



Policy and Procedure Manual

**Bella Vista Architectural Control
Committee, Inc.**

Adopted: November 20, 2024

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Chapter 1 - Authority and Purpose

1.01 AUTHORITY

The authority establishing the Architectural Control Committee (the “ACC”) is derived from Article XII of the Declaration and Protective Covenants of Bella Vista Village dated May 18, 1965, (the “Covenants”). The Developer, as defined in the Covenants, has delegated certain review authority to Bella Vista Architectural Control Committee, Inc., an Arkansas nonprofit corporation (“BVACC”), to regulate the development of Bella Vista Village and oversee the administrative functions of the ACC.

1.02 PURPOSE

- A. *Purpose of the ACC.* The purpose of the ACC is to assure compliance with the Covenants and the policies and procedures adopted by BVACC, as herein stated, as they pertain to all residential and commercial construction, remodeling, landscaping, and other matters that come before the ACC with respect to size, location, color, aesthetics, materials, and other matters as provided within the Covenants and this Policy and Procedure Manual (this “Manual”).
- B. *BVACC Membership.* Unless otherwise designated by the Board of Directors in accordance with the Articles and Bylaws, BVACC shall have no members.
- C. *Board of Directors.* The Board of Directors of BVACC shall elect officers, the Administrator, the volunteer members of the ACC, and other personnel as provided in the Articles of Incorporation and the Bylaws of BVACC.
- D. *Meetings.* The ACC shall meet on a monthly basis or as required to review and vote on all applications for construction that require action of the ACC to ensure compliance with this Manual and the Covenants.
- E. *Responsibility of the Administrator.* The Administrator presents all matters requiring ACC action to the ACC at its meetings. The Administrator reviews all applications for construction, discusses any alternatives if necessary, and makes suggestions and recommendations necessary to ensure compliance with the Covenants and this Manual.
- F. *Purpose of the ACC and this Manual.* The purpose of the ACC and this Manual are:
 - 1. To establish and interpret the standard, policies and protective restrictions to maintain and enhance the property values and aesthetic integrity of Bella Vista Village;
 - 2. To inform all property owners of such standards, policies and protective restrictions;

3. To evaluate residential and commercial construction and alteration in regard to nature, kind, shape, height, materials, location, and harmony of external design with the surroundings and topography so as to preserve the architectural integrity of the grounds and structures comprising Bella Vista Village;
4. To act within the scope of and in the spirit of the Covenants; and
5. To act reasonably and on a best-effort basis.

1.03 JURISDICTION

This Manual shall apply to the Properties as defined in Article I and as described in Article II of the Covenants and any amendments or supplements thereto.

1.04 FISCAL POLICY

It is intended that fees collected be sufficient to maintain the functions of BVACC. BVACC shall review its fee structure periodically to determine its adequacy in making its operations financially self-sustaining.

1.05 DISCLAIMER

No warranty or representation is made or should be implied by any officer or employee of BVACC, the Administrator, or the ACC, in the issuance of permits, inspections and approval of construction or otherwise is intended as a tacit approval of the quality, safety, desirability, or suitability of such design or construction.

1.06 LIMITATIONS

Individual property owners, by purchasing property subject to the Covenants, have given up a certain degree of freedom of choice and must subordinate some of the traditional ownership rights and privileges to the covenants and restrictions contained therein. However, the ACC shall not:

- A. Adopt or enforce standards in an unreasonable, arbitrary or capricious manner;
- B. Fail to act in a common-sense approach in the execution of its responsibility with fairness in an even-handed, non-discriminatory manner;
- C. Accord preferential treatment to any one individual or group of individuals;
- D. Allow personal aesthetic considerations to guide its decisions. ACC actions should be supportable as the decisions of a reasonable prudent resident committed to the establishment and management of the general welfare of the community;
- E. Seek to regulate taste and personal preference by disguising its decision with special concern for health, safety, and welfare, or

- F. Substitute its personal preferences and taste for those of an individual property owner.

1.07 ADOPTION OF THE POLICY AND PROCEDURE MANUAL

This Manual has been adopted by the affirmative vote of the Board of Directors on November 20, 2024.

1.08 AMENDMENT OF THE POLICY AND PROCEDURE MANUAL

This Manual may be amended by the affirmative vote of the Board of Directors.

Chapter 2 - Administrative Policies

2.01 ACC DUTIES

It is the duty of the ACC to conduct reviews and establish standards for the following activities in Bella Vista Village as outlined in Article XII of the Covenants:

- A. Residential and commercial building construction, renovation or alteration.
- B. The construction, renovation or alteration of boat docks, fences, outbuildings, and other structures.
- C. Inspection of all construction within Bella Vista Village.
- D. Protect the aesthetics of Bella Vista Village.
- E. To pursue any legal or administrative remedy for violation of the Covenants or this Manual.

2.02 APPOINTMENT OF ACC MEMBERS

Appointment and Term of Service and Responsibility. The Board of Directors retains the right to appoint the members of the ACC. The members of the ACC shall serve at the pleasure of the Board of Directors.

2.03 ACC MEMBERS

- A. Number and Terms of ACC Members.
 - 1. *Number of Members and Term of Service.* The ACC shall consist of not less than five members serving terms of one year each (other than the initial members which will serve terms in accordance with the Bylaws). The members of the ACC are elected by majority vote of the Board of Directors.
 - 2. *Term at Will.* Notwithstanding the implementation of this guideline, all members of the ACC serve at the will of the Board of Directors. The number and terms of such appointments may be modified without notice at the sole discretion of the Board of Directors, as set forth in the Articles and Bylaws.
- B. *ACC Officers.* The members of the ACC shall, by majority vote of the ACC membership, elect a Chairperson/President, a Vice Chairperson/Vice-President, a Treasurer, a Secretary and such other officers as deemed necessary.
- C. Removal of ACC Members.
 - 1. *Unexcused Absences.* Any member of the ACC who has three (3) consecutive unexcused absences from the ACC meetings may be removed

by a majority vote of the other members of the ACC, with the concurrence of the Board of Directors.

2. The Board of Directors may remove any member of the ACC at any time, with or without cause.
- D. *Vacancies.* In the event of death, resignation, or removal of a member of the ACC, the Board of Directors may fill such position. A successor will serve until the expiration of the term he or she was appointed to fill, or thereafter until the appointment of his or her successor.
- E. *Compensation.* No member of the ACC shall receive any compensation for their service on the ACC, nor shall they use the position for personal gain. This section shall not preclude reimbursement to members for expenses reasonably incurred in the course of their duties.

2.04 ADMINISTRATOR DUTIES

A. Duties.

1. *Applications.* The Administrator shall be responsible for the issuance and explanation of application for construction approval forms, the review of plans and specifications, along with any recommendations necessary, and the approval or denial of applications along with explanation of denial.
2. *Inspections.* Once construction has commenced, the Administrator is responsible for enforcement of Article XII of the Covenants and the requirements set forth in this Manual.
3. *House Numbers.* Effective November 1, 2007, the Benton County 911 Administration Office assigns house numbers to all new homes.
4. *Complaints.* Additional duties of the Administrator involve the investigative work to help resolve disputes, complaints, and inquiries, as well as the arbitration and suggestions for compatible solutions with property owners. The Administrator checks into and follows up on complaints received regarding violations of the Covenants. If solutions require BVACC or POA action, findings and recommendations shall be forwarded to the appropriate BVACC or POA representatives.
5. *File Management.* Upon the issuance of an ACC permit, a copy of the permit and all associated paperwork, is scanned into an electronic database file that is created for each address, so that a record of all permits are kept. This file is set up numerically based on an ACC number assigned to each project. The ACC number is also recorded into a ledger. Two ledgers are maintained, one showing only issued permits for new residences and one for all issued permits. These ledgers are maintained by date the permit was issued.

6. *Reporting.* The Administrator is responsible for an end of the month report showing all permits issued. During the month, the Administrator keeps a file of all permit requests that go before the ACC monthly meeting, prepares the agenda, and presents the issues to the ACC.
 7. *Vehicle Maintenance.* The Administrator ensures all BVACC vehicles are maintained and in sound operating condition.
- B. *Support Staff.* The Administrator shall be responsible to BVACC for the performance of all duties, functions, and responsibilities. The support staff, if any, shall report to the Administrator.

2.05 MEETINGS AND PROCEDURES

- A. *Meetings.* Meetings of the ACC shall be held at least once a month. Regular meetings shall be on the third (3rd) Thursday of the month. If needed, a tour will be made prior to the meeting for items needing site review.
- B. *Notice.* Notice of time and place of all meetings shall be communicated to ACC members not less than four (4) days prior to any meeting, provided, however, notice of a meeting need not be given for regular meetings or to any ACC member who has signed a waiver of notice or a written consent to the holding of the meeting. Furthermore, notice shall be communicated through the official publications of the ACC, if one exists. Notice of a future meeting shall be deemed given to those members present at a meeting at which time and place of such future meeting is announced.
- C. *Waiver of Notice.* The transactions of any ACC meeting shall be as valid as though taken at a regular meeting or a meeting duly held after regular call and notice if a quorum is present and either before or after the meeting each of the members not present signs a written waiver of notice, a consent to the holding of the meeting, or approval of the action taken at the meeting. Notice of a meeting shall also be deemed given to any ACC member who attends the meeting without protesting before or at its commencement about the lack of adequate notice.
- D. *Quorum.* At all meetings, a majority of ACC members shall constitute a quorum for the transaction of business. A meeting at which a quorum is initially present may continue to transact business, notwithstanding the withdrawal of members, if any action is approved by at least a majority of the required quorum for the meeting.
- E. *Conduct of Meetings.* The Chairperson/President of the ACC shall preside over all meetings, and shall direct that a minute book be kept, recording therein all decisions made by the ACC and a record of all transactions and proceedings occurring at such meetings.
- F. *Minutes.* The Secretary of the ACC shall submit a copy of the minutes or a report of each ACC meeting to the Board of Directors as soon as practicable after each meeting.

- G. *Necessary Vote.* The votes of a majority of a quorum shall constitute the decision of the ACC.
- H. *Interested Members.* ACC members shall exercise their duties in good faith and with a view to the interests of Bella Vista Village and shall abstain from voting on matters before the ACC that have direct impact on the individual members.

2.06 ENFORCEMENT

The ACC may pursue independent legal action to enforce its authority. The ACC may refer violations to the POA and/or the City for enforcement as appropriate.

Chapter 3 – Fees

The fees have been revised and updated by the ACC Board of Directors 11/29/2023 and effective 1/1/2024.

3.01 BUILDING PERMIT FEES – NEW CONSTRUCTION

A.	Residential Construction Permit and Review (1 Year Permit)	
	1. Review and approval (includes 2 reviews)	\$ 800.00
	>\$250 non-refundable fee paid at time of submittal	
	2. \$100 refund when final inspection is performed by the 1yr expiration	\$-100.00
	3. Reviews: 3 or more to be paid at time of submittal	\$ 350.00 ea.
	4. Changes to an approved permit – owner notifies ACC	\$ 0.00
	5. Changes to an approved permit – ACC notifies owner	\$ 500.00
	6. Extension: 90 day (max 2 per permit)	\$ 150.00
	7. Permit renewal for projects exhausting all extensions: 180 days	\$ 350.00
B.	Commercial Construction: Permit and Review (1 Year Permit)	
	1. Review and approval (includes 3 reviews)	\$1500.00
	>\$500 non-refundable fee paid at time of submittal	
	2. Reviews: 4 or more to be paid at time of submittal	\$ 500.00 ea.
	3. Changes to an approved permit – owner notifies ACC	\$ 0.00
	4. Changes to an approved permit – ACC notifies owner	\$1000.00
	5. Extension: 90 day (max 2 per permit)	\$ 300.00
	6. Permit renewal for projects exhausting all extensions: 180 days	\$ 500.00

3.02 MISCELLANEOUS PERMIT FEES

For residential and commercial projects.

A.	Miscellaneous Repair and Improvement Permit:	\$ 100.00
	This includes, but not limited to, repaint, reroof, reside, staining fence/screening, driveway/patio, seawall, retaining wall 30” and above.	
B.	Improvements up to 200 sq. ft.	\$ 100.00
	This includes, but not limited to, decks(repair/replace/add/cover), additions, accessory structures (carports, garage, shed, dock, covered dock, boat or pool house), and alterations up to 200 sq. ft.	
C.	Improvements from 201 – 400 sq. ft.	\$ 150.00
	This includes, but not limited to, decks(repair/replace/add/cover), additions, accessory structures (carports, garage, shed, dock, covered dock, boat or pool house), and alterations between 201 – 400 sq. ft.	
D.	Improvements from 401 – 600 sq. ft.	\$ 300.00
	This includes, but not limited to, decks(repair/replace/add/cover), additions, accessory structures (carports, garage, shed, dock, covered dock, boat or pool house), and alterations between 401 – 600 sq. ft.	
E.	Improvements from 601 sq. ft. and above	\$ 600.00
	This includes, but not limited to, decks(repair/replace/add/cover), additions, accessory structures (carports, garage, shed, dock, covered	

Chapter 3 – Fees

- dock, boat or pool house), and alterations 601 sq. ft. and above.
- F. Extension: 90 day (max 2 per permit) \$ 50.00

