



# Starlight Pines Homeowners Association

## Architectural Committee Rules

(Complete Office version with Homebuilders Guide, all Appendices, and  
Condensed CC&Rs Indexed Information Directory)

If these Architectural Committee Rules conflict in any way  
with the *Properties Rules*, then the *Properties Rules* will prevail.

### ***Declaration of Covenants, Conditions, & Restrictions (CC&Rs)***

*Article X, Section 10.8 Architectural Committee Rules. The Architectural Committee may from time to time and in its sole and absolute discretion, adopt, amend, and repeal, by unanimous vote or written consent, rules and regulations, to be known as "Architectural Committee Rules." Said Rules shall interpret and implement the Properties Restrictions by setting forth the standards and procedures for Architectural Committee review and the guidelines for architectural design, placement of buildings, landscaping, color schemes, exterior finishes and materials and similar features which are recommended for use in the Properties.*

*This page intentionally left blank.*



**Starlight Pines Homeowners Association  
Architectural Committee Rules**

**TABLE OF CONTENTS**

|  | Page      |
|--|-----------|
| <b>The Purpose of These Architectural Committee Rules .....</b>                | <b>5</b>  |
| <b>General Architectural and Design Control .....</b>                          | <b>5</b>  |
| <b>Preliminary Work.....</b>   | <b>6</b>  |
| <b>Preliminary Review of Architectural Plans and Specifications.....</b>       | <b>6</b>  |
| <b>Submission of Plans .....</b>   | <b>6</b>  |
| <b>Review Plan Fees, Construction Deposit and Cleaning/Damage Deposit.....</b> | <b>7</b>  |
| <b>Approval of Plans.....</b>  | <b>9</b>  |
| <b>Variations and Deviations .....</b>   | <b>9</b>  |
| <b>Revisions to the External Appearance of a Home or Lot.....</b>              | <b>9</b>  |
| <b>The Homebuilders Guide .....</b>  | <b>11</b> |

**APPENDICES**

|  |           |
|--|-----------|
| <b>REFUND OF CLEANUP AND DAMAGE DEPOSIT REQUIREMENTS<br/>(Appendix A) .....</b>        | <b>17</b> |
| <b>Deposit/Fee Received – Owner’s Request for Deposit Refund<br/>(Appendix B).....</b> | <b>19</b> |
| <b>Architectural Change Request Application Form<br/>(Appendix C) .....</b>            | <b>21</b> |
| <b>Letter of Noncompliance with the CC&amp;Rs<br/>(Appendix D) .....</b>               | <b>23</b> |
| <b>CC&amp;R Violation Notice<br/>(Appendix E).....</b>                                 | <b>25</b> |
| <b>Condensed CC&amp;R Indexed Information Directory.....</b>                           | <b>27</b> |

*This page intentionally left blank.*



## **The Purpose of These Architectural Committee Rules**

The purpose of these Architectural Committee Rules is to promote development that will protect and/or enhance the property and aesthetic values of Starlight Pines. It is the responsibility of the property owner to fully familiarize themselves with all current Starlight Pines HOA CC&R's prior to undertaking any construction or alteration project that will alter the appearance of any lot in any way. Refer to "CC&R Condensed Index" at the end of this document. Compliance with the CC&R's and Architectural Rules will at all times remain the responsibility of the Owner. Should any conflict or discrepancy arise between the CC&R's and these Architectural Rules the CC&R's will prevail. All approvals, deviations, or assurances must be in writing and signed by members of the Architectural Committee (AC). Under no circumstances will verbal authorizations be accepted as final authority. Plan approvals by the AC do not relieve the Owner from complying with any Coconino County Ordinances or HOA CC&R's. Although unlikely, Starlight Pines HOA CC&R's grant authority to the AC to exceed Coconino County Requirements, but at no time will the AC have authority to accept less than minimum County Requirement. Authority for these rules is provided in the *Declaration of Covenants, Conditions, and Restrictions Article X, Section 10.8* as follows:

*Article X, Section 10.8 Architectural Committee Rules. The Architectural Committee may from time to time and in its sole and absolute discretion, adopt, amend, and repeal, by unanimous vote or written consent, rules and regulations, to be known as "Architectural Committee Rules." Said Rules shall interpret and implement the Properties Restrictions by setting forth the standards and procedures for Architectural Committee review and the guidelines for architectural design, placement of buildings, landscaping, color schemes, exterior finishes and materials and similar features which are recommended for use in the Properties.*

## **General Architectural and Design Control**

1. No improvements, or alterations, repairs, excavation or other work that in any way alters the exterior appearance of any lot will be made without the approval of the Architectural Committee.

