

# SOMNER SENTINEL

We all have chosen to live in a community which is managed by a Homeowners Association (HOA). The HOA is governed by certain legal documents including the Declaration of Covenants, Conditions and Restrictions (CC&Rs), the By-Laws, and its Rules & Architectural Guidelines, maintained by a Board of Directors that are non-paid homeowners whom you have elected to represent you. Members of the Board are volunteers that give of their time to serve you and the community and are required to uphold all of the provisions in the documents for which you agreed to adhere when you purchased your property. The Board would like you to please take a few moments to read through the associated headings below to view a few pertinent rules of the Association and examine some especially important information.

## CHANGES TO BEAUTIFY YOUR PROPERTY

### ❖ *All improvements, alterations or enhancements to your home's exterior require the submission of an Architectural Form (see below):*

If you wish to make any changes or additions to enhance the beauty of your front yard, an Architectural Form must be submitted to the Board of Directors for approval PRIOR to the commencement of any work. This also includes any alterations to the backyard in which such improvements are visible above the wall line.

Despite the fact that you might see an addition on someone else's property, i.e., a string of lights, it does not preclude you from submitting the proper form, as approval is still required should you wish to mirror what you see on your neighbor's yard. Approval may be granted for any new improvement, addition or alteration or one that already exists in the neighborhood, but only if the Architectural Form is rendered for signature, so that it can be retrieved, if necessary, for future reference.

Somner Place also has an approved exterior paint color palette which can be found at [www.somnerplace.com](http://www.somnerplace.com) (under *Home Paint Colors*). Should you desire to paint your home, you will need to likewise submit the same form to do so. On the website, you will also concurrently find a copy of the CC&Rs, By-Laws and Rules & Architectural Guidelines (under *Governing Documents*), as well as the above-referenced Architectural Form (under *Architectural Control*).

Please familiarize yourselves with the rules regarding the requirement to submit any changes, documented in the CC&Rs, Article 3: USE RESTRICTIONS, under 3.1 on pages 6-8. Should you have any questions, please call the Somner Place Hotline at 602-476-1747 and a Board member will get back to you within 48 hours.

## PARKING PROTOCOL REMINDER

❖ *As we attempt to solve a few of our ongoing parking issues, please follow the guidelines set by the HOA (see below):*

We are noticing residents utilizing the general guest parking on St. Paul, Dragoon and Catalina inappropriately for their private use. Each Somner home has exclusive spaces for its vehicles that allows for two in the garage, two on the driveway, as well as up to two additional Association-appointed curbside, public spaces.

A few years ago, homeowners were presented with “New Parking Rules” in the form of a newsletter, in an attempt to ease our CC&Rs’ unusually strict policy that forbade ALL residents from parking on the streets, while requiring one vehicle to be parked in the garage. The original rules were revised by creating a blanket variance to the restriction by reserving the frontal curbside space strictly for the corresponding resident, providing a total of 5 to 6 vehicles per household. The new policy then afforded those who solely park their cars in their garages or on their driveways, the luxury of having the security of their own guests being able to park in front of their respective homes. Unfortunately, the new rules have been abused by a few who utilize their

garages for storage, leave their own curbside space vacant and park their vehicles in guest spaces on St. Paul, Dragoon or Catalina. This is not fair to your neighbors. Please make sure to occupy your own spaces before utilizing those for guests, and if you are using another resident’s frontal space, you need to submit the pertaining homeowners’ express written permission to the Board.

It would be disastrous if we were forced to resort back to being prohibited from parking on the street (CC&Rs: 3.17.2). For the variance to be valid, the replacement rule regarding the appropriation of the resident-reserved personal curbside space must be upheld by all, lest it be repealed. The ultimate chaos that the original parking restriction would impose is far more inconvenient than merely honoring the stipulation that affords us the opportunity in the first place.

If there is still any confusion, please contact the Board and a copy of the revised parking rules will be promptly provided for your perusal.

## RENTAL PROPERTIES

❖ *As we approach a 20% ratio of home rentals in the neighborhood, this could have a negative impact on your future home sale (see below):*

There are corporate entities that have come into our neighborhood for the sheer purpose of leasing out homes, and this significantly reduces the value of our properties if the trend is left unchecked and continues. Going forward and as a community, we may be forced, with the Association’s authority, to restrict our future home sales to owner-occupied residences only, or we will be refrained from selling our own properties in the future to FHA borrowers, due to the 20% limitation of home rentals in the neighborhood.

This has nothing to do with limiting you from renting your own home if you are currently doing so, or anytime in the future should you have that

desire. It only applies to future sales. Your current ownership would guarantee legally that you would be protected from this constraint and it would not pertain to anyone who purchased prior to the change. This is called “grand-fathering” your rights.

