

# **ARCHITECTURAL DESIGN REVIEW CRITERIA FOR HARMAN PARK SUBDIVISION**

## **INTRODUCTION**

Harman Park Subdivision is a common interest community as defined in the Colorado Common Interest and Ownership Act (the "Act"). References herein to the Association shall mean the Harman Park Owners Association, Inc. Definitional terms shall correspond to the definitions in the Declaration unless otherwise defined herein.

These Design Review Criteria (the "Guidelines") have been adopted to give direction to builders, designers and owners in preparing plans and designs that reinforce the appearance of a quality common interest community. These Guidelines apply to new construction as well as modifications, additions and alterations made on or to existing improvements.

Due to unique characteristics of certain lots, certain additional special requirements, relating to site planning, landscaping, fencing, or any other facet of new construction, may be imposed by the Architectural Review Committee (ARC) during the review process. The ARC may determine that what is acceptable in one situation may not be acceptable in another.

## **INCORPORATION OF TOWN OF PAGOSA SPRINGS DEVELOPMENT STANDARDS.**

These Guidelines expressly incorporate the Development and Design Standards of the Land Use and Development Code (the "Standards") of the Town of Pagosa Springs (the "Town") and the ARC may review all applications in accordance with the Town Standards and deny submittals on the basis of non-compliance with the Town Standards. These Guidelines may, in some cases, be more restrictive than the Standards required by the Town and, in such instances; the more restrictive standards shall apply. The ARC is NOT required to accept variances in design Standards that may be granted by the Town if those variances are non-compliant with these Guidelines or if the ARC does not deem a variance from the Town Standards to be appropriate. Lot Owners should understand that a variance under the Town Standards does NOT automatically result in a variance under these Guidelines.

## **ADMINISTRATION OF GUIDELINES**

The design review procedures are described below and are administered by the Architectural Review Committee (ARC). The ARC is composed of at least three members appointed by the Executive Board as provided in the Amended and Restated Declaration of Covenants, Conditions And Restrictions For Harman Park Subdivision (the "Declaration").

The ARC recommends that each lot owner retain the services of a qualified builder, architect or residential designer to assist in the design process and in compliance with these Guidelines. If owner and builder are the same, they should thoroughly review these guidelines to make sure the improvements meet these guidelines.

The Declaration, Article 6, gives the ARC broad discretion in reviewing and approving plans and in describing the array of considerations, which the ARC should take into account in reviewing submittals. The purpose of these Design Guidelines is to specify, in more detail, the submittal requirements for various proposed improvements within the Harman Park Subdivision, the procedures, which will be followed by the ARC in reviewing the submittals, and the information which the ARC expects relative to each aspect of construction and improvement within the Harman Park Subdivision.

The ARC may delegate its plan and design review responsibilities, except final review and approval, to one or more of its members or architectural consultants or builders retained by the ARC. The ARC will serve without compensation except that all ARC members shall be entitled to reimbursement for reasonable expenses incurred by them in connection with their duties. Professional consultants retained for assistance in the review process shall be paid such compensation as determined by the ARC.

## **EXEMPTIONS**

Certain improvements and buildings were constructed and completed prior to the formation of the Association and the establishment of these Guidelines. The existing buildings, improvements, and landscaping located on the Lots described below are exempt from these Guidelines. Notwithstanding the foregoing, these Guidelines shall apply and the ARC must approve any new improvements or modifications to be constructed to said lots.

Lot 1 (Wells Fargo Bank Building)

Lot H-8 (Anglican Church)

Lots D-1X (Pagosa Bible Church)

## **GENERAL ARCHITECTURAL REVIEW COMMITTEE PROCEDURES**

### **I. GENERAL**

#### **A. REVIEW OF APPLICATION.**

Meetings of the ARC are open to applicants and their authorized representatives. The ARC will respond to the Applicant in writing no later than thirty (30) days after the date of submittal, provided the submittal is a "complete" submittal and the submitted documents are in accordance with the requirements of this document. Submittal documents will not be reviewed unless any applicable submittal review fee is paid and all assessments are paid.

#### **B. COMMUNICATIONS**

The basis of the ARC review process is the submittal that must always be in writing. Applicants and/or their representatives are encouraged to attend the ARC meetings in order to facilitate the review process. Responses to an ARC finding should be in writing and may be sent to the ARC or provided personally by the applicant at an ARC meeting.

Any Submittal Form presented to the ARC as required by or within the Guidelines (including "initial" and any "additional" submittals) shall be acted upon by the ARC as follows:

- approved with no conditions;
- approved with conditions listed; or
- disapproved.

#### C. LIMITS OF APPROVAL

Approval of plans by the ARC shall not be deemed to constitute compliance with the requirements of any local building, zoning, safety, health or fire codes. It shall be the responsibility of the applicant to assure such compliance. Nor shall any approval waive any requirements on the part of the applicant or his agent to comply with applicable setbacks, height restrictions, or other design requirements required by the Town unless a waiver or variance is specifically requested at the time of submittal and that waiver or variance is properly granted by both the ARC and the Town.

#### D. TIME LIMITATION OF APPROVALS

Final approval of plans for a proposed Improvement is valid for twelve (12) months. Final approval of plans for additions, decks, patio/deck covers, ancillary improvements and landscape improvements are valid for twelve (12) months. Construction must begin within this period and must be completed within one (1) year after the date the work is commenced. If construction is not begun within the designated time, plans must be resubmitted and reviewed a second time.

#### E. NON-LIABILITY OF THE ARC

Neither the ARC, individual ARC members, nor the Executive Board of the Association and/or its individual members, shall be liable for damages to anyone submitting plans to them for approval, or to any owner or applicant by reason of mistake in judgments, negligence or nonfeasance arising out of, or in connection with the approval or disapproval or failure to approve any plans, specifications or descriptive documentation. Every applicant who submits plans or descriptive documentation to the ARC for approval agrees, by submittal of such documents, that they will not bring action or suit against the ARC, individual ARC members, the Executive Board of the Association, Inc. and/or its individual members, to recover damages.

#### F. VARIANCES

Upon the request of the Owner/applicant, the ARC may refer to the Association's Executive Board, a request for variance from strict compliance with any of these Guidelines so long as such variance is in reasonable compliance with the Guidelines and the Owner/application shows extreme hardship (other than economic hardship) resulting from compliance with the Guidelines. Any request for a variance shall be in writing and shall include a completed application form, a description of the specific provisions for which a variance is being sought, a detailed description of the nature and scope of the variance, the relevant facts that the Owner/applicant believes would justify the variance, and the identification of any adverse impacts, including impacts on views from adjacent lots, that might result from an approval of the variance. The Executive Board may approve or deny any request for a variance at a duly called meeting of the Executive

Board. If any variance is granted, with or without conditions, such approval will not result in a violation of these Guidelines. The granting of any such variance shall NOT operate as a waiver of any of the terms and provisions of these Guidelines for any purpose except as to the particular provisions covered by the variance.

## **II. DESIGN AND CONSTRUCTION OF NEW IMPROVEMENTS AND FACILITIES**

### **A. OVERVIEW**

This section outlines the procedures and requirements for making an application to the ARC for the construction of new buildings or the main facilities to be located on the lot, including outdoor recreational type facilities.

