

BEACON WOODS EAST HOMEOWNERS' ASSN., INC.

8421 CLAYTON BLVD., HUDSON, FL 34667

Phone (727) 863-5447 Fax: (727) 863-5338

Email: BWE@westpasco.us

FENCE REQUEST

Date _____

LOT # _____

OWNER _____

PHONE: _____

STREET _____

EMAIL: _____

Estimated Start Date: _____ Estimated Completion Date: _____

FENCES MAY BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING RESTRICTIONS

OR3080 Article VII Section 1(e)(1), (Page 1209)

(1) Except those which have been erected or planted by Developer, no fences or hedges or similar improvements shall be erected or planted upon any Lot or upon any Common Area without written approval of the Association. No fences shall be erected or maintained on any Lot or Lots which shall be in excess of four (4) feet in height, except hedges of shrubbery, which shall not exceed a height of five (5) feet. Said fences shall conform to and be in keeping with the type of structure and architectural design of the house to which it is appurtenant and in all respects be of pleasing appearance, as determined from time to time by the Board of Directors. No wall fence or solid board fences that obstructs the view of other Owners may be added to the Lots. A fence shall be construed to include any enclosure of any type, except screened patio and pool enclosures. No fence shall be erected or maintained in any front yard or in any yard facing a street or avenue, unless the rear yard fence is hidden from view by means of hedges. "Obstructs" (as herein used) shall be defined as restricting more than 50% of the view of other owners.

See Fence Policy on page 2 for clarification.

Height, **Description** and **Location** of fence **including a drawing:** _____

Project must commence no later than 5 p.m. on the sixtieth (60th) day after the date of final approval. Projects not started within that period must be resubmitted for a new Architectural review by Beacon Woods East.

Home Owner's Signature _____

BERKLEY WOODS

Approved: _____ Not Approved: _____ Insufficient Information: _____

Signature: _____ Date: _____

BEACON WOODS EAST

_____ Approval Pending Final Inspection by Association

_____ Insufficient information submitted: _____

_____ Not approved: _____

Committee Chairperson: _____ Date: _____

Final Inspection was done on _____

Approval by the Architectural Follow-up Committee: _____

Non Approval _____

Beacon Woods East Homeowners' Assn., Inc.

Fence and Hedge Definitions

This resolution supersedes the resolution adopted February 12, 2002 and the resolution adopted Sept. 11, 2001.

In accordance with ARTICLE II, Section 3 of Beacon Woods East amended and Restated Declaration of Covenants Conditions and Restrictions of Beacon Woods East, Official Records 3080, Page 1201, which reads:

“Rules and Regulations. The Board of Directors of the Association may, from time to time, adapt, alter, amend and rescind reasonable rules and regulations governing the use of the Lots and Common Area, which rules and regulations shall be consistent with the rights and duties established by this Declaration” and ;

ARTICLE VII, Section 1, (h), which says, in part, “The Association may establish any reasonable requirements it deems necessary to grant or deny such modifications...” and

ARTICLE VII, section 1 (I), which says, in part, that certain architectural elements” ...shall meet specifications as periodically adopted by the Board of Directors, “ the BWEHA, Inc. Board of Directors adopts” the following clarifications of terms and guidelines regarding the erection of fences and fencing materials and planting and maintenance of hedges, as described in:

ARTICLE VII, Section 1 (e) Fences, Hedges, Clothes Poles, Garbage, Signs, Lawns, Driveways, Exterior Radio and TV Antennas, Parking and Garage Sales, particularly the section that says,

No fence shall be erected or maintained in any front yard or in any yard facing a street or avenue, the rear yard fence is hidden from view means of hedges.

1. **“FRONT YARD”** shall mean area in front of a line parallel with the front line of the basic structure.
2. **“REAR YARD”** shall mean area behind a line parallel with the front line of the structure.
3. **“FACING A STREET OR AVENUE”** shall mean any land with an ultimate boundary bordering a street or avenue.
4. **“FENCES”** -- is any tangible obstruction interposed between two parcels of land to separate them and set off one parcel from the other, even though the land may not be completely enclosed. A barrier or movable screen frame or series of frames serving to separate, conceal, shelter, or protect is also considered a “fence.”
5. Hedges thick enough to keep fences **“HIDDEN FROM VIEW”** shall be defined as any type of non-deciduous vegetation that obscures at least 90% of the area of the fence no higher than eight inches from the ground to the top of the fence. Said hedge must be placed between the fence and the roadbed **not** inside the lot owner’s fence. The plants must be close enough together (2ft to 2 ½) in order to comply with the covenants and deed restrictions and must be expected to reasonably conceal the fence within a period of one year.
6. **In all instances, “HEDGE” shall be defined as any and all trees, shrubs and other living plants placed in a row, straight line or cluster with interlocking branches.**
7. Fencing and construction materials that are installed within or under the permanent roof line of the structure shall be considered a part of the structure and not be subject to the deed restrictions governing fences, but shall be subject to the provisions of ARTICLE V, section 1, architectural control.

FURTHER:

ARTICLE VII, Section 1 (4), which says, in part, “All garbage and trash containers, oil, water and gas tanks, must be placed and maintained below ground level or in enclosed areas so constructed as to render the contents there of hidden from view from adjoining Lots.

1. **“ENCLOSED AREA”** shall be defined as consisting of any fencing construction materials used to conceal trash cans, air conditioners, water softeners, pool pumps, propane tanks, etc. Such materials shall follow the guidelines required for any fences or hedges in regard to height, but said materials are within twenty-four (24) inches of the outside edge of the permanently installed object(s) or portable objects being hidden from view, and the portable objects are within six (6) inches of the structure and extended out no further than thirty-six (36) inches, the fence material shall not have to be hidden from view by means of hedges and the materials may obstruct more than 50% of the view of other owners.
2. **“HIDDEN FROM VIEW”** Shall be defined as any fencing or construction materials that obstruct at least 90% of the view from other lot owners.
3. All fencing materials and construction materials must meet with the approval of the architectural Control Committee.