

# **SCHIEVELING PLANTATION NEWSLETTER**

**OCTOBER 2004**

## **Announcements**

1. The Bylaws changes passed by a 70.8% vote, surpassing the required 2/3 affirmative vote. The Board received 98 votes out of 137 eligible Lots. Thanks to Margaret Jones for her work as former Chair of the Bylaws Committee. Thanks, also, to Bob Jones for helping put the recommendations before the Community.
2. At the October 7, 2004 HOA Meeting, duly called for the purpose of considering a Board proposal to increase the Annual Assessment from \$325 to \$400, 95% of the HOA members present at the meeting voted for the proposal, surpassing the 2/3 vote needed. The vote reflected 20 out of 137 Lots eligible to be counted. The \$400 Annual Assessment is effective January 1, 2005, our next Annual Assessment cycle.
3. On October 2, 2004, the Board sent 15 certified, return receipt requested letters (covering 16 lots) to the owners of Lots that have been overgrown by weeds and other vegetation. The Lot owners have been given until October 25 to bring their Lots into compliance with the Covenants and Restrictions.
4. We need Chairs for the Bylaws and Maintenance and Grounds Committees. If you are interested in volunteering, please contact Glen Zimmerman (763-0063)

## **Covenants and Restrictions, Bylaws, etc., and Enforcement**

**Goal: The HOA Board of Directors and Officers seek to resolve compliance issues as amicably and informally as possible. The Board realizes that the above documents are full of legalese and are lengthy. Please first check with the Architectural Review Board (ARB) before embarking on major changes.**

Through different means, the Board and Officers have brought the importance of following and enforcing our rules and regulations to your attention. With our occupied homes hovering around 87, enforcement has been a topic at the Board Meetings.

During the purchase of your home/lot in Schieveling Plantation, you should have received the following documents: (1) Declaration of Restrictive Covenants; (2) Declaration of Covenants and Restrictions for Schieveling Plantation; (3) First Amendment to the Declaration of Covenants and Restrictions for Schieveling Plantation; (4) ARB [Architectural Review Board] Standards and Guidelines; and (5) Bylaws of Schieveling Plantation Homeowner's Association, Inc. Some points to consider:

- Covenants, Restrictions, and Bylaws are legally binding to purchasers. Violators are subject to notices, fines and legal action. You may also be denied access to all amenities of Schieveling Plantation.
- If you were not supplied a copy of the Covenants go to the web site. The web address has been distributed several times.
- If you were not advised at your closing about Covenants, you may want to discuss the matter with your closing lawyer and/or real estate agent; that is their job. And you paid for their expertise....
- ARB applications, approvals and fees must be completed prior to construction start.

It is very important that you read these documents. By virtue of the fact that we chose to move to Schieveling Plantation, we are legally bound to follow the “rules and regulations” governing this Community. We do not have unfettered rights to make unauthorized changes to our properties. On the other hand, the Board of Directors of the Homeowner’s Association, which is made up of volunteer members, recognizes the importance of trying to achieve the fine balance between the individual’s “rights and desires” and the whole Schieveling Plantation Community’s “rights and desires”. We think we can achieve these goals through adherence to and compliance with the documents and procedures that bind us together. We believe all of us want to strive to establish an environment where aesthetics, property values, and sense of Community can all be shared values.

To facilitate reaching our Goal (resolving compliance issues as amicably and informally as possible), the Board has authorized the use of the attached Compliance Request Form.

If you have questions, comments, or suggestions, please contact Glen Zimmerman (President), Bob Jones (Treasurer/ARB Chair, or Alice King, Compliance Committee Chair.

### Some Recent Compliance Issues

The Board has received complaints about cats and dogs on the loose. The Declaration of Covenants and Restrictions for Schieveling Plantation (Section 26. Animals, Page 12) reads in part: "All pets must be secured by a leash or lead at anytime they are permitted off the owner's premises." The language requires that all animals, including cats, dogs, ferrets, etc., must be "controlled" when they are permitted off the owner's premises.

Garbage “...containers shall always be stored in such a manner that they cannot be seen from the street or adjacent property.” They can be stored either inside the garage or behind your house. This should also pertain to lawnmowers.

Parking: “No resident’s motor vehicle shall be parked or left on any street overnight or on any property show on the plat of Schieveling Plantation, other than a driveway.”

