

LANDFALL HOMEOWNERS ASSOCIATION

ARCHITECTURAL CONTROL COMMITTEE CHARTER

Statement of Purpose

The Board hereby creates the Architectural Control Committee Charter and identifies the specific duties and limits of authority per the Bylaws and the CC&Rs of the Association. The Architectural Control Committee ensures compliance with aesthetic standards established by the Association in order to maintain the beauty and character of Landfall Homeowners Association and to safeguard standards that might affect the value of homeowner's property. The Committee shall conduct its business in the best interest of the Association and in accordance with the Charter, the Association's Articles of Incorporation, Architectural Guidelines, CC&Rs, and Bylaws.

Membership

The Architectural Control Committee shall consist of 3-7 members, or as recommended and appointed by the Board and is formed as follows:

- The Board shall appoint the committee and the committee members shall elect their Chair. The committee may recommend homeowners to the Board for appointment.
- Members appointed to the committee by the Board shall be members of the Association and in good standing. Good standing shall be defined as the absence of dues or assessment delinquency, covenants violation, or pending legal action with the Association.
- Committee members appointed may be members of any other Association Committee.
- Members shall serve a 3 year term, with unlimited terms available.
- The Board has appellate authority to address appeals and grant waivers.
- A member of the HOA Board shall be appointed as a Liaison between the HOA Board and the ACC. The HOA Board Liaison shall be included in correspondence pertaining to business of the ACC and/or meetings held. The Liaison will hold no voting privileges.
- The ACC should meet annually to elect their chairman.

Responsibilities

Architectural Control Committee responsibilities include but may not be limited to:

- Regularly monitor for compliance violations and report them to the HOA Board Liaison.
- The ACC shall get prior HOA Board approval on any matter that might be controversial or appear contrary to our guidelines.
- Have a thorough understanding of what is and is not allowed in the community.
- Be consistent and diligent in maintaining the standards set forth in the Bylaws, CC&Rs, and the Architectural Guidelines of the Association.
- Use the governing documents as the standards for assessing Member compliance.
- Be able to reference the section of the governing documents that lead to their decisions.
- Impartially hold all Members to the same standard.
- Review owners submitted plans for external alterations of their homes for approval.

- Approve/deny the submitted plans within 30 days of receiving the email application from the Landfall Homeowner Property Management.
- Monitor performance and work quality of contractors.
- For any new home construction project, the ACC shall appoint a committee member as project manager overseeing the building process.
- Research for and coordinate with the HOA Board Liaison as needed with monthly updates.
- Refrain from discussing personal owner contact information with the general membership.
- Refrain from discussing compliance violations with the general membership.

Reporting

- Copies of correspondence and other related materials developed to enable the committee to fulfill its function should be forwarded to the Management Office for record keeping.
- Extra consideration may be needed for information, reports, and decisions, which are confidential in nature. If information must be presented that falls into this category, care must be maintained to ensure the confidentiality of the association member.

Meetings

Under Florida Statutes 720.303(2) notice of an ACC meeting must be posted in a conspicuous place in the community, generally the bulletin board located near the Marina, at least 48 hours in advance of the meeting and the meeting must be open for all members to attend. Further, pursuant to Florida Statutes 720.303(2)(C)(3), committee members are not permitted to vote by proxy or secret ballot. The meeting and decision must be recorded in minutes for review.

Code Compliance

Ensuring compliance with state and local building codes is not the duty of the Architectural Control Committee and they have no jurisdiction over their enforcement. Code compliance is the duty of the city or county building department, whichever one is applicable.

In addition, obtaining a building permit from the city/county does not automatically grant approval by the Association, and approval by the Architectural Control Committee does not negate the need for a building permit should one be required. The Architectural Control Committee must advise owners that separate approvals may be required by County Code Compliance and from the ACC.

Vacancies

The HOA Board may remove a member of the Committee. The Committee may vote to recommend removal of its Chairman or any Committee Member to the Board with cause. Vacancies created by either of the above or for any other reason shall be filled by appointment by the HOA Board.