

APP. EXHIBIT# 1
CASE: 2023-0188-V
DATE: 2/1/24

APPLICANT PRESENTATION
CASE NUMBER: 2023-0188-V
REQUEST FOR A VARIANCE
TO PERFECT AN ACCESSORY STRUCTURE
(SHED WITH AN ATTACHED LEAN-TO)
WITH LESS SETBACKS THAN REQUIRED

Applicants: Joseph and Lauren Wilusz
Property: 443 Retford Drive, Severna Park
Case #: 2023-0188-V
Hearing Date: February 1, 2024

Planning the location

Considerations

1. Size of Shed desired

- 10 bikes
- Child's battery ATV
- Lawnmower
- Backyard games

2. Approval of Neighbors & HOA

- Conforms with sheds throughout neighborhood
- Mirrors neighbor's shed location
- Approval to proceed received HOA and neighbors

3. Location

- Dimensionally needs to fit
 - Including staging/opening door area
- Pathway along side of house
- AC unit, windows, power meter
- Don't cut down trees
- Conform to neighbor & neighborhood
- Sight from Community area
 - Pleasing view
 - Concealing items not suitable for shed



Southwest side of property, bordering Lot 13
(Right side when looking from the street)

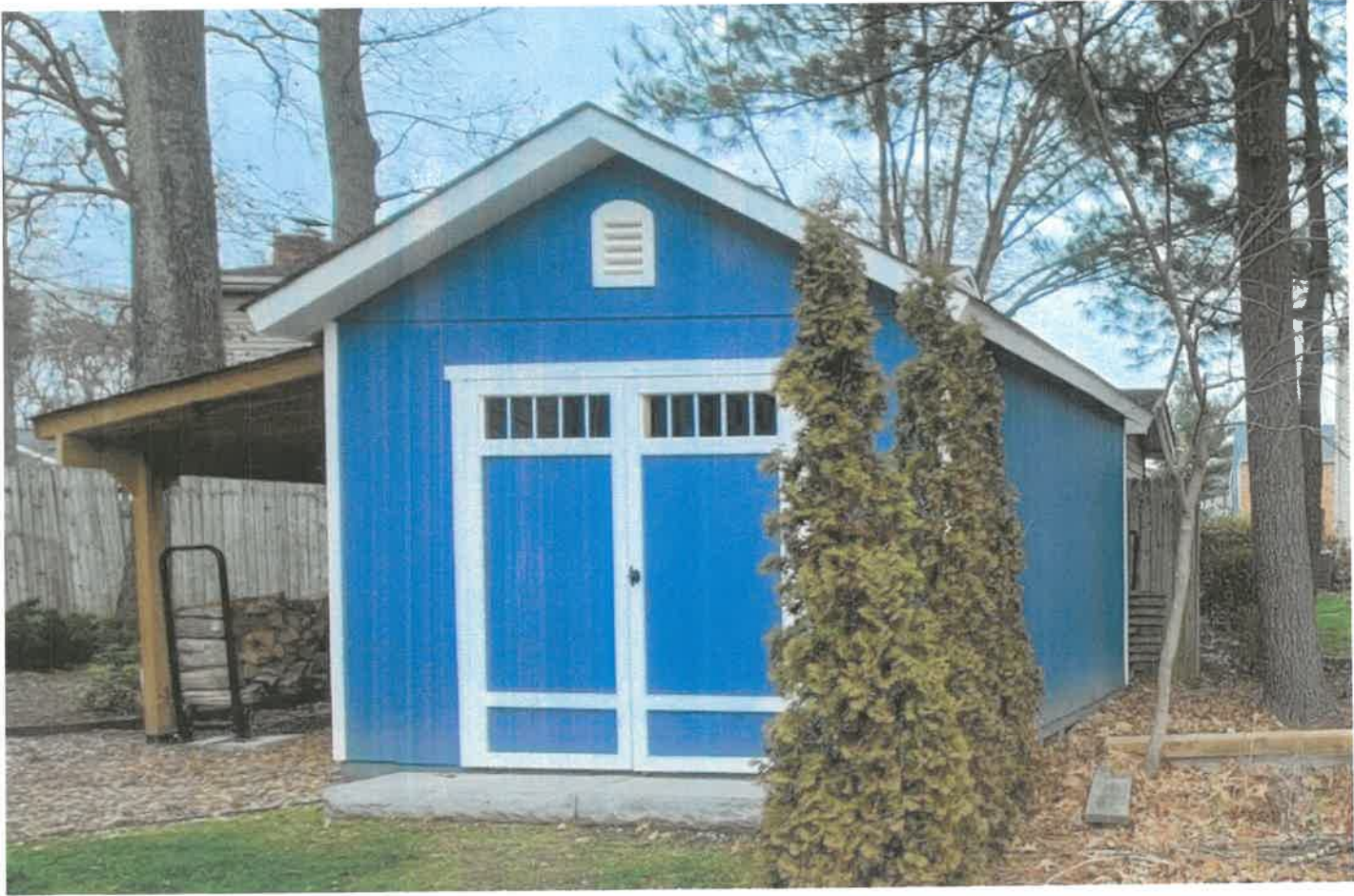
Northeast side of property, bordering Lot 11
(Left side when looking from the street)



















Seeking Approval

Considerations

- HOA
- County
- Neighbors



Lauren & Joseph Wilusz <j.l.wilusz@gmail.com>

Re: Chartridge ACC - Fence replacement approval

Steve Matters <matterschartridge@gmail.com>
To: Lauren & Joe Wilusz <j.l.wilusz@gmail.com>

Wed, May 25, 2022 at 6:20 PM

Approved.

On Tue, May 24, 2022 at 5:29 PM Lauren & Joe Wilusz <j.l.wilusz@gmail.com> wrote:

Yes, for now the color will be the natural pine color. At a later date we may choose to stain it but will seek approval at that time if so.

Thank you!

On Tue, May 24, 2022, 4:34 PM Steve Matters <matterschartridge@gmail.com> wrote:

Sorry Lauren and Joe,

Consider this your approval. We dropped the ball on this one. Just 1 question, what is the color of the fence? Is it the same as the picture?

