

**PECAN GROVE ESTATES II HOMEOWNERS ASSOCIATION
ARCHITECTURAL COMMITTEE RULES AND GUIDELINES**

Adopted: July 8, 2002
Published: August 1, 2002
Effective September 1, 2002

ARCHITECTURAL REVIEW PROCESS

In accordance with the Declaration of Covenants, Conditions and Restrictions for Pecan Grove Estates II (Article 1, Section 1.2), the Architectural Committee has adopted the following Architectural Committee Rules and Guidelines for architectural improvements (the "Rules"), which shall apply to all Lots within Pecan Grove Estates II.

Each lot owner should read, review and make himself acquainted with the CC&R's recorded on his lot with Maricopa County and with these Architectural Rules as may be amended from time to time by the Architectural Committee. These documents are intended to enhance property values and the high standards of development that exist within Pecan Grove Estates II. The Rules are established to assist residents in preparing an application to the Architectural Committee for structural and landscape improvements. FOLLOWING THESE RULES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS FOR APPROVAL BY THE ARCHITECTURAL COMMITTEE. Even if your addition or alteration is identical to another, which has been approved, it must be submitted for approval. Because each situation may have different conditions, e.g., different locations, physical conditions or design considerations, etc., each application will be reviewed on a case-by-case basis. In the event of any inconsistency between these Rules and the Declaration, the Declaration shall control. All architectural approvals will be conditioned upon compliance with applicable City Codes. All approvals must be in writing.

APPLICATION PROCEDURE

Submittal

Application and plans (which will be kept on file with the Association) should be delivered to:

Pecan Grove Estates II	Sentry Management, Inc
	7955 S Priest Drive, Suite 105
	Tempe AZ 85284
	<u>phoenix@sentrymgt.com</u> (fax) 480/345-1728

The following information should be included:

1. Application Form -- A completed application form (copies of which can be obtained from the management office).
2. Plot Plan -- A site plan showing dimensions of the lot, the dimensions of the existing dwelling in relation to the lot, and the dimensions of the proposed addition in relation to the existing dwelling and property lines (setbacks). Measurements must be written on the plans. An accompanying photograph of the proposed location would be helpful as well.

3. Elevation Plan(s) -- Plans showing finished appearance of the proposed addition in relation of existing dwelling. An accompanying photograph of the proposed addition (if available) would be helpful.
4. Specifications -- Detailed description of materials to be used and color samples must be submitted.

All buildings and structures erected within Pecan Grove Estates II and the use and appearance of all land within Pecan Grove Estates II, shall comply with all applicable City of Tempe zoning and code requirements as well as the CC&R's, The Rules and Guidelines for Community Living and these Architectural Rules.

Review -- Approval and/or Disapproval

The Architectural Committee shall have 60 days after submittal of plans to approve or disapprove plans. All decisions of the Committee must be in writing to be considered valid.

Architectural Committee review within Pecan Grove Estates II will regulate the external design, appearance, and location of the properties and of improvements thereon in such a manner as to (a) promote those qualities in the environment that bring value to the properties; (b) foster the attractiveness and functional utility of the community as a place to live, including the harmonious relationship among structures, vegetation and topography; and (c) create a basis for treating all owners fairly and reasonably.

Neither the Architectural Committee, nor the Board shall have any liability in connection with or related to approved plans, specifications or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the addition nor its effect upon existing or future drainage. The homeowner shall be responsible for obtaining any and all permits required by the City of Tempe (if applicable). The review of plans by the Architectural Committee, Board of Directors is for aesthetic purposes only.

Approval Expiration/Construction Period – Upon receipt of approval from the Architectural Committee for any construction or modification, the Owner who had requested such approval shall commence the construction or modification approved by the Architectural Committee within ninety (90) days after the date the construction modification was approved by the Architectural Committee and shall diligently pursue such construction or modification so that it is completed as soon as reasonably practicable within such time as may be prescribed by the Architectural Committee. If the construction or modification is not commenced within the time period prescribed by this Section, the Architectural Committee may revoke its approval of the construction or modification.

Appeal Process – Any appeal of the Architectural Committee's decision must be submitted in writing to Pecan Grove Estates II Homeowners Association, c/o Lepin and Renehan Management, Inc., P.O. Box 11330, Tempe, Arizona 85284-0023, within 30 days following the date of mailing of the Architectural Committee's decision.

GUIDELINES

ANTENNAS AND SATELLITE DISHES

Satellite dishes must be submitted to the Architectural Committee for approval prior to installation.

The Homeowner may be required to relocate any satellite dishes that are inappropriately located without prior approval of the Architectural committee.

