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ARTICLE 1 – INTRODUCTION, PURPOSE & AUTHORITY

Architectural Review Committee (ARC) Guidelines La Terre at Avenir Neighborhood Association, Inc.

1.1 Purpose of the Architectural Guidelines

The purpose of these Architectural Guidelines (“Guidelines”) is to establish clear, uniform, and enforceable standards governing exterior improvements, modifications, repairs, and additions to Lots and Dwellings within **La Terre at Avenir Neighborhood Association, Inc.** (“Association”).

These Guidelines are intended to:

- Preserve and enhance the architectural harmony, aesthetic quality, and property values within the community;
 - Provide homeowners with clear direction regarding permitted and prohibited architectural changes;
 - Establish a consistent and objective framework for Architectural Review Committee (“ARC”) decisions;
 - Reduce ambiguity, disputes, and inconsistent interpretations; and
 - Protect the Association from selective enforcement by applying standards uniformly.
-

1.2 Authority

These Guidelines are adopted pursuant to the authority granted to the Association and the Architectural Review Committee under:

- The Association’s **Declaration of Covenants, Conditions, and Restrictions;**
- The Association’s **Articles of Incorporation;**
- The Association’s **Bylaws;** and
- Applicable provisions of **Florida law.**

The ARC is authorized to review, approve, conditionally approve, or deny proposed exterior modifications in accordance with these Guidelines and the governing documents.

1.3 Relationship to Governing Documents

These Guidelines are intended to supplement, not replace, the Association’s governing documents.

In the event of a conflict between:

- These Architectural Guidelines; and
- The Declaration, Bylaws, or applicable law,

the governing documents and applicable law shall control.

Nothing contained herein shall be interpreted to limit the Association's enforcement rights under the governing documents or Florida law.

1.4 Scope of ARC Review Authority

The ARC has jurisdiction over **all exterior modifications**, including but not limited to:

- Structural additions and alterations;
- Exterior repairs and replacements;
- Architectural features, finishes, colors, and materials;
- Mechanical equipment and screening;
- Landscaping elements where architectural review is required; and
- Any other improvement visible from streets, common areas, or neighboring Lots.

The ARC's authority applies regardless of whether a proposed improvement is considered:

- A "like-for-like" replacement;
 - A repair following storm or casualty damage; or
 - A minor or cosmetic change.
-

1.5 Requirement for Prior ARC Approval

No exterior modification, improvement, repair, or addition may commence without prior written ARC approval, unless expressly exempted in these Guidelines.

Homeowners proceed **at their own risk** if work is performed without approval or contrary to approved plans, and such work may be subject to removal, correction, or enforcement action at the homeowner's expense.

1.6 No Vested Rights / No Waiver

Approval of any architectural modification:

- Applies only to the specific request submitted;
- Does not establish a precedent; and

- Does not waive the Association’s right to enforce these Guidelines in the future.

Failure by the Association or ARC to enforce any provision at any time shall not be deemed a waiver of the right to enforce such provision thereafter.

1.7 ARC Discretion & Good Faith Review

The ARC shall exercise its authority reasonably and in good faith, considering:

- Architectural compatibility;
- Visual impact on the community;
- Consistency with approved standards;
- Practical site constraints; and
- The overall intent of these Guidelines.

ARC determinations are based on the specific facts and circumstances presented with each application.

1.8 Deviations

Any request that does not strictly comply with these Guidelines shall be treated as a **Deviation Request**.

Homeowners requesting a deviation must:

- Clearly identify the specific standard(s) from which a deviation is sought;
 - Provide justification and supporting documentation; and
 - Acknowledge in writing that:
 - Approval is not guaranteed;
 - No work may begin until written approval is issued; and
 - Approval does not establish precedent.
-

1.9 Homeowner Responsibility

It is the homeowner’s responsibility to:

- Understand and comply with these Guidelines;
- Obtain all required ARC approvals before commencing work;
- Secure all required governmental permits;
- Ensure contractor compliance, including insurance requirements; and

- Repair any damage to Association property or common areas caused by the work.

1.10 Amendments & Interpretation

The Association reserves the right to amend these Guidelines from time to time as permitted by the governing documents.

The ARC retains the authority to interpret these Guidelines in a manner consistent with their purpose and intent, subject to the governing documents and applicable law.

ARTICLE 2 – ARC APPLICATION REQUIREMENTS & REVIEW PROCESS

Architectural Review Committee (ARC) Guidelines La Terre at Avenir Neighborhood Association, Inc.

2.1 ARC Approval Requirement

Except where expressly exempted in these Architectural Guidelines, **prior written approval from the Architectural Review Committee (“ARC”) is required before any exterior work begins.**

This requirement applies to, but is not limited to:

- New construction, additions, or structural alterations
- Exterior repairs and replacements (including like-for-like replacements)
- Installation, replacement, or modification of architectural features
- Mechanical equipment, screening, and exterior systems
- Any exterior improvement visible from streets, common areas, or neighboring Lots

Commencing work without written ARC approval is a violation of the governing documents and these Guidelines.

2.2 Architectural Modification Request Application

All requests for ARC approval must be submitted on the Association’s **Architectural Modification Request Application**, including all required attachments and supporting documentation.

Applications that are **incomplete, unclear, or missing required information will be returned without review.**

2.3 Required Submittals – All Applications

Unless otherwise specified in these Guidelines, **every ARC application must include:**

1. Completed Architectural Modification Request Application
2. Description of the proposed work
3. Photographs of existing conditions
4. Drawings, plans, surveys, or site plans sufficient to show:
 - Location
 - Dimensions
 - Materials

- Colors and finishes
- 5. Product specifications, brochures, or cut sheets
- 6. Proposed start and completion dates

The ARC may require additional information as necessary to properly evaluate an application.

2.4 Contractor & Vendor Requirements

When a contractor, vendor, or service provider is used, the homeowner must submit:

1. Contractor name, address, and contact information
2. License information, if applicable
3. **Certificate of Insurance (COI)** evidencing:
 - General Liability Insurance
 - Workers' Compensation Insurance (or valid exemption)
4. The COI must list:
La Terre at Avenir Neighborhood Association, Inc.
12400 Avenir Drive, Palm Beach Gardens, FL
as Certificate Holder

The homeowner is responsible for ensuring contractor compliance with all Association requirements.

2.5 Permits & Governmental Approvals

1. Homeowners are solely responsible for obtaining all required governmental permits and approvals.
 2. **Proof of issued permits must be submitted to the Association before construction begins**, when applicable.
 3. ARC approval **does not replace or waive** any governmental permitting requirements.
 4. Failure to obtain required permits may result in enforcement action.
-

2.6 Security Deposits & Fees

1. Certain projects may require:
 - A **refundable security deposit**; and/or
 - A **non-refundable ARC application fee**, as established by the Board.
2. Security deposits are intended to cover potential damage to:
 - Streets
 - Curbs

- Sidewalks
 - Swales
 - Common areas
3. Deposits will be refunded only after:
- Completion of work;
 - Final inspection; and
 - Confirmation that no damage has occurred or all damage has been repaired.
-

2.7 Review Timeline

1. The ARC shall review complete applications within the timeframe required by the governing documents or applicable law.
 2. The review period **does not begin** until a complete application is received.
 3. Requests for additional information suspend the review period until the requested information is submitted.
-

2.8 ARC Determinations

The ARC may:

- Approve an application
- Conditionally approve an application (subject to stated conditions)
- Deny an application

ARC decisions are based on:

- Compliance with these Guidelines
 - Architectural compatibility
 - Visual impact
 - Practical site constraints
 - Community-wide consistency
-

2.9 Changes to Approved Plans

1. Any change to approved plans, materials, colors, or scope of work **requires additional ARC approval** prior to implementation.
 2. Unauthorized changes may result in enforcement action or required removal.
-

2.10 Commencement & Completion of Work

1. Approved work must commence within the timeframe stated in the approval letter.
 2. Work must be completed in a timely manner and in accordance with the approved plans.
 3. The ARC may require extensions to be requested in writing.
-

2.11 Inspections & Verification

1. Upon completion of approved work, the homeowner must notify management for verification.
 2. Any deviation from approved plans may require correction at the homeowner's expense.
-

2.12 Non-Compliance

Failure to comply with these Guidelines or with approved ARC conditions may result in:

- Notice of violation
 - Suspension of work
 - Fines or enforcement action
 - Legal remedies as permitted by the governing documents and Florida law
-

2.13 No Waiver / No Precedent

Approval of an application:

- Applies only to the specific request submitted;
 - Does not establish precedent; and
 - Does not waive the Association's right to enforce these Guidelines in the future.
-

2.14 Homeowner Responsibility

Homeowners are responsible for:

- Compliance with these Guidelines
- Contractor conduct and compliance
- Damage to Association property
- Restoration of disturbed areas

2.15 Deviations

Requests that do not comply with these Guidelines must be submitted as **formal deviation requests** and include homeowner acknowledgment that:

- Approval is not guaranteed
- No work may begin without written approval
- Approval does not establish precedent

ARTICLE 3 – DEVIATIONS FROM ARCHITECTURAL STANDARDS

Architectural Review Committee (ARC) Guidelines
La Terre at Avenir Neighborhood Association, Inc.

3.1 Purpose

The purpose of this Article is to establish a clear, consistent, and enforceable process for reviewing **requests that do not strictly comply** with the Architectural Guidelines (“Deviation Requests”), while preserving the architectural integrity of the community and protecting the Association from claims of inconsistent or selective enforcement.

3.2 Presumptive Standards

All architectural standards contained in these Guidelines are **presumptive standards**, meaning:

- They represent the default requirements for architectural compliance;
- Homeowners are expected to design projects to comply with them; and
- Approval is presumed **only when an application fully complies** with the stated standards.

Any request that does not meet one or more requirements in these Guidelines shall be treated as a **Deviation Request**.

3.3 Definition of a Deviation

A **Deviation** is any proposed architectural modification, improvement, repair, or installation that:

- Conflicts with a specific requirement of these Guidelines;
- Requests an exception to a material, color, location, size, configuration, or process standard; or
- Seeks approval of an item not expressly permitted in these Guidelines.

Deviation Requests include, but are not limited to:

- Requests for non-standard materials or colors
 - Modifications outside permitted dimensions or locations
 - Design elements that differ from approved architectural styles
 - Requests based on hardship, site constraints, or unique circumstances
-

3.4 Homeowner Responsibility & Acknowledgment

A homeowner requesting a deviation acknowledges and agrees that:

1. **Compliance is the default**, not deviation.

2. Deviations are reviewed on a **case-by-case basis**.
3. Approval of a deviation is **not guaranteed**.
4. No work may commence until written approval is issued.
5. The homeowner bears all risk associated with proceeding without approval.

Deviation acknowledgment shall be included as part of the ARC application.

3.5 Required Submittals for Deviation Requests

In addition to all standard application requirements, a Deviation Request must include:

1. A written statement clearly identifying:
 - The specific guideline(s) from which a deviation is requested; and
 - The nature of the deviation.
2. Supporting documentation, which may include:
 - Site constraints
 - Engineering limitations
 - Architectural compatibility analysis
 - Photographs, drawings, or examples
3. Any additional information requested by the ARC to evaluate the deviation.

Incomplete deviation requests will not be reviewed.

3.6 Deviation Review Criteria

When reviewing a Deviation Request, the ARC may consider, among other factors:

- Architectural compatibility with the home and surrounding properties
- Visibility from streets, common areas, and adjacent Lots
- Impact on neighboring properties
- Practical site constraints or hardship
- Consistency with the intent and spirit of these Guidelines
- Whether the deviation would undermine community-wide standards

The ARC is not required to approve a deviation solely because:

- Similar deviations were approved in the past; or
 - The deviation is requested for convenience or cost reasons.
-

3.7 No Precedent / Case-by-Case Determinations

Approval of any architectural modification or deviation is based on the specific facts and circumstances presented and shall not be deemed precedent for future applications.

Each Deviation Request stands on its own merits. Past approvals do not bind the ARC to approve future requests.

3.8 Conditions of Approval

The ARC may approve a deviation **with conditions**, including but not limited to:

- Modifications to the proposed design
- Additional screening or mitigation
- Limited approval scope
- Time-limited approval
- Additional documentation or inspections

Failure to comply with approval conditions constitutes a violation.

3.9 Denial of Deviation Requests

Deviation Requests may be denied if the ARC determines that the proposed deviation:

- Is incompatible with community aesthetics
- Creates adverse visual or functional impacts
- Undermines architectural uniformity
- Conflicts with the intent of the governing documents

Denial of a deviation does not entitle the homeowner to alternative approval.

