



APPLICATION ACCEPTED: April 9, 2009
BOARD OF ZONING APPEALS: July 7, 2009
TIME: 9:00 a.m.

County of Fairfax, Virginia

June 30, 2009

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2009-SU-022

SULLY DISTRICT

APPLICANT: Kevin Campbell

OWNERS: Kevin R. Campbell
Susan J. Campbell

SUBDIVISION: Sully Station

STREET ADDRESS: 5501 Village Center Drive

TAX MAP REFERENCE: 54-1 ((17)) (6) 40A

LOT SIZE: 8,190 square feet

ZONING DISTRICT: PDH-3, WS

ZONING ORDINANCE PROVISIONS: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of an addition 20.3 feet from the rear lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2009-SU-022 for the addition subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

O:\SMCKN\SP\CAMPBELL SP 2009-SU-022 (50)\Staff Report Campbell.doc

Shelby Johnson

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

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

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

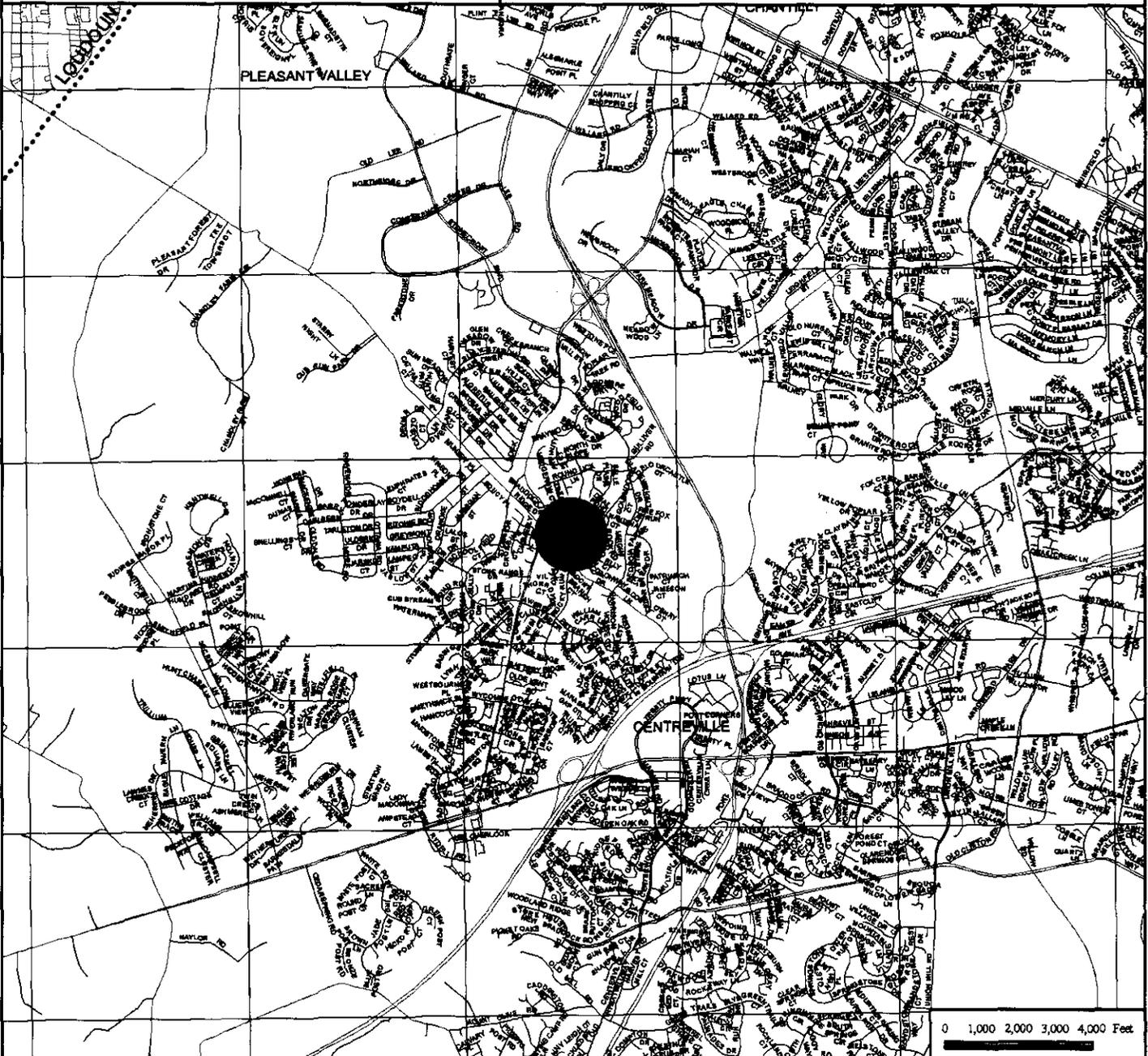
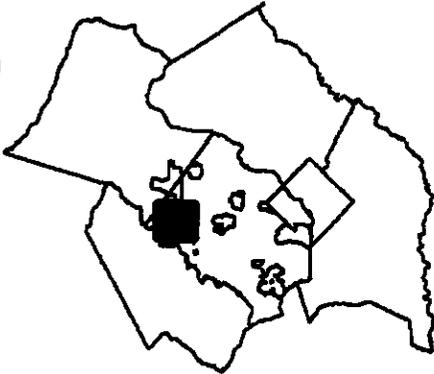


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit
SP 2009-SU-022

Applicant: KEVIN CAMPBELL
Accepted: 04/09/2009
Proposed: REDUCTION OF CERTAIN YARD REQUIREMENTS
TO PERMIT ADDITION 20.3 FEET FROM
REAR LOT LINE

Area: 8,190 SF OF LAND; DISTRICT - SULLY
Zoning Dist Sect: 08-922
Art 8 Group and Use: 9-21
Located: 5501 VILLAGE CENTER DRIVE
Zoning: PDH- 3
Overlay Dist: WS
Map Ref Num: 054-1- /17/06/0040A