3.03 OTHER FEES

- A. Easement Release Request
- a. Included with a permit \$ 0.00
 - b. Not included with a permit \$ 200.00
- B. Replats/Lot Splits
- a. Residential \$ 100.00
 - b. Commercial \$ 200.00
- C. Reinspection \$ 75.00
 Reinspection fees result when an inspection fails and/or property owner has not addressed an ACC issue upon 2nd non-compliance notification.
- D. Merchant Fees (paying with a credit card) (Effective 8/1/22) 3% of total
- E. Recording Fees
- a. Covenant 15 (2 pages) \$ 35.00
 - b. Additional pages \$ 10.00 ea.
- F. Signs \$ 0.00

3.04 VIOLATIONS AND LEGAL FEES

- A. Starting a project without a permit (Effective 2/20/20)
- a. Miscellaneous permits – 1st offense in a calendar year Permit fee is double
 - b. Miscellaneous permits – 2 or more offenses in a calendar year Permit fee is quadruple
 - c. Residential permits – 1st offense in a calendar year \$1500.00
 - d. Residential permits – 2 or more offenses in a calendar year \$4000.00
 - e. Commercial permits - 1st offense in a calendar year \$3000.00
 - f. Commercial permits – 2 or more offenses in a calendar year \$7500.00
- B. Legal Fees
- a. ACC Attorney sends letter to owner \$ 400.00
 - b. File suit: Attorney’s fees and court cost will not be less than: \$ 500.00
 (Total balance will be based on cost and fees incurred by ACC.)
 - c. Trial and/or Judgments Decision of the court

Chapter 4 – Definitions

4.01 ARCHITECTURAL CONTROL COMMITTEE/ACC

The Architectural Control Committee of Bella Vista Village.

4.02 ARTICLES

The Articles of Incorporation of BVACC, as amended.

4.03 BELLA VISTA ARCHITECTURAL CONTROL COMMITTEE, INC./BVACC

Bella Vista Architectural Control Committee, Inc., an Arkansas non-profit corporation that was incorporated in May 2024.

4.04 BELLA VISTA VILLAGE

The Bella Vista Village community located in Benton County, Arkansas.

4.05 BOARD OF DIRECTORS

The Board of Directors of BVACC.

4.06 BVACC ADMINISTRATOR

The Administrator designated by the Board of Directors, pursuant to the Bylaws.

4.07 BYLAWS

The Bylaws of BVACC, as amended.

4.08 COMMERCIAL ENTITY

Commercial properties are defined as any property that is not a personal residence and/or is operated under the accepted definition of a business. This includes, but is not limited to, banks, grocery stores, gas stations, restaurants, and other for-profit businesses as well as churches and not-for-profit organization.

4.09 COMMON PROPERTIES

Common properties shall mean and refer to those areas so designated upon any recorded subdivision plat of Bella Vista Village and intended to be devoted to the common use and enjoyment of property the owners within Bella Vista Village. This includes but is not limited to:

Roads and streets not dedicated to the public,

Lakes,

Golf courses,
Permanent parks,
Permanent recreational plots,
Water system.

By way of emphasis, it is reiterated that Common Properties shall not mean any of the lands, lakes, parks, golf courses, et cetera reflected upon the Fourth Revised Map of Bella Vista (commonly known as Old Bella Vista) aforesaid.

4.10 CONSTRUCTION

Construction is defined as causing any alteration to the property such as, but not limited to, scraping the land to level it, digging of footings, erecting of form boards, etc. Any alteration to the property that can be construed as construction will be considered as such.

4.11 DEVELOPER

BV Developer, LLC, its successors and assigns.

4.12 FRONT YARD

Front yard shall be defined as any portion of a lot forward of the footprint of the primary structure on the lot. The front yard shall be delineated by the orientation of the front entrance of the front elevation of the structure.

4.13 IMPROVED PROPERTY (RESIDENTIAL)

Property that has a residence constructed on it.

4.14 INOPERABLE VEHICLE

Inoperable vehicle shall mean any vehicle, automobile, motorcycle, or boat that does not have a current license or which is in a state of disrepair so that it cannot operate as intended.

4.15 PROPERTY (RESIDENTIAL)

The entire area encompassed within the lot lines.

4.16 RESERVED PROPERTIES

Any area upon a plat not covered by the Covenants or any supplemental declaration or covenant and typically designated a "Reserved Properties" on recorded plats and maps of Bella Vista Village. The ACC does not have authority over Reserved Properties.

4.17 TRIM

Those areas such as gutters/downspouts, windows/window trim, soffit and fascia, porch railings, and garage doors are considered trim for the purposes of paint color approval.

4.18 UTILITY EASEMENT

Utility easement shall mean and refer to those areas of land designated on any recorded subdivision plat of The Properties as “Utility Easements” or as may be provided in or by the Covenants, or any supplemental declaration or covenants.

Chapter 5 – Architectural Design Standards

5.01 ARCHITECTURAL DESIGN STANDARDS

Article XII, Section 1 of the Covenants state building plans shall be approved in writing by the ACC as to harmony of external design and location in relation to surrounding structures and topography.

This language is interpreted to mean that designs should conform architecturally to the rustic, woodland setting of Bella Vista Village and is best accomplished by the following:

- A. *Single-family Residential Buildings.* Rough textures on treated wood siding, decks, railings or textured vinyl or Hardie siding materials comparable in appearance to wood are preferred. Masonry such as brick with rough texture or natural native stone, when used on walls, foundations, planters or fireplaces should be an earth color. Exposed concrete foundations are to be painted to match the main color of the house. The primary residential structure shall be no less than the minimum square footage defined by the subdivision plat. A covered parking structure (e.g., garage or carport) shall be required for all single-family residences.
- B. *Roofs.* Roofing materials may be asphalt, shake shingles, or metal panels (H-Loc or standing seam only) in earth tone colors listed below in 5.01C2b--Colors. White, light, bright, or blue roof colors are not permitted. If reroofing or repairs are needed for an existing roof, an ACC permit shall be required. The repairs must match the existing roofing material and color, but if the materials and colors do not match, the entire roof shall be replaced. Temporary roof coverings such as tarps can be green, camouflage, black, or brown.

Commercial – The above standards shall also apply to businesses. The ACC is aware that some businesses have proprietary colors for marketing purposes. This will be taken into consideration and roof color requests for these unique situations will be determined on a case-by-case basis.

- C. Colors.
 - 1. *Painting.* Two-tone painting (e.g., main color and trim color) of residences is preferred. Trim colors may be earth red, green, gray, brown, white, or black (trim as defined in chapter 4). One solid color of owner's choice is permitted for the front entry door. It is also required to paint the foundation to match the main color of the residence. When repainting the main residence, all outbuildings/sheds, detached garages, etc. must match the residence as far as main color and trim color.
 - 2. *Colors.* Colors should be those that complement the surrounding area and should lend to earth tones so as to blend in with rustic, woodland setting of Bella Vista Village. The theme is best accomplished by use of:

- a. Rough textured treated wood in siding, decks, railings and fences;
- b. Earth colors such as browns, greens, earth reds, and grays, or shades thereof;
- c. Natural native stone or brick of rough texture and earth colors in walls, foundations, planters, and fireplaces;
- d. Stone and/or brick planting areas;
- e. Samples of any proposed color must be submitted for ACC approval.
- f. Colors that are not approved include, but are not limited to the following: white, blue, black, pink, yellow, and any hues that appears like these, and bright colors in general.

Commercial – The above standards shall also apply to businesses. The ACC is aware that some businesses have proprietary colors for marketing purposes. This will be taken into consideration and color requests for these unique situations will be determined on a case-by-case basis.

NOTE: Colors as defined in this section relate to other items such as tarps, fence colors/stains, deck colors/stains, etc.

- D. *Standard Maintenance.* Standard maintenance includes, but is not restricted to, repainting, re-roofing, and replacing deck boards, etc., so long as the size shape, location, or materials are not altered. These items require ACC approval/permit and a fee (Covenants Article XII).

5.02 ADDITIONS TO RESIDENCE

All new materials are to match the existing residence in every way possible, including the type of windows, type and texture of siding, and paint colors. Roofing materials are to match as close as possible. If roof materials cannot be matched, the ACC requires reroofing the entire residence. Any addition or remodeling must conform to the current codes and ACC standards. Any exterior work or increase in square footage requires ACC review, permit, and fee.

Commercial – The above standards shall also apply to all commercial buildings.

5.03 DOCKS, COVERED BOAT DOCKS, AND BOAT HOUSES

Property owners wanting to construct docks, covered boat docks, or boat houses shall submit a plot plan and scaled drawings to the ACC for a permit (Protective Covenants, Number 9.)

- A. *Ownership.* Docks on lots of single-family residences are for the owner's use. The property owner is responsible for obtaining required permits. (EFFECTIVE 4/21/2016).
- B. *Construction.* Materials for boat docks, covered boat docks, and boat houses should match the residence; however, a metal roof is permitted as long as it is H-Lock or R-Lock/R-Panel or equivalent construction. Colors must be in compliance as stated in Chapter 5, Section 5.01C2 (Colors). Metal roofing shall have rake trim for a finished look. The ACC will not permit "treated" wood to stand in lake water, but it may be used as decking and railings. Galvanized metal posts may be used in place of wood. Any wood which stands in lake water cannot be "treated" but may be heart of redwood, cypress or cedar. All skirting must be of redwood or cedar. The ACC will not permit barrels or pontoons for flotation. Any Styrofoam must be encapsulated. Roofing specifications for covered boat docks/boat houses were revised and adopted on 3/16/2017.
- C. *Docks and Ancillary Buildings on Unimproved Lots.* The ACC finds that permit applications for the construction of docks and ancillary buildings, such as a boat house or dockside recreational improvement, on an otherwise unimproved lot, may be considered provided:
1. The dock and ancillary building will be constructed on a lot contiguous to the residence (same owner(s) of both lots).
 2. The owner(s) shall execute an acknowledgement that if the ownership of the two adjoining lots shall cease being common ownership for any reason, the dock or ancillary building located on the lot on which there is no residence shall be removed and the lot restored to its former natural condition in so far as possible at the owners(s) expense. The acknowledgement shall be in the form as required by the ACC (See Covenant 15 in Appendix C).
 3. The owner shall apply for an easement release if permanent improvements encroach into the utility and drainage easement. The utility and drainage easement, as outlined in the plat notes for each subdivision of Bella Vista Village, are reserved by the Developer pursuant to Article IV of the Covenants unless specifically designated otherwise on the plat or in the notes. A current survey including lots affected by easement encroachments is required showing the exact location, to scale, of all structures and encroachments. This information will be submitted to the Developer for review and approval.
 4. The improvement does not encroach into the 20' lakefront property line setback as shown on the subdivision plat. If there is such an encroachment, ACC written permission is required (Covenant 9).

5.04 ACCESSORY STRUCTURES

A. Outbuildings.

1. *Single-Family Detached.* Outbuildings or accessory buildings, such as a garage, guest house, shall be permitted on lots upon which single family detached buildings are occupied by guests, and are not occupied otherwise as rental units by non-guest occupants, and provided the ACC shall approve the design, plans, specifications, etc., of such buildings. Such structures must match the existing residence as to siding, shingles, paint and trim colors, and architectural style. Metal, plastic, and Rubbermaid-type sheds are not approved. A permit for sheds, outbuildings, or accessory structures is required and must be approved by the ACC. Additionally, the accessory structure must be in line or behind the front plane of the primary residential structure.
2. *Outbuildings on Unimproved Lots.* The ACC finds that applications for permits for the construction of outbuildings or accessory buildings, such as a garage, storage building, accessory dwelling unit, guest house, or other structure on an otherwise unimproved lot, may be considered, provided:
 - a. The outbuilding or accessory building is constructed on an otherwise unimproved lot contiguous with the lot upon in which the residence of the owner(s) of both lots is located.
 - b. The owner(s) shall execute an acknowledgement of the requirement that if the ownership of the two contiguous lots shall cease being common ownership for any reason, the outbuilding located on the lot on which there is no residence shall be removed at the owner's expense and the lot restored to its former natural condition insofar as possible. The acknowledgement shall be in a form as required by the ACC (See Covenant 15 in Appendix C).
 - c. The owner shall apply for an easement release if such improvements are permanent and encroach into the utility and drainage easement as outlined in the plat notes for each subdivision of Bella Vista Village. A current survey including all lots affected is required showing the exact location, to scale, of all structures and encroachments and will be submitted to the Developer for review and approval.

Commercial – Outbuildings on commercial property should adhere to current rules for outbuildings as outlined above. Any request for a commercial outbuilding for unique situations will be reviewed on a case-by-case basis.

- B. *Carports.* Carports may be enclosed into a garage or for added living space provided the materials proposed match the existing residence and the plans are

approved by the ACC. A covered parking area or a garage shall still be required. A permit is required.

C. Fences/Screening.

1. *Permit Required.* All fences must be reviewed and approved by the ACC and a permit fee paid prior to installation as required by Chapter 3 - Fees.
2. *Location.* The location of the fence must be drawn to scale on a plot plan and submitted to the ACC for approval. Fences may be built on the lot line but not over the lot line and the fence cannot run parallel to the lot line in the utility and drainage easement. However, if an adjacent lot with contiguous lot line is owned by the same owner, then the fence may continue in line with the front plane of the primary residence onto the adjacent lot. The owner must acknowledge disclaimer on application form pertaining to easement encroachment and sign and record ACC Covenant 15 form. Any portion of a fence facing a street must be wood, decorative, or other approved fencing. (Revised and adopted on 3/16/2017.)
 - a. *General Guidelines.* All fences and fencing must be approved by the ACC prior to construction. Front yard (as defined in Chapter 4) fences and fencing are strongly discouraged in Bella Vista Village. However, request for front yard fences will be considered by the ACC subject the guidelines listed herein and will only be approved on a case-by-case basis. To obtain ACC approval, front yard fences and fencing must be compatible with the surroundings of Bella Vista Village, the aesthetic feel of the particular lot(s) upon which the fence or fencing will be constructed.
 - b. *Purpose.* Front yard fences and fencing may be used for lot line accents decorative purposes, or as enclosures. The ACC reserves the right to limit the purpose as well as the location and material of fences and fencing.
 - c. *Material and Design/Style.* Materials and design must match those submitted to and approved by the ACC in issuing the fence permit. Examples of appropriate styles or designs that may be considered include, but are limited to “split rail, picket, post and rail, wrought iron, and decorative masonry pillars. No chain-link or unapproved wire shall be permitted in a front yard.
 - d. *Location and Height Restriction.* Approved front yard fences and fencing may be erected adjacent to or within a required front yard setback, provided such fences shall be not more than thirty-six (36) inches in height following the natural contour of the ground. Front yard fences and fencing installed on the adjacent lot(s) owned by the same owner(s) must maintain the same height as front yard fence

and fencing installed on the primary residential lot. Front yard fences and fencing cannot impede vision to an adjacent street for traffic safety reasons (Covenant 17). (Revised and adopted on 3/16/2017.)

- e. *Maintenance.* All fencing must be continuously maintained to present an attractive appearance.
3. *Finished Surface.* Finished surface for all fencing shall face outward from the property. Posts and support beams shall be inside the finished surface or designed to be an integral part of the finished surface.
4. *Side and Rear Yards.* Side and rear yards may be chain-link, picket, split rail, post and rail, or wood privacy fence (following natural contour of the ground). These fences may be used for enclosures to contain pets or provide privacy. Any portion of a fence facing a street must be wood, decorative, or other approved fencing as defined in paragraph 5.04C2c.
5. *Height and Type.* Side and rear wood privacy fences shall not exceed 8'0" in height (following natural contour of the ground). Chain-link shall not exceed 6'0" in height (following natural contour of the ground) and any front yard fences shall not exceed 36" in height (following natural contour of the ground).
6. *Materials and Colors.* Privacy fences must be constructed of standard and acceptable materials conducive to privacy fencing. A chain-link fence must be constructed of standard chain link materials, either galvanized aluminum or vinyl coated. Other wire fences (more than 6 gauge) and T-posts are not permitted. All other fence materials will be reviewed on case-by-case basis. Effective September 1, 2007, no lattice material is to be used for fencing or screening boats, trailers, RVs, etc. Only solid fencing materials such as privacy type are allowed. Colors must be in compliance as stated in Chapter 5, Section 5.01C2 (Colors). No white fence/fencing shall be permitted. Previously, the ACC has grandfathered any white fence/fencing that predated the adoption of the ACC policy prohibiting white fence/fencing. However, as of January 1, 2022, no white fence/fencing shall be permitted, regardless of date of installation.
7. *Lake Lots and Golf Course Lots.* Any chain link fences on lake front and golf front property must be vinyl coated (black, brown, or green). Any fencing on lake lots and golf course lots must remain 20'0" from property line as stated in Protective Covenant 9.

Commercial – Fencing on commercial properties should also adhere to above standards. Requests for unique situations will be reviewed on a case-by-case basis.

8. *Screening for Vehicles.* “Inoperable vehicles”, as defined in Chapter 4, “commercial motor vehicles”, as defined by Ark. Code Ann. §27-23-103(8), all other commercial vehicles, to include but not be limited to, tow trucks and box trucks, and all recreational vehicles, boats or other watercraft, golf carts, enclosed trailers, non-enclosed flatbed trailers with a bed size larger than five feet by ten feet (5’ x 10’), boat trailers, and truck campers shall be parked/placed behind the front plane of the house and completely screened from a viewer’s sight from the street 12 months out of the year.

Screening shall be privacy type fencing up to 8’0” in height (following natural contour of the ground) that completely blocks the prohibited item(s) from view. If the prohibited item(s) cannot be screened from a viewer’s sight from the street 12 months out of the year, the prohibited item(s) shall be moved off site.

The ACC will allow RVs and campers to be parked on a hard surface for 3 continuous days (maximum) for loading/unloading, cleaning, repairs, etc. Boats can be parked on a hard surface for 24 hours for loading/unloading, cleaning, repairs, etc. This does not mean such vehicles may leave after the maximum time allowed and reappear for another allowable period every few days.

9. All autos and any recreational vehicles, boats or other watercraft, golf carts, enclosed trailers, non-enclosed flatbed trailers with a bed size larger than five feet by ten feet (5’ x 10’), and truck campers shall be parked on a hard surface located on the property. Acceptable hard surfaces shall be SB2 gravel, asphalt, or concrete. (Adopted on May 18, 2017).
- D. *Decks.* Staining, painting, or weather-sealing of decks is recommended to alleviate mildew, sun bleaching, and weather rot. Deck additions should match existing decks with materials and configuration, and be approved by the ACC. Permit is required for any improvement or addition to a deck.
 - E. *Seawalls.* Treated wood may not be used for seawalls, although heart of redwood, cedar, cypress, concrete, stone, and other approved materials, may be used. A permit is required and must be approved by the ACC.
 - F. *Front Yard Outdoor Play Equipment.* No outdoor play equipment may be located in the front yard, but it shall be behind the front plane of the house. “Front Yard” shall be defined as set out in Chapter 4. “Outdoor Play Equipment” shall include but shall not be limited to: trampolines, above ground pools, swing sets/swings, jungle gyms, play/tree houses, climbing walls, and volleyball nets.
 - G. *Solar Panels.* Solar panels are allowed, but a miscellaneous permit (Chapter 3-Fees) is required prior to installation. Panels must be solid black including the frames. When possible solar panels should be installed on a side of the roof not facing a

street. When applying for the permit, the applicant should provide information from the manufacturer or installation company with placement options. (Adopted on July 20, 2021.)

