

Planning Commission Meeting
May 11, 2006
Verbatim Excerpt

PCA-C-403-02 - WASHINGTON SQUARE HOMES ASSOCIATION (Mount Vernon District)

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Commissioner Byers.

Commissioner Byers: Thank you, Mr. Chairman. I think we have all agreed that there is a problem, but I think the problem can be either done away with or mitigated by a little more effort on the part of the homeowners association. And I agree also that Mr. de la Fe pointed out, there's not much use of tennis courts these days, and Mr. Koch pointed out there's far more use of basketball courts where one or two, three, four people can play either by themselves or as a small group. But we've got to find a better way or the homeowners association has to find a better way to police it. So, Mr. Chairman, I'M GOING TO MOVE THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE PCA-C-403-02, subject to the proffer consistent with that one in Appendix 1 of the staff report, WITH AN ADDED PROFFER: **"THE HOMEOWNERS ASSOCIATION SHALL AMEND THE HOMEOWNERS ASSOCIATION DOCUMENTS TO IMPROVE THE MONITORING AND POLICING OF THE RECREATIONAL COURTS, TO ENFORCE THE RULES, AND REDUCE THE IMPROPER USE OR ABUSE OF THAT PRIVILEGE."**

St. Clair Williams: I'd like to just point out that the latest proffers are dated April 27th and were actually distributed to the PC last - - I believe two weeks ago.

Commissioner Byers: You lost me.

Chairman Murphy: They were.

Commissioner Byers: It was different proffer than the one that's in the - -?

Mr. Williams: Yes, the revised proffers dated April 27th.

Commissioner Byers: Okay, I got it.

Chairman Murphy: Okay.

Commissioner Byers: SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED APRIL 27, 2006, BUT WITH THE ADDITIONAL PROFFER THAT I'VE JUST READ.

Chairman Murphy: Is there a second?

Commissioner Lusk: Second.

Chairman Murphy: Seconded by Mr. Lusk. Is there a discussion of the motion? Let me just ask one technical question. When you say, "amend the documents," are you talking about documents that would need x number of percentage of votes from the homeowners association? Do we know what we're agreeing to here?

Lella Amiss E. Pape, Esquire: Yes, your honor. They're well aware that they would require a two-third member approval of any amendment to the declaration of this association.

Chairman Murphy: Okay. Is there further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA-C-403-02, with the proffers, as amended by Mr. Byers this evening with concurrence by the applicant, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Byers: Mr. Chairman?

Chairman Murphy: Mr. Byers.

Commissioner Byers: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND to the Board of Supervisors - - not the Board of Supervisors - - THE BOARD OF ZONING APPEALS APPROVE SPA 81-L-082, SUBJECT TO DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2 OF THAT STAFF REPORT.

Commissioner Lusk: Second.

Chairman Murphy: Seconded by Mr. Lusk. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

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(The motions carried unanimously with Commissioners Alcorn, Hall, and Wilson absent from the meeting.)

KAD