September 29, 2024

Residents of Walnut Grove Estates Homeowners Association:

The Board of Directors of the HOA have permitted numerous violations of the governing documents. The latest and greatest of these is Danny Erwins "pool house" approved by the BOD on 12-28-23 per Minutes of Meeting (MOM). The MOM indicate that it was approved without a set of plans, a survey showing the location, any mention of the HOA greenspace swap he intended to do for it, or that a 75% vote from the community was required in order for him to proceed with his scheme. Erwin created a scheme in our community by deeding a corner of his backyard to the HOA in exchange for the HOA deeding greenspace in his side yard, to him, for free. Erwin signed off as President of the WGE HOA on the revised plat map on 7-18-24, see attached.

This significant diversion from the Restrictions wasn't disclosed at the Annual HOA meeting on 8-5-24 nor is it reflected on any MOM. The annual meeting would have been an opportune time to share his construction plans and the revised plat of our community. Instead, it was concealed.

Erwin's initial plans were submitted to LFUCG on 8-29-24 shortly after the 8-5-24 annual meeting of the HOA. LFUCG did not approve his initial "pool house" plans because, as designed, it was an Accessory Dwelling Unit (ADU). LFUCG offered a preliminary meeting for Erwin to construct his ADU. Erwin instead decided to eliminate the kitchen in his design, thereby making it a "Detached Accessory Structure". Those plans were approved on 9-9-24 and they are attached.

In the past the Developers sold greenspace to homeowners to add to their backyards and many did this. Greenspace between the lots and on the corners was never sold. It was designed to make the lots appear larger than they were and to provide a buffer between lots. JJK Development marketed the community wherein each lot was an island, no lot touched another lot, and the buffer zone created this.

If not stopped, Erwin's scheme will enable every homeowner to do the same, encroaching on the greenspace between the lots with their driveways, building detached accessory structures and accessory dwelling units, secretly swapping greenspace by Deed.

The BOD has approved many violations of the governing documents both in the greenspace and on homeowners lots. These include unidentifiable structures, the use of prohibited color and materials, playgrounds, trampolines, swings, clotheslines, and several driveways that encroach into the buffer greenspace by 5'-15' feet.

THE SOLUTION: REMOVAL OF THE BOD

The entire BOD can be removed, with or without cause, with a majority vote of the homeowners (32 out of 62). See By-Laws, Section 7, Page 6.
If removed, an entirely new BOD can be nominated and elected.
The By-Laws call for a minimum of 3 Directors and a maximum of 7.

If a majority vote isn't obtained: THE ELECTION

Danny Erwin and Dave Winters are up for re-election in November.
They will be identified as "incumbents" on the Ballot.
Directors, Bill Chlebowy, Mike Huber, David Demarest, and Duncan MacFarlane's term ends in 2025.

Please consider nominating yourself or at least voting for whoever nominates themselves, so Erwin and Winters are NOT re-elected.

You will receive a "Candidate Form" from the BOD soon. Last year they sent it out two weeks before it was due. It was due mid November. You must follow their instructions exactly on submitting it. Last year they didn't count Graham Cherry's vote because he emailed the form.

We would appreciate knowing two things:
If you will nominate yourself for the BOD and/or
If you would vote to remove the BOD.

I think we all would like to add 5' to 15' to our driveways.
Have the freedom to use any of the prohibited colors and materials on our homes.
Build whatever we want, wherever we want, with a simple swap of greenspace.
Build a Detached Accessory Structure and then install the kitchen cabinets and appliances after the final LFUCG inspection to forgo ADU approval.

Install playgrounds, trampolines, swings, etc, in the greenspace for all to see, rather than in the backyard.
Sleep on sheets that have hung in the sun on a rotary clothesline that swirls in the slightest breeze.
All of this is possible with the current BOD in place.

If you do not wish to receive this info, please let us know and we will delete your contact info from the emails. You can obtain the By-Laws, Restrictions, Minutes of Meetings, and Walking Trail info at wgehoa.org.
While you are there check out the Walking Trail link and see that the preferred walking trail from the BOD eliminates the trail from each Board Members backyard.
This BOD needs to be removed!

Ball Email 091924

"*Also please let us know when you will address the attached photos of the clothesline being used by the owners of 2141 Winning Colors Lane. The laundry is displayed at least twice weekly for the entire daylight hours.*
Please tell us what you have done to remedy these situations."

The Board acknowledges clotheslines are not allowed per the Deed Restrictions. "Clotheslines" in this sense is interpreted as long-term, erected lines that become a visual nuisance. However, the Board has no objections (actually no say) with residents drying their clothes outside on temporally set structures. This is no different than residents with pools drying wet towels on their fences.

Tina & Kerry Ball
859-221-8462 (Tina)
859-621-8462 (Kerry)