

# COLONIA VERDE HOMEOWNER'S ASSOCIATION

## ARCHITECTURAL RULES

Architectural rules apply to all residential units and other structures located within the boundaries of the Colonia Verde community. (Article IX. Architectural Review. CC&Rs) The rules are designed to ensure that all structures within Colonia Verde are and remain in harmony with the overall scheme of the community.

The Architectural Committee is established and empowered by the CC&Rs as an agent of the Board of Directors to promulgate and amend written rules and regulations concerning the construction, alteration, repair and/or modification of and/or addition to the portions of existing and proposed structures within the community which are visible from outside the structure and to review and approve construction, installation, repair and/or modification of such portions.

The Architectural Committee shall consist of a Chairperson who will be a Board member and a minimum of two other members appointed by the Board of Directors. In special cases the Board of Directors may act as the Architectural Committee.

The Architectural Committee is required to exercise its discretion in deciding architectural issues that may arise from time-to-time and shall have the power and right to deny alterations and/or modifications for purely aesthetic reasons. At its discretion, the Architectural Committee may, but is not required to consider the potential impact on other unit owners. They may also consider such things as utilities, infrastructure, landscaping and other factors including but not limited to storm drainage, paving and parking.

1. **Nuisance Avoidance.** Home owners are expected and required to maintain their residences in such a manner that nuisances, offensive activities and/or unsightly objects or articles are avoided.
2. **Unit Appearance and Maintenance.** Each resident is expected and required to appropriately maintain the condition and appearance of the exterior of his or her residence so that it remains in first-class condition and in harmony with the overall scheme of the Colonia Verde community.
3. **Changes to Unit Exterior.** Changes to the exterior of any unit, or to patio walls and the like, which can be seen by others from outside the residence must be approved in advance by the Architectural Committee. In this regard, any unit owner who wishes to undertake construction, alteration, modification, addition or other change to the visible portion or portions of the unit is required to present a detailed proposal for the work to the Architectural Committee for review and approval prior to initiation of the work. Work may not begin until the unit owner receives written approval of the proposal. A response, although not necessarily an approval, will be sent to the unit owner within 10 days of receipt of their request.
4. **Required Approvals.** Items for which prior approval is required include, but are not limited to, painting, buildings, structures, fixtures, radio antenna, television antenna, satellite stations and/or dishes, walls, replacement of doors, garage doors, fences, copings, awnings, sunshades, flagpoles, solar panels and the like, and the dimensions and placement of air conditioners, evaporative coolers and water treatment equipment. Even when permitted by applicable law, the dimensions and placement of such items remains subject to approval by the Architectural Committee.
5. **Color Palette.** Effective March 16, 2011, homeowners wishing to repaint their house a color other than its current color must use one of the twelve colors on the Board-approved Color Palette. They are Dunn-Edwards colors: **Cliff View, Colorado Trail, Hickory, Lost Summit, Mesa Tan, Pueblos, Stonish Beige, Terracotta Sand, Warm Hearth, Wooded Acre, Wooden Peg.** Sherwin Williams color: **Dormer**

**Brown.** Accent/trim color will be natural brick color only where brick currently exists on the house. Wrought iron gates will be black or dark rusty metal color. Gates other than wrought iron will be the body color of the house and/or existing wood trim will be stained or painted dark wood color or the body color of the house. Garage doors will be the body color of the house.

Homeowners wishing to repaint their house its current, complete color scheme, including gates and trim may do so after the Architectural Request Form is submitted to the Committee. The manufacturer name, paint number, LRV (Light Reflected Value), and a painted color swatch attached to the form and then approved by the Architectural Committee. The exception, in the case, is that all Garage Doors will be painted the same color as the body color of the house.

Architectural Committee approval is required even if re-painting is being done in the same color.

6. **Prohibited Structures.** Structures and other items which are not permitted within Colonia Verde under any circumstances include, but are not limited to; free-standing sheds, pre-fabricated homes, mobile homes, swimming pools, bare concrete walls, woven metal fences, chain link fences, and asphalt shingles on roof or side of unit.
7. **Items Outside Walls.** No artifacts, or ornaments, or the like, may be placed on the walls outside or on top of the walls of a unit without Board approval, except for potted plants.
8. **City and County Permits.** Unit owners are responsible for obtaining required approvals and building permits from the City of Tucson and Pima County and for ensuring that any construction complies with all applicable city, county or state codes. Architectural Committee approvals do not relieve unit owners from obtaining required permits, etc.
9. **Storage.** Items that include, but are not limited to; such things as garbage and recycling containers, storage containers, lot maintenance equipment, and gardening equipment, may not be visibly stored outside the walls of any unit within Colonia Verde and must be concealed inside garages, patio walls, and/or other pre-approved enclosure.\
10. **“Grandfathered” Non-Compliance.** “Grandfathered” items, at the discretion of the Architectural Committee, may be permitted to remain, but may also be rescinded on sale of the unit. In such cases the Board of Directors Committee may require the unit to be restored to conforming condition as a condition of sale. Requirements may include but are not limited to non-conforming structures, paint colors, and unsightly externally visible items and ornamentation.
11. **Sanctions.** The Board of Directors has the authority to levy fines and/or impose sanctions against unit owners who continue to violate any of the foregoing rules and/or any other specific provisions of the CC&Rs after appropriate notice by the Board of Directors. See Article IX, Section 9.9 and Article XIII, Sections 13.2 and 13.3.

Approved by CVHOA Board of Directors May 18, 2011