

**APERTURE HOMEOWNERS' ASSOCIATION, INC.**  
**BOARD MEETING**  
**JULY 12, 2024**  
**VIA ZOOM – 10:00 AM**

Present: Jim Stormont  
Emily McGaughy  
Charles Gale  
Jim Jose  
Rob Harper, Toad Property Management  
Erin Dicke, Toad Property Management  
Marcus Lock, Law of the Rockies

Rob called the meeting to order at 10:06 a.m. and said there was a quorum.

Jim made a motion to approve the minutes of the October 17, 2023 and June 12, 2024 meetings. Emily seconded the motion and it was unanimously approved.

Rob explained the purpose of the meeting was to discuss the Lot 8 variance request. Marcus explained he represents GHF Ventures, which sold Lot 9 and owns Lot 7, and therefore has a conflict of interest and thus cannot give legal advice to the association on this issue. But, Marcus had been involved in drafting the Association's governing documents and would be able to discuss those. Marcus said the new owner of Lot 9 wanted to acquire Lot 8 which would involve a swap of ownership between Lots 7 and 8.

The owner of Lot 7 was willing to swap subject to an agreement that the Lot 8 owner would not build on Lot 8 for 10 years except for an accessory dwelling which would be built as close to Lot 9 as possible. Marcus explained the Covenants did permit the elimination of lot lines, making one large lot, but that was not what the owner of Lot 9 wanted to do. Marcus said the phrasing of the Accessory Structure paragraph in the Design Guidelines was not entirely clear if an Accessory Structure could be built prior to the building of the main residence. However, the Board did have the right to grant a variance so the Accessory Dwelling could be built prior to the main residence. Concern was expressed about building a 750 sq. ft. Accessory Dwelling prior to building a main residence.

After discussion Jim Stormont made a motion to reject the variance request for Lot 8. Charlie seconded the motion and it was unanimously approved.

At 10:31 a.m. Charlie made a motion to adjourn the meeting. Emily seconded the motion and it was unanimously approved.