

COLECROFT STATION CONDOMINIUM UNIT OWNERS ASSOCIATION
POLICY RESOLUTION NO. 6
DESIGN REVIEW PROCEDURES AND GUIDELINES

relating to changes to Units or Common Elements

WHEREAS, Article 3, Section 3.1 of the Bylaws states that "The Board of Directors shall have all of the powers and duties necessary for the administration of the affairs of the Unit Owners Association and may do all such acts and things as are not by the Condominium Act or the Condominium Instruments required to be exercised and done by the Association;" and

WHEREAS, Article 5, Section 5.7 of the Bylaws requires Unit Owners to obtain prior written consent of the Board of Directors or Covenants Committee, as appropriate, for certain changes to Units or Common Elements; and

WHEREAS, the Board deems it necessary to establish further guidelines and procedures for Unit Owners wishing to make changes to their Unit or the Common Elements;

NOW, THEREFORE, BE IT RESOLVED THAT the following be adopted:

I. GENERAL

- A. No exterior alteration or addition may be made without prior application to and approval of the Covenants Committee or the Board of Directors, except as noted in this Resolution.
- B. The interior Unit changes identified in this Resolution also require approval.
- C. Certain changes and additions are prohibited by this Resolution, the Condominium Instruments, and the Virginia Condominium Act.
- D. All Owners are responsible for assuring that changes and additions are made only in accordance with the provision of this Resolution.

II. APPLICATION PROCEDURES

A. Requirements For All Applications

- 1. Owners wishing to make any of the changes requiring approval must submit the proper written application to the Covenants Committee, with all appropriate sections completed.

2. Oral requests will not be considered.
 3. Each alteration or addition must be specifically approved even though the intended alteration or improvement conforms to the Condominium Instruments or this Resolution, and even when a similar or substantially identical alteration or addition has been previously approved.
 4. Since the Association cannot control work performed within a Unit, the Unit owner is responsible for assuring that any changes or additions are made in conformance with the Condominium Instruments and this Resolution. Failure to comply subjects the Unit Owner to the remedies set forth in the Condominium Instruments, and the Book of Resolutions.
 5. Approval of any project by the Association does not waive the necessity of obtaining the required governmental permits.
 6. Obtaining a governmental permit does not waive the need for Association approval.
 7. The Association will not knowingly approve a project which is in violation of the local building or zoning codes.
 8. Burden rests with applicant to demonstrate the acceptability of the proposal. Applicant may submit with the application any materials such as exhibits, petitions, photographs, experts' statements and the like that applicant deems necessary. Applicant may request an opportunity to appear before the Committee, along with any witnesses the applicant desires to have testify.
- B. Additional Requirements for Major Changes to Units. Major changes, such as removal or installation of partitions, must meet the following requirements as appropriate:
1. No change may be made to the unit that would alter or remove any interior partition that contributes to the support of the unit or building.
 2. Where the change affects common utilities or involves temporary interruption of common utility service, applicants are required to coordinate arrangements with the Managing Agent prior to commencement of work. In any case, common utility service may not be interrupted except between the hours of 8:00 a.m. and 4:00 p.m. on weekdays. Service may not be interrupted on weekends or generally observed holidays.
 3. Applicants are responsible for removal of debris generated in the course of the change.
 4. No sawing, hammering or other noisy construction activities are permitted except between the hours of 8:00 a.m. and 5:00 p.m. on weekdays which are not holidays and 10:00 a.m. to 5:00 p.m. on weekends and holidays.

5. For major interior renovations, the following may also be required to the extent applicable:
 - a. Letter of transmittal
 - b. Floor plans
 - c. Construction schedule
 - d. Proof of approval of other Owners affected or involved, if any
 - e. Names of contractors and mechanics
 - f. Final drawings
 - g. Proposed contracts
 - h. Location or storage site of building materials, etc.
 - i. Arrangements for temporary access, if any
 - j. Certificate(s) of insurance of contractor(s)
 - k. Such other information as the Committee may require.

6. Administrative requirements:
 - a. Applicant must inform the Managing Agent of the date on which construction starts.
 - b. If applicant desires to make changes during construction a revised application must be submitted to the Covenants Committee, which shall promptly act upon the revised application.
 - c. Applicant must provide the Association with notice of completion.
 - d. Upon completion, the Covenants Committee may inspect the Unit and Common Elements and, if satisfied that construction is in compliance with approved plans, will issue a Certificate of Compliance.

III. RESULTS OF REVIEW

- A. The Covenants Committee shall act on the submission and give notice to the applicant within forty-five (45) days from receipt of the application, including all submissions required.
- B. If the applicant fails to receive a reply indicating a decision within forty-five (45) days from receipt of the application and submissions, the request shall be considered to have been approved.
- C. If a proposal is rejected, the reason(s) for disapproval shall be stated as part of the written decision.
- D. The applicant may request reconsideration if new or additional information which might clarify the request or demonstrate its acceptability can be provided. Applicant must request such reconsideration by the Covenants Committee before applicant may appeal a decision to the Board of Directors in accordance with Policy Resolution No. 4, Part III.

- E. If the application is denied again upon reconsideration by the Covenants Committee, applicant may appeal the decision to the Board, pursuant to the procedures for appeal set forth in Policy Resolution No. 4.
- F. Copies of all Requests for Review will be filed according to unit number, along with the written decision and a statement of action taken, if any. There will be a cross-index which categorizes cases into types, for future reference. This index shall be made available, upon request, to any Owner considering an alteration or improvement to his Condominium Unit.
- G. All approvals shall expire six months after the date of approval if the item approved has not been completed, unless an extension is approved by the Committee.

IV. DESIGN GUIDELINES

- A. Exterior Antennas. Exterior antennas of any type are prohibited except for such master antenna system(s) as may be installed by or with the consent of the Association.
- B. Interior Alterations and Relocation of Partitions. Renovations to the interior of a Unit may be made and non-load bearing partitions within a Unit may be relocated upon proper written application to and approval of the Covenants Committee. Applicant is responsible for removal of any debris resulting from the renovation and relocation. If the renovation or relocation involves the relocation of any Common Element pipes, wiring, conduits or the like, applicant is responsible for restoring same.

In accordance with Section 55-79.68 of the Virginia Condominium Act, the Unit Owner shall have the right to create a doorway or other aperture between two adjoining units if he is the owner of such units. Such alteration must be approved by the Board of Directors and must conform to any requirements stipulated by this resolution and Section 55-79.68 of the Act.

- C. Relocation of Boundaries and Subdivision of Units. Pursuant to the provisions of Section 55-79.69 of the Condominium Act, Unit Owners may relocate boundaries between adjoining Units subject to the following provisions:

Application for relocation of Unit boundaries must be submitted in writing to the Board of Directors (not to the Covenants Committee), and approved prior to any change. Application must be made jointly by the Unit Owners involved.

While the Board may not unreasonably withhold approval of the proposed relocation, it may require that such relocation meet certain requirements. The application must contain the following:

1. Approval of all mortgagees of affected units.
2. Diagram of proposed change to Unit boundaries.

3. Proposed reallocation between the Units involved of the aggregate Percentage Interest appertaining to those Units.
4. Proposed reallocation between the Units involved of the aggregate number of votes in the Unit Owners Association allocated to those Units.
5. Identification of person or firm qualified to perform construction relative to boundary relocation.
6. Time schedule for construction and/or demolition of walls.

Any new walls must, at a minimum, meet the standards of original construction, or current building codes, if such exceed the standards of original construction. Pursuant to Section 55-79.69f) of the Act, applicants assume responsibility for all costs related to a relocation of Unit boundaries, including but not necessarily limited to the following: costs of filing amendments to Declaration, Plats and Plans, including legal fees related thereto; and certifications by a registered land surveyor and a registered architect or engineer, as required in Section 55-79.69(e) of the Act, such costs to be divided between or among applicants as they shall agree in writing among themselves.

Construction and/or demolition of Unit boundary walls may not commence until applicant has met the requirements imposed by the Board and this Resolution and all appropriate instruments have been prepared, executed and acknowledged and all fees paid. Construction and/or demolition must be done in such a way as to not unreasonably disturb or interfere with other owners. Responsibility for removal of any debris resulting from the relocation, including cost, if any, shall be borne by the applicants as they shall in writing determine among themselves. If applicant(s) fail(s) to promptly and properly dispose of debris, the Association will take such action and assess the costs thereof against the applicant(s) according to their respective percentage interests at the time.

Pursuant to the provisions of Section 55-79.70 of the Condominium Act, Unit Owners may subdivide Units, subject to the following provisions:

Written approval of all mortgagees of the affected units must be obtained. Application must be submitted to the Board of Directors (not the Covenants Committee), in writing and approved prior to any change. Where such Unit subdivision involves the Unit Owners of more than one Unit, application must be made jointly by all Unit Owners involved.

Though the Board shall not unreasonably withhold approval of the proposed subdivision, it may require that such subdivision meet the requirements set forth as in the proceeding requirements for relocation of boundaries, except that responsibility for costs shall be allocated pursuant to Section 45-1836 of the Act.

- D. Electrical Wiring. If a change to the electrical wiring in a Unit does not affect another Unit or the Common Elements, Covenants Committee approval is not required. All required governmental approvals shall be obtained by or on behalf of the Owner prior to commencement of work. Any interruption of common electrical service requires the prior approval of the Managing Agent. If the proposed change to the electrical wiring in a Unit would adversely affect another Unit or the Common Elements, the change is prohibited.

The Association assumes no responsibility for any damage to person or property resulting from or related to any change in wiring, whether or not such change has the approval of the Covenants Committee, since the Covenants Committee cannot control quality of workmanship relative to the change, or errors or omissions of pertinent information on the application.

- E. Plumbing. If a change to the plumbing system of a Unit does not affect another Unit or the Common Elements, Covenants Committee approval is not required. All required governmental approvals shall be obtained by or on behalf of the Owner prior to commencement of work. Any interruption of common water service requires the prior approval of the Managing Agent.

If a proposed change to the plumbing system of a Unit would affect another Unit or the Common Elements, or significantly increase the water consumption of that Unit or the Common Elements, the Owner must obtain prior approval of the Covenants Committee. Any plumbing work must be done in accordance with all applicable codes and ordinances. The Owner is responsible for obtaining all necessary permits and approvals.

The application shall contain the following:

1. Diagram of the proposed changes to the plumbing system.
2. Statement as to whether another Unit or the Common Elements would be affected by the change and description of how another Unit or Common Elements would be affected.
3. Identification of qualified person or firm to perform work.
4. Time schedule for the proposed change.

Approval may be denied for any of the following reasons:

1. Incomplete or unclear application in which case it will be returned to applicant with appropriate instructions as to what is required.
2. Covenants Committee or Managing Agent determines that the change would significantly increase water consumption or adversely impact the common water or drain system.
3. Another Unit or Common Elements would be adversely affected by the proposed change.

4. Other reasons stated and supported by Covenants Committee.

The Association assumes no responsibility for any damage to person or property resulting from or related to any change in plumbing whether or not such change has the approval of the Covenants Committee, since the Covenants Committee cannot control quality of workmanship relative to the change, or errors or omission of pertinent information on the application.

- F. Painting, Wallpapering, Decorating. Painting, wallpapering, and decorating within a Unit's boundaries, as defined by the Declaration, do not require Covenants Committee approval.

Painting, wallpapering and decorating of any Common Element by an Owner is not permitted.

- G. Doors, Doorbells, Knockers, Handles, Locks, etc. With the exception of locks, changes or additions to the doors are not permitted.

Application to the Covenants Committee is required to add or change locks on the door. One additional lock may be approved so long as it is in scale with the door and matches the design and color of the other hardware on the door.

Replacement of any broken or damaged hardware is the owner's responsibility. Approval of the Covenants Committee is not required, provided that the replacement hardware is the same as or equivalent to the original.

Approval for seasonal decorations is not required so long as such decorations meet the following criteria:

1. The decorations are displayed only so long as they are appropriate.
 2. The decorations do not make any sound, and do not unduly protrude into the hallway.
 3. The decorations are not attached in such a way as to mar the finish on the door.
 4. The decorations do not contain electrical illumination or wiring.
- H. Signs. No sign visible from the exterior of the Unit shall be effected, posted or displayed upon, in, or from any residential Unit or Common Element by any Unit Owner without the prior consent in writing of the Board of Directors.

I. Balconies/Patios:

1. Weight Limitations. Nothing may be placed on the balconies that exceeds the total safe limit weight of 40 pounds per square foot.
2. Painting. Painting of walls, rails, floors, or ceilings of the balcony and patio areas by the Unit Owner is prohibited.

3. Enclosures. All types of screens, blinds, shutters, windows, enclosures and shade umbrellas are prohibited on the balconies and patios.
4. Fixtures & Decorations. Except as identified in Rule No. 6 below, no fixtures or decorations may be fastened to the walls, ceiling, or railings, of the balconies and patios.
5. Furniture. Appropriate seasonal patio furniture may be used on the balconies and patios.
6. Planters. Floor planters or flower boxes not exceeding the weight limitation in No. 1 above, and that do not extend above or beyond the balcony railing are permitted. Such planters or flower boxes are permitted on the patios. Pole planters are not permitted. No hangers for hanging plants may be installed in the balcony ceiling nor may planter boxes or hangers be installed in the walls of the balconies or the building walls.
7. Appliances & Storage. Balconies and patios shall not be used for storage. Small appliances, such as radios and televisions may be used on the balconies, provided the noise levels are controlled to prevent disturbing the other residents and the appliances are used in accordance with local ordinances. No storage containers are permitted on the balconies.
8. Flags. Only United States flags of an appropriate size (no larger than four by eight feet) may be displayed in accordance with generally accepted rules for display of the flag. Flags may be displayed only on Independence Day, Veterans Day, Flag Day, Memorial Day, Labor Day, President's Day and on any other similar legal holidays where display of the flag is traditional. Flags of appropriate size may be draped and fastened over balcony railings, provided they do not hang below the floor level of the balcony.
9. Carpeting. No carpeting or covering of any type shall be installed over the balcony and patio floors.
10. Grills - No cooking grills of any type may be stored or used on the balconies and patios.
11. Firewood - Firewood may be stored on the balconies of units with fireplaces from October 1st through April 1st. The amount of firewood stored at any one time shall not exceed one - half cord.
12. Miscellaneous:
 - a. The following items shall not be placed on balconies or patios:
 - (1) Bird feeders;
 - (2) Clothing or other items for airing or drying;
 - (3) Items or furnishings which may be pushed or blown off a balcony.

J. Landscaping and Planting

Landscaping or planting by a Unit Owner on the common elements is prohibited.

V. PROCEDURES FOR MONITORING COMPLIANCE

- A. Inspection. The Covenants Committee shall periodically survey the Condominium for compliance with design standards.
- B. Alleged Violations
1. All reports of alleged violations of this Resolution must be submitted to the Covenants Committee who will inspect, or authorize the Managing Agent to inspect, to determine whether a violation actually exists.
 2. If it is determined that a violation exists, the Covenants Committee shall attempt informally to obtain compliance. If that fails, the Committee shall initiate required steps as specified by Policy Resolution No. 4.
 3. Following compliance with all requirements of Policy Resolution No. 4, the actions of the Covenants Committee may include at the discretion of the Committee, any or all of the following:
 - a. Issuing a cease and desist request.
 - b. Requiring the Unit Owner to remove the unacceptable improvement or restore the affected area to its condition before the change.
 - c. Notifying the Mortgagee of the violation.
 - d. Levying a charge, not to exceed twenty-five dollars (\$25.00) for a single violations of any design standard and/or assessing the owner an amount not to exceed five dollars (\$5.00) per day for each day the violation exists. The payment and collection of this charge shall be in accordance with the terms of Administrative Resolution No. 1, Procedures Relative to Assessments. The Committee may also suspend the owner's right to use any or all of the recreational facilities for a time not to exceed sixty (60) days. For a continuing infraction, suspension may be imposed for so long as the violation continues.

COLECROFT STATION CONDOMINIUM UNIT OWNERS ASSOCIATION
RESOLUTIONS ACTION RECORD

Resolution Type Policy No. 6

Pertaining to: relating to changes to Units or Common Elements

Duly adopted at a meeting of the Board of Directors of Colecroft Station Condominium Unit Owners Association, held March 16, 1990.

Motion by: Robert Bergman Seconded by: Daniel Abramson

OFFICER	VOTE: YES	NO	ABSTAIN	ABSENT
<u>Paul R. Abramson</u> , President	<u>X</u>	___	___	___
<u>Daniel R. Abramson</u> , Vice President	<u>X</u>	___	___	___
<u>Robert Bergman</u> , Secretary/Treasurer	<u>X</u>	___	___	___

ATTEST:

Robert Bergman
Secretary

3/21/90
Date

FILE:

Book of Minutes - 1990

Resolution Effective, March 16, 1990