

Uniform Fence Guidelines/Stipulations

**Requests for new fencing must be submitted to Association management company on plot plan or similar document showing the location of the home within the property boundaries.

Fencing may be constructed of wood or black anodized aluminum. No chicken wire, chain link, concrete block or other homemade material fencing is permitted **nor is vinyl fencing allowed.

****Fencing can be no taller than 6 feet as measured from the finished grade.**

****Good Side of Fencing must face outward if not required to use "shadow box" style wood fencing.**

**Stain color if anything other than natural MUST be approved. The only stain color to be authorized are cedar wood tone colors or a clear preservative.

****Fencing can come no farther forward on the home than the rear corners of the home. Exceptions will be made ONLY due to an obstruction located at one of the rear corners of the home such as but not limited to a septic tank (enclosing AC units and windows is not an acceptable reason for a variance). Exceptions are granted in writing by the Association.**

****Fencing cannot be installed in any easement areas and/or wetlands exclusive of 5' maintenance easements in zero lot line communities.**

**All fencing for corner lots MUST be approved by the Declarant or Association Management Company. Approval for corner lot fencing will take into consideration but not limited to sight triangles, easements, DOT Rights of Way and general aesthetics of the community.

**No decorative or ornamental fencing is allowed in areas between front corners of the home and the street unless otherwise stated in covenants.

****ALL local governmental ordinances must be adhered to regarding fence installation and placement. Ensure to check with local inspections department to determine if permits are required and pull if and as necessary. If the governing authority has additional requirements over and above these restrictions they must also be complied with.**

****Consider fence placement on the lot taking into consideration that all spaces between adjacent fencing require landscape maintenance and that there must be sufficient space between fences for inevitable maintenance/repair to fencing is necessary. All areas of land between two adjacent fences MUST BE MAINTAINED (mowed, edged and weeded). Fencing must be placed at least one (1) foot inside the common property line so that there is a minimum of 2 feet between adjacent fencing.**

****If fencing is desired to be placed on the common property line between two properties there must be a legal document drawn up between the two adjacent property owners that states that the fencing is being placed on the common property line, that both owners agree to its placement, that repair and maintenance costs are shared, the document is legally recorded with the County Register of Deeds and that the document is referenced in all recorded deeds of both properties.**

****IF neighboring fences are desired to be adjoined an attorney must be consulted to advise on real estate encroachments and their ramifications. If after consultation and advisement from an attorney if neighbors agree to allow an encroachment a legal document must be drawn up by the attorney and provided to the Association. The Association will take no responsibility for fencing encroachments.**

**Fencing must be maintained by replacing splitting, curling vertical boards; immediately re-staining to match any/all replaced vertical slats; damaged, leaning 4x4 and/or 6x6 support posts; damaged, leaning, fence gates; separated and damaged fence framing; curling of cap boards; washing of mildew, mold development of vinyl fencing. This is a brief example and not a complete list of fencing repairs that can be required.

****Location of corner property lines and fence placement is the responsibility of the property owner and fencing installer so as to not encroach on another's property. The property lines are identified by metal rebar stakes/rods inserted into the ground NEAR the wooden survey stakes. The property lines are the metal rebar stakes in the ground not the survey stakes. LOCATE THE METAL REBAR!!!! The Association does not locate lot lines nor does it oversee fence construction. If a fence is encroaching on adjacent property the fence owner must relocate the fence at their cost. Encroachments are a civil matter between members and not one the Association mediates.**

These guidelines may be revised by the Association Board of Directors at any point in time.

Approved by Shall Landing Board of Directors 1/25/2025