



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

August 20, 2009

Roger K. Bohr, Project Designer
RCFields, Jr., & Associates
730 S. Washington Street
Alexandria, Virginia 22314

Re: Interpretation for VC 2009-MV-001, 8215 Riverside Road, David W. Dively
Tax Map 102-3 ((1)) 17C

Dear Mr. Bohr:

This is in response to your letter of July 23, 2009, (attached) requesting an interpretation of the Variance (VC) Plat and development conditions approved by the Board of Zoning Appeals (BZA) in conjunction with VC 2009-MV-001. As I understand it, the question is whether the revision to enlarge and cover the proposed deck and the addition of a window well would be in substantial conformance with the VC Plat and development conditions. This determination is based on your letter and a Grading Plan showing the location of the proposed covered deck and window well.

VC 2009-MV-001 was granted by the BZA on March 31, 2009, subject to development conditions, to permit a lot width of 41.83 feet, where 80 feet is required. The VC Plat depicted a specific area of the limits of clearing and grading required to accommodate a single family detached dwelling with an attached 10 x 20 uncovered deck with steps to grade, located on the north side of the proposed dwelling.

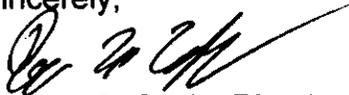
You indicate that upon submitting a Grading Plan, a revision was made enlarging the uncovered deck to 20 x 20 with steps to grade, as well as adding a cover to the deck, and the addition of a window well to the front of the dwelling. The proposed deck would increase the impervious area by 182 square feet, yet does not exceed the allowable limits of clearing and grading. The approved development conditions, specifically Development Condition #4, states that "Replacement of the existing structure, and/or construction of additions or accessory structures that conform with the applicable Zoning Ordinance provisions and these development conditions, as determined by the Zoning Administrator, may be permitted without an amendment to this variance."

Roger K. Bohr
Page Two
August 20, 2009

Given the above, it is my determination that the proposed revised covered deck and window well would be in substantial conformance with the VC Plat and development conditions.

This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding these requirements, please feel free to contact Deborah Hedrick at 703-324-1280.

Sincerely,



Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

Attachments: A/S

cc: Members, Board of Zoning Appeals
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Ken Williams, Plan Control, Land Development Services, DPWES
Jack Weyant, Director, Environmental and Facilities Inspection Division, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, ZED, DPZ
File: VC 2009-MV-001, Imaging, Reading File

23 July 2009

Ms. Regina Coyle, Director
Department of Planning and Zoning
8th Floor, Herrity Building (Suite 801)
12055 Government Center Parkway
Fairfax, Virginia 22035

**Re: Interpretation Request for #8215 Riverside Road
VC 2009-MV-001
Tax Map # 102-3-01-0017C**

Dear Ms. Coyle:

On behalf of our client, David W. Dively, we are writing to request an interpretation on the approved Special Exception (SE) Plat for the above referenced project.

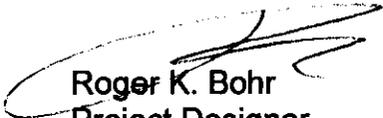
Our client has an approved Variance Plat for a reduction of the minimum lot width requirement (VC 2009-MV-001) and a subsequently approved Grading Plan (#5002-INF-001-3) for the construction of a single-family detached dwelling with a 10' x 20' uncovered deck (with steps to grade) attached to the north side of the proposed dwelling. The proposed impervious area for the approved Variance Plat and Grading Plan is 6,038 sq. ft. The proposed disturbed area shown on the approved Variance Plat and Grading Plan is 16,177 sq. ft.

Our client submitted a revision to the approved Grading Plan which showed an enlarged covered deck and a window well added to the proposed dwelling. The revised deck is shown as 20' x 20' (with steps to grade). The proposed window well is proposed at the front of the dwelling near the garage entrance. The proposed impervious area on the revised Grading Plan is 6,220 sq. ft. The proposed disturbed area remains the same at 16,177 sq. ft. Site Review has recently "Disapproved" our revised Grading Plan and requested that an interpretation from Zoning be obtained to ascertain if the proposed changes are allowable.

The variance approval was to allow a reduction in the minimum lot width for an existing lot that was created by the court to settle the estate of the deceased James Mudell in 1966. The proposed changes do not alter the character of the project and do not encroach into any required zoning setbacks. The proposed changes to the approved plan do not increase the disturbed area of the site. The minor increase in impervious area (182 sq. ft.) will result in a negligible increase in runoff (0.07 cfs) over the approved plans. The larger deck and window well will have no adverse effects on adjacent parcels. For these reasons we believe a favorable interpretation can be justified.

We have included a copy of the previously approved Grading Plan and the proposed revisions to the Grading Plan to assist you in your review. We greatly appreciate your earliest attention to this interpretation request. If you or any member of your review staff have any questions or require any additional information, please do not hesitate to contact us.

Sincerely,
R.C. Fields, Jr. & Associates, P.C.



Roger K. Bohr
Project Designer