

Longcreek Plantation LLC

Longcreek HOA Board Interpretation and Position Paper

Residential Business Activities Within Longcreek

Summary

This position paper addresses which types of commercial business activities within the Longcreek community are prohibited. This position paper also discusses the types of business activities that might be possibly allowed.

References

Restrictions and Easements, Longcreek Plantation Subdivision (Book U 196 Page 001).

Covenant Requirements

The Covenants Book U addresses business activity as follows:

Residential Use of Property. All Lots shall be used for residential purposes and no business activity shall be conducted upon any Lot at any time except as provided herein. The Lots may be used for customary home businesses not requiring traffic to or from the Lot and having no visibility as to any business activity conducted on said Lot.

The above requirement is specific and the following applies:

- Unlike some other topics within the Covenants, there is no allowance for the HOA Board to review or allow exceptions. The above restrictions are not negotiable.
- At least one homeowner has left the Longcreek community because of this requirement. An HOA lawyer was involved in the settling of this dispute.

Business Activities Not Prohibited Within Longcreek

Some business activities within Longcreek are not prohibited; the following are a few examples:

- Employees who are provided with the opportunity to work from home, either part-time or full-time.
- Owners or associates who have online internet businesses with no clients who visit the residence.
- A business located within the residence, such as Etsy or other craft-type business and with no clients traveling to and from the residence.

Longcreek Plantation LLC

Longcreek HOA Board Interpretation and Position Paper

- Minor activities such as unpaid music lessons.
- Boarding of horses as specified in the Covenants and the Community Handbook.

Business Activities Prohibited Within Longcreek

The following are examples of business activities prohibited within Longcreek:

- Any business activity that involves clients traveling to and from the residence. Examples include onsite computer repair services, chiropractic services, horse rider training, or animal training.
- Any business activity that involves storing a fleet of commercial vehicles on the lot. *Note: this does not apply to a single company-owned vehicle for the exclusive use of an employee.*
- Any business activity that involves company employees routinely traveling to and from the residence.
- Any business activity that involves use of the Longcreek common areas.

HOA Board Requirements if a Prohibited Business Activity Continues

Business activities within a community are commonly limited by HOA rules. Each HOA is tasked with maintaining a consistent set of standards for the benefit of the entire community.

The HOA Board may hire an HOA-type lawyer to issue a legal cease-and-desist order for violating the Covenant requirements.