AWNINGS

Awnings must be approved by the Architectural Committee. Awnings over windows shall be (a.) canvas, (b.) a solid color matching the exterior body or roof color on the home, (c.) the same color on the inside and exterior face. A minimum five-year guarantee is expected from the manufacturer to insure a high quality awning. Owner is responsible for maintenance and repair of awnings. Association retains the right to determine when an awning must be repaired and/or replaced due to weathering, fading, tearing, ripping, etc.

Submit: The manufacturer, sample color swatch, type, and number of years' guarantee for approval prior to installation. All awning submittals must include a drawing with the location of the proposed awning installation. A sample of the material used, along with the color and design of the proposed awning is required.

BASKETBALL GOALS OR SIMILAR STRUCTURES

Portable basketball goals and permanent basketball goals or backboards may be installed in the front or rear yard, provided that they meet the following guidelines:

- No portion of the basketball standard and/or backboard may be attached to the house.
- Backboard must be white or clear Plexiglas.
- It is preferred that the basketball goals are installed on the "interior" side of the driveway so that they back to the homeowner's own front yard. However, they may be mounted on the "exterior" side of the driveway provided that they are at least eight (8) feet from the property line.
- Basketball goals installed in the rear yard must be located a minimum of eight (8) feet from any perimeter wall.
- Basketball goals, including the net, must be maintained in good condition at all times.

CONCRETE ADDITIONS/DRIVEWAY EXPANSIONS

All concrete additions must be submitted for and approved in writing prior to installation.

Driveway expansion will be considered for approval provided the combined width of the existing driveway plus the proposed expansion do not exceed fifty percent (50%) of the total width of the front yard, when measured from the widest section of the driveway with expansion. Landscaping must be part of the plan submittal showing where and what will be added to soften the look of the concrete. The

expanded driveway may be no closer than 18 inches to the side lot line or 12 feet to the side lot line if it is adjacent to a street. No parking shall be permitted on a driveway expansion when within five (5) feet of the property line or when space in the existing driveway is available. Plans must include plot plan and specifications showing:

- All dimensions of front of the lot (total area not enclosed by the rear yard perimeter fence).
- Measurements of existing driveway.
- Measurements of paved surface.
- Measurements of space between paved surfaces where applicable.
- Landscaping to be installed to soften the look of the concrete.
- Whether or not the curb adjacent to the proposed paved surface is a rolled curb or an L-shaped curb.
- All building materials and color to be used. (Surface textures and colors must blend with the house).

DECORATIVE ITEMS (INCLUDING, BUT NOT LIMITED TO, BENCHES AND OTHER SEATING ITEMS, FOUNTAINS/WATER FEATURES, LIGHT POLES, ORNAMENTAL STATUARY, ETC.)

Fountains/water features will be considered for approval with the following provisions:

- Except as approved by the Architectural Committee no fountain shall be placed or maintained nearer to the front property line than the walls or attached open porch of the dwelling erected on the Lot.
- The maximum height is five (5) feet.
- It is recommended that the water be chlorinated.
- It is the obligation of the owner to keep the fountain well maintained and in good operating condition.

Benches and other seating items will be considered for approval with the following provision:

- The maximum height may not exceed four (4) feet.

Other decorative items including but not limited to ornamental statuary, artistic work, craft work, figurines or ornamentation of any kind must be located in the rear yard and screened from view of neighbors, streets and common areas, unless approved in writing by the Architectural Committee.

Exterior Lighting will be considered for approval with the following provisions:

- Lighting shall be shielded such that the light shines primarily in the Lot; lights which create glare visible from other Lots are prohibited.
- Colored light bulbs, lenses or reflectors are not permitted.
- Light fixtures shall not exceed an illumination intensity of more than one-foot candlepower as measured from the Lot line.
- Low-pressure sodium bulbs are not permitted.

- Light fixtures are not to exceed 22" from the ground.
- Outside lights should be screened wherever possible with walls, plant materials, or internal shielding.
- Submission is not required for Malibu lighting.
- Holiday lighting is allowed from November 15 to January 15 only.

FENCES AND WALLS (INCLUDING DECORATIVE WALLS)

Plans for new fences or walls or additions to existing structures must be submitted to the Architectural Committee for approval prior to construction. (This includes decorative walls).

Stucco and paint must match the existing dwelling in texture and color.

- Walls must be maintained free of cracks.

FLAGPOLES

- Flagpoles are subject to Architectural approval as to size and location.
- Flagpoles and flags must be flown and maintained pursuant to the Federal Flag Code, found in the United States Code, Title 4, Chapter 1, Sections 4 through 10 which may be found at <http://www4.law.cornell.edu/uscode/4/ch1.html>.

GATES

Double gates may be installed at Pecan Grove Estates II to allow wider access ways to back yards. Double gates should be of the same type, design, color and location as the originally installed single gates. Shrubs, trees or other plants should be located between the house and the double gates, where possible. The installation of gates in a side fence running along a street where neighboring lots have front yards facing the same street is prohibited.

When gates are in need of maintenance, homeowners with wood gates may either paint them to match their fence or house color, or apply stain to the wood gate. Homeowners with wrought iron gates with wood inserts must paint the wrought iron black or to match their fence or house colors.

GUTTERS AND DOWNSPOUTS

Gutters and downspouts may be considered for approval. Their finish must match the dwelling in color. High-quality materials that offer long life are recommended, as the homeowner will be required to maintain the addition in good repair. Plans must include:

- The proposed locations of the gutters and downspouts.
- The quality of materials to be used.
- Warranty by the manufacturer.
- Name and telephone number of the installer.

HEATING, VENTILATING AND AIR CONDITIONING UNITS

All units must be ground mounted. Specific provisions are recorded on the property in the CC&R's, page 19, Section 4.25, which states, "Except as initially installed by the Declarant, no heating, air conditioning, evaporative cooling or solar energy collecting unit or panels shall be placed, constructed, or maintained upon any Lot without the prior written approval of the Architectural Committee."

MACHINERY AND EQUIPMENT

No machinery, fixtures or equipment of any type, including, but not limited to, heating, cooling, air conditioning, refrigeration equipment and clotheslines, may be placed on any Lot or parcel without screening or concealment from view of non-residential neighboring property or public property. Oil pans, carpet, boards or any other object used to collect oil spills from driveways must be concealed from view when not in use.

PATIO COVERS

Plans for patio covers will be considered for approval. The following minimum standards are required:

Partial Shade Covers

- Horizontal shading members: minimum 2x2 rough sawn, with a maximum overhang of 6 inches past a support.
- Horizontal support members: minimum 4x6 rough sawn or double 2x6 members.
- Vertical support members: minimum 4x4 rough sawn.
- Color is to match existing trim and roof tile.

Solid Patio Covers

- Flat roof pitch less than 1": 12" must have a brai or other built-up roof application identical in color and quality that meets City code.
- Sloped patio cover with 4": 12" and greater shall have tile to match existing dwelling.
- Asphalt shingles other than provided for above are prohibited.
- All building materials and structural designs must meet City code and have a City permit.
- Color: to match existing trim.
- Roof tile must match existing tile.

PLAY STRUCTURES

Plans for play structures must be submitted for approval since in most instances they protrude over the fence. This is not intended to eliminate play structures, but to assure nothing unsightly is erected.

- The distance from the ground elevation to the top of the perimeter fence must be measured and submitted with plans.
- The Architectural Committee will take the appearance, height and proximity to neighboring property into consideration.
- Submit a brochure or picture if possible.
- Materials used for play structure.

POOL AND SPAS

Pools and spas need not be submitted for architectural approval provided that perimeter "theme" walls on lots bordering Association landscaped area not torn down. Access must be gained by tearing down a front wall on the side of the home, leaving the perimeter theme wall intact, assuring it matches in texture and color throughout the community. Pools may not be backwashed into the drainage ditches, common landscaped areas, drainage-ways or streets. All backwash water is to be retained on the owner's lot. If necessary, a hole should be dug and filled with rocks to provide for the needed capacity. In the event a hole is made in a wall to backwash into prohibited areas, the Association may repair the wall and any damage to the landscape caused from back washing, at the expense of the homeowner.

- Pool accessories that will exceed the height of the fence must be submitted for approval, e.g. slides, water features, etc.
- Swimming pool fence requirements are regulated by the City. The Development Services Department should be contacted to determine the safety fence requirements for your pool.

RAMADAS AND GAZEBOS – Rear Yards Only

Structures to be considered for approval must be submitted to the Architectural Committee

- A drawing or picture of the improvement must be submitted.
- Include the materials to be used.
- The Architectural Committee will take the appearance, height and proximity to neighboring property into consideration.

SOLAR PANELS

All solar equipment devices must be submitted and approved by the Architectural Committee prior to installation.

STORAGE SHEDS

Storage sheds must meet the following guidelines:

- Must be minimum of 3 feet from any perimeter wall or fence for a freestanding shed and 7 feet for a permanent shed.
- Any shed visible from street or neighboring property must match exterior of house and roof to be tiled to match house roof.
- Must be approved by the Architectural Committee.

WINDOW COVERING MATERIALS

Clear aluminum (silver colored) screen material is prohibited, as are silver aluminum screen doors.

Bronze, charcoal or gray sunscreen material may be installed. The frame for window screens must match the existing window frames. As long as the guideline is met and the sunscreens are of high quality and professionally installed, a sunscreen request form need not be submitted for approval.

Reflective window films are expressly prohibited. Bronze or charcoal non-reflective window tinting may be installed.

SECURITY DOORS

Security doors shall be considered for approval provided that they are painted to match the color of the home.

These Architectural Guidelines may be amended by the Architectural Committee from time to time by a majority vote of the Committee.