

APPENDIX A - Valley Grove Homeowners Association Permit for Building and Lot improvements Variance Request Information and Permit Application Guidance. (Revised: 2/22/2026)

a. Variance requests should be submitted with the Permit for Building or Lot Improvements and must clearly state a variance is requested and what the variance is for. Variances will not be granted without adjacent lot owner signatures. The Architecture Committee will review the variance request with the permit and provide a recommendation to the Board for approval or denial. Ultimately the board determines whether the variance request will be approved. The Board meets once a month and construction cannot commence until authorization from the Board has been given on the variance and the permit.

b. No building, structure alteration or improvement shall exceed 25' in height as measured from the average level of finished grade. A variance will not be granted for this requirement.

c. **Property Corners:** These must be located either by the property owner or by a licensed land surveyor. These corners, once located, must be displayed and shown to any VGHOA Board or Architectural Committee Member of the proposed project. These corners must be shown to and acknowledged by any contractor or subcontractor before any work (fences, structures etc) can be performed.

d. A variance will not be granted for any encroachment on any public street setback (Phase 1 and 2 have 25' setbacks from the side yard contiguous to the street. For Phase 3 and 4, the setback is 15'.)

e. Other setbacks: While not encouraged, any changes to these require approval from the Board of Directors as well as from adjacent lot owners.

1). 25' from front lot line

2) 15' from side lot lines

3) 25' from rear lot line

f. Easements: A variance will not be granted for encroachments on any easement .As Shown on the Official Subdivision Plat(s)

g. Replacement drain field area (Phases 1-3 only): Adequate room should be allowed for replacement septic drain field per the plat and certificate of subdivision approval (the Board cannot enforce this as it is not in the covenants, however, the lot owner would be in violation of the Gallatin City-County Health Department and the Montana Department of Environmental Quality should they erect a permanent structure within the required replacement drain field area.)

h. No trees can be planted, nor posts, fences, large boulders or other structures can be erected in the County right-of-way (ROW). Only a mailbox can be erected in the ROW. Existing trees etc will be grandfathered in unless they present a hazard.