

COMMITTEE ANNUAL REPORT

December 16, 2021

Section I. COMMITTEE MEMBERS AND STATUS OF TERMS.

<u>Name</u>	<u>Date appointed</u>	<u>End of Term if Fully Extended</u>
John Dilworth, Chair	1/27/18	1/27/24
Susan Holt	3/7/20	3/7/26
Margaret McGovern	6/23/17	6/17/23
Larry Malone (alternate)	4/21/15	4/17/22
Alternate	membership needed – Search to begin	

Section II. SUMMARY OF MAJOR ACTIVITIES DURING REPORTING PERIOD.

1. Review of proposed short-term rental policy.
2. Steps have been taken to make residents aware of the existence of Deed Restrictions and Guidelines through publication of their content relating to current issues that come before ARC in newsletters and other Community notices. Plans are for more regular postings.
3. Began reviewing the Architectural Guidelines for clarification.
4. Began looking into fines and related procedures, including an appeal process, in Sections 12, 15B, 16, 17, 18C, 18E, 18F, 18G, 18S, and 19.
5. Out of 36 Variance applications – 25 were Approved, 11 were Denied, Issued 547 Violation notices, Approved 73 Violations to be sent a final letter that was forwarded to General Manager for action, Issued 391 permits.

Section III. PROBLEMS ENCOUNTERED AND ASSISTANCE REQUIRED.

1. The only meaningful procedure in place to prompt variance compliance, especially in difficult cases, is to forward the case to legal. This has proven to be problematic, particularly over the past 2 years.
2. In working with the current Guidelines, last revised in March 2020, problems have surfaced with practical application relating to wording and definitions.
3. Too many property owners coming before ARC claim to have little to no previous knowledge of either the DR's or the Guidelines, particularly if their appearance is due to a Violation Notice.

Section IV. REQUEST FOR ITEMS TO BE CONSIDERED FOR INCLUSION IN THE NEXT OPA BUDGET. CHAIRPERSONS SHOULD CONSIDER IMPACTS ON THEIR COMMITTEES RELATING TO THE OPA COMPREHENSIVE PLAN.

1. Decrease the variance/exception application fee from \$115 to \$50 to facilitate and encourage property owners to apply for a variance/exception. The lower fee is a result of a cost analysis provided by Linda Martin. Fee will still be non-refundable.
2. Initiate a system establishing fines in Sections that currently allow them.
3. Based on the activity in 2021 year to date and recognizing that the year represents a return to a more normal year, we recommend the Board consider the need for another inspector for CPI.

Section V. RECOMMENDATIONS FOR BOARD ACTION.

1. The fee for a variance/exception application be lowered to \$50.
2. The Board approve a system of fines for violations in sections that allow fines and a procedure for appeals of ARC decisions as required in the DR's.
3. Should the Board undertake the task of amending the Declarations of Restrictions, as part of that effort, consideration be given to establishing fines and an appeal process for all Sections.
4. The Board approve penalties for variance non-compliance, where possible, to reduce the number of unresolved variances sent to legal.
5. Recommend the Board consider the need for another inspector for CPI.

Exhibit:

Top 5 Variances, Violations and Permits by Reason and Section.

Variances - 36 (70% Approved)

<u>Reason</u> -#Total, (#Approved, # Declined)	<u>Section</u>
1. Fences – 16 (10-6)	1. Section Two - 7
2. Sheds – 8 (4-4)	2. Section Four - 6
3. Lot Coverage – 4 (3-1)	3. Sections Ten & Fourteen - 5
4. Garages – 3 (2-1)	4. Sections Seven & Nine - 2
5. RV Parking - 2 (1-1)	5. Section Three – 1

Violations – 547 (33 First Notice; 494 Resolved; 44 in Legal*; 1 Under Review

<u>Reason</u>	<u>Section</u>
1. Grass - 214	1. Section Ten - 138
2. Maintenance - 49	2. Section Six - 75
3. No Permit - 33	3. Section Three - 53
4. Trash - 32	4. Section Nine - 51
5. RV Parking - 30	5. Section Two – 48

* Violations in Legal include an additional 25, some date back to 2017, 2018 and 2019.

Permits – 391

<u>Reason</u>	<u>Section</u>
1. RV Parking – 60	Section Ten - 61
2. Fences – 59	Section Four - 41
3. Sheds – 46	Sections One & Nine - 40
4. General Alterations/Additions – 42	Section Six - 32
5. Dock/Lift – 41	Section Fourteen - 29