

BLUE RIDGE ARCHITECTURAL REVIEW PROCEDURES:

INTRODUCTION:

Short History of Mutual Easements and Duties of Grantor Regarding Approval of Plans

One of the key historical factors which makes Blue Ridge a great place to live is its mutual easements. Initial Plat documentation for the residential neighborhood known as Blue Ridge was filed with the King County Auditor on February 24, 1930. That was followed by Restrictive Mutual Easements for Blue Ridge as set forth in a deed from W.E. Boeing and Bertha Boeing on April 22, 1935. Amendments to the Mutual Easements were recorded in 1938, 1989 and 1998. The stipulations in the original covenants regarding building restrictions, building limits and approval of plans by the grantor have not been altered in any of the noted documents. However, in 1968 the rights, powers, duties, and privileges of the position of Grantor as provided in the Mutual Easements were assigned to the Blue Ridge Club, Inc. Prior to 1968, W.E. Boeing was the Grantor with D.R. Drew acting as his representative. Operating service under the assigned duties of Grantor, the Board of Directors of the Blue Ridge Club, Inc. now reviews plans for all proposed buildings, structures and exterior alterations and, no construction or alteration shall be started until the approval is given by the Grantor - as required by the Mutual Easements. The mutual easements state (in part) the following: “...*complete plans and specifications of all proposed buildings, structures and exterior alterations together with detailed plans showing proposed location of the same on a particular building site shall be submitted to the Grantor before construction or alteration is started and such construction or alteration shall not be started until approval thereof is given by the grantor....*”

The remainder of the Mutual Easements document defines the procedures required of Blue Ridge Homeowners prior to the Board’s determination of the suitability of a given proposal. The procedures will clarify actions required such as: giving appropriate consideration to the expressed concerns of neighbors, submittal of application and neighbor feedback forms, submittal of plans and the information required on the plans for Board review, the placement of story poles, and provision of notice. Additionally, building standards and limits as set forth in the mutual easements will be clarified. After completion of the noted procedures by the Homeowner, the Board will vote to approve the proposal. The majority vote of the directors present at a given meeting (as regulated by the Corporate By Laws) will determine the status of approval or disapproval of a given proposal. It is the Board’s charge to act reasonably and in good faith when making its determinations. The procedures are intended to secure those ends and are the means by which the Blue Ridge Board, as Grantor, can evaluate proposals. The procedures are also intended to assist the Board in monitoring construction to ensure homeowners build in accordance with their approved plans.

It is noted that design approval by the Blue Ridge Board does not waive, replace or mitigate compliance and approvals by any other authorities having jurisdiction, including but not limited to the City of Seattle, the State of Washington or the Federal government. Review by the Blue Ridge Board is for aesthetic issues only. Nothing in these procedures, nor the action of the Blue Ridge Board, assumes the responsibility that any approved or proposed design documents for improvements will be safe, structurally sound or conform to local codes or ordinances.

TABLE OF CONTENTS

SUBJECT	Page Location
Introduction	1
Table of Contents	2
Step by Step Procedures	3 - 5
Frequently Asked Questions	6-7
Attachment “A” – Drawing Requirements Sample Generic Elevation	A1 – A3
Attachment “B” – Visual Commentary of Building Limits of Section 3 of the Mutual Easements and Front Yard Setback Map	B1-B2
Attachment “C” – Blue Ridge Architectural Review Application Form	C1 – C3
Attachment “D” –Neighbor Feedback Form	D1-D2
Attachment “E” – Blue Ridge Construction Conditions & Guidelines	E
Attachment “F” – Mutual Easements	F1-F6
Attachment “G” – Special Legal-Architectural Subcommittee Report Dated April 8, 2001	G1-G4
Attachment “H” – Guidelines for Enforcement of Covenants for New Construction and Alterations	H1-H5
Attachment “I” – Blue Ridge Board Architectural Project Checklist (Board Use)	I1-I4
Attachment “J” - Architect’s Certification and Project Completion	J
Attachment “K” – Notice of Construction Commencement	K

