

COLECROFT HOMEOWNERS ASSOCIATION

~~PO BOX 18487~~

~~ALEXANDRIA VIRGINIA 22304~~

July 13, 1995

Policy Resolution Number 95-1

RULES ON ADDITIONS, ALTERATIONS, OR IMPROVEMENTS AND OWNERS UPKEEP

This Resolution supersedes Policy Resolution Number 3 dated February 21, 1992.

WHEREAS, Article 4, Section 4.1 of the Bylaws assigns the Board of Directors "all of the powers and duties necessary for the administration of the affairs of the Unit Owners Association" and further states the Board "may do all such acts and things as are not by the Act or the Association Documents to be exercised and done by the Association" and the Board "shall have the authority to establish the appropriate standards"; and the Board shall adopt and amend reasonable rules not inconsistent with the Association's documents; and the Board shall enforce by legal means the provisions of the Association's documents; and

WHEREAS, Article 10, Section 10.5 of the Bylaws requires Unit Owners to obtain prior written consent of the Board for certain changes to units or common elements; and

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

WHEREAS, pursuant to Article 7 of the Association's Bylaws, the Board of Directors has the duties over the Property as follows: "(1) provide for the visual harmony and soundness of repair; (2) avoiding activities deleterious to the esthetic or property values of the Property; (3) furthering the interests of the Owners, members of the Owner's family and such Owner's guests, employees, customers, tenants, agents and invitees; and (4) promoting the general welfare and safety of the Owners, members of Owner's family and such Owner's guests, employees, customers, tenants, agents and invitees",

WHEREAS, the Board of Directors has the authority, pursuant to Article 7, to "establish guidelines relative to architectural styles, signs, details, fences, colors, setbacks, materials and other matters relative to architectural control and protection of the esthetic or property values of the Property",

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

Additions, Alterations, Or Improvements by the Owner

Section 10.5 of the Bylaws requires that no owner shall make any addition, alteration, or improvement in or to any lot which is visible from the exterior of the lot without the prior consent of the Board of Directors. This includes painting, affixing a sign, or altering the exterior of any improvement, including doors and windows.

Unless specifically waived, exempted, or qualified by this rule, Owners must obtain design review and approval in writing from the Board for any addition, alteration, or improvement to their Lot.

Owners seeking Board approval for an addition, alteration, or improvement, should read Section 10.5 and these rules first, to insure that they fully understand the legal and formal requirements. Owners should contact the Management Agent to obtain a Board-approved form that will expedite their request. Owner is responsible for obtaining any and all required federal, state, or local permit approvals and comply with any and all federal, state, and local laws, ordinances or regulations. Approval of a request by the Board does not represent that the applicant has complied or not with any federal, state or local law, ordinance or regulation.

The Board will answer any request for approval within 45 days. Consistent with Bylaw requirements, failure to do so constitutes a consent by the Board to the proposed change.

If the Board turns down a requested change, addition, alteration or repair, the Owner may appeal to the Board for reconsideration within ten (10) days of the date of denial.

Approved changes, additions, alterations or repairs must be completed within six (6) months. After six (6) months the approval automatically lapses. Work must not deviate from approved plans and specifications.

The Board may delegate preliminary review of approval requests, inspection of properties for compliance with maintenance requirements, and monitoring of construction to the Management Agent or to a committee. However, final approval and maintenance enforcement authority rests solely with the Board.

If an owner has a complaint about an unauthorized addition, alteration, or improvement, contact the Management Agent. The Management Agent will investigate and report to the Board. The Board may give written notice to the owner specifying the action necessary to bring their addition, alteration, or improvement into compliance with the Bylaws, or take such other legal action as it deems necessary.

Rules on Design Review and Owner Upkeep

Section 10.2 requires that each owner shall keep such owner's lot and all improvements "in good order, condition and repair and in a clean and sanitary condition." Section 10.3 requires that all repairs and replacements "shall be substantially similar to the original construction and installation." The association of Colecroft Condominium units is considered as a single owner for purposes of this exterior maintenance.

For purposes of implementing the general requirement for Board approvals of any additions, alterations, or improvements by the Owner and the general upkeep requirements, the following specific rules apply.

Design Compatibility

The Colecroft community of townhouses and condominium units has a unified and distinct architectural style, blending Victorian era design elements with use of selected and repeating patterns of materials (brick and wood), color, and construction details. In order to maintain this community look and feel, proposed improvements must emulate or complement, and be compatible with, the existing architectural style of Colecroft, that is, they must be the same as or similar to the existing style, quality of workmanship, use of materials, and construction details.

Repainting Exterior Doors, Windows, and Wood and Metal Trim

Owners may repaint exterior doors, windows, and wood and metal trim in the original colors without prior Board approval in writing. Owners should contact the Management Agent for information on the originally assigned colors for each unit.

With prior written Board approval, Owners may also change their color scheme for repainting by proposing to use any of the other approved Colecroft colors originally used by the developer on the other Lots. Owners should contact the Management Agent for information on the available colors within Colecroft.

Painting a previously unpainted masonry or brick surface, no matter what color, is not permitted.

Consistent with prudent practice and maintenance of home values, the Board recommends that owners repaint when there is substantial fading and wear and tear or at a minimum every five years. Exterior doors, windows, gutters, and downspouts, and other wood and metal trim must be repainted

when exposed wood or metal is visible or when paint is peeling.

Wooden Fences and Gates

If one or more boards are broken or missing, they must be replaced by wood of similar type and style. The gate must operate freely, have all hardware, and be able to be latched. Gates must be kept shut. The fence must be upright when unsupported and not lean more than four inches in any direction.

Front Porches

Owners with front porches must keep them in good repair, painted, and presenting the same structure and appearance as the original porches.

Flowers and Small Bushes

Owners may plant flowers and small bushes in the common areas immediately adjacent to their units without seeking prior Board approval. Planting of large bushes (over 36 inches high) or trees in these areas requires Board approval in writing.

Flowers and small bushes planted adjacent to an owner's front door, steps, or porch must present a harmonious and attractive appearance. Plants may not take up more than one-third the land area fronting the owner's unit. Owners are responsible for the upkeep of any plants or bushes they add and must be kept in a cared-for condition.

Storm Doors

Storm doors with "all glass" fronts may be added by owners without prior Board approval, provided however, the storm doors have been pre-approved by the Board. These doors have screen sections that can be substituted for the glass in warm weather. The storm door's frame must be painted the same color as the front door. Contact the Management Agent for information on vendors of doors complying with this rule. All other styles of storm door require prior Board approval in writing.

Storm doors installed prior to December 1, 1990 are grandfathered with respect to style only. They must be painted the same color as the front door. When grandfathered doors are replaced or substantially repaired the new door must comply with this rule.

Storm doors must remain latched when not attended.

Roofs, Gutters, Windows, and Doors

Replacement or repair of roofs, gutters, windows, and doors must be with materials giving the same appearance and color as the original installation. Any replacements or repairs that vary from the original architectural regime and appearance are considered alterations and must be approved by the Board in writing.

Colecroft Shed

Freestanding accessory structures such as storage sheds that are visible require Board approval. There have been several storage sheds erected by the developer that should be used as models for any proposed structure.

Attic roof exhaust fan

Owners may add a small attic roof exhaust fan without Board approval. Call the Management Agent for details.

Window air conditioners

Window air conditioners are not allowed in Colecroft. The units are designed to be centrally aired. In cases of health or safety emergencies, Owners may request a written temporary waiver from the Board while necessary repairs or improvements to the heating and air conditioning system are made.

Balcony screens or shades

Balcony screens or shades on the condominium balconies are not allowed.

Backyard Doors

Prior Board approval of Backyard Doors is required. Replacement of a back door with any of the several door styles utilized by the Developer is more likely to be approved.

Front Doors

Replacement of front doors with doors in the same style as the original doors does not require Board approval. Proposals to use other door styles that emulate or complement and are compatible with the Colecroft architectural style require prior written Board approval.

Doors must be painted an approved Colecroft color, or have a natural wood finish with appropriate stain or varnish. Changing door color or stain requires prior written Board

approval. All doors, painted or stained, must be maintained to community standards.

Backyard patios and ground-level decks

Backyard patios and ground level decks that are hidden by the fence and are not visible from a public way do not require prior Board approval. Owners must be sure to meet city building codes.

Other Decks

Other decks, such as second story decks, are not appropriate for Colecroft and are not allowed.

Backyard Trees

In general, backyard trees are allowed. Trees are not allowed to extend into or over another Owner's property line. Owners are required to trim their trees back to their property line, if requested to do so by an adjoining owner or by the Association. Requests to plant new backyard trees, or replacement trees require Board approval in writing.

Door Hardware

Variations in door hardware, including kickplates, handles, and peepholes are allowed without prior Board approval.

Flags

Displaying the American flag is always in good order. Non-commercial and decorative flags may also be displayed. Flags must be on poles attached to the Owner's unit.

Backyard Awnings

Permanent backyard awnings made of plastic or metal are not allowed.

Seasonal, detachable, canvas awnings are allowed. Proposed color or colors must be compatible with Colecroft's architectural and color scheme. Prior Board approval in writing is required.

Seasonal awnings may be put up no earlier than April 1 and must be taken down by November 1. Awnings require regular cleaning. The fabric must be replaced when it begins to deteriorate.

Other Awnings

Awnings for other windows or doors are not allowed.

Chimneys and Flues

All townhouses and condominium units in Colecroft have specially designed masonry chimneys. Chimneys and flues must be maintained regularly and kept in good repair in order to minimize fire damage. Additions of new chimneys or relocation of existing chimneys are not allowed.

Dormers

Existing dormers must be kept in good repair. The Board recommends replacing wood trim the same material, as needed. Repairs using the same style and color of wood siding do not require prior Board approval.

Owners may use vinyl siding that looks like the existing wood siding and that is painted the same color. Use of vinyl siding requires advance Board approval in writing.

Drainage Systems

Gutters and downspouts should be painted to match the trim. Relocation of existing gutters and downspouts is generally allowed. Prior Board approval in writing is required.

Utility Boxes and Service and Exhaust and Supply Fans

Installation or relocation of any utility meters, boxes, or associated services, or exhaust or supply fans, requires prior Board approval in writing.

Exterior Lighting

Replacement of existing lighting fixtures in the same location with the same style fixture does not require prior Board approval. All other proposed changes require prior Board approval in writing.

Window Boxes

Permanent window boxes must complement the style of Colecroft and require Board approval in writing. If the box is composed of wood, its color should be the same as the trim work around the windows.

Temporary, seasonal window boxes do not require Board approval.

Planters

Small, temporary, portable planters placed on door stoops do not require Board approval.

Replacement Materials

If replacement or repair materials are the same as the original; approval by the Board is not required. If the Owner wishes to change the material, whether to upgrade or because the material is no longer available, prior written approval by the Board is required.

Shutters

Shutters should be made of wood and painted to complement the trim of the building. Replacement of shutters with the same style and color shutters does not require Board approval. Changing shutter styles or colors, or adding new shutters, requires Board approval in advance.

Siding

Changing the brick exteriors of Colecroft units by covering the exterior with siding is not allowed. If wood siding is replaced, it should be replaced with the same type, width, and profile as the existing siding and painted the same color. Dormer wood siding may be replaced with vinyl siding that looks like the existing wood siding in color and appearance, with prior Board approval.

Brickwork

Replacement brickwork should match the existing in color, size, texture, and pattern or bond. Mortar joints for the replacement brickwork should match the existing in size, material, and color. Owners are responsible for repointing brickwork to match the existing if the mortar joints are deteriorating. All brickwork must be approved in writing by the Board.

Skylights

Skylights require Board approval in writing. Skylights should be low or flat profile, flashing should match the roof material, and should not be located on the same side of the roof as a dormer.

Stoops Steps and Rails

Repairs to existing stoops, steps, and rails, using the same materials and style do not require advance Board approval. Addition of stoops, steps, or rails requires prior written approval by the Board.

Other Additions or Alterations

The Board will consider proposals for other additions or alterations not specifically listed above. Any other

additions or alterations require prior written approval by the Board.

Owners who wish to add a feature already found in Colecroft, such as a front porch, dormer, railing, or brick fence are encouraged to submit proposals that replicate existing styles and designs.

Owners who wish to add a new feature, such as a new roof material or backyard trellis, or to add an existing feature in a design that does not replicate an existing design, may submit such proposals for Board consideration. In these cases the Owner must understand that the burden is on the Owner to demonstrate how the proposed design emulates or complements, and is compatible with the existing Colecroft style.

Enforcement

If any owner has a question about upkeep or a complaint regarding noncompliance with these rules, contact the Management Agent.

Initial request for upkeep: The Management Agent will review the facts and make a site inspection, if needed, to determine whether there is noncompliance with these upkeep rules. The Management Agent will contact the owner by phone or letter and request a commitment to undertake necessary upkeep. A follow-up letter will be sent by the Management Agent to the owner describing the needed upkeep actions with a reasonable deadline for compliance. The Management Agent will monitor the progress of upkeep requests. If deadlines or quality agreements are not met, the Management Agent will refer the noncompliance situation to the Board for further action.

If an owner disagrees with an initial request from the Management Agent for upkeep, or with the subsequent follow-up letter, the owner may appeal the compliance request to the Board.

Enforcement Actions: Consistent with the requirements of Section 10.2, if an owner has failed to keep the improvements and the lot in good condition and repair and in compliance with these rules, the Board may give notice to that owner of the condition complained of, specifying the action to be taken to rectify that condition. If the owner fails to rectify that condition within thirty days after the date the notice is given, or such shorter period as may be specified in the notice if the circumstances warrant a shorter period, the Board may rectify that condition by taking such action as needed or causing such action to be taken. The costs and fees incurred in rectifying that condition shall be assessed against the owner in accordance

with the Bylaws. In addition, the Board may take any and all enforcement actions authorized at law and/or by the Declaration, Bylaws and/or Rules and Regulations of the Association.

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

A copy of this resolution be provided to the current and any subsequent Attorneys or Management Agents which will or will represent the CHA now or in the future.

All non-resident owners are required to provide a copy of this resolution to the person(s) occupying their units.

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

Motion by: Jim Logan Seconded by: Larry Campbell

With a quorum present of these BOD Members by attendance, of this CHA BOD at this July 13, 1995 monthly BOD meeting approved this resolution with a majority vote of:

| | VOTE | | | |
|---------------------------------------------------------|------|-----|---------|--------|
| | Aye | Nay | Abstain | Absent |
| <u>Barbara Coons</u> Barbara Coons, President | ✓ | | | |
| <u>Larry Campbell</u> Larry Campbell, Vice President | ✓ | | | |
| <u>Charlotte Tesch</u> Charlotte Tesch, Secretary | ✓ | | | |
| <u>Michael Del Colliano</u> , Treasurer | | | | ✓ |
| <u>Sean Logan</u> Sean Logan, Director | ✓ | | | |