committee (ACC), over all improvements constructed, erected, or placed upon any part of the Property, to assist in making the Property a community of high standards and aesthetic beauty. Article VII of the Declaration indicates that architectural control may include all architectural aspects of any such improvement including, without limitation, size, height, site planning, setbacks, exterior design, materials, colors, open space, landscaping, waterscaping and aesthetic criteria.

Fla.Stat. §720.3035 requires the Association to establish published guidelines and standards authorized by the Declaration of Covenants. Fla.Stat. §720.3035(2) indicates that the Association has the right to published guidelines and standards and the Association has the right to restrict the right of a parcel owner to select from the options provided in the published guidelines of the Association. In order to ensure that the Association has established standards for fences and hedges in West Meadows, the Board of Directors of the Association adopts the following Fence and Hedge Guidelines. Both the Board of Directors and the ACC, at the discretion of the Board of Directors, will enforce these Fence and Hedge Guidelines. The Board of Directors will settle any inconsistencies and conflicts in these Guidelines that are brought to the attention of the Board of Directors by the ACC.

It is noted that any row of closely planted shrubs, bushes or low-growing trees which would have the immediate or intended effect of forming a fence or boundary are to be governed by these Guidelines and, as such, must adhere to all requirements of these Guidelines, including location and height restrictions.

APPLICATION REQUIREMENTS:

Article VII of the Declaration of Covenants requires that in order to obtain approval for a fence or hedge, a survey or such plot plan showing the owner's property and adjoining properties with all permanent structures (including existing fences and hedges) must be submitted. The survey must show the location of proposed fences or hedges, fence or hedge heights, all transition points of fences, gate locations, distances from property lines, existing or proposed grades, all easements, drainage or utility structures, landscaping, locations, and list the specifications of all fence or hedge materials.

MATERIALS:

The following materials shall be used to construct a fence:

- **White, beige, or mahogany PVC**

- **Other materials or designs as approved by the ACC.**
- **Hardware.** All nails, screws or staples shall be galvanized to resist rust.
- **Shrubs/Bushes/Hedges** shall be of a plant variety approved by the ACC.
- **Black aluminum wrought-iron** style fencing is permissible.

CONSTRUCTION:

- Unless otherwise approved or noted, fences shall be assembled either in a shadow box design with a maximum gap between PVC boards of 2&1/4" or a PVC board-on-board design. The rail side of any fence must face inward towards the owner's property.
- All posts must be cemented and set at a minimum of 36" into the ground. Posts shall be spaced not greater than 8' on center (if PVC, 6' on center).
- Maximum height of a fence or hedge shall not exceed 6'. Height of rear property line fences or hedges on lake, pond and conservation lots shall not exceed 4'. Rear property line fences on lake/pond lots must be picket style design or wrought-iron style. The pickets will be placed on the outside of the fence with the maximum spacing between pickets of 2&1/4".
- Fence construction shall have the fencing slats attached to three (3) rails on all 6' high fences and two (2) rails on all 4' high fences. Gates must be constructed similarly and should be reinforced to prevent sagging.
- The ACC must approve any materials, construction and/or designs.
- Landscaping will be planted in **front** of all fencing facing a street to soften the fence appearance.

LOCATIONS:

- **Front Setbacks.** Shall be a minimum of 35' from the front property line or 10' behind the closest point of the house to the street, whichever is further.
- **Corner Side Lots.** This Guideline recognizes and is based on a balance between the homeowner's right to privacy and their obligation to assure safety for themselves, other homeowners, children, pets, and visitors. This Guideline recognizes that each corner lot is unique and therefore the ACC will review each request for a fence, hedge or plantings on a case-by-case basis. The ACC will, among other criteria, review the application

considering road and pedestrian safety, and non-encroachment on sidewalks and aesthetics.

As a general guideline, on side yards that face a street, the fence or hedge front shall commence at a point approximately 10' from the back corner of the home towards the front of the home. The fence or hedge side may go out from the side of the house towards the street approximately 15' from the point of the house furthest from the street (see Attachment A: Sample Diagram of Corner Side Lot Fence Location). In no case shall the fence or hedge be closer than 4' from the sidewalk. (Note: To ensure compliance with the Declaration, the ACC may modify the fence measurements stated above based on the applicants lot shape and/or lot dimensions.)

- **Lake/Pond Lots.** On side yards of lake/pond lots, fence or hedge height must begin to transition from 6' down to 4' at a minimum of 30' from the rear property corners. (Note: A greater setback may be required if views to the lake by adjoining homeowners is blocked.) The height transition from 6' to 4' must take place in an 8' section of a fence (if PVC, a 6' section). From that point, the fence or hedge shall continue at a height of 4' to and across the rear property line.
- **Conservation Lots.** These lots will have the same requirements as lake/pond lots, with the exception that the rear yard fence or hedge must be set on the conservation easement line or to the house side of that line.
- **Easements.** Compliance with the Declaration.
- **Subdivision Wall.** Fences and hedges may interface with the solid wall of the subdivision. All fence and hedge tops must finish below the wall cap on the wall and must not be visible from the street. A fence visible from the street running parallel to the street must be landscaped with appropriate materials to soften the fence or hedge appearance. Also, an access gate must be installed to allow the homeowner to maintain this area. Please note that Fence Alteration Application should show all landscape and irrigation for this area.
- **Grandfathering of Wooden Fences.** Wooden fences are no longer permitted to be constructed or installed in the West Meadows subdivision. Already existing wooden fences will be permitted to remain so long as they are properly maintained. Any wooden fence that is in existence as of January 1, 2018 is hereby granted an exemption and will be deemed grandfathered in by the Association. Wooden fences can only be repaired and maintained if replacement of less than 25% or if ten or less wooden slats or pickets in a row, whichever is less, is needed to make the necessary repair or maintenance. No major repairs are permitted. Replacement of the support posts for the wooden fence is considered a major repair and is not permitted. Replacing more than 25% of the wooden slats or pickets, or more than ten of the wooden slats or pickets in a row, in a period of 12 months the fence will then be considered in a state of disrepair. So as not

to keep making repairs, if such repairs becomes necessary, the fence is considered in a state of disrepair. If a fence comes into a state of disrepair to the point where major repairs must be conducted, the fence will need to be completely replaced with a fence that is in compliance with the West Meadows Guidelines for Fences and Hedges. Prior to replacement of a fence, the owner must submit an application to the ACC and obtain permission for installation of the proposed replacement fence.

Attachment A

Sample Diagram of Corner Side Lot Fence Location

As a general guideline, on side yards that face a street, the fence front shall commence at a point approximately 10' from the back corner of the home towards the front of the home. The fence side may go out from the side of the house towards the street approximately 15' from the point of the house furthest from the street. In no case shall the fence be closer than 4' from the sidewalk. (Note: To ensure compliance with the Declaration, the ACC may modify the fence measurements stated above based on the applicants lot shape and/or lot dimensions.)

