

**PARKFAIRFAX CONDOMINIUM UNIT OWNERS ASSOCIATION**

**ADMINISTRATIVE RESOLUTION NO. 2  
DESIGN REVIEW PROCEDURES AND GUIDELINES  
RELATING TO CHANGES TO UNITS OR COMMON ELEMENTS**

**TABLE OF CONTENTS**

I.	General Requirements	Page 2 - 3
II.	Application Procedures	Page 3 - 6
	A. Requirements for All Applications	Page 3
	B. Routine Administrative Approval	Page 4 - 5
	C. Non-Routine Changes	Page 5 - 6
	D. Additional Requirements for Administrative Approval for Non-Routine Changes	Page 6 - 7
III.	Results of Review	Page 7
IV.	Design Guidelines	Page 7 - 18
	A. Landscaping and Planting	Page 7 - 12
	B. Common Elements, Stoops, Porches, Porticos, and Breezeways	Page 12 - 14
	C. Patio Areas	Page 14
	D. Noise & Carpet	Page 15 - 16
	E. Door Hardware	Page 15 - 16
	F. Signs	Page 16
	G. Fences and Screens	Page 17
	H. Plumbing	Page 17
	I. Electrical Wiring	Page 17
	J. Painting, Wallpapering, Decorating	Page 18
	K. Subdividing and Combining Units	Page 18
	L. Exterior Antennas	Page 19
	M. Clothes Drying	Page 19
V.	Procedures for Assuring Architectural Compliance	Page 19

**INTRODUCTION**

Administrative Resolution Number 2 is designed to specify some changes that owners may make to the interior or exterior of their unit. Owners are asked to be sensitive to the appearance of items that are visible to surrounding units when planning changes to the exterior of a unit and placing items on a patio. One of the most valuable assets of Parkfairfax is its green space; please be aware of how you are using the yard areas around your unit and the view your neighbors have when they look at your unit.

**ADMINISTRATIVE RESOLUTION NO. 2**

**DESIGN REVIEW PROCEDURES AND GUIDELINES  
RELATING TO CHANGES TO UNITS OR COMMON ELEMENTS**

**WHEREAS**, Article V, Section 7 of the Parkfairfax Condominium Unit Owners Association Bylaws requires unit owners to obtain prior written consent of the Board of Directors or Covenants Committee, as appropriate, for certain changes to units; **AND**

**WHEREAS**, changes to the common elements are exclusively within the discretion of the Board of Directors; **AND**

**WHEREAS**, Article III, Section 18 of the Parkfairfax Condominium Unit Owners Association Bylaws provides for a Covenants Committee to review applications for such changes; **AND**

**WHEREAS**, the Board of Directors deems it necessary to establish guidelines and procedures for unit owners wishing to make changes to a unit or to the limited, reserved or general common elements.

**NOW THEREFORE, BE IT RESOLVED THAT** the following is adopted and replaces all previous resolutions regarding this topic:

**I. GENERAL**

- A. No changes to the exterior of a unit, or to the common elements, limited common elements, and/or reserved common elements may be made without written application to and approval by the Board of Directors, Covenants Committee, or General Manager as appropriate, 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.
- D. The unit owners are responsible for assuring that approved changes and additions are made only in accordance with the provisions of this resolution and applicable city ordinances and/or codes.
- E. The unit owners are responsible for maintaining, repairing, and replacing any approved changes and/or additions made to the unit or to the limited, reserved, or general common elements pursuant to an application made in accordance with this resolution.
- F. The unit owners are responsible for any damages to the unit, to the limited, reserved, or general common elements or to other units which may result from approved alterations or additions made to the unit or to the limited, reserved, or general common elements pursuant to an application made in accordance with this resolution. If the unit owner fails to repair such damage within 14 days of notification by the Association, the Association may repair the damage and charge the unit owner for all expenses. Such charges are collectible as assessments pursuant to Administrative Resolution Number Three.

- G. Each unit owner must notify any subsequent purchaser or owner of the unit that such purchaser, upon becoming a unit owner, will likewise be subject to these procedures and guidelines and will be responsible for maintaining, repairing and replacing any change or addition made to the unit or to the limited, reserved, or general common elements pursuant to an application made in accordance with this resolution.
- H. No trucks or other motorized vehicles are to be driven on any grass or sidewalk area in the course of implementing any change, including delivery or removal of material from the worksite, for any reason unless authorized by Management.

## **II. APPLICATION PROCEDURES**

- A. Requirements for all Applications
  - 1. Applicants wishing to make any of the changes allowed by this Resolution must submit the proper written application with all appropriate sections completed and any required attachments, samples and additional information. An application is not complete until all necessary materials have been received. Applications may only be submitted by the unit owner or by a tenant with the unit owner's written acknowledgment and agreement to be responsible for the change.
  - 2. Verbal 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 and all applicable codes and local ordinances. Failure to comply subjects the unit owner to the remedies set forth in the Condominium Instruments, the Book of Resolutions and the rules and regulations.
  - 5. Approval of any project by the Association does not eliminate the necessity to obtain the required governmental permit(s) nor does obtaining the required governmental permit(s) eliminate the necessity for obtaining Association approval.
  - 6. The Association will not knowingly approve a project which is in violation of the local building or zoning codes.

7. The burden rests with the applicant to demonstrate the acceptability of a proposal. The applicant may submit with the application any materials such as exhibits, petitions, photographs, experts' statements, and the like, that the applicant deems necessary. The applicant may request an opportunity to appear before the Covenants Committee, along with any witnesses the applicant desires to have testify.

B. Routine Administrative Approval

Wherever in this resolution it states that "Administrative Approval only is required," the following shall apply:

1. Routine administrative approval shall apply only to the items listed in Section II.B.6 below and only to the extent that the item to be installed conforms exactly with standard specifications developed and approved by the Board of Directors and on file in the Association Office.
2. An applicant must file a proper application with the Covenants Administrator (the "Administrator") at the Association Office.
3. The General Manager will ascertain whether a proposed change or addition conforms exactly to approved specifications.
4. If a proposed change or addition conforms exactly to approved specifications, the General Manager may approve the application. One copy of the approved application shall be returned to the applicant, one copy shall be filed with the Covenants Committee, and the original shall be maintained in the unit file.
5. If an application in any way varies from approved specifications, the General Manager may not approve the application. The applicant will be informed of the disapproval and be given the right to appeal the General Manager's decision to the Covenants Committee.
6. Standard specifications have been developed and approved by the Board of Directors, and must be adhered to when requesting Routine Administrative Approvals. The following changes require an Administrative Application for Routine Changes:
  - a. Painting and Staining of Front Doors
  - b. Door Hardware on Front Doors
  - c. Replacement of Front Doors
  - d. Front Door Stoop Lighting
  - e. Stoop Railings
  - f. Storm Door/Screen Doors
  - g. Attic Stairs
  - h. Washing Machines
  - I. (1) Dryers  
(2) Permanently Installed Dryer Vents
  - j. Dishwashers
  - k. Air Conditioning or Combination Air Conditioning and Heating Units

- l. Removal of Steam Heating System (interior unit pipes and radiators)
- m. Plant Hangers and Flag Holders
- n. Replacement windows: in styles approved by the Board of Directors subject to application and approval procedures as set forth in Section II.D of this resolution
- o. Fans: kitchen and bath exhaust fans and permanent clothes dryer vents, subject to completion of application and approval procedures as set forth in Section II.D of this resolution
- p. Attic lighting and flooring: permitted pursuant to specifications in Policy resolution Number Twelve subject to completion of application and approval procedures as set forth in section II.D of this Resolution
- q. Window and/or Door Shutters
- r. Replacement Back Doors with Sidelights: subject to completion of application and approval procedures as set forth in Section II.D of this resolution
- s. Breezeway Fence Removal and/or Replacement: subject to completion of application and approval procedures as set forth in Section II.D of this resolution
- t. Back Door Lighting
- u. Outside Electric Receptacle
- v. Security Guards for Metal Kitchen & Bath Windows

C. Non-Routine Changes

Permitted changes for which specifications have been developed and approved by the Board of Directors, and which require the completion of a Covenants Application for Non-Routine Change, with final approval of the Covenants Committee, include the following:

1. Central System Packaged Split System Electric Heat Pumps: per specifications approved by the Board of Directors, subject to completion of application and approval procedures as set forth in Section II.D of this resolution.
2. Central through-the-wall heat pumps and air conditioner/heat pump replacements with sleeve removal: per specifications approved by the Board of Directors, subject to completion of application and approval procedures as set forth in Section II.D of this resolution.
3. Decks and patios: per specifications approved by the Board of Directors, and subject to application and approval procedures as set forth in Section II.D of this resolution.
4. Gates, Arbors, and Trellises: per specifications approved by the Board of Directors, and subject to application and approval procedures as set forth in Section II.D of this resolution.
5. Water features: per specifications approved by the Board of Directors, and subject to application and approval procedures as set forth in Section II.D of the resolution.

6. Any other changes or additions require using a Covenants Application for Non-Routine Change.

D. Additional Requirements for Routine Administrative Approval and for Non-Routine Changes.

For major structural changes, or for other changes not covered under Section II.B and II.C above and which are not specifically prohibited by this resolution, applicants must use an Application for Non-Routine Change, and must meet the following requirements, as appropriate:

1. Where the change affects common utilities or involves temporary interruption of common utility service, applicants must make arrangements with the Association Office. Water shut-off require at least 24 hours advance notice. Gas shut-off requires at least 10 days advance notice. Notice must be given to the Association office during normal working hours. Common utility service may not be interrupted except between the hours of 9:00 a.m. and 3:00 p.m. on weekdays. Service may not be interrupted on weekends or Federally observed holidays.
2. Applicants are responsible for daily removal and proper disposal of all debris generated in the course of the change.
3. For structural changes, the following may be required, to the extent applicable:
  - a. Submission consisting of:
    - (1) Floor plans/final drawings
    - (2) Names of contractors/mechanics
    - (3) A construction schedule
    - (4) Proposed contracts, copy of contractors' license and mechanic's lien release
    - (5) Certificate of Insurance from contractor
    - (6) Indemnification Agreement
    - (7) Acknowledgment of the application by other unit owners involved or affected, if any
    - (8) Such other information as the Covenants Committee may require
  - b. The Board of Directors, Covenants Committee or General Manager, as appropriate, shall act on the submission and give notice to the applicant within forty five (45) days after receipt of all necessary information.
4. Administrative Requirements
  - a. Applicant must inform the Association Office of date on which construction starts.
  - b. If applicant desires to make changes during construction, a revised application must be submitted to, and be approved by, the Covenants Committee or General

Manager, as appropriate, before work may continue.

- c. Applicant must provide the Association Office with notice of completion. Upon completion, or at any time, the Covenants Committee or its agent may inspect the unit and common elements to assure that construction is in compliance with approved plans.
- d. Failure of the Association to inspect the finished work does not relieve the applicant from responsibility to make any changes necessary to conform with the application as approved by the Covenants Committee or General Manager, as appropriate.

### **III. RESULTS OF APPLICATION REVIEW**

- A. The applicant shall be informed in writing of the decision.
- B. If the Board of Directors, Covenants Committee or General Manager, as appropriate, fails to render a decision regarding the application within forty-five (45) days from the date of receipt of all necessary information by the Association, the request shall be considered to have been approved.
- C. If an application is rejected, the reason(s) for disapproval shall be stated as part of the written decision. An application rejected by the General Manager, may be appealed to the Covenants Committee.
- D. The applicant or any affected unit owner may request reconsideration of a decision if new or additional information, which might clarify the application or demonstrate its acceptability, can be provided. The applicant or an affected unit owner must request such reconsideration by the Covenants Committee or General Manager as appropriate before a decision may be appealed to the Board of Directors.
- E. Final decisions of the Covenants Committee or General Manager may be appealed to the Board of Directors as described in Policy Resolution Four, Part II, Requests for Reconsideration and Appeals.
- F. Copies of all requests for review will be filed according to unit address, along with the written decision and a statement of any action taken. There will be a cross-index which groups cases into types, for future reference. This index shall be made available, upon request, to any unit owner considering an alteration or change.
- G. All approvals shall expire one (1) year after the date of approval if the construction/installation of the item approved has not been completed. In this event, a new application must be submitted.

### **IV. DESIGN GUIDELINES**

- A. Landscaping and Planting

Plantings, ranging from annual flowers to permanent landscaping, are allowed on the common element under certain conditions. The area in which plants are placed governs the types of plantings used and the types of permissions which must be obtained before planting. The following sections refer to: (1) general guidelines for all types of plantings, (2) vegetable gardens, (3) plantings in the limited common element patio area, (4) plantings in the common area within 10 feet of a door or exterior walls, and (5) common element gardens which extend or are placed beyond the 10-foot limit.

1. General Guidelines: (unless otherwise noted herein)
  - a. Permanent landscaping and planting require approval of the Covenants Committee. Prior to installation, residents must submit a Covenants Application for Non-Routine Change describing the location, plants and/or garden to be installed.
  - b. All areas of the general common elements or limited or reserved common elements proposed for additions of plantings may be inspected by Management or a member of the Covenants Committee prior to approval of the application.
  - c. Except for turf (grass) or large trees, yellow stakes are a signal that the resident is caring for his or her limited or reserved common element. Such yellow stakes convey a message to the landscape crew and contractors to stay out of that area (the area is designated as either limited or reserved common element or areas around front stoop). This means that the yellow staked areas will not be mulched, will not have leaves removed, and will not have hedges or shrubs pruned. If a unit owner wants these services, the yellow stakes must be removed. If the area is not being properly maintained, the unit owner will be notified and given 10 days to bring the area into compliance. If after 10 days the area is still not in compliance, the yellow stakes will be removed and the necessary landscape tasks performed. Yellow stakes are available at the Association Office free of charge.
  - d. Trees, hedges, and shrubs which restrict sight lines for vehicular traffic shall be trimmed or removed, as appropriate.
  - e. Landscaped areas may include a border in the landscape design, provided that the border is no taller than twelve inches (12") at its highest point. Materials used to create such borders shall be brick, stone, wood, or plastic edging, all of which shall be in earthtone colors. Precast concrete borders in white or earthtone colors are permitted. (No cinder block, decorative or otherwise, will be permitted.) If the terrain requires an adjustment to the height limitation, prior Covenants Committee approval is required.
  - f. Plantings or gardens must represent a contribution to the aesthetic improvement of Parkfairfax.
  - g. The Covenants Committee may require that Management provide satisfactory evidence that contiguous and affected neighbors have received notice of the

proposed addition.

- h. Applications will be disapproved if plantings interfere with the following:
- Air conditioners
  - Windows
  - Hatch well covers
  - Drainage or pedestrian traffic flow or if such installation would contribute to erosion or other building problems
- I. The following are **not** permitted under any circumstances:
- Metal edging
  - Ornamental borders and/or lawn ornaments, such as plastic animals, plastic sunflowers or pink flamingos
  - Composting
  - Bamboo. Removal of bamboo will be at the responsible unit owner's expense.
  - Lattice work of any type, including trellises and other types of flower supports.
  - Common Element Patios, which are defined as an area specifically designed as a patio, which is not limited common element appurtenant to a unit as shown on the plats and plans.
- j. Maintenance of Plantings
- (1) Any unit owner who installs plantings or a garden is solely responsible for maintenance and upkeep of the installation. **In the absence of proper maintenance, the Association reserves the right, after notice, to perform such maintenance at the expense of the unit owner.**
  - (2) The Association, after notice and hearing, may revoke any temporary permit to use the common elements (under a grant of Reserved Common Element authority), and remove a garden at the unit owner's expense.
- k. Common, limited common, or reserve common element plantings must be within the borders of the designated area, and must be maintained by the unit owner.
2. Vegetable Gardens in Common or Limited Common Element Areas.
    - a. Residents may plant seasonal vegetables in their limited common element patio area (20 feet out from the back door) or in the common element area that extends 10 feet from their front or side walls with Covenants Committee approval. Vegetables may also be included in plans for common element extended gardens (see section IV.A.5 below).
    - b. Items planted in vegetable gardens must not exceed 4 feet (48") in height at maturity.

- c. If vegetable plantings require support with trellises, the resident planting the vegetables must comply with the specifications for trellises.
  - d. Dead vegetable plants higher than ground level must be removed from the garden at the end of the season.
  - e. Items 3.b through 3.e of the section entitled “Plantings in Limited Common Element Area” also apply to this section.
3. Plantings in Limited Common Element Patio Area.
- a. Residents may plant flowers, shrubs, and ornamental trees on the limited common element patio areas up to twenty feet (20') out from the back door of the unit prior to approval by the Covenants Committee. Flowers which are annuals and which are planted on the common, limited common, or reserve common elements do not require Covenants Committee approval.
  - b. Prior to any installation of raised flower beds against unit walls, the brick of the unit must first be treated with 2 applications of foundation coating to seal the brick from moisture, and a moisture barrier of 6 mil. plastic placed between the brick and soil backfill. This procedure will alleviate the possibility of water logged soil against the brick causing any moisture seepage to the interior plaster.
  - c. If access to the area is unreasonably restricted for maintenance personnel or equipment by the unit owner’s landscaping and planting, the Association shall not be held responsible for grounds maintenance. Failure to properly maintain such landscaping and planting may constitute a violation of this resolution and the Association may, with notice, enter the area to carry out necessary maintenance, including removal of plant material. Notice may be waived in emergency situations. All expenses incurred as a result of this maintenance shall be assessed to the unit owner.
  - d. In the event the Association requires access to a building which is bordered by a unit owner’s garden, the Association will attempt to preserve the garden as much as practical. However, the Association will not be responsible for any damage that may result to a unit owner’s garden from the Association’s inability to access the building.
4. Plantings Within 10 Feet of the Front or Side Walls of Unit.
- a. Residents may plant flowers, shrubs, and ornamental trees on the common element within ten feet (10') from the front or side wall of their unit prior to approval by the Covenants Committee, providing that the ten foot (10') limit does not cross any sidewalk. The resident must apply for approval of such plantings within 30 days of installation. Flowers which are annuals and which are planted on the common, limited common, or reserve common elements do not require

Covenants Committee approval.

The application must include the liability and care responsibility sections of the current Covenants Application for Non-Routine Change and must be signed by all unit owners of record. The Association may inspect the plantings and if it is determined that the plantings are inappropriate, inconsistent with the aesthetics or conditions of the area or otherwise do not meet the standards set forth in this resolution, the Covenants Committee may require that the plants be removed or relocated and the area restored to its prior condition at the unit owner's expense.

- b. Items 3.b. through 3.e. of the section entitled "Plantings in Limited Common Patio area" also apply to this section.

5. Common Element Extended Gardens.

- a. Gardens which extend beyond or are placed beyond the 20 foot limit at the rear of a unit and/or the 10 foot limit at the front or side of a unit (as described above) may be allowed by the Covenants Committee under certain conditions, including an assessment by the committee of the contributions that such a garden would make to the overall landscaping of Parkfairfax.
- b. Approval of the Covenants Committee is required **before** a common element extended garden is installed. The application to the Covenants Committee shall consist of a completed Covenants Application for Non-Routine Change and a detailed plan. If the Covenants Committee recommends approval, it will request that a representative of management conduct a physical inspection of the proposed site before final approval is granted.
- c. The Covenants Administrator shall notify the residents of nearby and/or affected units (those who would see the garden from their units) when an application for a common element extended garden is to be reviewed by the Covenants Committee. Along with the application, the Covenants Administrator shall supply to the Covenants Committee dated proof of notice to contiguous and affected neighbors that an application for a common element garden is being submitted. The Covenants Committee will review the notice to ensure that the neighbors have had adequate time to comment, and may delay its decision for one month to allow for that comment period.
- d. The unit owner who installs the common element extended garden is solely responsible for the maintenance of the installation.
- e. The unit owner, upon resale of the unit, relinquishes all rights to any plant materials in the common element extended garden unless the Board of Directors grants the unit owner written permission to remove the garden or any plants therein. The resale purchaser then assumes the responsibility to maintain the common element extended garden.

- f. If access to the area of the common element extended garden is unreasonably restricted for maintenance personnel or equipment, the Association shall not be held responsible for grounds maintenance. Failure to properly maintain such landscaping and planting may constitute a violation of this resolution and the Association may, with notice, enter the area to carry out necessary maintenance, including removal of plant material. Notice may be waived in emergency situations. All expenses incurred as a result of this maintenance shall be assessed to the unit owner.

B. Common Elements, Stoops, Porches, Porticos, and Breezeways.

1. General Conditions.

- a. All items placed on the common elements, including limited or reserved common elements, whether or not approved by the Association, and whether placed there by a unit owner or occupant, are placed on the common elements at the risk of the owner or occupant. The Association does not assume any liability for any damage, destruction or loss to any item placed on the common elements.
- b. Items left overnight on the general common elements (which does not include the limited or reserved common elements) shall constitute a violation and will be removed by the Association, with notice, at the expense of the unit owner. The only exceptions to this are:
  - (1) Items expressly allowed by this resolution or application to and approved by the General Manager or Covenants Committee as applicable.
  - (2) Annual flowers and vegetables as allowed under paragraph IV.A.2.a and IV.A.4.a.
  - (3) Hose hangers as allowed under paragraph IV.B.1.e.
  - (4) Grills placed adjacent to the stoop as allowed under paragraph IV.B.4.c.
- c. Nothing may be placed on the common elements which will present an eyesore, a hazard, a cluttered appearance, or would otherwise be disharmonious with the common elements.
- d. Any items which are not properly maintained or are improperly stored on the common element may be removed by the Association, with notice, at the expense of the unit owner. Any material or items that may be considered a hazard may be removed immediately by the Association without notice.
- e. Nothing may be attached or chained to the building or common elements, including trees and shrubbery accept as unless expressly allowed by this resolution or application to and approved by the General Manager or Covenants Committee as applicable. The only exception is hose hangers, which are permitted to be hung on the exterior of the building provided the hanger is plastic, polypropylene or made of a non-rusting coated metal material. Hose hanger colors may be white, green, or earthtone on white buildings and red, green, or

earthtone on red brick buildings. Hose hangers should be placed in an area as close to the spigot as possible. Generally, the hose hanger should be placed in an inconspicuous area not visible from the street.

