MINUTES FOR OCTOBER 4, 2018 ACC MEETING

1. The meeting was called to order by chair Robert Pruski at 5:30 PM
2. ACC members present were Robert Pruski, Bill Pope, Ray Morias, and Tom Cable
3. Excused member was David Hoffman
4. Others present were:

Jim Smock, Nick Colossi, Adrian Rodriquez, Christine Gallegos, Jose Rodriquez

1. Variance Requests
2. 13543 Royal Fifth - Adrian Rodriquez, contractor, submitted a tentative plan for an unusual house design having two rooftop decks. The submission was in response to a request from the ACC at the last meeting. All ACC members agreed that the proposed design was acceptable. Mr. Rodriquez will complete the design and submit a formal application at the appropriate time. The house is to be 100% Hardiboard siding including the vertical decorative strips.

1. 15302 Bonasse – Unit 101 - Owner Jose Rodriquez and contractor Chris Gallegos (Lone Star Home Improvements) requested a variance to allow a 10- foot wide new boatlift to be extended 4 feet past the 25-foot water building line. The “peculiar hardship” was the refusal of the HOA to allow the replacement of their existing 4-foot wide dock parallel to the bulkhead. If the deck was removed, there would have been sufficient room for the requested lift without a variance. Because the location of the dock was at the canal end bulkhead, there was no additional restriction to navigation. The height, 7 feet above the bulkhead, would be minimally visible from the street. Therefore, the **variance was granted**, pending approval of the HOA.
2. 14810 Cobo de Bara - Chris Gallegos (Lone Star Construction) requested a variance to extend a new deck/dock/boatlift 5 feet past the 10-foot Subdivision Covenant Mooring Line. This variance request would violate the subdivision covenant plus there was no “peculiar hardship”. Chris pointed out that the house directly to the West had a variance. In addition, there are other properties on the East side of Cobo de Bara that extend past the 10-foot Mooring Line restriction.

All ACC members agreed that the 10-foot Mooring Line makes little sense for such a wide canal. Therefore, the ACC made the unusual decision of **disapproving the variance request** based on covenant restriction and no “peculiar hardship”, but recommending that an appeal be made directly to the Board.

The aim is for the Board to deal with this common problem once and for all. This decision, although potentially difficult, will ultimately be in the best interest of the community. The current situation is unacceptable for many reasons.

The Board has the choice of ignoring the subdivision covenant for the purpose of providing relief for many Garden Lot owners OR to demand the removal or modification of all such existing structures that violate this and like covenants.

{NOTE: It is important to be aware that placing a 15-foot boatlift system next to a 10 foot system may not be permitted if the larger system blocks egress to the narrower one.}

The ACC also agreed that there was no point to require Lone Star to make the normal appeal to the ACC, but could go directly to the Board instead.

1. 15118 Tesoro - \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , contractor, attended to discuss the enclosure of the front stair entry system and the elevated air conditioner units. This is a design in which the first significant living floor is on the second floor. Therefore, it requires these items to be similarly elevated.

The ACC was specific in that the only stair treads to be visible from the street are those few that face the street near the upper landing. All of the supporting posts are to be enclosed.

The AC units are not to be visible or to exhaust hot air or significant noise to the adjoining property.

1. At this point, Robert Pruski left the meeting for a prior appointment. The remaining ACC members plus Jim Smock and Nick Colossi, stayed to discuss proposed parking rules that are under the purview of the ACC according to the Subdivision Covenants.

Tom Cable proposed a list of recommendations that were reviewed and approved by the ACC members. Also considered was the longstanding ACC document parking provision known as Section K. Section K. deals with the parking and storage of RVS, Buses, and Commercial Vehicles. This section “disappeared” from the ACC document in 2015.

It was agreed that these two elements would be combined into one document for further work and possible recommendation at the next meeting.

1. Previous to Item 6, the ACC confirmed that next meeting dates to be Wednesday October 17, 2018 and November 7, 2018. The venue is the Admiral meeting room at Schlitterbahn. The time is 5:30 PM.
2. Meeting adjourned.