

# ***Bella Vista Townhouse Association***

## **APPLICATION PROCEDURE FOR BUILDING AND SITE IMPROVEMENTS**

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All Building or site modifications or improvements including additions such as carports, deck extensions, deck enclosures, deck additions, awnings, etc. and outside painting (change of color), in Townhouse Units are to be approved by both the Townhouse Board of Directors and the Bella Vista Architectural Control Committee. Any improvement that constitutes a change in the landscaping is to be replaced and corrected at the expense of the homeowner and/or contractor.

All construction and changes require the preparation of adequate engineering drawings, plans, and specifications showing the following:

- A) All dimensions, i.e., length, depth, roof structure, number of posts, depth of posts in the ground, storage areas, facing on posts: stone, brick, wood, etc.
- B) Support posts properly anchored in a concrete footing 18" to 24" in the ground.
- C) Corner posts shall be notched to accept the main headers.
- D) The main headers shall be bolted on to the corner post with two (2) ½ inch diameter galvanized bolts on each end.
- E) Roof edge of all carports to be at least 12 feet from center of street.
- F) Beams to be 2 X 12 plus ½ to ¾ "plywood between or laminated beams.
- G) All materials to be the same as previously used in the area. All corner posts or pillars to be no less than 16 X16 brick or native stone on wood depending on what is in the area. All 4X4, 4X6 or 6X6 must be covered.
- H) All construction will be by approved drawings and specifications only. "NO DEVIATION FROM THIS PRINT" stamp to be applied.
- I) Drawings to show all views, i.e. plan, elevations, side, end, isometric, etc., as necessary to permit Townhouse Board to follow construction as approved.
- J) Starting date of construction must be within three (3) months of permit date and the Townhouse General Manager must be notified of the starting date. Completion must be within sixty (60) days after start of construction, unless extension is approved by the General Manager.
- K) The Townhouse Association appointed committee will monitor the building or improvement project.
- L) Applicants must include gutters and/or splash guards on carport additions or deck enclosures to keep water from draining onto sidewalks or other townhouse decks, also limited common property.

The following procedures must be followed:

1. The "APPLICATION FOR ARCHITECTURAL CONTROL COMMITTEE APPROVAL" must be obtained from the Townhouse Association office located at # 2 Cora Circle.

2. Consent forms must also be obtained from the Townhouse office. Signatures should be obtained from the Townhouse Owners on either side unless consent is waived by the Board. Obtaining these signatures will be the responsibility of the homeowner. These must be signed and returned to the townhouse office at least ten (10) days prior to the Board meeting. They can be faxed to 479-855-9328.

3. The name of the "Contractor" must be shown on the "ACC" form before it can be approved by the President of the Townhouse Board.

4. The application for permit, signed consent forms, copy of the plans, drawings and specifications, as indicated above must be delivered to the Townhouse Association Office at least 10 days before the next scheduled regular monthly Townhouse Board meeting. No fee will be charged unless work starts before approval is granted.

5. If necessary, all major construction plans will be submitted by the General Manager to a CCI architect to be sure they will blend in the area.

6. The ACC will approve as necessary the application and issue a permit after receiving the recommendations from the Townhouse Board of Directors.

7. The Townhouse Board of Directors will have the authority to approve for improvement any application when the Owners on each side do not reply to the letter of consent given or mailed to them for their consideration within ten (10) days or if the objections appear to be unreasonable after all considerations.

8. If roofs now have shake shingles they must be replaced with an architectural covering. You cannot go back with shakes, unless it is a repair.

9. If you want to change the paint color of the townhouse and/or deck everyone in adjoining units must all agree on a color and paint at the same time. Color must be approved by Townhouse Board and the ACC.

10. License agreement, if applicable, must have signature(s) notarized.

Bella Vista Townhouse Association  
Revised 12/22/03 / Revised 11/17/05  
Revised 8/16/06 / Revised 6/27/07

# Bella Vista Townhouse Assoc

## APPLICATION FOR CONSTRUCTION APPROVAL FOR MISCELLANEOUS IMPROVEMENTS

LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ SUBDIVISION \_\_\_\_\_

OWNER \_\_\_\_\_ ADDRESS \_\_\_\_\_

CONTRACTOR \_\_\_\_\_

1. DESCRIPTION OF CONSTRUCTION \_\_\_\_\_

I certify that the above, together with attached plans and /or specification, constitute a true description of the proposed new construction, and that the location on the site will be in accordance herein. ALL NEW CONSTRUCTION MUST MATCH EXISTING.

***If application is for siding check applicable line below:***

\_\_\_\_\_ Siding to be vertical      \_\_\_\_\_ Siding to be horizontal

Foundation color must match unit.

2. INSURANCE: Proof of Workman's Compensation coverage for the prime contractor must be provided, or I, \_\_\_\_\_ DO HEREBY CERTIFY that I will comply with the Workman's Compensation laws, and will obtain certificates from all subcontractors at the time of their arrival onto the construction site.

3. DECLARATION: In the event that any construction is begun or commenced prior to receiving the approval of the Architectural Control Committee (ACC), appropriate action can be taken in Chancery Court to enjoin and stop any further construction, under the provisions of ARTICLE XV, SECTION 3 of the Declaration.

4. FEE: No fee is charged by the Townhouse Association unless work starts prior to approval. All applications must be received at least 10 days prior to the Board meeting. Fees may be charged by the BVVACC.

5. Neither the Townhouse Association, ACC, nor the Bella Vista Village Property Owner's Association will be responsible for the workmanship, safety, quality, or conformity with contractual agreements. This matter is between the property owner and the contractor.

6. ACCEPTANCE: The ACC has reviewed this application, and construction is approved, subject to the following recommendations:

\_\_\_\_\_

SIGNATURE \_\_\_\_\_ Property Owner, Date \_\_\_\_\_

SIGNATURE \_\_\_\_\_ ACC Administrator, Date \_\_\_\_\_

SIGNATURE \_\_\_\_\_ BVTHA Board President, Date \_\_\_\_\_

# BELLA VISTA

Townhouse Association

## NOTICE OF IMPROVEMENTS

Your neighbor(s) at \_\_\_\_\_, who owns the townhouse adjacent to your townhouse, is proposing the following improvements as shown in the attached drawing:

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You as a neighbor and townhouse owner have the right to approve or disapprove any construction. The Townhouse Board of Directors will have the authority to approve for improvement any application when the Owners on each side do not reply to the letter of consent given or mailed to them for their consideration within ten (10) days or if the objections appear to be unreasonable after all considerations. This will be presented to the Board of Directors at their meeting on \_\_\_\_\_.



Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

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\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Return to:  
Bella Vista Townhouse Association  
P. O. Box 5301  
Bella Vista, AR 72714

Location of Corporate office:  
2 Cora Circle, Bella Vista, AR 72715  
[generalmanager@bvth.com](mailto:generalmanager@bvth.com) (479) 855-9328

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Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

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\_\_\_\_\_  
Signature Date

Return to:  
Bella Vista Townhouse Association  
P. O. Box 5301  
Bella Vista, AR 72714

Location of Corporate office:  
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BELLA VISTA TOWNHOUSE ASSOCIATION VARIANCE

A VARIANCE IS REQUESTED FROM THE BELLA VISTA TOWNHOUSE ASSOCIATION FOR AND ENCROACHMENT OVER A PORTION OF THE UNDERGROUND UTILITIES ADJACENT TO AND PERTINENT TO LOT \_\_\_\_\_, BLOCK \_\_\_\_\_, \_\_\_\_\_ A TOWNHOUSE SUBDIVISION IN BELLA VISTA VILLAGE FOR THE PLACEMENT OF A STRUCTURE AS PER DRAWINGS.

UPON APPROVAL OF REQUEST FOR CONSTRUCTION, OVER THE PORTION OF UNDERGROUND UTILITIES, THE OWNER IS MEMINDED THAT IF THIS AREA IS EVER NEEDED AT A LATER DATE FOR THE PURPOSE OF INSTALLATION, REPAIR OR REPLACEMENT OF UTILITIES OR ANY OTHER MAINTENANCE OF THE SURFACE AREA, THAT THE OWNER WILL BE RESPONSIBLE FOR THE REMOVAL OF ANY OBSTRUCTION GRANTED BY SAID APPROVAL FOR CONSTRUCTION, IF NECESSARY, FOR THE PERFORMANCE OF INSTALLATION, REPAIRS, OR MAINTENANCE, AT THE OWER'S EXPENSE.

\_\_\_\_\_  
OWNER'S SIGNATURE

\_\_\_\_\_  
Print name

STATE OF: \_\_\_\_\_

COUNTY OF : \_\_\_\_\_

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_, PERSONALLY, APPEARED BEFORE ME, TO BE THE SIGNER OF THE ABOVE DOCUMENT, AND HE/SHE ACKNOWLEDGED THAT HE/SHE SIGNED IT.

\_\_\_\_\_  
NOTARY PUBLIC

COMMISSION EXPIRES:

**LICENSE AGREEMENT**

WHEREAS, \_\_\_\_\_,  
whether one or more, (hereinafter referred to as the "Licensee") of  
\_\_\_\_\_ (mailing address)  
has made an application and is seeking approval for constructing improvement  
or maintenance upon Limited Common Property; and

WHEREAS, the Licensee is the owner of a Lot or Living Unit in Bella Vista  
Village, Arkansas which is described as Lot\_\_\_\_\_, Block\_\_\_\_\_,  
\_\_\_\_\_Subdivision; and

WHEREAS, The Bella Vista Townhouse Association, Inc. (hereinafter referred  
to as the ("Townhouse Association") by virtue of its authority under the Declaration and Protective Covenants  
of Bella Vista Village, Arkansas is the owner of the Limited Common Property as designated upon  
the plats of the various townhouse complexes located within Bella Vista Village for the purposes specified  
in said Declaration; and

WHEREAS, the Townhouse Association agrees to grant a license for the use of Limited Common  
Property to the Licensee fro the limited purposes set forth in this License Agreement,

NOW, THEREFORE, \_\_\_\_\_, the Licensee,  
Is granted a license to use a portion of Limited Common Property as described herein and for the purposes set forth  
herein subject to the terms and conditions of this License, specifically:

1) Licensee shall have a license to \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2) Licensee understands and agrees that the grant of this license is an accommodation to the  
Licensee by the Townhouse Association and that the use or occupation of any Limited Common  
Property or the construction of improvements or any modifications to the Limited Common Property shall not ripen  
into a claim against the Limited Common Property by the Licensee.

3) All improvements and structure to be located on any Limited Common Property must be approved  
by the Bella Vista Townhouse Association and the Architectural Control Committee of Bella Vista Village, Inc. and the  
City of Bella Vista.

4) Licensee shall remove any improvements or structures located on Limited Common Property  
subject to this license upon demand by the Bella Vista Townhouse Association.

5) This license is not assignable or transferrable without written approval of the Townhouse  
Association.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Licensee

\_\_\_\_\_  
Licensee

STATE OF: \_\_\_\_\_

COUNTY OF : \_\_\_\_\_

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,

\_\_\_\_\_, PERSONALLY, APPEARED BEFORE ME, TO BE  
THE SIGNER OF THE ABOVE DOCUMENT, AND HE/SHE ACKNOWLEDGED THAT HE/SHE SIGNED IT.

\_\_\_\_\_  
NOTARY PUBLIC

COMMISSION EXPIRES:

All paper work must be received in our office at least **ten** days prior to the Board of Directors meetings which are the **third** Wednesday of each month at 9:00 A.M., except in December when the meeting is the second Wednesday.

By Mail: PO Box 5301, Bella Vista, AR 72714

Delivered to Office Location: 2 Cora Circle, Bella Vista, AR 72715

Please contact the Bella Vista Village Architectural Control Committee at 855-8080 for information as to what additional application forms may be required by them or the City of Bella Vista.