

# Southern Hghts Covenants, Codes & Restrictions (Revised 9-23-23)

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## TERMS (original)

These covenants are to run with the land and shall be binding on all parties claiming under them until January 1, 1975, at which time said covenants shall be automatically extended for successive periods of ten years unless by a vote of the majority of the then owners of the lots in the subdivision it is agreed to change the said covenants in whole or in part.

The said servitudes and building restrictions are set out as follows:

## ZONING OF LOTS

Lots in Southern Heights are developed as Zone A2 low-density single family residential housing) and prohibited from use as commercial or multi-family housing with the exception of the following (see plat maps for lot numbers):

- Commercial Use Lots - Lots reserved for commercial use includes lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 15+, 20, 21, 22 PT, 23A, 24 PT, 25, 26, 27 PT, 27 PT+, 28 PT, 29, 30, 31, 32, 33 PT, 33PT+, 34 PT, 35, 36, 37-A, 39 PT, 39 PT+, 40 PT, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 351, 351-A, 352, 352-A, 353, 353-A, 354-A, 385, 392 PT (2), 393 PT (2), 394, 395, 396, 397.
- State Highway & Interstate buffer space - Lots 128+, 131+ are reserved as buffer space for interstate and state highway frontage.
- Duplex rental Property – Lots, currently developed as duplex housing #322, 323 and 324. **NOTE: Preference to transition to A2 SFH, where possible in the future.**
- Multi-family properties currently developed as rental apt residences, of January 1, 2020, includes lots 322, 323,324, 355-A, 356A, 357A, 358A, 50, 51, 52, 53, 54, 55, 56, 57 and 58. **NOTE: Preference to transition to A2 SFH, where possible in the future.**

Any residence erected or maintained on lots zoned as A2 shall be designed for occupancy by a single family.

**NOTE: Lots on Harding Blvd need to be restricted from FUTURE commercial use and zoned as A2 based on its current development as SFHs.**

## LOT MAINTENANCE

**Content approved on 8-19-23**

1. No rubbish, trash, garbage or other waste materials may be accumulated, dumped or maintained on any lot and the street adjacent to any lot of this subdivision. Lot owners shall keep their respective lots free of debris.
2. Lot owners are responsible for removing all debris from storm drains adjacent to their lots.
3. Lot owners shall keep their respective lots mowed, edged and raked to remove leaves & limbs from trees and be kept free of noxious weeds.
4. Lot owners shall remove noxious vegetation / vines from their respective lots including noxious vegetation / vines climbing up homes, utility poles and trees.
5. No listing

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6. Lot owners shall trim trees, shrubs and bushes to enhance safety, reduce risk of fallen trees & limbs and maintain the upkeep and appearance of their property.
7. Lot owners shall remove damaged or dead trees and shrubs from their respective lot.
8. Lot owners are responsible for properly removing and disposing of grass clippings, leaves and other yard debris in a manner that minimizes yard debris washing into the storm drains and onto the adjacent owner's property.

Content approved on 9-23-23

9. Lot owners shall wash their curbs using a hose at a minimum of once per quarter (seasonally).

### ZONING OF LOTS – RESIDENTIAL USAGE

Each residential lot shall contain only one detached single family residence plus a carport/garage accommodating at least two automobiles and such other outbuildings as are purely incidental to the residential use of the lot. No lot may be subdivided in order to house more than one residence upon a lot. The owner of any two (2) or more adjoining Lots having frontage on the same street may erect a residence on said lots which shall be considered for the purpose of these said restrictions as one building lot. No lot or lots shall be sold except with the description shown on the official plat of the said subdivision.

No school, church, assembly hall, or fraternal group home shall be built or permitted on any of the lots said subdivision with the exception of the Sigma Gamma Rho Sorority, Inc. who have previously built in Southern Heights.

Minimal lot size for building a SFH is approximately 7500 square footage (50' x 147') with an exception for lots with existing housing that measure (50' x 136').

No lot can be re-subdivided so that it has a frontage of less than 50 feet.

