



ARCHITECTURAL CONTROL BOARD

GOVERNANCE STANDARDS

GOVERNANCE STANDARDS DISCLAIMER

This Governance Standards is intended solely for administration of the Architectural Control Board and is not intended to serve as the Architectural Standards applicable to Lot Owners.

The Architectural Standards shall be maintained as a separate document and shall govern architectural requirements applicable to Lot Owners, contractors, applicants, and residents.

In the event of a conflict between this Governance Standards and the Architectural Standards, the Declaration, Articles of Incorporation, Bylaws, and applicable law shall control.

DADELAND WALK
ARCHITECTURAL CONTROL BOARD
GOVERNANCE STANDARDS
Adopted August 27, 2026

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SECTION 1
AUTHORITY OF THE ARCHITECTURAL CONTROL BOARD

1.1 Creation of the Architectural Control Board

The Architectural Control Board ("ACB") is established pursuant to Article VII, Section 13 of the Declaration of Restrictions and Protective Covenants for Dadeland Walk. The ACB is responsible for administering the architectural review process and exercising the authority granted to it pursuant to Article VII, Section 13 of the Declaration, including the authority to promulgate reasonable rules and regulations necessary to carry out the provisions and intent thereof.

1.2 Purpose

The purpose of the ACB is to preserve and protect the architectural character, visual harmony, aesthetic consistency, and overall appearance of Dadeland Walk.

The ACB shall review proposed exterior alterations, additions, improvements, installations, replacements, and modifications affecting Lots within the community in order to maintain architectural standards and community appearance.

1.3 Scope of Authority

The ACB shall have authority to review and approve or deny applications involving exterior modifications to Lots as required by the Declaration, the Architectural Standards, and applicable governing documents.

The ACB's authority includes review of:

- a. Exterior structures and improvements.
- b. Architectural alterations and modifications.
- c. Exterior materials, colors, and finishes.
- d. Exterior equipment, screening, and visibility concerns.
- e. Other matters specifically assigned to the ACB under the governing documents.

1.4 Architectural Review Authority

No exterior alteration, addition, installation, replacement, structure, wall, fence, enclosure, architectural feature, or other exterior modification subject to review under the governing documents shall be erected, installed, altered, replaced, or maintained without prior approval from the ACB when such approval is required by the governing documents or Architectural Standards.

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1.5 Relationship with the Board of Directors

The ACB is responsible for architectural review and architectural determinations.

The Board of Directors retains authority over Association-owned property, Association operations, budgeting, maintenance responsibilities, enforcement proceedings, contracts, and all other matters not specifically delegated to the ACB under the governing documents.

Nothing contained in these Governance Standards shall expand, reduce, or modify any authority granted by the Declaration, Articles of Incorporation, Bylaws, or applicable law.

1.6 Limitations of Authority

The ACB does not possess authority to:

- a. Levy fines;
- b. Conduct covenant enforcement hearings;
- c. Suspend use rights;
- d. Execute contracts on behalf of the Association;
- e. Direct Association expenditures;
- f. Modify governing documents;
- g. Exercise powers reserved to the Board of Directors under the governing documents or applicable law.

Architectural approval by the ACB does not constitute authorization to alter, use, occupy, or modify Association-owned property where separate Board approval is required under the governing documents.

Architectural violations identified by the ACB shall be referred to Management and the Board of Directors for administration through the Association's enforcement procedures.

1.7 Architectural Independence

The ACB shall exercise independent architectural decision-making authority and judgment when reviewing applications and interpreting Architectural Standards.

Architectural decisions shall be based upon the governing documents, adopted Architectural Standards, architectural consistency, community appearance, and the specific facts presented by each application.

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The existence of prior approvals, prior denials, or similar conditions within the community shall not automatically require approval of a subsequent application.

1.8 Governing Documents Control

In the event of a conflict between these Governance Standards and the Declaration, Articles of Incorporation, Bylaws, or applicable law, the Declaration, Articles, Bylaws, and applicable law shall control. These Governance Standards are intended to implement, and shall not enlarge, the substantive restrictions contained in or authorized by the Declaration.

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**SECTION 2
PURPOSE AND RESPONSIBILITIES**

2.1 Purpose of Architectural Review

The Architectural Control Board ("ACB") exists to preserve the architectural character, visual harmony, design consistency, and aesthetic appearance of Dadeland Walk in accordance with the Declaration of Restrictions, Architectural Standards, and governing documents.

The ACB shall review proposed exterior modifications to ensure that alterations remain architecturally compatible with the community and do not adversely affect the appearance, structural integrity, maintenance obligations, or overall character of Dadeland Walk.

2.2 Architectural Review Responsibilities

The ACB shall be responsible for reviewing applications involving exterior alterations, additions, installations, replacements, improvements, modifications, and architectural features requiring approval under the governing documents or Architectural Standards.

The ACB shall determine whether a proposed modification is consistent with the architectural character and appearance of the community.

The ACB may approve, deny, or require resubmission of an application that does not contain sufficient information to allow proper review.

2.3 Architectural Interpretation Authority

The ACB shall have authority to interpret and apply the Architectural Standards in a reasonable and consistent manner.

The ACB may determine whether proposed materials, products, colors, finishes, designs, configurations, architectural features, equipment, structures, or installations are substantially similar to approved community standards.

The ACB may approve or deny applications based upon architectural compatibility, aesthetic consistency, visibility, design impact, community appearance, and preservation of architectural harmony.

The ACB shall interpret and apply the Architectural Standards in a reasonable and consistent manner based upon the facts presented and the architectural objectives of the community.

2.4 Architectural Consistency

The purpose of architectural review is not to require identical construction throughout the community, but rather to preserve visual consistency and compatibility with the established architectural character of Dadeland Walk.

The ACB may consider factors including:

- a. Appearance and visual impact.

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- b. Architectural compatibility.
- c. Materials and finishes.
- d. Colors and textures.
- e. Scale and proportion.
- f. Visibility from Common Areas.
- g. Impact on neighboring Lots.
- h. Consistency with previously approved community standards.

