

# KEHRS MILL ESTATES

## Rules and Regulations

### Fence Policy

Pursuant to the authority vested in Kehrs Mill Estates Resident's Association, as Trustee, under Section 4.01 of the Trustee Agreement and Indenture of Restrictions of Kehrs Mill Estates Subdivision as recorded in Book 7193, Page 1244 of the land records of St. Louis County and pursuant to the Motion duly made and seconded, the following Policy with respect to Fences was adopted:

#### **Request Process**

1. All requests for approval of plans and specifications to install, construct, reconstruct, add to or alter any fence shall be in writing and shall be hand delivered in person or mailed by certified mail to the Secretary of the Trustees. Oral requests or other types of deliveries, for which a receipt is not issued by the Trustees or for which written proof of delivery is not issued, are invalid and shall not be considered to be a request.

2. All such requests for approval shall be accompanied by detailed plans and specifications showing, at a minimum: the type of fence sought to be installed, constructed, reconstructed, added to or altered, together with a detailed drawing or graphic representation of same; the proposed location of the fence sought to be installed, constructed, reconstructed, added to or altered upon a spot survey of the property, which spot survey shall depict the building line (front, side, rear) upon the property; the lineal distance of each straight or curved run or portion of the proposed fence sought to be installed, constructed, reconstructed, added to or altered upon a spot.

3. All requests will be submitted in triplicate. The Trustees will respond within 30 days of the received request. No work shall begin prior to approval from the Trustees.

#### **Fencing**

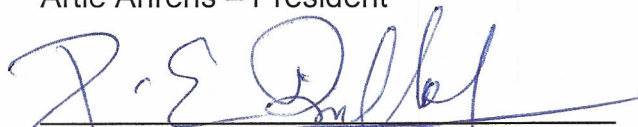
Definition – A “fence” is a structure, partition or wall erected for the purpose of enclosing a separating land or for the purpose of safety. A fence shall not include wires strung underground for the purpose of keeping animals and/or people either inside an enclosure or outside an enclosure. Shrubs, hedges, trees and other plant material shall not be considered a fence.

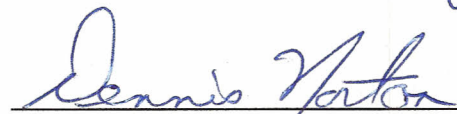
1. Only fencing for the purpose of enclosing a swimming pool is allowed and subject to approval. The enclosed pool area means a reasonable distance around the pool and to allow a pool walkway/deck and landscape surrounding the pool. The Fence is not to be used to enclose an area for other purposes. All other fencing is prohibited
2. *Only fencing constructed of wrought iron, steel or aluminum simulated wrought iron*, with wrought iron or aluminum wrought iron with brick posts designed and found to be, in the trustees sole discretion, of minimum visual impact, are subject to approval. All other fencing is prohibited.
3. No fence shall be permitted to cross any building line. No fence shall be permitted to extend beyond the sides of the residential structure on the property; i.e., the farthest extent of permitted fencing must proceed rearward from the rearmost corners of the residential structure.
4. The height of continuous fencing and gate(s) is 48" (4 feet) above the underlying ground.
5. The spacing between the vertical bars shall not exceed 3.75 inches.
6. All gates shall be equipped to accommodate and include a locking device. Pedestrian access gates shall open outward away from the pool and have a self closing device.
7. Landscaping buffers may be required when, in the Trustee's sole discretion, such buffers are necessary to soften the visual impact of the fence from the neighboring or surrounding properties.
8. All fences, if approved, must in addition adhere to the 2003 International Residential Code (IRC), the International Building Code (IBC) and comply with the City of Clarkson Valley requirements. Contact with the City of Clarkson Valley must be made to understand these additional requirements.
9. The Trustees reserve the right to consider and approve exceptions to this Policy on a rare case by case basis, in its sole discretion, it believes that substantial or practical hardship exists and/or there is a safety concern.
10. The Trustees reserve all rights and discretion to interpret this Policy.


APPROVED this 19<sup>th</sup> day of August, 2010.

Kehrs Mill Estates Residents Association

  
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Artie Ahrens – President

  
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Rene Boillat – Vice President

  
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Dennis Norton – Treasurer

  
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Pete Marsac – Secretary