

# **Las Torres Homeowners Association**

## **2015 Architectural Guidelines**

### **& Architectural Committee Rules**

1. The following ARCHITECTURAL GUIDELINES have been published and are effective as of August 2015.
2. They are intended to clarify the Las Torres HOA's Covenants, Conditions and Restrictions (CC&Rs) and replace any previously published guidelines.
3. These guidelines have been adopted solely to uphold the character and architectural integrity of Las Torres; preserve the value of our homes and community; prevent misunderstandings as to what exterior modifications a unit owner can make; and provide a process for owners who wish to upgrade their homes.
4. The adopted standards, policies and procedures can be relied on by both owners and the Las Torres Board of Directors (BOD).
5. The BOD may appoint an Architectural Committee to serve at its pleasure and with such delegated powers as the Board shall direct.
6. The authority of the Board of Directors to enact and enforce these guidelines is provided by the Las Torres CC&Rs, Article VIII.
7. These guidelines may be modified and/or amended by any future BOD.

#### **A. ARCHITECTURAL REVIEW AND APPLICATION PROCESS**

Before any owner begins work on their townhome (unit), approval for all exterior and some interior improvements (see Article F below) must be obtained from the BOD. As used in this document the terms approval; approval of the Board; approved by the Board; Board approval; permission; permission of the Board; Board permission; and written permission of the Board all mean that the Las Torres Board of Directors must approve and grant written permission for all such occurrences. An application (ARC Request Form) for modifications to a unit or permission for personal items on the General Common Elements can be downloaded and printed from the Property Management Company/Las Torres web portal using your owner sign-in. The completed application, a letter or description explaining the request, two sets of plans/specifications, a photo or sales brochure or other descriptive literature showing the type of installation/fixture/construction/item must be submitted by mail or e-mail to the Property Management Company. If you need help or clarification of what is required please contact the property manager or BOD President - we're here to help. When the Property Manager receives the application and verifies that the request complies with the CC&Rs and these guidelines, they will date stamp it. You will be notified - in writing if mailed or by e-mail - of the date of acceptance of your submittal pursuant to the CC&Rs Article VIII, Section six (6). This date sets the decision process time table for acceptance or denial (with or without stipulations) in motion according to our CC&Rs. If the application submitted does not contain all the required information, the management company will deny the application and explain what additional information is needed to start the process over.

Once an application is accepted as complete, the BOD or Architectural Committee will review the application and the Management Company's recommendation(s). A Maintenance and Indemnity Agreement may be required for certain improvements such as skylights and replacement windows. An on-site inspection by the Board or Management Company may also be necessary. The CC&Rs allow the Board or Architectural Committee thirty (30) days to respond per Article VIII, Section six (6). If your request is approved you

will be notified in writing and advised of any stipulations. After the improvement or change has been completed, documentation will be maintained in the unit's permanent record and may be recorded with the Maricopa County Records Department to provide notice of the change, the approval, and the homeowner's maintenance responsibilities (if any). If the application is rejected, you have the right to appeal the decision. Your appeal (in writing) must state the reasons you are appealing. You will then be advised, in writing and within thirty (30) days, as to the appeals process and timeline.

Failure to Obtain Written Approval from the Board of Directors for an architectural change is a violation of Association policies and our CC&Rs and will result in a "Show Cause" hearing; a fine; and you may be required to restore the building to its original condition or remove personal items at your cost within thirty (30) days of written notification from the Board or Management Company. Any deviation from plans submitted and approved must, upon notification, be brought into compliance within thirty (30) days or you will be fined and required to restore the building to its original condition at your cost. The Board reserves the right to correct a unit to its original condition for the above violations and is authorized to place an assessment/lien on the unit for the cost of the repairs.

