

# Revision to Administrative Resolution Number 7 Resolution Worksheet

Date: December 18, 2024

## Suggested Motion:

“I move to approve the revised Administrative Resolution Number 7, Procedures and Guidelines Relating to Tree, Shrub Planting and/or Bench Installation Requests Sponsored by Unit Owners.”

2<sup>nd</sup>:

## Vote:

	In Favor	Opposed	Abstained	Absent
Scott Buchanan				
Dave Bush				
Caitlin Counihan				
Elaine Lawler				
Jeff Lisanick				
Amanda Mullan				
Scott Mulrooney				
Mike Rothenberg				
Jim Wicker				

From: **Terry Karraker**

Date: Wed, Dec 4, 2024 at 9:15 AM

Subject: Parkfairfax memorial

To: Mike Rothenberg

Cc: [babzst@comcast.net](mailto:babzst@comcast.net), Cindy Pflugh , Shannon Oesch

Good morning Mike , hope you're doing well . My friends and I have just lost a very dear friend, Debra Livingston. Debra and her husband lived in Parkfairfax for 20 years before moving nearby in Alexandria. She loved living here and still has many friends in the area.

We would like to plant a tree in her memorial with perhaps a plaque on a rock memorializing her. We would like it to be near Coryell pool, as she had so many good times there raising her daughter.

Would you be able to help with this project? Can you ask the board how to initiate the process?

Thanks in advance for any advice you can give.

Respectfully,

Terry Karraker

## **ADMINISTRATIVE RESOLUTION NO. 7**

### **PROCEDURES AND GUIDELINES RELATING TO TREE/SHRUB PLANTING AND/OR BENCH INSTALLATION REQUESTS SPONSORED BY UNIT OWNERS**

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

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

**WHEREAS**, no changes to the Common Elements or Limited Common Elements may be made without written application to and approval by the Board of Directors, General Manager or Covenants Committee; **AND**

**WHEREAS**, the Board of Directors recognizes that the enhancement of the Association's public spaces including trees, shrubs, and benches are essential and desired for the community ambiance and property values of Parkfairfax as well as constituting good stewardship of the landscape; **AND**

**WHEREAS**, the Board of Directors deems it necessary to establish guidelines and procedures for unit owners wishing to sponsor planting of trees, shrubs, and/or the placement of benches on the common element, to enhance the beauty of the Community, and/or to honor loved ones or community members

**NOW THEREFORE, BE IT RESOLVED THAT** the following is adopted regarding this topic:

I. **GENERAL**

- A. For the purposes of this resolution common element does not refer to designated patios appurtenant to a unit as shown on the plats and plans.
- B. If a Unit Owner wishes to sponsor a tree, shrub and/or bench to be installed on the common element, all requirements of Administrative Resolution Number Two with regard to Landscaping and Planting must be followed and a Tree/Shrub Planting Request Form and/or a Bench Installation Form must be filled out and sent to the Association Covenants Director , or the General Manager in their stead.

- C. The Association reserves the right to refuse any requests to plant trees and/or shrubs or to install benches in any specifically requested location on the common element, including the limited common element.
- D. The Association will undertake the placing of a bench and planting of trees or shrubs and no planting or placement may be performed by the sponsoring Unit Owner.

