



APPLICATION ACCEPTED: September 17, 2009
BOARD OF ZONING APPEALS: January 6, 2010
MOVED DUE TO ADS
TIME: 9:00 a.m.

County of Fairfax, Virginia

December 30, 2009

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2009-LE-093
Concurrent with VC 2009-LE-005

LEE DISTRICT

APPLICANT: Wendy Arnold

OWNERS: Wendy D. Arnold and
Ian T. Komorowski

SUBDIVISION: Fairfax Homes

STREET ADDRESS: 5811 Larpin Lane

TAX MAP REFERENCE: 82-1 ((6)) (F) 3

LOT SIZE: 14,541 square feet

ZONING DISTRICT: R-3

ZONING ORDINANCE PROVISIONS: 8-914 and 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction to minimum yard requirements based on error in building location to permit an accessory storage structure to remain 3.3 feet from side lot line and 5.8 feet from rear lot line and to permit reduction of certain yard requirements to permit construction of a roofed deck 27.1 feet from the front lot line.

VARIANCE PROPOSAL: To permit accessory storage structure which exceeds 200 square feet in gross floor area.

STAFF RECOMMENDATION: Staff recommends approval of SP 2009-LE-093 for the roofed deck subject to the proposed development conditions contained in Appendix 1.

O:\SMCKNASP\ARNOLD SP 2009-LE-093\Staff Report\Staff Report Arnold.doc

Shelby Johnson

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

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

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

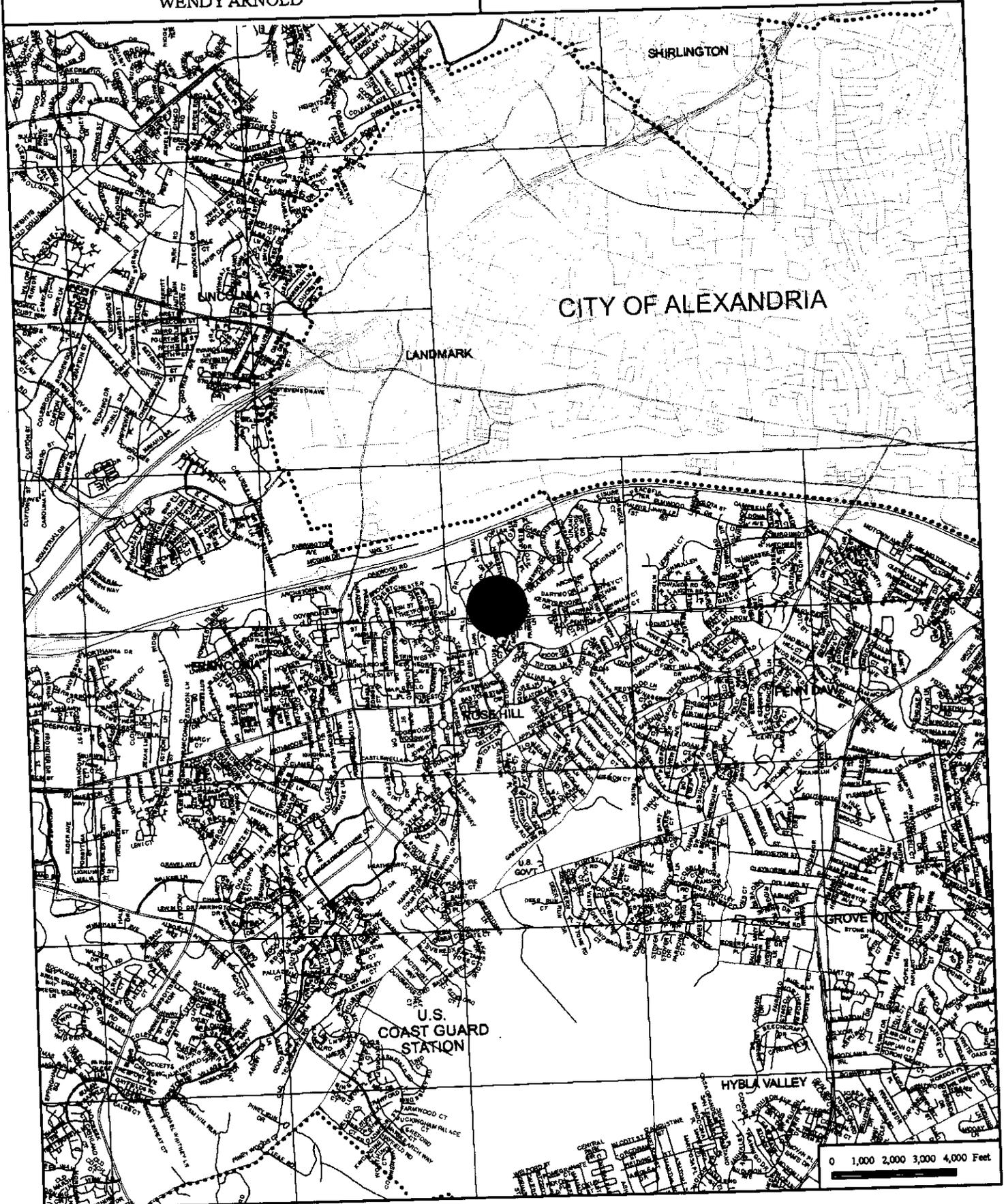
SP 2009-LE-093

WENDY ARNOLD

Variance Application

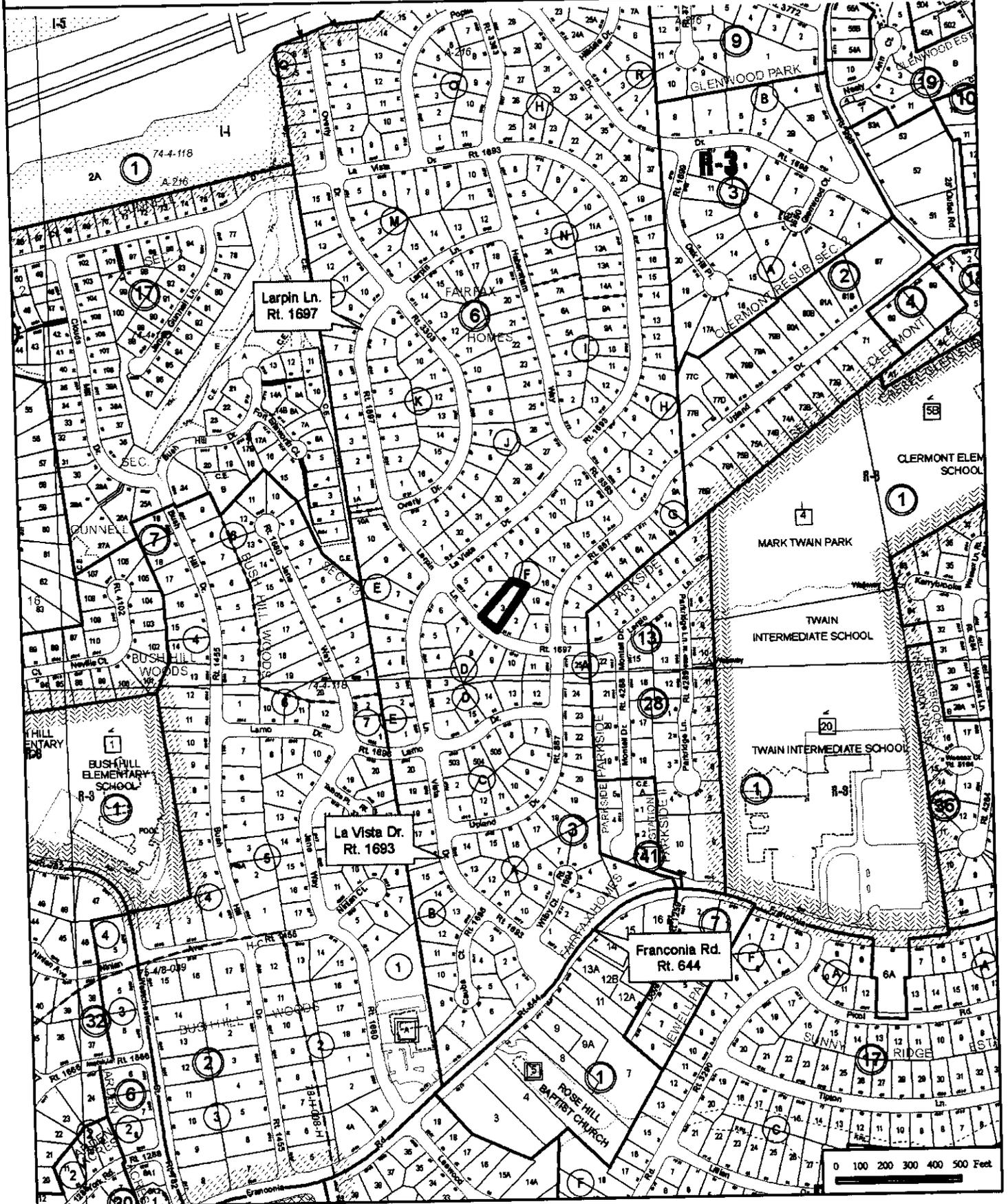
VC 2009-LE-005

WENDY ARNOLD



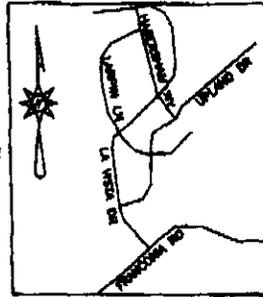
Special Permit
SP 2009-LE-093
WENDY ARNOLD

Variance Application
VC 2009-LE-005
WENDY ARNOLD

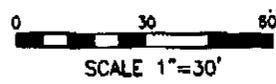
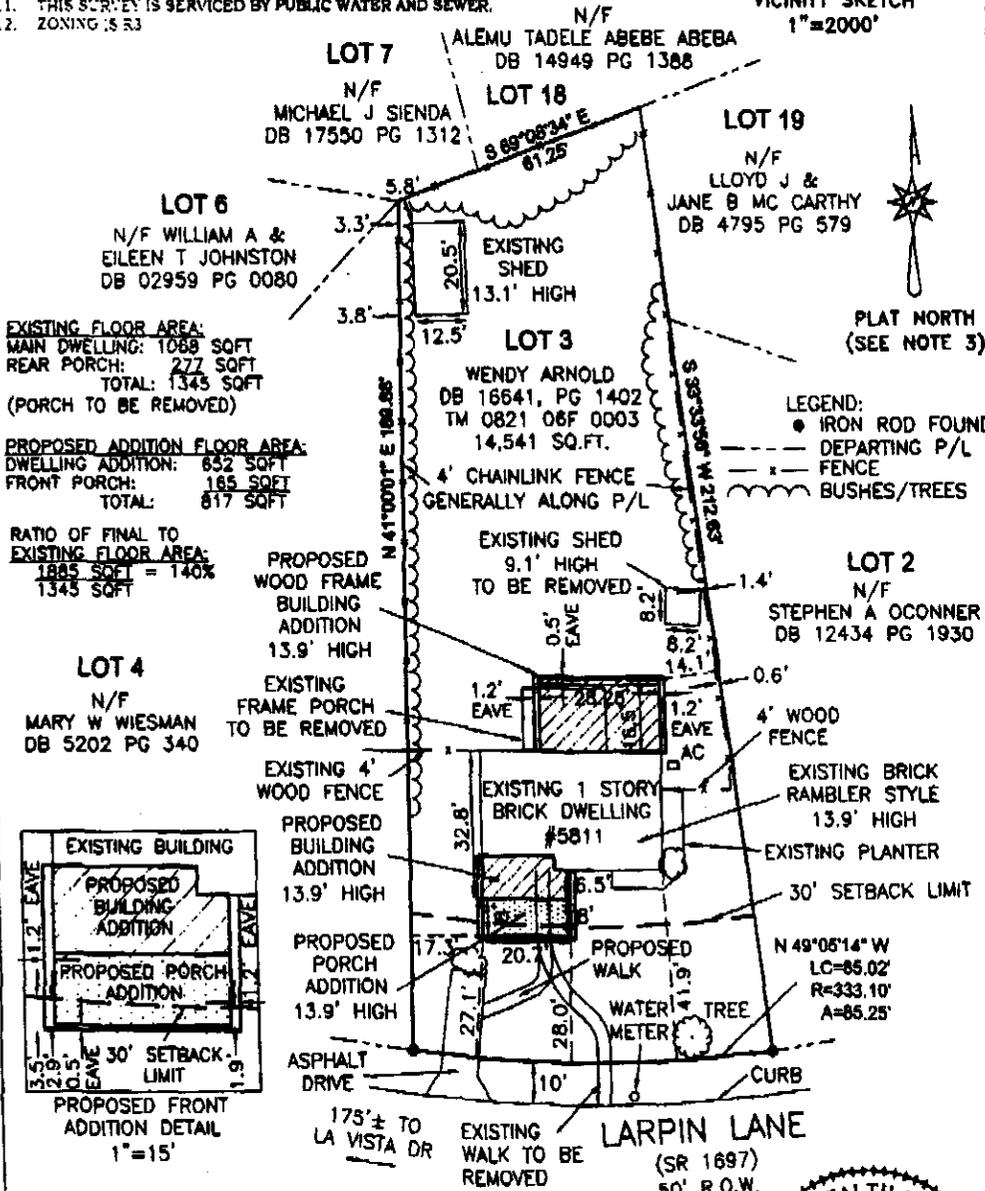


NOTES:

1. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY ON DECEMBER 22, 2008.
2. NO TITLE REPORT WAS FURNISHED.
3. BEARINGS ON THIS PLAT ARE BASED ON A SUBDIVISION PLAT TITLED 'FAIRFAX HOMES', DATED SEPTEMBER 23, 1965, BY SPRINGFIELD SURVEYS, RECORDED IN DB 1413 PG 353 OF FAIRFAX COUNTY RECORDS.
4. NON RECORDED EASEMENTS MAY EXIST.
5. UNDERGROUND UTILITIES MAY BE PRESENT BUT NOT MARKED.
6. THIS SURVEY DOES NOT ADDRESS WETLANDS, TOXIC OR CONTAMINATED WASTE, OR SOIL CONDITIONS NOR HAVE ANY REPORTS, STUDIES, ETC., BEEN FURNISHED TO THIS SURVEYOR OTHER THAN THOSE NOTED.
7. THERE ARE NO HAZARDOUS WASTE OR TOXIC SUBSTANCES VISIBLE ON THIS PROPERTY.
8. THIS PROPERTY IS LOCATED IN FEMA FLOOD HAZARD ZONE 'X' AS PER FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NO. 51582501500; DATED 03/05/1990.
9. AREA OF PROPERTIES SHOWN HEREBON IS PER ASSESSMENT RECORDS.
10. CURRENT DEED: DB 16641, PG 1402
11. THIS SURVEY IS SERVICED BY PUBLIC WATER AND SEWER.
12. ZONING: S R3

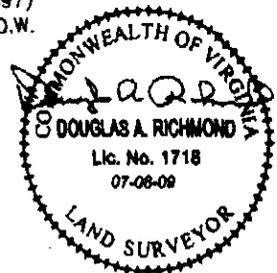


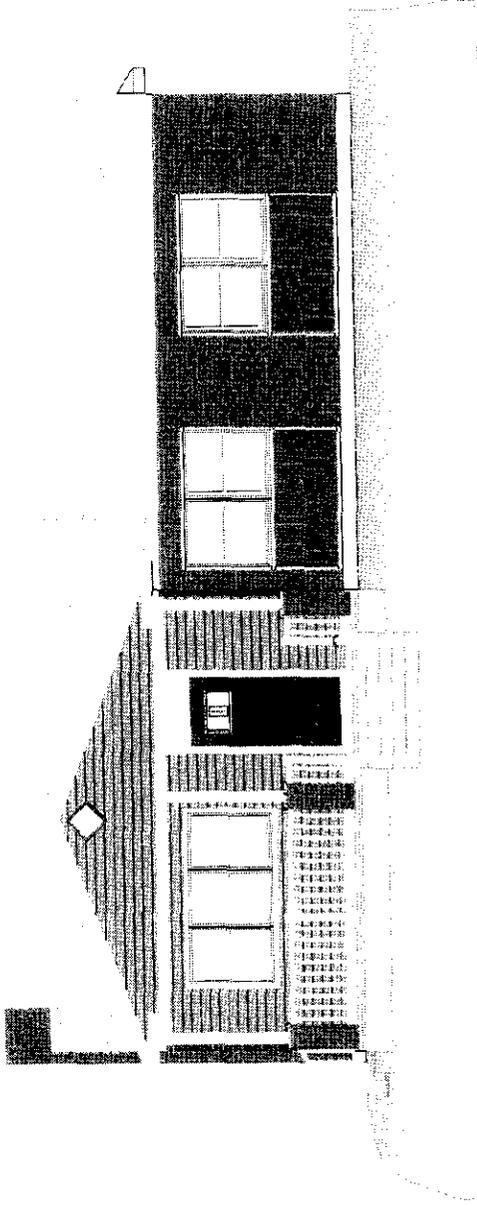
VICINITY SKETCH
1"=2000'



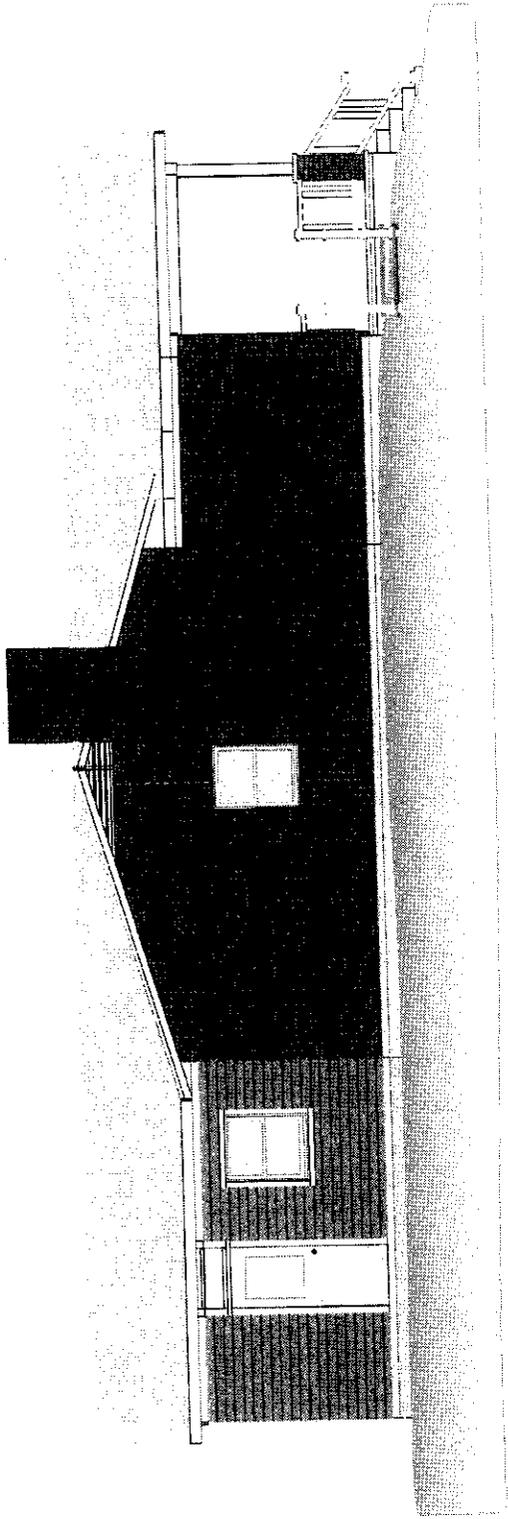
GEOMETRICS
S.P.S., INC.
238 CAMBRIDGE STREET
FREDERICKSBURG, VIRGINIA 22405
(540) 372-3499

PLAT SHOWING PROPOSED DWELLING ADDITION
THE PROPERTY OF WENDY ARNOLD
FAIRFAX TM 0821 06F 0003
LOCATED IN LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA
JULY 8, 2009

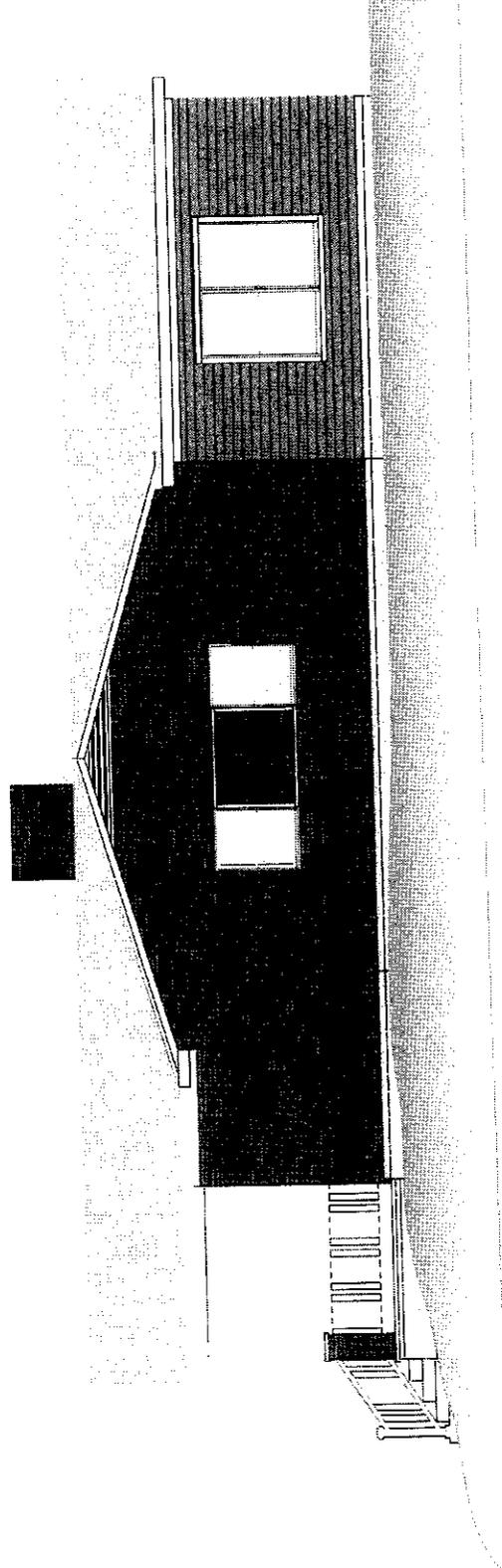




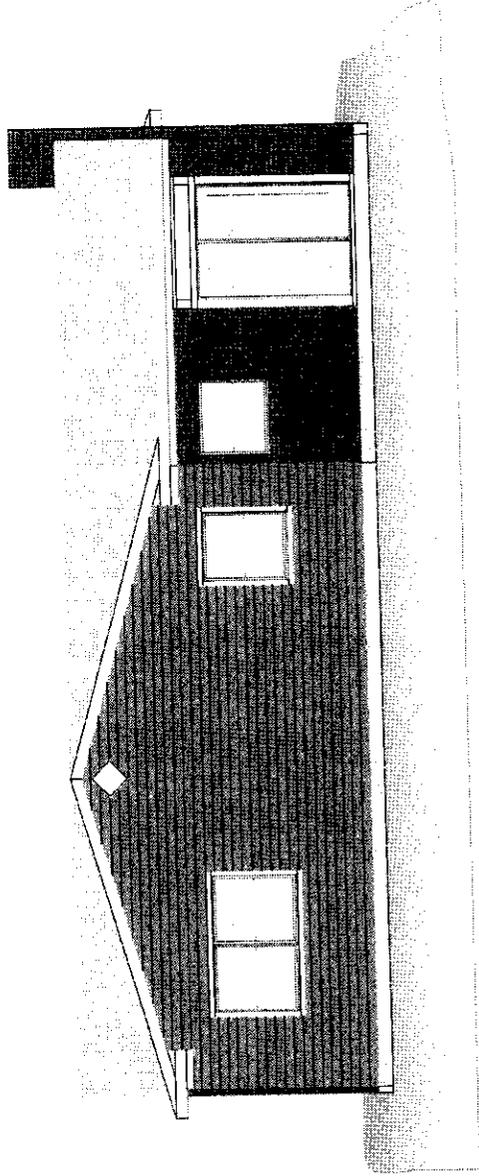
FRONT of 5811 Larpin Lane house as seen facing the Northern side of the property.
Vinyl siding and matching brick for exterior walls.
Scale 1/8" = 1'



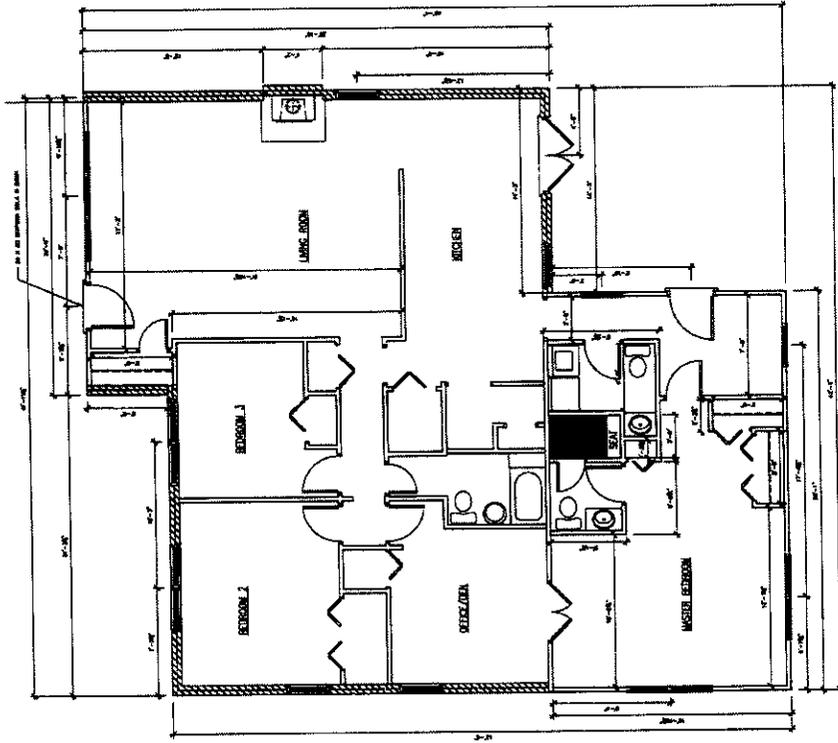
LEFT Side of 5811 Larpin Lane house as seen facing the Eastern side of the property and #5813.
Vinyl siding and matching brick for exterior walls.
Scale 1/8" = 1'



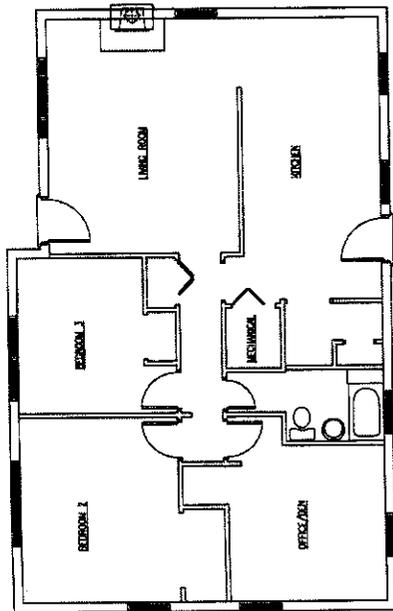
RIGHT Side of 5811 Larpin Lane house as seen facing the Western side of the property and #5809.
Vinyl siding and matching brick for exterior walls.
Scale 1/8" = 1'



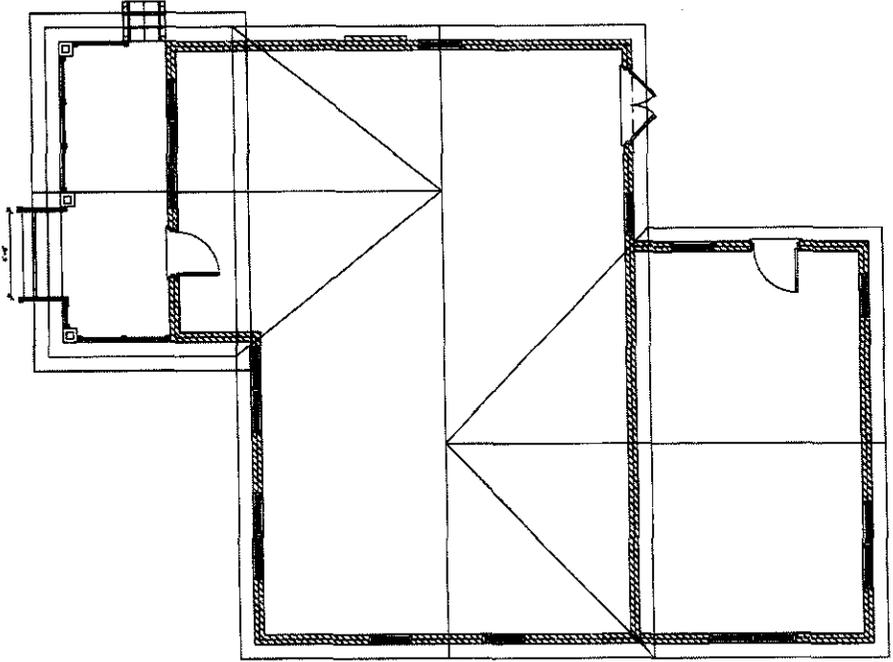
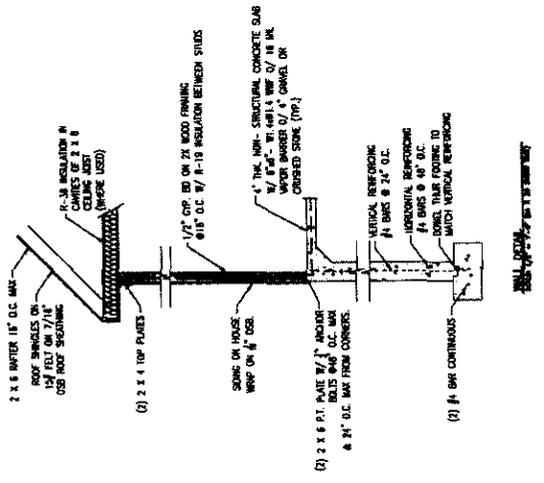
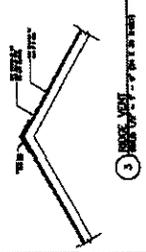
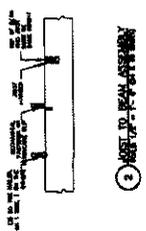
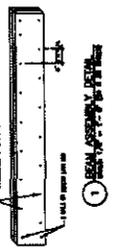
Back of 5811 Larpin Lane house as seen facing the Southern side of the property and the street.
Vinyl siding and matching brick for exterior walls.
Scale 1/8" = 1'



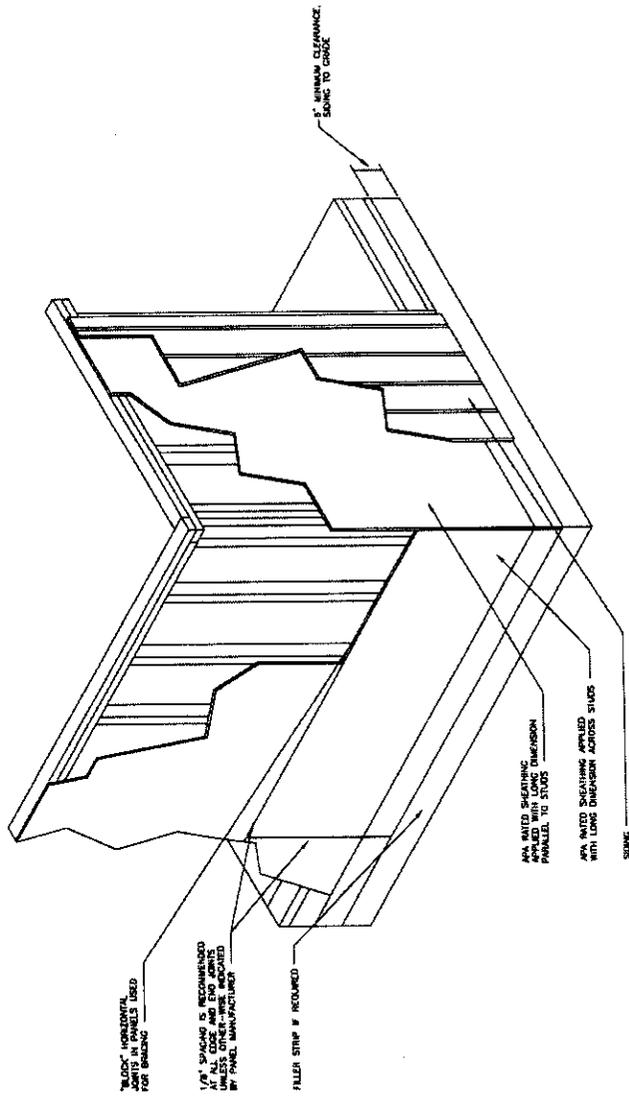
PROPOSED FLOOR PLAN
SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)



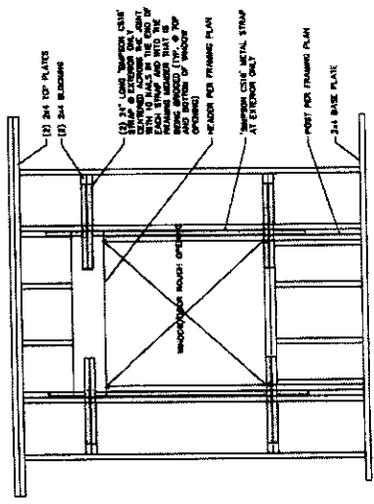
EXISTING FLOOR PLAN
SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)



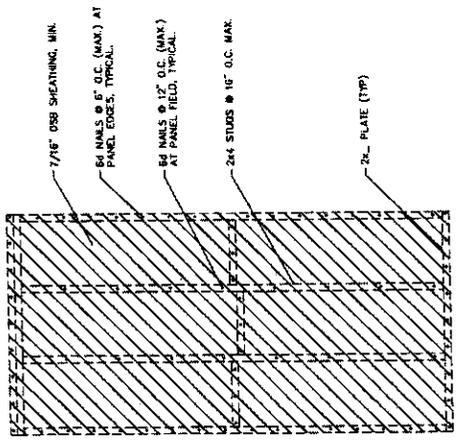
ROOF PLAN
 SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)



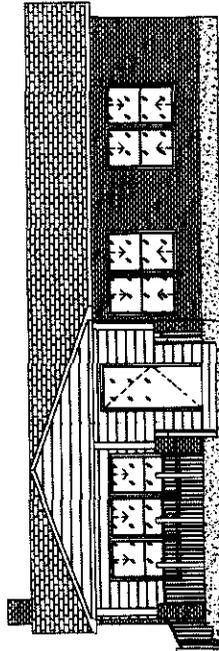
3 APA PANEL WALL SHEATHING



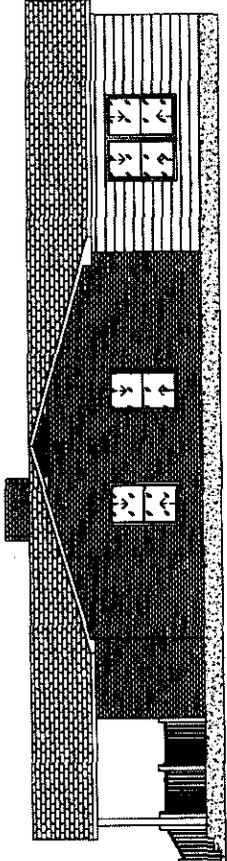
1 SHEARWALL @ OPENING



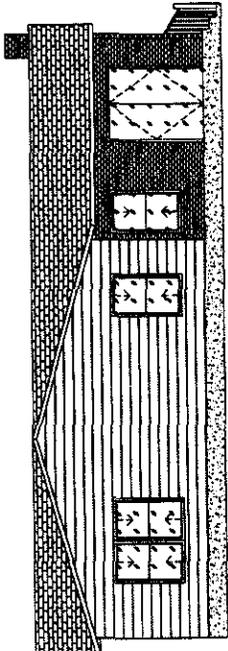
2 SHEARWALL NAILING PATTERN



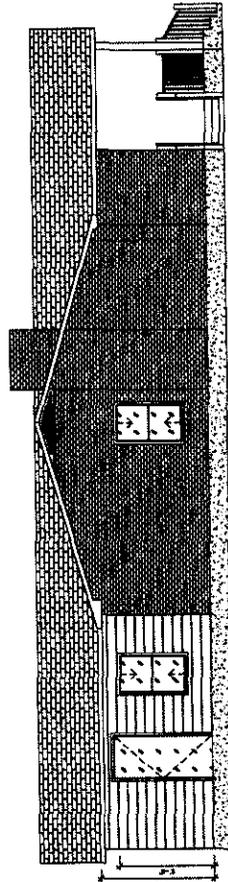
1 FRONT VIEW
SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)



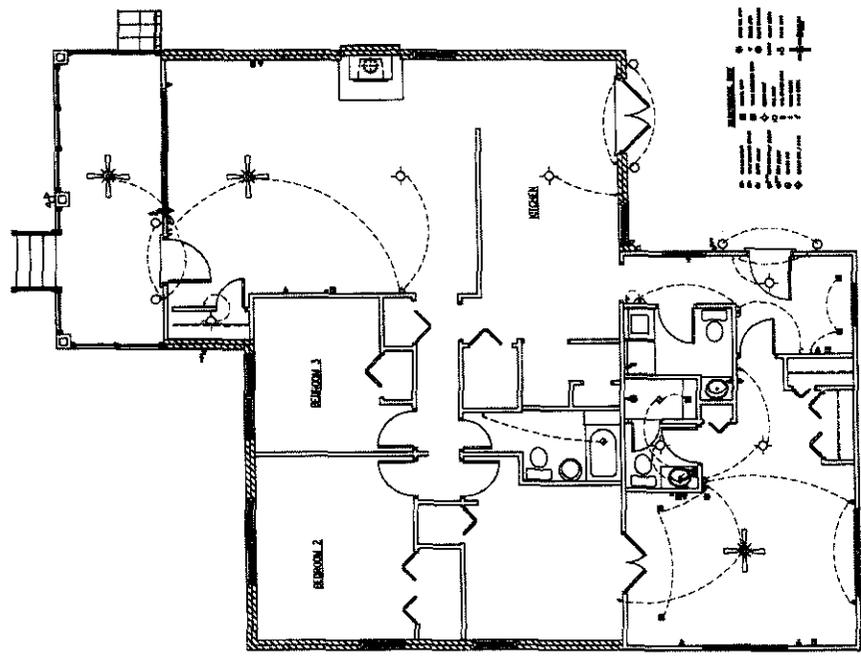
3 RIGHT VIEW
SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)



4 REAR VIEW
SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)



2 LEFT VIEW
SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)



PROPOSED FLOOR PLAN
SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)

0.1-5

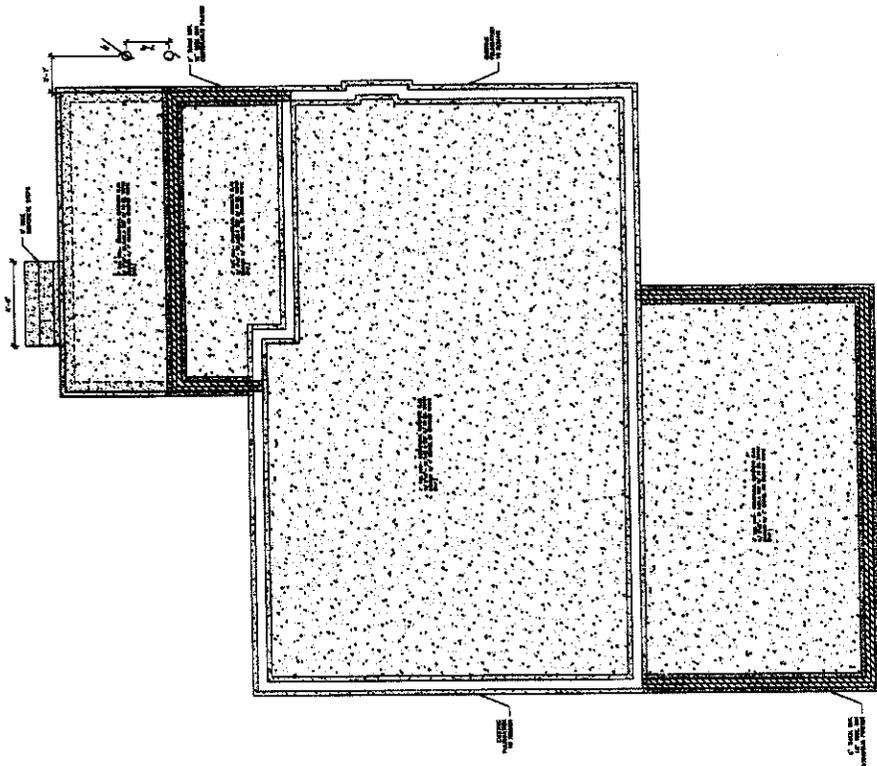
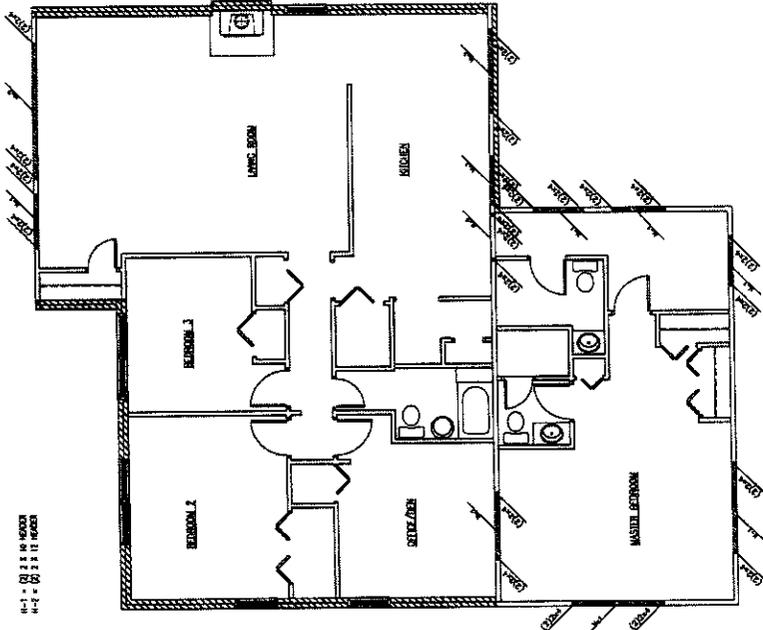
12 NOV 08

