



shelter bay community, inc.

1000 Shoshone Drive • La Conner, WA 98257 • 360-466-3805

For Office Use Only	
Applicant is a member in good standing	
Initials _____	Date _____

REQUEST FOR VARIANCE FOR FENCE

Lot No:	Street:	Date:
Member/Applicant:	Mailing Address:	Telephone Numbers:
		E-Mail:
Contractor:	Mailing Address:	Telephone Numbers:
		E-Mail:

Project Location: Lot #:	Street:	Project Description:

The Declaration of Protective Covenants stipulates that fences:

- a. Cannot be nearer than 15' to roadway lot lines.
- b. For lots fronting the Swinomish Channel or connecting waterways in Division 2, can be no nearer than 25' from the top of the bank.
- c. For lots fronting the Swinomish Channel or connecting waterways in Division 2, no structure (including fences) shall be more than 100' from the road side lot line.
- d. For lots fronting the Swinomish Channel or connecting waterways in Division 5, no structure (including fences) shall be located closer than 20' from the staking line.

This request for fence variance applies to item a. ____ b. ____ c. ____ d. ____ (check any that apply).

The extent of this Request for Variance consists of: _____

This variance is being requested due to (explain in detail): _____

The Building Committee will determine whether any other lots may be impacted by the proposed fence variance and will inform the members owning these lots of proposed construction and the requested variance. The affected members will be asked to sign a form stating their objection or non-objection to the variance, and their reason for any such objection. Responses from such affected members must be received by the Building Committee, and evaluated, prior to consideration of permit approval.

Signed _____, Applicant Date _____

APPLICANT SUBMITTAL REQUIREMENTS

1. Submit a Site Plan of your property showing all existing buildings and improvements, including existing fences, to scale, per the Construction Guidelines. Proposed fences shall be clearly shown on this draining, including those portions for which this variance is requested. If the property is located in Division #2 or #5 and fronts on a waterway, the Site Plan must include the top of bank.
2. An elevation view and cross section of the proposed fence, along with post details, material descriptions, and finish must accompany this Request for Variance.
3. The Building Committee may, under certain circumstances, consider a variance for 'transparent' or 'see through' fences. Such fences shall be no higher than 3' above ground level; posts between fence sections shall not exceed 2" in diameter, and the vertical elements between posts shall be no wider than 1/2" with approximately 4" separation.
4. Variances will not be granted for fences which parallel the top of bank and are less than 25' from the top of bank or for a fence exceeding 6' in height.

The Building Committee meets the 1st and 3rd Tuesday of every month at 9:00 a.m. in the Clubhouse. Applications must be in by 12:00 Noon on the Wednesday before the week of the meeting in order to be placed on the Agenda.

****FOR COMMITTEE USE ONLY ****

Properties affected by the proposed project were asked to state their objection or non-objection to the requested fence variance, and the results are tabulated below. List the lot number, member name, date each member was contacted, and the responses.

Lot #	Member Name	Objection	No Objection
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The Building Committee shall review the Request for Variance utilizing the following criteria:

1. Unreasonable hardship. If the variance is for a fence within the 25' top of bank setback, does the Committee find that practical difficulties or unnecessary hardship result from strict application of the Covenants or Guidelines? Explain: _____

2. If the Building Committee affirms practical difficulties or unnecessary hardship in 1. Above, have alternate fence locations been considered which have less of an impact on the 25' setback requirement? Explain: _____

Upon consideration of the above, and other related factors, the Building Committee hereby

DENIES

APPROVES

the Request for Variance for the following reasons: _____

VARIANCE APPROVAL / DENIAL BY BUILDING COMMITTEE
Signatures of 4 Building Committee Members are Required

Date _____