

Proposed vehicle-exception resolution

Sent April 23, 2026; attachment itself is undated.

Owner-proposed draft sent to a director with the April 23, 2026 email retained as SRC-000323. The transmittal labels the materials as drafts. This record does not show adoption by the Association.

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The proposal's legal assertions and standards are reproduced as the owner's historical proposal, not endorsed as legally sufficient. Blank form fields contain no applicant information.

Wording is retained; formatting and tables are linearized, empty cells and repeated writing lines are condensed. Original DOCX comments, metadata and other non-body content are not embedded.

RESOLUTION OF THE BOARD OF DIRECTORS OF SANTA RITA RANCH III HOMEOWNERS ASSOCIATION ADOPTING VEHICLE EXCEPTION APPLICATION, REVIEW STANDARDS, AND CASE-BY-CASE PROCEDURES UNDER DECLARATION SECTION 10.11

WHEREAS, Santa Rita Ranch III Homeowners Association, an Arizona nonprofit corporation, is governed by its Declaration of Covenants, Conditions and Restrictions, Bylaws, Articles of Incorporation, and duly adopted rules and policies; and

WHEREAS, Article 10, Section 10.11 of the Declaration governs vehicles and parking within the community; and

WHEREAS, Section 10.11.4 of the Declaration prohibits motor vehicles designed or used for carrying merchandise, supplies, or equipment for commercial purposes from being parked on the Common Area or on a Lot, except for vehicles parked entirely within an enclosed garage and the temporary parking of certain contractor, subcontractor, supplier, or vendor vehicles; and

WHEREAS, Section 10.11.5 of the Declaration provides that the Board has the right and power to adopt Association Rules governing and further restricting the parking of motor vehicles on Lots and Streets, implementing Section 10.11, and establishing certain exceptions that may in certain cases be warranted, while also providing that if any Board-adopted rule conflicts with Section 10.11, Section 10.11 controls; and

WHEREAS, the Board desires to adopt a written application, review standards, and procedures that allow the Board to evaluate whether a limited exception is warranted in an individual case, based on documented facts, without creating any automatic approval, class-wide exemption, waiver of the Declaration, or precedent binding on future Boards; and

WHEREAS, the Board further desires to distinguish between requests that are allegedly protected by applicable Arizona law and requests that are purely discretionary under the Declaration.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts the following Vehicle Exception Application and Review Policy:

1. Purpose and Scope

1.1. This Resolution is adopted for the limited purpose of implementing Declaration Section 10.11 and establishing a process for the Board to evaluate whether a narrowly tailored exception is warranted in a particular case.

1.2. This Resolution does not amend the Declaration, does not create any vested right to an exception, and shall not be interpreted to authorize any parking arrangement prohibited by the Declaration except to the limited extent the Board determines a particular exception is warranted under Section 10.11.5 or required by applicable law.

1.3. Any exception granted under this Resolution is discretionary, personal to the applicant and approved vehicle, revocable, nontransferable, and subject to conditions.

2. Adoption of Application Form

2.1. The Board hereby adopts the “Vehicle Exception / Hardship Request Form” and “Board Decision Sheet” substantially in the form presented to the Board with this Resolution.

2.2. Management is authorized to make non-substantive administrative edits to the form, including formatting, address changes, contact information changes, and clarification of document-submission instructions, so long as such edits do not materially alter the standards adopted by this Resolution.

3. No Automatic Approval

3.1. Submission of an application does not create any right to approval.

3.2. No statement by an owner or occupant, standing alone, including a statement that a vehicle is a “primary work vehicle,” that denial would create a “hardship,” or that the vehicle “will not fit in the garage,” shall require the Board to approve an exception.

3.3. The Board expressly rejects any interpretation of this Resolution that would create a checkbox-based or automatic exception process.

4. Required Information

4.1. Every applicant shall provide the information and supporting materials required by the adopted form, including, as applicable:

- a. Owner and occupant identification;
- b. vehicle description and ownership;
- c. employment or use information;
- d. specific facts supporting the claimed hardship or necessity;
- e. explanation of alternatives considered;
- f. garage and vehicle dimensions;
- g. photographs of the vehicle, garage, driveway, and proposed parking location;
- h. proof of any asserted statutory protection; and
- i. any additional information reasonably requested by management or the Board.

4.2. Incomplete applications may be returned without Board action until completed.

5. Separate Review Tracks

5.1. Requests asserting protection under applicable Arizona law, including A.R.S. § 33-1809 where applicable, shall be reviewed separately from purely discretionary requests.

5.2. If an applicant claims statutory protection, the applicant bears the burden of providing sufficient proof.

5.3. If the Board determines that a request is not compelled by statute, the request may still be considered as a discretionary request under this Resolution, but only if the application is complete.

