



County of Fairfax, Virginia

July 7, 2010

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2010-SP-032

SPRINGFIELD DISTRICT

APPLICANTS/OWNERS: Marni M. Plaster
Brandon B. Plaster

STREET ADDRESS: 8413 Greeley Boulevard

SUBDIVISION: Rolling Valley

TAX MAP REFERENCE: 89-1 ((6)) 175

LOT SIZE: 10,538 square feet

ZONING DISTRICT: R-2 (Cluster)

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of an addition 5.4 feet from a side lot line such that side yards total 13.4 feet.

STAFF RECOMMENDATION: Staff recommends approval of SP 2010-SP-032 for the addition only with adoption of 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 the provisions of any applicable ordinances, regulations, or adopted standards.

O:\dhedr\Special Permits\7-14 SP 2010-SP-032 Plaster\SP 2010-SP-032 Plaster staff report.doc

Deborah Hedrick

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



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.

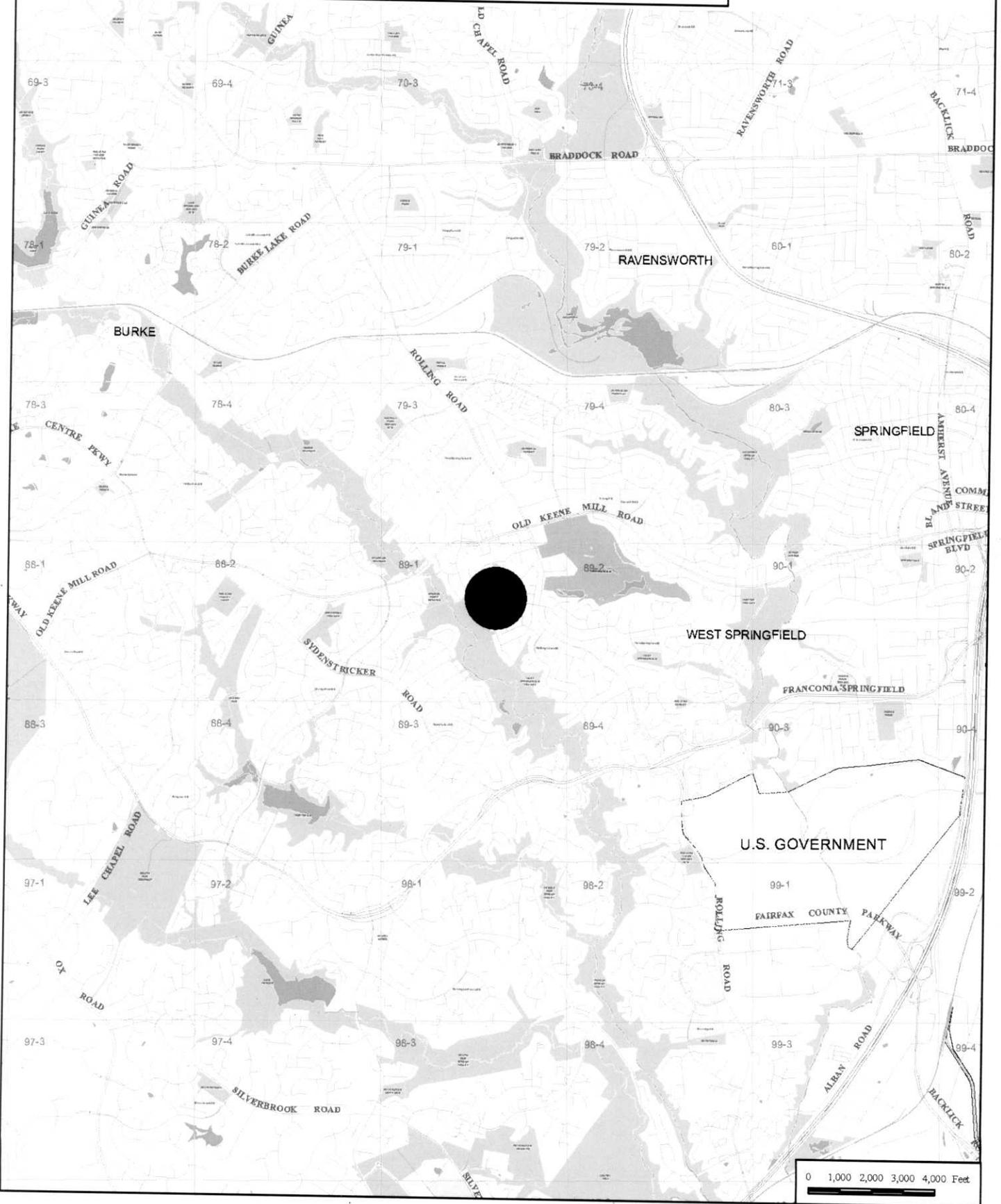
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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.**

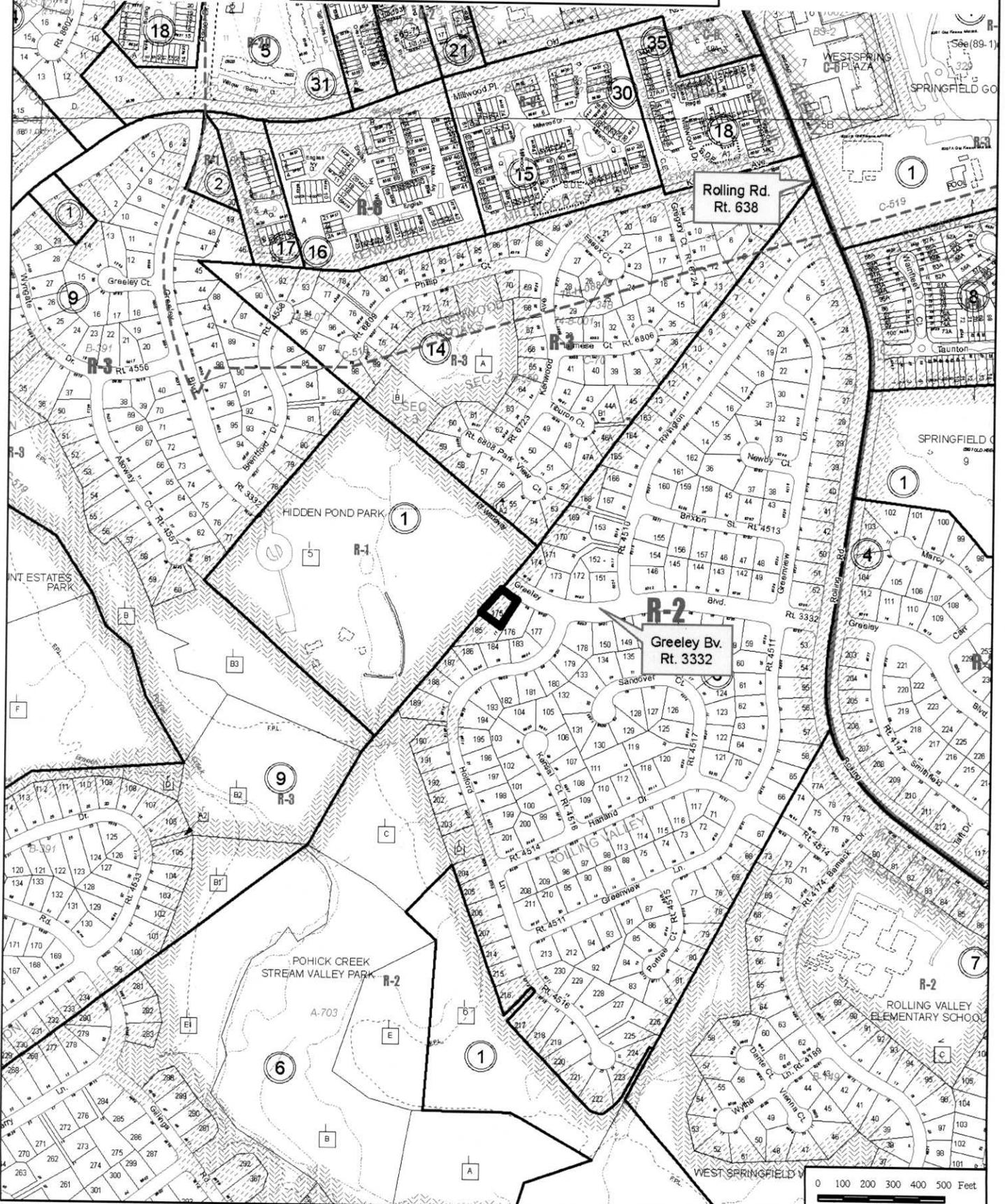


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit
SP 2010-SP-032
MARNI M. PLASTER



