



Request for Variance Procedures

Pursuant to the rules set forth in Section 7 of the Association Bylaws for Kingswood Estates Unit III, IV & V Members Association, the Board of Directors sets forth the following procedures and practices for architectural review requests that deviate from the Association's Architecture Guidelines, Requirements and Restrictions (Guidelines). Such requests will be considered as variances. When the Architectural Design Committee has determined during their review, of either new construction or modification plans to developed or undeveloped properties, that the request for approval contains deviations to the Guidelines, unless such deviations are corrected by the member, the committee will render their collective recommendation for said deviation(s) to be forwarded to the Board of Directors for consideration.

1. The HOAMCO ARC Department Representative will notify the member, in writing, regarding the uncorrected deviation to the Guidelines noting that a request will be sent to the Board of Directors for consideration of a variance. The Representative will direct the member to submit a request to the Board on a Request For Variance Form located on our Public Web Site www.kingswoodestates.org
2. If the Committee and the Board plan to approve any exceptions to the positioning of a Dwelling or other building on the Lot or to the height of the structure, the Board will notify the Members of the Lots whose properties are contiguous to and directly across the street from the Lot to be built upon. The Member who requested the exception will be charged for the mailing costs of such notices. The notified Members will be given fifteen (15) days to comment on the proposed exceptions. If any of them oppose any exceptions, the Committee will ask the Member and the opponents to meet with a Committee representative and to attempt to reach a solution acceptable to the Board of Directors. If no solution is achieved, the matter will be referred by the Committee to the Board, who will determine whether to grant the exceptions. The decision of the Board shall be final.
3. The HOAMCO ARC Department Representative will notify the Association Manager of the request for consideration and forward documents, member request and Committee recommendation to the Manager.
4. The Association Manager will alert the Board as to Request for Variance Consideration and forward information via email. If the variance is not regarding the height and setback or the steps in section 2 are satisfied:
5. The Board will:
 - a. Approve unanimously via Board action without a meeting.
or
 - b. Call for Special Meeting to review and discuss in open forum.
or
 - c. Consider request at a quarterly meeting.