County of Fairfax, Virginia

June 9, 2010

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2010-SU-026

SULLY DISTRICT

APPLICANT:	Karen A. Ambrose
OWNERS:	Karen A. Ambrose David W. Ambrose
SUBDIVISION:	Sully Station
STREET ADDRESS:	14804 Sun Meadow Court
TAX MAP REFERENCE:	43-4 ((5)) 67
LOT SIZE:	10,126 square feet
ZONING DISTRICT:	PDH-3, AN and WS
ZONING ORDINANCE PROVISIONS:	8-914 and 8-918
SPECIAL PERMIT PROPOSAL:	To permit reduction to minimum yard requirements based on error in building location to permit an accessory storage structure to remain 4.3 feet from a side lot line and to permit an accessory dwelling unit.

STAFF RECOMMENDATION: Staff recommends approval of SP 2010-SU-026 for the accessory dwelling unit, subject to the proposed development conditions contained in Appendix 1.

O:\dhedri\Special Permits\(6-16) SP 2010-SU-026 Ambrose\SP 2010-SU-026 Ambrose staff report.doc Deborah Hedrick

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.

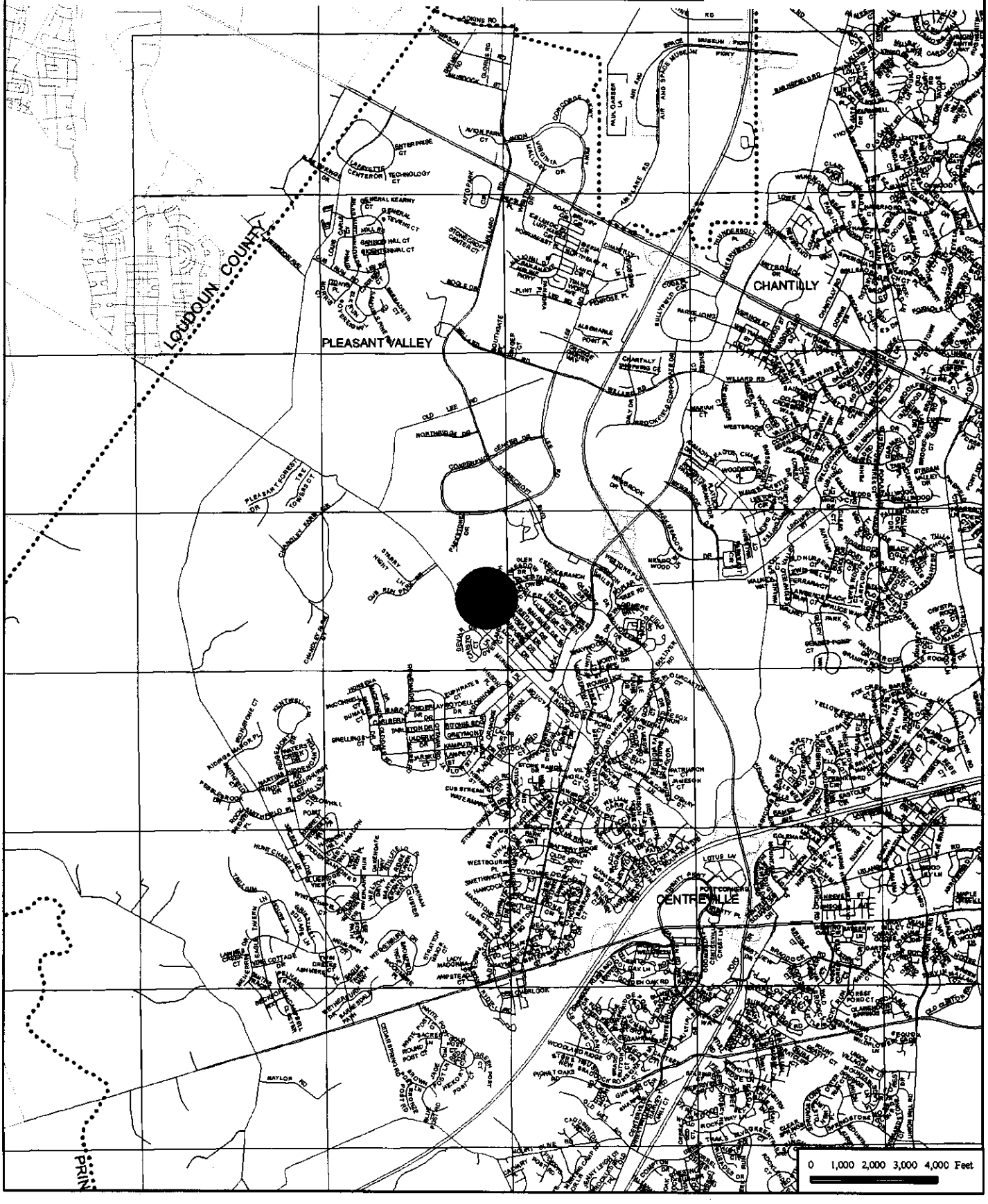
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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).

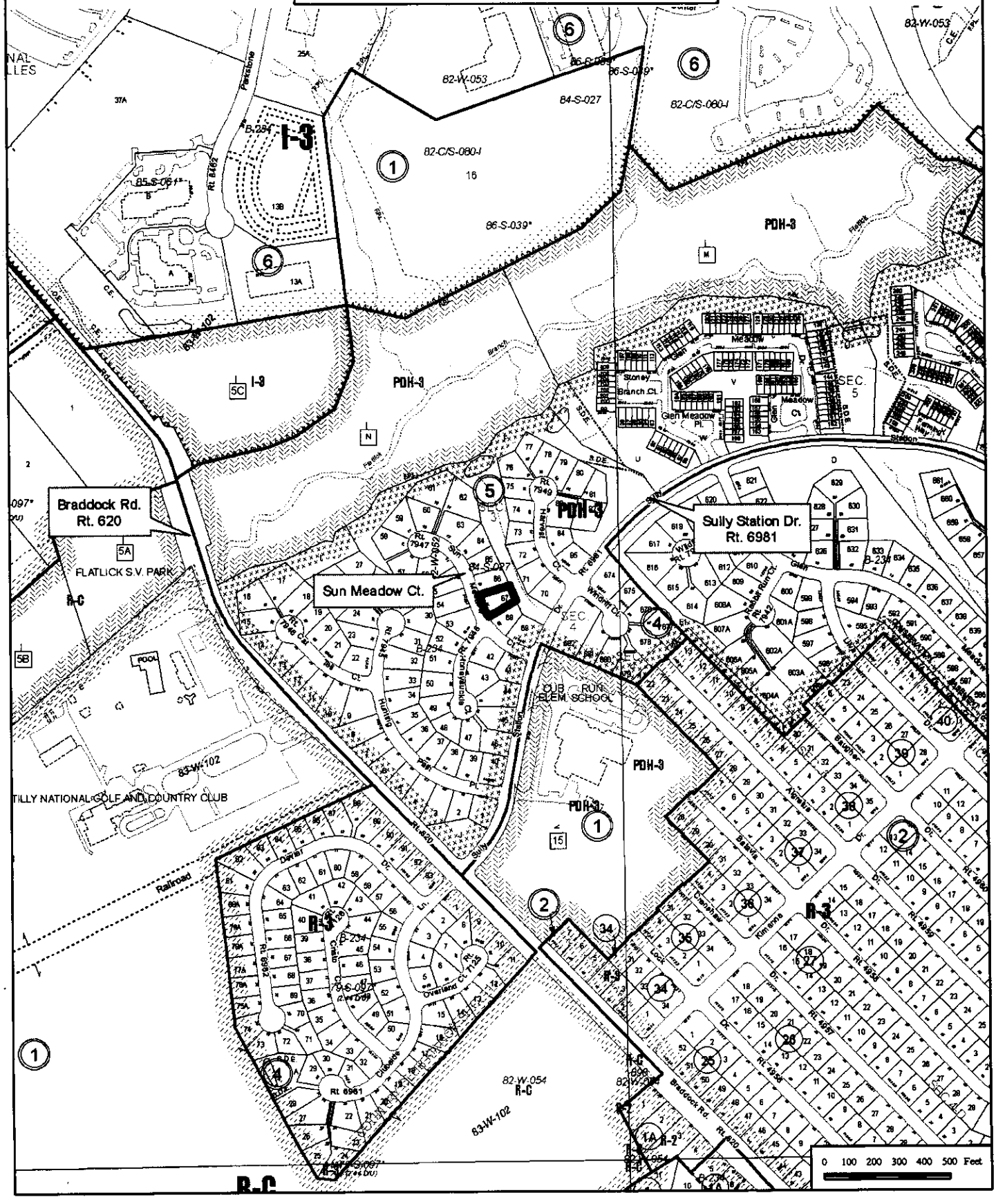
Special Permit
SP 2010-SU-026

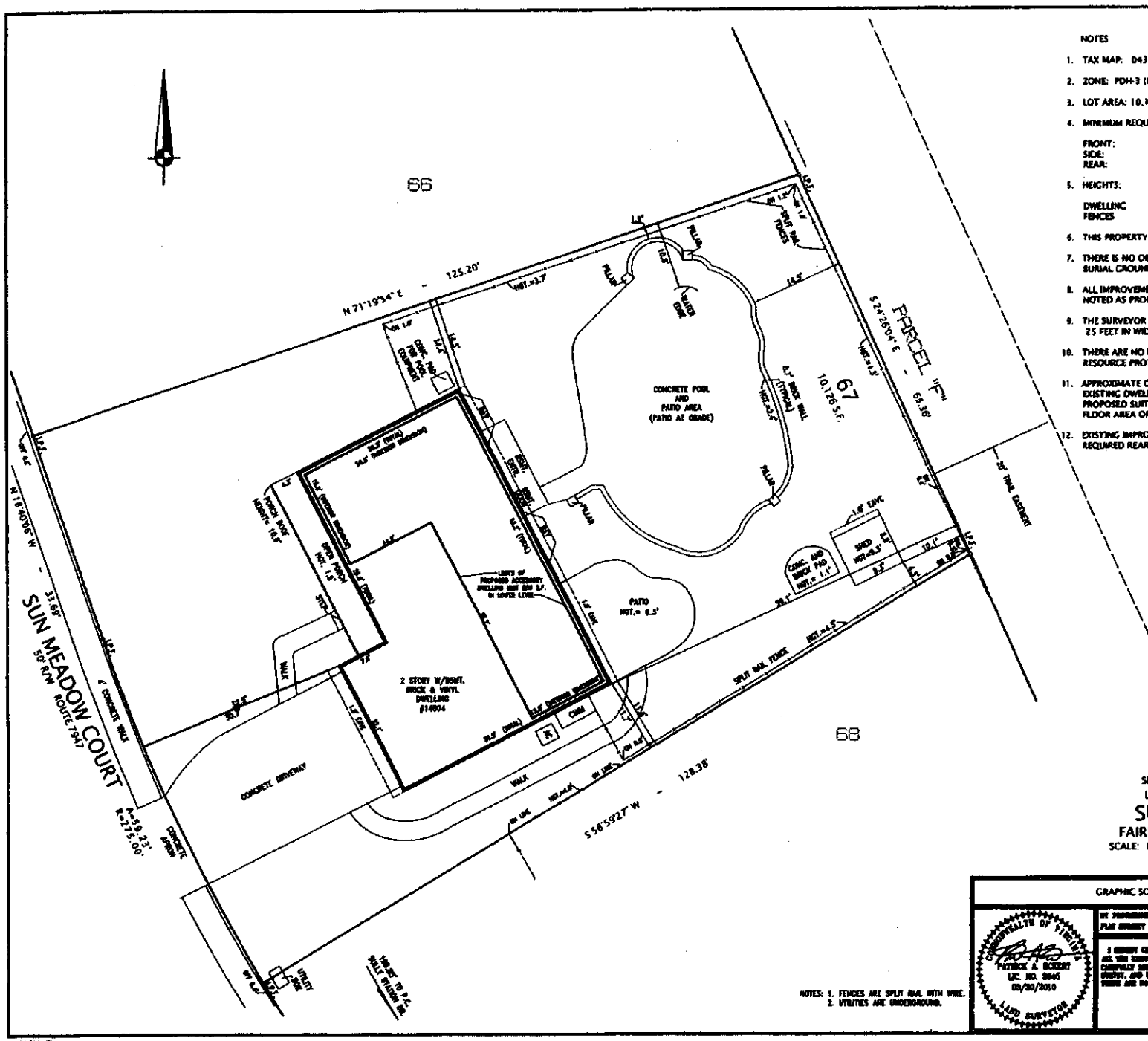
KAREN A. AMBROSE



Special Permit
SP 2010-SU-026

KAREN A. AMBROSE





NOTES

1. TAX MAP: 043-4-05-0067
2. ZONE: PDH-3 (RESIDENTIAL 3 DU/AC)
3. LOT AREA: 10,126 SQUARE FEET
4. MINIMUM REQUIRED YARDS:

FRONT:	-	20 FEET
SIDE:	-	8 FEET, 20 FEET TOTAL
REAR:	-	25 FEET

5. HEIGHTS:

DWELLING	-	20 FEET
FENCES	-	AS NOTED ON DRAWING

6. THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
7. THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
8. ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING UNLESS NOTED AS PROPOSED.
9. THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
10. THERE ARE NO FLOOD PLAINS, FLOOD HAZARD AREAS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
11. APPROXIMATE GROSS FLOOR AREAS (BASED IN PART ON EXTERIOR WALL DIMENSIONS)
    EXISTING DWELLING: 2,960 SQUARE FEET
    PROPOSED SUITE (ACCESSORY DWELLING UNIT) : 850 SQUARE FEET
    FLOOR AREA OF SUITE EQUALS 28.7% OF THE EXISTING FLOOR AREA
12. EXISTING IMPROVEMENTS COVER 25% OF THE AREA OF THE MINIMUM REQUIRED REAR YARD.

NOTES: 1. FENCES ARE SPLIT RAIL WITH WIRE.
2. UTILITIES ARE UNDERGROUND.

PLAT
SHOWING IMPROVEMENTS ON
LOT 67 SECTION 3
SULLY STATION
FAIRFAX COUNTY, VIRGINIA
SCALE: 1" = 10' NOVEMBER 17, 2009
MARCH 30, 2010 (REVISED)

GRAPHIC SCALE

COMMONWEALTH OF VIRGINIA
PATRICK A. ECKERT
LIC. NO. 2646
03/30/2010
LAND SURVEYOR

BY PROVISIONS OF THE VIRGINIA CODE NO COMMON MARKERS SET, BOUNDARY SURVEY NOT PERFORMED. PLAT SUBJECT TO REPRESENTATIONS OF RECORD AND NO TITLE REPORT IS FURNISHED.

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY DETERMINED BY A CURRENT FIELD SURVEY, AND UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.

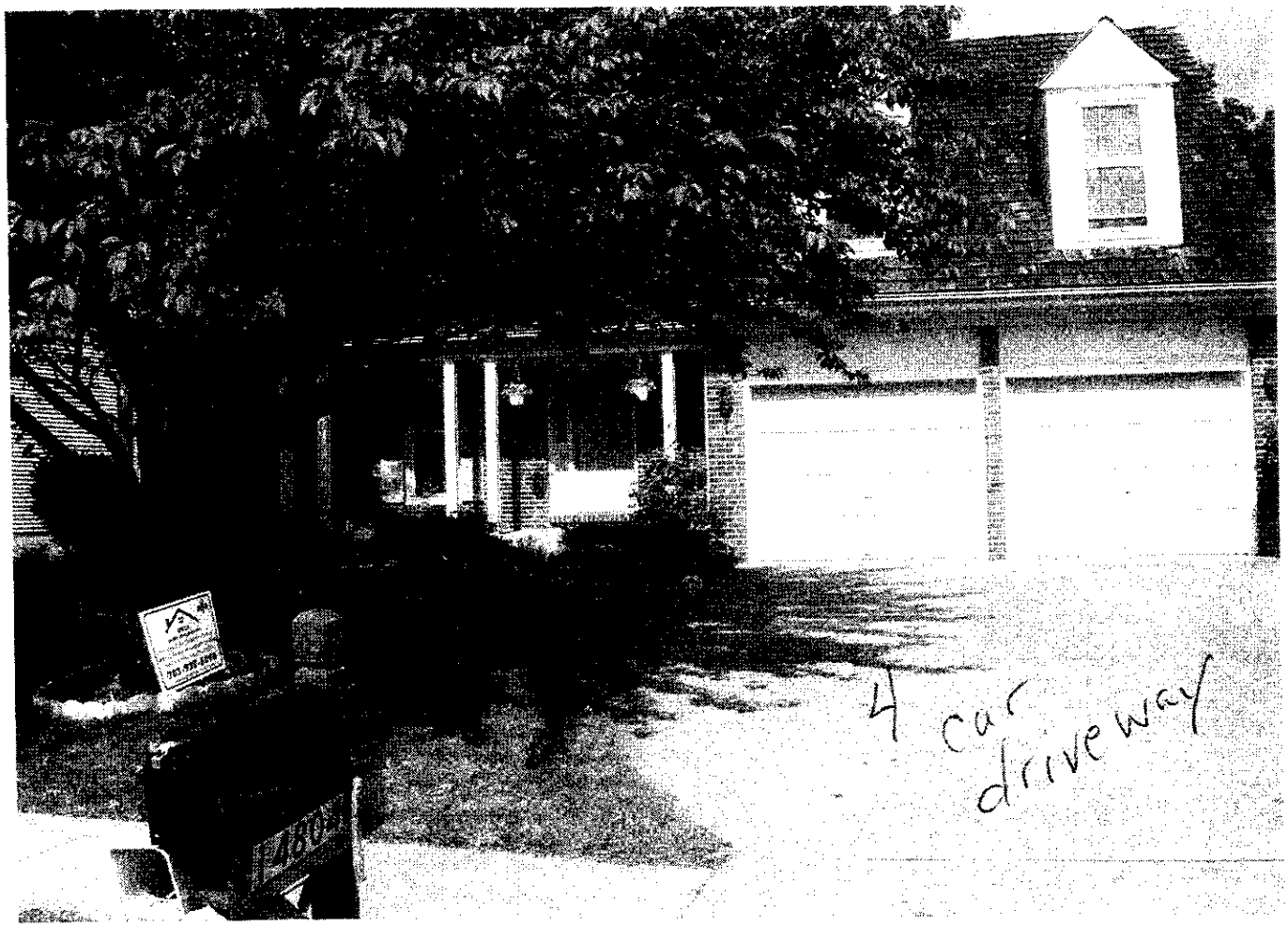
ALEXANDRIA SURVEYS
INTERNATIONAL, LLC
6218 NORTH KINGS HIGHWAY ALEXANDRIA, VIRGINIA 22303
TEL. NO. 703-660-6615 FAX NO. 703-768-7764

AA/11-F8

09-1755-SP

We placed the shed in the wooded area of our backyard to blend in w/ the surroundings. Our neighbor's shed is "next" to ours. We placed it within the tree clearing so no trees needed to be cut down. Our neighbors fence is on the back side of the shed and behind the tree. In order to get the shed further from the side lot line trees would have needed to be cut.

Note: the Back Lot Line borders wooded common area, not a neighbor.



4 car driveway

From Sun Meadow Ct.

Front view of 14804

8/26/09

From Sidewalk - (Front View)

Sidewalk leading to side gate between 14804 and 14802.

Karen D

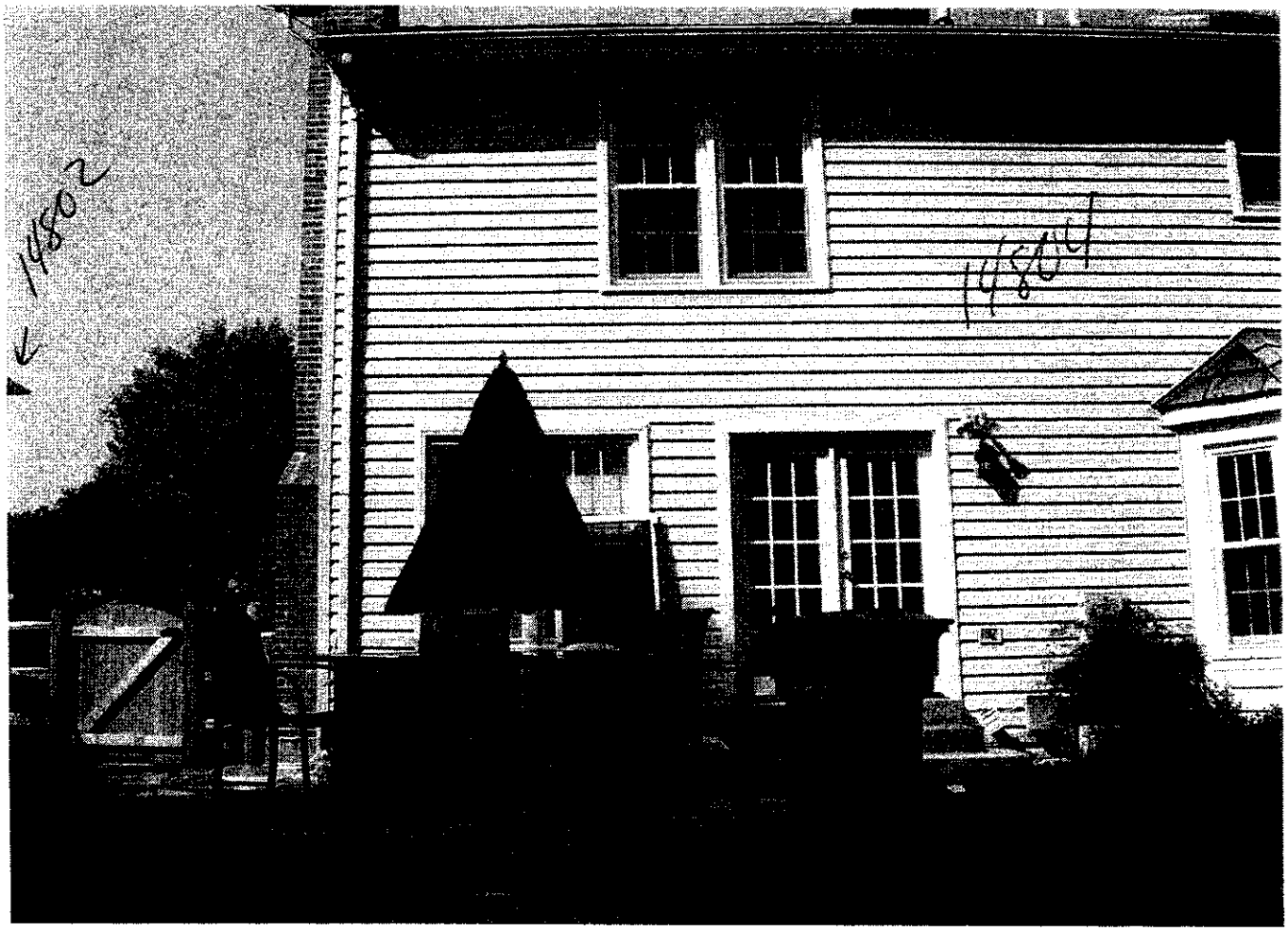
8/26/09

From front yard - Sidewalk to back yard and secondary dwelling unit -

between

14804 → 14802

Kenneth
8/24/09



From Pool Area (Rear View)
Side Entrance between 14804
and 14802

8/26/09

From Pool Area - (Rear View)

8/26/09

From Upper Deck –

½ depth of Woods ~~are~~ is in our yard.

