



Black Horse Run Architectural Control Committee Policy

Unapproved Residential Projects

May 2021

- I. The Black Horse Run (BHR) Architectural Control Committee (ACC) performs annual inspections of our Community to determine the current state of homeowners' compliance with the sections of the Covenants listed in Book 2197, pages 551 – 555, as filed with the State of North Carolina, County of Wake, in October 1973. The annual compliance review will document any projects (as noted in the Covenants and the ACC Guidelines) for which the ACC should have reviewed prior to commencing. Unreviewed/unapproved completed projects are considered Covenant violations and will be dealt with as documented here. The covenants are posted on the BHR website in the ACC section as well as in the "About" tab.
- II. The results of these inspections are discussed within the ACC and those violations that are considered actionable violations of our Covenants are provided to the BHR Property Manager with a proposal to contact the appropriate homeowner. If unresolved these violations will be reported to the BHR Board of Directors as necessary.
- III. Course of Action upon the discovery of an unapproved project:
 - a. Initial phone call or email from our Property Manager. If no response after two weeks;
 - b. A letter from the ACC to document the issue (see attachment 1); requesting that:
 - i. The homeowner provides previously approved documentation for the project in question; or
 - ii. The homeowner provides a project approval request(attachment 2) to allow the ACC to retroactively review the project. If compliant, the ACC will approve the project and provide documentation for file in our business office. If non-compliant the ACC will provide the homeowner the opportunity to correct the violation; or
 - iii. If the violation is of the scale that correcting or removing is not practical then advising the homeowner that no additional work is to be done and that if replacement or repairs to the project are to be done in the future than the violation will be rectified at that time.
- IV. Request that the homeowner sign and return the notification letter to the BHR Business Office with 14 days of the date of the notification letter. Failure to do so will result in reporting the violation to the Board of Directors for appropriate action in accordance with North Carolina Statute, our published Violation Policy and potential monetary fine.
- V. Appeal Process. Any homeowner who wishes to appeal the violation has the right under North Carolina statute 47F to address the Board of Director prior to the Board taking final action as outlined the our communities Covenant Violation Process contain on the ACC tab of the Black Horse Run website. This policy was legally review by our POA attorney in June 2021.

Attachments:

1. Sample ACC Letter
2. BHR Project Approval Form



Black Horse Run Property Owners' Association-Raleigh, Inc.

DATE:

TO:

SUBJECT: Black Horse Run Unreviewed/Unapproved Project

The Black Horse Run (BHR) Architectural Control Committee (ACC) is established by the BHR Covenants as a resource for the community and is currently staffed by a team of your fellow homeowners who volunteer their time to ensure compliance with the Covenants throughout the community. This is a courtesy notification that the following item on your property was found to be out of compliance with our Covenants as found in sections of the Covenants listed in Book 2197 pages 553 – 555 as filed with the State of North Carolina and posted on the BHR website. In this particular case we discovered the following project that was completed on your property for which there is no record of ACC review and subsequent approval:

Please contact the BHR Office Manager (Jane) within 14 days from the date of this letter to discuss your plan of action to address the above item. Options include:

1. Providing previously approved documentation for this project; or
2. Submitting project approval documentation for the ACC to retroactively review your project; or
3. Agreeing, by signing below and returning to the Office, that no additional work on this project will be completed and that at the time repair or replacement is needed the violation will be remedied.

The need for residential project review has been repeatedly publicized in our Quarterly Newsletter and information, including guidelines, are readily available on the BHR website. Our objective in making our reviews is to protect the appearance of our community, ensure that projects do not encroach on other residential property or on community property. Each situation will be handled on a case-by-case basis and your privacy will be ensured.

Thank you for your attention to this matter. If you should have any questions, please contact Jane at the main office via email at bhrpoa@bellsouth.net or by phone at 919-847-3131. This policy was legally reviewed in June 2021 by our POA attorney.

Stay Safe,

Don Rogers,
Chair, Architectural Control Committee

Homeowner: _____

Date: _____



BHR Office: 919.847.3131

bhrpoa@bellsouth.net

Architecture Control Committee (ACC)

Your Name: _____ Date submitted: _____

Your Address _____

Your Phone Number: _____

Your Email Address: _____

Description of Project: _____

Date Project to Start: _____ Target End of Project: _____

Please be sure to include the following with your request to help expedite the ACC review process:

- Latest Property Survey with project depicted in the proper location. (Please see the attached sample survey)
- Material overview, e.g. wood, metal, shingle and etc..
- Dimensions of project height, width, depth and any other dimensions, should also be included on the survey drawing
- Pictures of proposed project, to include materials (if possible).
- Other: _____
- Other: _____

ACC USE ONLY:

Date: _____

Approved.

ACC Representative: _____

Not Approved for the following reason:
