

**HARRIS PARK  
HOMEOWNERS  
ASSOCIATION**

**ARCHITECTURAL  
COMMITTEE RULES  
AND GUIDELINES**

# TABLE OF CONTENTS

- 1. INTRODUCTION ..... 1
- 2. AUTHORIZATION..... 1
- 3. REVIEW PROCESS..... 2
- 4. GENERAL REVIEW GUIDELINES..... 4
- 5. PHASE SPECIFIC REVIEW GUIDELINES AND CUSTOM LOTS AND PRODUCTION LOTS..... 6
- 6. COMMUNITY SPECIFIC REVIEW GUIDELINES ..... 7
  - 6.1 HOUSE EXTERIOR ..... 7
    - 6.1.1 Address Plates ..... 7
    - 6.1.2 Architectural Detail..... 7
    - 6.1.3 Awnings ..... 7
    - 6.1.4 Balcony Covers ..... 7
    - 6.1.5 Doors, Garage ..... 7
    - 6.1.6 Doors, Other Primary ..... 8
    - 6.1.7 Doors, Screen..... 8
    - 6.1.8 Doors, Security Front Entry..... 8
    - 6.1.9 Doors, Security Other Locations..... 8
    - 6.1.10 Fireplace Chimneys ..... 8
    - 6.1.11 Front Entry Canopies ..... 8
    - 6.1.12 Garage Conversions..... 8
    - 6.1.13 Lights, Front Elevation ..... 9
    - 6.1.14 Lights, Side and Rear Elevations..... 9
    - 6.1.15 Lights, Temporary Seasonal ..... 9
    - 6.1.16 Mechanical Equipment ..... 9
    - 6.1.17 Patio Covers..... 9
    - 6.1.18 Patio Mist Systems..... 10
    - 6.1.19 Patio Shades ..... 10
    - 6.1.20 Rain Gutters ..... 10
    - 6.1.21 Room Additions..... 10
    - 6.1.22 Wall Decorations ..... 10
    - 6.1.23 Window Shades ..... 10
    - 6.1.24 Window Decoration ..... 11
    - 6.1.25 Window Shutters..... 11
    - 6.1.26 Window Security Bars ..... 11
    - 6.1.27 Windows ..... 11
- 7. ACCESSORY BUILDINGS, STRUCTURES AND USES ..... 11
  - 7.1 Antennas ..... 11
  - 7.2 Satellite Dish Receivers ..... 11
  - 7.3 Basketball Hoops and Poles..... 13
  - 7.4 Clotheslines..... 13
  - 7.5 Fences , Miscellaneous ..... 13
  - 7.6 Flagpoles..... 13
  - 7.7 Gazebos..... 13
  - 7.8 Outside. Storage Areas..... 14

7.9	Design Guidelines for Auxiliary Buildings .....	14
7.9.1	Auxiliary Buildings.....	14
7.9.2	Auxiliary Building Design.....	14
7.9.3	Auxiliary Building Plans.....	15
7.9.4	Auxiliary Building Specifications.....	15
7.10	Playhouses.....	16
7.11	Solar Collectors.....	16
7.12	Storage Sheds.....	16
7.13	Swings, Slides and Similar Play Equipment.....	16
8.	Yard Walls and Gates .....	17
8.1	Common Theme Wall.....	17
8.2	Front Yard Walls.....	17
8.3	Rear and Side Yard Walls.....	17
8.4	Yard Gates .....	18
9.	LANDSCAPING .....	18
9.1	Front Yard Landscaping .....	18
9.1.1	Time Frame.....	18
9.1.2	Front Yard Design.....	18
9.1.3	Watering System.....	19
9.1.4	Trees.....	19
9.1.5	Yard Decorations, Fountains, Figurines, and Furniture.....	19
9.1.6	Front Courtyards .....	19
9.1.7	Front Courtyard and Entryway Lighting.....	20
9.1.8	Driveways .....	20
9.1.9	Front Walkways .....	20
9.2	BACK YARD LANDSCAPING.....	20
9.2.1	Time Frame.....	21
9.2.2	Back Yard Design.....	21
9.2.3	Watering System.....	21
9.2.4	Swimming Pools and Spas.....	21
9.2.5	Rear Yard Lighting .....	21
9.2.6	Yard Decorations, Fountains, Figurines and Furniture.....	21
9.2.7	Trellis, Lattice, and Arbors .....	21
10.	SIGNS.....	22
10.1	General.....	22
10.2	Temporary Signs.....	22
10.2.1	Sale, Lease, or Rent Signs.....	22
10.2.2	Open House Directional Sign .....	22
10.2.3	Construction Signs.....	22
10.2.4	Political Sign.....	22
10.2.5	Other Message Signs.....	23
10.2.6	Yard Sale Signs.....	23

## 1. INTRODUCTION

1.1 Character. Harris Park is a planned community. Its character was established by zoning, common amenities, and the type and style of housing built by the original developer Maracay Homes. Conditions, Covenants, and Restrictions (CC&Rs) have been recorded to ensure that the character of the community is maintained, protect property values are protected, and desired lifestyles are preserved. At the time of purchase, every property owner in Harris Park signs a legally binding agreement to abide by the CC&Rs.

1.2 Governing Documents. The CC&Rs govern the use, design and alteration of all property within Harris Park. They establish a Homeowner's Association and a Board of Directors elected by the property owners to run the association and enforce the CC&Rs. The CC&Rs also require that a Board appointed Architectural Committee review and approve all exterior property improvements. The CC&Rs grant the Architectural Committee the authority to adopt and review guidelines to supplement the CC&R regulations.

