

# DESIGN GUIDELINES

## STAR VALLEY ESTATES

Revision: January 23, 2016

Inclusive of Supplements and Revisions from May 2000 through January 9, 2016

(In-lieu SVEHOA Board vote for approval: January 12, 2016)

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(Note: An electronic copy of this document is located on the association's  
website: [http://starvalleyestates.org/.](http://starvalleyestates.org/))

**Table of Contents**

	Page
I. INTRODUCTION .....	4
II. SITE PLANNING.....	5
A. Zoning .....	5
B. Site Preparation.....	5
C. Building Pad and Site Disturbance .....	5
D. Setbacks and Site Visibility Restrictions .....	5
1. Building Setbacks .....	5
2. Walls and Fences .....	5
3. Rear Yard Setbacks.....	5
4. Site Visibility, Restrictions .....	6
E. Utilities.....	6
III. IMPROVEMENTS AND AMENITIES.....	6
A. Alterations and Construction .....	6
1. Outbuildings.....	6
2. Home Paint Colors .....	6
B. Garages, Driveways and Parking/Storage of Vehicles .....	8
1. Garages .....	8
2. Driveways .....	8
3. Parking/Storage of Vehicles .....	9
4. Guest Parking.....	10
C. Mechanical and Solar Equipment .....	10
D. Retaining Walls.....	10
E. Lights .....	10
F. Pools.....	10
G. Trash Receptacles .....	11
H. Basketball Hoops .....	11
I. Flag Poles.....	11
J. Mailboxes .....	11
K. Signage.....	11
L. Debris and Unkempt Conditions.....	11
M. Screens/Security Doors and Window Screens.....	11
N. Storage Sheds.....	12
O. Gazebos/Ramadas/Pavilions.....	13
P. Prohibited Plant List .....	13
Q. Holiday Lighting.....	14
R. Side Yards.....	14
S. Variances.....	14

Design Guidelines  
Star Valley Estates

IV.	ARCHITECTURAL CONTROL COMMITTEE (ACC).....	15
A.	Members .....	15
B.	Resignation of Members .....	15
C.	Duties .....	15
D.	Meetings.....	15
E.	Procedures.....	15
F.	Amendment of Design Guidelines.....	15
G.	Non-Liability.....	16
V.	USES AND RESTRICTIONS .....	16
A.	Enforceability.....	16
B.	Severability .....	17
VI.	ATTACHMENTS.....	18
	Attachment 1: Architectural Request Form (ARF).....	19
	Attachment 2: ARF Instructions .....	20
	Attachment 3: ARF PLOT PLAN Example .....	21
	Attachment 4: Paint Colors (Star Valley Estates HOA) .....	22

## **I. INTRODUCTION**

These Design Guidelines are intended to and shall serve as the Design Guidelines referenced in the Third Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Star Valley Estates (the “CC&R’s”). The purpose of the Design Guidelines is to interpret, implement and supplement the CC&R’s.

These Design Guidelines are binding on all Owners, as well as any person, company or firm whom intends to construct, reconstruct, or modify, any permanent or temporary improvement (buildings, landscaping, etc.) in Star Valley Estates or in any way alter any portion of the Properties. These Design Guidelines are adopted in accordance with Article 9 of the CC&R’s, and shall be enforced in accordance with the terms of the CC&R’s, as stated in Article 10. The provisions hereof are in addition to the requirements of the CC&R’s, and nothing herein shall be interpreted to excuse any Owner from the obligation first to submit all plans, specifications and papers to the Architectural Control Committee (ACC) for review and approval prior to any work or construction commencing.

These Design Guidelines supersede any previous Design Guidelines.

Terms used but not defined herein shall have the meaning specified in the CC&R’s, Article 1.

Definitions:

**Revision** – A revision to the Design Guidelines is defined as a change to multiple areas of the document, requiring a reissue of the document as a whole. The use is unlimited: it can modify some or all sections of the document.

**Supplement** – A supplement to the Design Guidelines is defined as a new area or a specific change to an existing area of the document, its use should be limited in scope. An example of this would be to offset or strengthen, or add additional data to correct an error.

**Waiver** – A waiver is a request for permission after the fact, after any action or improvement has been made. The Board of Directors grants or denies waivers.

**Variance** – A variance is a request for permission prior to any action or improvement being done. The ACC committee grants variances.

## **II. SITE PLANNING**

### **A. Zoning**

Pima Country zoning governs all development, except as further restricted by the CC&R's and the requirements contained herein.

### **B. Site Preparation**

No site preparation, excavation or building shall occur on any lot until plans therefore are submitted to and approved by the ACC. No material changes or deviations in or from the plans and specifications for any work to be done on the Properties, once approved by the Architectural Control Committee, shall be permitted without approval of the change or deviation.

### **C. Building Pad and Site Disturbance**

The Declarant, in the course of original construction of improvements, established a building pad on each Lot such pad being the area of initial grading and disturbance. The building pad shall lie within the Building Envelope of the Lot, the Building Envelope extending to the Lot set back lines established herein. No improvements, grading, landscaping or other disturbance may occur on the Lot, either within or outside the boundaries of the building pad, unless approved in writing by the ACC.

