

**RULES AND REGULATIONS AND POLICIES
OF THE
SADDLEWOOD ESTATES HOME OWNERS ASSOCIATION**

DATE: JUNE 30, 2011

FENCES

STATUS: FINAL

REVISION: 0

CCR REFERENCES

Pertinent sections of the CCRs that apply to fences include the following:

Article VI, Section 39

All fences shall be constructed in accordance with the specifications provided by the developer, or as approved by the A.R.B. Fences shall not be considered "structures" as that term is used in Article IV, Section 18.

Article IX, Section 71

No building, structure, or improvement shall be erected, constructed, placed or altered on any Lot until the owner of the Lot shall submit in duplicate complete plans and specifications for each building, structure, and/or improvement, including an elevation drawing and a detailed site plan showing its proposed location. The Developer shall have full discretion to approve such plans and specifications for each building and detailed site plan and such approval must be obtained in writing. The approval of said plans and specifications by Developer may be withheld for the following (i) the noncompliance with any of the of the specific, covenants, conditions, and restrictions of this Declaration; (ii) the reasonable dissatisfaction of Developer with the landscaping or grading plan, proposed location of the structure with respect to topography and finished grade elevation, quality of workmanship and materials, type or use of materials, exterior color scheme, finished design, proportions, architecture, style, shape, height, size, style, or appropriateness of the proposed building, structure or improvement, or (iii) the lack of harmony of the external design with the existing or proposed buildings, structures or improvements located or to be located upon the property, including but not limited to the height, kind, and appearance of fences, walls, any excavation or fill, change in drainage or terrain, planting, utility installation, and any other physical change or improvement to any lot, the size, location or materials to be used in the construction of the walks and drives, and the sizes and species of landscaping materials.

Amendment to Article IV, Section 39

The following text was added to Article IV, Section 39: Front yard fences and 25 foot returns shall be installed at or prior to the time construction of the house is completed. All or a portion of this fencing requirement can be waived by the A.R.B.

**Amendment Number Six to the Declaration of Covenants, Conditions, and Restrictions
Article IV, Section 18**

**RULES AND REGULATIONS AND POLICIES
OF THE
SADDLEWOOD ESTATES HOME OWNERS ASSOCIATION**

DATE: JUNE 30, 2011

FENCES

STATUS: FINAL

REVISION: 0

It shall be the responsibility of each property owner within the subdivision at the time of construction of a building residence, or structure, to comply with the construction plans for the surface water management system pursuant to Chapter 40D-4, F.A.C., approved and on file with the Southwest Florida Water Management District (SWFWMD).

No owner of the property within the subdivision may construct or maintain any building, residence, or structure, or undertake or perform any activity in the wetlands, buffer areas, and upland conservation areas described in the approved permit and recorded plat of the subdivision, unless prior approval is received from SWFWMD pursuant to Chapter 40D-4.

A.R.B. CRITERIA FOR FENCES

In general, fences are not encouraged within the community except where they are integrated in with the design of the dwelling and enhance the overall character of the community. Hedges and/or clusters of trees, berms, shrubs and other landscape alternatives are preferred. Complete enclosure of rear yards by fencing is also discouraged as the feeling of open space and the unity of surrounding area is an important part of reinforcing the natural character of the community. Where a proposed fence is deemed by the Architectural Review Board (ARB) to be unnecessary or unsightly and detracting from the character of the community, a landscape screen in lieu of a fence may be required.

The addition of a fence to a Lot or dwelling may be approved to help provide privacy. In these requests, the ARB will consider the design, location and specifications to ensure that elements are consistent with the architectural styling and visual aesthetics of the community. The goal of the ARB is a consistency in the quality of the design, the materials and the placement of any fence. Therefore, it will establish the materials, height and appearance of each type of fence according to its location, purpose durability and the desired visual effect.

The ARB's approval of any fence may be conditioned upon (without limitation) the installation and continued maintenance of hedges, and continuing maintenance provisions to the fence and landscaping in addition to those set forth herein. Should a fence or the required accompanying landscaping not be maintained as stated herein, or as required by the ARB approval, the Association may require the owner of the fence to remove it upon thirty (30) days written notice to do so. Nothing stated in this section

**RULES AND REGULATIONS AND POLICIES
OF THE
SADDLEWOOD ESTATES HOME OWNERS ASSOCIATION**

DATE: JUNE 30, 2011

FENCES

STATUS: FINAL

REVISION: 0

shall be interpreted to mean that the ARB is required or obligated to approve a fence for, or installation on, any Lot, or that because a fence has previously been approved on a specific Lot, that it will be approved for installation on any other Lot.

Installation of a fence requires submittal of a form to the ARB. The form is available on the Saddlewood Estates website or through the property management company. **Please note that the ARB form requires that the request be accompanied with a copy of a scaled site survey plan, showing the location of the fence.** You must obtain approval **PRIOR** to starting any work/installation.

The ARB will evaluate all applications for fences. For convenience, the following represents the criteria that the ARB considers when reviewing an application to install a fence.

1. Fences shall not be placed in easements including wetlands, buffer areas, or upland conservation areas.
2. Fences will not be approved if they impede the flow of surface waters or alter the drainage on the property.
3. Proposals for solid or close boarded wood or vinyl fences, such as stockade fences will not be approved, regardless of where they are to be placed on the property.
4. Fences placed in front of the residence, shall not exceed a maximum height of four (4) feet. Fences placed on the side or rear of the property, shall not exceed a maximum height of five (5) feet.
5. Fences that are proposed to be installed in front of a residence will be split rail, three rail, or picket type fences. These fences can be made of wood and are **not** required to be painted. If painted, paint color must be included on the ARB form and approved.
6. Coated galvanized chain link fences may be installed in the rear or sides, of the property, but may not extend beyond the front of the residence. Approved colors include green and black.
7. Plants may be planted in front of any approved fencing. Plantings installed in the front of the residence must be maintained at a height of no higher than 4 feet and plantings installed in the rear, or sides, not extending beyond the front of the residence, must be manicured, with no maximum height enforced.
8. All fences must be maintained, clean and free of stains.