



**KINGSWOOD ESTATES UNIT III MEMBERS ASSOCIATION  
INCLUDES UNITS IV & V**

**Architecture Guidelines, Requirements and Restrictions**

**Approved Dec. 16, 2020**

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***All required forms are available as fillable forms on our website at [www.Kingswoodestates.org](http://www.Kingswoodestates.org)***

## ***Definitions:***

*“Board” shall refer to the Board of Directors as created by the Articles of Incorporation.*

*“Contractor” shall refer to any builder, developer or contractor licensed by the State of Arizona.*

*“Construction” shall refer to the building of new homes, or the exterior modifications of existing homes or changes in landscaping.*

*“Committee” shall refer to the architectural committee created by the covenants headed by a chairperson who is elected by the KEOA membership.*

*“Governing Documents shall refer to the CC&Rs, By-Laws, Community & Compliance Policies as well as this document.*

*“HOAMCO ARC” The Architectural Department at the home owners management company known as HOAMCO.*

*“KEOA” Kingswood Estates Units III Owners Association (includes units IV and V).*

*“Member” One membership in the Association arising by virtue of the ownership of one or more lots or lot units.*

*“Major Alteration” e.g. construction of out buildings or additions to existing homes and any other significant construction projects (to be determined by the Committee).*

*“Property” and “Kingswood Unit III” as used herein shall include the property contained in the record plat of KINGSWOOD ESTATES UNITS III, IV and V*

*“Project” The building of a new home, out building, addition to an existing home or other alteration requiring a City permit.*

*“Property Line” Property lines as established by the official recorded plat for KEOA.*

*“Variance” shall refer to any exceptions to the regulations, requirements and restrictions delineated in this document and not left to the discretion of the Committee.*

## Introduction

*All Lots in KINGSWOOD ESTATES UNIT III shall be residential lots, and said Lots shall have constructed thereon residential dwellings designed for single family living. All construction design and materials shall be compatible with the forested nature of the community. Such distinctions and any other interpretations of these guidelines, requirements and restrictions will be subject to the discretion and opinions of the Committee. It will be required that members schedule a site visit with the KEOA Architectural Committee prior to the start of any Construction, Landscaping or other changes to the exterior of their property.*

The forgoing Architectural Guidelines, Requirements and Restrictions are designed to protect property values by ensuring compatibility with our community and the adherence to the Governing Documents. The Board of Directors, however, at its discretion and in extenuating circumstances, may grant variances from these restrictions or regulations as set forth in this document if they determine that a restriction(s) or requirement(s) would create an unreasonable hardship or burden on a member and the variance will not have any substantial adverse effect on the neighbors and/or other members of KEOA. *Request for variances will be submitted on a request for variance form (see addendum III). Variances to structure positioning (i.e. setbacks) or height requirements will also require the notification of members of adjoining properties as required by the Request for Variance Procedure (see addendum IV).*

*If the Committee and/or the Board plan to approve any exceptions to the positioning (set back requirements) of a dwelling or other building on the Lot or to the height of the structure, the Board or its representative will notify the Members of the Lots whose properties are contiguous to and directly across the street from the lot to be built upon. The Member who requested the exception will be charged for the mailing costs of such notices. The notified Members will be given fifteen (15) days to comment on the proposed exceptions. If any of them oppose any such exceptions, the Committee will ask the member(s) and the opponents to meet with a Committee representative and to attempt to reach a solution acceptable to all parties involved. If no solution is achieved, the matter will be referred by the Committee to the Board, in which case the Committee shall deliver to the Board the application and drawings or plans of any new construction, remodeling, landscaping or other improvement that the Committee has reviewed for this purpose, and shall recommend to the Board their approval, disapproval or revision who will determine whether to grant the exceptions. The decision of the Board shall be final.*

The Committee has authorized the HOAMCO Architectural Department to act as a technical design and construction monitoring and review partner. *Both HOAMCO ARC and the Committee are responsible for the aesthetics of the design to ensure that these Guidelines Requirements and Restrictions are adhered to. In order to accomplish this, members are required to allow access to the property by either Committee members or the HOAMCO ARC Department during the course of construction.*

The Committee makes no representation regarding technical design specifications and construction. The Member must rely upon their designer, architect, engineer, contractor, subcontractor, and material suppliers for technical designs and specifications that are safe, practical, and meet the current building codes, however, all construction in KEOA must comply with all local building codes and applicable City, County and State requirements.

