

# Bon Terre Homeowners Association ARC Guidelines

Nothing contained in these guidelines shall preempt anything contained within the Covenants, Conditions, and Restrictions and amendments. In the event of inconsistency, the Covenants, Conditions, and Restrictions and amendments shall be the ruling document. These guidelines are merely a written memorialization of what the Board has previously adopted as guidelines in a verbal format.

- I. Any additions to an existing building, or exterior alteration, modification or change to an existing building, including changes in color, must have the approval of the ARC before any work is undertaken. In addition, any improvement added to the property must be submitted to the ARC prior to the commencement of construction. Some examples of improvements are:

- Room Additions
- Screened Porches & Front Porches
- Greenhouses
- Fireplaces
- Fences
- Patios
- Decks
- Patio/Deck Covers or similar Structures
- Storm Doors
- Awnings & Shutters
- Exterior Lighting
- Storage Spaces
- Swimming Pools
- Hot Tubs
- Changes in House or Trim Color
- Garages
- Carports

All additions, etc. approved by the ARC must be completed in a timely manner.

- II. ADDITIONS

Any addition, exterior alteration, modification or change to an existing building shall be compatible with the design character of the original building.

### III. MATERIALS AND COLORS

No change in the exterior colors of any house shall be made without the express written authorization of the ARC. Color selections available are limited to the range of colors existing in the community.

ARC approval is not required to repaint or re-stain structures in their original colors.

ARC approval is required to paint or stain any originally unpainted exterior areas.

Only the exterior materials compatible with the parent structure and with the architectural design character of the community will be approved.

### IV. FENCES

Property line fencing must be constructed using one of the two approved designs that is available from the ARC.

Non-wooden fences will not be approved.

Fences shall not be erected forward of the plane formed by the back of the house.

Fence color shall be compatible with existing structures and surroundings. The staining or painting of fences, except by means of pressure treatment methods for wood preservation, is discouraged.

Fences are required to be uniform in color. If boards are replaced, the fence should be treated to be uniform in color.

When fence boards are replaced, the entire fence board should be replaced and not just a partial board.

If you choose to stain your fence you must submit an ARC application for prior approval. We recommend **Behr Premium Semi- Transparent stain the color Coffee- ST-103 , Behr Russet SC-117 or any neutral or brown stain. Please submit and ARC application for approval before you stain your fence.**

### V. SWIMMING POOLS AND HOT TUBS

Swimming pools and hot tubs must have the approval of the ARC before work is undertaken.

The ARC will not consider applications for the construction of swimming pools unless they are accompanied by applications for proposed fences, decking, and drainage plans. Because landscaping is often an integral part of a swimming pool facility, it is suggested that any proposed landscaping be submitted with the pool plan.

## VI. LANDSCAPING AND PLANTING

Landscaping work and planting in general do not require the approval of the Board. Trees and shrubs that restrict sight lines for vehicular traffic shall not be allowed.

Each owner shall maintain his or her respective property in good repair and in a well-kept manner. Further, it shall be the responsibility of each owner to maintain the landscaping located on his or her respective property, including but not limited to cutting and edging the grass on sidewalks/curbs/driveways, trimming and pruning of trees, shrubs, hedges and bushes, and weed control, as needed subject to (but not limited to) the following criteria:

- Grass shall be no taller than six inches
- Grass clippings shall not be blown, raked or swept into any common roadways within the development
- Pine Straw or Dark Red/Brown mulch must be placed in flower beds and renewed as needed in the sole discretion of the Board and/or Committee
- Mowing or cutting weeds is not considered “weed control” within the meaning of this paragraph.
- Yard must be Bermuda grass turf or other grass turf that is approved by the board.

If, in the sole discretion of the Board and/or the Committee, it is determined that any owner is not maintaining his or her property in conformity with the foregoing paragraph, the Board and/or Committee may seek injunctive or other relief as allowed under the Bylaws and Declaration of Protective Covenants, Conditions, Restrictions and Easements for Bon Terre Subdivision.

## VII. TRAILERS

The parking of trailers (camping, boat, utility, etc.) on the homeowner's property, other than in a garage, is in violation of the Covenants, Conditions, and Restrictions. Campers and boats may be parked in driveways for 48 hours at a time to allow for the execution of annual maintenance and prior to or after returning from their use.

#### VIII. MISCELLANEOUS

1. Driveways

Extensions, widening or rerouting of existing driveways shall match existing paving material and have the approval of the ARC before any work is undertaken.

2. Antennas

Installation of an antenna other than a standard household TV antenna requires approval of the ARC.

3. Storage Facilities

All outside storage facilities must have the approval of the ARC before the work is undertaken.

#### IX. APPLICATIONS

The covenants state that each proposal must be specifically approved, even though said improvement conforms to these guidelines.

Applications must be submitted in writing. Oral requests will not be considered. Submit applications by logging into your owner account at [www.partnersrealty.info](http://www.partnersrealty.info) and select documents and you will find the ARC application and once filled out please email to [hoa@partnersrealty.info](mailto:hoa@partnersrealty.info) or mail to Partners Realty 12 W Jefferson St. Suite 200 Montgomery, AL. 36104 along with required documents for the ARC to review.

Applications will be reviewed by the ARC. If the ARC does not give a decision within 30 days after receiving the request, the applicant may proceed with the work.

A rejected proposal may be appealed in person or in writing to the ARC. If the applicant is still dissatisfied with the ARC's decision, an appeal may be made in person or in writing to the Board of Directors of the Association. The decision of the Board shall be final.

All applications must include the following:

- a. A plat plan showing the location of new construction.

- b. All dimensions (length, width, height, roof slope, etc. of the new construction or modification.
- c. A detailed sketch of the proposed construction or modification.
- d. A description of construction materials.
- e. A sample of the proposed color(s) (indicate present colors).
- f. Fence applications shall include a certified plant plan and a drawing showing the location of existing fences of adjacent properties.
- g. Applicants name, address, and lot number (if known).
- h. Copy of county building permit. (Conceptual approval may be granted by the ARC prior to receipt of the county building permit, thus notifying the homeowner they may proceed contingent upon receipt of the permit.)

The Architectural Review Committee is authorized to and responsible for:

- a. Approving or disapproving all applications based on approved guidelines, or the Covenants, Conditions and Restrictions of the Association, in writing and in a timely manner. The ARC cannot approve any item that will violate Covenants, Conditions and Restrictions
  - b. Approving or disapproving all applications based on a vote of more than 50% of the Board-appointed ARC members.
- X. Sporting equipment. (basketball goals, soccer, goals, baseball/softball backstops, batting cages, etc.)
- 1. All sporting equipment must only be placed on the homeowner's property.
    - A. Cannot be placed in the roadway.
    - B. Cannot be placed on easements.
  - 2. Sporting equipment cannot be erected as permanent structures.

3. Any permanent sporting item placed in areas out of direct view from the roadway, such as the rear of the house, and are subject to ARC approval on a case-by-case basis.