APPLICATION FOR ARCHITECTURAL CONTROL COMMITTEE REVIEW

Please submit this form and all supplemental documentation (scan in ONE SINGLE PDF) to:

ARCHITECTURAL CONTROL COMMITTEE
Mizner Country Club Master Association
C/O Campbell Property Management
ssharmin@campbellproperty.com

Owner Email: _____

Owner(s) Name : _____

Street Address: _____

Date: _____ **Phone Number:** _____

Approval is hereby requested for the following modification(s), additional as described below and on attached pages:

☐Addition	☐Exterior Paint Color	☐Patio	☐Satellite 18' Antenna
☐Doors Identical	☐Garage Door	☐Play Structure	☐Screening Identical
☐Doors New	☐Hurricane Shutters/Window	☐Pool	☐Screening Enclosure New
☐Driveway New	☐Landscaping	☐Roof Identical	☐Solar Collection
☐Driveway Reseal Identical	☐Other	☐Roof New	☐Wall/Fence

Is this a re-submit: ☐Yes ☐No

Additional Information : _____

_____

_____

_____

If you want us to send Approval letter to vendor, vendor Email: _____

Please check the appropriate boxes

☐Initial Plans and / or specifications attached	☐Tree survey attached	☐Plans sealed and signed by professionals
☐Revised plan and / or specifications attached	☐Lot survey attached	☐Plans signed by owner
☐Drainage surface water plan attached	☐Color samples attached	☐Proposed improvement contract attached
☐Grading plan attached	☐Material design plan/ sample attached	

Please Remember to Sign and Date (BALLPARK IS OK) in all Three Areas Below

Time for completion of improvements: _____	Anticipated commencement date: _____
Owner Signature	Owner Signature
_____	_____

Your approval is subject to the following:

1. Approval MUST be granted prior to the beginning of the project and the acknowledgement that items can be removed if it is installed before approval.
2. I am responsible to obtain the necessary permits from the appropriate Building and Zoning departments.
3. I am responsible for any damages to the common areas result from the project.
4. Access to areas to complete your is only permitted through your property, and you will be responsible for any damages to the common areas during completion of the project.
5. I hereby acknowledge that I have received the revised ACC guidelines and agree to adhere to them. I agree to allow inspectors to enter the exterior of the property during and at completion of the project.

I have read and agree to abide by the covenants and restrictions above.

Owner's Signature_____ Date: _____

Explanation: _____

_____

FOR ACC USE ONLY

Mizner CC Master HOA: Date application received :_____ Date of Approval/Disapproval: _____

☐Approves

☐Disapproved Signature of ACC Representatives:_____

☐Conditionally approved

☐Insufficient information

ACC GUIDELINES

PLEASE NOTE THAT UNLESS YOU SUBMIT YOUR ACC FORM WITH A COMPLETE PACKET INCLUDING EVERYTHING NEEDED, IT WILL BE REJECTED AND/OR HELD UNTIL A COMPLETE PACKET IS RECEIVED. PLEASE SEE FOLLOWING BULLET POINTS FOR WHAT IS NEEDED DEPENDING ON THE WORK YOU ARE HAVING DONE

THESE FIRST THREE ARE "MUST HAVES" FOR EACH AND EVERY APPLICATION UNLESS YOU'RE USING A VENDOR WHO IS CURRENTL ALWAYS USED BY THE HOA (CPM, RCI, CREATIVE METAL, ETC.)

1. MUST HAVE: COMPLETED ACC FORM (attached).
2. MUST HAVE: COPY OF VENDOR'S OCCUPATIONAL LICENSE.
3. MUST HAVE: COPY OF VENDOR'S CERTIFICATE OF INSURANCE LISTING MIZNER MASTER HOA WITH THE FOLLOWING ADDRESS ON THE LOWER LEFT CORNER OF C OF I:

   MIZNER COUNTRY CLUB MHOA
   16102 MIZNER CLUB DRIVE
   DELRAY BEACH, FL 33446

BESIDES THE "MUST HAVE" ITEMS ABOVE, PLEASE SEE BELOW FOR ADDITIONAL ITEMS NEEDED, DEPENDING ON WHAT YOU ARE MODIFYING"

A RENDERING, PHOTO AND/OR SURVEY SHOWING THE WORK BEING DONE, LOCATION, DISTANCE FROM HOUSE, ETC. / OR WHAT IT WILL LOOK LIKE IF MODIFYING CURRENT STRUCTURE...HERE ARE SOME EXAMPLES, DEPENDING ON THE WORK YOU ARE DOING:

a. EXTERIOR PAINTING – COLOR PHOTO OF PAINT SWATCH OR BRAND AND NAME/NUMBER OF COLOR(S)
b. LANDSCAPE – PLAN showing LOCATIONS, types of plants, flowers, trees (NO FRUIT TREES ALLOWED)
c. NEW ROOF – COLOR PHOTO of the ROOF TILE
d. NEW WELL – MUST HAVE SURVEY or drawing showing the exact location of the well.
e. EXTERIOR LIGHTING – COLOR PHOTO of new fixtures and diagrams showing locations on house.
f. GENERATOR – PLAN (SURVEY) showing all details including location, distance from house, distance from property line, and distance from openings of house. GENERATOR MUST BE CAMOUFLAGED WITH SHRUBS.
g. PROPANE TANK– PLAN (SURVEY) showing all details including location, distance from house, distance from property line, etc. TANK MUST BE CAMOUFLAGED WITH SHRUBS.
h. NEW PAVERS / MARBLE / TILE – SURVEY SHOWING LAYOUT OF PROJECT and COLOR PHOTO of sample being used for patio, walkway or driveway
i. NEW DRIVEWAY (EXTENSIONS): Engineer's reports, dry wells and catch basins, all at the resident's expense are required for all driveway extensions.
j. NEW POOL – SURVEY showing layout, COLOR PHOTOS OF MATERIAL – MOST IMORTANT!!! WATER MUST BE EMPTIED TO FRONT (STREET) NOT BACKYARD as chemicals will kill grass and you will be responsible for replacing it!
k. POOL RESURFACING – COLOR PHOTO of everything unless keeping identical, please specify - MOST IMORTANT!!! WATER MUST BE EMPTIED TO FRONT (STREET) NOT BACKYARD as chemicals will kill grass and you will be responsible for replacing it!
l. SCREENING – SURVEY showing layout. Color of screen/metal
m. HURRICANE SHUTTERS – COLOR PHOTO of sample
n. FENCE – SURVEY showing location and COLOR PHOTO of sample of material
o. HURRICANE IMPACT WINDOWS, you MUST SPECIFY IF YOU ARE SOLELY INSTALLING THE GLASS OR CHANGING THE FAÇADE of the window. If façade is changing, we MUST see a before/after rendering.

4. SEPARATE ACC FORM FOR EACH JOB BEING COMPLETED.
5. If a dumpster or POD will be used, Please notify us the dates so we can notify security and the Board.

Please remember to have vendors adhere to the ODD/EVEN PARKING RULES (BY MONTH) AND VENDOR HOURS – M-F 7:30-5:30 & SAT 8-5. Please scan/email ALL DOCUMENTS in ONE SINGLE PDF if possible for approval to :

ssharmin@campbellproperty.com

Architectural Control Committee (ACC) Information

Any modifications to your home, which will affect the exterior, **including but not limited to painting, landscaping, shutters, generators, satellite dishes, pool and patio renovations**, etc., **MUST have an ACC approval**..The following is information about the Architectural Control Committee.

1. The Architectural Control Committee ("Committee") shall have all the duties and powers granted in the Declaration of Master Covenants for Mizner Country Club. All Owners and Members (hereafter referred to as "Owner(s)") should read the Declaration of Master Covenants, as amended, **with special attention to Articles 5, 7, 9 and 10**, before submitting any Application.