It is vital that all private homeowners bond together in this particularly important majority decision. We will keep you apprised with upcoming information as to the most appropriate approach to protect the interest and value of our properties.

# REPORTING NEIGHBORHOOD PROBLEMS

- ❖ ***See something. Say something. The Board of Directors would like our members to know that we always try to act expeditiously whenever there are any issues in the neighborhood (see below):***

Although it might appear that a reported transgression has not been resolved, please know that the Board is on top of it, either with immediate confrontation, a telephone call or prompt execution of a violation letter. Oftentimes, however, we need to follow certain protocols as determined by the contents of our governing documents and City, County, State and Federal Laws. For example, if a resident has breached a

certain rule, there is a period of time that he/she is allowed to cure the wrongdoing, and we need to follow those legal parameters, regardless of whether it might seem that the infraction was not immediately rectified. A Board member will try to get back to you within 48 hours after notice is given, and your patience and understanding is appreciated.

## COMMUNITY BULLETING BOARDS

- ❖ ***We have installed permanent boxes in 3 locations so that our residents are more apprised of what is transpiring in the neighborhood (see below):***

Many of our residents have requested that there be a way for the community to be updated on current events and important information for the neighborhood, and your Board of Directors wanted to deliver. The new Bulletin Boards have arrived and will feature the posting of a seasonal

newsletter, announcements and notifications of community meetings, special happenings, garage sales, etc. You will find the new additions near the respective mailbox stations on St. Paul, Dagoon & Catalina.

## OVERFLOWING TRASH BINS

- ❖ ***There have been incidences where the City of Mesa has refused to mechanically pick up and empty certain trash bins that are spilling over with garbage and waste, some of which have no lids (see below):***

Please be aware that you are taking a risk by excessively piling your bin, and that consequence could lead to the truck passing your property by, or even more consequential, some of your personal contents of debris could end up littering the street. This creates health and safety risks and fines, never mind the responsibility and nuisance of having to pick up the post-incident refuse. It is especially important that this be addressed, as the scattering of one's rubble amidst the neighborhood creates a slum-like

appearance. Should your barrel be damaged, inadequate or if the lids are absent or broken, homeowners have the option of calling the City of Mesa at 480-644-2221 and informing the customer service agent that you are in need of a repair or replacement.

## SOLICITORS IN OUR NEIGHBORHOOD

- ❖ ***Salespeople on foot, auto or bicycle are not allowed at Somner Place without the express advance permission from the homeowner (see below):***

We have a posted sign approximately 100 yards after entering our community on the right-hand side of Catalina that prohibits loitering and trespassing on our properties. That includes the solicitation from salespeople for the purpose of procuring funds for their products or services door-to-door. On the post, it further highlights Arizona Revised Statute 13-1502-A1, which specifically details that ignoring the sign constitutes criminal trespassing in the third degree. Should you be

approached by a solicitor, you have the right to request that he/she leave the premises immediately. Further to the foregoing, we have a Criminal Prevention Officer assigned to our neighborhood named Lindy Marino, who is available to take your message and return your call as soon as she is able. Should you wish to report anyone suspicious that would meet the criteria above, please call her at 480-644-3921.

## SUMMER BERMUDA GRASS ISSUES

- ❖ ***It is getting impossible to germinate the seasonal return of the Bermuda grass each summer when primary trees are present (see below):***

Mesa Landscaping is trying its hardest to attack the brown spots (dying rye) on many lawns as the winter grass transitions into summer turf, and water is substantially increased. This year, it has been particularly challenging. Unfortunately, we also need to remind our homeowners that they ultimately need to make a decision to choose between their primary tree or green summer grass, as it is becoming more and more impossible to see the successful return of the Bermuda when significant shade is involved. Naturally, a large tree, particularly the Mesquite or a thick, rounded,

Ficus, inhibits the direct, six to seven hour daily sunshine requirement to adequately produce a beautiful lawn. We have attempted several varied tests and methods, including the application of new seed on a few properties to in an endeavor to combat the solar deficiency. Much to our homeowners' chagrin, there does not seem to be anything constructive to correct this problem and the choice of maintaining the tree may result in a myriad of barren and/or dry patches on your front yard.

## 25<sup>TH</sup> ANNUAL MEETING VIA ZOOM

- ❖ ***Due to the current challenging times in our lives, we will be sponsoring our first-ever virtual gathering from the comfort of your own home (see below):***

Be sure to look for updates concerning your participation in our Zoom Annual Meeting, marking Somner Place's 25<sup>th</sup> Birthday, to be held this Fall, 2020. It will feature the discussion of

some new events and surprises for the entire community, and we look forward to seeing you there!