

ARDEN PARK HOMEOWNERS ASSOCIATION DESIGN GUIDELINES FOR ARCHITECTURAL IMPROVEMENTS

(Adopted September 2002)

Architectural and landscape improvements are under the purview of the Design Review Committee. In accordance with the CC & R's page 10, Section 3.11 Design Review Committee, the Design Review Committee will appoint four Subcommittees as follows:

- Landscape and Architectural Committee for USHomes Lots.
- Landscape by Creative Environments for Fulton Homes Lots. (Creative Environments will handle the landscape plan approval on the Fulton Homes lots where Creative Environments, plans and installs the initial landscape).
- Landscape Committee for Fulton Homes Lots. Landscape Committee for Fulton Homes lots where Creative Environments does not design and install the initial landscape.
- Architectural Committee for all Fulton Homes Lots.

ARCHITECTURAL REVIEW PROCESS

In accordance with the Declaration of Covenants, Conditions and Restrictions for Arden Park (the "Declaration"), the Design Review Committee has adopted the following Design Guidelines for Architectural Improvements (the "Architectural Guidelines"), which shall apply to all Lots within Arden Park.

Each Lot owner should read, review and make himself acquainted with the CC&Rs recorded on his Lot with Maricopa County and with these Design Guidelines as may be amended from time to time by the Design Review Committee. These documents are intended to enhance property values and the high standards of development that exist within Arden Park. The Guidelines are established to assist residents in preparing an application to the Design Review Committee for architectural and landscape improvements. **FOLLOWING THESE GUIDELINES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS FOR APPROVAL BY THE DESIGN REVIEW 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 Guidelines and the Declaration, the Declaration shall control. All architectural approvals will be conditioned upon compliance with applicable City codes.

APPLICATION PROCEDURE

Submittal

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

Arden Park Homeowners Association
P.O. Box 11330
Tempe, AZ 85284-0023
(480) 345-0046

or Hand Delivered to:
Lepin and Renehan Management, Inc.
7955 South Priest Drive, Suite 105
Tempe, Arizona 85284

The following information should be included:

1. Application Form -- A completed application form (copies of which can be obtained from the management office).

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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 improvement 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 improvement in relation to the existing dwelling. An accompanying photograph of the proposed addition (if available) may be helpful.
4. Specifications -- Detailed description of materials to be used and color samples must be submitted.

All buildings and structures erected within Arden Park and the use and appearance of all land within Arden Park, shall comply with all applicable City of Chandler zoning and code requirements as well as the CC&Rs and these Guidelines.

Review -- Approval and/or Disapproval --

The Design Review Committee shall have forty-five (45) days after submittal of plans to approve or disapprove plans.

Review and approval or disapproval will include, but not be limited to, consideration of architectural design, material, colors, harmony with the external design and color of existing structures on the Lot and on neighboring Lots. The location of the improvement with respect to topography and finished grade elevation is also considered.

Neither the Design Review Committee, nor the Board, nor the Declarant 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 improvement nor its effect upon existing or future drainage. The homeowner shall be responsible for obtaining any and all permits required by the City of Chandler (if applicable). The review of plans by the Design Review Committee, Board of Directors and/or the Declarant is for aesthetic purposes only.

Approval Expiration/Construction Period – Upon receipt of approval from the Design Review Committee for any Construction or Modification, the Owner who had requested such approval shall commence the Construction or Modification approved by the Design Review Committee within ninety (90) days of the date the request was approved by the Design Review 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 Design Review Committee. If the Construction or Modification is not commenced within the time period prescribed by this Section, the Design Review Committee approval of the Construction or Modification may be revoked by the Design Review Committee.

GUIDELINES

ANTENNAS AND SATELLITE DISHES

Unregulated Receivers, whether attached to a building or structure, or on any Lot, must be approved in writing by the Design Review Committee, with such screening and fencing as such Committee may require, prior to installation.

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For antennas not regulated by the FCC, larger than one meter in diameter, Antenna Concealment Rules are as follows:

- The highest point of the satellite dish must be no higher than (12) inches below the lowest fence elevation.
- The Design Review Committee reserves the right to conduct a final inspection and stipulate any further requirements to screen the dish according to the CC&R's.

The Association's preference for location of receivers, which are regulated by the FCC (television antennas and satellite dishes less than one meter in diameter), in descending order, is as follows:

1. A location in the back yard of the Lot where the Receiver will be screened from view by landscaping or other improvements;
2. An unscreened location in the back yard of the Lot;
3. On the roof, but below the roofline;
4. A location in the side yard of the Lot where the Receiver and any pole or mast will be screened from view by landscaping or other improvements;
5. On the roof above the roofline;
6. An unscreened location in the side yard;
7. A location in the front yard of the Lot where the Receiver will be screened from view by landscaping or other improvements.

Any installation other than the backyard below the fence line must be painted to match its background in color.

Notwithstanding the foregoing order of locations, if a location stated in the above list allows a Receiver to be placed so as not to be Visible From Neighboring Property, the Association would prefer that such location be used for the Receiver rather than a higher-listed location at which the Receiver would be Visible From Neighboring Property, provided such location will not unreasonably delay or prevent installation, maintenance, or use of the Regulated Receiver, unreasonably increase the cost of installation, maintenance, or use of the Regulated Receiver, or preclude the reception of an acceptable quality signal.

AWNINGS

Awnings must be approved by the Design Review 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 interior and exterior face, and (d.) installed only on the sides and rear of the home. 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.

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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

No portable basketball goal or backboard shall be constructed, installed or maintained on any Lot. Permanent basketball goals or backboards may be installed in the front or rear yard, provided that they meet the following guidelines:

- Architectural approval must be submitted for and obtained in writing prior to the installation of any basketball goal.
- No portion of the basketball goal and/or backboard may be attached to the house.
- Backboard must be white or clear plexiglass.
- All non-clear surfaces, including backboard, metal supports and pole shall be painted to match the stucco color of the house.
- It is preferred that 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.
- All basketball goals in front yards must be mounted in a sleeve in concrete and located a minimum of ten (10) feet from the backside of the sidewalk.
- Basketball goals including the net must be maintained in good condition at all times.

CONCRETE ADDITIONS/DRIVEWAY EXPANSIONS

A single, thirty-six (36) inch wide sidewalk from the driveway to the rear yard gate may be installed without prior approval provided that it matches the existing sidewalks in color and texture. All other concrete additions must be submitted for and approved in writing prior to installation.

Additional concrete or paved surfaces will be considered for approval provided the combined width of all concrete and/or paved surfaces in the front yard shall not exceed 50 percent of the total width of the front yard. 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 (See figures 1-5 attached as examples). Plans must include:

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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 and paved surfaces.
- Measurements of proposed concrete and/or paved surfaces.
- Measurements of space between paved surfaces where applicable.
- Landscaping to be installed to soften the look of the concrete and/or paved surfaces.
- 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.

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 Design Review 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 provided the maximum height does 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 Design Review 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 candle power as measured from the Lot line.
- Low-pressure sodium bulbs are not permitted.
- Outside lights should be screened wherever possible with walls, plant materials, or internal shielding.

FENCES AND WALLS (INCLUDING DECORATIVE WALLS)

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

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

FLAGS AND FLAGPOLES

As used herein, the term “flagpole” shall mean a pole or staff of wood or metal for display of the American Flag, whether such pole or staff is horizontal or vertical, or free-standing or attached to a structure.

The “union” portion of the American flag is the portion with the stars on the blue background.

Placement of American Flag Display; Poles; Number of Flags:

- Prior to installing a flagpole on any Lot/Unit, the Owner of said Lot/Unit must, in writing, submit a request including specific plans detailing the height, type, location, method of installation and color of the flagpole to the Design Review Committee for approval.
- Only one (1) flagpole of any type is allowed on a Lot/Unit.
- The height of a flagpole can be no greater than the distance between the point of placement of the pole in the yard and the closest point of either of the following:
 - the sidewalk or the street if no sidewalk;
 - any common area; or
 - any neighbor’s property line.
- There shall be no more than (one) American flag(s) displayed at any one time, and no flag shall be disproportionately large. An Arizona Flag or a flag representing one of the five United States military branches may also be displayed, provided their display is in accordance with the Federal Flag Policy. No more than two flags may be displayed at one time.
- If a homeowner stops displaying a flag on their flagpole for 30 days or more, the flagpole must be removed.