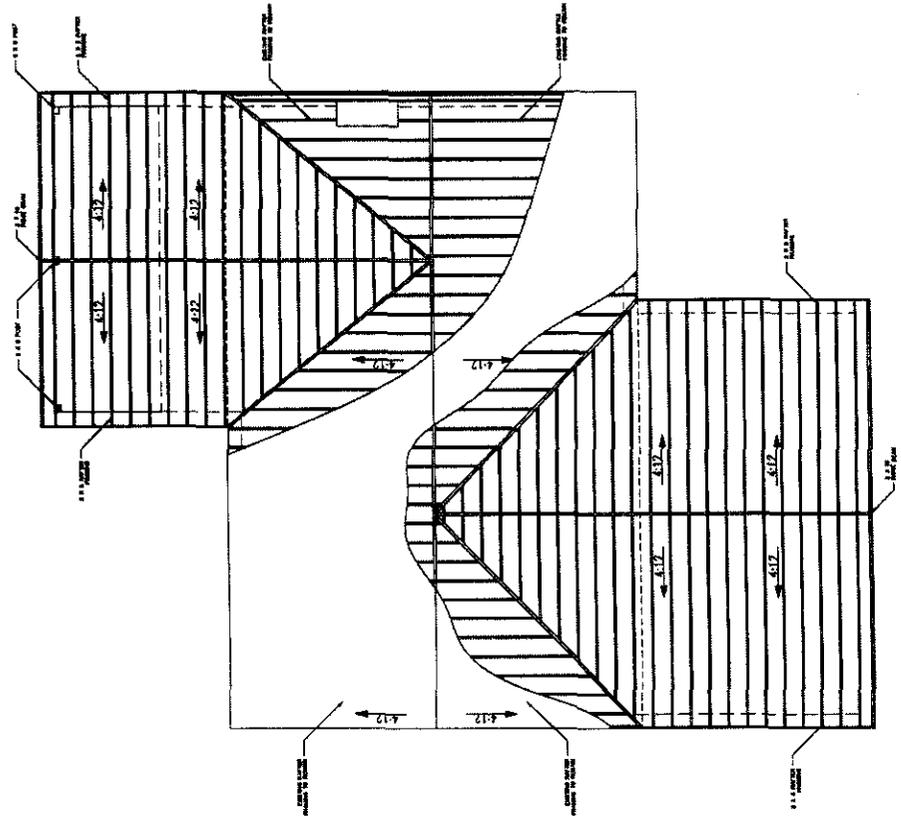
FOUNDATION/FRAMING PLAN

FRONT AND REAR PORCH ADDITION
5611 LARPIN LN
ALEXANDRIA, VA 22310

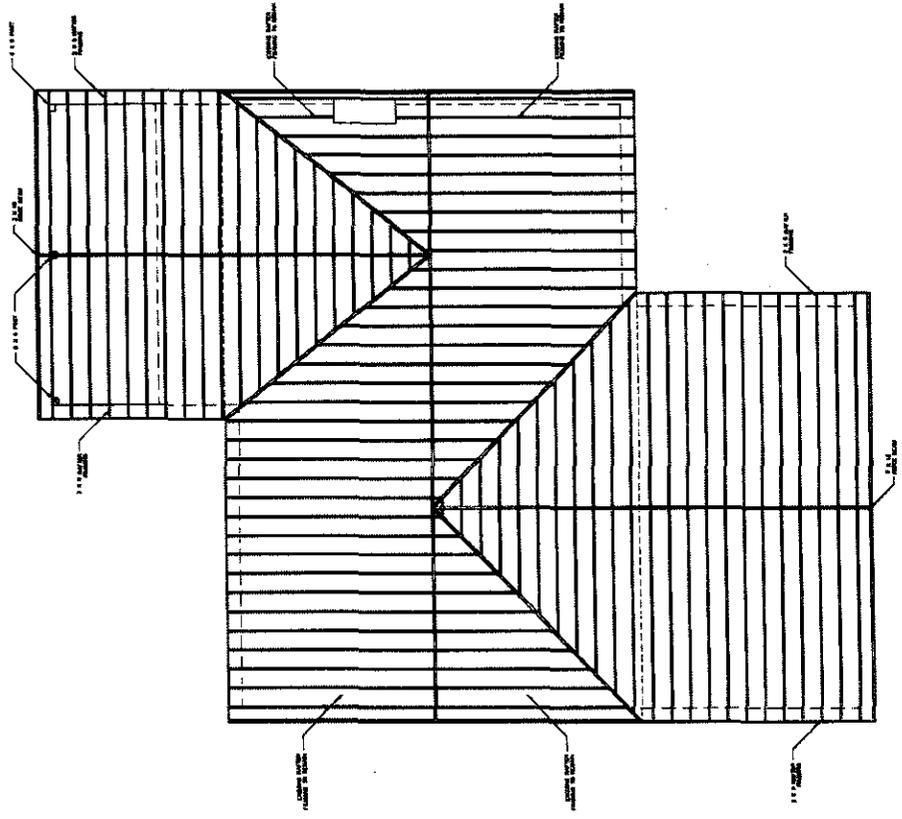
ANGIE'S REMODELING INC.
2208 STRYKER AVE, VIENNA, VA 22181
1-800-509-5279

ANDREW SHERMAN
DRAFTER/DESIGNER

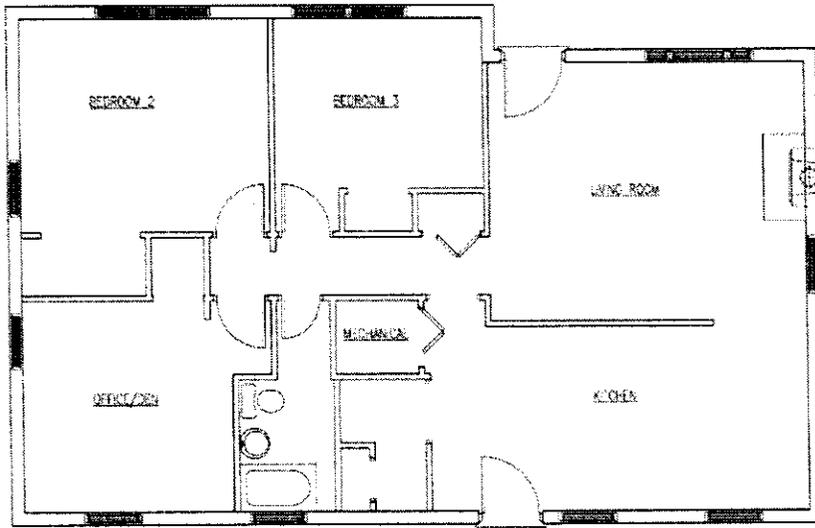




ROOF FRAMING PLAN
SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)



ROOF FRAMING PLAN
SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)



EXISTING FLOOR PLAN
 SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)

DESIGNER:
 ANDREW SHERMAN
 DRAFTER/DESIGNER

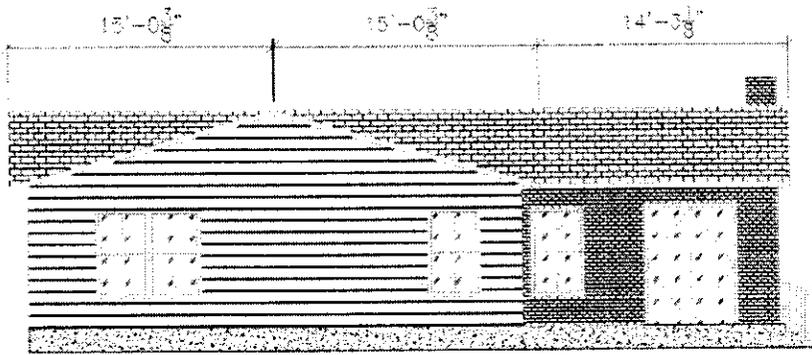
ANGIE'S REMODELING INC.
 2309 STRYKER AVE. VIENNA VA 22181
 1-800-506-8279

PROJECT:
 FRONT AND REAR PORCH ADDITION
 5811 LARPIN LN
 ALEXANDRIA, VA 22310

SHEET DESCRIPTION:
 FLOOR PLAN

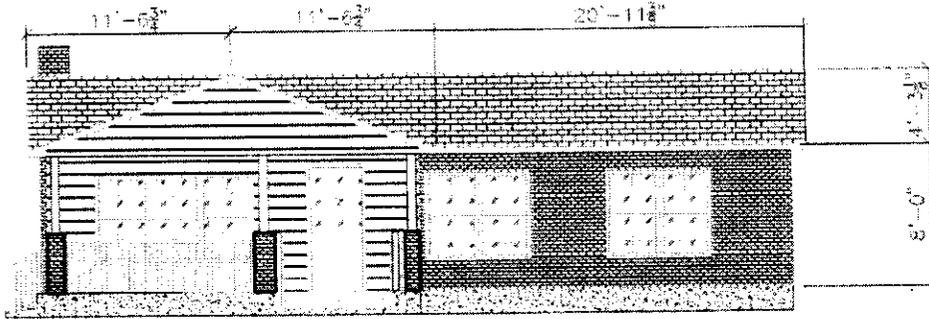
DATE:
 12 NOV 08

A-10



4 REAR VIEW
 SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)

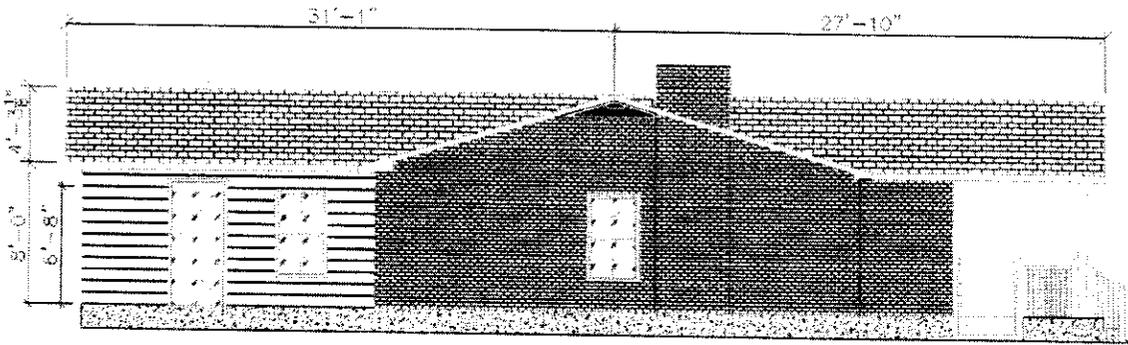
DESIGNER: ANDREW SHERMAN DWAITER/DESIGNEK	OWNER: ANGIE'S REMODELING INC. 7300 STRYKER AVE. VIENNA VA 22181 1 800-508-9279	PROJECT: FRONT AND REAR PORCH ADDITION 6811 LARPIN LN ALEXANDRIA VA 22319	SHEET DESCRIPTION: ELEVATIONS	DATE: 12 NOV 09
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1 FRONT VIEW
 SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)

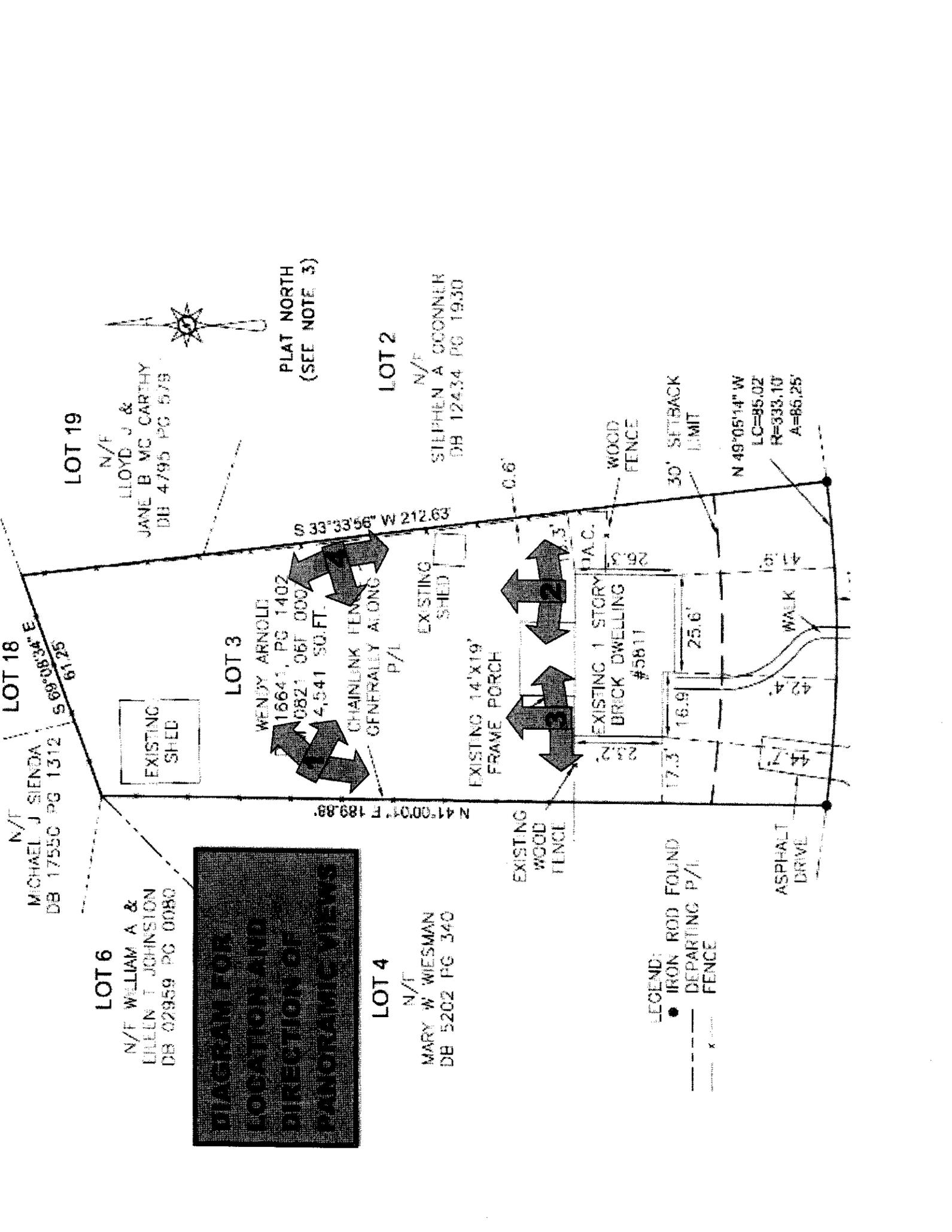
date: 12 NOV 05	sheet description: ELEVATIONS	project: FRONT AND REAR PORCH ADDITION 5811 LASKY BLVD ALEXANDRIA, VA 22310	owner: ANGIE'S REMODELING INC. 2309 STRYKER AVE., VIENNA, VA 22181 1-800-508-9279	designer: ANDREW SHERMAN, DRAFTER/DESIGNER
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C-1.2



2 LEFT VIEW
 SCALE: 1/4" = 1' - 0" (24 X 36 SHEET)

DATE 12 NOV 08	SHEET DESCRIPTION ELEVATIONS	PROJECT FRONT AND REAR PORCH ADDITION 5811 LARWIN LN ALEXANDRIA, VA 22310	CLIENT ANGIE'S REMODELING INC. 2305 STRYKER AVE. VIENNA VA 22181 1-800-508-9279	DESIGNER ANDREW SHERMAN DRAFTER/DESIGNER
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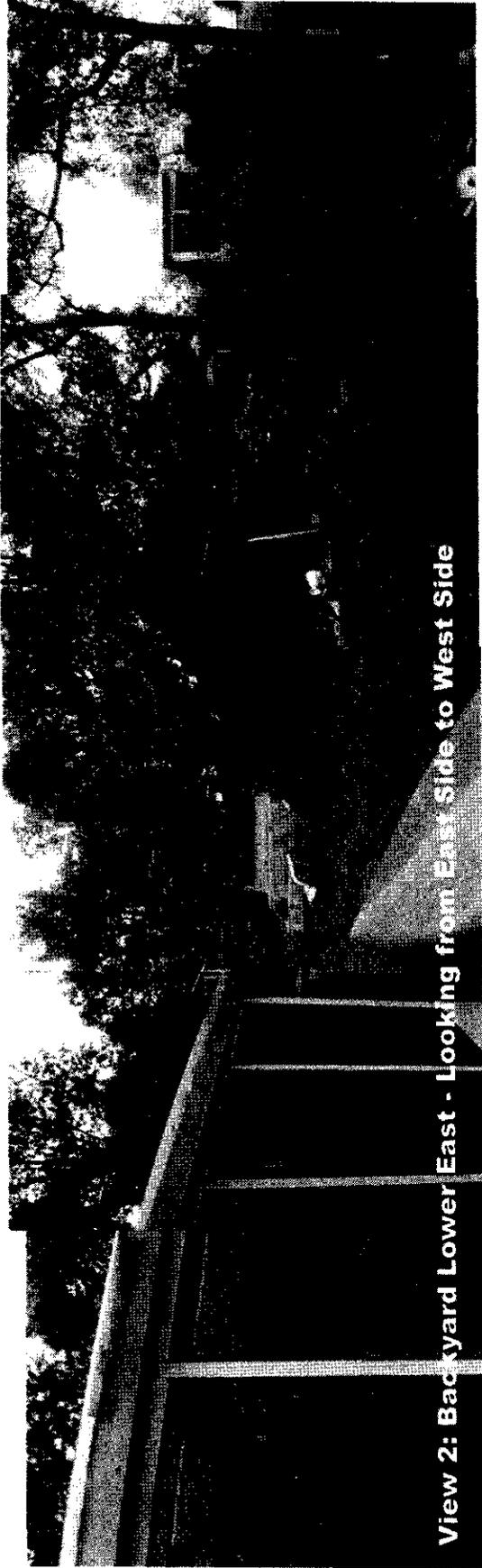


**DIAGRAM FOR
LOCATION AND
DIRECTION OF
PANORAMIC VIEWS**

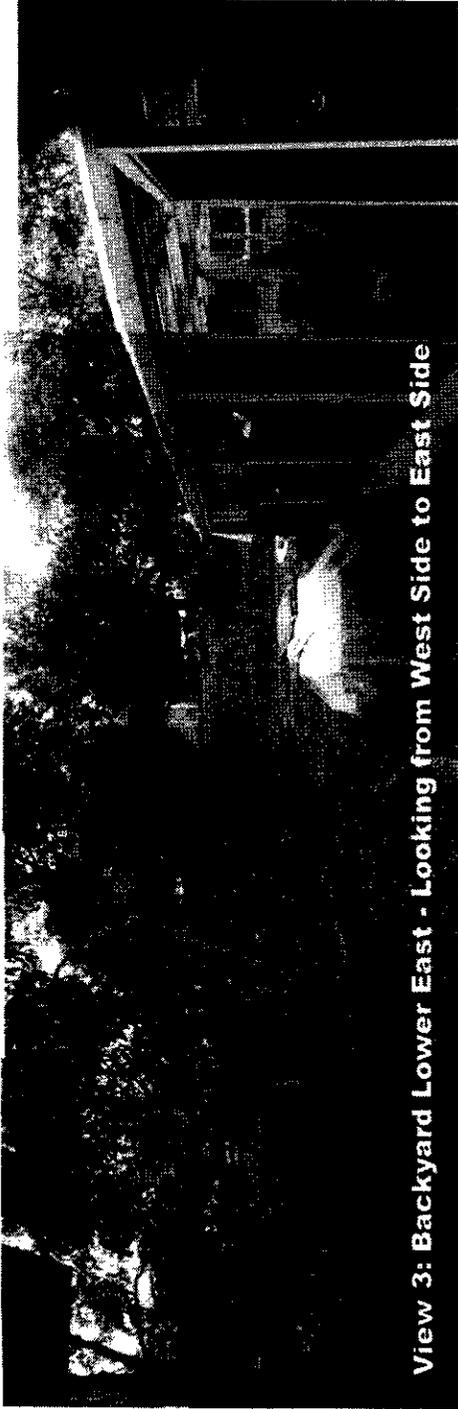
PLAT NORTH
(SEE NOTE 3)



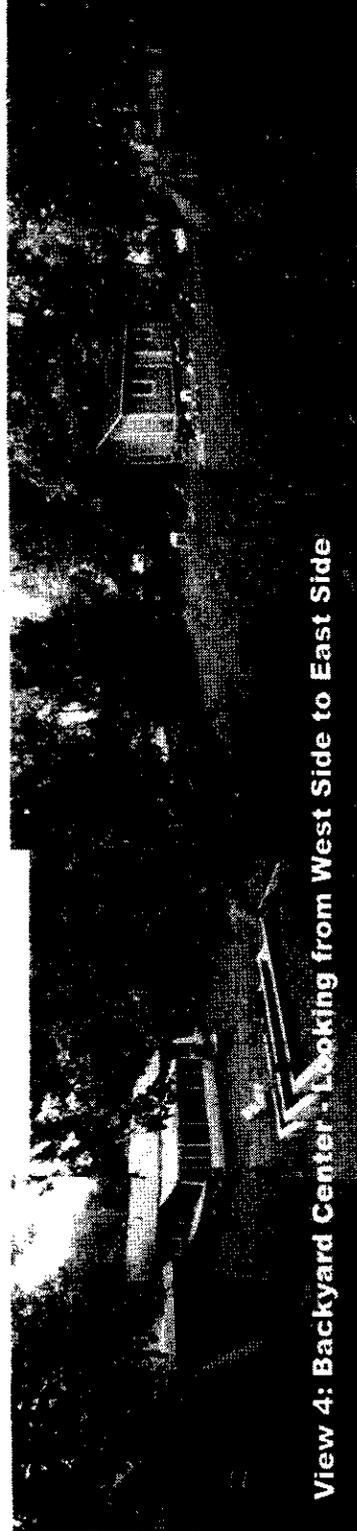
View 1: Backyard Center - Looking from West Side to East Side



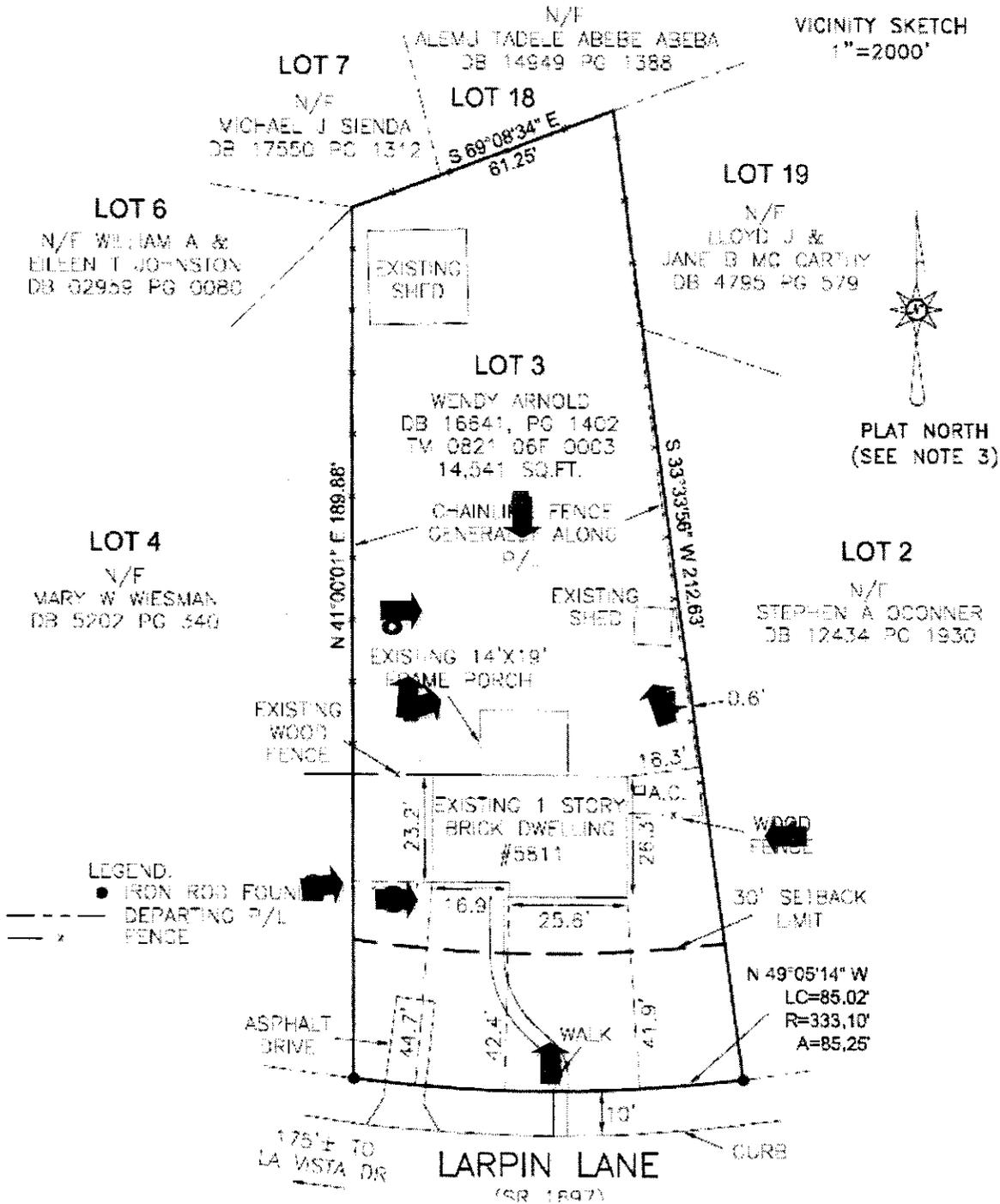
View 2: Backyard Lower East - Looking from East Side to West Side



View 3: Backyard Lower East - Looking from West Side to East Side



View 4: Backyard Center - Looking from West Side to East Side



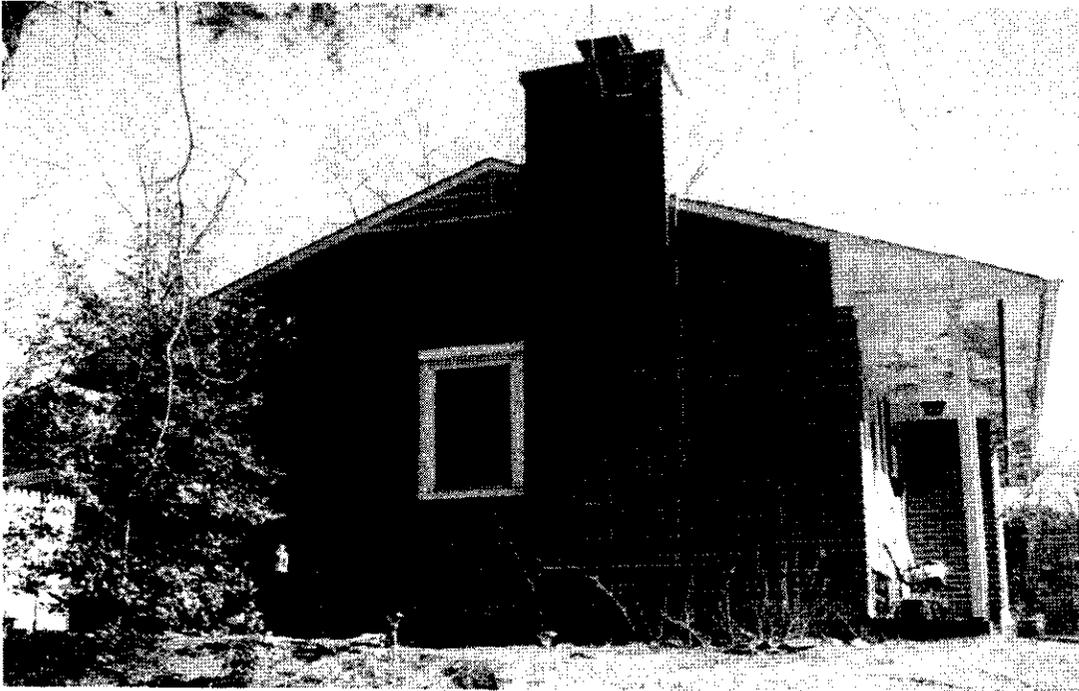
This diagram shows the approximate placement and direction of the viewer and the corresponding photograph numbers.



1

Side of house – facing west side of property.

Page 1



2

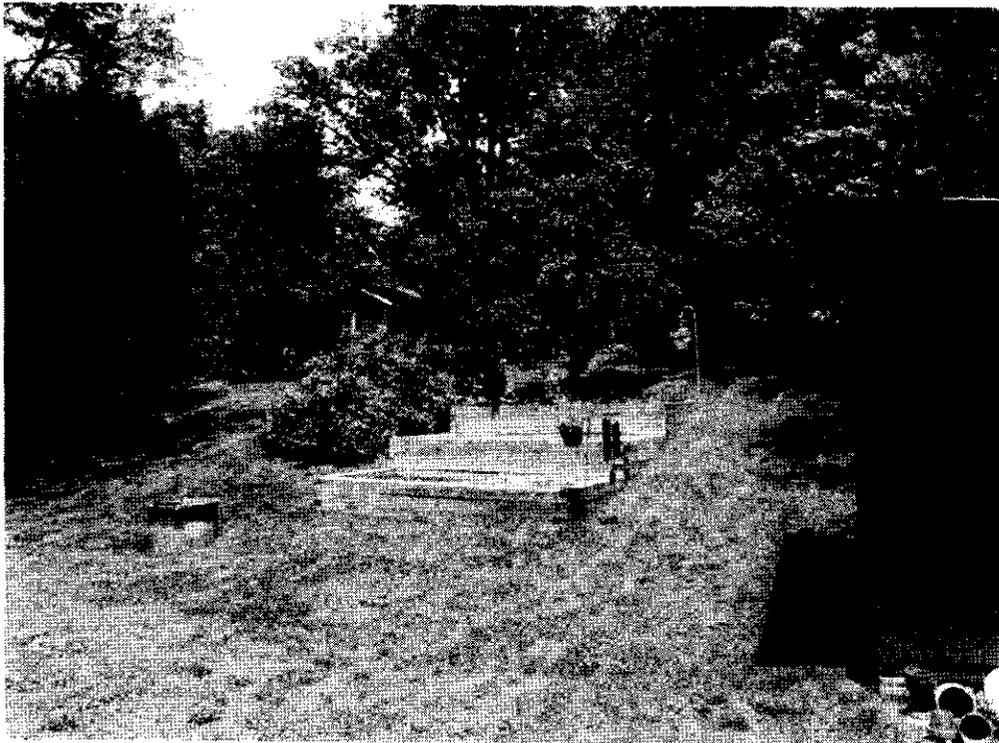
Side of house – facing east side of property.



3

Front of house – facing east side of property.

Page 2



4

Back yard - facing northwest corner of property.



5

Back of house with porch.

Page 3



6

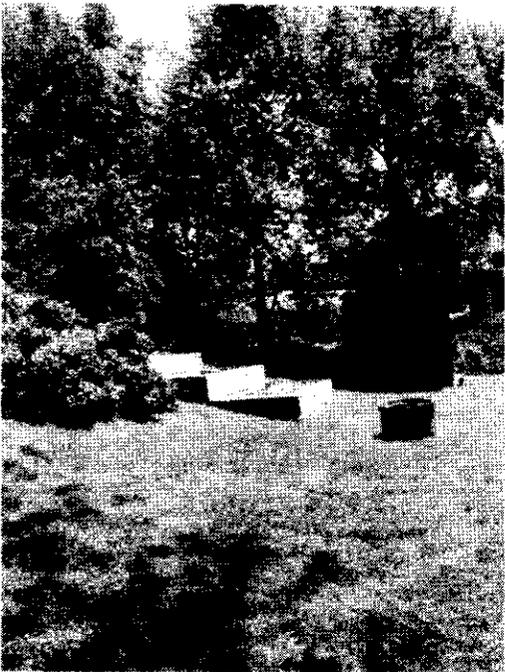
Front of house.



7a+b

Backyard - facing northeast corner of property.

Page 4



8

**"Lower" back yard –
facing east side
of property.**

DESCRIPTION OF THE APPLICATIONS

This application includes two special permit requests. The first request is for approval to permit a reduction to minimum yard requirements based on error in building location to permit an existing accessory storage structure (shed) to remain 3.3 feet from the western side lot line and 5.8 feet from the rear lot line. The shed measures approximately 13.1 feet in height and approximately 256.25 square feet (12.5 feet x 20.5 feet) in area.

Description of Special Permit Request #1

	Structure	Yard	Min. Yard Req.*	Structure Location	Amount of Error	Percent of Error
Special Permit Request #1	Accessory Storage (Shed)	Side (West)	12.0 feet	3.3 feet	8.7 feet	72.5%
Special Permit Request #1	Accessory Storage (Shed)	Rear	13.1 feet	5.8 feet	7.3 feet	55.7%

*Minimum yard requirement per Section 10-104

The second request is to permit a reduction of certain yard requirements to permit construction of a roofed deck (covered front porch) 27.1 feet from the front lot line.

Description of Special Permit Request #2

	Structure	Yard	Minimum Yard Required*	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit #2	Roofed Deck (Covered Front Porch)	Front	30 feet	27.1 feet	2.9 feet	9.7%

*Minimum yard requirement per Section 3-307

Description of Variance Request

The variance request is to permit an accessory storage structure (shed) in excess of 200 square feet in gross floor area to remain in the side yard on the subject property. As previously noted, the shed measures 256.25 square feet in area. Section 10-102 (25) of the Zoning Ordinance states that no accessory storage structure in the R-2 through R-20 Districts shall exceed 200 square feet in gross floor area.

EXISTING SITE DESCRIPTION

Zoned to the R-3 Zoning District, the application property is located in the Fairfax Homes Subdivision on the east side of Larpin Lane, south of its intersection with La Vista Drive and north of Upland Drive. The 14,541 square-foot property is currently developed with a one-story, brick and siding, single-family detached dwelling. County records indicate the existing dwelling was constructed in 1957. The existing dwelling measures 1,068 square feet in area and is 13.9 feet in height. An existing frame porch at the rear of the dwelling is proposed to be removed to accommodate a proposed wood-frame building addition. This proposed addition meets the minimum yard requirements and is not a part of this application. Access to the site is provided from Larpin Lane via an existing asphalt driveway located along the western property line and terminates in the front yard. A concrete walkway extends from Larpin Lane to the dwelling's existing front entrance and is proposed to be removed due to deterioration. A new walkway is to be constructed and will lead from the driveway to the proposed covered deck (covered front porch) entrance. A 4.0-foot high wood fence encompasses the rear yard. There is an existing 9.1-foot high shed located along the eastern boundary that is to be removed. A second shed measuring 13.1 feet in height and 256.25 square feet in area is located in the northwest corner of the rear yard and is proposed to remain in this location. The applicant indicates that the shed is used for kayak, toy and lawn equipment storage and repair. It has one room and does not contain electricity. There is a downward slope of the rear yard from north to south, but the topography in the area of the existing dwelling and proposed additions are relatively flat. There are several mature shrubs and foundation plantings located along the front and rear edges of the dwelling. The applicant intends to re-vegetate the front yard with a garden and various deciduous trees and shrubs. The site is surrounded by single family detached homes on all lot lines.

CHARACTER OF THE AREA

	Zoning	Use
North	R-3	Single family detached dwellings
South	R-3	Single family detached dwellings
East	R-3	Single family detached dwellings
West	R-3	Single family detached dwellings

BACKGROUND

Following adoption of the current Ordinance, the BZA heard the following similar special permit and variance applications in the vicinity of the application parcel:

- *Special Permit SP 2007-LE-078* was approved on October 16, 2007 for Tax Map 82-1 ((6)) (D) 11, zoned R-3, at 4814 Upland Drive, to permit a reduction to minimum yard requirements based on error in building location to permit accessory storage structure to remain 9.0 feet from side lot line and 4.2 feet from rear lot line (12 feet minimum side yard and 25 feet minimum rear yard required) and reduction of certain yard requirements to permit construction of roofed deck 23.0 feet from front lot line (30 feet minimum front yard required).
- *Variance VC 2003-LE-156* was denied on January 14, 2004 for Tax Map 82-3 ((3)) (C) 7, zoned R-3, at 4900 Upland Drive, to permit the construction of additions 15.0 feet with eave 14.0 feet and 17.4 feet with eave 16.4 feet from front lot lines of a corner lot and 11.8 feet from a side lot line (30 feet minimum front yard required and 12 feet minimum side yard required).

ANALYSIS

Special Permit Plat (Copy at front of staff report)

- **Title of Plat:** Plat Showing Dwelling Addition
- **Prepared by:** Douglas A. Richmond, Land Surveyor, GeoMetrics, GPS, Inc.
- **Dated:** July 8, 2009
- **Building Permit required for Shed:** Yes **Obtained:** No
- **Error Made by:** Applicant

SP Proposal:

The applicant is requesting special permit approval for an error in building location to permit the 13.1-foot high accessory storage structure (shed) which measures 256.25 square feet in area to remain 3.3 feet from the western side lot line and 5.8 feet from the rear lot line. The Zoning Ordinance requires accessory storage structures that exceed 8 ½ feet in height to be setback a distance of 12.0 feet from a side lot line in the R-3 District and setback a distance equal to its height (13.1 feet) from the rear lot line. Modifications of 8.7 feet (72.5%) and 7.3 feet (55.7%) respectively are requested.

The applicant also proposes to construct a 165 square-foot roofed deck (covered front porch) including steps, 27.1 feet from the front lot line. The Zoning Ordinance requires a minimum front yard of 30.0 feet in the R-3 District; therefore a reduction of 2.9 feet (or 9.7%) of the minimum required yard is needed.

Variance Proposal:

The applicant is requesting variance approval to permit an accessory storage structure (shed) which measures 256.25 square feet in area to remain on the property. The Zoning Ordinance does not permit an accessory storage structure in the R-2 through R-20 Districts that exceed 200 square feet in gross floor area.

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 6:

- Sect. 8-006 General Special Permit Standards
- Sect. 8-903 Group 9 Standards
- Sect. 8-914 Provisions for Approval of Reduction to the Minimum Yard Requirements Based on Error in Building Location
- Sect. 8-922 Provisions for Reduction of Certain Yard Requirements
- Sect. 18-404 Required Standards for Variances

Sect. 8-006 General Special Permit Standards

Staff believes that the application for the roofed deck (covered front porch) meets all of the 8 General Special Permit Standards. Of particular note regarding this application is General Standard 3 and Standard 5.

General Standard 3 requires that the application proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. *By observation of the neighborhood through submitted photographs, staff believes that the*

proposed roofed deck (covered front porch) addition will not adversely affect the use or development of neighboring properties. The proposed front porch will be constructed of materials consistent with those of the existing dwelling and façade. In addition, the Board has granted previous special permit approval for a similar request on the same street as the application property. Staff believes that the request is minimal and is the most logical location on the property as the front of the dwelling maintains its orientation towards the Larpin Lane frontage. The building height is consistent with that of the existing dwelling. Staff believes that this standard has been met.

General Standard 5 requires that in addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13. The property has existing mature shrubs along the front edge of the dwelling. The proposed front porch is to be located in the same general area of the existing front entrance. The applicant has indicated that this area will be replanted and staff has proposed a development condition to require the applicant to plant shrubs along the dwelling's frontage. With the implementation of this development condition, staff believes that this standard has been met.

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 4 pertains to building additions resulting in additional living space. There is no additional living space being added to the site that pertains to this special permit request; therefore, Standard 4 does not apply to this application. Standard 5 relates to accessory structures and does not apply to this portion of the application. Standard 10 allows the BZA to impose development conditions. Staff believes that the application has met all of the remaining standards, specifically Standards 6, 7, 8, and 9.

Standard 6 states that the BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot. The elevation drawings submitted indicate that the materials, size and scale of the proposed front porch addition will be compatible with the existing structure. The proposed construction will not create any additional height to the overall existing structure as the height of the covered porch will tie into the existing roof line. The proposed front entrance of the dwelling is proposed to remain in the location as the existing entrance, thereby maintaining the existing orientation of the dwelling. Staff believes that the application meets this provision.

Standard 7 states that the BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director. With review of the photographs submitted, staff believes that the proposed improvements are compatible with the surrounding houses in the neighborhood. County records indicate that the BZA has approved a roofed deck located 23.0 feet from the front lot line within the vicinity of

the application property. The covered deck (front porch) is consistent in size and height with surrounding properties. There are existing trees, four 10-15-inch diameter silver maple trees, on the adjacent site, Lot 4, at the southwest corner of the application property. These off-site trees appear to be in fair condition and staff believes that the trees should be preserved and protected during construction activities. Staff has proposed a development condition to require the applicant to establish a tree save area and install tree protection fencing at the edge of the building envelope to preserve vegetation in the aforementioned area. With the implementation of this development condition, 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 not indicated that there are drainage complaints on file related to this property. Staff believes that the roofed porch addition will have very little impact on stormwater runoff, noise, light, air, safety or erosion since the overall footprint of the roofed porch will add minimal impervious area to the existing site. 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 (RPA); 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. No RPA or floodplains have been identified on the site. The existing dwelling is located in the center of the parcel where the side yards are nearly equidistant in width. The existing shrubs along the perimeter of the dwelling should be replaced and the applicant has indicated a willingness to do so. Staff has proposed a development condition to require the applicant to replace those affected shrubs. In addition, there is existing vegetation located southwest of the proposed development which staff believes should be preserved. Staff has proposed a development condition to require the applicant to provide tree protection fencing along the western property boundary to maintain the existing vegetation on the adjacent property. With the implementation of these development conditions, staff believes that the application meets this provision. Other concerns regarding well and/or septic easements and preservation are not applicable to this site.

CONCLUSION

Staff believes that the subject special permit 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-LE-093 for the roofed deck (covered front 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 applicants/owners 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 Special Permit Development Conditions
2. Proposed Variance Development Conditions
3. Applicant's Affidavits
4. Applicant's Statements of Justification
5. Urban Forest Management Analysis
6. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

SP 2009-LE-093

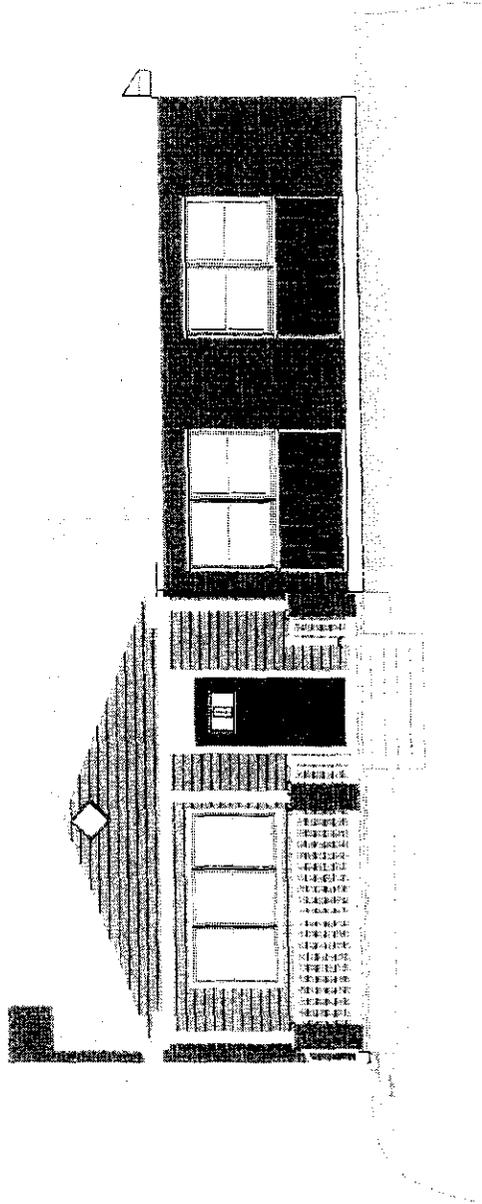
December 30, 2009

If it is the intent of the Board of Zoning Appeals to approve SP 2009-LE-093 located at Tax Map 82-1 ((6)) (F) 3 to permit reduction of certain yard requirements pursuant to Sections 8-914 and 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

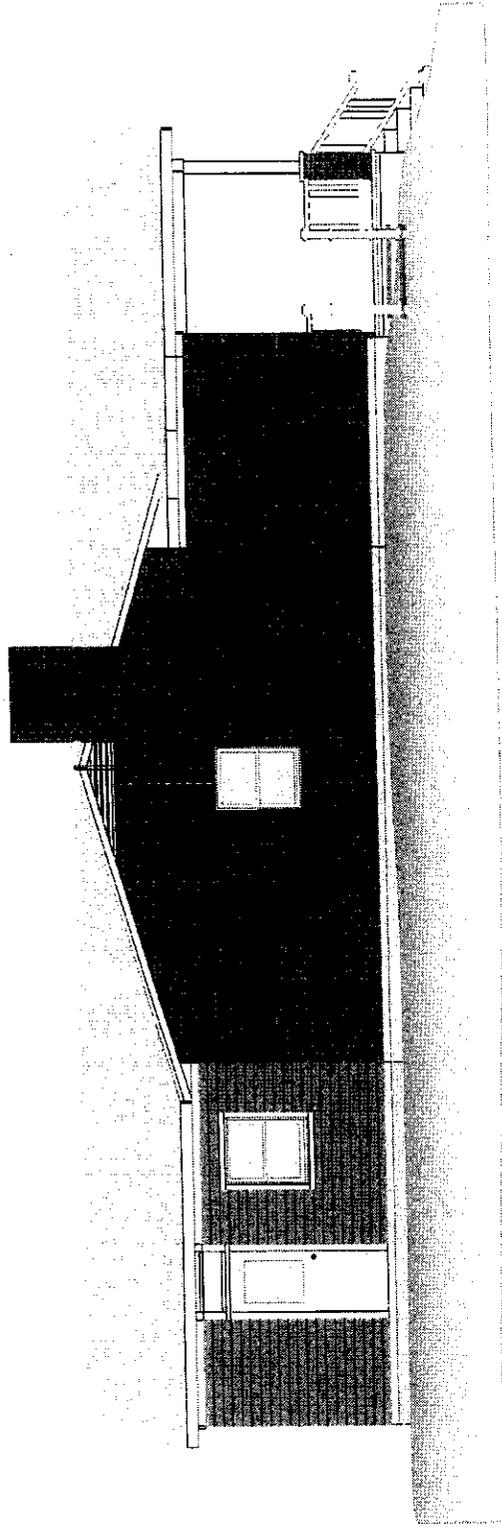
1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size, 165 square feet for the roofed deck (covered front porch) and shed, as shown on the plat prepared by Douglas A. Richmond, Land Surveyor, GeoMetrics, GPS, Inc., dated July 8, 2009, as submitted with this application and is not transferable to other land.
3. Within 120 days of approval of this application, building permits and final inspections for the accessory storage structure (shed) and any applicable additions shall be diligently pursued and obtained or the structure shall be removed or brought into compliance with Zoning Ordinance Requirements.
4. The addition shall be architecturally compatible with the existing dwelling on site, as depicted on Attachment 1.
5. The applicant shall designate the area at the edge of the building envelope to the western property boundary as tree save area and install tree protection fencing to preserve the off-site trees and vegetation in this area and to provide screening for the adjacent property owner.
6. A minimum of five (5) shrubs, a minimum of 18 inches in height at time of planting, shall be planted along the southern foundation of the front 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.



FRONT of 5811 Larpin Lane house as seen facing the Northern side of the property.
Vinyl siding and matching brick for exterior walls.
Scale 1/8" = 1'



LEFT Side of 5811 Larpin Lane house as seen facing the Eastern side of the property and #5813.
Vinyl siding and matching brick for exterior walls.
Scale 1/8" = 1'

PROPOSED DEVELOPMENT CONDITIONS

VC 2009-LE-005

December 30, 2009

1. This variance is approved for the accessory storage structure (shed) measuring 256.25 square feet in area to remain on the property as shown on the plat prepared by Douglas A. Richmond, Land Surveyor, GeoMetrics, GPS, Inc., dated July 8, 2009, as submitted with this application and is not transferable to other land.

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 including requirements for building permits.

Application No.(s): SP 2009-LE-093
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3/16/08
 (enter date affidavit is notarized)

I, Wendy Arnold, 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

104103

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)
Wendy D. Arnold	5811 Larpin Lane, Alexandria, VA 22310	APPLICANT/TITLE OWNER
Ian T. Komorowski	5811 Larpin Lane, Alexandria, VA 22310	TITLE OWNER

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): SP 2009-LE-093
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3/16/09 104103
(enter date affidavit is notarized)

(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): SP 2009-LE-093
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3/16/09
(enter date affidavit is notarized)

104103

(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.

Application No.(s): SP 2009-LE-093
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3/16/09
(enter date affidavit is notarized)

104103

(d). One of the following boxes must be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

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

None.

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): SP 2009-LE-093
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3/16/09
(enter date affidavit is notarized)

104103

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.

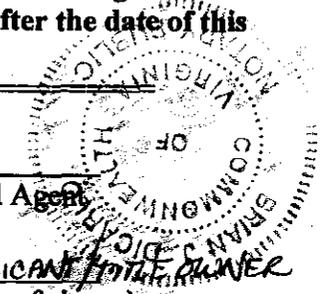
WITNESS the following signature:

(check one)

Wendy D. Arnold
 Applicant

[] Applicant's Authorized Agent

Wendy D. Arnold
(type or print first name, middle initial, last name, and title of signee) *APPLICANT TITLE OWNER*



Subscribed and sworn to before me this 16TH day of MARCH 2009, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

BRIAN J. DICURO
Notary Public REG. NO 7012128

My commission expires: January 31, 2010

Application No.(s): VC 2009-LE-005
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 12/7/09
(enter date affidavit is notarized)

I, Wendy Arnold, 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

106898

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)
Wendy D. Arnold	5811 Larpin Lane, Alexandria, VA 22310	Applicant/Title Owner
Ian T. Komorowski	5811 Larpin Lane, Alexandria, VA 22310	Title Owner

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): VC 2009-LE-005
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 12/7/09
(enter date affidavit is notarized)

106898

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): VC 2009-LE-005
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 12/7/09
(enter date affidavit is notarized)

106898

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.

Application No.(s):

VC 2009-LE-005
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 12/7/09
(enter date affidavit is notarized)

106898

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

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

None

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): VC 2009-LE-005
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 12/7/09
(enter date affidavit is notarized)

106898

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:

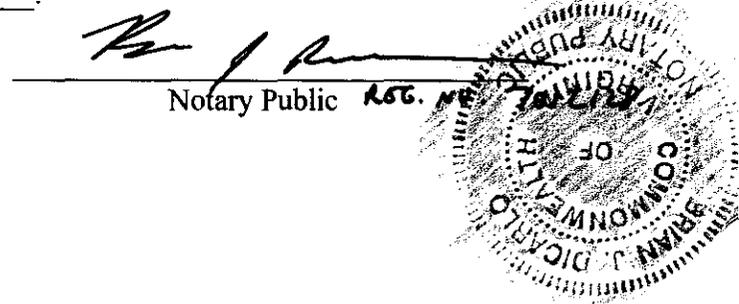
(check one)

Wendy D. Arnold
 Applicant [] Applicant's Authorized Agent

Wendy D. Arnold, Applicant/owner
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 7TH day of DECEMBER 2009, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

My commission expires: January 31, 2010



STATEMENT OF JUSTIFICATION**Date:** July 10, 2009**Applicant:** Wendy Arnold**Application Number:** SP 2009-0071**Proposed:****Special Permit #1A**

To permit reduction to minimum yard requirements in the front to allow for a covered deck (porch) to be built 27.1 FT. from the front property line.

Special Permit #1B

To permit reduction to minimum yard requirements to allow for a shed (accessory structure) to be 3.3 FT. from side lot property line and 5.8 FT from back lot property line based on error in building location. (To adhere to the standards set forth in Sect 8-918, one of the accessory structures is going to be removed, as there is only one accessory structure allowed per single family dwelling.)

District: Lee District**Location:** 5811 Larpin Lane (Section F: Fairfax Homes/Winslow Heights)**Area:** 14,541 SQ FT of Land**TM:** 0821 06F 0003**Zoning:** R-3

The proposed single-level floor plan would encroach upon the limitations placed by the setback for this development. The 30' setback is 10 feet from the curb and up to 35 feet from the original house. The proposed floor plan would not go over the setback allowance but the porch would go over by approximately 2.9 feet. The setback was created to allow for sidewalks. In talking to one of the original owners, Mary Weisman, who contracted to build her house next to the one we live in when the development was first created in the 1950's, she said that the housing association voted not to put sidewalks on this street, citing it was not necessary. These additions would not cause any of our adjacent/surrounding neighbors any hardship as we have discussed our plans with them and as it meets the spacial requirements from the property lines on the sides of the house.

	Structure	Yard	Min. Yard Req.*	Proposed Location	Variance Req.	Variance Percentage Requested
Special Permit #1A	Covered Deck (Porch)	Front	30.0 ft.	27.1 ft.	2.9 ft.	9.6%
Special Permit #1B	Shed	Side	12 ft.	3.3 ft.	8.7 ft.	72.5%
Special Permit #1B	Shed	Back	25 ft.	5.8 ft.	19.2 ft.	76.8%

* Minimum yard requirement for R-3 Zoning per Section 3-307.

The additions to the house meet minimum side and back yard standards.
The shed meets minimum standards for the front and east side.

Special Permit #1AExisting Gross *Interior* Floor Area of the House: 1068 sq.ft.Existing Gross *Exterior* Floor Area of the Rear Porch: 277 sq.ft.

Existing Total *Interior and Exterior* Floor Area: 1345 sq.ft.
Proposed Gross *Interior* Floor Area of the Addition: 652 sq. ft.
Proposed Gross *Exterior* Floor Area of the Covered Deck (Porch): 165 sq. ft.
Proposed Total *Interior* Floor Area: 1698 sq.ft.
Proposed Total *Interior and Exterior* Floor Area: 1885 sq.ft.
Proposed Total Gross *Interior and Exterior* Floor Area is 140% larger than Existing Gross *Interior and Exterior* Floor Area.

With the loss of the back porch, we will have less area for family to congregate, which is why we are proposing an extension to the living room.

Special Permit #1B

Existing Gross Floor Area of the House: 1068 sq.ft.
Proposed Gross Floor Area Shed (Accessory Structure): 256.25 sq. ft.
Proposed Total Gross Interior Floor Area (Accessory Structure) is 23.99% of the Existing Gross Interior Floor Area of the main dwelling.

The area of this accessory structure is 256.25 sq. ft., which is 23.99% of the current single family house on the property which is measured at 1,068 sq. ft. The use of this structure is for kayak, toy and lawn equipment storage. It only has one room and shall not be finished to allow for any occupancy. (See additional Shed photos.) The neighbors, Mary and Walter Weisman, are willing to sign a letter allowing this structure to be close to their property line.

Height of Structures

Existing House Height (Peak): 13.9'
Proposed Addition Height (Peak): 13.9'
Existing Shed #1 Height (Peak): 9.1'
Existing Shed #2 Height (Peak): 13.1'

The driveway will remain where it currently is and the walkway will be removed due to deterioration. A new walkway will be constructed to go from the front door to the driveway as proposed.

The record plat does not show any utility easements having a width of 25 feet or more affecting this property.

This property's water and sewage/waste removal is serviced by a public utility. There are no wells or septic systems on this property.

To the best of our knowledge, no toxic substances as listed in Title 40, Code of the Federal Regulation Parts 116.4, 302.4, and 355 (referenced - <http://ecfr.gpoaccess.gov>) are existing in or out of any storage containers or tanks on our property.

Tree Conservation:

No trees will be removed during construction.

Exterior Treatment:

New roof will be installed to match existing roof.
New siding will be installed and existing siding will be painted to match the newly installed siding.
New brick will be installed to match existing brick.
New trim will be installed to match existing trim.

The proposed brick and siding exterior treatment will compliment the character of the existing neighborhood. (See photos of Neighborhood Visual Design Overview.) The surrounding properties are zoned R-3.

It would be a great hardship to the owners to take down shed #2 and cause a financial burden. I sincerely ask that this special permit be allowed. The current financial climate has devalued their current house and has made it impossible for them to seek any other choice than to stay and improve their home. They love the neighborhood and their neighbors and would like to maintain these relationships for as long as they can.

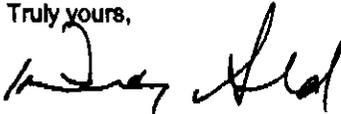
On a personal note: Over the years this development has expanded and many additions have been created, floor plans have changed even structures have been demolished in order to have new ones erected in their place. Our plan would maintain the original look of the neighborhood with its brick and siding materials, while giving us the additional space we need for our growing family. The open space of the front yard would be enhanced by the addition of a garden along the house with a flowering dogwood tree, boxwood and azalea shrubbery following the construction to continue our valued tradition of bird watching with our children.

We would like to add on to the front of the house to expand our family/living room to allow us to enjoy our children and friends with more comfort and ease. The porch on the front of the living room expansion is for us to enjoy our neighborhood, the outdoors and help provide a sense of community. The rear addition is to allow room for additional facilities, storage, and a bedroom that will be needed in the near future. Poor maintenance of the existing structure over the years from previous occupants has left us with a multitude of work to be done (even if we do not add on), so we would like to improve the existing structure while repairing it.

In the past few years, we have witnessed frequent police activity across the street due to gang, illegal immigrant, drunk driving, vandalism and drug related incidents. The loss of community and vigilance for our families and children has been greatly diminished due to our busy lifestyles in the DC Metro area. Front porches help to create this sense of neighborhood and community and also show those on the wrong side of the law that there are active people around who might take notice of what they are doing. We are great friends with our neighbors and would like to share this porch addition in keeping open communication and also give us all a place to relax. The 2 houses that have recently changed their footprint on our street included front porches.

I would appreciate the acceptance of this application, statement, plans, information, photos and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. I, very sincerely, thank you for your time and consideration. Should you have any questions or require any additional information please don't hesitate to ask me.

Truly yours,



Wendy Arnold
Owner/Applicant
5811 Larpin Lane
Alexandria, VA 22310
703-719-6262
wendydamold@yahoo.com

6002 60

RECEIVED
of Planning & Zoning

STATEMENT OF JUSTIFICATION FOR VARIANCE

Date: December 9, 2009

Applicant: Wendy Arnold

Application Number:

Associated Application Number: SP 2009-0071

Proposed Variance:

To allow for an existing shed (accessory storage structure) of 256 sq. ft. (56 sq. ft. larger than maximum size) to remain as it is.

District: Lee District

Location: 5811 Larpin Lane (Section F: Fairfax Homes/Winslow Heights, Lot 3)

Area: 14,541 SQ FT of Land

TM: 0821 06F 0003

Zoning: R-3

Addressing Section 8-404.

The subject property was acquired in good faith. As first time homeowners, we were not aware that we needed permits for the shed.

The subject property has an exceptional size at the time of the effective date of the Ordinance. (The error in location is to be addressed by SP-2009-0071.) Our neighbors, Walter (and Mary) Weisman, on Lot 4 helped us to place it in its current location and with the verbal consent of Mrs. Johnston on Lot 6, we thought it was okay. We did not know it was larger than the maximum size of 200 sq ft. It wasn't until we went to submit paperwork to add on to our house, we realized that we needed a permit(s) for the placement, size and construction of the shed.

Structure	Current Area	Maximum Area Allowance	Variance Required	Variance Percentage Requested
Shed #2 (Accessory Storage Structure)	256.25 sq. ft.	200 sq. ft.	56.25 sq ft.	28%

Height of Structures

Existing House Height (Peak): 13.9'

Existing Shed #2 Height (Peak): 13.1'

Dimensions of Shed #2

Length (running North to South on plat): 20.5'

Width (running East to West on plat): 12.5'

The record plat does not show any utility easements having a width of 25 feet or more affecting this property.

Existing Gross Floor Area of the House: 1068 sq. ft.

Proposed Gross Floor Area Shed (Accessory Structure): 256.25 sq. ft.

Proposed Total Gross Interior Floor Area (Accessory Structure) is 23.99% of the Existing Gross Interior Floor Area of the main dwelling.

The area of this accessory structure is 256.25 sq. ft., which is 23.99% of the current single family house on the property which is measured at 1,068 sq. ft. The use of this structure is for kayak, toy and lawn equipment storage and repair. It has one room, no electricity and shall not be finished to allow for any occupancy. (See additional Shed photos.) Our neighbors, Mary and Walter Weisman and Mrs. Johnston, are willing to sign a letter allowing this structure to be close to their property line

We don't want to apply for this variance to be applied to our entire District, we'd prefer that this be treated as a special circumstance, so that the condition or situation of the property or the intended use of the property is not of so general or recurring nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors.

The strict application of this Ordinance would produce an undue hardship. We would like to ask that you allow an existing shed (accessory storage structure) of 256 sq. ft. to remain as it is. This shed was built with our neighbors' verbal consent. We were not aware it exceeded the maximum allowable size for an accessory storage structure. It houses my husband's kayaks which he uses to supplement our household income through kayak instruction. Reducing this structure or putting in a wall would make it almost impossible to access the kayaks safely or repair them. The open area also serves as additional space for repairs and wood projects that we can't fit on the work bench. As far as we know, it has not caused any of our adjacent/surrounding neighbors any hardship as we have discussed the subject property with them. We tried to make it aesthetically pleasing, functional and fit in the yard without having to remove any trees or destroying the open space that is enjoyed by my growing 3 year-old son and our family, friends and neighbors. Destroying this structure would cause our family a great hardship and leave us without a dry work place or a safe place to store the toys, tools, kayaks and gear that are essential to our lives.

Such undue hardship is not generally shared by other properties in the same zoning district and the same vicinity, as this is a specific case as far as we can observe from our local area.

The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict all reasonable use of the subject property for its intended use of safe storage and repair of our kayaks (12-18 ft. long and 18-30 in. wide) and additional working area for our wood projects and the workbench. Adding an internal wall would prohibit safe movement of the kayaks and ease of accessibility to the workbench and adjacent work area.

The authorization of the variance will not be of substantial detriment to adjacent property.

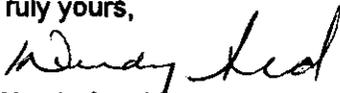
The character of the zoning district will not be changed by the granting of the variance.

The variance will be in harmony with the intended spirit and purposes of this Ordinance and will not be contrary to public interest.

It would be a great hardship to the owners to take down or modify Shed #2 and cause an enormous financial burden. I, sincerely, ask that this variance be allowed. We love the neighborhood and our neighbors and would like to maintain these relationships for as long as we can. Keeping this structure helps us to store our items easily and keep our yard clear of debris and projects. In addition, the current financial climate has devalued our house and has made it almost impossible for us to have any other options. Removing this shed will devalue it even more, making it very hard for us to get a loan to help improve our house.

I would appreciate the acceptance of this application, statement, plans, information, photos and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. I, very sincerely, thank you for your time and consideration. Should you have any questions or require any additional information please don't hesitate to ask me.

Truly yours,



Wendy Arnold
Owner/Applicant
5811 Larpin Lane
Alexandria, VA 22310
703-719-6262
wendydarnold@yahoo.com



County of Fairfax, Virginia

MEMORANDUM

October 5, 2009

TO: Shelby Johnson, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Todd Nelson, Urban Forester II
Forest Conservation Branch, DPWES 

SUBJECT: 5811 Larpin Lane; SP 2009-LE-093

RE: Request for assistance dated September 23, 2009

This review is based on the Special Permit application SP 2009-LE-093 and the special permit plat showing the proposed dwelling addition on "The Property of Wendy Arnold, Fairfax TM 0821 06F 0003" dated July 8, 2009. A site visit was conducted on September 28, 2009.

Site Description: This site is developed with a one story brick dwelling and associated asphalt driveway. There is an existing shed located along the eastern property boundary and an existing shed at the northwest corner of the lot at the left-rear corner of the yard. There are four 10-15 inch diameter silver maple trees located off-site at the southwest corner of the property. These off-site trees appear to be in fair condition and should be considered a priority for preservation.

- 1. Comment:** There are four 10-15 inch diameter silver maple trees located off-site at the southwest corner of the property. These off-site trees appear to be in fair condition and should be considered a priority for preservation and should be protected during construction activities.

Preservation: A tree save area and tree protection fencing should be provided at the southwestern portion of the site to protect the existing offsite trees from construction activities.

Please contact me at 703-324-1770 if you have any questions.

TLN/
UFMID #: 147465

cc: RA File
DPZ File

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes



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.

8-914 Provisions for Approval of Reduction to the Minimum Yard Requirements Based on Error in Building Location

The BZA may approve a special permit to allow a reduction to the minimum yard requirements for any building existing or partially constructed which does not comply with such requirements applicable at the time such building was erected, but only in accordance with the following provisions:

1. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) 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 and 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. Location of all existing structures, with dimensions, including height of any structure and penthouse, and if known, the construction date(s) of all existing structures.

- E. All required minimum yards to include front, side and rear, and a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing 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 well and/or septic field.
- I. For nonresidential uses, a statement setting forth the maximum gross floor area and FAR for all uses.
- 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. Seal and signature of professional person certifying the plat.

In addition, the application shall contain a statement of justification explaining how the error in building location occurred and any supportive material such as aerial photographs, Building Permit applications, County assessments records, a copy of the contract to build the structure which is in error, or a statement from a previous owner indicating how the error in building location occurred.

- 2. The BZA determines that:
 - A. The error exceeds ten (10) percent of the measurement involved, and
 - B. The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the relocation of the building subsequent to the issuance of a Building Permit, if such was required, and
 - C. Such reduction will not impair the purpose and intent of this Ordinance, and
 - D. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and
 - E. It will not create an unsafe condition with respect to both other property and public streets, and

- F. To force compliance with the minimum yard requirements would cause unreasonable hardship upon the owner.
 - G. The reduction will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.
3. In granting such a reduction under the provisions of this Section, the BZA shall allow only a reduction necessary to provide reasonable relief and may, as deemed advisable, prescribe such conditions, to include landscaping and screening measures, to assure compliance with the intent of this Ordinance.
 4. Upon the granting of a reduction for a particular building in accordance with the provisions of this Section, the same shall be deemed to be a lawful building.
 5. The BZA shall have no power to waive or modify the standards necessary for approval as specified in this Section.

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.

18-401 Initiation

A property owner, tenant, government official, department, board, bureau or condominium, in accordance with the provisions of Sect. 2-518, may apply to the BZA for a variance of the strict application of the terms of this Ordinance; provided, however, application shall be made to the Board of Supervisors for a special exception pursuant to those provisions set forth in Part 6 of Article 9.

18-404 Required Standards for Variances

To grant a variance the BZA shall make specific findings based on the evidence before it that the application satisfies all of the following enumerated requirements:

1. That the subject property was acquired in good faith.
2. That the subject property has at least one of the following characteristics:
 - A. Exceptional narrowness at the time of the effective date of the Ordinance;
 - B. Exceptional shallowness at the time of the effective date of the Ordinance;
 - C. Exceptional size at the time of the effective date of the Ordinance;
 - D. Exceptional shape at the time of the effective date of the Ordinance;
 - E. Exceptional topographic conditions;
 - F. An extraordinary situation or condition of the subject property; or
 - G. An extraordinary situation or condition of the use or development of property immediately adjacent to the subject property.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.

4. That the strict application of this Ordinance would produce undue hardship.
5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.
6. That:
 - A. The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict the utilization of the subject property, or
 - B. The granting of a variance will alleviate a clearly demonstrable hardship as distinguished from a special privilege or convenience sought by the applicant.
7. That authorization of the variance will not be of substantial detriment to adjacent property.
8. That the character of the zoning district will not be changed by the granting of the variance.
9. That the variance will be in harmony with the intended spirit and purposes of this Ordinance and will not be contrary to the public interest.