

# Smithy Glen Townhomes Owner's Association, Inc.

## Policy Resolution #2024-2 – Window Grids for all Townhouses

**Effective Date: September 1, 2024**

At a duly noticed, regular meeting of the Board of Directors of Smithy Glen Townhome Owner's Association, Inc., a Virginia non-stock corporation (the Association), held on July 23, 2024, the Board of Directors did hereby approve the following action:

### WITNESSETH:

**WHEREAS**, Article Six, Section Four of the Declaration of Covenants, Conditions, and Restrictions for Smithy Glen Townhomes provides: *In the administration of the project, the Association shall have, and is hereby granted, the authority and power to...adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project:*

**AND WHEREAS**, the Board wishes to ensure continuity to the community residents of Smithy Glen, discourage the construction and non-conformity to the appearance of Smithy Glen townhomes, which can cause an unsightly and ununiform appearance and adversely impact the neighborhood,

**AND WHEREAS**, the Board has found that specific language within the documents regarding "as originally constructed" does not give specific information regarding the windows.

**NOW THEREFORE BE IT RESOLVED**, that the Property Use Restrictions Guidelines for installation/replacement of sliding glass doors or French doors are stated as follows:

Installation of replacement windows must have the proper grid pattern installed, matching the rest of the Smithy Glen community, consistent with the windows originally installed. Windows without proper grids do not meet the intent of this resolution and will not be accepted. This restriction will ensure continued continuity within the Smithy Glen community. Regardless of action, an Architectural Review request must be completed and approved prior to replacement. Current windows that do not meet these guidelines must be in compliance when the windows are replaced.

If windows are installed after the date of this resolution, without prior approval, one warning notice will be mailed to the homeowner. Should the situation not become compliant, the homeowner will be called to a hearing. If a homeowner is called to a hearing due to repeat non-compliance, a \$50.00 fine or \$10.00 per day fine until it is alleviated and area brought back to compliance in accordance with Smithy Glen documents – Article Thirteen, Section G, Assessment of Fines and Changes and Article 55-513, Sections C & D of the Virginia Property Owners' Association Act will be assessed against the lot.

**FURTHER, RESOLVED** that the officers, directors and Site Administrator of the Association are hereby authorized to perform such other or further acts as shall be necessary to carry out the intent of this resolution.

This Resolution shall be included with the Minutes and the Property Use Restrictions Guidelines of the Association.

SMITHY GLEN TOWNHOMES OWNER'S ASSOCIATION, INC.

Attest Robert Fitzmaurice 7/23/2024  
President, Robert Fitzmaurice Date

Mary Ann Dawson 07/23/2024  
Secretary Mary Ann Dawson Date

# Smithy Glen Townhomes Owner's Association, Inc.

## Policy Resolution #2024-1 – Grids for Sliding Glass Doors and French Doors

Effective Date: March 1, 2024

At a duly noticed, regular meeting of the Board of Directors of Smithy Glen Townhome Owner's Association, Inc., a Virginia non-stock corporation (the Association), held on February 27, 2024, the Board of Directors did hereby approve the following action:

### WITNESSETH:

**WHEREAS**, Article Six, Section Four of the Declaration of Covenants, Conditions, and Restrictions for Smithy Glen Townhomes provides: *In the administration of the project, the Association shall have, and is hereby granted, the authority and power to...adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project:*

**AND WHEREAS**, the Board wishes to ensure continuity to the community residents of Smithy Glen, discourage the construction and non-conformity to the appearance of Smithy Glen townhomes, which can cause an unsightly and ununiform appearance and adversely impact the neighborhood,

**AND WHEREAS**, the Board has found that specific language within the documents regarding "as originally constructed" does not give specific information regarding the sliding glass doors and French doors.

**NOW THEREFORE BE IT RESOLVED**, that the Property Use Restrictions Guidelines for installation/replacement of sliding glass doors or French doors are stated as follows:

Installation of sliding glass doors or French doors must either have the proper grid pattern installed, matching the rest of the Smithy Glen community, or have working blinds between the panes of glass. External blinds attached to the doors do not meet the intent of this resolution and will not be accepted. This restriction will ensure continued continuity within the Smithy Glen community. Regardless of action, an Architectural Review request must be completed and approved prior to replacement. Current doors that do not meet these guidelines must be in compliance when the doors are replaced.

If a sliding glass doors or French doors are installed after the date of this resolution, without prior approval, one warning notice will be mailed to the homeowner. Should the situation not become compliant, the homeowner will be called to a hearing. If a homeowner is called to a hearing due to repeat non-compliance, a \$50.00 fine or \$10.00 per day fine until it is removed and area brought back to compliance in accordance with Smithy Glen documents – Article Thirteen, Section G, Assessment of Fines and Changes and Article 55-513, Sections C & D of the Virginia Property Owners' Association Act will be assessed against the lot.

**FURTHER, RESOLVED** that the officers, directors and Site Administrator of the Association are hereby authorized to perform such other or further acts as shall be necessary to carry out the intent of this resolution.

This Resolution shall be included with the Minutes and the Property Use Restrictions Guidelines of the Association.

SMITHY GLEN TOWNHOMES OWNER'S ASSOCIATION, INC.

Attest Robert Fitzmaurice Feb 27, 2024  
President, Robert Fitzmaurice Date

Mary Ann Dawson Feb. 27, 2024  
Secretary, Mary Ann Dawson Date

**Smithy Glen Townhomes Owner's Association, Inc.**

**Policy Resolution #2022-3 – Electric Vehicle Charging Stations**

**Effective Date: September 1, 2022**

At a duly noticed, regular meeting of the Board of Directors of Smithy Glen Townhome Owner's Association, Inc., a Virginia non-stock corporation (the Association), held on August 23, 2022, the Board of Directors did hereby approve the following action:

**WITNESSETH:**

**WHEREAS**, Article Six, Section Four of the Declaration of Covenants, Conditions, and Restrictions for Smithy Glen Townhomes provides: *In the administration of the project, the Association shall have, and is hereby granted, the authority and power to... adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project:*

**AND WHEREAS**, the Board wishes to ensure safety to the community residents of Smithy Glen, discourage the construction and damage to Smithy Glen community property (parking and grass areas), which can cause health and safety problems and adversely impact the neighborhood,

**AND WHEREAS**, the Board has found that giving residents two warnings (Policy #5, Apr 23, 2013) has increased the Associations' paper, printing and postage costs.

**NOW THEREFORE BE IT RESOLVED**, that the Property Use Restrictions Guidelines for Electric Vehicle Charging Stations are stated as follows:

**No electric vehicle charging stations will be erected on Smithy Glen community property (parking and grass areas). Additionally, no vehicle charging cord shall cross any sidewalk, or visible to any neighboring properties, causing a tripping hazard. This restriction will ensure continued safety within the Smithy Glen community.**

**If a charging station is erected, or charging cord placed across a sidewalk, one warning notice will be mailed to the homeowner. If a homeowner is called to a hearing due to repeat non-compliance, a \$50.00 fine or \$10.00 per day fine until it is removed and area brought back to the same condition it was prior to installation, in accordance with Smithy Glen documents – Article Thirteen, Section G, Assessment of Fines and Changes and Article 55-513, Sections C & D of the Virginia Property Owners' Association Act will be assessed against the lot.**

**FURTHER, RESOLVED** that the officers, directors and Site Administrator of the Association are hereby authorized to perform such other or further acts as shall be necessary to carry out the intent of this resolution.

This Resolution shall be included with the Minutes and the Property Use Restrictions Guidelines of the Association.

**SMITHY GLEN TOWMHOMES OWNER'S ASSOCIATION, INC.**

Attest Robert Fitzmaurice Aug 23, 2022  
President, Robert Fitzmaurice Date

Shana Steiner 8-23-22  
Secretary, Shana Steiner Date

# Smithy Glen Townhomes Owner's Association, Inc.

## Policy Resolution #2022-2 – Regarding Golf Carts

**Effective Date: September 1, 2022**

At a duly noticed, regular meeting of the Board of Directors of Smithy Glen Townhome Owner's Association, Inc., a Virginia non-stock corporation (the Association), held on August 23, 2022, the Board of Directors did hereby approve the following action:

### WITNESSETH:

**WHEREAS**, Article Six, Section Four of the Declaration of Covenants, Conditions, and Restrictions for Smithy Glen Townhomes provides: *In the administration of the project, the Association shall have, and is hereby granted, the authority and power to... adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project:*

**AND WHEREAS**, the Board wishes to encourage safety impact within the area of the Smithy Glen neighborhood,

**AND WHEREAS**, the Board has found that giving residents two warnings (Policy #5, Apr 23, 2013) has increased the Associations' paper, printing and postage costs.

**NOW THEREFORE BE IT RESOLVED**, that the Property Use Restrictions Guidelines for the use of golf carts are stated as follows:

No use of gas or battery powered golf carts are authorized at any time within the property limits of Smithy Glen. This includes any roadway or grass area within the community. Hence, for the safety of the community residents, all golf carts are banned from operation.


When a golf cart is in violation, one warning notice will be mailed to the homeowner. If a homeowner is called to a hearing due to repeat non-compliance, a \$50.00 fine in accordance with Smithy Glen documents – Article Thirteen, Section G, Assessment of Fines and Changes and Article 55-513, Sections C & D of the Virginia Property Owners' Association Act will be assessed against the lot.

**FURTHER, RESOLVED** that the officers, directors and Site Administrator of the Association are hereby authorized to perform such other or further acts as shall be necessary to carry out the intent of this resolution.

This Resolution shall be included with the Minutes and the Property Use Restrictions Guidelines of the Association.

SMITHY GLEN TOWMHOMES OWNER'S ASSOCIATION, INC.

Attest

 Aug 23, 2022

President, Robert Fitzmaurice

Date

 8-23-22

Secretary, Shana Steiner

Date

# Smithy Glen Townhomes Owner's Association, Inc.

## Policy Resolution #2022-1 – Regarding Trash Totes

**Effective Date: September 1, 2022**

At a duly noticed, regular meeting of the Board of Directors of Smithy Glen Townhome Owner's Association, Inc., a Virginia non-stock corporation (the Association), held on August 23, 2022, the Board of Directors did hereby approve the following action:

### WITNESSETH:

**WHEREAS**, Article Six, Section Four of the Declaration of Covenants, Conditions, and Restrictions for Smithy Glen Townhomes provides: *In the administration of the project, the Association shall have, and is hereby granted, the authority and power to... adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project:*

**AND WHEREAS**, the Board wishes to discourage the improper storage of trash totes, which can cause health and odor problems and adversely impact the neighborhood,

**AND WHEREAS**, the Board has found that giving residents two warnings (Policy #5, Apr 23, 2013) has increased the Associations' paper, printing and postage costs.

**NOW THEREFORE BE IT RESOLVED**, that the Property Use Restrictions Guidelines for Trash Storage and Collection are stated as follows:

All garbage and trash stored within Smithy Glen must be kept in covered containers and, except for a reasonable amount of time to permit collection, these containers at no time shall be visible from neighboring property. Hence, all trash and recycle containers (if applicable), must be kept inside a privacy fence, shed, garage or other screened area.

Trash and recycle containers may be placed at street side no earlier than 5PM the day before collection. They must be removed from the street and stored within a privacy fence by 7PM of the pick-up day. Only trash totes supplied by the Waste Company may be used as trash containers. Your unit number and street address must be marked on both the trash and recycle totes (if applicable). All trash must be placed within the tote, at no time is trash or recycle allowed to be placed outside the tote for pick-up by the Waste Company. All boxes and cardboard must be broken down flat, and placed in the appropriate trash tote.

When a tote is not stored properly after 7PM on trash day, one warning notice will be mailed to the homeowner. If a homeowner is called to a hearing due to repeat non-compliance, a \$50.00 fine in accordance with Smithy Glen documents – Article Thirteen, Section G, Assessment of Fines and Changes and Article 55-513, Sections C & D of the Virginia Property Owners' Association Act will be assessed against the lot.

**FURTHER, RESOLVED** that the officers, directors and Site Administrator of the Association are hereby authorized to perform such other or further acts as shall be necessary to carry out the intent of this resolution.

This Resolution shall be included with the Minutes and the Property Use Restrictions Guidelines of the Association.

SMITHY GLEN TOWMHOMES OWNER'S ASSOCIATION, INC.

Attest Robert Fitzmaurice Aug 23, 2022  
President, Robert Fitzmaurice Date

Shana Steiner 8-23-22  
Secretary, Shana Steiner Date

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF  
SMITHY GLEN TOWNHOMES OWNER'S ASSOCIATION, INC.**

**Restrictions Concerning Size, Place, and Manner of Placement of  
Solar Energy Collection Devices**

At a duly noticed meeting of the Board of Directors ("Board") of SMITHY GLEN TOWNHOMES OWNER'S ASSOCIATION, INC. ("Association"), a Virginia nonstock corporation, held on August 23, 2022, the Board did hereby approve the following action:

WHEREAS, pursuant to Article Six, Section Four of the Association's Declaration of Covenants, Conditions, and Restrictions and any amendments thereto (collectively, the "Declaration"), the Association has the authority and power to adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board may deem in the best interest of the Project (as defined in the Declaration);

WHEREAS, Article Seven, Section One of the Association's Declaration provides that the Association shall cause the exterior of each Townhouse to be kept in good order, condition, and repair and shall cause to be performed and furnished all the labor and materials necessary to accomplish the same. In addition, this same provision states that the Association shall maintain architectural control over the Project in accordance with Article Eight of the Declaration;

WHEREAS, Article Eight, Section One of the Association's Declaration provides that no exterior addition to or change or alteration shall be made to the Property (as defined in the Declaration) or change in any exterior color made, until the plans and specifications showing the nature, kind, shape, height, materials, location or design or color of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board or by an architectural review committee;

WHEREAS, pursuant to Va. Code § 55.1-1820.1B an association may establish reasonable restrictions concerning the size, place, and manner of placement of such solar energy collection devices on property designated and intended for individual ownership and use;

WHEREAS, pursuant to Va. Code § 55.1-1820.1C, a restriction shall be deemed not to be reasonable if application of the restriction to a particular proposal (i) increases the cost of installation of the solar energy collection device by five percent over the projected cost of the initially proposed installation or (ii) reduces the energy production by the solar energy collection device by 10 percent below the projected energy production of the initially proposed installation. The owner shall provide documentation prepared by an independent solar panel design specialist, who is certified by the North American Board of Certified Energy Practitioners and is licensed in Virginia, that is satisfactory to the association to show that the restriction is not reasonable according to the criteria established in this subsection;

WHEREAS, pursuant to Va. Code § 55.1-1820.1D, an association may prohibit or restrict the installation of solar energy collection devices on the common area within the real estate development served by the association; and

WHEREAS, the Board desires to adopt restrictions concerning the size, place, and manner of placement of solar energy collection devices on Lots.

NOW, THEREFORE, BE IT RESOLVED, that the Board does hereby adopt the attached Restrictions Concerning the Size, Place, and Manner of Placement of Solar Energy Collection Devices, which supersede any previous restrictions, rules or policies regarding solar energy collection devices.

FURTHER, RESOLVED, that the officers and directors of the Association are hereby authorized to perform such other and further acts as are necessary to carry out the intent of this Resolution.

This Resolution will be included in the Minutes as part of the official records of the Association.

Effective Date: August 23, 2022

SMITHY GLEN TOWNHOMES OWNER'S  
ASSOCIATION, INC.

By Robert Fitzmaurice  
Robert Fitzmaurice, President

ATTEST:

Shana Steiner  
Shana Steiner, Secretary

**SMITHY GLEN TOWNHOMES OWNER'S ASSOCIATION, INC.**

**Restrictions Concerning Size, Place, and Manner of Placement of  
Solar Energy Collection Devices**

1. "Solar energy collection device" means any device manufactured and sold for the sole purpose of facilitating the collection and beneficial use of solar energy, including passive heating panels or building components and solar photovoltaic apparatus.

2. No solar energy collection devices are permitted to be installed anywhere on the Common Area.

3. Prior to the installation of a solar energy collection device, the Owner must submit plans and specifications to and receive written approval from the Board of Directors and/or Architectural Review Committee.

4. Solar energy collection devices must (a) be installed on the roofs of Townhomes and nowhere else, and to the extent possible, on the back side of the home and/or where it is not visible from the street or court, (b) match the color of the roof of the Townhome on which it is to be installed, (c) be mounted directly to the roof plane of the Owner's Townhome, and (d) not exceed the roof ridge line or the roof plane of the Owner's Townhome, unless the Owner demonstrates any such requirement for their particular application (i) increases the cost of installation of the solar energy collection device by five percent over the projected cost of the initially proposed installation or (ii) reduces the energy production by the solar energy collection device by 10 percent below the projected energy production of the initially proposed installation. The Owner shall provide documentation prepared by an independent solar panel design specialist, who is certified by the North American Board of Certified Energy Practitioners and is licensed in Virginia, that is satisfactory to the Association to show that the restriction is not reasonable according to (i) or (ii) herein.

5. The manner of placement of a solar energy collection device shall be done so that (a) it does not cause damage to the roof of the Townhome during installation or thereafter; (b) it is maintained and installed in a safe condition; and (c) the manner of placement allows for the Owner, on their own and at their own expense, to remove and reinstall the solar energy collection device when the roof of the Townhome will be replaced in the future. The roofs of the various Townhomes will be replaced within the next several years. An anticipated replacement schedule can be obtained from the Board.

6. The Association reserves all remedies available to it regarding enforcement and/or damages arising out of, related to or resulting from the solar energy collection devices, including, but not limited to, assessment of violation charges, self-help, suit for damages, injunctive relief, and/or for any remedy available at law, plus seeking an award of costs and actual attorneys' fees if it is the prevailing party, all as authorized by Article Thirteen of the Declaration and the Virginia Property Owners' Association Act.



**RESOLUTION**  
**of the**  
**Board of Directors**  
**of**  
**Smithy Glen Townhouse Owners Association**  
**(Association Complaint Procedures)**

**WHEREAS**, the Code of Virginia, 1950, as amended (the "Virginia Code"), was amended by statute effective July 1, 2008, to create a Common Interest Community Board ("CIC Board") and the Office of the Common Interest Ombudsman ("CICO"); and

**WHEREAS**, Section 55-530.E states the CIC Board "shall establish by regulation a requirement that each association shall establish reasonable procedures for the resolution of written complaints from the members of the association and other citizens"; and

**WHEREAS**, for the benefit and protection of the Association and of its individual Members, and with a goal of reducing and resolving conflicts among and/or between the Association and its Members, the Board of Directors hereby establishes these Association Complaint Procedures to meet the requirements of Sections 55-530.E and F of the Virginia Code and regulations of the Common Interest Community Ombudsman regarding Association Complaint Procedures effective July 1, 2012; and

**WHEREAS**, the Board of Directors will provide notice of this policy to all current Owners by mailing a copy of this Resolution to current Owners and to all future Owners by including the Resolution in resale certificates prepared pursuant to Virginia's Condominium Act and/or Property Owners' Association, as applicable; and

**WHEREAS**, this Resolution shall remain in full force and effect until amended by further resolution of the Board.

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**NOW THEREFORE**, the Board of Directors of Smithy Glen Townhouse Owners Association does hereby adopt this Resolution in order to adopt the following Association Complaint Procedures:

1. Right to Submit Association Complaint. The Member shall have the right to acquire, complete and submit an Association Complaint Form to request the Board to address an Association Complaint. "Association Complaint" means a written complaint filed by a member of the association or citizen pursuant to an association complaint procedure. An association complaint shall concern a matter regarding the action, inaction, or decision by the governing board, managing agent, or association inconsistent with applicable laws and regulations.
2. Association Complaint Form.
  - a. The Association Complaint Form shall comport substantially with the Association Complaint Form attached to this Resolution as Exhibit A, or with any form required by regulation duly promulgated by Virginia's Common Interest Community Board ("CIC Board").
  - b. The Association Complaint Form shall be submitted to Smithy Glen Townhouse Owners Association, Attn: Site Manager, 100 Wrought Iron Bend, Yorktown, VA 23693. The Association's Manager may be reached by telephone to (757) 867-9200, by facsimile to (757) 766-0249 and by email to CoventryHOA@verizon.net. The Association Complaint may be submitted to the Association:
    - (i) By U.S. Mail, registered or certified, return receipt requested;
    - (ii) By hand delivery, *provided, however*, the method of hand delivery must provide a means to prove delivery;
    - (iii) By facsimile to the Association's Managing Agent; and/or
    - (iv) By email to the Association's Manager.
  - c. The Association Complaint Form must be submitted at least fourteen (14) days prior to the next scheduled regular Board Meeting to ensure review at that meeting. If the Association Complaint Form is received less than fourteen (14) days prior to the next scheduled regular Board Meeting, the Association Complaint Form shall be reviewed at the next subsequent regular Board Meeting.

3. Association Complaint Receipt.

- a. The Association shall provide written acknowledgment of receipt of the Association Complaint ("Association Complaint Receipt") to the Complainant within seven (7) days of receipt of the Association Complaint. Such acknowledgment shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the Complainant at the address provided in the Association Complaint, or if consistent with established Association procedure, by electronic means provided the sender retains sufficient proof of the electronic delivery.
- b. Notice of the date, time and location that the Association Complaint will be considered shall be included in the Association Complaint Receipt required by Association Complaint Provision 3.a above. If such Notice is not included in the Association Complaint Receipt, such Notice shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the Complainant at the address provided in the Association Complaint, or if consistent with established Association procedure, by electronic means provided the sender retains sufficient proof of the electronic delivery. Such Notice shall be mailed within a reasonable time prior to review of the Association Complaint but shall be mailed not less than three (3) days prior to the date set for review of the Complaint.

4. Review of the Association Complaint.

- a. The Board shall review any Association Complaint Form received and shall, if necessary, consult with the Association's attorney and/or any other vendor or professional providing services to the Association to provide as complete a review as possible to arrive at its decision.
- b. The Board may, but shall not be required to, consult with the Member who submitted the Association Complaint Form to understand more fully the substance and/or basis of the Member's Complaint.
- c. In the event the Board determines the Association Complaint is incomplete or contains insufficient information to render a decision, the Board shall cause a written request for additional information that identifies with specificity the information needed to complete the Association Complaint to be sent to the Complainant at the address provided in the Association Complaint. Such written request shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the Complainant at the address provided in the Association Complaint, or if consistent with established Association procedure, by electronic means provided the sender retains sufficient proof of the electronic delivery.

5. **Final Determination Letter.** The Board shall render a written decision and/or review of the Complaint ("Association Complaint Final Determination Letter" or "Final Determination Letter") to the Member within seven (7) days of the regular Board Meeting during which the Association Complaint was reviewed.

The Final Determination Letter shall:

- a. Be hand delivered or mailed by registered or certified mail, return receipt requested, to the Complainant at the address provided in the Association Complaint, or if consistent with established Association procedure, by electronic means provided the sender retains sufficient proof of the electronic delivery.
  - b. Be dated as of the date of issuance and include specific citations to applicable Association Governing Documents, laws or regulations that led to the Final Determination.
  - c. Include the Registration Number of the Association and the name and License Number of the Common Interest Community Association Manager.
  - d. Include the Complainant's right to file a Notice of Final Adverse Decision with the Common Interest Community Board via the Common Interest Community Ombudsman, along with the applicable contact information.
6. **Appeal.** The determination of the Board as reflected in the Final Determination Letter shall be the final decision of the Board. The Board has not adopted an appeal process and shall not hear an appeal of the Final Determination Letter.
7. Should any Member need assistance in understanding the Member's rights and the processes available to common interest community Members, the Member may contact Virginia's Office of the Common Interest Community Ombudsman ("CICO") for assistance. The CICO may be reached at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Suite 400, Richmond, Virginia 23233. The CICO's current telephone number is (804) 367-8510. The CICO's current email address is [cic@dpor.virginia.gov](mailto:cic@dpor.virginia.gov).
8. **Complainant's Rights Description required by Section 55-530-E.2 of the Code of Virginia, 1950, as amended.** In accordance with Section 55-530.F of the Code of Virginia, as amended, an Association Complainant may give notice to Virginia's Common Interest Community Board (the "Board") of any final adverse decision in accordance with regulations promulgated by the Board. The notice shall be filed within 30 days of the final adverse decision, shall be in writing on forms prescribed by the Board, shall include copies of all records

pertinent to the decision, and shall be accompanied by a \$25 filing fee. The fee shall be collected by the Director of Professional and Occupational Regulation and paid directly into the state treasury and credited to the Common Interest Community Management Information Fund, § 55-530.1. The Board may, for good cause shown, waive or refund the filing fee upon a finding that payment of the filing fee will cause undue financial hardship for the member. The Director shall provide a copy of the written notice to the Association that made the final adverse decision.

9. The Association Complaint Form, all attachments thereto and a copy of the Final Determination Letter ("Complaint File") shall be retained by the Association for not less than one (1) year after the Board renders a decision on the Complaint. The Complaint File shall be eligible for review and duplication solely by the Association's Board of Directors, the Association Manager and the Lot Owner(s) who submitted the original Complaint Form, *provided, however*, the Complaint File shall be produced upon order of an appropriate judicial or administrative body having jurisdiction over the Association.
10. The Board shall amend and restate this Association Complaint Procedures Resolution each time the name, address, telephone number and email address of the Association's Manager changes to remain compliant with Section 55-530.E.2 of the Virginia Code.

**IN WITNESS WHEREOF** the Board of Directors of Smithy Glen Townhouse Owners Association has set their hands on this 17 day of January, 2017.

  
Robert Fitzmaurice, President

  
Ronnel Moore, Vice-President

  
Kathleen Aiello, Secretary

  
Billy Allen, Treasurer

  
Teiko Soova, Director

## SMITHY GLEN TOWNHOUSE OWNERS ASSOCIATION ASSOCIATION COMPLAINT FORM

This Form is available to all Association Owners as required by Section 55-530.E of the Code of Virginia, 1950, as amended ("Virginia Code"). Please complete and return this Form to the Association's Manager at least fourteen (14) days prior to the next scheduled regular Board of Directors Meeting to ensure review at that Meeting. The Board will provide a written response to any submitted Association Complaint Form within seven (7) days of the Board Meeting during which the Complaint is reviewed.

Member Name (Printed): \_\_\_\_\_

Member Name (Signature): \_\_\_\_\_

Address: \_\_\_\_\_

Date: \_\_\_\_\_

Please outline and/or address your specific complaint and attach to this Form. Please include copies of all applicable provisions of the Association's Declaration, Architectural Guidelines, Articles of Incorporation, Bylaws and/or Rules and Regulations to assist the Board in understanding your complaint. Please be sure to identify and/or attach the provisions of all specific provisions of the Virginia Code you believe may apply.

Forward the completed Association Complaint Form and all attachments to:

Smithy Glen Townhouse Owners Association  
Attn: Annette Sauer  
100 Wrought Iron Bend  
Yorktown, VA 23693  
(757) 867-9200  
(757) 766-0249  
CoventryHOA@verizon.net

Your signature on this form acknowledges you have received and reviewed the Association's Complaint Procedures Resolution.

Should you need assistance in understanding your rights and the processes available to common interest community Members, you may contact Virginia's Office of the Common Interest Community Ombudsman ("CICO") for assistance. The CICO may be reached:

Department of Professional and Occupational Regulation  
9960 Mayland Drive, Suite 400  
Richmond, Virginia 23233  
Telephone: (804) 367-2941  
Email: CICOmbudsman@dpor.virginia.gov

=====

This Block for Association Use Only:

Date Complaint Received by the Association's Manager: \_\_\_\_\_

Printed Name of Association Manager who received Complaint:

\_\_\_\_\_  
Signature of Association Manager to certify Date Complaint Received:

\_\_\_\_\_  
Date Complaint Reviewed by the Board of Directors: \_\_\_\_\_

Date Final Determination Letter forwarded to Complainant: \_\_\_\_\_

Printed Name of Person who prepared Response:

\_\_\_\_\_  
Signature of Person who prepared Response:

\_\_\_\_\_  
Please attach a copy of the Response to this Association Complaint Form.

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**Complainant's Rights Description required by Section 55-530-E.2 of the Virginia Code**

In accordance with Section 55-530.F of the Code of Virginia, as amended, an Association Complainant may give notice to Virginia's Common Interest Community Board (the "Board") of any final adverse decision in accordance with regulations promulgated by the Board. The notice shall be filed within 30 days of the final adverse decision, shall be in writing on forms prescribed by the Board, shall include copies of all records pertinent to the decision, and shall be accompanied by a \$25 filing fee. The fee shall be collected by the Director of Professional and Occupational Regulation and paid directly into the state treasury and credited to the Common Interest Community Management Information Fund, § 55-530.1. The Board may, for good cause shown, waive or refund the filing fee upon a finding that payment of the filing fee will cause undue financial hardship for the member. The Director shall provide a copy of the written notice to the Association that made the final adverse decision.

# Smithy Glen Townhomes Owner's Association, Inc.

## Policy Resolution # 2016-1 Car Covers

Effective Date: March 22, 2016

### WITNESSETH:

At a duly noticed, regular meeting of the Board of Directors of Smithy Glen Townhomes Owner's Association, Inc., a Virginia non-stock corporation (the Association), held on March 22, 2016 at which a quorum was present, the Board of Directors did hereby approve the following action:

**WHEREAS**, Article Six, Section Four of the Declaration of Covenants, Conditions, and Restrictions for Smithy Glen Townhomes provides: *In the administration of the project, the Association shall have, and is hereby granted, the authority and power to adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project:*

**AND WHEREAS**, Smithy Glen Guidelines for Architectural Modifications and Property Use Restrictions, page 14, Section O-Vehicle-Abandoned or Inoperable states; *"No junk, derelict, abandoned or inoperable vehicle on which current registration plates and City and State stickers, as required, are not displayed, shall be kept upon any property or street, public or private....."*

**AND WHEREAS**, Article Five, Section One A states; *"Except for parking passenger automobiles in the designated parking spaces, nothing shall be stored by any owner in the Common Area without the prior consent of the Association....."*

**AND WHEREAS**, the Association must have a means of identifying inoperable vehicles in order to keep our property from becoming a dumping area for unused vehicles.

**NOW THEREFORE, BE IT RESOLVED**, that the following guidelines shall be added to the Smithy Glen Property Use Restrictions Guidelines for Vehicles, Page 14 as follows:

If any vehicle (Automobile /motorcycle) is covered in common area or on private property, the following shall be enforced:

- 1- Current registration plates must be visible OR
- 2- A copy of the current inspection and current registration shall be presented to the Coventry office. The office will make a copy and file it in the homeowner file.
- 3- A statement of reason for the cover shall be presented to office.
- 4- Covers must be form fitting for the make of the vehicles- not oversized tarps.

**FURTHER, RESOLVED** that the officers, directors and Site Administrator of the Association are hereby authorized to perform such other or further acts as shall be necessary to carry out the intent of this resolution.

This Resolution shall be included with the Minutes and the Property Use Restrictions Guidelines of the Association.

**SMITHY GLEN TOWNHOMES OWNER'S ASSOCIATION, INC.**

Attest Rob Fitzmaurice Mar 22, 2016  
President, Rob Fitzmaurice Date

Kathleen Aiello Mar. 22, 2016  
Secretary, Kathleen Aiello Date



**Smithy Glen Townhomes Owner's Association, Inc.**

**Policy Resolution # 2015-2 – Fence Colors**  
**Effective Date: March 24, 2015**

**WITNESSETH:**

At a duly noticed, regular meeting of the Board of Directors of Smithy Glen Townhomes Owner's Association, Inc., a Virginia non-stock corporation (the Association), held on March 24, 2015 at which a quorum was present, the Board of Directors did hereby approve the following action:

**WHEREAS**, Article Six, Section Four of the Declaration of Covenants, Conditions, and Restrictions for Smithy Glen Townhomes provides: *In the administration of the project, the Association shall have, and is hereby granted, the authority and power to....adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project;*

**AND WHEREAS**, the original Guidelines stated that fences should be treated with a clear sealant.

**AND WHEREAS**, over the years Smithy Glen homeowners have not adhered to the Guidelines resulting in an array of colors and not being uniform as our documents state. The Board also feels that these different fence colors have an adverse impact on the neighborhood.

**NOW THEREFORE BE IT RESOLVED**, that the Property Use Restrictions Guidelines for FENCES, Page 19 are changed as follows:

**Paragraph 1 and 3 will remain the same.**

**Paragraph 2 will now read: No application is required to weatherproof fences with only OLYMPIC ELITE Semi-Solid "Canyon Sunset". This is a Stain & Sealant in one. Shared fences must be treated with only the above sealant within 30 days to maintain a uniform appearance.**

**Homeowners will have until December 31, 2015 to bring their fences into compliance with this resolution.**

**FURTHER, RESOLVED** that the officers, directors and Site Administrator of the Association are hereby authorized to perform such other or further acts as shall be necessary to carry out the intent of this resolution.

This Resolution shall be included with the Minutes and the Property Use Restrictions Guidelines of the Association.

**SMITHY GLEN TOWNHOMES OWNER'S ASSOCIATION, INC.**

Attest Robert Fitzmaurice MAR 24, 2015  
President, Rob Fitzmaurice Date  
Kathleen Aiello MAR 24, 2015  
Secretary, Kathleen Aiello Date

# Smithy Glen Townhomes Owner's Association, Inc.

## Policy Resolution # 2015-1 - Regarding Trash Totes

Effective Date: February 20, 2015

At a duly noticed, regular meeting of the Board of Directors of Smithy Glen Townhomes Owner's Association, Inc., a Virginia non-stock corporation (the Association), held on January 27, 2015 at which a quorum was present, the Board of Directors did hereby approve the following action:

### WITNESSETH:

**WHEREAS**, Article Six, Section Four of the Declaration of Covenants, Conditions, and Restrictions for Smithy Glen Townhomes provides: *In the administration of the project, the Association shall have, and is hereby granted, the authority and power to....adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project;*

**AND WHEREAS**, the Board wishes to discourage the improper storage of trash totes, which can cause health and odor problems and adversely impact the neighborhood,

**AND WHEREAS**, the Board has found that giving residents two warnings (Policy #5, April 23, 2013) has increased the Associations' paper, printing and postage costs.

**NOW THEREFORE BE IT RESOLVED**, that the Property Use Restrictions Guidelines for Trash Storage and Collection are stated as follows:

All garbage and trash stored within Smithy Glen must be kept in covered containers and, except for a reasonable amount of time to permit collection, these containers at no time shall be visible from neighboring property. Hence, all trash containers and recycle bins must be kept inside a privacy fence, shed, garage or other screened area.

Trash containers and recycle bins may be placed at street side no earlier than 5PM the day before collection (Wednesday). They must be removed from the street and stored within a privacy fence by 7PM of pick-up day (Thursday). Only trash totes supplied by the Waste Company may be used as trash containers. Your unit number and street address must be marked on both the trash tote and recycle bin.

When a tote is not stored properly after 7PM on Thursday, one warning notice will be mailed to the homeowner. If a homeowner is called to a hearing, a \$50.00 fine in accordance with Smithy Glen documents-Article Thirteen, Section G, Assessment of Fines and Charges and Article 55-513, Sections C & D of the Virginia Property Owners' Association Act will be assessed against the lot.

**FURTHER, RESOLVED** that the officers, directors and Site Administrator of the Association are hereby authorized to perform such other or further acts as shall be necessary to carry out the intent of this resolution.

This Resolution shall be included with the Minutes and the Property Use Restrictions Guidelines of the Association.

**SMITHY GLEN TOWNHOMES OWNER'S ASSOCIATION, INC.**

Attest

Robert Fitzmaurice  
President, Rob Fitzmaurice

2/11/2015  
Date

Kathleen Aiello  
Secretary, Kathleen Aiello

2/11/2015  
Date

**SMITHY GLEN**  
**Townhomes Owner's Association**  
**100 Wrought Iron Bend**  
**Yorktown, VA 23693**  
**757 867-9200**

February 9, 2015

Dear Homeowner;

On the reverse side of this letter is Resolution 2015-1- Regarding Trash Totes.

In April 2013, the Board voted a resolution 2013-1, Policy #5 because we felt that our documents at times could be a little unforgiving. That resolution allowed two marks on your tote and letters sent to your home before you were called to a hearing. Many homeowners who attended these hearings over the last two years had the fines waived only to be called back to another hearing the next month. It seems the more you try to help people, the more they take advantage of you!

The new resolution was originally written with no warning letter as the Smithy Glen documents allow. But in crossing our t's and dotting our i's we found that the law requires us to give one warning letter and then you are called to a hearing as explained in the resolution.

