

The Mesquites at Pantano Homeowners Association

COMMON PROJECT DESIGN GUIDELINES



As adopted by the The Mesquites at Pantano Homeowners Association Architectural Control Committee and approved by the Association Board of Directors on November 3, 2009.

**The Mesquites at Pantano Homeowners Association
DESIGN GUIDELINES**

These Design Guidelines have been promulgated pursuant to the Declaration of Covenants, Conditions, and Restrictions for The Mesquites at Pantano Homeowners Association, recorded on May 20, 2009, official records of Pima County, Arizona, and as may be amended or supplemented from time to time. The Design Guidelines are binding upon each Owner who at any time construct, reconstruct, refinish, alter or maintain any Improvement upon a Lot or make any change in the existing surface, drainage, or plant life thereof. The Design Guidelines are administered and enforced by the Architectural Control Committee (ACC) in accordance with the Declaration and the procedure herein and therein set forth.

The Design Guidelines may be amended from time to time in an effort to enhance The Mesquites at Pantano. It is the responsibility of each Owner or other person to obtain and review a copy of the most recently revised Design Guidelines.

This document is subject to revision or amendment by Declarant or by the ACC with the approval of the Board of Directors of The Mesquites at Pantano Homeowners Association. All such revisions or amendments must be approved by a majority vote of HOA members present at a meeting where such revisions or amendments are presented for vote. None of the provisions hereof shall in any way vest any right in any person or entity. In the event of any conflict with the terms hereof and the terms of the Declaration, the Declaration shall control. Please contact the Association Management Company to verify that you have the most recent copy of all governing documents:

OT Builders LLC
2940 N. Swan #212
Tucson, AZ 85712
Phone: 520-750-7440 ** Fax: 520-322-3902

Approval by the ACC at any phase of the design review process, as outlined herein, refers only to the Design Guidelines as administered by the ACC, and in no way implies conformance with any governmental rule or regulation, nor shall approval constitute any form of representation with respect thereto. It shall be the sole responsibility of the Owner to comply with all applicable government regulations, ordinances, and procedures and to adequately coordinate such required governmental reviews with the process and procedures outlined in these Design Guidelines. Any consideration, action or approval by the ACC shall not constitute an approval, ratification, or endorsement of the quality or architectural and engineering soundness of the project or improvement. Further, neither the ACC, its members, the Association, nor the Declarant shall have any liability in connection with or related to the project, its plans, its specifications, or its execution.

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The Mesquites at Pantano community philosophy

The Mesquites at Pantano is located on the northeast side of Tucson. Design standards and restrictions have been developed for the community. Minimum standards of design provide direction to Homeowners in the development of their projects to ensure compatibility with the existing community and the overall context of The Mesquites at Pantano. The purpose of the Architectural Control Committee (ACC) Design Guidelines (DG) is to provide a framework for development and help create a cohesive community appearance at The Mesquites at Pantano.

What this means for you the Homeowner is that any and all modifications as detailed herein, alterations, additions or changes to your property must be submitted to, and approved by, the ACC prior to construction or implementation. For more details, please refer to Section 2, Design Review Process and Submittal Requirements.

1. COMMON PROJECT DESIGN STANDARDS

Be courteous of your neighbor's views when planning your projects and designs. The homeowner is responsible for all required state and local permits and restrictions.

1.1 Lighting

The following are common Lighting Projects:

- (1) Accent Lighting
- (2) Holiday Lighting
- (3) Security/Motion Lighting/Flood Lighting, Wall/Safety Mounted Lamp Lighting

In general, other than for reasons of safety, the Association advocates the use of lighting at a minimal level. The illumination of lighting should be directed on the homeowner's own property and away from neighboring property.

1.1a Submittal requirements for lighting projects (needed for ACC review)

All lighting projects, except those Common Lighting Projects detailed in 1.1b, require approval, the following information must be submitted: a layout showing placement/location of lights; direction and elevation of illumination; color of lights; wattage of each light; type of lighting; duration of usage for each light; and whether lighting is continuous/automatic (on timers) or intermittent (triggered by switches or motion detectors). A post-installation inspection may be required to determine if the intensity of the light meets the community standard of low intensity/low usage level. Homeowners are advised that all applicable municipality lighting codes must be met.

1.1b Common Lighting Projects:

- (1) **Accent Lighting** - Accent lighting can be used for landscape illumination, safety lighting of pathways, sidewalks and patios. Accent Malibu type lighting requires approval but will generally be approved if less than 15 lights are installed and bulbs are white/yellow in color, not exceeding 18 watts per bulb, including accent/mini strung in/on, and around patios, eaves, porches, trees, plants, shrubs, and cactus.
- (2) **Holiday lighting** can be installed 30 days prior to the recognized holiday and must be removed within 30 days after the holiday associated with the lighting.
- (3) **Security/Motion Lighting, Flood Lighting, Wall/Safety Mounted Lamp Lighting** - All three of these types of lighting can be used to highlight areas and create safety enhancements. All three of these types of lighting shall require approval. All three of these types of lighting are to be installed with illumination directed at owner's property away from neighboring property (lighting of rear yard features, recreation areas, trees, cactus and ornamentation shall not reflect onto adjacent properties). Security motion

detectors should shut off approximately 5 minutes after triggering and be hidden when possible. **The quantity and actual wattage of above mentioned lighting would be reviewed with submittal.**

- (4) Pole lighting is **Prohibited**.

1.2 Structural Additions

The following are common Structural addition projects:

- (1) Ramadas - prohibited
- (2) Gazebos - prohibited
- (3) Sheds - prohibited
- (4) Detached Structures - prohibited
- (5) Patio (porch) Additions - require submittal
- (6) Patio (porch) Enclosures- require submittal
- (7) Outdoor Fireplaces - require submittal

If permits are required from the local jurisdiction, it is the homeowner's responsibility to obtain them.

1.2a Submittal requirements (needed for ACC review)

Design layout with structural specifications, noting the following (at a minimum): type of material, dimensions (width, height, length) of structure, color sample of structure, lighting installation, relationship to existing house structure, location of structure on property, pictorial and/or photo of proposed structure, if available.

1.2b General guidelines (expected approved uses) for structural additions

In general, the Association reviews structural addition plans for architectural continuity within the community. The Association encourages Owners who are planning any of these projects to consider minimizing neighboring property interference (views, color clashes, lighting).

1.2c Specific approval conditions, exclusions, etc. for structural additions

- (1) Attached structural additions require the material and color selection to match the architectural construction of the existing house structure. This could include a matching of the existing house roof form and material.
- (2) For appropriate color selection, refer to **Section 1.6 Paint Colors**.
- (3) For lighting specifications, see **Section 1.1 Lighting**.

- (4) Outdoor fireplaces must have approval from the ACC.
- (5) Screen Porch/Patio Enclosure. Framing must match color of house with screening to match color of house or gray or black screening; Approval Required.
- (6) Carports are not permitted.
- (7) Permanent tent structures are not permitted.
- (8) Sheds are not permitted.

1.3 Permanent Recreational Equipment (temporary or permanent)

The following are prohibited on all lots within the The Mesquites at Pantano Homeowners Association:

- (1) Driveway Mounted Basketball Backboard
- (2) Driveway Mounted Basketball Pole
- (3) Volleyball

1.4 Utility Equipment

Painting of utility equipment is **prohibited**. Access to utility equipment may not be obstructed in any way.

1.5 Mechanical Equipment

The following are common mechanical equipment projects:

- (1) Air Conditioning Units
- (2) Evaporative Coolers
- (3) Solar Panels

1.5a Submittal requirements for mechanical equipment projects (needed for ACC review)

Layout includes area to be screened and/or painted, designating what colors are to be applied to what areas and/or equipment, and what type of landscaping plants are to be used for each area.

1.5b General guidelines (expected approved uses) for mechanical equipment projects

- (1) It is required that mechanical equipment is to be placed in garages or behind privacy walls to shield it from neighboring views.
- (2) No mechanical equipment installed on any roof except solar panels.

1.6 Exterior Paint and Yardscape Color Standards

Exterior house color - the only paint colors to be used are the original The Mesquites at Pantano exterior color palettes. Homeowners may repaint their homes in the existing color without prior ACC approval. Any other change requires ACC approval.

1.6a Submittal requirements for exterior paint and yardscape color projects (needed for ACC review)

Provide specific color chip sample and product manufacturer's information, including light reflectivity values. In addition, the ACC reserves the right to require and review a large sample applied to the house or improvement.

1.6b Specific approval conditions, exclusions, etc. for exterior paint and yardscape color projects:

- (1) Front/side/rear door - Match existing color.
- (2) Security door - Black or match main color of house.
- (3) Garage door and trim - Match existing color.
- (4) Rear patio/balcony - If wood, approved wood stain color or paint match main color of house. If stucco, paint to match main color of house.
- (9) Gate and front yard courtyard walls will be maintained by the Homeowner.
- (6) Window screening - Black, match color of house, or match existing screen color.
- (7) Metal roofs - Match existing type and color.
- (8) Flat roof coating - Match existing color.
- (9) Privacy walls - Exterior/interior to match existing finish and color.
- (10) Entryway walkway/driveway - May be sealed with a clear concrete sealer.
- (11) Exterior rock mulch or gravel - Exterior color choices must match existing builder subdivision color.
- (12) Wall/door ornamentation - Minimal use of other colors to provide alternative complementary accents. No wall ornamentation shall be placed on the wall of the neighboring property that may be within the courtyard.

- (13) House-mounted utility boxes - Match main house color.
- (14) Wrought iron - Rusted or match existing community wall color.

1.7 Pools/Spas (and related equipment)

Swimming pools are prohibited on private lots within the community. Above ground spas are allowed within the rear yard.

1.8 Yardscaping

The following are common yardscaping projects:

- (1) Vegetation (ground cover, shrubs, trees, cactus, vines, grass, flowers)
- (2) Gravel (rocks, boulders, landscaping bark)
- (3) Irrigation and drainage
- (4) Accent walls/planter boxes
- (5) Trellises, fencing, staking, plant protection, cloth screening
- (6) Fountains
- (7) Flagstone, brick/pavers, concrete, steps
- (8) Driveway expansions

1.8a Submittal requirements for front yard outside courtyard yardscaping projects (needed for ACC review)

A conceptual landscape layout plan identifies location of vegetation, botanical and common name of vegetation, colors included in foundation/ground cover, irrigation installation, any gravel and/or pictorial samples. Submittals for trellises should include location, color and types of plants to grow on trellises. Trees must be submitted and approved. No tree may be planted within 5 feet of any wall area. All plants which require water must be place a minimum of 2 foot from any wall or structure to avoid water damage.. No landscape or other improvement will be permitted between sidewalks and street curbs.

1.8b General guidelines (expected approved uses) for yardscaping projects

The The Mesquites at Pantano landscape concept is based on a philosophy of compatibility with the existing Sonoran desert, sensitivity to its fragile ecosystems, and a commitment to low water usage vegetation. The majority of introduced plant materials should be indigenous, arid, or semi-arid plants ensuring minimal water usage and compatibility with the built and natural environments. The Association promotes:

- (1) Water conserving design

- (2) Low water use/drought tolerant plants
- (3) Reduction in turf areas
- (4) Appropriate irrigation methods
- (5) Proper maintenance practices.

1.8c Specific approval conditions, exclusions, etc. for yardscaping projects:

- (1) Plants on the Prohibited Plant List shall not be permitted (see **Appendix A**).
- (2) All landscaping must be maintained within property lines.
- (3)
 - a. All Lots and parcels, excluding any portion of the Lot which is enclosed by a perimeter wall around the rear yard, shall be landscaped in a manner consistent with the natural desert, with accent features of non-indigenous plants, ground covers and yard ornaments approved in writing by the ACC, for each lot and parcel landscaped.
 - b. All original and subsequent landscaping must be installed in accordance with a plan approved by the ACC. The objective of the landscaping is to generally enhance the natural desert environment and to screen, accent, soften and improve the visual character of The Mesquites at Pantano. All plant material should be drought-resistant, water conserving and generally compatible with the indigenous plant materials. Drip irrigation systems are encouraged.
- (4) All side yard landscaping should reflect the Southwest character of the development:
 - a. Rocks and boulders, patios, sidewalks, courtyards and walls may be used to supplement and create imaginative landscaping design, but should match existing designs.
 - b. Landscaping within the property lines must be maintained by the Homeowner.
- (5) All trees must be planted at least five feet from any wall or structure. No tree, shrub or plant of any kind on any Lot or Parcel may overhang, or otherwise encroach upon, any public sidewalk or other public pedestrian way or bikeway from ground level to a height of eight feet without prior approval of the ACC.
- (6) Turf is an approved ground cover in areas completely confined by privacy walls. Turf must be installed and maintained in compliance with the following conditions:
 - a. Common Bermuda grass, Fountain grass and all other grasses listed on the Prohibited Plant List of this document, together with all Pima County restricted grasses, shall be prohibited on any area, of any lot. Installation of grasses shall

not interfere with lot drainage or cause seepage problems or flooding of adjacent properties through property walls, etc.

- (7) When installing landscaping and/or irrigation, care should be given to maintaining proper grading on the lot and avoid drainage onto neighboring lots. Irrigation systems should not produce excessive watering on walls so as to cause structural damage to party walls.
- (8) Temporary fencing, staking, and plant protection shade cloths must be properly maintained when visible from neighboring property.
- (9) For color selections on yardscaping materials, refer to **Section 1.6 Exterior Paint & Yardscape Color Standards**.
- (10) Theme Landscaping (i.e., sculptured trees/bushes that reflect animals and/or other architectural designs) are to be reviewed on a case-by-case basis.
- (11) Trellises may be used sporadically in the backyard near the structure, providing the height does not exceed the height of the existing wall; color to match existing color of structure and/or fence.
- (12) Trellises near property walls, may not exceed the height of the privacy fence. Trellises in front and/or side yards require prior ACC approval.

1.9 Signage

The following are common sign projects:

- (1) Political signs
- (2) Yard/Garage Sale signs
- (3) Lot Identification signs
- (3) Construction signs
- (4) Vehicular signs
- (5) For Sale/Open House signs

1.9a Submittal requirements for signage projects

Signs requiring ACC submittal, review and approval must designate the number of signs to be placed, location of each sign, size of all signs, design and message content of each sign, colors associated with each sign, and construction material type of each sign. Signs requiring Management Company approval only will not require an ACC submittal process.

1.9b General guidelines (expected approved uses) for common signage projects

- (1) Political Signs: A political sign may be placed on an association member's property during the 45 days before the day of an election and the 7 days after the election. A lot owner may have

one (1) political sign with a maximum dimension of 24 inches by 24 inches.

(2) Yard/Garage Sale: Signs are allowed on property lots, association common areas, and buffer zones for the day of the event only. Once the event has been completed, all the signs are to be removed immediately. Signs are not allowed on postal/mail units, regulatory poles/signs, utility boxes, fire hydrants, buffer walls/plantings.

(3) Lot Identification Signs: Alarm/security identification signs are permitted, providing signs are placed on lots within three feet of structure, no more than 18" to top of sign and such signs may not be self-illuminating.

(4) Construction Signs: Temporary pool and construction signs as required by governmental agencies, and not self-illuminating. Signs shall be removed upon completion of the project.

(4) Vehicular For Sale Signs: No Vehicular For Sale signs are allowed for posting on lots, vehicles within common area parking or driveways, parcels, common areas, model homes, postal/mail units, regulatory poles/signs, utility boxes, City of Tucson rights-of-way, fire hydrants, or buffer walls/plantings.

(5) For Rent or For Sale Realtor/Owner: No "For Rent" signs are allowed within the subdivision, within any Association maintained common area, or County right of way adjacent to the project. "For Sale Realtor/Owner" signs are not allowed within any Association maintained common area, or County right of way adjacent to the project. All City, County, State or Federal ordinances and regulations shall apply.

1.9c Approvals Required

Other signs, as deemed appropriate and necessary, may be permitted within the community, if prior approval is granted from the ACC.

1.10 Ornamentation

The following are common ornamentation projects:

- (1) Yard furniture
- (2) Exterior wall ornamentation
- (3) Flagpoles (permanent, ground installation)
- (4) Yard ornaments
- (5) Holiday decorations
- (6) Roof ornamentation
- (7) Statues
- (8) Hanging ornamentation (flags, wind socks, banners)

1.10a Submittal requirements for ornamentation projects (needed for ACC review)

Required layout of area where ornamentation is to be installed, with description of ornamentation, proposed color, design and dimensions of ornamentation. Sample brochures, pictorial drawings, or photographs are helpful. No submittal is required for holiday decorations that are consistent with the theme and timing of the applicable holiday. No submittal is required for lawn furniture or lawn ornaments placed in the rear yard area.

1.10b General guidelines (expected approved uses) for ornamentation projects

Furniture, wall ornamentation, and yard ornamentation should be used in unobtrusive proportion to the size of the house and yard. Observance of holiday and patriotic events with appropriate colors and decorations are permitted by the ACC.

1.10c Specific approval conditions, exclusions, etc. for ornamentation projects:

- (1) Permanent placement of lawn/garden patio furniture or decorative wrought iron furniture/benches in front yard outside of courtyard requires approval.
- (2) For specific color choices on ornamentation projects, refer to **Section 1.6** Exterior Paint and Yardscape Color Standards.
- (3) Holiday decorations - can be installed 30 days prior to the holiday and must be removed no later than 30 days after the holiday associated with the decorations.
- (4) Permanent roof-mounted ornamentation is not permitted.
- (5) Permanent placement of lawn/garden ornamentation in driveways is not permitted.
- (6) THE AMERICAN FLAG or an official or replica of a flag of the United State Army, Navy, Air Force, Marines, Coast Guard, POW/MIA, Arizona State or Arizona Indian Nation Flag CAN BE DISPLAYED AT ANY TIME in accordance with, and in adherence to the proper procedures for display. A pole attached to the home with a bracket is acceptable. Ground-mounted poles are acceptable, but must not exceed 15' and must be located "fall-distance" from all property lines (example: a 15' pole must be located no closer than 15'1" from any property line).

1.11 Enclosure Projects (Walls, Gates, Wrought Iron, Railings)

The following are common enclosure projects:

- (1) Walls (privacy, party, buffer)
- (2) Gates/Gate Screening
- (3) Wrought Iron
- (4) Railings

1.11a Submittal Requirements for enclosure projects (needed for ACOC review)

Layout of existing enclosures on property, noting height of existing walls, proposed height of additional courses of brick/block,etc. materials of construction, including finish and color and

gate/screening material. If submitting plans for screening, color of screen and/or sample of material required.

1.11b Specific approval conditions, exclusions, etc. for enclosure projects:

- (1) In the event of rebuilding a party wall or party fence, or with respect to the sharing of the cost thereof, such adjoining Owners shall submit the dispute to the Board for resolution. The decision of the Board will be binding and final.
- (2) Any fences or perimeter walls installed as part of a home's original construction will not be removed, altered or painted without the ACC's prior written approval.
- (3) All walls visible from any street, parking area or open space within the community will be constructed and finished to match the community's original construction standards.
- (4) Increase in rear or side yards wall height shall require the prior written approval of the ACC. In addition, a request for changes made to a "shared" wall must be by a joint request signed by all Lot owners affected by the change. Any increases in wall height must also have the approval of the City of Tucson.

1.12 Antennas /Satellite Dishes

The following are common antenna projects:

- (1) Conventional
- (2) Dish/Microwave
- (3) Cabling/mounting hardware

1.12a General guidelines (expected approved uses) for antenna projects

Antenna definitions:

- (1) Antennas are defined as any antenna or other device for the transmission or reception of television or radio signals or any other form of electromagnetic radiation (including related hardware, cables, brackets), that shall be erected, used, or maintained outdoors on any Lot, whether attached to a building or structure or otherwise located within the Lot.
- (2) The definition of antennas is universal and pertains to all manufacturers and technologies.
- (3) In general, antenna installations will conform to the Federal Government regulations as defined in FCC 96-328 or as currently amended.

1.12b Specific approval conditions, exclusions, etc. for antennas

- (1) Antenna or satellite dishes may only be mounted on the roof with no visibility from the street.

1.13 Doors/Windows/Awnings/Gutters

The following are common Door/Window/Awning/Gutter projects:

- (1) Internal Window Treatments
- (2) Screen Doors
- (3) Security Doors
- (4) Gated Entries
- (5) Window Framing
- (6) Sunscreens (solar and film)
- (7) Gutters
- (8) Rolling Shutters

1.13a Submittal requirements for door/window/awning/Gutter projects (needed for ACC review)

Layout of house area where project would be installed, with description, proposed color, design and dimensions; sample brochures, pictorial drawings, or photographs are required.

