

**MOUNTAIN GATE PROPERTY OWNERS ASSOCIATION
ARCHITECTURAL DESIGN GUIDELINES
&
CONSTRUCTION AGREEMENT**

REVISED JANUARY 19, 2017

GENERAL INFORMATION

The Architectural review Committee (ARC) must review and approve all construction that takes place within Mountain Gate Property Owners Association. This includes homes, other buildings, grading, landscaping, driveways, fences, walls, gates, antennas and anything else placed on the lot.

The current ARC consists of four members:

Joe Long	HOAMCO Community Manager	928-537-1067	jlong@hoamco.com
Kevin Funk	Lot 87	928-537-1975	kfunk@live.com
John Koski	Lot 109, Board Member	520-749-8532	azikoski@yahoo.com
Roger Wilson	Lot 85	661-904-3857	rogerawilson@gmail.com

All design review applications should be sent to:
Mountain Gate Property Owners Association
c/o HOAMCO
PO Box 4212
Show Low, Arizona 85902

The ARC will complete an initial review of the documents to make sure they are complete. If the package is complete the ARC will convene a meeting to go over the application in detail. If the package is incomplete, the homeowner will be contacted for the needed additions. Your time is important, so please be as complete as you can the first time around.

Once the application is approved, the ARC will be tracking and inspecting all construction projects within Mountain Gate. If you have questions about issues that may need to be addressed, please contact one of the ARC members, or our HOAMCO Community Manager.

Enclosed is an application and checklist to be provided with your submittal. We will notify you in writing if there are any issues with the package, for approval, and if there are any issues with the project as it progresses. To expedite the process, we will also call you about any of these same issues.

All submittals, changes and responses must be in writing. No member of the ARC has the authority to approve any request verbally. Any changes to approved plans must be approved by the ARC.

After obtaining your ARC approval you can proceed to the Town of Pinetop/Lakeside Building Department for your construction permit. Please provide the ARC a copy of your Building Permit.

Thank You

SUBMITTAL CHECKLIST

- _____ Completed Application
- _____ Two copies of the Site Plan
- _____ Two copies of the Elevation Plan
- _____ Complete Material Specifications
Samples, Brochures, Colors (as appropriate)
- _____ Construction Agreement

Associated Fees:

❖ Home Construction

- | | |
|---|------------|
| _____ Home Construction Deposit (refundable) | \$5,000.00 |
| _____ Design Review | \$ 700.00 |
| ❖ _____ Additions, Landscaping, Fencing Design Review | \$ 50.00 |

**Please make checks payable to:
Mountain Gate Property Owners Association
c/o HOAMCO
PO Box 4212
Show Low, AZ. 85902**

CONSTRUCTION APPLICATION

Lot #: _____ Date: _____

Homeowner/Property Owner: _____

Phone # _____ Fax # _____ Email: _____

Address: _____

Emergency Contact:

Name: _____

Phone #: _____

Contractor (if applicable):

Name: _____

Phone #: _____

Address: _____

ROC #: _____

Architect/Designer:

Name: _____

Phone #: _____

Address: _____

The design review does not consider structural elements or applicable building codes.

Received by: _____ Date: _____

Approved by ARC: _____ Date: _____

Required Plans (as applicable) ... Note: All must be done in accordance with Mountain Gate CC&Rs and where applicable to Pinetop/Lakeside Building Codes via a building permit. Please call for a stake and strings and footing location to be approved by the ARC, prior to actual excavation.

1. SITE PLAN:

- Two copies of a Site Plan to scale on 24" x 36" paper (unless other arrangements have been agreed by the ARC)
- You can access a same size topography map of your lot from the Navajo County website.
- Details of all proposed grading must be shown.
- For driveways going across a slope, you must show a cross-section showing how you intend to handle cut and fill.
- Only 1 exterior building/storage area will be approved.
- Above ground pools are not permitted.
- Any design/construction on 2 adjacent lots must be approved by the ARC.

<u>The Site Plan must include the following:</u>	<u>Included</u>	<u>Not Applicable</u>
Grading & Contours	_____	_____
All limits of cut & fill	_____	_____
House location on lot & setbacks	_____	_____
Driveways & all slabs	_____	_____
Detached structures (storage, etc.)	_____	_____
Satellite & communication equipment	_____	_____
Air conditioning equipment	_____	_____
Fencing/Dog runs	_____	_____
Spa locations	_____	_____
Retaining walls	_____	_____
Electrical boxes & sub-boxes	_____	_____
Utility trench locations	_____	_____

Approved by ARC: _____ **Date:** _____

2. ELEVATION PLAN:

- Renderings of all structures with elevations of all four sides. No wall shall be continuous to exceed more than 32 feet without a projection break.
- Elevations need to show finished floor elevation and building heights on all sides.
- The elevations must be to scale and be on a minimum of 24" x 36" paper (unless other arrangements have been agree to by the ARC).
- Submit two copies.

The Elevation Plan must include the following: **Included** **Not Applicable**

All sides of buildings	_____	_____
All windows, doors, patios, projections	_____	_____
All chimneys & rooflines	_____	_____
Stem walls & patio supports	_____	_____
All mechanical equipment	_____	_____
Siding material	_____	_____
Garage doors	_____	_____
Screening fences	_____	_____
Storage buildings	_____	_____
List all exterior materials	_____	_____

Approved by ARC: _____ Date: _____

MATERIAL SPECIFICATIONS

- ❖ Please see the Mountain Gate CC&Rs for added specifics.
- ❖ Where applicable ... the following must be submitted with one or more of the REQUIRED PLANS (above)

1. Driveways:

- All driveways must be fully paved and must not be wider than 18' without ARC approval.
- Indicate the type of finish surface your driveway will have.
- We recommend sleeves be placed under the driveway ... from one side to the other.

Exposed aggregate _____
 Concrete with broom finish _____
 Pavers, brick, etc. _____
 Other: _____

Integral color of above products: Color _____

Approved by ARC: _____ Date: _____

2. Stem Walls:

- Exposed standard block or painted block is **NOT** acceptable.

Split face block: Color _____

Stone veneer: _____

Type: _____

Color: _____

Other: _____

Approved by ARC: _____ Date: _____

3. Fencing:

- Perimeter fencing is **NOT** permitted.
- No fencing is permitted in front yards.
- Rear and side yard fencing for screening, privacy or animal enclosures must be within the building envelope (10' set back from sides and 20' from rear property lines).
- Type of material, height & location must be approved by the ARC.
- Trash, storage area, air conditioning and other unsightly areas must be screened.
- If wood slats are used, fence cannot extend beyond the furthest left & right walls of the house.

Fencing to match approved house siding _____

Wood slats (cedar) _____

Wood rails (pressure treated) _____

Approved by ARC: _____ Date: _____

4. Exterior Lighting

- If you intend to use exterior lighting, other than normal wall mounted entry and patio lighting, we need complete details.
- Indicate the type of lighting and show the locations of the light fixtures.
- Security lighting (other than wall mounted photocell type lights) will not be approved.
- Lights cannot interfere with the privacy of neighboring lots/homes.
- Lighting for night time recreation areas will **NOT** be permitted.

I do **NOT** intend to use outdoor lighting _____
I wish to use outdoor lighting as described below _____
Location is on the Site Plan? _____

Type: _____

Brand: _____

Style: _____

Type of bulb: _____

Wattage: _____

Approved by ARC: _____ Date: _____

5. Roofing:

- Indicate the type of roofing material you will use. Earth tone colors are required.
- Samples will be required if the type of product has not been previously approved.
- Gutters, down spouts, vents/pipes/skylights must be painted to match the roof/house.
- Shiny (unpainted metal) may **NOT** be used.
-

Standing seam metal roof _____

Fiberglass shingles _____

Other: _____

Brand: _____

Color: _____

Approved by ARC: _____ Date: _____

6. Windows:

- If aluminum, they must be painted or bronze anodized.
- Unpainted or shiny material will **NOT** be approved.
- Provide a brochure from the window manufacturer together with a color sample... or have the color indicated on the brochure.

Wood windows _____

Aluminum windows _____

Vinyl clad windows _____

Other: _____

Brand: _____

Color: _____

Style: _____

Approved by ARC: _____ **Date:** _____

7. Doors: (exterior only)

- Other than solid core doors will **NOT** be approved.
- Submit picture or brochure.

Material: _____

Color: _____

Brand: _____

Style: _____

Approved by ARC: _____ **Date:** _____

8. Garage Doors:

- We recommend wood or metal doors with raised panels or window tiles.
- Galvanized or other high gloss surfaces will **NOT** be approved.
- Color should blend with the exterior of the house.
- White is **NOT** acceptable.
- Garage doors that are visible from the street cannot be wider than 18' or taller than 8'.
- Submit picture or brochure.

Material: _____

Color: _____

Brand: _____

Style: _____

Approved by ARC: _____ Date: _____

9. Siding:

- Aluminum and Vinyl siding will **NOT** be approved.
- T-111 is **NOT** approved for siding ... but can be used for soffits.

½" min. Shiplap wood (cedar/pine) _____

½" min. Tongue & Groove wood (cedar/pine) _____

Composite Wood Grain _____

Board & Bat (cedar/pine) _____

Log siding (cedar/pine) _____

Stone Veneer (not to exceed 25% of any exterior wall) _____

Brick (not to exceed 25% of any exterior wall) _____

Other: _____

Brand: _____

Color: _____

Style: _____

- Indicate how your siding will be finished and provide a color chip
- Paints and stains shall be complimentary earth tone colors.
- Reflective colors are **NOT** permitted.
- All paints must be flat or low sheen.

Approved by ARC: _____ Date: _____

10. Trim:

- Provide a paint chip or indicate the trim is the same color as the siding.

Wood Stained to match exterior siding _____

Wood painted _____

Other:

Stain Color: _____

Paint Color: _____

Approved by ARC: _____ Date: _____

11. Patios & Decks:

- Show complete construction details on your plans including how the exterior will be finished.
- Show foundation details.
- Details on railing and columns.
- If a difference exists between multiple patios/decks ... so indicate.

Slab on grade _____

Raised wood structure _____

Siding to match house _____

Roofing will match house _____

Lattice will be installed to conceal the

Area below patio _____

Other: _____

Approved by ARC: _____ Date: _____

12. Landscaping: Owners must submit a “to scale” rendering of their proposed project that includes: trees and shrubs to be approved by the ARC.

- List of materials & color for ground cover.
- Completion Time.
- If digging is needed near or on the utility easement, then Blue Stake marking is required.

Approved by ARC: _____ Date: _____

13. Temporary driveways (during construction):

No construction can begin on any lot until a temporary driveway (rock, cinder or gravel) is installed to where the front stem wall of the house will be (this is to keep the problem of mud being tracked onto paved roadways. If during construction, mud is carried onto the paved roads of Mountain Gate, it is the home developer's responsibility to clean the road. The approved temporary driveway access will be the only access to the lot during construction. It is the home developer's responsibility to control sub-contractors on this matter.

14. Clearing of Lots:

Mountain Gate has adopted a forest management policy which reduces fire risk while at the same time maintaining the aesthetics of the property. We want dead wood to be cleared off the property, and allow only live trees necessary for construction to be removed. All other tree removal must first get ARC approval. The ground that is disturbed during the building process must be leveled and as a minimum covered with wood chips so as to promote forest re-growth. Live growth with a diameter of less than 4" needs no approval prior to removal.

15. Construction Deposits:

No construction of a residence may be started until the property owner has deposited the sum of \$5,000 with the Mountain Gate Homeowners Association, which will be fully refundable to the property owner on completion of construction (receipt of a Occupancy Receipt for the city) provided that:

- Construction is per approved plans.
- Completed within 18 months of construction start.
- Damage to adjacent properties and roads are repaired.
- Construction debris is cleaned up.
- Wood chips (as a minimum) are spread on the ground that was disturbed during construction.

If any damages are not repaired within 30 days of a request from the ARC, we are then authorized to perform the repairs and deduct the cost from the deposit. If the deposit is inadequate to cover the costs the homeowner must immediately pay the difference to the ARC. All checks should be made payable to the Mountain Gate Property Owners association. No interest will be paid on the deposit while it is held by the Association.

16. Construction Rules:

- No construction materials or equipment may be left in the street for more than 24 hours ... this includes dumpsters and portable trailers.
- No parking by workers on adjacent lots.
- Construction hours: Monday – Saturday from 7:00 am to 5:00 pm.
- Construction must be started with 1 year of plan approval. If not, plans must be resubmitted.
- For all large vehicles, the construction gate must be used for entrance and exit.
- Any changes to approved plans must be approved by the ARC.
- Trash either on site or from a container must be picked-up and controlled on regular basis.
- No open fires.
- Fire extinguishers and a water hose must be on property for the duration of construction.

**REQUEST FOR CHANGE
IN
DESIGN REVIEW APPLICATION**

Lot #: _____ Date: _____

Homeowner/Property Owner: _____

Phone # _____ Fax # _____ Email: _____

Address: _____

Changes requested (include list of items to be changed and samples, brochures, style and color ... as appropriate):

1. _____

2. _____

3. _____

4. _____

Homeowner/Property Owner Signature: _____ Date: _____

Approved by ARC: _____ Date: _____

CONSTRUCTION AGREEMENT

The undersigned Homeowner/Property Owner hereby agrees to the following terms and conditions which are part of this Agreement:

- That I have read and agree to all terms and conditions of the Architectural Design Guidelines, Construction Agreement and the CC&Rs.
- That the Application is an accurate and complete description of all construction details and that construction will be completed as described herein.
- That all contractors and sub-contractors working on my property are my responsibility, and that I am responsible to the Association for any action which results in a breach of this Agreement (e.g., damages to the roadway and adjacent properties).
- That all changes to construction will be submitted to the ARC in writing, and that those changes will not proceed until approval is provided.
- That if I use unapproved materials, make modification which have not been approved, or in any other way violate the terms of this Agreement, the Association shall have the right to take any or all of the following actions:
 - ❖ Require me to comply with the application as submitted and replace any unapproved materials.
 - ❖ Commence a legal action to force me to comply with the application as submitted, and to reimburse the Association for any legal fees.
 - ❖ Permit me to leave the unapproved changes in place and forfeit all or part of my Construction Deposit as liquidated damages.
 - ❖ Take any other action available by law.
- That if I violate this Agreement or the CC&Rs, I hereby agree to pay all expenses, including legal fees, incurred by the Association during the enforcement of this Agreement and the CC&Rs.

Homeowner/Property Owner Signature: _____ **Date:** _____

**ARCHITECTURAL REVIEW COMMITTEE
SUBMITTAL RECORD**

Lot #: _____ Date: _____

Homeowner/Property Owner: _____

Phone # _____ Fax # _____ Email: _____

Address: _____

1ST Application received: _____ Date: _____

Completed Application received _____ Date: _____

1st Response: _____ Date: _____

Requirements: _____

Date: _____

2nd Response: _____ Date: _____

Requirements: _____

Date: _____

ARC Comments:

Final Approval:

This Application is approved for construction

By: _____ Date: _____

Mountain Gate POA is in receipt of required fees:

Construction Deposit: _____ Design Review: _____ Addition Review: _____

Received by: _____ Date: _____