



**RESTATED  
ARCHITECTURAL REGULATIONS  
OF DESERT AIRE OWNERS  
ASSOCIATION**

Section 1	Definitions.....	2
Section 2	Architectural Standards and Requirements.....	4
2.01	Residential Lot Usage.....	4
2.02	Recreational Vehicle Use.....	4
2.03	Plans Required.....	5
2.04	Exterior Requirements.....	6
2.05	Manufactured Homes.....	6
2.06	Compliance With Codes and Regulations.....	7
2.07	Prosecution of Work.....	7
2.08	Architectural Conditions.....	7
2.09	Additions or Alterations.....	7
2.10	Landscaping/View.....	8
2.11	Care and Appearance.....	9
2.12	Animals.....	9
2.13	House Numbers.....	9
Section 3	Divisions Established.....	10
3.01	Division 1.....	10
3.02	Division 2.....	11
3.03	Division 3.....	12
3.04	Division 4.....	13
3.05	Division 5.....	13
3.06	Division 6.....	14
3.07	Division 7.....	15
3.08	Division 8.....	16
3.09	Division 9.....	17
3.10	Division 10.....	18
3.11	Multi Family Zoned Areas and Condominiums.....	19
3.12	Commercial Areas.....	20
Section 4	Administration.....	21
4.01	General Intent.....	21
4.02	Architectural Committee.....	21

**Restated Architectural Regulations of Desert Aire Owners Association**

4.03 Filing of Regulations..... 21  
4.04 Amendment..... 21  
Section 5 Enforcement..... 22  
5.01 Correction Notice..... 22  
5.02 Correction Action..... 23  
Section 6 Supersedes Prior Architectural Regulations..... 23

These Restated Architectural Regulations were adopted by the members of the Desert Aire Owners Association pursuant to Section 3.12 of the Restated Declaration of Covenants, Conditions and Restrictions of Desert Aire at its Annual Meeting held on June 23, 2007 and affect certain real property situated in Grant County, Washington, as more particularly described in Exhibit “A” attached hereto.

**Section 1 Definitions**

- 1.01 “Association” means the Desert Aire Owners Association, a Washington non-profit corporation.
- 1.02 “Building Site” means a lot on which a structure will be located.
- 1.03 “By-laws” mean the amended by-laws of the Association.
- 1.04 “Board of Directors” means the Association’s Board of Directors.
- 1.05 “Declaration” means the Restated Declaration of Covenants, Conditions, and Restrictions, recorded currently herewith in the Office of the Auditor of Grant County, Washington, as amended.
- 1.06 “Dwelling/Residence” means a building designed exclusively to be used for residential purposes. It shall include manufactured homes, which are constructed off site and transported to the building site. It shall not include recreational vehicles, garages, or airplane hangars as defined herein.
- 1.07 “Family” means an individual or two or more persons related by blood or marriage, or a group of not more than five (5) persons not related by blood or marriage, living together in a single family dwelling.
- 1.08 “Garage” means a building designed to house one or more vehicles and must have a door of sufficient size to allow the vehicle(s) to enter. A structure other than a house, without a vehicle door, is a utility building (see below).(6/23/07)
- 1.09 “Hangar” means a building built to house an aircraft designed to carry a person or persons and must have a door on the taxiway side sufficiently large to allow the aircraft to enter with wings attached. Additionally, it must have a door on the street side to allow entry in case of fire.(6/23/07)

**Restated Architectural Regulations of Desert Aire Owners Association**

- 1.10 “Insignia” means a label, stamp, or tag issued by the Washington State Department of Labor and Industries to indicate that the structure or component complies with the provisions of WAC 296-150, the Uniform Building Code (Gold Label) or HUD manufactured home standards (Red Label). A “Green Label” indicates a recreational vehicle trailer.
- 1.11 “Labeled” means a label bearing the Washington State Department of Labor and Industries’ insignia, HUD’s insignia, or a label of approval from a testing or listing agency.
- 1.12 “Mobile Home” means a “Manufactured Home” that is a residential structure, transportable in one or more sections which, in the traveling mode, is eight (8) feet or more in width or forty (40) body feet or more in length, or, when erected on site is three hundred twenty (320) or more square feet per section, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes plumbing, heating and electrical systems connected therein. Calculations used to determine the number of square feet in a structure is based on the structure’s exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions will include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows. Manufactured Homes must be labeled with the appropriate (Red or Gold) insignia. The minimum square footage for mobile homes in Desert Aire is 600 square feet.
- 1.13 “Recreational Vehicle” means a vehicular type unit designed for recreational camping, travel, or seasonal use, which has its own motor power or is mounted on or towed by another motor vehicle. A recreational vehicle includes, but is not limited to, a travel trailer, a folding camp trailer, truck camper, or motor home, and excludes boats and golf carts.
- 1.14 “Single Family” dwelling/residence means a residential building with a kitchen, bathroom, and sleeping facilities, designed for occupancy by one family.(6/23/07)
- 1.15 “Utility Building” means a building or structure which is subordinate to, and the use of which, is incidental to that of the main structure, building or use on the same lot. Fences are not considered utility buildings.
- 1.16 Other Definitions: Any terms, which are used in these Architectural Regulations and are not defined herein but are defined in the Declaration, shall have the same meaning herein as in the declaration.
- 1.17 “An Inoperable Vehicle” is one which does not have a current registration and license.(6/26/04)
- 1.18 “Low decks” means a deck that is less than 30 inches from the ground at its highest point.(6/24/06)

**Restated Architectural Regulations of Desert Aire Owners Association**

**Section 2 Architectural Standards and Requirements**

The Board of Directors of the Association has appointed the Architectural Committee pursuant to the by-laws and has authorized it to implement and enforce these Architectural Regulations.

2.01 Residential lot usage

The use of all lots is subject to the following restrictions:

- (a) All lots shall be improved and used in strict accordance with the Declaration, these Architectural Regulations, and the zoning laws of Grant County, Washington applicable thereto.
- (b) No more than one single family dwelling/residence may be placed upon a lot which is zoned or which is designated on a subdivision plat map for Desert Aire as a single family residence lot.
- (c) No more than one family may reside within a single family dwelling/residence.
  - 1) Occupancy is limited to no more than 2 adult persons per bedroom in a single family dwelling/residence. (6/28/08)
- (d) All dwelling/residences and related improvements must be constructed, erected or placed upon a lot strictly in accordance with the Declaration, these Architectural Regulations, and applicable building and other codes and regulations. No other structure or improvement (e.g. a garage or utility building) shall be constructed, erected, or placed upon a lot before the construction, erection or placement of a dwelling/residence has commenced. (...with the exception of a shed, not to exceed 200 square feet, and designed primarily for storage of property maintenance equipment. (6/28/08)

2.02 Recreational Vehicle Use

The use of recreational vehicles is governed by the rules and regulations contained in the ordinances of Grant County, Washington, which are enforced by Grant County. DAOA assumes no responsibility for enforcing Grant County codes with respect to the use and parking of recreational vehicles. (6/22/02)

**Restated Architectural Regulations of Desert Aire Owners Association**

**2.03 Plans Required**

Prior to the construction or placement of a house, garage, hangar, utility building, fence, shed, carport, deck, sun cover, sunshade, pergola, pool or any other structure on a lot, one (1) complete set of plans and specifications, including a site plan, are to be submitted to the Architectural Committee for review and approval a minimum of thirty (30) days before any lot development. Such building plans and specifications shall include a fully dimensioned plot plan showing: (6/23/07)

- (a) The location of the proposed structure (house, manufactured home, utility building, shed, carport, deck, pool, etc.) in relation to all property lines and easements must be shown and must be in compliance with all applicable setback requirements. If a structure is not new at the time of submittal, photographs of all four (4) sides of the structure must be provided with the plot plan. (6/25/05)
- (b) The location of the septic tank and drain field must be shown. The approval thereof by Grant County Health District must also be provided.
- (c) The present elevation of the lot and any proposed changes therein must be shown. A dwelling/residence, garage, utility building, shed, or carport may not exceed at its highest point, 14 feet above the highest ungraded point on the lot; provided however, that if the highest point of the lot is below the centerline of the contiguous street, then such height restriction shall be measured from the elevation of such centerline. As used herein, the "highest point" means the highest point of the roofline. (6/25/05)
- (d) Other Improvements  
The following building standards will be applied to improvements other than dwellings:
  - 1) Concrete slabs and low decks (<18 inches) may be constructed to the property line if adjacent to the freeboard of a common area. All other structures must meet setback requirements for the applicable Division as described in Section 3. (6/25/05)
  - 2) Retaining walls, fences and railings must be within the property line. (See 2.10 (f) concerning retaining walls. (6.28/08)
  - 3) Paved driveways to existing streets must be installed to Grant County regulations and must be at least five (5) feet from the water meter.

**Restated Architectural Regulations of Desert Aire Owners Association**

2.04 Exterior Requirements

- (a) All structures placed on lots designated as single family residence lots, including stick built, site built and manufactured homes, must meet the following requirements:
- (b) Building siding: The siding must be approved house-type siding such as wood, hardboard, lap, T-111, vinyl, architectural metal siding (no corrugated galvanized metal), concrete (such as Hardie Board®), stucco or an approved substantial equivalent.
- (c) Roofing: Roofing materials must be wood, composition shingle, hot tar with rocks, architectural metal (no corrugated galvanized metal), or an approved substantial equivalent.
- (d) Foundations: Foundations for all site-built homes must be permanent solid foundations of masonry or concrete and must meet all applicable codes and requirements.

