

Eaton Pagosa Estates
Architectural Review Committee (ARC) Process Guide

This process guide was originally drafted by a board appointed committee in 2020, reviewed by membership and updated by the ARC in 2025 and adopted by the Eaton HOA Board on _____.

Abbreviations:

ARC	Eaton Architectural Review Committee
DPC	Eaton Declaration of Protective Covenants
EPE	Eaton Pagosa Estates
EPEPOA	Eaton Pagosa Estates Property Owners Association
EPEBOD	Eaton Pagosa Estates Board of Directors

Purpose and Authority:

- A. The ARC is charged with enforcement of all building land use and related covenants. (DPC-Article II Section 1)
- B. The ARC's overriding purpose is to maintain the appearance, appeal, and harmony of the neighborhood while protecting the property rights and property values for all property owners.
- C. It is the intention of the EPEPOA that the review process be used to ensure compliance with the governing documents of EPEPOA.
- D. The authority of the committee is provided under the DPC Articles II, IV, and V and the ARC construction guidelines.
- E. The ARC is available to assist the property owner with understanding the various governing documents, navigating the process, and providing suggestions to facilitate the overall building process. Regular communication is encouraged by all parties to avoid misunderstandings and potential conflict.
- F. This document applies to new construction and to property improvements and modifications.
- G. The ARC committee recognizes that the review process contains inherently subjective determinations; however, the ARC will attempt to apply objective criteria when making decisions and suggestions.

II. Membership & Duties

- A. The ARC will be comprised of three or five members appointed by the EPEBOD who currently own property in the neighborhood.
- B. Decisions of the ARC will be by majority opinion.
- C. The ARC will appoint a chairperson who will coordinate activities and delegate responsibility to various committee members based on their availability and skillset. The chairperson or should be prepared to provide status updates to the EPEBOD at every scheduled board meeting and to the membership during the annual meeting.
- D. The ARC shall review all applications for new construction and/or modification of existing residences within EPEPOA. Upon review, the ARC shall provide written communication to the property owner and retain records of all applications, communications, and decisions. The ARC chair shall be responsible for maintaining all records and shall pass them to the new ARC chair within two weeks of resignation/appointment. The EPE board president will be the default caretaker of the ARC records in the event the current or future ARC chair is unavailable.
- E. The ARC shall be the designated enforcement entity for any new construction or for any property improvement.
- F. Members of the ARC will receive no compensation for their service, although they can be reimbursed by the EPEBOD for reasonable expenses incurred in performance of their duties, if approved in advance by the EPE board president.

III. Review Process

- A. A pre-application review meeting between the property owner (and their representatives) and the ARC is available upon request. Requests can be made to any ARC member.
- B. Upon receipt of an application for building permit or modification, the ARC chairperson shall:
 - 1. Review the submission to ensure that the requirements listed in the ARC construction guidelines are met.

2. Send the owner or designated builder an email acknowledgement indicating receipt of the application within a 7-day period.
 3. Take photographs of property and road prior to construction (or improvement if applicable) commencement. This is to be used as a baseline for determining any potential penalty fees.
- C. If the minimum requirements are not met, a written correspondence to the property owner is required listing the deficiency and requesting a re-submission. The 30-day approval requirement listed below will not begin until the minimum requirements are met.
- D. The ARC chairperson shall distribute the application to each member of the ARC at the same time as acknowledgement is sent to the property owner.
- E. The ARC chairperson shall attempt to meet with the full ARC committee to review the plans, so that all the comments regarding a property are discussed in a committee setting and each committee member gains experience in the process and ensures that all ARC member voices are heard prior to making any decisions on a property.
- F. The ARC shall review the application for the following items:
- i. Compliance with Eaton DPC
 - ii. Compliance with EPE/ARC Construction Guidelines
 - iii. Verify builder's proof of liability and workmen's compensation insurance or owner's builder risk insurance.
- G. Although it is the intent of the ARC to enforce all provisions of the above guidelines, the following will be of particular concern:
- i. Engineered foundation
 - ii. Engineer and/or Architect sign-off of plans
 - iii. Square footage
 - iv. Building envelope usage
 - v. Building heights, and roofscapes
 - vi. Exterior materials and colors
 - vii. Site development, grading, and draining
 - viii. Landscape plan, and exterior lighting plan

- ix. Design integrity and visual appeal harmonious to the area (DPC Article IV Section 3; DPC Article VI Section 8)

IV. Approval Process

- A. The ARC shall complete its review of the application within 30 days of the email notification provided in Section III.
- B. The ARC shall assign ARC Permit Numbers according to YEAR/order number of applications for that year, for example: 2025/1 for the first application of the 2025 year or 2025/2 for the second application of the 2025 year. Additional notations may be made at discretion of ARC. The ARC chair shall maintain a log of all permits issued.
- C. The ARC shall provide the property owner a written reply with one of the following:
 - i. An approved signed copy of the submitted application, along with 1 copy of the documents provided in the application submission
 - ii. A declined application – specifying the area(s) that are not in compliance with the governing documents of EPEPOA.
 - iii. An - “approved with conditions” notification.
- D. In the case of variance/modification and time extension requests, the ARC shall complete its review of the application within seven days of the email notification provided in Section III.

V. Inspection Process

- A. The ARC may inspect all work in progress and provide notice of noncompliance at any time during the construction process; however, there are four required inspection points which require three business days advance notice to the ARC.
 - 1) Receipt and posting of building permit from county.
 - 2) Footings: ARC will review the dig and footing forms, prior to concrete pour, to see that it appears to conform with approved plans.
 - 3) Rough framing/windows: ARC will inspect the rough framing and window installation to see that it appears to conform with approved plan.

- 4) Final: Upon completion of the residence or improvement project, the property owner needs to request final approval and a refund of deposit. For new construction, the Certificate of Occupancy must be issued by Archuleta County, the driveway must be completed, and the site must be cleared of all construction materials and equipment. The ARC has a 30-day period in which to inspect all aspects of the completed project to verify compliance with the approved plan, including comparing pre-construction road photos to completed construction road photos.

B. The ARC will provide written notice of compliance and non-compliance at each stage listed above and keep records of such communication. Any non-compliance issues noted during inspection or at any stage during the process shall be documented and communicated to the homeowner/contractor. A recommended remediation plan shall be coordinated between the ARC and the homeowner/contractor. The ARC will make a good-faith effort to work with the homeowner/contractor to remediate the non-compliance prior to imposing a financial penalty.

C. The ARC must provide written communication to the property owner regarding any reasons for withholding deposit funds regarding a penalty, or a pending remediation. The returned funds and notice must be made within the same 30-day window as the final approval process.

VI. Dispute Resolution

A. Any dispute or disagreement with a decision provided by the ARC or with any complaint regarding communication or delays by the ARC must first be addressed by sending an email or letter to the entire ARC and requesting a review. The ARC will have 14 days to review and attempt to resolve the issues with the homeowner.

B. If the ARC and property owner are unable to resolve the issue, a request will be made by the ARC chairperson for EPEBOD review. This review will allow both the ARC and the property owner to address the EPEBOD and request a resolution to the dispute. The EPEBOD will have 14 days to schedule a meeting to review and attempt to resolve the issues.

C. Any member of the EPEBOD who has a conflict of interest, a direct personal interest or a financial interest in the outcome must recuse his/herself from discussing or voting on the issue.

C. If the ARC, property owner, and EPEBOD are unable to resolve the dispute, the ARC decision will be final. (DPC Article IV Section 3)

Example of Permit Log

Eaton Pagosa Estates ARC
Log of Permits Issued

Permit Number	Property Owner Name(s)	Date Issued	Notes