

**LOST BRIDGE VILLAGE
COMMUNITY ASSOCIATION, INC.
(LBVCA)**

**Architectural Control Committee
(ACC)**

**BUILDING STANDARDS AND PRACTICES
(BS&P)**

(Effective June 6, 2022)

<u>PREAMBLE</u>	3
<u>BUILDING PROJECT PROCEDURES</u>	3
<u>BUILDING GUIDELINES/NON-STANDARD BUILDING PROJECTS</u>	4
<u>BUILDING CODES</u>	5
<u>BUILDING SIZE</u>	5
<u>COMMITTEE OVERSIGHT</u>	5
<u>CONSTRUCTION DRIVEWAY</u>	5
<u>CONSTRUCTION ON MULTIPLE LOTS</u>	5
<u>CULVERTS AND DITCHES</u>	5
<u>DECKS, PORCHES AND BALCONIES</u>	6
<u>DETACHED GARAGES, CARPORTS, OUTBUILDINGS, BUILDING ADDITIONS</u>	6
<u>DOG RUNS</u>	6
<u>DRIVEWAYS STANDARDS</u>	6
<u>FEES/DEPOSITS</u>	7,13
<u>FENCING</u>	7
<u>GARAGES, CARPORTS AND DRIVEWAYS</u>	7
<u>HOMEBUILDER’S LICENSE AND INSURANCE</u>	7
<u>JOB SITE DEBRIS POLICY</u>	8
<u>MANUFACTURED HOUSING</u>	8
<u>METAL BUILDINGS</u>	8
<u>MOVING EXISTING HOMES</u>	8
<u>OCCUPANCY PERMIT</u>	9
<u>PENALTIES and ENFORCEMENT</u>	9
<u>PERMIT BOARDS</u>	9
<u>PLUMBING INSPECTIONS</u>	9
<u>PROPERTIES CLASS ‘C’</u>	9
<u>ROOFING</u>	10
<u>SANITARY FACILITIES</u>	10
<u>SETBACKS/LOT LINES</u>	10
<u>SITE PREPARATION FOR RAINWATER CONTROL</u>	10
<u>STREET CLOSURES</u>	10
<u>SURVEYS</u>	10
<u>SWIMMING POOLS</u>	11
<u>TEMPORARY STRUCTURES</u>	11
<u>TIME FOR COMPLETION OF BUILDINGS</u>	11
<u>VARIANCES AND EXCEPTIONS TO THE CCR&R AND BS&P</u>	11
<u>WALLS</u>	11
<u>WATER AND SEWER CONNECTIONS AND FEES</u>	12
<u>WINDOWS</u>	12
<u>BUILDING PROJECT FEES AND DEPOSITS</u>	13
<u>BENTON COUNTY CONTACT INFORMATION-ATT:B</u>	14
<u>BENTON COUNTY ORDINANCE NO. O-2008-14-ATT:C</u>	14
<u>REVISIONS-ATT:D</u>	15,16
<u>TABLE OF PENALTIES-ATT: E</u>	17

Lost Bridge Village
Architectural Control Committee
Building Standards and Practices

Preamble

This document is a carefully crafted set of guidelines, requirements and expectations that are intended to define architectural principles and styles, and ensure the valued integrity of this community. The purpose of the ACC is to preserve compliance with the Covenants, Conditions, Restrictions and Reservations (CCR&R) and the policies and procedures of the ACC, as herein stated, as they pertain to all residential construction, remodeling, and other matters that come before the ACC with respect to size, location, color, aesthetics, materials, and other matters as provided within the CCR&R and the Building Standards and Practices (BS&P). In an effort to promote the safety, comfort and beautification of Lost Bridge Village, it is the duty of the Architectural Control Committee (ACC) to oversee and enforce the BS&P.

Individual property owners, by purchasing property subject to the CCR&R, 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.

The ACC was created under the authority of the CCR&R and exists to:

- to establish and interpret the standards, policies and protective restrictions of the CCR&R
- maintain and enhance the property values and aesthetic integrity of Lost Bridge Village
- inform property owners of such standards, policies and procedures
- evaluate residential construction and alteration regarding the 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 Lost Bridge Village
- act within the scope of and in the spirit of the CCR&R

However, the ACC shall not:

- adopt or enforce standards in an unreasonable, arbitrary or capricious manner;
- fail to act in a common-sense approach in the execution of its responsibility with fairness in an even-handed, non-discriminatory manner;
- allow personal aesthetic considerations to guide its decisions.

BUILDING PROJECT PROCEDURES

The completion and submission of a Building Project Permit Application with appropriate attachments and fees, and its approval by the Architectural Control Committee, is required prior to any site preparation or other construction activities at the building location. Noncompliance with these requirements may result in penalties being assessed. You should contact the LBV Water and Sewer District for information regarding plumbing inspection fees, and, where water and sewer services are available, for connection and/or other fees that may be required.

