



Bella Vista Board of Construction Appeals Special Meeting Agenda

Date/Time: May 28, 2026
3:00 PM

Location: Bella Vista Fire Dept. Fire
Training Center
7 Carlisle Drive
Bella Vista, AR, 72714

I. Call to Order

II. Roll Call

Members: John Nuttall, Chairperson; Cody Moore, Vice-Chairperson; Wade Hagan; Tim Hull; James Schlankey; Rick Head; Eugene Oberlander

III. Consideration of Minutes

A. Meeting Minutes - January 13, 2026

IV. Unfinished Business

V. New Business

A. Construction Appeal Application - Jake Files, 21 Chaucer Dr

VI. Open Discussion

A. General Business

VII. Announcements

A. Next Board of Construction Appeals meeting will be held on Tuesday, June 9, 2026 at 3:00pm at the Fire Department Station 1 Conference Room.

VIII. Adjournment

BELLA VISTA BOARD OF CONSTRUCTION APPEALS MEETING

January 13, 2026 3:00 PM

103 Town Center, Bella Vista, AR 72714

MINUTES

Call to Order Chairperson Nuttall called the meeting to order at 3:16 PM.

Roll Call Members present: John Nuttall, Chairperson; Rick Head, Vice-Chairperson; Wade Hagan; Tim Hull; Cody Moore; James Schlankey (via phone)

Consideration of Minutes

Approval of Minutes: Regular Meeting March 11, 2025 Regular Meeting Minutes - March 11, 2025
On a motion by Mr. Nuttall and a second by Mr. Head, March 11, 2025 minutes were approved by voice vote.

Unfinished Business

New Business

Election or reelection of officers

1. Mr. Nuttall volunteered to continue to be the new Chairperson and Cody Moore volunteered to be the new Vice-Chairperson.
2. Mr. Nuttall made a motion to treat both positions as a block and vote on both positions as one, a second was made by Mr. Head, and motion was approved by a voice vote.
3. Mr. Stewart moved to elect the slate of officers and a second was made by Mr. Head.
4. Mr. Nuttall asked for a voice vote.

- Head - Yes
- Moore - Yes
- Stewart - Yes
- Nuttall - Yes
- Hagan - Yes
- Schlankey - Yes

Motion passes 6-0

Open Discussion

General Business Why are people not submitting appeals to the BCA. Is it due to the length of the process?

Announcements

Next Board of Construction Appeals meeting will be held on Tuesday, February 10, 2026 at 3:00pm at the Fire Department Station 1 conference room. Next Board of Construction Appeals meeting will be held on Tuesday, February 10, 2026 at 3:00pm at the Fire Department Station 1 conference room.

Adjournment The meeting adjourned at 3:50pm.

Approved and accepted on this 28th day of May 2026.

John Nuttall, Chairperson
Bella Vista Board of Construction Appeals

Cody Moore, Vice-Chairperson
Bella Vista Board of Construction Appeals

Construction Appeal Application



Please fill out this form completely, supplying the necessary information and documentation to support your request. Your application will not be processed until the application is completed and the required documentation is provided. All application fees are non-refundable.

Fee: \$200.00 per request

PRIMARY CONTACT (select one): Applicant / Agent Owner

PROPERTY INFORMATION			
Property Address:	21 CHARVERA DR	Parcel #:	16-09556-000
Lot:	1	Block:	2
Subdivision:	Cumberland	Current Zoning:	

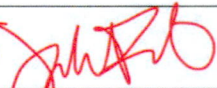
PROPERTY OWNER INFORMATION			
OWNER CERTIFICATION: By my/our signature below, I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application. I/we have read this application and consent to its filing. Further, I/we authorize the agent listed below to represent me/us in proceedings with the City of Bella Vista regarding this application. (See reverse for additional acknowledgements)			
Name:	Charlie Della Properties LLC	Property Owner Signature:	<i>[Signature]</i>
Mailing Address:	PO Box 477	City:	Bentonsville
Phone:	apexbuild479@gmail.com	State:	AR
		Zip:	72712
		Email:	479-650-6899

APPLICANT / AGENT INFORMATION			
APPLICANT / AGENT ACKNOWLEDGEMENT: By my signature below, I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval. (See reverse for additional acknowledgements)			
Name:		Applicant/Agent Signature:	
Mailing Address:		City:	
Phone:		State:	
		Zip:	
		Email:	

This application is not valid unless signatures on both the front and back of this form have been provided.

