

The Premier at Desert Breeze Homeowners Association

Architectural Guidelines
And
Association Rules

Adopted & Revised: July 26th, 2011

The Premier at Desert Breeze Homeowners Association

Table of Contents

Overview	3
Community Organization	3
Architectural Review Process	3
Application Procedure	4
Architectural Guidelines	
General Principles	5
Design Compatibility	5
Workmanship	5
Building Architecture	5
Building Repairs	5
Awnings	5
Basketball Goals	6
Clotheslines	6
Driveway Extensions	6
Flagpoles	6
Fences and Walls	7
Gates	7
Gutters and Downspouts	7
HVAC	7
Outdoor Fireplaces	7
Outdoor Lighting	7
Patio Covers	7
Ramadas, Gazebos and Other Structures	8
Play Structures	8
Pools and Spas	9
Pool Fencing	9
Satellite Dishes	9
Screen Doors	9
Signs	9
Solar Panels	9
Storage Sheds	10
Window Covering Criteria	10
Landscape Guidelines	11
Maintenance	11
Hardscape	11
Rock and Ground Cover	11
Fine Grading and Mounding	11
Water Features, Statuary, Etc.	11
Lighting	12
Plant Requirements	12
Irrigation	13
Association Rules	13
General Property Restrictions	13
Trash/Recycling	13
Pets	13
Holiday Lighting	13
Seasonal Flags	14

Machinery and Equipment 14
Vehicles and Parking 14

Overview

Community Organization

Every resident of Premier at Desert Breeze is a member of The Premier at Desert Breeze 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, Assessment, Charges, Servitude, Liens, Reservation and Easements (the CC&R). The CC&R set forth Procedures, rules and regulations, which govern the community. The Association Rules and Design Guidelines are an Extension of the CC&R and are to be used in harmony.

The Board of Directors (the Board) is charged with responsibility for overseeing the business of the association and has a wide range of powers. The Architectural Committee (the %Committee+) is established by the CC&R, and appointed by the Board to review all requested improvements within Premier at Desert Breeze including new construction and modifications to existing properties. The Committee has adopted Design Guidelines and standards to evaluate proposed construction activities prior to approving, or disapproving those requests.

Design Review Process

Any change, addition, or modification to a site 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, or with whom the Association has contracted for full Association management, or utilize the Association's Web Site to obtain the necessary architectural guidelines and submittal documentation.

Simply stated, no improvements, alterations, repairs, additions, or other work, including changes in exterior color, are 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 Premier at Desert Breeze is implemented and maintained.

Any owner requesting approval from the Committee shall follow the application procedures listed below. Submittals will be returned to you within (30) days of receipt. Upon approval from the Committee of any construction, installation, addition, alterations, repairs, changes or other work, the owner shall, as soon as practical begin and diligently pursue such work so that it is completed within (60) days of issuance unless a variance is granted by the Committee permitting an extension of time.

These Guidelines are provided as a SUPPLEMENT to rules and guidelines already provided in the CC&R's. Any variations or perceived interpretations in these Guidelines are governed by those in the CC&R's. Every change or addition considered by a homeowner must receive approval by the Committee prior to being implemented, and a previous approval for any similar change on another property does not, by default, defer the required request for any new change.

Application Procedure

The following information should be included:

- Application Form completed and signed (copy enclosed). Additional copies can be obtained from the Association's Management Office or the Association's website.
- Plot Plan . A site plan indicating dimensions relating to the existing dwelling and property lines (setbacks, etc.) and the improvement to be installed.
- Elevation Plans . showing finished appearance of the improvements in relation to the existing dwelling and property lines.
- Specifications . Description detailing materials to be used with color samples attached: drawing or brochure of structure indicating dimensions and color.
- Appropriate approved building Permit from the applicable public entity, if required.

Submit the application and plans to:

**The Premier at Desert Breeze Homeowners Association
C/O Vision Community Management
16625 S Desert Foothills Pkwy
Phoenix, AZ 85048**

Office: (480) 759-4945

Fax: (480) 759-8683

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. The Committee, the Management Company and the Association assume no responsibility for obtaining these reviews and approvals.

Architectural Guidelines

General Principles

The purpose of the Committee is to insure consistent application of the Architectural Guidelines. The Committee monitors any portion of any lot or parcels which is visible from other lots or parcels, the street, or the Association common areas. The Guidelines promote those qualities in Premier at Desert Breeze 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 hazards. The Association and the Committee assume no responsibility for the safety or livability of the new construction by virtue of design and workmanship.

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.

Awnings

All awnings must be approved by the Committee. Awnings over all windows shall be canvas or similar material, of solid color on both sides, which match the color of the body or trim color of the exterior of the home or roof color and should only be installed on the sides and/or rear of the home. All awning submittals must include a drawing with the location of the proposed awning installation. A sample of the material to be used, along with the color and design of the proposed awnings is required. Owner is responsible for maintaining and repairing of awnings. The Association retains all rights to determine when an awning must be repaired and/or replaced due to weather fading, tearing, ripping, etc.

Basketball Goals

1. Portable goals are allowed but must be utilized and maintained on owner's lot.
2. Basketball poles must be black, white or a neutral color.
3. Backboards must be predominantly neutral color (gray, black, or white). Clear Plexiglas backboards are acceptable.
4. All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc. constitutes grounds for a fine and/or removal.
5. Only nylon or similar cord nets are acceptable. Metal or chains are expressly prohibited.
6. Courts may not be painted or permanently outlined on the driveway.
7. Lighting for night use of equipment is prohibited.

Clotheslines

Clotheslines, or other outside facilities for drying clothes, are not permitted unless they are placed exclusively within the fenced yard and not visible to neighboring property.

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. A landscape section must be included between the driveway area and the property line. All driveways must be kept clean and clear of debris, oil, rust, and other stains.

Flagpoles

Flagpoles are allowed in residential areas and must be set back a minimum of 7 feet from the property line, and no taller than the height of the roof of the residence. The use of brackets mounted on the house or garage to display flags is allowed. When displaying a United States flag Homeowners must follow the Flag Code as adopted by Congress. United States Flags flown at night must be illuminated. Only 2 flags or banners may be displayed at any time.

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 stuccoed and painted on both sides if necessary to match the existing dwelling or wall in texture and color.

Gates

Gates must be installed to allow access to rear yards. Replacement gates should be the same material, design and color as the originally installed gate.

Gutters and Downspouts

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

HVAC

All units shall be ground mounted, located within the perimeter of the rear yard and screened or concealed from view of neighboring property.

Outdoor Fireplaces

Installation of permanent outdoor fireplaces requires advance approval by the 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.

Patio Covers

Patio covers and extensions will be reviewed on a case by case basis.

Ramadas, Gazebos and Other Structures

Permanent Ramadas, gazebos and other structures may be erected in rear yards only subject to prior review and approval by Committee, subject to the guidelines listed below. All submittals are required to have a plot plan with dimensions and setbacks noted. All applications will be considered on a case by case basis. Applications for enclosed structures will require a complete architectural drawings package.

The structure must be set back a minimum of 7 feet from any perimeter wall.

1. Maximum roof height is 10 feet at the highest point.
550 square feet
2. The structure must be painted to match or blend with the house colors and be maintained in good condition.
3. Any roof tile must also match the tile on the house.
4. Lighting must be included in the submission and adhere to the outdoor lighting guidelines.

Play Structures and Shade Canopies

Play structures and shade canopies require prior review and approval by the Committee and are subject to the following guidelines:

1. May be erected in the rear yards only.
2. Maximum height allowed to top support bar or highest point of structure, is 10 feet.
3. Maximum height of any deck or platform is to be 4 feet above ground.
4. The distance from the ground elevation to the top of the perimeter fence must be measured and submitted with plans.
5. The Committee will take appearance, height and proximity to neighboring properties into consideration.
6. The color of all play structures and canopies must be consistent with or complimentary to, the existing colors of the home and approved color guidelines of the neighborhood.
7. Submit a brochure or picture if possible.

Pools and Spas

Pools and spas must have approval of the Committee and be built only after the Homeowner obtains all appropriate permits. Perimeter walls on lots bordering common areas and shared Homeowner Association walls may be temporarily torn down to allow access to rear yards if approved in advance. Preferably, access must be gained by removing a portion of the front wall on the side of the home. Repairs to the walls 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 screened from view of neighboring property. Any pool and spa equipment visible above the fence line (such as slides, etc) must be approved in advance by the Committee. Backwashing or draining of a pool must be in accordance with the City of Chandler guidelines.

Screen Doors

All screen and/or security doors must be submitted for approval and should be painted to match the exterior body color or trim of the home, or the color of the exterior door. Silver-colored aluminum screen doors are prohibited.

