

Dobbins Heights

COMMUNITY ASSOCIATION



DESIGN GUIDELINES

December 1, 2020

DOBBINS HEIGHTS COMMUNITY ASSOCIATION DESIGN GUIDELINES

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DOBBINS HEIGHTS COMMUNITY ASSOCIATION

Design Guidelines

I. INTRODUCTION

Dobbins Heights Community Association is a community designed to respect the climate and regional character of its location, minimize environmental impact and maximize water and energy conservation principles. In order to implement and preserve these principles, these Design Guidelines have been established to maintain certain standards by which the community may grow and develop.

The Design Guidelines provide an overall framework and a comprehensive set of guidelines by establishing criteria for the design, size, location, style, structure, materials and color of architecture and landscaping, as well as relevant criteria for the construction or modification of all Improvements made by any party other than the "Declarant". They also establish a process for the judicious review of proposed Improvements or alterations. However, the Design Guidelines are not the exclusive basis for decisions of the Architectural Review Committee, and compliance with the Design Guidelines does not guarantee approval of any application.

All terms used but not defined herein shall be given the meanings ascribed to them in the Declaration of Covenants, Conditions and Restrictions for Dobbins Heights Community Association (the "Declaration") and any supplements or amendments thereto, unless the context requires otherwise. The Design Guidelines will be administered by the Architectural Review Committee ("ARC") pursuant to Section 5.2 of the Declaration.

In the event of conflict between the Design Guidelines and any government ordinance, building code or regulation, the more restrictive standard shall prevail. Any improvements of a structural nature or change to the overall lot coverage or proximity to adjacent neighbor or open space encroaching into the setbacks established by the Developer/Builder may require City of Phoenix permitting prior to commencement of construction. Requirements for municipal permitting is the responsibility of the homeowner and investigation is recommended. Approval by the ARC does not constitute approvals required by the municipal or state governing body.

II. ARCHITECTURAL REVIEW PROCESS

- Application Procedure/Submittal - Application and plans (which will be kept on file with the Association) should be forwarded to:

**Dobbins Heights Community Association
c/o City Property Management
4645 East Cotton Gin Loop
Phoenix, Arizona 85040
(602) 437-4777 Office ♦ Fax: (602) 437-4770**

The following information must be included with each submittal:

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, relationship to existing dwelling and property lines (setbacks). Measurements must be written on plans.
3. Elevation Plans – Plans showing finished appearance of the proposed addition or change in relationship to existing dwelling. An accompanying photograph of the proposed location would be helpful.
4. Specifications – Detailed description of materials to be used and color samples.

All buildings and structures erected within Dobbins Heights and the use and appearance of all land within Dobbins Heights shall comply with all applicable County zoning ordinances, building codes and other ordinances as well as the Declaration and these Guidelines.

- **Review – Approval and/or Disapproval.**

The Architectural Review Committee shall have 60 days after submittal of plans to approve or disapprove plans. Review and approval or disapproval will include but not be limited to, consideration of material, colors, consistency with the external design and color of existing structures on the Lot and to neighboring lots. The location of the improvements with respect to topography and finished grade elevation will also be considered.

The Architectural Review Committee, Board, Declarant and Homebuilders shall not have any liability in connection with or related to approved or disapproved plans, specifications or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the addition or its effect upon existing or future damage. Review of plans by the Architectural Review Committee is for aesthetic purposes only.

- **Approval Expiration** – Construction must be started within 90 days of the date of the Architectural Review Committee's approval of the applicable application or the Architectural Review Committee's approval shall be deemed withdrawn and plans must be resubmitted in accordance with these Guidelines.

- **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, at the Architectural Review Committee's discretion), such construction shall be completed within three (3) months after the date of the Architectural Review Committee's approval of the applicable application.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE ARCHITECTURAL REVIEW COMMITTEE MUST APPROVE ALL PLANS. APPROVAL TO PROCEED SHALL BE REQUIRED IN WRITING FROM THE ARCHITECTURAL REVIEW COMMITTEE.

ARCHITECTURAL AND DESIGN CHARACTER

1. The architectural design of all additions, alterations and renovations to the exterior of any Residential Unit shall conform to the design of the original Residential Unit in style, detailing, materials and color.
2. The height of any addition to an existing Residential Unit shall not be higher than the original roof line.
3. All additions to Residential Units shall be built within the setback lines originally established for Dobbins Heights Community Association or as changed by the Declarant or Developer with the requisite approval of the City of Phoenix.
4. All materials used in the maintenance, repair, addition and alteration of any structure or Improvement subject to review hereunder, shall match those used in the initial construction of the Improvement as to color, composition, type and method of attachment. The Architectural Review Committee may allow substitute materials if it deems such materials to be compatible with the theme of the Community.
5. No addition, alteration or renovation of an existing Residential Unit or any other activity on a Lot may alter the established Lot drainage (as established by the Declarant).
6. Any addition or change to a Residential Unit shall be within the model selection choices offered by the original Builder, or if it was not offered by the original Builder, may not exceed ten percent (10%) of the footprint of the Residential Unit and must maintain conformance with the City of Phoenix Codes.

III. DESIGN GUIDELINES

A. ACCESSORY STRUCTURES - Accessory structures shall include gazebos, ramadas, pergolas, etc. These structures must be set back at least five (5) feet from all surrounding property lines and shall require shielding with approved landscaping material on Lots with view fencing. They require Committee approval if they are taller than the surrounding fences or are Visible from Neighboring Property to include other Lots or Association Common Areas. The intent is to use colors that are consistent with the Community; however, materials are subject to review by the Committee. If it is felt that the materials will not last in the Arizona weather, the Committee has the authority to request additional information or require that the

materials be better suited to our climate. Any lighting proposed for accessory structures must be included in the submittal and approved by the Committee prior to installation.

Accessory structures may be erected in rear yards only, subject to prior review and approval by the Committee and subject to the following guidelines: (a) the maximum roof height is ten (10) feet at the highest point; (b) ramadas or gazebos must be painted or stained to complement the house color; (c) pergolas must contain an open slatted roof and must be painted to complement the body color of the home.

See STORAGE SHEDS below for additional information in regard to Storage Sheds.

ANTENNAS AND SATELLITE DISHES - This section applies to antennas, satellite television dishes, and other devices ("Receivers"), including any poles or masts ("Masts") for such Receivers, for the transmission or reception of television or radio signals or any other form of electromagnetic radiation. All Receivers one (1) meter or less in diameter are subject to the provisions of Title 47, Section 1.4000 of the Code of Federal Regulations ("Federal Regulations") and shall be installed in the following locations, listed below in order of preference:

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 backyard of the Lot
3. On the roof, but completely below the highest point on 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 roofline
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.

All brackets and cables used for installation of the dish must be securely attached and painted to match the color of the surface to which they are attached.

BASKETBALL GOALS – Permanent mounted basketball goals placed in the front or side yard of a Lot adjacent to the driveway and portable or temporary must be approved by the Architectural Committee. In no event shall a basketball goal be mounted directly to the Dwelling Unit.

CLOTHES DRYING FACILITIES - No outside clotheslines or other outside facilities for drying or airing clothes shall be erected, placed or maintained on any Lot, Parcel or other property so as to be Visible from Neighboring Property.

COURTYARDS – To maintain the aesthetic composition of the front elevations, any additional walled courtyard areas not provided by the builder must be submitted for approval prior to commencement of construction. All plans must be cohesive to house elevation.

All gates installed on courtyard entrances must be submitted to the Committee for approval.

DECORATIVE ART ON HOUSES/LAWN ART - Decorative Art on houses shall be neutral in color and may be limited in number, so as to not dominate the appearance of the home. Dimensions of decorative art shall be no greater than three feet (3') in length, width, and height. Potted plants are not considered yard art; however, pots that are larger than four (4) feet tall or four (4) feet wide or that are in non-natural or non-neutral colors should be submitted for approval if Visible From Neighboring Property.

