

SCOTTSDALE RANCH COMMUNITY ASSOCIATION
CARPORT POLICY
Adopted October 24, 2017

WHEREAS, requirements related to parking motor vehicles are set forth in Article IV, Section 2(w) of the Fifth Amended and Restated Declaration of Covenants, Conditions, Restrictions Assessments, Charges, Servitudes, Liens, Reservations and Easements (Scottsdale Ranch Community Association) (the “Declaration”);

WHEREAS, Article IV, Section 2(w) of the Declaration states, “It is the intent of the Association to restrict On-Street parking as much as possible. Vehicles of all Owners, Lessees and Residents, and of their employees, guests and invitees, are to be kept in garages, carports, residential driveways of the Owner and other designated parking areas wherever and whenever such facilities are sufficient to accommodate the number of vehicles at a Lot or Parcel . . .”;

WHEREAS, Article XIV, Section 1 of the Declaration states, “Except for judicial construction, the Association, by its Board, shall have the exclusive right to construe and interpret the provisions of this Declaration. In the absence of any adjudication to the contrary by a court of competent jurisdiction, the Association's construction or interpretation of the provisions hereof shall be final, conclusive and binding as to all persons and property benefited or bound by the Covenants and provisions hereof.”;

WHEREAS, Article IV, Section 2(a) of the Declaration states, “All proposed improvements, alterations, repairs, excavations, grading, landscaping or other work which in any way alters the exterior appearance of any property within Scottsdale Ranch, or the improvements located thereon, subject to the Architectural Guidelines, require prior approval of the Architectural Committee, except as otherwise expressly provided in this Declaration or the Architectural Guidelines.”;

WHEREAS, Article XI, Section 1 of the Declaration states, “The Architectural Committee shall promulgate architectural guidelines and standards to be used in rendering its decisions, which guidelines and standards must be approved by the Board prior to their implementation.”;

WHEREAS, Article IV, Section 2(w) of the Declaration does not specify the Land Use Classifications for which carports are permitted;

WHEREAS, the Board of Directors of the Scottsdale Ranch Community Association (the “Association”), in conjunction with the Association’s Architectural Committee, has determined that they must interpret Article IV, Section 2(w) and set forth architectural guidelines and standards to better regulate the placement of carports in the community going forward.

NOW, THEREFORE, the Board of Directors and the Architectural Committee hereby jointly approve and enact the following policy regarding carports:

1. A “carport” shall be defined and understood as being any structure, whether free standing or attached to a Dwelling Unit, designed or suitable for providing shelter to motor vehicles, mobile homes, travel trailers, tent trailers, trailers, camper shells, detached campers, buses, boats, boat trailers, or other similar equipment or vehicles that has one or more sides that is not enclosed by a finished wall that matches the exterior of the Dwelling Unit on the Lot or Parcel and/or does not have a garage door.
2. Carports will not be approved to be constructed on Lots or Parcels designated for Single Family Residential Use.
3. Lots or Parcels designated as other Land Use Classifications under the Declaration and other Association governing documents may be permitted to construct carports, as determined by the Architectural Committee on a case-by-case basis.