



APPLICATION ACCEPTED: November 30, 2009
DATE OF PUBLIC HEARING: February 10, 2010
TIME: 9:00 a.m.

County of Fairfax, Virginia

February 3, 2010

STAFF REPORT

SPECIAL PERMIT APPLICATION No. SP 2009-SP-107

SPRINGFIELD DISTRICT

APPLICANT: David Sheridan

OWNERS: David and Elise Sheridan

ZONING: R-2 (Cluster)

LOCATION: 6801 Sue Paige Court

SUBDIVISION: Orange Hunt Estates

ZONING ORDINANCE PROVISION: 8-922

TAX MAP: 88-2 ((4)) 286

LOT SIZE: 10,715 Square Feet

SP PROPOSAL: Reduction of certain yard requirements to permit construction of addition 12.6 feet from the rear lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2009-SP-107 for the addition subject to the proposed development conditions contained in Appendix 1.

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

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

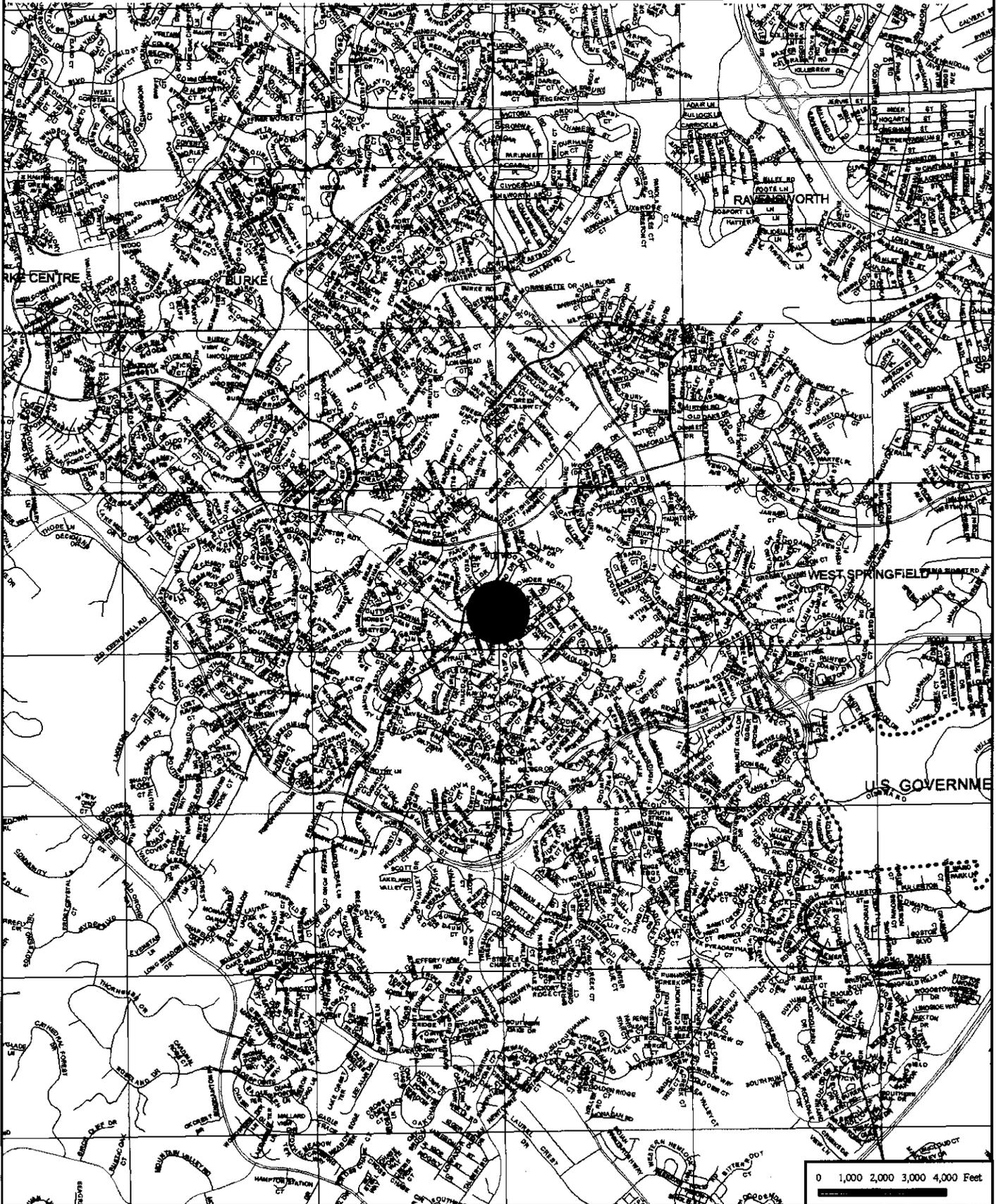
The approval of this special permit does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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

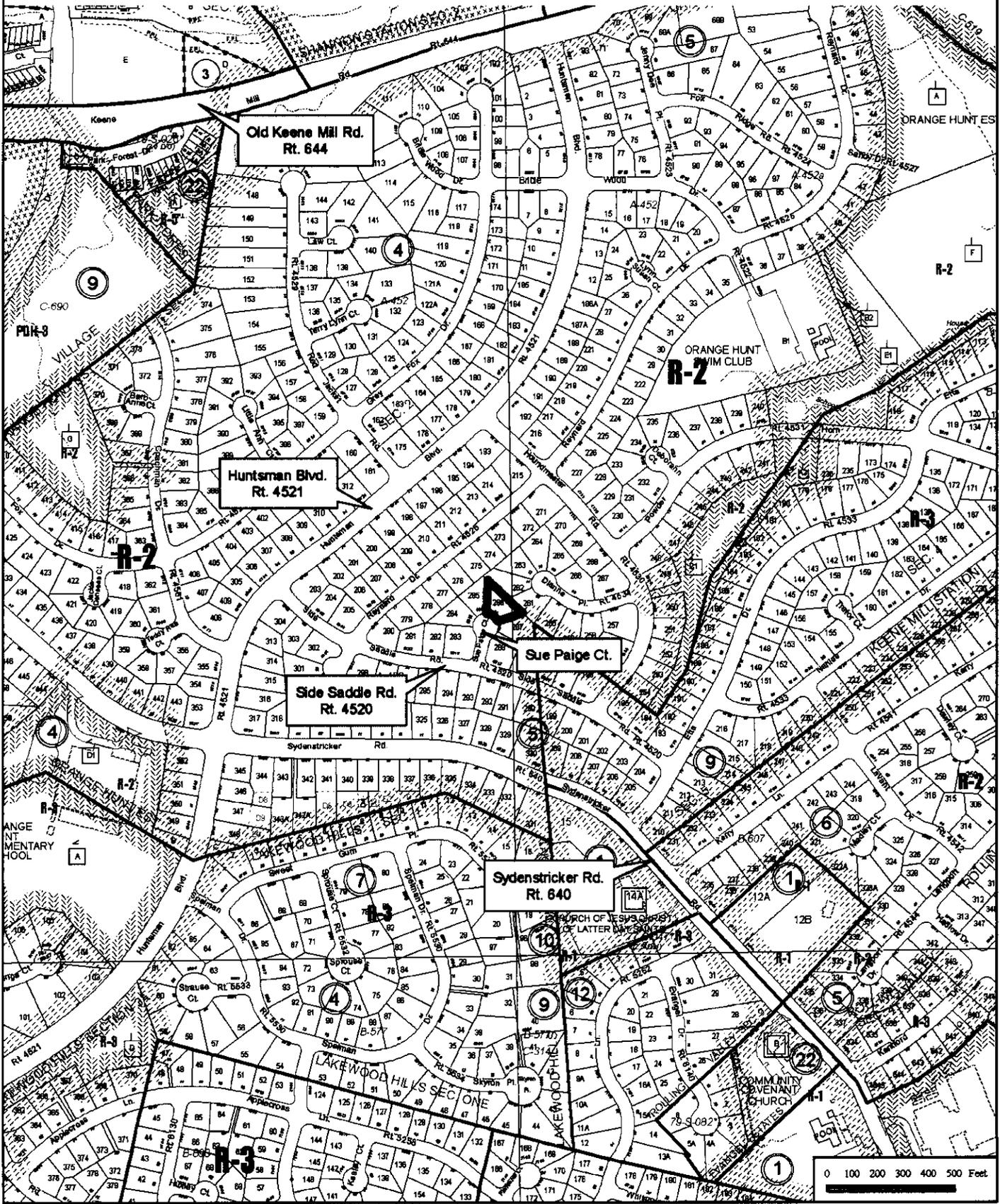


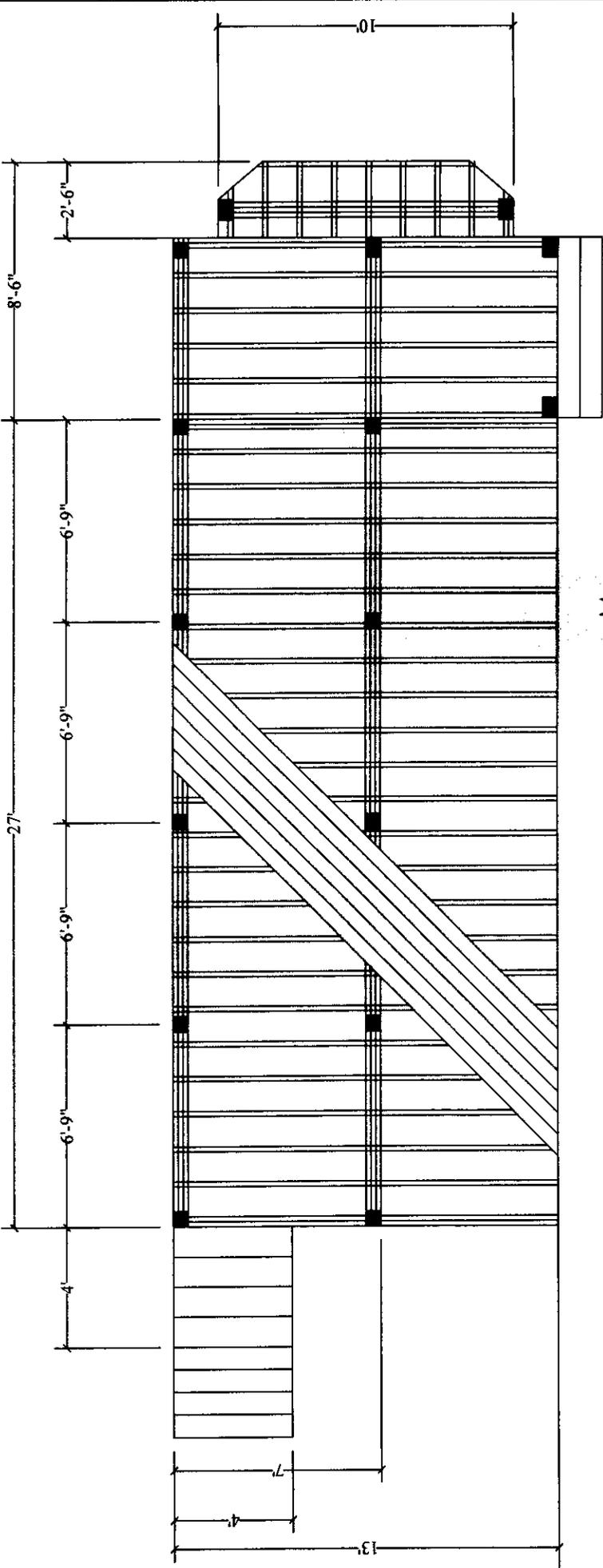
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit
SP 2009-SP-107
DAVID AND ELISE SHERIDAN

