

San Marcos Country Club Estates Homeowners Association  
16625 S Desert Foothills Pkwy  
Phoenix, AZ 85048  
(Tel) 480.759.4945 (Fax) 480.759.8683  
(Email) SanMarcos@WeAreVision.com

## Important Gate Access Information

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*Please read carefully*

Dear Homeowner,

The Board of Directors welcomes you to the neighborhood and would like you to know that we are ready to answer any questions you may have regarding our gates entry system and procedures. Please read the attached gate instruction form carefully. However, if you should need further assistance, please call our Property Manager, who can arrange for a member of our Vehicle Access Committee to contact you for your specific needs.

The following are a few important points to remember:

You will need to complete the attached form to allow one of our committee volunteers to program your name, phone number, and Boston Street entry code into the gate directory. Also, please use the attached form any time you request changes.

**DO NOT** give out your neighborhood's entry codes that open the gates to occasional delivery and/or service personnel such as pizza drivers, plumbers, etc. These individuals should use the Intercom for access. If you are not home, they should not be entering our neighborhood. If you are home, they should call you from the gate.

All regular delivery and service personnel will be assigned a special (4-digit entry code) for access to the Boston Street gate. The HOA will notify the U.S. Postal Service, newspapers, express delivery services, City trash collection, street sweeper, and the police. If you use any other regular services, please notify the Property Manager so we may give them an access code.

If your home is under construction, there is a \$50/month contractor access fee that must be paid, after which a special entry code for the Boston Street entrance will be assigned. Use attached form when submitting this fee to the Property Manager.

If you would like to give regular service personnel such as housekeepers, gardeners, or care givers entry without using the intercom, please give them your unique Boston Street entry code. That way, if a change is needed, it only affects your number, and not the entire neighborhood. If you will be home, they should use the Frye Road intercom.

A monitoring service accepts gate emergency calls 24 hours per day. They can be contacted for emergencies by dialing "000" on the keypad. However, this is not intended for routine access.

All calls will be logged, and, as the HOA pays for each call, if usage goes beyond a reasonable number, you may be charged for misuse of the emergency service.

Test the intercom procedures described above. We suggest that each member of your household go to the gate and dial in through the intercom while another member presses "9" on your telephone (some telephones, especially cordless, may require pushing "9" twice). You should hear a long tone which indicates that the gates are opening. Please contact the Property Manager should you have problems.

Make sure your remote transmitters are working properly and that you are aware of where to point them. Should the red light not be working, it may be as easy as changing the batteries.

Remember, it is the responsibility of each homeowner to understand the gate access system surrounding San Marcos Country Club Estates. We must all try to maintain the controlled access nature of our community. Both the Board of Directors and the Vehicle Access Committee are ready to help.

Thank for your cooperation in this matter.

Sincerely,

The Board of Directors  
San Marcos Country Club Estates Homeowners Association

Enclosures: Gate Instruction Sheet Resident  
Gate Input Form Contractor Gate  
Access Form

**New HOA Member Information:**

**New HOA Members need to contact the property manager to:**

- obtain listing of name/ phone number on the intercom system
- purchase Remote Control Transmitters (if not included with home purchase) \$40 each.
- purchase Walk Gate Access Card (\$10.00 each)
- obtain a keypad code to Boston Street.
- obtain the general neighborhood entry code

# San Marcos Country Club Estates

## Homeowners Association

### *Gate Instructions for Homeowners*

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**Hours of operation:**  
**Gates are to be closed 24 hours a day.**

#### Gate Identification:

There are three gate locations for normal entrance and exit, plus one additional emergency gate onto Alma School Road. The three primary gates are identified as follows:

1. Frye Rd. (with guard house) 2. Boston St. 3. San Marcos Dr. (into Hotel parking lot)

#### Gate opening systems:

There are three methods used by various gates to enter the community. They are:

1. Intercom to homes.
2. Remote control transmitter (RCT) designed to be carried in vehicles.
3. Enter code on keypad near gate.

- *The methods available vary with the entrance, and are the following:*

Frye Rd.:	intercom, RCT, entry code into keypad (one number for all).
Boston St.:	intercom RCT, entry code into keypad (unique number for each homeowner)
San Marcos Dr.:	code into keypad (one number for all)

**Important:** When using the remote control transmitter (RCT) at Frye Rd., one must point the RCT at the guard shack, as the antenna is on the wall above the keypad. At Boston St., point at the monument sign, as the antenna is behind the sign. If you drive up to the gates, the RCT will probably not work.

RCT's are serialized and assigned to specific HOA members and families. They are not to be sold or given to other parties without first obtaining approval from the property manager.

All three primary exit gates will automatically open when approached in a vehicle. (There are sensors underground).

#### Special Requests for open gates:

Any reasonable request by a HOA member to have the gates opened at a Non-Standard time for private functions such as parties, etc. will be honored by calling the property manager or facilities committee chairman at least 48 hours in advance.

