

**DESIGN GUIDELINES AND ARCHITECTURAL RULES
FOR
BELL WEST RANCH HOMEOWNERS ASSOCIATION, INC.**

Revised May 2017

The Design Guidelines and Architectural Rules (“Rules”), as set forth in this document, shall interpret and implement procedures for the Architectural Committee’s (“Committee”) review and standards, including but not limited to, architectural design, placement of buildings, landscaping, plant selection, color schemes, exterior finish and material, signage, and wall design. These documents are intended to enhance property values and high standards of development that exist within the Bell West Ranch Community. Any improvement, alteration, modification, change, repair or any other work that will alter the exterior appearance of any Residence shall require prior written approval from the Architectural Committee. The Rules are established to assist residents in conforming to the standards established, and amended from time to time, by the Board of Directors. Each application will be reviewed on a case by case basis.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OR INSTALLATION, ALL PLANS MUST BE SUBMITTED TO THE COMMITTEE. APPROVAL TO PROCEED SHALL BE REQUIRED IN WRITING FROM THE COMMITTEE. FOLLOWING THESE RULES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS (UNLESS SPECIFICALLY NOTED).

APPLICATION PROCEDURE:

Submittal

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

Bell West Ranch Homeowners Association, Inc.
16625 S Desert Foothills Pkwy
Phoenix, AZ 85048
Office: 480-759-4945– Fax: 480-759-8683

The following information should be included with the submittal:

1. **Application Form – Architectural Design Review Form:** A completed application form (copies may be obtained from the management office).
2. **Plot Plan:** A site plan showing dimension, relation to existing dwelling and property lines (setbacks). Measurements must be written on the plans.
3. **Elevation Plans:** Plans showing finished appearance of improvement in relation to existing dwelling.

4. **Specifications:** Detailed description of materials to be used, color samples, and dimensions must be submitted.
5. **Photograph:** If submittal is for an existing structure of improvement, a photograph of the structure or improvement must accompany the submittal form.
6. **Neighbor Letter:** An Acknowledgement of Design Change Letter signed by appropriate parties, as required.
7. **Accurate Plans will speed the approval process:**

All buildings, structures and other improvements erected within Bell West Ranch, and the use and appearance of all land within Bell West Ranch, shall comply with all applicable City/County/State zoning and code requirements, as well as the Declaration and these Rules.

REVIEW-APPROVAL AND/OR DISAPPROVAL

The Committee shall have thirty (30) days after submittal of plans to approve or disapprove plans. No verbal approvals/disapprovals will be given by the management company. All decisions will be mailed via US mail.

Review will include, but is not limited to, consideration of material, quality of workmanship, colors, and consistency with the external design and color of existing structures on the lot and impact on neighboring lots. The location of the improvement with the respect to topography and finished grade elevation is also considered.

Neither the Committee nor the Board of Directors nor the Declarant, shall have any liability in connection with or related to approved plans, specifications, or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the improvement nor its effect upon existing or future drainage. The review of the plans is for aesthetic purposes only.

Approval Expiration: Construction must be started within ninety (90) days of the date of the Committee's approval of the application, or the Committee's approval shall be deemed withdrawn and plans must be resubmitted in accordance with these rules.

Construction Period: Once started, construction shall be pursued diligently in order to assure prompt completion thereof. Absent a different deadline for completion of construction (which may be shorter or longer, at the Committee's discretion), such construction shall be completed with a date set on the application of the Committee's approval of the application.

Those improvements requiring a permit from the City of Surprise shall be completed within the date provided by the City's permit. Owner is required to provide a copy of the permit to the Committee.

THESE DESIGN GUIDELINES AND ASSOCIATION RULES MAY BE AMENDED FROM TIME TO TIME BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS.

DESIGN GUIDELINES

ADDITION TO RESIDENCE: All additions to a residence must be submitted to Committee.

