

## Commercial Use/Business Use/Rental

### Relevant covenant provisions

*Article VII. Section 3. Home Office/Business. Individual lots within the subdivision may be used for a home office/business which is defined as a commercial enterprise conducted by a person in his residence. No other commercial enterprise or business shall be allowed. In order for a commercial activity to be considered as a home office/business within the meaning of this section, the following criteria shall be met:*

*(a) The activity shall be located on the same lot as the residence of the person conducting the home office/business, and the activity shall be entirely contained within the person's residence. The location of the home office/business shall not interfere with the provision of required parking spaces.*

*(b) The activity is carried on by the person(s) who reside(s) at this location*

*(c) The activity is incidental and secondary to the use of the property for residential purposes. The amount of space used for the activity does not exceed 20% of the total building square footage contained on the property or 1000 square feet, whichever is less.*

*(d) The activity does not result in any objectionable noise, fumes, dust or electrical disturbance, nor does it increase traffic volumes or the amount of parking in the immediate neighborhood.*

*(e) The activity does not include any window or outdoor display of goods, stock in trade, or other commodities, and does not include any retail sales on the premises. A dwelling unit where a home office/business is located shall not be used as a point for customer visits, pick-ups or deliveries. The outdoor storage of goods, stock in trade and other commodities shall be prohibited.*

*(f) In no event shall any sign advertising the office/business be allowed.*

*(g) Prior to opening the home office/business, the person desiring to open the home office/business shall have notified the Association and requested approval of the home office/business. The home office/business may not be conducted without the approval of the Board of Directors of the Association. The Board of Directors of the Association has the authority to determine whether or not a particular enterprise qualifies as a home office/business and meets the requirements of these covenants.*

*(h) Certain businesses and commercial enterprises are specifically excluded from the criteria for a home office/business. The specific businesses which shall be excluded are by way of illustration, but not limitation: no store of any kind, no hospital, sanatorium, or other place for the care of treatment of the sick or disabled, physically or mentally; nor any public theater, bar, restaurant, or other public place of entertainment; nor any*

*church; no children's daycare, or any residential building housing more than two families shall ever be construed, opened, or permitted to remain within the subdivision.*

*Article VII. Section 17. Rental. Owners shall have the right to periodically rent their residence so long as the rental activity does not result in any objectionable noise, fumes, dust, or electrical disturbance, nor does it increase traffic volumes or amount of parking within the property and so long as such rental conforms with the single-family residential character of the subdivision.*

Comments:

1. It is interesting to note that the bulk of Section 3's restrictions and all of Section 17 were added in the same amendment in 1989.
2. Rental provision does not differentiate between vacation rentals and long term rental. In the past, a few properties have on several occasions been the subject of long term rentals (a year or more) to single families.