



Charter Point Notes

September 2011



"No day shall erase you from the memory of time" - www.911memorial.org



Walt Holton
CPCA President

President's Message

Hello Neighbors!

This is a long, information-packed issue, but worth the read.

Several years ago we Charter Point homeowners took on the incredible task of updating our Association By-laws and community Covenants and Restrictions (C&R) documents. As demonstrated by your strong participation and approval, these revised governing documents are comprehensive and easy to read, containing sensible policies designed to provide judicious governance and the standards necessary to maintain the aesthetic appeal and property value of our neighborhood.

The revised C&R became effective on April 21, 2010, by more than the 75% approval rate needed to enact it and was registered with the Duval County Clerk of Courts. Since then, our Board has taken dramatic steps to enforce the covenants and encouraged residents to improve the condition of their properties, in accordance with the covenants.

As dues paying members, you asked the Board to manage the Association responsibly and to administer the C&R in a decisive, but neighborly, manner. I am confident we have been and will continue doing so. However, it is important to note that not all covenants issues are the same, hence the Board does not embrace a "cookie cutter" approach to enforcing the C&R. Enforcement is a multi-step process, requiring personal contact first by a C&R committee member (Phase 1); followed by a written request for corrective action (Phase 2); followed by written notification of commencement of fines, unless action is taken or a plan is submitted (Phase 3); followed by a demand for fines payment if no action is taken or plan submitted (Phase 4) followed by filing a lien if fines are unpaid (Phase 5). The right to consult with an ombudsman during the enforcement process is also available. Please note the enforcement process takes time to work through. As you can see, those in violation have multiple opportunities to interact with the Board to negotiate a reasonable outcome. Litigation is a last ditch option after all other efforts have failed.

In recent months, the Board corresponded with over forty property owners regarding C&R issues. While many responded favorably and took timely corrective action, others have not, which means they risked incurring fines if the issue remained unresolved. While the Board does not relish this fact, it is worth noting the Board carefully considers each situation before imposing such penalties.

I hope you interpret my message in the spirit I intended to communicate and can appreciate the challenges we face. Charter Point is our neighborhood – yours and mine. Only by working as a team we can move forward together. I am always thankful for your support, but if I am not doing my job to your satisfaction, I will gladly step aside. Meanwhile, I look forward to seeing you at the upcoming Association meeting on Saturday, October 15!

Charter Point Community Association Semi-annual Members' Meeting

**Saturday, October 15,
10:30AM - 12:00 PM
University Park Library**

Proposed Agenda

**Governance Updates
Financial Report, Covenants Enforcement,
Committee Chair Vacancies, Q&A**

**Special Discussion:
Property Management**

Welcome to the Neighborhood!



**The Gabor Family
4472 Charter Point Blvd
Lot 132**

Yard of the Month

**The Adkins Family
4420 Fern Creek Drive
Lot 167**



**Don't forget the Community
Garage Sale!**

**Saturday, October 8
8AM - 2PM**

CPCA Member Update

Please denote (*) in your Residential Directory the following members who paid Association dues since the directory was printed:

Simoun & Ibtesam Yazji (lot 2); Tony Batycki (lot 11); Paul & Daisy Varghese (lot 58); Chip & Mary Sink (lot 63); Michael & Doris Meade (lot 107); Dana Cufflin (lot 135). Thank you for your support!

Charter Point Community Association Board

President:

Walt Holton
4304 Fern Creek Drive
762-1502 or wholton@bellsouth.net

Vice-President:

Linda Hemphill
5487 River Trail Rd, 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 yeuhb@aol.com

Committee Chairs

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

Community Improvements:

Vacant

Social:

Vacant

**Help needed
ASAP!**

Newsletter Editor/Breaking e-News

Linda Hemphill

Residential Directory Coordinator

Doris Barletta

Web Site webmaster@rjswebdesigns.com

Charter Point Community Ombudsmen

Bill Cuartero

743-0014 or bill@itprojax.com

Millie Kanyar

743-2152 or milliekanyar@watsonrealtycorp.com

Webb Wade

744-3933 or webb@wadehouse.net

Bulletin Board

Jan Walker

It's Not Too Late!



