

February 26, 2026

**Delaware HOA Variance Agreement  
(For Recording with Recorder of Deeds)**

Variance Agreement

Pine Bay Homeowners Association

Prepared By: \_\_\_\_\_

Return To: \_\_\_\_\_

INDEXING INFORMATION (Recorder of Deeds)

Property Description:

Lot: \_\_\_\_\_

Block/Section: \_\_\_\_\_

Subdivision/Community: \_\_\_\_\_

Street Address: \_\_\_\_\_

Parcel ID/Tax Map Number: \_\_\_\_\_

Reference to Declaration:

Recorded in Deed Book \_\_\_\_\_, Page \_\_\_\_\_, in the Office of the  
Recorder of Deeds for Sussex County, Delaware.

[DOCUMENT TO BEGIN ON NEXT PAGE]

February 26, 2026

**Pine Bay Homeowners Association**

**Variance Agreement**

(Recorded in accordance with Title 25, Delaware Code, Chapter 81)

**PARTIES**

Grantor: Pine Bay Homeowners Association, Inc., a Delaware not for profit corporation, acting by and through its Board of Directors (“the Association”).

Grantee: [Property Owner’s Full Legal Name(s)], owner(s) of Lot [Number], Pine Bay, Section of Country Manor, located at [Property Address], County of Sussex, Delaware (“the Owner”).

**RECITALS**

WHEREAS, the Association is governed by a Declaration of Covenants, Conditions, and Restrictions recorded in the Office of the Recorder of Deeds for Sussex County, Delaware, in Deed Book 4188, Page 161 &c/, as amended from time to time (“the Declaration”); and

WHEREAS, the Owner has requested a variance from certain restrictions contained in the Declaration; and

WHEREAS, the Association, through its Board of Directors, has reviewed and approved the Owner’s variance request in accordance with the provisions of Article V, Section 3 of the Declaration; and

WHEREAS, This Variance Agreement is executed and acknowledged in accordance with Title 25, Delaware Code, Chapter 81, and shall be recorded in the Office of the Recorder of Deeds for Sussex County, Delaware. Upon recording, this Agreement shall constitute constructive notice to all owners, successors, and assigns.

NOW, THEREFORE, the Association hereby grants the following variance:

## **GRANT OF VARIANCE**

The Association hereby grants a variance to the Owner permitting the following deviation from the Declaration:

Description of Variance (i.e., the relief granted):

Legal Description of the Lot - see Exhibit A

Two-Dimensional Depiction of the Variance Area - see Exhibit B

Three-Dimensional Depiction of the Structure Described in the Variance - see Exhibit C

Conditions and Limitations of the Use of the Variance:

- Type of Structure
- Footprint
- Stories
- Height

This variance applies solely to Lot [Number] and shall not constitute a waiver or precedent for other lots.

## **CONDITIONS**

1. The proposed structure for which this variance is granted is subject to compliance with all applicable Delaware laws, and Sussex County ordinances and building codes.
2. This document shall run with the land and bind successors and assigns.

February 26, 2026

**EXECUTION**

IN WITNESS WHEREOF, the Association has caused this instrument to be executed by a duly authorized officer this \_\_\_ day of \_\_\_\_\_, 20\_\_.

**SIGNED, SEALED AND DELIVERED IN**

**ITS PRESENCE OF:**

**Pine Bay Homeowners Association, Inc.**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Attested:

By: \_\_\_\_\_

\_\_\_\_\_

Secretary

February 26, 2026

STATE OF DELAWARE COUNTY OF \_\_\_\_\_

On this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person who executed the foregoing instrument on behalf of the Pine Bay Homeowners Association, Inc., and acknowledged that such execution was the free act and deed of the Board of Directors.

\_\_\_\_\_  
Notary Public My Commission Expires: \_\_\_\_\_

**Owner’s Acceptance**

I/We, the undersigned Owner(s), acknowledge and accept the variance as granted by the Board of Directors.

\_\_\_\_\_

\_\_\_\_\_

STATE OF DELAWARE COUNTY OF \_\_\_\_\_

On this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_ and \_\_\_\_\_, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

\_\_\_\_\_  
Notary Public My Commission Expires: \_\_\_\_\_

*February 26, 2026*

**Exhibit A - Legal Description of the Lot**

**Exhibit B - Two-Dimensional Depiction of the Variance Area**

**Exhibit C - Three-Dimensional Depiction of the Structure Described in the  
Variance**