### **Enforcement Procedures**

If an Association Member observes what he or she thinks is construction or a modification taking place on a Starlight Pines (SP) lot without Architectural Committee (AC) approval, the following steps will be performed.

- 1.1 The observing Member will contact the AC to confirm whether or not the observed construction or modification has been approved.
- 1.2 The AC will determine if a Coconino County Building Permit is required for the construction or modification and, if required, has been issued by the County.

- 1.3 If the appropriate AC approval has been given but no County permit has been issued, the AC Chair will contact the Coconino County Community Development Code Enforcement Officer to gather more information and/or make a written complaint to the County.
- 1.4 If the Proper AC approval has not been given and construction or a modification has started on the SP lot, the AC will enforce the General Architectural and Design Control Rule by following the steps in “How Complaints Are Processed” and the “Committee Responsibility Crosswalk, Enforcement Procedures, and Fine Schedule.”
2. No building, fence, wall, screen, residence or other structure will be commenced, erected, maintained, improved, altered, made or done in respect of any lot or any property within Starlight Pines without the approval of the Architectural Committee.
3. The Architectural Committee has the right to approve or refuse any plans or specifications or grading plans and has the right to take into consideration the suitability of the proposed building or other structure, and of the materials of which it is to be built, the site upon which it is proposed to be erected, the harmony thereof with the surroundings and the effect of the building or other structure as planned, on the outlook from the adjacent or neighboring property.
4. All subsequent additions to, changes or alterations in any building, fence, wall or other structure, including exterior color scheme, will be subject to the prior approval of the Architectural Committee along with the appropriate permits from Coconino County. Each Owner is responsible for reading and complying with the *Covenants, Conditions and Restrictions*.

### **Preliminary Work**

Any preliminary work on a lot prior to the start of actual construction, such as removal of trees and undergrowth, will require approval of the Architectural Committee prior to the start of any such work.

### **Preliminary Review of Architectural Plans and Specifications**

The lot Owner is not required to hold a preliminary meeting with the Architectural Committee; however, the Architectural Committee is available to have a preliminary meeting, and it may save the lot Owner the expense of making a change to the plans to comply with the Architectural Committee Rules. A preliminary meeting will allow input by the Architectural Committee prior to the commencement of the final plans; thereby saving time and expense for the lot Owner.

### **Submission of Plans Requiring County Building Permit(s)**

The final plans, (SP Member is responsible for meeting County Building/Environmental specifications) submitted to the Architectural Committee must include the following elements.

1. **Plot Plans** – One (1) of the plot plan, meeting County requirements, will be submitted to the Architectural Committee for approval prior to submission to Coconino County. These plot plans will be stamped after review by the Architectural Committee and will be returned to the lot Owner/designee for resubmission to AC if disapproved or submission to Coconino County if approved. The plot plan will show all trees over four (4) inches in diameter that will be removed to facilitate construction. The lot boundaries and exterior dimensions for the proposed dwelling must be illustrated to scale in a manner as to facilitate review of the plot plan.
2. **Construction Plans** – One (1) complete copy of the final construction plans will be submitted to the Architectural Committee for approval prior to submission to Coconino County. These plans will be stamped after review by the Architectural Committee and will be returned to the lot Owner/designee for resubmission to AC if disapproved or submission Coconino County if approved. The Construction Plans must include schedules of exterior construction materials to be used, paint and stain colors, and roofing material for Architectural Committee approval. Acceptable color guidelines are available through the Architectural Committee to assist you in your selections.
3. **Review Plan Fees, Construction Deposit, Cleaning/Damage Deposit and Fines**

**a. For a new construction (house)**

- i. A non-refundable plan review and processing fee of \$50.00 will be presented along with each submission of any set of plans for review by the Architectural Committee. The plan review fee will apply to site plans, construction plans, material schedules and any re-submission of plans and schedules for any reason. To keep the plan review fees at a minimum it is recommended that all construction plans and schedules required for a County Building Permit be submitted for review at one time.
- ii. The Owner will submit a Construction Deposit of \$500.00 along with the construction plans. All phases of the exterior construction must be completed and the construction site returned to a normal condition within 12 months of the issue date of the County Building Permit. The Owner may request return of the Exterior Construction Deposit following certification of exterior completion by the Architectural Committee. The Exterior Construction Deposit of \$500.00 will be considered forfeited by the Owner if AC certification of Exterior Completion is not granted at the end of the twelve-month period following the Permit issue date. Copies of all County Issued Construction permits must remain on file with HOA office.
- iii. The Owner will submit a Cleaning and Damage Deposit of \$500.00 along with the construction plans. All phases including the Interior Construction must be 100% completed within 36 months of the issue date of the County Building Permit. The Owner may request a refund of the Cleaning and Damage Deposit upon presentation to the Architectural committee of the Finaled Permit and Certificate of Occupancy from the County. The

Cleaning/Damage Deposit will be considered forfeited by the Owner if the Finaled Permit and Certificate of Occupancy is not presented to the AC of the thirty-six-month period following the Permit issue date.

**b. Outside Construction Addition Projects Requiring a County Building Permit.**

- i. A non-refundable plan review and processing fee of \$50.00 will be presented along with each submission of any set of plans for review by the Architectural Committee. The plan review fee will apply to site plans, construction plans, material schedules and any re-submission of plans and schedules for any reason. To keep the plan review fees at a minimum it is recommended that all construction plans and schedules required for a County Building Permit be submitted for review at one time.
- ii. The Owner will submit a Cleaning and Damage Deposit of \$500.00 to the Architectural Committee with the required plans. Outside Construction Addition Project Cleaning and Damage Deposit will be considered forfeited by the Owner if a Finaled Permit and Certificate of Occupancy from the County is not presented to the AC and the AC does not issue a certificate of completion after 12 months following County Permit date of issue. Copies of all County Issued Permits must remain on file at the HOA office.

**c. Additional Outside Construction or Improvement Projects NOT Requiring a County Permit**

- i. A non-refundable plan review and processing fee of \$50.00 will be presented along with each submission of any set of plans for review by the Architectural Committee. The plan review fee will apply to site plans, construction plans, material schedules and any re-submission of plans and schedules for any reason.
  - ii. The Owner will submit a Cleaning and Damage Deposit of \$250.00 to the Architectural Committee with the required plans. The Cleaning and Damage Deposit of \$250.00 will be considered forfeited by the Owner if AC certification of Project Completion is not granted at the end of the six-month period following the AC construction approval date. To avoid forfeiture of the Cleaning and Damage Deposit it is recommended that the owner not submit a project not requiring a County Permit to the AC until ready to proceed with the project.
- d. All Cleaning and Damage Deposits shall be placed in a separate Trust Account for the benefit of the Starlight Pines Homeowners Association and are subject to being returned in full, upon request, after the Architectural Committee inspection of the improvements on the lot. The AC inspection includes lot inspection of construction debris and the improvements as indicated in the "Request for Changes to Lot" application that was approved. See **REFUND OF CLEANUP AND DAMAGE DEPOSIT in APPENDIX A**. Partial refunds will not be issued.



- e. Before construction work is started the lot Owner(s) may be required to provide the lot with a “roll-off” for construction debris and/or appropriate facilities for sanitary use. Requirements will be defined on the “Request to Change Lot Appearance” form.
4. **Fines** – Should any Construction or Cleaning/Damage deposit be forfeited by the owner, fines will be assessed and continue to accrue in accordance with the SPHOA Committee Crosswalk until such time as any all issues identified by the Architectural Committee as being non-compliant with these rules are resolved to the satisfaction of the Committee and final sign offs are presented to the community manager. Owners are encouraged to heed all deadlines and encourage any contractor engaged in the construction process to complete all phases of construction within the timelines described above.
5. **Access** – Prior to use or improvement to the lot, the Architectural Committee will approve access to the lot and driveways.

### **Approval of Plans**

After review of the plans submitted by the lot Owner/designee, a minimum of two (2) members of the Architectural Committee will either approve the plans submitted or request such changes as may be necessary to assure the proposed building is in conformance with the architectural standards for Starlight Pines and in compliance with the deed restrictions for Starlight Pines. The Architectural Committee decision will be made within thirty- (30) days after receipt of the complete package.

All pages, of all Plans, must be stamped and signed by two Architectural Committee Members before submitting to the Coconino County Building Department to apply for a permit.

The Association office will provide a letter from the Association Community Manager to the County Building department verifying that the AC signatures on the plans are approved by the Board of Directors. This letter should accompany the application for a County Building Permit.

### **Copy of Permit Sign-off Card**

Owner/Designee must provide a copy of the County issued Permit Sign-Off card to the HOA office before construction begins. A current and valid copy of all County Building Permits must remain on file at the HOA office during all phases of construction.

Current and Valid County Building Permits must be prominently displayed on the construction site at all times in accordance with Coconino County Ordinances.

### **Variations and/or Deviations**

Once plans and specifications have been approved by the Architectural Committee, any design modifications that require re-submission to Coconino County must first be approved by the Architectural Committee prior to proceeding with design modification construction. The Architectural Committee will take steps necessary to issue a violation notice and cause to be corrected any construction where a deviation has occurred without formal approval by the Architectural Committee.

**Revisions to the External Appearance of a Lot**

Any change to the appearance of a lot must have the approval of the Architectural Committee prior to the start of such work. This includes, but is not limited to, such items as the painting of the exterior of a building that will change the color, the removal of trees, the paving of driveways, decks, fences, wood storage sheds, room and/or garage additions, etc.



