

**TAMARAC
AT
MOON VALLEY**

**ARCHITECTURAL
COMMITTEE
GUIDELINES**

April 6, 2002

Tamarac at Moon Valley Architectural Committee Guidelines

Introduction

Tamarac at Moon Valley is a planned community. Its character was established by zoning, common amenities and the type and style of housing built by the original developers. Conditions, Covenants and Restrictions (CC&Rs) were established to ensure that the character of the community is maintained to protect property values and to preserve lifestyles. At the time of purchase, every property owner receives a copy of the CC&Rs.

The CC&Rs govern the use, design and alteration of all property within Tamarac. 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 authorize a Board appointed Architectural Committee (AC or Committee) be established to review and approve all exterior property improvements. The CC&Rs grant the AC the authority to adopt guidelines to supplement the CC&R regulations.

These guidelines set forth the adopted policies of the Tamarac Architectural Committee. They are intended to reflect broad community values and will be used by the AC in its review of all proposed alterations. They also provide guidance to property owners on the type of improvements that need AC approval and that are generally acceptable. In the event of any conflict between these guidelines and the CC&Rs, the CC&Rs will take precedence.

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

Authorization

The Architectural Committee (AC) was established "...to regulate the external design, appearance, and use of the property..." within the community pursuant to Article 2, Section 2.4 of the CC&Rs.

Article 6, Section 6.20 further provides that, "No addition, alteration, repair, change or other work which in any way alters the external appearance, including but without limitation, the external color scheme, of any lot, or the Improvements located thereon, from their appearance on the date the Lot was conveyed by the Declarant to a Purchaser shall be made or done without the prior written approval of the Architectural Committee. Any owner desiring approval of the Architectural Committee for any addition, alteration, repair, change or other work which alters the exterior appearance of his Lot, or the Improvements located thereon, shall submit to the Architectural Committee a written request for approval specifying in detail the nature and extent of the addition, alteration, repair, change or other work which the owner desires to

perform. Any owner requesting the approval of the Architectural Committee shall also submit to the Architectural Committee any additional information, plans and specifications which the Architectural Committee may request”

Review Process

Homeowners are required to obtain written approval from the AC prior to making any external changes to their property. This requires that an application (letter) be submitted to the AC along with supporting documentation. Sufficient information must be included with the application to enable the AC 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.

1. A dimensioned site plan showing property lines, location of existing improvements, etc.
2. A sketch of the improvement showing the height, dimensions, configuration, materials and colors.
3. Photos or manufacturer's brochures.
4. Detailed construction plans, floor plans or landscape plans.

The AC will review all applications for consistency with these guidelines and the requirements of the CC&Rs. After deliberation, the AC may approve the request with or without conditions, may request additional information, or may deny the request. The approval by the AC of any addition, alteration, repair change or other work pursuant to this Section shall not be deemed a waiver of the Architectural Committee's right to withhold approval of any similar addition, alteration, repair, change or other work subsequently submitted for approval (CC&Rs Section 6.20). The Committee's approval of alterations shall not be interpreted or deemed to be an endorsement or verification of the safety, structural integrity, or compliance with applicable laws or building ordinances of the alterations. The Owner and/or its agents shall be solely responsible for any alterations.

In the event that the Architectural Committee fails to approve or disapprove an application for approval within sixty (60) days after the application, together with all supporting information, plans and specifications requested by the Architectural Committee have been submitted to it, approval will not be required and this Section will be deemed to have been complied with by the Owner who had requested approval of such plans (CC&Rs Section 6.20).

At its option, the AC may grant minor variances from the restrictions in the following guidelines where such restrictions would create an unreasonable hardship on an owner or are obsolete because of changes in circumstances.

General Guidelines

1. The architectural style, color and material palette in Tamarac at Moon Valley are distinct and were established by the developer at the time the subdivision was initiated. The color scheme designations for walls, trim and awnings for each Lot are listed in the attachment to these guidelines. The limited materials and colors must be maintained if the desired character of Tamarac is to be preserved.
2. All applications will be reviewed for conformance with the requirements in the CC&Rs and the guidelines developed and approved by the Architectural Committee.
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. Backyard views seen by a six-foot tall person at ground level will be the primary concern with regards to screening requirements. However, the AC will consider the view from second story windows when appropriate.
5. Applications which 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.
6. All improvements must be constructed from quality materials in a professional manner.
7. Each application will be considered on its own merits as it relates to the property.
8. All improvements must comply with the construction codes and zoning regulations of the City of Phoenix 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.
9. All approvals will be conditioned by the requirement that the improvement be Maintained in its original condition.
10. All improvements must be completed in a timely manner.

Specific Guidelines

Architectural Detail

No changes will be allowed in the original style and structural detail, including roofs and roofing materials, texture of stucco, texture and style of wood trim and the color scheme for each Lot as attached to these guidelines.

Awnings

Solid color canvas awnings mounted on an internal steel or aluminum frame may be approved on any window. Aluminum and painted steel awnings, shiny fabric, excessive ornamentation and stripes or other patterns will not be approved. Traditional squared or rounded edge designs will be required. All awnings on each house must be a single uniform color, which may be either the color specified on the attached color scheme or a color matching the house trim.

Basketball Hoops

Basketball hoops, either permanently installed or portable, are not approved. A court is available in the neighboring park.

Clotheslines

The CC&Rs require that outside clotheslines be placed and maintained in such a manner as to not be visible from neighboring property.

Doors, Front Entry

Front entry doors must be steel or wood doors with recessed panels comparable to the original doors installed by the builder and must be painted the same color as the house trim. Doors with windows will not be approved.

Doors, Garage

Replacement garage doors must be sectional, metal roll up doors comparable to those installed by the builder. The door may be plain or have long recessed panels (four panels wide). Short recessed panels (more than four panels wide) and doors with windows are not approved.

Doors, Security

Security screen doors may be approved. The style should be simplistic and not detract from the architecture of the house. Permitted colors are white, black, dark bronze or the color of the house trim. Security doors are not included in the painting contract and must be maintained by the homeowner.

Flagpoles

Freestanding flagpoles will not be approved anywhere on the lot. A small metal flag holder attached to the front of the house is acceptable. The purpose of the flag holder is to display the United States flag, seasonal flags or other types of flags that are not intrusive or distract from the integrity of the community. All flags must be properly maintained.

Garage Conversions

The CC&Rs require that garages be used only for parking of vehicles and for minor storage of normal household supplies and materials and not converted for living quarters or recreational activities. Garage conversions will not be approved.

Gates

Replacement gates may be similar to the original gate being replaced or may be wrought iron frame with redwood slats. Wrought iron may be left black or painted to match the trim color of the house.

Landscaping

The area inside the walk leading to the front entry of each house (i.e., the area between the walk and the house) is the responsibility of the homeowner to landscape and maintain. All of the area outside of the walk will be maintained by the H.O.A.

Lights, Coach

Coach lights may be approved if they are of good quality and comparable in appearance to other lights that have been installed in Tamarac. A picture of the proposed lights in the submission to the AC would be helpful.

Lights, Convenience

Convenience lights (mushroom lights) along walks may be approved provided they are not located in the lawn area.

Lights, Flood

Flood lights (with or without motion detectors) may be approved provided they do not present a nuisance to neighbors. Such lights will be placed in as inconspicuous a location as possible. Any exposed conduit must be painted the same color as the surface to which it is attached.

Lights, Temporary Seasonal

Seasonal lights may be attached to the outside of the house 45 days prior to the holiday. They must be removed within 30 days following the event. (No written permission required).

Patio Covers

Patio extensions or trellises may be approved provided the wood beams and other components are comparable to the existing beams on the original patio and are painted to match the house trim. Aluminum patio covers or patio extensions that look like an "add on" will not be approved.

Patio Conversions

Patio conversions (Arizona rooms) may be approved but only after submission of detailed plans. Any such conversions must be constructed to match exactly the architecture, materials and color used by the original builder. This includes smooth stucco and wood trim painted to match the existing house.

Patio Mist Systems

Patio mist systems may be approved. Any exposed piping for mist systems must be rigid copper or PVC 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 to camouflage the piping. Free standing mist systems will not be approved.

Propane Tanks

Propane tanks under 150 gallons may be approved if they are placed a minimum of 5 feet from any ignition source and 3 feet from any window or door. If filled on-site, the minimum distance to an ignition point must be 10 feet.

Rain Gutters

Rain gutters may be approved, depending upon location. If approved they must be durable, paintable and result in a clean line. Seamless aluminum is the preferred material. Plastic is not acceptable. Gutters and downspouts must be painted to match the color of the surface to which they are attached. Downspouts must follow the line of the house and may not be freestanding.

Rock

Decorative rock used for ground cover in Tamarac is "Madison Gold –3/4 inch". Any rock added to supplement the landscaping must be the same.

Satellite Dish Receivers

By law, satellite dish receivers must be allowed. However, the HOA has the option of requiring placement of the dishes in the least visible location compatible with adequate reception. Large satellite dishes are not appropriate, since they would be visible above the fence. Small dishes (less than one meter in diameter) may be approved, depending on location, and will be required to be painted to match the portion of the building to which they are attached. Location on the ground is preferable if possible. Applications must contain diagrams showing the proposed location.

Sidewalks

HOA responsibility for streets ends at the line between the curb-and-gutter and the sidewalk. Sidewalks are part of the owner's lot and are the owner's responsibility. Damage to sidewalks caused by parking, land subsidence, or other causes, must be repaired by the owner.

Skylights

A skylight may be approved , provided it (1) is limited to one window, (2) lies flush with the roof (not a bubble), and (3) the trim is painted to match the roof tiles.

Solar Collectors

Solar collectors are not permitted.

Storage

Equipment, toys, bicycles, barbecues; etc. must be stored in garages or out of site behind block walls.

Storage Sheds

Small storage sheds may be approved provided they are not visible from neighboring lots or the street.

Swings, Slides and Play Equipment

Play equipment may be approved if it is not visible from neighboring lots or the street. Play equipment with elevated platforms interfere with the privacy on neighboring lots and will not be approved.

Trash bins

Trash bins must be kept in garages, behind gates, or behind strategically placed shrubs or trellises to screen them from the streets and neighbors front entries. Owners needing help in this regard should contact the AC.

Tree and Shrub Removal and Replacement

1. The HOA will remove, upon request, trees or shrubs that are dead, dying, causing damage or are hazardous. A copy of the TAMV-HOA Plant Replacement Form is attached. Copies may be obtained from a member of the AC, as needed.
2. The HOA will replace trees or shrubs it removes with species of the owner's choice from a list of approved species.
3. Owner may remove other trees or shrubs at owner's expense and may replace them with approved species (also at owner's expense). HOA will pay for replacement if the tree removed is an Australian bottle tree.

Walkways

Walkways or paths made of flagstone, stepping stones, etc.; to reach backyard gates may be approved. Applications must describe the type of material to be used.

Window Screens

Generally, black, bronze or tan shade screens, without pattern or ornamentation, in a white frame to coordinate with window frames, will be approved.

Window Shades

Exterior sun curtains, exterior roll shades and shiny window film will not be approved. Window tinting will be reviewed by application on a case by case basis,

Window Shutters

Exterior decorative or functional shutters, including rolling security shutters, will not be Approved.

Windows

New and replacement windows must match closely those installed by the original builder.

TAMARAC AT MOON VALLEY HOA
PO BOX 41866
PHOENIX AZ 85080-1866

PLANT REPLACEMENT FORM

Please complete this form to request replacement of dead trees, shrubs, or ground cover.

Date:

Name:

Lot number:

Address:

Phone number:

Briefly describe what happened to the plant to be replaced:

Location of dead or dying plant:

Choose replacement by circling your selection below:

TREES

Australian Willow	Brazilian Pepper	Chaste Tree
Flowering Pear	Hong Kong Orchid	Jacaranda
Lemon Bottlebrush	Lysiloma	Mulga Acacia (gravel only)
Oleander Tree	Palo Blanco (gravel only)	Pineapple Guava
Pistacia Lentiscus (mastic)	Pomegranate	Purple Plum
Southern Live Oak	Sweet Acacia	Tex-Fan Ash
Texas Mountain Laurel	Thornless Cascalote	Yellow Oleander

SHRUBS OR GROUND COVER

Bird of Paradise	Bougainvillea	Cape Honeysuckle
Crape Myrtle	Hall's Honeysuckle	Lady Banks Rose
Lantana	Low Trailing Juniper	Myrtus Communis
Nandina	Natal Plum	Pyracantha
Trailing Rosemary	Yellow Bells	Xylosma