2.05 Manufactured Homes

- (a) In divisions where manufactured homes are allowed, they must be placed on pre-poured concrete runners or as otherwise approved by Grant County.
- (b) Skirting must be concrete, masonry or approved pressure-treated wood in Divisions 1-7, concrete or masonry only in Divisions 8, 9, 10, and Condominium lots. All foundations, runners and skirting must meet applicable state building codes in effect at the time of construction or placement.
  - 1) All wood within six (6) inches of ground, earth or concrete must be pressure-treated wood.
  - 2) All wood used for support of skirting must be 2x4 or larger.
  - 3) Approved skirting must be installed within 90 days of placement of the manufactured home.
- (c) Manufactured homes may not be in excess of five (5) years of age from the date of original construction to date of request for placement. (6/23/01)

**Restated Architectural Regulations of Desert Aire Owners Association**

2.06 Compliance with Codes and Regulations

All plans must meet the applicable state, county, and local building and other applicable laws, regulations, ordinances, and codes. All buildings and related improvements must be constructed, erected or placed on a lot strictly in accordance therewith, the Declaration, and these Architectural Regulations.

2.07 Prosecution of Work

The construction work on all buildings and structures must be prosecuted diligently and continuously from the commencement of site construction and/or placement until exteriors or the buildings or structures are completed or otherwise suitably finished. Exterior work on any building must be completed within one (1) year from the start of site construction. Time extension or re-application MUST be made to both the Architectural Committee and Grant County.

2.08 Architectural Conditions

The following criteria will be used by the Architectural Committee in reviewing plans:

- (a) Abundant use of outdoor decks and patios is encouraged.
- (b) The use of new materials on all exterior surfaces is required, unless approved by the Architectural Committee.
- (c) All dwelling/residences must provide for screening of garbage cans and trash containers.
- (d) All exterior construction, remodeling, demolition, fencing, etc. must have approval from the Architectural Committee before beginning the proposed work. Interior remodeling does not require approval.

2.09 Additions and Alterations

Exterior Additions or alterations to any structure must first be approved by the Architectural Committee. Following approval, all applicable building permits must be obtained. The construction, erection, or placement of such exterior additions or alterations shall be done strictly in accordance with all applicable building and other codes.

**Restated Architectural Regulations of Desert Aire Owners Association**

2.10 Landscaping and View

- (a) Natural vegetation must be preserved or replaced with shrubs, lawns, trees or other vegetation indigenous to a semi-arid desert. Gravel and other decorative rock are permitted.
- (b) When any clearing, improvement, or construction is done on any lot, dust control must be undertaken. It is the lot owners responsibility to make sure water is available and used during windy periods. The owner cannot assume or rely on his or her contractor to do this. It is strongly suggested that the lot owner write such a provision into any contract entered upon for clearing or construction work. (6/28/08)
- (c) When developing a lot, no excavation or removal of topsoil can be made without verification of site elevation from the Architectural Committee. (6/26/04)
- (d) It is important that property owners restrict the height of improvements, trees and vegetation growth so that the view of other property owners is preserved to the greatest extent possible. It is the responsibility of the Architectural Committee to determine whether or not trees or other vegetation unreasonably interfere with the view of others.
- (e) Fences and hedges in front of a dwelling must be no more than 48 inches in height if it is a “see through” fence (such as cyclone, or split-rail fencing) or 42 inches in height if it is a solid board or other semi-solid fence (such as wood or plastic privacy fence or a cyclone fence with privacy slats). Fences/hedges on either side or in back of a dwelling may be no higher than 72 inches. (6/26/04) The term “in front of a dwelling” means all fencing in line with the side of the house closest to the street on which its address exists must meet the lower height requirements as stated above with two exceptions: (6/23/07)
  - 1) That if a garage is built no more than 10 feet in front of a house, a 72 inch high fence may be extended along the side of the garage closest to the neighboring property to the front end of the garage and; (6/23/07)
  - 2) If the neighboring property has a house or garage built closer to the street, a property owner may construct a 72 inch high fence to the forward edge of the neighbors structure on that side only. (6/23/07)
  - 3) Fences must be constructed of permanent and traditional fencing materials such as wood, wire chainlink, or vinyl designed to be used as residential fencing. Specifically prohibited are temporary plastic construction fencing, plain or barbed wire, chicken wire, hardware cloth, re-bar, or agricultural fencing

**Restated Architectural Regulations of Desert Aire Owners Association**

designed for enclosing animals. Fences are to be constructed within the property boundaries. (6/28/08)

Note: The 48 inch height limit does not apply to the rear most "L shaped" lots in Division 6. (6/25/05)

- (f) Retaining walls with an overall height of more than four (4) feet shall meet all state and local building and safety codes. (In addition, for all retaining walls adjacent to a common area a safety barrier of not less than four (4) feet will be built to protect individuals from walking off said retaining walls. (6/28/08)
- (g) The topsoil of the greenbelt or common area is not to be disturbed nor is any structure to be built thereon, nor used for any private purpose, including disposal of lawn clippings, tumbleweeds or any other materials. (6/23/07)

**2.11 Care and Appearance**

Property owners must maintain the structures, improvements and grounds in a neat and attractive manner. In particular, the exterior of the improvements must be maintained in a good state of repair and appearance.

