

**December Board Meeting Homeowner Comments & Concerns- Board Member Answers to those Comments & Concerns.**

**Resident Remarks Concerning Variance procedure for Parking Allowances:**

**James Myers**-After spending \$6,000 to have parking changes put to a vote, and the thought result of the vote (Vote conducted in 2011- allowed for two cars in driveway for any reason and all the time.) was majority against the change, why are these changes happening now? Concerns of unethical practices by new board members, Variances will go on and on.

**Jane King**-Homeowner did their due-diligence in researching the covenants and the rules for parking. They choose Bent Tree because of the strict parking covenants. Is the board not respecting the wishes of homeowners who chose to purchase and live in Bent Tree because of the parking covenants? Can't screening still be accomplished for those with parking needs other than limited garage space? Concern the CCC will reduce their expectations for compliance.

**Bruce Tempkin**-Neighbors home looks like a parking lot. Owner purchased because of strict garaging rules. Should residents be reimbursed who built extra garages to comply with covenants?

**Sue Kilgore**-Moved here because of strict parking. They don't like cars left out. With new Board what power do they have to change ability for neighbors to parks cars out of their garages?

**Jim Rios**-Loves Bent Tree. We need to show compassion to families who need a variance. 15 homes near this neighbor, 12 have children. Can't afford to build garage & have no way to build a fence due to visibility, corner lot. Has a Son nearing driving age & a daughter at

college. Owner needs to put money towards college education not new garage.

**Chuck Loeffler**- Raised a daughter in Bent Tree & has lived here 24 years. His family complied with the covenant parking rules.

**Cheryl Marshall**- Offering a variance procedure is the right thing to do. It helps with three needs; 1. Elderly Family Members 2. People who are ill. 3. Teenage Drivers for a certain length of time. A variance procedure is the right thing to do for this POA Board and the needs of the Residences.

**Steve Furmann**-For and against the variance procedure. Moved here because they like a clean, no car look. Their children did just fine with the covenant parking rules. For the procedure if wording would include all parking bays are open to the vehicles in use. Not used for storage.

-The variance procedure should allow for written notification of neighbors near the home wanting a variance. Email notification.

**T C Smith**-Original owner & involved in the selling of most of the Bent Tree lots concerned that the Board is breaking the covenants to allow people to park in their driveways. The variance procedure allow perpetuity for a parking change.

**Christian Hill**-New owner to Bent Tree. Feels all comments were reasonable. Read the covenants and liked what was he saw. Has an elderly parent & a 16 year old driver and doesn't have garage space for all driver's vehicles. He does have a wrap-around driveway to hide extra vehicles from view. Feels a fence would look unnatural hiding a car. What about reviewing the Variances every 6 months?

**Jim Rios**-Doesn't want to see hidden cars from his kitchen. Cars hidden behind houses as allowed in covenants show from neighbors homes.

**Ron Restanio**-Variance or parking for everyone??? Is the board trying to allow parking? Need to exhaust hardship to prove need for variance.

**Chuck Loeffler**-Concerned about words being interpreted, readily and Reasonable. Terms are subjective. Could cause inconsistent enforcement over time. Preferential Treatment. Lawsuits.

**Doug Kitch**- The last board was replaced with a 2/1 vote. Question has there been any lawsuits in the past? Do we have concern for lawsuits with the Variance Parking change? If there is now way to have fence, could be fence is an eyesore to individual. Variance is an exception to the rule.

**Hank Kilgore**-Requests that the ACC must inspect property to see if the home can comply with the fencing/screening possibility before applying for a Variance. Could be a check box on the variance application.

***The Bent Tree Boards Responses to the resident's concerns-***

***The ACC is permitted to grant waivers/variances. Reasonable building situations. Can't build in some lots because of setback limits that aren't doable.***

***The Bent Tree Parking regulations are more rigid than any of the surrounding sub-divisions. The Variance procedure is going to allow hardship due to parking needs, to be addressed on a case by case situation.***

***The Bent Tree CCC committee granted variances prior that were implicit.***

***Example: If a hospice worker needed a car parked at a home, that was known and that home was not given any written notices for a parking violation.***

***What is in place now is Explicit in that a written Variance procedure is available to Homeowners. The ACC needs to investigate the option for screening after exploring the garage spaces & uses of those spaces. Once that has been exhausted, the CCC committee would investigate the need for a Variance by the criteria that has been put in place with the bylaw change of December 2014.***

***As the result of this Variance procedure may or may not change the look of the neighborhood. It will need to be tested. The need for a variance could affect 30 houses or less, of the 257 lots. Of that thirty, screening & other solutions may be met. The Granted Variances could be far less than suspected.***

***Time and look will tell if this Variance Procedure will work as intended. Trust is asked for from the Bent Tree Board. "Trust people to show good judgment".***

***The Covenant vote to change the parking restrictions to two cars allowed for each residence was a tie 106/106 with 45 no votes. This was more liberal than what the Variance procedure allows.***

***All homeowners would be notified of a Variance procedure, by Bent Tree POA, if homeowners have given the association their correct or recent email address.***

**There must be a balance between Reasonable and Good Judgment.**

