



March 12, 2009

Condo Board President and Subdivision Manager  
Venture Out  
5001 E. Main Street  
Mesa, AZ 85205

Dear Members:

This letter is to provide clarification of the construction requirements for Arizona room additions and permit requirements as was discussed on our meeting on March 10, 2009.

A city permit is required when a structure goes beyond a 32" pony wall with screening or approved louvers. When windows of any type are added to a patio area (enclosures) a City permit is required as this needs to be reviewed as an Arizona room addition. In order for the City to approve and issue a permit the Subdivision Manager must have signed off as approving the proposed construction. Any changes to existing structures will require City permits unless the change out is same for same.

All owners wishing to pull permits as an owner/building but planning on hiring someone else to perform the work should be referred to the Register of Contractors web site at <http://www.azroc.gov/> for those regulations and limitations.

Upon obtaining a City permit the owner needs to request an initial inspection prior to starting any work in order to minimize any field issues.

If work is performed without a permit the owner will be required to obtain a City permit and will be charged a penalty per the current City of Mesa Schedule of Fees and Charges.

Also discussed in the meeting was the three foot side setback between units and what was permitted to protrude or overhang into this area. After reviewing the intent of the zoning case that permitted the reduction in setbacks a maximum of a 4" overhang is permitted plus the rain gutter. No other projections are permitted in this area.

Should you have any additional questions, please call me at 480-644-2524.

Sincerely,

A handwritten signature in cursive script that reads "Tammy Albright".

Tammy Albright  
Development & Sustainability Deputy Director

**ARCHITECTURAL GUIDELINES**  
**(Revised 4.18.2017)**

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**ARCHITECTURAL GUIDELINES**  
(Revised 04.18.2017)

**RULES AND REGULATIONS**  
**SECTION I**  
**GENERAL**

1. **Authority:** The Rules and Regulations published in the following paragraphs are established by the Board of Directors pursuant to the authority contained in the Declaration and in Article XIII of the Bylaws. The authority to enforce the provisions of these Rules and Regulations is derived from the same documents. It is the responsibility of the lot owner as well as the Architectural Inspector to assure all proposed structural changes comply with the current Architectural Guidelines within the Rules and Regulations prior to applying for a Mesa permit before construction.

Amended 04.02.15

2. **Supersedes.** These Rules and Regulations supersede all prior Rules and Regulations adopted by the Board of Directors and shall remain in effect until amended or rescinded.

*Rules and Regulations (April 2017) Page 5*

**AMENDED AND RESTATED**  
**DECLARATION OF COVENANTS, CONDITIONS,**  
**RESTRICTIONS AND EASEMENTS FOR**  
**VENTURE OUT AT MESA, INC., A CONDOMINIUM**

This Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Venture Out at Mesa, Inc., A Condominium ("Declaration") is made as of February 16, 2011, by Venture Out at Mesa, Inc., an Arizona nonprofit corporation (the "Association").

*Declaration of Condominium (2011) Page 1*

1. **DEFINITIONS.** As used in this Declaration and the other Condominium Documents, the terms defined below shall be deemed to have the meanings specified whenever they appear unless the context otherwise requires:

1.2 "Accessory Structures" means any storage unit, patio cover or enclosure, awning, attachments to a Park Model or Recreational Vehicle, stub wall, or other improvements of Lots as specified in the Rules.

1.4. "Architectural Inspector" means an employee of the Association or independent contractor selected, from time to time, by the Manager to act as the Architectural Inspector under the terms of the Condominium Documents.

1.10. "Common Elements" means all portions of the Property shown on the Plats other than the Lots. The Common Elements shown on the Plats include the following: the water distribution system, the sewage collection system, the roads and pathways within the Property, bathhouses, recreational facilities in the recreation area, services facilities

located in common use areas, parks, parking areas, drainage facilities, and any other areas which are for the common benefit and enjoyment of the Owners of the Lots included within the Property.

*Declaration of Condominium (2011) Page 5*

1.28. "Park Model" means a portable dwelling unit no greater than 400 square feet nor less than 320 square feet in total floor area with plumbing, heating or electrical systems that will not operate without being connected to outside utilities and intended to provide seasonal and/or recreational housing characterized by one or more extended periods of vacancy during a calendar year.

1.32. "Recreational Vehicle" means a vehicular or portable unit mounted on a chassis and wheels, no more than eight feet six inches (8'6") in width and forty feet (40') in length which is primarily designed to provide temporary living quarters for recreational, camping or travel use, and which either has its own motor power or is mounted on or drawn by another vehicle, such as: travel trailers, trucks, campers and motor homes. A vehicular or portable unit mounted on a chassis and wheels is not a Recreational Vehicle for purposes of this Declaration if the total width of the vehicle once sited for occupancy, including all tip-outs and/or slide-outs exceed fourteen feet (14') for purposes of measuring length, the trailer hitch and/or trailer tongue shall be excluded.

*Declaration of Condominium (2011) Page 4*

## **2. NAME & DESCRIPTION – IDENTIFICATION**

2.2 Identification of Tracts. The Property consists of the Lots identified on the Plats and the Common Elements. For the purpose of identification, portions, of the Common Elements are given identifying "tract" designations and delineated as such on the Plats, which are made a part of this Declaration. The aforesaid identifying designation as to the tract is also the identifying designation as to its undivided relationship to the Lot ownership.

