

STONECREEK HOMEOWNERS ASSOCIATION

Gilbert, Arizona

Architectural Control Committee – General Guidelines **Adopted – September 19, 2001**

The following Architectural Control Committee General Guidelines (“Guidelines”) have been prepared by Stonecreek’s Architectural Control Committee (“ACC”) and have been approved by the Stonecreek Board of Directors. The intent of these Guidelines is to establish written policies and procedures from which the Association can establish consistent rulings and decisions concerning Architectural Control Committee issues and improvement requests that may arise within the Stonecreek Homeowners Association. These Guidelines are based on an interpretation of Stonecreek’s Conditions, Covenants and Restrictions (CC&R’s) and *are subject to change*. By no means do these Guidelines legally bind the Association. Rather, it gives the ACC a tool for consistent decision making concerning ACC submittals.

The Architectural Control Committee (ACC) considers each and every ACC submittal individually and equally, regardless of race, religion, sex, age or other factors. They encourage individuality while upholding the CC&R’s. In the event of an ACC submittal denial, the ACC will try to work with the homeowner to present an acceptable alternative. Setting a precedent is very important and is carefully considered to insure that the Association is consistent in the decisions rendered.

Although ACC submittals are encouraged for all improvements, additions and/or changes (“Improvements”), they are not always required. In general, ACC approval is needed on all Improvements that may be visible from any neighboring property, street and/or common area.

PAINT COLORS

- 1) The ACC has a “paint book” with all of the acceptable colors. These colors are readily available for review by the homeowners. Approved paint colors often appear in the monthly Stonecreek newsletter.
- 2) No ACC form is required if painting the house an APPROVED base color only.
- 3) No ACC form is required if painting an APPROVED base color and APPROVED trim color on pop-outs only.

History/Precedent Summary: Acceptable base and trim colors were restricted to earth-tone or neutral only several years ago by Stonecreek’s Board of Directors. A few years back, the ACC had requested the Board to consider blue and green for additional trim colors. These were determined to be “fad” colors and approval was denied. Homeowners are encouraged to submit personal choice colors as long as they are in the “earth tone” or “neutral” family.

AWNINGS

All awnings require ACC approval and are considered using similar guidelines to trim color guidelines. Awnings matching the roof color have been approved, but these were on homes where the house had only one color base (no trim color difference). ACC realizes that awning colors need to be considered on an individual basis due to the new paint schemes available. As an exception, the color of “Mediterranean Blue” is acceptable as it was approved when the Association was very young. Thus, a precedent has been established. However, generally, all awning colors must be of earth tone, neutral and matching the roof. Awnings are not considered temporary since they are attached to the house and involve a considerable investment by the homeowner. Thus, ACC approval is required.

SWING SETS & OTHER PLAY STRUCTURES

Swing sets and other play structures are an example of a temporary improvement, thus generally not requiring ACC approval. Since Stonecreek is a family community, the ACC has taken the position that painting a swing set or play structure to match the house was unnecessary and not in the best interest of the Association.

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LANDSCAPING IMPROVEMENTS

Planting trees, bushes or changing the landscaping does not generally require ACC approval. It must be noted that any decomposed granite and/or other decorative rock must **not** be of artificial color (i.e. green, or other unnatural rock color). If landscape improvements involve the use of building materials, such as concrete, brick, wood, lattice, railroad ties or other similar materials to construct walkways, patios, fountains or some other structure, ACC approval is required. The installations of underground irrigation systems generally do not require ACC approval.

PATIOS, WALLS & OTHER CEMENT WORK

Utilizing brick, cement or other similar type materials anywhere in the front yard generally requires ACC approval. Extending the height of an existing block or block/stucco wall also requires ACC approval, particularly when this wall is shared with the common area.

SCREEN, SECURITY AND OTHER DOORS

Front security/screen doors that are black, white or painted to match the house are acceptable and do not require ACC approval. Screen doors that are any other color require ACC approval. However, "Arizona Green" color security/screen doors have been denied in the past.

WINDOW SUNSCREENS

Black colored window sunscreens are acceptable without ACC approval. In general, as long as the window sunscreens match the color of the window mullions/frames, no ACC approval is required. All other colors require ACC approval.

STORAGE SHEDS

All storage sheds require ACC approval. Actual size, color and location are all critical components. Generally, they must be no larger than 10' x 10' in size and painted to match the house. The roof color should match the house or be similar to roofing color of the house. If constructed of wood, they must be 3' from any wall or house due to fire codes.

SATELLITE DISHES

Satellite dishes will be approved subject to FCC regulations and guidelines. The Association's approval rights deal with the location and appearance of a proposed dish, but does not deny a homeowner's ability to install a dish.

SOLAR PANELS

Solar panels must be submitted for ACC's approval and will be approved pursuant to the guidelines set forth under Arizona law and the CC&R's

These Guidelines may be supplemented from time to time or rescinded by the Architectural Control Committee or the Board of Directors and do not replace nor are they intended to replace the CC&R's or any restrictions contained therein. All homeowners who commence any Modifications or Improvements where there is no express waiver for obtaining ACC approval contained in these Guidelines, must submit an ACC form pursuant to the CC&R's.