Chapter 6 - Application Procedures

6.01 RESIDENTIAL PERMITS

- A. *Application Requirements.* The following requirements must be met before the ACC will consider approving the project for new construction.
1. *Proof of Compliance.* As set forth in Paragraph 10 of the Covenants, the following are required:
 - a. If a contractor, builder, person or entity is performing the construction work for the owner, proof of financial ability must be furnished to the ACC prior to beginning construction to ensure completion of the work and to indemnify the owner against material and mechanic liens.
 - b. If the owner is his own builder he shall furnish the ACC, prior to beginning construction, such credit information and proof of financial ability to complete the building within the time requirements of the Covenants.
 - c. The property owner must furnish to the ACC satisfactory proof that Builder's Risk Insurance is in effect. Builder's Risk Insurance is to be equal to the value of the home and effective for the construction period. The contractor must furnish Worker's Compensation, if applicable (required state minimum). All forms of insurance must specify property address or legal description, effective policy dates, and amount of coverage.
 2. *Plot Plans.* One copy of the plot plan (11 x 17 scaled) drawings must be submitted to the ACC which meets the specifications described in the Application Checklist and Plot Plan Checklist.
 3. *Construction Elevations.* One set of exterior elevations that accurately and clearly denote the work to be done must be presented to the ACC. Plans must show exterior materials, shingles, colors, etc. Floor plans must be included to verify minimum square footage as required by the subdivision plat.
 - a. *Residential and Commercial.* Drawings must (on 11" x 17" size paper) accompany the application and include four exterior elevations (front, sides, and rear).
 - b. *Samples.* Color and manufacturer names for shingles, brick or masonry, siding, trim, shutters, soffit and fascia, gutters, etc., will be submitted for ACC approval.

4. *Permit Fee.* A permit fee is required before issuing an ACC permit and the fee is not refundable. The required fee may accompany the application but can be submitted at the time of permit pick up. If any construction begins prior to ACC approval/payment of fee, the fee will be doubled (see fee schedule). Any alteration to the property that can be construed as construction will be considered as such.
5. *Permit Issuance.* When the application is approved and signed by the designated authority of the ACC and the fee is submitted, a building permit will be issued. The building permit must be visible from the road. The permit is valid for one year from the date of issuance. If the exterior of the residence cannot be completed by the end of the one year, an extension permit shall be required. Two 90-day extensions are allowed for any new home construction permit. Owner/builder must purchase a new permit at full price if project is not completed after two extension periods.

6.02 COMMERCIAL PERMITS

See Chapter 5 for commercial permit standards and requirements.

6.03 MISCELLANEOUS REPAIR AND IMPROVEMENT PERMIT and LARGE SCALE MISCELLANEOUS IMPROVEMENT PERMIT

Any improvements that change or maintain the outward appearance of a residence or a property requires a permit (Article XII of the Covenants). All new construction must match pre-existing construction.

- A. *Application.* An application must clearly indicate the size, shape, location, colors, and materials used.
 1. *Plot Plan.* A copy of the plot plan is required showing the exact location, to scale, of any improvements to a property. This includes but not limited to: additions to the exterior, deck additions, fences, storage sheds, painting, etc. Permanent improvements cannot extend into the utility and drainage easement as shown on the plat. Please inquire at time of application about the easement release process.
 2. *Elevations.* Provide exterior elevations for improvement. This could include drawings or photos representing the finished project.
- B. Permit Fee & Issuance.
 1. *Permit Fee.* The required fee may accompany the application; however, the fee may be paid at time of permit pick up. If any construction begins prior to ACC approval and fee payment, the fee will be doubled.
 2. *Permit Issuance.* All completed applications are to be submitted to the ACC for review. The ACC will review the application and will issue a

permit upon approval, will deny the application, or will contact the applicant to discuss alternative solutions towards approval.

3. *Incomplete Applications.* Incomplete applications are not held at the ACC office.

6.04 INSPECTIONS

The ACC will perform a final inspection for compliance of all completed projects. Items to be reviewed, but not limited to, will be roof color, siding color, painted foundation color, concrete or asphalt driveway, finished porches/decks, and fences.

Chapter 7 - Review Procedures

7.01 GENERAL PROVISIONS

- A. *Applications.* Standard maintenance work requires the issuance of a permit. These include, but are not limited to, re-painting, re-roofing, and replacing of deck boards.
1. *Written Application.* The ACC will consider only written applications and may require such further documentation as it reasonably deems necessary.
 2. *Fees.* An application or permit fee payable to the ACC may be assessed as identified in Chapter 3-Fees.
 3. *Filing.* All applications shall be filed by ACC number and contain Subdivision, Block, and Lot Number with an indication of the decision made and actions taken.
 4. *Lot Line Verification.* Property owners are responsible for determining the exact location of their property lines. A recent survey is preferred and may be required for approval.
 5. *Residential and Commercial Detached Property.* Further documentation may be required.
- B. Decisions.
1. *Timing.* Refer to Article XII of the Covenants.
 2. *Notification of Committee Decision for variance/appeal.* The ACC will notify the applicant of its decision not more than seven working days after its meeting.
 - a. *Denial.* Notice of denial shall be deemed to have been properly given when mailed and postpaid by 1st class mail to the address of the applicant as shown on the application. Upon denial of an application, the applicant shall be informed of the availability of gratuitous advice from the ACC. Reasons for denial shall be enumerated as part of the notification.
 - b. *Approval.* Notice of approval shall be deemed to have been properly given upon issuance of a permit for the requested activity.

7.02 REVIEW OF ACC PERMIT APPLICATIONS

The ACC has established the following general rules to guide them in arriving at a decision to approve or disapprove an application for construction.

- A. *Aesthetics.* All construction should improve and enhance the aesthetics of Bella Vista Village as well as the individual property.
- B. *Architectural Style.* No specific architectural style will be eliminated from consideration, but there is a strong preference for rustic architectural style in keeping with the image of Bella Vista Village as a high-quality rural environment.
- C. *Building Materials.* New materials and new systems of construction will be given careful and friendly consideration. Insofar as practicable, exterior building materials should be indigenous to the area. For instance, native stone is preferred while stone or brick that is not native should have a color and texture appropriate to the rural motif.
- D. *Roof Overhangs and Balconies.* In keeping with the rural nature of Bella Vista Village, the ACC suggests every consideration be given to side roof overhangs and outside balconies, and to architectural styles where these will be appropriate.
- E. *Site.* The ACC will give equal consideration to the overall site as well as the building.
- F. *Screening.* In the case of lots adjacent to major roadways (typically depicted on subdivision plats), the ACC will require that the provisions of Covenant 16 concerning screening easements be observed so that a screen of natural foliage or attractive walls or fences will border each of the non-frontage collector streets to preserve the rural nature of the community in the eye of the through traveler and to screen the traffic of the high-volume traffic streets away from the home site.

7.03 REVIEW PROCEDURES FOR NEW CONSTRUCTION

- A. *Applications.* The BVACC Administrator, or designee, will issue a permit packet, which includes Application for Review of New Construction, Application Checklist, and Indemnity Agreement. The BVACC Administrator will review and discuss any questions regarding the application and accompanying paperwork with the applicant(s).
- B. *Review Criteria.* The BVACC Administrator will review applications for conformity with the Covenants and this Manual to ensure that:
 1. Application is signed and dated by applicant; Indemnity signed and notarized;
 2. Plot plan is signed and dated by authorized agents and Registered Land Surveyor;
 3. Request meets or exceeds minimum square footage requirements as set forth on the recorded plat;
 4. Style of home conforms to neighboring residences to the extent possible;

5. No encroachments to platted setbacks or easements are proposed. Proposed platted setback encroachments must be approved by the ACC; easement encroachments must be approved by the Developer in which the ACC will submit the necessary documents for easement release review;
 6. *Dual lot situation.* Such applications may require release of easement from the Developer to determine if or how much of the easement should be released. The ACC will act as point of contact for this utility and drainage easement release process.
- C. *Decision.* The BVACC Administrator, upon submittal, will either approve or reject the application.
1. *Approval.* Upon approval, accept the appropriate fees and issue the ACC permit and receipts for fees collected.
 2. *Denial.* Upon rejection, if requested by applicant, discuss alternatives for approval, or agree to present the application to the ACC at its next regularly scheduled meeting.
- D. *Display of Permit.* The ACC permit must be posted on site prior to construction either on a plywood job board or in a brochure box. The permit must be visible from the road. Permits should be removed after final inspection.

7.04 REVIEW PROCEDURES FOR MISCELLANEOUS REPAIRS AND IMPROVEMENTS TO PROPERTY

- A. *Permit Required for Miscellaneous Repairs and Improvements.* Standard maintenance work requires an ACC permit. These would include, but not limited to: re-painting, re-roofing, replacing deck boards or rails, and siding.

Examples of improvements not limited to: fences/screening, deck additions, concrete driveways, sidewalks, patios, pools, tree houses, seawalls, retaining walls, carports, garages, sheds, docks, etc.

Other improvements: Additions/alterations to increase *heated floor space* less than 120 sq. ft.

- B. *Permit Required for Large Scale Miscellaneous Improvements.* These improvements include, but are not limited to, the following:

Any addition of 120 sq. ft. or larger of *heated floor space*.

When turning a carport into heated floor space and adding a garage or carport.

When adding an accessory structure such as a shed, garage, carport, boathouse, or covered dock (400 sq. ft. or larger).

- C. *Exemptions.* Items excluded from this section are interior work of a residence that does not affect the exterior, such as adding a window or a door.
- D. *Applications.* The Administrator, or designee, will review and discuss any applicant questions regarding the application and accompanying paperwork.
- E. *Review Criteria.* The Administrator or designee will review the application for conformity to the Covenants and this Manual to ensure that:
 - 1. Application is signed and dated by applicant;
 - 2. Copy of plot plan or survey (preferred) accompanies the application showing the location and dimensions of all improvements;
 - 3. Project drawings that indicate materials to be used as to size, specifications, and location;
 - 4. The improvement conforms to the surrounding residences and matches the existing residence as close as possible;
 - 5. No encroachments to setbacks or easements are proposed. If proposed encroachments, they must be approved by the ACC and/or Developer as applicable;
 - 6. Applicant may be required to expose property pins, for inspection, prior to approval;
 - 7. The site is checked to view existing property and suggest alternatives if appropriate;
 - 8. Application for construction or installation of miscellaneous repairs or improvements must be approved by the ACC prior to issuance of a permit.
- F. *Decision.* Upon completion of review criteria, the Administrator will either approve or reject the application.
 - 1. Approval. Upon approval, accept the appropriate fees and issue the ACC permit and receipts for fees collected.
 - 2. Denial. Upon rejection, if requested by applicant, discuss alternatives for approval, or agree to present the application to the ACC at its next regularly scheduled meeting.
- G. *Display of Permit.* Upon issuance of a permit, the permit must be visible from the road. Permits should be removed after final inspection.

7.05 REVIEW OF REQUESTS FOR VARIANCES FROM DESIGN GUIDELINES

The ACC may authorize variances from compliance with any of the provisions of the design guidelines when circumstances such as topography, natural obstructions, aesthetics, or environmental considerations require, but only in accordance with its duly adopted rules and regulations. Such variances may only be granted, however, when unique circumstances dictate and no variance shall:

- A. Be effective unless in writing;
- B. Be contrary to the restrictions set forth in the body of the Covenants; or
- C. Prevent the ACC from denying a variance in other circumstances.

7.06 APPEALS

If a proposal is rejected by the Administrator, an applicant is free to request that the ACC reconsider its position and is encouraged to present new or additional information that might clarify the request or demonstrate its acceptability. No appeal may be made to the City, POA, the Board of Directors, or the Developer.

7.07 WAIVERS

The approval of the ACC of any applications for any work done or proposed, or in connection with any other matter requiring the approval and consent of the ACC, 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 whatever subsequently or additionally submitted for approval or consent.

7.08 REVIEW OF COMPLAINTS

- A. *Authority.* The ACC is empowered to receive complaints of possible architectural violations and violations of the Covenants. Complaints can be made in writing or by phone and will be anonymous. Any complaints are considered confidential and, unless required by applicable law, are not subject to discovery by other property owners. The Administrator or her/his designee shall be authorized to act under this Manual and related enforcement policies
- B. *Investigation.* The Administrator shall investigate all complaints and shall pursue the complaints that are validated violations.
- C. *Determination.* If, in the reasonable judgment of the Administrator, no violation exists, or if the Administrator affects a remedy, no further action shall be required.

If the Administrator finds a violation does exist, and is unable to affect a remedy acceptable concerning the complaint, said property owner shall be given notice by the Administrator of the nature of the violation, possible remedies, and a time frame to cure the violation. If the Administrator, in light of all evidence available to it,

shall decide that a violation exists, it shall take any additional action deemed appropriate to encourage compliance.

- D. *Continued Violation.* If the violation continues, the ACC may take action pursuant to Chapter 2 – Administrative Policies, Section 2.06 - Enforcement.
- E. *Filing.* The ACC shall keep a file of all validated violations. Validated violation shall be filed by ACC number and contain Subdivision, Block, and Lot Number, with an indication of the decision made and actions taken.

