

DATE: November 16, 2018  
FROM: Eric Hecox  
RE: Lyons Ridge Board Meeting Follow Up

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#### Golf Carts on Trails

A question was asked at the board meeting about whether golf carts are allowed on the trail between Montane and Lyons Ridge. Per the Lyons Ridge ODP (Official Development Plan) in section 5: *“Areas on the property that shall allow for public access through the use of trails and/or publicly designated open areas. Such areas shall be used for passive recreational activities such a walking, hiking, and observing nature features on the property.”* Golf Cart Traffic will defy the intention of passive recreational activities.

#### Landscape Variances

A request was made to have a list of granted landscape variances. Staff will compile this over the next couple of weeks. We plan to go through each submittal and compare it to what is currently planted. Some submittals specify variances granted, but we want to ensure accuracy and consistency with what was submitted and what was performed. We may not catch every variance, but it should be a fairly complete list.

#### Cars driving on Red Deer Drive Bend

An individual or individuals continue to cut the bend and drive on the open space. Bollards were placed in the area where they previously drove. Now they are simply going around the bollards. It is clear person(s) knows they are not supposed to be doing this. Signs or additional bollards would likely also be ignored. We are encouraging board members and residents to report these incidents to the sheriff when you see them. Hopefully the offender(s) can be

found and stopped. Over time as the district matures it could put up a split rail fence along the entire stretch. But that is an expensive capital project, and it does not seem reasonable for the entire community to bear that expense because of one or two individuals.

#### Montane Community Committee Invitation

A notice inviting all Montane current and future residents to participate in the Montane Community Committee was sent out on October 26<sup>th</sup>.

#### Landscaping for Swale Area

A request was made to distribute the landscape plan for the swale area. The landscaping is being installed and there will be approximately the same number of trees as there were before the work. The exact placement of the trees needs to be adjusted in the field due to bed rock depth. As "as built landscaping design" is being assembled. Once this is complete we will distribute.

#### Slope Across the Mailboxes

We met with a homeowner in the area who is concerned about the slope across the mailboxes. We discussed and agreed on a solution: cleaning up the slope, exposing the rock formations, and making it a natural element. This work will occur in November or early December.

#### Street and Driveway Parking

A question was asked about the parking of vehicles in driveways and on the streets. The covenants read as follows:

##### ***3.27 Storage of Vehicles***

*Other than short-term guests or agents of Owner whose vehicles may be parked outside for no more than 72 hours, no more than two (2) vehicles shall be regularly kept on a Lot in an area other than in the garage areas. Each residence constructed on a Lot shall have a minimum of two (2) garage spaces with doors and a maximum of four (4) garage doors visible from the entrance to the Lot. To the extent Owner uses garage space for other than parking vehicles, the number of vehicles allowed per Lot shall be reduced. Garage doors shall remain closed when not in use for ingress and egress of said vehicles or the occupants of said Lot.*

Interpretation:

You can have up to 4 garage spaces, which are supposed to accommodate the storage of cars. You can also have up to two cars that are in an area on a Lot "other than in the garage." But if you eliminate your ability to store the cars in a garage, you eliminate the privilege of parking the cars outside the garage, one by one. So, in the specific case at hand because the owner has filled two stalls with a gym and junk, that owner cannot park cars outside in their drive. As for parking in the road, the covenants do not apply to the roads, and thus that is a county issue and parking is not prohibited by the covenants. That means that the owner in question can simply park in the road but not in their drive assuming if there are no county restrictions.