

Revised 12/5/2016

ARCHITECTURAL REQUIREMENTS AND GUIDELINES

FOR

ZAPATA SUBDIVISION COMMERCIAL SITES

Section I: Overview

INTRODUCTION

The Zapata subdivision has been planned as an attractive, well-maintained place to live. The establishment of Zapata provided for an architectural review process to maintain the standards and property values of the community and to encourage the protection of the natural environment. Commercial properties and residential properties coexist along the northwestern boundary of the Zapata subdivision and every effort will be made to create an environment that will benefit both. Proposed commercial development must be compatible with the nature of the Zapata subdivision, a gated, residential community.

DECLARATION OF COVENANTS

The Protective Covenants and the Amended Declaration of Protective Covenants and their corresponding plat maps dated August 8, 1975 (Book 239, Pages 296-301), and March 11, 1981 (Book 281 Pages 240-244) and recorded on the land records of Alamosa County Clerk and Recorder, Alamosa, Colorado govern and protect the properties within the jurisdiction of the Zapata Homeowners Association (ZHA). The Covenants were primarily adopted to preserve property values within the Zapata subdivision. The Covenants are binding on all property within the Zapata subdivision and “runs with the land” by operation of law.

Commercial development sites are defined by the Covenants and plat maps referenced and filed with the Covenants. It is the property owner’s responsibility to know what lots are recognized as commercial by the ZHA and by Alamosa County. Some property on the Zapata subdivision may be zoned commercial by Alamosa County, but may have more restrictive land use defined in the Covenants and plat maps. Development of property on the Zapata subdivision must meet the requirements of Alamosa County, the state of Colorado, **and** the ZHA Covenants.

APPLICATION OF THESE COMMERCIAL REQUIREMENTS AND GUIDELINES

These requirements and guidelines are in addition to, and may further define the existing Covenants and/or governmental regulations and apply to all commercial building sites within the Zapata subdivision.

PURPOSE OF ARCHITECTURAL REVIEW

All new and remodeled commercial projects will require architectural review. The Architectural Requirements and Guidelines for Zapata Subdivision Commercial Sites provide goals and specific direction as to site design and building design. A review of these documents will help you understand our community's architectural design expectations.

ARCHITECTURAL COMMITTEE

The Covenants establish an Architectural Committee (AC), a committee that is appointed by, and reports directly to, the ZHA Board of Directors. The AC interprets, administers, and enforces the provisions of the Covenants through these Guidelines. The AC consists of the following:

- Chairman
- Committee members

PROJECT REQUESTS

No improvements, alterations, repairs, excavations, or other work which in any way alters the exterior appearance of any property within the Zapata subdivision shall be made or done without the prior written approval of the Architectural Committee. Approval is not required for repairs so long as they do not affect any of the architectural requirements or guidelines.

Each request must be submitted in writing to the AC for approval prior to beginning any work. An AC request form is available at the Association's office and on the website www.zapatahomeowners.org. Requests are individually considered by the AC. Any request submitted for a property with delinquent dues, assessments, or fines will be denied approval.

The AC will consider any possible influence on surrounding properties and will concentrate on maintaining the harmony established in the subdivision.

Requests must comply with the provisions of these architectural requirements and guidelines for Zapata subdivision commercial sites and with the applicable federal, state, county, and local building codes and laws.

Approvals do not indicate a review of or comment upon the structural soundness, safety, or compliance with any government standards and regulations. The property owner is responsible for obtaining any necessary building permits, well and water permits, variances, exceptions, inspections, or other governmental approvals before starting any construction work.

APPLICATIONS

Below is the list of forms to be used for construction on commercial property. Select the form which is appropriate to the construction you are considering.

- **Commercial Pre-structure Construction Application (Form A):** Used for driveways, wells, septic and leach fields, power, fences or walls. This form is a pre-structure construction application and is valid for an eighteen (18) month period. Acceptance and payment for this application does not guarantee approval of construction plans in the future. ***You have three years from the date of this application to receive approval for and begin construction without incurring an additional application fee.***
- **Commercial Building Application (Form B):** Used for new construction to include commercial buildings, outbuildings, wells, driveways, septic and leach fields, fences, and power, and for exterior remodeling or reconstruction.
- **Commercial Site Improvement Application (Form C):** Used for outbuildings, driveways, re-installation of a septic or leach field, re-drilling of a well, power, fences, or walls once a commercial building is on the site.
- **Commercial Variance Application (Form D):** Used for any variances.
- **Commercial Easy Form Application (Form E):** Used for small projects not covered by the above-listed applications.

Send all applications and plans to:

Zapata Homeowners Association

PO Box 1282

Alamosa, CO 81101

719-589-6770

zapatahoainfo@gmail.com

FEES

Form A: Commercial Pre-Structure Construction Application		
Action	Fee	Comment
Performance Bond	\$20,000	To protect the ZHA from uncompleted, substandard, or non-complying projects, a performance bond is required before final approval
Site Plan Review	\$250	Non-refundable
Site re-inspection fee	\$50	Assessed if site not ready for inspection when scheduled inspection is made

Form B: Commercial Building Application		
Action	Fee	Comments
Performance Bond – to be submitted with Full Plan	\$20,000	To protect the ZHA from uncompleted, substandard, or non-complying projects, a performance bond is required before final approval
Sketch Plan Review	\$250	Non-refundable
Full Plan Review	\$500	Non-refundable
Consultant Fee – to be submitted with Full Plan	\$1,000	To be returned if not utilized
Site re-inspection fee	\$50	Assessed if site not ready for inspection when scheduled inspection is made

Form C: Commercial Site Improvement Application		
Action	Fee	Comments
Performance Bond	\$20,000	To protect the ZHA from uncompleted, substandard, or non-complying projects, a performance bond is required
Sketch Plan Review	\$250	Non-refundable
Site re-inspection fee	\$50	Assessed if site not ready for inspection when scheduled inspection is made

Form D: Commercial Variance Application		
Action	Fee	Comments
	No Fee	

Form E: Commercial Easy Form Application		
Action	Fee	Comments
	No Fee	

FINES

No work may begin on a building site within the Zapata subdivision without approval by the AC and Board of Directors. A fine of up to \$10,000 will be assessed for any violation of the Covenants or these requirements and guidelines regarding commencement of construction, grading or excavation, or installation of driveways, wells, septic, leach fields, or power. In addition, the removal of non-complying element(s) may be required. No approval of applications or building permits will be allowed without payment of the fine.

VIOLATIONS

Architectural violations are received and processed through the AC. The standard procedure for processing these violations consists of AC committee or ZHA Board members verifying the problem. Action is then initiated through a two-letter notification procedure. A first letter is sent to the owner with notice of the violation. A resolution of this matter should be made within fifteen (15) days. If no response is received and the violation remains unresolved, the matter will be forwarded to the ZHA Board of Directors and the ZHA's legal counsel for attention. A letter from the Board and Counsel will then be forwarded to the owner addressing the failure to correct the violation and also indicates non-compliance with the Architectural Requirements and Guidelines or Covenants. Finally, if no resolution has been reached within fifteen (15) days, the ZHA may be forced to seek injunctive or other suitable legal relief through legal means. Also, the ZHA will seek reimbursement of all legal fees incurred.

PROJECT COMPLETIONS

Approved projects must be completed within twenty-four (24) months from the date of approval. The AC may consider a written request for extension of the time limit.

GENERAL ADVISEMENT

The Zapata Homeowners Association (ZHA) will not be responsible for providing the infrastructure or security required for commercial development. Additionally, it is the responsibility of the commercial property owner to ensure the Zapata subdivision is protected from unauthorized access or use of the Zapata subdivision property by their customers.

A. Roads

1. The ZHA will follow the same standards for maintenance of platted roads in commercially zoned areas as it does in residentially zoned ones. The ZHA is not responsible for maintenance (including snow removal) of driveways or parking areas that are used to access commercial property.
2. The ZHA is not responsible for providing additional access roads off CO Highway 150.
3. To maintain the gated, residential nature of the Zapata subdivision, ingress and egress to commercial property must be accomplished by means other than movement through the electronic entrance gate.

B. Utilities

Owners of commercial property will be solely responsible for providing electricity, telephone, water, propane, and sewer systems for their property.

C. Water

Because of the limited amount of water available to commercially zoned areas, the ZHA can offer no guarantee that commercial property owners will be granted a well permit by the Division of Water Resources. All fees for commercial wells are the responsibility of the property owner.

D. Usage of ZHA Common Property

Usage of common areas within the Zapata subdivision by commercial operations is prohibited. This includes, but is not limited to, access to and usage of green belts, recreational areas, lakes, road, and all other commonly owned property of the ZHA.

LIMITATION ON LIABILITY

The AC and the members thereof, as well as any representatives of the ZHA Board of Directors designated to act on its behalf, shall not be liable for damages to any person submitting requests for approval or for failure to approve or disapprove in regard to any matter within its jurisdiction under the Covenants and Bylaws.

Neither the AC nor the ZHA, its employees, agents or appointees, shall be responsible in any way for any plans or specifications submitted, revised, or approved in accordance with the foregoing provisions, nor for any structural, or other defects in work done according to such plans and specifications, nor for errors in the on-site location of any construction. The AC shall not be responsible or liable for reviewing plans and specifications for engineering or structural soundness or compliance with any applicable governmental regulations. Any deficiencies or failures of water runoff or drainage plans or designs are not the responsibility of the AC; such responsibility shall fall with the property owners.

Section II: ARCHITECTURAL GUIDELINES

INTRODUCTION

The following requirements and guidelines are provided for assistance in planning projects and submitting requests and are a combination of the 1975 and 1981 Covenants and additional requirements. The AC reserves the right to turn down applications that do not meet the Covenants or requirements and guidelines. The lack of specific information in the guidelines does not preclude the AC from approving or denying any specific project.

STANDARDS OF REVIEW

The ZHA's goal is to promote a high quality of design and for each project to be in harmony with its natural settings. Alteration of natural landforms and plant communities should be minimized; preservation of existing trees and shrubs is given high priority, consistent with providing defensible space for fire protection (See Zapata Fire Mitigation Plan). The ZHA is not attempting to enforce one uniform architectural style. A project may be harmonious with existing buildings without repeating a single architectural style; a compatible diversity of styles is welcome.

The following are encouraged:

- Designs which take advantage of rather than altering natural landforms
- In larger projects, a unifying theme and a human scale of design
- Designs that reinforce Zapata's rural, residential, low-profile character
- Earth toned, subdued colors
- Textured, natural-appearing exterior materials and finishes

The following are not acceptable:

- Massive grading
- Buildings with no recognizable architectural style
- Long, blank walls
- Standardized "national chain" designs
- Reflective, shiny surfaces, except as windows or as accents
- White, bright, or neon colors, except as accents

The location of the project will be carefully considered in relation to surrounding properties. The AC may require landscaping of sufficient height and density to minimize the impact and visibility of a project.

Other considerations:

- Height, bulk and area of building
- Physical and architectural relationship to existing and proposed structures
- Site layout, orientation, and location of buildings, their relationship with open areas and topography, and line of sight
- Height, materials, colors, and variations in boundary walls, fences, and screen planting
- Appropriateness of sign design and exterior lighting
- Landscape considerations
- Compatibility with neighboring structures and surrounding environment

ALLOWED COMMERCIAL USES:

Commercial development within the ZHA subdivision should be in support of the residential community. Exceptions to the list below will be considered on a case-by-case basis and will require a two thirds (2/3) majority vote of the Board of Directors.

- Small retail convenience grocery
- Small carryout/delivery/restaurant
- Small bed and breakfast

SITE PLANNING

Site inspections require a certified improvement survey by a Colorado licensed surveyor. Easements of record must be included on site development plans.