1.3 Policies. These guidelines set forth the adopted review policies of the Harris Park Architectural Committee. They are intended to represent broad community values and will be used by the Architectural Committee in its review of all proposed alterations. They also provide guidance to property owners on the type of improvements that Architectural Committee would generally find acceptable and would approve.

1.4 Committee Composition. The Architectural Committee is composed of community members who volunteer their time to serve the community. The Architectural Committee is committed to responding to member's authorization requests in a timely manner and would be happy to respond to any questions.

## 2. AUTHORIZATION

2.1 Purpose. The Architectural Committee was established for the purpose of maintaining the architectural and aesthetic integrity and consistency within the community.

2.2 Committee. Article 3, Section 3.1 of the CC&Rs states, "The Declarant shall establish an Architectural Committee to perform the functions of the Architectural Committed set forth in this Declaration and to adopt the procedural rules and regulations for the performance of such duties, including procedures for preparation, submission and determination of the application for any approvals required by this Declaration. ... The Architectural Committee Rules and Guidelines may also include provisions requiring the establishment of landscaping on Lots pursuant to specific timetables."

2.3 Requirement for Prior Authorization. Article 7, Section 7.7 of the CC&Rs establishes the requirement for pre-approvals by the Architectural Committee. "No improvements, alterations, repairs, excavations, landscaping or other work, including exterior paint, which in any way alters the exterior appearance of any property or the Improvements located thereon, from its natural or

improved state existing on the date such property was first conveyed in fee by Declarant to a Purchaser, shall be made or done without the prior written approval of the Architectural Committee, except as otherwise provided in this Declaration. No building, fence, wall, landscaping, residence, or other structure shall be commenced, erected, maintained, improved, altered, made or done without the prior written approval of the Architectural Committee.” 2.4

Determination of Suitability. The Committee shall have the right to refuse approval of any Alteration which is not suitable or desirable in their opinion for aesthetic or other reasons, and they shall have the right to take into consideration:

- a. the suitability of the proposed Alteration;
- b. the material (including type and color) of which it is to be built;
- c. the site (including location, topography, finished grade elevation) upon which it is proposed to be erected;
- d. the harmony thereof with the surroundings (including color and quality of materials and workmanship); and
- e. the effect of the Alteration as planned in the adjacent or neighboring property (including viability and view).

### **3. REVIEW PROCESS**

3.1 Written Approval. Builders and/or Homeowners in Harris Park are required to obtain a written approval from the Architectural Committee prior to making any exterior alterations to their property. This requires that a standard application form be completed and submitted to the management company along with supporting documentation. Upon receipt, the management company will immediately forward the application form to the Committee for review.

3.2 Required Information. Sufficient information must be included with the application form to enable the Committee to understand the proposal, its contextual relationship, and any potential impacts on neighboring property or the community. This may include one or more of the following items depending on the nature and type of proposed alteration.

- a. A dimensioned site plan showing property lines, building setbacks, location of existing proposed improvements, grade changes, etc. While this does not require a professional drawing by an architect or engineer, drawings should accurately reflect the changes intended in the request.
- b. A sketch of each elevation showing the height, dimensions, configuration, materials and colors.
- c. Paint chips, material samples, manufacturer’s brochures, or photos.

- d. Detailed construction plans, floor plans or landscape plans.
- e. A proposed construction schedule must be included in the application.

3.3 Review Process. The Committee will review all application forms for consistency with these guidelines and the requirements of the CC&Rs. The Committee may reject incomplete applications, approve the request with or without conditions, or deny the request. The Committee will then return the application form with its decision to the management company who will inform the owner in writing.

3.4 Approval Limitations. Approval of plans and specifications by the Architectural Committee is not, and shall not be deemed to be, a representation or warranty, whether expressed or implied, that said plans or specifications comply with applicable governmental ordinances or regulations including, without limitation, zoning ordinances and building codes, and industry standards for design or construction. (Article 3, Section 3.5, CC&Rs)

3.5 Time Frame for Response. Failure of the Committee to reject a request in writing within forty-five (45) days from the date the request was submitted to the property management company shall constitute approval, provided the design location, color, and land of materials in the alteration shall be governed by all the restrictions set forth in the CC&Rs and these adopted Guidelines.

3.6 Appeal. Members may appeal decisions of the Committee by requesting a hearing from the Board of Directors of the Association. The Board of Directors of the Association will notify members of its decision, in writing, within ten (10) days of the hearing.

3.7 Variances. At its option, the Board may in extenuating circumstances, and only with the ratification of the Architectural Review Committee, grant minor variances from the restrictions in Article VII of the CC&Rs. Such a variance may be granted only after the Board determines:

- a. that a restriction would create an unreasonable or substantial hardship or burden on an Owner or
- b. such restriction is obsolete due to change of circumstances and
- c. that the activity permitted under the variance will not substantially adversely affect the remaining owners and other occupants of Harris Park.

3.8 Alterations Not Requiring Pre-approval. For the convenience of Members and the Architectural Committee, formal pre-approval is not required for certain limited types of alterations and routine maintenance (as noted below), provided that such alternations or maintenance activities are carried out in a timely manner and in full compliance with applicable provisions of the Guidelines and CC&Rs. Members are cautioned, however, that if the Committee determines that any alterations or maintenance activities made under this section are not in compliance with the CC&Rs or Guidelines, or do not otherwise meet community standards, then the Committee may require revisions to attain full compliance. The following alterations do not require pre-approval:

- a. rain gutters;
- b. refinishing yard gates;
- c. temporary holiday lighting and yard decorations;
- d. rear yard landscaping, except swimming pools, raised decks, decorative lamp posts;
- e. minor routine maintenance such as caulking and paint touch up (this does not include major house repainting);
- f. major or complete repainting of a home using the same colors and the same color placement as the home's existing color palette;
- g. shade and bug screens;
- h. outdoor furniture;
- i. yard decorations and figurines;
- j. real estate and other yard or house signs;
- k. minor changes to front yard landscaping such as plant or tree replacement and sprinkler system repair which does not change grades, affect the relative amount of hardscape vs. plant material, or otherwise change the landscape character;
- l. patio mist systems;
- m. house wall decorations on the first floor rear elevation; or
- n. outside storage area and clotheslines in the rear yard. (This does not apply to storage sheds, fences, or other structures.)

