



APPLICATION ACCEPTED: February 5, 2009  
DATE OF PUBLIC HEARING: April 21, 2009  
TIME: 9:00 a.m.

## County of Fairfax, Virginia

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April 14, 2009

### STAFF REPORT

**SPECIAL PERMIT APPLICATION No. SP 2009-MV-012**

#### **MOUNT VERNON DISTRICT**

**APPLICANTS & OWNERS:** David and Julie Rife

**ZONING:** R-3

**LOCATION:** 8827 Camfield Court

**ZONING ORDINANCE PROVISION:** 8-922

**TAX MAP:** 111-2 ((5)) (3) 35

**LOT SIZE:** 14,656 Sq. Feet

**SP PROPOSAL:** Reduction of certain yard requirements to permit construction of addition 6 feet from the side lot line.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2009-SU-012 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 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:\Scaff2\Case Files\Special Permits\SP 2009-MV-012 RIFE\RIFE\_Cover.doc*

Shannon Caffee

Excellence \* Innovation \* Stewardship  
Integrity \* Teamwork \* Public Service

Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703-324-1290 FAX 703-324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



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

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



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

**Special Permit**  
**SP 2009-MV-012**

**Applicant:** DAVID & JULIE RIFE  
**Accepted:** 02/05/2009  
**Proposed:** REDUCTION OF CERTAIN YARD REQUIREMENTS  
TO PERMIT ADDITION 6.0 FEET FROM SIDE  
LOT LINE

**Area:** 14,656 SF OF LAND; DISTRICT - MOUNT VERNON

**Zoning Dist Sect:** 08-922

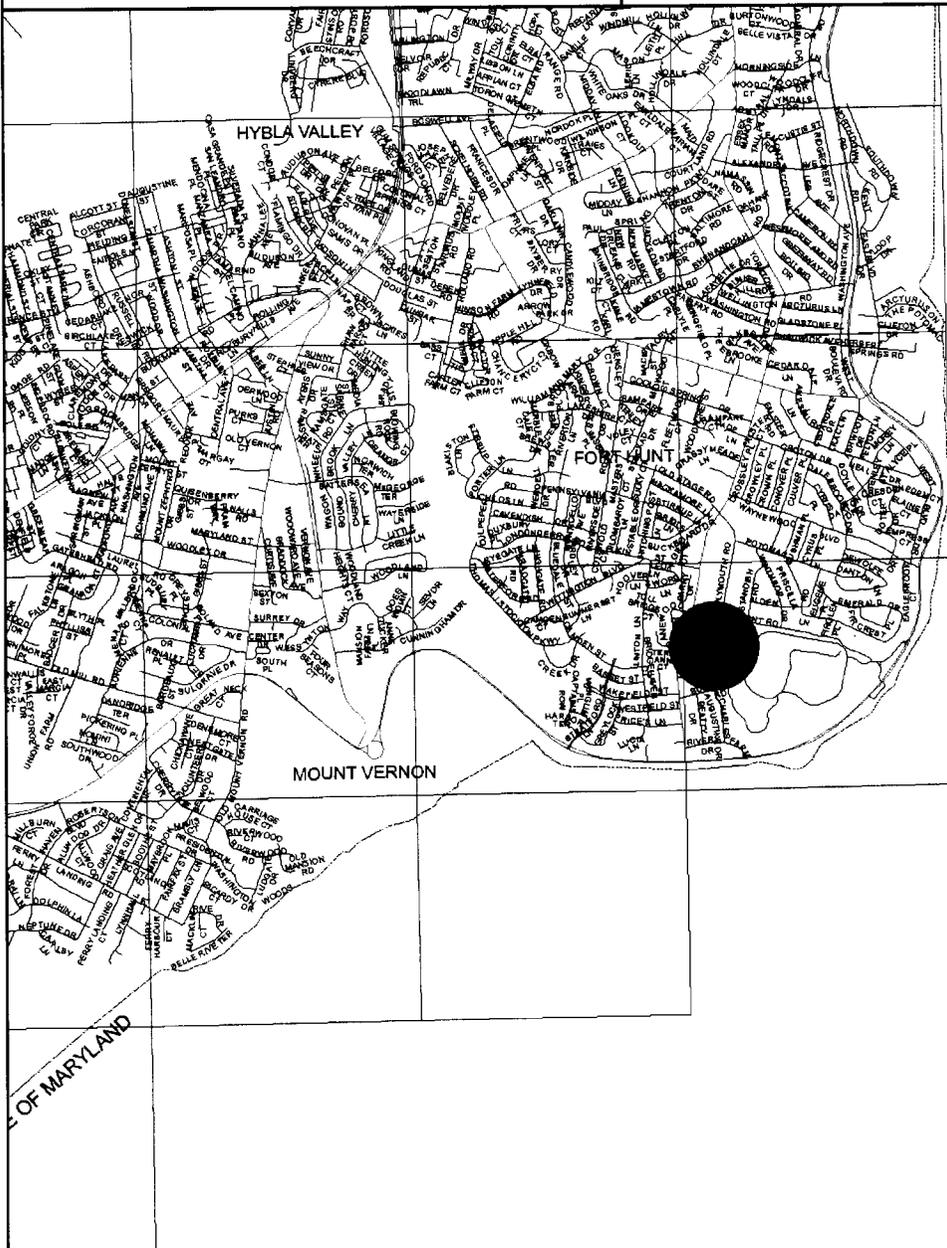
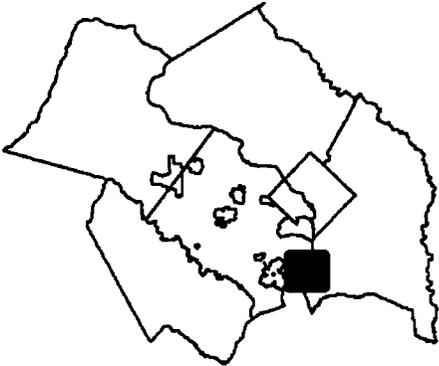
**Art 8 Group and Use:** 9-21

**Located:** 8827 CAMFIELD COURT

**Zoning:** R- 3

**Overlay Dist:**

**Map Ref Num:** 111-2- /05/03/0035



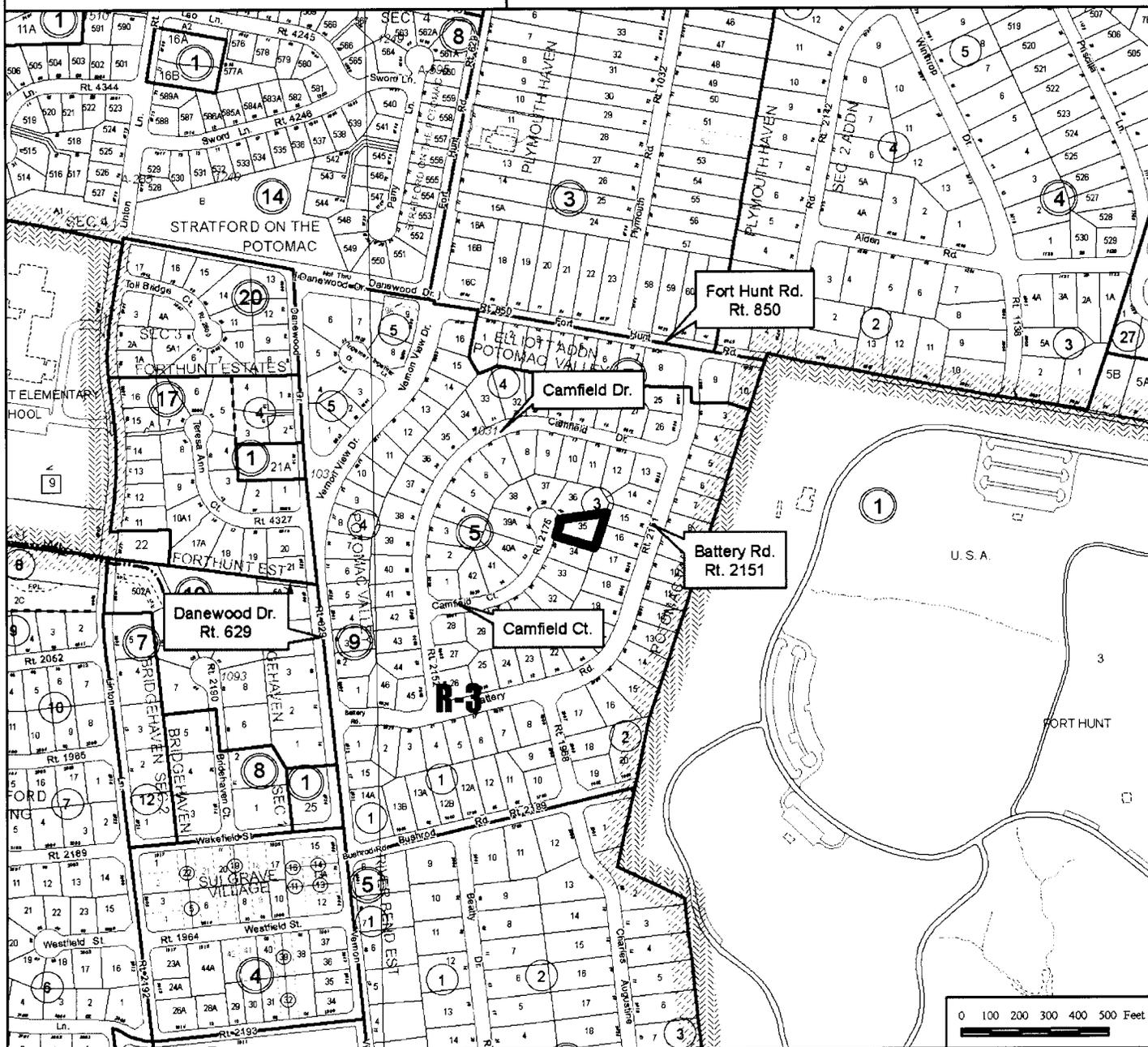
# Special Permit

SP 2009-MV-012

**Applicant:** DAVID & JULIE RIFE  
**Accepted:** 02/05/2009  
**Proposed:** REDUCTION OF CERTAIN YARD REQUIREMENTS TO PERMIT ADDITION 6.0 FEET FROM SIDE LOT LINE

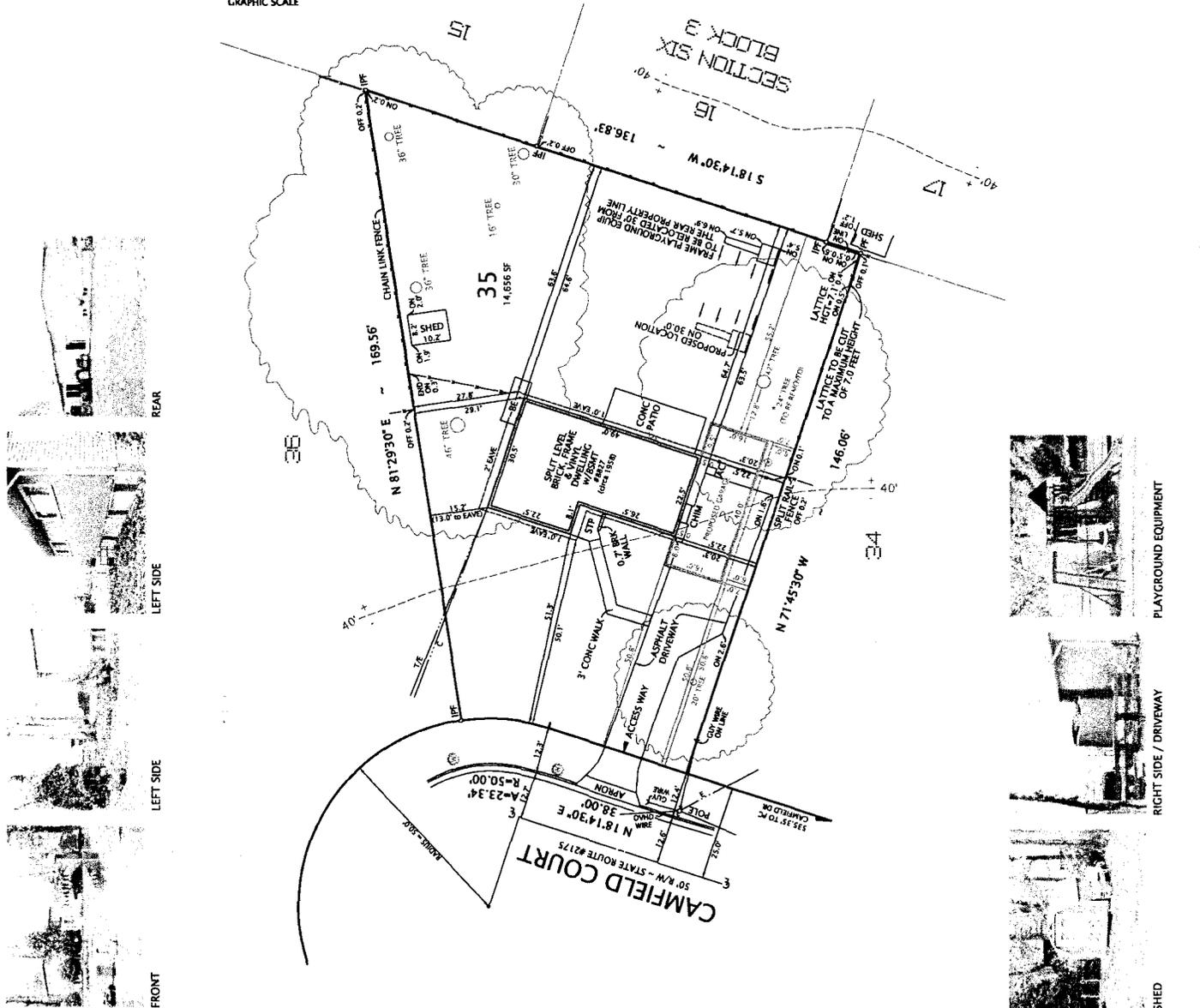
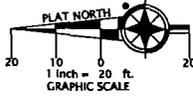
**Area:** 14,656 SF OF LAND; DISTRICT - MOUNT VERNON

**Zoning Dist Sect:** 08-922  
**Art 8 Group and Use:** 9-21  
**Located:** 8827 CAMFIELD COURT  
**Zoning:** R-3  
**Overlay Dist:**  
**Map Ref Num:** 111-2- /05/03/0035



**NOTES**

- TAX MAP: 111-2-0503-0035
- ZONE: R-3 (RESIDENTIAL 3 DU/AC)
- LOT AREA: 14,656 SQUARE FEET
- REQUIRED YARDS:
  - FRONT: 30.0 FEET
  - SIDE: 12.0 FEET
  - REAR: 25.0 FEET
- HEIGHTS:
  - DWELLING: 14.3 FEET
  - SHED: 08.5 FEET
  - PROPOSED GARAGE: 14.3 FEET
  - PLAYGROUND EQUIP.: 10.0 FEET
  - ALL FENCES: 03.5 FEET
- THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
- THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
- ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING UNLESS DENOTED AS PROPOSED.
- THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
- TOPOGRAPHY DELINEATED HEREON WAS TAKEN FROM AVAILABLE RECORDS, IS SHOWN AT 5' INTERVALS, AND IS AERIAL.
- THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
- FENCES ARE SPLIT RAIL & WIRE UNLESS NOTED.
- AREAS:
  - EX BSMT = 686 SF
  - EX 1st FLOOR = 596 SF
  - EX 2nd FLOOR = 686 SF
  - EX GROSS FLOOR AREA = 1968 SF
  - EX FLOOR AREA RATIO = EX GFA (1968) / LOT AREA (14656) = 0.13
  - PROPOSED GARAGE = 629 SF / EX GFA (1968) = 32 %
  - PROP AREA = EX GFA (1968) + PROP GARAGE (629) = 2597 SF
  - PROP FLOOR AREA RATIO = PROP GFA (2597) / LOT AREA (14656) = 0.18



**PLAT**  
 SHOWING THE IMPROVEMENTS ON  
 LOT 35, BLOCK 3, SECTION TWO  
**POTOMAC VALLEY**  
 (DEED BOOK 1428, PAGE 200)  
 FAIRFAX COUNTY, VIRGINIA  
 MOUNT VERNON DISTRICT  
 SCALE: 1" = 20'  
 APRIL 28, 2008  
 JANUARY 21, 2009 (REV)

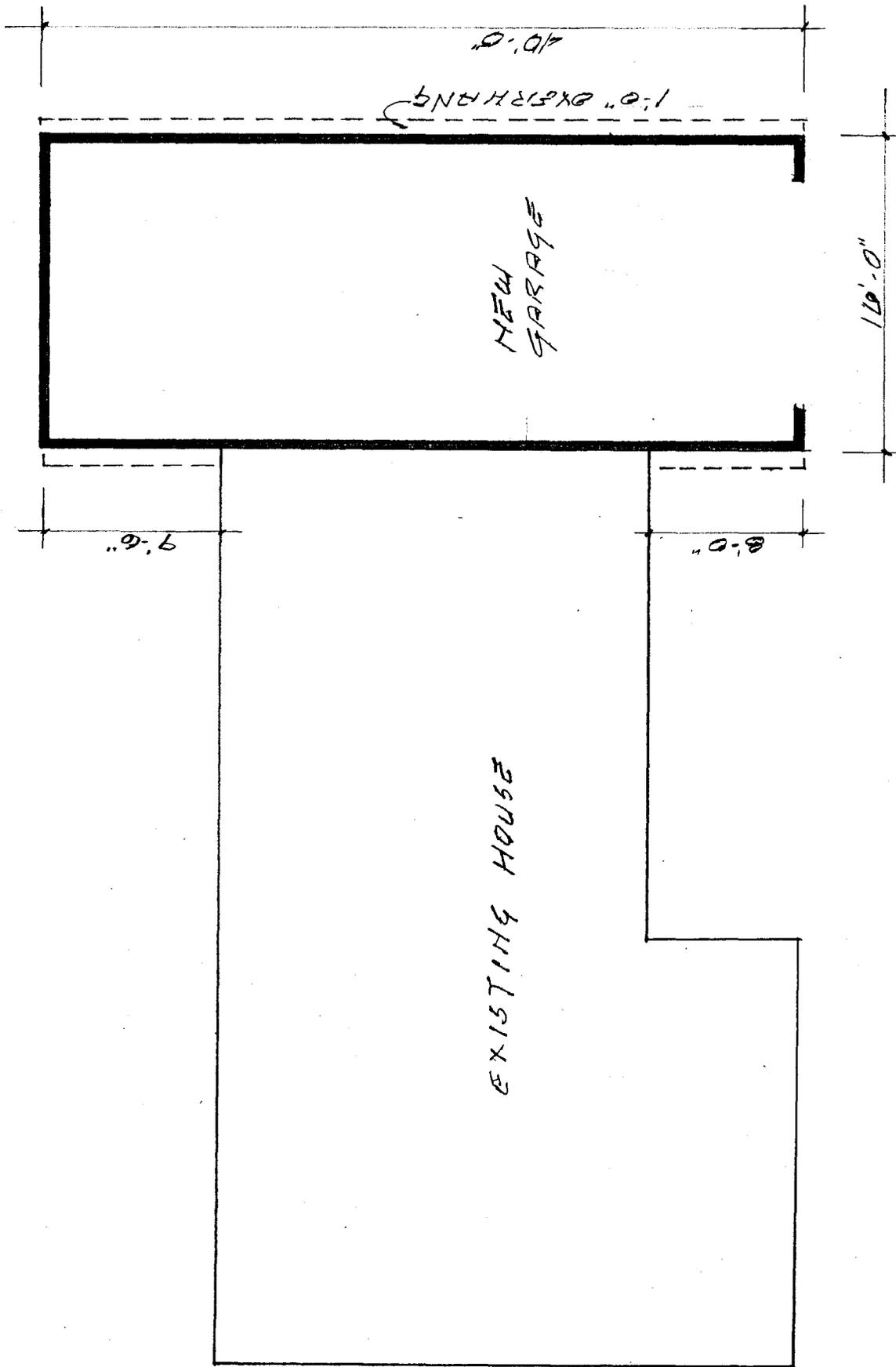


THESE IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN OTHERWISE ARE NO VIOLATIONS OF ANY ENCROACHMENTS AS OF THIS DATE.

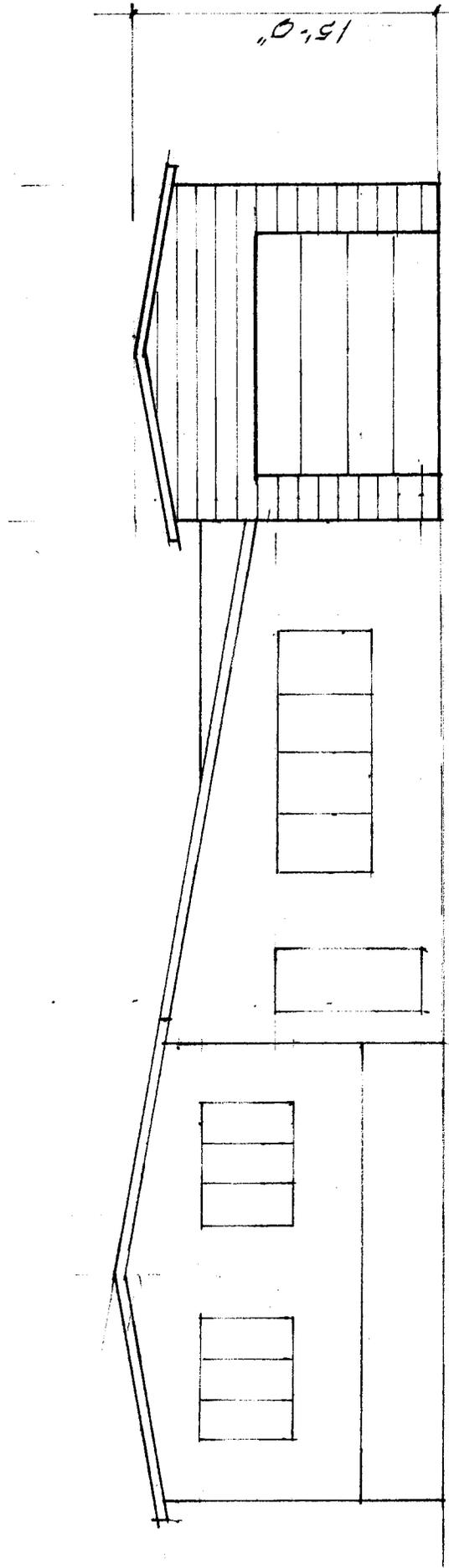
THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD. A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.

CASE NAME: DAVID RIFE

**DOMINION** Surveyors Inc.  
 8808 H PEAR TREE VILLAGE COURT  
 ALEXANDRIA, VA 22309  
 TEL: 703-431-9625  
 FAX: 703-799-6412

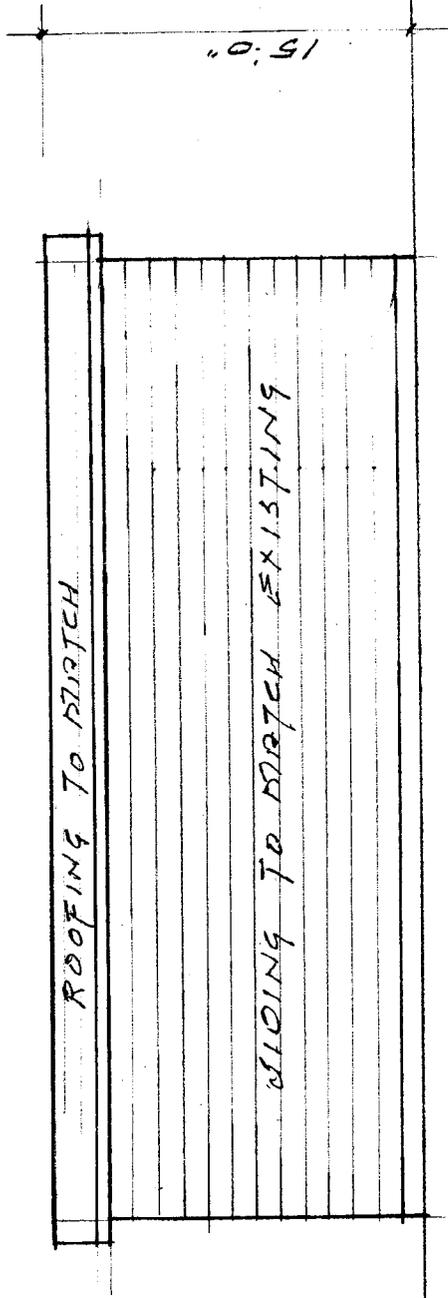


FLOOR PLAN SCALE 1/8" = 1'-0"  
8827 CAMFIELD COURT



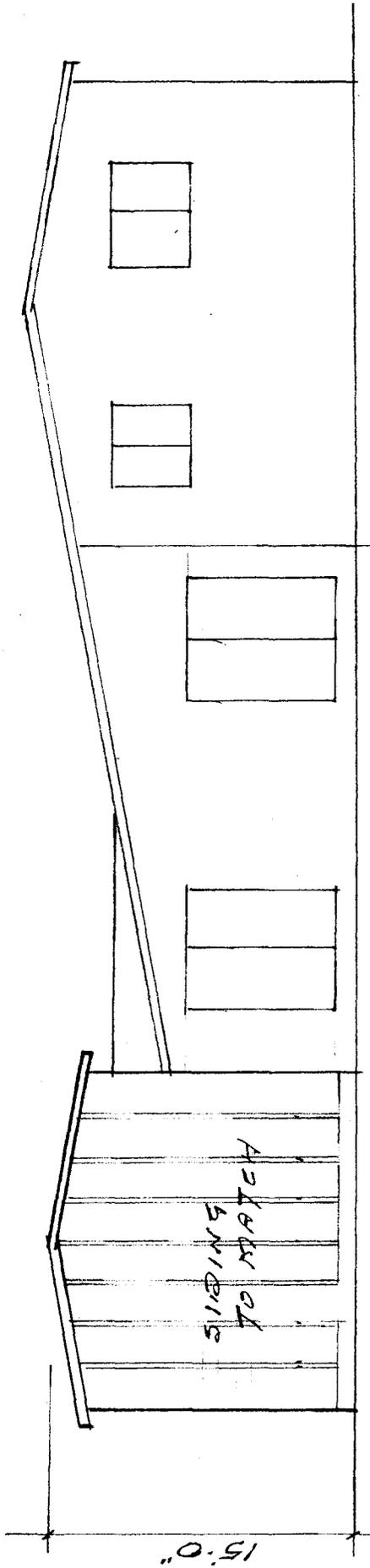
FRONT ELEVATION SCALE 1/8" = 1'-0"

8827 CAMFIELD COURT



SIDE ELEVATION SCALE 1/8" = 1'-0"

8827 CANTFIELD COURT

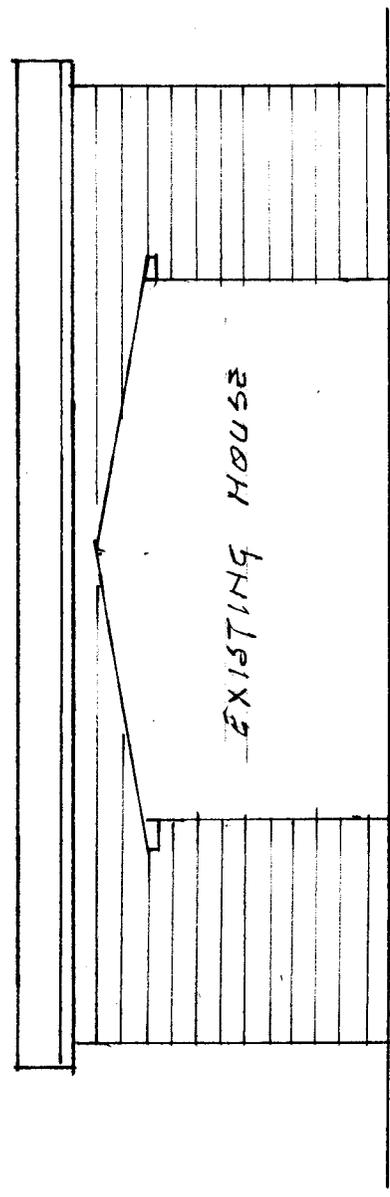


REAR ELEVATION SCALE 1/8" = 1'-0"

8827 CAMFIELD COURT

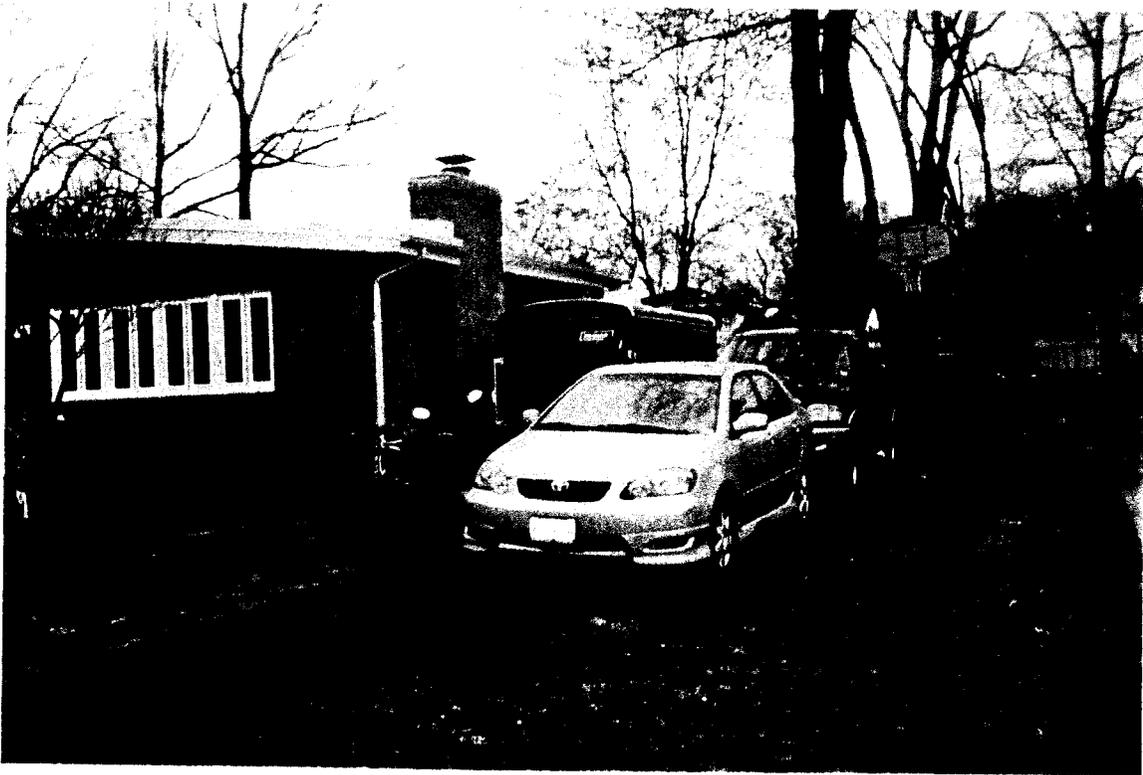
LRND 0751/14/17 2288

201-1-8, 2012-1-8, 2012-1-8, 2012-1-8





SIDE ELEVATION  
AT ADDITION

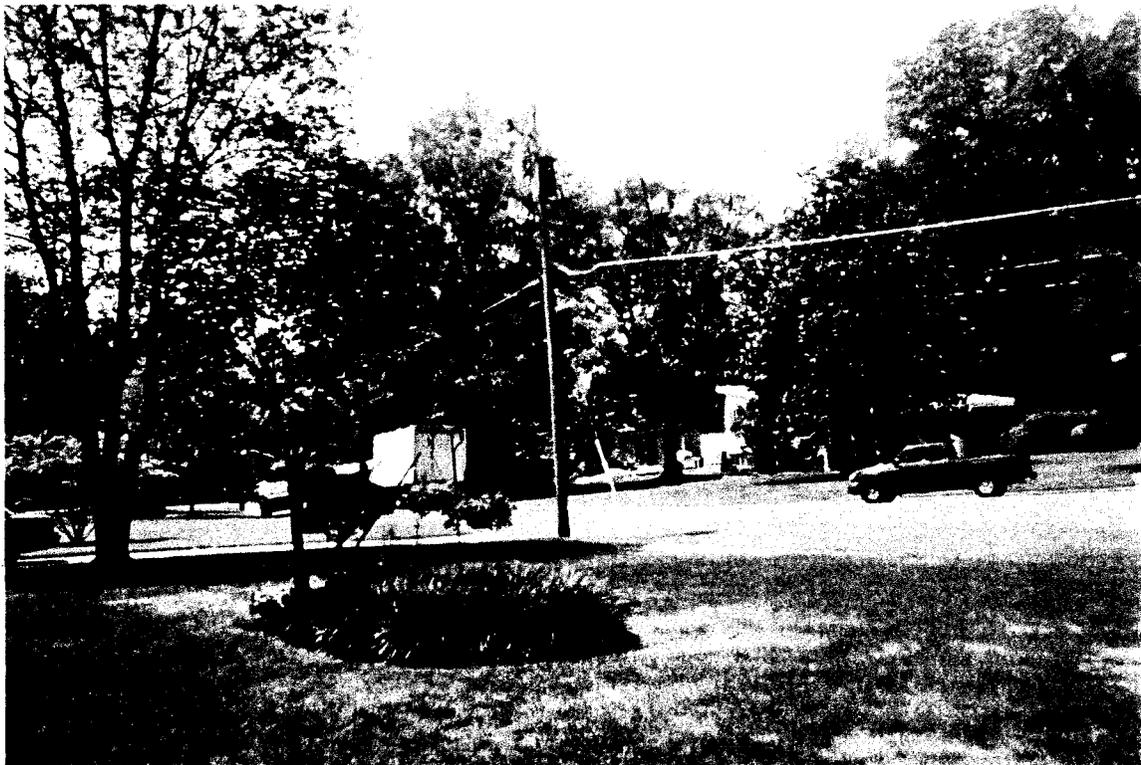


SIDE ELEVATION  
AT ADDITION

8827 CAMFIELD COURT

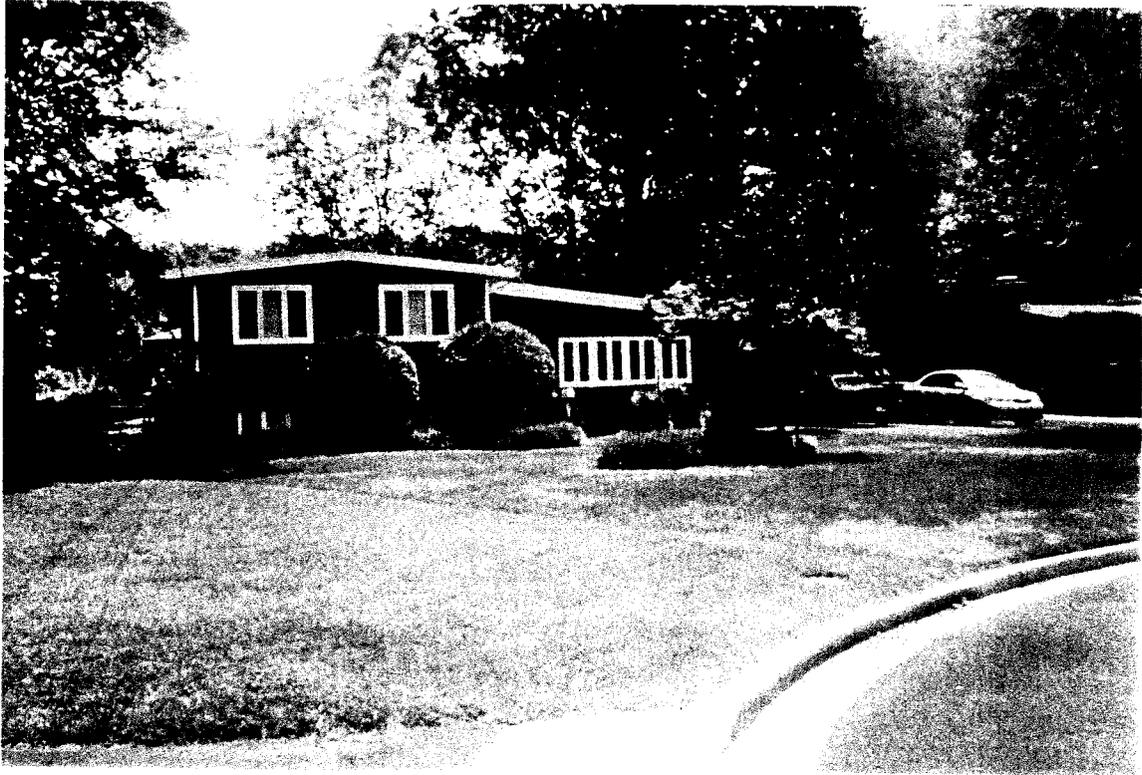


FRONT-SIDE AT ADDITION

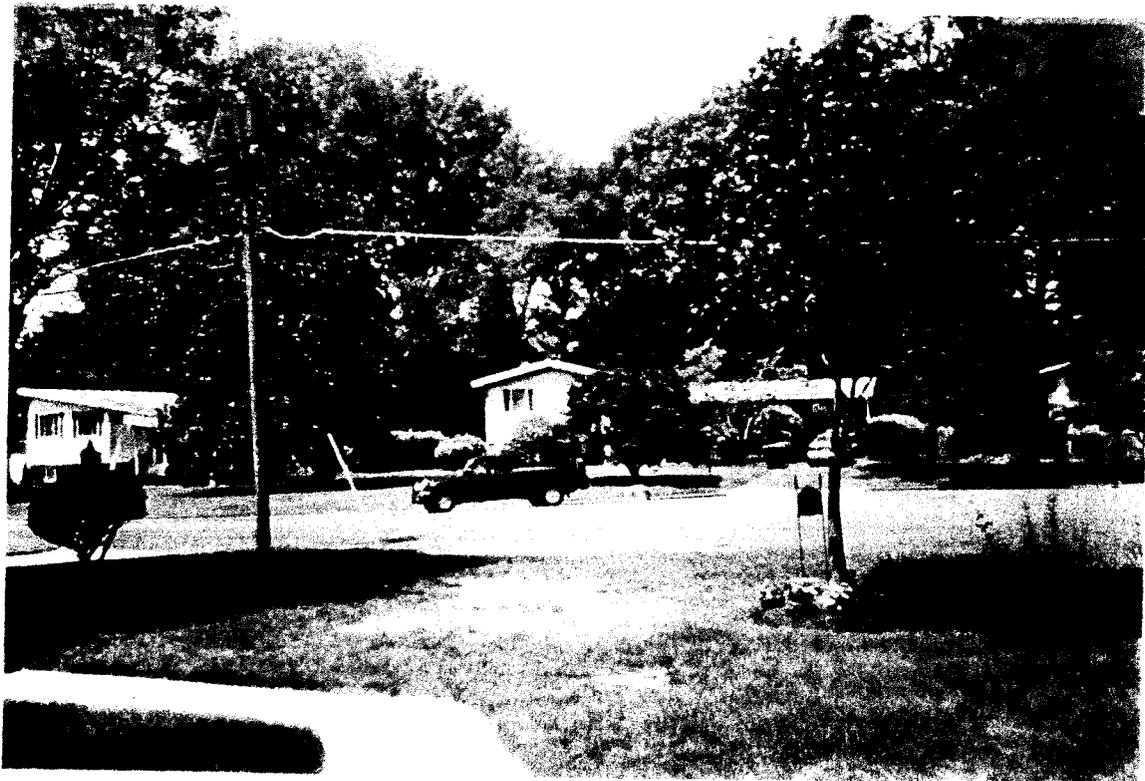


VIEW FROM FRONT FRONT  
ACROSS STREET

8827 CAMFIELD COURT



FRONT ELEVATION



VIEW ACROSS STREET  
FROM FRONT ELEVATION

8827 CAMFIELD COURT



FRONT ELEVATION  
AT ADDITION



REAR ELEVATION  
AT ADDITION

8827 CAMFIELD COURT



REAR ELEVATION



VIEW FROM REAR

8827 CAMFIELD COURT

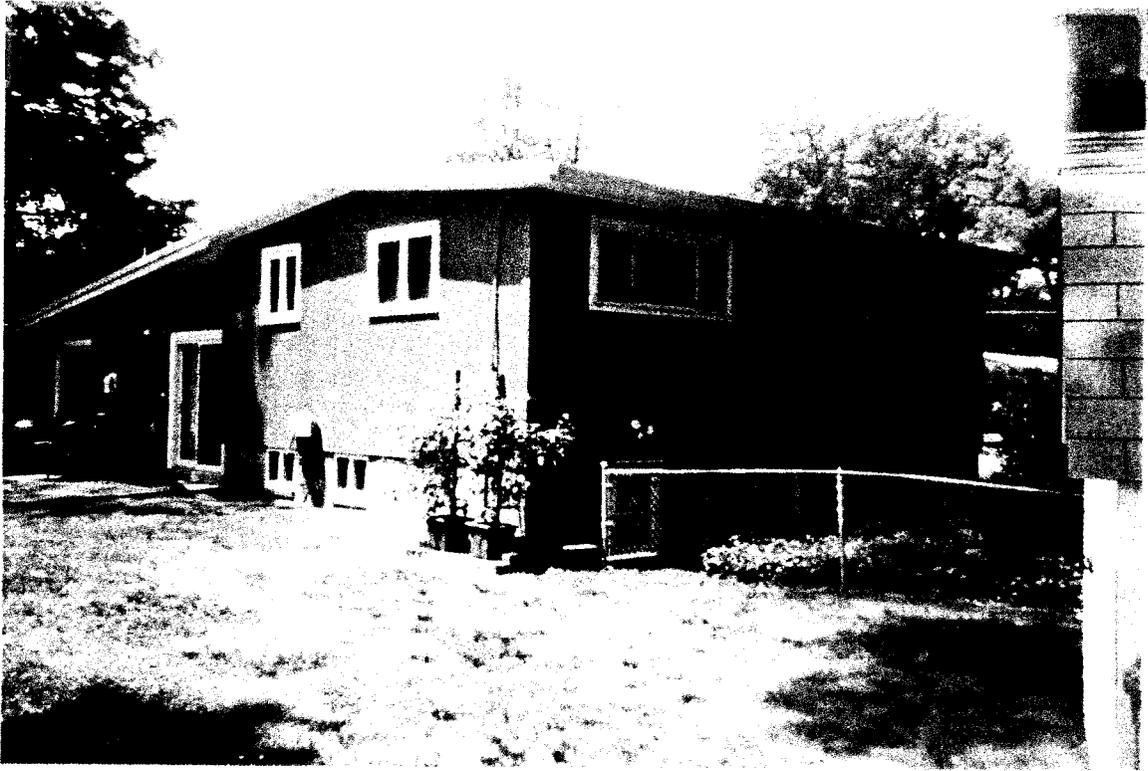


FAR SIDE SHOWING  
PROPERTY BEYOND REAR



VIEW DOWN STREET  
FROM FRONT OF ADDITION

8827 CAMFIELD COURT



FAR SIDE ELEVATION



REAR YARD SHOWING  
PROPERTY BEYOND

8827 CAMFIELD COURT

**DESCRIPTION OF THE APPLICATION**

The applicant seeks approval of a special permit for a reduction of certain yard requirements to permit construction of an addition 6 feet from the southern side lot line.

	<b>Structure</b>	<b>Yard</b>	<b>Min. Yard Required*</b>	<b>Proposed Location</b>	<b>Proposed Reduction</b>	<b>Percent of Reduction Requested</b>
<b>Special Permit</b>	Addition	side	12 feet	6 feet	6 feet	50 %

\* Minimum yard requirement per Section 3-307

**LOCATION AND CHARACTER**

**Existing Site Description**

The site is currently zoned R-3 and contains a one story single family detached dwelling with basement which was built in 1958. The lot consists of 14,656 square feet and has no change in topography. The subject property is surrounded by single family detached homes on all sides.

While the plat depicts many trees on the subject property, the majority of them have been removed. This includes a 42" diameter tree, which would be one of the most affected trees from the proposed addition. It was determined that the trees were either dying or already dead and subsequently removed. The applicant has submitted a letter with photographs which depict the trees after they have been removed and were in fact dead on the inside. A copy of this letter can be found in Appendix 4.

**Character of the Area**

	<b>Zoning</b>	<b>Use</b>
<b>North</b>	R-3	Single Family Detached Dwellings
<b>South</b>	R-3	Single Family Detached Dwellings
<b>East</b>	R-3	Single Family Detached Dwellings
<b>West</b>	R-3	Single Family Detached Dwellings

## BACKGROUND

There is existing playground equipment within the minimum required rear yard that is proposed to be relocated to meet yard requirements. The existing shed is exactly 8.5 feet in height and is therefore allowed to remain in its current location.

The Board of Zoning Appeals (BZA) has heard the following applications in the neighborhood.

- Variance VC 83-V-144, denied on November 29, 1983, on Tax Map Number 111-2 ((5)) (3) 27, on 8903 Camfield Drive, zoned R-3, north of the subject property to permit construction of dwelling over an existing concrete slab patio to 3 feet from side lot line.

## ANALYSIS OF SPECIAL PERMIT APPLICATION

- **Title of SP Plat:** Plat Showing the Improvements on Lot 35, Block 3, Section Two, Potomac Valley
- **Prepared By:** George M. O'Quinn, Dominion surveyors, Inc., dated April 28, 2008, revised through January 21, 2009

## Proposal

The applicant proposes to construct a one story garage addition on the southern side of the house. The garage is proposed at 629 square feet in size and be able to house two cars; however, is being constructed so that they would park end to end versus side by side. The addition will be constructed to match the existing dwelling both in shape, size and materials and will be the same height as the existing dwelling. The applicants state that the width of the garage is proposed slightly wider than the typical width of a one car garage due to an existing chimney which protrudes out 2 feet into the space.

## ZONING ORDINANCE REQUIREMENTS (See Appendix 5)

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

## Sect. 8-006 General Special Permit Standards

Staff believes that the application meets all of the 8 General Special Permit Standards with notes regarding standard 3.

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. *Staff believes that the special permit application satisfies this condition based the fact that many other homes in the neighborhood have carports constructed by right in a similar fashion as the proposed garage as close as 7 feet to adjacent lot lines. The applicant is currently parking all of their vehicles on the existing driveway; a garage would hide some of these vehicles and be more in keeping with the neighborhood.*

### **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 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 1,968 square feet. Therefore 150% of the total gross floor area could result in an addition up to 2,952 square feet; which makes a combined total of 4,920 square feet. The proposed addition will be 629 square feet for a total of 2,597 square feet for the existing house and addition. 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 proposed addition will be 15.4 feet in height which matches the height of the house. The applicant has indicated on the architectural drawing that it will be constructed of materials to match the siding on the opposite end of the house. Staff believes the proposed addition will not be out of character with existing on-site development.*

*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 existing asphalt drive is currently two feet away from the property line where the applicant parks all of their vehicles. The proposed garage will hide these vehicles from sight and will only be the width of one car. The proposed garage is going to be the same height as the existing dwelling. Though a carport could be constructed by right in the current location of the proposed garage, an enclosed space would mitigate noise from vehicles and people entering and exiting them. The plat depicts two trees on the southern side of the lot where the proposed addition will take place; however, those trees have since be removed due to the fact that they had died. The applicant has submitted a letter and pictures of the dead trees per staff's request. In order to mitigate any increase in*

*impervious surfaces, the applicant will remove the portion of the existing driveway between the proposed garage and the southern side lot line and plant with new vegetation.*

*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. No downstream complaints have been indicated by DPWES and there is relatively small increase of impervious area due to the proposed addition being constructed over an existing driveway. As stated previously, the applicant will be able to house some of their vehicles within the confines of a garage instead of the asphalt driveway that is currently two feet from the side lot line. Therefore, staff believes that the proposed addition shall not have any adverse impact on neighboring properties.*

*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 proposed addition could not have been constructed on the northern side of the existing house due to its proximity to the side lot line and the existing asphalt driveway currently exists where the proposed garage will be. While the proposed garage is wider than what would typically be required for a one car garage, there is an existing chimney which extends two feet into the proposed structure. There are no Resource Protection areas on the subject property and the topography suggests very little change in grade.*

## **CONCLUSION**

Staff believes that the subject application for the addition is in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proposed Development Conditions contained in Appendix 1 of the staff report.

## **RECOMMENDATION**

Staff recommends approval of special permit application SP 2009-MV-012 for the addition subject to the proposed development conditions contained in Appendix 1 of the staff report.

If it is the intent of the BZA to approve this application, Staff recommends the BZA condition its approval by requiring conformance with the conditions set forth in Appendix 1 of this report, Proposed Development Conditions.

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

## **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Letter from Applicant about Status of Trees
5. Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2009-MV-012****April 14, 2009**

If it is the intent of the Board of Zoning Appeals to approve SP 2009-MV-012 located at Tax Map Number 111-2 ((5)) (3) 35 (8827 Camfield Court), to permit reduction of certain yard requirements pursuant to 8-922 of the Fairfax County Zoning Ordinance, staff recommends 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 record of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recordation shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of a proposed addition as shown on the plat prepared by George M. O'Quinn, Dominion surveyors, Inc., dated April 28, 2008, revised through January 21, 2009, submitted with this application and is not transferable to other land.
3. Pursuant to Provision 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of the existing principle structures may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (1,968 square feet existing + 2,952 (150%) = 4,920 permitted) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction, special permit or variance. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be consistent with the architectural renderings and materials depicted on the plat and included in Attachment 1 to these conditions.
5. Prior to approval of the final building inspection for the addition, the existing paved area adjacent to the proposed garage shall be removed and the area scarified and mixed with topsoil. At least 5 evergreen trees, a minimum of 6 feet in height and a maximum of 10 feet apart, shall be planted in the area between the garage and the southern lot line.

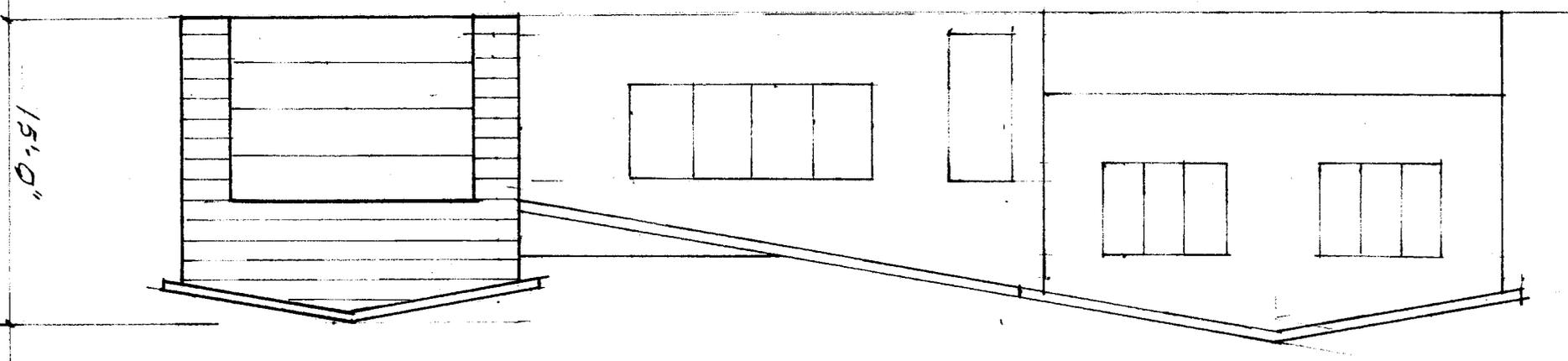
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

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

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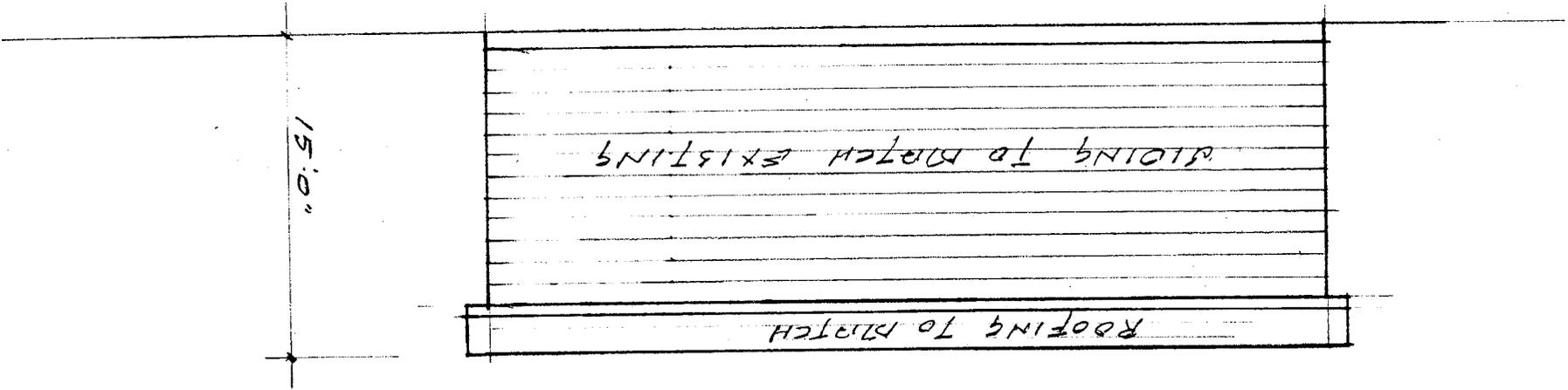
has commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

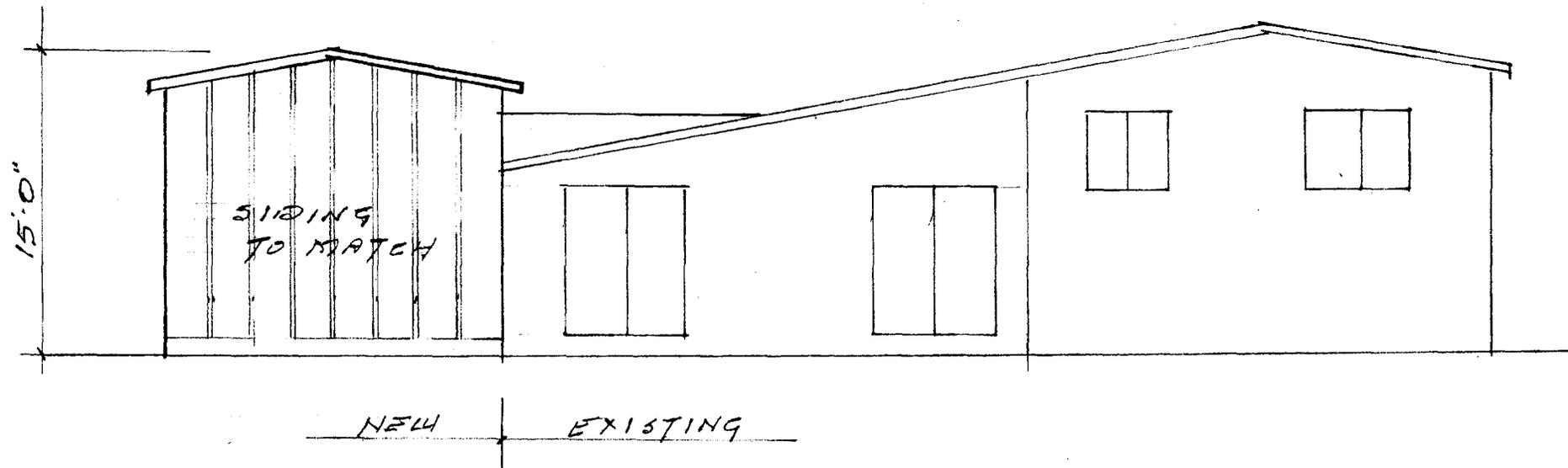
FRONT ELEVATION SCALE 1/8"=1'-0"  
8827 CAMFIELD COURT



8827 CAMFIELD COURT

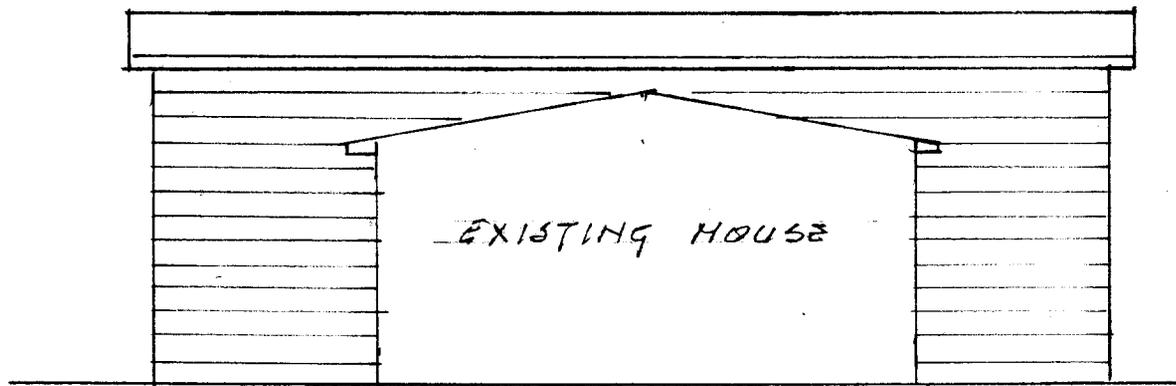
5102 PLANTATION SCALE 1/8" = 1'-0"





REAR ELEVATION SCALE 1/8" = 1'-0"

8827 CAMFIELD COURT



SIDE ELEVATION SCALE  $\frac{1}{8}'' = 1'-0''$

8827 CAMFIELD COURT

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 7/10/08  
(enter date affidavit is notarized)

I, David & Julie Rife, 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

102890

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 <b>BOLD</b> above)
<b>OWNERS</b>		
David A. Rife, Sr.	8827 Camfield CT	Applicant + <b>TITLE OWNER</b>
Julie L. Rife	Alexandria, VA 22308	
<b>AGENT</b>		
DAVID ISAAC	3033 SILENT VALLEY DRIVE FAIRFAX VA. 22031	<b>AGENT</b>

(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: 7/10/08  
(enter date affidavit is notarized)

102890

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)

**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)

n/a

(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: 9/10/08  
(enter date affidavit is notarized)

102890

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**)

n/a

(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): \_\_\_\_\_  
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Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 7/10/08  
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102890

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:

n/a

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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102890

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)

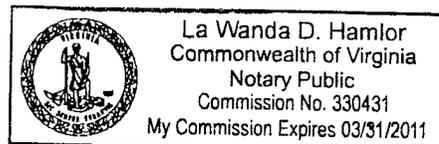
Julie L. Rife Julie L. Rife  
DAVID A. RIFE, Sr. David A. Rife Sr.  
 Applicant  Applicant's Authorized Agent

Julie L. Rife + David A. Rife, Sr. Owner/Applicants  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 10th day of July, 2008, in the State/Comm. of Virginia, County/City of Alexandria.

La Wanda D. Hamlor  
Notary Public

My commission expires: March 31, 2011



# 8827 CAMFIELD COURT

The proposed project consists of a 2-car garage, 40 feet deep by 16 feet wide by 15 feet high to the ridge. The garage is designed to park 2 cars end to end. The garage is attached to the right side of the house as seen from the street and is accessed by the existing driveway. Note, there is currently no enclosed or covered parking at this address. The garage matches the house in design, concept, and materials. As the proposed structure accommodates only one car in width, it represents the minimum amount of reduction necessary.

The addition to the dwelling at 8827 Camfield Court meets the following requirements:

The addition and side yard reduction does not result in the placement of a detached accessory structure in a front yard.

This special permit applies only to a lot that contains a principal structure and use that complied with the minimum yard requirements when the use of the structure was established.

The original and existing size of the proposed structure equals 1,968 square feet. No additions were ever made to the original structure. The proposed addition is 640 square feet. This adds an additional 33 percent to the structure.

There is no accessory structure. The attached garage addition is subordinate in purpose, scale, use, and intent to the principal structure on the site.

The proposed addition is designed to be in character with the existing dwelling in terms of location, height, bulk, and scale. See attached drawings. Note that all exterior materials are to match the existing house.

The proposed addition is designed to be in harmony with the surrounding off-site uses and structures in terms of location, height, bulk, and scale of surrounding structures, topography, existing vegetation, and preservation of trees. Note: One tree is scheduled to be removed from the site.

The proposed addition 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 storm water runoff.

The reduction in the side yard setback represents the minimum amount of reduction necessary to accommodate the proposed attached garage addition.

RECEIVED  
Department of Planning & Zoning  
JAN 22 2007  
Zoning Evaluation

RECEIVED  
DEPARTMENT OF F  
AND ZONING

APR 4 2009

SPECIAL PERMIT &  
VARIANCE BRANCH

March 31, 2009

To Whom It May Concern:

We applied for a Special Permit to have a garage built onto our home. It has come to our attention that a question has been raised regarding a tree we had taken down in our back yard just beyond our driveway. We had a very large tree in our back yard that had begun to show signs of it dying. The bark had started falling off, large limbs fell off, large holes and a fungus growing from the side.

We had the tree looked at on two previous occasions, one company told us that the tree was dead and the other told us that the tree was okay but sick. We made the decision to leave the tree standing at that time.

We began to experience foundation problems which caused our home to flood on multiple occasions. During investigation into the cause of the flooding in our home, it was determined that our foundation was being damaged by tree roots. After our home flooded 3 times, we had a third company come out and inspect our trees. It was the determination of this company that we had a few trees that were dead or in the process of dying. Two of those trees caused significant danger to us and our home. If either tree fell it would have meant major damage to either side of our home as well as possible injury or death to any occupants in the home. Having two young children, we made the decision to have the trees removed.

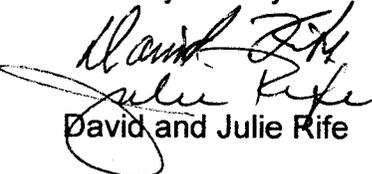
When Edwards Tree Service began to take the trees down, it was certainly confirmed that the trees were dead. The tree in question was rotten inside. It had also been struck by lightning and caught fire at some point as the inside of the tree was charred. It further was discovered that the tree had issues before we purchased the property as they discovered that the tree was filled with concrete and had root decay. The other tree was rotten as well from just below the crown and down.

We have attached pictures of the inside of the house below ground level to show the cracks that were found, settlement from having the outside dug up and repaired, our concrete patio removed at the back door as well as the inside of the tree in question. The cost of the repairs to our home as well as having the trees removed were several thousand dollars which we had not planned on. I can assure you that we did not take down any trees for any other reason than safety and structure.

I have also attached the business card for Edwards Lawn and Tree Service which removed the trees. You are more than welcome to verify the validity of the tree removal through the owner, Mr. Donald Hubbell at 703-499-6772.

If you have other question or concerns please feel free to contact us at any time on 703-963-6635.

Thank you for your time and attention in this matter.



David and Julie Rife

**LICENSED  
INSURED**

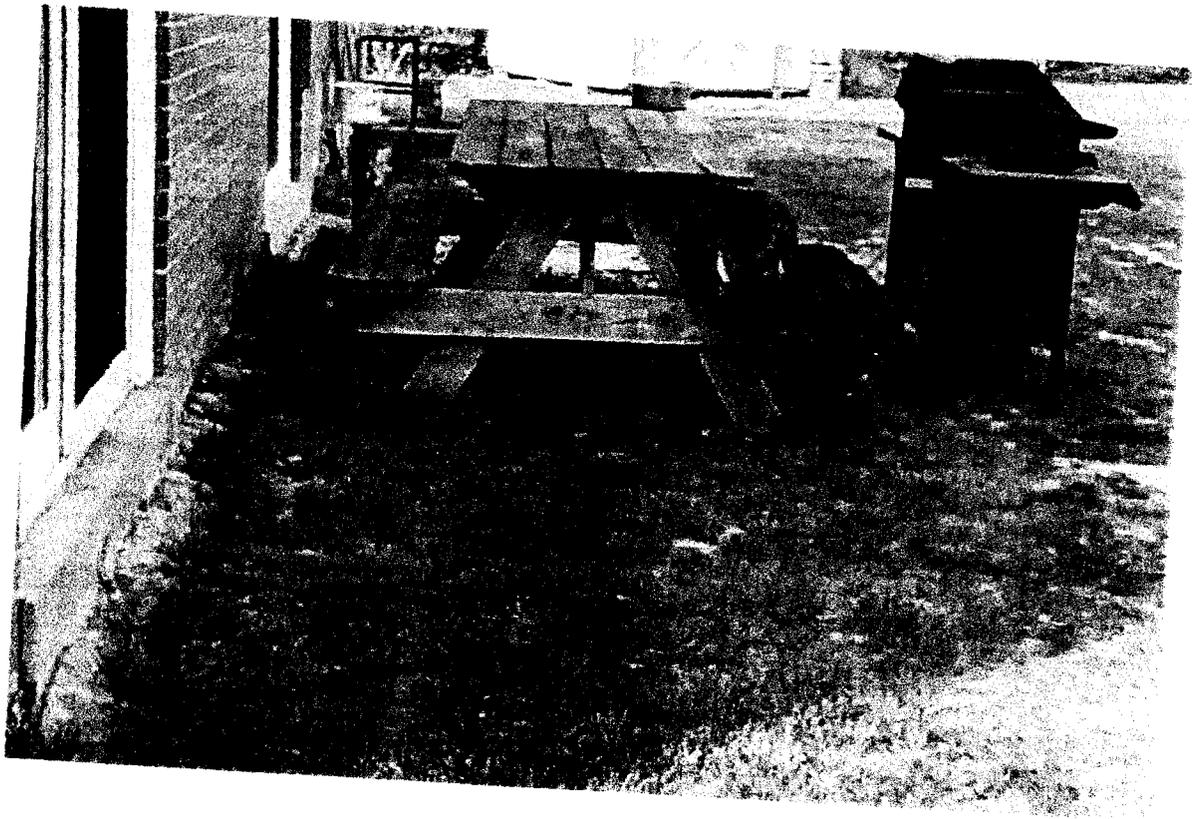
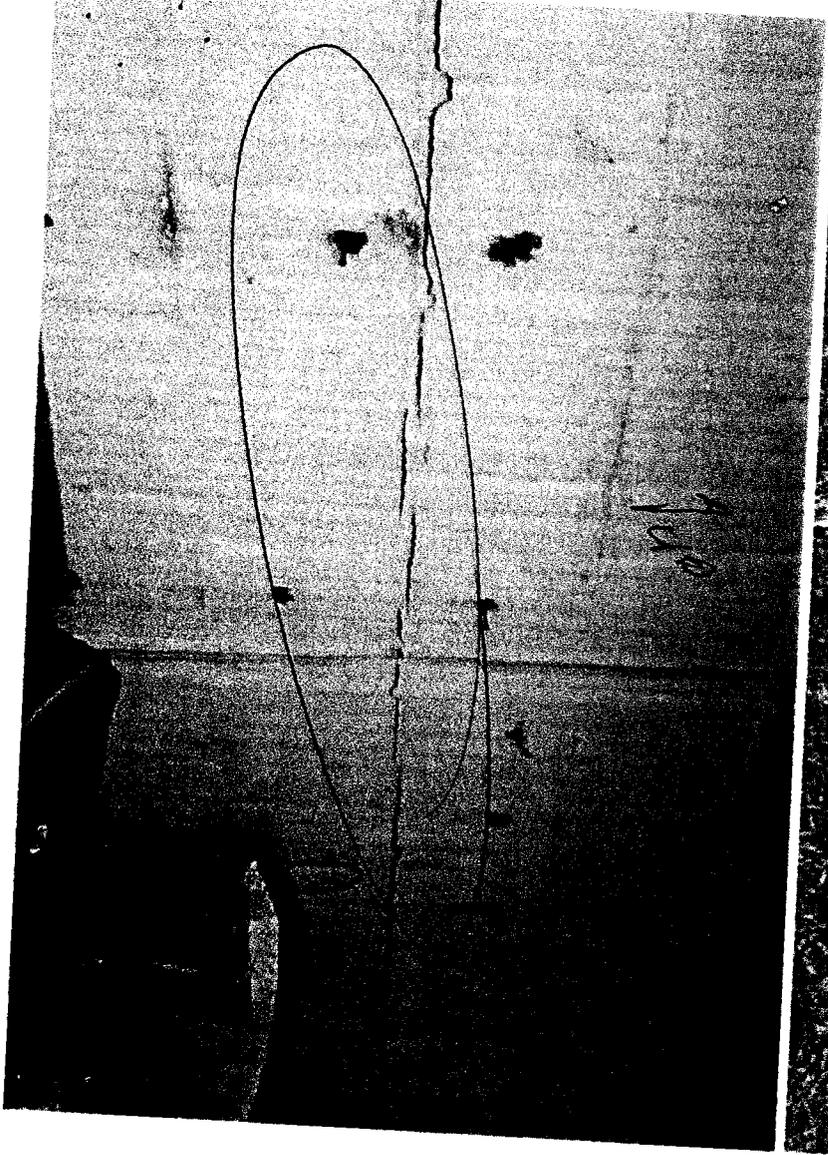
**FREE  
ESTIMATES**

*Edward's*  
**LAWN & TREE SERVICE**  
INC.

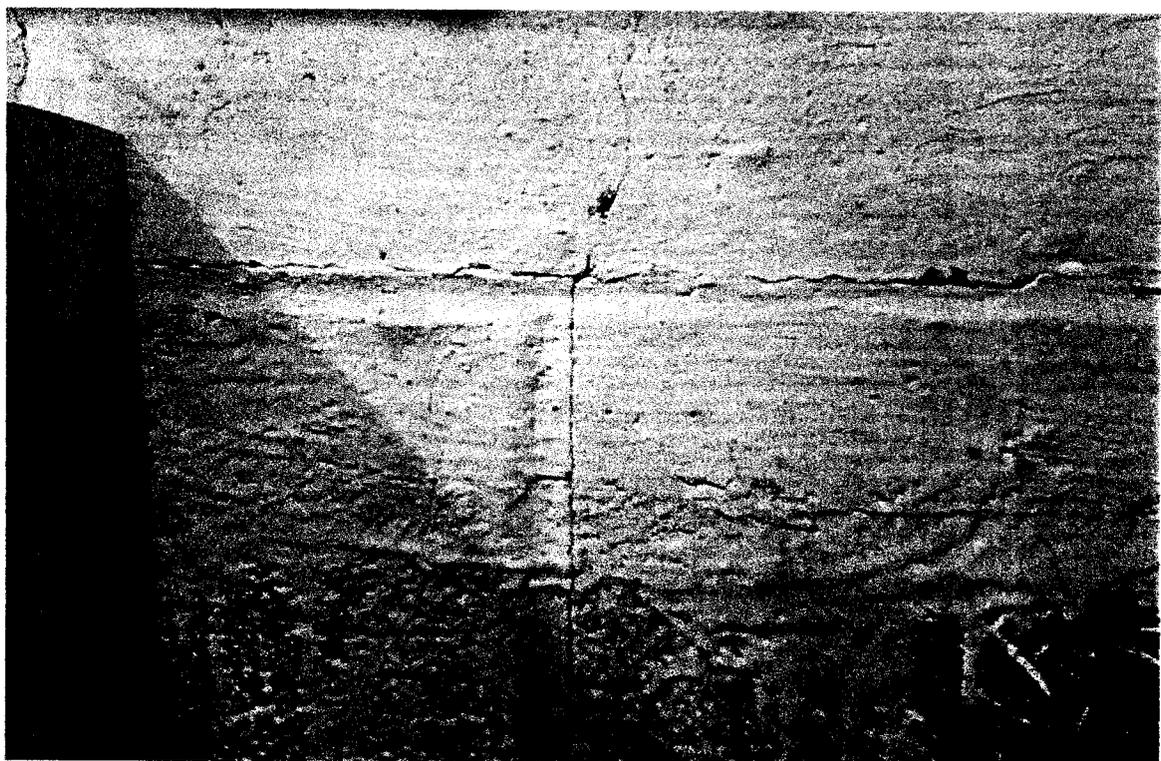
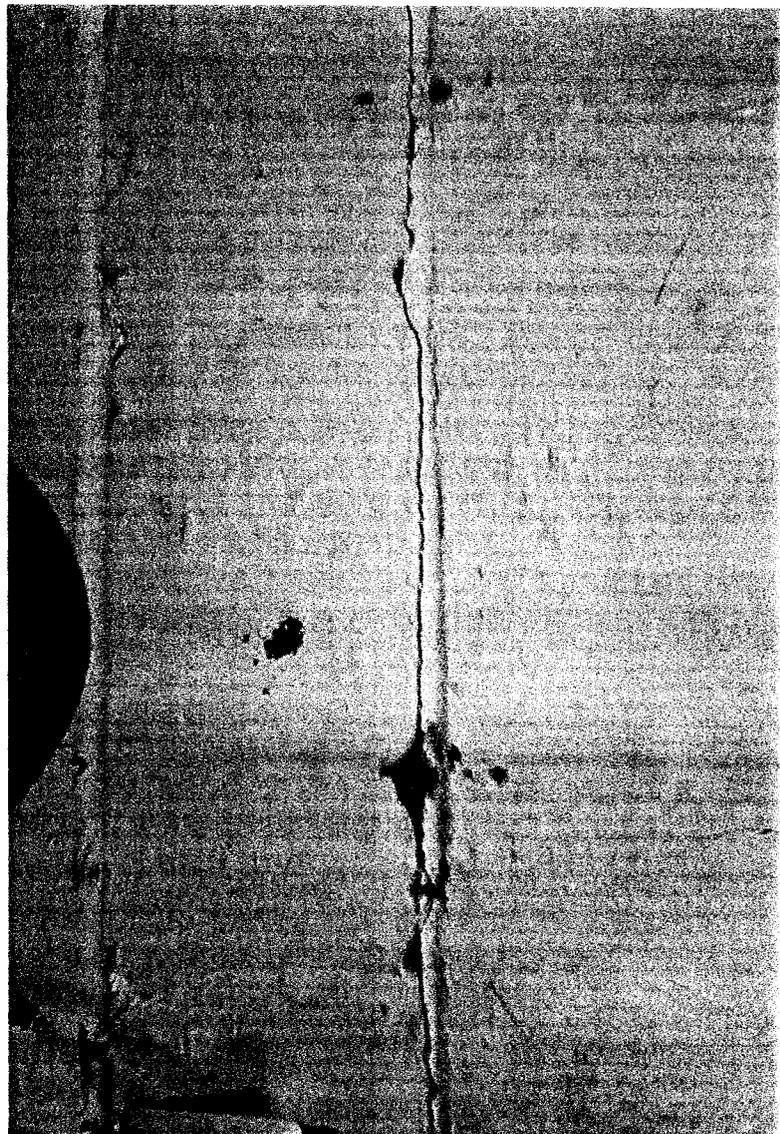
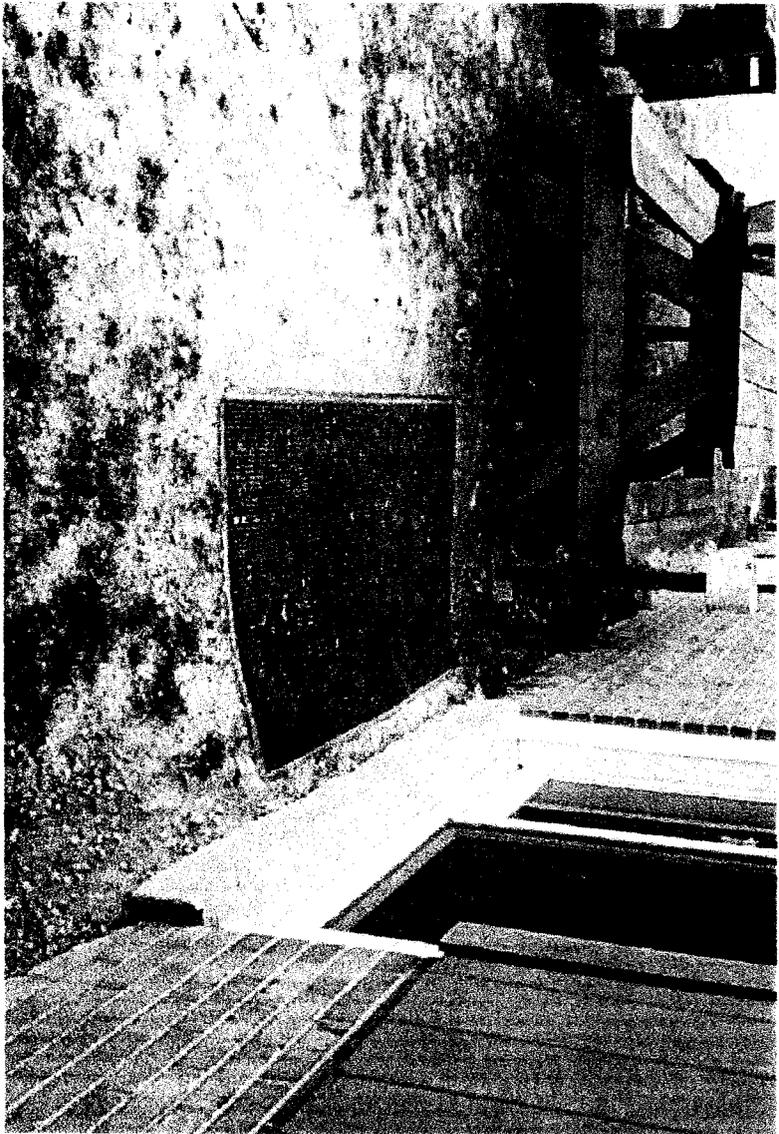
**COMPLETE TREE AND STUMP REMOVAL**

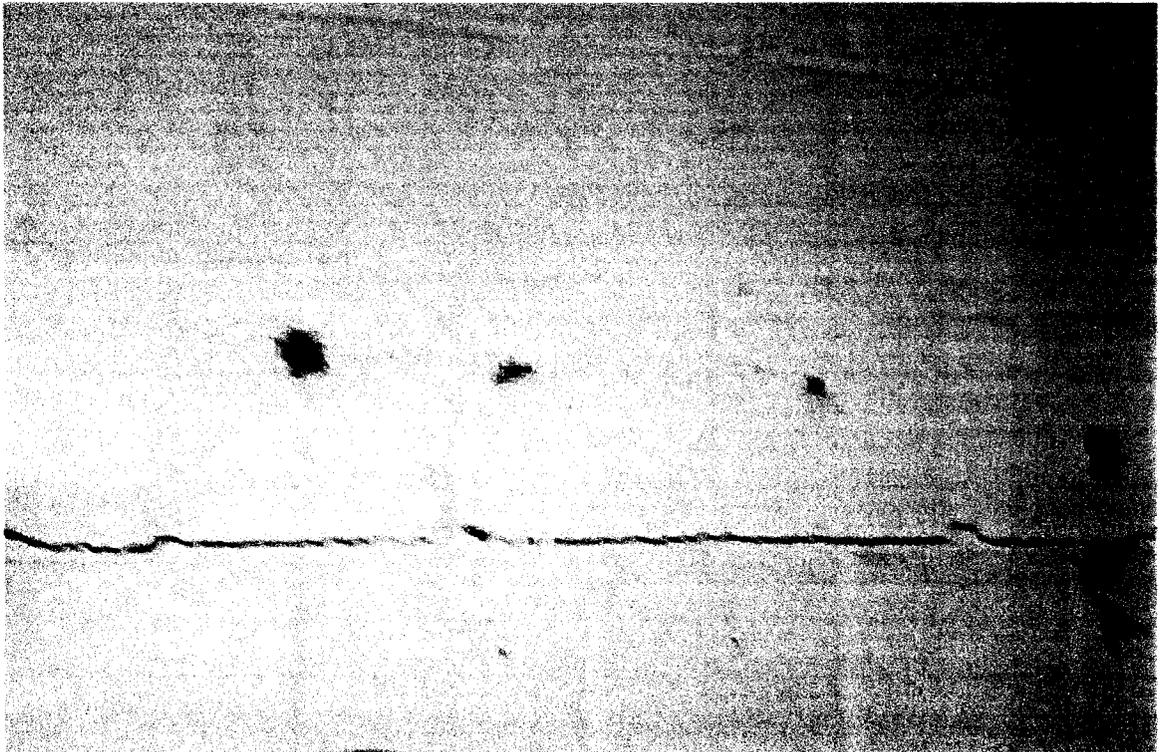
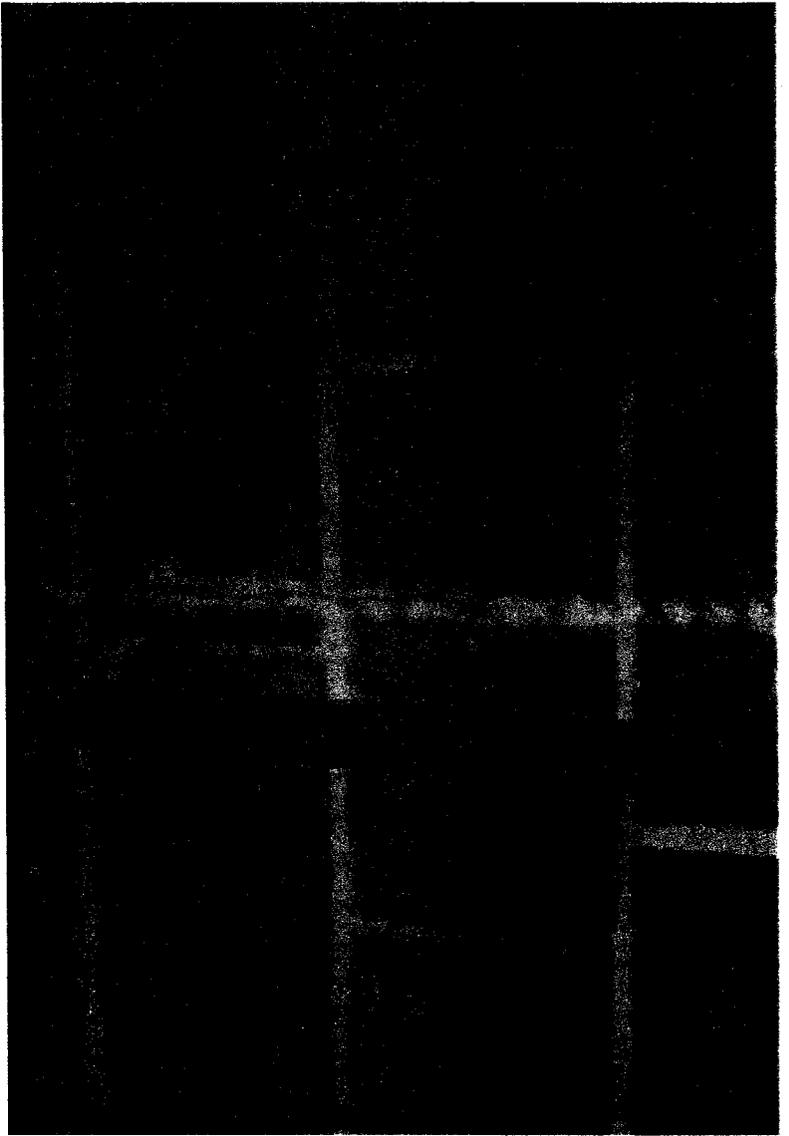
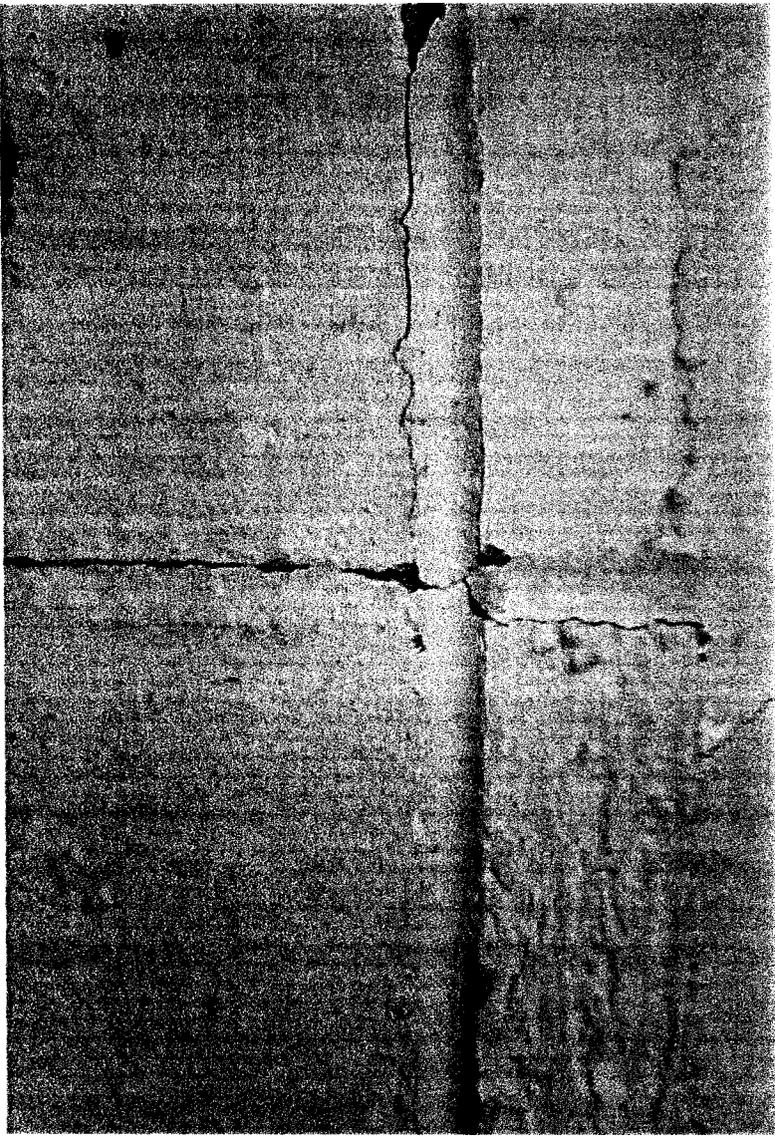
**LOT CLEARING • WOOD REMOVAL • PRUNING • CABLING**

**DONALD HUBBELL      703-499-6772**

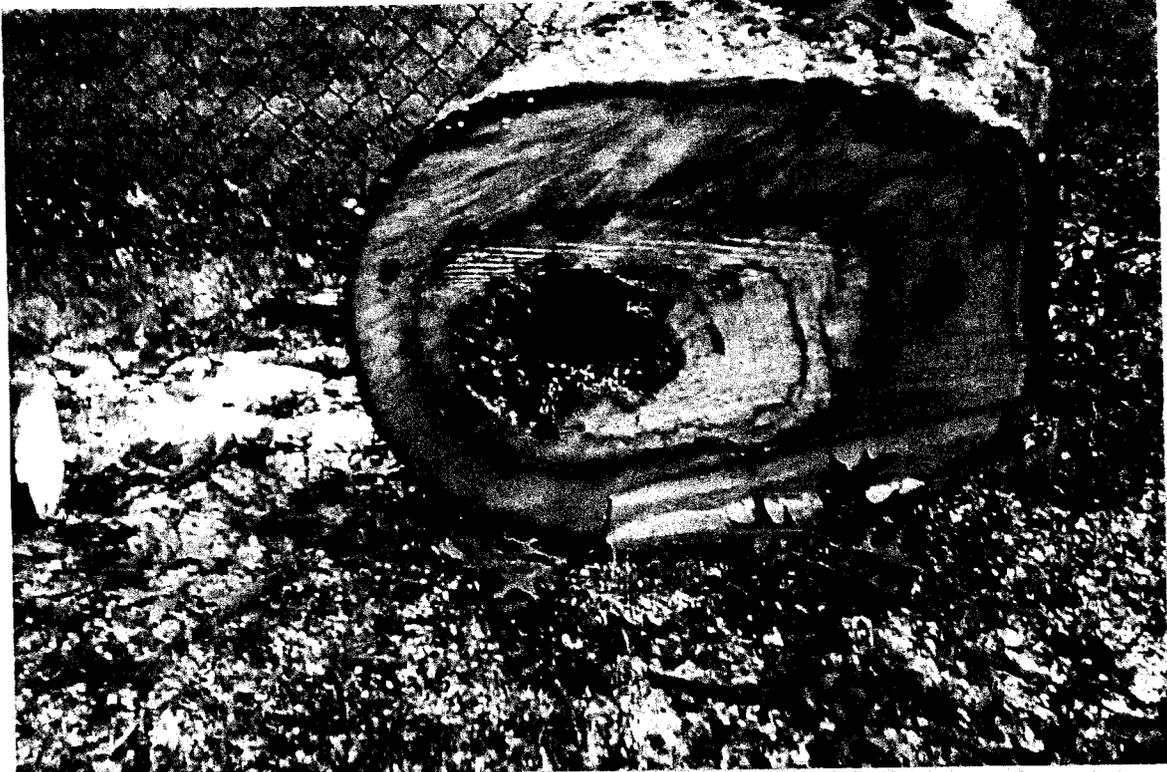


DAMAGE TO FOUNDATION  
BASEMENT WALL  
By TK.









**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 expansion request. The resulting gross

floor area of any subsequent addition is limited to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion request, regardless of whether such addition complies with the minimum yard requirements or is the subject of a subsequent yard reduction special permit. If a portion of a single family detached dwelling is to be removed, no more than fifty (50) percent of the gross floor area of the existing dwelling at the time of the first yard reduction shall be removed. Notwithstanding the definition of gross floor area, as set forth in this 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.

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.