

VARIANCE APPLICATION

Sierra West Architectural Review Committee (ARC)

Name/s (please type or print) _____

Address of proposed change _____

Phone number _____ **Email** _____

Best way to contact you: _____ Phone _____ Email

A variance is a form of relief that is granted when the application of the Rules and Regulations result in unusual difficulties for a property owner. An example of such difficulty would be the inherent characteristics of shape or topography of a particular Lot making it unique from neighboring properties and difficult to construct a home without a request for a variance. This request must be the result of a specific difficulty from the application of the CCRs and not from the preferences or desires of the property owner not in keeping with the CCRs.

An applicant for a variance must prove:

- There is a specific situation or condition that is particular to the property which makes it unique from neighboring properties.
- The requested variance is the minimum necessary to overcome the unique condition of the property.
- The requested variance is not detrimental to neighboring properties and does maintain the open character of the subdivision.
- Personal preferences in style and situations are not the basis for requesting a variance.

1. Please state the reason for your variance request.

2. Why can it not be accomplished within the CCRs?

3. When is your proposed starting date for this variance?

Owner(s) signature(s) _____ Date _____

PLEASE READ and Initial below:

In accordance with Sections 5.29 and 9.10 of the CCRs, The Architectural Review Committee may grant variances from compliance with any of the provisions of this Declaration when in the opinion of the Architectural Review Committee, in its sole and absolute discretion, such variance will not be adverse (5.29) or will not impair or detract from the overall high quality and character of the development, and such variance is justified due to unusual or aesthetic considerations or unusual circumstances . (9.10)

- *If a variance is granted, no violation shall be deemed to have occurred with respect to the matter for which the variance was granted. (5.29)*
- *The granting of such a variance shall not operate to waive any of the terms and provisions of this Declaration or of any supplement hereto for any purpose except as to the particular Lot and in the particular instance covered by the variance (5.29), and such variance shall not be considered to establish a precedent for future waiver modification or amendment of the terms and provisions hereof. (9.10)*
- *Such variances must be evidenced in writing and must be signed by at least a majority of the voting members of the Architectural Review Committee. (5.29)*

Owner(s) Initials: _____

Supporting Documents to accompany this application will expedite a response from the ARC

- Documents, drawings, and/or specific descriptions and location of the variance
- Pictures of materials to be used if applicable

Submission:

A Variance Application must be completed and returned the Architectural Review Committee (ARC) for approval prior to commencement of work.

- Sign and initial where indicated on these two pages.
- Please mail or email one (1) signed/initialed copy of this application and any supporting documentation to the Architectural Review Committee.

Email: arc@sierrawestpoa.com or

Mail: Sierra West ARC, 377 Barberry Park, Driftwood TX 78619

ARC VARIANCE APPLICATION REVIEW

Action taken (check one): Approved Not Approved Approved as noted (see comments) Additional information required (see comments)

Reviewed by the following Architectural Review Committee Members:

_____ Date: _____

_____ Date: _____

_____ Date: _____

_____ Date: _____

COMMENTS/REQUIREMENTS AS NOTED FOR APPROVAL

Comments from committee review:

Date: _____

Follow-up for Conditional Approval and/or Additional Information (Completed by ARC)

Date: _____

Final review by the following Architectural Review Committee Members:

_____ Date: _____

_____ Date: _____

_____ Date: _____

_____ Date: _____

Final action taken: (check one): _____ Approved _____ Not Approved

Comments from committee review:
