



## Architectural Control Committee (ACC) Project / Variance Request

See Instructions on page 5 before filling out this form

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Request Title: \_\_\_\_\_

Please check all items that apply to your request:

New construction

Changes to approved documents associated with a prior project/variance request

Time extension for completion of project

Installation, construction, remodeling, addition, or alteration of any exterior structure or amenity

Exterior paint, repaint, texture, or roof resurfacing or replacement

Exterior site improvements (site walls, fencing, landscaping, etc.)

Variance from architectural guidelines/restrictions

Variance from Protective Covenants and Restrictions (PC&R)

Describe the work to be performed. Attach drawings/sketches/photos as necessary:

Individual or Company Performing Work: \_\_\_\_\_

Project Schedule: Start Date \_\_\_\_\_ Completion Date \_\_\_\_\_

Will neighbors be affected by this change?

No  Yes

If yes, please describe any potential impact on neighboring lots or wells, and your proposed efforts to minimize the impact:

Please list all attachments you've provided with this request:

The undersigned Owner hereby requests approval of this request and acknowledges that work cannot begin until the Owner receives ACC formal written notification of approval to proceed:

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Owner Signature

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Date Signed

The undersigned Owner agrees to comply with the following:

- Owner is responsible for compliance with the PC&Rs and HOA policies including the Construction Policy. If contractors are involved in the work, the Owner must ensure that contractors are aware of HOA requirements and that work is performed in a compliant manner. The Owner will be held responsible for remediation of deviations.
- Owners must advise all contractors that common areas are not to be used as work or storage areas, and that they will be held responsible for thorough cleanup of common areas, sidewalks and streets.
- Owner is required to pay for and repair any and all damage to the common areas that occurred as a result of construction or contractor negligence.
- Owner agrees to adhere to all applicable state and county building codes, and to obtain all necessary permits. Owner understands that ACC approval, if given, will not relieve Owner of such compliance and permit requirements.
- Owner agrees to abide by the decisions, terms and conditions of the ACC or, in the case of an appeal, by the HOA Board of Directors.
- The ACC will monitor the project for conformance with approvals as well as compliance with requirements as defined in the HOA governing documents, to ensure compliance with the approved specifications, conditions, and timeline of the project, and to ensure the project is built in accordance with the approved plans, approved submitted documents, written assurances and conditions of approval. Any violations shall be subject to fines as defined in Policy #2025-01 Enforcement of Covenants
- If the project is not completed as approved, said approval can be revoked. The Owner will be required to remedy deviations at the Owner's expense, or the Owner may be subject to court action by the Sundance Estates Homeowners Association and shall be responsible for all reasonable legal fees, costs and expenses in connection with such litigation.
- Owner agrees to maintain the completed work as approved. If the HOA Board determines that the improvement is not being properly maintained the HOA will have the right to either remove or maintain the improvement, with the Owner bearing all costs.

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Owner Signature

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Date Signed

**Approval Determination by the ACC:**

The request described above is:      Approved      Disapproved

Approval is subject to the following conditions (or reason for disapproval):

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ACC Member Signature

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Date Signed

**Approval is void if work does not commence within 120 days of approval.**

# Form Instructions

## Purpose:

This Project / Variance Request form is to be used by Sundance Estates home/lot owners (Owner) to seek Architectural Control Committee (ACC) approval for the construction of a new home, for additional construction or exterior changes to an existing home or property, or for a variance to PC&R provisions.

## Reference Documents:

Owner should familiarize themselves with HOA governance documents prior to submitting a request. Relevant documents include:

- Protective Covenants and Restrictions for Sundance Estates Subdivision (PC&R)
- HOA Policy 2025-01 Enforcement of Covenants
- HOA Policy 2017-02 Sundance Estates HOA Construction Policy
- HOA Policy 2019-07 Enforcement of Covenants
- HOA Policy 2017-01 Installation of Antennas and Satellite Dishes
- HOA Policy 2016-01 Solar Collector Policy
- HOA Policy 2015-04 Screening RVs

## Filling out the form:

Fill in all requested information on pages 1 through 3. **Owner signatures required at bottom of pages 2 and 3.** Electronic signatures accepted.

## Supporting documentation to be submitted with the form:

The level of documentation required varies depending on the complexity and nature of the project. In all cases the **documentation should be submitted electronically.**

### New Construction or a Major Project request:

Note: If you are not sure whether your request should be considered a Major Project, then contact an ACC representative to discuss and assist with making that determination.

The HOA utilizes an expert Review Consultant for these more complex projects. **Before submitting your request and the supporting documentation, please contact an ACC member** (Listed on Committees page of the HOA web site). They will coordinate getting you connected with the Review Consultant, who will assist in addressing any questions you may have and provide guidance to ensure your submittal package will be complete.

### For New Construction this form must be accompanied by a complete set of plans and specifications, including the following:

- Site Plans, including grading and drainage, utilities;
- Landscape Plans, including re-vegetation plant list and locations;
- Floor Plans depicting overall size, location and finished floor elevations;
- Exterior roof plan, cross sections identifying elevations relative to pre-existing grade
- Specifications of exterior materials, exterior colors and exterior lighting;
- Any additional information requested by the ACC.

**For Major Projects, please work with the ACC to determine what supporting documentation will be required.**

### Other requests (not new construction or a major project):

Provide drawings/sketches/photos, as necessary, to enable the ACC to understand your request.

# Form Instructions

## Fees:

**Owners who are planning a *New Construction* or a *Major Project* are required to submit a Review Fee Deposit at the time that the request package is submitted.**

The HOA utilizes an expert Review Consultant for these more complex projects. *New construction* requires a \$7,000 Review Fee Deposit. *Major projects* of a less complex nature, will require a lower Review Fee Deposit, as determined by the ACC.

The Review Fee Deposit is utilized to cover HOA costs for the Review Consultant, who will facilitate the review/approval and construction monitoring processes on behalf of the HOA. If for some reason the actual fees exceed this amount, then the ACC will request additional funds. Any unused portion of the deposit will be returned to you upon project completion. The actual costs can vary significantly by project and can be minimized by a number of factors including good planning and thorough submittal packages, avoiding controversial designs that are inconsistent with the architecture standards of the neighborhood, and limiting the extent of change requests during the project.

Note that the Review Fee Deposit is separate from the Construction Deposit that is required after the project is approved and before construction can begin. The Construction Deposit will be refunded upon completion of all construction and a determination of compliance by the ACC with respect to all requirements of the PC&Rs.

**The Review Fee Deposit, payable to Sundance Estates HOA, needs to be submitted and received before the ACC can begin review activities.** A check can be mailed to Sundance Estates ACC, P. O. Box 31083, Santa Fe, NM 87594. Do NOT send with recipient signature required. **Please let the ACC know when the check has been mailed.** They will inform the Treasurer, who will need to pick up the check from the PO Box.

## Request Package Submittal:

**Please submit this form and all supporting documentation to the ACC via email to the ACC at [SundanceEstatesHOAACC@gmail.com](mailto:SundanceEstatesHOAACC@gmail.com)**

## Review and Approval Determination Process:

The ACC (and the Review Consultant for more complex projects) will review the request package and contact you if there are any questions/concerns or if any revisions are needed. You will be notified by the ACC once an approval decision has been made.

Approval timelines will vary significantly depending on the complexity of a project. If requested, the ACC will provide an estimate within 10 days of request submittal.

**IMPORTANT: Work cannot begin until the Owner receives ACC formal written notification of approval to proceed**