

Do you need a permit for that?

So your wife has been reading the Southern Living magazine and has decided that it's time for you to install ceramic tile in the kitchen and breakfast nook.

She selected the tile, you measured (twice) and bought the tools, cement and grout... **Hold on**, do you need to get a permit to do this?



Fortunately, not this time. However, lots of home projects that you decide you can take on yourself do require the proper approval and permitting process. This process can be confusing and difficult to determine what's really required, especially for us Wedgefield residents because we are a Deeded Community and have to abide by the Codes and Covenants. Additionally there is the Ranger Drainage District (RDD) that also must be considered.

There's a general rule of thumb: If the work is done incorrectly and could injure or kill you or someone else, or even cause property damage, you probably need approval from the WHOA Architectural Control Committee (ACC), and permits from the RDD and Orange County.

Just as an example, improperly applied roof shingles could fly off in a windstorm and crash through a neighbor's window. The same principle applies for other features attached to your house or in your yard, so you'll need to get WHOA ACC approval and pull the proper permits before you put up a backyard shed or garage, erect that fence or gate, have that pool installed, enclose that rear porch, replace a window or hang new shutters.

But if the worst-case scenario for screwing up your home-improvement project is simply an ugly house, you probably don't need approval or a permit. If you're laying new carpet, tile or other flooring, the WHOA, RDD and building inspectors don't care. They also take a hands-off approach when it comes to new sod, landscaping or trees; unless it may impact water drainage and then RDD may be interested.

And while your neighbors might hate you if you paint your house some garish color, the building inspectors aren't interested: Interior and exterior painting requires no permit.

Now it's a totally different story when it comes to wiring and other electrical repairs, where a mistake can lead to fire or electrocution. If you're running cable for a new electrical outlet, a mistake could mean big trouble. The same goes for replacing a water heater. If done incorrectly, it could cause fire, carbon monoxide poisoning or contamination of your drinking water.

Lots of Wedgefield residents think the “**system**” is designed to take their money, but it's really all about making sure that our neighborhood is well maintained which helps to maintain our property values and of course, public safety.

Permit fees can range widely, but most projects that homeowners would take on are relatively low:

1. The WHOA ACC fees range from \$50.⁰⁰ for a storage shed to \$250.⁰⁰ for a new house plan.
2. The RDD fees vary depending upon the scope of work.
3. The Orange County offices actually charge fees similar to the WHOA.

The purpose of obtaining a permit is to make sure the work is done safely and correctly. When you complete a WHOA ACC application or pull a permit, the intent is to make sure everything is done properly and an Orange County inspector will visit to make sure work complies with building codes.

That doesn't mean homeowners can't do the work themselves. You are encouraged to call ahead to find out what you can and can't do, with or without a permit. Also, calling ahead to find out what documentation you will need.

Save these numbers so you can call them when needed:

1. 407-836-3111, Orange County "311" information center.
(Ask for the Building Permit Department)
2. 407-568-5502, Ranger Drainage District Office.
(Talk to the manager Cecil, or to Wanda, or Dawn)
3. 407-568-0602, WHOA Codes & Covenants and Architectural Review.
(Rich Mehochko, WHOA Director. Cell = 407-701-3468, Email = ramehochko@mindspring.com)

There are a few projects that — under the letter of the law — require a permit, but are rarely enforced. They include hanging rain gutters, and even installing a ceiling fan. But if you're caught doing some work without a permit, you could be forced to get a more expensive retroactive permit. Or worse, if you later sell your house, you could face a lawsuit.

AND FINALLY... Some Words of Wisdom, Cautions and Warnings!

- ✓ **UNLICENSED Activity** – It is unlawful for a homeowner to hire an unlicensed contractor, AND if reported the homeowner could be subject to fines up to \$10,000.⁰⁰. You, as the homeowner, have no recourse in the courts if you enter into a contract with an unlicensed contractor since the contract is unenforceable. (By law, you cannot knowingly contract with someone that is not licensed). Florida Statute 489.128. Visit this County website to verify a license for a contractor: (<http://apps.ocfl.net/eBuilding/ContractorSearch/contractorsearch.asp>)
- ✓ **NEGLECTING** to get the correct permit for a job that actually requires a permit can cause the sale (when that time comes) of your home to be put on hold. Or even worse, make your home unmarketable since it will be discovered and need to be rectified before a closing can proceed. Mortgage companies, insurance companies and title companies are really cracking down on this and requiring that sellers have a "Home Inspection" completed. Home inspectors are required by law to document via the County website if any additions, new roofs, sheds, barns, etc., was properly permitted.
 - ✓ This can be a show stopper and won't be a happy time for you, the seller, when the realtor breaks the news that the Home Inspector has determined that the porch that you enclosed in 2008 without a permit will need to be either removed, torn off or permitted and inspected, (that is IF you want to sell your home).
- ✓ **VERIFY** that the contractor you select is licensed, insured and bonded. It's also prudent to check with the Better Business Bureau to find out if problems have been reported.
- ✓ **NEVER** pull the permits for the contractor yourself. When a "contractor" asks you to do this it is usually the first indication that something is wrong. Reputable and honest licensed contractors WILL ALWAYS pull the required permits and follow the rules concerning the Orange County, WHOA and RDD. If you do it yourself you are at risk and liable.
- ✓ **UPFRONT** down payment? Be extremely cautious here. Established licensed contractors almost never ask for a LARGE upfront payment. Negotiate the amount and ALWAYS hold out that last payment until the work is done and you are completely satisfied.
- ✓ **RECOVERY FUND** – Florida has a "Recovery Fund" where a harmed homeowner can get financial relief if it is found that the contractor acted in bad faith and did not or cannot finish the job, BUT, it only applies to licensed contractors. There are numerous examples of people trying to recover monies lost to an unlicensed contractor; the state usually fines the homeowner at this point instead, since they just admitted to a crime.

Check out the WHOA Web-Site (<http://wedgefieldhomeowners.com>) to view the Codes and Covenants for our Deed Restricted Community. There is also a copy of the WHOA ACC Fee Listing (the amount we charge to review and approve the application) and a copy of the Architectural Review Checklist.

Submitted by: Rich Mehochko, WHOA Director - Codes & Covenants/Architectural Review