



APPLICATION ACCEPTED: May 20, 2009  
DATE OF PUBLIC HEARING: August 4, 2009  
TIME: 9:00 a.m.

## County of Fairfax, Virginia

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July 28, 2009

### STAFF REPORT

**SPECIAL PERMIT APPLICATION No. SP 2009-MV-040**

### **MOUNT VERNON DISTRICT**

**APPLICANT:** Mr. Elwood T. Hodnett

**OWNERS:** Elwood T. Hodnett and Martha C. Hodnett

**ZONING:** R-3 Cluster

**LOCATION:** 7805 Roundabout Way

**SUBDIVISION:** Middle Valley

**ZONING ORDINANCE PROVISION:** 8-922

**TAX MAP:** 98-1 ((9)) (5) 26

**LOT SIZE:** 8,400 Square Feet

**SP PROPOSAL:** Reduction of certain yard requirements to permit construction of addition 23 feet from the rear lot line.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2009-MV-040 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.

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.

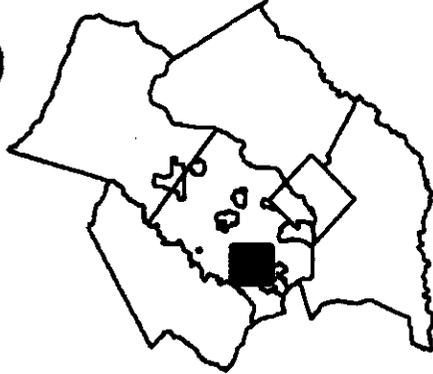
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center 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-040**

**Applicant:** MR. ELWOOD T. HODNETT  
**Accepted:** 05/20/2009  
**Proposed:** REDUCTION OF CERTAIN YARD REQUIREMENTS  
TO PERMIT ADDITION 23.0 FEET FROM  
REAR LOT LINE



**Area:** 8,400 SF OF LAND; DISTRICT - MOUNT VERNON

**Zoning Dist Sect:** 08-922

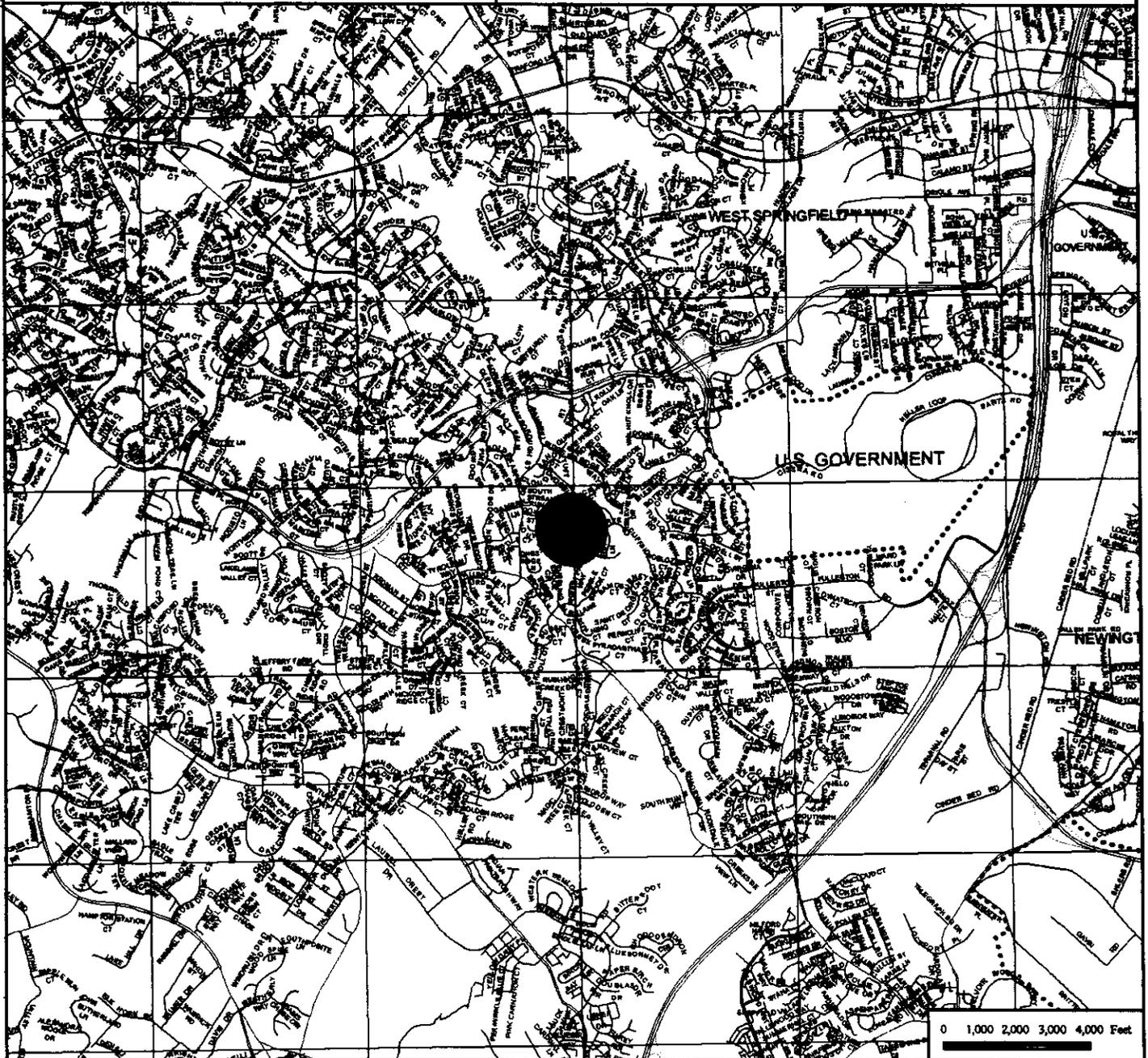
**Art 8 Group and Use:** 9-21

**Located:** 7805 ROUNDABOUT WAY

**Zoning:** R-3 (CLUSTER)

**Overlay Dist:**

**Map Ref Num:** 098-1- /09/05/0026



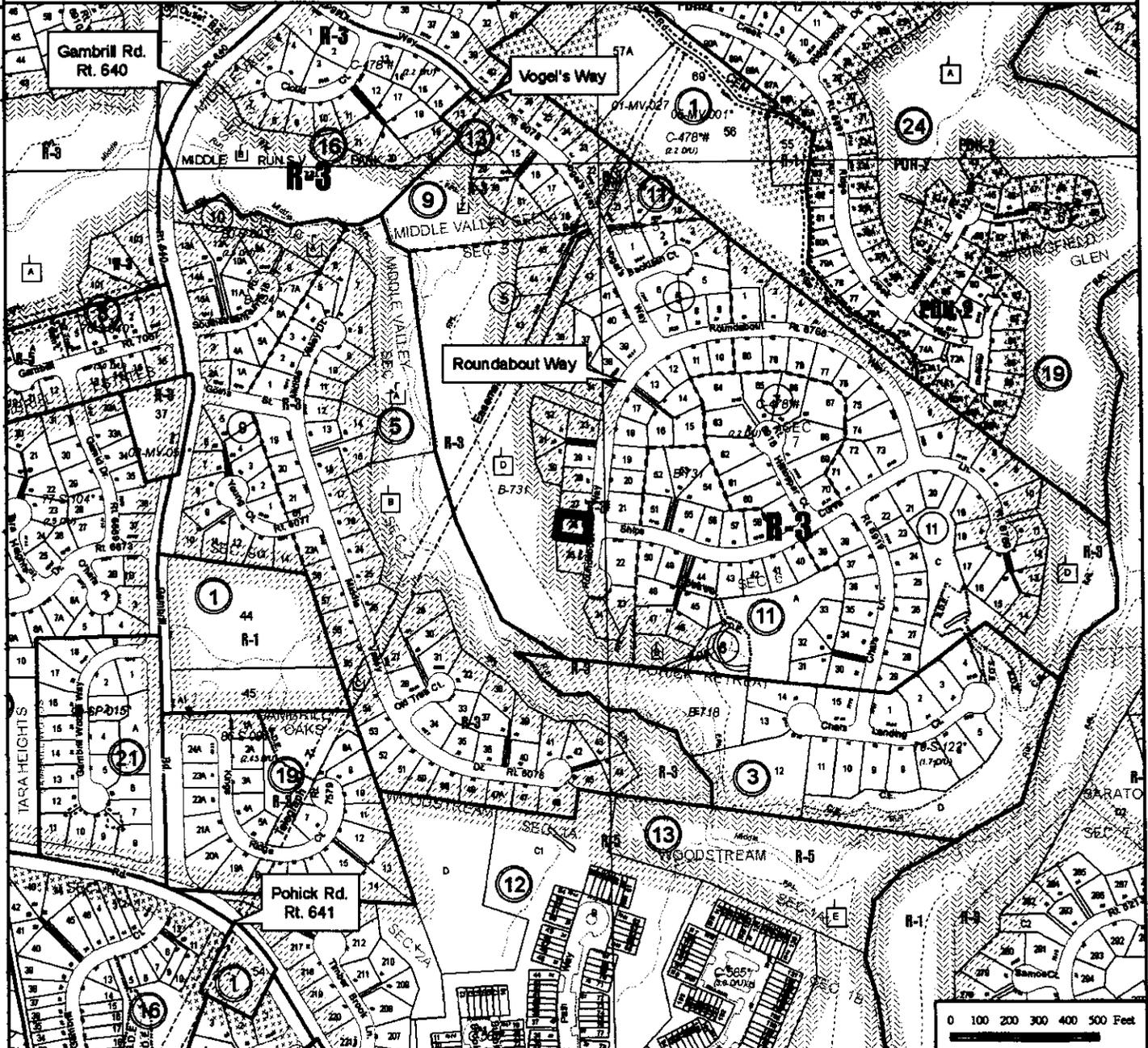
# Special Permit

SP 2009-MV-040

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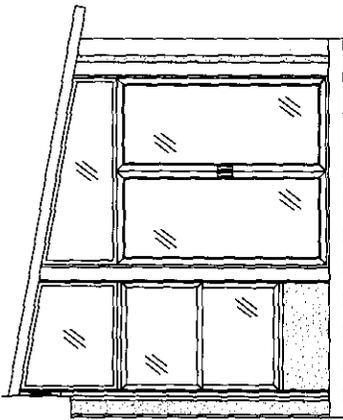
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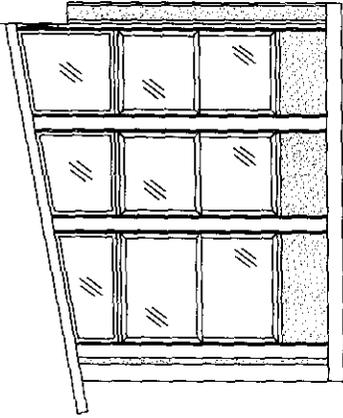




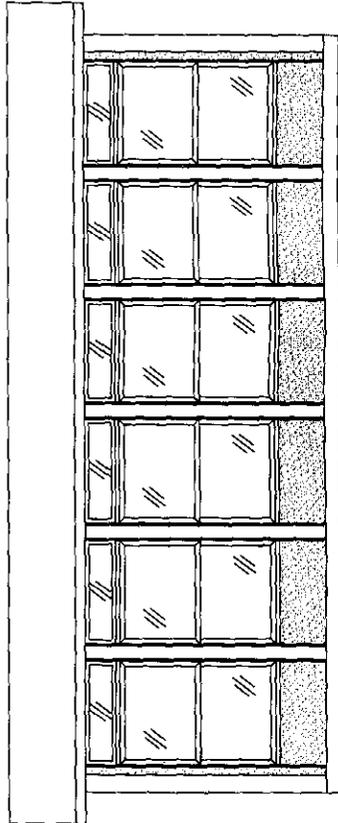
# ELEVATIONS



1



3



2

TOTAL WEIGHT OF PRODUCTS: 2192 lbs.