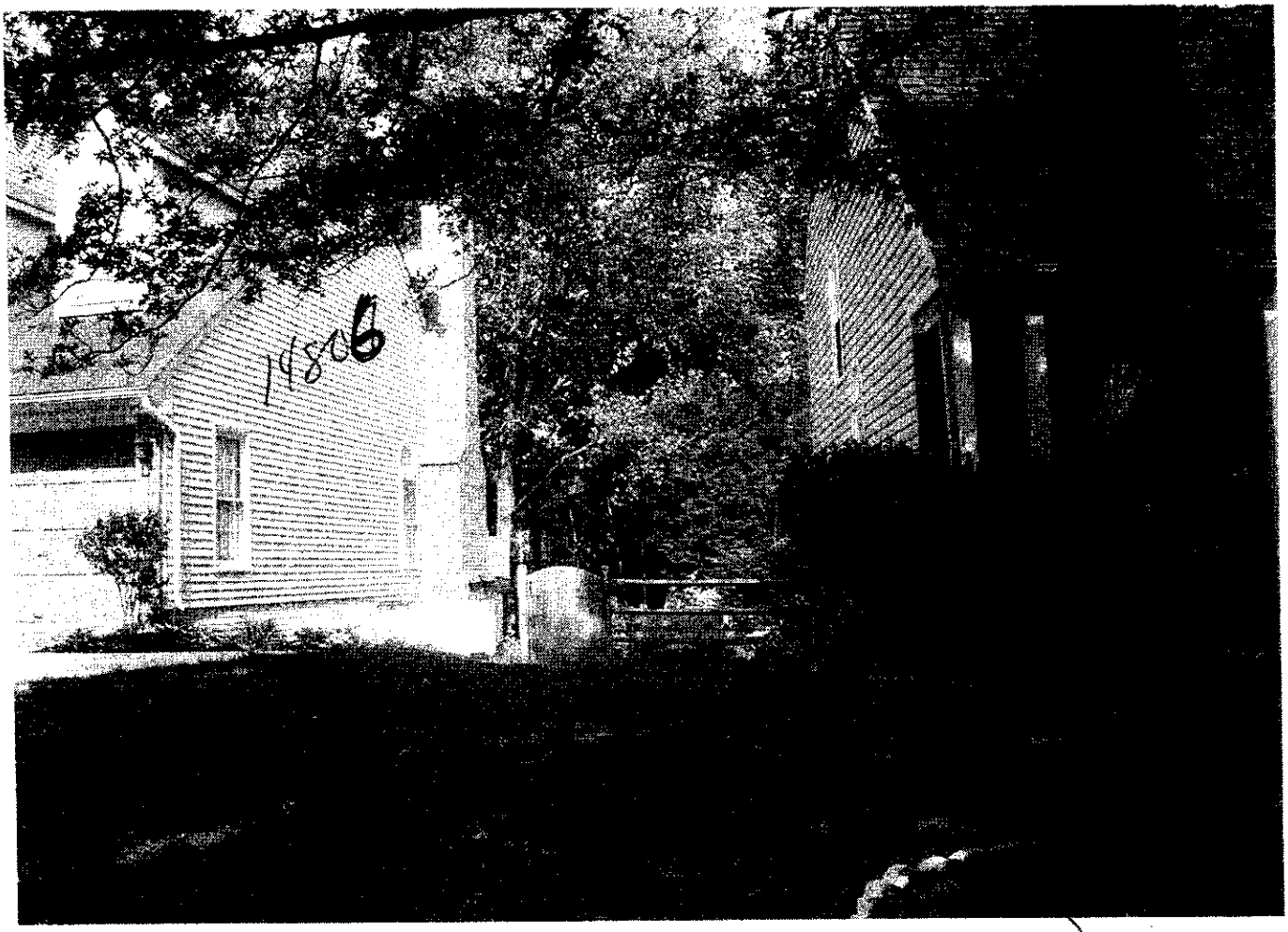
The other half (further back) is common ground and outside of our split rail fence.

8/24/09

From far side of pool

Back entrance for Secondary Dwelling Unit

8/26/09

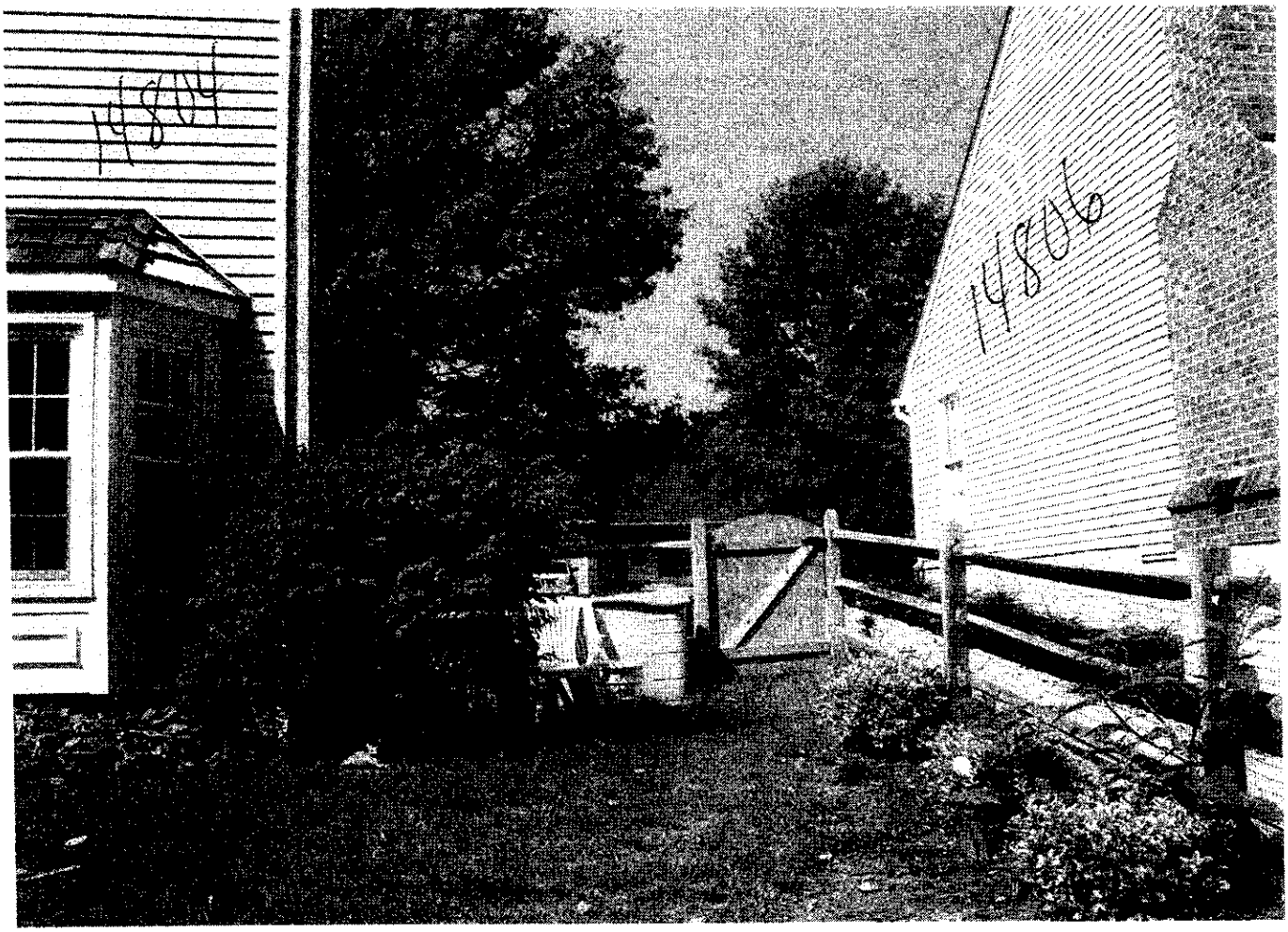


From Sidewalk — (Front View)

Side Entrance between 14804 and 14806

Kendra

8/25/09



From Pool area of 14804 –
Side Entrance between 14804
and 14806 (Rear View)

Karen Lee
8/25/09

From Upper Deck in Backyard

to 14806

8/26/09

14804 Rear Yard - Left ~~Half~~ from Pool Area

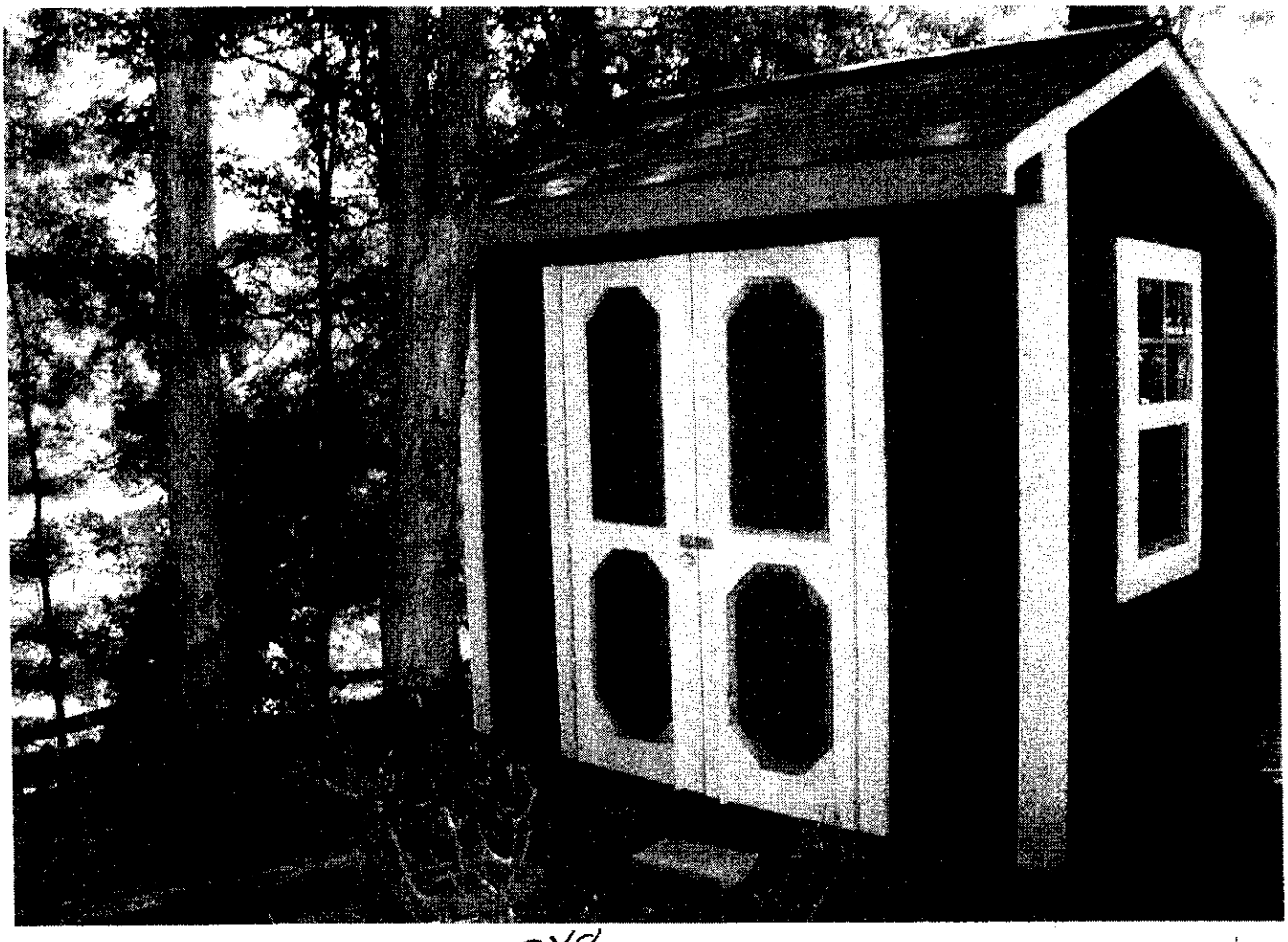
The trees behind the split rail fence are common ground/wooded area. 2 neighbors houses can be seen through the trees.

8/26/09

14804 Rear Yard - Right Half from Pool Area.

Trees Behind Split Rail Fence is "Common Ground". Between the trees you can see our neighbors house

8/26/09

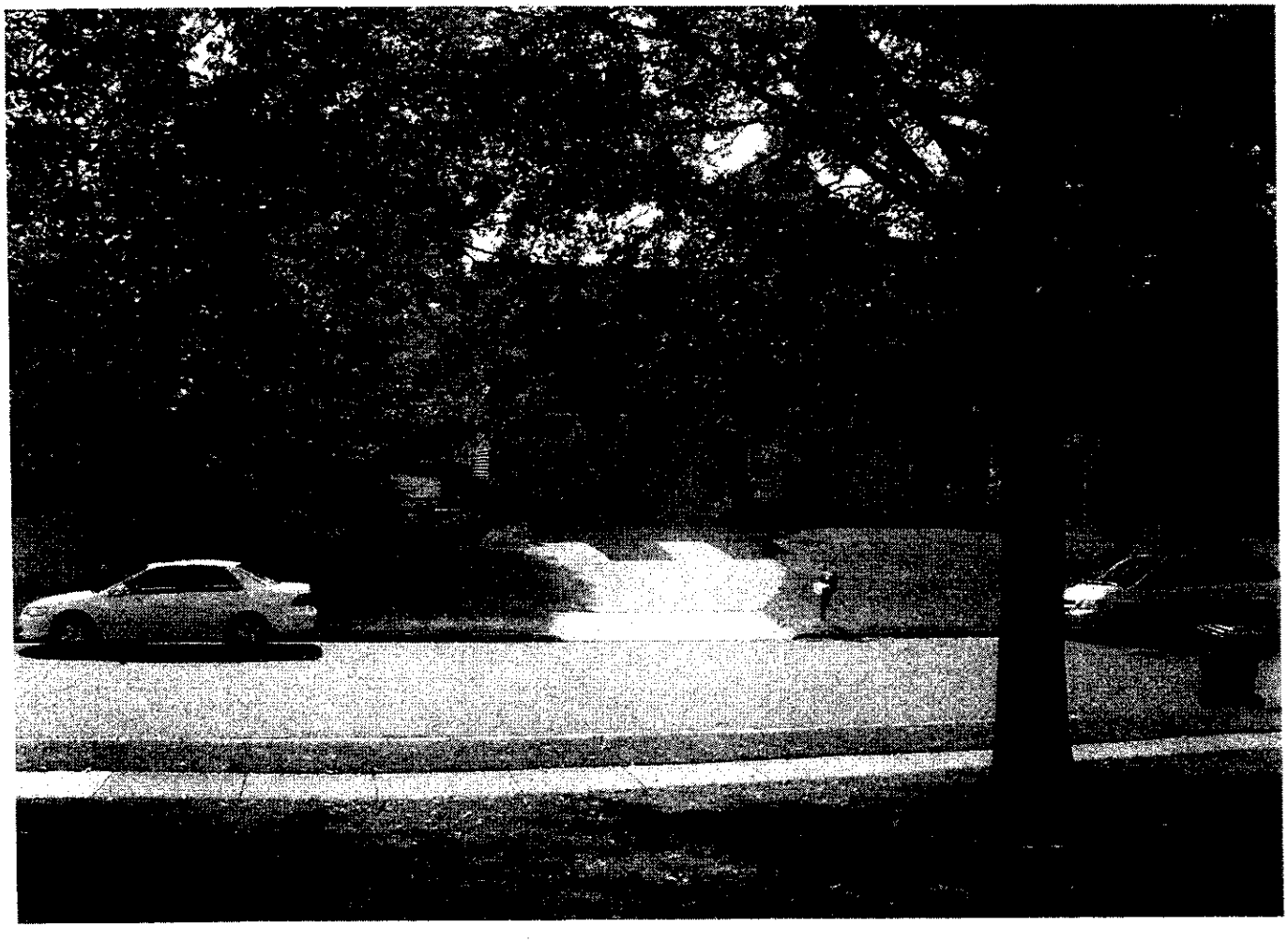


8X8
Newly constructed shed in backyard next to 14802's shed

Painting to be completed

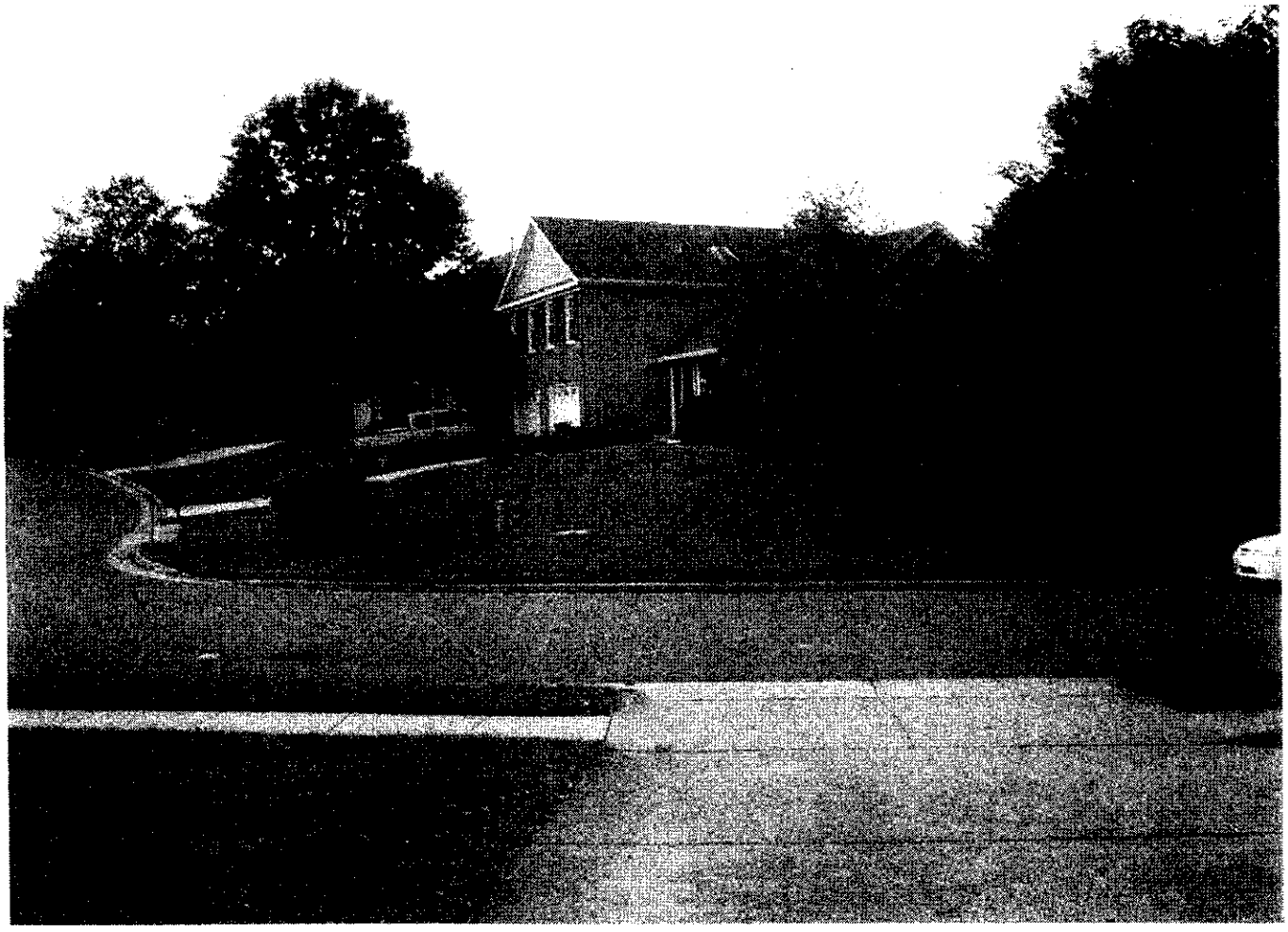
Taken from back yard - facing wooded common ground & neighbors yard.

8/26/09



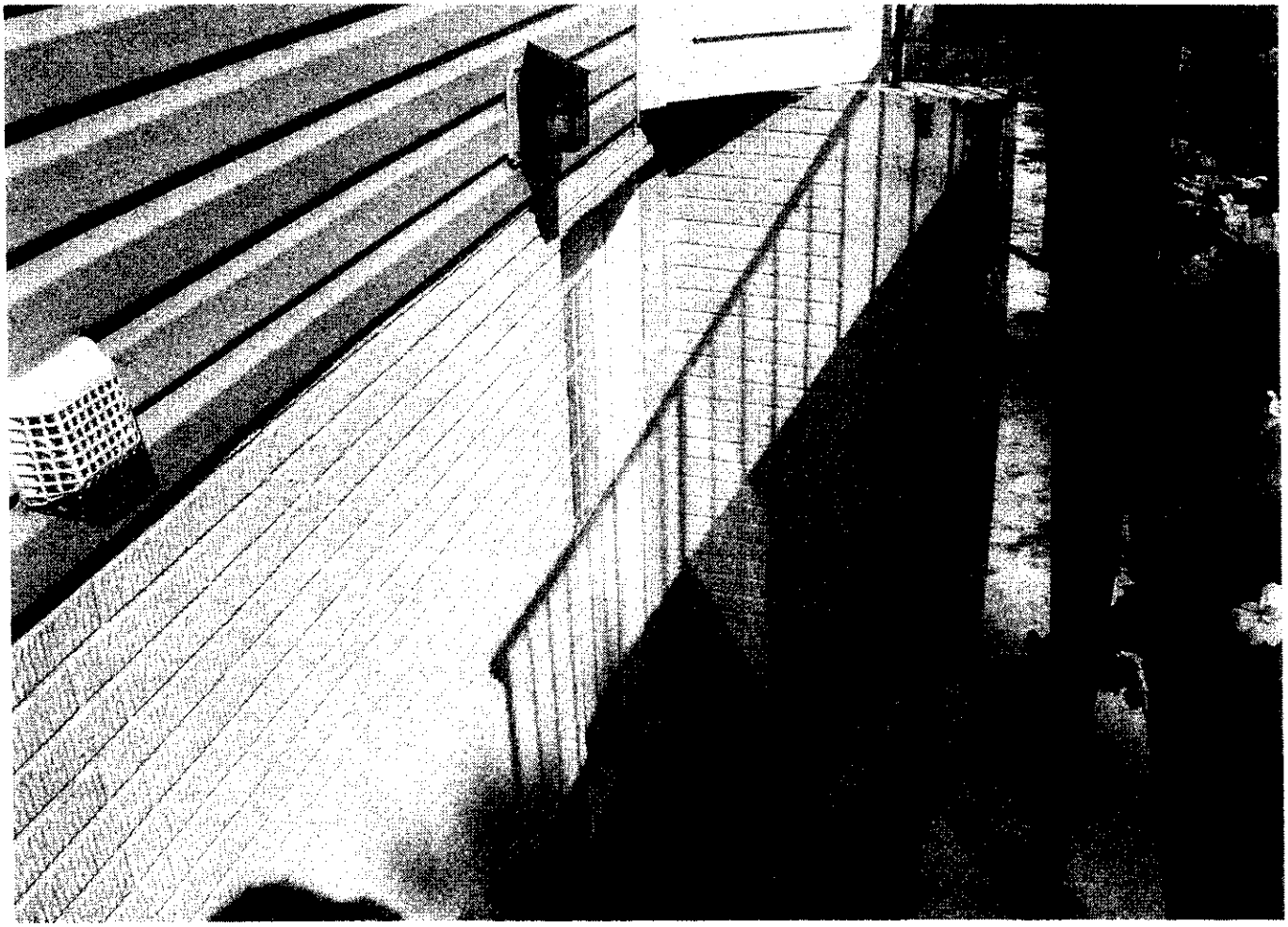
From Porch of 14804 Neighbors House at lot 54 on zoning map