1. The applicant shall make and submit to the ARC:
  - an Initial Submittal for ARC review
  - an Acknowledgment of Authority of the Association
  - a Final Submittal if required.
  - a builders/owners Statement of Completion

### **B. GUIDING DOCUMENTS**

1. Amended and Restated Declaration of Covenants, Conditions And Restrictions For Harman Park Subdivision and any amendments thereto.
2. Design Review Criteria for Harman Park Subdivision
3. Final Plat for Harman Park Subdivision.
4. Town of Pagosa Springs applicable Development and Design Standards of the Land Use and Development Code.

### **C. SITE DEVELOPMENT**

#### **1. Location of all Improvements**

The location of new construction improvements shall be in accordance with the requirements of the guiding documents described above. Improvements shall be located within any designated setbacks as shown on the Plat. Fencing may be allowed outside the setbacks. Well defined entrances, access drives, public areas and pedestrian linkages should be incorporated into the design.

#### **2. Conservation and Protection of Existing Natural Features**

Every effort shall be made to conserve and protect trees, natural drainage ways, wetlands, topsoil, rock formations and unique landscape features. The applicant shall indicate on the site plan any trees to be removed as part of the proposed construction.

### 3. Grading, Drainage and Erosion Control

All grading, drainage and erosion control on and within a Lot shall be subject to approval of the ARC which shall follow all applicable Town Standards. Drainage naturally flows to the NE corner of the subdivision.

All graded slopes shall be rolled back into existing slopes so that no sharp contrast exists between existing and disturbed slopes. When grading on a lot is proposed to extend beyond the lot line, including onto open space, prior approval shall be obtained in writing from the ARC. The owner must promptly restore the disturbed areas, at his own expense, as directed by the ARC.

The control and management of all drainage and storm water on or within a Lot shall be subject to the Town's applicable regulations. Owners shall be responsible for compliance with the terms and conditions of the any storm water management plan during all periods of ownership of a Lot, whether the Lot is vacant or whether Improvements have been constructed thereon.

### 4. Setting Finish Floor Elevations.

In order to limit the amount of site grading and to control the visual impact of Improvements on the streetscape and community in general, all Ground Floor Finish Floors shall be in reference to the central line grade of the drive from which the site is accessed. This information will be placed on the required site plan submittal.

### 5. Retaining Walls

Retaining walls shall be as low as possible and integrated into the overall site development plan. Terracing shall be used in order to minimize each wall height. Walls shall be constructed with materials sufficient for retaining purposes and shall blend in with natural surroundings.

### 6. Fencing

No perimeter/boundary fencing shall be permitted with the exception of "invisible" dog fencing and with the exception of the southern and southeastern boundaries of the subdivision.

No fencing shall be permitted within drainage or utility easements or within front yards.

Underground "invisible" dog fencing shall be permitted.

Recommended fence materials: Treated wood dowels, rail fencing, and limited use of wrought iron.

Chain link fencing is prohibited except that, for specific purposes, chain-link may be permitted internally within a Lot to cover smaller areas such as playgrounds.

All fencing shall be left natural, except an application of clear sealer may be permitted.

Fencing shall have its finished side facing outward.

Privacy patio-type fencing of up to six feet in height shall be allowed. Screens for back patios will be considered for approval on an individual basis. Screen material should match the building exterior material or be natural wood, maximum height 60", maximum length 40'. Screens must be constructed such that the finished side faces outward. Ideally, screens should act as an extension of the building massing and materials.

So long as Lot G is utilized for outdoor paintball operations, perimeter netting (black in color) shall be permitted so long as within at least 15 ft of the property line.

7. Utilities.

Utilities shall be installed with minimum disturbance to existing site conditions. Any tap fees or hook ups are the responsibility of the lot owner. No overhead wiring is permitted. All ground mounted utility meters, transformers and pedestals must be setback a minimum of 10 ft from the adjoining street and screened to minimize visibility.

8. Site Landscaping

Prompt landscaping is very important for both erosion control and to provide a finished appearance. The minimum landscaping that will be required and the timing of installation is outlined below in "Landscape Design and Construction".

D. BASIC DESIGN GUIDELINES FOR BUILDINGS

1. Height Restrictions

Height limitation shall be thirty-five feet (35') from finished grade (as defined by the Town) to the highest ridge. Chimneys and other minor architectural features may be exempt from this height limitation at the discretion of the ARC. The maximum allowable height for any accessory structure is 20 feet.

2. Square Footage

There is no minimum or maximum square footage; however, the ARC reserves the right to prohibit massive structures.

3. Permitted Uses

Uses are as allowed by applicable Town zoning except that certain commercial uses are prohibited as provided in Section 9.17 of the Declaration.

4. Architectural Style

Proposed buildings should incorporate quality of design and materials, sensitivity to and compatibility with the surroundings. Buildings with an unfinished appearance design are not permitted. General guidelines are as follows:

Exterior materials should generally be natural materials that blend and are compatible with native landscape.

Predominant exterior materials shall consist of wood or native stone.

Metal or fiberglass siding, vinyl, or combinations of the foregoing may be used so long as such materials are not the predominant exterior surface of the building and provided such materials are primarily used as accent materials.

## 6. Colors and Materials

The predominant color appearing on any building shall be a natural, warm, "earth tone" approved by the ARC. The ARC will permit compatible accent blends ("Trim Color") on facia, trim, columns, and other structural elements.

All projections, including but not limited to chimney flues, gutters, downspouts, decks, exterior railings and stairways, and the like shall match the permanent color of the surface from which they project, or harmonize or be compatible with the architectural style of the building. The use of approved Trim Color on such projections shall also be permitted.

## 7. Roof Construction and Materials

Roof pitch shall be consistent with the architectural style of the proposed building. Flat roof designs shall not be permitted unless integrated with a parapet wall typical with southwestern style architecture.

Minimum roof overhangs at all eaves shall be 12 inches.

Dormers shall be in proportion to the overall scale of the roof.

Roof materials will be approved on a case by case basis. Approval by the ARC will be based on compatibility with the scale, architecture, and materials of the dwelling and on the visual impact of the roof when seen from the lot, neighboring lots, roads and open spaces.

Roof colors shall be low reflectance and consist of earth tone colors, namely, browns, charcoals, darker greens and matte finish.

All rooftop mechanical units, communication equipment and similar devices must be enclosed or screened from view with the same materials as the exterior of the building exterior or enclosed in a manner that is integral to the building architecture.

## 8. Windows and Doors

Windows and doors shall be consistent in proportion, detailing and expression on all exterior elevations

Windows shall be clear glass. Highly reflective glass tinting shall not be used.

Window frames, if applicable, shall be factory finished, painted or clad with a color consistent with the design character of the building and other trim colors.

## 9. Exterior Equipment

All exterior equipment, including but not limited to gas and electric meters, electrical distribution equipment shall be incorporated into the overall design of the dwelling or be permanently enclosed

by a material approved by the ARC. Free-standing equipment, such as air conditioning compressors shall be appropriately located and adequately screened. Adequate screening consists of landscaping and enclosure walls to prevent an unreasonable level of noise and to conceal the equipment from view of adjacent lots and roads.

