

WOODSBORO SUBDIVISION DEED RESTRICTIONS

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Woodsboro Subdivision was established in 1978, 35 years ago. Since that time there have been no changes to deed restrictions as recorded in Deed book 179, page 270, in Oldham County Clerk Office. A committee authorized by the Association has developed a revised set of deed restrictions for Woodsboro Subdivision.

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Land Usage

Title I

General Provision/Land Usage

Definitions

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Privacy Fence: Any fence that is designed to screen the majority or all visibility.

Outbuilding: Any other building other than a primary dwelling within Woodsboro Subdivision Limits.

Residential Building: Any Building which is used, or was constructed to be used as a residence.

Scope

- A. Following formal organization of the Association, any of the restrictions imposed herein may be altered or abolished by fifty-one percent (51%) of the lots in Woodsboro acknowledged and recorded as a deed conveyance and such alteration or abolition shall thereafter be binding on all owners of the lots in Woodsboro.
- B. The terms of the subchapter will apply to all residential buildings and outbuildings within the Woodsboro Subdivision.
- C. The provisions of this subchapter will govern the minimum condition for maintenance of the residences and outbuildings. The owner of any residence or outbuildings will maintain the structures and premises in compliance with this subchapter.
- D. An annual maintenance fee as established by the Association will be assessed each lot in Woodsboro, which will be due on January 1st of each year. The foregoing annual charge shall constitute a lien upon each lot until paid. However, such lien shall also be second (2nd) and inferior to any subsequent valid first (1st) mortgage or vendor's lien against any lot.

Architectural Control Committee

Creation

- A. There will be a committee created as Architectural Control Committee, which will consist of three (3) Woodsboro residents nominated by the Woodsboro Property Owners Association. The President of the Woodsboro Property Owners Association and all members of the Association will be eligible to serve as members of the committee.
- B. Before any excavation or construction is begun, all plans for residences and outbuildings must be submitted to and approved by the Architectural Control Committee. The Committee or its assigns has the right to approve or disapprove any architectural design, and this approval shall be in writing.
- C. Every term will be for a period of two (2) years.

Filing Plans and Specifications; Approval

- A. No building or outbuilding, driveway, grading, sloping, elevations, walls, fences, decks or tree houses will be erected, placed or altered on any lot until:
 - 1. The construction plans and specifications and a plan showing the location of the structure have been filed and approved in writing by the Woodsboro Architectural Committee as to the quality of the workmanship and material, harmony of external design with existing structures and as to the location with respect to topography and finished grade elevation; and
 - 2. A building permit has been obtained pursuant to inspection fee.
- B. Woodsboro Architectural Committee approval or disapproval of construction plans and specifications will be in writing. Any written disapproval will contain a statement of the reason(s) for disapproval. In the event the Woodsboro Architectural Committee fails to approve or disapprove within 45 days after complete plans and specifications have been submitted to it or, if no suit to enjoin construction has been commenced prior to the completion of construction, approval will not be required.

Condition and Approval

- A. Woodsboro Architectural Committee may require any or all of the following as a condition for approval required under this subchapter;
 - 1. A County building permit (available from the County Planning and Zoning Commission).

2. Blueprints or line drawings (depending on the structure.)
3. Plot plan showing the building layout in relationship to the lot.
4. Typed description of building materials.

Building Permit

A. Upon receipt of approval from the Woodsboro Architectural Committee or after 46 days after a complete set of construction plans and specifications are submitted to the Woodsboro Architectural Committee pursuant to filing plans and specification approval and the plan has not been disapproved, a person may obtain a county building permit.

Posting of Permits

A. A county building permit applicable to the construction that is undertaken will be posted at the site of the construction at all times during the construction.

