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# RIGGS COUNTRY ESTATES HOMEOWNERS ASSOCIATION

## DESIGN GUIDELINES

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### INTENT

This document is intended to make the Architectural Committee approval process easier to understand. While the C C & R's govern the community, these Design Guidelines will clarify specific items regulated by the C C & R's. It is the Board's intent to allow some changes/additions/alterations to occur to homes without having homeowners go through the formal approval process. It is NOT our intent to make things more difficult or to take more time than necessary to review the applications. Your request will be reviewed as quickly as possible, and your response will be in writing so that your files can be as complete as possible. Remember that any changes you have made to your residence that have NOT had approval could cause a problem when you sell your home, based on recently passed home sales legislation. Ask your Property Manager if you would like more information on this legislation.

The Board of Directors may change these Guidelines at any time, without a vote of the residents. These Guidelines were prepared by the Declarant (builder) and will dictate policy while the Declarant is in control. These guidelines probably will change when the Board of Directors are residents of the community (when 75% of the lots have closed to buyers).

- FEE: At this time, there is no fee charged for the review of your request.

### GENERAL

- TIME: The Architectural Committee must review your request within 30 days of the receipt of the request. If the submitted package is complete you will receive approval/denial of your request as quickly as possible.
- LOCATION: See attached Request Form for the address/FAX number where you should send your request.
- LEGIBILITY/COMPLETENESS: Note that any plans sent with your Request Form MUST be legible. Incomplete or unreadable submittals will be returned for additional information; no approval will be granted until the submittal is complete. A new 30-day period starts with the receipt of each new package of information about your project. Photos are always better than a drawing, if possible. (This is especially true in the case of play structures and swing sets.)
- HEIGHT: The height of any structure will be one of the most important items that the Committee considers. If ANY item extends above the rear yard fence, the approval of ALL neighbors adjacent to your rear yard may be required.

**GENERAL  
(continued)**

- **LIABILITY:** The Committee shall have no liability in connection with or related to approved or disapproved plans, specifications, or improvements. The approval of plans does not mean that judgment is passed on the structural soundness of the improvement nor its effect upon existing or future drainage. The review of the plans is to check for compatibility with the C C & R's.

IF ANY WORK REQUIRES THE ISSUANCE OF A PERMIT FROM THE LOCAL GOVERNING AUTHORITY (CITY, COUNTY, STATE), IT IS THE OWNER'S RESPONSIBILITY TO OBTAIN THE PERMIT AND MEET ANY REQUIREMENTS THEREOF.

It is suggested that the owner retain professional services for landscape planning and design.

In regard to home remodeling, a licensed, bonded and insured building contractor shall oversee and manage the construction process to project completion.

**ADMINISTRATIVE**

- **APPROVALS:** No building besides the residence may be constructed or maintained on a lot and no exterior addition, change, or alteration that may be visible from neighboring property may be made to any house or approved Ancillary Unit (shed, etc.) located on a lot until all plans and specifications are submitted to and approved in writing by the Architectural Committee.
- **VARIANCE:** In the event a variance is requested, the following items must be submitted to the Committee: 1. A typed letter referencing the address of the home involved, the name of the subdivision, a request for the variance, a description of the variance(s) requested, and the reason justifying the variance(s). 2. Any plans, photographs or other visual aids to explain the variance(s) requested. 3. If a landscape variance is requested, a landscape plan should be prepared and submitted which shows the footprint of the house and indicates plant varieties and locations. The Committee will respond in writing to a request for variance(s) within thirty (30) calendar days of receipt.

**SPECIFIC ITEMS:**

**ANTENNAS**

Per recently passed legislation, antennas one meter or less in diameter or diagonal measurement which are designed for over-the-air reception of signals from direct satellites (DHS), multi-channel multi-point distribution (wireless cable) providers (MMSAS) or television broadcast stations (TVBS), together with their associated mounting hardware and mast, if applicable, and which are placed, installed or kept outside a house must comply with the following restrictions, unless the particular restriction would impair the user's ability to receive signals from a provider of DBS, MMDS, or TVBS:

- An antenna system must be placed so that it is not visible from any other lot, common area or street, if possible.
- If an antenna system cannot be placed so that it is not visible from any other lot, common area or any street without impairing the user's ability to receive signals from the provider, the antenna system must be screened by landscaping or by some other means so that it is not visible from any other lot, common area or any street, if possible.

AWNINGS	Awnings must be submitted for review by the Architectural Committee.
BASKETBALL GOALS	Portable basketball goals are approved for use on a lot in the open yard only when in use and must be stored in the private yard when not in use so as to minimize the structure being visible from neighboring property. If approved by the Architectural Committee prior to installation, basketball hoop(s), backboard(s), and other similar structures may be installed and maintained in the Open Yard of a Lot or in the Private Yard, in either case on a permanent or temporary basis as designated by the Architectural Committee. While the Declarant is the ACC, no permanent basketball goals will be approved in the front of the lot.
CLOTHES DRYING FACILITIES	Outside clotheslines or other outside facilities for drying or airing clothes will not be allowed on any lot unless they are not visible from neighboring property. If they are not visible from outside the wall, no approval is required.
DRIVEWAYS	<p>Widening of driveways requires prior approval of the Architectural Committee. The submission must include a dimensioned plan of the existing lot showing the house, the front yard, and the existing and proposed driveway. Exact measurements of the proposed paved surfaces must be stated on the plan.</p> <p>A twenty-four (24") inch concrete addition on each side of the driveway will be automatically approved so long as the concrete matches that placed by the builder. No approval is required for this 24" addition to either side (or both sides) of the driveway.</p>
FENCING / WALLS	<p>The exterior appearance, color, or finish of the side of any fence that is visible from any street located within or adjacent to the property may not be modified from the condition originally constructed by the Declarant (builder) unless approved by the Architectural Committee. The design, material, construction, or appearance (including interior and exterior appearance, color and finish) of any fence may not be altered or changed without the approval of the Architectural Committee.</p> <p>Fences may not be painted a color or stuccoed a texture other than what was previously in existence without prior approval of the Architectural Committee. This applies to all areas of the fence that are visible from neighboring property.</p> <p>The following fencing is NOT PERMITTED in areas visible from neighboring property or on the property line: chain link, wood slat, wood picket, free standing on the property line. However, any type of fencing materials that have been installed by the Declarant/builder may be used throughout the community, even after the Declarant/builder is finished constructing new homes.</p> <p>Garden walls (knee walls, decorative walls, etc.) are permitted to a maximum height of 36" and must match the architectural finish, texture, and style of the house. If these walls meet these requirements, Architectural Approval is not required. Owners should remember to consider the drainage patterns on the lot.</p>

FIREPLACES Fireplaces/fire pits in rear yards do NOT require approval of the Committee unless the top of the unit is visible from neighboring property (over 6' tall).

FLAGPOLES Brackets for holding a small flag can be mounted on the house or garage to display flags. The brackets should be painted to match the color of the home. If a pole is to be placed close to the house, it should be 2 feet lower than the tallest ridgeline of the house. If the pole is placed in the center of the front yard, it should be 5 feet lower than the tallest roofline of the house. All freestanding flagpoles are approved without submittal, per recently passed Arizona legislation (Senate Bill 1055), as long as the U.S. and State flags are displayed in a respectful and honorable manner. The following flags may be displayed without Architectural approval; the American flag, State flags, military flags, and the popular seasonal flags if these last are 2'x4' or less in size.

GARAGES Each lot will have at least one enclosed garage that will be used only for the parking of personal vehicles, commercial vehicles, recreational vehicles, household storage, and certain types of permitted vehicle repairs and maintenance as described in the C C & R's. No other uses are allowed.

GATES Gates that match those installed the Declarant/builder may be installed in front perimeter walls without prior Architectural Committee approval, as long as the wall is not a theme wall and does not abut a common area tract. All wooden slats installed in gates must be natural wood colored. If stained, the stain must be compatible with the color palette of the community. Gates meeting these requirements do not require Architectural Committee approval.

