

Winter Park Highlands



Meeting Minutes
Winter Park Highlands Association
Board of Directors
When: August 26, 2017
Location: Electronic Meeting

Purpose: The purpose of the WPHA shall be to serve the best interests of the property owners/residents of WPH, to enhance the quality of life in WPH, and to preserve and protect property values.

The Board reviewed a request to the Architecture Committee by Peter Mathews, the son of the owners of 772 Bear Paw Drive (Unit 1, Lot 44), to file a final amended plat with the County that would create an additional single family home lot in Unit 1. The Mathewses recently acquired a tract adjacent to their lot that was owned by Vail City Corp, the successor corporation to the entity that originally developed the Winter Park Highlands. The parcel is approximately 7,000 square feet or 0.15 acres. There are a number of these small parcels throughout the Highlands. The proposed amended final plat would move the boundary between the two lots. The existing 2.08 acre parcel (which has a home on it) would be reduced to 1.21 acres and the new parcel would be 1.031 acres. Mr. Mathews said he and his wife intended to build a home on the 1.031 acre parcel. The proposed site plan maintains required Winter Park Highlands setbacks for both parcels.

The Architecture Committee voted August 25, 2017, to deny the Mathews' request.

In discussions via email, the Board supported the Architectural Committee's reasons for denying the request, which are listed below and were communicated via email to Peter Mathews on August 27, 2017:

- * The Master Protective Covenants for the Winter Park Highlands expressly prohibit the subdivision of any lot. Both the Architectural Committee and the Board interpret this clause as a prohibition on increasing the number of single family residence lots within the Winter Park Highlands beyond those originally platted.
- * WPHA's legal counsel agreed with the Board and Committee's interpretation and advised that there is little difference between a Final Amended Plat that creates two lots out of one, or a Final Amended Plat that creates two lots out of one originally platted lot and an unspecified "tract." In both cases, an additional single family residence lot has been added to the Unit.
- * At the 2017 Annual Meeting of the Association, the members showed strong support for enforcing the Protective Covenants .
- * If the Mathews' request were to be approved, it would open the door to similar additional single family residence lots throughout the Highlands, as there are many other similar "tracts" that are artifacts of the original plat. Also, a vast majority of the Highlands lots are large

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enough to subdivide, and an approval of such a request would open the door to other property owners doing the same.

* The duty of the Architectural Committee and the Association Board is to protect the property values of all Winter Park Highlands property owners, through various initiatives but primarily through enforcing the Protective Covenants.

The Board unanimously voted “NO” on the above request via electronic mail.

Board Members: Charlie Bouchard President, Scott Ledin (VP), Lynette Teichman(Treas), Karen Bishop (Secy), Sherry Pelton, Susan Oderwald, Cress Carter, Bob Colosimo. Fred Chapin, Heidi McNinch