



APPLICATION ACCEPTED: April 21, 2011  
BOARD OF ZONING APPEALS: July 13, 2011  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

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July 6, 2011

## STAFF REPORT

VARIANCE APPLICATION NO. VC 2011-MV-005

### MOUNT VERNON DISTRICT

**APPLICANT:** Donna A. Granahan, Trustee

**OWNER:** Donald F. Granahan Family Trust  
Donna A. Granahan, Trustee

**SUBDIVISION:** Engleside

**STREET ADDRESS:** 8520 Highland Lane

**TAX MAP REFERENCE:** 101-3 ((7)) 43

**LOT SIZE:** 5,600 square feet

**ZONING DISTRICT:** R-2, HC

**ZONING ORDINANCE PROVISION:** 3-207

**VARIANCE PROPOSAL:** To permit construction of a dwelling to be built 7.5 from each side lot line

A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

O:\bcho00\VC\VC 2011-MV-005 Granahan\VC 2011-MV-005 Staff report.doc

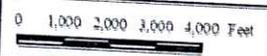
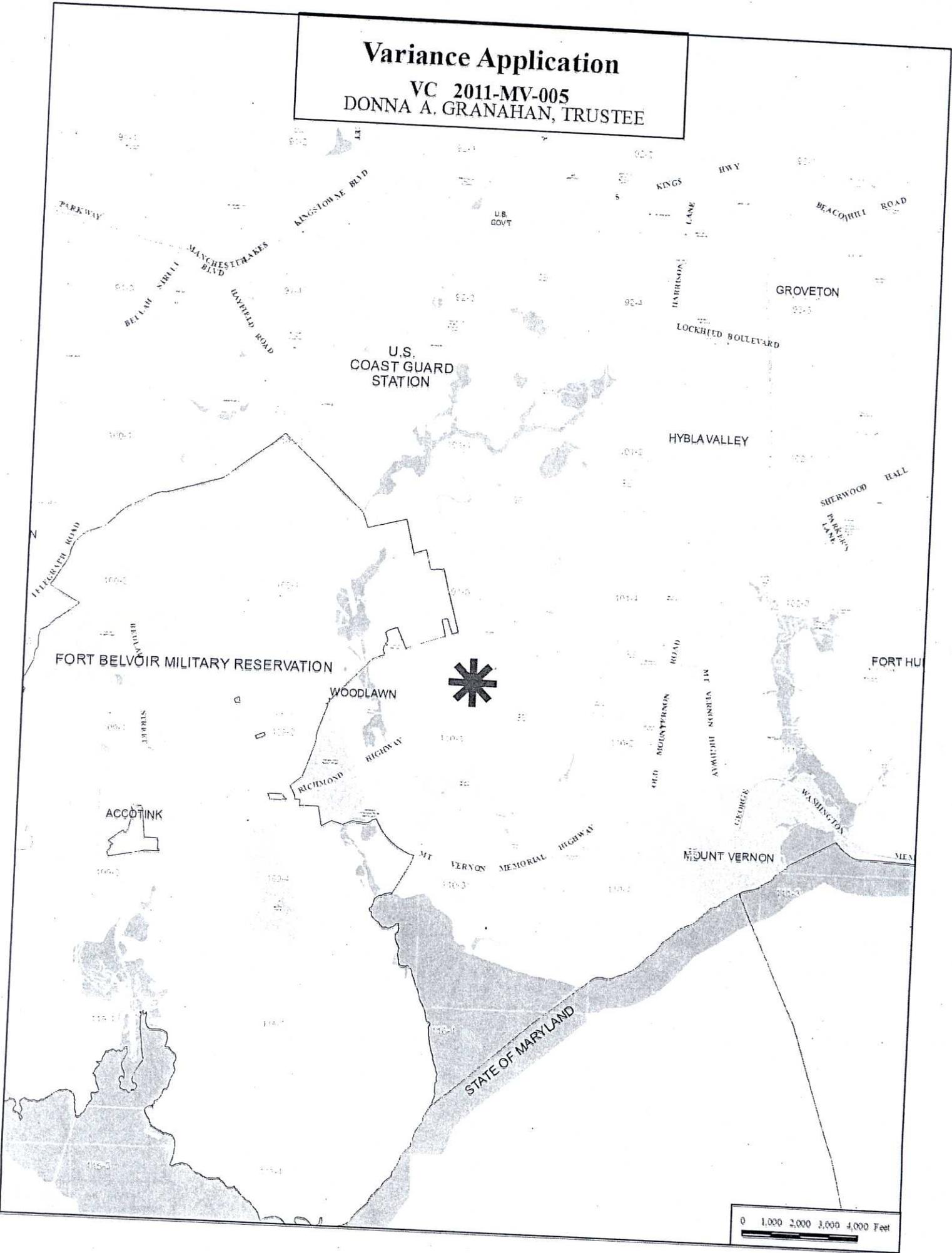
Brenda J Cho

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



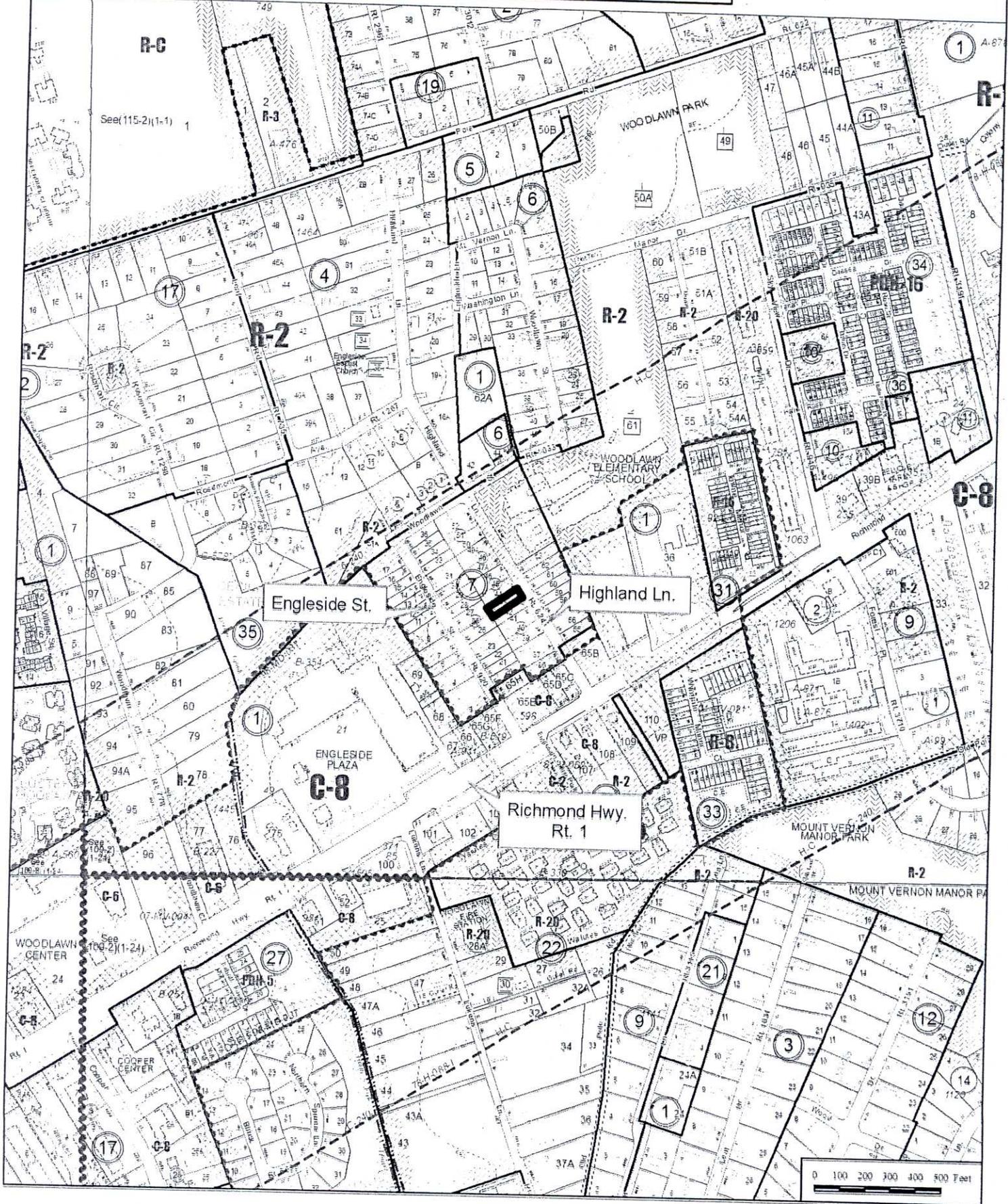
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**Variance Application**  
VC 2011-MV-005  
DONNA A. GRANAHAN, TRUSTEE



# Variance Application

VC 2011-MV-005  
DONNA A. GRANAHAN, TRUSTEE

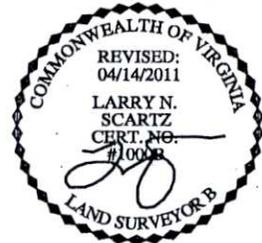
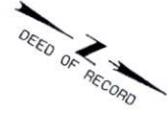
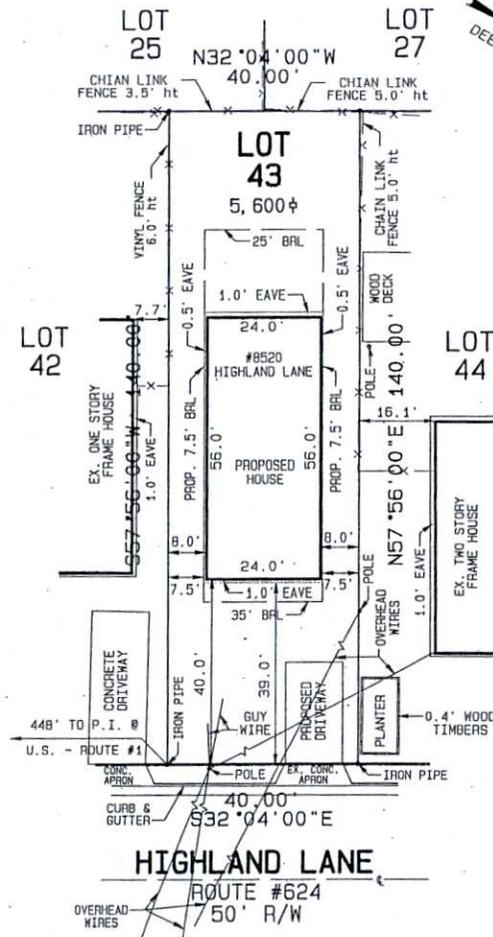
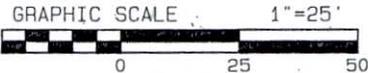


NOTES:

1. TAX MAP 101-3-07-0043
2. PROPERTY SHOWN HEREON IS ZONED:  
R-2 (RESIDENTIAL 2 DU/AC)
3. MINIMUM YARD REQUIREMENTS IN ZONE R-2  
FRONT YARD: 35'  
SIDE YARD: 15'  
REAR YARD: 25'  
  
MAXIMUM BUILDING HEIGHT: 35'
4. PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
5. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD  
ZONE "X" AS PER INSURANCE RATE MAP COMMUNITY  
PANEL NUMBER 515525 0136 D EFFECTIVE DATE,  
MARCH 5, 1990.
6. THE RECORD PLAT DOES NOT SHOW ANY UTILITY  
EASEMENTS HAVING A WIDTH OF TWENTY-FIVE (25)  
FEET OR MORE EFFECTING THIS PROPERTY.
7. PURPOSE OF THIS VARIANCE PLAT IS TO BUILD  
A HOUSE WITHIN THE BOUNDARIES OF THIS LOT  
BY ADJUSTING THE MINIMUM SIDE YARD BUILDING  
RESTRICTION LINES FROM 15 FEET TO 7.5 FEET.

HEIGHT TABLE

PROPOSED TWO STORY HOUSE: 34.0'



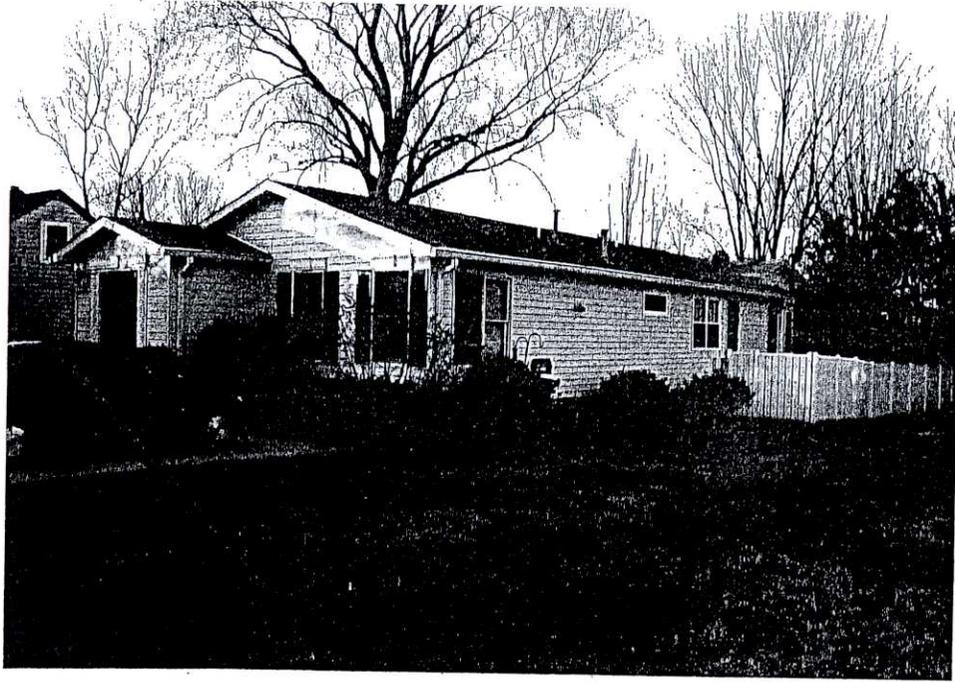
VARIANCE PLAT  
LOT 43  
**ENGLESIDE**

MOUNT VERNON MAGISTERIAL DISTRICT  
FAIRFAX COUNTY, VIRGINIA

SCALE: 1"=25' DATE: DECEMBER 6, 2007

<p>NO TITLE REPORT FURNISHED. PLAT SUBJECT TO RESTRICTIONS &amp; EASEMENTS OF RECORD OR OTHERWISE. FENCE LOCATIONS, IF SHOWN, ARE APPROXIMATE ONLY AND DO NOT CERTIFY AS TO OWNERSHIP.</p>	<p>CASE NAME: GRANAHAN, TR.</p>
<p>I HEREBY CERTIFY THAT THE POSITION OF ALL EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS OTHERWISE SHOWN, THERE ARE NO ENCROACHMENTS EITHER MAY ACROSS THE PROPERTY LINE.</p> <p><i>[Signature]</i> CERTIFIED LAND SURVEYOR</p>	<p>SCARTZ SURVEYS LARRY N. SCARTZ      larry.scartz@scartz.com CERTIFIED LAND SURVEYOR      PHONE: (703) 494-4181 WOODBRIIDGE, VIRGINIA      FAX: (703) 494-3330</p> <p>20072884_VP      DSE</p>

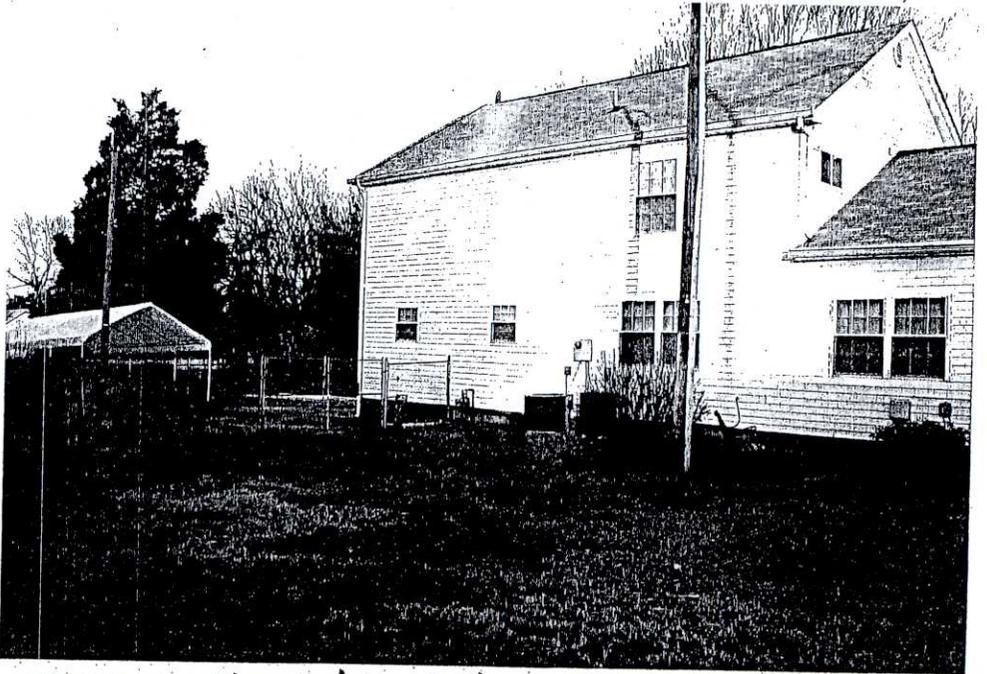
- view of SE side



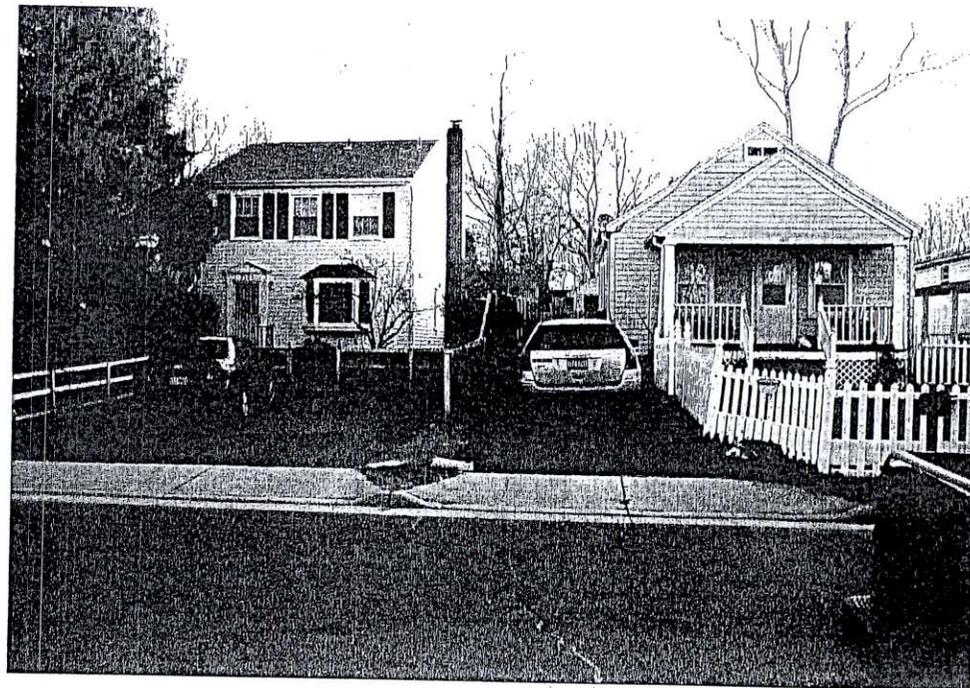
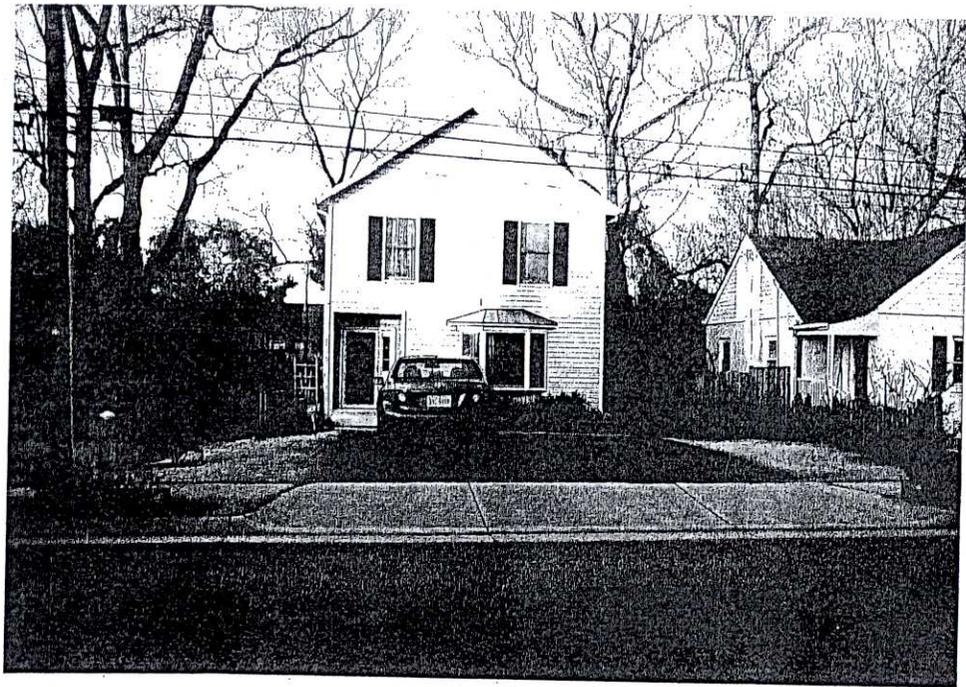
- view From Rear



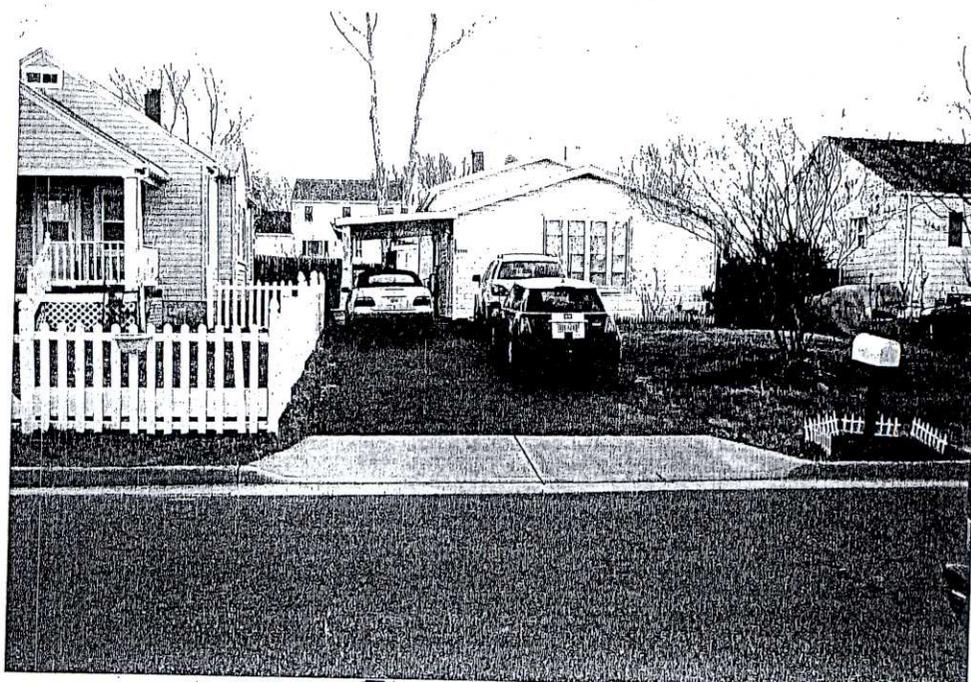
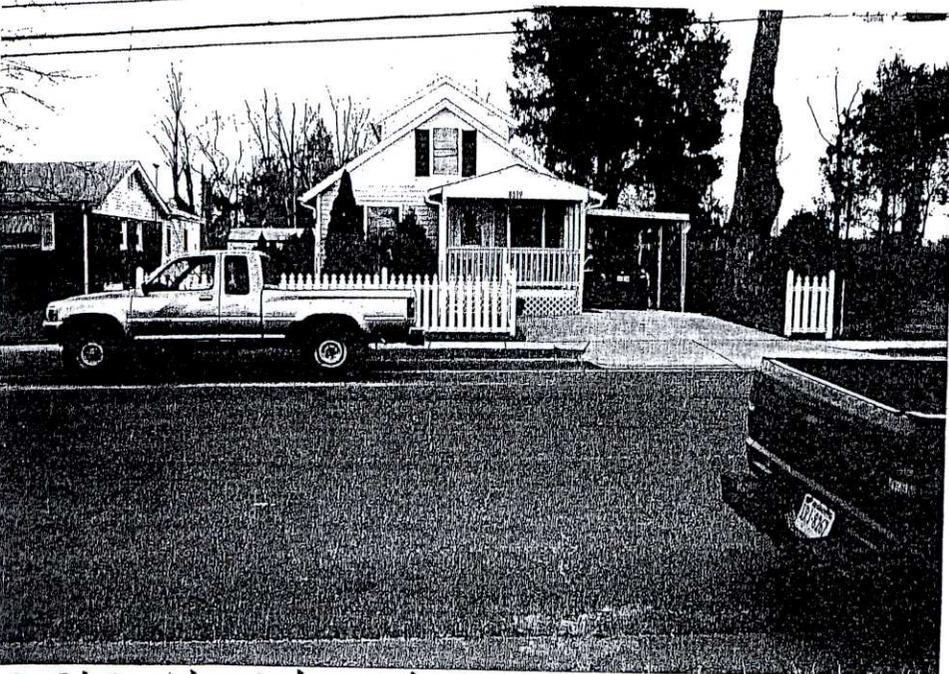
8520 Highland LN  
Front view



8520 Highland LN  
- view of the SW side



Attachment #4



8519 Highland LN - Front  
- located across street from subject

8533 Engleside St. - Front

**DESCRIPTION OF THE APPLICATION**

The applicant is requesting a variance to allow construction of a new single-family detached dwelling 7.5 feet from each side lot line. The bulk regulations for the R-2 District in Par.2 of Sect. 3-207 of the Zoning Ordinance require a minimum side yard of 15 feet. Specific architectural plans are not proposed at this time for the dwelling, which will meet the front and rear yard requirements, as well as the maximum permitted height. A building envelope is represented on the variance plat.

**EXISTING SITE DESCRIPTION**

The subject site measures 5,600 square feet in area and is vacant. The lot width measures 40 feet, and the length is 140 feet. The site is zoned R-2 and Highway Corridor (HC) Overlay District. The lot is accessible via Highland Lane off Richmond Highway and is located in a residential neighborhood.

**CHARACTER OF THE AREA**

	Zoning	Use
North	R-2	Single Family Detached Dwelling
South	R-2	Single Family Detached Dwelling
East	R-2	Single Family Detached Dwelling
West	R-2	Single Family Detached Dwelling

**BACKGROUND**

Following the adoption of the current Ordinance, the BZA has heard the following similar variances in the vicinity of the application parcel:

- Variance VC 95-L-019 was approved on May 31, 1995 for Tax Map 101-3 ((7)) 14, zoned R-2 at 8508 Engleside Street to permit construction of a dwelling 25.0 feet from the front lot line and 8.0 feet from each side lot line.
- Variance VC 89-L-150 was approved on May 25, 1990 for Tax Map 101-3 ((7)) 42, zoned R-2 at 8522 Highland Lane to permit construction of a dwelling 8.0 feet from the side lot lines.

- Variance VC 89-V-146 was approved on January 31, 1990 for Tax Map 101-3 ((7)) 11, zoned R-2 at 8514 Engleside Street to permit a minimum side yard of 9.0 feet for two side yards.

#### **VARIANCE PLAT (Copy at front of staff report)**

- **Title of Plat:** Variance Plat, Lot 43, Engleside
- **Prepared by:** Scartz Surveys
- **Dated:** December 6, 2007, signed April 14, 2011

#### **ZONING ORDINANCE REQUIREMENTS**

This variance application must satisfy all of the nine (9) enumerated requirements contained in Sect. 18-404, Required Standards for Variances. If the BZA determines that a variance can be justified, it must then decide the minimum variance, which would afford relief as set forth in Sect. 18-405. A copy of these provisions is included as Appendix 4.

#### **CONCLUSION**

If it is the intent of the BZA to approve this application, the BZA should condition its approval by requiring conformance with the conditions set forth in Appendix 1 of this report, Proposed Development Conditions.

#### **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****VC 2011-MV-005****July 8, 2011**

1. This variance is approved for the maximum size and location within the building envelope of a single-family detached dwelling, "Proposed House", as shown on the plat prepared by Scartz Surveys, dated December 6, 2007, revised and signed by Larry N. Scartz, April 14, 2011, as submitted with this application and is not transferable to other land.
2. All applicable building permits and final inspections shall be obtained for the single-family detached dwelling.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards including requirements for building permits.

Pursuant to Sect. 18-407 of the Zoning Ordinance, this variance shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the variance.

The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Application No.(s): \_\_\_\_\_  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT** (Revised)

DATE: 4/1/2011  
 (enter date affidavit is notarized)

I, Donna A. Granahan, Trustee, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)       applicant  
                           applicant's authorized agent listed in Par. 1(a) below

111409 a

and that, to the best of my knowledge and belief, the following is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

**(NOTE:** All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Donna A. Granahan, Trustee & Beneficiary of the Donald F. Granahan Family Trust	8737 Lukens Lane, Alexandria, VA 22309	Applicant/Title Owner
Gregory L. Granahan	4400 Elmwood Drive, Alexandria, VA 22310	Beneficiary
David M. Granahan	5845 Mallow Trail Lorton, VA 22070-4260	Beneficiary

(check if applicable)       There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Requirement #6

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 4/1/2011  
(enter date affidavit is notarized)

1114092

1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders: NONE

**(NOTE:** Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

(check if applicable)  There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 4/1/2011  
(enter date affidavit is notarized)

111409a

1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit: *NONE*

**PARTNERSHIP INFORMATION**

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state, and zip code)

(check if applicable)  The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 4/1/2011  
(enter date affidavit is notarized)

111409a

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable)  There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 4/1/2011  
(enter date affidavit is notarized)

111409 a

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

Donna A. Granahan, Trustee  
[X] Applicant [ ] Applicant's Authorized Agent

(check one)

Donna A. Granahan, Trustee  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 1<sup>st</sup> day of April 2011, in the State/Comm. of VIRGINIA, County/City of PRINCE WILLIAM.

My commission expires: 7/31/2014

[Signature]  
Notary Public



The purpose of this document is to provide written evidence justifying my Variance application with regard to Section 18-404 of the Fairfax County Zoning Ordinance.

Legal description: Map #: 1013 07 0043, otherwise known as 8520 Highland Lane, Alexandria, VA 22309, located in Mt. Vernon District. See attached plat.

This property was acquired in 1991 by Donald F. Granahan with good faith intent to some day build a house.

At the effective date of the Ordinance, August 14, 1978 this parcel exhibited multiple challenging characteristics. Not only is the lot extremely narrow, measuring just 40 feet in width, but it's size of 5600 sq. ft. is exceptionally small. The current zoning restriction of R2 requires a lot minimum size of 15,000 sq. ft (3 times the area of subject lot), minimum width of 100 ft, and side yard set back requirements of 15 feet, thus leaving "10 feet" for the total width of a house. This size width is unreasonably restrictive and deprives the owner of reasonable use of the land.

Comparison Data

	R2 Zoning Requirements	Characteristics of Subject Lot
Lot Width	100 ft.	40 ft.
Side Yard Set backs	15 ft.	proposed 7.5 ft.
Minimum Yard Size	15,000 sq. ft.	5600 sq. ft.

There are few undeveloped lots in this neighborhood and the use of the subject property to build a house is not of so recurring a nature as to make reasonably practicable the formulation of general legislation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.

The strict application of this Ordinance would produce an undue hardship on the owner. Since acquisition in 1991 the owner has paid real estate taxes accordingly on a lot dubbed by Fairfax County as "**BUILDABLE-AVERAGE LOT**" (see **Attachment #1**, Fairfax County Dept. of Tax Administration data sheet). Current Real Estate Taxes paid for the subject property without any improvements are almost as much as surrounding properties which enjoy improvements. See below example:

RECEIVED  
Department of Planning & Zoning  
MAR 08 2011  
Zoning Evaluation Division

Requirement #5

2010 Assessment Values  
Comparison Data

Address	Land area (SQFT)	Land value	Building Value	Total Value
Subject (8520 Highland LN)	5600	241,000	0	\$241,000
8522 Highland LN	5600	122,000	155,510	\$277,610
8519 Highland LN	6800	122,000	119,120	\$241,120
8514 Engleside St	5600	122,000	174,560	\$296,560
8533 Engleside St.	5600	122,000	142,620	\$264,620

This in itself is an **inequity** creating an undue hardship on the owner. Additionally undue hardship is created by the sheer nature of the R2 Zoning Requirements from a standpoint of size; i.e. R2 calls for a minimum of 15000 sq. ft., subject lot has 5600 sq. ft, R2 calls for a minimum yard width of 100 ft., subject lot only has 40 ft., R2 requires 15 ft. side set-back and that would allow subject lot to build a 10 wide house, which is unreasonably narrow.

The above hardship is generally not shared by other properties in this Zoning District as most lots have been built upon, many of which also required variance to do so. The fact that the subject lot is the smallest size lot in the neighborhood makes it even more restrictive by nature.

Strict application of the Zoning Ordinance would actually preclude building on this lot. Waiving of minimum yard requirements, but adherence to side set-backs would necessitate an extremely narrow building. This would be unreasonably restrictive, given that current dimensions of other houses in the neighborhood, built on similar size lots, do not comply with those restrictions. See **Attachment #2** showing two separate properties which required similar variances. Even the counties smallest single family dwelling (cluster) requires a 13,000 sq. ft. lot. Additionally a 10 foot wide house would be achitecturally challenging and lack curb appeal. It would also have a potentially lower "RESALE VALUE" making it difficult to recoup development expenses in the future. With its prohibitively small stature it may even degrade the nature of the neighborhood. See **Attachment #3** for a diagram depicting a 10 ft. wide house showing its unreasonable size restrictions.

NOTES 1. FENCES ARE WIRE UNLESS NOTED  
2. UTILITIES UNDERGROUND

24

25

26

N 32° 04' W

40.00'

CHAIN LINK FENCE

FOOTINGS AND PIERS MUST BE PLACED ON COMPETENT MATERIAL

42

5,600 sq ft

STEPS

24.2'

1 STORY VINYL #8522

102

14.0'

STOOP

GRAVEL DRIVE

140.00'

140.00'

S 57° 50' W

N 57° 50' E

43 DPW&ES Office of Building Code Services Approved for

By *Build 1 story*  
Date *4/15/94*

408.00' to P.I. RICHMOND HIGHWAY

S 32° 04' E ~ 40.00'

# 8522 HIGHLAND LANE

50' R/W

TOTAL EARTH DISTURBANCE ON THIS LOT SHALL NOT EXCEED 2500 SQ. FT.

EXCAVATED MATERIAL SHALL BE REMOVED FROM SITE. PLAT SHOWING HOUSE LOCATION ON LOT 42

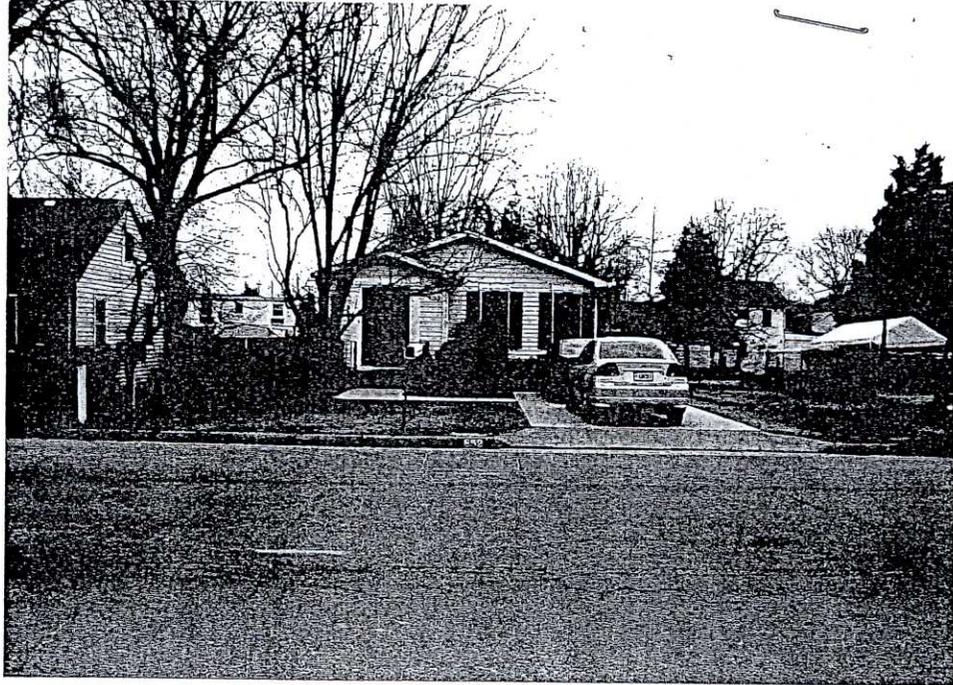
VC 89-L-150

## ENGLESIDE

FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 30' SEPTEMBER 19, 1994

Attachment 4a - Similar properties requiring variance



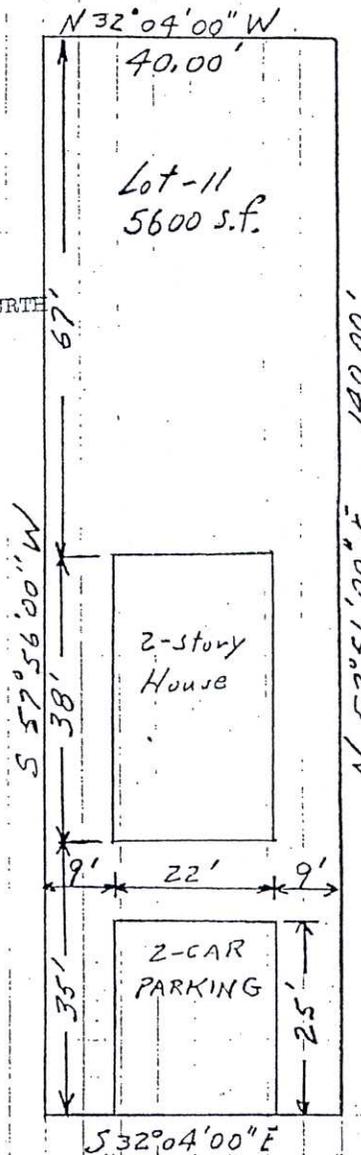
8522 Highland Ln - sharing property  
line (SE) of (8520 Highland) 5600 sq. Ft

WHEN A RETAINING WALL WITH A DIFFERENCE IN GRADE LEVEL ON EITHER SIDE OF THE WALL IN EXCESS OF FOUR FEET IS LOCATED CLOSER THAN TWO FEET TO A WALK, PATH, PARKING LOT, OR DRIVEWAY ON THE HIGH SIDE, SUCH RETAINING WALL SHALL BE PROVIDED WITH A 42" HIGH GUARDRAIL WITH GUARDS SPACED 6" O.C. OR DENSE BUSHES 42" HIGH.