Gates shall not be permitted in any perimeter theme wall or sidewall of a corner lot without prior approval of the Architectural Committee.

Gates opening onto common areas are not allowed.

## LANDSCAPE

**Each individual home site is required to have front yard landscaping completed within ninety (90) calendar days of the closing (when ownership is transferred from the builder). If the contractor is delayed, the owner will not be penalized for not having this work done in the timeframe noted.**

**Plans for all soft landscaping (lawns, plants, shrubs, and trees) that are to be installed in the open yard as part of the landscape package provided by the Declarant (builder) do not require approval by the Architectural Committee prior to installation. HOWEVER, all hard landscaping items (including (but not limited to) fountains, sidewalks, water features, flagpoles, planters, birdbaths, sculptures, and items of this nature) DO require approval by the Architectural Committee prior to installation.**

Border Material Borders shall be used to contain and separate rock ground cover from grass and common areas. Brick, steel, concrete and 1/4" pressure treated redwood are permitted. Border material may not exceed 12" in width and shall be flush where abutting other paved areas. Railroad ties, plastic, aluminum, or redwood headers smaller than 1/8" x 4" are not allowed. Bricks used for a border must be laid side-by-side (NOT end-to-end) to insure greater stability.

Fine Grading and Mounding	Fine grading is a critical aspect of landscaping. Each lot must be graded so that all storm water drains away from the house, but remains on the owner's property. Storm water CANNOT drain onto any neighboring lot or common area. The drainage pattern must be maintained, especially if mounding or berming is proposed. Because of the difficulty and importance of maintaining the individual lot drainage pattern and creating natural appearing mounding, it is recommended that a Registered Landscape Architect or design professional be consulted. Mounding and other proposed grade changes will be closely scrutinized. If mounds are 24 inches high (max.) and covered in natural rock, they will be approved by the Committee.
Irrigation Systems	All landscaped areas must be equipped with an underground irrigation system. A low-pressure drip irrigation system is encouraged for all trees, shrubs and ground cover areas.
Rock Ground Cover	Rock ground cover may be decomposed granite or other <b>natural</b> rock material approved by the Committee. No painted rock is allowed. All bare earth must be covered.
Decomposed Granite	Decomposed granite in the front yard or areas visible from the street must be a natural color (indigenous to Arizona). Artificially colored rocks (no matter the color) are NOT permitted. Only ¾" or ½" minus or screened sizes are acceptable. All decomposed granite shall be spread a minimum of 2" deep.
Boulders	Only granite boulders of a color similar to the indigenous rock of Arizona are allowed. At least 1/3 of each rock must be buried so that rocks look natural and not placed.
River Rock	River rock shall be 3" to 8" in diameter. Not more than 10% of the front yard landscape area may be river rock, though a variance will be considered on lots with very small front yards.
LAWN ORNAMENTS	<p>Most small decorative items may be placed in your front yard to personalize your property. Any item that is not easily moved required approval by the Architectural Committee.</p> <p>You should take care when considering items for placement in your visible yard. The Architectural Committee and the Board of Directors are responsible for making sure that lawn ornaments are not objectionable to others. Therefore, if you have an item that you are considering, you may want to submit a picture of it to the Committee for formal approval. If you place the items without receiving Committee approval, you run the risk of being asked to remove it/them if the Committee and/or the Board determine that they are offensive.</p>

LIGHTING

The use of outside lighting is allowed with the following restrictions:

- Exterior lighting must be soft and indirect; no light source may shine onto neighboring properties or create a nuisance.
- No colored light bulbs, lenses, or reflectors are permitted if they shine onto neighboring properties or create a nuisance.
- No outdoor floodlights are allowed to shine onto a neighbor's property.
- Low-pressure sodium bulbs are discouraged.
- All outside lights placed on the ground shall be screened with walls, plant materials or internal shielding, wherever possible.
- Malibu type lights and low voltage lighting are permitted without Committee approval.

If outdoor lighting meets these requirements, Architectural Committee approval is NOT required.

MECHANICAL EQUIPMENT

In general, roof-mounted mechanical equipment is prohibited. If ground mounted, equipment that is visible from any neighboring property must be screened. Screening must be compatible with the building design. All roof-mounted mechanical equipment requires Architectural Committee approval.

PATIO COVERS

Patio covers must be painted to match the existing house or trim color. Roofing materials must match that which was installed by the builder on the roof of the home, or that was offered as a patio cover option by the builder. All patio covers not installed by the builder need to be reviewed by the Committee **prior to** commencement of construction.

PLAY STRUCTURES

Play structures may be erected only in the private yard. They DO require approval by the Architectural Committee PRIOR to installation. The Committee may request the signatures of all adjoining neighbors who will be able to see the structure above the fence line. (Neighbor Acknowledgement Form is attached hereto. It is suggested that you submit this form with your application for approval.) If the play structure has a canopy, the canopy must be a solid, neutral color.

POOLS AND SPAS

Plans for pools and spas do not require Committee approval. However, pool slides that are visible from neighboring properties DO require approval and will be considered based upon appearance, height, and proximity to other properties. If a slide will be taller than the exterior fence, approval of all adjoining neighbors may be required. (Neighbor Acknowledgement Form is attached hereto.)

**Perimeter walls on lots bordering common landscaped areas or public right-of-ways may not be torn down for access during pool construction.** Access must be gained elsewhere, leaving the perimeter wall intact, thereby assuring texture and color consistency throughout the community.

Any non-perimeter walls removed for pool construction must be rebuilt and finished to match the original, and must be re-built as soon as possible. When walls are removed, temporary fencing MUST be placed to insure the safety of neighboring children. Architectural Committee approval is required for any fence removal. Additionally the pool company shall be required to submit a \$500 security deposit to the Architectural Committee. Upon replacement of any removed fence, to the satisfaction of the Architectural Committee, the security deposit shall be returned.

All pool and spa equipment must be screened from view of neighboring property.

ROOFING	<p>Roof covering materials must be concrete tile. No composite shingle roofing or shake shingles will be allowed, unless previously installed by the Declarant/builder.</p> <p>All vent pipes extending through a roof and flashing must be painted to match the roof tile.</p> <p>Overhead screens, shade covers, patio roofs and other similar structures shall be integrated into the design of the home and constructed of materials and color to match or complement the structure, or shall be screened with a parapet wall. All such roofs must be submitted to the Committee for approval prior to installation.</p>
SECURITY AND/OR SCREEN DOORS	<p>Security and/or screen doors do not require approval so long as they are painted to match the color of the house or the exterior trim of the house. Doors not meeting these requirements require Architectural Committee review prior to installation.</p>
STORAGE SHEDS	<p>Storage sheds that will be visible to neighboring property must be submitted for approval <b>prior to</b> installation. The Committee may require signatures from all adjoining neighbors who will be able to see the structure above the fence line. (Neighbor Acknowledgement Form attached hereto.) The unit must be stuccoed and painted to match the home, and the roof must have tiles that match the tiles on the house. The shed structure may not exceed seven (7) feet at the highest peak.</p>
WINDOW COVERINGS	<p>Permanent draperies or suitable window treatments must be installed on all front and side windows facing a street (corner lots) within sixty (60) days of occupancy. Newspaper, sheets or reflective materials (including, but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material) shall not be installed or placed on the outside or inside of any windows. Bright colors are discouraged if they are visible from neighboring property. No approval is required for window coverings.</p> <p>Charcoal-colored sunscreen material may be installed without prior approval of the Committee; any other colored material for screens requires Committee approval prior to installation. The frame on window/sun screens must match the screen material, the existing window frames, the house color, or the house trim color. Anything else requires approval of the Committee.</p>
WATER FEATURES	<p>Water features are permitted within rear yard areas without Architectural Committee approval so long as they do not exceed the fence height. Water features may be permitted in the front yard; however, they must be submitted to the Architectural Committee for approval prior to installation.</p>