

Review of Alteration Requests

Purpose:

- To inform all property Owners of the proper methods, procedures, and steps necessary to apply for and receive approval of modification to their property, in accordance with the Association's requirements, and City of Independence municipal codes.
- To provide for the assurance of continued good property values, safety, and aesthetics of the community.
- To establish guidelines for the designated Committee to make fair and equitable decisions concerning all property owners' requests for alterations.
- To protect the common area of the entire community.

Policy:

No alterations or maintenance, that fall under the responsibility of any Committee, as outlined in the Covenants or By-Laws, shall be started without the approval of the designated Committee or the Association's Board. Property Owners shall have the right to appeal the Committee's decision to the Board. The Board's decision shall be final. Any project started or completed, without approval, shall be subject to removal or modification, or to return the unit design to its original design, at the owner's expense.

Unapproved Maintenance:

Any property Owner who performs maintenance, normally provided by the Association, without written Committee approval, shall not be reimbursed or given credit for any expenses incurred by the property Owner.

Any exterior damage to buildings, found to be the fault of the homeowner, shall be repaired by the Association, if that repair normally would fall under the responsibility of the Association. Repair costs shall be then assessed against the homeowner.

Responsibility:

Any property Owner or Resident, making alterations, shall be fully responsible for any resulting damage to any private property, or to the Association's common area. Neither the Board nor the Committee bears responsibility for any errors or omissions in approved plans, designs, or recommendations that cause structural damage or failure.

Request Procedures:

The Homeowner shall make all requests using the appropriate Request Form available on the Association's website or at the Association mailbox. When completed, it may be submitted by email to the Maintenance Chair, or placed in the Association mailbox. The request will be reviewed and a classification determined as set forth by the Board's established procedure. The classification of the request will determine whether the request is a minor alteration or a major alteration, and that will determine what review procedure will be used.

Minor Alterations:

Requests should include an adequate general description of the alteration, and any specific details that would assist the Committee in fully understanding the request.

As determined by the Committee, some types of minor requests may require additional information from the applicant, and may also require input from adjoining or nearby owners.

Requests for minor maintenance or minor alterations, common to most units, may be approved by the Committee Chair, or designated representative, without full review by the Committee, for certain items agreed on in advance by the Committee. Such items might include, for example, storm door installation and replacement of exterior doors. A list of these minor requests, subject to Chair approval without further review, will be kept by the Committee, and be reviewed from time to time for additions or subtractions. Any request not on this list should go to the Committee for review, and cannot be approved unilaterally by the Chair.

Major Alterations:

Requests for major alterations shall be accompanied by dimensional drawings, and may be required to include architectural/engineering drawings, city permits, and any other documents deemed necessary by the Board.

Requests for major alterations of a property owner's structure shall be reviewed at one or more Board meetings, and must meet all city and building code requirements. A copy of any required building permit must be provided to the Board, or its representative, before the commencement of any work. The Board will make the final decision on these requests.

After a preliminary review of major alteration requests, the Board shall notify the adjoining and/or adjacent property owners, describing the proposed alterations. Notification shall also state that, if any notified property owner has questions, concerns, or reasons for disapproval, the property Owner shall have seven days from the date of notification in which to notify the Board in writing of such questions, concerns, or reasons for disapproval. Other property Owners may also be notified, as deemed necessary, by the Board.

This notification shall be made to:

- The townhomes sharing a common firewall
- The two adjoining units on either side of a townhome or villa
- Nearby units viewing the front or rear of the townhome or villa
- Other neighbors as deemed necessary by the Board

If no comments are forthcoming, after seven days the Committee shall assume all recipients of the notification have no issues with the alteration request, and such recipients will have no future standing in final approval or disapproval of the request.

After nearby property Owners are notified, if any new issues are identified, the applicant may then be contacted, requesting additional requirements. If all requirements are not satisfied, the request shall not be approved.

If reasonable objections or concerns are raised, a hearing shall be held by the Board to review those objections. All parties will have an opportunity to express their concerns. The Board may ask for further information. The Board's decision is final. The applicant shall be notified within seven days of the decision.

After final approval by the Board of a major alteration request, the property Owner shall notify the Board if the property Owner is considering any deviation from the request, as approved. The Board will then consider any such change request. If the change request requires City approval, a copy of that approval shall be submitted to the Board before changes are started.

At the Board's discretion, periodic checks may be conducted by the Maintenance Chair, or the Chair's representative, to assure all construction is in accordance with the approved request.

The Board shall be notified by the applicant when the alteration is completed.

If the project is not completed by the date specified on the application, raising questions of aesthetics, safety or liability to the community, the Board shall take any action necessary to correct the condition, and then assess the unit Owner for any costs incurred.

Files of all requests shall be archived for a length of time determined by the Board.

Emergency situations:

If repairs are necessary to eliminate imminent danger to the property owner, others, or other property, the property Owner shall first attempt to contact the Board, informing them of the hazard. If this is not possible, the property Owner may choose to initiate emergency repairs. The Board shall be notified as soon as possible, so that proper assessment can be made, and permanent repairs can be completed.

Approved by the Board of Directors January 16, 2006

Revised and Approved by the Board of Directors June 17, 2013; November 16, 2015; April 20, 2020; and November 20 2023