

The Board's Analysis from the April 29, 2010 HOA Meeting

Below is listed the deviations from recommendations from the HOA Meeting and the reasons why the board chose to do so. Nothing was officially voted on at the meeting. Recommendations were noted. When the room seemed content, we moved to the next issue. The document was reviewed as if it would be voted on as a single document up for vote. Recommendations were evaluated for a 75% acceptance level. The board opted to go a-la-carte voting with each change to maximize the opportunity to get some changes to occur. Getting 75% approval for all changes would be virtually impossible.

Amendment 1: Original proposal to change Nathaniel Development to MHPCA. No objections. We later changed "... being the Owner" to "... being the oversight" because the Association cannot be the owner. Amendment automatically passes with any other change since Nathaniel Development is no longer the owner of any lots in the subdivision. Bronco only re-stated the covenants for Phase 2.

Amendment 2: Currently 72sq ft, proposed 108 sq ft. 160sq ft was suggested. 160sq ft is big enough to fit a car. 160 sq ft was changed to 120sq ft. 120sq ft is a standard size and a significant improvement over existing restriction. If the size is set too big, there is a possibility that it may not achieve 75% approval and 72sq ft would remain in effect.

Amendment 3: No deviation, proposed modified paragraph was changed slightly based on inputs.

Amendment 4: Currently 1,450 / 1,650sq ft for 1 and 2 story respectively, proposed 1,650 / 2,000sq ft. The 2 story - 2,000sq ft proposal was changed to 1,850sq ft. Data of existing structures did not support a 2,000sq ft minimum and would hinder the sale of the remaining lots. Grandfathering clause added per meeting recommendation. Added clause to not allow a residence to be reduced in size below established minimums. "Owner" holds 23.75% of the votes and has no incentive hinder the sale of the remaining lots. Probability of acceptance at 2,000sq ft size would be low.

Amendment 5: Amendment was created based on meeting input to allow up to 7 foot fences. Board did not recommend this height change. It was added to the ballot for everyone to vote on.

Amendment 6: Currently, no trucks are allowed to be parked on the driveway. We proposed the clarification of truck as "work truck or any vehicle required to have a truck license plate". It was requested for clarification of truck based on CDL, number of axles instead of by license plate and was added. Added curb weight which allows up to F350 class pickup truck. While it was requested to strike "work" from in front of truck, the board maintained "work truck" to eliminate sport pickup trucks from the truck class. Elimination of truck all together provides for an unsightly neighborhood and would be unlikely to achieve a 75% vote considering the "Owner" holds 23.75% of the votes and the "Owner" 's document specifically states no trucks at all. Currently, the "Owner" could sue all offenders at their own expense should he feel that he is unable to sell the remaining lots at a fair price and in a timely manner. This is a reasonable compromise to allow personal pickup trucks to be parked on the driveway. Other additions included, based on meeting inputs were; vehicles are not to be lived in, current registration requirement, allowance of short term parking of RVs.

Amendment 7: No change. Motions did exist to strike it. Since the ballot is a-la-carte, it is left for all the members to vote on.

Amendment 8: No change. Motions existed to strike it. Since the ballot is a-la-carte, it is left for all the members to vote on.