

Chapel Creek Property Owners' Association, Inc.

C/O MAHOGANY SERVICES, INC.

21 S.E. 5th Street, Suite 100

Boca Raton, FL 33432

Phone (561) 997-6453 Fax (561) 750-3775

The ARB Application is required for all exterior changes to your residence in Chapel Creek. The ARB is charged with the responsibility of reviewing plans for all exterior changes.

Please be sure to include the following with your Chapel Creek ARB Application:

1. Application Fee: Payable to Mahogany Services - \$100.00
2. Please provide a copy of the contractor's Certificate of Liability Insurance (minimum \$ 1,000,000 coverage) and Workers Compensation (or Exemption Certificate) showing Certificate Holders as follows:

Chapel Creek POA, Inc.
c/o Mahogany Services
21 SE 5th Street, Suite 100
Boca Raton FL 33432

Boca West Master Association
20540 Country Club Blvd
Suite 105
Boca Raton FL 33434

If you have any questions, please contact Mahogany Services at 561-997-6453.

Thank you



BOCA WEST MASTER ASSOCIATION, INC. ARCHITECTURAL CONTROL GUIDELINES

MISSION STATEMENT

The Boca West Master Association is dedicated to providing for the safety and security of residents and guests and upholding a consistent level of excellence in providing a beautifully maintained environment. We strive to forge mutually supportive relationships with the Boca West Country Club and the Village associations – Staff, Management, Directors and Governors. To accomplish this, we:

- Focus on our residents' needs each and every day
- Operate in a positive and professional environment
- Treat each other with respect, understanding and compassion
- Reach for the best within ourselves

Introduction to the BWMA Architectural Control Committee

Purpose

To provide for the protection of building integrity, standards, aesthetics and overall harmony of our master planned community and environment, the Boca West Master Association, Inc. ("BWMA") Architectural Control Committee ("ACC") has developed this set of guidelines to review Village and resident applications for change. This involves only changes to property exterior appearances including, but not limited to, tear-down and rebuild of homes, additions, new or extended patios, new screen enclosures or alterations to existing screen enclosure colors, design, or frames, window and door alterations, paving (milling and overlay only, but not sealcoating), Village signage, new pool/spa installations, golf cart enclosures, and Village landscaping projects visible from or affecting Boca West Common Areas.

As set forth in Article VII of the Amended Declaration of Maintenance Covenants of BWMA, the approval requirements herein shall be inapplicable to any maintenance that does not modify, alter, or change the external appearance of any Lot, Member Village Association common area, or Member property, nor any non-material landscaping modifications.

The ACC does not seek to restrict individual creativity, but rather to maintain within the entire community the aesthetic relationship among homes, within Villages, golf courses and natural surroundings.

Authority

The authority for the ACC is set forth in Article VII of the Amended Declaration of Maintenance Covenants for Boca West Master Association. The ACC is responsible for carrying out its duties on behalf of all members of the Association for the benefit of the entire community, and their actions must be approved by the Boca West Master Association (BWMA) Board of Directors.

The ACC serves the Board of Directors and is chaired by a Board member, who appoints the other Committee members on an annual basis. Decisions and/or recommendations of the Committee are made by a majority of those members present at a Committee meeting, provided there is a quorum (majority) of Committee members present at the Committee meeting, or unless in the reasonable discretion of the Committee chairman, circumstances are such that a meeting cannot be timely convened and quorum obtained due to time constraints and, in such cases, the Committee and/or Board has delegated authority to one or more Committee members to make a decision/recommendation in the absence of a meeting and a quorum.

Responsibilities

On behalf of the Association, the ACC is empowered to perform the following functions:

1. To review all Owner and Village architectural applications for compliance with established Village architectural design criteria, if any, and the Amended Declaration of Maintenance Covenants.
2. To require that each respective Owner and Village application is completed and reviewed in its entirety and approved by at least three (3) Village board members and the Village community association manager to determine compliance with established Village architectural design criteria, if any, and the Amended Declaration of Maintenance Covenants.

3. To contact all applicants whose plans and specifications have been approved or disapproved, with reasons for disapproval.
4. To maintain copies of applications, design documents and related records, for a period of at least seven (7) years.
5. To inform members of the Association regarding activities of the ACC and changes in criteria as they may occur.
6. To interact and assist Villages with the architectural control process.

