



Summer Hill Special Meeting HOA Common Wall MINUTES

September 014, 2023 6:30 PM

Bray Educational Building

Meeting notice was posted in the NewsFlash, in 2 separate email blasts, and on the entrance signage to Summer Hill.

Guests/Residents were asked to sign in. 39 homeowners (including board) in attendance. Both patio home and upper lot owners were represented.

Meeting called to order at 6:47 by Terry Wilson

Minutes taken by Liz Beerman

Board Members Present: Ken Stephenson, Jean Gauley, Terry Wilson, Kathy Moran, Liz Beerman

REFERENCES

1. CC&R for both large lots and patio homes attached
2. Quote from T&S referenced by Janet Hassell \$27,405 to demolish the wall along Summer Hill Way only. 15 panels X \$1827/panel. Did not include the additional wall behind Summer Bend etc.
3. Quote from Hugo Herrera \$179,725 to repair \$74,750 to demolish

DISCUSSION

WHO	DISCUSSON / QUESTION
Terry	Background on the wall, why the discussion now. Serves no functional purpose. 20 years old, cosmetic only. Sits in the middle of a 10' easement. Feedback is mixed from residents as to the status. Replace, repair, mitigate in some way. Purpose of the meeting is to find out what the community would like to do. Board has had a lot of conversation about it.
Question	Is everything going to put up the same type of wall?
Terry	Board has talked about several different options including repair, replace, options for homeowners to replace. If we have a wide distribution of types of fences.



Question	Do private walls attach to the HOA. They come up to it but may not attach. CC&Rs dictate what kind of wall can be used as replacement. Neighbors may or may not agree.
Comment	It is HOA property and HOA can do as the want. Don't want to see HOA get ugly over that. Let's air problems now.
Comment	I walked the wall but I really didn't see that it is falling down.
Comment	Want to see more bids coming in. Terry –We want to see what the community wants to do so we know what to get bids on. Issue for discussion now because some of the wall is coming down.
Comment	When wall comes down, what happens with the landscaping after? Rock landscaping, xeriscaping is critical to hold the Currently there are homes being impacted by water.
Comment	Want to be sure that we are exploring all options including trees as a wind break as well as soil retaining.
Comment	Consider terraces.
Comment	Can the board make a decision without 67% of approval by membership Possible, 1 time deal, board repairs and then the resident owns their section of wall.
Comment	Can we take down the wall and do this in stages? Yes Owners can they put up their own wall. Terry – what are ideas from residents as to what they want to put up if the wall comes down?
Comment	Drainage: Per engineers, there is no additional options for drainage. The minimal drainage that is there is not sufficient. Porter Homes was told about lots that had been red flagged by the City prior to construction. Get a quote for adding a drain at the same time.
Comment	Would prefer to have it down and not replaced. Would prefer to have consensus on what types of replacement fences they would like.
Comment	If we put in a new fence. We have a hill of rocks. Do we have to put a fence at the owner property line or can we put it closer to our home?
Comment	Need to get assessors plats to better understand exactly where the property boundaries are (or where everyone thinks they are).



Comment	Where will demolition start? No sure yet.
Comment	Take the wall down. Everyone then can decided what we want, as a community? Possibility that we would have different fences (based on CC&Rs) with the possibility of different elevations as well.
Terry	Most cost efficient is to take down the wall. The common wall is most visible and therefore brings the greatest discussion.
	Request to talk with lawyers, surveyors, etc. Board needs to consider whether or not the fences need to be at the property line or not. As backyards are a full spectrum from flat to hilly there will be lots of opinion and ideas.
Comment	What does the community want us to do? <ol style="list-style-type: none">1. Demolish2. Replace3. What requirements must be in place to make a decision about what kind of replacement fences are options?4. Drainage mitigation5. Special Assessments rules based on CC&Rs
Comment	Does it make sense to have all the people who are immediately impacted to meet together and come up with some plans that can be voted on by the entire community.
Recommend	Everyone is encouraged to give us feedback through the SummerHill email.

Meeting ended at: 8:01

Next Regular Board Meeting is November 9, 2023, via Zoom



7.01 (e) for Large Lots

Fences; Fence Easements. All fences shall be constructed of wood, brick, stone, stucco or a combination of those materials. Fence permits are required by the City of Grand Junction prior to fence construction. No fencing or hedges exceeding three feet in height shall be constructed or planted closer to any street than the nearest point of the Residence on that Lot to that street and all fences and hedges in these areas are discouraged. No fences shall exceed six feet in height. The Committee may permit fences constructed of materials other than those stated above as long as the fence is not visible from any street or any other lot. For example, a dog run of chain link fence would be permissible subject to those limitations.

Despite anything to the contrary stated elsewhere in this Declaration, and in order to present a uniform and desirable appearance, on those Lots adjoining certain Common Areas and/or streets within the Subdivision, a six-foot high privacy fence of uniform design, construction and appearance (“Common Area Fence”) shall be constructed on certain boundary lines of some of the large Lots within the Subdivision. The location of the Common Area Fence is shown on the attached Exhibit B. To the extent that the location of the Common Area Fence as shown on Exhibit B is not within the Property (that is, Filing 1 or Filing 2 of the Subdivision, excluding Lot 1, Block 4 of Filing 1), this provision shall apply only if and when final plats are recorded providing for Lots having boundaries as shown in Exhibit B on which the proposed Common Area Fence is to be located, and only if those areas are subsequently brought under the control and jurisdiction of this Declaration as provided in Section 14.05 of this Declaration. The design, construction and appearance of the Common Area Fence has been determined by Declarant and attached hereto as Exhibit G and incorporated herein. Each segment of the Common Area Fence shall be constructed by the Declarant no later than six months after a Certificate of Occupancy is issued for the first Residence constructed on the Lot on which that segment of the Common Area Fence is located. Declarant will convey each segment of the Common Area Fence to the Association within 60 days of the completion free and clear of all liens and encumbrances. Thereafter, that segment of the Common Area Fence shall be maintained or restored, repaired and replaced by the Association. Declarant and the Association shall have an easement extending five (5) feet on each side of the entire Common Area Fence, together with a right of reasonable access to that easement across every Lot, in order to perform work under this provision.



7.02 (d) for Patio Homes

Fences. All fences on Patio Home Lots shall comply with the following provisions, which are diagrammed in Exhibit D (Exhibits A and B are attached to the original Declarations and Exhibit C is attached to the Second Amendment) attached and incorporated here by this reference:

Each Owner shall obtain any fence permits required by the City of Grand Junction prior to any fence construction.

Within the building envelope on a Patio Home Lot, fences up to 6 feet in height may be constructed without limitation on length.

Unless it is within the building envelope, no fence shall be constructed on a Patio Home Lot closer to the front line of that Lot (the Lot line faced by the front of the Residence on that Lot) than 20 feet back from the point of that House nearest to the front line of that Lot.

For purposes of this subsection (d), the rear lot setback shall be determined by extending the rear lines of the building envelope to the side lot lines. The rear lot setback shall extend the entire distance between the side lot lines of the subject Lot and the side lot setback area shall not include any of the rear lot setback area.

A fence up to 6 feet in height consisting of one or more segments with a total length of not more than 20 feet may be constructed along or within each side lot setback area of a Patio Home Lot. Any fence within or on the boundary of a side lot setback area counts toward this maximum allowance.

If Houses on two adjoining Patio Home Lots are constructed with a zero side lot line setback, a fence up to 6 feet high may be constructed from that point on the rear wall of the rear most of the two Houses with the zero setback along the common lot line to the rear lot line (or any lesser distance) regardless of length. Except as permitted by the preceding sentence, any fence in the rear lot setback shall be not more than 42 inches in height.

All fences shall be constructed of brick, stone, stucco or a combination of those materials consistent with the construction materials of the House on that Lot and finished in earth tones, as determined by the homeowner. As an alternative to solid fences, fences up to 42 inches in height may be constructed as three rail fences with dowel rails finished with a clear natural stain used in conjunction with brick, stone, or stucco fence columns compatible with the building



materials of the House on that Patio Home Lot. The type of fence construction shall not enlarge the amount of fencing permitted on the Patio Home Lot as provided by this subsection (d).



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Fiesta Guadalajara

SIGN IN PLEASE

The following residents signed in and attended the Special Meeting

NAME	STREET		NAME	STREET
Terry Wilson	Amber Springs		Julie Heacock	Haven Hill Court
Kathy Moran	Amber Springs		Steve Heacock	Haven Hill Court
Mike Moran	Amber Springs		Ken Stephenson	Haven Hill Court
Jean Gauley	Summer Hill Court		Tammy Stephenson	Haven Hill Court
Linda Griffith	Summer Hill Court		Lloyd Quesenberry	Lanai
Lee Smith	Summer Bend		Ken Seitz	Autumn Brook Court
Betty Sladek	Sumer Bend		Lisa Seitz	Autumn Brook Court
Mike Prehm	Autumn Brook Court		Bob Wirtanen	Autumn Brook Court
Dan Wilson	Amber Springs		Lynn Lickers	Amber Springs
Janet Hassell	Summer Hill Court		Bill Hassell	Summer Hill Court
John Fleming	Meadowcrest Court		Ingrid Fleming	Meadowcrest Court
Craig Robillard	Summer Sage		Elizabeth Robillard	Summer Sage
Sandra Easter	Summer Sage		Elizabeth Rontino	Summer Vale
Janet McRae	Summer Hill Court		Donna Miller	Summer Hill Court
Linda Nabity	Summer Hill Court		Danusia Lorentz	Summer Hill Court
Renee Paul	Summer Hill Court		John Winder	Summer Bend
Steve Smierciak	Spring Crossing		Jeff Jones	Haven Crest Circle
Alan Watkins	Haven Crest Circle		Aimee Watkins	Haven Crest Circle
Brian Elam	Spring Crossing		Marlys Hoffman	Meadowcrest Court
Frank Hoffman	Meadowcrest Court			

A Note of Apology and Gratitude

Thank you to everyone who attended the September 14th Special HOA Meeting to begin discussions about the 20 year old wall separating the patio home and large lots in Summer Hill. First let me (Liz Beerman) apologize for not having access to the key to unlock the Bray Educational building and then thank you to Terry Wilson for quick thinking to arrange a room for us to go to at Fiesta Guadalajara across the street from the Bray building on 7th and North.

We want to express our sincerest gratitude to Alex Sanchez, owner and manager who not only provided the space, but created a great atmosphere for us to meet, discuss, learn, and enjoy each other's company. He and his staff did everything they could to make us feel welcome and comfortable. He is truly a shining example of a great neighborhood, family, Mexican restaurant.