

**THE TOWNS AT LAKESIDE ASSOCIATION, INC**  
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**Jan.17th ,2020**

TO ALL OWNERS AND TENANTS

RE: PARKING RESTRICTIONS

As you are aware, homeowners in this community are subject to the Declaration of Covenants, Conditions and Restrictions of the Towns at Lakeside Subdivision. The Board of Directors is obligated to enforce the restrictions. Over the years, there has apparently been some confusion or misunderstanding regarding the commercial vehicle and parking restrictions in the Declaration, and it has resulted in some enforcement deficiencies. Previously, certain vehicles that may not comply with the current restrictions have not been required to be removed from the community or parked in the units garage. The Board has met with the Association's attorney regarding this issue, and our attorney has explained that any alleged failure of this board or previous boards to enforce a particular restriction does not prevent the Board from enforcing it in the future as long as the Board sends a letter to all of the owners notifying them of the issue, and notifying them that the Board will continue to enforce the restriction, with certain exceptions. The purpose of this letter is to formally inform all owners that the Board of Directors and its management company are committed to full and uniform enforcement of the Associations restrictions, rules, and regulations from the date of this letter forward.

As you know, parking in this community can be problematic due to the way that the community was developed. The homes have only single-car garages, and the driveways are only wide enough for one vehicle. Furthermore, the length of most driveways can accommodate only one (1) vehicle, and there are only a limited few with the length to accommodate two (2) or three (3). The common area parking, ie. visitor parking pads and the parking lot are regulated by the Board. Parking for owners that have several cars can create parking issues in the community, and the Board is trying to address this for the benefit of all owners, tenants and guests. The Association appreciates your cooperation with the issues presented in this letter so that the community can avoid parking issues and related safety concerns.

The restrictions involved include Article IV, Section 19 regarding Vehicles, and Article IV, Section 37, regarding garage parking. Section 37 requires all garages to be able to accommodate a vehicle, and that it must be used for vehicle parking. Any owners that have more than one car **must** park one of them in the garage.

In regard to other vehicles, Section 19 states that any SUV, truck, motor home, bus, or van that has a greater than three-quarter ( $\frac{3}{4}$ ) ton capacity (*definition/explanation is on attachment*) is considered a commercial vehicle that can only be parked in the community if it is parked in the garage. In addition, any other vehicle with greater than three-quarter ( $\frac{3}{4}$ ) ton capacity that has commercial advertising of any kind, or any such vehicle that contains tools or commercial materials that can be viewed from the exterior of the vehicle is also considered a commercial vehicle that must be parked in a garage.

The Board realizes that the automobile industry has changed over the years, and use of vehicles that exceed three-quarter ( $\frac{3}{4}$ ) ton capacity is common. They are very commonly used by individuals and families. However, the Board is required to enforce its restrictions, and unless and until Section 19 is amended, certain SUVs and trucks, and other vehicles that meet the restriction can be considered violations of the covenants if they are not parked in the garage. As stated above, the Association is aware that in the past, some owners have had vehicles that meet the commercial vehicle standards that have not been parked in garages, and no enforcement action has been taken against them. Because the Board wishes to start enforcing this restriction again, it recognizes that certain vehicles may have to be considered an exception to the restriction. The Associations attorney has informed the Board that there are steps it can take to be able to enforce the restrictions against future vehicles, while making exceptions for those that have been in the community.

In order to be able to qualify as an exception to enforcement, owners, tenants, and occupants maintaining vehicles that meet the commercial vehicle definition in the community will be required to notify the Associations management company and provide details about their vehicle ( year, make, model, capacity, VIN#, license plate #, date originally brought into the community, and any other information deemed necessary by the Board to identify the vehicle. Please see the attached exception request form that will need to be provided to the property manager either by mail, E-Mail, or fax , within thirty (30) days from the date of this letter

From the expiry of this date forward, all existing commercial vehicles without an approved exception request, must park in the garage. It follows, that after, the exception registration/ notification process is finalized, new owners, tenants, and occupants will be subject to the existing restrictions, and all such vehicles will need to be parked in a garage. In addition, existing owners, tenants, and occupants that have such vehicles will be subject to the restriction, if they replace a vehicle that has been registered with the Association. All replacement vehicles will be subject to the restrictions.

If you have any questions about whether your vehicle is considered a commercial vehicle because of its capacity, or if you have any questions about the parking requirements, please contact the property manager and he can assist you in a review of the specifications for your vehicle to determine whether the advance registration is necessary for your vehicle. The Association appreciates your assistance and cooperation with completing this process for the benefit of all owners in the community.

Sincerely

Board of Directors

Attachment