

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

~ Approved ~

Minutes of the Regularly Scheduled January 18, 2010 ACC Meeting

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

Guests: No guests attended this days meeting

Call to order:

The January 18, 2010 meeting of the Ludlow Maintenance Commission (LMC) Architectural Control Committee (ACC) was called to order at 3:02 p.m. by Chair Bill Clark. Members Jim Boyer, Vaughn Bradshaw, Eve McDougall and Sharron Sherfick were in attendance. Attached to these minutes are the Pending Cases that were reviewed during this meeting.

Approval:

The ACC duly discussed and approved the following request:

LOT	DATE	PETITIONER(S)	ADDRESS	REQUEST	DUE DATE
4-0-047	1/14/10	Dorothy Christensen	20 Warbler Lane	Roofing	2/14/10

Denials:

The ACC duly discussed and denied the following requests:

LOT	DATE	PETITIONER(S)	ADDRESS	REQUEST	DUE DATE
2-3-096 2-3-135	1/14/09	Paul Moseley Owners Michael & Mira Mathia	101 Fleet Drive 0 Explorer Lane (vacant lot) 24304 SE 256 th St, Maple Valley WA	View Obstruction Relief	2/14/10
2-3-096 2-3-149	1/14/09	Paul Moseley Owners Sumner & Margaret Dennon	101 Fleet Drive 0 Explorer (residence is lot # 2-3-167)	View Obstruction Relief	2/14/10

New and Old Business in order of discussion:

1. **Dorothy Christensen, owner of lot # 4-0-047, 20 Warbler Lane** requested approval to **replace shingles** on her home with Pabco Premier 40 year shingles in the color of Prairie Wood, with the work to be done by Hope Roofing. Committee members reviewed Ms. Christensen's Roofing request and unanimously approved. An approval letter will be sent.
2. **Paul Moseley, owner of lot # 2-3-096, 101 Fleet Drive**, submitted six (6) View Obstruction Relief Requests dated January 14, 2010, which the committee discussed at length. The committee unanimously denied Mr. Moseley's requests regarding two (2) lots as they are vacant and requests must be submitted by the owners, those lots are: **2-3-135, 0 Explorer Lane, belonging to Michael & Mira Mathia, and lot 2-3-**

149, Explorer Lane, owned by Sumner & Margaret Dennon. Four (4) of Mr. Moseley's requests have to do with developed lots and were therefore placed on the Trees & Views Moratorium waiting list, they are listed below along with Mr. Moseley's description of his complaint for each lot:

- A. **Lot # 2-3-169, 61 Pathfinder, belonging to David & Nancy Blessing;**
"One Fir tree at driveway entrance near the 299 red address tag, one cedar that has been previously topped in years past, but let grow again out of compliance, and small maple along property line exceeds roof"
- B. **Lot # 2-3-146, 24 Explorer, belonging to Edward Webster;** *"Cedar in middle of front yard exceeds roof. Cedar and Hemlock beside garage along property line, a small maple is also tangled in the cedar and exceeds roof as well"*
- C. **Lot # 2-3-150, 60 Explorer Lane, belonging to Shannon Lowrie;** *"Large cedar south side front – evidence of topping from long ago but has resumed growing out of compliance. Smaller cedar in middle of the court yard has exceeded roof as well as previously topped cedar & maple on back side of lot. Note: 70 Explorer in full compliance"*
- D. **Lot # 2-3-114, 130 Pioneer, owned by Donald Anderson & Gina Garrett;** *"Front yard small evergreen exceeds roof, row of trees planted on south side of lot exceed 8'. Tree furthest south is the most offending, and one pine tree not native is almost twice roof. Note: Lot 113 next door is in full compliance"*

A letter stating the following was sent to Mr. Moseley on January 19, 2010.

This letter is in response to your recent request for View Obstruction Relief regarding trees located on lot # 2-3-135, 0 Explorer Lane belonging to Michael & Maria Mathia, and lot # 2-3-149, 0 Explorer Lane belonging to Sumner & Margaret Dennon. At this time there are no existing Ludlow Maintenance Commission (LMC) regulations that *require* owners of *undeveloped* lots to remove any vegetation to provide for views of other lot owners.

Regulation II, Article I, 3. Trees and Views on Private Property, b., states in part:

All interested parties to the request are encouraged to work out an agreement amongst themselves, including financial responsibility, subject to the committee's approval. Methods of relief shall include pruning, trimming, thinning, limbing up, limited windowing, and possible removal. Exception: Mature native evergreens/conifers designated by the ACC to remain on property when developed are exempt from removal unless ruled to be diseased or hazardous to persons or property. Topping will be strongly discouraged except on young cedars for hedging not to exceed 8 feet. Corrective action shall not commence until written notice is received from the committee. All resulting work shall be monitored by at least one member of the committee.

As stated in the above Regulation, if view relief is desired, property owners are encouraged to work *together* to reach a mutual agreement to arrange for tree or

other vegetation removal. For any tree(s) which are greater than six (6) inches in diameter at breast height a request for Tree Removal must be submitted by the undeveloped lot owner of the affected tree(s) to the Architectural Control Committee (ACC) for approval.

Regulation II, Article I (2, d.) states within its context that an owner of an undeveloped lot can only be *required* to remove a tree if it is considered hazardous, for these instances a Hazardous Tree Removal request must be submitted by the affected party or the owner to the ACC for approval.

Currently, at the request of the Architectural Control Committee (ACC) the Ludlow Maintenance Commission (LMC) Board of Trustees has placed a moratorium on the ACC for processing of all View Obstruction Requests. As a result we have placed all such requests in a pending file until the moratorium has been lifted.

The reasoning behind the moratorium request is because the current Regulations are written in such a way that multiple interpretations can be made. This fact alone makes it very difficult to act on the Regulations in a clear and consistent manner. Further there are items such as Jefferson County's Critical Area Ordinance (CAO) which have come into existence since the Regulations were last written that need to be taken into consideration.

Your View Obstruction & Hazard Relief Requests that have not been denied will be put into a pending file until the moratorium is lifted. We will notify you when your cases have been removed from the pending file. We also request that you would submit diagrams or photographs to support your requests.

3. The ACC will be meeting with the Covenants & Regulations Committee (CRC) directly after this day's meeting to discuss the proposed revisions to Regulation II, Article I, (3).

The Minutes of the December 21, 2009 meeting and the Minutes of the January 4, 2010 meeting were approved as written.

The next regularly scheduled meeting of the ACC will be held Monday February 1, 2010 at 3:00 p.m. The January 18, 2010 ACC meeting adjourned at 3:23 p.m.

Respectfully submitted:
Susan Bartkus,
ACC Recording Secretary