### **D. Setbacks and Site Visibility Restrictions**

#### **1. Building Setbacks**

Minimum setbacks for Dwelling Units, garages, sheds, and other accessory outbuildings are as follows:

- a. Front yard: Thirty (30) feet
- b. Side yard: Fifteen (15) feet

In either case, as approved by the ACC.

#### **2. Walls and Fences**

Front yard walls and fences are prohibited, unless approved by the ACC or built initially by the developer. The minimum setback for side yard patio walls and fences is fifteen (15) feet from the property line.

#### **3. Rear Yard Setbacks**

No structure of any nature may be built closer than seventy-five (75) feet to any rear lot line.

Exception to the setback rules are the following:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 27, 28, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 100, 101, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150.

These lots are subject to a fifty (50) foot setback requirement because of the configuration of the lot.

#### **4. Site Visibility, Restrictions**

Site visibility restrictions prohibit the planting of plants with certain areas, as shown on the Plat, including within Lots 1, 18, 19, 36, 37, 52, 53, 70, 90, 91, 110, 111, 120, 121, 131, and 150.

#### **E. Utilities**

All utility services shall be installed underground, under driveways or other disturbed areas, to avoid additional site damage and repair. Utilities shall be clearly indicated on Plans. All exterior transformers, utility pads, meters and mechanical equipment such as solar cooling and heating devices shall be screened with walls, vegetation or other natural elements. All air conditioning units shall be screened from front view. All tanks, wood storage and trash or rubbish containers must be screened or enclosed at all times.

### **III. IMPROVEMENTS AND AMENITIES**

#### **A. Alterations and Construction**

All alterations to original improvements, and all new improvements, walls or structures shall be built of the same materials, colors, styles, and architectural appearances as initial improvements built on the Lot, unless waived in writing by the ACC.

##### **1. Outbuildings**

An outbuilding/building is to be considered a structure with four walls, a roof and a floor. All other structures within the same lot will be considered outbuildings. As such, no guest house, garage, workroom, shed, utility or storage shed, building or other outbuilding may be constructed unless approved by the ACC, and the aggregate square footage of all such outbuildings shall not exceed 2000 square feet of floor area, or area under roof, whichever is applicable, unless approved in writing by the ACC.

Furthermore, no single building shall exceed 1000 square feet, or floor area, or area under roof, whichever is applicable and the remaining 1000 square feet shall be used amongst and within the construction of other smaller structures on the same lot.

View fences of black wrought iron, alone or in combination with masonry walls to match existing walls, with a maximum of six (6) feet from original grade, shall be permissible with approval of the ACC.

##### **2. Home Paint Colors**

1. Homeowners are allowed to paint their homes the same color as current, or stay within the approved paint schemes as stated in the Design Guidelines. If these procedures are followed, no ARF will be required.

2. You may choose one scheme from the five available color Schemes *and* submit your choice for approval by the ACC. You are *not* required to paint your home the same as your current color.
3. Colors used in painting the exterior of your home must be selected from the same Scheme. *Example:* If you chose Scheme 3, you must use the colors shown. You cannot select a body color from Scheme 3 and chose a fascia or pop-out color from Scheme 4.
4. Selecting one of the color Schemes (as recommended) is preferred but there is some leeway within the available Schemes. For each Scheme the body color of the home is specified and cannot be changed; however, colors for the fascia and pop-outs are interchangeable *within* that color Scheme. *Example:* Scheme #4 has the body color *Weathered Coral*. Fascia can be painted either *Tan Plan* (as recommended) or *Spanish White*. Pop-outs can be painted either *Spanish White* (as recommended) or *Tan Plan* or *Weathered Coral*.
5. The five Schemes provided allow for a multitude of options. You are *not* required to paint each element (body, fascia, pop-out) of the house a different color. You can use one, two or three colors as desired.

You can:

- paint the house in accordance with the recommended color scheme (3-colors)
- paint the entire house in the body color (as originally done by US Homes) in the same color it is now, or
- choose from one of the color schemes provided (1-color)
- paint the body and fascia in the body color and paint the pop-outs a different color (2-colors)
- paint the pop-outs the color of the body and the fascia in a different color (2-colors)
- paint the body and paint both fascia and pop-outs in another color (2-colors)

Please refer to item #4 above

6. **Front Doors** may be painted with up to two different colors as long as those colors remain within the selected color Scheme.  
*Example:* If color Scheme 3 is selected, the front door may be painted in any two of the three colors specified in color Scheme 3.
7. **Garage Doors** shall be painted in a solid scheme, painted either the trim color or the body color of the house. Combining colors will be prohibited and excluded colors are, Baja White and Cottage White, in order to avoid white garage doors.

8. Change in the primary color of the house will require a corresponding change in the color of any outbuildings that match the original house color. This must be included in the request.

Note: See Attachment 4 for the paint color schemes.

