

## ECIA – Variance Request Form

*Eldorado Community Improvement Association 1 La Hacienda Loop, Santa Fe, New Mexico 87508*

<b>Property Address:</b>		<b>Unit-Block-Lot</b>	
<b>Owner Name:</b>		<b>Phone # 1:</b>	
<b>Mailing Address:</b>		<b>Phone # 2:</b>	
<b>City, State Zip Code</b>			

Structure / Category of Variance Request: (Check all applicable items)							
<b>New Home</b>	<input type="checkbox"/>	<b>Small Accessory</b>	<input type="checkbox"/>	<b>Size / Sq. Ft.</b>	<input type="checkbox"/>	<b>Color or Material</b>	<input type="checkbox"/>
<b>Addition</b>	<input type="checkbox"/>	<b>Portal</b>	<input type="checkbox"/>	<b>Screening</b>	<input type="checkbox"/>	<b>Height</b>	<input type="checkbox"/>
<b>Large Accessory</b>	<input type="checkbox"/>	<b>Fence / Wall</b>	<input type="checkbox"/>	<b>Setback</b>	<input type="checkbox"/>	<b>Other</b>	<input type="checkbox"/>

<b>Give specific Covenants or Guideline that may require a variance:</b>

<p><b>Justification for Variance Request:</b> Please refer to page 2 of this form for a list of factors considered by the Board to review variance requests and provide a detailed explanation of what specific factor(s) relate to your situation and why the Board should grant a variance. (Pictures and drawings are always helpful.)</p>

<b>Signature of Owner:</b> _____	<b>Date:</b> _____
<b>Board's Decision:</b> _____	<b>Date:</b> _____

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### Factors Considered by Board to Review Variance Requests

Factors which may be considered in *denying* a variance include, but not limited to, the following:

1. Was the structure or condition created as a result of the owner's failure to comply with plans previously approved by the ECIA?
2. Did the owner create the structure or condition without having plans approved by the ECIA?
3. Is there a viable, reasonable alternative, which would comply with the Covenants and accomplish the same purpose?
4. Are there documented uncorrected violations existing at the same site?

Factors which may be considered in *granting* a variance include, but not limited to, the following:

1. Was the structure or condition in compliance with Covenants in effect at the time it began?
2. Was the structure or condition created in accordance with plans, which made reasonably clear that a violation of the Covenants would be created and which, nevertheless, were approved by ECIA?
3. Did the CCR conduct a site inspection before and after the work was done and not issue a notice of violation of the Covenants?
4. Would denial of the variance be more detrimental to the community than granting it?
5. Are there characteristics and details of the site which will insure that the variance will not in any way be contrary to the purposes of the Covenants?
6. Are there conditions which, if attached to the variance, will insure that the purposes of the Covenants as stated above will be achieved?
7. Would denial of the variance result in severe financial hardship for the owner?
8. Would denial of the variance result in a severely negative impact on the quality of life of the owner?
9. Denial of the variance would result in greater visibility of the solar equipment to neighbors and from roadways and would be more detrimental to the community than granting it.
10. Denial of the variance would result in shading of the equipment from structures, vegetation or topography and impair the system's performance.