

**INNIS ARDEN BOARD MEETING MINUTES**  
**May 10, 2022**

The meeting was called to order at 7:04 PM by President Cynthia Esselman. Board members present: Cindy Esselman, Omar Nur, Jason Barth, Bruce Vincent, Mary Ruhlman, Steve Johnston, Jennifer Mace and Maggie Taber.

**PRESIDENT, Cynthia Esselman –**

We are working on the 2022 Innis Arden Directory. Everyone should have received a post card in the mail requesting updates by May 31<sup>st</sup>. Please respond before then if you have any changes to your contact information.

Cheryl Malone, who is the clubhouse and communications manager for Innis Arden has just accepted a fulltime position and will be leaving us. Cheryl has done an amazing job with the clubhouse and keeping the community informed for the past three years. She has been invaluable to our community and personally I have enjoyed working with Cheryl. We will miss her but wish her well in her new position.

Moving forward, do have a person who is interested in the job and Mary Ruhlman and myself will be meeting with them on Wednesday May 11<sup>th</sup>.

**Vice President/ Legal Affairs, Omar Nur –**

Swim Club Lease

After coming back to town, I was able to touch base with our counsel about the lease and he will begin drafting the new lease agreement.

Tennis Club Liability Waiver

Worked with our counsel to draft a liability waiver for the Tennis Club participants. One was created and forwarded to the Tennis Club to use.

**Executive Session Motion, Bruce Vincent–**

The following motion was made, seconded, and passed unanimously by the Board.  
I move to hold two executive sessions this month to discuss compliance issues, one of which will place next week.

**COMPLIANCE, Bruce Vincent, Acting Chair–**

Members of the Compliance Committee and IAC Counsel are continuing to focus on gaining compliance on all properties that the board has received a Compliance Request Form of merit on. The Committee greatly appreciates the efforts of all members that are continually working with their neighbors and keeping all the vegetation on their properties from blocking any of their neighbors' views of the sound and mountains.

The Compliance Committee wants all IAC property owners to know the following about view protections and compliance:

- Your protected views are of the Sound and/or Mountains and are from your lot in its entirety (e.g., from any floor level in your home, patio, yard, etc...).
- The IAC applies the following provisions: The View Preservation Amendment, Covenant #10. Fences, Hedges, and Covenant #11. Noxious Use of Property: Spite Fences. The View Preservation Amendment sets a maximum not minimum height for vegetation which in any way obstructs the view from a neighboring lot or lots and does not preclude further regulation under Covenant 10 and/or Covenant 11. Therefore, depending on the situation and context, it may be necessary to trim/height reduce vegetation to a height below the average roof height to comply with the Covenants, especially in areas of your property where there are not structures. Recent case law, such as the 2017 Carlson Decision, provides additional clarification.
- Your property may have longstanding view compliance issues that were present, or not disclosed to you, prior to purchase and which have not been resolved so as to achieve Covenant compliance. As an Innis Arden property owner, you are required to maintain your property in compliance with all applicable Covenants.
- It's your responsibility to pay all costs to maintain the vegetation on your property in compliance, regardless of the property's size and location.
- Revised planting selections (i.e., smaller and/or slow growing) may help reduce annual trimming costs.
- Depending on the type of vegetation at issue, how quickly it grows, and the height at which has been maintained, etc., annual trimming may be necessary to comply with the Covenants year-round.
- The Board encourages you to get to know your neighbors, to regularly assess the vegetation on your property, and to endeavor in good faith to promptly remedy any violations that may exist on your property.

Should you be found out of compliance, the board may enforce fines and other penalties (e.g., a lien on your property) until your property becomes compliant. To learn more about view protections and compliance see [IA-New-Neighbor-Guide.pdf \(innisarden.org\)](#) and *HOA FAQ's "Is Innis Arden a Puget Sound and Mountain view protected community?"* at <http://www.innisarden.org/hoa-faq/>

There still are 13 (-1 & +1) petitioned (CRF) properties with unresolved compliance issues as follows:

- 18760 Ridgefield Rd. NW (Schuler): At the 11/16/2021 Compliance Hearing this property was found to be non-compliant. A more detailed written decision by the IAC Board, consistent with its votes at the hearings, is pending. Currently, this property is pending sale and is expected to close. Once closing occurs, the new owners will assume the responsibilities for current non-compliance, including fines and/or penalties.
- 915 NW RB Road (formerly Yu): At the 11/16/2021 Compliance Hearing this property was found to be non-compliant. On 2/23/2022 the IAC issued a Written Decision concerning the vegetation compliance on this property. The decision notes the owner's failure to submit a compliance plan for review and approval by the IAC along with fines of \$50 per day accruing from the 11/16/2021 Compliance Hearing and up until full compliance has been achieved. This property was sold with closing occurring last week. The new owners will assume the responsibilities for current non-compliance, including fines and/or penalties.
- 1001 NW Richmond Beach Road (Zawitkowski): –no update-