GUIDELINES FOR ARCHITECTURAL STANDARDS

1. The process for obtaining approval begins with the application. The applicant must complete and abide by all instructions contained in the application. The applicant shall use this application to fully describe the intended project. Applications can be obtained directly from Village managers, downloaded from the BWMA website (www.bocawestmaster.com) or picked up at the BWMA administrative office during business hours. Certain projects may require the ACC and/or Board to obtain the advice and assistance of an outside engineer/architect to review the plans and specifications submitted for approval. Accordingly, the ACC and/or Board may require an owner to submit, along with the application a fee not to exceed one thousand dollars (\$1,000.00) to be used for retention of an outside engineer/architect to review the plans and specifications submitted. Any difference between the \$1,000.00 fee submitted with the application for approval and the actual costs incurred by the Association in the retention of the outside engineer/architect will be refunded to the owner upon issuance of the approval by the ACC/Board of the plans and specifications for the work set forth in the application.
2. Compliance with all Village requirements must be met, which can be found in the respective Village governing documents, as well as the BWMA Declaration of Maintenance Covenants.
3. As a courtesy to your neighbors, it is recommended that the submitting Village resident/manager/Board notify neighbors that may be impacted by work in progress, noise, view change, traffic, etc.
4. For home tear-downs and re-builds, additions, or other large projects, the architect and/or builder may be required to attend the ACC meeting to present and review the complete set of plans, and must be available throughout the duration of the project should there be issues of concern.
5. Roof materials and design shall conform with established Village architectural design criteria, if any, and the Villages' architectural guidelines, if any.
6. Windows, fixed glass and doors shall conform to current Florida Building code. Frames (including frame color as approved by the respective Village), must conform to existing colors within the Village as approved by the Village Board. Exterior visible glass may not be a greenish hue or tint. Sometimes "clear" glass may have a greenish hue, which would not be acceptable.

7. Exterior paint color changes, must be approved by the respective Village's Board and community association manager before submission to the ACC.
8. Satellite dishes – camouflage requirements may only be imposed on ground level installations to the extent that the Village requires similar outside structures be camouflaged. Requirements for installation shall not hinder the ability of the resident to receive satellite signals. Satellite dishes shall not be installed on any associations' common property. Where possible, satellite dishes shall be installed at the rear of homes.
9. Flags/flagpoles display, in accordance with Chapter 720 of the Florida Statutes:

A homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner; and one portable, removable official flag not larger than 4 ½ feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, Coast Guard, or a POW-MIA flag, regardless of any covenants, restrictions, bylaws, rules or requirements of an association.

A homeowner may erect a freestanding flagpole no more than 20 feet high, on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules or requirements of an association, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The homeowner may further display in a respectful manner from that flagpole, one official United States flag, not larger than 4 ½ feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, Coast Guard or POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag.

10. Notices, signs, billboards, advertising signs or structures are prohibited on any lot, other than building permit boards.
11. Mailboxes and mailbox numbers shall conform to applicable Village and postal standards, if any.
12. Exterior lighting shall conform to Village standards, if any.
13. Fences must conform to Village standards and guidelines.
14. Wood siding for buildings is discouraged, due to maintenance requirements and termite infiltration.
15. Solar panels shall be reviewed on an individual basis and shall lay flat to the roof plane. All piping shall be concealed whenever possible and all exposed piping shall be painted to match the surrounding surface. Solar panels must be in accordance with the Solar Rights Act of Florida, Florida Statute 163.04. Solar panels shall be placed in the least conspicuous locations reasonably possible, while not impairing the effective operation of the solar collectors. Visible clotheslines are not permitted.

16. Window and/or wall air conditioning units are not permitted.
17. Screen enclosures and hurricane shutters shall be designed to conform to current Florida Building Code and applicable Village requirements.
18. If required by Palm Beach County, a survey noting the changes is required for modifications such as fences, new pool installations, additions, screen enclosures, substantial driveway modifications, walkways, generators or other new mechanical equipment.
19. Golf Cart Structures: A survey noting the location of the structure and landscaping to be installed must be included with the application. Effective on July 29, 2020, the BWMA Board of Directors adopted the following rule regarding overnight golf cart parking:

Golf carts may only be parked or stored overnight (i) within a garage or (ii) under or within an enclosure that has been approved by the Architectural Control Committee of the Master Association. The Master Association and/or such Committee may from time to time adopt and publish such guidelines and standards for approval as deemed reasonably appropriate. Areas designated for golf cart storage must have county-permitted electrical outlets and the shelter must comply with hurricane building standards.
20. Mid-Rise Buildings:
 - a. Awnings are not permitted.
 - b. All patio/balcony enclosures must be the same color in each building.
 - c. If not already in place, standards and guidelines must be chosen by respective condominiums for patio/balcony enclosures, windows & doors and any other building component that can be viewed from the exterior.

TEAR-DOWNS & REBUILDS

1. Tear-downs will not be allowed without the Village and BWMA ACC final approval of new home certified plans, which must accompany the application for any new home construction. The exception to this is in the event a home is damaged beyond repair by fire, the house will be allowed to be taken down.
2. Two final completed sets of plans are required – one for the Village and one for BWMA ACC – all plans to be drawn to ¼" to 1' scale. Plan is to include the following:
 - a. Stamped, final plan, elevations, working drawings from an engineer/architect
 - b. Exterior finishes, doors, windows, materials, colors, including roof type and color
 - c. Exterior paint colors, if not shown with initial plans, must be approved in advance of commencement of work, by the respective Village and BWMA.