FOR OFFICE / REVIEW USE ONLY			
Application Date:	5/12/26	How Paid:	<input type="checkbox"/> Cash <input type="checkbox"/> Check <input checked="" type="checkbox"/> Plastic
Reviewer:		File #:	
Permit #:	63135	Zoning:	
		Permit Fees:	\$200
		Receipt #	1682263
		Board of Appeals	
		Board Date:	6/9/26
		Board Action:	

APPLICATION CHECKLIST	
<input checked="" type="checkbox"/>	1. A completed application with appropriate fee. Applications will not be processed unless all of the required items are provided and the fee is paid.
<input checked="" type="checkbox"/>	2. A letter addressed to the Board of Construction Appeals including the interpretation claimed, the reason for which the permit is sought, and the grounds by which it is claimed that the exception should be granted.
<input checked="" type="checkbox"/>	3. Plot plan drawn to engineer scale showing the requested exception along with all relevant information, including the exceptional condition or the situation of the property which causes the exceptional practical difficulty or undue hardship for which relief is being sought.
<input checked="" type="checkbox"/>	4. Any additional information that conveys the exceptional hardship on the property including photos, maps, etc.

ACKNOWLEDGEMENTS	
1.	<i>Fees:</i> The fee for any appeal or application to the Board of Construction Appeal is non-refundable.
2.	<i>Effect of Appeals:</i> An appeal shall stay all proceedings of the action appealed from, unless the person affected by such appeal certifies to the Board of Construction Appeals that, by reasons of facts stated in the certification, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board or a court of record on application, and notice to the person from whom the appeal was taken.
3.	<i>Time Limits on Permits:</i> Applicants must start or establish the uses of lands, structures, or buildings within 180 days from the date of approval or the exception will become null and void.
4.	<i>Reconsideration:</i> If a request is denied, it shall not be reconsidered by the Board of Construction Appeals within one year from the date of denial of the exception. The resubmission must meet all requirements for an exception request and shall be a different request.
5.	<i>Appeals from Board of Construction Appeals:</i> Any person or persons, or any board, taxpayer, department, board or bureau of the City aggrieved by any decision of the Board of Construction Appeals may seek review by a court of record of such decision, in the manner provided by the laws of the State of Arkansas.
6.	I hereby acknowledge that I have read and understand the provided information on page five of this application package.
Owner /Agent Signature:	
Date:	5/2/20

This application is not valid unless signatures on both the front and back of this form have been provided.



APEX CONSTRUCTION
P.O. BOX 477
BENTONVILLE, AR 72712
479.274.8850
APEXBUILD479@GMAIL.COM

BUILD BETTER

5/12/2026

Bella Vista Board of Construction Appeals

To Whom It May Concern:

I would like to call for an appeal of a city staff decision regarding the interpretation of R404.1 as it relates to Horizontal Bond Beam on crawl space masonry walls.

I failed a block wall inspection on 5/7/26 and was cited R404.1.1(1) as the reason. "Missing horizontal rebar at crawlspace side walls, and rear."

I disagree with the interpretations of city staff, and my civil engineer has on two previous occasions sent stamped letters (for other builders) agreeing that horizontal bond beam is not required on crawl space walls (with limited unbalanced fill) as they may be hollow and need not be grouted.

It is my contention that intermediate bond beams are not required in grouted foundation walls less than 5' in height. There is specific guidance from The Masonry Society (TMS) and the National Concrete Masonry Association (NCMA) that agrees with my interpretation.

