

**ARCHITECTURAL REVIEW COMMITTEE
APPLICATION FOR A VARIANCE/EXCEPTION**

INSTRUCTIONS: Provide information requested below, sign and submit this application along with 3 site plans or surveys (showing location of variance or exception) with the Filing Fee of \$50. (Reference Section 100.1.G. – Variances or Section 100.1.H. – Exceptions in the ARC Guidelines.)

REQUESTING: ☐ **VARIANCE**
 ☐ **EXCEPTION**

SECTION & LOT NO. _____ **STREET ADDRESS** _____

NAME OF LOT OWNER(S) _____ **PHONE #** _____

MAILING ADDRESS _____

DESCRIPTION OF VARIANCE/EXCEPTION:

REASON FOR VARIANCE: _____

SIGNED _____ **DATE** _____

Property Owner(s)

OFFICE USE ONLY

Approved By: _____ Date: _____

ARC Chairperson

Disapproved By: _____ Date: _____

ARC Chairperson

Comments: _____

Adjacent Property Owners Notified:

☐ Yes Date: _____

☐ No

***NOTE: FEE IS NON-REFUNDABLE**

REQUEST FOR EXCEPTIONS TO THE ARC GUIDELINES – INFORMATION SHEET

This information sheet was prepared by the voluntary members of the Architectural Review Committee (ARC) as an aid to Ocean Pines Association (OPA) owners considering requesting an exception to the ARC Guidelines (Guidelines). It briefly defines our mission and obligation to the community and the process by which requests will be adjudicated. The Committee urges you to review the appropriate sections of this document before submitting your request. Also, please read the following:

- The mission of the ARC is to ensure the quality of life and protect the property values through the interpretation and enforcement of the Ocean Pines Association standards of residential design and maintenance as prescribed in the Declaration of Restrictions (DR's) and the ARC Guidelines.
- The ARC recognizes that property owners have different needs and, within the standards of the Guidelines, and tries to help them meet these needs.
- The ARC evaluates each Guideline exception request on a case-by-case basis.
- Past rulings and the fact that other owners may have had requests similar to yours approved (or disapproved), or the requested exception exists elsewhere in Ocean Pines, are not relevant. Each request will be considered on its own merits.
- The ARC will consider an exception to the Guidelines when the request will not be materially detrimental or injurious to adjacent properties ("does not harm"), does not exceed any Worcester County Codes, meets the needs of the owners, and makes sense.
- The ARC reserves the right to notify adjoining and other relevant property owners about your exception request and the date of the hearing.
- At the hearing, the applicant will be asked to present a rationale for granting the exception. Others having standing may present their positions germane to the request. The ARC members may ask questions and discuss the issue seeking to find agreeable common ground.
- The ARC may then take a vote on the request or postpone its decision to seek further information. When a decision is reached the applicant will be presented with a document that delineates the request and the result of the vote with any comments the ARC believes are relevant to their decision.
- Should the ARC deny the request for exception, there is an established appeal procedure that will be provided in writing with the denial. An appeal for a second review must provide additional or new information related to your request in order for the ARC to rehear the request.
- You have a right to be represented by an attorney and you may call witnesses on your behalf. If you intend to be represented by an attorney, the ARC must be notified two weeks prior to the Committee meeting in order for the OPA attorney's presence to be arranged.
- ARC meetings are open to the public. OPA owners are welcome to observe as the ARC hears requests at regular meetings held on the first and third Tuesdays of each month, starting at 1:00 PM.

REQUEST FOR VARIANCE – INFORMATION SHEET

This information sheet was prepared by the voluntary members of the Architectural Review Committee (ARC) as an aid to Ocean Pines Association (OPA) owners considering requesting a variance from the Declaration of Restrictions (DR). It briefly defines our mission and obligation to the community and the process by which requests will be adjudicated. The Committee urges you to review the appropriate sections of the DR covering your specific section of Ocean Pines relevant to your situation before submitting your request. Also, please read the following:

- The mission of the ARC is to ensure the quality of life and protect the property values through the interpretation and enforcement of the Ocean Pines Association standards of residential design and maintenance as prescribed in the DR's and the ARC Guidelines.
- The ARC recognizes that property owners have different needs and, within the standards of the DR, and tries to help them meet these needs.
- The ARC evaluates each variance request on an individual case-by-case basis.
- Past rulings and the fact that other owners may have had requests similar to yours approved (or disapproved), or the requested variance exists elsewhere in Ocean Pines, are not relevant. Each request will be considered on its own merits.
- To approve a variance request, the ARC must be convinced that denial of the request will result in a practical difficulty and/or an unreasonable hardship to the owner.
- The ARC reserves the right to notify adjoining and other relevant property owners of the variance request and the date of the hearing.
- At the hearing, the applicant will be asked to present a rationale for granting the variance. Others having standing may present their positions germane to the request. The ARC members may ask questions and discuss the issue seeking to find agreeable common ground.
- The ARC may then take a vote on the request or postpone its decision to seek further information. When a decision is reached the applicant will be presented with a document that delineates the request and the result of the vote with any comments the ARC believes are relevant to their decision.
- Should the ARC deny the request for variance, there is an established appeal procedure that will be provided in writing with the denial. An appeal for a second review must provide additional or new information related to your request in order for the ARC to rehear the request.
- You have a right to be represented by an attorney and you may call witnesses on your behalf. If you intend to be represented by an attorney, the ARC must be notified two weeks prior to the Committee meeting in order for the OPA attorney's presence to be arranged.
- ARC meetings are open to the public. OPA owners are welcome to observe as the ARC hears requests at regular meetings held on the first and third Tuesdays of each month, starting at 1:00 PM.