- d. Hardscape plans – patios, balconies, porches, new pool/spa installations, walkways, decks; screen enclosures, and mechanical equipment.
3. Lots shall be appropriately fenced during construction.
4. Port-O-Lets shall be approved by the respective Village.
5. Dumpsters must be located at a location on the owner's Lot and must not interfere with traffic flow in the community. Dumpsters must be covered when full and promptly emptied.
6. Lot must be kept clean on a daily basis.
7. Rules for workers include OSHA guidelines, no loud music, no alcoholic beverages, no firearms, no family members and no friends; no pets; shirts and shoes to be worn at all times.
8. Plans must reflect respective county and Village specifications for setback requirements, height restrictions, color standards for siding and roof, any landscape restrictions, , and Lot size.

HURRICANE PROVISIONS

When Boca West is in a hurricane watch as dictated by the National Hurricane Center, the site must be cleared of all loose building materials, loose roof tiles must be removed, the dumpster must be emptied and covered, the Port-O-Let must be removed or secured to the structure in such a way as to be immovable. Failure to protect the surrounding structures will be grounds to suspend the project and the responsibility of any damage to any properties will be borne by the homeowner and the contractors.

INSURANCE

Contractor(s) shall provide BWMA with a certificate of insurance naming the BWMA as certificate holder. The following minimum limits apply:

- Commercial General Liability - \$1,000,000
- Workers Compensation – statutory

SECURITY & SAFETY GUIDELINES

Vehicles of workers for all projects will comply with the respective Villages' rules and BWMA "Rules of the Road".

For the safety of all residents, all contractors, subcontractors, and vendors who enter Boca West ***must display their company sign!***

All contractor/vendor vehicle signs must:

- Display name of company and telephone number
- Be prominently displayed on all vehicles
- Be permanently affixed or magnetic with the lettering at least three (3) inches high

Must remain on contractors/vendor vehicles at all times while in Boca West!

Contractors and vendors must enter Boca West property through Jog Road or Yamato Road. Please Note: Contractors and vendors that repeatedly fail or refuse to follow the approved ACC Guidelines and BWMA "Rules of the Road" will be subject to losing their privilege to gain access and/or work in Boca West.

CONSTRUCTION DAYS & HOURS

- Monday – Friday; 7:00 a.m. – 6:00 p.m.
- Saturday – 8:00 a.m. – 5:00 p.m.
- No work on Sunday or holidays.
- Villages may have noise rules for morning start times and other construction times, but they cannot exceed the established BWMA guidelines.



Architectural Control Petition Form

SECTION I - TO BE COMPLETED BY HOMEOWNER (Petitioner)

Petitioner Name: _____ Village: _____

Address: _____

Phone #: _____ Alt. phone: _____

Email Address: _____

Description of work to be performed _____

All deviations from the original plans and specifications submitted with this petition require approval from your Village and BWMA in advance of any work in furtherance of such changes.

Contractor Name: _____

Contactor Phone and Email: _____

Contractor License # _____

(Complete the above portion of this form, attach signed Agreement to Perform and Indemnity Agreement, documents, and submit with blue prints, sketches, site plans, survey, photo, paint chips, sample materials, to your respective Village Architectural Review Board or Board of Directors).

SECTION II- TO BE COMPLETED BY VILLAGE BOARD OF DIRECTORS

The undersigned, duly authorized officers, directors, and community association manager for the foregoing Village association verify that we have thoroughly reviewed in detail the designs, drawings, plans, and specifications for the work to be performed to the above-described Lot as set forth in this Architectural Control Petition and hereby confirms that such work **is/is not(circle one)** in harmony as to external design, location in relation to surrounding structures and topography of the Village association, and **is/is not (circle one)** otherwise consistent and in conformance with the architectural standards and guidelines established by the Village association.

APPROVED _____ DENIED & REASON FOR _____

Board President _____
(print name) Signature Date

Board Officer _____
(print name) Signature Date

Board Director _____
(print name) Signature Date

Village
Manager/CAM _____
(print name) Signature Date

BOCA WEST MASTER ASSOCIATION, INC.
ARCHITECTURAL CONTROL COMMITTEE AGREEMENT TO PERFORM AND INDEMNITY
AGREEMENT

Property Address: _____

Village: _____

Telephone Number(s) _____

This request for approval is for: (Describe improvement/alteration): _____

(please enclose additional page(s) if more space is needed)

By submitting an Architectural Control Petition ("ACC Petition") and by signing below, Applicant(s) certifies that he/she is an owner of the property identified above (the "LOT") and that he/she has the authority to bind any other owners of the property. Applicant(s) hereby agrees to perform only those changes, improvements, additions, modifications, and/or alterations to the LOT, or any improvements thereon, which are approved (collectively "Approved Work") by the Boca West Master Association, Inc. (the "Master Association").

