

YFMC 5/17/14 Meeting Minutes

Agenda: Present proposed YFMC Approval Committee Deed Restriction changes and additions to York Farms home owners and obtain consensus before changes are submitted to attorney

Meeting:

-Introduction of YFMC Board and Approval Committee are made

-Meeting Norms are Introduced

-Jim Hopper Speaks of Deed Restriction benefits in keeping home values up and YF history as a Deed Restricted neighborhood

-Letters/Sign

- It is raised that a few houses in the neighborhood never got the letters informing them of this meeting. Marika White will double check the NCC list of YF homes to see if that is where the error occurred.

-It is asked why the sign was not erected at the YF exit. Unfortunately, with taxes due and spring maintenance at the same time this meeting was being planned the sign was unable to be placed due to time limitations.

Existing Deed Restrictions:

#9-Fences Changing post and rail fence language, adding language regarding pool fences and fence approval requirements

-Discussion about types of fences around backyards and pools (1 or 2 fences) and whether NCC code supersedes YF Deed Restrictions (it does)

-Question raised about allowing vinyl post & rail fences in addition to wood post & rail

-Majority do not wish to propose a second type of fencing

-Question of fence colors is raised and it is agreed that "natural" colors are acceptable. It is agreed existing fences will be grandfathered in and not be required to be repainted even if they are not natural colors.

-**Result-** Colors other than natural wood colors (e.g. cedar, oak do not need approval) must be approved by the Approval Committee prior to being applied. Existing colored fences are excluded but any color changes must be approved.

#10-Boat/Trailer/Commercial Vehicle-Changing the amount of time boats, trailers, commercial vehicles can be stored

-Suggestion made to remove "recreational vehicle" if possible. It is agreed recreation vehicles may not house people at any point.

-Suggestion made that the time proposed is too short and boat owners, even those that normally comply, might feel forced to push the time limits. A discussion of alternates is had, a vote is held. The vote is 3 people for staying with a 72 hour period per calendar month and 12 people for changing to a 7 day period in blocks no greater than 72 hours

-Result-Language shall be changed to allow for "a 7 day period per calendar month, in blocks of time no greater than 72 hours (3 days)." Shall also say "Recreational vehicles may not house people at any time."

#13-Signage-Changing the language on signage allowed in YF

-Question raised if signs for trespassing and solicitation are considered safety signs and if signs for dogs are allowed. It is agreed they are.

-It is discussed that you cannot have signs for a home business.

-Question raised about when "For Sale" signs are to be removed. It is agreed that "non-contingent" contracts are usually signed at/or about the time of closing and the sign must then be removed within 5 days.

-Result- No changes are made to the language of this provision.

#14-Shed/Remove Dated Verbiage-Clarify that homes may have 1 shed and remove and clarify language on Approval Committee

a) Shed -Change existing language to remove "s" from "sheds", remove the lower, dated portion of the language from this provision and replace it with updated verbiage

-Question raised if homes with 2 existing sheds are grandfathered in and it is agreed they are.

-It is proposed the verbiage be changed from reading "a maximum size of 168 sq ft" to reading a "maximum size of 168 sq ft and no bigger than 12'x14'. A vote is taken with 11 for having both measurements, 1 for having just 168 sq ft.

-It is suggested that 9' is not high enough, additional input is sought and 11' is suggested. A vote is taken and 0 vote for keeping 9' verbiage, 9 vote for changing to 11' verbiage

-Result- Verbiage should be changed to include both "a maximum size of 168 sq ft and no bigger than 12'x14' and a height not to exceed eleven feet from ground to rooftop."

b) Removing dated verbiage from the end of the provision

-Immediately after Virgil introduces this portion of the changes Reggie moves to add language banning new YF home owners from joining committees or running for the Board for a period of at least 1 year.

-YF home owners suggest alternately "grandfathering" the Bell family in, that there are never enough volunteers to refuse the help of those who offer, and that we should embrace and welcome all neighbors, new or old. The matter is dropped.

-**Result**-It is agreed the old verbiage will be dropped and the new suggested verbiage will be added. Nothing else will be altered.

#24-Deed Restriction Revision Language-Update the frequency of Deed Restriction revisions

-No objections

-**Result**-No changes are made to the language of this provision.

Proposed Amendments

#1-Landscaping Upkeep

-It is proposed that we add the word legal to "all necessary measures."

-**Result**-Verbiage should be changed to "all necessary legal means."

#2-Paver and Mailbox Upkeep

-No changes to amendment.

-It is proposed that we compile a list of people who can help a person/home owner meet the requirements of their code/letter of notification and place this on the website.

-**Result**-Such list will be compiled from trusted vendors/handy-people and added to the website. No changes are made to language of this amendment.

#3-Dwelling Exterior Maintenance

-No changes to the amendment

-Result-No Changes are made to the language of this amendment.

#4-Motorized Bike Limitations

-It is proposed that the wording be changed "all terrain motorized bikes" for clarification. This is agreed upon.

-It is suggested that we somehow word the amendment to allow for electric bikes for children, perhaps on a time limit or between certain hours. A vote is taken with 5 in favor of allowing the change and 8 in favor of leaving the verbiage as is.

-Result-Wording shall be changed to read "all terrain motorized bikes" but otherwise left as is.

#5-Animal Control and Leashing

-Question is raised whether we mean dogs must be leashed in their own front and back yards. It is agreed that might be too restrictive, new wording is suggested and agreed to by home owners.

-Result-Verbiage should be added that, "No leash is required if dog(s) is/are contained in a fenced area, which owner is responsible for ensuring is locked and secure."

#6-Parking on Lawns

-Question raised of where guests should park during parties and that lawns are the only option for YF home owners on Kirkwood St. George's Road. Suggested and agreed that this is acceptable and the amendment will be divided between private lots and public grassed areas.

-Result-Verbiage changed to say, "No resident vehicles shall be parked on any part of a lawn. No vehicles may be parked at any time on the grassed common areas."

#7-Trash, Building/Landscaping Materials

-It is proposed that a time limit be added for clarification of how long landscaping/building materials can be stored outside on a lot. Times are discussed with either 14 days or 30 days (weather permitting) being the most popular options. A vote is taken with 1 in favor of 14 days and 8 in favor of 30 days

-Result-Verbiage changed to read, "Building materials and landscaping may be stored for a maximum of 30 days, weather permitting, on the exterior of the lot."

Fines

-Question is raised over the \$50/day, \$250/day maximum fine amounts, perhaps different amounts would be preferred. However, it is agreed that these amounts are acceptable as fines are not the first attempt to encourage correction of Deed Restriction violations.

-It is explained that without fines in the Deed Restrictions YFMC has limited ability to collect monies owed, even in cases where the courts have ruled in YFMC's favor. This will allow YFMC to collect on those cases.

-Suggestion is raised that we allow for a 5 day notification period or a 30 day certified letter notification period prior to fines taking effect. After group conversation it is agreed that 14 days is more reasonable than 30 days. A vote is taken with 4 votes for 5 day notification and 6 votes for 14 day notification.

-Result-Verbiage added that "The violator of any part of the deed restrictions shall receive written notice of such violation. If such violation is not corrected within 14 days, the Declarant will levy a fine ("Violation Fee")..."

-Next Steps

-These minutes will be posted on the YF website

-Once the agreed changes are made the suggested YF Deed Restrictions will be sent to the YFMC Attorney for review. He will then send us a corrected legal version of YF Deed Restrictions.

-These new, legally reviewed Deed Restrictions will be mailed to everybody. **NOTE:** If you don't receive these please let Marika know!!!

-Finally, YF Board members, Approval Committee members and all additional volunteers will canvass the neighborhood to gather votes.

-In the meantime, please report Deed Restriction violations to the Approval Committee:

-Jim Hopper [302 832 8740](tel:3028328740)

-Virgil Bell vbellyorkfarm@gmail.com