

**FRANKLIN COUNTY  
APPLICATION  
FOR VARIANCE  
(Type or Print)**

I/We, Philip C. Schirmer, as Owner(s), Contract Purchasers, or Owner's Authorized Agent of the property described below, hereby apply to the Franklin County Board of Zoning Appeals for a variance from requirements of the Zoning Ordinance as hereinafter described:

1. Applicant's Name: Philip C. Schirmer
2. Property Owner's Name: Philip C. Schirmer
3. Address of Property: 1099 Highland Lake Rd., Union Hall, VA 24176
4. Phone Number: 540-449-2731
5. Exact Directions to Property from Rocky Mount: RT 40 East. Left on Kemp Ford Rd. Right on Dillard's Hill Rd, Left on Belle Isle Rd. Right on Highland Lake Rd  
Subject Property is on the left at the end of Cul de Sac
6. Tax Map and Parcel Number: 05100203300
7. Magisterial District: Union Hall
8. Property Information:
  - A. Size of Property: 0.527 Acre
  - B. Existing Land Use: Single Family Residential
  - C. Existing Zoning: R-1
  - D. Is property located within any of the following overlay zoning districts:  
\_\_\_ Corridor District \_\_\_ Westlake Overlay District X Smith Mountain Lake Surface District
  - E. Is any land submerged under water or part of a lake? Yes X No \_\_\_  
If yes, explain: NW corner of property
  - F. Describe how the strict application of the ordinance would unreasonably restrict the use of the property or how the granting of the variance would alleviate a hardship due to a physical condition of the property: The applicant proposes a 2 car garage approximately 24 feet square. The 30 foot front yard setback, location of the existing septic field and required 20 foot offset from dwelling (fire protection) precludes location of the proposed garage in compliance with setback requirements. The applicant requests the garage be located per the attached Concept Plan which would provide a 11 foot (+/-) front yard setback (a variance of 19 feet).

9. Proposed Development Information:

A. Proposed Land Use: Residential

B. Proposed Zoning: R-1

C. Size of Proposed Use: Proposed garage is 24 x24 feet,  
576 square feet footprint

- Section of the Zoning Ordinance for which a variance is being requested: Sec. 25-226 Minimum Dimensions - Front Setback  
(Zoning Code section must be correct and all applicable code sections included in request.)

1.

**Checklist for completed items:**

Application Form


Letter of Application

Concept Plan

Application Fee

I certify that this application for a variance and the information submitted herein is correct and accurate.

Applicant's Name (Print): Philip C. Schirmer

Signature of Applicant: 

Date: December 2, 2019

Mailing Address: 1099 Highland Lake Rd

Union Hall, VA 24176

Telephone: 540-449-2731

Email Address (optional): pcschirmer71@gmail.com

Owner's consent, if applicant is not property owner:

Owner's Name (Print): \_\_\_\_\_

Signature of Owner: \_\_\_\_\_

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

Date Received by Planning Staff: \_\_\_\_\_

Time: \_\_\_\_\_

Clerk's Initials: \_\_\_\_\_

**CHECK#:** \_\_\_\_\_

**RECEIPT #:** \_\_\_\_\_

**AMOUNT:** \_\_\_\_\_

December 2, 2019

Board of Zoning Appeals  
Franklin County, Virginia

RE: 1099 Highland Lake Road - Variance Application for Front Yard Setback

Members of the Board of Zoning Appeals,

I am the applicant and owner of the subject property. I ask your consideration of a variance application at 1099 Highland Lake Road.

Current Use:

The property is zoned R-1 and used as a single family residential home.

Proposed Use:

The applicant desires to build a detached two car garage on the subject property. The property will continued to be used as a single family residential home.

Hardship:

The proposed garage location is limited by several factors:

1. The Front Yard Minimum Dimension of 30 feet.
2. Protection of the existing septic system drainfield.
3. The AEP regulatory boundary of Smith Mountain Lake, defined by the 800 for contour. The northern portion of the lot would be a possible location for the proposed garage, however the majority of that area is located below the 800 foot contour.

Proposal:

The applicant proposes a detached garage location as shown on the attached Concept Plan. Considering the site constraints, the proposed location is the only practicable location. The proposed garage encroaches into 30 foot front yard significantly, primarily due to the location of the existing septic system drainfield. The proposed garage location and encroachment into the required front yard is also influenced by the required fire separation of 20 feet from the existing dwelling.

The proposed garage location respects the 20 foot fire separation and provides for a front yard dimension of 11 feet from the property line which is a variance of 19 feet. While that is a significant departure from the 30 foot minimum dimension, it does not have any significant impacts on the neighboring properties due the 50 foot wide street right of way occupied by a

pavement width of 18 feet. The offset from the garage to the edge of pavement is 26 feet. Substantial screening green space exists both in the right of way and on the lot between the proposed structure, the property boundary and edge of pavement. No trees will be cleared.

The front to the property is encumbered with a 20' Public Utility Easement. The easement is unused; as the electric, telephone, CATV and the Western Virginia Water Authority water main are all located in the public street right of way. The water main terminates as shown on the Concept Plan.

I respectfully request the Board's consideration and approval of the requested variance.

Respectfully,

A handwritten signature in blue ink, appearing to read "Philip C. Schirmer", followed by a horizontal line extending to the right.

Philip C. Schirmer, P.E, L.S

1" = 30'

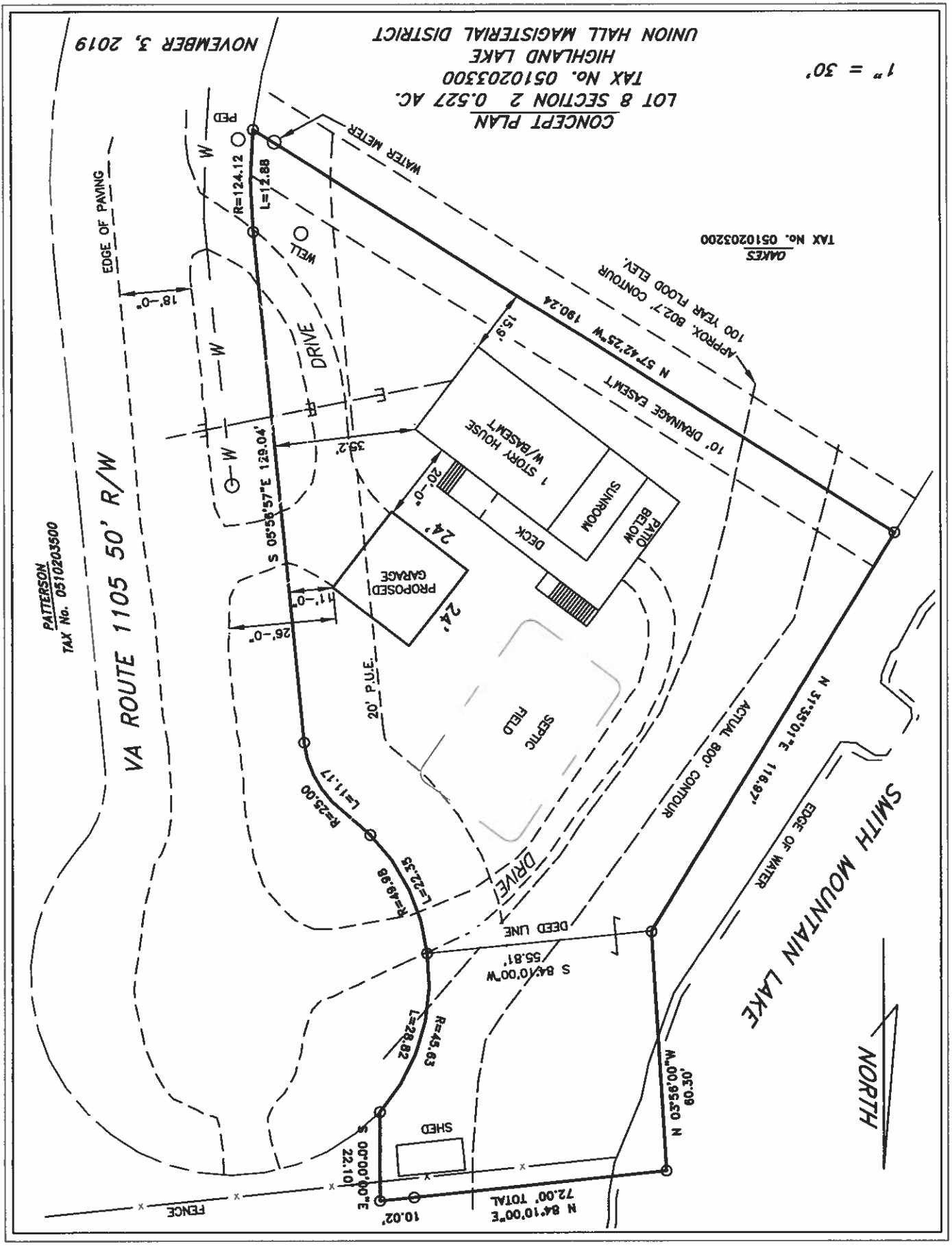
CONCEPT PLAN  
LOT 8 SECTION 2 0.527 AC.  
TAX No. 0510203300  
HIGHLAND LAKE  
UNION HALL MAGISTERIAL DISTRICT

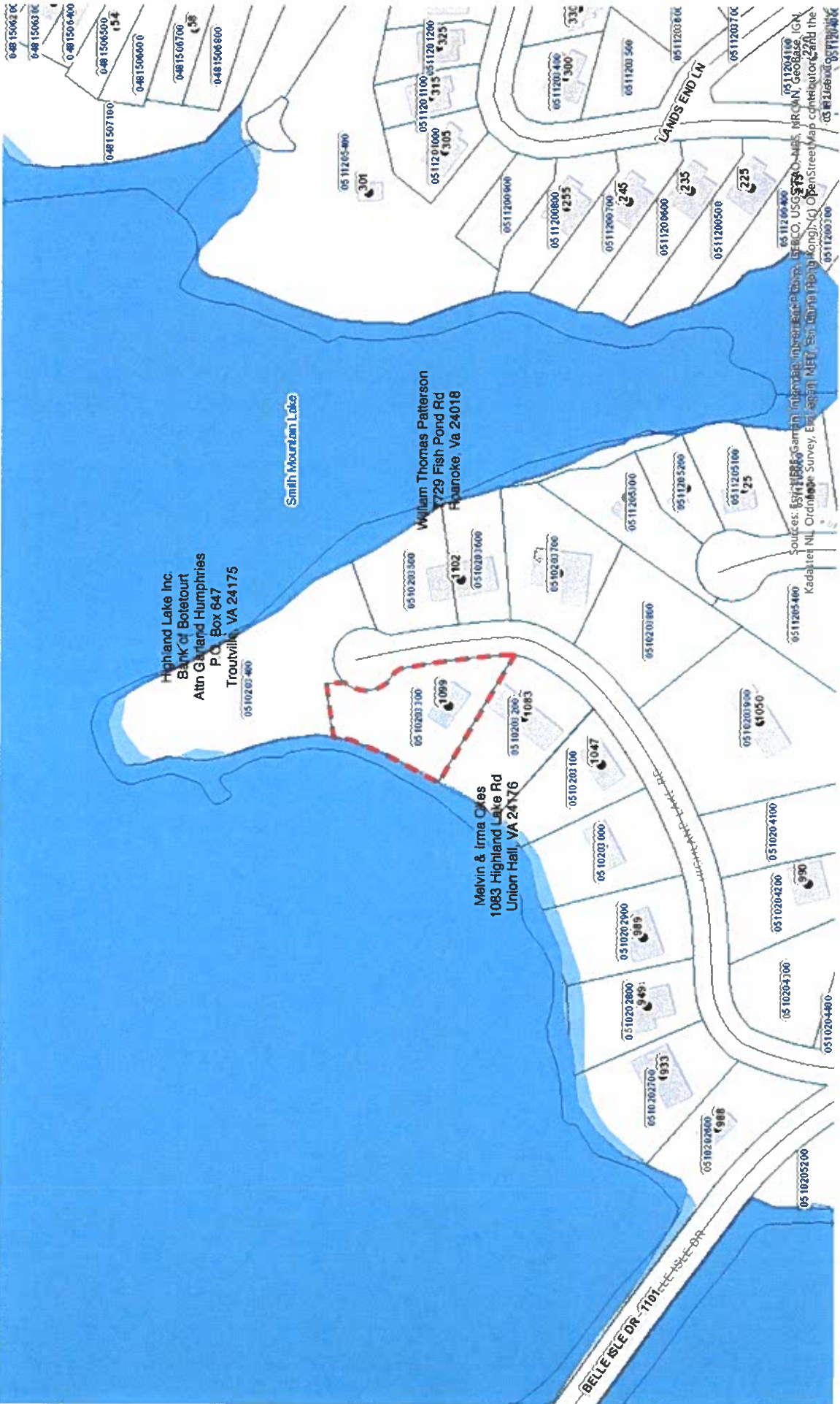
LAKE  
TAX No. 0510203200

PATTERSON  
TAX No. 0510203500

VA ROUTE 1105 50' R/W

NOVEMBER 3, 2019





Highland Lake Inc.  
Bank of Botetourt  
Attn Garland Humphries  
P.O. Box 647  
Troutville, VA 24175

William Thomas Patterson  
729 Fish Pond Rd  
Roanoke, Va 24018

Melvin & Irma Oates  
1083 Highland Lake Rd  
Union Hall, VA 24176

Sources: ESRI, HERE, Garmin, Mapbox, Mapbox Streets, GEBCO, USGS, AeroGRID, IGN, Kadaster NL, Ordnance Survey, Esri, DeLorme, Swatch, Bing, Mapbox, OpenStreetMap contributors, and the  
0511200300  
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0511200300

# 1000 Highland Lake Rd

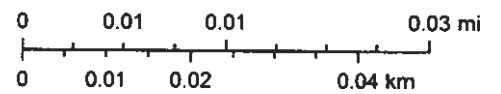


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1:1,128

- Lake Level Contours
- Local Roads
- Tax ID #s (PIN)
- Parcels

795  
800



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community