

VILLA FLORA HOMEOWNERS ASSOCIATION

ARCHITECTURAL CONTROL MANUAL

Revised July 2021

*** IMPORTANT ***

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FOREWORD

This ACC Manual was developed to enhance the aesthetics of the community of Villa Flora and to maintain or to improve the value of our homes. Please be advised that each item was thoroughly considered and discussed before it was included in the Manual. The Board of Directors of the Villa Flora Homeowners' Association (VFHOA) has approved this manual.

INTRODUCTION

A. PURPOSE

- 1. The Villa Flora Architectural Control Committee (ACC) is a committee of the Association that will exercise its best judgment to see that all improvements, construction, landscaping and alterations conform to and harmonize with existing surroundings and structures. All County and State codes must be complied with.**
- 2. The ACC may perform such other duties and functions as may be assigned to it by the Board of Directors.**

B. AUTHORITY

The ACC is a committee of the Association and has the powers granted to it by Article 12 of the Declaration of Covenants and Restrictions. It will:

- 1. Require submission of plans and specifications for any improvements, construction, landscaping and alterations.**
- 2. Approve or disapprove any submission, within the guidelines set by the Board of Directors.**
- 3. Promulgate rules, regulations, guidelines and restrictions pertinent to its charged duties.**
- 4. Charge review fees if necessary.**

POLICIES

A. MEMBERSHIP

- 1. The ACC will be composed of members of the VFHOA (homeowners), appointed by the Board of Directors. No more than five members may serve at one time.**
- 2. Members of the ACC may be subject to removal with or without cause by the Board of Directors.**

B. MEETINGS

- 1. Meetings for the ACC will be held on an as needed basis.**
- 2. Any action of the ACC requires a majority vote.**

C. SUBMISSION PREPARATION

- 1. All submissions must contain complete plans and specifications for the improvement, construction, landscaping or alteration proposed. Landscaping includes front yards, back yards, entrance ways and side walkways.**
- 2. The ACC may require submission of samples of building materials and colors proposed to be used, and may also require such additional information as may be reasonable necessary to evaluate the proposed alteration or improvement.**
- 3. “Application for Review”, and all related items, are to be submitted to the management company, and not directly to the ACC.**

D. EXISTING ALTERATIONS AND IMPROVEMENTS

According to the Villa Flora documents, all improvements, construction, landscaping or alteration made prior to the date of issuance of this manual required ACC approval. The ACC, and the Board of Directors, are assuming that prior approval was obtained for all modifications completed prior to February 1, 1993, when the Villa Flora homeowners took control of the VFHOA. Any modifications completed after February 1, 1993, without ACC approval will be reviewed for compliance with criteria described in this manual. Homeowners will be required to submit a “Villa Flora Homeowners Association Application for Review” retroactively. As a result of this review the Board of Directors may require homeowner action to achieve compliance.

PROCEDURES

A. REVIEW PACKAGE

- 1. The review package must include a fully completed Application for Review, any appropriate fee and the item(s) for review. Refer to Exhibit A for the Application for Review.**
- 2. Each review package must be submitted to the management company.**

B. REVIEW FEE

- 1. Any review package for structure, alteration, or improvement that will require the services of a professional consultant, as deemed necessary by the ACC, will also include a review fee.**
- 2. The review fee will be whatever is charged by the consultant, and will be paid prior to a final decision being rendered.**

C. REVIEW SCHEDULE

The Villa Flora Homeowners Association has asked the Boca Pointe Architectural Control Committee to delegate architectural review rights to the Association for alterations and improvements to completed homes, if there would be no visual impact on the common areas of Boca Pointe or on adjacent villages.

- 1. On matters for which the Boca Pointe ACC delegates its review rights, the Villa Flora ACC will approve or disapprove any review application within thirty (30) days of receipt of all necessary information from the homeowner.**
- 2. On matters for which the Boca Pointe ACC requires review rights, the Villa Flora ACC will submit the homeowner's review application to the Boca Pointe ACC, after approval by the Villa Flora ACC.**

If the Boca Pointe ACC fails to act within a 45 day period, the Villa Flora ACC recommendation will prevail.

3. Should the Villa Flora ACC fail to act within the review periods described in paragraphs 1 and 2, then approval of the Villa Flora ACC will not be required.

4. No building permit may be sought from any governmental authority unless and until proper Villa Flora architectural control approval has received.