It is a financial burden and not required by code, and that is why it is an undue hardship and for which I am seeking relief.

I am including this letter with my application, per the requirements. Please schedule the meeting promptly if

Best regards,

A handwritten signature in black ink, appearing to read 'John F. [unclear]', is written over a faint, circular blue watermark logo.

Apex Construction

Licensed, Bonded, and Insured

R404.1.1(1) attached
<https://up.codes/viewer/california/ca-residential-code-2013/chapter/4/foundations#R404.1.1>

R404.1.1 Design of Masonry Foundation Walls

Masonry foundation walls shall be designed and constructed in accordance with the provisions of this section or in accordance with the provisions of TMS 402/ACI 530/ASCE 5 or NCMA TR68-A. When TMS 402/ACI 530/ASCE 5, NCMA TR68-A or the provisions of this section are used to design masonry foundation walls, project drawings, typical details and specifications are not required to bear the seal of the architect or engineer responsible for design, unless otherwise required by the state law of the jurisdiction having authority.

TABLE R404.1.1(1)
 PLAIN MASONRY FOUNDATION WALLS

MAXIMUM WALL HEIGHT (feet)	MAXIMUM UNBALANCED BACKFILL HEIGHT ^c (feet)	PLAIN MASONRY MINIMUM NOMINAL WALL THICKNESS (inches)		
		Soil classes ^b		
		GW, GP, SW and SP	GM, GC, SM, SM-SC and ML	SC, MH, ML-CL and inorganic CL
5	4	6 solid ^d or 8	6 solid ^d or 8	6 solid ^d or 8
	5	6 solid ^d or 8	8	10
6	4	6 solid ^d or 8	6 solid ^d or 8	6 solid ^d or 8
	5	6 solid ^d or 8	8	10
	6	8	10	12
7	4	6 solid ^d or 8	8	8
	5	6 solid ^d or 8	10	10
	6	10	12	10 solid ^d
	7	12	10 solid ^d	12 solid ^d
8	4	6 solid ^d or 8	6 solid ^d or 8	8
	5	6 solid ^d or 8	10	12
	6	10	12	12 solid ^d
	7	12	12 solid ^d	Footnote e
	8	10 solid ^d	12 solid ^d	Footnote e
9	4	6 solid ^d or 8	6 solid ^d or 8	8
	5	8	10	12

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	6	10	12	12 solid ^d
	7	12	12 solid ^d	Footnote e
	8	12 solid ^d	Footnote e	Footnote e
	9	Footnote e	Footnote e	Footnote e

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square inch = 6.895 Pa.

- Mortar shall be Type M or S and [masonry](#) shall be laid in [running bond](#). UngROUTED [hollow masonry units](#) are permitted except where otherwise indicated.
- Soil classes are in accordance with the Unified Soil Classification System. Refer to [Table R405.1](#).
- Unbalanced backfill [height](#) is the difference in [height](#) between the exterior finish ground level and the lower of the top of the [concrete](#) footing that [supports](#) the foundation wall or the interior finish ground level. Where an interior [concrete](#) slab-on-[grade](#) is provided and is in contact with the interior surface of the foundation wall, measurement of the unbalanced backfill [height](#) from the exterior finish ground level to the top of the interior [concrete](#) slab is permitted.
- [Solid](#) grouted [hollow](#) units or [solid masonry](#) units.
- Wall construction shall be in accordance with either Table R404.1.1(2), Table R404.1.1(3), Table R404.1.1(4), or a design shall be provided.

21 Chaucer Pictures of walls in question:



Permit # 65135

From City of Bella Vista <wo@iworq.net>
Date Mon 5/18/2026 10:55 AM
To Amanda Esparza <aesparza@bellavistaar.gov>

[WARNING: External Email] Do not click links or open attachments unless you trust the sender.

Click [Here](#) to open Permit # 65135



Permit #: 65135

Permit Date: 05/18/26

Permit Type: Residential

Permit Description: Building - Appeals to BCA

Permit Details: Jake Files want to appeal - R404.1 horizontal bond beam on crawl space masonry walls.