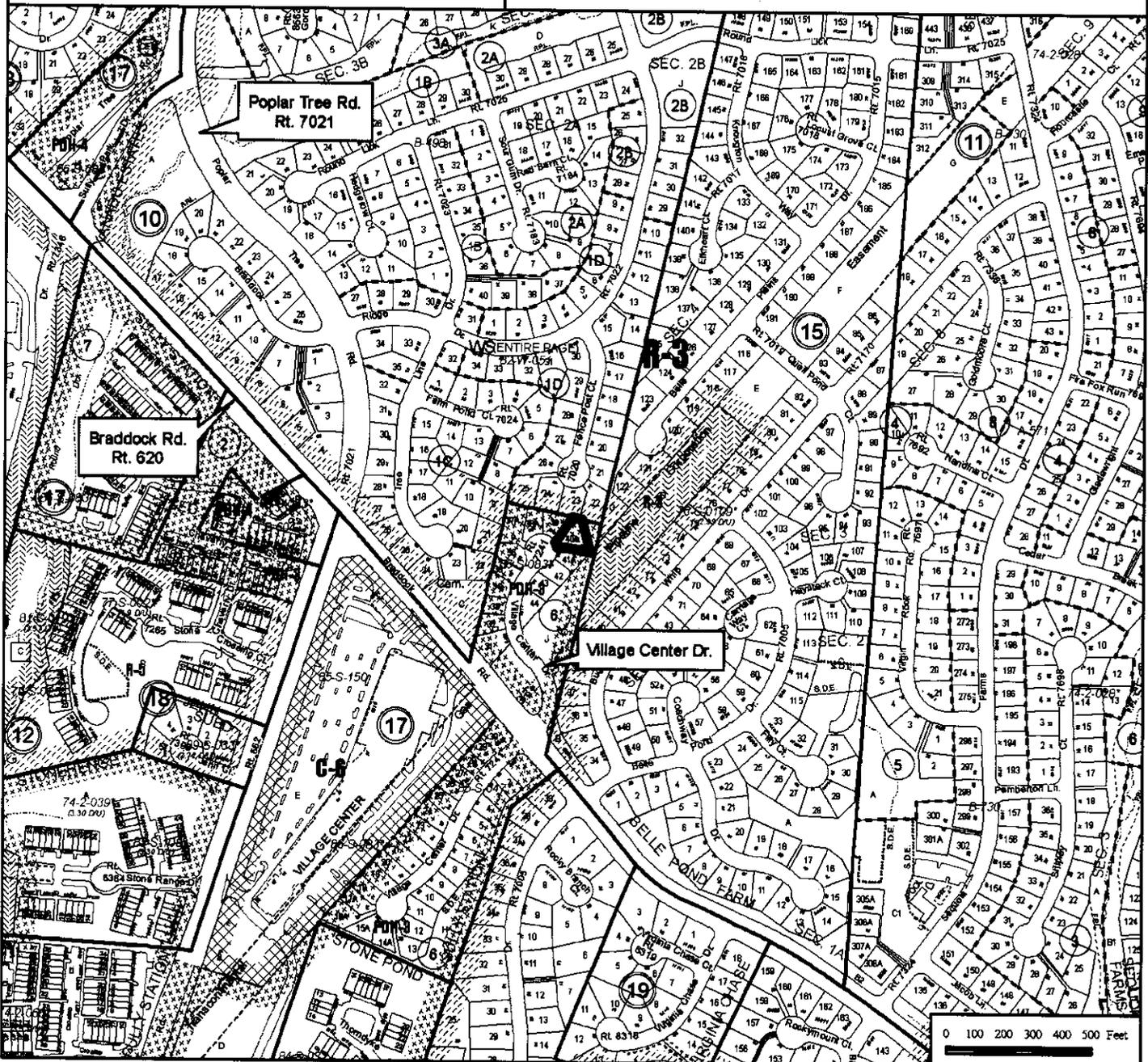


Special Permit

SP 2009-SU-022

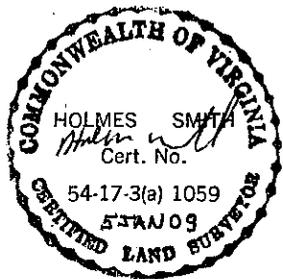
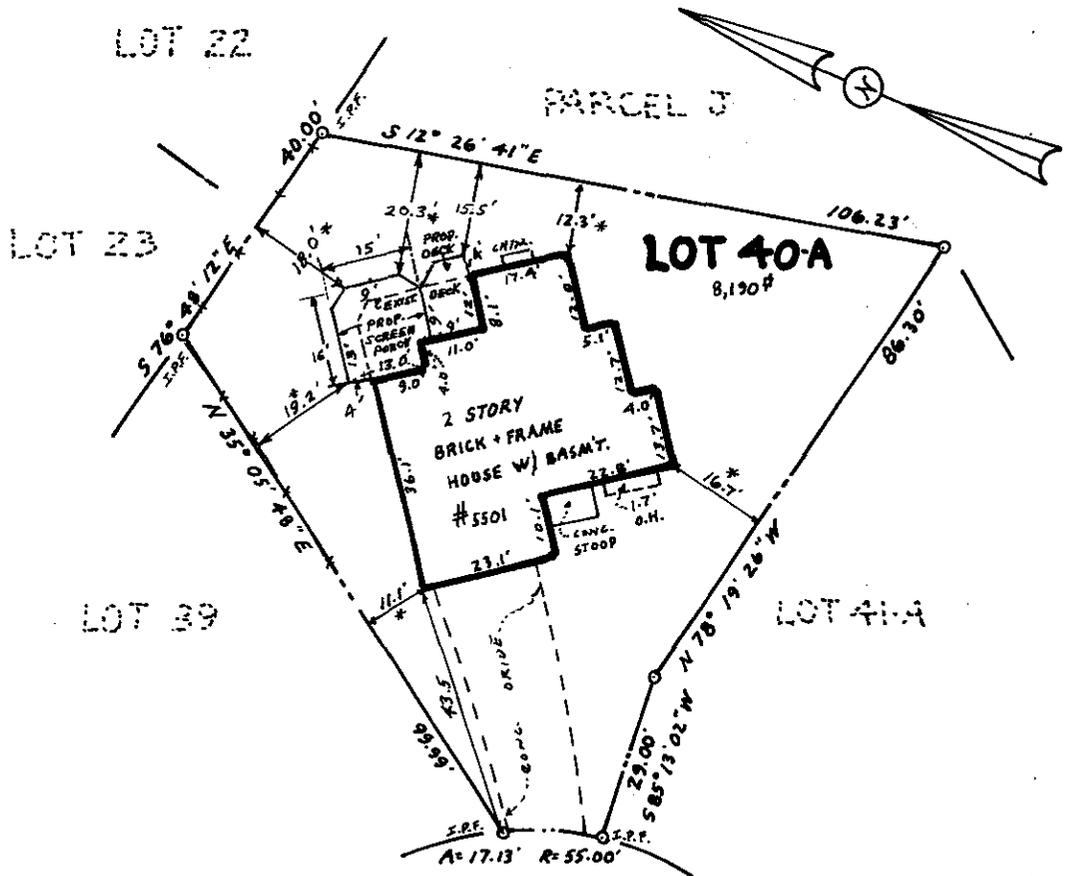
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Area: 8,190 SF OF LAND; DISTRICT - SULLY
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Art 8 Group and Use: 9-21
Located: 5501 VILLAGE CENTER DRIVE
Zoning: PDH- 3
Overlay Dist: WS
Map Ref Num: 054-1- /17/06/0040A



NOTES:

1. THE PURPOSE OF THIS PLAT IS TO SHOW THE PROPERTY LINE OFFSETS TO THE PROPOSED PORCH & WOOD DECK AND THE EXISTING HOUSE.
 2. THIS PROPERTY IS CURRENTLY ZONED PDH-3.
 3. THIS PROPERTY IS IDENTIFIED AS TM 0541-17060040A AND KNOWN AS 5501 VILLAGE CENTER DRIVE.
 4. THE PROPOSED PORCH WILL BE APPROXIMATELY 15' HIGH FROM GROUND LEVEL.
 5. THE PROPOSED DECK WILL BE APPROXIMATELY 1.5' HIGH FROM GROUND LEVEL.
 6. THE EXISTING HOUSE ON THIS PROPERTY IS APPROXIMATELY 30± HIGH FROM GROUND LEVEL.
 7. THE HOUSE ON THIS PROPERTY IS NOT IN THE 100 YEAR FLOOD PLAIN OR IN AN RPA ACCORDING TO FAIRFAX COUNTY RECORDS.
 8. FENCE MEANDER LOCATIONS, IF SHOWN, ARE IN THE APPROXIMATE VICINITY AS INDICATED, BUT THERE IS NO CERTIFICATION AS TO OWNERSHIP. A SPECIFIC FENCE/BOUNDARY LINE SURVEY WILL BE REQUIRED TO SHOW THE EXACT FENCE LOCATION AS TO THE BOUNDARY LINE.
 9. THIS PLAT WAS PREPARED WITH A VERY LIMITED RECORD SEARCH BY THIS FIRM WITHOUT THE BENEFIT OF A FORMAL RENDERED TITLE REPORT BY OTHERS FOR THE PROPERTY SHOWN OR FOR ADJACENT PROPERTIES AND MAY NOT THEREFORE NECESSARILY INDICATE ALL UNDERLYING UTILITIES, EASEMENTS AND/OR ENCUMBRANCES ON THE PROPERTY. ALL PREVIOUSLY RECORDED RIGHTS OF WAY, EASEMENTS, ENCUMBRANCES, OR OTHER INTERESTS OF THE STATE, COUNTY OR OTHERS REMAIN IN FULL FORCE AND EFFECT. FOR FURTHER INFORMATION, SEE TITLE REPORT.
 10. THE BOUNDARY AND AREA INFORMATION INDICATED ON THIS PLAT HAS BEEN DERIVED FROM DEEDS AND/OR PLATS OF PUBLIC OR PRIVATE RECORD, AND IS NOT THE FINDINGS OF A CURRENT BOUNDARY SURVEY BY THIS FIRM. - [IPF - IRON PIN OR PIPE FOUND, IPS- IRON PIN OR PIPE SET]
 11. ANY COPY OF THIS PLAT NOT CONTAINING AN ORIGINAL SIGNATURE IS A COPYRIGHT VIOLATION AND IS NOT AUTHORIZED FOR ANY USE.
- *-12. **EAVE/GUTTER OVERHANG:** ON THE FRONT AND BACK OF THE EXISTING HOUSE, THE EAVE OVERHANG WITH GUTTER IS APPROX. 18". ON THE SIDES OF THE EXISTING HOUSE, THE EAVE OVERHANG IS APPROX. 8". THE PROPOSED EAVE OVERHANG FOR THE SCREEN PORCH IS TO BE APPROX. 18" WITH GUTTER.



