

**SEA PINES HOMEOWNERS ASSOCIATION
Brewster, MA**

REQUEST FOR VARIANCE TO PERFORM WORK AT UNIT OWNER EXPENSE

TO: GROUND COMMITTEE (as agent of the Sea Pines Facilities Management Board)

FROM: _____
Name of Unit Owner(s)
_____/_____/_____
Unit Address Date of Request

DESCRIPTION OF PROPOSED WORK:

___ Work within Unit or Patio Area (Provide scaled plans or drawings of proposed work)

___ Work with Common Area (Provide scaled diagram of proposed work)

In addition to the Special and Standard Conditions noted below, Sea Pines has established certain work guidelines and standards for materials including but not limited to windows, doors, skylights, light fixtures which must be adhered to. These guidelines and standards are found in the Interior/Exterior Improvement Rules section of the Sea Pines website: www.seapinesbrewster.com.

In the event that the specifications in the approved variance request (which may include a detailed plan, if required) are not followed in all respects, the Unit Owner(s) will, at their own expense, promptly correct any deviations from the approved variance as directed by the Grounds Committee. Timely failure to do so may result in a fine.

CONTRACTOR INFORMATION:

Name: _____
Address: _____
Telephone: _____ Email: _____
Home Improvement License #: _____ Builder License #: _____

NOTIFICATION:

Notification of the proposed work must be given to:

- A. all Unit Owners whose unit is next to the unit in which the work is proposed (“Abutters”); and
- B. all Unit Owners within 200 feet who can see the proposed work from their doors or windows; or if the proposed work is in Phase 1 and 2, all Unit Owners in that cluster of units contiguous with the unit in which the work is proposed (“Affected Unit Owners”).

The Unit Owner shall provide a copy of this variance request to the Abutter(s) or Affected Unit Owner(s) prior to its submission to the Grounds Committee. Abutters and Affected Unit owners may note their agreement or disagreement to the proposed work in the space provided below and return it to either the Unit Owner requesting the variance or the Grounds Committee via email or regular USPS mail, or at a Grounds Committee meeting. Unit Owner and Abutter arguments at Grounds Committee meetings shall generally be limited to five minutes at the discretion of the Chairperson. **Abutter and Affected Unit owner responses will be carefully considered but are not binding on the decision of the Grounds Committee.**

ABUTTER/AFFECTED UNIT OWNER RESPONSE

Name _____

Unit Address _____

Signature _____ Date _____

Agree or Disagree with Variance Request (circle one)

SUBMISSION OF VARIANCE REQUEST:

Variance requests must be submitted to the Grounds Committee via Mercantile Property Management, the Sea Pines managing agent, and received at least fourteen (14) days prior to a Grounds Committee Meeting for consideration at that meeting.

Mercantile Property Management
 Email: mpm@mercantileproperty.com
 Fax #: 508-759-5977
 Mail: PO Box 790, Buzzards Bay, MA 02532

I/We, the Unit Owner(s) of Sea Pines Address listed on page 1, agree to comply with all stated conditions pertinent to this request.

 Signature
Unit Owner

Date _____

 Signature
Unit Owner

Date _____

DECISION OF GROUNDS COMMITTEE:

_____ Request is **APPROVED** and is **valid for one year from date of approval** subject to the Standard Conditions noted in the section below, the Sea Pines Interior/Exterior Improvement rules, and the following Special Conditions as indicated:

_____ Approved as submitted.

_____ Additional information required. A detailed project plan (see addendum) must be submitted to the Grounds Committee.

_____ Obtain necessary Town of Brewster permit(s).

_____ Obtain a copy of Certificate of Insurance from contractor(s) involved. Copies of Town of Brewster permit(s) and/or Certificate of Insurance must be sent to the Sea Pines managing agent at the address above prior to start of work.

_____ Other _____

_____ Request is **DISAPPROVED**.

The Grounds Committee shall notify the Unit Owner requesting this variance of their decision. Abutters or Affected Unit owners who have indicated to the Grounds Committee of their disagreement of this variance shall also be notified.

For the Sea Pines Facilities Management Board:

Date: _____

Signature

Chairperson, Grounds Committee

APPEAL OF DECISION

The Unit Owners requesting this variance, or an Abutter or Affected Units who through the process above have indicated to the Grounds Committee their disagreement with this variance may appeal the decision of the Ground Committee to the Sea Pines Facilities Management Board (FMB). They shall notify (through the managing agent) within seven (7) days from date of the decision of their intent to appeal. That appeal will be heard at the next regularly scheduled meeting of the FMB.

ADDENDUM

STANDARD CONDITIONS CONCERNING VARIANCES

- A. During the period from the Friday of Memorial Day weekend through and including Labor Day, work may only be performed on weekdays between the hours of 7:00 am. and 5:00 pm. and overnight storage of trailers or work vehicles is prohibited.
- B. Landscape plantings made in Condominium common areas resulting from this variance request and paid for by the Unit Owner shall remain under the ownership and control of the Condominium without exception, provided that the Unit Owner may elect to maintain such landscape plantings at their expense. If the Unit Owner or the successor Unit Owner fails to maintain the plantings, the Condominium may assume responsibility for the maintenance of such plantings. The Condominium has the sole authority to determine whether Unit Owner-funded landscaping plantings are being properly maintained.
- C. The Condominium master insurance policy only covers fixtures and furnishings as originally constructed. It is the responsibility of Unit Owner or successor Unit Owner to increase their personal homeowner insurance coverage in the case of substantial interior improvements.
- D. It is understood that the granting of a variance to perform the work requested does not burden the Condominium Board of Managers nor the Facilities Management Board, its officers, members, or agents with liability of any nature. No responsibility is accepted ascertaining the legality of such actions, and no damages resulting from same will be accepted by anyone other than said unit owner
- E. Detailed Plan Components (if required).

Landscaping Projects. Please include a comprehensive description of the proposed work including at minimum:

- Scaled plan showing overall dimensional scope of the work
- Existing plant or other materials to be removed, including the number of trees, plants, or other materials and any alteration of existing topography.
- New plant material with location and mature plant dimensions
- New plant material should be labeled with the common and complete botanical name
- Landscaping material such as material including size and color.
- Hardscape material including pavers, fencing, and borders.
- Lighting specifications.

Only Sea Pines recommended plant, landscaping and hardscaping materials, and lighting should be used.

Building Unit Exterior Work. Plans should include a comprehensive description of the work including at a minimum the following:

1. Narrative, elevation drawing, and/or photographs of the proposed work including the location and direction of any conduit or other visible materials.
2. Type, size, description and location of any mechanical equipment to be installed and any similar existing equipment to be removed.
3. Name and license of all contractors and sub-contractors.

All plans should have a title block with the following information:

- Unit number and street
- Name of the preparer and phone number
- Plan title
- Date of the plan
- Scale used for the plan