2.5 Applicant Burden of Proof

The applicant bears the responsibility of demonstrating compliance with the governing documents, Architectural Standards, applicable laws, and all applicable permitting requirements.

The ACB shall not be required to independently investigate, verify, design, engineer, calculate, inspect, or otherwise determine whether an application complies with governmental regulations, building codes, permitting requirements, structural requirements, or engineering standards.

If requested by the ACB, the applicant shall provide additional documentation necessary for review.

Failure to provide requested documentation may result in denial of the application.

2.6 Architectural Decisions Are Fact Specific

Each application shall be evaluated based upon its individual facts, location, visibility, design, materials, and surrounding conditions.

Approval of one application shall not automatically constitute approval of any other application.

The existence of a similar condition, installation, improvement, structure, color, material, or feature elsewhere in the community shall not require the ACB to approve a subsequent application.

2.7 Enforcement Referral Responsibility

The ACB's role is limited to architectural review and architectural compliance determinations.

When the ACB identifies a potential architectural violation or non-compliant installation, the matter shall be referred to the Property Manager for review and administration through the Association's enforcement procedures.

The ACB does not independently issue fines, conduct hearings, suspend use rights, or impose penalties.

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2.8 Preservation of Community Standards

The ACB shall administer the Architectural Standards in a manner intended to preserve:

- a. Architectural harmony.
- b. Community appearance.
- c. Property values.
- d. Consistency of exterior improvements.
- e. Long-term maintenance of architectural features.
- f. Protection of Association-maintained structures and building envelope components.

The Architectural Standards shall be interpreted in a manner that reasonably advances these objectives.

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**SECTION 3
ACB MEMBERSHIP**

3.1 Composition

The Architectural Control Board ("ACB") shall consist of the number of members established pursuant to the governing documents. Vacancies may be filled in accordance with Article VII, Section 13 of the Declaration.

3.2 Eligibility

Individuals serving as members of the ACB shall be appointed or otherwise serve in accordance with Article VII, Section 13 of the Declaration and the other applicable provisions of the Association's governing documents.

ACB members should be familiar with the Association's governing documents, the Architectural Standards, and the architectural objectives of the community, and shall exercise independent judgment in carrying out their responsibilities.

Nothing in these Governance Standards shall be construed as creating eligibility for ACB membership beyond that authorized by the Declaration or other applicable governing documents.

3.3 Good Standing Requirement

Intentionally deleted.**3.4 Professional Consultants**

Pursuant to Article VII, Section 13 of the Declaration, the ACB may employ or otherwise utilize architects, engineers, contractors, designers, consultants, or other qualified professionals to assist the ACB in evaluating architectural applications or other matters within the ACB's authority.

Any such professional shall serve in an advisory or consultative capacity only and shall not, solely by reason of such engagement, become a member of the ACB or possess voting authority with respect to ACB decisions.

Professionals and consultants utilized by the ACB shall disclose any actual or potential conflicts of interest involving projects, contractors, vendors, applicants, or matters under review.

The ACB shall not be required to retain or utilize a professional consultant in connection with any particular application unless otherwise required by the Association's governing documents or applicable law. Any engagement involving compensation or expenditure of Association funds shall be subject to the applicable authority and approval requirements of the Association's governing documents.

3.5 Designation of Successor Members

Consistent with Article VII, Section 13 of the Declaration, in the event of the death, disability, or resignation of any ACB member, the remaining members of the ACB shall have full authority to designate a successor.

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Any successor so designated shall thereafter serve as a member of the ACB in accordance with the Declaration and these Governance Standards.

The Property Manager and Board of Directors shall be notified of all such designations and vacancies for administrative and recordkeeping purposes.

3.6 Terms of Service

Consistent with Article VII, Section 13 of the Declaration, ACB members shall serve until death, disability, resignation, or other cessation of service authorized by the Association's governing documents.

Service is voluntary and uncompensated.

3.7 Resignation

Any ACB member may resign at any time by providing written notice to the Chair, Property Manager, or remaining ACB members.

Resignations shall become effective upon receipt unless a later effective date is specified.

3.8 Vacancies

The remaining ACB members may continue conducting business while a vacancy exists, provided quorum requirements are met.

When a vacancy results from the death, disability, or resignation of an ACB member, the remaining ACB members shall designate a successor in accordance with Article VII, Section 13 of the Declaration.

The designation of a successor shall be documented in the ACB's records and communicated to the Property Manager and the Board of Directors for administrative purposes.

3.9 Cessation of Service

The death, disability, resignation, removal, or other cessation of service of an ACB member shall be governed by the applicable provisions of the Declaration, Bylaws, Articles of Incorporation, and applicable law. Nothing in these Governance Standards shall be construed as granting the ACB authority to remove one of its members unless such authority is otherwise provided by the governing documents or applicable law.

Any vacancy resulting from the death, disability, or resignation of an ACB member shall be filled in accordance with Article VII, Section 13 of the Declaration.

Removal decisions shall be documented in the ACB records.

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3.10 Temporary Loss of Quorum

If the ACB lacks sufficient members to achieve quorum as a result of the death, disability, or resignation of one or more ACB members, the remaining ACB members shall exercise the successor-designation authority provided by Article VII, Section 13 of the Declaration.

If no ACB members remain available to exercise the successor-designation authority provided by the Declaration, the matter shall be referred to the Board of Directors and Association legal counsel for determination of the appropriate method of reconstituting the ACB in accordance with the Association's governing documents.

Upon reconstitution, the ACB shall resume its independent architectural review authority and responsibilities under the governing documents, Architectural Standards, and these Governance Standards.

3.11 Compensation

Service on the ACB is voluntary. No member shall receive compensation, fees, commissions, gifts, favors, or other remuneration for service on the ACB, except reimbursement of authorized expenses approved in advance by the Board of Directors, if applicable.

3.12 Duty of Loyalty

ACB members shall act in good faith and in a manner reasonably believed to be in the best interests of the community.

Members shall avoid personal, financial, or professional interests that may interfere with impartial architectural review.

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**SECTION 4
OFFICERS AND DUTIES**

4.1 Officers

The Architectural Control Board ("ACB") shall elect a Chair and Vice Chair from among its members.

The ACB may assign additional administrative responsibilities as necessary to support its operations.

4.2 Chair

The Chair shall serve as the principal administrative officer of the ACB and shall be responsible for:

- a. Scheduling meetings;
- b. Establishing meeting agendas;
- c. Presiding over meetings;
- d. Coordinating review of applications;
- e. Ensuring decisions are properly documented;
- f. Communicating with Management regarding applications, approvals, denials, and procedural matters;
- g. Performing other duties reasonably necessary for administration of the ACB.

The Chair's responsibilities are administrative in nature and do not provide independent authority to approve or deny applications without a vote of the ACB.

4.3 Vice Chair

The Vice Chair shall assist the Chair in carrying out ACB responsibilities and shall perform the duties of the Chair during the Chair's absence, incapacity, resignation, recusal, or inability to act.

The Vice Chair shall possess the same administrative authority as the Chair when acting in the Chair's place.

4.4 Election of Officers

The Chair and Vice Chair shall be elected by majority vote of the ACB members.

Officer elections may occur whenever vacancies arise or whenever the ACB determines that reorganization is appropriate.

The results of officer elections shall be recorded in the ACB records.

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4.5 Vacancies in Office

If the office of Chair or Vice Chair becomes vacant, the ACB shall elect a replacement officer as soon as reasonably practical.

Until a replacement is elected, the remaining officers may continue to perform their duties.

4.6 Signature Authority

All approvals, denials, requests for additional information, and other formal ACB determinations may be executed or issued on behalf of the ACB by the Chair, Vice Chair, or other ACB member authorized by the ACB.

At the direction of the ACB, the Property Manager may also communicate or transmit an ACB determination to an applicant on behalf of the ACB.

The validity of an ACB determination shall not depend upon the physical signature of an individual ACB member, provided the communication accurately reflects a determination duly made by the ACB.

4.7 Delegation of Administrative Duties

The ACB may delegate administrative tasks to individual members or Management, including:

- a. Application tracking;
- b. Collection of supporting documentation;
- c. Preparation of correspondence;
- d. Record retention;
- e. Scheduling meetings;
- f. Distribution of decisions.

Delegation of administrative duties shall not delegate decision-making authority unless expressly authorized by the governing documents.

4.8 Recusal of Officers

An officer with a conflict of interest involving a matter under review shall recuse themselves from participation in that matter.

When the Chair is recused, the Vice Chair shall assume responsibility for administration of the affected matter.

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4.9 Administrative Coordination with Management

Management may assist the ACB with administrative support, including receiving applications, maintaining records, communicating decisions, and coordinating compliance with Association procedures.

Management does not possess authority to approve, deny, modify, or overturn architectural decisions made by the ACB unless specifically authorized by the governing documents.

4.10 No Individual Authority

Except as expressly authorized by a vote of the ACB or by the governing documents, no individual ACB member, including the Chair or Vice Chair, possesses authority to:

- a. Approve an application;
- b. Deny an application;
- c. Waive Architectural Standards;
- d. Modify Architectural Standards;
- e. Commit the ACB to any architectural determination.

All architectural decisions shall be made by the ACB acting collectively through its established voting procedures.

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**SECTION 5
MEETINGS AND PROCEDURES**

5.1 Purpose of Meetings

A meeting of the Architectural Control Board (“ACB”) occurs when a quorum of the ACB convenes for the purpose of conducting ACB business, deliberating upon matters within the ACB’s authority, or taking formal action. Because the ACB is a body vested with the power to approve or disapprove architectural decisions with respect to specific parcels of residential property, meetings of the ACB shall be noticed and conducted in accordance with Section 720.303(2), Florida Statutes, the Association’s governing documents, and applicable law. This requirement applies whether the ACB is considering a particular architectural application or other matters within the ACB’s authority, including administrative procedures, architectural standards, interpretations, policies, or other ACB business.

5.2 Administrative Nature of Meetings

Meetings of the ACB shall be open to Association members to the extent required by Section 720.303(2), Florida Statutes. Members shall have the right to attend and speak with respect to designated agenda items, subject to reasonable written rules governing the frequency, duration, and manner of member statements as permitted by applicable law. Nothing herein requires members to participate in the ACB’s deliberations or grants members voting authority with respect to ACB decisions.

The ACB may, at its discretion, request additional information from an applicant or invite an applicant to provide clarification regarding a pending application.

5.3 Meeting Frequency

The ACB shall meet as necessary to review pending applications and conduct other business within its authority. Notice and an agenda for each ACB meeting shall be provided in accordance with Section 720.303(2), Florida Statutes, the governing documents, and any lawful Association procedures applicable to committee meetings.

The ACB should strive to meet at least monthly when applications are pending, but may meet more frequently when workload requires.

Special meetings may be called by:

- a. The Chair; or
- b. Any two ACB members.

5.4 Meeting Format

Nothing in this Section prohibits individual ACB members, Management, Association counsel, consultants, or other authorized persons from performing ministerial or administrative functions outside an ACB meeting, including receiving applications, requesting or collecting documents, preparing agendas, obtaining professional input, scheduling meetings, maintaining records, or

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communicating a decision previously made by the ACB. Such administrative activity shall not be used to circumvent applicable open-meeting requirements or to obtain collective ACB action outside a properly noticed meeting. ACB meetings may be conducted in person or by telephone, videoconference, or other electronic means to the extent permitted by applicable law, provided that the meeting format preserves the notice, attendance, participation, and other rights required by Section 720.303(2), Florida Statutes.

5.5 Quorum

A quorum shall consist of a majority of the currently serving ACB members.

No official action may be taken without a quorum.

If a quorum is not present, discussion may occur but no final vote shall be conducted.

5.6 Voting Requirements

All architectural decisions shall be determined by vote of the ACB.

Except where otherwise stated, approval of any matter shall require an affirmative majority vote of the members present.

A tie vote shall not constitute approval.

Applications receiving a tie vote may be:

- a. Tabled for additional review;
- b. Continued to a future meeting; or
- c. Denied without prejudice to resubmission.

5.7 Conflicts of Interest

Any member having a personal, financial, professional, or other conflict of interest regarding a matter under consideration shall disclose the conflict and recuse themselves from discussion and voting.

Conflicts may include, but are not limited to:

- a. Applications involving the member's own Lot;
- b. Applications involving a family member;
- c. Applications involving a business partner;
- d. Applications involving a contractor, vendor, consultant, or professional relationship in which the member has a financial interest.

The disclosed conflict and recusal shall be documented in the ACB records.

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5.8 Participation and Voting

Members participating in a meeting shall cast a vote of:

- a. Approval;
- b. Denial; or
- c. Recusal due to a disclosed conflict of interest.
- d. Failure to vote shall not automatically constitute approval or denial.

The Chair may request clarification of a member's position before recording the vote.

5.9 Written Decisions

All decisions shall be documented in writing.

Written decisions shall identify:

- a. The application reviewed;
- b. The action taken;
- c. The date of the decision;
- d. Any supporting comments deemed appropriate by the ACB.

ACB determinations shall be communicated to the applicant in writing or electronically through the Property Manager or another procedure established by the Association.

An approval may include reasonable conditions, comments, or requirements applicable to the approved work.

Any denial shall comply with Section 720.3035(4), Florida Statutes, and shall state with specificity the rule or covenant upon which the ACB relied in denying the request and the specific aspect or part of the proposed improvement that does not conform to such rule or covenant.

5.10 Reconsideration of Decisions

The ACB may reconsider a prior decision if:

- a. New information is submitted;
- b. Material facts were omitted from the original application;
- c. The applicant submits revised plans;

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d. Circumstances materially change.

Reconsideration shall not constitute an appeal process.

Each reconsideration request shall be evaluated as a new review based upon the information submitted.

5.11 Procedural Flexibility

Minor procedural irregularities shall not invalidate an architectural decision when the ACB has substantially complied with the requirements of these Governance Standards and the governing documents, provided that the irregularity does not constitute a failure to comply with a mandatory requirement of applicable law or materially prejudice the rights of an applicant or member.

The ACB may adopt reasonable administrative procedures necessary to facilitate efficient review of applications and administration of Architectural Standards.

Nothing in this Section excuses noncompliance with mandatory requirements of Chapter 720, Florida Statutes, the governing documents, or applicable meeting, notice, voting, or procedural requirements.

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**SECTION 6
APPLICATION REVIEW PROCESS**

6.1 Application Requirement

No application requiring Architectural Control Board ("ACB") review shall be considered complete until all required forms, supporting documentation, plans, specifications, and other information required by the Architectural Standards have been submitted.

Incomplete applications may be returned without review.

The ACB shall have no obligation to review an incomplete application.

6.2 Submission of Applications

Applications shall be submitted through the Property Manager or through any submission process adopted by the Association.

Applications shall be dated upon receipt and maintained as part of the Association's records.

The date of receipt of a complete application shall be used to calculate any review periods established by the governing documents.

6.3 Burden of Proof

The applicant bears the responsibility of demonstrating that the proposed modification complies with:

- a. The Declaration;
- b. The Architectural Standards;
- c. Applicable laws and regulations;
- d. Applicable permitting requirements;
- e. Applicable building code requirements.

The ACB shall not be required to independently investigate, design, engineer, calculate, inspect, or verify compliance on behalf of an applicant.

6.4 Required Documentation

The ACB may require any information reasonably necessary to evaluate a proposed modification.

Supporting documentation may include:

- a. Drawings;
- b. Plans;

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- c. Surveys;
- d. Product specifications;
- e. Photographs;
- f. Color samples;
- g. Material samples;
- h. Engineering documents;
- i. Permits or permit applications;
- j. Contractor information;
- k. Product approvals;
- l. Other information reasonably related to the proposed work.

Failure to provide requested documentation may result in denial of the application.

6.5 Review Criteria

Applications shall be evaluated using the criteria established by the governing documents and Architectural Standards.

The ACB may consider:

- a. Architectural compatibility;
- b. Visual appearance;
- c. Community aesthetics;
- d. Materials and finishes;
- e. Colors and textures;
- f. Scale and proportion;
- g. Location and visibility;
- h. Impact on neighboring Lots;
- i. Impact on Association-maintained structures;
- j. Preservation of architectural harmony.

No single factor shall necessarily control the outcome of a review.

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6.6 Architectural Judgment

Architectural review necessarily involves the exercise of professional and subjective judgment.

The ACB may approve, deny, or request additional information based upon its reasonable determination regarding architectural compatibility and consistency with community standards.

The ACB is not required to approve a proposal merely because a similar proposal exists elsewhere in the community.

6.7 Requests for Additional Information

If the ACB determines that additional information is necessary to complete its review, the ACB may suspend review and request additional information from the applicant.

To the extent not prohibited by the Association's governing documents and applicable law, any applicable review period may be tolled or suspended while reasonably requested information necessary to complete the ACB's review remains outstanding.

Following review, the ACB may:

- a. Approve the application;
- b. Deny the application;
- c. Return the application as incomplete;
- d. Request revised plans or additional information.

The ACB shall not be obligated to redesign, modify, or prepare an acceptable alternative proposal on behalf of the applicant.

6.9 Denials

If an application is denied, the ACB shall provide the applicant with written notice of the denial.

The written denial shall state with specificity:

- a. The provision of the Declaration, Architectural Standards, or other applicable covenant or rule upon which the ACB relied in denying the application; and
- b. The specific aspect or part of the proposed improvement that does not conform to the identified provision.

A general statement that the proposed improvement is "not approved," "inconsistent with community standards," or words of similar effect shall not, standing alone, constitute a sufficient statement of the basis for denial.

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6.10 Effect of Approval

Architectural approval authorizes only the architectural aspects of the proposal reviewed.

Approval shall not constitute:

- a. Building code approval;
- b. Permit approval;
- c. Engineering approval;
- d. Structural approval;
- e. Contractor approval;
- f. Warranty of workmanship;
- g. Legal compliance certification.

The owner remains solely responsible for compliance with all applicable requirements.

6.11 Expiration of Approval

Architectural approvals shall expire in accordance with the Architectural Standards unless work is commenced or completed within the applicable timeframe.

Expired approvals may require resubmission and review under the Architectural Standards then in effect.

6.12 No Vested Rights

Approval of an application shall not create a vested right to future approvals.

The ACB may modify, amend, interpret, or apply Architectural Standards differently in the future based upon amended standards, changed circumstances, new information, or differing facts.

6.13 Reapplication

An applicant whose request has been denied may submit a revised application at any time.

The revised application shall be reviewed based upon the information submitted and the Architectural Standards in effect at the time of review.

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**SECTION 7
RECORDS AND ADMINISTRATIVE PROCEDURES**

7.1 Official Records

All applications, architectural determinations, correspondence, meeting records, supporting documentation, and other records generated by the Architectural Control Board ("ACB") shall be maintained as part of the Association's official records.

The ACB shall coordinate with Management to ensure records are properly maintained and preserved.

7.2 Application Files

An application file should be maintained for each submission reviewed by the ACB.

Application files may include:

- a. The submitted application;
- b. Plans and drawings;
- c. Product specifications;
- d. Photographs;
- e. Color samples;
- f. Correspondence;
- g. Architectural determinations;
- h. Supporting documentation;
- i. Final inspection records, if applicable.

7.3 Retention of Records

ACB records shall be retained in accordance with applicable Florida law and the Association's document retention policies.

7.4 Meeting Records

The ACB shall maintain written minutes or other written records of its meetings sufficient to reflect:

- a. Meeting dates;
- b. Attendance;

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- c. Quorum determinations;
- d. Architectural determinations;
- e. Motions or other actions taken;
- f. Votes cast on architectural determinations;
- g. Recusals due to conflicts of interest; and
- h. Other material actions taken by the ACB.

The form of the meeting record need not constitute a verbatim transcript or contain detailed deliberations, but shall be sufficient to document the actions and determinations of the ACB and demonstrate compliance with applicable meeting requirements.

7.5 Architectural Determination Records

The ACB shall maintain documentation sufficient to identify:

- a. The property reviewed;
- b. The application submitted;
- c. The determination made;
- d. The date of the determination;
- e. Any conditions, comments, or observations recorded by the ACB.

The ACB is not required to prepare legal findings, engineering analyses, or detailed written opinions supporting its determinations.

7.6 Communication Procedures

Communications regarding applications shall normally occur through Management or through procedures established by the Association.

The ACB may communicate directly with applicants when necessary to obtain information, clarify submissions, or provide architectural determinations.

All material communication relating to an application should be preserved as part of the application file.

7.7 Electronic Records

Electronic communications, electronic applications, digital photographs, scanned documents, and electronic records may be utilized and maintained by the ACB.

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Electronic records shall have the same force and effect as paper records when maintained in the ordinary course of business.

7.8 Access to Records

Requests to inspect or obtain copies of ACB records shall be processed through the Association's official records procedures and in accordance with applicable law.

Individual ACB members are not required to personally respond to records requests.

Management shall coordinate records production in accordance with established Association procedures.

7.9 Administrative Assistance

Management may assist the ACB with:

- a. Maintaining records;
- b. Receiving applications;
- c. Tracking application status;
- d. Retaining supporting documentation;
- e. Distributing determinations;
- f. Coordinating record retention.

Administrative assistance by Management shall not transfer architectural decision-making authority from the ACB.

7.10 Preservation of Records

No ACB member shall intentionally destroy, alter, conceal, or remove Association records except in accordance with approved retention policies and applicable law.

Upon resignation or removal, any ACB member possessing Association records shall promptly return such records to Management or the ACB.

7.11 Reliance on Records

The ACB may rely upon records maintained in the ordinary course of Association operations.

The absence of a historical approval, denial, drawing, photograph, or record shall not, by itself, constitute evidence that an installation was approved, denied, or authorized.

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**SECTION 8
FINAL INSPECTIONS AND PROJECT COMPLETION**

8.1 Purpose

The purpose of this section is to establish procedures for project completion, final inspection, permit verification, and identification of material deviations from approved plans.

Architectural approval does not eliminate the owner's responsibility to complete approved work in accordance with the approved application, governing documents, Architectural Standards, applicable permits, and applicable law.

8.2 Owner Notification of Completion

Upon completion of any project requiring Architectural Control Board ("ACB") approval, the Owner shall notify Management or the ACB that the work has been completed.

Notification should occur within thirty (30) days after substantial completion of the project. The notification may be submitted electronically unless otherwise directed by the ACB.

8.3 Authority to Conduct Final Inspection

The ACB may conduct a final inspection of any approved project to the extent authorized by the Association's governing documents and applicable law, and subject to any applicable right of access and reasonable notice requirement, to verify compliance with:

- a. The approved application;
- b. Approved plans and specifications;
- c. Architectural Standards;
- d. Conditions of approval, if any;
- e. Community appearance requirements.

The ACB is not obligated to conduct a final inspection for every project.

The decision whether to conduct a final inspection shall be at the discretion of the ACB.

Nothing in these Governance Standards shall be construed as creating a right of entry onto or into a Lot or dwelling beyond any right of access otherwise provided by the Association's governing documents or applicable law.

8.4 Scope of Final Inspection

A final inspection is intended solely to evaluate architectural compliance and visual consistency.

A final inspection does not constitute:

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- a. Engineering certification;
- b. Structural certification;
- c. Code compliance inspection;
- d. Permit inspection;
- e. Safety certification;
- f. Warranty inspection.

The ACB shall not be responsible for identifying concealed defects, construction deficiencies, or code violations.

8.5 Permit Closure Verification

Where governmental permits are required, the Owner shall provide evidence that all required permits have received final approval and have been closed by the applicable governmental authority.