## **B. ARCHITECTURAL STANDARDS AND REQUIREMENTS**

1. All work approved or authorized by the Board of Directors must be performed by a licensed, bonded and insured contractor in a professional manner consistent with the general construction standards and appearance of the community. All work, including paint, which is of lesser quality than prevailing/existing community standards or is deemed to be of an unsightly finished nature must be reworked to an acceptable appearance at the sole discretion of the Board of Directors.
2. Exterior paint standards and colors. Las Torres has been finished with the highest quality paint recommended for its durability and light reflectivity (for keeping our homes as cool as possible). The use of any other colors or paints is not allowed. Textured surfaces must match, as close as possible, existing textures.

Building walls and garage doors- Dunn Edwards Colorado Trails exterior paint, #DE6117

Accent (low and retaining) walls - Dunn Edwards Sandpit exterior paint, #DE6118

Wood Trim, patio beams/supports and trellises - Dunn Edwards Iron Fixture exterior paint, #DE6384

3. When construction work involves the use of an adjoining unit or the General Common Elements the applicant must indemnify the adjacent owner(s) and the Las Torres HOA from any and all damages or claims arising in any way out of the performance of the work.
4. Any existing structural improvement or modification from the original unit floor-plan made to an exterior, common, or load bearing wall, whether or not approved by a prior BOD, must be brought into compliance (i.e: approval of the current Board) only if changes are proposed to such existing improvement/change/modification. Any interior or exterior building change that has an existing violation on record must be remedied and brought into compliance, at the expense of the owner, prior to the unit being sold or transferred.

### **C. COMMUNITY COMMON AREAS - GENERAL COMMON ELEMENTS**

The cost to repair any damage to a common area resulting from an architectural improvement will be the financial responsibility of the homeowner(s) who requested the improvement. Any General Common Element damaged by an owner and repaired by the Association will be charged to the unit owner or enforced as an assessment to that unit owner. (per CC&Rs, Article IV, Section 4).

### **D. TOWN OF CAREFREE BUILDING PERMITS**

Approval by the BOD for any improvements does not waive the necessity of obtaining required building permits. Obtaining building permits does not waive the need for BOD approval. Rules and information on building permit requirements may be obtained from the Town of Carefree Building Inspection Department, Carefree Town Hall, 8 Sundial Circle, 480-488-3686.

### **E. ALTERATIONS - EXTERIOR AND INTERIOR**

Any exterior alterations, additions or modifications to buildings or walls, except those outlined in these guidelines, are prohibited unless approved by the Board of Directors. ALSO, any interior alterations, including but not limited to electrical and plumbing, and changes that may affect bearing walls, common walls or the structural integrity of a unit (such as vaulting a ceiling or removing an interior wall) require BOD approval. Once interior changes are approved, they will be recorded in the unit's record (unit file) for insurance purposes and those of future owners. The cost to repair or restore a building to its original condition as a result of unauthorized architectural changes or modifications, made by an owner or tenant, will be the responsibility of the owner.

### **F. DEMOLITION DUMPSTERS**

Dumpsters for demolition debris needed during renovations to an owner's unit are allowed for two days only. The dumpster, not to exceed 20 yards, must be placed directly adjacent to the owner's unit and must not obstruct or block driveways; impede traffic; or block access for emergency services. If an owner needs additional time, Board approval is required.

### **G. MAINTENANCE AND INDEMNITY AGREEMENT**

A Maintenance and Indemnity Agreement is required for certain architectural changes. This document can be downloaded from the Oasis/Las Torres web portal. It must be completed, notarized and returned to the Property Manager to be recorded with the Maricopa County Recorder. If required, the Property Manager will include this agreement with the architectural approval letter.

## H. GUIDELINES

### 1. Air Conditioners

- a. Air conditioning units installed in windows or walls are prohibited.
- b. Central air conditioning units may be updated but the equipment cannot be located on the roofs of garages or buildings or in attics.
- c. The only allowable location for an air conditioning compressor is on the provided slab adjacent to the unit.
- d. Maintenance, repair and replacement of air conditioning units are the responsibility of the homeowner.
- e. Any damage to walls or common elements caused by an AC upgrade or repair must be repaired by the owner.

### 2. Attic or Other Ventilation Openings

- a. Board of Directors approval is required prior to installing or modifying any attic or other ventilation openings to roofs or walls.
- b. Ventilators or other equipment requiring roof installation are to be as small as functionally possible and painted to match the roof color. Units should be located on the least visible side of the roof and may not extend above the roof ridgeline. A licensed contractor is required for all roof installations.
- c. The association's roofer must inspect the work and sign off that the work will not void the roof warranty. Any cost for such inspection shall be at the expense of the unit owner.
- d. A Maintenance and Indemnity Agreement must be submitted for these installations.
- e. The Association is not liable for any damage to the interior of a unit caused by an owner's, or prior owner's, installed ventilation system.

### 3. Doors - Front

- a. Only solid wood paneled doors with dark natural finishes may be installed. Carved panels similar to existing front doors are allowed and encouraged. A single frosted or clear etched glass panel in the upper, center of the door is also allowed.
- b. Front door side panels, including the original arabesque windows, are allowed. Replacement side door panel glass colors allowed are limited to opaque, clear etched, or solar gray tinted. Clear, etched or opaque stained glass style panels with a southwest motif are also allowed.
- c. Door openings, including side panels, must remain the original size. Door trim must remain the same as found in the community.
- d. Door weather stripping, thresholds and sweeps must be a black or dark gray color.
- e. Door handles, knobs and/or locks must be black, gray, or dark bronze in color.
- f. All front doors, with or without side panels, are the financial responsibility of the owner and require BOD approval for replacement.

### 4. Doors - Patio

- a. Patio doors may be replaced at the owners' expense per the following conditions....
  - i. Door openings must remain the original size.
  - ii. Either French or sliding glass door units may be installed.
  - iii. The exterior frame color must be black or dark bronze. Trim around the door opening must match the unit's existing trim.
  - iv. Only clear, low-E glass, and solar tint are allowed. No grid, patterned, obscured or stained glass is permitted on patio doors.
  - v. Any new door screens must be black or dark bronze in color.
  - vi. All patio doors are the financial responsibility of the owner and require BOD approval for replacement.

5. Doors - Garage

- a. Any modifications or replacement of garage overhead or side entry doors require BOD approval.
- b. Replacement doors should conform to community standards. Overhead doors may have a single upper row of clear glass rectangular windows.
- c. Replacement (please be sure to measure as garage doors are NOT all the same size) and maintenance of garage doors is the responsibility of the owner.
- d. Damage to garage door panels should be promptly repaired.

6. Entryways

- a. All entryways in Las Torres are General Common Elements.
- b. Owners may tile their entryway with permission of the Board of Directors. Entryways that serve two (2) units require agreement between the two owners to replace existing tiles. Colors and tiles must be approved by the Board. Please submit an Architectural Change Request.
- c. Any new or replacement tiles must be installed by a licensed, bonded and insured contractor.
- d. Entryways, with the exception of owner installed tiles, are maintained and insured by the Association. Raised planters and graveled areas are maintained by the Association. Please refer to item #8, Landscaping, below.
- e. Entryways, like patios should be kept as clutter free as possible. The HOA has entryways "blown off" by the landscape maintenance company on a regular basis. Damage to fragile items or items left unsecured will be the financial responsibility of the owner.
- f. No items may be placed on the walkway to any unit. Paved/tiled or graveled areas adjacent to an actual walkway that can accommodate a few potted plants or an entryway bench that would not impede ingress or egress, or pose a tripping hazard, are permitted with permission of the Board. Any art or wall decorations attached to Common Elements (walls) also require Board permission.

7. Fences and Gates

- a. The Board of Directors must approve all applications for new fences and gate installations on Common Elements. These installations are discouraged.
- b. Under no circumstances will gates be allowed to be locked. Fences and/or gates cannot be installed for the care, housing or confinement of any pet (per CC&Rs Article III, Section 1, j).
- c. Any newly approved fenced and/or gated areas, and all existing fenced/gated areas do not convey exclusive use of the area to a single owner unless all of such area is an owner's patio or balcony (per CC&Rs Article I, Section 1, b3).