3.10 Appeals

If permitted by the governing documents, a homeowner may appeal a denied Deviation Request to the Board of Directors in accordance with established procedures.

The Board's decision on appeal shall be final.

3.11 No Waiver of Enforcement

Approval of a deviation shall not:

- Waive compliance with any other provision of these Guidelines;
- Limit the Association's enforcement rights; or
- Prevent enforcement of other architectural standards.

3.12 Unauthorized Deviations

Any work performed that deviates from approved plans or from these Guidelines without written approval shall be deemed an **unauthorized deviation** and may be subject to:

- Notice of violation
 - Required removal or correction
 - Fines or enforcement action
 - Legal remedies as permitted by the governing documents and Florida law
-

ARTICLE 4 – ITEMS REQUIRING ARC APPROVAL & ITEMS EXEMPT FROM ARC REVIEW

**Architectural Review Committee (ARC) Guidelines
La Terre at Avenir Neighborhood Association, Inc.**

4.1 Purpose

The purpose of this Article is to clearly identify:

- Architectural modifications that **require prior ARC approval**; and
- Limited activities that are **exempt from ARC review**,

in order to eliminate uncertainty, reduce incomplete applications, and ensure consistent enforcement of architectural standards.

4.2 General Rule

All exterior modifications require prior written ARC approval unless they are expressly identified as exempt in this Article.

If there is any uncertainty as to whether ARC approval is required, the homeowner is responsible for **confirming with management before commencing work.**

4.3 Items Requiring ARC Approval (Non-Exhaustive List)

ARC approval is required for **all exterior modifications**, including but not limited to the following:

A. Structural & Architectural Changes

- Additions, extensions, or structural alterations
- Lanai, patio, pergola, or covered structure additions
- Roof repairs or replacements
- Window or door replacement or modification
- Screen enclosures and screen systems (all types)

B. Exterior Surfaces & Finishes

- Exterior painting or repainting
- Stucco, siding, or façade repairs
- Changes to exterior materials, textures, or finishes

C. Driveways, Hardscape & Site Features

- Driveways, aprons, and pavers
- Walkways and hardscape modifications
- Retaining walls or architectural site elements

D. Mechanical & Utility Equipment

- Standby generators
- HVAC condensers and mechanical equipment visible from streets or common areas
- Pool equipment and heaters

E. Fences, Walls & Gates

- Installation, replacement, or modification of fences
- Gates and screening associated with fencing

F. Lighting, Signs & Address Numbers

- Exterior lighting fixtures
- Signs
- Address number replacement or modification

G. Landscaping (Architectural Scope Only)

- Landscaping changes requiring ARC review under these Guidelines
- Drainage modifications or regrading

H. Any Other Exterior Change

- Any exterior improvement visible from:
 - Streets
 - Common areas
 - Adjacent Lots

4.4 Items Always Requiring ARC Approval (No Exemptions)

The following items **always require ARC approval**, regardless of whether the work is considered “like-for-like” or repair-related:

- Garage doors
- Exterior front doors
- Windows
- Driveways and pavers
- Fences

- Screen enclosures and screen systems
 - Generators and exterior mechanical equipment
-

4.5 Items Exempt from ARC Review (Soft Repairs)

The following items are **generally exempt from ARC review**, provided:

- No structural elements are altered;
- No materials, colors, or configurations are changed; and
- The work does not create a different exterior appearance.

A. Soft Repairs

- Interior repairs not visible from the exterior
- Minor exterior repairs using the **same material, color, and finish**
- Replacement of torn screen fabric only (no framing or structural work)
- Irrigation repairs or head replacement
- Pressure cleaning

B. Maintenance Activities

- Routine maintenance
 - Landscaping maintenance (mowing, trimming, pruning)
 - Replacement of light bulbs (within permitted bulb types)
-

4.6 Loss of Exemption

Any exempt activity **loses its exempt status** and requires ARC approval if:

- The scope of work expands beyond maintenance or repair;
 - Materials, colors, or configuration change; or
 - The work impacts architectural appearance.
-

4.7 Administrative Review vs. Full ARC Review

Certain minor changes may be eligible for **administrative review** as determined by the ARC or management, provided:

- The request fully complies with these Guidelines; and

- No deviation is requested.

The ARC retains discretion to require **full ARC review** for any application.

4.8 Homeowner Responsibility

Homeowners are responsible for:

- Determining whether ARC approval is required;
- Obtaining written confirmation where uncertainty exists; and
- Ensuring compliance with these Guidelines.

Proceeding without required approval is done **at the homeowner's risk**.

4.9 Deviations

Any request that does not comply with these Guidelines or that seeks an exception to this Article must be submitted as a **Deviation Request** in accordance with **Article 3**.

ARTICLE 5 – SIGNS, ADDRESS NUMBERS & EXTERIOR LIGHT FIXTURES

**Architectural Review Committee (ARC) Standards
La Terre at Avenir Neighborhood Association, Inc.**

5.1 Purpose

This section establishes architectural standards governing **signage, house address numbers, and exterior light fixtures** to preserve the visual character of the community, ensure consistency across homes, and prevent visual clutter.

5.2 ARC Authority & Applicability

ARC approval is required for the installation, replacement, or modification of any sign, address number, or exterior light fixture **unless expressly exempted** in this section.

SIGNS

5.3 Permitted Signs (Limited)

The following signs are permitted, subject to ARC review and approval where applicable:

1. **Builder, contractor, or construction signs**
 - Permitted only during active, ARC-approved construction
 - Must be removed immediately upon completion of work
 2. **Security system signs**
 - Maximum of one (1) sign per dwelling
 - Must be ground-mounted or discreetly mounted near an entry
 - No illumination or oversized signage
 3. **For Sale / For Rent signs**
 - Permitted only in compliance with the Association's **Rules & Regulations** and applicable law
 - Subject to size, placement, and duration limits as adopted by the Board
-

5.4 Prohibited Signs

The following signs are **strictly prohibited**:

- Commercial or advertising signs
- Banners, flags with messaging, or promotional displays
- Neon, illuminated, flashing, or animated signs
- Temporary, decorative, or seasonal signs not expressly permitted

- Any signage that creates visual clutter or detracts from the community’s appearance
-

ADDRESS (HOUSE) NUMBERS

5.5 Address Number Standards

1. Address numbers must:
 - Remain in the **original builder-installed location**; or
 - Be installed in the same general location if replacement is required.
 2. Replacement address numbers must:
 - Match the **original size, font style, and mounting style**; and
 - Be **clearly visible from the street**.
 3. **Permitted colors:**
 - Black
 - Bronze
 - Or another color originally approved for the home
 4. Oversized, backlit, novelty, or decorative address numbers are not permitted.
-

EXTERIOR LIGHT FIXTURES

5.6 ARC Approval Required

ARC approval is required for:

- Replacement of exterior light fixtures
 - Changes to fixture style, size, or finish
 - Installation of additional exterior fixtures not originally installed
-

5.7 Permitted Exterior Light Fixtures

1. Exterior light fixtures must:
 - Be architecturally compatible with the home’s style (Modern, Florida Vernacular, Mediterranean, or British West Indies); and
 - Be similar in scale, proportion, and appearance to the original builder-installed fixtures.
2. **Permitted fixture finishes:**
 - Black
 - Bronze
 - Finishes originally approved for the home

3. Fixtures must be **stationary** and may not rotate, project patterns, or change colors.
-

5.8 Bulbs, Light Color & Direction

1. Exterior lighting must:
 - Direct light **downward or outward** only; and
 - Avoid glare onto adjacent properties, streets, or common areas.
 2. **Permitted bulb types and colors:**
 - Soft white
 - Warm white
 - **Edison-style bulbs with a soft yellow glow**
 3. The following are **not permitted:**
 - Colored bulbs (other than soft yellow Edison-style bulbs)
 - Flashing, programmable, or color-changing bulbs
 - Excessively bright or harsh white lighting
 4. Uplighting, spotlights, and floodlights mounted on the structure are not permitted unless specifically approved by the ARC.
-

5.9 Holiday Lighting

1. Temporary holiday lighting is permitted **only in accordance with the Association's Rules & Regulations.**
 2. **Specific installation and removal dates for holiday lighting shall be defined separately in the Rules & Regulations,** as adopted and amended by the Board.
 3. Holiday lighting must:
 - Be non-permanent;
 - Be installed in a manner that does not damage the structure; and
 - Be removed promptly in accordance with the Rules & Regulations.
-

5.10 Required Submittals

Where ARC approval is required, homeowners must submit:

- Completed ARC application
- Photos of existing conditions
- Product specifications or photos of proposed items
- Location and mounting details

Incomplete applications will be returned without review.

5.11 Deviations

Any request that does not comply with this section must be submitted as a **formal deviation request**, including homeowner acknowledgment that:

- Approval is not guaranteed
- No work may begin without written ARC approval
- Approval does not establish precedent

Approval of any architectural modification or deviation is based on the specific facts and circumstances presented and shall not be deemed precedent for future applications.

5.12 Enforcement & Compliance

Non-compliant signs, address numbers, or lighting may be subject to removal, correction, or enforcement action at the homeowner's expense as permitted by the governing documents.

ARTICLE 6 – GARAGE DOORS & EXTERIOR FRONT DOORS

**Architectural Review Committee (ARC/DRB) Standards
La Terre at Avenir Neighborhood Association, Inc.**

6.1 Purpose

This section establishes mandatory architectural standards for the replacement or modification of **garage doors** and **exterior front doors** to preserve architectural consistency, ensure compliance with applicable building codes (including windstorm ratings), and maintain the community's palette-driven design intent.

6.2 ARC Approval Required

Prior written ARC approval is required for any of the following:

- Replacement of garage doors, including like-for-like replacements
- Replacement or modification of exterior front doors
- Installation of decorative hardware or ornamentation
- Any change to door color, finish, configuration, or style

No work may commence until written ARC approval is issued.

6.3 Required Submittals (All Door Applications)

All applications must include:

A. Product & Design Information

1. Manufacturer specifications (model, material, dimensions, finish)
2. Windstorm / code compliance documentation (if applicable)
3. Proposed color or finish information
4. Photographs of the existing door(s) and full front elevation
5. Cut sheets or renderings clearly showing the proposed door style

B. Contractor Requirements (When a Contractor Is Used)

The homeowner must submit:

- Contractor name and contact information
- License information (if applicable)
- **Certificate of Insurance (COI)** evidencing:
 - General Liability Insurance
 - Workers' Compensation Insurance (or valid exemption)

- Naming **La Terre at Avenir Neighborhood Association, Inc., 12400 Avenir Drive, Palm Beach Gardens, FL** as Certificate Holder / Additional Insured
- Copies of all required permits (if applicable)

The homeowner remains fully responsible for contractor compliance and any damage to common areas.

GARAGE DOORS

6.4 Garage Door Design Standards

A. Color Requirements

1. Garage doors must follow the home's approved exterior color scheme **unless otherwise permitted below.**
2. **White garage doors are permitted as a neutral color regardless of the home's original exterior color scheme, provided:**
 - ARC approval is obtained prior to installation; and
 - The garage door otherwise complies with all approved design standards.
3. White garage doors are considered a **minor architectural change**; however, **ARC approval remains required.**

B. Style & Construction

1. **All garage doors must be solid. Garage doors with windows or glazing are not permitted.**
2. The community currently recognizes **three (3) approved garage door styles.**
3. Additional styles may be approved only if they are **substantially similar** to the approved styles, including:
 - Comparable panel design and proportions
 - Comparable grain tone and texture
 - Any grain-tone variation must remain isolated to designed areas

C. Decorative Hardware

Decorative garage door hardware (e.g., carriage handles, hooks, brackets) may be approved only if:

- Installed on **British West Indies** or **Mediterranean** style homes;
- Installed symmetrically; and
- Compatible with the architectural style of the home.

Oversized, novelty, or incompatible ornamentation is not permitted.

6.5 Garage Door Prohibitions

The following are **not permitted**:

- Garage doors with windows or glass
- Specialty or custom colors outside approved standards
- Faux finishes or industrial-style doors
- Door styles that materially alter the original architectural design without an approved deviation

EXTERIOR FRONT DOORS

6.6 Front Door Configuration & Materials

A. Configuration

1. **All exterior front doors must be double doors.**
2. **Single front doors with sidelights are not permitted.**

B. Materials (Locked Standard)

Painted wood front doors are not permitted.

Only aluminum front doors are permitted, subject to the finish standards below.

