

## DID YOU KNOW...

# Fences between homes in Vista Bella...



The builder installed a fence between many of the home sites in Vista Bella to create an element of privacy; this feature is known as a buffer fence or party structure.

### What is a homeowner responsible for?

The fences were typically placed at the rear or side of both adjacent homes. Both homeowners with a buffer fence between their lots are equally responsible for:

- The overall appearance of the fence including the duty to keep it in good condition in accordance with the high standards of the community;
- Regular inspection of the condition of the fence for signs or evidence of damage, fading, mold or mildew; and,
- Maintenance of the fence to include cleaning, repairing or replacing the fence if it is damaged. Any repair must be with similar material and style of the buffer fences in the Vista.

### How can I inspect both sides of the fence on the property adjacent to mine?

Homeowners on adjacent properties must permit reasonable access to inspect, maintain, and conduct any work or repair on buffer fences. A homeowner should first make a request to the neighbor for inspection purposes. The neighbor should allow entry and permission to enter the adjacent properties at a reasonable time and such permission may not be unreasonably withheld.

### What if neighbors want to remove the fence between their properties and plant trees?

Prior Architectural Review Committee (ARC) approval must be obtained before any fence is removed or replaced. The ARC application must be signed by all homeowners whose properties abut the fence, regardless of whether the work is to be done by one or more than one homeowner. Homeowners are responsible for final landscape or irrigation repair once the fence is removed at their sole expense.

- For side yard fences abutting two homes and **BOTH** homeowners agree: Submit an Architectural Review Committee request detailing all aspects of the removal of the fence jointly signed by **BOTH** homeowners. The termination point(s) where the fence is removed must be properly secured and professionally finished and landscape must be restored at the homeowner's sole expense.

- For rear yard fencing, a collective of homeowners may remove fencing only if **ALL** affected properties along the entire length of the fence agree: Submit the request with **ALL** affected homeowners signatures who are adjacent to the fence as part of the application package to the Architectural Review Committee for approval. The termination point(s) where the fence is removed must be properly secured and professionally finished and landscape must be restored at the homeowner's sole expense.
- A homeowner group may replace fencing with plant materials: Submit request with all individual signatures (on both sides and along the entire length of the fence) as part of the application package to the Architectural Review Committee for approval. Plant materials selected must conform and be comparable to other similar plantings to the established character of the neighborhood. The termination point(s) where the fence is removed must be properly secured and professionally finished and landscape, irrigation and maintenance of all installed plant materials will be at the homeowner's sole expense.