No structure of temporary character and no trailer, recreational vehicle, shipping container, tent, shack, barn, storage shed or other outbuilding shall be used as a residence whether temporarily or permanently.

### COMMERCIAL CONSTRUCTION LIMITATIONS

Each commercial lot when improved shall provide parking areas in accordance with requirements of the City of Baton Rouge.

Each commercial lot shall provide, individually or jointly with the other lots in the square, a twenty-foot (20') alley from the bordering (the side and rear of the building) to serve as garbage and freight unloading zone.

A minimum of twenty feet (20') must be allocated between a commercial site alley and any adjacent residential site.

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A masonry wall six feet (6') high or planting screen will be installed by the owner of each commercial site between the commercial site and any adjacent residential site.

All construction plans must be approved by the Executive Board.

## RESIDENTIAL CONSTRUCTION LIMITATIONS

Each residential structure must have a minimum of 1,500 – 1,800 feet of “heated living area” square footage. In computing or determining the “heated living area”, open porches, screened porches, porches with removable windows, breezeways, patios, landings, outside or unfinished storage or utility areas, garages, carports and any other area having walls, floors or ceilings not completed as interior living space shall not be included. For the purpose of this covenant eaves and steps shall not be considered as part of a dwelling. All construction plans must be approved by the Executive Board.

NOTE: Previously constructed homes that have a smaller “heated living area” square footage that suffer damage or loss of home due to fire, act of God or calamity are exempted from the minimum square footage and may rebuild to current dimensions at the time of loss.

No residence erected on any of lots hereby restricted may exceed two and one-half (2 1/2) stories, nor be less than one full story in height without the written permission of the Executive Board.

Sheds or outbuildings may be installed in the backyard of the lot. The maximum footprint (length by width) shall be 150 square feet and the maximum height at the peak of the roof shall be 12 feet, unless an exception is approved by the Executive Board. Exterior cladding and roofing material shall compliment the primary residence in both style and color. Exterior cladding shall be wood, vinyl, composite, or plastic material. No fiberglass or all metal sheds will be approved. No items may be stored outside of or attached to the outside of the shed or outbuilding. Property owners are responsible for the maintenance of the shed or outbuilding on their property. Failure of a property owner to maintain the shed or outbuilding will be considered a violation and may result in the required removal of the structure at the discretion of the Executive Board.

Children’s play sets are permitted in addition to a shed or other outbuilding. Children’s play sets do not require approval by the Executive Board; however, the property owner shall be responsible for maintaining them in a safe and working condition. The Executive Board reserves the right to require a play set to be removed if it is determined to be in an unsafe condition.

No structure can be placed or built on a lot using utilities (water, electric, or gas) from an adjacent or neighboring lot.

Water should be made available to each lot owner by arrangement with Baton Rouge Water in accordance with its rates and requirements; and requirements of the East Baton Rouge Parish Health Unit and the State Board of Health.

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No person shall provide or install a method of sewage treatment other than connected to a sanitary sewer system until the design for that method of treatment and disposal has been approved by the East Baton Rouge Parish Health Unit.

Electric and Gas Service should be made available to each lot owner by arrangement with Entergy in accordance with its rates and requirements; and requirements of the East Baton Rouge Parish Health Unit and the State Board of Health.

## LANDSCAPING

Content approved on 9-23-23

1. Construction of all new residences and the repair or remodeling of existing residences in any manner so as to substantially destroy the existing front landscaping shall be accompanied by the installation of new landscaping visible from the side on which the lot fronts.
2. Landscaping shall be installed in new construction within one hundred-twenty (120) days of occupancy of the residence.

## PREFABRICATED HOUSING

Factory-built, prefabricated, or modular homes are prohibited. Moving of houses or buildings erected on other land is prohibited. This provision shall not prevent the use of factory-built roof trusses or similar components.

## BUILDING SETBACKS

Homes erected on lots fronting Harding Boulevard may not be located nearer than forty (40) feet to the front property line, and those erected on other lots in this subdivision shall not be nearer than thirty feet (30') of the front property line.

Homes erected on streets other than Harding Boulevard shall not be located on any lot nearer to the front lot line than thirty (30) feet or nearer than ten (10) feet to any side street line.

No trees, shrubs or other plants shall be planted or maintained and no building, fence, structure or improvement shall be constructed or installed within or over any servitude or right-of-way created by these restrictions or shown on the Final Plat of subdivision so as to prevent or unreasonably interfere with any purpose for which the servitudes was created or granted.

## SERVITUDE AND RIGHT OF WAY

Servitudes and rights of ways for the installation and maintenance of utilities and drainage facilities, as shown on the Plats of Southern Heights Subdivision, are dedicated to the perpetual use of the public for such purposes. Existing servitudes as shown on the said final plat are subject to limited usage by lot owners as shown. The dedication of the servitudes and rights-of-way made here or on the said final plat are subject to full reservation of all mineral rights.

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## CORNER SIGHT DISTANCES

No fence, wall, hedge shrub or other planting which obstructs the sight lines at elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area between the corner formed by the property lines (or in the event of a rounded corner the extension of those property lines to a point of intersection) and a line connection the property lines at points twenty-five (25') feet from the corner (as point of Intersection of extended property lines.) The same point of intersection of extended property lines.) The same sight line limitation shall apply on any lot within (10) feet from the intersection of a street property line within the edge of the driveway or alley pavement. No tree shall be permitted to remain within such Intersections, unless the foliage lines is maintained at sufficient height to prevent obstruction of such sight lines.

## CARPORTS/GARAGES

No carport or garage shall be located on any lot nearer **than five (5) feet** to an interior lot line. No car port or garage shall be located nearer than 10 feet to any side street line, nor less than thirty (30) feet to the front lot line.

Garages and carports may be attached to main dwelling, but must not be nearer than **ten (10)** feet to the side property line.

Carports shall be of workmanship, design, and materials which are in harmony with the appearance of the house and in accordance with these restrictions. No commercial metal buildings **or metal coverings** are to be used for carports or other structures within the neighborhood. No metals which are prone to rust are acceptable as finish materials. Any buildings to be used for boat ports and/or RV ports shall be finished in wood, vinyl siding, or painted aluminum siding and must be out of view of the street.

No garage or carport shall be remodeled or enclosed as a "heated living area" without construction of an additional garage or carport on the property. **Plans must be approved by Executive Board.**

Content approved on 8-19-23

1. Unenclosed garages, carports, and driveways visible from the street shall be maintained free of clutter, including trash, furniture, tools and other items to the extent that such causes an unsightly appearance that creates a potential hazard, is an enticement for theft by third parties, eliminates use for the parking of vehicles, or detracts from the adjacent properties and appearance of the neighborhood.
2. Garage doors must be kept closed when they are not kept neat and free of clutter.

## VEHICLE REPAIR

No automobiles, motorcycles or any vehicles may repaired outside of a home's carport or garage.

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## GARAGE APARTMENTS

No garage apartment shall be erected or maintained on any lot.

## PARKING AND USE OF TRAILERS

No boats, recreational vehicles, motorcycles, school buses, campers, or trailers of any kind may be kept, stored, repaired, or maintained on any street or on any lot nearer to the street than the minimum building setback line.

In no event shall the same be kept stored, repaired, or maintained in any manner which would detract from the appearance of both the individual lot and subdivision.

## SIDEWALKS

No public sidewalks running parallel to the street have been or may be built in order to increase privacy and enhance the esthetic quality sought by the subdivision.

## FENCES

No fences, walls or hedges shall be erected between the front sill line of any residence and the front lot line. No fence to be constructed along the boundary line of any lot shall exceed six (6) feet in height for wood, wrought iron, brick, composite, vinyl or combination thereof. No fence shall exceed four (4) feet in height for chain link fences. No fence, wall or gate that restricts entry to property shall be erected, placed, or altered on any lot closer to any street than the location of the front of the house or the wall facing the street. Chain link fencing may not be erected closer to the street than the walls of the house that face said street(s).

## SATELLITE DISHES/SOLAR PANELS

Satellite Dishes are not allowed on the front of the house nor on the lawn between the house and the street. Satellite Dishes must be placed at least ten (10) feet toward the rear from the front corner of the house when located on the side of the house. Solar Panels may be installed only on the rear slope and pitch of a dwelling not visible from the street frontage.

## WINDOW COVERINGS

No aluminum, metal foil, reflective materials, or loud colors are allowed on windows visible from any street.

## SIGNS

No sign of any kind shall be displayed to the public view on any lot in in the street of the subdivision, except as follows:

- Home security system and/or monitoring agency signage;
- Commercial or advertising signage is allowed to be erected and displayed in public view for a time period defined as “during the time said commercial entity is performing work at the residence, and no longer than two (2) weeks after said commercial entity has completed their work at the residence.



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- Political signage is allowed to be erected and displayed in public view for no longer than two (2) weeks after the political campaign has ended or votes have been cast in the election.
- OR Political signs of any nature are prohibited.
- Signage displayed for non-commercial purposes, birthdays, schools, and birth announcements are acceptable provided they adhere to the size requirement defined in this article.
- Garage sale signage of no more than five (5) square feet shall be permitted only on the day of the sale.
- One (1) sign of no more than five (5) square feet advertising that particular property for sale or rent or customary signs used by a builder or real estate broker to advertise the property during the construction or sales period. Corner lots are allowed two (2) signs, in which one sign may be placed in the front yard and the other in the side yard of same lot.

No signage should be distracting because of its colors, appearance, shape, or lighting to the extent that it detracts from the beauty and harmony of the neighborhood appearance.

### LIVESTOCK AND ANIMALS

No livestock, animals or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other ordinary household pets, excluding reptiles, may be kept, provided they are not kept, bred, or maintained for any commercial purpose or in such numbers or conditions as may be offensive to other property owner in the subdivisions and further provided that they are kept, bred or maintained otherwise in accordance with the law.

No person shall allow animal feces to accumulate in any yard, pen or premises in or upon which an animal shall be confined or kept so that it becomes offensive to those residing in the vicinity or a health hazard to the residing animal.

No person shall fail to immediately remove feces deposited by their dog upon the premises of any person other than the owner without that person's consent.

No person shall permit their dog at any time to run uncontrolled; be off leash, except in accordance with applicable law or regulation(s); molest persons or vehicles by chasing, barking or biting; attack other animals; damage property other than the owner's.

### NOISE, UNLAWFUL, NOXIOUS OR OFFENSIVE ACTIVITY

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

Construction is allowed in Southern Heights only on Monday through Saturday between the hours of 7:30 am and 6 pm. No construction is allowed on Sundays.

Loud noises are prohibited after 8 pm on weekdays and 10 pm on weekends.



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## POOLS

Content approved on 9-23-23

Above ground and in ground pools can only be installed in the backyard of the lot and properly fenced per city guidelines.

Content deferred on 9-23-23

Property owners are responsible for the maintenance of any pool (cleanliness and mosquito control) on their property. Failure of a property owner to maintain the pool will reported to the City for resolution.

## MINERAL OPERATIONS

Content deferred on 9-23-23

No oil or gas drilling, mining development operations, production or treatment facilities, refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations, or shafts be permitted upon or in any lot. No derrick or other structure designated for the use in boring for oil or natural gas or other minerals shall be erected, maintained, or permitted upon any lots, even temporary.

## RENTAL PROPERTY

Owners must live in purchased property for a period of two (2) years before the property can be listed/converted for rental purposes.

Owners who rent property must have a minimum lease period of six (6) months. Short term rentals are prohibited.

Owners must provide the Association with the name and contact information of lessors prior to the signing of a lease.

Only 20% of SFHs within Southern Heights may be utilized as rental residences.

Owners renting SFHs as of the effective date of this covenant are allowed to continue renting as long as they hold title to the property. This clause expires upon transfer of title.

