

*Cobble*  *Creek*  
**Homeowners Association**

August 27, 2018

Dear Cobble Creek Neighbors,

The Cobble Creek Homeowners Association of Directors adopted Policy #13, Unit Parking Enforcement, on August 22, 2018, to clarify ambiguous provisions in section 3.6.10 of our Restated Declarations of Covenants, Conditions, and Restrictions of the Cobble Creek Golf Community.

A copy of Policy #13 is attached and will be posted on the websites of the Cobble Creek golf community and Mountain Mansion Management (MMM), the HOA's property management company.

The Board established the following objectives in the preparation of this policy:

1. Full complete enforcement of Section 3.6.10 as written, without prejudice, with the enforcement guidelines adopted in Policy #13.
2. The Board of Directors has determined that no changes of Section 3.6.10 are warranted.
3. The Board has the legal authority to adopt policies to facilitate the efficient operation of the Association and to grant variances in cases that the Board feels it results in conditions that are consistent with the general concept, harmony, and values of the Property in our Cobble Creek community.
4. The Board wishes to end the current practice of some residents using the street to store vehicles as prohibited in Section 3.6.10 of our CCRs.
5. The Board wishes to reduce the number of residents parking their regular-use vehicles in the driveway while they are using their garage spaces for storage.
6. The Board wishes to accommodate families who may have more vehicles than they have garage spaces.
7. The Board wants to bring those in violation of our Unit parking regulations into compliance and at the same time hold those who choose to violate the regulations accountable.
8. The Board wants to use parking variances to help bring residents into compliance who are violating the Unit parking regulations by parking oversized trucks and non-emergency work vehicles in their driveways.

The Unit parking regulations pertain to homeowners/residents, including tenants, and not to visitors or guests of Cobble Creek.

As a reminder, parking resident vehicles in the street in front of a residence is a violation of the Unit parking regulation Section 3.6.10 of the CCRs.

As stated in Policy #13, homeowners are allowed to park one (1) regular use vehicle in their driveway, if all of their other regular use vehicles are parked in their Unit garage spaces. Golf carts do qualify as a regular-use vehicle. But, as stated in Policy #13, a resident must first attempt to comfortably and reasonably park their golf cart in their garage, along with all of their other regular-use vehicles parked in the Unit garage spaces, before they are allowed to park one (1) excess, regular-use vehicle in their driveway.

The implementation of Policy #13 will take effect immediately, but the Board will give residents a grace period until January 1, 2019 to become compliant with the stipulation requiring them to make room in their garage for all of their regular-use vehicles.

Homeowners wishing to apply for a Conditional/Temporary Parking Variance have until October 1, 2018 to apply by contacting Mountain Mansion Management (MMM). The Board has until January 1, 2019 to render a decision of approval or denial. Homeowners who park oversized vehicles, as defined in Policy #13, or non-emergency work vehicles in driveways are in violation of Unit Parking Regulations first adopted in 1999 and restated in 2015. If they have owned an oversized vehicle or driven a non-emergency work vehicle since before June 1, 2018, they are eligible to apply for a Conditional/Temporary Parking Variance. The date of June 1, 2018 was chosen because the HOA Board of Directors sent a notice to all Cobble Creek lot owners by USPS mail, putting them on notice that it is the owner's responsibility to comply with governing documents and to inform all potential buyers or renters that they are also required to comply with the governing documents of our covenant controlled community. For that reason, from June 1, 2018 going forward, all new residents were given fair notice that this community was going to enforce their governing documents as written, which prohibited the parking of oversized vehicles and non-emergency work vehicles on Unit property.

As stated in Policy #13, the conditions listed above which may qualify for a parking variance are not inclusive. Other situations may arise which qualify for a parking variance as determined by the Board of Directors, on a case-by-case basis, and on their own individual merits.

Attached is a Conditional/Temporary Parking Variance Application Form. By signing the application form, the homeowner will be granting the Board (via MMM) permission to gather information regarding specific vehicles, including make, model, year, color, license plate number, vehicle measurements, garage measurements, and any other information deemed necessary in the process of considering the application for a variance.

