

Glenhaven Lakes Club (GLC) Board Resolution 18-09-01

A & Z GUIDELINES

GUIDELINES INDEX

1. Glenhaven Architectural and Zoning (A & Z) Guidelines
 - A. A & Z Committee and Powers
 - B. Member Requests and Committee Considerations

 2. A & Z Guidelines for Improving or Developing Lots
 - A. Exterior Alteration of a Home or Lot
 - B. Tool Sheds and Storage Sheds (120 sq ft maximum)
 - C. Fences
 - D. Docks and Floats
 - E. Septic Tank/Drain Field Requirements for Homes
 - F. Spas, Hot Tubs, Permanent in-ground Swimming Pools, Permanent in-ground Sprinkler Systems
 - G. Mobile Homes
 - H. Commercial Uses of Lots
 - I. Vehicle, Equipment, Material and Container Storage
 - J. Tree Limbing/Removal
 - K. Land Clearing
 - L. Erosion Control
 - M. Variance Procedures
 - N. Permit Time Limits, Expirations and Extensions

 3. Submittal Procedures for New Construction and Additions
 - A. Process for New construction or House Addition
 - B. Application & Submittal Requirements
 - C. Construction Requirements
 1. Lot and Building Size Restrictions
 2. Setbacks
 3. Building Site Rules and Regulations
 4. Construction Time Limits
 - D. Fees

 4. Property Maintenance
 - A. Developed Property
 - B. Tree and Brush Maintenance
 - C. Refuse and Nuisances
 - D. Replacement of Damaged Structures
 - E. Boat, RV and Trailer Storage
 - F. Culvert Maintenance

 5. Signs
 6. Enforcement
 7. Appeals
 8. Definitions
- Appendix 1 USDA list of Invasive Plants/Trees

Glenhaven Lakes Club (GLC) Board Resolution 18-09-01

A & Z GUIDELINES

1. Glenhaven Architectural and Zoning (A & Z) Guidelines - The Board assumes primary authority for establishing these guidelines and will administer same by directing the A & Z Committee to enforce its provisions. The A & Z Committee will not approve any application unless all necessary documents have been submitted to the committee and the member or his personal representative is present to answer any questions the committee may have, and the member is current on all GLC obligations. Even submitting minor permit applications, such as for a fence, may mean non approval if the committee has questions and the member is not present to answer. Members should not expect immediate approval of any application. Expect GLC approval for new homes or major construction projects to take longer for the approval process. Advance planning by members and having all documents in hand will greatly assist the A & Z Committee. The documents necessary vary depending on the type of application. Any building construction or alteration project must include accurate drawings or images of what the final project will look like when completed. Any tree removal application must show an accurate plot plan which includes the location, approximate diameter and the type of tree for each tree to be removed in addition to tying an orange tape around each tree to be removed so that A & Z can verify the information accuracy. When any application for a permit is submitted to the A & Z Committee, the A & Z Committee will conduct a review of the project which may include an onsite visit to your property to assist in their decision making.

When Whatcom County permits are needed for any project the member must furnish the Glenhaven A & Z Committee with copies of the approved county permits. Approval of a county permit does not necessarily mean approval by Glenhaven since Glenhaven governing documents may differ from county regulations on some matters.

No construction or site preparation of any kind may commence until all applicable county permits have been approved, copies given to GLC, the member is current on all GLC obligations, the Glenhaven permits have been approved in writing and the member has copies of the approved permits in hand.

The desired process for a member seeking approval of a project which requires a County permit is:

First, bring all your plans and documents to an A & Z Committee meeting. Discuss your project with the committee to see if there might be any issues, problems or more information needed.

Second, get Whatcom County permit approval.

Third, submit approved County permit copies to Glenhaven A & Z Committee along with any other necessary documentation. The A & Z Committee will conduct a review of your project. If approved by the A & Z Committee, Glenhaven will ensure all obligations and conditions are met before issuing an approved permit to the member. If denied, the member will be told why.

Fourth, once the member has the approved County permit and GLC approved permit in hand the member may begin the actual work on the project. The member must follow GLC project

timeline requirements.

A. A & Z Committee and Powers:

The A & Z Committee is a standing committee of the Glenhaven Lakes Board of Directors. The committee consists of not less than three, nor more than *five* members. A quorum needed to conduct business at any A & Z Committee meeting shall be a majority of members on the committee. If there are four members on the committee, a quorum shall be three members. All members are appointed annually by the Board and *serve* one year terms. The Committee is responsible for carrying out and enforcing the covenants and restrictions of Glenhaven and following the policies set forth in this Resolution. Additionally, the GLC Board may designate enforcement authority to GLC staff personnel. A & Z Committee decisions may be overruled by the GLC Board in accordance with the GLC Governing Documents, Policies and Resolutions when it is deemed by the Board to be in the best interests of Glenhaven. Member rights and the appeal process for denied permit applications, violations and fines can be found in Section 7 of the Bylaws and of this Resolution.

