



WINDOVER FARMS OF MELBOURNE HOMEOWNERS ASSOCIATION, INC.

4025 Windover Way, Melbourne, FL 32934 (321) 259-2216

FENCE APPLICATION

Date: _____

Lot Number _____

HOMEOWNER

Name _____

Address _____

City _____

State _____ Zip _____

Phone: Home (_____) _____

Work (_____) _____

Fax (_____) _____

Cell (_____) _____

E-Mail: _____

CONTRACTOR

Name _____

Address _____

City _____

State _____ Zip _____

Phone: Home (_____) _____

Work (_____) _____

Fax (_____) _____

Cell (_____) _____

E-Mail: _____

FENCE PERMIT INSTRUCTIONS

1. Application Timetable - expires after one (1) calendar year

Applications for new fence construction approval must be submitted to the Homeowners' association Manager's Office located in the Pavilion not later than **3pm, Thursday, 5 days** before the ARC meeting. **Incomplete applications will not be considered.** ARC meetings are held on the **3rd Tuesday** at the Pavilion Office at **7:30 p.m.** (Meeting dates may vary, please contact the office to confirm date.) Association Manager's Office Telephone: (321) 259-2216.

2. Fees

A **\$750.00** fee will be required for the review of an application for construction of a fence. This fee **will be deposited into an escrow account** and will be **fully refundable** upon satisfactory completion and final inspection by the ARC of the fence construction, including, but not limited to the landscaping requirements. Any changes to the application must be approved by the ARC. **Any Construction and/or work changes made without prior ARC approval will result in the forfeiture of deposit.**

3. ACTION REQUIRED PRIOR TO SUBMITTING APPLICATION

Note: this is a checklist for both the applicant and the ARC. Prior to submitting this application, the applicant must **review** each item and **initial** same in the space provided to indicate compliance.

- _____ A. Up to date plot plan showing exact location of the proposed fence.
- _____ B. Landscape plan showing vegetation that will remain and that will be added by name, size, and quantity. **Note: For vegetation requirements see #10 on attached specific rules and regulations for fencing.** For trees, diameter/caliper must be shown.
- _____ C. Style of fencing: _____ Height _____ Material _____
- _____ D. The removal of any existing trees for the installation of the fence requires an application for tree removal and must be approved by the ARC.
- _____ E. Provide samples of stain / paint proposed if fence is not to be left natural or stained the dark brown of the Windover Farms exterior fence.
- _____ F. Required County Permits will be obtained prior to fence installation.
- _____ G. I/We the applicant(s) have read and understand the WFM Deed Restrictions, **Specific Rules and Regulations** as it pertains to **Fence Construction**.
- _____ H. Initials here indicate that all above described documents which are applicable and items which are not applicable have been so noted.

4. I/We understand that a final inspection will be required to ensure the property is in complete compliance with the approved fence application and the **WFM Deed Restrictions** and the **Specific Rules and Regulations for fencing for individual residences**. This inspection will take place prior to the return of the refundable fence construction deposit. Upon completion of the inspection and correction of any compliance issues, the Association Manager will send us a letter stating that our property is in compliance. My/Our initials here signify my/our agreement with this procedure. _____

5. I/We agree that for this application to remain valid, construction must commence within sixty (60) days of the ARC approval date listed on this application and be completed within three (3) months of the start date of construction. My/Our initials here signify my/our agreement with this condition. _____

6. I/We the owner(s) of Lot Number _____ have received a copy of the WFM Deed Restrictions and acknowledge having read and understood all requirements. I/We further agree to protect all trees and "natural areas" as shown on this application. If, for any reason, trees or natural areas designated for preservation are destroyed, I/we agree to replace same (as specified in the WFM Deed Restrictions). I/We agree that construction will be completed as per submitted plans. I/We also agree that the ARC shall be the final authority of the WFM Deed Restrictions and this application. My/Our initials here signify my/our willingness to abide by these statements. _____

This application is complete and accurate to the best of my/our knowledge.