The Plats, together with this Declaration, are in sufficient detail to identify the location dimensions and size of the Common Elements and each tract and Lot as evidenced by the Certificate of the Registered Land Surveyor attached to the Plats. The legend and notes contained in the Plats are incorporated herein and made a part of hereof by reference, and any restrictions set forth herein or in the Plats are hereby declared to be attached to and a part of the title and ownership of the Lots established by the Plats.

## **3. USE AND OCCUPANCY AND PROPERTY RIGHTS AND OBLIGATIONS**

3.1 Restriction for Park Model or Recreational Vehicle. All Lots are restricted for the parking and use of Park Models or Recreational Vehicles. No more than one (1) Park Model or Recreational Vehicle may be parked or situated on any Lot.

*Declaration of Condominium (2011) Page 5*

3.2 Exterior Material. All Park Models or Recreational Vehicles, including extendable enclosures attached thereto, shall be of such exterior material and design as that customarily used by manufacturers of such vehicles.

3.3 Exterior Additions. Exterior additions or attachments to a Park Model or Recreational Vehicle other than expressly permitted in the Condominium Documents are prohibited.

3.4 Permits/Architectural Inspector. In addition to any permit or permits, which may be required by any governmental authority, it is mandatory that a Lot Owner obtain from the Architectural Inspector a permit authorizing the installation of a new Park Model or Recreational Vehicle, Accessory Structures, exterior alterations to an existing Park Model or Recreational Vehicle, or other Lot improvements. In consideration of the granting of such permit, the Lot Owner agrees that periodic inspections of the work may be made by the Architectural Inspector or his authorized representative, including a final inspection at the completion of the project and that such Architectural Inspector may have reasonable access to the work to carry out such inspections, including, without limitation, access to the interior of such Park Model or Recreational Vehicle.

3.5 Accessory Structures and Other Construction Requirements. In addition to the permit required under this Declaration, Construction of Accessory Structures, exterior alterations to an existing Park Model or Recreational Vehicle, and installation of a new Park Model or Recreational Vehicle shall be subject to detailed requirements as to allowance, size, placement, exterior finishes and/or materials, as set forth in the Rules. The following Accessory Structures are authorized subject to the permit requirements of this Declaration:

3.5.1 A patio enclosure may be constructed to enclose the patio adjoining a Park Model.

3.5.2 Skirting around the base of the Park Model is required.

3.5.3 Only one storage building may be installed on each Lot.

3.5.4 A patio awning may be constructed and attached to a Park Model. A Free Standing awning may be constructed over the patio of a Lot.

3.5.5 Stub walls may be constructed.

3.5.6 Louvers may be attached to the Park Model or patio enclosure.

3.5.7 Bathroom facilities are allowed in the patio enclosure or shed provided the drains from such facilities discharge into the Lot Owner's sewer.

3.5.8 Laundry facilities may be installed in storage buildings or patio enclosures.

3.5.9 Ramada roofs, cabanas, carports and fences are not permissible on any Lot.

3.5.10 A wall may be installed between a storage building and Park Model.

3.5.11 Radio or televisions antennas or a small satellite dish may be attached to the top or rear of a Park Model or Recreational Vehicle.

3.6 Age Restrictions (See CC&Rs (2011) Page 6)

3.7 Maximum Occupancy. Occupants of a Park Model or Recreational Vehicle on a permanent or semi-permanent basis shall be limited to not more than two (2) adults, except upon approval of the Board of Directors in special hardship cases.

3.8 Parking on Lots and Driveways. One (1) motor vehicle may be parked on each interior Lot. On corner lots, two (2) motor vehicles may be parked, one on either driveway, if constructed for that purpose. The motor vehicle may be the customary passenger car, van or pickup truck. A truck camper, motor home or other travel/camping unit may be parked if it is the only means of transportation. All parked vehicles must be parked at the front of the Lot and, so far as is physically possible, within the confines of the Lot lines. Bicycles, golf cars and motorcycles are not restricted by these Regulations except that they must be parked within the confines of the Lot lines. No parked vehicle shall be used for sleeping, eating or living quarters. All motor vehicles parked on the Property shall also be subject to the restrictions on parking set forth in the Rules.

3.9 Encroachments. The Owners of the respective Lots agree that if any Park Model or Recreational Vehicle originally placed upon a Lot encroaches upon another Lot or Common Element, a valid easement for the encroachment and maintenance of same, so long as it stands, shall and does exist.

3.10 Nuisances and Lot Maintenance. (See CC&Rs (2011) Page 7

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3.11 No Commercial Usage of Lots. All Lots in the Condominium are intended for residential and recreational use. No business activity may be conducted by any Lot Owner on the Property which detracts from the residential character of the Property through access of traffic into or within the Property for such business activity, provided however, the foregoing shall not be construed so as to prevent the Association from designating certain areas reserved to it as commercial for its use in supplying goods and services to the Lot Owners. Any person conducting a business activity from a Lot may not erect or display signs or any other form of advertising on such Lot or within the Property, except as approved by the Board of Directors.

#### 4. EASEMENTS

4.1 Utility Easements. There is hereby created an easement upon, across, over and under the Common Elements and the Lots for reasonable ingress, egress, installation, replacing, repairing or maintaining of all utilities, including, but not limited to, gas, water,

sewer, telephone, cable television and electricity. By virtue of this easement, it shall be expressly permissible for the providing utility company to erect and maintain the necessary equipment on the Common Elements and the Lots, but no sewers, electric lines, water lines, or other utility or service lines may be installed or located on the Common Elements or the Lots except as approved by the Board of Directors. This easement shall in no way affect any other recorded easements on the Common Elements or the Lots. The location of utility easements granted to Salt River Project Agricultural Improvement and Power District ("SRP") on the Property, and associated restrictions on the use of those SRP easements, are subject to an Agreement Verifying Location and Terms of Utility Easements, as evidenced by a Notice of Agreement Verifying Location and Terms of Utility Easements recorded on May 11, 2010, at Instrument No. 2010-0400875, in the official records of 2010-0400875, in the official records of Maricopa County, Arizona.

*Declaration of Condominium (2011) Page 8*

## **SECTION II GENERAL ADMINISTRATIVE**

3. **Dumpster Fees:** Fees for the use of the dumpster are as follows:
- a. Shed tear down and rebuild, \$75;
  - b. Arizona Room renovation or tear down, \$150;
  - c. Arizona Room build (new), \$150;
  - d. Park Model tear down for rebuild, \$300;
  - e. Park Model interior renovation, \$100;
  - f. Asphalt or cement driveway or landscaping removal, \$150

The dumpster fees are to be paid to Venture Out at Mesa, Inc. and be submitted to the Architectural Inspector when the resident or contractor receives the approved Venture Out permit. If a City of Mesa permit is also required, the fee check will be held until the resident or contractor receives the approved City permit.

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## **SECTION V PARK MODELS**

1. **Lot Surveys.** Lot Owners must provide proof of a recorded Lot Survey on file with Maricopa County, Arizona prior to Venture Out issuing a building permit:
  - 1) when a park model is brought into the park and placed on a lot; or
  - 2) when a park model is repositioned on the existing lot; or
  - 3) when a city permit is required for modifications to an existing unit and/or Arizona room.
- 1.1 **Survey Pins.** A Venture Out Lot owner shall require the Survey Company conducting a lot survey to install or ensure survey pins are visible for each corner of the lot. If an existing SRP pin or Venture Out pin is deemed to properly identify a



corner, the surveyor must indicate on the survey documentation that the SRP pin or Venture Out survey pin properly certifies the survey pin location.

- 1.2 **Exception.** A recorded lot survey is not required for the replacement of an electrical pedestal.

Amended 3.23.17

2. **Use Restriction.** All Lots, including pull-through spaces, are restricted for use of Park Models and Recreational Vehicles. Truck mounted campers shall not be dismantled. Tent trailers, tenting and overnight sleeping outside the Park Model, Recreational Vehicle or patio enclosure are prohibited.

3. **Recreational Vehicles.** All Recreational Vehicles and any additions thereto shall be of such exterior material and design as that customarily used by recognized manufacturers of such vehicles. A Recreational Vehicle shall not be more than eight feet six inches (8'6") in width and forty feet (40') in length. The total width of the Recreational Vehicle once sited for occupancy, including all tip-outs and/or slide-outs, cannot exceed fourteen feet (14'). For purposes of measuring length, the trailer hitch and/or trailer tongue shall be excluded.

3.1 Any associated second vehicle (tower or being towed) must fit on the lot's designated parking area.

Amended 04.02.15

4. **Park Models.** All Park Models being delivered for placement on Lots shall conform to all laws covering park models. Only Park Models of five (5) years of age or less may be brought into the Property. A Park Model shall not be more than forty feet (40') in length nor more than fourteen feet (14') in width including all bays, super bays, etc., and no greater than four hundred (400) square feet nor less than three hundred twenty (320) square feet.

Amended 04.02.15

5. **Permits for Park Models and permanent Recreational Vehicle Installations.** In addition to any permits required by the City of Mesa, a permit must be obtained from the Architectural Inspector prior to:

- 5.1 installation of a new Park Model or Recreational Vehicle.
- 5.2 relocating a Park Model or Recreational Vehicle.
- 5.3 alterations to an existing Park Model or Recreational Vehicle.
- 5.4 changes to the exterior surface materials of a Park Model or Recreational Vehicle.
- 5.5 changes to the dimensions of a Park Model or Recreational Vehicle.
- 5.6 new installation of an air conditioning and/or heating unit.
- 5.7 new installation of a swamp cooler.
- 5.8 installation of plumbing and electrical for laundry facilities.
- 5.9 Initial installation of a water heater.
- 5.10 initial installation of a water softener.

A copy of the permit is to be displayed in a visible place while work is in progress. All work is subject to inspection by the Architectural Inspector for compliance with the Condominium Documents. A condition of any permit issued that also requires a City of Mesa permit shall be that no portion of any structure to be constructed or re-constructed upon a Lot that infringes upon an easement will be concurrently moved from the easement. Permits require

full compliance with current Condominium Documents and the City of Mesa building codes unless the Board approves a specific exception.

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6. **Prior Permit for Entry.** An approved permit must be on file at the Guard Gate or Administrative Office prior to bringing any Park Models or Permanent Recreational Vehicles into the Property. A Lot Owner must have a prior approved permit of the Association and the City of Mesa before a Park Model or Recreational Vehicle may enter into the Property.

