

GILBERT HEIGHTS OWNERS ASSOCIATION ARCHITECTURAL GUIDELINES FOR OUTBUILDINGS AND AUXILIARY STRUCTURES

These guidelines are intended to keep the aesthetic appeal of our neighborhood and at the same time maintain and enhance the property values of our homes. These guidelines are not intended to supersede the CC&Rs, but are to provide additional clarification and details not addressed in the CC&Rs. They intended to apply to ANY structure visible from neighboring property. "Structure" includes, but is not limited to: buildings, storage sheds, gazebos, jungle gyms, swing sets, etc. The Architectural Committee will review the merits of each submittal on a case-by-case basis.

A preliminary review meeting of the proposed project idea is highly welcome and recommended to identify potential issues with the final approval. The preliminary review meeting is not to be considered a final approval of the plans. The final decision will be granted with the submission of the complete plans. Formal plans are not required for the preliminary review but should contain sufficient detail to present adherence to these guidelines.

GUIDELINES

1. The structure must meet all of the CC&R requirements as applied to the home and must match, in appearance, the home. This requirement includes but is not limited to, the exterior walls, roof styles, roof tile, window style and overall general appearance.
2. A garage entry may face the front of the lot provided the structure is located behind the side yard fence. The top of the garage entry may not exceed 8 feet as measured from the curb elevation of the street.
3. The total height of the structure shall not exceed fifteen (15) feet. Requests for variation to this requirement will be reviewed on a case-by-case basis.

The "total height" is defined based on the Town of Gilbert Land Development Code (LDC), glossary of general terms. The total height of the structure is the vertical distance from the curb level at the center point of the lot on the front facing curb, to the highest level of the roof surface of flat or mansard roofs, or to the mean height between eaves and ridges of gable, gambrel, or hip roofs."

4. The total floor area of the structure cannot exceed five percent (5%) of the total lot area. Requests to exceed the total floor area will be considered on a case-by-case basis.
5. One (1) additional structure is allowed per lot, with the approval of the Architectural Committee. Any additional structures will be evaluated on a case-by-case basis with consideration being given to the aesthetic appeal of the neighborhood.

6. The structure must be sited within the setback envelope of the lot as specified on the plat for the residence. Requests to exceed the setback will be considered on a case-by-case basis. In all cases, the side setbacks of the lot, including the house and all structures shall total forty (40) feet with any side being not less than ten (10) feet.

The setback is the envelope that contains all structures on the property and applies to the lot and not the individual buildings.

7. If the structure is located behind the side yard fence (in the back yard), the structure must be at least 20 feet behind the side yard fence. The fence must meet the criteria of the CC&Rs and the gate must be solid and of matching height to the wall. In all cases, the gate must only remain open during the time of access and egress.
8. The application for the building permit shall be submitted to the Town of Gilbert within thirty (30) days of approval by the Architectural Committee. The exterior of the Auxiliary Structure shall be completed within six (6) months of the date of issuance of the permit. The Architectural Committee is to be notified within seven (7) days of the issuance of the building permit. If the application for permit is not made within thirty (30) days of the approval of the Architectural Committee, said approval is deemed to be rescinded and a new approval will be required.

If the exterior of the Auxiliary Structure is not completed within six (6) months from the date of Architectural Committee approval the Architectural Committee shall have the right to review the permit data. If the conditions of the first paragraph of this item are not met, the Architectural Committee, with the approval of the Board, shall have the right to impose fines upon the lot owner.

9. The Architectural Committee will solicit input from adjacent neighbors whose property line touches the property line of the owner making the request. This includes property lines that are in the street.
10. Changes in landscaping beyond normal maintenance require that a plan be submitted to the Architectural Committee for review and approval per the landscaping guidelines. In the event that major changes (involving more than 33% of the minimum required quantity of plants as prescribed by the landscaping guidelines or 33% of the landscaped area) are made to the landscape of any yard, the changes must conform to the landscaping guidelines and must also include documentation to verify that the plan will meet the retention requirements for the subdivision. These requirements are specified in note 6 of the plat plan and require that "Each lot will retain the runoff from the lot and adjacent half street for all storms up to and including the 50 year 24 hour event." This event consists of three (3) inches of rain in a twenty four hour period.