- f. Painting or carpeting of stoops, porches, or breezeways is strictly prohibited.
  - g. Other than those items described in paragraph IV.B.4 below, no items may be placed on the common or limited or reserved common elements without first obtaining approval.
2. The following are examples of items that will not be permitted to be installed or to be left on any part of the general, limited, or reserved common element, unless otherwise expressly approved by the Board of Directors. Such Items will be removed by the Association, with notice, at the expense of the unit owner.
- a. Permanently - installed outdoor barbecues.
  - b. Monolithic concrete slab paving.
  - c. Empty flower pots and other miscellaneous gardening supplies and equipment when not in use.
  - d. Storage Sheds.
  - e. Playhouses, dog houses or similar structures.
  - f. Free standing flag poles.
  - g. Campers/RV's.
  - h. Boats (including canoes and kayaks).
  - I. Tents/awnings.
  - j. Rugs/carpets.
  - k. Appliances.
  - l. Trash cans and recycling bins.
  - m. Furniture (other than outdoor lawn furniture).
  - n. Excessive or poorly maintained outdoor lawn furniture.
  - o. Bicycles, motorcycles or mopeds.
  - p. Building materials.
  - q. Electronic insect traps.
  - r. Solar collectors.
  - s. Flammable materials, including gas, kerosene, or propane tanks unless attached to a grill, etc.
  - t. Wading pools.
  - u. Motorcycles or mopeds, except on lanes and cul-de-sacs.
  - v. Fire Pits
3. All exterior changes or additions not specifically prohibited in Section IV.B.2, require written application and approval. Written specifications for most changes are available at the Association Office.
4. The following are permitted without approval, on the stoops, porches, breezeways and porticos:

- a. Potted plants.
- b. Statuary (natural, ceramic, unpainted, no more than 24" in height).
- c. 1 grill per unit (not to exceed 24" in height) can be placed immediately adjacent to the stoop on the common elements.
- d. Chimineas are permitted, but cannot be within 10 feet of combustible materials and cannot be placed within 15 feet from the building and 4 feet from shrubs and trees and must comply with City ordinance, subject to change by the City of Alexandria.
- e. On stoops, outdoor furniture of a size appropriate to the stoop. (Indoor furniture is not permitted on the stoops overnight.)
- f. On breezeways, porticos and porches: 1 free standing swing, or 1 bench, or 2 outdoor chairs and a table not to exceed 24" in diameter are permitted for each unit.

C. Patio Areas

1. Certain items are allowed in patio areas but not on other parts of the limited, reserved, or general common elements. These include:
  - a. Storage boxes.
  - b. Sandboxes.
  - c. Small toys.
  - d. Bird houses and feeders.

Requirements for these items are described in section IV.C.2.

2. The following items are allowed on the patio areas without approval:
  - a. Table with/without an umbrella; benches or chairs; chaise lounges; end tables; grills.
  - b. One (1) large storage box not to exceed 2 1/2'H x 3'D x 5'W or two (2) small storage boxes not to exceed 2 1/2'H x 2'D x 3'W. Boxes must be painted to match the color of the building or with a natural wood finish or constructed of earthtone plastic or rust-free metal. If a natural wood finish is desired, the box must be made of a rot-resistant wood such as cedar or redwood.
  - c. Sandboxes with a cover; not to exceed 18" in height.
  - d. Toys during the period April 1 - September 30. Such items are to be placed against the building when not in use. Wading pools are not permitted.
  - e. Tree bird houses, hanging bird feeders, standing bird feeders, and bird baths are permitted. No bird house or feeder may be attached to any part of the exterior of the building with the exception of bird feeders attached to windows by suction cups. No bird feeders may be nailed to trees.

The following are examples of such exterior changes to the patio areas which

require submission of a Covenants Application for Non-Routine Changes.

- a. Plantings.
- b. Plant containers.
- c. Installation of paving materials such as brick, slate, block, stone, etc.
- d. Outdoor lighting.
- e. Arbors
- f. Gates
- g. Water features

D. Noise & Carpet

1. Noise

Residents must exercise due consideration at all hours in the operation of radios, televisions, musical instruments, or any other items to ensue that the sound will not disturb others.

2. Carpet

Sufficient carpeting or rugs with padding shall be maintained on floor surfaces (excluding kitchens, closets and bathrooms) in units located over other units to adequately reduce transmission of sound between units. The intent of the Association being to minimize sound transmission to the extent reasonably possible, the following interpretations and standards are established to provide guidance to the Covenants Committee as it attempts to enforce the Bylaws provision:

- a. Carpets or rugs alone do not adequately insulate against sound transmission; they require padding to do so.
- b. Portions of a unit directly over another (other than the above stated exceptions) shall be covered by at least 9/16 inch foam padding or materials providing equivalent reduction of sound transmission.
- c. Polymeric foam cushion is not effective to insulate against sound and is, therefore, not an adequate padding.
- d. Jute and/or horsehair floor coverings do not insulate against sound transmission and are, therefore, not acceptable floor coverings by themselves.
- e. Generally, eighty percent (80%) of the floor area of each room, hallway or other area of the unit that is directly above another unit (excluding kitchens, closets, and bathrooms but specifically including stairways and landings) should be covered. In those instances where the Covenants Committee or the Board of Directors finds that a noise problem flows between units which are side by side, they may also require affected floor areas of each room, hallway, or other areas to be carpeted

and padded in order to restrict noise transmission.

- f. These provisions are intended to guide the Covenants Committee whenever it receives a written complaint on sound transmission, but there will be no unit inspections unless a written complaint is received.

E. Doors; Doorbells, Knockers, Handles, Locks, Kickplates, Door Treatments

Administrative approval is required for any changes to door hardware made by a unit owner. Generally, hardware must be of polished or antique brass finish, in scale with approved hardware, and compatible with the architectural character of Parkfairfax. Door knockers may not exceed 5" in width and 8" in height.

Additions to or changes of locks on the door hardware must meet the above criteria and a working key(s) for emergency access to the unit must be deposited at the Parkfairfax Office.

Approved storm/screen door combinations (front/rear) may be installed by unit owners. Administrative approval only is required.

Holiday decorations are permitted on a door, door frames, posts, columns, or exterior brick without necessity of application so long as they are tasteful and timely for the season. Care must be exercised to avoid damage to the brick, wood, or columns. Any damage will become the responsibility of the owner.

Other decorative additions are not permitted on door frames, posts, columns, or exterior brick unless expressly allowed by this resolution or application to and approved by the General Manager or Covenants Committee as applicable.

Administrative approval only is required for repainting or restaining of entry doors provided colors are in conformance with the schedule of approved colors on file in the Association Office. All stained and refinished doors are the responsibility of the unit owner to maintain and seal at all times.

F. Signs

No signs other than those noted herein shall be erected, posted or displayed upon, in, or from any unit, common element, or limited or reserved common element.

1. Signs that are permitted without prior approval are limited to the following:
  - a. Traffic signs erected by the Association or required by the city.
  - b. "Safe House for Children" signs, and signs for firemen locating rooms for children, elderly persons, handicapped persons, pets, etc.
  - c. Real estate "For Sale" signs of a maximum size of 24" inches square are permitted, without prior approval, to be tastefully displayed and placed inside of a

closed storm or screen door or from behind a window within a unit.

- d. One real estate sign advertising an open house may be placed on the common element within 20 feet of the unit for sale, during the hours of 12:00 noon and 6:00 p.m. on Saturdays and Sundays only. If the unit is more than 20 feet from a street or lane, then a second sign is allowed to be placed in an area on a main street or lane nearest to the unit. All such signs must be removed by 6:00 p.m. each day they are posted. Failure to remove a real estate open house sign may result in a special assessment to the unit, as well as removal and disposal of the sign by the Association without reimbursement to the unit owner or the unit owner's agent.
- e. Signs which advertise Yard Sales may be placed on the common element on the day of the yard sale and removed the same day not later than 3:00 p.m.

#### G. Fences and Screens

- 1. No fences are permitted. A fence is defined as any brick, block or stone wall; wooden, metal or plastic posts connected horizontally by any material; or any free standing screen.
- 2. Only landscape plant material, borders, or planter boxes may be used to define limited common elements or to effect patio privacy. Any such plant materials must, however, have Covenants Committee approval.

#### H. Plumbing

If a change to the plumbing system of a unit does not adversely affect another unit or the common elements, approval is not required; however, city approval, if required, shall be obtained. Also, if it is necessary to temporarily interrupt common water service, the Association Office must be notified at least 24 hours in advance during normal office hours.

If the proposed change to the plumbing system of a unit would adversely affect another unit or the common elements, the change is prohibited.

The Association assumes no responsibility for any damage to persons or property resulting from or related to any change in plumbing from that originally installed, whether or not such change has approval.

#### I. Electrical Wiring

If a proposed change to the electrical wiring in a unit would affect another unit or the common elements or increase the amperage draw beyond the electrical rating of the panel box (125 amps), the change is prohibited.

The Association assumes no responsibility for any damage to persons or property resulting from or related to any change in wiring from that originally installed, whether or not such change has approval.

J. Painting, Wallpapering, Decorating

Painting, wallpapering, and decorating within a unit do not require approval. However, such painting, wallpapering and decorating are not covered by the Association's insurance coverage and should, therefore, be insured by the unit owner.

K. Subdividing, Combining and Relocating Boundaries Between Units

Unit owners may combine, subdivide and relocate boundaries between units subject to the following provisions:

1. An application to subdivide, combine or relocate unit boundaries must be submitted only to and approved only by the Board of Directors prior to commencement of any change. The application must be made jointly by all the unit owners involved.
2. The application must contain the following:
  - a. Diagram of existing unit boundaries;
  - b. Diagram of proposed unit boundaries;
  - c. Proposed reallocation between the units involved of the aggregate percentage interest appertaining to those units, if applicable, or a statement that no such reallocation shall be necessary;
  - d. Identification of persons or firm qualified to perform the construction;
  - e. Time schedule for construction and/or demolition of the dividing walls;
  - f. Name and address of applicants' Legal Counsel if any; and
  - g. Such additional information as the Board of Directors deems necessary to fully evaluate the application.
3. Any new walls must meet the standards of original construction, or current building codes, if such exceed the standards of original construction. Applicants assume responsibility for all costs, including but not necessarily limited to the following: costs of reviewing, approving and filing amendments to Declaration and plats and plans, including legal fees related thereto and certification by a licensed land surveyor and a licensed architect or engineer or land surveyor, as required in the Condominium Act, such costs to be divided between or among applicants as they shall agree in writing among themselves.
4. Construction and/or demolition of unit boundaries may not commence until applicants have met the requirements imposed by the Board of Directors and this resolution and all appropriate instruments have been prepared, executed and properly readied for recording, and all fees paid. Once begun, construction and/or demolition must be completed within sixty (60) days and must be done in such a way as to not unreasonably disturb or interfere with other residents. Responsibility for removal of any resulting debris, from the relocation, including costs, if any, shall be borne by the applicants as they shall in writing determine among themselves. If applicant(s) fail to promptly and properly dispose of debris, the Association will take such action and levy a special assessment against the

appropriate unit owners to cover such expense. Such debris shall be removed from the area daily.

- L. Exterior Antennas:  
Exterior antennas and satellite dishes of any type are prohibited.
- M. Clothes Drying  
The drying or hanging of clothes is strictly prohibited anywhere outside of a unit.

## V. PROCEDURES FOR ASSURING ARCHITECTURAL COMPLIANCE

### A. Inspection

The Covenants Administrator or Committee or its agent(s) may periodically survey the Condominium for compliance with architectural standards.

### B. Alleged Violations

1. All reports of alleged violations of this resolution must be submitted in writing to the General Manager or his/her designee who will, personally or by designee, inspect to determine whether a violation exists.
2. If the General Manager or his/her designee determines that a violation exists, the unit owner shall be informed in writing at the last address registered at the Association Office for said owner via certified mail, return receipt requested, or hand delivered as appropriate, giving the unit owner a specific amount of time in which to correct the violation. The unit owner may also be contacted verbally to request cooperation.
3. If the unit owner does not respond to the initial letter, a second letter of notification shall be sent.
4. If the second letter remains unanswered or the violation is not corrected, the matter shall be referred to the Covenants Committee, which shall then determine the appropriate disposition of the matter.
5. Covenants Committee actions may include, at the Committee's discretion, any or all of the following:
  - a. Issuing a cease and desist order.
  - b. Requiring the unit owner to remove the unacceptable change or restore the affected area to its condition before the change, or to otherwise compensate the Association or affected Association members for any damages caused by the unit owner's activity.

- c. Having the Association correct the violation, with associated expenses charged back to the unit owner.
- d. Notifying the mortgagee of the violation.
- e. Imposing a charge in accordance with the procedures set forth in Policy Resolution Number Four.

**EXHIBIT A**  
**PARKFAIRFAX CONDOMINIUM UNIT OWNERS ASSOCIATION**  
**RESOLUTION ACTION SHEET**

Resolution Type:

No.

ADOPTED AT A REGULAR BOARD MEETING  
(TYPE OF)

ATTEST: \_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
**SECRETARY**  
(TITLE)

AMENDED AT REGULAR BOARD MEETING  
(TYPE OF)

AMEND SECTION NUMBER \_\_\_\_\_

ATTEST: \_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(TITLE)

**ATTEST:**

Lynn Humphries, Secretary

File:  
Book of Minutes - 1998

Policy

Administrative

Special

General

Resolution effective date: January 28, 1998

Amended June 24, 1998 (applications & application procedures)

Amended December 16, 1998 (water features & noise)

Amended March 11, 2009 (front patios)

Amended November 19, 2009 (fire pits)

Amended March 17, 2010 (Central System Packaged Split System Electric Heat Pumps)