

**Ludlow Maintenance Commission
Architectural Control Committee
Post Office Box 65060
Port Ludlow, WA 98365**

Minutes of the Regularly Scheduled January 12, 2009 ACC Meeting

Approved

Members Present: Jim Boyer, Vaughn Bradshaw, Bill Clark, Eve McDougall

Guests: Bruce Eddy, Ivo Gregov, Lidija Gregov, Joe Langjhar

Call to order: The 12 January, 2009 regularly scheduled meeting of the Architectural Control Committee (ACC) was called to order at 3:15 p.m. by committee member Bill Clark, Chair Sharron Sherfick was absent; all other members were in attendance. Minutes of the Regularly Scheduled December 8, 2008 meeting were approved as written. Attached to these minutes are the Pending Cases reviewed during this meeting.

Approvals: The ACC duly discussed and approved the following requests:

LOT	DATE	PETITIONER(S)	ADDRESS	REQUEST
6-0-008	12/12/08	Richard Smith	353 Osprey Ridge	Tree Removal

Old & New Business in order of discussion:

1. Architects Ivo & Lidija Gregov attended this meeting to submit new house plans and the \$500.00 application fee on behalf of **Francis & Andrea Marik, owners of Lot # 2-3-020, 0 Wheeler Drive**. Plans are for a 2,350 sq. ft one level (with daylight basement) house, with a maximum elevation of 200.96 at the cupola; most of the building is 197 ft. elevation according to the survey plan. There will be an attached two (2) car garage, no trees will be removed, and paint and roofing material requests as well as a construction agreement form were submitted with the package. Mr. Marik signed the agreement form, but did not have his contractor; Schweizer Construction Company sign the agreement, a letter will be sent requesting this along with copies of the Port Ludlow Drainage District (PLDD) approved drainage plan, and Jefferson County Building Permit. Committee members extensively reviewed the plans with Mr. & Ms. Gregov. Neighbor notices will be sent.
2. Guest Bruce Eddy commented on the driveway slope (as quoted by him) of 17% maximum recommend by Ivo Gregov of the Marik home and how that compared to the 10% maximum slope recommend by Michael Anderson of the Hackney/Garretson home. Mr. Eddy asked when the revised house plans of **Gary Hackney & Susan Garretson, owners of Lot # 2-1-054, 201 Montgomery Lane**, had been approved (December 8, 2008) and if they had submitted a new tree removal plan to accommodate the approved revised house plans. Committee members answered that Mr. Hackney's original tree removal plan was approved, if his new house plans will require less tree removal it would be Mr. Hackney's choice to remove the original amount requested or less. Mr. Eddy also asked about the requirements of the time frame for neighbors who wished to appeal the ACC decision to approve the new house plans, whether it would be thirty (30) days from the approval or (30) days from the neighbor notification. Committee member Vaughn Bradshaw acknowledged that it would be thirty (30) days from when the notification was delivered (sent) or in this case February 6, 2009.
3. Committee members reviewed and discussed a tree removal request submitted on December 12, 2008 by Richard Smith, owner of Lot # 6-0-008, 353 Osprey Ridge. Committee member Eve McDougall had done a site visit to observe the dead 15" diameter

Douglas fir (marked with yellow ribbon by Mr. Smith) and upon her recommendation the committee unanimously voted to approve this request. An approval letter will be sent.

4. There was nothing new to report pertaining to a case that Ted Buehler, chair of the Greenbelt Committee (GBC) had previously notified the ACC of regarding a GBC tree removal request made by **Robert & Audrey Mackey, owners of Lot # 2-3-177, 41 Trader Lane**. The Mackey's asked for approval to trim a maple tree that is primarily located on the Greenbelt but has grown to be partially on the Mackey's property. Previously, Ms. Sherfick spoke with Mr. Buehler who said an arborist has been consulted, with no determination made yet. Mr. Buehler will report any findings to Ms. Sherfick who was not present at today's meeting.
5. A letter submitted in September by **Larry Nobles** in response to an ACC violation letter sent to him regarding a shared hedge between himself, **Barbara Nobles, and Frank & Irma Siler, owners of lot #'s 2-3-196 and 2-3-197** respectively, and a letter sent by **Frank Siler** on January 7, 2009, were given to Vaughn Bradshaw for his response as the Secretary of the LMC Board of Trustees. During the November 24, 2008 ACC meeting, committee members agreed that all avenues available to the ACC had been exhausted and this matter was referred to the LMC Board of Trustees. Committee member Eve McDougall recommended to Vaughn Bradshaw and Jim Boyer (as LMC trustee's) that the LMC Board of Trustees go to the site and observe the matter. Mr. Nobles and Mr. Siler consider the area to be a private greenbelt; they maintain that this buffer between the homes was left when the properties were developed. They further submit that if Mr. Dennon, owner of Lot #'s 2-3-166 & 2-3-167, 56 Explorer Lane (and the complainant in this matter) wishes to improve his view that he should share the burden of cost to trim these trees. Mr. Nobles stated that this matter was to have been negotiated by former ACC member Steve Siegel. Committee member Bill Clark reported speaking with former ACC chair, Bill Lazarus, who spoke with Mr. Dennon. Mr. Dennon does not want to foot the bill and he thinks it should go back to Mr. Siler and Mr. Nobles. Jim Boyer explained how with issues like this, the LMC Board has discussed filing a letter with Jefferson County so the matter would be recorded with the title. As this issue has been passed to the LMC Board of Trustees, it will now be removed from the ACC Agenda. The committee discussed other cases with disputed tree issues. Guest Joe Langjhar commented that he feels the CC&R's and the Covenants regarding tree issues are difficult to interpret, enforce and change.
6. Committee Members reviewed and approved the December 8, 2008 ACC Meeting Minutes as written, with Vaughn Bradshaw asking recording secretary Sue Bartkus if the specifications concerning item number one (1) (about the Hackney/Garretson survey elevations were accurate), she stated they were as to the best of her ability to transfer the information given by architect Michael Anderson, clarified by Bruce Eddy who was present at that meeting, and the rationale for this decision as determined by the ACC. Guests Joe Langjhar and Bruce Eddy requested that the ACC minutes be posted on the LMC website. As requested by the committee, Sue will check with General Manager Brian Belmont to see if this is feasible.
7. Committee member Vaughn Bradshaw produced updated working copies for each committee member of the **ACC Policies and Procedures** draft that he has been revising as per the last special meeting devoted to this issue. The committee agreed that any changes discussed today would need to be approved by Chair Sharron Sherfick prior to implementing them. Discussion Included the following topics:
 - *Bill Clark opposed item number two (2) under Operating Principles of the draft; this concerns the ACC Policies and Procedures having to be approved by the LMC Board.*
 - *Eve McDougall suggested that item number two (2) under Construction Guidelines be changed; this concerns determination of Critical Area. Committee members requested that a Jefferson County Critical Area Ordinance map be posted for homeowners but determined that the ACC should be in control of determining whether or not a requested tree removal would be within a Critical Area, they also requested that Sue ask Brian Belmont whether this could be posted on the LMC website and/or have a link on the LMC website to the Jefferson County website*

- *Item 1 of Construction Guidelines was extensively discussed. With committee members deciding that the language was best stated as "Multi-story houses may be approved if compatible with the neighborhood. Consideration shall be given to the view or potential view from neighboring properties."*
- *Item 2, Roof elevations was approved as written, reading as "A professional survey of neighboring roof elevations is generally required for new houses. Waivers may be granted where there is no potential for blocking neighbor's views."*
- *Item 3, Roofing materials, was discussed with the committee deciding to add "Lifetime" roofing into the language, and to delete any reference to standing metal seam roofs, this will now read "Lifetime warranties are considered greater than 40 year roofs, wood shake roofs are not permitted,."*
- *Item 4, Setbacks, was briefly discussed and will stand as written "Houses shall be set on lots so that roof edges are a minimum of 5 eet from any lot line."*

The next regularly scheduled meeting of the Architectural Control Committee will be held on Monday January 26, 2009 at 3:00 PM. The January 12, 2009 meeting adjourned at 5:41 p.m.

Respectfully submitted:
Susan Bartkus,
ACC Recording Secretary