

SUN LAKES VILLAS  
HOMEOWNERS ASSOCIATION #37, INC.

ARCHITECTURAL & LANDSCAPING GUIDELINES

REVISED

March 15, 2005

May 20, 2009

October 1, 2016

April 23, 2018

May 18, 2018

## I. GENERAL

The IronOaks Architectural Landscaping Committee hereafter referred to as HOA3 ALC, is responsible to the Sun Lakes Homeowners Association #3 and the Sun Lakes Homeowners Association #37 Board of Directors for the approval or disapproval of all external modifications, additions, or alterations made to homeowners' property in IronOaks and the Villas #37 of Sun Lakes. For Villas #37, AN ARCHITECTURAL CHANGE REQUEST CAN BE OBTAINED FROM THE VILLAS #37 PROPERTY MANAGER AT 480-889-9475 or ONLINE AT [debi.berndt@brownmanagement.com](mailto:debi.berndt@brownmanagement.com). ONCE THIS REQUEST IS SUBMITTED AND DEPENDING ON THE TYPE OF IMPROVEMENT, THE HOMEOWNER MAY BE REQUIRED TO REQUEST A PERMIT FROM THE HOA3 ALC OFFICE or ONLINE AT [ironoakconnection.org](http://ironoakconnection.org)

FOR YOUR OWN SAFETY AND PROTECTION, PLEASE USE ARIZONA LICENSED CONTRACTORS TO DO ANY INSTALLATION. Check with the HOA3 ALC office or the Villas Property Manager for recommendations.

Nothing contained herein shall be construed as altering amending or changing the Declaration of Restrictions, hereafter called the CC&R, as recorded with the County of Maricopa or the Articles of Incorporation and bylaws of Sun Lakes Homeowners Association #3.

These Guidelines were revised and approved by the Villas Board of Directors on May 16, 2018.

## II. STANDARDS

The Villas Association will provide all landscaping and landscaping maintenance in accordance with the CC&R in the following areas:

- All natural and open areas
- All common areas. The Villa lots including all landscaping, exterior walls, exterior glass, driveways, walkways, roofs, perimeter walls, and exterior doors to include garage doors are defined as common areas.
- No Villa owner shall in any way damage or destroy any landscaping or the exterior surface of any residential unit on the Villas property or any area to be maintained by the Villas #37 Association. A. Items Requiring A Villas #37 permit and an HOA3 ALC Permit:
  1. Sunscreens are permitted when mounted in frames. The frames must match the color of the window frames. Screens must be black or to match stucco color. Sunscreens will be maintained and kept in presentable condition by the owner.
  2. Screen Security Doors shall be limited to one of the following: Same color as exterior door, same color as house or trim color, brown or bronze. No wood screen doors are permitted. Screen security doors will be maintained and kept in presentable condition by the owner.
  3. Lighting Low voltage navigator lights of the plug in or solar type may be added along the front walkway. The lighting system must be maintained by the owner at all times. All wiring must be covered by existing rock, grass, or groundcover. Installation of this system must not damage or interfere with existing watering system. No other exterior lighting may be added.
  4. Patio & Porch Slabs may be tiled, color coated, or Armor Deck coated only if a release of liability to the Villas #37 Association is signed to release the Association from any responsibility of maintenance and personal injury. The owner assumes liability and is responsible for all maintenance and repairs. Color coordination with residence, trim, or concrete gray must be maintained for color coating. Armor Deck process colors must coordinate with the exterior color

of the residence or trim, or combination of both. No other colors are permitted. Tile must blend with the exterior color of the residence or trim.

5. Walkways & Driveways may be color coated or Armor Deck coated only if a release of liability to the Villas #37 Association is signed to release the Association from the responsibility of maintenance and personal injury. The owner assumes liability and is responsible for all maintenance and repairs. Color coordination of the Armor Deck process must match the exterior color of the stucco, trim, or a combination of both. The color coating must meet the same standards or can be concrete grey. No other colors are permitted.
  6. U.S. Flags and brackets are permitted if they are mounted on the garage. Freestanding U.S. flags are not permitted with the exception of those obtained through the Lions Club program. Decorative flags are permitted if mounted on the garage. One flag per unit is permitted. U.S. flags are not included as one of the three (3) decorative items.
  7. Satellite Dishes are to be installed on roof eaves only – they are not permitted in the ground. The installation should minimize the view of the dish and its support mechanism from surrounding property owners while not unduly increasing the cost of installation or diminishing the quality of the signal. The Villas #37 Property Manager will work together with the owner and contractor to determine the dish size, height, and location of installation. Holes made in any place on the exterior to mount or connect the satellite dish will be the responsibility of the owner to repair and repaint should the dish be removed.
  8. Patio Sun Shades and Draperies/Curtains, excluding the metal security-type, that roll down will be approved providing the color matches the stucco or trim and they are installed within the patio frame. Maintenance and replacement will be the owner's responsibility as will repair of any holes made for the supporting brackets.
  9. Rain Gutters & Down Spouts are allowed at homeowner expense only if a release of liability to the Villas #37 Association is signed to release the Association from the responsibility of maintenance and personal injury. The owner assumes liability and is responsible for all maintenance and repairs. Color coordination of the Armor Deck process must match the trim and stucco colors. Provisions for drainage of water from down spouts must insure that water does not encroach onto a neighbor's property.
- B. Special Standards
1. Garages may not be converted for any use other than that for which they were originally intended.
  2. Window Coverings Temporary window coverings may not remain beyond sixty (60) days after close of escrow. During the 60-day period temporary sun shades as supplied by window covering vendors will be allowed. Sunscreens are recommended instead of film screens for windows and patio glass doors. No aluminum foil, cardboard, paper, bed sheets, or insulation material is permitted inside or outside any window.
  3. Mailboxes Double mailboxes were installed by the Developer and are maintained by the Villas #37 Association. Separate house numbers are displayed on each mailbox and are the responsibility of the Villas #37 Association. No signs, ornaments, flower pots or statues are permitted on mailboxes. (SOL. HOA #37 Rules & Regulations pg. 3, 5.4)

Pursuant to the CC&R and these Guidelines, the following items are prohibited in Villas #37:

- Any structures on common areas
- Clothes lines or clothes poles
- Tents

- Trellises, gates, privacy structures, or arches
- Basketball backboards/hoops
- Wind turbines
- Awnings
- Skylights, solar panels or solar tubes not installed by the Developer
- Non portable barbecues
- Exterior fireplaces except in places where an available option is offered by the Developer
- Portable fountains except on the patio
- Weather stations
- Seed bird feeders
- Ramadas, gazebos, or Spas
- Exterior water softeners
- Modification of developer-built walls
- Evaporative coolers
- Bug lights
- Exterior painting except that done by Villas #37 Association

### III. HOA3 ALC REVIEW REQUIREMENTS

The HOA3 ALC monitors and guides the environmental development of the IronOaks and Villas #37 communities through a formal review of homeowner's improvement plans. This process assures continuation of the standards of excellence established by the Developer and subsequently by individual homeowners.

Homeowners should select a licensed and bonded contractor for their own protection. Licensing status can be checked by calling the HOA3 ALC or the Arizona Registrar of Contractors at (602) 542-1502.

No work may start prior to the close of escrow and only after a HOA3 ALC permit is issued.

PLANS HOA3 ALC request forms with supporting documents should be presented for approval at least ten days prior to the start of work.

It is the responsibility of each homeowner to submit plans to the HOA3 ALC and obtain a HOA3 ALC permit prior to making any changes or alterations to the exterior of their property. It is the responsibility of all property owners and their agents to comply with all Standards listed above as well as all requirements of the CC&R. Failure to comply will result in a \$100 post approval fee.

Homeowners or their agent may be present when their plans are reviewed by the HOA3 ALC in order to answer any questions or make needed changes.

Any electric or solar low voltage lighting systems must be shown on a scaled plot plan. If electric, the plan must show where the systems will connect to the existing electrical outlets.

All security screen doors must include a sketch of the proposed door.

Upon completion of the review by the HOA3 ALC, the plans will be returned to the homeowner accompanied by the original review request form indicating the HOA3 ALC's decision. The HOA3 ALC reserves the right to disapprove any plan that does not meet the standards in these Guidelines. The HOA3 ALC's decision shall be rendered in one of the following three forms:

Approved — The entire plan submitted is approved in total.

Approved as Noted — The plan submitted is partially approved, The homeowner may proceed with the work to be performed but agrees to comply with any and all notations on the submittal.

Not Approved — The entire plan submitted is not approved and no work may commence.

When a plan is approved a green permit form will be issued. The homeowner shall display the green permit in a front window clearly visible from the street while the work is being done. No changes or deviations of such plans and specifications once approved shall be made without written approval from the HOA3 ALC.

If it is determined by the HOA3 ALC that work completed or in progress is not in compliance with these Guidelines or the CC&R the HOA3 ALC shall notify the homeowner in writing of such non-compliance. Such notice will be within thirty (30) days of inspection and will specify in detail the particulars of the non-compliance. The homeowner must remedy the same within the specified time. If the owner fails to remedy such non-compliance the HOA3 ALC shall refer the matter to the Villas #37 Board of Directors which shall notify the owner that it shall take action to remove the non-complying improvements and/or seek injunctive relief and recovery of the costs incurred.

Submittal of Request To insure a timely review submit a fully filled out HOA3 ALC request form to the HOA3 ALC office. Be sure to state clearly the nature of the request. Check with the HOA3 ALC office for their business hours. (480) 802-2776.

Fees A submittal fee is usually charged and is collected at the time the permit request is filed. A fee of \$100 will be charged for requests submitted after work has begun. All fees are non-refundable. Fees for modifications to completed work may be waived at the discretion of the HOA3 ALC.

Appeal Any homeowner aggrieved by a decision of the HOA3 ALC may appeal the decision in writing to the HOA3 ALC within thirty (30) days of the decision. Such appeal will be considered only if the appellant has modified his or her original request or has new information relevant to the original request. The HOA3 ALC shall respond in writing within thirty (30) days of the appeal. If the HOA3 ALC denies a request for an appeal or the appellant is dissatisfied with the HOA3 ALC's ruling on an appeal, the appellant may appeal the decision within thirty (30) days to the Board of Directors of IronOaks by submitting in writing the facts of the case and the reasons why the appellant believes that the Board should overrule the decision of the HOA3 ALC.

Penalties A written warning of any purported violation of these Guidelines, other than the failure to submit and secure approval of an architectural landscaping plan, as provided under Article III, will be sent to the homeowner and/or his agent advising them that they have ten (10) days from the date of the notice to take corrective active action regarding the violation. Failure by the homeowner or his/her agent to either correct the purported violation and advise the HOA3 ALC of that action, or submit to the HOA3 ALC a reasonable course of action to

correct the purported violation, or submit a written appeal to the HOA3 ALC contesting the purported violation, will result in the imposition of a fine of \$10 per day until the purported violation is rectified. Penalties will continue during the appeal process but may be waived if the ALC or Board finds in favor of the appellant. The HOA3 ALC or the Board of Directors may waive any penalties imposed under this Article III for reasonable cause.

#### IV LIMITS OF LIABILITY

HOA3 ALC approval of plans shall not constitute a representation, warranty, or guarantee that such plans and specifications comply with engineering design practices or with zoning or building ordinances or other governmental regulations or restrictions. By approving such plans and specifications neither the HOA3 ALC, members thereof, that neither IronOaks nor Villas #37 Association any member thereof, the Board or Developer assumes any liability or responsibility thereof or for any defect in the structure constructed from such plans or specifications. None of the aforementioned shall be liable to any member, homeowner, occupant, or other person or entity for any damage, loss, or prejudice suffered or claimed on account of (a) the approval or disapproval of any plans, drawings, and specifications whether or not defective or (b) the construction or performance of any work whether or not pursuant to the approved plans, drawings and specifications. All parts of the CC&R regarding this subject are in effect.