DRAINAGE - No Residential Unit, structure, building, landscaping, fence, wall or other Improvement shall be constructed, installed, placed or maintained in any manner that would obstruct, divert, interfere with or change the direction of flow of water in accordance with the drainage plans for the Community, or any part thereof, or for any Lot or Parcel as shown on the drainage plans on file with the City of Phoenix. Each Owner shall, at their own expense, maintain the drainage ways and channels on their Lot or Parcel in proper condition free from obstruction.

DRIVEWAY EXTENSIONS AND SIDEWALKS - Driveway extensions will be reviewed for approval providing the following conditions are met:

1. Only driveway extensions located on the side yard of the property will be considered; however, extensions not to exceed two (2) feet in width shall be permitted on the interior and/or exterior sides of the existing driveway.
2. Submittals must include a plot plan with the following noted thereon: (a) the location and dimensions of the proposed extension; (b) the existing driveway dimensions; (c) the total linear feet of Lot frontage; and (d) the material proposed for the driveway extension.
3. The total parking area may not exceed thirty feet (30') of contiguous frontage or fifty percent (50%) of the Lot width (existing plus extension) as measured at its widest point, whichever is greater.
4. Driveway extension must be at least one (1) foot off of the side Lot line.
5. Painting of paved surfaces that will be Visible from Neighboring Property is prohibited.

Sidewalks installed to utilize the side gates do not need to be submitted if all of the following conditions are met:

1. The additional sidewalk is four (4) feet or less in width and is setback one (1) foot or more from the property line and one (1) foot or more from the home.
2. Such setback areas between the property line and the sidewalk and the home and the sidewalk must have groundcover installed to match the existing front yard ground cover (i.e., decomposed granite, grass).

Sidewalks that do not meet the above conditions must be submitted for approval and will be considered on a case-by-case basis. Additional sidewalks in any other location must be submitted for approval.

EXTERIOR LIGHTING – Except as initially installed by Declarant, no spotlights, floodlights, or other high intensity lighting shall be placed or utilized on any Lot (front or rear) which will allow light to be directed or reflected on any other Lot or any public street.

Exterior lighting shall be permitted on a Lot or Parcel so long as (i) the source of such lighting is not Visible from Neighboring Property; (ii) the source of the lighting is not pointed at or directly illuminates any neighboring property; (iii) such lighting is limited to that which is reasonably necessary for the safety and convenience of the Residential Unit Owner; and (iv) such lighting conforms with such other requirements as may be imposed by the Architectural Review Committee. Neighboring property for this section shall include Lots and Parcels, common areas, streets, and Open Mountain or field areas. Notwithstanding the foregoing, but subject to reasonable regulations by the Architectural Review Committee, exterior floodlights may not continuously remain on after 10:00 PM.

Bistro / String Lights - The Architectural Committee will determine design acceptability and string light qualification on a case by case basis. Site and elevation plan must be submitted with the architectural request form or it will be disapproved.

- Lights may be attached to the home, a pole, or post painted to match the main body color of the home or community wall color. Lights cannot be attached to any common area wall or view fencing.
- Lights must be set back from lot lines two (2) feet for every one (1) foot over six (6) feet high with a maximum of ten (10) feet in height.
- No colored lights or bulbs are allowed.
- String lights cannot be installed along the sides or in front of the home except for in an enclosed courtyard/entrance area.
- Burnt out bulbs must be replaced with functioning bulbs of the same size, shape, tint, and intensity.

FLAGS AND FLAGPOLES - Per Arizona Statute display of one of the following flags shall be permitted: American, Arizona State, United States Air Force, United States Army, United States Navy, United States Marine Corp or United States Coast Guard, POW – MIA, Gadsden, or an Arizona Indian Nation.

Prior approval of the Architectural Review Committee is not required for flagpoles that are installed in the front or rear yard of the Lot at least fifteen (15) feet from the property line. The height of the flagpole shall be no greater than the height of the highest point of the roofline. Flagpoles that are house mounted below the roofline of the Residential Unit do not require prior approval of the Architectural Review Committee. Only one flagpole of any type (free standing or house mounted) is allowed on a Lot.

GARAGES - The interior of all garages shall be maintained in a neat and clean condition. Garages shall be used only for the parking of vehicles and the storage of normal household supplies and materials and shall not be used for or converted to living quarters or for hobby/recreational usage. Garage doors shall be kept closed at all times except to the limited extent reasonably necessary to permit the entry or exit of vehicles or persons. No merchandise or other items, to include vehicles of any type, shall be placed, maintained or displayed for the express and sole purpose of sale in front of the garage or in any part of driveways, unless specifically approved by the Architectural Review Committee.

GATES - Double gates may be installed at Dobbins Heights to allow wider access ways to back yards. Double gates will not be allowed on side streets or corner lots. Double gates should be of the same type, design, and color as the originally installed single gate. Shrubs, trees, or other plants should be located between the Residential Unit and the double gates, where possible.

When gates are in need of maintenance, a Lot owner with wrought iron gates with wood inserts must paint the wrought iron to match its original color and must maintain the wood in its natural color.

Gates of any kind on Perimeter walls or View fencing on Lots bordering common areas are prohibited.

GUTTERS AND DOWNSPOUTS - Gutters and downspouts may be considered for approval. The finish on same must match the dwelling in color. High quality materials that offer long life are recommended, as the Lot owner will be required to maintain the addition in good repair. Plans must include the proposed locations of the gutters and downspouts, the quality of materials to be used, warranty by the manufacturer and the name and telephone number of the installer.

HOLIDAY DECORATIONS AND LIGHTING - For the holiday seasons that occur during November and December, decorations may be displayed beginning October 1 and must be removed by January 20th. For other seasonal holidays, decorations may be put up one week before the holiday and must be removed within one week after the holiday.

The Committee reserves the right, on a case-by-case basis, to determine if decorations may be offensive to Association members or cause any kind of disturbance based on size, quantity, color, location or other such criteria. The Committee reserves the right to require immediate removal of said offensive items on a case-by-case basis.

PAINT COLORS - Prior to exterior painting, the Architectural Review Committee must approve proposed colors.

PARKING – No motor vehicle of a contractor, subcontractor, supplier or vendor of an Owner or Resident shall be parked overnight on a Lot, street or common area.

No motor vehicle that exceeds eight feet (8') in height or exceeds twenty-four feet (24') in length shall be parked on a street or on a driveway except for the temporary parking for

purposes of loading or unloading and may not be parked for more than seventy-two (72) hours within any seven (7) day period, subject to limitations of the Board.

PARK BENCHES OR OUTDOOR FURNITURE - Park benches and other outdoor furniture are allowed in the front porch or courtyard areas of the home and in rear yards with view fencing so long as they are of natural, earth tone colors to complement the home and are kept in like new condition. These items shall be located behind the most forward portion of the home, including the garage, when situated in the front yard setting. White or brightly colored resin benches, tables, chairs or chaises are prohibited if Visible from Neighboring Property.

PATIO COVER ADDITIONS - Patio cover additions shall be of the same design as those offered by the original Builder. If proposed patio cover addition was not offered by the original Builder, such addition may not exceed ten percent (10%) of the footprint of the Residential Unit and may be subject to City Code. Homeowners are encouraged to investigate City Code and are required to secure applicable permits to maintain compliance. .

Color and material of supports should match the home. Roof shall be flat or match the pitch of the roof of the home. All patio covers not installed by the Declarant will need to be reviewed by the Committee on an individual basis prior to installation, with strong consideration being given to any impact of architectural features in the neighborhood.

PLAY STRUCTURES – No jungle gyms, swing sets or similar playground equipment which would be Visible from Neighboring Property shall be erected or installed on any Lot without the prior written approval of the Architectural Review Committee.

The maximum height for a play platform on a play structure shall be five (5) feet from ground level. No play structure shall exceed twelve (12) feet in height to include any canopy or roof. All play structures must be setback a minimum of five (5) feet from all surrounding property lines and shall require shielding with approved landscaping on Lots with view fencing.

A canopy on the play structure must be an approved color blending with the color of the dwelling stucco.

All playground equipment must be maintained in good condition at all times.

POOLS, SPAS AND JACUZZIS - To the greatest extent possible, hot tubs and spas shall be located in such a manner that they will be unobtrusive and not visible from adjacent Lots and Common Areas (including streets). Perimeter walls on Lots bordering common areas cannot be torn down to allow access to rear yards. Access for pool installation shall be through the front gate access or by removing a portion of the front wall. Repairs to the front wall must be completed in a timely fashion and repaired to it's original condition.

Backwash water from pools and spas must be contained wholly on an Owner's Lot and may not be permitted to seep or flow onto an adjacent Lot or Common Area (including a street or Driveway).

The City may have specific rules governing swimming pool fence enclosures, and an Owner should submit an Application for a swimming pool fence only after being assured by the City that the proposed fence will not violate those rules.

POOL FENCING AND EQUIPMENT - The specifications for rear yard wrought iron pool fencing on a Lot with view fencing shall be of a neutral earth tone color to match or blend with the exterior color of the home or match the color of the view fence and meet all City, County, State and Federal requirements.

POOL SCREENING WALLS - All pool and spa equipment must be screened from view of neighboring property. Lots with view fencing must submit plans for screening to the Committee for approval. Pool equipment screening walls may not exceed five (5) feet in height and shall be painted to match the base color of the home.

ROOFTOP EQUIPMENT - No machinery, fixtures or equipment of any type, including but not limited to heating, ventilating, cooling, evaporative, air-conditioning and appurtenant equipment may be mounted, installed or maintained on the roof or wall mounted on the Residential Unit or other building so as to be Visible from Neighboring Property.

SECURITY DOORS - Security doors shall be permitted provided that they are of a color to match the front door or exterior base color of the home. Silver-colored aluminum screen doors are prohibited. Ornamental doors require approval from the Architectural Review Committee. All screen door designs must be submitted to the Architectural Review Committee for approval prior to installation.

SIGNS - No sign shall be erected within the Community, except those required by law, including posters, circulars and billboards; provided the following types of signs may be erected on a Lot or Parcel without written consent so long as the permitted signs are professionally painted, lettered and constructed:

1. Signs required by legal proceedings.
2. No more than one (1) professionally lettered "For Sale" or "For Rent" or "Open House" sign with maximum size to be eighteen (18) inches x twenty-four (24) inches to be placed on any individual Lot within the Community. Such sign shall be located wholly within the Lot being advertised "For Sale" or "For Rent".
3. Owners shall be permitted to post a reasonable number of professionally designed home protection/security signs from a security/alarm company providing services to such Owner or the Residential Unit. One single-sided security/alarm sign may be placed in the front yard where it is visible to persons approaching the Residential Unit and a sign may also be placed in a window of the Residential Unit. The signs shall not exceed seventy-five (75) square inches in size.
4. One temporary sign identifying the contractor installing landscaping or a pool on the Lot or Parcel, but only during the period that such installation is in progress.
5. Per Revised State Statute Political signs may not be in place more than seventy one (71) days before an election and must be removed within fifteen (15) days after the election to which the sign pertains; signs must conform to City or County sign ordinances or may not exceed a total of nine (9) square feet.

SOLAR EQUIPMENT PANELS OR DEVICES – No solar heating equipment or device is permitted outside the Residential Unit except such devices whose installation and use is protected by Applicable Law and governmental regulations. Notwithstanding such protection, an application for such equipment or device must be submitted for approval to the Architectural Review Committee prior to installation and approval will be granted based on the following guidelines:

1. Solar collectors should be installed on the plane of the roof and be flush mounted. Care should be taken with the location and placement of the solar collectors/panels as to not adversely impact the aesthetic composition of the streetscape and/or adjoining neighbor.
2. Panels may not break roof ridgeline.
3. Aluminum trim, if used and visible, should be anodized or otherwise color treated.
4. All exterior plumbing lines should be painted in a color scheme which matches as closely as possible to the color of the structure and materials adjacent to the pipes (i.e. pipes on walls should be painted the color of the walls while roof plumbing should be the color of the roof).
5. Panel materials should be dark in color.
6. A sample or illustrated brochure of the proposed solar unit should be submitted with the application, which clearly depicts the unit and defines the materials to be used in the installation.
7. Construction drawings for the proposed installation should be provided. They should be drawn to show the locations and number of collectors, method of attachment to the roof structure and location of any other exterior system components. A system approval issued by an authorized rating organization (such as SRCC or FSEC) also should be provided.

8. Solar units not mounted on the roof (ground mounted) should be installed according to the City of Phoenix setback requirements. Any such structures should be concealed from View of Neighboring Property when reasonably possible and be free of all future likelihood of shading from fences, trees, shrubbery and other vegetation.

STORAGE SHEDS - Storage sheds will be permitted and need not be submitted for approval, provided the maximum height of the shed, including the roof, does not exceed the height of the immediate surrounding wall(s) or fence(s). The shed shall have a minimum setback of five (5) feet from any rear walls.

Sheds whose maximum height exceeds the height of the immediately surrounding wall(s) or fence(s) must be approved prior to construction and be constructed of materials that match the materials used by the Builder in the original construction of the Residential Unit. Shed must match in color the exterior color of the Residential Unit.

Storage sheds on lots with a view fence are subject to the following provisions: 1) The shed may not be placed adjacent to the view fence; 2) The shed must be screened from view with approved plant materials; 3) The shed must be constructed of materials that match in color the materials used by the Builder in the original construction of the Residential Unit; 4) Placement of the shed must be approved prior to installation.

TANKS - No tanks of any kind (including tanks for the storage of fuel) shall be erected, placed or maintained on any Lot or Parcel unless such tanks are buried underground. Nothing herein shall be deemed to prohibit use or storage upon any Lot or Parcel of an above ground propane or similar fuel tanks with a capacity of ten (10) gallons or less used in connection with a normal residential gas barbecue, grill, fireplace, spa or "hot tub", so long as any such tank is appropriately stored, used and/or screened, in accordance with the Design Guidelines or as otherwise approved by the Architectural Review Committee so as not to be Visible from Neighboring Property.

WALLS AND FENCES INCLUDING DECORATIVE WALLS - Any fences or walls installed by the Declarant shall not be removed or altered without prior written approval of the Committee.

Plans to modify any Party Walls must be submitted for approval. Party Walls are defined in the Declaration under Section 4.8 as each wall or fence which is located between two Lots. The application must include written permission from the adjacent neighbor(s), as well as information on the height of all walls that will abut the wall(s) being modified, materials to be used and texture and color of the finished wall. Side and rear walls may not exceed six (6) feet in height from ground level, as measured from the highest side of the wall.

Decorative walls shall not exceed forty-eight (48) inches in height. Pillars or columns shall not exceed fifty-two (52) inches in height. Such decorative walls, pillars or columns shall be stucco and painted to match the body color of the home or enhanced by stone or other accents that are consistent with that used on the homes within Dobbins Heights. The placement of 'Coach Light' type fixtures and planting pots is permitted on the top of the pillars/columns. All wiring and irrigation for coach lights and pots must be concealed within the body of the pillar. The location of all decorative walls, pillars and columns shall not encroach into the building setback lines and must be approved by the Committee.

See COURTYARDS above for additional information in regard to Courtyard walls.

WINDOW COVERINGS/SCREENS - Permanent draperies or suitable window treatments shall be installed on all front-facing windows within ninety (90) days of occupancy. No reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material, shall be installed or placed upon the outside or inside of any windows.

Bronze, gray, charcoal, brown or beige sunscreen material may be installed. The frame for window screens must match the screen material or existing window frames. All sunscreens must be submitted for approval.

YARD SALES AND GARAGE SALES - Owners may hold “yard sales” or “garage sales” to sell personal property of such Owners only in compliance with the following requirements: (a) yard sales/garage sales shall be limited to two days per year on any Lot, (b) no yard sale/garage sale shall commence prior to 6:00 a.m. MST or continue after 5:00 p.m. MST, (c) no Owner shall post any signs advertising any yard sale/garage sale anywhere in the Community except that a temporary sign may be posted on such Owner’s Lot on the day that a yard sale/garage sale is being held, and (d) if the Association ever adopts standard yard sale/garage sale dates for the Property, yard sales/garage sales shall be held only on such dates. The Association shall give reasonable notice to all Owners if it adopts standard yard sale/garage sale dates for yard sales in the Community.

LANDSCAPING REQUIREMENTS AND GUIDELINES

LANDSCAPING and MAINTENANCE - Unless installed by the Declarant, within ninety (90) days from the close of escrow, each Owner shall install landscaping Improvements, together with any sprinkler system or drip irrigation system sufficient to adequately water the landscaping Improvements in the front yard of their Lot, and any public right-of-way areas (other than sidewalks or bicycle paths) lying between the front or side boundaries of such lot and any adjacent street (unless a Common Area lies between the boundary of the Lot and the adjacent street) and (2) if such Lot has a “view fence.” The portion of the side yard and/or back yard that is visible through the view fence. All landscaping Improvements installed in such areas must be approved by the Committee prior to installation. ***Streetscapes are the responsibility of the homeowner and must be kept maintained at all times.***

FRONT YARD LANDSCAPE MINIMUM – Each owner is encouraged to submit for additional plantings if desired. However, the following is to be planted at a minimum:

1 – 24” Box Tree
17 – 5 Gallon Shrubs
Pre-Emergent
Irrigation- 4 Station Timer
3/4” Screened Express Carmel

BACKYARD LANDSCAPING - Unless installed by the Declarant, within one hundred twenty (120) days from close of escrow, each Owner of a Lot abutting a Common Area where the rear and/or side yards are enclosed with wrought iron view fencing shall install all landscaping Improvements, together with any sprinkler system or drip irrigation system sufficient to adequately water the landscaping Improvements, on such backyard and/or side yards. All landscaping Improvements installed in such areas must be approved by the Committee prior to installation.

Backyard landscaping Improvements on Lots that are not Visible from Neighboring Property through wrought iron view fencing do not require approval of the Committee.

All visible portions of the Lot within the Community are subject to the following guidelines:

- Owners shall maintain all visible landscape areas in a clean, neat and weed-free condition.
- All dead and dying plants must be replaced with same species or other appropriate plants.
- Yard tools, equipment and general storage items should be stored out of sight when not in use.
- Any hardscape additions such as concrete work, built in barbecues, fire-pits, fireplaces, etc. must be approved by the Committee prior to installation.

PLACEMENT - All turf, plant materials and sprinkler components should be kept a minimum of twenty-four inches (24”) away from the foundation of the Residential Unit

and any exterior concrete, including patios, driveways, perimeter walls, and walks (other than sidewalks). No plastic liner or ground cover of any type should be installed within thirty-six inches (36") of the foundation or exterior concrete. Trees and bushes that will become large and/or have extensive root systems should be planted a minimum of four (4) to six (6) feet away from the foundation, exterior concrete and fences.

GRANITE - Granite shall be installed with a minimum one and one-half (1½) inch thick layer. All granite areas must be treated with a pre-emergent weed control at regular intervals to retard weed growth.

River run rock of an "earth tone" color is also permitted but shall be three inches (3") to six inches (6") in diameter. Not more than ten (10) percent of the front yard landscape may be river run rock.

TURF – Turf is permitted in front and backyard landscaping provided that no turf or spray irrigation shall abut walls or fences. Turf within the front yard may not exceed 60% of the total front yard area. Planting areas of at least five (5) feet are recommended between walls, fences, structures and turf or spray irrigation. Great care should be taken to avoid spraying of walls, fences and other structures that may cause damage and void any warranty. Drainage should flow away from all walls and any structures.

ALL front yard turf must be approved by the Architectural Committee.

Homeowners may submit approval requests for high quality artificial turf; the Architectural Review Committee will make case by case determinations regarding this material after reviewing the submittals which shall include a sample of the proposed artificial turf. In the event artificial turf is approved, homeowner must maintain the appearance of the artificial turf in a clean, "like-new" condition. Association retains the right to determine when the artificial turf must be replaced due to weathering or other types of damage. Artificial turf must be replaced with same turf originally approved or real turf if replacement or repair is required.

All turf must have a permanent border such as, extruded concrete curbing, brick border or other permanent material approved by the Committee.

IRRIGATION - All landscape irrigation must be underground, automatic and low water use drip systems, except for turf or flowerbed areas, which may use spray systems. Overspray onto sidewalks and streets is strictly prohibited. Great care should be taken to avoid spray of walls, fences and other structures that may cause damage and void any warranty.

Landscape irrigation must also be installed and maintained within the Parkway Area as required to adequately water such shrubs and plant material installed in the Parkway Area.

LANDSCAPE LIGHTING - Landscape lighting shall be low-voltage only. Landscape lighting must be controlled with an electric clock or photo-cell device. Light sources must be shielded from view.

Light fixtures shall not exceed an illumination intensity of more than one (1) foot candlepower as measured from the Lot line. Outside lights should be screened wherever possible with walls, plant materials, or internal shielding.

PROHIBITED PLANT MATERIALS - The following vegetation types and varieties are expressly prohibited due to reasons of profuse and noxious pollen, excessive heights and weed-like characteristics of excessive growth, high water demands or other similar traits. Under no circumstances is it permissible to plant a prohibited plant or allow it to remain within the front yard or backyard of any Lot within the Community, unless specifically noted below.

1. Olive trees (*Olea Europaea*) other than the "Swan Hill" variety
2. Fountain Grass (*Pennisetum setaceum*) or Pampas Grass (*Cortadena Selloana*)
3. Mexican Palo Verde (*Parkinsonia aculeata*)
4. All varieties of Mulberry trees
5. Eucalyptus (all varieties)
6. Citrus Trees (permitted in Rear Yard Only)

FINE GRADING & MOUNDING - Fine grading is a critical aspect of landscaping. Each Lot has been graded such that all storm water will drain away from the Residential Unit. It is important that this drainage pattern be maintained when preparing the landscape design, especially if mounding or berming is proposed. In all cases, the installation must comply with the applicable County grading and drainage plan. Every effort should be made to make the mounding appear natural.

WATER FEATURES, FOUNTAINS - Items such as water features/fountains are permitted within rear yard areas and do not require approval by the Architectural Review Committee, except on Lots with view fencing. Water Features/Fountains to be located in the front yard or in the rear yard of Lots with view fencing must be approved in advance of installation by the Architectural Review Committee and be in general conformance with the aesthetic composition of the Dobbins Heights community. Water features Visible from Neighboring Property may not exceed five (5) feet in height and must be earth tone in color. It is recommended that water be chlorinated.

HARDSCAPE - The Architectural Review Committee must approve any hardscape items proposed for front yard installation. Materials included in hardscape are concrete, brick, tile, wood, etc. Examples of hardscape items are planters, walkways, retaining walls and decorative walls.

MAINTENANCE OF LANDSCAPING - Each Owner of a Lot or Parcel shall properly maintain and keep neatly trimmed, properly cultivated and free of trash, weeds and other unsightly material all Landscaping located on (i) Owners Lot or Parcel; (ii) any public right-of-way or easement area which abuts or adjoins the Owner's Lot or Parcel and which is located between the boundary line of his Lot or Parcel and the paved area of any street, sidewalk, bike path or similar area (unless otherwise directed by the Board); and (iii) any non-street public right-of-way or easement area adjacent to his Lot or Parcel (unless otherwise directed by the Board); provided, however, that such Owner shall not be responsible for the maintenance of any areas over which the Association assumes the responsibility in writing or the City of Phoenix, Maricopa County or any other municipality or other governmental agency or entity having jurisdiction over such property assumes responsibility. Proper maintenance of Landscaping shall include, without limitation, removal and replacement of dead Landscaping, subject to the Design Guidelines.

OVERHEAD ENCROACHMENTS - No tree, shrub or planting of any kind on any Lot, Parcel or other property shall be allowed to overhang or otherwise to encroach upon any sidewalk, street, bicycle path or pedestrian way from ground level to a height of eight feet (8') without the prior approval of the Architectural Review Committee.