

THIS FORM IS TO BE USED WHEN REQUESTING A MODIFICATION, ALTERATION OR ADDITION TO THE EXTERIOR OF YOUR HOME OR PROPERTY

ASSOCIATION NAME: PALM BEACH POINT PROPERTY OWNERS' ASSOCIATION, INC.

FROM:

Owner's Name: _____

Mailing Address: _____

Home Phone: _____ Business Phone: _____

Email Address: _____

No building or other structure shall be erected, placed or altered within Palm Beach Point until the building plans, specifications and plot plan have been submitted to Architectural Review Board for written approval with respect to compliance in all respects with this Declaration and that said building or other structure is in conformity and harmony with the topography and finished ground elevations, and with the architectural design of completed or proposed other improvements and with the Plat.

A check for \$100.00 for an application fee must be submitted with the application plus (IF APPLICABLE): \$400.00 for all construction plans sent to architect. Check should be made payable to Palm Beach Point POA.

Please include three (3) complete sets of road or driveway plans showing the locations, course, and width of same and three complete sets of building plans and specifications for the building, fence, wall, or other structure, as applicable, desired to be constructed or modified, prepared and signed by Florida licensed architect or engineer shall be submitted to the Architectural Review Board. A drainage plan in accordance with the Palm Beach Point master drainage plan and signed/sealed by a Florida Licensed engineer. The plans must show a culvert under access road to property.

All landscaping shall be done at each owner's expense strictly in accordance with landscape plans and specifications to be submitted and approved in accordance with the procedure described in Section 1 of the Article for architectural approval in the Deed Restrictions.

Approval is hereby requested to make the following modification(s), alteration(s), or addition(s) as described below and depicted in the required attachments.

Lot: _____ Block: _____ Address: _____

Please provide details to include nature, kind, color, shape, size, material, and location and any other pertinent details. Location to be shown on survey.

Description: _____

Date of Request: _____

Signature of Owner

Approval of any Modification, Alteration, or Addition does not waive the necessity of obtaining the required Federal, State, County, City or applicable agency approval(s) or permit(s)

PALM BEACH POINT PROPERTY OWNERS ASSOCIATION, INC.

ARCHITECTURAL CONTROL BOARD GUIDELINES, MINIMUMS, AND STANDARDS

I. POLICIES AND PROCEDURES

A. PURPOSE

One of the most effective methods of assuring the protection of the community lifestyle and property values is through the establishment of high standards of design control. To accomplish this, the Palm Beach Point Property Owners Association deed restrictions, covenants and by-laws has established an Architectural Control Board (ACB) to review applications and design documents for all new construction and alterations, modifications or changes to existing structures and landscaping. Prior to construction or modification of a residential unit or accessory building, the owner must submit three (3) complete sets of plans and specifications, including a site plan and landscape plan, to the Architectural Control Board. The plans must be signed and sealed by a Florida licensed architect and/or engineer and ready to submit for a building permit. The plans and specifications must be submitted fifteen (15) days prior to the next scheduled meeting of the Architectural Control Board. The by-laws of the Palm Beach Point Property Owners Association Inc. gives the Architectural Control Board the authority and power to review and approve or disapprove any application submitted by an owner for any reason including purely aesthetic reasons. Each application will be evaluated on its own merits with reasonable flexibility for design function and creativity. If the ACB standards, or the Palm Beach Point deed restrictions, covenants, or by-laws are more restrictive than the Village of Wellington, Palm Beach County, or other applicable governmental zoning or standards, the Palm Beach Point ACB standards, deed restrictions, covenants, and by-laws shall apply.

B. AUTHORITY

Palm Beach Point Property Owners Association, Inc., Articles of Incorporation, Declaration of Protective Covenants and By-Laws.

C. MAJORITY VOTE

The Architectural Control Board shall refer to a committee of not less than three (3) nor more than five (5) members of the Association appointed by the Board of Directors from time to time. Each member of the ACB Board shall have an equal vote. A majority constitutes a quorum. Non-voting consultants may be used to advise the Committee.

D. APPROVAL EXPIRATION

Applicants must secure all required building permits and begin construction within one hundred eighty (180) days of approval by the ACB. Failure to do so will automatically revoke approval without prior notice from the ACB. Time extensions may be granted by the ACB if written requests are received prior to or within one hundred eighty (180) days of the ACB approval. Work must be

completed within eighteen (18) months of commencement. Failure to do so will cause the **ACB** to re-review the approved plans. This may result in updating the approval to meet current standards if they have been amended in the interim. Approvals given prior to November, 2002 shall not be affected.