1.13b General guidelines for door/window/awning/Gutter projects

Exterior additions and changes should be used in unobtrusive proportion to the size of the house and yard. Exterior treatments are subject to weathering conditions and will require periodic maintenance to remain in good condition.

1.13c Specific approval conditions, exclusions, etc. for door/window/awning/gutter projects:

- (1) The color of gutters and downspouts shall be rust or match the surface to which they are to be attached (highly reflective aluminum is prohibited).
- (2) Sunscreen material and frames shall be black, bronze, or match existing screen or house colors (no white or bright color screening material).
- (3) Plastic sheeting material, when visible from neighboring property is not permitted as an awning for patios and balconies.
- (4) No aluminum foil type material may be installed in windows or doors.
- (5) Exterior wrought iron window treatment (bars) will be considered on a case-by-case basis, and window-by-window basis, and will be required to meet the highest aesthetic standards. All wrought iron window treatment submittals will require prior written approval from the ACC to include the specific windows approved and wrought iron design for each window. Generally speaking, any approved window wrought iron must be installed

flush with the surrounding wall section, painted the color of the home with custom design characteristics. Installation of well-designed, custom wrought iron window treatments may be considered for approval, whereas, less aesthetically pleasing "bars over windows" would be less likely to be approved.

- (6) Rolling shutter assemblies or attached awnings shall match the color of home and/or window trim area. All rolling shutter and awning installations require specific written approval of the ACC.

1.14 Roof-mounted devices

The following are common roof-mounted device projects:

- (1) Solar Panels
- (2) Solar Heaters
- (3) Solatube
- (4) Skylights
- (5) Roof Ventilators

1.14a Submittal Requirements for roof-mounted device projects (needed for ACC review)

Layout of area where roof-mounted device is to be installed on property/structure, type of device, dimensions of device, proposed color of device, if possible, pictorial/brochure of device to be installed. Mechanical equipment, including evaporative coolers, will not be allowed on any roof. As such, all mechanical equipment is to be ground-mounted and screened.

1.14b Specific approval conditions, exclusions, etc. for roof-mounted device projects:

- (1) Solatubes/Skylights - Roof-mounted devices, such as these solatubes and skylights shall have flashing colored or painted to closely match the adjacent roof color. All glazing shall be solar bronze, rust, or clear with no white glazing allowed. These devices do not require prior approval of the ACC.
- (2) Solar Panels/Solar Heaters -Solar applications such as these panels or heaters will be considered on a case-by-case basis. Solar applications shall be an integral part of the Structure, further concealed by it or be ground-mounted within a private yard area, further concealed by landscaping. Any installation should minimize its exposure when viewed from any other Lot, Common Area, or from the surrounding The Mesquites at Pantano Community.

1.15 Roofing

Materials and colors of roof materials are to be maintained and shall remain as originally specified and installed. As such, no submittal with respect to maintenance or repair work is required. All other roofing projects require prior approval from the ACC.

1.15a Specific approval conditions, exclusions, etc. for roofing projects:

- (1) Structural addition roofing color/style materials shall match the existing house color/style roof material and installation. Aluminum flashing material must be painted to match the existing house color. Roof vents, and other miscellaneous roof penetrations must be colored or painted to match the adjacent roof color.

1.16 Miscellaneous items

The following are common miscellaneous items:

- (1) Refuse/Recycle Containers
- (2) Maintenance Equipment (tools, ladders, hoses)

1.16a Specific approval conditions, exclusions, etc. for miscellaneous items:

- (1) Trash and recycling containers may be left out for no more than 24 hours surrounding the scheduled pickup.
- (2) Trash and recycle containers will be stored in such a place that they are not visible from the street.
- (3) All tools and equipment used routinely to maintain the house structure and landscaping must be stowed in a neat, attractive manner and, except for hoses, such equipment and tools must be stored in a location not visible from the street.

2. Design Review Process and Submittal Requirements

2.1 Commencement of Construction

In general, no construction activity related to any proposed common project shall be allowed to commence until the project has been approved, per these Design Guidelines, by the ACC.

2.2 Submittal Fees

According to Declaration of Covenants and Conditions (CC&Rs) for The Mesquites at Pantano Homeowners Association the ACC shall have the right to charge a processing fee in considering any requests for approval.

2.3 Submittal Fees Adjustments

All fees are subject to periodic adjustment as determined by the Association. In addition, under most conditions, the design review process is a linear one with continued movement in a forward direction. However, certain projects might back track and repeat a particular phase of the total design review process. When this occurs, an additional design review fee over and above the initial amount required shall be paid on a pro-rated basis as determined by the ACC considering the particular phase of the design review process that was required to be duplicated

or repeated.

Approval by the ACC, at any phase of the design review process as outlined herein, for any Improvement refers only to the DG and in no way implies conformance with any government regulations. It shall be the sole responsibility of the Owner to comply with all applicable government regulations, ordinances, and procedures and to adequately coordinate such required governmental reviews with the process and procedures outlined in these Design Guidelines.

In addition, any consideration, action or approval by the ACC shall not constitute an approval, ratification or endorsement of the quality or architectural and engineering soundness of the project or Improvement. Further, neither the ACC, its members, the Association, nor the Declarant shall have any liability in connection with or related to the project, its plans, its specifications, or its execution.

2.4 Reviews of Submittals

The ACC, or its duly appointed representative, shall conduct reviews of submittals at such times as it deems appropriate and in accordance with 8.3 Procedures, of the CC&R's.

2.5 Enforcement

These Design Guidelines shall be enforced by the ACC or the Association as provided herein or in the Declaration. The ACC, acting as a ad-hoc committee of the Association Board, reserves the right to waive, vary, or otherwise modify any of the standards or procedures set forth herein at its discretion, as deemed appropriate and necessary, on a case by case basis. Notwithstanding this, the Design Guidelines may not conflict with the provisions of the Declaration.

Appendix A
Prohibited Plant List

The following vegetation types and varieties are expressly prohibited:

Olive Trees (*Olea europaea*)

Oleanders (*Nerium oleander*) other than the dwarf variety and Thevetia (*Thevetia species*)

Fountain Grass (*Pennisetum setaceum*) and Pampas Grass (*Cortaderia sellonana*).

All varieties of Citrus are permissible within the confines of the rear yard only.

Mexican Palo Verde (*Parkinsonia aculeata*).

All varieties of Mulberry trees.

All varieties of Pine trees.

All varieties of Oak trees EXCEPT Arizona Live Oak.

The Mesquites at Pantano Homeowners Association

c/o Platinum Management Inc.

P.O. Box 14198

Tucson, AZ 85732

ARCHITECTURAL CONTROL COMMITTEE SUBMITTAL FORM

Date: _____

1. Owner's Name: _____ Lot #: _____

Address: _____ Phone: _____

2. Contractor Name, Address and Phone, if applicable: _____

License #: _____

3. Description of work to be done: _____

Date work is to begin: _____ Estimated completion date: _____

4. Type of materials to be used: _____

5. Color(s) to be used: _____

6. Other information: _____

7. Do you have State & Local Permits (as Required) ____Yes ____No

An accurate drawing must be attached using your lot dimensions showing the location of the proposed structure. For room additions, or anything that must tie into the roofline, an elevation of the proposed structure must also be attached. All work must be completed in a timely manner.

Architectural Control Committee requests will be reviewed as soon as possible. Requests will be approved, denied, or returned for additional information after review.

If you have any questions, please feel free to call the above listed phone number.

FOR ACC COMMITTEE USE:

ARC Meeting Date: _____ Response Sent to Homeowner: _____

Action taken: _____

The Mesquites at Pantano Homeowners Association
Member Concern Form

Date: _____ *required for any action to be taken

Your Name*: _____ **Lot #:** _____

Your Address*: _____

Your Phone Number*: _____ **Other phone:** _____

Your E-Mail Address: _____

Your Signature*: _____

The nature of your concern must include a specific address or location.

Address/Location: _____

Nature of Concern: _____

Have you spoken with your neighbor regarding the situation? ☐ YES ☐ NO

If the situation continues, would you be willing to attend a Board meeting to discuss this matter?

☐ YES ☐ NO

Any other comments: _____

PLEASE RETURN THIS FORM TO:

Platinum Management, Inc.

