

LAND'S END HOMEOWNERS' ASSOCIATION  
MINUTES OF THE BOARD OF DIRECTORS' MEETING  
March 14, 2023

The following minutes reflect the decision by the Board of Directors (the "Board") of Land's End HOA (the "Association") at the executive meeting of the Board conducted on March 14, 2023 at 285 PR 5980, Yantis, Texas 75497

Brad asked if he had a motion to call the meeting to order. So moved by Cathy and seconded by Beverley. Meeting called to order at 3.00PM

Attendees: Brad Rogers, Cathy Bastyr, Beverley Haynes, Joey Bush, Paul Tibbets.  
A quorum is present.

ACC members in attendance: Barbara Woosley, Kathy Scheumack, Suzanne Bauer, Ted Warren, Bill Honey,  
House Builder: Lee Knight

Homeowners in attendance: Jerri & Mike Dawson, Arlan Jaeger, Bill & Carolyn Carter, Juli Neace, Diana Wilson, Amy and Mike Puccinelli, Carolyn McGuire,

NEW BUSINESS

Brad stated that there was only one item on the agenda;  
Appeal of the Architectural Control Committee decision for the new home application on Lot L25

Brad invited the applicant, Lee Knight, the home builder to state the reasons for his appeal.

Lee knight said he would answer each point made in the email denying the application. He stated that the specifications of the new home comply with our CCRs, in terms of architectural conformity and harmony of external design and of location with neighboring structures and sites. The house is brick, stone and hardie plank siding. He cited other materials used in the neighborhood including stucco, green masonry, and log cabins.

Lee disagreed that the structural design was a duplicate of the home on L28 in the same street. He agreed that it was somewhat similar but stated that the floor plan, foot print, color, materials, roofing and elevations are all different. He introduced colored pictures of both homes. He cited precedents throughout the neighborhood where floor plans have been duplicated, but they all look different externally.

He gave an example of a smaller home built between two homes larger in size and stature in the neighborhood, therefore he didn't think the size of the home should be a problem.

Lee disagreed that the home lacked “uniqueness” based on the differences in floor plan, foot print, color, materials, metal roof, elevations, the front door, and garage doors.

He refuted that the home would be unattractive in that particular setting, “unattractive for property values”. He stressed that the details make this home more attractive and expensive than other homes. The setting of the new home mimics the house on the corner lot opposite to minimize views of the backyard and maximize views of the lake.

Lee finished by saying that he has been a builder in the neighborhood for 27 years, is building a house that conforms to CCR specifications, and he has never previously had to appeal to the HOA.

Brad then introduced Barbara Woosley, the Chairman of the Architectural Control Committee (ACC), and asked her to explain the committee’s reasons for the denial of the application.

Barbara stated that the purpose of the CCRs is to uphold standards and increase property values.

The ACC objected to minor changes to the front of an existing home being repeated in a new home. She stated that to promote harmony of design, buildings should complement those in the existing development. Owners of duplicated properties did not always know their home was being duplicated. The owners of the home on L28 did not know their home was being duplicated. She explained that where different materials were being used, then other characteristics such as scale, proportion, and detail in color and texture, should be utilized to ensure compatibility with nearby homes.

Barbara quoted CCR 4.3 V. “The location, height, style of architecture, exterior color schemes and materials of all improvements shall be in harmony with the general surroundings of the building and structures.”

She stated that an important factor is location, as the location must be in harmony with neighboring structures. The objection is that the location of the new home is 3 homes down from the home being replicated. There is concern that if this trend continues, there may be a negative impact on property values.

Barbara quoted comments from neighbors, the main objection that the home does not look as if it belongs there, not enough difference between this home on L25 and the one on L28, and the HOA Board have made too many mistakes regarding homes that don’t fit in, affecting home values.

The dimensions and elevation of the proposed home on the main thoroughfare does not fit in with the other homes being seen from PR 5980, or structural design. She noted that the metal roof does not provide conformity and harmony of external design and of location with neighboring structures in sites.

Brad asked for any other comments from the ACC members who were present.

Bill Honey felt that the proposed home would be acceptable on a golf lot, but not on a lake lot. It is too similar to the home on L28, and he was concerned about home values. He said increased prices in the neighborhood do not always take inflation into account. Ted Warren said it looked like the same house but flipped. The four windows at the top also added to the impression that it is the same house. Kathy said the Machen's were disappointed when they learned that their floor plan was being copied. However, Lee Knight said he had spoken with Matt Machen, and once Lee had described the new home, Matt had said he was fine with it.

Brad then opened the floor to the members. Mike Puccinelli asked which way the front door was going to face. Lee Knight confirmed it would face the corner. Bill Carter said his own house was a copy of the Schmelz home and the Woosleys' house, and others have been built since. He wondered if this was a trend the HOA were happy with. He felt we are heading towards a cookie cut neighborhood. Jerri Dawson felt it looked like the same house and was concerned this duplicate was in the same street. She also pointed out that this was a unanimous ACC decision to deny the application, not just one person.

After some further debate, Brad called the discussion to a halt. He asked if the ACC wanted to discuss the matter any further separately from the Board. Barbara said no. Brad said the HOA board of directors would now at 3.30PM go into executive session to discuss the issues and would come back to vote to approve, or deny the application.

After the executive session met, Brad used his right as president to mediate separately with the applicant Lee Knight.

The Board came out of executive session at 4.02PM. Brad said the Board had a lot of discussion about the presentations made by Lee Knight on behalf of his client Roy Hanigan, and the ACC members. He said that it was a very tough decision. He stated that the overriding goal of the Board is to ensure that we legally protect all of our members so that we don't get into a legal battle. The Board agrees that the applicant met the terms of our CCRs, and the objections are subjective in nature.

Brad asked for those Board members in favor of the proposed application for L25 submitted today to raise their hands. The vote was unanimous, 5-0. Brad said Lee Knight would receive a signed application. Brad acknowledged that Lee Knight would speak to his client and see if any changes can be made to accommodate the concerns of the ACC.

Brad asked for a motion to adjourn. So moved by Beverley. Seconded by Joey. The meeting was adjourned at 4:05pm.