

**CANTERRA COURT HOMEOWNERS ASSOCIATION  
(a.k.a. Pecan Groves)**

**Rules and Regulations  
Modified February 20, 2019**

**Part 1: Architectural Committee Guidelines and Landscape Guidelines**

**ARTICLE 1: ARCHITECTURAL PROCEDURES**

**Section 1.1 OVERVIEW**

In accordance with the Declaration of Covenants, Conditions and Restrictions for Canterra Court (the "Declaration"), the Architectural Committee (the "Committee") has adopted the following Guidelines for Architectural Improvements (the "Guidelines") which shall apply to all Lots within the Pecan Groves subdivision.

Each Lot Owner should read, review, and make themselves acquainted with the Declaration and with these Guidelines as may be amended from time to time by the Committee. These documents are intended to enhance property values and the high standards of development that exist within Canterra Court Homeowners Association. The Guidelines are established to assist Owners in preparing an application to the Committee for structural and landscape improvements. FOLLOWING THESE GUIDELINES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS FOR APPROVAL BY THE COMMITTEE. Even if your addition or alteration is identical to another which has been approved, it must be submitted for approval. Because each situation may have different conditions, e.g., different locations, physical conditions, or design considerations, etc., each application will be reviewed on a case-by-case basis. In the event of any inconsistency between these Guidelines and the Declaration, the Declaration shall control. All architectural approvals will be conditioned upon compliance with applicable City codes.

**Section 1.2 ADDITIONS AND IMPROVEMENTS**

**ANY ADDITIONS OR IMPROVEMENTS THAT CHANGE THE EXTERIOR OF THE HOME'S APPEARANCE, EXCEPT FOR NATURAL VEGETATION, MUST BE APPROVED BY THE COMMITTEE. REFER TO SECTION 7.7 OF THE DECLARATION.**

**Section 1.3 APPLICATION PROCEDURE**

This section will discuss in detail the following five application issues:

1. Submittal
2. Review and Decision
3. Appeal
4. Expiration of Approval
5. Construction Period Limitations

(a) Submittal -

Applications and plans (which will be kept on file with the Association) should be submitted to the Committee mail.

The following information should be included:

1. Application Form - A completed application form (copies of which can be obtained from the management company).
2. Plot Plan - A site plan showing dimensions, relationship to existing dwellings and property lines (setbacks). Measurements must be written on plans.
3. Elevation Plans - Plans showing finished appearance of addition in relationship to existing dwelling. An accompanying photograph of the proposed location would be helpful.
4. Specifications - Detailed description of materials to be used and color samples must be submitted. Contractor's information must be included.

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

(b) Review - Approval/Disapproval -

The Committee shall have 45 days after submittal of plans to approve, disapprove with stipulations, or disapprove plans and notify the applicant of the decision.

Review and approval or disapproval will include, but not be limited to, consideration of material, quality of workmanship, colors, consistency with the external design and color of existing structure on the Lot and to neighboring Lots. The location of the improvements with respect to topography and finished grade elevation is also considered.

Neither the Committee, nor the Board, shall have any liability in connection with or relative to approved or disapproved, specifications or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the addition nor its effects upon existing or future drainage. The review of the plans is for aesthetic purpose only.

Any architectural project undertaken without written approval of the Committee may be subject to removal and/or fines.

(c) Appeal Process -

Any appeal of the Committee's decision must be submitted in writing to Canterra Court Homeowners Association Board of Directors, within thirty (30) days from the mailing of the Committee's decision.

(d) Approval Expiration -

Construction must be started within forty-five (45) days of the date of the committee's approval of the applicable application or the Committee's approval shall be deemed withdrawn and plans must be resubmitted in accordance with these guidelines.

(e) 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 longer, with the Committee's approval), such projects must be completed within ninety (90) days after the date of the projects start.

ARTICLE 2: ARCHITECTURAL RULES

Section 2.1 ANTENNAS

Antennas must be placed in such a location as to optimize reception while maximizing curbside appeal. Antennas should not impede on the vision integrity of the neighbors. The color of the supporting structure for the antenna must match the colors of the home. If antennas are mounted on a common wall, the elevation of the antenna must not exceed the height of the wall. These restrictions apply only satellite dishes of one (1) meter or less in diameter and only to the extent that compliance with these restrictions will not affect the manufacturer's warranty or antenna signal and to the extent allowed by federal law.

Section 2.2 AWNINGS

No window awnings will be permitted on windows visible from the street on any home within Pecan Groves. Alternative forms of sunlight and glare reduction, such as sunscreens, are strongly encouraged.

Retractable patio cover awnings in the backyard must be approved by committee prior to installation.

Section 2.3 BASKETBALL GOALS OR SIMILAR STRUCTURES

Basketball goals will be considered based upon their appearance and their relationship to other properties.

No permanent basketball goals will be permitted in the front yard. A portable basketball goal may remain in the front driveway between 8:00 a.m. and dusk regardless of whether it is in use. The goal must not be placed at the curb facing the street. The goal must be stored out of sight after dusk. Such portable goals must be placed on the driveway as to not cause intrusion of stray balls onto adjacent properties.

