

# BUILDING RESTRICTIONS FOR LAKE OAKS SUBDIVISION

These restrictions apply to all Squares in "Lake Oaks Subdivision", which is in Zone Four of the Lakefront Development of The Board of Levee Commissioners of the Orleans Levee District, in the City of New Orleans, Louisiana. Said subdivision is bounded by Lake Pontchartrain on the north, property of American Radiator & Standard Sanitary Corp. and St. Roch Ave. on the east, various properties on the south and Elysian Fields Ave. on the west.

## SECTION I DEFINITIONS MAP

Where reference is made to the Map of "Lake Oaks", it refers to the Map entitled, "LAKE OAKS ON LAKE PONTCHARTRAIN, NEW ORLEANS, LOUISIANA, BOARD OF LEVEE COMMISSIONERS OF THE ORLEANS LEVEE DISTRICT," dated December 1, 1960, File No. L. D. 3106, signed by A. L. Willoz, C. E. Registration No. 73.

## ORLEANS LEVEE BOARD

Where the name "Orleans Levee Board" appears it shall mean "The Board of Levee Commissioners of the Orleans Levee District."

## MAIN BUILDING

The building that will be inhabited, containing rooms such as Living Room, Kitchen, Dining Room, Parlor, Bedroom, Library, etc.

## ACCESSORY BUILDING

A subordinate building, attached to or detached from the main building, the use of which is incidental to that of the main building and not used as a place of habitation, such as a Living Room, Kitchen, Dining Room, Parlor, Bedroom, Library, Bathroom, etc.

## HEIGHT OF BUILDING

The height of a building is the perpendicular distance measured in a straight line from the top of the highest point of the roof beams in the case of flat roofs, and from the average height of the gable in case of a roof having a pitch of more than twenty degrees with a horizontal plane, downward to the established grade in the center of the front of the building.

## SECTION II APPROVAL OF BUILDING PLANS

Prior to beginning the construction of a residence, garage, swimming pool, fence, or other structure, the owner shall submit reproduced copies of detailed plans and specifications of the proposed building or structure to the Orleans Levee Board. With plans the owner shall have to furnish an affidavit, certifying that the value of the house shall be equal or above the minimum in Section XVI. No work shall be done on the building until such written approval is received and building permit obtained from the City of New Orleans.

The approval of all structures by the Orleans Levee Board will be based on the requirements of these restrictions and on appearance.

Owners are cautioned that all structures erected on any parcel of ground in Lake Oaks must comply to Zoning Ordinances of the City of New Orleans. There may be cases where the City Ordinances are more restrictive than these title restrictions, in which case the former will govern.

## SECTION III GENERAL

All lots in Squares No. 3, 4, 5, 6, 7, 8, 9, 10, 11, 5087, 5088, 5089, and 5090, of Lake Oaks Subdivision shall be devoted to single family dwellings. On these lots all the usual uses normally allowed to private homes such as by professional men who operate Dentists' and Doctors' Offices, Nurseries, Clinics, etc., therein will not be permitted.

## SECTION IV FRONTAGE

No residence shall be built on less than one lot as shown on Map of "Lake Oaks". When any purchaser wishes to buy more than one site in order to erect a larger permitted residential building, this may be done provided that said lots or fractional lots shall aggregate a width of at least as wide as adjacent lots and shall be treated as one lot. The restrictions applying to a single lot should apply to such larger site. No resubdivision of lots shall be done which would leave remaining on the square a lot of an area or width below the average standard for said square, as indicated on the Map of "Lake Oaks". No lot shall be shifted as to frontage. No lot shall be renumbered or lose its identity even when subdivided. No lot shall be resubdivided for private sale or otherwise unless first approved by the Orleans Levee Board.

## HEIGHT

Residences shall not exceed thirty-five (35) feet in height.