#### Service Entrance Gate:

The Boston St. Gate is the proper entrance for construction, service, and delivery vehicles such as contractors, U.S. Mail, Airborne, Federal Express, UPS, City Garbage Collection, newspaper deliveries, gardeners, etc. The HOA provides special entry codes to each regular authorized company.

Note that Lot owners with lots under construction are charged a \$50 per month contractor gate access fee.

#### Walking Procedure:

Frye Rd. gate has a walkway entrance which can be opened using a walkway card. Simply place the front of the card on the special pad near the walkway gate. Be sure to close the gate behind you.

#### Emergency Vehicle Access:

Chandler Police, when called, have a computer message that provides access instructions to police officers. The Fire Department utilizes the "Knox Box" system, which is a key access system provided on all gate entrances.

#### Power Outage Procedure.

In the event of a power outage, the gates must be opened with a hydraulic key release. Several onsite board members, as well as the property manager, will have a special key that allows them to open the gates. In addition, the fire department can open the hydraulics during a power outage.

#### Keypad Code and Usage:

All HOA members will be provided an individual code number to open the Boston Street Gate, A general neighborhood code, which is changed from time to time, will open the San Marcos Dr. and Frye Rd Gates. To use these entry codes, one must push the key labeled with the "#" symbol first, and then the four digit code. (Note: The "#" is often referred to as the "pound sign" or the "number symbol").

#### Intercom Usage by guests:

When a guest approaches the Frye or Boston gate, they must follow the directions printed on the keypad assembly. Procedure follows:

- Push A or Z to find the member's name, and associated three digit code.
- Enter the three digit code and the member's home telephone will ring.
- When member answers, you may converse for up to 20 seconds.
- To open the gate, the member must enter "9" on member's telephone. The member should hear a tone, the gate should open, and the connection should disconnect. (Note: on some telephones, it may be necessary to push "9" more than once quickly).
- To deny entry, simply hang up.



## **ARCHITECTURAL REVIEW PROCESS**

The CC&R's require written approval of the Architectural Committee before any change to a site or building exterior of a residential property is made. No new construction or remodeling, including changes in exterior color, is to occur on any lot or exterior of any home without the prior written approval of the Architectural Committee.

### **ORNAMENTATION**

The utilization of non-living objects, such as ornaments in the landscape, is generally discouraged, particularly in side yards visible from adjacent properties and roads. Fountains, waterfalls, etc. are considered on a case by case basis.

### **CHANGES**

Any changes in the grading, lighting, landscaping, or exterior color scheme of any home/lot requires the prior written approval of the Architectural Committee.

### **MAINTENANCE**

All landscaping shall be maintained in a neat and attractive condition. All grass areas will be maintained year round and must be over seeded. Front and rear yard landscaping must be completed within 90 days of close of escrow.

### **DESIGN COMPATIBILITY**

The proposed construction must be compatible with the design characteristics of the property itself, adjoining properties, and the neighborhood setting.

### **WORKMANSHIP**

The quality of workmanship evidenced in construction must be equal to or better than that of the surrounding properties.

The Committee typically responds to all submittals within forty-five (45) days of receipt. This includes re-submittals. All approvals will be in writing.

For submitting house plans, homeowners are required to fill out a submittal form completely and provide two copies of the house and landscaping plans to be approved and have all requirements as set forth in the CC&RS. If these requirements are not met the plan and form will be returned to the resident for additional information. Fountains, waterfalls, etc. are considered on a case by case basis. Any modification to an already approved set of plans must be resubmitted for approval by the Committee.

## **RULES & REGULATIONS**

### **TENNIS COURTS**

Private tennis courts are not permitted. Sport courts require written approval from the Architectural Committee.

### **PATIO COVERS AND STORAGE SHEDS**

Metal or other backyard storage sheds detached from the house are allowed when they are lower than the home's surrounding block wall.

### **DOUBLE GATES**

Double gates require written approval from the Architectural Committee.

### **ANTENNAS**

No antenna, including microwave/satellite dish apparatus, shall be erected higher than the home's surrounding fence and must be kept in rear yards. Solar energy devices will require written approval from the Architectural Committee.

### **ROOF EQUIPMENT**

No device, including evaporative coolers and air conditioning units, shall be placed on any roof.

### **MAILBOXES**

Mailboxes will only be monument style construction of block, brick, stone, or stucco with color to match the exterior color of the home.

### **SWIMMING POOLS**

A homeowner should consult the CC&RS for any special restrictions or required approvals. Pool construction must be completed within 90 days. Pools may not be backwashed into the drainage ditches, common landscaped areas, drainage ways or streets, golf courses or lakes. The City of Chandler regulates swimming pool fence requirements.

### **FLAGPOLES**

Flagpoles are not allowed.

### **BASKETBALL GOALS**

Permanent basketball backboards and goals are not allowed. Portable basketball goals are allowed and must be put away on a daily basis.

### **DECORATIVE LIGHTING**

Decorative string lights may not be used for any longer than a 45-day period.