8/24/09



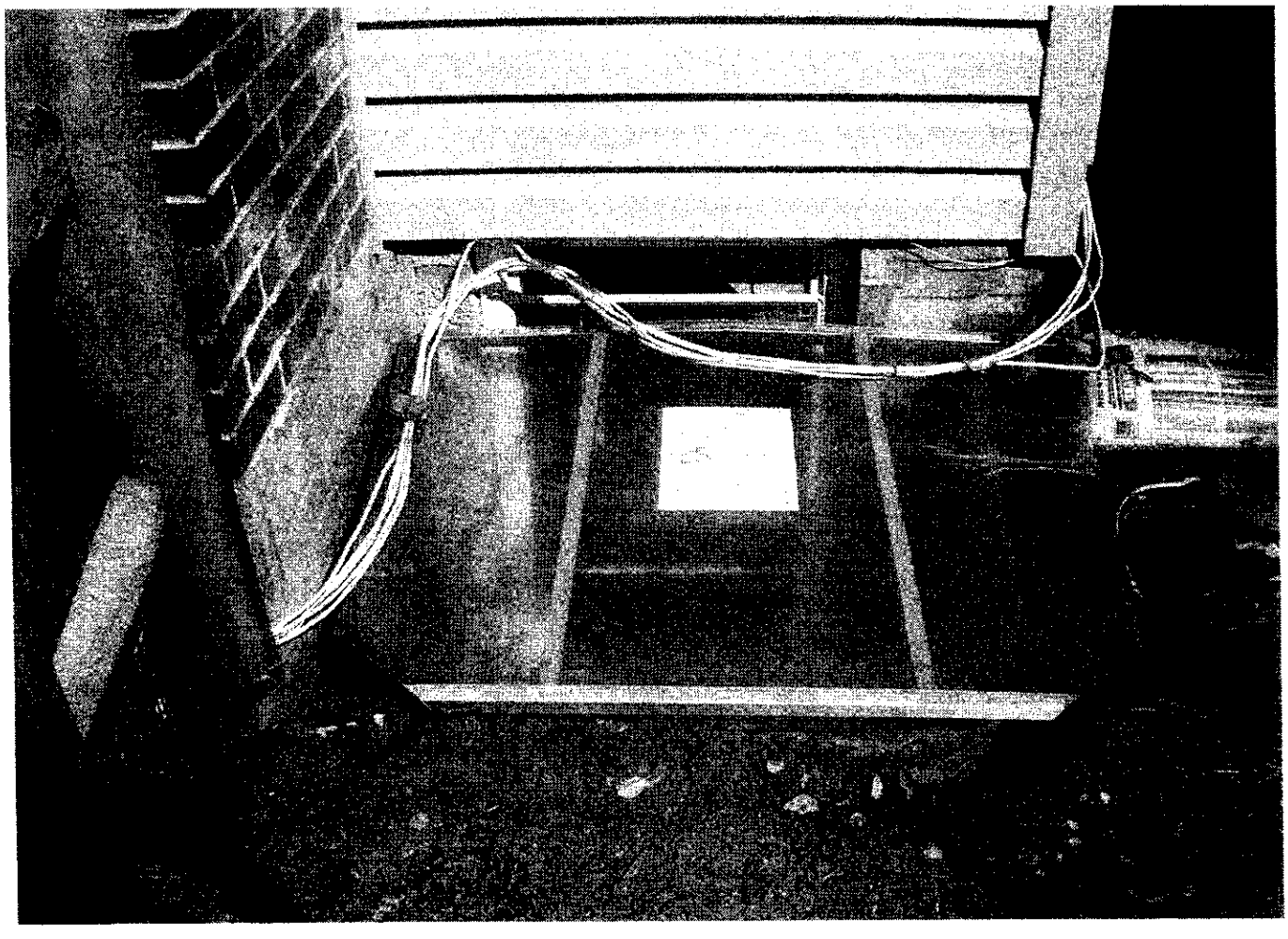
From Driveway of 14804 -
Facing House on lot 53 of
Zoning map.

8/26/09



14804 Secondary Dwelling Unit
Entrance - Back of House

8/26/09



Egress Window from side of house between 14804 and 14802

Wiring is for satellite and will be properly placed and secured when construction is finished.

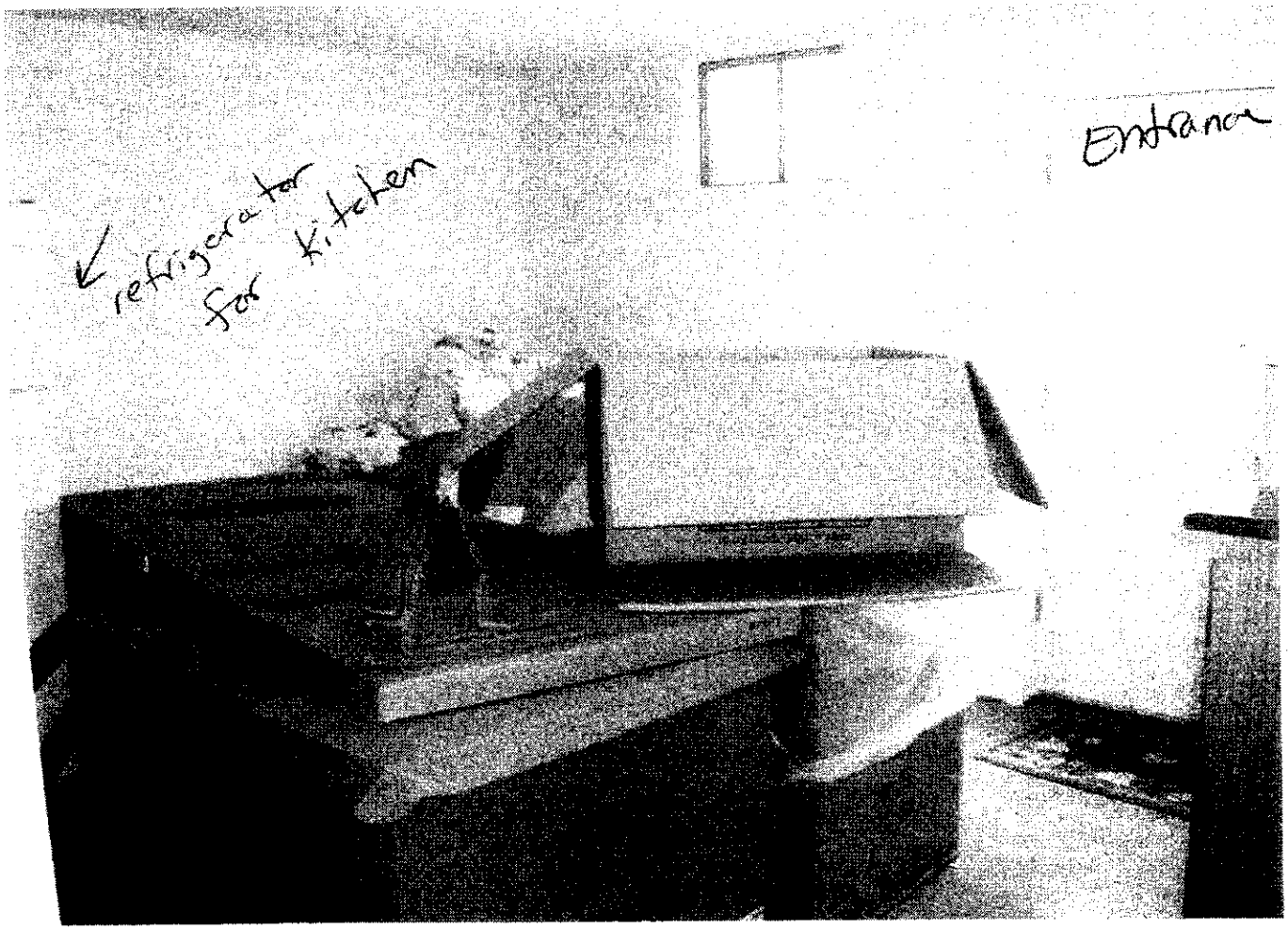
8/26/09

Secondary Dwelling Bedroom from doorway between kitchen and bedroom.

8/26/09

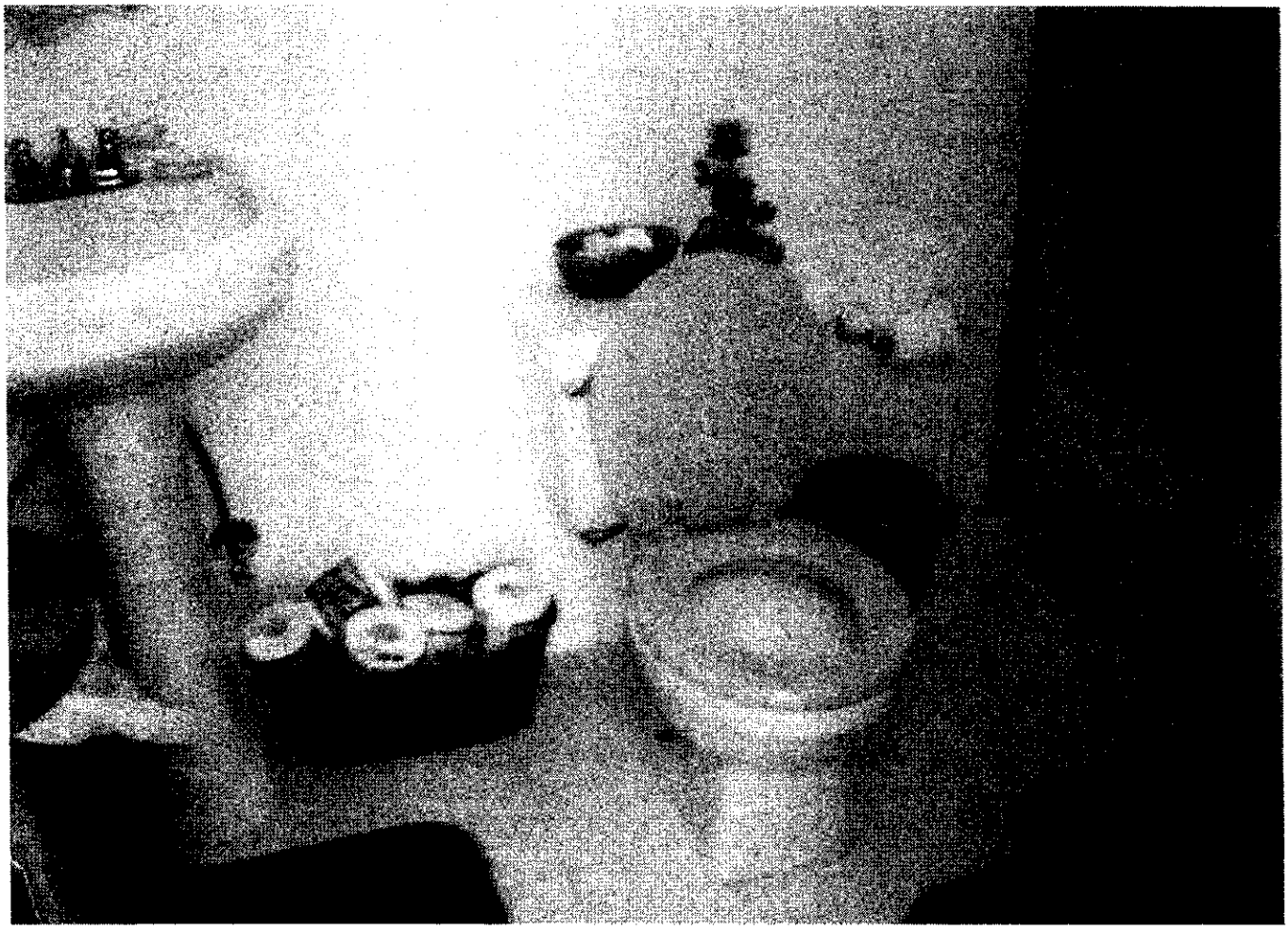
Laundry / Kitchen area from bedroom door.

8/26/09



This will be the living area after construction is finished.
Taken from hall between kitchen/laundry area and living area.
The bathroom is to the right of the door from this view.

8/24/09



Full Bathroom for 2nd Dwelling Unit

taken from doorway between bathroom and living area.

8/26/09

DESCRIPTION OF THE APPLICATIONS

Description of Error in Building Location Request

The applicant requests a special permit to permit reduction of minimum yard requirements based on error in building location to permit an accessory storage structure (shed) to remain 4.3 feet from the southern side lot line.

	Structure	Yard	Min. Yard Req.	Structure Location	Amount of Error	Percent of Error
Special Permit	**Shed**	Side (southern)	8.0 feet	4.3 feet	3.7 feet	46%

Description of Accessory Dwelling Unit Request

Special Permit Request: To permit an accessory dwelling unit.

