



APPLICATION ACCEPTED: August 26, 2011
BOARD OF ZONING APPEALS: November 16, 2011
TIME: 9:00 a.m.

County of Fairfax, Virginia

November 9, 2011

STAFF REPORT

VARIANCE APPLICATION NO. VC 2011-BR-011

BRADDOCK DISTRICT

APPLICANT: William Haight

OWNERS: William H. Haight
Catherine G. Haight

SUBDIVISION: Rutherford

STREET ADDRESS: 9119 Saranac Court

TAX MAP REFERENCE: 69-2 ((06)) 23

LOT SIZE: 16,887 square feet

ZONING DISTRICT: R-2

ZONING ORDINANCE PROVISION: 10-104

VARIANCE PROPOSAL: To permit construction of a carport 5.1 feet from the 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:\rhomervairances\VC 2011-BR-011 Haight Staff Report.doc

Rebecca Horner

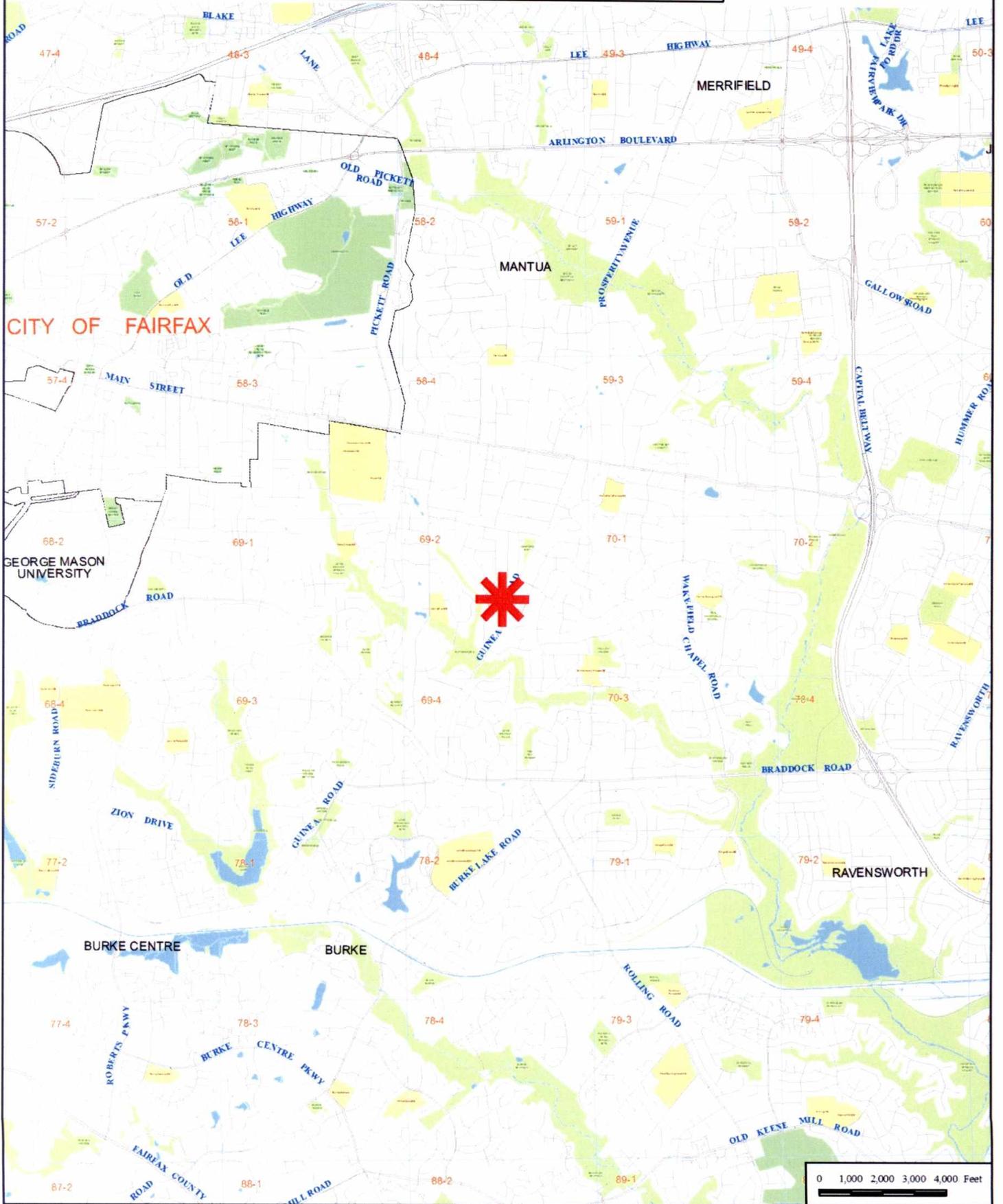
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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

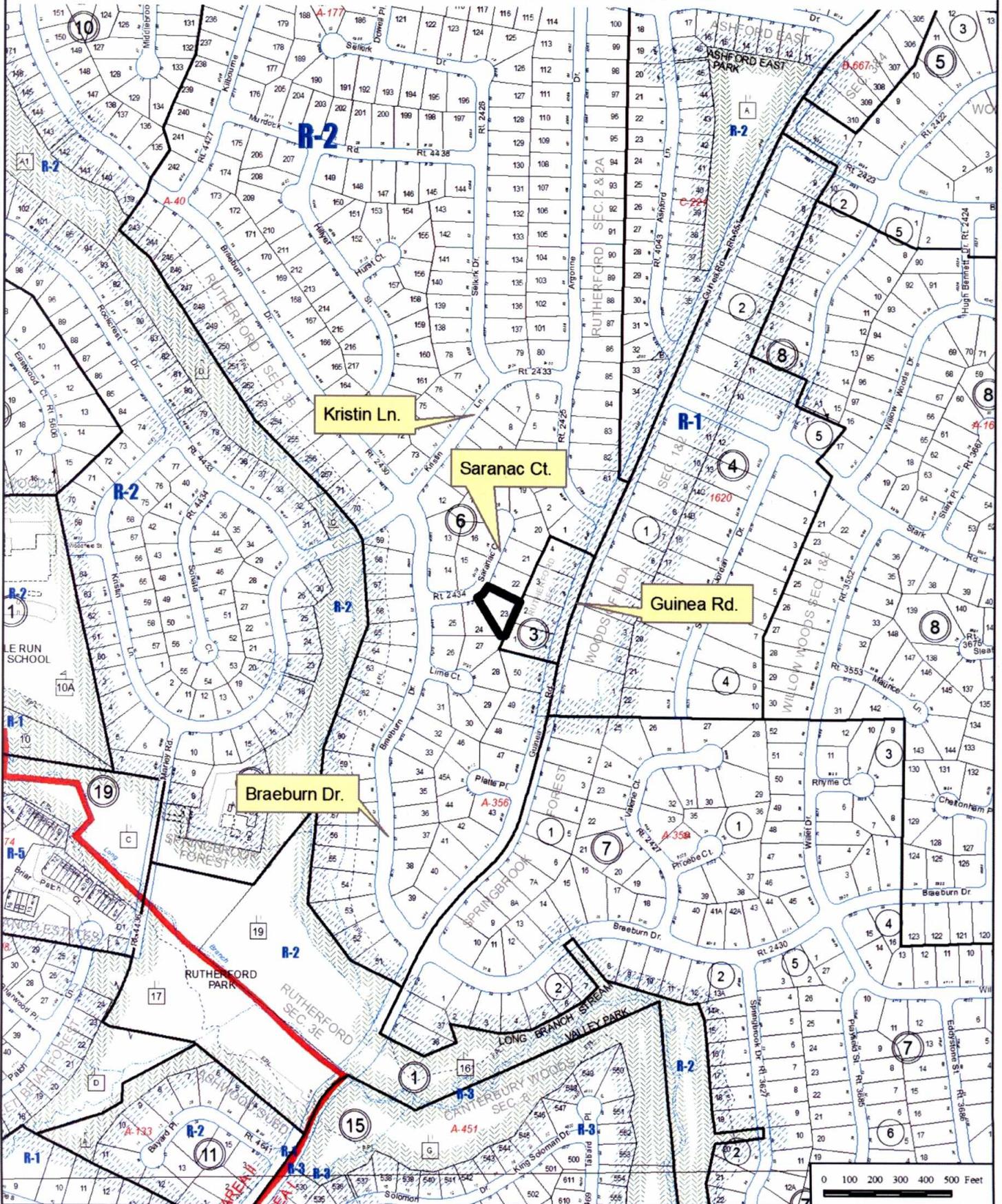
VC 2011-BR-011
WILLIAM HAIGHT



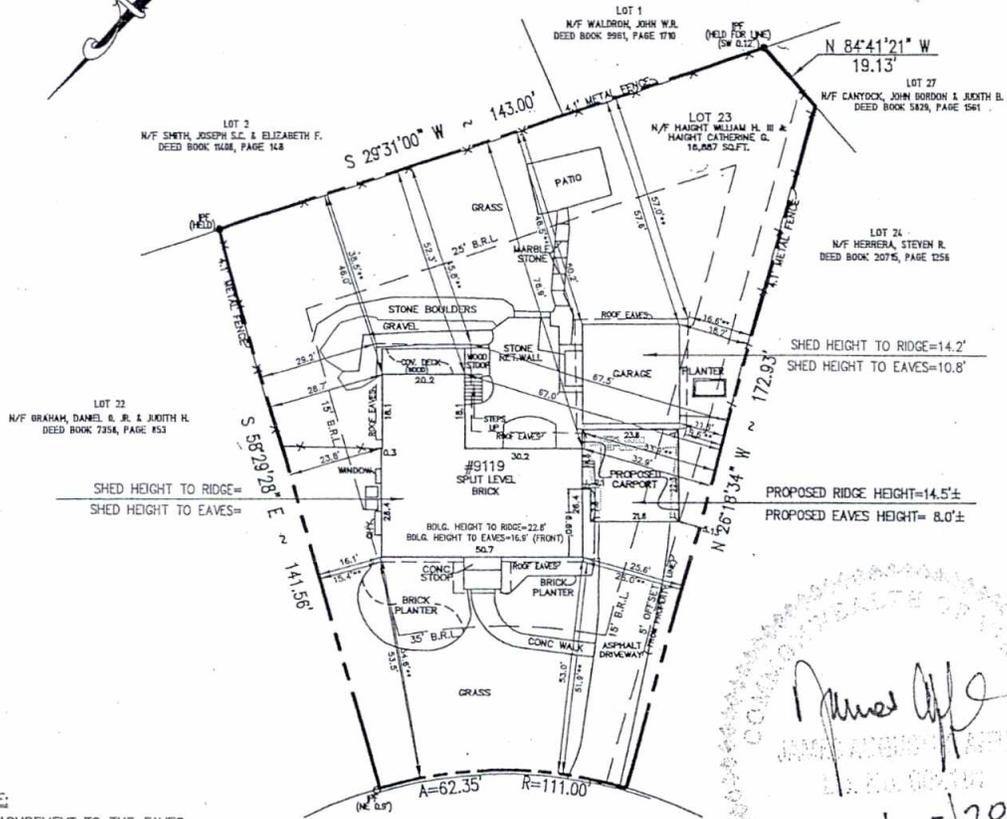
Variance Application

VC 2011-BR-011

WILLIAM HAIGHT



LOCATION DRAWING
 9119 SARANAC COURT
 LOT 23, SECTION 3
 BRADDOCK
 DEED BOOK 13059, PAGE 769
 BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA



KEY NOTE:

** - MEASUREMENT TO THE EAVES

UTILITY NOTE:

*PROPERTY IS SERVED BY
 PUBLIC WATER & SEWER

GENERAL NOTES:

- Horizontal Datum: Plat Datum
- Vertical Datum: Assumed
- Property shown hereon lies within Flood Zone "X" - Areas determined to be outside the 0.2% annual chance floodplain as established by the U.S. Federal Emergency Management Agency, National Flood Insurance Program, Flood Insurance Rate Map, Community Panel No. 51059C 0260 E, map effective date September 17, 2010.
- Zoned: R-2 (Residential 2 DU/KC)
 - Min. Front Yard : 35 ft.
 - Min. Side Yard : 15 ft.
 - Min. Rear Yard : 25 ft.
- All Zoning interpretations and related issues are to be done by a qualified Zoning attorneys practicing in Fairfax County, Virginia.
- There are no marked parking spaces within the area surveyed.
- Boundary shown hereon is based on information provided by CASE Design/Remodelling, Inc.
- This survey was prepared without the benefit of a Title Report and may not reflect easements, property lines and other restrictions of record.

SARANAC COURT
 (50' R/W)



SURVEYOR'S CERTIFICATION

Tec Case Design/Remodelling, LLC

We hereby certify to the best of our professional knowledge and belief and on of the latest date shown hereon, that this boundary survey was established by instrument-tape field survey and electronic measurements actually made on the ground and that information shown hereon is correct; that the survey correctly shows Lot 23, Section 3 in subdivision known as "Rutherford" and recorded in Deed Book No. 13059 at Page 769 among the Land records of Fairfax County, Virginia; said premises bearing physical address 9119 Saranac Court, Fairfax, VA 22032 and that except as shown, there is no visible evidence of easement(s) or right-of-ways on said premises or any other easements or right-of-ways of which the undersigned has been advised, and that all Zoning Classifications are shown per county records subject to the interpretation by a qualified zoning attorney, practicing in Fairfax County in the Commonwealth of Virginia.

This survey was prepared without the benefit of a Title Report and may not reflect easements, property lines and other restrictions of record.

June 1, 2011

Date

James A. Aftul
 James A. Aftul
 Professional Land Surveyor, # 002181

DATE: 06/10/2011

SCALE: NTS

PLAT SUBJECT TO APPLICABLE RESTRICTIONS AND EASEMENTS OF RECORD

I, HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY, AND UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.

THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. ITS PURPOSE IS TO DEPICT THE PROPERTY CONFIGURATION AND LOCATIONS OF IMPROVEMENTS. IT IS NOT INTENDED TO BE USED IN ESTABLISHING PROPERTY LINES.

File No. 9119SaranacCt_Brdy_Plat.dwg

BOUNDARY SURVEY



AULtec, Inc.

