



**Bien Venue
Plantation**

Bien Venue Plantation Property Owners Association, Inc.
bienvenueplantation.com

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**Resolution No. 19002
Passed by the Board of Directors
May 11, 2019**

Procedural Rule for Pre-Existing Non-Conforming Residences

Reference: Article II, Section 2, 2.1, Building Specifications and Requirements, of the Declaration of Restrictions and Covenants, as Amended June 14, 2014.

WHEREAS, It has come to the attention of the Board that there is a lack of clarity in reference to houses that were constructed prior to the amendments to the Declaration in 2014.

WHEREAS, The current rules are as follows:

All residences shall consist of not less than 1,500 square feet of heated living area, exclusive of open porches, patios, decks, breezeways, basements and garages. In the case of structures more than one story, excluding basements, the second floor shall not be less than 350 square feet of heated living area. No structure shall be more than two stories above ground level.

WHEREAS, The following lots and residences were constructed and inhabited prior to the current size requirements. And that the following data was obtained from the County of Louisa, Virginia Assessor's Office, and is deemed to be accurate.

Tax Id	SqFt	Lot
15 D 1 006	1,350.00	6
15 D 1 053	1,456.00	53
15 D 1 065	1,475.60	65
15 D 1 066	1,076.00	66
15 C 1 074	1,428.00	74
15 C 1 116	1,106.00	116
15 D 1 120	1,224.00	120
15 D 1 122	981.00	122

WHEREAS, in the Declaration there is no grandfather or pre-existing non-compliant wording.

THEREFORE, In an effort to correct any misunderstanding and ensure all current and future parties understand that it is the intention of this procedural rule to bring a clear understanding to this issue.

THEREFORE, It is determined that the above-mentioned lots are exempt from the current standard of 1,500 square feet as required in Article II, Section 2, 2.1, Building Specifications and Requirements

THEREFORE, It is also determined should any modification and/or additions be made to the current residence to increase the overall size, heated living area only, then the residence would have to be brought up to compliance with the current minimum size requirement. This would not apply to a rebuild due to fire and/or damage so long as the rebuild was identical in size to the structure being replaced. ACC approval would be required for new construction.

Should any provision set forth in this Resolution conflict with the terms of the Declaration, the terms of the Declaration shall govern. Also, should this Resolution conflict with the laws of the Commonwealth of Virginia, then Commonwealth of Virginia law shall govern.

BIEN VENUE PLANTATION PROPERTY OWNERS ASSOCIATION, INC.

By: *Linnie Baker* 5/10/19
Linnie Baker, President, Board of Directors

ATTEST:

I hereby certify that the foregoing resolution was duly adopted at a regular meeting of the Board of Directors of Bien Venue Plantation Property Owners Association, Inc. on May 11, 2019.

By: *Landra D. Stone* 5/10/19