Acceptable documentation may include:

- a. Permit closure documents;
- b. Final inspection approvals;
- c. Governmental permit records;
- d. Other documentation reasonably acceptable to the ACB.

Failure to provide permit closure documentation may result in referral to Management for further review.

8.6 Material Deviations from Approved Plans

If the ACB determines that completed work materially differs from the approved application, the ACB may:

- a. Request additional information;
- b. Request revised plans;
- c. Require submission of a new application;

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d. Refer the matter to Management for enforcement review.

Examples of material deviations may include:

- a. Different colors;
- b. Different materials;
- c. Different dimensions;
- d. Different locations;
- e. Different designs;
- f. Additional unapproved work.

Minor field adjustments that do not materially affect architectural appearance may be accepted at the discretion of the ACB.

8.7 Architectural Compliance Determination

Following review, the ACB may determine that:

- a. The project substantially complies with the approved application;
- b. Additional information is required;
- c. Modifications are necessary to achieve compliance;
- d. The matter should be referred for enforcement review.

Architectural compliance determinations shall be documented in the project file.

8.8 Referral of Non-Compliant Work

If completed work does not substantially comply with approved plans or Architectural Standards, the ACB may refer the matter to Management for administration through the Association's enforcement procedures.

The ACB shall not independently impose penalties, fines, or corrective action requirements.

8.9 Completion of Project File

Upon completion of review, the application file may be updated to reflect:

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- a. Date of completion;
- b. Final inspection status;
- c. Permit closure verification;
- d. Compliance determination;
- e. Any related correspondence.

The completed file shall be retained as part of the Association's official records.

8.10 No Continuing Obligation

The completion of a final inspection or issuance of an architectural compliance determination shall not create any continuing obligation upon the ACB to monitor, maintain, inspect, repair, or supervise the approved improvement.

The Owner remains solely responsible for maintenance, repair, replacement, and continued compliance of the improvement.

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**SECTION 9
ENFORCEMENT REFERRALS**

9.1 Purpose

The purpose of this section is to establish the Architectural Control Board's ("ACB") role in identifying architectural non-compliance and referring such matters to Management and the Board of Directors for enforcement administration.

The ACB serves as the Association's architectural review authority and does not function as an enforcement tribunal.

9.2 Limited Enforcement Authority

The ACB's responsibilities are limited to:

- a. Reviewing applications;
- b. Interpreting Architectural Standards;
- c. Making architectural determinations;
- d. Identifying apparent architectural violations;
- e. Referring matters for enforcement review.

The ACB does not independently impose penalties, fines, suspensions, corrective action orders, or enforcement sanctions.

9.3 Identification of Architectural Violations

The ACB may identify potential architectural violations through:

- a. Applications submitted for review;
- b. Observations made during architectural inspections;
- c. Complaints received through Management;
- d. Review of completed projects;
- e. Other information reasonably indicating non-compliance.

The identification of a potential violation shall not constitute a final determination of a violation for enforcement purposes.

9.4 Referral to Management

When the ACB determines that a condition may be inconsistent with the Architectural Standards or governing documents, the matter may be referred to Management.

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The referral should include:

- a. Property address;
- b. Description of the condition;
- c. Applicable Architectural Standard;
- d. Supporting photographs or documentation, if available;
- e. Any observations deemed relevant by the ACB.

Management shall administer the matter in accordance with the Association's established procedures.

9.5 Referral to the Board of Directors

Where appropriate, Management may present the matter to the Board of Directors for further action.

The Board of Directors shall retain authority regarding:

- a. Violation notices;
- b. Enforcement proceedings;
- c. Hearings;
- d. Fines;
- e. Suspensions;
- f. Legal action;
- g. Settlement authority;
- h. Other enforcement remedies authorized by law or the governing documents.

9.6 Architectural Opinions

The ACB may provide architectural opinions or recommendations to Management, the Board of Directors, legal counsel, engineers, consultants, or other Association representatives regarding architectural matters.

Architectural opinions provided by the ACB are advisory for enforcement purposes and do not independently establish liability or impose enforcement consequences.

Enforcement actions approved by the Board of Directors may be subject to review by a fining or grievance committee as required by applicable law and the Association's enforcement procedures.

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Nothing contained in these Governance Standards shall alter, expand, limit, or replace the authority of any fining or grievance committee established pursuant to applicable law or Association procedures.

9.7 Owner Communication

Owners may communicate with Management regarding alleged architectural violations.

Owners shall not direct enforcement demands to individual ACB members.

All enforcement-related communications should be processed through established Association procedures.

9.8 Correction of Non-Compliant Conditions

If an owner voluntarily submits revised plans, corrective measures, or requests additional architectural review, the ACB may review the proposed corrective action and determine whether the proposal would bring the condition into compliance with the Architectural Standards.

The ACB may recommend architectural solutions but is not obligated to design corrective measures on behalf of an owner.

9.9 Architectural Compliance Reviews

Nothing contained herein shall prohibit the ACB from reviewing existing conditions for purposes of determining compliance with Architectural Standards.

The ACB may issue architectural determinations regarding whether a condition appears compliant or non-compliant with the Architectural Standards.

Enforcement action, if any, shall remain the responsibility of Management and the Board of Directors.

9.10 No Private Enforcement Authority

No individual ACB member shall possess authority to:

- a. Issue violation notices;
- b. Demand corrective action;
- c. Impose fines;
- d. Threaten legal action on behalf of the Association;
- e. Represent the Association in enforcement proceedings;
- f. Bind the Association to any enforcement position.

All enforcement actions shall proceed through the Association's established procedures.

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9.11 Cooperation with Legal Counsel

When requested by the Board of Directors, Management, or Association legal counsel, the ACB may provide records, architectural opinions, application history, photographs, standards interpretations, and other information relevant to architectural matters under review.

The ACB's role shall remain advisory regarding architectural issues.

Final legal determinations remain within the authority of the Board of Directors, legal counsel, hearing committees, courts, arbitrators, mediators, or other authorized decision makers.

