

# 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&R's) 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&R's 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. **House Painting.** Homeowners wishing to repaint their house either its current color or a new color from the approved color palette may do so after the Architectural Request Form is submitted to the committee and approved. This includes painting trim, gates, and brick, anything visible on the outside of the home.

**Color Palette.** Effective December 1, 2014, 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's colors: **Cliff View, Colorado Trail, Hickory, Mesa Tan, Stonish Beige, Terracotta Sand, Warm Hearth, Wooded Acre, Wooden Peg, Whole Wheat, Navajo White, Verona Beach.** Accent/trim colors are identified for each base color for houses that have structural moldings, such as top trim or brick, windows and doors as part of the original house construction [*See Attachment I*]. Knock-outs over windows and doors are included. Random knock-outs on exterior walls are NOT included. Homeowners have the option to select one of the accent colors from the two available for each base color. Accent/trim colors may only be used with the approved base color palette and may not be interchanged between base colors.

- **Top trim bricks** may be painted Dunn-Edwards natural brick color **DE 5181 Georgia Clay Spartashield.**
- **Wood Structure Supports** for patio, porch, or terrace coverings may be painted the house base color, the same accent color used in conjunction with the approved base color palette, or stained a dark wood color.
- **Wrought iron gates and Window Coverings (security bars),** will either match the base house color or be black or dark rusty metal color.
- **Gates other than wrought iron** will be the body color of the house, match the existing wood trim, or stained or painted dark wood color.
- **The garage door** must be painted the same base color of the house. *Homeowners with Adobe or Brick structures are required to paint garage doors to blend with the color of the structure.*

**Homeowners wishing to repaint their house its current,** complete color scheme, including gates and trim may do so. The manufacturer name, paint number, LRV (Light Reflected Value), and a painted color swatch attached to the Architectural Request Form are required for approval.

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

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. **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.
8. **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.
9. **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.
10. **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&R's after appropriate notice by the Board of Directors. See Article IX, Section 9.9 and Article XIII, Sections 13.2 and 13.3.