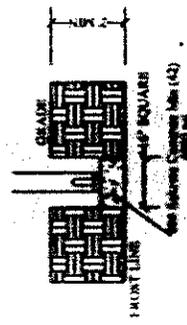


**Special Permit
SP 2009-SP-107
DAVID AND ELISE SHERIDAN**





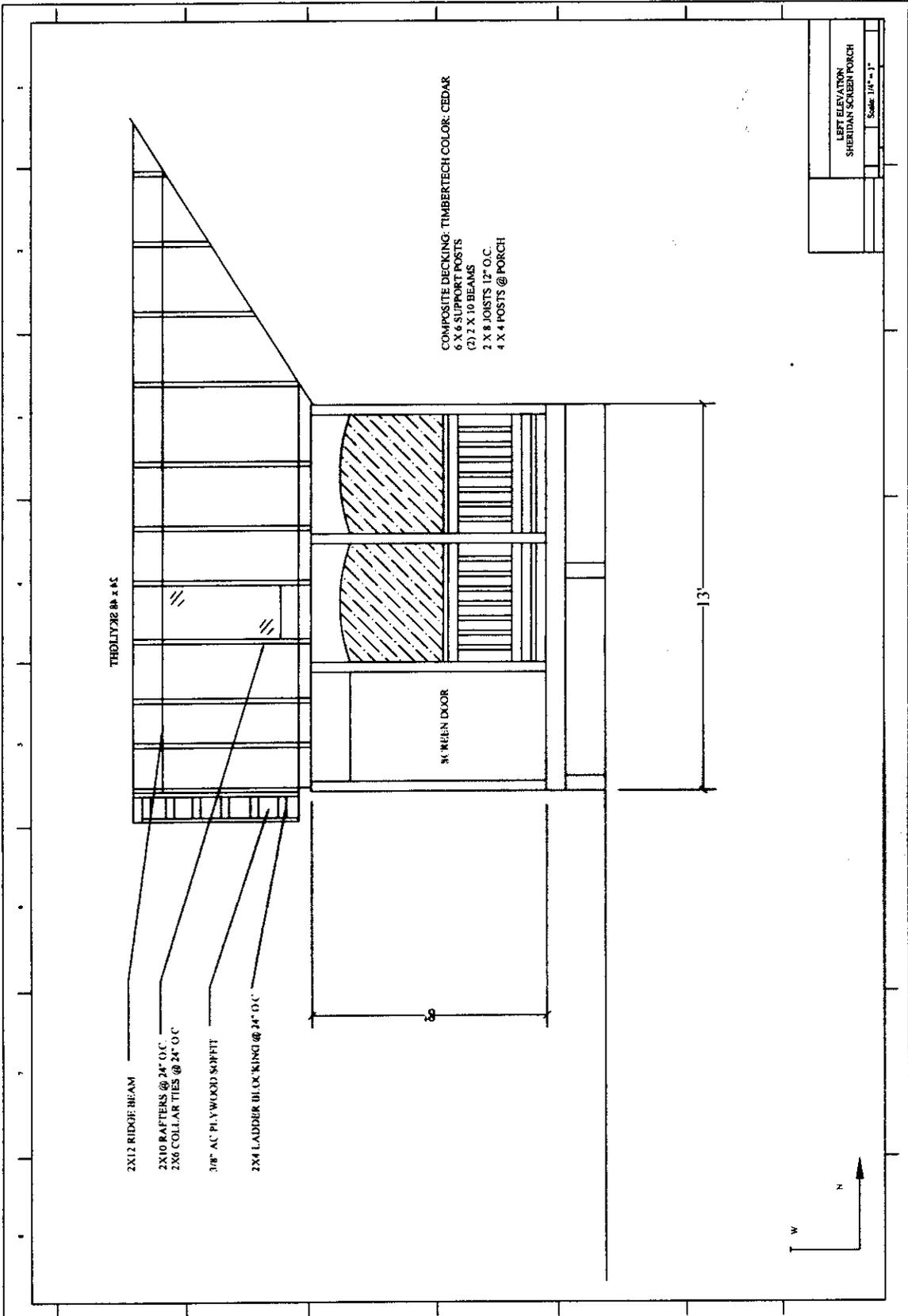
COMPOSITE DECKING: TIMBERTECH COLOR: CEDAR
 6 X 6 SUPPORT POSTS
 (3) 2 X 10 BEAMS
 2 X 8 JOISTS 12" O.C.
 4 X 4 POSTS @ STAIRS
 P.T. RAILS WITH COMPOSITE TOP



FOOTING DETAIL - 1/4" x 1/4"

EXISTING HOUSE

FRAMING
SHERIDAN SCREEN PORCH



2x4 BRACKETING

2x12 RIDGE BEAM

2x10 RAFTERS @ 24" O.C.
2x6 COLLAR TIES @ 24" O.C.

3/8" AC PLYWOOD SHEATH

2x4 LADDER BRACKETING @ 24" O.C.

COMPOSITE DECKING: TIMBERTECH COLOR: CEDAR
6 X 6 SUPPORT POSTS
(3) 2 X 10 BEAMS
2 X 8 JOISTS 12" O.C.
4 X 4 POSTS @ PORCH

SCREEN DOOR

13'

36'



LEFT ELEVATION
SHED WITH SCREEN PORCH

Scale: 1/8" = 1'

24 x 48 SKYLIGHT

2X12 RIDGE BEAM

2X10 RAFTERS @ 24" O.C.
2X6 COLLAR TIES @ 24" O.C.

3/8" AC PLYWOOD SOFFIT

2X4 LADDER BLOCKING @ 24" O.C.

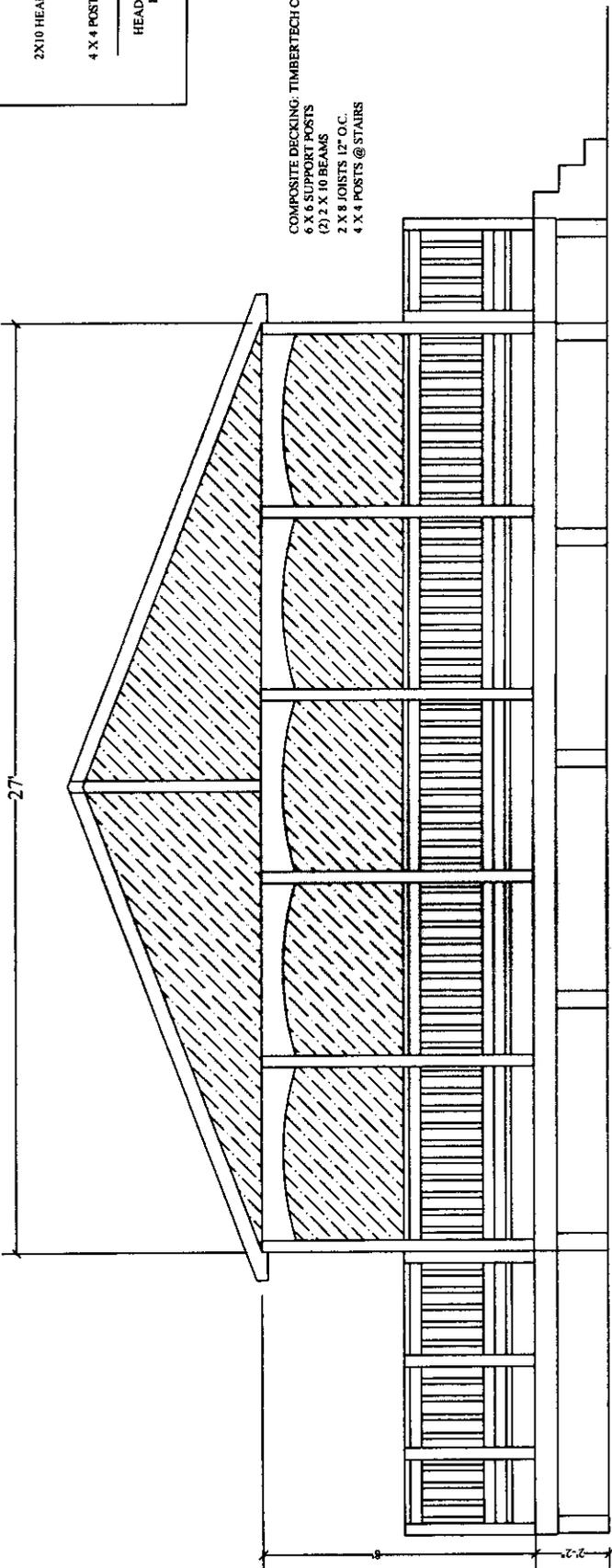
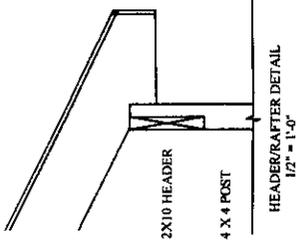
COMPOSITE DECKING: TIMBERTECH COLOR: CEDAR
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(2) 2 X 10 BEAMS
2 X 8 JOISTS 12" O.C.
4 X 4 POSTS @ PORCH

SCREEN DOOR

13'