6.7 Front Door Finish & Color Standards

1. Aluminum front doors may be finished in:
 - Bronze
 - Black
 - **Or painted to a color contained within an approved exterior color palette**, subject to ARC approval
2. **Swapping a front door color between approved exterior color palettes is considered a minor architectural change**, provided:
 - The proposed color exists within an approved palette;
 - The color is appropriate for the home's architectural style (Modern, Florida Vernacular, Mediterranean, or British West Indies); and
 - The change is approved by the ARC prior to installation.
3. No custom colors, specialty coatings, or non-palette finishes are permitted.

6.8 Front Door Prohibitions

The following are **not permitted**:

- Painted wood doors
- Single doors with sidelights
- Cross-palette finishes that conflict with architectural style
- Finishes that rust, peel, stain, or deteriorate without prompt repair

6.9 Deviations

Any request that does not comply with this section must be submitted as a **formal deviation request** and must include:

- Identification of the specific standard being deviated from
- Supporting documentation and justification
- Homeowner acknowledgment that:
 - Approval is not guaranteed
 - No work may begin until written approval is issued
 - Approval does not establish precedent

Approval of any architectural modification or deviation is based on the specific facts and circumstances presented and shall not be deemed precedent for future applications.

6.10 Completion & Verification

Upon completion, the homeowner must notify management for verification that the installation complies with the approved application. Any deviation from approved plans may require correction at the homeowner's expense.

ARTICLE 7 -PAINT & EXTERIOR COLOR PALETTE STANDARDS

**(Architectural Review Committee – ARC)
La Terre at Avenir Neighborhood Association, Inc.**

1. PURPOSE AND BACKGROUND

The exterior color schemes within La Terre at Avenir are governed by the Association's Declaration, including **Section 8.3**, which requires homes to be repaired and maintained **like-for-like** in accordance with the original architectural design.

Following a significant tornado event affecting the community, the Association adopted a special **Architectural Policy for Tornado Damages** to address material availability, discontinued roof tiles, and necessary repairs while preserving architectural consistency. As a result, the **current exterior color palettes are driven by roof tile selections that were available or approved at the time of storm restoration.**

This section codifies how exterior paint colors are determined, approved, and applied going forward.

2. GENERAL PAINT APPROVAL REQUIREMENT

All exterior painting requires **ARC approval**, including:

- Repainting using the existing approved color scheme
- Painting associated with storm repairs
- Any repainting of the Dwelling or exterior improvements

No exterior painting may commence until **written ARC approval** has been issued.

3. APPROVED COLOR PALETTES

1. Only the **approved exterior color palettes** adopted by the Association may be used.
2. Approved palettes are **tied directly to the roof tile color** installed on the home.
3. Homeowners **may not mix and match** colors from different approved palettes.
4. The homeowner must complete the **entire approved color scheme**, including:
 - Body
 - Trim
 - Accent
 - Doors
 - Any associated exterior features tied to the scheme

Partial palette application is not permitted.

4. ANTI-MONOTONY REQUIREMENTS

1. Any approved color scheme must comply with the Association's anti-monotony standards.
 2. A proposed exterior color scheme **may not duplicate** the color scheme of:
 - An adjacent Dwelling, or
 - A Dwelling directly across the street
 3. Homeowners must submit **color photographs** of adjacent and directly across-the-street homes as part of the ARC application to demonstrate compliance.
-

5. STORM-RELATED REPAIRS VS. NON-STORM PAINTING

A. Storm-Related Repairs

- For homes affected by the tornado or future storm events:
 - Roof tile changes may be approved pursuant to the **Architectural Policy for Tornado Damages**
 - Paint colors must be selected **only from palettes compatible with the approved roof tile**
 - No custom palette mixing is permitted

B. Non-Storm-Related Painting

- Exterior paint changes not related to storm damage must:
 - Remain consistent with the home's original approved palette
 - Allow only limited variation **within the approved scheme**, subject to ARC approval
 - Continue to comply with anti-monotony requirements
-

6. REQUESTS FOR NEW COLOR PALETTES (DEVIATIONS)

Any request to introduce a **new exterior color palette** shall be treated as a **formal deviation request** and must be clearly identified as such in the ARC application.

Approval of a new palette requires **all** of the following:

1. Approval by **Palm Beach Gardens Master Association**
2. Approval by the **HOA ARC Committee**
3. Approval by the **Board of Directors**

If approved:

- The new palette becomes part of the Association's **official approved palettes**
- The palette is subject to anti-monotony rules

- The palette may be available for future use, as determined by the Association

Approval of a new palette is **not guaranteed** and does not establish automatic approval for future requests.

7. MINOR TRIM COLOR MODIFICATIONS

Minor trim color changes may be considered for approval provided that:

1. The change is clearly identified in the ARC application
2. The proposed trim color is compatible with the home's architectural style, including:
 - Modern
 - Florida Vernacular
 - Mediterranean
 - British West Indies
3. The ARC determines the change maintains architectural harmony and community consistency

Minor trim modifications do not permit wholesale palette changes.

8. HOMEOWNER RESPONSIBILITY & ACKNOWLEDGEMENT

Homeowners acknowledge that:

- Exterior color selection is governed by the Association's Architectural Guidelines
- Deviations must be explicitly requested and approved
- No work may begin without written ARC approval
- Failure to comply may result in corrective action at the homeowner's expense

ARTICLE 8 – FENCES & WALLS

**Architectural Review Committee (ARC/DRB) Standards
La Terre at Avenir Neighborhood Association, Inc.**

8.1 Purpose

This section establishes mandatory architectural standards for the installation, replacement, modification, and removal of fences to preserve architectural consistency, maintain neighborhood aesthetics, and ensure compatibility with Association-maintained areas.

8.2 ARC Approval Required

Prior written ARC approval is required for any of the following:

- Installation of a new fence
- Replacement, modification, relocation, or removal of an existing fence
- Changes to fence height, color, material, configuration, or screening

No fence-related work may commence until written ARC approval is issued.

8.3 Permitted Fence Types, Materials & Colors

1. Fences must be constructed of **aluminum** only.
 2. **Permitted fence colors are limited to:**
 - **Black**
 - **Bronze**
 3. No other fence materials or colors are permitted unless approved as a formal deviation.
-

8.4 Fence Height Standards

1. Minimum permitted fence height: **four (4) feet**.
 2. Maximum permitted fence height: **five (5) feet**, subject to ARC approval.
 3. Fences are **not required to connect** to adjacent neighbor fences.
 4. **If adjoining homeowners elect to connect their fences**, the connected sections:
 - Must be the **same height**, and
 - Must be constructed of the **same material and color**, to maintain a contiguous and uniform appearance.
-

8.5 Fence Location, Setbacks & Lot Lines

1. Fences must be installed **entirely within the homeowner's lot lines** and may not encroach onto neighboring lots, easements, or common areas.
2. Fence placement must comply with:
 - Applicable municipal setback requirements; and

- ARC-approved placement as shown on the property survey.
3. All fence installations require **applicable governmental permits** to be filed and approved.
-

8.6 Fence Configuration

1. Freestanding fence sections are permitted, provided they comply with all applicable standards in these Guidelines.
 2. Fence layouts shall be reviewed by the ARC for visual compatibility with adjacent properties and streetscapes.
-

8.7 Fence Privacy Screening

1. Privacy screening is **not permitted** on fence panels, except as follows:
 - Privacy screening **may be installed on fence gates that face the street**, subject to ARC approval.
 2. All screening materials, colors, and opacity levels require prior ARC approval.
-

8.8 HOA Landscaping Access & Hold Harmless

1. Where a fence encloses an area subject to **HOA-required lawn or landscape maintenance**, the homeowner must execute a **Hold Harmless Agreement** allowing access for the Association's commercial landscaper.
 2. Failure to provide access may result in:
 - Suspension of HOA landscape services within the enclosed area; or
 - Additional costs assessed to the homeowner, as permitted by the governing documents.
-

8.9 Hedging & Vegetation Adjacent to Fences

Homeowners are responsible for maintaining all hedging, plantings, and vegetation adjacent to fences. Overgrown or unmaintained landscaping that impacts fence appearance, function, or neighboring properties must be promptly corrected.

8.10 Required Submittals (Fence Applications)

A complete fence application must include:

- Completed ARC application
- Current property survey clearly showing fence and gate locations
- Fence specifications (height, color, material)
- Contractor information and insurance (if applicable)
- Copies of required permits

Incomplete applications will be returned without review.

8.11 Deviations

Any request that does not comply with this section must be submitted as a **formal deviation request** and must include homeowner acknowledgment that:

- Approval is not guaranteed
- No work may begin until written approval is issued
- Approval does not establish precedent

Approval of any architectural modification or deviation is based on the specific facts and circumstances presented and shall not be deemed precedent for future applications.

8.12 Completion & Verification

Upon completion, the homeowner must notify management for verification that the fence installation complies with the approved application. Any deviation may require correction at the homeowner's expense.

ARTICLE 9 – SCREEN SYSTEMS, ENCLOSURES & STORM PROTECTION

**Architectural Review Committee (ARC/DRB) Standards
La Terre at Avenir Neighborhood Association, Inc.**

9.1 Purpose

This section establishes mandatory architectural standards for the installation, replacement, or modification of **screen-related systems**, including pool enclosures, motorized screens, storm protection screens, and lanai or pergola extensions, to ensure structural integrity, architectural compatibility, and compliance with wind-load and building code requirements.

9.2 ARC Approval Required

Prior written ARC approval is required for all of the following screen-related installations or modifications:

- Pool screen enclosures
- Motorized or retractable screens
- Metal roll-down hurricane / storm screens
- Lanai or pergola extensions with or without integrated screens
- Replacement or modification of framing, tracks, housings, or roof components

No work may commence until written ARC approval is issued.

SCREEN SYSTEM TYPES

9.3 TYPE 1 – POOL SCREEN ENCLOSURES

A. Location

1. Pool screen enclosures are permitted **only in rear-yard locations**.
2. Pool enclosures are **not permitted in the front of the home**.
3. All installations must comply with:
 - Lot line setbacks
 - Easements
 - Municipal zoning and permitting requirements

B. Construction Standards

1. Frames must be **aluminum only**.
2. Frame finish must be:
 - **E.S.P. (Electrostatic Powder Painted)**
 - **Bronze color only**
3. Screens must be:
 - Material: **Fiberglass**

- Color: **Charcoal**
- 4. Enclosures must be **fully screened**:
 - Roof
 - All sides

C. Prohibited

- Metal patio roofs attached to the home
 - Solid roof panels (unless part of an ARC-approved deviation)
 - White, black, or non-bronze framing
-

9.4 TYPE 2 – MOTORIZED / RETRACTABLE LANAI SCREENS

A. Description

Motorized or retractable screens installed at lanais, patios, or covered outdoor living areas that deploy vertically or horizontally from concealed housings.

B. Standards

1. Systems must be:
 - Designed for residential exterior use
 - Rated for applicable wind loads
2. Screen housings, tracks, and frames must:
 - Be **architecturally integrated** into the structure
 - Match or complement the home's approved exterior colors
3. Screens must be:
 - Neutral in appearance
 - Non-reflective

C. Limitations

- Motorized screens may not materially alter the appearance of the home when retracted.
 - Visible housings or tracks inconsistent with the home's architecture may be denied.
-

9.5 TYPE 3 – METAL ROLL-DOWN STORM / HURRICANE SCREENS

A. Description

Metal roll-down or accordion-style screens intended for **storm protection**, including hurricane-rated systems.

B. Standards

1. All storm screen systems require ARC approval.
2. Systems must comply with:
 - Florida Building Code
 - Windstorm certification requirements
3. Housing, tracks, and visible components must:
 - Be minimized visually
 - Be color-matched to the home where possible

C. Use & Storage

1. Storm screens may remain deployed only:
 - During active storm threats; or
 - During installation, testing, or maintenance
2. Permanent deployment is not permitted unless otherwise approved.

9.6 TYPE 4 – LANAI / PERGOLA EXTENSIONS WITH OR WITHOUT SCREENS

A. Description

Structural extensions to an existing lanai or patio area, including pergolas or similar covered structures, which may include fixed or motorized screens.

B. Standards

1. Extensions require:
 - Full ARC review
 - Structural drawings
 - Wind-load compliance documentation
2. Extensions must:
 - Be architecturally compatible with the home
 - Not overwhelm the original structure
3. Screens associated with these extensions must comply with:
 - TYPE 2 (motorized screens), or
 - TYPE 1 standards where applicable

9.7 General Design Compatibility (All Types)

All screen systems must:

- Be compatible with the home's architectural style:
 - Modern
 - Florida Vernacular
 - Mediterranean
 - British West Indies
 - Minimize visual impact from:
 - Adjacent lots
 - Streets
 - Common areas
-

9.8 Required Submittals (All Screen System Applications)

A complete application must include:

- Completed ARC application
- Property survey showing location and footprint
- Detailed plans/drawings (height, dimensions, attachment points)
- Product specifications and wind-load ratings
- Contractor information and **Certificate of Insurance (COI)**
- Copies of required permits

Incomplete applications will be returned without review.

9.9 Repairs vs. Replacement

1. Minor repairs (screen fabric replacement only) **do not require ARC approval**, provided:
 - No framing, tracks, or housings are altered; and
 - Material and color remain unchanged.
 2. Any repair involving framing, motors, housings, or structure **requires ARC approval**.
-

9.10 Deviations

Any request that does not comply with this section must be submitted as a **formal deviation request** and must include homeowner acknowledgment that:

- Approval is not guaranteed
- No work may begin until written ARC approval is issued
- Approval does not establish precedent

Approval of any architectural modification or deviation is based on the specific facts and circumstances presented and shall not be deemed precedent for future applications.

9.11 Completion & Verification

Upon completion, the homeowner must notify management for verification that the installation complies with the approved application. Any deviation may require correction at the homeowner's expense.

ARTICLE 10 – GAZEBOS, PORTICOS, CHICKEE & TIKI HUTS

**Architectural Review Committee (ARC) Guidelines
La Terre at Avenir Neighborhood Association, Inc.**

10.1 Purpose

This Article establishes mandatory architectural standards for the installation, replacement, or modification of **gazebos, porticos, chickee huts, tiki huts, and similar detached or attached outdoor structures**, to ensure compatibility with the community's architectural character, compliance with wind-load requirements, and preservation of neighboring property rights.

10.2 ARC Approval Required

Prior written ARC approval is required for any of the following:

- Installation of a new gazebo, portico, chickee hut, tiki hut, or similar structure
- Replacement or modification of an existing structure
- Changes to size, height, materials, roof design, or location
- Addition of electrical, lighting, fans, or integrated screening

No work may commence until written ARC approval is issued.

10.3 Permitted Structure Types

The following structures may be considered for approval, subject to full ARC review:

- Gazebos
- Porticos
- Chickee huts
- Tiki huts
- Similar outdoor shade or pavilion structures

Approval is not guaranteed and is subject to compliance with this Article and all other applicable Architectural Guidelines.

10.4 Location & Setback Requirements

1. All structures must be located:
 - In rear-yard or approved side-yard locations only
 - Outside of easements, drainage areas, and utility corridors
2. **No portion of any structure may be located within five (5) feet of any property line, unless a greater setback is required by municipal code.**
3. Structures may not encroach upon common areas or neighboring lots.

10.5 Wind Load & Structural Standards

1. All structures must:
 - Meet or exceed **applicable wind-load requirements**; and
 - Comply with the Florida Building Code and City of Palm Beach Gardens requirements.
2. Structural drawings or engineered plans may be required based on size, height, or construction type.
3. Temporary or non-rated structures are not permitted.

10.6 Design & Materials

1. Structures must be architecturally compatible with the home's style:
 - Modern
 - Florida Vernacular
 - Mediterranean
 - British West Indies
2. Roofing materials, finishes, and colors must:
 - Complement the primary dwelling; and
 - Avoid reflective or visually disruptive materials.
3. Thatched or synthetic thatch roofing may be permitted **only** for chickee or tiki huts and must be:
 - Professionally installed;
 - Fire-retardant; and
 - Maintained in good condition.

10.7 Electrical, Lighting & Accessories

1. Electrical service, lighting, ceiling fans, or outlets:
 - Require ARC approval; and
 - Must comply with applicable codes and permitting requirements.
2. Lighting must:
 - Be soft, non-glare, and downward directed;
 - Comply with Article 5 (Lighting Standards).

10.8 Permits & Governmental Approvals

1. **All gazebos, porticos, chickee huts, tiki huts, and similar structures require applicable permits issued by the City of Palm Beach Gardens** prior to construction.
 2. Proof of issued permits must be submitted to the Association before work begins.
 3. ARC approval does not replace or waive any governmental permitting requirements.
-

10.9 Required Submittals

A complete ARC application must include:

- Completed ARC application
- Property survey showing structure location and setbacks
- Detailed plans or drawings showing:
 - Dimensions
 - Height
 - Roof design
- Material specifications
- Structural or engineering documentation (if required)
- Contractor information and **Certificate of Insurance (COI)**
- Copies of required permits

Incomplete applications will be returned without review.

10.10 Deviations

Any request that does not comply with this Article must be submitted as a **formal deviation request** in accordance with **Article 3**.

Homeowners acknowledge that:

- Approval is not guaranteed;
 - No work may begin without written approval; and
 - Approval does not establish precedent.
-

10.11 Completion & Verification

Upon completion, the homeowner must notify management for verification that the structure was constructed in accordance with the approved application. Any deviation may require correction or removal at the homeowner's expense.

ARTICLE 11 – DRIVEWAYS, APRONS & PAVERS

**Architectural Review Committee (ARC/DRB) Standards
La Terre at Avenir Neighborhood Association, Inc.**

11.1 Purpose

This section establishes mandatory architectural standards for the installation, replacement, modification, repair, or expansion of **driveways and driveway aprons**, including all paver-related work, to preserve architectural consistency, ensure structural integrity, and protect Association-maintained streets, curbs, swales, sidewalks, and common areas.

11.2 ARC Approval Required (No Exceptions)

Prior written ARC approval is required for ALL driveway and apron work, including but not limited to:

- New driveway or apron installation
- Replacement of existing pavers (including like-for-like replacement)
- Expansion or modification of driveway width or configuration
- Repairs involving removal and reinstallation of pavers
- Any change to paver material, color, pattern, or finish

No driveway or apron work may commence until written ARC approval is issued.

Like-for-like replacement is **not exempt** from ARC review.

11.3 Permitted Materials

1. **Driveways and aprons shall be constructed of pavers only.**
 2. All pavers used for a driveway and its apron must be:
 - The **same material**
 - The **same color**
 - The **same finish**
 3. Natural shading variations inherent to manufactured pavers are permitted.
-

11.4 Prohibited Materials

The following materials are **strictly prohibited** for driveways or aprons:

- Asphalt
- Concrete
- Loose gravel
- Stabilized rock
- Sand-based materials

- Mixed-material surfaces
 - Stamped or decorative concrete
-

11.5 Driveway Width & Expansion Limits (CAPPED)

1. Driveway width is **capped** and may not be expanded beyond the limits approved by the ARC.
 2. Any proposed expansion:
 - Must receive prior ARC approval; and
 - **May not exceed four (4) feet** beyond the existing driveway width, measured from the exterior side line of the garage.
 3. The ARC retains discretion to approve a **lesser width** based on:
 - Lot configuration
 - Streetscape impact
 - Drainage considerations
 4. Expansions must extend **continuously from the garage to the sidewalk or street** and may not create isolated or partial extensions.
-

11.6 Aprons

1. Driveway aprons are subject to **the same standards and approval requirements** as driveways.
 2. Aprons must:
 - Match the driveway in material, color, pattern, and finish
 - Be installed as part of a cohesive driveway design
 3. Replacement or modification of an apron alone still requires ARC approval.
-

11.7 Installation & Construction Standards

All driveway and apron installations must comply with the following:

1. Installation shall strictly follow the **paver manufacturer's specifications**.
2. The base must be:
 - Properly excavated
 - Leveled
 - Compacted to support vehicular loads
3. Pavers must be installed so the finished surface:
 - Is flush with adjacent surfaces
 - Matches the height of the existing driveway where applicable
4. **Edge restraints are required** to prevent separation, spreading, or migration.

5. **Joint sand must be installed** to bind pavers and minimize weed growth.
-

11.8 Design Patterns & Visual Restrictions

1. Paver patterns must be simple, uniform, and compatible with the community's architectural character.
 2. **Patterns, symbols, or designs that may be deemed offensive, obscene, violent, discriminatory, or otherwise inconsistent with community standards are prohibited.**
 3. The ARC may require removal and replacement of any non-compliant design at the homeowner's expense.
-

11.9 Sealers & Finishes

1. A **clear matte finish sealer** may be applied to pavers.
 2. High-gloss, wet-look, or color-enhancing sealers are not permitted unless approved as a formal deviation.
 3. Sealer application does not eliminate the requirement for ARC approval.
-

11.10 Protection of Streets, Curbs & Common Areas

1. All driveway and apron installations must comply with the Association's **construction protection standards**, including those used for pool construction and heavy equipment.
 2. Homeowners and contractors are responsible for preventing damage to:
 - Streets
 - Curbs
 - Sidewalks
 - Swales
 - Adjacent common areas
 3. Any damage caused must be repaired at the homeowner's expense.
-

11.11 Security Deposits & Fees

1. A **\$1,000 refundable security deposit** is required for all driveway and apron installations, replacements, or expansions.
2. The standard **non-refundable ARC application fee** applies.
3. Deposits will be refunded only after:
 - Completion of work
 - Final inspection

- Confirmation that no damage has occurred or all damage has been repaired
-

11.12 Required Submittals (Driveway & Apron Applications)

A complete application must include:

- Completed ARC application
- Current property survey showing:
 - Existing driveway and apron
 - Proposed dimensions and expansions
- Paver samples and manufacturer specifications
- Photos of the existing driveway and adjacent streetscape
- Contractor information and COI (if applicable)
- Proof of security deposit and application fee

Incomplete applications will be returned without review.

11.13 Deviations

Any request that does not comply with this section must be submitted as a **formal deviation request** and must include:

- Identification of the standard being deviated from
- Supporting documentation and justification
- Homeowner acknowledgment that:
 - Approval is not guaranteed
 - No work may begin without written ARC approval
 - Approval does not establish precedent

Approval of any architectural modification or deviation is based on the specific facts and circumstances presented and shall not be deemed precedent for future applications.

11.14 Completion & Verification

Upon completion, the homeowner must notify management for verification that the driveway and/or apron installation complies with the approved application. Any deviation may require correction at the homeowner's expense.

ARTICLE 12 – POOLS & POOL ENCLOSURES

**Architectural Review Committee (ARC) Guidelines
La Terre at Avenir Neighborhood Association, Inc.**

12.1 Purpose

This Article establishes mandatory architectural, engineering, and aesthetic standards for the construction, installation, modification, and replacement of **swimming pools, spas, pool enclosures, and related improvements**, to ensure safety, consistency, drainage integrity, and compatibility with the community's architectural character.

12.2 ARC Approval Required

Prior written ARC approval is required for any of the following:

- Construction of a new swimming pool or spa
- Modification, resurfacing, or replacement of an existing pool or spa
- Installation or modification of pool screen enclosures or cages
- Pool deck, coping, or hardscape changes
- Pool equipment installation or relocation
- Drainage modifications related to pool construction

No work may commence until written ARC approval is issued.

12.3 Pool Construction Standards

1. Pools and spas must:
 - Be constructed in the rear yard only;
 - Comply with all applicable zoning, setback, and easement requirements.
 2. Pool shape, size, and design must be compatible with:
 - The lot configuration; and
 - The architectural style of the home.
 3. Above-ground pools are not permitted.
-

12.4 Engineering, Drainage & Site Impact

1. All pool construction must include proper engineering to:
 - Prevent adverse drainage impacts to adjacent Lots or common areas;
 - Maintain existing swales and drainage patterns.
2. Any modification to drainage or grading:
 - Requires ARC approval; and
 - Must comply with City of Palm Beach Gardens requirements.
3. The ARC may require drainage plans or engineering reports as part of the application.

12.5 Pool Decks, Coping & Hardscape

1. Pool decks and coping must:
 - Be constructed of materials compatible with the home and existing hardscape;
 - Avoid highly reflective or visually disruptive finishes.
2. Expansion or modification of pool decks:
 - Requires ARC approval;
 - Must comply with Article 11 (Driveways, Aprons & Pavers), where applicable.

12.6 Pool Equipment & Mechanical Systems

1. Pool pumps, filters, heaters, and related equipment:
 - Must be located to minimize visibility from streets and common areas;
 - Must comply with Article 13 (Generators & Exterior Mechanical Equipment).
2. Equipment visible from streets or common areas **must be screened** in accordance with Article 13.
3. Noise-producing equipment must comply with applicable noise ordinances.

12.7 Pool Screen Enclosures & Cages

1. Pool screen enclosures:
 - Must comply with **Article 9 – Screen Systems, Enclosures & Storm Protection**;
 - Require full ARC approval regardless of scope.
2. Enclosures must:
 - Be aluminum framed;
 - Use approved frame colors and screen materials;
 - Be fully screened on the roof and sides.
3. Solid or opaque roofs are not permitted.

12.8 Safety & Code Compliance

1. Pools must comply with:
 - Florida Building Code;
 - City of Palm Beach Gardens pool safety requirements;
 - Applicable fencing, barrier, and alarm regulations.
 2. ARC approval does not replace code compliance or inspections.
-

12.9 Permits & Governmental Approvals

1. **All pools, spas, and pool enclosures require permits issued by the City of Palm Beach Gardens** prior to construction.
 2. Proof of issued permits must be submitted to the Association before work begins.
 3. ARC approval does not replace or waive governmental permitting requirements.
-

12.10 Required Submittals

A complete ARC application must include:

- Completed ARC application
- Property survey showing pool location, setbacks, and easements
- Pool construction plans and specifications
- Drainage or engineering documentation (if required)
- Pool deck and hardscape material details
- Pool enclosure details (if applicable)
- Contractor information and **Certificate of Insurance (COI)**
- Copies of required permits

Incomplete applications will be returned without review.

12.11 Repairs vs. Replacement

1. Minor pool maintenance (e.g., interior resurfacing with the same finish) does not require ARC approval if:
 - Pool size, shape, and appearance remain unchanged.
2. Any repair or replacement that alters:
 - Pool dimensions;
 - Deck layout;
 - Equipment location; or
 - Visual appearance

requires ARC approval.

12.12 Deviations

Any request that does not comply with this Article must be submitted as a **formal deviation request** in accordance with **Article 3**.

Approval:

- Is not guaranteed;
- Does not establish precedent;
- Requires written ARC authorization before work begins.

12.13 Completion & Verification

Upon completion, the homeowner must notify management for verification. Any deviation from approved plans may require correction or removal at the homeowner's expense.

ARTICLE 13 – GENERATORS & EXTERIOR MECHANICAL EQUIPMENT

**Architectural Review Committee (ARC/DRB) Standards
La Terre at Avenir Neighborhood Association, Inc.**

13.1 Purpose

This section establishes mandatory architectural standards for the installation, replacement, relocation, and screening of **standby generators** and **exterior mechanical equipment** in order to minimize visual impact from public view, control noise, and ensure compliance with applicable building codes and municipal requirements, while recognizing the practical limitations of smaller lot configurations.

13.2 ARC Approval Required

Prior written ARC approval is required for any of the following:

- Installation of a new standby generator
- Replacement, relocation, or expansion of an existing generator
- Installation, replacement, or relocation of exterior mechanical equipment, including but not limited to:
 - HVAC condensers
 - Pool pumps, filters, and heaters
 - Exterior water heaters
 - Mechanical or utility equipment
- Installation or modification of any screening associated with the above

No work may commence until written ARC approval is issued, regardless of whether a governmental permit is required.

13.3 Standby Generators

A. Permitted Type

1. Only **permanent, standby generators** designed for residential use are permitted.
 2. Portable or temporary generators intended for routine or permanent use are not permitted.
-

B. Location

1. Generators must be installed:
 - To the **side or rear of the home**; and
 - In a location that minimizes visibility from the public street.
2. Generators may **not** be installed:

- In front yards; or
 - In locations that are prominently visible from the primary street frontage.
-

C. Noise & Operation

1. Generators must comply with:
 - Manufacturer noise specifications; and
 - City of Palm Beach Gardens noise ordinances.
 2. Routine testing shall be limited to **daytime hours only**.
 3. Excessive noise, vibration, or nuisance conditions may require mitigation or relocation as directed by the ARC.
-

13.4 Screening Requirements (Street Visibility Standard)

1. **All generators and exterior mechanical equipment must be screened from view from public streets and common areas.**
 2. **Screening from adjacent private lots is not required**, recognizing that:
 - Many lots have side-yard setbacks of approximately ten (10) feet; and
 - Full screening between neighboring homes may be impractical or impossible without a coordinated plan.
 3. Where screening between neighboring properties is desired, homeowners may:
 - Coordinate with adjacent neighbors; and
 - Submit a **joint screening plan** for ARC consideration.
 4. Screening may consist of:
 - Landscaping;
 - Architectural screening walls; or
 - A combination of both.
 5. All screening must:
 - Be compatible with the home's architectural style;
 - Allow adequate airflow and maintenance access;
 - Comply with all applicable setback and code requirements.
-

13.5 Exterior Mechanical Equipment (Non-Generator)

A. Equipment Covered

This section applies to all exterior mechanical equipment, including but not limited to:

- HVAC condensers
- Pool equipment

- Exterior water heaters
 - Mechanical or utility equipment visible from streets or common areas
-

B. Visibility & Placement

1. Mechanical equipment must be located to minimize visibility from:
 - Public streets; and
 - Common areas.
 2. Equipment **visible from the street or common areas must be screened** in accordance with Section 13.4.
 3. Equipment not visible from public streets or common areas **does not require screening**, provided it otherwise complies with these Guidelines.
-

13.6 Screening Materials & Design

1. Screening structures or landscaping must:
 - Fully obscure equipment from street view where practicable;
 - Be durable and maintained in good condition.
 2. Screening walls must:
 - Be constructed of materials compatible with the home's exterior;
 - Match or complement existing finishes and colors.
 3. Landscaping used for screening shall be maintained by the homeowner.
-

13.7 Permits & Governmental Approvals

1. **All standby generators require permits issued by the City of Palm Beach Gardens** prior to installation.
 2. Proof of issued permits must be submitted to the Association before work begins.
 3. Exterior mechanical equipment requires permits **only if required by the City**, based on the scope of installation.
 4. **ARC approval is required regardless of permit requirements.**
-

13.8 Required Submittals (Generators & Mechanical Equipment)

A complete application must include:

- Completed ARC application
- Property survey or site plan showing proposed equipment location

- Manufacturer specifications (including noise ratings, where applicable)
- Screening plan addressing street visibility
- Contractor information and **Certificate of Insurance (COI)**
- Copies of required permits

Incomplete applications will be returned without review.

13.9 Repairs vs. Replacement

1. Routine maintenance and minor repairs **do not require ARC approval**, provided:
 - Equipment location remains unchanged; and
 - No new screening or structures are added.
 2. Replacement, relocation, or expansion of equipment **does require ARC approval**, even if like-for-like.
-

13.10 Deviations

Any request that does not comply with this section must be submitted as a **formal deviation request**, including homeowner acknowledgment that:

- Approval is not guaranteed
- No work may begin without written ARC approval
- Approval does not establish precedent

Approval of any architectural modification or deviation is based on the specific facts and circumstances presented and shall not be deemed precedent for future applications.

13.11 Completion & Verification

Upon completion, the homeowner must notify management for verification that the installation complies with the approved application. Any deviation may require correction at the homeowner's expense.

ARTICLE 14 – LANDSCAPING & DRAINAGE (ARCHITECTURAL SCOPE ONLY)

**Architectural Review Committee (ARC) Guidelines
La Terre at Avenir Neighborhood Association, Inc.**

14.1 Purpose

This Article establishes architectural standards governing **landscaping installations, landscape modifications, and drainage-related improvements** to ensure visual consistency, proper site function, and long-term maintenance throughout the community.

This Article also clarifies homeowner responsibilities for **ongoing landscape maintenance** and the role of the management company in inspection and enforcement.

14.2 ARC Approval Required

Prior written ARC approval is required for any of the following:

- Installation of new landscaping elements
- Removal or replacement of trees, shrubs, or ground cover
- Landscape redesigns or material changes
- Installation of decorative rock, mulch, or ground cover materials
- Drainage modifications, regrading, or swale alterations
- Any landscape change visible from streets, common areas, or neighboring Lots

No work may commence until written ARC approval is issued.

14.3 Landscaping Design Standards

1. Landscaping must:
 - Be compatible with the home's architectural style;
 - Maintain a cohesive and orderly appearance consistent with the community.
 2. Landscaping designs must not:
 - Obstruct sidewalks, driveways, or sightlines;
 - Interfere with drainage systems or easements;
 - Create maintenance or irrigation issues.
-

14.4 Ground Cover & Mulch Requirements

1. **Mulch shall be the required primary ground cover** for all landscape installations and modifications going forward.
2. **Accent rock is permitted only as a secondary decorative element**, subject to ARC approval, and limited as follows:

- Color: **White or gray only**
 - Use: Accent areas only (not full-yard coverage)
 - 3. The following are **strictly prohibited**:
 - White drainage rock used as general ground cover
 - Full-yard rock or stone landscapes
 - Mixed or multicolored stone ground cover
 - 4. Existing installations utilizing non-compliant ground cover:
 - Are not approved for new installations; and
 - Will not be permitted to expand or replicate such materials.
-

14.5 Trees, Shrubs & Plantings

1. Removal or replacement of trees or major shrubs requires ARC approval.
 2. Trees located between homes or near lot lines may require:
 - Coordination with adjacent homeowners; and
 - Additional ARC review.
 3. Plantings must be selected and placed to avoid:
 - Overcrowding;
 - Encroachment onto neighboring Lots;
 - Interference with structures or utilities.
-

14.6 Irrigation Systems

1. All landscaping must be supported by a **properly functioning irrigation system**.
 2. Irrigation systems must:
 - Be maintained in good working order;
 - Prevent overspray onto sidewalks, streets, or neighboring properties;
 - Avoid excessive water runoff or pooling.
 3. Irrigation repairs or replacements that alter layout or coverage require ARC approval.
-

14.7 Drainage & Grading

1. Landscaping may not:
 - Alter established drainage patterns;
 - Block swales or drainage easements;
 - Cause runoff or pooling on adjacent Lots or common areas.
2. Any proposed drainage or grading modification:
 - Requires ARC approval; and
 - Must comply with City of Palm Beach Gardens requirements.
3. The ARC may require drainage plans or engineering documentation.

14.8 Maintenance Obligations

1. **All landscaping must be continuously maintained by the homeowner after installation**, including but not limited to:
 - Proper trimming and pruning
 - Regular mulching
 - Weeding and ground cover control
 - Replacement of dead or damaged plant material
 - Maintenance of irrigation systems
2. Landscaping must be kept in a **neat, healthy, and well-maintained condition at all times**.
3. Failure to maintain landscaping in accordance with these standards may result in enforcement action.

14.9 Inspections & Management Oversight

1. **General landscaping maintenance will be inspected by the Association's management company** as part of routine community inspections.
2. Identified deficiencies may result in:
 - Notice of violation;
 - Required corrective action within a specified timeframe;
 - Further enforcement as permitted by the governing documents.

14.10 Required Submittals

A complete ARC application must include:

- Completed ARC application
- Landscape plan showing plant types, quantities, and locations
- Ground cover and mulch specifications
- Irrigation layout (if modified)
- Drainage details (if applicable)
- Contractor information and **Certificate of Insurance (COI)**

Incomplete applications will be returned without review.

14.11 Deviations

Any request that does not comply with this Article must be submitted as a **formal deviation request** in accordance with **Article 3**.

Approval:

- Is not guaranteed;
- Does not establish precedent;
- Requires written ARC authorization before work begins.

14.12 Completion & Verification

Upon completion, the homeowner must notify management for verification. Any non-compliant landscaping or drainage work may be required to be corrected or removed at the homeowner's expense.

ARTICLE 15 – ROOFS

**Architectural Review Committee (ARC) Guidelines
La Terre at Avenir Neighborhood Association, Inc.**

15.1 Purpose

This Article establishes mandatory architectural standards for the **repair, replacement, and modification of roofs** to ensure consistency in appearance, compliance with building and windstorm codes, and protection of the architectural integrity and property values of the community.

15.2 ARC Approval Required

Prior written ARC approval is required for any of the following:

- Roof replacement (including like-for-like replacement)
- Change in roofing material, color, profile, or system
- Structural roof modifications
- Installation of roof-mounted equipment visible from streets or common areas

No roofing work may commence until written ARC approval is issued, regardless of insurance involvement or urgency, except for temporary emergency repairs.

15.3 Permitted Roofing Materials

1. Roofing materials must:
 - Match the **original builder-approved roofing material** for the home; or
 - Be an ARC-approved equivalent consistent with the community standards.
 2. Permitted roofing materials include:
 - Concrete or clay roof tiles approved for the community;
 - Other materials only if expressly approved by the ARC as a deviation.
 3. Asphalt shingles, metal roofing, or alternative systems are **not permitted** unless expressly approved as a deviation.
-

15.4 Roof Color & Profile

1. Roof color and profile must:
 - Match the original approved roof tile selection for the home; and
 - Be consistent with the approved color palette for the Dwelling.
2. No mixing of roof colors, profiles, or tile styles is permitted.
3. Roof selections are integral to the home's **exterior color palette** and may impact approved paint schemes.