- 17727 17<sup>th</sup> Ave NW (Lawson): At the 11/30/2021 Compliance Hearing this property was found to be non-compliant. A more detailed written decision by the IAC Board, consistent with its votes at the hearings, is pending.
- 18029 13<sup>th</sup> Ave NW (Hjelle): IAC counsel is assembling results of outside consultants' vegetation review. The IAC subsequently will be scheduling another hearing on this property in the near future. The forecast timing of the new hearing will be updated by IAC counsel.
- 18770 Ridgefield Rd. NW (McHugh): Omar has contacted the Mchughs and followed up with some discussions of the POV photos and impact to neighboring properties. Based on these discussions, the Compliance Committee will hold a Vegetation Compliance Hearing on this property to help better define the potentially view blocking vegetation that would be required to be brought into compliance.

*The following motion was made, seconded, and passed unanimously by the Board: "I move to hold a compliance hearing on June 28th for the Mchugh property at 18770 Ridgefield RD NW."*

- 18742 Ridgefield Rd. NW (Gesinger): The Board has delayed holding a Vegetation Compliance Hearing, pending courtesy site visits with the owners to directly discuss the potentially view blocking vegetation noted in now assembled photo support. Omar has contacted the Gesingers and they have been working collaboratively with their neighbors to bring the vegetation into compliance.
- 17732 17<sup>th</sup> Ave NW (Bargreen): At the 11/30/2021 Compliance Hearing this property was found to be non-compliant. A more detailed written decision by the IAC Board, consistent with its votes at the hearings, is pending.
- 933 NW Richmond Beach Road (Shen, formerly Knauer): On 2/25/2022, the IAC submitted a written request to the owners for a Compliance Update. A prompt response was received by the IAC, from the Shens, that will be reviewed with those effected properties to confirm full compliance. Cindy & Bruce met onsite with Grace Shen on 3/17/2022 to review the vegetation identified in the 5/4/2021 written decision and whether it is all in full compliance. Based on that site visit, it appeared that about 90% of the vegetation is complying, but that will be reviewed with IAC Counsel.
- 1250 NW 175<sup>th</sup> St. (Sullivan): A CRF was received on 8/10/2020 for this property. Cindy and Bruce made a site visit on 4/28/2022 with the owner and neighbor Rick Leary to look at and directly discuss the potentially view blocking vegetation. Bruce will be following up with the owner to discuss different options available to voluntarily gain compliance.
- 17770 14<sup>th</sup> Ave NW (Tynan): A CRF dated 2/12/2022 was received on this property. This will be evaluated to determine if it has merit and then a Compliance Committee member will contact them directly. There is a previous written decision in July of 2017 that found the property not in compliance.
- 17037 14<sup>th</sup> Ave NW (Kirkness): A CRF dated 3/24/2022 was received on this property. On 3/29/2022 the Compliance Committee requested more specific information from the Petitioners before the schedules a site visit with the owners.
- 18008 13<sup>th</sup> Ave NW (Joseph): A CRF dated 5/5/2022 was received on this property regarding a long-standing remodel. The project that was started in 2017/2018 has not been completed resulting in potential covenant compliance issues.

*The following motion was made, seconded, and passed unanimously by the Board: "I move to hold a Compliance Hearing for 18008 13<sup>th</sup> Ave NW on Tuesday, 6/28/22"*

The following property is now officially in full compliance:

- 17128 13<sup>th</sup> Ave NW (Nelson): A CRF dated 4/8/2022 was received on this property. The Nelson's immediately responded and have trimmed the vegetation low enough to satisfy their neighbors. Thank you, Mr. & Ms. Nelson!

The Board received written notice on 9/22/21 about potential compliance issues with the following property:

- 1408 NW 186<sup>th</sup> St. and/or Blue Heron Reserve: The location of the potentially view blocking tree is unclear and no documents have been provided to the Board to support. Existing site property line survey data will be reviewed.

**ROW, Bruce Vincent** Right -of-Way Trees/Vegetation:

\*No ROW tree permitting, or ROW work is scheduled or pending.

**SECURITY, Bruce Vincent -**

2022 Off-Duty Shoreline Police/KCSO Deputy Officers Patrolling IA

A total of 20 hours of Deputy time was logged for April, with Deputies patrolling on random days and at random times. Patrol vehicles are both "marked" and "unmarked". All roadways will be patrolled during IAC duty hours. You may see Deputies at reserve entrances, or even walking some trails in the reserves. They may be also checking license plates of vehicles parked at reserve entrances for non-residents.

Our thanks to detectives Paula Kieland and Erik Soderstrom for being able to secure overtime to provide additional officers to patrol City of Shoreline Innis Arden Reserve Park on April 20<sup>th</sup>. They had 6 uniform officers patrolling that day and evening in IA only. Rain and cold weather reduced the number of activities and issues that would normally occur on April 20<sup>th</sup> ("Weed Day", "National Pot Smokers Day" etc...). This overtime was paid for by the City of Shoreline Police Department.