Applicant(s) hereby agrees and acknowledges that the Master Association has the right, at any time, to suspend the work on the LOT if, in the Master Association's reasonable discretion, "Just Cause" exists for such suspension. "Just Cause" includes, but is not limited to: the Applicant's failure to comply with conditions for approval imposed by the Master Association and/or the terms, conditions, restrictions and requirements set forth in the governing documents of the Master Association; Applicant's or any of Applicant's contractors' or subcontractors' performance of any work changing, improving, adding to, modifying, and/or altering the exterior appearance of Applicant's Lot that were not set forth in the ACC Petition submitted by Applicant(s) and approved by the Master Association (collectively "Non-Conforming Work"). In such case, the Applicant(s) will be advised of the reason for the suspension, which shall include a description of the Non-Conforming Work. The Applicant(s) must resolve all such issues to the Master Association's satisfaction and receive the Master Association's written approval prior to the work commencing again. No work on the exterior of the Lot shall be made during any suspension period. In addition to suspension of the Approved Work as well as suspension of any Non-Conforming Work being performed upon an Applicant's Lot, the Master Association shall be entitled to seek any additional remedies available pursuant to its governing documents and/or Florida law, including, but not limited to, filing suit in law or equity seeking damages and/or injunctive relief, fines, and/or suspension of use rights to certain common elements, which remedies shall be cumulative and not be exclusive of one another. Any attorneys' fees or costs incurred by the Master Association arising from Applicant(s) failure to comply with the architectural guidelines and provisions of the Master Association's governing documents, regardless of whether or not suit is filed, shall be reimbursed to the Master Association by the Applicant(s), and shall be collectible in the same manner as assessments, as set forth in the governing documents of the Master Association.

BOCA WEST MASTER ASSOCIATION, INC.
ARCHITECTURAL CONTROL COMMITTEE AGREEMENT TO PERFORM AND INDEMNITY
AGREEMENT

Applicant further acknowledges and agrees that he/she shall protect, defend, indemnify and hold the Master Association harmless from and against any and all liability, costs, damages or expenses directly or indirectly caused by or arising from any acts of Applicant and/or any other owner(s) of the Lot or Applicant's contractors, subcontractors, or any of their agents, licensees, or invitees, and from any liabilities, costs, damages, or expenses arising, directly or indirectly, from any injury, accident or damage to any person or property, including common areas of the Master Association or other LOTS within Boca West, arising from or relating to the Approved Work as well as any Non-Conforming Work and occasioned wholly or in part by any act or omission of Applicant, by any contractor engaged by or on behalf of Applicant or by any other third-party providing goods or services in connection with the project covered hereby.

The Master Association's approval shall not be construed as any statement, position, or warranty of any kind that the proposed changes, improvements, additions, modifications, and/or alterations will be compliant with building codes, be structurally sound, have any particular impact on the Lot's value, or be suitable for intended use.

Applicant's Signature Date

Applicant's Signature Date

Print Name

Print Name

BOCA WEST
MASTER ASSOCIATION
BWMA Architectural Control Checklist

Required Documentation ✓

Petitioner's Information Contractor's Information Village Board Approval (page 1 of the petition)		Is your address, phone number, Village, and email address on the petition? Is the contractor's information section complete? Do you have three Village Board members signatures of approval? Did the Village Manager sign off on the petition?
Waiver of Liability		Is the first page complete? Did all legal homeowner (s) read and sign the Waiver?
Insurance		Required Amount: Commercial General Liability \$1,000,000 Worker's Compensation Statutory NOTE: The Certificate of Insurance must name the BWMA as the Certificate Holder exactly as noted below: Boca West Master Association 20540 Country Club Blvd Ste 105 Boca Raton, FL 33434
Contractor (s) License		Did the contractor provide a copy of his license?
Contract Governing the Job		Did you include a copy of the contract governing your project with the confidential information deleted?
Samples		Did you obtain samples of the material you will be using for your project?
Survey		If a survey is required by Palm Beach County, did you include a survey showing the exact location of the proposed work?
Architectural Plans (for tear down/re-builds) and additions to homes		Did you include the blueprints?

- * Incomplete packets will be returned to the Village and/or Property Manager, which may delay receiving approval.
- * Once you have all of the documentation, submit your petition along with the documentation to your Village's property manager to obtain Village approval.
- * After you receive Village approval, your property manager will confirm the application is complete and forward the petition to BWMA for final approval.
- * The BWMA Architectural Control Committee will review your petition and will make a recommendation to the BWMA Board.