



APPLICATION ACCEPTED: November 20, 2008
BOARD OF ZONING APPEALS: February 10, 2009
TIME: 9:00 a.m.

County of Fairfax, Virginia

February 3, 2009

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2008-MA-105

MASON DISTRICT

APPLICANT: Joyce C. Purdue, Trustee

OWNERS: Joyce C. Purdue, Trustee
Merion W. Purdue, Trustee

SUBDIVISION: Sleepy Hollow

STREET ADDRESS: 3172 Holmes Run Road

TAX MAP REFERENCE: 50-4 ((22)) 5B

LOT SIZE: 20,000 square feet

ZONING DISTRICT: R-1

ZONING ORDINANCE PROVISIONS: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of an addition 14.0 feet from side lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2008-MA-105 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:\SMCKNI\SP\Purdue - SP 2008-MA-105\Staff Report Purdue SP 2008-MA-105.doc

Shelby Johnson

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.

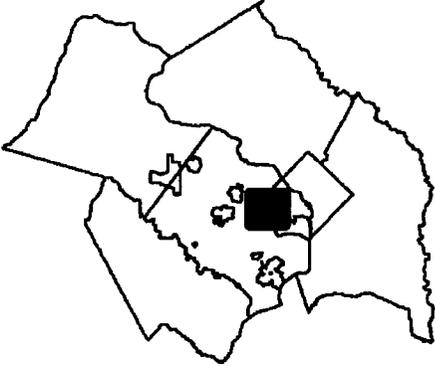
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



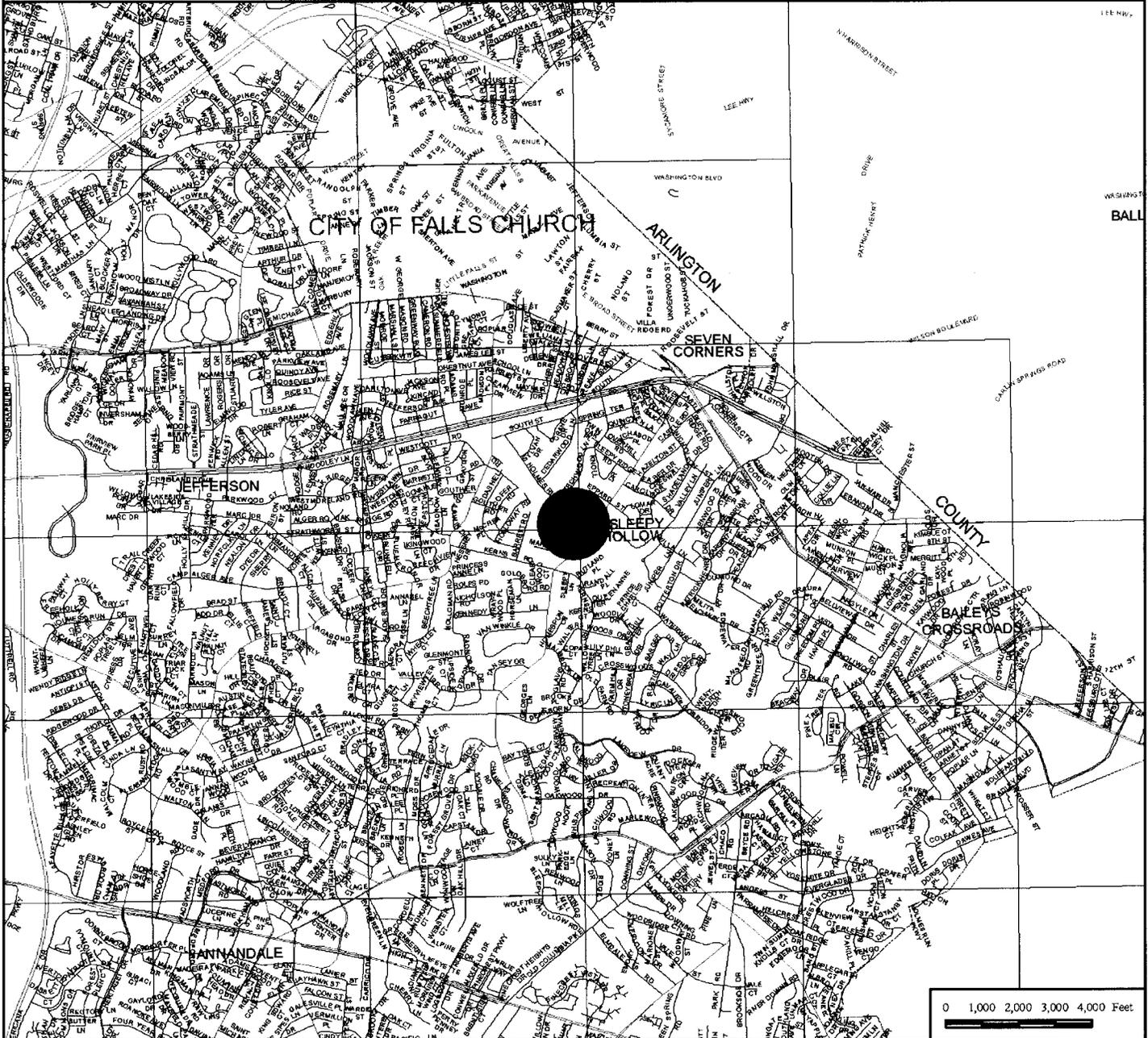
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit
SP 2008-MA-105

Applicant: JOYCE C PURDUE, TRUSTEE
Accepted: 11/20/2008
Proposed: REDUCTION OF CERTAIN YARD REQUIREMENTS
TO PERMIT ADDITION 14.0 FEET FROM
SIDE LOT LINE

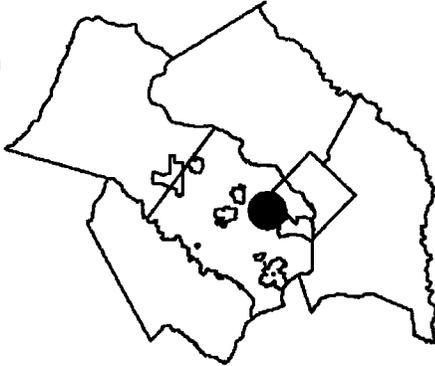


Area: 20,000 SF OF LAND; DISTRICT - MASON
Zoning Dist Sect: 08-922
Art 8 Group and Use: 9-21
Located: 3172 HOLMES RUN ROAD
Zoning: R-1
Overlay Dist:
Map Ref Num: 050-4- /22/ /0005B

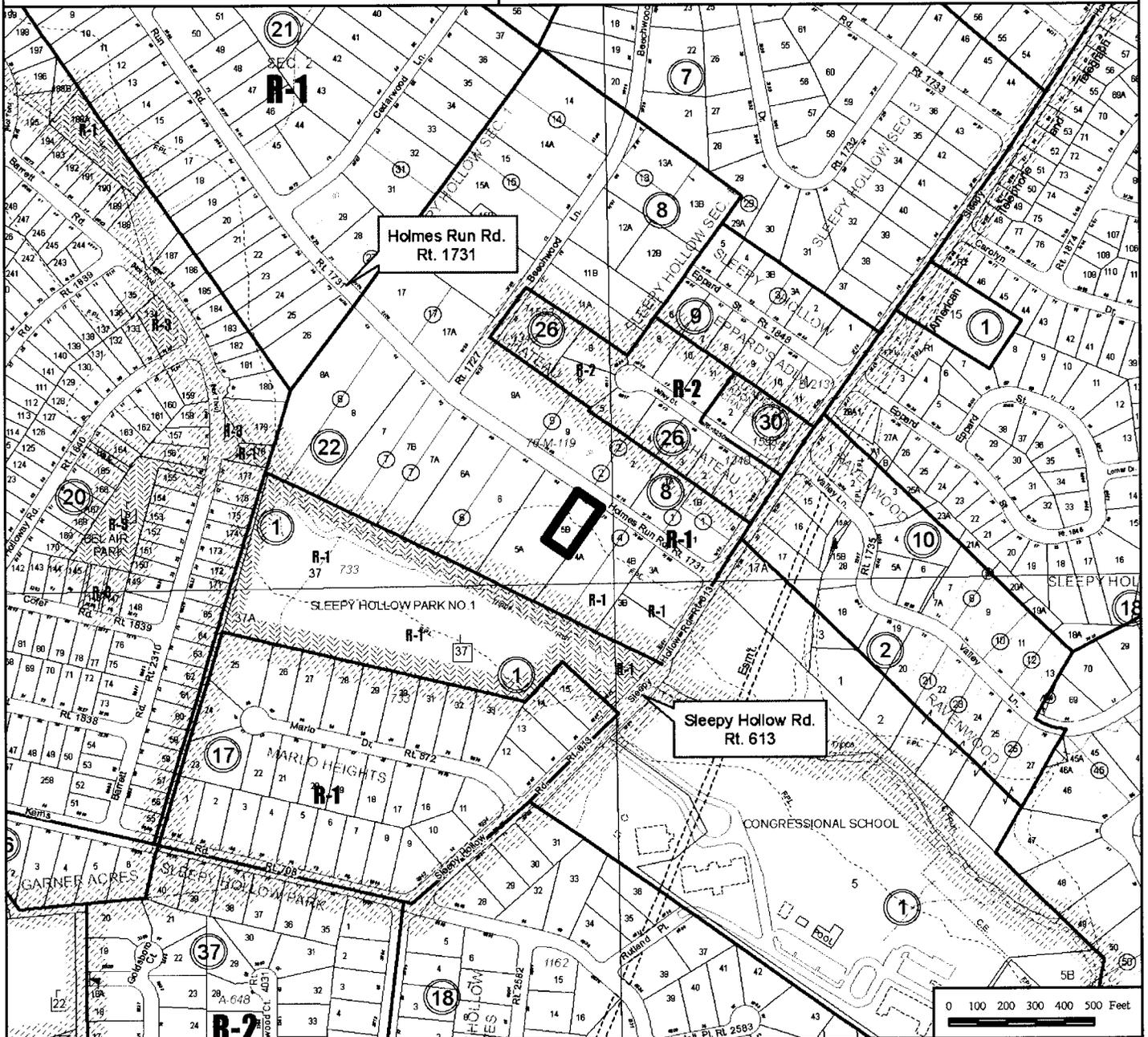


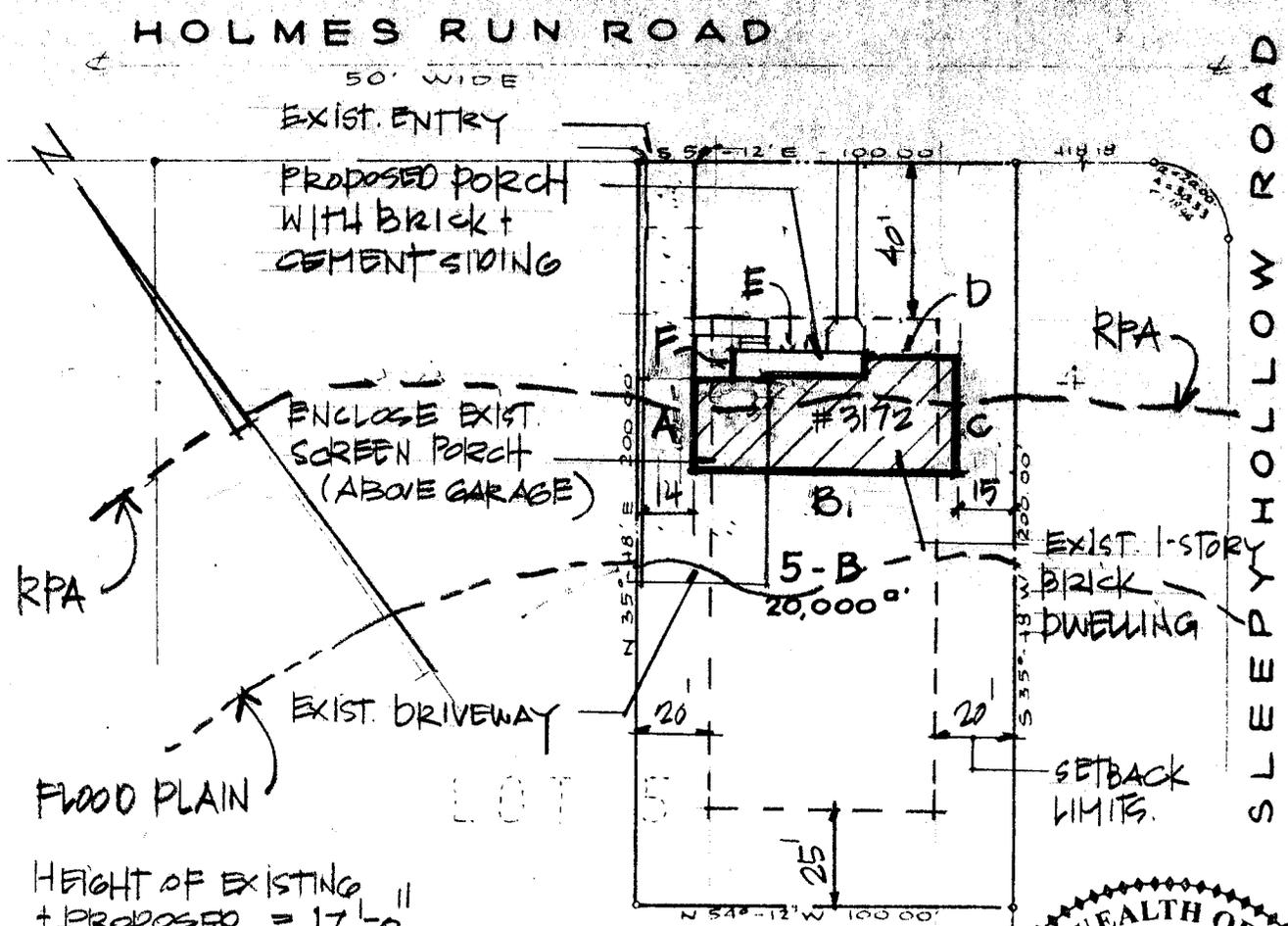
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Art 8 Group and Use: 9-21
Located: 3172 HOLMES RUN ROAD
Zoning: R-1
Overlay Dist:
Map Ref Num: 050-4- /22/ /0005B





HEIGHT OF EXISTING
 + PROPOSED = 17'-0"
 NO EASEMENTS
 HOUSE SERVED BY
 PUBLIC SEWER
 FAR: .18

PLAT

SHOWING HOUSE LOCATION

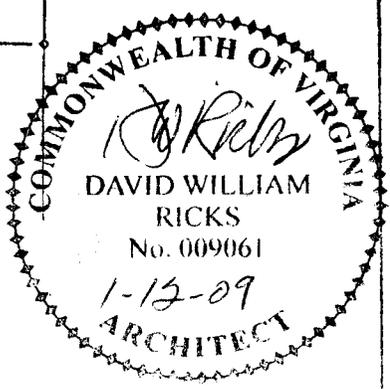
**LOT 5-B SECTION 1
 SLEEPY HOLLOW**

FALLS CHURCH MAGISTERIAL DISTRICT
 FAIRFAX COUNTY, VIRGINIA

SCALE 1" = 50'

APRIL 30, 1956

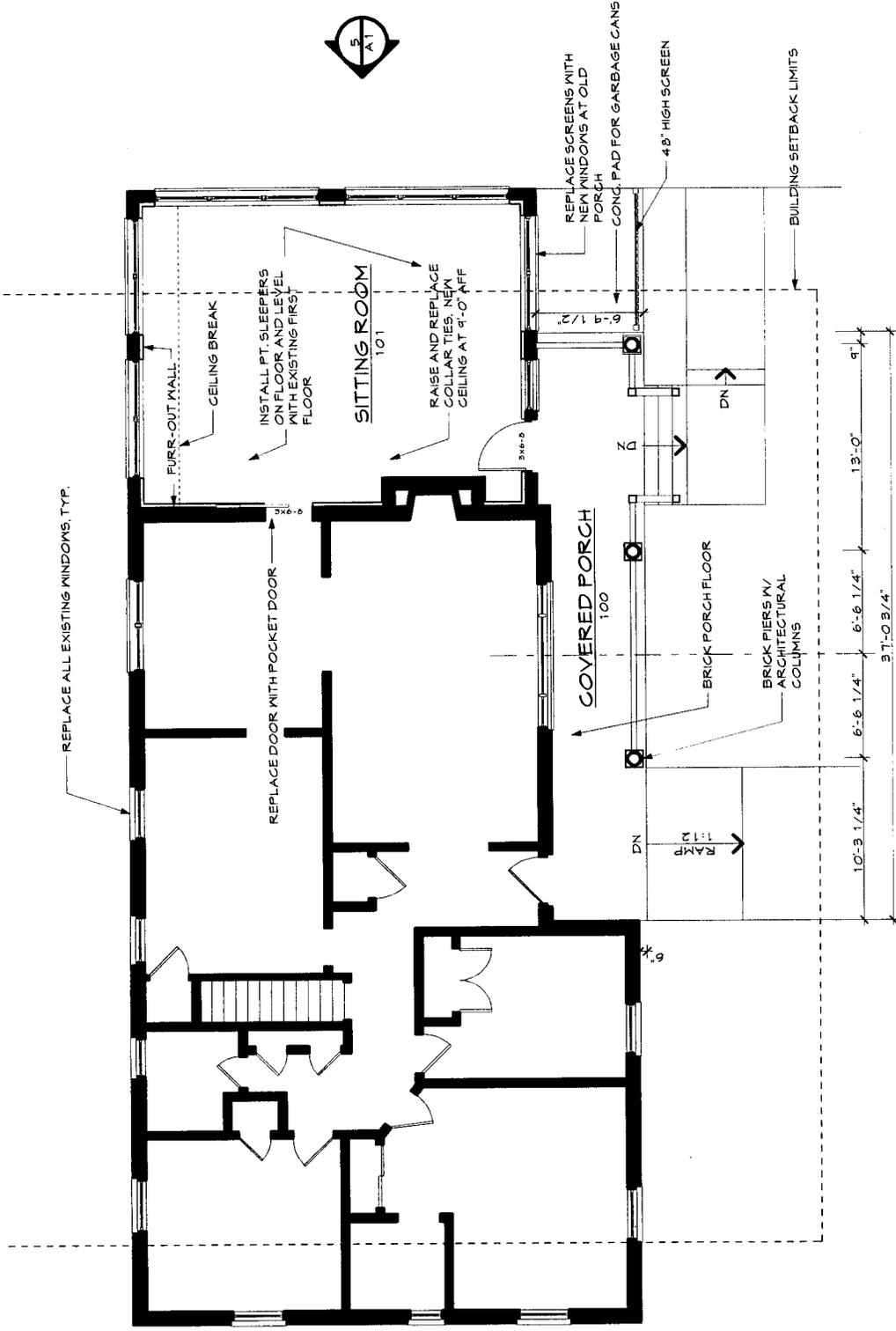
Building Dimension Key (ft) JOHNSON & WILLIAMS
 A = 25.5 West side wall CERTIFIED SURVEYORS
 B = 71.1 South Rear wall WASHINGTON, DC
 C = 32.3 East side wall
 D = 25.3 North front wall
 E = 37.0 North wall of porch
 F = 6.8 West wall of porch



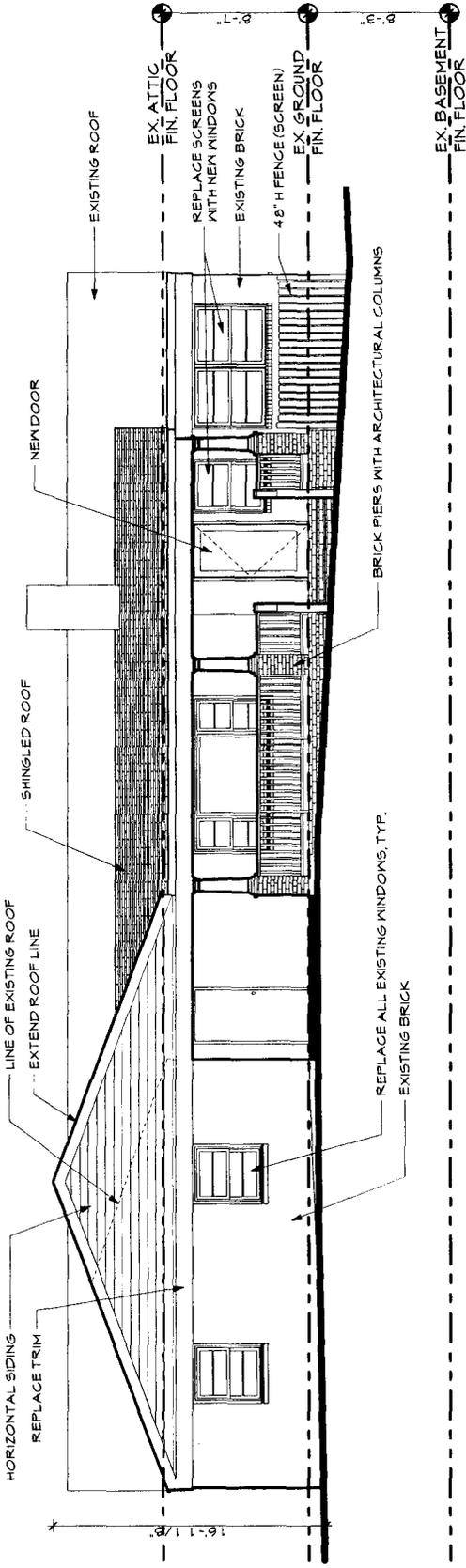
John Williamson

The Architect's seal certifies noted setbacks, building heights and description of new work. The Architect does not certify the content of the original plat prepared by the Certified Surveyor Johnson & Williamson dated April 30, 1956, including the property description, house location and all metes & bounds.

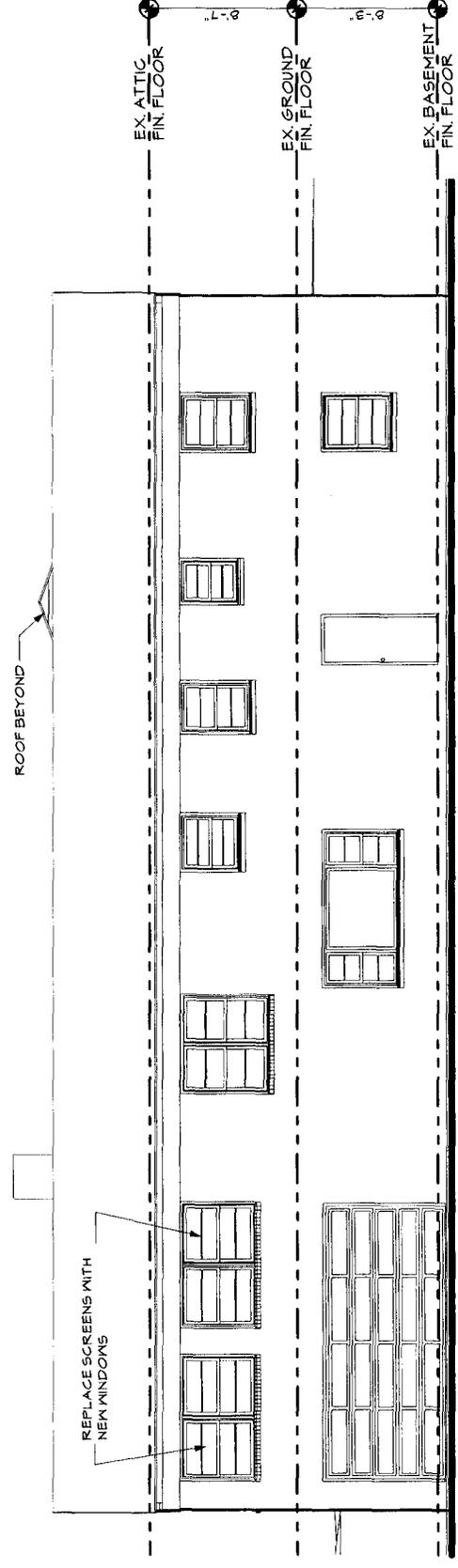
David W. Ricks, AIA
 President



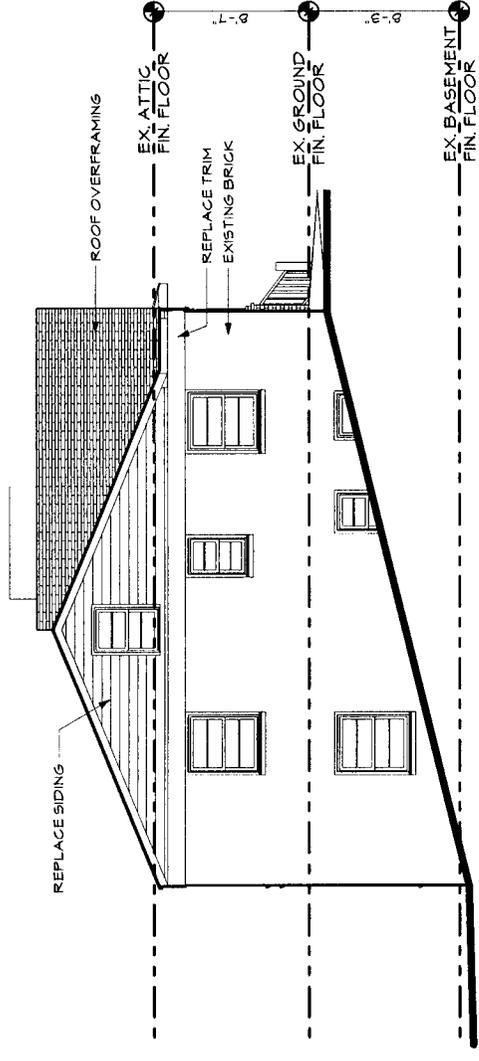
1
A1 **GROUND FLOOR PLAN**
SCALE: 1" = 10'-0"



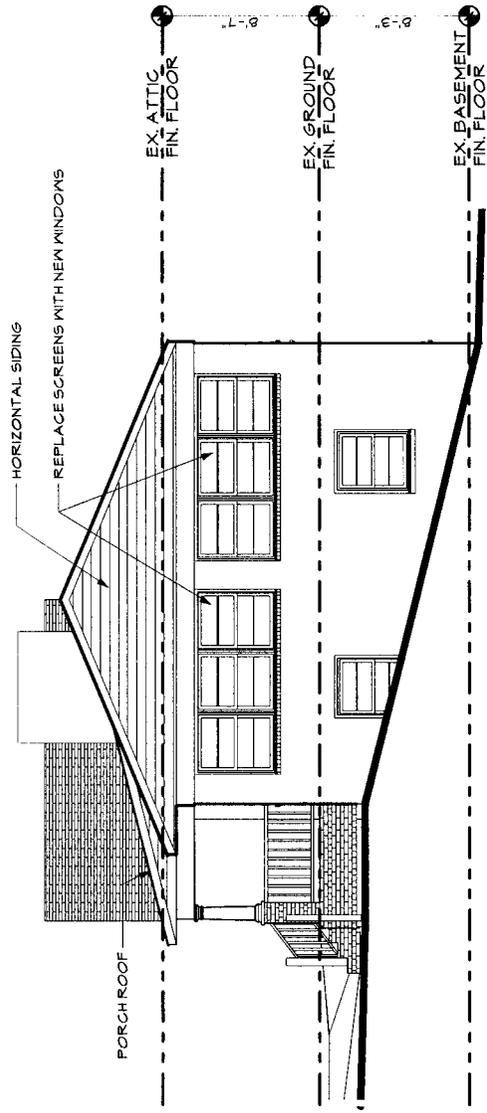
2 NORTH ELEVATION (FRONT)
SCALE: 1" = 10'-0"



1 SOUTH ELEVATION (REAR)
SCALE: 1" = 10'-0"



2 EAST ELEVATION
SCALE: 1" = 10'-0"



1 WEST ELEVATION
SCALE: 1" = 10'-0"

DWR
ARCHITECTS

DWR ARCHITECTS, ASSOCIATES, P.C.
1000 N. 14th STREET, SUITE 200
ARPAJISEN, ARIZONA 85121
PH: 702.515.0156
FX: 702.412.9778

dwr@dwrarchitects.com

**THE PURDUE
RESIDENCE**

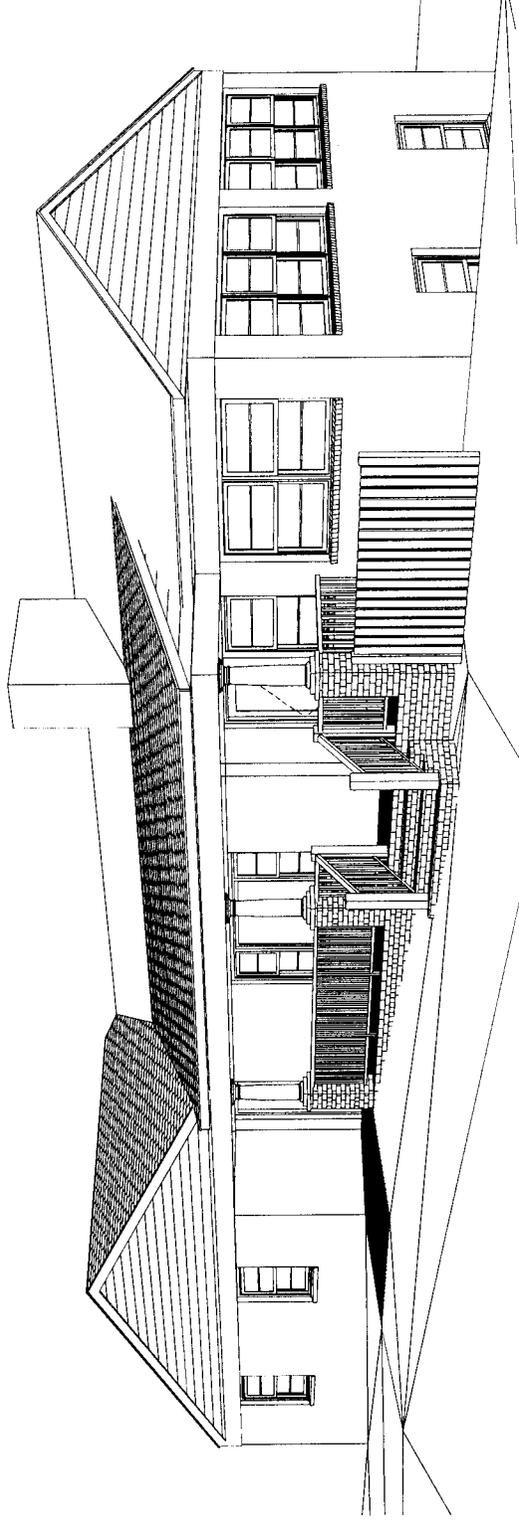
3172 Holmes Run Road
Falls Church, Virginia 22042

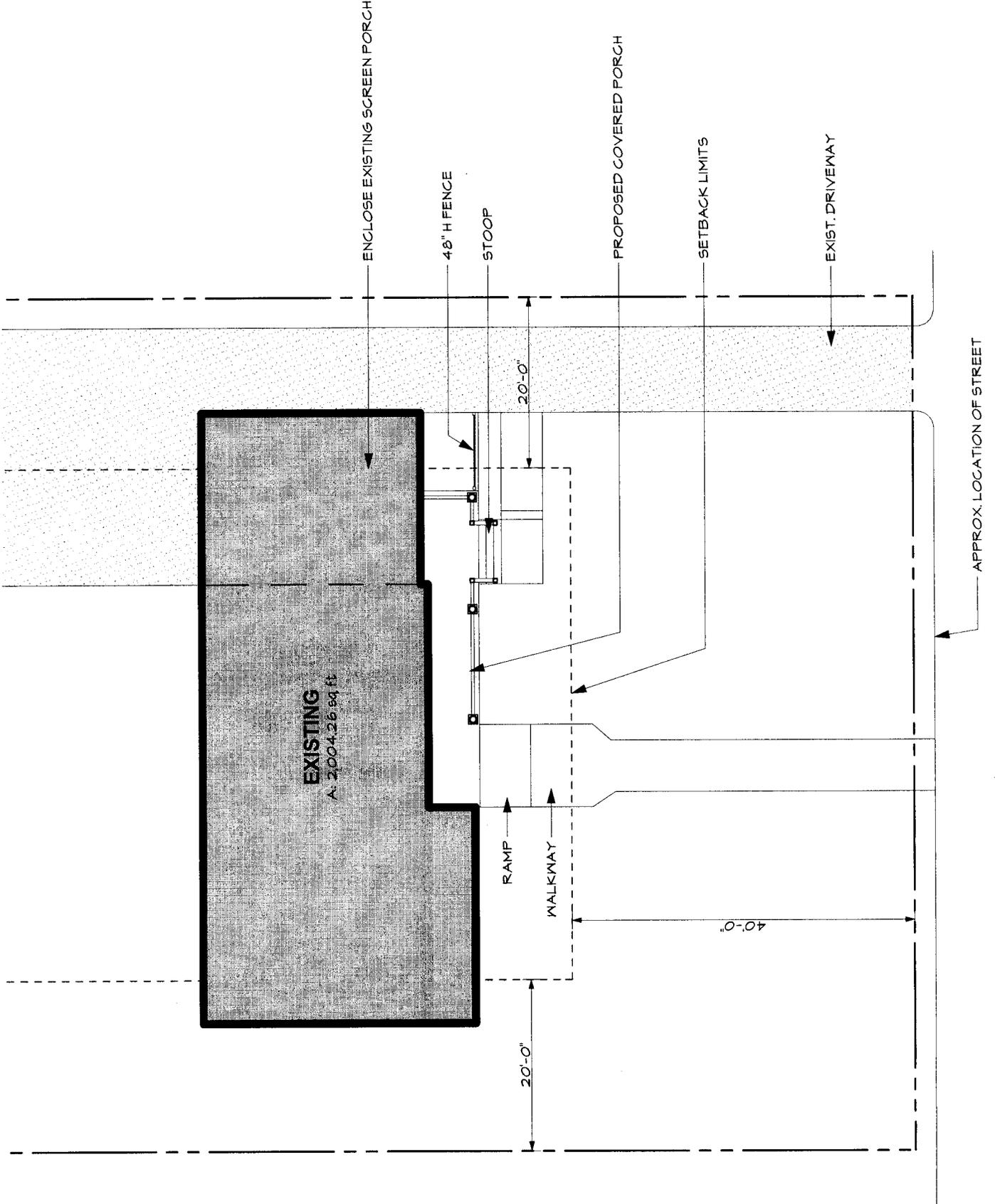
DATES:
VARIANCE SET
10/20/08

Proposed
Building
Perspective

A4

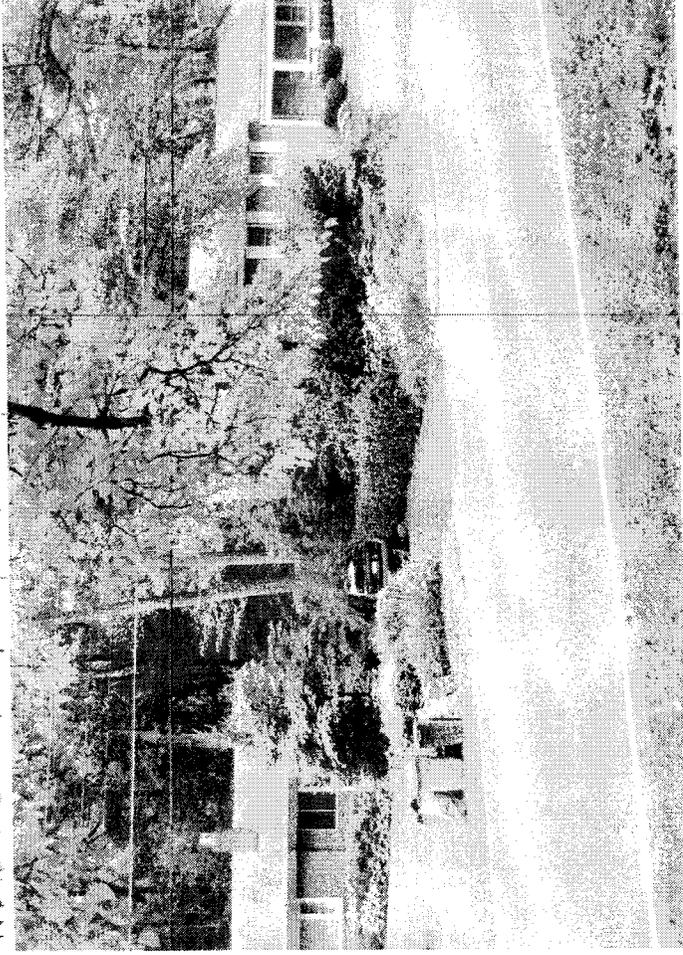
200810





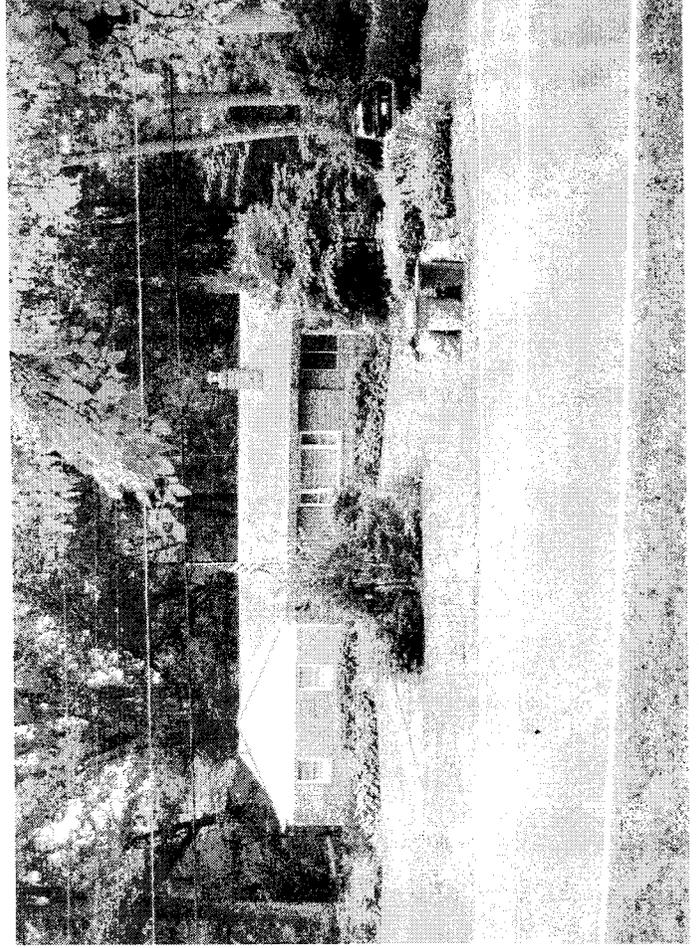
HOLMES RUN ROAD

NEIGHBOR TO WEST - FRONT



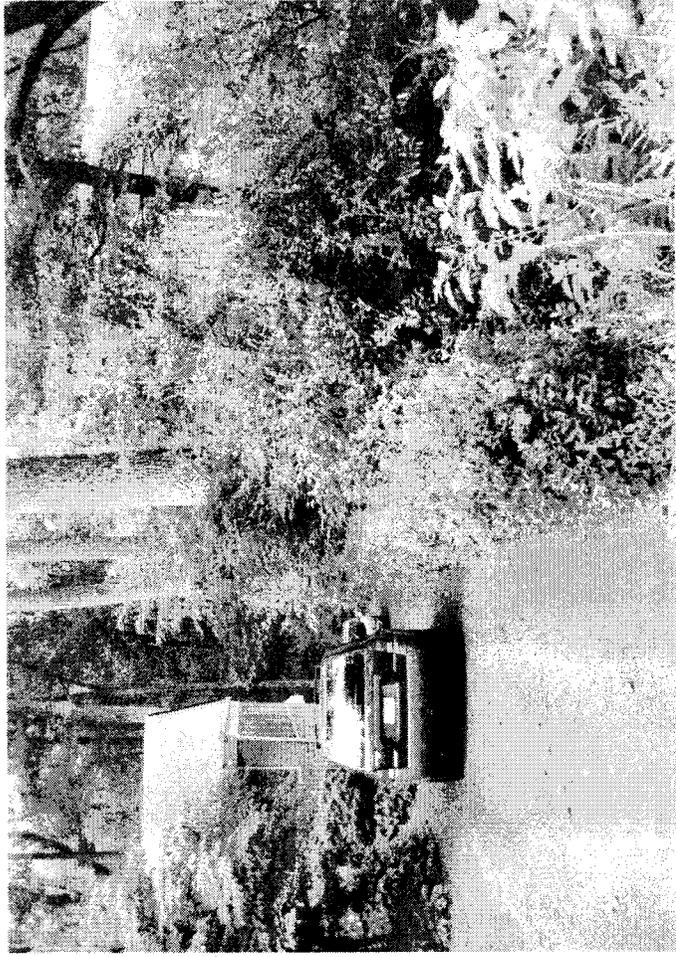
NEIGHBOR TO NORTH

NEIGHBOR TO WEST - REAR



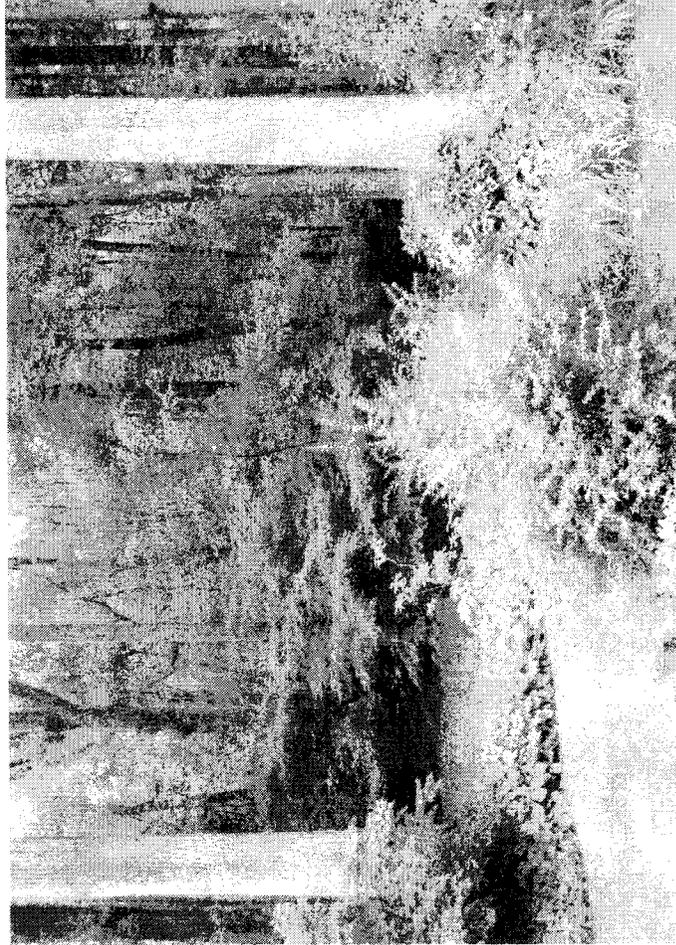
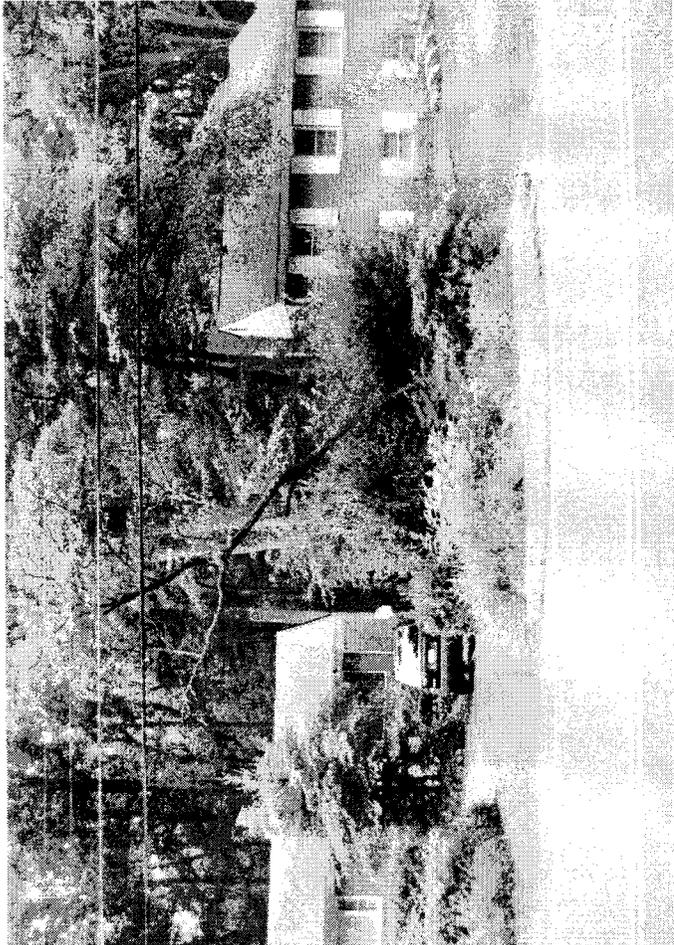
VIEW FROM ROAD

WEST LOT LINE LOOKING SOUTH



WEST LOT LINE LOOKING NORTH

VIEW OF WEST LOT LINE



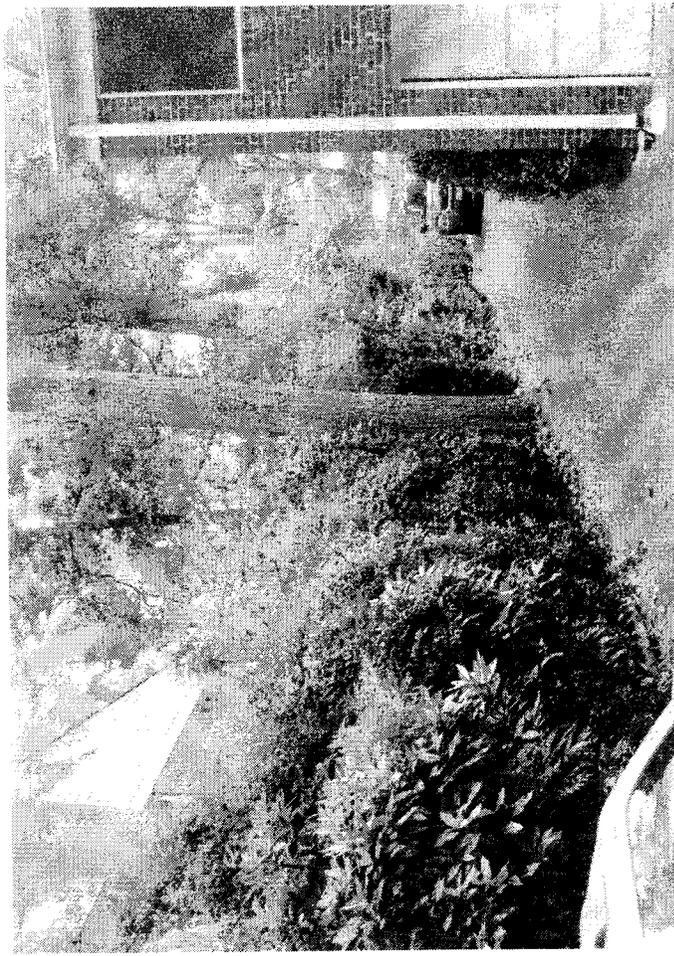
VIEW FROM HOUSE TOWARDS SOUTH

EAST LOT LINE LOOKING SOUTH

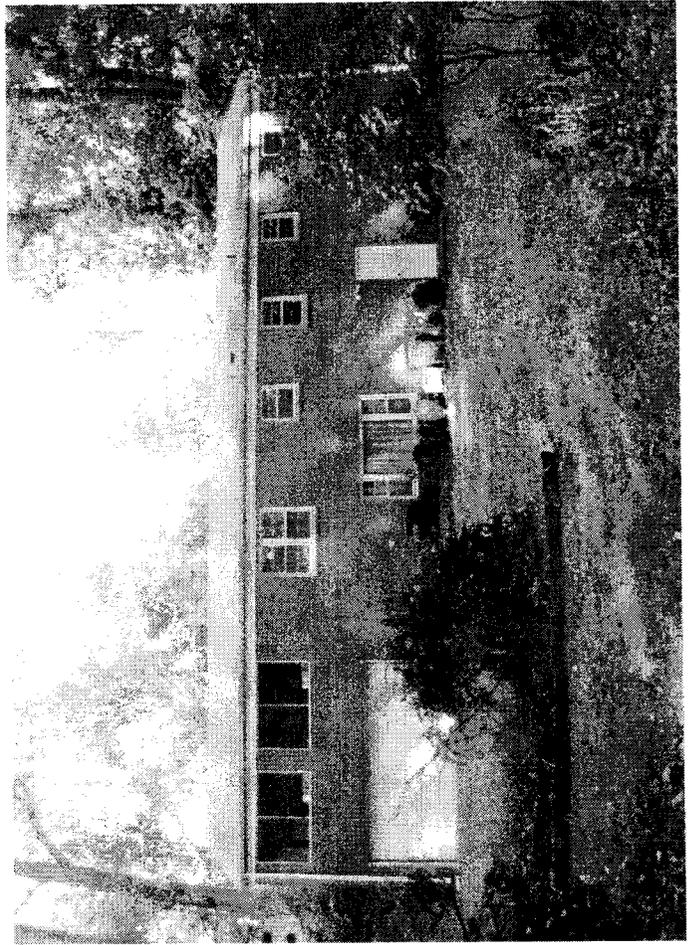


EAST LOT LINE LOOKING NORTH

DRIVEWAY LOOKING SOUTH

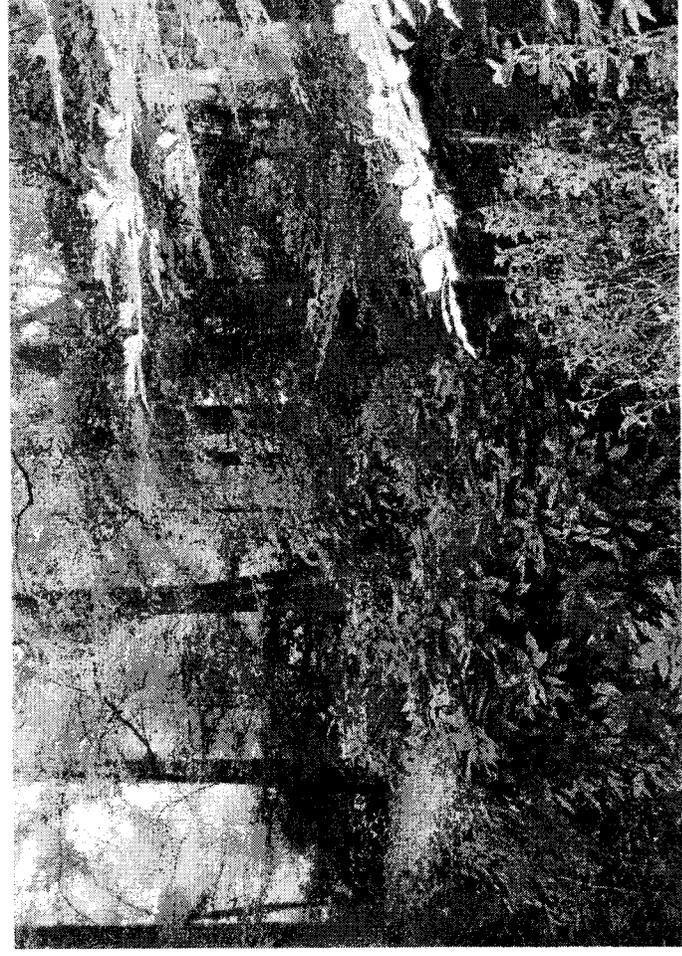


DRIVEWAY LOOKING NORTH



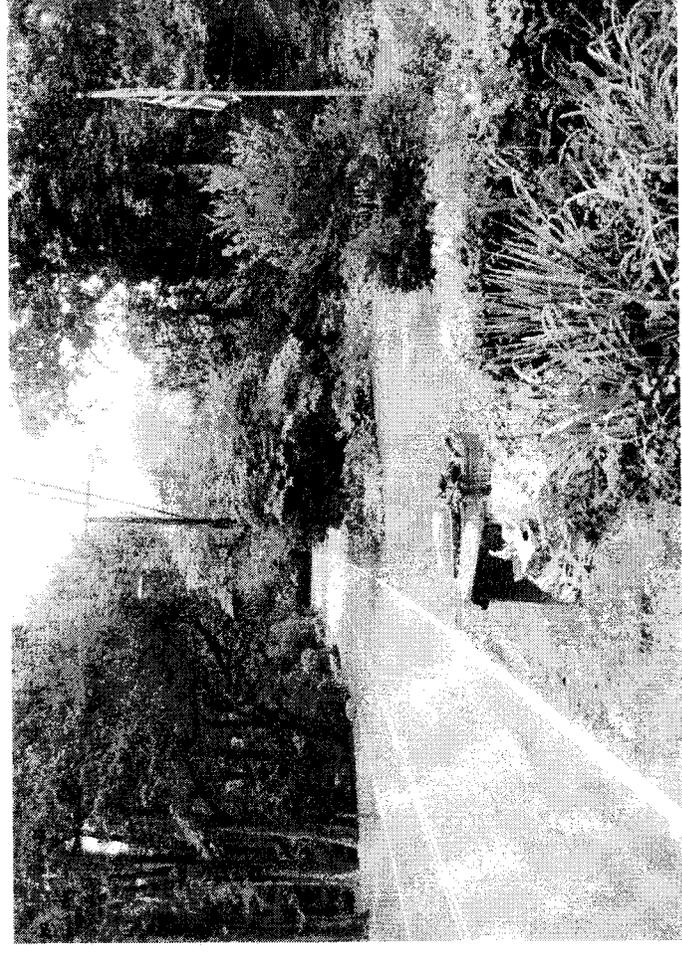
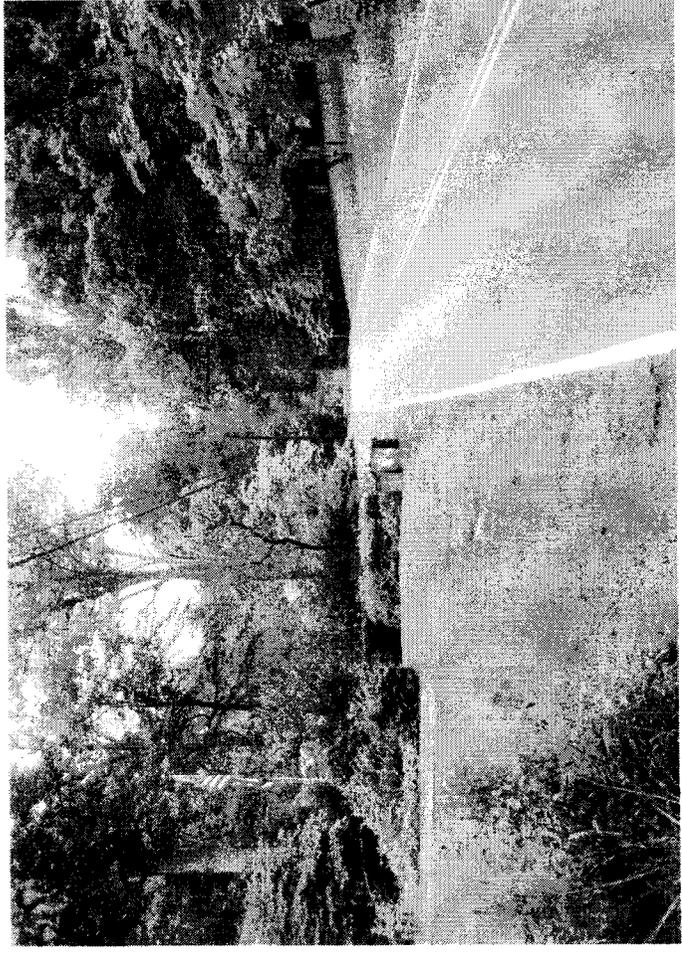
VIEW FROM REAR

SOUTH LOT LINE LOOKING WEST



SOUTH LOT LINE LOOKING EAST

NORTH LOT LINE LOOKING WEST



NORTH LOT LINE LOOKING EAST

DESCRIPTION OF THE APPLICATION

The applicant is seeking approval of a special permit for the reduction of certain yard requirements to permit the construction of an addition, the enclosure of an existing screen porch, which measures 17.0 feet in height, to be located 14.0 feet from a side lot line.

	Structure	Yard	Minimum Yard Required	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit	Addition	Side (west)	20.0 feet*	14.0 feet	6.0 feet	30%

*Minimum yard requirement per Section 3-107

EXISTING SITE DESCRIPTION

The 20,000 square-foot site is currently zoned to the R-1 Zoning District and is developed with a brick and stone, single family detached dwelling. The single-story rambler consists of 3,600 square feet of gross floor area including the existing screened-in porch, the basement living space and the basement-level garage. The building footprint is the same as that which was recorded in 1956. Ingress and egress to the site is provided via a paved driveway accessed from Holmes Run Road. The driveway extends along the western property line, terminating at the basement-level garage at the rear of the house. There is no distinction between the existing screened-in porch and the rest of the dwelling. The porch area, with brick façade to match the rest of the dwelling, is located above the garage, but ties into the main level of the dwelling and appears to have been constructed with the original house. There is a Resource Protection Area (RPA) and floodplain on the property. However, the proposed enclosure does not require any land disturbance or additional construction in the RPA or floodplain. There is a significant amount of lush and mature vegetation on site. The existing side yards are 14.0 feet, where 20 feet is required in the R-1 District.

CHARACTER OF THE AREA

	Zoning	Use
North	R-1, R-2	Single Family Detached Dwellings
East	R-1	Single Family Detached Dwellings
South	R-1	Public Park, Single Family Detached Dwellings
West	R-1, R-3	Single Family Detached Dwellings

BACKGROUND

County tax records indicate that the dwelling was constructed in 1956 and the building footprint appears to be the same as that which was recorded in 1956. The Board of Zoning Appeals (BZA) heard the following similar variance applications in the vicinity of the application parcel:

- *Variance VC 84-M-082* was approved on July 3, 1984 for Tax Map 50-4 ((21)) 11, zoned R-1, at 3056 Holmes Run Road, to permit room and deck additions to dwelling 15.8 and 9.8 feet, respectively, from side lot lines (20 feet and 14 feet minimum side yards respectively required).
- *Variance VC 86-M-079* was approved on October 14, 1986 for Tax Map 50-4 ((21)) 33, zoned R-1, at 3059 Cedarwood Lane, to permit construction of garage addition to dwelling 10.4 feet from side lot line (20 feet minimum side yard required).
- *Variance VC 86-M-121* was approved on March 4, 1987 for Tax Map 50-4 ((22)) 11B, zoned R-1, at 3113 Beechwood Lane, to permit construction of addition to dwelling 12.0 feet from side lot line (20 feet minimum side yard required).
- *Variance VC 89-M-079* was approved on September 21, 1989 for Tax Map 50-4 ((21)) 52, zoned R-1, at 3029 Sylvan Drive, to allow enclosure of existing screened porch 10.0 feet from side lot line (20 feet minimum side yard required).
- *Variance VC 88-M-147* was approved on December 7, 1988 for Tax Map 51-3 ((9)) 10, zoned R-1, at 6445 Eppard Street, to permit construction of addition to dwelling 16.1 feet from the side lot line (20 feet minimum side yard required) and 29.7 feet from the front lot line (40 feet minimum front yard required).
- *Variance VC 89-M-014* was approved on May 26, 1989 for Tax Map 51-3 ((9)) 10, zoned R-1, at 6445 Eppard Street, to permit construction of addition to dwelling 16.1 feet from the side lot line (20 feet minimum side yard required).
- *Variance VC 94-M-027* was denied on June 15, 1994 for Tax Map 51-3 ((9)) 3B, zoned R-1, at 6452 Eppard Street, to permit construction of addition (garage) 7.0 feet from the side lot line (20 feet minimum side yard required).
- *Variance VC 2002-LE-181* was approved on February 12, 2003 for Tax Map 82-3 ((28)) 18, zoned R-3, at 5907 Montell Drive, to permit the construction of an addition 18.5 feet from the rear lot line.

ANALYSIS

Special Permit Plat (Copy at front of staff report)

- **Title of Plat:** Plat Showing House Location, Lot 5-B, Sleepy Hollow
- **Prepared by:** Johnson and Williams Certified Planners, and certified by David William Ricks, Architect
- **Dated:** April 30, 1956, as revised through January 12, 2009

Proposal:

The applicant is requesting special permit approval to permit an addition to be located 14.0 feet from the western side lot line. The applicant proposes to enclose 460 square feet of an existing screen porch that is connected to the main structure. The enclosure will maintain its existing roof height of 17 feet and there are no proposed changes to the foundation. The applicant plans to remove the existing screens and replace them with new windows. The area is proposed to be used as an all-season sitting room within 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 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 uses 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. *By observation of the neighborhood through submitted photographs, staff believes that the proposed sitting room addition will not adversely affect the use or development of neighboring properties. The proposed enclosure maintains the existing footprint of the dwelling, with no changes to the structure and primary brick façade. Staff believes that*

the request is minimal and is the most logical location on the property for the enclosure as it is being constructed in the same location of the existing porch. Therefore, 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 property has a significant amount of mature vegetation on site. Since the proposed sitting room is to be located in the same location as the existing porch, there should be minimal impact to existing vegetation which will continue to serve as a buffer between the existing dwelling and adjacent properties. As such, staff does not believe any additional vegetation is needed 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 pertains to building additions resulting in additional living space. There is no additional living space being added to the site that was not already included as part of the existing gross floor area; therefore, Standard 4 does not apply to this application. Standard 5 relates to accessory structures and does 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 submitted indicate that the materials, size and scale of the proposed sitting room will be compatible with the existing structure. The proposed sitting room would not create any additional height to the overall existing structure as the addition is proposed to be in the exact location as the previous screened-in porch. 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. Urban Forest Management (UFM) has indicated that a small spruce might need to be removed to make room for the addition of the small, new porch. However, that porch is meeting the minimum required yards and is not a part of this special permit application. Regardless, UFM has recommended approval of the special permit request. With review of the photographs submitted, staff believes that the proposed improvements are compatible with the surrounding houses in the neighborhood. The surrounding neighborhood contains homes with similar additions, both in size and height. Therefore, 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 storm water runoff portion of the standards since the Department of Public Works and Environmental Services (DPWES) has not indicated that there are drainage complaints on file related to this property. Staff believes that the enclosure will have very little impact on stormwater runoff, noise, light, air, safety or erosion since the overall footprint of the enclosure will not add impervious area. In fact, noise should be reduced since the existing exterior space will become an interior room. 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. There is a Resource Protection Area (RPA) and floodplain on the property. However, the proposed enclosure does not require any land disturbance or additional construction in the RPA or floodplain. The applicant will need approval of the Chesapeake Bay Preservation Ordinance (CBPO) Sect. 118-5-4(a) Waiver and written permission from the Director of DPWES for working in a floodplain. While such a waiver is not granted as part of the special permit process, DPWES has indicated that a favorable approval is likely. The location of the sunroom addition on the northwest side of the existing dwelling will provide the applicant with all-season living space which will replace a screened-in porch that existed in the same location. The proposed scale of the addition matches that of the existing dwelling and is located in a logical location of the former porch. The sitting room maintains the architectural style of the existing dwelling, and is compatible with the subject property and surrounding dwellings and properties. There will be minimal impact to existing vegetation that will continue to provide adequate buffer for adjacent properties. Therefore, staff does not believe that additional vegetation is warranted. Other concerns regarding well and/or septic easements and preservation are not applicable to this site. Staff believes that the application meets this provision.

CONCLUSION

Staff believes that the subject application 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-MA-105 for the 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 with Attachment 1
2. Applicant's Affidavit
3. Applicant's Statement of Justification and Attachments
4. Urban Forest Management Analysis
5. Stormwater Management Analysis
6. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2008-MA-105****February 3, 2009**

If it is the intent of the Board of Zoning Appeals to approve SP 2008-MA-105 located at Tax Map 50-4 ((22)) 5B 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 460 square feet) of the proposed addition, as shown on the plat prepared by Johnson and Williams Certified Planners, and certified by David William Ricks, Architect, dated April 30, 1956, as revised through January 12, 2009, submitted with this application and is not transferable to other land.
2. All applicable permits shall be obtained prior to construction of the addition.
3. The addition shall be architecturally compatible with the existing dwelling on site, as depicted on Attachment 1.
4. The addition shall comply with the current Chesapeake Bay Ordinance requirements. A waiver for the addition shall be obtained, if necessary, from the Department of Public Works and Environmental Services (DPWES) prior to construction.

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.

DWR ARCHITECTS
 ARCHITECTS - ASSOCIATES PC
 200 N. HANCOCK STREET SUITE 203
 WASHINGTON, INDIANA 47201
 PH: 765.872.9136
 FAX: 765.872.9136
 dwr@dwrsarchitects.com

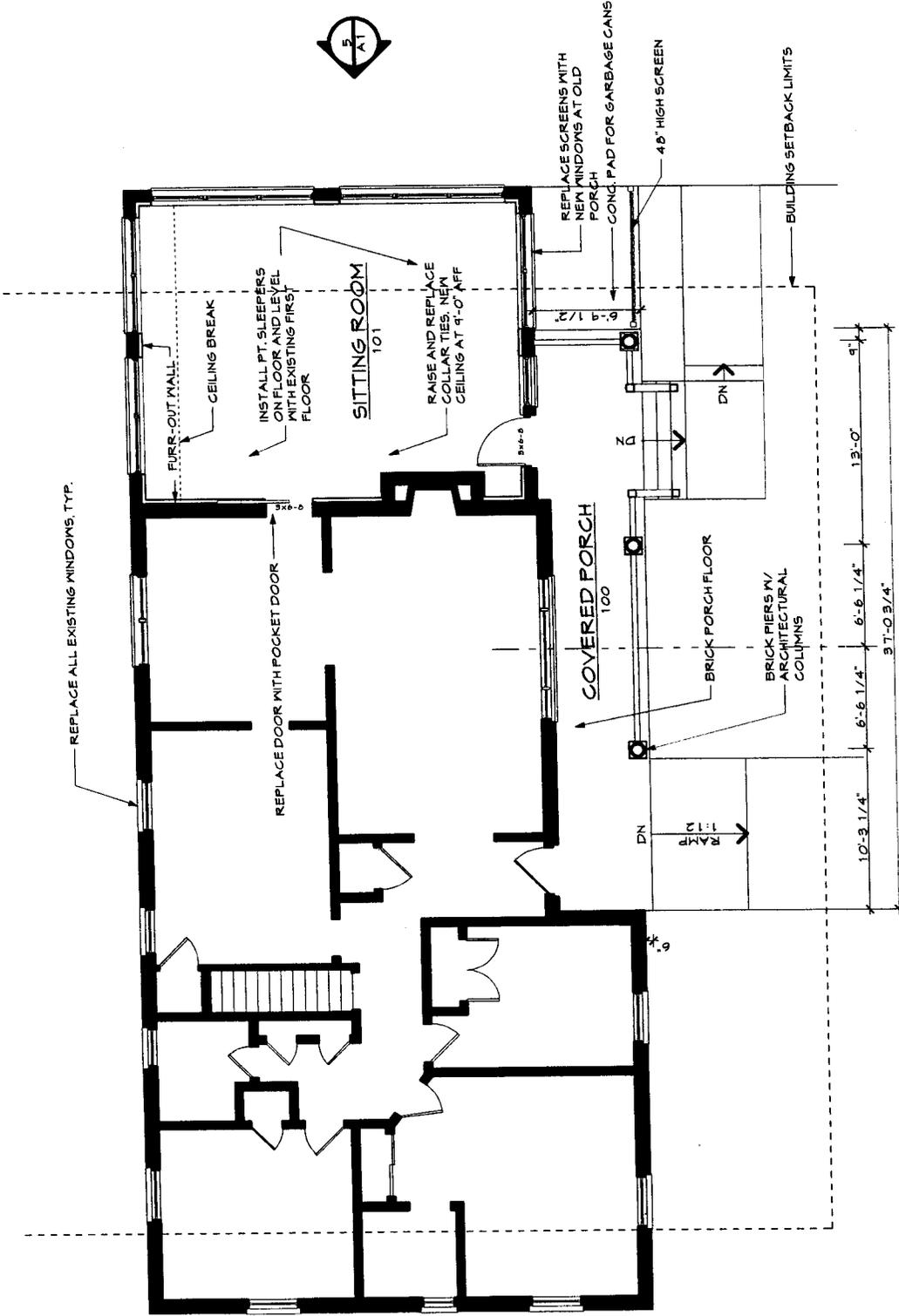
THE PURDUE RESIDENCE
 3172 Holmes Run Road
 Falls Church, Virginia 22042

DATE: 10/20/08
 VARIANCE SET

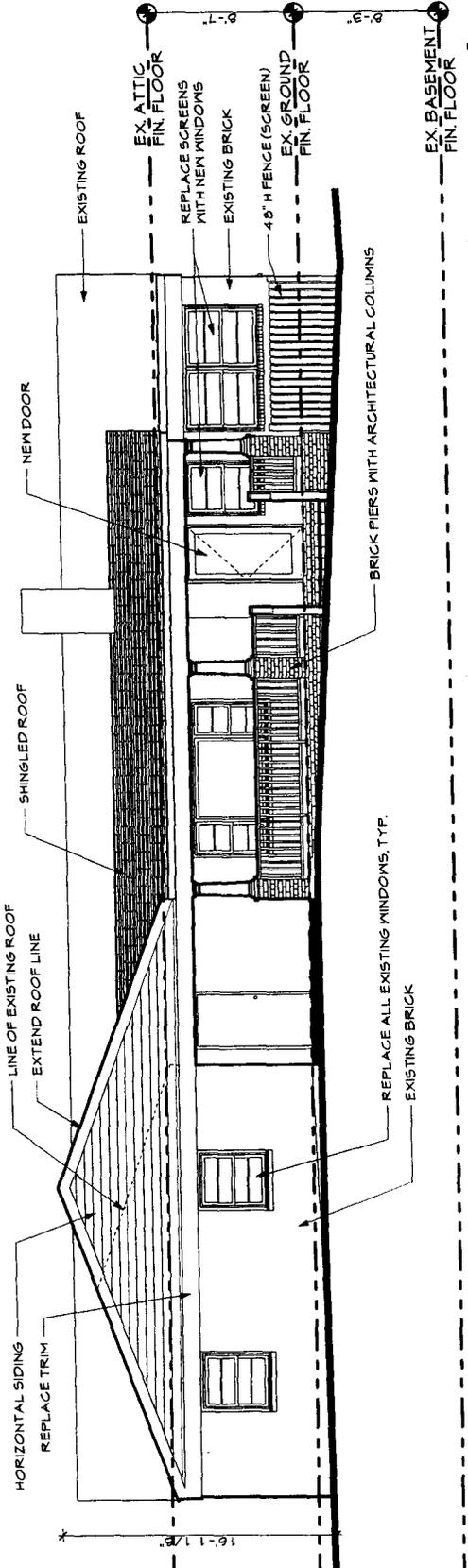
Proposed
 Ground Floor
 Plan

A1

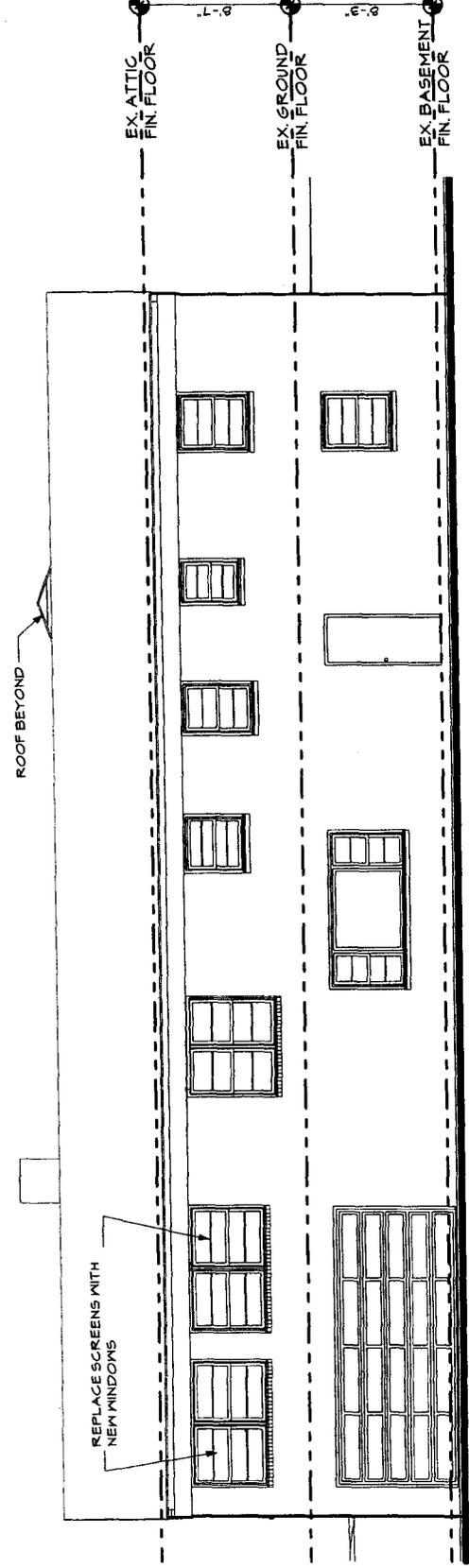
200810



1 A1 GROUND FLOOR PLAN
 SCALE: 1" = 10'-0"



2 NORTH ELEVATION (FRONT)
 SCALE: 1" = 10'-0"



1 SOUTH ELEVATION (REAR)
 SCALE: 1" = 10'-0"

DWR
ARCHITECTS

DWARDS
ARCHITECTS - ARCHITECTS, P.C.
7009 N. 140 STREET, SUITE 700
ARLINGTON, VIRGINIA 22201
TEL: 703.555.0156
FAX: 703.812.9716
dwa@dwrarchitects.com

**THE PURDUE
RESIDENCE**

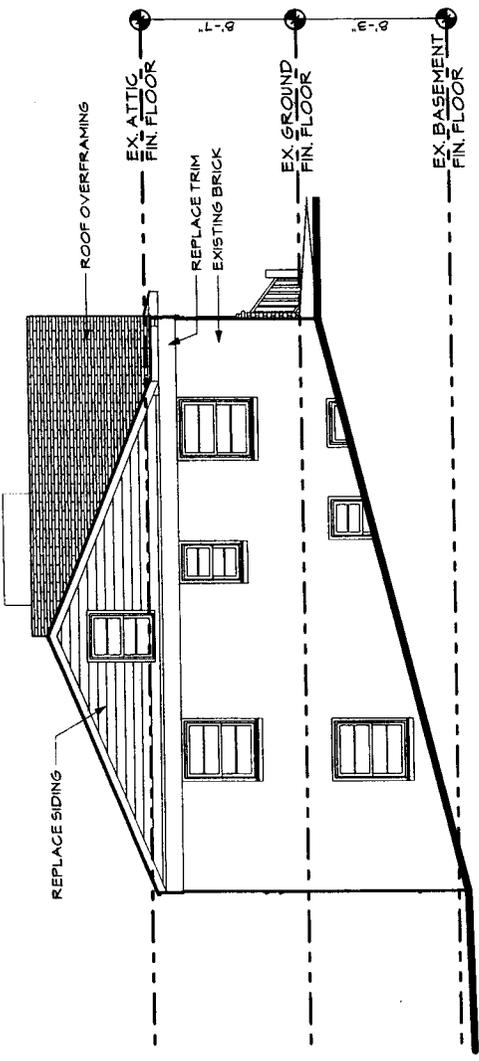
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DATE: 10/20/08
VARIANCE SET

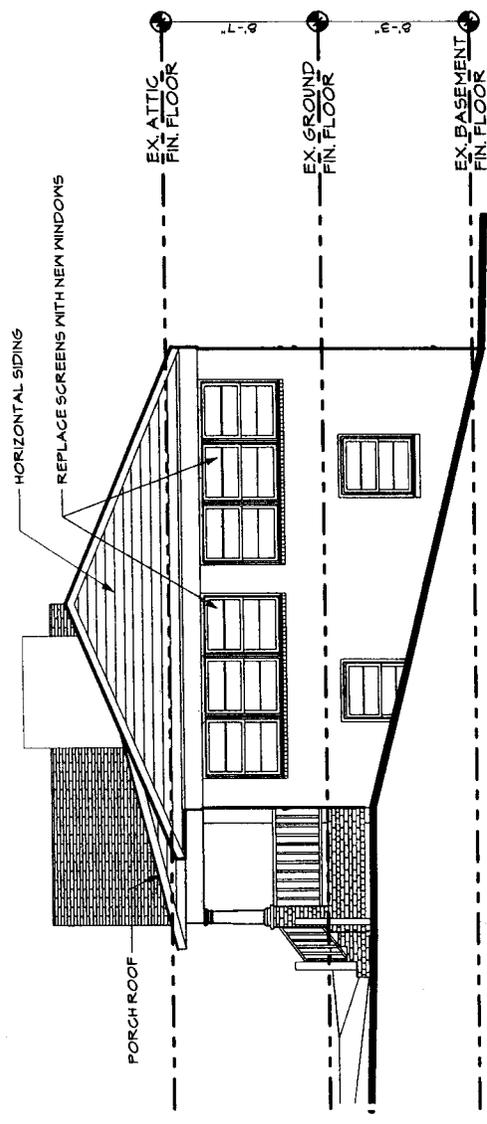
Proposed
Building
Elevations

A3

200810



2 EAST ELEVATION
SCALE: 1" = 10'-0"



1 WEST ELEVATION
SCALE: 1" = 10'-0"

THE PURDUE
RESIDENCE

3172 Holmes Run Road
Falls Church, Virginia 22042

DATE:
VARIANCE SET
10/20/08

Proposed
Building
Perspective

A4

200810

DWR
ARCHITECTS

DWR ARCHITECTS - ARCHITECTS, PC

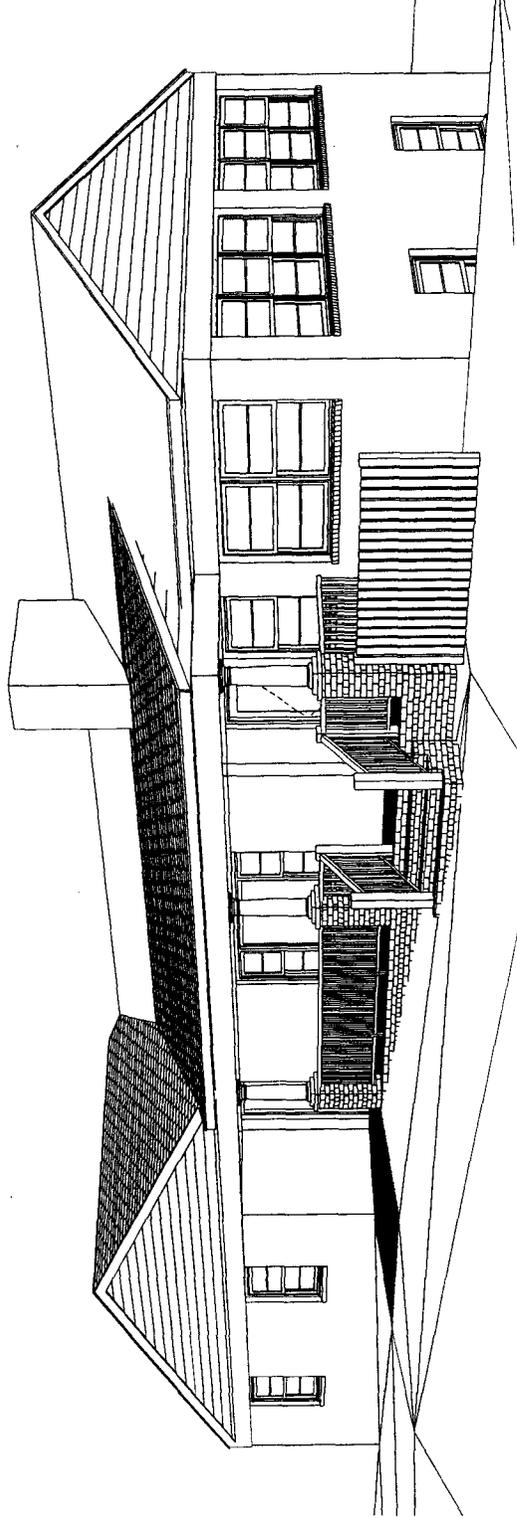
7809 N. 11th STREET, SUITE 210

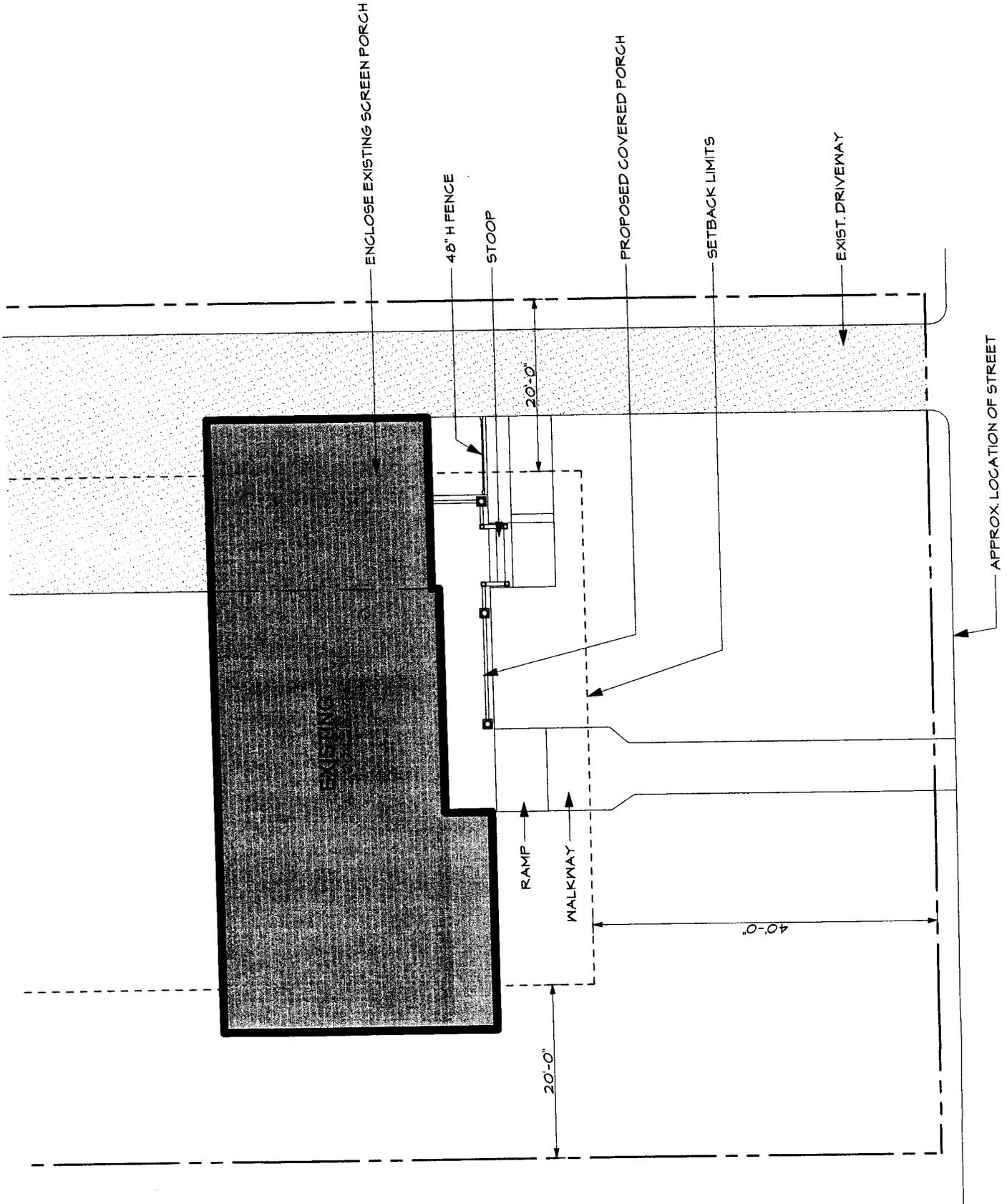
ARLINGTON, VIRGINIA 22201

TEL: 703.525.0454

FX: 703.512.9754

dwr@dwrarchitects.com





HOLMES RUN ROAD

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9/5/2008
 (enter date affidavit is notarized)

I, Joyce C. Purdue, Trustee, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant 10/296 a
 applicant's authorized agent listed in Par. 1(a) below

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

1(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)
Joyce C. Purdue, Trustee of the Merion and Joyce C. Purdue Trust	3172 Holmes Run Rd Falls Church, VA 22042	Applicant/Title Owner
Merion W. Purdue, Trustee of the Merion and Joyce C. Purdue Trust	3172 Holmes Run Rd Falls Church, VA 22042	Title Owner
Amy Purdue Davis	4565 Lake Vista Drive SARASOTA, FL 34233	Beneficiary
Thomas W. Purdue	2 McKay Road DANBURY, CT 06811	Beneficiary
N. Carolyn Purdue	9216 Douglas St., MANASSAS, VA 20110	Beneficiary
M. SUSAN Purdue (check if applicable)	20964 Windola Terrace, Ashburn, VA 20147	Beneficiary

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

* 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)

Page 1 of 1

Special Permit/Variance Attachment to Par. 1(a)

DATE: 9/5/08
(enter date affidavit is notarized)

10/29/08

(NOTE: All relationships to the application are to 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) ✓
DW Ricks Architects & Associates, PC	2009 N. 14 th Street, Ste. 703 Arlington, VA 22201	Agent
Steven Crawford	"	Agent

(check if applicable)

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9/5/2008
(enter date affidavit is notarized)

101796a

1(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.)

CORPORATION INFORMATION

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

DWR Architects
DWRicks Architects + Associates, PC
2009 N. 14th Street, Suite 703
Arlington, VA 22201

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)

David W. Ricks, AIA, Principal

(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: 9/5/2008
(enter date affidavit is notarized)

101796a

1(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)

(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.

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9/5/2008
(enter date affidavit is notarized)

101296a

1(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:

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.

2. 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.

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9/5/2008
(enter date affidavit is notarized)

101796a

3. 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.

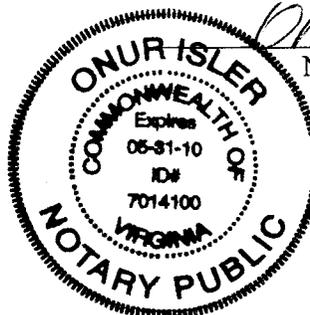
WITNESS the following signature:

(check one) Applicant Joyce C Purdue, Trustee [] Applicant's Authorized Agent

Joyce C. Purdue, Trustee, Applicant
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 5th day of September 2008, in the State/Comm. of VA, County/City of Fairfax.

My commission expires: MAY 31, 2010



Onur Isler
Notary Public

DWR WICKS ARCHITECTS + ASSOCIATES, PC
2009 N 14TH ST • SUITE 703 • ARLINGTON VA 22201

RECEIVED
Department of Planning & Zoning

JAN 13 2009

Zoning Evaluation Division

DATE: August 6, 2008
Revised January 8, 2009

TO: Fairfax County Zoning Evaluation Division
Application Department
12055 Government Center Parkway
Suite 801
Fairfax, VA 22035

PREPARED BY: Steven Crawford

PROJECT: 3172 Holmes Run Road

RE: Special Permit – Statement of Justification

CC: File

PAGES: 2

To Whom It May Concern:

The applicant is requesting a Special Permit for the enclosure of an existing screen porch to an existing single family detached dwelling that is within the current zoning setback limit. The screen porch appears to be original to the house, dating back to at least to 1956, pre-dating current zoning regulations. Currently, the existing screened porch is set 14'-0" from the side property line, 6'-0" beyond the current 20'-0" setback limit for R-1 zones.

The existing house is a brick and stone Rambler. Enclosing the porch would require the removal of the existing screens and replacing them with new windows. The height of the existing structure within the setback would not change.

The applicant is a senior citizen who wishes to turn the existing screen porch into a new all-season sitting room, which is wheel chair accessible to the other rooms on the same ground floor.

Per Section 8-922 Provisions of Certain Yard Requirements, we feel the addition complies with the following paragraphs of the zoning requirements.

Item 2: The reduction we are requesting will not create a separate detached accessory structure.

Item 3: The existing lot structure pre-dates current zoning codes. The structure has always been a single-family dwelling.

Item 4: The gross floor area of the existing house is 3,600 square feet, which is comprised of:

- Ground Floor Living Space: 1,340 sf
- Ground Floor Screen Porch: 460 sf
- Basement Living Space : 1,340 sf
- Gargage (at basement level): 460 sf

Since we are proposing to enclose an existing porch that portion of the addition that is within the setback is part of the 3,600, thus, the net area increase is zero square feet or 100% of the existing gross floor area.

Item 5: The addition is connected to the main structure, thus we are not creating an accessory structure.

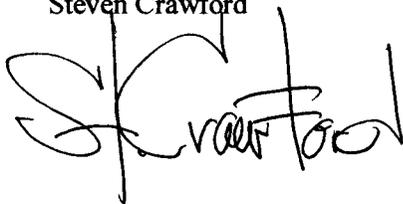
Item 6: The drawings provided, show the addition's location, height, bulk and scale are in character with the existing structures on the lot. The enclosed porch will maintain the existing roof height.

Item 7: Since the portion of the addition within the setback is being built over the existing foundation, vegetation impact will be minimal.

Item 8: Since the portion of the addition within the setback is enclosing an exiting screen porch, noise and light impacts should be minimal to the adjacent neighbor. In fact, noise should be reduced since the existing exterior space will become an interior room.

Item 9: Since an existing porch is being enclosed and the addition will not project any further into the setback then it already does, reduction is minimal.

Steven Crawford

A handwritten signature in black ink, appearing to read 'S. Crawford', written in a cursive style.



County of Fairfax, Virginia

MEMORANDUM

December 9, 2008

TO: Shelby Johnson, Staff Coordinator
Department of Planning and Zoning, Zoning Evaluation Division

FROM: Ineke Dickman, Urban Forester II 
Forest Conservation Branch, DPWES

SUBJECT: Sleepy Hollow Section 1 Lot 5-B (3172 Holmes Run Road), SP 2008-MA-105
004028-ZONA-002-1

Urban Forest Management Staff has reviewed the above referenced Special Permit request. Although it looks like one small spruce might need to be removed to make room for the addition of the small new porch, UFMD staff does not have any issues with this Special Permit request and recommends approval.

Please let me know if you have any questions.

AID/
UFMID #: 142901

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: DEC - 9 2008

TO: Shelby Johnson, Senior Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Qayyum Khan, Senior Stormwater Engineer *QK*
Stormwater and Geotechnical Section
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Special Permit Application SP 2008-MA-105, 3172 Holmes Run Road, Plat Dated October 20, 2008, LDS Project #4028-ZONA-002-1, Tax Map #050-4-22-0005-B, Mason District

We have reviewed the subject application and offer the following comments:

Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on the property. It should be plotted and labeled on the plat.

Floodplain

There is also floodplain on the property. The delineation should be shown the plat.

Stormwater Management

The owner will need approval of a CBPO Section 118-5-4(a) waiver and a written permission from the Director of the Department of Public Works and Environmental Services for working in a floodplain.

If further assistance is desired, please contact me at 703-324-1720.

QK/dah

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES
Zoning Application Files



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.