

[PROPOSED] SPOA Policy 2020-5 relating to the application of Covenant Article V, Section p. to the storage of building materials and other items on a Lot

WHEREAS, Article V, Section k. of the Stagecoach Covenants states that:

“No trash, litter or junk shall be permitted to remain exposed upon the premises and visible from public roads or adjoining or nearby premises;” and

WHEREAS, Article V, Section p. of the Stagecoach Covenants states that:

“In the event an owner of any Lot in the Properties shall fail to maintain the premises and the improvements situated thereon in a manner satisfactory to the Board of Directors, the Association, after approval by two-thirds (2/3) vote of the Board of Directors shall have the right through its agents and employees, to enter upon said parcel and repair, maintain, restore the Lot and the exterior of the building and any other improvements erected thereon. The cost of such exterior maintenance shall be added to and become a part of the assessment to which such Lot is subject.”; and

WHEREAS, the language of Article V, Section p. is purposely vague as to what constitutes a failure “to maintain;” and

WHEREAS, the Board finds it would be helpful to members to have some examples of what would constitute a failure “to maintain,” as that phrase relates to the storage of items upon the Lot ;

NOW, THEREFORE, the Board hereby adopts and promulgates the following policy:

[This policy purposely does not address all possible examples. This policy is a work in progress. It is the intention of the Board to amend this policy in the future as experience dictates.]

All of the examples provided below refer only to non-temporary storage of items outside of enclosed structures, such that the items are visible from a street or adjacent property:

1. The storage of multiple inoperable motor vehicles of any sort, including cars, trucks, snowmobiles, ATVs, mowers and skid steers upon a Lot constitutes a “failure to maintain.”
2. The storage of building or fencing materials upon a Lot, other than as part of an active construction project, constitutes a “failure to maintain.”
3. The storage of pickup truck accessories, such as camper tops, dog transport boxes, snowplow blades and pipe racks upon a Lot constitutes a “failure to maintain.”
4. The storage of large construction or excavation tools upon a Lot constitutes a “failure to maintain.”