

Mogollon Estates Homeowners' Association

Construction Guidelines

(Revision 2.8)

PURPOSE

This document is a quick reference guide for construction of the main residential structure or for external modifications to the main residential structure or any other permanent structure built or erected on lots within Mogollon Estates. These guidelines apply to original construction or any changes or additions on the lot thereafter. A structure is defined as any man made object constructed or erected above or below ground. This includes, but is not limited to, fences, sheds, driveway improvements or additions, signs, etc. The homeowner has the obligation to read the CC&Rs to understand and become familiar with all construction and improvement requirements and to contact the Architecture Committee if there are any questions as to whether or not approval is needed before proceeding.

DOCUMENT OUTLINE: This document is divided into three sections. They are as follows.

SECTION ONE	Construction Guidelines	Pages 1 – 4
SECTION TWO	Fence & Gate Guidelines	Pages 4 – 7
SECTION THREE	Commercial Pre Built Shed Guidelines	Pages 8
SECTION FOUR	Construction Request Form	Pages 9 – 10

SECTION ONE

GETTING STARTED

1. The homeowner must resolve any outstanding debt owed to the HOA before submitting plans for approval. (annual dues, fines, and liens)
2. The homeowner must complete and submit the attached construction request form. Construction cannot begin until the Mogollon Estates Architectural Committee has approved the project plans.
Starting without approval could result in a possible fine and/or removal of the project.
3. Owners must provide two (2) sets of the Navajo County approved blueprints for the construction of a home, home addition, or out building. **The minimum acceptable blueprint size is 24x36 inches. Blueprints provided on letter or legal size paper are not acceptable.** NOTE: For projects that do not require a county permit, a hand drawn plan will do.
4. Navajo County and the CC&Rs requires that all homeowners install a culvert before construction can begin or a letter from Navajo County stating that a culvert is not necessary for their lot.
5. Timelines: The Architectural Committee has 30 days to review and respond to the owner's submission. If construction has not begun within 9 months from the approval date, the homeowner must resubmit his plans for approval again.

SITE MANAGEMENT

1. The homeowner's builder/contractor must place a portable toilet and trash dumpster on the property. The trash container must have some means to contain the trash so that debris is not blown about the community.
2. No open pit fires are allowed on the construction site. Only approved enclosed outdoor fire apparatus are allowed.
3. Construction is only allowed during the following hours.
April through September – 6:30 a.m. to 6:30 p.m.
October through March – 7:00 a.m to 6:00 p.m.
4. All trees cut down and removed root balls must be cleared from the lot within 30 days.
5. Drainage areas cannot be blocked.
6. Contractors must have permission from the Board to put up a sign advertising their business.

SITE PLAN: A site plan footprint must be provided that shows the location of the applicable items listed below. A scale of 1:10 or 1:20 is preferred.

- | | |
|---|---|
| 1. House | 7. Driveways |
| 2. Stand-alone garage | 8. Culverts |
| 3. Out buildings | 9. Fences |
| 4. Septic tank | 10. Property lines w/ set backs indicated |
| 5. Propane tank * | 11. Street location |
| 6. Heating/air conditioning unit
(No roof units allowed) | 12. North |
| | 13. Drainage plan |

* Per the CC&Rs page 7 paragraph 10, above ground propane tanks can not be visible from the street or neighboring lots. They must be enclosed with a material approved by the Architectural Committee or plants tall enough to hide the tank at initial planting. Plants must be maintained so the tank is always out of view. If plantings die and reveal any part of the tank, the owner must correct it or they will be open to violation.

BUILDING BLUEPRINTS: In addition to the construction details of the home, the plans must include the following.

- | | |
|--------------------------------|---------------------------------------|
| 1. Roofing material and color* | 3. Fencing style, material, and color |
| 2. Siding material and color* | 4. Driveway material |

* Lots 266 thru 278, 305 thru 307, and 331 thru 335 have special requirements. See the bottom of page 3 of this document.

