

## QUICK REFERENCE SUMMARY

Updated: May 12, 2014

### Dry Run Commons Covenants and Restrictions Article XII

#### **Restrictions on Use, Alienation and Occupancy**

**A. Primary Residential Use:** Units shall be used for residential purposes only. Just one single-family dwelling will be permitted on each lot. Not more than one family shall live in a single-family dwelling. Except as provided for tool storage, no detached outbuildings are permitted. [Sct.1 (a)]

**B. Business Use in Residential Units:** Business use of any housing unit shall conform to the following:

1. It must conform to the city-zoning ordinance.
2. The business use must not be detectable from the outside by sight, sound or smell.
3. The business activity is consistent with the residential character and does not constitute a nuisance, hazard, or an offensive use as to threaten the security or safety of other residents of the community, as may be determined at the discretion of the Board of Directors. [Sct.1(b)]

**C. Subdivision of Lots.** No lot shall be divided in any way. [Sct.2(a)]

**D. Property Maintenance:** Each lot owner shall keep his lot and house clean, neat and free of rubbish. Rubbish and leaves shall not be disposed of by burning on the lot. All garbage cans must be stored so they are not visible from the street. [Sct. 2(b)]

**E. Nuisance:** No noxious, illegal, hazardous, dangerous or offensive use, construction, or activity shall be conducted on any unit, nor anything done on a unit which may be or become an annoyance or nuisance to occupants of adjacent units. No unit may be used for storage of anything that will be an eyesore in the community. [Sct.2 (c)]

**F. Unregistered Vehicles:** No unregistered or wrecked vehicles of any kind shall be stored or parked on any lot, street or common area. Such vehicles may be stored in a garage or other permitted building. [Sct.2 (d)]

**G. Pets:** Only common domestic house pets shall be allowed on any lot or in the house. No pets shall be kept or bred for commercial purposes. Pets shall not be allowed to roam at large. Pets shall not be housed, fenced or otherwise maintained on a regular basis outside the dwelling unit of any lot. Kennels, dog runs, doghouses and other similar pet facilities are prohibited. No farm animals or poultry of any kind are allowed. The owners' association shall have absolute authority to prohibit unusual to exotic animals, birds, or reptiles from being kept in the community and shall have the authority to prohibit loud and noisy pets. [Sct 2(e)].

**H. Parking:** Each unit shall provide off street paved or concrete parking for at least two vehicles. If additional vehicles are owned, the owner shall provide paved parking space on his lot. A maximum of four (4) vehicles shall be allowed to park outdoors on a regular basis. Except for temporary and unusual overflow conditions, no parking shall be permitted on any street. Motor homes and recreational vehicles up to 20 feet in length, or boats on trailers may be parked or maintained on unit provided they are kept in a garage. A recreational vehicle or motor home may be parked in a driveway for up to but not more than three consecutive days to prepare for a trip. Owners may not park such a unit on their lots for such purposes more than six times in any calendar year. [Sct. 2 (f) amended by Supplementary Declaration 15 August 1995]

**I. Snowmobiles, Trail Bikes, and Similar Vehicles:** No snowmobiles, trail bikes, all-terrain vehicles or similar vehicles shall be operated within the subdivision. [Sct. 2 (g)]

**J. Construction:** During construction, the lot shall be kept clear of rubbish. All construction shall be completed within one year from the time it was commenced. [Sct. 2(h)]

**K. Commerical Vehicles, Equipment, Etc.:** The Board of Directors voted not to enforce this covenant on utility vehicles at the April 8th, 2014 Board of Directors meeting; however the enforcement of tractor trailers, dump trucks, etc. remains in force. Except during periods of construction, no trucks larger than 3/4 ton, commercial vehicles, construction equipment, camper tops, construction or like equipment, mobile or stationary trailers shall be placed or allowed to remain on any lot. [Sct. 2(i)]

**L. Utility Lines:** All utility service lines shall be buried underground. [Sct. 2 (k)]

**M. Outdoor Lighting:** Outdoor lighting shall be of a design so as not to cause excessive glare on the adjoining properties. [Sct. 2 (l)]

**N. Mail Boxes:** The architectural control committee may determine the size and design of all mail and paper delivery boxes. No plastic or metal paper boxes are allowed. [Sct. 2 (m)]



**O. Signs:** No signs of any character shall be placed on any lot except for normal and reasonable address identification and "for sale" signs. [Sct. 2 (n)]

**P. Beverage Restriction:** No beer, wine, liquor or other intoxicating beverages will be sold or stored for sale on any residential unit. [Sct. 2 (p)]

**Q. Restriction on Residence Types:** No structure of a temporary nature, trailer, house trailer, mobile home, mobile doublewide, basement, tent, shack, garage, or other building shall be used as a residence. [Sct. 2 (q)]

**R. Trees:** At the July 23, 2012 Board of Directors Meeting the Board voted that it was no longer necessary to enforce this section of our covenants. "No tree may be cut down without the written consent of the Architectural Review Committee. As a general rule, when it is necessary to remove a hazardous or dead tree, the owner will be required to plant and maintain a new tree." Tree removal by a Owner without written approval from the Architectural Review Committee will result in payment of \$1000.00 liquidated damages to the Homeowners' Association. [Sct. 2 (r) amended by Supplementary Declaration 15 November 2001]

**S. Fences:** Fences are permitted with written permission of the Architectural Review Committee. In general all fencing must be painted and of a colonial design and not to exceed 6' in height. Chain link, American wire, and barbed wire fences are not allowed [Sct. 2 (s) amended by Supplementary Declaration 27 September 1994]

**T. Residential Unit Size:** No single family residence shall contain less than 750 square feet of finished living space. [Sct. 2 (t)]

**U. Antennas:** Only these exterior antennas are permitted: (1) TV antennas up to 12 feet above the roofline. (2) Satellite antennas up to 39.37 inches in diameter. In order to maintain the community standard of appearance, it is recommended that satellite antennas be installed where they are not visible from the street and screened from the view of others [Sct. 2 (v) amended by Supplementary Declaration 5 September 2001]

**V. Pools:** No above ground pools shall be allowed. [Sct. 2 (w)]

**W. Drainage:** No lot owner shall impede or alter the flow of storm water as designed by the project engineer and built by the developer. [Sct. 2 (x)]

**X. Sight Distance at Intersections:** All corner lots shall be landscaped so as to permit safe sight distance at the street corners [Sct. 2 (y)]

**Y. Artificial Vegetation, Exterior Sculpture, Etc.:** No artificial vegetation shall be permitted on the exterior of any property. Exterior sculpture, fountains, flags and similar items must be approved by the Architectural Review Committee. [Sct. 2 (z) amended by Supplementary Declaration 15 August 1995]. Upon recommendation by the Architectural Review Committee and the Covenants Committee, the Board of Directors approved the following exceptions on May 3, 2011:

1. Door wreaths are permissible, However, **NO OTHER** artificial vegetation is permissible.
2. Seasonal decorations are permissible providing they are removed within two weeks after the holiday or occasion; i.e., Christmas, Halloween, Thanksgiving, Fourth of July.
3. Mailbox covers are permissible.
4. Garden Flags and/or seasonal flags are permissible.
5. Lawn ornaments will be reviewed on an individual basis. Residences wishing to display lawn ornaments **Must** submit a description of said ornament(s) to the Architectural Committee for review and subsequent approval or denial before placing the item on their lawn.

**DISCLAIMER:** The Dry Run Commons Homeowners' Association Board of Directors reserves the right to reject any display that is felt to be objectionable for our community.

**Z. Exterior Colors:** All exterior colors and color changes must be approved by the Architectural Review Committee. As a rule, all colors need to conform to the colonial nature of the community. [Articles XI, Sct. 14 amended by Supplementary Declaration 15 August 1995]

**AA. Uses in Compliance with the Law:** No immoral, improper, offensive, or unlawful use May be made of the property. All uses shall comply with the local, state and federal laws. [Sct. 2 (cc)]