
RESOLUTION PROPOSAL

DATE: November 19, 2009

SUBJECT: Appeal of Compliance Committee Decision Lot 292 Section 1

SPONSOR: John Korhonen, General Manager

BACKGROUND INFORMATION:

On August 26, 2008, Gary Hannifan submitted a Miscellaneous Application with a plat to the ECC for the addition of a new storage shed. The plat showed the location of the shed with a 30 foot setback from the rear property line. Based on the Application, Plat and site visit, the ECC sent a letter of approval to Mr. Hannifan on September 10, 2008.

On October 1, 2008, ECC received a request for a final inspection. During the inspection on October 14, 2008, two discrepancies were found:

The shed was not located 30 feet from the rear property line. A note on the inspection sheet states that the shed is in the setback by 25 feet 6 inches.

The Miscellaneous Application stated that the color of the shed would be as close as possible to the color of the house (as required by PM 13.03 IV.D.1). The house is dark brown and the shed is tan.

Because the shed also violated the Fluvanna County setback lines, Mr. Hannifan was directed to obtain a waiver from Fluvanna County before appealing the ECC decision to the LMOA Board of Directors. A waiver was granted from Fluvanna County.

The violation was heard by the Compliance Committee on September 23, 2009 and the violation was confirmed.

On October 13, 2009, a letter of appeal to the Board of Directors of the Compliance decision was received.

Attached are the relevant documents.

STAFF RECOMMENDATION: Concur with the decision of the Compliance Committee that the shed is a violation of LMOA policy.

PROPOSED FINANCIAL IMPACT: NA
PROPOSED SOURCE OF FUNDING: NA
STRATEGIC PLAN REFERENCE: NA

POSSIBLE MOTION:

Move that the Board of Directors **deny/grant** Gary Hannifan's appeal of the September 23, 2009 Compliance Committee decision for the storage shed for Lot 292 Section 1.

PERSON RESPONSIBLE FOR FOLLOW-UP: ECC