Permanent basketball goals in the back yard must be approved by the Committee prior to installation. Permanent goals must not be placed within fifteen (15) feet of adjacent properties and must be placed in such a location as to limit the intrusion of basketballs into neighboring yards. The pole must be painted to match the primary color of the home. All backboards must be made of transparent materials.

#### Section 2.4 CHILDREN'S PLAY STRUCTURES; POOL LADDERS

Plans for children's play structures must be submitted for approval since in most instances they protrude over the fence. This is not intended to eliminate play structures, but to assure nothing unsightly is erected.

When selecting the location upon which the structure is to be placed, the distance from the ground elevation to the top of the perimeter fence must be measured and submitted with the plans for the structure. When considering plan approval, the Committee will take into consideration the appearance, height, and proximity to neighboring property.

Play structures or pool ladders must not be above ten (10) feet in height. These structures must not be placed within five (5) feet of a wall shared by an adjacent property.

#### Section 2.5 DRIVEWAYS

Extensions must be submitted to the Committee for approval.

Requests for extensions must include a plot plan of the existing Lot and the direction in which expansion is proposed. The exact measurements of the proposed paved surface must be stated on the plan.

The painting of driveways will be allowed upon approval of the Committee. A sample of the paint color must be submitted along with the application. The color must be complimentary to the existing house color.

#### Section 2.6 FENCES AND WALLS (including decorative walls)

Plans for new fences or walls or additions to existing structures must be submitted to the Committee for approval prior to construction. (This includes decorative walls).

Masonry block, stucco, and paint must match the existing structures in texture and color.

The height and width of the structure must remain within city code. Refer to Avondale City Ordinance Section 6-609.

#### Section 2.7 FLAGPOLES

Freestanding flagpoles are not allowed in residential areas at Pecan Groves unless prior approval has been received by the Committee. Homeowners are advised to use brackets mounted on the house or garage to display flags.

#### Section 2.8 GATES

Double gates may be installed at Pecan Groves to allow wider access ways to backyards. Double gates shall be of the same type, design, and color as the originally installed single gates. Shrubs, trees, or other plants shall be located between the house and the double gates, where possible.

#### Section 2.9 GUTTERS AND DOWNSPOUTS

Gutters and downspouts may be considered for approval. The color on same must match the dwelling. 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 of the installer and telephone number.

Care shall be taken by the homeowner to eliminate property damage from rainwater runoff. In no case shall water run off onto adjacent properties.

#### Section 2.10 HEATING, VENTILATING AND AIR CONDITIONING UNITS (includes evaporative coolers)

All units must not be visible from neighboring properties and located within the perimeter of the backyard. Care shall be taken to limit the noise from units. No roof-mounted units will be allowed.

#### Section 2.11 PATIO COVERS

Plans for new patio covers or modifications to existing covers shall be submitted for approval. All materials used shall be consistent in color and texture with the residence.

#### Section 2.12 POOLS AND SPAS

Pools and spas do not require architectural approval. However, pool ladders/slides need to be approved and will be considered based upon appearance, height, and proximity to other properties. Perimeter walls on Lots bordering Association landscaped areas may not be removed. Access must be gained by removal and replacement of a front wall on the side of the home. Access to the back yard must be made at such a location to eliminate intrusion onto, or damage

to, adjacent properties. The perimeter wall shall remain intact, assuring it matches in texture and color throughout the community.

### Section 2.13 SIGNS

No signs shall be erected or maintained on any Lots except:

1. Commercially produced 'For Sale,' 'For Lease/Rent' and 'Open House' signs and sign riders in conformance with the industry standard size;
2. Political signs not more than 9 square feet in the aggregate displayed no earlier than 71 days before the day of an election and no later than 3 days after the election day;
3. Such signs the nature, number and location of which have been approved by the Board of Directors in advance; and
4. All other signs required by legal proceedings and/or permitted by Arizona law.

### Section 2.14 SOLAR PANELS; WIND TURBINES AND EQUIPMENT

All solar energy devices visible from the neighboring property or public view must be approved by the Committee prior to installation.

It is requested that roof-mounted solar panels and equipment match the roof material. Panels should be an integrated part of the roof design and mounted directly to the roof plane. Solar units should not break the roof ridgeline and care should be taken to limit their visibility from public view.

Roof mounted wind turbines are not allowed.

### Section 2.15 STORAGE SHEDS

Storage sheds shall not be placed in a location where they are visible above the fence line.

### Section 2.16 SUN SCREENS AND WINDOW TINTING

Sunscreens on windows visible from the street must be approved by the Committee prior to installation.

No aluminum material or other reflective material may be installed in windows.

Sunscreen material must be black, brown, or match the existing color of the home. The frame for window screens must match the screen material or existing window frames.

Screen doors and security doors in the front of the house must be submitted for approval.

## Section 2.17 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.

Motion activated lights shall be placed in such a location so as not to be activated by sidewalk traffic.

## ARTICLE 3: LANDSCAPE GUIDELINES

### Section 3.1 LANDSCAPING

Homeowners shall maintain their Lots free of weeds and debris; lawns shall be neatly mowed and trimmed; bushes shall be trimmed; and dead plants, trees, or grass shall be removed and replaced.