On Tue, May 24, 2022 at 10:30 AM Lauren & Joe Wilusz <j.l.wilusz@gmail.com> wrote:

Good morning,

I submitted an architectural request via the Chartridge website on May 9th. I have not heard a response, and the fence contractor has scheduled us for installation this Saturday, May 28th.

Has anyone reviewed our request?

I reattached the paperwork for reference.

Thank you,
Lauren Wilusz

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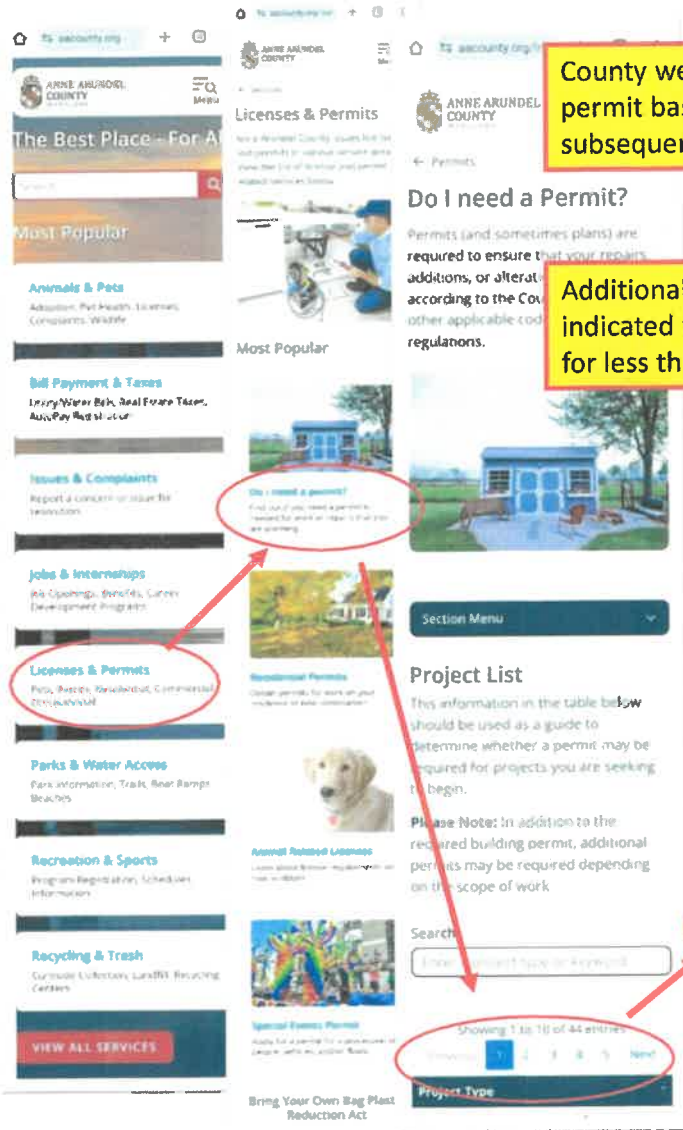
To unsubscribe from this group and stop receiving emails from it, send an email to acc+unsubscribe@chartridge.com.

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Good Luck,
Cartridge Architecture Committee

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Good Luck,
Cartridge Architecture Committee



County website reads as though our shed wouldn't require a permit based on shed measurement of 12'x10'. No mention of subsequent need to seek out setback requirements.

Additionally, conversations with local pre-made shed dealers indicated the same – no special requests required beyond HOAs for less than 150 sqft

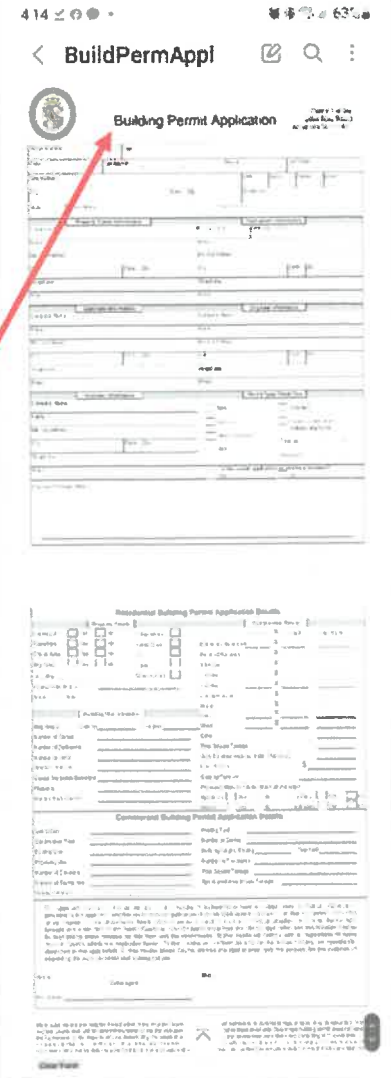
Residential Single-Family Dwelling Permit

Shed (Detached)
 A simple, one level roofed structure used for outside storage that is not attached to the primary structure. Sheds measuring 15'x10' (150 square feet) do not require a building permit. Sheds greater than 150 square feet require a building permit before starting work. Electrical and plumbing permits may also be required.

Permits Required

- Residential Accessory Structure

Signs





Lauren & Joseph Wilusz <j.l.wilusz@gmail.com>

Re: Chartridge ACC - Fence replacement approval

Lauren & Joe Wilusz <j.l.wilusz@gmail.com>
To: Steve Hopkins <Sshopkins4@verizon.net>

Thu, May 26, 2022 at 6:39 PM

Hi Steve and Suzanna,

We just wanted to touch base and let you know that we'll be doing some construction on our yard, likely starting this weekend. The architecture committee just approved us.

Please see attached plans for details.

East Coast Fence tentatively scheduled us for this Saturday beginning about 8am, as long as the weather cooperates.

Our shed will be delivered in early June as a DIY kit, so we plan to build it the weekend of June 10-12.

Happy to discuss any questions you may have! Give us a call or feel free to knock at the back door.