#### **4. GENERAL REVIEW GUIDELINES**

4.1 The architectural style and color and material palette in the various phases of Harris Park is very distinct and well established. The sophisticated architecture provides enough diversity for interest, yet maintains a uniform theme. The limited materials and colors add to the unique character of the community. This character must be preserved if the desired identity of Harris Park is to be maintained

4.2 All proposals will be reviewed for conformance with the requirements in the CC&Rs and the guidelines adopted by the Committee.

4.3 The level of review required for each proposal will depend on the nature of the improvement, its location, proposed colors and materials, and its visibility from nearby properties, the street and the common area.

4.4 The Committee will pay particular attention to improvements that may be visible from entrances to the community, common areas, and perimeter streets.

4.5 Off-site views seen by a six-foot tall person at ground level will be the concern with regards to screening requirements. However, the Committee will consider the view from second story windows and balconies in the evaluation of certain improvements and may require additional landscaping or relocation of the improvement when warranted.

4.6 Proposals that deviate from established standards within the community and will adversely affect the character of the community, have a negative effect on neighboring property owners, or create a public nuisance will not be approved.

4.7 All improvements must be constructed from quality materials in a professional manner.

4.8 Each proposal will be reviewed on its own merits as it relates to the property. Property ownership and personal circumstance will not be a factor in the review.

4.9 All improvements must comply with the construction codes and zoning regulations of the City of Mesa or any other governmental authority when appropriate. Building permits must be obtained when required. In the event of a conflict between the zoning ordinance and the CC&Rs, the more restrictive regulation will apply.

4.10 All approvals will be conditioned by the requirement that the improvement be maintained in its original condition.

4.11 All improvements must be completed in a timely manner.



## **5. PHASE SPECIFIC REVIEW GUIDELINES AND CUSTOM LOTS AND PRODUCTION LOTS**

5.1 Harris Park is divided into two distinct phases. Phase I are production type lots ranging in size from ten thousand (10,000) square feet to twenty thousand (20,000) square feet.

5.2 Phase II are 22 – custom lots ranging in size from twenty thousand (20,000) square feet to thirty-five thousand (35,000) square feet and are more specifically described as lots six (6) through seven (7) inclusive and lots ninety (99) through one hundred eight (108) inclusive as outlined in the final Plat of Harris Park.

5.3 It is the intent of the Developer and Homeowners Association to create harmony in design between the two phases except for specific restrictions on the Phase II custom lots as follows:

- a. Phase II homes shall not be more than one story in height and shall not exceed twenty-two (22) feet in height measured from approved grading drawing pad height to highest roof ridge line. Chimneys may extend higher than twenty-two (22) feet - zero (0) inches.
- b. Phase II homes shall not be less than two thousand seven hundred (2700) square feet of liable space excluding garages, patios and other shaded area.
- c. Phase II lots are primarily intended to be used for the construction of new custom homes. However, where the homeowner of a Phase II lot chooses to purchase the lot as an adjoining property to the surrounding neighborhood or as additional landscape area, that sale is subject review of the intended use. In no case can the property be used solely for animals of any type, or the storage of any materials or vehicles. It may be used for landscaping purposes including the addition of pools and tennis courts if allowed by building codes and zoning restrictions. No lighting above ten (10) feet - zero (0) inches will be allowed and only of a type and nature that restrict lighting to the immediate property.
- d. Phase II – Basic color, design and materials.

## **6. COMMUNITY SPECIFIC REVIEW GUIDELINES**

### **6.1 HOUSE EXTERIOR**

#### **6.1.1 Address Plates**

An address plate is required on the front wall of the garage near the front entry to the house. This plate should be made of tile inset into the stucco wall with compatible colored painted numbers to match the original. Plate size will be limited to six (6) inches by twelve (12) inches.

#### **6.1.2 Architectural Detail**

Any new or replacement houses must match the architectural detail and styling of the Phase in which the house is located. This includes defined entryways, varied rooflines, off-set building footprints, articulated elevations, recessed windows, and window popouts.

#### **6.1.3 Awnings**

6.1.3.1 Materials. Canvas or other fabric awnings mounted on an internal steel or aluminum frame may be approved on any window. Aluminum and painted steel awnings will not be approved.

6.1.3.2 Design. Shiny fabric, back lighting and excessive ornamentation will not be approved. Traditional squared or rounded edge designs will be required. The size and style of the awning must be in scale with the window and the elevation.

6.1.3.3 Color. The awnings on each house should have a single uniform color. Stripes and other patterns will not be approved. A limited range of colors will be approved. Acceptable colors include the following: gray, burgundy, terra cotta, beige, and forest or hunter green. Color samples are available from the Committee.

#### **6.1.4 Balcony Covers**

6.1.4.1 Balcony types. Canvas balcony covers with rigid steel or aluminum frame or roll up design are the standard, Acceptable colors and patterns are the same as for window awnings. Posts must be painted to match the balcony railing. Aluminum balcony covers will not be approved.

6.1.4.2 Balcony Architectural Integrity. Some elevations may accommodate balcony covers constructed with stucco and tile to match the original house. Particular attention will be given to the roofline and method of attachment to ensure that the architectural integrity of the house is maintained. Stuccoed columns will be required.