7895 Cessna Avenue, Suite D
 Gaithersburg, MD, 20879
 Tel. (301) 947-6665 Fax (301) 947-6911
 E-mail: aul@aultec.com

Engineers & Surveyors & Planners & GIS Consultants & GIS Consultants

DRAWN BY: M&S

CHECKED BY: JAA



Bethesda
4701 Sangamore Road
North Plaza, Suite 40
Bethesda, MD 20816
(301) 229-4600
(F) 301.229.3195

Annapolis
1501 Ritchie Highway,
Suite 1018
Annapolis, MD 21402
410.249.4100 (F)
410.249.4105

Falls Church
701 Park Avenue
Falls Church, VA 22046
703.241.2860
(F) 703.534.0207

Chantilly
14301-C Sullyfield Circle
Chantilly, VA 20151
703.803.2273 (F)
703.803.5025



Haight Residence
9119 Saranac Court
Fairfax, VA 22032

Date: 8/4/10

Scale: 3/16" = 1'-0"

Proj. Number: 15241449

Proj. Designer: D. VOGT

Asst. Proj. Designer: K. SHORE

Proj. Manager: J. WOOD

Sheet: Of:

SCALE: 3/16" = 1'-0"



Bethesda
4701 Sangamore Road
North Plaza, Suite 40
Bethesda, MD 20816
301.229.4600
(f) 301.229.3165

Annapolis
1511 Ritchie Highway,
Suite 1018
Annapolis, MD 21401
410.348.4150 (f)
410.348.4135

Falls Church
701 Park Avenue
Falls Church, VA 22046
703.541.2800
(f) 703.554.0707

Chantilly
14301-C Sullyfield Drive
Chantilly, VA 20151
703.803.2273 (f)
703.803.5025

Haight Residence
9119 Saranac Court
Fairfax, VA 22032

8'-0"

Date: 8/4/10

Scale: 1/4" = 1'-0"

Proj. Number: 0241449

Proj. Designer: D. VOGT

Asst. Proj. Designer: A. SHORE

Proj. Manager: J. WOOD

Sheet: Of:



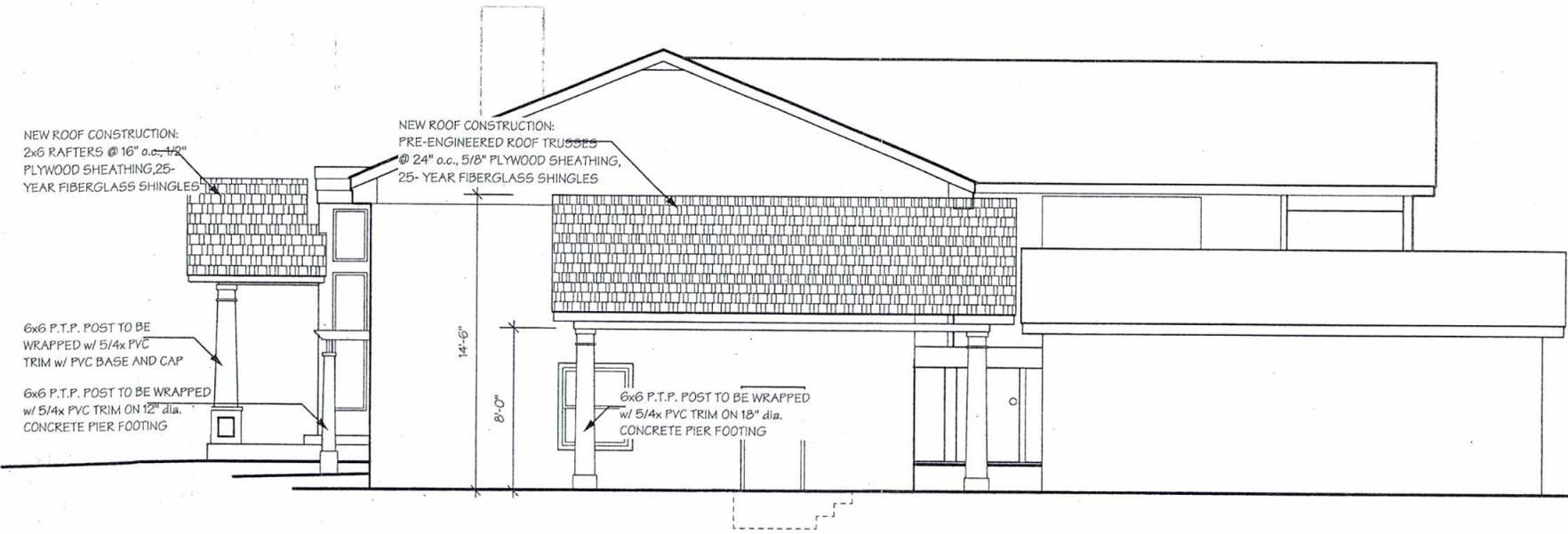
SCALE: 1/4" = 1'-0"



CASE
DESIGN/REMODELING, INC.

Bethesda 4701 Sangamore Road North Plaza, Suite 40 Bethesda, MD 20816 301.229.4600 (F) 301.229.3185	Annapolis 158 Ritchie Highway, Suite K718 Annapolis, MD 21012 410.549.4100 (F) 410.549.4155
Falls Church 707 Park Avenue Falls Church, VA 22046 703.241.0960 (F) 703.534.0207	Quantilly 1430-C Sullyfield Circle Quantilly, VA 20151 703.803.2273 (F) 703.803.8025

Haight Residence
9119 Saranac Court
Fairfax, VA 22032



SCALE: 3/16" = 1'-0"

Date:	8/4/10
Scale:	3/16" = 1'-0"
Proj. Number:	15241448
Proj. Designer:	D. WOOT
Asst. Proj. Designer:	K. SHORE
Proj. Manager:	J. WOOD

Sheet: Of:



CASE
DESIGN/REMODELING, INC.

Bethesda
4701 Sangamore Road
North Plaza, Suite 40
Bethesda, MD 20816
301.229.4600
(f) 301.229.3585

Annapolis
151 Ritchie Highway,
Suite 107B
Annapolis, MD 20702
410.348.4352 (f)
410.348.4355

Falls Church
701 Park Avenue
Falls Church, VA 22046
703.241.2860
(f) 703.504.0207

Charlottesville
1309 E. Sullyfield Circle
Charlottesville, VA 22951
703.803.2275 (f)
703.803.3025

Haight Residence
9119 Saranac Court
Fairfax, VA 22032

Date: 8/4/10

Scale: 1/4" = 1'-0"

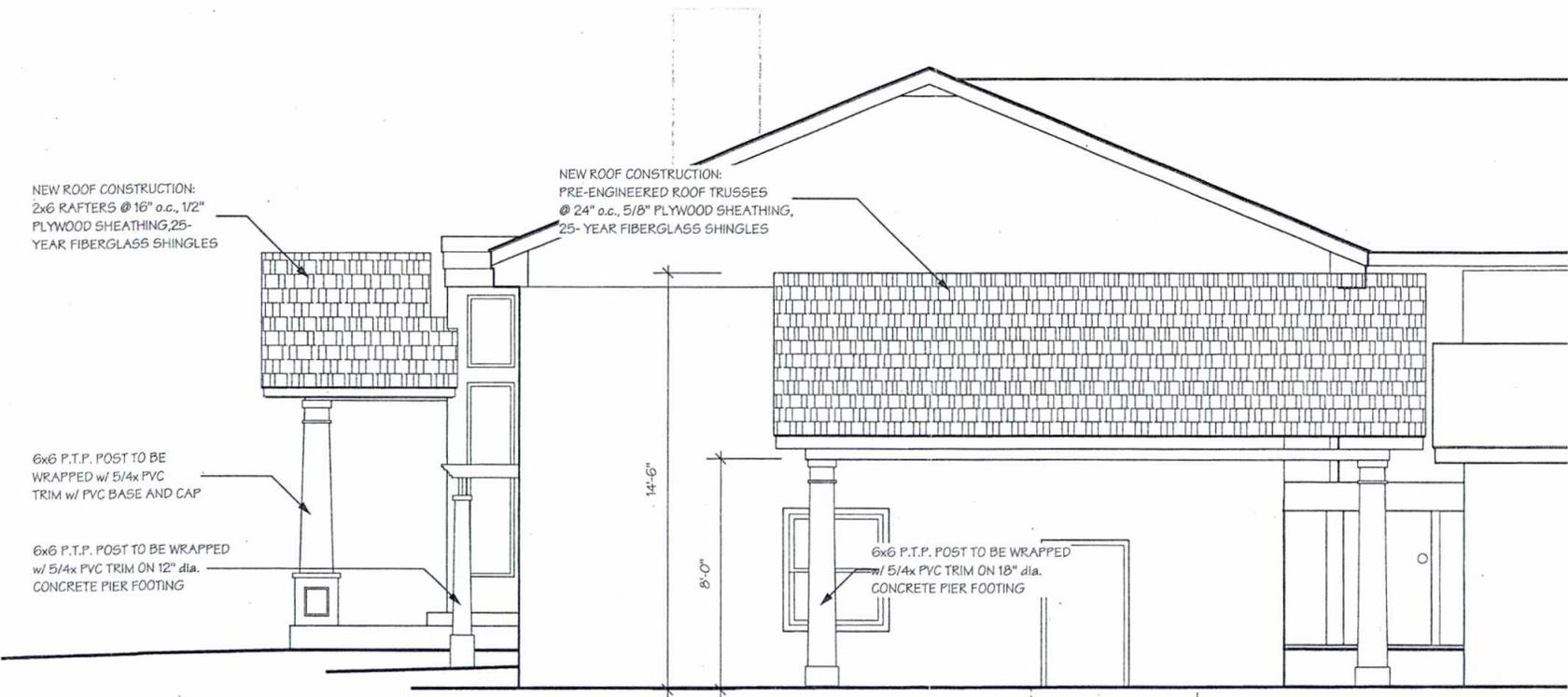
Proj. Number: 10241449

Proj. Designer: D. VOGT

Asst. Proj. Designer: L. SHORE

Proj. Manager: J. WOOD

Sheet: Of:



NEW ROOF CONSTRUCTION:
2x6 RAFTERS @ 16" o.c., 1/2"
PLYWOOD SHEATHING, 25-
YEAR FIBERGLASS SHINGLES

NEW ROOF CONSTRUCTION:
PRE-ENGINEERED ROOF TRUSSES
@ 24" o.c., 5/8" PLYWOOD SHEATHING,
25-YEAR FIBERGLASS SHINGLES

6x6 P.T.P. POST TO BE
WRAPPED w/ 5/4x PVC
TRIM w/ PVC BASE AND CAP

6x6 P.T.P. POST TO BE WRAPPED
w/ 5/4x PVC TRIM ON 12" dia.
CONCRETE PIER FOOTING

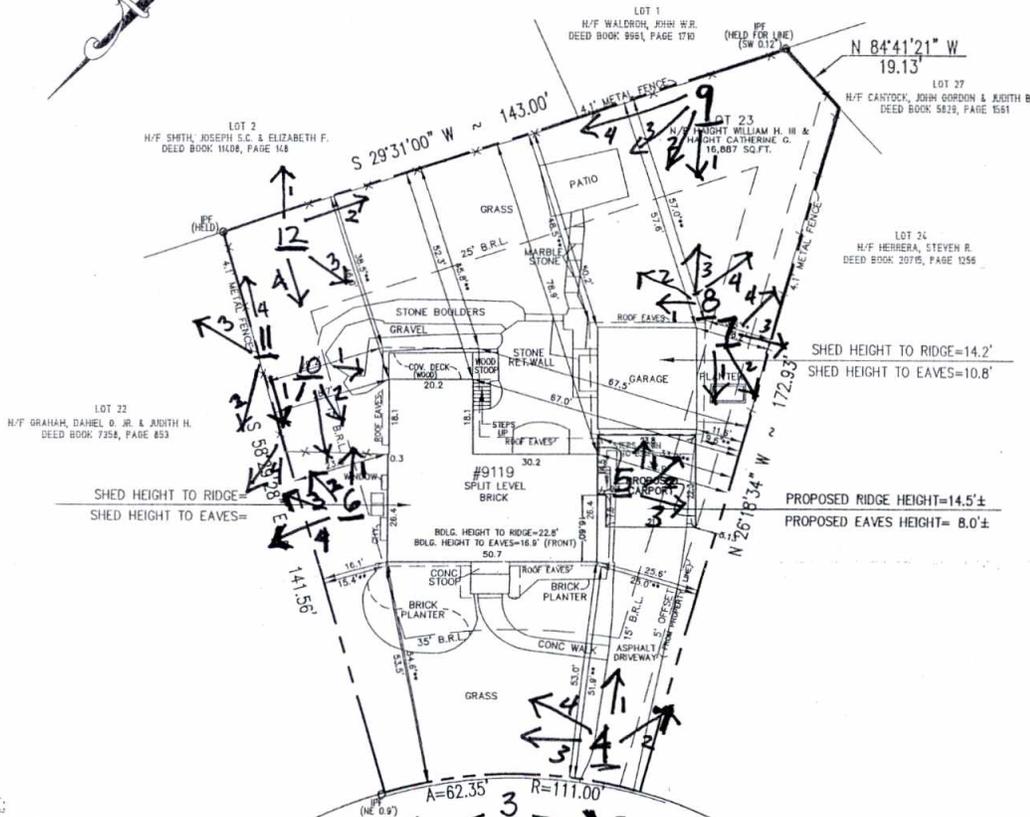
6x6 P.T.P. POST TO BE WRAPPED
w/ 5/4x PVC TRIM ON 18" dia.
CONCRETE PIER FOOTING

14'-6"

8'-0"

SCALE = 1/4" = 1'-0"

LOCATION DRAWING
 9119 SARANAC COURT
 LOT 23, SECTION 3
 BRADDOCK
 DEED BOOK 13059, PAGE 769
 BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA

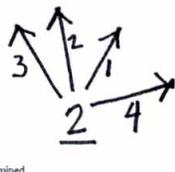


KEY NOTE:
 ** - MEASUREMENT TO THE EAVES

UTILITY NOTE:
 *PROPERTY IS SERVED BY
 PUBLIC WATER & SEWER

GENERAL NOTES:

1. Horizontal Datum: Plat Datum
 2. Vertical Datum: Assumed
 3. Property shown hereon lies within Flood Zone "X" - Areas determined to be outside the 0.2% annual chance floodplain as established by the U.S. Federal Emergency Management Agency, National Flood Insurance Program, Flood Insurance Rate Map, Community Panel No. 51059C 0260 E, map effective date September 17, 2010.
 4. Zoned: R-2 (Residential 2 DU/AC)
 Min. Front Yard : 35 ft.
 Min. Side Yard : 15 ft.
 Min. Rear Yard : 25 ft.
- ** All Zoning interpretations and related issues are to be done by a qualified Zoning attorneys practicing in Fairfax County, Virginia.
5. There are no marked parking spaces within the area surveyed.
 6. Boundary shown hereon is based on information provided by CASE Design/Remodelling, Inc.
 7. This survey was prepared without the benefit of a Title Report and may not reflect easements, property lines and other restrictions of record.



SURVEYOR'S CERTIFICATION

Case Design/Remodelling, LLC
 We hereby certify to the best of our professional knowledge and belief and as of the latest date shown hereon, that this boundary survey was established by instrument-tape field survey and electronic measurements actually made on the ground and that information shown hereon is correct; that the survey correctly shows Lot 23, Section 3 in subdivision known as "Rutherford" and recorded in Deed Book No. 13059 at Page 769 among the Land records of Fairfax County, Virginia; said premise bearing physical address 9119 Saranac Court, Fairfax, VA 22032 and that except as shown, there is no visible evidence of easement(s) or right-of-ways on said premises or any other easements or right-of-ways of which the undersigned has been advised, and that all Zoning Classifications are shown per county records subject to the interpretation by a qualified zoning attorney, practicing in Fairfax County in the Commonwealth of Virginia.

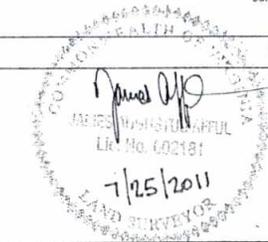
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June 1, 2011
 Date

AULtec, Inc.

 James Afful
 Professional Land Surveyor, VA # 002181

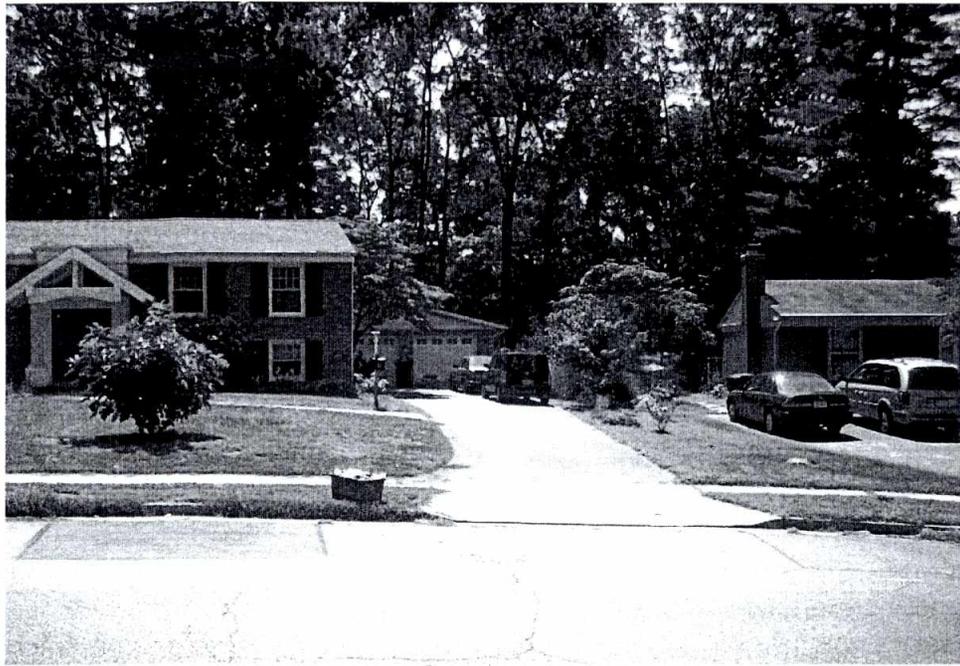
DATE: 06/10/2011 SCALE: 1' = 30'
 PLAT SUBJECT TO APPLICABLE RESTRICTIONS AND EASEMENTS OF RECORD
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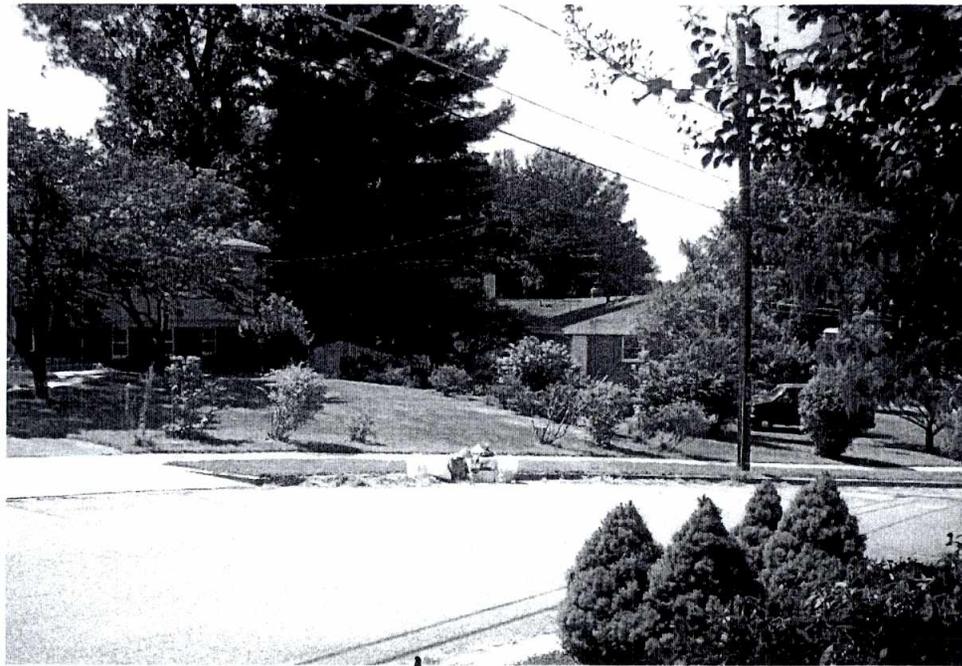
BOUNDARY SURVEY

AULtec, Inc.
 7895 Cessna Avenue, Suite D
 Gaithersburg, MD. 20879
 Tel. (301) 947-8655 Fax (301) 947-6911
 E-mail: aultec@auletectech.com
Engineers • Surveyors • Planners • GIS Consultants • GPS Consultants

DRAWN BY: Mks CHECKED BY: JAA



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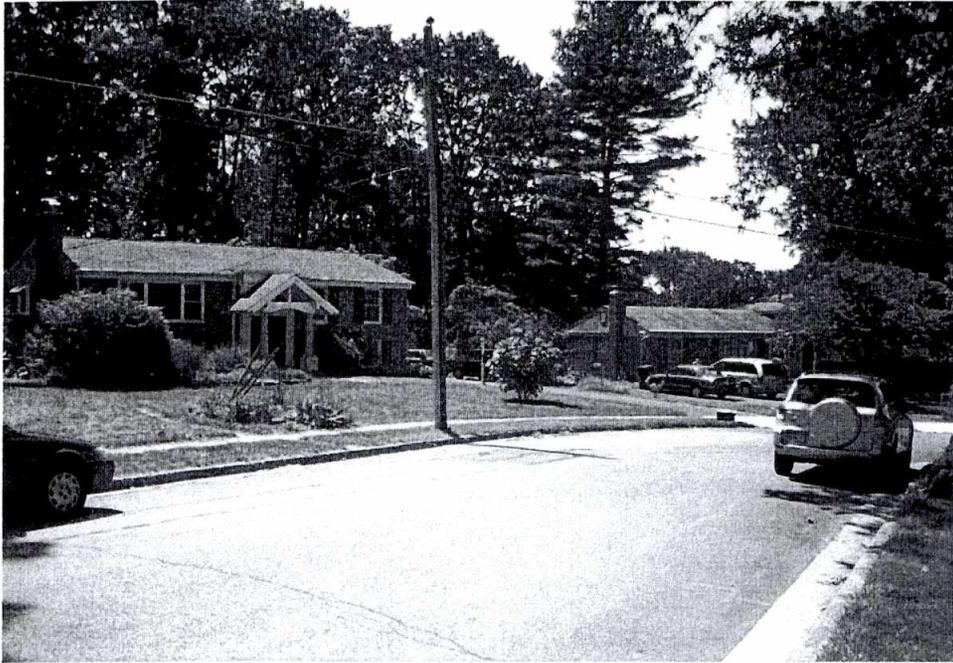
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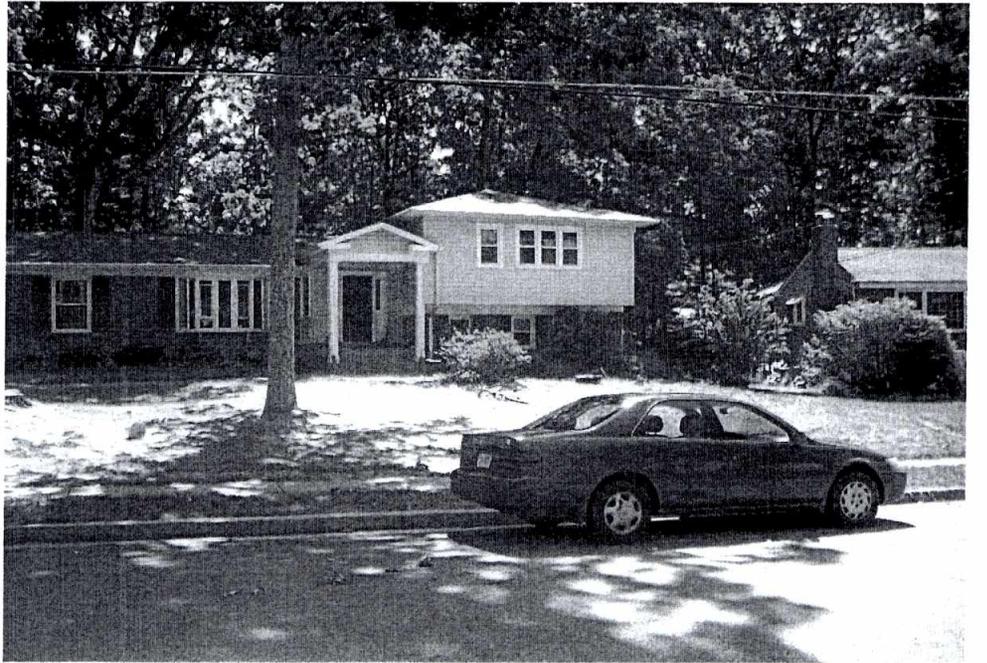
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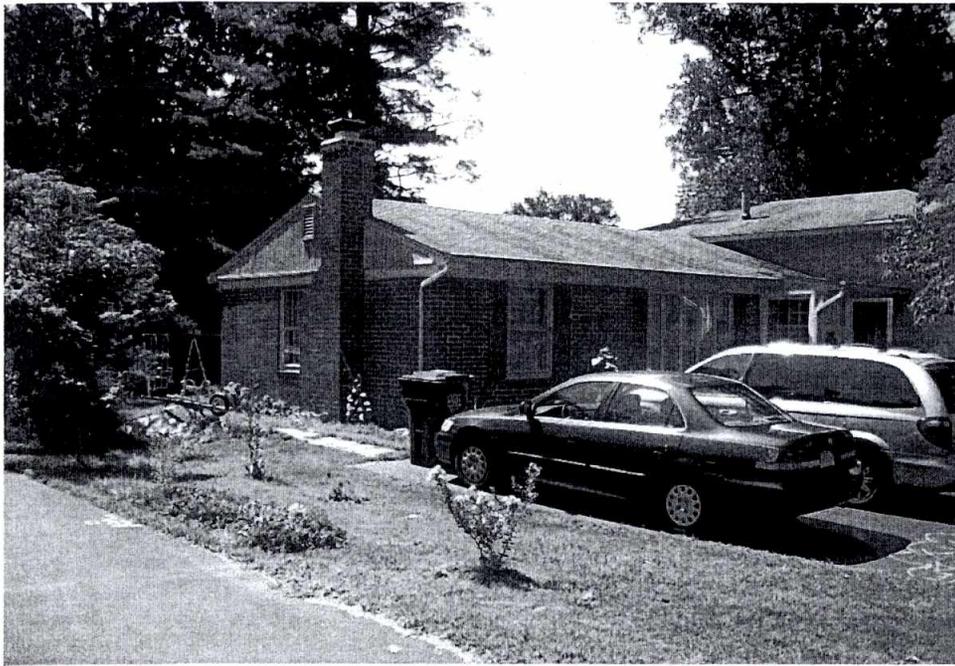
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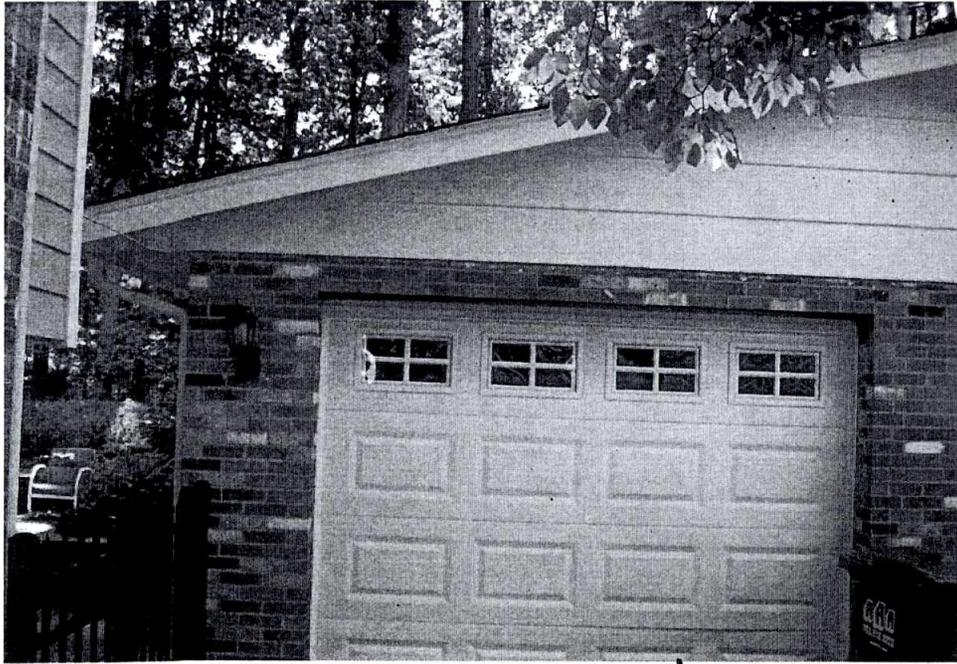


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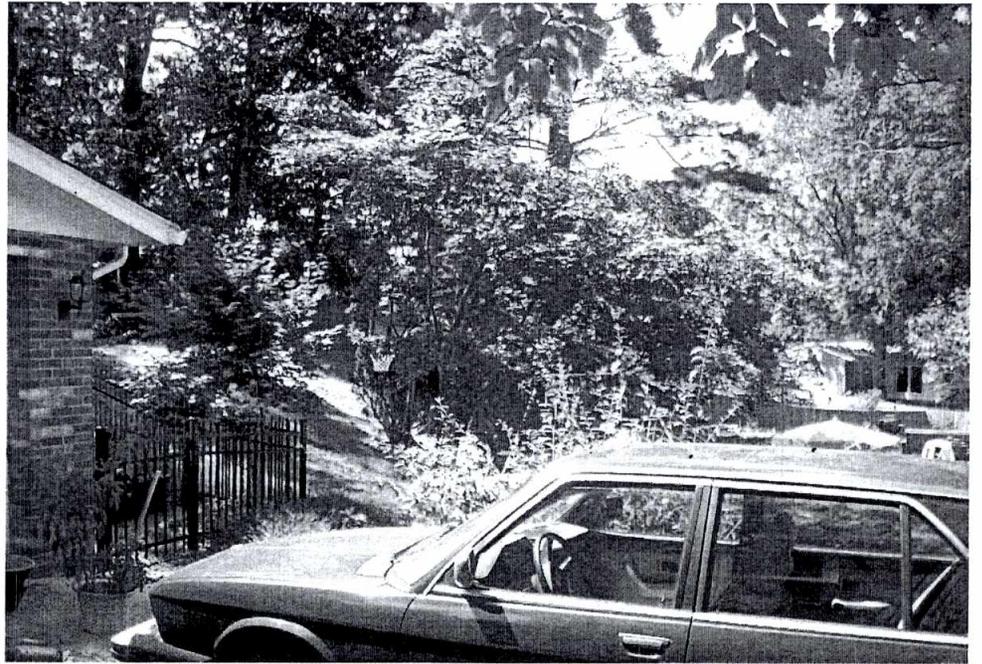