15.5 Storm-Related Roof Repairs & Replacement

1. In the event of storm or casualty damage:
 - Roof repairs and replacements must be performed **like-for-like**, to the extent materials are available.
2. Where original materials are no longer available:
 - Replacement materials must be approved by the ARC;
 - The homeowner may be required to update the **entire roof system** for consistency.
3. Roof replacement following a declared storm event does not waive ARC approval requirements.

15.6 Roof-Mounted Equipment

1. Roof-mounted equipment (vents, stacks, solar components, satellite equipment, etc.):
 - Must be minimized in visibility from streets and common areas;
 - Must be color-matched where possible.
2. Installation of visible roof-mounted equipment requires ARC approval.

15.7 Permits & Governmental Approvals

1. **All roof replacements require permits issued by the City of Palm Beach Gardens.**
2. Proof of issued permits must be submitted to the Association before work begins.
3. ARC approval does not replace or waive governmental permitting requirements.

15.8 Required Submittals

A complete ARC application for roofing work must include:

- Completed ARC application
- Roofing material specifications and color samples
- Photos of existing roof
- Contractor information and **Certificate of Insurance (COI)**
- Copies of required permits

Incomplete applications will be returned without review.

15.9 Repairs vs. Replacement

1. Minor roof repairs that:
 - Do not alter appearance; and
 - Use identical materials

may not require ARC approval, subject to management confirmation.

2. Any repair that alters:
 - Color;
 - Profile;
 - Material; or
 - Visibility

requires ARC approval.

15.10 Deviations

Any request that does not comply with this Article must be submitted as a **formal deviation request** in accordance with **Article 3**.

Approval:

- Is not guaranteed;
 - Does not establish precedent;
 - Requires written ARC authorization before work begins.
-

15.11 Completion & Verification

Upon completion, the homeowner must notify management for verification. Any non-compliant roofing work may be required to be corrected or removed at the homeowner's expense.

ARTICLE 16 – GARAGES & GARAGE USE

**Architectural Review Committee (ARC) Guidelines
La Terre at Avenir Neighborhood Association, Inc.**

16.1 Purpose

This Article establishes mandatory standards governing the **use, modification, and alteration of garages** to ensure that garages remain functional for their intended purpose, preserve the architectural integrity of the community, and prevent unauthorized conversion of garage space to living or storage areas.

16.2 ARC Approval Required

Prior written ARC approval is required for any of the following:

- Modification, alteration, or enclosure of a garage or garage opening
- Installation of screens, doors, walls, or other materials affecting garage openings
- Structural changes to garage walls, ceilings, or openings
- Any proposed conversion of garage space to living space or other non-automobile use

No work may commence until written ARC approval is issued.

16.3 Required Use of Garages

1. **No garage shall be permanently enclosed or modified in a manner that renders the garage unusable for the parking of an automobile.**
 2. **No portion of a garage originally intended for the parking of an automobile shall be converted to living space, sleeping quarters, bathrooms, kitchens, or permanent storage areas**, except as expressly approved in accordance with this Article.
 3. Garages shall not be used as:
 - Habitable living space;
 - Rental space; or
 - Permanent storage that prevents vehicle parking.
-

16.4 Garage Enclosures & Screening

1. **Garage openings may not be permanently enclosed**, including but not limited to:
 - Permanent walls;
 - Fixed doors not designed for garage use;
 - Windows or panels that eliminate vehicle access.
2. **Garage openings shall not have a screen covering** unless:
 - The homeowner receives **prior written approval from the ARC**; and
 - The screen is removable and does not permanently alter the garage opening.
3. Any approved screen covering must:

- Be retractable or removable;
 - Maintain the functional use of the garage for automobile parking;
 - Be architecturally compatible with the home.
-

16.5 Requests for Garage Conversion or Living Use

1. Any request to convert a garage or portion thereof to:
 - Living quarters;
 - Habitable space; or
 - Space containing plumbing fixtures (including bathrooms or wet bars)

shall be treated as a **major architectural deviation**.

2. To be considered, such requests **must include**:
 - Engineered architectural and structural plans;
 - Evidence that **all required City of Palm Beach Gardens permits have been filed or issued**, explicitly acknowledging the change of garage use;
 - Documentation demonstrating compliance with all building, zoning, and life-safety codes.
 3. ARC approval **does not guarantee** final approval and may be denied regardless of permit issuance.
-

16.6 Permits & Governmental Approvals

1. Homeowners are solely responsible for obtaining all required governmental permits and approvals.
 2. Proof of issued permits must be submitted to the Association prior to commencement of work.
 3. ARC approval does not replace or waive any governmental permitting requirements.
-

16.7 Required Submittals

A complete ARC application for any garage modification must include:

- Completed ARC application
- Description of proposed work
- Engineered plans (if construction or conversion is proposed)
- Product specifications for any screens, doors, or enclosures
- Contractor information and **Certificate of Insurance (COI)**
- Copies of required permits

Incomplete applications will be returned without review.

16.8 Enforcement & Non-Compliance

Any garage modification performed without approval or in violation of this Article may result in:

- Notice of violation
 - Required removal or restoration to original condition
 - Fines or enforcement action
 - Legal remedies as permitted by the governing documents and Florida law
-

16.9 No Precedent / No Waiver

Approval of any garage modification:

- Applies only to the specific request approved;
 - Does not establish precedent; and
 - Does not waive the Association's right to enforce this Article in the future.
-

16.10 Deviations

Any request that does not comply with this Article must be submitted as a **formal deviation request** in accordance with **Article 3**.

Approval:

- Is not guaranteed;
 - Does not establish precedent;
 - Requires written ARC authorization before work begins.
-

16.11 Completion & Verification

Upon completion of approved work, the homeowner must notify management for verification. Any non-compliant work may be required to be corrected or removed at the homeowner's expense.

ARTICLE 17 – SOLAR PANELS & RENEWABLE ENERGY SYSTEMS

**Architectural Review Committee (ARC) Guidelines
La Terre at Avenir Neighborhood Association, Inc.**

17.1 Purpose

This Article establishes architectural standards for the installation, modification, and maintenance of **solar panels and renewable energy systems** in accordance with the Association's governing documents and applicable Florida law, while preserving community aesthetics and minimizing visual impact.

17.2 Governing Authority & Florida Law

1. This Article is adopted pursuant to:
 - The Association's Declaration, Bylaws, and Rules & Regulations; and
 - **Florida Statute §163.04**, which limits restrictions on renewable energy devices.
 2. Nothing in this Article is intended to **prohibit** the installation of solar energy systems as permitted by law.
 3. The Association retains the right to impose **reasonable architectural standards** concerning:
 - Placement;
 - Screening where feasible; and
 - Visual impact,provided such standards do not impair the effective operation of the system.
-

17.3 ARC Approval Required

Prior written ARC approval is required for:

- Installation of any solar panel or solar energy system
- Modification, relocation, or expansion of an existing system
- Replacement of panels, mounting hardware, or visible components

No installation may commence until written ARC approval is issued.

17.4 Permitted Locations

1. Solar panels shall be installed:
 - **On roof planes not visible from the primary street frontage**, where reasonably feasible.
2. If rear or non-street-facing roof planes are not feasible:
 - Panels may be installed on visible roof planes **to the minimum extent necessary** to achieve effective operation.
3. Ground-mounted solar systems are **not permitted** unless expressly approved as a deviation.

17.5 Design & Installation Standards

1. Solar panels must:
 - Be mounted flush with the roof surface where practicable;
 - Follow the slope of the roof plane;
 - Use low-profile mounting systems.
2. Panel frames, mounting hardware, and conduit must:
 - Be black or dark in color;
 - Be concealed or routed to minimize visibility from streets and common areas.
3. Reflective finishes, exposed wiring, or non-uniform panel layouts are not permitted.

17.6 Roof Integration & Structural Integrity

1. Installation must not:
 - Compromise roof integrity;
 - Void roofing warranties; or
 - Alter approved roof materials or profiles.
2. Homeowners are responsible for:
 - Any damage to the roof caused by installation, maintenance, or removal;
 - Repair or replacement of roofing materials as required.

17.7 Permits & Governmental Approvals

1. **All solar energy systems require permits issued by the City of Palm Beach Gardens** prior to installation.
2. Proof of issued permits must be submitted to the Association before work begins.
3. ARC approval does not replace or waive governmental permitting requirements.

17.8 Required Submittals

A complete ARC application must include:

- Completed ARC application
- Roof plan showing panel location and layout
- Product specifications for panels and mounting systems
- Electrical and structural details
- Contractor information and **Certificate of Insurance (COI)**
- Copies of required permits

Incomplete applications will be returned without review.

17.9 Maintenance & Repair

1. Solar panels must be:
 - Properly maintained;
 - Kept in good working condition;
 - Free of visible damage, debris, or deterioration.
 2. Damaged or non-functioning panels must be repaired or removed promptly.
-

17.10 Removal

1. Solar panels must be removed if:
 - They are no longer operational; or
 - Required due to roof replacement or structural repairs.
 2. Upon removal, the homeowner must:
 - Restore the roof to its original approved condition;
 - Repair any damage resulting from installation or removal.
-

17.11 Deviations

Any request that does not comply with this Article must be submitted as a **formal deviation request** in accordance with **Article 3**.

Approval:

- Is not guaranteed;
 - Does not establish precedent;
 - Requires written ARC authorization before work begins.
-

17.12 Completion & Verification

Upon completion of installation, the homeowner must notify management for verification. Any non-compliant installation may be required to be corrected or removed at the homeowner's expense.

ARTICLE 18 – WINDOWS

**Architectural Review Committee (ARC) Guidelines
La Terre at Avenir Neighborhood Association, Inc.**

18.1 Purpose

This Article establishes mandatory architectural standards for the **replacement, modification, and installation of windows** to preserve architectural consistency, maintain uniform exterior appearance, and ensure compliance with applicable building and windstorm codes.

18.2 ARC Approval Required

Prior written ARC approval is required for:

- Replacement of any window, including like-for-like replacement
- Installation of impact-rated or hurricane-rated windows
- Any change to window size, configuration, frame material, or appearance
- Installation of specialty or non-standard window products

No work may commence until written ARC approval is issued.

18.3 Window Replacement Standards

1. Replacement windows must:
 - Match the **original window size, shape, and configuration;**
 - Be consistent with the architectural style of the home.
 2. Window replacement may not:
 - Alter the exterior elevation;
 - Change opening dimensions;
 - Create an inconsistent appearance across elevations.
-

18.4 Window Materials, Frames & Colors

1. Window frames must:
 - Match the original frame material and profile; or
 - Be an ARC-approved equivalent.
 2. Frame colors must:
 - Match the original approved window frame color; or
 - Match the home's approved exterior color palette.
 3. Contrasting, decorative, metallic, or non-palette colors are **not permitted** unless approved as a deviation.
-

18.5 Window Configuration & Design

1. Window configuration must remain consistent with the original design, including:
 - Mullion and muntin patterns;
 - Number of window panes;
 - Proportions and alignment.
 2. Uniformity across each elevation is required.
-

18.6 Prohibited Window Modifications

Unless approved as a formal deviation, the following are **not permitted**:

- Changing window size or shape
 - Adding or removing mullions or muntins
 - Bay, bow, arched, or specialty windows
 - Glass block or decorative glazing
 - Mirrored or reflective glass treatments
-

18.7 Impact-Rated & Storm Windows

1. Impact-rated windows are permitted and encouraged where required by code.
 2. Impact windows must:
 - Maintain the same exterior appearance as non-impact windows;
 - Comply with all ARC standards in this Article.
 3. Temporary storm panels and protection devices are governed separately under **Article 9**.
-

18.8 Permits & Governmental Approvals

1. Window replacement requires permits **if required by the City of Palm Beach Gardens**.
 2. Proof of issued permits must be submitted prior to commencement of work.
 3. ARC approval does not replace governmental permitting requirements.
-

18.9 Required Submittals

A complete ARC application must include:

- Completed ARC application
- Manufacturer specifications and product cut sheets

- Photos of existing windows and full elevations
- Proposed frame material and color
- Contractor information and **Certificate of Insurance (COI)**
- Copies of required permits (if applicable)

Incomplete applications will be returned without review.

18.10 Repairs vs. Replacement

1. Glass-only replacement does **not require ARC approval** provided:
 - Frame material and color remain unchanged;
 - Window configuration is not altered.
 2. Any replacement involving frames, configuration, or appearance **requires ARC approval**, even if like-for-like.
-

18.11 Deviations

Any request that does not comply with this Article must be submitted as a **formal deviation request** in accordance with **Article 3**.

