

**Design Review Guidelines Approval**

Jeff Layman

**Issue**

The POA Board is asked to approve the attached amended Design Review Guidelines.

**Background**

The Design Review Committee, first under the guidance of Ken Wentworth and now with Craig Snowdon as the “Acting” Architectural Consultant to the Board, has been working to update the Design Review Guidelines in time for application to next summer’s projects. This work has taken most of a year to complete. With the Board’s approval, the guidelines will be included on the EV website for the requisite 30 day review. The Board will then be asked to finalize the guidelines at its February 2013 Regular Meeting.

**Discussion**

With the approval last year of the PUD Amendment, we anticipate that some homeowners will take advantage of the opportunity to add square feet to their dwellings. It is important, then, that this approval process moves forward as soon as possible to allow homeowners to properly plan.

See attached document dated 1-10-13.

**Recommendation:**

POA Attorney Wendell Porterfield and Acting Architectural Consultant Craig Snowdon recommend passage of this resolution.

**Suggested Motion:**

“I move to adopt the attached Amended Design Review Guidelines, with minor grammatical corrections, (as presented)(with the following changes)”.

AMENDED AND RESTATED "EAGLEVAIL" DESIGN GUIDELINES – 1/10/13

SUMMARY UPDATE

Modified the wording of "EAGLEVAIL" throughout the document.  
Reorganized all Information Categories and Numbering system.

Table of Contents updated.

1.1 Introduction and History – Updated by Ken W.

More specific information.  
Changes to Board organization.

1.2 Design Philosophy – Updated by Ken W.

Added paragraphs 2, 3 and 5.  
Reworked paragraphs 1 and 4.  
Replaced appeal paragraph 5.

2.0 Design Review Committee – created new category

Moved to front of document (in front of process) from rear.  
Added categories 2.5 and 2.6.  
Revised 2.4 (updated).

3.0 Review and Compliance Deposits

Removed fee amounts from text (placed on applications).  
Expanded on "compliance deposit" requirements and information (3.2)

4.0 Site Development Standards

Expanded upon all existing categories 4.1 thru 4.6, and 4.11.  
Added categories 4.7 thru 4.10, 4.12 and 4.13.

5.0 Landscaping Design Guidelines

Reworked the entire section to reflect a more mature subdivision with few remaining developable lots.  
Minimum planting requirements (5.6) - eliminated specific plant quantity requirements (now more generic and based on lot size).

6.0 Architectural Standards (changed from style)

Reworked sections to reflect a more mature subdivision.  
Roofing (6.2) was expanded to add "split roof" review and enforcement.

7.0 Signs

Added sections 7.1(development) and 7.4 (political).

AMENDED AND RESTATED "EAGLEVAIL" DESIGN GUIDELINES – 1/10/13

8.0 Design Review Process

Revised 8.1(h)

Added 8.1(i)

Reorganized the wording of 8.2(b) – Submittal information.

Added requirements for digital (electronic) submittal.

Added wording to Construction Drawing submittals.

Grading, Exterior lighting and building roof heights.

Added sections 8.2 (b) – paragraphs 5 and 6.

Revised 8.3 (design decisions)

Reworked the entire section to provide better approval enforcement.

Added "stop work order" to paragraph C.

9.0 Project Commencement, Completion and Inspection

Expanded and reworked the entire section to provide for better approval enforcement.

Added paragraphs 3 thru 5 from 1/1/10 Rules and Regulations update.

Modified 9.2(9) – hours for exterior construction.

Appendix 1 – Added section for New Exterior Lighting Standards.

Applications

Application for Design Review

Adjusted fees/minimum payments.

Expanded on the "Compliance Deposit" information.

Added EV Rules and Regulations to list of required information.

Party Wall Consent Form

Add FAX and Address information?

Add Logo/General information?

No application for Tree Removal?

Items not taken on by EVDRC (originally suggested by Ken W.):

1.Tree removal and tree stumps.

2.Existing non-conforming (unattached) storage/accessory buildings.

3.Improvements outside property lines.

4.Above grade improvements in setbacks.

5.Exterior modifications without DRC approval.

6.Prior non-conforming improvements (as having permission to remain).

7.Playground equipment – when does it get too large?

8.Trampoline enclosure –see item 7.

9.Renegade fencing installations.

10.Public notification, adjacent property notifications, meeting agendas, etc.

**AMENDED AND RESTATED**

**EAGLE VAIL**

**DESIGN GUIDELINES**

**AND**

**REVIEW PROCESS**

**ADOPTED: \_\_\_\_\_, 2012**

**EAGLE VAIL PROPERTY OWNERS' ASSOCIATION, INC.**  
**EAGLE VAIL DESIGN REVIEW COMMITTEE**

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## **8.0 Design Review Process**

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## **9.0 Project Commencement, Completion and Inspection**

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- 9.2 Miscellaneous

## **1.0 BACKGROUND ON EAGLE VAIL**

### **1.1 Brief History of Zoning and Design Review**

The Eagle Vail Subdivision was created in the early 1970s as a Planned Unit Development (PUD) within unincorporated Eagle County. As a PUD the subdivision was required to file documents with Eagle County to establish specific land use and zoning requirements. In the beginning the land use was quite specific, but the details within that use could be vague. The Eagle Vail Subdivision Protective Covenants for Filing No. 1 (June 1972) stated "There shall be no general rules governing building setbacks in relation to property lines". Building Area (Floor Area Ratio) was not mentioned, nor was Lot Coverage or many other usual zoning topics. There were references to building height (up to 6 stories was allowed on multi-family lots), and parking (1-1/2 spaces per residential unit). In 1974, Filing 2 (generally west of the Stone Creek entrance) was added, and the Whiskey Hill Subdivision (generally 2 lots deep north of Daisy Lane) soon after. Both additions had similar covenants. These same covenants created a Design Review Committee (DRC) to review all new construction, additions to existing construction, or any exterior alterations or modifications. One member of this committee was selected each by the Stone Creek Company and Vail Associates, who jointly selected a third member. Any vacancies for longer than 30 days could be filled by the Board of Eagle County Commissioners.

On September 26, 1979, the Board of Eagle County Commissioners adopted The Eagle Vail PUD Guidelines. This was the first comprehensive set of zoning regulations to apply to the subdivision. This document has been amended several times, and was eventually relocated to be part of the Eagle County Land Use Regulations. This document remains in effect and serves as the regulatory document setting zoning standards such as, building setbacks, allowable floor areas, maximum site coverage, etc. A copy of this regulation is available at the Eagle County Planning Department, or available on their web site, and should be consulted by any owner, architect, or developer planning a new construction project or modifications to an existing structure, prior to commencing design.

Up until the early 1990s the DRC was under the wing of the Eagle Vail Metropolitan District (EVMD), and its jurisdiction included: Filing 1, Filing 2, Whiskey Hill, and the Eagle Vail Commercial District. At that time, elections were held and an empowered Eagle Vail Property Owners Association (EVPOA) was created. New covenants and by-laws were written, and the DRC became a function of the EVPOA, which now appoints the members of the committee. These current Design Guidelines were created in 1992, and have been updated several times since then. The Commercial District was not and is not included in these new documents.

Since its earliest years, the DRC has always retained the services of a local architect to act as a consultant to the committee.

### **1.2 Design Philosophy:**

Since the founding of Eagle Vail, the DRC and its professional consultant have endeavored to set the highest reasonable standards for the community. The main goal of the DRC is to ensure new building projects, alterations and site/landscaping projects reflect the best possible

design standards. The DRC reviews proposals to confirm that all design proposals are of high quality, are in conformance with community standards, do not adversely impact neighboring properties, harmonize with existing surroundings and structures, are suitable for Eagle Vail's extreme climate, and fulfill the purposes for which the Declaration was enacted.

The Eagle Vail design guidelines are not meant to be prescriptive, but rather to serve as a document that allows flexibility and interpretation within the guidelines and the realm of quality design. They are meant to adjust to changing economic and design trends. Thus, while the guidelines are not highly detailed, the DRC expects proposals to reflect quality design and detailing with attention to proportion, colors, window and door opening relationships, massing, scale, details and decorations, building material relationships, quality, and climatic conditions, while minimizing impact on neighboring Properties and enhancing property values.

It is the hope of the DRC that if an owner should undertake repairs on a property, that they will give thought to the improvements beyond matching the existing, and make efforts to update in terms of design, detailing and construction means where possible, even when DRC review is not required. The DRC encourages owners to design and build with sustainability in mind. There are currently no Eagle Vail requirements for sustainable design, but Eagle County ECO Build guidelines must be adhered to in some instances when submitting for a building permit. Inquire with Eagle County about specific requirements.

The DRC encourages property Owners to retain the services of a professional designer or licensed architect to assist with preparation of the Design Review Application, and required submittals. Plans prepared by a licensed architect are required for any new construction or structural changes. When a property Owner chooses to do the design work and prepare the drawings, the DRC does not lessen its requirements for quality design work, and expects all drawings to be accurate, clear, and understandable.

Any and all exterior improvements must have approval from the DRC, and as required, County approvals prior to commencement of construction.

## **2.0 DESIGN REVIEW COMMITTEE**

- 2.1 Design Review Committee Membership:** The DRC shall consist of five Eagle Vail property owners, to be appointed by the EVPOA Board. A quorum will consist of three or more members, Please visit the EVPOA web site ([evpoa.org](http://evpoa.org)) for a list of the current members.
- 2.2 Schedule of Meetings:** DRC meetings are typically held the first and third Tuesdays of each month, if required. Meetings begin at approximately 8:00 a.m. and are held at the Eagle Vail Park Pavilion Building, or at such other location as agreed upon by the DRC. All applicants should contact the DRC's professional consultant to determine the date, time and location of any particular meeting.
- 2.3 Attendance at Meetings:** For the DRC to take action, the applicant or the applicant's appointed representative should attend both the "Preliminary Approval" and "Final Approval" DRC meetings unless the requirement for such attendance is waived by the DRC's professional consultant.

- 2.4 Compliance with Eagle County Zoning and Eagle River Fire Protection District Wildfire Regulations:** The DRC process described herein shall in no way alter or amend the requirement that all projects proposed for construction in Eagle Vail must comply with all Eagle County laws and regulations, including the zoning regulations and restrictions contained in the "Eagle Vail P.U.D. Guide", and the requirements of the Uniform Building Code edition currently adopted by the Eagle County Building Department.
- 2.5** Duplex and Homeowners Association written approval is required for the DRC to take action in duplex or multi-family complexes. See Party Wall Consent Form in DRC application.
- 2.6 Miscellaneous Provisions**
- a. The DRC shall not refuse to permit an Owner to make reasonable modifications to the interior or exterior of its Property, if such modifications are necessary under the Fair Housing Act (as heretofore and hereafter amended) to afford one or more persons with a disability residing at such Property the full enjoyment of such Property.
  - b. Previously approved changes or alterations to Properties and/or buildings in no way affect future decisions or set a precedent for future decisions.
  - c. Failure of the DRC to enforce any covenant or restriction contained herein shall in no event be deemed a waiver of the right to do so thereafter.
  - d. The DRC shall maintain written records (for a minimum of three years) of all Applications for Design Review submitted to it and all of the actions taken by it thereon, and such records shall be available to Owners as provided in the Bylaws and the Policies and Procedures of the EVPOA.
  - e. The DRC and the members thereof shall not be liable in damages to any person who submits an Application for Design Approval or to any Owner by reason of any action, failure to act, approval, disapproval or failure to approve or disapprove in regard to any matter within its jurisdiction hereunder.
  - f. The DRC may grant reasonable variances or adjustments from any conditions and restrictions imposed by the Declaration in order to overcome practical difficulties and prevent unreasonable hardships arising by reason of the application of this Guideline and the restrictions contained herein. Variances or adjustments may be granted only when such variances or adjustments are not materially detrimental or injurious to other Property or improvements in Eagle Vail, and shall not militate against the general intent and purpose of this Guideline or the Declaration.
  - g. These Guidelines may be altered, amended or revoked by the DRC by a majority vote at a meeting of the DRC at which a quorum is present.

