



County of Fairfax, Virginia

February 24, 2009

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2008-MA-109

MASON DISTRICT

APPLICANT: Roger F. Pitkin

OWNERS: Roger F. Pitkin
Nina A. Pitkin

STREET ADDRESS: 5222 Monroe Drive

SUBDIVISION: Clearfield

TAX MAP REFERENCE: 71-4 ((6)) 4B

LOT SIZE: 24,543 square feet

ZONING DISTRICT: R-2

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of an addition 9.8 feet from the side lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2008-MA-109 for a garage 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.

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.

O:\dhedri\Special Permits\3-3) SP 2008-MA-109 Pitkin\SP 2008-MA-109 Pitkin staff report.doc Deborah Hedrick

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.

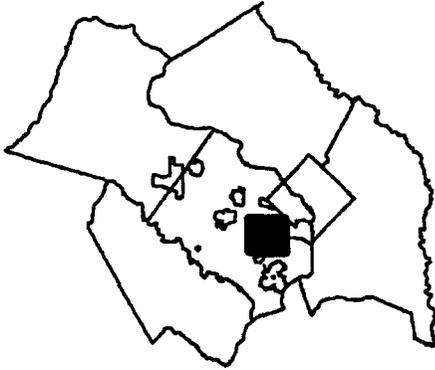
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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



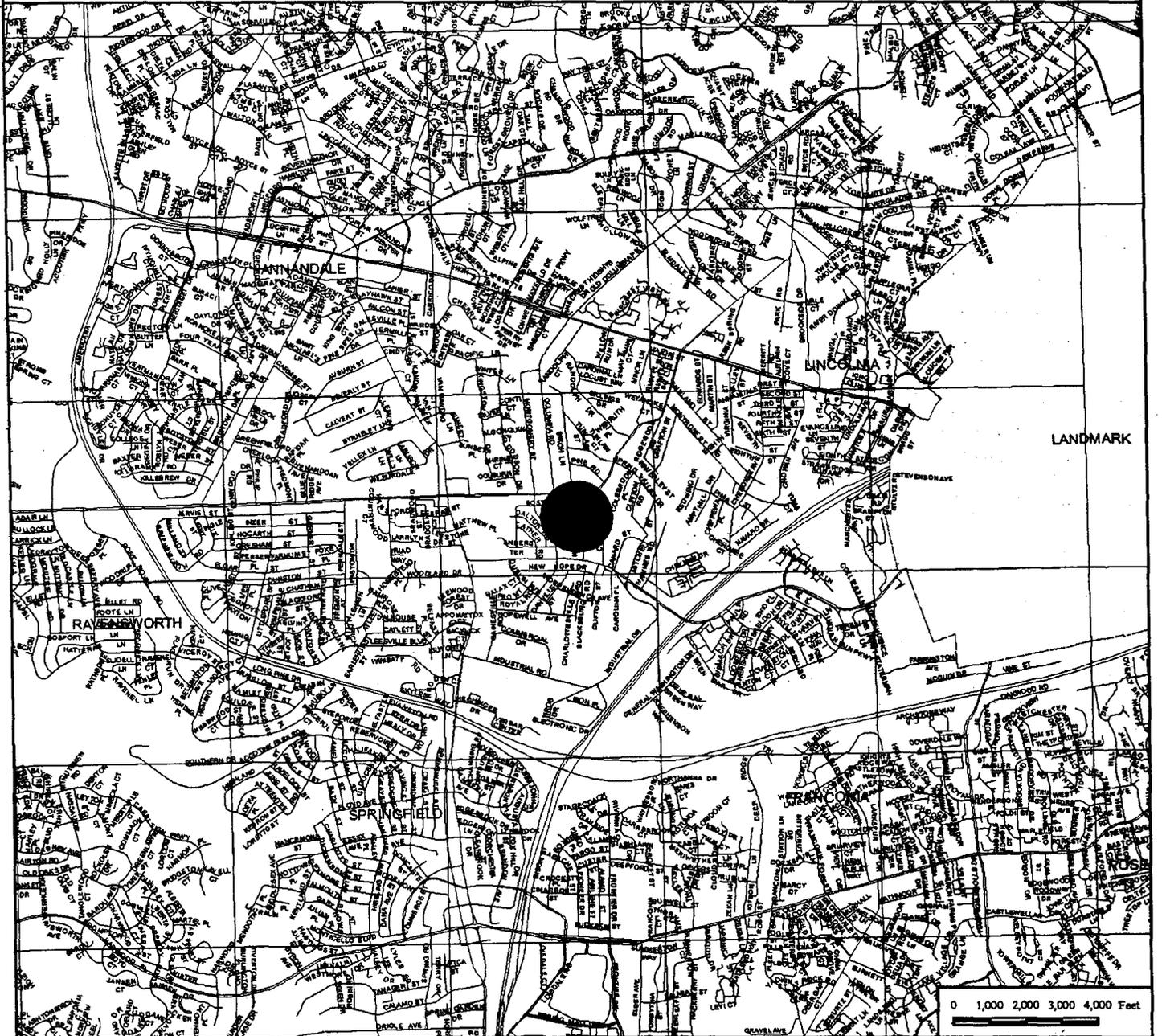
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit
SP 2008-MA-109

Applicant: ROGER F. PITKIN
Accepted: 12/15/2008
Proposed: REDUCTION OF CERTAIN YARD REQUIREMENTS
TO PERMIT ADDITION 9.8 FEET FROM SIDE
LOT LINE



Area: 24,543 SF OF LAND; DISTRICT - MASON
Zoning Dist Sect: 08-922
Art 8 Group and Use: 9-21
Located: 5222 MONROE DRIVE
Zoning: R-2
Overlay Dist:
Map Ref Num: 071-4- /06/ /0004B

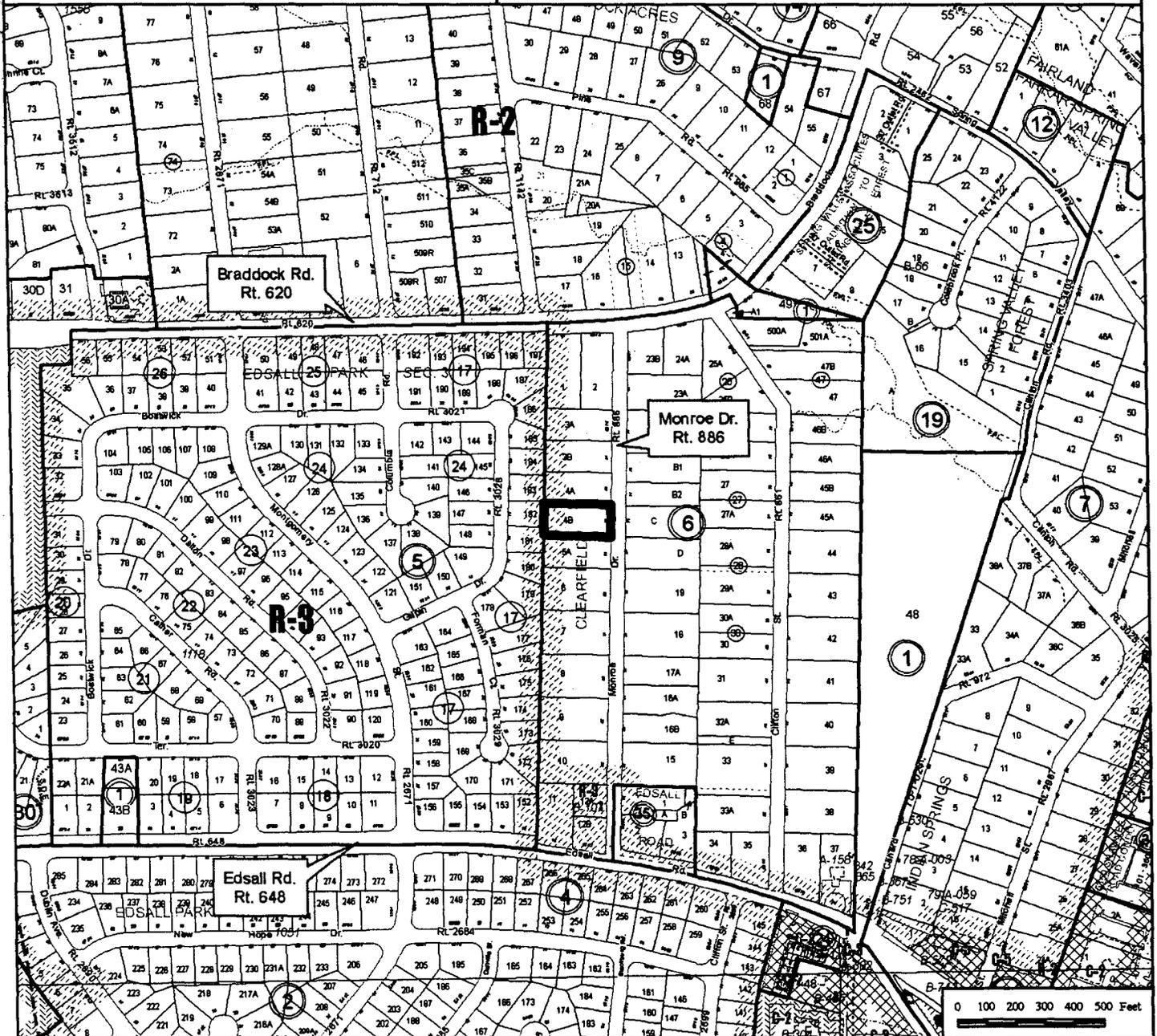
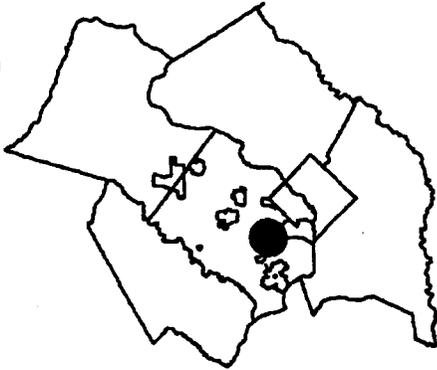


Special Permit

SP 2008-MA-109

Applicant: ROGER F. PITKIN
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 Proposed: REDUCTION OF CERTAIN YARD REQUIREMENTS TO PERMIT ADDITION 9.8 FEET FROM SIDE LOT LINE

Area: 24,543 SF OF LAND; DISTRICT - MASON
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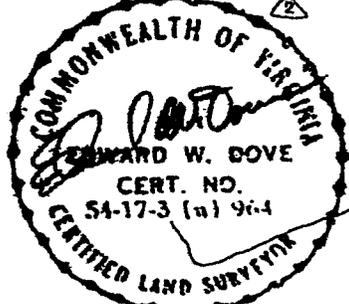




