

## **Aqua Vista Homeowners Association Building Plan Guide**

Aqua Vista is a great place to live! The Aqua Vista development was established in the 1960s to create a pleasant and neighborly community. Lot boundaries, placement of building sites, covenants and homeowners' association bylaws were structured to help the community live together amicably and to preserve the views and privacy of community members into the future.

Our neighborhood's popularity is leading to opportunities for updating and improvement in the form of building and remodeling. An important role of the AVHA Board is to help the Aqua Vista community follow our covenants by voting on the approval of building and remodeling plans. The purpose of this document is to help you understand the approval process and help the process go smoothly for all parties. We want to help you and help improve our community.

### **Introduction**

This AVHA Building Plan Guide (hereinafter referred to as the "Guide") is meant to outline policies as determined by the Aqua Vista Homeowners Association (AVHA) Board of Directors (hereinafter referred to as "Board"). The Guide supplements the AVHA Covenants for purposes of supporting the AVHA property owner, the AVHA Architecture Committee (hereinafter referred to as "Committee") and the Board in the approval process for building plans. This Guide may be revised as needed to clarify and help that process.

While this Guide is meant to aid in the submission and approval of any building plans, the AVHA Covenants and Bylaws remain the legally binding documents for all matters. Please note that the plan submission and AVHA review and approval process is distinct and separate from building requirements, permits and approvals from the City of Clyde Hill. Emphases and concerns differ between Aqua Vista and the City of Clyde Hill. Aqua Vista residents must comply with both Aqua Vista and Clyde Hill rules and regulations.

The Board recommends that the owners of the property meet with a member of the Committee prior to submitting plans to the Committee. The purpose of the meeting is to review this Guide and answer any questions that either the Committee or the property owner may have in advance of your building plan submission to the Committee and ultimately the Board. After your plans are submitted, the Committee will provide feedback and all associated documents to the Board for their approval.

Thank you in advance for helping the AVHA Architecture Committee and the AVHA Board work smoothly to review your submission.

### **Construction Design Requirements**

The AVHA Covenants is the primary document for an AVHA property owner to follow for any activity for a structure or a building. The construction of any new structure (examples include walls, fences, swimming pools, sheds, flag poles) or building must be approved in writing by the Board before work can begin. Certain modifications to existing structures as outlined in the AVHA Covenants, including exterior modifications, also require Board approval prior to starting work. Please note that re-roofing and adding

solar panels are examples of exterior modifications that require approval. Failure to gain approval can result in removal of the structure or building at the property owner's expense. See Section 3, Building Plans; Section 4, Single Family Residences Exclusively; Section 5, Setback Lines, in the AVHA Covenants.

Please also be aware that plans to alter landscaping in the setbacks or that may affect views or privacy of adjoining or facing neighbors must also be submitted to the Board for approval before construction, as stated in Section 5, Setback Line.

In addition, any plans for alterations to a lot's surface grade must also be submitted and approved, as stated in Section 7, Surface Grade.

### **Recommended Process**

- **Familiarize yourself with the AVHA Guide, Covenants and Bylaws.**
- **Use a registered and licensed architect, or request approval in writing for an alternate.** As specified in the AV Covenants Section 3, Building Plans, all buildings and other structures must be designed by an architect who is registered and licensed in the State of Washington, or by a qualified person who is approved in writing by the Board. If you hope to work with someone who is not a registered architect, we recommend that you submit a request for approval as early as possible in your process. In general, such approvals are more likely for smaller projects or minor remodels.
- **Engage with neighboring property owners.** Meet with all property owners that are either adjoining (including properties that meet at lot corners) or facing your property (facing properties are those that are across the street; corner lots have facing properties across corners as well as across the street). The primary purpose of these meetings is to review your building and landscaping plans so that these property owners understand the impact of your proposed plans and can give feedback to you and the Board. We encourage you to ask the neighbors if they would like you to install story poles and strings to help visualize any changes to neighbor views or privacy. AVHA has found this approach to aid plan approval and create goodwill. Views, privacy and exposure are all contributors to property value which is a primary focus of the AVHA and its members.

It is strongly recommended that you install story poles, ideally with connecting strings, to facilitate understanding of potential privacy, exposure and view impacts. 3D renderings from various vantage points may also be useful in communicating building features such as roof and window heights to neighbors. If story poles are to be used for more than temporary photo accessories, they should be constructed safely by licensed contractors.

- We particularly encourage you to depict all roof extensions greater than six inches in height above the roof plane or any height above a roof ridge. These must also be shown in elevations on submitted plans.

Once you install the story poles and strings, the Board and Committee will, as quickly as is practical, subject to neighbors' availability for review and comment, document the poles

and strings prior to their removal and will respond with findings either during or at the conclusion of the plan submittal and approval process.

- **Document neighbor input.** Neighbor input must be summarized in writing, identifying any concerns they have, your plans to resolve them and/or their support of your plans. This information must be submitted to the Committee and the Board, with a copy to each adjoining or facing property owner. This information must be submitted with the Building Plans to ensure facing and adjoining neighbor concerns, if any, are considered and addressed prior to the Committee and Board reviewing building plans. Failure to show a good faith effort to accomplish this will likely result in your plans being rejected under Article 3 Building Plans of the AVHA Covenants as “Refusal of approval of plans and specifications may be based upon any ground”.

Please be aware that the AVHA Board has longstanding precedents upholding sightlines and privacy when considering applications for building approvals, and the AVHA Board takes neighbor concerns regarding potential view obstructions that would be created by proposed construction seriously. As per our CCRs and as set by prior AVHA precedent: “the majority of the homes in Aqua Vista have been sited and constructed to balance their own exposure and view with the exposure and view of their adjoining and facing neighbors.”

### **Next Steps - Building/Landscaping Plan Submission by Homeowner**

- The following documents are required to be submitted in final form to the Committee. Partial or incomplete submissions will not be considered for review, nor will the 30-day review ‘clock’ commence. The Committee will contact the homeowner as soon as is reasonable if there are any missing documents.
  - Provide a duplicate copy of the Building Plans that are submitted to Clyde Hill, including any changes that may occur. The submittal to AVHA should match what is required for permit approval by the City of Clyde Hill.
  - Site Survey by a licensed surveyor – the survey shows existing conditions (please note that there can be a 4-8 week lead time to arrange for a survey).
  - Site Plan drawn to scale and identical to that submitted to Clyde Hill.
  - City of Clyde Hill determination of Original Grade (this will be a marked-up survey per the City of Clyde Hill process).
  - Landscape Plan (clearly depicting existing trees/vegetation to be removed and any new landscaping). The Plans should provide names/number/location of plants/trees/shrubs, particularly in locations that could affect facing and adjacent neighbor view and privacy issues.
  - Floor plans
  - Roof plans
  - Building elevations

- Building sections
  - Written neighbor input (see “Recommended Process” above).
  - Drawing and calculations to address height of the structure in stories and/or basements.
- Plans and drawings submitted to neighbors, Board and City must all match.
  - **Basement vs Story Calculation:** Aqua Vista limits structures to a maximum of two stories. Per the AV Covenants Section 4, Single Family Residences Exclusively, “A single family dwelling shall not exceed two (2) stories....”

Because Aqua Vista is situated in Clyde Hill, AVHA adopted the Clyde Hill Municipal Code basement definition to determine if a floor is a basement or story. A structure can have three levels, but only if the lowest level fits the definition of a “basement” per CHMC.

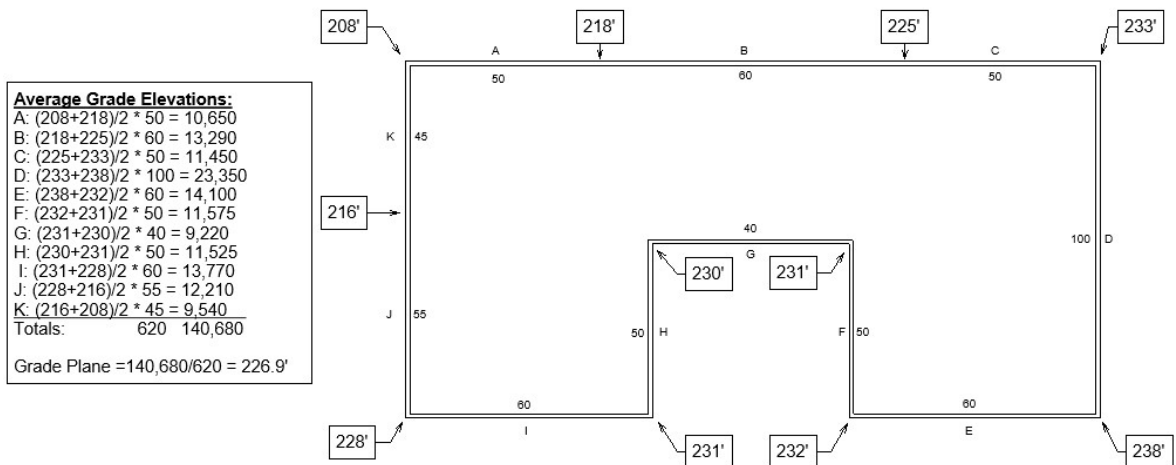
Excerpts from the City of Clyde Hill Municipal Code:

**17.04.065 Basement** “Basement” means a story at least partly underground and having at least one-half of its height, measured from its floor to its finished ceiling, below the average adjoining grade. A basement shall be counted as a story if the vertical distance from the average grade to its ceiling is over five feet. (Ord. 805 § 1, 1999; Ord. 74 § 2, 1959. Formerly 17.08.060)

**17.04.450 Story** “Story” means any portion of a building included between the floor and the ceiling next above it, or between the under-surface of the roof directly over a particular floor. (Ord. 805 § 1, 1999; Ord. 74 § 2, 1959. Formerly 17.08.400)

In order to determine if a level is a “story” or a “basement,” an **average adjoining grade** calculation needs to be done by your architect and then compared to the City of Clyde Hill definitions. The grade calculation should be done using **proposed actual finished grade** (vs “original grade”) where the building perimeter walls meet the ground.

The following figure shows an example calculation of average adjoining grade. Elevations are noted along the building perimeter and multiplied by the length of wall in each segment. These are tallied and used to find the average adjoining grade in the box shown on the left: 226.9 feet.

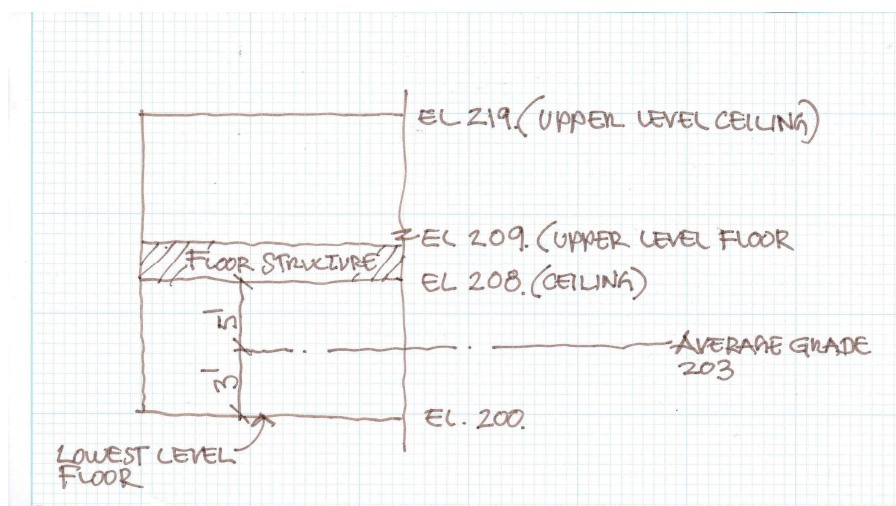


Once the average adjoining grade is determined, it must be compared to the floor and ceiling elevations of the project to determine if the lowest level meets the definition of a story or a basement. This is easiest to understand using a section with elevations noted. In the first example shown, the calculation results in the lowest level being a story, while the second example meets the definition of a basement.

**Lowest Level is a Story**

In this example, the lowest level is defined as a Story since it does not satisfy part one of the CHMC definition: it does not have “at least one-half of its height, measured from its floor to its finished ceiling, below the average adjoining grade”.

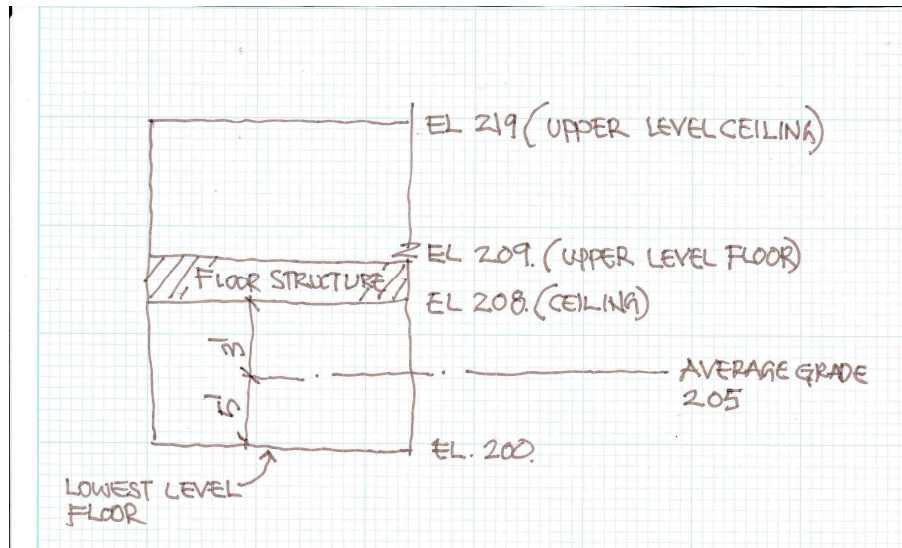
The height of the lowest level is  $208-200 = 8'$ ; one-half of this height is  $4'$ . As shown on the left,  $3'$  of the lower level height is below average adjoining grade. Since  $3'$  is not greater than one-half of the height of the lowest level ( $4'$ ), the lowest level is a Story.



**Lowest Level is a Basement**

In this example, the lowest level is defined as a Basement since it satisfies both parts of the CHMC definition: at least one-half of its height is below average adjoining grade, and the vertical distance from the average adjoining grade to its ceiling is not over five feet.

As shown on the left, 5' of the total lowest level height of 8' is below average adjoining grade. 5' is greater than one-half of the height of the lowest level (4'). In addition, the vertical distance from the average adjoining grade to its ceiling (3') is not over five feet.



### Next Steps – Committee Review of Completed Document Set

- Upon receipt of a complete set of Building and Landscaping Plans, neighbor feedback, and basement calculation if necessary, the Committee will notify you of the start and end date for 30-day review timeframe as specified in AVHA covenants, Section 3, Building Plans. The Committee endeavors to review and respond to homeowners as quickly as possible.
- Once the Committee has reviewed the submitted documents, it will provide its findings and all associated documentation to the Board for its review.
- The Board will notify you within the 30-day review timeframe of any concerns or questions. The Board, not the Committee, has the full authority to approve or deny plans and specifications.

### Revisions after Submission

- If a revision is made to any plans, drawings, or specifications (if any) after submittal, then a revised set should be submitted to all parties to be reviewed again. Please date each page of all revisions on the title block and have your architect visually mark the change and flag it with a numbered “delta” triangle symbol that corresponds to the dated change, along with any appropriate explanation. This will allow the Board and Committee to completely understand the change and will speed up the review process. If there needs to be a longer explanation or a number of things were changed, a written document outlining the changes should be submitted. If changes are made to any plans, drawings, or specifications, the 30-day review ‘clock’ begins again.

- It is our intent that neighbors have an opportunity to comment on adjoining buildings before they are approved and constructed. We reserve the right to request that you gather new comments from neighbors if exterior changes over their prior review warrant.
  
- We realize that conditions may be encountered during the construction process that require changes. We expect homeowners to keep the Aqua Vista Board and Architecture Committee aware of issues and change orders that affect the exterior, elevation, basements, landscaping, plans, drawings, specifications, and other substantive elements. Clear communication and appropriately marked drawings will help Aqua Vista respond as quickly as possible.

Please note that ensuring the adherence to the AVHA Covenants is entirely your responsibility as the property owner. As the property owner you, any architects, contractors, engineers, landscapers or others involved in your plan proposal are best able to communicate to others what your project will become when complete. In addition, you are accountable to be aware of all applicable Clyde Hill municipal codes that may impact your construction and landscaping plans.

As a final note, please be reminded that all AV property owners must ensure their ongoing compliance with the AV Covenants during and after their building activities.

Thank you and good luck with your project!