E. DESIGN DOCUMENT CHANGE

The owner of the owner's agent/builder must notify the **ACB** prior to making any changes to the approved plans including the landscape plan. A letter with applicable support data (as may be required) must be submitted to the **ACB**. Any major deviations (as solely determined by the **ACB**) may require full approval prior to commencement of the changes.

F. APPLICANT'S RESPONSIBILITIES

The **ACB** assumes no liability for applicant's responsibilities, which include, but are not limited to the following:

1. Compliance with the Palm Beach Point Declaration of Covenants and Restrictions, By-laws, and **ACB** planning criteria and standards.
2. Compliance with all laws, codes and ordinances of any governmental agency or body and securing all required permits and approvals.
3. Grading in accordance with the approved subdivision drainage plans and specifications of Palm Beach Point. These plans are available from the **ACB** upon request.
4. Grading and resurface drainage so surface water runoff will not adversely affect adjoining properties.
5. No construction and/or any improvements including placement of any fill may be made prior to obtaining **ACB** written approval.
6. Applicant must obtain **ACB** approval prior to submitting plans to the Village of Wellington Building Department.
7. Prior to commencement of construction, each owner shall install a paved driveway from the paved portion of the abutting road through the unpaved portion of such right-of-way or easement to the easement or right-of-way line within the lot. A proper culvert must be installed so as to provide for continued drainage along the edge of the paved portion of the road. This shall be used as the **ONLY ENTRANCE** or **EXIT** to the job site for all vehicles.
8. The owner must cooperate fully with the **ACB**, from planning to completion of construction, landscaping and/or improvements.
9. The owner must notify **ACB** two (2) weeks prior to the date of expected completion or of certificate of occupancy.
10. No residence or accessory dwelling or building may be occupied in any manner during the course of construction. No residence may be occupied until a permanent certificate of occupancy has been issued. No accessory building (including any barn) may be used or occupied until a permanent certificate of occupancy for the residence has been issued and any required certificate of completion or occupancy for the accessory building or barn has been issued.

11. Violation of these rules may, inter-alia, result in a lien against the property as stated in Article 5 of the Palm Beach Point HOA, Declaration of Protective Covenants.
12. Owners/Builders are advised that plans **not** in compliance with the minimum standards set forth for **ACB** review can be automatically rejected.

G. CONSTRUCTION SITE REQUIREMENTS

1. All job sites must be kept in a clean and orderly condition. No materials will be stored or placed in the swale, easements or right-of-way areas. Dumpsters shall be used at all times and **must** be dumped and replaced promptly when full.
2. No signage or advertisement is permitted on any job site unless required by law or pre-approved by the **ACB**.
3. Construction hours are limited to 7:00 am to 6:00 pm, Monday – Saturday. No work shall be performed on Sundays or National holidays. This also applies to owner/builders during the construction period.
4. All owners and builders are required to provide a 24-hour emergency phone number to the **ACB** and the names, addresses, of all persons **having access to the property under construction**. Any person who is not listed by the owner/builder may be denied access into Palm Beach Point by security.
5. Owners and builders are to instruct all subcontractors, suppliers, employees and agents that vehicles of any type are **not permitted** to drive or park on any property within Palm Beach Point **except** at the job site.
6. The playing of loud music by any owner, builder or subcontractor, that may be annoying to residents, is prohibited.
7. No pets of any builders, subcontractors, agents or employees of the owner are permitted on the job site during the construction period.
8. Each owner, builder shall provide his/her own water and electric service prior to start of construction.
9. All discarded food and beverage containers and building materials **must be placed in the Dumpster or removed from the job site daily!**
10. Any agents, subcontractors and employees of the owner or builder that violate any construction site requirements or any **ACB** criteria may be removed and prohibited from entering Palm Beach Point by the **ACB** or Board of Directors of Palm Beach Point.

II. BUILDING SETBACKS

A. HOUSE SETBACKS

1. 100' from the front roadway easement line (**corner lots shall be 100' from both roadway easement lines**).
2. 50' from the side property lines (except corner lots).
3. 100' from the rear property line.

B. BARN AND ACCESSORY STRUCTURES

1. 150' from the front roadway easement line (corner lots shall be 150' from front roadway easement line and 100' from side roadway easement lines).
2. 50' from the side property lines (except corner lots).
3. 100' from the rear property line.