Approval:

- Is not guaranteed;
 - Does not establish precedent;
 - Requires written ARC authorization before work begins.
-

18.12 Completion & Verification

Upon completion, the homeowner must notify management for verification. Any non-compliant window installation may be required to be corrected or removed at the homeowner's expense.

ARTICLE 19 – CONSTRUCTION STANDARDS

Architectural Review Committee (ARC) Guidelines
La Terre at Avenir Neighborhood Association, Inc.

19.1 Purpose

This Article establishes mandatory construction standards governing all ARC-approved work to protect the Association's common areas, neighboring properties, and community appearance during construction, renovation, or installation activities.

19.2 Applicability

These standards apply to **all construction, alteration, repair, replacement, or installation work** requiring ARC approval, including work performed by homeowners, contractors, vendors, or subcontractors.

Compliance with this Article is a condition of ARC approval.

19.3 Pre-Construction Requirements

Prior to commencing any approved work, the homeowner must ensure:

1. All required ARC approvals have been issued in writing.
2. All required governmental permits have been obtained and posted, if applicable.
3. Contractor information and **Certificates of Insurance (COI)** have been submitted and approved.
4. Any required security deposits or fees have been paid.

Work may not begin until all pre-construction requirements are satisfied.

19.4 General Construction Standards

1. Construction activities must be conducted in a neat, orderly, and professional manner at all times.
 2. Construction materials, equipment, and debris must be kept within the Lot boundaries unless otherwise approved.
 3. No materials or debris may be stored on streets, sidewalks, swales, or common areas without written authorization.
 4. Open trenches, hazards, or unsafe conditions must be properly secured.
-

19.5 Contractor Conduct & Site Management

1. Contractors and subcontractors must comply with all Association rules, policies, and security procedures.
2. Loud, disruptive, or offensive behavior is prohibited.
3. Music, radios, or amplified sound devices are not permitted.
4. Contractors are responsible for the actions of their employees and subcontractors while on Association property.

The homeowner is fully responsible for contractor compliance.

19.6 Protection of Common Areas

1. Streets, curbs, sidewalks, swales, landscaping, and common areas must be protected from damage.
 2. Protective measures may be required, including:
 - Street and curb protection;
 - Temporary coverings;
 - Construction mats or barriers.
 3. Any damage to Association property must be repaired promptly at the homeowner's expense.
-

19.7 Work Hours & Duration

1. Construction work is permitted only during the hours established by:
 - The Association's Rules & Regulations; and
 - Applicable municipal ordinances.
 2. Construction activity may not occur on prohibited days or outside approved hours.
 3. Approved projects must be completed within the timeframe stated in the ARC approval unless an extension is granted in writing.
-

19.8 Inspections & Compliance

1. The Association or its management company may inspect construction activity to ensure compliance with:
 - Approved ARC plans;
 - These Guidelines;
 - Governing documents.
2. Failure to comply may result in:
 - Suspension of work;

- Required corrective action;
 - Enforcement measures.
-

19.9 Violations & Enforcement

Any violation of this Article may result in:

- Notice of violation
- Stop-work orders
- Forfeiture of security deposits
- Fines or enforcement action
- Legal remedies as permitted by the governing documents and Florida law

Enforcement actions may be taken without prior warning where conditions pose a safety risk.

19.10 Completion & Restoration

Upon completion of approved work:

1. All construction debris must be removed promptly.
2. Any disturbed areas must be restored to their original or approved condition.
3. The homeowner must notify management for final verification.

Failure to restore areas may result in corrective action at the homeowner's expense.

ARTICLE 20 – NON-COMPLIANCE & ENFORCEMENT

**Architectural Review Committee (ARC) Guidelines
La Terre at Avenir Neighborhood Association, Inc.**

20.1 Purpose

This Article establishes the procedures, authority, and remedies for addressing **non-compliance** with the Association's Architectural Guidelines, ARC approvals, governing documents, and applicable law, in order to protect the community's appearance, property values, safety, and common areas.

20.2 Applicability

This Article applies to:

- Any work performed without required ARC approval
- Any work performed in violation of an ARC approval
- Failure to comply with these Architectural Guidelines
- Failure to comply with construction standards, permits, or conditions of approval

Compliance with this Article is mandatory for all homeowners, contractors, and agents.

20.3 Notice of Non-Compliance

1. When non-compliance is identified, the Association or its management company may issue a **written Notice of Non-Compliance** to the homeowner.
 2. The notice may describe:
 - The nature of the violation;
 - The applicable guideline, rule, or approval condition;
 - Required corrective action; and
 - A deadline for compliance.
 3. Notices may be delivered by mail, electronic communication, posting, or any method permitted by the governing documents or law.
-

20.4 Opportunity to Cure

1. Except in emergency situations, homeowners will be provided a **reasonable opportunity to cure** the violation.
2. Cure periods may vary depending on:
 - The nature of the violation;
 - Safety concerns;
 - Ongoing construction impacts.
3. Failure to cure within the specified timeframe may result in further enforcement action.

20.5 Stop-Work Orders

1. The Association may issue a **stop-work order** for:
 - Work performed without ARC approval;
 - Work deviating from approved plans; or
 - Unsafe or damaging construction activity.
2. All work must cease immediately upon issuance of a stop-work order.
3. Work may not resume until:
 - The violation is corrected; and
 - Written authorization is provided by the Association.

20.6 Corrective Action & Restoration

1. Homeowners are responsible for correcting any non-compliant work at their own expense.
2. Corrective action may include:
 - Removal of unauthorized improvements;
 - Restoration to the original approved condition;
 - Modifications to bring work into compliance.
3. Failure to complete required corrective action may result in the Association undertaking the work and assessing costs to the homeowner as permitted by the governing documents.

20.7 Fines & Enforcement Remedies

The Association may impose fines or take enforcement action as authorized by:

- The Declaration
- The Bylaws
- The Rules & Regulations
- Applicable Florida law

Enforcement remedies may include fines, suspension of privileges, legal action, or other remedies permitted by law.

20.8 Costs, Fees & Assessments

1. The homeowner is responsible for all costs incurred by the Association related to enforcement, including:

- Inspections;
 - Administrative costs;
 - Repair or restoration costs;
 - Legal fees and expenses, where permitted.
2. Such costs may be assessed against the Lot and collected in the same manner as assessments.
-

20.9 Emergency Conditions

1. In emergency situations involving safety, property damage, or immediate risk, the Association may:
 - Act without prior notice;
 - Enter the Lot as permitted by the governing documents;
 - Take immediate corrective action.
 2. The homeowner remains responsible for all costs associated with emergency action.
-

20.10 No Waiver / No Precedent

1. Failure by the Association or ARC to enforce any provision shall not constitute a waiver of the right to enforce that provision in the future.
 2. Enforcement actions are based on the specific facts and circumstances of each situation and do not establish precedent.
-

20.11 Appeals

If permitted by the governing documents, homeowners may appeal enforcement decisions in accordance with established Association procedures.

The decision of the Board of Directors on appeal shall be final.

20.12 Compliance Verification

1. Upon correction of a violation, the homeowner must notify management for verification.
2. Continued or repeated non-compliance may result in escalated enforcement action.

ARTICLE 21 – AMENDMENTS & INTERPRETATION

**Architectural Review Committee (ARC) Guidelines
La Terre at Avenir Neighborhood Association, Inc.**

21.1 Purpose

This Article establishes the authority, procedures, and standards governing the **amendment, interpretation, and application** of these Architectural Review Committee (“ARC”) Guidelines to ensure consistent enforcement, legal compliance, and preservation of the intent of the Association’s governing documents.

21.2 Authority to Amend

1. These ARC Guidelines may be amended from time to time by the **Board of Directors**, with input or recommendation from the ARC, as permitted by:
 - The Association’s Declaration;
 - The Association’s Bylaws; and
 - Applicable Florida law.
 2. Amendments may be adopted to:
 - Clarify existing standards;
 - Address new construction methods, materials, or technologies;
 - Respond to changes in law or municipal requirements;
 - Correct errors or omissions; or
 - Further the architectural harmony and welfare of the community.
-

21.3 Amendment Process

1. Amendments to these Guidelines may be adopted by resolution of the Board of Directors following ARC review, unless otherwise required by the governing documents.
 2. Notice of adopted amendments may be provided to homeowners by:
 - Written notice;
 - Electronic communication; or
 - Posting on the Association’s official communication platform.
 3. Failure of a homeowner to receive notice shall not invalidate an amendment properly adopted.
-

21.4 Interpretation & Application

1. The ARC and the Board of Directors shall have the authority to **interpret and apply these Guidelines** in a manner consistent with:
 - The purpose and intent of the Guidelines;
 - The Association’s governing documents; and
 - Applicable Florida law.
2. Interpretations shall be made reasonably and in good faith, taking into account:
 - Architectural compatibility;
 - Community-wide consistency;

- Practical site constraints; and
 - The specific facts and circumstances of each application.
3. Decisions and interpretations shall not be deemed arbitrary or capricious solely because they differ from past determinations.
-

21.5 Conflicts with Governing Documents

1. In the event of a conflict between these ARC Guidelines and:
- The Declaration;
 - The Bylaws;
 - The Articles of Incorporation; or
 - Applicable law,

the governing documents and applicable law shall control.

2. These Guidelines are intended to supplement, not replace, the Association's governing documents.
-

21.6 Severability

If any provision of these Guidelines is determined to be invalid, illegal, or unenforceable by a court of competent jurisdiction, such determination shall not affect the validity of the remaining provisions, which shall remain in full force and effect.

21.7 Effective Date

These Architectural Review Committee Guidelines, as amended from time to time, shall become effective on the date adopted by the Board of Directors and shall apply to all architectural applications submitted on or after that date.

Appendix A

SAMPLE NEW EXTERIOR COLOR PALETTE & PAVER DEVIATION REQUEST

(Homeowner Submission to Architectural Review Committee)

La Terre at Avenir Neighborhood Association, Inc.

HOMEOWNER INFORMATION

Homeowner Name(s): _____

Property Address: _____

Architectural Style: Modern Florida Vernacular Mediterranean British West Indies

PURPOSE OF REQUEST

The undersigned homeowner hereby submits this application as a **formal request for deviation** from the Association's standard approved exterior color palettes.

The homeowner acknowledges that:

- This request proposes a **new exterior color palette and paver combination**
 - The request deviates from the currently approved palettes
 - Approval is **not guaranteed**
 - No work may commence unless and until **written approval** is received
-

PROPOSED EXTERIOR COLOR PALETTE

British West Indies Model – Proposed Scheme B-3

Base (Primary Exterior Walls)

- *Glacier White*

Trim Color

- Sherwin-Williams 6244 – *Naval*

Front Door

- To match trim color (*Naval*)

Roof and Windows (No Change Proposed)

- Roof: *Flintridge*
- Windows: White

The homeowner confirms that the proposed scheme will be applied as a **complete exterior color scheme**, and that no mixing of palette elements is proposed.

PROPOSED DRIVEWAY & APRON PAVERS

The homeowner requests approval for the following paver specifications:

- Paver Color/Pattern: *Glacier*
- Installation Pattern: *Herringbone*
- Natural shading variations are acknowledged and accepted

This request applies to:

- New installation
- Replacement
- ARC-approved driveway extension

All installation shall comply with the Association's adopted **Driveways and Aprons standards**, including protection of streets, curbs, and common areas.

REQUIRED ACKNOWLEDGEMENTS (HOMEOWNER)

By submitting this request, the homeowner acknowledges and agrees that:

- This request constitutes a **deviation** from standard Architectural Guidelines
 - Approval requires review and approval by:
 1. The **Architectural Review Committee (ARC)**
 2. The **Board of Directors**
 3. The **Palm Beach Gardens Master Association**, if applicable
 - Approval of this request:
 1. Does **not** establish precedent
 2. May result in the proposed palette being added to the Association's approved palettes, at the Association's discretion
 - The homeowner bears full responsibility for:
 1. Contractor compliance
 2. Permits
 3. Insurance
 4. Execution of the approved work
-

HOMEOWNER CERTIFICATION

I/We certify that the information provided is accurate and complete and understand that submission of this request does not guarantee approval.

Homeowner Signature: _____

Date: _____

Homeowner Signature: _____

Date: _____

ARC / BOARD USE ONLY

Architectural Review Committee

Approved Approved with Conditions Denied

Comments: _____

ARC Chair Signature: _____ Date: _____

Board of Directors

Approved Denied Tabled

Board President: _____

APPENDIX B – ARCHITECTURAL REVIEW COMMITTEE (ARC) APPLICATION REQUIREMENTS

B.1 Purpose

This Appendix establishes the **minimum submission requirements** for all Architectural Review Committee (“ARC”) applications. These requirements are intended to ensure that the ARC and the Association can perform a complete, fair, and timely review of proposed architectural changes.

Submission of a complete application does **not** guarantee approval.

B.2 General Application Requirements

All ARC applications must be **submitted in writing** on the Association’s approved ARC application form and must be complete prior to review.

At a minimum, each application must include:

- Completed ARC Application Form signed by the homeowner
- Description of the proposed improvement or modification
- Property address and Lot number
- Anticipated start and completion dates
- Color photographs of the existing condition
- Drawings, sketches, surveys, or plans clearly depicting the proposed work

Incomplete applications will be returned without review.

B.3 Plans, Drawings & Specifications

Depending on the scope of work, the ARC may require one or more of the following:

- Site plans or property surveys showing location, setbacks, and easements
- Elevation drawings
- Product specifications, brochures, or manufacturer cut sheets
- Color samples or material samples
- Engineering or structural drawings where construction is involved

All drawings must be legible and to a reasonable scale sufficient for ARC review.

B.4 Contractor Information

For any work involving a contractor, the application must include:

- Contractor name, address, phone number, and license number

- Proof of contractor licensing as required by law
- Confirmation that all work will be performed by properly licensed contractors

The homeowner is responsible for ensuring contractor compliance.

B.5 Insurance Requirements

For construction or installation work, the application must include a **Certificate of Insurance (COI)** evidencing:

- General Liability Insurance
- Workers' Compensation Insurance (or legal exemption, if applicable)

The COI must name:

**La Terre at Avenir Neighborhood Association, Inc.
12400 Avenir Drive, Palm Beach Gardens, Florida**

as an additional insured where applicable.

B.6 Permits & Governmental Approvals

1. Homeowners are solely responsible for obtaining all required governmental permits and approvals.
 2. Copies of issued permits must be submitted prior to commencement of work, where required.
 3. ARC approval does not replace or waive any governmental permitting requirements.
-

B.7 Fees & Deposits

ARC applications may be subject to:

- Non-refundable application fees
- Refundable security deposits for construction-related work

Fees and deposits, if applicable, must be paid in full prior to review.

B.8 Review Process

1. ARC review begins only after an application is deemed complete.
 2. The ARC may request additional information or clarification as needed.
 3. Failure to provide requested information may delay or suspend review.
-

B.9 Homeowner Responsibility

Approval of an ARC application:

- Applies only to the specific work approved
- Does not authorize deviations from approved plans
- Does not relieve the homeowner of responsibility for compliance with the governing documents, applicable law, or municipal requirements

All work must be performed in strict accordance with the approved application.

B.10 No Precedent

Approval of any ARC application does not establish precedent for future applications and does not waive the Association's right to enforce the governing documents or Architectural Guidelines.

APPENDIX C – ARCHITECTURAL DEVIATION REQUEST PROCEDURE

C.1 Purpose

This Appendix establishes the procedure for submitting and reviewing **Architectural Deviation Requests** when a proposed improvement does not strictly comply with the Architectural

Guidelines, but the homeowner is requesting special consideration by the Architectural Review Committee (“ARC”).

Deviation approvals are discretionary and are **not guaranteed**.

C.2 Definition of a Deviation

A **Deviation** is any proposed architectural change, installation, or modification that:

- Does not comply with one or more provisions of the Architectural Guidelines;
- Proposes alternative materials, colors, locations, dimensions, or configurations; or
- Requests relief from an established standard or requirement.

A deviation is distinct from a standard ARC request and requires enhanced review.

C.3 When a Deviation Is Required

A Deviation Request is required when a homeowner proposes, including but not limited to:

- Non-standard materials or finishes
- Alternative colors not included in an approved palette
- Modifications affecting setbacks, visibility, or uniformity
- Architectural features not otherwise permitted
- Any request identified by management or the ARC as non-compliant

If there is uncertainty, the ARC has sole authority to determine whether a request constitutes a deviation.

C.4 Deviation Request Submission Requirements

In addition to all standard ARC application requirements, a Deviation Request must include:

- A written statement explaining the deviation being requested
- Identification of the specific guideline(s) from which deviation is sought
- Justification for the request, including:
 - Unique site conditions
 - Hardship or practical limitations
 - Architectural compatibility
- Supporting documentation such as:
 - Photographs

- Drawings or renderings
- Product samples
- Engineering or technical documentation, if applicable

Incomplete deviation requests will not be reviewed.

C.5 Review Authority

1. The ARC has the authority to:
 - Approve;
 - Conditionally approve; or
 - Deny any deviation request.
 2. Certain deviation requests may require:
 - Board of Directors review; or
 - Additional governmental approvals.
 3. ARC approval of a deviation does not override municipal, zoning, or code requirements.
-

C.6 Evaluation Criteria

Deviation requests will be evaluated based on, but not limited to, the following factors:

- Architectural compatibility with the home and community
- Impact on adjacent Lots and common areas
- Visual uniformity and community aesthetics
- Precedent and consistency concerns
- Compliance with governing documents and applicable law

Approval may be conditioned on modifications, limitations, or additional requirements.

C.7 No Precedent / No Waiver

Approval of a deviation:

- Applies only to the specific request approved;
 - Does not establish precedent for future applications;
 - Does not waive the Association's right to enforce the Architectural Guidelines or governing documents in the future.
-

C.8 Conditions of Approval

The ARC may impose conditions on any approved deviation, including:

- Specific materials, colors, or dimensions
- Time limitations
- Maintenance obligations
- Additional screening or mitigation measures

Failure to comply with conditions of approval constitutes non-compliance.

C.9 Denial of Deviation Requests

If a deviation request is denied:

- The homeowner may revise and resubmit the request; or
- Proceed only with a fully compliant alternative.

Denial of a deviation does not prevent approval of a compliant request.

C.10 Homeowner Responsibility

The homeowner assumes all risk associated with a deviation request, including:

- Additional review time
- Additional costs
- Potential denial

No work may commence until written deviation approval is issued.

C.11 Enforcement

Any deviation implemented without approval or inconsistent with approved conditions is subject to enforcement action in accordance with **Article 20 – Non-Compliance & Enforcement**.

APPENDIX D – ARC APPROVAL CONDITIONS, ACKNOWLEDGMENTS & OWNER CERTIFICATIONS

D.1 Purpose

This Appendix sets forth the **standard conditions, acknowledgments, and certifications** that apply to all ARC approvals and deviation approvals. These provisions clarify homeowner responsibility and protect the Association from liability arising from approved work.

D.2 Conditional Nature of ARC Approvals

All ARC approvals are granted subject to the following conditions:

1. Approval applies **only to the specific plans, materials, colors, and representations submitted and approved.**
 2. Any modification to the approved scope of work requires **new or amended ARC approval** prior to implementation.
 3. ARC approval does not authorize deviations from:
 - The governing documents;
 - Applicable laws; or
 - Municipal codes and permit requirements.
-

D.3 No Warranty or Representation

1. ARC approval does **not** constitute:
 - A warranty of design;
 - Approval of engineering or structural integrity;
 - Confirmation of code compliance; or
 - Acceptance of contractor workmanship.
 2. The Association, Board, ARC, and management company assume **no responsibility or liability** for:
 - Structural failure;
 - Property damage;
 - Personal injury;
 - Defects in workmanship or materials.
-

D.4 Owner Responsibility & Risk Assumption

By proceeding with ARC-approved work, the homeowner acknowledges and agrees that:

1. All work is performed **at the homeowner's sole risk and expense.**
2. The homeowner is responsible for:
 - Contractor selection and supervision;
 - Compliance with all laws and permits;
 - Any damage caused to adjacent Lots or common areas.

3. The homeowner shall indemnify and hold harmless the Association, Board, ARC, and management company from any claims arising from the approved work, to the fullest extent permitted by law.
-

D.5 Compliance with Approved Plans

1. All work must be completed **strictly in accordance with approved plans and conditions**.
 2. Deviations from approved plans without written authorization constitute non-compliance and are subject to enforcement under **Article 20**.
-

D.6 Inspections & Verification

1. ARC approval does not eliminate the Association's right to inspect work for compliance.
 2. Upon completion of work, the homeowner must notify management for verification.
 3. Identification of non-compliant work may require correction, removal, or restoration at the homeowner's expense.
-

D.7 No Precedent / No Waiver

Approval of any application or deviation:

- Does not establish precedent;
 - Does not waive enforcement of the governing documents;
 - Does not obligate the ARC or Board to approve similar requests in the future.
-

D.8 Transferability

ARC approvals:

- Are specific to the approved Lot and scope of work;
 - Do not transfer to future owners if work has not commenced or been completed;
 - May be revoked if ownership changes prior to completion, unless otherwise approved in writing.
-

D.9 Revocation of Approval

The Association reserves the right to revoke ARC approval if:

- Approval was based on materially inaccurate or incomplete information;
 - Work deviates from approved plans;
 - Required permits are not obtained;
 - Conditions of approval are violated.
-

D.10 Acknowledgment

By submitting an ARC application, the homeowner acknowledges that they have read, understand, and agree to comply with:

- The Architectural Guidelines;
 - All ARC approval conditions;
 - The governing documents of the Association.
-

APPENDIX D – CONTRACTOR RULES, ACKNOWLEDGMENTS & CERTIFICATIONS

D.1 Purpose

This Appendix establishes **mandatory rules, acknowledgments, and certifications** applicable to all contractors, subcontractors, vendors, and tradespersons performing work within La Terre at

Avenir. Compliance with this Appendix is a condition of ARC approval and access to the community.

D.2 Applicability

These requirements apply to **all contractors and workers** performing ARC-approved work on any Lot, whether hired directly by a homeowner or acting as a subcontractor or vendor.

The homeowner is responsible for ensuring contractor compliance at all times.

D.3 Contractor Conduct & Community Standards

Contractors shall:

1. Conduct themselves in a **professional, orderly, and respectful manner**.
2. Comply with all Association rules, policies, security procedures, and posted signage.
3. Avoid loud, disruptive, or offensive behavior.
4. Refrain from playing music, radios, or amplified sound devices.
5. Use only designated access points and parking areas, if applicable.

Failure to comply may result in removal from the community.

D.4 Work Areas & Site Control

1. Contractors must confine all work, materials, tools, and equipment to the approved Lot unless otherwise authorized.
 2. Streets, sidewalks, swales, and common areas may not be used for storage without written approval.
 3. Job sites must be kept **clean and free of debris** on a daily basis.
 4. Trash, scrap materials, and packaging must be removed promptly.
-

D.5 Protection of Property

1. Contractors must take all necessary precautions to protect:
 - Streets, curbs, sidewalks, and swales;
 - Landscaping;
 - Adjacent Lots and improvements;
 - Association common areas.

2. Any damage caused by a contractor shall be repaired promptly at the homeowner's expense.
-

D.6 Work Hours

Contractors shall perform work only during the hours permitted by:

- The Association's Rules & Regulations; and
- Applicable municipal ordinances.

Work outside permitted hours is prohibited unless expressly authorized in writing.

D.7 Safety & Compliance

1. Contractors must comply with all applicable:
 - Building codes;
 - Safety regulations;
 - OSHA requirements;
 - Permit conditions.
 2. Unsafe practices or hazardous conditions are grounds for immediate suspension of work.
-

D.8 Acknowledgment of ARC Authority

Contractors acknowledge and agree that:

1. ARC approval is required prior to commencing work.
 2. Work must be performed **strictly in accordance with approved plans and conditions**.
 3. Deviations from approved plans are prohibited without written authorization.
 4. The Association and management company have the right to inspect work for compliance.
-

D.9 Suspension or Removal of Contractors

The Association reserves the right to:

- Suspend construction activity;
- Issue stop-work orders;
- Remove contractors from the community;

for violations of the governing documents, ARC approvals, or these Guidelines.

Repeated violations may result in denial of future access to the community.

D.10 No Rights or Third-Party Beneficiary

Nothing in this Appendix shall be construed to create:

- Any contractual relationship between the Association and a contractor; or
- Any third-party beneficiary rights.

All contractual relationships remain solely between the homeowner and contractor.

D.11 Certification

By performing work within the community, the contractor certifies that they have:

- Read and understand these Architectural Guidelines and Appendices;
 - Agreed to comply with all applicable rules and standards;
 - Acknowledged the authority of the ARC, Board, and management company.
-