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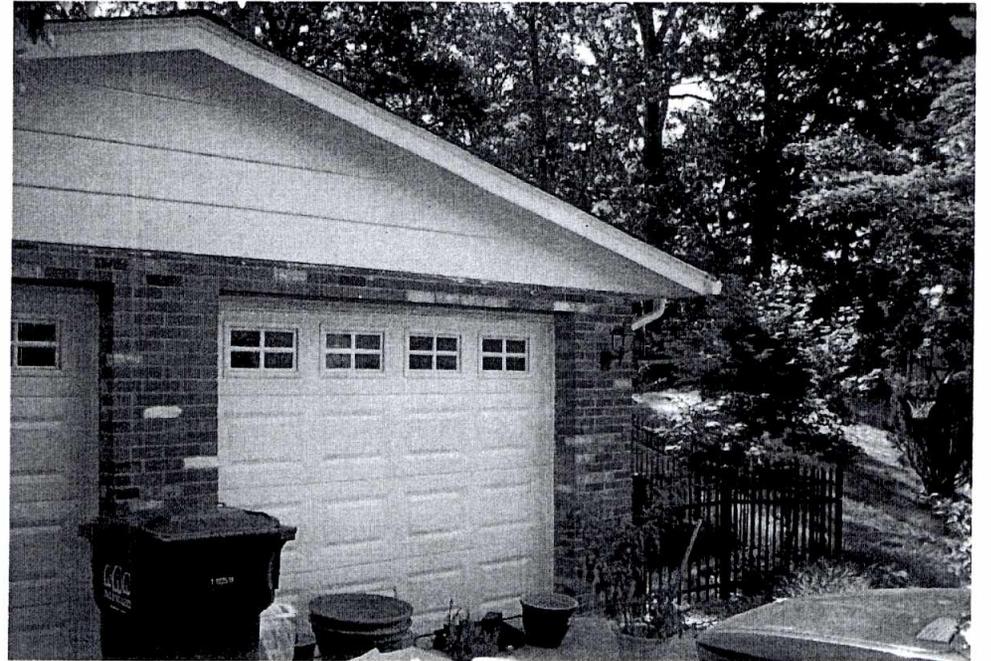
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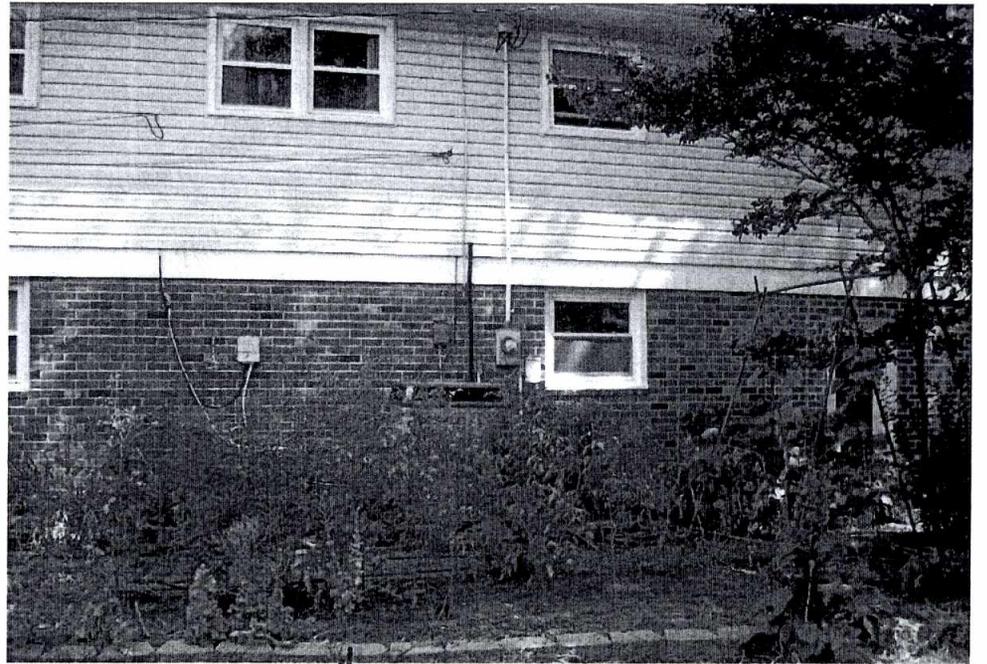
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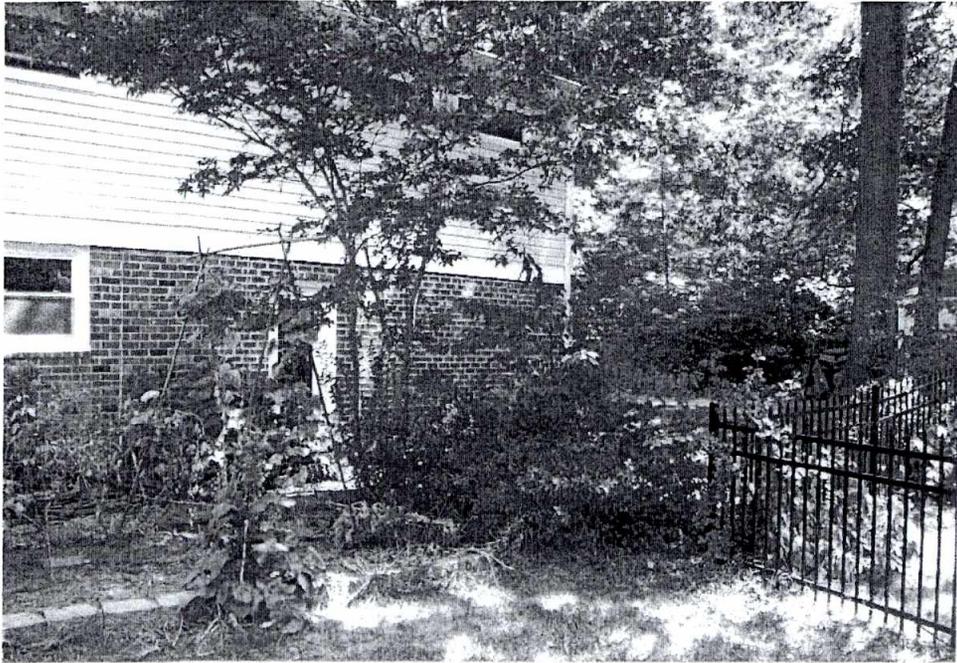
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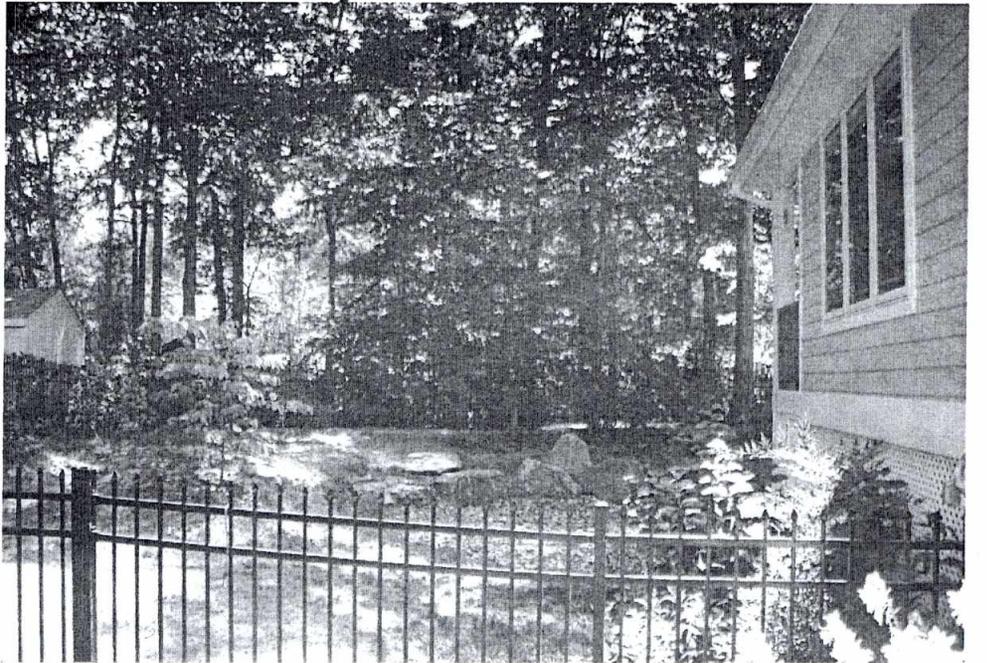
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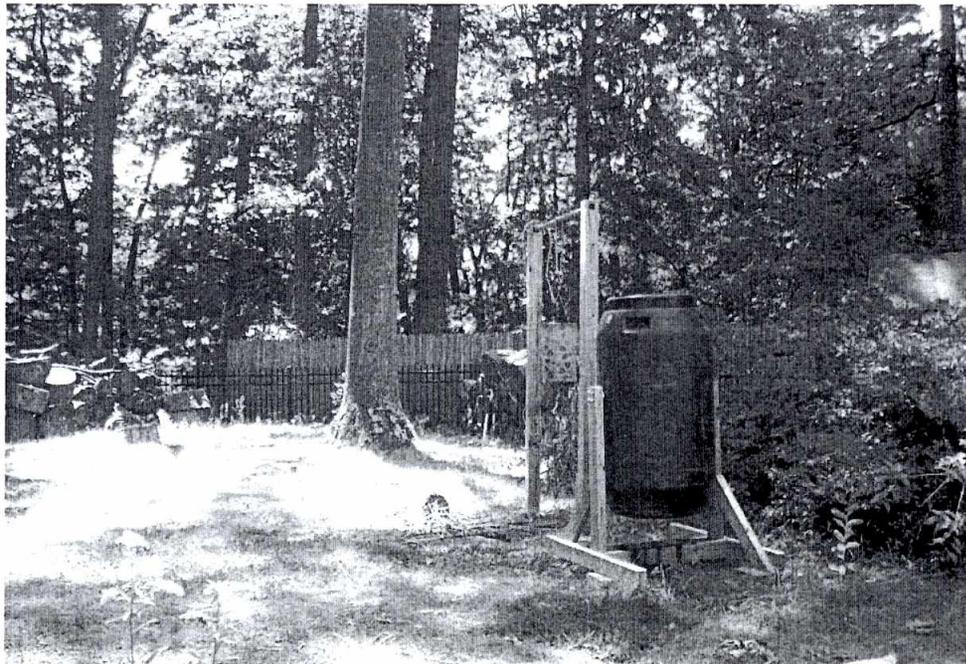


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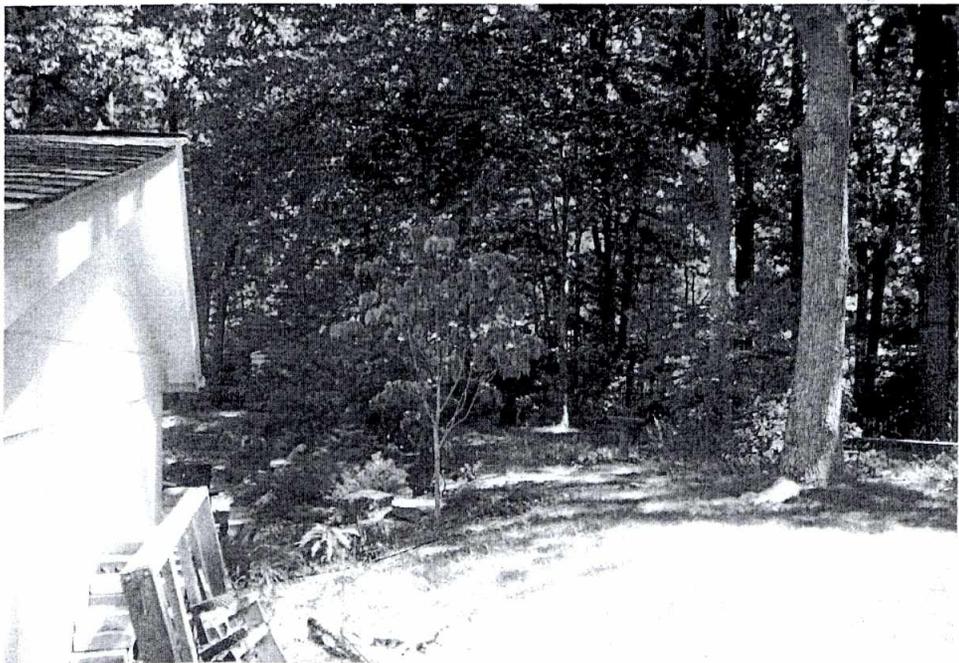
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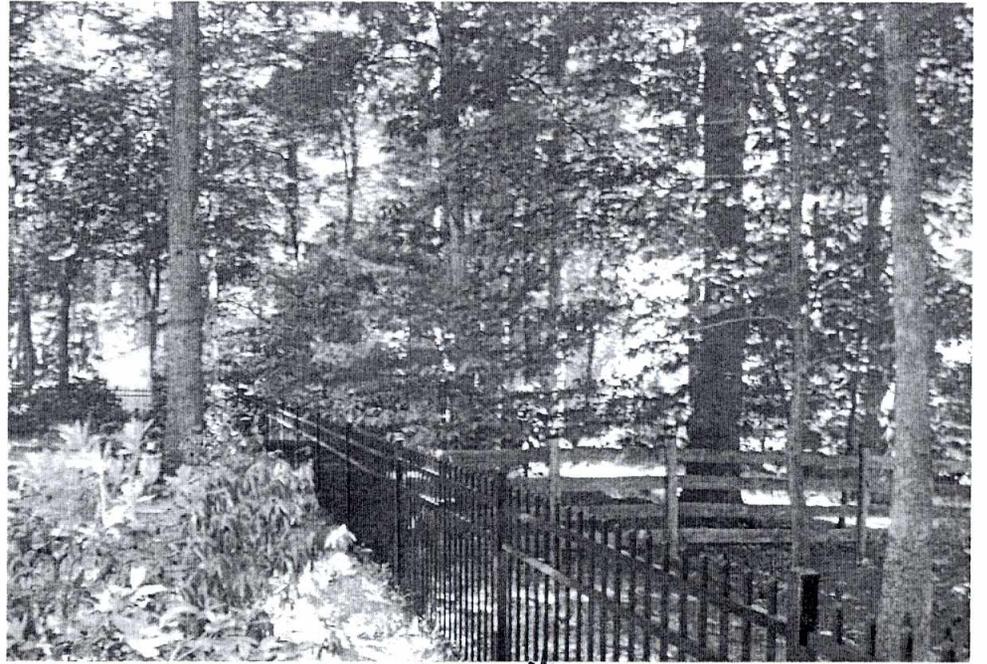
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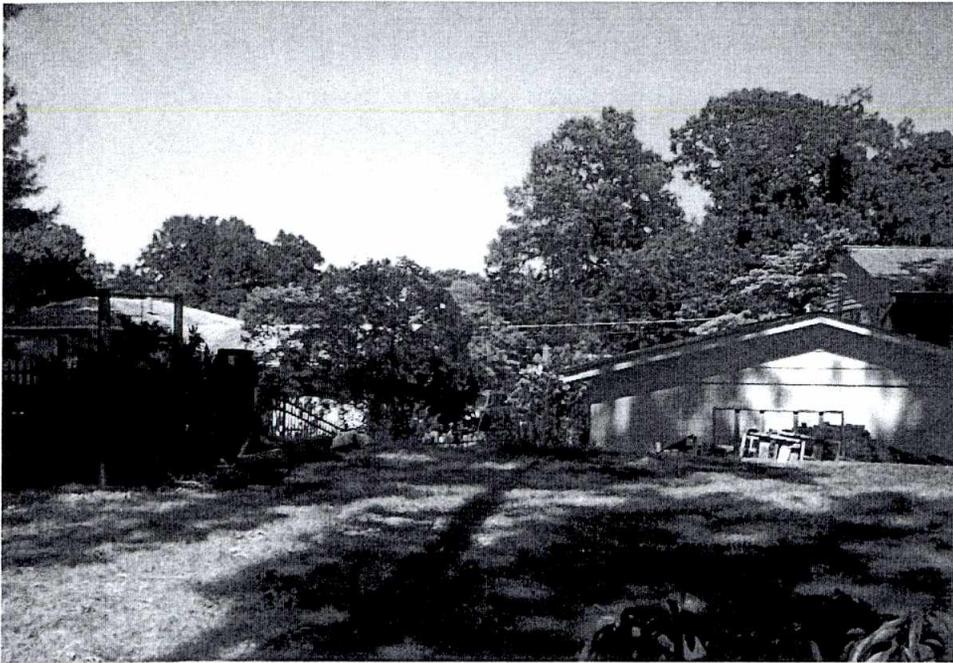
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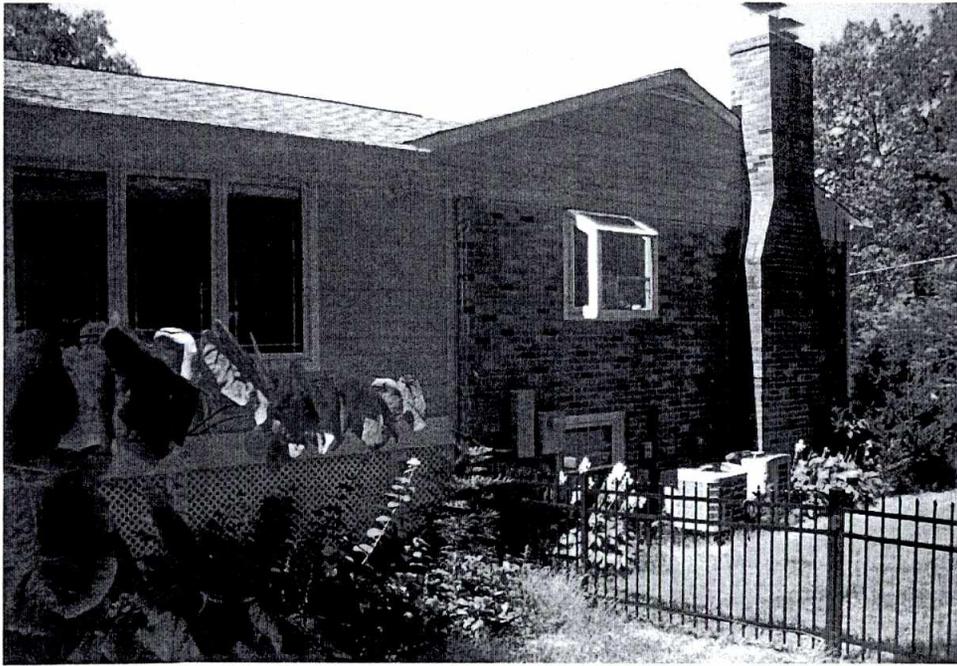