## **Starlight Pines Homebuilders Guide**

**Prepared by the SPHOA Architectural Committee**

This Home Builders Guide has been prepared as a summary of the related SPHOA CC&R's to help the homebuilder comply with the *Declaration of Covenants, Conditions, and Restrictions* (CC&Rs) when building a home in Starlight Pines. This Guide is also an aid to the Starlight Pines homeowner in maintaining his property as might be required by the CC&Rs. Some aspects of the CC&Rs are mentioned here to assist you in your building and maintenance efforts.

The following are not to be used in lieu of the CC&Rs. They are a partial and brief listing of those items in the CC&Rs that are intended to uphold the property and aesthetic values of Starlight Pines.

### **3.1 Single-Family Residential Use**

- 3.1.1** No business activity of any kind whatsoever shall be conducted on property in Starlight Pines.
- 3.1.2** All buildings and structures will be of new construction.
- 3.1.3** Only one (1) single-family residential structure per lot is permitted.
- 3.1.4** All single-family residential structures will have a ground floor area of at least 750 square feet of living area.
- 3.1.5** No single-family residence will be used for a hospital, sanitarium, lodging or entertainment whether for hire or charitable purposes of persons suffering from injury, ill health, or disease.
- 3.1.6** No part of a dwelling will be used for the lodging of paying guests.

### **3.2 Elevated Tanks and Chain Link Fences**

- 3.2.1** No elevated tanks are permitted.
- 3.2.2** Propane tanks should not be screened per Coconino County and Firewise and Healthy Forest Policy for Starlight Pines.
- 3.2.3** Four wire or chain link fencing is only allowed to protect fruit and/or vegetable gardens and/or tender landscape plants.
- 3.2.4** Horse corrals will be constructed of round metal posts with four (4), round metal rails to a height of sixty (60) inches.

### **3.3 Perimeter Fences and "For Sale," "For Rent," and "For Lease" Signs**

- 3.3.1** Perimeter fences must not exceed three (3) feet in height and must be constructed of natural materials.
- 3.3.2** In accordance with A.R.S. §33-1808, the Association shall not prohibit a member from placing a commercially produced "For Sale," "For Lease," or "For Rent" sign and sign rider on his property that are in conformance with the industry standard and do not exceed eighteen (18) by twenty-four (24) inches and six (6) by twenty-four (24) inches respectively for a total of four (4) square feet.

**3.3.3** In accordance with A.R.S. §33-1808, the Architectural Committee shall approve “For Sale,” “For Rent,” and “For Lease” signs that are not commercially produced.

### **3.4 Changes to Approved Plans and Construction Completion Timelines**

**3.4.1** No changes to plans that are approved by the Architectural Committee will be made without prior approval of the Architectural Committee.

**3.4.2** Construction will be completed within the allotted time after the start date unless an extension is granted.

#### **3.4.2.1 Residence:**

a. Completion of exterior to be within one (1) year

b. Completion of both exterior and interior to be within three (3) years

**3.4.2.2** Outbuildings and additions: Completion within one (1) year.

### **3.5 Driveways**

**3.5.1** Prior to any use or improvement of a Lot, the Architectural Committee will approve the location and access of driveways.

**3.5.2** All driveways will be surfaced or paved.

### **3.6 Temporary Occupancy**

No temporary building or structure shall be maintained on any lot.

### **3.7 Trailers and Mobile Vehicles**

No mobile home, bus motor home, truck larger than 3/4 ton, trailer of any kind, mini bike, truck camper, or permanent tent or similar structure will be kept, placed, maintained, constructed, reconstructed or repaired on any lot or street within Starlight Pines in such a manner as will be visible from neighboring property without approval of the Architectural Committee.

### **3.8 Maintenance of Lawn and Plantings**

#### **3.8.1 By Owner**

**3.8.1.1** Lots will be kept free of trash and other unsightly material.

**3.8.1.2** Due to the continuing drought, the Architectural Committee, working with the Firewise Education Committee, is giving consent to property owners to thin trees of all sizes as necessary in order to create a Firewise and Healthy Forest Environment in Starlight Pines. This by no means allows for clear-cutting a lot. (Refer to the Starlight Pines Firewise and Healthy Forest Policy approved by the Association Board of Directors on January 14, 2006).

#### **3.8.2 By the Homeowners Association**

No owner shall interfere with plantings placed on easements or greenbelts without first obtaining the written approval of the Starlight Pines Homeowners Association Board of Directors or the Architectural Committee.

### **3.9 Nuisances**

**3.9.1** No nuisance shall be permitted to exist or operate upon any property so as to be offensive or detrimental to any other property in the vicinity thereof or to its occupants.

- 3.9.2 Unused or leftover construction materials placed or permitted to accumulate on a Starlight Pines Lot after construction has been completed shall be considered a nuisance.
- 3.9.3 The Association's Board of Directors shall delegate the authority to determine the existence of construction-related nuisances to the Architectural Committee.
- 3.9.4 The Association's Board of Directors shall determine the existence of all other nuisances that are not related to construction.

### **3.10 Repair of Buildings**

No building shall fall into disrepair; all buildings and structures shall be kept in good condition and repair and adequately painted or finished.

### **3.11 Trash Containers and Collection**

- 3.11.1 All trash or garbage must be kept in a covered container approved by the Architectural Committee.
- 3.11.2 Trash may not be burned at any time.
- 3.11.3 Trash containers must not be visible from neighboring properties.
- 3.11.4 Trash shall not accumulate on a lot.

#### **3.11.1 Fires**

- 3.11.1.1 No fires of any kind are permitted at any time with the sole exception of cooking food.
- 3.11.1.2 For cooking purposes, fires must be confined to a barbecue type container, either built in or freestanding and not directly on the ground.

### **3.12 Clothes Drying Facilities**

Clothes lines are permitted but must be:

- 3.12.1 More than twenty (20) feet from the property line and concealed,
- 3.12.2 Not visible from neighboring property, and
- 3.12.3 Approved by the Architectural Committee.

### **3.13 Right of Way**

During reasonable hours, any member of the Architectural Committee or any authorized representative thereof, or any member of the Association's Board of Directors or any authorized representative thereof shall have the right to enter upon and inspect any property within the Properties during course of construction or improvements thereon, for the purpose of ascertaining determining whether or not said construction or improvements are in compliance with the provisions of the Starlight Pines CC&Rs, and such persons shall not be deemed guilty of trespassing by reason of such entry.

### **3.14 See Property Rule 3.14 Mineral Exploration**

### **3.15 Machinery and Equipment**

- 3.15.1 No machinery or equipment of any kind shall be placed, operated or maintained upon or adjacent to any property within the Properties except such machinery or equipment as is usual and customary in connection with the use in construction of the residence or other improvements and except that which the Association may require for the operation and maintenance of the Properties.

**3.15.2** Machinery or equipment that is not being used in connection with the construction or improvement of a residence or common property shall be placed inside an enclosed building.

**3.16 See Property Rule 3.16 Disease and Insects**

**3.17 Restrictions on Further Subdivision**

Lots may not be subdivided or separated into smaller lots or parcels by the owner.

**3.18 Signs**

No sign or billboard that is visible from a neighboring lot shall be permitted without a permit from the Coconino County Building Department with the exception of:

**3.18.1** Signs required by legal proceedings,

**3.18.2** Residential identification signs no larger than seventy-two (72) square inches,

**3.18.3** Construction signs of an area not larger than three square feet and approved by the Architectural Committee,

**3.18.4** Commercially produced “For Sale,” “For Rent,” or “For Lease” signs of an area not larger than a total of four (4) square feet pursuant to A.R.S. §33-1808 and AC Rule 3.3,

**3.18.5** Cautionary signs per A.R.S. §33-1808, and

**3.18.6** Political signs displayed by an Association Member on the Member’s property seventy-one (71) days before and three (3) days after an election per A.R.S. §33-1808.

**3.21 Construction Project Completion Duration, Cleaning and Damage Deposit; Plan Review Fee. (Refer to Section 3 of the AC rules for all current fees and schedules)**

**3.21.1** A refundable Plan Review Fee of \$500 will be required before the Architectural Committee signs off on plans and shall be returned at the same time as the “New Construction Building Completion, Cleaning and Damage Deposit” is returned.

**3.21.2** A refundable “New Construction Building Completion, Cleaning and Damage Deposit” of \$500 shall be required from each lot Owner at the time of plan approval to ensure that construction is completed in a timely and workmanlike manner.

**3.21.3** Each lot Owner shall submit an additional refundable \$500 Deposit for each improvement requiring a Coconino County Building Permit.

**3.21.4** Each lot Owner shall submit an Additional \$250 refundable Deposit for each new outbuilding or lot modification that does not require a Coconino County Building Permit.

**3.21.5** All Fees and Deposits shall be placed in a separate Trust Account for the benefit of the Starlight Pines Homeowners Association and are subject to being returned in full or in part upon request after the Architectural Committee grants final approval of the completion of improvements on the lot.

**3.22 See Property Rule 3.22 Animals**

**3.23 Antennas (for both reception and transmission)**

Any antenna installation requires Architectural Committee approval before installation is made.

