

THE DOBSON ASSOCIATION, INC.

RESIDENTIAL ARCHITECTURAL GUIDELINES

(DRAFT GUIDELINES 7)

Approved By:

Dobson Ranch Architectural Committee **DATE**

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SECTION 1: INTRODUCTION AND OVERSIGHT

Welcome to Dobson Ranch, one of the first master planned communities in the East Valley! Dobson Ranch has a variety of amenities residents are grateful to share, such as the lakes, parks, and recreation centers. This community was built upon a foundation of hospitality, friendship, and kindness. Dobson Ranch continues to promote these values and welcome future and current homeowners to the family! It is the commitment and responsibility of The Dobson Association, its Sub-Associations, and each property owner to preserve the quality of the community's lifestyle and aesthetic quality. Please take some time to become familiar with this document. It serves to provide some cohesion between the Dobson Ranch Architectural Committee, the Board of Directors, the managing agents, and property owners.

Some key points to remember:

- Always submit proposals on an Architectural Request Form for approval prior to beginning any modification.
- Keep all letters of approval or denial in your files for future reference, if needed.
- The policies, procedures, requirements and restrictions set forth in these Guidelines are not the exclusive basis for decisions of the Dobson Ranch Architectural Committee.
- The processes and procedures set forth in the Guidelines are separate and distinct from procedures and requirements imposed by local municipalities.
- The DRAC makes no warranty, expressed or implied, that any plan submitted and approved is in accordance with state, county or local building codes. Each owner is required to check and receive all regulatory approvals.

Section 1.1 The Dobson Ranch Architectural Committee (DRAC)

The Architectural Control Committee, referred to as the Dobson Ranch Architectural Committee ("DRAC"), was formed as follows and exercises its control as herein provided:

Under the authority the certain document entitled *Notice of Appointment of Successor Architectural Control Committee*, recorded on August 4, 1998 as *Document No.98-0679411* in the records of the Maricopa County Recorder, and Association records indicating that 41 subdivisions voted to name the Successor, the aesthetic quality of each subdivision shall be maintained by the entity know as the Dobson Ranch Architectural Committee (DRAC).

The DRAC shall be composed of three (3) owners, who shall include a member of the Board to serve as DRAC Chairman in conformance with *A.R.S. §33-1817*. The DRAC shall establish procedures and guidelines to interpret, clarify and implement the standards and controls for architectural review of, but not limited to, structural design, placement of buildings, landscaping, building materials, color schemes, color ranges and limits, exterior finishes, maintenance, and repair of property visible to Common Area or adjacent properties.

Section 1.2 Dobson Ranch Architectural Committee Oversight

In the event of inconsistency between these *Residential Architectural Guidelines* and the *Dobson Ranch Residential Area Declaration of Covenants, Conditions and Restrictions* or the Declaration of an individual subdivision, the Declaration or the subdivision Declaration shall control. If any of the provisions violate applicable law, the law shall govern. Waivers may be authorized by the DRAC on a case-by-case basis but shall not be construed as a waiver of any other rules or regulations. Failure to exercise or enforce any of the guidelines stipulated within this framework for any particular property or request shall not be a waiver of the right to enforce these guidelines for any subsequent property or request.

No member of the Board of Directors, member of DRAC, or any other committee of the Association, or any officer of the Association, the Executive Director, Community Manager, or Association Employee shall be personally liable to any owner, or to any other party, including the Association, for any damage, loss or prejudice suffered or claimed on account of any act, omission, error, or negligence, provided that such person has, upon the basis of such information as may be possessed by them, acted in good faith, without willful or intentional misconduct.

Section 1.3 Architectural Review Panel

The DRAC shall appoint a five (5) member panel of owners ("Architectural Review Panel"), any three (3) of which may be assigned by the Association to review an appeal of denial from the DRAC. In the event an owner's request to the DRAC is rejected, the owner may request an appeal.

Requests for appeal review must be received in writing within fifteen (15) calendar days after date of notice of DRAC denial. The appealing owner may appear before the three members of the Architectural Review Panel and present facts and documents which will clarify the case and support their position.

The Architectural Review Panel will take all appeals under advisement and forward their recommendation, to the DRAC within five (5) business days after the appeal hearing. All decisions will be based on the facts, written guidelines, maintaining continuity of neighborhoods and precedent, either for or against.

The DRAC will use good faith efforts to make its decision within ~~twenty-one (21)~~ **fourteen (14) business days** of receiving the recommendation of the Architectural Review Panel. Positions taken and recommendations made by the Architectural Review Panel are advisory only and will be limited to assisting the DRAC in reaching a final decision. All DRAC decisions made after advisement by Architectural Review Panel are final. **DISCUSS TIMEFRAME**

Section 1.4 Approval Process For Architectural Alterations And Improvements

To assist with the architectural review process, the DRAC has established a procedure for the preparation, submission, and determination of written applications for any alteration, improvement,

maintenance, or repair regarding the aesthetic quality of the subdivision. To obtain DRAC approval, DRAC requires the submission of:

- A completed Architectural Request Form which may be obtained at the HOA Administration office or online at DobsonRanchhoa.com.
- One (1) copy of the complete set of plans ~~(the Association retains)~~, specifications, including permits, if required by any governmental entity.
- A plot plan indicating the location of buildings, fences, hardscape, landscape and any other structures to be installed, as well as the materials and colors to be used.

The DRAC shall have the right to deny an *Architectural Request Form* which, as determined in its sole discretion, does not adhere to the governing documents, does not maintain a uniform aesthetic of the neighborhood, or is not suitable or desirable for aesthetic reasons.

Once a project is approved by the DRAC, the project must be completed within the timeframe included on the application or in accordance with any alternate timeline established in the written approval from the DRAC provided to the owner, whichever is shorter.

All homeowners shall keep complete records of all submitted applications in connection with all actions taken under the provisions of these *Architectural Guidelines*. It is recommended that all such records be maintained for a minimum of 6 years after DRAC approval or disapproval.

DRAC approval is separate from and in addition to any permits or approvals required by the City of Mesa or any other governmental entity. It is advisable that the designer, architect and/or builder be cognizant of all City of Mesa building codes, zoning, and permit requirements. DRAC's review is for aesthetic considerations only. Neither the approval of the plans nor the approval of the actual construction by DRAC shall constitute a representation or warranty that the plans or construction comply with applicable governmental requirements or applicable engineering, design, or safety standards. (*ARS 33-1817-B-2-e*). The owner is responsible for verifying compliance with all applicable codes, ordinances, laws, and regulations. Permits must be provided to DRAC, if requested, for all approved projects that require City of Mesa permits.

