



DMCA ARC COMMITTEE MINUTES

Purpose of Meeting: To provide a forum for the DMCA ARC to meet and confirm they are fulfilling their duties and functions outlined in the Amended and Restated Bylaws of the Dallas Meadows Community Association.

Meeting Date	March 20, 2023	Meeting Time	6:01 pm – 7:00 pm
ARC Committee Attendees:			
• <input checked="" type="checkbox"/> Tom Bennett		• <input checked="" type="checkbox"/> Erik Fallenius	
• <input checked="" type="checkbox"/> Russell Cosby		• <input checked="" type="checkbox"/> Gary Ratcliff	
• <input checked="" type="checkbox"/> Val Szwarc			

***Guests – Mark Dollard, John Rytlewski, Caroline McAndrews, Andrea Sokolowski, Kyle Combs, Tom & Debbie Seaman**

#	Agenda Item Discussion
1	<p>Lot Owner Input</p> <ul style="list-style-type: none"> John commented on the Lot 36 foundation, stating that visually he believes it to be too close to the home and view corridor of Lot 35. He also said story poles would be helpful.
2	<p>Consider the resubmitted application for the new home on Lot 36</p> <ul style="list-style-type: none"> Russell started the meeting by reminding the committee members of their responsibility. He stated that when deciding whether to approve or deny the amended site plan submitted by the Lot 36 owners, the committee’s decision must follow the ARC process and be based on the Declaration of CCRs and the ARC guidelines – in other words, not based on prejudice for or against any person. The committee must ensure that the Declaration of CCRs is followed / enforced. The committee’s decision must be reasonable, made in good faith, and not arbitrary or capricious. Russell shared that the process he followed to notify the 7 adjoining neighbors, seeking input/feedback on the resubmitted plans that were shared. He stated that the Seamans (Lot 35) notified the entire neighborhood via email, updating everyone on the resubmitted plans and encouraging neighbors to contact ARC members to voice their opinions. Russell shared that neighbors were given until Friday March 17 to provide feedback, which was received from five neighbors, all against approving the resubmitted plans. Val cited the ARC guidelines A.4, the process to be followed if the site plan changes concerning the current covenant violation on Lot 36 (home being constructed in a non-approved location). Gary referenced an early email from the Lot 36 owners stating that they had read the building guidelines. In the discussion, the CC&Ds were referenced, specifically, paragraph 10.1.3 (“All structures shall be placed in such a manner as to constitute the least reasonable interference with views from other Lots.”) and how it relates to the spacing between homes that ARC must consider, and all committee members agreed that the current foundation is too close to the home on Lot 35. Additionally, the closing section/clause of paragraph 10.1 was also cited, specifically the line, “The ARC shall have the right to consider the suitability of proposed buildings or other structures to be built on the site, the harmony thereof with the surroundings, and the effect of the building or structure on neighboring properties.” All committee members agreed that the current foundation site violates this section of the governing documents. The vote to withhold approval for the resubmitted plans was 5-0 with all committee members (and neighbors who provided comments) agreeing that the originally approved site is still approved (approvable). Russell will craft a letter to the owners of Lot 36 sharing the decision and explaining how it was reached. The HOA attorney will be asked to review and approve prior to sending. In effort to promote harmony, Russell expressed a desire to organize a neighborhood picnic this summer so neighbors can meet and mingle. Will be discussed at next Board meeting. Val invited input and feedback for possible updates to the ARC Guidelines that the current ARC will be considering.
3	<p>Adjournment</p> <ul style="list-style-type: none"> With consensus among all members, Russell adjourned the meeting at 7:00 PM.