(TO BE CONSIDERED, THIS APPLICATION MUST BE SIGNED BY THE LOT OWNER AND THE CONTRACTOR)

Lot Owner(s) _____ Date _____

_____ Date _____

Contractor _____ Date _____

WINDOVER FARMS OF MELBOURNE

FENCING FOR INDIVIDUAL RESIDENCES

GENERAL

It was the desire of the original developer to have a community with large lots and wide open spaces. We urge that any property owner applying to add a fence will seriously reconsider and use landscaping instead. If you still desire to add a fence to your property, the following Windover Farms guidelines will be followed:

APPROVED STYLES OF FENCING

- Split rail Fence (both two or three rail)
- Shadowbox Fence
- Board on Board Fence
- Farm Style Fence
- Ranch Style Fence
- Picket Fence

APPROVED MATERIALS OF FENCING

- Wood
- Vinyl

Please select the Style of Fencing you are intending to use: _____

Please select the Material: _____

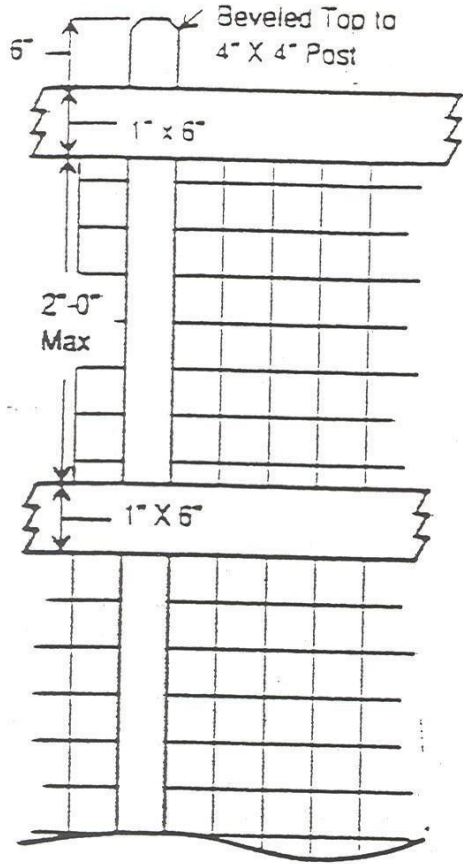
Individual specifications and requirements are included in this package for the above listed styles of fencing. The style that is chosen must suit the elevation of the house.

Specific rules and regulations:

1. **ALL fencing, new or replacement, must be approved by the ARC.** Approval by the committee will require a completed application for the requested fencing.
2. Fencing may be landscaped on the exterior side of the fence. A plan must be submitted with the fence application for approval by the ARC.
3. Fencing is preferred to be of as low a height as possible to help maintain the open feeling that exists in Windover Farms. No fencing will exceed a maximum height of six feet.
4. No fencing will be permitted in the front of the residence. It is required that all fencing starts at, and remains in, the back yard area of the residence. (see ARC for variance)
5. All gate styles must match the style of the fence and its location must be approved by the Arc.
6. No chain link fence will be permitted that are visible from the road.
7. The removal of any existing trees for the installation of the fence must be properly applied for and approved by the ARC.
8. Any and all approved wire mesh (Farm, Ranch Styles and Split Rail) must be on the interior of the fence.
9. All support posts for the fence must be on the interior of the fence.
10. Landscaping of fence is encouraged but not required.
11. Fences may be left natural in color, stained the dark brown of the Windover Farms exterior fence (mail boxes). Any dark stain to match the residence must be approved by the ARC.
12. The fence and landscaping will be maintained in good order by the fence owner. Fences must be maintained both physically and cosmetically to the same standard of the house.

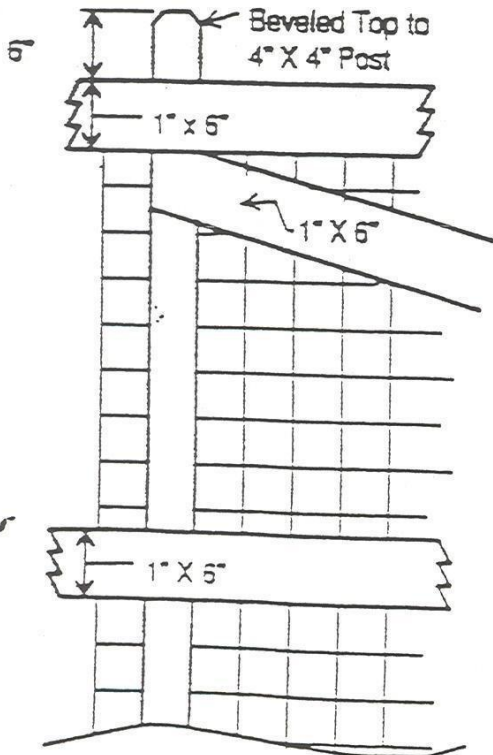
13. Replacement of existing fences shall be treated as a new fence. Existing fences which have received previous approval are hereby extended “grandfather” status and may remain in place until replaced in accordance with the then current recorded Declaration or with terms of any particular written agreement between WFMHOA and an individual member.
14. Partial replacement of any section of an existing fence, defined as not more than 50% of the original linear length of the fence, must conform to the Criteria which applied to the original fence at the time of installation. If more than 50% of the linear length of the fence requires replacement, it (the entire fence) shall be treated as a new fence.
15. No fencing will be permitted that infringes upon or hinders the functioning of swales, greenways or other drainage systems. No fence may block approved accesses to lakes or drainage ponds.

