

Cameron Park Community Services District
2502 Country Club Drive
Cameron Park, CA 95682



Covenants, Conditions & Restrictions (CC&R) Committee
Monday, December 3, 2018
5:30 p.m.

Cameron Park Community Services District
2502 Country Club Drive, Cameron Park

Agenda

Members: Director Ellie Wooten (EW), Director Monique Scobey (MS), Gerald Lillpop (GL),
Robert Dalton (RD), Sidney Bazett (SB)
Alternate Director Margaret Mohr (MM)
Staff: General Manager Jill Ritzman, CC&R Compliance Officer Kate Magoolaghan

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF CONFORMED AGENDA**
- 5. OPEN FORUM**

At this time, members of the Committee or public may speak on any item not on the agenda that falls within the jurisdiction of this Committee; however, no action may be taken unless the Committee agrees to include the matter on a subsequent agenda.

Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to four minutes and individuals representing a group allocated five minutes. Individuals shall be allowed to speak to an item only once. The Committee reserves the right to waive said rules by a majority vote.

COMMITTEE REVIEW/ACTION

- 6. Draft Procedure proposal for CC&R variance Requests** (Draft procedure attached and discussion-K.Magoolaghan)
Action: Review and Discuss
- 7. Overnight parking enforcement** (discussion-K.Magoolaghan)
Action: Discussion

8. MONTHLY STAFF REPORT

- Staff Update
- Initial Notices-19
- Final Notice -6
- Pre-Legal Notices-1
- Legal Cases-0
- Corrected Violations-6

Note: There are no violations requesting action at this time. A list of current violations will be available at the meeting. There are no violations currently in Legal status.

9. Items for the January CC&R Committee Agenda

10. Items to take to the Board of Directors

11. MATTERS TO AND FROM COMMITTEE MEMBERS

12. ADJOURNMENT

Cameron Park Community Services District
2502 Country Club Drive
Cameron Park, CA 95682



Covenants, Conditions & Restrictions (CC&R) Committee
Monday, November 5, 2018
5:30 p.m.

Cameron Park Community Services District
2502 Country Club Drive, Cameron Park

Conformed Agenda

Members: Director Ellie Wooten (EW), Director Monique Scobey (MS), Gerald Lillpop (GL),
Robert Dalton (RD), Sidney Bazett (SB)
Alternate Director Margaret Mohr (MM)
Staff: General Manager Jill Ritzman, CC&R Compliance Officer Kate Magoolaghan

(Monique Scobey has a planned absence and will not be in attendance)

1. **CALL TO ORDER** - 5:35 pm
2. **ROLL CALL** – EW/GL/RD (MS & SB were absent)
3. **APPROVAL OF AGENDA** – GL/EW
4. **APPROVAL OF CONFORMED AGENDA** – GL/RD
5. **OPEN FORUM**

At this time, members of the Committee or public may speak on any item not on the agenda that falls within the jurisdiction of this Committee; however, no action may be taken unless the Committee agrees to include the matter on a subsequent agenda.

Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to four minutes and individuals representing a group allocated five minutes. Individuals shall be allowed to speak to an item only once. The Committee reserves the right to waive said rules by a majority vote.

COMMITTEE REVIEW/ACTION

6. Architectural Review Fees (Oral report, fee comparison chart attached and discussion- K.Magoolaghan)

Action: Review and forward to the Board of Directors for consideration

- *Motion to Approve Architectural Review Fees and new CC&R Amendment Administrative Fee and forward to the Board of Directors*

Motion by: RD , Second: GL

Ayes - 3

Noes - 0

Absent – MS/SB

Public Comment – None

7. CC&R Workshop Report (Written Report- K. Magoolaghan)

8. MONTHLY STAFF REPORT

- Staff Update
- Initial Notices - 20
- Final Notices - 1
- Pre-Legal Notices - 2
- Legal Cases - 0
- Pending - 1
- Corrected Violations - 9

Note: Violations requesting action are attached. A list of all other current violations will be available at the meeting. There are no violations currently in Legal status.

