

**Villa Milano**  
**Architectural Rules and Standards for Homeowners**  
**Villa Milano Homeowners Association Board of Directors**  
**May, 2018**

**A. VILLA MILANO**

Villa Milano is a planned community. Arizona Revised Statutes § 33-1802 (Arizona Planned Community Act) says that owners of separately owned lots in a planned community real estate development are *mandatory members* of its homeowners association (HOA) and that the Declaration of Covenants, Conditions and Restrictions (CC&Rs) creates the scheme of enforceable covenants and restrictions that run with the property and are recorded with the applicable county recorder. The statute also provides for architectural guidelines which have the same enforceability as the CC&Rs.

Homeowners who purchased a townhouse in Villa Milano, a planned community, automatically became a member of the HOA and the CC&R's along with the architectural guidelines govern what can, cannot, or must be done with respect to the townhouse. Homeowners should become familiar with the Architectural Rules and Standards herein to be aware of any neighborhood restrictions and fully understand how the community operates.

**Design Philosophy:** Villa Milano is a small planned community (46 home sites) located in the foothills of the Catalina Mountains of the Sonoran Desert. It was designed around the concepts of architectural unity blended with Sonoran Desert character and environmental responsibility. As such, the design philosophy is to ensure visual harmony along the streetscapes; protect vistas and solar access; encourage water and energy conservation; highlight the unique desert and mountain setting; and maintain property values.

**B. SCOPE**

**Authority:** Declaration of Covenants, Conditions, Restrictions (CC&Rs) for Villa Milano at Rancho Sin Vacas, Article VIII: Architectural Control Committee. The Declaration is the legal document that lays out the guidelines for our planned community. The CC&Rs are recorded in the Pima County records where the Villa Milano is located and are legally binding.

**Purpose:** The purpose of the Architectural Rules and Standards is to document, measure, preserve, and maintain architectural and environmental standards of the Villa Milano community and ensure that residents continue to enjoy an attractive and appealing living area.

**Intent:** The Villa Milano Homeowners Association (HOA) Board of Directors intends to maintain the entire development in harmony with the original developer's architectural design plan, while still allowing opportunity for general community improvement. It is the intent to maintain consistency and adhere to standards of Villa Milano's original design, materials, style, color,

dimension, form, fit and function of the building units in the entire community. *Compliance with these rules and standards will protect, preserve, and enhance property values and quality of life in Villa Milano.*

**Extent of Architectural Control:** The Architectural Rules and Standards are binding upon each homeowner, occupant or other person who at any time constructs, reconstructs, refinishes or alters the exterior of a home on any lot in Villa Milano, except for normal maintenance. *No construction, alteration, or removal of architectural elements shall be commenced or maintained, until plans and specifications have been submitted and approved in writing.* Modifications or alterations to the interior of courtyards, patios and similar portions of a residence which are visible from outside the residence shall be subject to approval by the Architectural Control Committee. Specific architectural elements requiring approval are described in Section C of this document. Other rules and standards that do not require approval, but to which homeowners should comply, are described in Section D.

Nothing contained herein shall be construed to limit the right of a homeowner to remodel the interior of their residence or to paint the interior of their residence any color desired.

**Conformance with Master Association:** The Architectural Rules and Standards align with all relevant elements of the Design Guidelines for New and Modification Construction approved by the Sin Vacas Board of Directors on July 24, 2017, and are encompassed herein by default. In no case are Villa Milano Architectural Rules and Standards less restrictive than the comparable elements of Sin Vacas Design Guidelines. The Sin Vacas Design Guidelines are the absolute minimum standard for Villa Milano.

**Grandfather Provisions:** It is recognized that some of the design concepts of Villa Milano have been altered or not fostered over time and some homeowners have invested in architectural elements that may be inconsistent with these rules and standards. *Homeowners will be expected to transition toward consistency with the rules and standards.*

**Administration of Rules and Standards:** The Architectural Rules and Standards are administered by the Architectural Control Committee (ACC) pursuant to Article VIII of the Declaration and the procedures set forth therein and herein. The Villa Milano HOA Board serves as the ACC and will use consulting architects as needed for professional assistance.

**General Rules and Standards:** In general, all architectural improvements should conform to the following general criteria:

- Positive Visual Impact – harmony with improvements existing on the Owner's lot and in surrounding neighborhood, i.e.. similarity of style, material, color, size and quality, including similar character of trees and other landscaping.
- No Adverse Impact – the work does not impair access, sunlight, ventilation or drainage of adjacent properties, and does not create hazard or nuisance of any kind in the neighborhood.
- Workmanship – professional, neat, finished, clean, safe.

**Variations:** The ACC, at its discretion, may approve variations from the Architectural Rules and Standards, which will be evaluated on an individual basis.

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## **C. SPECIFIC RULES AND STANDARDS REQUIRING APPROVAL (alphabetical order)**

Following are specific architectural rules and standards that require ACC approval shown in alphabetical order. Noted are those elements also requiring neighbor acknowledgements, those restrictions of the Sin Vacas Design Standards pertinent to Villa Milano, and architectural elements that are not permitted in Villa Milano.

### **1. Air Conditioning and Other Mechanical Equipment – ACC Approval Required.**

All cooling, heating, and other mechanical equipment should be mounted at grade, placed behind the perimeter yard wall, and screened from view of nearby lots, common areas, and the street. The Sin Vacas Design Standard for Mechanical Equipment and Other External Items is the absolute standard for Villa Milano.

Individual air conditioning units extending from window are prohibited.

*Sin Vacas Design Standard:*

*3.2.13 Mechanical Equipment and Other External Items*

*All cooling, heating, and other building and pool mechanical equipment is to be mounted at grade and shall be fully screened from view of nearby lots and the street.*

### **2. Attic Ventilators And Exhaust Ducts – ACC Approval Required.**

Attic ventilators, turbines and exhaust ducts must be enclosed consistent with the architectural concepts of Villa Milano and match the color and materials of the house.

### **3. Animal Decoys and Scares – ACC Approval and Neighbor Acknowledgement Required.**

Animal decoys and scares, including but not limited to, scare owls, duck decoys, swan decoys, etc., must be concealed so as not to be visible from a neighboring property or the street. The Architectural Control Committee may require neighbor input prior to making a decision on a decoy or scare.

### **4. Antennas, Dishes and Other Receiving Devices – ACC Approval and Neighbor Acknowledgement Required.**

The Sin Vacas Design Standard for Antennas and Satellite Equipment is the absolute standard for Villa Milano. *Any installations of antenna or satellite equipment must be concealed so that the equipment will not be visible from a neighboring property*, consistent without impairing the reception of an acceptable signal. In Villa Milano, dishes should be installed within the parapet walls surrounding the flat roof. All installations that are not on the ground or on flat roofs surrounded by parapets require ACC approval.

*Sin Vacas Design Standard:*

#### **3.2.14 Antennas and Satellite Equipment**

*No television, radio, or other electronic towers, aerials, antennae, satellite dishes or device of any type for the reception or transmission of radio or television broadcasts or other means of communication shall be erected, constructed, placed or permitted to remain on any Lot or upon any improvements thereon without approval on a design specific basis by the ARC; provided however, that ARC approval shall not be required for the installation of those antennae specifically covered by 47 CFR Part 1, Subpart S, Section 1.4000 (or any successor provision) promulgated under the Telecommunications Act of 1996, as amended from time to time.*

*Any installations of antenna or satellite equipment must, when reasonably possible, be concealed so that the equipment will not be visible from a neighboring property, consistent without impairing the reception of an acceptable signal.*

#### **5. Artwork, Sculptures and Other Decorative Objects (exterior) – ACC Approval and Neighbor Acknowledgement Required.**

No artwork, sculptures or other decorative objects may be placed in the front lot area. All artwork/sculptures placed in the rear lot area that will be visible from a neighboring property or the street must be reviewed and approved in advance of any installation. The Architectural Control Committee may require neighbor input prior to making a decision on a piece of art.

#### **6. Awnings and Sunshades (exterior front and rear) – ACC Approval Required.**

Front awnings that were originally installed over patio doors shall be maintained, and replaced as needed, according to the original design, placement and materials installed by the builder.

Rear awnings that were installed originally over patio doors shall be maintained, and replaced as needed, according to the original design, placement and materials installed by the builder.

Retractable awnings that extend beyond the patio enclosure or the rear of the house are not permitted.

*Patio sunshades:* Owners may install a roll-up sunshade under the patio enclosure. All proposed installations must be submitted to the Architectural Control Committee for approval and include the proposed location of the sunshade and the sunshade specifications.

- Sunshades shall be a solid uniform color with no pattern or design, in a fabric made by “Sunbrella” or “Mermet” or other manufacturer of comparable quality and durability.
- Sunshade fabric, frame and hardware color shall blend with the stucco of the residence.
- Sunshades shall be permanently attached to the residence. Sunshades shall be recessed mounted. Sunshades shall be retractable and retracted when the residence is unoccupied.
- On motorized sunshades, the power supply must be installed in conduit which must be completely concealed from view.
- All metal surfaces, brackets and material shall be a color that blends with the color scheme of the residence.

The owner shall be responsible for the prompt replacement of an awning or sunshade should it fade, tear or otherwise become unsightly. The Architectural Control Committee has the right, but not the obligation, to determine if an awning or sunshade needs repair or replacement. Owners will be notified in writing if an awning or sunshade becomes faded, dirty, ragged, not functioning properly or in any way unsightly. The owner will be given thirty (30) days to correct the condition. Should the condition not be corrected in the time specified, the Association may have the awning or sunshade removed or replaced at the owner's expense.

#### **7. Building Additions to Include Unattached Storage Units, Out Buildings and Sheds (Storage Facilities)**

No building additions shall be constructed from the main dwelling. Nor are storage units, out buildings and sheds permitted. Outdoor storage facilities are inconsistent with the concept, design, and character of Villa Milano.

#### **8. Chimneys and Metal Flues – ACC Approval Required.**

Chimneys and metal flues must be enclosed in the same finish material as the exterior of the home to which they are attached. *Fireplaces requiring chimneys and flue ducts require approval by the Architectural Control Committee.*

#### **9. Clotheslines (or similar apparatus for the exterior drying of clothes)**

Clotheslines or similar apparatus for the exterior drying of clothes are prohibited.

#### **10. Marble-Like Deck Railings and Columns; Wrought-Iron Fences, and Gates– ACC Approval Required.**

Marble-like columns and deck railings must retain the style, placement and material, as installed by the builder. The columns and railings should be sealed with a non-gloss product to protect their durability.

Wrought-iron fences and gates must retain the style, placement and material, as installed by the builder. Wrought-iron fences must be painted black. *No other colors are allowed.* Wrought-iron fences must be free of rust. No other fencing materials such as chain-link, wood, or wire fences are permitted as substitutes. Replacement of gates and/or fences requires architectural approval.

Architectural Control Committee approval is required in order to minimize any negative visual impact.

#### **11. Curtains (Exterior) – ACC Approval Required.**

Exterior curtains are permitted with architectural approval.

## **12. Doors (exterior) – ACC Approval Required.**

The front door must retain the original material (Alder wood) and style that was originally applied by the builder. If the door is being replaced or re-stained, the stain finish should match the garage door as closely as possible. (See Villa Milano Rules for Garage Door Maintenance, Repair and Replacement). *Exterior doors cannot be painted.* ACC approval is required for any modification made to the front door.

The original wooden rear patio French-doors must have the same stain finish as the front-door. The patio French-doors may be replaced with more energy efficient Andersen metal doors (or brands of comparable quality and style) with architectural approval.

## **13. Fire Pits and Fireplaces – ACC Approval Required.**

Fire pits and fireplaces are allowed in rear yard areas only and must have a shut-off valve. Color, design and size will depend on yard size, shape, desert environment and surrounding residences. Free-standing outdoor fireplaces are permitted as long as they are not visible from neighboring properties. Fireplaces shall not exceed five feet (5') in height above finished grade. Fire pits shall not be more than thirty inches (30") above finished grade. They can be fixed or mobile.

## **14. Garage Doors – ACC Approval Required.**

See Villa Milano Rules for Garage Door Maintenance, Repair and Replacement. Any changes to the garage doors or colors must be approved by the Architectural Control Committee in advance.

## **15. Grills – ACC Approval Required.**

All barbecue grills must be placed in the rear yard of the home away from adjacent property lines. Permanent grills require ACC approval.

## **16. Gutters, Downspouts, and Rain Barrels**

Gutters and downspouts are not permitted because of their incompatibility with the architectural design concepts of Villa Milano. In addition, rain barrels are not permitted by the Association.

## **17. Landscaping – ACC Approval Required.**

See Villa Milano Landscape Guidelines for Homeowners.

## **18. Lighting (Exterior) – ACC Approval Required.**

Exterior light fixtures installed on the house must retain the style, placement and material as installed by the builder. These fixtures should not be painted. The weathered patina is an original design concept of Villa Milano.

Landscape lighting may be used for pathway lighting and to spotlight distinctive plants. *Homeowners should be aware that a process is underway to develop more specific landscape lighting guidelines to ensure visual harmony along the streetscape and to preclude interference with the night-time views of the desert and mountains.*

## **19. Mailboxes**

The HOA is responsible for maintenance, repair and upkeep of all mailboxes within the property. Individual homeowners should not paint or otherwise alter mailboxes.

## **20. Paint, Stucco and Colors – ACC Approval Required.**

Exterior paint and stucco should be maintained in good condition. The exterior of all homes must be painted every six to ten years and must retain the original as-built color installed by the builder. Paint must be Dunn Edwards exterior latex paint. The only exterior colors that are permitted are Graham Cracker, Tan Plan or Smores. ACC approval is required prior to house painting.

## **21. Patio Heaters – ACC Approval Required.**

Electric patio heaters that are permanently attached to the rear of the residence are permitted as long as the equipment is mounted in an area that is within the confines of the lot and is not visible from neighboring properties, common areas. The Architectural Control Committee must approve the installation of all permanently mounted heaters. Portable heaters are approved but must be stored out of sight when not in use.

## **22. Pool/Hot Tubs – ACC Approval and Neighbor Acknowledgement Required.**

Installation of swimming pools requires advance approval of the Architectural Control Committee and the County. Only in-ground swimming pools will be approved. A pool must be located in the rear yard. Pool filtration equipment shall be shielded from adjacent properties through the use of mature shrubbery, fencing, or lattice screening of appropriate size and scale. Homeowners building pools should be cognizant of the “noise factor” from the filtration system and people playing in their pool, and how it affects their neighbors’ use of their back yards. NEIGHBOR ACKNOWLEDGEMENT REQUIRED.



Installation of exterior hot tubs and spas must be approved in advance by the Committee. Exterior hot tubs and spas must be located in the rear yard adjacent to the home. NEIGHBOR ACKNOWLEDGEMENT REQUIRED.

### **23. Roofing Materials and Finishes**

Roofing materials and finishes must retain the style, placement and material as installed by the builder.

### **24. Security Bars on Windows or Doors – ACC Approval Required.**

The installation of security bars on the front exterior portion of the home is prohibited. Security bars may be installed on the interior portion of a home. Security bars installed inside the home must not be visible from the street and adjoining homes.

### **25. Shutters**

No exterior shutters are permitted.

### **26. Signs**

Security signs are permitted. Homeowners are permitted to have one sign on their property, which includes information related to a home security system actually in use at that property.

A front yard temporary (not illuminated) sign, not to exceed five (5) square feet in area, advertising a home for sale or rent may be displayed on a lot.

No signs, advertisements or other messages shall be displayed on the lot which offer or imply commercial or professional products or services, or which may constitute any other kind of business solicitation in or from any residence.

### **27. Skylights and Solar Tubes – ACC Approval Required.**

Skylights/solar tubes shall be designed to be an integral part of the roof. Skylight glazing must be clear, solar bronze or gray. White or reflective glazing is prohibited. Skylight framing material must be bronze anodized or colored to match the roof in which the skylight is installed. Natural aluminum is also prohibited. A drawing of the precise location of each skylight/solar tube is required with each submission. Skylights/solar tubes must be installed and inspected by a qualified and licensed roofing contractor.

### **28. Solar Collectors – ACC Approval Required.**

Installation of solar collectors requires approval by the Architectural Control Committee. The Sin Vacas Design Standard for Solar Collectors is the absolute standard for Villa Milano.

*Sin Vacas Design Standard:*

### **3.2.9 Solar Collectors**

*Solar collectors, where utilized, are to be an integral part of the overall design concept. If collectors are to be roof-mounted on flat roof designs, they are to be fully concealed from all other lots by parapet walls.*

## **29. Storm Doors and Windows**

Storm doors and windows are not permitted.

## **30. Water Features**

Water features are not permitted.

## **31. Window Boxes**

Window boxes are not permitted.

## **32. Wiring and Conduit**

Exposed conduit or wiring is not permitted.

## **D. OTHER SPECIFIC STANDARDS AND GUIDELINES (alphabetical order)**

Following are other specific architectural standards and guidelines that do not require ACC approval but to which homeowners should comply.

## **33. Fans (exterior)**

Permanent exterior fans are approved for use on rear patios. Fans may be located under the standard wood patio covers. Fan blades cannot extend beyond the wood patio cover. Exterior fans must be “wet” type fans designed for exterior use and must be UL approved. Fans must be a color and style complementary to the house color and Villa Milano architecture.

Light kits are allowed on fans but must not exceed a total of 60 watts of power. If using LED lights, lighting must be a soft (warm) white color and not exceed watts equal to 60 regular watts. The conduit or wiring must not be exposed.

## **34. Firewood**

Firewood shall be kept neatly stacked and shall be located to the rear of the home and in such a manner as to avoid any adverse visual impact on neighboring homes and to prevent attracting wildlife. Screening may be required in certain cases.

### **35. Flagpoles and Flag Display**

Every homeowner has the right to display the American flag subject to compliance with the Sin Vacas Design Standard. In Villa Milano, only flag brackets mounted to the house are permitted.

*Sin Vacas Design Standard:*

#### *3.2.15 Flagpoles*

*Every Owner has the right to display the American flag and any other flags listed in A.R.S. 33-1808, subject to compliance with these guidelines and upon the approval of the ARC, after first submitting plans and specifications to the ARC showing the following : location of the flagpole on the Lot, or on the Improvements on the Lot; length or height of the flagpole, type of flag(s), number of flags and size that of the flag(s) to be flown on the flagpole and any other information required by the ARC.*

### **36. Holiday Decorations**

Holiday decorations may be installed 30 days prior to the holiday and must be removed within 14 days after the holiday.

### **37. Hoses**

Garden hoses shall be stored out of sight when not in use.

### **38. Landscape Support Structures**

Landscape support structures, such as trellises, are not permitted in the front lot area except in enclosed patios. The landscape support structures may not exceed five feet (5') in height (from ground level to top of support). Pots or planters with landscape support structures must be against exterior walls and not used as a screen along patio edge or between adjacent patios. No landscape support structures may be affixed to any portion of any residence or building.

### **39. Recreational and Play Equipment**

Recreational and play equipment shall be unobtrusive to neighbors and shall comply with the following regulations:

- The equipment shall be located in the rear yard.
- The equipment shall be compatible with the lot size.
- Screening may be required to minimize any visual impact on the neighboring homes.
- Equipment must be properly maintained.
- Basketball backboards are not permitted.

#### **40. Trash and Garbage Containers**

All trash must be placed in a covered container in the garage of the home until trash collection days, at which time the covered container may be placed on the curb for curbside pick-up. Containers should be removed from the curbside by nightfall.

#### **41. Vegetable Gardens**

Vegetable and fruit gardens must be located in the rear of the property and cannot be greater in size than one-fourth the size of the overall rear property. Homeowners may be required to provide natural or manmade screening to minimize the negative impact to adjacent homeowners. Gardens shall not adversely impact or damage neighboring properties in terms of weed growth, unsightliness, adverse drainage, etc. All dead plants and other supporting garden-related items (such as cages, stakes, etc.) must be promptly removed when the garden ceases to be productive for the season.

### **E. RESPONSIBILITIES OF HOMEOWNER**

The ACC will not knowingly approve a project that is in violation of any building or zoning codes. The responsibility of compliance rests solely with the homeowner, who will be held responsible for any building violations and the penalties they incur. Approval of any project by the ACC does not waive the necessity of obtaining the required county building or work permits, at the owners' expense. On the other hand, the obtaining of such permits does not relieve the applicant of the responsibility of obtaining the approval of the ACC.

As a common courtesy, your neighbors should be informed of all exterior changes. Remember that most exterior alterations have an impact on your neighbors as well as yourself. Projects should be completed as expediently as possible in a manner that does not create a nuisance or annoyance to the neighborhood. It is homeowner's responsibility to keep children away and maintain a clean, safe work area.

### **F. PROCESSES AND PROCEDURES**

All proposed architectural improvements requiring ACC approval must be submitted to the Villa Milano HOA management company prior to construction or installation of the improvement and include the following:

- The completed request form (available from Stellar Property Management LLC)
- Plans and specifications for the proposed work, including, if applicable:
  - Site plan for the lot, showing the improvement in its proposed location on the lot
  - Dimensions for the improvement
  - If plants are a part of the improvement, the type of plant should be shown on the site plan
- Specifications for materials, height, width and paint color(s).

- The time frame for beginning and completion of the work to construct or install the improvement.

Additional information may be requested by the ACC. The ACC reserves the right to request reasonable modifications to any alteration if deemed appropriate.

For further information, contact Tammy Censky at Stellar Property Management.