ANTENNAS: To the extent permitted by applicable law, the installation for antennas, satellite dishes or other devices for the transmission or reception of television or radio signals or any other form of electromagnetic radiation shall be subject to the prior written approval of the Committee unless applicable law prohibits the Committee from requiring prior approval for the installation of certain antennas, any such antennas are to be installed as follows:

The preferred installation locations are as follows in descending 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 back yard of Lot
3. On the roof, but below the roof line
4. A location in the side yard of the Lot where the Receiver and any pole or mast will be screened from view by landscaping or other improvements
5. On the roof above the roof line
6. An unscreened location in the side yard
7. A location in the front yard of the Lot where the Receiver will be screened from view by landscaping or other improvements

Wires must be securely attached to the dwelling and painted to match where attached.

AWNINGS: All awnings must be approved by the Committee. Awnings over all windows shall be of canvas or a similar material, of solid color on both sides, which match the color of the body of the exterior of the home or roof color and shall be installed only on the side and/or rear of the home. All awning submittals must include a drawing with the location of the proposed awning installation. A sample of the material to be used, along with the color and design of the proposed awning, is required. Owner is responsible for maintenance and repair of awnings. Association retains the right to determine when an awning must be repaired and or replaced due to weathering, fading, tearing, ripping, etc.

BASKETBALL GOALS: House-mounted permanent basketball goals are not allowed within the Association. Portable goals will be considered if they meet the following requirements:

1. Basketball equipment must be stored in the back yard or garage when not in use.

2. All basketball poles used in the front of the home must be placed on the interior side of the driveway, furthest away from the neighboring property.
3. All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc., should be promptly repaired or replaced.
4. Only nylon or similar cord nets are acceptable. Metal or chain nets are expressly prohibited.
5. Painting of “keys” on driveways is prohibited.
6. Lighting of courts for night play is prohibited.

CHIMNEYS: Chimneys shall be constructed of the same material, texture, and color of the home. Exposed flues are prohibited. A gas fireplace flue must comply with any City of Surprise requirements.

DECORATIVE ITEMS: Front yard item(s) must be submitted for approval by the Committee. The Board of Directors reserves the right to require removal of decorative items in the front yards based on size, quantity, color and location and any other criteria that the Board may determine.

Seasonal and Decorative Flags: Seasonal and decorative flags shall not be put up any earlier than thirty (30) days prior to the holiday and must be removed within thirty (30) days after the date of the holiday to which the flag pertains. Flags must be maintained in good condition at all times. Flags that are torn, ripped, faded, etc., constitute grounds for fines and removal. Flags shall not be offensive to the Association. The Board of Directors shall make its’ determination at its’ sole discretion.

Holiday Decorations: Holiday decorations may be installed forty-five (45) days prior to the holiday and must be removed within thirty (30) days after the holiday.

Decorative Art on Houses: 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.

Water Features, Statuary, Etc.: Items such as fountains, statuary, etc., are permissible within the rear yard and do not require submittal to the Committee. Any items installed in the rear yard must not exceed the wall or fence height. Such items must be approved by the Committee prior to installation in the front yard. Water features may not exceed four and one half feet (4 ½’) in height. It is recommended that water features be chlorinated. The Committee reserves the right to limit the size and quantity of statuary in the front yard.

The Board of Directors, at its’ sole discretion, shall make its’ determination on a case by case basis.

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

1. Only driveway extensions located in the side yard of the property will be considered.
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, and c) the total linear feet of lot frontage d) detailed drawing and/or picture of the lot referencing the concrete addition dimension and the total proposed concrete dimensions e) neighbor approval letter.
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. Lots that will have a problem complying with the provision directly above are permitted to request the following option: **A sidewalk no more than three feet (3') in width from the rear of the yard to the existing driveway. Additionally, the sidewalk may not exceed three feet (3') past the front edge of the home and shall not run parallel to the driveway as to exceed the thirty foot (30') limit.**
5. - Driveway extensions must end within thirteen inches (13") of side property line.
6. No concrete driveway strips will be allowed.
7. Driveway Extensions shall not interfere with historical drainage.

