

CRYSTAL WATERS CONDOMINIUM ASSOCIATION GUIDELINES FOR APPROVAL OF FENCING

(Approved on October 18, 2023)

The association's board of directors is responsible for maintaining compliance with the association's organizational documents (Master Deed, Bylaws, and Rules and Regulations) when requests for approval are made. The purpose of this document is to set forth specific guidelines, and questions to be considered, for the board's use when a request for approval of the installation of a fence is received.

PROCESS: Once a written request for approval is received, the board will acknowledge receipt of the request in writing (via email) and send the homeowner this document which outlines the requirements, restrictions, and/or questions to be answered.

The homeowner must respond with his/her assurance that all of the below-listed requirements and/or restrictions will be met, and questions, if any, are to be answered. If not provided with the initial approval request, a picture or drawing of the proposed fence showing its specific perimeter must be included.

APPROVAL/DENIAL: Final approval or denial resides with the HOA Board's understanding of the information provided by the homeowner. Approval or denial, whichever the case may be, will be done in writing (by email) or USPS as deemed appropriate.

REQUIREMENTS AND RESTRICTIONS

The following requirements and restrictions must be met for the installation of a fence:

1. **Height** – Fences may not exceed four (4) feet in height.
2. **Enclosed Area** – The fence may not extend back into the common area more than three (3) feet from the patio's edge, which is the same limit as an approved planting bed. If the area already has an approved planting bed, the fence must be placed at the edge of the planting bed. It cannot extend an additional three (3) feet from the planting bed. The left or right ends of the fence must not extend any further than the side wall of the unit.
3. **Type** – Fence must be ornamental in nature, black in color, made of powder coated aluminum and must include a gate.
4. **Maintenance** – The unit owner must maintain the fence and the entire area inside of the approved fence. This includes any trimming mowing of grass within the area.

NOTE REGARDING INVISIBLE PET FENCING: *Early in the community's development stages, an invisible fence was installed without board approval. This was done during the time when the administration of the association was in the hands of the developer. Subsequently, after the Board of Directors established control of the association, they determined that electric underground fencing for pets should not be allowed. Primarily because the space to be contained within the invisible fencing is either a "common" or "limited-common" area. Also, due to the fact that while an invisible fence would keep a dog "in" the confined area, it would not keep a child or another pet "out" of the area, and a liability could result if the confined dog were to bite or hurt anyone.*

References:

Master Deed – Article V. Restrictions, Section 5.4

Rules and Regulations Number 6. Fences and Decks