



# County of Fairfax, Virginia

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September 26, 2006

## STAFF REPORT

### SPECIAL PERMIT APPLICATION SP 2006-PR-035

#### PROVIDENCE DISTRICT

**APPLICANT:** Ede Ijjasz  
**ZONING:** R-1, HC  
**LOCATION:** 2913 Beau Lane  
**ZONING ORDINANCE PROVISION:** 8-918  
**TAX MAP:** 48-3 ((3)) (32) 15  
**LOT SIZE:** 1.24 acres  
**F.A.R.:** N/A  
**PLAN MAP:** Residential  
**SP PROPOSAL:** Accessory Dwelling Unit

#### STAFF RECOMMENDATION:

Staff recommends approval of SP 2006-PR-035, subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

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#### Department of Planning and Zoning

Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
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For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 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).

**DESCRIPTION OF THE APPLICATION**

**Special Permit Request:** To permit an accessory dwelling unit.

**Size of Principal Dwelling:** 3,420 square feet

**Size of Accessory Dwelling Unit:** 832 square feet

**Lot Size:** 1.24 acres

**LOCATION AND CHARACTER**

**Existing Site Description:** The subject property is located on the eastern side of Beau Lane, which is located to the east of Nutley Street between I-66 and Lee Highway in the Providence District. It consists of 1.24 acres, and the site is developed with a single family detached dwelling, located on the center of the lot, 91.4 feet from Beau Lane. A driveway of approximately 120 feet in length runs from Beau Lane alongside the eastern part of the dwelling. The subject property is landscaped and contains several mature trees.

**Surrounding Area Description:**

<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Single Family Dwellings	R-1	Residential, 1-2 du/ac
<b>South</b>	Single Family Dwellings	R-1	Residential, 1-2 du/ac
<b>East</b>	Single Family Dwellings	R-1	Residential, 1-2 du/ac
<b>West</b>	Single Family Dwellings	R-1	Residential, 1-2 du/ac

**BACKGROUND**

**Site History**

County records indicate that the dwelling was originally constructed in 1958 with an addition in 1994. There are no proffers or development conditions that encumber the property.

## COMPREHENSIVE PLAN PROVISIONS

**Plan Area:** Annandale Planning District; Area I  
**Planning Sector:** Lee (V1)  
**Plan Map:** Residential, 1-2 du/ac

## ANALYSIS

### Special Permit Plat (Copy at front of staff report)

**Title of SP Plat:** Plat Showing the Improvements on Lot 15, Briarwood Farm, Fairfax County, Providence District  
**Prepared By:** Dominion Surveyors, Inc  
**Dated:** July 14, 2006

### Proposed Use

The applicant is requesting approval of a special permit for an accessory dwelling unit. The 832 square foot accessory use is proposed to be located in a proposed attached addition to the southern end of the existing dwelling. The addition will include one bedroom and additional living area, thus comprising 24 percent of the total square feet in the dwelling. Ede Ijjasz's parents (ages 62 and 64) will live in this separate living space. Access to the accessory dwelling unit will be from the south side of the home by a separate entrance.

### Land Use Analysis

The Comprehensive Plan recommends residential uses with a density of 1-2 dwelling units per acre. In staff's opinion, the proposed accessory dwelling is in harmony with the Comprehensive Plan recommendations for this site, and there are no design or compatibility issues posed by the development plan.

### Transportation Analysis (Appendix 4)

There are no transportation issues associated with this request.

## ZONING ORDINANCE PROVISIONS

The site currently meets all bulk regulations for the R-1 Zoning District and would continue to do so with construction of the proposed addition.

## **OTHER ZONING ORDINANCE REQUIREMENTS**

### **Special Permit Requirements** (See Appendix 5)

- General Special Permit Standards (Sect. 8-006)
- Group Standards for All Group 9 Uses (Sect. 8-903)
- Additional Standards for Accessory Dwelling Units (Sect. 8-918)

### **Summary of Zoning Ordinance Provisions**

All applicable standards for the accessory dwelling unit have been satisfied with the proposed development conditions.

## **CONCLUSIONS**

Staff concludes that the subject application for an accessory dwelling unit is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proposed Development Conditions contained in Appendix 1 of the Staff Report.

## **RECOMMENDATIONS**

Staff recommends approval subject to the Proposed Development Conditions in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

## **APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Transportation Analysis
5. Applicable Zoning Ordinance Provisions Checklist

**PROPOSED DEVELOPMENT CONDITIONS****September 26, 2006**

If it is the intent of the Board of Zoning Appeals to approve SP 2006-PR-035 located at Tax Map 48-4 ((3)) (32) 15, to permit an accessory dwelling unit under Section 8-918 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant only, Ede J. Ijjasz, and is not transferable without further action of this Board, and is for the location indicated on the application, 2913 Beau Lane (1.24 acres), and is not transferable to other land.
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by Dominion Surveyors, dated July 14, 2006, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit SHALL BE POSTED in a conspicuous place on the property of the use and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The occupant(s) of the principal dwelling and the accessory dwelling unit shall be in accordance with Par. 5 of Sect. 8-918 of the Zoning Ordinance.
5. The accessory dwelling unit shall contain a maximum of 832 square feet, including a maximum of one bedroom.
6. Provisions shall be made for the inspection of the property by County personnel during reasonable hours upon prior notice and the accessory dwelling unit shall meet the applicable regulation for building, safety, health and sanitation.
7. The accessory dwelling unit shall be approved for a period of five (5) years from the final approval date of the special permit and may be extended for five (5) year periods with prior approval of the Zoning Administrator in accordance with Section 8-012 of the Zoning Ordinance.
8. If the use of the accessory dwelling unit ceases and/or the property is sold, the accessory structure shall be converted to a use permitted by the Zoning Ordinance or if the property is sold, a special permit amendment may be submitted to permit the continued use of an accessory dwelling unit.
9. Parking shall be provided as shown on the Special Permit Plat.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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 the use has been established. The Board of Zoning Appeals may grant additional time to establish the use 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.