



FIRST COLONY
COMMUNITY ASSOCIATION

FENCE AND GATES

Article VIII, Section 5 of the Declaration of Covenants, Conditions, and Restrictions for First Colony (the "deed restrictions") require that:

... plans and specifications showing the nature, kind, shape, color, size, materials, and location of such modifications, additions, or alternatives shall be submitted to the Modifications Committee for approval . . .

The following guidelines have been developed to assist homeowners in complying with the above requirement of the deed restrictions. A **Modifications Request form must be submitted prior to installation.**

Submittal requirements include completing and signing a modifications request form and attaching a survey site plan (plot plan - must show property lines, set back lines, and utility easements in relation to the improvement/change) indicating the proposed location, type and size of the improvement/change. Metal fence submittals must also include the fence design along with proposed screening landscaping (if required).

Adherence to these guidelines will usually result in the prompt approval of your request; however, adherence does not guarantee approval nor does it eliminate the need to submit a written request in advance of installation. Failure to submit a request in advance may result in the homeowner incurring unnecessary expenses to modify or remove the modification and being subject to fines. Some individual neighborhoods may have more restrictive guidelines, which will supersede these guidelines.

WOOD FENCING

Where wood fencing is acceptable in a neighborhood, the following standards are recommended:

- Pickets 1x4 or 1x6 Cedar, Lumber Grade #1 (no wane, rot, holes, spike or soft knots)
- Posts 4x4 Treated Yellow Pine, Lumber Grade #2, Treated Grade .40 cpf
- Rails 2x4 Treated Yellow Pine, Lumber Grade #3, Treatment Grade .25 cpf

All internal privacy fences shall be two rails. Posts shall be a maximum of eight feet (8') apart. No front yard fencing is allowed. Where possible, side yard neighboring fences should align with each other. All cedar fencing visible from the street or common area shall have all pickets nailed on the street side or common area side of the fence so that no rails or posts show when viewed from the street or common area; unless "good neighbor" fencing is permitted. Maximum height of any fence, regardless of construction material, will be six feet (6'), unless otherwise noted in the Supplemental Amendment or New Construction Development Guidelines.

Wood fences may not be altered in any form or fashion to incorporate any artistic design, cutouts, wagon wheels, etc. No painting, staining or varnishing of wood will be permitted. Non-pigmented wood sealant is permitted. Only wood fences between houses and detached garages (breezeway fences) are allowed to be painted or stained to complement the house.

METAL FENCING AND GATES

Metal, wrought iron and aluminum fencing will have a maximum allowable height of six feet (6') and a minimum height of four feet (4') and must be painted black, unless otherwise approved by the Modification Committee. The metal pickets must be a maximum of four (4") inches on center. Any wrought iron fencing visible from public view must have a double row of ligustrums (or similar shrubs) placed thirty six inches (36") on center with triangularly spacing located inside the fence unless otherwise provided for in the neighborhood documents. No decorative elements, other than spear tops, are permitted unless specifically approved by the New Construction or Modifications committees. Bottom portion "puppy bars" are permitted. If metal fencing is used to enclose a pool, all applicable city laws must be followed.

Metal driveway gates will be permitted provided the gate does not extend beyond the most forward portion of the dwelling structure. All gate equipment must be located inside the gate and screened from view. The gate cannot swing out into the street. No initials, symbols or decorative elements may be incorporated into the fence or gate without specific approval. Wooden driveway gates are not permitted.

If your house is located on a golf course, lakefront, or reserve area, please refer to your neighborhood Supplemental Amendment and/or the Development Guidelines for your fence requirements. On fences that back up to the golf course or reserves, rear access gates may be permitted with specific approval, provided the gates match the fence design. Decisions related to the style, height and materials for rear, public view fences will be determined by neighborhood guidelines and existing neighborhood fence conditions.

Metal fencing added to or replaced on a lot shall match the original metal fence material installed by the builders or developer within a neighborhood. No chain link fencing (including a dog run) is permitted in public view.

BOULEVARD FENCING

In certain areas of First Colony, along major boulevards and thoroughfares, FCCSA has installed fences that are on individual residential rear or side property lines. The normal maintenance of these fences (repair and replacement) will be performed by FCCSA.

In the event, however, the residential owner or tenant causes fence damage; the cost of those repairs will be borne by the individual property owner. Examples of fence damage includes, but is not limited to, broken pickets due to activities within the yard; rotted wood caused by interior landscaping, storing items directly against the fence, etc.; leaning fences due to trees or shrubs planted too close to the fence; etc. FCCSA will make the necessary repairs to the fence and then charge the property owner to recover our costs based upon the "Property Maintenance Policy."

MAINTENANCE

All fencing must be maintained in such a fashion that it does not detract from the neighborhood. This includes, but is not limited to, replacement of all rotted, warped, broken or missing wooden pickets; repair or replacement of leaning fence sections, replacement or repair of rusted metal fence sections and re-painting of all metal fence sections where the paint is faded, peeled, or rust has formed.

NOTE: Some neighborhoods may have more restrictive guidelines, which would supercede these guidelines.

The FCCSA Executive Director approved these guidelines on the 25th of April, 2002 based on authority by the Board of Directors. Changes to these guidelines may be made at any time without prior notice.


Sandra K. Denton, Executive Director