

Policy Number - Title: 01 – Variance Requests
Date of Inception: November 2023
Date of Last Update: November 14, 2023
Date of Next Review: November 2024

Objective:

The Board is responsible for Architectural Control according to Article IX of the Declaration.

Enforcement pertaining to the appearance of the Association Property and control over any change in use or any improvements, additions, modifications or alterations to the completed Association Property or to the exterior of any Home shall be the responsibility of the Association.

Background:

Owners, from time to time, desire to have work performed on the exterior of their Home. Examples include but are not limited to: replacing windows and/or skylights, building and/or rebuilding decks, adding to or removing existing plantings and having radon mitigation systems installed.

Policy:

Owners shall submit, for approval, plans to the Board for any desired improvements, additions, modifications or alterations for any portion of Association Property and/or the exterior of any Home (per Declaration Article IX Section 9.03).

Procedure:

- 1) Owner will submit a completed Variance Request form along with supporting details, project specific certificate of insurance, and any required building permits.
- 2) Property Manager will review all submitted information and verify all required information has been provided including:
 - a) Specific description of proposed changes including materials to be used, color of materials, etc.
 - b) Reason for the requested change
 - c) Timeline for the project – both beginning and ending
 - d) Name of contractor and number of persons to be working on project
 - e) Certificate of Insurance with Owner listed as the Certificate Holder
 - i) General Liability coverage must be at least \$1,000,000
 - ii) Workers Compensation coverage must be at least \$1,000,000 if more than 1 person working
 - d) Town of Victor building permit obtained for the following projects:
 - i) Window replacements, including skylights
 - ii) Deck installation or replacement
 - iii) Furnace replacement involving direct venting through foundation wall or roof
 - iv) Generator installation or replacement
- 3) Once all information has been obtained, Property Manager will email all information to the Board for review.

4) Board will review and either:

- a) Ask for additional information from the Owner
- b) Call for a vote to approve or reject the request.

5) Upon approval, or qualified approval, the Board shall instruct the Property Manager to notify Owner of any qualifications or conditions of such approval, to file a copy of such plans as approved in the Association's permanent records. Property Manager shall instruct the Owner to make notification of project completion.

Once plans have been approved they may not be revoked unless the Board determines that:

- (i) The work currently being performed is not in substantial conformity with the approved plans; or
- (ii) Adequate insurance is not being maintained by the applicant; or
- (iii) Appropriate permits have not been obtained, maintained and/or complied with; or
- (iv) A period of six (6) months has passed from the date of approval of the plans and the alterations, modifications or improvements have not commenced.

Reference Declaration Article IX Section 9.04.

6) Written Notification of Disapproval. In any case where the Board disapproves the plans submitted, the Board shall instruct the Property Manager to notify the Owner in writing, together with a statement of the grounds upon which such action was based as set forth in Declaration Article IX Section 9.04.

7) Upon project completion a final inspection is required. Property Manager shall notify Board and shall participate in the inspection adding comments from inspectors to the original Variance Request form for future reference.

8) Property Manager shall bring completed Variance Request form to next monthly Board meeting for review.

9) Finalized Variance Request with all related documentation shall be filed in the permanent file for the Home by the Property Manager.