

SUNLAND VILLAGE EAST

ARCHITECTURAL GUIDELINES

REVISED FEBRUARY 11, 2010

The Architectural Control Committee (ACC) is established through Bylaw 8.6 by the Board of Directors. The ACC's existence and purpose are contained in 8.6 through 8.6.5. These bylaws as originally adopted empower the ACC to create guidelines to support the RCC&R's for SVE. Guidelines when written or amended and are adopted by the BOD become enforceable. It is the responsibility of each homeowner to request authorization from the Architectural Committee prior to making any exterior alterations to their property. By doing so, the homeowner is assured that planned changes are in compliance with the following guidelines and applicable SVE RCC&R's.

The following guidelines have been recommended by the ACC and approved by the HOA Board of Directors. They supplement the RCC&R's and serve to guide homeowners in the design of a project and the ACC in its deliberations. Special conditions may, from time to time, occur and will be considered by the Committee on an individual basis.

Architectural Change Forms are available at the Association Office during normal business hours. A plot plan, drawings, and specifications must be submitted with each application. No changes or deviations of approved plans and/or specifications may be made without further written approval of the Architectural Committee. All documents submitted with the application will become a permanent record and will not be returned. The requirement of a City of Mesa building permit is the sole responsibility of the homeowner or their contractor, a copy of which must be on file in the HOA office prior to the start of construction.

Allow up to thirty (30) working days for approval. Normally, approval should be received within a week to ten (10) days following receipt at the Association Office.

The Architectural Committee has the authority to stop all work being performed by either the homeowner and/or his contractor for which an application has not been approved or which is deemed in violation of the SVE RCC&R's. Failure of the homeowner to comply may be a cause of an action at law or in equity, either for injunction, action for damages or such other remedy as may be available.

(**Note:** *Italicized items are from the RCC&R's*)

1. Additions – See RCC&R 4.1.6.

Additions must be of similar design with materials and colors compatible with the existing residence. A City of Mesa building permit shall be on file with the HOA prior to the start of an approved change request.

Building Additions: *No building additions whatsoever, including, but not limited to any add-on improvements or fixtures, carports, utility or storage units or sheds, whether temporary or permanent in nature, and whether or not actually attached to the home (“building addition”), shall be commenced, constructed, placed or stored upon any lot in Sunland Village East without the prior written approval of the Architectural Control Committee and compliance with the Restrictions.*

2. Antenna and Satellite Dish Restrictions – See RCC&R 4.1.14

One meter (39 inches) in diameter or diagonal measurement is regulated by the Telecommunication Act of 1996. Recent FCC rulings have stated that Homeowners Associations are prohibited from enforcing antenna restrictions and rules that 1) prevent or unreasonably delay antenna installation, maintenance or use; 2) unreasonably increase the cost of antenna installation, maintenance or use; or 3) preclude reception of acceptable quality signals. Some invalid provisions include: Prohibitions on installing antennas and requirement that an antenna application go through an Architectural Review process. Based on the above, we cannot require a review of the installation, but to preserve the appearance of our community it is the desire of the association that an attempt should be made to place all antennas and satellite dishes on the rear or side elevation of the roof.

3. Air Conditioners

Air Conditioning units are subject to compatibility with neighboring houses. Window or wall units should not encroach upon accessible walkways.

4. Basketball Backboards – See RCC&R 4.1.10

None permitted, fixed or portable.

5. Bird Houses and Bird Feeders

Houses and feeders may be placed in the backyard only and may not exceed six (6) feet high, no larger than one (1) foot square, and no closer than five (5) feet from any lot line and are limited to one solid and one liquid feeder per lot. The scattering or broadcasting of bird seed is prohibited.

6. Clotheslines

Clotheslines should never be visible from the front of the property. Clothes must be removed promptly when dry.

7. Concrete

All additional concrete, driveway expansions, sidewalks, patios, and patio extensions after close of escrow must be approved. Sidewalks and/or driveways cannot run into easements or onto neighboring property.