RIGHT ELEVATION
SHERIDAN SCREEN PORCH

Scale: 1/4" = 1'



COMPOSITE DECKING: TIMBERTECH COLOR: CEDAR
 6 X 6 SUPPORT POSTS
 (2) 2 X 10 BEAMS
 2 X 8 JOISTS 12" O.C.
 4 X 4 POSTS @ STAIRS

FRONT ELEVATION
 SHERIDAN SCREEN PORCH

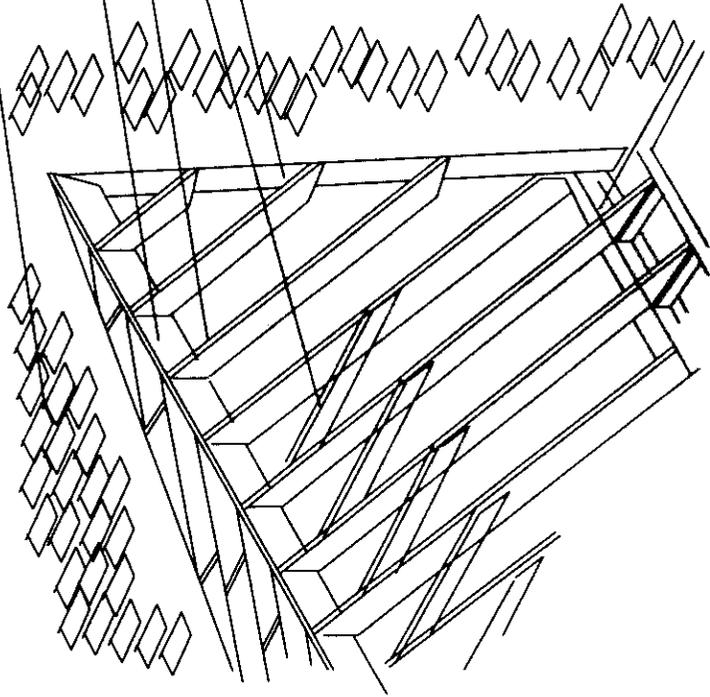
EXISTING ROOF

2X12 RIDGE BOARD

2X6 VALLEY JACK RAFTER

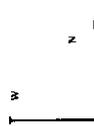
2X6 COLLAR TIE

2X8 VALLEY PLATE



NOTES:

1. 1/2" PLYWOOD SHEATHING OVER FRAME AND ROOF
2. WHEN INSTALLING SHEATHING - CUT BACK
- 1" FOR AIRSPACE TO RIDGE VENT
3. USE 15# FELT PAPER OVER PLYWOOD SHEATHING
4. USE 1/2" SHEATHING CLIPS AT 24" O.C. @ MIDSPAN OF RAFTERS

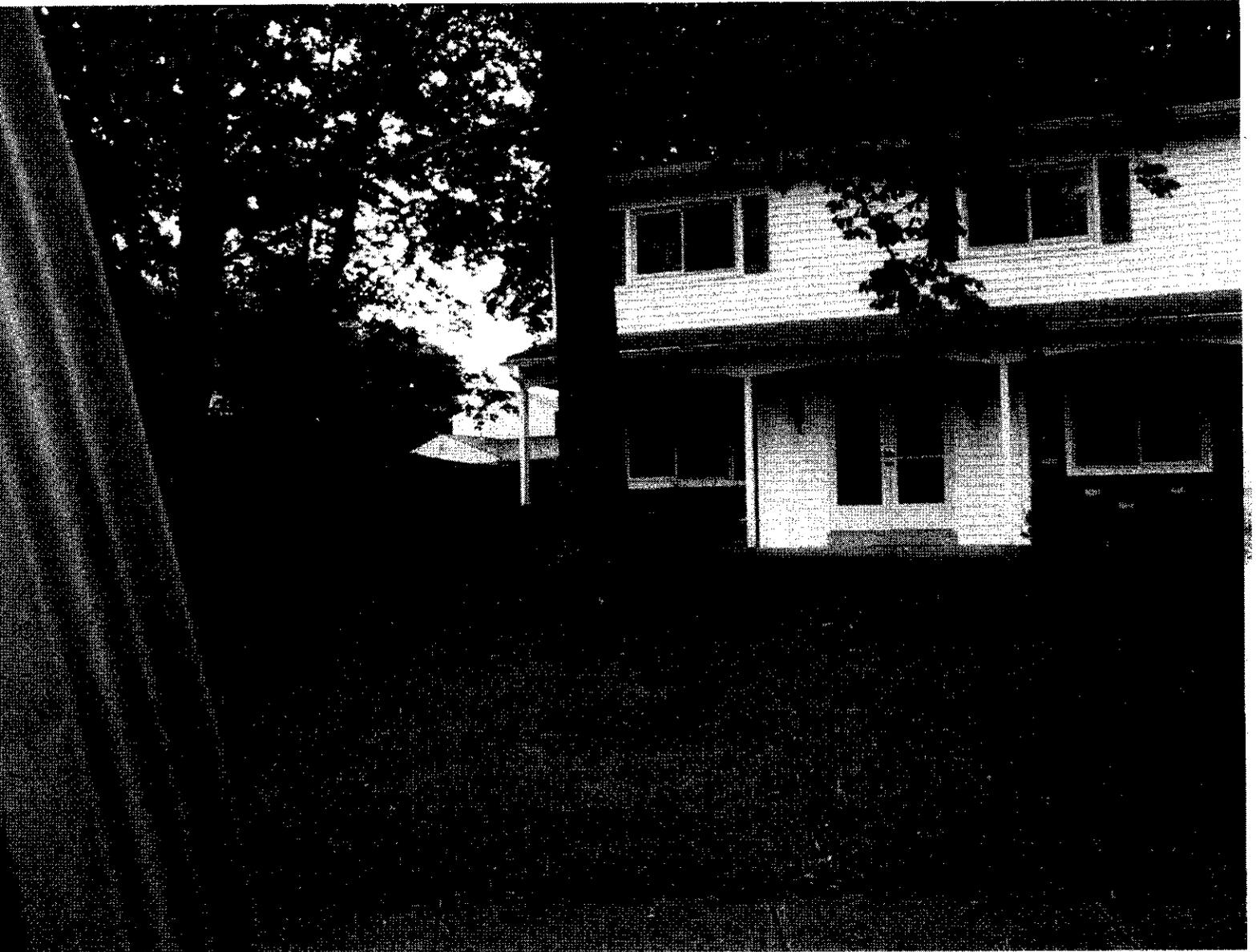


ROOF FRAMING
SHERIDAN SCREEN PORCH
RTS

RECEIVED
Department of Planning & Zoning

JUN 25 2009

Zoning Evaluation Division



• Front of ^{neighbors} ~~of~~ house — right neighbor (from looking at street)
house facing south west

• 6/11/09







View of East property line
6/11/09

RECEIVED
Department of Planning & Zoning
JUN 25 2009
Zoning Evaluation Division

RECEIVED
Department of Planning & Zoning

JUN 25 2009

Zoning Evaluation Division



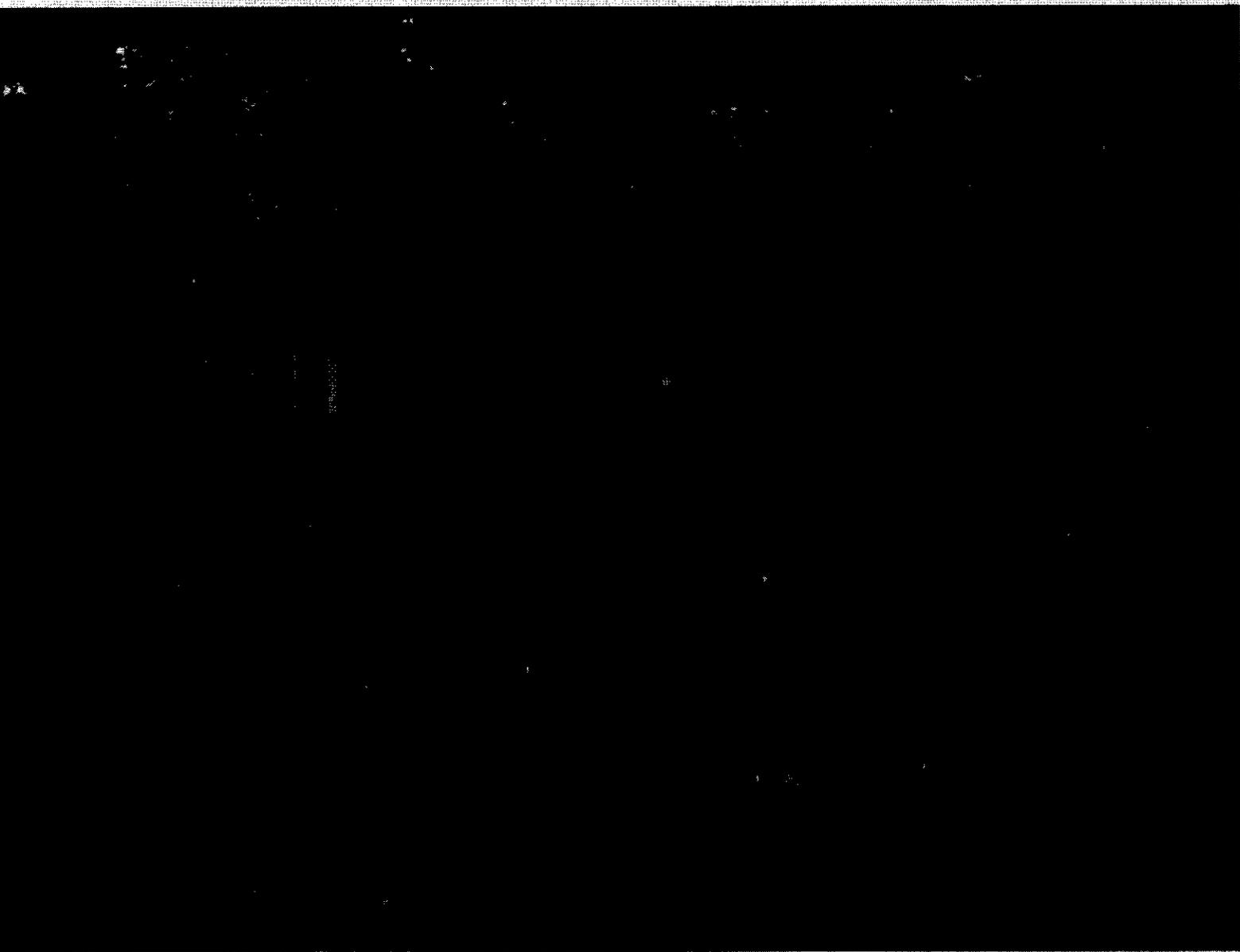
• front yard of owner's house as viewed from East neighbor

6/11/09

RECEIVED
Department of Planning & Zoning

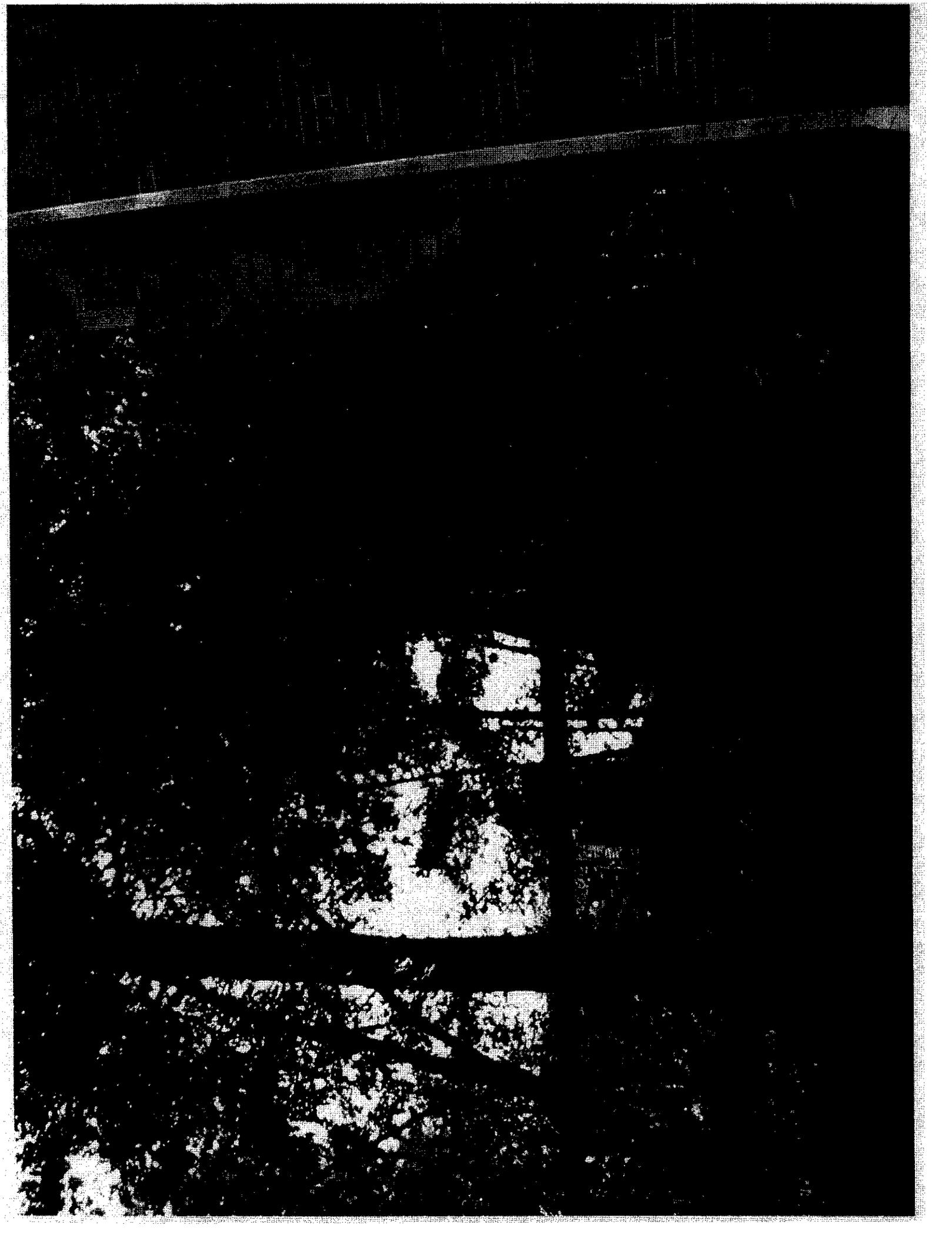
JUN 25 2009

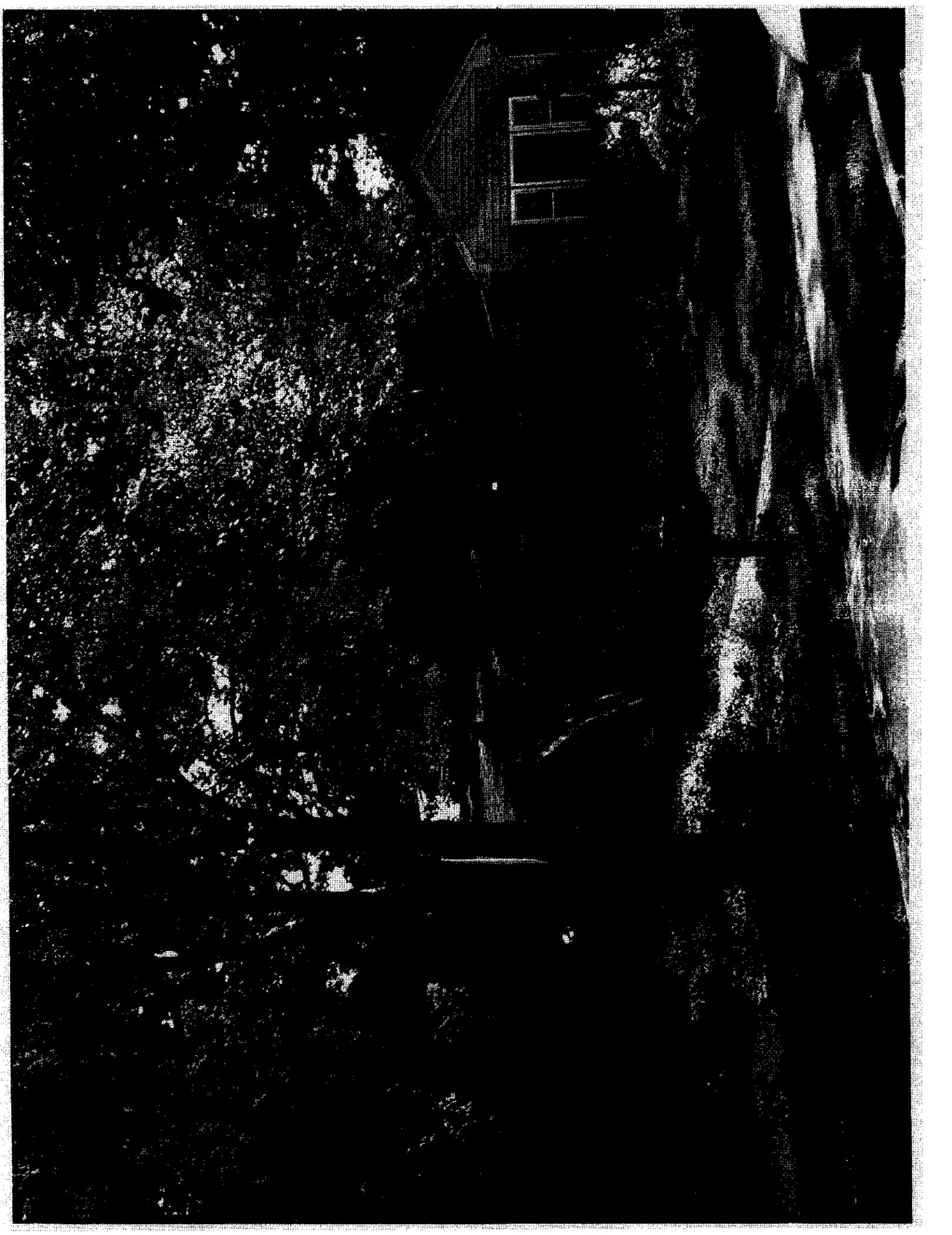
