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TIMBERLAKE COMMUNITY CLUB, INC #161997 Rec Fee: \$211.50 Pages: 9



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Timberlake Community Club, Inc.  
2880 East Timberlake West Drive  
Shelton WA 98584

DOCUMENT TITLE:	Timberlake Community Club Resolution 2021-03
REFERENCE NUMBERS OR RELATED DOCUMENTS	
GRANTOR	Timberlake Community Club, Inc.
GRANTEE	Public – residents of the Timberlake Community
LEGAL DESCRIPTION	Timberlake Divisions 1 - 13
ASSESSOR'S PROPERTY TAX, (PARCEL NO.)	Division 1 – 20018-50-00001 thru 22018-50-09162 Division 2 – 20017-50-00001 thru 22017-50-00908 Division 3 – 22018-51-00001 thru 22018-51-00902 Division 4 – 22018-52-00001 thru 22018-52-00061 Division 5 – 22018-53-00001 thru 22018-53-00903 Division 6 – 22018-54-00001 thru 22018-54-00088 Division 7 – 22017-50-00001 thru 22017-50-00104 Division 8 – 22007-51-00001 thru 22007-51-00933 Division 9 – 22017-51-00001 thru 22017-51-00169 Division 10 – 22017-52-00001 thru 22017-52-00088 Division 11 – 22017-53-00001 thru 22017-53-00900 Division 12 – 22018-55-00001 thru 22018-55-00018 Division 13 – 22008-50-00001 thru 22008-50-00900

## TIMBERLAKE COMMUNITY CLUB

### RESOLUTION NO. 2021-03

(This resolution supersedes Resolution 2015-01)

## STRUCTURES, SEPTIC SYSTEMS AND BUILDING PERMITS

**TIMBERLAKE COMMUNITY CLUB**  
**RESOLUTION NO. 2021-03**  
**(This resolution supersedes Resolution 2015-01)**  
**STRUCTURES, SEPTIC SYSTEMS AND BUILDING PERMITS**

This resolution defines the criteria for all projects including structures to be used as a dwelling, other structures, septic systems and outlines the process for obtaining a TLCC building Permit.

**1. GENERAL**

**1.1 General:**

"Projects" are any activities that will change the conditions on a Timberlake lot, including pre-construction and construction work, and other activities listed in this resolution.

**1.2 Projects that Require Permits:**

Projects that require permits from Timberlake Community Club before commencing work include activities that involve placement or construction of, or additions or changes to, residences, garages, carports (both temporary and permanent), sheds, fences, docks, floats, bulkheads, decks, modular and manufactured homes (where allowed); installing a septic system, clearing, grading, filling, excavating, and generally changing the surface contour of a lot, especially where the result may be changes in drainage patterns that would affect other properties, Tree cutting of any kind must be done in accordance with Timberlake's Tree Cutting Resolution 2021-05.

**1.3 Projects Not Allowed**

- a. Any that do not meet the square foot requirements for the Division.
- b. Yurts, tiny houses, cargo or shipping containers, regardless of siding materials.
- c. Temporary structures.
- d. Storage (non-agriculture) Structures as defined by Mason County.
- e. Division 11 sheds and fences are not permitted.
- f. Any structure or project that is less than 50 feet from a stream, wet land or lake (measured at high water line).

**2. STRUCTURES**

**2.1 Structures:**

A "structure," including fences, is anything that is made or manufactured by persons. No structures are permitted within 50 feet of a lake (measured at high waterline) or stream lot line, provided that recreational structures such as decks, picnic fireplaces, rockeries and so on may be approved on a case-by-case basis, where the resulting visual impact is consistent with these rules, and the height from grade level is no more than 32 inches.

## 2.2 Dwellings.

- a. Definition: At Timberlake, a dwelling is a permanent structure (stick built, mobile, modular or manufactured home) that meets the square footage living area requirements identified in the appropriate Division Covenants and used as a residence. Rules regulating such structures, and permits for their construction or placement, are contained in this Resolution.
- b. Only one dwelling may be built or allowed on any one lot at any time.
- c. Members may also stay in temporary structures such as tents, RVs for temporary camping or vacation visits. These are generally characterized as mobile, and not part of the lot. This is allowed, and these are not considered dwellings when used for these purposes.
- d. Many Timberlake lots also include more permanent sheds and other outbuildings that are part of the lot. Members may not allow these to be used as dwellings or places where people live. The only time that Members may use sheds, outbuildings, tents, RVs, and other similar structures or vehicles as a dwelling is during the period of construction of their residential dwelling.
- e. Setbacks: Dwellings must be situated on the lot with the following lot line setbacks:
  - 1) Ten (10) feet from the member's front property line. Property line can be determined by finding the markers (stakes or pipes) in the vicinity of their water meter. This is in addition to Mason County's required ten (10) foot setback.
  - 2) Five (5) feet from each side and back property lines.
  - 3) Plus, the width of the utility easement stated in division's covenants.
- f. Minimum Square Foot Standards: Per Division Covenants minimum square foot standards for dwellings:
  - 1) Dwellings in divisions 1, 2, 3, 4, 5, 6, 7, 12: **MUST** have at least **600 square feet** of floor (living) area.
  - 2) Dwellings in divisions 8, 9, 10, 13: **MUST** have at least **480 square feet** of floor (living) area **and a 120 square foot** deck.
  - 3) Division 11, no dwellings, is **exclusively** for camping and self-contained trailers.
  - 4)

