

ARCHITECTURAL CONTROL COMMITTEE  
MANUAL OF POLICIES, GUIDELINES AND PROCEDURES  
(DESIGN STANDARDS)

FOR

ASHLEY PARK HOMEOWNERS ASSOCIATION, INC.

THE ASHLEY PARK HOMEOWNERS ASSOCIATION ARCHITECTURAL CONTROL COMMITTEE HAS ADOPTED AND APPROVED THE FOLLOWING ARCHITECTURAL REVIEW POLICIES, GUIDELINES AND PROCEDURES IN ORDER TO PRESERVE THE HARMONIOUS DESIGN OF THE COMMUNITY.

JANUARY 1995

## INTRODUCTION

All residents benefit from the planning and design that has been an important part of the development of Ashley Park. The intent of the Architectural Design Standards is to assure the residents that the standards of design and quality will be maintained. This, in turn, protects the property values and enhances ASHLEY Park overall environment.

An essential element of architectural review is the recognition by all homeowners of the importance of maintaining the ambiance of the Community. Design Standards should be viewed as a benefit and not as a burden to the Community.

## INTRODUCTION TO THE ARCHITECTURAL CONTROL COMMITTEE

### PURPOSE

The Declaration of Covenants and Restrictions (Declaration) of the Ashley Park Homeowners Association, Inc. (Association) assures each owner that the quality of the Ashley Park design will be maintained. The Association is responsible for administering these covenants and providing administrative support to the Architectural Control Committee (ACC). The ACC ensures that exterior alterations in Ashley Park comply with the guidelines as shown in Section 12 of the Declaration.

**ALL REQUESTS FOR EXTERIOR ALTERATIONS MUST BE SUBMITTED TO THE ACC AND ITS APPROVAL RECEIVED BEFORE THEY MAY BE UNDERTAKEN.**

The purpose of this manual is to inform the homeowners of the design guidelines for Ashley Park and the procedures to be followed when requesting an exterior modification to their property. Each application received by the ACC will be evaluated on its own merits with reasonable flexibility for architectural function and creativity.

### AUTHORITY

The authority for the ACC is set forth in Section 12 of the Declaration of the Association, which was received by all homeowners when they purchased their homes. The Declaration encumbers all of the homes within Ashley Park.

The Declaration is a contract between the homeowners and the Association, wherein, per Section 12, the homeowners agree to refrain from making any modifications to the exterior of the homes and property without first receiving approval from the ACC.

The ACC is responsible to the Board of Directors of the Association. The Board is the ultimate authority for the Ashley Park Homeowners Association, Inc.

## MEMBERS

The Board of Directors shall have the right, power, authority, and obligation to select members of the ACC.

## MEETINGS

The ACC shall meet as necessary to review Applications received and present their findings within thirty (30) days of receipt.

## RESPONSIBILITIES

On behalf of the Association, the ACC is empowered to adopt, promulgate, amend, revoke, and enforce guidelines (Design Standards) for the purpose of:

1. governing the form and content of plans and specifications to be submitted to the ACC for approval or disapproval.
2. governing the procedure for submission of plans and specifications.
3. establishing guidelines with respect to the approval or disapproval of design features, architectural styles, exterior colors and materials, details of construction, location and size of any structure, landscaping, and all other matters that require approval by the ACC.

## LIMITATION OF RESPONSIBILITIES

The ACC approval is based only on the aesthetic features of the approved modification. The ACC assumes no liability with regard to the structural integrity of any requests. The ACC makes no representation as to their expertise regarding either the structural adequacy, capacity or safety features of the proposed improvement or structure as shown on the submitted plans or on the ultimate construction of the approved modification. The ACC does not assume the responsibility for the performance or quality of work of any contractor.

## ARCHITECTURAL CONTROL COMMITTEE POLICIES

The ACC does not seek to restrict individual taste or preferences. In general, its aim is to avoid harsh concepts in the landscape and architectural themes of Ashley Park and to foster thoughtful design so that there is harmony between neighboring residences. The ACC intends to be completely fair and objective in the architectural review process and to maintain a sensitivity to the individual aspects of design.

