

Fence Construction and Upgrade Guidelines

Including External Mechanical Equipment

Architectural Control Committee

Section 5.1: Authority: Except as specifically provided for homebuilders in Section 5.3, no landscaping shall be undertaken, and no building, fence, wall or other structure shall be commenced, erected, placed, maintained or altered on any Lot, nor shall any exterior painting of, exterior addition to, or alteration of, such items be made until all plans and specifications and a plot plan have been submitted to, and approved in writing by the Committee.

Section 5.4: Standards: The Committee shall use its good faith efforts to promote and ensure a high level of taste, design, quality, harmony and conformity throughout the Property consistent with this Declaration. The Committee shall have sole discretion with respect to taste, design, and all standards specified herein. One objective of the committee is to prevent unusual, radical, curious, odd, bizarre, peculiar or irregular structures from being built on the Property. The Committee from time to time may publish and promulgate bulletins regarding architectural standards, which shall be fair, reasonable and uniformly applied and shall carry forward the spirit and intention of this Declaration.

Please note that these guidelines are to help residents understand the request form but are not meant to “shortcut” the approval process. All architectural plans must be submitted for review by the ACC **PRIOR** to the commencement of any construction. Homeowner should review Declaration of Covenants, Conditions, and Restrictions at the website listed below, specifically;

- Article IV, "Construction of Improvements and Use of Lots" and
- Article V, "Architectural Control Committee"

Ctrl + Click Here

'Request Form' Link: [Fence Construction and Upgrades](#)

Please include with the Request Form:

- A plot of the Residence (If fence construction is involved)
 - Showing new fence placement with any planned gates.
 - indicating the proposed location of the external mechanical equipment.
- A color chip / actual stain code for the stain you are choosing.
- For fence repair / construction:
 - Indication of materials being used (type, size, height).
- For External Mechanical Equipment:
 - a picture and area measurements of the equipment to be concealed.

Useful Links:

Architectural Control Committee:

<http://www.watterscrossing.com/architectural%20control.html>

Declaration of Covenants, Conditions and Restrictions:

<http://www.watterscrossing.com/Covenants.pdf>

Frequently Asked Questions:

<http://www.watterscrossing.com/Reminders.pdf>

Revision Dates - Version:

202108 – 01:

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In General:

Section 4.12: Screening Fence: Fences on any Lot adjacent to McDermott Dr., Watters Crossing Dr., Alma Dr., County Road 141 (Tatum), Bethany Rd. or Bel Air Dr. are governed by '**Section 4.12: Screening Fence** which includes specific language related to stone columns, fence height (6' maximum) and construction techniques. If your property faces these roads, these restrictions apply.

Fence Ownership: Determining property line boundaries often arises when a fence replacement is required. Too often neighbors believe that they share ownership of a common fence and therefore the cost of replacement should be shared. Watters Crossing does not follow the practice of shared fencing. All fences are owned by one resident. Determining the ownership of a fence is not the responsibility of the Association nor does it have the legal authority to determine fence ownership

Approval by the ACC does not supersede any City of Allen permits required.

Guidelines for Your Request:

This will be presented in 3 sections:

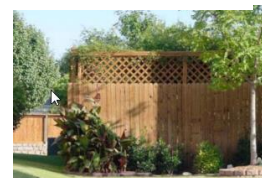
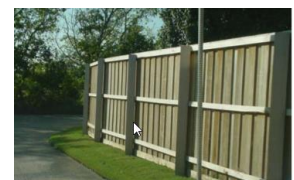
1. Wooden Fences
2. Wrought Iron Fences
3. External Equipment Fences

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Wooden Fences:

- For consistency thru-out the Property, the material and color for any fence construction must be approved by the ACC with the following criteria:
 - Fence Material:
 - 6" or 4" Cedar pickets are acceptable, Pine, due to the short life span is not acceptable.
 - Supports will be metal (2" dia. min.) or wood (4"x4" min)
 - Kickboards (treated 2"x6") at bottom of fence are allowed – Max of 2 high.
 - Fence Height: Only 6' or 8' are acceptable (see above Note for fences on specific Property roads).
 - If ANY fences of different height intersect (meet) 6' – 8', there are two approved methods for this transition.
 - Smooth transition: over a 10' span.
 - Step transition: where each 'step' is no greater than 12" (height) and no closer to the next elevation than 12".
 - All fences must be stained –NOT painted – using a semi-transparent or transparent stain. Solid stains, much like paint will peel.
 - Approved colors of stain are Cedar Tone or Medium Brown. If different, please include a color chip or the actual stain code for the stain you are choosing.
- Note that specific Covenants regarding fences and stone columns apply to select, specific streets; Watters Crossing Drive, Bel Air Drive, Alma Drive, McDermott Drive, Bethany Drive, and Tatum Drive
- If construction (new or replace) is planned, a plot of the Residence is requested showing fence location with any planned gates.
 - The fence cannot extend beyond the front building line of the house.
 - Is either a stone or wood beam retaining wall is part of this fence – Please indicate the material being used (type, color, size, height, picture).
- All vertical and horizontal supports of any fence facing the street will be constructed on the fence interior.
- Fence construction preferred by the ACC is for all supports and posts to be on the interior of the fence. If supports are constructed with metal posts visible from any property street, they must be fully enclosed in wood matching the rest of the fence construction.
- Lattice is not an approved fencing material for use within Watters Crossing. Lattice may be used for **adjacent sections** or as a fence topper. When used, lattice must be integrated into the fence structure and be framed. Lattice will not be approved to block the view of boats, shed or other structures that must be completely blocked from view.



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Wrought Iron Fences:

- If construction (new or replace) is planned, a plot of the Residence is requested showing fence location with any planned gates.
- The fence cannot extend beyond the front line of the house.
- Size: 5' minimum height, 6' maximum height, 2" square posts, 1" square top & bottom rail, 1/2" pickets spaced 4" O.C.
- Posts should be spaced a maximum of 8' O.C.
- Black is the only acceptable color for wrought iron fence

External Mechanical Equipment Fences:

The Declaration of Covenants, Conditions, and Restrictions of Watters Crossing provides for the concealment of mechanical equipment in Section 4.7.u which reads:

"All mechanical equipment including, but not limited to, HAVC equipment, shall be located on the side or rear of each Lot and shielded from public view from any adjacent street."

While it is expected that equipment such as HVAC Equipment, Pool Related Equipment and Electrical Power Generators will become common place within the subdivision, the following provisions will be relevant:

- Concealment will be via fence panel(s), which is a minimum of 6' in height and four feet wide (width is dependent upon full concealment). Landscape will not be accepted as a substitute.
- Please refer to the above **Fence Construction Guidelines** for additional information.
- The equipment must be:
 - Permanently installed.
 - Fully enclosed in an integral manufacturer-supplied sound attenuating enclosure.
 - Approved as required by the City of Allen including building, plumbing, electrical, and fire department.
 - Placed within the established building setbacks of the home, not within 3' of any established utility easements, not within 3' of any drainage easements or on Common Area owned by the Association.
 - Care should be taken in selecting the location for the system so as to not impact neighbor's property. The Modification Committee reserves the right to review and approve the placement of the system on the lot.

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We will grandfather all HVAC equipment where original landscaping is in place to provide for complete concealment. After 1/1/2016, all HVAC equipment that is not completely concealed by landscaping will be considered to be in violation of Section 4.7.u. The concealment will need to be completed via fencing as above.

Note: In the event that existing landscaping concealment needs to be replaced, ONLY wood fencing will be considered.

Historical Recap:

1/1/2015: New landscaping will no longer be approved by the ACC as a means of HVAC concealment.

1/1/2016: All HVAC equipment, where landscaping has been installed as a means of concealment, which is not completely concealed, will be in violation of Section 4.7.u