



SEA LINKS at BIRCH BAY

A Seaside Community

Sea Links Community Association

PMB 1190

4550 Birch Bay-Lynden Road

Blaine, WA 98230

OPERATING PRINCIPLES AND PROCEDURES FOR PROPERTY OWNERS/BUILDERS

**SEA LINKS BOARD OF DIRECTORS
DESIGN CONTROL COMMITTEE**

Approved by the Sea Links Board of Directors April 13, 2017

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Introduction

The Operating Principles and Procedures stated in this packet apply to all Sea Links lot owners and prospective builders proposing to build a house in the Sea Links Community. Your compliance and cooperation will assist the Design Control Committee (DCC) in providing an efficient building and approval process for your request(s).

Approval, prior to the start of any construction in the Sea Links Community, of the required documents listed in this packet fulfils the Sea Links Declaration of Rights, Reservations, Restrictions and Covenants (CCR's), Article III, Section 3. A synopsis of Article III Section 3 is included in this packet, but all lot owners and prospective builders are encouraged to familiarize themselves with the actual CCR's which can be found on the Sea Links website (sealinksbirchbay.org).

The DCC will complete an initial review of your submission within 45 days of receipt. The owner or builder will be contacted for any additional needed information. Submitting the required documents as well as submitting dwelling plans that conform to the CCR's will reduce the amount of time needed for review.

If construction is started prior to DCC approval, a stop work order injunction will be obtained. This will take additional time and will cost you financially.

A member of the Committee will visit the building site periodically during construction, will advise the Owner/Builder in writing of any violations of the terms of the enclosed agreements and will request immediate remedial action.

All agreements between the DCC and the Owner/Builder shall be in writing; no verbal agreements.

Procedures to be Followed

1. All hard copy correspondence, including letters, copies of plans, permits and certificates are to be sent to:

Sea Links Homeowners' Association / Attention: DCC
PMB 1190
4550 Birch Bay-Lynden Road
Blaine, WA 98230

Alternately, documents can be submitted via email to designcontrol@sealinksbirchbay.org

2. Prior to submitting any forms or documents the DCC will require a letter or email sent to Sea Links Association's DCC, stating the Owner/Builder's intentions to build on a Sea Links lot.

3. The enclosed Owner/Builder Construction Responsibility and Owner/Builder Enforcement Agreements must be completed and signed by the lot owner and builder and returned to the DCC at the regular mail or email address above:
4. Additional documentation/information required to be submitted to the DCC are listed in the Owner/Builder Construction Responsibility Agreement.

OWNER / BUILDER CONSTRUCTION RESPONSIBILITY AGREEMENT

This Construction Responsibility Agreement is between the Lot Owner and the Board of Directors of Sea Links Community Association and defines the responsibilities of the signatories in regard to construction of a dwelling in the Sea Links Community.

The Board of Directors shall be represented in the reviewing of the submission by the Chairperson of the Design Control Committee (DCC) or a member of the Committee designated by the Committee Chairperson, with Board of Directors approval.

As the Owner/Builder, please carefully read the following required responsibilities before signing this Agreement.

Required Responsibilities of the Owner/Builder

1. The Owner/Builder will review the Sea Links at Birch Bay Declaration of Rights, Reservations, Restrictions and Covenants (available at sealinksbirchbay.org) prior to the start of construction and will be required to comply with Article III, Section 3 of said Covenants. A synopsis of Article III Section 3 is included in this packet.
2. Before work can commence on any project the Owner/Builder will provide the DCC the following:
 - A copy of the Whatcom County Building Permit stating that the proposed home plans are approved.
 - The building and site plans for the single dwelling home to be built.
 - A construction deposit of \$5,000.00 given by or on behalf of the Owner to: **Sea Links Community Association**. \$100.00 of this deposit is non-refundable for DCC review and processing of the plans. The remainder of the deposit is fully refundable provided the builder complies with the rules as stated in the Owner/Builder Enforcement Agreement.
 - A construction bond of \$300.00 written by or on behalf of the Owner to: **Sea Links Homeowners' Association**. This bond is to cover the cost of any repairs of damages to curbs, gutters, storm drainage, etc. from construction.
 - A non-returnable color chart of the proposed exterior paint
 - Documentation on the type of siding that will be used.
 - The proposed roofing material for the house. CetrainTeed Brand – 305# class or greater and IKO Amourshake are some of the Sea Links approved roofing materials. Please contact your DCC representative for samples of other approved materials.

