

The Windermere Corporation

Design, Land Use and Construction Construction Approval Process

In accordance with Article VIII of the Windermere Corporation's Bylaws, all property owners, whose property is subject to Windermere Deed covenants and restrictions, must obtain the prior approval of the Windermere Corporation for any exterior construction or improvements to the main structure and any new or existing outlying structures on the property. The purpose of this review, as set forth in the covenants, is to determine compliance with deed restrictions, primarily relating to setbacks.

Exterior construction or improvements subject to the approval process are the one single and detached dwelling together with outbuildings reasonably appurtenant thereto, such as, *but not limited to*: garage, tool house, greenhouse, sheds, and playhouses. Any property within the Windermere Corporation boundaries must submit plans for review of setback compliance as set forth in their deeds and as restricted by local ordinance. Swimming pools and decks more than 18 inches above grade, pergolas, gazebos and other additions have been interpreted to be subject to the covenants. Historically, new or altered grade level patios, and driveway between adjoining properties, have not been subject to this process.

Deed restrictions and setback requirements are not identical on each property. Therefore, a copy of the property owner's Windermere Deed (available through the King County Archives, archives @kingcounty.gov, 206 263 2480, or sometimes from your title company) must be obtained as early in the design stage as possible (to eliminate any need for redesign), or at least 45 days prior to the anticipated start of construction. Only clearing of a lot may begin prior to approval of any application.

The following should be submitted to the Windermere board member in charge of Design, Land Use and Construction:

1. A copy of all deed covenants, restrictions or variances (at least 45 days prior to the anticipated start of construction) including your property's Windermere Deed and the Statutory Deed. Prefer submittal in electronic .pdf format.
2. Complete architectural drawings, which also include a plot or site plan showing any existing structures accurately dimensioned to property lines. Old and new construction should be clearly defined, including any over-hangs, balconies, porches or other appurtenances. The City and the Windermere setback lines must be marked on the site plan. The Corporation will retain a copy of the plot/site plan. Prefer submittal in electronic .pdf format. (Please provide this at least 45 days prior to the anticipated start of construction).
3. A check for \$175.00 payable to "The Windermere Corporation". Mail check to Windermere Corporation, PO Box 51029, Seattle, WA 98115.

Upon submission, the Windermere board member in charge of Design, Land Use and Construction will review the proposed construction. If needed, the Corporation may employ an architect to review the submitted plans at the applicant's expense. The board member will recommend action to the Windermere Board at the next scheduled meeting. The Board will give a final determination and inform the property owner in writing of approval or denial. If the plans are not approved the property owner will be notified of the items that require change or correction.

The Windermere Corporation

DESIGN, LAND USE AND CONSTRUCTION GUIDELINES

Eaves: Roof overhangs, eaves and gutters, are allowed to go into setbacks subject to the same allowances of the City of Seattle, i.e. up to 18-inches maximum.

Height restrictions: City of Seattle height restrictions apply. Height restrictions are not specified in the Windermere Corporation covenants, deeds or restrictions. Thus, the Board cannot disapprove construction plans on this variable and does not become involved when a neighbor's view will be impaired by the proposed construction. Neighbors concerned about heights may contact the City Building Department with their concerns.

Divisions of property:

Property may be divided only if the Windermere Corporation has first approved such a division. The Windermere Corp. Board retains the rights to apply or maintain covenant setbacks on the new parcel if divided off a covenanted property.

Non-compliance with approval process:

In the event it is brought to the attention of a member of the Board that a neighbor has not followed the construction approval process, the Windermere Board member in charge of Design, Land Use and Construction will make a friendly inquiry into the project. If it is determined that the project should have been subject to review, the neighbor will be asked to comply with the process, albeit after the fact. If the project is not in compliance with the setbacks, the Board will inform the property owner in writing of the items that require change or correction.

Subsequent steps will include actions up to and including litigation.

Revised 1980, 1990, 1999, 2009,2013, 2017, 2019