

**REVISION OF LEGACY ARCHITECTURAL AND LANDSCAPING DESIGN REVIEW AMENDMENTS 1 AND 2; APPROVED BY LEGACY HOA BOARD ON JANUARY 18, 2023.**

**Legacy Architectural and Landscaping Design Review Amendment 1  
Amendment to Design Guidelines May 10, 2021**

This amendment adds design guidelines that further define the existing guidelines and restrict certain design details in an effort to help maintain the prominence of Legacy as one of the finer gated custom home communities in the city of Mesa.

Design Review approvals are good for 1 year from the date of HOA approval. Home construction must be physically underway (vertical construction begun) before the expiration of said one year period, and thereafter diligently pursued. Failure to begin construction, as above described, or abandonment of construction for a period of one year, once construction is begun, shall render the Design Review approvals invalid. In such event, a new Design Review approval process must be undergone, with new fees to be paid. A \$12,500.00 Construction Deposit is required before a Design Review submittal is deemed to be complete. \$10,000.00 of said deposit is refundable, unless damages to HOA property have not been repaired at the time that a final construction review and inspection by the HOA confirms that the approved Design Review documents have been complied with and approved. Additionally, a non-refundable Design Review fee in the amount of \$1,500.00 is also required to be paid with the submittal of Design Review documents; until such fee is paid, the Design Review submittal is not complete. Any changes, such as plan changes, elevation changes, or changes in materials or color, walls or landscaping, made after Design Review approval, must be re-submitted to the HOA for Design Review and approval.

**Roofing Design and Materials.**

Approved roofing materials for Legacy are the following: colored concrete roof tile, clay roof tile, slate roof tile, standing seam roofs with true flat panel with no striated metal roofing, wood shake, wood shingle, metal granulated if it is similar in appearance to roof concrete tile. Flat roofs are not to exceed 50% of any roof structure on any home in Legacy and must be incorporated into the overall accepted architectural style chosen. Fiberglass, tar based, rubber or granulated regular roof shingles or architectural shingles of the same type are not allowed as a finish roofing product and can only be used as underlayment for clay roofs or as an underlayment for a final approved type roof covering. Roofs are to be broken up every 20-30 feet; adding wall corners, raised heel heights and roof jogs, including raised roof sections (hips, gables, roof accents are encouraged). We encourage varying roof materials and varying eave types in accordance with the architectural style chosen. We also encourage architectural accents on roofs. There should also be wall jogs every 20 to 30 feet with offsets of at least 3 feet.

Varying eave details and heights are encouraged where possible. If wood exposed fascia is used, the minimum size is to be 2"x8" or larger unless there are exposed rafter tails and 3"x8" corbels are used as exposed rafters with corbel ends. These corbels can be painted or stained. Required eave details include adding gables, raised hip roofs, dormers, round dormers, trellis type accents, etc. Large gables are to incorporate window, vent or accent materials, recess design patterns or wrought iron accents to break up large gables.

### **Stucco.**

Approved stucco finishes include the following: sand, smooth or synthetic sand, smooth. No rough stucco finishes allowed.

### **Architectural Accent Materials Requirement.**

Each home is to have recessed windows of at least 4". Windows or headers over patios are to incorporate window trim accents in either stone, siding trims, shutters, or brick; trim is required on all windows or on varying sections of all sides of the home. These details should be consistent on the home as viewed from streets or over fences from the homes around it. If sections have full areas of stone or brick then windows may be recessed in alternate areas. All materials should be consistent with the chosen architectural style. If full stone is used in some areas, windows should add colored cement, limestone, cantera stone with color, wood or brick window accents at window headers or seals or both.

### **Accent Materials.**

Approved accent materials include, but are not limited to the following:

- James Hardy siding or similar
- Barn wood or stone that looks like barn wood
- Composite wood with color and texture
- Brick
- Limestone
- Cantera stone
- Wood
- Metal including finish color or type
- Copper
- Stone

### **Windows.**

Windows are to have extruded grids on all street facing sides of homes to match the architectural style of the home. Aluminum clad, composite type or vinyl windows are encouraged as well as exterior-colored windows. Examples and an illustration are to be submitted for final architectural approval.

### **Architectural Styles.**

Acceptable architectural styles include:  
Spanish Colonial

Spanish Monterey  
Italian  
Mediterranean  
Asian  
Cape Cod Cottage with porches  
French Country Chateau  
French Provincial  
English Carriage House  
Mountain Architecture  
Craftsman  
Farmhouse  
Monterey  
Modern Contemporary with pitched roofs  
Ranch  
(all using authentic details)

All of these should include accent details on fronts and street facing sides of homes.

### **Walls.**

Masonry front or street facing exterior walls require stucco to match the house and should include brick, concrete colored or stone wall caps at columns and corners or wall transitions.

### **Grass and Plants.**

The Design Guidelines require front yards to be 50% grass or synthetic (minimum 75oz) grass. If grass is used in the front yard and/or street-facing side yard, such grass must be planted as rolled sod; no plugs and seeding permitted. A minimum of 75 street facing plants of at least 5 gallon each in size are required on each home in Legacy. Five 24" boxed trees and at least 5 large 15 gallon bush type shrubs must be included in the 75 total required in street exposed front or side yards. Front yard landscaping, per the City of Mesa Zoning and the Declaration of CC&Rs, is to include 4 citrus-type trees in the front or street exposed side yards of this community. Additionally, on the perimeter lots of Legacy, a row of citrus-type trees at the back yards or side yards are required and should be at least 24" boxed trees 20 feet on center. Please note each lot owner is to have on-lot retention basins approved by a civil engineer and the City which are to be maintained by each lot owner.

### **Construction Damage.**

Construction damage to HOA property, including but not limited to community lights, landscaping, colored sidewalks and curbs, and damage to adjacent lots must be repaired by the homeowner prior to release of Construction Deposit. If wires for community landscaping or sprinkler pipes or community gas lines are exposed during construction the owner of the lot under construction is to pay the HOA to inspect and repair if needed. Contractors are to hand dig in HOA-owned landscape areas for utility tie ins if possible, to minimize damage to these important HOA wires and sprinkler devices. If roads are cut to extend gas or water or a new sewer to stub to a lot, or a

separate landscape meter is required to be added, such lot owner is to pay for an acceptable road repair and seal coat of the affected area; such repair is to be reviewed and accepted by the HOA Board prior to Construction Deposit being released. If dirt or rock is tracked out onto the community roads, it is to be cleaned within 24 hours per Maricopa County dust control guidelines or that lot owner is subject to fines by the HOA.

### **Solar Panels.**

Solar panels are protected by federal law. If solar panels are to be visible from the front or sides or on the exposed roofs, the conduits should be run in attic spaces and painted and maintained to match the roof colors of the home. If panels are to be added at any time, the solar panels should match the roof color of the home as closely as possible.

### **Garage Doors.**

If garage doors face the front or side streets, the garage doors should incorporate raised extruded panel garage door with color and designs to match window colors or door colors and designs. Garage door profile, with colors and type, must be submitted to the HOA Design Review Architectural Committee for approval. If a garage door is to be front facing or taller garage doors are used, windows should be incorporated and the same theme should be used for all garage doors on the home. Garage doors are to be recessed a minimum of 12" and should also include accent materials at headers of garage doors extending to the face of the garage doors to match the architectural style of the home.

### **Submittal.**

To receive a final HOA Design Review approval, each owner must submit illustration, with names and colors, for all exterior finishes to be used on the proposed home, including the following: fascia materials colors and type, stain for wood accents, drip edge color, roof edge materials, roof color and type, accent materials, including stone, brick, metal, wood, James Hardy or other siding, including grout colors for brick or stone and type of finishes with colors for each item including pictures of each, including window frame exterior color, light fixtures for exterior street facing fixtures, landscaping with plant names and types, garage door type, with pictures of all details and colors. A 3D rendering of the proposed home, with front and street facing elevations is required. This should also be emailed to the HOA Architectural Committee for review.

