

Fences may be privately installed but must be constructed to professional levels of quality. Non-professionally installed fences will be inspected by a representative of the ARB after completion to insure that the final product is of professional quality, and final approval of the fence is withheld until successful completion of this final review.

#### Materials and Finish for Fences

- (a) Wood fencing or screening will be approved if the design is in conformity with the architectural design of the community.
- (b) The Board will not approve an application for the installation of chain link or other galvanized-metal fencing unless it has wood posts and rails.
- (c) All fencing or screening should preferably have finish material on both sides. If only one side has finish materials, that side must face the public side of the individual lot. The Board recommends rail or picket-type construction. Recommendations include: 1) 48" wood picket with 2-3" spacing between pickets 2) 48" black aluminum with spacing between spindles 3) 48" black welded steel with spacing between spindles Shadow box style fences are allowed on arterial roads only. Any variation other than the above will be reviewed on a case-by-case basis. *Board amended July 26, 2006. Amended October 11, 2011.*
- (d) Walls above grade should be constructed of natural stone, masonry or attractive lumber.

#### Height Restrictions for Fences

The ARB believes that the environmental integrity of the community will be materially lessened if the open nature of the community is damaged by a proliferation of fences of excessive height. The ARB will give consideration to a variance in this height limit where the rear line of a lot abuts a major arterial roadway or in other clearly-unique circumstances.

Arterial roadways in RAINTREE have been defined as Ward Road, Missouri 150 Highway, Raintree Parkway, Raintree Drive and Cole Younger Drive.

The ARB encourages use of six (6) foot fences around the smaller patio area of the back yard of homes to secure privacy of the immediate patio area while permitting the feeling of spaciousness throughout the open area and back yards of homes. The specific fence height restrictions are set forth below:

- (A) Property fencing and walls above grade shall not exceed four (4) feet above grade.
- (B) The ARB will not consider for approval any proposed fence which exceeds four feet in height unless the rear line of that lot abuts a major arterial roadway or offers some other circumstance clearly unique to that lot.
- (C) Patio screens shall not exceed six (6) feet in height.

#### Landscaping and Planting

Landscaping and planting, for existing homes, in general does not require the approval of the ARB. *Amended March 24, 2005*

Trees, hedges, and shrubs, which restrict sight lines for vehicular traffic shall be cut back or removed.

Hedge type shrubs in a fence-like appearance may be installed in front of the foundation line of a residence. Other locations upon approval by the ARB, as long as said plantings:

- (a) Plantings are no greater than thirty-six (36) inches in height
- (b) Plantings are not more than thirty-six (36) feet in length
- (c) Plantings do not entirely enclose any area of the yard, so as to constitute fencing
- (d) Plantings do not unduly restrict the view of the lake, amenities or other properties and shall not have a solid growth pattern.

Special landscaping beyond that normally associated with a single family residence must be approved by the ARB prior to its installation.

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Decorative trellis and landscaping borders of a fence-like appearance may be installed in front of the foundation line of a residence upon approval by the ARB so long as said construction:

- (a) Is no greater than thirty-six (36) inches in height.
- (b) Is no more than thirty-six (36) feet in length
- (c) Does not entirely enclose any area of the yard so as to constitute fencing.
- (d) Is limited to a border or trellis of approved materials, including split rail, wrought iron, or other approved materials not to be of chain link or coated-wire mesh.
- (e) Is in conformity with the architectural design of the home and community.
- (f) Does not unduly restrict the view of the lake, amenities or other properties and shall not be of solid stockade-type construction.

Full sodding of the entire lot is required for all single-family residence after outside of home is completed.

#### **Exterior Antennas**

Television or radio antennas are not allowed by any unit owner upon any lot or exterior of a dwelling. The ARB has determined that inside attic antennas are technically sufficient to serve residents at RAINTREE and recommends use of these antennas. The ARB will not approve a request to install or erect a television or radio antenna on the exterior of a dwelling. Approval of HD or "Special Use" antennas will be considered on a case by case basis. Position, appearance and design should be taken into consideration. Pictures, dimensions, details of the antenna and installation along with photos or plans indicating location of installation location are to be included with the application to the ARB.

#### **Wind Turbines, Solar Panels, Weather Stations**

Wind turbines, solar panels and weather stations shall be considered on a case-by-case basis before the ARB. *Approved September 8, 2009*

#### **Swimming Pools**

Permanent-type, back-yard swimming pools must have the approval of the ARB before any work is undertaken. Permanent, back-yard swimming pools will be approved by the ARB only after careful consideration of the potential effect of such a pool on neighboring property.

Temporary swimming pools above grade having a depth less than twenty-four (24) inches require no such approval.

An application for the construction of a permanent-type, back-yard swimming pool will not be considered unless the application is accompanied by an application for an acceptable fence design. The design shall conform to county or municipal regulations for such fencing. Use of plantings in the vicinity of the pool is recommended to soften the effect of sound on adjacent property.

All pool construction should be submitted to the City of Lee's Summit Zoning Board for approval before submitting to the ARB.

A swimming pool, spa or other pool of water greater than twenty-four (24) inches in depth shall be separated from adjoining property by a fence at least four (4) feet in height, provided with gates, which shall be kept locked when the pool or spa is unattended.

Spas, hot tubs, Jacuzzis and yard pools must have the approval of the ARB before any work is undertaken. The application for such structure will not be considered unless the application is accompanied by an application for acceptable fence design. The design shall conform to municipal regulations for such fencing. The structure will be approved after careful consideration of the effect on neighbors and property.

#### **Driveways and Patio**

Extensions, widening, or re-routing of existing driveways must have the approval of the ARB before any work is undertaken. Acceptable materials include concrete or pavers, no asphalt will be allowed.