

MINUTES OF PROPERTY OWNERS ASSOCIATION OF SUNSET BAY, INC.

Board of Directors Hearing

Hearing was requested by Simon Gao

Wednesday, January 8, 2025

www.sunsetbaypoa.org

A Hearing of the Property Owners Association of Sunset Bay, Inc. was held Wednesday, January 8, 2025 at the home of Matt Ocker (208 Duckhaven).

The hearing was called to order by current president, Matt Ocker at 5:35pm.

A quorum was established. Directors in attendance were Matt Ocker, Betty Cook, Debbie Payne and Sandra (Susie) Seidensticker. Director absent was Gary Sequeira

Also in attendance were Simon Gao (129 Sunrise), Mr. Buttler (Gao Builder). James and Melissa Warren (209 Sunrise) joined in meeting at 5:45.

Call in phone line was opened at 5:35pm, no callers. Phone line closed at 5:51pm.

Matt tendered to Mr. Gao and Mr. Buttler a packet of documents in chronological order for reference.

We are here on a hearing before the board by Mr. Gao to revisit the decision of the ACC regarding the ground floor coverage of his house that's under construction. The floor was opened up for Mr. Gao or Mr. Buttler to speak.

Mr. Buttler explained that the structural engineers altered the placement of some of the pilings and a load bearing wall, moving the wall three feet from the center of the structure toward the exterior wall. Mr. Buttler explained that the WPI-1 indicated this change. Matt countered that the ACC is comprised of lay persons, and as such, they rely on the elevations rather than engineered plans. Since the elevations were not supplemented, the construction was inconsistent with what was approved by the ACC. Matt produced an email exchange with a representative of the builder, wherein the representative clearly stated the wall placement would be consistent with the approved plans.

Mr. Gao explained that he desired several months back to have a hearing before the Board, and said the Board communication in response confused him. The Board indicated there was no issue ripe for a hearing. The hearing process is reserved for instances where a Member wishes to appeal a denial from the ACC. As Mr. Gao had not submitted a change, the ACC had neither considered nor denied anything.

Since the timing of said email exchange, Mr. Gao has submitted a change request, and the ACC has denied it. Hence, the current Hearing before the Board. Mr. Gao would like the Board to overrule the ACC, and allow his construction to stand in its current form. The Board asked if it would be possible to construct an additional wall in the position of the approved wall. Mr. Buttler expressed that was possible. Mr. Buttler indicated he would be in touch with updated drawings that indicate construction that would bring the project into compliance.

Matt motioned to table this so we can be more deliberative and give Mr. Buttler time to send in drawings for approval. Susie 2nd. All said Aye.

Meeting adjourned at 6:23pm.

Deborah Payne, Secretary _____ Matt Ocker, President _____

