

**Minutes of the**  
**Sunset Mesa Property Owners Association's (SMPOA)**  
**Architecture Committee**

**November 22, 2015**

Meeting, held at 18431 Kingsport, was called to order following the site visits at 9:00 A.M.

**MINUTES:** October AC minutes were approved.

**FUTURE MEETINGS**     **Site visits per the community website [www.sunsetmesa.org](http://www.sunsetmesa.org)**

1. December 6, 2015
2. January 16, 2016
3. February 7, 2016
4. March 6, 2016

**ARCHITECTURE COMMITTEE SITE VISITS AND DETERMINATIONS:**

The following took place on November 22, 2015. Schedules are posted at the community website, [www.sunsetmesa.org](http://www.sunsetmesa.org), under the Architecture Committee tab.

Site visits were conducted at 9:15 in the following order

1.     **3808 Surfwood:** AC made a site visit to **3808 Surfwood** at request of home owner Barbara and Neill Hattem, a member In Good Standing to a) complain of neighbor Shanda and Adam Pastor's installation of a sheer covering over their partition fence blocking their ocean view in violation of Sunset Mesa HOA's CC&Rs and b) to complain of the OVI caused by their remodel.

With regard to matter #a (OVI created by **3814 Surfwood**): the AC determined the covering of the fence was done in response to the Hattem's dog that had viciously attacked the fence when the gardener was on the hillside. The Pastors were asked to take this down but the ill feelings between the neighbors have escalated and authorities have been called to the property to resolve the issues. Homeowners Pastors were asked to remove the covering as it causes an OVI. A Letter of Determination to both parties will be sent.

With regard to matter #b (**raised roof at 3814 Surfwood**): AC committee notified homeowners at **3808 Surfwood** /Hattems that plans to raise the roofline who did not respond despite the notifications for three months in a row from the AC. Prior to the Pastors beginning their remodel they submitted plans and even revised them at the request of two separate neighbors. Despite the notices going to the Hattems, the Hattems again failed in each attempt to reach them, to respond. After the construction began the Hattems complained of an OVI. When the AC inquired of the Hattem's own add on – which does not comply with original home plans – Hattems were unable to produce plans or permits. Thorough research in AC records did not produce any notation, minutes, plans and the AC concluded this add on was done without authority of the SMPOA, AC and had not sought or received approval. The Hattems appeared to be seeking OVI protection although their own construction appeared to be in violation of the CC&Rs. The Hattems attest that the house was purchased in its current condition, including the add-on of the kitchen at the rear of the property. The entire matter was referred to the Special Issues Committee Chair, Becky.

2.     **3817 Surfwood:** AC made a site visit to again attempt to reach neighbors that had not previously responded to AC notices of the Behzads desire to raise their roofline to create a slope because it may create a potential OVI for her neighbor at 3809 Surfwood (Frazer). AC committee Attempted to contact neighbor during the last site visit and left notice again. AC committee also determined previously that the hedges in the front and backyard at 3831 Surfwood (Wilmott) creates an OVI in violation of CC&Rs. A Letter of Determination was delivered.

3.     **18408 Wakcrest:** AC visited at request of home owner **Williams**, a member In Good Standing, to assess a potential OVI created by their side neighbor's backyard fence at 18359 Wakcrest (Habiby), which appears to the AC Committee to be in violation for foliage and shrubbery. The AC visited the homeowner and delivered a Letter of Determination to both parties. The AC spoke with the homeowner (Habiby) who agreed to trim the offending shrubbery

back and requested that the homeowner (Williams) contact them in the future.

4. **18449 Kingsport:** AC made a site visit to at request of home owner Bleyberg after her attempts to reach the homeowners at 18436 Wakecrest (Hi/Hae) to trim their hedges back that is causing an OVI. AC delivered the Letter of Determination to the homeowner but failed to speak to them personally as they were not home.

5. **3839 Malibu Vista :** AC made a site visit at to homeowner **Arishaf at 3839 Malibu Vista** last month at the request of Home owner, Urbanas, a member In Good Standing to remind homeowner **Arishaf at 3839 Malibu Vista** that their trees remained untrimmed although they had agreed to cut them. This continues to create OVIs. Arishaf's were delivered a Letter of Determination. AC will follow up with homeowner **Arishaf at 3839 Malibu Vista** , who have been cooperative in the past and ask them to make further trims to their trees.

6. **18341 Coastline:** Homeowner, a real estate speculator that is currently remodeling the home agreed to meet President, Linda Kaye at the property to discuss the previous AC complaints regarding the offending palm tree to at least 4 homes that were effected by its OVI capacity. Although the homeowner had agreed to remove the tree, it remained . The AC attempted to reach the homeowner again in one last attempt to gain compliance. When this failed a Notice of Arbitration Dispute Resolution (ADR) was posted on the construction site.

The AC may be contacted at [sunsetmesaac@gmail.com](mailto:sunsetmesaac@gmail.com).

**As a reminder, All EXTERNAL CONSTRUCTION INCLUDING HARDSCAPE, ADDITIONS, AND REMODELS ARE SUBJECT TO THE REVIEW AND APPROVAL OF THE ARCHITECTURE COMMITTEE. WITH SUMMER COMING UP, YOU ARE ENCOURAGED TO SUBMIT YOUR PLANS PRIOR TO ANY CONSTRUCTION.**