File #: 21330

Permit: Ref-Year: BCA-2026

Property Address: 21 Chaucer Dr

SBL #: 6902001

Subdivision: Cumberland

District: East

Zoning: R-1, Low Density Residential

Street District:

Applicant: Charlie Delta Properties LLC

Applicant Phone: 479-650-6899

Email: apexbuild479@gmail.com

Total Sq Ft: 3639

Total living sq ft: 2308

Valuation: 479000

Foundation Type: Crawl Space

of Floors: 1

Bedrooms: 4

Bathrooms: 2

Sanitation: Sewer

Sanitation Size: Grinder Pump-Sewer

Insulation: Fiberglass

Fireplace Details: elec

NSEL Required : NO

STR Occupancy:

Occupant Load: 0

Yearly Inspection: No

Deed Restriction: No

Road surface :

Occupancy Use-Group: Residential Group R-3

Construction Type: VB

Permit Status/Issued: 05/18/2026

Permit Expires:

C of O Issued:

Ordinance #:

Review Time: 0

Status: 005 - Issued

Assigned To: Roger Gier

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
16-09556-000	21 CHAUCER DR		CHARLIE DELTA PROPERTIES LLC		R-1, Low Density Residential

Contractors

Contractor	Primary Contact	Phone	Address	Contractor Type	License	License #
Apex Construction and Management, LLC	Jake Files	479-650-6899	PO BOX 477	Residential	APEX CONSTRUCTION & MANAGEMENT LLC	0407920427
Apex Construction and Management, LLC	Jake Files	479-650-6899	PO BOX 477	Residential	Jake Files	UACES

Fees

Fee	Description	Notes	Amount
44530.07 - Administrative - Appeals of Building Official to the Board of	Per Request		\$200.00

Total **\$200.00**

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
05/18/2026	Jake files	1682263			\$200.00

Outstanding Balance **\$0.00**

Uploaded Files

Date	File Name
05/18/2026	32248631-Construction Appeal Application Page 1.pdf
05/18/2026	32248427-Plot plan.pdf
05/18/2026	32248425-Board of Appeals Letter 2026.05.12.pdf
05/18/2026	32248422-App.p1.pdf