Charter Point annual dues are still being cheerfully accepted! The Association really needs everyone's support to maintain neighborhood standards - which help protect your home investment. If you have not renewed your membership yet for 2011, please consider doing so. Make check payable to

Charter Point Community Association, and deliver to Bob Barletta, CPCA Membership Chairman, 4432 Fern Creek Dr., Jacksonville 32277. If paying electronically, assure your e-check has the correct delivery address. Thank you.

Annual Fall Festival

9:00AM — 2:00PM

Saturday, October 8, 2011



Baked Goods

Country Kitchen

Crafts

Hot Dogs & Hamburgers

Plants



Children's Activities

Family Fun

Health Fair (9am-12pm)

Silent Auction



Arlington United Methodist Church
1400 University Blvd, North

(Between the Arlington Expressway & Jacksonville University)

www.arlington-umc.org

For vendor opportunities, please call 904.743.1400



JEA has posted information on their website (www.jea.com) with ads on various media outlets regarding their new contest - **The \$10,000 Home Energy Makeover Contest**. The contest began Thursday, 9/1. Entries will be accepted until 10/7/11. Information will also be available at the *Home & Patio Show* later this month. I believe they will be giving away 10 fee home energy audits, as well as the grand prize.

~ submitted by Sharon White, Fern Creek Drive

Sign Up for Newsletter e-Delivery!

To save paper, printing costs and volunteer time spent on hand delivery, the *Charter Point Notes* newsletter is distributed electronically, effective last January, saving the Association around \$1,400 annually. Thank you to all who opted to receive a cost-saving, e-copy. E-newsletters are conveniently archived on the Web site, www.charterpoint.org, under the *Latest News* link. If you don't have a computer or Internet access, contact Doris Barletta at 743-4996 if you wish to receive a hardcopy. To receive an e-copy automatically each month, contact cpcanews@aol.com.



Honey Do Recommendations



Have you ever experienced Charter Point "sticker shock," i.e., the estimate you received or the cost of work performed seemed significantly higher than you expected? Or you paid a premium price for substandard work?

The following service providers were highly recommended by several satisfied Charter Point homeowners -- "They provided excellent customer service and charged a fair price. My yard has never looked better!" and "Honest work for a reasonable price, and our A/C now works great. The estimate I received from a well-known company was outrageous, an obvious rip off."



Governance Reminders

The best interest of all homeowners is a top priority. The CPCA Board's commitment to you is to continue to be proper stewards of Association resources and to maintain our community standards.

CPCA Board meetings are held monthly, generally on the 3rd Monday at 7:00 PM. Contact any Board member for locations. **Semi-annual CPCA Members' Meetings** are generally held in March or April and September or October.

As partners in upholding community standards, all homeowners and tenants are reminded to become familiar with the **Charter Point Covenants & Restrictions**, applicable to all properties regardless of CPCA membership status. **Charter Point governing documents** (covenants and Association Bylaws) are available on the Web site, www.charterpoint.org.

Please be reminded of **C&R-mandated exterior upkeep** and the **necessity for architectural approval**:

Lawns: Keep bushes trimmed and lawn regularly mowed, edged and weeded, including landscape beds, and lawn sufficiently irrigated (or install a suitable *live* ground cover vs. defaulting to bare dirt or leaves) to maintain a pleasing appearance of our neighborhood, overall. Treat areas damaged by pests or disease promptly to prevent migration to neighboring yards. (See *Charter Point Lawn Standards*, p. 6).

Fences: Keep fences in good form by replacing broken boards and repairing gates. Note: PVC and chain link fences/gates are not permitted unless previously grandfathered in as a non-conforming structure per an earlier C&R.

Home Additions and Exterior Changes: No additions or changes to the exterior of the home, including painting, roofing, fence installation, dock construction and major landscaping, especially Xeriscaping, are permitted until you have received Board approval. Replacement projects, such as repainting, re-siding, re-roofing and installing new windows require pre-approval, too.

