

**THE UNIT OWNERS ASSOCIATION OF  
COLONIAL VILLAGE II, A CONDOMINIUM**

**REGULATORY RESOLUTION 2013-1**

**Unit Remodeling, Improvements, and Structural Alterations**

WHEREAS, Article III, Section 2. Powers and Duties of the By-laws provides that the Board of Directors shall have all the powers and duties necessary for administration of the affairs of the Association and may do all such acts and things as are not by the Condominium Act, the Declaration or by the By-laws required to be exercised by the Association, including adoption of rules and regulations deemed necessary for the benefit of the Condominium; and,

WHEREAS, Article III, Section 2. (f) Powers and Duties of the By-laws grants the Board of Directors the power to make and amend rules and regulations governing the Condominium; and,

WHEREAS, Article VI, Section 7. Additions, Alterations, or Improvements by the Unit Owners of the By-laws states, “No Unit Owner shall make any structural addition, alteration or improvement in or to his Unit without the prior written consent of the Board of Directors. No Unit Owner shall paint or alter the exterior of his Unit, including the doors and windows, nor shall any Unit Owner paint or alter the exterior of any building, without the prior written consent of the Board of Directors.”; and,

WHEREAS, Article XI, Section 1 (j) of the Bylaws states, “Except as may be installed by Declarant during its initial renovation of units, washers, dryers, dishwashers, trash compactors, and other major appliances may not be installed in a Unit without prior written approval of the Board of Directors.”; and,

WHEREAS, §55-79.68(a) of the Virginia Condominium Act states: “Except to the extent prohibited by the condominium instruments, and subject to any restrictions or limitations specified therein, any unit owner may make any improvements or alterations within his unit that do not impair the integrity of any structure or otherwise lessen the support of any portion of the condominium. But no unit owner shall do anything which would change the exterior appearance of his unit or any other portion of the condominium except to such extent and subject to such conditions as the condominium instruments may specify”; and,

WHEREAS, the Association has the right and responsibility to determine and ensure that a proposed project renovation, addition, improvement or alteration may not impair the structural integrity of any structure or lessen the support of any portion of the condominium structure, and will meet compliance with the Association’s Bylaws and any Rules and Regulations; and,

WHEREAS, the Board believes that it is necessary and in the best interest of the Association to establish and adopt procedures for Unit Owners who propose to renovate, alter, or make improvements to their units.

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

1. The Colonial Village II Board of Directors, or Management Agent acting on behalf of the Board of Directors, has authority to review and approve or disapprove any and all proposed construction, remodeling or repair work to the interiors of units.
2. The Colonial Village II Board of Directors, or Management Agent acting on behalf of the Board of Directors, has authority to review and approve or disapprove all proposed structural changes or any alterations to the original unit wall layout.
3. The Colonial Village II Board of Directors, or Management Agent acting on behalf of the Board of Directors, reserves the right to request a scope of work which includes a statement on the impact the proposed modifications may have on the integrity of the unit.

### **Application Procedures**

1. Owners must submit a letter [or Unit Modification Application] requesting approval which must include the following attachments:

#### **A. Non-Structural (Unit Remodeling)**

- Complete and accurate description of the proposed improvement
- Supporting exhibits (drawings, sketches, plans) with markings indicating where modification will be made
- If relocation of plumbing or electrical lines is being proposed, before and after sketches must be submitted
- Acknowledgement that necessary plumbing, electrical or building permits required by Arlington County will be forwarded within timeframe specified by Management following approval of renovation project
- If performing the work requires interruption of utilities (water), acknowledgement that owner must request a water-shut off date from Management following approval of the renovation project
- Names of contractor(s) and licensing requirements

#### **B. Non-Structural (Window Replacements)**

Unit owners who wish to install replacement windows must first obtain and review a copy of Resolution 2010-2, "Guidelines for Window Replacements within Historic and

Non-Historic District” which includes the Criteria for Replacement Windows. To seek approval from the Board of Directors, you must submit:

- Complete and accurate description of the proposed improvement
- Supporting exhibits (drawings, sketches, plans or proposal) from window contractor

After the Management Agent has provided unit owner with letter of approval, owners located within the historic district must:

1. Obtain an application for a Certificate of Appropriateness (CoA) from Arlington County. Applications may be downloaded from their website <http://www.co.arlington.va.us/departments/CPHD/ons/hp/file84028.pdf>
2. Submit all information to the Historical Affairs and Landmark Review Board of Arlington County (HALRB) to receive approval and a COA before commencing work.
3. Forward a copy of the COA/approval to the Management Agent for the unit files.

C. Structural Requests - (Full or Partial wall removals/Concrete flooring penetration) Owners must submit a letter [or Unit Modification Application] requesting approval with:

- Complete and accurate description of the proposed improvement
- Supporting exhibits (drawings, sketches, plans) with markings indicating where modification will be made
- If penetrations or alterations of the concrete flooring is suggested by the contractor as a means to install or change bathtub configurations or to move any electrical lines, before and after sketches must be submitted
- If removing a partial or full wall, a Virginia-licensed design professional or structural engineer must provide a statement certifying that the removal will not compromise the structural integrity of the unit.

2. **ORAL REQUESTS WILL NOT BE CONSIDERED.** All requests must be submitted to the Management Agent via email or regular mail to the Management Office:

Colonial Village II Condominium  
ATTN: MANAGER/REMODELING REQUEST  
1903 N. Key Boulevard  
Arlington, VA 22201  
[CVaughan@LegumNorman.com](mailto:CVaughan@LegumNorman.com)

## General Provisions

1. In order for an application to be considered, the owner's assessments must be current at the time of the application. Applications or requests received by delinquent owners shall receive a letter of denial stating the reason for disapproval.
2. Owners proposing to install hardwood flooring, new carpeting, or install/replace elements of a heating/air conditioning unit are exempt from seeking approval from the Board of Directors and/or Management Agent. Owners whose units are on the top floors should be reminded that the Association's Bylaws state that at least 80% of the floor area (excluding closets, bathrooms and kitchens) must be covered with carpet or rugs.
3. Owners proposing to replace an original Modern Maid stove/dishwasher/ microwave combination appliance (which utilizes one electrical line) with separate appliances will be required to add an additional dedicated electrical line for the new appliances. An electrical permit must be obtained for the installation of the new line. Additionally, no external venting is permitted. Only a self-circulating exhaust vent is permissible for the kitchen stove.
4. Owners should consider having shut off valves inspected prior to the work date to ensure that they are operational for the installation of new dishwashers, vanities, etc. (if applicable). If they are not operational and require replacing, you must **schedule a water-shut off in advance of the work date so that all building residents are notified in advance.**
5. Approval does not waive the necessity of obtaining required Arlington County permits. Owners are responsible for ensuring that all renovations are made in conformance with state and local laws, condominium instruments, and this regulatory resolution. **A copy of any permits associated with the renovation must be forwarded within five (5) days from the commencement of the project.**
6. Owners are required to use licensed general contractors, electricians and plumbing contractors. Work should be done in accordance with all applicable codes and ordinances.
7. Contractors are not allowed to use electrical outlets in the common area hallways to supply electric power to equipment necessary to perform renovation work within units.
8. The Association assumes no responsibility for any damage to person or property resulting from or related to any change in plumbing or electrical wiring repairs. The Management Agent or Board of Directors cannot control the quality of workmanship relative to any of the repairs, or errors or omission of information provided to the Management Agent or the Board of Directors on the owner's application or request for approval.

9. Owners are responsible for ensuring that no construction debris will be discarded in any of the association's trash rooms, nor should debris be discarded at the curb on the association's grounds. Construction debris **IS HAZARDOUS AND MUST** be hauled away by the contractor. *Any associated construction debris discarded on the common grounds will prompt Management to assess a trash removal charge to the unit owner's account. Management will notify the owner in writing and provide the owner 30 days to pay the assessment. The assessment will be based on actual fees charged by the waste removal company to remove the items.*

### **Administrative Provisions**

1. Upon approval, the Management Agent will issue a letter of approval within 30-45 days from receipt of application. If an owner has not received a response within or following a 30-45 day period, failure to receive notification shall not constitute Board or Management's consent or approval.
2. If an owner elects to alter, remodel, or make improvements to his unit without first receiving approval, the owner shall be deemed in violation of the condominium instruments and this resolution. The Management Agent and Board of Directors shall take action utilizing the Due Process procedures to notify the owner of the violation and provide an opportunity to cease and correct the violation. Owners should note that ceasing the violation does not necessarily preclude the Association's Board of Directors from imposing sanctions and/or an assessment if found in violation.
3. Owners are required to inform Management of the project start date in advance of the start date and as soon as possible.
4. Approved work must commence within six (6) months of the date of approval or such approval shall be deemed withdrawn, and it shall be necessary for the applicant to re-submit a request for approval. All work must be completed within four (4) months of the commencement date unless completion is delayed due to causes beyond the reasonable control of the applicant. The Management Agent should be notified in writing of project delays and owners may request an extension of time.
5. Management schedules water shut-offs on Tuesdays, Wednesdays or Thursdays beginning at 9 am, with the exception of holidays. Advanced notice must be provided at least three days in advance of the shut-off date to all residents affected. Therefore, requests to Management must be submitted in writing at least five days in advance of the work date.
6. Remodeling and appliance installations may only be conducted between the hours of 8:30 am – 5:30 pm, Monday – Friday or between 10 am – 5:30 pm on Saturdays and Sundays.

7. Nonstructural requests for unit remodeling may be considered for approval by the Management Agent on behalf of the Board of Directors. Requests that are deemed complete will be approved, approved with conditions or disapproved within 30 days of receipt. Additional information may be required at the discretion of Management or the Board of Directors.
8. Structural requests for unit remodeling will be forwarded by Management to the Board of Directors for consideration and approval. Requests that are deemed complete will be approved, approved with conditions or disapproved within 45 days of receipt. Requests submitted less than seven business days prior to the monthly Board of Director's meeting may be considered at the next month's meeting, at the discretion of the Board.
9. Owners are to arrange for contractors to park on the street as no commercial vehicles are permitted to park on the association's parking lot and the Management Office will not provide Arlington County visitor permits to contractors.

Duly adopted at a meeting of the Board of Directors of the Unit Owners Association of Colonial Village (Village II), A Condominium, held on August 20, 2013.