Zoning Evaluation Division

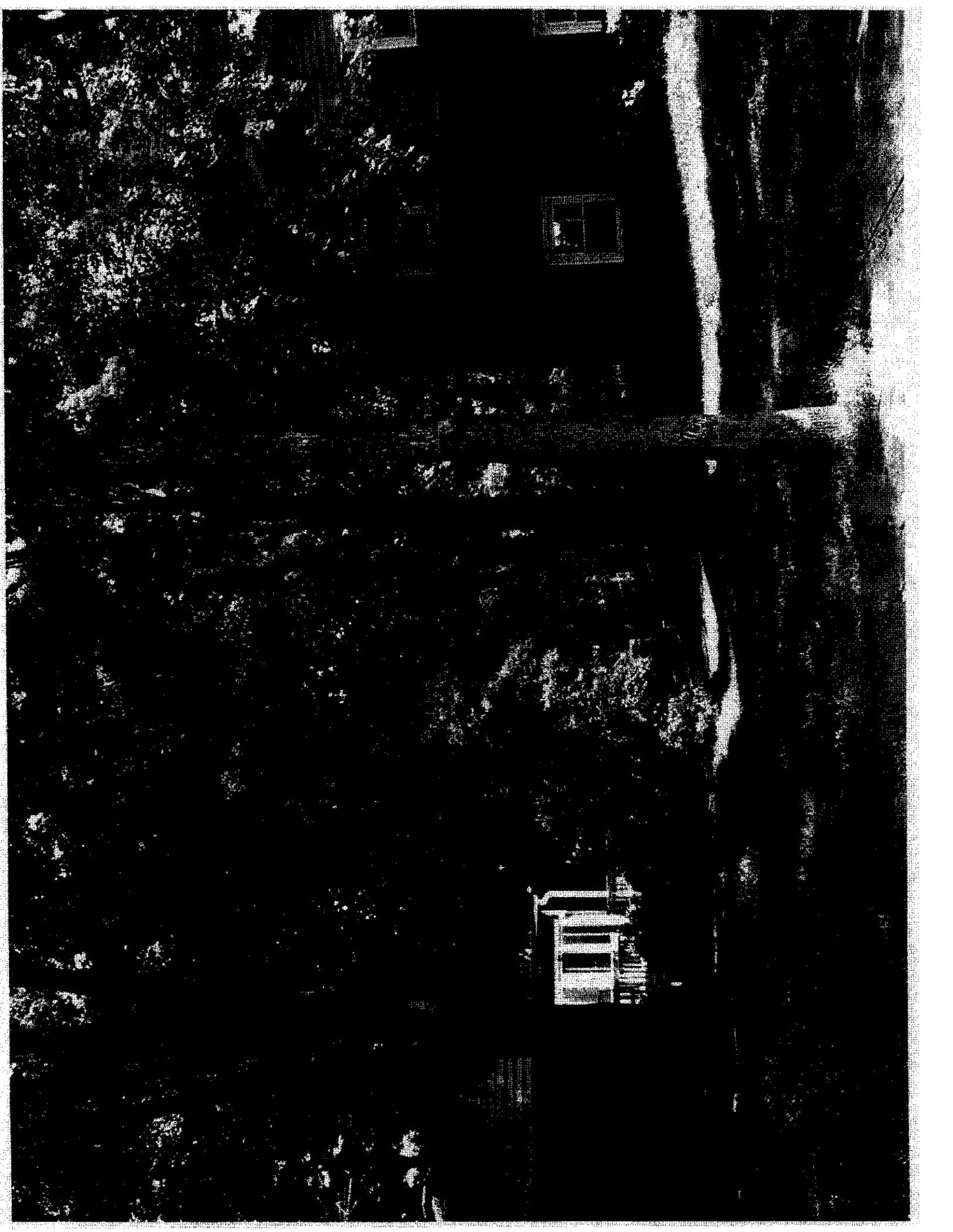


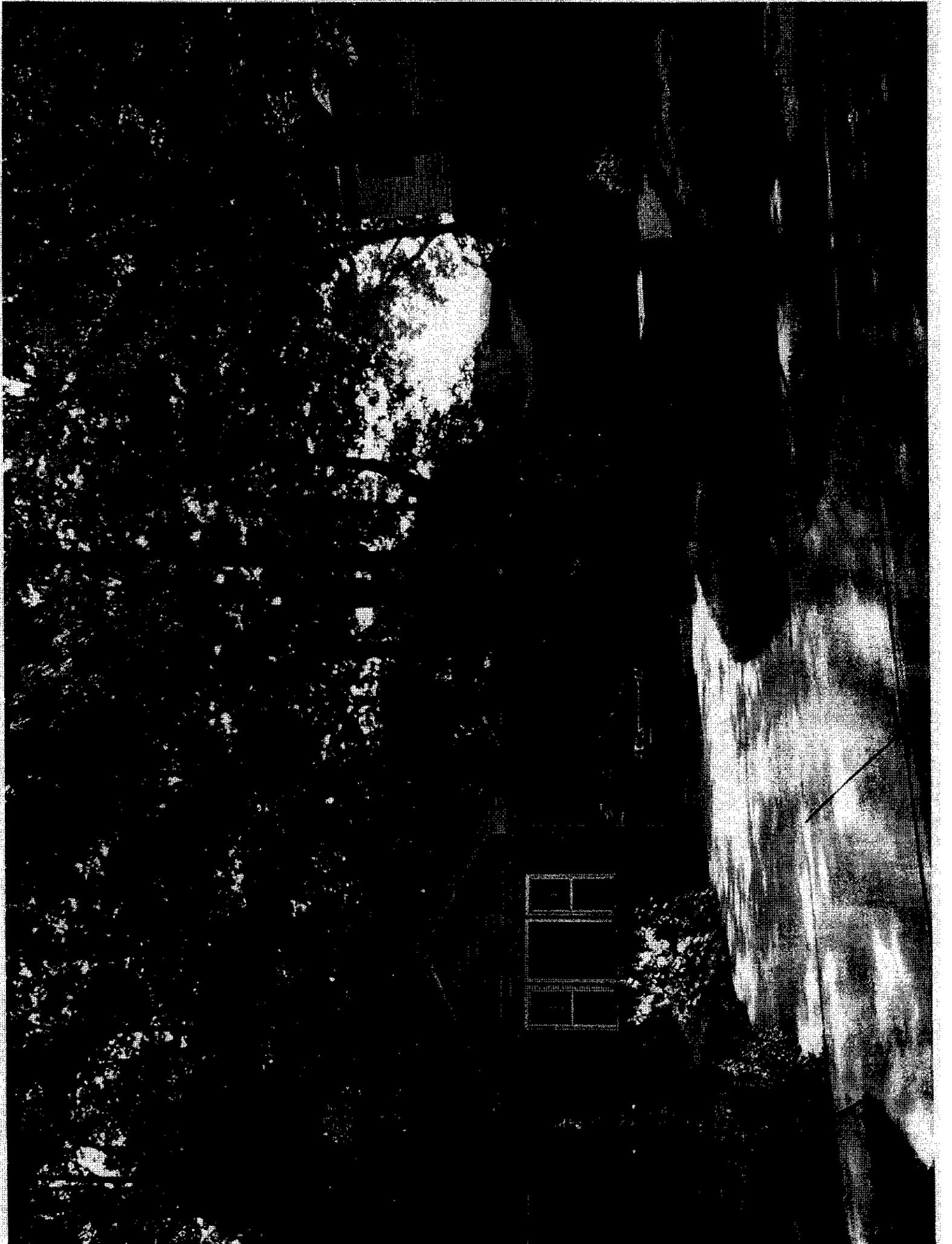
• West property line as viewed from front of owner's house

