

The Sundial West IV Homeowners Association

Design Guidelines And Association Rules

Revised and Approved

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Sundial West IV Architectural Guidelines

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Community Organization

Every resident of Sundial West IV is a member of the Sundial West IV Homeowners Association (the "Association"), the entity responsible for the management of all common areas as well as administration of the affairs of the community. The Association is created by the recording of the Declaration of Covenants, Conditions, Restrictions, Assessments, Charges, Servitudes's, Liens, Reservations and Easements (the CC&R's). The CC&R's set forth Procedures, rules and regulations, which govern the community. The Association Rules and Design Guidelines are an Extension of the CC&R's and are to be used in harmony.

The Board of Directors (the "Board") is charged with the responsibility for overseeing the business of the Association and has a wide range of powers. The Architectural Review Committee (the "Committee") is established by the Board to review all improvements within Sundial West IV including new construction and modifications to existing properties. The Committee has adopted Design Guidelines and standards to evaluate proposed construction activities.

Design Review Process

Any change, addition, or modification to a lot or a building exterior of a residential property requires the **prior written approval** of the committee. Residents with proposed changes should contact the management company, with whom the Association has contracted for full Association management to obtain the necessary Architectural Guidelines and submittal documentation.

Simply stated, no improvements, alterations, repairs, additions, or other work, including changes in exterior color, is to occur on any lot or exterior of any home from its improved state existing on the date such property was first conveyed by Builder to a purchaser without prior approval of the Committee. The responsibility of the Committee is to ensure the harmonious, high quality image of Sundial West IV is implemented and maintained. Any owner requesting approval of the Committee shall follow the application procedures listed below. Submittal will be returned to you within thirty (30) days of receipt from the Committee of any construction, installation, addition, alterations, repairs, change or other work approved by the Committee as soon as practicable and shall diligently pursue such work so that it is completed within sixty (60) days of issuance of such approval or such time additional period of time as may be approved by the Committee at the time of issuance.

Application Procedure

following information should be included:

- Application Form completed and signed (copy enclosed), additional copies can be obtained from Management
- Plot Plan - A site plan indicating dimensions relating to the existing dwelling and property lines and the improvement to be installed
- Elevation Plans – Plans showing finished appearance of the improvements in relation to the existing dwelling and property lines
- Specification – Description detailing materials to be used with color samples attached, drawing or brochure of structure indicating dimensions and color

Submit the application and plans to:

**Sundial West IV HOA
C/O Preferred Communities
PO BOX 5720
Mesa AZ 85211
Or via email: info@gothoa.com**

It is the homeowner's responsibility to ensure that any proposed construction is coordinated with, and where applicable, approved by all counties, local, state and federal government agencies. A copy of the permit must be filed with the Association before work begins. The Committee, the Management Company and the Association assume no responsibility for obtaining these reviews and approvals.

General Principles

The purpose of the Committee is to insure consistent application of the Design Guidelines. The committee monitors any portion of any lot or parcel, which is visible from other lots or parcels, the street, or the Association common areas. The Design Guidelines promote those qualities in Sundial West IV that enhance the attractiveness and functional utility of the community. Those qualities include a harmonious relationship among structures, vegetation, topography and overall design of the community.

Design Compatibility

The proposed construction must be compatible with the design characteristics of the property itself, adjoining properties and the neighboring setting. Compatibility is defined as harmony in style, scale, material, color and construction details.

Workmanship

The quality of workmanship evidenced in construction must be equal to, or better than, that of the surrounding properties. In addition to being visually objectionable, poor construction practices can cause functional problems and create safety or liability of the new construction by virtue of design and workmanship.

Awnings

All material needs to be submitted for approval and cannot be constructed of metal or aluminum.

Building Architecture

In general, any exterior addition or alteration to an existing residence shall be compatible with the design character of the original structure.

