



Architectural Review Committee
Oak Lake Estates Homeowners Association

Freestanding Structure Variance

Variance Intention

The Variance process is intended to provide limited relief from the requirements of previously written guidelines in those cases where strict application of a particular requirement will create an unnecessary or unreasonable hardship or prohibit the use of land in a manner otherwise allowed.

These variances are intended to encourage variety, flexibility and innovation in land development and land use for basically residential areas which is consistent with the overall goals and objectives of maintaining neighborhood appearance.

Variance Process:

The Architectural Review Committee shall hear and decide appeals and requests for variances from the requirements of recorded CCR's and Bylaws. Site visits will be made to meet with homeowner to identify and assess requests for variance

With review of applicants' specific needs; review of positive or negative impact on surrounding homes; and agreement by majority of members of the ARC that a variance is in the better interest of the neighborhood; the ARC may issue a variance from the written HOA bylaws and CCRs with specific written reasons.

Variances may need additional approval from county if it conflicts with county restrictions or building codes. Homeowners are responsible for following county building codes.

Plans still **MUST** be submitted and approved by Architectural Review Committee and at ARC request, be willing to meet for consultation

The purpose of the onsite review is for the ARC members to assess the impact the request may have to neighbors and the general quality of the Development. The onsite process is usually brief (5-20 minutes) with no, or limited, homeowner involvement. However, we recommend that a homeowner be available for questions about complex plans.

Variance to Structure - Guidelines:

- Sidewalls not to exceed 12-foot eave height.
- Eave walls to have a finished soffit overhang similar to the single-family residence
- Gable end to overhang proportional to the finished soffit
- Sidewalls with greater than 30-foot length will have a minimum of one pass door or window

- Size to be no more than 1000 sq ft (typical 3 car garage). Variance in size to a maximum of 1200 sq ft may be granted based on home size, lot size and placement, and ARC consultation.
- Location on lot will consider neighbor and street visibility impact for approval
- Color and exterior finish to match single family residence and be approved by ARC (ie: Brick on home = brick wainscoting on visible facia of structure, color match to home, etc.)

‘Notice of Unapproved Structure’

Noncompliance would include the failure to obtain approval of a new structure in conformance with approved plans. Homeowners who are in violation of the CCR’s and have not requested a variance for approval will be notified in writing of the violation and will be penalized in accordance with the following policy:

Structures proceeding without ARC Approval or Variance are subject to a ‘Notice of Unapproved Structure’ being filed with Maury County Registrar of Deeds.

This Notice will be rescinded, and an approval notice will be filed if the structure is brought into compliance

Disclaimers:

Approval of any Structure by the ARC is in no way a certification that the structure has been built in accordance with any governmental rules or that the Structure complies with sound building practices. Homeowners are required by law to obtain a building permit for all new construction. These Architectural Standards set forth herein have not been reviewed for engineering or structural design or quality of materials. In fact, it is very likely that certain standards have been adopted solely on the basis of aesthetic considerations.

In accordance with the Declaration, every person who submits plans or specifications and every homeowner have agreed that they will not bring any action or suit against Declarant, the Association, the ARB, the Board or the officers, directors, members, employees and agents of any of them to recover any such damages.