**PETS**

Residents are allowed to keep a reasonable number of generally recognized house or yard pets. Dogs must remain on leashes at all times. All owners must clean up after their pets.

**MACHINERY AND EQUIPMENT**

No machinery or equipment of any kind shall be placed, operated, or maintained upon any lot.

**CAMPERS AND BOATS**

Campers and boats may not be parked, maintained, or repaired on any lot or on any street in San Marcos Country Club.

**INOPERABLE VEHICLES**

No inoperable vehicles may be parked, maintained, or stored on any street in San Marcos Country Club Estates.

**PARKING**

Each lot shall have a garage that provides parking for at least two motor vehicles. Vehicles shall be kept in garages. Long-term residential driveway parking is prohibited. Parking on the street is **NOT** allowed. Garage doors must be kept closed.

**PROPERTY UPKEEP**

The owner of every home or lot is responsible at all times for keeping the property in good condition.

**GATES**

The hours of operation for the gates will be determined by the Board of Directors. Special requests by homeowners to have gates open for a private function will be honored by contacting the Property Manager 48 hours prior to the function.

**FEES:**

Gate Programming\* \$25 per request

\*Name Changes, phone number changes, etc.

Gate Remote(s) \$40 per remote

## **VIOLATION ENFORCEMENT**

Enforcement of violations is the responsibility of the Board Of Directors. The Board will take legal action, if required, to ensure that violations are resolved. The Board has adopted a Monetary Penalties Policy which allows the Board to fine a homeowner from \$10.00 to a maximum of \$500.00 per day for any violations of the Association documents.

## **SUBMITTAL APPLICATION PROCEDURE**

When Submitting to the Architectural Committee, be sure to include the following:

1. NO Submittal will be considered unless all assessments are current.
2. Application form completed and signed (copy enclosed, additional copies may be obtained from the Association management Office.
3. Plot Plan - A site plan indicating dimensions relating to the existing dwelling and property lines (setbacks, etc.) and the improvement to be made.
4. Elevation Plans - Plans showing finished appearance of the improvements in relation to the existing dwelling and property lines.
5. Specifications - Description detailing materials to be used with color samples attached and drawing or brochure of structure indicating dimensions and color.
6. Landscape plans must be submitted along with every plot and house plan.
7. Submittal fees as listed below.

Submit the application and plans to:

**San Marcos Country Club Estates**  
**c/o VISION Community Management**  
**16625 S. Desert Foothills Pkwy**  
**Phoenix, AZ 85048**  
**Tel: 480-759-4945 | Email: SanMarcos@WeAreVision.com**

It is the homeowner's responsibility to ensure that any proposed construction is coordinated with, and where applicable, approved by all counties, local, state and federal government agencies. The Committee, the management Company and the Association assume no responsibility for obtaining these reviews and approvals.

**SUBMITTAL FEES**

NEW HOUSE PLANS \$1,000 (1/2 Refundable at completion)  
(Landscape plans must be included with new house plans)

HOUSE ADDITIONS/REMODEL \$500 (1/2 Refundable at completion)

LANDSCAPE PLANS \$100  
(Other than new homes)

ALL OTHER SUBMITTALS NO Charge  
(EX.: exterior paint color changes)

CONTRACTOR'S GATE ACCESS FEE \$ 50/month  
(Prepaid in Full)

**SAN MARCOS COUNTRY CLUB ESTATES  
HOMEOWNERS ASSOCIATION  
ARCHITECTURAL COMMITTEE  
CONSTRUCTION ACTIVITY GUIDELINES & REQUIREMENTS**

Lots shall be kept in a neat and tidy condition at all times during construction. Trash and debris shall not be permitted to accumulate - provision of an on-site dumpster is recommended.

On-site restroom facilities must be provided during the entire construction period. Supplies of any and all construction materials shall be staged on the site only. Delivery of construction materials must come through the Boston Street entry/ exit- corners are less severe for larger vehicles, damage to the neighborhood resulting from construction vehicles or related activities is the responsibility of the Owner of the Lot under construction.

Security of the site is the sole responsibility of the Owner /Contractor- temporary fencing of the site is required.

Trades people and subcontractors must:

- access the property using the entry/exit at Boston Street only
- strictly adhere to the 20 mile per hour speed limit
- not park on any street within the community

No speakers, radios or other sound devices, which can be heard off the site, are permitted. Construction noise should be kept to a minimum, particularly at the start of the workday, so as not to disturb existing residents.

Construction shall not commence before 5:00a.m.on weekdays and Saturdays in summer (dawn to winter). There will be no construction on Sundays or holidays. Construction shall not exceed beyond dusk on any day. Exceptions may be requested from the Architectural Committee for extenuating circumstances and must be granted in advance of occurrence. For custom lots, a 2' by 3' sign must be posted prominently in the front of the Lot during the construction period for the trades people and subcontractors with the messages:

- No on-street parking
  - Speed limit is 20 miles per hour in all neighborhoods
  - Crews must use only the Boston Street gate for entry and exit
  - Delivery Of all construction materials must come through Boston Street
  - No radios or speakers that can be heard by the neighbors allowed
  - Keep all noise to a minimum
  - Construction permitted from 5:00a.m.to dusk on weekdays and Saturdays in summer (dawn to dusk in winter) and no Sunday or holiday construction activity is permitted.
- No other signs will be permitted on the Lot without the prior approval of the Architectural Committee.

Reviewed by:\_\_\_\_\_

Date:\_\_\_\_\_

Acknowledged by:\_\_\_\_\_

\_\_\_\_\_  
(Owner Signature)

Date:\_\_\_\_\_

**San Marcos Country Club Estates Homeowners Association**

16625 S. Desert Foothills Pkwy  
Phoenix, AZ 85048

**Email: *SanMarcos@WeAreVision.com***  
**Tel: 480-759-4945 Fax: 480-759-8683**

CONTRACTOR GATE ACCESS FORM  
Fax or Mail to FirstService Residential

**ENCLOSED IS A CHECK FOR \$ \_\_\_\_\_ FOR \_\_\_\_\_ MONTHS ACCESS FOR MY  
GENERAL CONTRACTOR. (Make Check payable to SMCCE HOA, \$50 per month)**

Four digit Boston Street entry code will be provided upon receipt of check.

\_\_\_\_\_  
Lot Owners Name

\_\_\_\_\_  
Address Telephone

\_\_\_\_\_  
Best time to contact

\_\_\_\_\_  
Contractors Company Name

\_\_\_\_\_  
Primary Contact

\_\_\_\_\_  
Contractor's Address

\_\_\_\_\_  
Contractor's Telephone

Note: Contractor is responsible to provide entry code to all his subcontractors.

**San Marcos Country Club Estates  
Homeowners Association**

**ARCHITECTURAL COMMITTEE GUIDELINES**

Dear Builder/Lot Owner:

Congratulations on your investment in San Marcos Country Club Estates. Below you will find the guidelines and recommendations of the Architectural Committee of the San Marcos Country Club Estates Homeowners Association (HOA).

These are presented as an aid in the planning and development of your custom home site. We strongly recommend that you review all applicable documents to become familiar with the zoning requirements and covenants, conditions and restrictions for your home site. While planning and designing your home, please pay special attention to the following sections of the following documents:

- Page 1-3 of the "Zoning Requirements" pamphlet provided herewith;
- Article 1.2(a) - (1) of the Tract Declarations"; and
- Articles 4.1 - 4.3 of the "Third Amended and Restated Declaration of Covenants, Conditions and Restrictions and Easements (herein referred as CC & R's)'.

Additional information and documentation on zoning can be acquired by calling the Planning Department of the City of Chandler (reference San Marcos Country Club Estates). A "plot plan for your specific lot is available from the HOA and will specify setbacks, easements, and building envelope. Tract declarations and CC& R's are available from the HOA if you have misplaced your copy.

The guidelines stated herein shall be construed as being the only restrictions applying to the development of your home site. The Developer/Homeowner shall look to the above-stated documents and the City of Chandler for the complete listing of guidelines, zoning ordinances, covenants, conditions, and restrictions applying to the specific lot purchased.

**GUIDELINES**

**Architectural Design:** Existing homes in San Marcos range in their architecture from traditional desert ranch house and pueblo to Mediterranean and ultra- modern simplicity. The result is dear informality and freedom in building design.

**Building Envelope:** Front yard - minimum 30 feet; rear yard - minimum 30 feet; and side yards - minimum 8 feet.

Colors: Exterior colors shall be in a range of shades of white, conservative Pastels, soft earth tones, or of a conservative and attractive brick, block, stone, or wood.

Construction Activities: A pre-permitting meeting between the Owner, Contractor, and a member of the Architectural Committee is required. The meeting will be scheduled at the earliest, mutually agreed-upon time, at the home site, to personally review construction activity guidelines and requirements. Adherence to the guidelines and requirements is the responsibility of the Owner and Contractor and violations will be subject to warnings and levies in accordance with the policies adopted by the HOA Board of Directors. Normal construction activities associated with the building of Homes are acceptable and normal noise and disruption is inevitable, however, efforts by the Owner and Contractor are expected to result in recognition of the rights of the existing residents and regard for regulations within the neighborhood.

Drainage: No Builder/Lot Owner shall change, interfere, or obstruct the drainage pattern over the Lot as that pattern has already been established.

Exterior Accessories: No antenna, satellite receiving station, or other device for the transmission or reception of television or radio signals or any other form of electromagnetic radiation shall be erected, used, or maintained outdoors on any area in San Marcos Country Club Estates (whether attached to a building, structure, or otherwise) so as to be visible from neighboring property, unless approved by the Architectural Committee. No basketball backboards, goals, or flagpoles shall be installed so as to be visible from neighboring property, unless approved by the Architectural Committee.

Garage: The structure shall include, at a minimum, an enclosed garage for two (2) vehicles. Preference is for the garage not to be front-entry, but instead, to be side-entry or located toward the rear of the Lot. On-street parking is not allowed except temporarily for special or social functions so design should accommodate visitor parking off the street (e.g., front yard drive-through).

