

FAIRLINGTON VILLAGES, A CONDOMINIUM ASSOCIATION
GENERAL RESOLUTION NO. GR 11/03/21

***VARIANCE REQUEST – 2810-A S. ABINGDON STREET
REMOVE A FIREPLACE VENT ON THE EXTERIOR OF THE UNIT***

WHEREAS, Virginia Code Title 55.1 Section 1956 (B) allows the Board of Directors to exercise power assigned to the "Unit Owners' Association" by the Act, to the extent permitted by the By-Laws of the Unit Owners Association;

WHEREAS, Article III, Section 2 of the By-Laws assigns the Board of Directors with "all of the powers and duties necessary for the administration of the affairs of the Condominium," and further states that the Board may do all such acts and things as are not by the Act or by the By-Laws directed to be exercised and done by the Unit Owners Association;

WHEREAS, Article XV, Section 1 of the By-Laws states that it shall be prohibited "to make any change or otherwise alter (including any alteration in color) in any manner whatsoever the exterior of any condominium unit...or to make any change or alteration within any condominium unit which will alter the structural integrity of the building or otherwise affect the property, interest or welfare of any other unit owner," without plans and specifications reviewed and approved by the Board of Directors or by an architectural control committee designated by it; and

WHEREAS, the homeowner of a Clarendon II unit has submitted a variance request for approval to remove a fireplace vent on the exterior of their unit and the Architectural Control Committee, in accordance with the Board's procedures, has reviewed the request and recommends that the request be _____.

THEREFORE BE IT RESOLVED, the Board approves the September 25, 2021 variance request from the homeowner at 2810-A S. Abingdon Street to remove a fireplace vent on the exterior of their unit, in accordance with the specifications outlined in the attached variance request. Approval is subject to the unit owners' acceptance of responsibility for any damage caused by the approved modifications and indemnification of the Association for all of its costs, judgments and/or expenses, including its attorneys' fees, which may arise from or relate to the approved modifications or to damages or damage claims arising therefrom. Further, the homeowner is responsible for obtaining all building permits, ensuring that the modifications are in accordance with those permits and all applicable building codes.

ATTEST:

Secretary

President

Date

Date

Moved by _____

Second by _____

VOTE _____

Approved () Disapproved ()

Submitted by: Anne Wasowski and Philip Brown

FAIRLINGTON VILLAGES, A CONDOMINIUM ASSOCIATION
GENERAL RESOLUTION NO. GR 10/06/21

Roll Call:

Alvord, Melanie _____ Auston, Jessica _____ Brown, Philip _____

Placek, Terry _____ Reem Harold _____ Stolof, Edward _____

Straub, Larry _____ Torres, Joe _____ Wasowski, Anne _____



Fairlington Villages
A Condominium Association

MEMORANDUM

TO: Board of Directors
FROM: Erin Moran, Office Manager
DATE: October 27, 2021
RE: ACC Committee Recommendations

The ACC Committee has not turned in their minutes from their last meeting as of today. Once they are received, an updated resolution with their recommendation will be delivered to all BOD Members.



Fairlington Villages,
A Condominium Association
VARIANCE REQUEST FORM

PRIMARY CONTACT INFORMATION (please print):
 Owner name(s): William P. DeBree Date: 9/25/21
 Property address: 2810 A South Abingdon Street Unit Model: _____
 Mailing address (if different): [REDACTED]
 Daytime phone: [REDACTED] Home/Cell phone: _____
 E-mail address: [REDACTED]

FOR THE MANAGEMENT OFFICE:
 VARIANCE REQUESTED: Remove vent OWNER VERIFIED:
 TYPE OF UNIT: Clarendon II ENG CERT/DRAWINGS:
 AGENDA DATE: 10/21 VC RESULT: APPROVE DENY
 BOD APPROVAL REQUIRED: YES NO AGENDA DATE: _____
 1st LTR OWNER: 10/14 2nd LTR OWNER: _____ FINAL LETTER: _____

A variance request is required when making interior or exterior changes to a unit that are not in accordance with Fairlington Villages policy or by-laws.

<https://fairlingtonvillages.com/policies/>

<https://fairlingtonvillages.com/by-laws/>

If uncertain whether a change meets policy or by-laws, contact the Management Office.

1.0 UNIT OWNER RESPONSIBILITY ACCEPTANCE

UNIT OWNER UNDERSTANDS AND AGREES:

- 1.1. Unit owner must be up to date on all assessments and payments due before a variance request can be considered.
- 1.2. Misrepresentation, written or oral, VOIDs a variance approval.
- 1.3. Work proposed in a Variance Request may not be started until receiving written approval from the Management Office on behalf of the Board of Directors or Architectural Control Committee, as Required.
- 1.4. All work must be done according to:
 - the Variance Approval,
 - the Building Permit,
 - the Rules and Regulations of the Association,
 - local jurisdiction noise, safety, and building code requirements, and
 - best practices for maintaining a safe site in and around the unit, including trash removal and haul away. Trash removal policies: <https://fairlingtonvillages.com/wp-content/uploads/sites/647/2021/01/Trash-Policy.pdf>

- 1.5. All building permits and inspections are, ultimately, owner responsibility, even though a contractor agrees to make these arrangements.
- 1.6. Construction must start within _____ days (not to exceed 180 days) of receiving notice of approval from the Management Office or the Variance will be VOID. Extensions may be granted by the Management Office, in writing.
- 1.7. Construction must be completed within _____ days (not to exceed 180 days) of beginning construction or the Variance is VOID. Extensions may be granted by the Management Office, in writing.
- 1.8. Owner must notify the Management Office when final approval from the jurisdiction's Building Inspection Service is complete. The Management Office will inspect the finished project to verify that construction agrees with the Variance Request. If interior inspection is required, owner may be present or provide a key to the Management Office, as mutually agreed.

2.0 VARIANCE TIMELINE

- 2.1. Submit Variance Requests to the Management Office by the 1st Monday of the month to be included on the Architectural Control Committee agenda for that month.
- 2.2. Architectural Control Committee meetings are held on the 3rd Thursday of each month at 7 p.m. in The Fairlington Villages Community Center, 3001 S Abingdon St. Meetings are OPEN. Please, join us! It helps and should not take long.
- 2.3. Incomplete or inadequate variance requests will be returned via the Management Office with an explanation of what will be needed when resubmitted.
- 2.4. Some Variance Requests require Board of Directors (BOD) approval. The Architectural Control Committee sends all such Requests to the BOD, along with its recommendations.
- 2.5. BOD meetings occur the 1st Wednesday of every month at the Community Center and are OPEN. Even if the Architectural Control Committee recommends NOT approving your request, you may ask the BOD for their approval. The BOD decision is final.
- 2.6. Upon completion of the project, provide owner certification that the project was completed in accordance with the approved Variance to the Management Office.

3.0 VARIANCE INFORMATION

Planned date for project start: ASAP

Approximate date for project completion: pending HOA roofing contractor

If requesting post-construction approval for a project that did not undergo the required Variance approval process, see section 6.0.

Variance requested (Check all that apply):

- Interior *See section 4.0 for interior variance submission requirements.*
 - Changing, modifying, or removing any wall, or any support post and the joist(s) it supports;
 - All attic space conversions;
 - All renovations introducing additional plumbing fixtures.
- Exterior *See section 5.0 for exterior variance submission requirements.*
 - Anything altering the exterior appearance of the building, including wall penetrations, cables, pipes, windows, window trim, doors, door trim, steps, and fences.
 - Any other changes not in accordance with policy

4.0 INTERIOR VARIANCE DOCUMENTATION

All interior variance requests shall provide the following:

- A detailed description of interior improvements/renovation/work, including location

- Floor plan of your unit clearly marked to show the proposed changes. Show measured and planned dimensions. <http://fairlington.org/homedata.htm> contains floor plans with approximate dimensions.
- Color photographs of the area to be changed. Indicate locations of proposed changes on the photographs.
- Copy of contractor proposals, commercial literature, and any related information.

4.1 Interior projects requiring Arlington/Alexandria building permit

To determine if work requires a building permit, consult your respective county/city building permit office.

For Arlington address: <https://building.arlingtonva.us/permits/residential/>

For Alexandria address: <https://www.alexandriava.gov/permitcenter/default.aspx?id=55414>

For projects proposing changes to the interior that require an Arlington/Alexandria building permit, provide the following information with your Variance Request:

- An original letter from a Professional Engineer, licensed in Virginia and qualified in structural engineering declaring without qualification that if the project is constructed in accordance with plans, the project will have no effect on the building structural integrity.
- A copy of the building permit approval from the county/city.
- An owner certification post-construction that the project was completed in accordance with the approved building permit and Variance.

4.2 Interior projects not requiring Arlington/Alexandria building permit

For projects proposing changes to the interior (Changing, modifying, or removing any wall, or any support post and the joist(s) it supports) that do NOT affect the building's structural integrity, provide:

- An original letter from a Professional Engineer, licensed in Virginia and qualified in structural engineering declaring without qualification that if the project is constructed in accordance with plans, the project will have no effect on the building structural integrity.
- An owner certification post-construction that the project was completed in accordance with the approved Variance.

5.0 EXTERIOR VARIANCE DOCUMENTATION

All exterior variance requests shall provide the following:

- A detailed description of exterior changes proposed, including location
Removal of exterior wood burning stove ventilation pipe from roof

Resident will coordinate w/ Mgmt and the Roofing Contractors to restore the roof to the cost of the resident

- Reason(s) for the change(s): Wood burning stove no longer in use

- Photographs of the building exterior showing the existing condition of the building and marked to show specific locations of the proposed change(s). Both wide and detailed area photographs are helpful. For changes outside the building, consider using Google Maps to show aerial location of change.

- Photographs of nearby units or buildings with similar exterior changes are helpful. Show address.

For wall penetrations:

- Detailed description and location(s) of any new wall penetration(s), including exterior vent cover(s), cable, wire, HVAC, or other pipe penetration(s). (may be included in description above)
- Detailed description of how penetration(s) no longer needed will be repaired and made weatherproof. (may be included in description above)
- Documentation showing the color(s) of material(s) proposed to be used. If not white or reusing existing materials, color samples or images will be required.
- An owner certification post-construction that the project was completed in accordance with the approved Variance.

6.0 EXPEDITED AND POST-CONSTRUCTION VARIANCES

- Variance Requests for reasons of health, safety, or security may be expedited insofar as Variance Committee and Board Members are able. Provide written justification.
- Variance Requests for projects already completed shall submit all of the information above, including color photographs and an explanation for not receiving the Variance prior to the change. Note that Variance approvals are required for sale of a property and may be subject to an assessment when requested post-construction.

Removal of the exterior portion of the wood burning stove vent pipe will ensure no future water damage to the interior of the unit

7.0 APPLICATION / INDEMNIFICATION / AGREEMENT:

I/we, owners of the referenced unit, apply to the Architectural Control Committee and the Board of Directors to make the requested changes/modifications/additions/improvements (the Project) to the unit.

I/we agree to be personally responsible to the Association and to any other unit owner for all damage caused by or arising from the Project and to indemnify the Association for all of its costs, judgments, and/or expenses, including actual attorney's fees, arising from or relating to the Project.

I/we agree that, if approved, the Project will be completed in accordance with the Variance received.

I/we have read and understand the requirements and guidelines provided by the Association.

Signed: William P. DeBrie Date: 9/25/21

Signed: _____ Date: _____

8.0 PROJECT COMPLETION VERIFICATION

After the project is completed, the unit owner must certify that the work was completed in accordance with the approved Variance and Building Permit (if applicable).

- Provide color photographs showing the completed work.
- Provide copy of any building permit inspections or completion documentation (if applicable).

I/we, owners of the referenced unit, certify to the Architectural Control Committee and the Board of Directors that the requested changes/modifications/additions/improvements (the Project) were completed in accordance with the approved Variance Request.

Signed: _____ Date: _____

Signed: _____ Date: _____



Fairlington Villages
A Condominium Association

October 14, 2021

William P. DeBree
138 Princeton Avenue
Lavalette, NJ 08735

Ref: Variance Request Dated September 25, 2021 – Remove a Vent from the Roof of the Unit – 2810-A S. Abingdon Street

Dear Mr. DeBree:

Please be advised that your variance request to remove a vent from the roof of your unit has been forwarded to the Variance Committee for their review and recommendation to the Board of Directors.

The Variance Committee meeting will be held on Thursday, October 21 at 7 pm, in the Community Center building located at 3005 S Abingdon Street.

You are welcome to attend this meeting. If you have any questions please feel free to contact me.

Sincerely,

Erin Moran, CMCA
Office Manager
emoran@fairlingtonvillages.com

Cc: Unit File – 2451
Variance Committee Chair