Construction Appeal Application Package



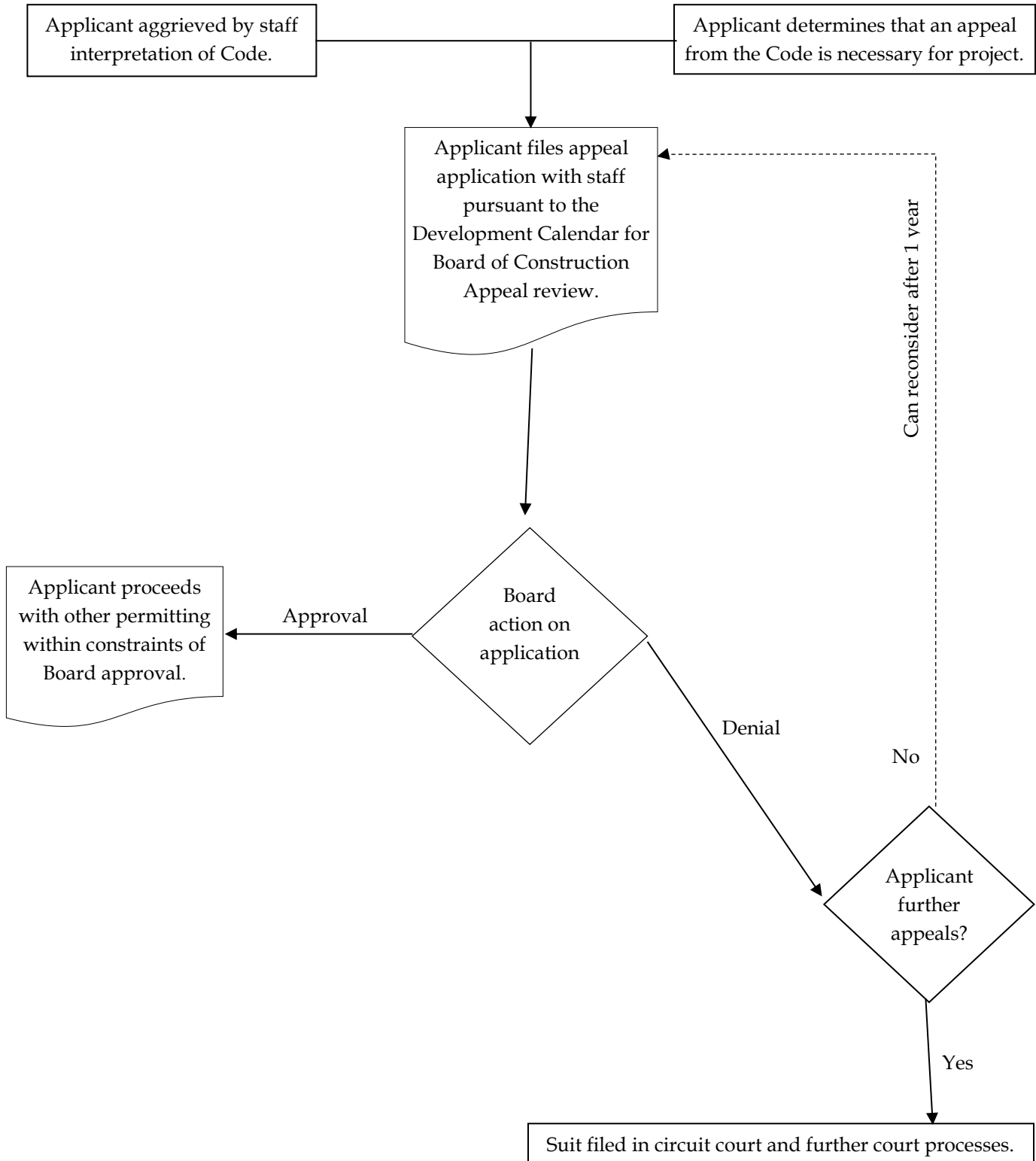
Construction Appeal Process 2

Construction Appeal Application..... 3

Board of Construction Appeals Hearing Procedures 5

Please fill out the Application completely, supplying the necessary information and documentation to support your request. Your application will not be processed until the application is completed and the required legible documentation is provided.

Construction Appeal Process



Construction Appeal Application



Please fill out this form completely, supplying the necessary information and documentation to support your request. Your application will not be processed until the application is completed and the required documentation is provided. All application fees are non-refundable.

Fee: \$200.00 per request

PRIMARY CONTACT (select one): Applicant / Agent Owner

PROPERTY INFORMATION			
Property Address:		Parcel #:	
Lot:	Block:	Subdivision:	Current Zoning:

PROPERTY OWNER INFORMATION			
OWNER CERTIFICATION: By my/our signature below, I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application. I/we have read this application and consent to its filing. Further, I/we authorize the agent listed below to represent me/us in proceedings with the City of Bella Vista regarding this application. (See reverse for additional acknowledgements)			
Name:		Property Owner Signature:	
Mailing Address:		City:	State: Zip:
Phone:		Email:	

APPLICANT / AGENT INFORMATION			
APPLICANT / AGENT ACKNOWLEDGEMENT: By my signature below, I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval. (See reverse for additional acknowledgements)			
Name:		Applicant/Agent Signature:	
Mailing Address:		City:	State: Zip:
Phone:		Email:	

This application is not valid unless signatures on both the front and back of this form have been provided.

