

Lake Marcel Community Club

Resolution 5

Architectural Control Committee

1. Authority

Whereas the Board of Directors of the Lake Marcel Community Club ("Board") is empowered to govern the affairs of the club pursuant to Article V of the Bylaws; and

Whereas the Board recognized the power to create Committees of the Board granted by the Washington Nonprofit Corporations Act in Resolution #3 ('Board and Advisory Committees') dated April 19th, 2022; and

Whereas the Covenants of LMCC define the Architectural Control Committee in Section 2(f) as "a group of persons who shall set minimum standards with reference to the external appearance, design and color of all structures erected on any lot."; and

Whereas the Covenants of LMCC further define the obligations and responsibilities in Section 9; and

Whereas the Articles of Incorporation for LMCC define the purpose of the Architectural Control Committee in Subsections 2 and 3 under Objects and Purposes as "To enforce the building design restrictions pertaining to new construction, additions, fences, etc. to be built at Lake Marcel."; and

2. Purpose

Whereas the Board desires to create a committee using the resolution process defined in the above referenced Resolution 3 ('Board and Advisory Committees'), that complies with the requirements of the Washington Nonprofit Corporations Act and that is consistent with the intent of the original creators of these documents to continue fulfilling duties related to the monitoring and enforcement of LMCC Governing Documents with regard to Architectural Control of the club;

3. Specifications

Now, therefore, be it resolved that the following Committee is created:

Committee Name: Architectural Control Committee ("Committee")

Committee Type: Committee of the Board

Director Members: Michael McClary, Paul Gibian

Delegated Board Powers:

- (1) Shall pass on all plans, including elevation drawings and stamp and approve (or reject) all plans, and shall certify compliance with these covenants;

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- (2) The Committee shall have the authority to reject any bizarre or unconventional plans on the ground that they are not compatible with the plat or adjacent structures with reference to external appearance, design or color; however, the passing of the Committee of a controversial building shall in no way make either the members of the Committee or the Community Club responsible in damages to anyone.
- (3) To preserve the natural setting of the Community through the preservation of trees while maintaining the rights of property owners to develop their lots consistent with other approved By-laws and building codes, to assure the prevention of clear cutting, and to assist in reducing undesirable changes in the surface water runoff and water quality within the Community.
- (4) The Committee may grant reasonable variances from the restrictions contained within the Governing Documents.
- (5) To work with LMCC's Governing Documents Committee to establish and maintain
 - a. Guidelines, standards, and processes to be followed for any project falling under the jurisdiction of the Committee.
 - b. Consequences including Fees & Fines for failure to follow Committee Guidelines, standards, and processes.
- (6) In addition to carrying out the provisions of the covenants contained herein, the Architectural Control Committee shall be governed by the desire to maintain the natural beauty of the lake area and to maintain the values of the entire plat.
- (7) No power of the Board that would have an impact on the focus subject matter of any other Committee shall be exercised by this Committee without the review and written approval of the affected Committee; and
- (8) The Committee shall provide a report on any approvals or rejections of submitted plans at the next regularly scheduled Board meeting.

4. Scope and Intent

This resolution shall remain in effect until otherwise rescinded, modified, or amended by the number of directors required by the Articles/Declarations or Bylaws to take action under RCW [24.03A.565](#).