#### 10. Exterior Lighting

All exterior lights are subject to the approval of the ARC. Approval will be based on the visual impact of the lights on the lot, neighboring lots, dwellings, roads, and open spaces. No permanent exterior lighting of any dwelling shall be installed or maintained which is intrusive to neighboring lot or lots, the open space, or roads, or which lighting is not otherwise in conformity with these standards. Light source as used here is defined as the actual light bulb.

Exterior lighting shall be subdued. Subdued lighting is defined as light fixtures with low wattage lamps, installed for the purpose of illuminating entrances, decks, and driveways. Acceptable fixture types include fully recessed down lights, low voltage landscape lighting, step lighting or pathway lighting, and wall bracket lights with either a completely shielded light source or that utilize a frosted or translucent material. To preserve the dark skies, lights shall be downward-facing and/or the upper portion of globe-type or similar fixtures shall be shielded to prevent excess light from shining upwards.

No neon lighting shall be permitted. Security lighting or motion sensor lighting shall be permitted only at the discretion of the ARC and shall not be obtrusive to neighboring lots.

#### 13. Paved Surfaces

All driveways and parking lots shall be paved with concrete or asphalt. Materials used to create special paving patterns are subject to ARC approval.

#### 14. Access/Circulation

Site and building design must accommodate pedestrian circulation on site from parking areas to pedestrian pathways and adjoining buildings. All sidewalks and parking areas must meet the Standards of the Town with respect to drainage and watershed. Sidewalks must provide for handicap access and must be constructed of concrete or other approved materials. Parking shall comply with the minimum requirements of the Town as contained within the Standards.

#### 15. Signage

Signage must comply with the Standards of the Town. No neon signage is permitted.

### E. SUBMITTAL REQUIREMENTS

#### 1. General Submittal Requirements

Plans, specifications and other descriptive documentation shall be submitted to the ARC as specified and in accordance with the following submittal and review procedures. All materials submitted shall remain the property of the ARC until construction is complete.



The ARC will not review incomplete submittals. Copies of the New Improvements and Facilitates Submittal Application Form and the Checklist can be found in the Appendix.

Acceptance of a submittal by the ARC does *not* imply that the submittal is complete. If the ARC finds that a submittal is incomplete, it will disapprove the submittal and inform the applicant of the deficiencies.

## 2. Initial Submittal

A Submittal Application Form and a Checklist shall be completed by the applicant at the time of submittal.

The applicant must submit drawings and other descriptive documents describing the proposed project that comply with the requirements of the New Dwelling Checklist. **A submittal review fee (nonrefundable) of six hundred dollars (\$600.00) must accompany this submittal.**

### a. Document Submittal:

- i. A Site Survey indicating locations and elevations of adjacent roads and large rocks or rock outcrops; indicating the location and size of trees affected by the proposed improvements.
- ii. A Site Plan drawn at no less than 1" = 20'-0" scale, indicating the location of new construction dimensioned to the front and one side lot line; showing existing and proposed topography in the area of new construction; including a grading plan; including a drainage plan; showing all easements, setbacks and height restrictions; showing driveway location and driveway grade; giving an indication of entry and basement or walkout finished floor elevations.
- iii. Floor Plans (preliminary floor plans are acceptable) and a Roof Plan drawn at no less than 1/8" = 1'-0" scale.
- iv. Exterior Elevations at the same scale as the floor plans with both existing and proposed grade lines labeled.
- v. Exterior Details including chimneys, stairs, deck railings and deck supports.
- vi. Landscaping Plan per the requirements of Section III "Landscape Design and Construction". (\*Not required in initial submittal but must be provided prior to completion in order to obtain ARC final approval.)

- vii. Material Samples: The applicant shall submit samples of all finished materials and colors. Samples and cut sheets must be presented clearly marked with applicant's name and filing and lot number. Samples of manufactured items must be identified with the manufacturer's name and color name.
- viii. Exterior Lighting "cut sheets" from the manufacturer describing all proposed exterior lighting, including a fixture drawing or photograph, shall be submitted for approval.
- ix. Any Ancillary Improvements if contemplated on the Lot must be shown on the initial submittal.
- x. Authority of Association: A copy of the Acknowledgment of Authority of Association Signed by the owner/builder shall accompany each initial submittal. By signing this form all parties agree that the ARC has the authority and responsibility to stop any or all work where a violation of approved plans occurs and may require correction or removal of any violation at the owner's expense. Prior to commencement of construction, the building Contractor must also sign this Acknowledgment of Authority.

### 3. Review of Initial Submittal

The ARC will review the initial submittal and provide a written response to the applicant no later than thirty (30) days after receipt of the submittal.

### 4. Additional Submittals - If Required

In the event of disapproval or approval with conditions of the submittal by the ARC, the applicant may submit modified documents following the same procedure as an original submittal.

### 5. Review of the Additional Submittals

The ARC will review the additional submittals and provide a written response to the applicant no later than thirty (30) days after receipt of the submittal.

### 6. Compliance Deposit

After approval of the submittal but prior to start of construction the Owner/Builder shall pay the Association a deposit of **One Thousand Five Hundred Dollars (\$1500.00)**. The ARC, from time to time, may, in its discretion, increase the amount of the deposit if increases are necessary in light of increased cost and risk to the Association. This amount will be held in escrow until Builder/Owner Statement of Completion is received by the ARC and the ARC has inspected the work and determined that it has been constructed as approved. If the ARC determines that the work has been constructed as approved, the \$1500.00 deposit will be returned to the Owner/Builder. If, however, the ARC determines that the completed work does not comply with the submittal as approved by the ARC, the ARC will retain the deposit until the Owner/Builder remedies the unsatisfactory work and/or brings the work into compliance with the approved submittal. The Owner/Builder is also

responsible for the repair of roads, sidewalks, landscaping or other improvements within Harman Park Subdivision which are damaged as a result of work performed by the Owner/Builder. If the Owner/Builder fails to repairs damage caused by him, the ARC shall not approve the work and may apply the deposit toward the costs of any such repairs. The Owner/Builder must make corrections and complete the unsatisfactory work within a reasonable time period as established by the ARC in its notice. In the event the unsatisfactory work is not corrected and/or completed within the specified time, the ARC may elect to complete or correct the unsatisfactory work and apply the deposit towards the completion and/or correction. The Owner/Builder shall reimburse the Association for all costs incurred by the ARC in connection with the correction or completion of the unsatisfactory work. Failure to reimburse the Association such costs shall result in the imposition of a lien upon the property of the Owner as provided in the Declaration.

#### 7. Completed Work

Upon completion of the project the builder/owner shall submit to the ARC a signed Builder/Owner Statement of Completion Form. A copy of this form can be found in the Appendix.

Fifteen (15) working days following receipt of the Builder/Owner Statement of Completion Form, the ARC shall visit the site and inspect the completed work. If the ARC finds that the work was not completed or does not comply with the approved final documents (including any conditions imposed by the ARC), it shall notify the applicant in writing of such non-compliance. The notice shall specify, in reasonable detail, the particulars of non-compliance and shall require the applicant to provide a means of remedial action and a time period within which the remedial action must be completed by applicant.

