

**Fisher Island Community Association
ARCHITECTURAL CONTROL COMMITTEE (ACC) PROCESS**

INSTRUCTIONS FOR HOMEOWNERS

The Architectural Control Committee (ACC) consists of three individuals: Two Unit Owners, and a representative of Fisher Island Holdings LLC (the Developer).

Purpose

The purpose of requiring approvals to modifications of building exteriors is to ensure that the architectural integrity of the structures on Fisher Island is maintained. Members should know that the taking of limited common element (balconies and terraces) or “encroachments upon LCE not incorporated within unit boundaries” for apartment expansion is strongly opposed by a majority of Members across the island. Requests to enclose such will require the most rigorous review by the ACC and each Condominium Association. Additionally, if the affected exterior change is “in the direct line of sight of the Club”, the package, if approved by the ACC, will then be sent to the Club for its approval process.

PLEASE NOTE THAT THE ACC DOES NOT ENTERTAIN REQUESTS FOR EXTERIOR MODIFICATION UNLESS THE CONDOMINIUM ASSOCIATION FIRST APPROVES. NOR DOES THE ACC APPROVE OR REVIEW ANY INTERIOR RENOVATION REQUESTS, AS THE CONDOMINIUM ASSOCIATIONS AND THE HOMEOWNERS ASSOCIATION ARE SO EMPOWERED.

Authority

The ACC is empowered by the Master Covenants for Fisher Island. Specifically, all modifications of any kind (including window and door replacement, painting, antennae placement, satellite dishes, etc., to the exterior of a building must be approved by the ACC. The ACC, however, does not review or comment on exterior modification requests until such time as the Condominium Association produces the following:

- You, as the unit owner, will follow the steps below in preparation of your request “package”. That package must be submitted to your property manager so that your request can be placed on the next meeting of your Association Board of Directors. That meeting must be properly posted, which means all owners in your building must be notified that a meeting is occurring, and that your request is on the agenda.**
- A vote on your request, which is an item on the posted agenda, must be conducted and recorded in the meeting minutes. Those minutes MUST be**

included in your package submission to the ACC. If your Association did not approve the request pursuant to this policy, please do not forward it to the ACC because it will not be considered.

If work is performed without such approval of the ACC and the Condominium or Homeowner Association, FICA has the power to require the work be reversed at the owner's expense, to enter the unit and have the work reversed at the unit owner's expense, and to charge back to the unit owner all enforcement costs if litigation or arbitration occurs.

Process

- 1. Please first consider whether or not the work you are considering will be detrimental to the overall architectural integrity of your building, and the rest of the Island. Just because "John Doe did the same thing 2 years ago" should not be a factor. Mistakes have been made and many buildings have been damaged by the rampant disregard for architectural integrity.**
- 2. Please go to www.ourfica.com and click on "Architectural Control Process and Forms". Review the information carefully.**
- 3. Meet with your Association property manager, either AKAM or CSI and discuss what you would like to do. They will be able to give you guidance on the process, the forms required, and some idea of what will or will not be approved by your Condo Association and then the ACC. Please note that the ACC does not review interior renovation requests, as your Condo Association is empowered by the Declaration of Condominium to conduct those reviews and make a final determination.**
- 4. Complete the Architectural Control Committee Submission Form, but be specific. Illegible forms will not be acted upon. If you believe the reader will not fully comprehend what you are requesting, please save everyone some time and write a narrative explaining exactly what you are attempting to accomplish.**
- 5. If the modifications you are requesting will substantially change the exterior please have Photoshop images or elevation sketches prepared, demonstrating what you have today and what the result will be.**
- 6. Submit architectural/engineering plans (3 copies). If possible, provide only the exterior pages to the ACC.**
- 7. The "package" consisting of your (a) architectural/engineering drawings (3 sets), (b) your narrative explaining what you are attempting to accomplish, in detail (c) Photoshop images or elevation sketches, and the Architectural Control Committee Submission Form should be submitted to your Condominium Association Board of Directors, via your Association Property Manager. Your Association will determine whether your submission is consistent with the Rules and Regulations, Policies and Procedures, By-Laws and Covenants of your Association at such meeting,**

and they will determine if the majority supports your request. If they support your submission, they will return your full package to you, retaining one set of plans for their records, and very importantly, will attach a copy of the agenda and minutes of the meeting at which your request was approved. You may then submit it to the ACC for its review. If your Association does not support your submission, do not forward it to the ACC.

- 8. The ACC will meet monthly if items are pending. The ACC will either approve, disapprove, or refer the package to their architect for review and comment (at the expense of the Member).**
- 9. If ACC approval is given, and if your “work” is “in the direct line of sight of the Fisher Island Club”, the Club has approval rights, as well. The ACC will immediately forward its intent to approve your package to the Club and ask them to confirm within 30 days.**
- 10. The approved work must be completed in less than 12 months, or be re-approved through the Condominium Association and the ACC. In other words, the approval expires on the 366th day from the date it was granted.**

SPECIAL NOTES:

- Effective October 1, 2008, no request will be considered by the ACC if a satellite dish is attached to the exterior of the affected apartment; rather than mounted on a tripod on the apartment’s covered terrace.**

Effective February 14, 2008, the ACC will not consider any requests to modify property from units that are not current in the payment of their FICA Assessments.

