

Date: \_\_\_\_\_ Application #

\_\_\_\_ Please Rush; \_\_\_\_ Application due to Violation



# CONSTRUCTION APPLICATION SUMMARY COVER PAGE

Property Address: \_\_\_\_\_ Lot # \_\_\_\_\_ Phone # \_\_\_\_\_

Lakes Sub-association name, if applicable: \_\_\_\_\_ (Attach approval of sub-association application.)

Applicant/Owner Name: \_\_\_\_\_ Owner Signature: \_\_\_\_\_

Email: \_\_\_\_\_ I prefer to be contacted by: \_\_\_ Email \_\_\_ Phone

**New Construction Application Guide:**

- Strongly suggested that homeowner and their builder/architect meet with Committee Prior to Project start.
- City of Tempe Building permit to accompany LCA Application (Copy of plans attached).
- If Building Code Variance is requested Provide Tempe approval and/or Neighbors signatures.
- Submit multiple Applications, one for each stage (i.e. Demolition, Construction, Landscape, Painting, etc.). If there are any changes made to the building, plans or project construction a new application must be submitted with the new information.
- Attach photographs of all areas of property to be affected by the New Construction

\_\_\_\_\_ (Initial): I have read and given my contractor(s) a copy of the Architectural Rules to ensure compliance.

**I/We hereby request approval** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Estimated time to complete:** \_\_\_\_\_ months; \_\_\_\_\_ weeks; or \_\_\_\_\_ days.  
Please submit an "Extension Request" if you are unable to complete your project on time.

\*\*\*\*\*

To Be Completed By Architectural Committee:

	Required (Check)	DATE APPROVED	DATE COMPLETED	FINAL INSPECTION	Arch Comm FINAL
Initial Construction App.					
Construction Blueprints Attached					
City of Tempe Permits					
City of Tempe Variance					
Demolition and Refuse Container					
Signature of Neighbors					
Brochure / Samples Submitted					
Paint Application					
Landscape Application					
OTHER					

**INITIAL APPROVAL**

\_\_\_\_\_ APPROVED      \_\_\_\_\_ APPROVED W/CONDITIONS      \_\_\_\_\_ NOT APPROVED

**Committee Decision Date:** \_\_\_\_\_ **Project to be Completed By:** \_\_\_\_\_ (Project inspection date).

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**COMMITTEE SIGNATURES:**

1): \_\_\_\_\_ Date: \_\_\_\_\_ 2): \_\_\_\_\_ Date: \_\_\_\_\_

*Remarks:* Committee action is in no way an approval of the suitability or structural integrity of the improvement requested, nor does it waive building codes or City of Tempe approval of construction in the setbacks or easements. If the completion date changes, please inform the Office.

**FINAL INSPECTION**

\_\_\_\_\_ APPROVED      \_\_\_\_\_ APPROVED W/CONDITIONS      \_\_\_\_\_ NOT APPROVED

**FINAL INSPECTION** (Signature): \_\_\_\_\_ Date: \_\_\_\_\_

*Note: All applications associated with the new construction must be signed off.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ARCHITECTURAL COMMITTEE FINAL SIGN OFF** (Photographs must be attached)

1): \_\_\_\_\_ Date: \_\_\_\_\_ 2): \_\_\_\_\_ Date: \_\_\_\_\_

If any changes have been made without Architectural Committee approval the homeowner will be notified and they will have 10 days to submit an Application. If for any reason the Architectural Committee does not approve the changes, the homeowner will have 30 days to remediate before fines begin accruing.

# THE LAKES

## CONSTRUCTION APPLICATION

### APPLICABLE RULES

#### APPLICATION CHECKLIST:

1. Obtain a PROJECT APPLICATION FORM available at the LCA office or [www.TheLakesofTempe.com](http://www.TheLakesofTempe.com) (tab LCA).
2. There are various City of Tempe zoning designations within The Lakes, each with varying setback and height standards. These designations can vary by city tract and street. Homeowners should submit their project application to the Architectural Committee first for conditional approval and then submit the project application to the City of Tempe.

It is the homeowner's responsibility to apply for a CITY OF TEMPE BUILDING PERMIT OR VARIANCE, if one is required for any proposed construction of, changes or additions to walls, patio covers or other permanent structures proposed as part of any yard or home improvement. A copy of the Tempe Building Permit or Variance shall be provided prior to construction and be compliant with the original approved Architectural Project Application. Check the City of Tempe website, [www.tempe.gov](http://www.tempe.gov) to ensure compliance.