- Septic tanks and leach fields must comply with government regulations.
- Utility easements must comply with government regulations.
- All site work shall take into account the natural drainage patterns on the lot and adjoining lots.
- Vehicles shall be parked only in designated parking lots, private drives, or garages. At the expense of the property owner, all drives, parking, and storage areas shall be covered with a non-impervious surface to maintain the natural drainage.
- Minimum setbacks from property lines must comply with governmental regulations and covenants.

BUILDING SIZE

Height restrictions: two (2) story maximum with no building being more than thirty-two (32) feet in height measured from the middle of the building. Chimneys or other protrusions above the ridgeline may be approved on an individual basis.

Building footprint:

- Maximum square footage = Five thousand (5,000) square feet per lot if any building on the lot is more than one story OR Six thousand (6,000) square feet if all buildings on the lot are one story.
- Minimum square footage = One thousand (1,000) square feet per building
- Maximum of two buildings per lot

EXTERIOR MATERIALS

- **Walls:** Exterior wall materials are limited to natural wood, natural or cast stone, and stucco. Colors will be restricted to natural color ranges to be determined by the AC. The AC, on an individual basis, will review alternative building methods and materials.
- **Roofs:** Roof materials are limited to painted metal, clay or artificial tiles, slate, or asphalt composite shingles. Cedar shingles or shakes are not permitted due to fire danger.

EXTERIOR LIGHTING

Indirect lighting, down lighting, hooded fixtures and low-voltage walkway lighting is required light sources. No exterior lights from which the direct source is visible or that produces excessive light pollution shall be allowed, except as required by law. No pole-mounted security lighting will be allowed. There should be no continuous exterior lighting outside of business hours.

ELECTRICITY

The ZHA requires that all power lines installed for commercial property be buried below ground. No installation or extension of overhead power lines will be allowed.

ANTENNAS

Satellite dish antennas under twenty-four (24) inches in diameter are approved. Dishes over twenty-four (24) inches in diameter will be considered based on size, location, and method of installation and screening. Tower structure antennas will not be approved. No owner or operator of electronic equipment may erect a receiving and sending mast and antenna without prior written approval of the AC. No equipment generating electromagnetic energy that may interfere with communication reception will be permitted.

REFUSE STORAGE

Trash containers/dumpsters will be stored out of sight. Outdoor containers must be bear-proof design and must be screened by an approved fence or enclosure. No burning of refuse or trash is permitted. The commercial property owner is responsible for trash removal for their commercial establishment.

FENCING

Split rail, natural wood, natural or cast stone, smooth wire, and stucco fences may be approved, based on design and individual property owner's needs. Fences, other than those used to screen refuse storage cannot be more than four (4) feet in height. Chain linked and barbed-wire fences are prohibited. Fences must allow for utility easements and must be approved by the AC

before their installation. Commercial property must be fenced in order to avoid infringement on and access to neighboring property.

ENERGY-SAVING DEVICES

For public health, safety, acceptable noise levels and aesthetic reasons, the dimensions, placement, and external appearance of an "energy-saving device" shall be subject to Architectural Committee review.

- Solar panels for electricity production (PV panels), solar panels for heating domestic hot water (DMH panels), solar panels for entire home heating, and wind generators for generating electricity, and yet unknown new technologies that become generally accepted are the "energy-saving devices" covered by this document.
- The highest point of a solar panel will be less than the ridge of the roof to which it is attached. unless this location significantly increases the cost of the device or significantly decreases its performance or efficiency. Piping and electrical connections will be located directly under, and within, the perimeter of the panel.
- Pipes or cables connecting the solar panel with storage media such as battery banks for PV and a water tank for thermal systems are usually connecting at the roof mounted collector with lower (in-ground or on-the-ground) storage medium. While directing such pipes/cables down through the attic may have some aesthetic appeal, it could serve as an impediment to a system that is being retrofitted to an existing house. Therefore, an external connection between the solar collector and the storage medium will be allowed, based on color and pattern matching the outside wall of a structure.
- Detached panels, standalone solar tracking PV panels or thermal hot water heating systems which that cannot be mounted on the roof of a home due to weight (with the exception of simple domestic hot water systems) shall be reviewed by the Architectural Committee on an individual basis. The solar collection area of water heating panels, sufficient to heat the average home in Zapata, dictates 5 to 10 collectors of size 8 feet by 4 feet. Such collection arrays must have the following characteristics
 - They must not reflect light onto a neighbor's property.
 - They must not block the view from a neighbor's property
 - They must observe existing set back rules from property boundaries
- Abandoned or deactivated devices shall be removed at property owner's expense.

Wind-electric generators are allowed, provided reasonable steps are taken to reduce the sound associated with them, so as to reduce interference with the use and enjoyment by residents of property situated near the wind-electric generator.

- Audible Noise due to Wind Energy Facility or Wind Turbine operations shall not exceed the lesser of five (5) decibels (dBA) increase over the existing background noise level (L90) or exceed forty (40) decibels (dBA) for any period of time, when measured at any structure used as a residence.
 - *All measurements shall be taken using procedures meeting American National Standard Institute Standards including ANSI S12.18-1994 (R 2004) American National Standard Procedures for Outdoor Measurement of Sound Pressure Level, and (ANSI) S12.9-Parts 1-5*
- Notification of, and cooperation with, the ZHA board shall be required for the installation of a residential wind energy system.
- All wiring between wind turbines and the wind energy system substation or electrical line hook up shall be underground.
- Wind turbine towers shall not be climbable. In some cases, a fence may be required for

safety around the wind turbine.

- The building permit application shall be accompanied by wind system specifications, including, decibel level, manufacturer and model, tower drawings, rotor diameter, total tower height, hub height, tower type (freestanding or guyed). Owner is responsible for verification of decibel measurements.
- A wind turbine shall be set back from the nearest property line, public road, above-ground electric power or telephone line a distance no less than 1.1 times its total height or existing set back rules, whichever is greater.
- The Ste Plan accompanying the building permit application shall include the following:
 - Location of the proposed wind system tower
 - Point of tie-in to any existing utility lines
 - Shadow Flicker area
- Abandoned or deactivated devices shall be removed at property owner's expense.

DEFINITION OF TERMS:

- Owner/Operator: The person or entity responsible for the day-to-day operation and maintenance of a wind turbine or wind energy facility.
- Personal Wind Turbine: A wind energy conversion system which that converts wind energy into electricity through the use of a wind driven turbine generator when the total height is 150 feet or less.
- Hub Height: The distance measured from ground level to the center of the turbine hub.
- Rotor Diameter: The total diameter of the wind turbine blades.
- Total Height: The distance measured from ground level to the blade of a wind turbine extended at its highest point.
- Shadow Flicker: The moving shadows or shaded areas that are cast by rotating turbine blades.
- Wind Energy Facility Siting Permit or Wind Turbine Permit: A construction and operating permit granted in accordance with the provisions of this rule.
- Excessive Noise – see "audible noise" guidelines.

LANDSCAPING

Due to the high desert zone of the Zapata area and lack of water supply it is advised that all landscaping should take advantage of native trees, shrubs, and plants. Xeriscaping and continued mitigation of noxious weeds is encouraged. Water usage for landscaping is governed by the covenants and water decrees.

OUTSIDE STORAGE

Any outside storage areas must be shielded from public view by approved screening.

CULVERTS

Landowners who improve a driveway to their lot that passes over a drainage ditch established by the ZHA shall provide a culvert under the drive in that ditch. Maintenance and replacement

of the culvert will be the responsibility of the ZHA. For driveways that do not cross an established ditch, no culvert is necessary until such time as a drainage ditch is established. That culvert shall be provided by and maintained by the ZHA.

EXTERNAL ACTIVITIES

No activities that disturb surrounding property owners are permitted.

NOXIOUS ODORS

No noxious or offensive trade activity shall be allowed.

SOUND CONTROL

No external sound systems or public address systems shall be allowed. Decibel levels from any externally mounted equipment, including but not limited to HVAC equipment, industrial motors and fans, manufacturing equipment, shall not exceed fifty (50) decibels as measured from the site's property lines. Exterior work areas that are noise producing will not be allowed.

TANKS AND FUEL STORAGE

Propane and/or heating oil tanks approved and installed to state regulations are permitted. Tanks should be as shielded from view as possible. No other above-ground fuel storage tanks or hazardous chemical storage will be allowed. Gasoline storage tanks must be underground. No retail on-site filling/refilling of propane tanks or bottles is permitted.

SIGNS

Any type of sign either attached or detached from a commercial building within Zapata requires approval by the AC. Attached signage approval will be based on size in relationship to the building it is attached to, materials, color, and lighting. Detached signage will be no more than thirty-two (32) square feet in size with one detached sign allowed per building/property. "For Sale" or "For Rent" signs less than four (4) square feet in size will be permitted. Lighting design of signage shall be subdued so as not to affect adjoining residential properties and must meet other lighting requirements addressed in Exterior Lighting section. A multiple-use building will be allowed one additional sign to identify all business in said complex not to exceed thirty-two (32) square feet. Portable signs are not allowed on ZHA subdivision property.

ADDRESS SIGNS

Signs showing the address or identifying a property that fit within the six (6) square feet maximum size restriction are required for emergency services locating. The address numbers must be at least six (6) inches in height, be clearly visible from the road, and be visible at night. These signs must be permanent and must be in place prior to the commencement of construction.

ROOF-MOUNTED MECHANICAL EQUIPMENT

All roof-mounted mechanical equipment shall be within the noise requirements stated above and shall be shielded visually from the ground level and above by screens.

DRIVES AND PARKING AREAS

The directing of drainage down driveways or paths and onto public roadways is prohibited. Culverts may be required where a drive intersects the road. Driveways shall be located no less than ten (10) feet from any side lot line. All drives, parking, and storage areas shall be covered with a non-impervious surface to maintain the natural drainage and shall be constructed at the owner's expense.

ANIMALS

No animals other than house pets shall be kept or maintained on any property, except that no more than two (2) horses may be kept or maintained on contiguous parcels of 5 acres or more.

WELLS, SEPTIC AND LEACH FIELDS

Well-water systems and septic/leach fields are regulated by the state and local governing bodies. Applications for new construction must indicate the proposed method for disposing of human waste on site prior to the connection of permanent toilet facilities. No pit toilets or outhouses are allowed.

ABANDONED, DESTROYED OR REMOVED BUILDINGS

Any building project where no visible progress has been made after the eighteen (18) month time limit (plus any extensions granted) has elapsed may be required to be removed and the site restored at the owner's expense. Buildings destroyed by fire or natural causes must be rebuilt or all debris removed, and the lot restored to a slightly condition within one hundred and eighty (180) days. Removal or demolishing an existing building requires AC approval. Property not used must be kept in a slightly, safe, and sanitary condition. Property not kept in this manner may be ordered to revert to its original state, at the property owner's expense.

SEASONAL USES

If a property is only used seasonally, while out of season it shall be kept in a slightly manner and not have the appearance of being abandoned.

VARIANCES

A variance is a minor deviation that still satisfies the intent of the Covenants.

- A variance to the Architectural Guidelines can only be considered for an existing Zapata property owner and must be for that person's own property. The property owner must be in good standing with the Association, i.e., current on his or her fees, etc.
- Any request for variance needs to be submitted with building plans. Each property owner requesting a variance must fill out the applicable variance application, i.e., ZHA Commercial or Residential Variance Application Form (Form D), present the Variance Form D and all other application forms and drawings that apply to the said project to the Architectural Committee.