Those homeowners who choose not to apply for a parking variance by October 1, 2018, or who are denied a parking variance by the Board, will be in violation of the Unit parking regulations. Proper notice will be given to the homeowner and enforcement will be implemented as authorized in Policy #5, Procedures for Covenant and Rule Enforcement. In addition, homeowners whose residents choose not to comply with all of the CCRs pertaining to Unit parking and Policy #13 will also be in violation of the Unit parking regulations. Proper notice will be given to the homeowner and enforcement will be implemented as authorized in Policy #5, Procedures for Covenant and Rule Enforcement.

The Board of Directors encourages all Cobble Creek residents to think of Cobble Creek as a "WE" community instead of a "ME" community.

*"WE" can be the community  
"WE" all strive to become if  
"WE" treat and respect our neighbors as  
"WE" would like to be treated.*

**WE ARE COBBLE CREEK!!**

Board of Directors  
Cobble Creek Homeowners Association

**Mountain Mansion Management**  
P.O. Box 828  
Ridgway, CO 81432  
970-626-4314  
[mountainmansionmgmt@frontier.net](mailto:mountainmansionmgmt@frontier.net)

**RESOLUTION OF  
THE COBBLE CREEK HOME OWNERS ASSOCIATION, INC  
ADOPTING POLICIES AND PROCEDURES  
IN SUPPORT OF UNIT PARKING ENFORCEMENT  
Policy # 13**

**SUBJECT:** Adoption of a policy and procedure regarding unit parking enforcement.

**PURPOSE:** To clarify enforcement of CC&R Sections 3.6.4 and 3.6.10 in regards to unit parking.

**AUTHORITY:** Colorado Common Interest Ownership Act (CCIOA) and the Amended and Restated Declaration of Covenants, Conditions and Restrictions of the Cobble Creek Golf Community.

**EFFECTIVE DATE:** August 22, 2018

**RESOLUTION:** The Association adopts the following policy in regards to unit parking enforcement.

**1) General:**

- a) Implementation of this policy in full will begin on January 1, 2019.
- b) It is the policy and preference of the HOA that Unit resident vehicles be parked in a Unit garage and not in a Unit driveway. Vehicles that may be parked in a Unit garage space or in driveway shall be resident owned passenger vehicles, including but not limited to, pick up trucks, vans, SUVs and other like vehicles such as golf carts. Oversized vehicles that do not fit into Unit garage spaces, whether or not there are other regular-use vehicles in the Unit garage spaces, shall not be allowed on site without a parking variance from the Board of Directors.
- c) Garages are not to be used as general storage so as to prevent a Unit resident from keeping their regular use vehicles in the Unit garage.
- d) Residents are required to eliminate the use of the garage space for long term storage of antique vehicles, vehicles in various stages of repair, seldom used vehicles, recreational vehicles and all such vehicles when that storage creates the need to use the driveway for regular-use vehicles.

**Vehicles, when used only occasionally, or not at all, do not meet the requirement for garage storage when that storage creates the need to store regular-use vehicles in the driveway.**

- e) **A two-month grace period shall be afforded residents moving into or out of the community to use their garage for storage. During said two months, the resident may park up to two vehicles in their driveway. In the event that the procedure will require a longer period of time or the need to park a vehicle in the street, the resident will need to obtain the approval of the Cobble Creek property manager and stipulate a date when the temporary need will terminate.**
  - f) **Absent a parking variance, no outside parking of non-emergency work vehicles with business lettering is allowed. Emergency medical and law enforcement vehicles are allowed according to section 3.6.10.iii of the CCRs.**
  - g) **Any modifications to a Unit garage, which prevent the parking of a regular-use vehicle in the garage spaces, must be reconfigured to accept a vehicle.**
  - h) **Unit owners are responsible for their tenants complying with Cobble Creek HOA governing documents, and in particular 3.6.4, 3.6.10 of the CCRs and Policy #13 as they relate to Unit parking.**
- 2) Excess Vehicles: One (1) passenger car, pickup, SUV, or van that is a resident owned regular-use vehicle, licensed, that is in good condition and appearance may be parked in the driveway under the following conditions:**
- a) **All garage spaces are currently being used to park other regular-use vehicles.**
  - b) **No part of a vehicle that is parked in a driveway shall be allowed to extend into the sidewalk or impede sidewalk access within the Association.**
  - c) **The resident's golf cart will not comfortably and reasonably fit in the Unit's garage along with the resident's licensed regular-use vehicles, i.e. passenger cars, pick up trucks, SUVs or vans.**
- 3) Conditional/Temporary Parking Variances: The Cobble Creek HOA Board of Directors may issue parking variances to Cobble Creek homeowners whose residents have lived in Cobble Creek before June 1, 2018 and are in violation of the Unit parking regulations for one or more of the following reasons:**
- a) **A resident who has an oversized vehicle that will not fit into their garage spaces. The parking variance would last as long as the resident owns their current oversized vehicle, as identified by make, model, year and license number.**
  - b) **A resident who operates a non-emergency work vehicle, with or without business lettering, that will not fit into their garage spaces or, when stored in a garage space creates the need to park a regular-use vehicle in the driveway.**

