

SILVER LAKES ASSOCIATION

FINDINGS NECESSARY FOR THE GRANTING OF A MINOR VARIANCE

Prior to approving a request for a variance, the reviewing authority shall find that the following are true (Section 83.030905, Development Code):

It is the applicant's responsibility to provide specific justification for **each** of the four (4) following findings. An approval of the requested variance (justification) should include specific evidence, details and/or qualities of the proposed use, structure or other project. Additional pages or supporting documentation (photographs, previous variance approvals, etc.) may be attached.

1. The granting of such variance will not be materially detrimental to other properties or land use in the area because:

2. There are exceptional or extraordinary circumstances or conditions (size, shape, topography, location or surroundings) applicable to the property or to the intended use which do not apply to other properties in the same district or vicinity because:

3. The strict application of the land use district deprives such property of privileges enjoyed by other properties in the same land use district. State the specific right or rights:

4. The granting of the variance is compatible with the objectives, policies, general land uses and programs specified in the adopted general plan and/or development code requirements because:

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VARIANCE REQUEST

The following procedure is to be followed in all instances wherein a property owner seeks a variance to the Silver Lakes Declaration of Covenants and Restrictions or the Environmental Control Committee Rules and Regulations.

1. Submit to the Environmental Control Committee (ECC) a written request, on the form provided, along with a check in the amount of five hundred dollars (\$500) per unit to cover expenses incurred by the ECC. The ECC will decide the matter at its next scheduled meeting.
2. The ECC will decide the request for a variance only after the provisions of Declaration 10f(1) and (2) of the Silver Lakes Declarations of Covenants and Restrictions have been complied with.
3. Should the request be denied by the ECC, the owner will be notified by mail within seven (7) days of the decision. The owner may then appeal the decision to the Board of Directors if the owner so wishes.

The purpose of the variance procedure is to accommodate individual, unique, substantial instances of hardship which must be proven to a reasonable certainty by the property owner. Variances will not be granted to allow an owner to simply build a larger house on a lot which would not otherwise be allowed, nor will a variance be allowed due to a hardship created as a result of the owner's action(s) or inaction(s).

4. The applicant will be notified, in writing, of the decision. The decision is final and, if approved, work must be started within six (6) months of approval and completed within twelve (12) months of approval; otherwise, approval becomes null and void.

Appeals

5. Appeals of any decision by the ECC must be filed within ten (10) calendar days after the written decision has been mailed.
6. The applicant and the individual initiating the appeal will be notified, in writing, approximately one (1) week prior to the Board of Director' hearing date. All interested parties should be present to explain their position.

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PLOT PLAN CHECKLIST FOR MINOR VARIANCES

All items listed below must be on the plot plan. **Attachments are not acceptable.**

1. Names, addresses and telephone numbers of the recorded owner, applicant and the person preparing the map.
2. Complete legal description of the property involved (tract, lot and street address).
3. Identification of the type of project as well as the variance requested. (Include the use of each exiting and proposed structure).
4. Dimension of the property lines of the project.
5. Locate by distance where each existing and proposed structure(s) (including fences) are in relation to all property lines.
6. Indicate the height, dimension, square footage and number of stories (including basements) of all existing and proposed structures.
7. Indicate any unusual drainage or hilly terrain by flow line arrows and contour lines.

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MINOR VARIANCE PROCEDURE

Application Procedure

The following items must be included at the time of filing. Failure to submit a completed application may result in a delay or return of the application.

1. Two Hundred and Fifty Dollar (\$500) per unit filing fee.
2. Completed Application for a Minor Variance form (attached).
3. Completed Findings Necessary for the Granting of a Minor Variance form (attached).
4. a. Single Residence

Two (2) prints of the plot plan illustrating the variance being applied for, drawn to scale on a minimum size sheet of 11" x 17" paper (or larger).

- b. Multiple Residence/Commercial

One (1) brown-line print or original drawn on tracing type paper with pencil or black ink, drawn to scale on a minimum size sheet of 18" x 24" **and** two (2) blueprint copies.

- c. See plot plan checklist for requirements.

Information and Procedures

1. A variance may be requested to modify the requirements of the Silver Lakes Association Declaration of Covenants and Restrictions and/or the Environmental Control Committee Rules.
2. The ECC staff will review your application in the field, may ask other agencies to comment, and will mail a notification letter to contiguous property owners.
3. An approval or denial decision is based upon the findings per the County Development Code and C&Rs.

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APPLICATION FOR A MINOR VARIANCE
Residential/Commercial

Property Owner _____ Date _____

Tract _____ Lot _____ Street Address _____

Mailing Address _____

Property Owner's Phone _____

Person to Notify (if other than Owner) _____

Their Address _____

Their Phone _____

Description of the Minor Variance Requested _____

Assessor's Parcel Number(s) and Complete Legal Description of Property

I, _____, certify that the foregoing is true and correct and that I am:

☐ the legal owner(s) (Note: all individuals must sign their names below as they appear on the deed to the land); OR

☐ the owner's legal agent.

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

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CERTIFIED PROPERTY OWNER'S LIST DECLARATION

I, _____, certify that, to the best of my knowledge, the list below contains the names and addresses of all contiguous property owners* as they appear on the latest available county assessment role.

* Those properties which touch property lines at any parcel involved with a minor variance, including those properties which touch the property lines of the subject parcel when projected across roads or streets.

Signature _____ Date _____

Sample:

APN: 0235-091-25 Name: John Doe Address: 1653 Outside Lane City: San Bernardino State: CA Zip: 92400

APN: Name: Address: City: State: Zip:	APN: Name: Address: City: State: Zip:
APN: Name: Address: City: State: Zip:	APN: Name: Address: City: State: Zip:
APN: Name: Address: City: State: Zip:	APN: Name: Address: City: State: Zip:
APN: Name: Address: City: State: Zip:	APN: Name: Address: City: State: Zip:
APN: Name: Address: City: State: Zip:	APN: Name: Address: City: State: Zip:
APN: Name: Address: City: State: Zip:	APN: Name: Address: City: State: Zip: