

ARTICLE VI

RESTRICTIVE COVENANTS

- 6.1. Single Family Residences Only. Unless otherwise hereinafter expressly provided, all Lots shall be used solely for private, single family residential purposes.

No buildings or other improvements shall be constructed, placed or maintained on any Lot except detached, single family residential dwelling houses together with customary appurtenant structures, including but not limited to, garage, greenhouse, shed, and play structures, subject to the following restriction.

No more than one (1) appurtenant structure which such appurtenant structure shall require the obtaining of a Building Permit for the construction thereof, may be placed or maintained on any Lot, which such structure is appurtenant to the detached, single family residential dwelling house on said Lot, and which such appurtenant structure shall require the obtaining of a Building Permit for the construction thereof.

No appurtenant structure may be placed or maintained on any Lot, which such structure is appurtenant to the detached, single family residential dwelling house on said Lot, and which such appurtenant structure shall require the obtaining of a Building Permit for the construction thereof, shall exceed one hundred fifty (150) gross square feet in overall size of the structure as calculated from a horizontal plan view of the entire structure, nor shall such structure exceed an overall height of twenty (20) feet at any point thereof

Every garage, shed or other storage facility constructed, placed or maintained on a Lot shall be used exclusively by the owners or occupants of the Lot on which it is located.

Any addition, enclosure, garage, appurtenant building, fence, wall, planting or other improvement or modification erected, placed or maintained on a Lot shall be harmonious in design with the single family residential dwelling on the Lot.

The landscaping and maintenance thereof shall be in accordance with the residential character of the community. No hedges or mass groupings of shrubs and/or trees which could be a visual barrier comparable to a fence shall be placed or maintained closer to the street than the building set-back line established by zoning ordinance.

- 6.2. Temporary Facilities. No temporary structure, trailer, garage, tent or other similar facility shall be used at any time for residential purposes.

Nothing herein shall prohibit the placement on any Lot of temporary construction trailers, sheds, portable toilets or similar items during construction, repair of, or addition to, any improvements on such Lot.

- 6.3. Business Use. No trade, business or profession, except customary home occupations clearly incidental to the residential use of the dwelling on a Lot and subject to compliance with and approval of all governmental agencies having jurisdiction thereof, shall be regularly conducted or pursued on any Lot or within or without any structure on any Lot

No vehicle, equipment, or structure shall be placed, maintained, constructed or operated, temporarily or permanently, on any Lot for any trade, business or other commercial purpose except the temporary parking of no more than two (2) business or commercial vehicles which such business or commercial vehicles shall be validly and currently licensed for use on public roadways, shall not have more than two axles and shall not have more than four wheels; it being the intent to permit "pick-up truck" and "van" type vehicles but not to permit large (more than two axles or with more than four wheels) trucks, construction equipment or vehicles, "trailer-trucks" or trailers, and similar commercial vehicles.

- 6.4. Animals. Except for animals commonly recognized as domestic house pets, not to exceed three such pets on any Lot, no animals of any kind, whether mammal, bird, reptile or other, shall be at any time kept on any Lot.

No animals may be raised or kept on any Lot for commercial breeding or for any other commercial purpose.

Pets shall be maintained and controlled at all times so as not to offend or disturb other Lot owners or occupants by noise, elimination, odor, intrusion, destruction of property or otherwise.

No "dog runs" including, but not limited to those constructed of "chain link" or other fencing materials, shall be constructed, placed, or maintained, temporarily or permanently, on any Lot.

- 6.5. Nuisances. No nuisance, or noxious, offensive, or dangerous activity or thing shall be created, permitted or conducted on or about any Lot including but not limited to open or smoking fires, unfenced swimming pools, and uncovered refuse.

All garbage, trash, and other refuse shall be placed in tight, enclosed containers which shall be kept out of sight except as such may be placed for collection within 24 hours of refuse and trash collection.

- 6.6. Vehicles. No mobile home, bus, house car, motor home, camper, trailer, commercial vehicle (except as set forth in Section 6.3 of this Declaration), airplane, boat, unlicensed motor vehicle, snowmobile or other specialized recreational vehicle, or any inoperative vehicle shall be placed, used, operated, maintained or stored on any Lot or any other part of the Community, nor parked on any street within the Community, except for such time as is necessary to load or unload same, or pickup or discharge passengers therefrom.

Nothing herein shall prohibit the storage of any boat, mobile home, bus, motor home, camper, trailer, or similar vehicle not exceeding twenty four feet in length provided, however, that any such storage is completely within a garage, enclosed within a fence, which such fence shall not be in violation of the provisions therefor set forth in these Restrictions, or screened by landscaping such that the item or vehicle is not within the sight of any portion of the Community excepting only the Lot on which storage is maintained.

Nothing herein shall prohibit the storage of any boat with boat transporting trailer not exceeding twenty four feet in length provided, however, that any boat with transporting trailer is parked on the Lot within ten feet of the rear lot line of the lot and said boat with transporting trailer is covered with an all-weather fabric covering.

- 6.7. Fences. No "chain link" or other wire or metal construction fence shall be placed, erected or maintained on any Lot at any time.

No fence, wall, or similar structure in excess of eight (8) feet in height shall be erected, placed or maintained on any Lot.

No fence in excess of four (4) feet high be erected or maintained along or within ten (10) feet of the property lines of any Lot.

No fence shall be erected or maintained closer to the street than the building set-back line established by zoning ordinance.

Fences eight (8) feet or less in height shall be permitted only to enclose a patio, storage, swimming pool, or similar area provided that such fence shall be installed only within twenty five (25) feet of the principal building on any Lot.

- 6.8. Surface Water Flow. After the completion of the construction thereon of a residential dwelling and the establishment of grades for the flow of surface water, the grading of any Lot shall not be changed or modified so as to impede, redirect, accelerate or otherwise change or modify the flow of surface water to, over or from the Lot.
- 6.9. Signs. No signs, billboards, notices, advertising, displays, or other attention attracting devices shall be erected or maintained on any Lot excepting only small signs not exceeding one (1) square foot in size identifying the occupant, address and home occupation, if applicable, and further excepting temporary real estate signs not exceeding eight (8) square feet in size advertising the sale or lease of the property.
- 6.10. Antennas. No antenna and no exposed electrical or electronic wires or lines shall be erected or maintained on the outside of a structure on any Lot, including without limiting the generality thereof, any television receiving antenna, satellite receiving antenna, radio receiving antenna or radio or television transmitting antenna, excepting only satellite television receiving antennas not exceeding 36" in diameter. Satellite television receiving antennas not exceeding 36" in diameter shall not be erected or maintained closer to the street than the building set-back line established by zoning ordinance and Satellite television receiving antennas not exceeding 36" in diameter shall not be erected nor maintained more than ten (10) feet above ground level.
- 6.11. Compliance with Laws. No building, appurtenant structure or other improvement shall be constructed, placed or maintained on any Lot nearer to any front, side or rear property line than is permissible, with, if required, variance sought and granted, under the Zoning Code of Kent County, Delaware as enacted and in force on the date when this Declaration of Restrictions is recorded. Nothing herein shall prevent an Owner from securing a variance under the Zoning Code of Kent County, Delaware and construction pursuant to a grant thereof shall comply with the provisions of this Declaration.