

University Oaks Civic Club Board Meeting Minutes  
December 11 2019

Meeting called to order @2011 by Everette Penn President

Members present: Everette Penn, Sandra Buckner, Gwen Corolla, Dustin Windham, Mitch Glassman and Roy Marrero. Absent: Chris Hollins

Question was raised if meeting can be video recorded.

After short discussion

- video recording denied
- audio recording approved
- objection from Mitch

Minutes for November meeting were presented and reviewed'

Motion made to accept and seconded.

Question raised regarding number of absences by Chris Hollins

Has 1 excused absence and will check on other.

Minutes accepted unanimously.

#### Architectural Committee

Appeal of Architectural Committee Denial

Sandra gave history of issue to date:

- 1) Building described as 2 story structure in rear of home
  - Workshop and storage upstairs
  - 2car garage and doll storage downstairs
- 2) 4400 sq. ft. was corrected to 2200 sq. ft.
  - 1152 sq. ft. 1<sup>st</sup> and 2<sup>nd</sup> floor including garage.

Committee declined application based on:

- 1) height of structure is greater than the height of the residence (Deed Restrictions 5.2 & 5.5)
- 2) violates single family use (Article 2)
- 3) exceeds City of Houston regulation that space excluding garage can only be 900 sq. ft.

David Coym Rebuttal

- 1) Introduced himself and wife
- 2) Need for new structure was given:
  - To move workshop and doll collection from Katy to current house.

-Mr. Coym's rebuttal was preprinted and distributed to the board and all present. Will be attached at end of the minutes.

#### Discussion:

Board was advised by Cliff (attorney) that he and the board discuss this issue in executive session.

-Objection was raised by David as to why is this a topic needing executive session with no pending litigation and his client is the civic club.

Cliff: Attorney client privilege with the corporate entity that is civic club whose contact is through present board of directors.

David: voiced satisfaction with explanation

#### Questions Raised:

- Dustin: Is it attached or detached
- David: Detached-no breezeway. Garage and apartment presently standing.
  - Never used by previous owner.
  - Want to remove for the new structure
- Mitch: Are there plans to air condition the structure?
- David: No plans for AC
- Mitch: Will space be rented as Airbnb or 3 separate apartments?
- David: Absolutely not.
- Mitch: This will be a workroom for wife's business?
- David: Not a business but a hobby. Collects and restores antique dolls.
- Mitch: What does she do with them?
- David: Sells some on EBay and collects most.
- Mitch: Home is still in Katy?
- David: Homestead moved to here.
- Mitch: HCAD still in Katy
- David: Live here now
- Everette:
- Mitch question as to Airbnb or 3 separate apartments. Now separate dwelling by city of Houston.
- Everette: Why is the word dwelling so important?
- Cliff: means someone will live there.

- Regarding city questions if city permitted then it satisfies COH requirements.
- If believed improper then contact city for investigation.
- Permit is valid so no COH ordinances violated.
- Mitch: Have permits been seen
- David: All turned in with application
- Shawn: Violates deed restrictions by structure housing products to be sold.
- David, Everette and others: Only applies to customers coming in and out of the house.
- Dustin: Intent-not planning on putting AC in structure?
- David: No nothing on plans right now.
- Ms. Coym: there will be A/C, water and a toilet.
  - No intention of ever renting
  - Has an empty house to use but would rather have 2 story garage apartment to store her dolls and do her doll business.
- Dustin: Is there a 900 ft<sup>2</sup> limit by the city for a garage apartment?
- David: for a dwelling
- Dustin: Reason do not have to comply is you are saying it is not a dwelling?
- Ms. Coym: If you have bathtub and bedrooms it is an apartment.
- Dustin: would you consider building a structure that will meet 900sq2 ft. criteria.
- David and Ms. Coym: No
- Dustin: Modifying plan is not an option?
- Ms. Coym: moving out of the neighborhood is an option.
- David: Cites garage apartment over 4 car garage detached from house that was recently built.
- Shawn: Living space was only 600 ft<sup>2</sup> and attached to his house.
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- Gwen: would being attached to house make a difference
- Cliff: Unknown if it would make a difference.
- Dustin: Could be a dwelling because it would be attached.

- David: would have to be connected by 4ft wide conditioned hallway would be an attached garage.
- Shawn: Reviewed deed restrictions applicable for a business inside the house.
- Everette: Shawn interprets it as a business.
- David: not a business-hobby
  - IRS regards as a hobby.
- Doug Erwin: We should not be governed by COH permitting process.
  - Deed restrictions can be more restrictive than COH
  - Being permitted should not determine out come
  - Need to look beyond current application
  - Approval will be for long term and needs to be considered. What would next owners do?
- David: can't say what future use of a property could be put to deny an application.
- Doug: Size and scope in residence should be considered
- David: no problems with deed restrictions
- Tracy Penn: If Coyms moved someone else moves in and decides to use as a garage apartment then goes back to board to determine if this can be done.
- Corm's Daughter: requests that her health need for mother's help be considered in the board decision.
- Ms. Coym asked others if they had comments regarding having a 2 story garage apartment and a single story house.
- Unknown: It is economically discriminatory against lower income people that can only afford a 1 story houses to not be allowed to have a 2 story garage apartment.
- Shawn: Once building is built the Architecture Committee has no say what goes on in the building.
- David: All changes made to the inside of the structure would need to through COH planning and permitting.
- If it was turned into a garage apartment it would have to 900 ft<sup>2</sup> max and would have to abide by the deed restrictions for renting out a garage apartment.
- Mitch: What about a covenant that runs with land so that no kitchen or bathroom facilities other than a lavatory and toilet would ever be installed.

- David: Would not submit to a covenant on the property to permanently restricting installation of bathroom and cooking facilities in this building.
- Everette: Will table issue now on advice of counsel
- Cliff: Will need to go into executive session to discuss. Next week we can do a conference call.
- Gwen: When will David get answer?
- Everette: Before next meeting in January.
- David: Requested to have an appeal hearing
- answer within 30 days of request would be 12/23/19
- appear to request 10-day extension
- Cliff: This an appeal and there is no statutory timeline.
- David: If time frame applies to this appeal
  - he does not want it to go past Jan 2, 2020
  - this was not a hearing today due to:
    - was not on agenda
    - 10 day's notice not given
    - just a discussion today

## Budget

- Mitch:
- 2020 budget ids not available but will probably be similar to 2019
  - Currently running underbuget by \$15,000
- Dues
  - 27 households are still with past dues in arrears

- Sheet gives street by street breakdown of percent of households paid.
- No change in dues from last year (\$200)
- Mailing of invoices will include notice of current events
- New Directory should be made at the end of 2020.

## Social Committee

- Gwen
  - Finish Luminaries
    - Will make date to finish
    - Andre Sam will put out
- Christmas Party
  - Adults: Wassail and Eggnog
  - Kids: Hot chocolate, cider
  - Cookies
- Flyer sent out with December schedule
- Alex providing trailer for hay ride
  - Make sure to get permit
  - Trailer must be in good working order
  - Must get permits from police department
  - Riders sign releases
- Fire pit-needs permit also.

## Security

- Roy
- HOA App
  - Not charged through HOA
  - Everyone pays own subscription \$1.49/mo.
  - Anyone who subscribes can send out group texts to all connected to service
  - Differs from NextDoor in that it is immediate
  - Motion made not to use by Dustin and 2<sup>nd</sup> by Gwen
  - Voted not to use
- Storage Room
  - Initial inquiries to storage for UOCC stuff
  - Inventory needs to be made
  - Send out email with dates and point of collection for all those storing UOCC stuff after Holidays.
- Security Patrol

- Magnetic signs are being used by officers
  - He has been seen by some members in neighborhood
  - Residents should be encouraged to say “hello” when they see him.
  - Request was made to distribute a picture of the sign
    - Distribute to neighborhood for identification.

#### Branding Committee

- Dustin
  - Signs and lighting are in
  - Applied for grant to help reimburse costs
  - Denied due to permitting delay
  - Will appeal and get approved
    - Approximately 1 more month
- Dustin has submitted letter of resignation from board

#### Open to Floor

- Reminded by Shawn that March is the annual meeting
  - Written reports need to made to Civic Club on:
    - Capital Expenditures
    - Spending Projects
    - Needs to be voted on by entire civic club.
    - All homeowners must be notified.
- Motion made to adjourn the meeting by Mitch. Seconded by Gwen.
- Meeting adjourned at 2114 Hr.