- (a) The following will not be allowed to remain on any lot or structure: abandoned or inoperable vehicles, graffiti, debris, rubbish or sacked trash outside of approved containers (i.e. covered garbage cans).
- (b) Weed control, including tumbleweeds, must be practiced on all lots.

**2.12 Animals (see CC&R's section 3.06 as revised) (6/23/07)**

**2.13 House Numbers**

All houses must have visible address numbers located on the street side of the home. It is suggested that each home be further identified by a reflective house number plaque available from Grant County Emergency Services for a nominal charge. Applications for such plaques are available at the Desert Aire business office.

### Section 3 Divisions Established

Desert Aire is separated into multiple divisions, and the lots within each division are zoned as RVR-1, RVR-2, or RVC by Grant County. The boundaries of the divisions are identified and described in the plat maps of Desert Aire as recorded in the office of the Grant County Auditor. (6/26/04)

#### 3.01 Division 1

##### (a) Permitted Uses

- 1) Lots 1-40 Site built, manufactured or single wide manufactured, single-family dwellings.
- 2) Lots 41-338 Site built or manufactured single-family dwellings.
- 3) Lots 339-362 Site built or manufactured single/multi-family dwellings.
- 4) Lots 363-402 Site built or manufactured single-family dwellings.
- 5) Lots 403-406, 493 Site built or manufactured single/multi-family dwellings.
- 6) Lots 407-417, 494 & 496 Site built or manufactured single-family dwellings.
- 7) All lots that are adjacent to the airstrip will be allowed to have a hangar subject to the requirements set out in Section 3.01 (c) below.
- 8) Recreational vehicle use: refer to Section 2.02 above.

##### (b) Minimum Floor Area/Setbacks

- 1) Minimum floor area for any single or multi-family dwelling is 900 square feet. For lots designated as singlewide manufactured home lots (1-40), the minimum is 600 square feet.
- 2) Minimum width of a dwelling structure, other than singlewide manufactured homes, is 20 feet excluding carports, breezeways, patios, decks and porches.
- 3) Minimum front yard setback is 20 feet from the front property line for houses and attached garages. Detached garages or any utility structure shall have a minimum front yard setback of 25 feet. (6/23/07)
- 4) Minimum side yard setback is 5 feet from interior lot lines.
- 5) On a corner lot, the setback is 20 feet in the front, 15 feet along the flanking street and 5 feet on the interior side yard.
- 6) Minimum rear yard setback is 10 feet from the lot line, unless the lot is adjacent to common area, greenbelt or freeboard, in which case the setback is 5 feet.
- 7) Airplane hangars are to be constructed at least 5 feet from the back property line (taxiway side).

**Restated Architectural Regulations of Desert Aire Owners Association**

(c) Airplane Hangar Requirements

- 1) Hangars are not to be used as dwellings.
- 2) Hangars may be constructed before the dwelling/residence provided that at least 4000 square feet is allowed for the dwelling/residence and septic system. (6/28/08)
- 3) The height will be what is required to accommodate the needs of the airplane and in accordance with grant County Uniform Development Code (GCC) 23.04.645 "Airport Safety Overlay," which invokes Federal Aviation Regulations (FAR) Part 77 "Objects Affecting Navigable Airspace". No multiple story structure is allowed.
- 4) The exterior design must have straight sides with a gabled roof and must be closed in with at least two doors on opposite sides of the building. The street side door will act as an entry point in case of fire. The other door, on the taxiway side, must be of sufficient width and height to allow a fixed wing aircraft with the wings attached and capable of carrying one or more persons, to enter the building. Exterior siding must be of colored architectural metal, vinyl, wood, T-111, lap siding or an approved substantial equivalent. The roof must be of colored architectural metal or composition. No corrugated galvanized metal will be allowed.
- 5) Hangars must be situated so that the prop wash will not blow gravel onto the taxiway.

3.02 Division 2

(a) Permitted Uses

- 1) Lots 1-28 Site built or manufactured, singlewide manufactured, single-family dwellings.
- 2) Lots 29-224 Site built or manufactured single-family dwellings.
- 3) Lots 225-231 Site built or manufactured, singlewide manufactured, single-family dwellings.
- 4) Lots 232-253 Site built or manufactured single-family dwellings.
- 5) Recreational vehicle use: refer to Section 2.02 above.

**Restated Architectural Regulations of Desert Aire Owners Association**

(b) Minimum Floor Area/Setbacks

- 1) Minimum floor area for any single-family dwelling/residence is 900 square feet. For lots designated singlewide manufactured home lots (1-28, 225-231) the minimum is 600 square feet.
- 2) Minimum width of a dwelling structure, other than singlewide manufactured homes, is 20 feet excluding carports, breezeways, patios, decks and porches.
- 3) Minimum front yard setback is 20 feet from the front property line for houses and attached garages. Detached garages or any utility structure shall have a minimum front yard setback of 25 feet. (6/23/07)
- 4) Minimum side yard setback is 5 feet from interior lot lines.
- 5) On a corner lot, the setback is 20 feet in the front, 15 feet along the flanking street and 5 feet on the interior side yard.
- 6) Minimum rear yard setback is 10 feet from the lot line, unless the lot is adjacent to common area, greenbelt or freeboard, in which case the setback is 5 feet.

3.03 Division 3

(a) Permitted Uses

- 1) Lots 1-68 Site built or manufactured, singlewide manufactured, single-family dwellings.
- 2) Lots 69-84 Site built or manufactured single family dwellings.
- 3) Recreational Vehicle Use: Refer to Section 2.02 above.

(b) Minimum Floor Area/Setbacks

- 1) Minimum floor area for any single-family dwelling/residence is 900 square feet. For lots designated as singlewide manufactured home lots (1-68) the minimum is 600 square feet.
- 2) Minimum width of a dwelling structure, other than singlewide manufactured homes, is 20 feet excluding carports, breezeways, patios, decks and porches.
- 3) Minimum front yard setback is 20 feet from the front property line for houses or attached garages. Detached garages or any utility structure shall have a minimum front yard setback of 25 feet.
- 4) Minimum side yard setback is 5 feet from interior lot lines.
- 5) On a corner lot, the setback is 20 feet in the front, 15 feet along the flanking street and 5 feet on the interior side yard.

**Restated Architectural Regulations of Desert Aire Owners Association**

- 6) Minimum rear yard setback is 10 feet from the lot line, unless the lot is adjacent to common area, greenbelt or freeboard, in which case the setback is 5 feet.

3.04 Division 4

(a) Permitted Uses

- 1) Lots 1-17 Site built or manufactured single-family dwellings.
- 2) Lots 18-89 Site built or manufactured, singlewide manufactured, single family dwellings.
- 3) Lots 90-119 Site built or manufactured single-family dwellings.
- 4) Recreational Vehicle Use: Refer to Section 2.02 above.

(b) Minimum Floor Area/Setbacks

- 1) Minimum floor area for any single-family dwelling/residence is 900 square feet. For lots designated a single-wide manufactured home lots (18-89) the minimum is 600 square feet.
- 2) Minimum width of a dwelling structure, other than singlewide manufactured homes, is 20 feet excluding carports, breezeways, patios, decks and porches.
- 3) Minimum front yard setback is 20 feet from the front property line for houses and attached garages. Detached garages or any utility structure shall have a minimum front yard setback of 25 feet.
- 4) Minimum side yard setback is 5 feet from interior lot lines.
- 5) On a corner lot, the setback is 20 feet in the front, 15 feet along the flanking street and 5 feet on the interior side yard.
- 6) Minimum rear yard setback is 10 feet from the lot line, unless the lot is adjacent to common area, greenbelt or freeboard, in which case the setback is 5 feet.

3.05 Division 5

(a) Permitted Uses

- 1) Lots 1-17 Site built or manufactured single/multi-family dwellings.
- 2) Lots 18-85 Site built or manufactured single-family dwellings.
- 3) Recreational Vehicle Use: Refer to Section 2.02 above.

(b) Minimum Floor Area/Setbacks

**Restated Architectural Regulations of Desert Aire Owners Association**

- 1) Minimum floor area for any single-family dwelling/residence is 900 square feet.
- 2) Minimum width of a dwelling structure, other than singlewide manufactured homes, is 20 feet excluding carports, breezeways, patios, decks and porches.
- 3) Minimum front yard setback is 20 feet from the front property line for houses and attached garages. Detached garages or any utility structure shall have a minimum front yard setback of 25 feet.
- 4) Minimum side yard setback is 5 feet from interior lot lines.
- 5) On a corner lot, the setback is 20 feet in the front, 15 feet along the flanking street and 5 feet on the interior side yard.
- 6) Minimum rear yard setback is 10 feet from the lot line, unless the lot is adjacent to common area, greenbelt or freeboard, in which case the setback is 5 feet.

3.06 Division 6

(a) Permitted Uses

- 1) Lots 1-85 Site built, manufactured, or singlewide manufactured, single family dwellings.
- 2) Recreational Vehicle Use: Refer to Section 2.02 above.

(b) Minimum Floor Area/Setbacks

- 1) Minimum floor area for any single-family dwelling/residence is 900 square feet. For lots designated a singlewide manufactured home lots the minimum is 600 square feet.
- 2) Minimum width of a dwelling structure, other than singlewide manufactured homes, is 20 feet excluding carports, breezeways, patios, decks and porches.
- 3) Minimum front yard setback is 20 feet from the front property line for houses and attached garages. Detached garages or any utility structure shall have a minimum front yard setback of 25 feet.
- 4) Minimum side yard setback is 5 feet from interior lot lines.
- 5) On a corner lot, the setback is 20 feet in the front, 15 feet along the flanking street and 5 feet on the interior side yard.
- 6) Minimum rear yard setback is 10 feet from the lot line, unless the lot is adjacent to common area, greenbelt or freeboard, in which case the setback is 5 feet.

**Restated Architectural Regulations of Desert Aire Owners Association**

3.07 Division 7

(a) Permitted Uses

- 1) Lots 1-26 Site built or manufactured single-family dwellings.
- 2) All lots adjacent to the airstrip will be allowed to have a hangar subject to the requirements set out in section 3.07 (c) below.
- 3) Recreational Vehicle Use: Refer to Section 2.02 above.

(b) Minimum Floor Area/Setbacks

- 1) Minimum floor area for any single-family dwelling/residence is 900 square feet.
- 2) Minimum width of a dwelling structure, other than singlewide manufactured homes, is 20 feet excluding carports, breezeways, patios, decks and porches.
- 3) Minimum front yard setback is 20 feet from the front property line for houses and attached garages. Detached garages or any utility structure shall have a minimum front yard setback of 25 feet.
- 4) Minimum side yard setback is 5 feet from interior lot lines.
- 5) On a corner lot, the setback is 20 feet in the front, 15 feet along the flanking street and 5 feet on the interior side yard.
- 6) Minimum rear yard setback is 10 feet from the lot line, unless the lot is adjacent to common area, greenbelt or freeboard, in which case the setback is 5 feet.
- 7) Airplane hangars are to be constructed at least 5 feet from the back property line (taxiway side).

(c) Airplane Hangar Requirements

- 1) Hangars are not to be used as dwellings.
- 2) Hangars may be constructed before the dwelling/residence provided that at least 4,000 square feet is allowed for the dwelling/residence and septic system. (6/28/08)
- 3) The height will be what is required to accommodate the needs of the airplane and in accordance with grant County Uniform Development Code (GCC) 23.04.645 "Airport Safety Overlay," which invokes Federal Aviation Regulations (FAR) Part 77 "Objects Affecting Navigable Airspace". No multiple story structure is allowed.

**Restated Architectural Regulations of Desert Aire Owners Association**

- 4) The exterior design must have straight sides with a gabled roof and must be closed in with at least two doors on opposite sides of the building. The street side door will act as an entry point in case of fire. The other door, on the taxiway side, must be of sufficient width and height to allow a fixed wing aircraft with the wings attached and capable of carrying one or more persons, to enter the building. Exterior siding must be of colored architectural metal, vinyl, wood, T-111, lap siding or an approved substantial equivalent. The roof must be of colored architectural metal or composition. No corrugated galvanized metal will be allowed.
- 5) Hangars must be situated so that the prop wash will not blow gravel onto the taxiway.

3.08 Division 8

(a) Permitted Uses

- 1) Lots 1-126 Site built or manufactured single-family dwellings.
- 2) Lot 127 Commercial.
- 3) Lots 128-174 Site built or manufactured single-family dwellings.
- 4) Recreational Vehicle Use: Refer to Section 2.02 above.

(b) Minimum Area/Setbacks

- 1) Minimum floor area for any single or multi-family dwelling/residence is 1100 square feet.
- 2) Minimum width of dwelling/residence structure is 24 feet, excluding carports, breezeways, patios, decks and porches.
- 3) Minimum front yard setback is 25 feet from the front property line.
- 4) Minimum side yard setback is 10 feet from interior lot lines.
- 5) On a corner lot, the setback is 25 feet in the front (address side of property), 15 feet along the flanking street and 10 feet from the interior side yard.
- 6) Minimum rear yard setback is 10 feet from the lot line.
- 7) Below ground swimming pools may be built to within five (5) feet of the rear lot line if adjacent to the common area of the golf course. A concrete apron or low deck (less than 18 inches in height) surrounding the pool may be built to the rear property line.

**Restated Architectural Regulations of Desert Aire Owners Association**

3.09 Division 9

(a) Permitted Uses

- 1) Lots 1-220 Site built of manufactured single-family dwellings.
- 2) Lots 141-154 and lots 215-220 are lots on which hangars may be built.
- 3) All lots adjacent to the airstrip will be allowed to have a hangar subject to the requirements set out in section 3.09 (c) below.
- 4) Recreational Vehicle Use: Refer to Section 2.02 above.

(b) Minimum Area/Setbacks

- 1) Minimum floor area for any single or multi-family dwelling/residence is 1100 square feet.
- 2) Minimum width of dwelling/residence structure is 24 feet, excluding carports, breezeways, patios, decks and porches.
- 3) Minimum front yard setback is 25 feet from the front property line.
- 4) Minimum side yard setback is 10 feet from interior lot lines.
- 5) On a corner lot, the setback is 25 feet in the front (address side of property), 15 feet along the flanking street and 10 feet from the interior side yard.
- 6) Minimum rear yard setback is 10 feet from the lot line.
- 7) Airplane hangars are to be constructed at least 5 feet from the back property line (taxiway side).
- 8) Below ground swimming pools may be built to within five (5) feet of the rear lot line if adjacent to the common area of the golf course. A concrete apron or low deck (less than 18 inches in height) surrounding the pool may be built to the rear property line.

