

LANDSCAPE VARIANCE
APPLICATION

UNIT NO. _____
DATE _____
CONDO NO. _____
MODEL _____

Please note Condo Maintenance Representative Signature Required

I wish to make the following change(s) to the common property, fully aware such change(s) is/are contrary to existing rules and regulations of Heritage Village, and as such would be considered a variance. Describe fully below:

**** PLEASE ATTACH SKETCH IF APPLICABLE ****

If this variance is approved, services will be provided by:

I agree that if such changes are approved, all costs of materials, labor, clean-up, removal of debris, and subsequent maintenance will be borne by me.

Owner's Signature _____ Phone # _____ Date _____

Owner's Printed Name _____ Condo Maintenance Representative Signature _____

APPROVED

NOT APPROVED

Date _____ Review Board Representative Signature _____

APPROVED

NOT APPROVED

Village Manager _____

Date _____

Variance Expiration Date _____

Landscape Variances

PERMANENT VARIANCES

A variance is an exception granted by the HVMA to the unit owner and immediate neighbors. Therefore, no variance request should violate the rights of any unit owner currently living in the area, and may be granted only if all adjoining neighbors have knowledge of it and are agreeable, via the signed petition below, to the request.

The forms, when filled out and checked by the Maintenance Rep, are filed with the Operations Office.

If the variance is to be on common or limited common property, the appropriate Committee (i.e. Landscape and/or Structural Committees, or others as appropriate) must approve the request before the Manager can issue the variance. The unit owner will be advised of any underground utility lines in the area of the variance and it becomes, then, the responsibility of the owner or his agents to avoid them.

TEMPORARY VARIANCES

If the requested variance affects a Common/Limited Common Area and is intended to be temporary in nature, and/or unique to the requestor, then the following documentation must accompany the variance request before it can be processed:

- 1) A petition indicating the approval of all residents in close proximity to the affected Common Area who could come into visual or physical contact with the result of the variance. The petition should indicate when the temporary or unique need will no longer be required (i.e., sale or transfer of ownership in unit), and that the requisitioning unit owner agrees by signature that the affected Common/Limited Common Areas must be restored to original condition where feasible at their, or their estate's, expense prior to sale or transfer of ownership in the unit.

APPEALS

Should your variance request be rejected, you may appeal to your condo Board. If you obtain this Board's support, the Condo Trustee will be instructed to raise the issue with the HVMA Executive Committee, whose decision on the matter will be final.

COMPLIANCE

Unit owners are responsible for the installation and construction of approved changes and for subsequent maintenance. They are also responsible for seeing to it that the changes are made in compliance with the plans approved. If the changes differ from what was approved, the Board of Trustees can demand compliance, and if that isn't accomplished within 30 days, the Board of Trustees can authorize the Manager to make the necessary corrections and bill the owner for it.

COMMON/LIMITED COMMON AREA
PETITION SIGNATURES

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____

PLEASE CIRCLE TYPE
OF VARIANCE

- 1. Permanent
- 2. Temporary

If temporary, describe term of
variance and when it will be
removed: _____

SIGNATURE OF
REQUESTOR

Acknowledges terms
of Temporary
Variance and
obligations spelled
out above.