

# **Resolution Regarding Design Standards & Guidelines for Secondary Structures**

## **Cornwallis Hills Property Owners' Association Board of Directors**

The following resolution was adopted by the Board of Directors of the Cornwallis Hills Property Owners' Association "the Board" on the date written below. What follows is not a complete list of structures requiring AC approval but is based on the most common outside building and renovation items the Board and its committees have encountered. In general, ALL exterior construction or improvements of any kind require AC or Board approval prior to construction.

In accordance with the provisions and intent of the Cornwallis Hills restrictive Covenants, Articles of Incorporation, and By-laws, the Board hereby establishes the attached Design Standards and Guidelines for exterior secondary structures, accessory items/structures, and exterior topographical features:

- A. To establish minimum appearance standards for such structures, for general enjoyment and benefit.
- B. To promote the preservation of property values in the neighborhood; and
- C. To establish a reasonable and consistent basis for approval of such structures.

The attached Design Standards shall be binding until such time as duly amended or rescinded. The Board hereby delegates authority to the Architectural Committee to review requests for such structures; to determine a proposed structure's compliance with these standards; and to approve, deny, or approve with conditions each request. The Architectural Committee shall not have authority to grant any variance from the letter or intent of these standards; this authority shall rest solely with the Board of Directors. The request for variance must be recommended to the Board by the Architectural Committee prior to review by the Board.

A variance may be allowed only by the Board in cases involving practical difficulties or hardships, when substantial evidence supports all of the following findings:

- A. That the alleged hardships or practical difficulties are unusual and are not those suffered in common with other property similarly located.
- B. That the alleged hardships and practical difficulties include substantially more than mere inconvenience and inability to attain a higher financial return, and that the alleged hardships have not resulted from the action or inaction of the applicant.
- C. That the variance, if allowed, shall not substantially injure or degrade the appearance or value of the property of others.
- D. That the variance shall be in harmony with the general intent of the Design Standards & Guidelines; and
- E. That allowing the variance shall result in substantial justice being done, considering both the common benefits intended to be secured by the Design Standards & Guidelines, and the individual hardship that shall be suffered by a failure of the Board to grant the variance.

In accordance with the Board's obligation to serve the interests of the neighborhood at large, the Board intends to promote and pursue compliance with these Design Standards and Guidelines in all reasonable and legitimate ways.

Non-compliance of any standards shall remain in force until the issue has been resolved to the satisfactions of the Architectural Committee and/or Board. Grandfathered non-conformities shall be exempt from all provisions of this resolution but may not be replaced in kind in the event the item is damaged beyond reasonable repair as determined by the Architectural Committee.

Approved by CHPOA Board Resolution: August 7, 2008

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# Attachment to Resolution Regarding Design Standards & Guidelines for Secondary Structures

## Cornwallis Hills Property Owners' Association Board of Directors

According to Article 6, Section 1 of The Cornwallis Hills Property Owners' Association "CHPOA" Covenants, prior to the erection or construction of any secondary structure or accessory item on any house or lot within the Cornwallis Hills neighborhood, such structure or accessory item shall:

- Receive written approval by the Architectural Committee "AC", and shall conform strictly to the following Design Standards & Guidelines; or
- Be granted a specific variance from one or more of these Design Standards & Guidelines by the Board of Directors.

### A. OUTBUILDINGS OR "SHEDS"

- a. All outbuildings and sheds must be positioned in the rear yard, using a line as a guide from the rear corner foundation of the house running across the entire rear yard, versus strictly behind the house.
- b. No metal-sided or metal-roofed outbuildings shall be permitted. Metal roofs are permitted on a case-by-case basis using the roofing guidelines currently in place.
- c. Outbuildings shall be harmonious in scale, materials, design, and detail with the character of the house.
- d. No multi-level secondary structures are permitted; "multi-level secondary structures" do not refer to children's play structures or single-level buildings that have storage in an attic/loft-type area.
- e. Any open space under an outbuilding greater than eight (8) vertical inches must be visually screened from the road and from neighbors.

### B. FENCES

- a. All fencing must be installed so that the "finished" (good) side faces outwards.
- b. Fences in front yards shall be permitted only for decorative purposes and not for screening or containment purposes.
- c. The maximum approved height for any front-yard fence is 48 inches and for any rear-yard fence is 72 inches; for definition purposes, the height of a fence is measured from the mean ground level under the bottom horizontal edge of the fence to the top horizontal edge or rail or picket - thus the top of the fence is not necessarily defined as the top of the vertical post if the post extends beyond the top horizontal edge/line of the fence;
- d. All fence construction shall result in a neat, finished appearance; wooden fences must be natural or painted in a color that is harmonious with the primary structure;
- e. Fencing material shall consist of conventional, commercially available fencing materials such as treated wood, non-corrosive (galvanized) metal, extruded plastic/vinyl, or ornamental iron (wrought or cast);
- f. No fencing material shall extend in front of the halfway point between the rear and front foundation lines of the house, except as allowed for front yard areas (see section b above. For fencing purposes, "front yard" refers to any area in front of the referenced "halfway" point of the house foundation).
- g. Any fencing parallel or nearly parallel to any bordering road, shall not consist of wire-mesh materials such as chain link nor shall it be no greater than 48 inches in height; any metal fencing used in conjunction with "open" styles of fencing - split rail and picket are examples - must be placed on the inside of the fence and deemed invisible from the road.
- h. The following fence types are NOT appropriate, including but not limited to barbed wire, rope fences, chain fences (not chain link), railroad-tie fences, wired pickets, utility fences such as "chicken wire", and wire-mesh fences; wire-mesh material, however, is allowed in areas not covered in "g" above, if used inconspicuously in conjunction with other fencing materials and fence types as approved by the AC and must be on the interior of the fenced area;
- i. For this section, "fencing" does not refer to ornamental fencing with a maximum height of fifteen (15) inches OR to temporary fencing used during construction projects.

### **C. DOG PENS**

- a. For purposes of this section, "dog pen" is defined as any fenced structure designed to contain an animal and does not enclose a majority of the rear yard area of the property; thus "dog pen" does not refer to a fenced-in rear yard.
- b. Dog pens shall be placed entirely behind the rearmost foundation line of a house, and shall be reasonably screened from the adjoining street(s) and Cornwallis Hills Neighbors, as approved by the AC.
- c. No dog pen shall be constructed of fine-wire mesh such as "chicken wire" or "hardware cloth"; standard chain-link or prefabricated dog pens are acceptable in accordance with CHPOA chain-link fence policies.
- d. The maximum size of the dog pen as approved by the AC shall comply with the ASPCA guidelines for numbers of dogs owned, but may not exceed 15% of the back yard (the area behind the rear-most foundation line of a house) and must be placed at least ten (10) feet from any property boundary

### **D. SATELLITE DISHES AND OTHER ANTENNAE**

- a. In accordance with the current Federal Communication Commission (FCC) rules the following guidelines apply to outside antennas and do not require AC application or approval:
  - i. For "Dish" style antennas, the maximum diameter or diagonal measurement is one meter (39.37 inches) or less.
  - ii. It is recommended that antennas should be placed to minimize visibility from adjoining street(s) and CHPOA neighbors. If secured to the ground, plantings are encouraged to help minimize visibility of the antenna.
111. Traditional "clothesline" antennas designed to receive local television broadcast signals are permissible as long as they are secured to masts no higher than 12 feet in height.

All other exterior antennas including "stick" antennas for long distance video reception and HAM radio operator antennas are subject to the CHPOA Restrictive Covenants and would require approval by the Architectural Committee or CHPOA Board prior to placement.

### **E. DRIVEWAYS & PARKING AREAS**

- a. Any driveway/parking area expansions/extension must be paved or composed of appropriate surfacing material as approved by the AC.
- b. All driveway/parking area expansions must have a defined permanent border that will prevent erosion of surface material and/or the surrounding areas; if erosion of expansion/parking area persists, the AC reserves the right to require a new area design that may include a different border and/or surface material.
- c. The design of the driveway/parking area expansion must be compatible in size, material, and color with surrounding residences as approved by the AC.

### **F. CHILDREN'S PLAY STRUCTURES**

- a. For this section, "play structures" refers to affixed or non-affixed (to ground) items such as sand boxes, playhouses, swing sets, slides, "kiddy pools", or other play structures that are stationary;
- b. Play structures must be placed entirely in the rear yard, using a line as a guide from the rear corner foundation of the house running across the entire rear yard, versus strictly behind the house.
- c. Non-affixed play structures should be stored or placed out of view when not utilized for extended periods.

Approved by CHPOA Board of Directors: August 7, 2008  
Revisions to Section F approved by CHPOA Board: August 1, 2013

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**Addendum to**

**Attachment to Resolution Regarding Design Standards & Guidelines for Secondary**

**Structures Cornwallis Hills Property Owners' Association Board of Directors**

The Cornwallis Hills Board of Directors has determined that portable temporary storage units are considered buildings or structures; therefore, the governance of such units falls under the Architectural Committee as outlined in Article 6, Section 1 of the Cornwallis Hills Covenants.

The following section is hereby added as an addendum to the Attachment to Resolution Regarding Design Standards and Guidelines for Secondary Structures approved by the CHPOA Board of Directors on August 7, 2008:

**G. PORTABLE TEMPORARY STORAGE UNITS**

Temporary placement of one portable temporary storage unit for specific and temporary residential storage may be granted, subject to the following:

- a. An application to the Architectural Committee for placement of a portable temporary storage unit shall be required prior to placement of a portable temporary storage unit on any property located in Cornwallis Hills. Said application may be obtained from the property manager, the Documents" section of the Cornwallis Hills website, or a member of the Architectural Committee.
- b. The application must include the unit size, the proposed start date and end date of placement of unit on property, and the location of placement of the unit on the property.
- c. Approval for placement of one portable temporary storage unit may be granted no more than once per calendar year, for no longer than forty-five (45) consecutive days. Extension requests may be submitted, if necessary, for no more than fifteen (15) consecutive additional days.
- d. Portable temporary storage units shall be placed on the driveway or an approved parking pad at the furthest point from the street.
- e. Portable temporary storage units cannot be placed on any public right-of-way or in grassy areas in the front yard.
- f. Portable temporary storage units must be no larger than 16 ft. by 8 ft. by 8 ft. by 8 ft.

Addendum approved by the CHPOA Board of Directors: August 7, 2008

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## **Resolution Regarding Design Standards & Guidelines for Primary and Secondary Structures**

### **H. ROOFS**

- a. All roofs, whether they are replacement roofs on the primary residence or secondary structure, must be in harmony with the surrounding homes in the neighborhood.
- b. Materials: Standard asphalt/fiberglass shingles, including three tab and laminated ("architectural") shingles. Metal Roofing including batten or standing seam, architectural shingles and tile (aluminum/steel), Shakes or Wood Shingles, Tile and Slate will be considered on a case-by-case basis, based upon the compatibility with the general architectural design of the house and other houses within the community.
- c. Prohibited Roofing Styles or Materials - Tar roofs, flat roofs, any riveted fasteners, unfinished metal roofs, galvanized steel paneled or corrugated roofs, red clay tile roofs, rusty roofs, faded roofs, or unkempt shingles. No roofs with bright colors.
- d. Bay Windows and Porticos: For bay windows and porticos, other roofing materials, including standing seam (tin/aluminum/steel) and copper will be considered on a case-by-case basis, based on the compatibility with the general architectural design and character of the house and other houses within the community.
- e. Porches, attached garages and other additions: Roofing materials used on porches and other additions shall match the roofing materials used on the main part of the house.

Addendum H approved by the CHPOA Board of Directors: May 2, 2013

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### **I APPLICATION EXTENSIONS**

For Owner projects that require an application be submitted to the Architectural Committee, the following timeline will be enforced to ensure the timely completion of projects:

Once Owner is notified that their application has been approved, the standard timeline of completion for the project will be 3 calendar months, starting with the date the application was approved by the architectural committee. This approval notification will include the deadline date for the project.

- Once during the initial completion timeframe, Owners may request in writing to the Property Manager or their application Case Manager (who is a member of the AC committee) a deadline extension of 3 additional months. This request will then be voted on by the AC committee and within 14 days the Owner will be notified of the approval or denial of the extension via email by the Property Manager or Case Manager.
- If approval is given, the notification will include the updated deadline date.
- If extension is denied, the notification will include a reminder for the completion deadline.
- In general, approvals will be granted for projects that are currently under construction but extension decisions are at the full discretion of the AC committee on a case by case basis.
- If projects are unable to be completed by the original deadline or a granted extension deadline, Owners will be required to resubmit applications with updated information on their project and expected timeline for completion.

Addendum I approved by the CHPOA Board of Directors December 4, 2024

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