**MINIMUM DESIGN LOADS:**

EAD LOADS:

- ) ROOF: 6 PSF
- ) WALLS: 5 PSF
- ) FLOOR: 5 PSF

VE LOADS:

- ) ROOF: 30 PSF
- ) WALLS: 90 MPH - 3 SEC. WIND GUST
- ) FLOOR: 40 PSF

**SELECTION LIMITS:**

- ) ROOF: L/180
- ) WALLS: L/175
- ) FLOOR: L/240

PRINTED AND REVEALED ON: 9/4/08



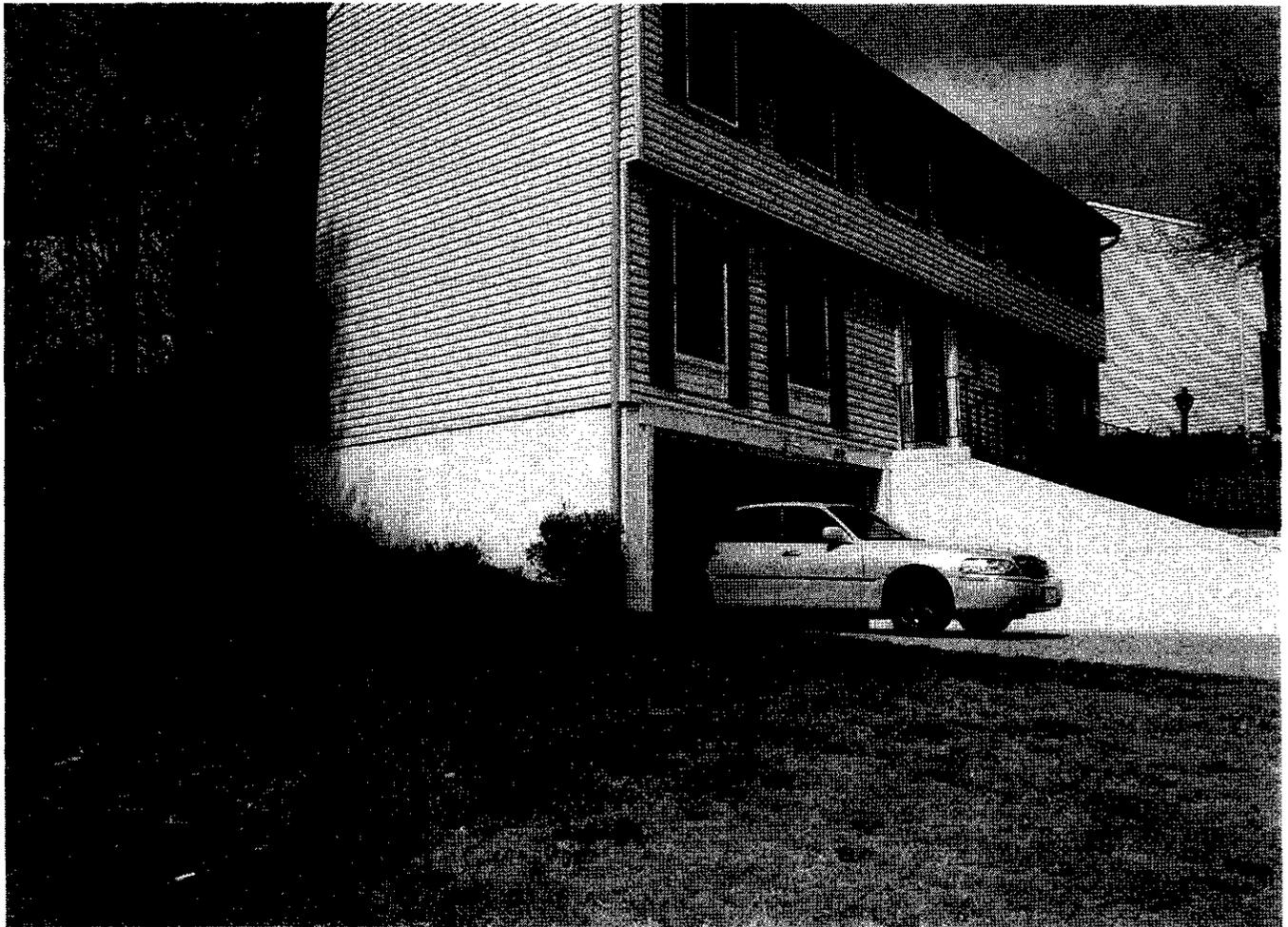
**WALZ ENGINEERING LLC**  
 11111 HALL RD., SUITE 110  
 UTTCA, VA 48317  
 PHONE: (888) 262-9259  
 FAX: (586) 323-1645

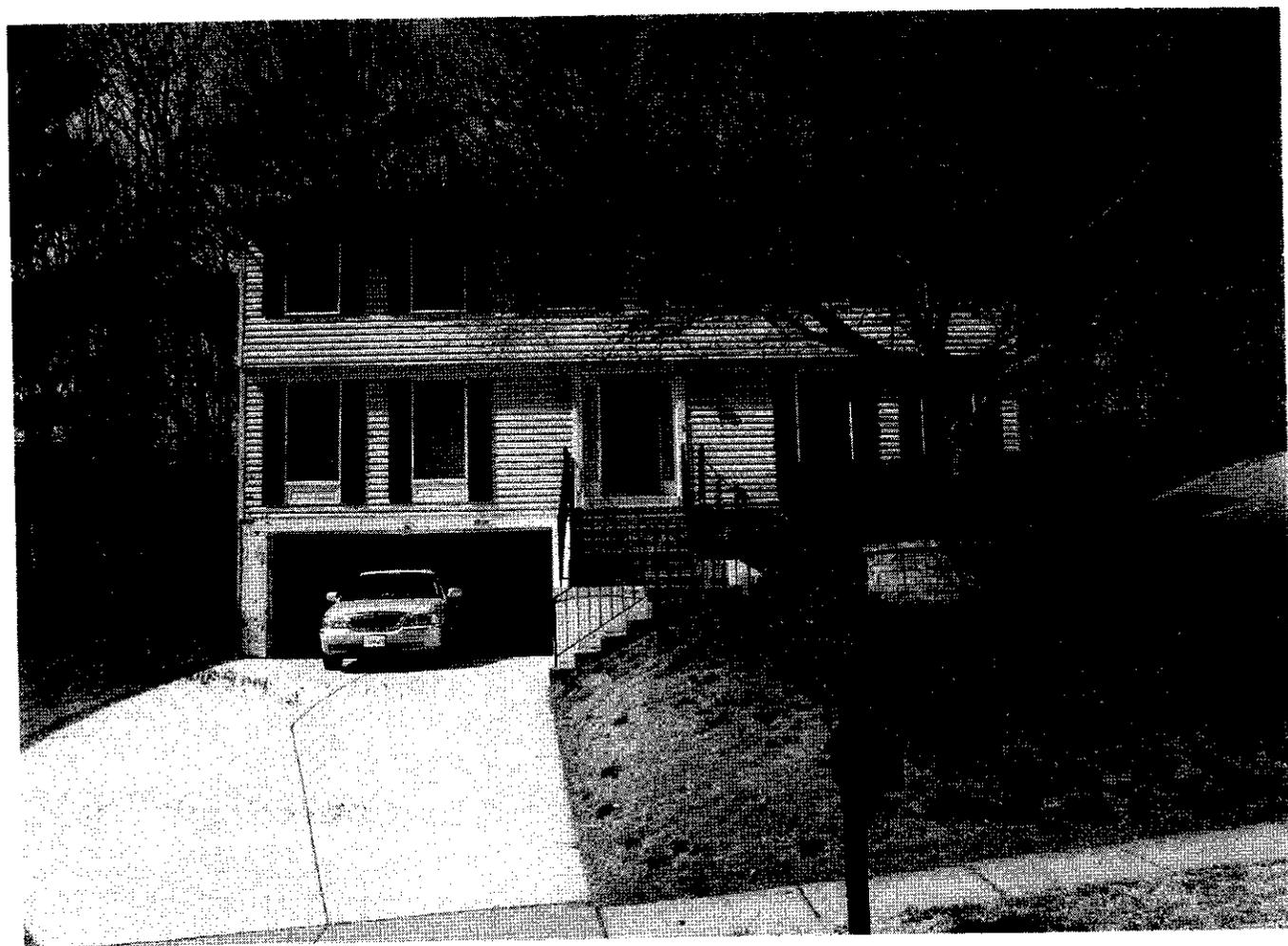
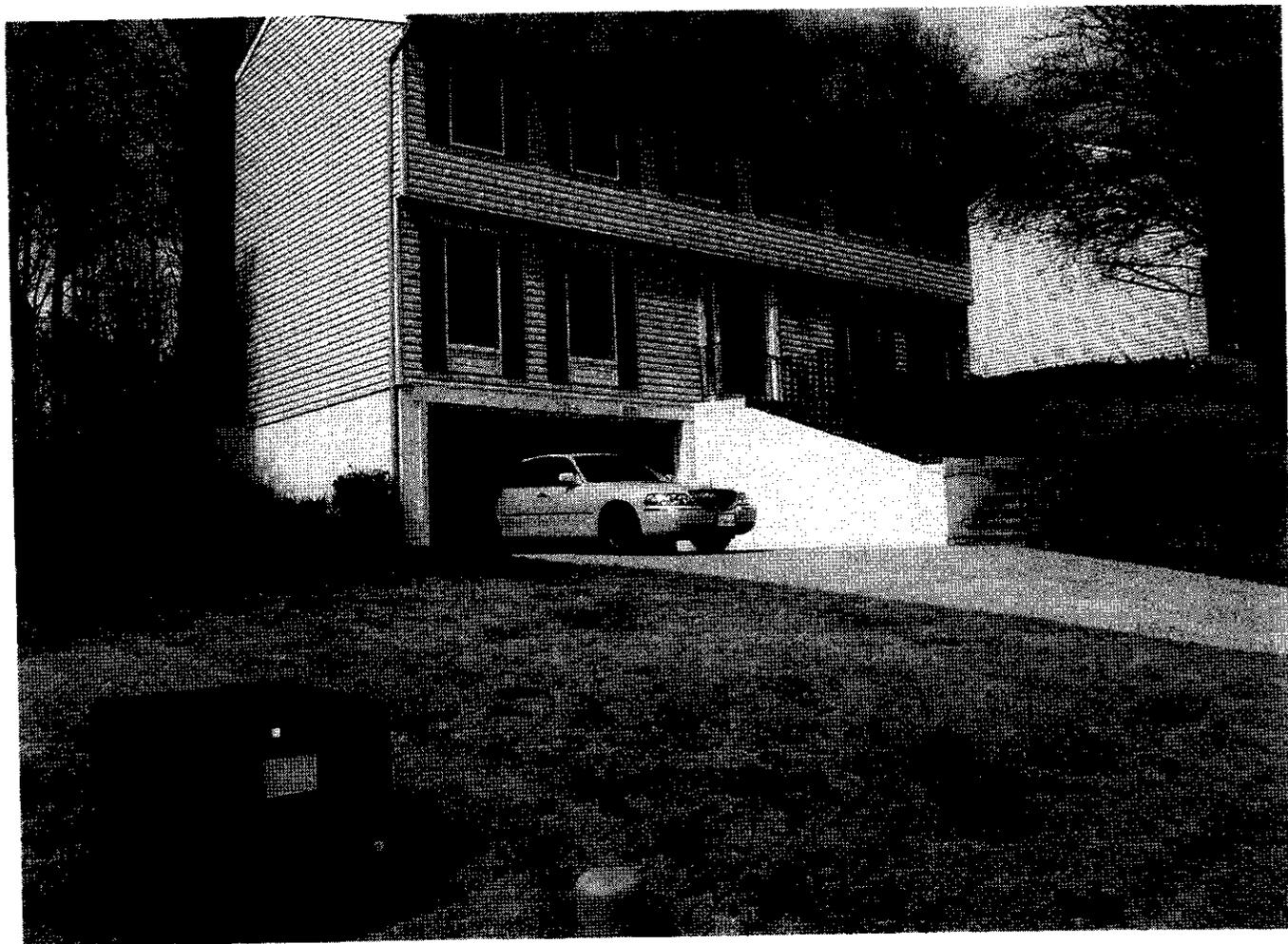
FILE #: CWA-M-HODNETT  
 DATE: 08/29/08  
 DEALER: CHAMPION WINDOW  
 HODNETT  
 7805 ROUNDABOUT WAY  
 SPRINGFIELD, VA 22153  
 DRAWN BY: ALEX BUECHEL  
 SCALE: 1/4"=1'