Any campfire and/or camping in either the IA Reserve, the IA Grounds, or in the City of Shoreline Innis Arden Reserve Park, should be reported (as noted below). If the Fire Department responds and decides a Police response is also required, they will make that request.

Detectives Paula Kieland and Erik Soderstrom again emphasize the continued need to REPORT, REPORT, REPORT. If you don't report a incident, no matter how minor, your KCSO Police will not know about it.

Please continue to report activities to the Shoreline Police (KCSO) using these Guidelines:

- If it is an emergency CALL 911
- If it is not an emergency, you can call 911 and tell them "It's not an emergency" and then you will be routed to a Non-Emergency Call Receiver.
- Alternately, you can call the KCSO Non-Emergency phone at 206-296-3311 and you will also be routed to a Non-Emergency Call Receiver.
- A Call Receiver will ask you many questions to triage the call. When they ask, "Do you want contact?", always answer "Yes", if you want an officer to respond onsite. If you answer "No", an officer/s may, or may not, be dispatched.
- Please tell the Call Receiver you "I saw this \_\_\_\_\_, and I'm willing to assist with being a witness for the prosecution."

**BUILDING AND REMODEL, Jason Barth –**

Rosenburg/Wurmbrand  
1574 NW 190th Street  
Project: Remodel/Addition

The following motion was made, seconded, and passed unanimously by the Board.  
I move to approve the proposed remodel to the Rosenburg/Wurmbrand home located at 1574 NW 190<sup>th</sup> St.

**TREASURER, Jennifer Mace –**

At the close of April, our Operating Checking was \$176,147, Collections Savings was \$10,174, and the Asset Reserves Savings was \$441,190.

**CLUBHOUSE, Mary Ruhlman –**

There were four rentals in the month of April, of which two were sponsored by Activities Committee. For the month of May, we have four rentals.

If you have questions about renting the clubhouse, please contact Joy Griffith at 206-542-5558 or communications@innisarden.org.

**NATURAL RESERVES, Steve Johnston –**

Trails Maintenance

The trails were weed whacked as needed. Cleanup continued at the top of Bear Reserve to remove an old chain link fence and more dumped vegetation. Minor bank erosion control work at the north end of the 17th Ave NW near the Ronald bridge.

Native Plants and Invasive Control

Our native plant crew continued working this month in Blue Heron to plant new plants and to remove Blackberry and other invasive plants

Hazard Trees

Six diseased and hazardous alders were finally removed from Blue Heron with City authorization.

The huge maple on 16th NW will be pruned in the next two weeks to remove deadwood threatening the trail and homes nearby.

Broken City Drainage Pipe

We will meet this week with City surface water engineers concerning a solution to the 15th Ave NW broken concrete pipe which is causing damage to property due to erosion.

**ACTIVITIES, Maggie Taber –**

**Save the Dates:**

2022 Rummage Sale on hold due to COVID

Petanque Night with the Edmonds Petanque Club - TBD  
Salmon BBQ - Wednesday, July 20th, 5PM-8PM  
Four Corners Brewfest - Saturday, August 6th  
Overnight Family Camp Out - Saturday, August 27th  
Wine Tasting - Thursday, September 8th

The Egg Scramble was April 16th. Fun activities and games including a special appearance by the Bunny! Difficult to count total participants, but about 60 children with their adults attended. Big thanks to the event volunteers: Axon Blair, Brian Branagan, Tierna Bravo, William Davies, Randi Fattizzi, Kim Helland, Mike Konopinski (Lead), Carrie Mandich, Frayne McAtee, Rissa Sanchez and Cori Whitaker.

The Nature Event was April 14th. Approximately, 10 children and 10 adults enjoyed the event with map, scavenger hunt activity sheet and ice cream. Thanks to Rissa and Brian for another fun event.

Activities and The IA HOA Board involving Maggie Taber, Omar Nur and Cindy Esselman are in the process of evaluating the IA Tennis program's financial structure and liability waiver. A financial agreement needs to be drawn to assure that the Innis Arden Activity Committee satisfies the state requirement to maintain its non-profit status that caps income at \$50K over two years.

The Activities Committee would like to congratulate and acknowledge all our community's high school and college graduates.

If you have a graduating senior or college graduate, please help us by sending us a brief narrative about your student. You can include accomplishments in high school or college, future plans, or anything else you would like to share. Also include 1 photo of your graduate. Please have the photo as high of resolution as possible. Please e-mail this information to: [randiski@msn.com](mailto:randiski@msn.com) before June 10, 2022.

Next meeting: Monday, June 6<sup>th</sup> at 7pm.

Meeting was adjourned at 7:35pm.

**If you are new or have changed your phone number and/or email address, please email updates to [communications@innisarden.org](mailto:communications@innisarden.org) and be sure to include your address!**