



**Leisure World**  
*Arizona*

**RESIDENT GUIDE**

**LEISURE WORLD**

**ARCHITECTURAL CONTROL**

**RULES AND PROCEDURES**

**These Architectural Control Rules and Procedures shall be effective:**

**April 1, 2019**

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**Leisure World** was designed and built as the premier active adult community in the East Valley when it was constructed, beginning in the 1970's. In order to maintain that position, it is essential that our community and our residents continue to upgrade and modernize our facilities and manors to maintain an attractive and appealing environment. The high-quality character and appearance of our community promotes reinvestment and encourages prospective property owners.

## **ARCHITECTURAL CONTROL COMMITTEE (ACC)**

The **GOAL** of the **Architectural Control Committee (ACC)** is to promote and maintain an atmosphere that is aesthetically pleasing and environmentally harmonious with the character of the Leisure World Community.

The **PURPOSE** of the **Architectural Control Rules and Procedures** is to provide direction to property owners and contractors in order to improve both their properties and our community. The rules are intended to promote and encourage residents to undertake new projects and new construction, which will make their manors more enjoyable by upgrading and improving the character of their manors and their neighborhood.

### **MAKEUP OF ACC COMMITTEE MEMBERS & MEETINGS:**

1. The ACC is composed of two volunteer owner residents from each of the seven (7) Districts appointed by the Leisure World Community Association (LWCA) Board of Directors. (See Bylaws) Members must reside within the District they are appointed to represent.
2. The Board of Directors will appoint an "ex-officio liaison."
3. A quorum for official business is eight (8) members.
4. ACC Members meet twice each month (Oct.-Apr.) and once each month (May – Sep.) to review permit requests NOT addressed in Section B and Section C of the ACC Rules and Procedures, or requiring revision under these rules. The Facilities Office has a schedule of dates, place, and time of all ACC meetings. Special meetings may be called by the Chair or Vice-Chair as necessary.
5. Minutes of the ACC meetings are submitted to the Community Manager and LWCA Board of Directors for review and distribution.
6. The ACC will elect a Chair and Vice Chair annually in January, who shall serve for that calendar year.
7. Secretary to be appointed by the ACC Chair.

## **GENERAL INFORMATION**

Per deeded lot CC&Rs, Article 6, paragraph (a): except for the purposes of proper maintenance and repairs, no person, persons, entity or entities shall install, erect, attach, apply, paste, hinge, screw, nail, build or construct any signs, lighting, shades, screens, awnings, patio covers, decorations, fences, aerials, antennas, radio or television broadcasting or receiving devices upon any Lot or improvement located thereon.

Per deeded lot CC&Rs, Article 6, paragraph (b): Except for the purposes of proper maintenance and repair, and except as provided in paragraph (c) hereof, no person or entity shall construct or build any signs, walkways, slabs, sidewalks, curbs, gutters, patios, porches, driveways, fences, lighting, decorations, aerials, antennas, radio or television broadcasting or receiving devices, or other structures which are to be constructed concurrently with the construction of the residential dwellings, residential carports or residential garages on the above described property.

To help manor owners determine what can and cannot be done, the Board of Directors has established certain rules and procedures that are to be followed. Any rule adopted by the ACC becomes effective after approval by the Board of Directors. If manor owners request a permit for a change to their manor, which is not identified in the rules, the ACC has the authority to use its best judgment as to whether to grant the permit. All decisions of the ACC can be appealed to the Board of Directors. A copy of the appeal procedure is on page 8 of this manual.

All manor owners **MUST** have an approved permit from the Architectural Control Committee (ACC), the Facilities Office, or their ACC Member **PRIOR** to **CHANGING** anything to the exterior (outside) of their manor. (Refer to CC&Rs)

There are Standard approved items (listed below) that do not require ACC review or County permits. Therefore, ACC permit applications for these items can be processed by the Facilities Office. All work must be in accordance with the requirements of Sections A, B and/or C of this Guide. These Permits will be referred to the appropriate ACC Member for follow up inspection.

### **FACILITIES OFFICE STANDARD ITEMS (Permits required)**

1. Screen doors/security doors
2. Shade screens
3. Rain gutters and down spouts
4. Roof-mounted turbines
5. Solar tubes
6. Window replacement if same size and style
7. Exterior painting with approved Leisure World colors (See Section B)

8. Trellises which match manor or trim color
9. Air-conditioner replacement (See Section B and C)
10. Replacement of garage doors when the new door will be of the same color and design
11. Roof repairs with same type and color
12. Exterior door replacement

#### **ARCHITECTURAL CONTROL COMMITTEE MEMBER APPROVED ITEMS**

The proposed changes identified and permitted by the text of these Rules and Procedures.

#### **ARCHITECTURAL CONTROL COMMITTEE APPROVED ITEMS**

The proposed changes not described in the text of these Rules and Procedures and/or require interpretation as to whether or not they are consistent with the intent of these Rules.