FOR OFFICE / REVIEW USE ONLY			
Application Date:	How Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Plastic	Board of Appeals	
Reviewer:	File #:	Zoning:	Board Date:
Permit #:	Permit Fees:	Receipt #	Board Action:

APPLICATION CHECKLIST

<input type="checkbox"/>	1. A completed application with appropriate fee. Applications will not be processed unless all of the required items are provided and the fee is paid.
<input type="checkbox"/>	2. A letter addressed to the Board of Construction Appeals including the interpretation claimed, the reason for which the permit is sought, and the grounds by which it is claimed that the exception should be granted.
<input type="checkbox"/>	3. Plot plan drawn to engineer scale showing the requested exception along with all relevant information, including the exceptional condition or the situation of the property which causes the exceptional practical difficulty or undue hardship for which relief is being sought.
<input type="checkbox"/>	4. Any additional information that conveys the exceptional hardship on the property including photos, maps, etc.

ACKNOWLEDGEMENTS

1. <i>Fees:</i> The fee for any appeal or application to the Board of Construction Appeal is non-refundable.	
2. <i>Effect of Appeals:</i> An appeal shall stay all proceedings of the action appealed from, unless the person affected by such appeal certifies to the Board of Construction Appeals that, by reasons of facts stated in the certification, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board or a court of record on application, and notice to the person from whom the appeal was taken.	
3. <i>Time Limits on Permits:</i> Applicants must start or establish the uses of lands, structures, or buildings within 180 days from the date of approval or the exception will become null and void.	
4. <i>Reconsideration:</i> If a request is denied, it shall not be reconsidered by the Board of Construction Appeals within one year from the date of denial of the exception. The resubmission must meet all requirements for an exception request and shall be a different request.	
5. <i>Appeals from Board of Construction Appeals:</i> Any person or persons, or any board, taxpayer, department, board or bureau of the City aggrieved by any decision of the Board of Construction Appeals may seek review by a court of record of such decision, in the manner provided by the laws of the State of Arkansas.	
6. I hereby acknowledge that I have read and understand the provided information on page five of this application package.	
Owner /Agent Signature:	Date:

This application is not valid unless signatures on both the front and back of this form have been provided.

Construction Appeal Hearing Procedures



Applicants shall appear in his or her own behalf or be represented by agent or attorney at the hearing. In the absence of any appearance by the applicant, agent, or attorney, the Board will proceed to dispose of the matter on the record before it. In such cases as the Board feels necessary, an application may be deferred until the next regular meeting if not represented.

The order of the hearing, and allowed speaking times, shall be as follows:

1. Applicant's side of the case, with fifteen (15) minutes to speak;
2. Building Official's side of the case, with ten (10) minutes to speak; and
3. Applicant's rebuttal, with ten (10) minutes to speak.

An applicant *may withdraw his or her application or appeal at any time prior to the decision* of the Board. After the hearing but *prior to deliberations on each case*, the Board reserves the right to defer action on the case until the next regularly scheduled meeting, if necessary. After the hearing, the Board shall deliberate the case and reach a final decision.

Please be advised that the Board of Construction Appeals may not grant an exception until the Applicant demonstrates **at least ONE** of the following review criteria:

1. Special conditions and circumstances exist which are peculiar to only this structure or building and not to any other; or
2. Literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties under the Code; or
3. Special conditions and/or circumstances do not result from the actions of the applicant and if they do, what the conditions and/or circumstances are; or
4. The reasons set forth in the exception application justify the granting of the exception will be in harmony with the spirit, general purpose, and intent of this Code; or
5. The reasons set forth in the application are the minimum that will make possible the reasonable use of the building or structure.

In no circumstance shall the Board of Construction Appeals grant an exception that:

- a) Is injurious to the neighborhood or otherwise detrimental to the public health, safety, and welfare; or
- b) Removes the obligations of the applicant to meet all other applicable codes, ordinances, laws, or statutes.
- c) Is contrary to the intent of the Code.

In granting any exception, the board of construction appeals may prescribe additional appropriate conditions and safeguards that it deems necessary or desirable. If an application is approved by the Board, all necessary permits for the initiation of work must start work within 180 days of approval or the exception will be null and void. Otherwise, the Board approval of the application will be considered void at the end of time allowed under the respective Ordinances.