2. All Owners of Mizner Country Club are required to submit a written, signed Application to the Committee for any alteration, modification or addition to their residence or property. A contractor or agent of the Owner can submit an application. The Owner must agree to comply with the terms of the Application and the Rules of the Committee. Alterations, modifications and additions include, but are not limited to the following:

    a. Changes to the facade, windows, doors and garages, changes to the original structure, changes to the paint color, changes to the driveway, sidewalk, lanais, gates, fences, and enclosed screens.

    b. The installation of hurricane panels, accordion window shutters, hurricane impact windows, generators, awnings, antennas, dishes, and solar panels.

    c. The installation of gazebos, playhouses, gymnasium equipment, sporting equipment, including basketball backboards, weathervanes, and sculptures.

    d. Any change to the original landscaping, other than replacements reasonably close to the original materials. If there is any disagreement regarding the use of specific materials, the Committee's decision will control. Materials will include all plantings.

    The above is a guideline and not a limitation on the items requiring an Application. The Committee shall have broad powers to include whatever items it deems reasonable.

3. The Committee will determine in a timely manner, **not to exceed 45 days after the submission of a complete Application**, whether to approve or deny the Application. It will be at the discretion of the Committee to designate the number of Committee Members needed to review any Application. Absence of such designation, two (2) Members will be required for any review. Applications that do not conform to previously approved similar requests will be considered by all available Committee Members, a majority of available members will prevail. If approval or denial is not received within 45 days, then it shall be deemed that the Application was approved.

4. In order to submit an Application for the Committee's review, a complete set of plans and specifications for the proposed work (the "Plans") shall be submitted to the Committee. The Plans shall include, as appropriate, floor plans, site plans, architect and specialty drawings, and work specifications reflecting, without limitation, the proposed location, grade, elevations, shape, and dimensions, exterior colors, approximate costs, and the nature, type and color of materials, and all additional information as may be reasonably necessary for the Committee to evaluate the proposed work. All Plans shall be evaluated using the highest standards as to the

proposed aesthetics, materials, and workmanship, and as to the suitability and harmony of the proposed location of the contemplated improvements, taking into account the surrounding topography, structures and landscaping.

5. If an Application is denied, an Owner can submit, within 45 days from the date of the decision by the Committee, a written appeal for review by the Board of Directors. All decisions by the Committee shall be issued in writing and sent by the Management Company to the e-mail address or fax number provided by the Owner on the Application. In the absence of an e-mail address or fax number, then the written determination will be sent, by certified mail, to the address on the Application. The appeal must include a statement by the Owner stating why they believe the Committee's determinations were inappropriate. All appeals must be filed on an Appeal Form, available at the Management office. Within 45 days, the Board of Directors will make a final determination on the appeal. Failure to file an Appeal Form within 45 days shall be deemed that the Owner has consented to and agreed to the denial.

6. All construction or landscaping work shall be performed in strict accordance with the Plans approved by the Committee unless a deviation there from has been approved in writing by the Committee. Any work that is performed that has either not been approved by the Committee or that is not performed in compliance with the Committee approved Plans shall either be removed by the Owner or modified by the Owner to comply with the approved Plans at the Owner's expense as directed by the Committee. The Committee can request the Board of Directors to initiate any legal proceeding necessary to enforce this provision. Court costs and legal fees, including, without limitation, expert witness fees, associated or incurred in connection with either any profiling, trial, or appellate level activities or proceedings pertaining to either the enforcement of or any other dispute regarding the Master Covenants or these Rules will be paid by the non-prevailing party to the prevailing party.

7. The Committee has the right to establish a time limitation during which time approval will be valid. In accordance with Article 9, Section 2, all work done by an Owner after receiving the approval shall be subject to the inspection by, and final approval of the Committee. It is the Owner's obligation to notify the Committee in writing when the work is completed within 30 days, and to provide the Committee with the right to review the final work to confirm compliance with the approved Plans.

8. All Architectural control rests in the Master Association unless such rights are delegated to a Neighborhood Association in accordance with Article 10, Section 3 of the Declaration of Master Covenants.

9. The Committee may charge a fee (as determined from time to time by the Board of Directors of the Master Association) for each submittal made to the Committee. In addition, the Owner will agree to pay all costs incurred by the Committee and Board of Directors associated with the Application's review and determination process. The Committee or the Board reserves the right to have the Owner post a deposit to cover such anticipated costs.

10. **THE COMMITTEE AND THE BOARD OF DIRECTORS HAVE THE RIGHT TO CHANGE THE RULES IN ACCORDANCE WITH ARTICLE 9, SECTION 6 OF THE DECLARATION OF MASTER COVENANTS.**

11. The Committee shall meet from time to time as necessary to perform its duties, such meetings being open to all Owners.

