

The Gardens

Architectural Policies and Procedures

February, 2018

The following is a list of Architectural Policies and Procedures of The Gardens, as established by the Board of Directors. All changes to the exterior of the building need to be reviewed by the Architectural Review Committee. Any proposed changes not specifically stated here will be decided by the Board of Directors and subsequently included in further updates to this document.

If you are planning on making any changes be sure to submit a Change Request for approval to Vision. Upon receipt, Vision will forward the Request to the Architectural Review Committee. If the requested project conforms to the Policies stated below, the Committee will approve the request, and Vision will notify the owner of the approval. All work must be performed by a licensed and insured contractor. If the Request deviates from the stated policies, or involves an exterior modification not covered by these Policies, the Committee will submit the Request to the Board of Directors, along with its recommendation for approval or rejection. The decision of the Board will be final.

The following Policies are covered by this document:

- Approved ground covers, plants and trees

- Front Door

- Rear Door

- Windows

- Front Porch Light

- Patio Fan

- Front Entry Skylight

- Garage Additions

- Front patio

- Rear Patio Trellis Cover

The Gardens

List of Approved Ground Covers, Plants and Trees

Ground Covers

Lantana – gold mound and purple
Ruelia – Katie (Dwarf Blue Variety)
Angelita Daisies – yellow
Vinca – White (summer annual)

Plants

Dwarf Oleanders
Mock Orange – green or variegated
Natal Plum
Red Yucca
Baja Ruellia
Ruellia Brittanica
Torch Glow Bougainvillea
Spanish Bayonet or Yucca Gloriosa
Texas Sage
Japanese Boxwood
Happy Wanderer (Purple Vine Lilac)

Trees

Weeping Acacia
Brazilian Pepper
Oleander
Techoma Stans
Bottle Brush (standard or weeping)

Approved Paint Colors

As of February, 2018, only the following paint colors have been approved for use on the exterior of the building.

Stucco –

[Sherwin Williams - Practical Beige](#), flat

Front door and front door trim –

Behr Paint (Available at Home Depot)

Navajo White 22

Sleek White OR-W15

Valspar Paint (Available at Lowes)

Honey Milk 7003-4

Cream in my Coffee 3001-10C

Any other colors need to be approved by the Board upon recommendation of the Architectural Review Committee.

Front Door Policy

Original front doors may be replaced with the owners' choice. Any replacement door must be rectangular in shape, no taller than 80". Installer is responsible for repairing and painting of the exterior trim, stucco, etc Hinge and lock sets may be of any consistent metal and color, owners' option. All construction, including door replacement, must be performed by a licensed and insured contractor. Door must be painted with owner's choice of approved colors listed above.

Rear Door Policy

Rear doors are those doors leading to the rear yard of each unit. The initial door compliment is a sliding door in the living area and the master bedroom with a hinged door between the fireplace and rear wall.

The homeowner may replace one or both of the sliding doors. If preferred, the sliding door may be replaced with hinged French patio doors which include two (2) movable doors and two (2) sidelight doors, hinged or fixed.

The Board has approved a modified "side" door. This option calls for a movable window insert for ventilation in a standard hinged door.

If the homeowner wishes the side door can be removed in total or replaced with a window. Any conversion of the doors will be at the homeowner's expense including removal of existing doors, alteration of aperture to accommodate the new doors, safe removal of all construction litter, painting to match the stucco exterior walls, and repair of any damage or injury resulting from the construction. . All construction, including door replacement, must be performed by a licensed and insured contractor.

Window Policy

Windows above the doors, in the front of the unit and on the side (if applicable) can be replaced without approval.

The replacement windows need to be the same style as the existing. Exception – the windows above both the front and rear door may be replaced with an arched window.

The frames of the windows are to be metal, bronze or black.

Any conversion of the windows will be at the homeowner's expense, including removal of existing windows, alteration of aperture to accommodate the new windows, safe removal of all construction litter and repair of any damage or injury resulting from the construction. All construction, including door replacement, must be performed by a licensed and insured contractor.

Front Porch Light Policy

The Board does not require any particular style or manufacturer for replacement of the overhead front light fixture. Replacement fixture should be no taller than 24" with a maximum diameter of 13".

1. Hire a licensed and insured contractor to install the light fixture.
2. Installed fixture will have no exposed wires.
3. The light fixture must be installed so it does not swing excessively or hit the entry walls, front door or front transom window.
4. The cost of a new light fixture including installation is the responsibility of the homeowner. Any repairs to the front porch lights are the responsibility of the homeowner.

Patio Fan Policy

The Board of Directors is not requiring any particular style or manufacturer for rear patio fans. The Board does require that the colors blend with the existing exterior colors.

1. Hire a licensed and insured contractor to install the fixture.
2. Installed patio fan will have no exposed wires.
3. The fan will be installed as a ceiling mount.
4. The cost of the patio fan, including installation, is the responsibility of the homeowner. Any repairs to the fan are the responsibility of the homeowner.
5. A "Minor Electrical Permit" to install the patio fan is required by the City of Scottsdale. Homeowners must acquire this permit prior to installation of the fan.

Front Entry Skylight Policy

A 6' X 6" clear entryway skylight may be installed.

1. Hire a licensed and insured contractor to install the skylight.
2. The cost of the skylight including installation and maintenance is the responsibility of the homeowner.

Garage Addition Policy

Homeowners are allowed to have one of the carports (the one outside of the second bedroom) turned into a garage. The approved plans are available by contacting Vision. All work is to be done by a licensed and insured contractor. The cost of the garage is the responsibility of the homeowner. Any repairs and maintenance are the responsibility of the homeowner. Architectural and Landscape Change Request needs to be submitted and approved prior to commencing.

Front Patio Policy

Based on the CC & R's, the Common Area of The Gardens starts at the front door of each unit and includes the front entryway.

A request to add a front patio(s) or otherwise modify the existing conditions, at the homeowner's expense, would be reviewed by the Architectural Review Committee. Allowable areas include the front entry and walkway up to the beginning of the carport (~16 ½ feet); the area in front of the carport (~10X12 feet) and the area between the unit and the garage, if applicable (~7X7 feet)- the areas currently covered in rock. The walkway beyond the above-described areas may be repaired or replaced but the existing color and texture may not be altered.

Stamped concrete, flagstone, pavers, etc would be considered. All work be done by a licensed and insured contractor. The color will be subject to approval but a neutral tone that complements the existing structure is suggested.

Once these changes are made, the previous Common Area would become the responsibility of the Unit Owner. The installation of front patios that would conceal or disrupt any current irrigation/sprinkler would no longer be the responsibility of the HOA. The HOA would not be responsible for resolution of irrigation issues in this area. This provision should be disclosed to any potential buyer of the unit, as it will apply to any subsequent owner.

If a homeowner wants to re-cover or modify their front entry, either the existing concrete should be removed prior to installation of approved tile or other material OR any material that is placed on top of the existing concrete needs to be sloped away from the front door and have a gradual rise (at least 6") to prevent a lip or tripping hazard.

Rear Patio Trellis Cover

The existing rear patio trellis is part of the Common Area. An owner who wishes to cover the trellis should submit their request, along with plans and specifications, on the Request Form. If approved, all work must be performed by a licensed and insured contractor. Maintenance and/or replacement of the cover would be the owner's responsibility. Damage to the underlying trellis or to an adjoining structure or any other Common Element caused by construction or maintenance of the cover would likewise be the owner's responsibility. This provision would apply to subsequent owners, so it should be disclosed to potential buyers of the unit.

**The Gardens Homeowners Association
Architectural & Landscape Change Request**

Name _____ Phone _____

Address (including Unit Number) _____

Description of request in detail (use additional sheets and include drawings if necessary):

Work to be performed by: _____

License number: _____

Submit this request to: The Gardens Homeowners Association
 C/O VISION Community Management
 16625 S. Desert Foothills Parkway
 Phoenix, AZ 85048
 phone: 480-759-4945 fax: 480-759-8683
 thegardens@wearevision.com

If approved, the Homeowner agrees to maintain the improvement. If, in the view of the Board of Directors, the improvement is not being maintained, the Association has the right to remove or maintain the improvement with the Homeowner bearing all costs. The Homeowner agrees to comply with all city, county and state laws and obtain all necessary permits.

Signature of Homeowner

Date Signed

The above described architectural / landscape change is:

_____ Approved

_____ Disapproved

_____ Approved subject to the following conditions: _____

Signature Vision Representative

Date Signed

This change is to be completed within 60 days from date of approval.

Disclaimer: The Architectural Review Committee, Board of Directors or the Homeowners Association assumes no liability in connection with or related to approved or disapproved improvements. An approved submittal does not in any way constitute approval of the structural integrity of the improvement or its effect upon the existing structure and landscaping drainage.