## SECTION V MINIMUM FRONT, SIDE AND REAR YARDS

- (a) No part of any building of a residence shall be built closer than twenty (20) feet minimum distance from the front property line of the lot, nor closer to either side property line of the lot than six (6) feet minimum distance, however, the combined width of both side yards shall be a minimum of twenty-five per cent (25%) of the width of the lot, but need not exceed twenty-one (21) feet. Corner Lot 21, Sq. 4, Lots 1 and 20, Sq. 5 and Lot 19, Sq. 5087 shall have twenty (20) feet set

backs on front and side streets. All other corner lots shall have twenty (20) feet set back on front street and twelve and five tenths feet (12.5) on side street. No detached garage shall be constructed closer than sixty (60) feet from the front property line and when outside the required rear yard area shall not project into the side yards.

An attached or detached carport may be constructed in the side yard area, provided its columns or wall are not closer than six (6) feet from the side property line, however, the roof may project two (2) feet into six (6) feet area. An attached or detached carport shall be considered a building for storing automobiles and having no more than one side enclosed. The other three sides must be completely open. Storage areas, utility rooms, tool rooms, etc., in such carports will not be permitted within the side yard area. Cooling towers and condensers must be erected in the rear of the main building and not project into side yard areas. No cooling towers or condensers shall be erected on roof of any building. When an accessory building is outside the required rear yard area it shall not project into the side yards. Clothes lines shall be in the rear of main building and shall not project beyond the side building lines.

- (b) Bay or bow oriel, dormer and other projecting windows, stairways, landings or other structural parts shall not project beyond the front and side building lines.
- (c) Cornices, roof overhangs, gutters, spouting, chimneys, brackets, pilasters, grill work, trellises, and other similar projections and any projections for purely ornamental purposes may project beyond the front and side building lines, however, not exceeding two (2) feet.
- (d) Unenclosed, uncovered or covered porches, balconies and steps, shall not project beyond the front or side building lines.
- (e) The rear yard measured from the farthest back projection of the principal building to the rear property line shall be not less than twenty per cent (20%) of the depth of the lot, except that in deep lots said yard need not exceed at any point, a maximum of twenty-five (25) feet and on shallow lots no rear yard shall be less, at any one point than a minimum of fifteen (15) feet.
- (f) The front of a corner lot shall be its narrower dimension.

## SECTION VI VEHICLES

No trucks, trailers, automobiles or other commercial vehicles bearing advertisements are to be stored or parked on residential property or on streets, except when making deliveries. Passenger vehicles, owned by a resident, shall be stored on the resident's ground and not on the street.

## SECTION VII GARBAGE RECEPTACLES

Each residence of Lake Oaks Subdivision shall be required to install a garbage receptacle between the front sidewalk and curbing, by the owner of said residence. This receptacle shall be of sufficient capacity to take care of the garbage cans used by said residence and shall be of an approved design. The receptacle shall be installed underground and shall have a neat cover flush with the sidewalk surface. Details of garbage receptacle shall be made part of the plans and specifications of the residence to be submitted to The Board of Levee Commissioners of the Orleans Levee District for approval. No garbage cans are to be exposed on the street or sidewalk in front of a residence.

## SECTION VIII SERVICES

All services, such as gas, telephone, electric power, sewers, drains and water pipes shall be placed underground from the property line to the building.

Relative to electric service, the owner shall lay, or have laid, a cable underground from his meter to a New Orleans Public Service Inc.'s, transformer vault in the rear of the lot.

Relative to telephone service, the owner shall provide, at his own risk and expense, an open trench not less than fifteen (15) inches in depth from his house to a telephone terminal box in rear of his property. Location of this trench is to be designated by the telephone company. The Southern Bell Telephone and Telegraph Company will then lay the necessary cable in this trench and the owner, after the cable is laid, will then backfill this trench at his own expense.

## SECTION IX TRANSFORMER VAULTS AND EASEMENTS

To serve the sites in the Lake Oaks Subdivision with an electric underground system, transformer vaults will be erected in the rear of lots adjoining an easement owned by the Orleans Levee Board within which the primary cables serving the transformers will be located. These vaults will be constructed of brick or concrete and will be located as indicated on Map of Lake Oaks Subdivision, File No. L. D. 3106.

