

Oceanview Estates Owners Association

Architectural Review Committee (ARC)

Procedures for Review of Request for Property Modifications and Additions Covenants Article V – Architectural Control

The following procedures are set forth under the guidance and control of the Declaration of Covenants (*Covenants*) Article V, Sections 1-3, granting approval rights to the Architectural Review Committee (*ARC*) and the Board of Directors (*Board*).

The ARC shall review all plans for building, structures, landscaping and/or grading and any other improvements to be made on all homeowner (*Applicant*) lots or exterior of the house, regardless of their size or purpose, ***PRIOR TO THE START OF ANY PROJECT.***

Fence requirements are found in the Covenants Article VI, Section 20. Additional restrictions for owners with pond lots are found in Article II, Section 3 (a)(iv) due to a maintenance easement.

With all homeowners working together with the ARC and Board, our neighborhood will continue to be a desirable place to live, and our property values will continue to increase. The Board recommends prior to submission of request that the Applicant carefully review the Covenants and Bylaws. If in doubt whether your project requires review and approval, please contact the ARC Chairperson. (*See appendix 1 for examples*)

Applicant Requirements

To secure approval, the Applicant must submit the following electronic documents to the ARC Chairperson:

1. A completed Request for Property Modifications and Additions Form.

The form may be found on the HOA website or requested from the Board Liaison or ARC

Chairman.

2. A complete set of building plans that include:
 - a. Specifications showing the nature, type, shape, height, size, floor plan and exterior color scheme with color samples
 - b. Drawings describing the location and orientation of the proposed development on a copy of the lot survey and approximate square footage with elevations.
 - c. A list of all construction materials
 - d. Plans for grading and/or landscaping
 - e. Plans for handling of construction materials and waste.

***Note:** All projects are required to have permits from the City of Fernandina Beach and/or other approving bodies whenever applicable. ARC approval does not imply City permit approval, and City permit approval does not imply ARC approval.

The ARC may require additional information for the sole purpose of making an informed judgment of the proposed project.

No Project may start until approval is received.

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Review Process

1. Upon receipt of the application, the ARC Chairperson will review submitted documentation for completeness. The ARC Chairperson will electronically notify the Applicant if submission is incomplete and request missing documentation.

2. Once the ARC Chairperson has deemed completeness, the application will be distributed to the voting members of the ARC and Board for review. The *ARC and Board liaison* will conduct a public meeting within 10 working days to allow homeowners to discuss any issues or concerns with the application.

**Note:* A public notice of the meeting will be posted on the rear entrance announcement board no less than 48 hours prior to the meeting date or cancellation.

3. Immediately following the public meeting the ARC will vote on the application.

4. The ARC chairperson *or Board liaison* will notify the Board within 24 hours of the ARC decision. The Board shall have absolute and exclusive right to review all decisions of the ARC. If the Board does not reverse or alter the ARC decision within 15 days of receipt of the decision, the ARC decision shall stand as final.

5. After approval by the ARC, the ARC chairperson *or Board liaison* will notify the Applicant of the decision.

Applicants Rights and Responsibilities

Upon Approval

1. The ARC Chairperson *or Board liaison* will notify the Applicant of approval.

2. Construction on the project shall start promptly and proceed until the conclusion of the project.

3. Construction materials shall be kept in a neat and orderly manner.

4. Clean up shall occur at the end of each workday.

5. Any alterations or deviations from the approved plan must be resubmitted for additional approval prior to the start of the project.

Upon Disapproval

1. The ARC Chairperson *or Board liaison* will notify the Applicant of disapproval with reason(s) for the disapproval and if applicable, recommendations for remedying.

2. The Applicant may file an appeal to the ARC Chairperson *or Board liaison* for a review hearing with the ARC and Board.

3. If the disapproval is upheld, the Applicant has the right to appeal to homeowners per Article V, section 3 (g) in the following manner:

a. A copy of all materials submitted to the ARC must be provided to each homeowner.

b. A notarized signature of approval from no less than 51% of the homeowners must be submitted to the ARC Chairperson. *Article V, Section 3(g)*

Non-Approved Projects

The ARC and/or the Board shall be entitled to stop any construction, changes or alterations in any project started without approval and shall be entitled to require the premises be restored to its original condition at the expense of the homeowner and/or person undertaking the project.

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Appendix 1

Examples of work requiring ARC approval

Replacement of any of the following on the exterior of an existing structure:

Exterior paint color	Color change to any part of exterior
Siding	Windows/Doors
Fences	Walls
Concrete areas	Roofs
Pool enclosures (fence or screen cage)	Pool decking
Pool Marcite	

***Note:** Samples of proposed color changes must be submitted with application.

Additions of any of the following:

Exterior structures attached to the main house

Ex: tankless hot water heater

Exterior structures not attached to the main house

Pools and/or pool enclosures

Sidewalks, Driveways, Walkways and Patios constructed of concrete or other materials

A new fence

Additional or significant changes to landscaping:

Shrubs or trees (please, consider whether they will encroach on your neighbor's property when mature)

Grass or sod

Planting beds and lawn configurations

Property grading and contours

Note, this list is not all inclusive

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Request for Property Modification or Additions Form

Owner: Please complete the top section of this form and submit it with all additional information electronically to the ARC Chairperson:

Homeowner: _____ Address: _____

Description of Modification or Addition

Owner: Please attach all plans, drawings, pictures, samples, etc. that would assist us in understanding your project request.

Below are examples of documents needed with submission (not all inclusive):

Architectural Drawings/Building Plans	Landscaping/Grading Plans
Elevation Drawings	List/Pictures of Landscaping Materials
List/Samples of Construction Materials	Plans for handling trash/garbage
Color Scheme with color samples	Construction/Landscaping Schedule
Drawing on a copy of the lot survey document	

***Note:** Once the ARC Chairperson has deemed completeness, the application will be distributed to the voting members of the ARC and Board for review. The *ARC and Board liaison* will conduct a meeting within 10 working days to allow homeowners to discuss any issues or concerns with the application.

For Architectural Review Committee Use Only

Date Received by the ARC: _____ Date Public Meeting Held: _____

Changes Recommended by ARC

Vote: Chair: _____ **1.** _____ **2.** _____ **3.** _____

Date of BOD Disapproval (if required): _____

Changes Recommended to Gain Approval

ARC Action: APPROVED DISAPPROVED
Signature: _____ **ARC Chairman**

Revised: 12/2023