

Eastwood Forest Homeowner's Association  
(EFHOA)

**Architectural Guidelines  
and Design Review Process**

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## Review Signatures

| Board of Directors | Printed Name     | Signature | Date |
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| Vice-President     | Shane Davies     |           |      |
| Treasurer          | Brad Huillet     |           |      |
| Secretary          | Robert Smart     |           |      |
| Contracts Admin.   | Donald Broadbent |           |      |

| Architectural<br>Control Committee | Printed Name     | Signature | Date |
|------------------------------------|------------------|-----------|------|
| Chairman (acting)                  | Donald Broadbent |           |      |
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## 1.0 Scope

CCR REF: Article XI.

This document defines the Architectural Guidelines and the Design Review Process for all members of the Eastwood Forest Homeowners' Association (EFHOA) based upon its Codes, Covenants, and Restrictions (CC&R's). Processes and guidelines described herein are to be controlled and annually reviewed by the EFHOA Board of Directors (Board) in association with the EFHOA Architectural Control Committee (Committee) and as defined in the CC&R's for the Eastwood Forest Development.

## 1.1 Reference Documents

**Table 1 - Reference Documents**

| Document                                                   | Reference Number               |
|------------------------------------------------------------|--------------------------------|
| Eastwood Forest Codes Covenants and Restrictions (CC&R's). | King County Record #9109121107 |
| EFHOA Bylaws                                               | N/A                            |
| EFHOA Due Process Document                                 | N/A                            |
| xxx FCC Antennae Stuff                                     | ?                              |
| "Fences & Gates" (Creative Homeowner Press)                | ISBN 1-880029-22-7             |
| "Deck Plans" (Ortho Books)                                 | ISBN 0-89721-043-3             |

## 1.2 Definitions

CCR REF: Article I.

Definitions are derived from the EFHOA CC&R's, and should be referenced thereof. Also, see appendices in this document for relevant descriptions and the *Address of Committee*.

## 2.0 Architectural Control Committee

CCR REF: Article XV, Section 1.

The Committee shall exist of not less than three (3) nor more than five (5) Members either elected or appointed by the Board. It is not required that Committee members be either Owners or Members of the Association. An election to fill either a newly created Committee or a vacancy on the Committee requires the majority vote of the entire Board. However, the Board is not

obliged to fill a Committee vacancy unless Committee membership numbers less than three (3) people.

In the event that the Committee membership becomes less than the required three person minimum, and the vacancy cannot immediately be filled by a volunteer from the Community, then the *President of the Board* shall appoint a member, or members, of the Board to temporarily occupy any Committee vacancy until such time as the vacancy can be filled accordingly. This does not preclude any member of the Board from remaining a member of the Committee.

## **2.1 Purpose and Jurisdiction**

CCR REF: Article XV, Section 2.

- a) The Committee shall review proposed plans for Eastwood Forest regarding specifications for residences, accessory structures, fences, walls, appurtenances (e.g. hot tubs, swimming pools, bath houses, basketball or tennis courts), or other exterior structures to be placed upon a property and as set forth herein.
- b) No exterior addition, structural alteration, or exterior structures of any kind are to be made until plans and specifications showing the nature, kind, shape, height, materials, and location of the proposed structure or alteration are submitted by the Owner and approved in writing by the Committee or Board.
- c) The Committee shall also review proposals for changes to the exterior color of any residence in Eastwood Forest. The Committee shall determine whether or not the exterior design and location of the proposed color change, structure, or alteration is in harmony with the surrounding structures, surrounding natural or extrinsic environment, and the aesthetic character of other homes in Eastwood Forest.

### **2.1.1 Evaluating Development Proposals**

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CCR REF: Article XV, Section 10.

The Committee shall have the authority to establish aesthetic standards for evaluating development proposals. Committee determinations may be amended by a majority vote of the Committee members.

### 2.1.2 Design Elements

CCR REF: Article XV, Section 10.

In addition to the standards in evaluating development proposals, the Committee shall determine whether the external design, color, building materials, appearance, height, configuration, location on the Lot, and landscaping of the proposed structure harmonize with the factors outlined herein.

### 2.2 Committee Liability

CCR REF: Article XV, Section 16.

By purchasing a Lot in Eastwood Forest the Owner agrees that, to the extent permitted by law, neither the Committee nor any Committee Member shall have any liability to the Owner or to the Association for any actions taken, or actions not taken while acting as the Committee under the Declaration. The Association shall hold the Committee Members harmless from any actions taken or not taken under the Declaration.

"Non-action" on the part of the Committee or Board shall not exempt the applicant from any of the provisions herein, or restrictions contained herein or as detailed in the CC&R's.

### 3.0 General Requirements

CCR REF: Article XV, Section 8.

All plans or specifications required to be submitted to the Committee shall be mailed to the Address of the Committee. The written submittal shall contain the name, address, Lot number, and the telephone number of the Owner submitting the plans and specifications along with the information document entitled *Eastwood Forest Change Application Worksheet (EFCAW)*, copies can be obtained by sending a request with a *Self-addressed Stamped Envelope* to the address of the Committee, or see Appendices. [Note: Lot numbers are available from the appended Plat Map.]

