

**GILBERT RANCH HOMEOWNERS' ASSOCIATION**  
**ARCHITECTURAL COMMITTEE RULES**  
**Adopted: March 1998**  
**Revised: April 9, 2002**  
**Revised: September 10, 2002 (Flagpoles)**  
**Revised: August 12, 2003**  
**Published and Effective: December 1, 2003**

**ARCHITECTURAL REVIEW PROCESS**

In accordance with the Declaration of Covenants, Conditions and Restrictions for Gilbert Ranch Homeowners' Association (the "Declaration"), the Architectural Committee after obtaining consent of the Board of Directors has adopted the following Rules for Architectural Improvements (the "Rules"), which shall apply to all Lots within the Gilbert Ranch Homeowners' Association.

Each lot owner is responsible for reviewing and making their self acquainted with these Architectural Committee Rules and any amendments, which may be adopted by the Architectural Committee after obtaining the consent of the Board of Directors. These Rules are intended to enhance and maintain property values within the Gilbert Ranch Homeowners Association (or GRHA). The Rules are intended to further assist residents in preparing an application to the Architectural Committee for structural improvements. **FOLLOWING THESE RULES DOES NOT ELIMINATE THE NEED TO SUBMIT PLANS FOR APPROVAL BY THE ARCHITECTURAL COMMITTEE.** Even if your addition or alteration is identical to another, which has been approved, **it must be submitted for approval.** Because each submittal may have different conditions each application will be reviewed individually on a case-by-case basis. In the event of any inconsistency between these Rules and the Declaration, the Declaration shall control. All architectural approvals are further conditioned upon compliance with applicable Town of Gilbert codes and regulations.

**APPLICATION OF RULES**

These Rules apply to all deviations from the base exterior construction of the home, to include painting, and any structures, free standing or modifications to existing structures, which are viewable above the privacy wall surrounding the home by a person 6' in height standing level on a public sidewalk at a point closest to the home.

The Rules are to be applied fairly and consistently to maintain and enhance property values, as set forth in these Rules, within the GRHA while respecting the rights and privileges of home ownership.

**APPLICATION PROCEDURE**

Submittal --

Application and plans (which will be kept on file with the Association) should be mailed to:

Gilbert Ranch Homeowners' Association  
c/o Lepin and Renehan Management  
P. O. Box 11330  
Tempe, AZ 85284-0023  
(480) 345-0046

Management Company Location Address:  
Lepin and Renehan Management  
7955 South Priest Drive, Suite 105  
Tempe, AZ 85284-1038  
(480) 345-0046

The following information must be included to expedite consideration:

1. Application Form -- A **completed** application form (copies of which can be obtained from the management office).
2. Plot Plan -- A site plan showing dimensions of any structure, addition, or changes to an existing structure in relation to the 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 the existing dwelling. An accompanying photograph of the proposed location would be helpful.
4. Specifications -- Detailed description of materials to be used and color samples must be submitted, if applicable.

All buildings and structures erected within the GRHA and the use and appearance of all land within GRHA, shall comply with all applicable Town of Gilbert zoning and code requirements as well as the CC&R's and the Architectural Committee Rules.

## **REVIEW -- APPROVAL AND/OR DISAPPROVAL**

The Architectural Committee shall have 45 days after receipt of plans by the Management Company to approve or disapprove plans.

Review and approval or disapproval will include, but may not be limited to, consideration of material, quality of workmanship, color scheme, 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 is also considered.

Neither the Architectural Committee, nor the Board, nor the Declarant shall have any liability in connection with or related to approved plans, specifications or improvements. The approval of plans does not mean that 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 consistent with maintaining and enhancing property values within the GRHA.

Approval Expiration – Plans involving construction must be started within 90-days of the date of the Committee's approval of the application or the Committee's approval shall be deemed expired and plans must be resubmitted in accordance with these Rules.

Construction Period - Once started, construction shall be pursued diligently in order to assure prompt completion thereof. Absent a different deadline for completion of construction (which may be shorter or longer, in the Committee's discretion based on the nature and complexity of the project), such construction shall be completed within six (6) months after the date of the Committee's approval of the applicable application.

### **Appeal --**

Any appeal of the Committee's decision must be submitted in writing to the GRHA Architectural Committee, c/o Lepin and Renahan Management, Inc., P.O. Box 11330, Tempe, Arizona 85284-0023, within 30 days from the mailing of the Committee's decision. Homeowners are also encouraged to attend open meetings of the GRHA to present their plans to the Committee if necessary.

## **RULES**

### **SETBACKS**

Setbacks are the physical distance that structure(s) must maintain from property lines and/or privacy walls.

For all structures covered by these rules, structures must be setback 1' for every foot they extend above the privacy wall.

### **AWNINGS**

Awnings over windows shall be canvas in type with the same color on the inside and exterior face. A minimum five-year guarantee is required from the manufacturer to insure a high quality awning.

Submit: The manufacturer, color, type, and number of years' guarantee for approval prior to installation.

### **BASKETBALL GOALS OR SIMILAR STRUCTURES**

Basketball goals, both permanent as well as temporary, must be submitted for approval and will be considered based upon their appearance and placement in relationship to other properties. In all cases, the location must be a minimum of 10' from sidewalk and 7' from neighboring properties. This will require the goal be placed on the interior side of the driveway in most cases.

## **CHILDREN'S PLAY STRUCTURES**

Plans for children's play structures viewable above the privacy wall must be submitted for approval.

When selecting the location upon which the structure is to be placed, the distance from the ground elevation to the top of the perimeter fence must be measured and submitted with the plans for the structure.

Play structures require an initial setback of 5'. Additional setbacks are based on the height of the structure above the privacy wall.

## **DECORATIVE ITEMS (INCLUDING FOUNTAINS, LIGHT POLES, DECORATIVE HANGINGS AND ORNAMENTAL STATUARY)**

Items for placement in the front of the home, to include front and side yards, require submission for approval.

## **DRIVEWAYS**

Plans must include a plot plan of the existing lot and the direction in which expansion is proposed. The exact measurements of the existing and proposed paved surface must be stated on the plan. Plans that would result in more than 50% of the front of the lot being covered in concrete will not be approved. Even though a concrete extension may be approved, parking on same within 5' of the property line will not be permitted. Proper drainage away from house and rear yard to street must be maintained within the Lot.

## **FENCES AND WALLS (INCLUDING DECORATIVE WALLS)**

Plans for new fences or walls or additions to existing structures must be submitted to the Committee for approval prior to construction. (This includes decorative walls.)

Stucco and paint must match the existing dwelling in texture and color scheme.

## **FLAGPOLES**

As used herein, the term "flagpole" shall mean a pole or staff of wood or metal for display of the American Flag, whether such pole or staff is horizontal or vertical, or free-standing or attached to a structure. The "union" portion of the flag is the portion with the stars on the blue background.

1. The American Flag may only be displayed from sunrise to sunset unless appropriate lighting is installed that properly illuminates the flag without disturbing the quiet use and enjoyment of the neighboring property. If an Owner wishes to illuminate the flag, the Owner must submit, in writing, a request to install lighting to illuminate the flag along with lighting plans and specifications to the Architectural Committee prior to illuminating the flag consistent with other lighting displays.
2. The flag should not be displayed on days when the weather is inclement, except when an all weather flag is displayed.
3. No other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States of America.
4. If the flag of the United States is displayed from a vertical flagpole, or a flagpole/staff projecting horizontally or at an angle from the windowsill, balcony, or front of the Unit, the union of the flag should be placed at the peak of the flagpole/staff unless the flag is a half-staff.
5. When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.

6. The flag, when flown at half-staff (the term “half-staff” means the position of the flag when it is one-half the distance between the top and bottom of the staff), should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day the flag should be displayed at half-staff until noon only, and then raised to the top of the staff. By order of the President, the flag shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of a present or former official of the government of any State, territory, or possession of the United States, the Governor of that State, territory, or possession may proclaim that the National flag shall be flown at half-staff. The flag shall be flown at half-staff 30 days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives; from the day of death until interment of an Association Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, or the Governor of a State, territory, or possession; and on the day of death and the following day for a Member of Congress. The flag shall be flown at half-staff on Peace Officers Memorial Day, unless that day is also Armed Forces Day.
7. The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.
8. The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.
9. The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.
10. The flag, when it is in such condition that it is no longer a fitting emblem for display, removed and replaced with a new flag.
11. No prior approval is necessary for flagpoles affixed to the roof trim at the left side of a garage or affixed to the left face of the garage, facing the home from the street, or if the pole is affixed to the roof trim above the entrance to the home.
12. Any freestanding flagpole must be submitted for approval prior to installation. Submittals must indicate where the lot it will be placed and the height of the flagpole. The flagpole must be setback from any surrounding property line by one (1) foot for every one (1) foot in height of the flagpole.

## **GATES**

Double gates may be installed at GRHA to allow wider access ways to backyards; however, double gates will not be allowed on side streets of corner lots. Double gates should be of the same type, design and color as the originally installed single gates.

## **GAZEBOS, DETACHED GARAGES, GUEST QUARTERS.**

No structure whatsoever shall be erected, placed or permitted to remain on any Lot without the express written approval of the Architectural Committee. However, such structures must further comply with the guidelines established for such structures either in any rules established by the Architectural Committee, the Declaration, and/or the Town of Gilbert codes and regulations.

## **GUTTERS AND DOWNSPOUTS**

Gutters and downspouts must be submitted for approval. The finish must match the dwelling in color (i.e. the gutter must match the fascia color and the spouts the color of the dwelling stucco). Plans must include the proposed locations of the gutters and downspouts, a description of materials to be used, the warranty provided by the manufacturer, and the name and phone number of the installer. High-quality materials that offer long life are recommended as the homeowner will be required to maintain the addition in good repair throughout the life of the gutters and/or downspouts.

## **HEATING, VENTILATING AND AIR CONDITIONING UNITS (INCLUDING EVAPORATIVE COOLERS)**

All units must be ground mounted and located within the perimeter of the backyard.

## **PATIO COVERS**

Plans for patio covers must be submitted for approval and should be designed consistent with covered patios originally built by Continental Homes. Additionally, all such structures must fully comply with applicable codes and regulations of the Town of Gilbert and other applicable provisions of these Rules.

Any extensions to existing patios must be submitted for approval. The extension must comply with the setback rule and must not be visible from the street.

## **POOL AND SPAS**

Pools and spas need not be submitted for architectural approval. However, (1.) pool ladders/slides need to be approved and will be considered based upon appearance, height, and proximity to other properties, and (2.) perimeter walls on lots bordering Association landscaped areas may not be torn down. Access must be gained by tearing down a front wall on the side of the home, leaving the perimeter wall intact. Replacement of the wall must match the previous wall in texture and color. Any other mode of access requires approval from the Architectural Committee.

## **SATELLITE DISHES AND ANTENNAS**

**Unregulated Receivers**, over 1 meter in size, whether attached to a building or structure, or on any Lot, must be approved in writing by the Architectural Committee, with such screening and fencing as such Committee may require, prior to installation.

**Receivers Regulated** by the FCC of 1 meter or less does not have to be submitted for approval. The preferred locations, in descending order, are as follows:

1. A location in the back yard of the Lot where the Receiver will be screened from view by landscaping or other improvements;
2. An unscreened location in the back yard of the Lot;
3. On the roof, but below the roof line;
4. A location in the side yard of the Lot where the Receiver and any pole or mast will be screened from view by landscaping or other improvements;
5. On the roof above the roof line;
6. An unscreened location in the side yard;
7. A location in the front yard of the Lot where the Receiver will be screened from view by landscaping or other improvements.

Notwithstanding the foregoing order of locations, if a location stated in the above list allows a Receiver to be placed so as not to be Visible From Neighboring Property, the Association would prefer that such location be used for the Receiver rather than a higher-listed location at which the Receiver would be Visible From Neighboring Property, provided such location will not unreasonably delay or prevent installation, maintenance, or use of the Regulated Receiver, unreasonably increase the cost of installation, maintenance, or use of the Regulated Receiver, or preclude the reception of an acceptable quality signal.

## **SIGNS**

No signs (other than a name and address sign, not exceeding 9" x 30" in size) of any nature, shall be permitted on any Lot; provided, however, that one (1) sign of not more than five (5) square feet may be temporarily erected or placed on a Lot for the purpose of advertising the property for sale or rent. This restriction shall not apply to the Association in furtherance of its powers and purposes herein set forth.

This prohibition does not apply to lawn signs posted for election campaigning. However, such signs must be immediately removed the day following the election for which they were posted.

## **SOLAR PANELS**

All solar energy devices viewable above the privacy wall or from the street must be approved by the Architectural Committee prior to installation.

Roof-mounted solar panels and equipment must be integrated into the roof design, match the color scheme of the roof, and be mounted directly to the roof plane and not break the ridge of the roofline.

Wind turbines must be approved by the Architectural Committee.

## **STORAGE SHEDS**

Any storage shed visible above the privacy wall requires approval from the Architectural Committee. Sheds must match the color scheme of the dwelling. Setbacks must be followed. The shed must be kept in excellent repair.

## **SUN SCREENS AND WINDOW TINTING**

No aluminum material or other reflective material may be installed on windows.

Bronze or charcoal sunscreen material may be installed.

The frame for window screens must match the existing window frames.

Screen doors in the front of the house must be submitted for approval.

## **SECURITY DOORS**

Security doors must be submitted for approval. Doors should be of quality construction and match the color scheme of the home. Decorative designs are permitted which are consistent with the exterior design of the home. Owner must ensure the following information is provided for approval consideration:

- Frame design and color (Please submit a picture.)
- Door screen color
- Color of the existing dwelling color

## **SECURITY DEVICES**

Security features including but not limited to lights, doors and window coverings, must be submitted for approval. Security alarms need not be submitted for approval.

**The Architectural Committee may amend these Architectural Committee Rules by a unanimous vote.**