The final decision on any appeal to the Board of Construction Appeals shall be in the form of a resolution approved by a quorum of the Board and shall contain findings of fact or conclusions of law.



Board of Construction Appeals Rules of Order and Procedure

Building Division | Bella Vista Fire & EMS

103 Town Center Bella Vista, Arkansas 72714 Phone: (479) 855-4454

As Adopted on March 11, 2025

BY LAWS

A. Membership and Organization

1. The Board of Construction Appeals shall consist of seven (7) members appointed by the Mayor and approved by the City Council. All members shall be qualified electors residing in the City and shall not hold any other municipal office or appointment. All members shall have experience and training to pass on matters pertaining to building construction and shall not be employed by the City.
2. Members shall serve staggered three-year positions which expire on January 1st of each year. There shall be no limit to the number of times a member may be reappointed to the Board.
3. The Board shall elect a Chairperson and Secretary annually at the first regular meeting in the month of January. All elected officers may succeed themselves.
4. Vacancies in the office of Chairperson or Secretary shall be filled by regular election procedures.
5. The Chairperson shall preside at all meetings and public hearings of the Board; shall decide all points of order or procedure; shall have the duties normally conferred by Procedural Rules for Municipal Officials, published by the Arkansas Municipal League; and, as necessary, administer oath and compel the attendance of witnesses.
6. The Secretary shall assume the duties of the Chairperson in his or her absence.
7. The Fire Chief and/or Chief Building Inspector, in the role of Building Official, shall serve as an ex-officio member of the Board and shall be responsible for notifying all members of the Board of regular and special meetings.

B. Meetings

1. Regular meetings of the Board of Construction Appeals shall be held on the second (2nd) Tuesday of each month, unless no cases are pending, in which instance no meeting shall be held. All regularly scheduled meetings shall be held at 3:00 PM at a location announced. In the event of conflict with holidays or other events, the time and date of said meeting may be changed.
2. Each session of the Board of Construction Appeals shall be governed by procedures set forth in Procedural Rules for Municipal Officials, published by the Arkansas Municipal League.
3. Special meetings may be called by the Chair or by a majority of the membership.
4. Each session of the Board of Construction Appeals shall be a public meeting.
5. A quorum consists of four (4) members of the Board. The concurring vote of the majority of the quorum shall be necessary to decide on any matter upon which it is required to pass or to revise any order or decision of the Building Official. The Chairperson shall have full voting status. No meeting shall be held for the transaction of any business if a quorum is not present.
6. Should a member have a conflict of interest with regard to any agenda item, he/she shall leave the room prior to presentation, discussion, and deliberation, and shall not return until after voting on the measure has taken place.
7. No change shall be made to the By Laws of the Board of Construction Appeals except by affirmative vote of a majority of the authorized membership of the Board.
8. The order of business at all regular meetings shall be as follows: (a) Call to Order; (b) Roll Call; (c) Consideration of Minutes; (d) Unfinished Business; (e) New Business; (f) Open discussion; (g) Announcements; and (h) Adjournment.



Board of Construction Appeals Rules of Order and Procedure

Building Division | Bella Vista Fire & EMS

103 Town Center Bella Vista, Arkansas 72714 Phone: (479) 855-4454

C. Employees

1. The Fire Chief and/or Chief Building Inspector, in the role of Building Official, or his or her designee, shall serve as staff for the Board.

D. Functions

1. The Board of Construction Appeals shall have the following functions:
 - a. Hear appeals from the decision of the Fire Chief and/or Chief Building Inspector, in the role of Building Official, with respect to the disapproval of a building permit; and may affirm or reverse, in whole or in part, any decision of the Fire Chief and/or Chief Building Inspector; and
 - b. Hear requests for variances from the provisions of the Building Code when an applicant wishes to deviate from standard construction methods outlined in the Building Code or local amendments thereto.
2. Decisions of the Board of Construction Appeals in respect to the above shall be subject to appeal only to the Circuit Court of Benton County.