#### **6.1.5 Doors, Garage**

Sectional metal roll up doors with stamped panels similar to those provided by the builder are required. They must be painted with gloss enamel to match the color palette of the house. Decorative glass panels are an acceptable option.

#### ***6.1.6 Doors, Other Primary***

Patio doors, balcony doors, and garage service doors should be similar in style to those installed by the builder. They must be painted to match the color palette of the house.

#### ***6.1.7 Doors, Screen***

Basic screen doors will not be approved on the front elevation or the second floor balcony. Ornamental screen doors on other locations will be approved provided the design is consistent with the community standards..

#### ***6.1.8 Doors, Security Front Entry***

Security doors on front entries will be approved if the design of the security door, when considered with the overall outside of the home décor, is compatible with the character of the community.

#### ***6.1.9 Doors, Security Other Locations.***

Security doors on other locations will be approved if the design of the security door, when considered with the overall outside of the home décor, is compatible with the character of the community. Generally, they must be black (or bronze), or the same color as the body of the house. Security doors will not be approved on second story doors.

#### ***6.1.10 Fireplace Chimneys***

All fireplace chimneys must be boxed and stuccoed with decorative chimney caps (if offered), to match the original construction of the houses in the phase in which located.

#### ***6.1.11 Front Entry Canopies***

Front entry canopies will not be approved. This does not preclude consideration of a standard window awning above the front door on some elevations.

#### ***6.1.12 Garage Conversions***

The CC&Rs require all homes to be constructed with an enclosed garage. All homes must retain parking for a minimum of two cars in their attached enclosed garage. Any conversion of the remaining space in a garage for living space or recreational use must be approved by the Architectural Committee.

### ***6.1.13 Lights, Front Elevation***

6.1.13.1 Lights. Coach lights similar in size and style with those offered by the builder may be mounted on either side of the front of the garage and at the front entry. Other styles of light fixtures will be approved if the installed lights, when considered with the overall outside home décor, are compatible with the character of the community. Polished or antique brass is the preferred material. Black metal is an acceptable option. Some elevations may accommodate a hanging chandelier in the entryway. Colored lighting or lenses are acceptable only for festive decoration during limited holiday seasons, and must be returned to white or clear within ten (10) days after the holiday period has passed.

6.1.13.2 Flood Lamps. Single or double fixture flood lamps and motion detector security lights are acceptable on the front elevation if located and installed correctly. The light fixture should be mounted under the eaves so that the fixture and the lamp are not readily visible below the fascia. Yard floodlights must be directed at the house and away from neighboring properties. All electrical wire must run inside conduit, underground, along the foundation, or along the trim line. All above-ground conduit must be painted to match the color of the surface to which it is attached.

### ***6.1.14 Lights, Side and Rear Elevations***

Flood lamps, motion detector and other types of lighting on side and rear elevations will be located and directed so as not to create a nuisance for nearby property owners. Any exposed conduit must be painted to match the color of the surface to which it is attached. High pressure sodium dusk to dawn light fixtures and non-directional halogen light fixtures will not be approved.

### ***6.1.15 Lights, Temporary Seasonal***

6.1.15.1 Seasonal Lights. Seasonal lights may be attached to the outside of the house thirty (30) days prior to the holiday. They must be removed within thirty (30) days following the event.

6.1.15.2 Repairs and New Construction. All repairs and new construction should match the original construction. Please refer to the individualized guidelines for your Phase for the specific standards for this detail

6.1.15.3 Siding. Aluminum or vinyl siding may be acceptable under the eaves on the fascia board to reduce periodic maintenance. The siding should be textured to maintain a rough sawn look and painted one of the approved fascia colors.

### ***6.1.16 Mechanical Equipment***

All air conditioning and other mechanical units must be ground mounted and screened from off-site view.

### ***6.1.17 Patio Covers***

All attached patio covers must be constructed to match the architecture, materials, and color of the existing structure. This includes columns and rolled roofing for flat roofs or tile for patio covers integrated with the house. Particular attention will be given to ensure that the scale, character, and architectural integrity of the existing structure is maintained. Patio extensions that look like an "add on" will not be approved. Aluminum patio covers will not be approved.

#### ***6.1.18 Patio Mist Systems***

Any exposed piping for mist systems should be rigid type piping and must be painted to match the color of the surface to which it is attached. Piping must be attached to and follow the lines of the house structure. Mist systems are prohibited on front elevations.

#### ***6.1.19 Patio Shades***

Roll shades made of canvas or sunscreen material may be approved. Acceptable colors and patterns are the same as for window awnings. Roll shades should be mounted behind the beam to hide them when they are not in use. Sunshades should not be used to enclose the entire patio. Patio curtains will not be approved.

#### ***6.1.20 Rain Gutters***

Rain gutters are appropriate on all elevations. The material used must be durable, paintable, and result in a clean line. Seamless aluminum is the required material. The plastic component type sold at local home improvement stores is not acceptable. Gutters and downspouts must be painted to match the color of the surface to which it is attached. Downspouts should follow the line of the house and not be freestanding.

#### ***6.1.21 Room Additions***

All room additions must be constructed to match the architecture, materials, and color of the original house. Aluminum screen room enclosures will not be approved. Particular attention will be given to ensure that the scale, character, and architectural integrity of the original house is maintained. Additions that look like an "add on" will not be approved.

#### ***6.1.22 Wall Decorations***

6.1.22.1 Decorations. House wall decorations will be reviewed for architectural compatibility. Decorations on the front elevation will be approved only in the front entry and courtyard area,

6.1.22.2 Second Story. Second story decorations will not be approved on any elevation.

#### ***6.1.23 Window Shades***

Sun curtains, roll shades, and shiny window film will not be approved on any window.

