

**THE LANDING ON LAKE LIVINGSTON COMMUNITY ASSOCIATION, INC.**  
**SPECIAL MEETING - BOARD OF DIRECTORS MEETING**  
**JANUARY 27. 2024**

**CALL TO ORDER:** Alton Smith, President, called the Special Meeting of The Landing on Lake Livingston Community Association, Inc. Board of Directors to order at 10:00 AM.

**PRESENT:** Alton Smith, David Smith, Garry King, Joe Rangel, Sharon Mills, Bob Eubank and Janice Billeck

**ABSENT:** Neal Barclay and Melinda FitzGerrell

**VISITORS:** Judy Carlson, Marjory Pulvino, Anton Dach, Ernestine Dach and Kim Smith

The purpose of this Special Meeting was to discuss the grievances submitted by property owners neighboring the proposed new home build on Landing Way with the ACC. Alton Smith opened the meeting and handed the meeting over to David Smith, Vice President.

Judy Carlson, ACC Chairperson, opened the discussion stating that the ACC has no authority to stop construction on a home as requested by the Board in the email requesting a Special Meeting. ACC has given approval for building on the Landing Way property in July 2023.

Grievance #5, 7.04 Disputes: Judy Carlson said that she thought according to the Deed Restrictions that a Disputes Committee would be formed by The Board. David Smith explained that The Board wanted to hear from the ACC on their thoughts of the approvals and grievances. The Board will determine the necessity of a Dispute Committee, if need be, at a later time.

Grievance #1, 4.04 Setbacks: Judy explained that the Deed Restrictions are not clear and definitive as to whether an attached and detached garage is part of the house structure. The ACC felt that garage was a 5' setback regardless. David Smith expressed that his interpretation was that the wording meant detached as 'garage or other accessory buildings'.

Grievance #2, 4.05 Easements: Judy Carlson explained that there is no easement for utilities except for 12.5' front property easement from the road.

Grievance #3, 4.01 Type of Buildings permitted: Judy Carlson explained that according to the plans approved, the front of the house would be a slab and the back of the house would be pier and beam. There will be no wall or slab covering the beams. There are no provisions in the Deed Restrictions for placement of the house on a lot except for the 30' setback line in the front and the side setback lines.

Grievance #4, 4.12 Fences and Walls: There is no provision for the placement of the house on a property.

The ACC suggests that The Board seek legal advice on the issues. There were several revisions made to the building plans during the approval process with this property owner. The ACC thought very hard on this approval and did not take this approval lightly and do not believe that any Deed Restrictions were violated.

In addition to answering the Property Owner Grievances, Judy Carlson, also reported that the property owner has sent a request for a variance. The request was sent via email on January 26, 2024, at 7:22 PM. Janice Billeck received the email and forwarded to The Board members that evening. The Board has to respond to the property owner within 20 days of an Appeals Meeting with The Board and give the property owner 10 days' notice.

**ADJOURNMENT:** Bob Eubank made a motion to adjourn the meeting and go to the property site to see the envelope of the proposed home site. Sharon Mills seconded the motion. The motion passed unanimously. The meeting was adjourned at 11:27 AM.

David Smith reconvenes the meeting at 12:10 PM.

The Board Members and ACC members review the placement of the staked envelope and the proposed house build.

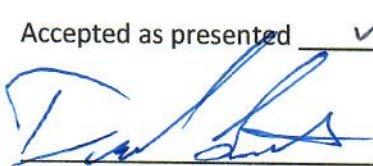
Bob Eubanks made a motion that Janice Billeck contact the property owner telling him that the Appeal Meeting will be February 17, 2024, during the regular monthly meeting. Garry King seconded the motion. The motion passed unanimously. Sharon Mills voted by text. Alton Smith abstained.

**ADJOURNMENT:** Bob Eubank made a motion to adjourn the meeting. Joe Rangel seconded the motion. The motion passed unanimously. The meeting was adjourned at 12:12 PM.

Respectfully submitted,

Janice Billeck/Treasurer

Accepted as presented  Accepted as corrected



David Smith/Vice President