Please note Homeowners are not to start a home without Design Review approval. The final Design Review approval letter should be submitted with your permit application for Legacy to the City of Mesa prior to issuance of a building permit. Please note before the Construction Deposit is released, a member of the Design Review Board will visit the finished home to view substantial conformance to what was approved in Design Review approval. Please ensure windows and garage doors are properly recessed at frame stage and that the structural items match what was submitted at frame stage to avoid costly repairs later.

Legacy  
HOA Design Review Board

**Legacy Design Review Amendment 2**  
**March 12, 2022**

The HOA has 45 days to review a complete Design Review Submittal, with all criteria met and fees paid and proper forms filled out, including details listed below in detail. Such 45-day period does not begin to run until all required documents, details, and both the Construction Deposit and the Design Review Deposit are submitted to the Legacy HOA Board. Payments for 1/2 the cost of existing common walls, as required in the Declaration of CC&Rs, must be paid to the applicable neighbor in full. If such wall payment is not made prior to Design Review approval, it must be paid before release of the Construction Deposit. Prior to release of Construction Deposit, the HOA Design Review Committee are to confirm inspection that all items submitted were completed on each home as submitted on approved plans, and any damage caused by the construction was repaired, or such repair cost will be deducted from the Construction Deposit funds. Prior to the release of the Construction Deposit, the HOA Board Members must receive receipts or proof of payment for 1/2 of the original cost on any adjoining walls constructed by neighbors that are shared walls. The neighbor seeking fence reimbursement must provide invoices for constructing the original fence and footings and provide that invoice with calculation for 1/2 the cost of the shared wall. If a dispute arises regarding the original cost of the shared wall, the HOA will hire a mediator to determine a fair 1/2 amount for the construction of the shared walls; such amount will be deducted from the Construction Deposit of the newly-built home. The cost of the mediation will be added to the cost of the shared wall and paid by the disputing parties in equal shares. If the Construction Deposit does not cover 1/2 the cost of the fence, then the HOA may place a lien for such with interest penalties if not paid promptly by the Owner of the newly-constructed home.

All submittals are to be sent electronically by email. To be accepted as a complete submittal, the submittal must have an application form filled out with proof of fees paid: \$2,500.00 Design Review fee which is non-refundable, Construction Deposit of \$12,500.00 of which \$10,000.00 can be refundable if all conditions are met. Plans are to meet or exceed all requirements of CC&Rs and the Design Guidelines, as amended from time to time. The following items are required as part of this submittal besides fees and notice to parties:

**Items Required:**

- Architectural style
- Civil engineered site plan showing retention areas
- Landscape plan showing citrus trees and plants, grass and trees, walls and wall capping and columns with finishes, driveway and any other parking areas on lot

- Windows with color, brand picture of grid pattern as required, notes and details on plans stating minimum 4" recess window detail on plan or 2" recess under covered roof sections
- Garage door brand, extruded type, picture and color, details listing garage doors recessed 12"
- Front Door brand, finish, type, and picture
- Exterior light fixtures, size, type, color and brand
- 3 exterior wall finishes color, type and brand and pictures
- Wall finishes must be different than existing neighbors' building, including roof color, wall color, stone color or profile and brick combinations should differ from neighbors next door or across the street or cul-de-sac
- Types of facia and details, including color size and materials
- Roof type, colors, profile and brand. Drip edge color and profile. Plans noted with roof plumbing and HVAC stacks to be at back and non street sides of the home or hidden in a chimney shroud if location cannot be moved
- Exterior paint colors and exterior stain colors
- Brick pavers and colors and approved driveway materials and accent materials brand and color
- Site plan showing driveway widths at street connections.
- Elevations of custom home with unique details showing overall height, window and garage door recess details
- Custom home floor plan meeting minimum square footage of 4500 livable sq. ft.
- Decorative shrouds for fireplaces, color and picture and type of material to be listed

Please note exterior walls are to be 6' or larger. The lot must be entirely enclosed by perimeter walls, fences, and temporary construction fencing before framing is begun and before basement excavation.