C. MANURE BINS AND RUN-IN SHEDS

1. 150' from the front roadway easement line (corner lots shall be 150' from front roadway easement line and 80' from side roadway easement line).
2. 50' from the side property lines (except corner lots).
3. 50' from the rear property line.

III. DESIGN CRITERIA

A. EXTERIOR ELEVATIONS

1. Exterior elevations will be reviewed for traditional architectural design, material and for aesthetic appearance and mass and scale between the home and barn and other accessory structures to be built on a lot and their relationship to other homes, barns and accessory structures within the community of Palm Beach Point. All principal residences shall be "first class" homes which, inter-alia, shall be custom designed and custom built on site. No prefabricated or modular truck-in construction shall be allowed.
2. Approval of exterior design will consider: materials, textures, colors and finishes, placement of windows and doors, vertical and horizontal lines, roof pitches and other considerations as deemed applicable by the **ACB**.
3. Designs employing traditional materials are encouraged and will be judged on their own merits. Preferred exterior materials include brick, natural stone and concrete block with stucco veneer. All others will be considered on a case by case basis.
4. The following materials are **not** approved for use: decorative or plain concrete block, metal, plastic, decorative plywood or asphalt siding, logs as siding, certain imitation stone or brick, fiberglass garage doors. Exterior colors that in the opinion of the **ACB** would be inharmonious or discordant in Palm Beach Point will not be permitted.
5. Duplication of an existing home in color or design in near proximity is prohibited.
6. At the discretion of the **ACB** any submittal may be first required to be submitted for review to an architect designated by the **ACB** prior to consideration by the **ACB**. Any cost for the architect's review shall be paid in advance by the applicant. The **ACB** may conditionally deny any such submittal until all costs are paid by the applicant.

B. GARAGES

1. All homes in Palm Beach Point must include a minimum of a two (2) car garage.
2. Minimum size shall be twenty (20) feet by twenty (20) feet measured inside wall to wall.
3. Minimum required garage space may **not** be converted to "living" space unless another minimum required garage is to be added and the plans have been approved by the **ACB**.

C. ROOFS

1. The minimum roof pitch shall be 5/12 or greater unless a lesser pitch is specifically approved by the **ACB**.
2. Garages, barns, and any other accessory building shall be trussed or conventionally framed with the same design, material and pitch as home.
3. Tar and gravel roof surfaces are prohibited except on a flat deck roof over a porch or patio.
4. All roof stacks and flashing shall be painted to match the approved roof color and placed on the side or rear roof elevations.
5. Chimneys shall match exterior wall color and texture unless otherwise approved.
6. Chimney caps shall be painted an approved color.
7. Roofing materials and color will be approved on an individual basis.
8. Soffit material shall be wood, stucco or of the same material as the exterior walls. Color, if different than exterior walls, shall be submitted for approval.
9. A roof variation may be permitted only if it aesthetically compatible with the overall architectural features of the proposed residence.

D. DRIVEWAYS

1. Driveways shall be surfaced with one of the following materials; brick pavers, formed concrete pavers, concrete, asphalt, stone, shell rock, wood chips with shell rock base.
2. Color must be submitted for approval.
3. A concrete, asphalt or paver apron must be installed from the edge of the roadway surface to the roadway easement line prior to commencement of construction.
4. Driveway aprons shall have a minimum of five (5) foot flair at the roadway.
5. Driveways must be a minimum of five (5) feet from side property lines.
6. Concrete, asphalt or paver driveways are prohibited within any easement other than a roadway easement.

E. FENCING

1. A three (3) or four (4) board fence design with the boards in the center or the outside edge of the posts that face the exterior or street side of the property is required unless otherwise approved by the **ACB**.

2. Wire "No Climb Critter Fence" is permitted if installed on the surface of the fence that faces the interior of the property.
3. Fence color shall be white, black, brown or natural wood unless otherwise approved by the **ACB**.
4. No fencing shall be greater than five (5) feet in height.
5. No fencing shall be placed within four (4) feet of a side property line or within any roadway easement without adjoining property owner approval in writing. The ability to maintain both sides of your fence from your own property is a major consideration for the placement of fencing.

F. SWIMMING POOLS

1. Swimming pools are to be located in the rear of the house unless otherwise permitted by the **ACB**.
2. Above ground pools are prohibited.
3. All pools must be completely enclosed by screen or fence.
4. Pool and patio screen enclosures shall be bronze tone, white or the approved color of the exterior window frames of the home or match the color of the existing window frames of the home.
5. Screens shall be either gray or charcoal.
6. All screens on any one enclosure shall be kept the same color at all times.

G. HURRICANE SHUTTERS, AWNINGS AND CANOPIES

1. Decorative shutters as an accent feature to homes may be allowed. Design, size, color and quantity must be submitted for approval by the **ACB** prior to installation.
2. Awnings, tents and canopies are not permitted, whether temporary or permanent, unless submitted to the **ACB** for approval prior to their erection.
3. Hurricane rollup shutters, rollup housings and panel hardware shall be painted either the principal color or the trim color of the structure to which they are attached.

H. EXTERIOR LIGHTING

1. No exterior lighting shall be permitted which, in the opinion of the **ACB**, would create a nuisance to the adjoining property owners.
2. Flood lights and any other lighting should be aimed down or away to avoid shining onto or into adjoining properties.

I. BARNs, GUEST HOMES, ACCESSORY STRUCTURES AND ATTACHMENTS

1. All barns, guest homes, and any other accessory buildings or structures shall be the same architecturally style, color, and material as the primary residence. No barns, guest house accessory structure, or attachments may be occupied or used until the primary residence has been completed

and received a certificate of occupancy. The maximum number of horses (which term includes donkeys, ponies, and miniatures) permitted to be kept on any "Lot" in Palm Beach Point is twelve (12). Each horse must be separately stalled in a barn on the "Lot". No barn on any "Lot" shall contain more stalls, in addition to proportionate spaces for feed, tack, wash areas, a riders' lounge, a grooms' quarter, and associated uses approved by the ACB, than the total number of horses permitted on the "Lot"

2. All elements of design criteria contained herein shall apply to all structures built in Palm Beach Point.
3. Palm Beach Point is a single family residential neighborhood. It is not multi-family or commercially zoned, and therefore the size of the existing or proposed home shall have a direct relationship to the allowable size of a barn, guest house, detached garage, or any other structure deemed an accessory structure by the ACB. On a single lot, the cumulative floor area of all structures on the lot (except the principal residence) shall not exceed twice the floor area of the principal residence. In addition, no structure shall have coverage on the ground more than twice the ground coverage of the principal residence. The maximum building coverage of all structures on the lot shall not exceed 10% of the lot's area. The ACB, in its discretion, may allow a variance in those limitations in cases involving a combination of contiguous lots joined by a unity of title.
4. The ACB shall evaluate all proposed structures for their aesthetic appearance, size, mass and scale between each other and on the lot to which they are built (please read article 5 of the Palm Beach Point Declaration of Protective Covenants, Restrictions and Conditions).
5. All temporary or permanent accessory structures shall not be permitted unless prior written application for such has been made to and approved by the ACB.
6. A flagpole for the display of the American flag only shall be permitted, subject to ACB approval of the size, placement, color, finish and design. No flagpole shall be used as an antenna.
7. Gutters must match color where they are attached, (trim or wall).
8. Solar panels will be reviewed and approved as to location on case by case basis.
9. Exterior clotheslines shall not be allowed.
10. No window air conditioning units will be allowed.
11. Any mechanical equipment of any kind must be screened from view.
12. All garbage receptacles must be screened from view.
13. "Run-in sheds" are structures open on at least one side used to allow voluntary ingress and egress for temporary shelter by pastured horses, A "run-in shed" must be accessory to a completed residence and barn and shall not contain temporary or permanent stalls. The structure shall not have sewer service, septic service, or electric supply service. The roof materials and color of the structure shall be the same as those on the principal residence. The structure shall not have finished or impermeable floors. Only one "run-in shed" is permitted per lot and cannot be more than 400 square feet. The design of any "run-in shed" must be approved by the ACB. All construction must be in accordance

with all applicable building codes and with all required governmental permits.

14. Vacant lots/uses – vacant lots may be fenced with the approval of the **ACB**. No other structures are permitted on a lot except as appurtenant and accessory to a completed principal residence. Horses may be pastured on a vacant lot during daylight hours but must be removed to the lot containing their barn at night. No vacant lot may serve as a storage or parking area for unattended vehicles or trailers. Any stored vehicle or unauthorized structure may be removed by the **ACB** at the cost of the owner of the lot and/or vehicle.