Note: As of 3/1/07, Dunn Edwards is providing a discount for Star Valley Estate residents. Ask for the discount at any Dunn Edwards store.  
Our discount code is: 234284-000

## **B. Garages, Driveways and Parking/Storage of Vehicles**

### **1. Garages**

Garages must be integrated with the architecture of the Dwelling Unit in material and massing. Detached garages are not permitted, unless approved by the ACC. Each Dwelling Unit shall contain parking for at least two automobiles in an enclosed garage; Carports are not permitted, unless approved by the ACC.

### **2. Driveways**

Expansion of existing driveways (impervious surfaces such as concrete, etc.) to accommodate additional vehicle parking will be reviewed on a case-by-case basis.

**Expanded Driveway.** Construction of an expanded driveway is allowed and must be attached to the existing driveway, must be of concrete construction, must not exceed 10 feet in width, and must be the same overall length as the primary driveway. The expanded driveway must be constructed on the side of the primary driveway facing the side yard and not onto the yard area facing the front entry.

**T-Driveway (turn-around) Space.** Construction of a T-space off of an existing driveway is allowed, however, it must be of concrete construction, must not exceed 10 feet in length and 10 feet in width, and the addition must be added off the primary driveway facing the side yard and not onto the yard area facing the front entry.  
(Note: An exception shall be made for cul-de-sac lots, depending on the configuration of each lot and with ACC approval, on a case by case basis.)

**Secondary Driveway.** Construction of a separate, second driveway on the homeowner's yard is allowed between a vehicle-gated entry and the street. The driveway must be of concrete construction, and must not exceed the width of the gate entry.

(Note: RV's, 5<sup>th</sup> wheel vehicles, campers, utility trailers, i.e., recreational vehicles, must still be parked in the rear yard. However, short-term parking (i.e., 1-2 days) of these vehicles is acceptable, as long as they are parked for loading/unloading. The secondary driveway may be used for additional homeowner parking of cars and pick-up trucks.)

Written approval by the ACC must be received prior to the start of any new or expanded driveway project.



### **3. Parking/Storage of Vehicles**

The parking and storage of family automobiles, recreational vehicles (RV's, campers, camping trailers, and private-use utility trailers) shall be permitted in the rear and side yards of individual properties, in all cases prior written approval for vehicle storage is required from the Architectural Control Committee (ACC) and Subject to the following criteria:

- a. Solid perimeter walls (not view fencing), not to exceed six (6) feet, must already exist on the property prior to any vehicle storage.
  1. Perimeter walls must be consistent with type and color of block walls in existence throughout the subdivision.
  2. Written approval is required from the ACC prior to construction of any new perimeter walls.
- b. Access to the rear or side yard via a double gate is permitted, for the purpose of vehicle access.
  1. Access gates shall be constructed of wrought iron and must be covered with one of the following:
    - i. Woven wire mesh, painted black or the same color as the house and adjacent walls
    - ii. Solid metal, painted the same color as the house and/or adjacent walls
    - iii. Metal frame with wooden slats
  2. Height of access gates shall be approximately the same as the adjacent walls.
  3. Gate design must be approved by the ACC prior to construction.
- c. A maximum of three (3) vehicles may be stored in the walled rear or side yard of any Lot at any given time.
  1. Of those three (3) vehicles, only one (1) RV-type vehicle may be stored on any Lot at any given time.
- d. The location, within the confines of solid block walls, of stored recreational vehicles, campers, camping trailers, and utility trailers is left to the discretion of the homeowner.
- e. Storage of tractors, tractor-trailers, 18-wheeler, etc, and any other commercial, non-passenger vehicles are prohibited.
- f. Inoperable or improperly licensed vehicles may be kept in an existing garage or in a

screened area behind an enclosed wall, as described above.

- g. Self-contained “Mini motor homes” shorter than 18 feet long, are permitted to be kept in driveways (CC&R’s). However, this does not include “5<sup>th</sup> Wheel” type camper trailers.

#### **4. Guest Parking**

For purposes outlined herein “Guest Parking” is defined as parked vehicles belonging to guest and invitees who do not reside at specific properties within the community. It is not meant to address the storage of surplus vehicles belonging to residents at specific properties.

Guest parking shall not be permitted in front yards or side yards, except on the paved surface of a driveway.

#### **C. Mechanical and Solar Equipment**

All heating and cooling equipment, including ductwork, shall be located on the ground or within the building. Ground-mounted equipment shall be screened or enclosed from front view. Any solar equipment installed shall be integrated into the design of the building.

#### **D. Retaining Walls**

Retaining walls may be used to support patio walls and building walls. When used, retaining walls shall not result in an increase in the allowable building or wall heights. A terraced wall design shall be required when topographical conditions require a variance for wall heights in excess of allowable limits. In no case shall exposed wall height exceed six feet above original grade, unless otherwise approved by the ACC.

#### **E. Lights**

Lighting may be utilized only as necessary to provide the functional requirements of safety, security and identification. Unnecessary use of light is prohibited in the interest of energy efficiency and maintenance of the quiet nighttime environment.

Light standards for individual home landscaped areas and Common Areas may not exceed twenty-four (24) inches in height and must consist of a “pagoda” type or other low-profile design. The light source must be shielded to reduce dispersal of ambient light in a skyward direction. The light must be directed only down and onto the area in a limited radius. The standards must be separated sufficiently to create isolated “pools of light” on the area, rather than a continuous, saturated condition. In keeping with this philosophy, the use of low-pressure sodium or incandescent fixtures is recommended. High-pressure sodium lighting is prohibited.

#### **F. Pools**

The design of swimming pools, spas, and pool houses shall be approved by the ACC pursuant to the review process set forth herein whether or not construction accompanies the Dwelling Unit or occurs thereafter. All associated mechanical equipment shall be enclosed and concealed with walls and gates from view from adjoining properties, streets

and common areas.

### **G. Trash Receptacles**

Trash receptacles shall be screened from view of adjoining lots, streets, and common areas.

### **H. Basketball Hoops**

No portable basketball hoop, or similar apparatus, shall be visible from the street, except when in use. Permanent basketball hoops must be approved by the ACC.

### **I. Flag Poles**

Freestanding flagpoles will require specific ACC approval. The American flag may be displayed throughout the year. Other appropriate flags may be submitted for consideration, to be displayed on recognized and/or appropriate days if hung from a pole bracket that is temporarily mounted to the Dwelling Unit or suspended from a roof overhang. Determination of appropriate flags shall be determined by the ACC.

### **J. Mailboxes**

Any Mailbox not installed by the developer, or not uniform in shape, size, color and address identification requires approval of the ACC. Homeowners can change their existing mail boxes to “locking boxes” as long as they are the same color and design as the existing mailbox with approval of the ACC.

### **K. Signage**

“For Sale” signs may be posted within the front yard of the property. One “Open House” sign may be posted on the Common Area and one additional sign may be posted within the front yard of the property for the hours of the Open House only.

### **L. Debris and Unkempt Conditions**

No debris shall be permitted to accumulate on any Lot or adjacent area, and each Owner shall be responsible to collect rubbish and debris on his/her Lot and dispose of same. No unsightly woodpiles, stored materials, or inoperable equipment, and no unused personal items, building materials, sand, mortar, containers, barrels, tool boxes, trash, remnant carpeting, tile, fence posts or fencing, household equipment, business supplies, or any other material shall be permitted to remain on any Lot so as to be visible to neighboring property, and to create an eyesore, nuisance, upset of design or harmony, or to otherwise impair the aesthetic character of the property. It is the intent hereof, to the fullest extent, to protect and enhance the peaceful, natural, and aesthetic character of the property and surrounding neighborhood, particularly in view of the likelihood that open view sheds and open spaces may predominate portions of the landscape.

### **M. Screens/Security Doors and Window Screens**

Screen/security doors SHALL NOT require the approval of the ACC if they are wrought iron and painted (1) the same color as the house, or (2) the same color as the window frames. If there is a design on the door it must not be racial, political, religious, or mythological in nature. Screen doors constructed of any other material or color of design

SHALL require prior written approval of the ACC.

Window screens that meet the following criteria do not require approval. Criteria is that the screens should be (1) the same color as the house, or (2) the same color as the window frames, or (3) black, tan, beige or brown. Screens constructed of any other material or color of design SHALL require prior written approval of the ACC.

Window tinting requires prior approval of the ACC.

## **N. Storage Sheds**

### **METAL SHEDS ARE PROHIBITED**

All other sheds SHALL require prior written approval of the ACC before installation.

#### Criteria for approval (non Resin)

1. Placement of shed must be shown on a site plan in relation to placement of home and property wall.
2. Shed should not be visible from the front of the home.  
Note: visible from front of home shall mean; as the home is viewed from the public street; in this case the maximum distance will be:
  - a. The home front door will be used as a center lines.
  - b. The home front door center line will be extended to the far side of the street.
  - c. The view angle will not exceed 45 feet from either side of center line.
3. If the Shed is visible from the front of the home, the shed can be no closer to the street than 25 feet from the rear of the home, and any fence or gate material between the Shed and the street must be constructed as follows:
  - a. of solid block wall not to exceed Six (6) feet in height or
  - b. wrought iron and must be covered with one of the following:
    1. Woven wire mesh, painted black or the same color as the house and adjacent wall
    2. Solid metal, painted the same color as the house and adjacent walls or
    3. Metal frame with wooden slats
4. The only permissible color(s) for the exterior of the shed are brown, gray, tan, or the same color(s) as the home.
5. All ventilators must be painted the same color(s) as the home.
6. Consideration will be given to the impact of neighboring properties.

Criteria for approval of Resin sheds

1. Placement of shed must be shown on a site plan in relation to placement of home and property wall.
2. Shed should not be visible from the front of the home.  
Note: visible from front of home shall mean; as the home is viewed from the public street; in this case the maximum distance will be:
  - a. The home front door will be used as a center line.
  - b. The home front door center line will extended to the far side of the street.
  - c. The view angle will not exceed 45 feet from either side of center line.
3. If the Shed is visible from the front of the home, the shed can be no closer to the street than 25 feet aft of the rear of the home, and any fence or gate material between the Shed and the street must be constructed as follows:
  - a. of solid block wall not to exceed Six (6) feet in height or
  - b. wrought iron and must be covered with one of the following:
    1. Woven wire mesh, painted black or the same color as the house and adjacent wall
    2. Solid metal, painted the same color as the house and adjacent walls or
    3. Metal frame with wooden slats
4. The only permissible color(s) are brown, gray, tan, or the same color(s) as the home.
5. The maximum allowable size will be limited to 144 square feet of floor space (for example, 12x12, 10x14, 8x18, etc.)

**O. Gazebos/Ramadas/Pavilions**

RAMADA/GAZEBO/PAVILION SHALL NOT require ACC approval, if it meets the following conditions:

- a. Light metal construction
- b. Canvas top
- c. Should not exceed 144 square feet of floor space (12' x 12' = 144 square feet)
- d. If any of these conditions are not met, then prior approval of the ACC is required.

**P. Prohibited Plant List**

Prohibited plants include but are not limited to:

1. Any species of skylines trees to include but not limited to Eucalyptus, cottonwood, Italian Cypress, poplar, cedar, honey locust, salt cedar, silk oak, tamarisk, Douglas fir, and pines or any other tree exceeding thirty (30) feet in height.
2. Any variety of Washington, Phoenix and Mexican palms.

3. Olive trees (except Seedless variety)
4. Mulberry bushes and trees
5. Desert Broom shrubs and Fountain shrubs

All landscape vegetation must adhere to the Pima County Low Water and drought tolerant plant list.

### **Q. Holiday Lighting**

Holiday lighting SHALL NOT require ACC approval, if installed with thirty (30) days prior to the Holiday and removed within fourteen (14) days after the Holiday associated with the lighting. Holiday lights are not to be used as patio lights.

The opinion of the ACC as to what constitutes holiday lighting shall be binding.

### **R. Side Yards**

For the purpose of this guideline the term “side yard” shall be defined as the area between each home, which begins at the end of the decorative rock and extends out to the property line between homes. The length will start at the street and extend to a line perpendicular to the front corner of the home.

It is the option of the homeowner to maintain the side yard in either a natural state or to landscape the area. However, in either circumstance the homeowner is responsible for keeping this area free of trash, debris, and weeded of Russian thistle (tumbleweed). The area defined above as side yard should be maintained just as the rest of the lot as outlined in section 10.17 of the CC&R’s.

When landscaping side yards, the following guidelines apply. The following changes will require notification only, not a request, to the ACC. An ARF may be used for the notification/documentation process before or after improvements have been made.

- Decorative rock of a natural earthen color as close to the existing rock originally provided by the builder. No white, red (lava, cinders) or color that does not blend.
- Refer to the Design Guidelines prohibited plant list. Consult the Arizona Department of Water Resources, Low Water Use/Drought Tolerant Plant List for acceptable plants. To find the Arizona list, go to the website, [www.water.az.gov](http://www.water.az.gov), search for Plant List, and there is a list specifically for the Tucson Management district.
- Underground irrigation, new or tapped into existing, to support new plantings

All else will require approval of the ACC.

No action undertaken by a homeowner shall in any way interfere with access to, or function of utilities and fire hydrants.

### **S. Variances**

The Architectural Control Committee may grant reasonable variances or adjustments for any conditions and restrictions imposed by these Design Guidelines in order to overcome practical difficulties and prevent unnecessary hardships arising by reason of the application of the Design Guidelines. Such variances shall be granted only if the granting

thereof shall not be materially detrimental or injurious to the Properties and shall not militate against the general intent and purpose hereof.

#### **IV. ARCHITECTURAL CONTROL COMMITTEE (ACC)**

For details on the committee procedures refer to the CC&R's, Sections 9.1 through 9.15.

##### **A. Members**

The ACC may consist of an architectural consultant appointed by the Association. Each member shall hold office until such time as the member resigns or has been removed or a successor has been appointed.

##### **B. Resignation of Members**

Any member of the ACC may, at any time, resign from the ACC upon written notice delivered to the Association.

##### **C. Duties**

It shall be the duty of the ACC to consider and act upon such proposals or plans for the construction of improvements in Star Valley Estates that are submitted pursuant to the Rules and Regulation of the Association. The Design Guidelines may be amended when deemed appropriate by the ACC.

##### **D. Meetings**

The ACC shall meet from time to time as necessary, to properly perform its duties. The vote of a majority of the members shall constitute an act. The ACC may act through an "Action-In-Lieu" of holding a meeting. A documented Action-In-Lieu shall have the same force and effect as a meeting of the members.

##### **E. Procedures**

The Architectural Control Committee shall approve or disapprove all plans within thirty (30) days after submission and issuance by the Association of a receipt therefore. In the event the Architectural Control Committee fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval shall be deemed denied, except that the party submitting the plans may resubmit the plans and if no response is given for a period of thirty (30) days after a written request by certified mail for a decision, approval shall be deemed given.

##### **F. Amendment of Design Guidelines**

The ACC may, from time to time and in its sole discretion, amend or revise all or any part of the Design Guidelines, provided such amendment has the written approval of the Board of Directors.

Each owner will be given an initial copy of the most recent Design Guidelines. Additional or replacement copies may require the homeowner to pay a fee. The Board will be responsible for notifying home owners of any changes to the Design Guidelines through the use or in combination of Newsletters, flyers, mailers, or other legally

acceptable means. Notification responsibility can be delegated to the management company.

1. Any Supplements to the Design Guidelines should be in the form of a motion and Approved by vote (the motion itself can be summarized which in this case, an attachment should describe the exact wording to be used and attached to the minutes. A motion number will be used to clearly identify the attachment and that reference number will also appear in the minutes.

2. Action for a revision: when the Design Guidelines are updated by a revision all homeowners will be issued a new revised copy: additional or replacement copies may require homeowners to pay a fee. Revision to the Design Guidelines will require a motion and must be approved by vote at a Board Meeting. The wording in the minutes should refer to the Design Guidelines inclusive dates and the effective date of implementation. These dates will also appear on the cover page of the Design Guidelines.

### **G. Non-Liability**

Neither the ACC, any member thereof shall be liable to the Association or to any Owner or other person for any loss or damage claimed on account of any of the following:

- The approval or disapproval of any plans, drawings and specifications, whether or not defective
- The construction or performance of any work, whether or not pursuant to approved plans, drawings and specifications.
- The development, or manner of development of any property within Star Valley Estates.

Every Owner or other person, by submission of plans and specifications to the ACC for approval, agrees that he/she will not bring any action or suit against the ACC, any of its Members regarding any action taken by the ACC.

Approval by the ACC of any improvements at Star Valley Estates refers only to the specifications in the CC&R's and these Design Guidelines and in no way implies conformance with local governmental regulations. It shall be the sole responsibility of the Owner to comply with all applicable local ordinances or regulations, including but not limited to zoning ordinances and local building codes.

## **V. USES AND RESTRICTIONS**

For complete details on uses and restrictions see the CC&R's, Article 10, sections 10.1 through 10.28.

### **A. Enforceability**

The Enforcement of architectural standards will be set by the Board of Directors. Any member of the Board or any authorized representative of the Board may inspect a Lot or



improvement and, upon discovering a violation of these architectural standards, provide a written notice of noncompliance to the Owner, including a reasonable time limit within which to correct the violation. If an Owner fails to comply within this time period, the Board or its authorized agents may correct the violation at the expense of the Owner. The expense of the enforcement will be passed on to the Owner of said Lot and can be secured by a lien upon such Lot.

In the event of any violation of these Design Guidelines, the Board may, at its sole discretion and in addition to restoration expense, impose without limitation a punitive fine, commensurate with the severity of the violation.

The following procedures will be used when fining a homeowner for violation of the Covenants Conditions and Restrictions (CC&R's) of the Association. When a violation has been observed the homeowner will be sent a notice by the Managing Agent advising the homeowner of the violation and requesting that the situation be corrected.

If the violation is repeated a second time the homeowner will be sent a notice by the Managing Agent advising the homeowner of the violation and requesting that the situation be corrected.

If the violation is repeated a third time a certified letter will be sent to the homeowner by the Managing Agent inviting the homeowner to the next scheduled meeting of the Board of Directors to show just cause why a fine should not be assessed.

The Board of Directors may, at its sole and absolute discretion, waive the three notice requirement, for any act it believes presents a clear and present danger to residents and guests.

If the homeowner fails to appear before the Board, the Board may impose a fine in absentia. Any fine imposed against a homeowner must follow the established guidelines for fining.

When a fine has been imposed the homeowner will be sent notification and given ten (10) days to pay the fine. In the event of a default in payment within the allotted time, the amount of the fine will be added to the homeowner ledger card. All delinquent fines shall bear interest at twelve percent (12%) per annum (but not to exceed the maximum rate permitted by Arizona law) from and after a date that is thirty (30) days after the date the fine was due. The Board of Directors may file a lien against the lot to protect the interest of the Association. The homeowner will be responsible for all costs incurred as a result of placing a lien on a lot, including all legal fees should the Board of Directors decide to begin foreclosure proceedings against the lot.

## **B. Severability**

Each of the provisions herein shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision.

## **VI. ATTACHMENTS**

Attachment 1: Blank Architectural Request Form (ARF)

Attachment 2: ARF Instruction

Attachment 3: ARF Example (Plot Plan)

Attachment 4: Approved Paint Schemes

**Attachment 1: Architectural Request Form (ARF)**

<h2 style="margin: 0;">STAR VALLEY ESTATES</h2> <h3 style="margin: 0;">ARCHITECTURAL REQUEST FORM</h3>							
Date: _____							
<b>Owner:</b>	<b>Day Phone:</b>	<b>Home Phone:</b>					
<b>Address:</b>		<b>Lot #:</b>					
<p><b>DESCRIPTION OF MODIFICATION:</b> IT IS THE HOMEOWNER'S RESPONSIBILITY TO SUBMIT PLANS AND ELEVATIONS for all intended projects including addition of structures, grading, landscaping, etc. Include all dimensions and description of building materials to be used, and specify paints, colors, etc. (Attach additional sheets as needed for blueprints, sketches, specifications, illustrations, etc. to help clarify the proposed project.)</p> <p><b>Drainage concerns:</b> For projects that may result in changes to the lot drainage, the homeowner is responsible for contacting the County Flood Management Office to see if a Flood Plain Use Permit (FPUP) is required prior to the start of the project.</p> <p><b>Setback requirements:</b> Prior to the start of any wall, fences, or rear yard project, setback requirements must be adhered to. As such, this requires that lot survey markers/pins are located, identified and used as a reference to insure setback requirements are met. If the lot survey pins cannot be located then it is the homeowner's responsibility to have a new survey completed to insure their project does not infringe on any adjoining neighbor's lot.</p> <p><b>Note: The project must commence within 180-days of approval. If not a new ARF must be submitted.</b></p>							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 5px; vertical-align: top;"> <b>Rec'd. By ARC</b>                      Date: _____                 </td> <td style="width: 25%; padding: 5px; vertical-align: top;"> <b>Action:</b>                      Approved: _____                      Denied: _____                 </td> <td style="width: 25%; padding: 5px; vertical-align: top;"> <b>Date:</b>                      _____                 </td> <td style="width: 25%; padding: 5px; vertical-align: top;"> <b>By:</b>                      _____                 </td> </tr> </table>				<b>Rec'd. By ARC</b> Date: _____	<b>Action:</b> Approved: _____ Denied: _____	<b>Date:</b> _____	<b>By:</b> _____
<b>Rec'd. By ARC</b> Date: _____	<b>Action:</b> Approved: _____ Denied: _____	<b>Date:</b> _____	<b>By:</b> _____				
<b>Contingencies that apply for approval:</b> _____ _____							
<b>Reason for Denial:</b> <b>COMMENTS:</b> _____ _____ _____							

NOTE: Compliance with laws, regulations and zoning are the Homeowner's responsibility.

ARF Revised: 1/23/16

**Attachment 2: ARF Instructions**

**STAR VALLEY ESTATES  
ARCHITECTURAL REQUEST FORM (ARF) INSTRUCTIONS**

**This form must be completed BEFORE undertaking any improvements to your property exterior in accordance with Section 9.4 of the CC&R's.** Before finalizing your modification plans, consult the CC&Rs and Design Guidelines. Complete the form with detailed plans, including clear and detailed descriptions of the changes or additions you wish to make. Prepare a plot plan of your property and mark where and what the proposed project improvements entails. Including:

- Dimensions of the fence, gate and wall, to include length, width and height
- Diagram or display of any intended structures, etc. to be placed on the lot
- Setbacks from lot lines and existing structures, etc. must also be identified
- Type of construction materials to be utilized
- Paint colors, to include trim and roofing materials to be utilized

Complete and detailed requests speed up the review and approval process. Please contact the members of the Architectural Control Committee for any questions or concerns.

**Warning:**

**It shall be the sole responsibility of the Owner to comply with all applicable local ordinances or regulations, including but not limited to zoning ordinances and local building codes.**

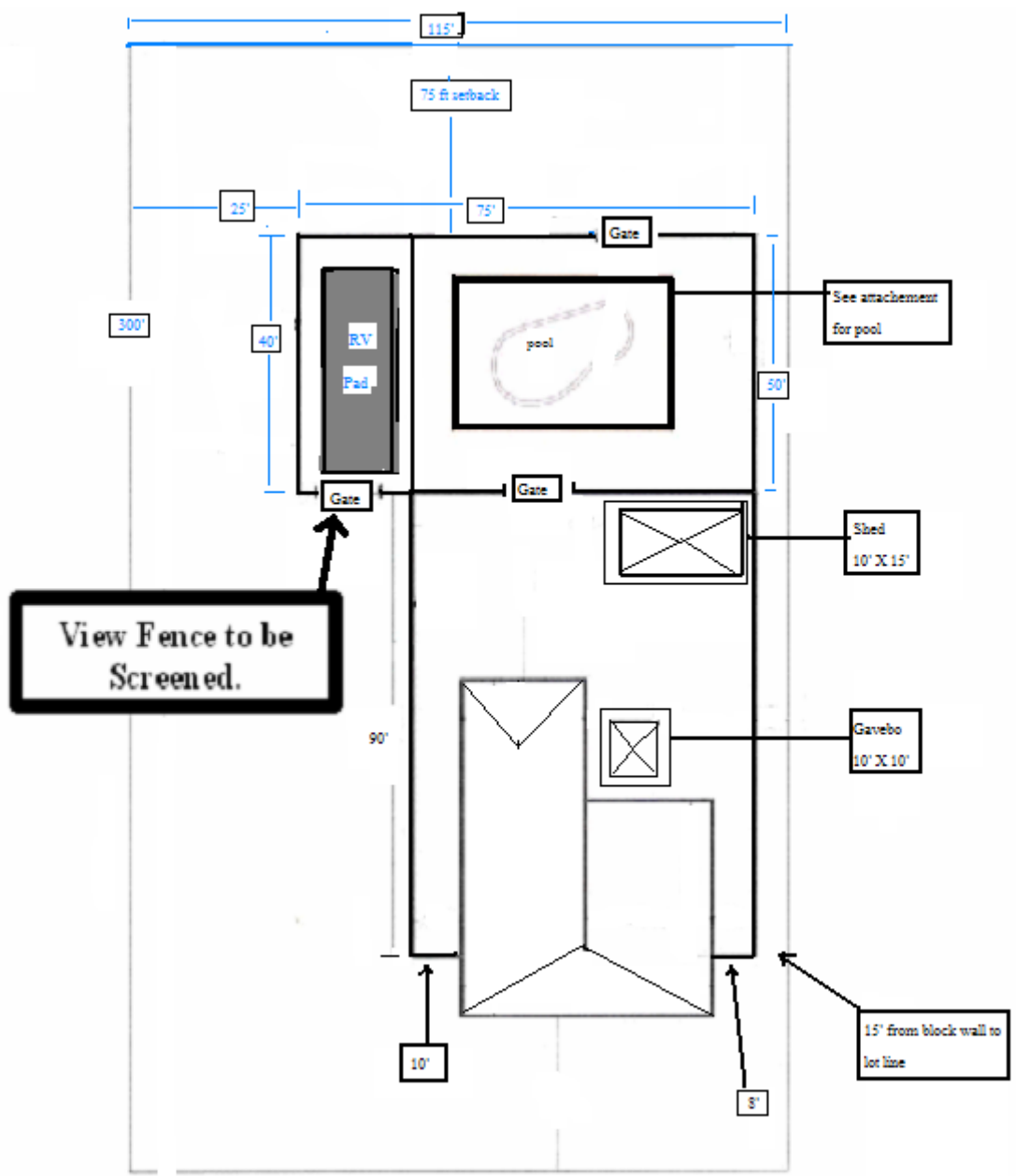
The more information you can provide with the initial request submittal, the more likely you are to receive immediate approval for your improvement project. When you have completed the form, **mail, e-mail or fax the ARF along with any included diagrams to the management agent identified on the Star Valley Estates Home Owners Association website:** <http://starvalleyestates.org/> .