### 3.1 General Review Criteria

- a) Submittal of form EFCAW copied from appendices, unless otherwise noted in the Review Criteria below.

- b) The general design layout with pertinent dimensions, including dimensions indicating the location of the structure upon the property.
- c) Both *plan* (birds-eye) and *elevation* (front/side) views.
- d) The elevation of the structure with reference to the existing and finished Lot grade.
- e) The exterior finish materials and color, including any roofing or siding materials.
- f) Any interior layout.
- g) In the event that an entire home, or a significant part of a home requires replacement, or for any additions to a home, then *Exhibit "B"* from the EFHOA CC&R's must be followed and possible fees and schedules as applicable.
- h) Any other information that can aid in ~~determining~~ whether the proposal conforms to the ~~standards~~ employed by the Association and Committee.

### 3.2 Permits

CCR REF: Article XIII, Section 3.

No construction or exterior addition or change or alteration of any structure may be started on any portion of the Properties without the Owner first obtaining a building permit and other necessary permits from the proper local governmental authority, and written approval of such permits from the Board or Committee as well as plan check approval as set forth in Article XV, Section 8 of the CC&R's.

### 3.3 Variation

CCR REF: Article XV, Section 14.

The Committee shall have the authority to approve plans and specifications which do not conform to these restrictions in order to (1) overcome practical difficulties or (2) prevent undue hardship from being imposed on an Owner as a result of applying these restrictions. However such variations may only be approved in the event that the variation will not (1) detrimentally impact

on the overall appearance of the development, (2) impair the attractive development of the subdivision or (3) adversely affect the character of nearby Lots. Granting such a variation shall not constitute a waiver of the restrictions articulated in this document as governed by the CC&R's. Variations shall only be granted if the Committee determines that the variation would further the purposes and intent of these restrictions. Variations shall only be granted in extraordinary circumstances.

#### **4.0 Review Criteria**

##### **4.1 Structures**

CCR REF: Article XII, Section 5 -- also Article IX, Section 1.  
None of the following shall be used on any property at any time as a residence, neither temporarily nor permanently: mobile or manufactured homes, trailers, structures of a temporary nature, recreational vehicle, basement, tent, shack, garage, barn, or other out buildings. No vehicles parked in public rights-of-way may be used either temporarily or permanently as a residence.

##### **4.1.1 Building Setbacks**

CCR REF: Article XII, Section 7.  
No structures shall be located within twenty (20) feet of the front line or nearer to the side street line than minimum dwelling setback lines required by applicable public zoning ordinances. For the purposes of this document, eaves, steps chimneys, and open porches shall not be considered as part of the dwelling; provided, however, that this shall not be construed to permit any portion of a dwelling on a Lot to encroach any required setbacks by local codes, or to encroach upon another Lot or Common Maintenance Areas. In no event shall any structures violate any provisions of any county zoning ordinance, or any specific setbacks as set forth on the recorded plat map for Eastwood Forest, or any setbacks imposed through the established easements for utilities or access.

#### 4.1.2 Exteriors

CCR REF: Article XIII, Section 1.

Exterior colors must be approved by the Committee. Exterior trim, fences, doors, railings, decks, eaves, gutters, and the exterior finish of garages and other accessory buildings shall be designed, built, and maintained to be compatible with the exterior of the structure they adjoin.

#### 4.1.3 Siding

Changes in siding style, color, or material from that installed by the builder must be approved in writing by the Committee before any work begins, and applies to **all** Lots. Submit a copy of the EFCAW form.

Minor board replacement of siding and repainting thereof does not require a plan submittal or approval from the Committee, provided there is no change in nature, material, or color. The Committee reserves the right to correct, or cause to be corrected, at the owner's expense any condition deemed unsightly or improper.

Siding improvements or upgrades that are wood based are encouraged by the Committee and Board, but remain under and must follow the review process.

##### 4.1.3.1 Materials

CCR REF: Article XIII, Section 1.

All siding and trim are to be of re-sawn wood or equivalent, i.e. "L.P." type siding, of a color approved by the Committee.

a) "T111" siding is wood, but is **not** considered to be re-sawn wood or LP type.

b) "Hardiplank" is a wood based product similar in look to LP and is generally approved by the Committee and Board as acceptable LP replacement, but requires project approval.

c) Vinyl and/or aluminum siding is not a wood product and is unlike traditional wood, re-sawn wood, or LP-type products. It is not considered by the Committee and Board to be a benefit to the Eastwood Forest development, and does

not fit the intentions of the CC&R's or Amendments as noted below.

