

**White Water Estates
Board of Directors**

17 October 2007

NOTICE

Accessory Dwelling Units (ADUs) Not Authorized in White Water Estates

1. PURPOSE: This notice is to inform White Water Estates Homeowners that attached or detached Accessory Dwelling Units (ADUs) will no longer be allowed or approved. The Board of Directors (BOD) has mistakenly permitted those ADUs in the past. Attached and detached ADUs currently in White Water Estates, and approved by the Architectural Committee, will continue to be allowed. Those ADUs created within an existing single-family residential structure, to accommodate members of the homeowner's family, will not be regulated by the BOD. ADUs (previously approved or those created within a residential structure) are authorized for occupancy by family members of the homeowner(s).

2. DEFINITIONS: The following definitions are applicable to this notice:

- a) ADU – The Pierce County definition (see para. 3. c) below) of an ADU is used.
- b) Attached ADU – An ADU with its own foundation that is connected in some manner to an existing residential structure.
- c) Detached ADU – A stand-alone ADU that is not connected to an existing residential structure.
- d) ADU created within a single-family residential structure – An ADU created by modifying the interior of a single-family residential structure. No exterior modifications are made.
- e) Family Member – Homeowners' children, parents, or blood relative of either spouse.

3. JUSTIFICATION: The following justification for this position by the BOD is provided:

- a) Revised Code of Washington 64.38, Homeowner Associations, allows homeowner associations to be more restrictive than government.
- b) A detached or attached ADU is legally considered a house.
- c) Pierce County authorizes ADUs to existing single-family residential structures. It defines an ADU as, "a second dwelling unit added to, created within, or detached from a single-family detached dwelling for use as a completely independent or semi-independent unit with provisions for cooking, eating, sanitation, and sleeping." Pierce County restricts ADUs outside the Urban Growth Areas to **no more than 1250 square feet in size.**
- d) White Water Estates Covenants, Conditions, and Restrictions (CCR) Article III, Section 18. (b) (1) states "one story houses shall have not less than 1500 square feet of habitable space (excluding garages, porches, and shops)."
- e) CCR Article II states "No building or other structures shall be constructed or altered until plans and specifications for the same, including color scheme and detail, lot plan showing the location of said building or the structure on the building site, and the grading plans showing grading elevations of such building or structures, shall have been approved in writing by the Architectural Committee."
- f) CCR Article III, Section 1. states "each lot shall be used solely and exclusively for one private single family residence with garages and accessory structures, including barns."

This notice will remain in effect until retracted or modified by the BOD, or until the current CCR have been revised and properly ratified by the community.

Sincerely,

Buryl E. Dooley
BOD President