

**BONITA LAKES PROPERTY OWNERS ASSOCIATION
ACC/VIO – Petition for Variance After Violation**

HO Name: _____ **Date of Petition:** _____ **Rcvd:** _____

Address: _____ **Phone:** _____ **Email:** _____

Hearing: _____ **Date first fine to post:** _____ **Amount:** _____

Action taken to clear violation: (Petitioner must clear the violation before any petition for variance will be heard, the only exception to this requirement is for a permanently constructed item which would require demolition that a successful petition would avoid)

Stay granted by ACC/VIO based upon: Demolition required Other: _____

I hereby petition the ACC/VIO and Board of Directors for a variance IAW Declaration of Restrictions and Covenants Section 21.10 and Community Standards Paragraph 3 to allow the following changes to my premises:

Variance is requested based upon the following hardship which I will suffer if not granted:

- Economic, cost to install and now to remove will be prohibitive. Install \$ _____ Remove \$ _____
- Approved by previous/prior ACC or Developer, installed in good faith relying upon previous authority granted (Copies of all previous approval documents must be submitted with the petition, include names, phones for approving officials.)
- Other claim: _____

If approved, I hereby agree to enter into a legally binding written agreement with the Association to install the approved item(s) and further agree that this will not constitute the setting of any precedent, nor will I come to the defense of or cite this action as a precedent in support of any other homeowner with a similar condition IAW the provisions of DOR 21.14 and CD 3.0. I agree that this is a singular case by case action by and between myself and the Association. I understand that should this petition be denied, and/or should I continue to be in violation that I will be responsible for Attorneys Fees, Court costs, fines accrued and eventually the costs incurred should the Association have to seek injunctive relief to cause the prohibited item(s) to be removed from my property, enforcing the provisions of the documents. I agree that the determination of the governing body, the ACC/VIO Committee and the Board of Directors is final and that no further appellate process exists or will be considered.

Homeowner (Primary)

Homeowner (Secondary)

ACC/VIO Action: Recommendation for: Approval Disapproval Initials: _____

Board Action: Variance Approved Variance Disapproved Initials: _____

Basis for denial: _____