

**ELDORADO COMMUNITY IMPROVEMENT ASSOCIATION, INC.**

**TITLE:** Delegation of Authority to approve variances for buildings more than fifteen (15) feet from dwelling house

**BOARD PROCEDURE NUMBER:** 2023.07.18-1

**DATE OF PROCEDURE APPROVAL:** July 18<sup>th</sup>, 2023

On July 18, 2023, the ECIA Board of Directors approved the delegation to the Architecture Committee the authority to approve variance requests for structures more than fifteen (15) feet from dwelling house following the process described in the below process document.

Current GUIDELINES FOR PROTECTIVE COVENANTS AND BUILDING RESTRICTIONS FOR ELDORADO AT SANTA FE, dated April 20, 2017, contain several references to the requirement for buildings to be located within fifteen (15) feet of the primary dwelling house. The references are highlighted below.

**7. PERMANENT SHADE, PLAY, SMALL STORAGE, AND SIMILAR STRUCTURES**

7.4. Small Storage Structures, less than 75 sq. ft. in size and 8 ft. in height, may be made of resin, metal or wood and shall be earth toned in color (similar to the homes stucco color) and shall be adequately screened by a fence, wall, vegetation or the home **and located within 15 feet of the home**. Structures larger than 75 sq. ft. in size shall be classified as a small or large accessory building and subject to the requirements in Section 8 and 9 of these Guidelines.

**8. LARGE ACCESSORY BUILDINGS**

8.2. The guidelines for all large accessory buildings are as follows:

8.2.1. **Shall be sited within fifteen (15) feet of the dwelling house.**

**9. SMALL ACCESSORY BUILDINGS**

9.3. Limitations and Requirements:

9.3.1. **Shall be sited within fifteen (15) feet of the dwelling house.**

9.4 Small Accessory Exceptions:

9.4.1. A small accessory building matching the color, style and material of the residence is not subject to the screening requirement and is not to exceed ten (10) feet in height. The elevation of the accessory building shall not be higher than the adjacent part of principal dwelling; **shall not be more than 15' from the principal dwelling.**

**JUSTIFICATION:**

This Procedure follows the precedent established in 2022 when the Board delegated authority for approval of setback variances to the Architecture Committee. Since that delegation the Architecture Committee has demonstrated good judgment when exercising their delegated authority such that this additional proposed delegation of authority is justified. Approval of this motion will allow the Architecture Committee to expeditiously approve affected variance requests thus benefiting community residents while simultaneously improving Board efficiency. The process the Architecture Committee will follow to approve these variance requests does not limit or otherwise restrict a resident's ability to request Board review of any Architecture Committee decision related to this delegated authority.