8/11/09





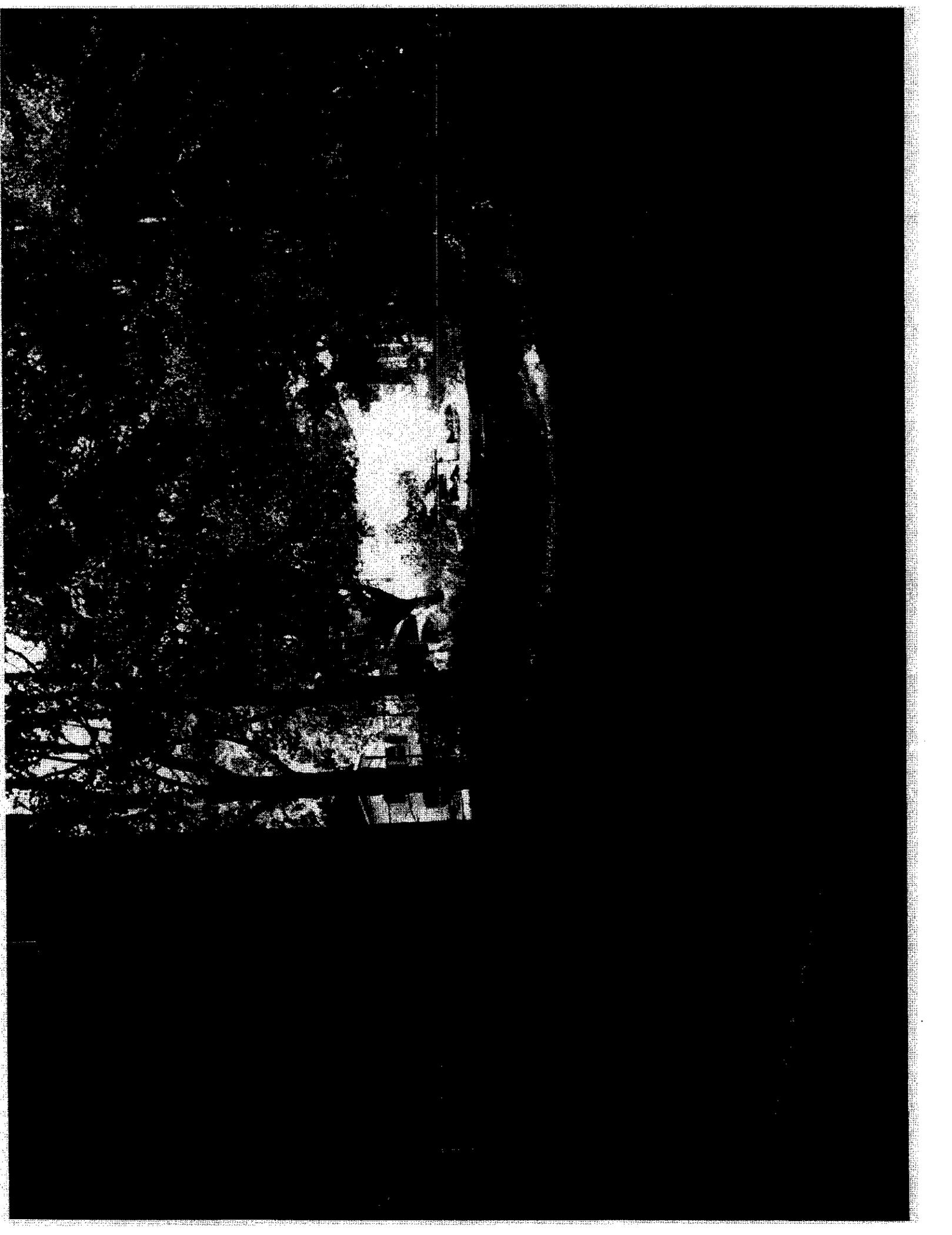


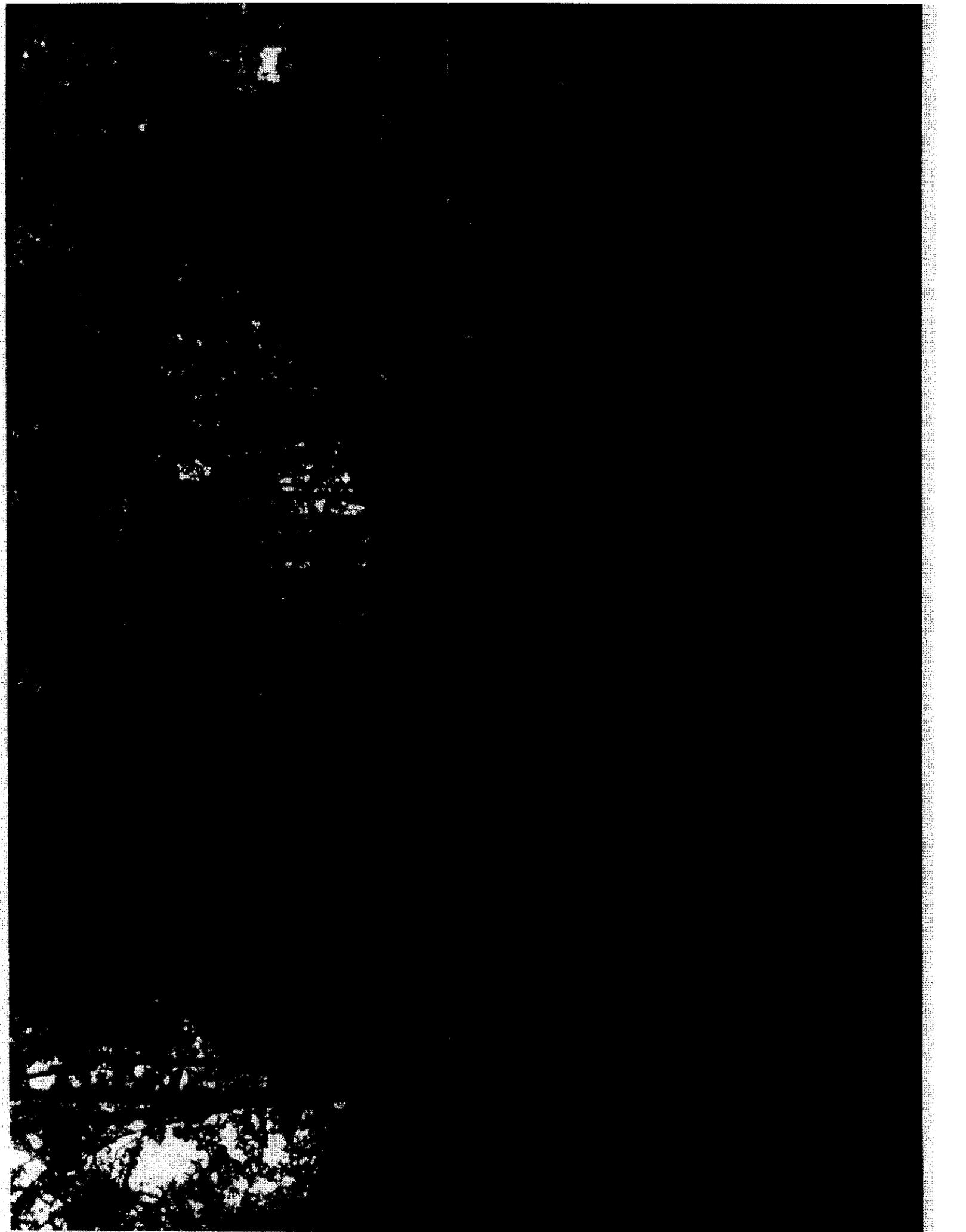


6801 Sue Paige Ct.
Springfield, VA 22150

Permit # 91170077
SP 2009-0176

- Pictures showing
play equipment
removed from
property.





Scenic Remodeling

From: "Michael Enos" <enos.michael@gmail.com>
To: "Scenic Remodeling" <jenos@scenicremodeling.com>
Sent: Thursday, October 08, 2009 9:59 AM
Attach: photo.jpg



Sent from my iPhone

10/8/2009

Scenic Remodeling

From: "Michael Enos" <enos.michael@gmail.com>
To: "Scenic Remodeling" <jenos@scenicremodeling.com>
Sent: Thursday, October 08, 2009 10:00 AM
Attach: photo.jpg



Sent from my iPhone

10/8/2009

DESCRIPTION OF THE APPLICATION

The applicant seeks approval of a special permit for a reduction of certain yard requirements to permit construction of a screened porch addition 12.6 feet from the rear lot line.

	Structure	Yard	Min. Yard Required*	Proposed Location	Proposed Reduction	Percent of Reduction Requested
Special Permit	Addition	Rear	25 feet	12.6 feet	12.4 feet	49.6 %

* Minimum yard requirement per Section 3-207

LOCATION AND CHARACTER

Existing Site Description

The site is currently zoned R-2 Cluster and contains a split level with basement single-family detached dwelling which was originally constructed in 1968. The lot consists of 10,715 square feet and is surrounded by single family detached homes on all sides. There is little change in topography across the lot and there are mature trees in the rear yard which will not be removed by the proposed construction. There is an existing 15 foot wide storm drainage easement located along the western side of the property.

Character of the Area

	Zoning	Use
North	R-2 (Cluster)	Single Family Detached Dwellings
West	R-2 (Cluster)	Single Family Detached Dwellings
East	R-2 (Cluster)	Single Family Detached Dwellings
South	R-2 (Cluster)	Single Family Detached Dwellings

BACKGROUND

There is currently a shed located on the property which is in compliance with Zoning Ordinance Location regulations according to the plat submitted with this application. Also, the shed is less than 150 square feet and does not require a building permit. There was playground equipment located in the rear yard as shown in the pictures submitted with the application; however it has since been removed from the property.

The Board of Zoning Appeals (BZA) has heard no similar cases in the vicinity of the subject property.

ANALYSIS OF SPECIAL PERMIT APPLICATION

- **Title of SP Plat:** Special Permit Plat, Lot 286, Section 3, Orange Hunt Estates
- **Prepared By:** Thomas W. Kendall, Kendall Consulting, Inc. dated June 22, 2009, revised November 3, 2009 and signed November 4, 2009.

Proposal

The applicant proposes to construct a screen porch at the rear of the dwelling over an existing concrete pad. The footprint of the proposed screen porch will be approximately 14 feet x 27 feet (378 square feet) in size and the addition is proposed to be 14 feet in height. The applicant also proposes construction of an open deck on the eastern side of the screen porch; however, this construction is permitted without special permit approval.

ZONING ORDINANCE REQUIREMENTS (See Appendix 5)

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

Sect. 8-006 General Special Permit Standards

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

General Standard 3 requires that the proposed uses be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. *Staff believes that the special permit application satisfies this condition based the fact that there is a modest request and that the screen porch is proposed to be constructed over an existing at-grade patio. The most affected property is to the northeast, which the development conditions address in terms of any potential adverse impacts to the existing trees. Therefore, staff believes the application meets this provision.*

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

This special permit application must satisfy all of the provisions contained in Sect. 8-922, Provisions for Reduction of Certain Yard Requirements. Standards 1, 2, 3, 11 and 12 relate to submission requirements and were satisfied at the time of submission. Standard 5 relates to accessory structures, which does not apply to this application and Standard 10 allows the BZA to impose development conditions. Staff believes that the application has met all the remaining standards, specifically Standards 4, 6, 7, 8, and 9.

Standard 4 states that the resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first yard reduction request. In such instance, if a portion of the principal structure is to be removed; no more than fifty (50) percent of the gross floor area of the existing principal structure at the time of the first yard reduction shall be removed. The existing structure is 1,657 square feet. Therefore 150% of the total gross floor area could result in an addition up to 2,485.5 square feet; which makes a combined total of 4,142.5 square feet. The proposed addition will be 378 square feet in size for a total of 2,035 square feet for the existing house and addition. Therefore the application meets this provision.

Standard 6 states that the BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot. The proposed screened porch addition will extend over the footprint of an at-grade patio and is proposed at a height of 14 feet and to be only 378 square feet in size. The existing single family detached dwelling is 14 feet in height and 1,657 square feet in size; therefore the proposed screen porch addition will be in character with existing on-site development in terms of height and bulk respectively. The proposed screen porch will be constructed with materials similar to the existing dwelling. Staff believes the proposed addition will not be out of character with existing on-site development and 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. The proposed addition will not adversely affect the neighboring properties due to the small size and scope. Minimal land disturbance shall take place because of its location on an existing deck. The Forest Conservation Branch (DPWES) identified significant trees on the adjacent property which could be affected during the stages of construction; therefore, staff has conditioned the special permit so that tree protective fencing is placed on the subject property. With the development conditions there will be no harm to existing vegetation or significant trees on the subject property or the neighboring property. A copy of the memo can be found in Appendix 4.

Standard 8 states that the BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff. No downstream complaints have been indicated by DPWES and there is minimal increase of impervious area due to the proposed addition being constructed over an existing deck. The posts of the existing deck must be relocated further out to accommodate the extension of the proposed screen porch. Currently there is dense tree cover along the rear property line which is where the proposed addition will take place. This tree cover is provided by both the adjacent and subject property which will serve as a buffer between the proposed addition and the adjacent property. Therefore, staff believes that the proposed addition shall not have any adverse impact on neighboring properties.

Standard 9 states that the BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of

the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources. *Given the configuration of the lot lines, shape of the lot and the existing dwelling's location 25 feet from the rear property line, there are no alternate locations for the proposed addition to be constructed. No significant trees will be removed as part of the proposed construction and tree protective fencing will be placed in the rear yard to mitigate any potential adverse impacts to existing trees on the subject and adjacent properties. Therefore, staff believes the application satisfies this provision.*

CONCLUSION

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

RECOMMENDATION

Staff recommends approval of special permit application SP 2009-SP-107 for the addition subject to the proposed development conditions contained in Appendix 1 of the staff report.

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

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Forest Conservation Branch Memo
5. Zoning Ordinance Provisions

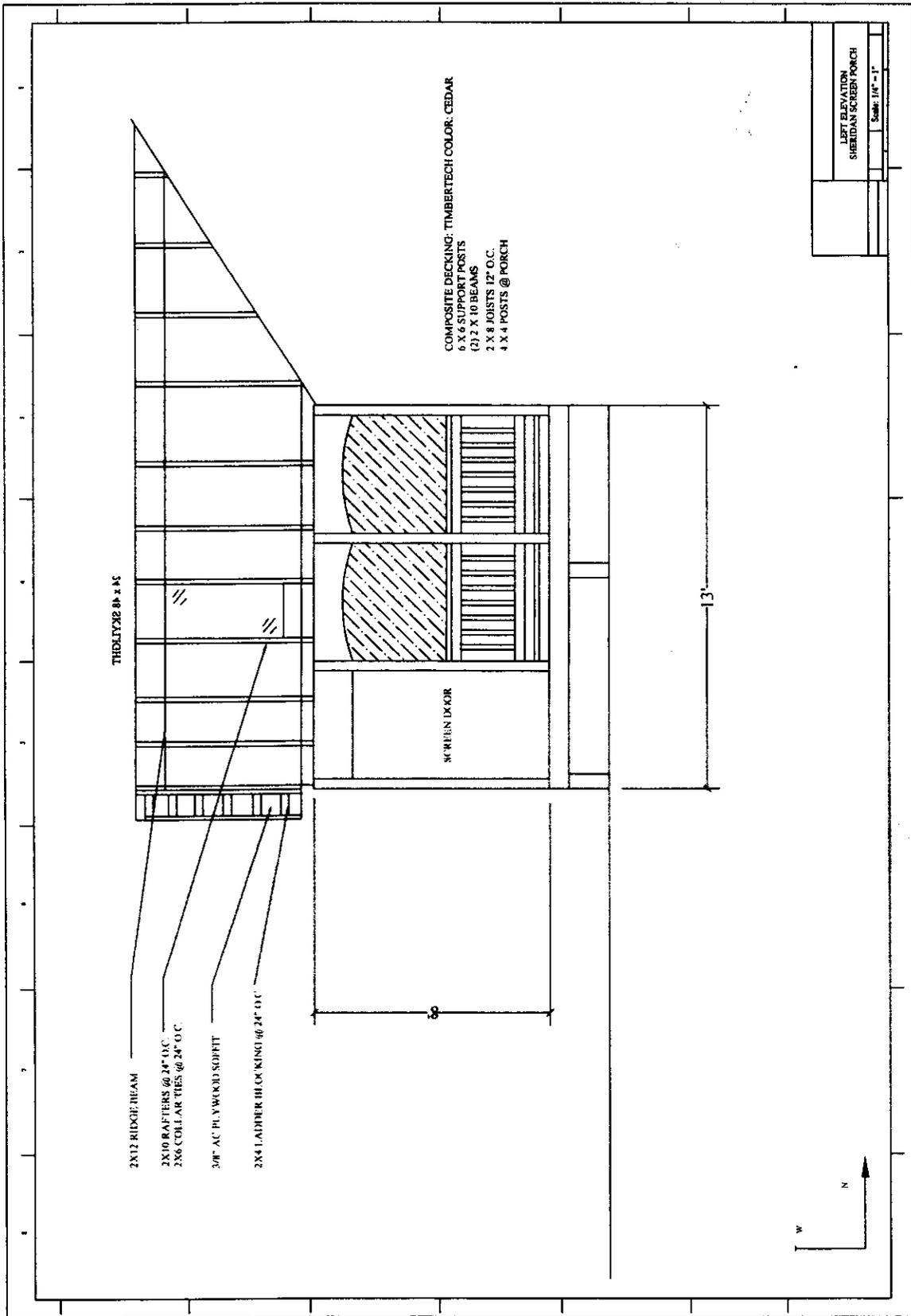
PROPOSED DEVELOPMENT CONDITIONS**SP 2009-SP-107****February 3, 2010**

If it is the intent of the Board of Zoning Appeals to approve SP 2009-SP-107 located at Tax Map Number 88-2 ((4)) 286 (6801 Sue Paige Court), to permit reduction of certain yard requirements pursuant to 8-922 of the Fairfax County Zoning Ordinance, staff recommends the Board condition the approval by requiring conformance with the following development conditions.

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recordation shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of a proposed screen porch addition as shown on the plat prepared by Thomas W. Kendall, Kendall Consulting, Inc. dated June 22, 2009, revised November 3, 2009 and signed November 4, 2009, submitted with this application and is not transferable to other land.
3. Pursuant to Provision 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of the existing principal structures may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (1,657 square feet existing + 2,485.5 (150%) = 4,142.5 permitted) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction, special permit or variance. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be consistent with the architectural renderings and materials included in Attachment 1 to these conditions.
5. Prior to commencement of and during the entire construction process, tree protective fencing shall be installed between the location of the proposed addition and the dripline of the significant trees outlined in the memo from the Forest Conservation Branch, DPWES along the rear property line. The protective fencing shall remain intact during the entire construction process, and shall be the maximum limit for clearing and grading. The applicant shall monitor the site to ensure that inappropriate activities such as the storage of construction equipment and personnel do not occur within the areas.

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

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.



2x12 RIGID BEAM

2x10 RAFTERS @ 24" O.C.

2x8 COLLAR TIES @ 24" O.C.

5/8" AC PLYWOOD SHEATH

2x4 LADDER BRACKETS @ 24" O.C.

SCREEN DOOR

COMPOSITE DECKING: TIMBERTECH COLOR: CEDAR
 6 X 6 SUPPORT POSTS
 (2) 2 X 10 BEAMS
 2 X 8 JOISTS 12" O.C.
 4 X 4 POSTS @ PORCH

13'

6'



LEFT ELEVATION
 SHERIDAN SCREEN PORCH

Scale: 1/4" = 1'

24 x 48 SKYLIGHT

2X12 RIDGE BEAM

2X10 RAFTERS @ 24" O.C.
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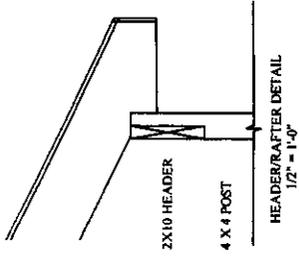
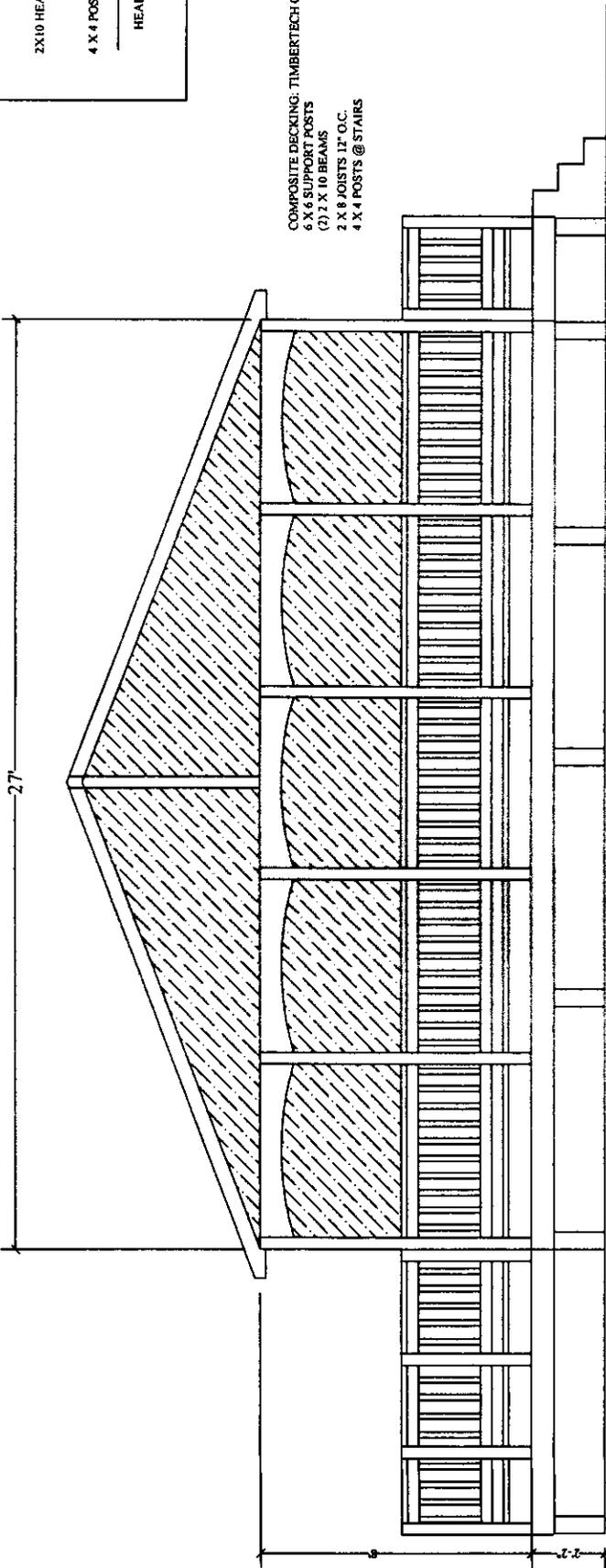
13'

RIGHT ELEVATION
SHERIDAN SCREEN PORCH

Scale: 1/4" = 1'

FRONT ELEVATION
SHERIDAN SQUARE PORCH

COMPOSITE DECKING: TIMBERTECH COLOR: CEDAR
6 X 6 SUPPORT POSTS
(7) 2 X 10 BEAMS
2 X 8 JOISTS 17" O.C.
4 X 4 POSTS @ STAIRS



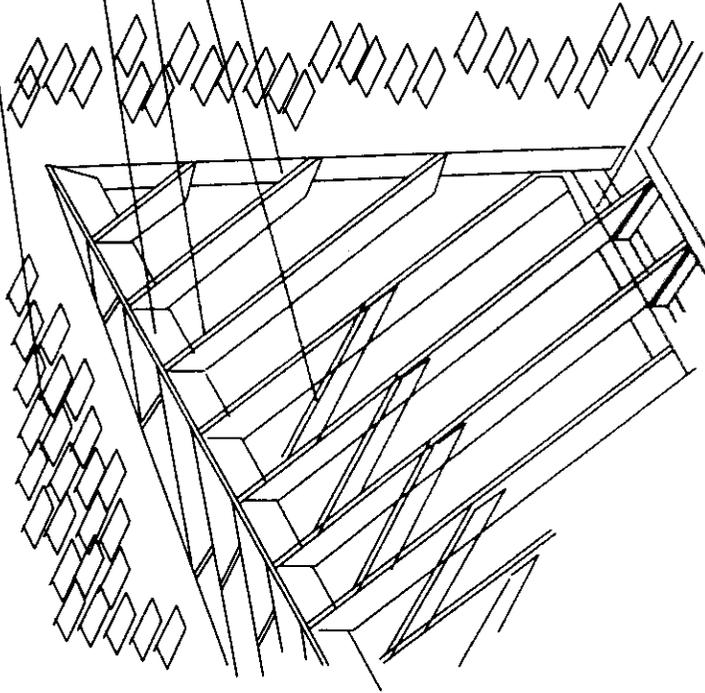
EXISTING ROOF

2X12 RIDGE BOARD

2X6 VALLEY JACK RAFTER

2X6 COLLAR TIE

2X8 VALLEY PLATE



NOTES:

1. 1/2" PLYWOOD SHEATING OVER FRAME AND ROOF
2. WHEN INSTALLING SHEATING - CUT BACK
- 1" FOR AIRSPACE TO RIDGE VENT
3. USE 15# FELT PAPER OVER PLYWOOD SHEATING
4. USE 1/2" SHEATING CLIPS AT 24" O.C. @ MIDSPAN OF RAFTERS