E. Procedures for Appeals and Variances

1. Any contractor, owner, developer, or builder may appeal any decision of the Fire Chief or the Building Inspector in accordance with these procedures.
2. The person considering an appeal must first determine if the issue they seek to appeal is one that is appealable under the applicable Code. Reference should be made to the applicable Code in the section designated "Construction Board of Appeals" for an explanation of what is an applicable issue. The person must verify with the Fire Chief and/or Chief Building Inspector that the issue is appealable.
3. The person seeking to appeal shall notify the Fire Chief and/or Chief Building Inspector that an appeal of the decision will be made. Further, the person shall request that a written decision be issued. The decision shall include specific provisions of the Code that may be applicable.
4. Each application to be considered by the Board shall be filed on the proper form and be accompanied by the currently adopted fee for such applications. All applications shall meet the submittal requirements provided on the application form, and any supplemental information deemed necessary by the Fire Chief and/or Chief Building Inspector or his or her designee.
5. The Fire Chief and/or Chief Building Inspector, or his or her designee, shall receive all such applications in accordance with the Bella Vista Development Calendar.
6. All applications shall be placed on the agenda and heard by the Board in the order in which they are received, except that an item may be advanced on the agenda by consent of the Board upon good cause shown.
7. Within one (1) week of the regularly scheduled Board of Construction Appeals meeting, the Fire Chief and/or Chief Building Inspector, or his or her designee, shall distribute copies of the application form and his or her written decision to the Board members.
8. Applicants shall appear in his or her own behalf or be represented by agent or attorney at the hearing. In the absence of any appearance by the applicant, agent, or attorney, the Board will proceed to dispose of the matter on the record before it. In such cases as the Board feels necessary, an application may be deferred until the next regular meeting if not represented.
9. The order of the hearing, and allowed speaking times, shall be as follows:
 - a. Applicant's side of the case, with fifteen (15) minutes to speak;
 - b. Fire Chief and/or Chief Building Inspector's side of the case, with ten (10) minutes to speak; and
 - c. Applicant's rebuttal, with ten (10) minutes to speak.
10. An applicant may withdraw his or her application or appeal at any time prior to the decision of the Board.



Board of Construction Appeals Rules of Order and Procedure

Building Division | Bella Vista Fire & EMS

103 Town Center Bella Vista, Arkansas 72714 Phone: (479) 855-4454

11. After the hearing but prior to deliberations on each case, the Board reserves the right to defer action on the case until the next regularly scheduled meeting, if necessary.
12. After the hearing, the Board shall deliberate the case and reach a final decision.
13. If an application is approved by the Board, all necessary permits for the initiation of work shall be obtained within the time frames outlined in the respective Ordinances, unless a time extension is granted by the Board. Otherwise, the Board approval of the application will be considered void at the end of time allowed under the respective Ordinances.
14. The final decision on any appeal to the Board of Construction Appeals shall be in the form of a resolution approved by a quorum of the Board and shall contain findings of fact or conclusions of law.

F. Required Signatures

1. The Chairperson and Secretary of the Board of Construction Appeals shall affix his or her signature to all minutes, resolutions, and other legal documents approved by the Board.
2. The date of approval shall be placed on all minutes, resolutions, and other legal documents approved by the Board of Construction Appeals.

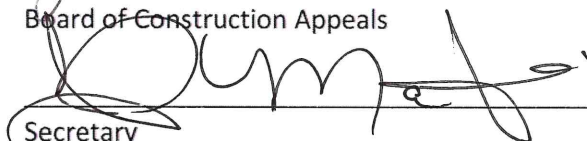
G. Records

1. The Board of Construction Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicate such fact; it shall keep records of its examinations and other official actions.
2. All records of the Board of Construction Appeals shall be public records and shall be immediately filed at the City administrative offices.

APPROVED AND ACCEPTED THIS 11TH DAY OF MARCH, 2025.



Chairperson
Board of Construction Appeals



Secretary
Board of Construction Appeals