



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

August 8, 2008

Mr. Jun Lu
7029 Old Dominion Drive
McLean, Virginia 22102

Re: SP 2007-DR-149, Jun Lu, Tax Map 30-1 ((12)) 62 (7029 Old Dominion Drive): Proposed Addition

Dear Mr. Lu:

This is in response to your letter of June 18, 2008, that was received in this office on June 24, 2008, requesting an interpretation of the Special Permit (SP) Plat and development conditions approved by the Board of Zoning Appeals with the above-referenced application. As I understand it, the question is whether the proposed reduction of the eastern side yard from 7.7 feet, as approved by the BZA pursuant to SP 2007-DR-049, to approximately 3.7 feet would be in substantial conformance with the SP Plat. This determination is based on your letter, the SP Plat and the development conditions. Copies of your letter and relevant exhibits are attached.

On February 26, 2008, the Board of Zoning Appeals (BZA) approved SP 2007-DR-049 to permit the reduction of certain yard requirements to permit construction of an addition 7.7 feet from the eastern side lot line, subject to development conditions. You state that at the time of the BZA action there was a discrepancy between the SP Plat and an architectural drawing that you had made that showed a 4 foot "bump-out" on the side of the proposed garage addition. The SP Plat does not show the bump-out. Development Condition #2 states that "This special permit is approved for the location and size (858 square foot garage addition with second story living space) as shown on the plat prepared by Michael N. Hughes and dated March 25, 2007 as revised through September 15, 2007, as submitted with this application and is not transferable to other land."

It is my determination that the proposed reduction in the approved 7.7 side yard to approximately 3.7 feet is not in substantial conformance with SP 2007-DR-019. This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please contact Mary Ann Godfrey at (703) 324-1290.

Sincerely,

Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/



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Integrity * Teamwork * Public Service

Mr. Jun Lu
Page 2

Attachments: A/S

cc: Members, Board of Zoning Appeals
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Kenneth Williams, Plan Control, Land Development Services, DPWES
Assad Ayoubi, Acting Director, Environmental and Facilities Inspection Division, DPWES
Audrey Clark, Director, Building Plan Review, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, ZED, DPZ
File: SP 2007-DR-149, SPI 0806 027, Imaging, Reading File

RECEIVED
Department of Planning & Zoning

JUN 24 2008

Zoning Evaluation Division

Jun Lu
7029 Old Dominion Dr.
McLean, VA 22101
Tel: 703-395-3026

June. 18, 2008

Dear Ms. Regina C. Coyle,

RE: SP 2007-DR-1497

Thank you very much for your consideration.

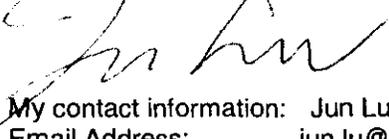
The above mentioned Special Permit was approved on February 26, 2008 for the garage addition with second story living.

There was a discrepancy in the dimension shown on the approved architectural drawing and the SP Plat for the addition on the front of the house. The 4 feet bump out at the front of the approved addition is drawn on the architectural drawing which is important to the architecture style and also crucial to how the garage will be built. Without the 4 feet bump out, I won't be able to install a door on the side to access to the garage. I was not informed before or during the hearing that this 4 feet bump out wouldn't be included as a part of the approved permit.

I hereby request for the interpretation of the modification on my approved addition and allow me to have this 4 feet bump out as stated in my architectural drawing.

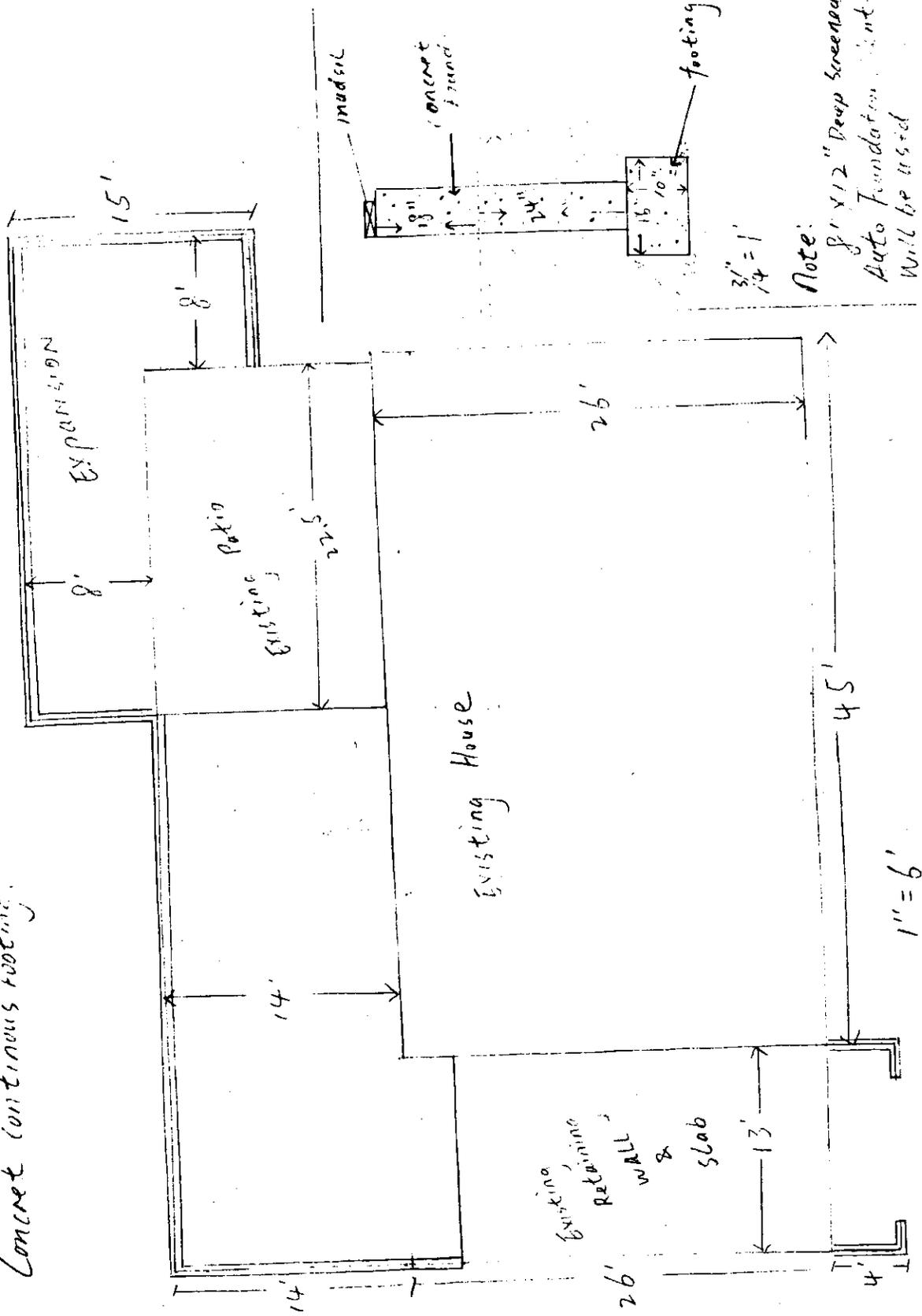
Applicant Name: Jun Lu
Busdivision: McLean Estates
Street Address: 7029 Old Dominion Dr., McLean
Tax Map Reference: 30-1(912)) 62
Lot Size: 10,500 square feet
Zoning District: R-3
Zoning Ordinance
Provision: 8-922
Special Permint: SP 2007-DR-149

Jun Lu



My contact information: Jun Lu, 7029 Old Dominion Dr., Mclean VA 22101.
Email Address: jun.lu@wwfus.org
Phone Number 703-395-3026

Concrete Continuous Footing





SPECIAL PERMIT PLAN
LOT 62, SECTION 1
BROYHILL'S MCLEAN ESTATES
AND A RESUBDIVISION OF
PART OF BLOCKS 9 & 10 WEST MCLEAN
 DB 1575 PG 548
 DRANESVILLE DISTRICT, FAY COUNTY, VIRGINIA

DRAWN BY: MNH
 CHECKED BY: MNH
 DATE: 3/25/07
 REVISED: 9/15/07
 SCALE: 1" = 20'

NOTES

- 1) THE PROPERTY DELINEATED HEREON IS LOCATED ON FAIRFAX COUNTY TAX ASSESSMENT MAP #0301-12-0062 AND IS ZONED R-3.
- 2) CURRENT OWNERS: JUN LU & ZHENG F SONG ACQUIRED IN DEED BOOK 10904, PAGE 966.
- 3) PROPERTY ADDRESS: 7029 OLD DOMINION DRIVE, MCLEAN, VIRGINIA 22101.
- 4) CURRENT REQUIRED MINIMUM YARDS FOR THE R-3 ZONE:
 FRONT - 30', SIDE - 12', REAR - 25'
- 5) THIS PARCEL IS SERVED BY PUBLIC WATER AND SEWER.
- 6) THERE ARE NO FLOOD PLANS OR RPA'S LOCATED ON THIS PARCEL.
- 7) THE FENCE HEIGHT SHOWN AT VARIOUS LOCATIONS INDICATES THE HIGHEST POINT ALONG THE FENCE. ALL FENCE HEIGHTS SHOWN HEREON WERE TAKEN AT THE POSTS.
- 8) THERE IS NO ADDITIONAL LANDSCAPING OR SCREENING PROPOSED.
- 9) THERE MAY BE OTHER EASEMENTS OF RECORD NOT SHOWN ON THIS PLAN AS A CURRENT TITLE REPORT WAS NOT PROVIDED.

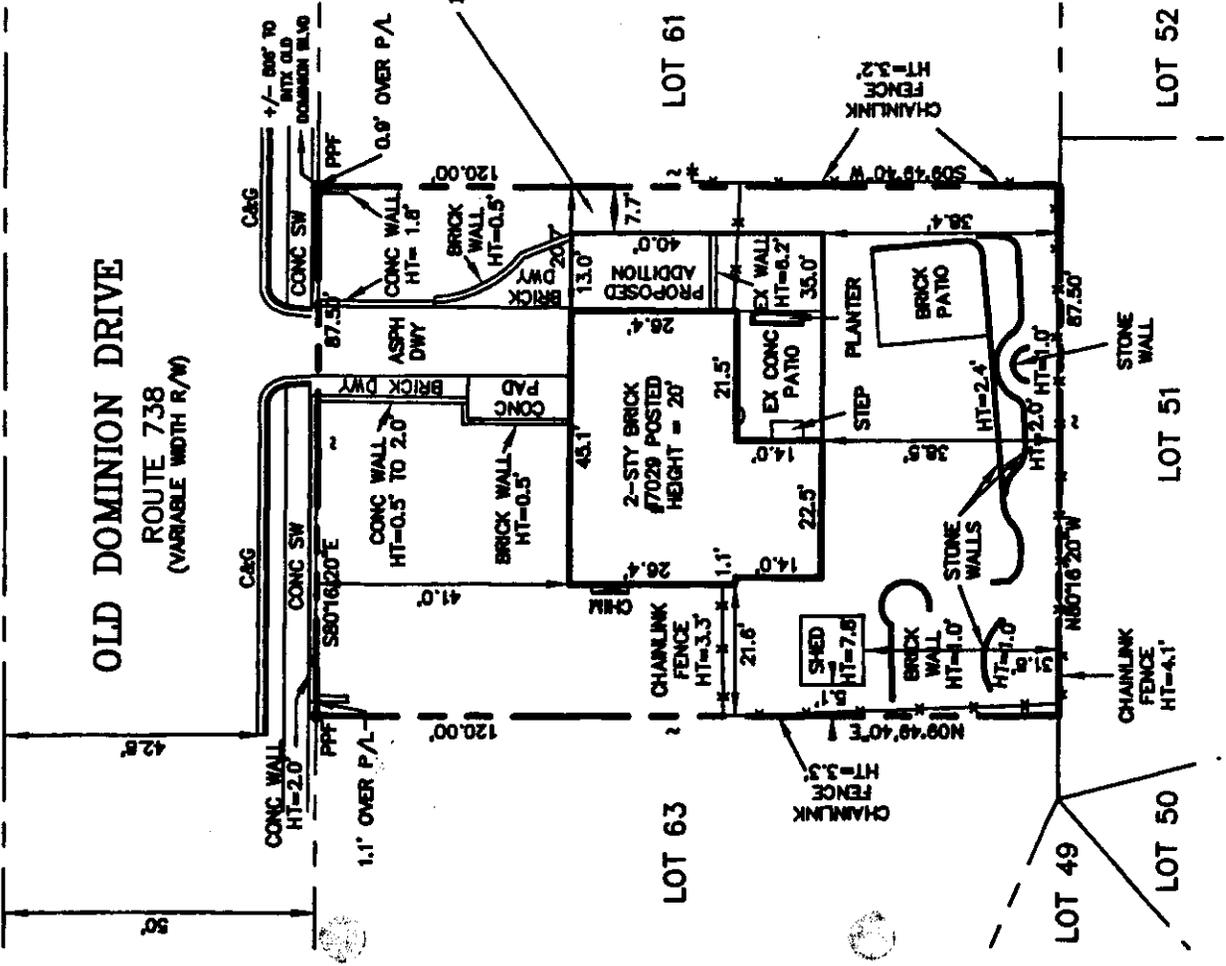
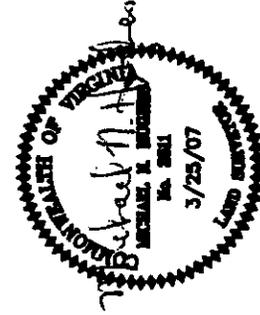
LOT 62

10,600 SQ FT OR 0.24106 ACRES
 TAX MAP #0301-12-0062
 (ENTIRE PARCEL ZONED R-3)

GROSS FLOOR AREA
 EXISTING - 1506 SF
 PROPOSED - 813 SF
 COMBINED - 2319 SF

LOT AREA RATIO
 EXISTING - 7:1
 COMBINED - 4.5:1

Hugesurveys
 P.O. BOX 1031 CENTERVILLE, VIRGINIA 20121
 HUGESURVEYS@YAHOO.COM
 703-622-1004



PLAT NORTH
 DB 1575 PG 548



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

March 3, 2008

Jun Lu
7029 Old Dominion Drive
McLean, Virginia 22101

Re: Special Permit Application SP 2007-DR-149
Jun Lu

Dear Mr. Lu:

At its February 26, 2008 meeting, the Board of Zoning Appeals took action to **APPROVE** the above-referenced application. A copy of the Resolution is attached.

This action does not constitute exemption from the various requirements of this County and State. The applicant is responsible for ascertaining if permits are required and for obtaining the necessary permits such as Building Permits, Residential Use Permits and Non-Residential Use Permits. Information concerning building permits may be obtained by calling 703-222-0801.

Sincerely,

Kathleen A. Knoth
Clerk to the Board of Zoning Appeals

Enclosure: As stated

Department of Planning and Zoning
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Fairfax, Virginia 22035-5509
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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

JUN LU, SP 2007-DR-149 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 7.7 ft. from side lot line. Located at 7029 Old Dominion Dr. on approx. 10,500 sq. ft. of land zoned R-3. Dranesville District. Tax Map 30-1 ((12)) 62. Mr. Byers moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on February 26, 2008; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The Board has determined that the application meets all of the submission requirements set forth in Sect. 8-922.
3. Staff recommends approval.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Sect. 8-922 of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recordation shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size (858 square foot garage addition with second story living space) as shown on the plat prepared by Michael N. Hughes and dated March 25, 2007 as revised through September 15, 2007, as submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of any addition(s) to the existing principal structure may be up to 150 percent of the total gross floor area of the dwelling (1,852 square feet) that existed at the time of the first expansion request regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit or variance. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum requirements shall be permitted without an amendment to this special permit.

- 4. Prior to commencement of construction, tree protection fencing shall be installed between the location of the proposed addition and the dripline of the cedar trees located along the western property line. The protective fencing shall remain intact during the entire construction process, and shall be the maximum limit for clearing and grading.
- 5. The addition shall be consistent with the architectural renderings and materials as shown on 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.

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 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.

Mr. Smith seconded the motion, which carried by a vote of 6-0. Ms. Gibb was absent from the meeting.

A Copy Teste:

K.A. Knoth

 Kathleen A. Knoth
 Clerk to the Board of Zoning Appeals

ACKNOWLEDGEMENT

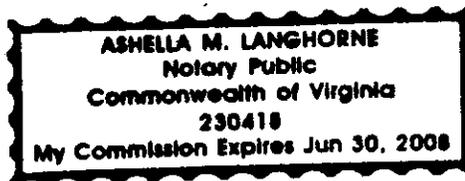
Commonwealth of Virginia
 County of Fairfax

Subscribed before me this 3rd day of March, 2008.

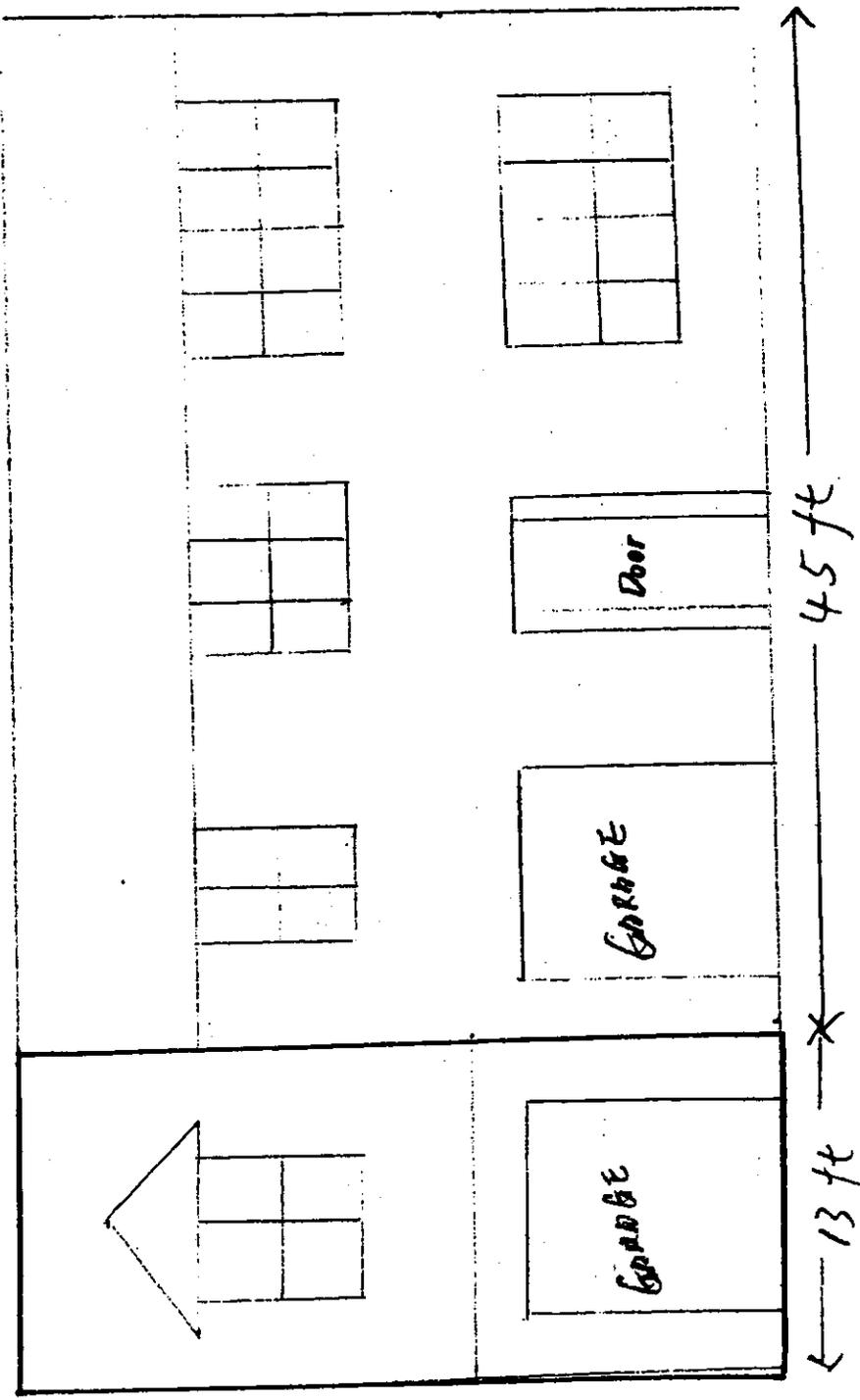
Notary Public

Ashella M. Langhorne

My commission expires on: June 30, 2008



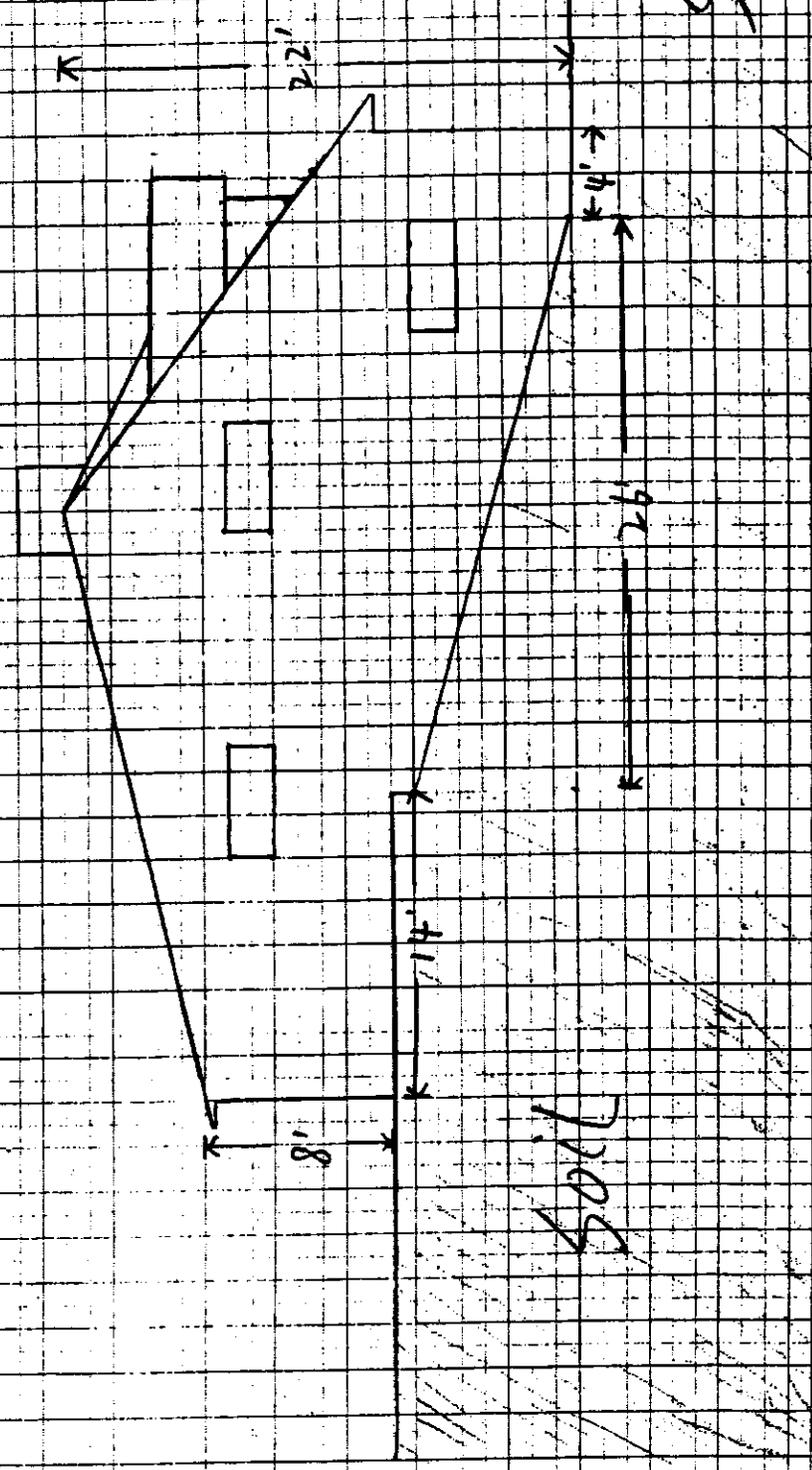
EXISTING HOUSI



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Department of Planning & Zoning

AUG 10 2007

Attachment 1
Zoning Evaluation Division



Soil

Soil