This document will provide the information required for your use in obtaining ACC approval to build, install, or remodel a home, deck, outbuilding and other structure in Lost Bridge Village (LBV). The ACC, which consists of Lost Bridge Village property owners, normally meets on the first Monday of each month at 4:00 pm or in exceptional cases, as needed, in the Village offices located just north of the Lodge on Whitney Mountain at 12477 Lodge Drive (479-359-3204). If the first Monday is a

holiday, the meeting will be rescheduled for the following Monday. The committee is charged with enforcing the Lost Bridge Village Declaration of Covenants, Conditions, Restrictions, and Reservations 2015, Article X, with establishing building standards and practices to protect the interests of homeowners, with reviewing building applications and plans for conformance to those regulations, and with approving or rejecting applications based upon their merits. Neither the ACC nor the LBVCA shall be responsible for the workmanship, safety, quality or conformity to contractual specifications of any permitted construction. Those issues are a matter between the owner and the contractor.

Before submitting a Building Project Application, owners and builders should familiarize themselves with the building guidelines and requirements listed in this document and with those covered in the current LBVCA Covenants, Conditions, Restrictions and Reservations (hereinafter known and referred to as The Covenants). All applications must be signed by both the Owner(s) and Builder and/or Installer.

You and/or your Builder/Contractor should attend the ACC meeting at which your application will be reviewed. The purpose of this meeting is to eliminate any misunderstandings and will facilitate the review process. The appropriate forms will be completed at this meeting with the ACC committee. Any proposed changes with approved plans must be approved by ACC before being implemented and may require a change in deposit.

BUILDING GUIDELINES/ NON-STANDARD BUILDING PROJECTS

Each building plan submission will be analyzed to determine the appropriateness of the proposed sizes, architectural style, materials and color, and the overall effect that such an improvement would have upon the neighborhood and Lost Bridge Village. The ACC will consider the overall building site as well as to the proposed building, will try to promote the maximum retention of trees on the site, and will consider the positioning of each new home with respect to adjacent homes. The following General Building Guidelines have been established:

- All architectural styles will be considered, but there is strong preference for residential designs which incorporate wide roof overhangs, outside balconies or decks, and architectural styles where these would be appropriate.
- New materials and new systems of construction will be given careful consideration. The Committee may require the submittal of samples of such proposed items before making a final decision regarding approval. Each will be evaluated upon its own merits. However, some systems, or manufactured materials which attempt to substitute for natural materials, may not be approved.
- Insofar as practical, exterior-building materials should be indigenous to the area. For instance, stone should be native stone; and brick, though not a native material, may be approved if it is of a color and texture appropriate to the rural motif. Exterior finish colors should blend with those that occur in nature. Stains are preferred to paint; stone to brick; earthy muted colors are preferred over bright or vivid colors.

BUILDING CODES

Building projects must adhere to The Covenants (LBVCA CCR&R), and must also be in compliance with the following applicable building codes as adapted by the State of Arkansas:

International Building Code- 2018
National and Arkansas State Electrical Codes
Arkansas State Plumbing Codes
Arkansas State Mechanical Codes -- HVACR
Arkansas State Dept. of Health Bulletin #9--Septic Tank Design
Benton County Rules of Construction

BUILDING SIZE

New residential construction must have a minimum of 1500 square feet of living area. New conventional construction on Mobile Home Lots (also known as Forest Hills Subdivisions, listed in Exhibit A of The Covenants) may have a minimum of 1200 square feet due to the smaller size of many of the lots in these areas. As long as setback requirements are met, there is no firm maximum number of square feet of living area on any lot in LBV. However, the ACC may disapprove a Building Project application if it believes that the proposed size or configuration of the home would have a detrimental effect upon other residences in the area or that it would be otherwise inappropriate as an addition to Lost Bridge Village.

COMMITTEE OVERSIGHT

All new construction within the boundaries of Lost Bridge Village shall be subject to scrutiny, oversight and Final Approval by the ACC or its agents for compliance with covenants and restrictions.

CONSTRUCTION DRIVEWAY

During construction of an Improvement on any lot, builders shall use reasonable care and shall provide adequate gravel access to and from the construction area to prevent mud, dirt and debris from being brought onto streets.

CONSTRUCTION ON MULTIPLE LOTS

If you plan to build on two or more lots and one or more buildings will be constructed across the common property line between two lots, you must obtain a release of the five-foot utility easements from the LBV Water and Sewer District and from the LBVCA Board before the ACC will review your application for a Building Project Permit. The first step is to complete a Request Form for Release of Easements and submit it to the Water and Sewer office at 12122 East Airport Road -- Phone: (479) 359-3697. If the request is approved by that authority, you must then submit the form to the LBV office. A meeting with the ACC is required where the appropriate forms must be completed, signed by both the owner(s) and builder, and submitted with all required attachments, plans, and fees.

CULVERTS AND DITCHES (Excerpts from Section H of Benton County Blue Book)

Property Owners constructing private driveways or other accesses connecting to a county road shall furnish a drainage tile of appropriate size (average 18-inch diameter) and length as determined by the (Benton County) Road Department. Tile must be corrugated pipe.

Property owners are requested to assist in keeping tiles open and free from obstruction. Property owners and/or other persons shall not obstruct a ditch with dirt or gravel or other material to gain access to a county road. Violation of this provision shall result in a fine of \$50.00 per day for failure to correct a violation after written notice from the County Judge or County Road Department.

DECKS, PORCHES AND BALCONIES

The Building Code requires, among other specific guidelines, that decks, porches and balconies located more than 30 inches above the floor or grade below shall have appropriate guards not less than 36 inches in height. Porches and decks enclosed with insect screening shall also be provided with appropriate guards. General maintenance and repair (such as replacing deck boards) do not require a permit. Structural remodeling/rebuilding/expansion of existing deck **WILL** require both an LBV permit and a Benton County permit. Plans for all decks must be submitted for review by the ACC, and must show details for guardrails and stairs, and for all materials, footings and deck support sizes and placements.

DETACHED GARAGES, OUTBUILDINGS and BUILDING ADDITIONS

Detached Garages, Non Metal Carports, and Accessory Buildings are permitted, but are not encouraged, and if approved, must match the residence in appearance. The type of windows, type and texture of siding, paint colors and roofing materials are to match the residence as closely as possible. Outbuildings/accessory buildings, such as detached garages or storage buildings *may* be permitted on properties upon which a single-family structure has been constructed. All carports require a Benton County building permit, whereas garages, outbuildings, accessory buildings, storage sheds and the like will require a Benton County building permit only if electric or plumbing is included, and/or the floor area exceeds 200 Square Feet. All of the above structures will require ACC approval regardless of floor size. Primary structure (residence) to be erected before outbuilding, garage, or carport is begun.

Guest Room/Office/Studio, and similar use premises with a bathroom in/over detached garages on the same or adjoining lot are permitted, but Garage Apartments are not, as noted in the Covenants. An apartment is defined by the addition of a kitchen with cooking and/or food storage facilities (i.e.: refrigerator), substantially allowing for personal living quarters. This effectively would be in violation of the Covenants' definition for single family residence.

The determination of allowing a detached garage or other outbuilding depends in part upon the proposed location, size of the building, size of the lot and contour of the lot. The use of tarps or canvas to be hung as a wind and weather barrier on carports is not permitted. If converting a carport or garage into living space, usual Building Project procedures apply. The Building Project Application must be accompanied by plans for a new garage or carport and off street parking, and for improved subdivisions of LBV, a hard surface driveway which meets the specifications in Driveway Standards section.

Building additions and add-ons must match the original residence in every way possible. Windows, siding, paint colors and roofing materials are to match the original residence. If roofing materials cannot be matched, it is recommended that the entire residence be re-roofed.

DOG RUNS

A fenced area for pets at the side or back of the residence may be acceptable as long as it meets fencing requirements detailed in the Declaration of Covenants. ACC approval for such an installation is required. Requests for approval of dog runs must include details of construction and a plot plan showing the planned location on the owner's lot. The area should be inconspicuously located on the property, must have a concrete or gravel floor and should be kept clean at all times. If the dog run is proposed in conjunction with new construction, the area must be identified on the construction plot plans and must be completed prior to final inspection.

DRIVEWAY STANDARDS

Hard surface driveways are required with new construction in all Improved Subdivisions of LBV and are recommended in Unimproved Subdivisions. The material shall be reinforced concrete or hot mix asphalt, approved by the ACC. Driveway entrance from street shoulder shall have a 10 ft. radius, both

sides. Driveway lengths are generally 18-20 feet of length for each car or truck. Walk around room at the bottom of the drive should be 3-5ft. Plan driveways with a minimum of 10 feet of width for each vehicle, using wider spacing for easier walk-about space between vehicles. (Suggested minimum lengths x widths: Single Driveway: 20x10; Double Driveway: 20x20; Triple Driveway: 20x30 feet). Other variations allow for a turnaround slab or an 8-foot width at the street that widens at a two-car (or more) garage.

Where drainage ditches exist, ditch sections upstream and downstream from driveway shall be shaped to properly direct drainage culvert to meet ditch grade and flow line. Culvert size shall be sufficient to handle ditch drainage. 18-inch minimum diameter recommended.

Street shoulders and side slopes that may have been disturbed by construction shall be properly restored to original by builder.

FEES AND DEPOSITS

Fees and deposits are found on the Building Project Application Fees/Performance Deposits section of this document. The Performance Deposit is the sole responsibility of the property owner, and is *normally* fully refundable to the property owner after an ACC Final Approval, an approved Benton County Final Inspection, and the issuance of a final Certificate of Occupancy. However, LBVCA may use all or part of the deposit to complete or remove un-completed construction; and to repair damage to building lots, Lost Bridge Village structures, culverts or roads. In addition, all or part of the Performance Deposit may be used to enforce or correct LBVCA Covenant violations, including the reimbursement of legal fees and expenses incurred while pursuing same. In any event, this deposit is automatically forfeited if construction has not been completed within 18 months from the date the Benton County Building Permit was issued, unless a time extension is requested in writing by the owner and is approved by the ACC. In addition to new construction, significant re-modeling projects, involving structural, electrical or plumbing changes, or which increase or seriously alter existing living space or the exterior appearance of the original structure may also require a Building Permit and inspections.

FENCING

In keeping with LBV Covenants Article X (10), Section 14, all front yard fences, walls, hedges, and the like must be no higher than 3 feet. All fencing must be set back 5 feet, minimally, from the property line. No fence may exceed 6 feet in height. Wooden, wrought iron, and vinyl-coated chain link fencing are permissible. All other types of fencing must be approved by the ACC.

For Posey Mountain regulations, refer to the LBVCA Declaration of Covenants, Article X, Section 18.

GARAGES, CARPORTS AND DRIVEWAYS

All plans for new construction in any improved LBV subdivision shall include provisions for off street parking, and a garage or carport which will accommodate at least one vehicle. (See Driveway Standards)

HOMEBUILDER'S LICENSE AND INSURANCE

It is mandatory that all General Contractors have an Arkansas Residential Homebuilder's License, which requires Workers Compensation and Liability Insurance. A copy of the document, which verifies that the License is current, will be required by Benton County. An owner who acts as general contractor should also make certain that all subcontractors have Liability Coverage and, if required by law, Workmen's Compensation Insurance before permitting them to work on the jobsite. **Owners who act as contractors to build their own home must fully comply with the requirements and provisions of the Arkansas Residential Homebuilder's Act.**

JOB SITE DEBRIS POLICY

A dumpster is to be provided and used at all new construction or major remodeling job sites. Construction job sites shall be cleaned and cleared of debris daily. This includes paper products, insulation, plastics and foam--whether used in the construction process or received as packaging materials. All work sites must have a trash receptacle for the proper disposal of small items of litter, such as cans, bottles, candy wrappers, food cartons, paper cups and smaller building material waste. Heavy waste materials, such as wood, brick, etc., may be temporarily stacked in a pile until it is practical for them to be removed from the site. Larger building materials must be kept in a neat and orderly manner. Cut trees, logs, branches and brush must be disposed of at a proper dumpsite outside of Lost Bridge Village properties as soon as possible. No building material of any kind shall be placed or stored upon any lot before a Building Permit has been issued. No building material or trash of any kind shall be placed upon any lots, streets or easements and none shall be burned in Lost Bridge Village. The dumping of waste along roadways or other areas of the LBV is strictly prohibited. Final cleanup of building debris, including the removal of dumpster, is to be completed within 30 days of project completion. Builders are responsible for stopping drivers from DUMPING CONCRETE IN DRAINAGE DITCHES, and the removal of any such material will be the sole responsibility of the Contractor or the Owner/Builder.

MANUFACTURED HOUSING

According to criteria specified by the U. S. Department of Housing and Urban Development (HUD) in its July 2000, program revision, the term Manufactured Housing includes two different types of factory-built housing. The terms “mobile home” and “manufactured home” are both applicable to one type of unit. The other type of unit is termed a “modular home.” Both types of units are built in the controlled environment of a manufacturing plant and are transported in one or more sections to the home site; however, there is a significant difference between the two types of homes.

A “manufactured home” (mobile home) is brought to the home site and set on a foundation system. Only the truck pulling the home returns to the factory. On this type of home, the trailer is a structural part of the dwelling. “Manufactured homes” (mobile homes) **are no longer permitted on any lot in Lost Bridge Village**; however, existing mobile homes may be remodeled. When a mobile home is removed from a property, **it may not be replaced in kind**.

A “modular home” is brought to the building site on a trailer and the home is removed from the trailer and set on the foundation. The trailer is then returned to the factory when practical. Modular homes meeting size and other requirements in the ACC BS&P for new construction and in the Covenants, may be placed on any lot in Lost Bridge Village. Modular construction is treated the same as for stick-built homes, and inspections for typical new home construction will apply.

METAL BUILDINGS

New Metal-sided outbuildings will be considered by the ACC upon application:

- A) One building per accompanying residence
- B) Size limited to 2% of the applicant’s contiguous owned property, calculated in square footage
- C) Height limited to accompanying residence height
- D) Color coordinated with accompanying residence.

MOVING EXISTING HOMES

No existing structure located inside or outside of Lost Bridge Village may be moved onto any LBV lot or property without consideration and approval by the ACC.

OCCUPANCY PERMIT

Owners (or others) may not move in, or move furniture into the new dwelling before a Certificate of Occupancy (CO) is issued by a Benton County Building Inspector and a Final Approval is obtained from the ACC. No CO shall be issued until all structures, including the residence, outbuildings, garages, carports, sidewalks, and driveways, shown on the approved and permitted plan are substantially complete. When the Certificate of Occupancy (CO) is issued by a Benton County Building Inspector and final approval is then obtained from the ACC, the property owner may then apply to the ACC for a refund of the performance deposit (PMR special conditions. (See Properties, Class C, PMR section.))

PENALTIES and ENFORCEMENT

Notice to owner of record and/or builder: **Noncompliance with the requirements of projects under ACC authority may result in penalties being assessed.**

Penalties may be imposed if the owner of record or any designee thereof, willfully and purposefully, violates or otherwise fails to comply with the agreed upon procedures and/or policies of the BS&P, the ACC Checklist and/or any additional documents that are appended to and relate to the current project.

In addition, if any project is begun, or otherwise initiated, before a proper application is submitted and approved, this body shall reserve the right to demand a penalty equivalent to double the published fee(s).

TABLE OF PENALTIES **SEE ATTACHMENT E (Page 17)**

Enforcement of the procedures and policies included in the LBVCA BS&P shall be authorized by any proceeding at law against any person or entity violating any condition or restriction herein, either to restrain violation or to recover damages against the party in violation and/or against the land or buildings or structures thereon, or to enforce any lien created by these procedures and restrictions. The owner of record will forfeit any fees paid and the Performance Deposit which will be retained by the ACC/LBVCA and utilized to fund the legal costs of enforcement as stated above and as permitted by law.

PERMIT BOARDS

The Benton County Building Permit must be posted on a board attached to a fence post or other appropriate stake visible from the road, and must remain on the job site readily accessible to the ACC Inspector from the first through final inspections. The only other items that may be displayed on this board are the Record of Inspections and the contractor's name and State of Arkansas License Number.

PLUMBING INSPECTIONS

Plumbing Inspections are required for all plumbing installations in Lost Bridge Village--even in sections of the village currently without water or sewer services. Those services are performed by representatives of the LBV Water and Sewer Districts. Information regarding tap fees and installation of water and sewer service (where available), and information regarding Plumbing Inspections and fees **must** be obtained from the LBV Water and Sewer District Office. **A paid receipt for fees due to the Water and Sewer District must accompany the Building Project Applications.**

PROPERTIES CLASS 'C' (LBV, PMR, DWD, WTM, CDA)

Unique parts of these sub-divisions of Lost Bridge Village Community lends itself to special building

requirements. If the owner/builder is expecting to stay on the property in temporary quarters (such as a camper, RV, or motorhome) during construction in order to provide site security, then the following must be observed prior to placement of such quarters:

- All footings must be dug and poured.
- A functional water well, or rural water, must be located on the property.
- Temporary power from electric company must be in place
- Benton County approved septic system must be operative.

A Permit, once issued, may be extended if the home is not completed in stipulated 18 months. Permission to allow temporary quarters can only be renewed ONCE. After that time period has lapsed, or if construction is complete, the temporary quarters must be FULLY disconnected from utilities and moved to a location that cannot be construed as a dwelling on the subject property.

ROOFING

30-year mineral type Architectural Shingles are strongly recommended. Metal roofing is allowed.

SANITARY FACILITIES

A minimum of one portable toilet shall be provided and appropriately serviced and maintained at each residential construction site during the entire construction period. Toilet facilities must be on the job site at the time of the footing inspection and must be located within the property lines of the lot and not on a street right-of-way, and must be removed within 30 days of completion of project (CO). (PMR special conditions. See Posy Mountain Ranch section.)

SETBACKS/LOT LINES

No building shall be located nearer to the front lot line than 20 feet, nor nearer to any other lot line of the lot than 10 feet. When these requirements create an undue hardship upon the owner, a variance to these setbacks may be requested in writing and may be taken under consideration by the ACC. The LBV Board of Trustees must concur with ACC recommendations regarding requested variances to setbacks prior to the issuance of a Building Project Permit. In no case shall construction infringe upon the 5-foot utility easement along all property lines.

SITE PREPARATION FOR RAINWATER CONTROL

Provisions for adequate and appropriate drainage must be made by the builder to prevent current or future water run-off problems on the site, on adjacent sites or in the street drainage system. Water drain-off from driveways and parking areas may require the construction of a grated culvert (box trough) at the bottom of the driveway or an upper channel to run the water off at an angle down to the ditch. The main objectives are to prevent water run-off from parking areas and driveways from forming a 'spillway' and cascading across the street onto the lower level lots, and to prevent gravel and dirt from filling the ditches, restricting the normal water flow.

STREET CLOSURES

In those rare situations where a brief temporary street blockage by a vehicle is required for the delivery of construction materials, the driver must be available at all times to move the vehicle if it is necessary for an emergency vehicle to pass. The Builder or Contractor shall provide temporary signage at both ends of the street to notify other drivers that the street is temporarily closed. Such signs shall be promptly removed when no longer needed.

SURVEYS

Property owners applying for a Building Project Permit for new construction or a significant expansion of existing buildings shall acquire a complete new or recent survey of the property and must attach a

copy to the Building Project Permit Application. The Owner/Builder will need to locate markers for the lot corners in order to determine proper placement of buildings to meet setback requirements. The ACC will need assurance when the Plot Plan is submitted and reviewed that these requirements will be met. The markers must be flagged or otherwise plainly visible.

SWIMMING POOLS

Swimming Pools, wading pools, ponds, spas and similar facilities (hereinafter collectively referred to as pools) may not be constructed without prior written approval by the ACC and Benton County. Pools are not allowed in front yards. Submitted plans are reviewed to ensure that construction meets minimum life safety requirements and the project is in compliance with ACC Building Standards and Practices including setbacks. Pools must be enclosed by fencing and shall, in all respects, comply with the Ordinances and Building Code of Benton County and, if appropriate, the Arkansas Department of Health.

Devices used in connection with the pool, including the filter and circulating pump, shall be located inside the required fence and concealed from view in an approved storage shed or other enclosed building. Any permitted enclosure or fence surrounding a pool area or any courtyard shall have a visible exterior surface that is aesthetically pleasing.

TEMPORARY STRUCTURES

No structure of a temporary character, no trailer, basement, tent, shack, garage or other outbuilding, and no truck, trailer, camper or other similar device shall be used on any property at any time as a residence, either temporarily or permanently and specifically during a construction project. PMR -refer to page 10 "Property Class "C" (LBV, PMR, DWD, WTM, CDA)

TIME FOR COMPLETION OF BUILDINGS

Any single-family structure, garage, or outbuilding permitted which shall be erected upon any lot of the properties covered by The Covenants (LBVCA CCR&R) shall be completely finished and ready for occupancy within eighteen months after the issuance of a County Building Permit. Owners or Builders who believe that additional time will be needed to complete new construction due to site preparation problems, building size or complexities should request an extension of time from the ACC. However, if a need arises during construction, later written requests by the owner for an extension of time for completion will be considered by the ACC.

VARIANCES/EXCEPTIONS TO CCR&R AND BS&P:

Written requests for variances from established rules, regulations and procedures will be considered and may be approved by the ACC. Written requests for exceptions to policies or covenants may be considered and may be approved by the LBVCA Board of Trustees.

WALLS

Framing As per recommended by Benton County

Siding Plywood, vinyl or aluminum siding that simulates wood siding, or horizontal lap-board style steel siding with wood grain effect is usually acceptable. Stone and brick veneer may be approved, and other new materials will be considered as they become acceptable to the building industry. Corrugated sheet or other metal siding is not acceptable on residences or accessory buildings (excepting carports) and will not be approved beginning 02/01/09. Metal structures on LBVCA Common Property (meaning Non-Residential lots) to be used as service structures (such as a Maintenance Building) may be permitted with a request for a Variance from the LBVCA Architectural Control Committee. These structures should be of a non-continuous corrugated type metal & painted to meet aesthetic appearance, simulated wood grain

being preferred. (Barn style washboard galvanized metal is NOT permitted.)

WATER AND SEWER CONNECTIONS AND FEES

In areas of LBV where these services are available, the Owner or Builder must contact the office of the Lost Bridge Village Water and Sewer Districts to determine procedures and fees. Builders must arrange for water and sewer taps at the appropriate time in the construction process. Fees for these services and for plumbing inspections will be in addition to those listed on the Building Project Application Fees/Performance Deposits section of this document and such fees and deposits must be paid in advance. A receipt for any fees due to the Water and Sewer Department must be attached to the Building Project Permit Application.

WINDOWS

Construction As per recommended by Benton County.

BUILDING PROJECT FEES AND DEPOSITS

BUILDING PROJECT APPLICATION FEES (NON-REFUNDABLE) **\$35**

ALL NEW/MODIFIED ELECTRIC OR PLUMBING REQUIRES BENTON COUNTY PERMIT.

ROLLE (release of lot line easement)/VARIANCE **\$75**
(Includes filing plus administrative fees)

REFUNDABLE PERFORMANCE DEPOSIT

PERMIT ONLY (A) **\$50**
LBVCA permit required for light construction projects such as deck remodeling, requiring a Benton County permit.

MISCELLANEOUS IMPROVEMENTS (D) **\$75**
LBVCA permit required for minor, miscellaneous construction, such as a fence, **NOT** requiring Benton County permit.

STRUCTURAL REMODELING OF EXISTING DECK (A) * **\$100**
LBVCA permit required for light construction projects such as deck remodeling, requiring a Benton County permit.

NEW OR EXPANDED DECKS (B) * **\$500**
LBVCA permit required for mid-range construction projects such as addition or replacement of deck and/or mid-size outbuilding, requiring a Benton County permit.

ACC APPROVED SITE PREPARATION (E) **\$500**
LBVCA permit required for ACC approved site preparation such as minor tree clearing, **NOT** requiring a Benton County permit.

SWIMMING POOLS (B) **\$1,000**
LBVCA permit required for mid-range construction projects such as addition or replacement of deck and/or mid-size outbuilding, requiring a Benton County permit.

UTILITY BUILDINGS, GARAGES OR CARPORTS (add-on) (C) **\$1,000**
LBVCA permit required for larger construction projects, such as a new house, and/or garage/outbuilding, requiring a Benton County permit.

EXPANSION OF EXISTING DWELLINGS, ADDITIONS (C)* **\$2,500**
LBVCA permit required for larger construction projects, such as a new house, and/or garage/outbuilding, requiring a Benton County permit.

NEW CONSTRUCTION (HOME, GARAGE) (C) **\$5,000**
LBVCA permit required for larger construction projects, such as a new house, and/or garage/outbuilding, requiring a Benton County permit.

*** (WITH OR WITHOUT ELECTRICAL/PLUMBING)**

Note: All projects must commence within 45 (forty-five) days of receiving LBVCA permit to avoid automatic forfeiture of fee(s)/refunding of performance deposit.

ATTACHMENT 'A'

Current ACC members: Pete Lawlor, Chairman, Terry Brock, Co-Chairman, Jeramy Webb, Larry Elbert, Dottie Elbert, Kate O'Donnell and John Niernberger

ATTACHMENT 'B'

Benton County

**Planning Department
Building Inspection, Commercial & Land Development
County Development Building**

1204 SW 14th Street, Suite 6

Bentonville, AR

8 a.m. to 4:30 p.m.

479-271-1003

www.bentoncountyar.gov

ATTACHMENT 'C'

**BENTON COUNTY
ORDINANCE NO. O-2008-14**

ARTICLE 7. Penalty. A violation of this ordinance shall be a misdemeanor and punishable by a fine not exceeding \$500.00 or double such sum for each repetition thereof. If the violation is, in its nature, continuous in respect to time, the penalty for allowing the continuance thereof is a fine not to exceed \$250.00 for each day that the same is unlawfully continued.

Note: Ordinance is Subject to Change

ATTACHMENT 'D'

Revisions

Jan 9, 2017

(Removed from Page 4)

BUILDING GUIDELINES/NON-STANDARD BUILDING PROJECTS

Structures of a unique design and/or construction (such as tiny homes, tree houses, container homes and other custom, non-traditional shaped and sized structures) that fall outside the existing BS&P guidelines will be subject to preliminary review by the ACC as to viability and practicality.

Mar 6, 2017

(Added to page 13)

BUILDING PROJECT FEES AND DEPOSITS

REQUIRED PROJECT START TIME note

(Added to page 13)

BUILDING PROJECT FEES AND DEPOSITS

Rearranged order of list

(Removed from Page 14)

ATTACHMENT 'A'

Removed resigned members

November 13, 2017

(Added to Page 14)

ATTACHMENT 'A'

Added John Niernberger, Hugh Fenner, Deb Overstreet

Nov 13, 2017

(Added to Page 13)

Fees and Deposits

Class E \$50 LBVCA permit required for ACC approved site preparation such as minor tree clearing, NOT requiring a Benton County permit

ACC Approved site preparation (E)

\$500

December 11, 2017

Page 7 - Fees & Deposits:

Add 'The Performance Deposit is the sole responsibility of the property owner, and is normally fully refundable to the property owner' after an ACC Final Approval,...

Page 13 – Building Project Fees & Deposits:

Add '(Non-Refundable)' behind Building Project Application Fee

Page 14 – Attachment C – Benton County Ordinance No. 0-2008-14:

Add 'Note: Ordinance is Subject to Change' below the Article 7 Penalty paragraph

May 7, 2018

(Removed from Page 14)

ATTACHMENT 'A'

Removed resigned members: Richard Brundage, Tom Pedano and Hugh Fenner

(Added to Page 14)

ATTACHMENT 'A'

Added new members: Rhonda Eaves, Jeramy Webb and Kirk Schuenemann

May 7, 2018

(Changed on Page 14)

ATTACHMENT 'B'

Changed Planning Department address to their new address

August 1, 2019

(Deleted from Page 14)

ATTACHMENT 'A'

(Added to page 9)

METAL BUILDINGS

September 15, 2019

(Page 9, Section **OCCUPANCY PERMIT**)

Wording altered

Removed ... before a Final Approval is obtained from the ACC **and** a Certificate of Occupancy (CO) is issued by a Benton County Building Inspector. No CO shall be issued until all structures, including the residence, outbuildings, garages, carports, sidewalks, and driveways, shown on the approved and permitted plan are substantially complete. When the Final Inspection requirements are satisfied, the CO will be issued and...