Signs

Any sign displayed on any lot shall adhere to Statute

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 may not be visible above the top of the block wall.

Window Covering Criteria

Permanent draperies or suitable window treatments shall be installed on all front-facing windows within thirty days of occupancy. **No 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 must be compatible, with respect to materials and color, with the style and color of the home.

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

Landscape Guidelines

Maintenance

All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, moving, edging, pruning, removal and replacement of dead or dying plants, removal of weeds and noxious grasses and removal of trash.

Hardscape

Any Hardscape items proposed for front yard installation must be approved by the Committee. Hardscape items that will be visible from neighboring property in the rear yard will also require approval. Materials included in Hardscape are concrete, brick, tile, wood, etc. Examples of Hardscape items are planters, walkways, retaining walls, decorative walls and fountains.

Rock and Ground Cover

If decomposed granite or other landscape rock is used, the color and texture must be approved by the committee. White, Green, Blue and other bright colors will NOT be considered. Artificially colored rock(s) or granite is prohibited. All rock areas should be treated with a pre-emergent weed control at regular intervals to retard weed growth.

Fine Grading and Mounding

Fine grading is a critical aspect of landscaping. Each lot has been graded in such a way that all storm water will drain away from the house. It is important that this drainage pattern is maintained when preparing the landscape design, especially if mounding or berming is proposed. In all cases, the installation must comply with the city grading and drainage plan. Every effort should be made to make mounding appear natural.

Water Features, Statuary, Etc.

Items such as fountains, statuary, etc. are permissible within the rear yard and do not require submittal to the Committee if not visible outside the yard. Such items must be approved by the Committee for installation in the front yard. It is recommended that water features be chlorinated. The Committee reserves the right to limit the size and quantity of statuary in the front yard. Statuary must be of earth tones, no painted finishes, and must be approved by the Committee. All functional and/or decorative items must be approved before being placed in the front yard.

Exterior Lighting

Lighting, other than that put in by the builder, must be approved by the committee. The following outlines the minimum standards for lighting.

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

Plant Requirements

The owner shall landscape in compliance with The Premier at Desert Breeze Homeowners Association CC&R's and the following guidelines as adopted and amended from time to time, in that portion of the lot which is between the street(s) adjacent to the lot and the exterior wall of the residential unit or any wall separating the side or back yard of the lot from the front yard of the lot. Back yards which are visible from common areas shall adhere to the installation requirements.

1. Select plants for alternating seasons of display and color.
2. Homeowners to select low shrubs/groundcover along driveway and street frontages to maintain visibility. Plants exceeding 20+in mature height shall be located at least 80+feet back from public sidewalks or curbs.
3. Homeowners may use low voltage lighting to highlight entry walks, or accentuate trees. Colored bulbs and lenses are prohibited. Light source shall be adjusted to minimize glare on adjacent properties, common areas or streets.
4. Ornamentation such as driftwood, skulls, wagon wheels, sculptures, etc. are not permitted in front yards.
5. Special design features such as low walls, trellis, water features or other structures must be approved in advance by the Committee.

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 Premier at Desert Breeze 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.

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 Chandler. These containers must be stored out of sight and placed and removed from the street as provided by City Code.

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. Dogs must be kept on leashes at all times while on Association property. All owners must clean up after their pets.

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.

Seasonal and Decorative Flags

Seasonal and decorative flags which are house mounted below the roofline do not require approval. Flags must be maintained in good condition at all time. Torn, ripped, faded, etc. constitute grounds for fines and removal. Flags may not be offensive to neighbors or members of the Association. The Board shall make this determination. Only 2 flags or banners may be displayed at any time.

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 removed when not in use so as not to be visible. No heating, air conditioning or evaporative coolers may be mounted on the roof of any dwelling in the community.

Vehicles

No recreational vehicle, mobile home, 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 Premier at Desert Breeze so as to be visible from neighboring property, the common areas or the streets. RV vehicles may be parked in front or in the driveway of the resident's home for a period of not more than 24 hours for loading and unloading.

No automobile, motorcycle, motorbike or other vehicle shall be constructed, reconstructed or repaired upon any lot, parcel or street in Premier at Desert Breeze, 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 and of their employees, guests and invitees, are kept in garages, residential driveways of the owner, designated parking areas, designated spaces in commercial areas, and other designated parking areas wherever and whenever such facilities are sufficient to accommodate the number of vehicles at a lot. Owners are not permitted overnight street parking.