D. REVIEW CRITERIA

The ACC may disapprove any review package submitted for the following reasons:

- 1. Failure to include information as requested;**
- 2. Failure to comply with any of the protective covenants, conditions and restrictions;**
- 3. Failure to comply with the criteria established in this ACC manual;**
- 4. Any other matter which in the judgment and discretion of the ACC, or the Board of Directors, would render the proposed improvement, construction, landscaping or alteration not harmonious or compatible with the general plan or scheme of the village.**

E. VARIANCES

- 1. Variances must be reasonable and must not be materially injurious or detrimental to the members of the VFHOA or the surrounding homes.**
- 2. Any variance may be subject to a hearing open to all members of the Association.**

F. APPEAL

- 1. In the event an appeal of ACC disapproval is desired, the applicant may request a formal meeting before the ACC.**
- 2. In the event of another disapproval, the applicant may request a formal meeting before the Association Board of Directors. The Board will make its decision within (30) thirty days of its meeting. The decision will be final.**

G. REMEDIES

- 1. In the event of commencement or completion of an item which has not been granted approval, the ACC, may through the Board of Directors, institute a reasonable penalty fine, and such action to bring the property back to compliance.**
- 2. In the event of continued commencement or completion of an item which has not been granted approval, the ACC, may through the Board of Directors, seek any available legal remedy, which could include injunctive relief.**

CRITERIA

A. LANDSCAPING

- 1. The Landscaping Committee has the authority to authorize the contracted landscaping company to remove trees and/or shrubs that are dead, diseased, pose a risk of damage or are determined to be a safety hazard. Plants, trees or shrubs that may require replacement will be at the discretion of the Landscaping Committee. The HOA does not remove or replace living trees, shrubs or plants.**
- 2. Any changes, additions or removal of trees, shrubs or plants in backyard, entranceway or walkways (behind gates) is the Homeowners responsibility and requires review and approval from the Landscaping Committee. Modifications without prior written approval may be subject to a fine. Non-approved modifications may be subject to additional fines until corrected or removed.**
- 3. When installing artificial turf, a proposal for any irrigation alterations must accompany the ARB application. Only the Villa Flora contracted irrigation company is authorized to make any alterations to the irrigation system which will be at the Homeowners expense.**
- 4. If Homeowner contracts a private landscaping company and/or tree removal company, any and all debris must be removed from the property by said company.**
- 5. The following plantings are prohibited, based on research by Palm Beach County & Villa Flora Landscape Committee (existing plantings are grandfathered in):**

Trees: Australian Pine, Black Olive, Brazilian Pepper, Carrotwood, Coconut Palms, Ear Leaf Acacia, Ficus, Mango, Melaleuca, Rosewood, Schefflera, Screw Pine, Silk Oak, Toom and Tung Tree.

- Shrubs:** Crape Jasmine, Hydrangea, Milk Bush, Oleander, Poinsettia, Privet and Angels Trumpet
- Vines:** Brazilian Jasmine, Carolina Jessamine, Climbing Lily, Gold Coast Jessamine, Japanese Honeysuckle, Old World Climbing Fern and Rosary Pea.
- Plants:** Castor Bean, Crown of Thorns, Diffenbachia, Jimsonweed, Larkspur and Pokeberry

6. Front yard (in front of gate) acceptance criteria:

- a.) Plants already used successfully in Villa Flora landscaping**
- b.) Plants that require only the usual and customary maintenance provided for in our landscape maintenance contract**
- c.) Plants compatible with the existing irrigation system**
- d.) Annuals are the responsibility of the Homeowner to maintain and remove at the end of the planting season. Annuals installed must not interfere in any way with weekly landscaping maintenance, irrigation coverage, or other infrastructure. Homeowners are fully responsible for the replacement of any disturbed mulch materials.**
- e.) No rocks, stones or landscape borders**
- f.) No statuary or standing pots**

7. Back Yard, Entranceway and Side Walkways Acceptable Criteria:

Homeowner is completely responsible for the maintenance and the removal of all dead plants, trees and shrubs in Back Yard, Entranceway and Side Walkway (anything behind gates/wall)

- a.) plants already used successfully in Villa Flora landscaping**
- b.) plants that require only the usual and customary maintenance provided for in our landscaping maintenance contract**
- c.) plants compatible with the existing irrigation system**
- d.) No rocks within one (1) foot of grass**
- e.) Homeowner is responsible for the maintenance of citrus trees and the maintenance and removal of annuals (See 6[d]).**

8. Acceptance criteria for any Deviation from:

- a.) Homeowner is completely responsible for ownership and maintenance**
- b.) Homeowners must inform purchaser or renter of their responsibility**
- c.) Homeowner must sign appropriate agreement documenting (a) and (b) above. See Exhibit D**
- d.) Homeowner should not allow deviation to impede the VFHOA's landscaping contractor, in the care of the surrounding area**

Maintenance of the following items does not require architectural approval. Any modification to these items, and all exterior work requiring a building permit must be approved by the ACC.

