

Lake of the Woods HOA

Home Office & Studio Use Rules — Detailed Breakdown DRAFT 9 EDITION

A plain-language guide to the home-office restrictions in the 2026 Draft 9 Amended & Restated Declaration ("FINAL FOR MEMBERSHIP APPROVAL," June 10, 2026)

Prepared for: Our Neighborhood | Date: July 11, 2026
Source: Draft 9 Declaration, Article IV, Section 3(r), pp. 18–19

Updates and supersedes the March 25, 2026 (Draft 6) edition.

IMPORTANT DISCLAIMER: This document is for informational and educational purposes only. It does not constitute legal advice. Consult a licensed Ohio attorney for advice specific to your situation.

The bottom line first. The 1984 documents contain no home-office rules at all. Draft 9 creates a **seven-condition regime**, judged by the Board, enforceable through fines and foreclosure-backed liens. That regime — not the softening of a prior draft — is the change owners are voting on. The Draft 9 revisions to Draft 6 (noted in green below) made this regime less strict than the March version, but did not remove it.

What Changed: 1984 vs. 2026

The 1984 Declaration is simple on this topic: lots are used "exclusively for single family residence purposes." No mention of home offices — the 1984 rules neither explicitly allow nor prohibit working from home. [1984 Decl., Restrictions §1, p. 3]

Draft 9 adds Section 3(r), "Office or Studio Use," which permits home offices and studios only if the owner meets **all seven conditions** simultaneously. Violating even one can make your home office a Declaration violation, triggering Board enforcement. [Draft 9 Decl., Art. IV, §3(r), pp. 18–19]

Feature	1984 Declaration	2026 Draft 9
Home office	Not mentioned; "single family residence purposes" only	Explicitly permitted under §3(r), subject to 7 mandatory conditions that must ALL be met

Studio use	Not mentioned	Same rules as home office
Enforcement	No specific mechanism	Board determines compliance; violations can lead to fines, enforcement assessments, and liens

What Draft 9 softened from Draft 6 (context — the regime itself is new vs. 1984). Draft 9 makes three changes to the home-office rules that Draft 6 proposed:

- **The "invisible from outside" condition is deleted.** Draft 6's Condition 5 required that office use "not [be] apparent or detectable by sight, sound, or smell from outside the Dwelling." Draft 9 removes it, so there are now **7 conditions instead of 8**.
- **Home-schooling is expressly protected.** The "school" ban now states it "shall not be construed to disallow" teaching and learning in service of home-schooling an owner's or occupant's children or wards — resolving the main concern raised in the Draft 6 edition of this guide.
- **"Care facility" becomes "care or rehabilitation facility"** — a slightly broader prohibited-use category.

The 7 Conditions for Home Office Use

Under §3(r), an owner or occupant may use a portion of their dwelling as an office or studio provided all of the following are met — these are not optional guidelines.

Condition 1: No Interference with Neighbors

"the activities within the Lot do not interfere with the quiet enjoyment or comfort of any other Owner or Occupant of any Dwelling"

What this means: your work-from-home activities cannot create noise, disturbances, or other impacts that bother neighbors. "Interference" is not defined; the Board would judge complaints. **Practical impact:** low for quiet desk work; higher for music, podcasting, or anything with noise or visual impact.

■ Verify: Draft 9 Decl., Art. IV, §3(r)(1), p. 18

Condition 2: Zoning Compliance + Prohibited Uses (with new home-school protection)

"the activities are in compliance with all commercial and zoning land use regulations and no part of the Dwelling is used as a school, music recording studio, pornography studio, medical laboratory, care or rehabilitation facility, daycare center, or nursery, provided, however, that 'school' shall not be construed to disallow teaching and/or learning-related activities in service of the efforts of an Owner or Occupant to home-school his or her children or wards"

What this means: your office must comply with Akron zoning, and specific uses are banned outright: school (except home-schooling — see the italicized carve-out, new in Draft 9), music recording studio, pornography

studio, medical laboratory, care or *rehabilitation* facility (rehabilitation added in Draft 9), daycare center, or nursery.

Practical impact: the daycare ban still affects anyone watching other families' children for pay; the school ban still reaches tutoring businesses and formal teaching operations; music studios remain banned. Families home-schooling their own children are now expressly protected.

■ Verify: Draft 9 Decl., Art. IV, §3(r)(2), p. 18

Condition 3: No Employees, Contractors, or Walk-In Traffic

"such use involves no nonresident employees, staff, or independent contractors regularly working out of the Lot or Dwelling (except maintenance, repair, or improvements done to the Lot or Dwelling itself), does not welcome walk-in traffic to the Dwelling from the general public or from regular or repeated business invitees, and does not invite or permit any door-to-door solicitation..."

What this means: no outside workers regularly working at your home (home-maintenance trades excepted); no walk-in customers, clients, or patients; no door-to-door solicitation of the neighborhood. **Practical impact:** significant for anyone with a business partner or assistant on site, or any client-visit business (consulting, therapy, personal training). Occasional visitors may be fine; "regular or repeated" business visitors are not.

■ Verify: Draft 9 Decl., Art. IV, §3(r)(3), p. 18

Condition 4: Home Must Stay Primarily Residential

"the use does not result in the Dwelling becoming principally an office ... or in developing a reputation that the Dwelling is or can be regarded by the public as an office or commercial location that welcomes invitees without requiring them to schedule an appointment in advance"

What this means: your home must still look, feel, and function primarily as a residence. If the public starts treating your address as a business location — people showing up without appointments — you've crossed the line. **Practical impact:** low for typical remote workers; higher if your address appears in business directories or maps as a commercial location.

■ Verify: Draft 9 Decl., Art. IV, §3(r)(4), p. 18

Former Condition 5 — deleted in Draft 9. Draft 6 required that office use be "not apparent or detectable by sight, sound, or smell from outside the Dwelling." Draft 9 removes this condition entirely. Artists, crafters, and others whose work might be noticed from outside are no longer per-se violators — though Conditions 1 (interference) and 7 (hazardous/offensive) still reach genuinely disruptive impacts. [Compare Draft 6 §3(r)(5) with Draft 9 §3(r) — no counterpart]

Condition 5 (formerly 6): No Excessive Business Deliveries

"the office or studio use does not result in or involve regular or unreasonably large volume of business-related deliveries to or from the dwelling, as determined by the Board of Directors"

What this means: no steady stream of business packages. "Regular" and "unreasonably large" are not defined — the Board decides; there is no objective standard in the document. **Practical impact:** a concern for online sellers and anyone with frequent courier pickups; normal residential deliveries should be fine.

■ Verify: Draft 9 Decl., Art. IV, §3(r)(5), p. 19

Condition 6 (formerly 7): No Inventory or Product Storage/Assembly

"no part of the Lot or any Dwelling is used for the storage, assembly, repair, testing, inspection, or maintenance of an inventory or parts, supplies, work-in-progress, or finished goods used or sold in connection with the business ..."

What this means: an extremely broad ban on using any part of your home or property for physical goods connected to a business — whether sold from home or elsewhere. **Practical impact:** the most restrictive condition for small businesses: Etsy/eBay sellers storing inventory, home product assembly, repair work at home, even work samples brought home from an off-site business.

■ Verify: Draft 9 Decl., Art. IV, §3(r)(6), p. 19

Condition 7 (formerly 8): No Hazardous or Offensive Use

"the use of the office or studio does not constitute a hazardous or offensive use or threaten the security, safety, or quiet enjoyment of other Owners ... as determined by the Board of Directors"

What this means: a catch-all giving the Board authority over any home-office use it deems hazardous or offensive, even if not covered by the other six conditions. **Practical impact:** low for standard office work; a safety net for unusual situations (chemicals, electrical loads, safety risks).

■ Verify: Draft 9 Decl., Art. IV, §3(r)(7), p. 19

Who Is Most Affected?

Type of Worker	Risk Level	Key Concerns (Draft 9)
Remote employee (desk work)	LOW	Likely compliant with all 7 conditions.
Freelancer / consultant (no client visits)	LOW	Same as remote employee if clients don't visit.
Consultant with client meetings at home	MEDIUM-HIGH	Condition 3 (walk-in traffic / repeated invitees) and Condition 4 (commercial reputation).
Tutor / music teacher (business)	HIGH	Condition 2 bans schools and music studios; Condition 3 bans regular visitors. (Home-schooling your own children is protected.)
Daycare provider	PROHIBITED	Condition 2 lists daycare center and nursery as banned uses.
Etsy / craft seller	HIGH	Condition 6 bans inventory/assembly at home; Condition 5 limits delivery volume.
eBay / Amazon reseller	HIGH	Condition 6 bans inventory storage; Condition 5 limits deliveries.
Artist / painter	LOW-MEDIUM IMPROVED	Draft 6's sight/sound/smell test is gone. Condition 6 could still apply to artwork stored for sale; Condition 1 to genuine nuisance impacts.
Therapist / counselor (home office)	HIGH	Conditions 2 ("care or rehabilitation facility" — broadened in Draft 9), 3, and 4.
Real estate agent (home base)	LOW-MEDIUM	Low for desk work; higher if clients visit or the address is listed as an office.
Homeschool family (own children)	PROTECTED DRAFT 9	Express carve-out in Condition 2. See analysis below.
Homeschool co-op host (other families' children)	MEDIUM-HIGH	Conditions 3 and 4 can still be triggered by regular visits; see below.

What Happens If You Violate These Rules?

If the Board determines your home-office use violates any condition, the enforcement toolkit includes: written notice; fines/enforcement assessments charged against your lot; liens (foreclosable) for unpaid amounts; suspension of voting rights (though not for Director elections or bylaw-amendment votes); Association cure-and-bill including attorney fees; and court action. Ohio law (ORC 5312.11(C)–(D)) guarantees notice and an opportunity for a hearing before enforcement assessments are levied. [Draft 9 Decl., Art. XII, pp. 44–46; Art. VIII, pp. 32–35]

Impact on Homeschooling Families

The Draft 6 edition of this guide flagged a significant concern: the ban on using a dwelling "as a school" contained no exception for home education, creating ambiguity for families exercising their rights under Ohio law (ORC 3321.04 and 3321.042).

Draft 9 resolves the core concern. Condition 2 now states that "school" shall not be construed to disallow "teaching and/or learning-related activities in service of the efforts of an Owner or Occupant to home-school his or her children or wards." A family home-schooling its own children (or legal wards) is expressly protected — the exemption this guide recommended requesting has, in substance, been added. [Draft 9 Decl., Art. IV, §3(r)(2), p. 18]

Background (unchanged): Ohio explicitly protects home education. Under ORC 3321.042 (effective Oct. 3, 2023), parents notify their local superintendent with basic information and an assurance of instruction in required subjects; the exemption is effective on receipt. Constitutional protections (*Meyer v. Nebraska* (1923); *Pierce v. Society of Sisters* (1925)) reinforce parents' right to direct their children's education.

Where Risk Remains: Co-ops and Group Activities

The carve-out protects home-schooling "his or her children or wards." It does not expressly cover hosting *other families'* children. If your home regularly hosts co-op classes:

- **Condition 3** — regular arrival of non-resident parents/children could be characterized as "regular or repeated" invitees (the ban is not limited to paid visits);
- **Condition 4** — a pattern of scheduled arrivals/departures could create an "educational facility" reputation;
- **Condition 2** — instruction of other families' children arguably sits outside the carve-out's "his or her children or wards" language;
- **Condition 1** — group noise could draw interference complaints.

Homeschool Scenario	Risk Level (Draft 9)	Reasoning
Parent teaching own children at home	PROTECTED	Express carve-out; plus ORC 3321.04/.042 and constitutional protections.
Tutor comes to your home for your children	LOW	Home education of your own children is protected; Condition 3 (nonresident staff "regularly working") could technically be raised for a frequent tutor.
Small co-op (2–3 families, weekly)	MEDIUM	Regular visitors implicate Condition 3; carve-out arguably doesn't reach other families' children.
Large co-op (5+ families, multiple days/week)	HIGH	Conditions 2, 3, 4, and potentially 1.

Formal teaching/tutoring business from home	PROHIBITED	Condition 2 bans schools; commercial education is outside the carve-out and homeschool laws.
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Questions to Ask the Board

- How will Condition 5 (delivery volume) be measured? What threshold is "unreasonably large"?
- Does Condition 6 (no inventory) apply to someone who occasionally brings work materials home?
- Will home offices that were lawful under the 1984 rules receive any grace period or grandfathering?
- What is the process for investigating an alleged violation, and is a hearing guaranteed before enforcement (per ORC 5312.11(C)–(D))?
- Can the Board provide written pre-approval for a specific home-office use?
- Does the home-school carve-out extend to co-ops hosted in a member's home? If not, would the Board state its enforcement posture in writing?
- Does "care or rehabilitation facility" reach a family member providing in-home care to a relative? (The definition is undefined.)

Source: Draft 9 — Amended and Restated Declaration of Restrictions and Covenants for Lake of the Woods ("FINAL FOR MEMBERSHIP APPROVAL," June 10, 2026), Article IV, Section 3(r), pages 18–19. This edition (July 11, 2026) updates and supersedes the March 25, 2026 (Draft 6) edition; the condition numbering shifted when Draft 6's Condition 5 was deleted. This document is for informational purposes only and does not constitute legal advice. Consult a licensed Ohio attorney for advice specific to your situation.