



# Architectural Control Committee

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The purpose of the Architectural Control Committee (ACC) is to preserve the harmonious design of our community by helping to ensure that all new building and exterior improvements adhere to the design standards set forth in our Declaration of Covenants, Conditions and Restrictions (DCC&R).

Members of the ACC are volunteers appointed by the HOA Board of Directors in accordance with the HOA Bylaws.

## **Authority**

Specific authority is granted to the ACC by, among others, the following documents:

- Section 720.305 of the Florida Statutes
- Declaration of Covenants, Conditions and Restrictions of Piney -Z
- Articles of Incorporation of the Piney-Z Plantation Homeowners Association, Inc.
- Bylaws of Piney-Z Plantation Homeowners Association, Inc.

## **Members**

The ACC will consist of a minimum of three (3) members and a maximum of five (5) members. All of these members will be homeowners and be appointed by the Board. The Board will select one of these members to be chairperson.

## **Terms of Service**

The ACC members will serve for a two (2) year period. Their service on the committee may be extended at the end of this period for additional terms as directed by the Board.

## **Rotation of Members**

The ACC will use and rotate members as directed by the chairperson.

## **Meetings**

The ACC will meet as necessary under the direction of the chairperson. Attendance of members will be in person.

## **Voting**

All members and of the ACC who attend a meeting are required to vote either for or against the issue. Abstention from voting is not permitted, unless an action taken by an ACC member is the matter being considered at the meeting.

## **Removal from Duties**

If the Board determines that a member of the ACC is not adequately fulfilling the duties of his or her position, the member may be removed from the committee and replaced by a majority vote of the Board.

## **Approval of Plans**

Before a homeowner erects, places, alters (includes changing colors), or removes any home, building, roof, fence, wall, driveway, patio, patio enclosure, swimming pool, doghouse, treehouse, or other external improvement above or below the surface of the ground they must submit the construction plans and specifications to the ACC for approval.

Before a homeowner plants any trees, bushes, shrubs or other plants they must submit a landscaping plan showing the type, size, provisions and placement of all existing and proposed plantings to the ACC for approval.

Before a homeowner removes any tree ten (10) inches or larger in circumference they must obtain approval from the ACC.

The ACC will review plans and specifications with regard to type, color, quality, design, location, and proposed finished grades. The approval or disapproval of plans will be in writing. Written approval or disapproval will be signed by a majority of the committee members and mailed to the homeowner's last known mailing address. In the case of disapproval, the ACC will include a statement of the reasons for disapproval. The ACC must approve or disapprove plans within thirty (30) days after the plans were submitted.

## **Notification of an Alleged Violation**

Any notification of an alleged violation of the DCC&R prior to the final inspection being done by the ACC while a home is under construction or concerning any other external modification or improvement of a finished home is to be submitted to the chairperson of the ACC.

## **Investigation of an Alleged Violation**

The notification of an alleged violation will be investigated by a member of the ACC, as appropriate, under the direction of the chairperson to determine the following:

- 1) If there is probable cause that a violation has occurred.
- 2) The citation in the Association's governing documents that apply to the alleged violation.
- 3) A plan of action to correct the violation and/or penalty.

If a committee member finds that there is probable cause, he or she will seek another person on the committee to concur with the finding and plan of action and/or penalty. If the penalty includes a fine, it shall be deemed a proposed fine. Thereafter, the committee member will notify

the chairperson of these decisions within five (5) working days from receipt of the notice of alleged violation by the chairperson.

### **Notification of Plan of Action and/or Penalty**

It will be the responsibility of the chairperson to notify the reporting party and the violating homeowner of the ACC's decision in writing. This notification shall be mailed both to the reporting party by regular mail, and to the violating homeowner by registered mail with a return receipt within four (4) working days of the notification by the committee member conducting the investigation to the chairperson. The notice will state that the plan of action and/or penalty will not be enforceable for fourteen (14) days and will further inform the homeowner of the right to appeal the decision.

### **Records of the Decision**

It will be the responsibility of the chairperson of the ACC to keep accurate records of decisions. These records will be kept organized by lot and block number and by the owner's name.

### **Notification of Appeal**

If the violating homeowner does not agree with the decision of the ACC, he or she may make a request for an appeal hearing to the chairperson of the Appeals Committee. The request must be in writing and must be filed within fourteen (14) days after receiving notice of the action taken by the ACC. The failure to seek an appeal within this timeframe will be deemed a waiver of the right to an appeal, in which event the plan of action and/or penalty, including a proposed fine, shall stand and be enforceable.