



# PINEGLEN OWNER'S ASSOCIATION

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# Rules and Regulations

*Edit date: Sept. 5, 2018 (updated cover sheet and header information)*

# Rules and Regulations

These are a copy of the Rules and Regulations that have been passed by the different Boards of Directors since June 29, 1988 and are in addition to and in accordance with the CC&R's. The CC&R's are a legal and binding contract to which all owners must comply.

Following is a list of the Rules and Regulations for your records and information. If you do not have a copy of the CC&R's, it is your responsibility to immediately contact a Board Member to request such.

## The Association Rules

1. When a person buys a lot in Pineglen and becomes a member of the Association, they are given a copy of the "Master Declaration of Covenants, Conditions and Restrictions", known as the CC&R's, and when signing the deed are made aware of the deed restrictions of these CC&R's.
2. The purpose of these CC&R's is to protect the value and desirability of the covered property and indeed these restrictions are why most of us bought property in Pineglen. What is restrictive and a burden on one owner provides protection of his and her neighbor and the whole community.
3. The Board urges all members to read and become familiar with the CC&R's, especially Articles VII (Architectural and Landscaping Control) and Article XI (Use Restrictions) when preparing to build a home or install a mobile home on their lot or are contemplating any changes or improvements. What may seem trivial or inoffensive or correct to one may be objectionable to a neighbor and in violation of the CC&R's can become a big issue. It is our desire that everyone lives as good neighbors, respecting others' rights and observe common courtesy. If anyone has any doubts about the propriety of their plans, they should feel free to contact a member of the committee, verbally or in writing, for a resolution. <sup>(3)</sup>
4. Your duly elected Board of Directors <sup>(1)</sup> and duly appointed Architectural Committee <sup>(2)</sup> met on June 29, 1988, to discuss their respective responsibilities in enforcing the provisions of the CC&R's as outlined in Articles VI (Duties and Powers of the Association) and Articles VII (Architectural and Landscaping Control). It should be understood that these CC&R's were written and adopted by the developer prior to any sale of lots to private owners and no one, board member or lot owner, likes all the provisions, but we are bound by them until changed I.A.W. (indicated as written) Sections 15.5(b)\* (14.5a)\*\*.
5. The Board and the Committee have adopted the following Association Rules and interpretations of the CC&R's:
  - A. Section 6.2f \* and 12.6\* (6.2e)\*\* Right of Entry. The Board's interpretation of "after reasonable notice" would require a member of the Committee or Board to phone or contact in person, the owner of the property to be inspected and explain the purpose of the required visit the day before and obtain verbal approval and definite time. If the owner cannot be contacted by phone, a request should be made by certified mail and obtain approval in writing. If the owner refuses permission or cannot be contacted, the Board President should be notified.
  - B. Section 7.1\* (7.2)\*\* Obligation to Submit Plans For Approval. This is the most important section of the CC&R's for new owners planning to install or build a home. Before a single

tree is cut, before a home is purchased or a builder contacted or final plans drawn up, the owner should contact a member of the Architectural Committee and together review the owner's plans and the requirements of the CC&R's. This will eliminate any misunderstanding or surprises in the future.

Specifically, two (2) sets of plans should be submitted to the Committee; one (1) to be kept on file with the Association and one (1) to go to the City of Show Low when requesting a building permit. The City Building Inspector has consented to not issue a building permit until the plans submitted have the approval of the Committee. Also, approval by the Committee does not guarantee the City of Show Low will issue the permit. The City of Show Low will do one (1) of three (3) things within two (2) days:

1. Accept and approve the plans and return one copy signed by at least two (2) members and dated.
  2. Reject the plans citing the reasons for rejection on an attachment to the plans signed by two (2) members and dated, returning both copies *b1) Also, we want everyone to be aware of the Appeal and Variance procedures in Section 7.4\* and 7.6( 7.5) \*\*, respectively.*
  3. Accept and approve the plans with "RED LINE" corrections which must be complied with, returning one (1) copy signed by two (2) members.
  4. In the event one committee member is absent, a board member may substitute. The city will require two (2) sets.
- C. Each set of plans must include a plot plan to show dimensions of buildings, covered porches, decks, carport or garages, fences, driveway and the setbacks from the lot boundary and easement. Placement of buildings and structures should allow preservation of as many trees as possible.
- D. Plans submitted for approval must also include Plans and Specifications to indicate front and side elevations, materials and color of roof, siding, skirting, fences, etc..
- E. The setback requirements stipulated for Detached Single Family Dwelling lots described in Exhibit H \* C \*\* in section 11.20d \* (11.19) \*\* are also deemed to apply to the Mobile Home lots described in Exhibit I \* (D)\*\* in sections 11.21 \* (11.20)\*\* and must meet current setback requirements by the City of Show Low, if more restrictive.
- F. The following amendments to Sections 11.21 \* (11.20) \*\* of the CC&R's were adopted at the Annual Meeting of 5/09/1987 are quoted here for convenience.
1. All mobile homes shall have wood or hardboard siding and shingle roofs.
  2. Carports and/or garages must be completed within two years. (This time limit was changed to read ONE YEAR in the Board meeting of October 26, 1987.)
  3. Skirting of mobile homes shall be completed within 120 days from final inspection by the State of Arizona. Skirting must be of materials compatible with the siding, i.e. hardboard, stone block or brick.
- G. Note that no tree(s) shall be cut without the prior written approval of the Architectural Committee. If the owner desires to thin vacant lots, it shall be in accordance with Forest Service Rules.
- H. The Board's interpretation of the "temporary" as used in Section 11.6\* (11.5)\*\* (Vehicles) is "NOT LONGER THAN SEVEN (7) DAYS."

- I. Reference Section 11.11\* (11.10)\*\* Trash Containers – If the approved container can not be kept in a garage or storage shed, the use of a picket fence or similar enclosure is required.
  - J. Trash Containers must be removed from the street in less than 24 hours.\*\*\*\*\*
  - K. Reference Section 11.15 – Subdivision of Lots – Note than no lot will be subdivided and not portion less than a whole lot will be transferred without the prior written approval of the Board.
  - L. Reference Section 11.20c \* (11.19c) \*\* Restrictions on Detached Single Family Dwellings. Although the 900 square feet requirement in or CC&R's is valid, this area is zoned by the City of Show Low as R-15 and thus requires 1500 square feet. If this restriction presents a problem to an owner, it should be discussed with the Committee, the Board or the City of Show Low.
  - M. Reference Section 11.2\*(11.1)\*\* Use of Covered Property. The last sentence states, “Any owner who leases his lot shall promptly notify the Association and shall advise the Association of the term of the lease and the name of the lessee(s).” The following additional requirement is also adopted by the Board: “It shall be the responsibility of the owner of that lot to insure that the tenant is informed of and provided with a copy of the CC&R's. It shall be the further responsibility of the owner to see that the CC&R's are conformed with. In the event of any violations, the Association may seek enforcement remedies against the property owner as specified in Sections 7.11\* (7.8)\*\*, 8.3\* and 8.4\* (2.2)\*\*.
6. The Architectural Committee
- 6A) The Architectural Committee is composed of three (3) members (Section 7.5)\* (7.1)\*\* and they will appoint one of their members to act as Chairperson of their committee. All actions requiring Approval or Disapproval of their committee will be majority vote or consensus and all disapprovals will be brought to the attention of the Board, noting the reason(s) for their action.
  - 6B) The Architectural Committee may adopt rules and regulations (Section 7.2)\* (7.3)\*\* called Architectural Standards or Landscaping Standards by submitting these for approval of the Board.
  - 6C) In the event of an appeal (Section 7.4)\* (7.5)\*\* of an Architectural Committee decision, the Board will act as the Appeal Committee and all decisions shall be final.
7. With the exception of 5B5 (Amendments), these rules have been adopted by the Board in accordance with Section 6.3 Association Rules. The amendments referred to in 5B5 were adopted in accordance with Sections 11.22\* (14.5)\*\*Rules and Regulations since they were deemed more restrictive and were approved by the Membership at the Annual Meeting of 5/09/1987.
8. Cleaning of Lots: All lots, including those vacant, or occupied by a site built house, [*Amended May 5, 2001*] off-site built (modular) house, mobile home or townhouse, shall be cleaned at least once a year. This cleaning is to include clearing the lot of trash, leaves, needles, dry weeds and grass, any debris that could add fuel in case of fire. This cleaning is to be completed by the first week of June. On completion of the cleaning, the Association is to be notified wither by phone call, card or letter. During periods of extreme drought and fire danger, all owners are required to clear their lots of all of the above mentioned materials that would furnish fuel in case of fire. This means that all owners will be required to clean their lots more than one time a year where the situation demands it, for the safety of all Owners. Yard conditions will be monitored by the Architectural Committee.\*\*\*\*\*

