

Charter Point Notes

August 2011



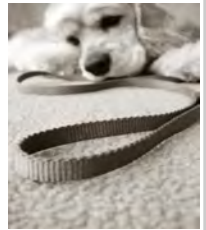
“Some people think football is a matter of life and death. I don’t like that attitude. I can assure them it is much more serious than that.” ~ Bill Shankly, *In Sunday Times (UK) Oct 4, 1981*



Leash Your Pets

By Walt Holton, CPCA president

Recently I’ve been approached by multiple residents expressing concerns about unleashed pets - especially dogs - within Charter Point. While pet owners are quick to say their pet(s) rarely escape or leave their yards, these rare occasions can be problematic and create unnecessary stress and anxiety for other property owners or visitors to our neighborhood!



Walt Holton

“It’s okay, he/she won’t bite!” Two little known facts – 1) many people are afraid of other people’s pets and 2) not all pets are people friendly – leashed and unleashed!

I am often alarmed when I hear media reports of unprovoked dog attacks on people. But I was particularly alarmed when I heard last month’s news broadcast about the death of a Putnam County, Florida man after being viciously attacked by his neighbor’s pit bulls. Generally, the details surrounding animal attacks are often gory but this particular attack was extremely vicious resulting in dismemberment! Even more disturbing is that this death could have been prevented had the dog owner been responsible and followed established policies! So, what are the basic rules?

[Owners] are prohibited from allowing their pets to run unattended. Pursuant to Section 462.303 (Animals at-large prohibited), no owner of any dog or cat shall permit the dog or cat to be at large, except a dog shall be considered exempt from these provisions if the dog is engaged in law enforcement, hunting, or is located in a "no leash park.

Animal Control Ordinance, Section 462 City of Jacksonville Code

“No animals, livestock, or poultry of any kind shall be raised, bred, or maintained on any Lot. There shall be allowed a reasonable number of domesticated dogs, cats, or other household pets provided such pets are kept for the pleasure and use of an Owner, and not for commercial purposes, none of which shall be permitted to run free. If, in the sole discretion of the Association, any of said pets become dangerous or an annoyance or nuisance to other residents of the Properties, or surrounding areas, or destructive of wildlife or property, they may not thereafter be kept on or in the premises of the Lot.”

Charter Point Covenants & Restrictions, April 21, 2010

Here’s the bottom line: Pets must be leashed when off the owner’s property and owners must act responsibly to ensure the safety of Charter Point residents and their pet! Accordingly, owners are responsible for picking up their pets’ poop (defecation) when exercised on another’s property. Not only are these actions appreciated, they are the law!

As always, I encourage everyone to be cordial and to notify your neighbor if his/her pet has gotten free. However, being cordial includes being responsible. If you experience problems with unleashed animals, please report the incident by calling 630-CITY (2489) or go on line at www.coj.net and look under “Services” for Animal Control.



Don't become a statistic! Leash your pets!

SAVE THE DATE!

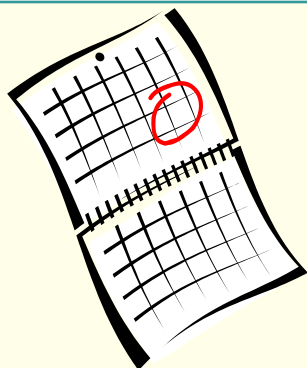
Community Garage Sale

Saturday, October 8 8AM-2PM

Charter Point Community Association Semi-Annual Members’ Meeting

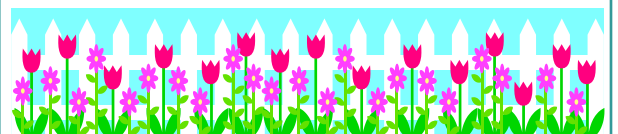
Saturday, October 15 10AM-12PM

University Park Library



August Yard of the Month

Hugh & Betty Dunn
4470 River Trail Road
Lot 78



**Charter Point
Community Association Board
Officers**

President:

Walt Holton
4304 Fern Creek Drive
762-1502 or WLHolton@Bellsouth.net

Vice-President:

Linda Hemphill
5487 River Trail Road N
745-1833 or cpcanews@aol.com

Secretary:

Jill Smith
5457 Pearwood Drive
619-9010 or jsmith@terra-comenv.com

Treasurer:

Bobby Huey
4499 Charter Point Blvd.
743-9837 or yeuh@aol.com

Committee Chairs

Community Improvements:

Ben Allen
4534 Oak Bay Drive, W.
745-3164 or benallendeere@yahoo.com

Covenants & Restrictions:

Craig Hemphill
5487 River Trail Road, N.
745-1833 or rcraigh@aol.com

Hospitality:

Nancy Barnes
5478 River Trail Rd N.
744-9055 or nancyfsu76@aol.com

Membership:

Bob Barletta
4432 Fern Creek Drive
743-4996 or bob.b1@comcast.net

Security:

Nathan Jackson
4440 Oak Bay Drive, W
762-1983 or nej904@aol.com

Social:

Carol Allen
4534 Oak Bay Drive, W.
745-3164 or yougocarol@yahoo.com

Newsletter Editor/Breaking e-News:

Linda Hemphill

Residential Directory & Newsletter Delivery

Doris Barletta

Web Site webmaster@rjswebdesigns.com



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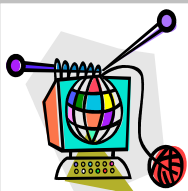
brian.waller@comcast.net

Hurricane Preparedness

The goal of hurricane preparedness is to minimize the impact a storm could have on property and individuals. Preparedness is an ongoing, year-round process to mitigate the possible effects of dangerous debris, impassable roadways, no electricity, no running water and the inability to get your family or your business up and running. The Atlantic hurricane season runs from June 1 to November 30th. Since hurricanes, powered with high winds and excessive rain, frequently have sub-storms imbedded within them. Consider your family's preparedness for stormy weather by during the following:



- Discuss the type of hazards that could affect your family. Know your home's vulnerability to storm surge, flooding and wind.
- Have an arborist or tree surgeon assess your trees for breakage/falling during high winds
- Locate a safe room or the safest areas in your home for each hurricane hazard. In certain circumstances the safest areas may not be your home but within your community.
- Determine escape routes from your home and places to meet. These should be measured in tens of miles rather than hundreds of miles.
- Have an out-of-state friend as a family contact, so all family members have a single point of contact.
- Make a plan for what to do with your pets if you need to evacuate.
- Post emergency telephone numbers by your phones and make sure your children know how and when to call 911.
- Check your insurance coverage - flood damage is not usually covered by homeowners insurance.
- Stock non-perishable emergency supplies in a Disaster Supply Kit.
- Use a NOAA weather radio. Remember to replace its battery every 6 months, as you do with your smoke detectors.



Check out all things Charter Point on the Web! Newsletter archives, photos, architectural approval forms, and copies of governing documents (C&R and CPCA Bylaws) are just a quick click at www.charterpoint.org!

Become a *fan* on the **Charter Point Facebook page**, too!



Charter Point Residential Directory

The 2011 Charter Point Directory of residents has been printed and delivered by neighborhood reporters. Only current dues-paying members of the Charter Point Community Association will receive a directory. If you are a member and have not received your directory, contact Doris Barletta, Directory Coordinator, at 743-4996 or bob.b1@comcast.net. Please also be sure to contact Doris if your household information changes.

Mayor Alvin Brown Presents Proposed FY 2011/2012 Budget

Friday, July 15, 2011

(<http://www.coj.net/Mayor/Docs/Mayor-Brown-Budget-Speech.aspx>)

Good morning. Mr. President, members of the City Council, distinguished guests and citizens of Jacksonville:

I am honored to stand here today to share my inaugural budget and lay out a vision for where I want to take Jacksonville in the coming year. I want to offer a special thanks to Council President Stephen Joost for his welcoming spirit over the past few weeks and his leadership.

