

Sorrento South Property Owners, Inc.

Variance Policy

Section 7.12 of the Covenants and Deed Restrictions is shown below:

7.12. Variance Right

The Board has the right to grant variances to Property Owners of Lot(s) in the Subdivision. The Board's decision however is dispositive and the Owner of said Lot(s) shall not have any recourse if the Board fails to approve or grant any variance.

The Board has the authority to grant variances from the Declaration of Covenants and Deed Restrictions subject to terms of this policy and will not be contrary to the interests of the Property Owners and residents of the Subdivision where, due to extraordinary circumstances, literal enforcement of the Deed Restrictions will result in hardship to the Owner requesting the variance.

Following the receipt of a completed Variance Application Form:

1. The President of the board may call a special meeting of Property Owners of lots in the Subdivision, notice of which meeting shall be given to Property Owners at least, fourteen (14) days in advance, if a special meeting is called, Property Owners shall have the opportunity to appear and express their views.
2. If a special meeting is called, whether or not Property Owners appear at the meeting in support of or in opposition to the application for variance the Board shall at the next scheduled meeting either grant or deny the variance.
3. The Board may consider the number of Property Owners opposing the variance before making a decision. The Board must take into account that one essential element for granting variances is the recognition of the importance of maintaining the ambiance of the community. It must be understood that any changes under consideration must not be a detriment to the community.
4. A variance shall not be granted unless the following conditions exist:
 - a. Denial of the variance will result in unnecessary hardship to property owner.
 - b. The variance will not conflict with Sarasota County zoning or land use.
 - c. The variance will not interfere with the use of other properties in the Subdivision.
 - d. The variance will only apply to the address indicated in the application.
5. A variance granted hereunder shall run with the lot or building site for which it is granted in perpetuity unless the variance was granted with restrictions and/or conditions to accommodate some handicap or temporary requirement; in this case the variance will terminate when the handicap or temporary requirement is not needed or the property is sold. The Owner or subsequent buyer must restore the property to the original property condition before the variance was granted.