Charter Point architectural guidelines are found in the Covenants & Restrictions; an architectural improvement application form is located on the Website, www.charterpoint.org or by contacting Craig Hemphill, C&R Committee chair, at rcraigh@aol.com. When submitting a request for approval, (see application form on p. 8) be sure to include a detailed drawing or architectural rendering of the proposed project or commercial representation, e.g., a brochure, paint or shingle sample, etc.

STEVE MEDFORD
President

MEDFORD'S LANDSCAPE SERVICES, INC.



Commercial &
Residential
Since 1985

P.O. Box 350219
Jacksonville, FL 32235

(904) 707-3390 Cell
(904) 646-1371 Home

medfordlandscape@bellsouth.net

RESIDENTIAL

COMMERCIAL

BOWMAN
EST 1987

Heating & Air Conditioning
State Cert. CAC 1813750

Bobby Rawls

bowmanheatingandair@yahoo.com

(904) 766-5860



"The Big Dogs of Comfort"



What You Need to Know About Covenants Enforcement

It's fair to say we were all attracted to live in this neighborhood by the beautiful homes, stately oak trees and neighborly ambiance. Although we have much to be proud, long-lingering "blemishes" needed to be addressed, especially lawn deterioration -- a handful lawns frequently sit un-mowed for months; over twenty lawns have deteriorated into nothing more than dead grass, dirt and leaves; a bank owned homes sit vacant and either grossly overgrown or in a steady state of deterioration. Boats, campers and trailers appear in backyards and driveways; rusted BBQ grills and assorted unsightly clutter lingers visibly in driveways for months. The rest of the community is up in arms, demanding action. What is a conscientious Board to do?

Covenant enforcement is an unpopular but necessary task faced by our Association Board. It is never easy to tell a neighbor they must improve a deteriorated lawn; remove a boat, trailer or RV; or clean long-standing clutter from a driveway. Most owners realize there are certain rules we all must abide by when moving into our covenant controlled community. But some do not, and some simply choose to ignore them. Awareness or disregard aside, it is up to the Board to exercise its authority to ensure compliance with the covenants.

Two questions the Board is often asked are: (1) Must the Board must enforce the covenants? (2) What enforcement action is being taken in a given situation? As a general matter, yes; it is the Board's fiduciary duty to enforce the covenants in our community. This doesn't mean the Board must file a lawsuit against every owner who hasn't corrected a violation in a reasonable timeframe. It does mean the Board considers the evidence in each situation and decides whether or not, in its best business judgment, it is worth pursuing an alleged violation, and if so, what action should be taken. It is also worth mentioning a property owner may bring an enforcement action against someone himself.

Here are the options our Board considers when pursuing covenant violations. Keep in mind this is not meant to be an exhaustive discussion of each remedy.

When considering the various enforcement options available to the Charter Point Community Association, the covenants committee first consults the governing document and reviews the property with the alleged violation. If a violation exists, a stepwise enforcement process is followed, starting with a personal visit to advise the homeowner of the violation and discuss corrective action. Charter Point covenants specifically state the enforcement options available (notification, request for corrective action, imposing fines/liens) to enforce the covenants. Florida statutes provide basic rights to Associations, including imposing fines, filing

liens, etc. More importantly, our Association prefers to resolve situations amicably and takes great care to avoid capricious or selective enforcement.

Historically, the most prevalent grievance expressed by Charter Point homeowners has been neighboring lawn neglect and deterioration. In fact, the covenants revised in 2010 was in direct response to a long-standing gap in the earlier covenants -- a lack of lawn standards and a delineated enforcement process with teeth. After surveying the community to identify significant issues prior to beginning the revision project, committee members had a clear baseline from which to establish goals for the amended C&R, thus crafting a document that met most concerns. The committee also consulted an attorney and other legal and real estate professionals.

