

Cape Carancahua Property Owners' Association

Effective
July 1, 2017

Fence Requirements

Please read, sign, and attach to the Construction Permit Application

No materials may be brought into the Cape, nor construction started until the permit application has been approved. I agree that if any construction is begun without a valid permit having been issued and conspicuously displayed on the property, non-compliance fees will be assessed and the matter may be turned over to the CCPOA attorney for legal remedy and that I will be liable for attorney fees, court costs, and other applicable fees. I hereby grant reasonable access to my property by members of the ACC and CCPOA Board of Directors to determine compliance and progress until such time as the project is completed.

Building a fence in Cape Carancahua requires approval of the Architectural Control Committee. The purpose is to ensure that the fence is in harmony with existing structures and meets all fencing requirements.

Paragraph 4.01 of the Restrictions, Conditions, and Covenants of Cape Carancahua Subdivision states that the developer (and his heirs and assigns) has an easement for utility purposes in, on, over, and under a strip twenty feet (20') in width along the front of each lot in the subdivision and ten feet (10') in width along the rear and five feet (5') in width along each side of each and every lot in the subdivision. Therefore, if it becomes necessary to use the easement an authorized user will not be responsible for any damage to or the restoration of any fence placed across such an easement, in order to exercise any rights under or on such easement.

Fences allowed - Chain link, wood fencing, and other fences must meet the American Society for Testing and Material standards of fence materials and products, 7th (or later) Edition.

To apply for approval, submit the following:

1. One copy of a scaled drawing showing property lines, easements, and the location of the fence and gates. A sample typical survey plat is included in the Construction Permit Application package.
2. One copy of the specifications of the proposed fencing material and details of corner bracing, fence height, and posthole depth.
3. One completed copy of the Construction Permit Application package, along with any required permit fees.

Upon approval by the Architectural Control Committee and ratification by the Board of Directors, you will be notified to proceed with construction. The completed and approved Construction Permit Application package will be placed in your file at the CCPOA Office.

GENERAL INSTALLATION REQUIREMENTS:

1. The fence may be installed on your property line, providing any part of the fence does not extend over the property line. Do not fence in or enclose the water meter. If placed on the property line or within any easement, you are responsible for removal, repair, or replacement if any utility work must be done in the easement.
2. Before digging, request the Water Supply Corp. to identify the location of the water lines on your property. Water line damage will be repaired at owners' expense.
3. Call 811 to have any other buried utilities located before you dig.
4. Pursuant to Paragraph 2.15 of the Restrictions, Conditions and Covenants of Cape Carancahua Subdivision, should utilities be installed in the rear property easement as reserved in the Restrictions, each lot owner or purchaser agrees to install a gate or gates in any fence that shall be constructed on such easement, as may be specified and required by Cape Carancahua Subdivision for access to such easement. Additionally, pursuant to Paragraph 2.16 of the Restrictions, any reasonable damage to any fence located in any utility easement shall be borne by the lot owner or purchaser.

I understand that the fence must meet the approved requirements and must be kept properly maintained and in good appearance.

WOOD FENCING REQUIREMENTS:

1. Fencing requirements have been condensed from the ASTM Standards for Fencing, 7th Edition for your convenience. All fence applications are subject to further review by the Architectural Control Committee.
2. Wood fencing slat material shall be of treated pine, redwood or cedar with a 4' maximum height above grade level and a 3 foot minimum height above grade level. (Pool enclosure fencing may be 6' in maximum height.)
3. Wood fencing posts shall be pressure treated 4"x4" or 3" round top minimum with no bark and set a minimum of 18" below grade and concreted. Posts shall be set on an 8' spacing, or less.
4. Back rails shall be 2"x4" treated pine, redwood, or cedar minimum. 4' fences shall have three back rails, 3' fences shall have two back rails.
5. Creosote lumber shall not be used for fence slats, line posts, or back rails, nor shall any of the above items be treated with spray or brush on creosote.
6. Wood fences may be painted with a high grade of paint and must be in harmony with existing surrounding structures.
7. Open picket type wooden fencing is in all ways preferable to solid fencing.

METAL FENCING REQUIREMENTS:

Fencing requirements have been condensed from the ASTM Standards for Fencing, 7th Edition for your convenience. All fence applications are subject to further review by the Architectural Control Committee.

1. Metal fencing shall be of the residential chain link fencing as described in Section F626-96 of the ASTM Standards, 7th Edition.
2. Chain link fencing shall be zinc coated galvanized wire or PVC coated wire. The wire shall be minimum 14 gauge in diameter, and shall be new material (not used).
3. Line posts shall be a minimum of 1-1/4" round zinc coated (galvanized) on a minimum of 10' centers. Posts shall be set a minimum of 24" below grade level and shall be set in concrete; post caps will be used on all posts. No agricultural style posts are allowed for any metal fencing.
4. Chain link fencing shall be installed with the following hardware: rail and brace ends, top rail sleeves, tie wires, clips and fasteners, tension and brace bands and tension bars. All hardware shall be zinc coated or aluminum.
5. Maximum fence height shall be 6' above grade level and minimum height shall be 4' above grade level.

OTHER FENCING REQUIREMENTS:

Fencing requirements have been condensed from the ASTM Standards for Fencing, 7th Edition for your convenience. All fence applications are subject to further review by the Architectural Control Committee. Maximum height of any fence is 6' above grade level.

Garden Fencing:

Fencing for vegetable and/or fruit gardens shall be removable or meet the metal, wood, vinyl, ornamental, or electric fence requirements. All garden fencing must comply with Paragraph 1.09 of the Restrictions, Conditions and Covenants of Cape Carancahua Subdivision.

Pet Fencing:

Must meet metal or wood fencing requirements or be of the pre-manufactured type sold at lumber or hardware stores.

Electric Fencing:

Electric fences shall not be allowed as a primary means of fencing. Electric fencing shall be installed inside an existing wood, metal, vinyl, or ornamental fence, so that the electric fence is not visible from street view. Buried electric pet boundary fences are permitted.

Vinyl Fencing:

Must be installed to the manufacturers' specification submitted to the Architectural Control Committee, and be approvable in all other ways, and be harmonious with existing surrounding structures.

Ornamental Fencing:

Specifications of material and installation must be submitted to the Architectural Control Committee.

Shower Enclosure:

The maximum size of a shower enclosure is 50 square feet. It must be attached to the residence and be no more than 7' in height.

The CCPOA and ACC are responsible *only* for ascertaining that our building restrictions are met. CCPOA and ACC make no warranty, implied or otherwise, regarding structural/design strengths.

Signature of Property Owner

Lot #(s)

9-1-1 Street Address

Date

Date Received by CCPOA

CCPOA Office Staff Member