

# Fence Construction, Stain 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"

#### Revision Dates - Version:

20150101 - New landscaping will no longer be approved by the ACC as a means of HVAC concealment.

20160101 - 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

20210831 - Initial draft for new guideline format

20220107 – Add 4.13 Landscaping comments

20220128 – Add comment on kickboard height

1 15 2023- ACC Changes

1 15 2023- HVAC Fence change for alley/street view

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### Guidelines:

**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.

**Section 4.13: Landscaping:** The Owner of a lot with a boundary adjacent to Watters Crossing Drive shall adhere to the covenants in this section...

**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.**

**Requests should be submitted to the ACC via the Request Form found on the ACC WEB site containing a detailed description as detailed below of what your fence/stain/upgrade request is. Plans will be delayed and/or declined due to inadequate information being provided. Normal turnover time after submittal to the ACC may be up to thirty days**

While not necessary, homeowners may request to attend a Committee meeting ( usually every 60 days with exception of Thanksgiving/Christmas) using [acc@waterscrossing.com](mailto:acc@waterscrossing.com) and requesting to be placed on the meeting agenda. Following a review by the Committee, requests will be approved or disapproved within 30 days thereafter.

Approval/denial by the ACC will not be issued at the time of the meeting.

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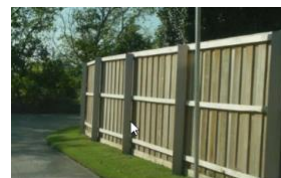
Approval by the ACC does not supersede any City of Allen permits required.

This will be presented in 3 sections:

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

### 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 mandatory, Pine, due to the short life span is not acceptable.
    - Supports will be metal (2" dia. min.) or **Cedar** wood (4"x4" min)
    - Kickboards (treated 2"x6") at bottom of fence are allowed.
      - Max: Stacked 2 high, cannot be used to increase fence height.
  - 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, and are not accepted.
    - Approved colors of stain are Cedar Tone or Dark/Medium Brown. In your submission include a color chip(preferred) or the actual stain code for the stain you are choosing.
- If construction (new or replace) is planned, a plot of the Residence is mandatory showing fence location with any planned gates or driveway gates.
  - The fence cannot extend beyond the front line of the house.
  - If either a stone or wood beam retaining wall is part of this fence – Please indicate the material being used (type, color, size, height).
  - If a driveway gate is to be built, please include location on the mandatory plot as well as indicate 6- or 8-foot height.
- 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 cedar wood matching the rest of the fence construction.
- Lattice is not an approved fencing material for use within Watters Crossing.



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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, ½" 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
- Plastic greenery or any other type of screening material is never allowed on wrought iron fences.

### HVAC Concealment and 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, HVAC equipment, shall be located on the side or rear of each Lot and shielded from public view from any adjacent street."**

### HVAC Screening Fences

- Please refer to the above **Fence Construction Guidelines** for additional information.
  - Concealment will be via Cedar fence panel(s), which is a minimum of 6' in height (maximum 8 feet) and four feet wide.
  - Supports will be metal (2" dia. min.) or **Cedar** wood (4"x4" min)
    - 6" or 4" **Cedar** pickets are mandatory, Pine, due to the short life span is not acceptable
  - Fence Height: Only 6' or 8' are acceptable.
  - All HVAC fences must be **stained** –not painted – using a semi-transparent or transparent stain. Solid stains, much like paint will peel, and are not accepted.
    - Approved colors of stain are Cedar Tone or Dark/Medium Brown. In your submission include a color chip(preferred) or the actual stain code for the stain you are choosing

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### Landscape/bushes is not accepted as a substitute as of 1/2015 revision.

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 Cedar wood fencing will be considered.

### External Mechanical Equipment Fences

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

- Please refer to the above **Fence Construction Guidelines** for additional information on construction to hide equipment.
- 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.

### 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>