6. Standards for Case-by-Case Review

In deciding whether an exception may be warranted in a particular case, the Board may consider any relevant facts and circumstances, including without limitation:

- a. whether the vehicle falls within the commercial-purpose vehicle restriction in Section 10.11.4;
- b. whether the request is temporary, seasonal, indefinite, or permanent in nature;
- c. whether the vehicle must be kept at the residence as a documented condition of employment or assignment;
- d. the nature and degree of hardship demonstrated by competent facts rather than conclusory assertions;
- e. whether reasonable alternatives exist, including garage reconfiguration, lawful off-site parking, alternate vehicle assignment, reduced on-site presence, or a narrower accommodation;
- f. the actual dimensions of the vehicle and garage;
- g. whether the garage limitation is structural or merely the result of storage choices;
- h. the proposed location of parking on the Lot;
- i. potential impact on safety, access, sight lines, sidewalks, drainage, neighboring property, and the character of the community;
- j. whether the vehicle has exterior commercial markings, tools, supplies, trailers, equipment, or operational impacts such as idling, loading, unloading, or noise;
- k. whether conditions can reasonably mitigate adverse impacts; and
- l. whether granting the request would remain consistent with the Declaration.

7. Required Board Findings

7.1. No exception shall be granted unless the Board makes a good-faith determination, based on the application and any verified supporting information, that:

- a. the request has been sufficiently documented;
- b. the Board has considered reasonable alternatives;
- c. a limited exception is warranted, if at all, only in this particular case;

d. any approval can be conditioned to reduce impact and remain as consistent as practicable with Section 10.11; and

e. the approval will not be treated as a general waiver, amendment, or precedent requiring approval of other requests.

7.2. The Board may deny any request if the evidence is insufficient, contradictory, outdated, incomplete, or not credible.

8. Conditions on Any Approval

8.1. Any approval may include such conditions as the Board deems appropriate, including without limitation:

a. limiting approval to one specifically identified vehicle;

b. limiting approval to one named owner or occupant;

c. limiting the exact parking location;

d. prohibiting trailers, attached equipment, loading, unloading, repair work, or prolonged idling on site;

e. requiring the vehicle to remain operable, clean, and lawfully registered and insured;

f. requiring removal or concealment of certain items where lawful and feasible;

g. requiring annual or more frequent renewal;

h. imposing an expiration date; and

i. requiring updated proof on demand.

8.2. The Board may approve a request with stipulations, deny it, or table it pending additional information.

9. Term; Renewal; Revocation

9.1. Unless otherwise stated in the approval, any exception granted under this Resolution expires automatically twelve (12) months after approval.

9.2. Renewal is not automatic and requires a new or updated application and updated proof.

9.3. The Board may revoke or modify any approval if:

a. the applicant supplied incomplete or inaccurate information;

b. the basis for the exception no longer exists;

c. the vehicle changes;

d. the applicant or occupant changes;

e. any approval condition is violated;

f. the vehicle creates a nuisance, safety issue, or material adverse impact; or

g. the Board determines the approval is no longer warranted.

9.4. Before revocation, the Association shall provide notice and an opportunity to be heard, except where immediate action is reasonably necessary to address an emergency or immediate safety concern.

10. No Waiver; No Precedent

10.1. An approval under this Resolution is not a waiver of the Declaration as to any other owner, occupant, lot, or vehicle.

10.2. No owner shall rely on another owner's approval as grounds for entitlement to an exception.

10.3. The denial of one request does not require denial of another, and the approval of one request does not require approval of another.

11. Administration and Recordkeeping

11.1. Management is authorized to receive applications, request missing materials, inspect for completeness, and place completed requests on the agenda for Board consideration.

11.2. The Board may inspect or authorize inspection of the vehicle, garage, driveway, and proposed parking location on reasonable notice.

11.3. The Board's final decision shall be documented in writing, including whether the request was approved, approved with conditions, denied, or tabled.

11.4. Sensitive personal, health, financial, or employment information may be handled in the manner authorized by Arizona law, but formal Board action shall be taken in compliance with applicable open-meeting requirements.

12. Severability

If any provision of this Resolution is held invalid or unenforceable, the remaining provisions shall remain in full force and effect.

13. Effective Date

This Resolution is effective immediately upon adoption and shall remain in effect until modified, rescinded, or replaced by further action of the Board.

ADOPTED by the Board of Directors of Santa Rita Ranch III Homeowners Association on [blank], 2026.

SANTA RITA RANCH III HOMEOWNERS ASSOCIATION

By: [blank] President

By: [blank] Secretary

Source and preservation

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