

## Board Process and Criteria to Consider Requests for Variance or Exception from the Design Guidelines

1. Authority-The Association Board of Directors has broad authority to “manage and supervise the affairs of the Association” (By Laws Article 5.1). The authority extends to review and approval of site plans for consistency with the “vision and design philosophy” set forth in the Design Guidelines adopted by the Board. (Guidelines, Chapter 1)
2. Process
  - a. A request for variance from adherence to the Guidelines sought after review by the Architectural Review Board (ARB) and Associate Board approval shall be submitted to the ARB prior to taking any action that deviates from the approval of the site plan.
  - b. A request to the ARB for approval of a variance shall be accompanied with the payment of a review fee in the same amount as required for the original submission for approval.
  - c. The Association Member seeking the variance shall notify adjacent lot owners and any other lot owner whose lot boundaries are within 250 ft of the site of the requested variance at the time the request is submitted to the ARB. Members so notified may object to the variance in writing to the ARB within 10 days of receipt of the notice required in this paragraph
  - d. Final approval of a request for a variance is subject to Board approval and such approval shall be within the Boards sole and subjective discretion.
3. Criteria-The Design Guidelines were carefully developed and are intended to serve the interest of all Members. Accordingly, variations from these guidelines will be granted only in compelling circumstances based on an affirmative showing that the criteria set forth below or any other criteria the Board deems appropriate in the exercise of its discretion.
  - a. Consistency of the requested variance with the vision and design philosophy of the Design Guidelines as set forth in Chapter 1 of the Guidelines
  - b. Substantial hardship if the variation is denied
  - c. Minimal impact on view corridors, owner privacy and natural site features
  - d. The impact on adjacent lot owners
  - e. Unique circumstances