

MINUTES FOR THE FEBRUARY 20, 2019 ACC MEETING

Submitted by Tom Cable

- I. The meeting was called to order by Co-chair Robert Pruski
- II. All five ACC members were present: Robert Pruski, Ray Morais, Bill Pope, David Hoffman, Tom Cable
- III. Board Members attending: Carter Tate, Nick Colosi
- IV. Compliance Committee Member attending: Alan Rickertson
- V. Regular Members attending: Robert Algeo
- VI. Administrative Staff: Jim Smock, Heather Cooley
- VII. Variance Request: A member with a home on Whitecap requested a variance to the Whitecap Vinyl fence rule. The request was to construct the rear property line fence of wood instead of vinyl.
The Committee postponed the request to the next ACC meeting pending a legal opinion. Jim Smock agreed to make the request for the opinion to the Board.
The ACC is must consider a rule change as opposed to a variance. The existing rule contains the vinyl fence program providing partial financial assistance for Whitecap Vinyl fencing.
The assistance has been determined to have legal issues. A legal opinion of a different nature is required to see if there are other options available to the ACC/PIPOA.
- VIII. Review of Past Meeting Minutes - Not required for the meeting of February 6 as a quorum was not present. Review and approval of the minutes for January 23, 2019 will be by email.

IX. Old Business:

- A. 3-Signature Rule and Peculiar Hardship: The ACC approved a revised version of the proposed 3- signature approval for applications and variances as proposed approval motion for the Board. This version is designed to fit the paragraph structure current ACC document. The application of peculiar hardship, an equally important matter, is included.
- B. Vinyl Fencing Rule: There was a long discussion involving audience participation regarding the Whitecap Vinyl fencing issue. (See Variance Request)
- C. Cement Fiber Board Rule - This rule is important, as Cement Fiber Board (Hardiboard), is now a common exterior fascia material. However, it appears the Board never approved the ACC rule. The ACC asked Tom Cable to refine the rule further.
- D. 4 inch Rot Board Rule - The ACC rules, specifically and in bold print, restrict the height of fencing to a maximum of 6 feet. The city code maximum height is now 7 feet without a permit. A newer and better common building practice is to insert a nominal 4-inch tall horizontal “rot board” under the fence. The ACC requested that Tom Cable write a proposed rule change to reflect these construction and code changes. Essentially a new maximum of 6’6” wherever 6’ was permitted by subdivision covenants and ACC document rules.
- E. Importance of Member Attendance – As much of the application approval process, which is time limited, occurs at meetings, the importance of attendance was stressed.
- F. Review of the 1992 ACC Subdivision and 1996 ACC Document was postponed to the next meeting.
- G. Agenda items I, J, K, and L were postponed. Tom Cable will submit a further development to the Executive Director. The ACC is not an enforcement body. It may only “provisionally” determine if a matter may require enforcement based on the ACC document rules and the subdivision covenants. The Board has ultimate authority.
- H. PIPOA Defense Letter - Matter not discussed and tabled
- I. New Name for ACC - Tom Cable suggested that the name of the ACC be changed AC – Architectural Committee - to

better reflect the benign “judicial only” nature of the committee. This was generally thought to be a dumb idea for numerous reasons. Even Tom Cable agreed.

- X. March Meeting Dates - Not determined to date
- XI. Adjournment: The meeting was adjourned at 7:00 PM