### **3.24 Improvements and Alterations**

- 3.24.1** No improvements, or alterations, repairs, excavation or other work that in any way alters the exterior appearance of any lot will be made without the approval of the Architectural Committee.
- 3.24.2** No building, fence, wall, screen, residence or other structure will be commenced, erected, maintained, improved, altered, made or done in respect of any lot or any property within Starlight Pines without the approval of the Architectural Committee.
- 3.24.3** The Architectural Committee has the right to approve or refuse any plans or specifications or grading plans and has the right to take into consideration the suitability of the proposed building or other structure, the materials of which it is to be built, the site upon which it is proposed to be erected, the harmony thereof with the surroundings, and the effect of the building or other structure as planned on the outlook from the adjacent or neighboring property.
- 3.24.4** All subsequent additions to, changes or alterations in any building, fence, wall or other structure, including exterior color scheme, will be subject to the prior approval of the Architectural Committee along with the appropriate permits from Coconino County. Each Owner is responsible for reading and complying with the *Starlight Pines Declaration of Covenants, Conditions and Restrictions*.

*This Page Intentionally Left Blank*





**Starlight Pines Homeowners Association  
Architectural Committee**

2740 Arapaho Dr., Happy Jack, AZ 86024-8245  
Phone: 928-477-2602 FAX: 928-477-2295 sphoa1216@tds.net

**APPENDIX A  
REFUND OF CLEANUP AND DAMAGE DEPOSIT REQUIREMENTS**

Upon written request by the owner with a compliance statement included, maximum allowable time-frames notwithstanding, the deposit will be returned in full subject to the stated refund schedule when the following have been demonstrated and accomplished. Partial deposit refunds will not be issued.

1. The lot has been cleared of all waste and excess construction materials and debris.
2. Driveways (surfaced) and culverts, as required, completed and in good condition.
3. Copy of the County signed off (Finaled) inspection record card delivered to the AC.
4. Discarded foliage and any downed trees have been cut and stacked or removed from the site.
5. All exposed metal has been stained or painted to blend with the rest of the dwelling.
6. All excess earth and rock piles has been removed from the construction site, and the terrain restored to a natural appearance, including soil testing, percolation hole testing, leach lines, etc. This must include any excavations into the area of the right of way or utility easement. New grades will not alter surface water run off to the detriment of adjacent properties or improvements.
7. Any damage to the surrounding property and roads has been repaired to the satisfaction of the Architectural Committee.
8. No deviations from the Property Rules or Architectural Committee Rules have occurred.
9. Construction and improvements are in conformance with the approved construction plans.

*This page intentionally left blank.*



# Starlight Pines Homeowners Association

## Architectural Committee

2740 Arapaho Dr., Happy Jack, AZ 86024-8245  
Phone: 928-477-2602 FAX: 928-477-2295 sphoa1216@tds.net

### APPENDIX B

#### Part I Deposit/Fee Received

Date \_\_\_\_\_ Amount Received \_\_\_\_\_ Check No./Cash \_\_\_\_\_

Lot No. \_\_\_\_\_ Situs Address \_\_\_\_\_

Lot Owner \_\_\_\_\_ Mailing Address \_\_\_\_\_ Phone \_\_\_\_\_

\_\_\_\_\_ City, State, Zip \_\_\_\_\_

County Permit Issuance Date \_\_\_\_\_ Expiration Date \_\_\_\_\_ Acknowledgement Form Yes  No

#### Type of Deposit/Fee Received

- \$500 Construction Deposit
- \$500 Cleaning & Damage Deposit
- \$250 Addition/Lot Modification Cleaning/Damage Deposit (not requiring a County Permit)
- \$50 Non-refundable Review/Processing Fee

Chk # \_\_\_\_\_ Date \_\_\_\_\_ Initial Received \_\_\_\_\_

#### Part II

#### Owner's Request for Deposit Refund

#### Compliance Statement (CC&R Sections 3.4 & 3.21)

(To be completed by Lot Owner/Owner's Agent and Architectural Committee)

I (Name of Owner), \_\_\_\_\_, request the refund of my Deposit in the amount of \$ \_\_\_\_\_ and warrant that in accordance with the *CC&Rs (Covenants, Conditions & Restrictions)* my Agents or I have completed all requirements ~~clean up~~. I request an inspection by the required minimum of two (2) Architectural Committee members.

\_\_\_\_\_  
Lot Owner Date

\_\_\_\_\_  
Architectural Committee Member Inspector Date

\_\_\_\_\_  
Architectural Committee Member Inspector Date

Refund Approved in the amount of \$ \_\_\_\_\_ for the following reasons: \_\_\_\_\_

Refund Refused for the following reasons: \_\_\_\_\_

*This page intentionally left blank.*



**Starlight Pines Homeowners Association  
Architectural Committee**

2740 Arapaho Dr., Happy Jack, AZ 86024-8245  
Phone: 928-477-2602 FAX: 928-477-2295 sphoa1216@tds.net

**APPENDIX C**

**Architectural Change Request Application Form**

Owner's Name \_\_\_\_\_ Lot Number \_\_\_\_\_

Property Address \_\_\_\_\_

Owner's Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: Day \_\_\_\_\_ Evening \_\_\_\_\_

Cell \_\_\_\_\_ Pager \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

**\*\*DO NOT WRITE IN THIS BOX\*\***

Date Received \_\_\_\_\_

Inspection Date: \_\_\_\_\_

Date Approved \_\_\_\_\_

Date Disapproved \_\_\_\_\_

Remarks & Initials: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I certify that:

1. All Regular Annual Assessments are current for this property.
2. The applicant is the Owner of the Property and assumes all responsibility for approval.
3. All requested information for the project will be supplied to the Architectural Committee, and no work will commence until the Architectural Committee has issued written approval.

Give full details or purpose and/or reason, type, color, size or improvement and materials, location, etc.  
Provide a hand sketch and/or pictures and/or samples as necessary.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Estimated Date of Project Completion \_\_\_\_\_

Homeowner's Signature \_\_\_\_\_ Date \_\_\_\_\_

Community Manager or Architectural Committee Member's Signature \_\_\_\_\_ Date \_\_\_\_\_

(Continued)

**Architectural Change Request Application Form, continued**

Architectural Change Request Application will be reviewed within thirty (30) days.

The Architectural Change Request Application for Lot Number \_\_\_\_\_ has been:

Approved       Disapproved (See reasons below.)       Approved with the following stipulations.

---

---

---

As the owner of this property, I accept the responsibility to adhere to all County, State, and/or Federal requirements for my project. I agree to obtain building permits, licenses, and/or other requirements of any agency governing my property if I have received the approval of the Board of Directors. I will make sure the AC has a copy of all permits and/or licenses for the lot file that is maintained in the SPHOA business office. I will also display any and all required documents on the exterior of the building during construction and through completion.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

Disapproved for the following reason(s):

Architectural change does not meet the need or requirements of the Starlight Pines CC&Rs, the SPHOA Architectural Committee, or the SPHOA Property Rules.

This request is declined because it may pose a possible threat to well-being and/or safety.

The request lacks information to render a favorable decision.

More information is requested regarding: \_\_\_\_\_

Please re-submit your request within \_\_\_\_\_ days.

The request may threaten the structure of the property.

Other objection:

---

---

---

\_\_\_\_\_  
Architectural Committee Member's Signature      Date

\_\_\_\_\_  
Architectural Committee Member's Signature      Date



**Starlight Pines Homeowners Association  
Architectural Committee**

2740 Arapaho Dr., Happy Jack, AZ 86024-8245  
Phone: 928-477-2602 FAX: 928-477-2295 sphoa1216@tds.net

**APPENDIX D**

**Letter of Noncompliance with the CC&Rs**

May 23, 2018

The Starlight Pines Homeowners Association is dedicated to maintaining the quality of life and the environment of our community and to ensuring the successful future of Starlight Pines by upholding the CC&Rs. Property owners want to maintain the value of their properties in Starlight Pines and expect the CC&Rs to be upheld.

The Architectural Committee has determined that the above-referenced lot is not in compliance with CC&R Section(s) for the following reason(s).

---

---

---

---

---

If you need assistance to resolve this matter, please contact a member of the Architectural Committee listed below in writing, within 30 days from the date of this notice.

Your full cooperation and support to maintain the present and future beauty of Starlight Pines is appreciated.

Sincerely,

Architectural Committee Members

---

---

---

*This page intentionally left blank.*





**Starlight Pines Homeowners Association  
Architectural Committee**

2740 Arapaho Dr., Happy Jack, AZ 86024-8245  
Phone: 928-477-2602 FAX: 928-477-2295 sphoa1216@tds.net

**APPENDIX E**

**CC&R Violation Notice**

<Date>

<Name(s)>

Owner(s) of Starlight Pines Lot No. \_\_\_\_\_

<Address>

<City> <State> <Zip>

Dear

The Starlight Pines Homeowners Association is dedicated to maintaining the quality of life and the environment of our community and to ensuring the successful future of Starlight Pines by upholding the CC&Rs. Property owners want to maintain the value of their properties in Starlight Pines and expect the CC&Rs to be upheld.

The Architectural Committee has determined that the above-referenced lot is in Violation of CC&R Section(s)\_\_\_\_\_for the following reason(s).

---

---

---

---

---

---

---

---

A Violation Fine in the amount of\_\_\_\_\_has been charged to your account.

If you need assistance to resolve this matter or wish to appeal this Violation at the next Board of Directors meeting in Executive Session, please contact me.

Your full cooperation and support to maintain the present and future beauty of Starlight Pines is appreciated.

Sincerely,

Trisha Birtwistle  
Community Manager

*This page intentionally left blank.*



# Starlight Pines Homeowners Association

## Architectural Committee

2740 Arapaho Dr., Happy Jack, AZ 86024-8245  
Phone: 928-477-2602 FAX: 928-477-2295 sphoa1216@tds.net

### Condensed CC&Rs Indexed Information Directory

Starlight Pines Homeowners Association wishes to acquaint you with CC&R Article III Land Use Classification, Permitted Uses, and Restrictions of the CC&Rs in the form of an index to assist you in locating various rules and regulations.

Please refer to your CC&Rs for more detailed information on each topic.

### CC&Rs, Article III

#### Section 3.1 Permitted Uses & Restrictions

- One private single-family residence per lot
- No additional separated residential buildings on lots
- New construction only
- No re-located structures
- No structure less than 750 sq. foot on ground floor
- No business activity
- No hospital or sanitarium
- No lodging or entertainment
- No paying guests

#### Section 3.2 Elevated Tanks

- No elevated tanks
- Propane tanks unscreened per County & SP Firewise Policy
- No chain link fences except gardens
- Horse corrals

#### Section 3.3 Perimeter Fencing, "For Sale" signs

- Lot perimeter fencing
- "For Sale" Signs

#### Section 3.4 Plan Changes, Timelines

- Building plan deviations
- One (1) year exterior completed
- Three (3) years exterior & interior completed
- One (1) year outbuildings & additions completed

#### Section 3.5 Driveways

- Driveways surfaced or paved
- Approval of driveway access location
- No on-site driveway materials

#### Section 3.6 Temporary Occupancy

- No temporary occupancy of a building or structure

#### Section 3.7 Trailers & Motor Vehicles

- No trailers, motor vehicles, recreational vehicles, mobile homes, bus homes, over 3/4 ton trucks, minibikes, truck campers, tents (camping) or similar structures

#### Section 3.8 Maintenance of lawns & plantings

- Trash or unsightly material
- Firewise tree-thinning guidelines
- Removal or interference of any plants placed by SPHOA

#### Section 3.9 Nuisances

- No rubbish, debris, including construction debris, odors, speakers, horns, whistles, or bells
- General nuisance offensive or detrimental to occupants of property in the vicinity

#### Section 3.10 Repair of Buildings

- Buildings or structures must be repaired and in good condition

#### Section 3.11 Trash Containers & Collection

---

SPHOA *Architectural Committee Rules*

Revised, reformatted, and approved by the Board of Directors on April 11, 2015

Updated and approved by the Board of Directors on November 12, 2016

Page 27 of 28

- Garbage & trash accumulation
- Incinerators
- Unacceptable containers
- Buried garbage-trash

Section 3.11.1 Fires

- No fires except in barbecue type containers not on the ground

Section 3.12 Clothes Drying Facilities

- Clothesline location & visibility requires AC approval

Section 3.13 Right of Way

- Authorized SPHOA person inspecting a property during construction is not trespassing.

Section 3.14 Mineral Exploration

- No exploration or removal of earth substances

Section 3.15 Machinery & Equipment

- Machinery or equipment placed & operated during construction or maintenance & at all other times

Section 3.16 Disease and Insects

- Infectious plant diseases & noxious insects

Section 3.17 Further Subdividing, Renting

- Further subdivision/separation of Lots
- Easement or interests conveyed or transferred only with Board approval
- Portion of lot, rental

Section 3.18 Signs

- County sign permit
- Construction sign size, 3 sq. feet; AC approval
- Residential identification signs
- For Sale, For Rent, & For Lease signs
- Cautionary signs
- Political signs

Section 3.21 Cleaning & Damage Deposit

- Refundable Plan Review Fee - \$500
- Refundable Cleaning, damage, project completion deposit - \$500
- Refundable Improvement with County Permit Deposit - \$500
- Refundable Improvement without County Permit Deposit - \$250

Section 3.22 Animals

- Number of domestic pets & horses per lot
- No commercial purposes

Section 3.23 Antennas

- AC must approve all outdoor devices for transmission or reception of television or radio

Section 3.24 General Architectural & Design Control

- No alteration of lot's appearance from status at time of purchase without Architectural Committee approval.

Section 3.25 Fire District

- Blue Ridge Fire District

Section 3.26 Water Utility Company

- Starlight Water Company

Section 3.27 Starlight Pines Roads

- Maintained by Coconino County

Your full cooperation and support to maintain the present and future beauty of Starlight Pines is appreciated.