#### **ITEMS NOT ALLOWED**

1. Sports courts.
2. Free Standing or Attached to Manor basketball hoops.
3. Horseshoe pits.
4. Artificial turf in the front yard of any manor.
5. Complete enclosure of any patio, which would prohibit emergency personnel access to any exterior door of the manor.
6. Painting of natural landscape rock.
7. Inflatable, portable and/or temporary structures including “bounce houses”, swimming pools, hot tubs, and other similar items.

#### **HOW TO OBTAIN A PERMIT**

1. Free permit applications (Form 14) are obtained through the Facilities Office located in the Administration Building.
2. Requests which are not identified or permitted by the text of these Rules and **MUST** be referred to the ACC via a permit request.
3. Emergency Repair Permits are issued by the Facilities Office and may be issued After The Fact (ATF) without penalty.

4. These Rules and Procedures apply to the entire community. Additional requirements apply to condominiums in Districts 1 (Plats 1-5, Manors 1-482) and District 3 (Plat 16, Manors 655-699) (see Section C and check with the Facilities Office).

## **ACC PERMIT APPLICATION PROCESS**

The Facilities Office can assist manor owners in preparing their application permit.

1. Permit applications must include:
  - a. The signature of the manor owner.
  - b. Telephone numbers and email addresses for the owner and contractor (if used).
  - c. A detailed written description of the proposed change.
  - d. A picture of the manor incorporating a drawn sketch of the location and description of the proposed change, or a site plan drawing showing the location and a description of the proposed change.
  - e. Supplemental materials such as product specification data sheets, material samples, manufacturers brochures, etc. (if needed and available) describing the construction of the proposed change.
2. All permit requests will be acted upon within 30 days or referred to the ACC for consideration of a variance. The ACC shall act on all requests within 90 days. Requests longer than 90 days are automatically approved.
3. Permits must be posted on front of manor before work begins and must be seen from the street.
4. Work not completed within 120 days must have an extended permit obtained through the Facilities Office.
5. Owner or Owner's Agent must return the Permit to the Facilities Office once construction is complete to close the Project.
6. The ACC member will use the ACC Architectural Design Checklist when evaluating any permit request other than those approved by the Facilities Office. (See Addendum Pg. 26) An ACC member will inspect completed work. If work does not conform to permit application, homeowner will be notified. The ACC member and/or LWCA staff and homeowner will work to resolve the differences.

## **VARIANCES**

1. Variance requests from these guidelines must be submitted via a permit application. (Form 14)
2. Each variance request will be considered by the ACC on a case-by-case basis.



- a. Each variance will be looked at on its own merits. (Just because you see it on one manor doesn't mean it will be approved for your manor.)
  - b. The nature of the proposed change may result in the ACC asking an applicant to contact their neighbors before the variance will be considered for a vote.
3. In order to be approved by the ACC a quorum must be present. All variance requests will be acted upon within 60 days; longer than 90 days a request is automatically approved.
  4. All decisions of the ACC can be appealed to the Board of Directors. (See Below)

### **APPEAL PROCEDURE**

The determination of the ACC shall be considered final unless appealed through the Community Manager to the Leisure World Board of Directors and they render an alternative decision. The appeal process is as follows:

1. The ACC shall provide the applicant with a written determination of their findings and a decision within fifteen (15) days of the decision being made.
2. The applicant shall have fifteen (15) additional days to file an appeal for the matter to be heard by the Board of Directors.
3. The applicant shall submit a written request and statement to the Community Manager describing why he/she believes the proposed change complies with the purpose, intent and standards described in the Architectural Control Rules and Procedures.
4. The Community Manager will submit a copy of the request to the Chair of the ACC who shall review the request and provide the Community Manager with a written report describing the reasons the request was denied.
5. The Community Manager will present both the request for the variance from the applicant and the reasons the request was denied from the ACC Chair to the Board for their consideration at a special meeting or at their next monthly meetings.
6. The Board may choose to affirm or deny the request, or remand the issue back to the ACC for further consideration based on the additional information received at the meeting.

### **VIOLATIONS OF ACC RULES, PROCEDURES AND PENALTIES**

Failure to comply with the following standards will result in the issuance of a fine, and may result in legal action and/or a lien being placed on the property to obtain compliance:

- Failure to obtain a permit
- Starting work without a permit posted on manor

- Failure to comply with written permit application request

Fines established in Chapter 9 – Schedule of Fines – of the LWCA Rules and Regulations are as follows:

A. Schedule of Fines:

The schedule of fines listed below are general guidelines. Based on the severity of the offense, the fine could be increased to the maximum of \$1000 per violation.

