

RV Storage Rule

Submitted by Andrew Olear

PROPOSED PROJECT / INITIATIVE

TITLE:

Rule change to RV Storage on Personal Property rule

DESCRIPTION:

To align the RV Storage on Personal Property rule with the actual intent of the rule, which is to prohibit commercial storage on personal property in BLE.

OPPORTUNITY STATEMENT:

By changing the rule to align with the original intent, we can reduce the overall legal risk to BLE .

RELEVANT BUSINESS OBJECTIVE:

- Reducing the possibility of litigation against the board, allowing BLE to retain our legal insurance (since we can be dropped if they are covering numerous legal actions against BLE)
- We can use the money, otherwise spent on legal action and attorney fees, for the capital improvement plans without raising dues yet again.
- If we use a commonsense approach to allow neighbors to help neighbors, we can foster a community instead of the adversarial approach currently used by the Board.

ALTERNATIVES CHOSEN FOR ANALYSIS:

1. Eliminate the rule entirely
2. Change the rule to align with the purpose of not allowing individuals to use their personal property for commercial storage by adding a number of vehicles allowed on personal property before any board review would take place
3. Keep the rule as-is

ANALYSIS OF ALTERNATIVES

ALTERNATIVE 1:

Eliminate the rule entirely

PROS:

- The Board eliminates unintended bias in enforcing the rule (We've sent a letter for one RV on a property, but not to a member with four RV/camper trailers)
- The Board will no longer be tasked with monitoring member's personal property
- No legal risk
- The Board could refer any commercial use to Lake County for review

CONS:

- Members could store RV/Campers on their personal property for commercial profit even though the properties are not zoned for commercial use

ALTERNATIVE 2:

Change the rule to align with the purpose of the rule by adding an actual number of RV/Camper vehicles allowed on personal property

PROS:

- This will clarify when members are at risk of receiving notification from the board
- This will eliminate the legal risk of unintended bias in enforcing BLE rules
- This would eliminate the need for complaint to be filed before we can address the issue
- The rule would be clear, eliminating the "tit-for-tat" mentality of members and the board

CONS:

- Members could use their personal property for commercial use up-to the limit set forth in the rule

ALTERNATIVE 3:

Keep the rule as-is

PROS:

- No action needed by the Board

CONS:

- We are currently at legal risk for running a members license plate
- We should not be asking for ownership information of member's personal vehicles, for the same reason that the Sheriff's department is not authorized to run plates for us
- There is not a consistent way to enforce the rule. We currently use member's complaints to initiate a review.

RECOMMENDATION AND RATIONALE

RECOMMENDATION:

Change the rule to align with the purpose of the rule by adding actual numbers of RV/Camper vehicles allowed on personal property

RATIONALE:

This adjustment would align with the purpose of the rule. This would also be a reasonable compromise. The threat, real or perceived, of commercial storage on private property could be addressed, but still allow BLE to be a community that allows neighbors to help neighbors. This would also allow for the Board to step back from meddling in member's land use rights.