Additional Sidewalks: Sidewalks installed to utilize the side gates shall be submitted to the Committee and meet the following conditions: **The additional sidewalk is three feet (3') or less in width, and is thirteen inches (13") or more from the property line.**

The Committee reserves the right to review and request changes to the addition per these requirements.

Additional sidewalks in any other location in the front yard must be submitted for approval.

FENCES AND WALLS INCLUDING DECORATIVE WALLS: Plans to raise the height of a party wall must be submitted for approval. 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 raised, material to be used to raise the wall, and texture and finished wall. Side and rear walls may not exceed six feet (6') in height from ground level, as measured from the lowest side of the wall, as per city of Surprise building code.

Plans for new fences or walls must be submitted to the Committee prior to construction. Walls must match the existing texture and color.

Access for pool installation must be through the front gate access or by removing a portion of the front wall. Corner lots must receive prior approval to remove a portion of the sidewall. Any wall removed must be replaced by matching the texture and color of the wall as previously existed.

EXTERIOR MAINTENANCE: All lots shall be kept in a neat and good condition at all times. This shall include, but is not limited to the following:

- Stucco and exterior surfaces of the home shall not be allowed to fall into disrepair. Damage to the stucco or other surfaces shall be promptly repaired
- Painted surfaces (including the body of the home, trim, fascia, garage doors, front doors, and other surfaces) shall not be faded, chipped, or discolored. If painting is needed, owners must submit an application for architectural approval even if using the original colors. All paint colors are required to match the approved paint schemes for the HOA.
- Broken windows, screens, sun screens, and internal window coverings shall be repaired or replaced. No reflective materials are allowed.
- Garage doors shall remain in good condition. Doors which are dented, discolored, or otherwise in disrepair shall be promptly repaired.
- No oil stains or oil pans shall be allowed on the driveway.
- Gates shall be in good repair at all times. Gates shall either be stained a natural wood color as determined by the ARC. Broken gate slats or metal work shall be immediately repaired.
- Trees, shrubs, and other plantings shall not be allowed to impede driveways or walkways. Trees shall be trimmed up to 8' above any street, sidewalk, or right of way.

Decorative or garden walls may not exceed thirty-six inches (36") in height. Decorative or garden walls must be submitted for approval prior to installation, and be finished to match the base color of the home.

FLAGPOLES: Flag display requirements:

1. Only the flag of the United States and either the Arizona State flag or a nationally recognized Military Unit Flag (not both) may be displayed.
2. The maximum size of any flag shall be three feet by five feet (3'x5').
3. The maximum height of a pole shall be sixteen feet (16').
4. Wall mounted flag poles shall be a maximum of five feet (5') long with attaching brackets painted to match the attachment area and will not require prior approval.
5. All poles and flags must be maintained in excellent condition according to the United States Flag Code, Title 36, U.S.C., and Chapter 10.
6. Only one (1) permanent, removable wall mounted or freestanding flag pole will be permitted per residence or lot.
7. It will be the responsibility of the homebuyer or resident of the lot on which a flag is displayed to do so with proper respect and flag etiquette.

*These requirements are within the context of A.R.S. 33-1808.

GATES: All requests for additional gates or gates other than those which were offered by the original developer/builder of the lot/home must be submitted for Committee approval. Placement of the gate (s) must be approved by the Committee. Double gates may be installed to allow wider access to rear yards. All gates (double or single) should

be of the same material, design and color as the originally installed single gate (s), unless approved by the Committee.

Wooden portions of gates may be stained in natural wood colors.

HVAC INCLUDING EVAPORATIVE COOLERS: Except as initially installed by the builder, no heating, air conditioning or evaporative cooling unit shall be placed, installed, constructed or maintained upon any lot without the prior written approval of the Committee. All units shall be ground mounted, located within the perimeter of the rear yard and screened or concealed from view of all neighboring property.

GUTTERS AND DOWNSPOUTS: Gutters and downspouts may be considered for approval. The finish on the same must match the dwelling in color. High quality materials that offer long life are recommended, as the homeowner 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.

LANDSCAPE GUIDELINES

Front Yard Landscaping: Any major changes or alteration to the front yard landscaping must be approved by the Committee prior to making the change or alteration. Dead plant material must be removed from the front yard within fifteen (15) days.

Hardscape: Any hardscape items proposed for front yard installation must be approved by the Committee prior to installation. Materials included in hardscape are concrete, brick, tile, wood, pavers, etc. Examples of hardscape items are planters, walkways, retaining walls, decorative walls and fountains.

Rock Ground Cover: To keep the continuity of the community, please only use colors and a style that would remain consistent within the neighborhood. Landscaping is approved only if the new or additional rock, dirt, etc., does not affect the overall drainage of the lot. Homeowner assumes responsibility for any and all damage that may occur due to improper drainage.

Outdoor Turf: Shall be submitted to the Committee for review, with a sample of high quality.

Prohibited Plat Material: The following vegetation types and varieties are expressly prohibited:

- A. Olive Trees (*Olea europaea*) other than the "Swan Hill" variety.
- B. Oleanders (*Nerium oleander*) other than the dwarf variety and *Thevetia* (*Thevetia* species).
- C. Fountain Grass (*Pennisetum setaceum*) or Pampas Grass (*Contandaria selloana*).
- D. All varieties of Citrus, Fruit and Berries are permissible within the confines of the rear yard only.
- E. Mexican Palo Verde (*Parkinsonia, aculeata*).
- F. All varieties of mulberry trees.
- G. All types of artificial plants, flowers, trees and shrubs.

Fine Grading and Mounding: Fine grading is a critical aspect of landscaping. Each lot has been graded such that all storm water will drain away from the house. 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 City of Surprise grading and drainage plan. Every effort should be made to make the mounding appear natural.

LIGHTING: Please refer to Security Lighting.

PAINING OF EXTERIOR OF HOUSE: If repainting using the original color scheme of the house, architectural approval is required. Any change in color must be approved by the Committee. Any change in color should follow the general approved color palette utilized throughout Bell West Ranch. A list of the Bell West Ranch approved colors schemes are available via online through Dunn-Edwards or at any local Dunn- Edwards store.

MOTORIZED VEHICLES (various types): All terrain vehicles, motorized scooters, dirt bikes, sand rails, go-karts, and all similar motorized vehicles are prohibited on the streets, sidewalks, and common areas within the community.

Oil pans, carpet, boards or any other object used to collect oil spills from driveways must be removed when not in use to prevent them from being visible.

OUTDOOR FIREPLACES: Outdoor fireplaces of any kind must be approved by the Committee in advance of their installation or construction.

PATIO COVERS: Plans for patio covers will be considered for approval. The following minimum standards are suggested:

Partial Shade Covers – Wood

- A. Horizontal shading members: minimum 2x2 rough sawn, running parallel to the dwelling unit, with a maximum overhang of 6 inches past a support.
- B. Horizontal support members: minimum 4x6 rough sawn
- C. Vertical support members: minimum 4x6 rough sawn
- D. Color: to match existing trim or body of the house

Aluminum and Vinyl Shade Covers

- A. Must be installed by a licensed contractor or bought in an approved engineering kit. Color to match the existing trim or body of the house.

Solid Patio Covers

- A. Flat roof pitch less than 3”: 12” must have a rolled or built-up roof application with colored granules that match existing roof. Built-up roof surface must be identical in color and quality to that installed by Declarant.
- B. Sloped patio cover with 3”: 12” and greater shall have tile or shingles to match existing dwelling.
- C. Asphalt shingles are expressly prohibited.

PLAYGROUND EQUIPMENT: Plans for play structures and similar recreational equipment must be submitted for approval since in most instances they protrude over the fence line. This is not to eliminate the play structures, but to consider privacy issues for adjacent neighbors, and to assure the aesthetic appeal.