Size of Principal Dwelling: 2,815 square feet of above grade living space

Size of Accessory Dwelling Unit: 850 square feet

Lot Size: 10,126 square feet

LOCATION AND CHARACTER

Existing Site Description

The application property is located at 14804 Sun Meadow Court in the Sully Station subdivision. The 10,126 square foot site is developed with a brick front, vinyl siding, split level, with a walkout basement, single family detached dwelling. A concrete driveway is accessed from Sun Meadow Court and terminates at the dwelling. Sully Station homeowners open space abuts the eastern lot line of the subject property and the open space is heavily wooded. There is an existing walkway to a concrete pool and at-grade patio, surrounded by a brick retaining wall, in a majority of the rear yard, though the minimum required rear yard coverage is only 25%. The remainder of the site contains a variety of mature shrubs and trees. No new construction is proposed for the dwelling.

Surrounding Area Description

Direction	Use	Zoning
North	Single Family Detached Dwellings	PDH-3
South	Single Family Detached Dwellings	PDH-3
East	Sully Station Community Associations – Homeowners Open Space	PDH-3
West	Single Family Detached Dwellings	PDH-3

BACKGROUND

Site History

County records indicate that the application dwelling was originally constructed in 1987.

The floor plan provided indicates the lower level of the split level dwelling will be used as the accessory dwelling unit. The applicant has installed an emergency ingress/ egress window in the proposed bedroom of the lower level to meet Residential Building Code standards. The basement is a walk-up with stairs leading to the rear yard.

As indicated in a Zoning Interpretation dated March 17, 2008, attached as Appendix 4, a patio or deck which is accessed by a walkway/sidewalk not more than five (5) feet in width shall be considered a detached, freestanding accessory structure and shall meet the location regulations set forth in Par. 12 of Sect. 10-104. The walkway leading from the house to the pool/patio area ranges in width from three (3) to four (4) feet; therefore, the meets this criteria and is permitted by-right.

ANALYSIS

Special Permit Plat (Copy at front of staff report)

Title of SP Plat: Plat Showing Improvements on Lot 67, Section 3, Sully Station

Prepared By: Alexandria Surveys International, LLC

Dated: November 17, 2009 as revised through March 30, 2010

Proposed Use

The applicant is requesting approval of a special permit for an accessory dwelling unit as well as approval to permit an existing 8 x 8 accessory storage structure to remain 4.3 feet from the southern side lot line. The storage structure meets the requirements of the Zoning Ordinance with regard to the rear lot line, as it measures 9.3 feet in height and is located 10.1 feet from the rear lot line. According to the applicant's statement of justification, and in staff review of the overall dimensions of the existing dwelling and proposed accessory dwelling unit, the 850 square foot accessory unit will be located on the lower level of a split level dwelling and will include one bedroom, a bathroom, a living area and a full eat-in kitchen, comprising 30.1 percent of the total square footage of the dwelling.

Currently, the applicant resides in the principal dwelling and her parents will reside in the accessory unit. The applicant's family currently has four (4) cars. The site can accommodate up to six (6) vehicles, four (4) in the driveway and two (2) in the garage. There are no proposed site modifications. The owner has stated that the request is to add a full second kitchen to accommodate her parents residing in the dwelling. Most of those components currently exist, without the benefit of a stove. The applicant and her parents are all over 55 years of age.

ZONING ORDINANCE PROVISIONS

The existing single family dwelling currently meets all proffered conditions and bulk regulations.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (See Appendix 5)

- General Special Permit Standards (Sect. 8-006)
- Group Standards for All Group 9 Uses (Sect. 8-903)
- Provisions for Approval of Reduction of the Minimum Yard Requirements Based on an Error in Building Location (Sect. 8-914)
- Additional Standards for Accessory Dwelling Units (Sect. 8-918)

Summary of Zoning Ordinance Provisions

All applicable standards for the accessory dwelling unit have been satisfied with the proposed development conditions.

CONCLUSIONS

Staff concludes that the subject application for an accessory dwelling unit is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proposed Development Conditions contained in Appendix 1 of the Staff Report.

RECOMMENDATIONS

Staff recommends approval of SP 2010-SU-026 for the accessory dwelling unit, subject to the Proposed Development Conditions in Appendix 1.

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

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.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification and Attachments
4. Zoning Interpretation dated March 17, 2008
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

SP 2010-SU-026

June 9, 2010

If it is the intent of the Board of Zoning Appeals to approve SP 2010-SU-026 located at Tax Map 43-4 ((5)) 67, to permit an error in building location and an accessory dwelling unit under Sections 8-914 and 8-918 to the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant only, Karen A. Ambrose, and is not transferable without further action of this Board, and is for the location indicated on the application, 14804 Sun Meadow Court (10,126 square feet), and is not transferable to other land.

2. This special permit is granted only for the purposes, structures and/or uses indicated on the plat prepared by Alexandria Surveys International, LLC, dated November 17, 2009, as revised through March 30, 2010, and approved with this application, as qualified by these development conditions.

3. A copy of this special permit SHALL BE POSTED in a conspicuous place on the property of the use and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

4. The occupants of the principal dwelling and the accessory dwelling unit shall be in accordance with Par. 5 of Sect. 8-918 of the Zoning Ordinance which states in part that one of the dwelling units shall be occupied by a person or persons who qualify as elderly (55 years of age or older) and/or permanently and totally disabled.

5. The accessory dwelling unit shall contain a maximum of 850 square feet, and the layout shall be as depicted on the floor plan included as Attachment 1 to these conditions.

6. All applicable building permits and final inspections shall be obtained for construction of the kitchen in the accessory dwelling unit prior to occupancy.

7. Provisions shall be made for the inspection of the property by County personnel during reasonable hours upon prior notice and the accessory dwelling unit shall meet the applicable regulation for building, safety, health and sanitation.

8. The accessory dwelling unit shall be approved for a period of five (5) years from the final approval date of the special permit and may be extended for five (5) year periods with prior approval of the Zoning Administrator in accordance with Section 8-012 of the Zoning Ordinance.

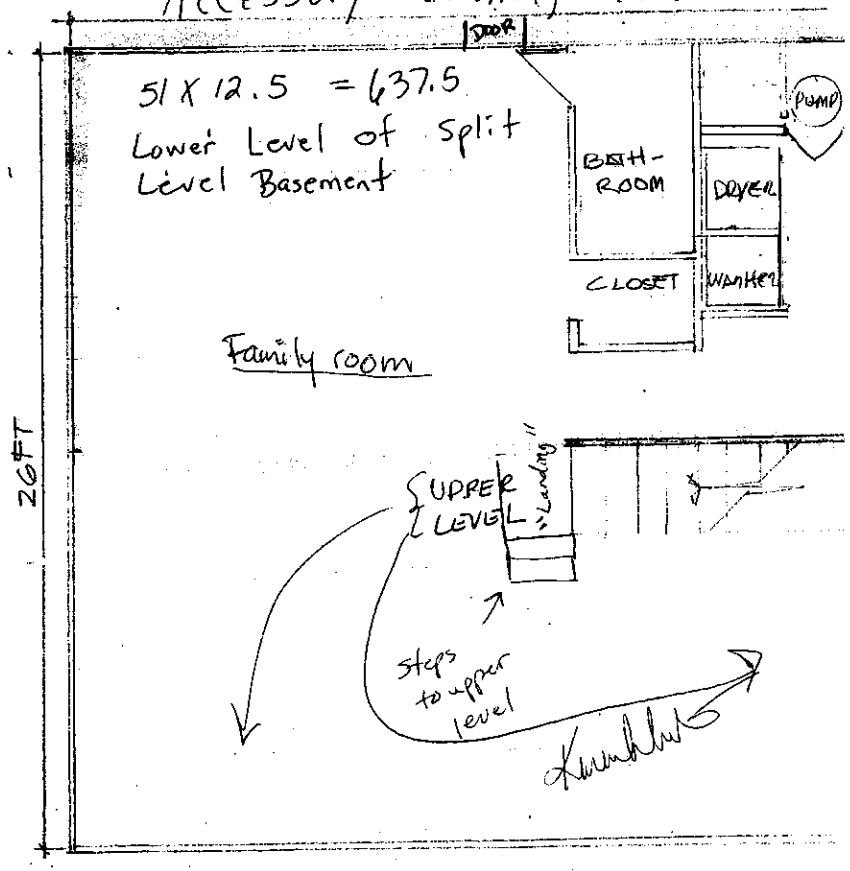
9. If the use of the accessory dwelling unit ceases and/or the property is sold or otherwise conveyed, the accessory structure shall be converted to a use permitted by the Zoning Ordinance or if the property is sold or conveyed, a special permit amendment may be submitted to permit the continued use of an accessory dwelling unit.

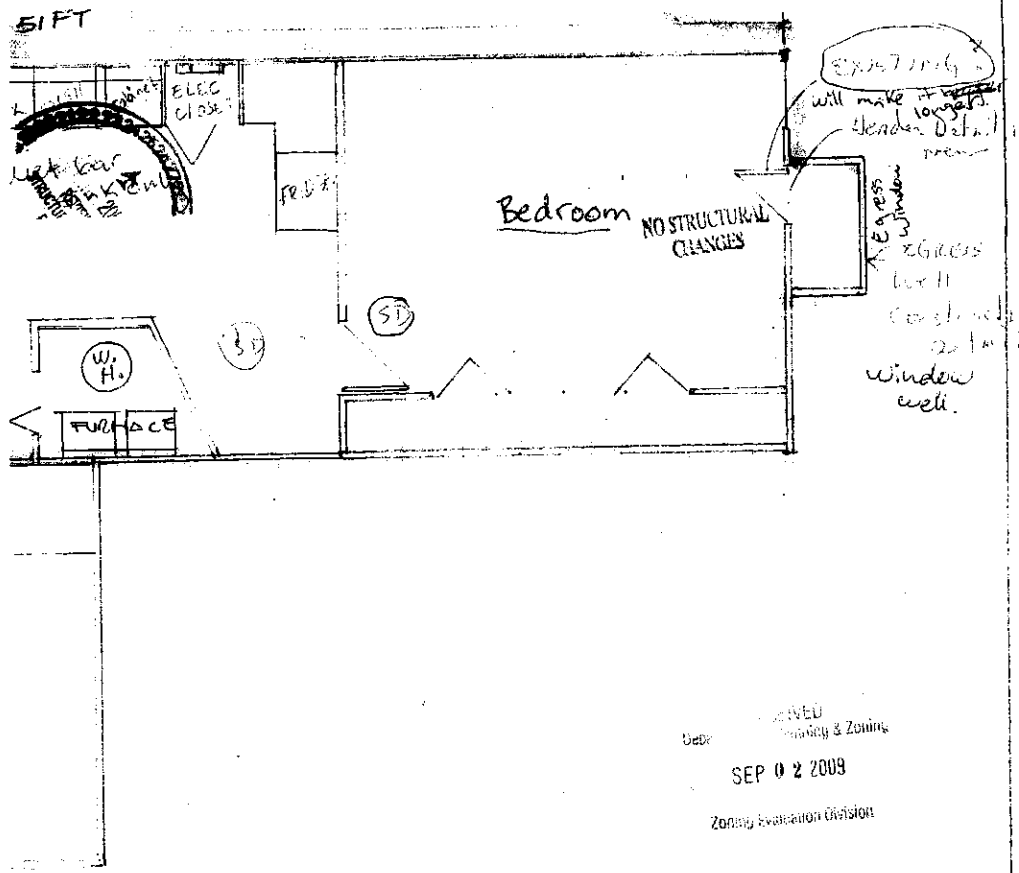
10. Parking shall be provided on site as shown on the special permit plat.

This approval, contingent on 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 the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use 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.