(c) Airplane Hangar Requirements

- 1) Hangars are not to be used as dwellings.
- 2) Hangars may be constructed before the dwelling/residence provided that at least 4000 square feet is allowed for the dwelling/residence and septic system. (6/28/08)
- 3) The height will be what is required to accommodate the needs of the airplane and in accordance with grant County Uniform Development Code (GCC) 23.04.645 "Airport Safety Overlay," which invokes Federal Aviation Regulations (FAR)

**Restated Architectural Regulations of Desert Aire Owners Association**

Part 77 “Objects Affecting Navigable Airspace”. No multiple story structure is allowed.

- 4) The exterior design must have straight sides with a gabled roof and must be closed in with at least two doors on opposite sides of the building. The street side door will act as an entry point in case of fire. The other door, on the taxiway side, must be of sufficient width and height to allow a fixed wing aircraft with the wings attached and capable of carrying one or more persons, to enter the building. Exterior siding must be of colored architectural metal, vinyl, wood, T-111, lap siding or an approved substantial equivalent. The roof must be of colored architectural metal or composition. No corrugated galvanized metal will be allowed.
- 5) Hangars must be situated so that the prop wash will not blow gravel onto the taxiway.

3.10 Division 10

(a) Permitted Uses

- 1) Lots 1-11 Site built or manufactured single-family dwellings.
- 2) Lots 7-11 are lots on which hangars may be built.
- 3) All lots adjacent to the airstrip will be allowed to have a hangar subject to the requirements set out in section 3.10 (c) below.
- 4) Recreational Vehicle Use: Refer to Section 2.02 above.

(b) Minimum Area/Setbacks

- 1) Minimum floor area for any single or multi-family dwelling/residence is 1100 square feet.
- 2) Minimum width of dwelling/residence structure is 24 feet, excluding carports, breezeways, patios, decks and porches.
- 3) Minimum front yard setback is 25 feet from the front property line.
- 4) Minimum side yard setback is 10 feet from interior lot lines.
- 5) On a corner lot, the setback is 25 feet in the front (address side of property), 15 feet along the flanking street and 10 feet from the interior side yard.
- 6) Minimum rear yard setback is 10 feet from the lot line.
- 7) Airplane hangars are to be constructed at least 5 feet from the back property line (taxiway side).

## Restated Architectural Regulations of Desert Aire Owners Association

### (c) Airplane Hangar Requirements

- 1) Hangars are not to be used as dwellings.
- 2) Hangars may be constructed before the dwelling/residence provided that at least 4000 square feet is allowed for the dwelling/residence and septic system. (6/28/08)
- 3) The height will be what is required to accommodate the needs of the airplane and in accordance with grant County Uniform Development Code (GCC) 23.04.645 "Airport Safety Overlay," which invokes Federal Aviation Regulations (FAR) Part 77 "Objects Affecting Navigable Airspace". No multiple story structure is allowed.
- 4) The exterior design must have straight sides with a gabled roof and must be closed in with at least two doors on opposite sides of the building. The street side door will act as an entry point in case of fire. The other door, on the taxiway side, must be of sufficient width and height to allow a fixed wing aircraft with the wings attached and capable of carrying one or more persons, to enter the building. Exterior siding must be of colored architectural metal, vinyl, wood, T-111, lap siding or an approved substantial equivalent. The roof must be of colored architectural metal or composition. No corrugated galvanized metal will be allowed.
- 5) Hangars must be situated so that the prop wash will not blow gravel onto the taxiway.

### 3.11 Multi Family Zoned Areas and Condominiums

There are multi-family (RVR-2) zoned lots and areas designated as condominium lots in the plat map for Desert Aire. Any future development of these areas shall be subject to the prior approval of the Architectural Committee pursuant to Section 2.3 above and to these Architectural Regulations insofar as the committee deems them to be applicable to multi-family style developments and structures. Any multi-family structures, which are developed and constructed within these areas, shall be further subject to the requirements of all applicable state, county, and local building and other applicable laws, regulations, ordinances, and codes.

#### (a) Permitted Uses

- 1) Division 1 lots 339-362, 403-406, Division 5 lots 1-17 Site built, manufactured single-family or multi-family dwellings. For Division 1 see Section 3, 3.01 (b); Division 5 see Section 3, 3.05 (b).

