



APPLICATION ACCEPTED: September 4, 2008
BOARD OF ZONING APPEALS: November 18, 2008
TIME: 9:00 a.m.

County of Fairfax, Virginia

November 11, 2008

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2008-MV-083

MOUNT VERNON DISTRICT

APPLICANT: Joanne K. Nanos

OWNERS: Joanne K. Nanos
George P. Nanos

SUBDIVISION: Hollin Hills

STREET ADDRESS: 2217 Martha's Road

TAX MAP REFERENCE: 93-3 ((4)) 105

LOT SIZE: 24,271 square feet

ZONING DISTRICT: R-2

ZONING ORDINANCE PROVISIONS: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of an addition 20 feet from the front lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2008-MV-083 for the addition 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.

O:\dhedri\Special Permits\11-18) SP 2008-MV-083 Nanos\SP 2008-MV-083 Nanos staff report.doc

Deborah Hedrick

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.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 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).

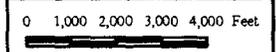
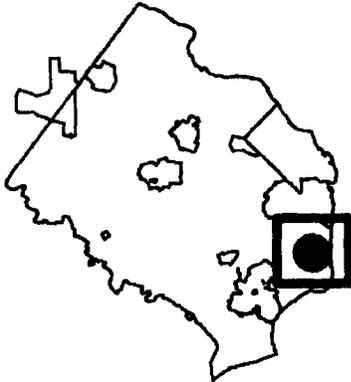
Special Permit

SP 2008-MV-083

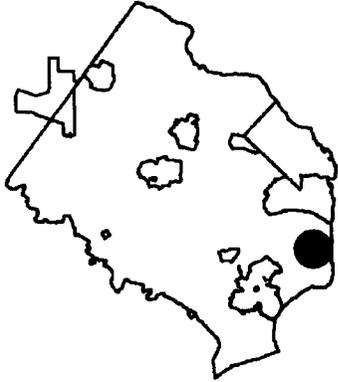
Applicant: JOANNE K. NANOS
Accepted: 09/04/2008
Proposed: REDUCTION OF CERTAIN YARD REQUIREMENTS
TO PERMIT ADDITION 20 FEET FROM FRONT
LOT LINE

Area: 24,271 SF OF LAND; DISTRICT - MOUNT VERNON

Zoning Dist Sect: 08-922
Art 8 Group and Use: 9-21
Located: 2217 MARTHA'S ROAD
Zoning: R- 2
Overlay Dist:
Map Ref Num: 093-3- /04/ /0105



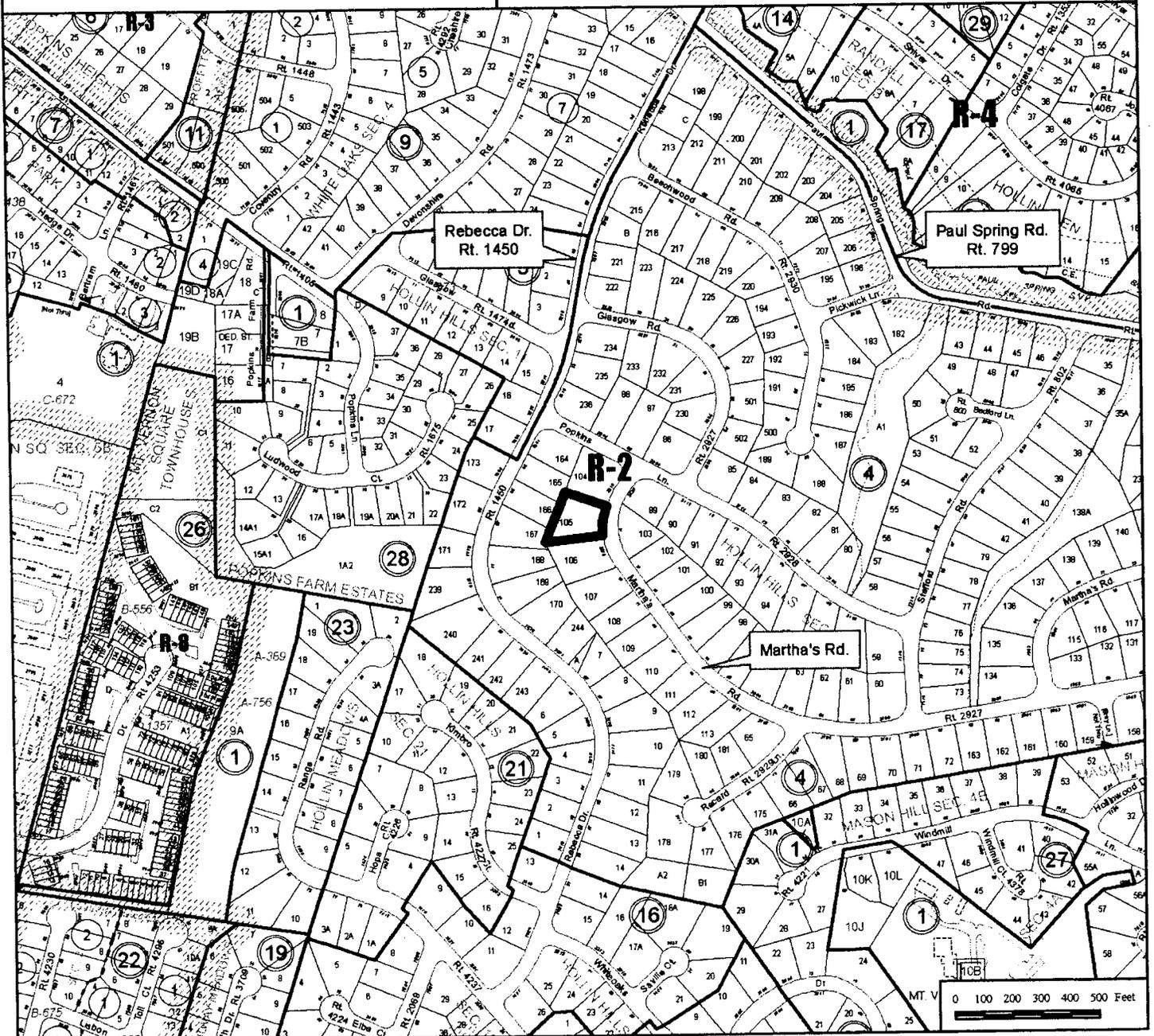
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SP 2008-MV-083

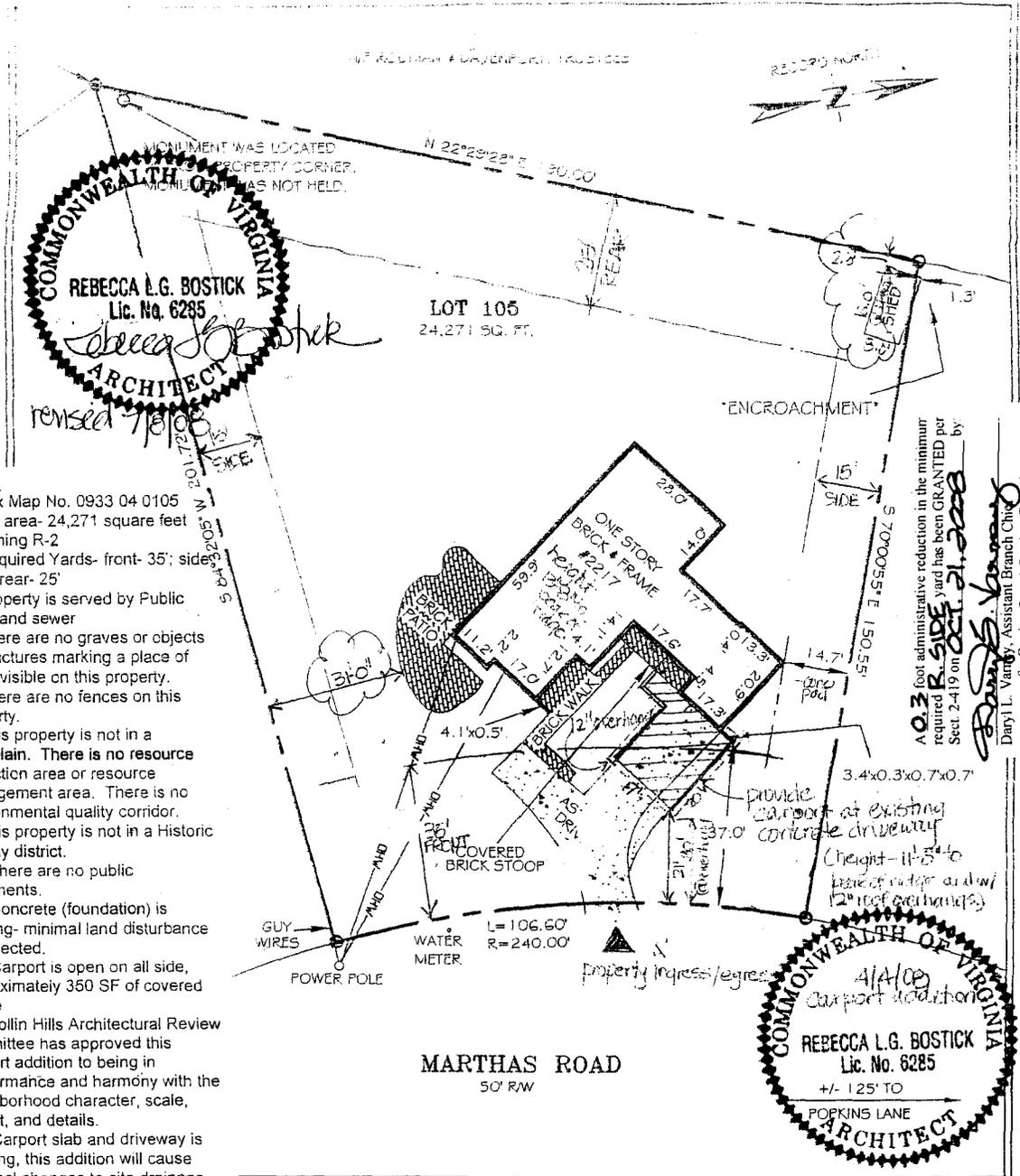


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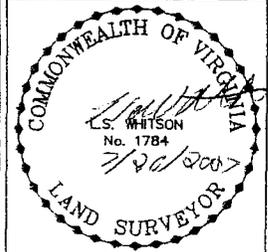


- Notes:**
1. Tax Map No. 0933 04 0105
 2. Lot area- 24,271 square feet
 3. Zoning R-2
 4. Required Yards- front- 35'; side - 15'; rear- 25'
 5. Property is served by Public water and sewer
 6. There are no graves or objects or structures marking a place of burial visible on this property.
 7. There are no fences on this property.
 8. This property is not in a floodplain. There is no resource protection area or resource management area. There is no environmental quality corridor.
 9. This property is not in a Historic overlay district.
 10. There are no public easements.
 11. Concrete (foundation) is existing- minimal land disturbance is expected.
 12. Carport is open on all side, approximately 350 SF of covered space
 13. Hollin Hills Architectural Review committee has approved this carport addition to being in conformance and harmony with the neighborhood character, scale, height, and details.
 14. Carport slab and driveway is existing, this addition will cause minimal changes to site drainage.

A 0.3 foot administrative reduction in the minimum required R-2 side yard has been GRANTED per Sect. 2-419 on Oct. 21, 2008 by:
Daryl L. Vandy, Assistant Branch Chief
for Zoning Permit Review Branch

HOUSE LOCATION SURVEY

LOT 105 SECTION FIVE
HOLLIN HILLS
DEED BOOK 820 PAGE 223
FAIRFAX COUNTY, VIRGINIA
DATE: JULY 26, 2007
SCALE: 1" = 30'
DRAFTED BY: SES



LEGEND

- | | |
|----------------------------|----------------------|
| C/W = CONC WALK | C/P = CONC PATIO |
| S/W = STONE WALK | R/E = RECESSED ENTRY |
| W/L = WOOD LANDING | CHIM = CHIMNEY |
| B/L = BRICK LANDING | O.H. = OVERHANG |
| W/D = WOOD DECK | B/W = BAY WINDOW |
| C/S = CONC STOOP | OHW = OVERHEAD WIRE |
| M/S = METAL STOOP | AW = AREA WAY |
| C/C/S = COVERED CONC STOOP | ○ = MONUMENT FOUND |
| | -x- = FENCE |

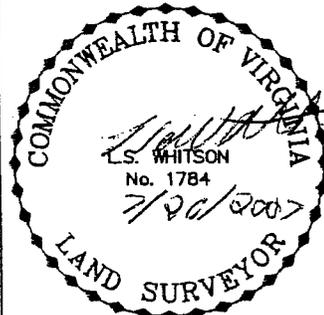
NOTES



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- Tax Map No. 0933 04 0105
 - Lot area- 24,271 square feet
 - Zoning R-2
 - Required Yards- front- 35'; side- 15'; rear- 25'
 - Property is served by Public water and sewer
 - There are no graves or objects or structures marking a place of burial visible on this property.
 - There are no fences on this property.
 - This property is not in a floodplain. There is no resource protection area or resource management area. There is no environmental quality corridor.
 - This property is not in a Historic overlay district.
 - There are no public easements.
 - Concrete (foundation) is existing- minimal land disturbance is expected.
 - Carport is open on all side, approximately 350 SF of covered space
 - Hollin Hills Architectural Review committee has approved this carport addition to being in conformance and harmony with the neighborhood character, scale, height, and details.
 - Carport slab and driveway is existing, this addition will cause minimal changes to site drainage.

HOUSE LOCATION SURVEY

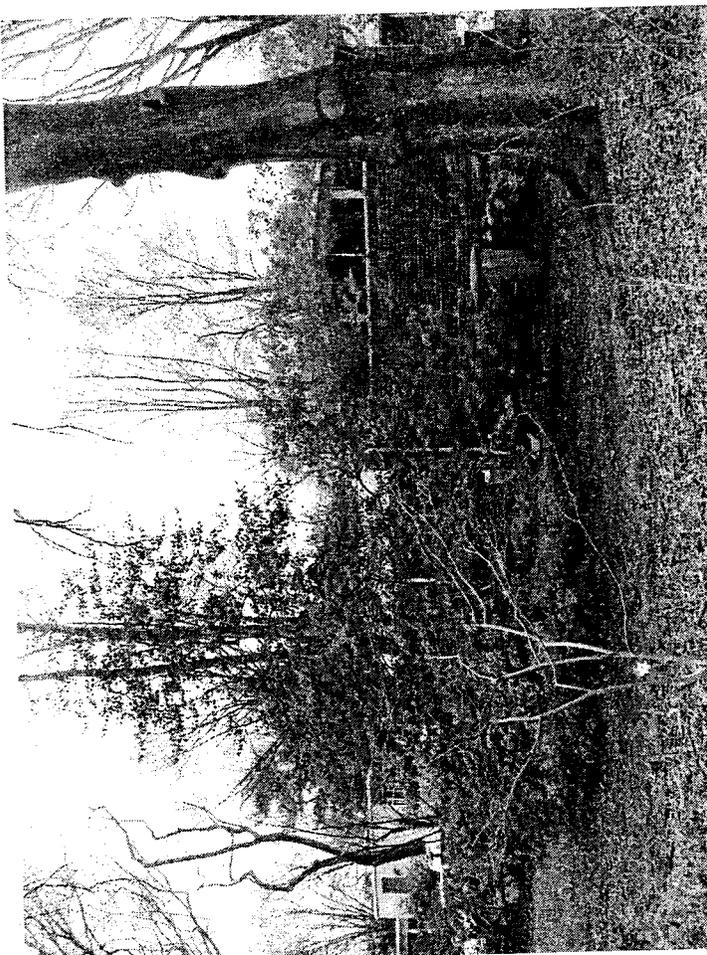
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 HOLLIN HILLS
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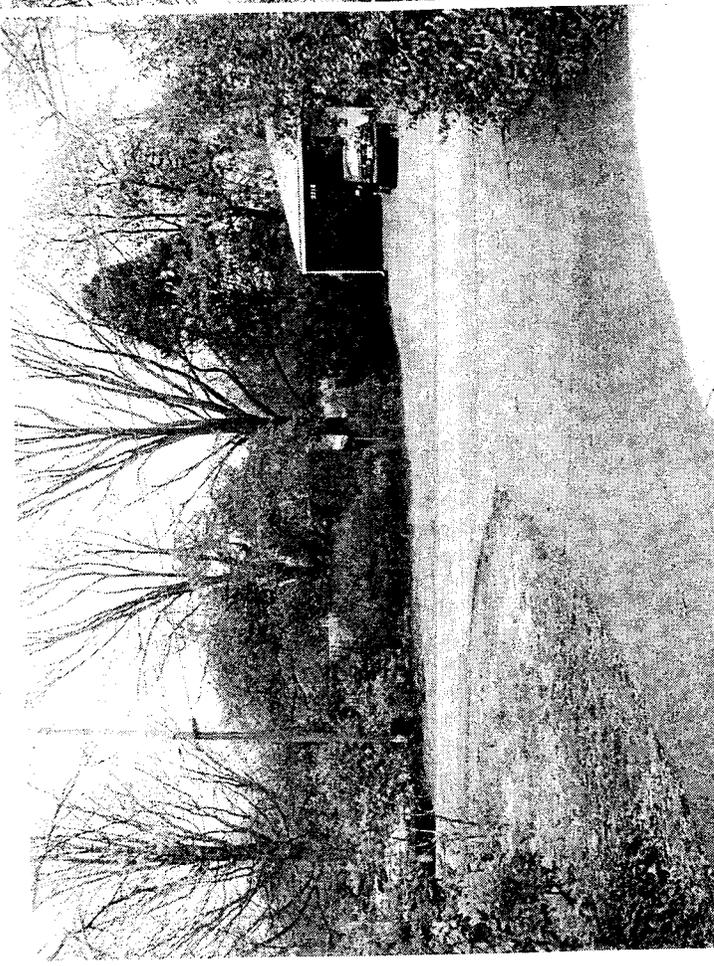
NOTES



6- front elevation from corner of front yard



8- front elevation



5- front of driveway - looking out across street





2- front - looking right down driveway



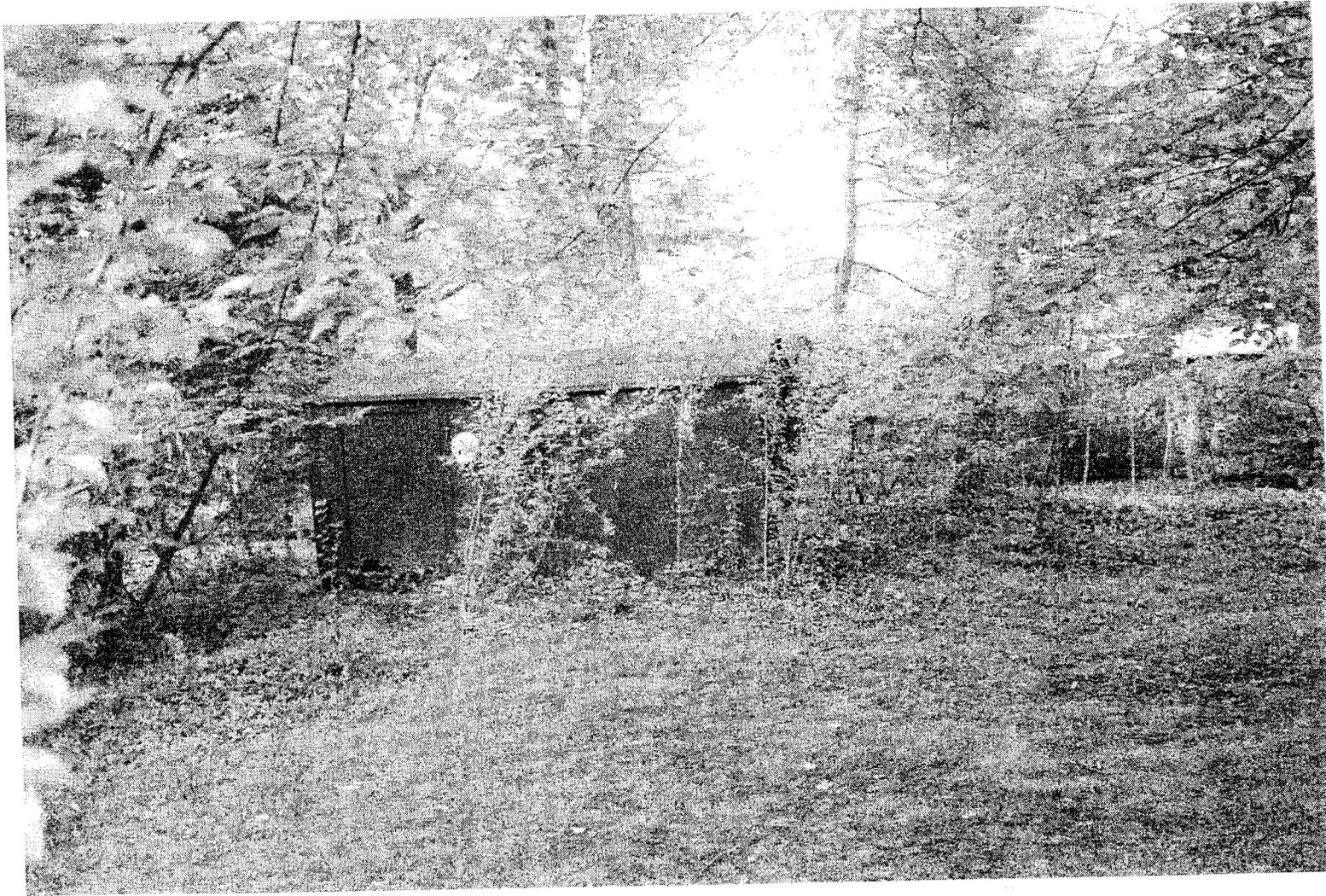
4- front - looking north



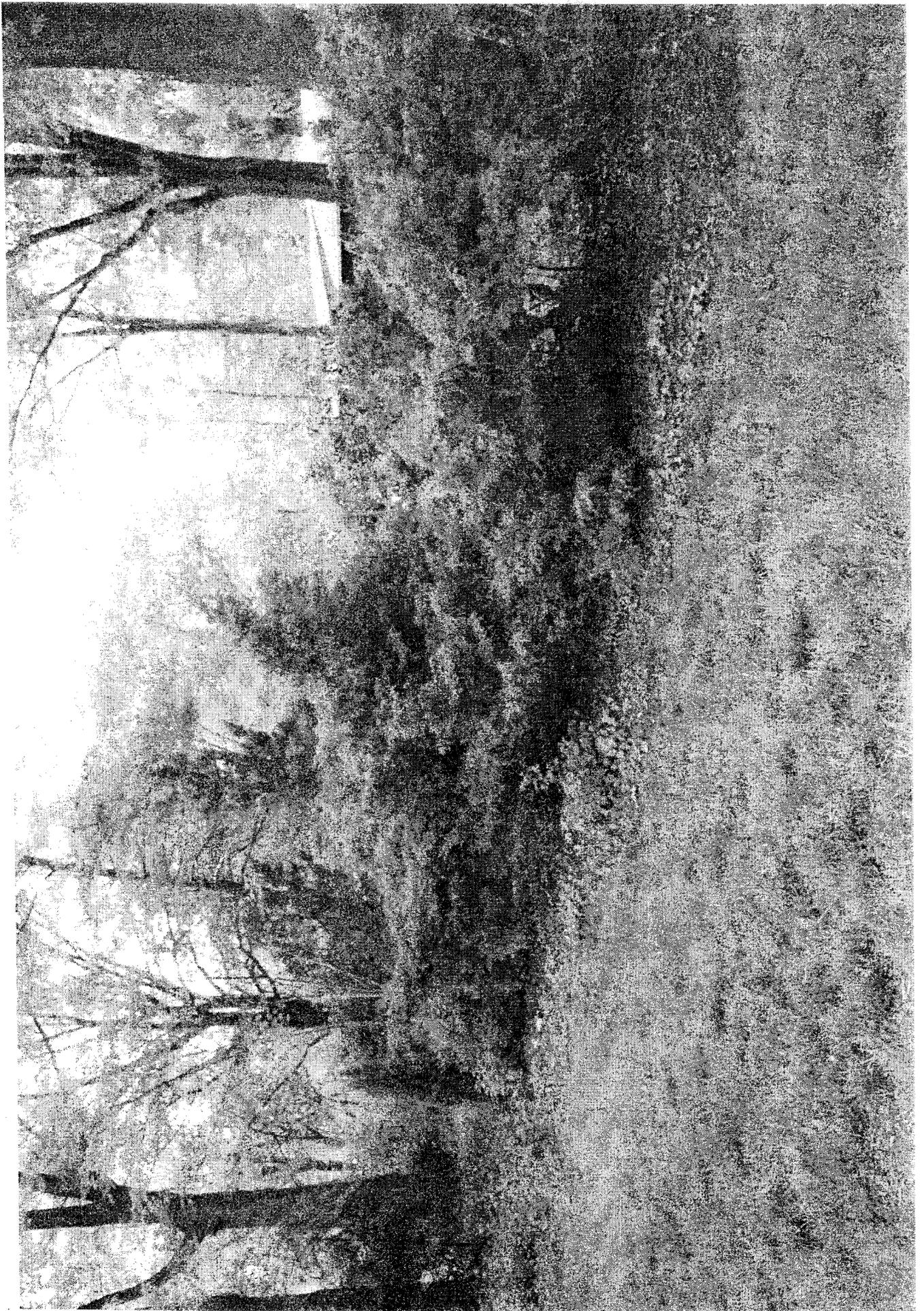
1- side elevation

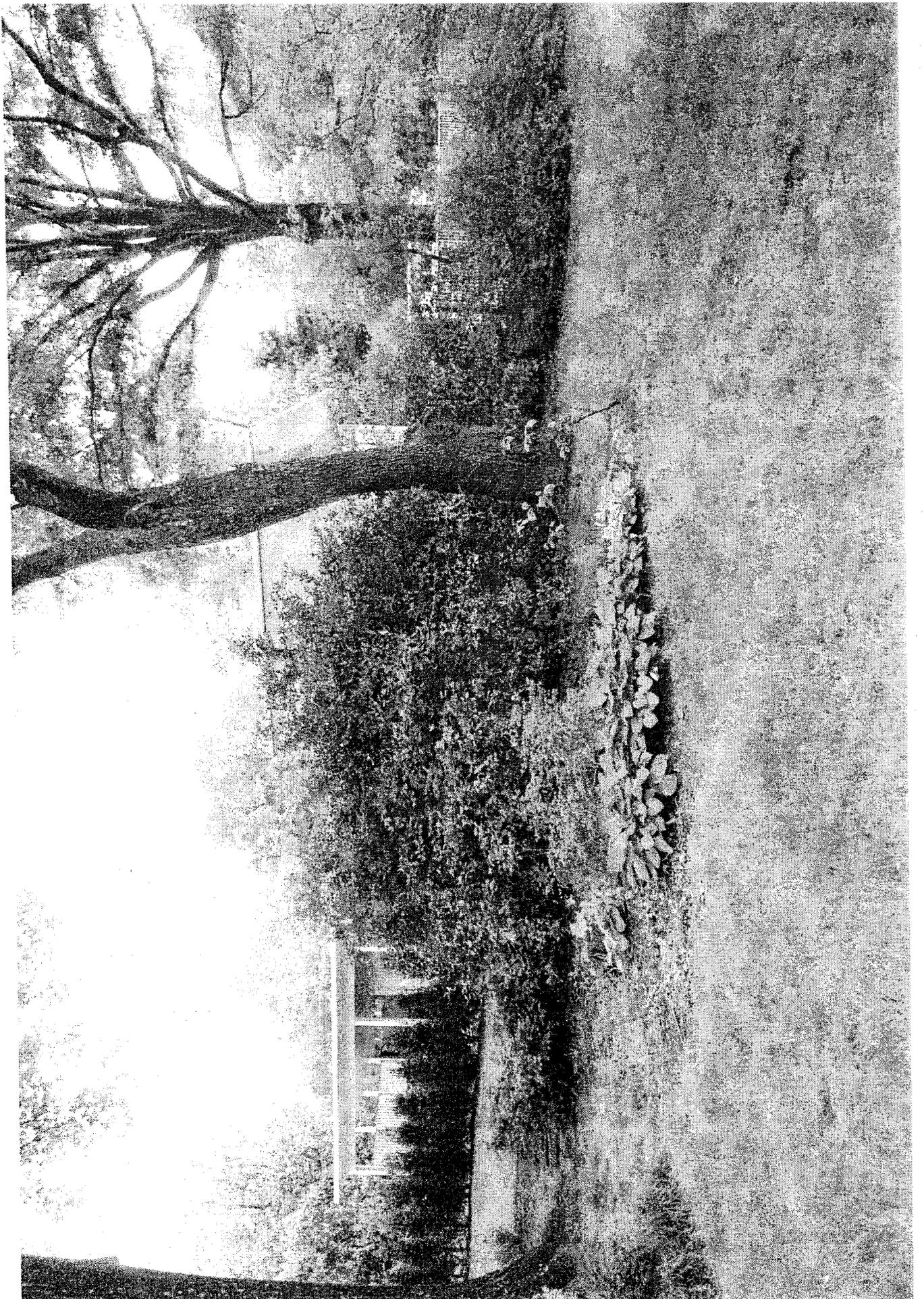


3- front - looking west



Shed length 16 ft
width 8 ft
Height 6 ft To peak of roof

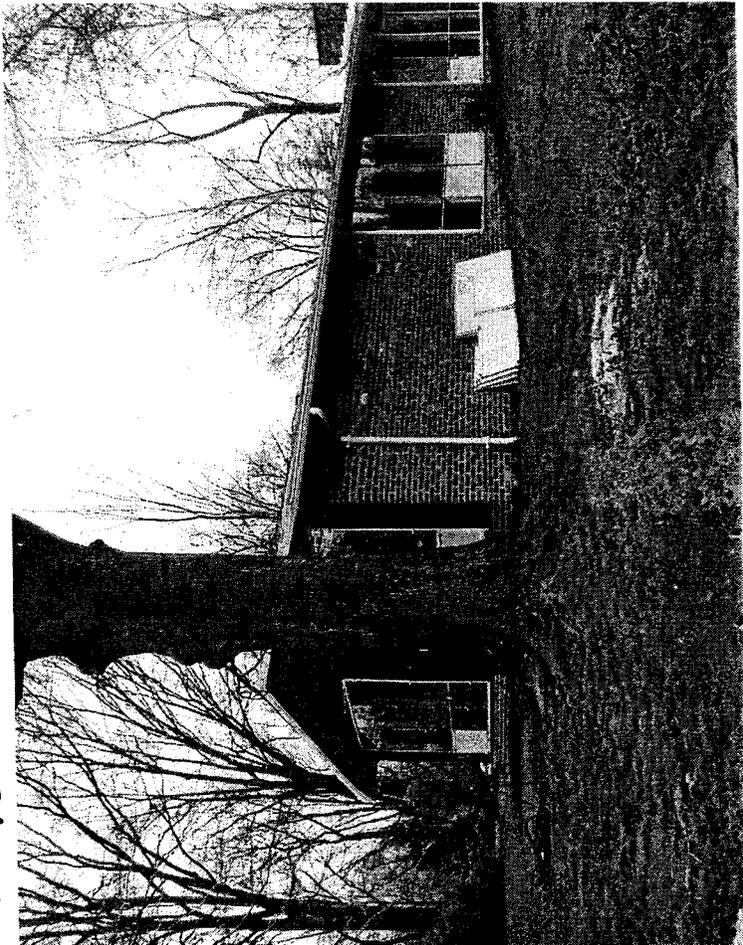




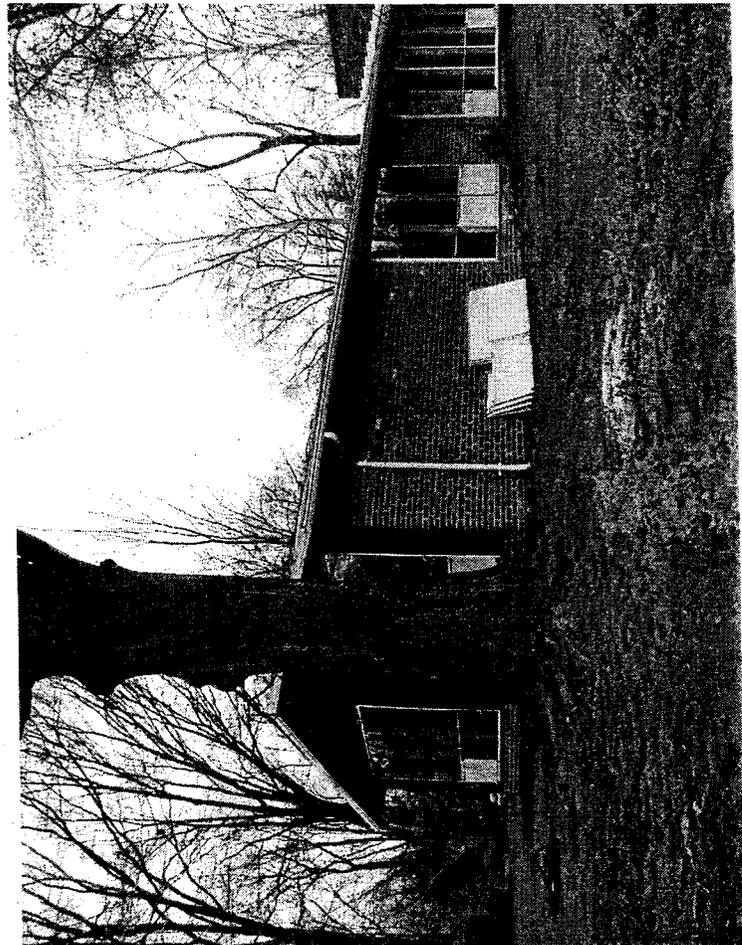




10 - rear of house



(part of #9)



9 - rear of house



11 - front of house (over)

DESCRIPTION OF THE APPLICATION

To permit reduction of certain yard requirements to permit construction of a carport addition 20 feet from the front lot line.

	Structure	Yard	Minimum Yard Required*	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit	Addition	Front	35.0 feet	20.0 feet	15.0 feet	43%

*Minimum yard requirement per Section 3-207

EXISTING SITE DESCRIPTION

The 24,271 square foot site is currently zoned R-2 and is developed with a one-story, 2,310 square foot single family detached dwelling, built in 1952. The existing front yard 37.0 feet, where 35 feet is required; the existing side yards are 14.7 feet and 31.0 feet, where 15 feet is required and the existing rear yard is approximately 54 feet where 25 feet is required. The lot is a flat lot with mature vegetation and the dwelling is situated more toward the front of the property.

CHARACTER OF THE AREA

	Zoning	Use
North	R-2	Single Family Detached Dwellings
East	R-2	Single Family Detached Dwellings
South	R-2	Single Family Detached Dwellings
West	R-2	Single Family Detached Dwellings

BACKGROUND

Following the adoption of the current Ordinance, the BZA has heard the following similar special permits or variances in the vicinity of the application parcel:

- Variance VC 01-V-073 was approved on August 8, 2001 for Tax Map 93-3 ((4)) 101, zoned R-2, at 2210 Martha's Road, to permit construction of addition 13.0 feet from a side lot line.

- Variance VC 2003-MV-116 was approved on October 21, 2003 for Tax Map 93-3 ((4)) 159, zoned R-2, at 1951 Martha's Road, to permit construction of addition 14.2 feet from a side lot line.

It is also noted that the existing dwelling is located 14.7 feet from the side lot line. While the existing dwelling was constructed in 1955, according to records, an addition was constructed in 1979 to enclose an existing carport, which was located 16.5 feet from the side lot line; however, the dimension on the current plat reflects 14.7 feet from the side lot line. The location of the existing addition is less than a 10%; therefore, staff from the Zoning Administration Division approved an Administrative Reduction on the property. A copy of the special permit plat with Zoning Administration approval is located at the front of the staff report.

ANALYSIS

Special Permit Plat (Copy at front of staff report)

- **Title of Plat:** House Location Survey, Lot 105, Section Five, Hollin Hills
- **Prepared by:** L.S. Whitson, Land Surveyor, revised by Rebecca L.G. Bostick, Architect
- **Dated:** July 20, 2007 as revised through July 8, 2008

Proposal:

The applicant is requesting a special permit for the construction of a carport addition to be located 20.0 feet from the front lot line. The 350 square foot addition is proposed as a carport, open on three sides, to provide cover for the applicant's vehicles. The addition of the carport will be placed at the end of an existing driveway and will create a courtyard affect to the front of the dwelling.

ZONING ORDINANCE REQUIREMENTS

Applicable bulk regulation(s) and additional location regulations are set forth on Page 1.

The application must meet all of the following standards, copies of which are attached as Appendix 4:

- Sect. 8-006 General Special Permit Standards
- Sect. 8-903 Group 9 Standards
- Sect. 8-922 Provisions for Reduction of Certain Yard Requirements

Sect. 8-006 General Special Permit Standards

Staff believes that the application for the addition meets all of the 8 General Special Permit Standards. Of particular note regarding this application are General Standards 3 and 5.

General Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. *Staff believes by observation of the neighborhood through submitted photographs that the construction of a 350 square foot carport addition to the front of the existing dwelling will not adversely affect the use or development of neighboring properties since the proposed new construction will take place over an existing concrete pad area currently used as a driveway. It appears that there are many homes within the development that have added carports in a similar manner and created courtyards, though they have deeper front yards and did not need variance or special permit approval. Staff believes the proposed construction will maintain the character of the neighborhood. Staff believes the request is minimal and that this standard has been met.*

General Standard 5 requires that in addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13. *The proposed carport addition will be located over an existing concrete driveway. The proposed construction will not create any additional impervious surface and no landscaping is proposed to be removed. Therefore staff does not believe any additional vegetation is required and this standard has been met.*

Sect. 8-922 Provisions for Reduction of Certain Yard Requirements

This special permit application must satisfy all of the provisions contained in Sect. 8-922, Provisions for Reduction of Certain Yard Requirements. Standards 1, 2, 3, 11 and 12 relate to submission requirements and were satisfied at the time of submission. Standard 4 relates to enclosed structures and Standard 5 relates to accessory structures, which do not apply to this application. Standard 10 allows the BZA to impose development conditions. Staff believes that the application has met all of the remaining standards, specifically Standards 6, 7, 8, and 9.

Standard 6 states that the BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot. *The elevation drawings and pictures submitted indicate that the materials, size and scale of the carport addition will be compatible with the existing dwelling. The applicant is proposing to construct the addition with wood siding and a low sloping roof to match the existing roof on the dwelling. Since the 350 square foot carport will remain open on three sides, there is no additional bulk since it will merely cover an existing concrete driveway area which leads to the dwelling. Therefore, staff believes that the application meets this provision.*

Standard 7 states that the BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director. The proposed carport addition will be constructed over an existing concrete driveway and there will be no removal of existing vegetation. The proposal is in keeping with other homes in the neighborhood that also have a courtyard appearance to the front of their dwellings with the addition of carports. Staff believes that the application meets this provision.

Standard 8 states that the BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff. Staff believes that the application meets the erosion and stormwater runoff portion of the standards since the Department of Public Works and Environmental Services (DPWES) has indicated that there are no drainage complaints on file related to this property. Staff believes that the addition of a carport over an existing driveway will not increase run-off since it is over existing impervious surface. Staff believes that the application meets this provision.

Standard 9 states that the BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources. The construction of the carport addition to the front of the dwelling is the most logical location since it will utilize an area over an existing driveway to the home. There are no alternative locations for such an addition since the placement of the dwelling on the lot minimizes the use of the side yards. The existing driveway also makes the construction of the proposed carport addition the logical location so as not to create additional impervious surface on the lot. Other issues of well, easements, floodplains and/or Resource Protection Areas and preservation are not applicable to this site. Staff believes that the application meets this provision.

CONCLUSION

Staff believes that the request to add a carport addition is in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proposed Development Conditions contained in Appendix 1 of the staff report.

RECOMMENDATION

Staff recommends approval of SP 2008-MV-083 for the carport addition subject to the Proposed Development Conditions contained in Appendix 1 of the staff report. 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.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification and Attachments
4. Applicable Zoning Ordinance Provisions

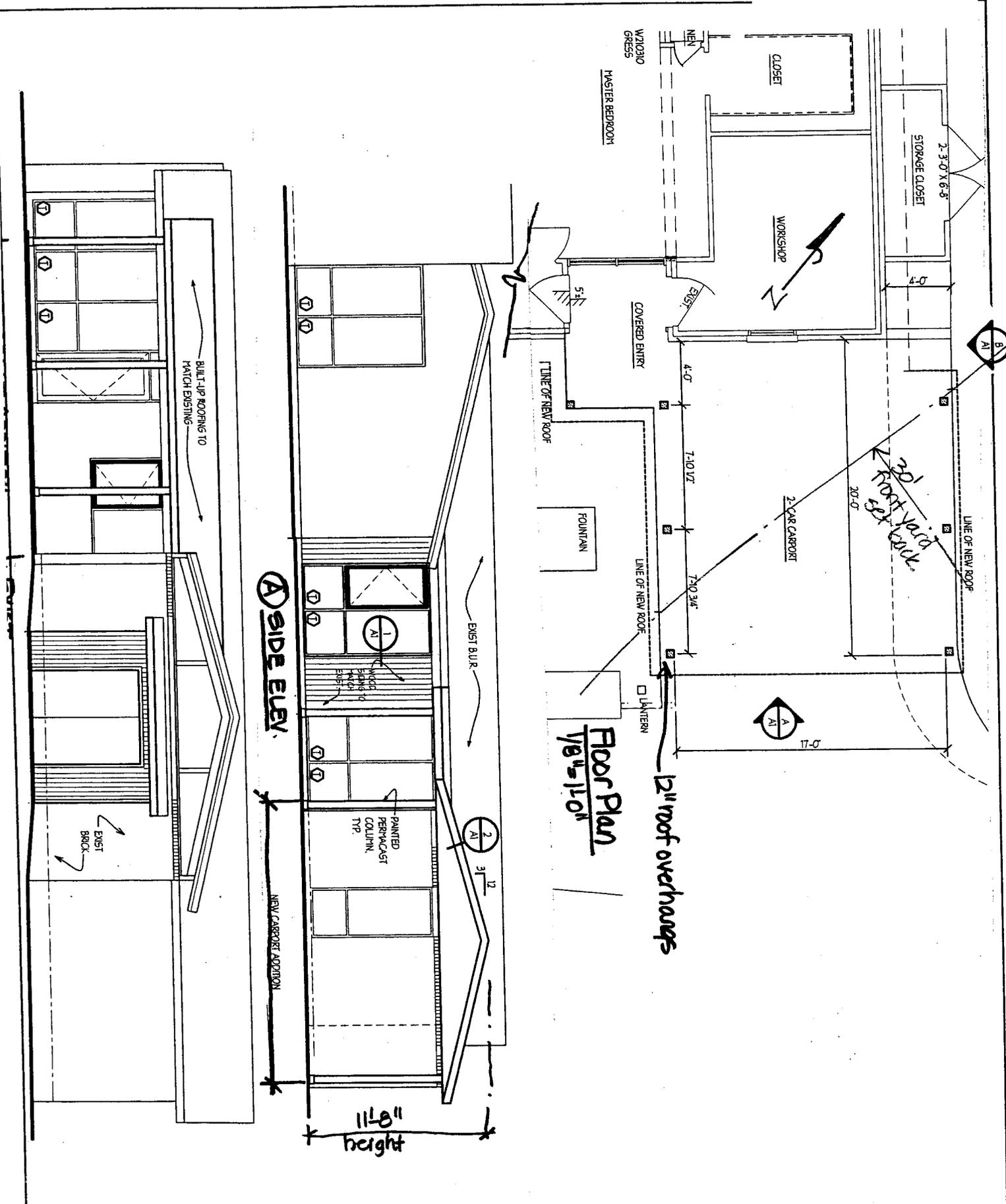
PROPOSED DEVELOPMENT CONDITIONS**SP 2008-MV-083****November 11, 2008**

If it is the intent of the Board of Zoning Appeals to approve SP 2008-MV-083 located at Tax Map 93-3 ((4)) 105 to permit reduction of certain yard requirements pursuant to Sections 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This special permit is approved for the location and size (approximately 350 square feet) of the proposed carport addition, as shown on the plat prepared by L.S. Whitson, Land Surveyor, revised by Rebecca L.G. Bostick, Architect, dated July 26, 2007, revised through July 8, 2008, as submitted with this application and is not transferable to other land.
2. The carport addition shall be consistent with the architectural renderings and materials included in Attachment 1 to these conditions.
3. A building permit shall be obtained prior to construction and approval of final inspections shall be obtained.

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 commence construction 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.



SHEET 1 OF 108
 DATE 4/1/08
 REVISED

REBECCA L.G. BOSTICK, AIA
 ARCHITECT
 1819 DRURY LANE, SUITE 101 ALEXANDRIA, VA 22307
 (703) 769-2250

Nanos Residence Carport
 2217 Marthas Road
 Alexandria VA 22307

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: March 29 2008
(enter date affidavit is notarized)

George P. + Joanne K. Nanos, do hereby state that I am an
(enter name of applicant or authorized agent)

Check one) applicant 99764
 applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true:

- (a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
George P. Nanos	1950 Marthas Road	Applicant / owner
Joanne K. Nanos	1950 Marthas Road	Applicant / "
	Alexandria, VA 22307	

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

None

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: March 29 2008
(enter date affidavit is notarized)

99764

(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

None

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

None

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

None

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: March 29 2008
(enter date affidavit is notarized)

99764

(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

None

(check if applicable) [] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

None

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: March 29, 2008
(enter date affidavit is notarized)

99764

d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

None

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

None

e). That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

None

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

None

Application No.(s): _____

(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: March 29, 2008
(enter date affidavit is notarized)

99764

That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

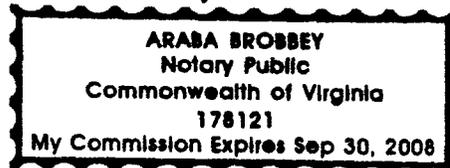
George P. Nanos
 Applicant [] Applicant's Authorized Agent

George P. Nanos, Jr + Jeanne K Nanos
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 29th day of March 2008, in the State/Comm. of Virginia, County/City of Alexandria

Araba Brobby
Notary Public

My commission expires: 9/30/08



APR 17 2008

Zoning Evaluation Division

Statement of Justification

2217 Marthas Road, Alexandria, VA 22307

5.00 This special permit application is to add a carport roof structure over an existing concrete driveway pad. **A reduction of 35' front yard to (sloping) 21' is requested.** The homeowner is handicap and needs a covered area to get out of the car and into the house. This carport is being added to make access easier.

5.01- 5.06 This is a residential site. Type of operation, hours of operation, patrons, employees, traffic impact, storage of hazardous or toxic substances are not applicable to this project.

5.07. The carport is designed to blend into the existing house. Wood siding (at gable ends) and built-up asphalt roofing on a low sloping roof structure are being used to match the existing house. There are no walls as three sides of this structure are open, the end wall is the existing wall of the house. This design has been approved by the Hollin Hills Architectural Design Committee to be in compliance and harmony with the requirements of this neighborhood, in scale, look, height, and details.

5.08 This is a residential site and hazardous or toxic substances are not applicable to this project.

5.09 The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards, including the International Residential Code. The only exception is the front yard set-back limit being requested herein this special permit.

930.00 The total gross floor area of the existing house is 2310 square feet. Nothing is being removed. 350 square feet of carport structure is being added (15% of the existing gross).

930.01 There are no accessory structures other than a small shed (approximately 25 SF) in the rear yard.

930.02 The carport will be similar in size and character, height and bulk, and scale of the existing structures on the site. This design has been approved by the Hollin Hills Architectural Design Committee to be in compliance and harmony with the requirements of this neighborhood, in scale, look, height, and details.

930.03 This design has been approved by the Hollin Hills Architectural Design Committee to be in compliance and harmony with the requirements of this neighborhood, in scale, look, height, and details. The yard is a large flat lot and there is no vegetation being-disturbed as the carport slab is existing. There are no trees being removed.

930.04 As this carport is open and can be seen through, this new addition will have no impact on the surrounding neighbors. The only thing they will notice is an additional

roof however, the owner is planning additional landscaping near the street to soften this impact. There will be minimal changes to storm water, again the slab is existing. Downspouts will spill on grade. With the lot being flat, no erosion will occur on this property or any other neighbor's property.

930.05 The location of the addition aligns with the existing concrete slab and driveway in the front of the house. The angle of the carport matches the angle of the existing house. There is no floodplain, no steep slopes, no resource protection area, no well or septic, no easements, no preservation of historic resources, no significant (or insignificant) trees to protect.

930.06-19 Plat is attached with items listed.

In addition:

903.15- The existing gross floor area is 2310 square feet. The proposed gross floor area is 2660 square feet. The proposed FAR is .09 (2660 square feet on a 24,271 square feet lot).

903.17 The overhang on the carport includes a 12" rake on the front of the carport and a 12" overhang along each side.

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-903 Standards for All Group 9 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, or other appropriate submission as determined by the Director.

8-922 Provisions for Reduction of Certain Yard Requirements

The BZA may approve a special permit to allow a reduction of certain yard requirements subject to all of the following:

1. Only the following yard requirements shall be subject to such special permit:
 - A. Minimum required yards, as specified in the residential, commercial, industrial and planned development districts in Articles 3, 4, 5 and 6, provided such yards are not subject to proffered conditions or development conditions related to yards and/or such yards are not depicted on an approved conceptual development plan, final development plan, development plan, special exception plat, special permit plat or variance plat.
 - B. Yard regulations for pipestem lots and lots contiguous to pipestem driveways set forth in Sect. 2-416.
 - C. Accessory structure location requirements set forth in Sect. 10-104.
 - D. Regulations on permitted extensions into a minimum required yard as set forth in Sect. 2-412.

Approval of a reduction of yard requirements specified in Paragraphs A, B and C above shall not result in any yard that is less than fifty (50) percent of the requirement and shall not result in any yard of less than five (5) feet, as measured from the lot line to the closest point of the proposed structure.

Approval of a reduction of yard requirements specified in Par. D above shall not result in an extension that exceeds the applicable distances set forth in Sect. 2-412 by more than fifty (50) percent. Where no extension is permitted by the provisions of Sect. 2-412, the BZA shall not approve a special permit that results in a structure that extends into a minimum required yard by more than fifty (50) percent.

2. Such reduction shall not result in the placement of a detached accessory structure in a front yard where the placement of such accessory structure is not otherwise permitted in that yard.

3. This special permit shall only apply to those lots that contain a principal structure and use that complied with the minimum yard requirements in effect when the use or structure was established.
4. The resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first yard reduction request. In such instance, if a portion of the principal structure is to be removed, no more than fifty (50) percent of the gross floor area of the existing principal structure at the time of the first yard reduction shall be removed.
5. The resulting gross floor area of an existing accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use and intent to the principal structure on the site.
6. The BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot.
7. The BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director.
8. The BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff.
9. The BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic

field; location of easements; and/or preservation of historic resources.

10. The BZA may impose such conditions as it deems necessary to satisfy these criteria, including, but not limited to imposition of a maximum gross floor area, floor area ratio, lot coverage, landscaping and/or screening requirements.
11. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by fifteen (15) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia. Such plat shall contain the following information:
 - A. Boundaries of entire property, with bearings and distances of the perimeter property lines, and of each zoning district.
 - B. Total area of the property and of each zoning district in square feet or acres.
 - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
 - D. The location, dimension and height of any building, structure or addition, whether existing or proposed. In addition, for decks, the height of the finished floor above finished ground level.
 - E. All required minimum yards to include front, side and rear, a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing and proposed structures to lot lines.
 - F. Means of ingress and egress to the property from a public street(s).
 - G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).

- H. If applicable, the location of a well and/or septic field.
 - I. Existing and proposed gross floor area and floor area ratio.
 - J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
 - K. The location, type and height of any existing and proposed landscaping and screening.
 - L. Approximate delineation of any floodplain designated by the Federal Insurance Administration, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.
 - M. Seal and signature of professional person certifying the plat.
12. Architectural depictions of the proposed structure(s) as viewed from all lot lines and street lines to include building materials, roof type, window treatment and any associated landscaping and/or screening shall be provided.