The request will be forwarded to the Star Valley Estates Architectural Control Committee (ACC) and returned as soon as possible. The ACC reviews all submissions and normally arrives at a decision within 30 days of receipt. If you have any questions concerns about your Architectural Request Form, please contact the management agent identified at the above website.

***Note:*** *The most current ARF information may be found on the Star Valley Estates website: <http://www.starvalleyestates.org/>.*

Thank you.  
Star Valley Estates Board of Directors  
Revised 1/23/16

Attachment 3: ARF PLOT PLAN Example



**Attachment 4: Paint Colors (Star Valley Estates HOA)**

<b>Scheme 1</b>		<b>Dunn Edwards Paints**</b>	<b>Current Sherwin Williams Paint</b>
1.	BODY	DEC711 Cliff Brown	SP652 Cliff Brown
2.	FASCIA	DEC318 Cottage White	
3.	POP-OUTS	DEC720 Cliff's View	
<b>Scheme 2</b>		<b>Dunn Edwards Paints**</b>	<b>Current Sherwin Williams Paint</b>
1.	BODY	DEC707 Foxtail	Replaces "Fandango", SP354, which has been discontinued.*
2.	FASCIA	DE6076 Wandering Road	
3.	POP-OUTS	DEC711 Cliff Brown	
<b>Scheme 3</b>		<b>Dunn Edwards Paints**</b>	<b>Current Sherwin Williams Paint</b>
1.	BODY	DEC726 Adobe	SP628 Adobe
2.	FASCIA	DEC6145 Rocky Ridge	
3.	POP-OUTS	DEC725 Weathered Coral	
<b>Scheme 4</b>		<b>Dunn Edwards Paints**</b>	<b>Current Sherwin Williams Paint</b>
1.	BODY	DEC725 Weathered Coral	SP623 Weathered Coral
2.	FASCIA	DE6137 Tan Plan	
3.	POP-OUTS	DEC724 Spanish White	
<b>Scheme 5</b>		<b>Dunn Edwards Paints**</b>	<b>Current Sherwin Williams Paint</b>
1.	BODY	DEC738 Travertine	SP688 Travertine
2.	FASCIA	DE6117 Colorado Trail	
3.	POP-OUTS	DEC722 Baja White	

\* "FANDANGO" - It is possible that you can obtain this color by name or by color no. SP688 at Sherwin Williams. If they can accommodate this request, you must use the fascia and pop-out colors from Scheme No. 2 if you choose to paint fascia and/or pop-outs.

"BARLEY" has also been discontinued. It is very close to the "Travertine" color which you may choose to use. As noted above, "Barley" may still be available from Sherwin Williams if you request it by name or by color no. SP175. If they can accommodate this request, you must use the fascia and pop-out colors for Scheme No. 5 if you choose to paint fascia and/or pop-outs.

\*\* *Dunn Edwards is providing a discount for Star Valley residents.  
The discount code is 234284-000.*

*If you would like to view actual paint colors, feel free to visit your local paint store with the above numbers, or contact the association's current management agent.*