## 8. Gutters and Downspouts

- a. Rain gutters and downspouts may only be installed with BOD approval.

## 9. Landscaping

- a. Please refer to the LTHOA Landscape Resolution regarding complete rules and regulations for homeowner requests to plant in the common area.
- b. Owners may submit an architectural request to plant vegetation in the General Common Elements. A complete list (with photos of the plant type and a description of the plant size) of all proposed plants plus a detailed drawing of their proposed placement must accompany the request.
- c. All plantings must be installed by the LTHOA landscape maintenance company or a licensed, insured and bonded landscape company.
- d. All costs for plants, installation labor, materials and any irrigation modifications needed will be the responsibility of the owner submitting the request.
- e. Approved plants will become the property of the Association, cannot be subsequently removed by the unit owner making the application, will not be guaranteed by the Association and may not be replaced by the Association.
- f. The Town of Carefree publishes a list of plants that are suitable for our location. It is highly recommended that you adhere to their list and/or choose plants that are native to our area.

## 10. Lighting

- a. Homeowner installation of lights in the common areas (including entryways) or on exterior walls of a unit is prohibited without Board approval.
- b. Proposed new/replacement fixtures are to be compatible with the architectural design of the community and be a black, gray or dark bronze color. Earth tone or ceramic fixtures the same color of the exterior walls will be considered but are not encouraged.
- c. Security motion sensor lights may be installed in place of existing patio or garage door lights. They must be black, dark bronze or be painted the color of the exterior element they are mounted on. No exposed wiring will be allowed.
- d. The security lights may not exceed an accumulative 150 watts or be disruptive to neighbors.
- e. Any exterior celebratory or holiday lights need to be confined to the owners' premises. No lights/decorations may be attached to stucco surfaces. They may be attached to wood trim or metal fencing only with removable/non-penetrating fasteners. All such light displays should be of a conservative nature, be turned off by 10 pm, and be up for no more than 4 weeks. Motion, large blow-up plastic, blinking or sound displays are prohibited. The BOD reserves the right to require the immediate removal of any holiday display it finds objectionable or which is not removed within a reasonable timeframe after the holiday is over.

11. Patios and Balconies

- a. No siding, fencing, railings or screening of any type is permitted between supportive posts of the patio without BOD approval.
- b. Patios cannot be enclosed in any way by screening. Existing roofs or trellises cannot be altered or enlarged.
- c. The Board must approve the style, replacement, location and material of any patio shade. Patio shades must be installed on the interior of the element to which they are attached whenever possible.
- d. Patios should be kept as clutter free as possible. The HOA has the patios "blown off" by the landscape maintenance company on a regular basis. Damage to fragile items or items left unsecured on patios will be the financial responsibility of the owner.
- e. Patios cannot be used for the storage of furniture, empty pots, or miscellaneous owner supplies of any kind. BBQ grills are permitted. Charcoal grills cannot be used under patio roofs.
- f. The cost of damage related to hanging objects from walls, eaves or beams of patios and balconies will be the responsibility of the owner.

12. Patio Surfacing

- a. Board of Directors approval is needed to cover a patio slab with new surfacing.
- b. When submitting an application for new or replacement patio surfacing, please indicate the materials to be utilized, the size and color of the finish.
- c. Drainage and slope of the patio is not to be altered in any way by the homeowner.
- d. Maintenance of and replacement of damaged patio tiles is the responsibility of the owner.