SECTION 2 DOBSON RANCH RESIDENTIAL ARCHITECTURAL GUIDELINES

Section 2.1 Accessory Buildings & Structures

Storage sheds, green houses, gazebos, pergolas above ground pools, animal pens, bird cages, visible gas tanks, or other permanent structures are not permitted in the front yards of any lot. Unless more restrictive provisions exist in the declaration for your subdivision, these items are permitted in the rear or side yards, if behind a six (6) foot fence or wall but are not to extend more than twelve (12) inches over the existing six (6) foot high fence or wall, or a maximum of seven (7) feet above ground level.

All accessory structures that are visible from outside the lot must have prior written approval from the

DRAC. On lots facing common areas, structures shall be minimum of twenty (20) feet from common area wall/fence. All such structures will be held to the same level of appearance and maintenance as a main residential structures and expressly prohibited from being used as dwellings. Above ground pools require appropriate screening to shield from common areas.

Sheds need to be painted same as home or a neutral color. All sheds must receive prior written approval of the DRAC. Sheds in side yards must be set back five (5) feet from the front wall/fence and may not exceed twelve (12) inches over a six (6) foot wall. Any shed in a side yard closer than six (6) feet to the main residential structure cannot have permanent foundation, electrical or plumbing, per Mesa Zoning 11-30-17. *See Appendix C Setbacks.*

Section 2.2 Antennas & Satellite Dishes

Advance approval by the DRAC is not required for the installation of antennas and satellite dishes falling under applicable FCC regulations. Such devices are antennas or satellite dishes that are one (1) meter or less in diameter and are designed to receive direct broadcast satellite service, video programming services via broadband radio service, wireless signals, local television broadcast signals or to transmit fixed wireless signals via satellite, or wireless signals. Such antennas and satellite dishes shall be mounted, to the extent reasonably possible, to not be visible from neighboring lots, common area, or the street and adhere to the following restrictions:

- Antennas and satellite dishes are recommended to be placed on the rear or side of the main residential structure.
- The DRAC reserves the right to request that an owner install landscaping or other improvements (“screening”) to help ensure an antenna or satellite dish is not visible from neighboring property. Screening must be maintained by the owner in good condition at all times.
- The installation of the antenna or satellite dish must comply with all applicable laws, regulations and codes. Installation must be pursuant to the manufacturer’s instructions.
- If any provision of these guidelines is ruled invalid, the remainder of these rules shall remain in full force and effect. If the FCC modifies its rules, the modified rules shall be incorporated into these rules as if fully set forth herein.
- Antennas and satellite dishes must be removed if not in use. Upon written demand from the DRAC to the owner, any existing or non-conforming antennas shall be promptly removed.

The placement and screening of antennas and satellite dishes not governed by Federal Communications Commission (“FCC”) regulations is addressed by the provisions of the various subdivision declarations. If permitted in a particular subdivision, such antennas and satellite dishes generally must receive the prior written approval of DRAC and be ground mounted, with all wiring underground or visually integrated with and painted the color of the main residential structure. Please consult your declaration for further guidance for any antenna not covered by the FCC regulations.

Section 2.3 Clothes Drying Structures

If not prohibited under the declaration for your subdivision, any clothes drying facilities shall be placed and maintained exclusively within a fenced rear yard or otherwise concealed and shall not be visible from the ground level of neighboring property or from the street, sidewalk, or common areas.

Section 2.4 Docks & Watercraft

For each lot which abuts a lake common area there is also an easement for the purpose of construction of a dock over the common areas owned by the Association beyond the sea wall, said dock to be cantilevered and to extend no more than six (6) feet onto said common area. The plans for said dock shall be submitted in advance of construction to the DRAC for prior approval. Docks are to be structurally sound and maintained in good repair. In addition, please consult the declaration for your subdivision to determine whether more restrictive provisions or additional restrictions may apply.

Please note: Per the *Common Area Guidelines*, watercraft used on the lakes must be registered with the Dobson Ranch Recreation Department.

Section 2.5 Flagpoles, Flags & Banners

An owner may install one (1) flagpole on the lot with prior written approval of the DRAC. No flagpole may exceed the height of the rooftop of the owner's main residential structure. In lieu of a freestanding flagpole, one (1) wall-mounted flagpole may be installed on the front of main residential structure with the prior written approval of the DRAC. Flagpoles and flags are subject to the following restrictions:

- Freestanding flagpoles may be metal, steel, aluminum, or stained wood; any other material must be approved by the DRAC. Plastic and PVC piping may not be used as a flagpole.
- Flagpoles in the front yard shall be no more than 7 (seven) feet away from the dwelling/face of a house.
- Flagpoles located in the back yard shall be setback a minimum of ten (10) feet from the side and rear perimeter fences and/or walls.
- A wall-mounted flagpole may not exceed six (6) feet in length.
- Flags should not exceed three feet by five feet (3' x 5') in size and maintained in good condition.
- Owners who install a flagpole and fly a flag must take reasonable steps to mitigate any noise created by the flag, flagpole, and all related equipment so as not to disturb their neighbors. Before or after installation, the DRAC may require the owner to make any modifications or changes to the size and location of the flag, flagpole, and equipment that are deemed necessary, in the Association's judgment, to allow other owners the peaceful and quiet enjoyment of their homes.
- Flags that are required to be permitted by law may be flown on the lot in accordance with the *Federal Flag Code (P.L. 94-344)*; however, no more than two (2) flags may be flown at the same time.

- One (1) banner may be flown, unless otherwise prohibited by an individual subdivision's declaration, from an approved freestanding or wall mounted flagpole, in lieu of the permitted flags, so long as such banners do not exceed the size of a permitted flag or have any offensive language or graphics.

See A.R.S 33-1808 Flag Display; Political Signs; Caution Signs; For Sale; Rent or Lease signs; Political activities; definition

Section 2.6 Garage & Carport Structures

Any and all garages or carports must comply with the restrictions contained in the declaration for your particular subdivision. Carports may be converted into garages only with prior approval from the DRAC. No temporary or pop-up structures meant to act as garages or carports for shade of any type vehicles are allowed.

Section 2.7 Landscaping

Landscaping in Dobson Ranch will generally be of two types: turf/grass (including artificial grass) or desert landscaping. Either type must show evidence of maintenance and upkeep and periodic renewal. All yards must be kept in a neat, sightly and weed-free condition and shall be cultivated, watered and planted sufficiently to maintain an appearance not out of keeping with that of typical improved properties in the Association with plants and trees. Any wildflowers need to be maintained and cut and pulled when not in bloom.

The total front and side yard landscaping shall not be comprised of over 50% cement and/or brickwork or similar material. In no case will baredirt or rock only be permitted. Walkways adjacent to a driveway and of different material cannot be wider than five (5) feet and no vehicles of any kind can be parked on them.

