

# Homes Association of Cedar Hills Board Policy

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## Building Permits

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### RECITALS

- A. The Board wishes to adopt this policy to clarify the rules governing submitting permit applications for the purpose of making material modifications to the property, as well as for other special-use purposes.
  - B. This policy refers to the Association permit application forms:
    - a. Forms for online submittal:
      - i. [APPLICATION FOR EXTERIOR MODIFICATION PERMIT](#)
      - ii. [Vehicle-Related Permit Request Form](#)
    - b. Forms (PDFs available online) for US Mail or hand-delivery:
      - i. [APPLICATION FOR BUILDING/PAINTING PERMIT](#)
      - ii. [APPLICATION FOR GOVERNMENT OR NON PROFIT VEHICLE PARKING PERMIT](#)
  - C. This policy will be effective for all permit applications submitted after the policy approval date.
  - D. The Association wishes to enforce the following Restrictions (Please see the Amended and Restated Declaration of Restrictions of Homes Association of Cedar Hills adopted on May 11, 2023 HERE.):
    - a. Article V (a)(1) – which states that alterations that materially alter the exterior appearance of the dwelling or other structures require a permit from the Association.
    - b. Article VIII (f) - which states that The Association may assess charges and levy assessments... (2) against any Building Site for costs (including attorney fees) incurred in bringing any Building Site or its owner into compliance with the provisions of this Declaration, or the policies, rules and regulations of the Association; and (3) fines or other charges imposed pursuant to this Declaration or resolution of the Board of Directors.
  - E. Enforcement of this policy follows the process outlined in the Association’s Fine Resolution, as approved by the Board of Directors.
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## **Policy:**

The Board of Directors defines community norms for “material alteration” using input from the membership at Board meetings and annual surveys, and through consensus-building discussion as Board members representing the Association. Any permit application may be denied if the Board determines the proposed change is “inharmonious” with the immediate neighborhood, or if it does not comply with specific Restrictions (Article V (a)(2)).

Alterations requiring permits from the Association typically have three characteristics: materials used, extent of the modification in relation to the appearance of the property, and location of the modification.

### **Materials used:**

- Concrete – pouring concrete for driveways, slabs, walkways or retaining walls anywhere on the property requires a permit.
- Change in materials (e.g. different house siding or roofing material) – often creates a change in appearance and so would trigger a requirement for a permit.

### **Extent of Modification:**

- New or replacement structures (e.g. walls, siding, roofs, fences, sheds) require permits.
- Major repairs to structures (e.g. walls, siding, roofs, fences, sheds) require a permit.
- Replacement or maintenance of features of the property for which the Association does not have a permit on record (e.g. existing fences, sheds, paint color, etc.) requires a permit.
- Change in number or size or appearance of openings to the dwelling (i.e. windows, doors, skylights) requires a permit.
- New house paint color, including trim color, requires a permit.
- New equipment, such as HVAC units, requires a permit.
- Major overhaul/replacement of majority (50% or greater) of the front yard or planting strip requires a permit.

### **Location of Modification:**

- County right-of-way – structures are essentially disallowed. Sidewalk maintenance, planting or removing street trees, or major overhaul/replacement of the included landscape require permits.
- Easements/setbacks – the permit process is used to protect access to easements and enforce restrictions on construction in setbacks.
- Front/side/back yard – different areas of the property’s yard have different visibility to the neighborhood and so have different standards for permitting. Typically, the farther from street view, the lower the requirement.
- Fencing – new or replacement fencing requires a permit (maintenance repair does not – see the Fences and Retaining Walls policy for what constitutes a repair).

**Questions about whether a permit is necessary for a desired project are best handled by office staff: in person, by phone or email.**

## Permit Forms:

The Association permit application is a two-page form (online version is one scrollable webpage). All sections of the form **must be completed to the satisfaction of the Board of Directors**. Failure to complete the form to the board's satisfaction will result in denial of the permit and is a violation of this policy.

A common permit form is used for most purposes, with some variations for special purposes (temporary use of RVs, etc.).

- Page 1 identifies the property address, provides homeowner contact information and a description of the project, with a desired timeline.
- Page 2 contains:
  - Room for neighbor signatures (or online attestation by the submitting homeowner) indicating neighbor acknowledgment of the proposed project: typically the neighbors affected visually (or by traffic) – the bigger the modification, the more neighbors may need to be contacted.  
[Note: sometimes neighbors are difficult to contact – the Association allows for the use of a certificate of mailing to show that the permit/plans have been sent to the neighbor, giving them 10 (calendar) days to respond. Permits submitted with missing signatures may be reviewed but will not be approved until the neighbors have had a chance to acknowledge the application.]
  - A signature line for the homeowner, acknowledging the permit and the permit process (tenants are not allowed to submit applications for modifying properties).

Supporting documentation attached to the application varies by specific need (online submittal must be followed by separate email with supporting documents attached). Refer to individual policies for standards and specific documentation required in each case (e.g. Site Plan Description, Fences and Retaining Walls, Accessory Buildings, etc.):

- Site plan – used for most permits involving construction or landscaping – shows property dimensions, setbacks, easements, existing buildings and placement of proposed modification.
- Documentation of major products used (e.g. paint color chips or manufacturer's description of siding, roofing, windows).
- While neighbor *support* is not required for Association approval of a permit application, requiring neighbor *acknowledgment* ensures the Permit Committee that direct neighbors are informed of changes that may affect them.

Level of approval required for the permit depends upon the magnitude of the requested change (see individual policies for specific approval criteria (e.g. RV Parking, sidewalk, accessory structures, etc.):

- Office staff – may approve sidewalk permits and courtesy or short-term RV parking permits.
- Permit Committee (less than quorum of Board) – approves most modifications (other than additions) and most structures in the yard (other than large sheds).

- Permit Committee (full quorum of Board required) – approves large sheds, non-walkway slab-work allowed in the front setback and documented exceptions allowed in some policies (e.g. Accessory Buildings).
- Board of Directors (at a normal monthly meeting) – approves additions in concept, required level of neighborhood input review, passes authority to Permit Committee for final detail approvals (e.g. final colors, windows, etc.).

### **Enforcement:**

The Association may enforce this policy as permitted under **Article VIII (f) and the Association's Fine Resolution** for events, including, but not limited to:

- Failure to apply for a permit required by board policy.
- Failure to satisfactorily complete the permit application requirements.
- Construction of a “material alteration” without an approved permit.