



## HSVPOA ACC Report – May 2021 Board Meeting

### Description

#### Architectural Control Committee Works with Villagers to Find Solutions

Janet Rowe, the Chair of the Architectural Control Committee (ACC), updated the Hot Springs Village Board of Directors at the May 19, 2021 Board meeting.

Janet said:

#### Recent ACC Committee Changes

The first quarter of the year brought some changes to the Committee. The Committee had the departure of George Kittner and the re-appointment of Ron Poshard. The Committee is comprised of six Property Owner volunteers (Janet Rowe – Chairperson, Duane Hecklesberg – Vice Chair, Ron Poshard, Larry Brokaw, John Hyduke, and Ken Gordon), Stephanie Heffer is the POA representative and Tucker Omohundro is the Board Member Liaison.

#### Committee Details and Responsibilities

The Committee meets twice a month on the 1<sup>st</sup> and 3<sup>rd</sup> Thursdays of each month. The Property Owner Committee Members are assigned between 2-12 plus applications, each two-week time period. The number of applications assigned to each committee member varies and depends on the number of submittals and the number of Committee members available (accounting for medical reasons/travel). The Committee members do site visits for the applications they are assigned and then present the project packet at a subsequent meeting. The Committee then votes and the majority vote either approves or denies. The Permitting Department is notified and contacts the respective Property Owners, although some of us also contact the Property Owners, after the meeting in order to advise them that they can contact their contractor giving him a heads up, but that work cannot commence until the Permitting Department issues the permit.

## Permits

The Permitting Department handles most new home permit applications unless there is something on the elevation plans that raises a question as to the aesthetics. A Committee member is then assigned that permit to review and it comes before the Committee for a vote. We try to work with the builder and/or Property Owner to rectify the issue that may raise some aesthetic concerns.

The year-to-date (YTD) numbers through the end of April for new homes for 2021 is 49, compared to 17 in 2020 for the same time period. The inclusion of 10 more new home permits in May brings the YTD for 2021 to 59. (Some of the May new home permits have not yet been approved.)

YTD small permits 2020 through the end of April – 446

YTD small permits 2021 through the end of April – 266

With the additional 38 small permits sent to the ACC for the first meeting in May of this year, it brought the YTD total to 304. We currently have 18 pending permits on tomorrow's meeting agenda, thereby bringing the total number up to 322.

Many small permits are handled in the Permitting Department. Those can include permits for remodeling (interior), water heaters, and sometimes fences when all of the criteria are met with the submittal of the application and there does not seem to be an issue with the location of the fence or the materials being used.

Small permits assigned to the ACC include decks, docks, room additions, fences, sheds, landscaping, patios, solar panels, signs, pools, awnings, pergolas, and seawalls to name a few.

### Very Few Permits are Denied

ACC roughly denies a **small** percentage of submitted applications. Denials are based on not complying with the guidelines and rules for certain projects (such as the wrong materials are being used for the project (fencing as an example-a plastic mesh fence plan was recently denied), or it is not an allowable project based on the rules and regulations (certain things are controlled by the rules and often we can adjust somewhat with a variance, but other times it is not feasible or we do not have enough information, usually the lack of diagrams to make an insightful decision.) A good example of doing a variance is most commonly seen with boat docks. Boat docks are required to be 20 feet from the side property lines. This is not always possible if the cove is tight. In a case such as this, they issue a variance. We then ask the Property Owner to resubmit a new materials list, change the location of a project or submit additional information. Often this is done by email and the Committee then reviews and votes by email. Permitting is advised of the vote and they, in turn, contact the Property Owner with the decision. The email vote is done for speeding up the process and not having to make the Property Owner wait until the next Committee meeting. We are usually successful in resolving the issue that brought about the original denial vote and it leaves roughly only 1% being unresolved.

### Hot Springs Village Attracts New Homes

The consensus is that the political climate in other parts of the Country is making Hot Springs Village more attractive and that is why we are seeing an upsurge in New Home permits. We do sense that it may slow down a bit based on the economy and the cost of building materials, the most cost increase being in wood products.

### **Small Permits are Down**

Small permits are down somewhat and again the thought is that it is trending with what is happening concerning the cost of products and with people being homebound due to COVID, more at home projects were done in 2020 since people were not traveling and the money set aside for travel plans was now diverted to home projects. With lake drawdowns, we do see an increase in waterfront associated permits, seawalls, and boat/swim docks for whichever lake is affected by the drawdown for dredging.

### **Propane Tanks**

There have been Committee discussions this year concerning propane tanks (A property owner had asked for a 420 lb. above-ground propane tank. We currently allow for that, but the rules state this has to be buried. A property owner can have up to four 100 lb. tanks/cylinders above ground, but they have to be placed on a stress-tested concrete pad. In doing additional research the above-ground 420 lb. tank would have to be placed at a minimum of 10 feet from a residence and with the easements, it is not allowable with the space restrictions and aesthetically it would not be pleasing.

### **Commercial Signage and Banners**

Commercial signage and banners have been discussed as to size and placement.

### **Landscaping Requirements**

Landscaping requirements for permit review have also been discussed. We asked that Property Owners/Contractors submit a more detailed plan for landscaping, **not necessarily what plants are being planted**, but the placement in relation to the home, driveway, and road right-of-way. What the ACC is looking for is a clear and concise diagram of where the plantings will be placed.

### **In-Home Business Restrictions Review**

For easier understanding, we reviewed in-home business restrictions and cleaned up some of the language.

### **Fencing**

We are currently discussing and proposing a change in the fencing rules to allow side yard fences to encompass access through a side garage door. We have observed that many of the fencing permits are for the accommodation of letting a pet outside and often the ingress and egress are more easily

facilitated by a side garage door.

### ***Yard Art***

The POA also approached the Committee with a request for Yard Art rules. The rules being asked for were formulated on the criteria set by another HOA, which differs extremely from the Village (it is an extremely exclusive community with cookie cutter type homes clustered fairly close together) and it would not work here in the Village with the varying of lot sizes and the somewhat eclectic nature of the residences here. The rules asked for were extremely restrictive.

One rule was four pieces of yard art per lot, this would include both the front and rear yard.

Yard art being defined as birdhouses, bird feeders, birdbaths, fountains, decorative lights, garden flags, garden statues, and all flower pots would have to match.

It was recommended to Compliance that they generate a nuisance rule and that if a residence has an overabundance of complaints concerning Yard Art that is present on a lot, that it be handled as a general property maintenance issue if it is falling into disrepair/neglect.

Based on aesthetics, then someone from the ACC would help investigate it and work with the Property Owner in correcting the problem.

Part of the submittal on the Yard Art also included holiday decorations and the time frame concerning those. We already have a rule governing that and it is under the Sign rules. It was being asked that Christmas decorations be taken down one week following Christmas. We did not approve this request and we actually extended the present time frame from the middle of January to the end of January, to account for our population here possibly being away traveling during the holidays, in the hospital, and also on the basis that physically some people may need some additional time for removal.

### **Exterior Lighting**

We were also approached with a request to formulate an exterior lighting rule.

It was asked that all exterior lights be shrouded with the light disseminating downward. This would include the removal of traditional outdoor lighting such as carriage-style lights on garages and entryways.

The safety factor was brought up for our more senior Property Owners needing more light to navigate with to avoid hazards.

The tremendous cost to Property Owners having to purchase all-new exterior lighting, plus the cost for many to hire an electrician to install the new lighting features would be quite expensive and possibly cost-prohibitive for some.

The POA and Entergy would also have to replace many of their lights as they would be in violation.

There was also the additional consideration of landfills being filled with all of the disposed of fixtures.

The request for this change also came about from a few Compliance issues concerning exterior lighting bothering neighbors. Some of those concerns involved spotlights shining into nearby neighboring residences and the fix was as simple as just letting a Property Owner know that he had an offending light and it was then re-adjusted. It was suggested that they formulate a nuisance rule similar to the Yard Art, based on the number of complaints and the lack of correcting the problem, once it was brought to the Property Owners attention.

Report by Architectural Control Committee Chair, Janet Rowe, May 19, 2021

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**Date Created**

05/19/2021

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