

## **Panoramic Heights Homeowners Association Complaints Regarding Height of Vegetation**

### ***Purpose***

To describe how the Panoramic Heights Homeowners Association will respond to complaints regarding the height of vegetation.

### ***Standards for Vegetation***

The following provision in our covenants applies to the height of vegetation:

“The homeowners recognize the value of view property and the expenses that property owners have incurred for such property. Therefore, upon request of a resident whose view is impacted, vegetation that significantly obstructs and degrades a neighbor’s panoramic view from living spaces or elevated deck shall be trimmed or removed. For purposes of determining the impact of vegetation, any such vegetation in excess of twenty (20) feet in height shall be presumed to degrade the requesting party’s view.”

If two lots are no more than 250 feet apart, then the assessment will be based solely on the height limit of 20 feet for vegetation. When two lots are separated by more than 250 feet, then vegetation of any height will not be considered relevant to a “panoramic” view.

### ***Procedure for Filing a Complaint***

Property owners should first contact the property owner who has vegetation impairing their view and try to resolve the issue. If such contact does not resolve the complaint, then the property owner with the complaint (the “*petitioner*”) should document the contact with the owner of the offending vegetation (the “*respondent*”). The petitioner should write a letter to the PHHA Board and include the following information:

- Respondent’s name and address
- Description of the offending vegetation, including the location on respondent’s property
- Description of the efforts made to directly resolve the issue with the respondent, including the date(s) of contacts and copies of any correspondence involved.

The letter should be addressed to:

Panoramic Heights Homeowners Association  
5502 W. 25<sup>th</sup> Avenue  
Kennewick, WA 99338

### ***Assessment of the Complaint***

Complaints are assessed by the Grievance Committee of the Association. The Committee will first determine if the lots owned by the petitioner and the respondent are more than 250 feet apart. If they are, the Committee will advise the petitioner and the Board of that fact, and take no further action.

If the distance between the lots is not more than 250 feet, then the Committee will notify the respondent of the complaint. If the Committee is able to determine whether the vegetation

exceeds the height limit of 20 feet without entering the respondent's property, they will do so. If necessary, the Committee will request permission to perform an on-site examination of the respondent's vegetation.

The Committee will submit a written assessment to the Board with one of four possible findings.

- Respondent's vegetation is higher than 20 feet and respondent's property is within 250 feet of petitioner's property.
- Respondent's vegetation is more than 250 feet away from petitioner's property.
- Respondent's vegetation is less than 20 feet in height.
- Respondent's property is within 250 feet of petitioner's property. However, the Committee was not able to determine if the height of respondent's vegetation exceeds 20 feet because respondent refused permission for an on-site examination.

### ***Board's Report***

Once the Committee submits its findings, the Board will advise both petitioner and respondent in writing of the findings.

### ***Legal Action***

If the above steps do not resolve the issue, legal action may be the only remaining recourse. Litigation to resolve the issue will be the responsibility of the petitioner and respondent.