-Lauren & Joe
410-615-6348
410-615-6343

[Quoted text hidden]

 Architectural Update Request - Wilusz - May 2022.pdf
1043K

Attachment: Architectural Update Request – Wilusz – May 2022.pdf

Proposed architectural changes for 443 Retford Dr (Lot 12)
 Owners: Joe & Lauren Wilusz - 410-615-6348 or j.wilusz@gmail.com
 Anticipated start date: 5/30/2022

1. Remove existing 6' wood fence along front face of house, along property line between Lot 12 & Lot 13 (Val & Matt Thanner - 445 Retford Dr), and fence on Lot 12 that is adjacent to Lot 10 (Suzannah & Steve Hopkins - 419 Hucknall Ct) and extends into Recreation Area.
2. Replace existing wood fence with 4' butted board wood fence, with concave top and black post caps. Fence will be reinstalled along existing fence lines on either side of the front of the house, and along the property line between Lots 12 & 13. Approval from owners of 445 Retford Dr (Val & Matt Thanner) has been received. No fence will be reinstalled on eastern corner of our property, adjacent to Lot 10 and the Recreation Area. Installation to be performed by East Coast Fence. Fence style similar to that pictured below.

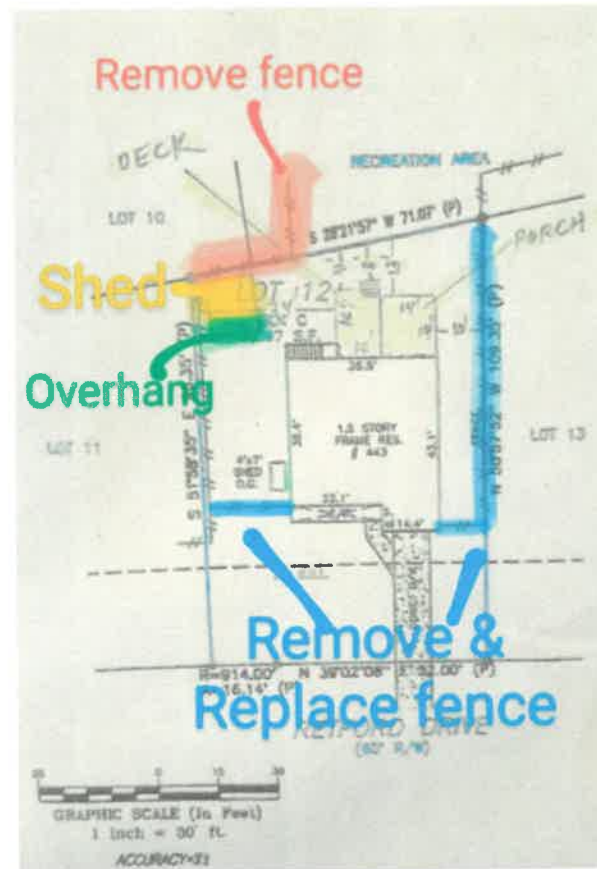


3. Install 10 ft x 12 ft wood shed in eastern corner of our property. Self-assembly required, Asheville Gable Engineered Storage Shed from Lowes (proposed picture attached)



4. Build additional 4' overhang off left side of new shed, open, lean-to style roof, to provide cover for firewood racks.

Please see the plat below for reference.





Issue with Plants

“& Erosion”



Lauren & Joseph Wilusz <j.l.wilusz@gmail.com>

Re: Chartridge ACC - Fence replacement approval

Steve HOPKINS <sshopkins4@verizon.net>
To: Suzannah Hopkins <srhopkins4@verizon.net>, j.l.wilusz@gmail.com

Sun, Jun 25, 2023 at 8:46 PM

Joe and Lauren

The plants you planted in my garden need to remove. Just not enough room for what I going to do. I have other plans for that location on my property.

The pavers you put on the property line also need removed. With the shed being so close to the property line and now pavers iam concerned about erosion on my property.

Steven Hopkins 410-703-1008
Sent from my iPhone

From: Lauren & Joe Wilusz <j.l.wilusz@gmail.com>
Date: May 26, 2022 at 6:39:50 PM EDT
To: Steve Hopkins <sshopkins4@verizon.net>
Subject: Fwd: Chartridge ACC - Fence replacement approval

Hi Steve and Suzanna,

We just wanted to touch base and let you know that we'll be doing some construction on our yard, likely starting this weekend. The architecture committee just approved us.



Lauren & Joseph Wilusz <j.l.wilusz@gmail.com>

Re: Chartridge ACC - Fence replacement approval

Steve HOPKINS <sshopkins4@verizon.net>

Mon, Jun 26, 2023 at 9:21 AM

To: Lauren & Joe Wilusz <j.l.wilusz@gmail.com>, Suzannah Hopkins <srhopkins4@verizon.net>

The dirt pit area you call is on my property to do what ever I want to do. Not you remove the plants in my garden you planted or I will just weed whack them today or tomorrow. And yes heavy rain causes erosion in my much garden. If the shed had proper set back it would fine. I believe it does not.

Steven Hopkins
Sent from my iPhone

On Jun 26, 2023, at 4:55 AM, Lauren & Joe Wilusz <j.l.wilusz@gmail.com> wrote:

[Quoted text hidden]

Considerations

- Timing of complaint to county immediately after flowers planted on border with community area
- Existing, well established pine tree overhangs half of shed
 - Evidence that pine tree scatters precipitation
- No evidence of erosion into dirt area or otherwise (neither before nor after shed)
 - Drip line of roof falls within Lot 12 property boundaries
 - Woodchips from landscaping encourage absorption rather than erosion
 - Slope of area under Lot 10 trees is toward Lot 12/front right corner of shed
- Pavers mentioned in complaint weren't permanent, as stated to neighbor when planting the plants
 - Pavers were relocated that week with addition of children's clubhouse







Concerns with the Recommendation of Planning and Zoning

Considerations against recommendation by P&Z

1. Size of Shed desired

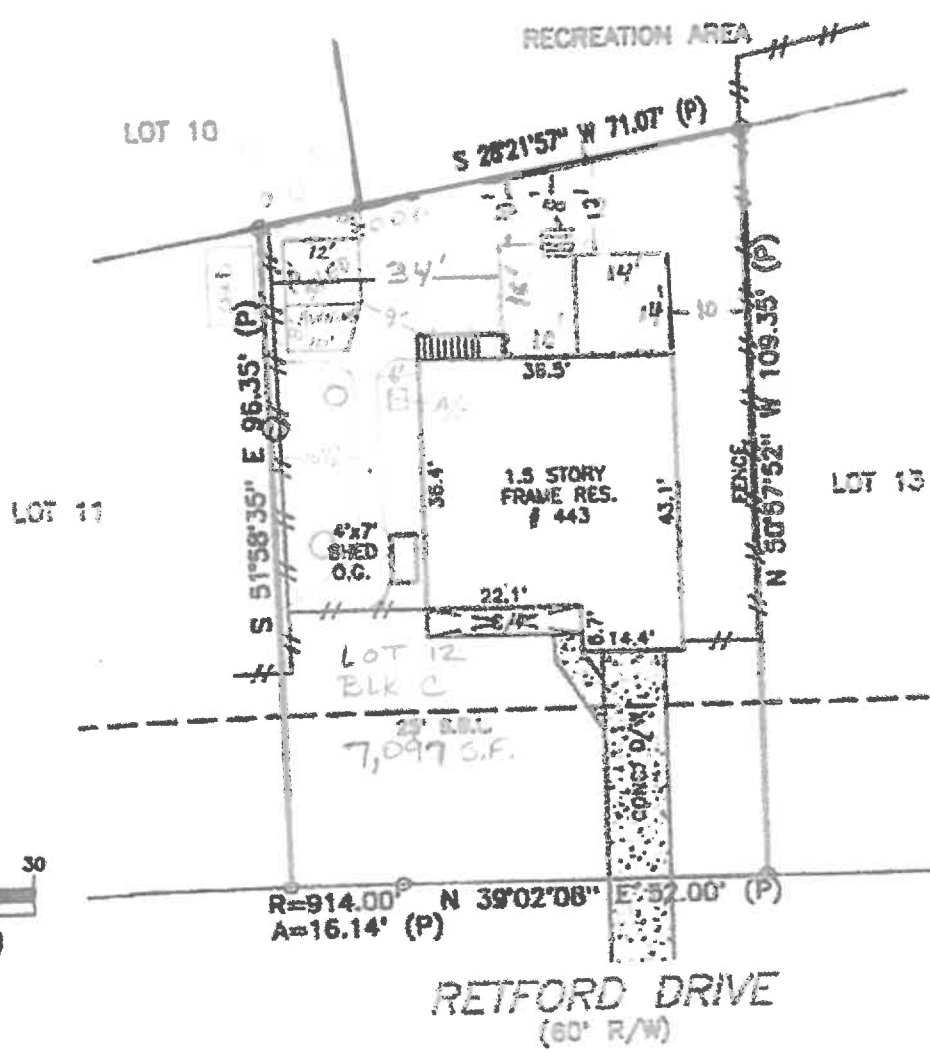
- 10 bikes, Child's battery ATV, Lawnmower, Backyard games

2. Location

- Dimensionally needs to fit - including staging/opening door area
- Pathway along side of house
- Don't cut down trees
- Sight from Community area
 - Pleasing view
 - Concealing items not suitable for internal shed storage

3. Approval of Neighbors & HOA

- Already approved by bordering neighbors and HOA before construction
 - Confirmed with neighborhood due to these proceedings (1+ years after construction)
- New shed would require reapproval by HOA, and approval of neighbors desired
 - 7 feet toward the street would not entirely mirror Lot 11 shed, and would impede the view from Lot 11 of the Common Area pond
- Variance would still be required by the County
 - ... is there such thing as a "lesser" variance?



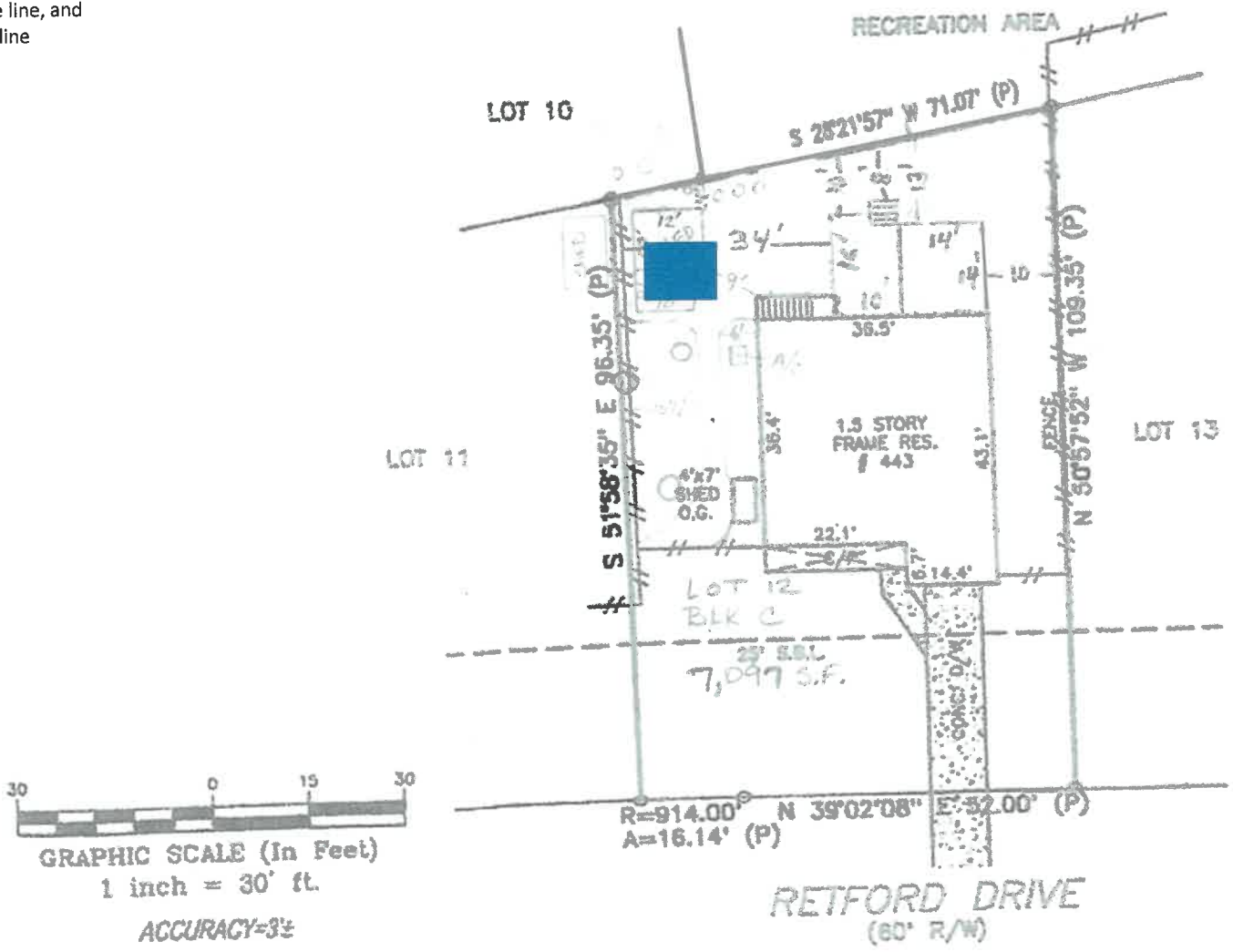
30 0 15 30

GRAPHIC SCALE (In Feet)

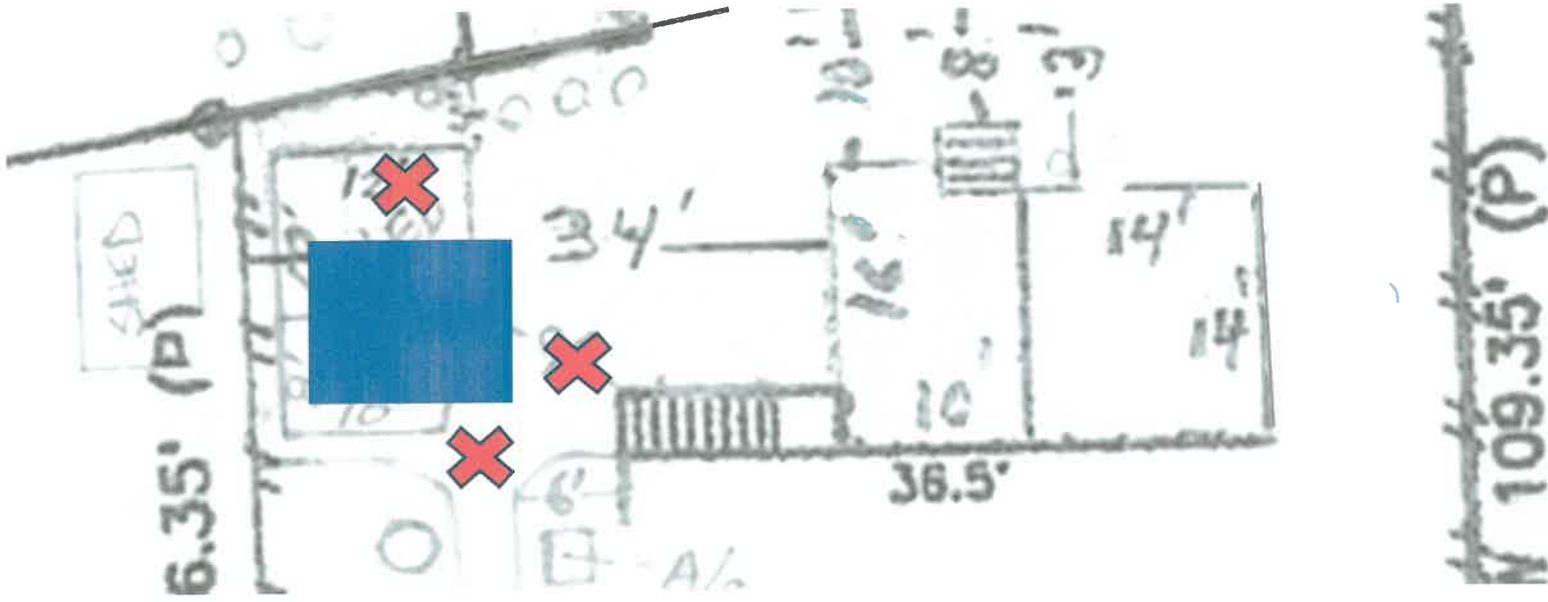
1 inch = 30' ft.

ACCURACY=3±

Blue box represents 10'x12' shed at 3' off the northeast fence line, and 7'+ off the rear property line



- Blue box represents 10'x12' shed
- 3' off the northeast fence line
 - 7'+ off the rear property line



Summary

1. Careful consideration made in size and location of shed
 - a. Only size and location that fits
2. Showed good faith in receiving concurrence for construction
3. Appears that notice to county, more than a year after construction, is due to retaliation
4. Appreciate compromise recommendations made by P&Z
 - a. Unfortunately, they result in excessive hardships for the applicants

Additional Information / Backup

Included for Evidence/Visual if discussed

COMMENTS REGARDING FINDINGS & RECOMMENDATION REPORT PREPARED BY JOAN A. JENKINS, PLANNER II

From Findings & Recommendations Report Page 1/5

- Footnote 1 reads:

"The deck and screened porch were approved under building permit B02387281 September 3, 2020. *The permit has not been completed.*"

Correction:

The final inspection (2496997) passed on 10/7/2020, by inspector Devin Kelly. Proof of this status is shown in figures 1-2, to the right.



Fig.1. Building Inspection Stickers for Permit B02387281; Footing passed 9/17/20, Final passed 10/7/20.

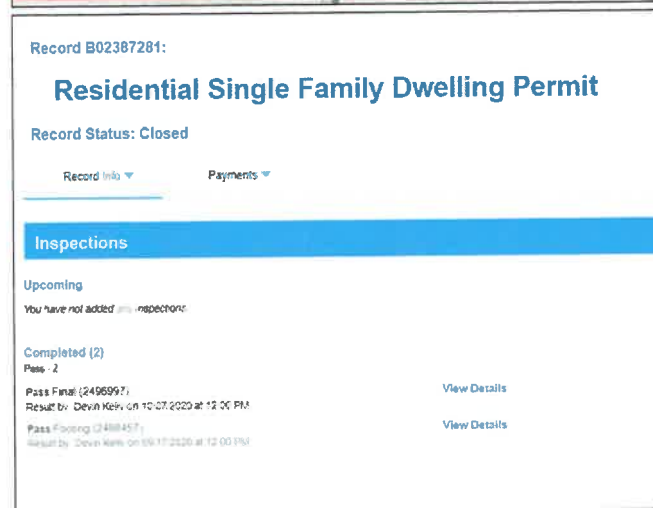


Fig.2. Building Inspection Record for Permit B02387281, showing Status "Closed", "Completed (2)" and "Pass - 2". Final (2496997) Pass 10/7/20; Footing (2498457) Pass 9/17/2020.

COMMENTS REGARDING FINDINGS & RECOMMENDATION REPORT PREPARED BY JOAN A. JENKINS, PLANNER II

From Findings & Recommendations Report Page 2/5

- Paragraph 1 reads:

"This Office notes that the property does not meet the minimum width requirements for the R5 District (60ft minimum width required, 52 ft provided) but does meet the minimum area requirement (7,000 sq ft required, 7,097 sq ft provided).

Comment:

Although the MINIMUM area requirement is met (7,000 sq ft required, 7,097 sq ft provided), the property only exceeds the minimum area by 97sq ft. For perspective, the shed in question is 120 sq ft. The lot is already determined to be narrower than prescribed and meets the minimum area requirements only by an amount smaller than the shed we're seeking the variance for.

Comparatively:

- Lot 10 = 7,760 sqft *rear property line
- Lot 11 = 8,355 sqft *northeast property line
- Lot 12 = 7,097 sqft *subject property
- Lot 13 = 7,021 sqft

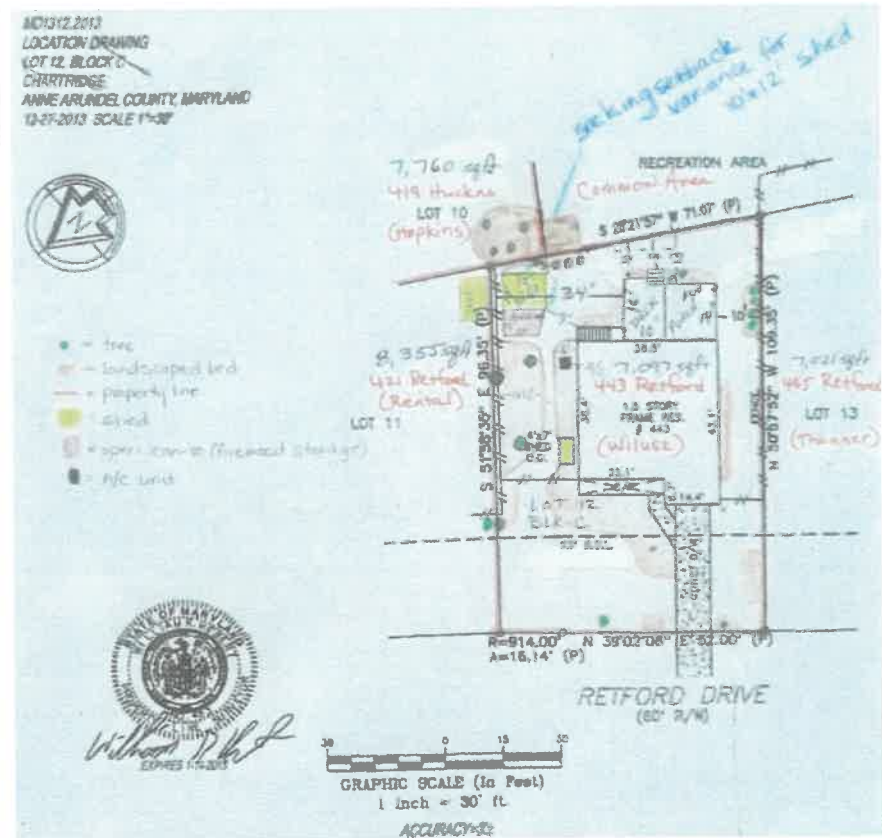


Fig.3. Plat showing square footage of each lot

COMMENTS REGARDING FINDINGS & RECOMMENDATION REPORT PREPARED BY JOAN A. JENKINS, PLANNER II

From Findings & Recommendations Report Page 2/5

- Paragraph 1 highlights:

“This is a developed lot where the location of the existing dwelling could create a hardship in the location of accessory structures...”

Comment:

As noted in the application for variance, the property shape and presence of trees create a hardship in locating a shed of needed size within the confines of the Code. Other factors strongly considered in locating the shed included proximity to the basement stairwell, care not to obstruct the natural pathway from front yard to backyard, existing objects such as mature trees and the A/C compressor, accessibility of the shed doors in final location, aesthetic impact on bordering community common area recreation pond, and the placement of existing shed of similar dimensions mirrored 2ft off fence line on Lot 11.

From Findings & Recommendations Report Page 2/5

- Paragraph 3 reads:

“This Office finds that ‘Figure 5 Front of Shed’ clearly shows that there is more room available (to the left in the picture) to move the shed and lean-to away from the rear property line.”

Comment:

In considering the picture itself, it does appear as though simply sliding the shed to the left would be a reasonable solution. The picture does not however show the complete area that would be impeded by moving the shed in this manner. Namely, the safety concerns related to moving the shed closer to the top of the basement stairwell and impeding the natural pathway from front of property to the backyard.

COMMENTS REGARDING FINDINGS & RECOMMENDATION REPORT PREPARED BY JOAN A. JENKINS, PLANNER II

From Findings & Recommendations Report Page 2/5

- Paragraph 3 references:

“The property is the subject of an open violation, case Z-2023-0812 was opened July 12, 2023 for ‘new shed built with no setback causing erosion to neighbor’s property.’”

Comment:

During a site visit with County representatives, Keith and Ashley, on 9/13/23, they indicated verbally to us that they did not see any indication of runoff/erosion, and that as our shed had been in place for 15 months at time of their visit (and over 1yr at time of complaint), there was nothing they intended to do about the complaint. Additionally, in verbal conversation between Lauren and the property owner of Lot 10, prior to the official complaint being filed, the property owner said they simply “don’t like looking at the shed” when an attempt was made by Lauren to seek information about what run-off Lot 10 owner supposedly observed. The case referenced is based on a complaint made in a retaliatory nature regarding something entirely unrelated to the shed.

COMMENTS REGARDING FINDINGS & RECOMMENDATION REPORT PREPARED BY JOAN A. JENKINS, PLANNER II

From Findings & Recommendations Report Page 2/5

- Paragraph 3 states:

“The shed and lean-to were constructed without the benefit of a building permit³.”

“³A shed with a floor area of 150 square feet or less does not require a building permit. The total square footage is approximately 200 square feet therefore a building permit is required.”

Comment:

- At time of shed construction, in June 2022, we acted in good faith when not applying for a building permit for our shed. The County's Residential Permits/Accessory Structure page reads, "An accessory structure is a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. Residential accessory structures such as a detached garage/carport, shed, pool or gazebo may require a building permit." We then reviewed the County's permit website under the "Shed (detached)" building section. This read, "A simple, one level roofed structure used for outside storage that is not attached to the primary structure. Sheds measuring 15'x10' (150 square feet) do not require a building permit. Sheds greater than 150 square feet require a building permit before starting work. Electrical and plumbing permits may also be required."
- There is no mention of consideration for setbacks during evaluation of needing a permit that would have indicated to a common homeowner that we should go in search of more information beyond the permit information we sought. The application itself also has no field to collect this information that would otherwise allude to the need for a determined setback. The Accessory Structure page makes no mention of lean-tos/awnings/firewood covers, which could have otherwise indicated to us that the square footage would be considered larger than the shed itself. In searching through the Accessory Structure page again in preparation for the hearing, "Carport" mentions "open-sided accessory structure used to offer protection, usually to a vehicle." This is the closest to what the lean-to we built could be considered. At the time of planning and construction however, we would never have sought out the term Carport as we never had intention of using it/building it large enough for a vehicle. It was always intended simply to keep our firewood dry.
- Spoke with several members of the Permit Office who could not immediately answer:
 - Why our shed and lean-to is reportedly considered 200sqft total rather than shed floor area @ 120sqft for purposes of requiring a building permit.
 - Where we would find the setback requirements.
 - How to know we needed to look for that.

Jennifer Sullivan, Planner III took the task for finding these answers, and returned our call next day (1/25/24). She was sure to mention she had to speak to a few coworkers and search through the codes to find these answers.

She agreed that there is not any reference on the “shed (detached)” accessory permitting information that would have indicated we needed to search for required setbacks, beyond simply determining based on layman terms of “floor area square footage” whether or not we needed a building permit. Also, confirmed there is no general indication provided that “floor area” might mean more than the shed itself. Planning & Zoning has the benefit of knowledge to reference the 2018 IBC rather than take at face value “a shed 15’x10’ (150 square feet) does not require a building permit,” which a homeowner may not understand needs to be looked at in a deeper definition.

Steps provided on how to arrive at the calculation that our shed and lean-to are considered one total unit (rather than simply a shed) for purpose of determining if a building permit is needed:

Step 1: Pull-up AA County Building Code, Article 15, “Construction & Property Maintenance Codes”

Step 2: Search for the word “shed” because anything in the table of contents makes no sense to a layman homeowner

105.2.1.1 One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 150 square feet if accessory to a residential structure, or 64 square feet if accessory to a nonresidential structure.

Step 3: Cross-reference 2018 International Building Code, Chapter 2 to find definition of “floor area, gross”

[<https://codes.iccsafe.org/content/IBC2018P6/chapter-2-definitions>]

[BE] FLOOR AREA, GROSS. The floor area within the inside perimeter of the *exterior walls* of the building under consideration, exclusive of vent *shafts* and *courts*, without deduction for *corridors*, *stairways*, *ramps*, closets, the thickness of interior walls, columns or other features. The floor area of a building, or portion thereof, not provided with surrounding *exterior walls* shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include *shafts* with no openings or interior *courts*.

Step 4: Understand that according to the IBC, the lean-to does have a “floor area” not provided with surrounding exterior walls, to be considered the usable area under the horizontal projection of the roof above.

Step 5: Calculate the shed floor area (12’x10’=120’sq) + lean-to “floor area” (~10’x8’=80’sq) = ~200’sq.



Inspections and Permits

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- Building Codes**
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Land Use N

The Land Use Navigator application that allow obtain inspection an

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Building Codes

The Building and Fire Codes adopted by Anne Arundel County are listed below.

**Changes are effective 11/2/2020

| TYPE | TITLE | PUBLISHED BY |
|-------------------|---|----------------------------|
| Building Code | 2018 International Building Code | International Code Council |
| Fire | 2018 International Fire Code | International Code Council |
| Residential Code | 2018 International Residential Code | International Code Council |
| Energy Efficiency | 2018 International Energy Conservation Code | International Code Council |
| Mechanical Work | 2018 International Mechanical Code | International Code Council |

- Commercial Code Requirements
- Residential Code Requirements
- Residential Setback Requirements**

CONTACT INFORMATION
Inspections and Permits
ipmail@aaacounty.org

Only mention of setback requirements is upon diving into "Building Codes" link, not "Permits."

Accessory Structures 8 feet or greater/pools/tennis and basketball courts/other similar recreational facilities accessory to a residential dwelling

| ZONING | FRONT LOT LINE | SIDE & REAR LOT LINES | CORNER SIDE LOT LINE | SIDE & REAR LOT LINES IN CLUSTER SUB | MAXIMUM HEIGHT |
|-----------|----------------|-----------------------|----------------------|--------------------------------------|--|
| RA | 50' | 15' | 40' | 10' | 45' if all setbacks are increased by one foot for each foot of height in excess of 25' |
| R1D | 50' | 20' | 50' | 10' | |
| R1 | 50' | 15' | 40' | 7' side 7' rear | |
| R2 | 40' | 7' | 30' | 7' side 7' rear | 25' or the height of the principal structure, whichever is less |
| R5 | 40' | 7' | 15' | 7' side 7' rear | |
| R10 | 7' | 15' | | | 20' or the height of the principal structure, whichever is less |
| R15 | 7' | 15' | | | |
| R22 | 7' | 15' | | | |



Lauren & Joseph Wilusz <j.l.wilusz@gmail.com>

Re: Chartridge ACC - Fence replacement approval

Lauren & Joe Wilusz <j.l.wilusz@gmail.com>
To: Steve HOPKINS <sshopkins4@verizon.net>

Mon, Jun 26, 2023 at 4:55 AM

Hey Steve,

I'm having trouble seeing erosion concerns under such a beautiful and full pine tree. I'll be out of town until Thursday evening. Come by after then so that you can show me the concern. Regardless, as Lauren already mentioned to you, we've no plans of leaving them there.

As you saw from the plans and plat in this email chain, the shed is at a 90 to our house, not the property line, mirroring the fence that once existed. Following the line of our common neighbor's fence is closer to the true property line. I'll have to look, but I believe all of the area the new plants are in is actually on our common border or within the common area. Granted, the plat gives a crude sense of borders, but it's all we have to go by.

That said, Lauren nor I are squabbling about property lines. Please talk to Lauren about the plants. I don't think she'd mind if we remove the ones you're concerned with. She was only reusing the ones we displaced and didn't see anyone around to discuss before doing so, before they died. Bonus, they make a border around the unsightly dirt/stick/timber pit we look over to your nice lawn. She had more than necessary, which is why it became more than a single line border. But before removing, please let her know which ones. Maybe she can give them to friends. Plus, we should discuss what could beautify that area.

I had asked her to put the plants behind the 4x4 you placed in the common area border so that they'd be protected from the weed whacker, and again, since it makes for a prettier border around that pit, I didn't think you'd mind. I think it would look strange to have dirt, 4x4, plants, then grass.

Regards,

Joe
[Quoted text hidden]



Lauren & Joseph Wilusz <j.l.wilusz@gmail.com>

Re: Chartridge ACC - Fence replacement approval

Lauren & Joe Wilusz <j.l.wilusz@gmail.com>
To: Steve HOPKINS <sshopkins4@verizon.net>

Mon, Jun 26, 2023 at 9:42 AM

Hey Steve, I'm trying to be nice here. Doesn't sound like you're reciprocating from that last email. Don't care whose property and barely care about the plants. For what it's worth, that border aligns with that flower bed across from it, so don't want to change its location neither.

I do care about being cordial and neighborly though, which includes language, actions, nice borders, and sights for all. So if you're going to do something in the area immediately, I'd like to know what. Otherwise, don't go killing nice plants that could be used by someone. That's uncalled for aggression and useless tensions.

And all this could have been settled when you spoke with Lauren right in that spot.

[Quoted text hidden]



Lauren & Joseph Wilusz <j.l.wilusz@gmail.com>

Re: Chartridge ACC - Fence replacement approval

Lauren & Joe Wilusz <j.l.wilusz@gmail.com>

Sat, Jul 1, 2023 at 5:13 PM

To: Steve HOPKINS <sshopkins4@verizon.net>, srhopkins4@verizon.net

Spoke with Lauren and she spoke with Connie Patton - used to live across the street from us, now they own a house on Ixworth. She'll take the plants.

[Quoted text hidden]



Lauren & Joseph Wilusz <j.l.wilusz@gmail.com>

Re: Chartridge ACC - Fence replacement approval

Lauren & Joe Wilusz <j.l.wilusz@gmail.com>
To: Chartridge Board of Directors <BOD@chartridge.com>

Sun, Jul 2, 2023 at 8:14 PM

Hello,

After discussion with George regarding the complaint Steve Hopkins made about our shed, I just wanted to forward the approval for our fence replacement and shed that we received in May 2022 before work was performed. In addition, we had outreached to the Hopkins prior to work starting, and after receiving approval from the architecture committee. I also knocked on their door the evening I sent the email to them, 5/26/22. Suzannah said Steve was sleeping so she had me meet wait for him in our backyard until he came outside about 20min later. At that time, I walked through the plans with Steve, and we also discussed placement of the shed - reiterating that the shed would be parallel to the common neighbor's fence and aligned with their existing shed, drawing attention to the fact that our existing fence did not follow the property boundary as we knew it, having been placed inward on our property at a 90° angle to the neighbor's fence, and instead should be at an angle continuing the line of the common boundary between Steve and the neighbor.

Please see below for the approval received from Steve Matters, on behalf of the HOA, and the communication I made to the Hopkins regarding the anticipated projects.

Thank you,
Lauren Wilusz
[Quoted text hidden]

 **Architectural Update Request - Wilusz - May 2022.pdf**
1043K



Lauren & Joseph Wilusz <j.l.wilusz@gmail.com>

Re: Chartridge ACC - Fence replacement approval

Lauren & Joe Wilusz <j.l.wilusz@gmail.com>
To: Chartridge Board of Directors <BOD@chartridge.com>

Sun, Jul 2, 2023 at 9:03 PM

Also, here is the chain of communication initiated by Steve Hopkins, responded to by Joe, regarding the plants I temporarily installed in the dirt bed. The dirt bed falls within common area land according to the plat we have, and has been full of weeds since last May (even before then, although it had been visually blocked by our former fence). We recently had landscaping done at the end of May 2023, which displaced several annuals and 4 small perennial shrubs. I weeded part of the bed and placed the plants as close to our yard as possible so they wouldn't die before finding a permanent home for them. Steve came outside later in the afternoon to ask what I was planting. I explained the displaced shrubs, and that we were working to find a permanent home for them. I also asked point blank if he'd like me to move them. He said he had plans to put firewood in the bed, or has always wanted to put a greenhouse there, but never asked for me to take the plants out. Mind you, per the plat it is common area land so a greenhouse is unrealistic. I told Steve to just let me know whenever he needed me to move them, but until plans are put in action, I would leave my plants there temporarily. He never followed up with us about it, and instead sent the aggressive email you see below. His email was built off of the architecture approval email we had sent him in May 2022.

[Quoted text hidden]