#### 4.1.3.2 Materials Amended

a) The **First Amendment**, Paragraph 2, to the CC&R's reduces siding restrictions for **Lots 1 through 93 inclusive** to walls which face toward, or are visible from, the adjoining streets. For corner Lots, the restriction(s) still apply to both adjacent street frontages.

b) The **First Amendment**, Paragraph 1, to the CC&R's exempts **Lots 203 and 204** from Article XIII, Section 1 siding restrictions. However, per the Amendment, even these Lots must use re-sawn wood or equivalent "LP" type siding [not "T111"] on walls that face 216th Ave. SE.

c) The **Second Amendment**, Paragraph 1, to the CC&R's reduces siding restrictions for **Lots 94 through 202 inclusive** to allow "T111" type wood siding consistent with restrictions that apply to Lots 1 through 93 inclusive. In no event shall this reduced standard apply to any wall of a residence that faces onto a public right-of-way. All street side walls must be re-sawn wood or LP-type siding [not "T111"].

[Note: the **Second Amendment** qualifies the reduced restrictions of the First Amendment stating **"T111" type wood siding consistent with**, and the pattern and propensity for wood materials in the CC&R's is obvious.]

#### 4.1.3.3 Violations

In its entirety, siding can be an expensive segment of a structure to have to change or repair. The Committee strongly recommends that the Homeowner and Committee, or Board, work together when deciding upon such a change. Violations will be prosecuted to the fullest extent allowed in the EFHOA CC&R's, which can include, but is not limited to, the removal of the offending condition at the homeowner's expense, and/or fines, liens, and repayment of legal fees resulting from a judicial action found to be in favor of the Association in accordance with Article XVI, Section 5 of the CC&R's.

#### 4.1.4 Roofing

Changes in roofing style, color, or material from that installed by the builder must be approved in writing by the Committee before any work begins, and applies to **all** Lots. Submit a copy of EFCAW form.

Minor replacement of roofing elements does not require a plan submittal or approval from the Committee, provided there is no change in nature, material, or color. The Committee reserves the right to correct, or cause to be corrected, at the owner's expense any condition deemed to be unsightly or improper.

Roofing improvements or upgrades are encouraged by the Committee and Board, but remain under and must follow the review process.

##### 4.1.4.1 Materials

CCR REF: Article XIII, Section I.

All roofs are to be cedar shake, shingle, tile, or other *similar* materials acceptable by the Committee. Only Lots **203 and 204** are exempt from these restrictions per the First Amendment.

##### 4.1.4.2 Materials Amended

a) The **First Amendment**, Paragraph 2, to the CC&R's reduces roofing restrictions for **Lots 1 through 93 inclusive** to allow "textured architectural" composition roofing such as "Pabco-HO25" or similar material approved by the Committee.

b) The **First Amendment**, Paragraph 4, to the CC&R's reduces roofing restrictions for all **Lots 1 through 204 inclusive** to allow use of "Woodruff" type roofing materials as an acceptable alternative to those materials itemized in the original declaration.

[The CC&R's do not allow, nor have any Amendments reduced the restrictions to allow, composition roofing on **Lots 94 through 202 inclusive**. Therefore, these Lots are not to have composition roofing unless the Association approves a similar Amendment.]

##### 4.1.4.3 Violations

In its entirety, roofing can be an expensive segment of a structure to have to change or repair. The Committee strongly

recommends that the Homeowner and Committee, or Board, work together when deciding upon such a change. Violations will be prosecuted to the fullest extent allowed in the EFHOA CC&R's, which can include, but is not limited to, the removal of the offending condition at the homeowner's expense, and/or fines, liens, and repayment of legal fees resulting from a judicial action found to be in favor of the Association in accordance with Article XVI, Section 5 of the CC&R's.

#### **4.1.5 Fences/Walls**

Proper fencing can have a unifying effect upon our neighborhood, while improper fencing will only detract from its appearance. Avoid cluttering the neighborhood with uncoordinated selections, colors, or fence placement. Cooperation among neighbors in this matter is beneficial to the visual and psychological harmony of the area. All fences must have Committee approval before construction.

##### **4.1.5.1 Maintenance**

CCR REF: Article I, Section 5(e).

Fence improvements and maintenance are the responsibility of the Owner. Owners also have the responsibility of maintenance for that portion of "Common Area" fences which abut their property.

##### **4.1.5.2 Location**

CCR REF: Article XII, Section 4.

Fences and walls are permitted on side and rear property lines, up to the greater of twenty (20) feet of the property line or the distance between the front Lot line and the adjacent front wall [façade] of the residence [this means you cannot place a fence beyond the front facade of your home, i.e. no front yard fencing]. Possible exception can be made for corner or ☒ panhandle☒ lots upon review. Committee approval is subject to utility access or easements.

##### **4.1.5.3 Materials**

Boundary fences are typically solid construction cedar, redwood, or pressure-treated fir, coated with a clear or semi-transparent stain/sealer. For walls, or other types of materials or colors, include a brochure or a small sample of material color with the

required plan submittal to the Committee. No barbed wire, chain-link, or corrugated fiberglass fence shall be erected on any Lot, although variances can be considered on specialized fencing for swimming pools or sports areas, per the approval process.