### **3.0 REVIEW FEES AND COMPLIANCE DEPOSITS**

- 3.1 Review Fees:** A Plan Review Fee must accompany an applicant's Final Approval Submission. The amount of the Plan Review Fee is noted on the application:

- a. For construction and structural remodel of single-family, duplex, triplex and larger residential structures, the Plan Review Fee shall be based on new "Floor Area" as defined in the Eagle Vail P.U.D. Guide.
- b. For minor projects such as fences, decks, attached buildings, roofs, window and door revisions, and minor alterations to the exterior of existing buildings, the Plan Review Fee shall be as noted in the application, unless the DRC's professional consultant deems the proposed project to be so minor that the Plan Review Fee may be waived.
- c. The Plan Review Fee shall be paid by check or money order made payable to the Eagle Vail Property Owners Association. Please note on the check or money order the words "Plan Review Fee" and note the Lot Number, Block Number, and Filing Number or street address of the property.

**3.2 Compliance Deposit:** A Compliance Deposit must be delivered to the DRC's professional consultant prior to the marking of the approved drawings and other documents with the DRC's approval stamp. The amount of the Deposit is noted on the application.

The Compliance Deposit shall be paid by check or money order made payable to the Eagle Vail Property Owner's Association. Please note on the check or money order the words "Compliance Deposit" and note the Lot Number, Block Number, and Filing Number or street address of the Property.

- a. The DRC shall hold the Compliance Deposit as security for the Owner's full and faithful performance of its construction activity in accordance with the plans approved and stamped by the DRC and these Guidelines and the Governing Documents. No interest shall be paid on the Compliance Deposit to the applicant.
- b. The DRC may use or apply or retain the whole or any part of the Compliance Deposit to the extent required to reimburse the DRC for any cost which the DRC may incur, or may be required to incur, by reason of any Owner's non-compliance in respect to any of the terms and conditions set forth in these Guidelines, the Governing Documents, or the approved stamped plans. If the amount of the Compliance Deposit is not sufficient to cure any such noncompliance by an Owner, the DRC may apply the Compliance Deposit in a manner which best mitigates the effects of such noncompliance. In addition, the DRC may use, apply or retain the whole or any part of a Compliance Deposit to pay any violation imposed pursuant to these Guidelines that is not paid as and when the same becomes due and payable. The EVPOA's decision to use the Compliance Deposit as permitted hereunder shall be at the sole and absolute discretion of the EVPOA.
- c. If the EVPOA so uses part or all of the Compliance Deposit as set forth herein, then the Owner shall, within five (5) days after written demand therefore from EVPOA, pay EVPOA the amount used to restore the Compliance Deposit to its original amount. Neither the Owner nor any other party shall have any rights of any kind or nature against DRC or EVPOA, its officers, agents, employees, directors or attorneys arising out of EVPOA's use of the Compliance Deposit, unless the EVPOA is grossly negligent or intentionally acts in bad faith.
- d. Any part of the Compliance Deposit not used by the EVPOA as permitted herein shall be returned to the Owner within thirty (30) days after completion of the project in accordance

with the approved stamped plans and final inspection and approval of the project by the DRC's consultant and issuance of a Certificate of Compliance.

## **4.0 SITE DEVELOPMENT STANDARDS**

### **4.1 Grading**

- a. Finish grading on all lots shall be such that surface runoff water is not diverted onto neighboring lots. Slopes shall be graded so that erosion potential is minimized. No filling onto or cutting of, adjacent lots is permitted. Existing, natural drainage patterns should be respected as much as possible.
- b. New grades should blend smoothly into the natural landscape. Structures, driveways, and other constructed elements should be designed to work with pre-existing topography and to minimize site disturbance.
- c. Retaining walls may be used in place of steep slopes to encourage terracing and a more stable landscape. The use of natural materials (boulders, stone) is encouraged. Retaining walls over 6 feet in height are not permitted. Boulder walls over 4 feet in height must be engineered. Where multiple walls are proposed, they should be separated by planting terraces.

### **4.2 Driveways**

- a. Driveways and parking areas shall be paved with asphalt, concrete, unit pavers or other hard surfacing. No loose gravel or crushed rock surfaced drives shall be permitted, except where the condition existed prior to 1992. Refer to Eagle County Regulations for additional driveway standards and restrictions.
- b. Alternate drive and paving materials will be considered on an individual basis.

### **4.3 Exterior Lighting**

- a. Exterior lighting is to be minimized and used only as necessary to meet the needs of safety, security, and identification of entrances to homes, driveways and walkways. Direct light shall not be cast onto adjacent lots or streets.
- b. Light sources shall be shielded from direct view and directed downward. No light shall be cast higher than 90 degrees (perpendicular) from vertical. See Appendix I for specific details.
- c. If motion detectors are used, the sensitivity adjustment should be such as to not activate by passing pedestrians or vehicles. Duration of motion sensor lights shall be a maximum of 5 minutes.
- d. Exterior lights on timers shall be set to be on no longer than from dusk until 11 pm.
- e. See Appendix I for Eagle Vail Dark Sky Initiative.

### **4.4 Fences**

- a. All fences are subject to DRC review and approval, including golf ball protection nets and screens. Except in extenuating circumstances such as corner lots and at the discretion of

DRC, fences in front yards and forward of the front face of the building are prohibited except by review and approval of DRC.

- b. The only fences allowed within twenty-five feet (25'-0") of the golf course, except approved golf ball protection nets and screens, shall be a two (2) rail, split rail fence, copied from the existing golf course fencing (Adopted June 2007).
- c. Fences, where permitted shall not exceed five feet (5'-0") from the ground at the bottom of the fence to the top of the fence, except all property lines separating lots from highway 6 where six feet (6'-0") shall be the maximum height of the fence.
- d. Fences shall be of substantial construction to minimize deterioration. Posts shall be set in concrete to a depth below the frost line (4'-0"). Screws rather than nails are recommended for all fence construction.
- e. Fences shall be stained, painted or treated to harmonize with the color of the residence. Wood fences shall be maintained to keep the fence in a good condition at all times by painting, staining, or otherwise treating the wood materials. Fences along Highway 6 shall be painted in the approved Eagle Vail color at the highway side.
- f. Where fences are to be constructed with only one side of the fence receiving slats or other finish material, the slats or other finish material shall be applied to the side facing outward from the lot.
- g. The top line of all fencing shall be level wherever possible. Where the ground slopes or rolls directly below the fence, the top of the fence shall not slope or roll with the ground, but may step up or down in sections with each section level or cut off in a straight line. Fences on extreme slopes will be reviewed on an individual basis.
- h. No galvanized steel pipe and chain link fencing shall be permitted, except at publicly owned facilities.

#### **4.5 Dog Runs**

Dog runs, enclosures, and kennels must receive DRC approval, and in no case shall such structures be constructed using galvanized steel pipe and chain-link fencing. It is acceptable to leave existing chain link fences in place as of October 20, 2008.

#### **4.6 Utility Meters**

- a. Unless pre-existing, electric meters shall be attached to the main structure and enclosed in materials compatible with the architecture and shall meet requirements of the power company.
- b. Gas meters shall be located within 2 feet of the main structure and screened with landscaping.

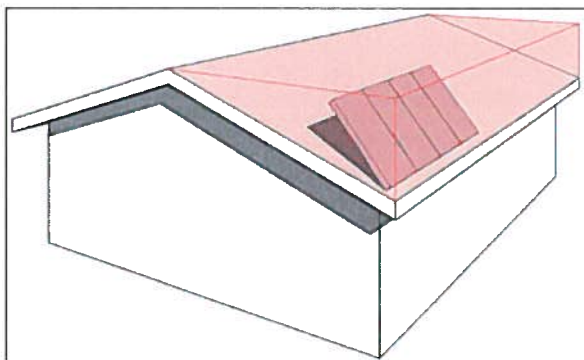
#### **4.7 Mechanical Equipment**

Mechanical equipment (exhaust fans, air conditioners, swamp coolers, condensers, etc.) shall be incorporated into the building design, or screened by material approved by the DRC.

#### **4.8 Solar Panels**

It is the intent of these guidelines to balance optimal solar panel (photovoltaic and thermal) placement and the harmonious integration of the panels into the architecture and landscape. All solar panel applications are subject to DRC review and approval.

- a. Panels that are integral with the design of the structure are recommended.
- b. Panels that are mounted flush or parallel with existing or proposed roof planes are encouraged.
- c. Panels that are not mounted flush or parallel with existing or proposed roof planes must be contained within the roof projection as shown in the following diagram. When panels are not mounted flush to the slope of the roof, the panels should be held back a minimum of 2' from the rake edge of the roof.



- d. Panels are to be mounted no higher than adjacent existing or proposed roof ridges.
- e. Panels may not extend past the existing or proposed edges of the roof.
- f. Visible panel frames and mounting hardware are to be of a non-reflective, matte surface and of a dark color. Care should be taken to conceal hardware, piping and mounting brackets as much as possible.
- g. Ground mounted solar panels may be acceptable if not visible from the street.
- h. Submittals for solar panel review should include photos of the roof on which the panels are to be mounted, and building elevations and/or a roof plan showing the panel array drawn to scale.

#### **4.9 Wind Generators**

Wind generators will be reviewed on an individual basis. Height, location, diameter of propellers and noise generation will be considered.

#### **4.10 Antennae and Satellite Dishes**

- a. DRC recommends that satellite dishes be located in the least visible location from public ways that still allows optimal signal strength.
- b. Dishes larger than 39" in diameter will be reviewed on an individual basis.

#### **4.11 Outbuildings and Accessory Structures**

- a. Storage sheds, accessory buildings, and hot-tub/spa facilities must receive DRC approval and shall be designed as compatible with the color scheme, design and materials used on the principal building on the Lot.
- b. Pre-manufactured storage sheds are not permitted.
- c. Free standing structures are discouraged. Rather they should be attached to the main structure. Outbuildings are not allowed in required lot line setbacks.

#### **4.12 Flagpoles**

A single flagpole is permitted on each single family, duplex, 4-plex, and multi-family lot. The maximum height of the pole above grade shall be 28 feet. No lighting of flagpoles is allowed.

#### **4.13 Miscellaneous**

Large, free-standing objects placed in yards, such as sculpture, clotheslines and playground equipment, and its placement may be subject to DRC review. See Supplemental Rules and Regulations.

### **5.0 LANDSCAPING DESIGN GUIDELINES**

#### **5.1 Basis for Landscape Review**

In the decades since Eagle-Vail's founding, manicured lawns and an abundance of new native and non-native trees and vegetation have supplanted the pre-existing open landscape of the valley floor. As a result, some previously enforced requirements, such as minimum planting quantities, are no longer as relevant as they may once have been. These revised landscape guidelines reflect the community's now mature character and a serious concern for sustainability, water conservation, and the ecological and aesthetic values of the natural environment.

DRC review of landscape plans will focus on the following considerations:

- a. Condition, composition and quantity of existing landscaping, if any, on the property;
- b. Extent to which proposed landscape improvements respond to deficiencies identified by the property owner (if any) in the existing development of the property;
- c. Relationship of the proposed design to natural landscape character;
- d. Appropriateness of proposed plant materials for the Eagle-Vail locale;
- e. Compatibility of proposed grading and landscape improvements with surrounding uses, vegetation, existing terrain and drainage patterns;
- f. Incorporation of energy and water conservation measures.