Accessory Dwelling Unit





RECEIVED
Zoning & Zoning
SEP 0 2 2009
Zoning Evaluation Division

DESIGNER

e: Fausto Mendez
ess: 8057 Paper Birch Dr
cton, VA
ipation: Painter
Address: 14804 Sun Meadow Ct

AMBROSE RESIDENCE		
SCALE 1:40	APPROVED BY:	DRAWN BY: FAUSTO MENDEZ
DATE: 05-11-09		

PROPOSED BASEMENT

14804 SUN MEADOW CT.
CENTREVILLE VA. 20120

ATTACHMENT 1

Application No.(s): SP2010-SU-026
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/28/09
(enter date affidavit is notarized)

I, Karen A. Ambrose, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) [X] applicant
[ ] applicant's authorized agent listed in Par. 1(a) below

105857

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)
Karen A. Ambrose	14804 Sun Meadow Ct. Centreville, Va 20120	Applicant/Title Owner
David W. Ambrose	same	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 2010-SU-026

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/28/09

(enter date affidavit is notarized)

105857

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)

NONE

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)

NONE

(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 2010-SU-026

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/28/09

(enter date affidavit is notarized)

105857

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)**

NONE

(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 2010-SU-026

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/28/09 105857

(enter date affidavit is notarized)

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:

[X] 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 2010-SU-026

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/28/09 105857

(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: Karen A. Ambrose

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

Karen A. Ambrose

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 28th day of August 20 09, in the State/Comm. of Virginia, County/City of Fairfax.

Nora L. Perez

Notary Public

My commission expires: 12/31/2011

NORA L. PEREZ NOTARY PUBLIC COMMONWEALTH OF VIRGINIA Reg. No. 7113202

FORM SP/VC-1 Updated (7/1/06)

SP-2009-0230

Additional Statement of Justification - 2/9/10

Regarding Standards 8-914 – error in building location for shed and brick wall

These 2 issues of non-compliance were done in good faith.

1. Brick wall – When we purchased this home it already had an in ground pool with a partial wood retaining wall. (See original plat submission. The plat labels it as a picket fence. The enclosed photo shows it was a retaining wall with a fence.) We completed the retaining wall to include all areas of sloped land and changed the wood to brick to be sturdier, to stop the run off, and to aesthetically match the surroundings. (patio w/brick)

   This wall:
   i. was done prior to applying for a secondary dwelling unit (Nov. 2008)
   ii. would create a major hardship to remove
   iii. does not create an unsafe condition
   iv. is not detrimental to the adjoining properties (letters enclosed)

2. Shed – We followed the guidelines available through our HOA to the best of our understanding. We purchased the largest size allowable without a permit. (8x8)
   We placed the shed in a non obtrusive area of our backyard. We maintained the wooded area of our lot. (Trees were not cleared for this project.)

   This shed:
   - was done prior to applying for a secondary dwelling unit (5/09)
   - would create a major hardship to move (trees would have to be cleared)
   - does not create an unsafe condition
   - is not detrimental to the adjoining properties (letters enclosed)

Enclosed documentation:

- Photo of prior pool retaining wall
- Invoice for new wall materials (11/08)
- Photo of shed location
- Invoice for shed (5/09)
- Letters from neighbors

Note: Our back lot line borders common property that is wooded.

Original Justification Follows:

I am requesting an Accessory Dwelling Unit Permit so my parents may move in with me and my husband. My parents are 79 and 80 years old and have no relatives living in their immediate vicinity.

There will be minimal impact on the traffic as my parents rarely drive. We have a 2 car garage and a 4 car driveway. Currently, we have 3 cars and the addition of my parent's car will make only 4.

The accessory dwelling unit will occupy part of the basement. We have a 3 floor house but each floor is a split level. (front/higher level to back/lower level) The accessory dwelling unit will consist of the floor space on the lower level of the basement. It will have 4 rooms consisting of a living area, a full bathroom, a kitchen/laundry area, and a bedroom.

This dwelling unit does not create any violations to the Virginia Department of Environmental Quality Hazardous Waste Management Regulations.

It adheres to all the applicable General Standards of 8-006 and 8-903. The additional standards for an accessory dwelling unit in 8-918 are met as follows:

1. 14804 Sun Meadow Ct. is a single family detached dwelling and we are requesting only one accessory dwelling unit.

2. The accessory dwelling unit will be located within the structure of 14804 Sun Meadow Ct. and the external entrance is located in the rear.

3. The gross floor area of the accessory dwelling unit will not exceed 35% of the total floor gross area of the principal residence which is 2354 sq. feet. It will be 637.5 square feet which is 27 % of the principal residence area.

4. The accessory dwelling unit will not contain more than 2 bedrooms. It will have only one bedroom.

5. A. The occupants of the principal residence are the owners, Karen and David Ambrose.

   B. Karen is 57 years old and lives in the principal residence. The persons who will be occupying the accessory dwelling unit are 79 and 80 years old.

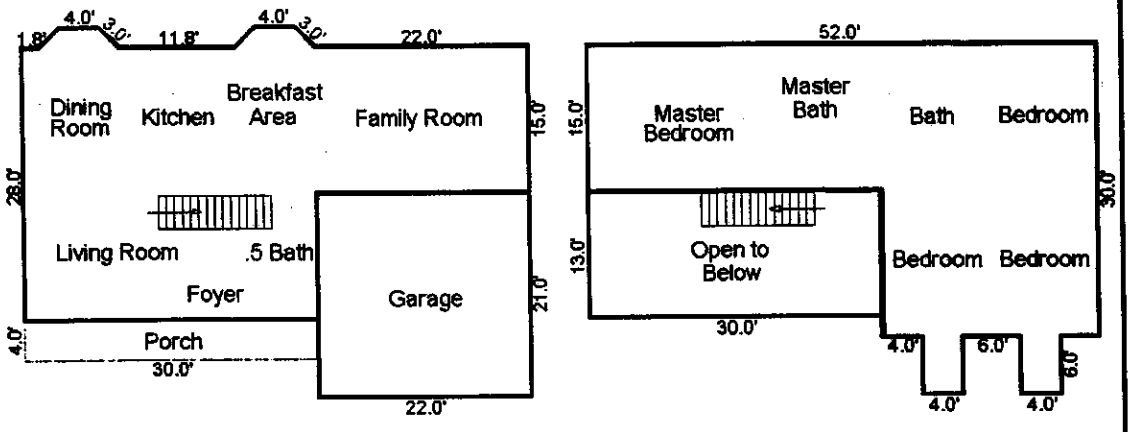
   C. The persons who will occupy the accessory dwelling unit are both blood related to one of the owners of the principal residence. (Karen)

Items 6 – 13 of 8-918 appear to be also satisfied in our request for an accessory dwelling unit.

SKETCH ADDENDUM

File No. REA906019

Borrower/Client Ambrose, Karen A. & David W.
Property Address 14804 Sun Meadow Court
City Centreville County Fairfax State VA Zip Code 20120-1226
Lender Quicken Loans



First Floor

Second Floor

Comments

AREA CALCULATIONS SUMMARY

Code	Description	Net Size	Net Totals
GLA1	First Floor	1195.6	1195.6
GLA2	Second Floor	1158.0	1158.0
P/P	Porch	120.0	120.0
GAR	Garage	462.0	462.0
Net LIVABLE Area		(Rounded)	2354

LIVING AREA BREAKDOWN

Breakdown				Subtotals
First Floor				
	15.0	x	22.0	330.0
	28.0	x	28.2	789.6
	2.1	x	4.0	8.4
0.5 x	2.1	x	2.1	2.2
0.5 x	2.1	x	2.1	2.2
	2.1	x	4.0	8.4
0.5 x	2.1	x	2.1	2.2
0.5 x	2.1	x	2.1	2.2
	1.8	x	28.0	50.4
Second Floor				
	4.0	x	6.0	24.0
	4.0	x	6.0	24.0
	15.0	x	52.0	780.0
	15.0	x	22.0	330.0
13 Items			(Rounded)	2354

Borrower/Client Ambrose, Karen A. & David W.

Property Address 14804 Sun Meadow Court

City Centreville County Fairfax State VA Zip Code 20120-1226

Lender Quicken Loans

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
COMMONWEALTH OF VIRGINIA

EXPIRES ON
07-31-2011

9960 Mayland Dr., Suite 400, Richmond, VA 23233
Telephone: 1 (804) 367-8500

NUMBER
4001 009878

REAL ESTATE APPRAISER BOARD
CERTIFIED RESIDENTIAL REAL ESTATE APPRAISER

CHRISTIAN HENRI MANACHI
6520 WHEAT MILL WAY

CENTREVILLE VA 20121

Jay W. DeBoer, Director

ALTERATION OF THIS DOCUMENT, USE AFTER EXPIRATION, OR USE BY PERSONS OR FIRMS OTHER THAN THOSE NAMED MAY RESULT IN CRIMINAL PROSECUTION UNDER THE CODE OF VIRGINIA.

(SEE REVERSE SIDE FOR NAME AND/OR ADDRESS CHANGE)

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor

Thomas E. Perez
Secretary

LICENSE, REGISTRATION, OR CERTIFICATION

State of Maryland

DEPARTMENT OF LABOR, LICENSING AND REGULATION
COMMISSION OF RE APPRAISERS & HOME INSPECTORS
CERTIFIES THAT
CHRISTIAN HENRI MANACHI

SIGNATURE OF BEARER

IS AN AUTHORIZED LICENSED APPRAISER

LIC. REG. CERT. NO	EXPIRATION DATE	EFFECTIVE DATE	CATEGORY	
28168	08-08-2011	N/A	02	3720781

WHERE REQUIRED BY LAW THIS MUST BE CONSPICUOUSLY DISPLAYED IN OFFICE TO WHICH IT APPLIES

KMS Storage Sheds
8665 Sudley Road #266
Manassas, VA 20110
(703) 980-6611
www.kmssheds.com

RECEIVED
Department of Planning
MAR 15 2010
Zoning Evaluation Division

INVOICE

DATE	INVOICE NO.
5-27-09	1309

BILL TO:

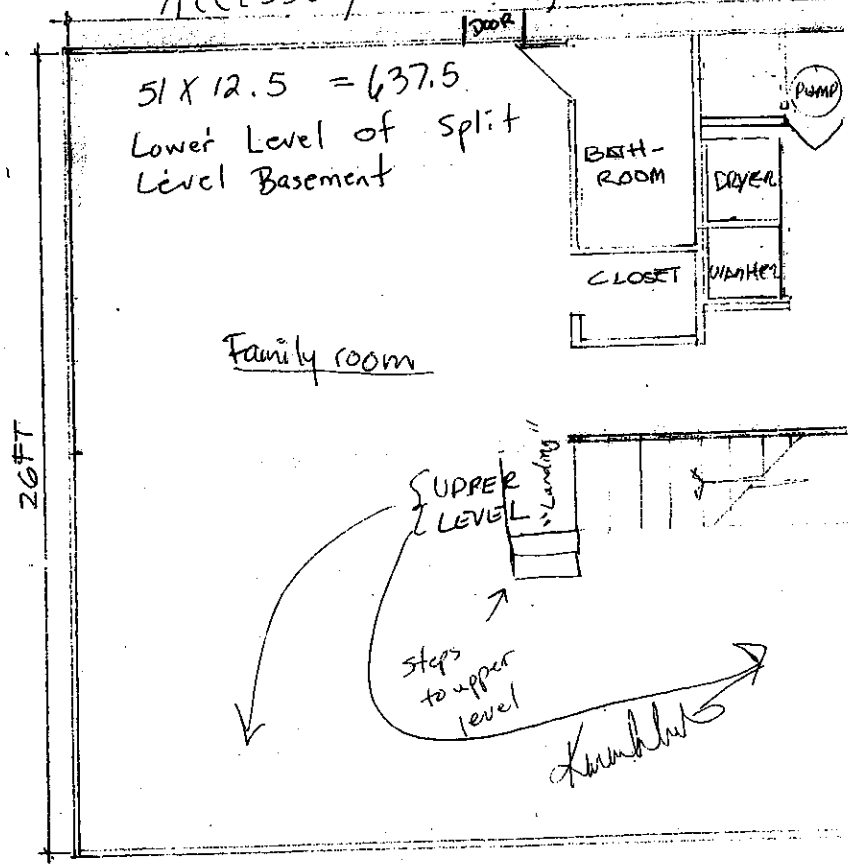
Dave Ambrose
14804 Sun Meadow Ct.
Centreville, VA 20120
703-906-1796