## II. APPLICATION PROCEDURES

### A. Requirements for all Applications

1. Applicants wishing to make any of the changes allowed by this Resolution must submit proper written application form(s) with all appropriate sections completed, and include any required attachments, samples and additional information. An application is not complete until all necessary materials have been received. Application forms may only be submitted by a Unit Owner, who may also act as an applicant liaison for non-residents wishing to donate plants and/or benches to honor loved ones or other Parkfairfax community members.
2. Completed Tree/Shrub Planting Request Forms and Bench Installation Forms are to be sent to the Covenants Director at the Parkfairfax Unit Owners Association Office, 3360 Gunston Road, Alexandria, VA 22302. Decisions will be made by the Covenants Director in consultation with the General Manager and the Chair of the Landscape Committee.
3. Each tree, shrub, and/or bench must be specifically approved.
4. A Unit Owner may request a specific location/placement for the tree, shrub, or bench but that request may be denied and an alternative location suggested by the Association.
5. A Unit Owner may request a specific type of tree or shrub, but the Association reserves the right to suggest alternative plant materials and make the final decision based on landscaping and site considerations. In general:
  - a. Under story trees below a mature height of forty feet (40') are allowed on the common element depending on site conditions and utilities.
  - b. Under story trees and over story trees are allowed on the common element, depending on site conditions and utilities.
  - c. Shrubs are allowed on the common element, depending on site conditions and utilities.
  - d. At the time of planting, all trees are REQUIRED to have a minimum height of five feet (5') and a trunk caliper of at least one and one-half

inches (1.5”). All shrubs must have been originally contained in pots of at least a 5-gallon size.

- e. No trucks or other motorized vehicles are to be driven on any grass or sidewalk area while implementing any change, including delivery or removal of material from the worksite for any reason unless authorized by Management.
6. All benches must be of a standard design and size approved by the Association Management and must be composed of non-biodegradable composite lumber with a steel or aluminum structural frame.
7. Dedication or memorial plaques will be allowed to be installed on the grounds of the common element, by the donor. Once installed, a tree, shrub and/or bench installed to honor a loved one or community member will be listed on the Parkfairfax web site with the honoree’s information together with the GPS coordinated location of the installed material. Plaque design and specifications will be developed by the Landscape Committee and submitted to the Board for approval following adoption of this revised resolution.
8. 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.
9. Until a planted tree or shrub is established, the Unit Owner is responsible for the watering and care of all planted vegetation that is within a serviceable distance of an outside water spigot.
10. For trees and/or shrubs donated by residents or non-residents, whether or not to honor loved ones or a community member, and for planting to a common element site that is not near a donator’s residence, the Association will assume the planting and care of the planted vegetation.

#### B. 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 extent that the item to be installed conforms with the standard Landscaping and Planting specifications contained in Administrative Resolution No. 2 and approved by the Board of Directors and on file in the Association Office.

2. The Covenants Director or the General Manager will ascertain whether the proposed change conforms to approved specifications.
3. If a proposed change or addition conforms to approved specifications and is found to meet the Association's site placement and landscaping considerations, the Covenants Director or the General Manager may approve the application. The Chair of the Landscape Committee may be consulted on an as needed basis. One copy of the approved application shall be returned to the applicant, and the original shall be maintained in the Unit Owner's file.
4. If the Covenants Director and/or the General Manager does not approve the application, the Unit Owner will be informed of the disapproval and be given the right to appeal that decision to the Board of Directors.
5. The Association reserves the right to remove any tree or shrub that is aesthetically compromised due to unforeseen damage of any nature or that has died.
6. The Association reserves the right to relocate any bench whose location compromises future maintenance needs or to remove any bench that has become unsafe or an eyesore.

## ADMINISTRATIVE RESOLUTION NO. 7

### PROCEDURES AND GUIDELINES RELATING TO TREE/SHRUB PLANTING AND/OR BENCH INSTALLATION REQUESTS SPONSORED BY UNIT OWNERS

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

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

WHEREAS, No changes to the Common Elements or Limited Common Elements may be made without written application to and approval by the Board of Directors, General Manager or Covenants Committee; AND

**WHEREAS**, the Board of Directors recognizes that the enhancement of the Association's public spaces including trees, shrubs, and benches are essential and desired for the community ambiance and property values of Parkfairfax as well as constituting good stewardship of the landscape; **AND**

**WHEREAS**, the Board of Directors deems it necessary to establish guidelines and procedures for unit owners wishing to financially sponsor ~~the~~ planting of trees, shrubs, and/or the placement of benches on the common element, including the limited common element, to enhance the beauty of the Community, including and/or to honor loved ones or ~~C~~community members ~~of note~~;

