

## THE LAKES AT MERCER ISLAND HOMEOWNERS' ASSOCIATION

### SOLAR ENERGY PANEL POLICY

#### 1. Application of Policy:

- a. This Policy applies with respect to the installation of a solar energy panel (Panel).
- b. The installation of a Panel requires the prior, written approval of the Association in the same manner as other exterior modifications. (See, e.g., Article II, Section 5 of the Declaration).
- c. Homeowners must submit an installation application to the Association's Architectural Control Committee (ACC) prior to the installation of any Panel. The ACC shall apply the terms of this Policy when considering whether to approve or deny the application. The application is posted to the Association's website at [www.thelakesmi.com](http://www.thelakesmi.com) under the ACC tab.

#### 2. Installation Requirements:

- a. No part of a Panel may be visible above the roofline.
- b. With respect to a proposed Panel attached to a roof facing a street:
  - i. The Panel must conform to the slope of the roof; and
  - ii. The top edge of the Panel must be parallel to the roof ridge.
- c. The two requirements in Section 3(b) above also apply to a proposed Panel that would not face a street but would face any part of another residence, so long as those requirements would not significantly prohibit economic installation of the Panel or significantly degrade the operational performance quality of the Panel.
- d. The Panel frame, all support brackets, and any visible piping or wiring must be a color that coordinates with the roofing material.
- e. The Panel should be placed in a location that minimizes glare observable from other lots and the Common Area so long as such location would not significantly prohibit economic installation of the Panel or significantly degrade the operational performance quality of the Panel.
- f. The Panels must be placed in a location that is the least visible from view of other lots and homes so long as such location would not significantly prohibit economic installation of the Panel or significantly degrade the operational performance quality of the Panel.

#### 3. Definitions:

- a. A Panel is defined as a panel device or system or combination of panel devices or systems that relies on direct sunlight as an energy source, including a panel device or system or combination of panel devices or systems that collects sunlight for use in:
  - i. The heating or cooling of a structure or building;
  - ii. The heating or pumping of water; or
  - iii. The generation of electricity.
- b. The phrase "would prohibit economic installation of the Panel" is defined as creating a circumstance such that the cost of installation would increase to an extent that installation would no longer be a financially viable option from the perspective of a reasonable person.

- c. The term "operational performance quality" is defined as the measurement of how well a Panel is converting sunlight into its intended end-product (electricity, heat, etc.).

**4. Variances:**

- a. The Association reserves the right to grant variances in the specific context of each application.
- b. The decision to grant a variance in one instance does not create the requirement that the Association must grant a variance in other instances.
- c. Variances may potentially be granted if compliance with a term or terms of this Policy would:
  - i. Prohibit economic installation of the Panel; or
  - ii. Unreasonably degrade the operational performance quality of the Panel.

**Adopted October 2022**