Moreover, when written consents to approve the revised covenants were solicited, the message sent by the 76% of homeowners who consented (and currently growing) was heard loud and clear: "What can be done to correct these neglected lawns!" More than a year since the revised covenants were enacted, a sweeping lawn enforcement initiative began in June 2011, targeting over 35 properties, backed by 100% Board approval. Why now? The Board hoped the targeted lawns would have improved by now, after frequently publishing lawn standards (see p. 6) and pointed lawn care articles in the newsletter and waiting patiently through two growing seasons for signs of improvement. Since launching the lawn improvement initiative, several properties have either undergone significant transformation or provided an appropriate improvement plan and timeline. Those who chose to ignore the Board's corrective requests risk more stringent enforcement measures. At minimum, submitting a written corrective action plan is required (see p. 7) to suspend further enforcement action, with subsequent corrective follow through, of course.

In summary, Charter Point covenants provide sufficient authority to enforce the rules successfully; improved tools to address community concerns (Ombudsmen); clear, concise language for easier interpretation; reasonable restrictions; and a fair means to solve Association membership obligations. A stepwise enforcement process with reasonable timelines and access to an ombudsman assures impartial and non-discriminatory treatment. The Board addresses enforcement as a group. There are no rogues or lone wolves. Legal counsel and architects are consulted, as necessary.

Although this newsletter issue emphasizes covenants enforcement, the purpose is to inform and enlighten, not brow-beat. Enforcing C&R standards is an important function of a healthy Association. When executed appropriately, covenant enforcement helps retain property values and creates a safe, pleasant community. Admittedly, neighbor-to-neighbor enforcement can be delicate and awkward. Engaging outside property management may become necessary in the future to effect compliance and depersonalize the enforcement process. But this is a topic for discussion at another time.

Your C&R Committee,
Craig Hemphill (Chair), Walt Holton, Bob Barletta

Ombudsmen:
Bill Cuartero, Millie Kanyar, Webb Wade

Greater Arlington / Beaches ~ Citizens Planning Advisory Committee

Monday, August 8, 2011

Meeting Summary

Guest Speaker

Jamie Shelton, Chief Financial Officer, Jacksonville Greyhound Racing (JGR) spoke about the JGR organization and plans for a new Poker Room at the current Garden Ridge Store on Monument Road.

In brief, JGR is a State licensed pari-mutuel organization with facilities in Clay and St. Johns Counties. JGR facilities offer pari-mutuel wagering, dining, and special events. The pari-mutuel wagering offered includes live greyhound racing, simulcast wagering and card games (poker and other authorized card games). Current locations include Orange Park Kennel Club and The Best Bet at St. Johns Greyhound Park on Racetrack Road in Jacksonville. Internal and third party market research indicates the Jacksonville market can support a third pari-mutuel facility. A strong propensity for card playing also exists in the north/northeast areas of Duval County, the beaches communities, Nassau county, and Southeast Georgia.

The Garden Ridge site was selected because (1) the existing site is located in a commercial trade area, (2) has the proper zoning and sufficient parking, (3) accessibility to 9A (to attract customers from the beaches, Nassau county and Southeast Georgia). There will be major renovations (interior and exterior) to the existing building, completed by local contractors and subcontractors. The parking lot will also undergo a significant upgrade with lighting and landscaping. JGR will not be using the entire building. For now, the poker room will occupy approximately half of the building. At a later date, it will be determined how JGR will utilize the rest of the building.

Once the facility opens, there will be 200 new jobs with an average salary of \$50,000 across the board. The types of positions created will be dealers, floor personnel, food service (waitresses, bartenders and kitchen staff), security personnel, information technology, accounting, and management. There will be \$10-12 per hour positions, but many of the dealers can make close to \$80,000 per year (including their tips). Operations are expected to generate approximately \$1.3 million in tax revenues in the initial year of operation. JGR also plans to work with area hotels and restaurants in connection with events to be held at the new facility.

JGR currently employs full time security staff comprised of former and active police officers. JGR is currently partnering with the Office of the Sheriff in Clay and St. Johns Counties and they will develop the same working relationship with JSO in providing security detail for the new facility. Traffic is not expected to impact the area at all. Employees arrive and depart outside of typical peak traffic times; customers will have a moderate flow throughout the daytime hours, but steadily increase in the evening and after work hours.

The proposed hours of operation will likely be 10:00 am to 4:00 am. These operating hours are allowed by state law, but if the demand is lacking to stay open these hours, JGR will adjust the hours. Signage for the building will be done in accordance with codes; no Las Vegas or casino type of signage will be used.

Mayor's Liaison Report –Mayor Brown proposed the City should take a more active role with our local education system and issued an executive order naming the first Education Commissioner for the City of Jacksonville. The office will have no executive powers over the school system, but will serve a crucial supportive function to raise private money and rally community support when the schools are facing cutbacks.

JSO Report - Over 133 communities participated in the 2011 National Night Out program. CPAC members should encourage their Associations to become actively involved with the Sheriff's Advisory Council (ShAdCo). JSO offers Crime Stats and Crime Mapping on www.Jaxsheriff.org. This feature has the ability to focus on types of crime, location in town, date range; the programming is customizable to an Association's needs.

Municipal Code – Two systematic inspections were completed in Arlington Manor and Alderman Park. Most investigations come from phone calls. If there is a situation that has you concerned, please call 630-CITY to register your concern. Also, if you would like to request a Code Compliance officer, please send the request to ElaineL@coj.net.

The next meeting will take place on Monday, September 12, 2011

Charter Point Lawn & Landscape Standards

Charter Point covenants empower the Association to take action when lawns are neglected. Properties must meet the exterior standards established by these Covenants, with lawns regularly maintained in a neat fashion. The following guidelines represent the expressed concerns submitted by Charter Point residents, approved by the CPCA Board.

GUIDELINES for MINIMUM lawn maintenance: "Minimum" assumes that a lawn is already in reasonable condition. Obviously if a lawn is in poor shape, it will need more work to restore it.

- The front, side and rear yards must be sodded with sufficient grass or appropriate live ground cover (e.g., ivy, Mondo grass, shrubbery, flower beds, Xeriscaping and the like) with the exception of paved areas, patios, swimming pools, etc. Landscape design is up to the discretion of the individual property owner in keeping with CPCA covenants. Shade tolerant sod or appropriate ground cover is suggested for heavily shaded lawns that cannot grow grass.
- Shrub and Ground Cover Beds: planting areas consisting of groundcover and shrubs should be regularly maintained to prevent an unkempt appearance created by overgrown or "leggy" plant growth or invasive weeds. Weeds should be routinely removed or chemically or organically controlled. General trimming of shrubs to maintain a natural shape which is characteristic of the plant is encouraged. Mulching of shrub and live groundcover areas is also encouraged. The edges where beds meet turf or structures should be regularly maintained with a clean, trimmed edge.
- All lawn and garden areas must be kept free of weeds and maintained in a neat fashion. Weeds must be removed regularly.
- Lawns must be cut weekly during the growing season; during the hot, drier summer months, cut once every 10 days. Grass must not exceed 6 inches in height. To prevent stressing the grass, leading to disease or death, care should be taken to avoid mowing too close to the root: Suggested mower blade height from the grass roots (St. Augustine variety): 3.0" – 4.0". *Source: Florida Cooperative Extension Service, Publication SS-ENH-09*
- Mower Clippings: grass clippings should not be permitted to remain on any street, driveway or sidewalk after mowing is completed. All clippings must be raked, swept, or blown off these surfaces. Clippings should not be swept or blown into storm sewer inlets or neighboring yards.
- Lawns must be edged at least periodically (e.g., monthly in March, May, July, September, November, at minimum). All areas that touch concrete (curbs, sidewalks, etc.) must be edged.
- Dead trees must be cut down and stumps removed to ground level and removed from the property promptly to prevent loss of living trees via pests and/or disease. No CPCA approval to remove dead trees is required. Consulting an arborist before removing a possibly diseased tree is recommended. Do not rely on the advice of a lawn service or tree trimmer.
- Pruning: trees should be pruned to remove dead limbs and suckers, and in such a manner to maintain the general natural shape characteristic of the species. Limbs which endanger physical property (fences, houses, etc.) on an adjacent property should be removed. Tree branches over the sidewalk should be trimmed to at least ten (10) feet in height over the sidewalk area.
- Vines: non-ornamental vines (e.g., Kudzu, creeper vines, etc.) must be kept from proliferating on fences and home exteriors. Honeysuckle and jasmine are acceptable vines provided they are not so invasive that their growth is engulfing a neighboring tree or shrubbery, or so heavy along a fence that the fence is at risk of deterioration or being pulled down by the weight of the vine.

In the event that a yard is neglected by an absentee owner, the Association may, after following prescribed steps, take action to provide remedial action and charge the owner. If a yard is neglected by an owner in residence, the Board may enforce its reasonable requirements for maintaining the property and has tools for enforcement, along with procedures for communication to avert unnecessary confrontation.

Charter Point is an upscale neighborhood, yet much more attractive in years past. If we all do our part in keeping up our lawns, we will reap aesthetic and financial rewards. Lawn standards and enforcement procedures were not created to effect a "Stepford - like" neighborhood, where each lot looks exactly the same. However, our little oasis in Arlington has experienced a downturn in appearance in recent years, as evidenced by the gross neglect of several properties. Several sub-standard, but less glaring properties need attention, too. We can all at least regularly mow and edge our lawns, and sustain a good portion of grass or attractive live groundcover. If you are struggling to maintain your lawn, please contact a service provider for assistance or ask neighbors who use a lawn service for recommendations. Neighborhood teens looking to earn extra money may also be available to tend to basic lawn care needs for a nominal charge. Whether outsourced or self-attended, lawn care is a wise investment in your property and upholds property values.

Charter Point Community Association

Lawn Improvement Plan

Date: _____

Home Owner(s): _____ Tenant (if a rental): _____

Address: _____

Phone: _____ Email: _____

Description of Proposed Improvement (Check all that apply and briefly describe the improvement plan. Use the reverse side of this page if additional space is needed):

- Install sod/grass seed or groundcover
 Treat insect/disease/fungus damage
 Remove excessive leaves
 Install/repair irrigation
 Trim overgrown shrubbery
 Remove excessive vines
 Fertilize
 Remove/treat weeds
 Mow/edge grass/lawn cover
 Other _____

Estimated Start Date: _____ Estimated Completion Date: _____

I agree to commence the above-described lawn improvement plan in compliance with all applicable City codes and ordinances in a manner consistent with Charter Point covenants and lawn standards.

Owner/Tenant Signature: _____

Return form to Craig Hemphill, C&R Committee Chair, 10 South Newnan Street, Jacksonville 32202 or, for a faster response, by email to rcraigh@aol.com. Your proposed lawn improvement plan will be submitted to the C&R Committee and/or Board of Directors for prompt consideration. Thank you for complying with Charter Point covenants and lawn standards.

This proposed lawn improvement plan was approved disapproved by the Charter Point Community Association C&R Committee and/or Board of Directors on _____.

If disapproved, the following reason(s) were stated: _____

Signed _____ Title _____

Referred to Ombudsman: No Yes Ombudsman: _____

CHARTER POINT COMMUNITY ASSOCIATION

REQUEST FOR APPROVAL OF CONSTRUCTION OR ALTERATION OF STRUCTURES

This form is designed to provide Charter Point homeowners with a convenient method of complying with the covenants and restrictions (found at WWW.CharterPoint.org), relating to construction of new structures and modification, remodeling, or repair of existing structures (See Article III, Section 8). Specifically, homeowners must submit the information elicited by this form to the Association, channeled through its Covenants and Restrictions committee, which has limited authority to approve and disapprove proposed construction. Use of this form does not alter any of the requirements of the covenants.

Date of Request: _____

Homeowner's Name: _____

Property address: _____ Lot #: _____

Telephone: _____ Cell: _____ Email: _____

Location of improvement on the lot (Attach a drawing, copy of building permit if applicable, and copy of contractor's proposal): _____

Proposed improvement/Type of structure: _____

Note: improvements covered by Article III, Section 4, must be in rear of lot and be walled, fenced, or sufficiently landscaped so that the structure is obstructed from view from outside the lot.

Dimensions: _____

Materials: _____

Color: _____

Landscaping: _____

Contractor: _____

Estimated commencement date: _____ completion date: _____

Owner's signature: _____

Provide form to chairman of covenants and restrictions committee