
House-Pro Inspections™



Realtor Monthly Newsletter

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Fairfax County Denying Variances

Since an April 23, 2004 Virginia Supreme Court ruling, the Fairfax County Zoning Board has denied or deferred EVERY variance request to modify an existing property. This is a much more strict enforcement than seen previously, when variances were granted in almost every case. In 2003 for example, the Board approved 161 variances and denied only 33. In 2004 before the ruling, the Board approved 56 variances and denied only 8.

The Board is now granting variances ONLY in cases of "unnecessary hardship", which is defined as that which denies "any beneficial use of the property."¹ As Brian McCormack, a private attorney representing the Fairfax Zoning Appeals Board stated, "No one can meet this test because anyone who has a house already has a reasonable use of the property. It's a Catch-22."² Thus, none of the cases presented since the ruling have fallen within this more strict enforcement, including all rebuild variance requests in New Alexandria after Hurricane Isabel flooding.

This will have a major impact on all renovation plans for properties in Fairfax

County built before the strictest codes were passed in 1987. Homeowners who are planning on expanding current or newly-purchased older properties will have to stay within approved zoning ordinances, or the renovations will not be allowed. If they make these changes without approval, they may be assessed major fines when their property is assessed for tax updates, and may find their ability to sell the property down the road threatened.

Thus, realtors need to be aware of this more strict enforcement in advising clients which properties to pursue. Potential buyers can no longer assume they can simply add an addition or deck, or extend a garage, to meet their needs without first checking the ordinance code for that plat. If the desired changes do not meet the ordinance codes, the changes will not be approved. For their own sake, potential buyers would be safer pursuing properties that already meet their needs without significant modification.

^{1,2} Washington Post, Aug. 20, 2004 Page F01, "Suddenly, Fairfax Denies Variances"

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Evenings and Weekends Available

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Maintenance of Gas Furnaces & Logs

Since the heating season is almost upon us, now is the time for a quick check-up on your furnace. Most gas-fueled furnaces require yearly maintenance. In fact, it would be prudent to sign up for a yearly maintenance plan with a local heating company so that your manufacturer's warranty is not voided.

Having your furnace inspected every year ensures safe and efficient operation of the unit. Over time, gas furnaces can develop cracks in the firebox that can let hazardous gases into your home. Further, without yearly cleaning, ash, soot and other deposits can build up on the burners. This will reduce heating efficiency and create dangerous byproducts, including deadly carbon monoxide. A yearly inspection also can identify other safety concerns, such as an intake too close to the furnace (must be at least 10 feet of separation) or improper venting.

Along with your furnace, you should have any gas logs serviced yearly, especially unvented logs. Unvented gas logs vent all of the combustion byproducts directly into the house, mostly carbon dioxide and water. However, if the logs are not arranged correctly (or are unknowingly shifted out of alignment by the homeowner) and the logs impinge on the flames, the gas will not burn at 100% efficiency. One of the outcomes of this inefficiency can be carbon monoxide, venting DIRECTLY into your home.

So make sure to keep a close check on the condition of your gas furnace and logs, and install at least one carbon monoxide detector in every level of your house.

What defects to look for in gas furnaces, logs & appliances:

- Improper flame pattern
- Rust or corrosion on firebox
- Loose, improperly aligned, disconnected or blocked vent
- Intake too close to furnace (10 ft separation required)
- Vent too close to combustibles
- Build up of carbon deposits, lint, dust and debris

House-Pro Inspections performs contingency, pre-listing, warranty, new construction, remodeling and information-only inspections. For more information, please visit <http://www.houseproinspections.net> or call Kevin Teitel at (703) 721-0323.

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