

# **BENT TREE PROPERTY OWNERS ASSOCIATION, INC.**

## **ARC GUIDELINES**

***Amended 5/01/2020***

To All Bent Tree Property Owners:

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

In Bent Tree, the developer set the tone and framework for a beautiful community. Streets were carefully laid out, trees planted, landscaping, signs and lighting have all been put in place to establish a desirable street scape. It was intended for each house to compliment the whole and yet strike an essential balance between individual tastes and the development of a harmonious community environment.

The developer of Bent Tree and we as homeowners wanted to be assured that the homes would have a compatible setting. To accomplish this desired consistency of buildings today, it is necessary to have a formal process that not only considers the houses as freestanding units, but also as part of a street, a section and a neighborhood. To this end, an Architectural Review Committee had been established as part of the Property Owners Association (POA).

The Board of Directors (BOD) of the Bent Tree Property Owners Association has the responsibility to maintain the property values of the community. The Architectural Review Committee (ARC) advises and recommends approval or disapproval of owner applications for any modifications, additions, or alterations of existing residential units or structures in the open space, and presents such applications to the BOD for final approval or disapproval.

Regardless of whether any alteration or improvement to the exterior of the homes is specifically referenced in these Guidelines, in ***every instance***, the alteration or improvement requires the prior written approval of the ARC/BOD.

Every owner must conform to the ARC Guidelines.

### **Definitions:**

(1) Front Yard means the area of a Lot starting at the street property line and extending to a plane in line with the rear line of the Residential Unit. No fences, walls, or other permanent or fixed structures are permitted in the Front Yard of any Lot.

(2) Common View means anything that can be seen from the street. Plan and specifications are submitted to the ARC/BOD for approval. Quality of workmanship and design, harmony of external design with existing structures, as well as location in relation to surrounding structures, topography and finish grade elevation, are all taken into consideration.

***Note: If you are not sure of the proper procedure, please call the Property Manager. Our purpose is to accommodate residents whenever possible. Refer to your documents for more information. These Guidelines are not all inclusive. Many items are not listed or addressed. The ARC reserves the right to add, delete, or adjust the Guidelines.***

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**(A) HURRICANE SHUTTERS - ARC/BOD Approval is required for all Hurricane Shutters**

1. Shutters and storm panels are to be aluminum, clear or white in color or as close to the color of house as possible.
2. Permanently installed hardware for storm protection devices must be clear, white or as close to the color of house or trim as possible.
3. Materials are to meet Dade County Specifications and must be approved by the ARC/BOD.
4. Permanent Hurricane Shutters (accordion or roll-up type) must be completely retractable and clear of all windows.
5. Plywood or any other material may be used for emergency protection only, no sooner than announcement of storm warning (24 hours) issued for Palm Beach County, and must be removed within 72 hours **after the storm** has passed. **Any damage to house caused by plywood or any other material must be repaired by the property owner within 30 days.**
6. The POA is not responsible for damage to any owner's property.

**(B) PAINT COLORS - House, Door, Trim**

1. ARC/BOD approval is required for ANY change made to the exterior of the home. This includes repainting the home with the same colors.
2. ARC/BOD approval is required to alter colors on exterior of house, including the front door. Paint colors must be selected from the Bent Tree paint book which is located at the management office.

**(C) WINDOWS**

1. ARC/BOD approval is required to replace windows. Specifications and photos must be submitted.
2. Decorative shutters or awnings within the common view will not be approved.

**(D) GARAGE LIGHTS**

1. ARC/BOD approval is required to replace garage lights.
2. May not be relocated to another part of the house – and must remain on either side of the garage door, for Fire, Police and Emergency reasons.
4. Bulbs are to be white, 75-watt maximum or 9.5-watt LED.

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**Examples of approved styles (Not all inclusive) –**



**Examples of unapproved styles (Not all inclusive) –**



**(E) HARDWARE/DOORS/GARAGE DOORS**

1. ARC/BOD approval is needed to replace door locks. Approved colors are antique brass, bronze, and brushed silver.
2. House numbers are to remain black script only. No other styles are allowed without prior approval. No additional numbers or plaques in common views are to be added to house or landscaping.
3. Numbers are never to be removed from the house or painted over.
4. House numbers are to be visible from the street for Fire, Police and Emergency vehicles.
5. No permanent fixture on the front door such as door knockers.
6. No changes in style of garage or entry doors from that originally installed shall be permitted without approval from the ARC/BOD.
7. To maintain the aesthetics of the neighborhood, only painted solid doors and some glass doors are acceptable. Doors and trim must be painted with the acceptable color scheme from the Bent Tree Color book.

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**(F) MAIL BOXES**

1. Mail boxes are not to be altered in any way. No decals or decorations are permitted.
2. Gold numbers are not to be changed or removed.
3. Plantings installed by homeowner at base of post are sole responsibility of the homeowner.

**(G) DRIVEWAY/WALKWAYS**

1. ARC/BOD approval is required for any change to driveway or walkway.
2. Sidewalk, apron and valley gutter are **NEVER** to be paved over, painted or altered in any way.
3. A sample of the proposed color tile, brick, etc. is required for ARC/BOD approval.

**(H) SIGNS**

1. Only Real Estate (8" x 24") or Security signs (36" max. ht.) are permitted.
2. No signs in windows or on the house are allowed. (Security decals for pets inside, or person in medical need, etc. are permitted).
3. Security decals are to be located on the lower corner of the window closest to the door.
4. ARC/BOD approval is required for any other signs.