STEP BY STEP PROCEDURES

As noted in the introduction, construction in Blue Ridge, both new construction and remodels, is governed by the Mutual Easements of Blue Ridge Addition. If you are planning new construction or a remodel that involves exterior alterations, the following step by step procedures will guide you through the submission process. It is expected that all proposals will conform with the step by step Procedures as follows:

Procedure for all building and exterior remodeling in Blue Ridge

- Step 1.** Carefully read the "Mutual Easements of Blue Ridge" and the other related documents listed in the index. You may find having a conversation with the Architectural Chair about the process and substance of review useful and you are welcome to do so; however, please be aware that the Board makes all final decisions.
- Step 2.** Hire a registered architect or design professional as applicable in section 4 of the "Mutual Easements of Blue Ridge".
- Step 3.** Meet, preferably with your architect or design professional, any neighbors who will be able to see your improvements, at their house, to discuss their concerns and the impact from their perspective.
- Step 4.** Have your architect/designer consider the neighbors' concerns and how your home will harmonize with the existing nearby homes as plans are prepared. Take into consideration as set forth in Section 4 of the Mutual Easements, the suitability of the proposed building or structure and the materials of which it is to be built, the site of the proposal, the harmony with the surroundings, and the effect of the building/structure/alteration on the outlook of the adjacent or neighboring properties. Also take into consideration the plan location limits of the structure as set forth in Section 3 of the Mutual Easements as well as in Attachment "B." Please note that the general Blue Ridge location limits (15-30 feet for front yard setbacks depending on the block, 6 feet side yard setback and 10 feet rear yard setback) may differ from the Seattle requirements. The variable front yard setback for your house should be in your title documents, and a plat that indicates the front yard setback is in Attachment "B-2."
- Step 5.** Have drawings prepared that contain, at a minimum, the items indicated in Attachment "A", The Drawing Requirements list.
- Step 6.** Review these drawings with any neighbors who will be able to see the improvements. Provide each of those households with a Neighbor Feedback Form (Attachment "D"). Fill out and submit (to the Architectural Chairman) Attachment "C", the "Blue Ridge Architectural Review Application Form". **The obligation to provide actual notice to neighboring households is on the applicant- failure to provide notice will delay a project.** The best way to document actual notice is by obtaining a signature from the owner of homes provided with the Neighbor Feedback Form on Attachment "C" acknowledging that they have received the form – this does not imply that they agree

with the project and have no objection, rather it is to ensure that affected neighbors have been given notice of the proposed project. Attachment “C” requires a listing of the neighboring households that you think may be impacted by your proposal and a reporting of which households are in receipt of a Neighbor Feedback Form. It should include: any home from which the proposed project is visible; homes on property that touches the property associated with the proposed project; and homes directly across the street from any home that is on property that touches the property associated with the proposed project. Signatures should be from the owner of the home, not a tenant or renter. The Architectural Chairman will determine if additional households are to be provided with Neighbor Feedback Forms. If a signature cannot be obtained (for instance due to a rented house, absent owner, or an owner unwilling to sign the form) contact the Architecture Chair for help in providing notice.

- Step 7. In addition to Attachment “C”, return a signed copy of Attachment “E”, BLUE RIDGE CONSTRUCTION CONDITIONS & GUIDELINES.**
- Step 8.** Contact the Blue Ridge Architectural Review Committee Chair and provide the chair with two sets of full sized drawings and one set of drawings reduced to fit on 11x17 inch paper a minimum of two weeks prior to the Board meeting at which you wish to first present your plans to the Board. The plans may be presented to the Board by one or all of the following as chosen by the proposing party: the Architect, the Designer, a designated agent, the person(s) proposing the plans themselves, or the Blue Ridge Architectural Chairman. Please note for your planning purposes that the Board regularly meets on the second Monday of each month except the month of August.
- Step 9.** Following the presentation of your plans, the Architectural Chairman will issue notice through an email to the Blue Ridge email list. The Board reserves the right to abstain from voting on a given proposal until a minimum of two weeks has elapsed following publication of notification.
- Step 10.** Place story poles prior to the first Monday following the presentation of plans to the Board. This will typically allow a minimum of three weeks for parties in interest to view the story poles prior to the next Board Meeting. The Board reserves the right to abstain from voting to approve proposals until a three-week duration of story pole placement has elapsed. Story poles shall reasonably represent the exterior limits of all construction projects, showing accurate length, width, and height of the proposal. Before the project is considered by the Board, the architect or design professional must confirm in writing that the story poles reasonably represent the plans. The Board reserves the right to waive the requirement for such written confirmation from the architect or design professional. Board members not attending the site of a proposal will not vote or take part in deliberations in association with the proposal. For any project that involves a change to the foot print or roof line of an existing structure, the Board reserves the right to require footprint and/or elevation surveys of the existing structure and of the new structure following the completion of construction, both at the homeowner's expense. Story Poles shall incorporate safety netting to allow better visual of the proposal.
- Step 11.** The Architectural Chairman will contact (via email, text, conversation or other means) neighbors objecting to the proposal and may contact any other neighbor who the Chairman feels may be impacted by a proposal.

- Step 12.** Attend the next Board meeting following publication of the notification and placement of the story poles as addressed in steps 8 & 9. Preferably attend the meeting with your architect, to further present your project and answer questions. At this board meeting, the board may vote on the approval of your project, may ask for additional information, may schedule an additional time to visit the site and the neighboring homes, or take whatever action the board deems necessary. The Board may require that the applicant accept modifications, additions or contingencies as the Board determines are appropriate for the specific proposal. These may include installation of landscaping to mitigate specific impacts.
- Step 13.** When plans are approved/disapproved, one set will be returned to the applicant and one will be permanently retained by Blue Ridge. A letter of the Grantor's approval will be issued prior to commencement of construction. Story poles shall be removed 2 weeks after the date of review by Blue Ridge Board.
- Step 14.** Construction shall be commenced within 24 months of the approval date, typically be completed within 12 months for most projects, and 18 months for large projects from the start of construction. Determination of whether a project is subject to the 18 month limit is in the Board's sole discretion; however, normally such designation is reserved for new construction or a complete removal of an existing house and replacement. Construction not completed by the deadline will be subject to potentially significant assessments – \$300 per month for the first two months and \$300 per day commencing on the first day of the third month. Extension of time may be granted upon a showing of good cause. All construction shall comply with the Construction Conditions & Guidelines per Attachment "E".
- Step 15.** Within 30 days of commencement of the project, "Attachment K" (Notice of Commencement) shall be filed with the Architecture Chair. Note that unless Attachment K is filed, the project shall be presumed to have commenced on the date of project approval. Upon completion of the project, "Attachment J" (Architect's Certification and Notice of Completion) must be completed and submitted to the Architectural Chair. This form will serve as confirmation that the completed construction was performed in conformance with the approved plans.

FREQUENTLY ASKED QUESTIONS:

1.) Registered Architect Requirements:

Do I need to hire a Registered Architect for my minor improvement?

The applicable excerpt from the Mutual Easements is as follows: *"All buildings to be erected in Blue Ridge Addition shall be designed by a registered architect. Complete plans and specifications of all proposed buildings, structures and exterior alterations together with detailed plans showing proposed location of the same on the particular building site shall be submitted to the Grantor before construction or alteration is started and such construction or alteration shall*

not be started until approval thereof is given by the Grantor.....” The Board in the past has concluded that entirely new buildings and remodels with substantial exterior modifications are required to be designed by a registered Architect per the Mutual Easements. However, lesser improvements may not strictly require or warrant the design of a registered Architect. An interpreted intent is to obtain quality improvements in suitable harmony with their surroundings (meeting the standards of the mutual easements) that serve the interests of the Blue Ridge community as a whole as well as the individual home owner(s). The Board reserves the right to require that any plan be designed by a registered Architect when deemed appropriate to those ends. At a minimum, plans submitted for approval must have been prepared by a design professional.

2.) Story poles:

What is the relationship between the architectural plans and story poles?

The architectural plan is the official document depicting the project that is presented to the Board. If the project is approved by the Board, it is approved based on the architectural plan, and the project must be constructed in conformance with that plan. The story poles are intended to provide a three dimensional depiction of the proposed project. Although the story poles are required to reasonably conform to the plan, absolute conformance is not likely and is not required. As such, the project as shown by the plan, not the story poles, is what is approved or not approved by the Board.

3.) Roof Top Skylights:

Do I need to submit plans for the addition of a Roof Top Skylight ?

Skylights that neither alter existing building lines nor impact neighboring privacies in the past have found their way to implementation without raising neighbor objection and without application for Board approval. The Board will review plans for all improvements in good faith when they are submitted for the Grantor’s approval. When plans for an exterior alteration are not submitted and neighbors do not bring forth notice of the covenant violation, the Board may or may not exercise its right to enforce the violation. In reference to paragraph 19 of the 1998 amendments to the Mutual Easements, the Board’s degree of insistence upon the enforcement of an application for an improvement (or even a group of improvement types) does not waive or relinquish its right to require application at any point in time in the future. **4.) Decks on Grade:**

Do I need to submit plans for the addition of a Deck on Grade ?

In a similar manner as has occurred with skylights, grade level decks neither exceeding 18” in height above the existing grade nor raising objection with neighbors have found their way to completion without application for Board approval in the past. The Board will review plans for all improvements in good faith when they are submitted for the Grantor’s approval. When plans for an exterior alteration are not submitted and neighbors do not bring forth notice of the covenant violation, the Board may or may not exercise its right to enforce the violation. In reference to paragraph 19 of the 1998 amendments to the Mutual Easements, the Board’s degree of insistence upon the enforcement of an application for an improvement (or even a group of improvement types) does not waive or relinquish its right to require application at any point in time in the future.

5.) Roof Top Mounted Satellite Dishes:

Do I need to submit plans for a Roof Top Mounted Satellite Dish ?

"In deference to FCC Regulation 47CFR Section 1.4000, satellite dishes of 1 meter (39.37 inches) diameter or less situated within the existing footprint of a structure will not require special written Board approval prior to installation and will not be considered as an exterior alteration of permanent construction requiring submittal of plans for Grantor review. It is encouraged that all possibly affected neighbors be contacted prior to installation and that any expressed concerns be considered as much as possible. The Board reserves the right as set forth in the mutual easements to deem any given satellite dish as a noxious use of property should a situation ever warrant such an action."

6.) Fences:

Do I need to submit plans for a fence?

The applicable excerpt from the Mutual Easements is as follows: *No fence, hedge or boundary wall situated anywhere upon any lot shall have a height greater than six feet above the finished graded surface of the ground upon which such fence or wall is situated, nor shall any fence, hedge or wall situated on any building site between said "building line" and the line of the street fronting on said building site have a height greater than four feet above the finished graded surface of the ground upon which such fence, hedge or wall is situated, unless the written permission of the Grantor is first obtained*

Based on the quoted excerpt, only a fence that exceeds the height restrictions contained therein requires Board approval.

7.) Solar Panels

Do I need to submit plans for Solar Panels?

Yes. Washington State law (RCW 64.38.055) substantially limits the rights of homeowners associations (HOA) such as The Blue Ridge Club, Inc. to prohibit installation of solar energy panels, but does allow an HOA to require that the solar panel meet certain standards and to impose reasonable restrictions on the materials, colors, placement and manner of installation to reduce the impact of solar panels. Blue Ridge adopted a solar panel policy in 2013 that lays out the scope of our review. Homeowners must follow the architectural review procedures and obtain approval prior to installing solar panels. While Blue Ridge is limited in its authority to prohibit solar panels, we can and do require reasonable modification to the placement of solar panels and associated equipment to address the substantive factors used in architectural review.