Building Repairs

No building or structure shall be permitted to fall into a state of disrepair. The owner of every home or structure is responsible at all times for keeping the buildings in good condition and adequately painted or otherwise finished. In the event any building or structure is damaged or destroyed, the owner is responsible for immediate repair or reconstruction. Roofs must also be kept in good repair at all times.

Basketball Goals

- Pole mounted goals are not acceptable. Backboards shall not be attached to the house, garage, or roof.
- Only nylon or similar cord nets are acceptable. **Metal or chains are expressly prohibited.**
- Courts may not be painted or permanently outlined on the driveway.
- Lighting for night use of equipment is prohibited.
- Portable goals are allowed but must be stored when not in use. Storage must be in an area so as to not be visible from neighboring property. **Behind a gate or obtain approval to install plants to "screen from view".**

Clotheslines

Clotheslines or other outside facilities for drying clothes are not allowed unless they are placed exclusively within the fenced yard and are not visible from neighboring property from the ground.

Driveway Extensions

Driveway extensions will be reviewed on a case by case basis with strong consideration of any impact on the architectural features of the neighborhood. The maximum driveway width (existing and addition) shall not exceed 24 feet of contiguous area. All driveways must be kept clean and clear of debris, oil, rust, and other stains.

Flagpoles

Permanent flagpoles are allowed and must be approved prior to installation. Include size of pole and flag and the location in which the pole will be installed upon the owners lot. **Flags must be kept in good condition and will be asked to replace if torn.**

Fences and Walls

Plans to raise the height of a party wall must be submitted for approval with written permission from the adjacent neighbor(s). Plans for new fences or walls must be submitted to the Committee prior to construction. Copies of City Approvals must be submitted with the requests. Walls must be painted to match the existing dwelling or wall in texture and color. Each owner shall have the right to use the Perimeter and Party walls, provided that such use does not interfere with another owner's use and enjoyment of their property or detract from the appearance of the wall.

Furniture on Front Porches

All furniture used on any portion of the residential property visible from the street or common areas must be commonly recognized as "patio" furniture, designed for exterior use, and properly maintained. At no time is furniture designed for regular indoor use, including but not limited to, recliners, couches, ottomans, tables, and chairs, to be used as "patio" furniture. It is also recommended that this type of furniture not be used outdoors in the rear yard since it is likely to attract rodents.

Garage Openings

No garage door shall remain open except when necessary for access to and from the garage or unless working in the vicinity of the garage. No garage or parking area shall be used to store junk, furniture or other unsightly material.

Gates

Double gates may be installed to allow wider access to rear yards. All gates (double or single) should be the same material, design and color as the originally installed single gate. Shrubs, trees and plant material should be installed and maintained between the house and double gates when ever possible. Gates are not allowed to penetrate perimeter walls. **All gates must be approved by the Architectural committee prior to installation**

Gutters and Downspouts

Gutters and downspouts will be considered for approval by the Architectural Committee if the finish matches the color of the house. The Association strongly recommended use of high quality materials that offer long life, as the gutter must be maintained in good condition.

HVAC

Except as initially installed by the Declarant, no heating, air conditioning or evaporative cooling unit shall be placed, installed, constructed or maintained upon any lot **without the prior approval of the Committee**. All units shall be ground mounted, located within the perimeter of the rear yard and screened or concealed from view of non-residential neighboring property.

Outdoor Fireplaces

Installation of outdoor fireplaces requires advance approval by the Architectural Committee. Outdoor fireplaces may not exceed fence height.

Outdoor Lighting

Any outdoor lighting installed on a lot or dwelling, subsequent to initial lighting installed by the builder, must receive advance approval by the Committee. Permanent lighting sources shall not be directed towards streets, common areas or neighboring property. **Back yard patio lighting must be approved for the style (no icicle lights or holiday like styles). Flood lights must be directed away from common area or neighboring properties.**

Patio Covers

Roofing material color should match that which was installed by the builder on the original roof of the home. Color of supports and material should match the color of the body or trim of the home. All patio covers, along with all exterior modifications to the lot or building, **must have Architectural Review committee approval before construction begins**. Building permits as required by the City of Phoenix must be submitted to the Architectural Committee before construction begins. See "Application Process" on page 1.

Ramada's and Gazebo's

Ramadas and gazebos may be erected rear yards only subject to prior review and approval by Committee, subject to the following guidelines:

- May be erected in the rear yards only and structures must be set back a minimum of 7 feet from the property line.
- Maximum height allowed to top support bar or highest point of structure, is 10 feet 3 inches.
- Maximum height of any deck or platform is to be 4 feet above ground
- The distance from the ground elevation to the top of the perimeter fence must be measured and submitted with plans
- The Committee will take appearance, height, and proximity to the neighboring properties into consideration
- Any shade canopy must be solid tan or earth tone color
- Submit a brochure, picture, or drawing with the application
- Structures are to be properly maintained and in good condition at all times.

Pools and Spas

Pools and spas require prior approval of the Architectural Committee as well as permits from the City. Perimeter wall on lots bordering common areas and shared Association walls may not be torn down to allow access to rear yards, without prior approval of the Committee and the posting of a \$1000 bond with the Association. This bond is returnable upon the completion of repairs and restoration of the wall to its original state. Otherwise, access must be gained by removing a portion of the front wall on the side of the home. Repairs to the wall must be made in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. All pool and spa equipment must be screen from view of neighboring property. Any pool equipment visible above the fence line (such as slides, etc.) must be approved in advance by the Committee.

Pool Fencing

The specifications for rear yard wrought iron pool fencing installation are to meet or exceed all State or City regulations for said fencing.

Satellite Dishes

While the Association does not prohibit the use of satellite dishes, the Association does regulate the size and location of the "dish" on the following basis:

- All dishes are to be located in **the least visible** and conspicuous location
- All dishes that are visible from neighboring property, streets, or the common areas are to be painted to match the body color of the house or be earth tone colors
- All other antennae such as those used to receive signals from multi-channel multi-point distribution services and television broadcast stations will be reviewed on a case by case basis
- All dishes and antennae are to be submitted to Committee with a diagram showing the location and size of device

Security Doors

All security doors must be submitted for approval by the Committee. They must be painted to match the same color as the existing front door color (except for those approved prior to the guidelines and by Declarant will be grandfathered).

Signs

No signs shall be displayed on any lot except the following:

- Not more than two (2) identification signs for individual residences, each with a face area of seventy-two (72) square inches or less
- One temporary "For Sale" or "For Rent" sign with maximum face area of 5 square feet
- Must be professional signs and not home made

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 prior written approval of the Committee.**

Storage Sheds

Storage sheds require prior written approval of the Committee and are subject to the following guidelines:

- Storage sheds are subject to rear setbacks of 5 feet
- Sheds must be in harmony with the exterior of the residence including siding, color, and roofing materials.
- Sheds can also be installed from Rubber Maid
- No aluminum or metal sheds will be approved

Window Coverings

Permanent draperies or suitable window treatments shall be installed and submitted for approval on all windows visible from the street, common areas, or neighboring property within one hundred-twenty (120) days of occupancy. No bed sheets, paper, tape, plastic sheeting, or reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material shall be installed or placed upon the outside or inside of any windows. Exterior window coverings or treatments used to decorate or shelf openings must be compatible, with respect to materials and color, with the style and color of the home.

Black, gray, charcoal, brown, or beige sunscreen material may be installed. The frame for window screens must match the screen material or existing window frames and must be maintained.

Lighting

Lighting, other than that installed by the builder, must be approved by the Committee. The following outlines the minimum standards for lighting:

- Lighting shall be shielded such that the light shines primarily on the lot on which it is installed. Lights that create a glare visible from other lots are prohibited
- Light fixtures shall not exceed an illumination intensity of more than one (1) foot-candlepower as measure from the closest lot line.

Association Rules

The following association rules summarize some of the common provisions found in the CC&R's as well as rules Established by the Board. Cooperation on the part of all residents in following these rules will make living at Sundial West IV an enjoyable experience for everyone.