Owners who rent property (SFH, duplex and/or apartment) within Southern Heights are subject to the following provisions:

Owners are required to provide their tenants with the SHPOA governing documents and rules as a condition of renting. The rental lease agreement must include the following:

“Tenant has received copies of, read, and understood, and will comply with the HOA’s rules and regulations”.

A tenant’s breach of the SHPOA governing documents as well as federal, state or EBR laws may be considered a breach of the owner’s rental agreement.

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Owners are required to take corrective action against a tenant, up to and including eviction, in case of a violation.

Owners are subject to fines and legal actions for violations by their tenants.

### EXECUTIVE BOARD

To carry out the general plan of development and improvement, to implement the plan of the subdivision, and to maintain and enforce the listed restrictions and the high standard of construction and appearance for the benefit of the owners of this subdivision, there is hereby established an Executive Board.

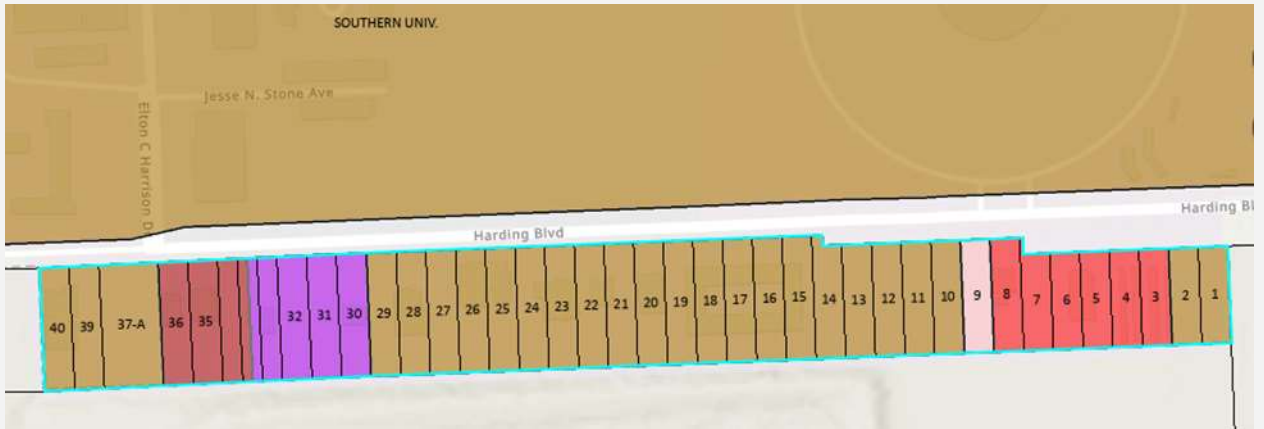
Decision needed on whether an architecture review process should be included.

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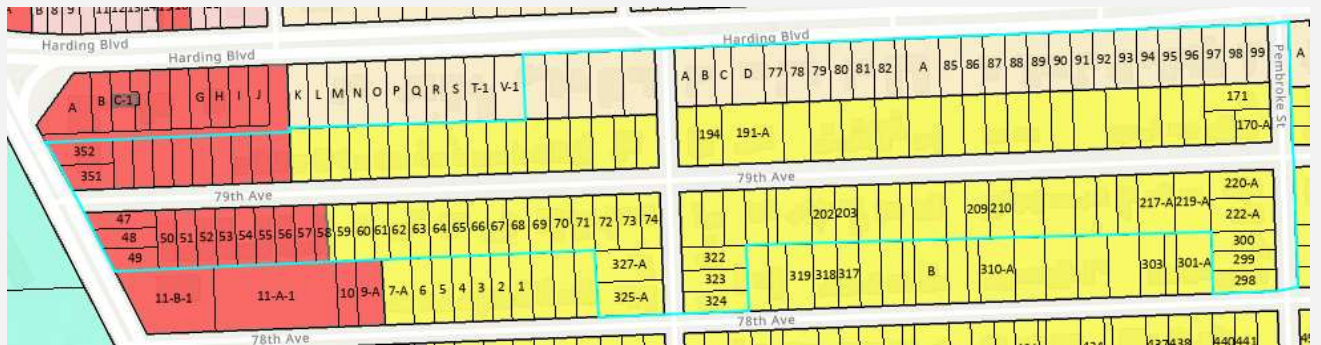
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## SOUTHERN HEIGHTS TRACT FILINGS MAPS

Tract or parcel of ground known as Southern Heights subdivision, located in East Baton Rouge Parish state of Louisiana, for the following filings:



ID# 2453 Lots 1-40 WEST OF SCENIC April 18, 1942

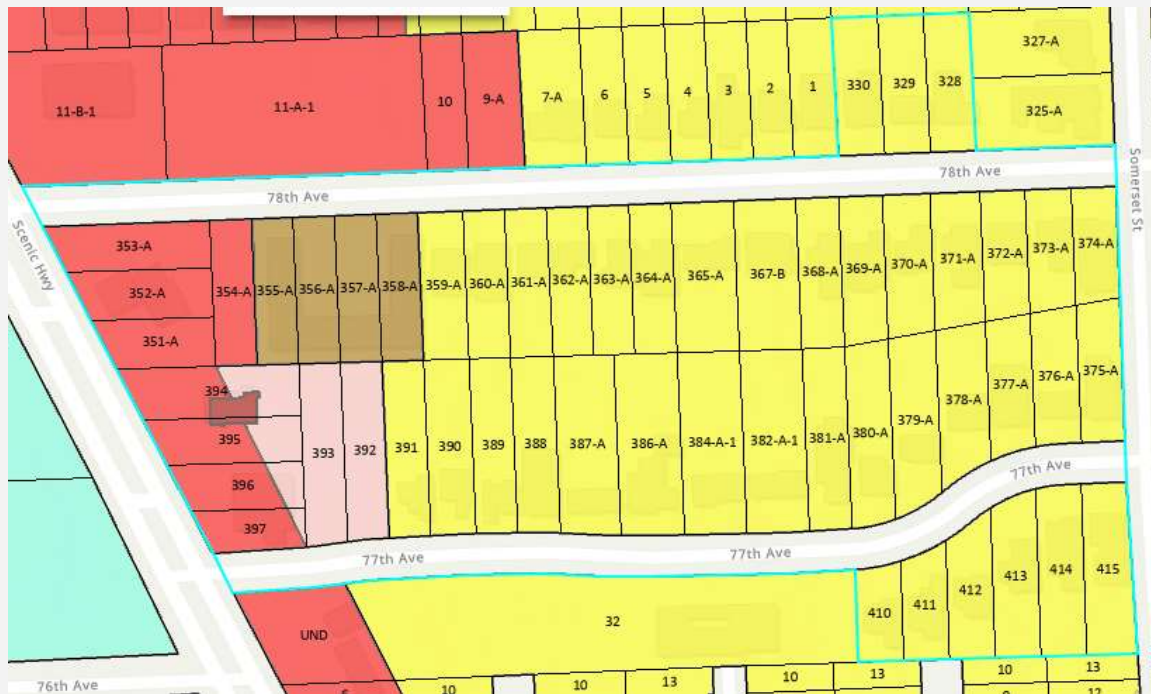


ID# 2171 SECTION 1, 1<sup>ST</sup> FILING March 6, 1953

# Southern Hghts Covenants, Codes & Restrictions (Revised 9-23-23)



ID# 2172 SECTION 2, 1<sup>ST</sup> FILING March 6, 1953



ID# 2173 SECTION 3, 2<sup>ND</sup> FILING April 10, 1957

# Southern Hghts Covenants, Codes & Restrictions (Revised 9-23-23)



ID# 2174 SECTION 4, 2<sup>ND</sup> FILING April 10, 1957



ID# 2175 SECTION 5, 2<sup>ND</sup> FILING April 10, 1957



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NOTES AND COMMENTS

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