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STONEBRIDGE

City of Louisville
Stark County, Ohio

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COVENANTS, CONDITIONS, AND RESTRICTIONS

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COVENANTS, CONDITIONS AND RESTRICTIONS
STONEBRIDGE

The undersigned, being the Owner and Developer of Lots 1 through 38 in Stonebridge Allotment, Phase 1, City of Louisville, Stark County, Ohio, an allotment described in Plat Book _____, Page _____, of the Stark County, Ohio, Plat Records, does hereby establish the following restrictive covenants running with the land covering all of the lots as dedicated in the plat as aforesaid for the mutual benefit of any grantees and grantor, their heirs, successors, and assigns, and for the benefit and protection of all the present and future owners of property in Stonebridge Allotment, Phase 1.

1. No lot or any part thereof shall be used for other than single family, private, residential purposes. No lot shall be subdivided or any lot sold except as a whole, except that the undersigned shall have the right to divide lots for the purpose of adding parts thereof to other lots or tracts in each case to be used for one single family residence on the enlarged tracts.

No property shall be used as a hotel, rooming house, boarding house, group home, halfway house, or other type of group or communal living by persons not related by blood or marriage. A blood relative shall be defined to include only the following: parents and children or stepchildren; brother and sister; half-brother and half-sister; adopted children and children of a spouse; grandparents and grandchildren; aunts, uncles, nephews, and nieces; and first cousins.

No structure of any kind shall be erected on any Lot, any part of which is in violation of any front, side, and/or rear set back lines and requirements as established by the City of Louisville Zoning Ordinance, establishing such set back requirements for real property situated within an R-1 zoning classification, as such requirements are in effect at the time of construction.

2. Any dwelling erected in Stonebridge Allotment, Phase 1, shall adhere to and comply with the following requirements:

A. Single-family dwellings shall meet the following requirements:

i. Type. Single family dwelling may be a one story, a two story, a split level, or Cape Cod design.

(a) One-story dwelling is a structure, the living area being the first floor, constructed with or without a basement and a space between the first floor ceiling and the roof of inadequate height to permit its use as a dwelling place.

(b) Two-story dwelling is a structure, the living area of which is on two levels connected by a

stairway, constructed with or without a basement.

- (c) Split-level dwelling is a structure, the living area of which is one, two or more levels connected by stairways constructed with or without a basement.
- (d) Cape Cod dwelling is a structure, the living area of which is on two levels connected by a stairway and constructed with or without a basement. The upper level is constructed within the gable portion of the roof, with window penetrations made by the use of dormers.

ii. Living Area. The living area of any dwelling shall be not less than the square footage hereinafter set forth. "Living Area" shall not include garages, attics, basements, breezeways, patios, or any enclosed area not heated for year-round living.

- (a) The area of any dwelling shall be computed on the outside foundation of the first floor and the exterior dimensions of the second floor. In the case of a Cape Cod design, a second floor area shall be computed from the outside dimensions of the knee walls.

In case of open ceilings to the second floor, the upper open space may be computed as second floor footage.

- (b) The minimum square footage for each of the aforementioned designs, computed as above described, shall be:

- (1) One Story 1,500 square feet
- (2) Two Story 1,600 square feet with a minimum of 800 square feet on the first floor
- (3) Split Level 1,500 square feet
- (4) Cape Cod 1,500 square feet with not less than 1,000 square feet in the first floor living area

- iii. Garage. No garages shall be erected which are separated from the main building. All garages must be at least 400 square feet.
- iv. Roof. The roof shall have a minimum pitch of six-twelfths (6/12), with the exception of garages which may be five-twelfths (5/12).

B. A hard surfaced driveway of concrete, asphalt, brick, or other impervious surface shall be constructed on the property no later than six (6) months from the time of occupancy of the property. The slope of the driveway between the curb and the property line cannot exceed five inches (5") of vertical rise.

C. Any driveway aprons and/or approaches shall be constructed in compliance with the City of Louisville Regulations and in compliance with approved plans, specifications, and profiles Stonebridge Allotment, Phase 1. The drive slope requirement in paragraph B above is part of this regulation.

D. No building of any kind may be erected or maintained on any of the lots in said allotment until the plans and specifications, elevation, location, materials, and grade thereof have been submitted in writing and are approved in writing by an authorized employee or agent of the undersigned.

E. The same front elevation on a home cannot be constructed within three (3) lots of an identical structure. Repetitious designs shall not be constructed across the street from a home with the same front elevation.

F. The owners or their assigns shall, within three (3) months of occupancy of their residence, construct on said lot a sidewalk which shall be four feet (4') wide, four inches (4") deep, constructed of concrete (six [6] sack limestone mix) and meet the specifications of the City of Louisville and shall span the width of the lot and connect with the sidewalk constructed on adjoining lots on each side of the premises.

G. In the construction of improvements on said premises, no activities or any action will be taken which will cause McKinley Development Company, to be in violation of the NPDES permit for the allotment or any violation of the erosion and sediment control plans and any other relevant plans and more specifically will not permit sediment to be discharged on adjoining property, on paved surfaces, or into public storm sewer systems. A copy of all applicable plans are on file in the office of McKinley Development Company, at 1201 South Main Street, North Canton, Ohio 44720, and in the offices of GBC Design, Inc., 245 South Frank Blvd, Akron, Ohio 44813-7297. The Builder agrees to submit an individual lot notice of intent (NOI) to the Ohio Environmental Protection Agency, General Permit Program, P.O. Box 1049, Columbus, Ohio 43266-0149.

H. The lot owners shall maintain a general good appearance of said premises and shall in no case allow weeds to grow on any part of said lot, including easements reserved

for public utilities and the land lying between the front lot line and the road improvement. A finish lawn shall be planted and established within six (6) months after occupancy of the residence.

I. The erection of any building on said premises must be completed within one (1) year from the beginning of building operations. No structure of a temporary character, trailer, recreational vehicles, basement dwelling, tent, shack, barn, or other outbuilding or commercial advertising signs or billboards shall be erected or located on said premises. "Mini barns" may be constructed upon said premises for the storage of lawn equipment, household maintenance items, bicycles, and other items, so long as such "mini barns" are erected and constructed pursuant to the following specifications:

- i. Such buildings shall be of wood construction, painted white or the major color of the siding on the residence, with an asphalt shingle roof matching the roof on the residence, and shall be of a construction size not less than sixty-four (64) square feet, no more than one hundred (100) square feet, and shall not be more than eight feet (8') in height.
- ii. Such "mini barns" shall be constructed at a location at the rear property line of each respective lot but not located closer than five feet (5') to any property line.
- iii. Such "mini barns" shall be maintained and in good state of repair. No more than one (1) mini barn per lot is permitted.
- iv. All structures constructed in Stonebridge Allotment, Phase 1, shall conform to setback requirements as established by the City of Louisville.

J. There shall be no exposed block on any dwelling. Accordingly, there shall be a brick band covering any exposed cement block.

K. Curb cuts for drain lines are not permitted. Drain lines connected directly to the storm sewers are provided directly behind the concrete curb.

3. Motor homes, campers, travel trailers, boats, trucks, or any other recreational vehicle shall be parked in garages at all times. Any such vehicle which is too large to fit entirely within a garage shall not be parked in the allotment.

4. No fence or railing, including hedge or shrubbery fence, shall be built or permitted on said property in the front of any dwelling; no fence or railing, including hedge or shrubbery fence, shall be built or permitted on said property in the side yards of any dwelling,

the height of which exceeds forty inches (40"); no such fence shall be built or permitted in the rear yard of any dwelling the height of which exceeds six feet (6'). No fence shall be of wire or chain link construction. All fences shall be approved in writing by the undersigned prior to installation.

5. No intoxicating liquors of any kind or character shall ever be manufactured, sold, or permitted to be sold on said property.

6. No excavation for the purpose of securing sand or gravel shall be greater than necessary for buildings to be located thereon.

7. Mailboxes and newspaper boxes will be supplied by the Developer. Mailbox location will be determined by the United States Postal Service. Mailboxes and newspaper boxes once installed, shall be maintained by the Lot Owner. No mailbox or newspaper delivery receptacle shall be erected other than the type provided and installed by the Developer.

8. No commercial or industrial vehicles, such as, but not limited to, moving vans, trucks (other than light-duty pickup trucks), tractors, trailers, wreckers, hearses, compressors, concrete mixers, or buses shall be parked upon said premises, except as necessary to use the performance of work in construction, repairing or servicing the dwelling house on the premises or its appurtenances, but in no event for more than a twelve (12) hour period of time.

9. No turkeys, geese, or ducks and no domestic animals except dogs or cats, not to exceed two (2) in total, may be kept on said premises. No chickens or other fowl shall be raised for commercial purposes or be permitted to run at large upon said premises. No nuisance of any kind shall be maintained or allowed on said premises, and no use thereof shall be made or permitted that is noxious or dangerous to health. Developer shall have full authority to determine what constitutes a nuisance.

10. No satellite dishes shall be permitted, except those less than twenty inches (20") in diameter and not visible from the street, and no TV or other antennas shall be erected.

11. Any containers used in connection with trash or garbage, if placed outside the residence, must be concealed from view and protected from animals.

12. There shall be no above-ground swimming pools, except small (forty-eight inches [48"] in diameter) portable pools for children.

13. The undersigned, for itself, its successors, and assigns, reserves the right to organize a Homeowners' Association, whose membership shall consist of the owners of lots in Stonebridge Allotment.

A. Each and every owner in Stonebridge Allotment, Phase 1, by virtue of ownership of a lot therein, shall become and during the entire period of ownership of said lot shall remain a member of any such Homeowners' Association, which shall be a corporation not for profit organized for the protection and benefit of all such owners and shall possess certain voting and property rights, subject to and limited by the provisions of this Declaration of