General Property Restrictions

Owners may rent only the entire lot or dwelling unit. **Rental must be made only to a single family.** No gainful occupation, trade or other non-residential use may be conducted on the property for the purpose of receiving products or services related to such usage. Owners must receive Board permission to apply for any rezoning, variances or use permit. No exterior speakers of any kind except those used exclusively for security purposes shall be located, used, or placed on any property. No loud noise from within the house, from upon the property, or emanating from any vehicle so as to render the source of said noise offensive or detrimental to the occupants of any other property is allowed.

Trash/Recycling Containers and Collection

No garbage or trash shall be kept on any lot except in covered containers as provided by the city of El Mirage. These containers must be stored out of sight (behind your gate or in your garage) when not a service pick up day. **YOU MAY HAVE YOUR CONTAINERS OUT UP TO 8AM THE FOLLOWING MORNING. TRASH SERVICE DAYS ARE MONDAY AND THURSDAY except on Holidays.**

Pets

Residents are allowed to keep a reasonable number of generally recognized house or yard pets. Animals cannot be kept or raised for commercial purposes, and they are not allowed to make an unreasonable amount of noise or become a nuisance to neighbors. **Dog runs must have prior approval of the Committee.** Dog must be kept on leashes at all times while on Association property. All owners must clean up after their pets.

ALL COMMUNITY PARKS ARE EQUIPED WITH DOGGY STATIONS....PLEASE USE THEM!

Holiday Lighting

Temporary holiday decorations are permitted from Thanksgiving through January 15. Any other temporary holiday decorations are permitted so long as they are removed after a reasonable amount of time, generally 14 days before and 14 days after the holiday.

Seasonal and Decorative Flags

Seasonal and decorative flags, which are house mounted below the roof line do not require approval. Seasonal flags must be removed within 14 days after the date of the holiday. Flags must be maintained in good condition at all times. Torn, ripped, faded, etc. constitute ground for fines and removal. Flags may not be offensive to neighbors of the Association. The Board shall make this determination.

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 objects used to collect oil spills are not allowed on driveways, streets, or any other visible parking area.**

Vehicles

No motor vehicle, mobile homes, recreational vehicle, travel trailer, tent trailer, camper shell, detached camper, boat, boat trailer, hang glider, ultra light, or other similar equipment or vehicle may be parked or maintained on any lot or parcel or any street in Sundial West IV so as to be visible from neighboring property, the common areas, or the streets: provided, however, the provisions of this section shall not apply to motor vehicles not exceeding 7 feet in height measured from ground level and 18 feet in length which are parked and used on a regular and reoccurring basis for basic transportation.

At no time are motor vehicles that are **not street legal** allowed to operate on the streets of Sundial West IV. This includes, but is not limited to, motorcycles, ATV's, go-karts, dune buggies, or mini-bikes. Operation of vehicles that are not street legal upon the street of Sundial West IV may result in both fines from the Association and the City of El Mirage.

No automobiles, motorcycle, motorbike or other vehicle shall be constructed, reconstructed or repaired upon any lot, parcel or street in Sundial West IV, and no inoperable vehicle, including but not limited to vehicles with flat tires, may be stored or parked on any such lot, parcel or street so as to be visible from neighboring property or to be visible from common areas or streets: provided, however, that the provisions of this section shall not apply to emergency vehicle repairs or temporary construction shelters or facilities maintained during and used exclusively in connection with, the construction of any improvement approved in writing by the Committee.

Parking

Vehicles of all Owners, lessees, and residents, **are to park in the garage or driveway only**, unless owner has received approval for a parking variance from the Board of Directors. The street is to remain available for visitors and to help make an easy passage for emergency vehicles. You are required to have a garage that will accommodate 2 vehicles and a driveway to accommodate 2 vehicles. If you should need an additional parking surface you may submit to the Architectural Committee for approval to extend your driveway.

