



**OPEN MEETING**

**REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL  
ARCHITECTURAL CONTROL AND STANDARDS COMMITTEE**

**Tuesday, December 3, 2019 – 9:30 a.m.  
Laguna Woods Village Community Center Sycamore Room  
24351 El Toro Road**

**REPORT**

**COMMITTEE MEMBERS PRESENT:** Chair Steve Parsons, John Frankel, Lynn Jarrett, Ralph Engdahl, Robert Mutchnick

**COMMITTEE MEMBERS ABSENT:**

**OTHERS PRESENT:** Annie McCary

**ADVISORS PRESENT:** Mike Butler, Mike Plean

**STAFF PRESENT:** Brett Crane, Alisa Rocha

**1. Call to Order**

Chair Parsons called the meeting to order at 9:29 a.m.

**2. Acknowledgement of Media**

None.

**3. Approval of October 28, 2019 Report**

Director Jarrett moved to accept the report. Director Frankel seconded. The committee had no objection.

**4. Approval of the Agenda**

Director Frankel moved to accept the agenda. Advisor Plean seconded. The committee had no objection.

Director Frankel suggested an amendment to the agenda, add Di Minimis as item #15. Chair Parsons also added an item, update on variance request for 5598-A as agenda item #12. Chair Parsons also requested to add concrete slabs for exterior electrical panels to Future Agenda Items.

Director Frankel moved to accept the amended agenda. Director Parsons seconded. The committee had no objections.

## **5. Committee Chair Remarks**

Chair Parsons mentioned the Board temporarily dissolved the idea of a sub-committee for use of common area pending further research by the committee.

## **6. Member Comments - (Items Not on the Agenda)**

Chris Powers expressed his astonishment of the committee's approval of the use of common area task force last month and that there has been no mention of it previously. Mr. Powers also commented not having a concrete pad for electrical panels is not a safety hazard; otherwise it would be a code violation. Chair Parsons repeated his statement from earlier, the Board temporarily dissolved the idea of a sub-committee for use of common area. Chair Parsons also mentioned research is currently being done on if concrete pads for exterior electrical panels is a safety hazard or not, taking into consideration that city codes now require it for new construction.

Lynn Corboz requested Advisor Butler to explain as to what he meant by 'exclusive use of common area is indefensible' in last week's Board meeting. Advisor Butler responded that it would require a lengthy discussion to flush that out. Though he does not recall using the term indefensible in his comment last week, there are a number of prohibitions, that are not only nested in the CC&R's and Davis-Sterling Act, but also in the history of property law that goes back hundreds of years regarding ownership rights. Chair Parsons added though something may be in the Davis-Sterling Act, it does not mean that all case law is there because it is ever changing and there are exceptions.

Susan Smallwood mentioned that in our current standard for windows, the colors white and bronze are mentioned and if there is the possibility of updating the standard when it comes to the iron work for bronze windows. Mr. Crane mentioned it is something that can be looked at as a future agenda items.

Susan Smallwood also mentioned if the standard 5 foot wall height can be reviewed in the standard so that an additional 2 feet of iron work could be added to a wrought iron fence/gate. Mr. Crane commented that is also something that can be looked at as a future agenda item.

## **7. Division Manager Update**

Mr. Crane commented on the status of working side-by-side with the city to expedite our processes. He mentioned Director Pearlstone put together a Power Point presentation and provided to Jeff Parker for review and approval. Staff is currently looking at our more common alterations, to see if a set of plans could be developed to update our standard plans for approval. The city would have to approve the one-stop shop process.

### Consent:

*All matters listed under the Consent Calendar are considered routine and will be enacted by the Committee by one motion. In the event that an item is removed from the Consent Calendar by members of the Committee, such item(s) shall be the subject of further discussion and action by the Committee.*

None.

Items for Discussion and Consideration:

Variance Requests:

**8. 3510-3G (Villa Nueva, LH21C – Retain Non-Standard Color on Exterior Entry Door**

Director Mutchnick made a motion to accept staff's recommendation and approve this request. Director Frankel seconded. The committee was in unanimous support.

**9. 5165 (Villa Paraisa, C12C\_1) – Retain Non-Standard Entry Door and Install Stacked Stone Veneer on Front Exterior Wall**

Director Frankel made a motion to accept staff's recommendation and approve this request. Advisor Plean seconded. The vote was 6 in favour and 1 against. The motion passed.

**10. 5589-A (Casa Palma, 10 RC) – Replace Planter with Wood Frame/Stucco Bathroom Extension on Original Exclusive Use Common Area**

Advisor Plean made a motion to accept staff's recommendation and approve this request. Director Jarrett seconded. The committee was in unanimous support.

**11. 3288-B (El Doble, SB703A, P46) – Replace Existing 5' Gate/Fence with 7' Gate/Fence Previously Approved on Common Area**

Director Mutchnick made a motion to table this request pending amendment of the standard. Director Jarret seconded. The vote was 6 in favour and 1 against.

Director Jarret made a motion to amend Standard 13: Fences, Wrought Iron. Advisor Plean seconded. The committee was in unanimous support.

**12. 5598-A (Casa Palma, 10R) – Request to Extend Entryway onto Exclusive Use Common Area and to Replace Planter with Concrete Slab on Previously Extended Common Area**

Chair Parsons reviewed the variance request originally presented October 28, 2019 for the committee for further consideration and as a reminder that it is still currently pending. To remain on future agenda items.

Standards Discussion Items:

**13. Review Standard 11A: Interior Hard-Surface Flooring**

Mr. Crane reviewed the current standard. Director McCary explained her concerns with the noise level of hard-surface flooring her and her husband are currently dealing with since the resident upstairs changed from carpeting. Despite everything that has been asked of the resident upstairs to do by Compliance, this issue has now become a quality of life issue. Director Jarrett also expressed the problems she faced for several years with hard-surface flooring and the standard needs to be looked at very closely, she has heard of many other resident complaints. Mr. Crane explained that with the FIIC test that is done by a contractor, it would identify if the noise level exceeds the normal limits. Chair Parsons suggested hiring a consultant to look into this problem and that currently we have a situation with no clear solution. Research will continue with this issue.

## Reports

### **14. Status of Mutual Consents**

Mr. Crane reviewed this report with the committee. Chair Parsons requested staff add the total number of Mutual Consents to date.

## Future Agenda Items

5598-A (Casa Palma, 10R) – Request to Extend Entryway onto Exclusive Use Common Area and to Replace Planter with Concrete Slab on Previously Extended Common Area

Concrete slabs for exterior electrical panels

New building material information (on-going)

## Concluding Business:

### **15. De Minimis Rule**

Advisor Butler explained De Minimis Rule translates to the law does not concern itself with trifles. History goes back to 2002 in Laguna Woods Village in which the concept originally was that there were certain minor modifications to the common area that effectively created an exclusive use type situation for a manor owner. In 2015 the De Minimis Rule was rescinded by a new resolution and is no longer a part of our standards.

### **16. Committee Member Comments**

Director Jarret mentioned visiting the Permits Office and receiving very prompt service at the counter considering they are normally extremely busy.

Chris Powers commended Mr. Crane, Mr. Fogg, and Ms. Rocha on the attention they give to the committee during the meetings.

17. Date of next meeting – Monday, January 27, 2020

18. Adjourned at 11:59 a.m.



Chair, Steve Parsons  
Brett Crane, Staff Officer  
Alisa Rocha, Alterations Coordinator, 949-268-2301