

ARCHITECTURAL REVIEW COMMITTEE CHARTER

SEAGROVE PROPERTY OWNERS ASSOCIATION, INC.

Mission Statement and Authority

The Committee (commonly referred to as the “**ARC**”) is a committee of the Association’s Board Restrictions of the Association (the “**Declaration**”). It has legal authority to act for the Association with respect to the matters specified in Article VII of the Declaration and the Committee’s Architectural Review Criteria attached as Exhibit B to the Declaration (the “**Criteria**”), as in effect from time to time. The ARC governs the design, construction, maintenance, and modification of homes, grounds, and landscaping within Seagrove.

The Committee shall provide for the systematic and uniform review and determination of all proposed improvements and construction of any type within the community, with an emphasis on their harmonious incorporation into the community and impact upon surrounding structures. The Committee adheres to the requirements of Florida Statutes, Chapter 720.

Membership

The Chair of the Committee will be appointed by the Board and must be a member of the Board. The Board will appoint other members of the Committee (who may or may not be members of the Board but who, in any case, must be members in good standing of the Association - that is, they must be named on the deed to the property or be a named trustee if the property is held in trust, and not be 90 days or more delinquent in paying any fee, fine, or other monetary obligation to the Association), each to serve a one (1) year term that ends on March 31st. There must be at least three (3) but not more than five (5) members of the Committee.

The Board may fill vacancies on the Committee by a majority vote and may remove any or all members from the Committee at any time, with or without cause. In such an event, any vacancies must be filled by new members appointed by the Board within thirty (30) days to ensure the ARC has at least three (3) members. New members will complete the remaining term.

Operations

1. The Committee will meet with such frequency as it may determine, and Association and Board members may attend any meeting of the Committee at which a final determination is to be made in respect of a parcel. Notice of the meetings will be governed by the same requirements applicable to regular meetings of the Association’s Board. The Chair will preside over Committee meetings. A majority of Committee members will constitute a quorum, participating in person or via telephone or teleconference. Committee actions or recommendations to be submitted to the Board require a vote of a majority of the Committee members voting at a meeting at which a quorum is present.

2. The Committee will report its activities to the Board at least quarterly, either by attendance at a Board meeting or a written report submitted in advance of a Board meeting and will keep minutes of its meetings.
3. The Committee will review this charter and the Criteria at least annually and may recommend proposed changes or clarifications to the Board for review. The Board may amend this charter and the Criteria at any time by majority vote. If the Criteria or Rules & Regulations are amended by the Board, a Certificate of Amendment should be prepared and executed by the President and Secretary of the Association and recorded in the public records of Indian River County, Florida.

Responsibilities:

1. The ARC will decide applications, and monitor and enforce the Criteria including, but not limited to, site clearing and grading, new building plans, new landscape plans, modifications of existing structures, modifications of existing landscaping, and all other details described in the Criteria as the same are in effect from time to time.
2. The Committee will coordinate with the Association's property management company to assist in clear and prompt communication to any applicant concerning Committee decisions.
3. Recommend stop work orders, cease and desist notice and denial of vendor access to the community for commencing work without an approved application or modifying or expanding the approved project.
4. Recommend that the fining process commence if warranted.
5. At any time that the Chair of the Committee changes, whether due to resignation, expiration of board term or any other reason, the Committee will assemble and provide to the Board a "Transition Report". The Transition Report shall contain a list of open items under consideration by the Committee, the current state of any New Home or Major Modification applications, any "stop work" orders then in effect, and any documentation or other matters related to the operations and responsibilities of the Committee as to which a new Chair should be informed, all for the goal of a smooth transition in responsibilities.

Procedures:

Prior to the commencement of any work governed by the Criteria on any premises an application must be submitted to the Committee and all information requested by the application form must be provided. The type and complexity of the application is determined by the project and set forth in the Criteria (i.e., New Home, Major Modification, Minor Modification).

Not later than thirty (30) days after receipt of a complete application the Committee shall respond. The application shall be either approved as submitted, approved with conditions, disapproved with explanation, or deferred pending receipt and review of additional information required by the Committee. If the Committee fails to respond within 30 days of the complete application having been filed, the application shall be deemed approved.

Applicants have the right to appear before the Committee at its meetings and explain anything in the application and answer any questions. If the applicant is not satisfied with the final decision of the Committee the applicant may, within sixty (60) days, appeal that decision to the full Board of Directors.

No Committee member is empowered to indicate or grant to any Seagrove resident a waiver from any provision of the Association's governing documents – all such requests or inquiries must be forwarded to the Board member on call or to the full Board to be addressed, as appropriate.

The Committee shall not send out surveys or otherwise directly communicate to all residents without first receiving the Board's approval for such communication.

If at any time the provisions of this Charter conflict with the Association's governing documents or Florida law, such documents or law shall govern.