**Fisher Island Community Association
ARCHITECTURAL CONTROL COMMITTEE (ACC) PROCESS**

**INSTRUCTIONS FOR CONDOMINIUM AND HOMEOWNERS
ASSOCIATIONS**

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Purpose

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Authority and Instructions

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- **The Condominium or Homeowner Association will, in accordance with its Documents and those of the Master Association, as well as Florida Law, establish a formal process for the actions it takes with regard to requests to modify the exterior of buildings on Fisher Island.**
- **The ACC will not entertain requests that have not been approved at duly posted general meetings of the Condominium or Homeowners Associations**

- on Fisher Island. The Condominium or Homeowner Association must post, 14 days in advance, a notice of a meeting of the Board of Directors. The notice must include a brief description of each Request to Modify Property. The posting must be mailed to all the Voting Interests in the Condominium or Homeowner Association. The Agenda for the Meeting must list each Request to Modify Property. The Minutes of the Meeting must include discussion and votes of the Board of Directors on each Request. The Minutes, Posting and Agenda must be attached to the eventual "Package" to the ACC to validate compliance with covenant and law.
- The Condominium or Homeowner Association should direct its contract Property Management Company to ensure that all Requests to Modify Property "packages" include drawings for the exterior work only, Photoshop renderings of the elevations to be modified, the Request to Modify Property Form, which can be obtained at www.ourfica.com, a narrative describing the work and the Condominium Approval Documents listed above.
 - It is recommended that each approval of the Condominium Association or Homeowner Association be "conditional" upon the work being substantially started in one year. The ACC, without exception, now limits its approval to one year. After the 365th day, it is necessary to re-submit.

SPECIAL NOTES:

- Effective October 1, 2008, no request will be considered by the ACC if a satellite dish is attached to the exterior of the affected apartment; rather than mounted on a tripod on the apartment's covered terrace.

Effective February 14, 2008, the ACC will not consider any requests to modify property from units that are not current in the payment of their FICA Assessments.

**Fisher Island Community Association
ARCHITECTURAL CONTROL COMMITTEE (ACC) PROCESS**

**INSTRUCTIONS FOR CONTRACT PROPERTY MANAGEMENT COMPANIES
OPERATING ON FISHER ISLAND**

The Architectural Control Committee (ACC) consists of three individuals: Two Unit Owners, and a representative of Fisher Island Holdings LLC (the Developer).

Purpose

The purpose of requiring approvals to modifications of building exteriors is to ensure that the architectural integrity of the structures on Fisher Island is maintained. Members should know that the taking of limited common element (balconies and terraces) or “encroachments upon LCE not incorporated within unit boundaries” for apartment expansion is strongly opposed by a majority of Members across the island. Requests to enclose such will require the most rigorous review by the ACC and each Condominium Association. Additionally, if the affected exterior change is “in the direct line of sight of the Club”, the package, if approved by the ACC, will then be sent to the Club for its approval process.

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Authority and Instructions

The ACC is empowered by the Master Covenants for Fisher Island. Specifically, all modifications of any kind (including window and door replacement, painting, antennae placement, satellite dishes, etc., to the exterior of a building must be approved by the ACC. The ACC, however, does not review or comment on exterior modification requests until such time as the Condominium Association produces the following:

- **The Condominium or Homeowner Association will, in accordance with its Documents and those of the Master Association, as well as Florida Law, establish a formal process for the actions it takes with regard to requests to modify the exterior of buildings on Fisher Island. Property Managers should facilitate this process so that litigation and controversy can be avoided in the future.**

- **The ACC will not entertain requests that have not been approved at duly posted general meetings of the Condominium or Homeowners Associations on Fisher Island. The Condominium or Homeowner Association must post, 14 days in advance, a notice of a meeting of the Board of Directors. The notice must include a brief description of each Request to Modify Property. The posting must be mailed to all the Voting Interests in the Condominium or Homeowner Association. The Agenda for the Meeting must list each Request to Modify Property. The Minutes of the Meeting must include discussion and votes of the Board of Directors on each Request. The Minutes, Posting and Agenda must be attached to the eventual “Package” to the ACC to validate compliance with covenant and law. Property Management companies will be held accountable for ensuring compliance.**
- **The Condominium or Homeowner Association should direct its contract Property Management Company to ensure that all Requests to Modify Property “packages” include drawings for the exterior work only, Photoshop renderings of the elevations to be modified, the Request to Modify Property Form, which can be obtained at www.ourfica.com, a narrative describing the work and the Condominium Approval Documents listed above.**
- **It is recommended that each approval of the Condominium Association or Homeowner Association be “conditional” upon the work being substantially started in one year. The ACC, without exception, now limits its approval to one year. After the 365th day, it is necessary to re-submit. Property Management companies will create a log to memorialize construction start dates, the various stages of approval, and the expiration date of the approval if work has not begun in a substantial way. This log will be inspected by FICA periodically to confirm compliance.**

The Property Managers on Fisher Island are critical to the success of the ACC Approval Process. Some key reminders:

1. **The Condominium and Homeowners Associations only have 30 days to approve or disapprove under the Documents. If association fails to act within 30 days, the unit owner or home owner can consider, under the law, for their request to be approved by their association; however, they may NOT proceed without ACC approval and, if their unit is in “direct line of sight of the Club”, the ACC may have to seek Club concurrence.**
2. **Property Management companies must enforce all Condominium, Homeowners for FICA Rules and Regulations with regard to construction activity. FICA must be notified when work is scheduled so that proper clearance can be given.**
3. **Approval packages sent to ACC must be organized and inclusive of all documents required in these instructions. They may not be delivered illegible, disorganized, piece meal, and two complete copies are required.**

- 4. If the Request to Modify Property is limited to window and door replacements, the package must include the “cut sheets” on the windows and doors, confirm that hurricane impact glass is being used, and confirm that any existing hurricane shutters will be removed permanently.**
- 5. Effective October 1, 2008, no request will be considered by the ACC if a satellite dish is attached to the exterior of the affected apartment; rather than mounted on a tripod on the apartment’s covered terrace.**
- 6. Effective February 14, 2008, the ACC will not consider any requests to modify property from units that are not current in the payment of their FICA Assessments.**