I also want to thank Council Vice President Bill Bishop and Finance Committee Chairman Richard Clark. I look forward to working with each of you in the coming weeks. On May 1st, Jacksonville faced a projected budget deficit of nearly \$58 million. Today, that deficit stands at zero.

I campaigned on a pledge to deliver a balanced budget that streamlines government, focuses on job creation without raising taxes or fees or tapping our reserves. This budget delivers on that promise. I've met the challenge with a combination of precise cuts that ensure essential city services will continue and a reduction in the city's labor force that brings government in alignment with today's economic realities. Government can – and must – live within its means. Around this great city, families have struggled to meet the financial challenges of everyday life.

Our unemployment rate is much too high. Far too many of our citizens are out of work. Thousands more are underemployed. And many families are struggling to stay in their homes. Now is not the time to grow government. These times call for shared sacrifice and my administration has risen to the challenge.

My office has not been spared. I promised to take a 20 percent pay cut during the campaign. I've done that. I've sat down with the directors of every department in city government to identify savings. I have eliminated numerous middle management positions in an effort to stream line government. The council has agreed to make sacrifices. The sheriff's office has trimmed its workforce. The fire department has done the same. And we've accomplished it all without compromising our public safety. This budget reduces the city's workforce by more than 220 positions, including nearly 50 that were mayoral appointees. Some of these positions were vacant, some were filled and others will be identified through our next initiative – a major reorganization effort that delivers a government that is more effective and efficient.

Assisting us in this process will be the newly-created Office of Public-Private Partnership. The goal of this new initiative is rather simple. We'll identify areas where the private sector is better positioned to deliver key services and work to develop partners to make it happen.

The newly-created Education Commissioner is the perfect example of the partnership we'll be working to build. I'm proud to have Donnie Horner, a graduate of West Point, MIT and Stanford on loan from Jacksonville University to lead this effort.

In my first week in office I welcomed our governor to our port. He was followed by the United States Transportation Secretary, and days later, lawmakers from around our state. Our port symbolizes our future. It serves as the key to diversifying and growing our economy. Under my administration, we will fix mile-point. We will dredge our channel. We will position Jacksonville to compete in a global economy.



Mayor Alvin Brown

Today, I'm announcing a number of initiatives that will take Jacksonville to the next level. First, I'm announcing my intent to create a Downtown Community Empowerment Corporation. IT'S TIME TO PUT DOWNTOWN JACKSONVILLE BACK ON THE TAX ROLLS. We've invested more than \$1.2 billion dollars in taxpayer money in our downtown. I will leverage that with private sector investment to build a vibrant downtown that will become THE HEARTBEAT OF NORTHEAST FLORIDA. I'm also creating the Jacksonville Sports and Entertainment Corporation. This entity will build on our previous successes to bring sporting events like the Florida-Georgia game from around the world to the river city. Can you imagine an ESPN Sports Zone in our downtown to capitalize on these initiatives? I can.

I can't do this alone. I've had more than 200 people serve on 18 transition committees. They'll deliver reports in the next week that will make recommendations for where we want to take Jacksonville in the future. I'm going to ask many of these same individuals -- our best and brightest -- to serve on nine mayoral advisory councils that I intend to create. But their help is not enough. I need each of you – every resident, every taxpayer, ever stakeholder – in this city to rise to the challenge. The future of our children, our nieces, our nephews and our grandchildren is at stake.

We can deliver a quality public education to every child in this community. We can build a transportation system equipped for the 21st century. We can foster an environment where every family has an equal opportunity to seize their own piece of the American dream. We can partner with the private sector to put this city back to work. This budget accomplishes that. One vision, one city. Opportunity for all.

As Dr. Martin Luther King Jr. once said. "The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy. The TRUE NEIGHBOR will risk his position, his prestige, and even his life for the welfare of OTHERS."

To whom much is given, much is required. We have been granted blessings immeasurable. It's now our time to rise to the challenge. Thank you. God bless each of you and God bless Jacksonville.

To review detail of the Mayor's Proposed FY2011/2012 Budget, go to <http://www.coj.net/Departments/Finance/Docs/Budget/Proposed-Budget-2011-2012>.

Of Community Interest!

Proposed Poker Room (Garden Ridge building near Regency Square)

Following the news stories that broke on this subject on June 28, 2011, I have spent considerable time researching whether Jacksonville Kennel Club's (JKC) desire to locate a poker room (within the building presently occupied by Garden Ridge) would require any City Council action, and it appears it will not.

The current zoning districts assigned to the Garden Ridge property - Commercial Community/General 1 District (CCG-1) and Commercial Community/General 2 District (CCG-2) - both permit such an establishment. Section 656.313(IV)(5) of the Zoning Code (CCG-1) states:

"Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks, movie theaters, indoor facilities operated by a licensed pari-mutuel permit holder, and similar uses are permitted by right."

Likewise, section 656.313(V) of the Zoning Code (CCG-2) states:

"Commercial, recreational and entertainment facilities such as carnivals or cruises, theaters (including open-air theaters), skating rinks, athletic complexes, arenas, auditoriums, convention centers, go-cart tracks, driving ranges, indoor and outdoor facilities operated by a licensed pari-mutuel permit holder and similar uses."

Therefore, no application for a change in zoning will be required to come before the City Council.

Likewise, it appears no exception to the Zoning Code for the sale and service of alcohol (a permissible use by exception in the CCG-1 zoning district and a permitted use by *right* in the CCG-2 zoning district) will be required either.

Although a portion of the proposed facility is in fact zoned CCG-1, when JKC originally requested a Zoning Confirmation Letter, the Planning and Development Department apparently issued the same reporting that the entire parcel was zoned CCG-2. (Again, CCG-2 allows for the sale and service of alcohol by right.) Later, the Planning and Development Department amended their original Zoning Confirmation Letter by reporting that "part" of the parcel was zoned CCG-1 while the remainder (and bulk) of the parcel was zoned CCG-2.

JKC is now asserting an estoppel claim, reporting that they entered into a purchase agreement for the property based on the original Zoning Confirmation Letter. The Planning and Development Department takes the position that the initial request (for a Zoning Confirmation Letter) made by JKC was incomplete inasmuch as it did not properly include all of the parcel numbers for the proposed site. At this point, I am unclear as to how this dispute will be resolved.

Ordinarily a zoning exception would be required in CCG-1 for the sale and service of alcohol. While applications for a zoning exception are heard by the Jacksonville Planning Commission, decisions of the Planning Commission may be appealed (by anyone who was part of the record at the Planning Commission hearing) to the City Council. Therefore, in the event of an appeal, the City Council would act (in a quasi judicial manner) only on the application for zoning exception.

There have also been questions about whether a permit issued to JKC at its former McDuff Avenue dog track can now be used elsewhere. The short answer is yes, providing that location is no more than 30 miles from the former location. The relocation of a greyhound permit is authorized by section 550.0555, Florida Statutes, which states in relevant part:

550.0555 Greyhound dog racing permits; relocation within a county; conditions.—

(1) It is the finding of the Legislature that pari-mutuel wagering on greyhound dog racing provides substantial revenues to the state. It is the further finding that, in some cases, this revenue-producing ability is hindered due to the lack of provisions allowing the relocation of existing dog racing operations. It is therefore declared that state revenues derived from greyhound dog racing will continue to be jeopardized if provisions allowing the relocation of such greyhound racing permits are not implemented. This enactment is made pursuant to, and for the purpose of, implementing such provisions.

(2) Any holder of a valid outstanding permit for greyhound dog racing in a county in which there is only one dog racing permit issued . . . is authorized, without the necessity of an additional county referendum required under s. 550.0651, to move the location for which the permit has been issued to another location within a 30-mile radius of the location fixed in the permit issued in that county, provided the move does not cross the county boundary, that such relocation is approved under the zoning regulations of the county or municipality in which the permit is to be located as a

(continued next page)

planned development use, consistent with the comprehensive plan, and that such move is approved by the department after it is determined at a proceeding pursuant to chapter 120 in the county affected that the move is necessary to ensure the revenue-producing capability of the permittee without deteriorating the revenue-producing capability of any other pari-mutuel permittee within 50 miles; the distance shall be measured on a straight line from the nearest property line of one racing plant or jai alai fronton to the nearest property line of the other.