Windover Farms of Melbourne



Farm Style Fence

1. Measurements as shown are required.
2. The Farm Style Fence may or may not have wire mesh. If wire mesh is used, it must be on the interior side of the fence.
3. The Post top must be beveled.
4. The Fence may be stained to match any dark stain on house (must be approved by ARC), stained Windover Farms exterior fence color, or left natural.
5. It is highly recommended that the fence be landscaped to help hide it.
6. Any gate must match the style of the fence and approved by the ARC.

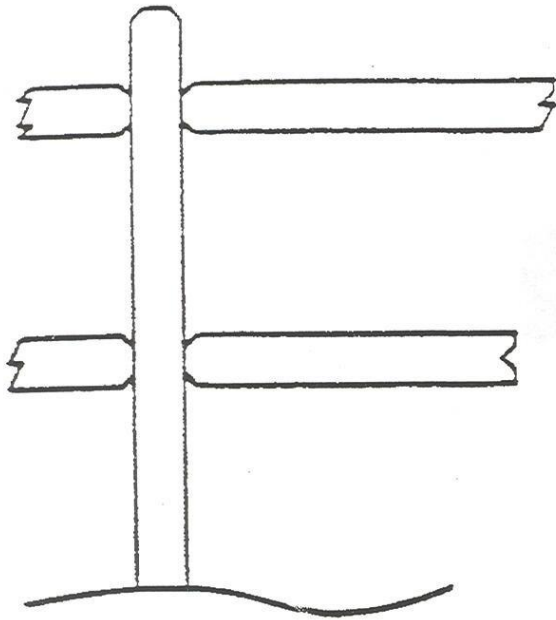


Ranch Style Fence

The same rules that apply to a Farm Style Fence listed above apply to a Ranch Style Fence with the following additions:

1. The Ranch Style Fence may or may not have wire mesh. If wire mesh is used, it must be on the interior side of the fence.

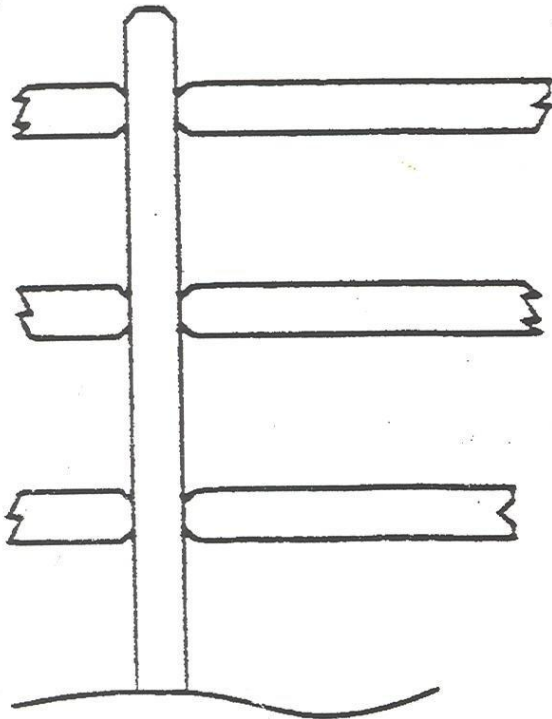
Windover Farms of Melbourne



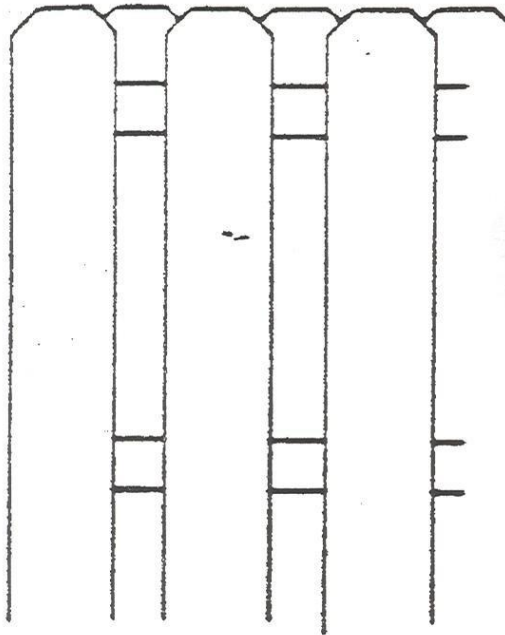
SPLIT

Rail Style Fence

1. Fence may be stained to match any dark stain on house (must be approved by ARC), stained Windover Farms exterior fence color, or left natural.
2. It is highly recommended that the fence be landscaped to help hide it.
3. Any gate must match the style of the fence and approved by ARC.
4. The Fence may be a two or three rail fence.
5. Post top must be beveled.
6. The maximum height for this style of fence should be four feet, but a shorter fence is desired.