Public easements to permit walking through from street to street are provided in Squares 7, 8, 9, 10 and 11, and also between Squares 5 and 6. These easements are indicated on Map of Lake Oaks Subdivision File No. L. D. 3106.

On the lots listed below there are indicated on the plan of Lake Oaks four (4) foot easements, which are reserved for underground electric conduits and cables to be installed and maintained by the New Orleans Public Service Inc., as part of the Electrical Distribution Systems serving the residences of Lake Oaks Subdivision. The conduits will be encased in concrete and will be at least three (3) feet below ground surface which will permit landscape plantings and erection of permissible structures under Section V.

Sq. 3	Lot 2
Sq. 4	Lot 5
Sq. 4	Lot 24

Although the probability is remote, repairs to the conduits may become necessary, and in such event, the New Orleans Public Service Inc., has the right to enter these easements to make the necessary repairs.

When such repairs have been completed, the New Orleans Public Service Inc., will be responsible to restore the surfaces of the easements to their original condition upon completion of said work.

#### SECTION X SWIMMING POOLS

Swimming pools, if and when erected are to be of approved, substantial and neat construction, and will only be permitted provided they are entirely surrounded by a fence not less than thirty-six (36) inches in height and shall conform to all fence requirements recited in Section XII. The vertical inside faces of a pool shall be built no closer than six (6) feet to either side property line nor closer than thirty (30) feet to the front property line, not closer than six (6) feet to the rear property line. The finished top-side or surface deck shall not be constructed higher in elevation than one foot above the established site grade of the residence. Equipment such as diving boards, etc., shall not be higher than five (5) feet above site grade of the residence. The pool shall be so designed as to prevent splashing from the pool from draining into adjacent properties.

#### SECTION XI PARKS

Lake Oaks Park is a public park, owned by the Orleans Levee Board, and is for use of the General Public of the City of New Orleans. This park will be maintained by the Orleans Levee Board.

Interior Parks are reserved for the common use of the property owners of Lake Oaks and nothing shall be placed thereon, or no use shall be made thereof, to the detriment, inconvenience or annoyance of the resident, or owner of any part or portion of ground adjacent thereto. These parks are owned and are to be maintained by the Orleans Levee Board.

#### SECTION XII FENCES

Fences will be permitted as noted below:

Front yard fences, if and when erected, shall not exceed eigh-

teen (18) inches in height and shall be of neat and substantial construction.

Side fences, when erected between the front building line and front property line, shall not exceed eighteen (18) inches in height.

Side and rear yard fences, if and when erected between front building line and rear property line, shall not exceed five (5) feet in height and must be of neat and substantial construction.

On corner lots, fences shall not be erected closer than the required setback from any street or park property line.

Plans showing location and details of fences must be submitted for approval to the Orleans Levee Board before they are erected.

#### SECTION XIII GRADE OF SITE

The established grade of lots is not to be raised by any individual owner so as to adversely affect an adjacent property owner or owner in the same square.

#### SECTION XIV PLANTING

Hedges and shrubbery may be grown along property lines, but shall be restricted to a height of two (2) feet along the front yard property line, and shall be restricted to a height of seven (7) feet on side and rear property lines.

Trees planted in the required side yards of one lot may not project into the required side yard of adjacent owners, except upon agreement between the affected owners that said projection is not objectionable.

All trees, shrubbery, flowers, lawns or other vegetation on private residential lots shall be kept in good order by the owners and/or their tenants.

#### SECTION XV GRASS CUTTING ON VACANT SITES

For the purpose of keeping the Subdivision in an orderly condition, the Orleans Levee Board reserves the right and assumes the responsibility to cut the grass on vacant building sites for the period of time commencing after the improvements are completed to December 31, 1962. In cutting the grass on vacant property the Orleans Levee Board is to be held harmless for any damage by the owners of such vacant property. Upon termination of this period it will be the responsibility of the owners of each lot to maintain the grass in a presentable condition.

#### SECTION XVI MINIMUM COST OF RESIDENCES

The total construction cost of any residence shall be at least equal to or in excess of one and one-half (1½) times the market value of the lot, on which constructed, at the time construction begins.