

DELAIRE COUNTRY CLUB
PROPERTY OWNERS ASSOCIATION

ARCHITECTURAL REVIEW
COMMITTEE
GUIDELINES

October 10, 2017

ARCHITECTURAL REVIEW COMMITTEE MANUAL

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Architectural Review Committee Manual

INTRODUCTION

A. PURPOSE

The purpose of the Delaire Architectural Review Committee (ARC) is defined in the Amended and Restated Declaration of Covenants and Restrictions for Delaire Property Owners Association; herein also referred to as the “Declaration of Covenants and Restrictions” or the “Declaration”, to “provide for a systematic and uniform review of all proposed improvements and construction of any type or nature whatsoever within Delaire Country Club.” By establishing and maintaining design criteria regarding such proposed plans, the ARC will ensure that such plans are consistent with the quality standards of the Declarant and aesthetic standards of the ARC. These standards will enhance the value of Delaire’s properties and make the community a harmonious and aesthetically pleasing development.

B. AUTHORITY

The authority of the Architectural Review Committee Manual is set forth in Article VI, Section 4 of the Declaration of Covenants and Restrictions. This Section provides that “The ARC” shall promulgate such rules and regulations as it deems necessary and proper, setting forth guidelines and procedures to be followed by any Applicant seeking its approval.”

Under the Declaration and the rules and regulations provided, the ARC shall:

1. Require an application form, any appropriate plans and drawings signed and sealed by an architect for buildings and landscape architect for landscape, sample colors, and exterior materials must be depicted on elevations.
2. Charge review fees paid at time of review submittal.
3. Approve or deny items submitted.
4. Halt any construction process on site that is in violation.
5. Promulgate construction- related rules and regulations.
6. Determine review policies, procedures, and criteria.
7. Revise/amend ARC rules, regulations, policies, procedures and criteria, subject to approval of the POA Board of Directors.

Accordingly, the ARC shall review all plans for construction on any of the property in DELAIRE. No construction shall be permitted without the expressed written approval of the ARC. This review and approval process applies to any and all exterior appearance or property modifications or additions as well as new construction within the DELAIRE

The ARC reserves the right to require the owner at the owner's expense to retain the Architect who prepared the plans to perform, as a minimum, monthly inspections of work in

progress to assure plan compliance, reporting in writing any deficiencies to the owner and the ARC.

The Architect must bring to the attention of the ARC any elements of design or construction that deviate from the ARC Standards or approved ARC plans.

C. DEFINITIONS

1. **Accessory Structure**- as permitted by Delray Beach zoning and any man-made item element including, but not limited to sculptures, statuary, decorative art objects, urns, fountains, rock gardens, recreational areas, raised planters, planter walls, playground equipment, etc..

2. **Applicant**- the individual making the submittal to the ARC; either the lot owner or an agent for the lot owner. (Agent to have authorization letter.)

3. **Architect**- is defined to mean a person who is licensed in his own name by the State of Florida. An Architect approved by the ARC is able to display sufficient knowledge of the style and quality of design prevalent within Delaire and has signed an affidavit agreeing to uphold and abide by the POA Covenants and Restrictions and Architectural Guidelines currently in effect.

4. **Builder** is defined to mean a person or company who is licensed and insured in the State of Florida as a General Contractor or a person with the designation of Residential Contractor. A Builder approved by the ARC can demonstrate sufficient ability to complete a project with the quality of construction and attention to detail prevalent within Delaire and has sufficient financial strength to insure completion of each project. Approvals shall be issued only to Builders that have signed an affidavit agreeing to uphold and abide by the POA Covenants and Restrictions and Architectural Guidelines currently in effect.

5. **Building**- any structure that has a solid roof or trellis or rises above grade more than 24". Screen enclosures are considered structures.

6. **Category of Review**- one of the five organized areas of review criteria: Site Plan, Survey, Floor Plan and Elevations, Exterior Materials and Colors, Landscape and Irrigation. All items submitted must be organized and accordingly show compliance with all review criteria.

7. **City**. City is defined as the City of Delray Beach.

8. **Conditional Approval**- a decision by the ARC that the item(s) reviewed meet(s) all criteria with exception of a few minor notations. The ARC has determined in its sole discretion, that the item(s) may be revised and resubmitted to the ARC. Chairman or other designated individual who may give Final Approval upon determination of compliance with the required criteria. Limited site work may commence i.e.: clearing of Lot and setting of Batter Boards. No

additional work may commence until receipt by Applicant of Final Approval and the decision letter. Failure to receive Final Approval within the time period allotted will result in an official decision of denial. Residential additions and renovations may commence work provided housekeeping items are corrected within the allotted time frame directed by the ARC. Resubmission of these plans must be signed and sealed and a "Final Approval" letter must be written by the office of the ARC.

9. **Construction** includes demolition of an existing residence and ground preparation, as defined herein and also includes the alteration or renovation of an existing residence.

10. **Decision Letter**- the letter from the ARC Chairman or his designee that detailed the ARC decision regarding any items reviewed by either the ARC, or its designee.

11. **Denial**- a decision by the ARC that the item(s) reviewed is in conflict with the ARC criteria standards or insufficient in detailing the appropriate ARC criteria. Resubmission of revised item(s) will be required.

12. **Final Approval**- a decision by the ARC that the items(s) reviewed has met all criteria standards and requirements for that category of review. Final Approval of both the Site Plan Category and Floor Plan and Elevations Category indicate approval for construction commencement. No site work is allowed that pertains to a Category of Review without an approved application.

13. **Ground Preparation (including demolition)**- No site preparation, removal or alteration of landscaping, beginning alterations to or demolition of existing buildings or structures, new residential construction, or commencing any work on a lot or site prior to ARC approval.

14. **Hardship**- any unusual and extraordinary circumstances beyond the control of the Applicant that causes a problem with either the construction or use of a residence, as determined in the sole and absolute discretion of the ARC. No hardship variance can modify any provisions of the POA Declaration of Covenants and Restrictions, without the approval of the POA Board of Directors.

15. **Height**- that distance between the lowest finished first floor elevation and the highest point of the roof; chimneys are specifically excluded from this definition. (Lowest floor is 18" above crown of road.)

16. **Lowest Finished First Floor Elevation**- the elevation of the lowest (18" above the crown of the road), air conditioned habitable finish floor line; a drain in a sunken area will eliminate the sunken area from this definition.

17. **Notice**- any notice required to be delivered to any owner of a lot under the provisions of this Manual shall be deemed to have been properly delivered when mailed, postage prepaid to the last know address of the person as it appears on the records of the POA at the time

of this mailing

18. **Porte Cochere-** a roofed structure extending from the building entrance over a driveway, the purpose of which is to provide shelter to people getting in and out of vehicles.

19. **Privacy Wall-** a wall no more than 6' in height of which the purpose is to provide privacy into a specific area of a yard or residence. The ARC will have the discretion to limit the length of such wall.

20. **Structure-** refers to the definition of a "building".

21. **Table-** a decision by the ARC whereby the item(s) reviewed is not in conflict with the criteria; however, additional information must be received either by the ARC or applicant to that otherwise required due to unusual or exceptional circumstances.

II. POLICIES

A. MEMBERSHIP

The Architectural Review Committee shall be composed of three (3) members. There shall be no requirement that any of the members of the committee be a member of the POA Board of Directors. Members of ARC shall serve at the pleasure of the POA Board of Directors and the board may fill any vacancy on the ARC

It shall be the duty and the responsibility of all members of the ARC to officiate in a fair and impartial manner. Each member shall conduct themselves in order to avoid any potential conflict of interest, apparent or otherwise. In the event that a member deems there to be a potential conflict of interest or that he or she cannot act in an impartial manner that member shall recuse him or herself, and the POA Board of Directors shall appoint a temporary alternate member.

B. MEETINGS

Meetings for the ARC are held on a schedule set by the chairman. The meetings are chaired by the ARC Chairman, as appointed by the POA Board of Directors. A majority of voting ARC members constitutes a quorum for any ARC meeting. Decisions are based on a simple majority vote of those voting members present.

C. CONSTRUCTION RESTRICTIONS AND REQUIREMENTS

No construction, demolition, or alteration may be started in any manner or respect, including ground preparation, until final approved, stamped plans have been received by the Applicant and ARC for both the Site Plan Category and Floor Plan and Elevations Category and all fees paid to the POA.

It is the Owner's/Builder's responsibility to insure that the construction site is safe and secure at all times especially when the site unattended

The Owner of a Lot must begin construction within six (6) months from the date of ARC final approval and must complete such construction within Twenty-four (24) months

All construction, repair and maintenance shall be between the hours of 8:00 A.M. and 6:00 P.M. Monday through Saturday. Construction and service personnel shall not be permitted on the property on Sundays or the following holidays: New Year's Day, Memorial Day, July 4th, Labor Day, the First Day of Rosh Hashanah, Yom Kippur, Thanksgiving and Christmas.

Builders must stake the property lines on a lot before commencing construction and the

stakes are required to remain in place until completion of construction. Also a silt ~~silk~~ fence should be installed.

The Site—must be kept in good repair, secured, including but not limited to pool areas, structural elements, screened enclosures, fences, patios, driveways and all areas surrounding the residence, windows and doors, prior to demolition. Swimming pool construction and renovations and other dangerous excavations shall be fenced in so as not to constitute a safety hazarded. Lawns and shrubs must be maintained and irrigated, and the POA has the right to remedy at owners expense.

No trees or shrubs other than nuisance material shall be moved on or removed from the lot without the prior approval of the ARC. Any trees or shrubs to be moved or removed shall be indicated on the Plans and any approval, if given, shall be given at the time of approval of Final Plans unless otherwise granted by the ARC.

All construction materials, vehicles, equipment, supplies, temporary facilities and construction activities must be contained entirely within the lot. No site trailers or equipment may be located on property prior to the issuance of a Delaire ARC permit. Site trailers and porto-toilets must be located where approved by ARC and screened from off-property view by an approved fence. The Builder and the Owner shall be equally responsible for any damage during construction to subdivision improvements or neighboring property. The Builder or Owner shall repair all damage promptly at their expense and to the satisfaction of the ARC and adjacent property owner. All building debris must be placed in an approved container with a fabric cover, and it must be removed when the container becomes full, during the construction period of a residence an approved container for debris is required on site at all times. No debris shall be placed or buried on any lot. The lot shall be kept clean and safe at all times during construction. Neither construction activity nor the placing of materials or debris shall take place beneath the canopy of oak trees. In the event a severe storm or hurricane warning is issued for Palm Beach

County, the site shall be inspected and secured by the builder so as to prevent any loose building material from being blown from the lot. All sidewalks are to be swept at the end of each work day and are to be free of all construction material and debris. Dirt piles are to be contained so as to avoid run off. No vehicles or equipment of any kind shall obstruct the sidewalks at any time.

The Builder, his subcontractors or his suppliers shall not erect any signs with the exception of a permit box as required by the City of Delray Beach, and a flyer box for Plans and renderings’.

If a residence is demolished and construction is not commenced within ninety (90) days, the lot must be sodded, irrigated and maintained on a regular basis failure to do will result in fines and or the association will do the maintenance at the owner’s expense.

In the case of exterior renovation, as defined by the ARC documents, no demolition will be allowed until final plans are approved by the ARC and City of Delray Beach and permits issued.

Radios and similar audio devices shall be kept at a low volume level so as not to be heard off-site. Loud and/or obscene language, which can be heard from off-site, is prohibited.

The Builder must bring to the attention of the ARC any elements of design or construction that deviate from the approved ARC plans prior to commencement of these changes.

C. LIMITATION OF RESPONSIBILITIES

The ARC reviews the items in a submission package for conformance with the criteria as detailed in this Manual and in the Declaration of Covenants and Restrictions. The ARC does not in any way assume responsibility for:

1. The structural integrity, adequacy, safety, or suitability of intended use of the proposed improvement or structure.
2. Soil erosion or otherwise unstable soil conditions.
3. Compliance with applicable governmental or quasi-governmental laws, regulations, building code requirements or zoning ordinances or requirements.
4. Performance or quality of work by any contractor or subcontractor

D. EASEMENT RELEASES

Review/Approval does not relieve Applicant of the responsibility to obtain required releases for any construction in easements.

E. PLAN PREPARATION

All plans must be prepared by an architect, engineer, surveyor or landscape architect or any other professional as may be required by the ARC, as applicable, who is licensed in the state of Florida; All plans must be signed and sealed with a legible Florida registration number. For Renovations a landscape plan will be required from a landscape company.

F. LOT USE

Only residential or private recreational uses are allowed for a lot. A residence may be constructed on more than one lot only with prior written consent of the POA Board of Directors. If an owner of two adjoining lots desires to use one lot for recreational purposes, such recreational plan must be approved by the ARC prior to installation.

G. REVIEW

The ARC may withhold the approval, or refrain from taking any action of any items for a lot if there are existing violations of the Declaration of Covenants and Restrictions, or ARC violations associated with the lot, or any other lots owned by the Applicant, or if any items requested by the ARC pertaining to the lot, or other lots owned by the Applicant are past due in receipt.

H. FINE

The procedures for enforcement of the rules and regulations of the ARC shall be as follows:

When the ARC becomes aware of noncompliance with a rule or regulation by a lot owner or any contractor, subcontractor or independent agent of the lot owner, a letter shall be sent or personally delivered to the lot owner and/or the lot owners contractor and/or agent advising him or her of the noncompliance and demanding that the noncompliance be cured according to the terms set forth in the letter. The POA Board may fine the homeowner/builder as per applicable Florida Statute – 720.

Fines for noncompliance shall be imposed per Article XI of the By-Laws.

III. PROCEDURES

A. PRELIMINARY PLANS

The ARC encourages architectural conceptual/preliminary design reviews. Submissions should include appropriate drawings/sketches deemed necessary to portray the overall design concept to the board. An applicant will receive a letter from the ARC regarding the proposed design's acceptability and conformity with ARC criteria. This preliminary review is conceptual only and subject to a complete review

B. FINAL PLANS SUBMISSION PACKAGE

The submission package for New Construction include a completed Application for Review, the appropriate fee (s) and must include items in Categories 1 through 3 below for review. Items for Categories 4 and 5 maybe submitted at a later date, though no later than thirty-(30) days prior to commencement of work for that category.

One (1) sets of Final Plans and 1 print document format (PDF) electronic version are required and must be complete construction drawings prepared by a state certified architect and a survey prepared by a surveyor as appropriate and be in compliance with applicable zoning codes, ordinances. They are to include all information as contained in preliminaries and additionally they must contain among other things:

1. A drawing to scale, showing all four (4) elevations (north, east, south, west) of the proposed structures or addition to the existing structure. The drawings shall show all the architectural features of the structure.
2. A survey (to be prepared by a state certified land surveyor).
3. Site plan as prepared by the architect showing the proposed new residence or addition along with setbacks (as per POA Guidelines)
4. A floor plan showing finish NGVD (National Geodetic Vertical Data) floor levels.
5. All four elevations of the improvements. The front (street) elevation shall show elevation profiles of adjacent residences.
6. All plans shall be in compliance with applicable zoning codes, ordinances, Architectural Control Guidelines Standards, and Restrictions of record.
7. Driveways, sidewalks, site walls, patios, pools, and pool decks should be shown. Finish floor and grade elevations (NGVD) need to be shown as well as adjoining properties. Final approval of these items will be by separate submission at a later date

for final hardscape, landscape, exterior color and material approval.

8. The survey on new construction must have the finished floor elevation of the 2 adjacent homes.

Final landscape details, exterior lighting, exterior landscape illumination, landscaping, roof and exterior color selections are welcome at the time of final plan submission, but with the exception of landscape as it pertains to establishing finished grades, all will be received for information purposes only. Because selections are more easily made by the owner at a later date, these submissions must be submitted within 30 days following the dry-in period. Landscape plans are to be prepared by an architect or landscape architect.

A Final Plan application, which receives the ARC's approval in most cases, is complete and the proposed project may commence, upon issuance of permit. An approval containing certain contingencies, which must be satisfied, does not imply that construction may begin, but rather is subject to said contingencies first being met.

When plans contain elements, which deviate from these ARC Guidelines or if a variance to these standards is required specific written approval must be secured from the ARC.

It is the applicant's responsibility to secure this approval by purposely calling to the ARC's attention the elements involved. This can be done in the letter of transmittal accompanying the submission or by a call out on the plans requesting "specific" approval or a variance. The mere presence in the plans of an element, which requires specific approval will not satisfy the requirement and, at the discretion of the ARC, shall not be considered

C. REVISED PLANS

Revisions to any Final Approval item(s) must be submitted for approval according to the above-described procedures.

D. VARIANCES

Under rare circumstances, a variance to those requirements established by the ARC may be granted by the ARC. All variance requests must be made in writing. Any variance granted is to be considered unique and not precedent setting for future ARC decisions. A variance will be issued based solely on ARC judgment of hardship and/or community aesthetics and must be reasonable under the circumstances, and subject to any applicable provisions of the Declaration of Covenants and Restrictions and the City of Delray Beach.

E. WITHDRAWAL

In the event a submission is unqualified for ARC review, the Applicant may withdraw the submission and any review fee returned upon request.

F. APPEAL

In the event an appeal of a Denial decision is desired, under the POA Declaration, an Applicant may request a formal meeting before the ARC. In the event of another Denial, the Applicant may request a formal meeting before the POA Board of Directors within thirty - (30) days of receipt of such request, unless the Applicant waives the time requirement. The Board of Directors will make its decision within thirty (30) days of its meeting. The decision will be final and binding.

G. REMEDIES

In the event of commencement of construction or site improvement for items pertaining to a Category of Review for which Final Approval has not been granted, the ARC may, through the POA Board of Directors, seek any available legal remedy, which may include injunctive relief.

H. COMPLETION OF CONSTRUCTION:

In the instance where a Certificate of Occupancy is applicable, the residence shall not be occupied until such time Certificate of Occupancy is issued by the City of Delray Beach and (1) the ARC receives a copy of the City Certificate of Occupancy with a Final Survey.

IV. REVIEW CRITERIA

In order to keep aesthetic requirements of community, no building shall be identical or strikingly similar to the three (3) adjacent or three (3) opposite residence structures

A.SITE PLAN

1. Setbacks

a. All setbacks shall be subject to and comply with Article VII, Section P of the Declaration of Covenants and Restrictions, and shall be measured from the appropriate property line. Dimensions from the property line for any structural elements e.g. buildings; patios, screened enclosures, fences, walls, equipment, accessory structures, etc. must be shown.

b. Minimum front yard setback for buildings, swimming pools/spa and screened enclosures is thirty - (30) feet.

c. Minimum front yard setback of thirty - (30) feet for a garage or Porte Cohere may be allowed if the ARC, in its sole discretion, deems it appropriate. A higher density front yard landscape may be required.

d. Minimum front yard setback of thirty - (30) feet for a patio may be allowed if the ARC in its sole discretion deems it acceptable. Such patio must be buffered by a wall and/or landscaping.

e. Minimum side yard setbacks for building, patios, screened enclosures and swimming pools/spas on corner lots is fifteen (15) feet from the right-of-way line (property line) of each intersecting street, unless otherwise approved by the ARC

f. Minimum rear yard setback for building is ten (10) feet.

g. Minimum rear yard setback for patios with permanent decking and swimming pools/spas is two (2) feet in order to permit shrubbery to be place of a minimum of two (2) feet in height on golf course facing lots and ten (10) feet on interior lots.

h. Minimum rear yard setback for patios with non-permanent decking is two (2) feet in order to permit shrubbery to be place of a minimum of two (2) feet in height.

i. Minimum rear yard setback for screen enclosures is ten (10) feet.

j. Minimum side yard setback for buildings, patios, swimming pools/spas, and screened enclosures is ten (10) feet.

k. No equipment of any kind is permitted in front or rear yard building setback areas.

l. Minimum side yard setback for air conditioning equipment, water softeners,

pool equipment, irrigation control, generators, trash containers, and other similar utilitarian devices is five (5) feet. Such items must be screened from view in a manner acceptable to the ARC.

- m. Minimum setbacks for non-privacy fences are fifty (50) feet from the front property line and Six (6) inches from the side and rear property lines.
- n. Minimum setbacks for decorative items and accessory structures will be determined by the ARC, on an individual review basis.

2. Grade Elevation

a. The site plan must show the minimum lowest, finished floor elevation, according to the definition in Article I.C. 16 of this ARC Manual.

b. The minimum finished floor elevation must be approved by the ARC

c. The maximum finished floor elevation may not be more than 0.8 feet above the minimum, unless otherwise approved by the ARC. Average slab elevation of residences on each side must be noted on the survey or by approval of the ARC .

3. Driveways

a. Roadway entries must be connected by a driveway. Non-connected parking areas are prohibited. Posts, chains, ropes, or other obstructions in or across driveways are prohibited without written permission of the ARC.

b. Driveways must be a minimum of two (2) feet from the side property line.

c. Driveways must have a heavily textured or featured paving surface. Asphalt driveways and aprons are prohibited.

d. Driveways may connect with the street at no more than two (2) points, unless a variance request is approved by the ARC.

e. Sidewalks must be installed to City of Delray Beach specifications.

f. Driveway Design shall be constructed per engineered specifications to comply with original Delaire Country Club Drainage system design. Specifications available with driveway construction request forms, (this differs from the City of Delray Beach swales).

4. Residence Graphics

a. Mailboxes, with residence numbers attached, are to conform to community Specifications.

- b. Subcontractor signage is prohibited.

5. Fences and Walls

a. The design, materials, and height of any wall and/or fence must be shown, either on the site plan or survey. Fences must be bronze color only and made of aluminum.

b. Privacy walls must not exceed six (6) feet in height. Non-privacy walls and fences must not exceed four (4) feet in height, with the exception of a pool fence, which must meet the current City of Delray Beach and State requirements. All pools must have a Bronze Metal fence separating the pool from the golf course and adjacent properties and roadways, with a self-locking gate that swings out and is child proof.

- c. No wall or fence may obstruct the drainage flow of water.

6 Accessory Buildings and Structures

a. Any cabana may not be constructed higher than one (1) story, and must be connected to structure. Any accessory structure must be detailed on site plan or landscape plan, and specifically approved by the ARC.

b. Aerials and antennae are prohibited. Satellite dishes are permitted and must be attached to the structure and no higher than five feet (5') from finished grade. Planting must be installed so that they are not visible from the street or golf course. Satellite dishes are not permitted on roofs or chimneys.

7. Swimming Pools

a. Required setback for pools on the golf course is five (5) feet from the property line and ten (10) feet from the property line on interior lots.

b. All screened pool enclosures must be of a hip, gable or mansard style and bronze in color.

c. Any exterior equipment must be concealed from off-site view by a fence, wall, or landscaping.

- ~~d. Swimming pools shall not be constructed or erected above ground.~~

e. Swimming pools must have a metal fence in Bronze only separating the pool area from the golf course and adjacent properties and roadways. A locking child proof gate must be installed that swings out

8. Garbage and Trash Containers, Sanitary Structures

a. During the construction period of a residence, a construction dumpster, or other approved container is required on site. Such containers and any sanitary structures or toilets, are to be located and screened so as to provide minimum visual off-site exposure. Construction debris is to be removed frequently to avoid offense or nuisance to neighbors. Dumpsters to have fabric covers

9. Utilities

a. All transformers and other utility service equipment are to be shielded by enclosures of wood, masonry, or landscaping as approved by the ARC.

10. Drainage

- a. A proposed surface water drainage plan must be shown on the site plan.
- b. The drainage plan must be compatible with the master community plan.
- c. Any sheet surface water flow to the lakes is prohibited. Catch basin/underground piping systems are permitted to drain to lake subject to ARC approval.
- d. All easements must be shown on the drainage plan

B. SURVEY

1. Foundation (form board)

- a. The scale of the drawing must be 1" = 30'.
- b. The ARC reserves the right to request a survey of any questionable item during construction of the residence.

C. FLOOR PLAN AND ELEVATIONS

1. Residence Size

- a. A single story, or split level, residence will have a floor area not less than 2,500 square feet.
- b. A two story residence is to have a minimum of 2,000 square feet on the first floor. There will be no minimum square footage requirement for second floors.
- c. All square footage measurements will be exclusive of garages, porches, covered walks, open and or screened porches or patios and pool area. Square footage measurements will include the exterior walls.
- d. Floor Plan drawings will use at minimum scale of $3/16 = 1'$ scale.

2. Elevations

- a. The height of any structure is not to be more than two stories and thirty-five (35) feet in height and must be shown on elevation.
- b. Elevation drawings will use at minimum scale of $3/16'' = 1'$ scale.

3. Maximum Building Envelope:

ARC shall evaluate the light and aesthetic impact on adjacent residences. The ARC in its sole discretion shall approve or deny such projects based on the following criteria among others, size and shape of the lot, the coverage, setbacks and the impact on adjacent residences.

Volume or cubage of a residence shall be aesthetically proportionate to the area of the building site particularly as cited above when the residence is next to or between existing residences. As stated in the Covenants and Restrictions of POA, residences shall be limited to two stories (excluding basements). The maximum height of any residence shall not be more than 35 feet as measured from the first floor to the highest point of the roof (or as specified in the zoning code for Delray Beach).

Building area coverage, placement, orientation grade levels, building height and volume need to be sufficiently detailed in preliminary and final drawings and documentation for review and approval by the ARC.

4. Roofs

a. The minimum roof slope is 5:12 pitch. A lower slope, or even some flattened roof area may be allowed if, in the sole discretion of the ARC, such roof area is architecturally integrated into the overall roof design.

b. All roof gable ends should be properly designed with an approved decorative treatment.

c. The metal flues of the chimney are to be concealed.

d. Rooftop solar panels are permitted only as expressly provided by law and within compatible regulations and conditions approved by the ARC.

e. No aerial or antenna shall be placed upon any Lot or structure. Wind driven attic ventilators shall not be permitted. Plumbing and heating vents protruding from any roof area to be painted so as to blend in with the roof color. They are to be located so as not to be seen from the front elevation. Electrically powered ventilators may be used if the roof vents are low profile, blend into the roofing materials and are not seen from the front elevation.

f. Asphalt and gravel built up roofing on pitched surfaces and asphalt composition shingles are prohibited. Approved roof materials are; Terre Cotta, Cement Tiles and Metal Roofs with a color finish, roof colors need to be approved by the ARC

g. Roof plan must be a minimum of 3/16" = 1' scale.

5. Garages

a. Every residence must have a garage to accommodate at least two (2) full sized vehicles and one (1) golf cart, unless golf cart storage is provided elsewhere on the residence.

b. Carports are prohibited.

6. Electrical Plan

a. Every residence will have a central security system.

b. All garage doors must be operated by electrical door openers and shown on the plan.

D. EXTERIOR COLORS, MATERIALS, AND SCREENING

1.Exterior Colors

- a. A color schedule must describe and include a sample of the roof, exterior walls, shutters, doors, trim, window, and driveways. Samples or color swatches of colors for exterior walls, shutters, doors, trim, and windows must also be provided or painted on the residence for inspection before approval. The ARC reserves the right to review any other item that may affect the exterior appearance.
- b. The ARC will consider the aesthetic harmony of the color schedule with the surrounding area.

2. Exterior Materials

- a. All exterior materials shall be specified on plans.

3. Screen Enclosures

- a. Screen enclosures must be bronze in color.
- b. All screen roofs must be of a hip, gable, or mansard type.
- c. Plans submitted for screen enclosures must include the following:
 1. A complete site plan showing the screen enclosure
 2. A complete roof plan of the house showing the screen enclosure with the configuration of the screen enclosure frame members in plan.
 3. All affected exterior elevations of the entire residence showing all the frame members of the screen enclosure in place.
 4. If appropriate, sections and details showing screen enclosure attachments and junctions with various elements of the residence/roof.
 5. For complex designs, or if requested by the ARC, an isometric/perspective drawing showing the complete residence with screen enclosure in place.

4. Hurricane/Security Shutters.

a. All hurricane/security shutter designs and colors must be submitted and approved by the ARC prior to installation.

F. LANDSCAPE AND IRRIGATION

1. Landscape Plans

a. Landscape plan prepared by a Landscape Architect must be submitted not more than ninety (90) days prior to completion or 30 days prior to installation. ARC must approve such plan.

b. The landscape plans

1. Scale 1/8" = 1'

2. Plant material list including quantity, size, height, and spread of plants.

c. In the event that a lot of contiguous to a lake, the landscape plan must show installation of irrigation and sod to the water's edge.

d.. No trees will be cut or removed without approval of the ARC. When such a tree is removed, the owner will replace it with another tree acceptable to the ARC on another portion of the site, or the ARC, in its sole discretion, may approve non-replacement.

2. Irrigation

a. Automated irrigation shall be required; an appropriate system to prevent rust staining must be installed if well water is utilized for irrigation.

b. No water may be obtained from any lake, canal, or water body.

c. All new construction and any renovations of the irrigation system must use city water.

3. Exterior Lighting

a All lots shall have a minimum of 2 automated lights installed on the front of the property that remains on from dusk to dawn. These lights must use a hardwired timer or a photoelectric cell.

b Outdoor lighting must be located so that it does not interfere with vehicular travel or become a nuisance to other residents. All landscape, security or other outdoor lighting shall be white, soft white, or yellow, and no other colors shall be permitted.

c The ARC reserves the right to enforce lighting provisions from a community aesthetics standpoint after the construction of the residence is completed.