- The variance request must state clearly the reasons the Zapata property owner is requesting a variance and must include all dimensions, shapes, color and/or any other provision that violate the existing Architectural Guidelines.
- If a variance is requested after construction has begun, only the area that does **not** pertain to the variance request can continue on with construction. Form D has to be filled out completely and the usual process for a variance request followed.
- After the Architectural Committee has reviewed the variance request and all other forms pertaining to this request, the Architectural Committee will submit this package with its recommendation to the Board to approve or disapprove the variance request.
- A variance approval will require a 2/3-majority vote of all members of the Board. For example, if there are seven (7) board members, it would require five (5) members to vote in favor. If a board member abstains or has not designated a proxy if he/she is absent, five (5) members would be required to vote in favor for the variance request to pass.
- **If unforeseen circumstances should occur and a variance is needed, Form D will need to be filled out along with any other descriptions pertaining to the variance. This application will be turned in to the Board for review and vote. No fee will be charged.**

The Board can only consider a variance if it satisfies the following criteria:

- It does not depart from the spirit or protective intent of the Covenants or the Architectural Guidelines.

Examples: Preserve the natural beauty of said property and the Zapata area.

- Guard against poorly designed or poorly proportioned structures.
- Protect against improper use of building site so it will not depreciate the value of the property of another Zapata property owner.

- It stays within a reasonable deviation of the Covenants and Architectural Guidelines.

Examples: Height or width extensions should not be given if they negatively affect another Zapata property owner's line of sight or the property value of any Zapata property owner.

Consideration could be given so the property owner requesting a variance does not suffer hardship, but it needs to be the least intrusive solution.

The Board can only vote on a variance request after all variance request requirements are fulfilled (e.g., Form D submitted, architectural drawings with variance request highlighted).

Section III: APPLICATION PROCESS AND REQUIRED PLANS

Any improvements on commercial lots or tracts within the Zapata subdivision require a building application and its submission for review to the AC. The AC will have sixty (60) days from the date of receipt by the ZHA administration to review each application and set of plans and to reply to the applicant, except for the review of a Commercial Building Application, Form B, which will require ninety (90) days from receipt. Approval by the AC will not be required for repairs, interior remodeling, general maintenance, or fire mitigation measures.

APPLICATION PROCESS

Commercial Pre-structure Construction Application (Form A) – 60 day Review Period

1. Obtain application form from the ZHA administrator or website www.zapatahomeowners.org.
2. Submit your application, \$250 site plan review fee payment, proof of \$20,000 performance bond, and two (2) sets of site plan to the ZHA administrator.
3. Attend, or have a representative attend, the AC meeting at which your plan is considered. At this meeting your plan will either meet conceptual approval or denial.
4. A site visit, usually within thirty (30) days of the meeting with the AC, will be scheduled. All items on the On-Site Inspection Checklist found in Attachment A must be completed prior to the site visit. The AC is not responsible for, and cannot guarantee, lot lines.

A \$50 re-inspection fee will be imposed if the applicant or his/her representative does not show up for the site inspection or if the required items in the On-Site Inspection Checklist are not completed. Additionally, the sixty (60) day period for the AC to review and respond to your application will start over.

5. Once your application and plan are approved and all fees paid, a written letter of approval will be sent to the Alamosa County building inspector. The County approves no building permits without prior approval by the Zapata AC.
6. Apply for a building permit from Alamosa County.
7. Upon receipt of a building permit, proceed with your construction. Construction must be completed within eighteen (18) months of start of construction (extensions may be requested from the AC. All requests should be made in writing).
8. Once construction is complete, contact the ZHA administrator to set up a final on-site inspection.

Commercial Building Application (Form B) - 90 day Review Period

1. Obtain application form from the ZHA administrator or website www.zapatahomeowners.org.
2. Submit your application, \$250 sketch plan review fee payment, proof of \$20,000 performance bond, and two (2) sets of sketch plan to the ZHA administrator.
3. Attend, or have a representative attend, the AC meeting at which your sketch plan is considered. At this meeting your plan will either meet conceptual approval or denial.
4. A site visit, usually within thirty (30) days of the meeting with the AC, will be scheduled. All items on the On-Site Inspection Checklist found in Attachment A must be completed prior to the site visit. The AC is not responsible for, and cannot guarantee, lot lines.

A \$50 re-inspection fee will be imposed if the applicant or his/her representative does not show up for the site inspection or if the required items in the On-Site Inspection Checklist are not completed. Additionally, the sixty (60) day period for the AC to review and respond to your application will start over.

5. Once the sketch plan is approved, submit \$500 full plan review fee, the \$1,000 consultant fee, and two (2) sets of the full-plan, including building board to the AC. Review by AC of full plans and building board will be conducted within 30 days of submission. A second site visit may be required.
6. Once your application and plan are approved and all fees paid, a written letter of approval will be sent to the Alamosa County building inspector. The County approves no building permits without prior approval by the Zapata AC.
7. Apply for a building permit from Alamosa County.
8. Upon receipt of a building permit, proceed with your construction. Construction must be completed within 18 months of start of construction (extensions may be requested from the AC. All requests should be made in writing.
9. Once construction is complete, contact the ZHA administrator to set up a final on-site inspection.

Commercial Site Improvement Application (Form C) - 60 day Review Period

1. Obtain application form from the ZHA Administrator or website www.zapatahomeowners.org.
2. Submit your application, \$250 sketch plan review fee payment, proof of \$20,000 performance bond, and two (2) sets of sketch plan to the ZHA administrator.
3. Attend, or have a representative attend, the AC meeting at which your sketch plan is presented.
4. A site visit, usually within thirty (30) days of the meeting with the AC, will be scheduled. All items on the On-Site Inspection Checklist found in Attachment A must be completed prior to the site visit. The AC is not responsible for, and cannot guarantee, lot lines.

A \$50 re-inspection fee will be imposed if the applicant or his/her representative does not show up for the site inspection or if the required items in the On-Site Inspection Checklist are not completed. Additionally, the sixty (60) day period for the AC to review and respond to your application will start over.

5. Once your application and plan are approved and all fees paid, a written letter of approval will be sent to the Alamosa County building inspector. The County approves no building permits without prior approval by the Zapata AC.
6. Apply for a building permit from Alamosa County.

7. Upon receipt of a building permit, proceed with your construction. Construction must be completed within 18 months of start of construction (extensions may be requested from the AC. All requests should be made in writing).
8. Once construction is complete, contact the ZHA administrator to set up a final on-site inspection.

Commercial Variance Application (Form D) - 60 day Review Period

1. Obtain application form from the ZHA administrator or website www.zapatahomeowners.org.
2. Submit your application to the ZHA Administrator.
3. Attend, or have a representative attend, the AC meeting at which your sketch plan is considered. At this meeting your plan will either meet conceptual approval or denial.
4. A site visit, usually within thirty (30) days of the meeting with the AC, may be scheduled. All items on the On-Site Inspection Checklist found in Attachment A must be completed prior to the site visit. The AC is not responsible for, and cannot guarantee, lot lines.

A \$50 re-inspection fee will be imposed if the applicant or his/her representative does not show up for the site inspection or if the required items in the On-Site Inspection Checklist are not completed. Additionally, the sixty (60) day period for the AC to review and respond to your application will start over.

5. Once your application and plan are approved and all fees paid, a written letter of approval will be sent to the Alamosa County building inspector. The County approves no building permits without prior approval by the Zapata AC.
6. If necessary, apply for a building permit from Alamosa County.
7. Upon receipt of a building permit (if necessary) proceed with your construction. Construction must be completed within 18 months of start of construction (extensions may be requested from the AC. All requests should be made in writing).
8. Once construction is complete, contact the ZHA Administrator to set up a final on-site inspection.

Commercial Easy Form Application (Form E) - 60 day Review Period

1. Obtain application form from the ZHA Administrator or website www.zapatahomeowners.org.
2. Submit your application to the ZHA Administrator.
3. Attend, or have a representative attend, the AC meeting at which your sketch plan is considered. At this meeting your plan will either meet conceptual approval or denial.

4. A site visit, usually within thirty (30) days of the meeting with the AC, may be scheduled. All items on the On-Site Inspection Checklist found in Attachment A must be completed prior to the site visit. The AC is not responsible for, and cannot guarantee, lot lines.

A \$50 re-inspection fee will be imposed if the applicant or his/her representative does not show up for the site inspection or if the required items in the On-Site Inspection Checklist are not completed. Additionally, the sixty (60) day period for the AC to review and respond to your application will start over.

5. Once your application and plan are approved and all fees paid, a written letter of approval will be sent to the Alamosa County building inspector. The County approves no building permits without prior approval by the Zapata AC.
6. If necessary, apply for a building permit from Alamosa County.
7. Upon receipt of a building permit (if necessary) proceed with your construction. Construction must be completed within 18 months of start of construction (extensions may be requested from the AC. All requests should be made in writing).
8. Once construction is complete, contact the ZHA Administrator to set up a final on-site inspection.

DESCRIPTION OF PLANS

Site Plan

A Site Plan to be submitted with the Commercial Pre-structure Construction Application (Form A) must include roads and driveways, parking, walls and fencing, drainage, power line placement, well, septic systems, grading plan, survey markers, and easements of record.

Sketch Plan

The Sketch Plan to be submitted with Commercial Building Application (Form B) or Commercial Site Improvement Application (Form C) must include a **Site Development Plan and a Building Plan**.

Site Development Plan - The Site Development Plan must have proposed structures, roads and driveways, parking, walls and fencing, drainage, power line placement, well, septic systems, grading plan, survey markers, and easements of record. It should be scaled for readability--typically 1"=20' scale.

1. Title area with owner's name, unit, block and lot numbers, scale used, and north arrow.
2. Lot lines, as indicated by survey markers; setback lines and easement lines; adjacent Streets.
3. Existing natural features, significant trees, drainages and waterways with distances

to proposed improvements.

4. Proposed structures and existing structures to include decks, walls and fences with dimensions to property lines.
5. Roads, driveways and parking areas.
6. Underground power line placement.
7. Drainage and culverts.
8. Well and septic systems.

Building Plan – A Building Plan includes floor plans, color and finish, proposed exterior materials, windows, doors, roof, and roof height elevation.

1. Floor Plans. Indicate all rooms, walls, windows, and features which affect the exterior of the proposed structure along with exterior dimensions. Typical floor plans are drawn on a scale of 1" = 8 feet.
2. Elevations. Elevations or exterior views of all major building facades are to be labeled with their orientation north, south, east, west; note walls, roofs, floor levels, finished grade and height of ridge lines from finished grade; note roof and wall materials and colors.
3. Fences and Walls. Locate on the site plan all fences and walls, including elevation view showing height, material, and color.
4. Site Sanitation. Applications for new construction must indicate the proposed method for disposing of human waste on site prior to the connection of permanent toilet facilities. Typically, this is a portable commercial toilet or temporary hook up to a septic system. No pit toilets or outhouses are allowed.
5. Disposal of Construction Refuse. Indicate the method for controlling and disposing of construction refuse during construction.

Full Plan

A Full Plan to be submitted with Commercial Building Application (Form B) must include a **Building Board, Final Site Development Plan, and Final Building Plan.**

Building Board – The Building Board is a 24" by 36" board with building rendering, roof material and color, exterior siding materials and color, windows and doors.

Final Site Development Plan – see above

Final Building Plan – see above

Requirements for Commercial Development

Requirement	Form A	Form B	Form C	Form D	Form E
Application	X	X	X	X	X
\$250 Fee	X	X	X		
\$500 Fee		X			
\$1,000 Consultant Fee		X			
\$20,000 Performance Bond	X	X	X		
On-site inspection	X	X	X	X	X
\$50 Re-inspection Fee	X	X	X	X	X
Site Plan	X				
Sketch Plan		X	X		
Full Plan		X			

Attachment A
ON-SITE INSPECTION CHECK LIST

Prior to the on-site inspection, please have the following completed and
ready for inspection:

- _____ 1. Install a permanent address sign.
- _____ 2. Stake and label the property boundary survey pins.
- _____ 3. Stake and label the septic tank and leach field perimeters.
- _____ 4. Stake and label location of driveway access from the roadway.
- _____ 5. Stake and label all driveways and parking areas.
- _____ 6. Stake and label the well(s).
- _____ 7. Stake and label the commercial building corners and any other structure(s)
or outbuilding(s), including a residential building.
- _____ 8. Place a ribbon around any trees 4" (inches) in diameter or larger that will be
removed.
- _____ 9. Stake and label all fences

**Any site that is not ready for a scheduled inspection as detailed above will be
subject to a \$50 re-inspection fee.**

Attachment B
APPLICATION FORMS

ZHA COMMERCIAL PRE-STRUCTURE CONSTRUCTION

APPLICATION FORM A

Form A is used for driveways, wells, septic and leach fields, power, fences or walls. This form is a pre-structure construction application and is valid for an eighteen (18) month period.

Acceptance and payment for this application does not guarantee approval of construction plans in the future. You have **three (3) years** from the date of this application to receive approval for and begin building construction without incurring an additional application fee.

Action	Fee	Comments
Performance Bond	\$20,000	To protect the ZHA from uncompleted, substandard, or non-complying projects, a performance bond is required
Site Plan Review	\$250	Non-refundable
Site re-inspection fee	\$50	Assessed if site not ready for inspection when scheduled inspection is made

1. Applicant's Name: _____

Address: _____

Phone #: _____

Email: _____

2. Legal description/address where building/construction will be located:

UNIT _____ BLOCK _____ LOT/TRACT _____

ADDRESS _____

3. Is the applicant aware of, and willing to abide by, the 1975 and 1981 Protective Covenants, Bylaws and Architectural Requirements of the ZHA? Yes _____ No _____

4. What is the planned commercial use of the property?

5. Number of 4"+ diameter trees to be removed: _____

6. Exterior Lighting:

Attached to Building: Number of _____ Description: _____

Walkway Lighting: Number of _____ Description: _____

Other: Number _____ Description: _____

7. Electricity

Description: _____

Location: _____

8. Refuse Storage

Description: _____

Location: _____

9. Fencing

Description: _____

Location: _____

10. Energy-Saving Devices

Description: _____

Location: _____

11. Landscaping

Description: _____

Location: _____

12. Outside Storage

Description: _____

Location: _____

13. External Activities

Description: _____

Location: _____

14. Tanks and Fuel Storage

Description: _____

Location: _____

15. Signs (Including Address Signs)

Description: _____

Location: _____

16. Access and Drives

Description: _____

Location: _____

17. Parking Areas

Description: _____

Location: _____

18. Well, Septic, and Leach Fields

Description: _____

Location: _____

19. Seasonal Uses

Description: _____

Location: _____

20. Construction State

Date: _____

Completion

Date: _____

REQUIRED ATTACHMENTS: SITE PLAN

CONSTRUCTION MATERIALS MAY NOT BE DISPOSED OF IN THE ZAPATA TRASH DUMPSTER. MATERIALS SHOULD BE REMOVED FROM THE SUBDIVISION OR PLACED IN A CONSTRUCTION MATERIAL DUMPSTER RENTED FOR YOUR PROJECT. DUMPING OF CONSTRUCTION MATERIALS IN THE TRASH DUMPSTER IS SUBJECT TO A \$250.00 FINE PER INCIDENT.

**ZHA FULL COMMERCIAL BUILDING APPLICATION
FORM B**

Form B is used for new construction to include commercial buildings, outbuildings, wells, driveways, septic and leach fields, fences, and power, and for exterior remodeling or reconstruction.

Action	Fee	Comments
Performance Bond – to be submitted with Full Plan	\$20,000	To protect the ZHA from uncompleted, substandard, or non-complying projects, a performance bond is required before final approval
Sketch Plan Review	\$250	Non-refundable
Full Plan Review	\$500	Non-refundable
Consultant Fee – to be submitted with	\$1,000	To be returned if not utilized
Site re-inspection fee	\$50	Assessed if site not ready for inspection when scheduled inspection is made

1. Applicant's Name: _____

Address: _____

Phone #: _____

Email: _____

2. Legal description/address where building/construction will be located:

UNIT _____ BLOCK _____ LOT/TRACT _____

ADDRESS _____

3. Is the applicant aware of, and willing to abide by, the 1975 and 1981 Protective Covenants, Bylaws and Architectural Requirements of the ZHA? Yes _____ No _____

4. What is the planned commercial use of the building?

5. **Square Feet of Building:** _____

6. **Number of Levels:** (1) _____ (1.5) _____ (2) _____

7. **Exterior Materials:**

Roof Material(s): _____ Roof Color(s): _____

Wall Material(s): _____ Wall Color(s): _____

8. Number of 4"+ diameter trees to be removed: _____

9. **Exterior Lighting:**

Attached to Building: Number of _____ Description: _____

Walkway Lighting: Number of _____ Description: _____

Other: Number of _____ Description: _____

10. **Electricity**

Description: _____

Location: _____

11. **Antennas**

Description: _____

Location: _____

12. **Refuse Storage**

Description: _____

Location: _____

13. **Fencing**

Description: _____

Location: _____

14. **Energy-Saving Devices**

Description: _____

Location: _____

15. **Landscaping**

Description: _____

Location: _____

16. Outside Storage

Description: _____

Location: _____

17. External Activities

Description: _____

Location: _____

18. Tanks and Fuel Storage

Description: _____

Location: _____

19. Signs (Including Address Signs)

Description: _____

Locaiton: _____

20. Roof Mounted Mechanical Equipment

Description: _____

Location: _____

21. Access and Drives

Description: _____

Location: _____

22. Parking Areas

Description: _____

Location: _____

23. Well, Septic, and Leach Fields

Description: _____

Location: _____

24. Seasonal uses

Description: _____

Location: _____

25. Construction Start Date: _____

Completion Date: _____

REQUIRED ATTACHMENTS:

FIRST REVIEW – SKETCH PLAN

SECOND REVIEW – FULL PLAN

CONSTRUCTION MATERIALS MAY NOT BE DISPOSED OF IN THE ZAPATA TRASH DUMPSTER. MATERIALS SHOULD BE REMOVED FROM THE SUBDIVISION OR PLACED IN A CONSTRUCTION MATERIAL DUMPSTER RENTED FOR YOUR PROJECT. DUMPING OF CONSTRUCTION MATERIALS IN THE TRASH DUMPSTER IS SUBJECT TO A \$250.00 FINE PER INCIDENT.

**ZHA COMMERCIAL SITE IMPROVEMENT APPLICATION
FORM C**

Form C is used for outbuildings, driveways, wells, re-installation of a septic or leach fields, re-drilling of a well power, fences, or walls once a commercial building is on the site.

Action	Fee	Comments
Performance Bond	\$20,000	To protect the ZHA from uncompleted, substandard, or non-complying projects, a performance bond is required
Sketch Plan Review	\$250	Non-refundable
Site re-inspection fee	\$50	Assessed if site not ready for inspection when scheduled inspection is made

1. Applicant's Name: _____

Address: _____

Phone #: _____

Email: _____

2. Legal description/address where building/construction will be located:

UNIT _____ BLOCK _____ LOT/TRACT _____

ADDRESS _____

3. Is the applicant aware of, and willing to abide by, the 1975 and 1981 Protective Covenants, Bylaws and Architectural Requirements of the ZHA? Yes _____ No _____

4. What is the planned commercial use of the building?

5. **Square Feet of Building:** _____

6. **Number of Levels:** (1) _____ (1.5) _____ (2) _____

7. Exterior Materials:

Roof Material(s): _____ Roof Color(s): _____

Wall Material(s): _____ Wall Color(s): _____

8. Number of 4"+ diameter trees to be removed: _____

9. Exterior Lighting:

Attached to Building: Number of _____ Description: _____

Walkway Lighting: Number of _____ Description: _____

Other: Number of _____ Description: _____

10. Electricity

Description: _____

Location: _____

11. Antennas

Description: _____

Location: _____

12. Refuse Storage

Description: _____

Location: _____

13. Fencing

Description: _____

Location: _____

14. Energy-Saving Devices

Description: _____

Location: _____

15. Landscaping

Description: _____

Location: _____

16. Outside Storage

Description: _____

Location: _____

17. External Activities

Description: _____

Location: _____

18. Tanks and Fuel Storage

Description: _____

Location: _____

19. Signs (Including Address Signs)

Description: _____

Location: _____

20. Roof Mounted Mechanical Equipment

Description: _____

Location: _____

21. Access and Drives

Description: _____

Location: _____

22. Parking Areas

Description: _____

Location: _____

23. Well, Septic, and Leach Fields

Description: _____

Location: _____

24. Seasonal uses

Description: _____

Location: _____

25. Construction Start Date: _____

Completion Date: _____

Applicant's

Signature: _____

Date: _____

REQUIRED ATTACHMENTS: SKETCH PLAN

CONSTRUCTION MATERIALS MAY NOT BE DISPOSED OF IN THE ZAPATA TRASH DUMPSTER. MATERIALS SHOULD BE REMOVED FROM THE SUBDIVISION OR PLACED IN A CONSTRUCTION MATERIAL DUMPSTER RENTED FOR YOUR PROJECT. DUMPING OF CONSTRUCTION MATERIALS IN THE TRASH DUMPSTER IS SUBJECT TO A \$250.00 FINE PER INCIDENT.

COMMERCIAL VARIANCE APPLICATION

FORM D

Form D is used for variances. Variances must be requested prior to the commencement of work.

Action	Fee	Comments
	No Fee	

1. Applicant's Name: _____

Address: _____

Phone #: _____

Email: _____

2. Legal description/address where building/construction will be located:

UNIT _____ BLOCK _____ LOT/TRACT _____

ADDRESS _____

3. Is the applicant aware of, and willing to abide by, the 1975 and 1981 Protective Covenants,

Bylaw and Architectural Requirements of the ZHA? Yes _____ No _____

4. Requested Variance: Fill in the table below. Attach a detailed drawing and/or description of the variance to this form along with any additional pages needed.

5. Finally: Turn in this form along with all additional information to the Architectural Committee (AC) for review. The AC will then present this application to the ZHA Board along with the AC's recommendations.

Guideline to be Altered	Requested Variance	Reason for Variance

Applicant's Signature: _____

Date: _____

**ZHA COMMERCIAL EASY FORM APPLICATION
FORM E**

Form E is for used for small projects not covered by the other applications.

Action	Fee	Comments
	No Fee	

1. Applicant's Name: _____

Address: _____

Phone #: _____

Email: _____

2. Legal description/address where building/construction will be located:

UNIT _____ BLOCK _____ LOT/TRACT _____

ADDRESS _____

3. Is the applicant aware of, and willing to abide by, the 1975 and 1981 Protective Covenants, Bylaws and Architectural Requirements of the ZHA? Yes _____ No _____

Explain what you want to do:

Applicant's Signature: _____

Date: _____

NOTE: AC MAY REQUIRE RESUBMISSION UNDER ANOTHER FORM, IF APPLICABLE.

CONSTRUCTION MATERIALS MAY NOT BE DISPOSED OF IN THE ZAPATA TRASH DUMPSTER. MATERIALS SHOULD BE REMOVED FROM THE SUBDIVISION OR PLACED IN A CONSTRUCTION MATERIAL DUMPSTER RENTED FOR YOUR PROJECT. DUMPING OF CONSTRUCTION MATERIALS IN THE TRASH DUMPSTER IS SUBJECT TO A \$250.00 FINE PER INCIDENT.