ARTICLE 9.

ARCHITECTURAL CONTROL; GENERAL POWERS

The following provisions of this Article 9 are subject to those of Article 10 hereof. Accordingly, this Article shall be operative only so long as the Master Association is performing (subject to later delegation) architectural control duties and powers in the manner provided in Article 9.

9.1 Members of Committee. The Architectural Control Committee, sometimes referred to in this Declaration as the "Committee", shall consist of at least one (1) member. The initial member(s) of the Committee shall consist of person(s) designated by Declarant. Each of the initial member(s) shall hold office until all Lots and improvements planned for The Properties have been constructed and conveyed (if appropriate), or sooner at the option of Declarant. Thereafter, each new member of the Committee shall be appointed by the Board of Directors and shall hold office until such time as he has resigned or has been removed or his successor has been appointed, as provided herein. Member(s) of the Committee (other than those appointed or designated by the Declarant) may be removed by the Board of Directors at any time without cause. Member(s) of the Committee appointed or designated by the Declarant may only be removed by the Declarant. Members of the Architectural Control Committee do not have to be Owners or Members.

9.2 Review of Proposed Construction. Subject to Section 9.9 below, no building, fence, wall or other structures or improvement (including, but not limited to, addition to or removal of landscaping, plants or trees, hurricane protection, basketball hoops, play structures, birdhouses, other pet houses, tool shed, swales, outdoor artwork or statues, outdoor lighting, asphalting or other improvements or changes of any kind) shall be commenced, altered, painted, erected or maintained in The Properties, nor shall any addition, change or alteration (including paint or exterior finishing) visible from the exterior of any Unit be made, nor shall any awning, canopy, flag, or shutter be attached to or placed upon outside walls or roofs of buildings or other improvements, until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to, and approved in writing by, the Committee. The Committee shall approve proposals or plans and specifications submitted for its approval only if it deems that the construction, alterations or additions contemplated thereby, in the locations indicated, will not be detrimental to the appearance of The Properties as a whole, and that the appearance of any structure affected thereby will be in harmony with the surrounding structures and landscaping and is otherwise desirable. The Committee may adopt architectural standards for The Properties. The Committee may condition its approval of proposals and plans and specifications as it deems appropriate, and may require submission of additional plans and specifications or other information prior to approving or disapproving material submitted. The Committee may require such detail in plans and specifications submitted for its review as it deems proper, including, without limitation, floor plans, site plans, drainage plans, irrigation plans, elevation drawings and descriptions or samples of exterior materials and colors. Until receipt by the Committee of any required plans and specifications, the Committee may postpone review of any plans submitted for approval. The Committee shall have forty-five (45) days after

delivery of all required materials to approve or reject any such plans, and if not rejected within such forty-five (45) day period, said plans shall be deemed approved. All work done by a Member after receiving the approval of the Committee shall be subject to the inspection by, and final approval of, the Committee in accordance with its procedural rules adopted as herein provided. The Committee may charge a fee (as determined from time to time by the Board of Directors of the Master Association) for each submittal made to the Committee.

All changes and alterations shall also be subject to all applicable permit requirements and to all applicable governmental laws, statutes, ordinances, rules, regulations, orders and decrees.

9.3 Meetings of the Committee. The Committee shall meet from time to time as necessary to perform its duties hereunder. The Committee may from time to time, by resolution unanimously adopted in writing, designate a Committee representative (who may, but need not, be one of its members) to take any action or perform any duties for and on behalf of the Committee, except the granting of variances pursuant to Section 9.8 hereof. In the absence of such designation, the vote of any two (2) members of the Committee shall constitute an act of the Committee.

9.4 No Waiver of Future Approvals. The approval of the Committee of any proposals or plans and specifications or drawings for any work done or proposed, or in connection with any other matter requiring the approval and consent of the Committee, shall not be deemed to constitute a waiver of any right to withhold approval or consent as to any similar proposals, plans and specifications, drawings or matters subsequently or additionally submitted for approval or consent.

