

Masters Club Homeowners Association Fence Guidelines

The following was adopted by the Masters Club Homeowners Association (MCHOA) Board of Directors on July 15, 2020 to replace existing fence maintenance guidelines dated June 15, 2010. These guidelines shall be included in the RULES AND REGULATIONS OF THE MASTERS CLUB HOMEOWNERS ASSOCIATION under ARCHITECTURAL CONTROL COMMITTEE (ACC) RULE 2.0.

- I. Article IX (Maintenance) Section 3 (Maintenance of improvements to lots) of the Declaration of Covenants of Masters Club provides that **the fences within the community belong to the individual lot owner(s) and that the lot owner(s) is responsible for maintenance, repair, and painting of fence.** The Masters Club Homeowners Association does not own any fence in the community.
- II. Whereas fences are a highly visible structural element which link and define the community, MCHOA intends, for the benefit of the entire community, to assist lot owners with fence repair, by adopting the following guidelines for the purpose of helping to maintain property value, uniform appearance, structural integrity and longevity of the fences. MCHOA advises lot owner(s) that the **maintenance provided for in this guideline is at the discretion of MCHOA and may be discontinued or modified at any time for any reason** including but not limited to budget priorities and availability of funds from the MCHOA operating account. The MCHOA Board of Directors, subject to covenant provisions, shall have final say regarding interpretation of these guidelines.
- III. **MCHOA shall set up an annual fence repair program for the perimeter fences that abut MCHOA common space and wing fences (fences that are connected to adjacent homes and usually gated) in the community.** Due to the extensive amount of fence and cost involved, fence repair shall be performed on a phased basis. The community has been divided into three segments and the objective will be to complete maintenance on each segment on a rotating basis over the course of a three-year cycle. The annual fence repair will also take into consideration areas of fence that need maintenance performed outside of the normal phased rotation, pending availability of budgeted funds.
- IV. **Fence repair will generally include the replacement of significantly damaged and rotted individual pickets, posts, rails and gate components, which results from ordinary wear and aging.** Ordinary wear is deterioration which occurs based upon use of the fence for which it is intended, without negligence or carelessness by the lot owner, or their invitees, guests or renters.
- V. Fence repair unrelated to ordinary wear and aging or fence damage attributed to the lot owner(s) landscaping or damage due to an occurrence such as fire, storm, acts of God or third party damage which may or may not entail full or substantial fence replacement or extensive repair is outside the scope and intent of these guidelines and is the responsibility of the lot owner(s) in accordance with any applicable covenant provisions. Additionally, MCHOA shall not be responsible for fence repair required as part of a property inspection. In all of these cases, the lot owner(s) is requested to bring the issue to the attention of the Architectural Control Committee (ACC) which may provide assistance in assessing any damage along with providing the lot owner(s) with the necessary information to repair and stain fence in accordance with MCHOA requirements.

Please note that the maintenance of fence between homes that does not abut common area open space is the responsibility of individual homeowners and is not included in the MCHOA repair program. The repair and painting of these fences are the responsibility of the lot owner(s) and is subject to ACC approval to insure MCHOA standards are met.

- VI. Homes within the Masters Club community were built during different development phases from the mid 1980's to the mid 1990's resulting in considerable variation in the age, condition and height of the fence. Homes have also been under different ownership through the years with yard and landscaping and plantings done both by current and previous owners. **In a further effort to maintain fence appearance, stability and longevity homeowners are also asked to observe and adhere to the following:**
- 1. Homeowners are not allowed to use perimeter fences to hang items** such as planters, satellite dishes and fence height extensions as the fence may not be strong enough to support the extra weight.
 - 2. While fence height varies throughout the MCHOA (3 feet to a maximum of 6 feet), the existing fence height is the approved standard.** All perimeter fences that abut MCHOA common space and wing fences (fences that are connected to adjacent homes and usually gated) shall be maintained at current height, approximately 4 feet. **Homeowners are not allowed to change or alter the fence height between homes that does not abut common area open space without written approval from the Architectural Control Committee.**
 - 3. Homeowners are responsible for maintaining trees and bushes that extend over the fence** into MCHOA common area or a neighboring property. It is especially important when it is time for fence repair to have the fence line as clear as possible so there is access to perform the necessary work.
 - 4. Damage to common area perimeter fence can also occur from the tree and bush roots or branches pushing against the fence. A homeowner may be responsible for repair costs by not maintaining or planting to close to the fence.**
 - 5. Fence damage can also occur from landscape grade changes** made by current or previous owners where soil or other landscaping materials is pushed up against the base of the fence causing the fence to bow or move away from its original position. In many cases this process occurs naturally over time and could be considered normal wear and tear.
 - 6. Homeowners should keep the outside area of the fence clear** by not disposing of lawn clippings, branches, pet waste or other trash by throwing it over the fence into the MCHOA common area, golf course or their neighbor's yard.

Please note that MCHOA has a fence removal policy (Rule 2.6) which is published in the Rules and Regulations of the Masters Club Homeowners Association.