9. Vehicle Storage Yard (RV/Storage Lot): The Association now has a Vehicle Storage Yard Supervisor(s). All spaces will be assigned by this person(s) and all requests for storage must be submitted to the Storage Yard Supervisor(s). All owners assigned spaces must keep state vehicle registration information current with the Association. Space usage must be updated/verified each year at the time that Association Dues are remitted, or owner will lose their space. The Association is not responsible for loss, theft, or damage to any vehicle parked in the storage lot. Owners must carry their own insurance. Keys to the storage yard must be obtained from the Supervisor(s). A ten dollar (\$10) deposit will be required to obtain a key. This deposit will be refunded upon return of the key. A signed receipt will be given for the deposit by the Supervisor, and must be presented when refund is requested.\*\*\*\*\*
10. Responsibilities of Sellers of Lots, at Time of Sale: When an owner has his property for sale, it is his responsibility to take care of the following:
11. Furnish the buyer with copies of all Association documents (CC&R's, Bylaws, Articles of Incorporation, Association rules and Clubhouse Facility Policies, and Statement of Unit Resale). Copies of these documents can be obtained from the Association Secretary. A signed receipt for the documents received from the buyer shall be delivered to the Association Secretary and be filed in the records of the Association.
  - B. The key to the Clubhouse is to be returned to a designated Board member, not given to the Buyer. Effective immediately, owners will be charged a twenty-five dollar (\$25) deposit on keys issued to them, refundable upon return of the key. (This deposit and refund refers to ALL Clubhouse keys issued after this date (04/08/2006). A signed receipt will be given for the deposit by the designated Board member and must be presented when the refund is requested. Keys are to be issued only to property owners, NOT to tenants. Only property owners are eligible to use the clubhouse and facilities. (See CLUBHOUSE FACILITY USE RULE #1).

**\* PER CC&R's RECORDED AUGUST 29, 1983**

**\*\* PER CC&R's RECORDED FEBRUARY 14, 1996**

**\*\*\* February 14, 1996: BOARD OF DIRECTORS: HOWARD ROSE, GENE ROLL, HAL LUEDTKE, DOROTHEA PARDO, BRUCE JOHNSON, GARY CONNELL AND AL ADAMS**

**\*\*\*\* GARY CONNELL, IVAN MAHAYDIK AND BILL COOPER**

**\*\*\*\*\*Per Association Rule Amendments made April 8, 2006 by Board Directors: Joan Rose, Dallas Hammond, Gail Alwine, Addie Novaria, Bill Seymour and Gene Miller.**

<sup>(1)</sup> Loren Richards, Truman Cook, Arlene Van Hassel, Bernie Nunley, Walt Golabek, Charlotte Eckley and Bernie Barnsworth.

<sup>(2)</sup> Bill Russell, Walt Golabek and Ken Cornett.

<sup>(3)</sup> A list is available from the Architectural Committee informing a person where to sign up for power, water and cable along with the required inspections and fees.