The maximum height that will be considered for approval of swing sets is ten feet (10'). The maximum height for any deck/platform is four feet (4') above ground level.

The play structure may be placed no closer than five feet (5') to any lot line. A privacy screen of some sort **must** be installed on the equipment or in the yard when the playground equipment has platforms or landings from which a neighboring yard can be viewed. Indicate all such privacy screens in the request. The owner shall submit a written letter from the neighbors agreeing to the play structure. When considering plan approval, the Committee will consider the appearance, height and proximity to neighboring property. Submittals must include a picture of brochure of the structure, total dimensions, materials and a plot map or drawing indicating the proposed location and its proximity to adjacent property lines.

The color canopy of the play structure must be one of the following: 1) a "neutral" color of off white, beige, or light brown, 2) a single solid color of red, blue, green or yellow, or (3) striped with white or another primary color and one (1) other color of red, blue, green or yellow. Prints and multi-colored striped canopies are prohibited.

In the case of safety nets used with trampolines, they must be brown or black in color.

Sports nets used for golf or baseball must be taken down when not in use.

POOLS AND SPAS: Pools and spas do not require the prior approval of the Committee. No above ground pools are allowed. All pool equipment must not be visible above the perimeter walls. Perimeter walls on lots bordering common areas and shared Homeowners Association walls may **not** be torn down to allow access to rear yards. See Section on Fences and Walls on page 5.

Access must be gained by removing a portion of the front wall on the side of the home. Repairs to the wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall.

Pools may not be backwashed into any common area or off of the lot on which the pool has been installed. Check with your pool contractor concerning City ordinance requirements for backwashing. Damage to common areas due to backwashing, including erosion, will be repaired by the Association, and all expenses incurred by the Association will be billed to the homeowner.

How to Properly Drain and Backwash Your Swimming Pool to Prevent Stormwater Pollution

R18-5-236. Disposal of Filter Backwash, Wasted Swimming Pool or Spa Water, and Wastewater Arizona Administrative Code.R18-5-236 Adopted effective February 19, 1998 (Supp. 98-1)

All sewage from plumbing fixtures, including urinals, toilets, lavatories, showers, drinking fountains, floor drains, and other sanitary facilities shall be disposed of in a sanitary manner. Filter backwash and wasted swimming pool or spa water shall be discharged into a sanitary sewer through an approved air gap, an approved subsurface disposal system, or by other means that are approved by the Department. The method of disposal shall comply with applicable disposal requirements established by a county, municipal, or other local authority. There shall be no direct physical connection between the sewer system and the water circulation system of a public or semipublic swimming pool or spa.

City of Surprise Municipal Code 13.12.200:C:4 Adopted effective July 30, 2007

C. The following sources of discharge to public water system are expressly prohibited; 4. Recreational or aesthetic water bodies such as swimming pools, spas, hot tubs, fountains, ponds etc.

DO NOT...Add any chemicals to your swimming pool two days prior to the drainage of your pool to reduce the chemicals.

DO NOT...Drain water into the street, alleyway or any public right of way.

DO...Contact the Water Services Department for information on how to properly discharge into the sewer system and the Best Management Practices for disposal.

DO...Try to water all the landscaping in your front and back part of your property.

DO...Put any excess water that cannot be distributed on the landscape into the sewer clean out during low water use hours.

RAMADAS AND GAZEBOS: Ramadas and Gazebos may be constructed only in the rear yard of the Lot, and only upon the prior written approval of the Committee. Any ramada or gazebo that is approved for construction will meet the following criteria:

1. Will not cover under its roof more than one hundred twenty (120) square feet
2. Will not be more than ten feet (10') high at its highest point
3. Must be located at least five feet (5') on all sides from all perimeter walls
4. If the roof is visible from Neighboring Property, the roof on any approved ramada or gazebo must be tiled. **Asphalt shingles are prohibited.**
5. Any lighting associated with the ramada or gazebo must also be approved in advance by the Committee.