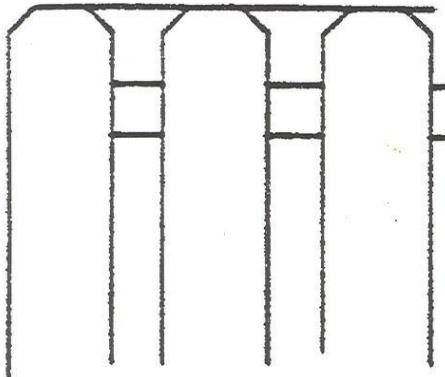


Windover Farms of Melbourne



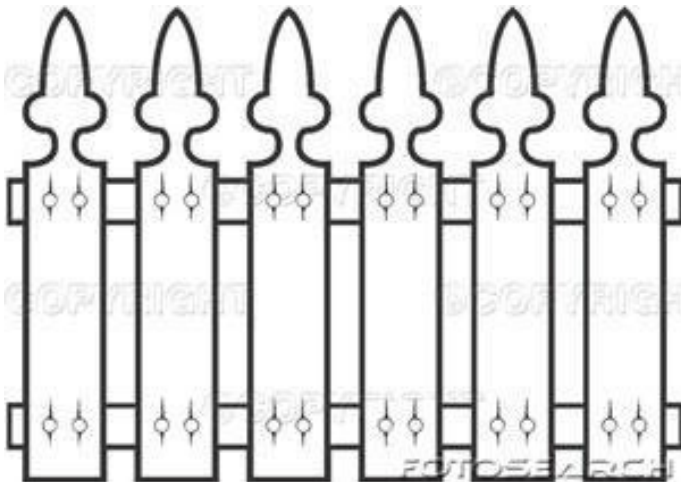
Shadowbox Style Fence

1. Fence may be stained to match any dark stain on house (must be approved by the ARC), stained Windover Farms exterior fence color, or left natural.
2. It is highly recommended that the fence be landscaped to help hide it.
3. Any gate must match the style of the fence and be approved by the ARC.
4. The maximum height allowed is six feet. It highly recommended that a lower height of four or five feet be used, as it would enhance the open feeling desired by Windover Farms.



Board on Board

The same rules that apply to a Shadowbox Style Fence listed above apply to a Board on Board Style Fence.



Picket Style Fence

CONSTRUCTION VIOLATIONS AND PENALTIES

The following penalties will be assessed and withheld from the refundable portion of the building deposit

<u>Violation</u>	<u>Occurrence</u>	<u>Penalty</u>
Encroachment	1st Offense	\$700/Stop Work/Legal
Over-clearing	1st Offense/Stop Work	\$700/Stop Work/Legal
Barricading of Trees	1st Offense	\$100
	2nd Offense	\$200
	3rd Offense	\$300
No Temporary Culvert	1st Offense	\$100
	2nd Offense	\$200
	3rd Offense	\$300
Construction Debris/Trash Not Contained or Removed	Each Occurrence	\$100
Landscape Plan/Not Followed	At Completion	\$700*
House/Roof Colors	At Completion	\$700*
A/C & Pool Equipment Not Screened	At Completion	\$700*
Unpainted Metal Vents	At Completion	\$700*
Staining Mail Box Posts	At Completion	\$700*
Builders Sign Policy Not Observed	Each Offense	\$200
Construction Parking	1st Offense	\$100
	2nd Offense	\$200
	3rd Offense	\$300
Dogs/Loud Music	Each Occurrence	\$100

The items with an {*} indicates the deposit will be held until completion of construction. If the violation has been corrected, 75% of the deposit will be refunded. In terms of the time frame that will be used for compliance and corrections, the ARC has agreed to a maximum of 5 days for remedies except in the case of changing house or roof colors. As with all the violations, penalties and schedules contained herein, the ARC reserves the right to change or amend any of the requirements as appropriate depending on the circumstances of each individual homeowner or builder. However, it is the intent of the ARC to follow these requirements to the maximum extent possible in order to maintain consistency and fairness to all Windover Farms of Melbourne property owners.

Lot Owner/s (signature) _____ Date _____
 _____ Date _____

Contractor (signature) _____ Date _____

Contractor (printed) _____