A “New Construction & Review Application” form along with the required accompanying documents must be submitted to HOAMCO’s architectural office for preliminary review for any proposed new structures. KEOA requires a \$5000 refundable deposit to begin new home construction and a \$2500 *deposit for major alterations*. HOAMCO ARC has their own fees and requirements (please check with HOAMCO for their current fees). (See Addendum I) It is highly recommended that members and their contractors meet with the Committee to discuss proposed construction plans prior to investing in formal scaled drawings.

No home, structure nor landscaping improvements *or change in approved plans* can proceed until the Committee has given written consent. *No changes to approved plans can proceed until the required documentation is received and written permission is given by the Committee (see addendum V).* Exterior construction started before this consent is obtained is subject to fines being imposed. *and/or removal of any unauthorized construction. Once construction of a new home or exterior modification of an existing home has begun members are responsible to ensure that their contractors comply with the requirements and restrictions specified in this document. Violations may result in fines being imposed on contractors by the HOAMCO ARC Department (see Section 23) Members can also be held responsible through the forfeiture of all or part of the required bond; and through any other means or methods available under the governing documents. **Members and Contractors will retain the right to appeal any fine(s) imposed, to the Board.***

In the case of alteration of an existing structure, requiring a City of Prescott Permit, an “Application for Modification of Existing Residence Approval” form must be submitted to the HOAMCO Architectural Department. If no City of Prescott permits are required this form shall be submitted to the Chairperson of the Committee (See Addendum II). *However, if the Committee determines that the alteration is of sufficient detail that it requires the expertise of the HOAMCO ARC Department the member will be notified. In cases where the HOAMCO ARC Department is involved in the review and inspection process members will be charged a fee agreed to by the Board and the HOMACO ARC Department. Check for current fees with HOAMCO ARC.*

*Construction deposits will be returned (minus the imposition of any fines) to members after final inspections have been conducted and written approvals by the Committee and HOAMCO are obtained*

*Once the construction of a project begins (e.g. excavation or demolition) the following time tables shall apply:*

- 1. Finished exterior (roof dry-in) 8 months*
- 2. Drainage 10 months*
- 3. Certificate of occupancy 12 months*
- 4. Completion of Landscaping 20 months*

# Submittal Requirements

## New Home Construction

For new home construction the member or his agent must submit a completed “**New Construction & Review Application**” form to the HOAMCO Architectural Department 3205 Lakeside Village Prescott, AZ 86301 (*See addendums I*). The New Construction & Review form must be accompanied by 3 complete sets of 24”x 36” plans, to begin the construction review process. *A separate landscaping plan must be submitted after roof dry in (finished exterior) is completed.* Upon submittal of these plans and form a preliminary meeting will be arranged with the Member, Contractor, Committee and the HOAMCO Architectural Department to coordinate and facilitate the construction process. ***It is advisable that members request a meeting with the Committee to discuss construction ideas prior to investing in any formal plans.***

- a. The site plan sheet (1”= 10’) showing:
  1. Surveyed lot boundaries and dimensions
  2. All existing trees with trunk diameter of 5” or more that are potentially affected by construction
  3. Trees that have to be removed
  4. Building footprint and location of any other structures.
  5. Driveways and parking areas.
  - 6 The locations of fences, retaining walls, drainage elements and site lighting.
  7. Existing and proposed topography plus finished floor elevations.
- b. Floor plan sheets (¼” = 1’) showing the proposed floor plans of all buildings with the calculated livable square footage and the gross footprint including the garage.
- c. Exterior elevation sheets (¼”= 1’) showing the heights of the buildings and the roof pitch.
- d. Landscaping plan sheets (1”= 10’) showing the proposed landscaping.
- e. Drainage plan

## Modification of Existing Residences

For a remodel or addition, requiring a City of Prescott permit, an “**Application for Modification of Existing Residence Approval**” form must be completed and submitted to the HOAMCO Architectural Department 3205 Lakeside Village Prescott, Az. 86304 Prescott, AZ 86301 *along with the necessary required documentation as indicated on the form (see addendum II).*

*Any modifications of existing residence, including landscaping or exterior staining or painting using a shade or color that is different than the existing one(s), that do not require a City permit should be forwarded to the Architectural Chairperson rather than HOAMCO ARC. To do so simply e-mail an “Application for Modification of Existing Residence” form, along with the required documentation, to the Chairman of the Committee, who’s email address will be listed on the form. For those members without e-mail or for those who prefer to do so please submit your application to HOAMCO at P.O. Box 10000 Prescott, Arizona 86304 and send it to the attention of the Chairman of the Committee*

## Change in approved plans

*Members must submit an Application for Modification of Approved Plans (ADDENDUM V) if they decide to make any changes in the exterior of the structure, drainage or landscaping.*

## **Building and Contractor Requirements and Restrictions**

**1. MINIMUM REQUIRED FEATURES:** Indoor laundry, indoor toilet, two-car enclosed garage, kitchen with cooking and dish-cleaning equipment, living area and bedroom. *All utilities services connections to any project must be run underground from the street to the building.*

**2. TREES:** Removal of any tree five (5) inches or more in diameter requires written consent by the Committee. The Committee will attempt to preserve the natural vegetation to the extent possible, while considering the conditions of the property, the site or the proposed or existing structure, and protection of the structure from wildfire. All trees cut down must be removed from the property or cut into firewood-sized pieces and stacked neatly. Diseased or insect infested wood must be wrapped in plastic or be immediately transported from the property to an authorized dump. Dead trees must be removed. Branches that extend from a neighbor's yard into another's and is either dead or deemed a hazard can be cut back to the property line with the written approval of the Committee. Tree branches that extend over the road must be trimmed to a height of 14 per City of Prescott Ordinance.

**3. ROOFS & SOLAR PANELS:** All roofing materials and colors require prior approval and must be class (A) fire rated and must have prior written approval from the Committee.

- a. Large expanses of flat roof, or designs that offer little architectural relief, such as a single symmetrical box or one directional-pitched roof are not permitted.
- b. Flat concrete or slate tiles and non-reflective sheet metal of muted colors are acceptable. Shingles or shakes of wood, asphalt, or fiberglass as well as clay tiles and barrel-shaped tiles are prohibited. Roofing material colors must blend with the natural colors of KEOA e.g. tans, browns, greens, and grays.
- c. Vent pipes; downspouts, gutters, chimney caps, and spark arrestors must be painted in a flat finish that matches the roof, trim, or wall color.
- d. Fascia boards must be a minimum of 2"x 8". Overhangs must be at least 2', except gables may be a minimum of 16".
- e. Support posts must be at least 6"x 6" wood, 6" diameter post, or 12"x 12" square masonry column.
- f. The minimum roof slope is 4" in 12", and the maximum is 5" in 12".
- g. Replacement roofs must meet these criteria and be approved by the Committee.
- h. Solar electrical panels can only be installed on roofs unless this location impairs the functioning of the device or restricts its use or adversely affects the cost or efficiency of the device per Az. State Statute 33-1816.

**4. MECHANICAL EQUIPMENT:** All mechanical equipment such as air conditioners, heat pumps, furnaces, and evaporative coolers must be mounted on the ground and screened from view from neighboring properties and streets. Shiny surfaces are prohibited and the equipment must be painted with a flat paint.

**5. SIDING MATERIALS:** Wood siding, composite wood siding, composite cement siding, stone, brick, split-faced block, and other natural materials are acceptable. Metal siding and vinyl siding are unacceptable, although those materials may be used in soffits and vents. Lap siding laps shall not exceed 7" in width.

- a. Stucco is permitted as a primary siding material only in Unit V (Lots 566-574).
- b. On all lots that border the Prescott National Forest, stucco is permitted on the side of the house that faces the Forest.
- c. Surface on visible stem walls. Specific written Committee approval of these uses is required.
- d. All stucco surfaces must have a sand finish.
- e. The reflective value of exterior paint must be 50 or less Light Reflective Units (LRU).
- f. When paint samples of the siding color are submitted to the Committee for approval, the member or contractor must paint a 2' x 2' square of the sample color on the siding on the east, west, or south side of the house for the Committee to judge whether the color meets KEOA requirements.

**6. STEM WALLS:** Exposed stem walls must not exceed 3', unless land contour makes this impossible and must be painted the same color as the house siding or trim. The visible portion of any masonry stem walls must be covered with stucco and colored to match the house.

**7. RETAINING WALLS:** Must be shown on house plans and must meet the following criteria including cases where terraced walls are needed due to land contour necessities.

- a. Exposed portion of the wall(s) must not exceed 4 feet.
- b. They must be painted in a flat color the same as the house or trim color.
- c. They must be at least 5 ft. inside the property line.

**8. ARCHITECTURAL DESIGN:** The following styles such as Santa Fe, Territorial, Victorian, Santa Barbara, Spanish, Geodesic Dome, A-Frame or Log Cabin are considered unsuitable for Kingswood Estates and the Committee will not approve them.