**Restated Architectural Regulations of Desert Aire Owners Association**

- 2) Condominium lots 1-14 Site built, manufactured single-family or multi-family dwellings.
  - 3) Recreational Vehicle Use: Refer to Section 2.02 above.
- (b) Minimum Area/Setbacks
- 1) Minimum floor area for a single unit in a multi-family dwelling/residence is 1100 square feet.
  - 2) Minimum width of a dwelling/residence structure is 20 feet, excluding carports, breezeways, patios, decks and porches.
  - 3) Minimum front yard setback is 20 feet from the front property line for houses and attached garages. Detached garages or any utility structure shall have a minimum front yard setback of 25 feet. (6/23/07).
  - 4) Minimum side yard setback is 10 feet from interior lot lines.
  - 5) On a corner lot, the setback is 20 feet in the front, 15 feet along the flanking street and 10 feet on the interior side yard.
  - 6) Minimum rear yard setback is 10 feet from the rear lot line.

**3.12 Commercial Areas**

There are commercial areas designated in the plat maps for Desert Aire. Any future development of these areas shall be subject to these Architectural Regulations insofar as they are applicable thereto. Any commercial buildings or other structures or improvements, including the use thereof, shall be further subject to the requirements of all applicable federal, state, county, and local building, hazardous waste, and other applicable laws, regulations, ordinances, and codes. This excludes the Shopping Center Commercial sites that are not within Desert Aire but are using utilities supplied by Desert Aire.

## Section 4 Administration

### 4.01 General Intent

It is the intent of the Desert Aire Owners Association to provide uniform, equitable and reasonable standards to govern the usage of land and structures in the interest of the public health, safety and general welfare. It is the objective of the Association to provide for the highest and best use of lands consistent with the needs of most of the people within the limitations of Grant County zoning ordinances, the Declaration, the bylaws, and these Architectural Regulations.

### 4.02 Architectural Committee

The Architectural Committee has been appointed by the Board of Directors of the Association pursuant to the Association's Bylaws and the Declaration to implement and recommend enforcement of these Architectural Regulations to the Board of Directors.

### 4.03 Filing of Regulation

These Architectural Regulations or a memorandum thereof will be filed in the office of the Grant County Auditor together with the Declaration.

### 4.04 Amendment

These Architectural Regulations may be amended as follows:

- (a) The Architectural Committee may make recommendations to the Board of Directors for amendments to these Regulations. If the board approves the amendments, they will be placed on the agenda at a special meeting of the members of the Association called for that purpose or at the next annual meeting of the members of the Association. If approved by a majority vote of the members voting at such a meeting, such amendments will take effect immediately or as the members may otherwise direct.
- (b) The members of the Association may petition the Association to amend these Architectural Regulations, as follows:
  - 1) Such petition must be signed by not less than ten percent (10%) of the members.

## **Restated Architectural Regulations of Desert Aire Owners Association**

- 2) Such petition must be mailed or delivered to the board no later than sixty (60) days before the annual meeting or special meeting called for the purpose of considering the same.
- 3) The board will certify that the signatures on the petition are valid and that the proposed amendment is in proper form. The measure will then be placed on the agenda for a vote at the annual meeting, or any special meeting called for such purpose.
- 4) If approved by a majority vote of the members voting at such meeting, such amendment will go into effect immediately or as the members may otherwise direct.

### **Section 5 Enforcement**

The Architectural Committee will make recommendations to the Board of Directors on enforcement of these Architectural Regulations. In so doing, it will adhere to the following procedures:

#### **5.01 Correction Notice**

The Architectural Committee, upon finding a violation of these Architectural Regulations, will issue a correction notice, directed to the record owner of the lot upon which a violation exists. The correction notice will contain:

- (a) The street address and a legal description sufficient for identification of the premises upon which the structure or violation exists;
- (b) A brief and concise description of the conditions found to be in violation of these Regulations;
- (c) A statement of the action required to remedy the violation and the time within which such action must be completed; and
- (d) A statement advising (1) that any person having any record title or legal interest in the property or structure may request a hearing on the correction notice before the Board of Directors, provided that the request is made in writing and filed with the board within 30 days from the date of the notice, and (2) that failure to request a hearing will constitute a waiver of all right to a hearing and determination of the matter.

**Restated Architectural Regulations of Desert Aire Owners Association**

5.02 Correction Action

If the lot owner fails to take the required corrective action in a timely manner, the Board of Directors may take appropriate enforcement action.

**Section 6 Supersede Prior Architectural Regulations**

The Restated Architectural Regulations shall supersede in their entirety the Architectural Guidelines previously adopted and recorded by the Association effective upon the adoption and recording hereof by the Association.

ADOPTED this 24th day of June, 2000

AMENDED this 25<sup>th</sup> day of June, 2005

AMENDED this 23<sup>rd</sup> day of June, 2001

AMENDED this 24<sup>th</sup> day of June, 2006

AMENDED this 22<sup>nd</sup> day of June, 2002

AMENDED this 23<sup>rd</sup> day of June, 2007

AMEMDED this 26<sup>th</sup> day of June, 2004

AMENDED this 28<sup>th</sup> day of June, 2008

---

President  
ATTEST:

---

Secretary