

New Construction/Architectural Control Committee (NCC/ACC) Eagle's Bluff Community Association, Inc.

Application to Begin Construction of a New Home

Before submitting plans please consult your copy of the Declaration of Covenants, Conditions and Restrictions and the Design Guidelines for Eagle's Bluff Community Association, Inc. It is the responsibility of the lot owner to provide the architect and/or contractor with a copy of this application. If the lot is builder owned, it is the responsibility of the builder to provide any prospective purchaser with a copy of the Declaration of Covenants, Conditions and Restrictions for Eagle's Bluff Community Association, Inc.

Article Eleven

11.1 No structure, including, but not limited to, building, signs, walls, and mailboxes, shall be placed, erected or installed upon any Unit, and no improvements, including staking, clearing, excavation, grading and other site work, exterior alteration of existing improvements, and planting or removal of landscaping materials, shall take place except in compliance with Article Eleven, and the approval of the appropriate committee under Section 11.2. **However, approval by the committee shall not be unreasonably withheld.**

DETAILED PLANS MUST BE SUBMITTED WITH THE APPLICATION **ALONG WITH A PLAT AND A SURVEYOR'S CERTIFIED PLAT WHICH MUST HAVE THE HOME ON IT, SHOWING THE LOCATION OF PLANNED CONSTRUCTION AND A TREE SURVEY. WHEN YOU HAVE RECEIVED THE FORM SURVEY, THAT MUST BE SUBMITTED FOR APPROVAL AS WELL.** APPLICATIONS MUST BE SIGNED BY PROPERTY OWNER AS WELL AS GENERAL CONTRACTOR. EACH PAGE MUST BE INITIALED. **IT IS PREFERRED THAT THE APPLICATION, PLANS AND SURVEYS BE SUBMITTED IN PDF.**

Date Submitted: _____

Property Owners: _____

Current Address: _____

Current Phone Numbers: _____

Property Description: Lot: _____ Block: _____ Section: _____

Property Address: _____

Email Address: _____

General Contractor:

Address: _____

Email Address: _____

Business Phone: _____ Cell Phone: _____

Member of Tyler or National Association of Builders since: _____

If not a member, supply three references with addresses and phone numbers:

1. _____

2. _____

3. _____

Owner

General Contractor

1

SPECIFICATION FOR NEW HOME**Home:**

Lot Square Footage: _____

Show square footage of all concrete surfaces, including but not limited to the slab, driveway, patios, swimming pool and decks.

- Show setback lines on the plat.
- Setbacks must be in compliance with setback requirements of the type of property defined.

Exterior: (Must meet the minimum 75% masonry requirement – no exceptions. Materials for the front of the home should be 75% masonry.) Mailbox structures and planters/flowerbeds do not count.

Materials and color: (Any items listed as TBD must be submitted and receive prior written approval prior to commencement of work.)

Front Exterior color: _____

% brick, stone or stucco: _____

Rear Exterior color: _____

% brick, stone or stucco: _____

Sides and rear color: _____

% brick, stone or stucco: _____

Total for house – color: _____

% brick, stone or stucco: _____

Exterior trim color: _____

Windows: Check type(s): *Wood ☐ Vinyl ☐ Other ☐**Roof:**

Material type: _____ Color: _____

Driveway:

Material: _____ Distance from property line: _____

Sidewalks:

Material: _____ Sidewalk must be shown on drawing

Fences:

Fence material: _____ Height: _____ Color: _____

Location of fence must be shown on the plat.**Pool:**

Drawing of in-ground pool required. (Above ground pools are strictly prohibited)

Show location of pool on plat.

IMPORTANT MASONRY NOTE:

By signing below, both contractor and owner acknowledge a minimum requirement of 75% masonry for the entire home, with the front of the home's exterior being 75% masonry, not to include flowerbeds, mailboxes or the material of hardi-board. If the minimum is shown not to be met during or at the completion of construction; the contractor and owner will have to correct this by meeting the 75% masonry requirement at their expense.

Owner_____
General Contractor

I UNDERSTAND THAT:

The New Construction/Architectural Control Committee (NCC/ACC) will approve or disapprove the application within 30 DAYS OF RECEIPT OF A COMPLETE APPLICATION AND ALL REQUIRED DOCUMENTATION. **Incomplete applications will not be considered.** If the completed application is disapproved, the reason for disapproval shall be given to the applicant so corrective measures can be taken and a new application can be submitted.

The New Construction/Architectural Control Committee (NCC/ACC) can only approve improvements that are in compliance with the applicable codes and the existing covenants and Design Guidelines. An approval granted on improvements not meeting the requirements of the applicable codes and the existing covenants and restrictions will not act as a general waiver of the codes, the covenants and restrictions or the Design Guidelines.

The Applicant/Property owner (henceforth "owner") must provide the following prior to any consideration by the New Construction/Architectural Control Committee.

No work shall be instituted nor equipment delivered to the building site until the plans are fully approved by the NCC/ACC.

1. The application must be completed, signed, initialed and dated by the owner and general contractor.
2. A surveyors certified plat is required. One set of house construction plans is required. Plans must be professionally drawn to $\frac{1}{4}" = 1'$ scale. These plans will not be returned to the owner but will be kept permanently on file with the NCC/ACC.
 - a. Floor plans must identify square footage of living areas, garage, porches, patios and decks.
 - b. Elevations must show front, rear, left and right sides with exterior material and roof plan view indicating pitch identified.
 - c. All revisions to the approved plans must be resubmitted to the NCC/ACC for review and approval. The approved drawings will be updated or marked up, initialed and dated.
3. Plot plan prepared by an architect or building designer at a scale of $1" = 20'$ or $1" = 30'$ and showing:
 - a. **No trees removed larger than 3" caliper and at a distance greater than 5 feet from the building footprint. Tree Survey and written approval are required prior to tree removals.**
 - b. House location on lot and grade elevation variations.
 - A Form Survey will be required prior to pouring concrete to verify forms/house location.
 - c. Patios, decks, sidewalks and driveways.
 - d. Building setbacks and easements lines.
 - e. Corner pins.
 - f. Water line and central sewer and septic tank locations for house connections.
 - g. **Prior to construction of any structure, owners shall submit the design and engineering of appropriate drainage control structures that will direct excess water from impervious surfaces within the lot so that any water exiting the property will enter onto the road instead of the bluff or neighboring lots. Natural surface drainage courses within lots must be kept free and clear of debris and obstructions which prevent free flow of storm waters.**
 - h. All exterior lights must be located so as not to be directed toward neighboring lots. Down lighting and landscape lighting are encouraged.
 - i. Mailbox location must be included along with a material list. A mailbox may not be located on or at a storm drainage collection box.
 - j. Landscape Plans must be submitted for approval prior to installation.

Preferred form of receipt of all applications, plans, survey's, etc. is in PDF form, if able, on a memory stick although email is accepted.

The Owner/General Contractor must agree to the following prior to any consideration by the NCC/ACC.

1. A silt fence is required prior to starting construction and dirt work around the building site of the property.
2. Curbs shall be spanned properly during all phases of improvement, including dirt work. Method of the proper spanning of the curb is to be determined by the Owner/General Contractor.
3. During the periods of heavy rainfall or other conditions causing mud to be created on the building site, Owner/General Contractor will be required to clean the street.
4. **Owner/Contractor is fully responsible for the conduct of all sub-contractors including and not limited to community violations related to trash, littering, burning, loud music, unacceptable behavior and speed limits.**
5. **Construction hours are Monday through Saturday 7am – 7pm.**
 - a. **There is no work permitted on Sunday, no exceptions.**
6. Appropriate methods of trash disposal will be provided at all times and shall not be located on the street. Please refer to the Design Guidelines, Page 15 for requirements.
7. Contractor is fully responsible for following local, city, and state laws and ordinances.
8. Concrete contractors maximum load per truck is six (6) yards. **Please note: A load slip is required and will need to be provided to the guard staff on duty to verify truck loads.**
9. **Heavy equipment may NOT be driven from one work site to another work site within the association.**
10. Cement trucks must be cleaned out only on the building site or at an area provided by the developer.
11. Only one (1) sign is allowed stating the builder on the lot during construction. No other contractor signs are allowed, and will be disposed of if needed. If the home is in The Parade of Homes, a variance may be requested.
12. **A Final Inspection is required prior to move-in.** Please notify Rose City Property Management upon completion of the home to schedule the inspection. The inspection will be for the exterior of the home only.

Note:

Failure to comply with these rules will result in a five (5) business day grace period to correct the issue. Note that community violations will result in a one (1) day grace period for correction. If the issue is not resolved within the grace period, a fine of \$100.00 per day will be charged to the builder until corrected. After two (2) “failure to comply” citations have been issued, the third such citation can result in construction being halted.

Requested Variance: (Describe in detail your variance request:) _____

Eagle's Bluff Community Association, Inc. and its Board of Directors, Officers and New Construction/ Architectural Control Committee members hereby expressly disclaim any representation, liability, obligation, or duty in connection with the proposed construction described herein, including without limitation any warranty, either expressed or implied, of habitability, suitability, fitness for purpose, safety, compliance with applicable laws and restrictive covenants, or the effect of the proposed construction upon any surrounding property. By the execution and delivery of this application, the owner and/or applicant expressly covenants and agrees to indemnify and hold Eagle's Bluff Community Association, Inc., and its officers, directors, committee members, employees, agents, successors and assigns harmless from any cost, loss, claim liability, damage, expense, or other obligation arising from, related to, or any way connected with the construction proposed herein or the effects thereof, including without limitation any claim by any person or entity that such construction (i) fails to meet the requirements of any applicable law or restrictive covenants, (ii) is unsafe or unsound, or creates a nuisance or other dangerous condition, or (iii) adversely or improperly affect the drainage of the water on, across, or under the property in question or any surrounding property. I understand the construction applied for in this permit must be completed within a period of (18) months from the date of approval.

I certify that I personally have read the deed restrictions and design/building guidelines for Eagle's Bluff Community Association, Inc. To the best of my knowledge, these plans conform to the deed restrictions. In the event that I have failed to comply with said restrictions, I will take the necessary measures to correct any issues within thirty (30) days).

Date Submitted

Owner

Date Submitted

General Contractor

AFTER THIS APPLICATION HAS BEEN APPROVED OR REJECTED BY THE NEW CONSTRUCTION /ARCHITECTURAL CONTROL COMMITTEE YOU WILL RECEIVE A COPY OF THIS FORM SIGNED BY THE NCC/ACC AND A FORMAL APROVAL LETTER.

There is a \$6,000.00 Non-Refundable Road Fee due on all new home construction with the application.

There is a \$1,000.00 Non-Refundable Road Fee due on all new boathouse construction with the application.

****Checks should be made payable to: Eagle's Bluff Community Association, Inc.****

There will be a \$500 per unapproved removed tree fine for any unapproved tree removed larger than 3" in caliper – no exceptions. A tree survey MUST be submitted and approved prior to any tree removal.

A \$2,500.00 Builder Deposit will be required with this application and prior to the start of new home or new boathouse construction. Once the project is completed, the deposit will be refunded upon request, pending no open issues or damages.

Owner

General Contractor