

SECTION 2 – RESTRICTIONS ON USE OF PLATTED PARCELS

2.9 Recreational Vehicle Use:

2.9a Provisions Applicable to RVs on All Surfside Lots - Recreational vehicles must be registered, licensed, and maintained in a mobile condition at all times, and shall only be used as specified herein. A temporary Conditional Use Permit for each vehicle to be placed on a platted parcel must be obtained annually at the Association office. These permits (decals and/or permits) must be prominently displayed and visible from the street.

2.9a.1 Conditional Use Permits shall be issued as follows:

Summer occupancy, from May 1 through September 30, of a recreational vehicle is permitted as a temporary vacation/short term dwelling. It must display a current motor vehicle license and meet all health codes for temporary recreational use. One-time registration at the SURFSIDE HOMEOWNERS ASSOCIATION business office is required at the first visit each summer. A summer occupancy Conditional Use Permit and a numbered registration decal will be issued. These shall be placed as stated in 2.9a above.

Winter occupancy, from October 1, through April 30, of a recreational vehicle is permitted as a temporary vacation/short term dwelling. It must display a current motor vehicle license and meet all health codes for temporary recreational use. During winter visits, recreational vehicles must be occupied. Short term permits shall be issued from the SURFSIDE HOMEOWNERS ASSOCIATION business office for periods up to 21 days, not to exceed 60 days total, and shall be placed as stated in 2.9a above.

2.9a.2 No commercial use of recreational vehicles shall be permitted in Surfside Estates

2.9a.3 Except for those parcels listed in Section 2.9b, winter storage of a recreational vehicle, from October 1 through April 30, is not allowed on any platted parcel, except in a car port or enclosed building, provided however that such equipment may be parked anywhere on residential premises for time needed during loading or unloading.

2.9a.4 Tents are acceptable for use by owner or guests on a platted parcel if approved sanitary facilities are available within a distance of one hundred (100) feet. Tents must be removed when not in use.

2.9a.5 Construction Permit

An RV may be used as a temporary dwelling during construction under the following conditions:

- a. proof of County building permit
 - b. active and continuous building construction
 - c. septic and water connections are available and in use
 - d. permits will not exceed one (1) year duration, unless the RV Committee has granted an extension for cause. Owners may apply for an extension if the Architectural Committee has granted a building extension.
- 2.9a.6 Sewage and waste water from recreational vehicles and/or tent sites must be disposed of as per Washington state regulations: i.e., these wastes shall not be dumped on the ground, in pits or in cesspools.
- 2.9a.7 All RV usage, parking, and storage shall occur on the owner's property and shall conform to the minimum SURFSIDE HOMEOWNERS ASSOCIATION covenant setbacks for the parcel.
- 2.9b RV Provisions Applicable to Certain Designated Lots - Notwithstanding the provisions of Section 2.9a, not more than one recreational vehicle is permitted to remain on a platted parcel listed below on a continuous basis, but shall not be used as a permanent residence. All other covenants and guidelines for recreational vehicles in Section 2.9a must be followed.
- Division 8:
 - Block 5, Platted Parcels 1-20 inclusive
 - Block 6, Platted Parcels 1-20 inclusive
 - Division 14:
 - Block 4, Platted Parcels 3-16 inclusive
 - Block 5, All Platted Parcels
 - Block 6, All Platted Parcels
 - Block 7, All Platted Parcels
 - Block 8, All Platted Parcels
 - Block 9, Platted Parcels 1-9 inclusive
 - Block 10, Platted Parcels 1-10 inclusive
 - Division 15:
 - Block 2, Platted Parcels 18-28 inclusive
 - Block 3, Platted Parcels 1-17 inclusive
 - Block 4 through 9 inclusive, All Platted Parcels
 - Division 16:
 - All Platted Parcels
 - Ocean Woods:
 - All Platted Parcels
- 2.9c Sewage and waste water from recreational vehicles and/or tent sites must be disposed of as per Washington state regulations: i.e., these wastes shall not be dumped on the ground, in pits or in cesspools.
- 2.9d. All RV usage, parking, and storage shall occur outside of the County right-of-way, and shall adhere to the minimum setbacks for

the Division within which the RV is being temporarily occupied.

SECTION 4 – RESTRICTIONS REGARDING CONSTRUCTION

4.0 The provisions of these covenants are not intended to prevent the use of any material, alternate design, or method of construction not specifically prescribed by these covenants. The Architectural Committee shall require that sufficient evidence be submitted to substantiate any claims that may be made regarding its use.

4.1 Plan submission, review, inspection, and enforcement

4.1a Plans and specifications for all new structures, including changes to the existing exterior structure configuration, shall be submitted, in duplicate, to the Architectural Committee for approval prior to submission to Pacific County for developmental approval.

4.1b In complying with Subsection 4.0 of the Restrictive Covenants, the following steps shall be followed:

4.1b1 Owners shall submit to the Architectural Committee two sets of plans and specifications in a form satisfactory to the Architectural Committee, showing: foundation layout, floor plan, elevation views, plot plan showing exact location of all structures and property line setbacks, septic tank and drainfield, and domestic water line on the platted parcel, structure height, and specifications in sufficient detail to establish type, style, and quality of construction and the general appearance of the exterior of the structure.

4.1b2 The Architectural Committee shall, using a checklist approved by the Board, review the plans and specifications together with the plot plan to determine whether the proposed construction will conform with the requirements of the restrictive covenants. The applicant shall certify that all provisions of the covenants are met, or identify those for which a variance is required.

4.1.b3 Plans for multi-family residences and commercial structures are to be reviewed by the Architectural Committee, and such plans and committee recommendations are to be presented to the Board which shall have the authority to approve or reject plans.

4.1.b3.1 The Board shall adopt and amend from time to time, criteria for evaluation of such multi-family and commercial structures.

4.1b4 Written approval or rejection of plans and specifications shall be given by the Architectural Committee. Approval will be so indicated by the signed and dated signatures of a majority of the Architectural committee members present. Such approval will expire two (2) years from the date of approval.

If the exterior is incomplete or the owner has failed to properly dispose of construction debris within one (1) year, an extension shall be requested from the Architectural Committee. Upon completion of the exterior and proper disposal of construction debris and refuse, the owner must notify the Architectural Committee.

- 4.1b5 Variance requests and other matters as provided for in these covenants shall be submitted through the Architectural Committee for recommendation prior to submission to the Board.
- 4.1b6 Changes to submitted and/or approved plans concerning exterior design, structure, or height shall be re-submitted to the Architectural Committee for approval prior to construction.
- 4.1b7 The Architectural Committee or Board, or their designated representatives, may at any time inspect construction in progress for the purpose of determining whether it complies with the plans and specifications approved by the Architectural Committee and/or Board. If such inspection finds non-compliance with the approved plans and specifications, the Architectural Committee or Board, or its representative, may issue stop work orders and/or require compliance.
- 4.1b8 The owner must notify the Architectural Committee when the exterior has been completed and the site is free of construction debris and refuse.
- 4.1b9 Upon notification by the owner of the exterior completion of the structure and clean-up, the Architectural Committee or its designated representatives shall make a final inspection to determine conformance to approved plans and compliance with these covenants. In the event of a non-conformance or non-compliance determination, the owner shall be required to submit "as built" plans and request approval, correct the non-compliant situation, or face legal action provided for elsewhere in these covenants.
- 4.1b10 Decisions of the Architectural Committee may be appealed to the Board by members of the Association.
- 4.1b11 After the building has been completed and the Architectural Committee has made final inspection and has determined compliance, the building plans will be held for a three (3) year period and upon notification from the Homeowners Office, may be picked up. Plans, if not picked up within three (3) months of notification, will be destroyed.
- 4.1b12 It is the responsibility of property owners or their agent(s) to assure that any construction complies with the covenants – even if plans have been approved by the Architectural

Committee.

- 4.2 Obtaining approval from the Architectural Committee (or the Board where required) does not relieve the applicant from obtaining all necessary permits from, and complying with, all applicable codes.
 - 4.2a Power and all utilities for new construction must be installed underground from the source to the structure.
 - 4.2b All reconnections which Pacific County PUD #2 has deemed an abandoned service (i.e., wires and/or meter removed) shall be reconnected only underground.
 - 4.2c All upgrades of electrical service (i.e., 100 amp to 200 amp) shall only be reconnected underground.
- 4.3 Water and Sewage Requirements:
 - 4.3a Where Surfside water is supplied, plans for the placement of any underground sprinkler system, swimming pool, fish pond, hot tub, etc., must be submitted through the SURFSIDE HOMEOWNERS ASSOCIATION office and have Water Superintendent or designee approval and be equipped with a state approved backflow preventive mechanism that conforms with applicable county and state regulations. Cross connections shall not be allowed.
 - 4.3b SURFSIDE HOMEOWNERS ASSOCIATION shall not provide water service to any structure if any portion of the structure is within 10 feet of, or anywhere west of, the Line of Upland Ownership as originally shown on the plat that created the property or the platted portion of the property. SURFSIDE HOMEOWNERS ASSOCIATION shall not approve any sanitary waste disposal system for any structure if any part of that structure is within 10 feet of, or anywhere west of, the Line of Upland Ownership as originally shown on the plat that created the property or the platted portion of the property,
 - 4.3c All sanitary wastes shall be disposed of by septic tanks and drainfields, or by sewer systems approved by applicable county and/or state agencies. The request for and the placement of a septic tank and drainfield shall be first submitted, in plot plan form, to the Surfside Water/Field Services Department for review. Upon review by the Water/Field Services staff, the applicant must then submit the plot plan to the applicable county and/or state agencies for final approval. A copy of the approved septic and drainfield plan shall be retained in the Surfside Business Office.
 - 4.3d No septic tank, drainfield system, or structure shall be installed or constructed within one hundred (100) feet of the nearest well of Surfside Homeowners Association.
 - 4.3e Individual private wells on platted parcels provided with Surfside water are not permitted.
- 4.4 Foundations:
 - 4.4a Foundations of all family residences and commercial structures shall be concrete and continuous in nature, except mobile

(manufactured) homes and post-frame construction. Note: the following exceptions apply:

4.4b Glassed-in decks or covered entry decks, which are not structural wall house additions and meet requirements of county building codes, may be constructed without continuous concrete foundations.

4.4c A continuous concrete foundation may not be required where an addition to an existing structure is to be built on a steep slope. Plans submitted must be engineered and bear the seal of a licensed engineer or architect and meet requirements of applicable building codes for foundations not continuous in nature.

4.5 Construction Materials:

4.5a. The use of new materials on all exterior structures will be required. Used brick will be permissible.

4.5b. Framing materials shall consist of wood, metal, building blocks, or concrete.

4.5c. Roofing materials shall consist of 3-tab composition, 3-tab fiberglass, tile, wood shakes, wood shingles, or metal. Hot or cold mop types of roofing, as well as torchdown types of roofing, may be used.

4.5d Siding materials may consist of wood, vinyl, brick, concrete panels, planking and others as approved.

4.6 Minimum square footage:

4.6a All single story residences must have a minimum of 900 square feet main indoor living area, not including garages, carports and patios. This requirement may be waived by the Architectural Committee and approved by the Board in case of unusual topography or size of the platted parcel.

4.6b Multiple story residences must have a minimum of 700 square feet of main indoor living area on one floor, not including garages, carports and patios.

4.7 Height:

4.7a All construction must adhere to Exhibit "A" regarding heights.

4.8 Fences:

4.8a Fence height shall not exceed six (6) feet from grade, and the cumulative height of the grade and height of the fence shall not exceed the height restrictions of the given parcel as referenced in Exhibit A and must have prior approval by the Architectural Committee.

4.8b A fence, hedge, or other vegetation on a corner platted parcel, abutting the street, shall not exceed a height of three (3) feet for a distance of twenty (20) feet from the corner at the intersection.

4.8c Barbed wire, chicken wire, hog wire, single wire, single cable, and electrified fences, or other non-residential fencing materials, are not permitted.

4.9 Mobile (manufactured) Units:

4.9a All SURFSIDE HOMEOWNERS ASSOCIATION and Pacific County regulations apply; except that installation shall be completed within 90 days of delivery on site.

4.10 Garages and Carports:

4.10a Garages and carports shall conform to the same building materials (including roofing and siding) as approved for the residence. See Section 4.4 and 4.5

EXCEPTION: Alternative materials may be permitted if one or more of the following criteria apply:

- The proposed material is as close a match as is reasonably possible and practical because the original material is no longer available or not recommended for the prescribed application;
- The proposed material is considered to be the best possible solution under the circumstance in an ever changing and improving product environment;
- Adding an architectural element to an existing home as part of a planned remodel, i.e. brick or stone facia, etc.;
- Where there is a prevalence of like structures in the same division where the new structure is proposed.

4.10b Garages and carports shall be built only as an accessory structure to a primary residential structure, shall not be constructed prior to such primary residential structure, and shall not be approved without prior or concurrent approval of the primary residential structure.