

Glacier Hills Homeowner's Association  
Board of Directors Resolution  
7-25-2011

Recent events have witnessed varying interpretations of Section 1, Article IV, Protective Covenants and Development Guidelines, of the Declaration of Covenants, Conditions and Restrictions of Glacier Hills, especially in regards to the permissibility of home rentals, whether short term vacation rentals or longer term residential rentals. In order to avoid future confusion or misinterpretation, the Board feels that the specificity of this section should be augmented, and the Board will be forwarding for Association consideration a Covenant amendment to address this.

In order to more immediately provide clarity on this issue, the Board, in accordance with its charge to manage the affairs of the Association not otherwise reserved to the membership, is here undertaking to provide a more definitive interpretation of this Section. In so doing, it has undertaken research into the purposes for which land may be used in Glacier Hills, including the original intent of the Developer, and has also sought additional legal consultation into its findings.

Findings

1. The original intent of the Developer, as reflected in the referenced section of the Covenants, is that each property is to be used only for single family residential purposes. Certain additional uses for in-home businesses are allowed, but these are subservient to the primary intent and use, single family residential purposes.
2. Single-Family Residential Purposes are commonly defined to mean one or more persons occupying premises and living as one housekeeping unit using one kitchen, and distinguished from a group occupying a boarding and lodging house, fraternity or sorority house, a club, hotel, or motel.
3. Definition 7.05.140 Dwelling Unit, of the Flathead County Zoning Regulations, is also instructive in understanding these purposes, to wit "One or more rooms designed for or occupied by one family for living or sleeping purposes with stays of 30 days or longer. A dwelling unit must contain a kitchen and bathroom facilities for use solely by one family. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit."
4. A home used for rental stays of less than 30 days is most appropriately defined and classified as a resort dwelling or tourist accommodation unit. Such lodging facilities are outside of the commonly defined meaning of single-family residential purposes.

BE IT THEREFORE RESOLVED that the use of any property subject to the Declaration of Covenants, Conditions and Restrictions of Glacier Hills is precluded and restrained from use for rental of any kind when the period of rental is less than 30 days.

BE IT FURTHER RESOLVED that any owner currently engaged in any kind of rental of less than 30 days must conclude all such activity no later than October 1, 2011.