## 2.3 Manufactured, Modular and Mobile homes.

Prefabricated, modular, manufactured, and/or mobile homes may be accepted in all divisions except Division 11. No frame (stick built), manufactured, or mobile home older than ten (10) years is permitted to be placed in Timberlake or moved from one lot to another lot within Timberlake. The criteria for acceptability, conformance and appearance are as follows:

- a. Removal of undercarriage and towing attachment;
- b. Placed on a foundation as required by Mason County Building Code Title 14;
- c. Crawl space completely enclosed with material which is compatible with the upper exterior;
- d. Must be completed within one year from the issue date of the Timberlake building permit;

- e. Skirting (where applicable) must match décor of home and be installed no later than ninety (90) days after occupancy;
  - f. Home must meet minimum floor area as designated for each division;
- If a member wishes to appeal an adverse decision about the placement or moving of such a dwelling, he or she may do so directly to the Board of Directors, and the Board shall hear the appeal at its next meeting, unless a later meeting is requested by the member for the appeal. Process is outlined in Resolution 2017-01, Rules Violations.

#### **2.4 Sheds and Other Outbuildings.**

- a. Sheds and other outbuildings require project permit approval prior to installation. Sheds will not exceed 200 square feet. They will be one (1) story only, contain no mezzanines and will only be used for storage. Sheds do not require a permanent foundation. Sheds (excluding greenhouses) will conform to the common visual aesthetic of Timberlake neighborhoods, including architectural design, exterior materials and paint colors. Sheds are not allowed within a property's setbacks. Sheds are limited to two (2) on any single lot.
- b. Division 11
  - Sheds or outbuildings are **NOT** permitted
  - Carports and garages **ARE** permitted.

#### **2.5 Greenhouses.**

Greenhouses are allowed in Timberlake, except for Division 11, and must adhere to the following:

- a. No commercial usage is allowed;
- b. Not to be used as general storage space;
- c. Not to be used as additional living space;
- d. Covering material: Glass is preferred and such greenhouses will be considered permanent structures;
- e. Walls are limited to 8 feet in height maximum and floor area is limited to 120 square feet maximum;
- f. Greenhouses must be maintained in an orderly fashion and cleaned and/or repaired in a timely manner consistent with the general aesthetic of the community.
- g.

#### **2.6 Fences.**

- a. Fences are considered structures. However, they do not need to adhere to dwelling setbacks. All fences require a Timberlake Permit. Fences, walls, or hedges shall not be placed so as to interfere with access to water boxes.
- b. Fences and gates are limited in height to six (6) feet. Heights are to be measured from grade level. No fences are permitted within fifty (50) feet of the lake or stream lot. No fences of any kind will be allowed on Mason County right of ways.
- c. Fences must be built and maintained in an orderly fashion and cleaned and/or repaired in a timely manner consistent with the general aesthetics of the community.
- d. Fences are not permitted in Division 11.

### **3. CLEARING AND GRADING**

- a. Clearing, grading, excavating and filling activities must meet all Federal, State, County and Timberlake requirements, especially where the result could be changes in drainage patterns that would affect other properties. Plans submitted for project approval must address both temporary and permanent plans for minimization of impact from erosion into any lake or stream, and any changes in the flow of surface or subsurface waters that will adversely impact any other property. No grading, excavating or filling is permitted within 50 feet of any lake or stream.
- b. Lots or portions of lots may not be cleared, graded, excavated, or filled in preparation for speculative future development. Such activities may be permitted as part of the overall project permit application approval for the installation of a septic system, construction of a residence, or other approved activity. These activities, by themselves, unrelated to any other development activity, are prohibited except where specifically permitted to allow recreational use, the installation of septic system, construction of a residence or other approved activities. Clearing by itself, without prior approval for related construction or other permitted activities, shall not be permitted.
- c. Members have 30 days to remove all slash and debris from logging land clearing, excavating, filling and/or grading work, Construction sites must be picked up at the end of each day and debris must be removed at least weekly.

### **4. CURRENT PROJECTS**

Permits will only be granted for activities that are needed for construction when the construction is planned to be completed within one (1) year. If construction takes longer then one-year extensions are available, see paragraph 6.1 b.

### **5. SEPTIC SYSTEMS**

- a. All septic systems proposed for Timberlake properties will be designed, installed and permitted that meet the requirements of Mason County Health Department and the State of Washington. In addition to Mason County Permit a TLCC Permit is required for digging percolation test holes and installation of septic systems, including drain fields. Any percolation test holes must be filled in within sixty (60) days. Each hole that is not filled in within the 60-day time period will be subject to the penalties outlined in Rule Violations Resolution 2017-01.
- b. For properties located on lakes, streams or wetlands, the septic system must be located a minimum of 100 feet from the high-water line.

### **6. APPLICATION FOR TIMBERLAKE BUILDING PERMIT**

Only current owners in good standing may apply. An application must include the following:

- a. Fee, as specified;
- b. Completed application form, as discussed below; and

c. Copies of all issued Mason County Permits for the project, clearly showing the permit number

d.

### **6.1 Application Approval:**

a. Each project that is approved is only approved as the project is submitted. If any changes are made that would make a significant difference in the project, in the sole discretion of Timberlake Community Club, a new application must be submitted reflecting the changes,

b. Approvals are valid for one year only. This means that the project must be started, and the external appearance of the project completed within one year of approval. If the project is not complete the owner must apply for a 6-month extension of the permit. The fee for the 6-month extension is \$100.00. If necessary, a second 6-month extension will be issued. The fee for the second extension is \$250.00. No further extensions will be issued. A member must apply and pay the \$500.00 fee for a new permit if the project is not completed following the two six-month extensions.

c. Approvals are not transferable to subsequent owners. It is anticipated that a subsequent owner would receive approval for an already approved project, but at the time of reapplication, the project would be considered for compliance with the original approval, as well as all Timberlake rules.

d. No work may be done on a project until approval is granted.

e. A copy of all Timberlake permits that apply to a project, along with any permits required by Mason County, must be posted in plain view on the project site prior to beginning the project.

f.

### **6.2 Pre-Approval.**

Applicants will be required to provide proof of compliance with all federal, state and local permitting agencies with jurisdiction, where applicable. All new residential construction requires a Water Adequacy Permit.

### **6.3 Contractors.**

a. The Owner/Applicant agrees to inform all contractors who have job site authority of the Timberlake Community Club rules as they apply to the project. The Owner/Applicant also agrees to ask for, and receive, the promise of any contractors that they will abide by the Timberlake Community Club rules, and in particular if a Stop Work order is posted at the project site, or otherwise communicated to the Owner/Applicant and/or contractor, it will be respected.

b. Failure to comply with a Stop Work order will carry consequences for the Owner/Applicant as specified in resolution, and in other related Timberlake Community Club rules; consequences for the contractor include all available remedies at law, as well as a prohibition for up to five years against the approval of any project permit applications for any work to be done in Timberlake involving the contractor.

#### **6.4 Building Application & New Residence Water Application Packets.**

- a. Timberlake Community Club will provide application packets upon request. Packets are also available at the Community Office or online at timberlakeecc.com.
- b. These packets contain the required forms and drawings, along with completion instructions to obtain a TLCC Building permit.
- c. Before applying it is suggested that members review the Covenants for their division to ensure their project meets all requirements. Division Covenants can be obtained from the Community Office or found on line at timberlakeecc.com.
- d.

#### **6.5 Permit Approval.**

Review Resolution 2017-02, Permit Permitting Committee, available at Community Office or online. This resolution outlines the process for approving Building Permits.

#### **6.6 Failure to Secure Pre-Approval.**

- a. If an Owner/Applicant begins a project for which a permit is required without first obtaining approval, a stop work order will be issued and/or a fine up to \$1000 will be assessed for failure to secure a permit.
- b. Other Sanctions. If an Owner/Applicant violates any Timberlake Community Club rule having to do with projects, all issues about whether a violation has been committed, fines, remediation, restitution, appeals and all related matters will be addressed pursuant to Resolution 2017-01 Rules Violations.
- c.

#### **6.7 Declarations of Non-Compliance.**

In addition, for any violation, Timberlake Community Club may, at its option, record with the Mason County Auditor a "Declaration of Non-Compliance" describing the circumstances as they reasonably appear to the Association at the time and date of recording.

### **7. RULES VIOLATIONS and APPEALS**

- a. Review Resolution 2017-01 Rules Violations, available at Community Office or online. This resolution identifies the range of actions that can be taken in response to possible rules violations.
- b. If a member wishes to appeal an adverse decision about the placement or moving of such a dwelling, he or she may do so directly to the Board of Directors, and the Board shall hear the appeal at its next meeting, unless a later meeting is requested by the member for the appeal. Process is outlined in Resolution 2017-01, Rules Violations.

### **8. SEVERABILITY**

If any provision of this Resolution is found to be unlawful, the remainder shall not be affected.

## 9. EFFECTIVE DATE OF RESOLUTION

The rules set forth herein are effective as to all circumstances that exist on the date of the adoption of this Resolution and each amendment to it. Where a member (1) has previously complied in all respects with Timberlake and all applicable local governmental rules and regulations with respect to matters or circumstances subject to this Resolution; and (2) will be substantially harmed with respect to such matters or circumstances by the imposition of any rule in this Resolution that has been amended so that it is different from a rule that applied previously; then the member can ask the Board of Directors for an exception,

When considering exceptions, the Board should first consider the source of the rule that is being applied. However, no exceptions can be made to rules found in Timberlake covenants, for example. The Board should look at each rule to see if it provides within the rule itself for exceptions. If so then the provisions of the rule about exceptions supersede these provisions. Next, the Board should consider whether the member requesting the exception was in full compliance with Timberlake and all applicable local governmental rules and regulations with respect to matters or circumstances subject to the request for the exception.

The Board should then consider (1) the amount of harm to the member that would be caused by the application of the amended rule, (2) the possibility or phasing in compliance, (3) possibilities of compromise, and (4) anything else it deems important and relevant.

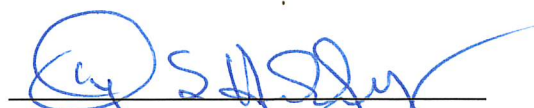
Generally, if circumstances or actions were in compliance with previous rules, then consideration can be given to granting an exception, but each request should be considered on its own merits. The Board's decision in such matters is final. Only members in good standing may ask for exceptions to this provision unless the Board finds a compelling reason to allow a request from a member who is not in good standing.

This Resolution is effective

August 4, 2021

THIS RESOLUTION was adopted by the Timberlake Board of Directors this 4 day of August 2021.

  
\_\_\_\_\_  
President, Board of Directors

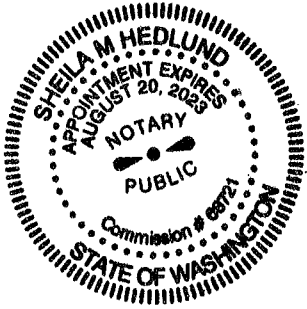
  
\_\_\_\_\_  
Secretary, Board of Directors



STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF MASON )

On this 4<sup>th</sup> day of August, 2021, personally appeared before me Lynwood David, personally known to me, provided to me on the basis of satisfactory evidence to be the President of Timberlake Community Club, the corporation that executed the foregoing instrument, and acknowledged that said instrument to be the free and voluntary act and deed of the said corporation, for the uses and purposes therein mentioned, and oath stated that he is authorized to execute said document.

WITNESS my hand and official seal affixed the day and year above written.

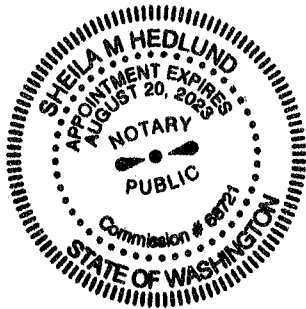


Sheila M. Hedlund  
PRINT NAME: Sheila M. Hedlund  
NOTARY PUBLIC IN AND FOR THE STATE  
OF WASHINGTON, residing in Shelton  
My commission expires 08-20-2023

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF MASON )

On this 4<sup>th</sup> day of August, 2021, personally appeared before me Jerry Hubbard, personally known to me, provided to me on the basis of satisfactory evidence to be the Secretary of Timberlake Community Club, the corporation that executed the foregoing instrument, and acknowledged that said instrument to be the free and voluntary act and deed of the said corporation, for the uses and purposes therein mentioned, and oath stated that he is authorized to execute said document.

WITNESS my hand and official seal affixed the day and year above written.



Sheila M. Hedlund  
PRINT NAME: Sheila M. Hedlund  
NOTARY PUBLIC IN AND FOR THE STATE  
OF WASHINGTON, residing in Shelton  
My commission expires 08-20-2023