#### 4.1.5.4 Construction

- a) Submit a drawing to the Committee for approval which includes both the plan and elevation views, materials, color, and where the fence shall be located on the property or property line with respect to any neighboring residence.
- b) All fences shall adhere to local and county codes, and meet the below-frost level requirement(s) for posts. The Committee advises that 4" x 4" posts be set in concrete a minimum of two (2) feet deep.
- c) Maximum height is six (6) feet. Whenever a fence is not symmetrical front to back, the solid or ~~pl~~ plain face of the fence shall face outward toward the street or neighbor.
- d) No fence or fence post that is in contact with the ground shall come into direct contact with a residence or other building; a minimum one (1) inch gap must be provided or metal flashing installed between the residence/building and the fence or fence post, for insect prevention.

#### 4.1.5.5 Violations

Owner<sup>s</sup> will be required to correct or remove any offending condition at their own expense, as determined by the Committee.

#### 4.1.6 Patios/Decks/Sunrooms

All patios, decks, or sunrooms must comply with local and county codes. Written approval from the Committee must be obtained before construction begins (as well as any applicable building permits).

##### 4.1.6.1 Materials

- a) Upon Committee approval patios can be from a variety of materials such as, but not limited to, concrete, brick, or flagstone.

b) Deck materials are typically cedar or redwood, and are natural or coated with a semi-transparent stain/sealer.

c) Materials for sunrooms or other similar structures vary, and will be initially reviewed based upon the EFCAW form and any brochures submitted -- an extended review process could be required with additional completion of form "Exhibit B".

#### 4.1.6.2 Construction

a) Submit to the Committee for approval a drawing, and any brochures, and include plan and elevation views, materials, color, and location on the property (setbacks). Also, use EFCAW form in appendices.

b) No wood that comes into contact with the ground shall come into direct contact with the residence or other building(s); a minimum one (1) inch gap must be maintained or metal ~~flashing~~ installed between the residence and the wood, for insect prevention (decks are typically set above ground on concrete forms or pier blocks).

c) Sunrooms or other similar structures could be considered a room addition and may require permits, fees, and further approvals such as "Exhibit B" from the CC&R's, each will be reviewed on its own merits per the initially submitted plan with the Owner notified accordingly.

#### 4.1.6.3 Violations

Sunrooms, decks, and sometimes patios can be an expensive structure to change or repair. The Committee strongly recommends that the Homeowner and Committee, or Board, work together when deciding upon such a structure. Violations will be prosecuted to the fullest extent allowed in the EFHOA CC&R's, which can include, but is not limited to, the removal of the offending condition at the homeowner's expense, and/or fines, liens, and repayment of legal fees resulting from a judicial action found to be in favor of the Association in accordance with Article XVI, Section 5 of the CC&R's.

#### 4.1.7 Greenhouses

Greenhouses are to be of a reasonable size and inoffensive, and are to adhere to any applicable local or county codes. The Committee shall review each based on location and plan merits, and are to be approved by the Committee before construction.

##### 4.1.7.1 Materials/Construction

Submit a drawing, EFCAW form, and any brochures to the Address of the Committee.

##### 4.1.7.2 Violations

Owner's will be required to correct or remove any offending condition at their own expense, as determined by the Committee.

#### 4.1.8 Sheds

All sheds shall adhere to local and county codes. No shed shall be attached to a residence or it will then be considered an addition requiring building permits, etc. No wood that comes into contact with the ground shall come into direct contact with the residence. A building plan must be submitted and approved by the Committee before construction, with the following information indicated on the plan:

- a) Drawings showing both the **plan** and **elevation** views with the maximum dimensions for height, width, and depth. Peak roof height, and roof slope indicating single or double slope. (Drawings can be hand-sketched on plain or graph paper, but must be legible.)
- b) Type of material(s), including roofing and color.
- c) The intended location of the shed on the property.
- d) Consideration must be given to pest control and wood rot, therefore indicate how the structure will sit upon the property (i.e. cement slab, gravel, treated wood, etc.).
- e) Sheds are to remain reasonably inoffensive to neighbors, it thus benefits an Owner to coordinate with any possibly affected neighbors before submittal.

[NOTE: for shed kits purchased from a local store, simply submit a color brochure containing the relevant information and include any of the above which might be missing. Also, use EFCAW form.

#### 4.1.8.1 Violations

Owner's will be required to correct or remove any offending condition at their own expense, as determined by the Committee.

#### 4.1.9 Pens/Kennels

CCR REF: Article XII, Section 9.

All animal pens, kennels, and enclosures must be approved by the Committee before construction begins. Pens, kennels, and similar enclosures must be kept clean and odor free at all times. Submit copy of EFCAW form, and any brochures for "kits."

#### 4.1.9.1 Violations

If investigation by the Board finds that animals are kept in violation of this section, the Board will give the property owner ten (10) days written notice of the violation.

