

# Town Park Architectural Review Committee Instructions

## Request Instructions and Application

Return Submittal Package to one of the following:

Email: [ARC@TownParkHOA.com](mailto:ARC@TownParkHOA.com) (quickest, preferred method) or:

Mail: Town Park Homeowners Association, Inc.

4188 South Atlantic Avenue

New Smyrna Beach, Florida 32169

**Draft to Board  
Sept 28, 2021**

### 1) *Introduction*

***Each owner is required to submit the below mentioned documents to the Architecture Review Committee (ARC) for review prior to commencing construction on any lot, exterior painting or improvements.***

The Town Park “Architectural and Landscape Community Standards” were developed by the ARC and the Board of Directors to preserve the architectural style of homes in our community as established by the developer and CC&R’s (**Covenants, Conditions & Restriction, located on HOA Website**) and to assist homeowners through the architectural review process.

These Standards are not intended as a supplement to the requirements of the CC&R’s and are not intended to replace the CC&R’s. Any conflict will be governed by the CC&R’s.

Homeowners are advised to read the CC&R’s before developing and submitting an ARC request.

Failure to submit an application to the ARC prior to the start of exterior projects will result in a fine of \$100.00 per the HOA Fine Schedule dated December, 2019.

Violation of ARC community standards can result in a daily fine of \$100.00 after 30 days of violation per the HOA Fine Schedule dated December, 2019.

Homeowners should submit an application for each, individual project.

**If application package is emailed directly to the ARC, confirmation receipt of application package will be sent to Homeowner within 3-5 business days. If application package is sent via USPS, confirmation of receipt of application package will be sent to Homeowner within 10-15 days.**

**Within thirty (30) days of receipt of an application package, the HOA Management Company will notify the Homeowner, in writing, of their decision regarding the application or if additional information or time is needed to review the application.**

In the event an application is disapproved, the Homeowner should contact the ARC, in writing, for clarification, modification, or resolution of issues that were listed in the decision. The ARC will temper disapproval decisions on variances from existing CC&R's, community standards, City of Port Orange, or State of Florida Land Development Codes.

Homeowners may appeal ARC decisions, in writing, to the Town Park Homeowners Association Board of Directors if issues cannot be resolved between Homeowner and ARC.

**ARC encourages Homeowners to participate in in-person/virtual ARC meetings especially if planning to submit an application package in the near future or have an application pending. Times and dates for ARC meetings are located on the HOA website, front entrance board and noted in the weekly emailed updates.**

**Upon written approval from the ARC and before commencing with construction or alteration, the Homeowner must understand and comply with the following:**

- A. Obtain all required permits from the City of Port Orange and all other appropriate government agencies. **Failure to obtain permits will negate ARC approval.**
- B. Work on an approved improvement must start within 180 days of ARC approval or the approved request will become void.
- C. During construction, the site must be kept clean and all building materials must be stored in an orderly fashion with every attempt made to screen from public view.
- D. Approved project must be completed in a timely manner. Unless otherwise noted, under a specific improvement category, the improvement must be completed within 120 days from start of construction.
- E. All improvement delays must be reported to the ARC, in writing, to seek extensions and variances.
- F. A representative of the ARC may make periodic progress inspections. Upon completion of the project, the Homeowner will notify the ARC, in writing, and request inspection of completed project.

## **2) Design Review Process**

### **A. Construction/Exterior Painting/Landscaping Activities that Require Approval**

Any site construction, reconstruction, refinishing or alteration on any part of the exterior of any structure or other improvement including, but not limited to, walkways, pools, garages, driveways, patios, screen enclosures, landscaping, or exterior painting of the house, **is prohibited until Homeowner receives, in writing, approval from the ARC. Verbal approval does not constitute approval by the ARC or Board of Directors to proceed with any construction, alterations, improvements, or painting.**

Homeowner understands and agrees that any exterior alterations, landscaping, or painting undertaken before written approval is obtained is not permitted and that the Homeowner may be required to restore the property to its former condition at Homeowner's **own expense** if such alterations are made and subsequently disapproved by the ARC in whole or part. Further, Homeowner understands that any legal expense associated therewith may be the responsibility of the Homeowner.

Exterior paint colors must be selected from the ARC Color Wheel, located on the HOA Website.

#### B. Submittal Procedures

In order to obtain ARC approval, the general provisions of the CC&R's as set forth in Article V, Section 2, and the following procedures and requirements must be followed by the Homeowner.

1. Submit a complete package including:
  - a. Architectural Request Application before work begins.
  - b. Include a set of plans with application not to exceed a format of 24" X 36". ARC encourages an 8<sup>1/2</sup>" X 11" format.

#### 3) Site Plan

Depict the new structure or improvement on the lot in relation to existing structures and improvements. Accurate measures of all aspects (height, length, width, required setbacks, etc.) must be indicated. The homes on adjoining lots that are affected by the structure or improvements must be indicated with windows and doors labeled. All plans and specifications submitted to the ARC as described in Article V, Section 2 of the CC&R's shall be evaluated as to harmony of exterior design and location in relation to surrounding structures and topography, and as to conformance with the architectural restrictions.

**Each Homeowner is required to submit the following documents to the ARC for review and approval along with an Architectural Request Application prior to commencing construction or improvements on any lot. (CC&R's Article 5, Section 4).**

- A. Final floor plans
- B. Final elevation(s) of each side of each building, including walls and fences.
- C. Final exterior materials, noting colors, textures, and treatment for all surfaces.

#### 4) Landscape Plan

Show type, size and location of all trees, and plants as well as existing and proposed fences, walls, patios, curbing, playground equipment and all other site features along with their location, material and color. Any grade or drainage changes must be indicated on the plan.

#### 5) Repair of Damage

When constructing approved improvements or permitting construction of improvements on a lot, the Homeowner is responsible for protecting against and avoiding damage to streets, curbs, sidewalks utilities, other lots and improvements thereon, landscaping and other improvements that are external to the constructing Homeowner's lot. In the event the Homeowner allows construction or improvements to cause damage, whether on purpose or inadvertently, the constructing Homeowner shall be financially responsible for all repairs and for any monetary damages associated therewith.

Building or landscape material, trash or any other material may be left on any street, curbsides or sidewalk for a period not to exceed 24 hours. Materials so placed will not impede traffic or present a safety hazard to vehicles or pedestrians.

The use of large removable trash bins or containers is permitted as long as they are maintained in the Homeowner's driveway and only for the period necessary to remove construction trash. Any material left on the street during a 24-hour period must be properly marked with safety cones or other devices to prevent damage to vehicles and injury to pedestrians.

The ARC shall have no responsibility for any damage caused by construction on a lot, and the construction Homeowner shall indemnify, defend and hold the ARC harmless with respect to any claims arising out of or related to that construction, including the acts or omissions of contractors.

Respectfully,

*Board of Directors of the*  
Town Park Home Owners Association, Inc.