

# Architecture and Landscape Committee Criteria Guidelines & Recommendations

## Variance for Setbacks

**Article 10.7 of each Neighborhood Declaration provides setback information and is shown below in its entirety for information.**

### **Article 10.7 Setback Lines.**

No home or other structure (which shall be deemed to include a porch, veranda, garage, pool cage, lanai, screen enclosure, and the like) shall be erected or placed upon any part of a Lot such that any portion of the home or structure (excluding eaves or overhangs): (a) encroaches on any “building setback line” or “landscape buffer” denoted on the plat of the Subdivision; (b) encroaches on any specific easement reserved unto or granted by Developer pursuant to the provisions of this Declaration or the plat of the Subdivision; (c) is closer than 20 feet to the front Lot line (25 feet as to any garage whose driveway entrance faces the front Lot line), 7.5 feet to either side Lot line, or 15 feet to the rear Lot line; or (d) is constructed in violation of any setback requirements of Manatee County then in effect. The setbacks described in Article 10.7(c) are minimum setbacks; the Architectural Committee may, in its sole discretion, require setbacks from particular front, side, or rear Lot lines greater than those specified in Article 10.7(c). Notwithstanding any of the above, construction of terraces, patios, low platforms or steps, decks, fences, walls, swimming pools, and similar low, open, unroofed and unscreened installations shall be permitted within any setback area, and construction of pool cages and screen enclosures shall be permitted within any rear setback area, provided that such construction: (1) does not violate any provisions of law; (2) in the opinion of the Architectural Committee, does not interfere with the exposure, view, or reasonable privacy of adjoining or facing properties; and (3) is otherwise approved by the Architectural Committee.

**Provided therefore that the Architecture and Landscape Committee is able to approve a request then the Architecture and Landscape Committee is empowered to issue a homeowner with a Variance for Construction of:**

Terraces	Patios
Low platform or steps	Decks
Fences	Walls
Low, Open, Unroofed & Unscreened Installations	Pool Cages
Screened Enclosures	Swimming Pools

A Variance issued by the Architecture and Landscape Committee should be recorded by the homeowner at their cost.

Approved and adopted July 1<sup>st</sup>, 2020 by the Architecture and Landscape Committee in accordance with Article 12 of Declaration of Covenants, Conditions and Restrictions for University Park. Received and acknowledged by the UPCA Board on July 16<sup>th</sup>, 2020.

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## **Variance for Setbacks contd.**

**In the event of an extension to the home or a similar enclosed structure that extends into any setback area then Article 14 of the Neighborhood Declaration applies as shown below:**

### **ARTICLE 14 VARIANCES**

University Park hereby reserves the right, with respect to any Lot, to vary those conditions, restrictions, limitations, and agreements herein set forth which refer to setback lines, square footage content, areas of improvement, easements, construction of Improvements, landscaping, and signs, and any such variance shall be evidenced by written instrument executed by University Park. Such variance shall not constitute a waiver of any such condition, restriction, limitation, or agreement as to the remaining Lots, and the same shall remain fully enforceable against all Lots other than the Lot where such variance is permitted.

**In this case a University Park approved variance is required. This Variance would be issued and recorded through University Park's attorney at homeowner's cost.**

Approved and adopted July 1<sup>st</sup>, 2020 by the Architecture and Landscape Committee in accordance with Article 12 of Declaration of Covenants, Conditions and Restrictions for University Park. Received and acknowledged by the UPCA Board on July 16<sup>th</sup>, 2020.