

KRISTIN MANOR HOMEOWNERS' ASSOCIATION



DESIGN GUIDELINES

Adopted: November 2003

Revised: April 15, 2009

APPLICATION PROCEDURE

The Kristin Manor Homeowner's Association Covenants, Conditions and Restrictions (CC&R's) require the homeowner to obtain prior written approval for any changes made to the exterior, front yard, side yard or above the fence in the back yard from the Architectural Committee.

SUBMITTAL:

Application and plans (which will be kept on file with the association) should be mailed to the management company.

The following information should be included:

1. Application Form- a completed application form (copies of which can be obtained from the management company).
2. Plot Plan - A site plan showing dimensions, relation to existing dwelling and property lines (setbacks). Measurements must be written on the plans.
3. Elevation Plans - Plans showing finished appearance of addition in relation to existing dwelling. An accompanying photograph of the proposed locations would be helpful.
4. Specifications - Detailed description of materials to be used.

All building and structures erected within Kristin Manor and the use and appearance of all land within Kristin Manor shall comply with all applicable Town of Gilbert zoning and code requirements as well as the Declaration, and these Design Guidelines.

REVIEW – APPROVAL AND/OR DISAPPROVAL:

The Architectural Committee shall have 30 days after receipt of all necessary information and plans to approve or disapprove plans.

Review and approval or disapproval will include, but not limited to, consideration of material, workmanship, colors, consistency 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 will also be considered.

Neither the Architectural Committee, nor the Board shall have a liability in connection with or related to approved plans, specifications or improvements. The approval of the plans does not mean the judgment is passed on the structural soundness of the addition nor its effect upon existing or future drainage. The review of the plans is for aesthetic purposes only.

APPEAL:

Any appeal of the Architectural Committee's decision must be submitted in writing to the Board of Directors, c/o your management company, within 15 days following the date of disapproval by the Architectural Committee's decision.

GENERAL RULE

Homeowners are required to obtain permission from the Architectural Committee PRIOR TO making any changes to the exterior appearance of your home or lot (typically, a front yard or open side yard of a lot), including landscaping changes, carriage lights on the garage, house painting changes, concrete pads and sidewalks, adding or replacing trees or shrubs with something substantially different etc.

All Architectural Request Forms submitted after the intended project has started or has been completed that Homeowners account shall be assessed a minimum \$25.00 fine and continue to be fined per the Rules & Regulations compliance/fine schedule.

DECORATIVE ITEMS

Front yard item(s) must be submitted for approval by the Design Review Committee. The Board of Directors reserves the right to require removal of decorative items in front yards based on size, quantity, color and location and any other criteria that the Board may determine

Seasonal and Decorative Flags – Seasonal and decorative flags which are house mounted below the roofline do not require approval. Seasonal flags must be removed within 15 days after the date of the holiday to which the flag pertains. Flags must be maintained in good condition at all times. Torn, ripped, faded, etc. constitute grounds for fines and removal. Flags shall not be offensive to the Association. The Board of Directors shall make this determination at its sole discretion.

Decorative and Seasonal Items – The Board of Directors reserve the right to require the removal of decorative items in front yards based on size, quantity, color, location and any other criteria. The Board of Directors, at its sole discretion, shall make its determination on a case by case basis.

Decorative Art on Houses – Decorative Art on houses shall be neutral in color and may be limited in number, so as to not dominate the appearance of the home. Dimensions of decorative art shall be no greater than three feet in length, width and height.

Water Features, Statuary, Etc. – Items such as fountains, statuary, etc., are permissible within the rear yard and do not require submittal to the Design Review Committee, except on Lots with view fencing. Any items installed in the rear yard must not exceed the wall or fence height. Such items must be approved by the Design Review Committee for installation in the front yard. Water features may not exceed 4 ½ feet in height. 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, as well as rear yards with view fencing. Statuary must not exceed 12 inches in height, must be of earth tones and must be approved by the Design Review Committee.

FLAGPOLES

Flag poles may be installed in individual lots, front or rear yards with the following restrictions:

- a. Poles may not exceed 15 feet in height
- b. Poles must be metal or a neutral color complimenting the home
- c. Poles must be maintained as needed on an ongoing basis
- d. Flags permitted are The American Flag, any State Flag, and Military Flag. Any other flag types must be submitted to the Architectural Committee prior to display
- e. Prior to installation of the pole you must submit to the Architectural Committee

GATES

Staining the natural wood color originally installed by the builder or replacing with standard wrought iron and slats **SHALL NOT** require approval of the Architectural Committee. New gate installations must conform to the color and construction of those originally installed by the builder or standard wrought iron and slat construction and **SHALL** require prior written approval from the Architectural Committee.

GUTTERS AND DOWNSPOUTS

Gutters and downspouts **SHALL NOT** require approval of the Architectural Committee but must be painted to match the color of the home adjacent to where installation occurs.

LANDSCAPE

Front Yard Landscaping – Modified front yard landscaping **SHALL NOT** require approval of the Architectural Committee if it conforms to the following general guidelines:

- a. All required landscape areas shall be occupied by plant materials or groundcover. All bare earth surfaces must be covered (exception: flower/shrubs beds).
- b. Ground Cover may be of two types:
 1. Vegetative ground cover consisting of living plant material characterized by horizontal, as well as vertical, growth generally not exceeding eighteen (18) inches in height.
 2. Inert ground cover consisting of crushed natural rock or river rock.
- c. Berms are encouraged to add interest to the landscaping. The height and scale of the berm should be compatible with the rest of the front yard.
- d. Hardscape accents (ie Saltillo tile and brick pavers) used to construct stepping stones and borders will be permitted if colors are compatible with the community. Acceptable colors are desert hues and other earth tones, including muted reds and oranges.
- e. All front yard turf areas must be maintained year round. Lawns must be kept mowed and weeds pulled.

Front Yard Landscaping – The following front yard landscaping **SHALL** require approval from the Architectural Committee:

- a. Hardscape (i.e. concrete, brick, flagstone, tile, etc.) used to construct new or modified walkways, new driveways or driveway extensions, free standing walls or retaining walls, porch, patio or seating area.
- b. Artificially colored rock.

Rear Yard & Side Yard Landscaping – Modified rear and side yard landscaping **SHALL NOT** require approval of the Architectural Committee if it conforms to the following general guidelines:

- a. Pools and spas placed in rear yards will not require approval if constructed within the following guidelines:
 - 1. Any walls removed during construction shall be walls contained on the Owner's Lot. Removal of walls abutting a Common Area shall not be allowed. Any wall removed shall be replaced in its original state immediately after construction is completed (including paint).
 - 2. It is recommended that water resulting from the backwashing of pools be contained on an Owner's Lot. The use of a dry well to retain backwash water is encouraged. Backwashed water shall not be permitted to seep onto an adjoining Lot or Common Area.
- b. Irrigation systems must be directed away from walls to eliminate seeping through, staining and draining onto other properties. Any planters that consist of bermed dirt against a wall must be sealed or waterproofed in order to avoid seepage onto neighboring properties.
- c. Non-deciduous trees are encouraged for side and rear yards. Trees shall be placed in locations, which will not encroach upon other lots.

Rear Yard and Side Yard landscaping – improvements **SHALL** require approval of the Architectural Committee.

- a. Ancillary components of pools and spas (slides, gazebos, etc) visible from the street or adjoining property.
- b. Any increase in rear yard wall or side yard wall height.
 - 1. Changes made to a "shared" wall must be a joint request signed by both adjoining Lot owners.
 - 2. The Town of Gilbert must approve any increases in wall height.

Fence approval changes must come from:

- 1. The adjoining property owners
- 2. The Architectural Committee
- 3. The Town of Gilbert

The Architectural Committee SHALL RESERVE THE RIGHT to request reasonable modifications to front yard landscaping if deemed appropriate.

LIGHTING

Low voltage landscape lighting shall not require approval. New or modified light fixtures visible from neighboring properties SHALL require approval from the Architectural Committee. Security lights whether or not installed by the builder SHALL NOT cause excessive glare or excessive light spillage onto adjacent lots. Rear yard and side yard lighting shall be confined to patio and pool areas and SHALL NOT cause excessive glare or excessive light spillage onto adjacent lots.

PAINT COLORS

The paint colors used by the original developer are highly recommended for use in all instances. In the case of any variation from the original colors, the preferred colors are earth tones. Trim colors shall not dominate the exterior appearance and shall be of the same color range of the major color. The Design Review Committee must approve colors prior to painting.

PLAY EQUIPMENT

Play equipment SHALL NOT require Architectural Committee approval, unless the Play Equipment does not adhere to the following guidelines:

- a. All Play Equipment shall be placed in the rear yard a minimum of seven (7) feet from any wall adjoining the yard of a neighbor. The addition of foliage for privacy and screening is encouraged.
- b. NO part of the Play equipment including canopies shall exceed the height of ten (10) feet.
- c. All Play Equipment must be maintained clean and rust free.
- d. Play Equipment will be commercially designed or constructed. The plans for self-constructed playsets SHALL be submitted to the Architectural Committee for approval.
- e. No lights or nighttime illumination of the play equipment shall be allowed (exception: yard security lighting).

SATELLITE DISH

Satellite Dishes are permitted, but only after receiving written approval from the Architectural Committee regarding the type and location of such devices. Satellite Dishes are to be mounted below the roof peak and as close to the rear portion of the roof as possible.

SCREEN DOORS/SUNSCREENS

Screen doors constructed of wrought iron and painted either any exterior paint color of the home or black SHALL not require approval of the Architectural Committee. Screen doors constructed of any other material or color SHALL require the prior written approval of the Architectural Committee. Sunscreens that are of earth tones or black and have frames that match the existing window frames SHALL NOT require approval of the Architectural Committee.

SHEDS

Sheds which are installed in the backyard SHALL NOT require the approval of the Architectural Committee as long as they meeting the following guidelines:

- a. Commercially made or professionally designed and built sheds SHALL NOT exceed the height of the fence and must be maintained clean and rust free.
- b. There will not be any storage of any materials on top of the shed.