VARIANCES: Owners can request a variance to any CC&R construction requirement that is not set by Navajo County, however, the Board has the right to refuse to approve any request that is not suitable or desirable, in its opinion, for aesthetics or any other reason. (Reference: CC&Rs, pages 4 & 5, paragraph 1).

MISCONCEPTIONS: The following is a list of items that often cause confusion.

1. Do I have to get approval to refinish the surface of my home?
YES. Color is the issue.
2. Do I have to get approval to resurface my driveway?
YES. It's considered a construction project.
3. Do I have to get approval to build or erect a child's play set?
YES. Size and location are the issues.
4. Do I have to get approval to build or erect a fountain?
YES. Size and location are the issues.

Contact the Board if you are unsure a project needs approval.

SPECIFIC CONSTRUCTION REQUIREMENT: The “Requirement” column in the following tables capture the details of the construction requirements.

ALL LOTS				
Category	Requirement	Document	Page	Paragraph
DWELLING	Restricted to ONE single family residence	CC&R	2	1 & 2
	Shall be new construction. Cannot erect a used structure.	CC&R	2	2
	1200 sq. ft. minimum exclusive of terraces and garages	CC&R	3	2
CONSTRUCTION	County building permit required	CC&R	13	23
SETBACKS	20 ft. from front & back property lines 15 ft. from side property lines	CC&R	3	4
CULVERT	Must be installed prior to ingress of heavy trucks or construction equipment.	CC&R	7 12	10 22
FIREPLACE CHIMNEYS	A spark arrester shall be installed at the time of construction or installation	CC&R	9	14
FENCING AND GATES	Metal fencing can only be used to enclose a pool or spa.	CC&R	6	8
	Additional Board imposed requirements	See Section Two of this document		
SEPTIC SYSTEM	Lots with a residence on it must install a County approved septic system	Navajo County Requirement		
DRIVEWAYS & PARKING AREAS	No dirt allowed. Must be surfaced with approved material. Surface material MUST be in place when the house is completed.	Board requirement		

LOTS WITH ADDITIONAL ARCHITECTURAL RESTRICTIONS

Category	Requirement	Document	Page	Paragraph
The following applies ONLY to lots 266 thru 278, 305 thru 307, and 331 thru 335.		CC&R	3 – 4	5
SIDING	Natural solid wood siding only. The following are acceptable. Redwood & cedar siding, tongue-and-groove, whole log & split log.	CC&R	4	1
SIDING FINISH	Natural stain, oil or protective coating that does not hide the wood texture. No paint.	CC&R	4	1
ROOFING	Cedar shake like material such as composite cement or stamped metal that appears shake like.	CC&R	4	1

ALL OTHER LOTS

Category	Requirement	Document	Page	Paragraph
SIDING	No restriction, however, the Architectural Committee must approve	CC&R	4 – 5	1
SIDING FINISH	No restriction, however, the Architectural Committee must approve	CC&R	4 – 5	1
ROOFING	No restriction, however, the Architectural Committee must approve	CC&R	4 – 5	1

SECTION TWO

PURPOSE: The purpose of this section is to outline the construction requirements for building protective property and garden fences, plant/tree enclosures and gates that are not defined in the Mogollon Estates CC&Rs. Property fences enclosed the entire or large portion of the backyard while garden fences enclose only a very small portion of the backyard. Garden fences and plant/tree enclosures constructed prior to 6/11/2020 are grandfather.

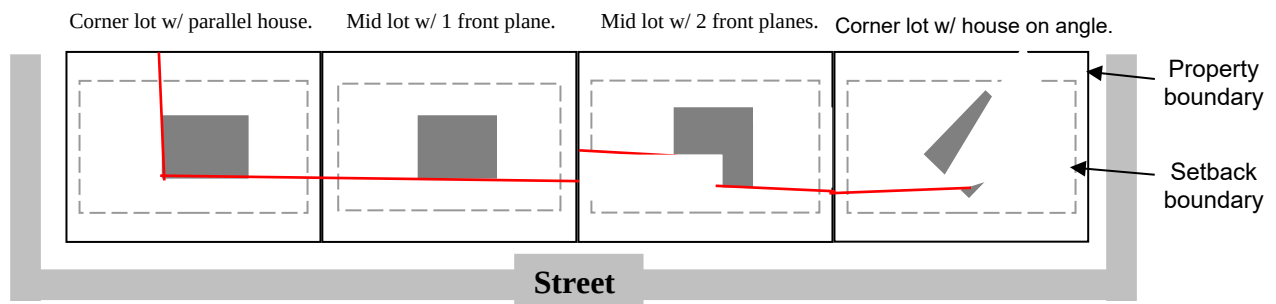
CONSTRUCTION REQUEST FORM: As with all construction, the owner must get permission from the Architectural Committee prior to building a fence and gate. The same rules, requirements, and guidelines contained in sections one and two of this document must be followed when installing gates and fences. The Construction Request Form appears in section three of this document..

BLUEPRINTS / PLANS: The fence plans must be submitted to the Architectural Committee for approval and they must provide the following information.

1. Height: The maximum height allowed is 5 feet
2. Material: Four types of wood fences are approved.
 - A. Wood slats 3 or 4 inches wide. Slats must be spaced 1 inch apart. The fence frame can be a galvanized pipe but must be placed on the inside of the fence so it cannot be seen from the street.
 - B. Stockade style: Rounded post type with 2 or 3 inch diameter horizontal rails. Upon request, this type of fence may include a backing of welded wire. The welded wire cannot extend above the top horizontal rail.
 - C. Split rail: Two or three horizontal rails. No welded wire backing allowed.
 - D. Stacked rail: No welded wire backing allowed.
3. Location: The fence cannot extend beyond the front plane of the house that faces the street. See the fence location diagram on page 5 of this document.
4. Finish: Fence must be painted or stained to match the house.
5. Gates: Cannot be taller than the fence. When made of the same material as the fence, the finish must match the house finish. Gates frames can be made of metal, however, wood slats must be used as fillers between the vertical metal frame spacers. The wood fillers must match the house finish or can be stained a natural color.

FENCE LOCATION

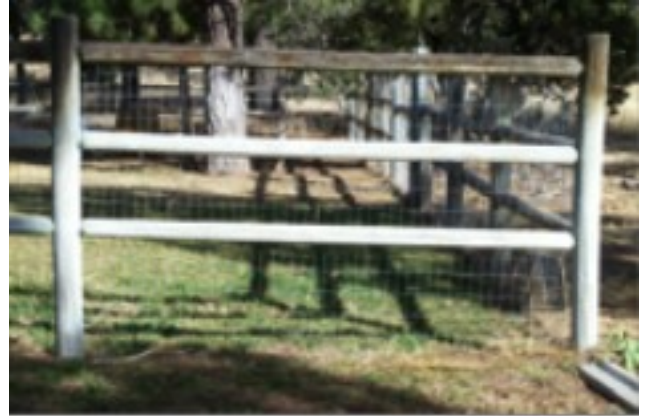
1. In the Following diagram, owners can build a fence anywhere within the diagonally striped gray area for each of the house configurations shown. The fence is the only structure that can be built within the setback area.
2. The fence cannot extend beyond the closest plane of the house facing a street. (See red lines on the diagram)



APPROVED FENCES



A. Wood slat with 1" spacing



B. Three rail stockade w/ welded wire backing



C. Split rail



D. Stacked rail

FENCE IN VIOLATION OF THE RULES



No 1 inch spacing between slats.



No chain-link fences

APPROVED GATES



Alternative metal frame w/ wood slats.



Stockade gate that matches stockade fence

GATE IN VIOLATION OF THE RULES



Two violations

- (1) Exceeds the height of the fence.**
- (2) No wood slats between metal spacers.**

Garden, Tree, & Plant Fencing Guidelines:

PURPOSE: Due to more and more owners wanting to have a garden on their Mogollon Estates property, it has become necessary to develop guidelines in order to maintain the appearance and continuity of our subdivision. Like any other external property improvement, it must be approved by the Architectural Committee.