Amended 04.02.15

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7. **Required Skirting.** Park Models must be fully skirted within thirty (30) days following placement unless a reasonable delay is negotiated with and agreed to by the Architectural Inspector. Such skirting shall be of such exterior material and design as that customarily used by recognized manufacturers in the skirting and trailer industries. Unless the skirting material is the same as that used in the construction of the Park Model or aluminum skirting that is designated to be compatible, it will be reinstalled within thirty (30) days after any permitted relocation and/or remodeling has been completed.

8. **Air Conditioners.** One air conditioner not to exceed three (3) ton capacity may be installed at or near ground level. It shall be situated so as to provide the least noise disturbance to the neighbors. Evaporative coolers and air conditioners placed on the roof shall be located toward the rear of the Park Model. Coolers and portable air conditioners designed for use in window openings must be placed on the patio side of the Park Model or Recreational Vehicle or at the rear of the patio enclosure. Maximum acceptable allowable noise levels generated by any air conditioning unit shall be 89 dB(A). Measurements to be taken by a qualified technician using a calibrated sound meter at a standard distance of two feet (2') in front of and above the air conditioner unit. The maximum noise level generated by any air conditioner must not exceed 69 dB(A) at the complainant's property line. To meet these requirements, the Architectural Inspector may require relocation of any air conditioning unit and may specify the exact location of new air conditioners. New air conditioning units will be installed only on weekdays. In cases where noise levels are unacceptably high, the Board may require the offending unit be shut off between 11:00 p.m. and 7:00 a.m.

9. **Relocation.** In addition to an approved architectural permit, an Owner must obtain the approval of the Board of Directors before relocating a Park Model within the VO Property.

Amended 04.02.15

10. **Location and Height Restriction.** Only one (1) Recreational Vehicle or Park Model maybe situated on any Lot. It must be located on the principal driveway provided for that purpose and in proximity to the utilities connections. The floor of a Park Model must be a minimum of seventeen inches (17") above grade level. A Park Model may not exceed a height of sixteen feet (16') as measured from the original existing pad on which the Park Model sits. Two-story structures are prohibited. For placement of Park Model on an exterior lot see sketches appendix A and B.

Amended 04.02.15

*Rules and Regulations (April 2017) Page 18***11. Setback Requirements for Park Models, Recreational Vehicles and Accessory Structures.***Rules and Regulations (April 2017) Page 18*

The uniqueness of Lots within the Property makes it impossible to establish rules which cover all situations. Prior to the issuing of a permit, the Architectural Inspector must inspect the Lot and provide the Lot Owner specific requirements to insure compliance with both City requirements:

- 11.1 Interior Lots: Park Model or Recreational Vehicle or any other Structure five feet (5') from the rear lot line, zero feet (0') on non patio side, three feet (3') on patio side, four feet (4') from the inside of the sidewalk. (Property Line)
- 11.2 Perimeter Lots that back up to the wall.
  - 11.2.1 Park Model or Recreational Vehicle or any other structure must be on the Owner's deeded lot.
  - 11.2.2 Park Model or Recreational Vehicle or any other structure must be a minimum of five feet (5') from the wall.
  - 11.2.3 Park Model or Recreational or any other structure on the non-patio side is zero feet (0'), patio side three feet (3') and four feet (4') from the inside of the sidewalk.
- 11.3 Corner Lots: When positioning a Park Model on a lot parallel to an adjoining Park Model, the following rules apply:
  - a. a registered, legal lot survey is required;
  - b. utility easements setbacks – 5' from the lot line;
  - c. setback for the address side of the Park Model – 4' from the inside of the property line/sidewalk;
  - d. zero feet (0') on the non-patio side; and
  - e. setback other than the address side (patio side)-3' from the inside of the property line/sidewalk.
- 11.3.1 Due to the uniqueness of corner lots, placement of a Park Model, or Arizona Room positioned other than parallel to an adjoining Park Model, a zero feet (0') lot line on the non-patio side will not exist. A registered, legal lot survey is required and a plot plan detailing the proposed position of the unit on the lot will be forwarded to VO Architectural Inspector and the Architectural Committee for review. If there is a disagreement as to the placement of a Park Model, or Arizona Room on the corner lot, the issue will be presented to the V.O. Condo Board for final decision.

- Note:** The following points need to be considered when selecting a position on a lot:
- a. emergency personnel access – minimum of 3' on the non-patio side;
  - b. a zero (0') lot line on the non-patio side will not exist; and
  - c. if an adjacent building is currently in place, the new builder may need to make concessions.

12. **Gutters and Downspouts.** Standard five-inch (5') gutters and standard two by three inch (2" x 3") downspouts are required on all appropriate sides of new Park Models, new Patio Enclosures and Sheds. All downspouts must drain towards the street so water will not run onto any adjoining property. If a permit is required from the City of Mesa for improvements or alterations to the Park Model or Arizona Room, the above listed gutters or downspouts are required effective the date change was approved.

Amended 03.21.13

13. **Rebuilds.** Prior to teardown of an older unit, a City of Mesa Permit is required for new construction. The builder will have 360 days to complete the construction.

Amended 11.17.16

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## SECTION VI STRUCTURES

1. **Accessory Structures.** Accessory Structures may be erected on any Lot only so long as they meet the requirements of this Section and other Condominium Documents. Where used herein, the term "patio" means that area authorized to be covered by an awning as described in this Section.

2a. **Permits for Accessory Structures.** In addition to any permits required by the City of Mesa, a permit must be obtained from the Architectural Inspector prior to:

- 2.1 installation or replacement or remodeling of a patio enclosure.
- 2.2 construction or remodeling of a storage building.
- 2.3 any other Lot improvement.
- 2.4 replacement of a driveway.
- 2.5 installation of an antenna (radio or television) or a satellite dish not complying with Section VI paragraph 11.
- 2.6 installation of plumbing and electrical for laundry or bathroom facilities.
- 2.7 installation or replacement of retractable or patio awning, louvers or stub walls.
- 2.8 installation of manufactured trellis panels. See Section VII Paragraph 9 for more details.
- 2.9 planting or removal of trees, shrubs or cacti.

A written permit approved by the Architectural inspector shall be required before construction starts for any work that is done. A copy of the permit is to be displayed in a visible place while work is in progress. A condition of any permit issued that also requires a City of Mesa permit shall be that no portion of any structure to be constructed or re-constructed upon a Lot that will infringe upon an easement and that any existing structure upon the Lot that infringes upon an easement will be concurrently moved from the easement. Permits must also require full compliance with current Condominium Documents and the City of Mesa building codes unless a motion of the Board approves a specific exception.

Amended 04.02.15

2b. **Free standing umbrellas** are allowed in open areas and they must be removed when the Resident is no longer in residence.

Amended 04.02.15

3. **Storage Buildings.** The area of a storage building together with the area of a free standing storage cabinet, if previously authorized, shall not exceed one hundred and twenty (120) square feet. A free standing, storage building shall not exceed eight feet (8') in height. No storage building side will exceed fifteen feet (15') in length. All framing will be of metal, in keeping with the following dimensions: minimum width three and one-half inches (3 ½"), minimum 20 gauge, and set at a maximum of sixteen inches (16") on center. Exterior walls will be either new corrugated aluminum panels finished in white or off white, or the same material and finish used by the manufacturer of a Park Model. Should part of the storage building be built under the awning, that portion may be enclosed to utilize the awning as a roof. The walls outside the awning may be of the same height as the walls within the awning area provided the slope of the added roofing required conforms with the angle of the awning both to the side and rear. Under no circumstances will the height of a storage building exceed that of an awning. The roof, for a free standing unit, or any portion beyond the awning, will be covered with fire rated roofing material. The exterior roof edge of a storage building that extends beyond an awning, may be finished with fascia, in keeping with that of an awning.

Amended 04.02.15

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#### 4. **Patio Awnings.**

An awning of aluminum alloy or metal not more than fourteen feet (14 ft.) in width may be attached to the side or back of a Park Model or Recreational Vehicle but may not encroach upon setbacks or easement. Such awnings shall not extend beyond the front of the Park Model or Recreational Vehicle roof. Supporting members shall be of tubular metal.

Amended 11.10.16

#### 5. **Retractable Awnings.**

A manufactured retractable awning may be attached to the front of a Patio Enclosure provided that: the width is no greater than 14"; it may not extend beyond the patio or deck; it may not extend over the driveway; and it may not encroach upon the setbacks. In case of a corner lot, it may be attached to the front and/or side of the Park Model.

Amended 11.10.16

6. **Free Standing Awning.** A free standing awning may be erected over the patio area. It shall not exceed more than thirteen feet (13') in height and fourteen feet (14') in width.

7. **Corner Lot Awning.** An awning may be constructed to extend from the Park Model and/or Arizona Room to cover a raised deck or patio area. It may not extend beyond the patio or deck; it may not extend over the driveway; and it may not encroach upon the setbacks.

Amended 11.10.16

**8. Multiple Awnings.** In case of multiple awnings, all must match in design and color.

Amended 11.10.16

**9. Commercial Doors.** Commercially made doors of glass or plastic maybe installed at the rear of the patio when the area between the Park Model and the storage building is enclosed. Open space between the doorframe and the storage building, between the top of the door and the awning may be filled by transparent plastic or glass framed in extruded aluminum.

**10. Arizona Room.** An Arizona Room may be erected to enclose the patio adjoining the Park Model. It shall be constructed of steel studs and shall be clad with corrugated aluminum panels finished in white or off white, or the same material and finish used by the manufacturer of the Park Model to which it is attached. At least sixty-five percent (65%) of the surface area of the front wall shall be open below a height of six feet eight inches (6'8") from finished floor grade. The window area and any open area above may be covered with screen mesh, plastic panels or mineral glass. Glass located within twenty-four inches (24") of a doorway or eighteen inches (18") of a floor, must be tempered glass. Any commercially manufactured door not constructed of wood, may be used in an entranceway, provided it is at least six foot six inches (6'6") in height and thirty inches (30") in width. The patio enclosure is limited to a maximum size of four hundred (400) square feet, excluding storage building size, if any part of the storage building is located under the awning and forms part of the enclosure. Structural modification, such as relocation or size alteration of doors or windows of the Park Model is permitted only if it meets City requirements. A patio floor may be raised above ground level to a maximum height level with the floor of the unit. A hard-wired smoke alarm with battery backup shall be installed within a patio enclosure. All flooring and sheeting materials must be fire rated. It is permitted to have a four-inch (4") overhang plus the rain gutter on the three-foot (3') setback side.

