

DIAMONDHEAD

Hot Springs, Arkansas

NEW HOME BUILDER INFORMATION PACKET

February 24, 2022

I. INTRODUCTION

The purpose of these regulations is to:

1. Maintain general harmony of construction.
2. Assure conformity with the natural surroundings.
3. Assist in the protection of the homeowner.
4. Provide proper interpretation of applicable building codes.

II. ARCHITECTURAL CONTROL COMMITTEE

Definition: An Architectural Control Committee (hereinafter designated "ACC") shall be appointed by the Board of Directors of the Diamondhead Property Owners Association (hereinafter designated "DPOA") The ACC shall have the authority and responsibility to approve or disapprove all residential and/or commercial construction within the confines of what is known as the Diamondhead Community.

Function and Authority: The ACC shall have the responsibility for maintaining the general harmony, fire, and pollution control within the Diamondhead Community. The ACC shall have the authority to:

- a. Approve or disapprove plans and specifications. Request the General Manager of the DPOA to halt construction if there is evidence that construction is not in accordance with approved plans, all relevant building codes, and/or regulations.
- b. The ACC has the authority to grant variances to these guidelines, providing the variances are not in conflict with the Diamondhead Bill of Assurance or any other applicable building codes.

III. BUILDING PERMIT PROCESS

Upon receipt of all the following documents the DPOA office will immediately notify the Chairperson of the ACC or his/her representative and contact the authorized licensed inspector who will review the drawings or plans. A meeting to consider the application for a permit shall be convened as soon as reasonably practical at which time the inspector will submit his/her recommendations and/or alterations to the drawings or plans.

B. Required with permit applications (when applicable):

Drawings and/or Plans: The property owner and/or contractor must submit a complete set of proposed drawings or plans. They must be drawn by an architect, engineer, or craftsman.

- A. **Elevations:** At least two elevations (front and back) depicting the building and related items in relationship to the grade and rooflines must be shown. Descriptions of major exterior materials and finishes must be provided including roofing materials with color, and siding materials. Manufacturers brochures for siding materials is encouraged.
- B. **Floor Plan:** A set of complete floor plans specifying all exterior dimensions including decks, porches, carports, and garages. No residences shall have less than 1200 square feet of living space on the main floor exclusive of porch area. The square footage area of any basement shall not be included in the total square footage area unless the basement is a walkout basement which has been designed and finished for occupancy.
- C. **"911 Emergency" Street Address** – If the property is located within Garland County, contact the Department of Emergency Management at 501-622-37100. If the property is located within Hot Springs County, contact the Department of Emergency Management at 501-332-2461.
- D. **Flood Plain Restrictions:** No building permit shall be issued prior to proper certification being submitted to the ACC. Property owner/contractor must obtain certification from the county in which the construction will take place. If the property is located within Garland County, contact the Garland County Assessor's Office at 501-622-3730. If the property is located within Hot Springs County, contact the Hot Springs County Assessor's Office at 501-332-2461.

IV. REGULATIONS

A. General Building Guidelines and Restrictions

The purpose of these guidelines and restrictions is to maintain general harmony of construction and to meet the standards required herein with consideration given to general design criteria, proportion, and adaptation to the setting, fire safety, and pollution control as caused by waste disposal.

1. All construction must be in compliance International Residential Code
 - a. National Electric Code
 - b. Arkansas State Plumbing Code
 - c. Diamondhead Bill of Assurance
 - d. Diamondhead Architectural and Building Regulations (current revision)
 - e. Manufacturer's recommendations for installation of materials, equipment, appliances, etc....

2. **Aesthetic Value:** The intent is to preserve the natural beauty, view, and general harmony of the Diamondhead community. Due to the irregular terrain of the Diamondhead community, the height of a structure is ambiguous. Therefore, if in the opinion of the ACC, the height of a structure is objectionable, the plans may be disapproved. Temporary carports or garages shall be for the duration of construction only.
3. **Lake Catherine:** Lake Catherine and its shoreline, to the high-water mark, is the property of Entergy, Inc. Any dock, boathouse, or deck within this area is an encroachment on Entergy, Inc. property and requires a permit from Entergy, Inc. Any building, boathouse, or utility connection of any kind either totally or partially located on the property within the Diamondhead community requires a permit from the ACC.
4. **Combustible Material:** Bulk storage of combustible and/or flammable materials or fuels shall be in tanks, containers, or storage devices specifically designed for that purpose. No bulk storage device shall be closer than twenty (20) feet from the residence or garage structure and no closer than ten (10) feet from any property line. The ACC will closely examine the site of any proposed storage device for safety and appearance. The use of any temporary storage device during construction must be approved by the ACC.
5. **Permit:** Permit shall be posted in a prominent location easily visible from the street in a specified permit holder that must be purchased at the DPOA office.

B. Major Lot Preparation Activity

Includes, but is not limited to, clearing, landscaping, logging, and septic preparation. Absolutely no lot preparation or construction shall be commenced until the property owner or building contractor has been issued a lot clearing permit.

C. New Homes

1. **Driveways:** Driveways are required and must be of a paved surface using concrete or asphalt material. The required driveway must extend at least to the property line. An expansion joint is required at the property line. A minimum twelve (12) inch diameter driveway culvert is required unless a variance is granted by the ACC. A variance will only be approved after the proposed driveway location has been inspected by the Diamondhead Road Committee to insure that proper drainage will occur.
2. **Parking:** All new residences must have a covered parking area consisting of either a carport or garage. This area must have a surface that is consistent with the driveway. The structure must be in harmony with the residence including style, roof, siding, brick, paint, etc....

V. Inspections

The ACC is of the opinion that interval inspections during construction are very valuable to the accountability of the contractor, and longevity and safety of the structure. That being said, the Diamondhead Property Owners Association is not in the inspection nor construction business.

Initial Inspection

The ACC or its designee shall inspect the initial layout of all new construction or additions to existing buildings. This inspection shall ensure proper placement on the lot relative to surveyed property lines. Colored twine shall be used in conjunction with stakes or construction pins. Painted surface lines are not sufficient.

Construction Inspections

An inspection of the footings and foundation shall be arranged through the DPOA office. At that time the layout of the structure relative to the property lines previously noted will be confirmed and with an approved inspection, the construction may proceed. Should the structure have been in any way altered or moved, all progress will stop and substantial fines will be imposed. Any additional inspections are at the discretion of the contractor and their client. No Certificate of Occupancy will be issued by the DPOA. The home will be considered complete when notified by the contractor.

VI. Responsibilities of Contractor

For the purpose of these regulations, a contractor is defined as the person or business entity principally responsible for the work of erecting, remodeling, or repairing, a building as outlined in these regulations.

- A. **Compliance with Code and Regulations:** The contractor of record is ultimately responsible for compliance to all applicable codes and regulations. Even if an inspector does not note a non-compliance, the contractor is still responsible for his work and for the work of all subcontractors.
- B. **Excavations:** It is required that the contractor and/or property owner contact ARKANSAS ONE CALL at 1-800-482-8998 for location of any underground utilities prior to any excavation to insure that any or all underground utility lines will not be disturbed or damaged. Road cuts or repairs shall be performed in accordance with DPOA Resolution #2006-09-1 2. The free flow of water in easement ditches shall not be obstructed in any way.
- C. **Debris:** The homeowner or contractor shall be responsible for the daily cleanup and removal of any and all unsightly trash and debris. If any and all unsightly trash and debris is not removed on a daily basis, the ACC retains the authority to require a dumpster or container to be placed at the site. Provided this task is not rigidly adhered to. The DPOA may impose a cleanup fee for each occurrence when either the DPOA or a private contractor performs such trash removal. In addition, homeowners or contractors are responsible for the removal of any or all trash or debris prior to the final inspection from the construction site to an authorized landfill area. Arkansas Department of Environmental Quality, Chapter 6, Regulation 18.602 General Prohibition declares that no person shall cause or permit the open burning of refuse, garbage, trade waste, or other waste material, or shall conduct a salvage operation by open burning.
- D. **Restroom Facility:** Upon commencement of construction, a portable restroom facility will be required on all construction sites.
- E. **Construction Equipment:** Contractors or owners will insure that all equipment used on construction sites shall not be placed in any manner that may impede the flow of traffic. The construction site, insofar as is practical, shall be maintained in a neat and orderly manner consistent with its surroundings. Heavy equipment no longer required on said work site shall be removed immediately.
- F. **Penalties:** Any and all violations of these regulations will be reviewed by the ACC and recommendations concerning said violations shall be made to the DPOA General Manager. Recommendations may include prosecution as prescribed by the International Residential Code 2003 Edition, Section R1 13.3. The Board of Appeals shall be the ACC as provided by the International Code 2003 Edition, Section R1 12.1.
- G. **Community Access:** All contractors and employees of contractors must register upon entering the Diamondhead community through the security gate. After confirmation that the contractor and/or their employees have been listed on the Security Access List, a temporary pass to enter will be provided which must be returned to the security personnel upon departure from the Diamondhead Community. An annual vehicle sticker is available and may be purchased through the DPOA office.

VII. State, County, & Political Subdivision Rules and Regulations

No statements contained herein shall supersede any instructions, regulations, codes, or rules of the state, county, township, or any other political subdivision encompassing the Diamondhead community.

VIII. Forms (Attached)

- Permit Fee Schedule
- Building Permit Application
- Insurance Verification
- Subcontractor List
- Sample Plot Plan
- Waiver of Liability

DIAMONDHEAD

NEW HOME CONSTRUCTION

Heavy Equipment Fee	\$ 300.00
Lot Clearing	\$ 250.00
Foundation Insp. Fee	<u>\$ 100.00</u>
DPOA Fees to Secure Building Permit	\$ 650.00

Diamondhead POA

245 Independence Dr

Hot Springs, AR 71913

(501) 262-4470

Email us at diamondheadcommunity@yahoo.com

Or visit our website: www.diamondheadcommunity.com

Riviera Utilities (all water & sewer services)

440 Catherine Park Rd #C

Hot Springs, AR 71913

(501) 262-2620 (Office)

(501) 262-1297 (Fax)

jackplumlee@gmail.com

NOTE: Riviera Utilities, 501-262-2620 is to be contacted for plumbing inspections, water and sewer connections and septic tank requirements. They will determine their fees

Entergy. (all electrical service)

www.Entergy.com

Sanitation Services

Garland County. 501-760-2298

Hot Spring County (private contractors)

Stephens Sanitation Services. 501-623-7573

Early Bird Sanitation Services. 501-332-7202

DIAMONDHEAD

Hot Springs, Arkansas

NEW HOME BUILDER CHECKLIST

- _____ Building Permit Application
- _____ Waiver of Liability (If self contracting)
- _____ Insurance Verification Form
- _____ Subcontractor List
- _____ Proof of Ownership
- _____ Current Survey
- _____ Plot Plan
- _____ Proof of Termite Treatment (when completed)
- _____ Garland County Storm Water Run-Off Permit
- _____ 911 Addressing – Garland County or Hot Springs County

DIAMONDHEAD

PROPERTY OWNERS ASSOCIATION BUILDING PERMIT APPLICATION

Property Owner: _____ Section: _____ Lot Number: _____
(please print)

Home Phone: _____ Cell Phone: _____

Current Mailing Address _____

Contractor: _____ License Number: _____

Business Phone: _____ Cell Phone: _____

CONSTRUCTION SITE INFORMATION

Address: _____

Description: (i.e., bedrooms, bathrooms, etc.) _____

Total Square Feet Under Roof: _____ Total Heated Square Feet: _____

Total Unfinished Square Feet: _____ Foundation Type: _____

Roofing Type & Color _____ Pitch: _____

Waterproofing: _____ Crawl Space Ground Cover: _____

Exterior Finish Type: (i.e., siding, brick, stucco) _____

Attic Insulation R Value: _____ Wall Insulation R Value: _____

Fireplace: Prefab? _____ Site Built? _____ Flue Lining Material: _____

Signature: _____ Date: _____
(contractor)

Approval: _____ Date: _____
(ACC Chairperson)

DIAMONDHEAD

PROPERTY OWNERS ASSOCIATION

WAIVER OF LIABILITY

RESIDENTIAL BUILDING CONTRACTORS

The DPOA refers to the Arkansas State Residential Licensing Law, Act 950 of 1999, and Rules and Regulations of the Residential Contractors Committee, Act 950 of 1999, regarding contractors:

Section 17-25-502, (2) "Residential Building Contractor" means any person, firm, partnership, co-partnership, association, corporation, or other organization or any combination thereof, which for a fixed price, commission, fee, or wage, attempts to or submits a bid to construct or contract or undertakes to construct or assumes charge in a supervisory capacity or otherwise manages the construction of a single family residence: and (3) "Single family residence" means any project consisting of one (1) but not more than four (4) units of new construction for residential occupancy, when the cost of the project is twenty thousand dollars (\$20,000) or more. This definition does not apply to sub-contractors of licensed residential building contractors or to remodeling operations.