The A & Z Committee is a crucial element in ensuring that Glenhaven is a well maintained community that is a desirable place to *live* both now and in the future. Committee members must take this position seriously and understand its' responsibilities. Regular attendance at A & Z Committee meetings by Committee members is essential. A & Z Committee members are held accountable to abide by the GLC "Board and Committee Code of Conduct."

B. Member Requests and Committee Considerations

Any physical change proposed for any lot, tract, or parcel or changes to the exterior of any structure within Glenhaven requires prior approval from the A & Z Committee. This includes but is not limited to new construction, remodels, additions, out buildings, sheds, fences, decks, carports, garages, driveways, retaining walls, permanent pools, spas, hot tubs and in-ground sprinkler systems, some tree limbing and removal, mechanical clearing of vegetation and lot re-grading. When reviewing requests for changes or when enforcing the covenants and restrictions, the Committee will consider the following criteria (Article I, Covenants and Restrictions):

1. Does the proposed change insure the best use and the most appropriate development of each building site.
2. Does the proposed change protect the owners of building sites against improper use of surrounding building sites which will depreciate the value of their property.
3. Does the proposed change preserve, so far as practicable, the natural beauty of the property.
4. Does the proposed change guard against the erection of poorly designed or proportioned structures and structures built of improper or unsuitable materials.
5. Does the proposed change encourage and secure the erection of attractive homes with appropriate locations on building sites.
6. Does the proposed change prevent haphazard and inharmonious improvements of building sites.
7. Does the proposed change secure and maintain proper setbacks from streets, and adequate free spaces between structures.
8. Does the proposed change generally provide for a high type and quality improvement and enhance the values of investments made by purchasers of lots.

2. A & Z Guidelines for Improving or Developing Lots in Glenhaven

A. Exterior Alteration of a Home or Lot

1. All exterior alterations or projects causing physical change (reference A & Z Guidelines 1.B.) must have written approval from the A & Z Committee, and must meet all GLC and Whatcom County standards, codes and requirements.
2. New construction and large additions (greater than 100 sq ft) require using the application submittal process found in the A & Z Guidelines, Section 3, except that a shed that is 120 sq ft or less should follow the guidelines for sheds.
 - a. When an accessory building, pole building, detached garage or similar type structure is being requested by a member it is essential the member understand and follow all Whatcom County requirements in the permitting process. Requested structures will be denied if they will exceed the County impervious surface requirements for the lot. When requesting an accessory building the owner will usually need to have two adjoining lots. They must be legally bound together and recorded with the county. The Whatcom County Planning and Development office has the necessary forms for a lot owner to use to legally bind two lots.

A requested structure may be denied by the Glenhaven A & Z Committee because it is out of scale, does not fit in with the rest of the community, or follow other guidelines.

- 1) Any structures other than a home are not habitable structures and shall not have any sleeping or cooking facilities installed nor any water service or plumbing installed.

B. Tool Sheds and Storage Sheds (120 sq ft maximum)

1. All sheds erected in Glenhaven must have written approval from the A & Z Committee, and must meet all GLC and Whatcom County standards, codes and requirements.
2. The size of the shed shall not exceed shall not exceed ten (10) feet by twelve (12) feet or any combination not to exceed one hundred twenty (120) square feet. The height of the shed shall be one story with a maximum height of ten (10) feet. Any building structure larger than 120 sq ft is not a shed, but is in fact an accessory building and must follow the permit process for New Construction and Large Additions.
3. Maximum two sheds per lot.
4. No plumbing is to be installed in a tool or storage shed, including water pipes, toilets, sinks, or any devices requiring running water.
5. Sleeping or cooking facilities are not to be part of this structure nor be installed in it.
6. Sheds are not habitable structures and are not to be used for that purpose.
7. Sheds must comply with setback requirements relating to residences.
8. Where possible sheds are to be placed only in backyards.
9. Applications are available on the Glenhaven website or at the office.

C. Fences

1. All fences erected in Glenhaven must have written approval from the A & Z Committee, and must meet all GLC and Whatcom County standards, codes and requirements.
2. The height of a fence can be 5 feet maximum at the front property line from side to side, or when directly in front of the house facing the road.
3. The side fence height can be 5 feet maximum from the from property line to the minimum setback point of the lot and 6 feet high maximum from the setback point to the rear of the lot.
4. The rear fence can be 6 feet high maximum at the rear property line from side to side.
5. The height dimensions for fences on corner lots may have special Whatcom county requirements.
6. Any fences erected on a GLC easement will be subject to removal at the owners expense if the installation or maintenance of a utility or drain is necessary.
7. Fences in Glenhaven must not cross *over, cover,* or enclose any Water Service Installation (curb stop, meter, etc.) that would Impede or make difficult the operation and maintenance of the water system.
8. A fence that is built or extends into the area of the Whatcom County right-of-way and causes damage to or makes operation and maintenance of the GLC water system difficult will result in having GLC contact Whatcom County with a written complaint and take all action necessary to *recover* expenses incurred by GLC because of the fence.
9. Any fence causing a problem with the operation and maintenance of the GLC Water System will result in a notification to the owner of a possible fine or *removal* of the fence at owner's expense.
10. Above ground electric fences and barbed wire fences are not allowed in Glenhaven.
11. Applications are available on the Glenhaven website or at the office.

D. Docks and Floats

1. All docks and floats erected in Glenhaven must have written approval from the A & Z Committee, and meet all GLC, Washington State, and Whatcom County standards, codes and requirements.
2. Maximum length from mean high water line to end of dock or float extending onto lakes is thirty (30) feet. In areas where the lakes are narrow, such as canals, maximum extension onto lakes is six(6) feet.
3. Maximum dock or float width is twelve (12) feet.
4. All docks or floats will be located at least five (5) feet inside the property owner's side property lines.
5. All docks and floats must be securely anchored.
6. One set of plans for GLC showing construction material and design must be submitted to the A & Z Committee for approval.
7. Applications are available on the Glenhaven website or at the office.

E. Septic Tank/Drain Field Requirements for Homes

1. All septic tank/drain field installations in Glenhaven must have written approval from the A & Z Committee, and must meet all GLC and Whatcom County standards, codes and requirements.
2. To obtain a Whatcom County septic permit the owner must first have the Glenhaven Water System Manager sign the appropriate section on the "Whatcom County Water Availability Form for Public Water System" before submitting the septic application to the County.
 - a. Water availability is governed by Washington State and is only permitted if the

Glenhaven water system is allowed any new water connections at the time requested.

3. After County approval submit documents and GLC application to the A & Z Committee.
 - a. Owner must have a recorded deed to show proof of ownership; provide A & Z a copy.
 - b. Owner must have a current Whatcom County Health Department septic construction permit approved for the Div/Blk/Lot requested; provide the A & Z Committee a copy.
 - c. Submit GLC septic system application form to the A & Z Committee.
 4. Grass, trees, and shrubs may be requested to be planted if warranted in the opinion of the A & Z Committee, however, trees and shrubs should be planted far enough from the drain field to prevent root intrusion into the drain field.
 5. A house plan must be approved within 6 months of the septic installation or the owner will be subject to a violation.
 6. The WSI fee must be paid prior to septic tank/drain field installation.

This fee will be non refundable and stay with the property.

 - a. Owners must be aware that having a septic system approved and in place does not guarantee a permit from GLC to build a home.
 7. All approved septic systems shall meet all Washington State and Whatcom County installation and maintenance requirements. Owners shall be responsible for proper system maintenance.
 8. Applications are available on the Glenhaven website or at the office.
- F. Spas, Hot tubs, Permanent in ground swimming pools, and Permanent in ground sprinkler systems
1. Glenhaven has its own water system for supplying water to its members. As such it must be on guard to help prevent any cross-connection problems which might affect our water system.
 2. All of the above-mentioned installations in Glenhaven must have written approval from the A & Z Committee, and must meet all GLC and Whatcom County standards, codes and requirements.
 3. Applications are available on the Glenhaven website or at the office.

G. Mobile Homes

1. All mobile homes in Glenhaven must have written approval from the A & Z Committee and must meet all GLC, Washington State, and Whatcom County standards, codes and requirements.
2. Mobile homes are only allowed in the following areas:
 - Div 2, Blk 1, Lots 1-8 and lots 33-40,
 - Div 2, Blk 2, Lots 1-4 and lots 18-24,
 - Div 2, Blk 3, Lots 1-12 and lots 26-33,
 - Div 2, Blk 4, Lots 1-5 and lots 23-34,
 - Div 2, Blk 5, Lots 1-9,
 - Div 2, Blk 7, Lots 1-7.
3. Mobile home versus Modular home definition:
 - a. A Mobile home is delivered with an "Installation Manual" and built to HUD standards.
 - b. A Modular home is delivered with "House Plans" and built to USC Standards.
 - c. If the applicant is unable to provide "House Plans" it is a "Mobile Home" and is so stated on the permit issued by Whatcom County. (If the unit will accommodate an axle system, which will permit the towing of the unit then it will be construed to be a mobile home.
4. Mobile homes are to be no older than five (5) years at the time of installation.

5. Foundations and tie-downs are to comply with Whatcom County Building Code.
6. Mobile home skirting is to be installed within sixty (60) days and subject to approval by the A & Z Committee.
7. All setbacks are to comply with GLC and Whatcom County requirements.
8. Applications are available on the Glenhaven website or at the office.

H. Commercial uses of lots

9. Glenhaven is a single family home residential community. Commercial uses are permitted in designated areas only (Div 2, Blk 1, Lots 1-21) upon prior written approval of the A & Z Committee for the specific use stated. The A & Z Committee shall evaluate the potential impact on the community of the stated use before granting any such request. Commercial uses which cause increased traffic movement on our streets are to be discouraged.

I. Vehicle, Equipment, Material and Container Storage

10. No vehicle of any type, no construction equipment or materials of any type, and no container of any type shall be stored on any undeveloped lot without prior written approval from the A & Z Committee. See Sec 4. Property Maintenance for vehicle storage when two adjoining lots are legally bound together.
11. A "vehicle" includes motor vehicles, trailers, RVs and campers. For a detailed description see the definitions section at the end of the A & Z Guidelines.
12. A "container" shall mean any temporary, movable, portable structure designed to store, keep, hold or protect tools, implements, parts, materials, or other items. It may be stored on a lot only during construction and must have written approval from the A & Z Committee and the permit will only be issued after a construction plan or house plan has been approved.
13. No construction equipment or materials of any type, and no container of any type shall be stored on any developed lot without prior written approval from the A & Z Committee. Any approval should be for a specific purpose such as remodeling or building, and may be stored on a lot only during construction.
14. Containers shall not be allowed as permanent storage on any lot.
15. The container shall remain on the lot during construction only for the length of time designated on the permit.
16. Applications are available on the Glenhaven website or at the office.

J. Tree Limbing/Removal

17. Glenhaven defines a "tree" as a native, naturally occurring species commonly identified as a tree in most tree identification books and does not consider seedlings, or immature trees with a trunk diameter less than 4 inches as trees for purposes of these guidelines.
 - a. Glenhaven seeks to maintain as far as practicable the older mature evergreen tree species such as cedar. Naturally growing native trees with a trunk diameter 4 inches or more must have A & Z Committee approval before removal or limbing (if limbing more than 1/3 of height). Glenhaven recognizes that less desirable tree species such as alder may likely be replaced with a species that will enhance a property more when a tree replacement is called for.

- b. Glenhaven lot owners in Divisions 10 and 11 must contact Glenroad, Inc. when desiring to *remove* a tree that is in the Glenroads right-of-way.
18. Tree limbing and removal policies
- a. With limited exceptions, tree limbing greater than one third (1/3) the height of the tree and tree removal in Glenhaven must have written approval from the A & Z Committee and must meet all GLC standards. No person may engage in or cause, directly or indirectly, the removal or limbing of trees without first obtaining a permit from Glenhaven. Cutting trees in emergency situations where life or property is threatened may be exempt from the permitting process, however, any cutting of trees must be reported as soon as possible to Glenhaven. The notification can be verbal, followed by a written explanation as to the location and reason for the action taken, and submission of any supporting evidence regarding the condition of the tree prior to the cutting, including any pictures, ISA certified arborists report or other available information. This exception to the rule of requiring a permit before cutting is not to be taken as a right to cut down a tree without a valid reason and evidence of condition. If the A & Z Committee determines a tree was cut down without justification a violation and fine may be assessed against the member. See the definition of "Hazard or Dangerous Tree" in the definitions section of these guidelines.
 - b. The normal maintenance of trees and vegetation including the cutting and trimming of hedges, trimming tree branches, and the cutting of tall grasses and brush or the removal of small bushes or plants found on a residence or on a lot is generally encouraged.
 - c. Commercially sold trees, shrubs and plants that are purchased by an owner for landscaping their own property may be planted or *removed* without the need for A & Z approval provided these actions improve the appearance of the lot and are not detrimental in other ways; this exception to the need for A & Z approval for an owner purchased tree does not apply to large native evergreen trees and generally any tree *over* twenty years old. If an owner is in doubt, the owner should get A & Z Committee approval. Species which are considered invasive should not be planted in Glenhaven. (See Appendix 1)
 - d. Trimming of underbrush for the purpose of showing the land for sale is acceptable with prior approval.
 - e. Topping of mature evergreen trees is recognized by the National Arborists Assoc. as injurious to the health of the trees. GLC will therefore require identification of alternative remedies and shall consider topping of trees as the least acceptable of such remedies.
 - f. Any tree removal application must show an accurate plot plan which includes the location, approximate diameter and the type of tree for each tree to be *removed* in addition to tying an orange tape around each tree to be removed so that the A & Z Committee can *verify* the information accuracy.
 - g. Written consent of the lot owner is required with the application if the owner is being represented by an agent.
 - h. The owner is responsible for ensuring all debris is removed.
 - i. The A & Z Committee may require replacement with acceptable trees as a condition of approval of the application.
Some factors to be considered when selecting a replacement tree species include size

when mature, root structure, susceptibility to wind damage, disease and insect resistance, pollen production, neighborhood appearance and property value. When planting a tree on a lot with a home it may be more desirable to plant a tree that is of smaller size when mature and that enhances the appearance of the property. A neighborhood with more diverse tree species is better able to withstand tree diseases and insect infestations. As most homes in Glenhaven are limited to 18 feet in height, a tree that is only 30 feet tall when mature will give neighborhoods a more green appearance than trees that grow 200 feet tall but have large bare trunks. Increased sunlight helps prevent moss growth and aids plant and garden growth. Emphasis should be given to trees that enhance the neighborhood and are not detrimental to property and lives. Trees with heights over 70 feet tall when mature should be discouraged as replacements.

- j. Once actual tree removal begins, cleanup of all debris must be completed within 90 days.
 - k. A tree request denied may be reconsidered if the applicant has new pertinent information or if important information has been overlooked. See "Sec 7 Appeals".
19. Applications are available on the Glenhaven website or at the office.

K. Land Clearing

This policy is not meant to replace Whatcom County land clearing regulations and requirements but rather to complement it. The applicant should meet with the Whatcom County authority to determine county requirements.

20. These guidelines provide policies and procedures regarding the clearing of, and the protection and preservation of, trees and associated significant vegetation for the following purposes:
- a. To promote the health, safety and general welfare of the members of Glenhaven by preserving the physical and aesthetic character of Glenhaven through the prevention of indiscriminate removal or destruction of trees and ground cover on all property.
 - b. To ensure prompt development, restoration, replanting and effective erosion control of property during and after clearing.
 - c. To promote land development practices that result in a minimal adverse disturbance to existing vegetation and soils.
 - d. To minimize surface water and groundwater runoff and diversion.
 - e. To aid in the stabilization of soils and to minimize erosion and sedimentation.
 - f. To retain clusters of trees and hedges for the abatement of noise and act.
 - g. To acknowledge that trees and ground cover reduce air pollution by producing oxygen from carbon dioxide.
 - h. To preserve and enhance the general Glenhaven habitat including Reed and Cain lakes, the land areas bordering the lakes, the natural wetlands and the groves of trees owned by members.
 - i. To promote policies and procedures assuring the development of land and the clearing of trees and significant vegetation in a reasonable, consistent and equitable manner.
21. Clearing the land for profit or to prepare it for sale is strictly prohibited.
22. If a clearing or tree cutting permit was issued in conjunction with a residential building approval and no construction commenced within six months, the Building permit and the Water Availability will be terminated and the owner may be subject to a notice of violation.
23. Once land clearing or tree removal begins, cleanup of all debris must be completed

within 90 days.

24. Applications are available on the Glenhaven website or at the office.

L. Erosion Control

Glenhaven's physical geography and large number of developed lots make control of water runoff both during and after construction essential. During construction property owners should meet or exceed Whatcom County requirements for erosion control. During and after construction water runoff, including downspouts, should be directed toward property corners of adjoining, downhill lots. Owners are responsible for ensuring that development of their property does not cause water runoff, drainage or erosion issues on any neighboring properties. The A & Z Committee may require the owner who is submitting an application for construction, land clearing or tree removal to take specific steps to control water runoff, drainage or erosion as a condition of application approval.

M. Variance and Variance Procedures

- a. Variance from any written text standards for use of real property in all divisions of the GLC plat under the CCRs is permitted only by an affirmative vote of a two-thirds majority of the voting power of Glenhaven at an annual meeting, or at any special meeting called for that purpose as provided by the CCRs. The Board adopts the legal opinion of its counsel, dated May 4, 1995, which it incorporates by reference. Any variance or deviation from any CCR textual language, such as the "new construction" requirements, will require two-thirds of the total number of GLC lot owners at an annual, or special meeting called for that purpose to vote approval.
- b. For non-textual variances not involving amendment of recorded CCR requirement for architectural control, design and planning, involving building height or setback, or other physical features, the Board adopts Washington State RCW language as its standard:

"Variance" A variance is the means by which an adjustment is made in the application of the specific regulations of a zoning ordinance to a particular piece of property, which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the vicinity and zone and which adjustment remedies disparity in privileges.

The Board incorporates all applicable Washington case law, including but not limited to those cases cited in counsel's opinion letter of May 4, 1995. Personal difficulty or hardship created by an owner or applicant not related to a lot's physical or topographical features does not qualify for a variance.
- c. The agreement or acquiescence of a neighbor to the variance request is not binding upon the Board in its decision to allow or disallow a non-textual variance. However, the written response of neighbors (those residences or lot owners within 300 feet of the subject property) should be duly considered by the A & Z Committee in its recommendation and by the Board in any decision.
- d. Procedure for Variance Request
 - i. The member petitioning for a variance must present the request to the A & Z Committee and must also supply the A & Z Committee with unsealed, stamped envelopes containing a copy of an approved letter stating the request, the date and location of the next A & Z Committee meeting, addressed to every member owning

property within 300 feet of the perimeter of the petitioner's property. These letters will be mailed by the Committee at least three weeks before the next regular A & Z Committee meeting.

- ii. At the next regular A & Z Committee meeting, the Committee will either approve or deny the request for a variance.
- iii. Any member of the A & Z Committee requesting a variance or with a conflict of Interest will not *vote* on the variance.
- iv. Appeal of the decision of the A & Z Committee by the member requesting the variance or by any member owning property within 300 feet of the petitioner's property shall be to the Board of Directors at their first meeting following this decision. A majority *vote* by the Board members present will be necessary to *reverse* the decision of the A & Z Committee. No member of the Board with a conflict of interest will *vote* on the appeal.

N. Permit Time Limits, Expiration, and Extensions

- e. A permit commences its valid time period beginning on the date the permit is issued by Glenhaven. A septic system installation permit, a new Construction and Addition (more than 100 sq ft) permit and a Mobile Home installation permit will expire one year after it is issued. All other permits will expire six months after they are issued.
- f. An extension may be granted by the A & Z Committee when the owner and contractor have been working diligently and continuously to complete the project, but circumstances have occurred causing a delay in completion.
An extension will be for six months. Only one extension should be allowed for a *given* permit. If a second extension is requested it must have A & Z Committee and Board approval.
- g. A permit issued by Glenhaven will not be *valid* if a Whatcom County permit is required for the project and it is not valid, *active* or no permit was obtained when it was needed.

3. A & Z Submittal Procedures for New Construction and Additions

A. Process for New Construction and Additions (more than 100 sq ft)

1. Have lot surveyed by a licensed surveyor.
2. Flag trees proposed for removal on property using orange tape. DO NOT USE PAINT.
3. Submit all required materials at regularly scheduled A & Z Committee meeting.
 - a. House plans submitted for Divisions 10 or 11 require notification be *given* to Glenroad, Inc.
4. Property owners or their agents are required to attend the A & Z Meeting in person. If a person at an A & Z meeting is acting as agent for the owner, then written and signed permission of the owner must be provided. All plans must contain the name of the owner and all documents issued by GLC will be made out in the owner's name.
5. The WSI fee must be paid prior to septic tank/drain field Installation.
(The Water Service Installation fee is non-refundable, see Section 3.D. Fees.)

B. Application and Submittal Requirements

1. One set of house or structure plans for GLC. Plans must meet all GLC specifications.

Any building construction or alteration project must include accurate drawings or images of what the final project will look like when completed.

2. Proof of ownership of lot(s) on which the house or structure is to be constructed. {Recorded Deed} Proof lots are legally bound, if applicable.
3. One plot plan set for GLC with location of house, structure, setbacks, drain fields, waterline and driveways. (Driveways must be 5 feet from water service.)
4. Show elevations of house, structure and lot with a horizontal line intersecting a vertical view of the house, structure at the high point of the original grade.
5. Septic permit and septic design.
6. Proof of licensed survey.
7. Whatcom County Land Disturbance {clearing} permit.
8. GLC Clearing Permit Application (Guidelines, Sec 2., K.) Trees proposed for removal should be clearly identified on the site plan.
9. One copy of all the above documents must be given to Glenhaven.

C. Construction Requirements

1. Lot and Building Size Restrictions
 - a. No dwelling shall be erected or placed on any lot having an area less than 7200 sq ft.
 - b. No dwelling shall be permitted on any lot wherein the ground floor of the main structure, exclusive of one-story porches and garages, shall be less than 600 sq ft.
 - c. No dwelling or structure shall exceed a maximum height of eighteen (18) feet from the highest point of the original grade without written approval from the A & Z Committee. {see Guidelines, Sec 2. M. Variance}
 - d. All building and structures shall be new construction.
 - e. The maximum size for any accessory building shall be 1200 square feet.
2. Setbacks
 - a. All setbacks shall be in accordance with Whatcom County and GLC requirements.
 - b. Driveways, fences, shrubs, sheds and other obstructions must be five (5) feet from any water service installation unless a variance is approved by the A & Z Committee and GLC Water/Facilities Manager.
3. Building Site Rules and Regulations
 - a. The owner shall be responsible for removal and proper disposal of all construction and clearing debris from the site and such removal shall be prior to or coincide with the completion of construction.
 - b. Littering of the job site and adjacent properties with debris from lot clearing, or any construction activity is strictly prohibited and subject to notice of violation.
 - c. No burning of any substance that is prohibited by the EPA.
 - d. Burning trash or organic debris anywhere on the lot is prohibited. Any burning must comply with all federal, state and county regulations.
 - e. One temporary portable toilet facility, equivalent in sanitary effectiveness to a "Port O Let" must be placed no closer than five (5) feet from the roadway and in a location least offensive to people in adjoining homes. It shall remain in place until such time as the house toilet facilities are approved for operation.
 - f. A motor home or trailer may be used on a lot during construction if Whatcom County codes and GLC requirements are adhered to. The permit will be for

six (6) months only. An extension shall be at the discretion of the A & Z Committee.

g. All concrete and asphalt driveways will require a joint at the front property line.

4. Construction Time Limits

- a. Construction must begin within six (6) months after construction plans or house plans have been approved and a permit issued by Glenhaven. The exterior must be completed within six (6) months after commencement of construction.
- b. Mobile homes must have skirting within 60 days after mobile home installation.
- c. A construction time extension can be granted by the A & Z Committee if the owner and builder have prosecuted construction diligently and continuously and has a Whatcom County Building Permit still active.
- d. All financial obligations to GLC must be current before an extension can be approved.
- e. The interior must be completed and the house approved habitable within two (2) years of issuance of a GLC construction permit.

D. Fees

1. Water service Installation (WSI) fee is required for all residential and non-residential connections to the GLC water system (see Board approved fee schedule) and is non-refundable. The WSI fee must be paid prior to septic tank/drain field installation.

4. Property Maintenance

A. Developed Property: All developed property, whether occupied or not, and all improvements (buildings, accessory structures, fences, etc.) and landscaping shall at all times be maintained in such a manner as to prevent their becoming unsightly due to, but not limited to, deteriorating exterior materials and finishes (siding, roofing, decks, paint, fences, etc.), unchecked growth of common or invasive weeds, accumulation of rubbish or improper outside storage of any items.

B. Tree and Brush maintenance: All property owners shall be responsible for the removal and cleanup of dead or hazardous trees or limbs, and dead brush on their property. Spread of fire, especially on undeveloped lots, is a significant danger.

C. Refuse and Nuisances:

1. No lot shall be used or maintained as a dumping ground for rubbish, refuse or garbage. Garbage or other waste shall not be kept except in sanitary containers.
2. No noxious or offensive activity shall be carried on upon any property, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

D. Replacement of Damaged Structures: No improvement which has been partially or totally destroyed by fire, earthquake, or other means shall be allowed to remain in such state beyond the minimum time period necessary to secure inspections and permits allowing removal of the debris or to begin repair of the structure. In no event shall this period exceed six (6) months from the date of such destruction or loss unless it can be shown that such delay is beyond the control of the owner. If a damaged structure is to be rebuilt or replaced, all requirements for approval of the plans by the A & Z Committee, all time limits for completion and other requirements specified elsewhere in these Guidelines shall apply.

E. Boat, Trailer and Vehicle Storage: The storage of boats, trailers, RVs, campers or

"vehicles" of any kind as defined in these Guidelines is not permitted on any vacant lot. Exceptions may only be made with the written permission of the A & Z Committee, such as when two adjoining lots are legally bound together and a home exists on one. Storage of any of the above shall be permitted on a developed lot, however, it shall not be in an obvious state of disrepair or make the lot unsightly.
(see definition of "vehicle" at the end of these Guidelines in Definitions.)

F. Culvert Maintenance

All lot owners are responsible for ensuring culverts on their property are in good condition and kept free of debris.

5. Signs

No signs shall be displayed to the public view on any lot without written approval of the A & Z Committee, excluding "for sale" and "for rent" signs, yard sale, garage sale, and political signs before a primary or general election (Washington State RCW). Commonly available commercially made signs smaller than 10 x 14 inches are generally allowed. Yard sale and garage sale signs should be removed in a timely manner after the sale date. Glenhaven may require any sign be removed if it is deemed inappropriate, offensive, unsightly or is in violation of any Federal law, State law or Glenhaven governing documents or policies. Political signs shall not exceed 4 feet by 3 feet in size.

6. Enforcement

- A. Enforcement may be by proceedings in equity or at law against any person or persons violating or attempting or threatening to violate any of the A & Z Guidelines hereof, either to restrain such violation or to recover damages. The party prevailing in such enforcement proceeding whether in law or equity shall have from his opponent such attorney's fees as the court may deem reasonable.
- B. When a property has three (3) or more notices of violation for the same violation in any twelve (12) consecutive calendar month period, the owner shall be fined in accordance with the GLC Fine Schedule for a "Correctable violation not corrected."

7. Appeals

- A. The A & Z Committee will consider a resubmitted request by the original applicant when a request was originally denied if there is a significant change in the situation or there is additional information to present to the A & Z Committee. If a member feels a decision has been made that is not in the best interests of Glenhaven, the member should write a letter to the Glenhaven Board explaining the situation in detail.
- B. A & Z Committee or Glenhaven enforcement actions relating to violations or fines imposed upon a member may be appealed by the member to the Glenhaven Board. Any member appeal must be made within 60 days of permit denial or notice of violation or fine.
- C. The Board has final decision authority on all A & Z Committee matters.

8. Definitions

A & Z Committee - Architectural & Zoning Committee of Glenhaven

Accessory Building-An additional structure on a lot with a home on it. It could be a pole building, an out building, a detached garage or other structure. Glenhaven regards this as different from a "shed" that is defined as 120 square feet or less in area.

An accessory building is not a habitable structure.

Board - The Glenhaven Board of Directors.

CCRs - Conditions, Covenants and Restrictions. Also refers to Glenhaven's "Declaration of Covenants and Restrictions." These are rules that all members are legally bound to follow.

Clearing - The act of cutting or removing more than 30 percent of the trees or vegetation on a lot in a permanent manner.

Container -Any temporary, movable, portable structure designed to store, keep, hold or protect tools, implements, parts, materials or other items. It is usually hauled on a truck.

Developed Lot - An originally platted lot with a house or mobile home on it.

GLC - Glenhaven Lakes Club, Inc. Also referred to as Glenhaven.

Hazard or Dangerous Tree -Any tree that is susceptible to immediate fall due to its condition (dead, damaged, diseased or other factors) and which because of its location is at risk of damaging permanent physical improvements to property or causing personal injury. (Whatcom County Planning Department, 2009, Sec23.110.080)

Non-residential Water Service - Water service which has been paid for and provided to a vacant lot. Most often used on a lot where the owners come to camp on the lot during the summer.

Plot plan -A scaled drawing showing the exterior property lines, adjacent roads or other key markers, any improvements and significant vegetation on the lot(s). Dimensions and other pertinent landmarks must be shown.

Removal - The actual destruction or causing the effective destruction through damaging, poisoning, or other direct or indirect means that results in the death of a tree or ground cover. This includes cutting a tree down.

Residential Water Service - Water service which has been paid for and provided to a developed lot.

Shed - A structure 120 sq ft or less in area used to store tools or other household items.

Tree - Glenhaven defines a "tree" as a native, naturally occurring species commonly identified as a "tree" in most tree identification books and does not consider seedlings, or immature trees with a trunk diameter less than 4 inches as "trees" for purposes of these guidelines.

Vacant lot - An originally platted lot without a house or mobile home on it. It is an undeveloped lot.

Vehicle - An object, usually with wheels, originally built to allow it to be driven or towed. This includes but is not limited to cars, vans, pickups, trucks, tractors, trailers, boat trailers, travel trailers, camp trailers, RVs, and campers.