Planting and landscaping plans must be submitted to the Committee for approval pursuant to Section 7.17 of the Declaration, and installation must comply with City of Avondale drainage and grading requirements.

### Section 3.2 TURF

Canterra Court Homeowners Association encourages water conservation. It is recommended that homeowners consider turf installation in areas where it can be used for play and desert landscaping be considered in other areas.

### Section 3.3 ROCK GROUND COVER

Decomposed granite or other landscape rock may be used as approved by the Committee. All rock areas shall be treated with pre-emergent weed control at regular intervals to retard weed growth.

River run rock shall be three (3) inches to six (6) inches in diameter. Not more than ten percent (10%) of the front yard landscape may be river run rock.

### Section 3.4 IRRIGATION SYSTEMS

A drip system is strongly encouraged for all landscaped areas, except turf.

### Section 3.5 ASSOCIATION PLANT LIST

The following vegetation types and varieties are prohibited:

1. Olive trees (*Olea Europaea*) other than the "Swan Hill" variety. These trees create considerable pollen which disturbs allergy sufferers. A mature tree produces thousands of olives which drop and create a mess in the landscape.

2. Oleanders (Nerium Oleander) other than the dwarf variety and Thevetia (Thevetia species) Oleanders other than dwarf or Thevetia varieties get to such a size and trunk thickness that they are difficult to control on a small Lot.

3. Fountain Grass (Pennisetum Setaceum) or Pampas Grass (Cortaderia Selloana). Within a very few years, Fountain Grass and Pampas Grass build up thatch which makes them extremely difficult to trim back. As a result, they are often let go and are unattractive or Owners end up removing them. Pampas grass blades are so sharp, they can easily produce sliver cuts.

4. All varieties of Citrus are not allowed in the front yard but are permissible within the confines of the rear yard.

5. Mexico Palo Verde (Parkinsonia Aculeata). Known for its extreme shedding, this variety is prohibited.

6. All varieties of mulberry trees. Mulberry trees join fruiting olive trees as major pollen contributors.

#### Section 3.6 FINE GRADING AND MOUNTING

Fine grading is a critical aspect of landscaping. Each Lot should have 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 Avondale grading and drainage plan. Every effort should be made to make the mounding appear natural.

#### Section 3.7 WATER FEATURES (Fountains, etc.)

Water features are permitted within rear yard areas. It is recommended water be chlorinated. Water features must be approved by the Committee when proposed for the front yard.

#### Section 3.8 HARDSCAPE

Any additional pavement areas in any form, e.g., concrete brick, tile, or any wood decks, etc. in the front yard must be approved by the Committee. Any decorative items (including fencing, fountains, statuary, etc.) in the front yard must be approved by the Committee.

#### Section 3.9 LIGHTING

- A. Lighting shall be shielded such that the light shines primarily on the Lot; lights which create glare visible from other Lots are prohibited.
- B. Light fixtures shall not exceed any illumination intensity of more than one (1) foot candle power as measured from Lot line.

- C. Outside lights shall be screened wherever possible with walls, plant materials, or internal shielding.

## **Part 2: Parking Rules**

### **ARTICLE 1: PARKING**

#### Section 1.1 SCOPE

In accordance with the Declaration, Article 7, Sections 7.9, 7.25 and 7.27, the Board of Directors has adopted the following explanations and guidelines for on-street parking. Such guidelines shall apply to all Lots within Pecan Groves.

#### Section 1.2 PARKING REQUIREMENTS

As stated in said Section 7.25 of the Declaration, all vehicles, whether belonging to the resident, guests or invitees – must be kept in either the garage or on the driveway (since Pecan Groves does not have carports, and/or other specially designated parking areas). This is as long as the facilities are sufficient for the number of vehicles at a Lot. All of Pecan Groves residences have a minimum of a 2-car garage plus a minimum of a 20' driveway measured from the sidewalk. This provides parking for 4 vehicles of standard size. Larger vehicles are not permitted on Pecan Groves for parking at any time. (Refer to Section 7.9 of the Declaration for specifics.) No vehicle over  $\frac{3}{4}$  ton, mobile home, travel trailer, tent trailer, camper shell, detached camper, boat, boat trailer, utility trailer or like equipment may be parked on any Lot or street visible from a neighboring property.

#### Section 1.3 PARKING RESTRICTIONS

Street parking is not allowed overnight. Any vehicle parked in the street during that time or in other non-designated areas, will be subject to enforcement.

#### Section 1.4 VIOLATIONS

Parking violations will be handled in an expedient manner. Upon notification to the management company, a notification letter will be sent requesting immediate compliance. Further compliance will be enforced pursuant to the Enforcement Policy.

#### Section 1.5 APPEAL

Any Owner aggrieved by the enforcement of said mentioned Article 7 of the Declaration has the right to appeal individual penalties by requesting a hearing with the Board of Directors. Upon establishment of said hearing date, statements can be made in person or by submitting a written appeal to the Board of Directors.