

Villages of Devonshire HOA Resolution Parking Requirements

WHEREAS, on September 24, 2015, at the regular monthly Board meeting of the Devonshire Homeowners Association Board of Directors, held at 6:30 PM; and

WHEREAS, the Villages of Devonshire, in accordance with Article XIV, Section 5 of the Master Declaration, has the authority to enforce use restrictions contained both in the Villages of Devonshire Declaration and the Arbor Greene Declaration; and

WHEREAS, the Board may pass rules and regulations without membership vote if those rules are reasonable (i.e. have a rational purpose) and within the Board's authority (i.e., the rule may not contradict the Declaration); and

WHEREAS, the Arbor Greene Declaration of Covenants were enacted prior to the construction of the Villages of Devonshire for homes with larger two-car and three-car garages, and

WHEREAS, the villas in the Villages of Devonshire are much smaller in size than the homes in Arbor Greene, and have garages with a compacted space design in each villa (i.e. reduced length and width); and

WHEREAS, due to changing circumstances in vehicle design (i.e., vehicles being wider and longer than they used to be); and

WHEREAS, homeowners need to temporarily use the garage for purposes other than vehicle parking; and

WHEREAS, the use restriction as it is written in the Arbor Greene documents regarding vehicle parking and garage usage makes it difficult or impossible for some Devonshire owners to comply; and

WHEREAS, procedures are necessary for reasonable enforcement of the parking use restrictions stipulated in Article VIII, Section 1.T of the Arbor Greene Master Declaration so that owners may comply with the intent of the use restrictions; and

NOW THEREFORE BE IT RESOLVED THAT the Board, with the unanimous consent of the Board members present, hereby establishes the following procedures for the reasonable enforcement of the parking use restrictions as outlined in the Arbor Greene Master Declaration, Article VIII, Section 1.T:

- a) Garage doors may be kept open for temporary periods of time for other than when vehicles enter or exit the garage except between the evening hours of dusk and dawn.
- b) Vehicles may be parked on the driveway without the garage being fully occupied with the Owner's or Tenant's vehicles during the day between the daytime hours of dawn and dusk.
- c) Owners wanting other vehicle parking exceptions must obtain prior Design Review Board (DRB) approval via the use of the DRB approval application.

NOW BE IT FURTHER RESOLVED THAT the Board shall retain the right to amend or repeal this resolution as it deems necessary.

Executed this 24th day of September, 2015

By: 
Nicholas D'Andrea, Jr. Secretary