

Canal Walk Homeowners Association

Property Modification Request

DECKS

In accordance with the Canal Walk Homeowners Association Rules and Regulations I hereby apply for approval from the Covenants Committee to have a deck constructed at my home. The homeowner's signature below confirms that he/she agrees to comply with the following:

- Homeowners are responsible for damage to irrigation systems and all buried electrical, telephone and cable lines.
- Homeowners must receive a written Authorization to Proceed from the Covenants Committee prior to applying for Franklin Township permits.
- Copies of all required Township permits must be submitted to the Community Manager prior to commencement of work.
- Homeowners are responsible for ensuring that contractors remove all excess material from the homeowner's lot and community. There is absolutely no dumping allowed in Canal Walk's common areas or in the builder's construction dumpsters.
- Upon completion of work, the Covenants Committee must be notified so an inspection can be scheduled.

Your signature below authorizes the Covenants Committee to visit the property to inspect the deck to determine conformance with the Canal Walk Deck Policy.

Signed: _____ Date: _____

Print Name: _____ Email: _____

Address: _____ Model: _____

Phone: _____ Cell: _____

Projected date of completion: _____

**The Covenants Committee meets on the third Tuesday of each month.
PMRs must be submitted no later than the second Tuesday of the month.**

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Please attach the following documentation to this PMR:

1. Contractor's NJ Home Improvement License.
2. Contractor's liability insurance certificate in the minimum amount of \$1 million that names the homeowner and the Canal Walk Homeowners Association as both being insured.
3. Original, signed letter from your doctor (must be an M.D., O.D. or equivalent) that matches the wording in Attachment A. Additional information and/or medical justification may be included at your discretion.
4. Drawing of deck showing dimensions and construction details including color and type of materials proposed for major components, e.g., floor boards, railing, lattice, steps and structural components.
5. Property survey showing location of deck and distance to property lines.

Homeowner confirms that Items 1 - 5 above are attached: Yes No (PMR will be denied)

By signing below, the homeowner confirms that he/she has received a written copy of the Canal Walk Deck Policy and that the construction, maintenance and use of the deck will comply with that policy in all respects in addition to any applicable requirements in the Canal Walk Rules and Regulations.

Note: Homeowners violating the Deck Policy will be subject to a fine of \$50 per day in accordance with the Canal Walk Rules and Regulations. Any costs incurred by the Canal Walk HOA to correct a violation must be reimbursed by the homeowner.

Signed: _____ Date: _____

Print Name: _____

- SAMPLE -

This letter is to be printed on Doctor's Official Letterhead

M.D. or O.D.

Canal Walk Community Manager
100 Canal Walk Boulevard
Somerset, NJ 08873

Date _____

To the Canal Walk Board of Directors:

Patients Name _____ who lives at *Address* _____ in Somerset, has been my patient for approximately _____ years. Based on a recent examination it is my professional opinion that he/she has a medical condition that would make it extremely difficult or significantly detrimental to his/her well-being to descend steps from his/her kitchen to the patio even with the use of a handrail. As such, for my patient to have reasonable use of the rear patio area of his/her home, I believe that a deck constructed at the same level as the kitchen floor is a medical necessity and not merely a convenience. I further believe that this medical condition is not temporary in nature and will not improve over time.

In view of the above I am requesting that the Canal Walk Board of Directors allow my patient to construct a deck in the rear of his/her home based on medical necessity. Please contact me via email or at the address shown above if you have any questions regarding this request.

Sincerely,

XXXXXXXXXXXX

- SAMPLE -

As an exception to Section VII.K of the Rules and Regulations, a deck is permitted if a doctor (M.D., O.D. or equivalent) has determined that it is a medical necessity which would allow the homeowner or other permanent resident of the home to enjoy the rear patio area without descending steps. A letter from a doctor is required to document the medical necessity.

Construction must not begin until the PMR is approved and copies of applicable Township permits are given to the Community Manager. The Canal Walk deck construction and use requirements are specified below. Homeowners are also required to comply with applicable Township building codes.

Construction and Use Requirements

1. The deck must be designed to blend harmoniously with the style of the home and the community. It must not be imposing to neighbors or create visual clutter. The homeowner is responsible for using and maintaining the deck and the area around it in a suitable fashion that minimizes its impact on neighbors.
2. The visible components of the deck must be constructed of maintenance-free, man-made materials in medium or light wood tones that complement the color of the home. The railing system must be an open design that does not obstruct the view. Privacy fences or screens are not permitted.
3. The deck must be attached to the rear of the home and be directly accessible from an existing rear entry door. The deck floor must be at the same level as the floor in the room that provides access to the deck. Multi-level decks are not permitted.
4. The deck floor must not exceed 250 square feet; must not extend beyond the left or right corners of the home; must not extend more than 12 feet from the rear wall of the home; and must be at least five feet from any property line (unless a greater distance is required by the Township). Steps that provide egress to ground level must be at least five feet from any property line.
5. If the area beneath the deck is not covered with patio pavers, it must be covered with heavy grade plastic or other material that will prevent vegetation from growing. This ground covering must be held in place by stones or by other permanent means.
6. Securely fastened, maintenance-free lattice is required around the open perimeter of the deck and must extend from the bottom of the deck floor to ground level. Storage is permitted under decks provided it does not become unsightly.
7. These rules may be modified at the discretion of the Board to address atypical home designs, lot size/configuration/elevation/topography, proximity to neighbors, drainage and any other unique conditions not specifically identified.