

CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

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Covenant Amendment Steering Committee (CASC)

Meeting Minutes-FINAL

Thursday – January 7, 2021 5 pm – 6:30 pm

In attendance: Sue Wallace – POA Compliance Coordinator/Secretary; Dom Eymere-Association Manager; Committee Members: Matt Barker, Tim Williamson; David Neben-Board Liaison.

Meeting began at 5:05 pm and was conducted online using Uberconference.

A motion was made, and carried, to approve the December 3, 2020 meeting minutes. Next meeting will take place February 4, 2021 at 5 pm on Uberconference.

We began with review of the latest draft of Article 4-Land Use. The following sections were revised and the group felt comfortable they were in “final draft” form:

Section 4.1.5 Lot Appearance. The appearance of every lot in Crested Butte South shall be maintained in a neat and attractive manner. Owners are to maintain all structures, landscaping, decks, patios, and driveways and parking areas. All lots shall be kept free of litter, discarded items, and noxious weeds as required by the State of Colorado. Each Owner shall keep trash indoors or in animal-proof receptacles and have them emptied at regular intervals.

Section 4.2.5 Parking on Residential Lots. Every Owner shall provide on-site parking spaces for licensed vehicles and permitted or licensed Off-Highway Vehicles (OHVs) on each developed residential lot. All parking must occur on designated, approved parking spaces, and such parking shall accommodate the full size of the vehicle being parked. No portion of any parked vehicle or OHV may extend beyond the designated, approved parking spaces.

4.2.8.a. Owners of Short-Term Rentals (STRs) who are not immediately available on-site at the time of rental shall be required to post contact information for response within twenty minutes by a property manager or person appointed by the Owner on or near the exterior of the front door of the Family Residence being used as an STR. Owners must also comply with policies approved by the Board of Director’s governing minimum stays, occupancy limits, fees and other terms and conditions associated with STR use.

Re: 4.2.8.a, the group continues to struggle with the advice given to us by Beth Appleton-to put definitive requirements in the covenant and use Board policy-making for more administrative details. The group isn’t comfortable including administrative details around STRs like length of stay, limits on occupancy, etc in the covenant. We will work to make sure that the process of registering a property as an STR with the POA includes more rigorous notification requirements to owners and property managers.

We then reviewed Article 5-Architectural Control. The group accepted most of the language until we discussed these articles:

Section 5.3 Building Height. The maximum residential building height shall not exceed an average of 32 feet from average grade. The maximum commercial building height in Block 6 shall not exceed an average of 35 feet from average grade. Average height is determined from average existing grade prior to construction.

5.3.1. Number of Stories.

Original Covenant 5.01 limits to “two stories in height”. Dom feels it is appropriate to take this question to the community again, despite the non-passage of the 2018 ballot asking the community to approve higher building heights and changing the covenant from two- to three-stories. Dom points out that the measure failed to achieve a majority of owners voting, but that the votes that were received indicated support for the measure.

David feels that the 2018 outcome should stand and that the issue should not be revisited with the community a second time so closely to the first ballot. He points out that the research needed to determine whether the commercial area can support higher densities created by three stories- such as a Traffic Study, potential platting of Block 6 in the future- have not been done. Limited information on population projections and densities exist but don’t shed light on this important issue. We agreed to have David and Dom take this issue to the Board for discussion at its Jan 20, 2021 meeting to see how it wishes to proceed.

5.3.2. Minimum Size.

CASC will continue discussing this at the February meeting, but may be leaning towards 1,200 sq ft. Current requirement is 1,500 ft2 per Residential Design Guidelines. Original 1970 Covenant states 1,500 sq ft-SF/800-MF, but my hard copy shows this is struck out and 1,200 sq ft has been written in. Amendment Q (1996) states 1,200 (also scratched out on hard copy) , 650-MF and 400-efficiency units.

The Residential Design Guidelines “At A Glance” require 1,500 ft2, but Sue could not find any reference to the 1,500 ft2 in the actual Guidelines themselves. Sue is asking should we leave required square footage out of covenants? If folks can afford to build and prefer a smaller house and they meet all other criteria, why wouldn’t we permit this? Why would the POA/DRC require them to build bigger?

Meeting adjourned at 7 pm.