A violation must be remedied by the property owner within ten (10) days, and failure to comply will result in a fine of \$25.00 per day. Any fine imposed under this section will be the personal obligation of the property owner and a lien on the property. The Association shall be entitled to attorney's fees and costs for any actions taken to collect such fines in accordance with Article XVI, Section 5 of the CC&R's.

#### 4.1.10 Driveways

There shall not be any direct ingress or egress between any residence in Eastwood Forest and SE 276th Street (private) or 216th Street SE. All driveways shall adhere to local and county codes.

#### 4.1.10.1 Extensions

The installation of driveway extensions shall adhere to local and county codes. Extensions must also be in consideration of any

front, side, or rear landscaping requirements and are not to detract from the appearance of the neighborhood.

#### **4.1.10.2 Materials**

CCR REF: Article XII, Section 10.

Driveways [and extensions] shall be paved with exposed aggregate concrete, unless otherwise approved by the Committee or Board.

#### **4.2 Antennae**

As technology changes, so do lifestyles and the definition of necessity. The Committee and Board recognize this and are to work with Association Members in accommodating technological changes in the best interests of the neighborhood. Therefore all radio/television antennae, transmitters, or parabolic reflector (dish) installations must have prior written approval from the Committee. There may be FCC or other Federal regulations that supercede some applications, please notify Committee as such.

##### **4.2.1 Installation**

CCR REF: Article XIV, Section 1.

Any installations shall be screened from public view as a minimum requirement for approval, but such screening shall not guarantee an approval. Installations will only be approved if, *in the sole discretion of the Committee*, the installation shall not detract from the appearance of the neighborhood. [This means that one Member may receive an approval for installation, while a neighbor does not because of plan, home orientation, or landscaping.]

##### **4.2.2 Height Restrictions**

With the advent of small (2-foot diameter and less) low mounting dish antenna, the Committee discourages the installation of any other type of antennae or of towers.

#### **4.3 House Numbers/Addresses**

All homes in Eastwood Forest are to display primary addressing for the residence. This is the municipally assigned number that is to be displayed on the structure near the front entrance, so as to be visible from the street.

Homeowners are to exercise care and not allow vegetation or other objects to block the street visibility of their house address, and to be aware of and to repair or correct any missing, faded, loose, or incorrect numbering.

#### **4.3.1 Style/Color**

There are no specific restrictions on primary numbering style, material, or color, but reasonable discretion is to be exercised. Numbering color should be contrasting in nature to the color of the residence and remain inoffensive. Lighted boxes or numbers may be acceptable provided they are not deemed a nuisance.

#### **4.3.2 Curb Numbering**

Curb numbering is an acceptable display of secondary addressing provided it is done professionally, in block style, and in a reasonable and proportional size that does not exceed the curb height. Curb numbering is **not** an acceptable alternate to, nor can it replace, primary addressing as described above.

For consistency, coloring is restricted to black letters on a white background.

#### **4.3.3 Address Violations**

The Committee reserves the right to remove or to have corrected, at the owner's expense, any offending condition as determined by the Committee.

If a homeowner wishes to change the primary numbering style or material from what was originally installed by the builder, then submittal of the EFCAW form to the Committee is recommended. Secondary numbering does not require a plan submittal, but must adhere to the above *Curb Numbering*.

#### **4.4 Mailboxes**

Each residence in Eastwood Forest must have a corresponding mailbox in Eastwood Forest, with the residential address displayed on the front of the mailbox. Mailboxes and bottom plates/holders are the responsibility of the Homeowner. Mailbox structures or "huts" are the responsibility of the Association

through the Committee and/or Board. It is not permitted to post any signs or bills on the mailboxes or huts.

#### **4.4.1 Address Labeling**

Address numbers on mailboxes shall be a minimum of one (1) inch in height, and are to be placed on the front door of the box. Other information such as family name or street name is optional.

#### **4.4.2 Box/Label Materials**

In the event a mailbox is to be replaced, it is to be consistent in size with the other mailboxes and of a *Postmaster General* Approved type, of metal material, and of a neutral coloring that is available within the type cited that is to remain original. No submittal for approval is needed on the type cited.

[Note: such boxes are typically under ten dollars.]

Address labels for mailboxes can be of any reasonably weather resistant material that causes the numbers to be sufficiently visible, not unsightly, and remain attached to the box.

#### **4.4.3 Box Violations**

The Committee reserves the right to remove or to have corrected, at the owner's expense, any offending condition as determined by the Committee.

### **4.5 Signs**

Although signs can be practical and informative, the improper use of signs will clutter and detract from the appearance of the neighborhood. Signs are limited to those below and no other signs, billboards, or advertising structures shall be displayed to the public from any property. Exceptions are those signs used in common areas and as maintained by the Board. It is not permitted to post signs or bills on the common mailboxes or mailbox structures.

#### **4.5.1 Sign Limits**

CCR REF: Article XII, Section 8.

- a) Signs offering a property for sale or rent are not to exceed five (5) square feet in area.

b) Political yard signs are not to exceed eight (8) square feet in area, and are to be removed within five (5) days of the pertinent election's end.

c) Signs indicating a "home protection" service are not to exceed two (2) square feet in area and are limited to one (1) per residence.

d) Homeowner signs indicating a "Garage Sale" are not to exceed three (3) square feet, and must be removed by the responsible party by the end of the sale.

#### **4.5.2 Sign Violations**

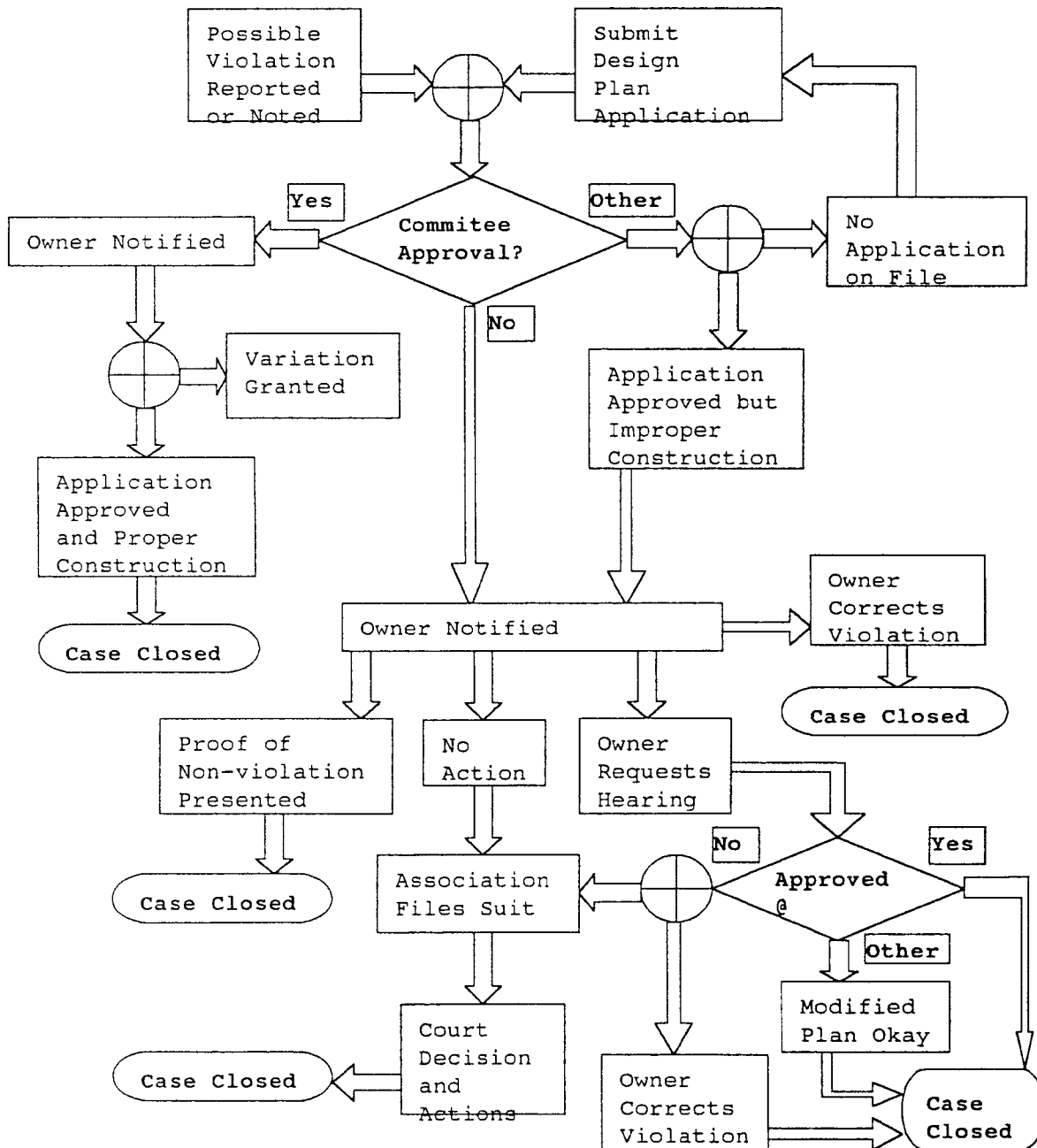
CCR REF: Article XII, Section 8c.

The Board may cause any sign found to be in violation to be removed and/or destroyed without compensation of any kind to anyone, but not limited to, any person having an ownership interest in the sign.

No such signs shall be placed upon or attached to utility equipment or property (electric/telephone/light poles, etc.), or to "Common Area" structures or so as to puncture any tree.

## 5.0 Approval Process

Table 2 - Approval Process Flow Chart



## 5.1 Approval Procedure

CCR REF: Article XV, Section 12.

Within fourteen (14) days after the receipt of plans and specifications as submitted to the *Address of the Committee*, the Committee shall APPROVE or DISAPPROVE the proposed structure or change. The Committee may disapprove plans and specifications which, in its opinion, do not conform to restrictions articulated in the CC&R's and criteria (including those in Article XV, Section 10) or to its aesthetic standards. The Committee shall indicate its approval or disapproval on a copy of the plans and specifications provided by the applicant and shall return the plans and specifications to the address shown on the plans and specifications. In the event that no disapproval of such plans and specifications is given within fourteen (14) days of submittal, then the plans shall be deemed to be approved. In any event, the Association shall hold the Committee Members harmless from any actions taken (or actions not taken) relative to the approval, disapproval, or non-action on any plans submitted for review. "Non-action" on the part of the Committee shall **not** exempt the applicant from any of the provisions of the CC&R's, or the restrictions articulated herein.

### 5.1.1 Committee Response

The Committee or Board may DISAPPROVE any project for which, in its opinion, the submitted plans and/or specifications are not complete or that otherwise lack sufficient information for rendering an approval (also, see **Resubmits** below).

An applicant is to receive the Committee or Board's official written response, as indicated above, from the *Address of the Committee* by "Certified Mail" through the U.S. Postal Service. Written APPROVAL must be received by the applicant before a project is to commence, per the *Review Criteria*.

#### 5.1.1.1 Resubmits

An applicant will be notified and allowed to resubmit any additional information as required, the Committee will then have fourteen (14) days to respond to each resubmit as necessary and as indicated above. The Association, by decision of the Committee, can require reimbursement from the applicant for postal or other associated charges due to resubmits. Resubmits can also result in delays to the commencement of a project.

### 5.1.2 Approval Factors

CCR REF: Article XV, Section 10.

- a) The various features of the natural built environment.
- b) The aesthetic character of other Eastwood Forest homes.
- c) Any other factors which affect the desirability or suitability of a proposed structure or alteration.

### 5.1.3 Non-approval Factors

CCR REF: Article XV, Section 10.

The Committee shall decline to approve any design which:

- a) fails to harmonize with the approval factors described in the previous section, or which fail to meet any aesthetic promulgated by the Committee.
- b) impacts adversely on nearby Properties and Common Areas.
- c) is of a temporary or non-permanent nature.

## 6.0 Enforcement

CCR REF: Article XVI, Section 4.

The Association, Board, or any Member of the Association shall have the right to bring suit for judicial enforcement of a determination of the Committee, or to seek an order requiring the Committee to exercise its authority, and perform its function, under Article XV of the EFHOA CC&R's. In any judicial action to enforce a determination of the Committee, the losing party shall pay the prevailing party's attorney's fees, expert witness fees, and other costs incurred in connection with such legal action or appeal (also see Article XVI, Section 5 of the CC&R's.)

The Board, Committee, or any Member of the Association shall have the right to enforce, by any legal proceeding, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Document and the EFHOA CC&R's (including, but not limited to, Article XV, Section 15 of the CC&R's).

## 7.0 Appendices

### 7.1 Address of Committee

EFHOA c/o  
Bell-Anderson  
P.O. Box 5640  
Kent, Wa. 98064-5640

PH: (253) 852-8195  
FX: (253) 854-4831

### 7.2 'Exhibit B' Reference

See EFHOA CC&R's, pages 33-35, or contact Address of Committee.

## **7.4 Descriptions**

### **7.4.1 Nuisance**

CCR REF: Article XII, Section 2.

No property shall be used in a fashion that unreasonably interferes with any other owner's enjoyment or use of property.

#### **7.4.1.1 Activities**

CCR REF: Article XII, Section 3.

a) No noxious or offensive activity shall be conducted at any property, nor shall anything be done or maintained on a property, which may become an activity or condition that unreasonably interferes with the rights of other owners' to use or enjoy any part of their property.

b) No activity or condition shall be conducted or maintained on any part of a property, which detracts from the value of properties as a residential community.

c) No untidy or unsightly condition shall be maintained on any property. Untidy conditions include, but are not limited to, publicly visible storage of wood, boats, trailers, mobile homes, recreational vehicles, disabled vehicles of any kind whatsoever, and landscaping which is not maintained.

#### **7.4.1.2 Violations**

CCR REF: Article XII, Section 2.

The Board shall determine whether any given use of a property unreasonably interferes with those rights; such determination shall be conclusive.

### **7.4.2 Landscaping**

#### **7.4.2.1 Landscaping Standards**

CCR REF: Article XII, Section 12.

☒ Front Yard☒ shall be defined as the Lot area extending from the front property line back to a line measured parallel with it

such that it coincides with the front wall of the main dwelling on the Lot, exclusive of any garage projections.

For corner Lots, the front yard shall mean the frontage on both streets, such that both street frontages and yards must be landscaped.

#### **7.4.2.2 Yard Maintenance**

CCR REF: Article XII, Section 12.

The entire front yard, including up to the edge of curb or sidewalk in the adjacent right-of-way fronting any Lot within Eastwood Forest shall be landscaped and maintained by the property owner.

