

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

Policy Resolution No. 2010-2

**Guidelines for Window Replacements within
Historic and Non-Historic District**

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

WHEREAS, Article III, Section 2 of the Bylaws further 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 by the Virginia Condominium Act, the Declaration or by the Bylaws required to be exercised by the Association, including adoption of rules and regulations deemed necessary for the benefit of the Condominium;

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."

WHEREAS, Article VI, Section 7 of the Bylaws 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."

WHEREAS, the responsibilities of the Association include ensuring the integrity of the Association structures and compliance with the Association's Bylaws and Rules/Regulations;

Historic District Regulations

IT IS HEREBY RESOLVED THAT the Board of Directors incorporates the existing Policy and Guidelines for Window Replacement into a Policy Resolution for windows **that are located within the Historic District of Colonial Village II:**

1. All replacement windows installed by owners in Colonial Village II on or after July 17, 2002, must meet the specifications indicated for units located within the historic district.
2. Unit owners must obtain prior written approval for replacement windows from the Board of Directors first, then from the Arlington County Historical Affairs and Landmark Review Board (HALRB). Owners must submit a detailed description and plan for the replacement windows. Additionally, owners must submit a written statement or proposal describing window dimensions or specifications from the proposed vendor stating that the proposed replacement windows will conform to the Colonial Village II Guidelines for Replacement Windows located within the historic district, and that no deviations of any kind are permitted without advance written approval of the Board of Directors, or Management Agent acting on behalf of the Board of Directors.
3. The Board of Directors or Management Agent acting on behalf of the Board of Directors has authority to review, approve and disapprove any and all new or replacement windows proposed to be installed in units.
4. Once a letter of approval from the Board of Directors is received, it must be submitted along with an application to HALRB for approval. Contact the Arlington County Historic Preservation Program or obtain their forms from: <http://www.arlingtonva.us/departments/CPHD/ons/hp/file67596.pdf>.
5. Examination and acceptance by the Association does not waive future unit owner liability for hidden defects or for violations of building codes or Association Bylaws/Regulations where such violations were not evident from a visual inspection.
6. If a window is found to be noncompliant, the Association will detail the defects in writing. The unit owner has ten (10) working days from the date of notice to remedy the defect.
7. Existing windows (as of or prior to July 17, 2002) that were approved by the Board are "grandfathered" in, that is, permitted to remain, except that any future repair or replacement must bring into compliance any windows that are not in compliance with these guidelines.
8. In cases where existing windows were installed without advance Board approval, the past and current Board forbearance to require replacement or alteration of windows that were not in compliance with then-prevailing specifications do not represent waiver of the right in the future to require replacement or alteration at the owner's expense.
9. This Regulation which establishes new rights and responsibilities shall go into effect on October 15, 2010.

This Policy Resolution was duly adopted at a meeting of the Board of Directors of the Unit Owners Association of Colonial Village II, A Condominium, held on October 12, 2010.

THE UNIT OWNERS ASSOCIATION OF
COLONIAL VILLAGE II, A CONDOMINIUM

*Criteria for Window Replacements
For Units Located within the Historic District*

1. Replacement windows must be made of wood with its exterior side clad in metal or vinyl. The replacement window cannot be made entirely of metal, vinyl or any other synthetic material.
2. The replacement technique must be "complete frame." "Replacement frames" and "sash packs" are not permitted.
3. The exterior color of the replacement window must be white.
4. The replacement window must be of the same dimensions as windows installed when Colonial Village II was converted to a condominium community. Dimensions must be proportionate to those of the other windows, and the cross sections of frames must be consistent.
5. The replacement window must be a double-hung sash window.
6. Cladding or capping must be done with a pre-finished aluminum coil, and must match the dimensions and design of the capping installed when Colonial Village II was converted to a condominium community.
7. The replacement window must have either true divided lights or simulated divided lights (SDL), and the division of the lights (glass panes) and number of lights must be identical to the windows installed when Colonial Village II was converted to a condominium community.
8. The replacement window must have narrow grilles (muntin bars or external grids) with no less than 3/4" and no more than 7/8" wide, and a minimum of 3/8" deep.
9. The lintel may not be enclosed by the frame or trim work. No caulk or other sealant may be inserted in the gap between the brick and the lintel.
10. Frosted or translucent glass proposed for bathroom windows must be specified and included in the sketches submitted for approval.
11. The lintel may not be enclosed by the frame or trim work. No caulk or other sealant may be inserted in the gap between the brick and the lintel.
12. Installations of half screens must cover the bottom sash opening only, and no screens should cover the top sash.

COLONIAL VILLAGE II, A CONDOMINIUM
Buildings Located Within The Historical District

North Rhodes Street

1724

1728

1732

1736

1740

1742

1744

1746

1748

1752

1756

1758

1760

1762

Wilson Boulevard

1847

1853

1859

Non-Historic District Regulations:

IT IS HEREBY RESOLVED THAT the Board of Directors establishes the following Rules and Regulations for unit owner replacement of windows **that are not located within the Historic District of Colonial Village II:**

1. All replacement windows installed by owners in Colonial Village II on or after the approval date of this resolution must meet the specifications as indicated for units that are not located within the historic district.
2. Unit owners must obtain prior written approval for window replacements from the Board of Directors. Owners must submit a detailed description and plan for the replacement windows. Additionally, owners must submit a written statement or proposal describing window dimensions or specifications from the proposed vendor stating that the proposed replacement windows will conform to the Colonial Village II Guidelines for Replacement Windows not located within the historic district, and that no deviations of any kind are permitted without advance written approval of the Board of Directors, or Management Agent acting on behalf of the Board of Directors.
3. The Board of Directors or Management Agent acting on behalf of the Board of Directors has authority to review, approve and disapprove any and all new or replacement windows proposed to be installed in units.
4. Examination and acceptance by the Association does not waive future unit owner liability for hidden defects or for violations of building codes or Association Bylaws/Regulations where such violations were not evident from a visual inspection.
5. If a window is found to be noncompliant, the Association will detail the defects in writing. The unit owner has ten (10) working days from the date of the notice to remedy the defect.
6. Existing windows (prior to the approval date of this resolution) that were approved by the Board are "grandfathered" in, that is, permitted to remain, except that any future repair or replacement must bring into compliance any windows that are not in compliance with these guidelines.
7. In cases where existing windows were installed without advance Board approval, the past and current Board forbearance to require replacement or alteration of windows that were not in compliance with then-prevailing specifications do not represent waiver of the right in the future to require replacement or alteration at the owner's expense.
8. This Regulation which establishes new rights and responsibilities shall go into effect on October 15, 2010.

This Policy Resolution was duly adopted at a meeting of the Board of Directors of the Unit Owners Association of Colonial Village II, A Condominium, held on October 12, 2010.

THE UNIT OWNERS ASSOCIATION OF
COLONIAL VILLAGE II, A CONDOMINIUM

Criteria for Window Replacements
For Units Located within Non-Historic District

1. Replacement windows may be wood, vinyl, aluminum, fiberglass or wood/polymer composite (e.g, Fibrex©).
2. The replacement technique does not require the complete removal of existing window framing. However, if deteriorated, wood framing is exposed, it shall be removed and replaced. Sash packs are not permitted.
3. The exterior color of the replacement window must be white in color and match the color of the existing trim of the building.
4. The replacement window must be of the same dimensions as windows installed when Colonial Village II was converted to a condominium community, with an allowable degree of variation. Dimensions must be proportionate to those of the other windows, and the cross sections of frames must be consistent.
5. The replacement window must be a double hung sash window.
6. Cladding or capping is to be a pre-finished aluminum coil, vinyl, fiberglass or wood/polymer composite and must match the dimensions and design of the cladding installed when Colonial Village II was converted to a condominium community.
7. The replacement window must have either true divided lights or simulated divided lights, and the same number of lights (glass panes) installed when Colonial Village II was converted to a condominium community.
8. The replacement window must have narrow grilles (muntin bars or external grids) with no less than 3/4" and no more than 7/8" wide, and a minimum of 3/8" deep.
9. The replacement window exterior frame and trim must be clad in vinyl, aluminum, fiberglass or wood/polymer composite.
10. Frosted or translucent glass proposed for bathroom windows must be specified and included in the sketches submitted for approval.
11. The lintel may not be enclosed by the frame or trim work. No caulk or other sealant may be inserted in the gap between the brick and the lintel.
12. Installations of half screens must cover the bottom sash opening only, and no screens should cover the top sash.

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






RESOLUTIONS ACTION RECORD

Resolution Type: Policy No. 2010-2

Pertaining to: **Guidelines for Window Replacements within Historic & NonHistoric Districts**

Duly adopted at a meeting of the Board of Directors *held October 12, 2010.*

Motion by: MARK BOSTWICK Seconded by: DAVID HENRY

	VOTE:			
	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Director <u>Blake Surbey</u> <i>Print:</i>		_____	_____	_____
Director <u>Robert Somers</u> <i>Print:</i>		_____	_____	_____
Director <u>Nick Pellegrino</u> <i>Print:</i>		_____	_____	_____
Director <u>Mark Bostwick</u> <i>Print:</i>		_____	_____	_____
Director <u>David Henry</u> <i>Print:</i>		_____	_____	_____

ATTEST:
Mark Bostwick
Secretary

10/12/2010
Date

FILE DATA:

Book Resolutions:		
	Book No.	Page No.
Policy	_____	_____
Administrative	_____	_____
Special	_____	_____
General	_____	_____

Resolution effective: _____