

# Eaton Pagosa Estates

## Architectural Review Committee

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# CONSTRUCTION GUIDELINES

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## Introduction

All property in Eaton Pagosa Estates is subject to the Declaration of Protective Covenants. The Architectural Review Committee shall represent all property owners in matters of new construction and improvements or changes to exteriors of existing structures.

Approval by the ARC shall not be deemed to constitute compliance with the requirements of any local building codes, and it shall be the responsibility of the owner or other person submitting plans to comply therewith.

The ARC consists of three to five members appointed by the Board. The Committee shall have the right to charge persons submitting plans, other than the developer.

Eaton Pagosa Estates shall contain residences of varied architectural styles. No particular style is prohibited, however, flat roofs are not allowed. (See Protective Covenants). The committee shall judge each new residential plan in terms of its harmony of exterior design and location in relation to surrounding structures. In making its decision, the committee may evaluate the nature, kind, shape, height, color, materials and location of the structure.

**Plan sets detailing the proposed construction shall be prepared at the property owner's expense. A registered Colorado Architect or Professional Engineer must sign off on the plan set. These plans shall be drawn to scale, and shall include the following elements at a minimum:**

- **Site plan**
- **Grading plan**
- **Floor plan (for each level)**
- **Exterior building elevations**
- **Landscape plan**
- **Fencing plan, if any**

**The materials proposed for each exterior building element shall be called out on the plans. Dimensions, roof angles and heights, heated and non-heated square footage, building setbacks, etc. shall be clearly shown on the drawings. The property owner shall also**

**submit materials to clearly identify the proposed building's color scheme, which may include a materials sample board, color samples from material suppliers, color cut sheets, or color photographs of representative examples.**

**All construction, including driveways, shall be completed within 18 months of breaking ground.**

## Construction Guidelines

In order to ensure a safe, neat and orderly construction site, the ARC and Eaton Pagosa Estates have established certain construction and safety regulations for the benefit of Eaton Pagosa Estates owners and residents.

It is of the utmost importance that anyone conducting construction activities in the Eaton Pagosa Estates Subdivision exert extreme care in preventing conditions that are unsafe or could contribute to fire, negative impact to lakes or fisheries, or to other hazards.

- **Construction Trailers, Portable Field Offices, etc.**

Any owner or contractor who desires to bring a construction trailer, office or the like to an Eaton Pagosa Estates site shall first apply for and obtain a written approval from the ARC. The Committee will work closely with the owner or contractor to determine the best possible location. Such temporary structures shall be placed only in an approved location and shall be removed upon completion of construction. Reasonable appearance of office or trailer must be maintained.

- **Storage of Materials and Equipment**

Owners and contractors are permitted to store construction materials and equipment only on the construction site (owner's or builder's lot) during the construction period. Materials shall be neatly stacked, properly covered and secured. Any storage of materials or equipment shall be the owner's or contractor's responsibility, no security is provided by Eaton Pagosa Estates.

- **Damage or Trespassing**

Owners and contractors will not disturb, damage or trespass on other lots or open spaces (greenbelts). Should any such damage occur, it will be restored and repaired at the expense of the person or entity causing the damage.

Vehicles and delivery trucks shall not disturb or trespass on other lots. Concrete suppliers shall not clean their equipment on other lots or any part of Eaton Pagosa Estates. Contractor shall be responsible for any necessary removal and clean-up.

Damage and scarring to other property including, but not limited to, open spaces, roads, bridges, culverts, driveways and/or other improvements will not be permitted. If any damage occurs, it will be repaired and/or restored promptly to the satisfaction of the ARC and at the

expense of the person or entity causing the damage.

Removing any rocks, plant material, topsoil or similar items from other lots or open spaces within Eaton Pagosa Estates is prohibited.

- **Lots Bordering Lake Forest & Common Area Tracts**

The irrigation ditch bordering Lake Forest and Tract C must be safeguarded to prevent rupture or blockage, damage to the lake or lake shore plant life. Plastic mesh protective construction fencing must be installed above the irrigation ditch. This fencing must protect the ditch integrity, plant life at the waters' edge and the lake. Similar fencing should be installed during construction on lots bordering the spillway and floodway. The protective safeguards may be removed after the construction has been completed. The ARC shall have the authority to issue a written waiver of this requirement if they determine that the ditch and the lake will not be threatened.

Special Considerations for Lots 4 & 5: The 125' wide floodway crosses these lots. (See Plat map for floodway locations) Water flow during seasonal run-off periods must not be impeded by construction or improvements. Fencing may not cross the floodway. Ditches crossing the floodway to install utilities on these lots must be immediately closed and re-compacted to prevent erosion in the floodway.

- **Debris and Trash Removal**

1. Must maintain trash receptacle of sufficient size.
2. Trash and debris shall be covered or weighted down to prevent blowing off the construction site.
3. Trash and debris shall be removed from site weekly or as necessary.
4. Owners and contractors are prohibited from dumping, burying, or burning anywhere in Eaton Pagosa Estates during construction.
5. Dirt, mud, or debris resulting from construction activity on any construction site shall be promptly removed from public or private roads, open spaces or other portions of the subdivision. If not removed the contractor will be charged for its removal.

- **Construction Hours**

All construction activity shall be limited to the following hours: 7:00 a.m. - 9:00 p.m. Monday through Saturday. Interior work may proceed at any time if not producing noise which would disturb neighbors.

All lot owners in Eaton Pagosa Estates will be responsible for the conduct and behavior of their representatives, builders, contractors and subcontractors.

- **Portable Toilets**

Portable toilets are required at each construction site. Such facilities will be located only on the construction site.

- **Parking**  
Construction crews will not park on or otherwise use other lots or open spaces (greenbelts). Roads and streets shall not be blocked by private or construction vehicles or machinery at any time.
- **Trees**  
Any trees approved for removal during site excavation must be promptly cleaned up, cut and stacked as firewood, or removed from the site.
- **Excavation Material**  
Excess excavation material must be hauled off the project and Eaton Pagosa Estates.
- **Blasting**  
If blasting is to occur, the contractor must inform residents in the area.
- **Construction Permits**  
Construction permits are issued for a period of one year. Applicant may request one extension of six months to complete work.

Construction of new building and remodeling must be pursued with reasonable diligence continuously from the time of commencement until fully completed.

No building may be occupied during original construction.

Approvals by Eaton Pagosa Estates ARC and issuance of a building permit, as well as a county building permit, are required to start construction or site preparation. Requests for authorization to start site preparation before the issuance of a building permit must be made to the ARC.

Any agent or officer of the Eaton Pagosa Estates ARC may at any reasonable hour during construction or remodeling enter and inspect any construction or improvement project to ensure that it complies with the plans submitted to the ARC, Eaton Pagosa Estates Protective Covenants and Construction Guidelines. The ARC and any agent or officer thereof shall not be deemed guilty of any manner of trespass for such entry or inspection.

- **Contractor Deposit**  
Before a construction permit will be issued, the property owner's contractor must provide a **\$2,100.00 deposit** made out to Eaton Pagosa Estates Property Owners Association, to ensure compliance with the Construction Guidelines. This deposit shall be fully refundable upon completion of construction and satisfactory clean-up. However, this deposit may be used by EPEPOA during construction or after construction to ensure compliance. In that case, whatever portion of said deposit remains, if any, shall be refunded to the contractor.

ACKNOWLEDGMENT OF AUTHORITY OF EATON PAGOSA ESTATES

Lot# \_\_\_\_\_

Owner (please print) \_\_\_\_\_

TO: THE ARCHITECTURAL REVIEW COMMITTEE

The signatures below of all listed parties are acknowledgment to their receipt, review and acceptance of all terms and conditions presented in:

1. Declaration of Protective Covenants of Eaton Pagosa Estates
2. Architectural Review Committee Guidelines for Construction in Eaton Pagosa Estates
3. Final Plat of Eaton Pagosa Estates Subdivision

The applicant acknowledges Eaton Pagosa Estates' authority and responsibility to:

1. Stop any work in violation with the procedures defined in the above referenced materials
2. Stop any work not in compliance with the approved submittal to the ARC
3. Require correction and/or removal of any non-complying work at the owner's expense

OWNER (signature) \_\_\_\_\_

Date \_\_\_\_\_

DESIGNER/ARCHITECT (signature) \_\_\_\_\_

Date \_\_\_\_\_

NAME OF FIRM \_\_\_\_\_

Phone \_\_\_\_\_

CONTRACTOR/BUILDER (signature) \_\_\_\_\_

CONTRACTOR'S FIRM \_\_\_\_\_

CONTRACTOR'S PHONE \_\_\_\_\_

EATON PAGOSA ESTATES

ARCHITECTURAL REVIEW COMMITTEE

APPLICATION FOR EPE BUILDING PERMIT

Lot# \_\_\_\_\_ Lot physical address \_\_\_\_\_

Lot owner name (please print) \_\_\_\_\_

Owner mailing address \_\_\_\_\_

Home phone \_\_\_\_\_ Business phone \_\_\_\_\_ Fax \_\_\_\_\_

Contractor/Builder: Name (please print) \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_

Scheduled start \_\_\_\_\_ Scheduled completion \_\_\_\_\_

Proposed: Height from grade \_\_\_\_\_ Exterior color & material:  
Number of stories \_\_\_\_\_ Siding \_\_\_\_\_  
Living area (sq ft) \_\_\_\_\_ Roof \_\_\_\_\_  
Total area (sq ft) \_\_\_\_\_

Additional Information: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Owner(s) of Record (signature) \_\_\_\_\_

Date \_\_\_\_\_

FOR ARC USE ONLY:

\_\_\_\_\_ Construction Deposit Received (\$2,100.00)

<u>Name</u>	<u>Date</u>	<u>Approved</u>	<u>Approved w/ Conditions</u>	<u>Disapproved</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

ARC Permit Issued # \_\_\_\_\_ Date \_\_\_\_\_