Pelican Harbour Homeowners Association

Architectural Review Application Policy & Procedures – PH_PP05162026-1-V1

SECTION 1 — Purpose

The purpose of this policy is to establish fair, consistent, transparent, and legally compliant procedures for the submission, review, approval, denial, and recordkeeping of Architectural Review Committee ("ARC") applications within Pelican Harbour Homeowners Association ("Association").

SECTION 2 — Authority

This policy is adopted pursuant to:

- The Declaration of Covenants and Restrictions of Pelican Harbour;
- The Association's Bylaws and Rules;
- Florida Statutes.

SECTION 3 — ARC Jurisdiction

Prior written ARC approval is required before any owner may commence exterior alteration, modification, installation, construction, removal, or improvement to a parcel or structure where approval is required by the governing documents.

Examples include, but are not limited to:

- Exterior painting
- Roofing changes
- Fencing
- Landscaping modifications
- Driveways and walkways
- Pools and patios
- Exterior lighting
- Windows and doors

- Solar devices where permitted by law
- Hurricane protection devices
- Additions or structural modifications

No work requiring ARC approval may begin prior to written approval.

SECTION 4 — ARC Application Requirements

Owners must submit a completed ARC application containing:

1. Owner name and property address;
2. Detailed description of proposed improvement;
3. Site plans, drawings, photographs, or surveys as applicable;
4. Material specifications and color selections;
5. Contractor information, if applicable;
6. Required governmental permits, if applicable;
7. Proposed start and completion dates.

Incomplete applications may be returned without action until all required information is provided.

SECTION 5 — ARC Review Standards

All applications shall be reviewed using only standards authorized by:

- The Declaration of Covenants;
- Published architectural guidelines;
- Properly adopted Association rules or standards.

The ARC and Board shall:

- Apply standards reasonably and equitably to all owners;
- Avoid arbitrary or selective enforcement;
- Avoid decisions based on personal preference or unwritten standards.

The ARC may not enforce restrictions inconsistent with the governing documents or Florida law.

SECTION 6 — ARC Meetings and Voting Procedures

All ARC meetings at which applications are considered shall comply with regarding open meetings and will occur on a biweekly basis as needed.

Accordingly:

- ARC meetings shall be open to all members;
- They will be in person or conducted virtually;
- Notice of ARC meetings shall be posted conspicuously in the community at least 48 hours in advance, unless a greater notice period is required by the governing documents;

Meeting minutes shall be maintained as part of the Association's official records.

SECTION 7 — Approval and Denial Procedures

7.1 Approvals

Approvals shall be issued in writing and may include reasonable conditions related to:

- Compliance with approved plans;
- Permitting requirements;
- Completion deadlines;
- Protection of common property.

Approval by the ARC does not waive compliance with governmental permitting or code requirements.

7.2 Denials

Any denial will be:

1. Issued in writing;
2. State with specificity:

- The covenant, rule, or published guideline relied upon;
- The specific aspect of the application that does not comply.

Generalized or subjective denials are prohibited.

SECTION 8 — Timeframe for Review

The ARC shall review completed applications within 21 days of submission, unless otherwise provided in the governing documents.

If additional information is required, the review period may be tolled pending receipt of requested materials.

Failure of the Association to respond within the time required by the governing documents, if any, shall be governed by those documents and applicable Florida law.

SECTION 9 — Appeals

An owner whose application is denied may request reconsideration or appeal to the Board of Directors within 30 days of the denial notice.

The Board may:

- Affirm the denial;
- Reverse the denial;
- Approve with conditions;
- Remand the application for further review.

Board consideration of appeals shall occur at a duly noticed meeting.

SECTION 10 — Inspections and Compliance

The Association may inspect approved work to verify compliance with approved plans and governing documents.

Any deviation from approved plans may constitute a covenant violation subject to enforcement procedures.

SECTION 11 — Emergency and Hurricane Protection Provisions

The Association recognizes owner rights under Florida law regarding hurricane protection and emergency measures.

SECTION 12 — Recordkeeping

ARC applications, approvals, denials, meeting notices, minutes, and related records shall be maintained as official records of the Association pursuant to Florida Statute.

SECTION 13 — Conflict with Governing Documents or Law

If any provision of this policy conflicts with the Declaration, Articles, Bylaws, or applicable Florida law, the higher legal authority shall control.

SECTION 14 — Effective Date

This policy shall become effective upon approval by the Board of Directors of Pelican Harbour Homeowners Association on the 29th day of July , 2026.

Board Certification

Approved by the Board of Directors of Pelican Harbour Homeowners Association.

Date: 29 July 2026

Document History;

1. PH_PP05162026_ARC-1-V1_Draft_Jeff_5/16/2026_Sent to Van Moore, APM
2. 5/19/2026, no response yet from VM/APM
3. PH_PP05162026_ARC-1-V1_Draft_Jeff_5/19/2026_Sent to Hector
4. 5/21/2026. Received from Van/Hector cc'd. These look good to me and once you are done with the hurricane protection plan, we should reference that as well in this document. Other than that, this looks good.
5. 6/6/2026, policy draft sent to remaining BOD members for review and comment.

6. 6/8/2026, No additional comments received. Will now go to the next meeting agenda for approval.
7. **07/29/2026, Approved by the board at this duly noticed meeting.**