The above list of conditions, which may qualify for a Conditional/Temporary Parking Variance, are not inclusive. Other situations may arise after October 1, 2018 which qualify for a parking variance as determined by the Board of Directors, on a case-by-case basis and on their own individual merits.

**PRESIDENT'S CERTIFICATION:** The undersigned, being the President of the Association, certifies that the foregoing resolution was adopted by the Executive Board of the Association, at a duly called and held meeting of the Executive Board on August 22, 2018 and in witness thereof, the undersigned has subscribed his/her name.

**COBBLE CREEK HOMEOWNERS ASSOCIATION, INC.**

By  President  
**Stan Grigg**

By  Vice President  
**Paul Story**

By  Secretary  
**Charlie Berger**

By  Treasurer  
**Michael Gane**

By  Member  
**Suzanne Hansen**

**Cobble Creek**  
**Conditional/Temporary Parking Variance**  
**Application Form**

- 1. Homeowner name: \_\_\_\_\_
- 2. Property address: \_\_\_\_\_
- 3. Mailing address if different: \_\_\_\_\_
- 4. Homeowner phone number: \_\_\_\_\_
- 5. Homeowner e-mail address: \_\_\_\_\_

6. Conditional/Temporary Parking Variances: The Cobble Creek HOA Board of Directors may issue parking variances to Cobble Creek homeowners whose residents have lived in Cobble Creek before June 1, 2018 and are in violation of the Unit parking regulations for one or more of the following reasons:

- a.) A resident who has an oversized vehicle that will not fit into their garage spaces. The parking variance would last as long as the resident owns their current oversized vehicle, as identified by make, model, year and license number.
- b.) A resident who operates a non-emergency work vehicle, with or without business lettering, that will not fit into their garage spaces or, when stored in a garage space creates the need to park a regular-use vehicle in the driveway.

The above list of conditions, which may qualify for a Conditional/Temporary Parking Variance, is not inclusive. Other situations may arise after October 1, 2018 which qualifies for a parking variance as determined by the Board of Directors, on a case-by-case basis and on their own individual merits.

Please indicate below your reason for applying for a parking variance. If a homeowner feels they should receive a parking variance based upon their other individual circumstances, unrelated to a.) and b.) above, please state your reasons:

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7. Homeowner hereby grants the Cobble Creek Board of Directors (via MMM) permission to gather information regarding their resident's specific vehicles including make, model, year, color and license number, vehicle measurements, garage measurements, and any other information deemed necessary to consider this application.

8. The deadline for submittal of this application is Oct. 1, 2018. The Cobble Creek Board of Directors will consider the application and will render a decision of approval or denial by January 1, 2019. The Board's decision will be communicated in writing to the resident (owner) by that date. If approved for variance the terms of that variance will accompany the approval.

Owners Signature \_\_\_\_\_ Date \_\_\_\_\_

Send this application via email or US Mail to:

**Mountain Mansion Management**  
**P.O. Box 828, Ridgway, CO 81432**  
**970-626-4314**  
**mountainmansionmgmt@frontier.net**