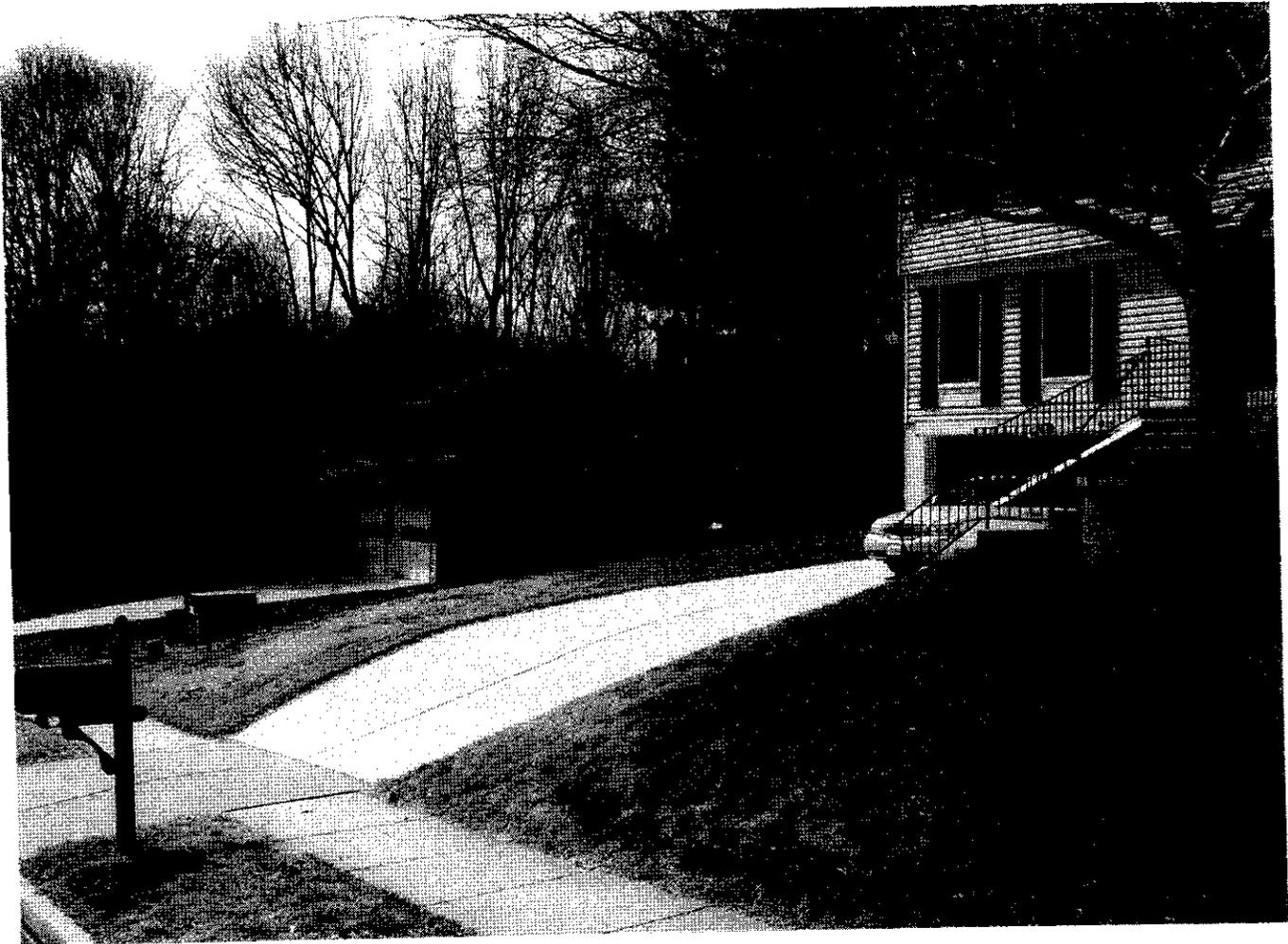
**SHEET 2 OF 5**

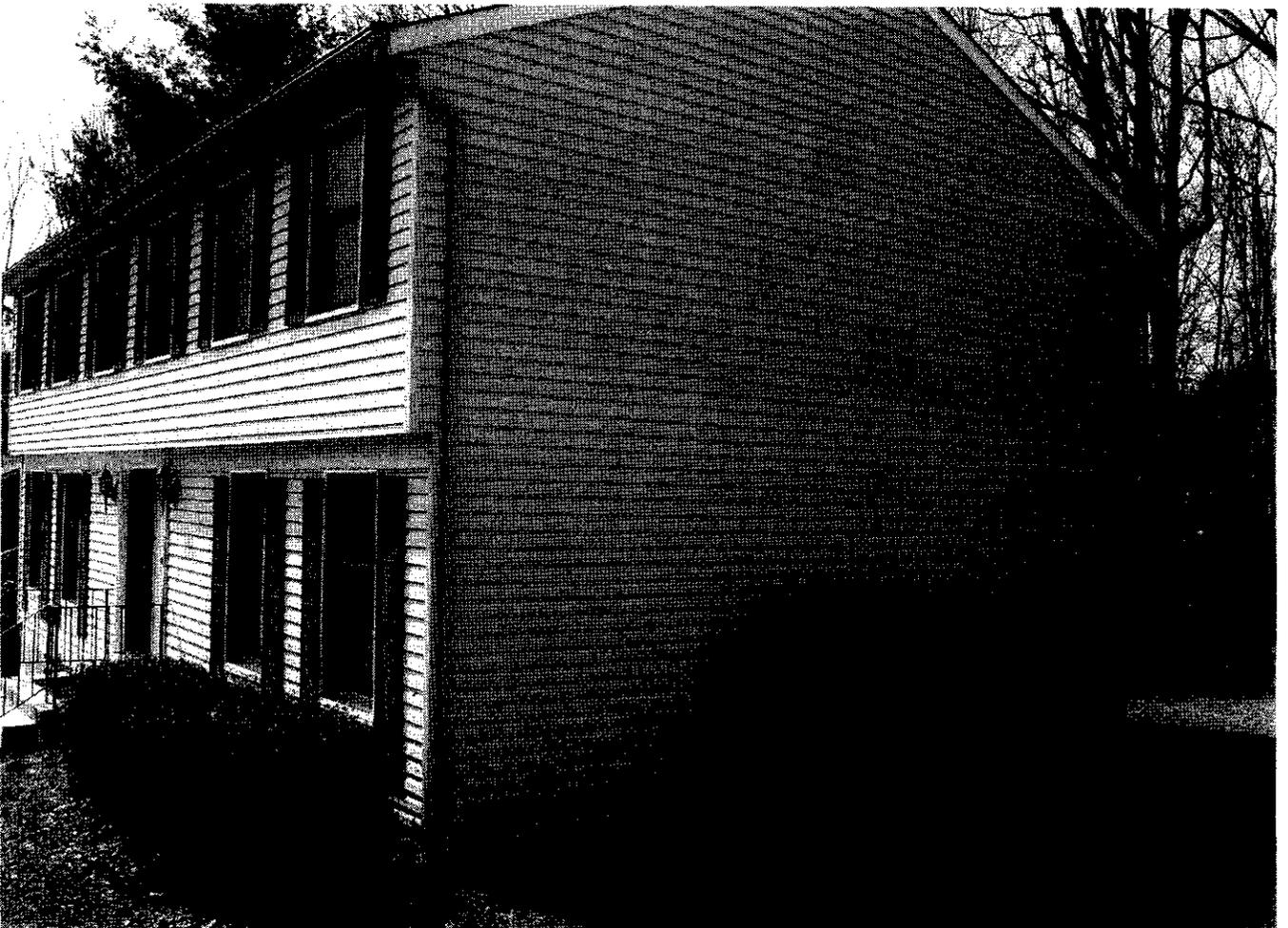
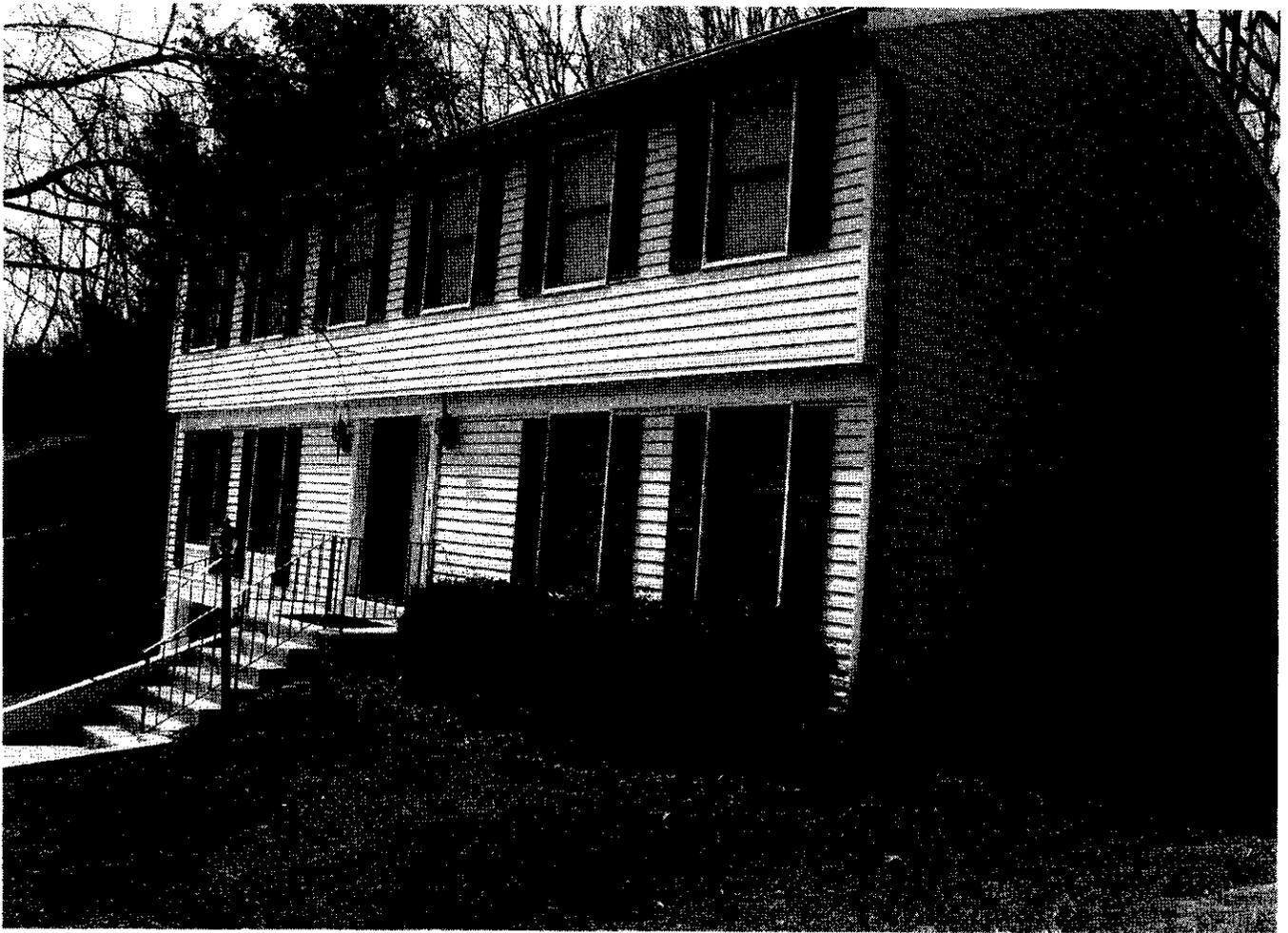
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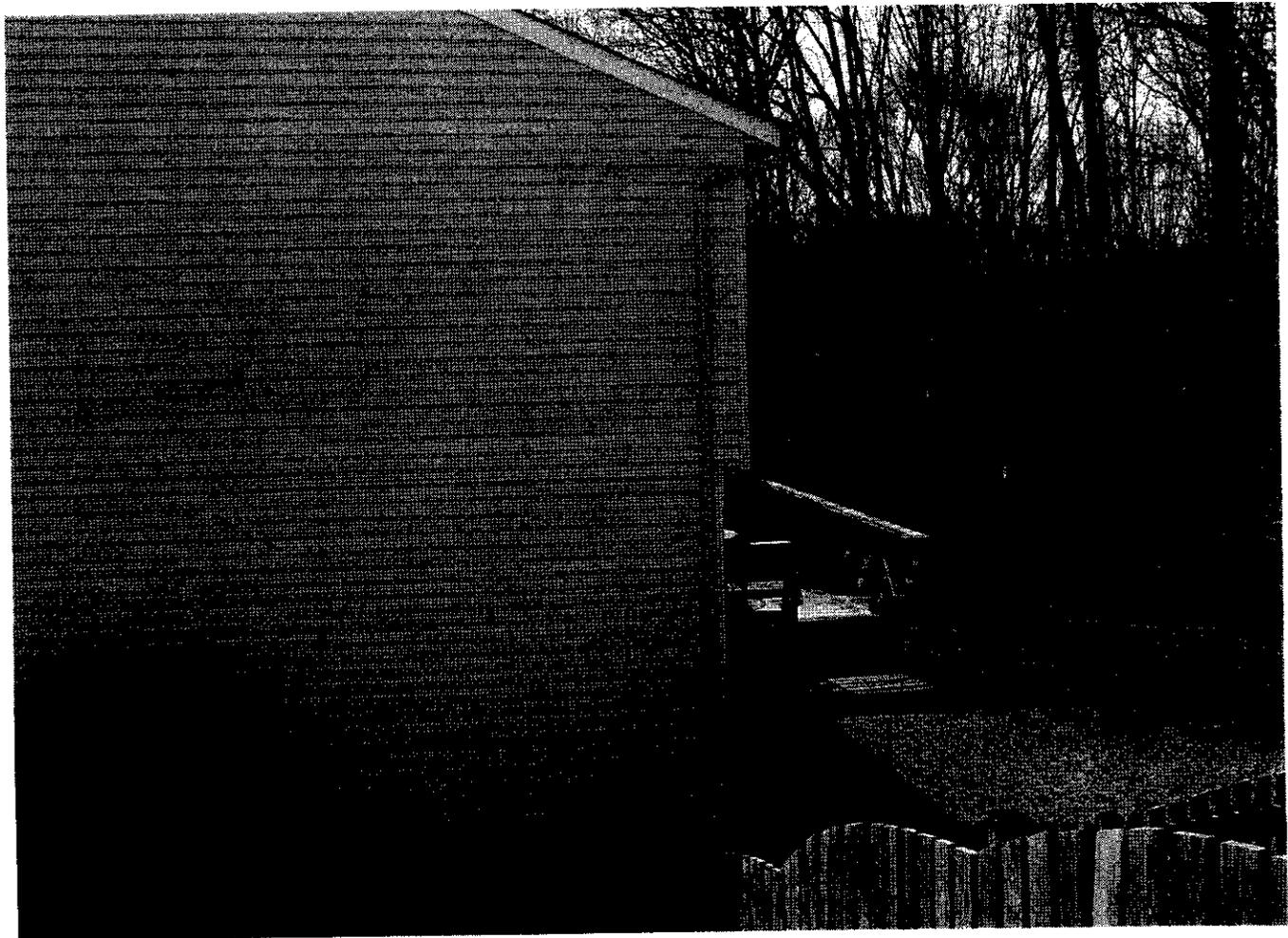


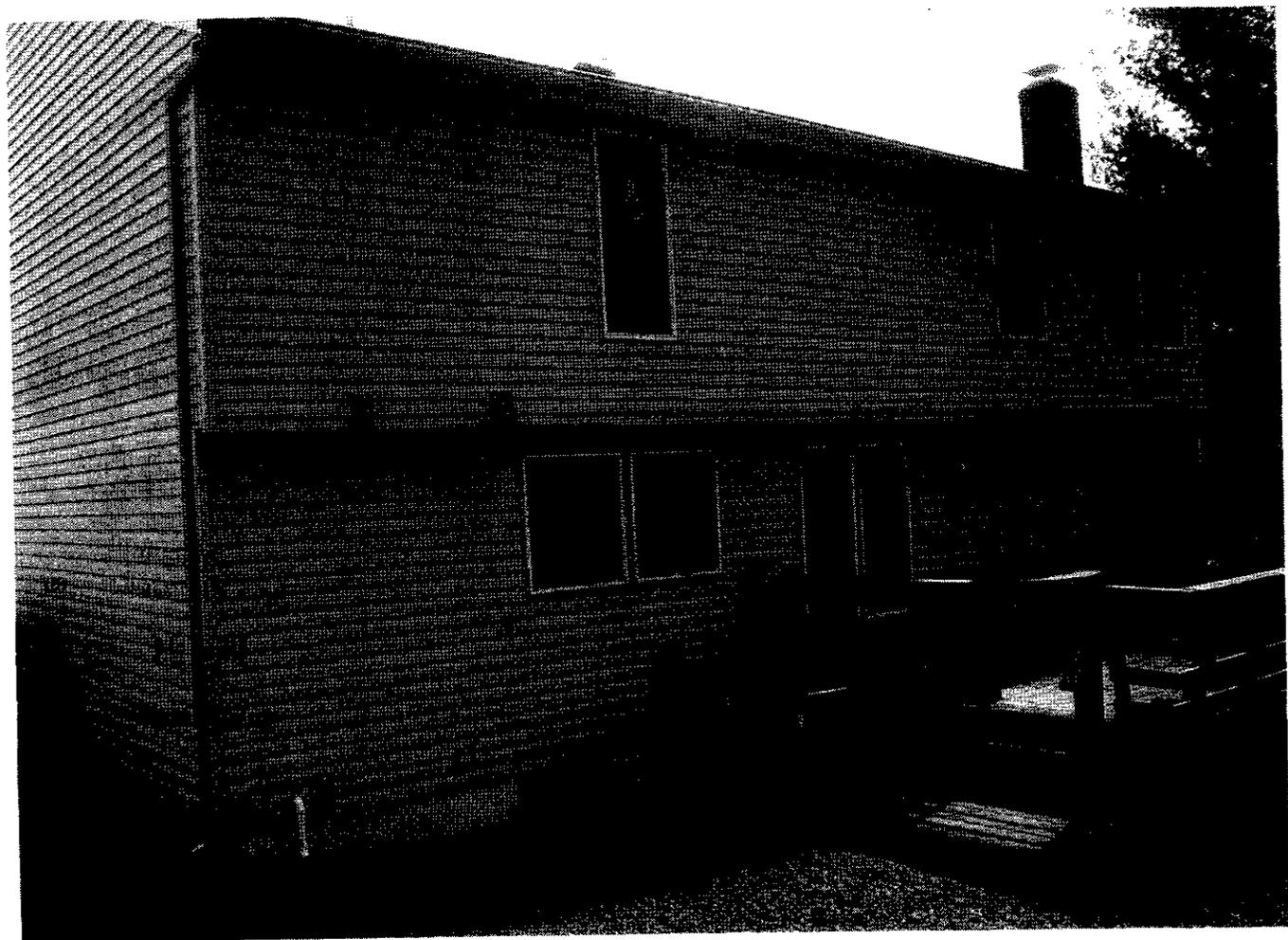


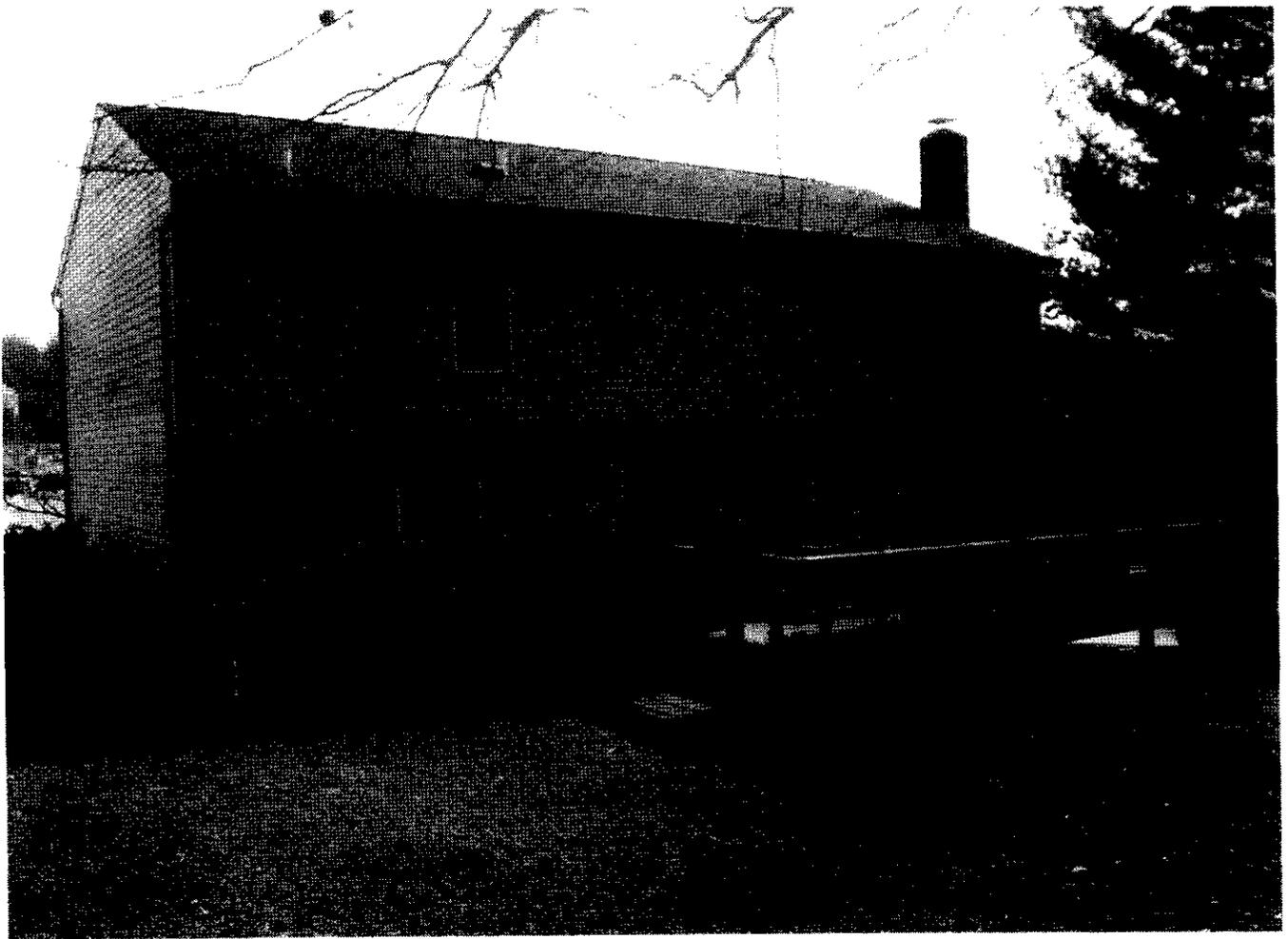




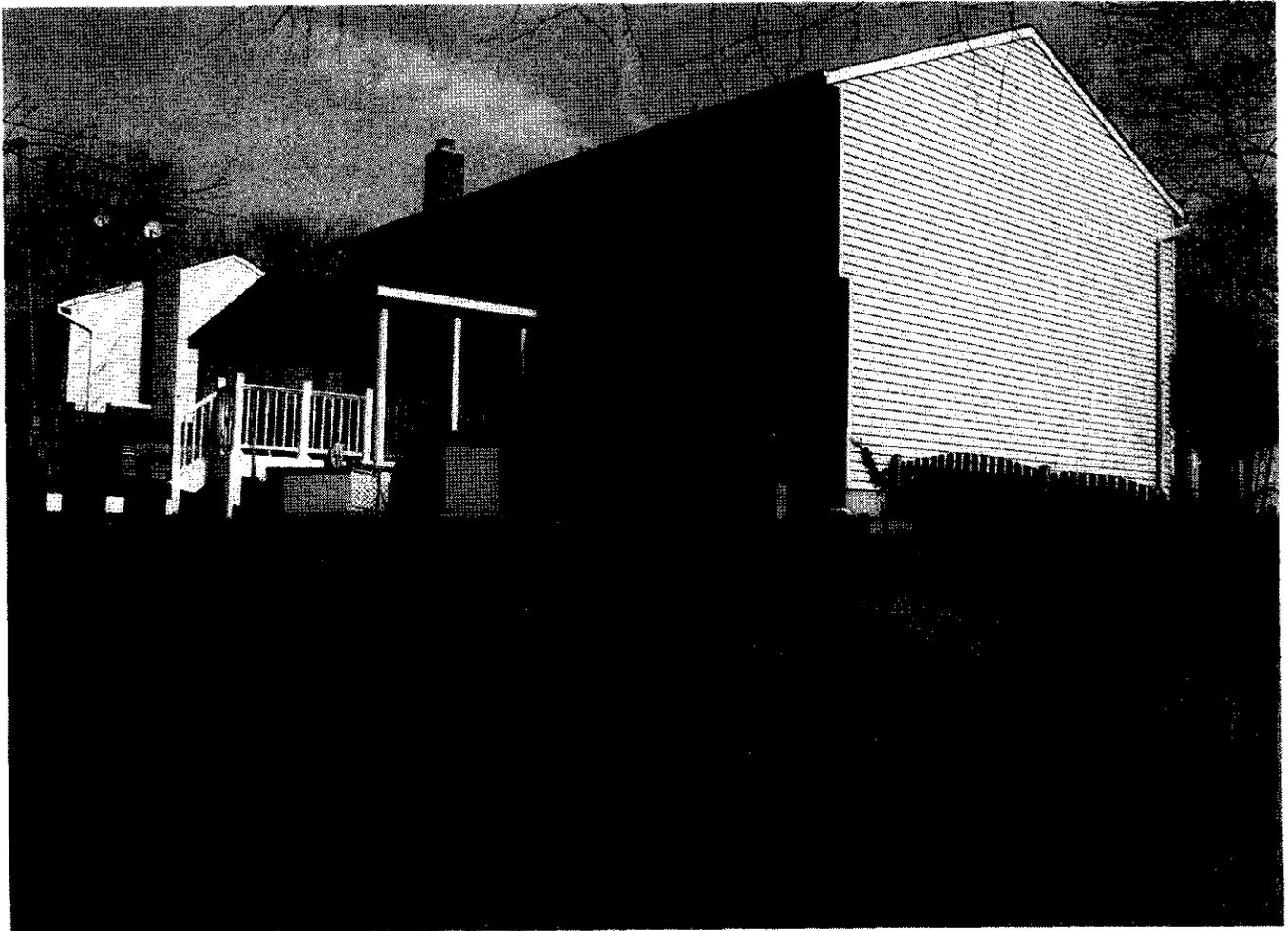


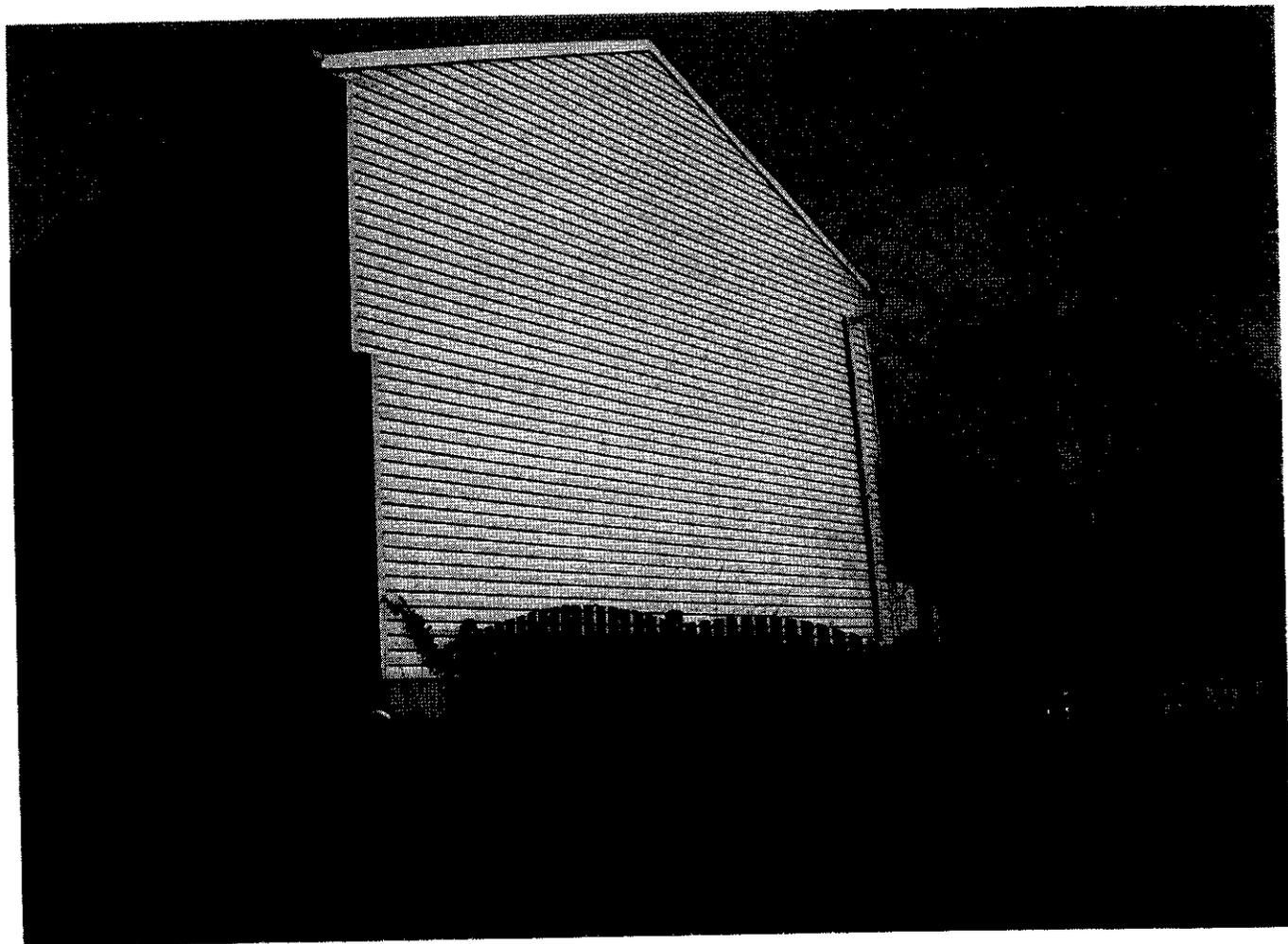


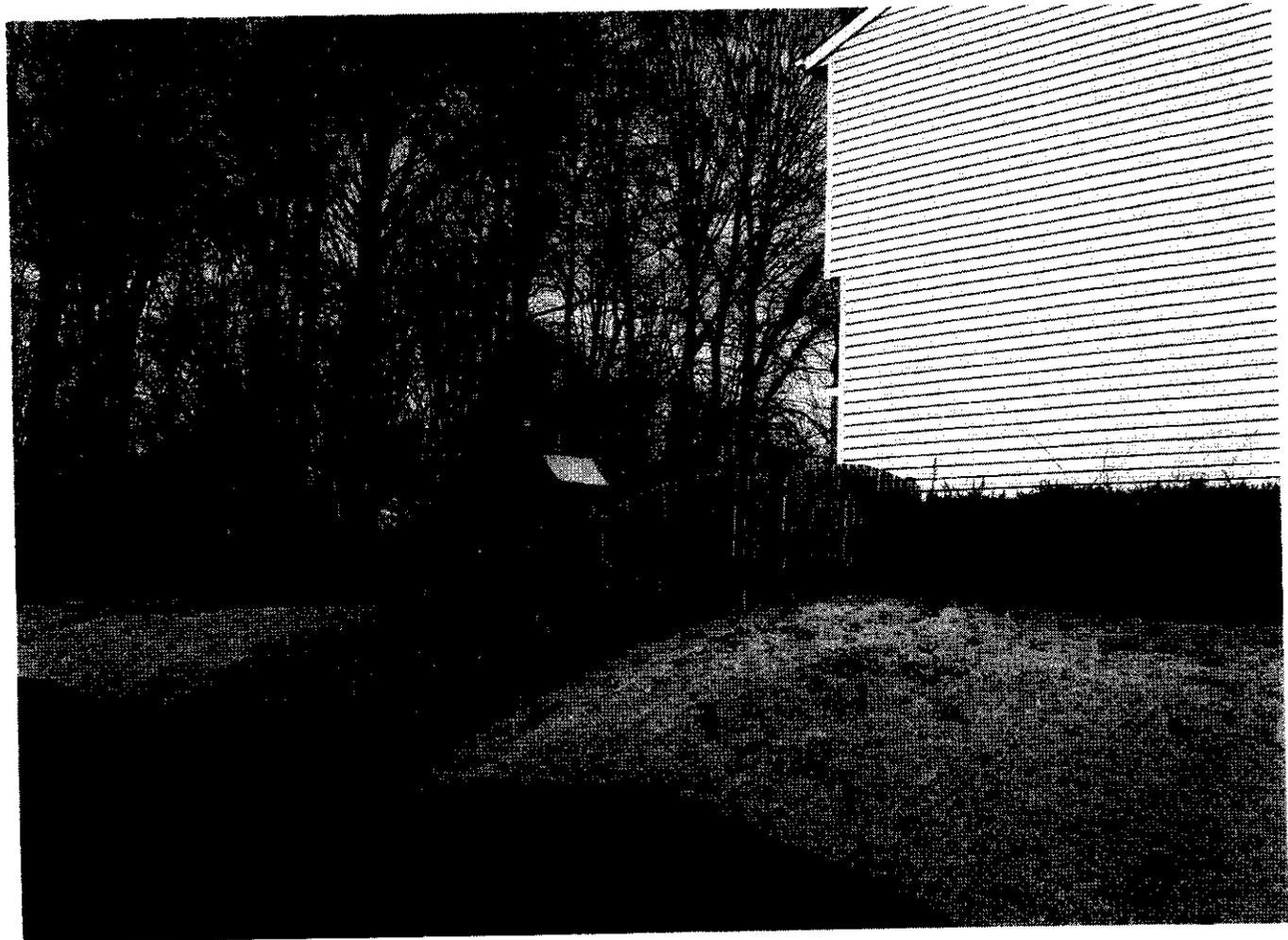


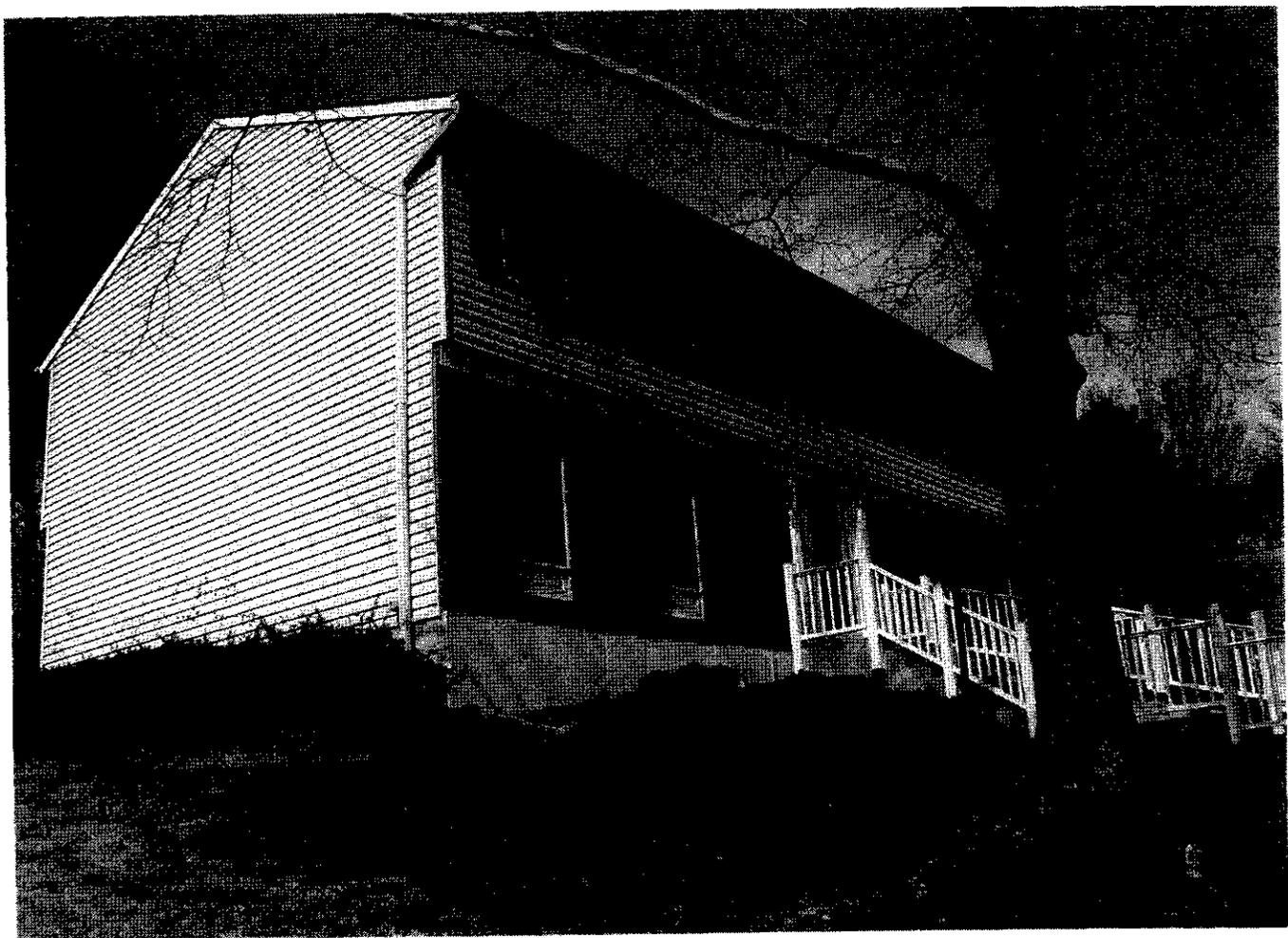
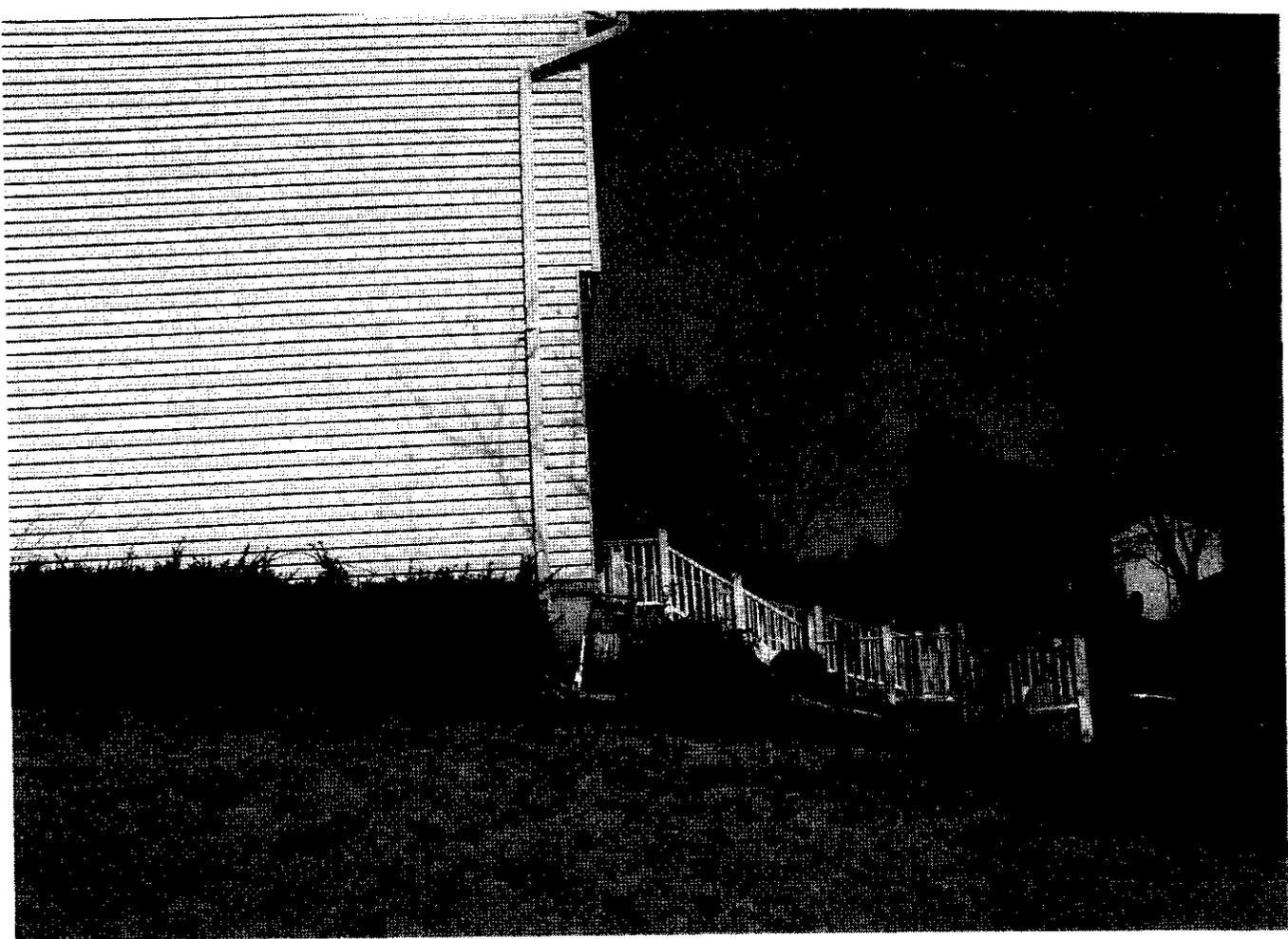


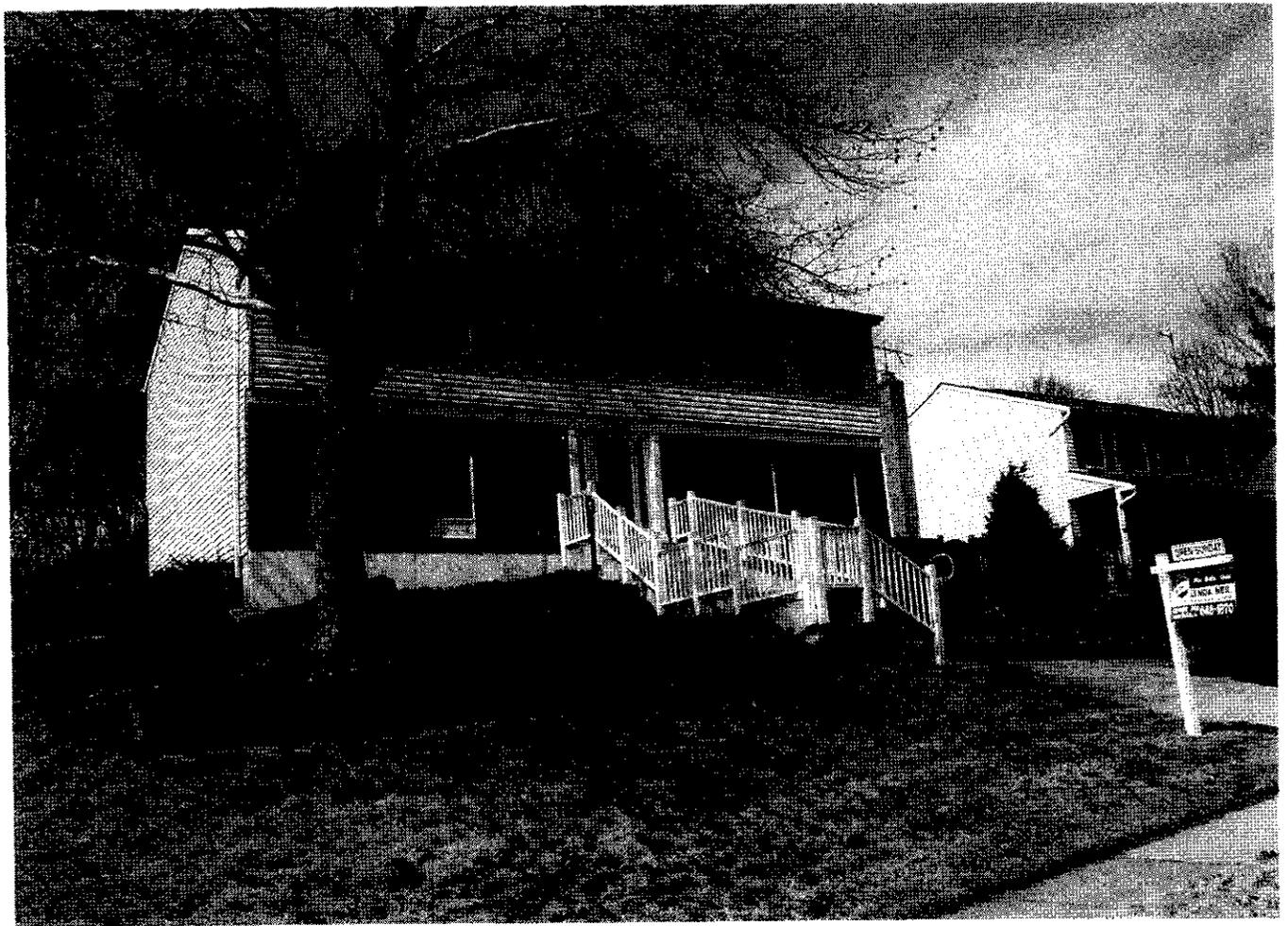


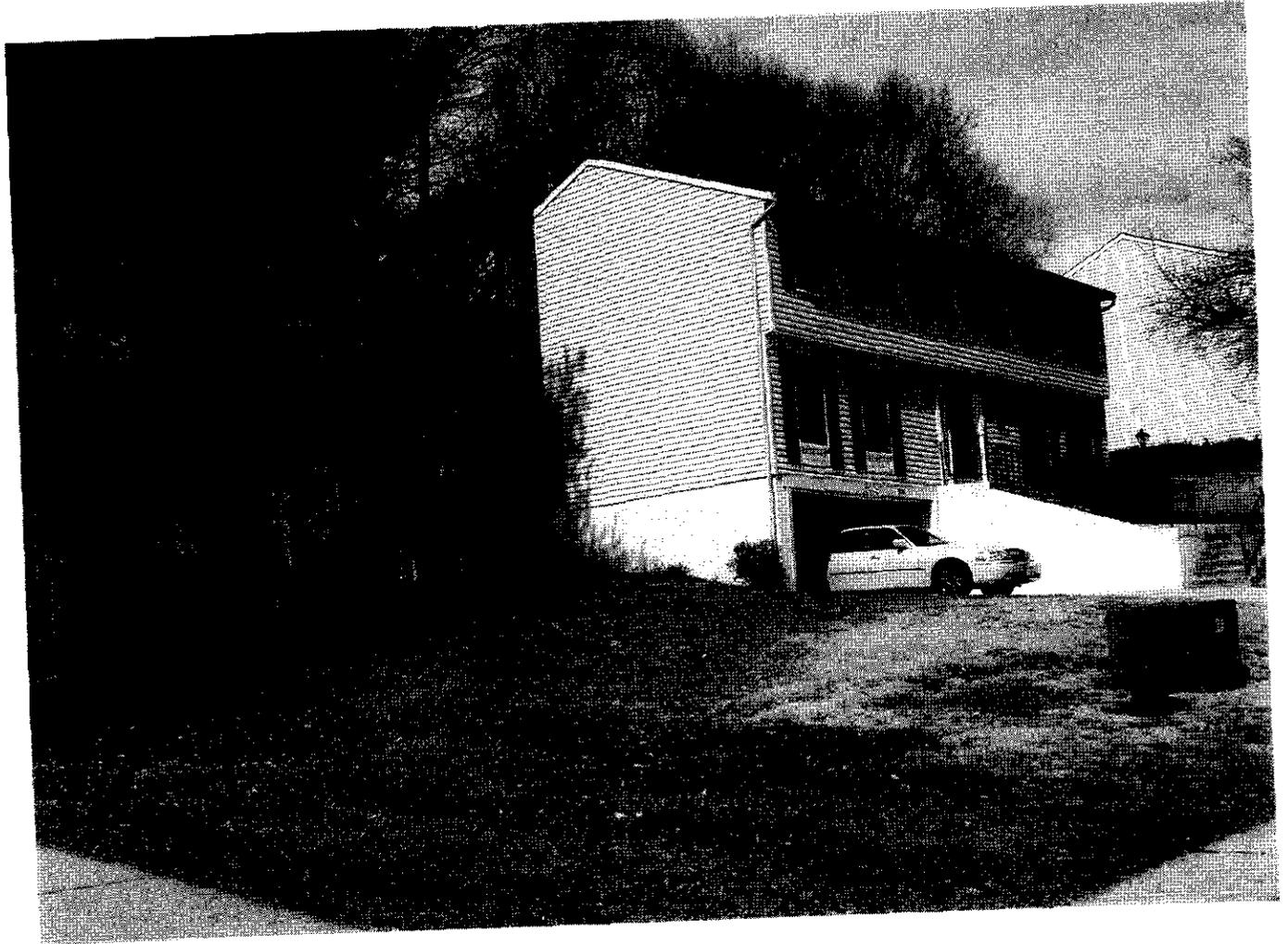
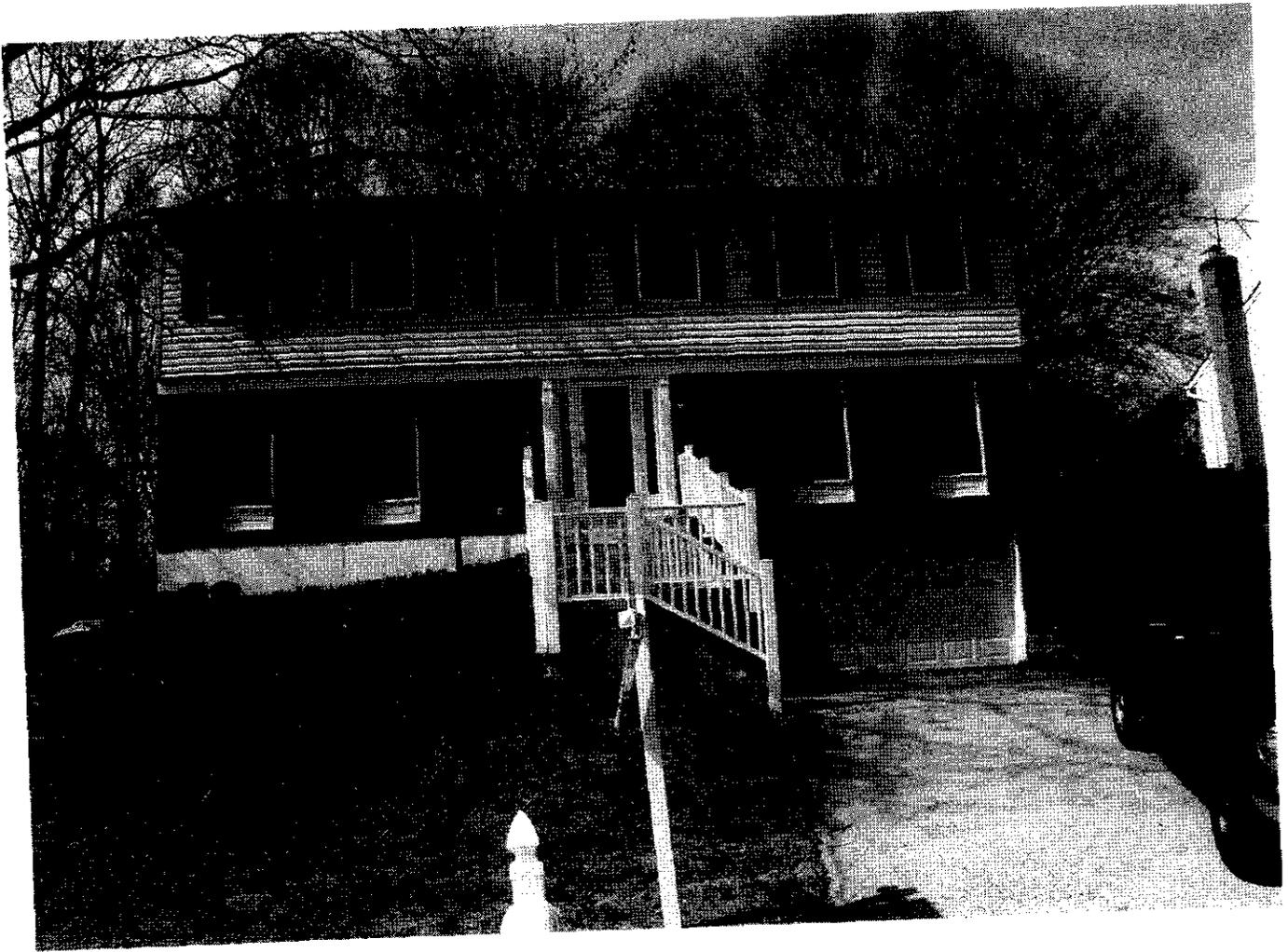






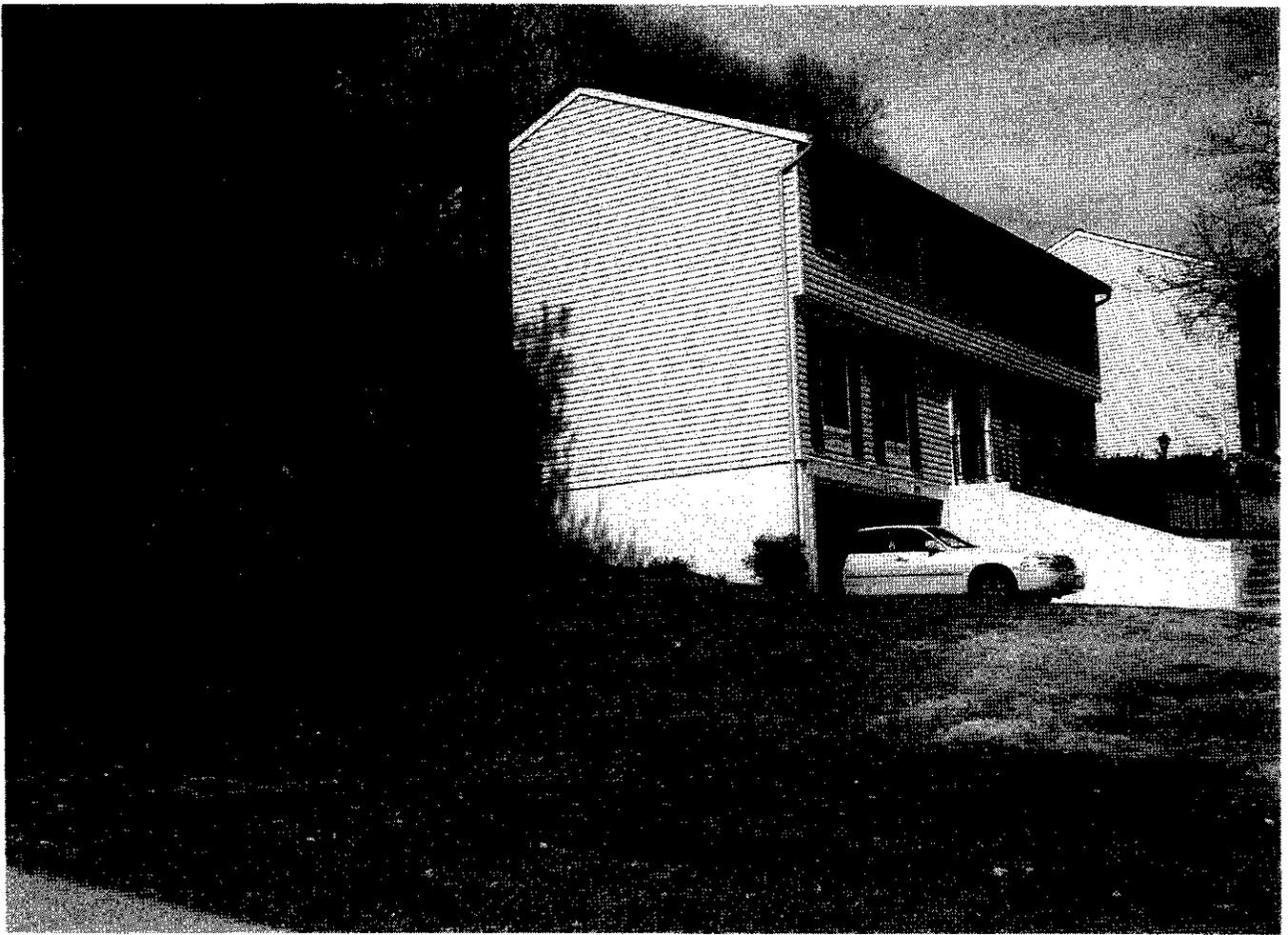












10/10/2000  
10/10/2000  
10/10/2000

**DESCRIPTION OF THE APPLICATION**

The applicant seeks approval of a special permit for a reduction of certain yard requirements to permit construction of a screened porch addition 23 feet from the rear 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	Rear	25 feet	23 feet	2 feet	8 %

\* Minimum yard requirement per Section 3-307

**LOCATION AND CHARACTER**

**Existing Site Description**

The site is currently zoned R-3 Cluster and contains a two story single family detached dwelling which was built in 1983. The property also has an existing deck on the rear of the dwelling which is where the screen porch will be constructed. The lot consists of 8,400 square feet and is surrounded by single family detached homes to the north, east and south. To the west, the rear of the property backs up to open space provided by the Fairfax County Park Authority.

**Character of the Area**

	<b>Zoning</b>	<b>Use</b>
<b>North</b>	R-3	Single Family Detached Dwellings
<b>West</b>	R-1	Fairfax County Park Authority Open Space
<b>East</b>	R-3	Single Family Detached Dwellings
<b>South</b>	R-3	Single Family Detached Dwellings

**BACKGROUND**

The Board of Zoning Appeals (BZA) has not heard any other applications in the neighborhood.

## ANALYSIS OF SPECIAL PERMIT APPLICATION

- **Title of SP Plat:** Proposed Addition, Lot 26, Section 5, Middle Valley
- **Prepared By:** Phillip A. Blevins, Urban, Ltd., dated May 2008, signed through April 4, 2009.

### Proposal

The applicant proposes to construct a screen porch over an existing deck. The proposed screen porch will be approximately 12 feet x 24 feet (288 square feet) in size and 13 feet in height.

### 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 there is no proposed extension further into the rear yard than what currently exists. The screen porch is proposed to be constructed over an existing deck. The most affected property by the proposed addition is to the west, which is open space provided by the Fairfax County Park Authority. Therefore, staff believes the application meets this provision.*

#### 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 3,696 square feet. Therefore 150% of the total gross floor area could result in an addition up to 5,544 square feet; which makes a combined total of 9,240 square feet. The proposed addition will be 288 square feet for a total of 3,984 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 screened porch addition will extend on the existing footprint of the deck and is proposed at a height of 13 feet and only 288 square feet. The existing single family detached dwelling is two stories in height and 3,696 square feet. The proposed screen porch will be constructed with materials similar to the existing 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. The proposed addition will not adversely affect the neighboring properties due to the small size and scope. No land disturbance shall take place because of its location on an existing deck; therefore there will be no harm to existing vegetation or significant trees on the subject property or the neighboring property.*

*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 no increase of impervious area due to the proposed addition being constructed over an existing deck. Currently there is dense vegetation along the rear property line which is where the proposed addition will take place. This vegetation is provided by the adjacent property which is open space provided by the Fairfax County Park Authority and it will serve as a buffer between the proposed addition and the adjacent property. 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. Since the proposed addition is not extending any further into the minimum required side yard than what currently exists, staff believes this proposed screened porch is a minimal addition. There are potential alternate locations for a screened porch; however other locations would not be*

*logical and require removal of the vegetation which exists on the subject property.*

## **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-040 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. Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2009-MV-040****July 28, 2009**

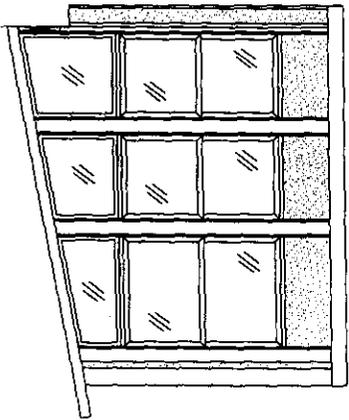
If it is the intent of the Board of Zoning Appeals to approve SP 2009-Mv-040 located at Tax Map Number 98-1 ((9)) (5) 26 (7805 Roundabout Court), to permit reduction of certain yard requirements pursuant to 8-922 of the Fairfax County Zoning Ordinance, staff recommends the Board condition the approval 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 screen porch addition as shown on the plat prepared by Phillip A. Blevins, Urban, Ltd. Dated May 2008, signed through April 4, 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 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 (3,696 square feet existing + 5,544 (150%) = 9,240 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.

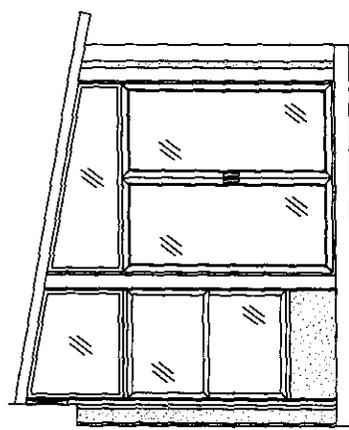
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

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 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.

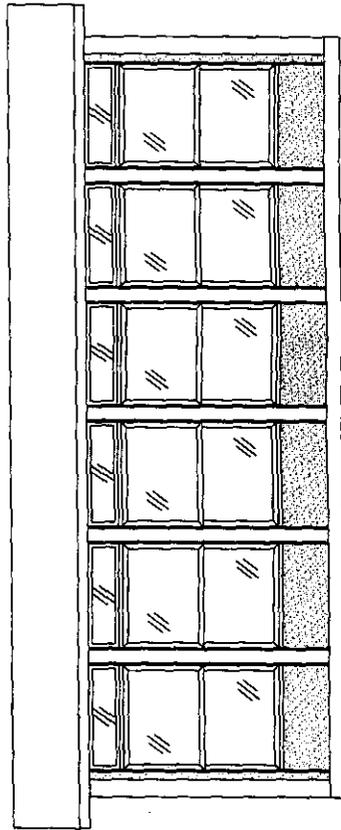
**LEVATIONS**



3



1



2

TOTAL WEIGHT OF PRODUCTS: 2192 lbs.

**MINIMUM DESIGN LOADS:**

**LOAD LOADS:**

- ) ROOF: 6 PSF
- ) WALLS: 5 PSF
- ) FLOOR: 5 PSF

**VE LOADS:**

- ) ROOF: 30 PSF
- ) WALLS: 90 MPH - 3 SEC. WIND GUST
- ) FLOOR: 40 PSF

**SELECTION LIMITS:**

- ) ROOF: L/180
- ) WALLS: L/175
- ) FLOOR: L/240

DRAWN BY: ALEX BUECHEL (SCALE: 1/4"=1')

UTICA, MI 48317

DATE: 08/29/08

FILE #: CWVA-M-HODNETT

PHONE: (888) 262-9259 FAX: (586) 323-1645

UTICA, MI 48317

SCALE: 1/4"=1'

DRAWN BY: ALEX BUECHEL

ROBERT ALAN WALZ  
PRINTED AND SEALED ON: 9/4/08

**BW**  
ENGINEERING  
WALZ ENGINEERING LLC  
11111 HALL RD., SUITE 110  
UTICA, MI 48317

P

HODNETT  
7805 ROUNDABOUT WAY  
SPRINGFIELD, VA 22153

DEALER: CHAMPION WINDOW

**SHEET**  
**2 OF 5**



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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 2-2-09  
 (enter date affidavit is notarized)

I, ROBERT SKELLY, 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      103144a

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)
Elwood T. Hadrott	7805 Roundabout Way Springfield, VA 22153	applicant/title owner
martha C. Hadrott	" " "	title owner
Champion Window Co. of Richmond, LLC	10300 Northlake Park Dr. Ashland, VA 23005	agent
Robert C. Skelly	" " "	agent

(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: 2.2.09  
(enter date affidavit is notarized)

103144a

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)

Champion Window Co. of Richmond, LLC  
10300 Northlawn Park Dr.  
Ashland, VA 23005

**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)

Ryan Copple

(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: 2.2.09  
(enter date affidavit is notarized)

103144a

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

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 2.2.09  
(enter date affidavit is notarized)

103144a

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**

DATE: 2.2.09  
(enter date affidavit is notarized)

103144a

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

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

NONE

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

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

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

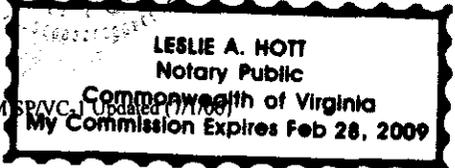
WITNESS the following signature:

(check one) [ ] Applicant [X] Applicant's Authorized Agent

Robert C. Skelly APPLICANT'S AUTHORIZED AGENT  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 2 day of February 20 09, in the State/Comm. of Virginia, County/City of Hanover

My commission expires: 2.28.09  
Notary Public  
354431



MAY 08 2009

Zoning Evaluation Division

To the Ladies and Gentlemen of the BZA:

Regarding SP2008-0342:

The purposed 12' x 25' sunroom addition at 7805 Roundabout Way in Springfield, will be built on the rear of the existing two story dwelling. The existing dwelling on the property now is within the required setbacks for this particular property and sits 36 foot from the rear property line and the required rear setback is 25 foot. We are asking to encroach upon the rear setback by two feet, this is including 1 foot for the overhang of the roof. The purposed addition will have a total of 300 square feet which will be attaching to a 2400 square foot house, which is considerably smaller in size and stature. We are purposing a single story addition onto a two story dwelling using there existing deck as the footprint of the room.

By using the existing deck, there will be very little ground disturbance and will not affect the vegetation and trees in the back yard. The only ground disturbance would be to the area in which we are planning to dig for the placement of new post and footings to be installed under the deck. The existing deck is approximately 3 ft. to 4 ft. out of ground. The sunroom, which will be placed on top of the deck, will have a front wall of 8 ft. and slope up towards the house attaching at 11 ft., allowing for the minimum pitch to install shingles on the roof. Also, the addition that we are purposing, will have vinyl double hung with internal grids, vinyl siding on the exterior, and shingles on the roof, which will keep in character with the existing dwelling.

The sunroom that is purposed to be constructed at 7805 Roundabout Way, on the rear of the house, would not disturb any wells or septic systems, since there are none present on the property. There are no easements to be concerned within the rear of the property either. Looking at the rear of the house, the slope of the land pitches from left to right, but since we are purposing footing and post and will not be changing the grade of the land, this should not affect either adjacent property. With the addition being installed on the rear of house, which faces Fairfax County park land, no houses are behind this property and I do not believe will be built behind it in the future. The two adjacent lots should not be adversely affected by the construction of a new addition on the rear of this house. Considering that the house to the right of the Hodnetts residence, 7803 Roundabout Way, has a screen porch attached to the rear of the house, it would only be fair to allow the construction of this addition onto the existing dwelling at 7805 Roundabout Way.

Thank you for your careful consideration on this matter and look forward to hearing for you soon.

Robert Skelly  
Champion Window Company of Richmond

**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.