The undersigned do hereby state that they are the property owner(s) of the lot(s) indicated below and they are acting as their own contractor in the construction of a home or an addition to their existing home, and they assume all liability and hold the DPOA harmless from any and all liability associated with the undersigned acting as their own contractor, and specifically state that they are the primary and that no third party is acting as a primary contractor. The undersigned acknowledge that it is a violation of Arkansas Law for a third party to act as primary contractor unless that party has been properly licensed by the State of Arkansas.

Property Owner _____
(please print)

Section _____ Lot _____

Property Owner _____
(signature)

Date ____ / ____ / ____

Property Owner _____
(please print)

Property Owner _____
(signature)

Date ____ / ____ / ____

DIAMONDHEAD

PROPERTY OWNERS ASSOCIATION

INSURANCE VERIFICATION

The undersigned contractor verifies that there is in place workers compensation coverage on all sub-contractors, laborers, and all other individuals working on the following described property.

The contractor agrees to hold harmless and indemnify the Architectural Control Committee and the Diamondhead Property Owners Association, Inc. for any and all occurrences that may take place on the work site.

SECTION _____

LOT NUMBER _____

Further, said contractor acknowledges and agrees that the rules and regulations of the Diamondhead Property Owners Association, Inc. and the ACC shall be followed. All permits are to be obtained prior to commencement of any work. The contractor acknowledges that any new home located at the aforementioned Section and Lot Number must not be occupied until a final inspection has been performed and a Certificate of Occupancy has been issued.

Contractor: _____
(please print)

Contractor: _____
(signature)

GARLAND COUNTY STORM WATER RUN-OFF PERMIT

Garland County requires that all new construction must have a storm water run-off permit. The builder is responsible for getting the permit filed and approved.

Builder: Please provide the Storm Water Run-Off Permit Number or, if not required, include a letter from the county stating that the permit is not required. This must be completed prior to the building permit being issued.

STORM WATER RUN-OFF PERMIT NUMBER: _____

IF NOT REQUIRED:
SEE ATTACHED _____

All of the following must be provided to, and approved by, the ACC before a new home permit will be granted:

- The applicable permit application to include attachments.
- Builder/Contractor Insurance Verification.
- Sub-Contractor list.
- Licenses: All workers who are required to be licensed by the state of Arkansas must provide the license number and/or current certification to the ACC prior to performing any work.
- Workmen's Compensation Certificate: All contractors must furnish to the ACC their Workmen's Compensation certification number and license registration, if applicable.
- Waiver of Liability (if applicable).
- Legal evidence of ownership: A copy of the Warranty Deed or title company closing statement.
- Survey: Any and all permanent new construction will require a survey designating lot boundaries by pin settings. Survey shall be performed by a certified licensed surveyor.
- Verification that all DPOA fees are current.
- Plot Plan shall show the exact location of the construction project on the site, with accurate measurements to all property lines. Show items such as decks, patios, air conditioning condenser unit(s), storage tanks, walks, fences, drives, and minimal landscaping. Any and all other pertinent items in conjunction with construction must be shown.
- Drawings and/or Plans: The property owner and/or contractor must submit a complete set of proposed drawings or plans. They must be drawn by an architect, engineer, or draftsman. Upon completion the set to be retained by the POA and placed in the permanent file.
- Elevations: At least two (2) elevations depicting the building and related items in relationship to the grade and rooflines must be shown. Descriptions of major exterior materials and finishes must be provided including roofing type and color and exterior color and materials.
- Floor Plan: a complete floor plan specifying all exterior dimensions including decks, porches, carports, and garages. No residences shall have less than 1200 square feet of living space on the main floor exclusive of porch area. The square footage area of any basement shall not be included in the total square footage area unless the basement is a walkout basement which has been designed and finished for occupancy.
- Foundation plans must show both layout and cross section. Materials, including weights should be noted. If other than typical 2x4 construction, enclose a cross section diagram of walls

- Roof: all roofs must be pitched in nature with a minimum 3:12 slope.
- Emergency” Street Address – If the property is located within Garland County, contact the Department of Emergency Management at 501-622-37100. If the property is located within Hot Springs County, contact the Department of Emergency Management at 501-332-2461.
- Flood Plain Restrictions: No building permit shall be issued prior to proper certification being submitted to the ACC. Property owner/contractor must obtain certification from the county in which the construction will take place. If the property is located within Garland County, contact the Garland County Assessor’s Office at 501-622-3730. If the property is located within Hot Springs County, contact the Hot Springs County Assessor’s Office at 501-332-2461.
- Permit Fee: All deposits and fees must be received prior to any permit being issued. Checks must be made payable to the DPOA.