#### 8. No Waiver.

Failure of the ARC to notify an owner of non-compliance after the inspection does **not** constitute a waiver of any rights of the ARC to enforce or compel compliance in the future and should not be deemed as evidence that the construction complies with the approved plans or the ARC requirements.

### F. FORMS AND CHECKLISTS TO BE COMPLETED

The following four forms must be completed by the applicant in order for the ARC to approve the project:

1. New Submittal Application Form
2. Checklist
3. Acknowledgment of Authority of Association
4. Builder/Owner Statement of Completion

Copies of each document are included in the Appendix. The applicant must provide all of the information requested on each form. Items shown on the checklist that are not part of the submittal shall be marked "not applicable" on the form.

### **III. LANDSCAPE DESIGN AND CONSTRUCTION**

#### **A. OVERVIEW**

This section outlines the procedures and requirements for making application to the ARC for new landscaping work. This section also applies to landscape plans required as part of Section II "Design and Construction of Improvements and Facilities".

The properly conceived and well-designed landscape program may ultimately be the single most important value enhancing element for the overall community.

B. GUIDING DOCUMENTS shall be the same as set forth above.

#### **C. BASIC DESIGN GUIDELINES**

##### **1. General**

The landscape concept should be of high quality and harmonize with the surrounding neighborhood, architecture and site character. Special attention should be paid to site drainage, softscape plant forms and placement, hardscape materials, and ground plane treatments. The use of xeric plant materials is encouraged. The plan should address development of outdoor use areas and the utilization of plant groupings, and constructed screens to create separation and privacy.

##### **2. Installation Requirements**

Prompt landscaping is very important for both erosion control and to provide a finished appearance.

All new landscaping installed by Owner/applicant (excluding existing natural landscaped areas) shall be provided with irrigation using an automatic sprinkling or drip system.

A minimum of 15% of lots shall be landscaped, not including hardscaping and sidewalks. That portion of the Lot which consists of street frontages, property perimeters, planter areas and parking islands shall be 75% landscaped. Undisturbed open areas and existing trees may be credited toward the 15% landscape requirement.

Landscaping plants shall include: trees, shrubs, and ground covers harmonious to the area. Landscaped areas shall not be filled with 100% rock, mulch, concrete or other hardscaping. Scrub oak is not considered to be a "landscaping" plant.

Tree islands and planters are encouraged within parking areas. If a parking lot provide for more than ten (10) spaces, at least 10 percent of the total area of the parking lot shall be used for landscaping and/or aesthetic treatments.

All landscaping must be installed within 60 days of issuance of the certificated of occupancy (the "C of O") if the C of O is issued during April through September. Extensions of time may be granted by the ARC for work during October through March however the Owner/Builder is encouraged to complete all landscape installation April through September. At a minimum all proposed turf areas will be installed and all planting beds shall be mulched prior to the end of September.

### 3. Tree Planting Requirements

A minimum of 4 trees are required to be located within each Lot (not including the buffering trees); except that Lots E, F and G shall require a minimum of 8 trees, or such higher amount as determined in the sole discretion of the ARC, to be located within such Lot (not including the buffering trees). Existing trees on a lot may be credited to the foregoing tree requirement. Deciduous trees shall be of 2" (inch) caliper and evergreen trees must be a minimum of 6 ft. in height.

Screening areas around refuse areas or utility docks shall include a minimum 3 foot vegetation screen including 50% evergreens.

Buffering area landscaping (landscaping between lots) require one (1) tree for every 30 feet of which 50% shall be comprised of evergreens.

Trees should be integrated into planting beds whenever possible. If trees stand alone in a turf area the base of the tree should be surrounded with mulch.

Existing trees (not scrub oak) may be credited toward the tree planting requirements of this Section 3.

### 4. Planting Bed Requirements

Planting beds should be defined by walkways, patios, steel edger or other landscape elements and may consist of wood mulch or stones

Large expanses of mulch or bed areas of 10 square feet without significant plantings are discouraged.

### 6. Native Grasses and Revegetation

Prompt revegetation of disturbed areas is required to control erosion and to provide a finished appearance. All disturbed areas outside the limits of the lot shall be seeded using an approved native seed mix specifically formulated for use in Archuleta County, Colorado.

Use of Native Grass seed may be approved in rear yards where one is attempting to transition to existing adjacent native landscape.

#### 7. Non-Plant Landscape Elements and Materials

Non-plant landscape materials refer to all man-made and natural construction materials, which might be incorporated into a landscape design or located on a lot (e.g., fences, concrete, stone, and masonry paving, wood structures, sculptures, yard ornaments, and landscape lighting fixtures). All non-plant landscape materials shall consist of natural construction materials and shall complement the material, color, and texture of the natural surroundings. Natural construction materials include imported rocks and boulders. Non-plant landscape materials require ARC approval as Ancillary Improvements as provided for in this document.

#### 8. Landscape Irrigation

Both xeric and non-xeric plants will benefit from judicious application of water to aid in healthy establishment. Irrigation systems are required to support Owner/applicant installed landscaping. The applicant shall indicate in the plans the type of permanent irrigation system to be installed.

#### 9. Water Features

Water features, if any, such as ponds, streams, waterfalls and fountains shall be integrated into overall landscape design. The depth of any pond or stream shall be no greater than two (2) feet. Pumps and mechanical equipment shall be the submersible type or shall be completely enclosed in a structure approved by the ARC.

#### 10. Retaining Walls

Retaining walls shall be as low as possible and integrated into landscape design. Terracing shall be used in order to minimize each wall height. Wall materials shall consist of appropriate materials sufficient to providing retaining purposes and shall blend in with natural surroundings.

#### 11. Landscape Lighting

If new exterior lighting is part of the landscaping, a lighting plan must be submitted. Landscape lighting shall meet all the requirements as outlined in Section II "Design and Construction of New Improvements and Facilities."

### D. SUBMITTAL REQUIREMENTS

#### 1. Submittal of Documents and Materials Samples

Plans, specifications, materials samples and other descriptive documentation shall be submitted to the ARC in accordance with the following submittal and review procedures. All materials samples submitted shall remain the property of the ARC until completion of the work.

An Ancillary Improvement or Landscape Submittal Form and the Ancillary Improvements or Landscape Checklist shall be completed by the applicant at the time of submittal. Incomplete submittals will be disapproved by the ARC. Copies of the Submittal Form and the Checklist can be found in the Appendix.

## 2. Document Submittal:

A site landscape plan drawn at no less than 1" = 20'0" scale, indicating the location of the dwelling, the locations, size and common vegetative name of all new plant materials (trees, shrubs and ground covers); Location/limits of irrigated turf grass; showing existing and proposed grading and topography in the area of new landscape construction; an indication of the approximate size, location and type of existing plant materials; indicating the areas to be irrigated, and the method of irrigation; showing the location of drives, retaining walls, erosion and control features, paved walkways, stairs and railings.

Exterior details of construction including fences, retaining walls, walkways, stairs, and railings and decks.

Exterior materials and colors shall be indicated on the drawings. Samples of each may be required. All samples must be identified with manufacturer's name, color name and color number.

Landscape lighting "cut sheets" from the manufacturer describing all proposed exterior lighting, including a fixture drawing or photograph, shall be submitted for approval.

## 3. Review of the Submittal

The ARC will review the submittal and provide a written response to the applicant no later than thirty (30) days after receipt of the submittal.

## 4. Resubmittal of Documents

In the event of disapproval or approval with conditions of the submittal by the ARC, the applicant may submit modified documents following the same procedure as an original submittal.

## 5. Completed Work

Upon completion of the new landscaping work or any other improvements for which Approval was given by the ARC, the applicant shall give written notice to the ARC by completing and signing a Builder/Owner Statement of Completion. A copy of this form can be found in the Appendix.

## 6. Review for Compliance

Fifteen (15) working days following receipt of the Builder/Owner Statement of Completion Form, the ARC shall visit the site and inspect the completed landscaping. If the ARC finds that the landscaping was not completed or does not comply with the approved final landscaping plans (including any conditions imposed by the ARC), it shall notify the applicant in writing of such non-compliance. The notice shall specify, in reasonable detail, the particulars of non-compliance and shall require the applicant to provide a means of remedial action and a time period within which the remedial action must be completed by applicant. The Owner/applicant must make corrections and complete the unsatisfactory work within a reasonable time period as established by the ARC in its notice. In the event the unsatisfactory work is not corrected and/or completed within the specified time, the ARC may elect to undertake the completion or correction of the unsatisfactory work. The

Owner/applicant shall reimburse the Association for all costs incurred by the ARC in connection with the correction or completion of the unsatisfactory work. Failure to reimburse the Association such costs shall result in the imposition of a lien upon the property of the Owner as provided in the Declaration.

7. No Waiver

Failure of the ARC to notify an owner of non-compliance after the inspection does not constitute a waiver of any rights of the ARC or the Association to enforce or compel compliance in the future and should not be deemed as evidence that the construction complies with the approved plans or the ARC requirements.



## **IV. ANCILLARY IMPROVEMENTS**

### **A. OVERVIEW**

This section outlines the procedures and requirements for making an application to the ARC for the construction of improvements that occur after review, approval and construction of the primary dwelling.

1. The applicant then makes and submits:
  - An Initial Submittal for ARC review
  - An Acknowledgment of Authority of Association
  - Additional Submittal(s) if required.
  - A Builder/Owner Statement of Completion

B. GUIDING DOCUMENTS shall be the same as set forth above

### **C. BASIC DESIGN GUIDELINES**

#### **1. General Requirements**

All proposed ancillary improvements must be submitted to the ARC for review and approval prior to installation.

#### **2. Additions and Detached Structures**

All additions shall be within easements/setback specified on the plat. Design and Construction of New Improvements and Facilities shall apply to additions and detached structures.

#### **3. Fences**

- a. Replacement Fences: Existing Fences that have been damaged and need replacement shall be replaced with the same fence type.
- b. New Fences/Screens: Fences and screens that are proposed at locations other than those provide by the builder or the Association must be submitted for approval by the ARC. Refer to Section II "Design and Construction of New Improvements and Facilities" for more information.

#### **4. "Invisible" Dog Fences**

Electric wires of "invisible" fences must be buried at least two (2) feet inside all property lines. Electric fencing is not a substitute for personal control of the animal. The owner is responsible for his pet's behavior at all times, including control of barking.

#### **5. Play Equipment**

Play equipment includes, but is not limited to:

- swing sets and swings attached to a permanent structure
- slides and ramps
- climbing structures
- forts and playhouses
- basketball hoops and backboards installed in the ground or attached to a permanent structure

Play equipment shall be constructed and finished to blend with and complement the existing adjacent structures. Muted, dark, earth tone or forest-tone colors are strongly encouraged for all play equipment including fabric canopies, slides and accessories. Play equipment, which has fallen into disrepair or is no longer in use shall be repaired or removed from the property. No trampolines or plastic colored playhouse sets shall be permitted on a lot.

#### 6. Yard Ornaments/Decorations/Recreational Structures

Yard ornaments/decorations/recreational structures include any free standing object located anywhere on the site and placed for decoration or display or recreational purposes. All such materials shall consist of natural construction materials and shall complement the material, color, and texture of the natural surroundings. Natural construction materials include imported rocks and boulders. Approval of yard ornaments/decorations and recreational structures depends upon their size, character, color, location and screening and how they have been integrated into the overall site and landscape design. This paragraph 6 shall specifically apply to structures placed on Lot G if said Lot is used for paintball operations.

#### 7. Antennas and Satellite Dishes

All television, radio and special communication antennas or aerials shall be concealed within the structure of the dwelling or otherwise appropriately screened.

Satellite dishes shall be located to be as low and unobtrusive as possible.

All exterior wiring must be buried, concealed within the dwelling, or surface routed in an unobtrusive manner and contained within conduit. The conduit shall be painted to match the color of the surface on which it is mounted.

#### 8. Tree Removal

The removal of any trees with a trunk diameter of greater than five (5) inches must be approved by the ARC. Scrub oak is not considered to require prior approval of the ARC for removal. The ARC will exercise more stringent controls for tree removal in areas visible from roads and nearby dwellings.

#### 9. Repainting or Staining

Whether requested by the ARC or by the applicant, when re-staining or repainting is desired, a submittal is required.

- a. Repainting/ Re-Staining Same Colors: When the same colors as are existing and previously approved by the ARC are proposed the submittal shall state this. The ARC will review the existing approved colors on file with the Association. It is suggested that the applicant also review the approved colors on file to make sure that those are the colors they are proposing as that is how the ARC will determine compliance.
- b. Repainting/Re-Staining New Colors: If a new color palette is proposed all colors must be submitted for review and approval. The same criteria used for review and approval of colors in Section II "Design and Construction of Improvements and Facilities" shall be used for this review and approval.

#### 10. Exterior Equipment

If new exterior equipment is proposed its placement, design and screening must be submitted and shall meet all the requirements as outlined in Section II "Design and Construction of New Improvements and Facilities."

#### 11. Exterior Lighting

If new exterior lighting is proposed, a lighting plan must be submitted. Exterior lighting shall meet all the requirements as outlined in Section II "Design and Construction of New Improvements and Facilities."

#### 12. Hot Tubs

Hot tubs shall be located in back yards only. Hot tubs must be screened.

### D. SUBMITTAL REQUIREMENTS

#### 1. Submittal of Documents and Material Samples

Plans, specifications, material samples and other descriptive documentation shall be submitted to the ARC in accordance with the following submittal and review procedures. All materials submitted shall remain the property of the ARC until construction improvements are complete.

An Ancillary Improvement Submittal Form and the Ancillary Improvements Checklist shall be completed by the applicant at the time of submittal. Incomplete submittals may be disapproved by the ARC. Copies of the Submittal Form and the Checklist can be found in the Appendix.

- a. Document Submittal: Sufficient information shall be submitted to clearly establish the location and scope of work. Detailed and dimensioned drawings if appropriate shall include:
  - i. Site plans shall be drawn to scale, indicating the location of the proposed improvements in relationship to the dwelling and property lines and including the site contour lines when appropriate. As an alternative to a scaled site plan, an unscaled

plan can be submitted so long as all property corners and the corners of the proposed ancillary improvements are flagged and/or staked, so that the ARC can look at the corners in the field when it makes its site visit.

- ii. Exterior elevations drawn to scale, clear photographs with drawing overly, or manufacturer's product literature which includes a drawing or photograph.
- iii. Details of proposed construction items or other exterior improvements.
- iv. Exterior materials and colors shall be indicated on the drawings with samples of each provided. All samples must be identified with manufacturer's name, color name, color number and light reflective value (LRV).
- v. Exterior lighting "cut sheets" from the manufacturer describing all proposed exterior lighting, including a fixture drawing or photograph, shall be submitted for approval.

## 2. Review of the Submittal

The ARC will review the submittal and provide a written response to the applicant no later than thirty (30) days after receipt of the submittal.

## 3. Resubmittal of Documents

In the event of disapproval or approval with conditions of the submittal by the ARC, the applicant may submit modified documents following the same procedure as an original submittal.

## 4. Completed Work

Upon completion of any ancillary improvements for which Final Approval was given by the ARC, the applicant shall give written notice to the ARC by completing and signing a Builder/Owner Statement of Completion. A copy of this form can be found in the Appendix.

## 5. Review for Compliance

Thirty (30)-to-sixty (60) days following receipt of a Builder/Owner Statement of Completion the ARC shall visit the site and look at the completed work. If the ARC finds that the work was not completed or does not comply with the approved final documents (including any conditions imposed by the ARC), it shall notify the applicant in writing of such non-compliance. The notice shall specify, in reasonable detail, the particulars of non-compliance and shall require the applicant to provide a means of remedial action and a time period within which the remedial action must be completed by applicant. The Owner/applicant must make corrections and complete the unsatisfactory work within a reasonable time period as established by the ARC in its notice. In the event the unsatisfactory work is not corrected and/or completed within the specified time, the ARC may elect to undertake the completion or correction of the unsatisfactory work. The Owner/applicant shall reimburse the Association for all costs incurred by the ARC in connection with the correction or completion of the unsatisfactory work. Failure to reimburse the Association

such costs shall result in the imposition of a lien upon the property of the Owner as provided in the Declaration.

**6. No Waiver**

Failure of the ARC to notify an owner of non-compliance after the inspection does not constitute a waiver of any rights of the ARC or the Association to enforce or compel compliance in the future and should not be deemed as evidence that the construction complies with the approved plans or the ARC requirements.

**E. FORMS AND CHECKLISTS TO BE COMPLETED**

The following three forms must be completed by the applicant in order for the ARC to approve the project.

1. Ancillary Improvement Submittal Form
2. Ancillary Improvements Checklist
3. Builder/Owner Statement of Completion

Copies of each document are included in the Appendix. Loose sheet copies may be obtained at the Association management office.

The applicant must provide all of the information requested on each form. Items shown on the checklist that are not part of the submittal shall be marked "not applicable" on the form.

**V. CONSTRUCTION REGULATIONS**

**A. GENERAL**

In order to ensure a safe, clean and orderly construction site, the ARC has established the following construction and safety regulations for the benefit of owners, occupants and guests.

It is of the utmost importance that anyone conducting construction activities in Harman Park Subdivision use extreme care in preventing conditions that are unsafe or that could contribute to a fire or other hazard.

**B. SAFETY AND HEALTH COMPLIANCE**

It will be the Contractor's obligation to strictly observe all applicable City, County, State and Federal regulations and guidelines (including OSHA) at all times.

**C. LIMITS OF CONSTRUCTION SITE DISTURBANCE**

To the extent practical, Owners will limit the size of the construction area and minimize the extent of the site disturbance caused by construction activities.

1. Limits

The construction site disturbance limits as designated on the approved final documents shall be delineated on the site and maintained throughout construction. There shall be no disruption of natural conditions or use of any areas outside the delineated limits by construction related activities.

2. Parking

Construction crews will not park on, or otherwise use, other lots without the permission of the Owner affected or Open Space without permission of the Association. The ARC and Association shall endeavor to accommodate construction and acknowledge the need for temporary parking in the street and the use of parking within Lots and common area.

3. Disturbance

Owners and Contractors will not disturb, damage or trespass on other lots or on Open Space. Should any damage occur, it will be restored and repaired at the offending lot owner's expense.

4. Property Pins and Survey Monuments

Disturbing, removing or burying Property Pins and Survey Monuments is not allowed. Owner, at Owner's cost, is responsible for replacing any such Pins or Monuments which have been removed. Owner will notify Association if any Pins or Monuments affecting common area open space have been removed.

D. STORAGE OF MATERIALS AND EQUIPMENT

Owners and Contractors are permitted to store construction materials and equipment only within the limits of the construction site disturbance or as approved by the ARC. Materials shall be neatly stacked, properly covered and secured. Any storage of materials and equipment shall be the owner's or contractor's responsibility. The Association does not provide security for such storage.

E. DEBRIS AND TRASH REMOVAL

Owners and Contractors must maintain a trash receptacle or some other suitable means of containment to contain all trash and debris generated between emptying cycles. The trash receptacle/containment structure shall be of substantial construction and sufficient size. Trash receptacles shall be removed and/or emptied at a legal disposal site outside of Harman Park Subdivision as often as necessary. Lightweight materials and packaging shall be covered or weighted down to prevent wind from moving such items off site. Owners and contractors are prohibited from dumping, burying or burning trash anywhere in Harman Park Subdivision.

During the construction period, the construction site shall be properly policed and kept clean and neat at all times. Construction shall not affect other lots or Open Space. Dirt, mud, or debris resulting from construction activity shall be promptly removed from public and private roads, Open Space and driveways.

Clean-up costs incurred by the Association as a result of construction activities including trash collection and mud removal from roadways will be billed to the offending lot owner.

#### F. SANITARY FACILITIES

Each owner and contractor shall be responsible for providing adequate sanitary facilities for their construction workers. Portable temporary toilets shall be located within the limits of construction site disturbance or as approved by the ARC.

#### G. CONSTRUCTION HOURS

All exterior construction activities that create noise disturbances, including but not limited to, excavation, foundation forming and placement, framing, roofing, siding and trim installation shall be limited to the following hours:

Monday-Friday.....7:00 a.m. to 6:00 p.m.  
Saturday.....8:00 a.m. to 5:00 p.m.  
Sunday.....12:00 p.m. to 5:00 p.m.

#### H. EXCAVATED MATERIALS

Materials excavated during construction and not reused as a part of the site grading as part of the approved final documents shall be removed from the lot and disposed of legally.

#### I. BLASTING

If any blasting is to occur as a part of construction activities, the Contractor is responsible for informing the Association management personnel and all residents within five hundred (500) yards of the Construction Site. The contractor is responsible for the safety of all people and animals, and the integrity of adjacent existing structures and natural features during blasting activities.

#### J. RESTORATION AND REPAIR OF PROPERTY DAMAGE

Damage to property, including but not limited to, open space, roads, culverts, driveways, landscape improvements, existing structures or other improvements is not permitted. If such damage occurs, it will be repaired and restored or replaced promptly by the applicant to the satisfaction of the ARC. If damage is not repaired, restored or replaced in a timely fashion as determined by the ARC, the ARC shall make such repairs or replacement as required. If available, the ARC shall apply the compliance deposit (referenced in Section II, Subsection E, Number 6) towards the cost of repair, restoration or replacement. If the compliance deposit is not sufficient, the Association may pay for the costs of repair, restoration and replacement and the Applicant shall reimburse the Association for all costs incurred by the Association.

Failure to reimburse the Association shall result in the imposition of a lien upon the property of the Owner pursuant to the Declaration.

Upon completion of construction, each builder and contractor shall clean the construction site and repair improvements damaged during construction. Repair shall include, but not be limited to, damaged roads, driveways, pathways, culverts, drainage ways, signs, lighting and fencing, restoration of natural grade and reseeding of disturbed areas. If damage is not repaired in a timely fashion as determined by the ARC, the ARC shall make such repairs as required. Costs of the repair and restoration will be paid by the applicant.

#### K. GENERAL CONSTRUCTION REQUIREMENTS

##### 1. Conduct and Behavior

All lot owners and/or builders in Harman Park Subdivision shall be responsible for the proper conduct and behavior of their representatives, builders, contractors and subcontractors.

##### 2. Fire Extinguisher

At least one ten-pound (10 lb.) capacity, ABC dry chemical fire extinguisher must be present, operational and available in a conspicuous place on the Construction Site at all times.

##### 3. Prohibited on Site

The following practices are prohibited anywhere on the Construction Site:

- a. Disposal of oil from any vehicle or equipment or burying or disposing of waste items, oil or grease on site.
- b. Cleaning concrete trucks and delivery equipment anywhere but within the limits of Construction Site disturbance. All concrete residue and waste materials shall be removed from the Construction Site prior to completion of construction.
- c. Removing any rocks, plant material, topsoil, or other natural feature or stockpiled items from any property not part of the Construction Site including other construction sites.
- d. Use of natural spring or surface water for construction.
- e. Careless disposition of cigarettes and other flammable materials. Open burning is prohibited.
- f. Possession of any animals or pets on Construction Site by construction personnel.
- g. Playing a radio, tape or CD player at a level that is deemed objectionable.
- h. Exceeding the posted speed limits and general unsafe driving.



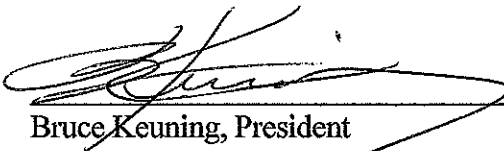
4. Violation Enforcement

In the event of any violation of the foregoing provisions of the "Prohibited on Site" Section, the Association shall have the right to contact applicable governmental authorities for appropriate action or to refuse to permit such Contractor or Subcontractor to continue work on the property, or to take such other action permitted by law or the Declaration.

L. WORK IN PROGRESS

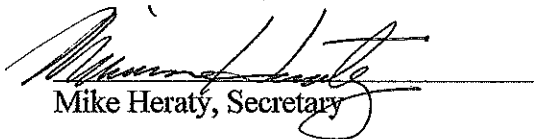
The ARC may inspect all work in progress and, if necessary, will give notice of non-compliance. Absence of such inspection or notification during the construction period does not constitute either approval by the ARC of work in progress or compliance with these Guidelines or the Declaration.

CERTIFICATION: Certified to be the Architectural Design Review Criteria of Harman Park Subdivision adopted by the Executive Board of the Harman Park Owners Association, Inc. on March 22, 2016.



Bruce Keuning, President

ATTEST:



Mike Heraty, Secretary

## **VI. APPENDIX**

### **EXHIBIT A FORMS AND CHECKLISTS**

## HARMAN PARK SUBDIVISION

Architectural Review Committee

### NEW IMPROVEMENT OR FACILITIES SUBMITTAL APPLICATION FORM

Filing and Lot \_\_\_\_\_ Date \_\_\_\_\_

Property Address \_\_\_\_\_

Owner/Applicant \_\_\_\_\_

Mailing Address \_\_\_\_\_

Home Phone \_\_\_\_\_ Business Phone \_\_\_\_\_ Fax \_\_\_\_\_

Architect \_\_\_\_\_

Architect's Address \_\_\_\_\_

Architect's Phone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

Builder \_\_\_\_\_

Builder's Address \_\_\_\_\_

Builder's Phone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

Acknowledgement of Pre-Submittal Meeting:

Signature of Applicant: \_\_\_\_\_

Date of meeting: \_\_\_\_\_

Those in attendance: \_\_\_\_\_

Submittal Type:

\_\_\_\_ Initial                      \_\_\_\_ Other  
\_\_\_\_ Additional

New construction must begin within 12 months of the final approval date. If it does not, a new submittal will be required before work can begin.

ARC Fee paid (\$600) \_\_\_\_\_  
Assessments Current \_\_\_\_\_  
Compliance Deposit (\$1500) Received \_\_\_\_\_

- ☐ All plans, illustrations, color samples and identification, and other clarification as applicable must accompany this submittal.
- ☐ **Please note:** Submittal to and approval by the ARC is required for all exterior improvements prior to beginning construction. You will receive your response from the ARC no later than 30 days after a COMPLETE submittal.
- ☐ **Please do not enter into any contracts, schedule work, or expend money in advance on your project until you have the written approval of the ARC.**

**A Building Permit may not be obtained until Owner has obtained written approval of the ARC; however, the application for Building Permit may be submitted concurrent with the ARC application. Owner acknowledges that Owner cannot begin construction on the Lot until approval from the ARC is obtained.**

OWNER OF RECORD SIGNATURE \_\_\_\_\_

## **HARMAN PARK SUBDIVISION**

Architectural Review Committee

### **NEW IMPROVEMENT AND FACILITIES CHECKLIST**

Applicant's Name \_\_\_\_\_

Lot No. \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_ Authority of Harman Park Subdivision Property Owners Association Acknowledgment

\_\_\_ Declaration of Covenants, Conditions and Restrictions for Harman Park Subdivision and any amendments thereto

\_\_\_ Final Plat Reviewed

\_\_\_ Site Plan

\_\_\_ Building location dimensioned to the front and one side property line.

\_\_\_ Driveway

\_\_\_ Parking Lots and Sidewalks

\_\_\_ Grading and drainage plan

\_\_\_ Existing and proposed topography

\_\_\_ Location of existing trees adjacent to and affected by construction

\_\_\_ Finished floor elevation reference to the center line elevation of the road or drive from where site is accessed

\_\_\_ Setbacks and easements

\_\_\_ Survey

\_\_\_ Elevations of adjacent roads or drives from where site is accessed.

\_\_\_ Key features such as large rocks and rock outcroppings

\_\_\_ Trees in vicinity of proposed construction

\_\_\_ Setbacks, easements, no-build areas and height restrictions

\_\_\_ Roof Plan

\_\_\_ Exterior elevations with existing and proposed grades

\_\_\_ Ancillary improvements

\_\_\_ Construction Schedule

\_\_\_ Floor Plan(s)

\_\_\_ Exterior Details of Buildings - Decks, Railings, Stairs, etc.

\_\_\_ Exterior Materials, Colors and Product Samples or Cut Sheets

\_\_\_ All finished exterior materials and colors

\_\_\_ Window and glass specifications/cut sheets

\_\_\_ Exterior lighting cut sheets (locations shown on drawings)

\_\_\_ Manufacturers' identification of samples

\_\_\_ Complete Landscape Plan

**HARMAN PARK SUBDIVISION**

Architectural Review Committee

**ACKNOWLEDGEMENT OF AUTHORITY OF HARMAN PARK SUBDIVISION PROPERTY OWNERS ASSOCIATION**

TO: Architectural Review Committee

DATE: \_\_\_\_\_

RE: Lot No. \_\_\_\_\_

The signature below by all listed parties acknowledges their receipt, review and acceptance of all terms and conditions presented in:

1. Amended and Restated Declaration of Covenants, Conditions And Restrictions For Harman Park Subdivision and any amendments thereto recorded on January 6, 2016 at Reception No. 21600090.
2. These Design Review Criteria for Harman Park Subdivision
3. Final Plat for Harman Park Subdivision.
4. Town of Pagosa Springs applicable subdivision design standards and building codes.

The applicant also acknowledges authority and responsibility of the Association 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 final submittal
3. Require correction and/or removal of any non-complying work at the Owner's expense
4. Complete or correct work which has not been completed or approved
5. Repair damages by builder and/or Owner

Owner \_\_\_\_\_

(Signature)

(Printed name) \_\_\_\_\_ Date \_\_\_\_\_

Architect \_\_\_\_\_

(Signature)

(Printed name) \_\_\_\_\_ Date \_\_\_\_\_

Builder \_\_\_\_\_

(Signature)

(Printed name) \_\_\_\_\_ Date \_\_\_\_\_

**HARMAN PARK SUBDIVISION**

Architectural Review Committee

**BUILDER/OWNER STATEMENT OF COMPLETION**

I hereby acknowledge that the building on Lot No.\_\_\_\_, has been constructed in accordance with the design as approved by Harman Park Subdivision ARC.

Signature \_\_\_\_\_  
Builder/Owner

Date \_\_\_\_\_

Date Received \_\_\_\_\_

Signature \_\_\_\_\_  
Authorized Member of Harman Park Subdivision ARC

\* Execution of this Statement of Completion by the ARC denotes that the above reference building has been constructed in accordance with the design approved by the ARC.

Acknowledgment of Compliance Deposit Returned

\_\_\_\_\_  
Builder/Owner Date

\_\_\_\_\_  
Harman Park Subdivision ARC Date

**HARMAN PARK SUBDIVISION**

Architectural Review Committee

**ANCILLARY IMPROVEMENT OR LANDSCAPE SUBMITTAL FORM**

Lot No. \_\_\_\_\_ Date \_\_\_\_\_

Property Address \_\_\_\_\_

Owner/Applicant \_\_\_\_\_

Mailing Address \_\_\_\_\_

Home Phone \_\_\_\_\_ Bus. Phone \_\_\_\_\_ Fax \_\_\_\_\_

Submittal Type:

_____ Addition/Change	_____ Invisible Fence
_____ Deck Addition / Change	_____ Landscape
_____ Staining/Painting	_____ Play Equipment
_____ Dog Run	_____ Hot Tub
_____ Roof	
_____ Storage	_____ Other ( _____ )

Ancillary improvements must be completed within 12 months of the approval date, unless there are mitigating circumstances. If they are not, a new submittal will be required before work can continue.

Proposed Starting Date \_\_\_\_\_ Completion Date \_\_\_\_\_

Assessments Current? \_\_\_\_\_

- ☐ Plans, illustrations, color samples and identification, and other clarification as applicable must accompany this submittal.
- ☐ Please Note: Submittal to and approval by the ARC is required for all exterior improvements prior to beginning construction. You will receive your response from the ARC no later than 30 days after a COMPLETE submittal.
- ☐ Please do not enter into any contracts, schedule work, or expend money on your project in advance, until you have the written approval of the ARC.

**A Building Permit may NOT be obtained until Owner has obtained written approval of the ARC; however, the application for Building Permit may be submitted concurrent with the ARC application. Owner acknowledges that Owner cannot begin construction on the Lot until approval from the ARC is obtained.**

OWNER OF RECORD SIGNATURE \_\_\_\_\_



## **HARMAN PARK SUBDIVISION**

### **Architectural Review Committee**

#### **ANCILLARY IMPROVEMENTS OR LANDSCAPE CHECKLIST**

#### **ADDITIONS, FENCING, DECKS, STORAGE, AND OTHER VERTICAL CONSTRUCTION**

☐ Site plan

☐ Improvement location showing property lines, utilities and existing improvements.

☐ Grading, drainage, landscaping (both existing and proposed), adjacent roads, and drives

☐ A simple site survey is sufficient for this purpose.

☐ Roof plan

☐ Floor plan

☐ Exterior Elevations

☐ Exterior lighting cut sheets, if additional lighting will be used

☐ Be sure all materials match existing improvements.

☐ Differentiate between what exists and that which is proposed, both in plan and elevation.

#### **LANDSCAPING**

☐ Existing and proposed grades and drainage

☐ Existing plant material; include what will remain and what will be removed.

☐ Existing natural features (rock outcrops, etc.)

☐ Relationship of proposed improvements to lot lines, house, roads and utility easements

☐ Location, type, size of proposed plant material.

\_\_\_ Location (horizontal and vertical), material and color of other proposed site improvements (decks, walls, paving, etc.)

\_\_\_ Material samples or cut sheets may be required.

\_\_\_ Statement of how proposed landscaping will be irrigated.

\_\_\_ Include a scale drawing and indicate a north arrow.

\_\_\_ Reason for proposed improvements, design goals, and objectives

### **FENCES**

\_\_\_ Indicate if fence is a replacement or new fence and identify location on a site plan

\_\_\_ Designation of existing fence type to be replaced

\_\_\_ Elevation, section, construction detail of new proposed fence.

\_\_\_ Paint or stain color

### **PAINT/STAIN**

\_\_\_ Make sure new color has a Light Reflective Value of sixty percent (60%) or less.

\_\_\_ Sample of trim color

\_\_\_ Sample of paint/stain color

### **INVISIBLE FENCE**

\_\_\_ The buried fence wire is no closer than two (2) feet to all property lines.

\_\_\_ Location of wire drawn by resident on survey certificate.

Note: Within one month of installation, remove all flags the contractor has left marking the invisible fence.

### **ROOF**

\_\_\_ Make sure the contractor is aware of need to paint all new flashing, valleys and vents to match new roof color.

\_\_ Sample of roof or cut sheet

**SATELLITE DISH**

\_\_ Location of dish on survey certificate or drawn.

\_\_ If ground mounted, camouflage material being used.