

RULES AND REGULATIONS – FENCES  
Westhaven Trails Community Service Association, Inc.  
[Effective June 2023]

The procedures and policies to erect a fence in the Westhaven Plat are as follows:

1. Petitions to install a fence must be formally submitted to the Chair of the Architectural Review Board [ARB] on the Association's form called "Application for Architectural Committee Approval" prior to commencement of work.

2. The application must be delivered to the ARB Chair via email only at [arb@westhaventrails.org](mailto:arb@westhaventrails.org). The ARB Chair shall acknowledge receipt within 10 days.

3. A completed application includes the submission of all information requested on the Application Form, the reason for installing the fence, a picture of the type of fence (a brochure or other information provided by the manufacturer is sufficient), and a map/sketch showing the location of the fence on the property, distance from the property lines, and its relationship to the house. The ARB may require submission of additional plans, specifications, or other information prior to reviewing the application.

4. After receipt of all required attachments and information, the ARB may take up to 10 days from the date the ARB Chair acknowledges receipt of the completed application to review the application. The ARB may request additional time if clarification of the information submitted is required.

5. The decision of the ARB shall be in writing and, if the proposed fence is not approved, the decision shall provide the reasons to the applicant. The ARB may condition its approval on making changes to the proposed fence as appropriate and in the ARB's reasonable discretion.

6. After approval, the fence shall be installed as promptly and diligently as possible. If the fence is not completed within one year from the date of approval, ARB approval expires and a new application must be submitted.

7. Installation should be completed by a qualified professional.

8. Fence specifications are as follows:

a. The fence may be solid, split rail, or of a picket style, in a material appropriate to a residential neighborhood. The following types of fences may be approved: vinyl, aluminum, wrought iron, and wood. Chain link will not be approved. The ARB shall favor fences consisting of plantings, trees and shrubs which do not obstruct views.

b. The maximum fence height is 4 feet. A fence higher than 4 feet will not be approved unless there is a documented health and safety issue. In no event will a fence higher than 6 feet be approved.

c. The fence must carry a minimum 15-year warranty on maintaining durability and color.

d. Fences are limited to the back yard, defined as the area behind the house.

e. Support posts must be on the inside of the fence facing the area to be enclosed.

f. Fences may be built up to but not on or over the property boundary line. Adjoining property owners may enter into a joint fence agreement to build a fence on the property line, subject to these Rules and Regulations.

g. No fence shall be placed or permitted to remain within any easement of record which may damage or interfere with the installation and maintenance of utilities, or which may change the direction or volume of flow of drainage channels in the easement, or which may obstruct or retard the flow of water through drainage channels in the easement.

9. Residents who: 1) erect a fence without prior approval by the ARB, or 2) erect a fence that is not substantially the same as depicted in the application materials submitted to the ARB, or (3) after the fence is approved and erected, do not maintain their fence, or (3) violate these Rules and Regulations for fences, should expect to be sanctioned by the Association pursuant to the Use Restriction Fine Policy.

10. It is the homeowner's responsibility to ensure that the proposed fence, and its location and installation, is not in violation of any city codes or ordinances.