



DISCOVERY HOMEOWNERS ASSOCIATION

www.DiscoveryHOA.com

NEWSLETTER – FEBRUARY 2011

DISCOVERY HOA BOARD OF DIRECTORS

President	Randy Cubero	599-4535
Vice President	Jack Lundberg	531-6526
Secretary/Treasurer	Carole Thurston	388-9711
Architectural Control	Roger Boehnke rjboehnke@msn.com	599-7116
Covenant Compliance Co-Chair	Tom Kerwin	650-5366
Covenant Compliance Co-Chair	Thomas Kummer	528-1682
Administrator (non-board)	Jan Doran	598-9075
Webmaster (non-board)	Lynn Sim	531-0540

February 2011

PRESIDENT'S CORNER

Randy Cubero, President

OUR OUTDATED AND CONFUSING COVENANTS

For the coming year your Board of Directors has a primary focus of presenting an Amended and Restated Covenants to the entire membership for their review and approval, hopefully, before the 2011 Annual Meeting which is scheduled this year for sometime in mid October. If you have read my previous articles in our monthly newsletters you know that a rewrite of the covenants has been an ongoing project for the last year and a half. Towards that end we have enlisted the assistance of non-board Association members as a way to ensure that the membership is adequately represented in this most important project. Even with strong representation from the membership on our rewrite committee, a majority vote of 168 from our 334 lot owners will be a daunting endeavor. We, therefore, will be using this year's newsletters as a means to keep everyone abreast of our progress on developing an amend and restated covenants that will be more precise in explaining what our members can and can't do with regard to the exteriors of their homes in our Discovery Subdivision. The first step in this process of informing our membership on rewriting the covenants is to explain the reasons why we need to rewrite the covenants. For that, I have asked Director Roger Boehnke to write the following portion of this article.

WHY CHANGE THE COVENANTS

An Architectural Control Committee member or a Discovery property owner should be able to read the Covenants and know what is required. The Covenants, in a perfect world, should be simple, clear, and all requirements enforced. This is not true of our Covenants and needs to be fixed.

Here are a few examples of items in our Covenants that may have never been enforced or are outdated:

- **All roofing shall be wood shake.**
- **Garage doors shall be wood.**
- **Painting exterior wood shall not be allowed.**
- **Fences shall be an architectural extension of the house.**
- **Removal of trees and shrubs (even dead) will not be allowed.**
- **The only trees or shrubs that can be planted outside are native plants (Scrub Oak, Ponderosa Pine, Skunk Bush, and Mountain Mahogany).**
- **You cannot change a house number, exterior light fixture, or repaint your house unless complete lot plans and specifications have been submitted to and approved in writing by the ACC. The plans shall show the entire lot with two foot contour intervals.**
- **Vinyl windows are not allowed.**
- **Red brick is not allowed.**
- **Only two materials are allowed on the exterior.**
- **Only a For Sale or For Rent sign is allowed on the lot.**

Other items are confusing. For example, the Covenants say “Lots shall be used solely for one single family residence “. Does that mean the only residence shall be single family (no duplex) – or does it mean the only thing on the lot can be a residence (no garages, storage sheds, gazebos, hot tubs, or children’s play houses)? Yet, in two other sections of the Covenants the ACC is required to consider other buildings located on the property.

The Covenants give the ACC the authority to grant variances under certain conditions and gives the ACC “sole and exclusive judge” whether or not these conditions exist. But, when confusing requirements exist in the Covenants, ACC decisions can change with members. This can be frustrating to the property owner and makes it difficult for the ACC to enforce important requirements.

The Covenants Review Committee has been working to clarify and update the Covenants. It is hard to write covenants, and it is even harder to rewrite covenants. There will always be something in the covenants that somebody objects to. Hopefully, with everybody’s help we can produce a Discovery Covenants that is simple and clear that the majority of property owners will approve.

The rewrite of the Discovery Covenants will have to be secured by a majority vote of our 334 lot owners. We will be seeking membership approval after we finish the task of reviewing and rewriting every single provision in our current covenants. In our next article for our newsletter we will be outlining the major and minor changes to all the provisions that need to be rewritten. We hope that you will carefully review our recommendations and either support our rewritten provisions or give us your feedback by explaining your objections and providing us your recommendations in content and wording.

Warm regards,
Randy



TAKE “NOTE”

- Two new directors were elected at the Discovery HOA Annual meeting in November:
 - Tom Kerwin – (3 years)
 - Thomas Kummer – (3 years)
 - Re-appointment of Roger Boehnke (1 year)
- There were two amendments to the Bylaws at the Annual Meeting:
 - Retain books and records without historical value for 7 years
 - Change the Annual Meeting date from November to October
- Election of Officers took place at the January board meeting, 1-18-2011 (Positions are listed under “Discovery Board” on page one of the newsletter)

EVACUATION DRILL

Office of Emergency Management, Colorado Springs Fire Dept., Wildfire Mitigation

Discovery and the surrounding HOA’s have been chosen to participate in a Wildland Urban Interface (WUI) evacuation drill in April, 2011. We will be announcing a community meeting as soon as dates and times are in place as well as the date for the drill.

At the meeting residents will be asked to volunteer and sign-up to participate and be prepared to take part in the evacuation drill.

The drill is part of ongoing wildland fire training focused in the WUI environment (which we are). Residents will be testing their personal evacuation plan and reunification plan. First responders will be testing their skills and coordination efforts and assess the capabilities of local agencies to respond to an urban area fire.

Watch for more information coming soon!

- **Save the date: Week of June 20th – FireWise clean-up and mulching.** Watch for further information in the April Newsletter – how to sign up, how to have an evaluation, etc.
- **Reminder:** City Code requires you to shovel the walkway in front of your house within 24 hours of a snowstorm
- All changes to the exterior of your home and landscaping must be submitted to the Architectural Control Committee (ACC) – **Roger Boehnke, Chair 599-7116**
- Please visit our website for information and pictures of our unique area at; www.Discoveryhoa.com
- Welcome to new homeowners: Jack Lundberg, VP/Director presents newcomer packets to our new residents



The Discovery Homeowner's Association would like to extend our thanks to John Dwors and Jerry Farney who recently went off the Board of Directors.

They have both served for many years as dedicated Board members; John Dwors as Covenant Compliance Chair and Jerry Farney as Treasurer.

As long time residents of Discovery their service has been a valuable asset to the Association and more importantly to the neighborhood in general.

Many thanks to both of you for all you've done to ensure that Discovery continues to be a wonderful place to live.

Thank you,
Discovery Homeowner's Board of Directors

Note: By design, this is a short newsletter to focus your attention to the Covenant re-write and upcoming important dates.