3. IF YOU ARE WORKING WITH A CONTRACTOR, provide a complete copy of the CC&Rs and Architectural Rules to the contractor (available in The Lakes Office). If you require a refuse container to be placed in your driveway, please request in your application.
4. Ensure that the plans and specifications are complete and that all setbacks and easements are noted. Plans should be carefully drawn to scale with an accompanying and readable "key". COLOR PHOTOGRAPHS OF THE PROJECT SITE must accompany all construction, landscape, painting and remodeling projects. Include accurately scaled plans for all landscaping improvements, with a key indicating size, number, type, plant names and location of all proposed plantings, treatments and appurtenances.
5. ATTACH SAMPLES or A BROCHURE WITH YOUR APPLICATION: If replacing a roof, please include a sample or brochure. If using mulch or rock in landscaping, please include a sample. For doors/windows, please attach a brochure.
6. EXTERIOR PAINTING: (Same or new color): See the approved PAINT COLOR SCHEMES located in the LCA Clubhouse conference room. Choose a paint BASE, TRIM and/or FRONT DOOR COLOR. A minimum of two paint colors are required. You may use other paint suppliers than those displayed in the Lakes Office; just have them match the approved colors. Include a completed copy of the PAINT APPLICATION FORM.

All exterior painting in Tract G-1 (G-1 to G-38) requires the written approval of the owners of the adjoining attached units. Such owners' approvals in writing must be submitted along with the project authorization request form to the Committee. See Rule 3 for specifics.

7. If the project affects the view, privacy, enjoyment or impacts neighboring properties, signatures of all affected parties must be included on the application. Any structure exceeding the height of the wall surrounding the home that restricts the view of the lake from a neighboring property's patio (ground level) is prohibited unless written approval is given by adjoining neighbors at time of application and project is given final approval by the Architectural Committee.
8. Prepare and submit one copy of the plans and specifications. Attach them to the application form and submit all to the LCA office.
9. Obtain Architectural Committee approval before beginning the project. The LCA office administrator will mail the homeowner a copy of the Committee approval. As a larger project progresses, the homeowner may need to submit an additional application, including paint and material samples, as required.
10. Notify the LCA office administrator or the Architectural Committee when the project is completed. The final project will be inspected to ensure that it is in compliance with the initial approved application.
11. Projects that are not completed by the estimated completion date require an amendment to the original application requesting additional time for completion. If the original plans have been altered or changed in any way, a new application must be submitted to the Architectural Committee for approval.
12. If any changes have been made without Architectural Committee approval, the homeowner will be notified, and they will have 10 days to submit an application. If for any reason the Architectural Committee does not approve the changes, the homeowner will have 30 days to remediate before fines begin accruing.

## **Rule #1 Exterior Building and Landscaping Alterations**

It is the policy of the Board of Directors and Committee to encourage home and landscape improvements of properties in The Lakes Community not only to fit the needs of the owners but also to ensure maintenance and continuous updates of the properties. Committee approval is required for the following:

"All improvements, alterations, repairs, excavation or other work, which in any way alters the exterior appearance of any property within The Lakes. No building, fence, wall residence or other structure shall be commenced, erected, maintained, improved, altered, made or done without the prior written approval of the Architectural Committee."

**This includes changes to** landscaping, painting, houses, garages, carports, porches, walls, fences, gates, patios, decks, docks, ramadas, gazebos, storage sheds, play structures and any and all other structures or hardscaping. Seasonal plantings and trimmings are excluded.

All projects affecting the exterior of any property, front, side, back and lakefront require Committee approval. Each project will be considered on its individual merit and appropriateness to the surroundings and every effort will be made to assist owners in achieving the desired results in accordance with the intent of these rules.

Please refer to the Architectural Rules for specific information on each proposed change or improvement.

## **Rule #2: Easements and Setbacks**

The CC&Rs created a blanket easement over all Lakes properties for the purpose of establishing the LCA, as well as defining permitted uses and restrictions thereon. Before planning or building structures, fences and/or walls, the homeowner must check with the City of Tempe Easement and Setback requirements to ensure City compliance and to ensure that the structure is not in a right-of-way for utilities. A copy of the City of Tempe Permit, if required, must be attached to the approved Architectural Application prior to commencement of project.

**PUBLIC UTILITY EASEMENTS:** Easements for the installation of utilities called Public Utility Easements (PUE) appears on City of Tempe maps of each Lakes tract. Generally each lot contains a PUE that extends 5 feet inward from the street side lot line, which starts at the home side edge of the sidewalk or from the curb if there is no sidewalk. Certain lots contain side yard PUEs, while corner lots and some common areas contain additional PUEs.