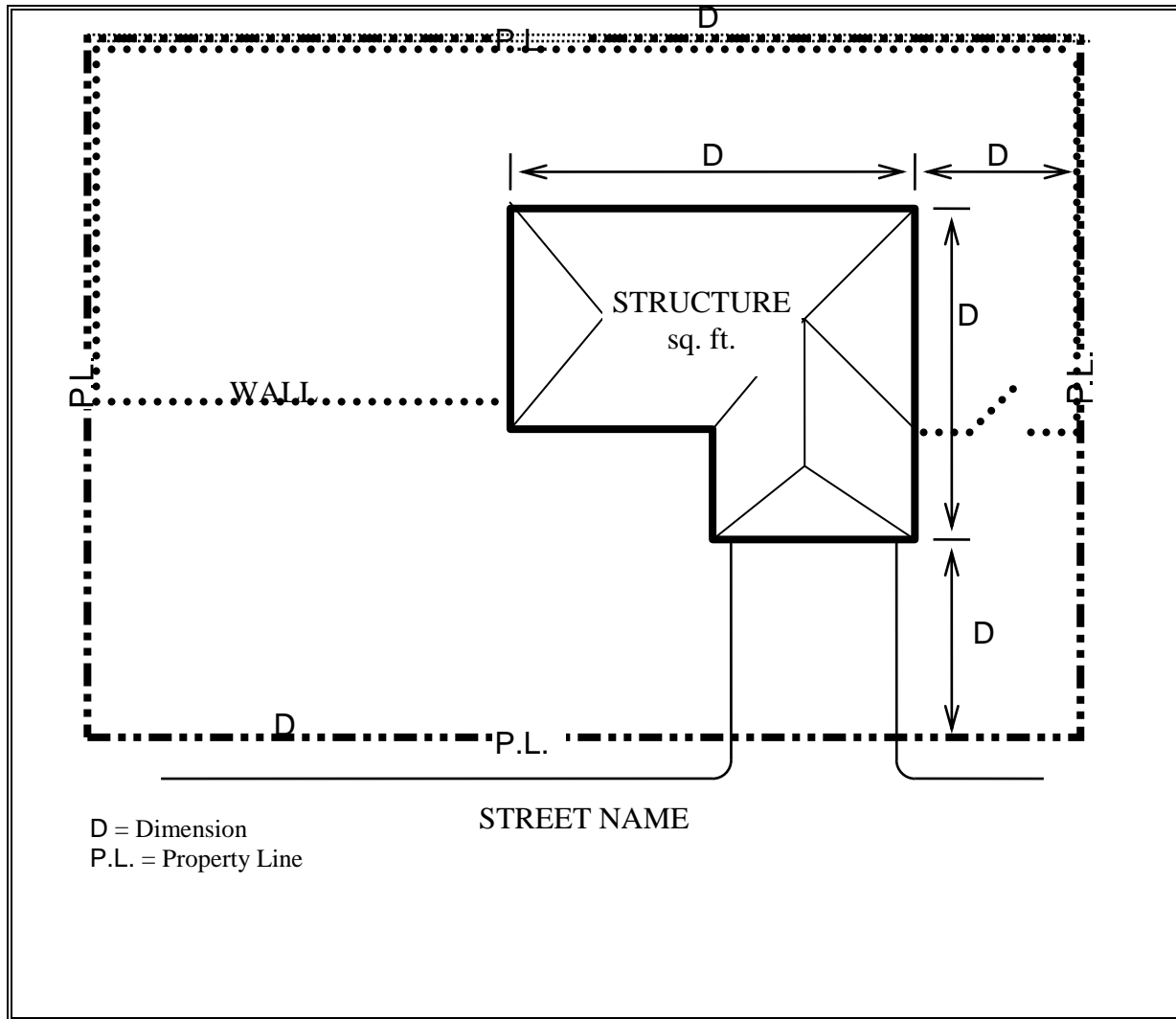
P.O. Box 14198

Tucson, AZ 85732

Phone: 520-623-2324

Fax: 520-722-5039

Site Plan Sample



The following information listed below may be applicable and need to be reflected on the site plan. Please check the Design Guidelines for the specific submittal requirements of the items contained in your submittal.

- Existing and proposed buildings and structures with dimensions
- Parking layout, pedestrian walks
- Landscape Plan
- Show setback lines and dimensions
- Show “North” arrow
- Existing adjacent structures
- Existing and proposed walls, fences, etc., Indicating height, design and materials
- Location of all existing trees or manmade feature which are to remain or to be removed
- Existing easements; indicate type of easement

