

# Conquistador

Homeowners' Association, Inc.  
1800 SE St. Lucie Blvd. • Stuart, FL 34996

## Architectural Review Guidelines

**THIS DOCUMENT ONLY APPLIES TO THE  
ARCHITECTURAL REVIEW PROCESS**

**NOTE:** If you need an application for the approval of a design change or improvement, please contact the Conquistador Homeowners' Association, Inc. to obtain an application form. The application form can also be downloaded by logging in to the residents' section of the Conquistador website at <https://www.conquistadorliving.com/>

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## **1. Introduction**

1.1 Overview - In a planned community, the question often arises as how to maintain harmonious, quality architectural continuity within the community. The following guidelines are designed to provide common ground between private interests and the broader interest of the Conquistador community. The fact that each homeowner is required to adhere to these guidelines should assure all Conquistador homeowners that the standards of design and quality will continue to be maintained, enhancing the community's overall environment, and protecting property values. The rules, responsibilities, and procedures outlined in these guidelines have been established by the Architectural Review Committee and approved by the Conquistador Homeowners' Association (CHA) Board of Directors of the Conquistador Homeowners' Association, Inc. in compliance with the Covenants and Restrictions of Conquistador. The intent of these guidelines is to:

- Ensure quiet enjoyment for all Conquistador residents.
- Minimize architectural design issues within Conquistador.
- Provide for the architectural integrity of Conquistador.
- Protect and enhance property values within Conquistador.

## **2. Architectural Review Committee**

2.1 Overview - The Architectural Review Committee (ARC) consists of six or more members charged with conducting the reviewing of all applications for architectural review submitted by Conquistador Homeowners. The ARC is required to respond to the applicant in a prompt manner and provide its recommendation to the CHA Board of Directors. The CHA Board of Directors has thirty (30) days after receiving the ARC recommendation to approve or deny the applicants' request as per the Conquistador Declaration of Covenants and Restrictions, Article VIII. Note: In the event that the CHA Board of Directors fails to approve or not approve the application within 30 days after the application has been submitted to the CHA Board of Directors approval shall not be required and the application will be approved. The ARC may from time to time publish and submit to the CHA Board of Directors for approval of architectural standard bulletins, which shall be fair, reasonable, and uniformly applied. The ARC shall be responsive to technological advances or general changes in architectural designs and materials and related conditions in future years and use its best efforts to balance the equities between matters of taste and design and the use of private property. Such bulletins shall supplement the covenants and are incorporated herein by reference.

The ARC members serve at the pleasure of the CHA Board of Directors and may be removed at any time.

### **3. The Architectural Review Process**

Submit Application - The homeowner submits to the ARC, in care of the property management office, an application for Architectural Review along with:

- 1) a detailed proposal/scope of work,
- 2) a current Certificate of Insurance (COI) naming Conquistador Homeowners' Association, Inc. and Conquistador Condominium Associations I-XII as additionally insured; In addition, it is recommended that the certificate of insurance names the home or unit owner as additionally insured; COI must include proof of general liability and workers' compensation insurances. If the contractor is exempt from workers' compensation, the contractor must submit an exemption certificate.
- 3) **For condos only:** Written permission from your condo Board of Directors. The covenants and restrictions of the condos require prior written approval by their Board of Directors for any interior (refer to your red book under Common Elements) or exterior improvements. When submitting your Application for Architectural Review, please include your written approval from your Board of Directors if applicable.

3.1 Within ten (10) working days, the homeowner will receive written notice that the ARC has received his/her application. If the homeowner has not received written notification from the ARC at the end of ten (10) days, he/she should call the ARC to confirm receipt of the application.

NOTE: Complete applications will be considered on individual merit, using these documented standards as a basis for decision-making. Out of courtesy we request you inform your neighbors of your proposed improvement(s) and obtain their signature on the application form. Their signature does not give their consent; it just lets the ARC and the management know that your neighbors understand your intent.

3.2 Preliminary Review - The application, noted with the date of receipt by the property management office, is turned over to the ARC, if all the information necessary for review is received. The ARC will then make a precursory review of the application and request any additional information from the owner if needed. The ARC may still require additional information from the applicant, and the ARC review process will begin when the application is complete and appropriate for submission.

3.3 Application Review - The ARC will review the application within 30 calendar days upon receiving the **completed** application.

**NOTE: No work should begin on the applicant's project until written approval is received from the CHA Board of Directors.**

- 3.4 ARC Recommendation - The ARC's recommendation will be noted on the application and the recommendation will be communicated to the CHA Board of Directors.
- 3.5 CHA Board of Directors Decision – The CHA Board of Directors, the final deciding body will review the application and recommendation of the ARC and render one of the decisions listed below. (Note: In the event that the CHA Board of Directors fails to approve or disapprove the application within 30 days after the application has been submitted to the CHA Board of Directors, approval shall not be required and the application will be approved.)

**APPROVED:** The application is approved as submitted.

**APPROVED WITH CONDITIONS:** The overall proposal is accepted, but with certain specified changes, limitations or requirements that must be followed.

**NOT APPROVED:** The application is denied. The owner can appeal to the CHA Board of Directors within 15 business days of their decision. (See the Appeal Process section for details.)

**ADDITIONAL INFORMATION REQUIRED:** The CHA Board of Directors has determined that additional information is needed. In this case, the entire process begins again once the property management office receives the requested information. The owner should follow the same submission procedure as before. The ARC will act swiftly on all re-submissions.

The applicant will be notified of the CHA Board of Directors' decision in writing within 5 business days.

- 3.6 Project Review - The ARC reserves the right to visit your project and inspect your improvement(s). This will be done to ensure that the application details were followed and to learn anything that may help other residents to more easily complete similar projects.

Once work has begun on an approved application, it must be completed within 90 days. Applications are valid for one (1) year from the date of approval.

#### **4. The Appeal Process**

- 4.0 Overview – If the application is not approved or is approved with conditions that the applicant feels are detrimental to the project, the applicant may appeal the CHA Board of Directors' decision.
- 4.1 Appeals Board - The Appeals Board will include all CHA Board Members who do not sit on the ARC. Members of the ARC who are Board Members shall be deemed to have recused themselves under these procedures.
- 4.2 Appeal Content Requirement - The appeal must be in writing and must identify and discuss which of the decisions of the CHA Board of Directors or conditions of approval are being appealed and must contain additional specific information in support of a reversal, including the identification of any provision of the CHA or Architectural rules which the appellant believes has been violated.
- 4.3 Timing - Appellant has 30 days from the date of the notice of the CHA Board of Directors' decision to file a written request with the CHA Board of Directors for an appeal. Failure to do so will result in the exhaustion of all rights of appeal.
- 4.4 Review - The Appeals Board may review all findings of fact, staff reports, minutes of ARC meetings, minutes of CHA Board of Directors meetings, and materials submitted by any party regarding the application. The Appeals Board, at its discretion, can seek further information through formal or informal discussions with the ARC, CHA Board of Directors, its advisors, the applicant, or any other party.  
The Appeals Board may consider any aspect of Appellant's project, not just issues raised in the appeal. In rendering its decision, the Appeals Board normally will do one of the following:

**UPHOLD THE ORIGINAL DECISION:** Uphold the original decision of the ARC Board of Directors or require enforcement of the conditions of approval.

**OVERTURN THE DECISION:** Overturn the decision of the CHA Board of Directors and impose different conditions of approval.

**RETURN THE PROJECT:** Return the project to the ARC and CHA Board of Directors for further consideration.

**CATEGORICALLY DENY THE PROJECT:** Categorically deny the project as unacceptable in its present form.

- 4.5 Hearing(s) - At the ARC Board of Directors' discretion, the Appellant or his/her representative may make a presentation of the Appellant's position, such presentation not to exceed 15 minutes.
- 4.6 Written Decision - The Appeals Board's decision shall be in writing and will be rendered within 30 days of the date of the meeting of the CHA Board of Directors at which appeal is received or the Appellant's presentation under Section 4.5 above.

## **5. Permitting**

- 5.1 Overview - As it relates to unit/home construction projects the Conquistador community falls under the jurisdiction of the Martin County Building Department. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

As a general guide, please use the quick reference below. However, when determining whether a building permit is required, refer to Section 105 of the Florida Building Code (FBC) or consult directly with the Martin County Building Department at (772) 288-5916. Additional information can also be found on-line at <https://www.martin.fl.us/building>

Projects that **DO** require a permit:

Typical projects include, (but are not limited to):

- Additions / Alterations
- Ceiling fans / Lights (new circuit)
- Change of Use or Occupancy to a Building or Specific Tenant Space
- Decks
- Electrical panels, Circuits
- Fences and Pool Barriers
- Fireplace and Fireplace Inserts
- Garage and carport conversions
- Gas lines
- Heating and cooling systems

- Kitchen and bathroom remodels
- Outdoor kitchens
- New homes and buildings
- Patios and/or Patio covers and Roofs
- Photovoltaic (solar) systems
- Racking
- Reroofing
- Retaining and seawalls
- Room additions
- Screen rooms and enclosures
- Sheds
- Shower or tub enclosure replacements
- Siding/Stucco
- Signs
- Skylights
- Solar for swimming pools and water heaters
- Swimming pools and spas
- Tenant improvements
- Termite / Dry rot repairs
- Water heaters (installation and replacement)
- Water service
- Whole house fans
- Window replacements

Projects that **DO NOT** require a permit:

Typical projects include, (but are not limited to):

Gas:

- Portable heating appliance.
- Replacement of any minor part that does not alter equipment or make such equipment unsafe.

Mechanical:

- Portable heating appliance.
- Portable ventilation equipment.
- Portable cooling unit.
- Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
- Replacement of any part that does not alter its approval or make it unsafe.
- Portable evaporative cooler.
- Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
- The installation, replacement, removal, or metering of any load management control device.

## Plumbing:

- The stopping of leaks in drains, water, soil, waste, or vent pipe, provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
- The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

## Emergency repairs:

- Where equipment replacements and repairs must be performed in an emergency, the permit application shall be submitted within the next working business day to the building official.

## Minor repairs:

- Ordinary minor repairs may be made with the approval of the building official without a permit, provided the repairs do not include: the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical codes.

## General:

- Painting, papering, flooring, and similar finish work.
- Cabinetry
- Repair of toilets, sinks and faucets
- Appliance replacement (plug in)
- Home playgrounds

## Who Can Apply for a Permit:

The Building Department may only issue permits to Contractors and

qualifying Owner/Builders pursuant to Florida Statute. An Owner/Builder must qualify in order to be eligible to receive a building permit in lieu of a Licensed Contractor.

Permits Requiring Plan Review:

For permits requiring plan review, the building department will begin your permit process, review your application, and route your package to plan review. Once the plans are approved for permit by all applicable departments, the building department will issue the permit and commence the field inspection process.