

## ROCK CREEK MASTER HOMEOWNERS ASSOCIATION

### Fence Damage, Repair and Replacement

Revised 8/27/2020

In all cases, all fencing and gates must follow the designs and specifications on the Association's website with regard to materials, design and color. Modifications are not allowed. The color must be **Cabot Dune Gray SOLID Stain** available at Lowes and Ace retailers. Inside surfaces of the fence that are not prominently visible to the street or other public view are not required to be stained (i.e. may be left natural or a clear sealer may be used). Any other color or finish on the inside surfaces of the fence must be requested and approved. Note that battens are required between slats per the required design document for all fencing and gates in street or public view, including fencing or gates bordering open space or common areas as shown on the fencing designs and specifications.

#### **Requirements for Approval – All Approvals Must Be in Writing**

1. If you are repairing or replacing **less than 30 linear feet of fencing with no changes**, additions, or subtractions to the fence, you do not need to submit anything to the ACC: notification and approval are not required. If the fence borders a neighbor, you must notify the neighbor of your plans. It is common that neighbors share the responsibility and cost of fencing along shared property lines.
2. If you are repairing or replacing **more than 30 linear feet of fence with no changes**, additions, or subtractions to the fence, the only requirement is that you notify the HOA by email and receive email acknowledgement of your notification. If the fence borders a neighbor, you must notify the neighbor of your plans. (See Boundary Fencing Shared with Neighbors below).
  - a. Instructions (more than 30 feet, no changes): Please send an email to [manager@rockcreekhoa.com](mailto:manager@rockcreekhoa.com). Make sure your house number and street are in the subject line along with the words "fence repair application". You must state that no changes to the fence are being made. You must receive acknowledgement back by email before proceeding with repairs, which you can expect within 24 hours (Monday through Thursday).
3. **If you are planning any changes**, additions (including gates or access), or removal of any part of the fence, **a full ACC Request must be submitted and written approval received**. The ACC Request form is available at [www.rockcreekhoa.com](http://www.rockcreekhoa.com) on the ACC page. A plot plan must be included with all fencing indicated on the plan. If the fence borders a neighbor, you must notify the neighbor of your plans in advance and submit acknowledgement that the neighbor has been notified. It is common that neighbors share the responsibility and cost of fencing along shared property lines.

### **Boundary Fencing Shared with Neighbors**

Note that shared boundary fences – i.e. fences between properties – are the shared responsibility of the owners of the two properties in the absence of any other agreement between the owners. You are responsible for notifying your neighbor of your plans to repair or replace your fence, and for any arrangements between you and your neighbor for sharing cost under this shared responsibility. While the HOA cannot assume this responsibility, we can facilitate in this cooperative process between neighbors, but for us to do so you must submit an ACC Request application.

### **Fences Bordering Town of Superior Open Space**

In addition to the above HOA requirements, if your fence borders Town Open Space or Town maintained common areas, you are advised to contact the Town of Superior at [pros@superiorcolorado.gov](mailto:pros@superiorcolorado.gov). The Town considers the property owner to be responsible for structural repairs such as the posts and railings, while the Town maintains the slats, battens (strips between the slats) and the stain on the outside (slat side – but not the inside).

The Town's fence policy can be found here:

<http://superiorcolorado.gov/departments/parks-recreation-open-space/weed-and-pest-management-program/important-resident-information>.