

CHOA Phase 6 Project Approval Explanation

Here are some pertinent facts that make it difficult to assist you regarding a project approval request:

1. There is no Architectural Control Committee or other group that can "approve" or reject projects as specified in the covenants. However, representatives from the Beautification Committee are willing to meet with you to discuss the project and give you input based upon our understanding of the covenants and county codes (as we have done with others), but our opinion carries no legal weight.
2. The covenants reference "approval" from IMCD, and they assigned their rights to CHOA in 1998, but the sunset date (10 years from original 1977 covenants) on those approvals had passed prior to CHOA being assigned the rights. Therefore, any section of the covenants that mention getting approval from IMCD no longer require approval. Also, there is no process to request a variance from the covenants.
3. The only enforcement tool is for one neighbor (or CHOA) to sue another if there is a question of wrongdoing. This is a lousy way of resolving conflicts, but that is the only means specified in the covenants.
4. The primary determining factors for your project will be the CHOA Phase 6 covenant provisions that still apply, county building codes, and the county permit process. The contractor performing the work should know if any of the improvements you are making require a permit from the county.
5. We suggest you contact your neighbors to see if they have any concerns about your project.
6. Specific Project Notes:

Please let us know if you would like to meet by contacting us at christinahoa.beaut@gmail.com.

In summary, the covenants are poorly written and do not reflect typical restrictive covenants most newer neighborhoods have, so we are stuck with an unworkable process. However, we can provide advice on what matches the existing design and characteristics of the neighborhood.