

BOXWOOD RESTRICTIONS

All numbered Lots in Sections 1, 2, and 3 of Boxwood shall be subject to the following covenants, conditions, and restrictions:

1. All numbered Lots shall be used for residential purposes only. No further subdivision of any lot shall be made without the prior written approval of Boxwood Farm, L.P., its successors and assigns. However, any number of Lots may be put together to form one Lot.
2. Each Lot will be used to a single family residence. The minimum square footage requirements for the main residence for all Lots fronting Honey Tree Lane, Wild Turkey Road, Harvest Court, Lady Slipper Lane and Susannah Place will be 1700 square feet for a single story dwelling and 1900 square feet for a two story or multi-level dwelling. The minimum square footage requirements for the main residence for all Lots fronting Marguerite Drive will be 1600 square feet for a single story dwelling and 1800 square feet for a two story or multi-level dwelling. For two story or multi-level dwellings, vaulted or cathedral areas will tabulate as second floor square footage; however, carports, breezeways, porches, garages, stoops, basement areas, etc., shall not be included.
3. Only one single family dwelling per Lot shall be permitted. Its height shall not exceed 2-1/2 stories at the elevation facing the street.
4. No building (dwelling, outbuilding, garages, etc.) shall be erected, altered, or placed on any Lot unless building plans, specifications, and site plans showing the location of such improvements have been submitted in advance in writing to, and approved in writing by the Developer or the Architectural Review Committee whichever is applicable as to conformity and harmony of exterior design and exterior materials with existing structures in the area and as to location with respect to topography and neighboring structures as well as setback lines. It is the intention of the Developer that no residence or dwelling shall be built on any Lot, the exterior architecture of which is Spanish, Italian Renaissance or A-frame type. Nor shall any house, the main part of which has a flat roof or which gives the appearance of having flat roof from the street, be constructed or maintained on any Lot. The purpose of this restriction is to provide that property owners shall build residences of traditional architecture such as Colonial, Georgian, Williamsburg, American, etc., and with the architecture indigenous to the area to be specifically encouraged.
5. No building of any kind including garages shall be located on any Lot less than 40' from any street line nor shall it be located less than 15' from any side Lot line or less than 50' from any rear Lot line.
6. The exposed exterior foundation walls (above grade level) of any residence or dwelling constructed on any Lot shall be faced with brick, stone and/or dryvit. In addition, the exposed exterior surface of all chimneys shall be faced with brick, stone or dryvit. Any gas or wood fireplace appliance built into any dwelling shall be located to the inside of the dwelling or, if to be located to the outside of the dwelling, enclosed in a chimney unless otherwise approved in writing by the Developer of the Architectural Review Committee, whichever is applicable.
7. No noxious or offensive activity shall be carried on within the subdivision, nor shall anything be done which shall constitute a nuisance to the other property owners. No signs (except "For Sale" signs five square feet or less) or billboards shall be erected on any Lot unless approved in advance by the Developer or the Architectural Review Committee whichever is applicable. No building materials (except during construction), unlicensed or inoperable vehicles, or inventories may be stored outside at any time.
8. The Developer regulates the type and style of mailbox post used throughout the development. These may vary from section to section. The Developer will fabricate these posts and sell them to residents at cost. Please contact the Boxwood Farm, L.P. Office for individual purchases.
9. Television antennas, radio antennas, or television satellite dishes 18" or less in diameter may be placed on the rear of any Lot behind the dwelling so long as they are not readily visible from the street. Except as expressly permitted in the previous sentence, no communication receiving and/or transmitting devices (including but not limited to television antennas, radio antennas, satellite dishes, CB or other antennas) may be placed on any Lot without the written approval of the developer or the Architectural Review Committee, whichever is applicable.
10. Property Owners shall not be permitted to cease construction prior to full completion of any building or allow construction to be excessively greater than the average or usual construction time for similar dwellings built by reputable contractors in the local areas.
11. Off-street parking shall be provided by the owner of each Lot for the parking of at least two vehicles. The driveway and parking area must be surfaced with either asphalt or concrete. Parking of all commercial and recreational vehicles and related equipment, including but not limited to motor homes, boats and boat trailers, other than on a temporary and non-recurring basis shall be in garages or in the rear yard behind the dwelling on such Lot or well-screened enclosures so that they are not generally visible from the street or create an eyesore to adjacent Lot owners.
12. No house trailer, mobile home, double-wide or modular home shall be permitted at any time on any Lot. No semi-tractor-trailer or similar commercial truck shall be regularly parked on any Lot.
13. Each property owner shall keep his property free from tall grass, undergrowth, dead trees, trash and rubbish and shall properly maintain his property so as to present a pleasing appearance.
14. All utility lines shall be installed and maintained underground.
15. Generally recognized house or yard pets, in reasonable number, may be kept and maintained on a Lot provided pets are not kept or maintained for commercial purposes. No animals may be kept in such numbers as to create a nuisance to the neighbors. Animals not recognized as house or yard pets include horses, goats, swine, sheep, cattle, poultry, and any other barnyard or zoo-type animals.
16. Storage of firewood and trash containers shall be restricted to the rear yard.
17. No chain link or solid fences, walls, screenings or mass plantings shall be permitted without prior approval of the Developer or the Architectural Review Committee whichever is applicable.
18. No Lot or part of any Lot shall be used for a roadway or access to any other parcel of land lying outside this subdivision without the written consent of Developer, its successors or assigns.
19. Notwithstanding any other provisions herein to the contrary, the Developer reserves for itself, its successors and assigns, the right to close, relocate streets and open new streets from this subdivision to property outside the subdivision, to change and modify the subdivision plan by changing the size and shape of any Lot shown thereon including any building setback, yard or dwelling area requirement.
20. The restrictions set forth in Paragraphs 1-19 inclusive shall be covenants applicable to all numbered Lots in Sections 1, 2 and 3 of Boxwood and shall not be applicable to parcel "B" shown on the plat of record in the Circuit Court Clerk's Office for the City of Lynchburg, Virginia at Plat Cabinet 5, slides 118-124, residue acreage owned by Developer not subdivided into numbered Lots, and Parcel "D" shown on the attached plat.
21. These restrictions are also subject to and may be enforced in accordance with the terms, conditions, covenants, and restrictions contained in the Property Owners Association Declaration executed by Developer entitled "Declaration of Property Owners Association Covenants and Conditions of the Boxwood Property Owners Association, Inc.," which Declaration is re-corded in the Circuit Court Clerk's Office for the City of Lynchburg, Virginia at Deed Book 975, page 401, as amended and supplemented by Developer.
22. The restrictions set for herein amend and supersede the restrictions shown on the plats of record in the Circuit Court Clerk's Office for the city of Lynchburg, Virginia at Plat Cabinet 5, slides 118-124 and at Plat Cabinet 5, slides 198 through 200.