

# THE SUMMIT AT PONDEROSA TRAILS HOA

## MEMORANDUM

November 22, 2017

To: Members of The Summit at Ponderosa Trails HOA

Re: Building setbacks

Dear Neighbors,

This letter is to serve as notice that effective November 9, 2017, all new Design Review Applications for construction of sheds and similar type buildings must comply with The Summit at Ponderosa Trails Homeowners Association Governing Documents, CC&R Article 4 Section 4.27, Setbacks. The Association's Board of Directors (Board) and Design Review Committee (DRC) have performed an informal survey of the community regarding the placement of sheds/outbuildings and affirmed that past Board's or DRC's had approved several sheds/outbuilding to be constructed in locations that are not in compliance with the requirements of the Association's Governing Documents. The CC&Rs state the following regarding setbacks:

#### 4.27 Setbacks.

No portion of any Residence or other building may be located within the following setback areas: front yard – minimum of 25 feet from the back of sidewalk, rear yard – minimum of 25 feet, side yards – minimum of 8 feet each, except that an exterior (street side) side yard shall be 15 feet. Special setback requirements may apply to lots that are 40% or more encumbered by slopes in excess of 17% slope, these special circumstances will be addressed at the time that the particular building envelope for a given lot is determined and approved by the City. Notwithstanding the foregoing, any prevailing governmental regulations shall take precedent over these restrictions if the governmental regulations are more restrictive.

**Beginning November 9, 2017 all DRC applications must indicate that any shed/outbuilding will be built (and, once approved, constructed) in compliance with the requirements set forth in Section 4.27, Setbacks.** The Board and DRC are aware that the City of Flagstaff has LESS restrictive setbacks for sheds/outbuildings than the setback requirements in Section 4.27. However, the Board has a duty to enforce the setback requirements for such sheds/outbuildings contained in the CC&Rs. All Summit at Ponderosa Trails HOA owners must comply with these more restrictive setback requirements as they prevail over the City setback requirements.

The owners of properties that currently have a shed/outbuilding which is not located in compliance with the setback requirements of Section 4.27 will not be asked to relocate their shed/ outbuilding. However, if any existing shed/outbuilding is removed or reconstructed, any new shed/outbuilding or any rebuild must be approved and be in compliance with the setback requirements as set forth above.

If you have any questions, please contact Carleigh Hughes at Sterling Real Estate Management. To review The Summit at Ponderosa Trails HOA Governing Documents, please visit the Association's website at: [www.thesummitatpthoa.com](http://www.thesummitatpthoa.com).

Sincerely,

Board of Directors  
The Summit at Ponderosa Trails HOA

Managed by  Sterling Real Estate Management