**(I) FENCES**

1. ARC/BOD approval is required for any installation of fences.
2. Fences must include a 42" wide gate, of the same materials as the fence, to allow landscaping equipment access. If there is a maintenance easement within the fenced area, gates must be provided for access or irrevocable permission granted to the Association to enter the property for maintenance purposes.
3. Must have approved 3-gallon shrubs planted 2' on center on the outside of the fence facing the street and lake and on the inside perimeter of the rest of the fence.
4. Must be completely on the requesting owner's property line and may not encroach on common area or preserves.
5. Fences may be:
  - (a) White aluminum – 4' – 5' high in a design compatible with the fence around the community pool.
  - (b) Black, white or green vinyl coated chain link – a maximum of 5' high.
6. Fence Standards – No fences are allowed on any portion of the "Front Yard" of the owner's lot. (Article1, Sec. 18) Front yard shall mean the area of a lot from the street front property line to a plane extending in line with the rear line of a Residential Unit (house). **(Amended 02/25/2004)**

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**(J) GARDEN LIGHTING**

1. Landscape lights must be a minimum of 3 feet apart and in existing beds. Solar lights permitted.
2. Tree high lights must avoid glare to street or other residents' homes.
3. Controls, outlets and transformers must not be visible from the street.

**(K) HOLIDAY DECORATIONS**

1. Christmas decorations may be displayed after Thanksgiving to Jan. 10. Lights may not remain on house or lot year-round.
2. Other holidays – decorations may be used or displayed not more than two weeks before or after the holiday.

**(L) SATELLITE DISHES**

1. Direct-to-home satellite dishes that are less than 1 meter (39.37inches) may be installed with ARC/BOD approval. No other devices are permitted within common view. Only one dish is permitted per home.
2. It is requested, to the extent possible, that satellite dishes be installed on the back 50% of house or roof line to minimize view from the street.

**(M) SWIMMING POOL**

1. All proper permits pertaining to County and City regulations are required.
2. Detailed plans to be submitted (drawn by certified licensed contractor) to the ARC/BOD.
3. Pools are not to extend beyond the side boundaries of Residential Units.
4. Pools may not be back washed onto preserves, lake, canal, or neighbor's yard.
5. Run-off pipe to be required to evacuate water.

**(N) FLAGS**

1. American flag displayed from a house-mounted bracket is permitted in the Yard. (Please observe proper flag etiquette.)
2. No flag poles are permitted in the Front Yard area.
3. Maximum size: 3 feet by 5 feet, for flag or banner.
4. Seasonal banners, mounted on the house, are permitted. (No windmills or wind socks).
5. Special flags are permitted on days of a holiday.

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**(O) LANDSCAPING**

1. No removal of Preserve or Buffer trees and vegetation is permitted without the prior written approval of the ARC/BOD and the City Forester.
2. No artificial grass, plants, or other artificial vegetation may be placed on the exterior portion of any Lot.
3. No fences, walls, or other permanent or fixed structures are permitted in the Front Yard of any Lot.
4. ARC/BOD approval is required for **ANY** alteration of Front Yard Landscaping.
5. No trees or shrubs may be removed without written approval of ARC/BOD.
6. Dead trees or shrubs must be replaced with the same species of approximate size of original at owner's expense.
7. Front yard planting of seasonal flowers or ornamental plants is permitted only in existing beds or around mailboxes.
8. Flowers must not be allowed to grow beyond the edge of the beds into the grass area.
9. No brick edging pavers are permitted on sides of driveway without ARC/BOD approval.
10. No sculptures or decorations that exceed 2 feet in height are allowed in Front Yard or in common view.
11. Any safety concerns relating to trees should be directed to the Property Manager.

**(P) MAINTENANCE STANDARDS**

1. Painted surfaces. All portions of the home and structural improvements on the Lots and homes must be maintained, repaired and replaced to maintain first class condition at all times. Painted surfaces that show faded, peeling or blistered paint must be repainted so as to ensure a high-quality appearance. Surfaces that are painted or stained shall be kept free of stains and discolorations of any kind.
2. Driveways. Driveways must be kept free of stains and discolorations of any kind.
3. All cracks wider than hairline cracks must be properly repaired and surfaces refinished or repainted in a similar manner as before repair. Driveways that have sunk or lifted must be repaired or replaced. Any alterations to surface refinishing or repainting needs to be approved by ARC/BOD.
4. Roofs. Roofs shall be kept free of mildew, stains, debris, or broken tiles.
5. Windows. Broken or cracked glass shall be immediately replaced for safety concerns as well as cosmetic reasons.

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6. Screens and Fences. Torn, cut or otherwise damaged screening or fencing shall be replaced within a reasonable period of time (as determined by the ARC) after the damage occurs.

**(Q) GUTTERS AND DOWNSPOUTS**

1. ARC/BOD approval is required to install gutters and downspouts.
2. Gutters and downspouts are to be white or match the color of the house trim as closely as possible.
3. Placement of downspouts must not adversely affect drainage onto adjacent properties.

**(R) PATIO LANAI AND POOL SCREEN ENCLOSURES (amended 6/23/03)**

1. ARC/BOD approval is required for installation of all lanai/screen enclosures.
2. Enclosures in common view are to be white aluminum with a charcoal screen.
3. Other colors may be proposed provided they are not visible to more than two neighbors.
4. No **pool**, enclosure, or other improvement except fences, pool pump/heater and landscaping plants shall be permitted to be located on the portion of the Lot which is between each side property line of the Lot and the boundary of the Residential Unit (the house) as extended from each front corner of the Residential Unit to the respective front property line of the Lot, and from each rear corner of the Residential Unit to the respective rear property line of the lot. In any event, no pool, enclosure or other improvement (see exceptions) shall be permitted to be located on any portion of the Lot such as it is visible from the street in front of the house.

**(S) AIR CONDITIONERS (amended 2/25/04)**

1. No window (or through the wall) air conditioners are allowed on any portion of the Residential Unit (house) or on any enclosures or add-ons to the original house.