**LAKEFRONT EASEMENT:** Each lakefront lot contains a 40 foot easement in favor of the LCA as measured from the rear lot line inward. This easement extends 25 feet into the lake and 15 feet into the lot measured from the shoreline. This easement is provided to accommodate the operation and maintenance of the lake and lake systems.

**OVERHANG EASEMENTS:** Each property is also subject to an easement not to exceed one foot for roof overhangs and for all other encroachments resulting from construction and settling.

**ZERO LOT LINE EASEMENTS:** Zero lot line properties are subject to an easement adjacent to the common lot line to accommodate maintenance of the structures on that lot line.

**SETBACKS:** Setbacks are City of Tempe requirements that stipulate the minimum distance inward from a property line on and over which construction is permitted.

- The setback for a roofed structure is 5 feet measured inward from the side yard property line to a building wall or column except for zero lot line properties. An overhand rule example is when your home meets the minimum setback your roof overhang is allowed to be one foot into that given setback. On Lakefront homes the rear setback is measured 15 feet inward from the lake wall. Refer to **Rule #4** for more detail.
- Setbacks for the front and back vary by City of Tempe tract and street. For most homes the setback for the front is 20 feet, corner lots 20 feet front and 10 feet from the side street. Both are measured either from the curb, or if from the inside edge of a sidewalk.. Five foot setbacks are the minimum for side yards. On Lakefront homes, the rear setback is measured 15 feet inward from the lake wall.
- Setbacks for fences or walls in front yards: The portion of the fencing or wall that separates owner properties shall be a maximum of 6 feet high and be no closer than 10 to 15 feet (according to the City of Tempe code, by tract and street) from the interior edge of the sidewalk or curb if there is no sidewalk. Gates, fences and walls less than 10 to 15 feet from the interior edge of the sidewalk (or curb if there is no sidewalk) shall be a maximum of 3 feet high, except on corner lots where the maximum height cannot exceed 2'6". Please refer to **Rule #8** for more detail.
- Setbacks and Easements for Decks, Docks, Gazebos, Patios, Ramadas and Sheds: Please refer to **Rule #7**. In general, any wall, retaining wall or structure built within 5 feet of the Lake wall should be professionally installed or include an engineering report. All deck, structures and/or dock footings must be set back a minimum of 12 inches from the interior cement edge lining of the Lake wall.

Footings for docks, decks, fence posts and all structures are to have a 5 foot setback (or more if necessary to mitigate damage to the Lake wall) from the interior cement edge lining the lake wall

Waiver of setback requirements is the City of Tempe's responsibility and is not considered without prior approval by the Committee. Committee final approval is based on the approval or variance by the City of Tempe.

EASEMENTS, ACCESS & RESPONSIBILITY: Projects which overlay setback requirements or surface easements may be approved; however, the owner must understand that should access be required, costs of removal and replacement of any improvements are to be borne by the owner. The owner's acceptance of Committee approval, along with partial or total implementation of the project, will be considered as acceptance of this responsibility.

CONSTRUCTION AND LANDSCAPING PROJECTS WITHIN ANY EASEMENT OR SETBACK: Construction and landscaping projects within any easement or setback require Committee approval. Owners are responsible for the landscaping and maintenance of all easement and setback areas within their lot boundaries.

CONSTRUCTION SIGNS ON PROPERTY: During the time of construction of any building or other improvement, one job identification sign not larger than 18 by 24 inches in height and width and having a face or are not larger than 3 square feet is allowed.

RULE # 3: EXTERIOR PAINTING Submit "Exterior Painting" Application. Refer to Rule #3 for specifics for home, walls, gates, awnings, screens, decks, front doors, wrought iron and touch ups/repairs. If considering **Stone Trim Accents** please refer to Rule #3.

RULE #4: ROOFING Submit a "General Application".

RULE #5: LANDSCAPING Submit a "Landscaping Application".

Refer to Rule #5 for information on grass and ground cover, plants, artificial turf, trees and hardscaping.

RULE #6: EXTERIOR MECHANICAL DEVICES Submit a "General Application".

Refer to Rule #6 for information on roof or ground mounted air conditioners, solar energy units, wind turbines, security cameras, satellite dishes and antennas.

RULE #7: DECKS, DOCKS, GAZEBOS, PATIOS, RAMADAS, PLAYGROUND EQUIPMENT AND SHEDS Submit a "General Application".

RULE #8: GATES, FENCES AND WALLS Submit a "General Application".