Added ... before a Certificate of Occupancy (CO) is issued by a Benton County Building Inspector and a Final Approval is obtained from the ACC. No CO shall be issued until all structures, including the residence, outbuildings, garages, carports, sidewalks, and driveways, shown on the approved and permitted plan are substantially complete. When the Certificate of Occupancy (CO) is issued by a Benton County Building Inspector and final approval is then obtained from the ACC.

January 2020

(Added to Page 14 Current ACC members)

ATTACHEMENT 'A'

Revisions to Page 14

ATTACHMENT 'A'

April 2020 – Removed Resigned Member: Jim Haguewood

May 2020 - Removed Resigned Member: Rhonda Eaves

June 2020 – Added new Member: Pete Lawlor

November 2020 – Removed Resigned Member: Sam Reynolds

Added New Member: Larry Elbert

July 2020

Page 3 – **Building Project Procedures**

Changed ACC meeting time from 9 am to 4 pm

January 12, 2021

Page 13 – **Building Project Fees & Deposits:**

Modified all Class ABCDE Tiers to a \$35 fee for all applications.

Refundable Performance Deposits:

Removed Manufactured Homes Project Descriptions entirely

June 7, 2021

(Added to Page 14)

ATTACHMENT 'A'

Added new Member: Kate O'Donnell

John Niernberger relinquished Chairman role to Pete Lawlor with Terry Brock as Co-Chairman

March 15, 2022

Page 3-Under Building Project Procedures changed meeting to from 9:00 am to 4:00 PM
Under Building Project Procedures changed "an alternate date, such as the first Tuesday, will be scheduled." To "the meeting will be rescheduled for the following Monday."

Page 4 Paragraph 2- Changed from "Before submitting a Building Project Application" to "Before a Building Project application is requested..."

Page 4 Paragraph 3- Changed from "must be completed, signed by both the owner(s) and builder, and submitted to the LBV office with all required attachments, plans, and fees. Incomplete applications will not be considered." to "...will be completed at this meeting with the ACC committee. Deleted "However, if you cannot be present to discuss your plans in person, and your builder cannot represent you at the meeting, the committee will act on your application and advise you of the results of its review."

Changed "Any proposed significant changes to approved plans *may result in additional fees, and* must be approved by the ACC before they are implemented." to "Any proposed changes with approved plans must be approved by ACC before being implemented and may require a change in deposit."

Page 4 bullet point 3- Changed from "earthy colors in brown, green, and yellow are preferred to white, bright or vivid colors." to "...earthy muted colors are preferred over bright or vivid colors."

Page 5- Under Building Codes Changed International Building code from 2000 to 2018

Page 5- Deleted entire section on Carports

Page 6 last paragraph- Changed wording re: Carports to Non Metal Carports Deleted "See carports"

Page 6 under Driveway Standards- Changed "Hard Surface driveways are required in all improved subdivisions of LBV and are recommended with all new construction projects." to "Hard surface driveways are required with new construction in all Improved Subdivisions of LBV and are recommended in Unimproved Subdivisions."

Page 11 under Temporary Structures- Changed wording from "(PMR special conditions. See Posy Mountain Ranch section.)" to "PMR -refer to page 10 "Property Class "C" (LBV,PMR,DWD,WTM,CDA)"

Under Time For Completion Of Buildings removed the words Chairman and PMR Special conditions.

Page 15- Added "Refundable Performance Deposit"

Page 19 under Table of Penalties- edited to add

The various enforcement alternatives available to the LBV Association in event of a violation of the BS&P guidelines include;
Fines -deducted from deposit
complete loss of deposit
Injunctive relief via lawsuits
Placement of Liens on involved property

May 5, 2022- Added to Table of Contents and Page 7

FENCING

In keeping with LBV Covenants Article X (10), Section 14, and Benton County regulations regarding fencing, all front yard fences, walls, hedges, and the like must be no higher than 3 feet. All fencing must be set back 5 feet, minimally, from the property line. No fence may exceed 6 feet in height. Wooden, wrought iron, and vinyl-coated chain link fencing are permissible. All other types of fencing must be approved by the ACC. For Posey Mountain regulations, refer to the LBVCA Declaration of Covenants, Article X, Section 18.

ATTACHMENT E

TABLE OF PENALTIES

Failure to apply for permit(s)

Modifications without notification/authorization

Deviation from BS&P specifications and directives

Failure to complete project and /or renew permit

The various enforcement alternatives available to the LBV Association in event of a violation of the BS&P guidelines include;

Fines -deducted from deposit

complete loss of deposit

Injunctive relief via lawsuits

Placement of Liens on involved property