#### **6.1.24 Window Decoration**

Tape stickers, or other adhesive objects must not be placed on the inside or outside of window glass, with the exception of reasonably-sized stickers indicating presence of a security system, or warning notices intended for health care or rescue personnel. Holiday-themed stickers or window decorations are permissible during recognized holiday seasons provided such decorations are removed within ten (10) days after such seasons have passed. Other stickers or decorations may be applied to windows only if such windows are not observable from the ground-level view of neighboring properties.

#### **6.1.25 Window Shutters**

Approval of decorative or functional shutters, including rolling security shutters, will be based on overall architectural style and designs and should not appear strictly for security.

#### **6.1.26 Window Security Bars**

Exterior security bars will not be approved on any window on the front elevation, the side elevation in front of the return yard wall, or any second story window. For security, bars may be placed on the inside of the window.

#### **6.1.27 Windows**

New and replacement windows should match those installed by the original builder. Stained glass, garden windows, and other variations will be reviewed for architectural compatibility.

### **7. ACCESSORY BUILDINGS, STRUCTURES AND USES**

#### **7.1 Antennas**

No exterior antennas are allowed.

#### **7.2 Satellite Dish Receivers**

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

- a. Any dish larger than one meter thirty-nine (39) inches that is visible from the street, neighboring property, or the common areas is prohibited.
- b. All dishes are to be located in rear yards only.
- c. Homes with "view" fencing must locate the in the most unobtrusive location possible while still receiving a quality signal.

- d. 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.
- e. All other antennae such as those used to receive signals from multi-channel multipoint distribution services and television broadcast stations will be reviewed for compatibility with the character of the community.
- f. All dishes and antennae are to be submitted to the Committee with a diagram showing the location and size of the device.

### **7.3 *Basketball Hoops and Poles***

Basketball hoops located on a permanently mounted pole in the front yard will be considered, as long as they do not interfere with neighboring properties. A permanent pole may be acceptable in the rear or side yard depending size of the lot, proposed location, and off-site visibility. Generally, a setback of ten (10) feet measured from the property line will be required for any pole extending above the height of the block wall. Clear backboards are the standard. Portable poles may be utilized anywhere on the lot under the same conditions as a permanent pole. Special attention must be paid to the maintenance of any basket ball or other sport equipment that is installed on the property. Broken, worn or otherwise un-kept equipment will be cited and repair or removal will be required immediately.

### **7.4 *Clotheslines***

Clotheslines are permitted in the side and rear yard if screened from off-site view.

### **7.5 *Fences , Miscellaneous***

Fences located within the confines of the yard walls will be reviewed for compatibility with the character of the community. This includes, but is not limited to, game court fences, dog kennels, and screening for storage areas. These should not be higher than the yard wall or be visible from off-site views.

### **7.6 *Flagpoles***

Requests to install freestanding flagpoles for display of the American flag, the POW/MIA flag, the Arizona state flag, an Arizona Indian nations flag, and an official or replica of a flag of the United States army, navy, air force, marine corps or coast guard, will be reviewed with special attention to issues of impact to adjacent lots and maintenance anywhere on the lot. Flags must not exceed a reasonable size given the residential character of the community, must be properly maintained at all times, and may not be displayed if substantially worn, degraded, or damaged. Night lighting, if any, must be directed at the flag and must not substantially illuminate any neighboring property.

### **7.7 *Gazebos***

Gazebos may be approved in the side or rear yard subject to zoning setbacks which are based on height. Building permits may be required by the City of Mesa. Those with a projected roof area greater than one hundred twenty (120) square feet will be subject to the review guidelines for accessory buildings. Smaller gazebos may be constructed of quality redwood or cedar and given a redwood finish or painted to match the color of the house. Fabric covers are acceptable subject to the guidelines for awnings. No variance to the provisions of the CC&Rs will be required for these smaller gazebos if they do not exceed a height of eight feet. However, additional landscaping may be required to provide screening from off-site views.



## **7.8 *Outside. Storage Areas***

All equipment, garbage cans, woodpiles, and other areas for the storage of unsightly items must be screened from off-site views within the yard walls.

## **7.9 *Design Guidelines for Auxiliary Buildings***

### **7.9.1 *Auxiliary Buildings***

Auxiliary buildings may be used for a variety of applications; however, they may not be used for any type of commercial purposes to include home businesses or as auxiliary living quarters of any type.

### **7.9.2 *Auxiliary Building Design***

Design will be consistent with that of the original residential structure. This includes, but is not limited to:

- a. Material including, but not limited to: stucco finish, roof tiles, fascia, doors, and all colors.
- b. Rooflines will have the same type and pitch as that of the original residence.
- c. In no case will an auxiliary building design for construction on Phase I lot exceed a nine (9) foot plate line. Depending on the building plan, a variance of the nine (9) foot plate may be considered for auxiliary buildings constructed on Phase II lots.
- d. Roof ridges will not exceed the height of the existing residence.
- e. The architectural details, such as window pop-outs, stone accents, arches, elevations, etc. of the proposed auxiliary building will be consistent with the architectural details of the existing residence.
- f. Design features must be such that the auxiliary building does not appear out of place or inconsistent with the neighborhood when viewed from a common area or street.

### **7.9.3 Auxiliary Building Plans**

The visual impact of the proposed auxiliary building or adjacent properties will be given special consideration and weighed heavily by the Architectural Committee. Adjacent property owners must be consulted to determine the impact on their respective lot, view, and lifestyle. It is the responsibility of the requesting homeowner to resolve all objections prior to submitting the building plan. Specific agreement of adjacent property owners must be documented on the building plan proposal. The name, address, phone number, and signature of all adjacent property owners must be documented on the Site Plan and Elevation drawing of the building plan. The overall intent is to inform our neighbors of where the building will be located and how it will look. These signed plans will become a formal portion of the Harris Park HOA files.

### **7.9.4 Auxiliary Building Specifications**

7.9.4.1 The maximum size of the auxiliary building will be limited to ten percent (10%) of the useable rear or side yard or one thousand (1000) square feet; whichever is smaller. The ten percent (10%) of the useable yard space is calculated as indicated below:

7.9.4.2 The distance from the rear/side most point of home (exterior wall, patio slab, etc.) to the rear/side wall multiplied by the width of the rear/side lot divided by ten (10). An example follows:

- a. If the distance from the rear patio to the rear wall is thirty five (35) feet and the lot is one hundred (100) feet wide, the maximum permitted square foot area of the auxiliary building is three hundred fifty (350) square feet as calculated below:

Thirty-five (35) (distance to the rear wall in feet) times one hundred (100) (width of the lot in feet) divided ten (10) equals three hundred fifty (350) square feet

$$35' \times 100' / 10 = 350 \text{ square feet}$$

- b. If the distance from the rear patio to the rear wall is eighty (80) feet and the lot is one hundred sixty (160) feet wide, the maximum permitted square foot area of the auxiliary building is one thousand (1000) square feet as calculated below:

Eighty (80) (distance to the rear wall in feet) times one hundred sixty (160) (width of the lot in feet) divided by ten (10) equals one thousand two hundred eighty (1280).

$$80' \times 160 / 10 = 1280 \text{ square feet}$$

In this situation the ten percent (10%) rule exceeds the one thousand (1000) square foot limitation; therefore the one thousand (1000) square foot criterion applies.

## **7.10 Playhouses**

Playhouses may be approved in the side and rear yard. The playhouse cannot exceed the height of the block wall or be visible from adjoining property, the common area, or the street. Approval will be conditional on overall impact on adjacent properties and quality of the installation.

## **7.11 Solar Collectors**

Solar collectors will be reviewed for architectural compatibility provided they are shielded from view where practicable.

## **7.12 Storage Sheds**

7.12.1 Shed Zoning and Specifications. Storage sheds are specifically regulated by the CC&Rs and City of Mesa. One detached storage shed may be allowed per lot in the side or rear yard. The projected roof area cannot exceed 120 square feet. The maximum height permitted is six (6) feet, however, the height of the shed cannot exceed the height of the block wall or be visible from the street, common area, or adjacent property. Storage sheds are not subject to rear or side yard setbacks. The shed must drain onto the owner's property and cannot be served by any utility.

7.12.2 Shed Construction Material. Storage sheds may be prefabricated, assembled from a kit or constructed from new materials on site. Quality materials and construction will be required. Acceptable materials include painted metal siding with painted metal roof, wood siding with red tile or fiberglass shingle roof, and stucco siding with tile roof. White is the preferred color to match the principle building, but other colors will be considered with the overall outside of the home décor and for compatibility with the character of the community.. Additional landscaping or relocation may be required to provide screening from second story views. Many of the block walls in Harris Park are not six (6) feet high. Grade changes, the pouring of a slab, or inaccurate shed measurements can result in a shed being too tall after installation. The owner is responsible for rectifying this situation if it occurs. This will be emphasized at the time of approval.

## **7.13 Swings, Slides and Similar Play Equipment**

7.13.1 Play Equipment Placement. Swings, slides, and similar play equipment may be approved in side or rear yards. All apparatus is subject to a minimum setback of seven feet, this includes pool slides. Apparatus with a height greater than eight feet including shade canopies and platforms, generally will not be approved.

7.13.1 Materials. Quality materials and construction will be required for all play structures and apparatus. The specific characteristics of each including size, design, and color, will be evaluated for compatibility with the community. Additional landscaping or relocation may be required to provide screening from off-site views. Structures painted white or to match the trim color of the house are preferred.

## **8. Yard Walls and Gates**

### ***8.1 Common Theme Wall***

Lot owners are prohibited from dismantling the decorative theme wall to gain access to their back yard for any reason. Owners are also prohibited from making any alterations to the decorative theme wall without the prior written consent of the Committee and the Harris Park Homeowners Association Board of Directors. This includes drainage weep holes. These walls were not designed to be used as retaining walls.

### ***8.2 Front Yard Walls***

8.2.1 Wall Enclosures. Courtyard and garden walls within five (5) feet of the front plane of the house cannot exceed a height of thirty-six (36) inches. Other walls within the front yard, should be limited to a height of twelve inches. No walls are permitted within the City of Mesa right-of-way, which normally extends three (3) feet behind the sidewalk.

8.2.2 Materials. All walls must be constructed of masonry materials. Small accents of wrought iron are acceptable, but it should not be the dominant material. Stuccoed courtyard walls should be painted to match the body color of the house.

### ***8.3 Rear and Side Yard Walls***

8.3.1 Wall Enclosures. The rear and side yards on all lots must be enclosed by a solid masonry block wall made of new materials and constructed in a workmanlike manner. The wall should not be more than six (6) feet high, but the Architectural Committee will allow a maximum of six (6) inches administrative variance, so as to allow for the fact that blocks come in eight (8) inch heights and that fences do not always end up exactly six (6) feet in height after grading and landscaping. If a fence is damaged it must be promptly restored to its original condition. The exterior of all fences viewed from the street must be covered with sand finish stucco and painted the same color as the Harris Drive Theme Wall with exterior latex paint. The interior fences, if painted, should be compatible with the character of the neighborhood.

8.3.2 Accessibility. Owners are permitted to dismantle construction side yard walls to gain access to their back yard for construction purposes provided they obtain prior written approval from Committee and the fence is promptly restored to its original condition. Homeowners are responsible for maintaining all fences in their original condition. Party walls cannot be altered in design, color, material, or construction without the consent of all affected owners and the Committee. Yard walls were not designed to be used as retaining walls.

## **8.4 Yard Gates**

8.3.1 Gate Placement. Gates are appropriate in the front return wall between houses and in the front wall between the house and street sidewall on corner lots. Gates in street sidewalls on corner lots will not be approved. Gates in the common theme wall are prohibited.

8.3.2 Construction. All gates should be constructed to match those originally installed by the builder. Redwood or cedar tongue in groove siding is required for the face. The preferred finish is one that shows the natural color and grain of the wood. Acceptable finishes include the following: 1) clear water seals and wood preservatives; 2) clear exterior varnish or polyurethane; and 3) oak colored natural wood stain or preservative. Gates may be painted to match the trim color of the house as an alternative. Other paint colors and stains are not acceptable. Visible metal gate frames must be painted black. Gates cannot be higher than the adjacent block wall.

## **9. LANDSCAPING**

### **9.1 Front Yard Landscaping**

#### **9.1.1 Time Frame**

The front yard of all lots must be landscaped within-six (6) months of the issuance of certificate of occupancy by the City of Mesa.

#### **9.1.2 Front Yard Design**

9.1.2.1 Landscape Areas. All landscape areas must be covered with natural stone, plant material, or hardscape such as flagstone, brick, or other masonry material. Low water use xeriscape designs will be encouraged. Designs which rely primarily on decomposed granite and hardscape with minimal plant material will not be approved. Desert landscaping with a heavy emphasis on cactus will not be approved. The use of cactus should be limited and used only as an accent.

9.1.2.2 Percent of Landscape. A minimum of thirty percent (30%) of the landscapable area must be covered with turf, groundcover, or shrubs. Hardscape, such as paved courtyards, walkways, and driveway extensions, should not exceed thirty percent (30%) of the landscapable area in the front yard.

9.1.2.3 Street and Corner Lots. The street side yard on corner lots should be landscaped consistent with the front yard landscaping and include vegetation to break up the long expanse of wall. City required site distance triangles should be maintained on all corner lots. All trees and shrubbery must be kept trimmed so as not to be a nuisance to pedestrians.

9.1.2.4 Rock. Painted rock, white rock, and other materials which appear artificial, unnatural, or out of character will not be approved. Quarter minus decomposed granite should not be used in the front yard. Bark or cedar chips should be used only in planter beds.

9.1.2.5 Masonry. Brick or other masonry material should be used for edging. The use of bender board, vinyl edging, railroad ties, landscape timbers, and other non-masonry materials will be discouraged. The preformed concrete edging with a scalloped or flat edge typically sold at home improvement stores will also not be approved. The use of raised edging will not be approved adjacent to the sidewalk.

9.1.2.6 Berms. Mounding and berming should not exceed a height of eighteen (18) inches above the natural grade in the front yard. Retaining walls should be used only to accommodate natural grade changes and should not be used to elevate the ground surface above the finished floor level of the house. Grade changes which redirect runoff onto neighboring property will not be approved.

### ***9.1.3 Watering System***

An underground irrigation system will be required in the front yard. Automatic timers will be encouraged. Sprinkler systems should be designed and maintained to minimize runoff on sidewalks and the street and prevent overspray onto house and yard walls.

### ***9.1.4 Trees***

All lots must have at least one tree in the front yard. Replacements for mature trees should be a minimum of fifteen (15) gallons in size. Trees should not be placed so close to sidewalks or walls that the roots or branches will cause damage. Mulberry and certain species of Olive trees will not be approved.

### ***9.1.5 Yard Decorations, Fountains, Figurines, and Furniture***

Yard decorations, water features and fountains are restricted to the area defined by the front entry or courtyard (see "Front Courtyards" for courtyard location). Fountain heights should not exceed four (4) feet. Decorations such as sculptures, figurines, and theme signs (example: "Bunny Crossing", "Gone Fishing", and "Retired") are acceptable within the front entry and courtyard area, but will not be approved elsewhere on the front of the house, the garage doors, or in the front yard landscaping. Yard furniture will be limited to the entry and courtyard areas. Chairs and swings which hang from the house will not be approved. Seasonal decorations may be erected 30 days prior to the holiday and must be removed within 30 days following the event.

### ***9.1.6 Front Courtyards***

Courtyards should be located near and include the front entry to the house. The courtyard should be in scale with the house and the yard. The combined area for the courtyard and entry should not exceed three hundred fifty (350) square feet. The courtyard should not extend more than five (5) feet past the front plane of the house/garage. Acceptable materials for courtyard floors and entryways include brick, masonry, tile, concrete, flagstone, and decomposed granite. (Also see "Front Yard Walls").

### ***9.1.7 Front Courtyard and Entryway Lighting***

9.1.7.1 Coach style light fixtures, similar to those used on the house may be used to accent a front courtyard. A maximum of two fixtures will be allowed on the courtyard wall. The height of the base should not exceed the height allowed for a courtyard wall.

9.1.7.2 Coach style light fixtures similar to those used on the house, may also be used to define the front entryway when no courtyard or courtyard wall is provided. A maximum of two fixtures will be allowed. Each fixture should be mounted on a pedestal base located within the defined area for courtyards which meets the height requirements for courtyard walls. Freestanding light poles will be discouraged, but may be acceptable depending on the size, style, location, and compatibility with the character of the community, and must not substantially illuminate neighboring property. They should not be a dominant feature in the front yard.

9.1.7.3 No other lighting will be approved in the courtyard or in the front yard landscaping with the exception of Malibu style low-voltage lights and security sighting. Accent and security light fixtures should be inconspicuous. Excessive light levels and exposed wiring will not be approved.

### ***9.1.8 Driveways***

9.1.8.1 City Zoning. City zoning requires that all parking in the front yard take place on a paved, contiguous surface. The total width of paved driveway surface is limited to 30 feet or 50% of the lot width, whichever is less. The driveway surface should be natural broom or salt finished concrete.

9.1.8.2 Surface Finishes. Driveway paint and stain will not be approved. Other surface finishes may be considered. Driveway extensions should not extend beyond the outside edge of the garage wall. The use of other materials for driveway extensions, such as brick, which accent the landscape theme will be encouraged.

### ***9.1.9 Front Walkways***

Concrete, masonry, and slabbed stone are acceptable materials. The location and design will be considered for compatibility with the overall front yard design.

## ***9.2 BACK YARD LANDSCAPING***

### **9.2.1 Time Frame**

The rear yard of all lots must be landscaped within 18 months from the date of issuance of certificate of occupancy.

### **9.2.2 Back Yard Design**

All landscapable area must be covered with natural stone, plant material, or hardscape such as flagstone, brick, or other masonry material. Grade changes and planters which result in more than a few inches of fill being piled against yard walls or the common wall should be avoided. Mulberry and certain species of Olive trees cannot be approved.

### **9.2.3 Watering System**

A pressurized vacuum breaker or anti-siphon valves approved by the City of Mesa are required for any underground irrigation system.

### **9.2.4 Swimming Pools and Spas**

A City of Mesa building permit is required. All pools and spas must be backwashed onto the owner's property and not into the street or common area. (Also see guidelines for yard walls and accessory structures)

### **9.2.5 Rear Yard Lighting**

Decorative lampposts in the rear yard cannot exceed a height of eight (8) feet and will be reviewed for architectural compatibility and off-site impact. Pole mounted floodlights and security lights will not be approved.

### **9.2.6 Yard Decorations, Fountains, Figurines and Furniture**

Decorations, fountains, figurines, pots, and furniture cannot exceed the height of the yard wall. This does not apply to patio table umbrellas.

### **9.2.7 Trellis, Lattice, and Arbors**

9.2.7.1 Trellis or Lattice. A trellis or lattice may be used to provide support for climbing plants, but will be restricted to a height of approximately eight (8) feet. Lattice should not be used as a substitute for shade screens or obscure the architectural details of the building. A lattice or trellis may be mounted flush with the main wall of the house if painted to match the color of the adjacent wall surface.

9.2.7.2 Freestanding. A freestanding lattice, trellis, or arbor in the rear yard cannot exceed a height of eight feet and must be painted white or have a redwood finish. Lattice or trellis attached to the yard wall cannot extend over the height of the yard wall.



## **10. SIGNS**

### ***10.1 General***

No signs whatsoever (including, but not limited to, commercial, advertising, political, and similar signs shall be erected or maintained anywhere on the Property including but not limited to, the outside of windows in any building located on the Property except such signs as may be required by legal proceedings or otherwise approved herein. The use of "For Sale" or "For Lease" signs is subject to approval by the Board.

### ***10.2 Temporary Signs***

#### ***10.2.1 Sale, Lease, or Rent Signs***

One non-illuminated, freestanding sign will be permitted on a temporary basis, provided the size of the sign offering a property for sale shall be in conformance with the industry standard size sign, which shall not exceed eighteen by twenty-four inches, and the industry standard size sign rider, which shall not exceed six by twenty-four inches. The sign must be removed within ten (10) days of the close of escrow.

#### ***10.2.2 Open House Directional Sign***

A maximum of four (4) freestanding signs for each home for sale, including any such sign at the property for sale, are permitted on a temporary basis. Each sign can have a maximum area of three (3) square feet and a maximum height of three (3) feet. These signs may be posted only when a salesperson is on duty not to exceed nine (9) hours a day.

#### ***10.2.3 Construction Signs***

This includes signs such as remodeling, pool company, and landscape contractor signs. One non-illuminated, freestanding sign with a maximum area of five (5) square feet and a maximum height of five (5) feet is permitted in the front yard during the period of construction. The sign cannot be erected prior to the start of construction on the lot and must be removed on the date the construction is finished.

#### ***10.2.4 Political Sign***

For the purposes of this paragraph, "political sign" means a sign that attempts to influence the outcome of an election, including supporting or opposing the recall of a public officer or supporting or opposing the circulation of a petition for a ballot measure, question or proposition or the recall of a public officer. One non-illuminated freestanding political sign for each candidate or measure is permitted with no more than two signs permitted per lot at any one time. The maximum dimensions of permitted political signs on member properties are twenty-four (24) inches by twenty-four (24) inches. Political signs may not be installed earlier than forty-five

(45) days before the day of an election, and must be removed within ten (10) days after the election. The sign face cannot extend past the front plane of the house/garage.

### ***10.2.5 Other Message Signs***

This includes signs such as "new baby" and other noncommercial message signs. A non-illuminated freestanding sign with a maximum area of five (5) square feet and a maximum height of five (5) feet is allowed in the front yard for a maximum period of thirty (30) days. After that time, the sign must be removed and cannot be erected again for a period of sixty (60) days. The sign face cannot extend past the front plane of the house/garage.

### ***10.2.6 Yard Sale Signs***

10.2.6.1 Non-Illumination. One non-illuminated freestanding sign with a maximum area of three (3) square feet and a maximum height of three (3) feet may be placed on the lot for a maximum period of forty eight (48) hours no more than two times per year.

10.2.6.2 Number of Signs Allowed. A maximum of four (4) off-site directional signs, with a maximum area of three (3) square feet and a height of three (3) feet may be placed at the entrances to the subdivision during the hours of the sale.