

**ARCHITECTURAL CONTROL COMMITTEE  
INDIAN WELLS HOMEOWNERS ASSOCIATION**

**DUTIES AND FUNCTIONS OF THE COMMITTEE**

The Declaration of Covenants, Conditions and Restrictions for Indian Wells provide that:

- No building, sign, fence, outside lighting, hedge, wall, walk, antenna, clothesline or other structure or planting shall be constructed, erected or planted until the plans and specifications showing the nature, kind, shape, height, materials, floor plans, color scheme, and location with respect to the topography and finished ground elevation shall have been submitted to and approved in writing by the Architectural Control Committee (hereafter “ACC”).
- The ACC shall have the right to refuse to approve any plans and specifications which are not suitable, or otherwise determined undesirable, in its sole discretion, for aesthetic or any other reasons, provided such approval is not unreasonably withheld. In approving or disapproving such plans and applications, the ACC shall consider the suitability or the proposed building, improvements, structure, or landscaping and materials of which same are to be built, the site upon which it is proposed to be erected, the harmony thereof with the surrounding area and the effect thereof on adjacent or neighboring property.

The Architectural Control Committee shall develop policy standards subject to approval of the Board of Directors of the Indian Wells Homeowner’s Association (hereafter “Association”) setting forth policies and procedures governing the architectural control and enforcement process for Indian Wells.

The policy standards shall include

- a. the application process,
- b. the review procedures of the Architectural Control Committee,
- c. the standards for various types of architectural and landscaping changes, and
- d. such other standards and rules as may be necessary to implement effective architectural review within Indian Wells.

The Standards may also include specific recommended design practices that are generally accepted methods for achieving the objectives of the Association design problems frequently encountered in the community. The policy standards are intended to assist the Architectural Control Committee and the Owners of lots in the ongoing process of community design.

The purpose of the Architectural Control Committee is to provide in establishing and overseeing community standards and reviewing and deciding upon change requests, in the realm of the Association’s architectural scheme.

In effecting its duties and functions the ACC shall:

1. Consist of at least two (2) members and no more than four (4) members. ACC members must be a HOA member and in good financial standing.
2. Be aware of the overall architectural plan of the Association as set forth by the Articles of Incorporation, Bylaws and the Covenants.
3. Prepare community standards for architectural control for approval by the Association’s Board of Directors.

4. Facilitate HOA member compliance with the standards and guidelines and provide oversight/enforcement procedures recommendation to the Board of Directors. Be alert to architectural problems shared by HOA members and seek a solution to these problems.
5. Prepare, periodically, articles for the HOA website and newsletter relative to architectural information.
6. All ACC members shall act with the best interest of the homeowners and Association in mind.
7. ACC members will be required to attend all HOA Board meetings, or submit a report, if attendance is not possible. Two missed Board Meetings will end in termination of ACC duties.
8. ACC members shall bring serious issues to the attention of the Board of Directors.

The Architectural Control Committee shall be responsible for but not limited to the following areas:

- Home exterior colors, including roofs, shutters, gutters, and any exterior appurtenance to the dwelling.
- Fencing
- Patio modifications
- Sheds
- Driveways
- Landscaping, including but not limited to: any significant changes to existing landscaping and routine upkeep of the of all elements exterior to the dwelling

The purpose is to regulate the design, appearance and location of external improvements to all properties within the subdivision in such a manner as to:

- Maintain a consistent quality level of improvements that enhance property values for all owners.
- Promote a harmonious relationship among neighboring structures, landscaping and topography.
- Blend functional necessity with aesthetic appeal.

The Architectural Control Committee is required to:

- Review all applications for exterior changes to dwellings or grounds.
- Approve or deny requested changes within a reasonable time. Whereas reasonable time is defined as thirty (30) days after the application has been discussed with an Architectural Control Committee member.
- Develop architectural standards, guidelines and related regulations for approval by the Board of Directors.
- Enforce architectural standards as directed by the Board of Directors.

### **General Building Specifications:**

**Any Renter who plans on modifying any of the items mentioned in this document, MUST obtain the Owners approval before submitting an ACC application.**

**Please Note: the HOA Board of Directors have final approval on any change, regardless of any County approval.**

**Any plans affecting any of the items below require an ACC Application**

- Exterior dwelling paint: All exterior paint colors, shall be consistent with the initial paint application (unless approved otherwise by the ACC) to maintain continuity with the surrounding homes. Exterior walls shall be painted using a flat latex type of paint (no semi-gloss or gloss type

paints are permitted). Trim paint may be semi-gloss. ACC to provide complete list of approved paint colors and recommended color combinations (including roof shingle colors) upon request.

- Roof materials
- Sheds: A plan indicating the location of the lot, height of the desired external structure, and building material shall be submitted to the ACC for approval prior to construction.
- Fencing: When fencing is replaced, it must be in the same footprint as the original fence. Any changes must be presented and approved by a member of the ACC **prior to** obtaining permit from Osceola County. The request should include the desired material type and color.
- Patios: Any plans for extensive changes, i.e. screening in the patio area, requires an ACC application being submitted.
- Garages: All front-loaded garages, no split doors.
- Driveways: All concrete NO PAVERS – When widening a driveway, the apron must also be widened. An application must be submitted and a member from the ACC will review the specifications.

**Holiday Decorations:**

“Temporary” holiday decorations and lighting generally does not require approval from the HOA, however, such “temporary” lighting and any associated wiring must be removed within a reasonable period after such holiday. A reasonable time is defined within 4 weeks after such holiday is over.