#### **5.2 DRC Review Process**

All landscaping proposed in conjunction with new construction, redevelopment or remodeling projects shall be reviewed and approved by the DRC.

Landscaping may be added to existing buildings or residences without going through the formal DRC process but, in such cases, homeowners are asked to be mindful of the impacts on neighboring properties (i.e. unwanted shading, blocking of views or solar access, drainage issues, etc).

Please refer to Section 8.2 for a complete list of submittal requirements. Most important for DRC's review of proposed landscape improvements is a recent topographic/ improvements survey and a landscape plan at a scale no larger than 1"=10'. The landscape plan should show:

- a. Existing trees to be retained or removed;
- b. Proposed grading and drainage elements (on this or a separate plan drawing);
- c. All plant materials to be added (species, size and quantity) and location of proposed planting beds;
- d. Hardscape improvements, including decks, patios, driveways, walks, walls, fences, and other features.

In addition, it is recommended that proposals involving major changes to existing landscaping and site features, including grading or removal of existing trees, outline briefly in writing the specific issues and design rationale that shaped the proposed design.

### 5.3 Landscape Guidelines

Terrain modification:

- a. Minimize grading to preserve as much of the pre-existing terrain (and vegetation) as possible.
- b. Avoid creating unnatural landforms (excessive cuts or fills, abrupt berms, extensive slope retention, etc)
- c. Respect existing topography in locating grade transitions (walls, steps) and outdoor paved areas (on-grade patios, walks, driveways) in order to avoid dangerous pavement gradients and the need for excessive retaining walls.
- d. Ditches, culverts and driveway accesses should be minimized where possible.
- e. Make every effort to preserve any unique natural features on the site, such as rock outcrops, water features, mature trees, etc.
- f. Consider where surface runoff will flow. Divert it around steeper slopes to minimize the potential for soil erosion. Concentrate flows in drainage swales designed and sized appropriately for expected water volume and velocity; design swales to look natural, not engineered. Identify flat areas where runoff may pond to see if other drainage strategies may be necessary.
- g. See also Site Development Standards, section 4.0.

Planting and irrigation:

- a. Have in mind a strong rationale and specific goals to guide the layout of new plantings. For example:
- b. Screening less desirable site elements, such as parking areas and driveways;
- c. Helping to define outdoor activity areas, and providing shade and privacy for them as needed;
- d. Enhancing key architectural elements or uninteresting architectural facades, or moderating building scale and height;
- e. Framing or enhancing views from patios, decks and rooms inside the house;
- f. Controlling solar access to interior spaces.
- g. Rely primarily on native and adapted drought-tolerant plant species. Consult the Eagle County Extension Office for a list of suitable species.
- h. Install an automatic irrigation system with high-efficiency drip or spray heads and an automatic clock with integrated rain sensor/shut-off. Areas re-vegetated in native grasses will need only temporary irrigation until established.

- i. Refrain from using high-water consumption landscaping except where required in outdoor areas of high activity. In those limited areas, use sod, not seed, in order to achieve weed-free coverage.
- j. Re-vegetate all areas of the site that are disturbed by grading and construction activities. Do not leave re-graded slopes bare and unprotected over the winter; rather, reseed as quickly as possible after re-grading and protect the seed with an erosion control mat.
- k. During construction, protect existing trees from soil compaction and damage from construction activity.
- l. Identify adequate areas for snow storage; plant these with ground covers, perennials and grasses that can withstand a winter under compacted snow.
- m. Avoid planting trees and shrubs under roof-shedding zones.
- n. Avoid planting trees where they will add shade and cause icing on walkways and driveways throughout the winter.
- o. Don't overlook the importance of adequate soil preparation, as it's critical in determining whether plants will survive. Protect and stockpile topsoil during construction, and till in organic amendments before planting based on a survey of existing soil conditions.
- p. Do not locate plants or trees in rights-of way (per Eagle County Regulations).
- q. Note that plants located in utility easements may be destroyed if/when utility work occurs.
- r. For safety, taller plantings where they will obstruct drivers' views at intersections of streets and driveways are not allowed.
- s. Where property abuts undeveloped natural areas – and particularly along the White River NF boundary - the man-made landscape should transition back to the natural landscape without hard, straight lines or abrupt changes in vegetation. Along the zone of transition, ornamental, non-native plants should definitely be avoided.

#### **5.4 Natural Landscape Areas**

Where lots occur adjacent to natural, undeveloped areas such as the National Forest, landscaping shall be designed to blend with such areas to avoid a hard, straight line separating natural landscape from man-made landscape.

#### **5.5 Landscape Maintenance**

Per the covenants, landscaping shall be maintained. Violations and fines may apply.

#### **5.6 Landscaping Minimum Requirements**

For residential lots, landscaping shall include a minimum of 1 planting (trees and shrubs) per 300 square feet of lot size. Of the required plantings, a minimum of 30% shall be trees appropriate to the climate zone and region, and should be a mix of deciduous and non-deciduous trees proportionate to the surrounding vegetation. For lots greater than 1/2 acre, reduced minimums may be considered.

Minimum size requirements:

Shrubs	5 gal. min.
Evergreen	50% 8' tall 50% 6' tall
Deciduous	50% 2" caliper 50% 1 1/2" caliper

## **6.0 ARCHITECTURAL STANDARDS**

- 6.1 General:** Low profile structures integrated into the natural terrain are encouraged. Buildings should be designed to provide offsets and projections and avoid long continuous walls on any elevation. Garages should be designed into the main structure and character of the building.
- a. Unusual architectural styles are discouraged and they may be rejected by the DRC as not being compatible with the existing community.
  - b. Every effort should be made during the design phase to avoid the "tract house" appearance and every effort should be made to create buildings with a character reflecting attention to such aspects as proportion, massing, fenestration, detailing, etc. Residential designs displaying only a minimum of character, quality, design sensitivity, and cost may be rejected by the DRC as not being compatible with the existing community.
  - c. "Pre-Manufactured", "Pre-Cut", "Catalog" and other such homes are discouraged within Eagle Vail.
  - d. "Mirror-Image" duplex residences are not permitted.
  - e. Where lots back up to, or adjoin the golf course, the facade(s) visible from the golf course shall not be treated as the "back side" of the house. Where most design attention is normally given to the street side, or front side, of houses, on golf course lots, equal attention shall be given the sides of buildings visible from the golf course so that the image from the golf course is not one of minimal or uninteresting facades.
- 6.2 Roofs:** The design intent of this section is to encourage a range of roof forms, materials, and colors that are harmonious with the land forms and among the various properties. Roofs are a major viewpoint and thus an important design element within Eagle Vail. Provisions should be made and design considerations given for snow sliding from roofs onto areas below. Roof overhangs are encouraged, as are "cold roofs" to help prevent ice dams.
- a. Roofs of duplexes, triplexes and other multi-family structures shall be of the same material and color scheme from unit to unit, unless otherwise approved by the DRC. Different roofing materials or roofing colors within a single roof plane (split roofs) shall not be permitted. In the event an Owner wishes to replace the roof of one duplex or triplex unit, which proposed replacement would result in inconsistent roof materials, or a split roof, then each Owner of a unit in such duplex or triplex must agree to simultaneously replace its roof with like material in order to obtain DRC approval of any such replacement.
  - b. Standing seam metal roofing (24 gauge or greater) is permitted when the applicant provides evidence of compatible metal trim such as flashing, peak caps, eave closure strips, etc. Stamped or formed metal "tile" roofing or stamped or formed metal "panels" shall not be permitted without DRC approval.
  - c. Asphalt Composition Shingles shall have a minimum 50 year warranty, and be of earth tone colors. Complying with these criteria does not guarantee approval. Image, shape and color will be reviewed by the DRC from actual samples submitted by the applicant. An example of an acceptable product is Celotex "Presidential: in "weathered wood" or "slate gray" colors.

d. Tempered hardboard ("Masonite") roofing of any type shall not be permitted.

**6.3 Exterior Materials:** The use of natural materials (native stone, wood, stucco, etc.) is encouraged throughout Eagle Vail. It is recognized that new synthetic, manufactured, and recycled finish materials are being introduced onto the housing industry. All proposed products will be reviewed and approved by the DRC from actual samples submitted by the Applicant.

- a. Exterior surfaces of duplexes, triplexes and other multi-family structures shall be the same material from unit to unit unless otherwise approved by the DRC. All attachments, improvements, construction and alterations to existing structures must conform to and harmonize with existing surroundings and structures. Exceptions have been made with some strong design support.
- b. All new building materials used in additions or structural changes to existing buildings, including but not limited to, siding, stone work, stucco, and trim, must match or complement existing building materials.
- c. All new windows and doors proposed for any addition or structural change to an existing building shall match or complement existing windows and doors.
- d. Tempered hardboard ("Masonite") siding, vinyl siding and aluminum siding are not permitted. Cementitious siding materials may be allowed with DRC review and approval.
- e. Raw aluminum (natural aluminum color) windows, sliding doors, or screen doors shall be permitted only with DRC review and approval.
- f. All concrete or concrete block foundation walls, piers, footings, etc. shall be backfilled or otherwise covered so as to be hidden from view, except that eight inches (8") of exposed concrete may be exposed to meet the earth/wood separation requirements of the applicable Building Code.

**6.4 Exterior Colors:** Earth tone colors are recommended for the major surfaces of residences. Accent colors on doors, windows, railings, fascias, trim, etc., may be used as coordinated with an overall color scheme.

- a. Exposed exterior sheet metal such as flashings, gutters, chimney flues, etc., shall be painted or coated to match color scheme and harmonize with the overall color scheme of the building.
- b. Exterior surfaces of duplexes, triplexes and multi-family structures shall be the same color scheme from unit to unit unless otherwise approved by the DRC. All attachments, improvements, and alterations to existing structures must conform to and harmonize with existing surroundings and structures.

## **7.0 SIGNS**

- 7.1 Identification Signs:** Multi-family lots are allowed one Identification Sign. Content is limited to the name of the project and the street address. Signs shall be no larger than 16 sf and 6'-0" maximum height above existing grade. All identification signs shall require DRC approval
- 7.2 Real Estate "For Sale" Signs:** Real Estate "For Sale" or "For Rent" signs shall not exceed five (5) square feet in size and shall be mounted fixed to the wall of the building or placed inside the building showing through a window. The top of the sign may not be higher than nine (9) feet above the ground. No more than one "For Sale" sign may be displayed associated with any one residential unit, including on golf course properties where a sign may be located on the street side or the golf course side, but not both locations. Ground-staked "For Sale" signs are permitted only on undeveloped, vacant lots. These signs must be staked a minimum of twenty (20) feet into the lot from the front or street pavement line. Lighting of any "For Sale" sign is not permitted.
- 7.3 Real Estate Development Signs:** Real estate development signs shall meet the following criteria: a sign shall not exceed sixteen (16) square feet, if single faced; or eight (8) square feet, if double faced. All signs must be approved by the DRC for content and location on the site.
- A development sign must include: the developer's (and/or general contractor's) name and contact phone, the physical and/or legal address of the project, and the Eagle County building permit number. The sign may include: architect's name and contact phone, sales information (company, agent and contact phone), project rendering, project description, and other information as approved by the DRC. The real estate agency's portion of the sign is limited to a maximum of five (5) square feet.
- Lighting of a development sign is not permitted. Development signs are only allowed after a valid Eagle County building permit has been issued, and must be removed immediately after a temporary certificate of occupancy has been issued by Eagle County.
- 7.4 Political Signs:** Political Signs are permitted on private property for a time period of 45 days prior to, and 7 days after the subject election. Signs are limited to 12 sq. ft. and a height of 3'-0". Political signs are not permitted in the Right of Way or on public property.

## **8.0 DESIGN REVIEW PROCESS**

### **8.1 General**

- a. All proposed new construction within the Eagle Vail boundaries is subject to the design review and approval process.
- b. All proposed additions to existing buildings and any proposed alterations to the exterior of existing buildings within the Eagle Vail boundaries are subject to the design review and approval process.
- c. All proposed fences, and satellite dishes greater than 39" in diameter within the Eagle Vail boundaries are subject to the design review and approval process.

- d. All patios, decks, and walkways are subject to the design review process. The addition of new patios, decks and walkways shall not exceed the "Impervious Materials Coverage" limitations set forth in the Eagle Vail P.U.D. Guidelines and should be verified with Eagle County before proceeding with such work.
- e. Resurfacing of driveways and parking spaces, and changing driveways and parking spaces from gravel surfacing to asphalt, concrete, or individual pavers is subject to the design review process. The addition of asphalt paving to portions of any lot may not exceed the "Impervious Materials Coverage" limitations set forth in the Eagle Vail P.U.D. Guidelines and this situation should be verified with Eagle County before proceeding with such work.
- f. The addition of landscaping and plant materials to an existing development is not subject to the design review process, but must conform to the Landscape Design Guidelines (Section 5.0); however, landscaping and plant materials proposed for new construction are subject to the design review process, and must conform to the Landscape Design Guidelines.
- g. When any Owner, developer, or contractor is unsure if a contemplated building project must pass through the design review process, such person must confirm the requirement by contacting the DRC or the DRC's professional consultant. Some changes may be reviewed and approved by the professional consultant.
- h. Re-staining/Re-painting of exterior surfaces is subject to the review and approval process.
- i. Re-staining of duplex and multi family structures will have all units finished concurrently.

## **8.2 Required Submittal Information**

The submittal and review process typically consists of two stages: "Preliminary Approval" and "Final Approval". Any person may request to meet with the DRC to discuss design review matters or to review conceptual plans with the DRC by making an appointment with the DRC's professional consultant.

Any applicant wishing to enter the formal design review process may do so by submitting a complete Application for Design Review to the DRC, including any documents required for the Preliminary Approval Submittal and/or the Final Approval Submittal, and paying the required Plan Review Fees and Compliance Deposit as set forth below. The applicant shall also ask to be placed on the DRC's meeting agenda. An applicant will be placed on the meeting agenda after submitting all drawings, plans, specifications, material samples and other such documents as deemed necessary by the DRC's professional consultant. All such documents and materials must be submitted to the DRC's professional consultant one week prior to the scheduled DRC meeting, unless a later submittal date is approved by the professional consultant.

In some cases, the preliminary and final approval application may be processed at one DRC meeting. An applicant may contact the DRC's professional consultant to determine if such a procedure is feasible for a given building project. It should be noted however, that any applicant wishing to avoid or pass over the preliminary approval stage of the review process risks the rejection of the project, or major elements of the project, at the final approval stage because the DRC did not have the opportunity to review and comment upon the project at the preliminary stage.

**a. Preliminary Approval Submittal**

Applicants may submit any or all of the items listed below under the Final Approval Submittal at any time; however, applicants may wish to receive preliminary approval prior to the preparation of the documents required for the Final Approval Submittal. In such cases, applicants must submit one copy of drawings, sketches, and other information with enough detail to adequately describe the proposed building project and the proposed use of exterior materials, colors and conceptual landscape design, if required. Proposed exterior modifications must be accompanied by full pictures of the existing entire building, for example, both halves of a duplex. An applicant requesting preliminary approval on any building project should contact or meet with the DRC's professional consultant to determine the nature and extent of the information and documents required for submission for preliminary approval.

- b. Final Approval Submittal:** One full size hard copy and one digital PDF format (max. 10 mb file size) of the following documents must be submitted for final approval of an Application for Design Review (the "Final Approval Submittal"), and typically consist of the same drawings, data and other information which the applicant will submit to the Eagle County Building Department for building permit application. The deadline for submittal is one week prior to the scheduled meeting.

**1. Site and Grading Plan as follows:**

- Drawing scale not smaller than 1" = 10'. Drawing date, north arrow, lot, block, and filing numbers, as well as street address.
- Property lines shown with bearings and distances noted.
- Lot size in acres or in square feet.
- Setback and easement lines.
- Locations of buildings, edges of street pavement, and other improvements.
- Topography of site shown at two-foot contour intervals (min.) indicating existing topography and proposed topography. Finish floor elevations of garage(s) and first floor level as it relates to existing grades and street elevations
- Location of existing trees, streams, lakes, ponds, or other such natural conditions.
- Location and design of decks, patios, walkways, driveways, parking spaces, accessory structures, utility pedestals, site lighting and other such site improvements if required or proposed.

**2. Landscape Plan as follows:**

- Drawing at same scale as Site Plan showing location of decks, patios, walkways, driveways, parking spaces, accessory structures, utility pedestals, and other such site improvements proposed.
- Location of all existing trees and other plant materials.
- Location of all proposed new trees, shrubs, bushes, and other new plant materials.
- Location and extent of proposed new grass, sod or other ground covers.
- "Landscape Materials Schedule" indicating quantities, sizes and types of trees and other plant materials.

**3. Construction Drawings as follows:**

- Drawing scale to be not smaller than 1/8" = 1'-0".

- All drawings to have project title, date, street address and/or Lot, Block, Filing numbers and North Arrow where appropriate
- Foundation Plan of proposed structure and other physical improvements.
- Floor Plans showing uses, dimensions, configurations of spaces within the proposed structure as well as exterior configuration, openings and dimensions.
- Roof Plan indicating roof pitch, valleys, hips, ridges, chimneys, skylights, overhangs and roofing materials.
- Building Elevations clearly indicating all proposed exterior building materials. Indicate Existing and Proposed Grades along the exterior building planes. Floor Elevations and Roof Ridge Elevations will be marked. Exterior lighting should be shown on Building Elevations.
- Building Sections as necessary to fully explain the proposed construction may be necessary. Existing grade along the section line will be shown, as well as proposed grades at exterior of the structures.
- Plans showing exterior building lighting.

**4. Building Material and Color Samples as follows:**

- Actual proposed paint, stain or other color samples with a color schedule showing where such colors are to be applied. A color schedule need not be submitted if the Building Elevations or other drawings indicate the location of the proposed colors.
- Actual material samples of any unusual building materials proposed for use, or building materials samples as requested by the DRC.
- Light fixture schedule showing specifications for fixtures and lamping for all exterior building-mounted, site and landscape lighting.

**5. Joint Owner Approval Letter must be on record at this time**

**6. Review Fees must be paid at this time.**

After an applicant has received final approval of its Design Review Application from the DRC, the applicant shall submit three (3) complete sets of drawings and other necessary documents to the DRC's professional consultant. When such submission is deemed complete by the professional consultant, and after all required Plan Review Fees and Compliance Deposits have been properly paid, the professional consultant will stamp the drawing sets with the DRC's approval stamp and return two sets to the applicant for submittal to Eagle County for Building Permit.

### **8.3 DRC Decisions**

- a. The DRC shall notify the applicant in writing of approval or disapproval of all Applications for Design Review, or request additional information or clarification within forty-five (45) days after receiving an Application. In the case of a request for additional information or clarification, the forty-five (45) day period shall commence upon receipt of the requested information. In the event the DRC fails to approve or disapprove such Application for Design Review or disapprove pending receipt of additional information or clarification within forty-five (45) days after said Application for Design Review has been submitted to it, approval will not be required and this Guideline and the Declaration shall be deemed to have been fully complied with, except that any variances from the Guidelines must be approved in writing by the DRC.

- b. Date of receipt of an application for Design Review shall be considered that date when all required sets of drawings and materials constituting a full application are received by the Professional Consultant to the DRC. Incomplete applications will not be considered by the Committee.
- c. The DRC may determine, at its sole discretion, that an on-site inspection of a Lot or Property is necessary prior to approval, including an inspection of any in-place sample materials and/or colors. Not every submittal will require an on-site inspection. Any time during the architectural review, approval and construction process, the applicant agrees to comply with requests for inspection and/or to provide additional information for purposes of determining if improvements are being constructed in accordance with the approved plan and in compliance with the Declaration and these Guidelines. Refusal may result in the withdrawal of approval or issuance of a Stop Work Order.
- d. A majority vote of the DRC is required to approve any proposed action subject to the DRC's review, unless the DRC has designated a representative to act for it, in which case the decision of the designated representative shall control.
- e. The DRC's decision shall become final if no appeal is filed by the applicant within twenty (20) days of the date of the DRC's decision.

## **9.0 PROJECT COMMENCEMENT, COMPLETION AND INSPECTION**

- 1. Any person or entity undertaking a project in Eagle Vail which requires a Compliance Deposit shall have two years from the date of DRC approval to commence the project or the applicant must reapply for DRC approval.
- 2. Any person or entity undertaking a project in Eagle Vail which requires a Compliance Deposit shall have two years from the date of making the Deposit to complete the project in accordance with the approved plans.
- 3. In addition to any inspections required by the Eagle County Building Department and any other governmental or quasi-governmental entity with jurisdiction over the construction site, an Owner must schedule an inspection with the DRC following substantial completion of the project. The DRC will conduct an inspection and prepare a report containing a list of any incomplete items or items or areas of non-compliance. If the Owner has failed to perform its construction activity or complete its project in accordance with its approved stamped plans and these Guidelines, the Owner shall promptly perform such remedial work as the DRC shall require. The inspection and completion of any items contained in the Inspection Report shall occur within the two-year time frame referenced in these guidelines. The DRC may allow such additional time to complete required remedial work as it may determine in its sole discretion. Upon final approval of the project, the DRC shall issue a certificate of compliance confirming compliance with the approved stamped Construction Drawings and these Guidelines (the "Certificate of Compliance").

If the Owner has not called for an inspection and/or the project is not completed according to the approved plans (including requirements of the inspection report) within the two-year time frame, the Compliance Deposit shall be forfeited. The EVPOA shall keep all forfeited funds and may use the forfeited funds for its own purposes, at its sole discretion. In

extreme and unusual circumstances, the DRC may grant a maximum one year extension to the two year period described above, at its sole discretion.

4. Throughout the aforementioned two-year requirement of completion of construction referenced in these guidelines, there shall be a requirement for Continuing Construction. "Continuing Construction" shall mean: (i) that a building permit for construction of the Owner's project has been duly issued by the appropriate Eagle County, Colorado official and remains active; and (ii) that the Owner is diligently pursuing completion of the project such that there is no interruption or cessation of on-site construction that exceeds six months. In the event an Owner fails to maintain Continuing Construction, as determined by the DRC, in its sole discretion, the project shall be deemed abandoned. The DRC shall notify Owner of its failure to maintain Continuing Construction, accompanied by notice that the Owner has the right to request a DRC hearing for determination of whether a violation of the EVPOA Restrictive Covenants or Design Review Guidelines has occurred. The Owner or an Owner's Representative must be present at the hearing. Following such notice and opportunity for a hearing, in the event the DRC determines that the construction was abandoned for any reason, the Compliance Deposit shall be forfeited. The EVPOA shall keep all forfeited funds and may use such funds for its own purposes, in its sole discretion. Owner shall thereafter be responsible for restoring the Lot to its original condition at its sole cost, including but not limited to demolition of any improvements and restoration of vegetation. If Owner fails to restore the Lot within 180 days of the date of the DRC's determination of abandonment, the EVPOA may restore the Lot, and may, but is not obligated to, use all or a portion of the forfeited Deposit for the cost of any such demolition and restoration. The Owner shall be responsible for reimbursing the EVPOA for all costs of demolition and restoration of the Lot. Any such costs not reimbursed within 60 days from the date of the EVPOA's demand for payment/reimbursement shall act as a lien upon the Owner's Property and said lien may be enforced in the same manner as a lien for unpaid assessments in accordance with the Declaration including the recovery of all attorney fees and costs incurred in collecting the lien.
5. Any non-compliance may be subject to daily fines per the Eagle Vail Covenants.

## **9.1 Changes During Construction**

1. Any Owner, developer or contractor who has received final approval of its Design Review Application from the DRC for a project shall be required to notify the DRC's professional consultant of any planned or unanticipated changes to the work which cause the project to vary from what was shown on the previously approved drawings, plans and other documents. If the DRC's professional consultant deems the changes require further review and approval by the DRC, the applicant shall be required to meet with the DRC to request formal approval of the changes.
2. Any applicant who makes changes to the project during construction without first notifying the DRC's professional consultant, and which causes the project to vary from what is shown on the previously approved drawings, stamped plans, and other documents may be subject to a fine, after notice and opportunity for a hearing. Upon receiving notice of such as-built changes, the DRC will review the changes at its next scheduled meeting, or such other time as the DRC shall determine at its sole discretion. If the DRC does not approve such as-built changes, and if the applicant refuses to perform such remedial work as required by the DRC for the project to conform with the approved stamped plans to the satisfaction of the DRC, the DRC may impose a fine pursuant to these Guidelines, after

notice and opportunity to be heard, and the DRC may notify the EVPOA and recommend that the EVPOA take enforcement action against the applicant. The DRC may additionally notify the Eagle County Building Department.

## **9.2 Miscellaneous**

1. The public street(s) shall be kept clean and free from debris, dirt, and building materials during construction operations.
2. No dumping or stockpiling of dirt, debris or building materials shall be permitted on adjoining Lots.
3. No open burning of building material scraps is permitted.
4. Access to lots under development from or across adjoining property, including the golf course is prohibited.
5. No construction workers or other people shall live in trailers, temporary buildings, or in any building or structure under construction of the Project. No Owner may occupy or otherwise use any construction or improvements to Property until it has received a certificate of compliance from the DRC and a Certificate of Occupancy or temporary Certificate of Occupancy from the Eagle County Building Department.
6. All contractors and builders shall supply and properly maintain temporary toilet facilities on the Property during the construction of the project.
7. All contractors and builders shall ensure that stockpiled building materials are stored in such a manner that wind will not carry the material away from the Property onto other Property and Lots. Construction debris and trash shall be stockpiled, stored, and controlled so that it shall not be blown by the wind onto other Property and Lots.
8. Temporary construction offices, sheds or trailers shall not be located on public street right-of-ways, or on golf course property.
9. Exterior construction shall be limited to occur only between the hours of 8:00 a.m. to 7:00 p.m.

**EAGLE VAIL PROPERTY OWNERS' ASSOCIATION, INC.****Application for Design Review**

Application No. \_\_\_\_\_

Property where work is to be done:

Date submitted \_\_\_\_\_

Street Address \_\_\_\_\_

Date approved \_\_\_\_\_

Lot \_\_\_\_\_, Block \_\_\_\_\_, Filing \_\_\_\_\_

Owner's Name(s) \_\_\_\_\_

Mailing Address:

Street/ P.O. Box \_\_\_\_\_ City \_\_\_\_\_, State \_\_\_\_\_, Zip \_\_\_\_\_

Phone \_\_\_\_\_, Fax \_\_\_\_\_, email \_\_\_\_\_

If you are part of a duplex, fourplex, or condo association, you must include written approval from the adjacent duplex owner or property owner(s) or association.

Nature of application

New Construction \_\_\_\_\_  
 Addition / Remodel \_\_\_\_\_  
 Roof Material \_\_\_\_\_  
 Fence \_\_\_\_\_  
 Repaint \_\_\_\_\_  
 Other \_\_\_\_\_

Review Fee = \$0.50 / sq ft  
 Review Fee = \$0.50 / sq ft / \$500.00 minimum  
 New Material = \$150.00 / Same Material = \$0.00  
 Review Fee = \$150.00  
 New Color = \$150.00 / Match Existing = \$0.00

Fee Amount \_\_\_\_\_ Paid ( )  
 Landscape / Clean-up / Compliance Deposit \_\_\_\_\_ Paid ( )

The Compliance Deposit is the Review Fee times four (4x), min. \$1,500/residence, not applicable to fences and minor changes. Roofing and repainting are subject to a \$250 compliance deposit. All fees shall be paid by check to the DRC administrator, and should be made payable to Eagle Vail POA.

**Applicant:** I have read, and understand the: Eagle Vail Design Review Guidelines  
 Eagle Vail PUD Guidelines (Eagle County Zoning)  
 Eagle Vail Protective Covenants  
 Eagle Vail Supplemental Rules and Regulations

I understand that written approval must be obtained from the Eagle Vail Property Owners' Association Design Review Committee ("DRC") before any construction can commence. I further agree not to alter existing drainage patterns on any Lot without the express approval of the DRC. I understand that DRC approval does not constitute approval of the Eagle County Building Department, nor is it a guarantee of structural safety or engineering soundness. I agree that I will obtain the necessary Eagle County building permits prior to commencement of any work, and that failure to do so will result in withdrawal of approval. I agree that the DRC, or its designated agent, may enter upon a construction site at any reasonable time to inspect the progress of the construction activity and ensure compliance with approved final plans and the Eagle Vail Design Guidelines. I acknowledge that refusal to grant such access shall result in withdrawal of DRC approval.

Signature \_\_\_\_\_  
 Telephone \_\_\_\_\_

Submittals smaller than 8 ½ X 11 will NOT be accepted; therefore, secure photographs, color sample, etc. to an 8 ½" X 11" sheet of paper, preferably rigid cardboard. Identify EVERY sheet of submittal with owner's name and property address.

**Brief Description of Project**

Description of work (include design, nature, kind, size, shape, height, width, color, materials, general plan of landscaping, if required, fencing, windbreaks, grading and location of proposed improvement):

Proposed Date for Commencement of Work: \_\_\_\_\_

Estimated Time for Completion of Work: \_\_\_\_\_

Attachments:

- \_\_\_\_\_ Full size construction drawings, prepared by a Colorado licensed architect or engineer, if structural changes. See section 8.2.b for final submittal requirements
- \_\_\_\_\_ PDF version of all drawings
- \_\_\_\_\_ Specifications (e.g. manufacturer's brochure)
- \_\_\_\_\_ Samples or description of paint or stain colors
- \_\_\_\_\_ Sample of materials
- \_\_\_\_\_ Exterior Lighting cut sheets
- \_\_\_\_\_ Photographs
- \_\_\_\_\_ Approval from duplex owner or property owners' association
- \_\_\_\_\_ Other

**EAGLE VAIL PROPERTY OWNERS' ASSOCIATION, INC.  
DESIGN REVIEW COMMITTEE**

**PARTY WALL CONSENT FORM**

This form is applicable to all Design Review applicants that share ownership of the subject property. For example, the subject property where construction is occurring is a duplex, condominium (or multi-tenant building). This form shall be completed by the applicant's party wall / joint property owner. In the case of a multiple-family dwelling or multi-tenant building, the association shall complete this form and mail to: Eagle Vail Design Review Committee, P.O. Box \_\_\_\_\_ or fax to \_\_\_\_\_.

I, (print name) \_\_\_\_\_, a joint owner, or as authority of the \_\_\_\_\_ association, of property located at \_\_\_\_\_, provide this letter as written approval of the plans dated \_\_\_\_\_ which have been submitted to the Design Review Committee of the Eagle Vail Property Owners' Association, Inc. for the proposed improvements to be completed at the address noted above. I understand that the proposed improvements include:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

☐ I understand that minor modifications may be made to the plans over the course of the review process to ensure compliance with the rules and regulations of the Eagle Vail Property Owners' Association, Inc.

☐ I request that all modifications, minor or otherwise, which are made to the plans over the course of the review process, be brought to my attention by the applicant for additional approval before undergoing further review by the DRC.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

## APPENDIX I

### Outdoor Lighting Standards

#### A I 1.0 Intent and purpose.

- a. The purpose of this standard is to reduce offensive lighting sources and reduce light trespass beyond property lines, including unnecessary upward lighting. Eagle Vail residents and guests value small town character and the qualities associated with this character, including the ability to view the stars against a dark sky. They recognize that inappropriate and poorly designed or installed outdoor lighting causes unsafe and unpleasant conditions, and limits their ability to enjoy the nighttime sky.
- b. This Regulation is intended to help maintain the health, safety and welfare of the residents of Eagle Vail through the regulation of exterior lighting in order to:
  - (1) Promote adequate light for safety and security;
  - (2) Prevent inappropriate and poorly designed or installed outdoor lighting;
  - (3) Reduce glare;
  - (4) Reduce nighttime light pollution and protect and reclaim the ability to view the night sky by restricting the unnecessary upward and outward projection of light; and
  - (5) Phase out existing nonconforming fixtures that violate this Regulation, including those owned by the community of Eagle Vail

#### A I 2.0 Definitions

For the purposes of this Chapter, the following definitions shall apply:

*Exterior lighting.* Temporary or permanent lighting that is installed, located or used in such a manner to cause light rays to shine outdoors. Luminaires that are indoors that are intended to light something outside are considered exterior lighting.

*Fixture height.* The vertical distance from the ground directly below the centerline of the fixture to the lowest direct light emitting part of the fixture.

*Full cut-off fixture.* A fixture designed and installed where no direct light (as opposed to scattered light) is emitted at or above a horizontal plane running through the lowest point on the fixture.

*Fully shielded.* The luminaire incorporates a solid opaque barrier (the shield), which permits no light to escape through the barrier.

*Glare.* Stray, unshielded (including reflected) light striking the eye that may result in (a) nuisance or annoyance glare such as light shining into a window; (b) discomfort glare such as bright light causing squinting of the eyes; (c) disabling glare such as bright light reducing the ability of the eyes to see into shadows; or (d) reduction of visual performance.

*Holiday (seasonal) lighting.* Temporary festive lighting intended to celebrate the winter season and the Thanksgiving, Christmas and New Year's holidays.

*Light pollution.* Any manmade light that diminishes the ability to view the night sky.

*Light source.* The source of the light emitted by the fixture. Also referred to as *bulb*.

*Light trespass.* Light falling on the property of another or the public right-of-way when it is not required to do so.

### **A I 3.0 Applicability.**

The lighting standards of this Regulation shall be applicable to all exterior lighting within Eagle Vail. All exterior lighting installed after the effective date of this Regulation shall conform to the standards established by this Regulation. All existing lighting installed before the effective date of the Regulation shall be brought into conformance with this Regulation within five (5) years from the date of adoption of the Regulation codified herein, or by September 31, 2017.

### **A I 4.0 General outdoor lighting standards.**

The following lighting standards shall apply to all properties located within the neighborhood of Eagle Vail:

- a. The style, color and design of the fixtures shall be compatible with the overall design concept and use of materials for the building.
- b. All lighting shall be shielded such that the source of illumination (filament, frosted bulb or the reflection of those from a shiny surface) is not visible from the property line, thereby reducing glare and interference with boundary streets and adjacent properties. Light fixtures near adjacent property may require special shielding devices to prevent light trespass. On steep lots, special consideration should be given to lighting location, fixture selection and orientation of fixtures.
- c. All lighting (including, but not limited to street, parking lot, security, walkway and building) shall conform with the definition for full cut-off fixtures with the light source downcast and fully shielded, with the following exceptions:
  1. Holiday lighting from November 15th to March 1st.
  2. Sensor activated luminaries, provided that:
    - a. It is located in such a manner as to prevent glare and lighting onto properties of others or into the public right-of-way.
    - b. The luminaire is set to only go on when activated and to go off within five (5) minutes after activation has ceased.
    - c. The luminaire shall not be triggered by activity off the property.
  3. All temporary emergency lighting needed by the Fire and Police Departments, or other emergency agencies.

4. Luminaires (light fixtures) that have a maximum output of one thousand (1,000) lumens per fixture (equal to one [1] sixty-watt incandescent light), regardless of the number of lamps, provided:
  - a. The bulb of the fixture is not visible;
  - b. The fixture utilizes frosted, opalescent, clear or iridescent glass;
  - c. The fixture has an opaque top or is under an opaque portion of the building structure;
  - d. If the fixture utilizes clear glass, the output of the fixture must be shielded by the architecture of the structure; and
  - e. All fixtures must not cause glare or light trespass beyond the property.
5. Temporary (two [2] days or less) high intensity discharge floodlighting may be used for sports lighting and community-sponsored events, provided that the lighting be turned off no later than one (1) hour after the event is concluded. The fixtures must be aimed so that their beams are directed and fall within the primary playing or performance area.
6. All permanent sports and event lighting shall be equipped with a glare-control package (louvers, shields or similar devices) and the fixtures must be aimed so that beams are directed and fall within the primary playing area and light trespass is minimized.

#### **A I 5.0 Lighting plan**

- a. A site indicating exterior light locations shall accompany all Design Review Applications. All lighting plans shall be subject to approval through the design review process.
- b. The lighting plan and/or specifications shall show:
  1. The type and luminous intensity of each light source and wattage (e.g., incandescent, halogen, high-pressure sodium);
  2. The type of fixture (e.g., floodlight, full-cutoff, lantern, coach light);
  3. Fixture location and height above all proposed grade;
  4. Shielding and all mounting details;
  5. Manufacturer cut-sheet and/or specification materials with scaled drawings or photographs including: initial lumen rating, color rendering index and wattage of each lamp;
  6. Any other information deemed necessary by the Design Review Committee to document compliance with the provisions of this Regulation.

#### **A I 6.0 Figures and diagrams.**

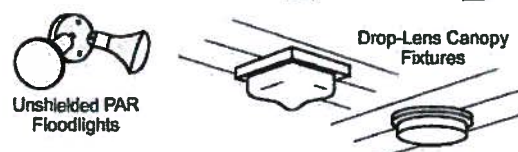
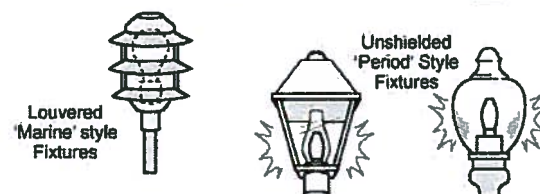
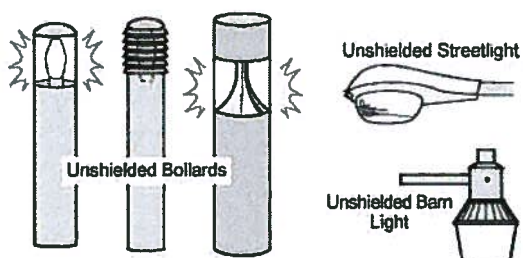
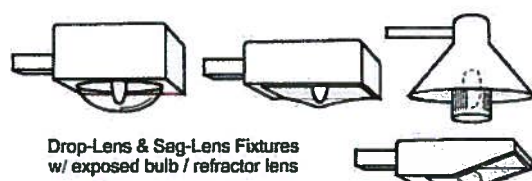
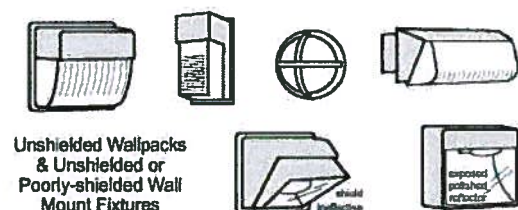
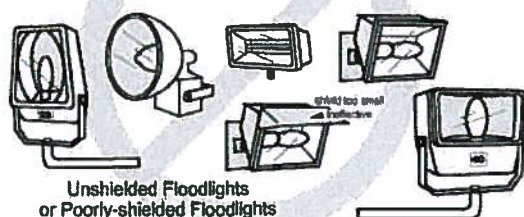
The following figures illustrate examples of acceptable and unacceptable types of outdoor lighting fixtures. Note that even those types of fixtures shown as "acceptable" must be installed and aimed properly to comply with this Regulation.

# Good Lights for Good Nights

Help eliminate light pollution. Select the best fixture for your application using this guide. Use the lowest wattage bulb appropriate for the task and turn off the light when it's not being used.

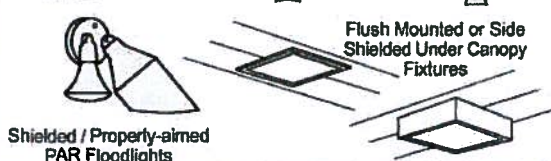
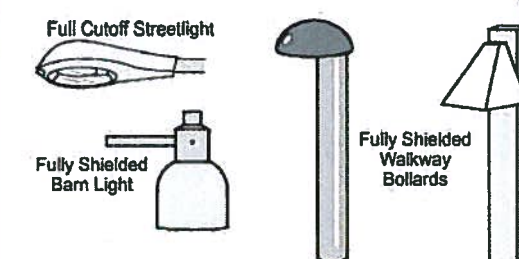
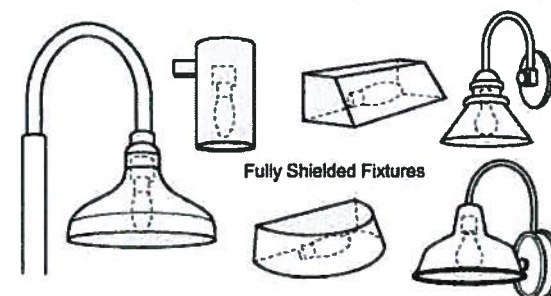
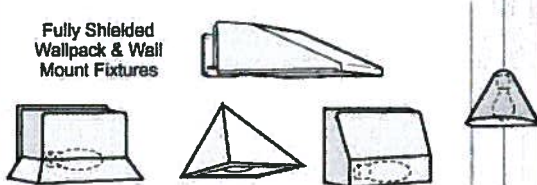
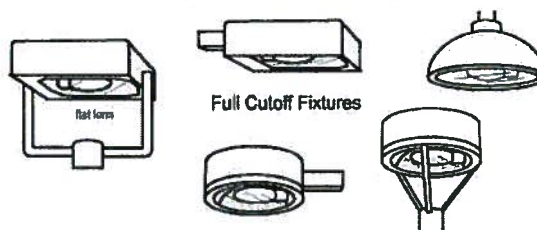
## Unacceptable / Discouraged

Fixtures that produce glare and light trespass



## Acceptable

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



Rendered for the Town of East Hampton, NY by Bob Crellin ©2/05

presented by the  
Dark Sky Society  
[www.darkskysociety.org](http://www.darkskysociety.org)

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**Community of EagleVail Briefing:**

January 10, 2013

**BOG Goals, Objectives and Priorities/Community Survey**

By: Jeff Layman, Community Manager

**Issue**

This is a continuing effort to sharpen our focus on the Board's priorities. We're asking for Board feedback on content and timing of the surveys.

**Background**

The Board and its staff met in retreat on December 1, 2011 at Eagle River Presbyterian Church to set priorities for 2012 and beyond.

During the retreat, we listed many "current and near-future" goals, a list of potential "board effectiveness and accomplishment measures" and some "blue sky" ideas that should be pursued.

**Discussion**

The BOG directed the staff to plan to survey the community again toward the end of the summer 2012. It was during this period, however, that we were surveying the community regarding "courts" and we've been trying to be sensitive to overloading owners and residents with surveys. Similarly, we're about to do a "parks" survey and are a little concerned that our respondents might get "survey overload".

Attached are the survey questions used last spring to collect data to direct our work. We are asking for input from the BOG regarding questions that should be asked and the timing of the survey.

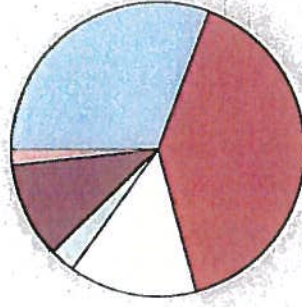
We will add a question regarding the utility of televising our meetings on Channel 5, and may incorporate a "parks section" in the survey.

# EagleVail Community 2012 Survey public

Would you say that things in EagleVail are going in the right direction, or gotten off track?

Answer Options	Response Percent	Response Count
5- Right Direction	30.7%	55
4	40.2%	72
3	14.0%	25
2	2.8%	5
1 - Off Track	10.6%	19
No Opinion/Preference	1.7%	3
Why do you feel this way? (optional)		66
	answered question	179
	skipped question	4

Would you say that things in EagleVail are going in the right direction, or gotten off track?



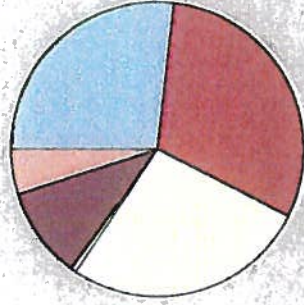
5- Right Direction  
4  
3  
2  
1 - Off Track  
No Opinion/Preference

# EagleVail Community 2012 Survey public - 2

Over the past two years, has the sense of community within EagleVail improved, gotten worse or stayed the same?

Answer Options	Response Percent	Response Count
5- Improved	26.8%	48
4	30.7%	55
3 - Stayed the same	26.8%	48
2	0.6%	1
1 - Gotten Worse	10.1%	18
No Opinion/Preference	5.0%	9
Do you have any comments or suggestions on your response?		32
	<i>answered question</i>	179
	<i>skipped question</i>	4

Over the past two years, has the sense of community within EagleVail improved, gotten worse or stayed the same?



☐ 5- Improved  
☐ 4  
☐ 3 - Stayed the same  
☐ 2  
☐ 1 - Gotten Worse  
☐ No Opinion/Preference

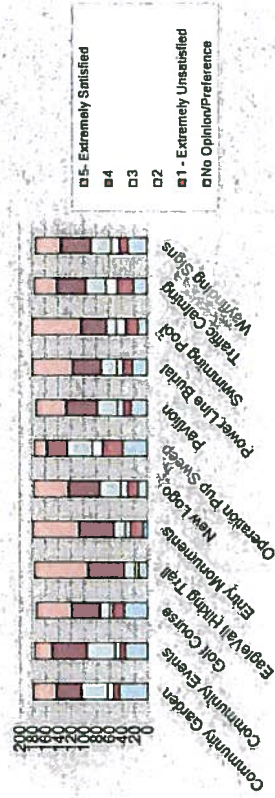
# EagleVail Community 2012 Survey public - 3

The EagleVail Board of Governors has embarked on a number of projects throughout the community. For each area listed below, indicate your level of satisfaction with the progress of the improvements.

Answer Options	5- Extremely Satisfied	4	3	2	1 - Extremely Unsatisfied	No Opinion/Prefer	Response Count
Community Garden	34	40	40	10	10	44	178
Community Events	28	55	44	8	8	35	176
Golf Course	54	45	15	5	18	38	173
EagleVail Hiking Trail	83	57	17	5	1	13	176
Entry Monuments	72	55	18	8			
New Logo	53	50	33	11			
Operation Pup Sweep	18	32	40	16			
Pavilion	45	50	32	10			
Power Line Burial	62	45	25	10			
Swimming Pool	75	40	16	15			
Traffic Calming	34	46	31	19			
Wayfinding Signs	38	48	32	13			

Do you have any comments or suggestions on your responses?

The EagleVail Board of Governors has embarked on a number of projects throughout the community. For each area listed below, indicate your level of satisfaction with the progress of the improvements.

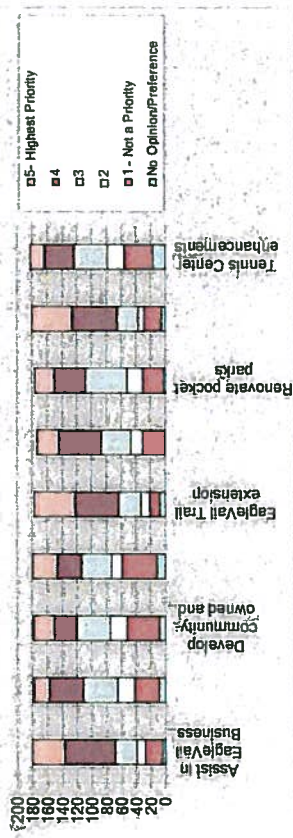


# EagleVail Community 2012 Survey public - 4

The EagleVail Board of Governors has recently identified a number of topics that it addressed are seen as adding to our quality of life. For each item listed below, indicate the level of priority you believe is appropriate.

Answer Options	5- Highest Priority	4	3	2	1- Not a Priority	No Opinion/Prefer none	Response Count
Assist in EagleVail Business District revitalization	43	69	29	11	24	4	180
Continued improvements to Nordic track	20	47	46	23	33	9	178
Develop community-owned and maintained fence on	27	31	45	23	44	8	178
Develop dog parks (off-leash areas)	32	34	40	14	48	11	179
EagleVail Trail extension	55	59	30	12			
Highway beautification	28	58	40	16			
Renovate pocket parks	25	43	56	21			
Support the Eco trails connection between neighborhood	54	61	28	8			
Tennis Center enhancements	18	41	44	23			

The EagleVail Board of Governors has recently identified a number of topics, that if addressed, are seen as adding to our quality of life. For each item listed below, indicate the level of priority you believe is appropriate.

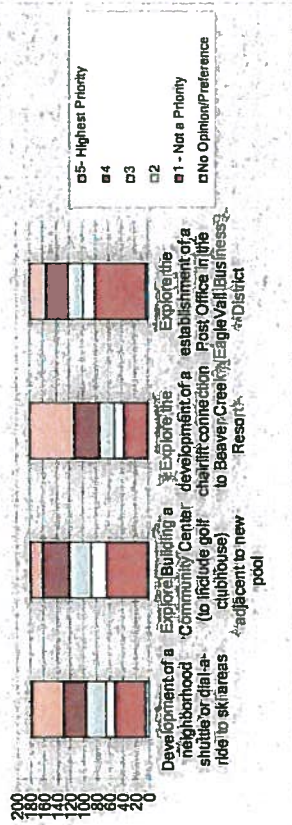


# EagleVail Community 2012 Survey public -5

The EagleVail Board of Governors has identified the following future possibilities. For each item below indicate level of priority you believe is appropriate.

Answer Options	5- Highest Priority	4	3	2	1- Not a Priority	No Opinion/Prefer area	Response Count
Development of a neighborhood shuttle or dial-a-ride to	47	35	30	14	47	5	178
Explore Building a Community Center (to include golf	18	41	32	24	61	3	179
Explore the development of a chairlift connection to	67	39	23	14	35	2	180
Explore the establishment of a Post Office in the	24	35	22	18	77	4	180

The EagleVail Board of Governors has identified the following future possibilities. For each item below indicate level of priority you believe is appropriate.



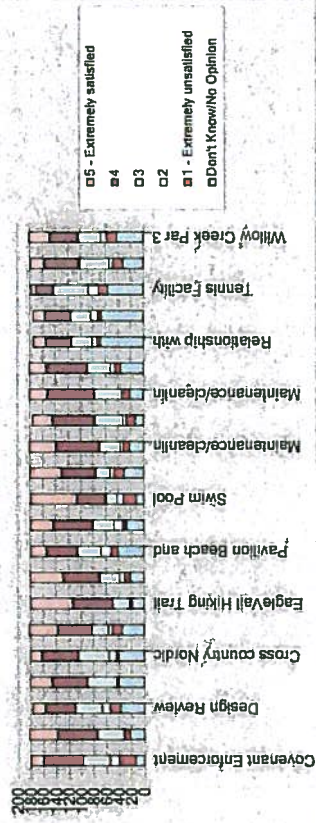
# EagleVail Community 2012 Survey public - 6

How satisfied are you with the following amenities/services provided by EagleVail?

Answer Options	5 - Extremely satisfied	4	3	2
Covenant Enforcement	19	63	43	15
Community Clean Up Days	43	65	42	3
Design Review Committee	19	48	43	12
Athletic Fields (soccer and baseball fields owned by EagleVail)	34	57	46	2
Cross country/Nordic Trails	17	58	49	11
Golf Club-18 Hole Course	44	55	26	6
EagleVail Hiking Trail	66	64	28	2
Pavilion	50	60	31	9
Pavilion Beach and Fire Pit	24	49	38	15
Pavilion Park and Great Lawn	35	63	33	10
Swim Pool	72	47	18	3
Friendliness/helpfulness and courtesy of EagleVail	48	56	22	6
Maintenance/cleanliness of EagleVail owned facilities	41	70	33	5
Maintenance of Regulatory and Wayfinding Road Signs	31	68	44	6
Maintenance/cleanliness of EagleVail Pocket Parks	28	75	43	4
Community events	26	66	36	7
Relationship with Eagle County	20	40	33	8
Relationship with towns and other districts (Avon, Traer)	18	41	32	11
Tennis Facility	7	28	55	16
Usefulness of EagleVail website ( <a href="http://www.eaglevail.org">www.eaglevail.org</a> )	21	56	47	6
Willow Creek Par 3 Golf Course	32	45	36	9

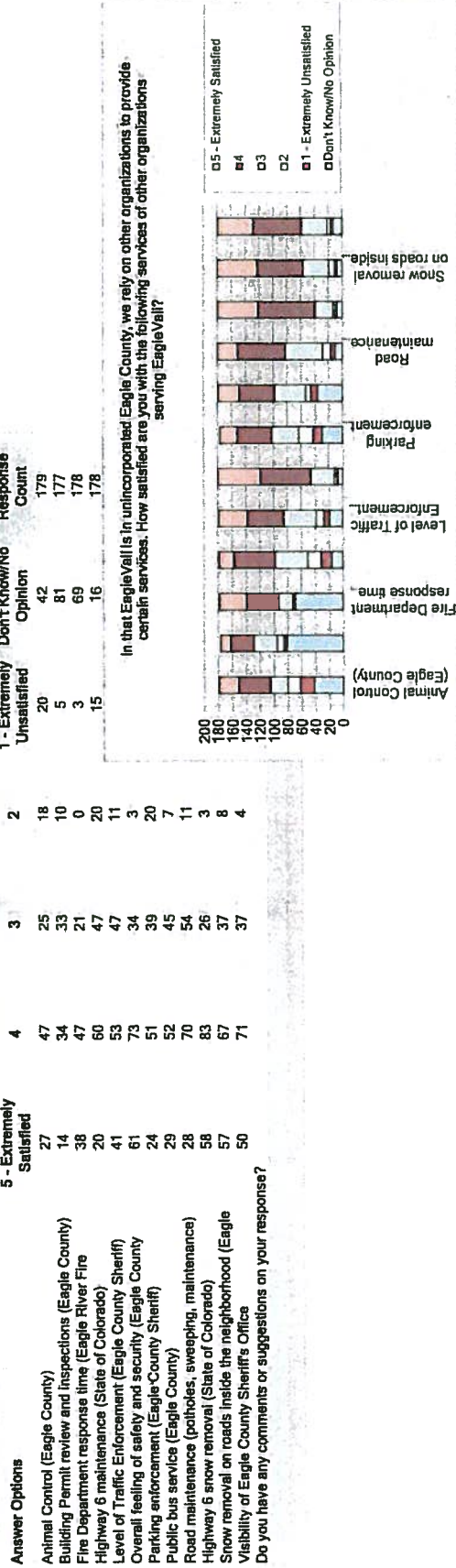
Do you have any comments or suggestions on your responses?

How satisfied are you with the following amenities/services provided by EagleVail?



# EagleVail Community 2012 Survey public -7

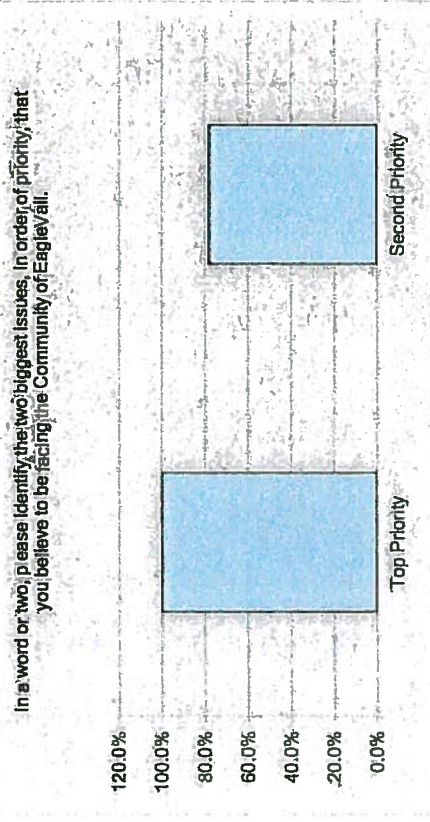
In that EagleVail is in unincorporated Eagle County, we rely on other organizations to provide certain services. How satisfied are you with the following services of other organizations/serving EagleVail?



# EagleVall Community 2012 Survey public -8

In a word or two, please identify the two biggest issues, in order of priority, that you believe to be facing the Community of EagleVall.

Answer Options	Response Percent	Response Count
Top Priority	100.0%	128
Second Priority	78.1%	100
answered question		128
skipped question		55



# EagleVail Community 2012 Survey public -9

Are there any recreational facilities would you like to add in EagleVail?

Answer Options

Response  
Count

91

*answered question*  
*skipped question*

91

92

# EagleVail Community 2012 Survey public -10

Are there any recreational facilities would you like to eliminate in EagleVail?

Answer Options

Response  
Count

79

79

*answered question*

*skipped question*

104

# EagleVail Community 2012 Survey public -11

Are there any recreational programs would you like to add in EagleVail?

Answer Options

Response  
Count

73

73

*answered question*

110

*skipped question*

## EagleVail Community 2012 Survey public -12

Are there any recreational programs would you like to eliminate in EagleVail?

Answer Options

Response  
Count

58

58

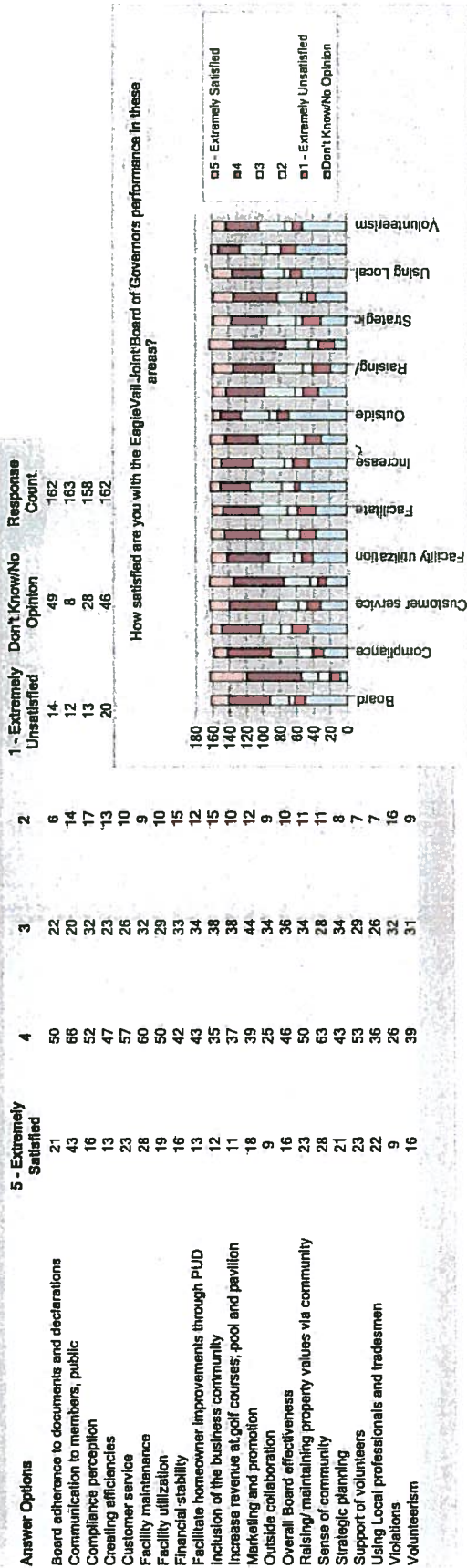
*answered question*

125

*skipped question*

# EagleVail Community 2012 Survey public -13

How satisfied are you with the EagleVail Joint Board of Governors performance in these areas?

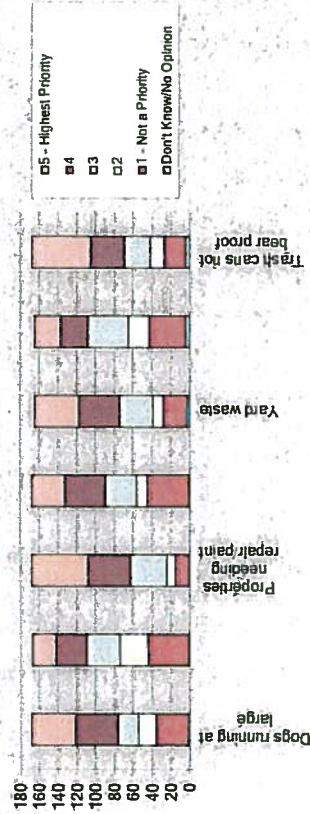


# EagleVail Community 2012 Survey public -14

EagleVail has one full time employee whose primary responsibility is to educate property owners regarding our covenants, conditions, rules and restrictions. When education fails to correct the problem, he resorts to enforcement. In order to help us better understand what is most important to our members, please prioritize the

Answer Options	5 - Highest Priority	4	3	2	1 - Not a Priority	Don't Know/No Opinion	Response Count
Dogs running at large	46	46	22	18	34	2	168
Dogs walked without leashes	25	33	35	30	43	1	157
Properties needing repair/paint	60	46	38	9	15	0	168
Recreational vehicles (snowmobiles, jetskis, RVs) parked	35	44	33	11	44	1	168
Yard waste	47	44	35	11			
Trash cans left out too early/late	27	30	43	22			
Trash cans not bear proof	63	36	27	15			

EagleVail has one full time employee whose primary responsibility is to educate property owners regarding our covenants.

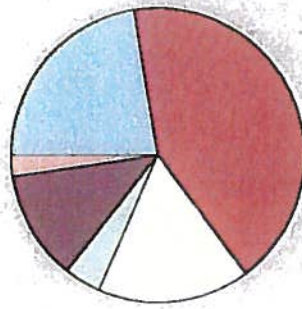


# EagleVail Community 2012 Survey public -15

Thinking about the vision for the new and improved EagleVail, how would you describe your attitude?

Answer Options	Response Percent	Response Count
5 - Very Excited	22.4%	39
4	42.5%	74
3	16.7%	29
2	4.0%	7
1 - Not at all excited	12.1%	21
Don't Know/No Opinion	2.3%	4
answered question		174
skipped question		9

Thinking about the vision for the new and improved EagleVail, how would you describe your attitude?



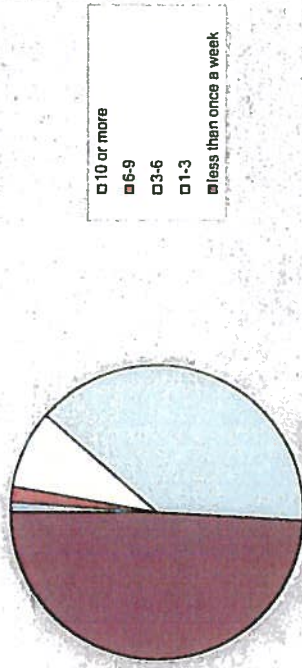
☐ 5 - Very Excited  
☐ 4  
☐ 3  
☐ 2  
☐ 1 - Not at all excited  
☐ Don't Know/No Opinion

# EagleVall Community 2012 Survey public -16

How many times each week do you shop or dine in the EagleVall Business District?

Answer Options	Response Percent	Response Count
10 or more	1.1%	2
6-9	1.7%	3
3-5	8.6%	15
1-3	39.4%	69
less than once a week	49.1%	86
answered question		175
skipped question		8

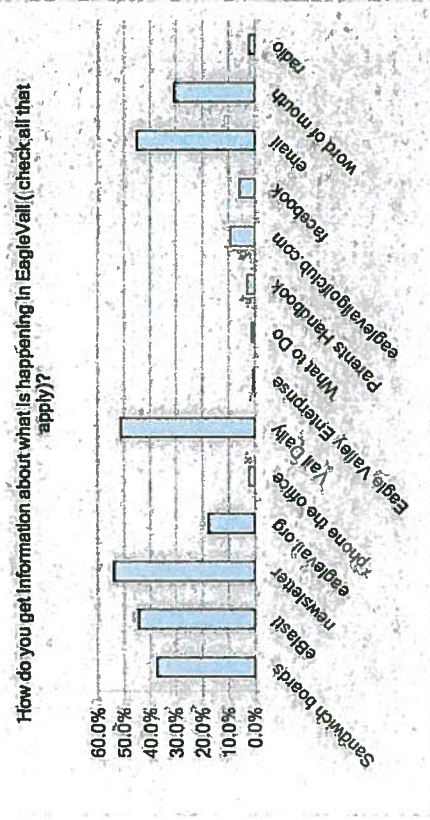
How many times each week do you shop or dine in the EagleVall Business District?



# EagleVail Community 2012 Survey public -17

How do you get information about what is happening in EagleVail (check all that apply)?

Answer Options	Response Percent	Response Count
Sandwich boards	37.6%	65
eBlasi	44.5%	77
newsletter	54.3%	94
eaglevail.org	17.9%	31
phone the office	2.3%	4
Vail Daily	51.4%	89
Eagle Valley Enterprise	0.6%	1
What to Do	1.2%	2
Parents Handbook	2.9%	5
eaglevailgolfclub.com	9.2%	16
facebook	5.8%	10
email	45.1%	78
word of mouth	30.6%	53
radio	2.3%	4
Other (please specify)		5
	answered question	173
	skipped question	10



# EagleVail Community 2012 Survey public -18

Are you a?

Answer Options

Residential property owner  
Residential renter  
Business property owner  
Business owner  
Business employee

Response  
Percent

97.7%  
1.7%  
1.7%  
3.4%  
1.1%

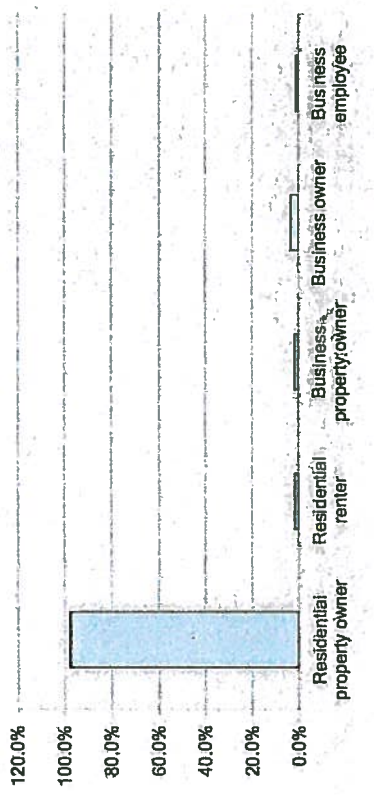
Response  
Count

172  
3  
3  
6  
2

answered question  
skipped question

176  
7

Are you a?

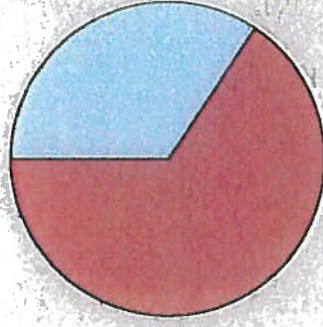


# EagleVail Community 2012 Survey public -19

Have you used the ECO bus system in the last year?

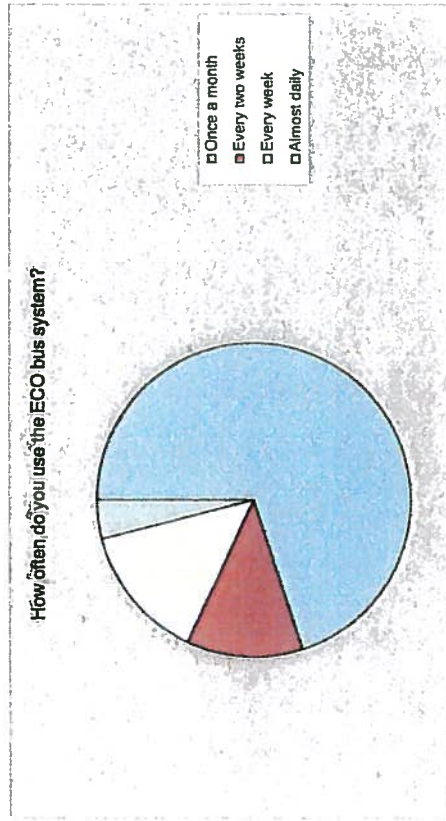
Answer Options	Response Percent	Response Count
Yes	34.3%	60
No	65.7%	115
<i>answered question</i>		175
<i>skipped question</i>		8

Have you used the ECO bus system in the last year?



# EagleVail Community 2012 Survey public -20

How often do you use the ECO bus system?			
Answer Options	Response Percent	Response Count	
Once a month	70.0%	35	
Every two weeks	12.0%	6	
Every week	14.0%	7	
Almost daily	4.0%	2	
			answered question
			50
			skipped question
			133



# EagleVail Community 2012 Survey public -21

When leaving EagleVail, do you usually travel East ( Minturn, Vail) or West ( Avon, Edwards)?

## Answer Options

Response Options	Response Percent	Response Count
East	63.2%	36
West	36.8%	21
	<i>answered question</i>	57
	<i>skipped question</i>	126

When leaving EagleVail, do you usually travel East ( Minturn, Vail) or West ( Avon, Edwards)?

