

Hot Springs Village
Property Owners' Association
April 20th, 2020; 2:00 p.m.
Special Meeting Called:
Chair Diana Podawiltz Presiding

Item 11: CMP/DPZ Zoning Codes

Action: To Rescind, Repeal, and Annul Something Previously Adopted (RR11ed; pg. 305)

Motion: I move to Rescind, Repeal and Annul the CMP Zoning Code Addendum originally adopted with CMP April 18, 2018

Based on this action, the Zoning Codes a/k/a Protective Covenants a/k/a Covenants and Restrictions and any references to it within all governing documents and other POA resources, shall be removed, including but not limited to:

1. Later date unauthorized retitle (and back dated to 4/18/18) as Protective Covenants;
2. "Oversight foursome";
3. All policy created for enforcement.
 - a. Policy Chapter 1, Article 23; Chapter 8, Article 5 and Article 7

And also:

4. The ACC will cease from any further action related to the Codes and discharge any current or on-going cases applied to them;
5. The ACC will work directly with the Board Member Elected to serve with the ACC to sort out any issues created by the misuse of this document.
6. and other items as discovered.

Foundation:

Based on the rescission of the CMP and it's original 8 Understandings, the Zoning Codes addendum that had no authorization at anytime to be retitled Protective Covenants (one week later and therefore provided to ACC for adoption and implementation) is moot.

Furthermore, the Oversight "foursome" that was establish to doubly enforce the alleged Codes is to cease from any further activity or action and is discharged from any current or on-going cases.

As there exists a pending Lawsuit based on these "mislead"/repurposed Zoning Codes, the Board will be taking this up with the Appropriate Legal Counsel.