9.5 Compensation of Members. The members of the Committee may receive reasonable compensation for services rendered.

9.6 Committee Rules. The Committee shall adopt reasonable rules of procedure and standards for the submission and review of any matter to be brought before it and the inspection and final approval of any completed work done pursuant to an approval of the Committee. Such rules shall be (i) subject to the prior approval of the Board of Directors, (ii) consistent with the covenants and restrictions set forth in this Declaration and (iii) published or otherwise made available to all Members and their contractors, subcontractors and other appropriate designees. All rules of the Committee shall be adopted and/or amended by a majority vote thereof, provided that no amendment shall be applicable to any matter submitted to the Committee prior to the making of such amendment.

9.7 Non-Liability of Committee Members. Neither the Master Association, the Board of Directors, the Committee nor any member thereof, nor any duly authorized representative of any of the foregoing, shall be liable to any Neighborhood Association or to any Owner or any other person or entity for any loss, damage or injury arising out of or in any way connected with the performance or non-performance of the Committee's duties hereunder. The Committee shall review and approve or disapprove all plans submitted to it for any proposed improvement, alteration or addition solely on the basis of aesthetic considerations and the benefit or detriment

MIZNER
COUNTRY CLUB
Homeowner's Association

FAILURE TO RECEIVE ACC APPROVAL PENALTY

ARCHITECTURAL CONTROL COMMITTEE (ACC) APPROVAL IS REQUIRED FOR ANY IMPROVEMENT OR CHANGES TO THE EXTERIOR OF A HOUSE OR PROPERTY (SEASONAL FLOWERS EXCLUDED) PRIOR TO IMPROVEMENT/CHANGE WORK COMMENCING.

If a Resident fails to obtain the required ACC approval prior to making an improvement or other change to the exterior of their residence or property, they shall be in violation of a Class B rule, and shall be subject to the imposition of the following penalties and actions according to the Master Covenants Article 9, Section 9.2: Review of Proposed Construction.

Upon receipt of written notice of the violation, the Resident shall have five (5) business days to cure the ACC violation by submitting all the required forms and supporting documentation necessary (see attached) for ACC review and approval, as per their procedure. During this five (5) day period, the entire household's use of gate transponders will be suspended until all required forms are submitted. Should the Resident fail to cure the violation by the end of the 5th business day, the Resident will then begin accruing a penalty (fine) at the rate of $100 per business day;

1) The maximum penalty per violation will be $1000;

2) Once the maximum penalty limit has been reached, and if all the required ACC documentation has not been submitted by the resident, then, in addition to the penalty, the entire household's use of gate transponders will continue to be suspended until all the requirements have been satisfied, and the penalty has been paid in full;

3) Any damages that are incurred either directly or indirectly related to a Non-Approved ACC change shall be fully the liability and responsibility of the Owner(s) of the property in violation;

4) IF THE ACC DOES NOT GRANT APPROVAL TO A RESIDENT WHO HAS FILED AN APPLICATION AFTER MAKING IMPROVEMENTS OR CHANGES TO THEIR PROPERTY, THEN THE ACC AND MASTER HOA, ACCORDING TO THEIR AUTHORITY UNDER THE EXISTING DOCUMENTS, MAY REQUIRE THE RESIDENT TO CORRECT THE IMPROVEMENT(S) OR CHANGE(S) IN QUESTION BY RESTORING THE PROPERTY TO ITS PRE-IMPROVEMENT OR PRE-CHANGED CONDITION. FAILURE TO DO SO SHALL RESULT IN THE SUSPENSION OF THE USE OF THE GATE TRANSPONDER FOR THE ENTIRE HOUSEHOLD, UNTIL ALL OF THE ABOVE CONDITIONS HAVE BEEN SATISFIED; AND A PENALTY OF $100 PER BUSINESS DAY WITH A MAXIMUM PENALTY OF $1,000 PER VIOLATION.

5) All costs incurred by the Master HOA to remedy this violation, including legal fees, shall be the responsibility of the Resident, and are subject to the collection provisions stated forth in the Master Covenants and Master HOA Documents.

The Resident has the right to appeal any penalties or suspensions before the Review Committee, as described in the Master Covenants.

Sincerely,
Alyson Ruprecht, LCAM
Regional Property Manager