13. Plant Containers, Pots and Other Exterior Decorative Items

- a. The hanging of plant containers or other objects from roof eaves or patio beams is at the discretion of the Board and is discouraged.
- b. The cost of damage related to hanging plant containers or other objects from eaves or beams will be the responsibility of the owner.
- c. Plant containers (of any type) cannot be attached to exterior walls or building siding. Anything attached to exterior walls requires permission of the Board.
- d. Plants in pots (potted plants) are allowed on patios as long as they have live plants, are solely decorative, or contain decorative natural arrangements. Empty pots, and the storage of pots are not allowed on patios or General Common Elements. Plastic pots are discouraged. Plants that are purchased in plastic pots (nursery containers) should be repotted or inserted into clay/ceramic or decorative pots.
- e. Potted plants cannot be placed on General Common Elements without permission of the BOD. Decorative items (statues, or other "lawn art") also require Board approval and cannot pose a tripping hazard of any kind. One or two decorative or planted pots next to any front door will be allowed and do not require Board permission as long they pose no tripping hazard.

14. Satellite Television Equipment

- a. Prior to the installation of a satellite dish the homeowner (not Tenant) must provide written notification to the Board.
- b. Satellite dishes cannot be placed so as to be clearly visible from the unit's entryway or be attached to the tiled part of a roof. They should be placed in the least visible area as possible.
- c. Satellite dish cable runs must be as concealed and short as possible and must be painted to match the color of the wall & or trim they are attached to at the owners expense.
- d. If the Satellite company can only place the dish in a highly visible area, a letter from them stating why the dish must be located in a certain place must be submitted to the Board or Management Company prior to the dish being installed.

15. Screen Doors

- a. BOD approval is not needed to install or replace screen doors provided they are compatible with other screen doors throughout the complex. Acceptable colors are black or dark bronze.
- b. Repair or replacement of damaged screen doors are the responsibility of the homeowner.

16. Skylights

- a. All skylights require Board of Directors approval before installation.
- b. A licensed, bonded and insured contractor must be used for all skylight installations and repairs. Any expense must be paid by the homeowner.
- c. As all/any current skylights were installed by individual owners, all maintenance or repairs needed are the financial responsibility of the current owner.
- d. Any roof, building structure or water damage associated with an installed skylight will be the responsibility of the current and/or any future unit owner(s).
- e. A Maintenance and Indemnity Agreement must be submitted with any application for installation or repair of a skylight(s).
- f. The Association's roofer must inspect the work and sign off that the work will not void the roof warranty. Any cost for such inspection and any associated roof repair to maintain the warranty shall be at the expense of the unit owner.

17. Storage Sheds

- a. No type of storage unit, container or shed, with the exception of "coil-up" garden hose pots or containers, on patios are permitted.

18. Windows

- a. Replacement windows require an architectural change form and permission of the BOD.
- b. Aluminum, vinyl or fiberglass replacement windows in a black or dark bronze exterior frame color in a matching style, are permitted.
- c. Windows may have clear or low-E glass. No grid, patterned, obscured, tinted, opaque, stained glass or windows with built in blinds/shutters are allowed. Please refer to # 3. (Doors - Front) for door side panel/windows guidelines.
- d. A Maintenance and Indemnity Agreement must be submitted with any application for installation or replacement of windows.

19. Window Treatments and Awnings

- a. Wrought iron or security bars of any type are prohibited.
- b. The installation or repair of any type of awning mounted over windows must be approved by the Board.
- c. Blinds, roller shades on the exterior surface of windows are prohibited.
- d. Window screening/frame replacement is the responsibility of the owner and may only be replaced with matching black or dark bronze frames and screens. Sunscreens may not exceed an 80% rating.

20. General Modifications

- a. Any and all other modifications whether or not identified above shall require the approval of the Board of Directors.

**I. AMENDMENTS AND EXCEPTIONS**

These guidelines may be modified at any time by a majority vote of the Board of Directors. Owner's suggestions for updating these guidelines and the appearance of the Las Torres Community are always welcome. Exceptions to these guidelines may also be allowed if deemed justified by the Board of Directors.

August 4, 2015

**AMENDMENT:** Door cameras and security signage. Exterior security cameras and security signage are prohibited. February 16, 2017.