Chapter 8 - Signage

8.01 SIGNS – GENERAL

In accordance with Covenant 18--All signs are prohibited in areas zoned upon any recorded subdivision plat as residential except:

- A. Signs erected by the POA for identification of streets, traffic control and directional purposes;
- B. Signs of a temporary nature advertising property for sale and construction signs, which signs shall not exceed five (5) square feet in area;
- C. Signs erected by Developer in connection with its sales program;
- D. The erection of signs in areas zoned commercial upon any recorded subdivision plat shall require a permit of the ACC and no such sign, except as provided in subparagraphs A, B, or C above, shall be erected without the permit of the ACC.

8.02 POSTING

Signs are not permitted to be attached to telephone poles, street signs, stop signs, POA signs, etc.

8.03 RESIDENTIAL SIGNS - RESIDENCES UNDER CONSTRUCTION AND/OR FOR SALE, OR EXISTING RESIDENCES UNDER REMODEL

- A. Construction Signs. Signs on properties with residences under construction and/or for sale or existing residences under remodel are subject to the following:
 - 1. Construction signs with a maximum area of five (5) square feet to include the following:
 - a. ACC permit (must be posted on a plywood board or placed in a brochure box);
 - b. Builder's sign;
 - c. Subcontractor's sign (as applicable)
 - 2. Realtor's sign with a maximum area of five (5) square feet (including riders). Only one such sign may be displayed on the property for sale. Two signs may be permitted on designated golf course or lake front properties.
- B. *Open House Signs*. Signs for residential open house events can be erected on the actual property for sale. Open house directional signs on road right of way are subject to the City of Bella Vista Sign Ordinance.

- C. *Violations.* All signs found in violation or in an un-kept condition will be picked up and stored at the ACC's office for one week. Signs that are not recovered by the owner within the one-week timeframe will be disposed of.

8.04 UNDEVELOPED LOTS FOR SALE

Signs on undeveloped lots for sale, either by owner or realtor, cannot exceed five (5) square feet in area. Signs may state name of realty company, realtor's name, contact information, and lot identification information (e.g., lot, block, and subdivision).

8.05 COMMERCIAL SIGNS

This section shall govern only those areas located within Bella Vista Village and outside the City of Bella Vista zoned commercial.

The construction or maintenance of signs, whether temporary or permanent, in any area designated commercial, upon any of the properties within Bella Vista Village shall require a permit of the ACC and no such sign shall be erected nor maintained upon the properties, without prior approval of the ACC. For the purpose of this Manual, commercial properties are defined as any property that is not a personal residence and/or is operated under the accepted definition of a business. This includes, but is not limited to, banks, grocery stores, gas stations, restaurants, and other for-profit businesses as well as churches and not-for-profit organizations.

- A. *General Provisions.* Signs must be consistent with the existing signs used in the area adjoining the commercial property where the sign is to be located (unless the signs in the immediate area are not in compliance with this Manual). Size, shape, height, location, materials, design, color, illumination and method of installation must be approved and permitted by the ACC as follows:

1. *Height.* Single occupant building signs shall be at existing ground level and not to exceed 9'-0" in height. If the sign is located on property adjoining Highway 71, the sign may be erected on a standard not to exceed 25'-0" in height.
2. *Width.* The width of a horizontally displayed sign may not exceed twice the height. The width of any vertically displayed sign may not exceed one-half (1/2) the height.
3. *Color.* Sign colors shall be earth tones (browns, greens, earth reds, and grays) as approved by the ACC. Sign face colors may be of proprietary colors. Fluorescent and iridescent colors are prohibited.
4. *Materials.* Permanent signs shall be of wood, brick, stone, plastic, or fiberglass or other materials as approved by the ACC.
5. *Lighting.* Sign illumination shall be shaded, shielded, or directed so as to minimize the light intensity to the surrounding areas and to prevent blinding

of passing motorists. Inert gas or bent tube (neon or fluorescent) materials may only be used as back lights to signs.

- B. *Single Occupant Commercial Signs.* The sign shall not exceed 80% of the width of the occupant's store front. Signs attached to the side of a building connected to the side of a building may not exceed 20% of the side wall space, and may not exceed a total of 100 square feet, whichever is less, and such signs shall not exceed 4' in height.
- C. *Multi-Occupant Commercial Signs.* A sign for a multi-occupant facility will have a directory sign located as approved by the ACC.
 - 1. *Attached to Front of Building.* A sign attached to the front of the building may be permitted for each occupant provided the sign does not extend above the roof line of the structure, nor exceed 80% of the width of the occupants store front.
 - 2. *Attached to Side of Building.* Signs attached to the side of the building or erected to the side of a building may not exceed 20% of the side wall space, and may not exceed a total of 100 square feet, whichever is less, and such signs shall not exceed 4' in height.
- D. *Temporary Signs.* Permitted temporary signs are generally accepted to announce grand openings or special seasonal features of the business. Temporary signs will be permitted for a period of 15 calendar days four times per year and in accordance with 8.02 - Posting. All temporary signs must be approved by the ACC prior to display.
- E. *Variances.* Variances may be allowed by the ACC due to hardship of the applicant on the basis of terrain, location, or other factors beyond the control of the applicant.
- F. *Fees.* Fees for a commercial sign permit as applicable must be paid in accordance with Chapter 3 - Fees.
- G. *Grandfather Clause.* Existing permanent signs are grandfathered until replaced by a new sign. Replacement signs, whether temporary or permanent, must comply with this Manual, as stated herein.

8.06 CAMPAIGN SIGNS

The ACC has taken a less restrictive sign procedure than is outlined in the Covenants due to the nature of political discourse. Covenant 18, as adopted in the Covenants, limits signs on residential property to temporary advertising for property for sale and construction signs which shall not exceed 5 square feet in area. However, during the political season the ACC, as it has in the past, will take a less restrictive position regarding the residential signage regulations.

Campaign signs may be posted on residential property following the less restrictive procedure if they meet these guidelines:

1. Signs may not be erected earlier than 60 calendar days prior to Election Day.
2. One sign per candidate per property location is allowed. Maximum number of signs shall be one sign for every 20 feet of street frontage the property borders.
3. Maximum size per sign is 5 square feet.
4. Signs may not be placed on utility poles, street signs, stop signs, POA signs and may not be placed in the road rights-of-way or on Common Property.
5. Signs (and posts) must be removed from the property within 5 calendar days after Election Day.

To place campaign signs on commercial property the candidate, or their representative, must obtain a no fee sign permit from the ACC. This permit is good for any location where permission has been given by the land owner and there will not be a charge for the permit.

Any signs placed without a permit or not meeting these required criteria may be removed by ACC staff. Signs removed by ACC staff will be held for 1 week for owner retrieval. If not picked up in 1 week, signs will be discarded. (Adopted on November 15, 2018; Revised and adopted on December 20, 2018 and October 3, 2020)

8.07 SIGN APPROVAL

Other signs not expressly addressed herein are not allowed unless approved by the ACC.