

President's Letter – February 2018
By: Bart Rovins, President Taberna Master Homeowners Association

While I don't like starting with an apology, one is in order. Last month I expressed my gratitude to the 2017 HOA Board members whose terms have ended. In doing so, I omitted Maryann Faulkner, our past Secretary. My sincerest apologies to Maryann who provided many hours of support in keeping our records accurate and timely.

PART 2: WHAT ARE PROTECTIVE COVENANTS AND WHY SHOULD YOU CARE? *

My September 2017 letter explained "What are protective covenants and why should we care." This month I will cover our key Architectural and Appearance rules and what to do if we want to amend the Covenants.

First, the Covenants give the HOA Board of Directors the authority to establish "rules for use of any property within Taberna to protect the value of Lots, the aesthetic qualities of each Community, and the tranquility of owners. Said rules may include, but are not limited to, other reasonable restrictions on pets, rental use of homes, and parking of cars, trailers, boats, campers and vehicles on Lots and streets." See, Section 15, Protective Covenants.

Over the past 20 years, our Boards of Directors have adopted rules intended to meet these objectives. A complete list can be found on the Taberna HOA website at <http://tabernahoa.org/convenant-compliance/residential-covenants>. Your HOA Board, through our management company, CAS, monitors compliance with the Covenants and Rules. Properties found not in compliance receive a notice encouraging the owner to come into compliance. After appropriate notices, owners who fail to do so will be subject to the Adjudicatory process which can result in monetary penalties, liens and ultimately foreclosures. In 2017, we had two Adjudicatory Panel hearings, which resulted in the owners bringing their properties into compliance without monetary penalties. Compliance, and not penalty, is our goal.

Summary of Residential Architectural and Appearance Guidelines

You are encouraged to read the full text of these rules, but in the interest of brevity, a summary of the key rules is listed below:

1. Standards for fences and dog runs
2. Standards for detached garages, storage sheds and gazebos
3. Standards for patios, terraces and decks
4. Tree removal – note that the Architectural Review Committee (ARC) must give prior approval for the removal of any tree six-inches or more in diameter
5. Property maintenance – sidewalk and curb edging, weed removal between the cement and roadway in front of each home, grass mowing, trimming of bushes and trees on your lot
6. Washing of the home and driveway to remove mold and grime
7. Regular maintenance of the home
8. Outdoor recreational equipment – note that no boat, boat trailer, other trailer, camper RV, utility vehicle or truck (1 ton or larger) may be parked on any street or lot overnight unless it is within an enclosed garage. There are additional rules governing vehicles posted on the website.
9. Pools – in ground pools are not permitted on golf course lots, nor are above ground pools permitted in Taberna
10. Propane tanks – shall not be visible from the street or golf course, and all other tanks shall be buried or screened

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Summary of Residential Architectural and Appearance Guidelines - continued

11. Garbage Receptacles – stored inside or screened
12. Window Mounted Air Conditioners – are not permitted
13. Clotheslines – are not permitted
14. TV Reception Equipment – location and screening requirements
15. Signage – generally not permitted; real estate, political and personal announcement signage permitted with limitations
16. Wetland Policy – specific requirements are controlled by local, state and federal law
17. Vegetative Buffer – in the Bradford Place community, the vegetative buffer separates residential lots from the unzoned county land behind the lots. If the buffer is breached or destroyed, the buffer must be re-established. This is a New Bern City requirement.
18. Mailboxes and Numbers – standards have been set for mailboxes and numbers. Given the age of many of our mailboxes, 2018 would be a good time to repair/replace them. Joe Kelly can help you with a new mailbox, post or numbers. He can be reached at jvkelly@suddenlink.net or (252) 636-6535.
19. Standards for home additions, conversions and out buildings

Are our Covenants and Rules Good Things?

If you have a concern about the rules that have been put in place by prior Boards, you are welcome to communicate with me or any Board member. While you are always free to express an opinion, if you are interested in action and in the interest of continuous improvement, it will be more helpful if you provide alternative solutions which are consistent with the Covenants.

Are our Protective Covenants a good or bad thing? That's a question that isn't for the HOA Board to answer as our responsibility is to use the Protective Covenants to protect Taberna's aesthetic image and ~~our~~ property values. The Protective Covenants clearly spell out the requirements to amend the Covenants. In summary, it will take 67% of the owners to approve an amendment. No amendment, which affects the Taberna Country Club, shall be made without the prior written consent of the owner of the Taberna Country Club. The bottom line is that it will take the approval of approximately 520 owners to amend the covenants. Since we typically get less than 250 owners voting for Board members, it may be a challenge to amend the Covenants. See, Section 9, Protective Covenants.

Thank you and see you around the neighborhood.

* It isn't my purpose to write a legal treatise on our Protective Covenants and Rules, nor is it my intent to itemize all their requirements. You are encouraged to read the Protective Covenants and Rules on the Taberna Website, and are welcome to contact me with any questions.