**NOW THEREFORE, BE IT RESOLVED THAT** the following is adopted regarding this topic:

#### I. GENERAL

- A. For the purposes of this ~~Administrative Resolution Number 7~~, the term "limited common element" refers to areas within 10 feet from any wall of their unit provided no sidewalk is crossed; it common element does not refer to designated patios appurtenant to a unit as shown on the plats and plans.
- B. ~~No changes to the common elements or limited common elements may be made without written application to and approval by the Board of Directors or the General Manager as appropriate.~~ If a Unit Owner wishes to financially sponsor a tree, shrub and/or bench to be installed on the common element, including the limited common element, all requirements of Administrative Resolution Number Two with regard to

Landscaping and Planting must be followed and a Tree/Shrub Planting Request Form and/or a Bench Installation Form must be filled out and sent to the Association Covenants Director ~~of the Association~~, or the General Manager in their stead.

- C. The Association reserves the right to refuse any requests to plant trees and/or shrubs or to install benches in any specifically requested location on the common element, including the limited common element.
- D. The Association will undertake ~~of the placing of a bench and planting of trees or shrubs and no planting or placement may be performed by the sponsoring Unit Owner.~~

## II. APPLICATION PROCEDURES

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2. Completed Tree/Shrub Planting Request Forms and Bench Installation Forms are to be sent to the Covenants Director at the Parkfairfax Unit Owners Association Office, 3360 Gunston Road, Alexandria, VA 22302. Decisions will be made by the Covenants Director in consultation with the General Manager and the Chair of the Landscape Committee.
3. Each tree, shrub, and/or bench must be specifically approved.
4. A Unit Owner may request a specific location/placement for the tree, shrub, or bench but that request may be denied and an alternative location suggested by the Association.
5. A Unit Owner may request a specific type of tree or shrub but the Association reserves the right to suggest alternative plant materials and make the final decision based on landscaping and site considerations. In general:
  - a. Under story trees below a mature height of forty feet (40') are allowed on ~~in~~ the ~~limited~~ common element depending on site conditions and utilities.



- b. Under-story trees and over-story trees are allowed on the common element, depending on site conditions and utilities.
  - c. Shrubs are allowed on the common element, ~~including the limited common element~~, depending on site conditions and utilities.
  - d. At the time of planting, all trees are REQUIRED to have a minimum height of five feet (5') and a trunk caliper of at least one and one-half inches (1.5"). All shrubs must have been originally contained in pots of at least a 5-gallon size.
  - e. No trucks or other motorized vehicles are to be driven on any grass or sidewalk area while implementing any change, including delivery or removal of material from the worksite for any reason unless authorized by Management.
6. All benches must be of a standard design and size approved by the Association Management and must be composed of non-biodegradable composite lumber with a steel or aluminum structural frame.
7. ~~No~~ Dedication or memorial plaques ~~of any kind~~ will be allowed to be installed ~~anywhere~~ on the grounds of the common element, ~~including the limited common element (as defined in this Administrative Resolution)~~, by ~~the~~ a Unit Owner or ~~resident or non-resident~~ donor. Once installed, a tree, shrub and/or bench installed to honor a loved one or ~~€~~community member will be listed on the Parkfairfax web site with the honoree's information together with the GPS coordinated location of the installed material. Plaque design and specifications will be developed by the Landscape Committee and submitted to the Board for approval following adoption of this revised resolution.

~~Any plantings by Unit Owners on the common element must be coordinated with the Association and Miss Utility must be contacted to ensure that the installation does not interfere with existing utilities.~~
8. 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.
9. Until a planted tree or shrub is established, the Unit Owner is responsible for the watering and care of all planted vegetation that is within a serviceable distance of an outside water spigot.
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site that is not near a donator's residence, the Association will assume the planting and care of the planted vegetation.

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Current Version