

CELEBRATION CAPE HOMEOWNERS ASSOCIATION, INC

ARCHITECTURAL REVIEW BOARD – CHARTER

The Architectural Review Board (ARB) is created to preserve the quality, value, and overall integrity of the community. It is intended to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design.

Improvements Requiring Approval:

No building, structure, enclosure or other improvement shall be erected or altered, nor shall any grading, excavation, landscaping, change of exterior color, or other work which in any way alters the exterior appearance of any structure or lot shall occur unless and until the plans, specifications and location of same shall have been submitted to, and approved in writing by, the Architectural Review Board (hereinafter "ARB"). All plans and specifications shall be evaluated as to harmony of external design and location in relation to surrounding structures and topography. The ARB shall have forty-five (45) days after delivery of **all required** information, plans and materials to approve or deny any such plan, and if not denied within such period, said plans shall be deemed approved unless within the same period the Board of Directors denies the plan in which case regardless of any action or inaction by the ARB the plan shall be deemed denied. All approved modifications or improvements **shall be completed** within ninety (90) days from the date of approval. All changes, alterations or modifications to an approved plan must also be approved pursuant according to these same requirements. The ARB follows Florida Statute 720 (Homeowners Associations).

The ARB:

The architectural review and control functions of the Association shall be administered and performed by the Architectural Review Board (ARB), which shall consist of at least three (3) persons, who shall be members of the Association. The Board of Directors appoints members to the ARB. Any vacancy occurring on the ARB shall be filled by the Board of Directors. The members of the ARB shall receive no compensation for services other than reimbursement for actual expenses approved in advance by the Board of Directors incurred by said member(s) in the performance of their duties. Notwithstanding anything to the contrary contained herein or elsewhere, all decisions of the ARB are subject to review by the Board of Directors and the Board has the authority to overrule, void or otherwise modify in all respects any decision of the ARB.

Powers and Duties:

- a) To recommend, from time to time, to the Board of Directors of the Association the creation or modification and/or amendments to the Architectural Planning Criteria. Any

Architectural Planning Criteria, modifications, or amendments shall be consistent with the provisions of this Declaration, and shall not be effective until adopted by a majority of the members of the Board of Directors of the Association at a meeting duly called and noticed and at which a quorum is present. Notice of the adoption, modification or amendment to the Architectural Planning Criteria, including a verbatim copy of such adoption, change or modification shall be delivered to each member of the Association. However, receipt of notice of a Board meeting concerning the Architectural Planning Criteria or a copy of any adoption of or modification or amendment to the Architectural Planning Criteria shall not affect the validity of such change or modification.

- b) To require submission to the ARB of one (1) complete set of all plans and specifications for any improvement, structure of any kind or any other work which in any way alters the exterior appearance of any structure, or Lot including without limitation, any building, fence, swimming pool, screen enclosure, or landscape devise, object or other improvement, the construction or placement of which is proposed upon the Properties. The ARB may also require submission of building materials proposed for use on or as part of any home, and may require such additional information as may reasonably be necessary to completely evaluate the proposed structure or improvement in accordance with this Declaration and the Architectural Planning Criteria.
- c) To approve or disapprove any improvement or structure of any kind, including, without limitations, any building, fence, wall, screen enclosure, drain or disposal system, or other improvement or change or modification thereto, the construction, erection, performance or placement of which is proposed upon the Properties, and which is visible from the outside of any home. Evidence of approval by the ARB may be made by a certificate, in recordable form, executed by the Chairperson of the ARB. Any party aggrieved by a decision of the ARB or Board of Directors shall have the right to make written request to the Board of Directors of the Association within thirty (30) days of the decision, for a re-review thereof. The determination of the Board upon re-viewing any such decision shall in all events be final.
- d) To adopt a procedure for inspecting approved changes during and after construction to ensure conformity with approved plans. If it is determined by the ARB that the improvement or work is not in compliance with the approved plans and specifications, then upon written demand from the ARB, the work shall be suspended until such time as the ARB authorizes the work to be recommended.

Notwithstanding anything to the contrary herein, if an owner is delinquent in the payment of assessments, fines or other charges or has failed to correct a violation of these covenants or the rules of the Association for which they have been given notice, the approval of the ARB may be denied or withheld pending payment of the assessments, fine or other charges or correction of the violation.

PROCEDURE: An "Architectural Review Form" must be completed in its entirety and mailed to the address indicated on the form. All pertinent information such as plans, specifications, building permits, locations of the proposed improvements must be indicated on a copy of the survey and all of these items are to be included with the original application.

Approved by the Celebration Cape HOA Board of Directors May 25, 2019