- 1st Violation.....warning or fine up to \$200
- 2nd Violation (same offense).....\$50 to \$200
- 3rd Violation (same offense).....\$100 to \$300
- Additional Violations (same offense).....up to \$400
- Safety Violation.....warning or fine up to \$500
- Continuing Violation..... daily fines until cured and/or additional sanctions may be imposed.

When work done outside without an approved permit, the ACC will have the ability to order the work stopped and reversed at the owner’s expense. When a “stop work” order is issued, the manor owner will be notified by the LWCA staff.

If the work continues outside compliance, a Form 4 Letter may be issued by the Community Manager or his/her designee to bring the work into compliance; there is a 30-day grace period to bring the work into compliance.

Failure to comply may result in legal action and/or a property lien to obtain compliance after 90 days.

## SECTION A

### GENERAL REQUIREMENTS

**LWCA APPROVAL REQUIRED FOR PROJECTS AFFECTING COMMONLY OWNED PROPERTY:** Prior to the application for, or commencement of, any work which will result in any new temporary or permanent construction or any other new activity which is located on, incorporates, crosses, encumbers, or modifies any of the commonly owned property of a plat or the Leisure World Community Association, it shall be the responsibility of the manor owner to first obtain written permission by the Community Manager (or designee) giving them specific permission to do so.

Any of the above activities which take place on commonly owned property by the plat or the Leisure World Community Association without written approval will be subject to removal and/or termination by the LWCA as a property violation. LWCA properties are community assets and shall not be used for individual personal purposes without specific written approval.

**MANOR OWNER FUTURE MAINTANENCE AND RESPONSIBILITY:** It is the responsibility of the current and/or future manor owner(s) to maintain any exterior physical modifications made to their individual manor(s) at their own expense and accept liability for any damages which may result from the change. It is understood the LWCA shall be not liable or responsible for any modification made to any manor by any manor owner.

**COUNTY PERMITS:** It is the manor owner’s responsibility to obtain a Maricopa County permit when necessary to complete the work prior to commencement of construction. Approval of an ACC permit does not replace the requirement to obtain a construction permit from Maricopa County, nor does it indicate the proposed work is in compliance with – or will be approved by – Maricopa County as complying with their building codes when a permit is requested. All manor owners and/or contractors are obligated to obtain a building permit for all construction for which they are required. Any questions regarding county permits should be directed to the Maricopa County Planning and Development Department - Phone 602-506-3301, or - <http://www.maricopa.gov/1674/Residential-Construction>

**SETBACK REQUIREMENTS:** All proposed structural changes to any freestanding manor shall be set back from the property lines as follows to conform to Maricopa County and Leisure World requirements – unless otherwise specified on the specific subdivision plat. See condominium Plats 1-5, 16 and 16F (the duplex homes):

- a. Front – 15 feet
- b. Sides – 5 feet (Corner lots have additional side-street setback requirements.)
- c. Rear – 10 feet

Setbacks are measured from the property line to the footing of any structural wall or patio support post. Setbacks do not apply to open patio or sidewalks.

Copies of the individual subdivision plats in Leisure World can be found on line through the Maricopa County Assessor’s Office at <https://maps.mcassessor.maricopa.gov/>

These individual subdivision plats show the approved building setbacks for all manors within that subdivision, and must be used if they differ from the setbacks described above.

Subdivision plats for many, but not all, manors are available in the Facilities Office and should be consulted for official easements and setbacks.

**OWNER’S CONTRACTURAL AGREEMENT:** The ACC is not a party to any contract between the owner and contractor or supplier nor has any responsibility for quality of workmanship. Owners are encouraged to check references for any proposed contractor and to obtain two bids for any work to be done.

**GARAGES AND CARPORTS:** Garages and carports may not be converted to the extent they cannot be used as a storage place for the number of vehicles for which they were constructed. A garage or carport must still accommodate parking after a conversion of any kind.

**DRAINAGE:** Any manor addition such as a rear patio, additional walls, etc. must be constructed in a manner so as not to interfere with, or result in an addition to the drainage of other lots or common areas.

**EXTERIOR MATERIALS:** Any addition to the manor **MUST** match existing exterior. New materials, i.e. stone, glass block, or other material will be considered by the ACC with a variance.

### **ROOFING**

1. Any addition to existing roofs shall use similar color clay, concrete tile, shingles or composition materials.
2. A change in existing material of composition to tile will require a Maricopa County structural check.
3. Air conditioner section of a tile roof must closely match the tile color.
4. Special conditions exist for multiplex/duplex and condominium manors. (See Section C and the Facilities Office)
5. Roof tiles and shingles shall not be painted, unless as described in item 6 below.
6. Replacement of broken or missing roof tiles shall be done with a tile of the same design and color. In the case the color is not available; the replacement tiles shall be painted to match the existing tiles as closely as possible with a paint designed for use on roofing tile.
7. All replacement tile or shingle roofs shall be of a color complementary to the exterior colors of the manor. Upon repainting, the proposed manor color shall complement the roof color.