Intensity of Lot Use: Gross building area shall not exceed forty percent (40%) of the Lot area.

Landscaping: All landscaping materials used on the Lot shall be limited to plant materials from the aerospace list approved by the Architectural Committee. That portion of any Lot which is visible from neighboring property, streets, or common areas shall be completely landscaped and planted prior to occupancy. The front yard of each Lot shall contain at least two (2) shade trees planted within twelve (12) feet of the edge of the paved surface of the roadway, and shall comply with zoning requirements of the City of Chandler.

Lighting: All exterior lighting shall be diffused and indirect whereby no light sources is directly visible from any Lot or from any private street or access way

adjoining such Lot. Each Lot within Phase I shall have two (2) curbside lights installed, one of which must be located on one side of the driveway. The style of curbside lights shall be either "Ballard" (specifications are available from the Architectural Committee) or an incandescent option (designed and mounted 40 to 48 inches above grade with a minimum of 60 watts per fixture). Curbside lights must operate on a solar cell for illumination from dusk to dawn. Curbside and security (which only functions when triggered by a motion detector and stays on only briefly thereafter) lighting may be direct, need not be diffused, and may be visible from any point.

Maximum Height: Twenty-four (24) feet.

Minimum Living Area: Two Thousand Four Hundred (2,400) square feet.

Perimeter Walls: All perimeter walls within Phase I shall be six (6) feet in height and shall be constructed of a minimum of four (4) inch block with columns located every twelve (12) feet on center. All wall returns extending the side yard wall to the dwelling shall bear the same color and texture as contained on the dwelling unit.

Roofs/Tanks: All solar panel, air conditioning unit, evaporative cooler, heating, cooling or ventilation equipment or other apparatus, structure or object shall be screened from view and located so as not to be visible from neighboring property, streets or common areas. Roof mounted heating, cooling and ventilation equipment shall be permitted to be placed on the roof of a dwelling unit only where complete visual screening is integral with the form and building materials of the building or structure upon which said equipment is located and such placement has been permitted by the Architectural Committee. Any solar panel approved by the Architectural Committee for placement on a roof must be flush mounted if visible from neighboring property. No elevated tanks of any kind shall be erected, placed or permitted upon any of the Lots. Any tanks for use in connection with any residential construction, including tanks for storage of gas and fuel oil, must be buried or walled in or kept screened by adequate planting so it will not be visible from neighboring property, streets, or common areas.

Signs: No signs, no matter the nature, visible from neighboring property, shall be placed on any Lot except: (i) signs required by legal proceedings; and (ii) signs, the nature, number, locations, contact, and design of which shall be approved in advance and in writing by the Architectural Committee, including "for sale" and "for lease" signs, builder signs, lender signs, and subdivision signs.

Trash Containers: Trash containers shall be maintained and stored so as to not be visible from neighboring property except to make the same available for collection.



When submitting your application for Architectural Committee review, please refer to the attached Building Plan Submittal Checklist, complete the top half and include with your packet. The packet should be forwarded to:

**San Marcos Country Club Estates HOA  
C/o FirstService Residential  
9000 E Pima Center Pkwy, Suite 300  
Scottsdale, AZ 85258**

The Owner/Builder shall need to apply to the Architectural Committee by delivering two (2) complete packets of the required material. The Architectural Committee will then consider the plans and respond within thirty (30) days with its approval or questions and concerns. The Owner/Builder then has whatever time necessary to address the questions and concerns and resubmit the plans. The Architectural Committee then has fifteen (15) days within which to act. All communication shall be in writing.

We look forward to reviewing your plans. If the Architectural Committee can be of assistance during your preparation, you may contact FirstService Residential at 480.551.4300.

**SMCCE HOA ARCHITECTURAL COMMITTEE**  
**Building Plan Submittal Checklist**

**Owner:** \_\_\_\_\_ **Lot#:** \_\_\_\_\_ Home phone: \_\_\_\_\_

Current Address: \_\_\_\_\_ Work phone: \_\_\_\_\_

Contractor/Builder: \_\_\_\_\_, Phone: \_\_\_\_\_

**Preface:** The Architectural Committee commits to review and respond expeditiously to plan submittal packages that are complete and include this checklist showing compliance with all CC&R and zoning requirements.

- *A complete submittal package requires (check if included):*

- |  |  |
|--|--|
| • Two set of plans                           | • Under roof square footage noted Exterior colors and treatments Design and location of mailbox (Monument style) |
| • Location of AIC units                      | • Side yard wall returns color and treatment   |
| • Site plan and setback dimensions           | • Livable (heated/cooled) square footage noted   |
| • Landscape plans                            | • Design and location of Ballard/  |
| • Perimeter wall dimensions and construction | • Curbside lighting  |
| • Submittal fees                             |  |
| • Maximum structure height (Monument style)  |  |

- The CC&R's prohibit the following to be visible from the road or neighboring properties: An antenna, satellite receiver, basketball hoop, and solar panel(s).  
No ( ) or YES ( )

Please, note the location and include variance request.

- The CC&Rs prohibit exterior lighting that shines directly at neighboring properties, except security motion lighting. Will your exterior lighting plan conform? ( ) Yes, ( ) No, please explain.

If the plans deviate from the CC& R's or zoning codes, a formal variance request is required and must clearly state how the variance will impact the neighborhood and how the long-term effects will enhance the desirability, value and look of the neighborhood.

Nice-to-know information: Est. Start date: \_\_\_\_\_ Est. completion date: \_\_\_\_\_

**Design considerations encouraged by the Architectural Committee:**

- Enhanced exterior detailing to reflect the character of a custom home development
- Side-entry garages  
Visitors parking provided on-site (street parking is prohibited by the CC&RS)
- Non-visible trash container storage and designated spot (not on the street) for pick-up coordination (if feasible) of fence returns, landscaping, driveways, and on-curb lighting with immediate neighbors

**Notes for architects and builders-**

- All signs must be pre-approved by the Architectural Committee
- On-site restroom facilities must be provided
- Recommend dumpster/ site must be clean of debris at all times  
No on-street parking by construction crews (contact Architectural Committee if you need assistance getting approval from other lot owners to temporarily use their property for parking/staging)  
Construction crews must always use the Boston Street entry gate only
- Strictly adhere to 20 mile per hour speed limit
- Fencing the site for safety and security  
Consider neighbors regarding dust and noise control, crew start times and deliveries

**COMMITTEE USE ONLY**

Variance requested: \_\_\_\_\_

Disposition: \_\_\_\_\_

Date Submitted\_Reply Date:\_\_\_\_Resubmittal Date:\_\_\_\_.Date approved:\_\_\_\_\_

Plan Reviewed by:\_\_\_\_\_

Comment:\_\_\_\_\_



## SAN MARCOS COUNTRY CLUB ESTATES HOMEOWNERS ASSOCIATION

### **RULES AND REGULATIONS**

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#### ***INTRODUCTION***

Excellence is the hallmark of San Marcos Country Club Estates. This excellence is achieved through careful planning, quality construction, and by providing organizations to manage and direct community activities.

A Declaration of Covenants, Conditions, and Restrictions (the CC& R's) has been recorded to establish a uniform development plan for San Marcos Country Club Estates. Every member of the Association buys his home subject to the CC&R'S. In accordance with the CC&R's, the Architectural Committee has adopted Submittal and Design Guidelines to evaluate all buildings within the community to ensure they are architecturally consistent with the integrity of the community.

The following Rules and Regulations are intended to summarize certain major components of the CC& R's and Design Guidelines of which all homeowners should be aware. However, in the event of a conflict between these General Guidelines, the CC& R's of Design guidelines, the provisions of the CC& R's and the Design Guidelines shall supersede any provisions contained in these General Guidelines.

These Guidelines ensure excellence by establishing standards for construction and remodeling residences and defining community rules concerning property use. They are not meant to restrict, but to guide, allowing the expression of creativity and individuality. These Guidelines also demonstrate the importance each homeowner plays in maintaining the quality environment at San Marcos Country Club Estates. We ask your assistance and cooperation in order to make the community a lastingly beautiful neighborhood.

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#### ***COMMUNITY ORGANIZATION***

The San Marcos Country Club Estates Homeowners Association is responsible for the maintenance and management of all common areas and related facilities, and administration of construction activities by homeowners in accordance with adopted Design Guidelines and Standards.

The Board of Directors (The Board") manages the affairs of the Association. The Board may vary in size from five to nine members and Board elections are held at the Annual Meetings of the Association, The Board has a wide range of powers including the ability to adopt rules and regulations governing the use of common areas and to employ a management firm to assist in the operation of the Association.

The Architectural Committee is established by The Board to review all improvements within San Marcos Country Club Estates including new construction and modifications to existing properties. The Architectural Committee has adopted Design Guidelines and Standards to evaluate proposed construction activities.

Relationship of Structures and Site - Treatment of the site must relate harmoniously to adjacent sites and structures that have a visual relationship to the proposed construction.

Ornamentation - The utilization of non-living objects, such as ornaments in the landscape, is generally discouraged, particularly in front and side yards visible from adjacent properties and roads.

Such ornamentation includes driftwood, wagons, animal skulls, wagon wheels, and sculptures (flamingos, deer, etc.). The goal of any landscape improvement is to promote a pleasing and harmonious neighborhood character. Individual expression is permissible so long as it does not detract from this goal.

Maintenance - All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and replacement of dead or dying plants and grass, removal of weeds and noxious grasses, and removal of trash.

Protection of Neighbors - The interests of neighboring properties must be protected by making reasonable provisions for such matters as access, surface water drainage, sound and sight buffers, and preservation of views, light and air, and other aspects of design which may have a substantial effect on neighboring properties.

Design Compatibility - The proposed construction must be compatible with the design characteristics of the property itself, adjoining properties, and the neighborhood setting. Compatibility is defined as harmony in style, scale, materials, color, and construction details.

Workmanship - The quality of workmanship evidenced in construction must be equal to or better than that of the surrounding properties. In addition to being visually objectionable, poor construction practices can cause functional problems and even create safety hazards. The Architectural Committee assumes no responsibility for the safety and liability of new construction by virtue of design or workmanship.

## **SUBMITTAL REQUIREMENTS**

Once the Architectural Committee has received plans and submittals, there are three possible findings: Either plans are approved, denied, or returned for more information. If approved, the submittal form will be signed and dated by a member of the Committee or the Property Manager, and returned to the lot owner with an entry into the lot owner's computer file. If the plan has been denied, the submittal form will be itemized with the reasons for denial. If a plan is denied, this is also reflected in the lot owner's computer file at the

Management Company. If the plan is returned for more information, the lot owner is required to review the plans and resubmit the drawing to the Committee. It is the lot owner's responsibility to submit for approval. If the contractor is submitting plans, the submittal form must be filled out completely so the

Committee has the option of contacting the lot owner about possible conflicts or for more information. The plans will be returned to the lot owner, with one copy of the plan kept on file at the Management Company. Front yards on all residential lots must have their landscaping completed within ninety (90) days from the date of occupancy. Landscaping plans need to be approved by the Architectural Committee prior to starting installation.

The Architectural Committee responds to all submittals by mail approximately thirty (30) days of receipt, this includes re-submittals.

### **BUILDING ARCHITECTURE**

In general, any exterior addition or alteration to an existing residence or lot shall be compatible with the design character of the original structure.

Patio Covers and Storage Sheds - Metal or other backyard storage sheds detached from the house are allowed when they are lower than the home's surrounding block wall. Architectural review and approval is not required in these cases. If it is taller than or can be seen over the perimeter wall, prior written approval must be obtained from the Architectural Committee.

All permanent additions to a home including patio covers and buildings must be submitted to the Architectural Committee for approval prior to construction.

Double Gates - Double gates may be installed at San Marcos to allow wider access ways to back yards. Double gates must be of the same type, design and color as the originally installed single gates. They also must be located on the same side of the house as the originally installed single gates. Shrubs, trees or other plants shall be located between the house and the double gates, where possible.

Antennas - No antenna, solar device, or other device, including microwave dish apparatus, for the transmission or reception of television or radio signals shall be erected unless approved by the Committee.

Roof Equipment- No device, including evaporative coolers and air conditioning units shall be placed on any roof.

Swimming Pools- Prior to construction of a swimming pool, a homeowner should contact the Management Company to coordinate the point of construction access to ensure damage to common landscaped areas and common perimeter "theme" walls is avoided. Lot owners must enter through the side yard wall, from the front of their homes.

Pools may not be backwashed into the drainage ditches, common landscaped areas, drainage ways or streets, or golf course. All backwashed water shall be retained on the owner's lot. If necessary, a hole should be dug and filled with rocks to provide for the needed capacity.

In the event a hole is made in a wall to backwash into prohibited areas, the Association may repair the wall at the lot owner's expense.

The City of Chandler regulates swimming pool fence requirements. The Building Safety Department should be contacted to determine the safety fence requirements for your pool.

**Flagpoles-** Freestanding flagpoles are not allowed in residential areas at San Marcos. Lot owners are advised to use brackets mounted on the house or garage to display flags. Homebuilder companies are allowed to use flagpoles on a temporary basis at their model home complexes. These will be removed as soon as all the residential units in that subdivision are sold.

**Basketball Goals** - Permanent basketball goals are generally not allowed without the prior written approval of the Architectural Committee. Portable basketball goals are allowed in the front yards while they are in use.

When not in use they must be stored so as not to be visible from the street or neighboring properties and must be approved by the committee.

**Driveways-**Driveways may not be expanded under any circumstances.

Any submittals received to expand an existing driveway will be denied.

Any extensions or additions that are done will be forced to be removed legally, if necessary, and, at the expense of the lot owner.

**Clotheslines** - Clotheslines or other outside facilities for drying clothes are not allowed unless they are placed exclusively within a fenced yard or otherwise concealed. Such facilities may not be visible from neighboring property or above the fence line.

**Signs-** No signs which are visible from neighboring property shall be erected or maintained on any lot, except signs required by legal proceedings, two identification signs for individual residences, each with a face area of seventy-two square inches or less, and "for sale" and "for lease" signs, which have been approved in advance by the Committee. 'Garage Sale' or other signs of that nature are not allowed except for the first weekends of March and October. (These are the only two times of the year in which garage sales are allowed within San Marcos). Signs in backyards overlooking the fence will not be approved for any reason.



**Changes in Lot Grading**- Lot owners should check with their homebuilders to ensure that any planned regrading of their lot, either major or minor, will not affect the flow or runoff water. Most lots are designed to drain from the backyards to the front and any rising of the front yard grade may cause water to collect and pond in the back yard and cause damage to a residence.

**Planters and Walkways** - Planters, paved walkways and other hardscape features visible from neighboring properties must be reviewed and approved by the Committee. Surface textures and colors should match the paint color and materials of the house.

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**GAZEBOS:**

1. Maximum square footage: 100 square feet
  2. Maximum height: 8 feet
  3. Minimum side setbacks: 8 feet
  4. Minimum rear wall setbacks: 8 feet
  5. Color and roof top is to match that of the house.
  6. No lighting on exterior of gazebo roof is permitted.
  7. Completion is to be within forty-five (45) days from the approval date.
  8. Prior written approval from the Architectural Committee is required.
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**PLAY STRUCTURES:**

1. May be erected in rear yards only and structures must be set back a minimum of ten (10) feet from side and rear walls.
  2. Maximum height allowed to top support bar or highest point of Structure is eight (8) feet.
  3. Maximum height of any deck/platform is to be two (2) feet above the ground.
  4. The structure is to be left the natural wood color or may be painted to match the trim or body color of the house and is to be properly maintained.
  5. Any canopy/tent is to be of a solid earth tone color or matching the house and maintained free of fading or discoloration.
  6. No enclosed structures are allowed on above ground platforms that are visible above the fence lines.
  7. Prior written approval of the Architectural Committee is required.
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**WINDOW COVERINGS**

Window covering materials, including, but not limited to, aluminum foil, reflective screens or glass, mirrors, sheets, blankets, towels, newspapers, cardboard, paper, or similar type items, cannot be installed or placed upon the outside or inside of any windows of any residence of other structure without prior written approval by the Architectural Committee.

## **COMMUNITY RULES**

The following community rules summarize some of the common provisions found in the CC&R's as well as rules established by The Board. These rules are not meant to restrict but rather to guide activities for the benefit of all lot owners of San Marcos; Cooperation on the part of all residents in following these rules will make living at San Marcos Country Club Estates an enjoyable experience.

**General Property Restrictions** - Owners may rent only the entire lot or dwelling unit. Rental must be made only to one family. A copy of the lease or rental agreement must be on file with the Property Manager at the Management Company. It must state that the resident or occupant has received a copy of and understands the CC& R's of the community and agrees to abide by them at all times.

In residential areas, no gainful occupation, trade, business, or other nonresidential use may be conducted on the property, and no person is allowed to enter the property for the purpose of receiving products or services related to such usage.

**Trash/Recycling Containers and Collection** - No garbage or trash shall be kept on any lot except in covered containers of a type, size, and style that are approved by the Architectural Committee. These containers must be stored in garages with the door closed or behind side yard walls except for days of collection.

**Mailboxes** - The only approved type of mailbox at San Marcos is a monument style mailbox constructed of block, brick or stucco and painted to match the house. A temporary mailbox may be used prior to the construction of the mailbox provided the lot owner has submitted to the Architectural Committee for a monument style mailbox, all other mailboxes such as pole and box or Victorian style mailboxes are not allowed within the community.

**Pets** - Residents are allowed to keep a reasonable number of generally recognized house or yard pets. Animals cannot be kept or raised for commercial purposes, and they are not allowed to make an unreasonable amount of noise or become a nuisance to neighbors. Also, no structure for housing such animals may be visible from neighboring property.

Dogs must remain on leashes at all times while on Association property. All owners must clean up after their pets, and no pets are allowed in the tennis court areas.

Machinery and Equipment - No machinery or equipment of any kind shall be placed, operated or maintained upon any lot except machinery or equipment used during the period of construction.

Vehicles, Campers, and Boats - No motor vehicle classed by manufacturer rating as exceeding 3/4 ton, mobile home, trailer of any kind, camper shell, boat, inoperable vehicle, or other similar equipment may be parked, maintained or repaired on any lot or on any street in San Marcos so as to be visible from neighboring property.

All motorized vehicles, including ATV's, motorcycles, go carts, and similar vehicles are prohibited from entering onto any common areas including bike paths and walkways.

Parking - The intent of the Association is to restrict on-street parking. Vehicles of lot owners and their guests are to be parked in garages, carports, or driveways.

Building Repair- No building or structure shall be permitted to fall into a state of disrepair, The owners of every home or structure is responsible at all times for keeping the buildings in good condition, and adequately painted or otherwise - finished.

In the event any building or structure is damaged or destroyed, the owner is responsible for immediate repair or reconstruction. Construction materials and vehicles may be temporarily stored in areas provided by the Architectural Committee. (Contact the Management Company).

Violation Enforcement - One of the most sensitive issues in a planned community is the enforcement of the CC& R's and other rules that are violated, either knowingly or unknowingly by residents.

Enforcement of violations is the responsibility of the Board of Directors. The Board will take legal action, if required, to ensure that violations are resolved. While cooperation is the rule at San Marcos, there are occasions when the Board must take action to protect the rights of other homeowners and the community as a whole.