

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 relating to setbacks and other issues.

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, decks and any other construction or change of grade more than 18 inches above existing grade, have been interpreted to be subject to the covenants. Historically, new or altered grade level patios, and grade-level driveways 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, or sometimes 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.

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

1. A copy of the Windermere Deed documenting the applicable 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 (.pdf format preferred).
2. Complete architectural drawings (.pdf format preferred), 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 (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 45008, Seattle, WA 98145.

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.

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DESIGN, LAND USE AND CONSTRUCTION GUIDELINES

Eaves: 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.

Fences: Fences at the property line for privacy purposes are allowed under the same regulations as the City of Seattle. In the front yard setback, the side fence may return to the house, rather than extending out to the front property line.

Items in Setbacks: Setbacks are primarily intended as yards for separation and landscape purposes. However, the covenants allow certain outbuildings to extend into the setbacks with approval of the Board and all neighbors within 100 feet of the property in question. Per Board guidelines, items such as, but not limited to the following, are not to be in required setbacks:

- Heat Pumps or other equipment
- Trash Can Enclosures
- Parking for trailers, boats or recreational vehicles

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.

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