



PELICAN COVE CANAL OWNERS' ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE
Application for Approval of Home Construction

Date _____

Proposed Construction Site Address

Street _____

Lot _____ Block _____

Owner

Name _____

Owner Contact Info:

Home _____

Cell _____

Other _____

Email _____

Owner Mail Address _____

Builder Name _____

Builder Contact Info:

Home _____

Cell _____

Email _____

Builder Mail Address _____

- I. For consideration by the PCCOA Architectural Control Committee (ACC), Owner should obtain three sets of **plan drawings**, and make three copies of this completed **form**. Then, Owner should submit two copies of the plan drawings and two completed copies of this form along with payment of **\$475** (for plan approval, inspections and administration) to PCCOA. One set of plan drawings and one completed copy of this form should be delivered to our Inspector (See III.D.1 below).
- 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 Initial _____

- III. Any approval for the proposed construction will be granted conditional upon the following terms being met:
 - A. The Covenants and Restrictions, Resolutions, By-laws, and ACC policies of Pelican Cove shall be adhered to in all matters concerning construction. Approval of the plan does not constitute a variance or other authority not to comply.
 - B. The building regulations of the city of Aransas Pass shall be followed.
 - C. The construction shall be executed in strict compliance with the house plans that were approved by the ACC. Any subsequent external changes shall require approval by PCCOA. (Re-approval requires the submission of a plan or sketch and a separate \$50 check payable to PCCOA.)
 - D. The owner or owner's agent (builder) will contact **Ms. Carey Dietrich, PCCOA Inspection Consultant, at 361-205-7228** to:
 - 1) Arrange delivery of one set of plan drawings and one completed copy of this form.
 - 2) Schedule the first physical inspection after the form boards are set but prior to the concrete pour. This first inspection will focus on verifying the position of the house on the lot. The builder shall provide:
 - a) A string line showing the property line.
 - b) A valid elevation certificate prepared by a Registered Professional Land Surveyor based on National Geodetic Vertical Datum 1929.

- c) **Note that the date of this first inspection will be considered the start date of construction** for purposes of computing any liquidated damages provided for in section III. J below.
- 3) Schedule a second physical inspection when the roof decking is completed but before roof finish installation to assure the distance of the soffit overhang to the property line is in compliance with the Covenants and Restrictions.
- 4) Schedule a third physical inspection by PCCOA's consultant, once all construction is complete, to verify complete compliance with all PCCOA Covenants and Restrictions, including, but not limited to, removal of all construction debris, temporary power pole, portable toilets, dumpster, contractor sign and final site grading to the degree suitable for landscaping.
- 5) **Note that should the property Owner/Builder request an inspection and the property fails that inspection requiring an additional inspection, the Owner will be charged a \$75.00 fee. Owner hereby agrees that a completed third inspection that reports acceptance by the PCCOA consultant is required before applying to the City of Aransas Pass for a Certificate of Occupancy.**

Owner Initial _____

- 6) **Owner/Builder understand that a Pelican Cove ACC representative can halt the building process at any time if there is any deviation from the approved plans or if the proper inspections have not been completed. If the Owner/Builder does not obtain the required inspections as set forth in this application, an assessment of \$100.00 per day shall be placed on the Owner until such inspections are completed and approved.**

Owner Initial _____

- E. 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.
- F. The site shall be kept free of litter. A dumpster and a portable potty shall be in place when construction has begun and electrical power will be derived from service to the lot from the power company.
- G. During construction, one professional lettered sign not larger than three (3) feet square will be permitted naming the prime contractor making the improvements.
- H. 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.
- I. If the adjacent lot has been used, it shall be returned to its original condition with regards to vegetation and erosion.
- J. The construction shall be completed in a timely manner, not to exceed 270 days. It is agreed that the completion date will be the date of issuance of a Certificate of Occupancy from the city of Aransas Pass, Texas, after having received the completed and approved third inspection by the PCCOA consultant. Both the third inspection and the Certificate of Occupancy, in that order, must be obtained by owner before the construction is considered complete and both must be obtained prior to the expiration of 270 days. Owner agrees to pay to PCCOA, as liquidated damages, \$100 per day for each day in excess of the agreed 270 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.
- K. The right of trespass upon the subject property is hereby granted to PCCOA and/or the consultant of PCCOA for inspection of construction.

- L. Owner agrees that the \$100 per day amount referred to in paragraph (III. J) 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 of 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. 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.
- N. Owner has read Article 10, Paragraph 10.6 of the Covenants and Restrictions and understands that serious consequence up to and including repurchase of the owner's lot by the Association, may occur if the provisions of this paragraph are not adhered to.

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**, or hand deliver to the office located at 575 E. Goodnight Ave (inside the Harbor City Realty trailer). Office hours are Tuesday, Wednesday, and Thursday from 9:30am to 12:30pm. 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 below.

Special Conditions: (To be completed by PCCOA ACC if/when appropriate.)

Approved by:

_____ Date: _____

Bill Brock, ACC Chairperson