## **SECTION B**

### **ACC REQUIREMENTS APPLICABLE TO ALL DEEDED LOTS**

#### **STRUCTURAL ADDITIONS**

#### **NOTE – A MARICOPA COUNTY BUILDING PERMIT WILL BE REQUIRED**

1. Structural additions must match and blend with existing appearance of manor.

2. Structural additions must meet all Maricopa County requirements.
3. Structural additions to the front of the manor extending forward of the garage require a variance.
4. The property owner is responsible for contacting utility and service companies of easement and service locations, which may have to be moved at the owner's expense.
5. The property owner is responsible for any additional cost involved to relocate sprinklers and/or resolve any resultant landscape related issues.

### **PERGOLAS**

1. Pergolas may be installed over front, side and rear patios and must meet Maricopa County code requirements.
2. Pergolas must be constructed of synthetic or metal materials. All pergola roof type structures shall be flat and sloped to drain.
3. Pergolas must either be painted or have an integral color which closely matches the approved manor or trim colors (see Painting section)
4. Sheeting over pergolas shall match the manor color or be a neutral color and installed so as not to be visible beyond the edge of the pergola.

### **REAR PATIO ENCLOSURES (INSIDE LOT LINE)**

1. Enclosures may be open or roofed. Roofed enclosures must meet building setbacks.
2. Solid walls must not exceed 48 inches in height above existing concrete patio floor. The ends of the patio extending from the manor may be solid walls provided they match the existing manor color.
3. The balance of the wall shall consist of trellis, screen, open or a combination thereof.

### **WALLS AND FENCES**

1. Front enclosures or courtyard walls greater than 18 inches in height may be installed provided they do not extend in front of the garage. Walls shall not exceed six feet above grade and shall match the color and texture of the existing manor wall. Portions may be wrought iron, decorative block, or stone. Other complementary materials will be considered by the ACC.
2. Front enclosures or courtyard walls not exceeding 18 inches in height are permitted to extend in front of the garage, when used as a design element of the front yard landscaping of the manor, provided they maintain at least a 10-foot setback from the front property line. No fences are permitted in or surrounding the perimeter of front yards.

3. Rear and side yard perimeter walls and gates shall not exceed 48 inches in height at the highest elevation of the lot on the inside lot line. All concrete masonry unit walls must be stucco finished and painted to match manor. Rear or side yard columns and gates shall not exceed five feet in height. For manors with a downward sloping rear yard and/or which are adjacent to a golf course, the rear or side yard perimeter walls and/or rear perimeter patio walls shall not exceed 48 inches in height as measured from the outside (golf course side) of the wall.
4. Wood, wire, or chain-link fences and gates are not permitted. Alternate materials will be considered by the ACC as a variance. Wire mesh (1/4" 3/8" 1/2") up to 48 inches in height may be used on the inside of gates to prohibit the passage of animals.
5. Rear yards and side yards may have a combination of wrought iron on top of masonry walls with a total height not to exceed five feet, consistent with other adjacent perimeter walls and/or wrought iron fences.

**PAINTING (Paint can be flat, eggshell, semi-gloss or satin finish)**

1. Paint colors can be the existing color or an approved current LWCA color. There shall be only two paint colors on a manor excluding the front door and roof materials. (See page 13, item 12)
2. Multiplex manors that share a common wall must both be painted same color. There shall be only two paint colors on a manor excluding the front door and roof.
3. Manor walls and gables must be painted an approved exterior wall color.
4. Trim is considered to be the eaves, window frames, pop-outs, caps, fascias and similar elements. Trim may be painted the same as the walls or a color approved for the trim.
5. Garage doors must conform to the exterior wall or trim color. Alternatives in style or type such as glass doors, non-conventional designs, etc. will be considered as a variance.
6. Carriage doors complementary to the design and colors of the manor may be approved.
7. Pergolas must complement an approved exterior wall or trim color.
8. Gates not painted black or the existing house color will require a variance.
9. Electrical conduit, water lines, telephone cable, TV Cable, and associated service boxes must be painted to match the color of the manor to which they are attached.
10. Gutters and downspouts must be painted to match the approved wall or trim color.
11. All manors which were originally constructed with a decorative block or stone design element (i.e. used brick, slump block, split faced block, faux stone, sandstone, etc.) may

retain the color of that element, in addition to the two exterior paint colors described above. Should the stone or block element be painted, however, the new paint color shall be one of the two approved colors.

12. Any new stone or block design element accent (i.e. flagstone, field stone, sandstone, stacked block, etc.) added to the structure shall be of a design and color complementary to the structure and the exterior wall and trim colors, and is not counted as one of the two approved colors.
13. Manors painted with a previously (but no longer) approved ACC color may maintain that color scheme. It shall be considered as an approved color for that specific manor owner and is non-transferable to a subsequent owner. When repainted by the new owners the manor must use a currently approved ACC colors.

### **PAINTING AND TEXTURE FINISH OF COMMUNITY PERIMETER WALL**

1. New stamped concrete perimeter walls may not be attached to, altered or painted (2014 & beyond).
2. Owners whose manor lot abuts on un-textured and unpainted sections of the interior of the Leisure World perimeter block wall may stucco and/or paint the wall; however, the color must be an ACC approved color.
3. Owners who have already painted the wall a previously approved color may retain that color until repainting is necessary, at which time the wall shall be painted an approved color.

### **STORAGE SHEDS/GREEN HOUSES, AND GAZEBOS**

1. Freestanding storage sheds shall not be erected on any part of the property. However, storage bins will be allowed as long as their placement is not visible to passersby.
2. Green houses are not permitted.
3. Raised brick or block planters will require a variance.
4. Gazebos will require approval of a variance. The gazebo shall either match the manor or trim color, unless pre-manufactured, in which case they must incorporate the nearest compatible color. Gazebos shall not be attached to the manor.

### **GOLF CAR STORAGE**

1. Golf car storage manor additions must conform to the existing manor elevation and blend with the exterior look of the manor as a whole.
2. Golf cars that are not used on a regular basis shall be properly stored in a garage, carport or patio. When protective covers are used for golf cars, the cover shall be a fitted type cover

designed for golf cars, in neutral, non-florescent or non-reflective colors. Tarps, etc. are not allowed. Golf cars may not be parked/stored or driven on landscape unless they are not visible from outside of the lot.

### **SIDEWALKS, WALKWAYS, DRIVEWAYS AND CONCRETE SLABS**

1. Additional sidewalks, walkways, patios and driveways require a variance.
2. Existing sidewalks, walkways, patios and driveways may be modified or replaced with pavers, brick, stone, tile or stamped concrete.
3. Manor owners may not paint, stain, or seal driveways.
4. Existing driveways may be extended by a total of 48 inches in width with concrete with a non-slip finish, decorative stepping-stones or pavers without a variance.
5. All tiles, pavers, brick, stone and/or stamped concrete used for sidewalks, walkways, driveways and/or concrete slabs shall be of an earth tone color complementary to the exterior colors of the manor.
6. Manor owners may alter the street curb and sidewalk to install a “curb approach/dipped curb cut” at their expense and must meet the Americans With Disabilities Act (ADA) standards and County requirements.

### **SWIMMING POOLS, SPAS AND HOT TUBS**

Swimming pools, spas and hot tubs may be installed in accordance with the following guidelines:

1. Pool, spa or hot tub and incidental equipment may not be located in the front yard/patio.
2. All installations will meet the current Maricopa County Building codes.
3. Swimming pools will be installed at grade level.
4. Spas and hot tubs may be installed above grade level.
5. All water shall be filtered or changed so as not to become stagnant. Pumps shall be completely surrounded by a wall or other noise-abatement material that is aesthetically compatible with the surroundings.
6. Pool safety elements must be installed as required by Maricopa County.

### **AIR CONDITIONERS (A/C UNITS) AND EVAPORATIVE COOLERS**

1. Air conditioners and evaporative coolers must be plumbed and maintained properly so they do not create a nuisance.



2. Air conditioners and evaporative coolers may be roof-mounted, sidewall-mounted or ground mounted on concrete slab, but shall not create a nuisance to neighbors either by noise or aesthetically.
3. When a roof-mounted unit is replaced, the material designed to hide the support structure must be replaced or altered to fit properly. All unfinished metal surfaces including piping must be completely painted to match the unit itself or the roof color.

### **SOLAR WATER HEATERS AND SOLAR ELECTRIC PANELS (roof-mounted)**

1. Solar electrical panels and water heaters may be installed subject to Maricopa County permit requirements.
2. Piping and/or conduit attached to the walls must match wall color.

### **FIREPLACES**

1. Fireplaces must be in accordance with Maricopa County Building Department permits and requirements.
2. External finish of chimney and/or stack shall match existing manor wall color.

### **PROPANE FUEL CONTAINERS**

All propane tanks shall be outside only, hidden from view, and meet all Maricopa County requirements.

### **MISCELLANEOUS ALTERATIONS**

1. Electric/manual rollaway security type screens, roll down sunshades: Shall be permanently attached to the manor and the same color as the adjacent wall. Fabric awnings and shades will be considered on a case-by-case basis given the location, type of material and color of the proposed awning or shade. Material samples should be submitted with the permit application. A Maricopa County permit may be required.
2. Sail shades will require a variance and permit and may be placed in the back or side yard, and shall be installed in a manner so as not to detach during a high wind condition, and of a color to blend with the manor. Sail shades are not permitted in the front yard.
3. Shade screens may be installed on windows or doors provided they blend with the approved wall and/or trim color.
4. TV antennas and TV satellite dishes (smaller than 1 meter in diameter) are permitted. A permit may be granted to licensed shortwave operators for a single pole antenna. However, if any interference occurs to neighbors, whatsoever, the antenna must be removed or appropriate

equipment provided by the operator to eliminate the problem. The mast cannot exceed 25 feet in height from the ground.

5. Permanent flagpoles may be installed but must be setback five feet (5) from the sidewalk or curb and maximum height shall be twenty feet (20). Flagpoles to hold up to a flag 3 feet by 5 feet may be attached to the manor. (The flags the Lions Club installs on the holidays are exempt from this rule. The flag base in the ground cannot be used for any other purpose by the manor owner.)
6. Floodlights, spotlights and motion-detectors light sources must be installed in a manner to ensure the light beams will not exceed the horizon or affect any other manors.
7. All golf ball protective screens shall be commercial grade framed, securely anchored and not exceed 18 feet in height. Color shall be either the approved color of the manor wall or black. Screens over bedroom windows must comply with Maricopa County fire ordinances (with a quick breakaway latch) and painted to match the adjacent wall.
8. Individual mailboxes must remain at the location specified by the Postal Service. When replacement becomes necessary it shall be replaced by manor owner with one of the same style and painted black.
9. Skylights and solar tubes may be installed, provided they are mounted as close to the roof surface as possible. All trim shall be painted the color of the roof material. The top plastic portion does not require painting.
10. Trellis used for landscaping purposes shall be vinyl, metal, composite materials or wood. All trellises must match the manor exterior background color. Lattices are not permitted for fencing or privacy screening.
11. Gravity and/or wind-operated turbine air ventilators may be installed on roofs and must be painted to closely match the roof color. When installed on gabled roofs, ventilators must be installed in such a manner that the distance between the bottom of the ventilator and the high-side surface of the roof does not exceed 6 inches.
12. Water softeners may be installed outside and adjacent to the manor and must be screened within a permanent enclosure which matches the manor in design and color.
13. Temporary/portable structures and equipment such as fireplaces, barbeque grills, pet enclosures, fountains, shade screen, hot tubs and similar items shall not be placed in locations which will create a visual obstruction for/or adversely affect an adjacent property. Such temporary structures and equipment located within 10' of a property line shall require a variance.

#### **DISTRICT 7 LWCA MAINTAINED LANDSCAPED AREAS**

No new facilities (i.e. sidewalks, flagpoles, sculptures, etc.) or additional landscaping materials shall be placed in the LWCA maintained landscaped areas without the expressed written consent of the LWCA. Any new facilities shall be confined to the area adjacent to the manor and shall be maintained by the owner.

## **SECTION C**

### **ACC REQUIREMENTS APPLICABLE TO THE CONDOMINIUM AREAS OF DISTRICT 1 (Plats 1-5, Manors 1-482) AND DISTRICT 3 (Plat 16, Manors 655-699)**

In addition to the requirements of Sections A, the following specific requirements apply to District 1 (Plats 1-5, Manors 1-482), the condominium areas of District 3 (Plat 16, Manors 655-699).

**LWCA APPROVAL REQUIRED:** Prior to the application for, or commencement of, any work which will result in any new temporary or permanent construction, placement of additional landscaping materials, removal of landscaped materials, construction of new sidewalks or paved areas or any other new activity which is located on, incorporates, crosses, encumbers, or modifies any of the commonly owned property of the plat or the Leisure World Community Association, it shall be the responsibility of the manor owner to first obtain written permission by the Community Manager (or designee) giving them specific permission to do so.

Any of the above activities which take place on commonly owned property by the plat or the Leisure World Community Association without written approval will be subject to removal and/or termination by the LWCA as a property violation. LWCA properties are community assets and shall not be used for individual personal purposes without specific written approval.

Approval of a request by the ACC does not convey, nor is it intended to give, any manor owner permission to encumber any commonly owned property of the Leisure World Community Association.

**MANOR OWNER FUTURE MAINTANENCE AND RESPONSIBILITY:** It is the responsibility of the current and/or future manor owner(s) to maintain any exterior physical modifications made to their individual manor(s) at their own expense and accept liability for any damages which may result from the change. It is understood the LWCA shall be no longer liable or responsible for any modification made to any manor by any manor owner.

#### **DEFINITIONS:**

**Common Areas:** All the surrounding area in a condominium plat that is outside the condominium manor and designated limited common area of that condominium plat which are commonly owned. No alterations and/or additions may extend into a common area.

**Limited Common Areas:** Include areas designated on the approved plat plan for each individual manor as balcony, patio, carport, storage area, parking space or walkways. Any construction and/or modifications within the limited common area will require a variance. (See Article 7, page 17-18 of 25 and Exhibits D1-D6 of the CC&R's). All variance request applications shall include a copy of the portion of Exhibit D that applies to their manor.

**Condominium:** That area designated on the approved plat plan for each individual manor designated as an individual unit, exclusive of the limited common area. (Article 2 of the CC&R's condo)

### **STRUCTURAL MODIFICATIONS:**

1. All structural modifications require a variance and shall be confined to the private condominium area and the limited common area. Room additions shall not adversely obstruct the views of adjacent manors.
2. The property owner is responsible for contacting utility and service companies of easement and service locations, which may have to be moved at the owner's expense.
3. The property owner is also responsible for any additional cost involved to relocate sprinklers and/or resolve any resultant landscape related issues.
4. Structural modifications must be consistent with the existing appearance of the manor.
5. Structural additions must meet all Maricopa County building code requirements and the proposed floor level shall match the existing manor grade.
6. All new stucco and trim required must be painted to match existing manor colors.

### **PERGOLAS**

1. Pergolas may be installed over front, side or rear patios within the limited common areas and must meet Maricopa County building code requirements.
2. Pergolas must be constructed of synthetic or metal materials. All pergola roof type structures shall be flat and sloped to drain.
3. Pergolas must either be painted or have an integral color which closely matches the manor color.
4. Sheeting over pergolas shall not to be visible beyond the edge of the pergola.

### **PATIO ENCLOSURES (WITHIN THE LIMITED COMMON AREA)**

1. Enclosures may be open or roofed.

2. Solid walls must not exceed 36 inches in height above existing concrete patio floor. The ends of the patio extending from the manor may be solid walls provided they match the existing manor color.
3. The balance of the wall shall consist of trellis, screen, open or a combination thereof.
4. Exposed wood beams in front of a manor over an existing open patio must be covered with stucco.
5. Front patios for Manor Plan 49 (Casa Terraza) may be completely enclosed subject to the following:
  - A. All cost for future maintenance due to the change shall be the owner's responsibility.
  - B. All new stucco and trim required must be painted to match existing manor colors.
  - C. Exposed wood beams in front of manor over existing open patio must be covered with stucco.

**WALLS AND FENCES**

1. Front enclosures or courtyard walls may be installed within the limited common area. Walls shall not exceed 36 inches above grade unless originally constructed otherwise and shall match the color and texture of the existing manor wall. Portions may be wrought iron, decorative block, stone or other complementary materials, if approved by the ACC.
2. Side or rear yard enclosures may be installed within the limited common area provided walls do not exceed 36 inches above grade unless originally constructed otherwise and match the color and texture of the existing manor wall. Portions may be wrought iron, decorative block, stone or other complementary materials, if approved by the ACC.
3. Wood, wire, or chain-link fences and gates are not permitted. Alternate materials will be considered by the ACC as a variance. Wire mesh (1/4" 3/8" 1/2") up to 48 inches in height may be used on the inside of gates to prohibit the passage of animals.

**PAINTING AND TEXTURE FINISH OF COMMUNITY PERIMETER WALL**

1. New stamped concrete perimeter walls may not be attached to, altered or painted in any way (2014 & beyond).

**STORAGE SHEDS/GREEN HOUSES, AND GAZEBOS**

1. Freestanding storage sheds shall not be erected on any part of the property. However, storage bins will be allowed within the limited common area as long as their placement is not visible to passersby.

2. Green houses are not permitted.
3. Raised brick or block planters are permitted within the limited common areas only, and will require a variance request.
4. Gazebos shall be within the limited common area and will require approval of a variance. The gazebo shall match the manor color, unless pre-manufactured, in which case they must incorporate the nearest compatible color. Gazebos shall not be attached to the manor.

### **GOLF CAR STORAGE**

1. Golf cars that are not used on a regular basis shall be properly stored in a garage.

### **PATIOS, SIDEWALKS AND DRIVEWAYS**

1. Installation of additional driveways or concrete slabs for the purpose of parking additional vehicles is not allowed.
2. Only developer installed sidewalks, driveways, and concrete slabs forward of the garage lines are permitted. No changes may be made to developer installed curbs.
3. Manor owners may not paint or otherwise alter the surfaces of existing driveways or sidewalks. Walkways from the manor front door to the intersection with the driveway may be altered, however, by the use of brick, stone, decorative stone, epoxy coating or tile. All walkway modifications shall be maintained by the manor owner in good repair.
4. Existing patios within the limited common area may be modified or replaced with pavers, brick, stone, stamped concrete, or tile of an earth tone color complementary to the exterior color of the manor.

### **HOT TUBS AND SPAS**

1. Spa or hot tub and incidental equipment may be located in the limited common area only.
2. All installations must meet the current Maricopa County Building codes.
3. All water shall be filtered or changed so as not to become stagnant. Pumps shall be completely surrounded by a wall or other noise-abatement material that is aesthetically compatible with the surroundings.
4. Pool safety elements to be installed as required by Maricopa County.

### **AIR CONDITIONERS AND EVAPORATIVE COOLERS**

1. Air conditioners and evaporative coolers must be plumbed and maintained properly so they do not create a nuisance.

2. Air conditioners and evaporative coolers may be roof-mounted, sidewall-mounted or ground mounted on a concrete slab in the limited common area or common area, but shall not create a nuisance to neighbors either by noise or aesthetically.
3. When a roof-mounted unit is replaced, the material designed to hide the support structure must be replaced or altered to fit properly. All unfinished metal surfaces including piping must be completely painted to match the unit itself or the roof color.

### **SOLAR WATER HEATERS AND SOLAR ELECTRIC PANELS**

1. Solar electrical panels and water heaters may be installed subject to Maricopa County permit requirements.
2. Piping and/or conduit attached to the walls must match wall color.
3. Roof mounted solar panels require approval by the LWCA facilities office.

### **FIRE PITS AND BAR-B-QUES**

1. Propane above ground fire pits and bar-b-ques may be located within the limited common area only.
2. Propane tanks shall be outside only, hidden from view, and meet all Maricopa County requirements.

### **FIREPLACES (Plats 1-5 Only)**

1. Fireplaces must be in accordance with Maricopa County Building Department permits and requirements.
2. External finish of chimney and/or stack shall match existing manor wall color.

### **MISCELLANEOUS ALTERATIONS**

1. Electric/manual rollaway security type screens, roll down sunshades: Shall be permanently attached to the manor and the same color as the adjacent wall. Fabric awnings and shades will be considered on a case-by-case basis given the location, type of material and color of the proposed awning or shade. Material samples must be submitted with the permit application. A Maricopa County permit may be required.
2. Sail shades will be considered within the limited common area on a case-by-case basis for the back or side yards and shall be installed in a manner so as not to detach during a high wind condition and of a color to match the manor.
3. Shade screens may be installed on windows or doors provided they match the approved wall and/or trim color.

4. TV antennas and TV satellite dishes (smaller than 1 meter in diameter) are permitted to be placed on the private condominium area or in the limited common area. A permit may be granted to licensed shortwave operators for a single pole antenna. However, if any interference occurs to neighbors, whatsoever, the antenna must be removed or appropriate equipment provided by the operator to eliminate the problem. The mast cannot exceed 25 feet in height from the ground.
5. Permanent flagpoles may be installed within the limited common area but must be setback five feet (5) from the frontage sidewalk and shall be a maximum of 18 feet. Flagpoles to hold up to a flag 3 feet by 5 feet may be attached to the manor. (The flags the Lions Club installs on the holidays are exempt from this rule. The flag base in the ground cannot be used for any other purpose by the manor owner.)
6. Floodlights, spotlights and motion-detectors light sources must be installed in a manner to ensure the light beams will not exceed the horizon or affect any other manors.
7. Skylights and solar tubes may be installed, provided they are mounted as close to the roof surface as possible. All trim shall be painted the color of the roof material. The top plastic portion does not require painting.
8. Trellis used for landscaping purposes shall be vinyl, metal, composite materials or wood. All trellises must match the manor exterior background color. Lattices are not permitted for fencing or privacy screening.
9. Gravity and/or wind-operated turbine air ventilators may be installed on roofs and must be painted to closely match the roof color. When installed on gabled roofs, ventilators must be installed in such a manner that the distance between the top of the ventilator and the ridge of the roof is a minimum of two feet.
10. Water softeners may be installed within the limited common area and must be screened within a permanent enclosure which matches the manor in design and color.
11. Temporary/portable structures and equipment such as fireplaces, barbeque grills, pet enclosures, fountains, shade screen, hot tubs and similar items shall be placed in locations within the limited common area only which do not create a visual obstruction for/or adversely affect an adjacent property.
12. Garage doors and windows must be retained and maintained in their original condition, unless replacement with an alternative door is approved by the ACC.
13. Garage windows - windows installed in garage walls must be stained, frosted, or obscure glass, or be draped in order that the inside of the garage may not be seen.



14. The District is responsible for repair and/or replacement of mailboxes as needed, with the cost prorated among the mail box users through the direct service fee.
15. Temporary or portable structures shall not be located on the commonly owned area, except for potted plants located in the shrubbery border.

## ADDENDUM

The ACC Members and the ACC should use the following checklist as a guide in making decisions regarding permit requests.

<b>ACC Architectural Design Checklist</b>	
<b>Describe the Proposed Change</b>	
<b>Item</b>	<b>Comments</b>
<b>The design of the existing home</b>	
<b>Location of proposed change on the property</b>	
<b>Modernization/upgrade</b>	
<b>Surrounding manors</b>	
<b>Street view of change</b>	
<b>Effect on neighboring lots</b>	
<b>Similar construction in area</b>	
<b>Streetscape view</b>	
<b>Unique circumstances</b>	