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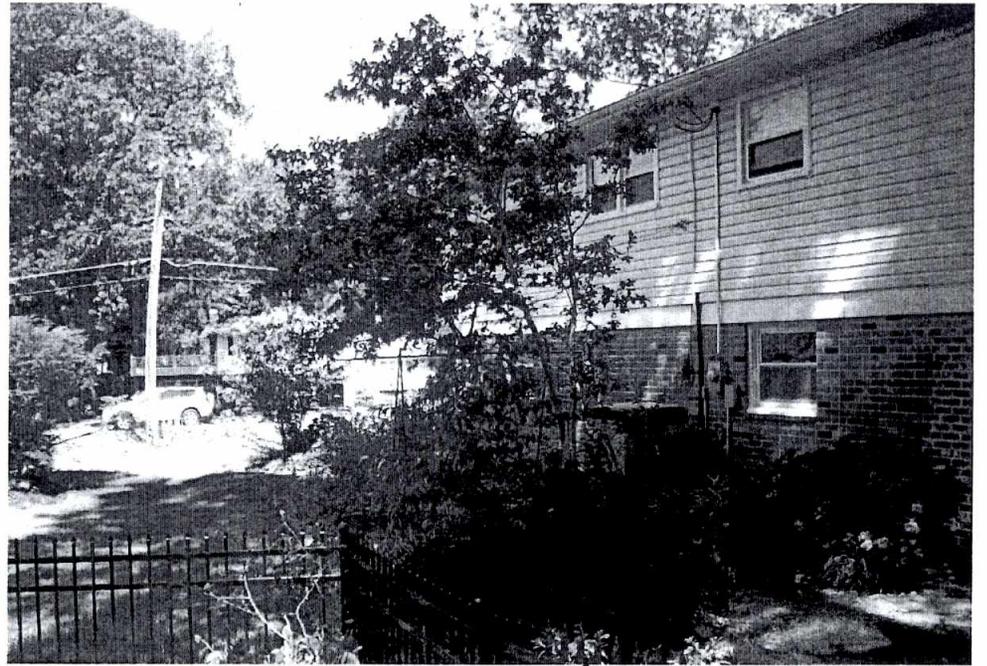


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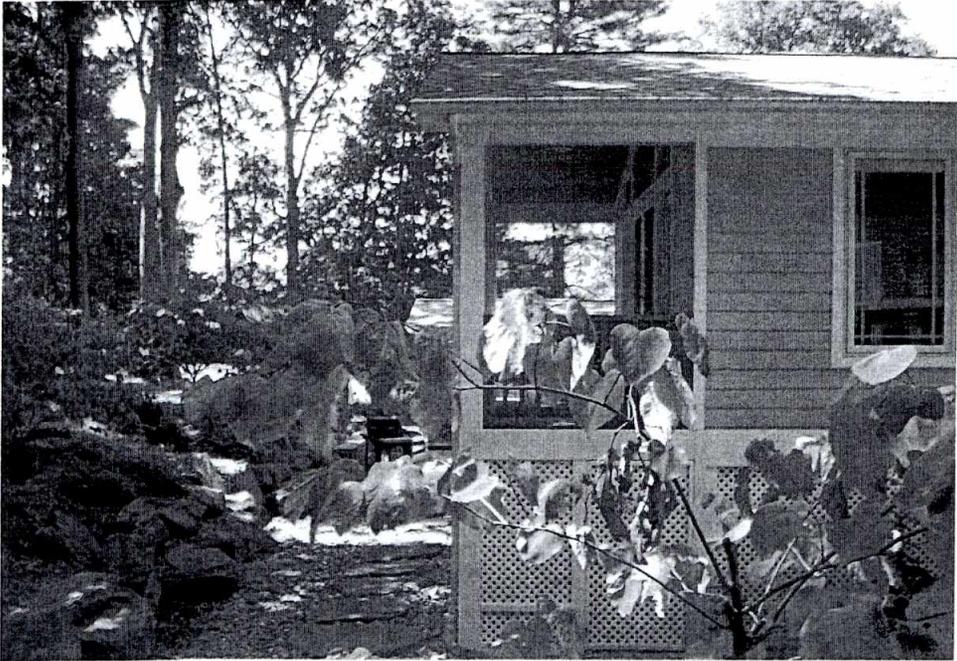
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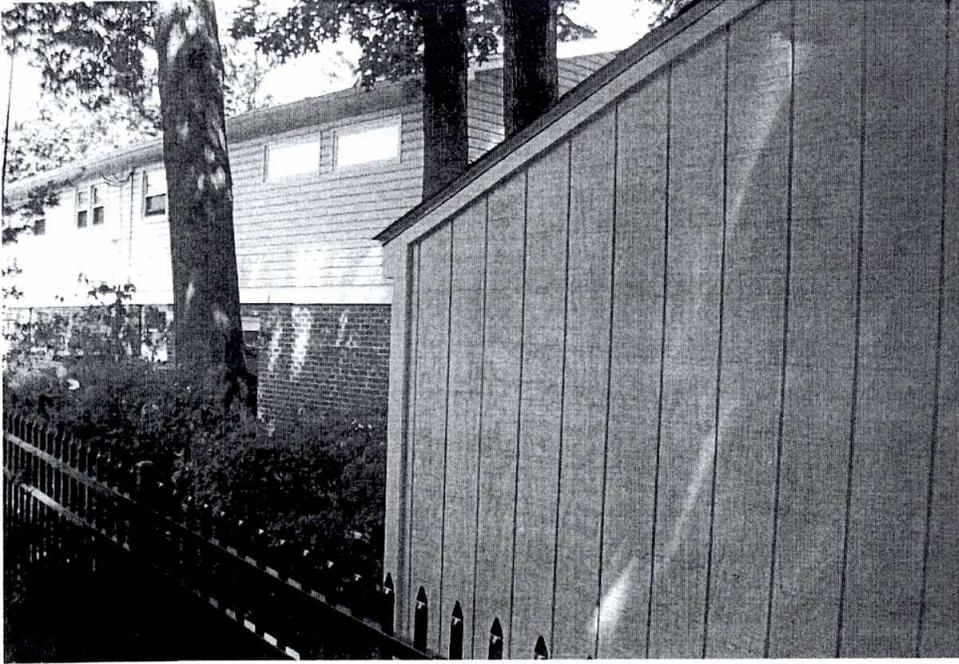
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3



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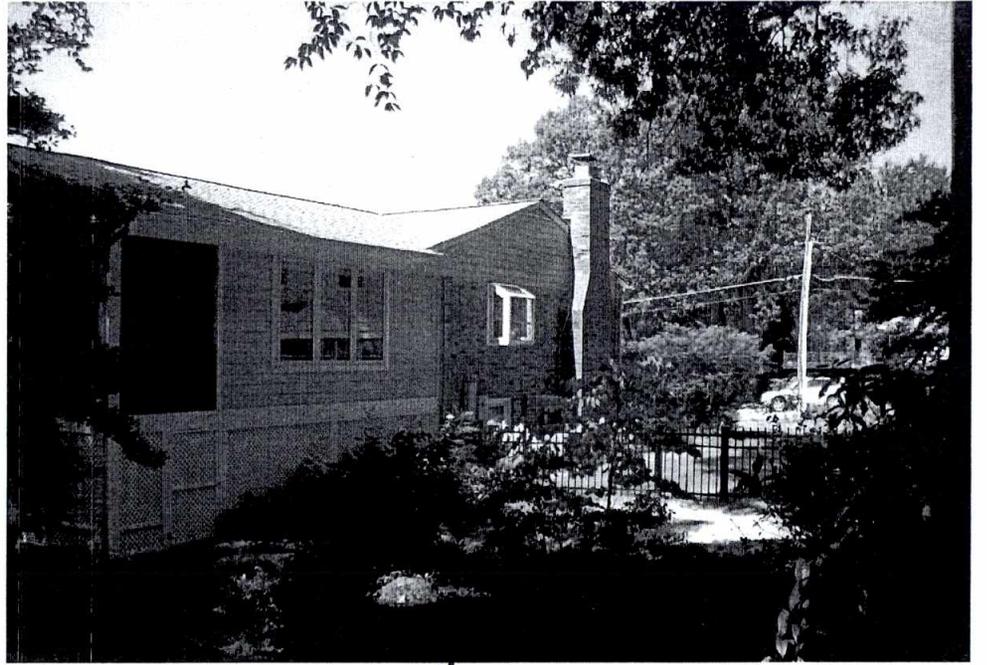


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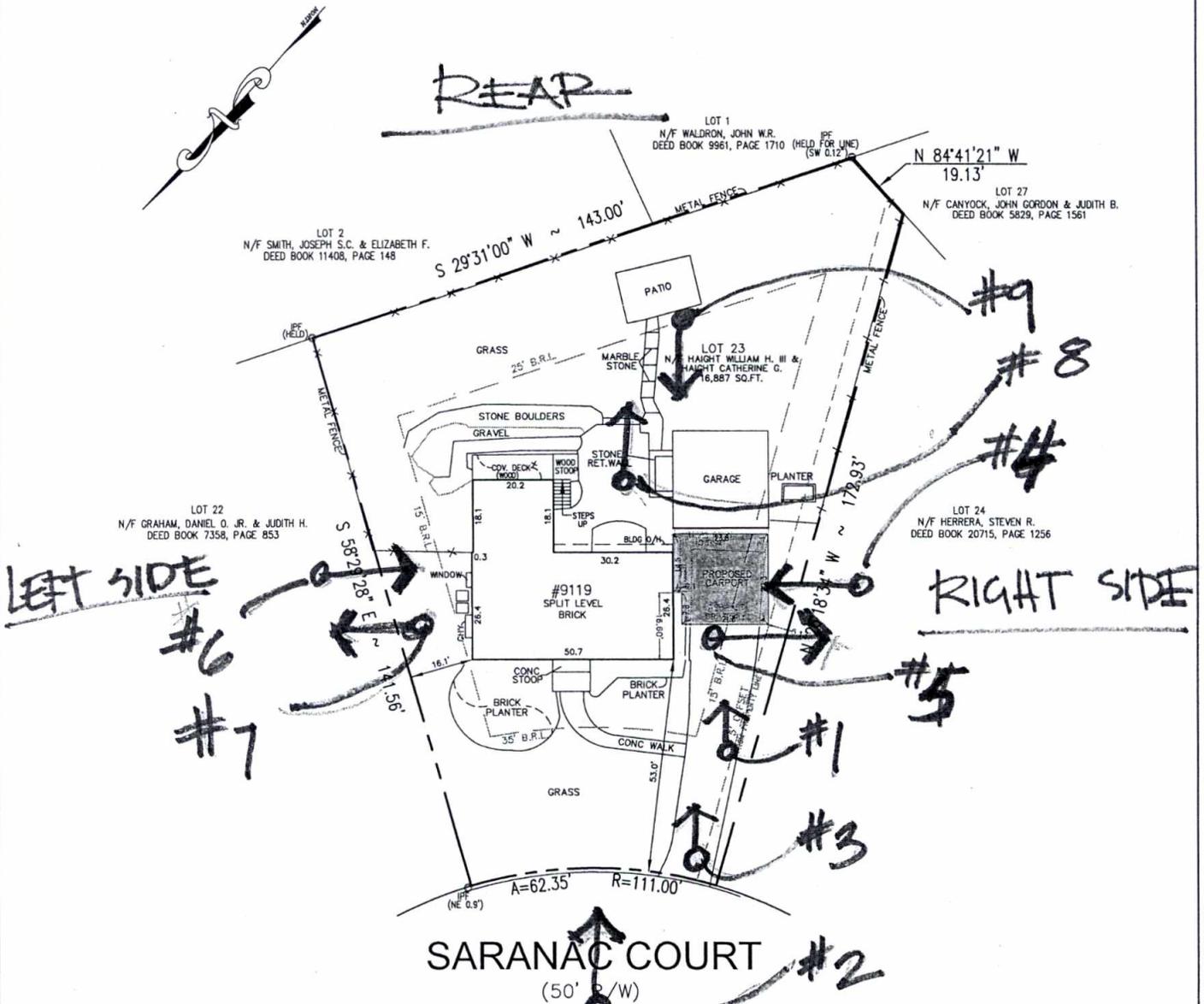
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3

LOCATION DRAWING
 9119 SARANAC COURT
 LOT 23, SECTION 3
 BRADDOCK
 DEED BOOK 13059, PAGE 769
 BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA

RECEIVED
 Department of Planning & Zoning
 FEB 02 2011
 Zoning Evaluation Division



PRELIMINARY DRAWING NO.2

SURVEYOR'S CERTIFICATION

GENERAL NOTES:

1. Horizontal Datum: Plat Datum
2. Vertical Datum: Assumed
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FRONT

To: Case Design/Remodeling, LLC

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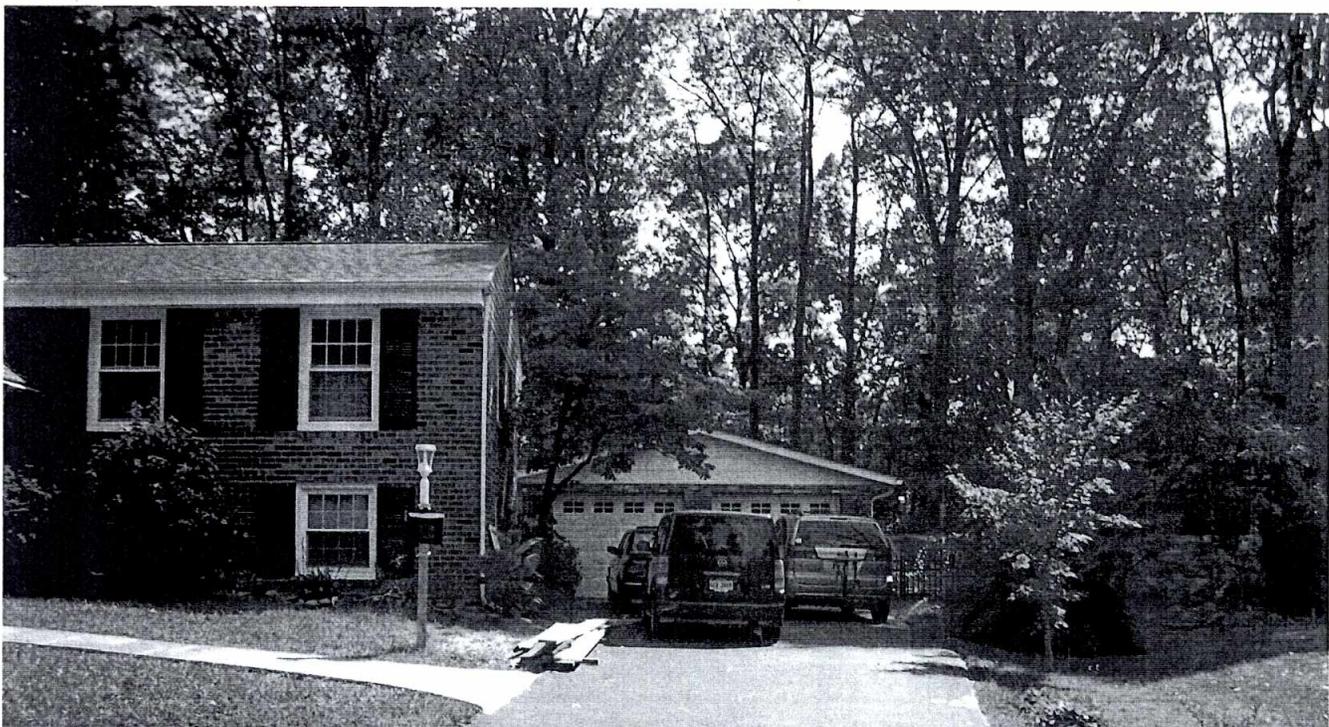
#1

VIEW OF SUBJECT PROPERTY:
PROPOSED CARPORT LOCATION



#2

FRONT VIEW OF SUBJECT PROPERTY



#3

FRONT VIEW OF SUBJECT PROPERTY: GARAGE LOCATION

RIGHT SIDE: VIEW OF SUBJECT PROPERTY.

#4



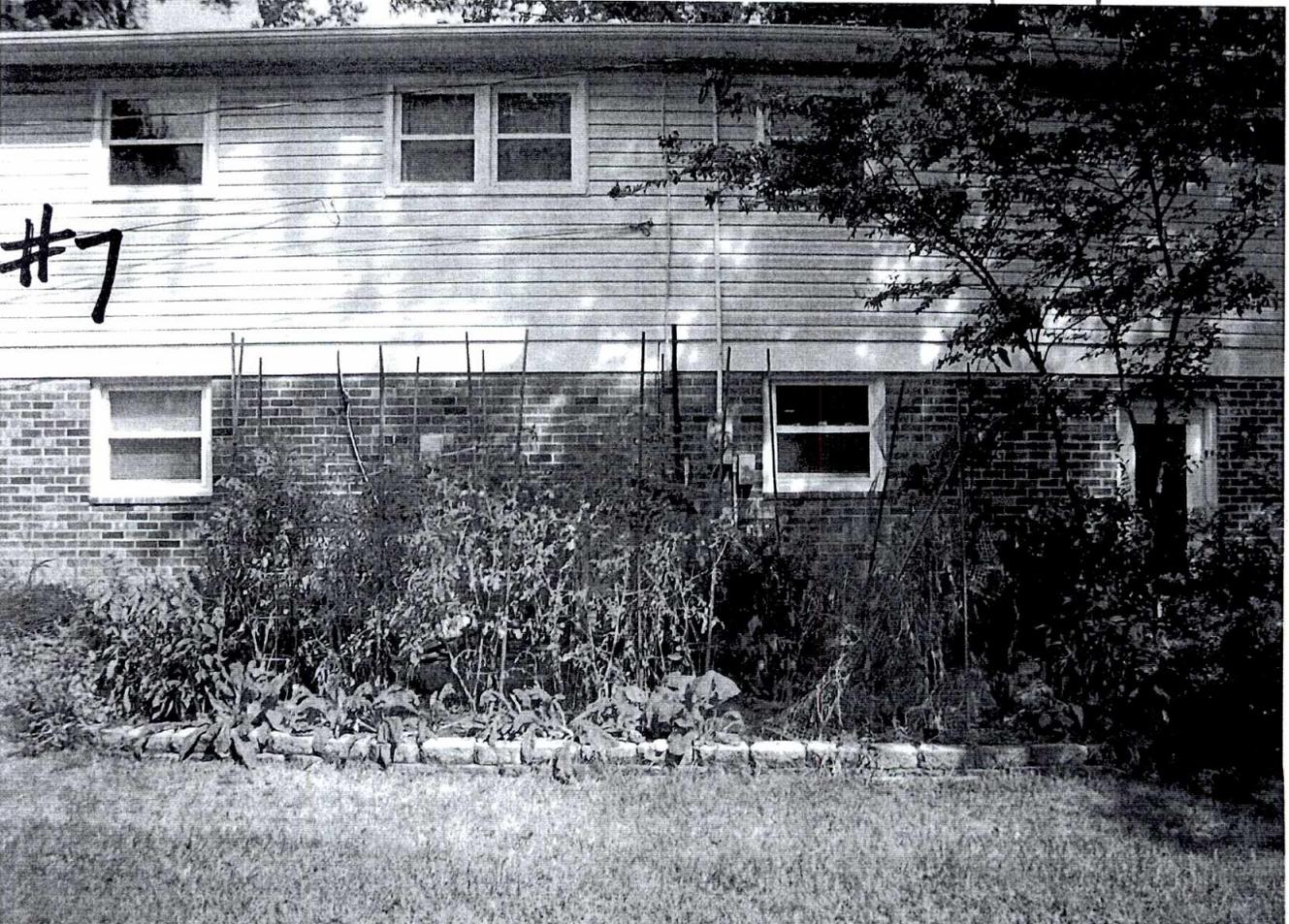
RIGHT SIDE: VIEW AWAY FROM SUBJECT PROPERTY



LEFT SIDE: VIEW OF SUBJECT PROPERTY



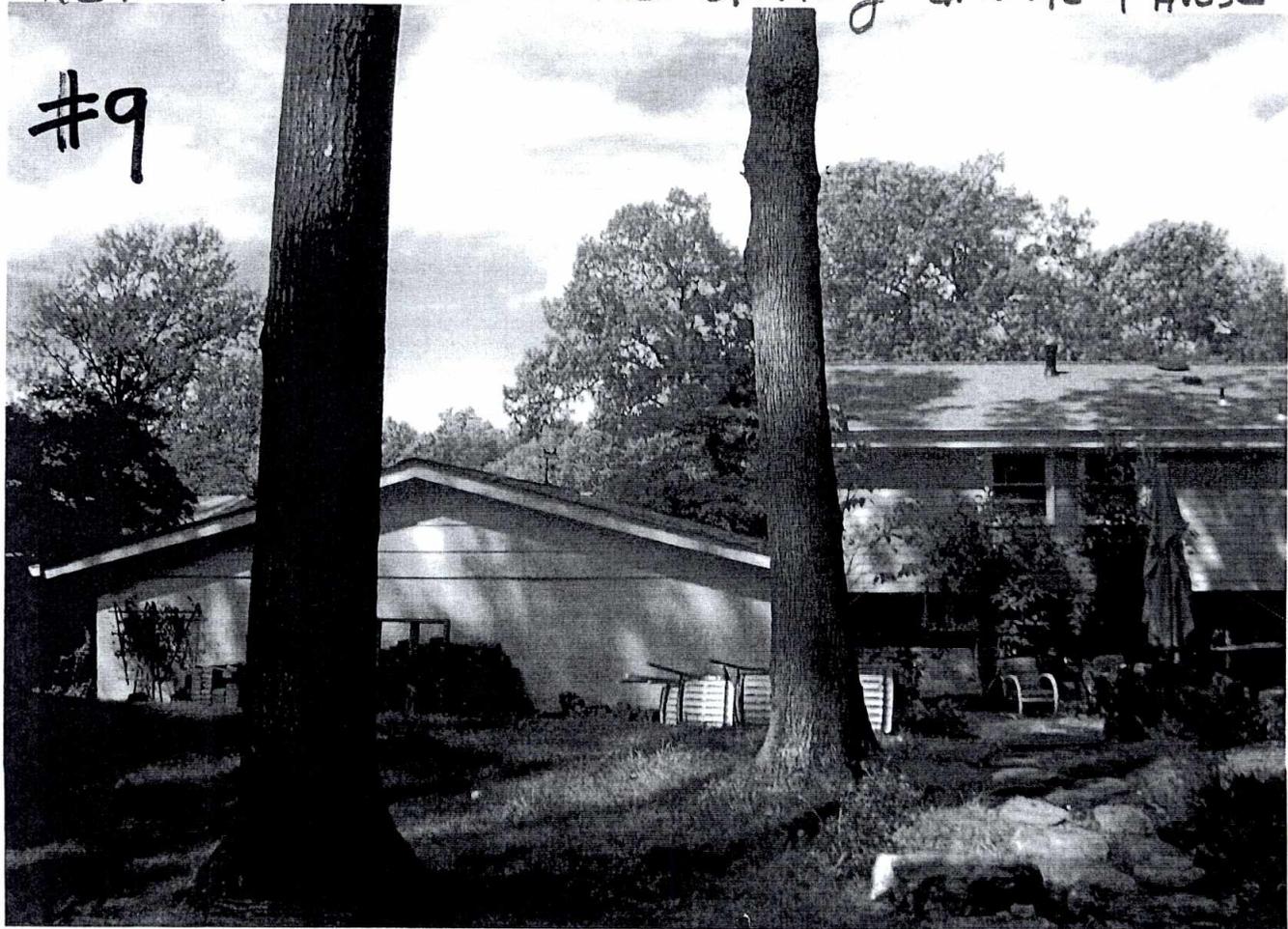
LEFT SIDE: VIEW AWAY FROM SUBJECT PROPERTY



REAR: VIEW TO REAR SUBJECT PROPERTY



REAR: VIEW TOWARD SUBJECT EXISTING GARAGE & HOUSE



DESCRIPTION OF THE APPLICATION

The applicant is requesting a variance to permit construction of a carport, depicted on the plat as an approximately 23.8 foot x 22.3 foot, 14.6 foot tall structure, to be 5.1 feet from the southern side lot line. Par. E of Sect. 2-412 limits carport extensions to 5 feet into any required side yard, which allows an extension no closer than ten feet to the side lot line.

	Structure	Yard	Minimum Yard Required	Permitted Extension	Minimum Yard Allowed	Proposed Location	Proposed Reduction	Percent Reduction Requested
Special Permit	Carport	Side	15.0 feet	5.0 feet	10.0 feet	5.1 feet	4.9 feet	49%

- **Per Sect. 3-207 and reduced by Par. E Sect. 2-412**

EXISTING SITE DESCRIPTION

The 16,887 square foot lot is currently zoned R-2, developed with a split level brick and siding single-family detached dwelling that was built in 1962. The lot fronts on Saranac Court and is accessed via a hard surfaced driveway from Saranac Court which terminates at an existing two car garage. The lot contains foundation and perimeter plantings, shrubs, and numerous mature trees. Metal fencing surrounds the rear portion of the lot along all lot lines.

CHARACTER OF THE AREA

	Zoning	Use
North	R-2	Single family detached dwellings
South	R-2	Single family detached dwellings
East	R-2, R-1	Single family detached dwellings
West	R-2	Single family detached dwellings

BACKGROUND

The existing 24 foot by 24 foot detached two car garage is 11 feet from the side lot line. A building permit was issued for the garage on November 27, 1964 and the garage has been taxed for at least 15 years. The Zoning Administration Division made a finding that the structure is legally vested. The applicant indicated they would like to convert the existing garage into a shop to accommodate their hobbies. Therefore, the applicant requests to construct a carport to shelter their vehicles.

The following variance requests have been heard by the BZA in the immediate vicinity:

- Variance VC 01-B-160 was approved on December 12, 2001 for Tax Map 69-2 ((06)) at 4210 Kilbourne Drive to permit construction of an addition 6.5 feet from side lot line.
- Variance VC 85-A-051 was approved on September 24, 1985 for Tax Map 69-2 ((06)) at 4200 Selkirk Drive to permit construction of a garage addition 4.9 feet from side lot line.
- Variance VC 85-A-077 was approved December 10, 1985 for Tax Map 69-2 ((06)) at 9120 Saranac Court to permit construction of a garage addition 5.2 feet from side lot line.
- Variance VC 87-A-118 was denied on December 8, 1987 for Tax Map 69-2 ((06)) at 4306 Braeburn Drive to permit construction of a garage addition 0.3 feet from side lot line and 5.1 feet from floodplain.
- Variance VC 88-A-032 was denied on July 15, 1988 for Tax Map 69-2 ((06)) at 4306 Braeburn Drive to allow construction of a garage addition 2.1 feet from side lot line and 11.2 feet from floodplain.
- Variance VC 88-A-135 was approved on November 2, 1988 for Tax Map 69-2 ((06)) at 4306 Braeburn Drive to permit construction of a garage addition 5.1 feet from side lot line and 11.6 feet from floodplain.
- Variance VC 90-A-113 was approved January 18, 1991 for Tax Map 69-2 ((06)) at 9120 Saranac Court to permit construction of addition 10 feet from side lot line.
- Variance VC 93-B-017 was approved May 18, 1993 for Tax Map 69-2 ((06)) at 4408 Argonne Drive to permit construction of addition 21.5 feet from rear lot line.
- Variance VC 93-B-031 was approved on July 15, 1993 for Tax Map 69-2((06)) at 9117 Saranac Court to permit construction of addition 12.2 feet from side lot line.
- Variance VC 94-B-088 was approved October 11, 1994 for Tax Map 69-2((06)) at 4600 Guinea Road to permit construction of addition 13 feet from side lot line.

VARIANCE PLAT (Copy at front of staff report)

- **Title of Plat:** Location Drawing, 9119 Saranac Court, Lot 23, Section 3 Braddock
- **Prepared by:** AULtec, Inc.
- **Dated:** June 10, 2011 as revised through July 25, 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 and Attachments
4. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

VC 2011-BR-011

November 9, 2011

1. This variance is approved for the size and location of a carport, as shown on the plat prepared by AULtec, Inc., dated June 10, 2011, as revised through July 25, 2011 as submitted with this application and is not transferable to other land.
2. Construction of the carport shall be generally consistent with the architectural renderings and materials as shown in Attachment 1 to these conditions.

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.8-015 of the Zoning Ordinance, this special permit 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 special permit. 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.



Bethesda 4701 Sangamore Road North Falls, Suite 40 Bethesda, MD 20816 301.228.4600 (F) 301.228.3185	Annapolis 150 Ritchie Highway, Suite 309 Annapolis, MD 21402 410.249.4100 (F) 410.249.4105
Falls Church 708 Park Avenue Falls Church, VA 22046 703.241.0990 (F) 703.534.0307	Chantilly 14308-C Sullyfield Circle Chantilly, VA 20151 703.803.2273 (F) 703.803.9005

Haight Residence
 9119 Saranac Court
 Fairfax, VA 22032

Date: 8/4/10

Scale: 3/16" = 1'-0"

Proj. Number:
 Proj. Designer:
 Asst. Proj. Designer:
 Proj. Manager:

Sheet:

SCALE: 3/16" = 1'-0"



Bethesda
4701 Sangamore Road
North Plaza, Suite 40
Bethesda, MD 20816
301.229.4600
(f) 301.229.3485

Annapolis
1511 Ritchie Highway,
Suite 1018
Annapolis, MD 21402
410.348.4150 (f)
410.348.4155

Falls Church
701 Park Avenue
Falls Church, VA 22046
703.841.5800
(f) 703.554.0207

Chantilly
14301-C Sullyfield Circle
Chantilly, VA 20151
703.803.2275 (f)
703.803.5025



Haight Residence
9119 Saranac Court
Fairfax, VA 22032

8'-0"

Date: 8/4/10

Scale: 1/4" = 1'-0"

Proj. Number: 15241449

Proj. Designer: D. YOST

Asst. Proj. Designer: K. SHOE

Proj. Manager: J. WOOD

Sheet: Of:

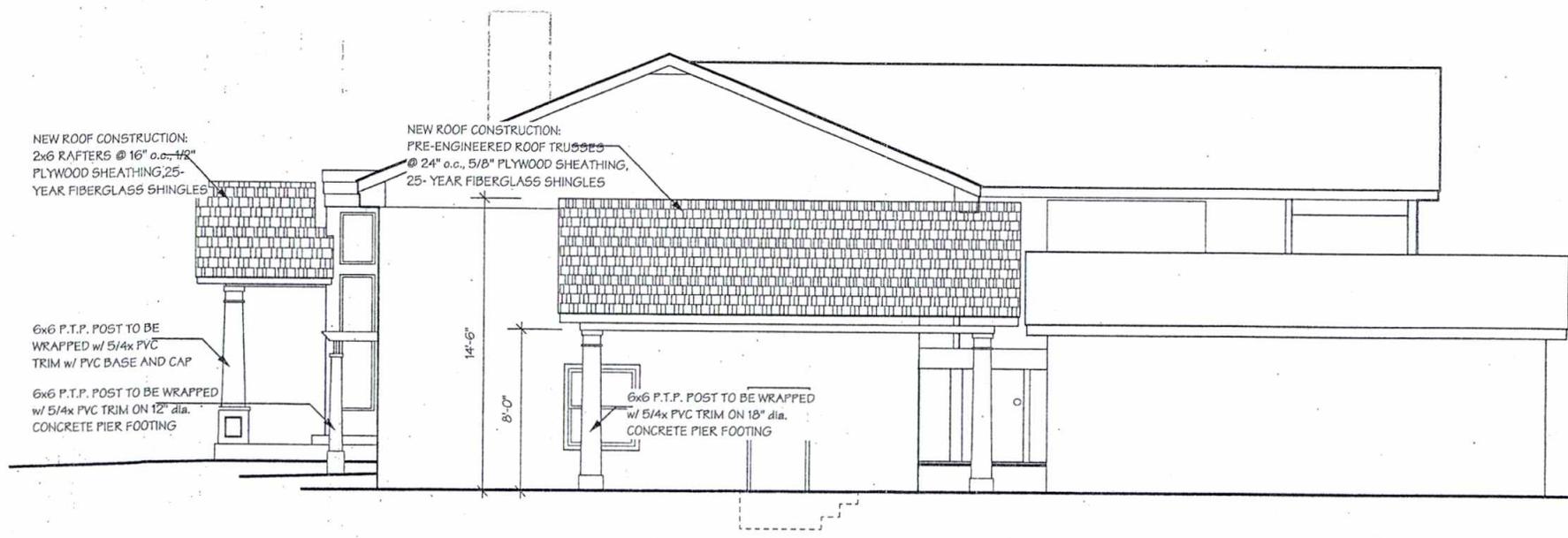
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CASE
DESIGN/REMODELING, INC.

Bethesda 4701 Sangamore Road North Plaza, Suite 40 Bethesda, MD 20816 301.229.4600 (f) 301.229.3165	Annapolis 1511 Ritchie Highway, Suite 1010 Annapolis, MD 21402 410.349.4350 (f) 410.349.4125
Falls Church 701 Park Avenue Falls Church, VA 22046 703.241.2860 (f) 703.554.0207	Charlottesville 15201 C. Sully Field Circle Charlottesville, VA 22915 703.803.2273 (f) 703.803.8025

Haight Residence
9119 Saranac Court
Fairfax, VA 22032



NEW ROOF CONSTRUCTION:
2x6 RAFTERS @ 16" o.c. 1/2"
PLYWOOD SHEATHING, 25-
YEAR FIBERGLASS SHINGLES

NEW ROOF CONSTRUCTION:
PRE-ENGINEERED ROOF TRUSSES
@ 24" o.c., 5/8" PLYWOOD SHEATHING,
25- YEAR FIBERGLASS SHINGLES

6x6 P.T.P. POST TO BE
WRAPPED w/ 5/4x PVC
TRIM w/ PVC BASE AND CAP

6x6 P.T.P. POST TO BE WRAPPED
w/ 5/4x PVC TRIM ON 12" dia.
CONCRETE PIER FOOTING

14'-6"

8'-0"

6x6 P.T.P. POST TO BE WRAPPED
w/ 5/4x PVC TRIM ON 18" dia.
CONCRETE PIER FOOTING

SCALE: 3/16" = 1'-0"

Date:	8/4/10
Scale:	1/4" = 1'-0"
Proj. Number:	1524148
Proj. Designer:	D. VOGT
Asst. Proj. Designer:	K. SHORE
Proj. Manager:	J. WOOD

Sheet: Of:

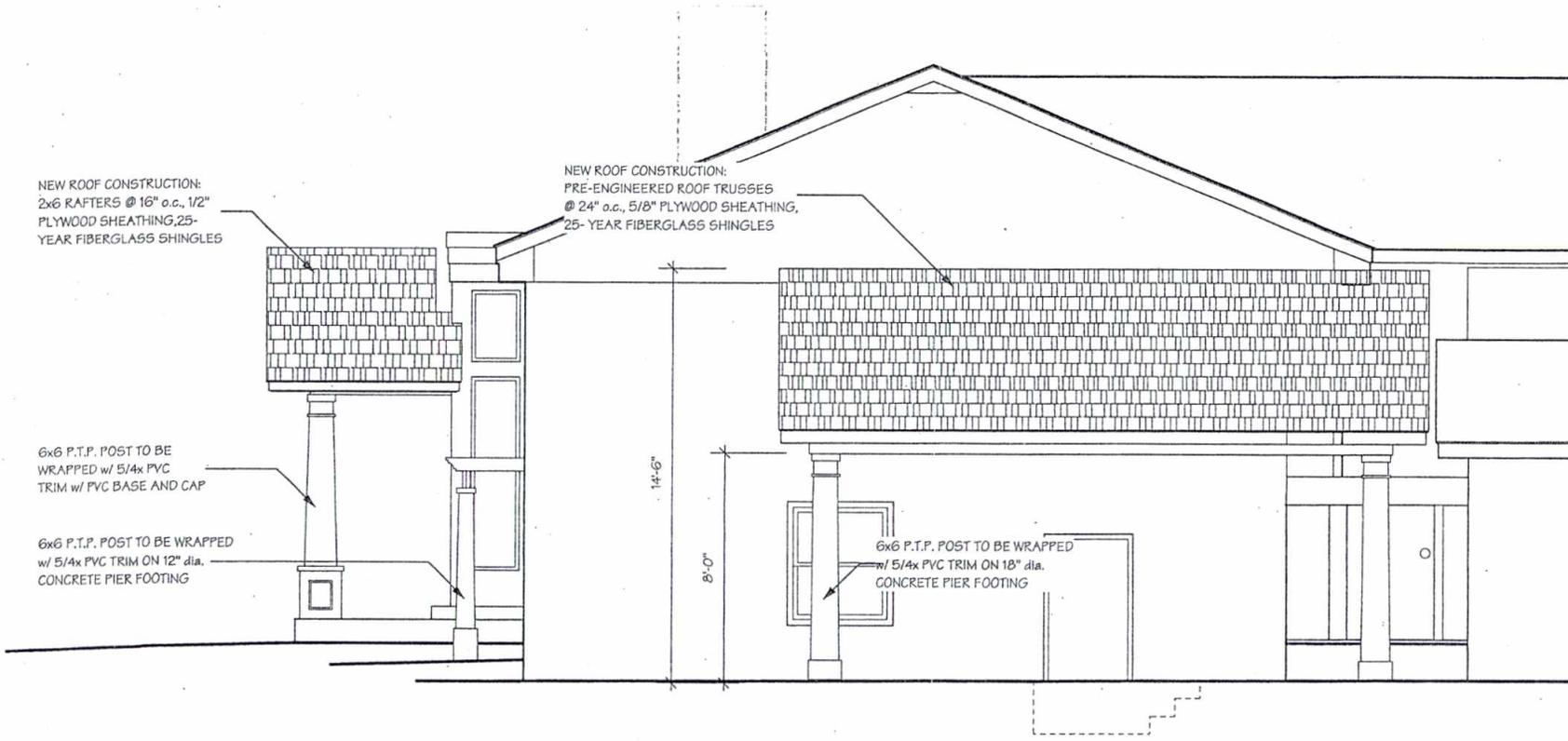


CASE
DESIGN/REMODELING, INC.

Bethesda 4701 Sangamore Road North Plaza, Suite 40 Bethesda, MD 20816 301.228.4500 (F) 301.228.3165	Annapolis 1511 Ritchie Highway, Suite 1018 Annapolis, MD 20702 410.348.4100 (F) 410.348.4105
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Falls Church 701 Park Avenue Falls Church, VA 22046 703.241.2880 (F) 703.554.0207	Quantico 14301-C Subfield Circle Quantico, VA 22051 703.603.2073 (F) 703.603.9025
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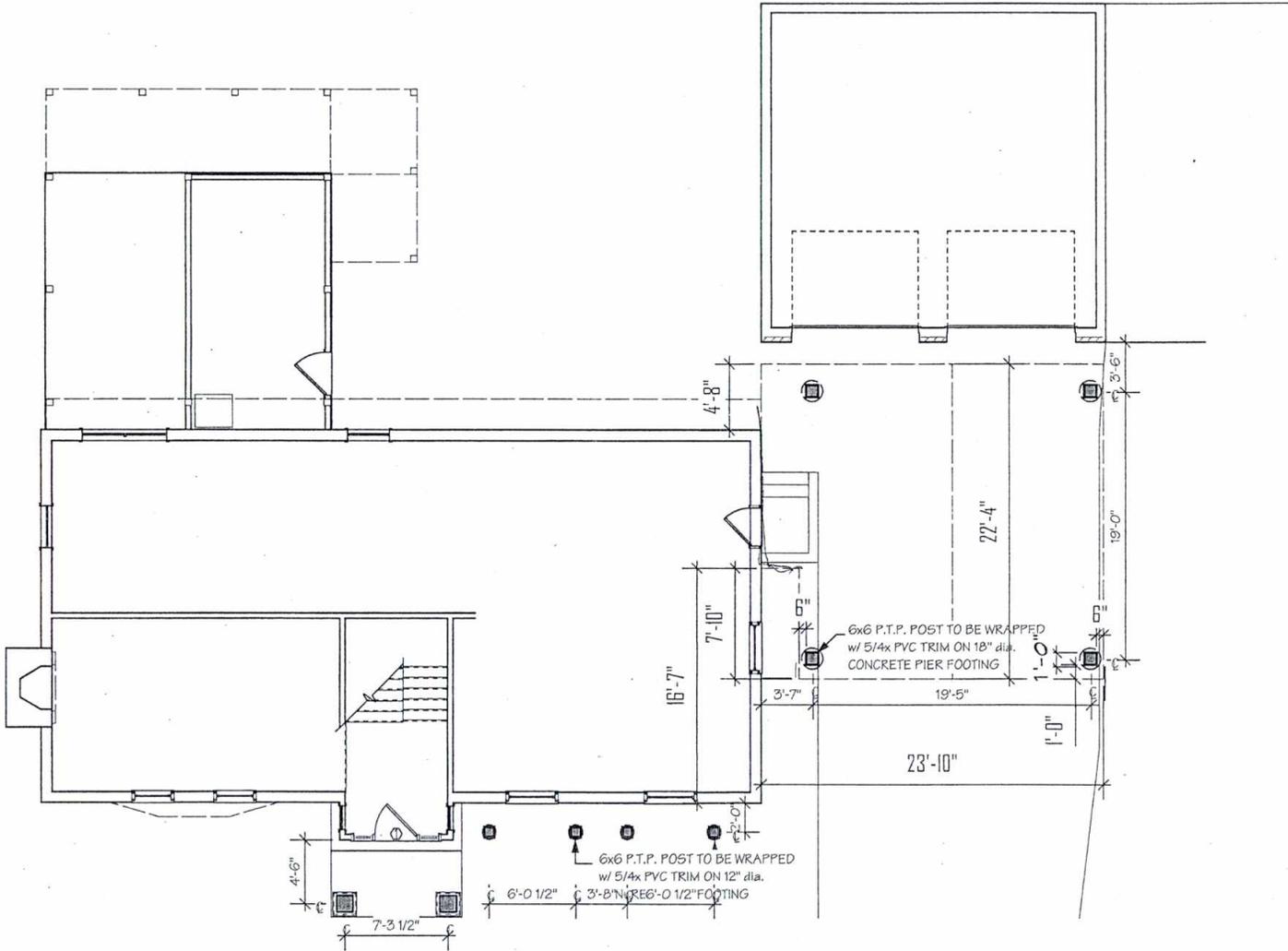
Haight Residence
9119 Saranac Court
Fairfax, VA 22032



SCALE = 1/4" = 1'-0"

Date: 8/4/10
Scale: 1/4" = 1'-0"
Proj. Number: 15241448
Proj. Designer: D. VOGT
Asst. Proj. Designer: E. SHORE
Proj. Manager: J. WOOD

Sheet: Of:



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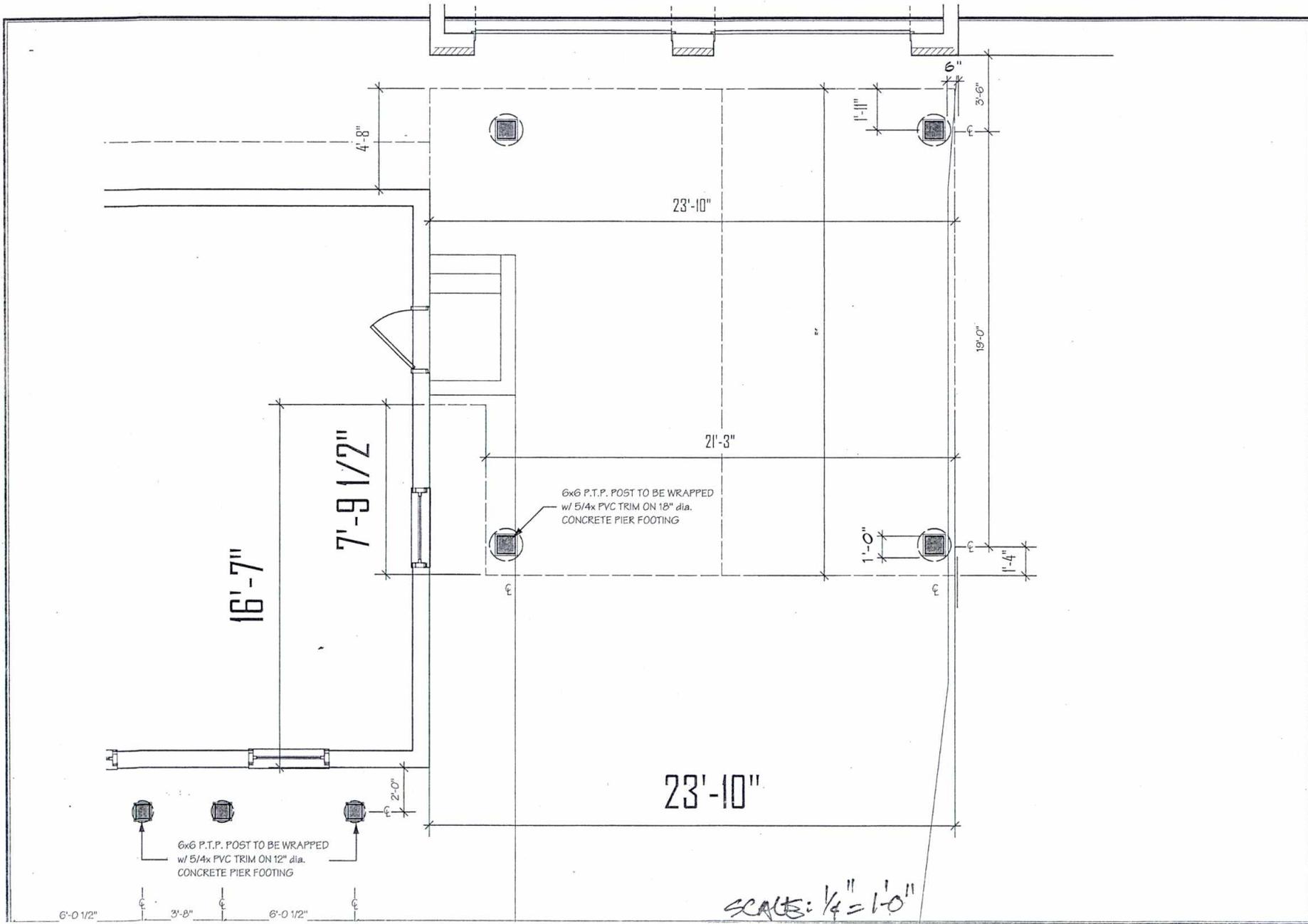


Bethesda 4701 Sargents Road North Plaza, Suite 40 Bethesda, MD 20816 301.229.4600 (f) 301.229.3195	Annapolis 1501 Ritchie Highway, Suite 101B Annapolis, MD 20702 410.349.4130 (f) 410.349.4135
Falls Church 701 Park Avenue Falls Church, VA 22046 703.291.0290 (f) 703.534.0207	Chantilly 14301 C Sullyfield Circle Chantilly, VA 20151 703.803.9175 (f) 703.803.9025

Haight Residence
 9119 Saranac Court
 Fairfax, VA 22032

Date:	8/4/10
Scale:	1/8" = 1'-0"
Proj. Number:	15241449
Proj. Designer:	D. VOGT
Asst. Proj. Designer:	K. SHORE
Proj. Manager:	J. WOOD

Sheet: Of:



DESIGN/ENGINEERING, INC.

Bethesda
4701 Sangamore Road
North Plaza, Suite 40
Bethesda, MD 20816
301.229.4600
(F) 301.229.3165

Annapolis
1501 Kische Highway,
Suite 1016
Annapolis, MD 21402
410.349.4330 (F)
410.349.4125

Falls Church
707 Park Avenue
Falls Church, VA 22046
703.241.2860
(F) 703.534.0207

Charlottesville
14301 E. Sullyfield Circle
Charlottesville, VA 22961
703.603.2273 (F)
703.603.9025

Haight Residence
9119 Saranac Court
Fairfax, VA 22032

Date: 8/4/10

Scale: 1/4" = 1'-0"

Proj. Number: 15241449

Proj. Designer: D. VOGT

Asst. Proj. Designer: K. SHORE

Proj. Manager: J. WOOD

Sheet: Of:

SCALE: 1/4" = 1'-0"

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8-16-2011
 (enter date affidavit is notarized)

I, David J. Vogt, 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 111025a

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 BOLD above)
William H. Haight	9119 SARANAC COURT Fairfax, VA 22032	Applicant/Title Owner
CATHERINE G. HAIGHT	"	Title Owner
CASE DESIGN/Remodeling, Inc.	4701 SANGAMORE RD. Bethesda, MD 20816	AGENT
DAVID J. VOGT	"	Agent
RICK J. MATUS	"	Agent

(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).

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8-16-2011
(enter date affidavit is notarized)

1110250

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:

(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)

CASE DESIGN/REMODELING INC.
4701 SANGAMORE ROAD SUITE N. 40
BETHESDA, MD 20816

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)

Frederic J. Case

(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)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8-16-2011
(enter date affidavit is notarized)

111025a

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

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)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8.16.2011
(enter date affidavit is notarized)

111025a

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: 8.16.2011
(enter date affidavit is notarized)

111025a

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:

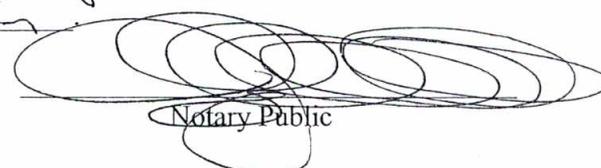
(check one)

[] Applicant

Applicant's Authorized Agent

DAVID J. VOGT - CASE DESIGN / REMODELING
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 16th day of August 2011, in the State/Comm. of Manassas, County/City of Manassas


Notary Public

My commission expires: 10.1.2014

Variance –
9119 Saranac Court
Fairfax, VA 22032

RECEIVED
Department of Planning & Zoning
FEB 02 2011
Zoning Evaluation Division

We are filling a Variance Application with the County of Fairfax Virginia for the owners (subject property) at 9119 Saranac Court, Fairfax VA 22032. We are requesting that you grant a zoning variance to allow for the construction of an attached carport structure to owners' home.

The following is to address the Variance standards

1. The owner purchased the property, built in 1962, in good faith 6/26/2002.
2.
 - A. The subject property has a front lot boundary of only 62.35' on an radius of 111.00' were in the R-2 zone the min. typical width is 100' – this results in the lot being a pie shape narrowing at the front, this results in a steep angle to the right side yard (as viewed from street) in relation to the orientation of the main structure that sits relatively parallel to the street.
 - B. With the pie shape lot we have a lot the is a bit shallow on one side, (the left lot line) is only 141.56' when typical lot having min. width and min. lot size of 15,000sq.ft would give side yard lot line of 150' – the resulting impact of the of the narrowing lot and shallow depth to the left – the front left corner of the main structure is placed at 16.1' to the left setback line. (required 15' side yard)
 - C. The lot size of the subject property 16,867 sq ft with the average lot area at 18,000 sq ft - - the lot is slightly undersized for the average lot size, in addition the configuration of the lot creates an unusual buildable area – with the buildable frontage (at 35' setback) at only a little over 51' wide.
 - D. The lot shape is a bit unusual being pie shaped and having 5 lot boundary – giving a buildable area that narrows toward the street and expands to the rear right corner.—where the natural topography raises up – the rear wall of the existing garage structure is approx. 50% below grade.
 - E. The lot is set on a hilly area-to the point that the rear portion of the lot has a retaining wall built- to give the a level area outside at the rear of the house, the rear portion of the existing garage is approx. 50% below grade (garage built into the hill) making placement / or movement of structures difficult.
 - F. The condition of the subject property with its pie shape narrow end toward the street with a hilly topography and restricted buildable area makes placement of the proposed carport difficult. In addition with the placement of the existing garage, set far back off the front boundary line and the proposed carport not increasing the width of the overall
 - G. The neighboring properties are typical single family dwellings, and the primary structure of the properties to the left are right are built close to the 15' setback of each adjoining boundary.
3. As the area has been developed with several courts, the vast majority of the lots in the area are not pie shaped with a very narrow street frontage such as the subject property. As a result, the narrowness of the lot frontage requires any proposed structure to be pushed back deep into the lot to meet setbacks. If the subject property met the required minimum street frontage width and was regular in shape, it would enjoy an additional 60% of street frontage allowing for much greater flexibility in the placement of a carport structure.
4. Having been giving specific information from the Deputy Zoning Administrator we used this information, in good faith, to proceed with our planning. The information we received from the county (information that allowed for the Carport as Planned) set into motion a whole slue

of things decisions, design costs, planning /aesthetic decisions, survey costs and building costs of the front portico which aesthetics were directly influenced by our understanding of what we could build with-in the parameters of the zoning ordinance. At this point we have a half built project that looks out of context on the primary structure without the carport with the street presence it needs to tie both elements together. Feeling we have no practical solution to overcome the “reversal of the ruling” we are facing, now that we filed for the special permit for the project we were told met all the parameters for a special permit and would be approved.

5. As the area has been developed with several courts, the vast majority of the lots in the area are not pie shaped with a very narrow street frontage such as the subject property. As a result, the narrowness of the lot frontage requires any proposed structure to be pushed back deep into the lot to meet setbacks. If the subject property met the required minimum street frontage width and was regular in shape, it would enjoy an additional 60% of street frontage allowing for much greater flexibility in the placement of a carport structure.
6. A. The purpose of the carport is to allow the owner to pursue his interests by using his existing garage as a storage / work area for his many recreational interests. The carport allows for the use of the existing structure while still providing protection from the weather for the family and automobiles while keeping the drive/ walks way free of rain, snow and ice. The strict application of the Ordinance would 1) reduce the overall depth of the proposed structure of the carport and would have a large portion of the car sticking out beyond the protection of the carport.
B. The granting of the variance will alleviate the hardship create by the reduced street frontage / narrow of the lot – created by the layout of the development. The request of exception the owner is requesting is pie shaped roof structure (no walls) of about 18 sq.ft. roof area and the placement of a column in the setback – max. depth into setback is aprox. 2.4’ quickly reducing in both directions (see included blow up for area in question) this is assuming the approval for the special permit discussed above.
7. The authorization of the variance will have very little impact on the adjacent property, as the structure is open and has little visual mass or impact there is no obvious change from the existing street elevation, as the proposed is the same width as the current structure. The need for the variance comes into play as the lot narrows towards the front. The current owner to the right of the subject property has reviewed the plans and has approves of the proposed plan.
8. Due to the configuration of the lot and the neighboring property the proposed work will look very much in context with the surrounding character of the zoning district, as several other properties in the area have done: garage or carport projects and others updating the portico as well.
9. The proposed project is well with-in the intended sprit of the Ordinance, as the Ordinance allows for the intended use of the proposed changes. The site conditions prohibit a useful application of the allowed structure by limiting the depth or width of the carport to the point of not being useful for the intent of the structure and of the pursuit of the owners’ interests. Granting of the variance would encourage the owner to park off the street keeping the roads clear for traffic and public services.

We come to request a variance as a result of having been denied approval of the proposed carport addition from the zoning department due to faulty information that was previously provided by them during our extensive planning process. (See attached e-mail from Mavis Standfield, Deputy Zoning Administrator for information). We came down to the county to get a ruling/ judgment on how to

interpret two aspects of the zoning ordinance, which would inform us how proceed with the project planning.

The items we reviewed where:

- 1) Sect. 2-412 1 item E "Carports may extend (5) five feet into any minimum required side yard, but not closer then five (5) feet to any side lot line. (In the case of the subject property – an allowable reduction from a required 15' side yard to 10' side yard)

- 2) Special Permit: 8-922 allows for the reduction of certain yard requirements. Paragraph 1, item D. Regulations on permitted extensions into a minimum required yard as set forth in Sect 2-412
Approval of a reduction of yard requirements specified in Paragraph D above shall not result in an exceeds the applicable distances set forth in Sect. 2-412 by more than fifty (50) percent. Where no extension is permitted by the provisions of Sect. 2-412, the BZA shall not approve a special permit that results in a structure that extends into a minimum required yard by more then fifty (50) percent.

We met Shelby Johnson who in turn spoke with Mavis Standfield, Deputy Zoning Administrator, who gave us the zoning interpretation. They stated that once you use Sect. 2-412 that allows the required side yard to be reduced to 10' (in the case of this property), then 8-922 par. 1 – D would allow for a fifty (50) percent reduction, giving us a side requirement of 5' (which is still allowed per min. side yard in sect 2-412 tem 1 –E).

Shelby and I went over the details to confirm that I was understanding correctly. Her final remark was to say you are allowed to "double dip". Meaning, we could have both reductions 2-412 item 1 –E and also 8-922 par. 1 – D par.2.

Having done the research and with the information from the county, the owner moved forward into the planning phase and eventually signed a construction contract with Case. While we started in motion the requirements we needed to address for the Special Permit (site survey), we proceeded with the permitting and construction of a new front portico. The owners wanted the portico built while the carport permit was getting though the Special Permit Process. The carport was only a portion of the project but is integral to the overall aesthetic of the complete renovation, as evidenced by the proposed front elevation.

After submitting the Special Permit Application for review, we followed up with several calls to find out that the county had "reversed the ruling", as described by Mavis Standfield in her e-mail (see attachment). We believe we did our due-diligence in researching the zoning restrictions, were told that the project would meet zoning regulations via the Special Permit process, and believe the passing of erroneous information should be taken into consideration in deciding the granting of this variance.

We have tried to find a way to accomplish a carport somewhat close to the planned configuration while still allowing for the proper aesthetic. However, staying within the "reversed ruling" required side yard at 7.5' reduces the depth of the carport to the point that a large portion of the car would be outside the covered area.

The total request for the variance is an approximate total of 18 sq.ft of lot coverage (roof structure only, no walls) with a single post of approximately 1 sq ft actually on the ground. The requested shape of the area in question is a 90* triangle with sides of 3.1' x11.5'x11.9' (see attached item #3). The adjoining neighbor has given the owners' full support for this project and the required variance.

We request that you grant this variance due to the uniqueness of the site constraints (narrowness of the frontage and hilly site), the minimal impact on the zoning master plan, and the circumstances of having been given erroneous information from the zoning administrator. After being specifically told by Shelby Johnson in conference with Mavis Standfield, Deputy Zoning Administrator that our proposed project was within the Ordinance with the Special Permit, the county has "reversed the ruling", leaving us with a half built project and no recourse or workable options.

Dave Vogt

From: Stanfield, Mavis <Mavis.Stanfield@fairfaxcounty.gov>
Sent: Tuesday, November 23, 2010 9:56 AM
To: Dave Vogt
Subject: Request for ruling

Dear Mr. Vogt,

This is in response to your email to Zoning Administration dated November 16, 2010 concerning the allowable reduction in a minimum yard requirement for a proposed carport to be located at 9119 Saranac Court. In your email you describe a visit to our office last spring where you asked Shelby Johnson, of the Zoning Evaluation Division, if you could apply for a 50% reduction to minimum yard requirements for a carport where you would also be taking advantage of the permitted five foot encroachment set forth in Sect. 2-412 of the Zoning Ordinance. Ms. Johnson sought my opinion as to whether this was permissible; she and I discussed the issue and determined at that time that yes, you could apply the 50% reduction to the minimum yard afforded by Sect. 2-412; this would mean that a special permit could bring the carport as close as five feet from the side lot line, as the distance afforded by the encroachment allowed a 10 foot minimum yard.

Soon after you left our office, I consulted with a staff person who had been involved in the preparation of the Zoning Ordinance amendment which permitted special permit approval for a reduction in minimum yards for up to 50% of the required yard. She informed me that I had misspoke and that the 50% reduction afforded by a special permit would be applied to the minimum yard requirement of 15 feet in the R-2 District, which would mean the carport could not be constructed any closer than 7.5 feet from the side lot line and not the 5 feet you were seeking. When I discovered that I had given you erroneous information, I asked Ms. Johnson for your name and phone number so that I could contact you and let know that you had received incorrect information. Unfortunately, she had no information and there was no way to contact you.

You have asked for a ruling on the applicable Zoning Ordinance provisions and you have noted a change in our position. However, our position has not changed, regrettably you were given misinformation. You have also asked what your options are at this point. You may apply for a special permit to allow the the carport to be located 7.5 feet from the side lot line or you may convert your special permit application into a variance application and request a carport 5 feet from the side lot line. Both applications have the same filing fee. If you would like to discuss this further, please feel free to contact me at (703) 324-1314.

My apologies for any inconvenience this has caused you and your client. I would note that in the future you may seek answers to similar questions in writing free of charge by submitting a written request to our office.

Mavis Stanfield
Deputy Zoning Administrator for Appeals
Zoning Administration Division
Department of Planning and Zoning

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 all reasonable use 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.