Likewise, the relocation of JKC's corresponding card room license is authorized under section 849.086(17)(a)1, which states in relevant part:

"The division shall transfer, without requirement of a referendum election, the card room license of any permit holder that relocated its permit pursuant to s. 550.0555."

Although there was a hearing held on July 14 (here in Jacksonville) by the Florida Department of Professional Regulation regarding the relocation of JKC's permit, the purpose of the hearing was limited to only whether any other permit holder would be adversely affected by the relocation. My guess is that the hearing officer(s) will find there is no adverse impact because there is no other permit holder located within 50 miles of the proposed new site.

Finally, there have also been questions about the hours of operations for the proposed poker room. Although the CCG-1 and CCG-2 zoning districts allow for 24 hour retail operations (much like a Wal-Mart or convenience store), it is my understanding that Florida Statutes limit poker rooms to 18 hours a day on weekdays and 24 hours a day on weekends.

In summary, for the reasons stated above, I believe it is unlikely that any matter relating to the proposed poker room will come before the City Council. Even with the slight chance that the site plan for the proposed facility could trigger the need for Fair Share Assessment (a contribution by the developer towards some element of concurrency that is deficient - for example, not enough trips available on Monument Road), any Fair Share Assessment less \$100,000 no longer requires City Council approval.

In closing, I will continue to monitor the developments associated with the proposed poker room as well as the dispute between JKC and the Planning and Development Department regarding the Zoning Confirmation Letter.

John R. Crescimbeni, City Councilman, At-Large, Group 2

More Information of Community Interest

Greater Arlington/Beaches Citizens Planning Advisory Committee meeting, July 20, 2011

The Jacksonville Port Authority (JAXPORT) is an international trade seaport, which has cargo and cruise business and supports 65,000 jobs across the region and generates a total of \$19 billion in annual economic impact. Most of the jobs that are created as an offshoot of JAXPORT are not located at the port, but are distributed throughout Jacksonville.

Most recently the new Mitsu (Japanese shipping line) Terminal has seen more business and development for Jacksonville. Mitsui OSK Lines created many paying port jobs and just as many spin-off jobs. Mitsui will attract companies that want to do business with them, thus causing a ripple effect; new companies then look for more distribution centers at the port and business parks. In 2009 and 2010, JAXPORT set volume records. Growth at JAXPORT continued in part to Mitsui partnering with other shipping lines to share ships for services that stop in Jacksonville at the new terminal built by TraPac, a subsidiary of Mitsui. Looking ahead, Panama Canal expansion will double the capacity of cargo through the Canal by 2014, allowing more and larger ships to transit. Jacksonville is well positioned to take advantage of the larger ships coming through the Panama Canal. Currently, new CEO, Paul Anderson is working to expand shipping lanes and increase our port capabilities to handle larger ships.

The Land Use & Zoning subcommittee discussed E-11-42 and companion application WLD-11-09 for 2111 University Blvd. N (formerly Angelo's Restaurant). The subcommittee made a motion to recommend approval with conditions: the new owner must improve the landscaping. The motion was made and seconded ~ the CPAC voted 11-1 to approve the motion.

Jacksonville Sheriff's Office announced the city is in its second year of overall declining crime rates. So far this year crime is down 8%, but with schools out there has been a spike in crimes associated with minors. Breaking curfew is the biggest offense. For those younger than 18, curfew runs from 11:00 p.m. to 5:00 am Sunday to Thursday; 12:00 am to 5:00 am on Friday & Saturday. If you notice any minors out and about after curfew, call 630-0500.