EVERY SLEEPING ROOM BELOW THE FOURTH STORY SHALL HAVE AT LEAST ONE OPERABLE WINDOW:  
 MIN. NET CLEAR OPENING 5.7 SQ. FT.  
 MIN. NET HEIGHT 24"  
 MIN. NET WIDTH 20"

CLIENT TRUSS FABRICATORS SHOP DETAILS FOR APPROVAL PRIOR TO ERECTION.

Property is served by county water + sewer.



SAFETY GLASS IS REQUIRED IN THE FOLLOWING LOCATIONS:  
 12. WITHIN 12" HORIZONTALLY FROM EACH DOOR OR WINDOW IN FIXED PANELS WITH GLAZED AREA MORE THAN 9 SQ. FT. WITH THE LOWEST EDGE LESS THAN 18" ABOVE THE FINISH FLOOR LEVEL OR WALKING SURFACE WITHIN 36 INCHES OF SUCH GLAZING.

County of Fairfax, Virginia  
 Building Plan Review Branch, DEM  
 Approval for Permit

These plans are conditionally approved for permit issuance subject to any correction notes on plans. This permit is license to construct only in accordance adopted codes and does not waive any code requirements noted in review. Issuance of permit does not prevent inspectors from ordering corrections to meet codes when are noted during inspections.  
 NO INSPECTION WILL BE MADE UNLESS AN APPROVAL OF PLANS IS ON JOB SITE.

APPROVAL Audrey C. Clark

NO CHANGES SHALL BE MADE TO THE APPROVAL WITHOUT PRIOR APPROVAL OF THE BUILDING PLAN BRANCH.

USE GROUP R-3

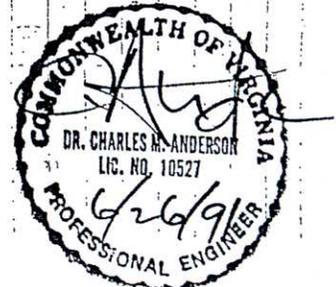
TYPE CONSTRUCTION 5B(90)

CONTRACT NUMBER R6453

RAIL REQUIRED AT SLIP

GLASS DOOR

House Location Plan  
 MATHES House Scale 1" = 20'  
 Route 920  
 8514 ENGLSIDE STREET - 50' Wide  
 Lot 11 - Engleside Subdivision  
 Variance VC 89-L-146



A & H ENGINEERING CONSULTANTS  
 P.O. Box 5102  
 Springfield, Virginia 22150  
 (703) 569-2060

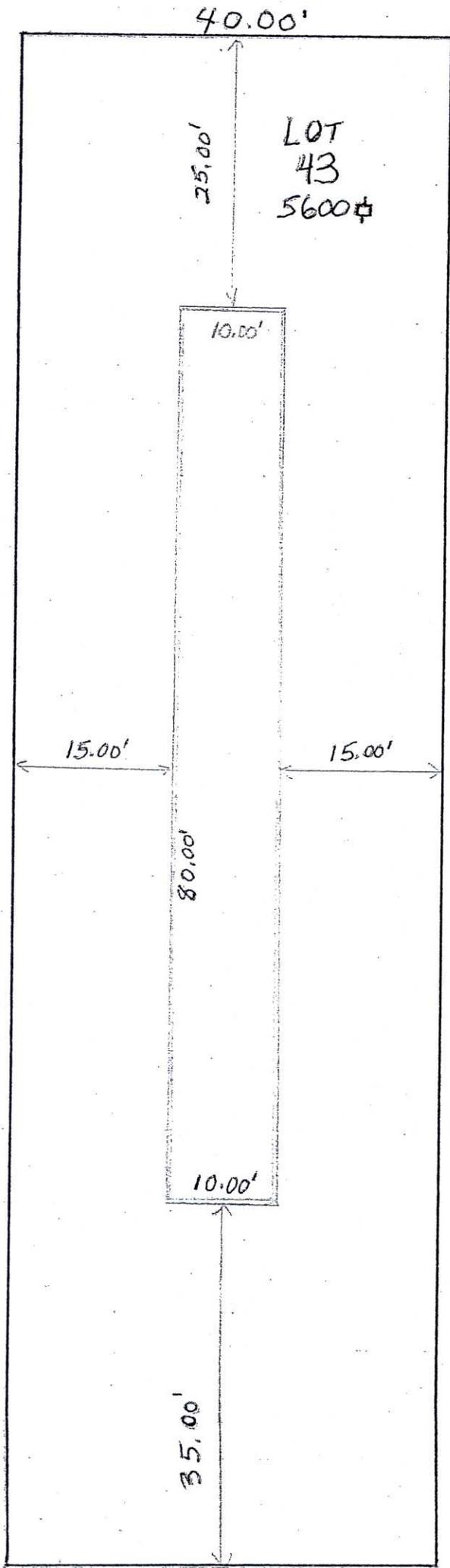


Diagram depicting the unreasonable size of a 10 foot wide house that adheres to the R2 setback restrictions on subject property located at 8520 Highland Lane.

scale  
3/4" = 10'

Attachment  
#3

Authorizing this Variance Application will not be detrimental to adjacent properties. The adjacent property, which sits to the SE (Lot #42), shares similar side yard set-backs of 7.7 ft on the abutting side. Adjacent to subject property and SW (Lot #44) measures 16.1 ft. side yard set-back on the abutting side. The proposed house size is in keeping with other houses in the neighborhood and will result in increased property value and esthetic improvements to **what is currently a weedy empty lot.**

Since a precedent, i.e. granting of variances, has already been set in this neighborhood, the character of the zoning district will not be changed by the granting of this variance. **Attachment #4** shows multiple properties on both Highland Lane and Engleside Street where obvious deviations are repeatedly seen from the set back and yard size requirements delineated under the R2 Zoning Ordinance.

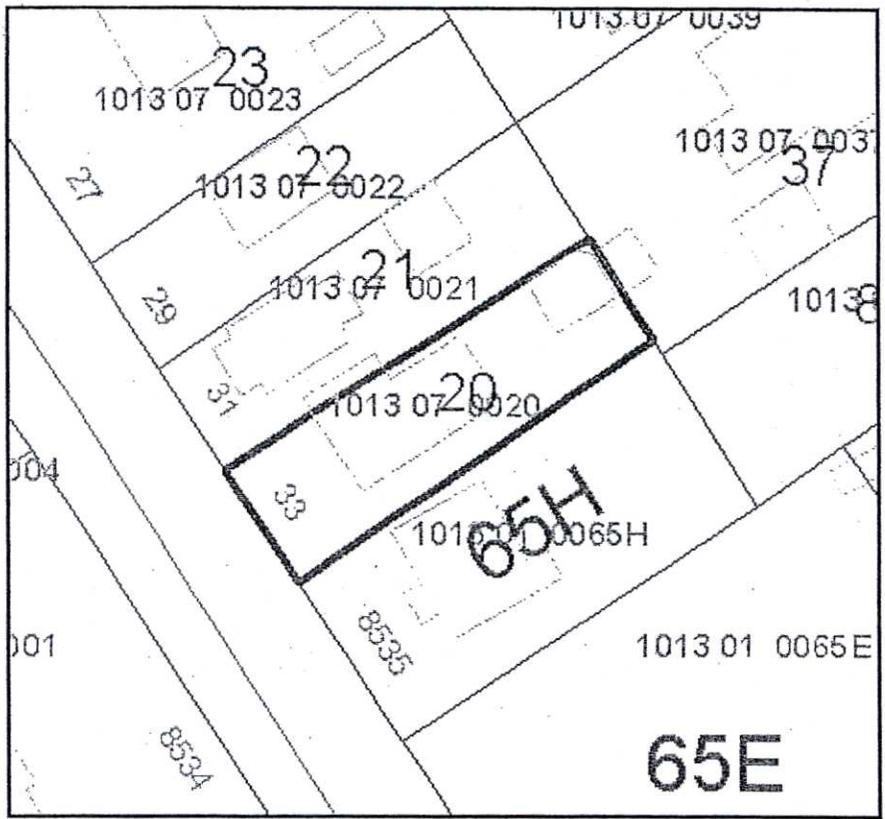
Because of the specialized characteristics of this property as previously stated, the proposed Variance will provide a reasonable deviation and remain in harmony with the intended spirit and purpose of this Ordinance and will not be contrary to the public interest.

Granting of this Variance Application will clearly alleviate a demonstrable hardship which would otherwise deprive the owner of reasonable use of the land. Additionally, substantial justice and parity with other properties will be achieved.



MAP #: 1013 07 0020  
SALIHU ARSIM TR

8533 ENGLSIDE ST



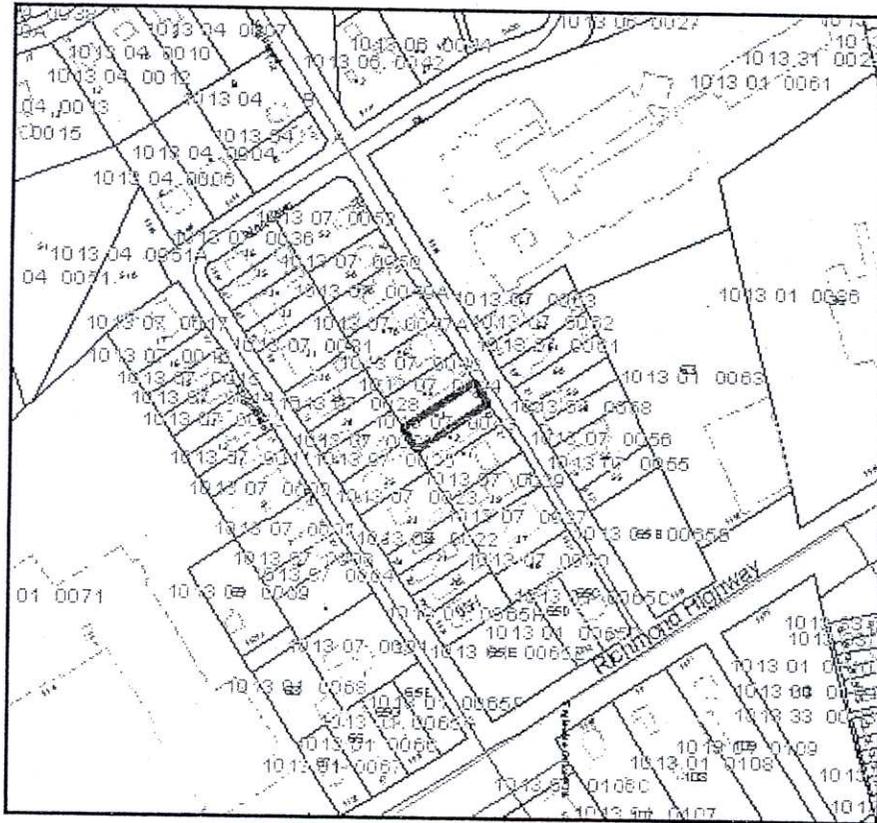
Aerial Imagery © 2007 Commonwealth of Virginia

Source: Fairfax County Department  
of Tax Administration, Real Estate Division.

all lot #4

MAP #: 1013 07 0043  
GRANAHAN DONALD F TR

8520 HIGHLAND LN



Aerial Imagery © 2007 Commonwealth of Virginia

Source: Fairfax County Department  
of Tax Administration, Real Estate Division.

oil 1 + #11

## ZONING ORDINANCE PROVISIONS

### 18-404 Required Standards for Variances

To grant a variance the BZA shall make specific findings based on the evidence before it that the application satisfies all of the following enumerated requirements:

1. That the subject property was acquired in good faith.
2. That the subject property has at least one of the following characteristics:
  - A. Exceptional narrowness at the time of the effective date of the Ordinance;
  - B. Exceptional shallowness at the time of the effective date of the Ordinance;
  - C. Exceptional size at the time of the effective date of the Ordinance;
  - D. Exceptional shape at the time of the effective date of the Ordinance;
  - E. Exceptional topographic conditions;
  - F. An extraordinary situation or condition of the subject property; or
  - G. An extraordinary situation or condition of the use or development of property immediately adjacent to the subject property.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
4. That the strict application of this Ordinance would produce undue hardship.
5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.
6. That:
  - A. The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict the utilization of the subject property, or
  - B. The granting of a variance will alleviate a clearly demonstrable hardship as distinguished from a special privilege or convenience sought by the applicant.
7. That authorization of the variance will not be of substantial detriment to adjacent property.
8. That the character of the zoning district will not be changed by the granting of the variance.
9. That the variance will be in harmony with the intended spirit and purposes of this Ordinance and will not be contrary to the public interest.

### **18-405 Conditions**

Upon a determination by the BZA that the applicant has satisfied the requirements for a variance as set forth in Sect. 404 above, the BZA shall then determine the minimum variance that would afford relief. In authorizing such variance the BZA may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guarantee or bond to insure that the conditions imposed are being and will continue to be met.