A.) EXTERIOR HOUSE AND WALLS

Information about approved paint colors in is Exhibit B of this manual. Guidelines are available from the management company.

B.) GARAGE AND ENTRY DOORS Information about paints and stains is in Exhibit A.

C.) ROOF

Information about roof tiles in is Exhibit B.

D.) AWNINGS

Any awnings added must be reviewed. Awnings are optional. If an awning is dirty, it must be cleaned by the Homeowner. If an awning is ripped, the Homeowner has two options: (1) Replace the awning or (2) Remove the awning. If the awning is removed, the Homeowner will be required to fill in the holes and paint within 30 days of the removal. Any pipes or protrusions must be removed and holes filled. The Homeowner must submit an ACC application prior to removal. Information about awnings is provided in Exhibit A.

E.) SCREENING

Any screening added or replaced must be reviewed and be consistent with what is currently in the Village. Replacement of window and door screens is not deemed to be an item for review, as long as replacement is made with like materials, colors and style.

F.) DRIVEWAYS AND WALKWAYS

Any changes to a driveway and/or walkway must be reviewed. Paved and paver treatments cannot be removed without review, and painted driveways must be repainted the original color. Information about driveways and walkways is in Exhibit A.

G.) FENCING/ GATES

Any fencing and/or entrance gates added or replaced must be reviewed. Information about fencing and gates is in Exhibit A.

H.) HOUSE AND WALL LIGHTING

Any changes to the exterior lighting on a house or wall must be reviewed.

I.) HURRICANE SHUTTERS, IMPACT WINDOWS AND DOORS

All plans must be submitted to the management company and be reviewed prior to installation. Approval criteria for hurricane shutters are available from the management company. Bronze (brown) color only.

J.) GENERATORS

Installation of a generator requires ACC approval. No above ground propane tanks are permitted.

K.) HOUSE, WALL, LAWN AND HOLIDAY DECORATIVE ITEMS

Any decorative trim or other decorative items, other than for holiday use, must be reviewed*. Holiday decorations may not be installed more than 30 days prior to the holiday and must be removed within 30 days following the holiday. Holiday lighting and décor cannot interfere with landscape maintenance. The landscaping company is not responsible for any damages.

* You may not attach any item to your neighbor's wall without prior written permission.

L.) PLANTERS

Exterior planters must be reviewed. They must blend with the house if they are attached to the house or a privacy wall and are visible from outside the lot*.

* Planters may not be put in the front yard (in front of gate).

M.) GROUND LIGHTING

Any installation of new ground lighting must be reviewed for location and type. Streetscape ground lighting must have white bulbs or lenses and be put in conduit and buried in the ground.

N.) DECKING/PATIO

Any additional or changed exterior decking or patio area must be reviewed.

O.) FUNCTIONAL ITEMS

Any new spa, auxiliary power supply, propane tanks or other functional item must be reviewed.

P.) COMMUNITY ITEMS (FIRE HYDRANT, DRAINAGE GRATE, PHONE, ELECTRICAL TRANSFORMER, CABLE BOXES, SIDEWALKS, ETC.)

No community items on a lot are to be painted, moved or otherwise disturbed without the approval of the ACC.

Q.) 18" SATELLITE DISH

- a. A professional licensed installer must be used.**
- b. Installation of a satellite dish requires ACC approval.**
- c. Any wiring from dish to home entry should be enclosed in conduit and painted to match Villa Flora's colors.**

R.) GARBAGE

Garbage containers, recycling bins, yard waste and bulk items may not be left out before sunset or 7:00 PM on the evening prior to pick up. Garbage containers and recycling bins must be properly stored after pickup on the same day as collection and not visible from the street.