OWNER / BUILDER CONSTRUCTION RESPONSIBILITY AGREEMENT (cont.)

- Landscape: Landscape plans are part of your building plans; they must include exterior lighting, finish grading, retaining walls (including rock walls and terraces).
 - All elevations and grades must be shown on the plan.
 - Fences bordering the golf course are not allowed.
3. The Owner/Builder will comply with the following construction requirements:
 - Houses are limited to a maximum height of twenty-five (25) feet measured from the top of the foundation to the peak of the roof. Two (2) story homes where the lowest floor is a concrete slab are measured from the top of the concrete slab to the peak of the roof.
 - Day-light basements are counted as a floor and no more than 2 floors are allowed in the Sea Links Community.
 - Houses cannot be closer than twenty-five (25) feet from the front of any lot, tract or parcel or from any road line which borders it or by which it is bounded.
 - Houses cannot be closer than five (5) feet from an interior lot line.
 - Roof must have a minimum 4:12 Pitch.
 4. There shall be no duplication of floor plans of single family residents within 500' of one another.
 5. All buildings and structures shall be completed on the exterior, including paint or other suitable finish, within six (6) months of commencement.
 6. When the building process is complete the Owner/Builder needs to provide the DCC a copy of the Certificate of Occupancy from Whatcom County Building and Codes. This copy will be filed with the DCC records.
 7. Property Damages that are not covered by the bond and will be assessed to the property owner accordingly.
 8. All people working at the building site are to park on one side of the street only. The streets are narrow and they are Emergency vehicle lanes.
 9. All vehicles will adhere to the 20 MPH speed limit in the Sea Links development.

OWNER / BUILDER CONSTRUCTION RESPONSIBILITY AGREEMENT (cont.)

10. Any exterior construction changes planned after the original approval is received must be submitted to the DCC for approval using the Request for Change form included in this packet. No exceptions. This includes paint colors, siding, stone work, landscaping, etc.

I have read, understood, and hereby agree to comply with the required responsibilities as outlined in the Owner/Builder Construction Responsibility Agreement.

Owner: (print) _____

Signature: _____ Date: _____

Address _____

City/State _____

Zip Code _____ Phone No. _____

Email Address: _____

Builder: (print) _____

Signature: _____ Date: _____

Address _____

City/State _____

Zip Code _____ Phone No. _____

Email Address: _____

Contractor's License No. _____ Expiration Date: _____

DCC Signature: _____ Date: _____

OWNER / BUILDER ENFORCEMENT AGREEMENT

This Owner/Builder Enforcement Agreement is between the Lot Owner and the Sea Links Community Association Board of Directors and defines construction rules to be followed by the Owner/Builder during construction.

The Design Control Committee will continuously monitor the construction site. The Owner/Builder will be notified in writing within 7 days of any violation of this agreement. The notification will include an opportunity to correct the violation and/or to have a hearing regarding the violation. In the event that the non-compliance continues or a hearing is not requested, the fine amount listed at the end of each rule, will be deducted from the deposit per incident (p/i) of each violation.

The Owner/Builder must notify the Design Control Committee in writing when the building is complete which includes site clean-up and landscaping. Within 30 days of completion notification the Design Control Committee will sum all violations, deduct them from the deposit, and return the remaining amount to the Owner/Builder by a check.

Construction Rules

1. A receptacle suitable for scrap building materials must be placed on each building site and not on the street. It must be periodically emptied and shall remain on the site until the building is complete. All persons working on the site must place all debris in this receptacle. Scrap building materials that do not fit in the receptacle must be cleared from the site at least once a week. **Deduction p/i: \$300.00.**
2. A portable toilet must be placed on each building site and not on the street. It must be periodically emptied and shall remain on the site until the building is complete. **Deduction p/i: \$300.00.**
3. All dirt, rocks, etc. put on the street accidentally or on purpose shall be cleaned off the street by the end of each work day. Debris must not be hosed off to run into the street catch basins. **Deduction p/i: \$300.00.**
4. No concrete trucks or concrete pumpers may be washed off in the street. **Deduction p/i: \$300.00.**
5. No building materials may be left in or protrude into the street. **Deduction p/i: \$300.00.**
6. No building equipment or materials may be stored or used on adjacent lots. **Deduction p/i: \$300.00.**
7. No building equipment may be left in the street overnight. That includes trailers, trucks, earth movers, etc. No vehicles may be parked within 10 feet of a private mailbox or parked in any way that blocks a private driveway. The street must be kept open for residents and emergency vehicles at all times. **Deduction p/i: \$300.00.**
8. Any construction started must be worked on continuously until complete unless permission to cease work is granted in writing by the Design Control Committee. The exterior of the house must be completed within 6 months of construction start. **Failure to do so will result in forfeiture of the entire deposit.**
9. No fires are to be lighted on the construction site or adjacent lots for any reason. **Deduction p/i: \$300.00.**

OWNER / BUILDER ENFORCEMENT AGREEMENT (cont.)