**9. HOME OR STRUCTURE SITES:** Plan the structure to minimize any negative impact on adjoining properties.

- a. Attempt to avoid blocking scenic views of neighboring property whenever practical.
- b. Control drainage so as not to impinge on neighboring Lots. Whenever practical design the new structure to minimize sounds that will disturb neighboring homes.
- c. Minimize disturbance of the natural topography and vegetation.
- d. On steep slopes, terrace the structure if the topography suggests it.
- e. When landscaping, terracing steep slopes multiple low terraces are preferable to a few tall terraces.
- f. Trees, shrubs, and other vegetation should be planned to present a pleasant view.
- g. The maximum exterior wall height of the main (ground) floor level is 10'. An exception may be granted for gables.
- h. The maximum exterior wall height of the lower (walkout basement) level or second story is 9'.
- i. The maximum height from the main floor level to the peak of the roof is 16 to 19 feet, as determined by the Committee when the house site is identified on the plat on the lot.
- j. City of Prescott building codes may differ and they will take precedence.

**10. DRIVEWAYS & PARKING AREAS:** Driveways *and parking areas* may be asphalt, concrete, paver (brick), sealed composite or compacted and sealed decomposed granite. Unpaved driveways and driveways with untreated decomposed granite or gravel are prohibited. The materials, colors and location of all driveways and parking areas need prior Committee approval

## 11. BUILDING SIZE REQUIREMENTS AND SET BACK REQUIREMENTS:

### a. Square footage minimums:

(1) Units 3 and 4: Single story: 1500 sq. ft. Two stories: Main floor 1100 sq. ft. and second floor 750 square ft.

(2) Unit 5: Single story 2200 sq. ft. Two stories: Main floor 1800 sq. ft. and second floor 1000 sq. ft.

b. Square footage includes the climate-controlled area and it excludes garages, decks, and patios.

c. *Detached buildings **if approved** (guest houses, garages, workshops etc.) 500 sq. ft.*

e. Setbacks: *(all structures as measured from the property lines according to the recorded plats)*

(1) Units 3 and 4: Front yard 20 ft.: Side yards 10 ft. and rear yard is 20 ft.

(2) Unit 5: Front yard 20 ft.: Side yards 10 ft. and rear yards is 30 ft.

(3) The Board of Directors may make exceptions to these setback standards if dictated by terrain, Lot configuration, presence of large trees, or other extenuating circumstances.

(4) Footprint of structure (including garages) not to exceed 35% of the lot in Unit 3 & 4 and 30% of the lot in Unit 5

(5) All driveways must extend a minimum of 25 ft. from the edge of the road

## 12. POST LAMPS:

a. Post lamps are required to provide street illumination for public safety. Their design and location require prior Committee approval.

b. Option A: A single pole-mounted light, approximately 6 ft. tall, with a light sensor switch that turns the light on at dusk and off at dawn, located next to the street and near the driveway.

c. Option B: A 2 ft. square tower approximately 5 ft. tall with a light on top with a light sensor switch located as with Option A. This structure can be a mailbox stand.

d. Total wattage must be at least 40 watts (450 lumens) but shall not exceed 60 watts (900 lumens) per lamppost and lamps must be lighted each night, dusk to dawn.

e. *Post lamp design and location require written approval by the Committee.*

f. Solar powered lights are acceptable if their lighting capacity is between 20 Watts (150 Lumens) and 40 Watts (300 Lumens).

g. New or replacement post lamp fixtures must have frosted/obscured glass.

## 13. EXTERIOR HOME, BUILDING, AND DRIVEWAY/WALKWAY LIGHTING

Our community is a natural forest environment that desires minimum light exposure at night so that the night skies can be viewed and to prevent disturbance to our neighbors at night.

a. Home and Building Lighting. Lighting fixtures must have frosted/obscured glass or be front shielded and require Committee approval. Total wattage must be at least 40 watts (450 lumens) but may not exceed 60 watts (900 lumens). Refer to Protective Covenants #11.

b. Home mounted motion sensors with single or dual shielded lights, 75 watts maximum (1,100 lumens).

c. Ground mounted solar lights, 10 lumens maximum.

d. Any lighting must not shine directly on adjacent property.



#### **14. MAILBOXES AND NEWSPAPER BOXES:**

- a. All residents must have a mailbox on a post or tower that must be maintained in good condition.
- b. Location and height must be coordinated with the delivery agency. The mailbox must have the house number on it and should be placed near the driveway.
- c. Mailboxes and their supporting structures must have prior Committee approval before installation.

#### **15. FENCES, WALLS AND RAILINGS:**

The Materials, Colors and Locations of all Walls, Railings, Fencing, Decking or any other Unattached Structures are subject to Committee approval and the foregoing requirements

- a. While fences must not define lot boundaries appropriate fencing for a dog run, *gardens*, child play area or protection from wild animals; and dry stacked retaining walls, or other materials where necessary for erosion control are permitted. Fence design, location, and fence colors require the prior approval of the Committee.
- b. Lot boundary defining installations such as fences, rows of rocks or logs, hedges, etc. are not permitted.
- c. Fences must be no greater than five feet in height (except electrical) and at least five feet inside the property line.
- d. All Fences must be made of wrought iron to blend in with the Community.
- e. Garden fences and pet enclosures shall encompass a surface area no greater than 1000sq. feet.
- f. A scaled drawing including property lines, wrought iron design, and fence location with an Application for Modification of an Existing Residence form (Addendum 2) must be provided.
- g. Electrical fence posts shall not have more than three strands of wire, and a two-foot-high maximum.
- h. Fences must be out of public view either by location or concealed by plantings.
- i. No wooden or chain link fences are permitted.
- j. No lattice/patio/wood elements may be attached to houses.
- k. Before new home construction or major alteration begins the Committee must be provided a scaled drawing illustrating the fence/wall construction with gates, footage of the structure, lot boundaries, and location on the lot. If approved, the Committee will provide written comments, changes, and approval as appropriate.
- l. Roofing materials and siding and colors of unattached structures must match the house.
- m. All Porches, Decks and Unattached Structures are permitted to have wrought iron, aluminum, stainless steel or artificial wood vertical posts and balusters that are the same as or blend in with the color of the house.

#### **16. SCREENS AND ENCLOSURES:**

Attractive screens and enclosures, consistent with the home's architecture, are required for any property stored outside the house such as trashcans and storage containers. External screens or enclosures require Committee approval before construction of the structure is started.

## **17. SATELLITE TV ANTENNAS:**

Satellite dishes and antennas must be mounted out of public view whenever reception permits. Ground mounted satellite dishes must be screened from public view to the extent such screening does not interfere with reception.

## **18. WINDMILLS, WEATHER VANES & FLAG POLES:**

Windmills, weathervanes and similar machinery are usually inappropriate in a wooded residential community, and are subject to Committee approval and will normally not be permitted. Flag poles must not exceed a height of 16 feet and any lighting, thereof, must meet the lighting requirements in Section 13.

## **19. SPARK ARRESTERS:**

Fireplaces, chimneys, outlets from stoves and heating appliances must be equipped with appropriate spark arresting equipment.

## **20. LANDSCAPING REQUIRMENTS:**

- a. Each lot must be fire-wised according our Governing Documents, Community Firewise Requirements and any existing City Codes prior to construction.
- b. Each Lot is required to be landscaped in an informal manner with natural materials. Artificial plants, statuary, colored rock, bones, antlers; plastic windmills or other bric-a-brac or excessive displays of stumps are prohibited.
- c. Landscaping or restoration of the natural landscape must be completed within 24 months after the start of construction. The Committee is authorized to grant an extension if extensive inclement weather or other unforeseen circumstances have delayed completion.
- d. A drawing to scale of the Lot that shows the planned location of all structures, trees and shrubs must be submitted for approval before landscaping begins. Any modification of the terrain must also be approved prior to beginning work.
- e. Any substantial changes to landscaping on KEOA lots must have Committee approval prior to beginning work.

## **21. DRAINAGE:**

All drainage channels must be designed to direct the flow of water runoff away from adjoining properties and into street side drainage channels, and must be clearly indicated on all site plans. Since drainage is an ongoing issue, members must continue to ensure that water drainage channels on their properties are kept clear to avoid runoff from causing damage to common property or the property of others. Each member is expected to check periodically the drainage and street ditches on and adjacent to his/her Lot, particularly after storms, to detect any damage to pavement, clogging of culverts, etc. and to immediately correct the problems on the Lot and to notify the chairman of the Maintenance Committee, HOAMCO or a Board member of any such street or drainage ditch problems. Sloped road side ditches must be 18" deep filled with 5" (or larger) natural rock.

## **22. CONTRACTOR REQUIREMENTS AND FINE SCHEDULE:**

**First Notice** Violation(s) that can be corrected **must be corrected within 48 hours** of First Notice. A First Notice will be sent to the Contractor, the Committee and the homeowner.

**Subsequent Notice** – For uncorrected first Notice Violation(s) and for repeat Violation(s) noted below, **the construction site may be shut down and a minimum fine of \$250.00 will be charged** unless an extension or exception is granted by HOAMCO ARC and the Committee. The construction site may remain shut down until the violation is corrected and fines have been paid. This Subsequent Notice will be sent to the Contractor, the Committee Chairperson, the Board and the homeowner by HOAMCO ARC.

**NOTE:** For the 2<sup>nd</sup> violation of the same rule, the Contractor may be fined \$500.00. For the 3<sup>rd</sup> violation of the same rule, the contractor will be fined \$750.00 and will continue in additional \$250.00 increments.

1. No construction of any sort may commence until: the plans are approved by HOAMCO ARC and the Committee; the compliance deposits have been paid; the pre-construction site survey is completed; the construction fence is installed and a portable toilet and dumpster is on site and a copy of the city permit is on file. This includes, no clearing of brush, excavation or dumping fill material.
2. Contractors are expected to keep the construction site neat during the entire course of construction and to minimize noise, traffic disruption and disturbance of nearby homes. All supplies must be neatly stacked and stored and dumpsters must be emptied before overflowing.
3. Contractors must keep a dumpster for trash and scrap disposal on the construction site from start to finish of the construction period.
4. Contractors are responsible for compliance with the KEOA Governing Documents
5. Contractors are required to comply with Prescott City Codes 7-5-4 (C) and 8-3-1(A), Yavapai County Ordinance 1977-1, and Urban Wildland Interface Code Ordinance 4367 and their updates if any.
6. Work hours are from **7:00 AM to 6:00 PM Monday thru Friday and 8A.M. to 6P.M. on Saturday**. NO WORK is allowed on Sundays or recognized National Holidays such as Labor Day, Thanksgiving, Christmas, New Year's Day, Memorial Day Veterans Day and July 4<sup>th</sup> without prior Committee approval.

**Any work hour, Sunday or holiday violation will result in an automatic fine**

7. Contractors shall fence off the building envelope or property lines **PRIOR** to the beginning of any work.
8. During Dry weather dust must be controlled. If necessary, where digging is occurring by sprinkling.
9. All site material deliveries **MUST** be scheduled **after 7:30 AM**.

10. Contractors are **NOT allowed** to use/disturb adjacent property for access or storage. If access will be required, prior written permission from that lot owner must be on file with HOAMCO ARC. The contractor shall restore adjacent property to its natural state. Restoration shall be to the satisfaction of the property owner (s) and HOAMCO ARC. Violations may result in a \$500.00 fine.
11. Radios/Stereos shall not be played so loudly that it can be heard by adjacent neighbors.
12. Firearms, alcohol, animals and/or family members are **NOT allowed** on job site at any time.
13. Contractor is required to have a 10lb. ABC-rated fire extinguisher on site at all times.
14. No parking on sidewalks or landscaped areas of the neighborhoods. All construction crews shall park on same side of street in order to maintain adequate access to all other properties and will NOT block the street at ANY TIME. Overnight parking on street or common areas of any vehicles, equipment or trailers is not allowed.
15. Job site needs to be kept reasonably clean of scraps and debris. A **DAILY** clean-up is required. All construction crews are responsible for **IMMEDIATELY** cleaning up any debris or materials that get on the **adjacent property or street**. Any materials (sand, dirt, gravel, mud, leaves, etc.) must be washed off the lot and/or street by water, whether rain or otherwise, by the contractor.
16. Contractors will make a reasonable attempt to keep materials from being carried away by wind, including covering all dumpsters and securing all materials while stored on site.
17. No concrete supplies, plasterers, painters or other sub-contractors will clean their equipment outside the building envelope area. Contractors will be limited to the use of water as the cleaning agent. The wash water must not flow into the drip line of trees, onto adjacent property, gutter or dry wash.
18. The dumping of excess concrete in Kingswood Estates is not permitted.
19. Any oil, gasoline or fluid leaks from vehicles or equipment onto the street or properties must be cleaned immediately.
20. Any damages to signs, berms and streets or neighboring property are the sole responsible of the contractor and must be repaired to meet at the minimum the standards of the City of Prescott and must satisfy HOAMCO ARC and the Committee.
21. Existing trees that are to remain outside of the building pad must be protected to the maximum extent. The contractor is responsible for damages done to trees and their root systems by any worker(s), including utility companies and their worker(s).
22. Contractors must observe posted speed limit in the neighborhoods.
23. Contractors must use the approved construction access entryways to the individual neighborhoods.

24. Any changes to HOAMCO ARC approved plans WITHOUT HOAMCO ARC and Committee approval will be subject to an automatic fine of **\$250.00 per week** until the changes are submitted and approved by the reviewing body.
25. At painting stage, contact HOAMCO ARC to arrange for a field sample approval of exterior paint. Exterior colors will not be approved until the field review is completed. Inspections will be done within **72 hours**, excluding weekends & holiday, weather permitting. Failure to comply with this requirement will result in an automatic **\$250.00** fine.
26. Necessary safety precautions must be taken to protect the public, including the use of street barricades, cones and brightly colored fence material.
27. After completion of house and landscape, a final inspection by HOAMCO ARC inspectors and the **Committee Chairperson** will be completed. The house may NOT be occupied prior to this inspection without HOAMCO ARC and Committee approval.

*If any contractor has any problem complying with any of the above rules and regulations due to hardship or extenuating circumstances, the HOAMCO ARC Department and the Committee must be contacted immediately and approval for any exceptions/extensions must be secured in writing to avoid monetary fines.*

*Failure to previously enforce any of the restrictions/requirements in this document will not preclude their future enforcement.*



## ADDENDUM I

### NEW CONSTRUCTION & REVIEW SUBMITTAL APPLICATION

DATE: \_\_\_\_\_ LOT: \_\_\_\_\_

MEMBER: \_\_\_\_\_ DESIGNER/BUILDER: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ CONTACT \_\_\_\_\_

PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

*This application will be considered complete only if all the documents and submittals, as set forth in the Architectural Guidelines and Requirements, are included. Three (3) sets of all documents are required. It is strongly suggested that the members and their contractors meet with the ARC Committee to discuss proposed construction before investing in scaled drawings to avoid unnecessary expenses.*

#### For Reviewing Body Use Only:

SUBMITTAL DATE \_\_\_\_\_ MEETING DATE \_\_\_\_\_ REVIEW FEE (\$2,500) \_\_\_\_\_

#### PLAN SUBMITTAL REQUIREMENT

- \_\_\_ SITE & GRADING PLAN (W/TOPOGRAPHY) & LOT DIMENSIONS
- \_\_\_ FLOOR & ROOF PLAN
- \_\_\_ FOUNDATION PLAN
- \_\_\_ EXTERIOR ELEVATIONS PLANS
- \_\_\_ SECTIONS & PLAN DETAILS
- \_\_\_ COLORS & MATERIALS
- \_\_\_ DRAINAGE PLAN
- \_\_\_ LANDSCAPING PLAN (SUBMITTED AFTER ROOF DRY-IN)

#### FINAL APPROVAL CHECK OFF

- \_\_\_ SITE, GRADING &
- \_\_\_ FLOOR & ROOF
- \_\_\_ FOUNDATION
- \_\_\_ EXTERIOR ELEVATIONS
- \_\_\_ SECTIONS & PLAN DETAILS
- \_\_\_ COLORS & MATERIALS
- \_\_\_ DRAINAGE
- \_\_\_ LANDSCAPING

☐ REFUNDABLE DEPOSIT OF \$5,000 DUE PRIOR TO START OF CONSTRUCTION DATE RECEIVED: \_\_\_\_\_

**Please reference the Design Guidelines for further clarification of the above submittal requirements. The undersigned acknowledges that they have received, read and agreed to the Kingswood Estates III CC&Rs and Guidelines**

***I acknowledge that I have read and understand the KEOA Architectural Guidelines, Requirements & Restrictions***

MEMBER SIGNATURE(S) \_\_\_\_\_ DATE: \_\_\_\_\_

#### For Committee Use Only:

APPROVED WITH THE FOLLOWING CONDITIONS: \_\_\_\_\_

NOT APPROVED

(REASON): \_\_\_\_\_

ARC CHAIR / REPRESENTATIVE SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_



ADDENDUM II

APPLICATION FOR THE MODIFICATIONS TO AN EXISTING RESIDENCE

LOT \_\_\_\_\_ MEMBER \_\_\_\_\_ DATE \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ DESIGNER/CONTRACTOR: \_\_\_\_\_

PHONE: \_\_\_\_\_

PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

REVIEW FEE (IF REQUIRED): ☐ \_\_\_\_\_ RECEIVED DATE: \_\_\_\_\_

MODIFICATION/IMPROVEMENT REQUEST:

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☐ PLOT PLAN/DRAWING - DIMENSIONS (PROPERTY LINE & BLDG ENVELOPE) ☐ COLOR/MATERIALS CUT

SHEET/SAMPLES ☐ ELEVATIONS / DETAILS

ATTACHMENTS/SUBMITTAL SAMPLES:

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*I acknowledge that I have read and understand the KEOA Architectural Guidelines, Requirements & Restrictions*

MEMBER(S) SIGNATURE (S) \_\_\_\_\_

Review Committee Comments: ☐ APPROVED ☐ NOT APPROVED

Signature \_\_\_\_\_ Date \_\_\_\_\_

Comments/Conditions \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Final Inspection Request: Please contact HOAMCO by phone, email or by returning this form, to request a final inspection.*

