



**PELICAN COVE CANAL OWNER'S ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE**

Application for Approval of

Construction or Changes Other than New Home

Date _____

Proposed Construction Site Address

Street _____

Block _____ Lot _____

Owner Name _____

Owner Contact Info:

Home _____

Cell _____

Other _____

Email _____

Owner Mail Address _____

Builder Name _____

Builder Contact Info:

Home _____

Cell _____

Email _____

Builder Mail Address _____

- I. Prior to application for consideration by the PCCOA Architectural Control Committee, Owner should obtain two copies of the **plan drawings**, two completed copies of this **form** and a payment of **\$50** (for plan approval and inspections). Then, Owner should submit two copies of the design plans and two completed copies of this form along with payment to PCCOA.
- II. Construction is only permitted upon approval of this application and upon approval of the plan drawings. **Construction cannot begin until the property owner is in receipt of a copy of this form and a copy of the plan drawings, both signed as approved by a member of the ACC. Owner agrees to pay to PCCOA, as liquidated damages, \$100 per day for each day construction is in progress prior to receiving the signed approval documents.**

Owner Initial _____

- III. Any approval for the proposed construction will be granted conditional upon the following terms being met:
 - A. The Covenants and Restrictions, By-Laws, and Architectural Control Committee (ACC) policies for Pelican Cove shall be adhered to in all matters concerning construction. Approval of the plan does not constitute a variance or other authority to not comply.
 - B. The building regulations of the city of Aransas Pass shall also be followed.
 - C. The construction shall be executed in strict compliance with the project plans that were approved by the ACC. Any subsequent changes shall require approval by PCCOA. (Re-approval requires the submission of a plan or sketch and a separate \$50 check payable to PCCOA.) The ACC, in its sole discretion, can stop construction at any time if construction is not in compliance with the approved plans or the PCCOA Covenants and Restrictions.
 - D. Erosion control shall be included in the plans and practiced to prevent sand, soil, and debris from washing into the adjacent lots, canals or the streets.
 - E. The site shall be kept free of litter.
 - F. In addition to the one sign permitted in Article 3, Par 3.19, a second sign is permitted as follows: "During construction of a building or other improvement only, one professional lettered sign not larger than three (3) feet square will be allowed naming the prime contractor making the improvements".

- G. Prior to use of any adjacent lot for any reason, written approval must be obtained from the lot owner. The ACC shall be given a copy of this written approval.
- H. If the adjacent lot has been used, it shall be returned to its original condition with regards to vegetation and erosion.
- I. The construction shall be completed in a timely manner, not to exceed 180 days. It is agreed that the start date will be the date of issuance of approved application by PCCOA. Owner agrees to pay to PCCOA, as liquidated damages, \$100 per day for each day in excess of the agreed 180 days construction time until construction is completed. The ACC may, but is not obligated to, at its sole discretion grant additional completion time if requested by the Owner for reasons deemed justifiable by the ACC.
- J. If construction of an approved project is not started within 180 days of the approval date the approval becomes null and void, and the project must be resubmitted for re-approval as a new project.
- K. The right of trespass upon the subject property is hereby granted to PCCOA for inspection of construction.
- L. Owner agrees that the \$100 per day amount referred to in paragraph (II.) and paragraph (III.I) above constitutes liquidated damages (and not a penalty) for Owner's failure to comply with any of the conditions in this application, and is a reasonable estimate of the damages which the Association will incur in the event the Owner's failure to comply with said conditions due to the difficulty, if not impossibility, of determining the Association's actual amount of such damages.
- M. Any request for a variance must be made to the PCCOA Board of Directors.
- N. **Special Conditions:** (To be completed by PCCOA ACC when appropriate.)

I, (print) * _____ (Owner), have read and understand all of the above information and agree to comply with all of the stated requirements including those in the Covenants and Restrictions of Pelican Cove. Should I fail to comply, I assume full responsibility and liability for the lack of compliance and agree to pay to PCCOA any liquidated damages or fees stated above.

* _____ Date: * _____
Signature of Owner

I, (print)* _____ (Builder), have read and understand all of the above information and agree to comply with all of the stated requirements including those in the Covenants and Restrictions of Pelican Cove. Should I fail to comply, I assume full responsibility and liability for the lack of compliance and agree to pay to PCCOA any liquidated damages, fees or penalties stated above.

* _____ Date: * _____
Signature of Builder

Please note: All blanks must be filled in and the application and plans must be submitted in duplicate in order to be considered for approval. **Send to PCCOA P.O. Box 1655, Aransas Pass, TX 78335.** One approved copy will be returned to applicant, one will be retained by PCCOA and one will be retained by the PCCOA consultant.

To be completed by PCCOA:

Your application for construction is hereby approved based on the conditions set forth above.

_____ Date: _____