

Lifestyle Accessories Construction Variance Application

Per Section II.4 of the Architectural Guidelines "the need for a variance constitutes an acknowledgement by the Owner/applicant that the desired Regulated Modification will not comply with the standards set forth by the Architectural Guidelines and/or the Covenant." As such, a variance application is not subject to an appeal hearing.

A variance application may be needed when Owner/applicant has specific and unique circumstances that create hardships (including but not limited to things like: physical handicap or Lot configuration) and that will require the construction/installation of a Regulated Modification that will not abide by the Architectural Guidelines and/or the Covenants. Financial circumstances, among others, do not constitute grounds for a variance request by Owner/applicant.

Should Owner/applicant require a variance for the proposed Regulated Modification, Owner/applicant must fill out the Variance Application and submit it in writing with the supporting materials as part of the original Lifestyle Accessories Construction Application. Otherwise, the Variance Application **will not** be considered and reviewed by the ACC.

Owner/applicant must fill out the variance application completely and provide all necessary supporting documentation. In the event that the Regulated Modification is required due to Americans with Disabilities ACT ("ADA") need, Owner/applicant shall identify the disability, provide reasonable evidence of the disability (i.e.: doctor's letter), shall provide a description of the requested accommodation for such disability and the reasons that support the request for a variance accommodation. There may also be additional information needed by the ACC to process the request depending on information submitted.

The ACC will review variances and provide a response at its sole discretion. Variances cannot be appealed.

The variance application form is available on the website at harperspreserve.com. Owner/applicant may also request it directly from the Community Manager (contact information provided below).

A. Owner/applicant Information: (check all boxes that may apply)

Owner's N	lame:				
Harper's Preserve Village (check one box only):		WEST	EAST	SOUTH	
LOT:		BLOCK:	SECTI	ON:	
Property A	Address:				=
Contact Pl	hone:		E-mail:		
	e of modification/improcation to which this variance Address numerals Antennas & Satelli Artificial turf		scription provided in the Lifestyle	Accessories Constructior	

Doors
Fireplaces & chimneys
Flags
Garage conversion
Hedges
Irrigation requirements
Landscape modifications
Playscape – swing sets (?)
Religious displays
Replacement fences / walls
Roofing
Security device
Shutters
Signs, religious displays, school spirit displays
Solar screens
Storm doors
Trampolines
Window, patio, porch, terrace, burglar bars and deck accents and coverings
Yard ornaments
Decks
Driveway & driveway extensions
Front yard modification
Generator
HVAC (heating and/or AC) location
New fences and walls
Outbuilding
Patio covers
Rainwater harvesting system
Storage shed
Tanks
Temporary structures
Carports, detached garages
Patio extensions
Perimeter security fences (require deposit)
Room additions
Solar energy devices
Swimming pools and spas
Carports, detached garages
Other (as described in letter B below):

C. <u>Variance description</u>:

D. <u>Provide all reasons for variance reque</u>
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E. Instructions for submittal of variance application:

- Variance application must be filled out in its entirety and signed by Owner/applicant
- All supporting documentation must be submitted (i.e.: pictures, plot plan, applicable documents that are in support of Owner/applicant inability to meet the standards set forth by the Architectural Guidelines)
- Variance application must be part of the Lifestyle Accessories Construction Application completed packet in order for the ACC to consider the variance
- The single and complete application packet must be submitted via e-mail to: Harpers-ARC@sbbmanagement.com
- Variance application must be included in the Lifestyle Accessories Construction Application complete package. NOTE:
 Variance application will not be reviewed by the ACC as a standalone request and any incomplete application shall not be processed by the ACC.

By signing below Applicant acknowledges that this Lifestyle Accessories Construction Variance Application does not mean a variance will be granted by the ACC. Failure to comply strictly with the Governing Documents' requirements may result in fines and/or penalties unless a variance is approved.

Applicant also acknowledges that (in conformance with Section 4.02.4 of the First Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Harper's Preserve) "a variance may be granted only with respect to specific instances upon written request therefor, is not binding with respect to any other request for a variance whether or not similar in nature, and does not constitute a waiver, modification or repeal of any of the provision of the Declaration or other Governing Documents except for the limited purpose of and to the extent of the specific variance expressly granted. A variance may be granted due to circumstances which are reasonably beyond the control of the applicant to reasonably mitigate or rectify, and that the granting of a specific variance will not materially and adversely affect the architectural, aesthetic or environmental integrity of the Subdivision or the scheme of development therein or other reasons, in the sole judgement of the ACC. The determination of the ACC that the conditions for granting of a variance have or have not been met are final."

OWNER'S SIGNATURE		DATE			
The signing party above represents the applicant listed at the top of the application and has the authority to sign on their behalf.					
E-mail:	Phone:				