☐ I ACKNOWLEDGE THAT THE ABOVE IMPROVEMENT IS COMPLETE AND READY FOR INSPECTION

DATE \_\_\_\_\_ INITIALS: \_\_\_\_\_

☐ PLEASE CALL TO SCHEDULE AN APPOINTMENT ☐ IT IS NOT NECESSARY TO SCHEDULE AN APPOINTMENT

RESULTS: ☐ APPROVED ☐ NOT APPROVED Representative

Signature \_\_\_\_\_ Date \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ BY CHECKING THIS BOX, MEMBER REQUESTS A COPY OF THE COMPLETED INSPECTION

EMAIL SUBMITTAL/QUESTIONS TO: ARC CHAIR – PAUL BECK at [pbeck1939@aol.com](mailto:pbeck1939@aol.com)



**ADDENDUM III**

**REQUEST FOR AN ARCHITECTURAL REQUIREMENT VARIANCE**

Address: \_\_\_\_\_ Lot Number: \_\_\_\_\_

Member: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Contractor: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Date of Request \_\_\_\_\_

Specific Requirement or Restriction for which a Variance is Requested

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Reason for the Request (Please attach pictures and drawings for clarification)

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Signature of Member or Contractor \_\_\_\_\_

Neighbor Approval for setback requirement variance only    ☐APPROVED ☐NOT APPROVED

Review Committee Comments: ☐APPROVED ☐NOT APPROVED

Architectural Chair Signature \_\_\_\_\_ Date \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

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#### ADDENDUM IV

### Request for Variance Procedures

Pursuant to the rules set forth in Section 7 of the Association Bylaws for Kingswood Estates Unit III, IV & V Members Association, the Board of Directors sets forth the following procedures and practices for architectural review requests that deviate from the Association's Architecture Guidelines, Requirements and Restrictions (Guidelines). Such requests will be considered as variances. When the Architectural Design Committee has determined during their review, of either new construction or modification plans to developed or undeveloped properties, that the request for approval contains deviations to the Guidelines, unless such deviations are corrected by the member, the committee will render their collective recommendation for said deviation(s) to be forwarded to the Board of Directors for consideration.

1. The HOAMCO ARC Department Representative will notify the member, in writing, regarding the uncorrected deviation to the Guidelines noting that a request will be sent to the Board of Directors for consideration of a variance. The Representative will direct the member to submit a request to the Board on a Request For Variance Form located on our Public Web Site [www.kingswoodestates.org](http://www.kingswoodestates.org)
2. If the Committee and the Board plan to approve any exceptions to the positioning of a Dwelling or other building on the Lot or to the height of the structure, the Board will notify the Members of the Lots whose properties are contiguous to and directly across the street from the Lot to be built upon. The Member who requested the exception will be charged for the mailing costs of such notices. The notified Members will be given fifteen (15) days to comment on the proposed exceptions. If any of them oppose any exceptions, the Committee will ask the Member and the opponents to meet with a Committee representative and to attempt to reach a solution acceptable to the Board of Directors. If no solution is achieved, the matter will be referred by the Committee to the Board, who will determine whether to grant the exceptions. The decision of the Board shall be final.
3. The HOAMCO ARC Department Representative will notify the Association Manager of the request for consideration and forward documents, member request and Committee recommendation to the Manager.
4. The Association Manager will alert the Board as to Request for Variance Consideration and forward information via email. If the variance is not regarding the height and setback or the steps in section 2 are satisfied:
5. The Board will:
  - a. Approve unanimously via Board action without a meeting.  
or
  - b. Call for Special Meeting to review and discuss in open forum.  
or
  - c. Consider request at a quarterly meeting.



**ADDENDUM V**

**APPLICATION FOR THE MODIFICATIONS OF EXISTING APPROVED PLANS**

LOT \_\_\_\_\_ MEMBER \_\_\_\_\_ DATE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

DESIGNER/CONTRACTOR: \_\_\_\_\_ PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

REVIEW FEE (IF REQUIRED): ☐ \_\_\_\_\_ DATE RECEIVED: \_\_\_\_\_

MODIFICATION/IMPROVEMENT REQUEST:

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REQUIRED FOR SUBMITTAL OF REQUESTED CHANGE:

☐ PLOT PLAN/DRAWING - DIMENSIONS (PROPERTY LINE & BLDG ENVELOPE) ☐ COLOR/MATERIALS

CUT SHEET/SAMPLES ☐ ELEVATIONS / DETAILS

ATTACHMENTS/SUBMITTAL SAMPLES:

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I acknowledge that I have read and understand the KEOA Architectural Guidelines, Requirements & Restrictions

MEMBERS SIGNATURE(S) \_\_\_\_\_

Review Committee Comments: ☐ APPROVED ☐ NOT APPROVED

Architectural Chair Signature \_\_\_\_\_ Date \_\_\_\_\_

Comments and/or Conditions \_\_\_\_\_

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