

LEGACY VILLAS HOMEOWNERS ASSOCIATION

ARCHITECTURAL VARIANCE REQUEST FORM

Submission of Plans to Architectural Committee

When completed, deliver/mail this form to: 2110 W. Carol Ann Way, Phoenix, AZ 85023

Or email to: **ArchitectCommittee@gmail.com** or LegacyVillas98@gmail.com

Name: _____

Address: _____ Lot # _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____

Date Submitted: _____ Date Application Complete: _____

Please attach a detailed drawing, photo or blueprint of your plans and include details of changes below:

Contractor Information:

a. Name of Business:

b. Address:

c. Phone: _____ d. ROC# _____ (if applicable)

e. If approved within 30 days, the work will begin on: _____

f. The work will be completed by: _____

In accordance with the Legacy Villas Homeowners Association Covenants, Conditions and Restrictions ("Declaration") and the "Architectural Committee Rules, Procedures and Design Guidelines: Other Regulations" revised August 21, 2019, I request your consent to make the above changes, alterations, renovations, additions, modifications and/or removals to my Lot/Unit. I have read and accept the Terms and Conditions as written in the Legacy Villas CC&Rs and the Architectural Committee Rules, Procedures and Design Guidelines: Other Regulations as revised 8-21-2019.

REQUIRED: Signature of Homeowner

Date

LEGACY VILLAS HOMEOWNERS ASSOCIATION

Action Taken by Architectural Committee

Applicant: _____ Date: _____

_____ APPROVED WITH THE FOLLOWING EXCEPTIONS:

_____ DISAPPROVED BASED ON THE FOLLOWING:

Chairperson, Architectural Committee

Date

If appealed within 14 days:

ACTION TAKEN:

Liability

The Architectural Committee shall not be liable to any Owner in connection with the exercise or non-exercise of architectural control herein specified or the approval or disapproval hereunder of any Improvement. Any approval of any plans or specifications by the Architectural Committee shall not be deemed to be a determination that such plans or specifications are complete or do not contain defects, or otherwise comply to any applicable government requirements. The Architectural Committee shall not be liable for any deficiency, or any injury resulting from such deficiency, in such plans and specifications.

8/21/2019

LEGACY VILLAS HOMEOWNERS ASSOCIATION

ARCHITECTURAL COMMITTEE

RULES, PROCEDURES AND DESIGN GUIDELINES

I understand that under the Declaration and the "Architectural Committee Rules, Procedures and Design Guidelines: Other Regulations," the Committee will act on this request and provide me with a written response of their decision within (30) days. I further understand and agree to the following provisions:

General Design Guidelines

1. Review the Architectural Design Guidelines as they pertain to the intended project. The project must be consistent with the written guidelines.
2. The homeowner must fill out an "Architectural Variance Request Form" completely and provide detailed drawings or photos of the proposed project. The form is available by contacting LegacyVillas98@yahoo.com or ArchitectCommittee@gmail.com, or may be found online in the Document Center at legacyvillas.org. The completed Application (Request Form, drawings and photos) must be sent either by regular mail to the address indicated on the Request Form or by electronic mail to LegacyVillas98@yahoo.com or ArchitectCommittee@gmail.com. **Incomplete forms will not be considered.**
3. The Architectural Committee will review the Application to ensure that it is complete. If further information is needed, the homeowner will be notified of the necessary documents to complete the application. The process of review does not officially begin until the application process is complete.
4. The Committee will hold a hearing on the completed application in an open meeting, which the homeowner may attend, unless the application is approved via a unanimous email vote by the Committee.
5. When reviewing an Application, the Committee may consider, among other things, the quality of workmanship and design, harmony of external design with existing structures and location in relation to surrounding structures, topography and finished grade elevation. An Application may be disapproved if the Committee determines that the proposed change, alteration, renovation, addition, modification, and/or removal:
 - a. violates any provision of the CC&Rs and related documents,
 - b. does not comply with the Association Rules or any of the Architectural Design Guidelines,
 - c. is not compatible with existing improvements or improvements previously approved by the Committee but not yet constructed,
 - d. is not aesthetically acceptable,
 - e. would be detrimental to or adversely affect another owner or the appearance of the community.
6. After reviewing the Application, the Architectural Committee will either APPROVE the Application as submitted or DISAPPROVE the Application.
 - a. If the decision is APPROVE, the review process is complete.
 - b. If the decision is DISAPPROVE, the Committee will notify the homeowner in writing of its decision and the reasons for its decision.
 - c. If the Committee fails to approve or disapprove any such plans and specifications within 30 days after the Application has been submitted to it, approval will not be required and these documents will be deemed to have been fully complied with, provided that the building, structure

or other improvement to be built or placed on the Property shall be governed by all of the restrictions of the CC&Rs and related documents.

- d. A decision by the Committee is not final; the applicant may appeal the decision in writing within 14 days of receipt of the decision. After review of the appeal, the Committee will vote on the appeal request within 30 days and the original decision can be reversed with a majority vote of the Committee. The Committee also has the option to present the appeal to the Board of Directors for their review before a decision is made.
7. No work or commitment of work may begin until approved. Once an Application is approved, the owner shall proceed with the work contemplated under the Application as soon as practicable and diligently pursue such work so that it is completed within two (2) months once work begins. APPROVALS are valid for six (6) months from the date the applicant receives the official notification. That is, work must be completed within 6 months of the acceptance date or a new application must be submitted.
8. If the applicant desires to modify the plans or specifications for architectural changes during construction, a revised application must be submitted to the Committee. The Committee will review the revised application and respond to the request. Every effort will be made to render a decision on the revision in a timely fashion, but the work on the revised part of the plan must not begin before a decision is rendered and requested modifications are approved.
9. Any change or improvement made by the owner is the responsibility of the owner for maintenance, repair and/or replacement. Unauthorized changes or improvements must be removed or restored to original conditions at the discretion of the Board of Directors and will be at the expense of the owners. Failure to do so may result in the Association placing a lien against the property involved.
10. The approval of an Application shall not be deemed a warranty or representation by the Architectural Committee as to the quality of such change, alteration, renovation, addition, modification, or other work or that such change, alteration, renovation, addition, modification, or other work conforms to any applicable building codes or other federal, state or local law, statute, ordinance, rule or regulation. The Owner is responsible for seeking any required approvals.
11. The approval by the Committee of any plans, drawings or specifications for any work done or proposed, or for any other matter requiring the approval of the Architectural Committee, shall not be deemed to constitute a waiver of any right to withhold approval by any similar plan, drawing, specification or matter subsequently submitted for approval (Bylaws)..

8/21/19