



### **Fence Policy**

Over the years, Section 3.06.F has been interpreted in different ways by the various groups responsible for architecture review. These various interpretations have caused Homeowner confusion, and inconsistent approval and disapproval of fencing requests.

The purpose of Section 3.06.F is to maintain consistency in fencing architecture in the subdivision, and to maintain the open, estate-like feel of the subdivision. The Trustees understand the need to protect pets and children, but also want to make sure that the openness of the green space is protected.

1. It is the homeowner's responsibility to submit an Application for Exterior Alteration/Modification to the Architecture Review Committee (via the Management Company) at least 30 days in advance of construction. The committee has 20 days to review, approve, or deny the request. In the event additional information is required, the 20-day clock re-starts from the date of the request for additional information (refer to Section 3.02).
2. The Architecture Review Committee must approve all fence architecture prior to construction (refer to section 3.02).
3. Fences will retain the same design and color for the entire perimeter.
4. Lot-line fences, defined as fences on or within 12.5 feet of the property line per section 3.06(G), must be of an open nature. The fences pictured on the VAC website will be approved if all other considerations are met.
5. Lot-line fences for lots that abut to a pond will not be approved.
6. Front yard fencing will not be approved.
7. Non-lot-line fences may be approved if they are in character of the house, as defined in the Deed Restrictions. For example, a white vinyl fence would only be approved if the house had white vinyl siding.
8. Other fences, as outlined in the Deed Restrictions, outside of 12.5 feet of the property line (non-lot line fences) may be allowed with approval from the Architecture Committee.
9. Pool fences must be approved by the County, Township, and the Architectural Review Committee.
10. If a Homeowner installs a fence that violates the Deed Restrictions, the Violation Assessments policy will be enforced. Refer to the Violation Assessments for The Village at Alum Creek policy document.
11. A fence that violates the Fence Policy/Deed Restrictions does not make it an approved style. In other words, just because a neighbor installed a fence style that violates the approved styles does not mean your request for the same fence will be approved.

Appeals for denials by the Architecture Review Committee may be made to the Trustees. The Trustee's decision will be final.

The Trustees will honor previously approved fence architecture. It is the Homeowner's responsibility to produce proof of approval.

### Relevant Text from Deed Restrictions

2.04. No fences or walls may be constructed on any part of the Property unless prior written approval is obtained from Grantor in the manner described in Article 3 hereof.

2.15. No fence, wall, hedge, or shrub planting which obstructs sight lines at elevations between two (2) feet and six (6) feet above the roadways shall be placed or permitted to remain on any corner Lot hereunder within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street line or, in the case of a rounded Property corner, from the intersection of the street property lines extended. Trees shall be permitted to remain within such distance of such intersections provided the foliage line is maintained at sufficient heights to prevent obstruction of such sight lines.

2.16. The walls, fencing, subdivision identification signs, earth mounds, electrical facilities, irrigation systems and landscaping placed on any of the Lots in the subdivision by Grantor or at Grantor's direction shall not be removed and/or changed and shall be maintained in good condition by the Owners of the respective Lots hereunder.

3.02. Prior to the construction of any improvements or storage of any materials on the Property, the Owner of an Lot hereunder shall be required to submit two (2) sets of complete building plans, two (2) site plans, and two (2) signed specifications forms for the building to the Grantor, setting forth the general arrangement of the interior and exterior of the building, including the color and texture of the building materials and the type and character of all windows, doors, exterior light fixtures and appurtenant elements such as decorative walls, chimneys, driveways and walkways and detailing the structures on the Lot including setbacks, driveway locations, garage openings, orientation of the structure to the topography and conformance with the drainage grading plan. . . . Grantor shall have twenty (20) days in which to review plans submitted to it. On or before the conclusion of such twenty (20) days, Grantor shall do one or more of the following: (i) approve the plans; (ii) request additional plans, clarifications or explanations; (iii) approve such plans provided that specified modifications are made; or (iv) disapprove such plans, in which event the reasons for such disapproval shall be stated in writing. In the event the Grantor requests additional information, plans or explanations, the running of the 20-day period shall be tolled from the date of such request until such additional information, plans or explanations are furnished to Grantor. In the event the Grantor does not take any of the actions specified above within the 20-day period specified, then the Owner submitting such materials for review shall notify Grantor in writing; and Grantor shall, within ten (10) days after the receipt of such notice, cause such review to be completed in the manner specified above. In the event such review is not completed within such additional ten (10) days, such plans and specifications shall be deemed approved as submitted.

3.06(f) Fences built from wood, brick and or stone or plantings are permitted as long as they are kept within the character of the house. All fencing shall require Grantor's approval. In general, fences shall be used to create private space within the area. Lot-line fencing, other than of an open decorative nature, will not be approved. High privacy fences will be approved only for small areas that are directly adjacent to the residence.

3.06(g) The minimum side-yard requirements are twenty-five (25) feet total, with a minimum of twelve-and-one-half (12 ½) feet on each side.

The following are fence styles that will be approved by the Architectural Review Committee going forward.



