

July 2000 Newsletter Article

The Fence Committee, appointed after the November annual meeting, has conducted three surveys gathering the input of the lot owners in Bienville Place Phases I, II, and III. The survey of all lot owners revealed that increasing the fence height from four (4) feet to six (6) feet was acceptable in the general covenant. The proposed amendment to Article II, Section 13 will be:

"Walls Fences and Hedges. No wall fence or hedge shall be erected or maintained nearer to the front Lot line than the rear building line on such Lot, nor on corner Lot nearer to the side Lot line than the building setback line parallel to the side street. No side or rear fence, wall or hedge shall be more than **six (6) feet** in height. Metal fences will not be permitted on any lot."

Two surveys were presented to the owners of lake lots. The information gathered has been drafted into the following proposed amendment as a separate paragraph to Section 13:

On any lot that is on the lake no fence shall be erected or maintained nearer than thirty (30) feet from the normal lake water line. Said fence may only extend toward the lake a maximum of thirty (30) feet from the rear building line, and must extend straight back from the rear building line within the perpendicular projections from the sides of the house. Exceptions to the above requirement for a thirty (30) foot setback from the normal lake water line are for Lots 66, 71, & 72, which a maximum of twenty (20) feet may extend towards the lake from the rear building line, and must extend straight back from the rear building line within the perpendicular projections from the sides of the house. Any fence on the lake lots will not exceed four (4) feet in height.

Copies of the survey results are available from Frances Bloom or may be viewed on the web site <http://www2.datasync.com/souers>.

Recently, the BPOA and the Architectural Review Boards have become aware of limitations the Federal Communications Commission (FCC) has placed on a homeowners association's ability to control installation of antennas and satellite dishes. In order to comply with the FCC regulations, yet still provided reasonable stewardship of Bienville Place's appearance, the Boards propose that the existing Section 19 be replaced with the following text:

Section 19. Antennas and Satellite Dishes.

No exterior television or radio antennae of any kind, including satellite dishes, shall be constructed or erected on any lot or residence, except that satellite dishes with a diameter of one meter or less, wireless cable antennae with a diameter of one meter or less, or television antennae designed to receive local television signals may be installed upon any lot or residence with written approval from the Architectural Review Board, subject to reasonable restrictions as to location, color, screening etc.

A special hearing will be held on **August 5th at 4:00 P.M. on the lawn of 3819 Chaumont Circle** to discuss the proposed amendments. You are encouraged to bring your lawn chair and join the board in a glass of Lemonade and discussion.

A final draft of the amendment will be mailed to each lot owner after the August 5th hearing. Each lot owner will be personally contacted to obtain their vote by signature from August 12 to 21, 2000.

The BPOA board thanks each member of the Fence Committee for the great deal of time and effort devoted to this project.

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The lake is owned by those owners living around it. Permission from individual owners should be obtained prior to fishing from its banks and swimming is not advisable.

If you were not aware a small alligator is residing in the lake. The Mississippi Department of Wildlife, Fisheries and Parks (800-670-9616) has been notified. However, due to it's small size it is not deemed to be a nuisance by this office. It has been advised that the alligator will not become aggressive unless actively being fed. Furthermore they claim, the alligator will control the nutria and snake populations.

The BPOA board advises everyone to use extreme caution when being around the lake.

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With summer upon us, we need to be aware of the impact our actions and activities have on our neighbors. One of the most frequent complaints I receive are those pertaining to the lack of respect to property and privacy. I urge you to review the following with your families:

- Remind children to walk on the side walks and not through yards, especially through cul-de-sacs.
- Do not allow pets to roam freely.
- Keep pets on leashes & gather droppings while on walks.
- Enjoy your music but, do not provide a neighborhood concert.

Reminder: as per the covenants; *the storage of watercraft either semi-permanently or permanently stored in the public street right-of-way or forward of the front building line is prohibited.* If you are involved in a watercraft maintenance project that will require more than three (3) weekends, please advise a board member.

Thank you very much for your time and attention to these matters.

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All owners in Bienville Place have paid their 2000 annual dues. Thanks to Brian Schafer for the second year of 100% collection.

To date only two covenant violation letters have been sent and one covenant hearing was held. Litigation has been brought against the Association by an owner/member. A fencing issue has resulted in this challenge to the Bylaws and Covenants. Major developments from this litigation will be communicated to the Association members.

Thanks to the volunteers who cleaned and pruned the dam area early this spring. The lawn maintenance contract has been expanded to include cutting the dam area every six weeks.

The Architectural Review Board has reviewed the following to date:

- 2 new house constructions
- 4 patio enclosures
- 1 pool & fence
- 3 fences
- 2 major home additions
- 1 communication antenna request

- 1 retrospective review and opinion of a pre-existing fence placement

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The Ocean Springs Department of Maintenance will be extending the sidewalks on both sides of the entrance of Cabildo. The installation of street embedded safety lights in the cross walk will complete the project. A short operational video will be available for viewing during the August 5th amendment hearing. The video will also be shown at the O.S. Middle School during class orientation nights.