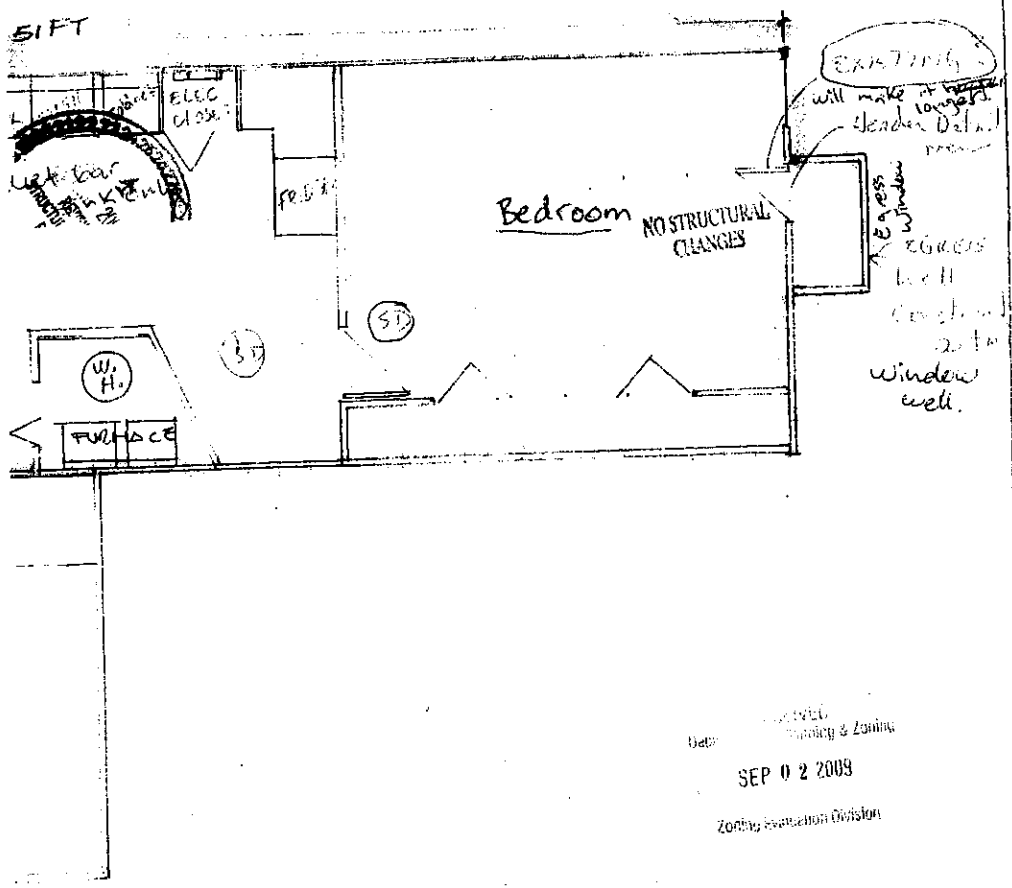
TERMS	REP
Due On Receipt	MB

ITEM	QTY	DESCRIPTION	RATE	AMOUNT
080808E	1	8'x8'x8' Elite Storage Shed	$1760.00	$1589.00 sale price
	1	8' ridge vent		included
	1	8' workbench		included
	1	8' shelf		included
	1	Single hung window with grids		$139.00
		PLEASE MAKE TWO CHECKS:		
		KMS STORAGE SHEDS $ 990.50 ck# 2270		
		Milton Briggs $ 790.00 ck# 2271		
			SUBTOTAL	$1728.00
			TAX	52.50
			TOTAL	$1780.50

pd in full
5/28

Accessory Dwelling Unit





SEP 0 2 2009

Zoning Administration Division

DESIGNER

e: Fausto Mendez
ess: 8057 Paper Birch Dr
r ton, VA
ipation: Painter
Address: 14804 Sun Meadow Ct

AMBROSE RESIDENCE

SCALE 1:40	APPROVED BY:	DRAWN BY: FAUSTO MENDEZ
DATE: 05-11-09		

PROPOSED BASEMENT

14804 SUN MEADOW CT.
CENTREVILLE VA. 20120

Kimberly Nelson
14806 Sun Meadow Court
Centreville, VA 20120

March 7, 2010

TO: Department of Planning and Zoning

Reference: Permit Application #SP2009-0230
Location: 14804 Sun Meadow Court; Centreville, VA 20120
Owners: Dave and Karen Ambrose
Purpose of Permit: Dwelling Unit and Reduction to Minimum Yard Space

I am the neighbor of Dave and Karen Ambrose. This is a confirmation that I am aware that their pool is closer than normal to our property line, and that I am fine with the location of their pool. It does not infringe or impact my property line in any negative way.

If you have any additional questions on this matter, please contact me at (703) 923 – 4687.

Sincerely,

Kimberly Nelson

RECEIVED
Department of Planning & Zoning
MAR 15 2010
Zoning Evaluation Division

February 8, 2010
14802 Sun Meadow Court
Centreville, Va. 20120

Department of Planning and Zoning
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22035-5509

Ms. Virginia Ruffner, Planner III

We are the owner/occupants of 14802 Sun Meadow Court. We are writing to you regarding the following matter:

- Reference: Permit Application #SP2009-0230
- Location: 14804 Sun Meadow Court
- Owners: Dave and Karen Ambrose
- Purpose: Accessory Dwelling Unit and Reduction to Minimum Yard Space
- **We have no objections or concerns regarding the above permit application or the Reduction to Minimum Yard Space issue.**

Please let us know if you have any questions on this matter that we could clarify or provide additional information.

Sincerely,

David B. Wilson

Julie A. Wilson

703-815-1204
wilsondj1@cox.net

RECEIVED
Department of Planning & Zoning
MAR 15 2010
Zoning Evaluation Division

Zoning Administrator Interpretation Re: Decks
Effective March 17, 2008

DECK: Any patio, balcony, terrace, gallery, veranda, piazza, porch, portico or similar projection from an outer wall of a building, other than a carport as defined herein. A deck shall include any associated stairs. A deck shall have no enclosure, other than the side(s) of the principal building to which it is attached; provided, however, a deck may have an 'open-work' railing or wall, not over four (4) feet in height, with at least fifty (50) percent of the area thereof open in an evenly distributed pattern.

- **DECK, OPEN**: Any deck which is unroofed.

- **DECK, ROOFED**: Any deck that is either completely or partially roofed, even by open beams or lattice work. A roofed deck shall have no enclosure other than the side(s) of the principal building to which the deck is attached, the minimum required supports for the roof and a railing as permitted above.

Based on the Zoning Ordinance definition of deck, in most cases, a deck with any type of enclosure including, but not limited to, a roof, trellis, support poles/posts or lattice work is deemed to be an addition for zoning purposes and must meet the minimum yard requirements for the zoning district in which located. Only an open deck or a roofed deck which meets the height requirements set forth in Par. 2C and 3C of Sect. 2-412 shall be permitted to extend into the minimum required yards in accordance with the provisions of Sect. 2-412.

A deck or at grade patio, veranda, terrace, etc. would only be considered a freestanding accessory structure and subject to the location regulations set forth in Sect. 10-104 if there is a minimum separation from the principal structure of at least 12 inches. *(Note: 12 inches has been determined by DPWES to be the minimum width necessary to create a separate outlot, commonly referred to as a "spite strip," along the street boundary of a lot to keep the lot from becoming a corner or through lot).*

Further, a patio or deck which is accessed by a walkway/sidewalk not more than five feet in width shall be considered a detached, freestanding accessory structure and shall meet the location regulations set forth in Par. 12 of Sect. 10-104. See attached photo/diagram.

This interpretation supercedes all previous interpretations and shall be effective as of March 17, 2008. Decks approved with lattice below the rail in accordance with the longstanding practice of the Zoning Permit Review Branch and as noted in interpretation 02-04-0338 (attached) shall be permitted to remain provided a building permit has been issued for such deck.

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.

8-918 Additional Standards for Accessory Dwelling Units

As established by the Fairfax County Board of Supervisors' Policy on Accessory Dwelling Units (Appendix 5), the BZA may approve a special permit for the establishment of an accessory dwelling unit with a single family detached dwelling unit but only in accordance with the following conditions:

1. Accessory dwelling units shall only be permitted in association with a single family detached dwelling unit and there shall be no more than one accessory dwelling unit per single family detached dwelling unit.

2. Except on lots two (2) acres or larger, an accessory dwelling unit shall be located within the structure of a single family detached dwelling unit. Any added external entrances for the accessory dwelling unit shall be located on the side or rear of the structure.

   On lots two (2) acres or greater in area, an accessory dwelling unit may be located within the structure of a single family detached dwelling unit or within a freestanding accessory structure.

3. The gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the total gross floor area of the principal dwelling unit. When the accessory dwelling unit is located in a freestanding accessory structure, the gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the gross floor area of the accessory freestanding structure and the principal dwelling unit.

4. The accessory dwelling unit shall contain not more than two (2) bedrooms.

5. The occupancy of the accessory dwelling unit and the principal dwelling unit shall be in accordance with the following:

   A. One of the dwelling units shall be owner occupied.

   B. One of the dwelling units shall be occupied by a person or persons who qualify as elderly and/or disabled as specified below:

      (1) Any person fifty-five (55) years of age or over and/or

      (2) Any person permanently and totally disabled. If the application is made in reference to a person because of permanent and total disability, the application shall be accompanied by a certification by the Social Security

Administration, the Veterans Administration or the Railroad Retirement Board. If such person is not eligible for certification by any of these agencies, there shall be submitted a written declaration signed by two (2) medical doctors licensed to practice medicine, to the effect that such person is permanently and totally disabled. The written statement of at least one of the doctors shall be based upon a physical examination of the person by the doctor. One of the doctors may submit a written statement based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability.

For purposes of this Section, a person shall be considered permanently and totally disabled if such person is certified as required by this Section as unable to engage in any substantial gainful activity by reasons of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of the person's life.

C. The accessory dwelling unit may be occupied by not more than two (2) persons not necessarily related by blood or marriage. The principal single family dwelling unit may be occupied by not more than one (1) of the following:

(1) One (1) family, which consists of one (1) person or two (2) or more persons related by blood or marriage and with any number of natural children, foster children, step children or adopted children.

(2) A group of not more than four (4) persons not necessarily related by blood or marriage.

6. Any accessory dwelling unit established for occupancy by a disabled person shall provide for reasonable access and mobility as required for the disabled person. The measures for reasonable access and mobility shall be specified in the application for special permit. Generally, reasonable access and mobility for physically disabled persons shall include:

A. Uninterrupted access to one (1) entrance; and

B. Accessibility and usability of one (1) toilet room.

7. The BZA shall review all existing and/or proposed parking to determine if such parking is sufficient to meet the needs of the principal and accessory dwelling units. If it is determined that such parking is insufficient, the BZA may require the provision of one (1) or more off-street parking spaces. Such parking shall be in addition to the requirements specified in Article 11 for a single family dwelling unit.

8. The BZA shall determine that the proposed accessory dwelling unit together with any other accessory dwelling unit(s) within the area will not constitute sufficient change to modify or disrupt the predominant character of the neighborhood. In no instance shall the approval of a special permit for an accessory dwelling unit be deemed a subdivision of the principal dwelling unit or lot.

9. Any accessory dwelling unit shall meet the applicable regulations for building, safety, health and sanitation.

10. Upon the approval of a special permit, the Clerk to the Board of Zoning Appeals shall cause to be recorded among the land records of Fairfax County a copy of the BZA's approval, including all accompanying conditions. Said resolution shall contain a description of the subject property and shall be indexed in the Grantor Index in the name of the property owners.

11. The owner shall make provisions to allow inspections of the property by County personnel during reasonable hours upon prior notice.

12. Special permits for accessory dwelling units shall be approved for a period not to exceed five (5) years from the date of approval; provided, however, that such special permits may be extended for succeeding five (5) year periods in accordance with the provisions of Sect. 012 above.

13. Notwithstanding Par. 5 of Sect. 9-012, any accessory dwelling unit approved prior to July 27, 1987 and currently valid may be extended in accordance with the provisions of this Section and Sect. 012 above.