

**EMERALD ESTATES/INDIAN RIVER HOMEOWNERS' ASSOCIATION, INC.**  
**ARCHITECTURAL REVIEW POLICY**

- SUBJECT:** Adoption of an Architectural Review Policy.
- PURPOSE:** To ensure that the homes, lots, structures, modifications, and improvements in the community are performed and maintained to preserve a uniformly high standard of quality, and to create, maintain, and preserve an attractive residential community.
- AUTHORITY:** The Declaration of Covenants, Bylaws and Articles of Incorporation of the Association, Rules & Regulations, Policies, and State and Local Laws.
- EFFECTIVE DATE:** June 22, 2023

REQUESTS FOR APPROVAL

- Requests must be submitted to the ARC using the ARC Form or by completing a request online on the community website.
- All requested information must be provided.
- The ARC Form will be available on the Association website or may be obtained by contacting a member of the Board of Directors or an ARC member.
- The completed form may be:
  - Filled out and submitted on the website: [emeraldestateshoa.com](http://emeraldestateshoa.com)
  - Scanned and emailed to the Association:  
[arc@emeraldestateshoa.com](mailto:arc@emeraldestateshoa.com);
  - Mailed to the Association:  
Emerald Estates, 2770 Indian River Blvd Suite 400J, Vero Beach, FL 32960
  - Hand-delivered to any board or Architectural Review Committee member.

COMMITTEE STRUCTURE

Committee will be comprised of no less than three (3) and no more than five (5) members appointed by the Board of Directors

MEETINGS AND MINUTES

- Requests must be reviewed and approved or disapproved at a Committee meeting.
- Committee will schedule meetings as needed.
- Meeting must be open to all members and notice must be provided no later than 48 hours prior to the scheduled meeting.
- Committee will review requests in a timely manner.
- Homeowners must provide ample time for the Committee to meet and review the requests.
- Minutes of the Committee's meetings will be published on the community website within 10 days of a scheduled meeting.

### EXPIRATION OF APPROVED REQUEST

Approved requests will be considered void and will expire if not completed within one hundred eighty (180) days from the date of the approval unless the homeowner has contacted the ARC and requested an extension, and such extension was granted. If no extension is requested and the project is not completed before the expiration date, a new request must be submitted to the Committee for approval.

### APPROVALS

- No significant landscaping modifications or building, fence, wall, or other structure shall be commenced, erected or maintained upon the Community prior to the written approval of the ARC.
- No exterior addition, change, or alteration shall be made within the Community until the plans and specifications showing the nature, kind, shape, height, materials and location of the request shall have been submitted to and approved in writing.
- Consideration will be given to the harmony in relation to the surrounding structures and topography of the Community by the Architectural Review Committee,
- If the Committee fails to approve or disapprove requests within thirty (30) days after requests have been submitted, approval will not be required, and this Article will be deemed to have been fully complied with.
- Nothing contained herein shall relieve the Owner from the responsibility of obtaining proper governmental approvals and permits.
- If there is any doubt as to whether a request is required, contact the Architectural Review Committee at [arc@emeraldestateshoa.com](mailto:arc@emeraldestateshoa.com) before beginning any project.

### APPEALS OF COMMITTEE DECISION

- If the Committee denies the homeowner's request, they may appeal to the Board of Directors for reconsideration.
- Appeal must be made within 14 days of receiving the denial.
- Appeal must be heard at a meeting of the Board of Directors; meeting must be open to the Association members and must be posted at least 48 hours prior to the scheduled meeting.
- The Board's decision shall be final.

### COMPLIANCE

- The following scenarios will result in immediate notification to the homeowner. No Courtesy Notice will be provided to the homeowner. The Board of Directors will recommend to the Compliance Committee an initial fine of \$100.
  - Failure to submit an ARC Request for any modifications or project prior to commencement. If project is complete, the Board of Directors may request that the owner remove the unapproved modification, an additional daily fine may be added to the homeowner's account.
  - Failure to abide by the approved plans in the request may require the owner to remove the unapproved modification, an additional daily fine may be added to the homeowner's account. This includes incomplete projects and modifications.

- Homeowner may request a hearing in writing within 14 days.
- Compliance Committee will approve or reject the fine and notify the homeowner.
- Once the maximum fine of \$1,000 has been applied to the homeowners' account, the Association may refer the matter to their attorney to proceed with all legal means afforded the Association including, but not limited to, filing of a lien against the property.
- Additionally, by a majority vote of the Board of Directors and upon ten days' prior written notice to the homeowner, the Association shall have the right, through its agents and employees, to enter upon said Lot and remove unauthorized improvements or modifications. The cost thereof plus reasonable overhead costs to the Association shall be added to and become a part of the assessment to which the Lot is subject.
- Any costs incurred, including but not limited to, attorney fees and court costs, by the Association to enforce this policy will be the responsibility of the homeowner.

RIGHT OF ENTRY

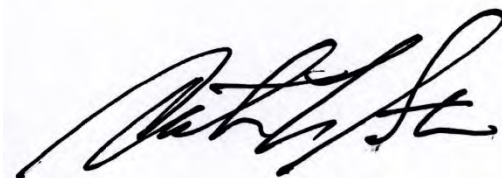
Any agent or member of the Architectural Committee may at any reasonable time enter and inspect any building or property subject to the jurisdiction of the Architectural Review Committee.

AMENDMENT

This policy may be amended by the Board of Directors as deemed necessary.

**PRESIDENT'S CERTIFICATION:** The undersigned, being the President of Emerald Estates/Indian River Homeowners' Association, Inc., a Florida nonprofit corporation, certifies that the foregoing Policy and Procedure was adopted by the Board of Directors at a duly called and held meeting of the Board of Directors on this 22<sup>nd</sup> day of June 2023 the undersigned has subscribed his/her name.

**EMERALD ESTATES/INDIAN RIVER HOMEOWNERS' ASSOCIATION, INC.**



By: \_\_\_\_\_  
Arthur Starr, President