As the Owner/Builder of Lot(s) # _____ I have read and understood the rules, regulations and fining procedures of this Owner/Builder Enforcement Agreement. I understand that I am to sign and submit this document to the Design Control Committee (DCC) for documentation and approval before commencement of the construction of any dwelling in the Sea Links at Birch Bay Development.

Owner:(print) _____

Signature: _____ Date: _____

Builder:(print) _____

Signature: _____ Date: _____

DCC Signature: _____ Date: _____



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Sea Links Community Association PMB 1190 4550 Birch Bay-Lynden Road Blaine, WA 98230

REQUEST FOR CHANGE TO PLANS PREVIOUSLY APPROVED BY THE DESIGN CONTROL COMMITTEE

Date: _____

Lot No. _____ Lot Address _____

Owner's Name: (print) _____ Phone No.: _____

Builder's Name: (print) _____ Phone No.: _____

Reason for change: _____

* Present all plans, drawings or documentation to justify the change to the Design Control Committee.

Owner's signature: _____ Date: _____

Builder signature: _____ Date: _____

* Design Control Committee: Approved _____ Disapproved _____ Date _____

Date: _____

Committee member signature

Date: _____

Committee member signature

SYNOPSIS OF ARTICLE III OF THE DECLARATION OF RIGHTS, RESERVATIONS AND COVENANTS OF SEA LINKS AT BIRCH BAY

Sea Links at Birch Bay is a community development with covenant restrictions.

These covenant restrictions are described in detail in the Declaration of Rights, Reservations and Covenants of Sea Links at Birch Bay. You should have received a copy of these when you signed the title papers to your property.

One of the most important covenants for a resident of Sea Links to understand is Article III of the Declaration of Rights, Reservations and Covenants of Sea Links at Birch Bay.

Below is a synopsis of Article III:

1. Residential Character of Property. Each lot may be used for single family residences only. No other structures or buildings may be erected on the lots.
2. Design Control. In order to protect the value of each property to the maxim extent possible, to ensure the reasonable development and to provide high quality improvements on all property there is created a Design Control Committee. These covenants shall and do hereby provide that no improvements shall be erected, placed or altered on any building site or lot in the plat until the buildings, landscape or other improvement plans, specifications, and plot plans showing the location of such improvement on the particular building site have been submitted to the Design Control Committee and approved in writing by the Committee.
3. Requirements of Approval. No improvement, change, construction, addition, excavation, landscaping, tree removal, or other work or action which in any way alters the exterior appearance of the property from its theretofore natural or improved state (and no change, alteration or other indication of any of the foregoing previously approved hereunder), shall be commenced and continued until the same shall have first been approved in writing by the Design Control Committee in accordance with Sea Links design standards. Approval shall be requested by submission to the Design Control Committee, in duplicate, showing the following:
 - a) Existing and proposed land contours and grades;
 - b) All buildings, and other improvements, access drives, and other improved areas, and the locations thereof on the site;
 - c) Plans for all floors, cross sections, and elevations, including projections and wing walls;
 - d) All landscaping, including existing and proposed tree locations and planting areas (and species thereof), mail boxes and exterior ornamentation;
 - e) Exterior lighting plans;
 - f) walls, fencing and screening;

SYNOPSIS OF ARTICLE III OF THE DECLARATIONS OF RIGHTS, RESERVATIONS AND COVENANTS OF SEA LINKS AT BIRCH BAY (cont.)

- g) Patios, decks, pools and porches;
- h) Signs and parking areas;
- i) Samples of materials to be used as may be reasonably requested by the Committee;
- j) Such other information, data, and drawings as may be reasonably requested by the Design Control Committee. Specifications shall describe types of construction and exterior materials to be used, including, without limitation, the colors and manufacture thereof, and shall otherwise be prepared according to Sea Links Design and Material Standards.

It is suggested that you read the entire Declaration of Rights, Reservations and Covenants of Sea Links at Birch Bay.