

## ARCHITECTURE COMMITTEE BACKGROUND INFORMATION

Each family's home is an important expression of one's personal choices, values, and tastes. These choices are expressed in varied and diverse aesthetic forms and each home can become something very personal. As houses are built in near proximity to one another in a community such as ours, it becomes necessary to consider the aesthetics of the entire community and the interrelationship of all the elements.

In our community, the developer set the tone and framework for a beautiful community. Streets were carefully laid out, trees planted, fences and walls, landscaping, signs and lighting were put in place to establish a desirable streetscape. It was intended for each home to complement the whole and yet strike an essential balance between individual tastes and the development of a harmonious and beautiful community environment.

Visually consistent villages were a natural phenomenon of the past and those which remain intact are still valued for livability. In those days each locality had its own indigenous building materials. Whether wood, stone, or brick, each had developed appropriate ways of building with these materials. Over centuries, craftsmen and artisans built in the style of their region and refined their works as they built. Towns grew slowly in small cohesive increments.

If today's residential communities and, in fact, whole cities lack the scenic harmony and delight of older places, it is because virtually all the disciplines of building in the past have been lost as we have grown rapidly and changed development techniques.

With today's technology, we can envision house styles from every corner of the world and every historic period. Our materials and modern methods permit us to build freely, and to copy anything or to create afresh. In the process, the discipline of artisan builders has all but disappeared and the range of choices available to the untrained eye has opened the way to scenic chaos.

The developer of our community, and we as homeowners wanted to be assured that the homes would have a compatible setting. To accomplish this desired consistency of buildings today, it is necessary to have a formal process for reviewing and approving changes or additions. A process that not only considers the house as a part of a free standing unit, but also as part of a street, a section and a neighborhood. To this end an **Architecture Committee** (also referred to as the Architecture Committee, Architecture Control Committee, etc.) has been established as part of our Association.

The **Architecture Committee** has been charged with the responsibility of establishing written architectural guidelines for our community. The **Architecture Committee** is also responsible for the review and approval of individual applications for all architectural plans, proposed alterations, changes or modifications to any portion of the exterior on our homes or property. The written approval of the **Architecture Committee** is **required for any visual modification or changes to items including, but not limited to, landscape, lighting, decorative appliques, statues or figurines, house numbers, screening, shutters, mailboxes, window tinting, fences, buildings, patios, play equipment, roofs, decorative beams, etc., and is subject to all provisions and rules documented below as well as those documented in the SDMPOA**

## **Bylaws.**

### **ARCHITECTURAL GUIDELINES**

**As adopted May 29, 2002 and amended December 5, 2002 and May 21, 2015**

#### **Sierra del Mar Property Owners Association**

All guidelines must adhere to the provisions of Florida State Statute 720 and SDMPOA Bylaws, as they may change from time to time. FL 720 is the main statute governing HOAs. HOA Architecture Committees have the power to make aesthetic judgments on the "look" of their community, but can require what is necessary from an architectural frame a reference to assure that HOA bylaws are adhered to as long as they are not in conflict with government statutes.

The following criteria are adopted to establish a basic policy for homeowners and the **SDMPOA Architecture Committee** in reviewing and approving modifications to units. The Committee will have the final determination in approving a proposed modification and their judgment shall prevail in interpreting these guidelines, unless such determination is overruled upon appeal to the SDMPOA Board of Directors.

#### General provisions:

1. All changes to homes that can be seen from any SDMPOA or perimeter streets, or the adjacent park, or gates, perimeter fences and any other common areas cannot be made by an Association member without the written approval of the SDMPOA Board of Directors. Additionally, the Architecture Committee reserves the right to require that an Association member submit for approval to the Architecture Committee other changes that may be internal to the residence or not seen from any SDMPOA or perimeter streets, or the adjacent park, but which may affect nearby areas. Such changes can include, but are not limited to the installation of gas lines, propane tanks, solar panels, new swimming pools and spas, and internal structural changes that can affect the party wall between attached homes, etc. This paragraph is not meant to include internal home decorative modifications that are not structural in nature. It behooves the Association member to inquire whether or not Architecture Committee approval is required for the change.
2. Any homeowner who modifies or constructs any improvements to a unit shall submit a signed and notarized form that they and their successors accept full responsibility for the cost and liability of maintaining said improvements including any additional cost the POA would have to bear under its responsibilities for unit maintenance. For example, the cost of painting the exterior of an addition shall be borne by the homeowner and not the POA.
3. The Architecture Committee reserves the right to allow a change based upon the overall look of the specific two home pod within its environment as part of the street, section and neighborhood affected by the requested change. Therefore, a change allowed to a residence may be denied to another depending on the resultant look of the home in question.
4. The Architecture Committee must respond within thirty days to any formal Architecture Change Request and/or inquiry. If not, that request will be considered

- approved and the resident not liable for any penalties for their architectural change.
5. The change request must be made on a current version of the SDMPOA Architecture Change form. This form is available on the SDMPOA website, [www.sierradelmarboca.org](http://www.sierradelmarboca.org) or from the current property management company. All requests must contain a description of the change. The Architecture Committee has the authority to require that this description be made in some type of graphic representation, which could entail an architectural rendering or a detailed pictorial representation of how the requested change would look on the residence. The resident requesting the change **must acknowledge in writing that they will obtain all necessary permits and** approvals for the work to be done and that the SDMPOA will be held harmless for all results of the requested change. Compliance with Palm Beach County rules and restrictions for setbacks and exterior elevations are essential for approval from the Architecture Committee. Furthermore, the Architecture Committee can make approval of any changes contingent upon receipt of additional information which can include but is not limited to:
    - a. Boca Del Mar approval of the change request
    - b. SDMPOA Board of Directors approval of the change request
    - c. a copy of the contractor's license and insurance information
    - d. a site plan
    - e. an elevation plan
    - f. an updated survey
    - g. adherence to the property sight line
    - h. the addressing of valid concerns by the immediate and attached residentsIt is to the resident's benefit to ascertain, if possible, what additional information would be required for contingent approval of the project prior to the resident going through the expense of obtaining a permit. The Architecture Committee will make every effort to provide the resident with any such requested information.
  6. A resident making any change that requires Architecture Committee approval without first obtaining that approval can be subject to a fine up to the maximum allowed by Florida State statutes.
  7. Some changes such as, but not limited to, painting a driveway, the replacement of existing windows with those of similar dimensions and the installation of storm shutters may be approved by the Architecture Committee chairperson or their representative as long as the request represents a commonly, allowed change within the community. **All changes requiring a Palm Beach County permit must be approved at a minimum by the Architecture Committee. All structural, dimensional modifications and those aesthetic changes representing a new or in the opinion of the Architecture Committee a substantially modified "look" to the community must be approved by the Architecture Committee and endorsed by the SDMPOA Board Of Directors.**
  8. An Association member may appeal a decision of the Architecture Committee directly to the SDMPOA Board of Directors. The appeal must be in writing, via USPS Certified Mail and postmarked within two weeks of the decision. The Board can overrule the decision or refer it back to Architecture Committee for reconsideration. A decision by the Board must be made within 30 days of the receipt of the appeal letter or at the next Board meeting, whichever is longer in calendar time.

9. All driveways and roofs must be kept clean. All cleaning materials must be eco friendly. Residents violating this rule are subject to a fine up to the maximum allowed by Florida State statutes in addition to all costs of replacing any damaged common area(s).
10. All disturbed and/or removed common area structures, landscaping, etc, done as a result of an architectural change must be replaced at the resident's expense and the plan for doing so included in the Architectural Change Request.
11. Paint colors, locations, and patterns must be exactly the same as those adopted by the P.O.A.
12. Tongue and groove boards (t&g) on the units may be converted to: 1) stucco 2) reverse board and batten plywood with grooves 6" on center as long as some wood trim remains to maintain the California contemporary style 3) stone.
13. Basketball hoops shall not be permanently installed and portable units must not be stored or left in sight when not in use.
14. Tree removal in common areas shall be permitted as long as replacement tree(s) are planted within the community equaling 50% of the trunk diameter of the tree(s) removed. However, all landscaping changes to common areas must be approved in writing by the Landscaping and Architecture Committees.
15. Roof materials such as aluminum and Suntuf type plastic which are not in keeping with the California contemporary theme shall only be permitted if blocked from public view by landscaping.
16. Holiday decorations cannot be erected earlier than one month prior to the holiday and must be taken down no later than one month after the holiday ends.

#### Driveways, Fences, Gates and Common Areas:

1. Driveways of stamped concrete, poured concrete, and brick pavers are acceptable as long as colors and patterns blend with community colors as deemed acceptable by the Architectural Committee.
2. Driveway widening to permit additional parking is encouraged as long as landscaping areas are combined to avoid the appearance of excess paving. Single car garage driveways can be widened to a maximum of 17 feet. Two car garage driveways can be widened to a maximum of 20 feet. All disturbed and/or removed landscaping must be replaced at the resident's expense and the plan for doing so included in the Architectural Change Request.
3. Fences adjoining the park areas may be replaced at the owner's' sole expense with welded metal picket type fences of 6 feet in height and 8' sections (maximum). A top and bottom rail are required and material gauge must be sufficient to assure no sagging or bending of fence from normal wear and tear. All disturbed and/or removed landscaping must be replaced at the resident's expense and the plan for doing so included in the Architectural Change Request.
4. Gates adjoining the parks may be installed by owners at their expense and only after completing a liability waiver/Hold Harmless letter to SDMPOA. All disturbed and/or removed landscaping must be replaced at the resident's expense and the plan for doing so included in the Architectural Change Request.
5. Gates on the front and side fences may be replaced with metal or ornamental wood as long as they maintain the general community style as deemed acceptable by the

Architectural Committee. They may also be replaced to create a larger and more appealing entrance per the attached drawings. All disturbed and/or removed landscaping must be replaced at the resident's expense and the plan for doing so included in the Architectural Change Request.

#### Windows, Shutters, Panels, Screens

1. Window borders can match the original color of those installed on the home. They can also be dark brown, bronze or a color matching the wood or stucco frames surrounding them.
2. Window screens and screen enclosures can be dark brown or bronze.
3. Hurricane shutters and removable panels can be clear, dark brown, bronze, tan or white. They can be made of metal, plastic or fabric.
4. Hurricane shutters and panels can be utilized one week prior to the notification of an impending tropical storm or hurricane. They must be opened, taken down or rolled up within one week after a storm has concluded unless the Architecture Committee votes to temporarily waive this rule. Clear hurricane panels can remain up at all times.