Completions; Extensions

A. New home or garage construction shall be completed within 180 days from the date of the Woodsboro Architectural Committee's approval of construction. All other construction projects subject to the subchapter will be completed within ninety (90) days from the date of the Woodsboro Architectural Committee approval of construction. The Woodsboro Architectural Committee is authorized to grant extensions to the deadlines when given a valid cause. Any request for extension of the deadlines will be submitted in writing at least fourteen (14) days in advance of the deadline for which the extension is being sought.

Fences

Prohibited Fence Types

A. For all lots within the Woodsboro Subdivision, improved or unimproved, no privacy fence shall be permitted that is over six (6) feet in height and any privacy fence must be constructed with the finish side facing the public. No other types of fencing will exceed four (4) feet in height and also must be constructed with the finished side facing the public. All fencing will be back yard and side yard only. There will be no welded wire, woven wire, or chicken wire fences or any similar type of fencing permitted within the Woodsboro Subdivision. Only those fences constructed of wood, chain link or such materials as are otherwise approved by the Woodsboro Architectural Committee will be permitted.

All fences constructed or erected in Woodsboro Subdivision will be approved by the Woodsboro Architectural Committee.

Location

- A. For all lots within the Woodsboro Subdivision where there is a residential structure, no fence will be permitted any closer to the front property line of the lot than the front corner of the main residential structure on the lot.

Lot Regulation

Title II

County Zoning Ordinance, Adopted

The Oldham County Zoning Ordinance, as amended from time to time, is hereby adopted by Woodsboro Subdivision and incorporated by references as if set out in full, pursuant to the provisions of the county.

- A. All Woodsboro lots are subject to the easements for electrical, drainage, gas, water and telephone utilities as shown on the plat of the subdivision. Easements are reserved as shown on the recorded plat with the right of ingress and egress and with the right to cut down or trim any trees within or without the easements that may interfere with the installation or operation of the utility lines. The easements will be kept free of all obstructions, including fences, trees, shrubbery and gardens.
- B. On single-family residential lots, no building will be located nearer to the front lot line than a minimum front building line restriction as shown on the recorded plat (currently recorded at fifty (50) feet). No residence or other buildings will be located nearer to any side lot line, nor closer to a structure on an adjoining lot, than the distance permitted by the Oldham County Planning and Zoning Regulations.
- C. None of the lots will be divided or diminished in size unless the same will be used with and adjacent lot for the purpose of construction of dwelling thereon.
- D. Except as provided herein, all lots in the Woodsboro Subdivision will be used exclusively for single-family, private residences and no more than one such dwelling will be erected and placed on any lot.
- E. No trailer court or trailer park may be allowed or established thereon.

Dwelling

- A. All single family residences erected on the lots within the Woodsboro Subdivision will contain the following.

1. A one story residence will have a minimum of 1400 square feet of living space on the main floor, not including the garage, breezeway and/or open porch.
 2. Any residence of more than one-story, including bi-level, split-level, tri-level, Cape Cod and two-story must contain a minimum of 1800 square living space, not including garage, breezeway, and/or open porch.
- B. All residences erected on lots in Woodsboro Subdivision must face the roads as shown on the plat. All corner lot locations of residence will be optional, but set back requirements from each road shall apply.
- C. No dwelling will be occupied until exterior of the dwelling is fully completed in accordance with the plans and specifications as submitted to and approved by the Architectural Committee.
- D. No Trailer, mobile home, basement, tent or shack, garage, outbuilding, or temporary structure will be used as residence or for residential purpose on said tract, and no structure shall be moved onto any parcel, unless it will conform to the restrictions.

Construction

- A. All single-family residences and/or garages, erected on any lots subject to this section shall have exterior walls of brick, log homes structure, stone, or vinyl and vinyl not to exceed 75% of its total exterior covering.
- B. No residence will be constructed whose exterior is concrete block.
- C. Woodsboro Architectural Committee and the Woodsboro Property Owners Association will first (1st) approve another material not listed, which is sought to be placed on the exterior of any single-family residence.
- D. Detached garages are permitted if they are constructed of the same or similar material as the main residence as long as it conforms to the construction part of this chapter.
- E. Plastic vinyl outbuildings shall not be erected within the Woodsboro Subdivision without the approval of the Woodsboro Architectural Committee. Approval for plastic or vinyl outbuildings will be granted according to the merits of the design presented, the quality of the material proposed to be used and compatibility with other structures on the same lot.

