

Pinewood Country Estates Home Owner's Association

"Working for a Great Community for Great Neighbors"

Fencing Guidelines

Pinewood Country Estates is a Deed Restricted Community. All home owners are members of the Pinewood Homeowner's Association, a Florida Corporation not-for-profit. The Articles of Incorporation, Bylaws and Declaration of Easements, Covenants, Conditions and Restrictions for the Pinewood Subdivision (DECC&R) are on file with Polk County and the State of Florida in accordance with Florida Statutes.

In accordance with the DECC&R, fences are allowed with this statement from both Phase 1 and Phases 2&3 of construction, Article V, paragraph 10:

"Fences. No boundary wall, fence, or fencing-type barrier, including without limitation, shrubs and hedges shall be permitted with a height of more than six (6) feet. No such wall, fence, or similar barrier shall be placed, allowed, or maintained on a Lot without the prior written consent of the Committee. The Board or the Committee may issue guidelines detailing acceptable fence styles or specifications."

Set Back from Street. Article V, paragraph 21 states: "No fence or wall shall be erected, placed, or altered on any lot nearer to any street than twenty (20) feet behind the Front Dwelling Line." The term "Front Dwelling Line" is the minimum setback line established by the applicable zoning authority, in this case Polk County and it is 15 feet from the property line. Therefore, no fence along any street shall be installed closer than 35 feet from the property line which is the lot side of the sidewalk.

Category of Fence. Fences are categorized as either Privacy or Containment. Privacy fences are solid panels not higher than 6 feet while containment fences are a maximum 4 feet high with 50% or more of the fence open.

Materials. Fences may be constructed of wood, vinyl or aluminum. Finishes may be white or an earth tone that matches the home or surroundings. All materials and finish must be detailed in the installation request and approved by the Board. Landscaping may be required for any fence installed along the side of a street.

Lake View considerations. The Board recognizes that part of the value of the properties along the lake is the view.

ARTICLE V, ARCHITECTURAL APPROVAL AND USE RESTRICTIONS, Paragraph 4 of the DECC&R states in part: "**There shall not be maintained any** plants or animals or device or **thing of any sort whose** activities or **existence in any way** is noxious, dangerous, unsightly, unpleasant, or of a nature as **may diminish or destroy the enjoyment of the Property.**"

Given these considerations Privacy Fences along the lake side of Pinewood are only allowed to the extent that neighboring properties cannot view the pool decks of adjacent properties.

However, respecting an owner's right to feel their children and pets can be protected in their backyards, a containment style fence could be considered along the lake side. The fence could be a 42 inch high vinyl picket style with a top rail not exceeding 3 feet above ground or faux wrought iron aluminum style not more than 48" high.

In addition to these requirements, any fence must not extend beyond the western edge of the existing lanai at 652 Pinewood Drive as originally constructed by the developer. Also, any fence installation must maintain a minimum 15 feet of flat surface along the lake for an easement as required by Article 3, Section 7.

Maintenance. Fences must be kept in good repair in accordance with the DECC&R.

(Adopted by Board Consensus 6/11/2019)