- *Motion to move improperly stored boat violation at 400 Cragmont Court from Pre-Legal to Pending status while legal reviews CC&R Amendment regarding boat storage in Black Oaks Estate #1*

Motion by: RD , Second: GL

Ayes - 3

Noes - 0

Absent – MS/SB

Public Comment – None

- *Motion to grant Provisional Variance for improperly parked commercial vehicle at 3248 Chasen Drive with adjustment to the permitted hours from 4:00pm to 4:00am to 2:00pm to 4:00am.*

Motion by: EW , Second: RD

Ayes - 3

Noes - 0

Absent – MS/SB

Public Comment – Committee reviewed a written statement from a neighbor received 11/2/2018 who was opposed to the variance.

9. Items for the December CC&R Committee Agenda

10. Items to take to the Board of Directors

- *Architectural Review Fees*

11. MATTERS TO AND FROM COMMITTEE MEMBERS

12. ADJOURNMENT - 6:22pm

NOTE – THERE WAS NO AUDIO RECORDING MADE OF THIS MEETING.



Agenda Transmittal

DATE: December 3, 2018

FROM: Kate Magoolaghan, CC&R Compliance Officer

AGENDA ITEM #6: **DRAFT PROCEDURE PROPOSAL FOR CC&R VARIANCE REQUESTS**

RECOMMENDED ACTION: Review & Discuss

INTRODUCTION

At the October 2018 CC&R Committee meeting, a property owner who was in violation of their CC&Rs made a request for variance due to hardship. The Committee asked staff to explore a potential variance proposal. At the November 2018 CC&R Committee meeting, staff presented a provisional variance for the one isolated violation. Staff continued to work on a more formalized process to address any future requests.

The following draft proposal seeks to provide property owners an opportunity to appeal to the CC&R Committee for a CC&R variance based on hardship. This process requires the property owner to engage the neighbors that would most likely be impacted by a variance. If approved, staff requests an admin fee of \$50 be added to the schedule of fees to help offset the cost of managing and tracking the variance.

DISCUSSION

Staff has drafted the following procedure and requests Committee feedback. Staff has had preliminary conversations with legal counsel regarding this proposal. We have thus far concluded that the District has the authority except where a certain set of CC&Rs may prohibit granting variances. A finalized procedure will be presented for legal opinion following CC&R Committee discussion and feedback.

Those requesting a temporary variance due to a hardship must submit an appeal to the CC&R Committee. The appeal process is as follows:

1. The property owner must initiate the process by first engaging proximal neighbors.
 - a. The property owner must obtain agreement from no less than 75% of the property owners that would be most greatly impacted by granting such variance.
 - b. A document outlining the proposed variance parameters must be presented to each of the property owners within the specified area.
 - c. Each neighbor property owner must specify whether they support or object to the proposed variance.
 - d. If the requestor is able to obtain the required signatures in support, they may submit a request for variance to the CC&R Compliance Officer to be put on the Agenda for CC&R Committee for review and action.

2. If a variance request is approved by the CC&R Committee:
 - a. The temporary variance will be granted for a period of 60 days following the commencement of the variance.
 - b. If after 60 days no complaints pertaining to the requested variance have been submitted to the CC&R Compliance Officer, the temporary variance will automatically convert to the full timeframe as approved by the CC&R Committee not to exceed 12 months from commencement.
 - c. An administrative fee will apply and must be paid prior to the variance going into effect and must be paid within 30 days of CC&R Committee approval.

3. If a property owner would like to renew the temporary variance:
 - a. The property owner must appear before the CC&R Committee no less than 30 days prior to the expiration of the variance.
 - b. A petition for variance is not required for renewal. However, the property owners within a 250 foot radius of the subject property must be notified of the renewal request to allow for public comment.
 - c. The CC&R Compliance Officer must be notified 60 days prior to the expiration to request a renewal.
 - d. The administrative fee will also apply for each subsequent year that the variance is renewed.

4. Once a variance is granted, the following conditions will also apply:
 - a. All variances will be posted on the CSD website and in a conspicuous location at the District Office.
 - b. If the subject property is sold or occupancy changes, the temporary variance will be automatically revoked.
 - c. If the property owner deviates from any of the conditions, the variance will be revoked immediately upon confirmation of the deviation by the CPCSD CC&R Compliance Officer.

Variations will not be granted where a given set of CC&Rs explicitly prohibit such variations