During prolonged absence, owners shall arrange for the care of the lot to keep the lot in compliance with the requirements of this section. Precautions shall be taken by owners to prevent debris, seed pods, fruit, and other plant materials from being deposited in the lakes, common areas or adjoining lots. The City of Mesa code compliance requires that properties be free of grass and weeds more than nine (9) inches in height; dead vegetation must be removed.

Front yards shall have and maintain a minimum of one (1) live tree fifteen (15) gallon size or larger with a minimum mature height of ten (10) feet and two (2) leafed shrubs five (5) gallon size or larger. Trees and shrubs must be permanently planted in the ground. Cacti, succulents and other non-leafing plants are not considered trees or shrubs by DRAC but will be considered on a case-by-case basis. Any installation or modification of landscaping (other than like-kind replacement of plant material) or hardscape improvements must receive the prior written approval of the DRAC.

Winter Grass: Winter grass is not a requirement. Lawns not over-seeded during the winter season are to be maintained (mowed, weeded, and edged).

Summer grass is to be maintained (green, mowed, weeded, and edged).

Artificial grass is to be maintained (cleaned, brushed, and replaced as necessary) to ensure an appearance that mimics real, live turf and needs to be installed in a professional manner.

No trees, shrubs, or planting of any kind on a lot shall be allowed to overhang or otherwise to encroach upon any bicycle path, sidewalk, or any other pedestrian way or any other property in the Dobson Association, including another lot, from ground level to a height of eight (8) feet or overhang or encroach upon any public right-of-way or street from ground level to a height of fourteen (14) feet.

Dead tree stumps must either be cut below ground level or the stump be “ground” so as not to be visible from the street. Trees, shrubs, or plantings must be maintained with significant dead foliage/limbs removed. All palm trees must be trimmed on a regular basis to remove any dead or brown fronds from palm trees. **See additional information on palm trees below.**

Trees and shrubs shall be trimmed eight (8) feet above the lakes. In addition, please consult the declaration for your subdivision to determine whether more restrictive provisions or additional restrictions may apply.

Any trees, bushes, or foliage that have thorns, spikes, or other dangerous points must be kept trimmed so that the points do not present a hazard to people using any adjoining area.

Any trees with fruits must be properly pruned and maintained to reduce unsightly and disorderly growth, and any fruit or fruit waste that has fallen must be disposed of.

Palm trees are of specific concern due to dead fronds and long seed pods. They must be trimmed once a year, usually May-June. DRAC will consider adjustments to the time periods on a case-by-case basis due to migratory birds nesting in palms.

Section 2.8

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Lighting - Exterior

The installation or modification of outside lighting requires the prior written approval of the DRAC. Spotlights, flashing lights, floodlights and other similar lighting may not be placed and used on any lot in any way which would disturb or interfere with the enjoyment and privacy of an adjoining lot(s) or common area by light pollution. *See Appendix A: Definitions.*

By eliminating light pollution, we can conserve energy, reduce glare and light trespass while maintaining our desirable community character, safeguarding our wildlife in the urban environment, and help restore our view of the starry night sky.

Seasonal & Decorative

String lights are permitted in the rear yard only, so long as the following provisions are followed:

- Posts used for the lights cannot be taller than seven and one-half (7.5) feet.
- Posts must be five (5) feet away from any shared wall.
- Posts cannot be attached to the perimeter fences and/or walls and must be of a neutral color.
- String lights are only allowed in the backyard with the exception of a front court yard that is enclosed.
- Decorative shapes, flashing, flickering, or blinking lights are strictly prohibited.
- String lights shall not be left on past 10:00 PM unless they are actively being used.
- String lights are not permitted to be used as security lighting.
- Any colors other than white or clear lights are prohibited.
- LED strip lights can only be attached behind the fascia of a residence and bulb must not be visible to any neighboring properties. Bulbs must be white; appropriate bulb color changes may be allowed under Holiday Lights time line provisions.

Holiday lighting and decorations do not require approval if installed no earlier than thirty (30) days before a holiday and removed no later than twenty-one (21) days after a holiday. Holiday decorations must not use offensive language or employ light or sound in a manner that creates a nuisance for neighboring residents. The DRAC reserves the right to request modifications to holiday decorations that it determines violate these restrictions.

Section 2.9 Mailboxes

The location and design of all mailboxes requires DRAC approval prior to installation. USPS standards on mailbox specifications, placement, and positioning must be followed. Mailboxes and supporting posts are to be kept in good condition and adequately painted.

Section 2.10 Painting

Submittals of all plans and specifications must include the detail of the exterior colors, including all exterior surfaces and roofs, base color of home, fascia trim, garage door and front door. Exterior surfaces or colors must be generally compatible with the other structures in the neighborhood. Colors for exterior surfaces can be taken from the Dobson Ranch color palette, available in the HOA administration office

Gutters need to match the color of home or fascia as close as possible.

Uniform painting of the exterior surface of fencing and walls separating arterial streets, collector streets and thoroughfares from the lots and common areas of the Association, or separating lots from the

common area, painted surface color shall be “Bungalow Beige SW7511” or concrete block with integral Earthtone Brown color. Gray block is not allowed. **DISCUSS COLORS** Fencing and walls in between lots may be painted to match the color of house.

Section 2.11 Parking Areas

The City of Mesa requires, in the front yard, that parking must be on, or right next to, your legal driveway and parking may not take up more than fifty (50) percent of your front yard area.

Additional parking may be added to a lot upon first obtaining written approval of the DRAC, provided that such additional parking is:

- contiguous to the existing driveway.
- is constructed of the same material as the existing driveway.
- is no wider than ten (10) feet beyond the garage width.
- **Must have a one (1) foot setback between the driveway extension and lot line. Such setback shall be covered in groundcover, ie: decomposed granite. The extension must include a decorative curve where a minimum of two (2) plants are required. See Appendix DISCUSS**
- Walkways adjacent to a driveway and of different material cannot have vehicles of any kind parked on them.

In no event, however, shall parking or construction of a driveway be permitted within six (6) feet of a neighboring structure. The intent of the DRAC is to prohibit the parking of vehicles in side yards and street side of corner lots. A second driveway on any lot is expressly forbidden. See *City of Mesa Zoning Ordinance, Title 11, Chapter 5 (11-5-3(B)(5))*.

No mobile home, travel trailer, tent trailer, trailer, recreational vehicle, motor home, detached camper, boat, boat trailer, box truck, semi-truck / tractor-trailer, ATV, off-road vehicle or race car shall be parked on any driveway, carport, front yards or portions of side yards visible from the sidewalk, street, or common area. Such vehicle or equipment when parked in a rear or side yard may not exceed the height of the fence, and may not be visible from the sidewalk, street or common area. Please refer to your subdivision’s CCR’s for further clarification.

Temporary parking for mobile homes, motor homes, boats, recreational vehicles, trailers, campers, or other similar vehicles are allowed to be parked on any residential lot for periods not to exceed forty-eight (48) hours within any period of seven (7) consecutive days for the purposes of loading, unloading, and cleaning such vehicles. Per the *City of Mesa 8.6.3*, parking may not exceed 50% of the front yard area and all vehicles parked in front yard must have current registration displayed.

The DRAC provides a provisional grace period as a courtesy, revocable if misused, regarding vehicles it considers non-compliant. The Association must be notified in writing of the necessity and timeframe of all temporary non-compliant vehicle parking beforehand. Such vehicles may not be

occupied by guests or any persons and should be parked as to not create an obstruction, restrict crosswalks or ramps, or obstruct visibility from street intersections or driveways.

Storing of any vehicle which is abandoned and inoperable shall not be stored or kept on any lot within Dobson Ranch in such a manner as to be seen from any other lot or from any streets or alleyways within any subdivision. Vehicles which are unlicensed, lack a current registration or are otherwise unsafe for road use shall not be parked or stored to be seen from the street, common area or neighboring lots. Please refer to your subdivisions CCR's for further clarification.

Section 2.12 Play Structures & Equipment

Play structures must be constructed per kit plans and/or in a professional manner. It is recommended that the play structures be composed of materials which can withstand the high summer heat in the desert. The canvas on top of play structures must be maintained at all times. The height of a play structure can be no more than twelve (12) feet in height and must be set back six (6) feet from every wall/fence. All play structures must receive prior written approval of the DRAC.

Height of play equipment such as swing sets, trampolines, basketball hoops etc. may not exceed twelve (12) feet in height and must be six (6) feet away from rear yard wall. Trampolines must be properly secured and maintained. Basketball hoops cannot be mounted to the main residential structure and must be maintained. All play equipment must receive prior written approval of the DRAC. See *Appendix C-4 Play Structures*.

Section 2.13 Roof Structures & Maintenance

Each roof and portion thereof that is visible from the streets, sidewalks or common areas shall be maintained, repaired, and always kept in good condition. Specifically, roofing material (including shingle, shake, tile, etc.) must be replaced or repaired when it is, or becomes, worn, damaged, torn, broken, discolored, weather-beaten or otherwise unsightly. The DRAC recognizes that these repairs and maintenance may be expensive in certain situations. Therefore, the DRAC may extend the period of time to make such repairs up to three (3) months after receiving notice from the Association. **Metal standing seam roofing and painting of roofs is not permitted. Metal shingles will be considered on a case by case basis.**

Section 2.14 Security Cameras & Equipment

Security cameras, *Ring* doorbells, and similar devices must be mounted to the main residential structure in a visually unobtrusive way that is shielded from view by adjacent properties and so that all cords and cables are inconspicuous.

Section 2.15 Signs & Signage

Except for such signs that may not be prohibited by law, signs explicitly permitted on a lot pursuant to the

terms of the declaration of your subdivision, or real estate or political signs in compliance with the provisions below, no sign of any type shall be erected, placed, affixed or maintained on any lot or any mailbox, utility pole, utility box, signpost, or fence, or other structure in the common area.=

An owner may display one sign that the lot is "For Sale," "For Lease" or "For Rent." Such sign must be clean and in good condition and may be no larger than eighteen (18) inches by twenty-four (24) inches. Such sign may have a single rider, which shall be no larger than six (6) inches by twenty-four (24) inches. If an open house is scheduled, an owner may display a single "Open House" Sign on their lot. Signs should be placed on a sign mounting post in good condition. Except for sold or sale pending signs, no attachments or decorative items may be attached to any permitted sign or post, including, but not limited to, flyers, tubes, balloons, banners or any other promotional material. No sign may be illuminated.

Political signs should be placed no earlier than seventy-one (71) days prior to the day of election and remain no later than three (3) days after the election, with an aggregate total dimension of all political signs on a lot not to exceed nine (9) square feet or such greater amount as may be explicitly permitted under applicable law. For a sign for a candidate in a primary election who does not advance to the general election, the sign can remain no later than fifteen (15) days after the primary election.

No signs advertising a business may be placed on the lot.

See *A.R.S. 33-1808 Flag Display; Political Signs; Caution Signs; For Sale; Rent or lease signs; Political activities; definition.*

Section 2.16 Solar Energy Devices & Accessories

Except as specifically authorized pursuant *A.R.S. 33-1816*, no solar energy devices shall be constructed or maintained on any lot without the prior written approval of the DRAC. Solar energy devices subject to *Section 33-1816* of the *Arizona Revised Statutes* must comply with the following provisions to the extent that they do not impair the functioning of the device or adversely affect its cost and efficiency:

- The solar energy device must be placed in the rear yard or on a portion of the roof facing away from the street;
- The solar energy device must be shielded from view to the maximum extent possible and all landscaping or structures used to shield the device must be approved by the DRAC prior to installation;
- The solar energy device must comply with all applicable city, county and state regulations and codes; and
- In order to protect against personal injury, solar energy devices may not block or obstruct any driver's view of the street or intersection. No solar energy device may encroach on the common area or the property of another owner.

- Solar energy devices must be maintained in safe and operable condition at all times.

Section 2.17 Sports Protection & Netting

Specific screening / protection devices designed to help protect against damage due to sports **golf balls on home with rear yards facing a golf course** may be allowed per the following guidelines. A framed, sturdy net may be installed. The frame should be a minimum of two (2) inches diameter or width. The frame shall extend across the top and bottom and both sides of the net. The frame shall not exceed twenty-four (24) inches higher than the peak of the roof. An upright support may be required every eight (8) feet to ten (10) feet depending upon the length of the screen. The net material shall be three-fourths ($\frac{3}{4}$) inch vinyl-coated golf net, black in color. The ~~sports~~-net shall be affixed with lacing on all four sides. The frame shall be painted black or dark brown. Any screening requires the prior written approval of the DRAC; shall be structurally sound and always maintained in good repair.

Section 2.18 Sunshades, Sails & Umbrellas

Sunshades are not permitted in the front yard. Material, location, structure, and height shall be reviewed on a case-by-case basis and require prior written approval from the DRAC. All such structures will be held to the same level of appearance, maintenance, and color scheme as the main residential structures. These types of structures cannot be higher than seven (7) feet in the side yard and ten (10) feet in backyards.

Any and all fabric shades shall be replaced when visibly worn, ripped, or deteriorated.

Section 2.19 Temporary Equipment & Structures

Portable Moving Containers & Dumpsters

Portable moving containers and dumpsters (including bag/soft sided dumpsters) are permitted on a lot as a temporary circumstance for up to fourteen (14) days, with prior notification to the Association of timeframes, subject to request for additional extension. Dumpsters and containers shall not block any street or sidewalk.

Porta-Potty Rental Unit

An owner is permitted to have one (1) port-a-potty/portable toilet located in the front yard of the lot for the purpose of supporting an approved construction project. The maximum size is to be single-standard occupancy. The porta-potty/portable toilet must be cleaned at a minimum of one time per week and can remain up to 90 days.

Section 2.20 Windows & Awnings

No metal or rigid plastic awnings of any nature whatsoever shall be installed on the outside of any structure in Dobson Ranch. Only awnings of canvas or other types of woven material along with any type of security screening that has been approved by the DRAC will be permitted.

All broken windows must be repaired in a timely manner and shall not be covered with aluminum foil or other unsightly, torn or broken material. Window screen tints must be either bronze, black, or tan.

Section 2.21 Yard Areas Prohibited Uses

The prohibited uses of visible yard areas include, but are not limited to, the erection or maintenance of metal tanks, storage sheds, placement, or storage of cords of wood or equipment of any nature, storage or parking of any vehicle (including under car covers and/or tarps) or storage of trash containers.

Trash containers must not be visible in the front or side yards. Trash containers may be screened with prior approval of the DRAC. The DRAC may give written approval to permit an otherwise prohibited use of the visible yard areas. Rubbish and debris shall not be allowed to accumulate on any lot, and the owner shall be responsible for all clean-up and maintenance. Visible yard areas, including carports, cannot be used for storage.

Section 2.22 Walls, Fences & Gates

Concrete block fences and walls, and any portion thereof, must be repaired or replaced with concrete block to match existing when they become worn, damaged, broken, discolored, weather-beaten, or otherwise unsightly.

Fences and walls that are not concrete block must be replaced with concrete block when they become worn, damaged, broken, discolored, weather-beaten, or otherwise unsightly. Non-concrete block material for the repair or replacement of fences and walls will not be allowed.

Fences and walls must be painted to follow Section 2.7.2 of these *Residential Architectural Guidelines*. The DRAC may deny any improvements or repairs which, in its opinion, are not suitable or desirable for aesthetic reasons.

No fence or freestanding wall within or along the boundary of the required side or rear yards shall exceed a height of six (6) feet, per *City of Mesa Ordinance 11-30-4*. In addition, please consult the Declaration for your subdivision to determine whether more restrictive provisions or additional restrictions may apply for walls and fences on your lot.

The following wall and fence materials are not permitted in accordance with the overall theme of Dobson Ranch: plastic, chain link, lattice, plywood, used wood, bamboo panel fencing. Wire mesh will be considered on a case-by-case basis.

Gates must be maintained, repaired, or replaced when they are or become worn, damaged, broken, discolored, weather-beaten, or otherwise unsightly. See *Appendix C* -----

SECTION 3. Violations of the Residential Guidelines

Section 3.1 Violations & Violation Appeal Process

Any owner who has received a *Friendly Reminder* or *Violation Notice of Guidelines* pertaining to community aesthetic, will be given an opportunity to bring the property into compliance by submitting an architectural application as noted above to be reviewed by the DRAC. The application must be received within twenty-one (21) calendar days after the date of the first violation notice. If the application is denied by the DRAC, the member may appeal the denial, per the process listed in Section 1.3 of the *Residential Architectural Guidelines*. If resolution cannot be made, continued violations will be sent to the Board to pursue legal action.

All homeowners retain the right to a hearing before the Board of Directors of Dobson Ranch if requested within the timeframe noted in the Violation Notice from the Association to the Owner. See *Appendix B* for details.

Section 3.2 Architectural Variances

The DRAC may authorize variances from compliance with any provision of these *Residential Architectural Guidelines* in circumstances where the design meets the intent of the provision at hand and where granting of the variance would enhance design, innovation and excellence, or when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations so require, and the DRAC determines in its sole discretion, that the objective of the particular requirement can still be achieved. No variance shall be effective unless in writing and signed by the DRAC or parties appointed by the DRAC. No variance may be contrary to the Association's governing documents. For the purposes of this section, inability to obtain approval from any governmental agency, issuance of any permit, or terms of any financing shall not constitute a hardship.

Section 3.3 Revisions To Architectural Guidelines

Any revisions to the *Residential Architectural Guidelines* shall be determined by the DRAC. Guidelines will be reviewed biennially, that is, every two years. All proposed revision drafts shall be reviewed by legal counsel for advice and presented at a minimum of two (2) open workshops to receive member suggestions and comments. Any revisions to the *Residential Architectural Guidelines* will require the approval of the DRAC by a 2/3 vote.

SECTION 4: APPENDIXES

Appendix A: Definitions

“Architectural Review Panel” means a panel of members, appointed by DRAC, which will review an appeal of a denial by DRAC and may make advisory recommendations to DRAC.

“Board” of “BOD” refers to The Dobson Association, Inc. Board of Directors.

“Cacti” are a unique succulent flowering plants, primarily, known for thick, fleshy stems that store water

and have characteristic spines (modified leaves) instead of typical leaves, to survive in hot, dry environments. Cacti are not considered trees or shrubs.

“**DRAC**” means the Dobson Ranch Architectural Committee.

“**Habitual Offender**” means a homeowner who has been sent more than three (3) violation notices regarding the same issue within the previous 12 months.

“**Light pollution**” means glare, light trespass, and light which is reflected into the night sky, contributing to sky glow, through the use of unshielded, misplaced, excessive, or unnecessary outdoor night lighting.

“**Member**” shall mean and refer to those persons entitled to membership as provided in the Declaration (also referred to as “homeowner” or “owner”).

“**Neat, attractive, & sightly**” means habitually clean, orderly, and harmonious, as determined by the DRAC in its sole and absolute discretion.

“**Inoperable vehicle**” includes, but is not limited to, a vehicle physically incapable of its intended operations, as evidenced by being partially or wholly dismantled, having deflated or removed tires, mechanical failure or mechanical disassembly, lack of valid license plate affixed to the vehicle, or the presence of an expired license plate or registration affixed to the vehicle.

“**Patio Cover**” means a structure providing shade for an outdoor patio area, supported by posts, and firmly attached to a house wall or similar support.

“**Roll-down blind**” or “shade screen” means an open mesh or adjustable slat device that provides protection from the sun.

“**Shrubs**” are small to medium-sized woody plants, distinguished from trees by multiple stems growing from the base and shorter height (typically under 10 feet). They lack a single dominant trunk, though sometimes called a ‘bush’ if densely branched.

“**Solar energy device**” means, as defined in *A.R.S. 44-1761*, a system or series of mechanisms that is designed primarily to provide heating, to provide cooling, to produce electrical power, to produce mechanical power, to provide solar day lighting or to provide any combination of the foregoing by means of collecting and transferring solar generated energy into such uses either by active or passive means. Such systems may also have the capability of storing such energy for future utilization. Passive systems shall clearly be designed as a solar energy device such as a trombe wall (a thick, dark-colored masonry wall, for thermal mass, placed behind a glass pane, separated by an air gap) and not merely a part of a normal

structure such as a window. “Solar energy device” includes a distributed energy generation system.

“**Structure**” means anything which is built or constructed, or any piece of work artificially built up or composed of parts, including, but not limited to, houses, buildings, fences, towers, overhead transmission lines and mechanical equipment.

“**Structurally sound**” means the structure has the ability to withstand normal forces; is in good condition; solid and strong; free of defects.

“**Tree**” means a woody perennial plant, generally having an elongated main stem, and few branches on its lower part coniferous or deciduous.

“**Visible yard area**” means a yard area that can be seen from the public street, the ground level of neighboring lots, or the common areas. See Appendix C-1.

“**Wall**” means a masonry barrier intended to prevent intrusion or to mark a boundary or shield outdoor furniture.

“**Yard**” means an open space on a lot or parcel of land that begins at an exterior boundary of the main residential structure and extends to the perimeter of the lot. Yards may be described as front, side or rear based on the definitions found below and shall not include courtyards or other open space found principally towards the lot interior. See Appendix C-1.

“**Yard, front**” A yard extending across the full width of the lot or parcel of land between the most forward plane of the main residential structure and continuing along the front face of any wall or fence that runs from the side of the main residential structure to the property lines at each side of the lot and extending to the street curb or edge of pavement. On single residence corner lots, the front yard shall be the narrower frontage of the lot or the frontage with the primary entrance. *See Appendix C-1 Setbacks.*

“**Yard, Side**” A Yard extending from the front plane of the main residential structure to the rear plane of the main residential structure, and then extending away from the main residential structure to the street curb or edge of pavement. For corner lots, all land between the front plane of the main residential structure to the rear plane of the main residential structure, and then extending from the portion of the main residential structure closest to the street to the street curb or edge of pavement shall be considered a side yard. *See Appendix C-1 Setbacks.*

“**Yard, Rear**” A Yard extending across the full width of the lot or parcel of land between the most rear plane of the main residential structure and the rear property line. *See Appendix C-1 Setbacks.*

Any other defined terms used herein and not defined above shall have the meaning provided in the Dobson Ranch *Common Area Declaration of Covenants, Conditions and Restrictions* (the "Declaration").

APPENDIX B

The Dobson Association, Inc. Enforcement Process

When a violation is observed by code compliance personnel or the Dobson Association or its agents are notified of a violation, the DRAC intends to follow the process set forth herein, but reserves the right, in its sole and absolute discretion, to vary from this process due to the unique circumstances of individual situations.

1. Friendly Reminder Letter

Upon verification of the existence of a violation, a written *Friendly Reminder Letter* may be mailed to the owner providing the specific information regarding the violation and request that corrective action be taken within a specific timeframe or that the violation not reoccur.

2. Violation Notices

If the Association decides to skip the *Friendly Reminder Letter*, the owner fails to remedy the violation within the timeframe set forth on the *Friendly Reminder Letter*, or of the violation is initially cured but then occurs again within a period of ninety (90) days from the initial violation addressed in the *Friendly Reminder Letter*, a written *Violation Notice* shall be mailed to the owner. The first *Violation Notice* shall include:

- a) The description of the violation.
- b) The approximate time and place the violation was observed.
- c) A date for correction of the violation.
- d) If applicable, the possibility of fines per the fine schedule adopted by the Board.
- e) A statement advising the owner of the opportunity to be heard with respect to the violation and the time frame (at least ten (10) days after service of the *Violation Notice*) to contact the Association, in writing, to exercise the opportunity to request the hearing.
- f) A statement advising the owner of how the owner may contest the violation.
- g) A statement advising the owner that the owner has the right to petition for an administrative hearing on the outstanding violation to the Department of Real Estate.

3. Subsequent and/or Continuing Violation Notices

If the violation still exists after the time frame for compliance in the prior notice, or reoccurs within **ninety (90) days of the prior notice, DISCUSS** subsequent violation notices can be sent in accordance with the policy, and/or additional fines can be imposed in accordance with the fine schedule adopted by the Board. If the violation is a reoccurrence, the notice shall contain

information required to be provided with the first notice.

4. Hearing And Fines

Hearing and Waiver of Right to be Heard

If requested within the timeframe prescribed in the *Violation Notice* from the Association on behalf of DRAC to the owner, a hearing will be granted by the Board and a reasonable effort will be made to schedule the hearing at a time convenient to both the Board and the owner.

Any of the following shall constitute a waiver of the Owner's right to the hearing:

- a) The owner does not contact the Association to request a hearing in the timeframe prescribed in the *Violation Notice* to the owner.
- b) The owner does not respond to the Association's reasonable attempts to schedule a hearing.
- c) After a hearing is scheduled, the owner does not attend the hearing or provide at least forty-eight (48) hours' notice of their inability to attend the hearing.
- d) A fine may be imposed after the hearing or after the owner waives the right to be heard. If an owner waives the right to be heard, the Board will determine fines based on the information it has. Any fine imposed may be applied retroactively to the initial date of the violation.

5. Notice and Amount of Fines

The owner will be given written notice of the amount of any fines imposed by the Board and the due date for payment of such fines, which shall be at least ten (10) days after notice of the fine is delivered to the owner. The Board intends to impose fines generally in accordance with the adopted fine schedule for violations listed on the schedule; however, the Board reserves the right to vary from this schedule based on the nature and severity of the offense and the number and history of violations by the owner. The amount of the fines imposed by the Board shall range from \$15.00 to a maximum of \$1,000.00 per calendar year.

6. Fines for Continuing and Recurring Violations

Once it has been determined by the Association that the violation is a continuing violation and/or the owner has been deemed a habitual offender, the Board may impose reasonable continuing fines (such as daily, weekly or monthly fines) while the violation continues, and such continuing fines shall accrue until the owner notifies the Association that the violation has ceased and the Association confirms that it has ceased. If any violation recurs within ninety (90) days from a past violation, it will be considered a continuation of that past violation.

7. Referral To Legal Counsel And Other Remedies

At any time during the enforcement process, the DRAC may recommend to the Board involvement by legal counsel. The Board, if it determines that referral to legal counsel is in the best interest of the Association, may refer the violation to legal counsel for action seeking injunctive relief against the owner to correct or otherwise abate the violation, or to pursue any other legal or equitable remedy that may be available to the Association.

8. Resident Complaint Procedure

Any resident may make a formal complaint regarding violations of the governing documents. The complaint must be in writing and must include the date and time along with a detailed description of the violation including the people involved. You have a right to know the complainant to properly dispute a violation, as required by Arizona law for due process.

The complaint should be mailed, faxed, or e-mailed to:

The Dobson Association, Inc.
c/o Code Compliance
2719 S. Reyes
Mesa, AZ 85202
Phone: 480-831-8314

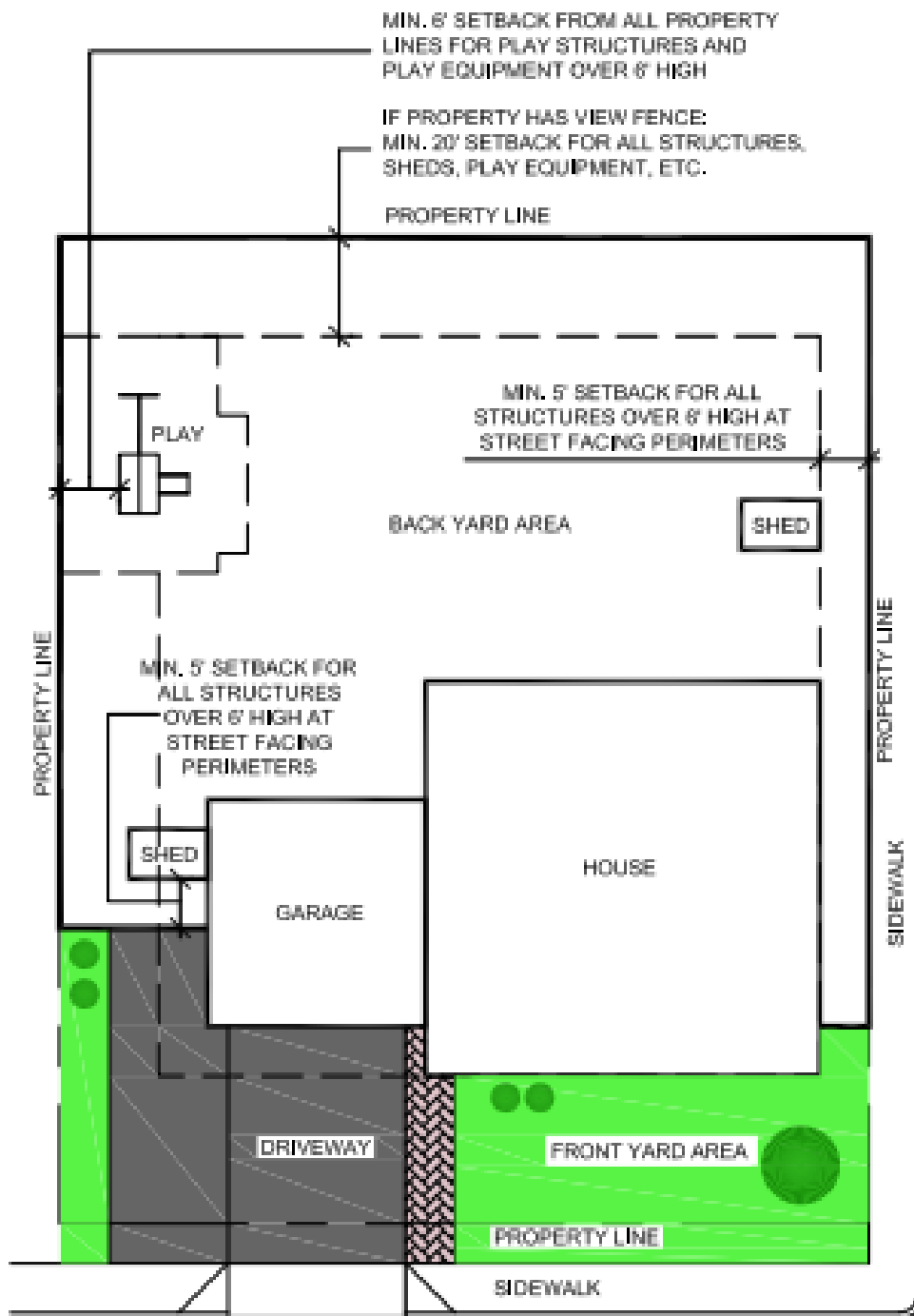
9. Fines Schedule Adopted By The Board Of Directors of the Dobson Association, Inc.

- First Violation: \$75.00
- Second Violation: \$125.00
- If more than three violation notices have been sent regarding the same issue within the previous 12 months, habitual offender fines can be assessed. See *Appendix A: Definitions*.

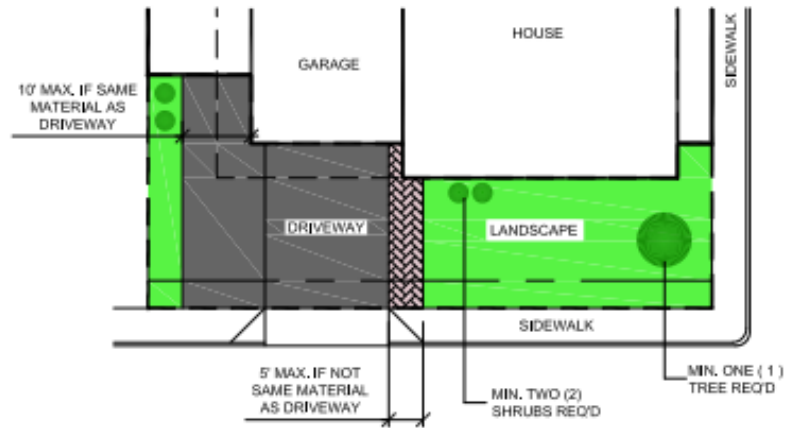
APPENDIX
through 5

1.
Setbacks

C, 1



2: Allowable Hardscape



NOTES:

- HARDSCAPE (CONCRETE, ASPHALT, PAVERS, ETC.) SHALL NOT EXCEED 50% OF THE TOTAL FRONT YARD AREA

EXAMPLE:

TOTAL FRONT YARD AREA: 1,800 SQ. FT.

HARDSCAPE:

DRIVEWAY / CONCRETE: 800 SQ. FT.

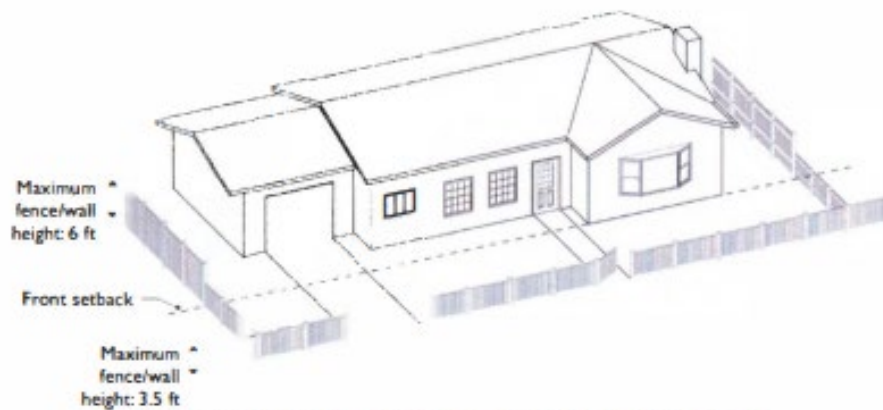
FRONT YARD PAVERS: 100 SQ. FT.

LANDSCAPE (PLANT OR ROCK): 900 SQ. FT.

HARDSCAPE COVERAGE = 50% = MAXIMUM ALLOWED

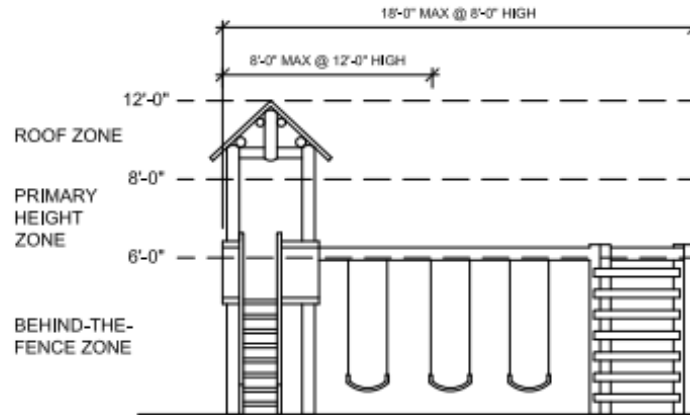
3: Wall & Fence Height

- Perimeter walls/fences shall be maximum of six (6) feet high, measured from highest adjacent natural grade. These walls shall be masonry construction. Refer to Guidelines for color and/or additional requirements.
- Front yard decorative walls shall be a maximum of three to six (3-6) feet high. Material selection shall be consistent with the surrounding neighborhood on a case-by-case basis.
- View fences shall be a maximum of six (6) feet high. Material selection shall be consistent with the surrounding neighborhood on a case-by-case basis. View fences shall be a maximum height of two (2) feet high. Material selection shall be bamboo or other natural materials.



REFERENCE: CITY OF MESA ZONING CODE FIGURE 11-30-4-A

4. Play Structures

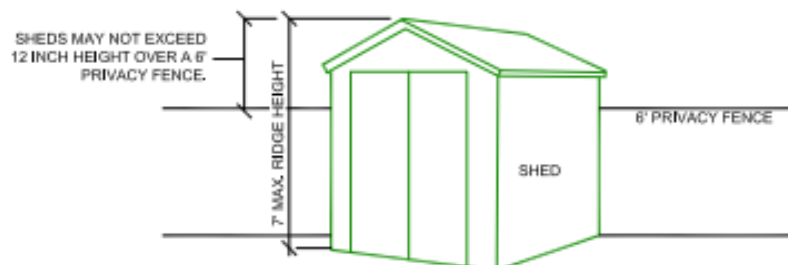
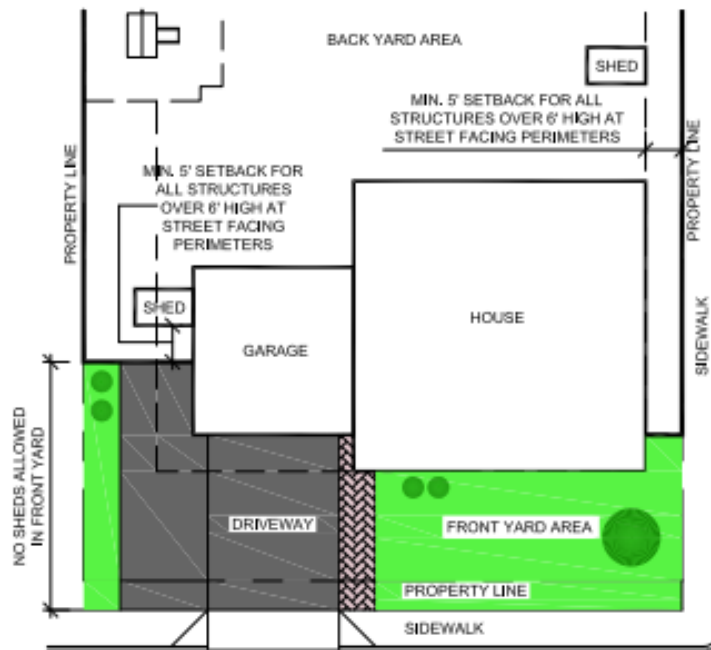


NOTES:

1. DRAWING IS SCHEMATIC AND NOT MEANT TO REPRESENT SPECIFIC PLAY STRUCTURE EQUIPMENT
2. ALL EQUIPMENT AND STRUCTURES SHALL BE INSTALLED PER MANUFACTURER SPECIFICATIONS
3. PROVIDE 6' CLEAR "SAFETY ZONE" ON ALL SIDES OF PLAY EQUIPMENT

JAY

5. Sheds



6. Extended Driveway



APPENDIX D

Desert Adapted Plants

For the highest chance of success, DRAC recommends planting low-water use trees, plants, and flowers native to our area. They are best suited to survive our unique climate, work well with our wildlife, and benefit pollinators. Plants should be selected that respect soil conditions and water use as well as contribute to the overall appearance of the community. Individual yards have unique characteristics, such as the amount of sunlight they receive, soil nutrients, water application rates and frequencies and so forth. Plants should be grouped together based on their water requirements.

There are many resources available to access for both general and detailed information on low water use plants, irrigation types and techniques, water harvesting, xeriscape concepts and more. Here are two excellent resources when considering your Arizona landscaping needs:

- Arizona Municipal Water Users Association (AMWUA): <https://www.amwua.org/plants>
- Arizona Department of Water Resources: <https://www.azwater.gov/conservation/landscaping>

It can be tempting to plant what you are familiar with, but most plants, trees, and flowers grown in other parts of the country (or world) do not do well here in the Sonoran Desert. Plants sold in a big box store's garden centers look nice, but many will not do well in landscapes in the low deserts.