

Over the past several months, the WoodRidge Estates (WRE)/Architectural Control Committee (ACC) has received several "anonymous" letters claiming that we, as a committee or the WoodRidge Estates Board, erred in making decisions related to projects overseen by the ACC.

First, anonymous letters are written by cowards and should be discarded unless or until the person(s) responsible for writing them comes forward so their concerns may be addressed.

Second, one of the complaints referred to Lot 16A owned by Brandon Rusch. The ACC used the CCRs that govern lot 16A in the decisions made relative to Mr. Rusch's fence request, his driveway request and his gate request. All his requests and approvals are in writing for any WRE member to inspect. Those authorized to see these documents are WRE members only and the WRE legal counsel. The ACC/WRE Board sought legal counsel due to the complaint that decisions were made in violation of the CCRs. The attorney advised us that no mistakes were made. However, state law changed in September 2021. Several CCR elements are now outdated and the attorney identified those elements. The WRE board is in the process of having a committee review and update the CCRs to be current with new state law.

Essentially, the complaint was that the ACC had erred in directing the exact location on Lot 16A in which Mr. Rusch could erect his fence. That is false. The instructions given to Mr. Rusch were to erect the fence beginning at the 60' mark from the street/property line and continue back 200' with drill stem pipe/cedar posts or other approved material. He used pipe down both sides of the lot. We prescribed smooth 4' "sheep wire", which is what was used. We also required Mr. Rusch to use the same materials across the front, which he did.

We followed the CCR Fence Code to arrive at our decisions and even had the author of the fence code on the phone with us at the lot while discussing all this with the landowner who lodged the complaint. The landowner still disagreed with our decision and the WRE Board decided to seek legal counsel to insure everything was done correctly. The attorney advised us we had done everything correctly. However, recent Texas legislative action actually allowed Mr. Rusch to build his fence along the "PERIMETER" of his property and therefore he did not need to go back to the 60' mark to begin construction of the fence. Being a good neighbor, Mr. Rusch came off the front property line approximately 25' to erect his fence, using only materials the WRE/ACC approved, which is also contained in the updated Texas Property Code and our current CCRs.

As for whether Mr. Rusch is building a road through his property, he is not! And the ACC has reiterated to Mr. Rusch that to do so would be a violation of the WRE-CCRs. He understands. He simply wants to continue to privately access his ranch behind lot 16A, as he has been doing for the past fifteen years. The attorney advises that as long as Mr. Rusch doesn't turn the pathway into a public thoroughfare, there is no CCR violation.

I sincerely hope this clears up any confusion or concerns related to Lot 16A.

Respectfully,

Wally Kinney  
WRE/ACC