Structural Restrictions

- A. The front of all residences, including all bays, porches, etc., will be restricted to the building line that is shown on the plat.

B. Building materials shall not be stored on the lot prior to construction for a period of more than ninety (90) days.

Outbuilding

A. All outbuildings will be neat and attractive in appearance and similar in design to the residence. If constructed of concrete block, they must be veneered with brick, stone, wood, or combination thereof.

Traffic Code

Title III

Definitions

For the purpose of this section the following definitions will apply unless the context clearly indicates or requires a different meaning.

Motor vehicle:

Automobiles, motorcycles, mopeds, off-road vehicles, recreational vehicles, camper, trucks, construction vehicles, tractors, and any other vehicle that has a motor.

Abandoned Vehicle:

Any vehicle or parts which are left on public or private property within the Woodsboro Subdivision, under the circumstances, indicating a desertion, relinquishment, nonuse, or divestment of the vehicle.

Junked Vehicle:

Any vehicle that is observing community standards is in one or more of the following conditions; rusted, wrecked, partially dismantled or otherwise nonfunctional. Junked vehicle may be deemed to include major parts, including, but not limited to; bodies, engines, transmissions and axles.

Vehicle:

Every device in, or by which any persons or property is or may be transported or drawn on a public highway, except vehicles moved by human power or used exclusively on stationary rails tracks. All agencies for the transportation of persons or property over or upon the public way, including, but not limited to, motor vehicles, motor carriers, trailers, semi-trailers, house trailers, camping trailers, off-road vehicles, mobile homes, recreational vehicles, motorcycles,

mopeds, motor trucks, truck tractors and construction vehicles.

Vehicle Owner:

Any individual firm, corporation or unincorporated association with a claim, either individual or joint, or ownership, or any legal or equitable interest in a vehicle.

Encroachment:

Any structure, wall, fence, pavement or other object, be constructed by humans or resulting from a growth of vegetation, that obscures the vision of automobile operators or other users of a public way, or that connects to, extends over or necessitated an excavation under a public way so as to create the possibility of increased maintenance expense, or that widens or restricts the usable portion of a public way, constitutes an encroachment.

Person:

An individual, a corporation, partnership, joint venture or other entity

Parking Regulations

Parking in Residential Areas

A. Except as permitted by division (B) below it will be unlawful for any person to park, maintain or store any motor vehicle, whether operable or inoperable, on any public property for a period of more than 24 hours. All motor vehicles must be parked on private property with approved parking areas on approved parking surface.

B. Division (A) above will not apply to the parking of motor vehicles for special events at a residence where parking outside of the garage or paved driveway is needed to accommodate guests attending special events.

C. In addition to the requirements of division (B) above, it will be unlawful for any person to park, maintain or store any boat or recreational vehicle, whether operable or inoperable, on any property zoned for private, residential use within the Woodsboro Subdivision except where no portion of the boat or recreational vehicle is closer to the front property line than the front edge of the main dwelling for a period not to exceed 24 hours for the purpose of loading, unloading, cleaning, repairing or servicing the boat or recreational vehicle.

D. No one will be allowed to;

1. Park any vehicle so as to obstruct the flow of traffic or to create a hazard for emergency vehicles.

2. Park any abandoned or junked vehicles on public property.
3. Park any vehicle on a public way unless any person is unable to use his/her driveway due to inclement weather, repair work on driveway or similar situations.
4. Notwithstanding division (C) above, park any vehicle that runs on ten wheels or more than (10) wheels within Woodsboro Subdivision.

Semi-Trailers

A. You are not to park or store a semi-trailer in the subdivision. A semi-trailer is defined as any vehicle designed to attach to, and having its front end supported by, motor truck or truck tractor, intended for the carrying of freight or merchandise and having a load capacity of over 10,000 pounds.

Utilization

A. The purchaser of each lot agrees that he/she will not use or permit the use of said lot, nor sell any portion thereof, for a passageway leading from the road to any adjoining property.

1. The utilization of any public way for any of the following will be prohibited:
 - a. Commercial solicitation, as opposed to route delivery service.
 - b. The riding or walking of horses, cattle or other livestock.
 - c. The transportation or utilization of a vehicle exceeding 10,000 pounds gross weight including any load carried. Vehicles actively engaged in pick-up or delivery from a location within Woodsboro Subdivision will be exempt from this provision.

Nuisances, Health, and Sanitation

Title IV

Environmental Nuisances

A. Every unlawful, unwarrantable, dangerous or unreasonable use of property in such a way as to render the ground, air, water or food, a material annoyance, hazard or injury to human health, or which is detrimental to the property or others, which causes or tends to cause substantial diminution in the value of others property in the neighborhood in which the property is located. The term shall include, but is not limited to the following:

1. No lot will be used as a dumping ground for rubbish, trash, or other

waste. Garbage and waste shall be kept in a clean sanitary condition.

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2. No signs or commercial advertising will be permitted on the lot.
3. Building materials will not be stored on a lot prior to construction for more than ninety (90) days.
4. No signs or commercial advertising shall be permitted on any Woodsboro Property.

Obstruction and Obstacles

A. Except as provided in the mailboxes area below, no object will be placed or be allowed to remain in any right of way within the Woodsboro Subdivision, including, but not limited to containers, boxes or other receptacles designed to collect mail or newspapers.

Mailboxes; Applicability

A. All mailboxes should be kept in good working condition. The prohibition contained in the above statement will not apply to mailboxes that comply with the United States Postal Service regulations and are being used by the United States Postal Service as a receptacle for the delivery of mail, nor will it apply to newspaper receptacles located on the same side of the right of way as mailboxes.

Aesthetics

Title V

Garbage Containment

- A. All Woodsboro property owners and residents will keep garbage in a container with a tight fitting lid which must be kept behind a building or otherwise out of the public view from the street that faces the front of the property on which the container is located, except when placed at the front of the property for garbage pickup.
- B. No garbage container will be placed at the front of the property for garbage pickup more than 24 hours prior to scheduled pickup. Any garbage container will be removed from the front of the property within 24 hours after the actual garbage pickup.

Construction, Lawn Equipment and the Like

A. Storage of any type of construction and/or lawn equipment, mowers, tillers, wheel barrows, trailers and the like is prohibited in front or side yards, not closer to the front property

line than the rear of the main dwelling. Construction and/or lawn equipment must be contained in an appropriate storage building, garage, or outbuilding and/or properly screened.

General Safety

Title VI

Building Condition Requirements

A. Every residence and outbuilding will be maintained in good repair, structurally sound and sanitary so as not to:

1. Pose a threat to the health, safety and welfare of the occupants of or visitors to the residence.
2. Adversely affect the value of other residences in the Woodsboro Subdivision.
3. Each residence and outbuilding shall be kept in a satisfactory appearance so as not to exhibit a condition of abnormal deterioration or disrepair.

Animal Regulations

Title VII

Pets

A. Please see copy of the Oldham County Dog Licensing and Animal Control Ordinance.

Animals

- A. No animals, livestock, pigeons or poultry of any kind shall be raised, bred or kept on any lot, except that of dogs, cats, and/or other household pets may be kept provided they are not kept, bred or maintained for commercial purposes.
- B. No cattle, swine, poultry, or other like animals will be raised on any Woodsboro Lot.

Prepared by: *Keith Mahurin*
Signature

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