8. Christmas Decorations

ALL Christmas decorations, including lights, shall not be placed in any yard or attached to houses until Thanksgiving week and not lighted before Thanksgiving Day. Decorations must be removed by January 15th.

9. Sun and/or Observation Decks and Patios

Patio furniture and patio appliances shall be selected to furnish these structures.

10. Driveway, Walks and Patios

The design, pattern and color must be compatible with the residence and the general community décor. The color and design selection shall be chosen from the BOD approved list available in the HOA office.

11. Driveway Barricades

Barricades are permitted only during construction, repair or coating and is limited to seven (7) days after completion.

12. Exterior Painting See RCC&R 4.1.15

The color selection for all exterior repainting of residential units and additions thereto or structures on a residential lot shall be chosen from Board approved body only and trim only color lists. Proper selection and use of the two colors should ensure visual compatibility within the community. Trim color may not be used as a body color. Preauthorization must be obtained from the HOA office prior to repainting regardless of same or a change of color selected.

13. Flags

SB1055 became effective September 21, 2006. SB1055 amends A.R.S.33-126 [Arizona Condominium Act] and A.R.S.33-1808 [planned communities] to include the following flags, in addition to the American flag, in the list of flags the community association cannot prohibit the outdoor display of:

1. An official or replica of a flag of the United States Army;
2. An official or replica of a flag of the United States Navy;
3. An official or replica of a flag of the United States Air Force;
4. An official or replica of a flag of the United States Marine Corps;
5. An official or replica of a flag of the United States Coast Guard;
6. The POW/MIA flag;
7. The Arizona State Flag; or
8. An Arizona Indian Nations Flag.

14. Flag Poles

Flag poles are limited to one (1) per lot and shall not be over twenty (20) feet above ground, neutral in color, and located at least five (5) feet back from the front sidewalk as per City of Mesa code.

15. Garbage Cans – See RCC&R 4.1.19

All garbage and recycle containers must be completely invisible from view by a six (6) foot person walking on the sidewalk in front of the house from property line to property line.

Garbage Cans: All garbage cans and similar items must be either kept in the garage or screened from the view of all neighbors, except for when the cans or similar items are placed on the sidewalk front of the Residential Unit and are not to be placed on the street or in front of the dwelling prior to 4 pm the day priors and to be removed by 6 pm the day serviced by collectors.

16. Gazebos, Pergolas, or Similar Structures

Defined as a structure intended for human occupancy for scenic viewing, relaxation and shielding from the sun during the day, shall not be used as a guest house or as a sleeping facility. They may be located in the rear yard, or side of rear yard provided they are behind the rear most part of the dwelling, and may not exceed ten (10) feet in height, nor shall they be located in the rear yard of a corner lot closer to the street than any dwelling on an adjacent key lot. The setback from the rear lot line shall not be less than five (5) feet. Roof overhangs may project two (2) feet into the minimum setbacks.

(See also Guideline 9.)

17. Golf Ball Nets

Golf ball nets will be considered on an individual basis. The net should not exceed twenty (20) feet in height and should have proper supporting structure as per City of Mesa specifications.

18. Golf Cart Garages – See RCC&R 4.1.6

Golf cart garages must be built of the same architectural design and style to be contiguous with the existing garage. No additional drive or curb openings will be permitted without City of Mesa approval.

Building Additions: No building additions whatsoever, including, but not limited to any add-on improvements or fixtures, carports, utility or storage units or sheds whether temporary or permanent in nature, and whether or not actually attached to the home, shall be commenced, constructed, placed or stored upon any lot in Sunland Village East without the prior written approval of the Architectural Control Committee and compliance with the Restrictions.

19. Gutters and Down Spouts

Gutters must match trim and down spouts must match the color of the house on which they are mounted. Gutters must follow the contour of the structure and cannot span open spaces or cross blank walls. Downspout extensions may not extend to the neighboring property lot lines.

20. Landscaping – See RCC&R 4.1.16

All new or additions to landscaping in either the front or back yards must be reviewed and approved by the Architectural Committee. Homeowners should submit plans showing all vegetation, irrigation, ground cover, hardscape elements, yard art and lighting. Decorative objects in the front yard are discouraged. It is recommended such objects be placed in the back yards only. No yard ornaments or wind driven devices are to be mounted, placed or installed on top of any house roof or yard wall. The location of plantings shall be planted so that at maturity it does not encroach over lot lines or onto sidewalks nor shall they be allowed to grow over common walls of Sunland Village East. Planting shall also be limited to density. If desert landscaping is employed, no irrigation is required and therefore should not be used.

Landscaping and Maintenance of Lot Each owner shall be responsible at all times for maintaining such required landscaping with a reasonable high standard of care to provide a neat, clean, trimmed and attractive appearance. To satisfy this objective, each owner shall immediately remove from his or her lot all dead, injured or diseased vegetation, weeds, noxious growths, grass clippings, trash and other debris or unsightly materials. In addition all shrubs, trees, grass, and plantings of every kind of any lot shall at all times be kept neatly trimmed.

21. Roofs

All replacement roofing material must be the same type as the original roof, or one approved by the Architectural Change Committee. All colors used must be compatible with house or house trim and the surrounding neighborhood. No reflective roof coatings are permitted except in the case of shed or lean to style roofs as over patios that are roll type of roof covering. Glaring or shining roof coating materials are prohibited.

22. Roof Turbines and Weather Vanes

Roof turbines and weather vanes must be placed on the rear slope of the roof not to exceed twenty (20) inches above the roof ridge line. The turbines must be painted to blend into the roof covering material, unless the turbines are manufacturer's mill finish aluminum. Weather Vanes cannot be installed on the ridge line of the roof.

23. Hidden from View Items

The following items must be hidden from view of the street:

- a. Exterior water softener tanks
- b. Garbage cans
- c. Propane tanks
- d. Storage sheds and greenhouses
- e. Ground mounted Air Conditioner
- f. Pool Equipment

24. Security Doors, Windows, Sunscreens and Patios

Allowed colors are black, white or matching the house trim color. The style must have prior approval. Security bars are prohibited on windows located on the front elevation of the home. Fire regulations apply to some windows.

25. Security Shades (Roll Down)

Security shades must meet City of Mesa Fire Codes. The color must match the house body or house trim.

26. Solar Devices

Installation on the front slope of the house is discouraged as locations are governed by Federal regulations.

27. Sign (For Sale, For Lease, Political Signs, etc.) [\[revised 2/2010\]](#)

One sign is permitted per lot. The sign must advertise only the house on which the sign is placed.

Exception: Houses or condominiums on the golf course may display a for sale sign in the front and back of the lot.

1. One “Open House” sign on the property and one lead in Open House directional sign on the island portion of Farnsworth Drive is permitted from 10:00 AM to 5:00 PM on the day of the open house. The sign must state, “OPEN HOUSE”, not just the Realtors ad.
2. The use of attention getting devices such as flags, banners, balloons, etc., on any lot is prohibited.
3. Signs shall be no larger than 25 x 25 inches and its supporting frame not more than 30 inches wide. The top of the frame and sign shall be no more than sixty (60) inches above the ground.
4. “SOLD” signs shall be removed promptly after close of escrow.
5. “Garage Sale”, “Moving Sale”, or “Yard Sale” signs are prohibited. (In the event of death, moving out of state, going to a rest home or a long term care facility an “ESTATE SALE” sign may be authorized by prior approval from Sunland Village East management.) One sign on the property and one sign on the island portion of Farnsworth Drive will be permitted. Estate Sale signs shall not be posted longer than two (2) consecutive days.
6. Licensed Contractor Signs per Arizona State Statute 32-1124 is permitted during construction phase. Signs may not to exceed eighteen (18) inches in any dimension or over twenty-four (24) inches in overall height.
7. Political election signs are approved per ARS. 33-1808.
8. A monetary fine for any sign display violation whether real estate, garage sale or non-approved estate sales, will be imposed against the violating person or company by the Board of Directors. The minimum amount of twenty-five dollars (\$25.00) will be imposed for a first offense. Fines will double with each additional violation within the same calendar year.
9. Illegally displayed signs will be confiscated and turned into the SVE office. The signs may be recovered upon receipt of such imposed fine.

28. Storage Sheds and Greenhouses

Storage sheds and greenhouses shall not exceed six (6) feet in height when located in the sides of rear yards and shall be hidden from view by a six (6) foot wall and/or gate. Sheds not to exceed eight (8) feet in height may be permitted when located entirely in the rear yard of the residence.

29. Swimming Pools and Spas

Swimming pools and spas must conform to the City of Mesa Building Codes. A plot plan showing location, design of pool and location of pool equipment is required for approval. All equipment must be concealed from view of the street and neighboring property and must be placed in a location where the operation of the pumps does not create a disturbance to the neighbors. A back washing pit is required by City of Mesa code. Back washing into the street, green belt, common areas, golf course or neighboring properties is prohibited.

30. Trellises

Trellises may be used to support plants on walls or houses, must be maintained in good condition, and securely fastened. Trellises attached to walls must never exceed the height of the wall on which it is installed.

31. Walls (Yards) – See RCC&R 4.1.12

Walls must meet City of Mesa Codes. Maximum height is six (6) feet except on golf course lots. Walls there are restricted to three and one-half (3 ½) feet in height. Construction fencing materials permitted are colored concrete block, slump block, brick or wrought iron. The color of the block must be buff or other neutral color, compatible with house or neighborhood décor. When adding vertically onto an existing wall, the responsibility for painting the wall, if necessary, must be included in the signed agreement with all neighbors, regardless of who owns the wall. If the wall is stucco, it must be painted compatible with body color of the house. If the wall is abutting (attached) to, or additions are being constructed on neighboring wall(s), permission in writing, from concerned parties is required.

Wall or Fence Restrictions The Mesa City Code defines fence, screen wall and/or retaining wall as: “Freestanding, self supporting structure, constructed of durable wood, chain link, metal, masonry or other standard fencing materials, designed to provide privacy, security, screening or bank retention between grade separations”. No wall or fence shall be erected or maintained on any Sunland Village East lot nearer to the front lot line than the front wall of the dwelling house on the lot unless the wall or fence is constructed of bricks or blocks and is not more than thirty (30) inches high. A continuous row of shrubs, trees or other plantings that at maturity form a fence or border or a screen shall not be planted or maintained on any lot more than five (5) feet out from the front wall of the dwelling house on the lot. No fence, planting or wall more than three and one-half (3½) feet high shall be constructed, planted or permitted or maintained closer to the rear lot line than the rear wall of the dwelling house on any house that borders on the golf course. Notwithstanding the foregoing sentence, if there is a swimming pool on a lot that borders on a golf course, then and in that event a fence six (6) feet in height (or of such greater height as may be required by any applicable law or ordinance) may enclose the entire backyard of the lot or such lesser portion thereof that includes the swimming pool as the owner may determine so long as all of the fence (or at least that portion that is more than three and one-half (3 ½) feet about the ground) is wrought iron fence that does not unreasonable block the view. No other wall, planted hedge or fence on any lot shall be higher.

RE: Association Common Areas

1. Additional building on SVE common property must be compatible to existing buildings, i.e., tile roof, stucco texture, color, etc.
2. No objects or vegetation of any kind may be placed on, affixed to the top, or allowed to grow over any association common walls in the village.
3. In order to avoid deterioration of the common walls, owners shall not allow irrigation water to spray on association common walls in any way.
4. Any painting of association common walls must be approved by an Architectural Change Request form submitted to the SVE Architectural Committee.