

TANNER'S CREEK ARCHITECTURAL GUIDELINES

May 2006

PURPOSE OF AN ARCHITECTURAL COMMITTEE:

- ❖ The purpose of the Architectural Control Committee is to provide consistently enforced guidelines regarding changes proposed on neighborhood properties
- ❖ The ACC and the HOA Board of Directors are responsible for review, approval and control of homeowner/resident improvements as charged in the Master Declaration of the Tanner's Creek Conditions, Covenants and Restrictions (CCRs)

HOMEOWNER RESPONSIBILITIES:

- ❖ Homeowners/residents are responsible for securing approval of improvements. Homeowners are required to submit their applications for review to the Architectural Control Committee.
- ❖ Please contact Cedar Management Group or arctannerscreek@tannerscreekhoa.com for answers to questions or see our FAQs.
- ❖ Homeowners/residents are responsible for first reading & reviewing all applicable CCRs that govern the improvements they are proposing to make
- ❖ Homeowners/residents bear full responsibility for meeting codes, standards and regulations of the federal, state and local authorities and obtaining necessary permits. All approvals of things requiring the above are conditional on the compliance with codes, standards and regulations of federal, state and local authorities and contingent upon you obtaining the appropriate permits.
- ❖ Homeowners/residents also bear full responsibility for maintaining their improvement to the high standards of the CCRs after it has been made to the home or lot.
- ❖ Finally, homeowners/residents are responsible for altering or removing improvements or structures that are found to be in violation of the CCRs at the owner's expense.

WHY OR WHY NOT CONSIDER FENCING? (GENERAL GUIDELINES)

- ❖ Fences have traditionally been used as a physical and visual separation of two pieces of property – a notification of where one person's land begins and the other's ends.
- ❖ As today's landscape and living style changes, so does the use, location and design of fencing.
- ❖ As residential lots have become smaller, **it is usually attractive and desirable to visually extend properties beyond the property lines.** Please keep this in mind when considering **fencing**, which by its very nature tends to physically define and separate areas and **makes yards appear smaller.**
- ❖ Fencing is typically used to separate property out of protection of pets and small children, provide security and visual privacy or architecturally define space.
- ❖ Fences also **create a barrier that has both a visual and physical impact on the boundaries of common land and properties of adjacent homeowners.** Careful consideration should be given to the basic fencing concept and the manner in which this concept is executed
- ❖ **Fence height should not be greater than is necessary for its intended use** since fencing can have a significant impact on adjoining properties and community open space. **No fences in Tanner's Creek will exceed 5 feet in height.**
- ❖ The degree of openness of fences depends on its use. Solid fences, which may be desirable for privacy, may also provide unwanted shadows, and loss of natural ventilation and views.
- ❖ **Fencing should relate to the principal architectural feature of the house in design, location and the way in which it connects to the existing house.** Planting schemes should be integrated with all fencing to soften the visual impact.

- ❖ Proper fencing **can have a unifying effect on a neighborhood. Improper fencing can detract from the appearance** of a Neighborhood.
- ❖ **Cluttering a neighborhood with an uncoordinated selection and placement of fences should be avoided.** Cooperation among neighbors in this matter can positively affect the visual and psychological harmony of an area.
- ❖ Spaciousness and character of a neighborhood is **compromised by excessive fencing. Fences in Tanner’s Creek will be restricted to rear yards.** Side yard fencing, however, will be considered based on individual merits.
- ❖ Particular attention should be **given to the amount of adjacent open space and the height and compatibility of materials and color** with the existing house or other houses and fences in the vicinity.
 - Fencing should NEVER visually compete with or dominate a house
 - Fencing within a given street or visual area should be of consistent family or style
 - Fencing should respect open space and frontage
 - Planting is considered an integral part of any fencing scheme.

IMPACT ON NEIGHBORS & NEIGHBORHOODS

- ❖ Unquestionably, anyone’s fence will be shared by neighbors even if neighbors have only to look at the other side of it. An **inconsiderately placed fence can box a neighbor in or destroy his/her views.** Please keep this in mind when considering the design and placement of your fence.
- ❖ Additionally, different types of fencing side by side or in close proximity may **detract from the inherent beauty and harmony** of the landscaping or architectural design of the homes and neighborhood, therefore, anywhere possible, please first consult with your neighbors and collaborate on fencing for design, placement and affordability. The ACC will take into account the surrounding fence types when considering your application.
- ❖ **Please ensure you are within your property lines when erecting fencing.** Most lots do not have straight property lines or lines at 90 degree angles with one another, therefore, making it relatively easy to inadvertently place your fence on your neighbor’s lot.
- ❖ If you do place your fencing on your neighbor’s lot, you **may render your deed/title to your home unmarketable** – therefore preventing both you AND your neighbor from being able to sell your home. This will only cost you more money and time or potentially cost you a sale thereby devaluing the properties of the entire neighborhood if homes in Tanner’s Creek cannot sell quickly and easily.
- ❖ Fencing can only be placed such that the posts, supports, etc. are facing the inside so that only you can see these.
- ❖ Additionally, once fencing is erected, homeowners may neglect to edge and weed around the fencing, particularly on the outside. Please keep in mind, **it is still YOUR responsibility to mow, edge and weed on both the inside and OUTSIDE of your fencing.** Your decision to put up fencing should not create more yard work for your neighbor.

GENERALLY ACCEPTABLE FENCE TYPES

- ❖ Proper fencing **can have a unifying effect on a neighborhood. Improper fencing can detract from the appearance** of a Neighborhood.
- ❖ **Cluttering a neighborhood with an uncoordinated selection and placement of fences should be avoided.** Cooperation among neighbors in this matter can positively affect the visual and psychological harmony of an area.

- ❖ Spaciousness and character of a neighborhood is compromised by excessive fencing. Fences in Tanner's Creek will be restricted to rear yards. Side yard fencing, however, will be considered based on individual merits.
- ❖ Particular attention should be given to the amount of adjacent open space and the height and compatibility of materials and color with the existing house or other houses and fences in the vicinity.
- ❖ **The following fences types will generally be acceptable (if you live in DR Horton or Townhomes, please refer to your own supplemental covenants for more information) but in any event must FIRST have PRIOR approval of the Architectural committee (this applies to DR Horton and Townhomes).**
 - Wooden fences with all pickets facing the outside boundary line of the Lot (in other words, no framing or posts are to be visible from the perspective of any perimeter boundary line of the Lot).
 - Wooden privacy fences employing 1 x 6 inch pickets with "dog-eared" tops having an identical appearance from each side of said fence
 - Vinyl fences
 - Wrought iron fences
 - 3 rail (diamond cut rail or split rail) fences, with 4 x 4 inch rails, which may also utilize 2 x 2 inch galvanized, heavy gauge, welded wire fabric screen secured to the inside rails to secure pets.
 - All wooden fencing must employ 4 x 4 inch wooden posts which shall extend above the pickets and shall have a decorative, beveled saw-cut top.
 - No chain link, concrete block, or exposed wire fences of any nature shall be allowed within the development
 - No "dog runs", chain link animal enclosures or animal enclosures of any nature shall be allowed within the development.
 - Other materials not specifically listed herein may be allowed with the approval of the Committee.
 - Any fencing installed along a side street Lot line shall have a minimum of 12 feet of landscaped area between such fencing and the street right-of-way.
 - Fences shall NOT exceed 60 inches (5 feet)
 - Minimum landscaping for each structure shall include seeding of all lawn areas and/or maintained natural areas and appropriate foundation plantings.
- ❖ Fencing should be compatible with the applicant's house, but it should also be appropriate for its intended purposes.
 - Property separation: where the homeowner's goal is property separation, an open fence is appropriate. Open fences provide visual definition of property boundaries without obstructing views.
 - Security: many homeowner's wish to restrict children or pets to or from their property. Security fences where privacy is not a factor should also be the open type.
 - Privacy: height, topography of the land and relative distance of an observer affect both the amount of privacy afforded by a fence and the degree of visual impact.