

Architectural Control Committee Rules

To: All Property Owners, Clearwater Farms Unit II

Date: February 10, 1986

Amended: April 18, 1997

Amended: January 7, 2003

Amended: February 9, 2016

From: Clearwater Farms Unit II POA Architectural Control Committee

Dear Property Owner: The purpose of the Architectural Control Committee (ACC) is to review plans for residences, barns, accessory or outbuildings, and fences prior to the start of construction. The ACC is representative of the property owners in general and it is the designated duty of the ACC to monitor all construction to ensure guidelines are strictly adhered to. Further responsibilities for the ACC shall be to monitor for unorthodox, offensive, unmaintained, and otherwise unappealing structures. This helps maintain property values for Clearwater Farms property owners. The following are general guidelines that will be used by the ACC when reviewing construction plans, specifications, and plot plans.

Notice: Failure to submit plans for approval or failure to abide by Architectural Control Committee rules may result in the loss of good standing in the Association and the loss of eligibility to receive irrigation water.

- **ONE SINGLE FAMILY RESIDENCE PER LOT OF RECORD**

- **SET-BACKS**

- Front - forty (40) feet
 - Rear - forty (40) feet
 - Side – thirty (30) feet

- **ACCESSORY DWELLING UNIT (ADU)/GUEST HOUSE**

- Only one ADU/Guest house shall be permitted where at least one, but no more than one, single family residence exists on the property.
 - An ADU/guest house may not be rented or leased separate from the primary structure.
 - An ADU/guest house shall not have a separate address or mailbox from the principal dwelling.
 - Set-backs for ADU/Guest house shall be the same as the primary dwelling.
 - An ADU/guest house shall be integral to the primary dwelling (must be attached to) and shall not exceed 35% of its area.

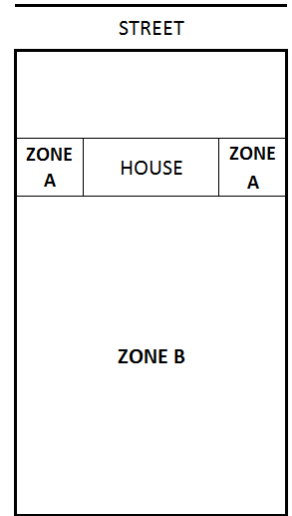
- **MINIMUM SQUARE FOOTAGE:** All primary residences shall be a minimum of 1,200 square feet. Carports, garages, externally entered storage rooms, open entryways, areas not permanently roofed, open air atriums, or any other areas not deemed actual livable space, shall not be included in this 1,200 square feet.
- **MAXIMUM HEIGHT:** No residence or ADU/guest house shall be constructed with a height of more than thirty (30) feet or more than two (2) stories.

- **SET-BACKS for Outbuildings, Accessory Buildings, Sheds, Covered Stalls, Etc.**

- Front - forty (40) feet
- *Rear - forty (40) feet
- **Side Zone A – fifteen (15) feet
- **Side Zone B – three (3) feet

* Due to variances in the rear configuration of properties, a property owner may make a proposal for a variance on rear set-backs for some small structures.

**The Architectural Control Committee reserves the right to stipulate more stringent set-backs with regards to especially tall or large structures and the effect on the adjoining properties and the irrigation system.



- **CONSTRUCTION REQUIREMENTS:** All residences and ADU/guest houses shall be constructed or built, and finished on premises. This is to eliminate all terminology relating to, or inferring to mobile homes, i.e. modular, pre-constructed, pre-fabricated, move-ons, or any other wording intended to deceive this intention.
- **EXTERIOR FINISH GUIDELINES, INCLUDING ALL ACCESSORY OR OUTBUILDINGS:** All exterior construction materials shall be roofed, painted, varnished, stained, stucco coated, or otherwise finished in a pleasing and acceptable manner within forty-five (45) days of basic exterior completion, or within forty-five (45) days of final inspection, whichever comes first.
- **FENCING REQUIREMENTS:** All fences must be constructed of new material, and must be maintained appropriately. Barbed wire or any close resemblance shall not be acceptable. All other fencing shall be maintained per original recommended installation guidelines. There is an easement of 3 ½ feet on both sides of irrigation ditches and underground irrigation pipes. If a fence is installed closer than 3 ½ feet to the irrigation system, the homeowner will bear the expense of removing and reinstalling the fence, if necessary, to facilitate the repair of the irrigation system.
- **COMPLETED CONSTRUCTION:** If not otherwise mentioned in these guidelines, the appearance of all exterior items must be acceptable, esthetically appealing, and basically an attractive addition to the neighborhood, as defined by the ACC.
- **IRRIGATION DITCH CULVERTS FOR DRIVEWAYS:** The culvert must be a minimum of eighteen (18) inches in diameter and installed with concrete abutments on each end.
- **RETRIEVING ELECTRICAL SERVICE OR ANY OTHER UTILITY FROM ACROSS THE ROAD:** It is the responsibility of the property owner to contact Arizona Public Service and any other utility company to determine the process for acquiring utilities. If trenching under the irrigation system or across a street, all trenches must be refilled and compacted to original condition and in a timely manner so as not to inconvenience the community. The road and irrigation system must be returned to the same or better condition than before construction began, and is the full responsibility of the property owner.

Please retain these guidelines in your Clearwater Farms file for future reference. If you have construction plans to submit for approval, contact the ACC Chairman or the Clearwater Farms office at 623-217-8087.