Any lighting approved for installation with a ramada or gazebo must be installed so that it does not shine into any neighboring property, and should not exceed general intensity 1 foot candle.

ROOF AND ROOF STRUCTURES: If the dwelling unit has a pitched roof, the roofing material for that portion visible from neighboring property must be concrete tile. Unless specifically authorized in the document, no heating, air conditioning, ventilation equipment, or any other equipment or structures shall be located or installed on any roof (please see SOLAR PANELS). In addition, any such equipment or structures shall not be located or installed or maintained anywhere on a Lot, if it is visible from neighboring property.

SANITATION/GARBAGE AND TRASH: No garbage or trash may be placed on any lot or parcel except in covered containers meeting City specifications, and must be stored out of sight. Rubbish, debris, and garbage shall not be allowed to accumulate. The suggested time for a trash can to be placed at the curb is from the evening of the day before pick-up to the evening of the day of pick-up.

Each owner shall be responsible for removal of rubbish, debris, and garbage not only from his lot or parcel, but also from all public right of ways either fronting or along side his lot or parcel, excluding (a) public streets, and (b) those areas specified on a map, Tract Declaration, or subdivision plat to be maintained by the City or the Association.

SECURITY LIGHTING/DEVICES: Security lighting must be directed as not to shine on neighboring property. At the property line, the security lighting should not exceed general intensity of 1 foot candle.

Security features including but not limited to doors and windows must be submitted for approval.

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

Security Surveillance Systems: Security surveillance system plans must be submitted, including alignment of camera (s). Cameras should not be directed toward a neighbor's property, but must survey mostly within the confines of the owner's property. Property must be posted with a notice that the property is under surveillance.

SECURITY/SCREEN DOORS/SUNSCREENS: Wrought iron security/screen doors must be submitted for approval. Such doors shall be painted to match the base color of the home.

Silver colored aluminum screen/security doors and/or wire screen mesh doors are strictly prohibited on front doors.

Sunscreens need to be submitted for approval by the Architectural Committee.

Reflective window films are expressly prohibited. Bronze or charcoal non-reflective window tinting may be installed without Committee review.

SIGNS: No signs shall be displayed on any lot except the following:

1. One temporary “For Sale” or “For Rent” sign. Said sign may have a maximum face area of five hundred (500) square inches in size, and no sign is placed closer to the street than six (6) feet.
2. Such signs as may be required by law
3. One residential identification sign not to exceed nine inches by thirty inches (9”x 30”)
4. Signs approved by the Committee

All signs shall conform and comply with City ordinances and may not be placed on any portion of the community common area. Signs advertising landscaping or pool contractors, etc. must be removed within forty-eight (48) hours of completion of work.

SECURITY SIGNS: Security signs must be a maximum distance of two feet (2’) from the front of the home. Security signs must not exceed twelve inches by twelve inches (12”x12”) and must be maintained in good condition at all times.

SOLAR PANELS AND EQUIPMENT: Roof mounted solar equipment must comply with State and Federal law. They are not to be installed on the front of the home.

STORAGE SHEDS AND SIMILAR STRUCTURES: Storage sheds or similar structures need to be submitted for approval. They should not exceed the maximum height of the immediately surrounding wall (s) or fence (s) and should be screened from view of all common areas. Approval in writing must be obtained from neighboring lots if the structure height will exceed surrounding walls or fences. Materials used to construct the structure must be the same as materials used by the Developer in the original construction of the home. Prefabricated metal storage buildings are prohibited.

WINDOWS: No paper, bed sheets or reflective screens or glass, mirrors or similar items shall be installed or placed upon the outside or inside of any windows of a Residence without prior approval of the Committee. No enclosures, drapes, blinds or other items affecting the exterior appearance of a Residence shall be constructed or installed without the prior approval of the Committee.