VILLAGE CENTER DR.
50' WIDE

SPECIAL PERMIT PLAT
LOT 40-A
PHASE 2, SECTION 4
SULLY STATION

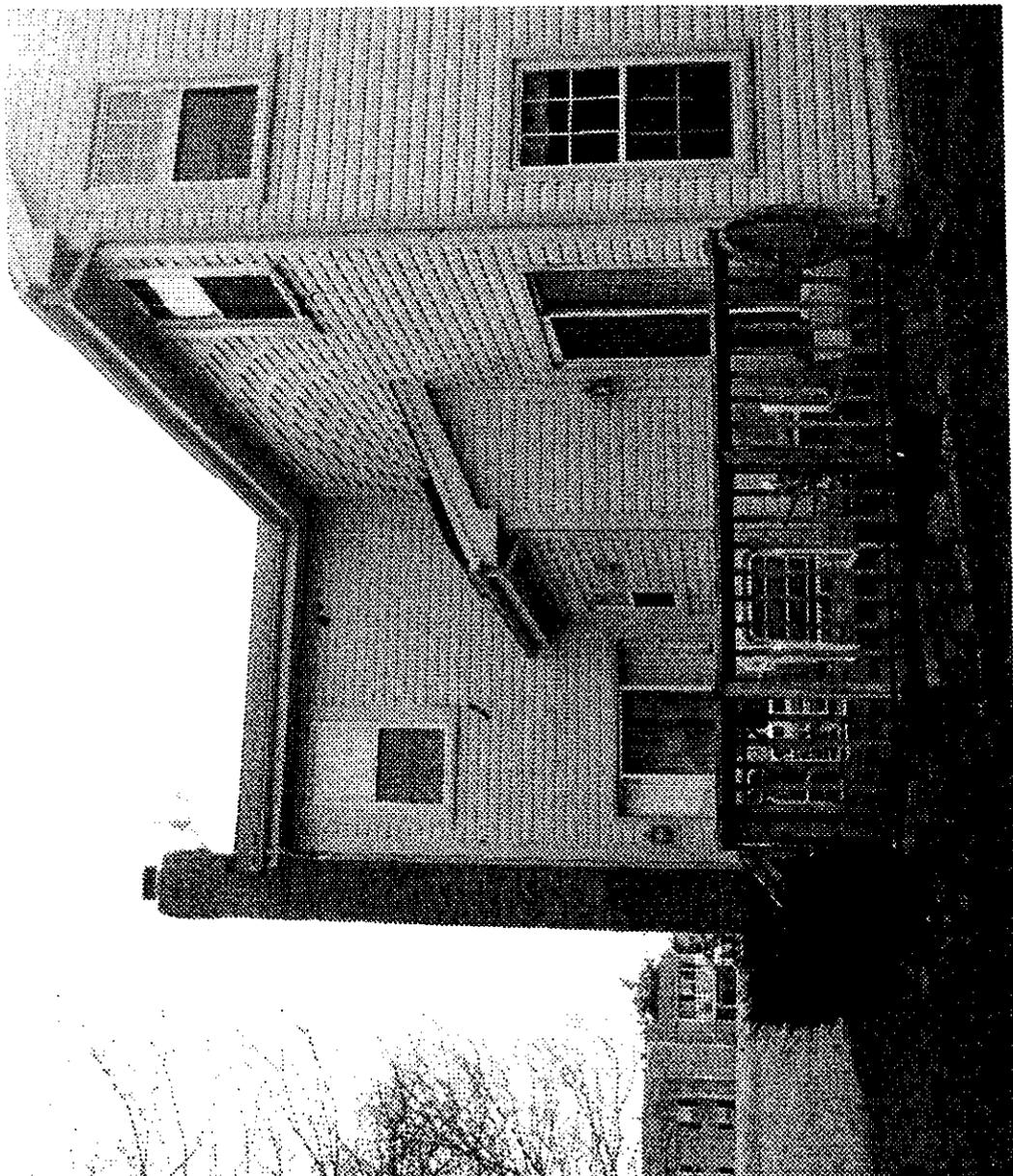
SULLY MAGISTERIAL DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: 1" = 25' DECEMBER 22, 2008 REV. JAN 5, 2009
REV. MAR. 18, 2009



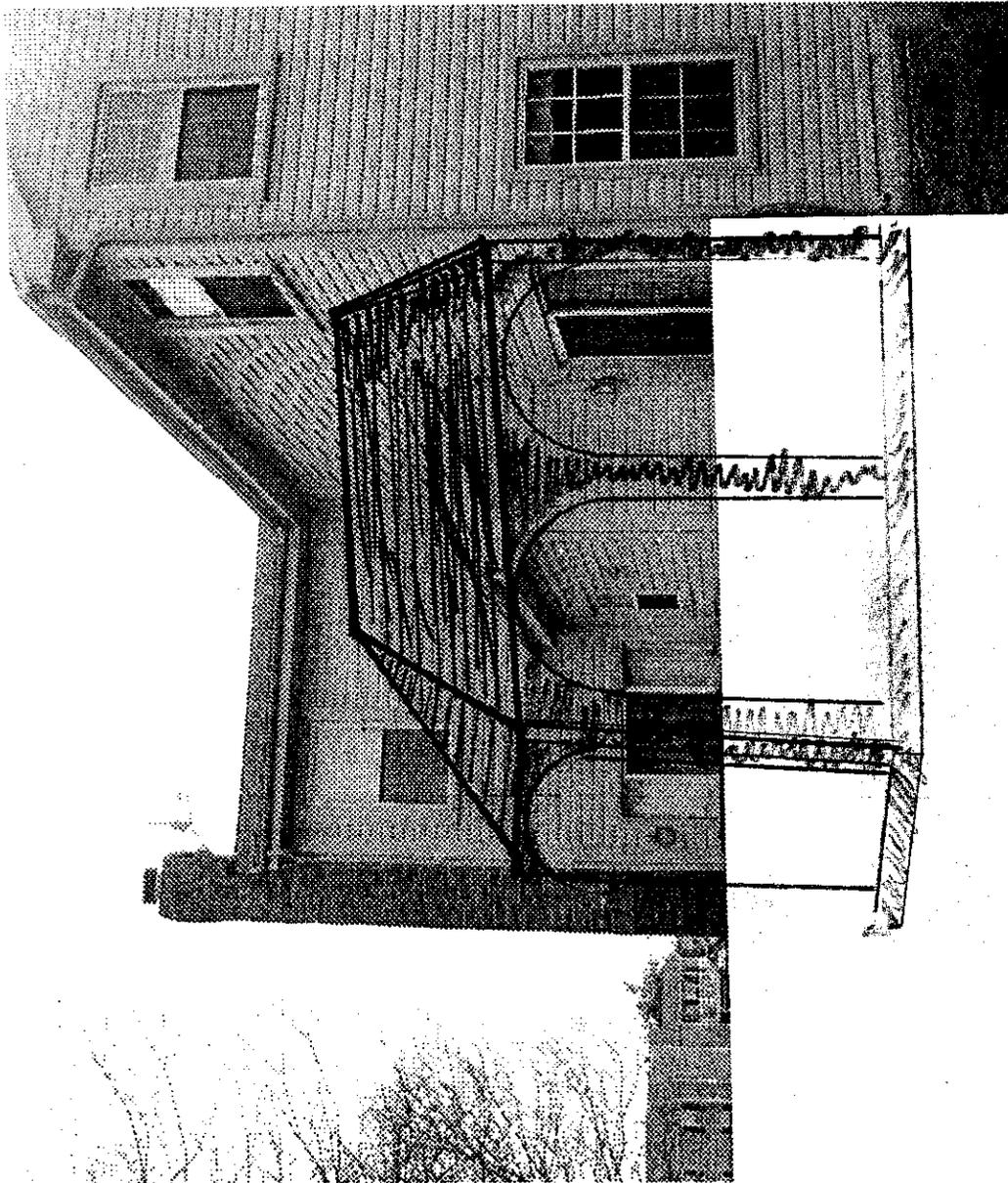
★ ENGINEERING ♦ SURVEYING ♦ LAND PLANNING ★
MANASSAS, VIRGINIA
HSMITH@COMTEKMAIL.COM



Common View of
Porch Area



Approximation
of Addition of Porch



Looking out from House toward Neighbors

1(A) From Right Side Back to Neighbor @ 5503



2 (A) Back Right from House



3 (A) Back Center from House



4 (A) Back Left from House



5 (A) Left from House toward Neighbor @ 5500



Views toward House from Perimeter 1 of 2

1 (B) Toward front of House



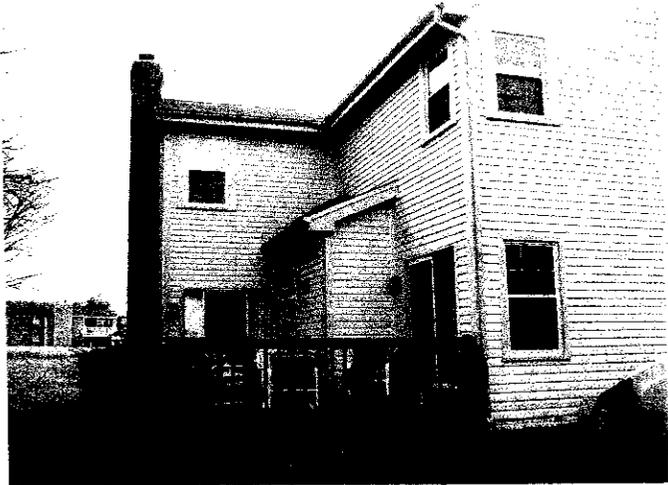
2 (B) Left Side of House



3(B) Left Side Back



4 (B) Left Back Corner



5(B) Back



6 (B) Right Back Corner



Views toward House from Perimeter 2 of 2

7 (B) Right Side of House from Back Yard



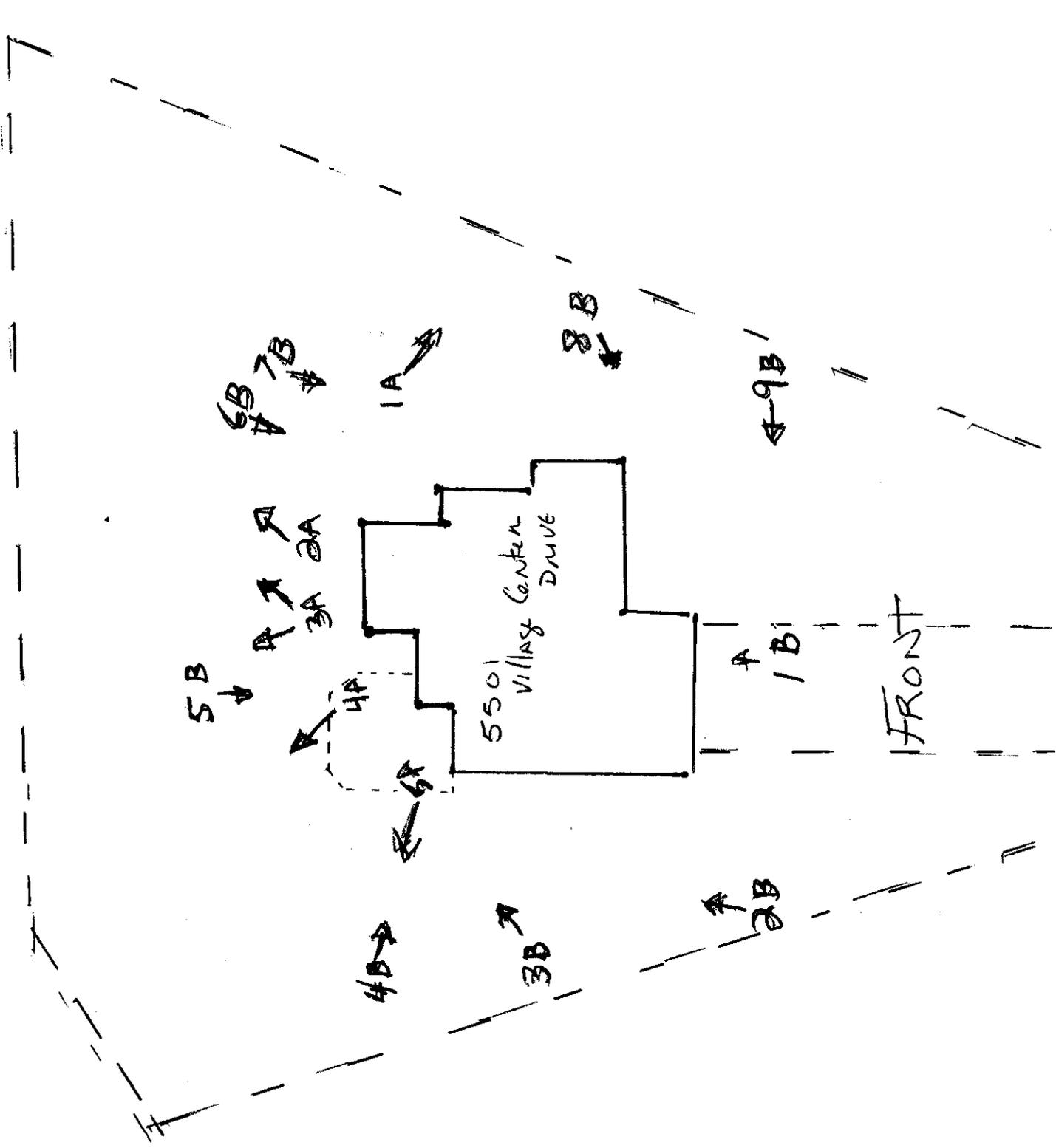
8 (B) Right Side of House from Front



9 (B) Front Right Side of House



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DESCRIPTION OF THE APPLICATION

The applicant is seeking approval of a special permit for the reduction of certain yard requirements to permit the construction of a screened-in porch addition to be located 20.3 feet from the rear lot line. The screened-in porch is proposed to measure 16' x 15' in area with a maximum height of 14 feet.

	Structure	Yard	Minimum Yard Required	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit	Addition (Screened-in Porch)	Rear	25.0 feet*	20.3 feet	4.7 feet	18.8%

*Minimum yard requirement per Section 3-307

EXISTING SITE DESCRIPTION

The 8,190 square-foot site is currently zoned to the PDH-3 and Water Supply (WS) Protection Overlay Districts and is developed with a two-story, single family detached dwelling with vinyl siding and a partially bricked front. The dwelling consists of approximately 3,053 square feet of gross floor area and has an existing 196 square-foot wood deck attached to the rear of the dwelling. Ingress and egress to the site is provided via a concrete driveway accessed from Village Center Drive that terminates at the home's two-car attached garage.

CHARACTER OF THE AREA

	Zoning	Use
North	R-3	Single Family Detached Dwellings
East	R-3	Single Family Detached Dwellings
South	PDH-3; C-6	Single Family Detached Dwellings; Village Center
West	PDH-3, PDH-4, R-3	Single Family Detached Dwellings; Townhouses

BACKGROUND

County tax records indicate that the dwelling was constructed in 1990. A building permit was issued on October 26, 2000 to permit the construction of a 14' x 16' deck with steps on the rear of the dwelling.

The Board of Zoning Appeals (BZA) heard the following similar variance applications in

the vicinity of the application parcel:

- *Variance VC 96-Y-078* was approved on August 14, 1996 for Tax Map 54-1 ((11)) (6) 16, zoned R-3, at 5533 Cedar Break Drive, to permit construction of addition 18.6 feet from a rear lot line (25 feet minimum rear yard required).
- *Variance VC 96-Y-086* was approved on September 18, 1996 for Tax Map 54-1 ((10)) (3A) 26, zoned R-3, at 14415 North Slope Street, to permit construction of addition 16.0 feet from a rear lot line (25 feet minimum rear yard required).
- *Variance VC 00-Y-101* was approved on September 12, 2000 for Tax Map 54-1 ((11)) (7) 21, zoned R-3, at 5427 Gladewright Drive, to permit the construction of an addition 16.2 feet a rear lot line (25 feet minimum rear yard required).
- *Variance VC 02-Y-008* was approved on April 10, 2002 for Tax Map 54-1 ((11)) (3) 21, zoned R-3, at 5525 Shipley Court, to permit construction of addition 20.1 feet and 21.5 feet from the rear lot line (25 feet minimum rear yard required).

ANALYSIS

Special Permit Plat (Copy at front of staff report)

- **Title of Plat:** Special Permit Plat, Lot 40-A, Phase 2, Section 4 Sully Station
- **Prepared by:** Holmes Smith, Certified Land Surveyor
- **Dated:** December 22, 2008, as revised through March 18, 2009

Proposal:

The applicant is requesting special permit approval to permit an addition to be located 20.3 feet from a rear lot line. The applicant proposes to expand the existing footprint of an attached open deck and enclose a portion of it to create a 16' x 15' screened-in porch with a roof height of approximately 14 feet from grade. The proposed enclosure will be attached to the dwelling and constructed with building materials consisting of composite wood decking for the floor area; the exterior finishes will consist of vinyl siding and roofing shingles that match the existing dwelling. It should be noted that a 9' x 12' portion of the existing deck is shown on the SP Plat to remain open and is proposed to be expanded an additional 4-foot that will extend towards the rear lot line.

The deck is proposed to be located 15.5 feet from the rear lot line. The Zoning Ordinance (Sect. 2-412) permits open decks, with floors no higher than four (4) feet above finished ground level, to extend 20 feet, but no closer than 5 feet to any side or rear lot line. Therefore, the proposed open deck is not party to this application.

ZONING ORDINANCE REQUIREMENTS

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

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

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

Sect. 8-006 General Special Permit Standards

Staff believes that the application meets all of the 8 General Special Permit Standards with notes regarding General 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. By observation of the neighborhood through submitted photographs, staff believes that the proposed screened-in porch addition will not adversely affect the use or development of neighboring properties. With the exception of a 4.7 foot encroachment into the minimum required rear yard, the proposed enclosure meets all of the remaining minimum yard requirements. The façade is proposed to match the existing dwelling. Staff believes that the request is minimal and is the most logical location on the property for the enclosure, as it is being constructed in the general location of the existing deck. Therefore, this standard has been met.

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

The 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 imposed 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 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. The existing structure is 3,053 square feet. Therefore, 150% of the total gross floor area could result in an addition up to 4,579 square feet; which makes a combined total of 7,632 square feet. The proposed addition will be 240 square feet for a total of 3,293 square feet for the existing house and addition. Therefore, the application meets this provision.

Standard 6 states 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 14.0 feet in height which is lower than the existing roof line of the house. The applicant has indicated in the Statement of Justification that the exterior of the addition will be constructed of materials that match the existing siding and roof of the dwelling. 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. A large portion of the proposed screened-in porch addition will be constructed over the existing deck that is located at the rear of the dwelling. The height of the proposed enclosure will be less than that of the existing dwelling and proposed exterior building materials are consistent with the on-site dwelling and compatible with those in the neighborhood. Therefore, staff believes that the application meets this provision.

Standard 8 states that the BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff. Staff believes that the application meets the erosion and storm water runoff portion of the standards since the Department of Public Works and Environmental Services (DPWES) has indicated that there are no downstream stormwater drainage complaints on file related to this property. Staff believes that the enclosure will have very little impact on stormwater runoff, noise, light, air, safety or erosion since there is not a significant increase in the overall footprint of the enclosure from the existing deck. 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. DPWES has confirmed that there are no Resource Protection Areas (RPA) or floodplains located on the property. The location of the screened-in porch addition on the northwest side of the existing dwelling will be constructed in part, over the existing deck and is in primarily the same location. The proposed scale of the addition is consistent with the existing dwelling and is located in a logical location just beyond a portion of the former deck. The proposed screened-in porch is to be constructed of building materials consistent with those of the existing dwelling, and is compatible with the subject property and surrounding dwellings and properties. The site does not contain a significant amount of mature vegetation; therefore there will be minimal impact to existing vegetation. The shrubs depicted in the applicant's photographs can be relocated along the perimeter of the porch addition to soften the visual impact from adjacent properties. Therefore, staff has proposed a development condition to require the applicant to provide supplemental planting along the northern and western foundation of the addition. Other concerns regarding well and/or septic easements and preservation are not applicable to this site. Staff believes that the application meets this provision.

CONCLUSION

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

RECOMMENDATION

Staff recommends approval of SP 2009-SU-022 for the screened-in porch addition subject to the Proposed Development Conditions contained in Appendix 1 of the staff report. It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

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

APPENDICES

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

PROPOSED DEVELOPMENT CONDITIONS

SP 2009-SU-022

June 30, 2009

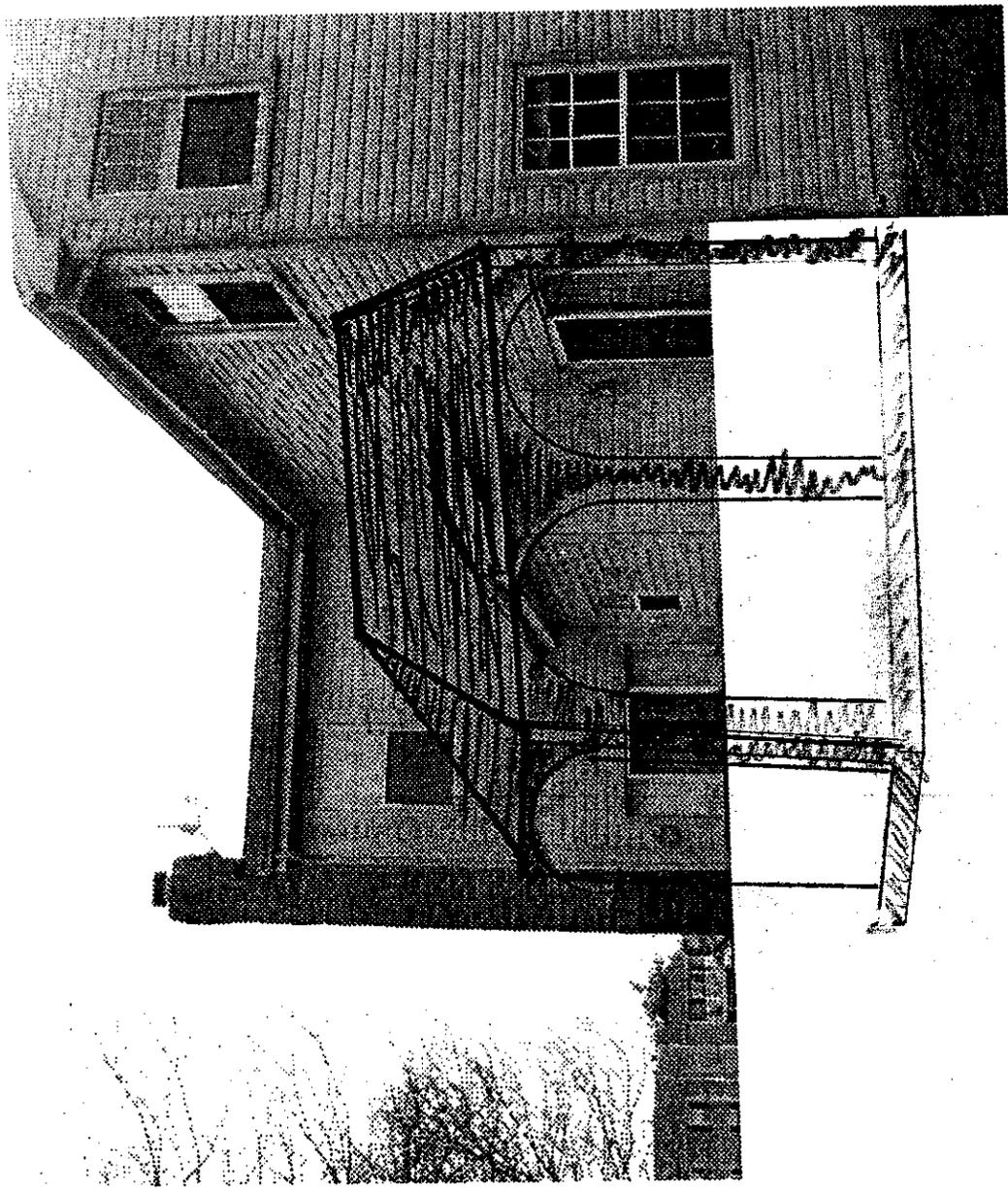
If it is the intent of the Board of Zoning Appeals to approve SP 2009-SU-022 located at Tax Map 54-1 ((17)) (6) 40A to permit reduction of certain yard requirements pursuant to Sections 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance 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 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 (approximately 240 square feet) of the proposed addition, as shown on the plat prepared by Holmes Smith, Certified Land Surveyor, dated December 22, 2008, as revised through March 18, 2009, submitted with this application and is not transferable to other land.
3. All applicable permits shall be obtained prior to construction of the addition.
4. Pursuant to Provision 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of the existing principal structures may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (3,053 square feet existing + 4,579 (150%) = 7,632 square feet permitted) 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.
5. The addition shall be consistent with the architectural renderings included as Attachment 1 to these conditions.
6. A minimum of five (5) shrubs, a minimum of 18 inches in height at time of planting, shall be planted along the northern and western foundation of the screened-in porch addition.

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.

Approximation
of Addition of Porch



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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: February 13, 2009
 (enter date affidavit is notarized)

I, Kevin R, Campbell, 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 103416a

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)
Kevin R. Campbell	5501 Village Center Dr., Centreville, VA 20120	Owner APPLICANT
Susan J. Campbell	5501 Village Center Dr., Centreville, VA 20120	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)

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: February 13, 2009
(enter date affidavit is notarized)

103416a

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)

(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)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: February 13, 2009
(enter date affidavit is notarized)

103416a

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)

(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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Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: February 13, 2009
(enter date affidavit is notarized)

103416a

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.

SPECIAL PERMIT/VARIANCE AFFIDAVIT

103416a

DATE: February 13, 2009
(enter date affidavit is notarized)

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.)

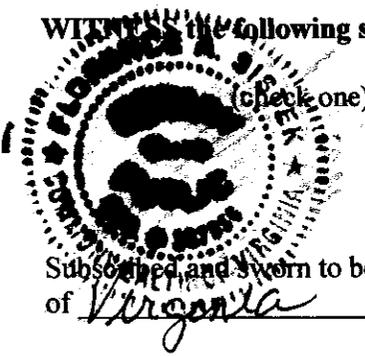
NONE

(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:



Kevin Campbell
[x] Applicant [] Applicant's Authorized Agent

Kevin R. Campbell
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 13th day of February 2009, in the State Comm. of Virginia, County/City of Alexandria

Florence A Sustek
Notary Public
#287856

My commission expires: October 31, 2011

JAN 23 2009

Zoning Evaluation Division

Special Permit Statement of Justification – 5501 Village Center Dr.

I am proposing the addition to my home of a Screened in Porch. Reasons for the addition of this porch are to provide outdoor living space that can be enjoyed by myself, my family and friends. Additionally the addition of a well constructed Screened in Porch will increase the value of my property while providing years of additional enjoyment of the property.

1. I am proposing the construction of a Screened in Porch measuring 16' x 15' with a roof height of approximately 14' from grade level. The floor portion of the porch will be approximately 2' from grade level. The decking or floor will be constructed of environmentally friendly composite wood decking. Exterior finishing will match what is currently installed on the home.
2. N/A
3. The home was built in 1990. The existing setbacks are-
Front 43.5'
Left side: 11.1' at minimum
Right side: 16.7' at minimum
Rear : 12.3' at minimum 20.3' from proposed porch
4. The existing square footage of the structure is: Above Grade Living Area Total Sq. Ft 3,053. The square footage of the proposed addition is 228 Sq. Ft.
5. The proposed additional square footage will not be subordinate to the existing structure.
6. The exterior of the proposed structure will be painted to match existing structure and the roofing shingles will match as closely as possible.
7. Compatibility with offsite uses is N/A
8. The proposed Screened in porch will not affect any neighboring properties. The proposed Screened in Porch will reside entirely upon my property and will not hinder the use or development of any neighboring properties.
9. The proposed Screened in Porch will be designed to encroach upon the backset as little as possible to achieve the appropriate and desired square footage. The encroachment as planned is less than 10'.

Additionally as per section 8-011

The proposed addition of a screened in porch will be in harmony with the architecture of the neighborhood and the plans have already been approved by the Sully Station II homeowners association.

The proposed addition of a screened in porch is in keeping with the intent and purpose of the existing structure (house).

The proposed Screened in porch will not affect any neighboring properties. The proposed Screened in Porch will reside entirely upon my property and will not hinder the use or development of any neighboring properties.

No pedestrian or vehicular traffic will be affected by this proposed addition to my property.

No Landscaping or screening will be necessary for this addition. The proposed Screened in Porch will compliment the existing home and be in compliance with the community standards.

No provisions for open space, utility, drainage, parking or loading is necessary. Additionally no signage will be used or required.

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.