Systematic code enforcement inspections are being conducted around Arlington, averaging 90-100 inspections per day. Apartments at Gran Oak Townhouses (off Justina Road) have 90 units open, although the apartments are foreclosures; on July 17th Gran Oaks is supposed to transfer ownership. Code enforcement has been in contact with the new owners, who stated that they plan to rehab all the units.

Meeting minutes excerpt reported by Linda Hemphill, Charter Point representative to GAB CPAC

More Information of Community Interest

According to a tenant in the nearby **Gazebo Center**, it was rumored that a Wal-Mart Express or Wal-Mart Market would be occupying the space vacated by Publix. Councilmen Crescimbeni and Yarborough have been unable to confirm this information or obtain any sort of new tenant information from the Gazebo property management company, SMD. According to John Crescimbeni, SMD would only confirm that SMD had been working with several national retailers regarding space at Gazebo. The SMD representative would not identify the retailers with whom he had been working nor would he confirm or deny that one of them was Wal Mart Express. The representative did say that SMD was working diligently to secure a tenant for the space formerly occupied by Publix. Clay Yarborough has since put in a call to a contact with Wal-Mart, who is checking whether there are plans to open an Express location at Gazebo. Yarborough will advise when he receives an update.

Charter Point Governance Update

Volunteers Needed; Committee Chair Openings

Your Charter Point Community Association (CPCA) Board works diligently to improve the neighborhood, but needs your help and values your input. Volunteers are always needed to help organize social events, represent our neighborhood in civic meetings, and assist with community beautification and other committee projects. Everyone's busy, but contributing just a small portion of time to help with a neighborhood activity makes a big difference. Find out how you can help by attending a Board meeting or contact any Board member!

Board positions currently open for mid-term appointment: Social Committee chair, Community Improvements Committee chair.

Social Chair: helps plan and organize neighborhood social activities

Community Improvements Chair: Supervises common area upkeep; organizes seasonal planting and beautification; helps obtain bids for improvement projects; monitors related contracts budget

If interested in chairing one of these committees, please contact Walt Holton, CPCA president, or any Board member. Interested persons must be 2011 CPCA members and are welcome to attend the next Board meeting.

Ombudsmen

Charter Point is a great community because of the wonderful people who live here, whether a new couple or family of long-standing. Thank you to those who continue to invest in your most valuable asset - your home – by keeping your property looking its best. As turnover occurs in our neighborhood, we all hope to see the culture of ownership pride continue.

The Covenants enforcement committee has a tough but necessary job and makes every effort to resolve compliance issues as diplomatically as possible. A property management company could be enlisted to handle these matters, but not without cost and possible loss of humanity. In the spirit of neighborliness, compliance concerns may now be discussed with an Ombudsman. The ombudsman position was created in the Covenants & Restrictions to provide Charter Point homeowners with an unofficial audience for hearing concerns about compliance issues without the formality that has created tensions in the past. The Ombudsman will have the ear of the Board, but are not members of the Board. The creation of this position enhances the "neighborly" treatment of all owners while providing encouragement to comply with the covenants without confrontation.

If needed, contact Ombudsmen Bill Cuartero (bill@itprojax.com), Millie Kanyar (milliekanyar@watsonrealtycorp.com) or Webb Wade (webb@wadehouse.net). Each are equipped with a thorough knowledge of the covenants and will provide an unofficial consultation as Association intermediaries.

Check out Salty River Sports Bar & Grill, a new establishment in Arlington!



9527 Regency Square Blvd # 5, Jacksonville, FL 32225
(904) 647-8544 saltyriversportsbar.com

\$5 Happy Hour Menu, 4:00 – 8:00 pm

\$1 Domestic Draft

\$5 Domestic Pitcher

Military Mondays – present military ID for a free appetizer

Tuesdays - Latino Nights: \$3 Margaritas

Wednesdays - \$0.50 Wings

Thursdays - Oysters - \$4.25 / Dozen

Fridays - Reggae Music with Les B Fine - Shrimp Dinner - \$4.99

Bring in your ticket stubs from AMC or Regal theaters and receive a free appetizer!



Check out the website for our complete menu and other exciting information! saltyriversportsbar.com