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- **The American Flag may not be placed on Common Area (Common Elements) or Association-maintained property, e.g. rights-of-way, etc. [without the express written permission of the Board of Directors].**
- **No other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States of America.**
- **If the flag of the United States is displayed from a vertical flagpole, or a flagpole/staff projecting horizontally or at an angle from the windowsill, balcony, or front of a Unit, the union of the flag should be placed at the peak of the flagpole/staff unless the flag is at half-staff.**
- **When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.**
- **The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.**
- **The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.**
- **The flag, when it is in such condition that it is no longer a fitting emblem for display, should be removed and replaced with a new flag.**

GATES

Double gates may be installed at Arden Park to allow wider accessways 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 must paint them to match their fence or may stain the wood in its natural color and homeowners with wrought iron gates with wood inserts must paint the wrought iron black or to match their fence and must maintain the wood in its natural color.

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 (INCLUDES EVAPORATIVE COOLERS)

All units must be ground mounted. Specific provisions are recorded on the property in the CC&Rs, page 17, section 4.18.

LANDSCAPING

Refer to Arden Park Design Guidelines for Landscaping

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: to match existing trim

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.

All building materials and structural designs must meet City code and have a City permit.

Color: to match existing trim.

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.

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The maximum height, which will be considered for approval for pool ladders, swing sets and jungle gym equipment shall be eight (8) feet, **exclusive of awnings. Play structure awnings must be a solid, neutral color, e.g., beige.**

When selecting the location upon which the structure is to be placed, the distance from the ground elevation to the top of the perimeter fence must be measured and submitted with the plans for the structure. When considering plan approval, the Design Review Committee will be concerned that the height of the structure not protrude above the perimeter fence more than two feet.

All structures must be located a minimum of six (6) feet from any party wall, measured from the portion of the structure that is closest to the party wall.

POOL AND SPAS

Pool accessories that will exceed the height of the fence must be submitted for approval, e.g. slides, water features, etc.

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.

RAMADAS OR SIMILAR STRUCTURES

These shall be limited to single story structures. No upper decks will be allowed. Structure Design shall be harmonious with the dwelling and exterior landscape. Structures shall be considered for approval provided they do not exceed 12 feet six (6) inches in height above approved finished floor, are placed no closer than five (5) feet from any party wall, and do not violate any provisions of the recorded Declarations on the Association.

SIGNS

No signs which are Visible from Neighboring Property shall be erected or maintained on any Lot except signs required by legal proceedings, "for sale" signs not exceeding eighteen (18) inches by twenty-four (24) inches and two identification signs for individual residences, which have been approved in advance by the Design Review Committee. Placement of "for sale" signs on perimeter theme walls within Arden Park, is prohibited.

Landscaping, pool signs, etc. must be removed when the work is complete.

Small signs for displaying security systems and "Beware of Dog" are allowed subject to Committee approval.

"For lease" or "for rent" signs are prohibited.

SOLAR PANELS

Except as may be initially installed by the Declarant, no solar energy collecting unit or panels shall be placed, installed, constructed, or maintained upon any Lot without the prior written approval of the Design Review Committee. Roof mounted solar panels and equipment must match the roof material. Panels can have a surface area of (8) feet by six (6) feet and must be an integrated part of the roof design and mounted directly to the roof plane. Solar units must not break the roof ridgeline and must not be visible from public view. Any solar panels and/or equipment exceeding a surface area of eight (8) feet by six (6) feet must be ground mounted and may not be visible from neighboring property or public view.

The preferred location for all panels and equipment is within the confines of the rear yard, concealed by a solid fence. If this is not possible, plans must include the following:

- Dimensions of panels.
- Dimensions of surface on which panels are to be installed.
- Location of the portion of the surface on which the panels are to be placed.
- Positioning of the panels on the surface.
- Photo or brochure showing the appearance of the panels and the materials and color of which they are constructed.
- Location of plumbing and what steps will be taken to conceal it.
- Explanation of why the panels cannot be installed in a less visible location.

STORAGE SHEDS

Storage sheds will be permitted provided the maximum height of the shed does not exceed the height of the immediately surrounding fence or fences. All sheds must be submitted for approval prior to installation.

WINDOW COVERING MATERIALS

Permanent draperies or suitable window covering on all windows facing the street must be installed within sixty (60) days from the close of escrow. All such window coverings facing the street must show a white or beige color unless otherwise approved in writing by the Design Review Committee prior to installation.

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 need not be submitted for approval provided that they are painted to match the stucco color of the home and that they are not an elaborate or ornate design.

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