Amended 11.10.16

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**11. Stub Walls and Deck Railings.**

11.1 Stub walls not exceeding thirty-two inches (32") in height from grade level, constructed of masonry, metal or other suitable materials approved by the Board of Directors, may be placed around the patio or as an adjunct to the landscaping décor.

11.2 One hundred percent (100%) of Deck railings must be seventy-five percent (75%) visually open and a minimum of thirty-six inches (36") and a maximum of thirty-eight inches (38") high, and be in compliance with the City of Mesa building codes in effect at the time the permit is issued. A stub wall (or a full wall) may be constructed on the 3' easement side of decks between park models. It may not protrude beyond the front of the park model or into an easement. Deck railings must be used for the portion of the deck that faces a sidewalk (for both regular and corner lots.)

Amended 04.02.15

12. **Louvers.** Metal Louvers and cloth awnings attached to the awning supports at the front, side and/or rear of the awning shall not extend outward at a greater angle than 45 degrees (45) from vertical and no farther than thirty inches (30") from the vertical plane which includes the point of attachment to the awning supports. They shall not extend beyond the ends of the awning at the point of attachment. Louvers at the side of the awning shall not encroach on the three foot (3') setback from the Lot line.

13. **Antennas.** Satellite Dish. TV and radio antennas may be mounted at the rear of the Park Model or Recreational Vehicle, the attached awning or the storage building. Free standing antennas are prohibited. If a satellite dish is used, it must be mounted in the least visible location, as near as possible to the rear of the Lot, and its bottom edge shall be no more than six inches (6") higher than the roof of the Park Model or Recreational Vehicle. *Rules &*

14. **Reasonable Accommodations.** If a Lot Owner or Occupant has a disability that substantially limits a major life activity, any structure erected in accordance with these rules may, at the Lot Owner's or Occupant's expense, be reasonably modified, if necessary to afford the person full enjoyment of the premises. If a Lot Owner desires to reasonably modify any structure erected in accordance with these rules, as set forth above, the Lot Owner must obtain written approval from the Board of Directors.

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15. **Bathroom Facilities.** Installation of any toilet in a patio, enclosure or storage building must be connected to sewer only on the Lot Owner's sewer line. It may not be connected to any adjoining Lot.

16. **Laundry Facilities.** Installation of laundry equipment is permitted within a storage building or patio enclosure. Such installations must be approved in advance by the Architectural Inspector and require a City of Mesa permit for necessary plumbing, electrical or mechanical work.

17. **Setback Requirements.** All accessory Structures must comply with the set-back requirements in Section V.

18. **Non-conforming Structures.** Any permit issued for the building of a non-conforming structure must be approved by the Board of Directors and will only be approved at a regular Director's meeting held in the period of November 1st to March 31st.

## **SECTION VII LOT USE AND EASEMENT/SETBACK ENCROACHMENT**

1. **Lot Use.** No person shall use any Lot or portion thereof in any manner contrary to or not in accordance with the Rules and Regulations pertaining hereto.

2. **Signs.** Signs pertaining to the lease, sale or rental of land or building shall be as follows:

2.1 One (1) non-illuminated sign per street frontage shall not exceed forty-eight (48) inches in maximum height and shall not exceed six (6) square feet in total.

- 2.2 A sign containing the Lot number must be placed on the Lot so as to be clearly visible to security and emergency personnel. (Listing the name is optional.)
- 2.3 Renter's names cannot cover the Lot number.

Amended 01.17.13

If a resident wants to change the information on their sign, there is a schedule of changes in the administration office. The renter must comply with the following:

1. Renters are not to deface the lot owner's name sign with any type of adhesive materials. There will be a charge if the sign is defaced.
2. The owner's sign may be covered with the renter's sign, indicating the renter's name, home state/province and lot number.
3. The renter's sign must be approximately the same size as the permanent lot sign.
4. Temporary signs of this nature may be hung over the permanent sign.
5. Temporary signs of this nature are not to be placed in any other location on the lot.
6. A renter, when leaving a lot, must restore the owner's sign to its original condition.

Amended 04.02.15

**3. Clean Condition.** The Lot Owner and Occupant is responsible that all parts of the Lot are maintained in a clean and sanitary condition, and that no rubbish, refuse or garbage shall be allowed to accumulate, or any fire hazard allowed to exist. Trees on private property belong to the Lot Owner and will be removed, if necessary, at the Lot Owner's expense. However if, for whatever reason, the Association finds it necessary to remove a park-installed tree in the rear easement of a private Lot, it will be done at the Association's expense. Clothes lines are not allowed in the Property.

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4. **Rate of Insurance.** Lot Owners shall not permit or suffer anything to be done or kept in or on the Lot which will increase the rate of insurance on the Property, as defined in the Declaration or which will obstruct or interfere with the rights of other Unit Owners.
5. **Garbage Cans.** Replacement of damaged or otherwise unserviceable garbage cans is the responsibility of Venture Out Resort.

Amended 04.02.15

**6. Washing/Repairing Vehicles.** Washing of vehicles or repairing vehicles, such as flushing radiators, changing oil or other vehicle fluids is prohibited on the lots or streets or common elements. However, a minor or an emergency repair, such as changing a flat tire, replacing a battery, windshield, or light bulb etc. is permitted. The washing of a car or motorcycle is permitted in the designated area of the southwest corner. A wash bay is provided in the southeast storage area as the only area for washing motor homes, trailers, and trucks; other vehicles may be washed there as well. The cleaning and maintenance of vehicle batteries is permitted only in the Southeast area wash bay.

Amended 12.10.15



7. **Amateur radio operators.** Amateur radio operators must follow FCC procedure for tuning the Antenna, and use a headset when transmitting by code between 10:00 P.M. and 7:00 A.M. Antenna shall not exceed twenty-five feet (25') above roof of the Park Model.

8. **Fireplaces, Pellet Stoves, Open Fires.** Lot Owners are prohibited from having a fireplace of any nature other than an electric fireplace or a portable barbecue.

9. **Trellises.** Use of manufactured trellis panels is permitted only with approval permit. Planned use must comply with all other Rules and Regulations including implementation guidelines adopted by the Board.

10. **Propane Tanks.** Upright (#100) propane tanks must stand on a level concrete pad or paving block, be secured by a chain or strap to prevent the tank from being knocked over and fitted with a cap or collar to protect the valve. Tanks should be moved or handled only by the propane service employee. Tanks no longer in use should be removed from the property. Propane tanks, including those on portable barbecues, are not to be stored in any structure. Valves should be securely closed except when in use.

11. **Easement/Setback Encroachment.** Maintenance and emergency response access areas within easements/setbacks, rear, side and front, are briefly described in Section V of these Rules and Regulations.

11.1 Lot owners must maintain clearance for access within easement/setback areas for maintenance and emergency response. Items within these areas such as bicycles, patio furniture, and barbecue equipment that are easily removed by one person may remain.

11.2 Ground vegetation or other obstructions taller than 12 inches within easement/setback areas restricting access for maintenance and emergency response must be removed.

11.3 Hedges, trees and other vegetation must be trimmed to allow access for emergency response within 3-foot easement/setback area between structures and five feet entry into the area of adjacent structures. Palm trees taller than 25 feet are acceptable and may remain.

11.4 Hedges, trees and other vegetation must be trimmed to not limit side walk access.

11.5 Stand alone storage sheds/non-attached sheds, pet enclosures, stored materials, and fencing will not be placed into easements/setbacks.

11.6 Hedges, trees and other vegetation must be trimmed to allow view of oncoming traffic at intersections and when exiting driveways.

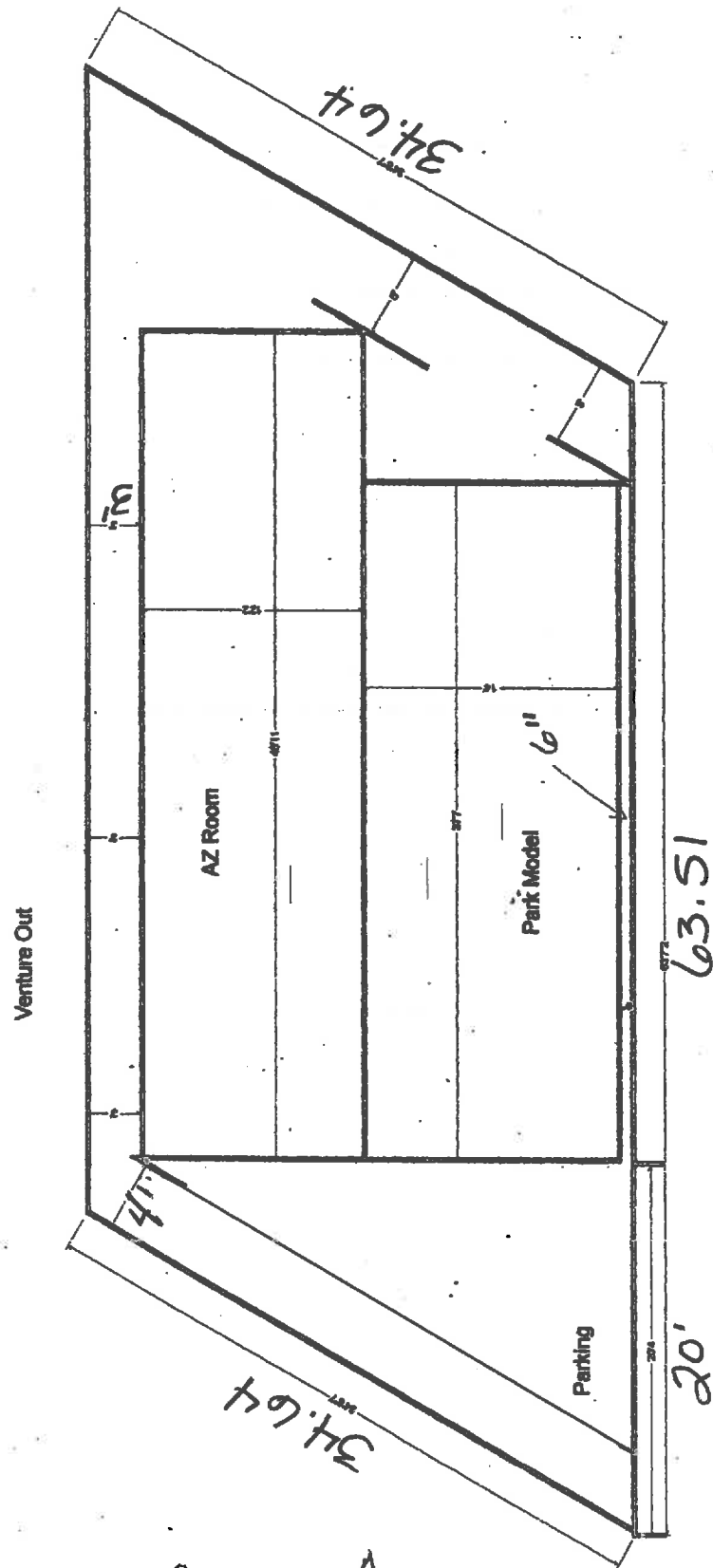
11.7 Solid concrete and concrete grouted material is not permitted within easement/setback areas. Residents shall be required to remove solid concrete or

concrete grouted materials within easement/setback areas within one year after a written notification of this easement violation. If emergency repairs to utilities require access at any time, the lot owner will be responsible for costs of removal.

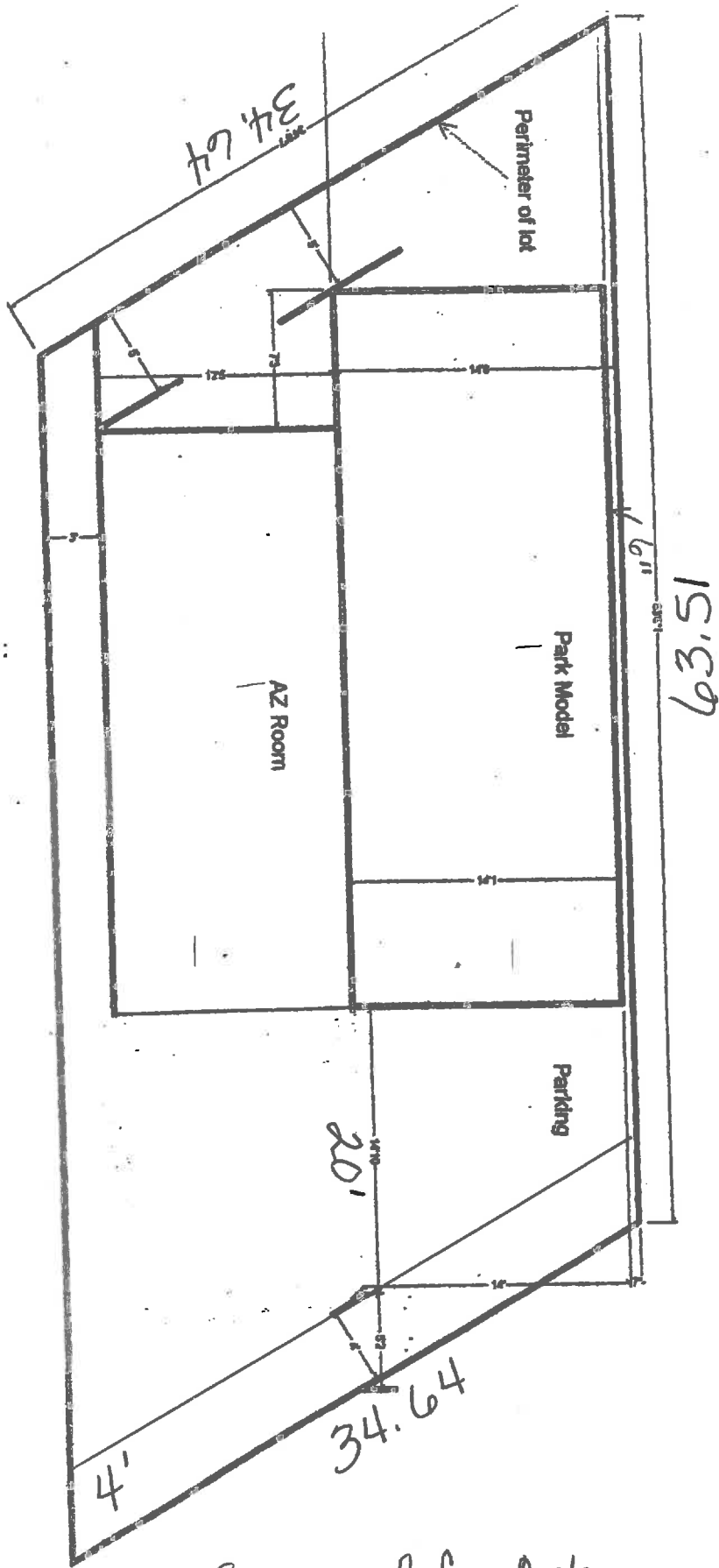
11.8 Removable pavers or stones and existing HVAC (heating and air conditioning) equipment are permitted within easements. Maintenance activities within easement/setback may require removal of paver material or HVAC equipment. Lot owners may replace paving materials and HVAC equipment when maintenance is complete.

11.9 Remedy of existing violations shall be at owner's expense.

Amended 03.09.17



SKETCH A  
 All but Aztec



SKETCH B for Aztec