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**SECTION 10
INTERPRETATION OF STANDARDS AND ARCHITECTURAL JUDGMENT**

10.1 Purpose

The Architectural Standards cannot anticipate every possible architectural condition, design, material, product, installation, improvement, or modification that may arise within the community.

Accordingly, the Architectural Control Board ("ACB") shall exercise reasonable architectural judgment when reviewing applications and interpreting Architectural Standards.

10.2 Authority to Interpret Standards

The ACB shall have authority to interpret and apply the Architectural Standards in a reasonable and consistent manner.

The ACB may determine whether a proposed improvement is:

- a. Architecturally compatible;
- b. Substantially similar to approved community standards;
- c. Consistent with the visual character of the community;
- d. Appropriate for the location proposed.

The ACB's interpretation shall be based upon the governing documents, Architectural Standards, and the facts presented by each application.

10.3 Architectural Judgment

Architectural review involves subjective considerations that cannot always be reduced to objective measurements.

The ACB may consider factors including:

- a. Appearance;
- b. Design;
- c. Scale;
- d. Proportion;
- e. Visibility;
- f. Compatibility;
- g. Community aesthetics;

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h. Architectural harmony.

The exercise of reasonable architectural judgment shall not be considered arbitrary merely because another reasonable conclusion may also exist.

10.4 Alternative Designs and Substantial Compliance

In exercising the architectural discretion granted by Article VII, Section 13 of the Declaration, the ACB may approve an alternative design, material, configuration, location, or other architectural solution when the ACB reasonably determines that the alternative substantially satisfies the applicable architectural objective and is otherwise consistent with the Association's governing documents.

In evaluating an alternative, the ACB may consider architectural compatibility, existing site conditions, visibility, neighboring Lots, community appearance, materials, design, and other considerations properly within the ACB's architectural authority.

Nothing in this Section authorizes the ACB to waive, amend, or grant a variance from an express restriction contained in the Declaration or other governing document when the ACB lacks authority to do so.

Approval of an alternative design in one instance shall not require approval of the same or a similar alternative under materially different circumstances.

10.5 Substantial Similarity

Where Architectural Standards require material, color, design, product, or feature to be substantially similar to an approved standard, the determination of substantial similarity shall rest with the ACB.

Substantial similarity does not require identical appearance, dimensions, materials, or products.

The ACB may approve alternatives that reasonably achieve the same architectural objectives as an approved standard.

10.6 Conditions Not Specifically Addressed

A proposal not specifically addressed by these Architectural Standards shall be evaluated under the express and reasonably inferred authority contained in Article VII, Section 13 of the Declaration and other applicable provisions of the governing documents.

The ACB may exercise the architectural judgment and discretion granted to it by the Declaration but shall not impose a restriction or deny an application on a basis outside the authority granted by the Association's governing documents and applicable law.

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10.7 No Automatic Precedent

Architectural decisions are fact specific.

Approval of one application shall not automatically require approval of another application.

The ACB may distinguish applications based upon:

- a. Location;
- b. Visibility;
- c. Design;
- d. Materials;
- e. Scale;
- f. Community impact;
- g. Other relevant factors.

10.8 Existing Conditions

The existence of a condition, installation, structure, improvement, color, material, or feature within the community shall not, by itself:

- a. Establish compliance;
- b. Establish approval;
- c. Establish precedent;
- d. Establish a vested right;
- e. Require future approval.

Historical conditions may have been approved under different standards, different governing documents, different facts, or may have been installed without approval.

10.9 Consistency of Decisions

The ACB shall strive to apply Architectural Standards consistently and fairly.

Perfect uniformity is not required.

Differences in circumstances, locations, visibility, architectural impact, community needs, and evolving standards may result in different outcomes for similar applications.

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10.10 No Waiver

Failure of the ACB to identify, enforce, object to, review, approve, deny, inspect, or address a condition shall not constitute:

- a. Approval;
- b. Waiver;
- c. Consent;
- d. Estoppel;
- e. Modification of the Architectural Standards.

Architectural Standards shall remain enforceable notwithstanding prior oversight, administrative error, or failure to act.

10.11 Good Faith Reliance

The ACB may rely upon:

- a. Information submitted by applicants;
- b. Architectural plans;
- c. Surveys;
- d. Product specifications;
- e. Professional reports;
- f. Governmental records;
- g. Other information reasonably believed to be reliable.

The ACB shall not be responsible for inaccuracies contained within information provided by others.

10.12 Governing Documents Control

In the event of a conflict between an Architectural Standard and the governing documents, the governing documents shall control.

The ACB shall interpret Architectural Standards in a manner intended to be consistent with the governing documents whenever reasonably possible.

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**SECTION 11
AMENDMENTS AND ADMINISTRATIVE UPDATES**

11.1 Purpose

The purpose of this section is to establish procedures for maintaining, updating, and administering these Governance Standards.

These Governance Standards are intended to provide administrative guidance for operation of the Architectural Control Board ("ACB") and shall be interpreted in a manner consistent with the governing documents.

11.2 Authority to Recommend Amendments

Consistent with the authority granted by Article VII, Section 13 of the Declaration, the ACB may adopt and amend reasonable administrative procedures, interpretations, forms, checklists, application requirements, and other procedures necessary to administer the architectural review process.

The ACB may also promulgate and amend architectural rules, guidelines, and standards within the scope of the authority granted by the Declaration and applicable law. Nothing herein authorizes the ACB to amend the Declaration, Bylaws, Articles of Incorporation, or any other governing document requiring approval through a procedure established by such document or applicable law.

Any proposed amendment materially affecting the substantive architectural obligations of Lot Owners shall be submitted to Association legal counsel for review before implementation. The Board of Directors shall also be provided notice of any such material amendment for acknowledgment and Association recordkeeping purposes.

Board acknowledgment of an ACB rule or architectural standard shall not be construed as the source of the ACB's architectural authority or as transferring architectural decision-making authority from the ACB to the Board.

11.3 Legal Review

The ACB shall request review by Association legal counsel whenever a proposed amendment may affect:

- a. Governing document interpretation;
- b. Authority of the ACB;
- c. Authority of the Board of Directors;
- d. Enforcement procedures;

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e. Owner rights;

f. Compliance with applicable law.

Nothing contained herein shall prevent legal review of any provision of these Governance Standards.

11.4 Administrative Clarifications

The ACB may issue administrative interpretations, procedural guidelines, forms, checklists, and application requirements necessary to administer the architectural review process.

Administrative clarifications shall not be construed as amendments to the governing documents.

11.5 Consistency with Governing Documents

No amendment, administrative clarification, interpretation, guideline, procedure, or policy adopted under these Governance Standards shall supersede the Declaration, Articles of Incorporation, Bylaws, Architectural Standards, or applicable law.

In the event of a conflict, the governing documents and applicable law shall control.

11.6 Record Retention

Amendments, revisions, administrative interpretations, and related records shall be maintained as part of the Association's official records.

11.7 Effective Date

Any amendment adopted in accordance with applicable authority shall become effective upon the

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SECTION 12
DISCLAIMERS AND LIMITATIONS OF RESPONSIBILITY

12.1 Purpose

The Architectural Control Board ("ACB") performs architectural review functions solely for the purpose of preserving architectural consistency, visual harmony, and community appearance.

Architectural review is limited in scope and should not be interpreted as a guarantee, certification, warranty, or representation regarding the quality, safety, legality, or performance of any improvement.

12.2 Architectural Review Only

Approval by the ACB constitutes an architectural determination only.

Architectural approval does not constitute:

- a. Engineering approval;
- b. Structural approval;
- c. Permit approval;
- d. Building code approval;
- e. Zoning approval;
- f. Contractor approval;
- g. Safety certification;
- h. Waterproofing certification;
- i. Drainage certification;
- j. Inspection approval;
- k. Warranty of workmanship;
- l. Legal compliance certification.

12.3 Owner Responsibility

Owners remain solely responsible for:

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- a. Obtaining all required permits;
- b. Compliance with applicable laws;
- c. Compliance with building codes;
- d. Contractor selection;
- e. Contractor supervision;
- f. Construction quality;
- g. Structural integrity;
- h. Maintenance and repair obligations;
- i. Compliance with governmental requirements.

Architectural approval shall not relieve an Owner of any responsibility imposed by law or the governing documents.

12.4 Contractor Responsibility

The Association and the ACB assume no responsibility for the acts, omissions, performance, qualifications, licensing, workmanship, conduct, or representations of any contractor, vendor, consultant, engineer, architect, or other professional engaged by an Owner.

Owners are solely responsible for evaluating and selecting contractors and professionals.

12.5 No Guarantee of Approval by Others

Approval by the ACB shall not guarantee approval by:

- a. Governmental authorities;
- b. Building departments;
- c. Permit agencies;
- d. Utility providers;
- e. Insurance carriers;
- f. Mortgage lenders;

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g. Other third parties.

Owners remain responsible for obtaining all approvals required by entities having jurisdiction.

12.6 No Duty to Inspect

The ACB has no duty to inspect construction, monitor work, supervise contractors, identify defects, verify code compliance, or ensure proper completion of any project.

Any inspections conducted by the ACB are performed solely for architectural purposes.

12.7 Reliance on Submitted Information

The ACB may rely upon information submitted by applicants, contractors, architects, engineers, consultants, governmental agencies, and other sources reasonably believed to be reliable.

The ACB shall not be responsible for errors, omissions, inaccuracies, or misrepresentations contained in information provided by others.

12.8 Limitation of Responsibility

Neither the Association, the Board of Directors, Management, the ACB, nor any individual ACB member shall be responsible for damages, losses, costs, claims, defects, construction failures, code violations, design deficiencies, permit issues, maintenance problems, or other matters arising from an approved or denied application except to the extent required by applicable law.

12.9 Volunteer Service

ACB members serve as volunteers acting on behalf of the Association.

No provision of these Governance Standards shall be interpreted to create personal liability for an ACB member acting in good faith within the scope of their duties.

12.10 Governing Documents and Law Control

These Governance Standards shall be interpreted in a manner consistent with the Declaration, Articles of Incorporation, Bylaws, and applicable law.

If any provision is determined to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.

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APPENDIX A

**ARCHITECTURAL CONTROL BOARD
CONFLICT OF INTEREST DISCLOSURE**

ACB Member Name: _____

Date: _____

Property Address (if applicable): _____

Matter Under Review: _____

I hereby disclose that I may have a conflict of interest regarding the above matter because:

- ☐ The application involves my Lot.
- ☐ The applicant is a family member.
- ☐ The applicant is a business associate.
- ☐ I have a financial interest in the project.
- ☐ I have a professional relationship with the contractor, vendor, architect, engineer, or consultant involved.
- ☐ Other:

I acknowledge my obligation to act in the best interests of the Association and will recuse myself from discussion and voting on this matter unless otherwise permitted by applicable law.

Signature:

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APPENDIX B

ARCHITECTURAL DETERMINATION FORM

Application Number: _____

Property Address: _____

Applicant: _____

Date Reviewed: _____

Description of Request:

ACB Determination:

☐ Approved

☐ Approved with Conditions

☐ Denied

☐ Incomplete Submission

☐ Additional Information Required

Conditions or Comments:

Vote:

Chair: _____

Member: _____

Member: _____

Date of Determination:

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APPENDIX C

FINAL INSPECTION CHECKLIST

Property Address:

Owner:

Project Description:

Inspection Date:

- ☐ Approved plans reviewed
- ☐ Work substantially matches approved plans
- ☐ Approved colors utilized
- ☐ Approved materials utilized
- ☐ Approved dimensions maintained
- ☐ No visible deviations observed
- ☐ Permit closure documentation received
- ☐ Photographs obtained
- ☐ Additional review required

Comments:

Architectural Compliance Determination:

- ☐ Compliant
- ☐ Additional Information Required
- ☐ Referral to Management

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Recommended Inspector:
