

CODE OF BUILDING RESTRICTIONS

CITY OF OLD BROWNSBORO PLACE

1. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed two and one-half stories in height.

2. No building shall be erected, placed or altered on any lot until the construction plans and specifications showing the location of the structure, the type of exterior material, and the driveway culvert or apron, shall have been approved in writing before construction is begun, by the City of Old Brownsboro Place. The exterior material shall consist of a minimum of sixty (60) per cent brick or stone construction.

3. Lawn grades and house elevations and location of house and garage are to be approved in the same manner as the plans and specifications under Paragraph #2.

4. All houses erected within the City will have at least the following minimum square footage of living space exclusive of porch/s, breezeway/s, garage/s, carport/s and living areas in the basement:

a. one floor plan - - - 2000 sq. ft.

b. one and one-half, tri-level and bi-level plans - - - -
1400 sq. ft. on the first floor (or ground level) and 2400
sq. ft. overall.

c. Two story plan - - - 1200 sq. ft. on the first floor
and 2400 sq. ft. overall.

5. All houses will set back from the street a minimum of 35 feet. Corner lot houses will set back 35 feet from the side street also.

6. All houses must have an attached 2 car garage having minimum inside measurements of 19 ft. by 23 ft. In the case of "fall away" lots where the finished basement floor is at or above grade level, the garage may be in the basement. If a basement garage is allowed, then the minimum square footage requirements for the house will be increased by ten percent (10%). All vehicular garage entrance/s will open to the rear or to the side of the residence. On corner lots, if a side entrance is used, it must open to the side NOT adjacent to the Street.

7. Driveway approaches of aprons or culverts must be approved prior to construction. Driveways must be surfaced with concrete or asphalt. Walks in the front of the house must run to the driveway and not directly to the street.

8. Any fence erected will be of ornamental woven wire or ornamental iron; must not extend over 4 feet in height; and may not extend towards the street/s beyond the rear elevation of the home, or, if no house is located on the lot, then the fence will not be allowed closer than 65 feet from the property line/s adjacent to the nearest street/s. In no instance may any fence (either privacy, decorative, or boundary) be over four (4) feet in height, EXCEPT that privacy fences around patios and/or swimming pools may be up to six (6) feet in height and may be constructed of wood if the wood is painted or otherwise preserved so as to maintain its beauty and usefulness. Such wood fences, if allowed, in addition to other setback requirements, must be no closer than ten (10) feet from the nearest side or rear property line/s, and must be reasonably intended to provide privacy and safety to the pool and/or patio areas.

9. Recreational facilities such as cabanas, swimming pools, etc. will not be allowed closer than sixty-five (65) feet from the front property line, or, in the case of corner lots, sixty five (65) feet from the property line/s adjacent to any street/s. Recreational facilities will be suitably landscaped and maintained so as to enhance the beauty, safety and value of the property. No recreational facility may be erected, maintained, or used in any manner which will constitute an unreasonable irritation, nuisance, hazard, or have a detrimental effect on the value of the adjoining property or of the city as a whole.

10. Grass shall be cut periodically so that it does not attain an average height in excess of five (5) inches.

11. No noxious or offensive activity shall be carried upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

12. No trailer, basement, tent, shack, garage, or other out-building erected on any lot at any time shall be used as a residence, temporarily or permanently. No structure shall be moved onto any lot unless it shall conform to the restrictions herein. Right is reserved to cut the grass and the weeds or unimproved lots and the owner shall be liable to the city for all costs incurred.

13. No chickens, ducks, geese or other fowl and no swine, cattle, goats, or other like animal or animals shall be kept on any lot. No animals are to be raised for commercial purposes on any property within the City of Old Brownsboro Place.

14. No more than one sign shall be permitted on any unimproved lots and the same shall not be larger than two (2) feet by two (2) feet, except upon approval as in paragraph 2.

15. Invalidation of any one of these covenants by judgement or court order, shall in no wise affect any of the other provisions which shall remain in full force and effect.

16. Any violation of these building restrictions is subject to a fine of \$500.00 per day. Each day the offense occurs will be considered a separate violation.

AN ORDINANCE RELATING TO BUILDING RESTRICTIONS


Be it ordained by the City of Old Brownsboro Place that Ordinance #18, Series 1981 is amended to read as follows:

Variations will be considered on the following items:

- 1) the exterior building material;
- 2) the square footage in a single or multilevel dwelling;
- 3) the distance of the dwelling from the roadside;
- 4) the distance of the fence surrounding a swimming pool from the property line;
- 5) the positioning of a swimming pool on the property;
- 6) the square footage of the 2-car, side-by-side garage.

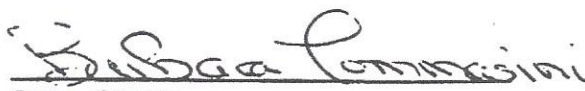
The Director of Engineering of the City of Old Brownsboro Place plus one Commissioner or Mayor have the authority to consider and approve or deny in writing any of the above requested variations.

Enacted this 20 day of May, 1986.



Mayor

ATTEST:



City Clerk