



VARIANCE REVIEW PROCEDURE

Any proposed improvement which does not conform to the requirements within the CC&Rs and/or Architectural Control Committee Regulations and Guidelines will require that a variance be obtained prior to normal ACC consideration of the overall improvements proposed.

The following - which may require up to 3 weeks to implement - shall be utilized to determine approval or denial of proposed variances:

1. Payment of a \$200.00 non-refundable variance fee.
2. Submittal of **10** sets of detailed plot and elevation plans showing variance.

MUST BE FOLDED TO SIZE 8 1/2 X 11.

3. Submittal of **10** copies of a typewritten statement of justification explaining why the proposed variance meets all four of the following conditions:
 - a. Because of special circumstances applicable to subject property including size, shape, topography, location or surroundings, the strict application of the CC&R would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical CC&Rs.
 - b. Any variance granted shall be subject to such conditions and will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity in which subject property is situated.
 - c. The granting of the variance will not be materially detrimental to the public health, safety, convenience, welfare or injurious to property and improvements in the same vicinity in which subject property is situated.
 - d. The granting of such variance will not adversely affect the community and all other solutions have been exhausted.
4. Ten days written notice shall be issued to all property owners within 100 feet of subject lot (excluding street right of way) inviting written comments and an opportunity to be heard.
5. Based on its findings, the ACC will approve or deny the subject variance.