The front yard landscaping shall include all of the adjacent public street right-of-way along the property frontage out to the edge of the curb or sidewalk in the public street. Each property owner shall be responsible for installing and maintaining the landscape within the adjacent right-of-way.

#### **7.4.3 Refuse**

CCR REF: Article IX, Section 1.

Grass cuttings, leaves, limbs, branches, other debris, trash, or garbage shall not be allowed to accumulate on any property; except within composting devices.

##### **7.4.3.1 Composting**

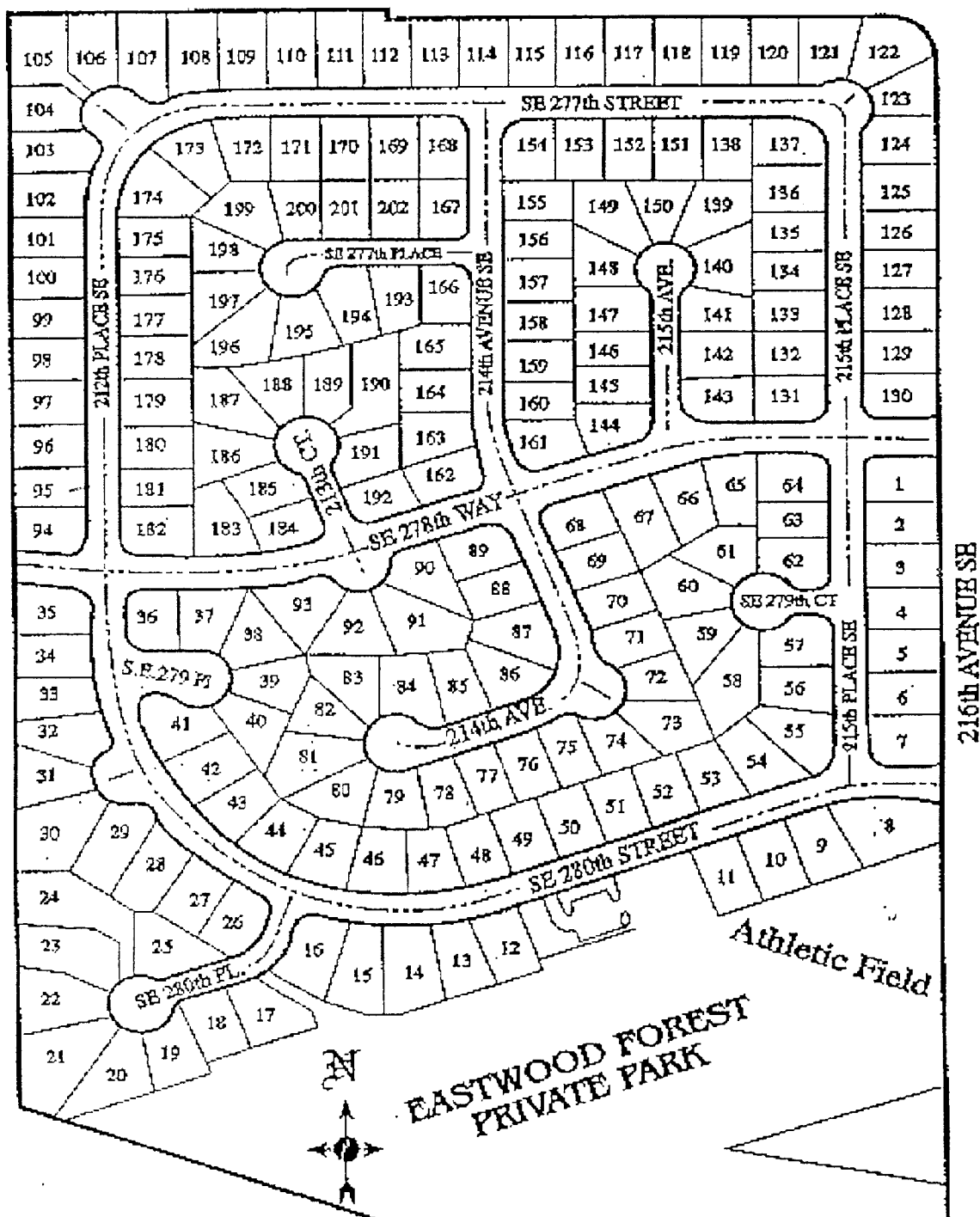
Small, regularly tended, compost bins are permitted provided they do not constitute a nuisance. Only vegetative matter should be used in a compost bin. Garbage or human and animal waste is not to be used, and should be disposed of properly in other manners.

##### **7.4.3.2 Containers**

All refuse shall be kept in sanitary containers (trashcans or composting bins) and sealed from the view of other Lots. Containers shall be emptied regularly and the contents properly disposed of away from the property and the neighborhood, unless from an acceptable composting device.

## 7.5 Plat Map

### Table 4 - Eastwood Forest



## 8.0 Notes

NOTES: