

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 ambience 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.

6. After a variance is approved, the Owner is responsible for complying with all applicable federal, state and local laws, codes, regulations and requirements in connection with this work, and must obtain any necessary governmental permits and approvals for the work. The Board may request copies of all permits before the work can be started.

7. After the Board completes the review of a variance, the Board shall keep written records related to variance disposition in accordance with state statute. If a variance approval is granted with restrictions and/or conditions, the same should be clearly noted in the Variance documents.

8. The Board attorney is responsible for preparing the legal document granting the Variance and the owner is responsible for paying for all the legal costs associated with the preparation of the variance document. The President or Secretary of the Board will sign the Variance document upon approval by the Board and after the legal preparation fees are paid by the owner. It is the Owner's responsibility to record the Variance with the Sarasota County Clerk.

Approved by the Board of Directors of SSPO, Inc. on August 8, 2017

Diane Miller (handwritten signature)

Diane Miller

President of the Board

Sorrento South Property Owners, Inc.

Variance Application Form

Date: _____

We / I _____, who own the property at _____ (name/s of legal property owner/s)

_____ (address of property), are applying to

Sorrento South Property Owners, Inc. for a variance to the Declaration of Covenants and Deed Restrictions.

Property owner is required to:

1. Provide a detailed description of the project. If required by the Board, a drawing/s of the project must be provided showing the exact position of the project on the property, including the distance to the property lines. Note: All projects must comply with Florida State Statutes and Sarasota County Code.

2. Prepare a memo responding to each of the following:

- a. Will the variance authorize the use for other than private, single-family residential use?
b. If the variance is not approved, what hardship that will be caused?
c. Will the variance substantially or permanently injure the use of other property in the Subdivision?
d. Will you comply with all applicable federal, state and local laws, codes, regulations and requirements in connection with this work, and will you obtain any necessary governmental permits and approvals for the work?

3. Obtain Owner's Yes/No response from any Sorrento South properties within 80 feet of the perimeter of the property shown in the Application. Use Attachment YES/ NO for this purpose. Input from adjacent property owners is for information purposes only and will not solely determine ultimate approval or disapproval of any variance request.

On request, the Board can provide a list of the Sorrento South properties within the 80 feet perimeter specified by the variance requirements.

Submit the complete application to the Board President for processing. The application will be reviewed by the Board of Directors within 30 days and approval or denial will be issued after the next meeting of the Board of Directors.

Attachment YES/NO

We, the owners of nearby properties that, in the opinion of the Board of Directors, could be affected by the proposed variance, have examined the attached description of the requested variance application and affirm that:

By circling YES and entering our address and signature, we have no objections to the variance.

By circling NO and entering our address without signature, we have objections to the variance as presented.

YES NO _____ (address)

_____ (signature / date)

YES NO _____ (address)

_____ (signature / date)

YES NO _____ (address)

_____ (signature / date)

YES NO _____ (address)

_____ (signature / date)

YES NO _____ (address)

_____ (signature / date)

YES NO _____ (address)

_____ (signature / date)

YES NO _____ (address)

_____ (signature / date)

YES NO _____ (address)

_____ (signature / date)

YES NO _____ (address)

_____ (signature / date)

YES NO _____ (address)

_____ (signature / date)

YES NO _____ (address)

_____ (signature / date)