## REVIEW OF PLANS AND SPECIFICATIONS

No structure of any nature (including without limitation exterior walls and fences) shall be commenced, nor shall any exterior addition to or alteration thereof, or addition to landscaping or change in landscaping from the original design concept, be made until the plans and specifications showing the nature, kind, shape, height, materials, color and location of the same shall have been submitted to the ACC for written approval as to quality, conformity and harmony of external design with the existing standards of the neighborhood and the standards of Ashely Park.

## TIME LIMITATIONS

After approval by the ACC, all improvements shall be completed within forty-five (45) days from the date of their approval. Projects which remain uncompleted for long periods of time are visually objectionable and can be a nuisance and a safety hazard for neighbors and the community.

The ACC may establish more specific time allowed for completion as a condition of its approval.

In the event the ACC fails to approve or disapprove plans and specifications within thirty (30) days after they have been submitted in writing to the ACC in acceptable form, including all information necessary for their consideration and review, approval by the ACC shall be deemed to have been granted. The ACC shall have the right to request additional information if, in its opinion, the information submitted is incomplete or insufficient.

## INSPECTIONS

Periodic inspections may be made by the ACC while construction is in progress to determine compliance with the approved plans and specifications and provisions of the Declaration. The ACC or any such agent of the ACC shall not be deemed to have committed a trespass or other wrongful act by reason of such inspection.

## JOB SITE CONDITIONS

1. All job sites shall be kept in a neat and orderly condition.
2. Construction hours are subject to rules and regulations as established by the ACC and/or the Association from time to time.
3. All construction operations must be performed in accordance with local governmental ordinances.

## APPROVAL

Upon approval by the ACC, a copy of the applicants plans and specifications bearing such written approval, shall be returned to the applicant. Approval of any application shall be final and the approval may not be thereafter reviewed or rescinded provided that there has been compliance to all conditions of approval.

If the request for approval is disapproved by the ACC due to aspects of the request that can be remedied by the applicant, the recommended changes can be made to the request and returned to the ACC for approval.

## VIOLATIONS

If any alteration or modification is made without the required prior written consent of the ACC, the alteration has been undertaken in violation of the Declaration.

In no event may any alteration or modification be allowed to remain if in violation of any of the Covenants and Restrictions contained in the Declaration, or in violation of any zoning or building ordinance or regulation.

The Board of Directors is empowered to enforce the ACC policies, as set forth in the Declaration and this manual, by means specified in the Declaration, including an action in a court of law, to insure compliance.

## KEY ARCHITECTURAL GUIDELINES

The ACC evaluates all submissions based on the individual merits of the application. Besides evaluation of the particular design proposal, this includes consideration of the characteristics of the individual site and lot size, since what may be an acceptable design of an exterior in one instance may not be for another.

The following criteria is general in nature and applies to all of the dwelling units in Ashely Park.

### Relation To Ashely Park Open Space

Factors such as removal of trees, disruption of the natural topography and changes in rate or direction of storm water run off may also adversely affect Ashely Park open space common areas.

### Conformance With Covenants

All applications are reviewed to conform that the request is in conformance with all applicable Covenants and Restrictions affecting Ashely Park as recorded in the records of Palm Beach County

### Validity Of Concept

The basic idea of the proposed alteration requested must be sound and appropriate to its surroundings.

### Design Compatibility

The proposed alteration must be compatible with the architectural characteristics of the applicant's house, adjoining houses and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.

### Location and Impact On Neighbors

The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight and drainage. For example, fences may obstruct views, or access to neighboring properties; decks or larger additions may cast unwanted shadows on an adjacent patio or infringe on a neighbor's privacy.

### Scale

The size of the proposed alteration should relate well to the adjacent structures and its surroundings. For example, a large addition to a small house may be inappropriate.

### Color

Color may be used to soften or intensify visual impact. Parts of an addition that are similar to the existing house such as roofs and trim should be matching in color. No permission or approval is required to repaint in accordance with originally approved color scheme.

### Materials

Continuity is established by use of the same or compatible materials as were used in the original house. For instance, an addition with wood siding may not be compatible with a stucco house.

### Workmanship

Workmanship is another standard which applies to all exterior alterations. The quality of work should be equal to or better than that of the surrounding area. Poor practices, besides causing the owner problems, can be visually objectional to others.

## HOW TO MAKE APPLICATION TO THE ARCHITECTURAL CONTROL COMMITTEE

Applications for exterior changes may be obtained from the offices of the Ashely Park Homeowners Association at Town Hall or from the Property Management Company. Completed applications should be hand delivered or sent to the association office, which will then forward them to the ACC for review at its next scheduled meeting.

A sample application form is attached.

### SITE PLAN

A site plan or property survey should be included with the application showing the location of existing structures and the boundaries of the property. Proposed changes or additions should be indicated including dimensions and distances from the home and adjacent properties.

### MATERIALS AND COLOR

Samples of the materials and colors to be used and an indication of existing colors and materials should be provided. In most cases, a statement that the proposed wall, for example, is to be painted to match the existing house trim or house color is sufficient. Where materials and/or colors are compatible but different from those of the existing structures, samples or color chips should be submitted for clarity.

### DRAWINGS AND PHOTOGRAPHS

A graphic description of the request should be provided. This may be in the form of manufacturer's literature or photographs as well as freehand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal.

### PALM BEACH COUNTY

After receiving approval from the ACC, a permit may be required from Palm Beach County or other governmental authorities. The Applicant must determine whether this requirement applies to the requested modification.

### THIRD PARTY COMMENTS

Written comments from neighbors and other residents concerning proposed changes may be furnished to the ACC. These comments will be considered during the review process. The ACC, however, must still make its decisions based on standards set forth in the Declaration and further described in this Manual.

ASHLEY PARK HOMEOWNERS ASSOCIATION, INC.  
ARCHITECTURAL CONTROL COMMITTEE (ACC)

ARCHITECTURAL STANDARDS AND CRITERIA

SUPPLEMENT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS

The following are ACC approved standards that are not specifically outlined in the Ashely Park Declaration of Covenants and Restrictions.

1. WINDOWS, DOORS, SCREENED PORCHES AND PATIOS

- a. Bright-finished or bright plated (other than white) metal exterior doors, windows, window screens, louvers, exterior trim or structural members shall not be permitted. The use of brown, bronze or white anodized aluminum to match the original trim is the preferred material.
- b. All screening and screen enclosures shall be constructed to utilizing bronze or white anodized aluminum.
- c. The use of reflective tinting or mirror finishes on windows is prohibited.
- d. Security bars on windows or doors must be approved by the ACC.

2. SOLAR PANELS

Solar water heating panels shall be reviewed on an individual basis, and if approved by the ACC, must be installed so as to present the least obtrusive condition.

3. EXTERIOR MATERIALS AND COLORS

- a. Exterior artificial, simulated or imitation materials shall not be permitted without approval of the ACC.
- b. The use of the following items are appropriate:
  1. Stucco - similar in finishing and color as originally constructed.
  2. Metals - factory finished in durable anodized aluminum in dark brown, bronze or white.
- c. Exterior colors that, in the opinion of the ACC, would be inharmonious, discordant and/or incongruous to the Ashely Park Community shall not be permitted. Bright colors (other than white) as the dominant colors are prohibited.

4. ROOFS

- a. Roof colors shall be an integral part of the exterior color scheme of the building.



- b. No change in color or existing roofing material shall be permitted without the approval of the ACC. Wood shake is not approved.
- c. Flat roofs are not permitted.

5. GARAGES, DRIVEWAYS, WALKWAYS AND EXTERIOR LIGHTING

- a. Any change from the existing garage door must be approved by the ACC. Circular driveways may be permitted where drive enters and exits on the same street.
- b. No curb side parking areas may be created by extending any portion of the street pavement or curbing.
- c. All proposed exterior lighting shall be detailed on the request for architectural modification. No exterior lighting shall be permitted which, in the opinion of the ACC, would create a nuisance to the adjoining property owners.
- d. Driveways and walkways are to be brushed concrete unless otherwise approved by the ACC. Tile, stamped concrete or simulated concrete coverings must be approved by the ACC.
- e. Driveway aprons must be concrete and may not be widened without the approval of the ACC.
- f. Any proposed walkway must be approved by the ACC prior to installation. This includes poured walkways, stepping stones or any type of walkway.

6. HURRICANE PANELS, AWNINGS AND SHUTTERS

- a. Bahamas shutters, metal fold-down awnings and canopies do not meet the standards of the community with respect to conformity and harmony of external design and shall not be permitted or affixed to the exterior of the residence. Canvas awnings may be approved after ACC review of colors and design drawings.
- b. Permanent mechanical hurricane shutters and temporary metal or wood panels may be used or installed only to protect structures during periods of severe weather conditions and must be approved by the ACC prior to fabrication or installation.
- c. Permanent mechanical shutters and temporary panels shall not be stored on the exterior of the residence and are to be used for a period of no longer than two weeks at any one time unless permission is granted by the ACC.
- d. Panels or shutters may not be installed for security purposes.
- e. Permanent mechanical shutters, including top channel and side tracks, must be color coordinated with the house colors. Colors must be approved by the ACC.

7. LANDSCAPING

- a. All proposed landscaping must first be submitted to the ACC with house and lot survey prior to installation. Proposed landscaping must be shown on a lot survey which includes house and all concrete deck surfaces.
- b. Removal of any existing landscaping must be approved by the ACC. Replacement of like kind and size will be required.
- c. All landscaping installed with approval by the ACC must be maintained to the standards as set forth by the Association.
- d. No landscaping may be planted within any lake maintenance easement or utility easement.

8. FENCES

- a. Six foot high, cypress, shadow box fencing identical to the existing zero lot line privacy wall fencing, is permitted. Shrubbery with sufficient height and fullness shall be placed on the outside of the fence to completely conceal it from view (excluding gate) from any street.
- b. Alternate fencing types, and location, must be approved by the ACC prior to installation.
- c. No fencing shall be placed in any lake maintenance or utility easement without the prior written consent of the party to whom the easement is dedicated to.

9. BASKETBALL HOOPS

- a. Basketball hoops are to be standard height (10 feet) with black aluminum pole and white or clear backboard. The location of the pole must be approved by the ACC.
- b. Pole and backboard must be the type that can be removed prior to hurricane strength winds.
- c. Pole must be centered between the sidewalk and house on the outside of the driveway and must be cemented into the ground. Temporary, movable or portable systems are not permitted.
- d. Basketball can only be played between the hours of 9:00 A.M. and sunset.
- e. Cars must not be moved from the driveway and parked on the street when playing ball on the driveway.

10. SWIMMING POOLS

- a. Proposed pool, decking, screen enclosure and landscaping plans with survey must be submitted to the ACC for review. Installation must conform to all local zoning ordinances.
- b. Above ground swimming pools shall not be permitted. Swimming pools shall not be permitted on the street side of the residence.
- c. No decking, screening or landscaping may be installed on any portion of the lake maintenance easement.
- d. All pool equipment and heaters must be screened from view with landscaping from adjacent properties and roadways.
- e. Spas or hot tubs will be permitted only when their placement does not interfere with the neighboring homes and will not create a nuisance. It is recommended that with the application for approval to the ACC, comments from neighbors be included. Any spa or hot tub that is permitted must also conform to all local zoning ordinances regarding this type of installation.

11. AIR CONDITIONERS, GARBAGE AND TRASH CONTAINERS

- a. Window and/or wall air conditioning units shall not be permitted.
- b. All garbage and trash containers shall be placed in an enclosed or landscaped area as approved by the ACC so as not to be seen from the street or adjacent properties.

12. ANTENNAS, FLAGPOLES, SIGNS AND MAILBOXES

- a. No outside antennas or satellite dishes are permitted without the prior written consent of the ACC.
- b. A flagpole for display of the American Flag only shall be permitted, subject to ACC approval of placement and design. No flagpole shall be used as an antenna.
- c. All signs, billboards, and advertising structures are prohibited on any lot or structure except with the written permission of the ACC. This prohibition does not apply to the Declarant. The ACC shall determine form, size, color, content, time of placement and location of any sign. No sign shall be nailed or attached to a tree.

13. ACCESSORY STRUCTURES, PLAY EQUIPMENT AND DECORATIVE OBJECTS

- a. No structure of a temporary character, accessory structures, or other outbuilding shall be permitted or used on the property at any time without the prior written consent of the ACC. Sheds, either free standing or attached to the exterior of the home,

will not be permitted unless detailed plans are submitted for approval. Sheds, if installed prior to ACC approval, will be automatically denied. County permitting will be a condition of approval by the ACC, if granted. The approval of any shed will be in part contingent upon the shed being completely screened from view with landscaping, immediately planted upon approval, in sufficient height and fullness.

- b. All playground equipment or playhouses shall be placed to the rear of the property and only with approval of the ACC.
- c. No decorative objects such as sculpture, birdbaths, fountains, and the like shall be placed or installed on the street side of any lot without approval of the ACC.
- d. No clothes lines or similar structure shall be permitted on any portion of the property.

14. ATTIC VENTILATORS OR SKYLIGHTS

- a. Attic ventilators or other apparatus requiring penetration of the roof should be as small in size as functionally possible and should be painted to match the roof. They should be located generally on the least visible side of the roof and not extend above the ridge line. Approval of any ventilators must be obtained from the ACC prior to installation.

15. PATIO AND PATIO ENCLOSURES

- a. Patio enclosures are an extension of the home and have a significant impact on its appearance. All enclosures should be designed to conform to the contours of the house. Color and materials should be compatible with the existing home and surrounding homes. All patio enclosures must have ACC approval prior to the commencement of construction.
- b. The roof of the patio enclosure should conform to the roof on the home as closely as possible.
- c. All patios, patio slabs and courtyards must be approved by the ACC prior to installation.

16. PERMANENT BARBECUES

- a. Permanent barbecues may be permitted but should not be a dominant feature on the landscape and should be located so they will blend as much as possible with the natural background. Supplemental planting should be provided to soften the visual impact of the barbecue, particularly when little or no natural background or screening is available.
- b. No permanent barbecue shall be installed until approval is received by the ACC.

17. MAJOR EXTERIOR ALTERATIONS

- a. The design of major alterations should be compatible in scale, materials, and color with the applicant's house and adjacent houses.
- b. The location of major alterations should not impair the views or amount of sunlight and natural ventilation on adjacent properties.
- c. Roof pitch should match the type used in the applicant's house.
- d. New window's and doors should match the type used in the applicant's house and should be located in a manner which will relate well with the location of exterior openings in the existing house.
- e. If changes in grade or other conditions which will affect drainage are anticipated, they must be indicated. Generally, approval will be denied if adjoining properties are adversely affected by changes in drainage.
- f. Construction materials should be stored so that impairment of views from neighboring properties is minimized. Excess material and debris should be immediately removed after completion of construction.
- g. Gutters and downspouts must match the trim on the house and be as inconspicuous as possible. Run-off must not adversely affect the drainage on adjacent property. All gutters and downspouts must have the approval of the ACC prior to installation.

**THE ARCHITECTURAL STANDARDS MAY BE REVISED  
FROM TIME TO TIME AS NECESSARY**