

NEW CONSTRUCTION GUIDELINES FOR EATON PAGOSA ESTATES including
Form 1 Application for Building Permit; Form 3 Request for Timeline Extension and
Form 4 Request for Variance/Modification to Previously Approved Plan

All property in Eaton Pagosa Estates is subject to:

- EATON DECLARATION OF PROTECTIVE COVENANTS (DPC)
- These EATON CONSTRUCTION GUIDELINES (CG)
- EATON NEIGHBORHOOD RULES AND REGULATIONS (ERR)
- THE PLPOA IMPROVEMENT DESIGN STANDARDS(PLPOA)
- PLPOA NEIGHBORHOOD RULES AND REGULATIONS (PLPOA RR)

The Architectural Review Committee (ARC) shall represent all property owners in matters of new construction and improvements or changes to exteriors of existing structures.

Applicant shall complete FORM 1- APPLICATION FOR NEW BUILDING PERMIT

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.

Eaton Pagosa Estates shall contain residences of varied architectural styles. No particular style is prohibited; however, flat roofs are not allowed. (DPC Article VI Section 7). 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. A COLORADO LICENSED ENGINEER MUST SIGN OFF ON THE FOUNDATION PLAN. 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

Updated by 2025 ARC. Approved by EPEBOD September 9, 2025

- Landscape plan including compliant exterior lighting (ERR)
- 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 unless an exception is granted by the ARC.

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.

In the event the applicant does not adhere to these CONSTRUCTION GUIDELINES, the ARC may impose a financial penalty to be deducted from the contractor deposit. See PENALTIES/ENFORCEMENT section for more information.

VARIANCES/MODIFICATIONS FROM APPROVED PLANS

In the event changes need to be made during the building process from the already approved plans, FORM 4- REQUEST FOR VARIANCE must be submitted to the ARC for approval. The ARC may allow reasonable variances and adjustments to overcome practical difficulties and prevent unnecessary hardships during the building process, provided such is done in conformity with the intent and purposes of the protective covenants and neighborhood rules and not materially detrimental or injurious to other property or improvement in the neighborhood.

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 TRESSPASSING

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. The contractor deposit may be withheld to cover the cost of any repairs in the event the contractor or property owner does not restore damage to the satisfaction of the ARC.

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 AND 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 MATERIALS

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

Construction should be completed within 12 months (DPC Article VII Section 6); however the ARC may issue construction permits for a period of 18 months to allow for building challenges such as weather and supply chain issues. In the event additional time is needed to complete the project beyond 18 months, the applicant will be required to submit a FORM 3 - REQUEST FOR TIMELINE EXTENSION. This first request will incur no additional filing fee. In the event additional time is needed to complete the project beyond 24 months, the applicant will be required to submit an additional FORM 3 - REQUEST FOR TIMELINE EXTENSION and will be required to pay non-refundable filing fee for each six-month timeline extension request beyond the 24 months.

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 new home construction permit will be issued, the property owners' contractor must provide a \$5000 deposit made out to Eaton Pagosa Estates Property Owners Association (EPEOA), to ensure compliance with the Construction Guidelines. The \$5000 deposit may be used by EPEOA during construction or after construction to ensure compliance. This deposit shall be fully refundable upon completion of construction and

satisfactory clean-up and repair. Whatever portion of said deposit, minus any penalties and/or damage repairs shall be refunded to the contractor/property owner.

ENFORCEMENT/PENALTIES

In the event the applicant does not comply with the CONSTRUCTION GUIDELINES, the ARC will communicate with the homeowner/contractor and give an opportunity for timely correction. If an amicable resolution cannot be reached, and/or if an appropriate corrective action is not performed voluntarily, a written notice shall be issued and the ARC may impose financial penalties to be deducted from the contractor deposit.

Listed below are the financial penalties that may be imposed for NOT complying with the requirements in these areas of the Construction Guidelines after being given an opportunity for correction:

- VARIANCE: \$500
- CONSTRUCTION TRAILERS, PORTABLE FIELD OFFICES ETC.: \$200
- STORAGE OF MATERIALS AND EQUIPMENT \$200
- DAMAGE OR TRESSPASSING: \$200
- LOTS BORDERING LAKE FOREST: \$500
- DEBRIS AND TRASH REMOVAL: \$50-\$500
- CONSTRUCTION HOURS: \$200
- PORTABLE TOILETS: \$200
- PARKING: \$100
- TREES: \$500
- EXCAVATION MATERIALS: \$50-\$100
- BLASTING: \$500
- CONSTRUCTION PERMITS: \$200

As stated in the Eaton Rules and Regulations, other non-compliance not specifically listed here will follow the PLPOA's Neighborhood Rules and Regulation Enforcement procedure.

FORM 1 (Two Pages- Please Print)
APPLICATION FOR EATON PAGOSA ESTATES BUILDING PERMIT

Lot # _____

Lot physical address: _____

Lot owner name: _____

Owner mailing address: _____

Home phone: _____

Contractor/Builder: Name: _____

Address: _____

Phone: _____

Attach:

- Proof of liability and workman's compensation insurance or owner's builder risk insurance
- Two complete sets of plans
- \$5000 construction deposit

Scheduled start date _____ Scheduled completion _____

Height from grade: _____ Number of stories: _____

Living area sq.ft: _____ Total area sq.ft: _____

Siding color: _____ Siding materials: _____

Roof color: _____ Roof materials: _____

Roof pitch: _____ (preferably no less than 2/12)

Additional information: _____

FORM 1 Continued ACKNOWLEDGEMENT OF AUTHORITY OF EATON PAGOSA ESTATES

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

- Declaration of Protective Covenants of Eaton Pagosa Estates
- Architectural Review Committee Construction Guidelines in Eaton Pagosa Estates
- Final plat of Eaton Pagosa Estates

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

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

Owner Signature: _____

Date: _____

Contractor/Builder Signature: _____

Contractor/Builder Firm: _____

Contractor/Builder Phone: _____

Date: _____

Designer/Architect Signature (if applicable) _____

Name of Firm: _____

Date: _____

NEW CONSTRUCTION APPROVAL CHECKLIST (For ARC use only)
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Date Reviewed: _____

Owner's Name(s): _____ Lot #: _____

Authorities:

- Current Declaration of Protective Covenants of Eaton Pagosa Estates Subdivision (DPC)
- Eaton Pagosa Estates, Architectural Review Committee Construction Guidelines (CG)
- Eaton Neighborhood Rules and Regulations (ERR)
- Pagosa Lakes Property Owners Association, Improvement Design Standards & Project Permit Process (PLPOA)
- PLPOA Neighborhood Rules and Regulations (PLPOA RR)
- Archuleta County Land Use Regulations (Arch)

Plans include:

- _____ Foundation stamped by CO licensed engineer (DPC Art.VI Sec.4)
- _____ Plans signed off by either CO licensed architect or licensed engineer (DPC Art IV, Sec.2)
- _____ Site plan conducted by CO registered professional land surveyor IF proposed construction is within three feet of setback line or if a setback variance is granted, (PLPOA 3.1.1.1.4)
- _____ Site plan with drainage (PLPOA 3.1.8.3.1 and 3.1.9) and grading (CG) plan
- _____ Permanent structure not moved from other location (DPC Art VII Sec.5)
- _____ Plot plan showing location on of building, walls, fences (DPC Art IV Sec. 2)
- _____ Floor plan for each level (CG)
- _____ Exterior building elevations (CG)
- _____ Facia and trim that is a minimum of ¾ in. thick (PLPOA 3.1.13.2)
- _____ A covered first floor front or street view entry to residence with a minimum of 32 sq. ft. designed to avoid snow dump or ice buildup (PLPOA 3.1.14)
- _____ Landscape plan
 - _____ identifying any tree removal (CG and DPC Art. VI Sec. 7)
 - _____ identifying fully shielded exterior lighting (ERR Exterior Lighting; PLPOA Rules F 17; PLPOA 3.1.16; Arch 5.4.4):
 - _____ Lighting is fully shielded (12 lumens or less are exempt from shielding requirements).

- _____ Lighting does not repass beyond the property line or infringe onto the neighboring properties.
- _____ Light fixtures attached to the house shall not exceed the height of the eave or 12 feet whichever is less.
- _____ Fencing plan, if applicable, that is not chain link (DPC Art. VI Sec. 13)
- _____ Building setbacks (CG)
- _____ Single family residence only with no unattached outbuildings or structures (DPC Art. III Sec. 2)
- _____ No flat roofs -preferably no less than a 2/12 pitch (DPC Art. VI Sec. 7)
- _____ Identification of roof angles, heights and materials (CG and DPC Art. VI Sec. 7)
- _____ Maximum building height not exceeding 35 ft. (DPC Art. VI Sec. 6)
- _____ Exterior walls contain (CG and DPC Art. VI Sec. 8)
 - _____ no sheet metal, metal material or similar materials
 - _____ no composition shingles, unplastered cement or similar type block
- _____ Residential living space equal to or greater than 2000 sq feet not to include garage (DPC Art. 6 Sec. 5)
- _____ Garage and living space equal to or greater than 2400 sq. Ft (DPC Art. 6 Sec. 5)
- _____ Garage that it attached (DPC Art. VI Sec. 19)
- _____ Driveway that is paved with concrete or asphalt, no gravel (DPC Art. VI Sec. 14)
- _____ If multiple stories (DPC Art VI Sec. 5)
 - _____ main floor is a minimum of 1600 sq ft.
 - _____ second or upper floors minimum of 600 sq ft
 - _____ if applicable, ARC approval received if less than above size requirement
- _____ If applicable, all service/utility areas of yard including garbage can and trash storage are screened from view of other property owners (DPC art. VI Sec. 9)
- _____ No above ground propane tanks (DPC art. VI Sec. 9)
- _____ If applicable, antennae screened from view on all sides in keeping with terrain and environment (DPC art. VI Sec. 11)
- _____ A style in harmony with surrounding area. (DPC Art. IV Sec.3 and 8)
- _____ Materials in harmony with general surroundings (DPC Art. VI Sec. 3 and 8)
- _____ All colors of exterior walls and roofs are natural or earth tones and blend with natural surroundings. (DPC Art. VI Sec.3 and 8)
- _____ Trim color not blending with natural surroundings is approved by ARC. (DPC Art. VI Sec.3 and 8)
- _____ Structural features and roof configurations do NOT have the same or substantially similar elevations to other properties in close proximity. (PLPOA 3.1.24)

APPROVAL

_____ Construction deposit received

_____ Approved for 12 months OR

_____ Approved for 18 months

ARC Member Name	Date	Approved	Approved With Conditions	Disapproved

Specify conditions:

ARC Permit Issued # _____ Date: _____

INSPECTIONS PROCESS (For ARC use only)
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1. County Building Permit

Date reviewed: _____

ARC members reviewing: _____

____ Permit posted

____ Permit NOT posted

Notes

2. Footings Framing

Date reviewed: _____

ARC members reviewing: _____

____ Appears to conform to ARC approved plan

____ Road has been maintained

____ Variance required

____ Variance approved

____ Variance disapproved

Notes

3. Rough Framing

Date reviewed: _____

ARC members reviewing: _____

____ Appears to conform to ARC approved plan

- ☐ Road has been maintained
- ☐ Variance required
- ☐ Variance approved
- ☐ Variance disapproved

Notes

4. Final

Date reviewed: _____

ARC members reviewing: _____

- ☐ Appears to conform to ARC approved plans
- ☐ Exterior work completed including paved driveway
- ☐ Road has been maintained
- ☐ Any road damage is repaired to original condition or better
- ☐ Drainage plan implemented
- ☐ Exterior lighting is fully shielded
- ☐ Received Certificate of Occupancy from county
- ☐ Variance required
- ☐ Variance approved
- ☐ Variance disapproved

Notes

Final deposit (CG)

- ☐ Refunded (date) _____
- ☐ Other (date) _____

FORM 3 - REQUEST FOR TIMELINE EXTENSION

- Request for first six-month extension beyond 18 months: no filing fee required
- Request for second six-month extension: \$500 non-refundable filing fee to apply to new construction
- Request for third or more six-month extension(s): \$1000 non-refundable filing fee to apply to new construction

Lot # _____

Lot owner name: _____

Owner mailing address: _____

Home phone: _____

Contractor/Builder: Name: _____

Address: _____ Phone: _____

Additional information: _____

Owner Signature: _____ Date: _____

ARC Member Name	Date	Approved	Approved With Conditions	Disapproved

Specify conditions: _____

ARC Permit Issued # _____ Date: _____

FORM 4 - REQUEST FOR VARIANCE/MODIFICATION TO PREVIOUSLY
APPROVED APPLICATION

Lot # _____

Lot owner name: _____

Owner mailing address: _____

Home phone: _____

Contractor/Builder: Name: _____

Address: _____

Phone: _____

Additional information: _____

Owner Signature: _____ Date: _____

DESCRIPTION OF VARIANCE/MODIFICATION:

How it will overcome a practical difficulty and prevent unnecessary hardship:

How this will not be detrimental or injurious to other Property Owners:

How it conforms to the intent and purpose of the Declarations of Restrictions:

ARC Member Name	Date	Approved	Approved With Conditions	Disapproved

Specify conditions: _____

ARC Permit Issued # _____ Date: _____