IV. LANDSCAPING

A. LANDSCAPE GUIDELINES

1. Landscape plans for new construction or additions to existing structures shall be prepared by a registered landscape architect or licensed nurseryman. Adding landscaping to an existing home may be drawn on a survey or site plan by the homeowner.
2. All site furniture, statuary, fountains, urns, decorative rocks, lighting, birdbaths, gazebos and other non-plant items must be identified and specifically located on the landscape plans. All such items are subject to approval by the **ACB**.
3. All plants and trees must be Florida grade #1 or Florida Fancy.
4. All sod to be St. Augustine/Floratum, Bahia or a comparable type sod to be approved on a case by case basis.
5. All lots, including easements and right of ways, shall be turf to the edge of the pavement, canal, pond or lake.
6. All grounds surfaces must be covered with turf, ground cover or mulch.
7. Seventy five (75%) percent of all landscaping shall be located on the front of all existing or proposed structures. Corner lots will be considered to have two fronts and required to have additional landscape requirements.
8. All trash containers, air conditioning irrigation, well, water treatment and pool equipment must be hedged to screen them from view.
9. All landscaping must be completed according to the approved plans. Any changes or additions to the approved plan or existing landscaping must be submitted to the **ACB prior to installation for approval**.
10. All plants must be identified on the landscape plan by their proper botanical name as well as their common name.
11. All lots must be sodded and landscaped prior to obtaining a certificate of occupancy.
12. After the certificate of occupancy is issued, further additions, deletions, or renovations must obtain **ACB** approval before installation.

B. SPECIFIC VEGETATION REQUIREMENTS

1. Trees – Total of fifteen (15).

- (a) Trees at least twelve (12) to sixteen (16) feet in height, minimum diameter of 3" at 4-1/2' above grade, minimum canopy 8' measured at three points from trunk to outer edge of canopy.
 - (b) Three (3) palm trees of required height may be substituted for one (1) required tree. Only five (5) required trees may be substituted for palm trees at each structure.
 - (c) No less than fifty percent (50%) of the required trees shall be planted or preserved within the front of each proposed or existing structure.
 - (d) No more than thirty (30) trees shall be required on any one lot.
 - (e) All trees or palms shall be staked or guyed to prevent tipping over.
2. Accent plants per each home and accessory structure.
- (a) Eight (8) seven (7) gallon accent plants.
 - (b) Four (4) fifteen (15) gallon accent plants.
3. Shrubs and other perennials per each Home and Accessory Structure.
- (a) Minimum of two hundred (200) one (1) gallon plants (excluding any proposed hedge).
 - (b) Minimum of two hundred (200) three (3) gallon plants (excluding any proposed hedge).
 - (c) Annuals should be used, but do not count in the above minimums.
 - (d) Hedging along easements and property lines must be three to four feet in from lines. Such hedge should be maintained to a maximum height of twelve feet or less. Care must be taken that the hedge does not create a nuisance for the neighboring property owners. Maintaining both sides of the hedge from your own property is a major consideration in allowing hedges.
4. Poisonous Vegetation.
- (a) Many plants contain noxious leaves, flowers or seeds that can be dangerous to animals. These plants are not prohibited, however if such plants are being used, the landscape architect/licensed nurseryman should note the locations on the landscape plan and receive the homeowner's approval.
5. Prohibited Vegetation.
- (a) The Palm Beach Point Homeowners Association and the ACB also prohibit all plants and trees, which are prohibited by the state, county or the Village of Wellington.
 - (b) The list of prohibited vegetation is available from the Village of Wellington and is updated regularly.
6. Maintaining the landscaping.

- (a) Once installed, it is the homeowner's responsibility to maintain their landscaping and turf to a high degree of health and appearance. All vegetation will require a regular schedule for fertilizers, pest and fungus inhibitors, weeding, trimming and pruning. Palm Beach Point residents are expected to adhere to these high standards of maintenance.

V. DISCLAIMER OF LIABILITY

Neither the **ACB** nor the Board of Directors of Palm Beach Point shall be liable in damages to anyone submitting plans for approval by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with approval, disapproval or failure to review any plans.

VI. APPEALS

Owners who object to conditions imposed by the **ACB** may request a special meeting with the **ACB** to attempt to resolve the conflict. Such request must be made within 30 days of the **ACB**'s initial decision. The decision of the conclusion of the special meeting shall be final.

I hereby acknowledge receipt of the preceding **ARCHITECTURAL CONTROL BOARD GUIDELINES, MINIMUMS, AND STANDARDS.**

RECEIVED BY

Date: _____

Owners Signature

Print Name