ROOF FRAMING
SHERIDAN SCREEN PORCH
NTS



Application No.(s): SP 2009-SP-107
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 27 May 2009
(enter date affidavit is notarized)

I, David Patrick Sheridan, 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 105221

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)
David P. Sheridan	6801 Suebidge Court	Applicant/ Title Owner
Elise L. Sheridan	Springfield, VA 22152 " "	Applicant/ 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-SP-107
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 27 May 2009
(enter date affidavit is notarized)

105221

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): SP 2009-SP-107
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 27 May 2009
(enter date affidavit is notarized)

105221

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):

SP 2009-SP-107

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 27 May 2009
(enter date affidavit is notarized)

105221

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):

SP 2009-SP-107
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

105221

DATE: 27 MAY 2009
(enter date affidavit is notarized)

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

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

None

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

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

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

WITNESS the following signature:

(check one)

[Signature]
 Applicant

Applicant's Authorized Agent

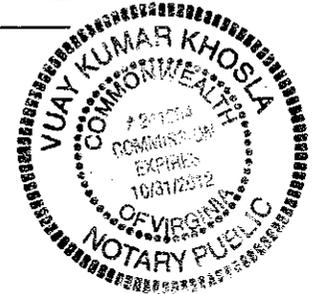
DAVID A. SHERIDAN
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 27 day of May 2009, in the State/Comm. of FAIRFAX, County/City of Springfield

[Signature]

Notary Public

My commission expires: Oct 31, 2012



David P. Sheridan
6801 Sue Paige Court, Springfield, VA 22152

November 23, 2009

Fairfax County Government Permit Application Center
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

Re: Additional Submission Requirements and Authorizing Scenic Remodeling to Pull Permit

I, David P. Sheridan, owner of 6801 Sue Paige Court, Springfield, VA 22152, authorize Michael Enos of Scenic Remodeling, Inc., 43173 Tall Pines Court, Ashburn, VA 20147, to **pull all the necessary permits** for the construction of a screen porch and open deck on my property. Michael Enos can be reached at (703) 392-8341 (office) or (703) 401-9524 (cell).

Pertaining to the proposed structure and checklist items 930.01-930.05 of the additional submission requirements, the resulting gross floor area of the 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. 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 structures on the lot. The proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk, and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the director. The proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, erosion and storm water runoff. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot.

Gross floor calculations are as follows:

Existing gross floor area = 1,657 sf. Proposed addition floor area = 378 sf. Total gross floor area proposed = 2,085 sf. Proposed percent increase = 22.8%. Existing lot area = 10,715 sf. Existing floor area ratio = 15.5 %. Proposed floor area ratio = 19.0 %.

My family and I live at 6801 Sue Paige Court Springfield, Virginia 22152 which is also known as lot 286, section 3 of Orange Hunt Estates. My property is at the base of a cul-de-sac which backs against a cul-de-sac which presents us with a particularly shallow (27" deep) back yard behind our home. This portion of the yard has a 25' set back requirement, which provides for us to have a 2' deep screened porch.

The reason for our application is that the space behind my house is otherwise unusable given the depth and the slope of the terrain. The yard itself is wooded across the rear and slopes significantly from east to west with our yard doubling as a rainwater drainage route from neighboring yards as well as our own. Because we also experience mosquito difficulty during their season we can not spend as much time outside as we like to to take advantage of the more temperate weather. Our goal is to maximize the use of our property while improving it as significantly as possible so that we may enjoy our home as others in the neighborhood with average back yard depths, given the setback requirement of 25' is blatantly obvious that this came up short.

We appreciate your consideration of this application for a Special Permit and look forward to our opportunity to enjoy the mosquito free outdoors.

I have every intent to be in compliance with the Fairfax County Zoning codes regarding the shed currently located in the corner of my lot.

Although it will remain in the same corner of the property the future location of the shed for it which will place no part of the it closer than:

Nine (9) feet from the rear property line and no closer than eight (8) feet from the side property line.

In addition, regarding the swing sets seen in the photos, neither is seven (7) or more feet tall. Both swing sets have been removed from the property.

Thank you very much for your consideration.

Sincerely,

David P. Sheridan (Owner) _____

Michael Enos (Permit Runner) _____

David P. Sheridan
6801 Sue Paige Court, Springfield, VA 22152

RECEIVED
Department of Planning & Zoning
SEP 24 2009
Zoning Evaluation Division

September, 17 2009

Fairfax County Government Permit Application Center
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

I have every intent to be in compliance with the Fairfax County Zoning codes regarding the shed currently located in the corner of my lot.

Although it will remain in the same corner of the property the future location of the shed for it which will place no part of the it closer than:

Nine (9) feet from the rear property line and no closer than eight (8) feet from the side property line.

In addition, regarding the swing sets seen in the photos, neither is seven (7) or more feet tall.

One swing set currently located where the screened porch is to be built will be disposed of - we are trying to give it away now. It will be discarded when the building supplies are delivered. The second swing set (with slide) is less than seven (7) feet tall.

Thank you very much for your consideration.

Respectfully,



David P. Sheridan
6801 Sue Paige Court
Springfield, VA 22152
703-571-9504 (W)
703-866-1956 (H)

David P. Sheridan
6801 Sue Paige Court, Springfield, VA 22152

September, 4 2009

Fairfax County Government Permit Application Center
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

Re: Additional Submission Requirements and Authorizing Scenic Remodeling to Pull Permit

I, David P. Sheridan, owner of 6801 Sue Paige Court, Springfield, VA 22152, authorize Michael Enos of Scenic Remodeling, Inc., 43173 Tall Pines Court, Ashburn, VA 20147, to **pull all the necessary permits** for the construction of a screen porch and open deck on my property. Michael Enos can be reached at (703) 392-8341 (office) or (703) 401-9524 (cell).

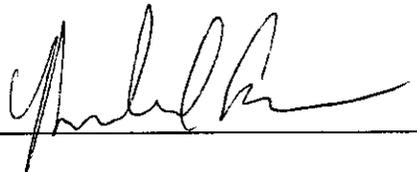
Pertaining to the proposed structure and checklist items 930.01-930.05 of the additional submission requirements, the resulting gross floor area of the existing accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use and intent to the principal structure on the site. 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 structures on the lot. The proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk, and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the director. The proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, erosion and storm water runoff. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot.

Sincerely,

David P. Sheridan (Owner)



Michael Enos (Permit Runner)



RECEIVED
Department of Planning & Zoning
SEP 11 2009
Zoning Evaluation Division



County of Fairfax, Virginia

MEMORANDUM

January 6, 2010

TO: Shannon Caffee, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Hugh Whitehead, Urban Forester II *HW*
Forest Conservation Branch, DPWES

SUBJECT: Orange Hunt Estates Section 3 Lot 286 (6801 Sue Paige Court)
SP 2009-SP-107

I have reviewed the above referenced Special Permit application, stamped as received by the Zoning Evaluation Division on September 11, 2009. Urban Forest Management Division staff provides the following comments based on this review.

- Comment:** As noted in the application's letter of justification, dated November 23, 2009, and as viewed in aerial photographs, the yard where the screened porch is proposed is wooded across the rear. Tree protection fence should be provided along the limits of clearing and grading to protect existing trees on and off site.

Recommendation: To ensure that construction impacts to existing trees are minimized, approve the request for a Special Permit under the following condition:

"The limits of clearing and grading shown on the grading plan shall be strictly adhered to. As part of the grading plan, the applicant shall provide management practices for the protection of understory plant materials, leaf litter and soil conditions found in areas shown to be left undisturbed, subject to the approval of the Urban Forest Management Division. The applicant shall monitor the site to ensure that inappropriate activities such as the storage of construction materials, dumping of construction debris, and traffic by construction equipment and personnel do not occur within these areas. The applicant shall restore understory plant materials, leaf litter and soil conditions to the satisfaction of UFM if these are found to be damaged, removed or altered in manner not approved in writing by the Urban Forest Management Division."

- Comment:** Tree protection fencing should be a durable, easily maintained material to ensure that protection of areas to be left undisturbed is not compromised.

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



Orange Hunt Estates Section 3 Lot 286 (6801 Sue Paige Court)
SP 2009-SP-107
January 6, 2010
Page 2 of 2

Recommendation: Provide the following condition:

“All trees to be preserved and all areas designated to be left undisturbed shall be protected by tree protection fencing as set forth below. Tree protection fencing shall be erected at the limits of clearing and grading prior to any clearing and grading or excavation on the site. Tree protection shall be four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart; or super silt fence as may be approved by UFM to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees.”

If there are any questions, please contact me at (703)324-1770.

HCW/
UFMID #: 148321

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.

8-922 Provisions for Reduction of Certain Yard Requirements

The BZA may approve a special permit to allow a reduction of certain yard requirements subject to all of the following:

1. Only the following yard requirements shall be subject to such special permit:
 - A. Minimum required yards, as specified in the residential, commercial, industrial and planned development districts in Articles 3, 4, 5 and 6, provided such yards are not subject to proffered conditions or development conditions related to yards and/or such yards are not depicted on an approved conceptual development plan, final development plan, development plan, special exception plat, special permit plat or variance plat.
 - B. Yard regulations for pipestem lots and lots contiguous to pipestem driveways set forth in Sect. 2-416.
 - C. Accessory structure location requirements set forth in Sect. 10-104.
 - D. Regulations on permitted extensions into a minimum required yard as set forth in Sect. 2-412.

Approval of a reduction of yard requirements specified in Paragraphs A, B and C above shall not result in any yard that is less than fifty (50) percent of the requirement and shall not result in any yard of less than five (5) feet, as measured from the lot line to the closest point of the proposed structure.

Approval of a reduction of yard requirements specified in Par. D above shall not result in an extension that exceeds the applicable distances set forth in Sect. 2-412 by more than fifty (50) percent. Where no extension is permitted by the provisions of Sect. 2-412, the BZA shall not approve a special permit that results in a structure that extends into a minimum required yard by more than fifty (50) percent.

2. Such reduction shall not result in the placement of a detached accessory structure in a front yard where the placement of such accessory structure is not otherwise permitted in that yard.
3. This special permit shall only apply to those lots that contain a principal structure and use that complied with the minimum yard requirements in effect when the use or structure was established.
4. The resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first expansion request. The resulting gross

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

5. The resulting gross floor area of an existing accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use and intent to the principal structure on the site.
6. The BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot.
7. The BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director.
8. The BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff.
9. The BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources.