

Blackberry Creek Homeowners Association

February 3, 2015

RE: BLACKBERRY CREEK COVENANTS ENFORCEMENT

Dear Blackberry Creek Owner,

Part of Blackberry Creeks Self-Governance is covenant compliance monitoring. Each week the community will be inspected and homeowners will be notified of any items not in-line with Declaration of Covenants, Conditions, Restrictions and Easements for Blackberry Creek or any other rules and regulations adopted by the Association. Covenant violations will be handled in the following manner:

- 1st occurrence: A courtesy notice will be mailed to the homeowner notifying them of the covenant violation.
- 2nd occurrence: A courtesy notice will be mailed to the homeowner notifying them of the covenant violation.
- 3rd occurrence: A notice will be mailed and a \$25 fine will be placed on the account.

Each additional occurrence in a 12 month period will result in the fine being doubled, i.e. \$50, \$100, \$200, \$400, \$800. Homeowners are given ten (10) days to remedy the violation before it can be escalated to the next level.

It is not the intent of the Association to assess fines for covenant violations but to ensure that the governing documents are uniformly enforced for the betterment of the community. If you receive a letter, please take a moment to read the letter and address the issue.

Most of the shutters on the homes as well as the mailboxes and posts throughout the community are in need of maintenance. The Association is granting the membership until May 1, 2015 to perform the needed maintenance.

- **If your shutters are faded and/or the paint color has run onto the siding, please submit an ACC application which includes the color you wish to paint your shutters. Once approved, the work needs to be performed within 30 days of the approval.**
- **If your mailbox is rusted or damaged, you need to repair or replace your mailbox. If you plan on painting your mailbox or replacing it, you need to submit an ACC application which includes the exact mailbox you want to replace your mailbox with and/or the color you want to paint the mailbox.**
- **If your mailbox post is leaning, is damaged or needs to be painted, you need to address this before May 1, 2015. If you need to replace your mailbox post or paint it, please submit an ACC application which provides the details on the type of post you want to install as well as the paint color you want to use.**

To meet the deadline of May, 1, 2015, you will need to submit your request no later than March 1, 2015 to allow for the ACC committee to review the request. All ACC

requests will be processed as soon as possible to allow for the maximum time for the maintenance.

Any maintenance not performed as of May 1, 2015 will be subject to the covenants enforcement procedure and will be escalated accordingly.

ENFORCEMENT

Section 3.21 of the Blackberry Creek Bylaws provide the homeowners with the right to appeal the fine process but it must be done in writing within ten days of the date on the notice. All appeal rights are forfeited if not received within ten days from the date of the notice.

Below is a (not all inclusive) list of items that will be inspected weekly. Very soon, this information will be posted on the Blackberry Creek webpage. If you have a moment, please read through the Declaration of Covenants, Conditions, Restrictions and Easements for Blackberry creek so that you are familiar with documents.

Exterior Maintenance:

- Weeds in beds or lawns *Article 5, Section 2*
- Turf maintenance (mowing, bare dirt) *Article 5, Section 2*
- Lawn and bed edging (neatness, borders) *Article 5, Section 2*
- Trees and bushes (trimming, dead removal) *Article 5, Section 2*
- Adequate mulch/pine straw in beds *Article 5, Section 2*
- Mold/mildew on siding (pressure wash) *Article 5, Section 2*
- Driveway oil stains, cracks and damage *Article 5, Section 2*
- Siding, trim, fixture, fence maintenance *Article 5, Section 2*
- Mailbox post maintenance *Article 5, Section 23*
- Intersection viability *Article 7, Section 12*

Daytime Parking:

- No parking in yard/off driveway *Article 7, Section 4*
- No boats/boat trailers in driveway *Article 7, Section 4*
- No boat/boat trailers visible in back yard *Article 7, Section 4*
- Commercial vehicles & trucks in garage only *Article 7, Section 4*
- RVs, campers and trailers in the garage only *Article 7, Section 4*
- No street parking *Article 7, Section 4*
- Inoperable/unlicensed in garage only *Article 7, Section 4*
- Vehicle assembly and disassembly in garage only *Article 7, Section 4*
- Unlicensed vehicles must be stored in the garage *Article 7, Section 8*

Visible Items Requiring Storage and Other Items:

- Trash and recycling containers must be stored or screened from street view on non-trash day *Article 5, Section 7*
Article 7, Section 13
- Play items must be stored when not in use *Article 7, Section 20*

- Above ground pools are not permitted *Article 7, Section 21*
- Misc. items such as hoses and ladders must be stored when not in use *Article 7, Section 20*
- Garage doors must remain closed when not in use *Article 7, Section 4*
- Owners must clean-up after their pets and pets must be leashed or contained in the yard at all times *Article 7, Section 6*
- Window A/C units are not allowed *Article 7, Section 18*
- Artificial vegetation is not allowed *Article 7, Section 20*
- Clothesline *Article 7, Section 24*
- Interior window covers must be wood, white or off white only *Article 7, Section 26*
- No leaf burning *Article 7, Section 14*

ACC Violations:

- Portable Basketball Goals must be stored when not in use. Permanent goals are not encouraged and require ACC approval. *Article 7, Section 20*
- Fences require prior ACC approval *Article 7, Section 16*
- Exterior modifications require ACC approval *Article 6, Section 2*
- Business's must not be run from any residence *Article 7, Section 1*
- One for sale/rent sign allowed. Must be in approved position. You can find the document on the website www.cmgcharleston.com. Only standard for sale and rent signs allowed. *Article 7, Section 3*
- Visible sheds and storage containers require ACC approval *Article 6, Section 2*
- Gas grill tanks ok- all others require ACC approval *Article 6, Section 2*
- Flags other than US and SC require ACC approval *Article 7, Section 20*

BLACKBERRY CREEK HOMEOWNERS ASSOCIATION

Request for Architectural Control Committee (ACC) Approval

SECTION 1 TO BE COMPLETED BY HOMEOWNER

SECTION 1:

Name: _____ Date: _____

Address: _____ Daytime Phone: _____

Requested Start Date: _____ Email Address: _____

Approx. Completion Date: _____

Description on Request:

Fences, pools, TV dishes, landscape, porches and decks, gas tanks and/or other screening, attach a sketch on a Surveyor's Plat showing the addition/modification. Attach any other descriptive material that will support or explain the request.

Please Note:

- Your application will not be considered complete and ready for review unless application is submitted with a property plat and details about your modification.
- **Please allow 30 days for processing.** You will receive an official letter in the mail with the decision.
- Before digging you must call Palmetto Utility Protection Services (PUPS) 1-888-721-7877

I hereby request that the ACC review the above request. I agree not to begin work until I have written approval and to be responsible for ongoing maintenance and upkeep on the alteration or addition. Further, I agree all work will be in workmanship like fashion and comply with all building codes.

Owner Signature

Owner Signature

SECTION 2 TO BE COMPLETED BY ACC ONLY:

SECTION 2:

Date Received: _____

Request approved with the following conditions: _____

Request not approved for the following reason(s): _____

ACC Signatures: _____

Date of ACC Action: _____ Homeowner Notified: _____

Return Request To:

Mail: Community Management Group – 349 Folly Rd, Ste. 2B, Charleston, SC 29412

Email: Blackberry@cmgcharleston.com

Fax: 843-795-8482