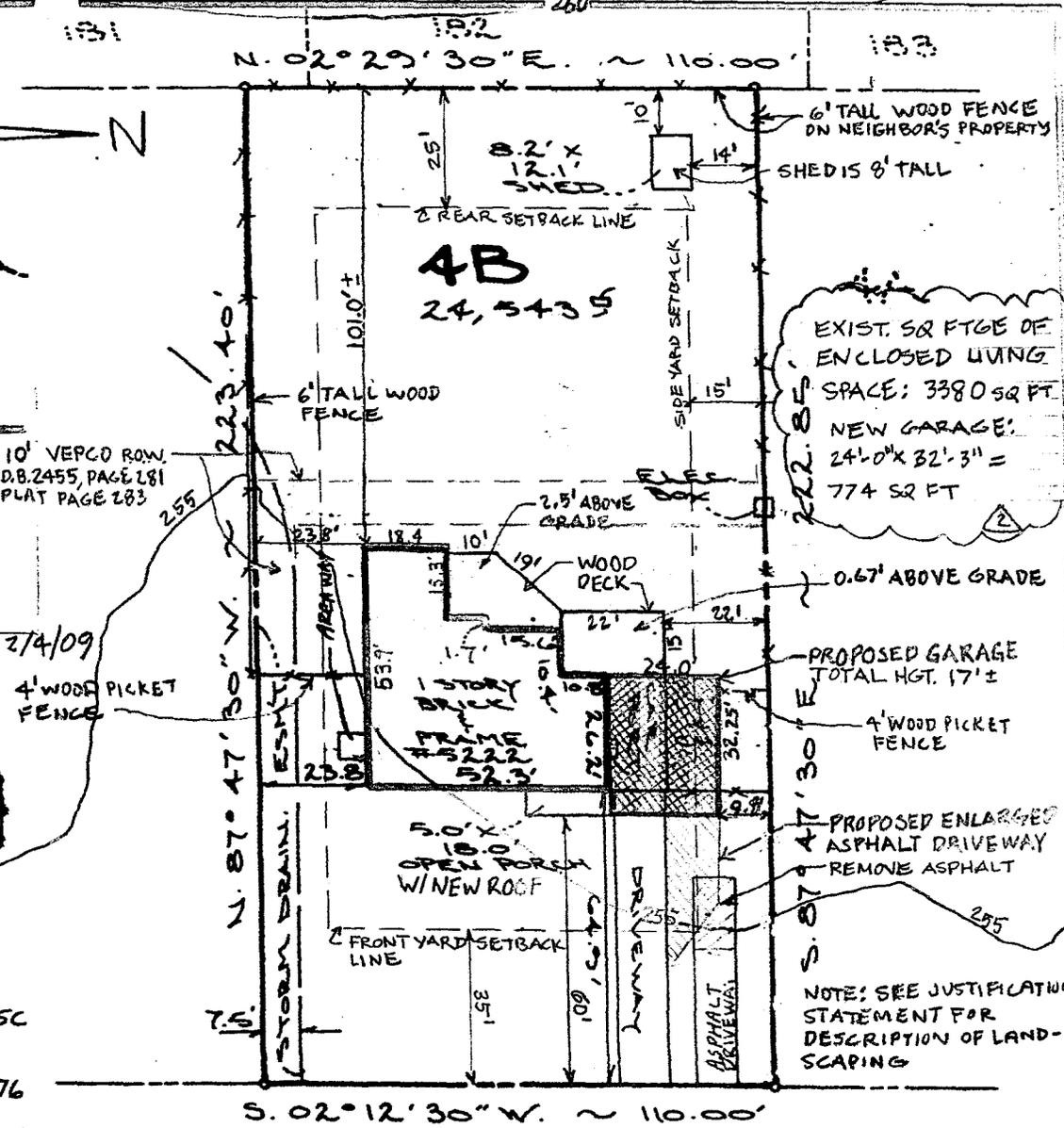
PITKIN RESIDENCE

SITE PLAN
SCALE: 1"=40'
O'NEIL ARCHITECTS
703-777-5773
09/29/2008

REVISED 11/24/08, REVISED 2/4/09



FLOOD ZONE: C
 COMMUNITY: 515525C
 PANEL: 18
 MAP DATE: 5-14-76



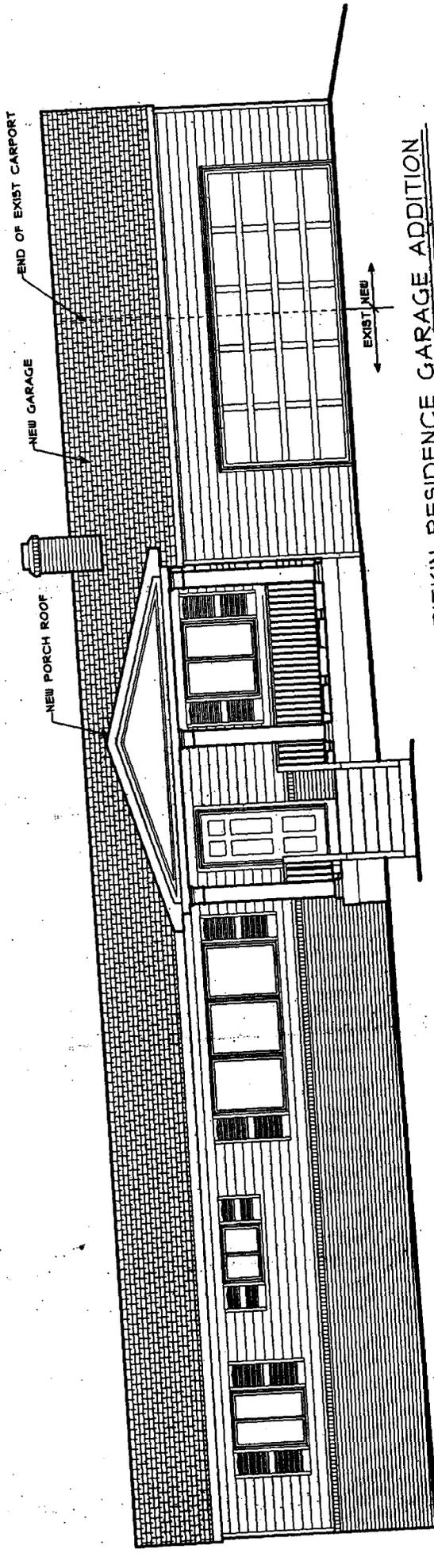
HOUSE LOCATION SURVEY
Lot 4B
RESUBDIVISION OF LOTS 3, 4 AND 5
CLEARFIELD

FAIRFAX COUNTY, VIRGINIA
 NOTE: THIS LOT IS NOT LOCATED IN ANY FLOOD PLAIN DESIGNATED BY THE FEDERAL INSURANCE ADMIN, U.S. GEOLOGICAL SURVEY, OR FAIRFAX CO., THE AREA RESOURCE PROTECTION AREA & RESOURCE MANAGEMENT AREA OR ENVIRONMENTAL QUALITY CORRIDOR.
 NOTE: THIS LOT IS NOT LOCATED IN A FLOOD ZONE.
 RECERTIFIED CORRECT 10-9-92

The plot has been prepared without benefit of a title report and does not therefore necessarily indicate all encumbrances on the property. Fence locations are approximate only and do not convey as to ownership. This survey is not to be used for the construction of fences or any other improvements.
 NOTE: NO KNOWN SEPTIC FIELDS OR WELL ON LOT
 NOTE: STORM DRAINAGE EASEMENT & VEP CO ROW ARE THE ONLY KNOWN UTILITY EASEMENTS ON PROPERTY

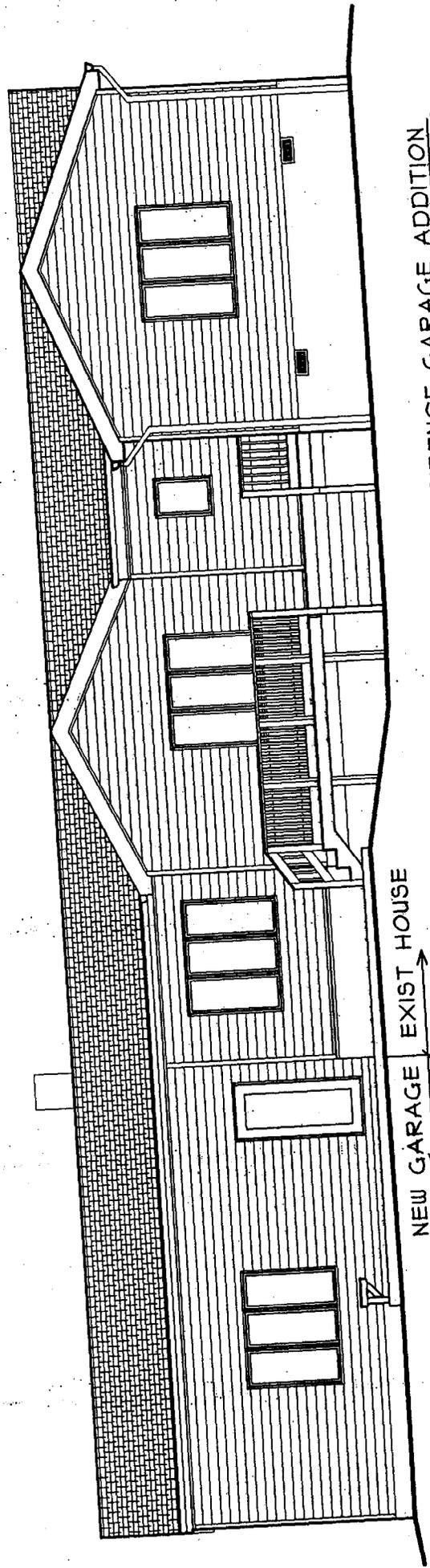
DATE: APRIL 11, 1986 SCALE: 1"=40' NEW # : 92-09-1377
 JOB NO: 86-01-1025

PURCHASER: REFINANCE **SELLER: PITKIN**



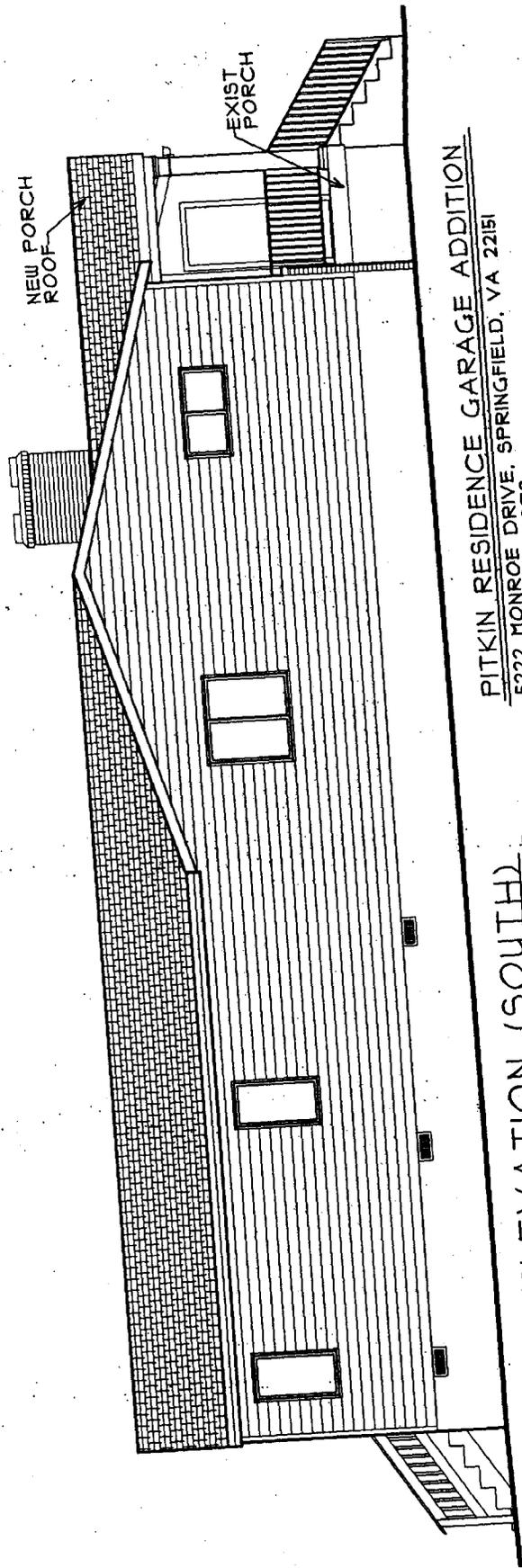
PITKIN RESIDENCE GARAGE ADDITION
5222 MONROE DRIVE, SPRINGFIELD, VA 22151
O'NEIL ARCHITECTS
DESIGN DRAWINGS
OCT 2, 2008 103-111-5113

FRONT ELEVATION (EAST)
1/8"=1'-0"



PITKIN RESIDENCE GARAGE ADDITION
5222 MONROE DRIVE, SPRINGFIELD, VA 22151
O'NEIL ARCHITECTS
DESIGN DRAWINGS
OCT 2, 2008 103-111-5113

REAR ELEVATION (WEST)
1/8"=1'-0"

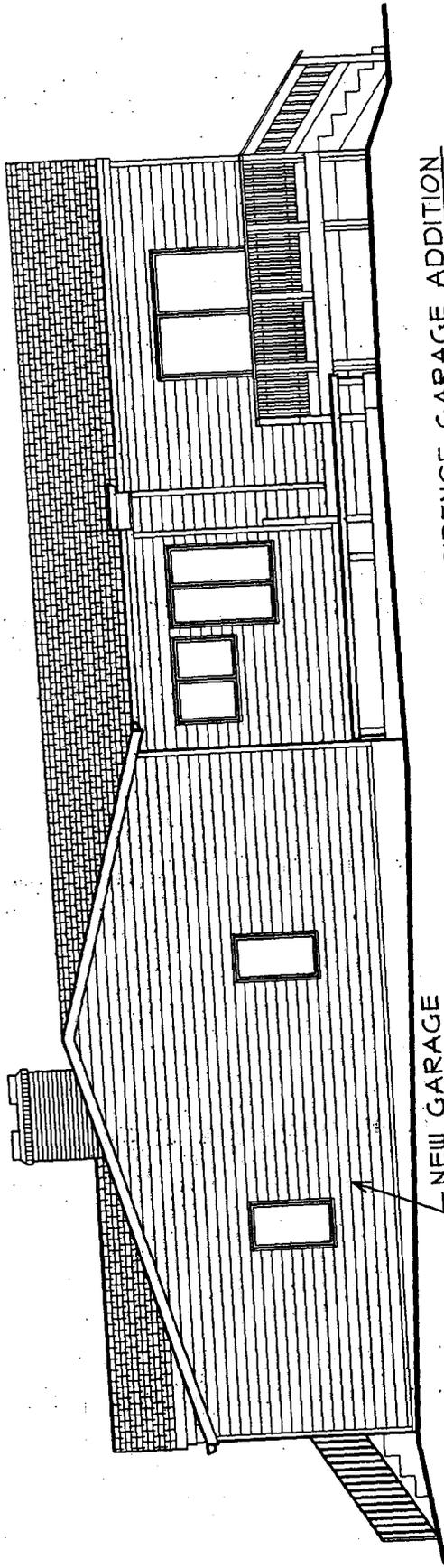


PITKIN RESIDENCE GARAGE ADDITION

5222 MONROE DRIVE, SPRINGFIELD, VA 22151
O'NEIL ARCHITECTS
DESIGN DRAWINGS
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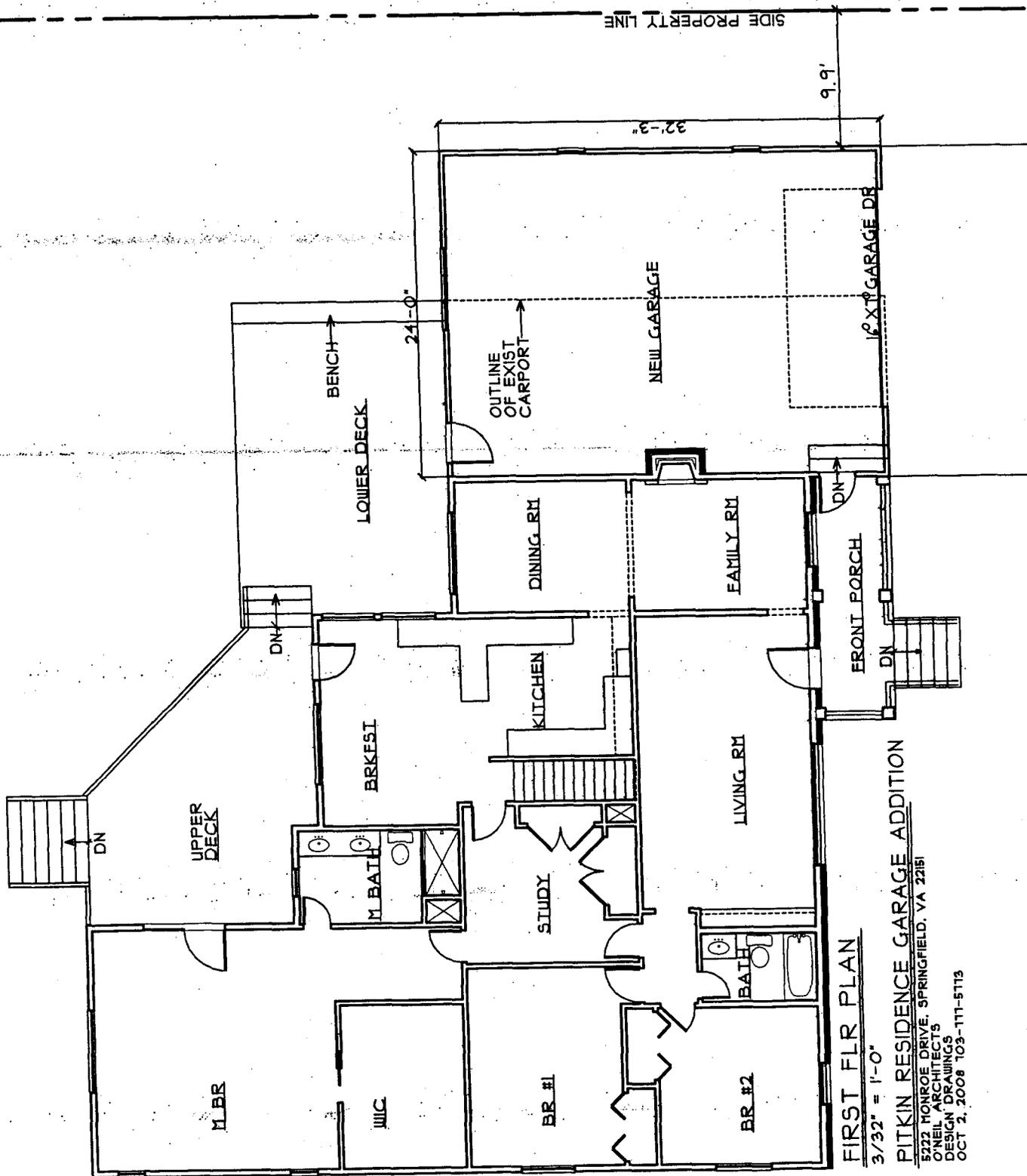
LEFT ELEVATION (SOUTH)

1/8"=1'-0"



PITKIN RESIDENCE GARAGE ADDITION
5222 MONROE DRIVE, SPRINGFIELD, VA 22151
O'NEIL ARCHITECTS
DESIGN DRAWINGS
OCT 2, 2008 103-111-5113

NEW GARAGE
RIGHT ELEVATION (NORTH)
1/8"=1'-0"



FIRST FLR PLAN
 3/32" = 1'-0"

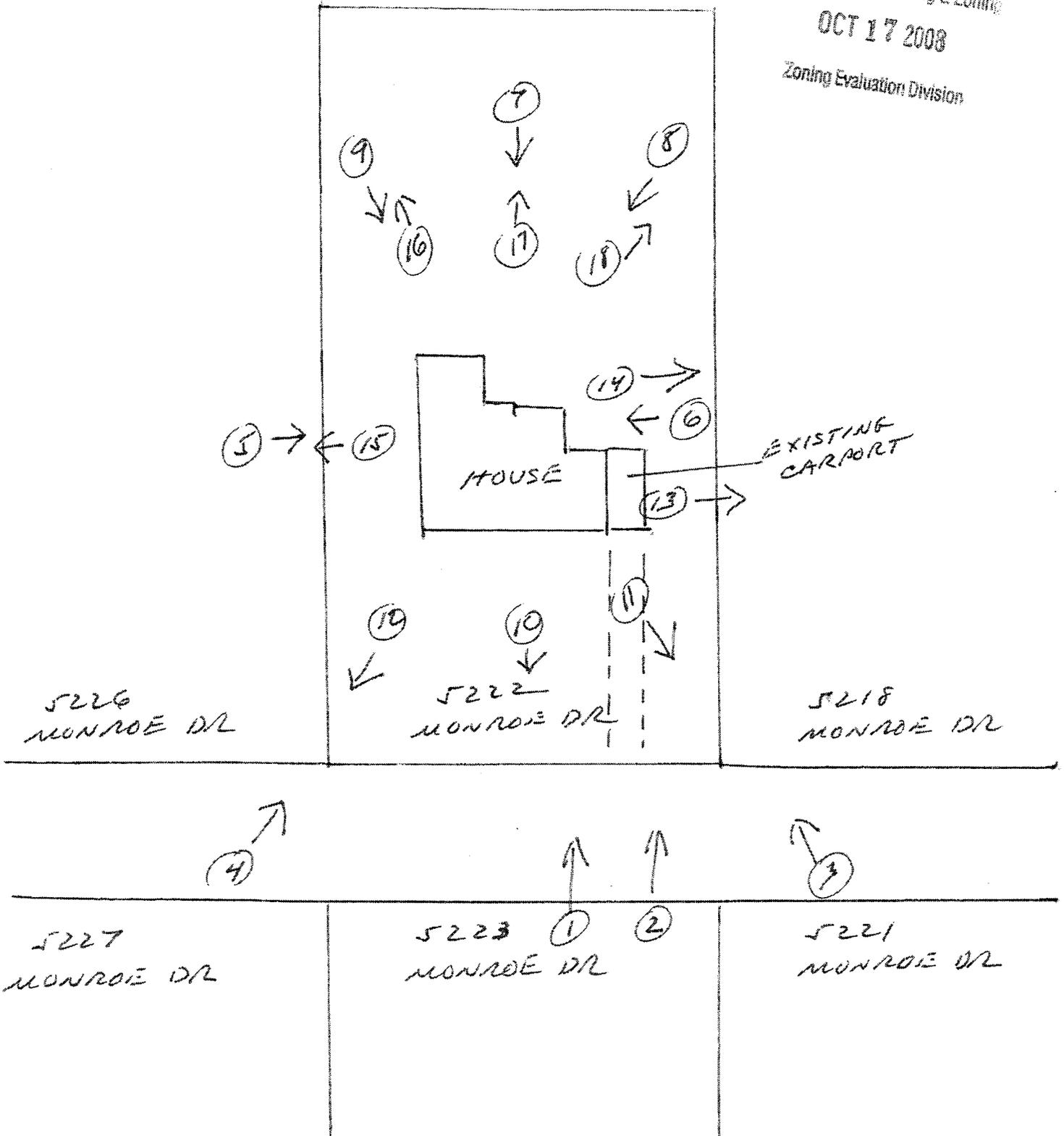
PITKIN RESIDENCE GARAGE ADDITION
 5232 MONROE DRIVE, SPRINGFIELD, VA 22151
 O'NEIL ARCHITECTS
 DESIGN DRAWINGS
 OCT 2, 2008 103-111-5113

SIDE PROPERTY LINE

PICTURES OF HOUSE AT
5222 MONROE DR +
SURROUNDING PROPERTY.

OCT 15, 2008

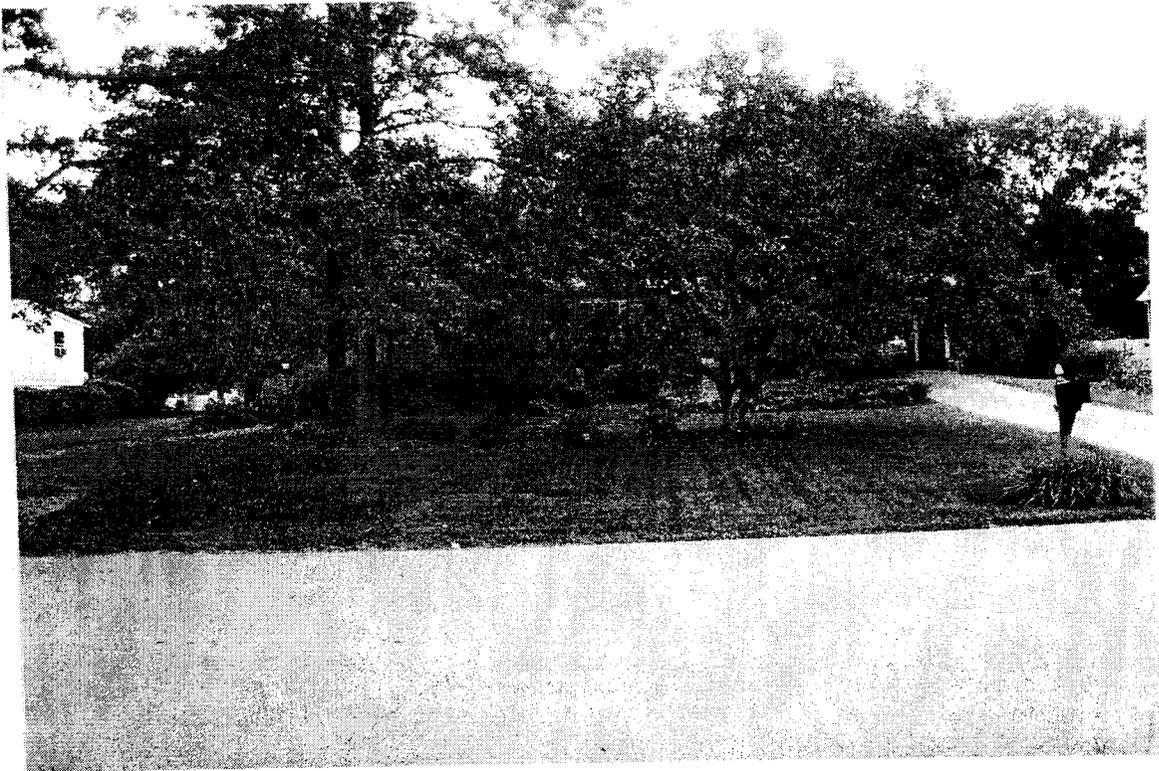
RECEIVED
Department of Planning & Zoning
OCT 17 2008
Zoning Evaluation Division



5222 MONROE DR
SPRINGFIELD, VA 22151

OCT 15, 2008

①



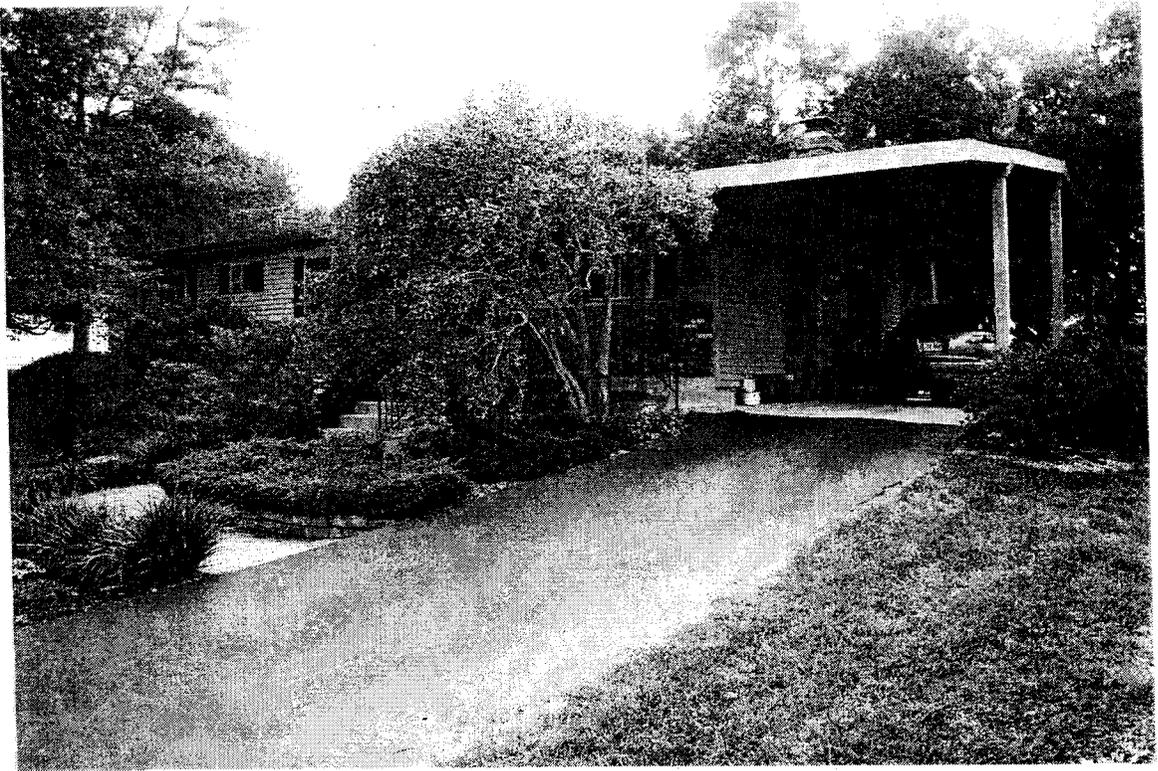
FROM FRONT YARD OF 5223 MONROE DR

②



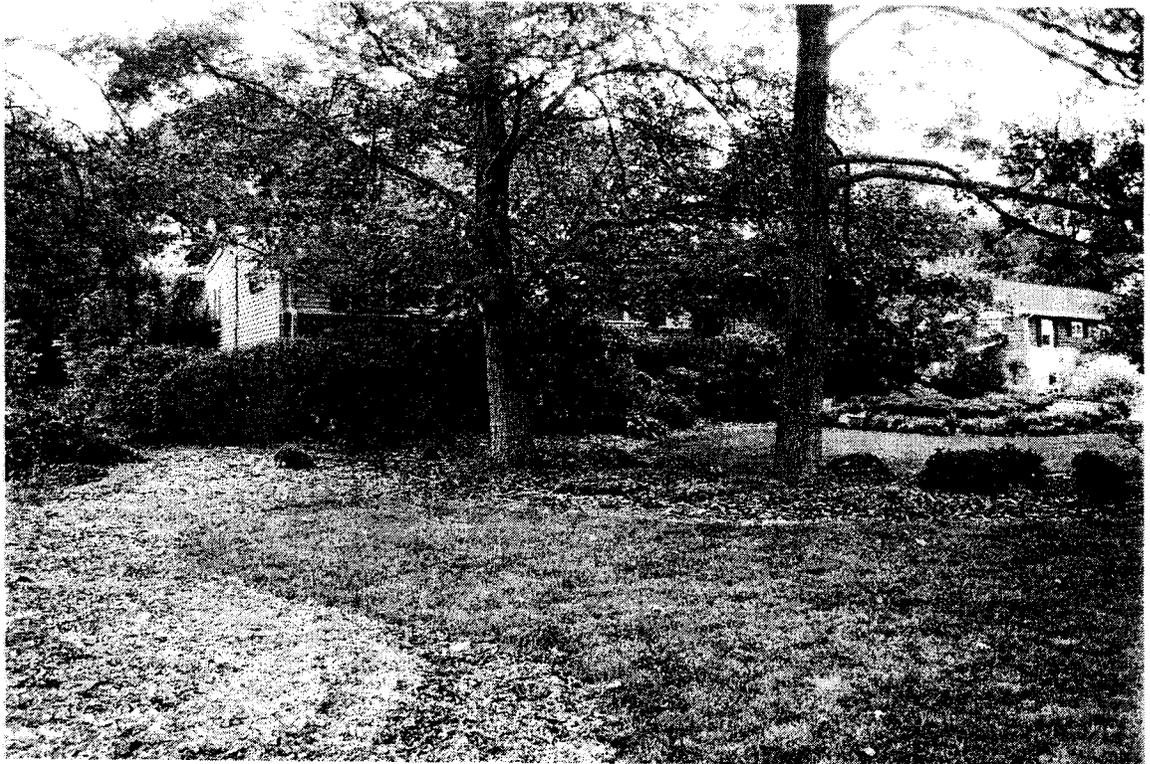
FROM DRIVEWAY OF 5223 MONROE DR.

3



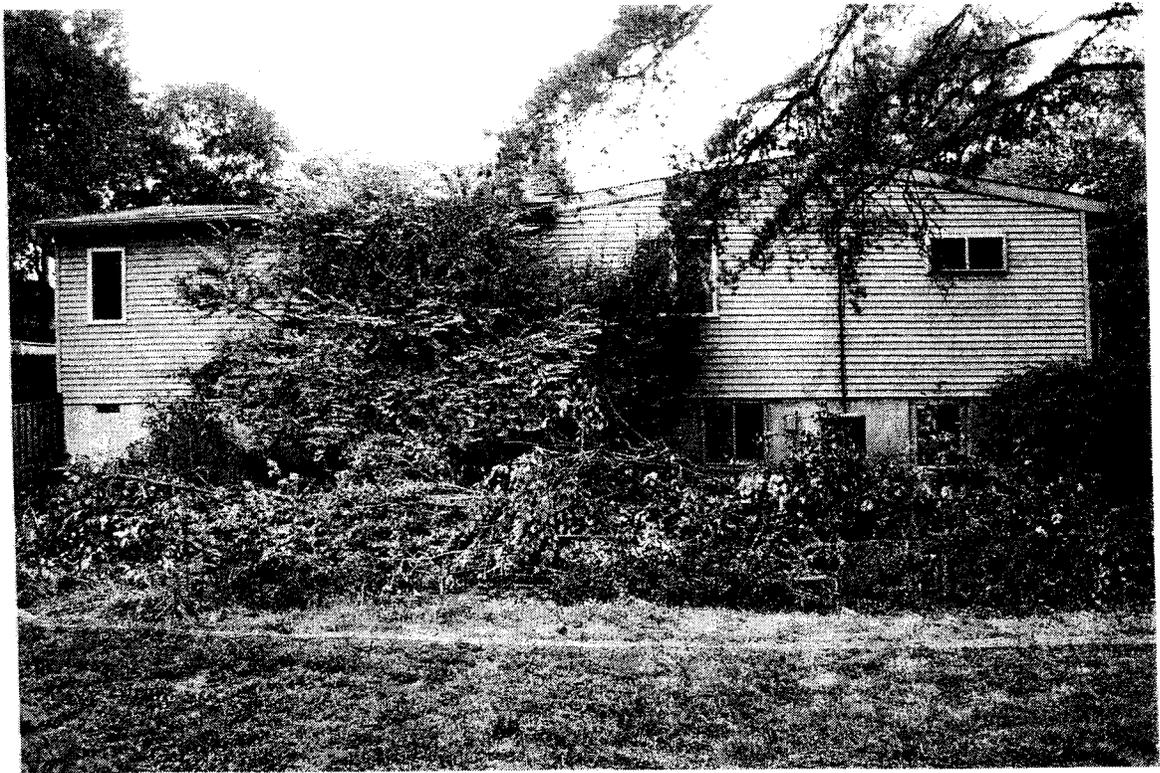
FROM STREET IN FRONT OF 5221 MONROE DR.

4



FROM STREET IN FRONT OF 5227 MONROE DR.

5



FROM LEFT (SOUTH) SIDE OF HOUSE .

6



FROM RIGHT (NORTH) SIDE OF HOUSE

7



FROM NEAR (WEST) OF HOUSE.

8



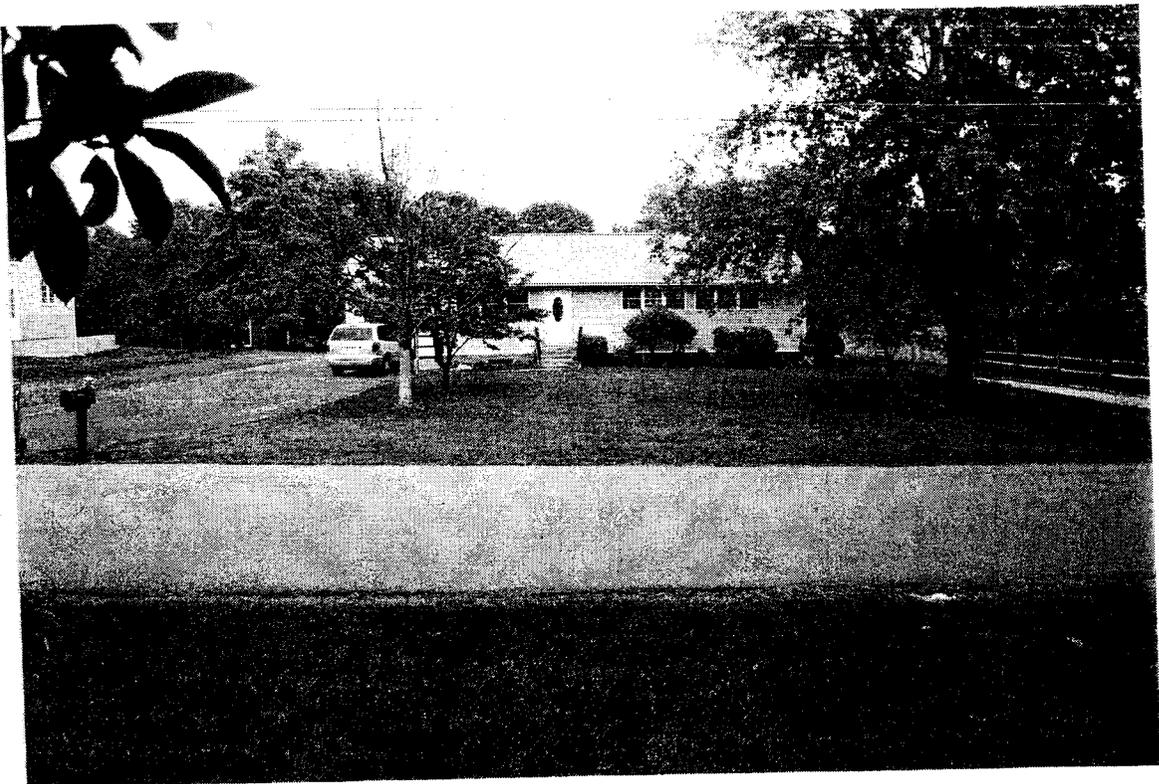
FROM RIGHT NEAR (NW) OF YARD

(9)



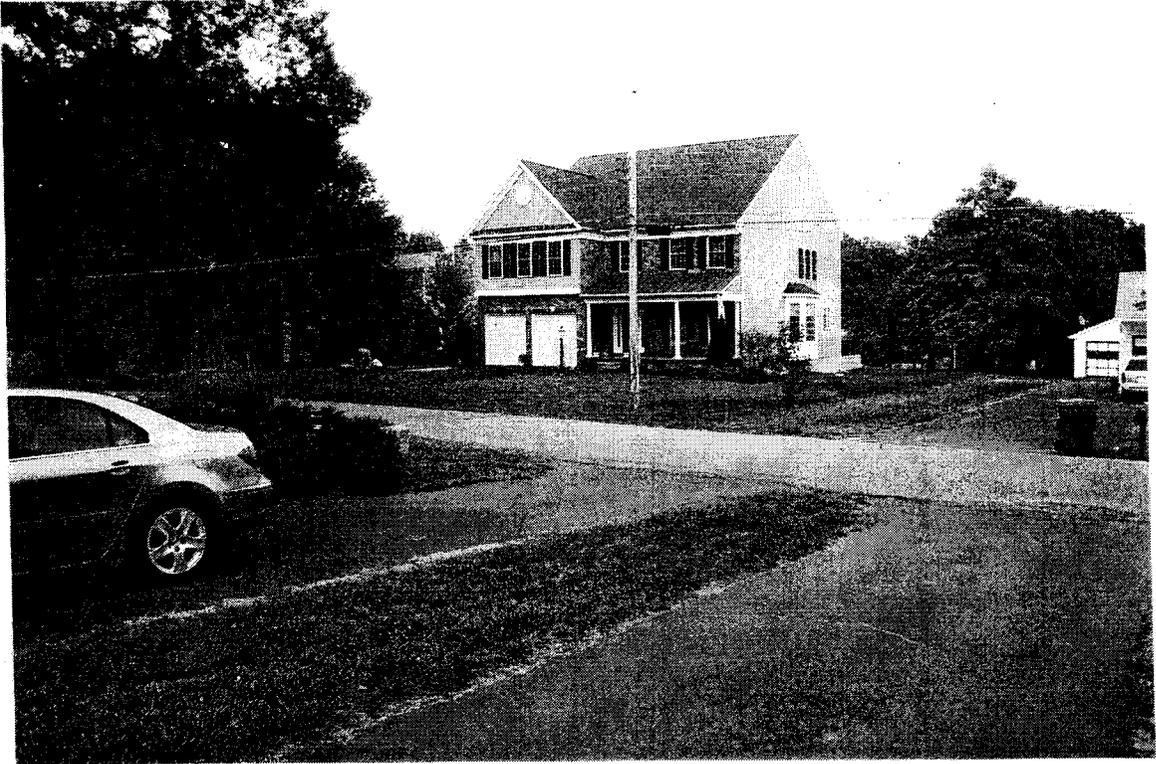
FROM LEFT REAR (SW) OF YARD.

(10)



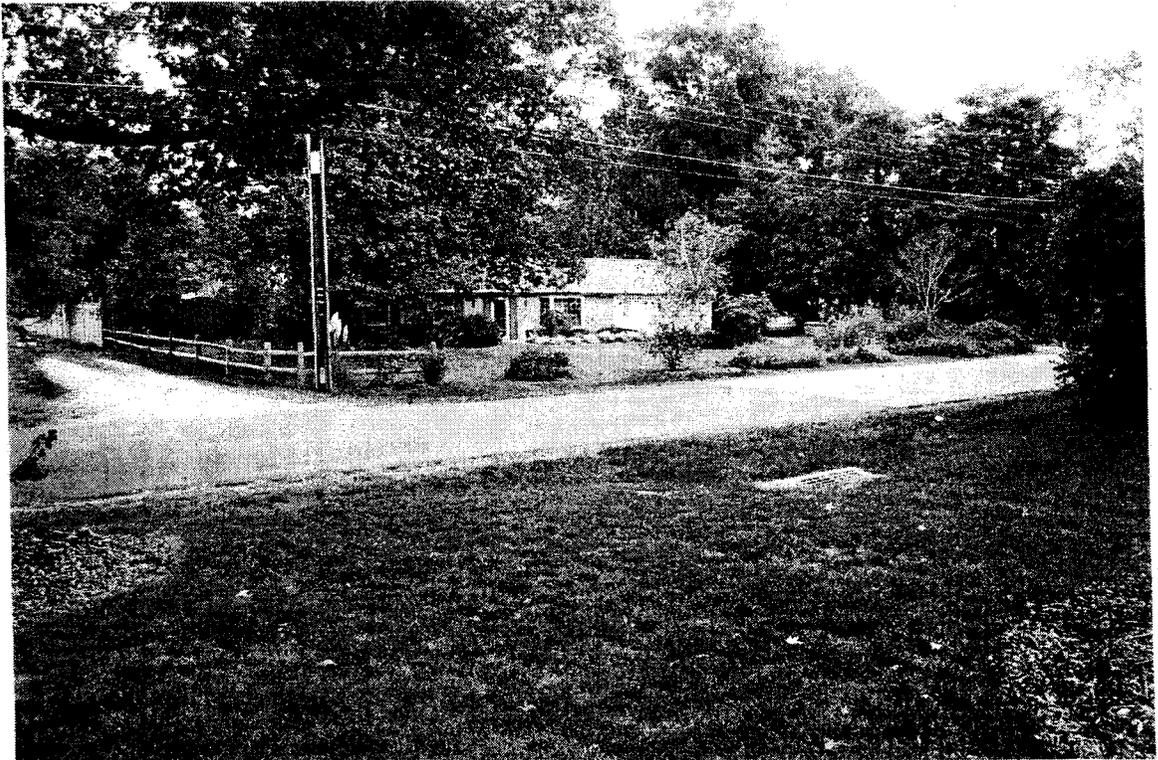
FROM FRONT YARD FACING EAST
(5223 MONROE DR) DIRECTLY
ACROSS STREET.

11



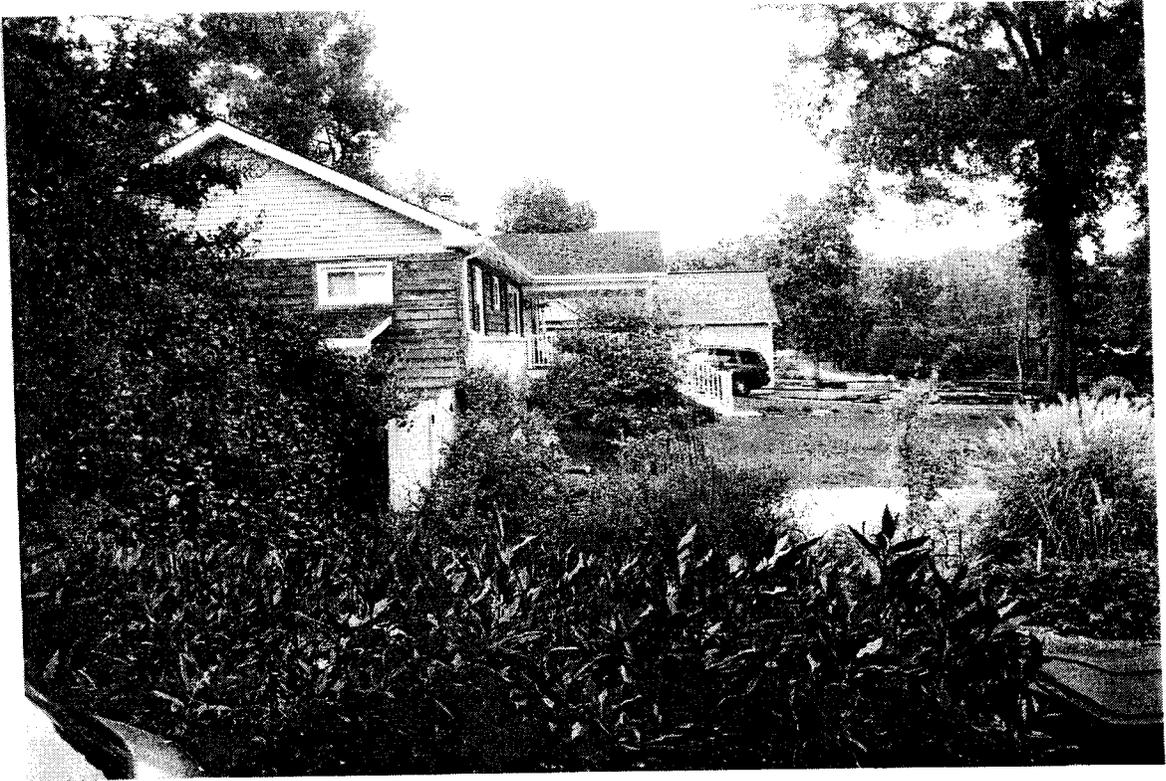
FROM DRIVEWAY FACING NE
(5221 MONROE DR)

12



FROM FRONT YARD FACING SE
(5227 MONROE DR)

13



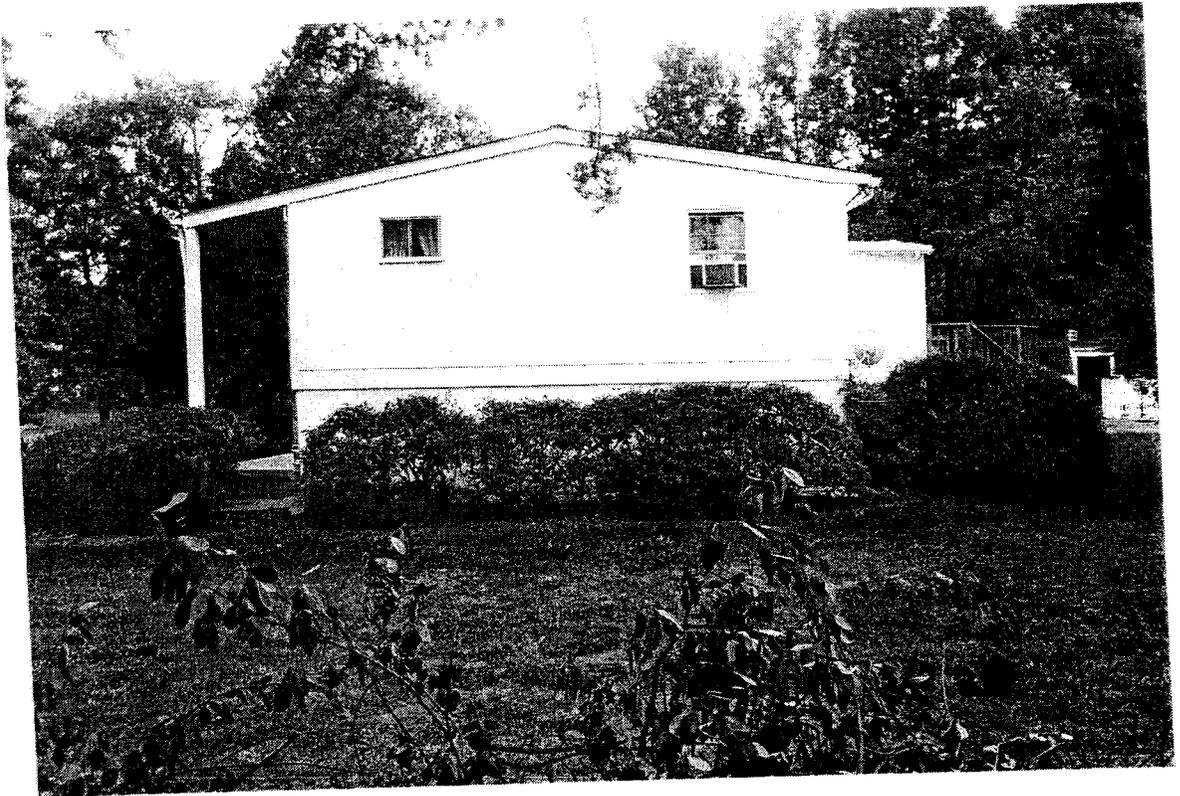
FROM CARPORT FACING NORTH
(5218 MONROE DR)

14



FROM BACK OF HOUSE FACING NORTH
(5218 MONROE DR)

15



FROM LEFT SIDE OF HOUSE FACING
SOUTH (5226 MONROE DR)

16



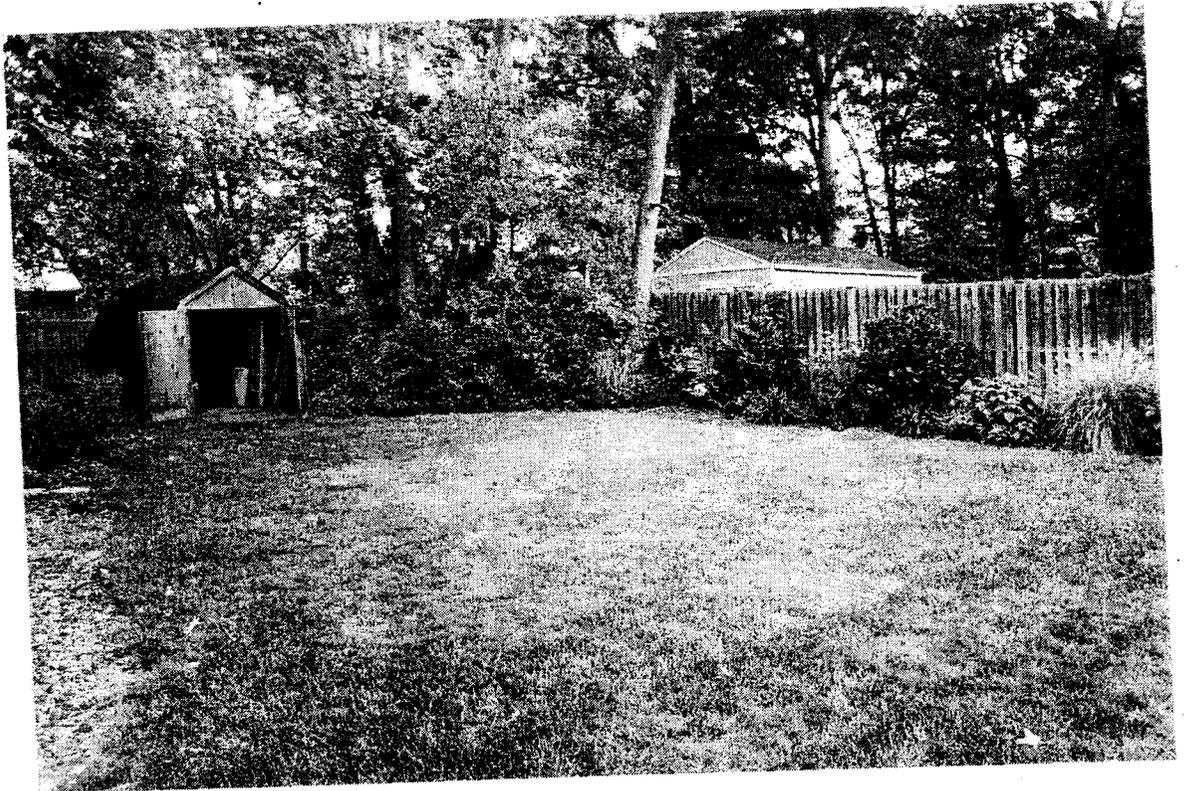
FROM BACKYARD FACING SW

(17)



FROM BACKYARD FACING WEST

(18)



FROM BACKYARD FACING NW

DESCRIPTION OF THE APPLICATION

To permit reduction of certain yard requirements to permit construction of a two car garage addition to be located 9.8 feet from the side lot line.

	Structure	Yard	Minimum Yard Required*	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit	Garage Addition	Side	15.0 feet	9.8 feet	5.2 feet	35%

*Minimum yard requirement per Section 3-207

EXISTING SITE DESCRIPTION

The site is currently zoned R-2 and contains a single family detached dwelling with a one-car carport, built in 1964. The lot consists of 24,543 square feet and is surrounded by single family detached homes on all lot lines. The lot is developed with extensive mature vegetation and fencing around the rear of the property. There is a 10 foot VEPCO right-of-way easement across the middle of the property, just beyond the dwelling.

CHARACTER OF THE AREA

	Zoning	Use
North	R-2	Single Family Detached Dwelling
East	R-2	Single Family Detached Dwelling
South	R-2	Single Family Detached Dwelling
West	R-3	Single Family Detached Dwelling

BACKGROUND

Records indicate there were no other similar applications for properties in the vicinity of the application site heard by the BZA.

ANALYSIS

Special Permit Plat (Copy at front of staff report)

- **Title of Plat:** House Location Survey, Lot 4B, Resubdivision of Lots 3, 4 and 5, Clearfield
- **Prepared by:** Edward W. Dove dated April 11, 1986 as recertified by O'Neil Architects dated September 29, 2008 as revised through February 4, 2009

Proposal:

The applicant proposes to construct a one-story garage addition to be located 9.8 feet from the northern side lot line. The addition consists of 774 square feet and will accommodate a two-car garage where there currently exists a one-car carport structure. The applicant will also widen the existing driveway to accommodate the addition. As shown on the plat, the applicant will also be constructing a roofed deck at the front of the dwelling which will meet minimum yard requirements.

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 the one-story garage addition will be in keeping with the surrounding properties and will not adversely affect the use or development of neighboring properties. Many of the properties have one and two car garages, and some properties have enlarged or built new homes so that the character of the neighborhood is changing. Therefore, staff does not believe the addition would adversely affect the use or development of neighboring properties and 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 addition will consist of a one story two car garage which will require the removal of two trees on site, which are located in the footprint of the addition. There currently exists a one car carport, which will be expanded and enclosed to create a two car addition. The applicant has indicated that additional screening would be provided in a planting area located between Lots 4B (the subject property) and 4A. Although there is ample mature existing vegetation around the property, staff from the Urban Forestry Division has recommended additional plantings to soften the appearance of the garage addition. Staff has included a development condition to address this concern, and has discussed the proposal with the applicant.*

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 5 relates to accessory structures, which does not apply to this application and Standard 10 allows the BZA to impose development conditions. Staff believes that the application has met all of the remaining standards, specifically Standards 4, 6, 7, 8, and 9.

Standard 4 states that 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. *The existing structure is 3,380 square feet in size. Therefore 150% of the total gross floor area could result in an addition up to 5,070 square feet in size for a possible total square footage at build out of 8,450. The proposed addition is 774 square feet, for a total square footage of the house with the addition of 4,154 square feet. Therefore the application meets this provision.*

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 proposed one story garage addition will be compatible with the architecture of the existing house on the lot. The height of the new structure will not exceed the height of the existing house and will match the roof line of the existing house, which is 17 feet high. 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 photographs submitted and elevation drawings indicate that the proposed garage addition will be compatible with the surrounding houses in the neighborhood. Many other homes in the immediate area also have two car garages and some have expanded homes in terms of size and scale as well. The property is heavily treed with mature vegetation and the applicant will be providing additional plantings on the lot line with adjoining Lot 4A once the garage construction is completed. 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 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 two car garage, which is adding approximately 12 feet of additional impervious surface in width to the already existing carport, would have very little impact on stormwater runoff, noise, light, air, safety or erosion. This is a minimal request by adding only 774 square feet to the dwelling, at the end of an existing asphalt driveway. 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 request to create a garage addition to be located in an area where there currently exists a one car carport, and an existing asphalt driveway, is the most logical location given existing structures on the property. Also, directly behind the dwelling is a 10 foot wide VEPCO right-of-way easement which limits the use of the rear of the property. Given the small size of the lot, and the placement of the existing dwelling on the lot, there is very little opportunity to add this type of structure except as proposed. Other issues of well, 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 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-109 for a garage 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
4. Applicable Zoning Ordinance Provisions

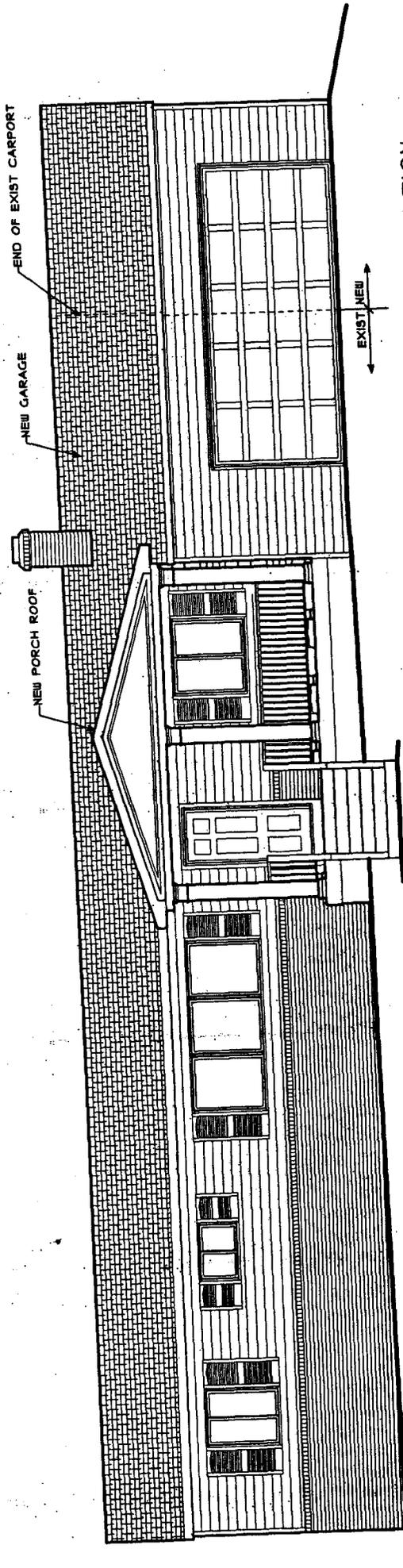
PROPOSED DEVELOPMENT CONDITIONS**SP 2008-MA-109****February 24, 2009**

If it is the intent of the Board of Zoning Appeals to approve SP 2008-MA-109 located at Tax Map 71-4 ((6)) 4B 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. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of a two-car garage (774 square feet), as shown on the plat prepared by Edward W. Dove dated April 11, 1986 as recertified by O'Neil Architects dated September 29, 2008 as revised through February 4, 2009, as submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (3,380 square feet existing + 5,070 square feet (150%) = 8,450 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. A row of shrubs and/or trees shall be planted between the proposed addition and Lot 4A, in a planting area maintained by the applicant.

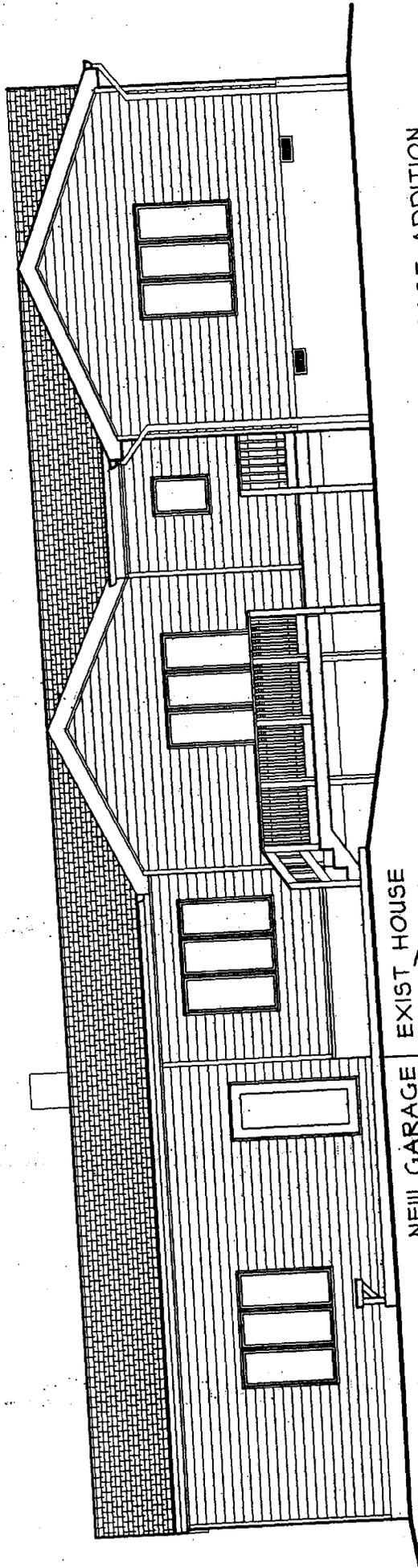
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

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.



PITKIN RESIDENCE GARAGE ADDITION
5222 MONROE DRIVE, SPRINGFIELD, VA 22151
O'NEIL ARCHITECTS
DESIGN DRAWINGS
OCT 2, 2008 103-111-5113

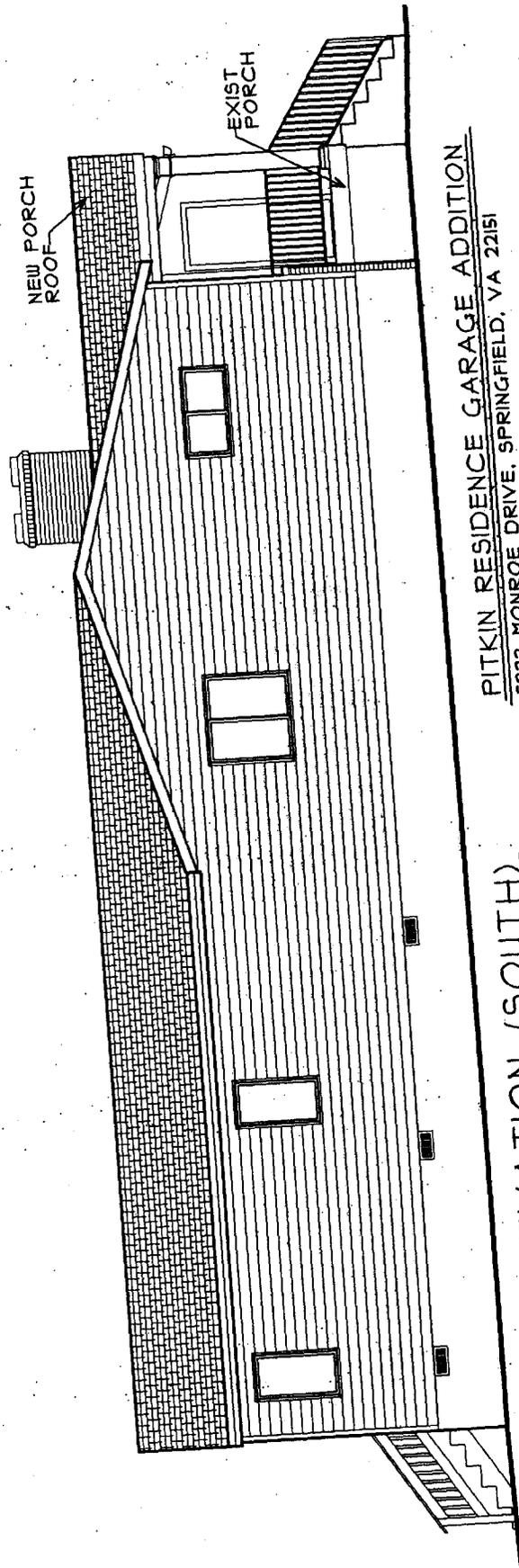
FRONT ELEVATION (EAST)
1/8"=1'-0"



NEW GARAGE ← EXIST HOUSE →

PITKIN RESIDENCE GARAGE ADDITION
5222 MONROE DRIVE, SPRINGFIELD, VA 22151
O'NEIL ARCHITECTS
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OCT 2, 2008 103-111-5113

REAR ELEVATION (WEST)
1/8"=1'-0"

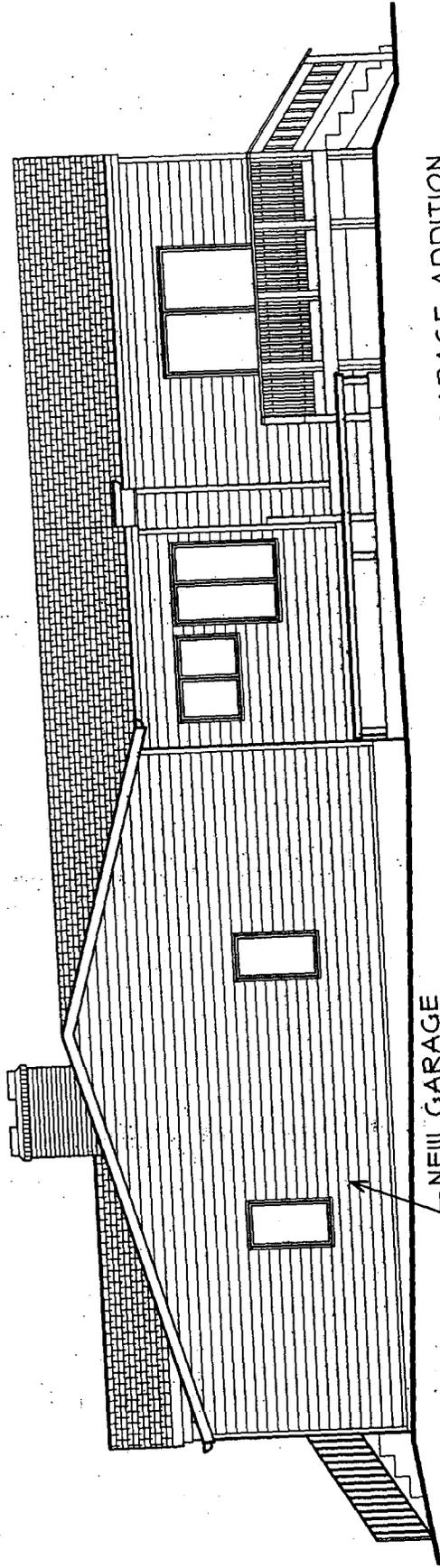


PITKIN RESIDENCE GARAGE ADDITION

5222 MONROE DRIVE, SPRINGFIELD, VA 22151
O'NEIL ARCHITECTS
DESIGN DRAWINGS
OCT 2, 2008 103-111-5113

LEFT ELEVATION (SOUTH)

1/8" = 1'-0"



NEW GARAGE
RIGHT ELEVATION (NORTH)
1/8"=1'-0"

PITKIN RESIDENCE GARAGE ADDITION
5222 MONROE DRIVE, SPRINGFIELD, VA 22151
O'NEIL ARCHITECTS
DESIGN DRAWINGS
OCT 2, 2008 103-111-5113

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 10/17/08
(enter date affidavit is notarized)

I, ROGER F. PITKIN, do hereby state that I am an
(enter name of applicant or authorized agent)

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

102248

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)
ROGER F. PITKIN	5222 MONROE DR SPRINGFIELD, VA 22151	APPLICANT/ TITLE OWNER
NINA A. PITKIN	"	TITLE OWNER

(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.

* 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: 10/17/08
(enter date affidavit is notarized)

102248

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)

N/A

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)

(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): _____
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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)

N/A

(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)

(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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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

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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 Applicant's Authorized Agent

ROGER F. PITKIN
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 17th day of OCTOBER 2008, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

Lucy Tomaselli
Notary Public

My commission expires: April 30th, 2010

LUCY TOMASELLI
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #319021
My Commission Expires April 30, 2010

DEC 02 2008

Zoning Evaluation Division

Re: Pitkin Residence, Garage Addition
5222 Monroe Drive
Springfield, VA 22151

Statement of Justification for a Request for Special Permit

We are requesting a special permit per Zoning Ordinance Section 8-922, to reduce the side yard setback from 15 feet (as described in Section 3-207, Bulk Regulations) to 9.8 feet on the north side of the property.

The 24'x32'-3" two car garage addition to the single family house at 5222 Monroe Drive will be a wood framed structure with vinyl siding, windows, trim, and asphalt shingle roof that will match the existing house finishes. It will be one story in height (15'-2" from grade to peak of roof) and will match the roof line of the existing one story house. There will be no accessory structures in the front yard.

The original house was built in 1964 and the existing setbacks are 35' for the front yard, 25' for the rear yard and 15' for the side yards. The proposed garage will encroach 5.2 feet into the right or north side yard leaving 9.8 feet between the garage and side property line. The existing house has a total square footage of 3871 sq. ft. (main floor, basement and carport). The proposed garage, which will replace the existing carport, is 371 sq. ft. larger than the existing carport, and will thus increase the total square footage to 4242 sq. ft, a 9.8% increase. The garage area will be subordinate in purpose, use, and scale and intent to the existing house. The existing gross floor area footprint is 2481 sq. ft. and the floor area ratio to overall lot size is 10.1% (2481/24,543). The new gross floor area footprint with the garage is 3002 sq. ft. and the floor area ratio to overall lot size is 12.2%.

The garage will replace the existing single vehicle carport and is compatible with the existing house and the surrounding houses in the neighborhood, many of which have two-car garages. The size and scale of the garage is in keeping with the existing house and the completed structure will be a cohesive design that will blend well with the other single family homes in the neighborhood. The new structure will leave almost 10' of open yard between the side wall of the garage and the side property line. This space will be landscaped to match the rest of the yard, with new plants and shrubs planted around the foundation of the garage that will be similar to the plants and shrubs that will have to be removed to construct the garage. The 5.2 foot encroachment into the side yard setback allows the proposed garage to be large enough for two cars and a limited amount of storage space that the existing one story house does not have. The proposed garage addition will not create an adverse impact on the adjacent properties because it blends well with the existing house design, is in scale with the surrounding structures, matches the use of the surrounding structures and leaves sufficient, well landscaped open space between all adjacent structures.

To the best of our knowledge, there are no hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.2, 302.4 and 355; hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management

Regulations; or petroleum products as defined in Title 40, Code of Federal Regulations Part 280 to be generated, utilized, stored, treated, and/or disposed of on site.

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.