S.) STORAGE UNITS (PODS)/DUMPSTERS & OTHER HEAVY EQUIPMENT

No storage units (PODS), dumpsters or other heavy equipment allowed without prior Architectural approval and a security deposit.

EXHIBIT A
SPECIFICATIONS FOR APPLICABLE CRITERIA

The following are the specifications for the materials that are being used in Villa Flora. These materials or their acceptable equivalents shall be considered by the Architectural Control Committee when reviewing applications. See Exhibit C for a listing of suppliers.

EXTERIOR HOUSE AND WALL: SHERWIN WILLIAMS PAINTS

Body- Color- Villa Flora Pink, Product- A89W01151- satin

TRIM AND GARAGE DOOR: SHERWIN WILLIAMS PAINTS

Trim-Color- SW6062 Rugged Brown, Product-A89T00154- satin

FENCE- Color- SW6258 Tricorn Black, Product- B66T00354

TERRACOTTA TILES:

Sherwin Williams-Color-Villa Flora Brown

ROOF: The only approved roof tile is: “S” style roof tiles manufactured by Boral: Paradise Island Tan (Barcelona 900).

AWNINGS: Canvas awnings must be same color as originally installed. No white trim or stitching allowed.

DRIVEWAYS AND WALKWAYS: Stamped concrete should be coated with “Coloron Villa Flora Tile Red,” manufactured by Reliance Supply Company Interlocking Brick pavers to be cobblestone shaped, color mix – 3: Red, Tan & Charcoal, as manufactured by several paver companies.

FENCING/ENTRANCE GATES: Aluminum fencing/gates to be similar style and flat black color as originally supplied.

EXHIBIT B

SUPPLIER LISTING

Driveway Coating

**Reliance Supply – 1880 N.W. 18th St. Pompano Beach, FL 33069
954-971-9111**

Stucco Paint/Trim/Front Door/Garage Door Stain/Paint

Sherwin Williams – The paint files for Villa Flora are now at the Sherwin Williams store in Deerfield Beach at Hillsboro and Federal Highway, 1061 E. Hillsboro Hwy. 954-421-2825, the store in Boca at Dixie and Spanish River, 455 N.E. Spanish River Blvd. 561-395-0732 and the store in Coconut Creek at Hillsboro before Lyons Road, 4071 W. Hillsboro Blvd. 954-596-2116.

Roof Tiles

“S” style roof tiles manufactured by Boral: Paradise Island Tan (Barcelona 900).

EXHIBIT C

VILLA FLORA HOUSE AND WALL PAINTING GUIDELINES

Every house in Villa Flora has been built on a “zero lot line”. **BOTH** sides of **ALL** house and patio walls are **YOUR RESPONSIBILITY**. As you face your garage door, the wall of your house to the right sits on your property line. That side of your house which faces your neighbor, as well as the patio walls which adjoin it, are **YOUR RESPONSIBILITY TO MAINTAIN**. You are responsible for repairing any cracks in this wall, as well as keeping it protected with Villa Flora “stucco pink” colored paint. If “mud daubers” build nests in the eaves on this wall, or mildew/algae stains appear, **YOU ARE RESPONSIBLE** to clean the wall. Since you will have to enter your neighbor’s yard to have access to this wall, it is suggested, as a courtesy, that you notify them before doing any work.

If you have a patio wall at the back of your property, **YOU ARE RESPONSIBLE** for painting the ***TOP*** of that wall, as well as the ***side of the wall facing your house***. If you have a fence on your back property line, **YOU ARE RESPONSIBLE** for painting ***both sides*** of this fence.

If you have a ***side or back*** wall of your house, or a patio side wall, ***facing a Villa Flora street or common elements***, **YOU ARE RESPONSIBLE** for maintaining and painting this wall. All patio walls, fences and gates ***facing a Villa Flora street*** are **YOUR RESPONSIBILITY TO MAINTAIN**. The entrance to Villa Flora is not considered a Villa Flora street. The two houses with a patio wall backing up to the fountains will only be responsible for painting their side of these walls.

In 2016 the entire Village was painted by RCI Painting. We have an eight (8) year warranty on the house paint. You are still responsible for any touch up needed and to keep your walls clean and mildew free. You are also responsible for roof, driveway and garage door maintenance when required. If you have a problem that you feel should be under warranty (peeling, fading excessively, etc.) please contact the management company.

If there are any questions regarding your particular property, please feel free to contact the management company for clarification.