**If you rent your unit, please advise your tenants immediately. They are not the ones called to a hearing, the lot owner is and the fine is placed on the property not the tenants, even if no one attends the meeting.**

Yours truly,

THE SMITHY GLEN BOARD OF DIRECTORS

R. Fitzmaurice, President

R. Moore, Vice President

B. Allen, Treasurer

K. Aiello, Secretary

# Smithy Glen Townhomes Owner's Association, Inc.

## Policy Resolution 2014-1 Effective Date: October 28, 2014

At a duly noticed, regular meeting of the Board of Directors of Smithy Glen Townhomes Owner's Association, Inc., a Virginia non-stock corporation (the Association), held on October 28, 2014, at which a quorum was present, the Board of Directors did hereby approve the following action:

### WITNESSETH:

**WHEREAS**, Article Six, Section Four of the Declaration of Covenants, Conditions, and Restrictions for Smithy Glen Townhomes provides: *In the administration of the project, the Association shall have, and is hereby granted, the authority and power to....adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project;*

**AND WHEREAS**, the Smithy Glen documents were written with uniformity and conformity in mind.

**AND WHEREAS**, the original Architectural Guidelines, Pg. 16 of the Smithy Glen documents, include a definition for "Visible from Neighboring Property".

**AND WHEREAS**, there are ten original items in the documents that specifically state "Will not be visible above the fence".

**AND WHEREAS**, over the years homeowners have planted trees within the privacy fence without obtaining approval from the ARC. Now, years later the trees have grown to heights, in some cases, over the roof line of the home and roots have expanded and are causing damage to the foundations of homes, patios and sidewalks.

**NOW THEREFORE**, with the exception noted below, **BE IT RESOLVED**, there shall be ***NOTHING*** visible above the privacy fence line. This shall include, but not limited to trees, shrubbery, tents (pop ups, easy ups, etc), gazebos, pergolas. Homeowners will have until December 31, 2014 to bring their property into compliance. After that date homeowners not in compliance will be considered in violation of Smithy Glen documents and subject to a hearing and fine according to the Smithy Glen documents, Article Thirteen, Section (g) Assessment for Fines and Charges and the Virginia Property Owner's Association Act, Article 55-513, Section B.


**EXCEPTION: #1**-Homeowners may have a one pole umbrella inside the privacy fence. Umbrellas should be closed when not in use.

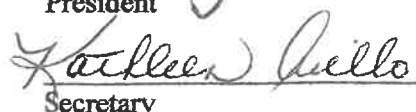
**#2**-American flags flown from a pole attached to the fence are permitted and do not require ARC approval. Reasonable consideration should be given to the flags' size and location. All other flags require ARC approval as stated on pg. 23 of our documents.

**FURTHER, RESOLVED** that the officers, directors and Site Administrator of the Association are hereby authorized to perform such other or further acts as shall be necessary to carry out the intent of this resolution.

This Resolution shall be included with the Minutes and the Property Use Restrictions Guidelines of the Association.

SMITHY GLEN TOWNHOMES OWNER'S ASSOCIATION, INC.

 Oct 28, 2014  
President Date

 Oct 28, 2014  
Secretary Date

# Smithy Glen Townhomes Owner's Association

## RESOLUTION

Policy Resolution # 2012-1

Date: January 24, 2012

**A RESOLUTION PERTAINING TO:** The Architectural Guidelines for Sheds and Tool Storage in Smithy Glen as originally perceived by the builder.

**WHEREAS**, Article Ten, Section One, Para D of the Declarations of Covenants, Conditions and Restrictions states that: *The Architectural Review Committee shall, subject to the approval of the Board of Directors of the Master Association, develop and promulgate policy guidelines for the application of the design review provisions in (the) Declaration consistent with County Ordinance and the Overall Plan; and the Smithy Glen Declaration Article Six, Section Four: In the administration of the project, the Association shall have, and is hereby granted, the authority and power to....adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project....*

**AND WHEREAS**, Smithy Glen is a Planned Unit Development community in which residential lot sizes are reduced. Sheds and Tool Storage other than the resolve below may result in a significant impact on the exterior appearance of the community creating a cluttered appearance that detracts from the overall uniform appearance of townhomes and otherwise adversely impacts neighbors' enjoyment of their property. (See attached exhibit A)

**NOW THEREFORE BE IT RESOLVED** that the Smithy Glen Board of Directors hereby adopts, at a meeting duly held on January 24, 2012 at which a quorum was present the following change to the Smithy Glen Architectural Guidelines:

### **SHEDS and TOOL STORAGE**

A complete application to the ARC is required for sheds or other storage structures. Sheds and storage structures will be located inside the fence and behind housing units and **shall not be visible above their fence**. The structure should be nonmetal and stained or painted to match the townhome.

Attest:

  
Secretary, Jessica Diebler

  
President, John Rogne



# Smithy Glen Townhomes Owner's Association

## RESOLUTION

Policy Resolution # 2012-1

Date: January 24, 2012

**A RESOLUTION PERTAINING TO:** The Architectural Guidelines for Sheds and Tool Storage in Smithy Glen as originally perceived by the builder.

**WHEREAS**, Article Ten, Section One, Para D of the Declarations of Covenants, Conditions and Restrictions states that: *The Architectural Review Committee shall, subject to the approval of the Board of Directors of the Master Association, develop and promulgate policy guidelines for the application of the design review provisions in (the) Declaration consistent with County Ordinance and the Overall Plan; and the Smithy Glen Declaration Article Six, Section Four: In the administration of the project, the Association shall have, and is hereby granted, the authority and power to....adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project....*

**AND WHEREAS**, Smithy Glen is a Planned Unit Development community in which residential lot sizes are reduced. Sheds and Tool Storage other than the resolve below may result in a significant impact on the exterior appearance of the community creating a cluttered appearance that detracts from the overall uniform appearance of townhomes and otherwise adversely impacts neighbors' enjoyment of their property. (See attached exhibit A)

**NOW THEREFORE BE IT RESOLVED** that the Smithy Glen Board of Directors hereby adopts, at a meeting duly held on January 24, 2012 at which a quorum was present the following change to the Smithy Glen Architectural Guidelines:

### **SHEDS and TOOL STORAGE**

A complete application to the ARC is required for sheds or other storage structures. Sheds and storage structures will be located inside the fence and behind housing units and **shall not be visible above their fence**. The structure should be nonmetal and stained or painted to match the townhome.

Attest:

  
Secretary, Jessica Diebler

  
President, John Rogne



*Supersedes attached  
SG-02-01*

**Smithy Glen Townhomes Owners Association**

**Resolution**

Policy Resolution #

4

Date: July 26, 2006

**A RESOLUTION PERTAINING TO:** Approval of an amendment to the Smithy Glen Architectural Guidelines.

**AUTHORITY FOR THE RESOLUTION:** CHOA Declaration, Article Ten, Section One, Para D: *The Architectural Review Committee shall, subject to the approval of the Board of Directors of the Master Association, develop and promulgate policy guidelines for the application of the design review provisions in (the) Declaration consistent with County Ordinance and the Overall Plan; and the Smithy Glen Declaration Article Six, Section Four: In the administration of the project, the Association shall have, and is hereby granted, the authority and power to....adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project....*

**PURPOSE OF THE RESOLUTION:** To amend the Smithy Glen Architectural Guidelines as they pertain to major building additions.

**SCOPE OF THE RESOLUTION:** Applicable to all townhomes in Smithy Glen except those on Hamlet Court.

**NOW THEREFORE BE IT RESOLVED** that the Smithy Glen Board of Directors hereby adopts at a meeting duly held on July 26, 2005 at which a quorum was present the following modification to the Smithy Glen Architectural Guidelines: **No building additions will be permitted in Smithy Glen, with the exception of the Hamlets. The Hamlets were designed with an option to have sunrooms or screened porches. If a resident of the Hamlets desires to make a change or to construct a building addition they are limited to the following: They may change by enclosing a screened porch area with glass or they may construct a new screened porch area, if none presently exists, but they shall conform with the builders original design for sunrooms and screened porches. For either they should follow the guidelines for Major Building Additions as discussed in the Smithy Glen Architectural Guidelines.**

Attest:

  
Secretary

  
President



## RESOLUTION

Number: 5602-01  
Date: 11-12-2002

**A RESOLUTION PERTAINING TO:** Approval of an amendment to the Smithy Glen Architectural Guidelines


**AUTHORITY FOR THE RESOLUTION:** CHOA Declaration, Article Ten, Section One, Para D: *The Architectural Review Committee shall, subject to the approval of the Board of Directors of the Master Association, develop and promulgate policy guidelines for the application of the design review provisions in [the] Declaration consistent with County Ordinance and the Overall Plan; and the Smithy Glen Declaration Article Six, Section Four:* *In the administration of the project, the Association shall have, and is hereby granted, the authority and power to . . . adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project . . .*

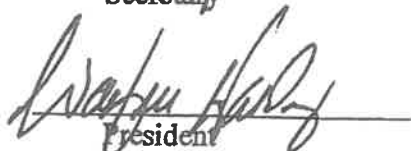
**PURPOSE OF THE RESOLUTION:** To amend the Smithy Glen Architectural Guidelines as they pertain to major building additions.

**SCOPE FOF THE RESOLUTION:** Applicable to all townhomes in Smithy Glen except those on Hamlet Court.

**NOW THEREFORE BE IT RESOLVED** that the Smithy Glen Board of Directors hereby adopts at a meeting duly held on Nov 12, 2002 at which a quorum was present the following modification to the Smithy Glen Architectural Guidelines: No building addition will be permitted in Smithy Glen, with the exception of the Hamlets. The Hamlets were designed with an option to have sunrooms or screened porches. If a resident of the Hamlets desires to make a change or to construct a building addition, they should follow the guidelines for Major Building Additions as discussed in the Smithy Glen Architectural Guidelines.

Attest:

  
Secretary

  
President

Supersedes  
SG 0201

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
Smithy Glen Townhomes Owner's Association, Inc.**

**Resolution # 4 Regarding Building Additions  
Effective Date: July 26, 2005**

At a duly noticed, regular meeting of the Board of Directors of Smithy Glen Townhomes Owner's Association, Inc., a Virginia non-stock corporation (the "Association"), held on July 26, 2005, at which a quorum was present, the Board of Directors did hereby approve the following action:

**W I T N E S S E T H:**

**WHEREAS, Article Ten, Section One, Para D of the Declaration of Covenants, Conditions and Restrictions of Coventry Planned Unit Development ("CHOA") states that:** *The Architectural Review Committee shall, subject to the approval of the Board of Directors of the Master Association, develop and promulgate policy guidelines for the application of the design review provisions in (the) Declaration consistent with County Ordinance and the Overall Plan;*

**WHEREAS, Article Six, Section Four of the Declaration of Covenants, Conditions, And Restrictions For Smithy Glen Townhomes provides:** *In the administration of the project, the Association shall have, and is hereby granted, the authority and power to....adopt, promulgate and enforce such Rules and Regulations governing the use of any Lot and any Townhouse thereon and Common Area as the Board of Directors of the Association may deem to be in the best interest of the Project;*

**WHEREAS,** Smithy Glen is a Planned Unit Development community in which residential lot sizes are reduced. Any additions other than the resolve below may result in a significant impact on the exterior appearance of the community, creating a cluttered appearance and otherwise adversely impacting neighbors' peaceful quiet use and enjoyment of their property;

**WHEREAS,** by Resolution Number SG 02-01, dated November 12, 2002, the Board of Directors of the Association amended paragraph 1 of the Major Building Additions section of the Smithy Glen Guidelines for Architectural Modifications ("Smithy Glen Architectural Guidelines") to prohibit building additions, except to those homes on lots in The Hamlets for the reason that The Hamlets were designed with an option to have sunrooms or screened porches;

**WHEREAS,** the Board deems it necessary and in the best interest of the Association to amend Resolution Number SG 02-01 as set forth herein.

**NOW THEREFORE BE IT RESOLVED,** that Resolution SG 02-01 modifying and paragraph 1 of the Major Building Additions section of the Smithy Glen Architectural Guidelines be and hereby are amended and restated as follows:

Major building additions include, but are not limited to greenhouses, porches, and room additions. No building additions will be permitted in Smithy Glen, except in The Hamlets, which were designed with an option to have sunrooms or screened porches. If an Owner of a lot in The Hamlets desires to make a change to or construct a building addition, such additions will be limited to the following: enclosing an existing screened porch area with glass or constructing a new screened porch area, if none presently exists, provided all such construction shall conform with the builders original design for sunrooms and screened porches and the other provisions for Major Building Additions in the Smithy Glen Architectural Guidelines.

FURTHER, RESOLVED, that the officers and directors of the Association are hereby authorized to perform such other or further acts as shall be necessary to carry out the intent of this resolution.

This Resolution shall be included with the Minutes and the Architectural Guidelines of the Association.

SMITHY GLEN TOWNHOMES OWNER'S  
ASSOCIATION, INC.

Date

July 26, 2005

By

Kathleen Piello

KATHLEEN PIELLO, President

Print Name

Attest

[Signature]  
Secretary

# SMITHY GLEN

Townhomes Owner's Association, Inc.

## RESOLUTION

Administration Policy # 2

**A RESOLUTION PERTAINING TO: Reelection of a resigned President.**

**AUTHORITY FOR THE RESOLUTION: Smithy Glen Declaration of Covenants, Conditions and Restrictions and By-Laws, Article 5, Section 5, Resignation and Removal of Officers.**

**PURPOSE OF THE RESOLUTION: To prevent the action of a Director, in specific, the President, from taking any action that would jeopardize or be considered illegal to Smithy Glen as a corporation or homeowner association.**

**SCOPE OF THE RESOLUTION: Applies to the President.**

**Now therefore, be it resolved that: If a President should resign and knowingly does not have sufficient board members to execute their fiduciary duties, thereby putting the Association at any potential legal risk, then said President shall not be able to run for office.**

Approved: May 23, 2005  
Date

Roy H. Moore  
President

Cuth [Signature]  
Secretary

**SMITHY GLEN TOWNHOME OWNERS ASSOCIATION, INC.**  
**POLICY RESOLUTION NO. 3**

WHEREAS, Article 7 – MAINTENANCE AND REPAIR OF THE LOTS, TOWNHOUSES AND COMMON AREA OF THE PROJECT; Section One – Duties of the Association; of the Declaration of Covenants, Conditions and Restrictions states that the Association shall cause the exterior of each Townhouse, the Lot upon which the Townhouse is situate, and the Common area of the project to be kept in good order, condition and repair and in clean and sanitary condition and appearance, and shall cause to be performed and furnished all the labor and materials which may at any time be necessary to accomplish same;

AND WHEREAS, the Board of Directors has determined that they have a fiduciary duty to comply with Article 7 of the Association's Declaration;

AND WHEREAS, there is a need to clarify what exterior maintenance will be performed by the Association and what is the responsibility of each individual property owner;

NOW THEREFORE BE IT RESOLVED THAT as of January 1, 2004 homeowners are to refer to the Smithy Glen Townhome Owners Maintenance Responsibility Chart

Owners shall be responsible for maintaining in good working order all exterior fixtures that service only their home including but not limited to all air conditioning/heating units; all exterior light fixtures and outlets; roof sheathing; plumbing, dryer, and exhaust vents; all windows, doors, sliding doors, storm doors and skylights and their integral parts (i.e., glass, screens, frames, weather-stripping, locks, latches, etc.), all flues and pipes (including chimney flues), all utility service connections, all house numbers, kick-plates, concrete patios, fences and associated hardware and any other exterior features added by the owner.

