

**FAIRLINGTON MEADOWS COUNCIL OF CO-OWNERS
ADMINISTRATIVE RESOLUTION NO. 21-01**

(Temporary Waiver of the Fence Line Height Restriction – Relating to the COVID-19 pandemic)

WHEREAS, Article VI, Section 6 of the Fairlington Meadows By-laws, Exhibit B to the Master Deed, recorded at Deed Book 1846, page 146 of the Arlington County Land Records, Virginia, sets forth Rules of Conduct related to unit owners use of the Condominium Property, including Family Units and the Common Elements;

WHEREAS, Article VI, Section 6, Subsection 13 of the Rules of Conduct, provides that nothing shall be hung in the patios above fence lines;

WHEREAS, Article VI, Section 6, Subsection 20 of the Rules of Conduct, provides that the Board of Directors (“Board of Directors”) of the Council of Co-Owners of Fairlington Meadows, may add to, amend or repeal the provisions of the Rules of Conduct, Article VI, Section 6 of the By-laws;

WHEREAS, in light of the COVID-19 pandemic and current Executive Emergency Orders of the Virginia Governor, the desire for outdoor and home-based activity and recreation has drastically increased.

WHEREAS, in furtherance of these requirements and desires, unit owners are making more use of their patios and yard areas to engage in activity and recreation and therefore based on an increased number of requests the Board deems it appropriate to temporarily suspend enforcement of the fence line height restriction set forth in the Rules of Conduct, to ensure that unit owners have the ability to navigate the challenges presented by the COVID-19 pandemic and to further foster compliance with the Virginia Governor’s Executive Orders consistent with the provisions herein, as set forth in this resolution; and

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the Board duly adopts the following Resolution:

I. Temporary Waiver Period

- A. The Board and Council shall temporarily suspend enforcement action related to the By-Laws fence line height restriction set forth in Article VI, Section 6, Subsection 20 of the Rules of Conduct, only related to the use and placement of temporary and portable recreational equipment.
- B. The temporary suspension of enforcement of the fence line height restriction shall only remain in effect for the duration of the declared state of emergency in Virginia and/or any Virginia Governor’s Executive Orders relating to the COVID-19 pandemic which limit and restrict indoor or recreational activities, and/or public or private social gatherings, or until October 1, 2021, whichever is earlier. Upon expiration of the suspension period, this

Resolution shall be deemed repealed. The Board reserves the right to modify or repeal this Resolution and the related suspension period, per a duly adopted decision of the Board.


- C. Upon the expiration of the suspension of the enforcement of the fence line height restriction, the rear patio/yard of a unit shall be returned to its original state, which means fully brought into compliance with the reinstated fence line height restriction from the Rules of Conduct, at the sole cost of the unit owner/resident. No permanent alterations or alterations to the rear yards and structures thereon which otherwise violate any other provision of the Condominium Instruments to the rear yards may be made. The Board of Directors reserves the right to pursue enforcement action against unit owners that fail to bring their rear patio, yards or fences into compliance with the Rules of Conduct, after expiration of this Administrative Resolution and the suspension period.

II. Approved Structures and Review

- A. The temporary suspension of enforcement of the fence line height restriction shall only apply to the following items or structures, which are specifically approved:
 - a. Outdoor tents
 - b. Trampolines and the related safety nets
 - c. Heating units
 - d. Exercise equipment
- B. Equipment that would be consistent with the desires of the Board of Directors and the purpose of this Resolution, but are not specifically approved above, must be reviewed on a case by case basis by the Board of Directors and receive prior approval before placement/installation. The Board of Directors reserves the right to solely approve or deny any other requested equipment.

This Resolution was adopted this 20th day January, 2021, by the Board of Directors and shall be repealed as set forth in Section I(B) herein.

FAIRLINGTON MEADOWS COUNCIL OF CO-OWNERS

By: 
President

RESOLUTION ACTION RECORD

Duly adopted at a meeting of the Board of Directors of the Council held 20 January, 2021.

	VOTE:			
	YES	NO	ABSTAIN	ABSENT
<u>Joseph Spytak</u> President	✓	_____	_____	_____
<u>Iron Adelson</u> Vice President	✓	_____	_____	_____
<u>Erica Brown</u> Secretary	✓	_____	_____	_____
<u>Michael J. Malinski</u> Treasurer	✓	_____	_____	_____
<u>Crump Gil</u> Director	✓	_____	_____	_____
_____ Director	_____	_____	_____	_____
_____ Director	_____	_____	_____	_____
_____ Director	_____	_____	_____	_____

Resolution effective: 1 February, 2021.