

FAIRLINGTON VILLAGES, A CONDOMINIUM ASSOCIATION  
GENERAL RESOLUTION NO. GR 08/04/21

**VARIANCE REQUEST – 2928 S. BUCHANAN STREET, A-2  
CREATE A NEW PENETRRTATION FOR A HYBRID WATER HEATER VENT**

WHEREAS, Article 3, Section 55-79.73(B) of the Virginia Condominium Act allows the Board of Directors to exercise power assigned to the "unit owners' association" by the Act, to the extent permitted by the By-Laws of the Unit Owners Association;

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

WHEREAS, Article XV, Section 1 of the By-Laws states that it shall be prohibited "to make any change or otherwise alter (including any alteration in color) in any manner whatsoever the exterior of any condominium unit...or to make any change or alteration within any condominium unit which will alter the structural integrity of the building or otherwise affect the property, interest or welfare of any other unit owner," without plans and specifications reviewed and approved by the Board of Directors or by an architectural control committee designated by it; and

WHEREAS, the homeowner of a Hermitage unit has submitted a variance request for approval to create a new penetration for a dryer vent and the Architectural Control Committee, in accordance with the Board's procedures, has reviewed the request and recommends that the request be approved.

THEREFORE BE IT RESOLVED, the Board approves the May 15, 2021 variance request from the homeowner at 2928 S. Buchanan Street, A-2, to create a new penetration for a hybrid water heater vent, in accordance with the specifications outlined in the attached variance request. Approval is subject to the unit owners' acceptance of responsibility for any damage caused by the approved modifications and indemnification of the Association for all of its costs, judgments and/or expenses, including its attorneys' fees, which may arise from or relate to the approved modifications or to damages or damage claims arising therefrom. Further, the homeowner is responsible for obtaining all building permits, ensuring that the modifications are in accordance with those permits and all applicable building codes.

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Moved by \_\_\_\_\_

Second by \_\_\_\_\_

VOTE \_\_\_\_\_

Approved ( ) Disapproved ( )

Submitted by: Anne Wasowski and Joseph Torres, Ward IV Director & Board Liaison to the Architectural Control Committee

Roll Call:

Alvord, Melanie_____	Auston, Jessica_____	Brown, Philip _____
Placek, Terry_____	Reem, Harold _____	Stollof, Edward_____
Straub, Lawrence_____	Joseph Torres_____	Wasowski, Anne_____



PRIMARY CONTACT INFORMATION (please print):

Owner name(s): Lorraine Barrett and Paul Griffith Date: 5/15/2021

Property address: 2928 S Buchanan St Unit Model: Unit A2

Mailing address (if different): \_\_\_\_\_

Daytime phone: [REDACTED] Home/Cell phone: \_\_\_\_\_

E-mail address: [REDACTED]

FOR THE MANAGEMENT OFFICE:

VARIANCE REQUESTED: \_\_\_\_\_ OWNER VERIFIED:

TYPE OF UNIT: \_\_\_\_\_ ENG CERT/DRAWINGS:

AGENDA DATE: \_\_\_\_\_ VC RESULT:  APPROVE  DENY

BOD APPROVAL REQUIRED:  YES  NO AGENDA DATE: \_\_\_\_\_

1<sup>st</sup> LTR OWNER: \_\_\_\_\_ 2<sup>nd</sup> LTR OWNER: \_\_\_\_\_ FINAL LETTER: \_\_\_\_\_

A variance request is required when making interior or exterior changes to a unit that are not in accordance with Fairlington Villages policy or by-laws.

<http://www.fairlingtonvillages.com/page/19837~354479/Policies>

<http://www.fairlingtonvillages.com/page/19837~354478/By-Laws>

If uncertain whether a change meets policy or by-laws, contact the Management Office.

1.0 UNIT OWNER RESPONSIBILITY ACCEPTANCE

UNIT OWNER UNDERSTANDS AND AGREES:

- 1.1. Unit owner must be up to date on all assessments and payments due before a variance request can be considered.
- 1.2. Misrepresentation, written or oral, VOIDs a variance approval.
- 1.3. Work proposed in a Variance Request may not be started until receiving written approval from the Management Office on behalf of the Board of Directors or Architectural Control Committee, as Required.
- 1.4. All work must be done according to:
  - the Variance Approval,
  - the Building Permit,
  - the Rules and Regulations of the Association,
  - local jurisdiction noise, safety, and building code requirements, and
  - best practices for maintaining a safe site in and around the unit, including trash removal and haul away. Trash removal policies:

<http://fairlingtonvillages.com/page/19837~384255/Community-Projects-Renovations>

- 1.5. All building permits and inspections are, ultimately, owner responsibility, even though a contractor agrees to make these arrangements.
- 1.6. Construction must start within \_\_\_\_\_ days (not to exceed 180 days) of receiving notice of approval from the Management Office or the Variance will be VOID. Extensions may be granted by the Management Office, in writing.
- 1.7. Construction must be completed within \_\_\_\_\_ days (not to exceed 180 days) of beginning construction or the Variance is VOID. Extensions may be granted by the Management Office, in writing.
- 1.8. Owner must notify the Management Office when final approval from the jurisdiction's Building Inspection Service is complete. The Management Office will inspect the finished project to verify that construction agrees with the Variance Request. If interior inspection is required, owner may be present or provide a key to the Management Office, as mutually agreed.

## 2.0 VARIANCE TIMELINE

- 2.1. Submit Variance Requests to the Management Office by the 1st Monday of the month to be included on the Architectural Control Committee agenda for that month.
- 2.2. Architectural Control Committee meetings are held on the 3rd Thursday of each month at 7 PM in The Fairlington Villages Community Center, 3001 S Abingdon St. Meetings are OPEN. Please, join us! It helps and should not take long.
- 2.3. Incomplete or inadequate variance requests will be returned via the Management Office with an explanation of what will be needed when resubmitted.
- 2.4. Some Variance Requests require Board of Directors (BOD) approval. The Architectural Control Committee sends all such Requests to the BOD, along with its recommendations.
- 2.5. BOD meetings come on the 1st Wednesday of every month at the Community Center and are OPEN. Even if the Architectural Control Committee recommends NOT approving your request, you may ask the BOD for their approval. The BOD decision is final.
- 2.6. Upon completion of the project, provide owner certification that the project was completed in accordance with the approved Variance to the Management Office.

## 3.0 VARIANCE INFORMATION

Planned date for project start: 7/1/21

Approximate date for project completion: 7/11/21

*If requesting post-construction approval for a project that did not undergo the required Variance approval process, see section 6.0.*

Variance requested (Check all that apply):

Interior

- Changing, modifying, or removing any wall, or any support post and the joist(s) it supports;
  - All attic space conversions;
  - All renovations introducing additional plumbing fixtures.
- See section 4.0 for interior variance submission requirements.*

Exterior

- Anything altering the exterior appearance of the building, including wall penetrations, cables, pipes, windows, window trim, doors, door trim, steps, and fences.
  - Any other changes not in accordance with policy
- See section 5.0 for exterior variance submission requirements.*



5.0 EXTERIOR VARIANCE DOCUMENTATION

All exterior variance requests shall provide the following:

- A detailed description of exterior changes proposed, including location

From our basement utility room, creating a new vent hole through the west wall, adjacent to the two existing vent holes.

Hole will be standard 4" diameter hole. Location is approximately 8' 6" feet from north wall (interior measurement),

9' 1" from north wall (exterior measurement) and 17.5" from ground (exterior measurement, on center).

We will either center the new vent under the current north vent, or under both vents, centered. (See illustrations)

Vent cover will match existing white vent covers. They are 6"x6".

- Reason(s) for the change(s): We are looking at purchasing a new hybrid water heater which vents cold air to the outside. It is not recommended to share vents for this application. Link to product: <https://bit.ly/2T3sVZh>

- Photographs of the building exterior showing the existing condition of the building and marked to show specific locations of the proposed change(s). Both wide and detailed area photographs are helpful. For changes outside the building, consider using Google Maps to show aerial location of change.

Photographs of nearby units or buildings with similar exterior changes are helpful. Show address. For wall penetrations:

- Detailed description and location(s) of any new wall penetration(s), including exterior vent cover(s), cable, wire, HVAC, or other pipe penetration(s). (may be included in description above)
- Detailed description of how penetration(s) no longer needed will be repaired and made weatherproof. (may be included in description above)

Documentation showing the color(s) of material(s) proposed to be used. If not white or reusing existing materials, color samples or images will be required.

An owner certification post-construction that the project was completed in accordance with the approved Variance.

6.0 EXPEDITED AND POST-CONSTRUCTION VARIANCES

Variance Requests for reasons of health, safety, or security may be expedited insofar as Variance Committee and Board Members are able. Provide written justification.

Variance Requests for projects already completed shall submit all of the information above, including color photographs and an explanation for not receiving the Variance prior to the change. Note that Variance approvals are required for sale of a property and may be subject to an assessment when requested post-construction.

7.0 APPLICATION / INDEMNIFICATION / AGREEMENT:

I/we, owners of the referenced unit, apply to the Architectural Control Committee and the Board of Directors to make the requested changes/modifications/additions/improvements (the Project) to the unit.

I/we agree to be personally responsible to the Association and to any other unit owner for all damage caused by or arising from the Project and to indemnify the Association for all of its costs, judgments, and/or expenses, including actual attorney's fees, arising from or relating to the Project.

I/we agree that, if approved, the Project will be completed in accordance with the Variance received.

I/we have read and understand the requirements and guidelines provided by the Association.

Signed: \_\_\_\_\_ *PL* \_\_\_\_\_ Date: 5/15/21

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

**8.0 PROJECT COMPLETION VERIFICATION**

After the project is completed, the unit owner must certify that the work was completed in accordance with the approved Variance and Building Permit (if applicable).

Provide color photographs showing the completed work.

Provide copy of any building permit inspections or completion documentation (if applicable).

I/we, owners of the referenced unit, certify to the Architectural Control Committee and the Board of Directors that the requested changes/modifications/additions/improvements (the Project) were completed in accordance with the approved Variance Request.

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

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



## Erin Moran

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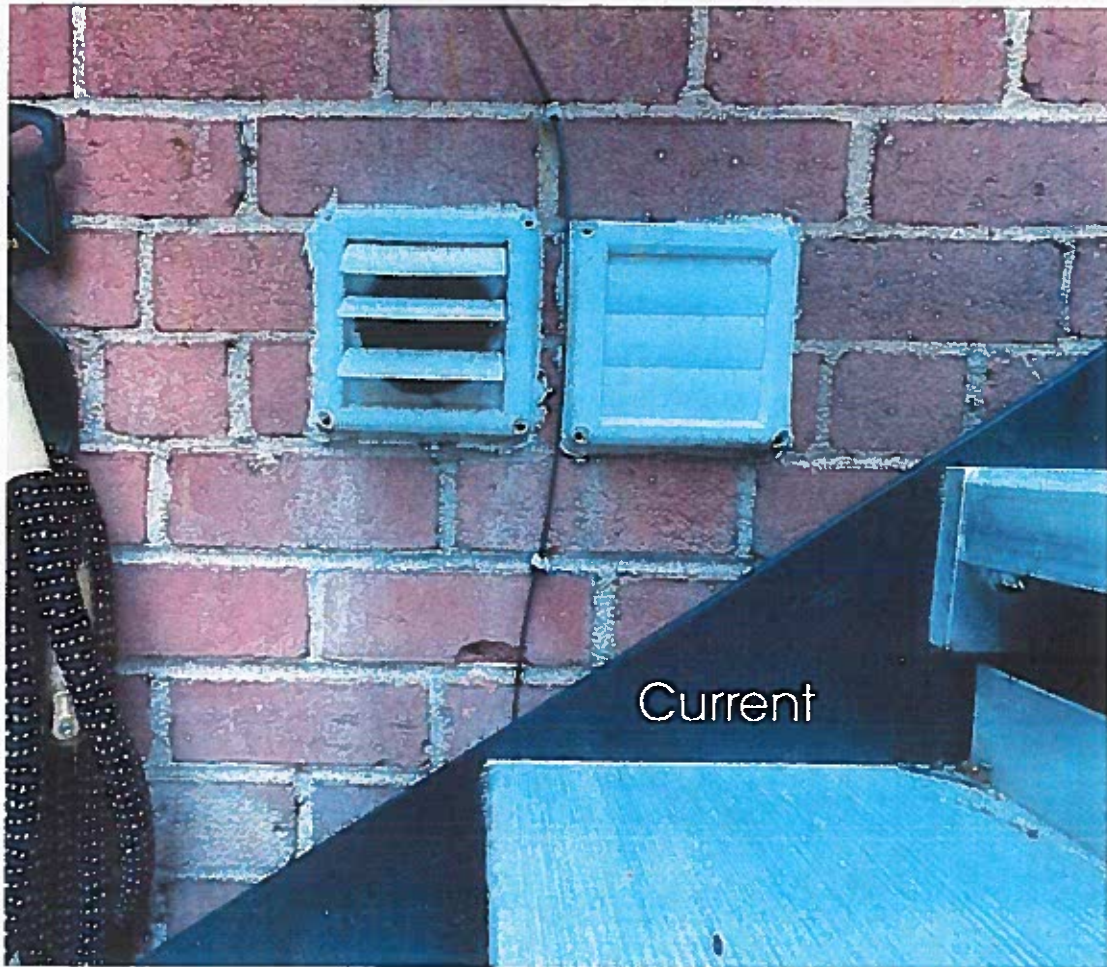
**From:** Paul Griffith <paulbgriffith@gmail.com>  
**Sent:** Tuesday, May 18, 2021 8:56 PM  
**To:** Erin Moran  
**Subject:** variance request  
**Attachments:** 210517 Variance Request Form Griffith.pdf

Hi, I'm Paul, I live at 2928 S Buchanan in Unit A2. I got your email from Victoria. Attached is a variance request and supporting photos which I'm hoping to submit for the Architectural Control Committee meeting in June. Please let me know if this works, and next steps. Thanks! Paul Griffith

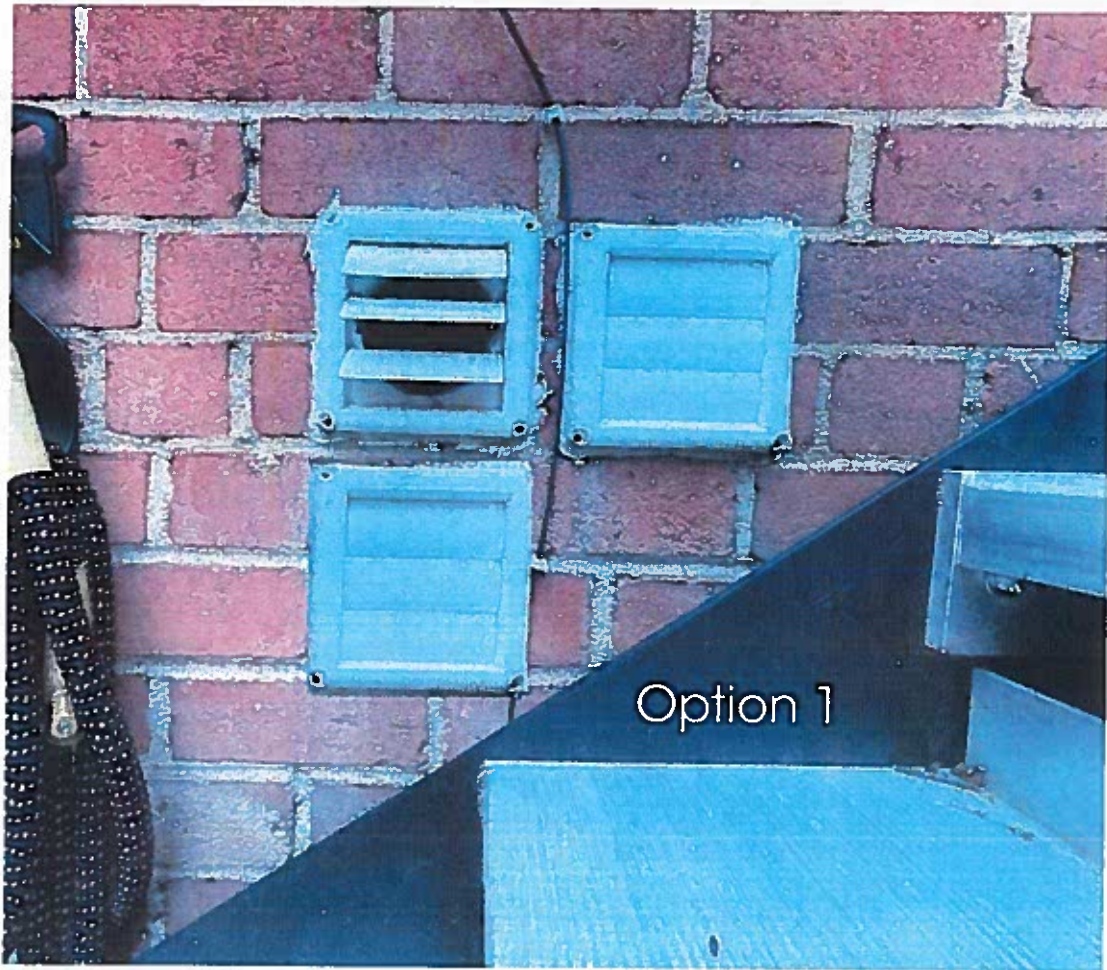




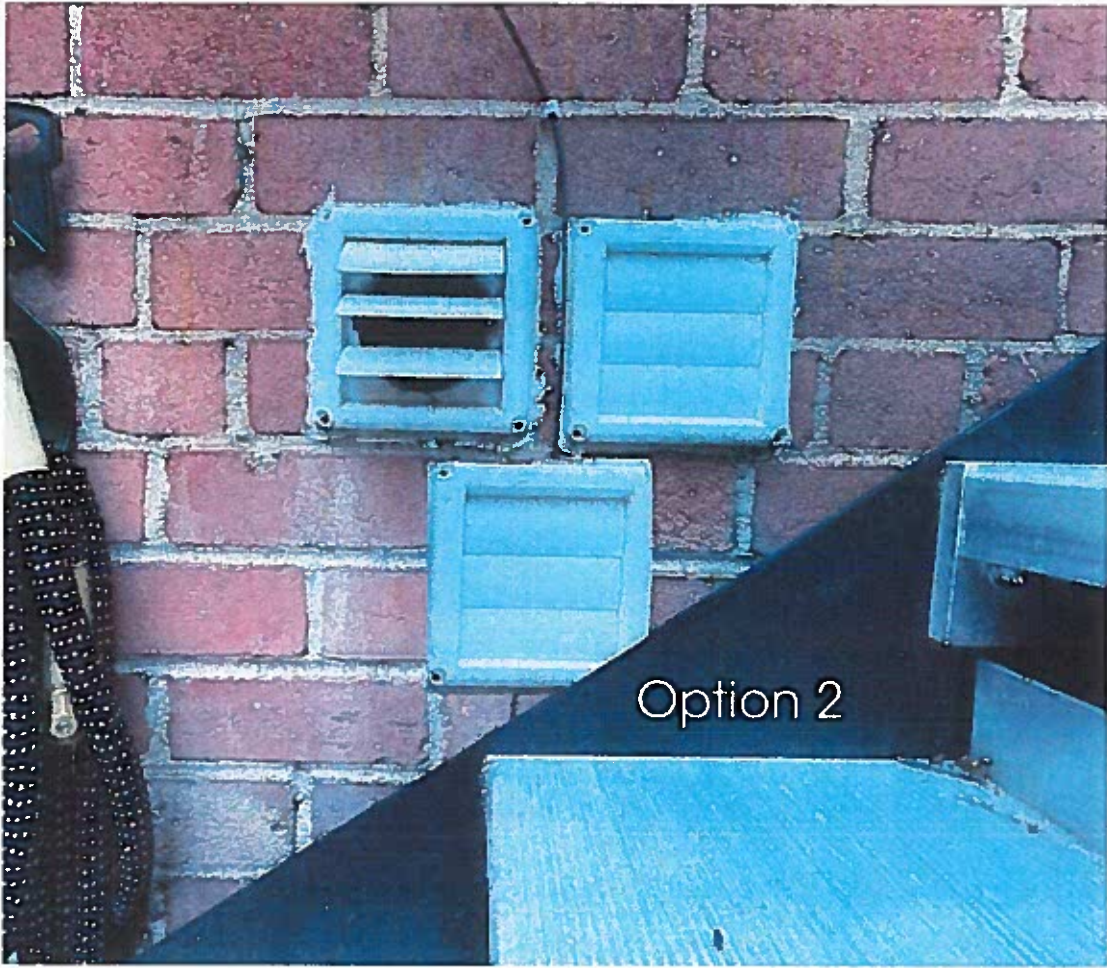








Option 1



Option 2