Since the homes are held fee simple ownership, homeowners shall also maintain proper insurance coverage for the lots and the dwellings. Homeowners and their insurance companies shall be responsible for any interior damage from roof leaks.

The Board of Directors hereby adopts this resolution and the attached maintenance responsibility chart at a meeting duly held on February 24, 2004 at which a quorum was present.

Date: \_\_\_\_\_

Date: \_\_\_\_\_

President: \_\_\_\_\_

Wayne Harding

Secretary: \_\_\_\_\_

Arthur Miller

# Smithy Glen Townhomes Owners Association, Inc. - Maintenance Responsibility Chart

Article 7 - MAINTENANCE AND REPAIR OF THE LOTS, TOWNHOUSES AND COMMON AREA OF THE PROJECT; Section One - Duties of the Association; of the Declaration of Covenants, Conditions and Restrictions states that the Association shall cause the exterior of the Townhouse, the Lot upon which the Townhouse is situated, and the Common Area of the project to be kept in good order, condition and repair and in clean and sanitary condition and appearance, and shall cause to be performed and furnished all the labor and materials which may at any time be necessary to accomplish the same.

Description of Item or Service	Resp.	Comments
<b>BUILDING EXTERIORS</b>		
- Roof Replacement	A	Replacement as per Reserve Study
- Roof Repair	H	See *-Check office for Warranty
- Gutters and downspouts	A	Replace per RS= A, Routine maint=H
- Chimney Cap	H	
- Chimney Pipe/Fireplace	H	
- Chimney Cleaning	H	
- Bathroom/Stove/Dryer Vents	H	
- Vinyl Siding replacement	A	Replacement as per Reserve Study
- Vinyl Siding upkeep/repair	H	See *- Siding to be power washed as needed to remove mildew.
- Exterior Brick	A	Normal wear & tear only
- Exterior Metal Trim	A	Normal wear & tear only
- Concrete Patio, Entrance walkways, driveways	H	As indicated on Homeowner plat as private property
- Fences, fence latches, locks and hinges	H	Fences to be repaired & power washed. Use only Olympic Elite Semi-Solid "Canyon Sunset" to Stain and Seal-clear base.
- Railings	A	Normal wear & tear only
- Exterior Light fixtures	H	
- Exterior Termite inspection	A	Yearly
- Interior Termite inspection	H	
- Townhouse structure	H	
<b>DOORS &amp; WINDOWS</b>		
- Shed door	H	
- Front door	H	
- Sliding door	H	
- All door frames	H	
- Exterior locks, hardware	H	
- House numbers	H	
- Door painting (Outside)	A	Garage, front, back and shed-- Normal painting rotation
- Kick plate, bell, knocker,	H	
- Storm doors	H	New doors require ARC approval
- All windows (glass, seals, frames)	H	
- Wood/ Aluminum Trim/ Shutters	A	Normal wear and tear only

\*Roof Repair-Any natural disaster which occurs and leaves areas in need of repair.

\*\*Vinyl siding upkeep/repair-Any natural disaster which occurs and leaves areas in need of repair.

Description of Item or Service	Resp	Comments
- Locks, tracks, balances	H	
- Screens	H	
- Skylights	H	
<b>UTILITIES</b>		
- Sewer If there is raw sewage coming up into tub or toilet call County emergency at 890-3773.	A H	Homeowner is responsible for the line from inside the home to cleanout. Association is responsible for the sewer line from cleanout to main sewer line.
- Water	A H	Homeowners are responsible for water line from the meter to the home and inside home. Newport News Water Works is responsible for lines from street into the meter.
- Cable TV/ Satellite Dishes - Phone/ Electrical connections	H	Satellite dishes require ARC form and to comply with Association Rules & Regulations
- Heat and Air-Conditioning Unit	H	
<b>COMMON GROUNDS</b>		
- Sidewalks	A	
- Roads	A	
- Lots/ Landscaping	A H	Association shall provide grass cutting in front yards only as provided in landscape contract; homeowners shall cut grass inside back fence. Homeowner is responsible for maintaining landscape beds, i. e. mulch as needed, bushes trimmed, free of weeds.
- Street Lighting	A	
- Lakes	A	
- Household trash removal	A	Home address should be on tote
- Bulk trash removal	H	Contact Association office for assistance. Ph # 867-9200
<b>INSURANCE</b>		
Common Areas	A	
Townhouses	H	Owner & Renter policies

Key: A=Association H=Homeowner  
Revised February 28, 2006,

**Smithy Glen Board of Directors  
Smithy Glen Homeowners Association  
Coventry**

**Resolution**

Number: Policy Res # 3

Date Sept 26, 2020

**A RESOLUTION PERTAINING TO:** The safety of the residents of Smithy Glen in relation to the use of "Go Peds" or any type of motorized scooters.

**AUTHORITY FOR THE RESOLUTION:** With Smithy Glen being a private community with privately owned streets, the Smithy Glen Board has the right to make such resolutions.

**PURPOSE OF THE RESOLUTION:** The purpose of this resolution is for the safety of the residents of Smithy Glen. There have been numerous close calls for many residents who have complained. These vehicles are being ridden on the walking paths and have nearly run people down several times. There have been numerous close calls with cars as well. The riders of these vehicles are young and are not paying attention to traffic as well as pedestrians, and this is just an accident waiting to happen.

**SCOPE OF THE RESOLUTION:** Effective immediately, the Smithy Glen Board of Directors would like to ban the use of any motorized scooters of any kind. Signs will be posted.

**Now therefore, be it resolved that:** The Smithy Glen Board of Directors has determined that this is a necessary resolution for obvious safety reasons of our residents, young and old, thus such resolution is hereby unanimously approved.

Attest: Nancy L. Yarrington  
Nancy Yarrington, Secretary

Wayne Harding  
Wayne Harding, President

# COVENTRY HOMEOWNERS ASSOCIATION, INC.

## RESOLUTION

Number: \_\_\_\_\_

Minute Book: \_\_\_\_\_

Date: \_\_\_\_\_

**A RESOLUTION PERTAINING TO:** Increase of funds to be deposited in the Smithy Glen Reserve Accounts..

**AUTHORITY FOR THE RESOLUTION:** Smithy Glen Declaration of Covenants, Conditions and Restrictions, Article Seven, Section Two: " The Association shall establish a reserve fund for the replacement of the Common Area and exterior of Townhouses which it maintains. Such a reserve fund shall set aside monies for the replacement of certain items including, but not limited to, roads, driveways, parking lots, recreational facilities, if any, and building exteriors. The reserve fund shall be funded out of monthly installments of the maximum annual assessment in such amounts as may be determined in accordance with Article Nine hereof.

**PURPOSE OF THE RESOLUTION:** Due to the newly negotiated trash removal contract, the fees for waste removal are less than budgeted for 1998. Therefore, the Board would like to increase the amount of the deposits going into the Reserve accounts.

**SCOPE OF THE RESOLUTION:** Applies to all reserve accounts.

**Now therefore, be it resolved that:** The Board of Directors has authorized the increase of funds allocated to the Smithy Glen Reserve Accounts for the budget year 1998.

Attest:

  
Secretary

  
President