

Dear Town Council members -

I am president of the 2001 Beaver Creek Point HOA and a resident of the 2001 Beaver Creek Point 5 unit PUD. I am writing to express my opposition to the unit 111c /2011 Beaver Creek Point / Malhide addition in the building envelope and the requested variance to build east and south out of the envelope and into town set backs. I would like to express my opposition both personally and as an HOA officer. My reasoning is the same in both positions - the addition does not harmonize from a design, mass, or spacial perspective. It expands into the recorded established maintenance area easement (managed and controlled by the HOA for 19 years), flowerbeds, entrance approach, driveway drainage ridge and ditch, established view corridors, common area elements and too close the the established driveway. It will create a potential safety hazard from a visibility, navigation, snow storage, and snow removal perspective.

As noted, the HOA has controlled these areas for 19 years and is in an ongoing legal matter to uphold the design and control of all exterior common areas, maintenance elements, and maintenance easements. We respectfully ask that this variance and any construction not be allowed in these HOA controlled areas for the reasons stated above and to protect the safety and value in this 5 unit PUD.

Hugh Joyce
2013 Beaver Creek Point resident

President - 2001 Beaver Creek Point HOA.

Hugh Joyce
James River Air Conditioning Co.
804.305.9595 - cell

Have a Supercalifragilisticexpialidocious day!

Dear Mayor and Town Council Members,

I am the resident/owner of 2001 Beaver Creek Point and the Treasurer of the 2001 Beaver Creek Point HOA. I am in opposition to 2011 Malahide LLC, Tom Ruemmler and Judy Douglas request for a reversal of the 6/4/2019 P&Z Denial for a Variance(s) from setback limitations. I am also in opposition to any addition/construction in the Common Area located at the Southern end of the 2011 Malahide Residence.

This established and recorded (2001 Final Approved Platt Map) maintenance area easement has and currently is managed and controlled by the BCPHOA. In approximately 2007 the former owner of 2011 Wayne and Sue Campbell requested approval of a deck addition (within the building envelop) on the East and Southside of 2011. The East side deck addition was approved by the HOA and TOA. The proposed deck addition within the building envelop/ platted maintenance area on the Southside of 2011 was denied by the HOA and TOA. The residence (2011 BCP) was on the market April, 2015. Prior to purchase the buyers (Malahide LLC) petitioned the BCPHOA for approval of a deck with a hot tub addition on the southside of 2011. After on site review all members (ex Campbell who voted to remain neutral) voted to deny the Malahide addition request in writing. Malahide recognized the denial in writing prior to purchase. Malahide purchased 2011 in May of 2015. Over the past 4+ years Malahide LLC has proposed a variety of addition schemes to the Southside of 2011 to both the BCPHOA and TOA. Some of the schemes included roof mounted solar panel on the roof of the addition. Both the HOA and TOA approved solar panels on the existing roof of 2011 not on the proposed addition. All members (ex Malahide) of the BCPHOA has been and is 100 % in opposition to any and all of the addition schemes proposed by Malahide.

We respectfully ask that this variance and any addition / construction be denied by the TOA in the southern HOA controlled platted maintenance area.

David Scherpf
2001 Beaver Creek Point
Treasurer and full time resident

Dear Mayor and Avon Town Council members -

I am an officer of the 2001 Beaver Creek Point HOA and my husband and I are residents of the 2001 Beaver Creek Point 5 unit PUD. We are writing to express our opposition to the unit 111c /2011 Beaver Creek Point / Malahide addition in the building envelope and the requested variance to build east and south out of the envelope and into town set backs. We would like to express our opposition both personally as residents and as an officer representing the Beaver Creek Point HOA.

The Beaver Creek Point enclave of five houses was built 19 years ago to very specific development and architectural plans. The Town of Avon held the developer to very stringent guidelines and demands, including establishing view corridors. The HOA is preserving the integrity of those building code requirements and development process after careful and lengthy deliberation by denying the proposed addition to 2011.

The four other homeowners who live here come from very different backgrounds and places and yet have always committed to preserving this very special group of homes which borders on the West Avon Preserve and provides stunning views to the mountains on all sides. Each house has signature views from main living areas which are a priority in all of our HOA common landscaping, maintenance, and outdoor appearance decisions. It is a very special spirit of this HOA that we embrace the character of what was also important to Avon in acquiring the Preserve, to forever keep a vista and view for people to enjoy and not let unrestricted development happen when a homeowner wants to randomly start building and adding onto a house. The HOA states all of this upfront to potential buyers of these houses by providing a copy of the HOA documents and every homeowner is aware of and commits to the terms of the HOA documents which state that the homeowners must fully abide by the decisions of the HOA.

In this and other instances, the owners of 2011 are not adhering to the commitment they made to the HOA and their neighbors. We are disappointed that they chose not to honor their commitment and ask that you not support or approve the variance.

Sincerely,
Doug and Lisa Currey
2019 Beaver Creek Point
Avon