Vegetable Gardens:

LOCATION: Fenced gardens must be in the backyard. (ie behind the back plane of the house)

GARDEN SIZE: Maximum of 400 square feet.

FENCE HEIGHT: Maximum 5 feet.

POST: Corner post must be wood. If additional support is needed, a “T” can be placed a minimum of every 5 feet between corner posts.

GATES: The frame work must be wood with the same size welded wire backing as the fence.

BACKING MATERIAL: Welded wire with a mesh size of 2x3 or 2x4 inches.

COVERING: Protective covering and it's support framework are allowed but must be approved. It is considered temporary and must be removed after the concern of frost has passed but no later than June 15.

ALTERNATIVE: A wood stockade type fence is acceptable. All the above rules apply except for the "T" post.

WAIVER: Owners can request a waiver, however, it must be approved by all Board members.

Tree & Plant Enclosures:

HEIGHT: Maximum of 5 feet

DIAMETER: Maximum of 5 feet

POST: Maximum of three rebar or "T" post

MATERIAL: Welded wire with a mesh size of 2x3 or 2x4 inches.

WAIVER: Owners can request a waiver, however, it must be approved by all Board members.

SECTION THREE

Commercial Pre-Built Shed Guidelines

Purpose: There are two acceptable types of sheds. On site constructed and commercial pre-built. On site constructed (includes lean-tos) must follow all the requirements listed in Section One of this document. Commercial pre-built sheds must comply with the guidelines listed below. **If the commercial pre-built shed siding and roofing materials do not comply with the following requirements when placed on the owner's lot, the owner has 30 days to bring the shed into compliance. Failure to comply within the timeframe could result in a fine or a request to remove the shed from the owner's lot.**

Applies to all lots	
Category	Requirement
Quantity	One commercial pre-built shed per lot.
Shed Location	Per Navajo County, any shed less than 200 sq. ft. must be in the rear of the property, 5 ft. away from any other structure; 10 ft. from the septic system and in conformance to the respective setbacks. Any other placement must have a County variance. A copy of the County variance must be provided to the HOA before the shed is placed on the property.
Plat Drawing	The HOA Architecture Committee requires a drawing showing the shed location, house location ⁽¹⁾ , septic system location and distance to the nearest setbacks ⁽²⁾ . <i>(1) CC&Rs; page 3; paragraph 5. (2) CC&Rs; page 3; paragraph 4.</i>
Shed Type	Must provide a picture or brochure photo of the shed with your Construction Request Form.
Size	Must provide the dimensions of the shed footprint and height. <i>200 sq. ft. or greater requires a Navajo County building permit.</i>
Foundation	If floor beams are not pressure treated, a termite and rot resistance footing is recommended. The type of material must be listed on the Construction Request Form.
Siding*	Must be the same type of material and color as on the house and must go in the same direction as the house siding. <i>(CC&Rs; page 5; paragraph 1)</i>
Roofing*	Must be the same type of material and color as on the house. <i>(CC&Rs; page 5; paragraph 1)</i>
*	If the original material is no longer available, the new material must match the existing material as closely as possible and must be approved by the Architecture Committee prior to installation.

SECTION FOUR

Construction Request Form

HOW TO... DOWNLOAD, COMPLETE & SUBMIT YOUR CONSTRUCTION REQUEST FORM

Step 1: Log onto the HOA web site at mogollonestates.org

Step 2: Click on the “DOCS” tab on the menu bar.

This will bring up the Mogollon Estates
Operating Documents Index.

Agenda Minutes **Docs**

Step 3: Scroll down to (Doc #27) and click on the Construction Request Form’s “title”.
This will download the Construction Request Form to your computer.
This is a 2 page document.

Step 4: Open the document on your computer and fill out the light blue areas.

Step 5: Submit your completed form via one of the following:

____ **U.S. Mail** ____
Mogollon Estates HOA
P.O. Box 2559
Overgaard, AZ 85933

____ **Email** ____
Architectural Chairman: Jim Hansen
Email: constructionchair@mogollonestates.org
Phone: (719) 332-1473