Special Permit
SP 2010-SP-032
MARNI M. PLASTER

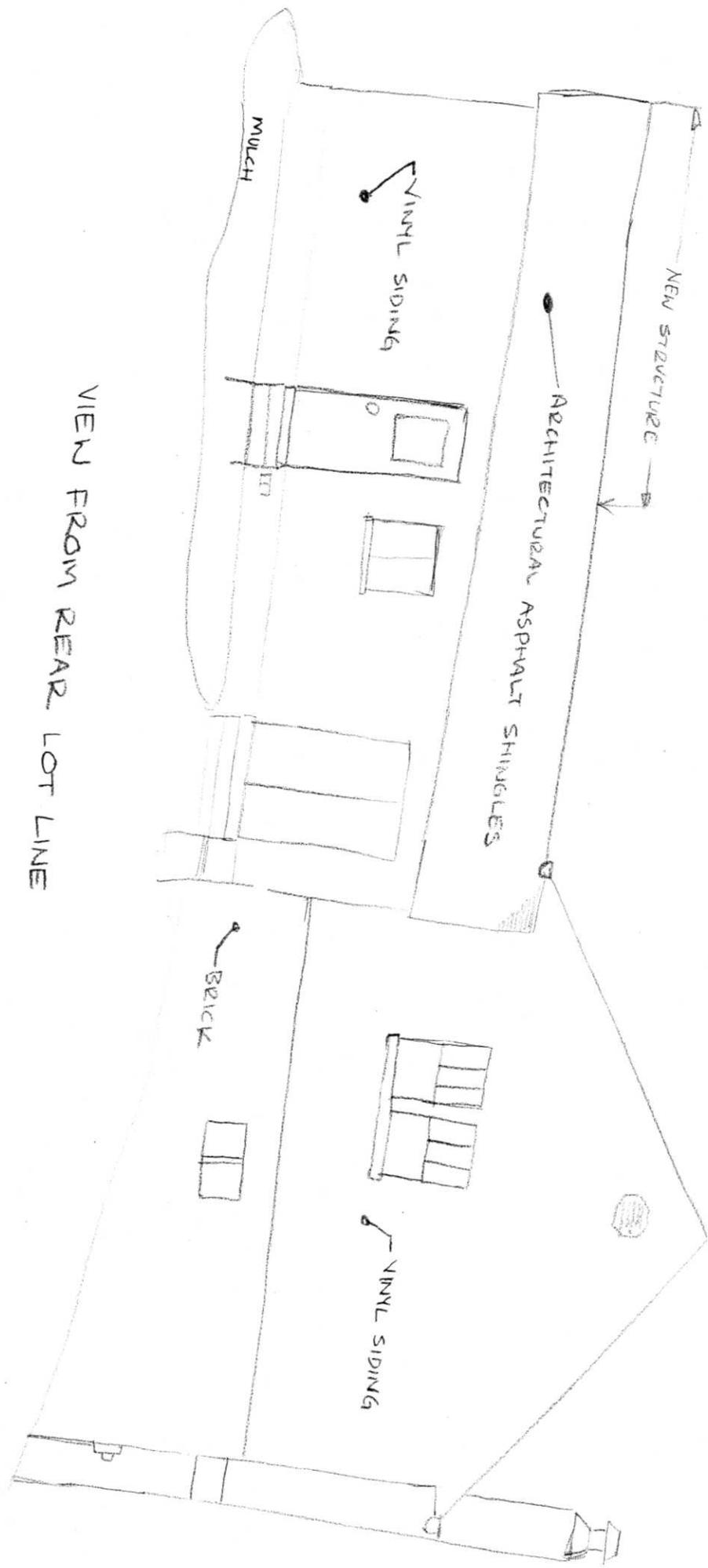




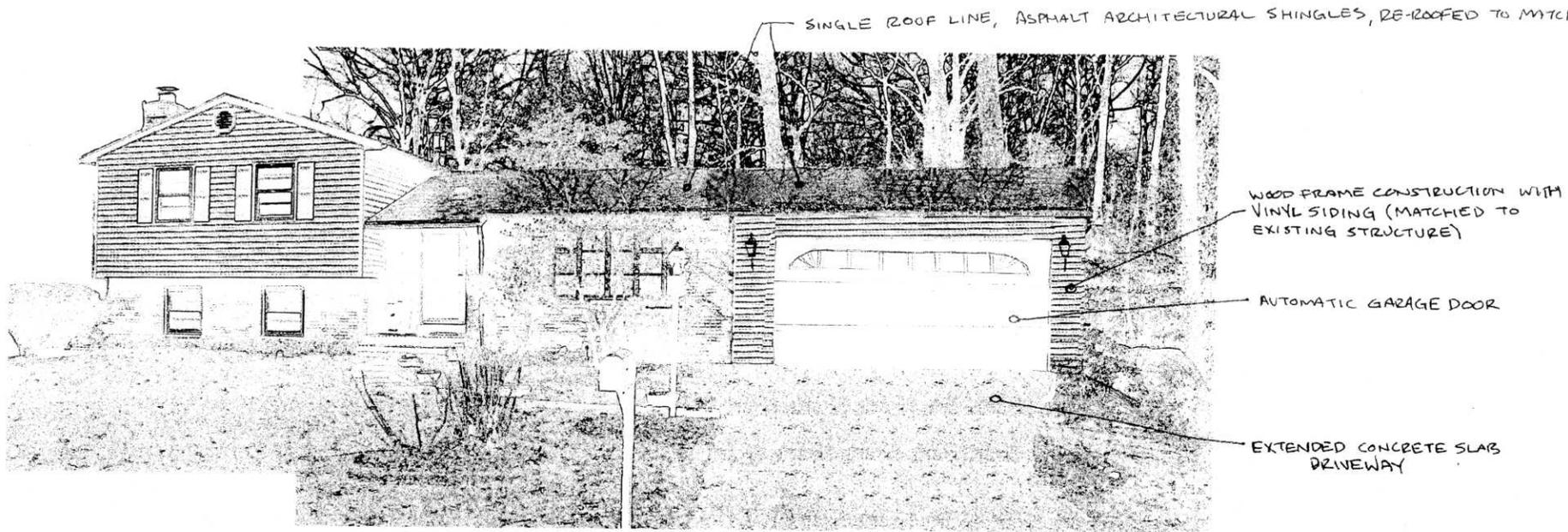
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Zoning Evaluation Division



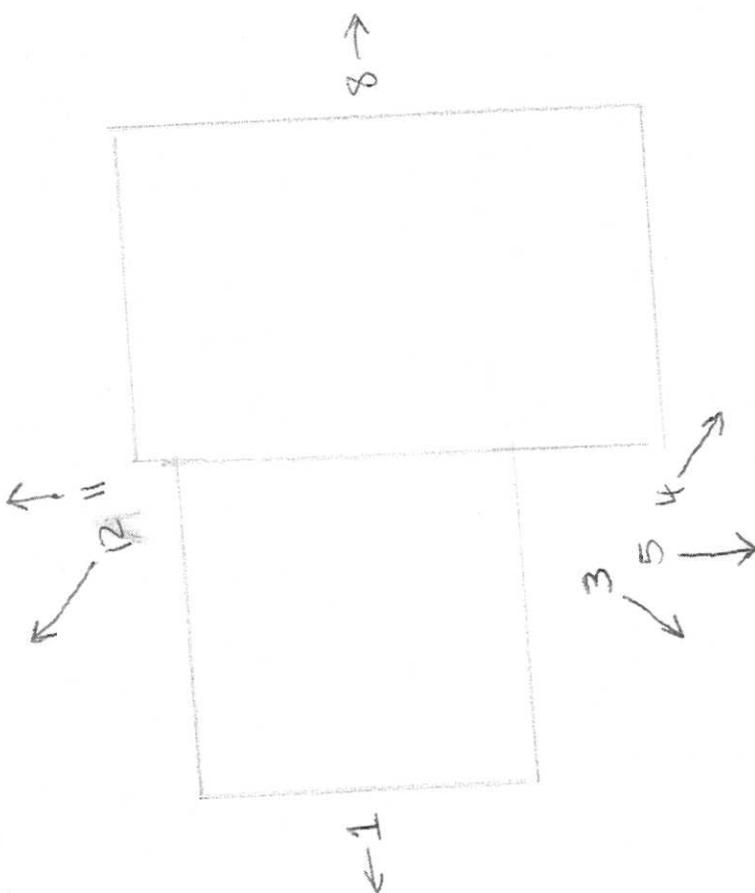
VIEW FROM REAR LOT LINE



8413 GREELEY BLVD

Greedy Blvd.

10 →



View to Photos

2 →

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1



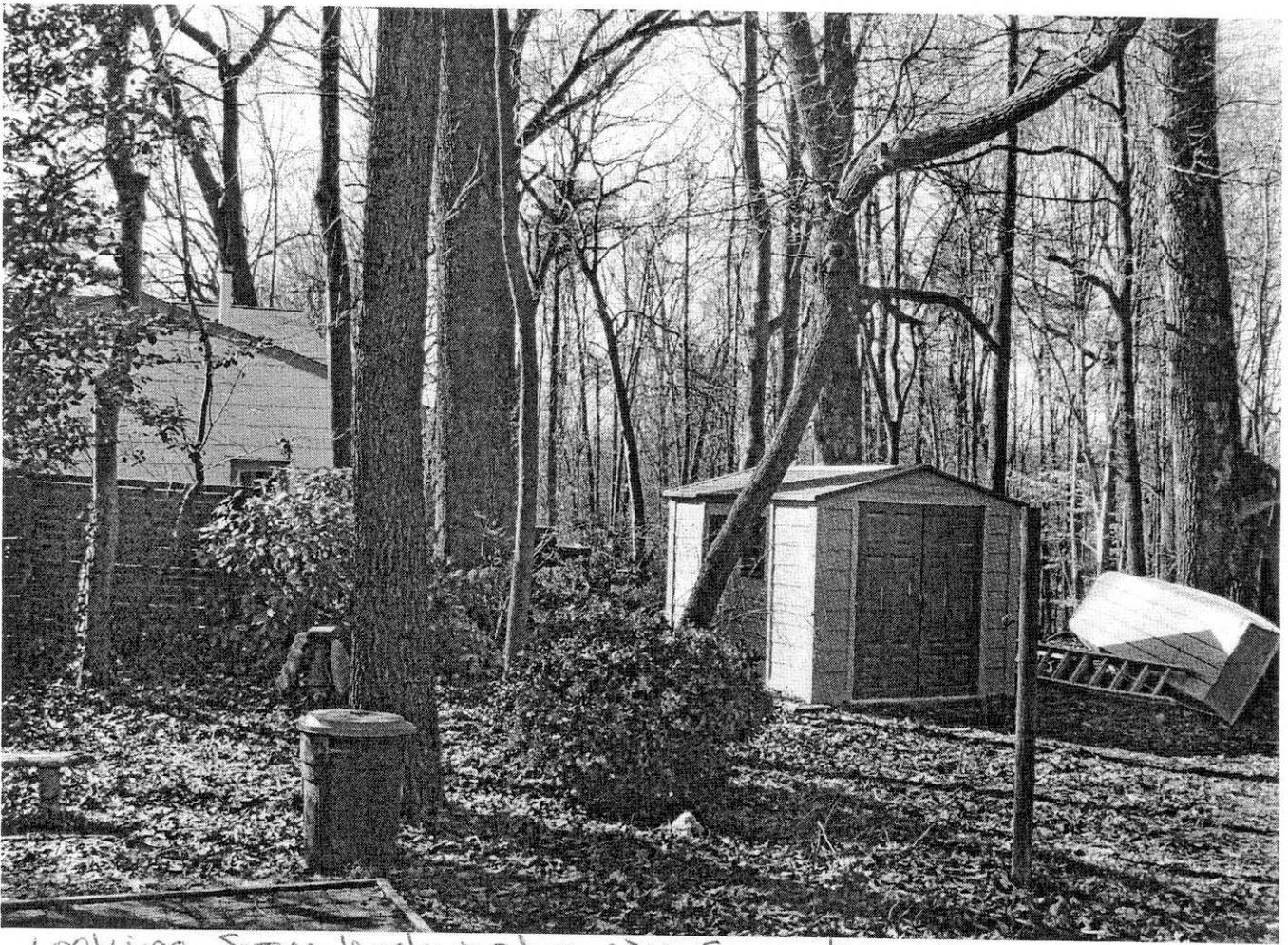
Looking from side yard into park.

2



Looking from park into side yard.

3

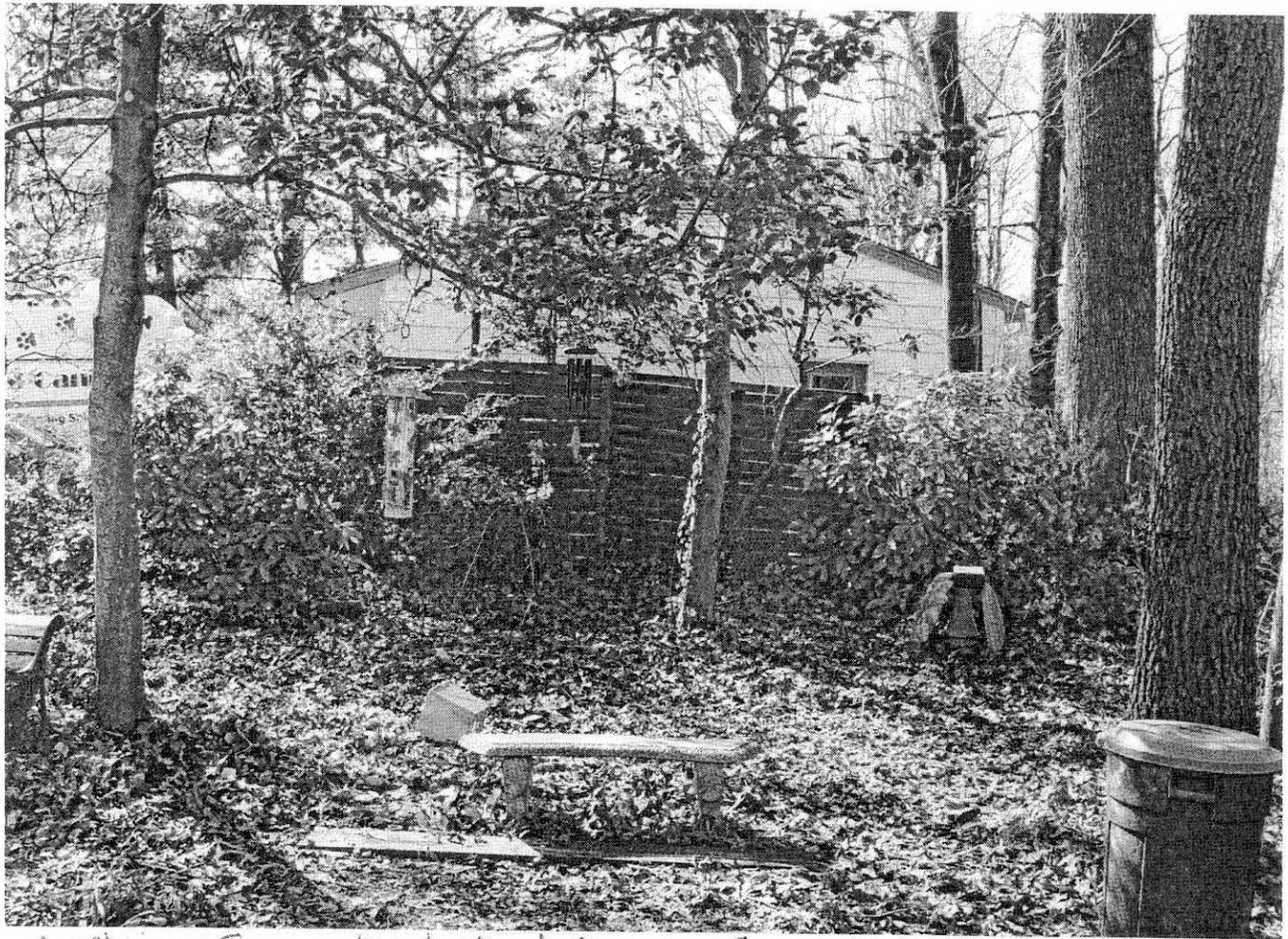


Looking from backyard away from house.

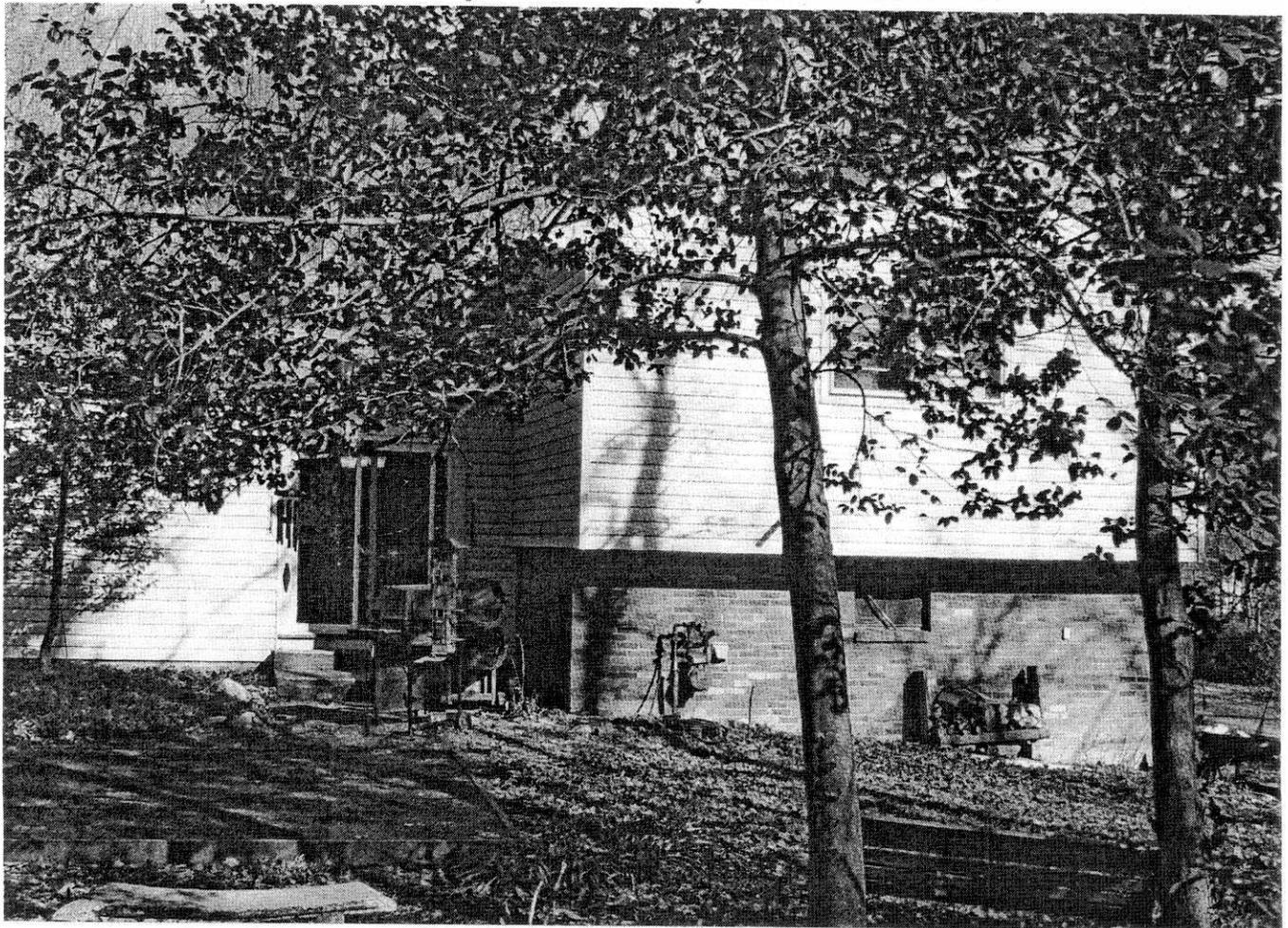
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Looking from backyard away from house.

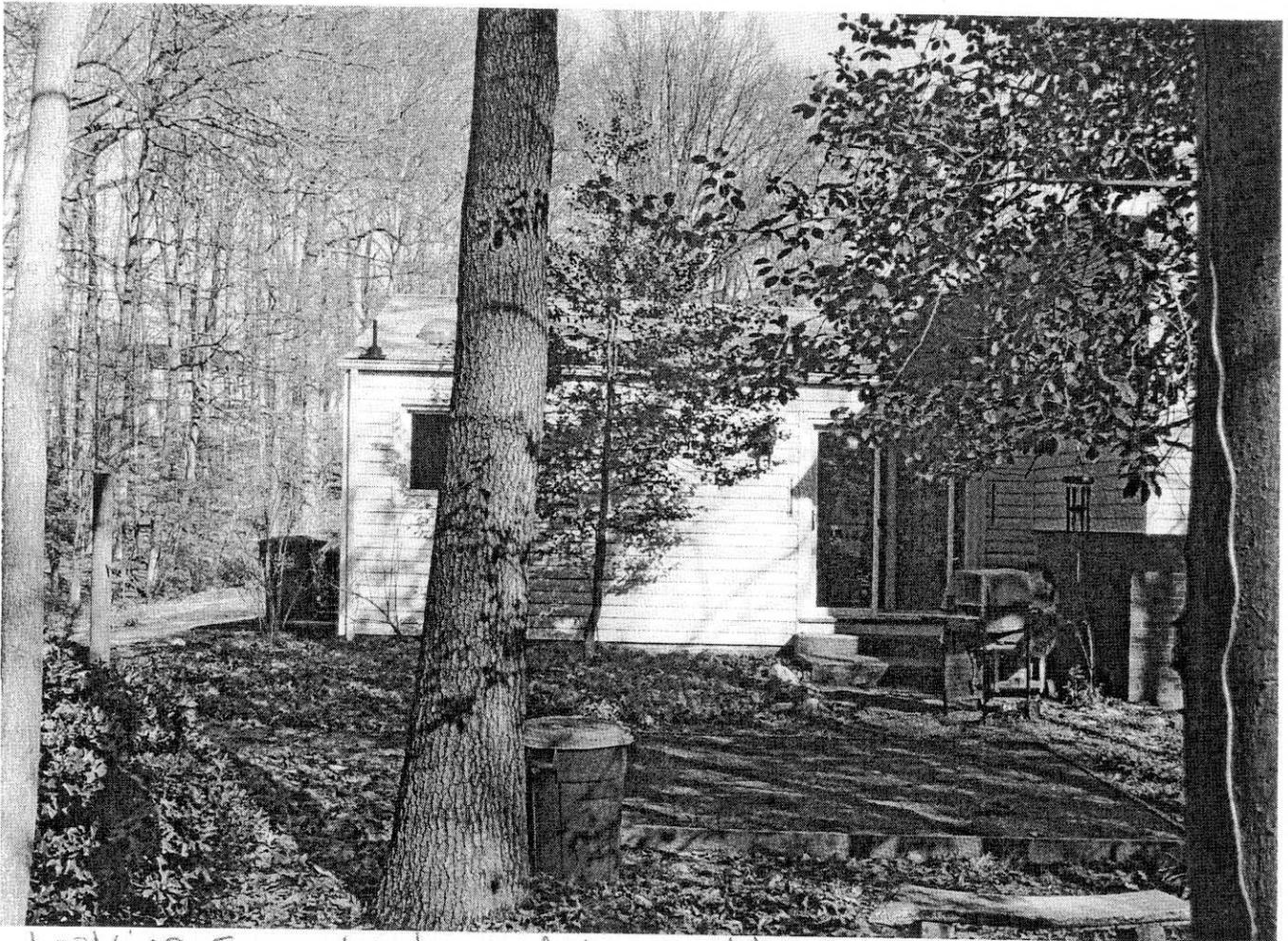


Looking from backyard away from house.



Looking from backyard toward house.

7



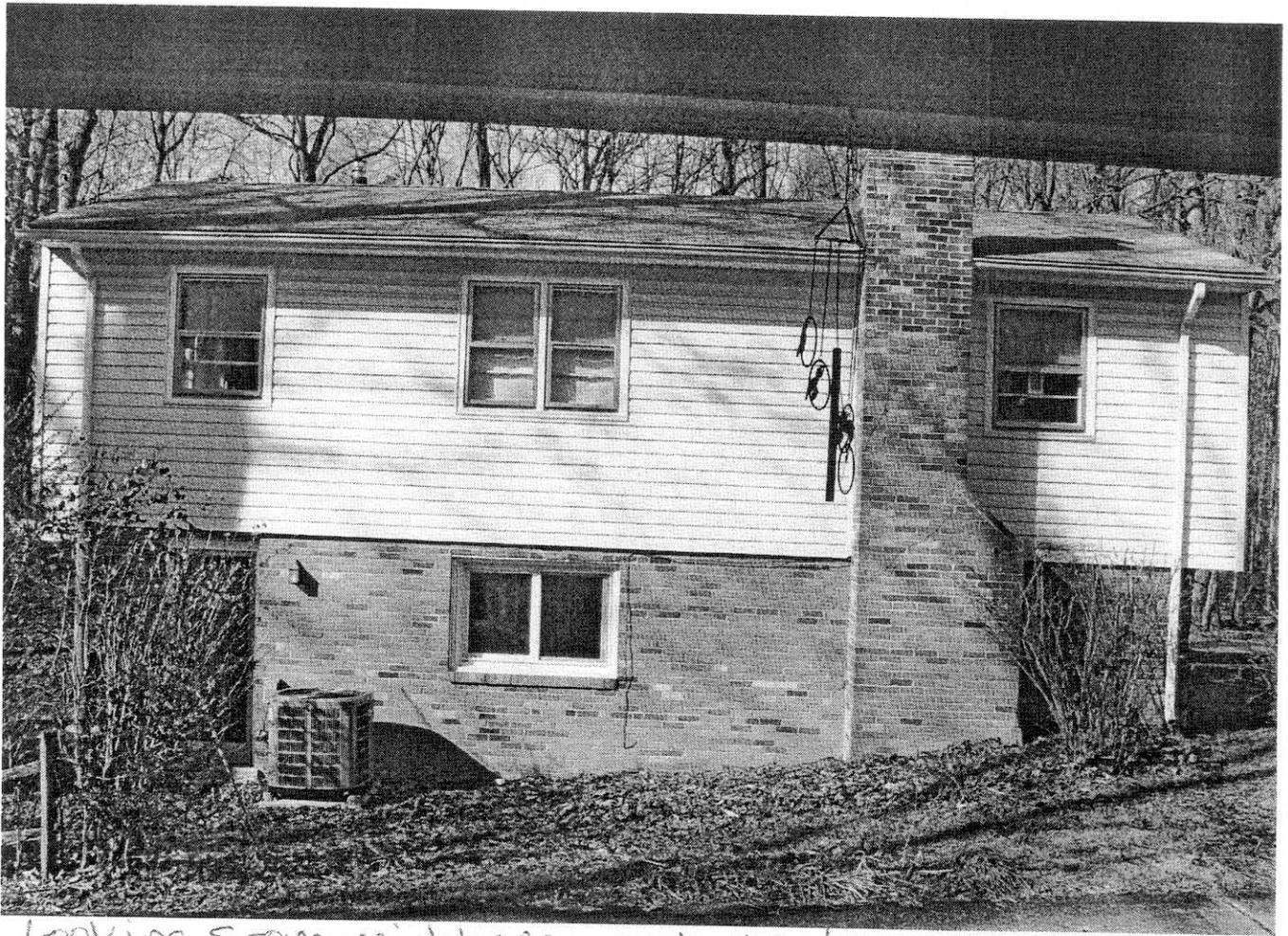
Looking from backyard toward house.

8



Looking from sideyard to neighboring house.

9



Looking from neighbor's yard to house.

10



Looking from Greeley Blvd. to front of house.



Looking from front of house to Greeley Blvd.



Looking from front of house to end of Greeley Blvd.

DESCRIPTION OF THE APPLICATION

To permit reduction of certain yard requirements to permit construction of a garage addition to be located 5.4 feet from the western side lot line such that side yards total 13.4 feet.

| | Structure | Yard | Minimum Yard Required* | Proposed Location | Proposed Reduction | Percentage of Reduction Requested |
|-----------------------|------------------|------------------|-------------------------------|--------------------------|---------------------------|--|
| Special Permit | Addition | Side | 8.0 feet | 5.4 feet | 2.6 feet | 33% |
| Special Permit | Addition | Total Side Yards | Total Side 24.0 feet | 13.4 feet | 10.6 feet | 44% |

*Minimum yard requirement per Section 3-207

EXISTING SITE DESCRIPTION

The site is currently zoned R-2, developed under the Cluster regulations, and contains a split-level, brick and vinyl single family dwelling, with basement, built in 1967. The lot consists of 10,538 square feet and is surrounded by single family detached homes on the northern, southern and eastern lot lines. The Hidden Pond Park is located along the western side lot line. A 15 foot sanitary sewer easement, along the entire western side lot line, is shown on the plat to have been vacated. A copy of the Deed of Vacation, dated March 29, 2009, is included as an attachment to the applicants' statement of justification, attached as Appendix 3. The lot is relatively narrow and flat with existing mature vegetation and is accessed via an asphalt driveway on Greeley Boulevard.

CHARACTER OF THE AREA

| | Zoning | Use |
|--------------|---------------|--|
| North | R-2 (Cluster) | Single Family Detached Dwellings |
| East | R-2 (Cluster) | Single Family Detached Dwellings |
| South | R-2 (Cluster) | Single Family Detached Dwellings |
| West | R-1 | Hidden Pond Park – Fairfax County Park Authority |

BACKGROUND

Records indicate there were no other similar applications for properties in the vicinity of the application site heard by the BZA.

ANALYSIS

- **Special Permit Plat** (Copy at front of staff report)
- **Title of Plat:** Plat, Showing the Improvements on Lot 175, Section Two, Rolling Valley
- **Prepared by:** Dominion Surveyors, Inc., dated December 18, 2008, as revised through June 3, 2010

Proposal:

The applicants propose to construct a two-car garage addition, consisting of 574 square feet, to be located 5.4 feet, at its closest point, to the western side lot line, such that the side yards total 13.4 feet. The distance of the location of the garage along the western side lot line ranges from 5.4 feet to 7.2 feet. The proposed garage will also provide additional storage space and a small workshop within for the applicants' use. The existing driveway is proposed to be enlarged ranging from 10 feet to 20 feet at its widest point entering into the two-car garage. As noted in a memorandum received from the Department of Transportation, staff recommends the driveway be widened to accommodate the new garage. The memorandum is attached as Appendix 4.

ZONING ORDINANCE REQUIREMENTS

Applicable bulk regulation(s) and additional location regulations are set forth on Page 1.

The application must meet all of the following standards, copies of which are attached as Appendix 6:

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

Sect. 8-006 General Special Permit Standards

Staff believes that the application for the addition meets all of the 8 General Special Permit Standards. Of particular note regarding this application are General Standards 3 and 5.

General Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. *Staff believes by observation of the neighborhood through submitted photographs that the construction of the garage addition will not adversely affect the use or development of neighboring properties since the structure will be located adjacent to wooded parkland and will not directly affect other homes in the area. Therefore, staff believes this standard has been met.*

General Standard 5 requires that in addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13. *The proposed addition will consist of a 574 square foot two-car garage addition. No vegetation is proposed to be removed to accommodate the construction. The addition is proposed along a side lot line adjacent to vegetated parkland; therefore, staff does not believe additional landscaping or screening would be required and this standard has been met.*

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

This special permit application must satisfy all of the provisions contained in Sect. 8-922, Provisions for Reduction of Certain Yard Requirements. Standards 1, 2, 3, 11 and 12 relate to submission requirements and were satisfied at the time of submission. Standard 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 of 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 dwelling is 2,082 square feet in size. Therefore 150% of the total gross floor area could result in an addition up to 3,123 square feet in size for a possible total square footage at build out of 5,205. The proposed addition is 574 square feet, for a total square footage of the house with the addition of 2,656 square feet. 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 elevation drawings and pictures submitted indicate that the materials, size and scale of the proposed garage addition will be compatible with the architecture of the existing dwelling on the lot. The applicants propose the height of the new addition will match the roofline of the existing one story portion of the single family split-level dwelling (12.0 feet in height). The existing dwelling at its highest point is 17.4 feet in height; therefore, the proposed garage addition will be in character with existing on-site development. Staff believes that the application meets this provision.

Standard 7 states that the BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director. The applicant proposes to construct a garage addition on the western side lot line, where the existing driveway terminates. There is ample mature vegetation located both on and off-site, consisting of mature trees and shrubs. As noted in a memorandum from the Forest Conservation Branch of the Department of Public Works and Environmental Services (DPWES), attached as Appendix 5, it is recommended that the applicant provide a tree save area along the western/northwestern property boundary of the site to protect the existing off-site trees from construction activities. No vegetation is proposed to be removed with the new construction. As noted in a memorandum from the Park Authority, Park Planning staff, attached as Appendix 6, due to the close proximity to Park Authority property, and given the potential impact on the existing root zones of at least three (3) mature trees, it is recommended that the limits of clearing and grading be field located with Park Authority staff to ensure the protection of these trees and that tree protection fencing be installed prior to construction. Although staff believes the addition will be harmonious with surrounding off-site uses and meets this provision, development conditions have been incorporated to address these off-site concerns. With adoption of staff's proposed development conditions, we believe this provision has been met.

Standard 8 states that the BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff. Staff believes that the application meets the erosion and stormwater runoff portion of the standards since DPWES has indicated that there are no drainage complaints on file related to this property. Staff believes that the addition of a 574 square foot garage, adjacent to vegetated parkland, will not impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety. Staff believes the request is modest and does not believe it will increase runoff or erosion significantly. Staff believes that the application meets this provision.

Standard 9 states that the BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; 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. *The request to construct a two-car, one-story, garage addition is shown in the most logical location given that it is proposed where an existing driveway terminates. In order to meet the minimum yard requirements, the applicant would only have 11.3 feet of usable side yard to construct such an addition without the benefit of this application. The addition of a garage is in character with the surrounding neighborhood, as the application property is the only property in the immediate vicinity which does not have a covered parking area, whether a garage or carport. The applicant has received a Deed of Vacation with regard to the 15 foot sanitary sewer easement depicted on the plat, which enables them to request the garage addition in the proposed location. Given that no existing vegetation is proposed to be removed, and with adoption of development conditions to address DPWES and Park Authority concerns, staff believes the application meets this provision. Other issues of well, floodplains and/or Resource Protection Areas are not applicable to this site.*

CONCLUSION

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

RECOMMENDATION

Staff recommends approval of SP 2010-SP-032 for a garage addition only with adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report. It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the 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.

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Memorandum dated May 21, 2010, Department of Transportation
5. Memorandum dated June 17, 2010, Forest Conservation Branch
6. Memorandum dated June 28, 2010, Park Planning Branch
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2010-SP-032****July 7, 2010**

If it is the intent of the Board of Zoning Appeals to approve SP 2010-SP-032 located at Tax Map 89-1 ((6)) 175 to permit reduction of certain yard requirements pursuant to Sections 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of a garage addition (574 square feet), as shown on the plat prepared by Dominion Surveyors Inc., dated December 18, 2008, as revised through June 3, 2010, as submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (2,082 square feet existing + 3,123 square feet (150%) = 5,205 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. 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 as shown on Attachment 1 to these conditions.
5. The limits of clearing and grading for the proposed addition shall be determined in consultation with staff from the Park Planning Branch, Fairfax County Park Authority. Following this determination and prior to commencement of construction, the applicant shall employ a certified arborist to root prune along the limits of clearing and grading adjacent to all proposed land disturbing

activity. Root pruning shall be done with a trencher or vibratory plow to a depth of eighteen (18) inches. Tree protection fencing and silt fence or super silt fence shall be installed immediately after root pruning, and shall be positioned directly in the root pruning trench and backfilled for stability, or just outside the trench within the disturbed area. If tree protection fencing is used, it shall be erected at the limits of clearing and grading in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet.

6. The Park Authority will not assume any liability to damage done to the applicant's property by these trees becoming hazardous as a result of the construction activities.
7. The applicant shall not extend landscaping, footpaths, compost, debris piles or other private use features onto parkland and no downspouts or corrugated pipe shall be run in any way that causes erosion on the adjacent park property.

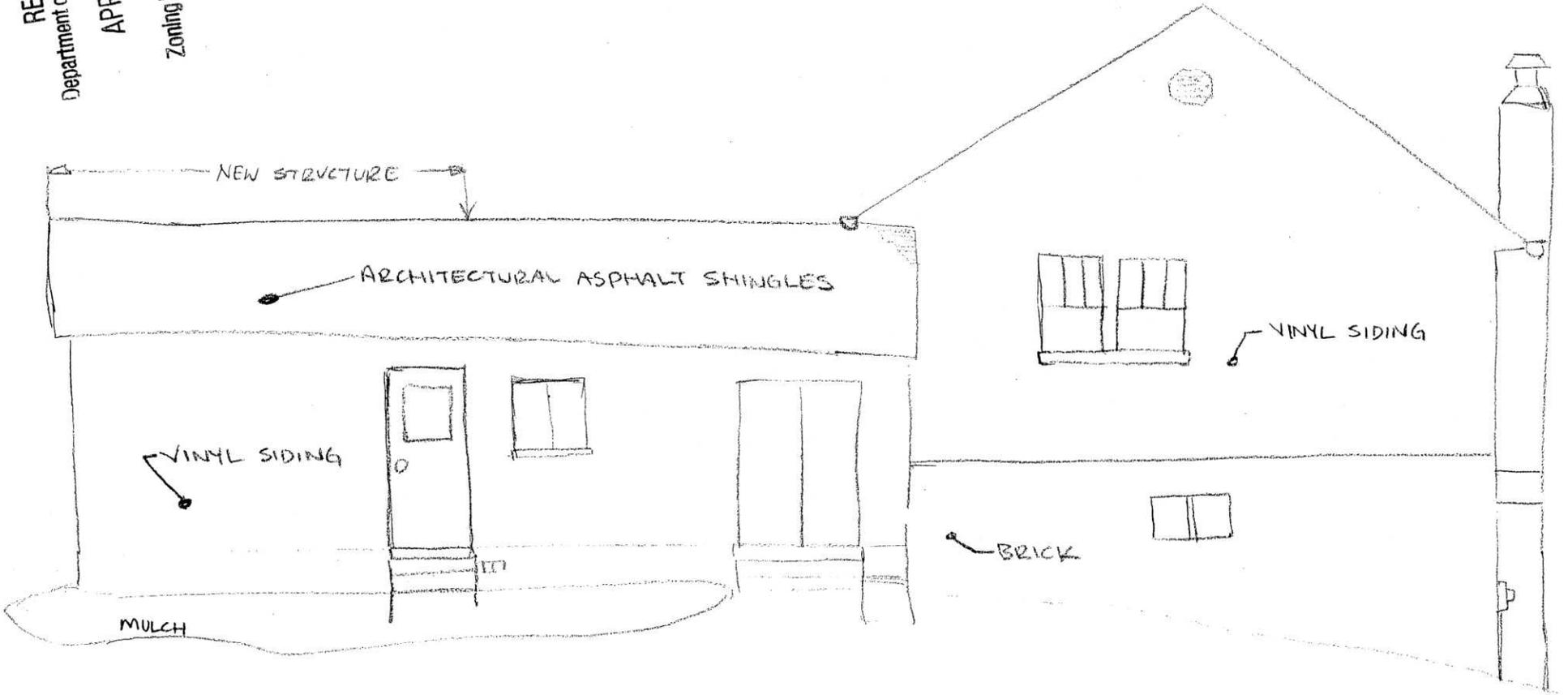
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

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

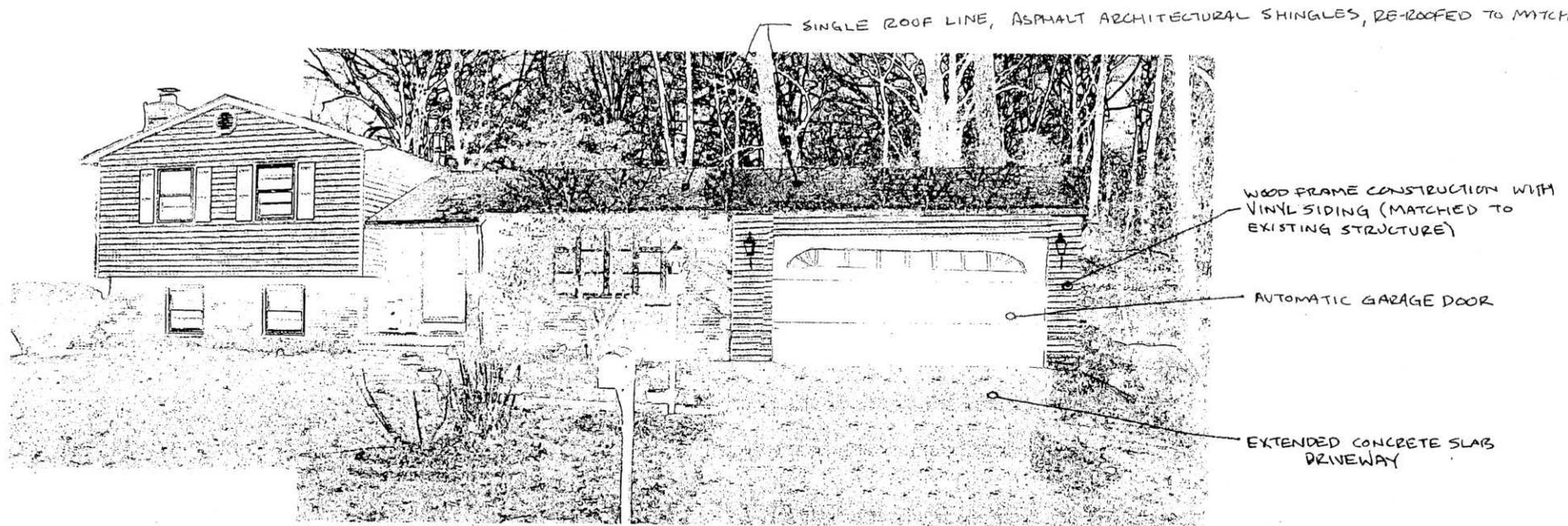
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Zoning Evaluation Division



VIEW FROM REAR LOT LINE



8413 GREELEY BLVD

Application No.(s): SP 2010-SP-032
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/6/09
 (enter date affidavit is notarized)

I, Marni M. Plaster, 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 106469a

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) |
|--|---|--|
| Marni M. Plaster | 8413 Greeley Blvd, Springfield, VA 22152 | Applicant/Title Holder |
| Brandon B. Plaster | 8413 Greeley Blvd, Springfield, VA 22152 | Applicant/Title Holder |

(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-SP-032

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

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/6/09 (enter date affidavit is notarized)

106469 a

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) N/A

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) N/A

(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-SP-032

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/6/09
(enter date affidavit is notarized)

106469 a

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)
N/A

(check if applicable) [] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)
N/A

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s):

SP 2010-SP-032

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/6/09
(enter date affidavit is notarized)

106469a

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:

N/A

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

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

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

NONE

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/6/09 (enter date affidavit is notarized)

106469a

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.

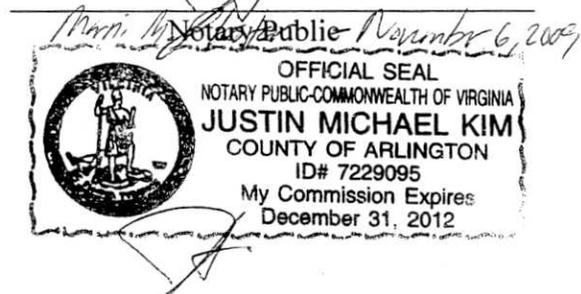
WITNESS the following signature:

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

Marni M. Plaster, Title Owner and Applicant (type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 6th day of November 2009, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: December 31, 2012



APR 30 2010

Zoning Evaluation Division

Written Submission Requirements

Appearance: (5.07)

The building façade will be vinyl siding, which will match new siding applied to the entire structure, for a visually pleasing continuity between the existing structure and addition. The existing structure will also be roofed with new architectural shingles which will cover both the roof of the addition and the existing house. The addition roof line will be an indistinguishable extension of the existing roof line.

Hazardous Materials (5.08)

There are no known hazardous or toxic materials on the site or abutting sites, and no generation, utilization, storage, treatment, or disposal of such materials has occurred on the site to the knowledge of the applicant. There are no existing or proposed storage tanks for any hazardous, toxic, or petroleum-based substances.

Conformity (5.09)

The proposed addition conforms to the provisions of all applicable ordinances, regulations, and adopted standards, with the exception of the side yard reduction requested in this application.

Character of Development (930.02)

The proposed garage addition will be in character with the existing structure in the following ways. It will match height exactly with the existing structure, and will be constructed to blend seamlessly with the existing roof line. The vinyl siding of the existing structure will be replaced when the addition is complete, ensuring an exact match. The existing home will be re-roofed when the addition is ready for roofing which will ensure an exact match of the roof material. The addition of a garage should not change the character of the existing home.

Harmonious with surroundings (930.03)

The proposed addition will be harmonious with surrounding off site uses and structures, in terms of location, height, bulk and scale. Roof line of proposed addition will be constructed to merge with existing roofline. All construction materials will be continuous with replacement materials used on upgrade of existing structure. Grading for the project will not significantly impact topography, and no significant trees will be removed for the addition.

Use or enjoyment of adjacent property (930.04)

The proposed addition will not significantly or adversely impact the use or enjoyment of any adjacent property with regard to noise, light, air, erosion or storm water runoff. None of these factors should be significantly altered by the proposed addition. Furthermore, the adjacent

property is classified as parkland and it is undeveloped in the area adjacent to the property of the request.

Minimum Reduction Necessary (930.05)

The requested reduction of side yard is the minimum amount that will accommodate the proposed addition. The corner of the proposed addition will reach precisely to the reduction line. The reasons for this placement include the collocation of the existing driveway, the lack of access and side yard for an alternative location, and the existence of a pipe stem residence behind the property of the application with a right of way for the pipe stem driveway on the other side of the property of the request. Structurally, no other location for the proposed structure makes sense in the prevailing architecture of the development. There are no known environmental characteristics, slopes, floodplains, or resource protection areas in or near the property. There are no known well, septic, or historic resources on or near the property. An unused sanitary sewer easement was previously vacated in anticipation of this application.

Architectural Depictions (930.20)

An architectural sketch has been attached.

Previously submitted statements:

1. That the subject property was acquired in good faith.

The subject property was acquired by purchase on January 14, 2008, in good faith. The applicant is the owner of record for the subject property. Property was purchased by conventional mortgage after title search and found to have a clear title for purchase.

2. That the subject property has at least one of the following characteristics (note: “the effective date of the Ordinance” is August 14, 1978):

A. Exceptional narrowness at the time of the effective date of the Ordinance;

The subject property was exceptionally narrow at the time of construction in 1967. The lot width in front is 75.3' and the rear lot width is 92.8', while the Ordinance specifies a 100' minimum width for R-2 zoning. The side yard on the unaffected side is the minimum 8', because of a pipe stem driveway, which requires the other portion of the 24' minimum to be made up on the side of the property pertinent to the request. Therefore, the less than minimum lot width creates the requirement for a variance to allow the addition of covered parking. Additionally, an unused sanitary sewer easement has recently been vacated and recorded on the affected side of the subject property, which had further diminished the usable area of the lot.

3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.

This application is for the construction of covered parking, and special circumstances exist for this property that are not common to the development. These specific circumstances would not be expected to occur on a frequent basis because of this property's orientation with respect to the park land, and its lack of sufficient parking, and its proximity to public access to park land, which is inconsistent with other properties in the development.

4. That the strict application of this Ordinance would produce undue hardship.

Strict application of this Ordinance would accelerate the degradation of the property owner's vehicles by exposure to the elements and to large quantities of organic matter from the adjacent park land. The lack of covered parking puts the owner at a disadvantage for resale and property value, and places the property below the standard set by other houses in the development. The owner also does not have sufficient parking in the driveway as it exists, which is exacerbated by visitors to the adjoining park who often use the property's street parking while utilizing the park. In aggravation, the proximity of the property to the end of the paved street reduces the amount of street parking available in general.

5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.

Other properties in the zoning area have covered parking in the form of car ports or garages with a longer driveway leading to them. Few other properties are located at the end of a street which is also used for park access and public parking.

6. A. That the strict application of the Zoning Ordinance would *effectively prohibit or unreasonably restrict all reasonable use (emphasis added) of the subject property.*

Strict application of the Zoning Ordinance would, in this case, prohibit compliance with Article 11, *Off Street Parking and Loading, Residential Streets*, as it pertains to single-family detached dwellings as follows:

Two (2) spaces per unit for lots with frontage on a public street and three (3) spaces per unit for lots with frontage on a private street, provided that only one (1) such space must have convenient access to a street.

The property currently only has one space available, and attempts to place two vehicles in the existing space results in the obstruction of the public sidewalk.

The applicant infers that use specified in the Ordinance here is reasonable use, which is prohibited with the requested variance.

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

Authorization of the variance will not have any impact on the adjacent property. The adjacent property is public park land which is wooded and unoccupied. Trails and public use areas are not close enough to the property line to be affected by changes to the subject property.

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

The granting of the variance will bring the property closer to the existing character of the zoning district, and will not affect the overall character. The physical appearance of the planned addition will be consistent with the existing structure and with other structures in the zoning district. The size and use of the structures authorized by the variance will also be consistent with other structures within the zoning district.

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

The Ordinance appears to be concerned with preventing over-development of property within the zoning area, and preservation of distinct and separate use of discrete properties by their owners, without limitation by uses of adjoining properties. This variance will not infringe on any use by adjoining properties, nor be found objectionable by the public. The variance would likely improve public perception and improve the utility and compatibility of the property within its district. The variance, as requested, has the minimum possible impact on adjacent property owners and the zoning district, while still providing benefit for the applicant.

Fairfax Land Records Cover Sheet

Instrument(s)

~~1974~~, VACATION

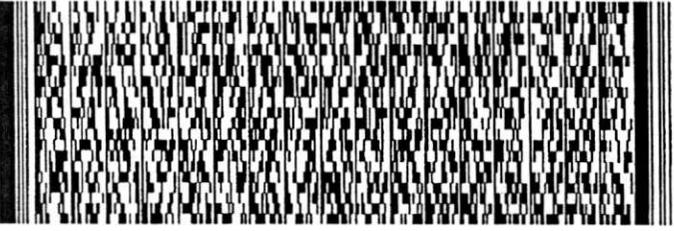
Grantor(s)

BOARD OF SUPERVISORS OF FAIRFAX COUNTY_I_N

Grantee(s)

PLASTER, MARNI_I_N; PLASTER, BRANDON_I_N

| | | | |
|-----------------|-------|------------------|-----------------------|
| Consideration | | Consideration % | 100 |
| Tax Exemption | None | Amount Not Taxed | |
| DEM Number | | Tax Map Number | 089-1- -06- -0175- _Y |
| Original Book | 19744 | Original Page | 1562 |
| Title Company | | Title Case | |
| Property Descr. | | | |
| Certified | NO | Copies | 0 |
| | | Page Range | |



DEED OF VACATION FOR SEWER EASEMENT

THIS DEED OF VACATION, Made and entered into this 29 day of MARCH,

2009, by and between the **BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA**, a body corporate and politic (herein "County"), Grantor, and **BRANDON PLASTER and MARNI PLASTER**, husband and wife, Grantees.

WITNESSETH:

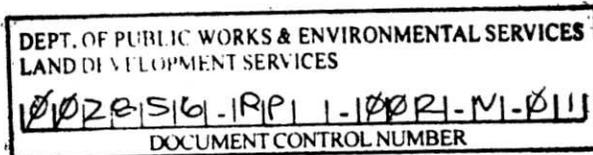
WHEREAS, by Deed of Dedication and Release dated January 10, 1966 and recorded in the Clerk's Office of the Circuit Court of the Fairfax County, Virginia in Deed Book 2723, page 173, Pica, Inc. conveyed to the County certain sanitary sewer easements in Rolling Valley Subdivision, Fairfax County, Virginia; and

WHEREAS, a portion of the sanitary sewer easement that crosses Lot 175, Section Two of the Rolling Valley Subdivision, is more particularly shown on the plat made by Dominion Surveyors, Inc., dated January 7, 2009, entitled "Plat Showing the Vacation of a 15' Sanitary Sewer Easement on Lot 175, Section Two, Rolling Valley ("Plat")", attached hereto and incorporated herein; and

WHEREAS, the Grantees are the present owners of said Lot 175 by virtue of a deed dated January 14, 2008, and recorded in the land records of Fairfax County, Virginia in Deed Book 19744 at Page 1562; and

WHEREAS, the Grantees and the County desire to vacate a portion of said easement, as shown on the Plat.

Prepared by **Madigan & Scott, Inc., Box 55**
Tax Map Number: **0891 06 0175**
Consideration: **\$**
Grantee's Address: **8413 Greeley Boulevard, Springfield, VA 22152**
Exempt pursuant to **§**
The existence of title insurance is unknown to the preparer.



NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) cash, in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, the County does hereby vacate and release unto the Grantees, **BRANDON PLASTER** and **MARNI PLASTER**, that portion of the aforementioned sanitary sewer easement shown on the Plat as "Hereby Vacated".

WITNESS the following signatures and seals:

Executed and approved on behalf of the Board of Supervisors of Fairfax County, Virginia, by the authority granted by said Board.

APPROVED AS TO FORM:

Director, Department of Public Works & Environmental Services

Albert W. Cooley

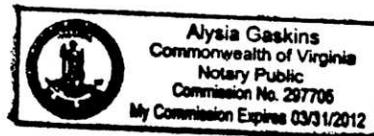
Kenneth Williams
Chief, Plan and Document Control
Office of Land Development Services

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX, to-wit:

The foregoing instrument was acknowledge before me this 2 day of April, 2009, by Kenneth Williams, Chief, Plan and Document Control, Office of Land Development Services, Department of Public Works & Environmental Services.

Alysia Gaskins
Notary Public

My commission expires: 3-31-2012
Registration Number: 297705





Brandon Plaster
BRANDON PLASTER

Marni Plaster
MARNI PLASTER

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX, to-wit:

The foregoing instrument was acknowledged before me this 29 day of March, 2009, by BRANDON PLASTER.

Gary J. Saturen
Notary Public

My commission expires: 3/31/2012
Registration Number: 7174165

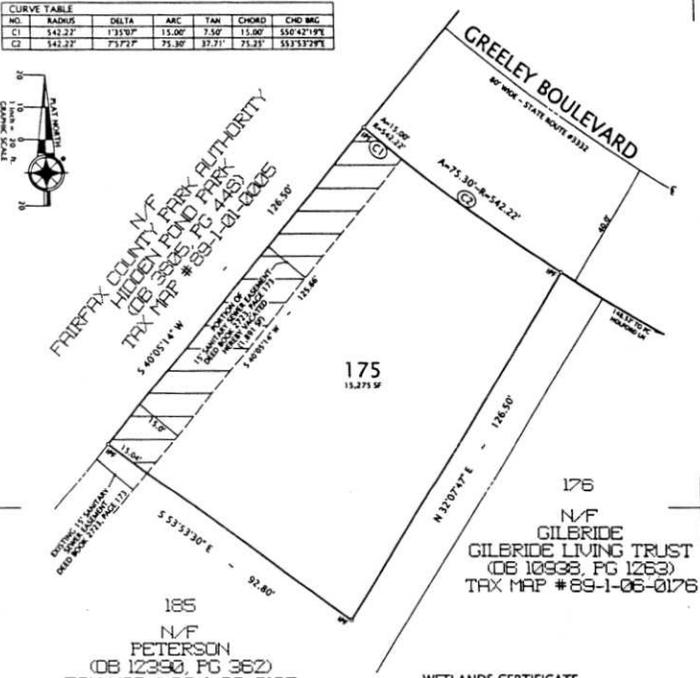
COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX, to-wit:

The foregoing instrument was acknowledged before me this 29 day of March, 2009, by MARNI PLASTER.

Gary J. Saturen
Notary Public

My commission expires: 3/31/2012
Registration Number: 7174165

| NO. | RADIUS | DELTA | ARC | TAN | CHORD | CHD BRG |
|-----|---------|---------|--------|--------|--------|--------------|
| C1 | 542.27' | 135.07° | 15.00' | 7.50' | 15.00' | S50 42° 19'E |
| C2 | 542.27' | 75.73° | 75.30' | 37.71' | 75.33' | S53 53 29"E |



185
N/F
PETERSON
(DB 12390, PG 362)
TAX MAP #89-1-06-0185

176
N/F
GILBRIDE
GILBRIDE LIVING TRUST
(DB 10998, PG 1263)
TAX MAP #89-1-06-0176

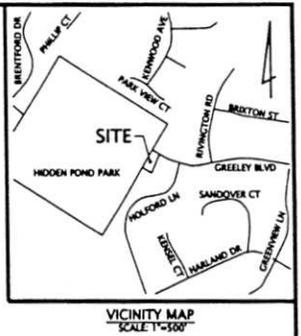
WETLANDS CERTIFICATE
I HEREBY CERTIFY THAT ALL WETLANDS PERMITS REQUIRED BY LAW WILL BE OBTAINED PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES.
George M. O'Quinn 01/19/2009
AGENT DATE

FINAL PLAT
RECOMMENDED FOR APPROVAL
FAIRFAX COUNTY
SITE REVIEW BRANCH CHIEF
1/20/09 BY *[Signature]*
DATE
APPROVED FOR
BOARD OF SUPERVISORS
FAIRFAX COUNTY, VIRGINIA
2-3-09 BY *[Signature]*
DATE Director Public Works & Environmental Services (or agent)
APPROVAL VOID IF PLAT IS NOT OFFERED FOR RECORD ON OR BEFORE

DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES
OFFICE OF SITE DEVELOPMENT SERVICES
FAIRFAX, VIRGINIA
ALL STREET LOCATIONS AND/OR EASEMENTS CONFORM TO THE REQUIREMENTS OF THIS OFFICE AND THE NECESSARY AGREEMENTS OR BONDS HAVE BEEN RECEIVED.
BY *[Signature]* DATE 1/30/09
THIS APPROVAL IS NOT A COMMITMENT TO PROVIDE PUBLIC SANITARY SEWER

APPROVED COUNTY OF FAIRFAX
OFFICE OF SITE DEVELOPMENT SERVICES
SANITARY SEWER SECTION
BY *[Signature]*
DATE 1/30/09
APPROVED COUNTY OF FAIRFAX
OFFICE OF BUILDING CODE SERVICES
PERMIT DIVISION
SITE PERMIT SECTION
STREET ADDRESS FUNCTION
BY
DATE

- NOTES:**
1. THE PROPERTY DELINEATED HEREON IS LOCATED ON TAX MAP 89-1-06-0175 AND IS ZONED R-2C (R-2 w/CLUSTER DEV)
 2. THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.
 3. ALL PREVIOUSLY RECORDED RIGHTS-OF-WAY, EASEMENTS, OR OTHER INTEREST OF THE COUNTY REMAIN IN FULL FORCE AND EFFECT UNLESS SHOWN OTHERWISE ON THIS PLAT.
 4. OWNERS: 89-1-06-0175 BRANDON PLASTER MARN PLASTER 8413 GREELEY BOULEVARD SPRINGFIELD, VA 22152 (DEED BOOK 19744, PAGE 1562)
 5. THIS PROPERTY FULLY COMPLIES WITH THE CHESAPEAKE BAY PRESERVATION ORDINANCE AS EFFECTIVE NOVEMBER 18, 2003, AND THE REVISED CHESAPEAKE BAY MAP ADOPTED BY THE BOARD OF SUPERVISORS ON JULY 12, 2005. THERE ARE NO RESOURCE PROTECTION AREAS WITHIN THE PROJECT LIMITS.
 6. THIS EASEMENT VACATION DOES NOT CREATE OR AGGRAVATE A ZONING NON-COMPLIANCE.



OWNER'S CERTIFICATE
THE PLATTING OR DEDICATION OF LAND SHOWN ON THIS PLAT AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS.
Brandon Plaster 01/19/2009
BRANDON PLASTER DATE
Marn Plaster 1/19/09
MARN PLASTER DATE

SURVEYOR'S CERTIFICATE
I, GEORGE M. O'QUINN, A DULY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE PROPERTY DELINEATED HEREON, AND THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT IT IS A VACATION OF A PORTION OF A 15' SANITARY SEWER EASEMENT ON THE PROPERTY NOW IN THE NAME OF BRANDON PLASTER AND MARN PLASTER, AS ACQUIRED IN DEED BOOK 19744 AT PAGE 1562, BEING RECORDED AMONG THE LAND RECORDS OF FAIRFAX COUNTY, VIRGINIA, AND IS WITHIN THOSE BOUNDARIES.
I FURTHER CERTIFY THAT IRON PIPES SHOWN THIS HAVE BEEN SET AS INDICATED AND THAT ALL BEARINGS REFER TO VIRGINIA STATE GRID NORTH ZONE (NAD83).
GIVEN UNDER MY HAND AND SEAL THIS 7th DAY OF JANUARY, 2009.



CERTIFIED CORRECT:
George M. O'Quinn
GEORGE M. O'QUINN L.S.



PLAT SHOWING THE VACATION OF A 15' SANITARY SEWER EASEMENT ON LOT 175, SECTION TWO ROLLING VALLEY (DEED BOOK 2723, PAGE 173) FAIRFAX COUNTY, VIRGINIA SPRINGFIELD DISTRICT NO SCALE JANUARY 07, 2009



NAB 2856-RP-002-1 msc/tda



County of Fairfax, Virginia

MEMORANDUM

DATE: May 21, 2010

TO: Regina Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section
Department of Transportation

SUBJECT: Transportation Impact

REFERENCE: SP 2010-SP-032; Marni M. Plaster
Land Identification Map: 89-1 ((6)) 175

Transmitted herewith are the comments of the Department of Transportation with respect to the referenced application. These comments are based on the informational packet made available to this department on May 21, 2010 and plat dated December 18, 2008.

The proposed application for reduction of certain yard requirements to construct a two garage would not create any significant additional impacts on the surrounding public street system. However, the driveway should be widened to accommodate the new garage. Other than the driveway notation, this department would not object to the approval of the subject application.

AKR/mdd



County of Fairfax, Virginia

MEMORANDUM

RECEIVED
Department of Planning & Zoning

JUN 17 2010

June 17, 2010

TO: Ms. Debbie Hedrick, Staff Coordinator
Zoning Evaluation Division, DPZ

Zoning Evaluation Division

FROM: Phyllis Wilson, Urban Forester III
Forest Conservation Branch, DPWES

SUBJECT: Rolling Valley Section 2 Lot 175 (8413 Greeley Boulevard), SP 2010-SP-032

A review has been completed for the subject Special Permit Plat, noted above. Observations and recommendations regarding this plat are as follows:

1. The proposed garage will be constructed approximately 5.5 feet from the property boundary. It is reasonable to assume the entire 5.5 feet between the garage and the property boundary will be used by workers and machinery to accommodate the construction process, including the portion of proposed new driveway construction. The property boundary is located within 5-10 feet of three mature trees located on the adjacent Hidden Pond Park. The proposed construction activity will significantly impact the existing root zones of these park trees.

Recommendation: Provide a development condition that is consistent with the following requirements: "Installation of super silt fence or silt fence and tree protection fence along the western/northwestern property boundary prior to commencement of construction. If the silt fence and tree protection fencing option is chosen, the tree protection fencing should be in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart."

Additionally, in order to provide the best chance for a healthy recovery from root zone disturbance and to better preserve the mature off-site trees, root pruning along the property boundary is recommended. A development condition is recommended to read: "The applicant shall employ a certified arborist to root prune along the property boundary adjacent to all proposed land disturbing activity. Root pruning shall take place prior to commencement of any ground disturbance activity. Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches. Tree protection fencing and silt fence or super silt fence shall be installed immediately after root pruning, and shall be positioned directly in the root pruning trench and backfilled for stability, or just outside the trench within the disturbed area."

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





FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

TO: Regina M. Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, Manager
Park Planning Branch, PDD

DATE: June 28, 2010

SUBJECT: SP 2010-SP-032, 8413 Greeley Boulevard
Tax Map Number: 089-1((6))175

RECEIVED
DEPARTMENT OF PLANNING
AND ZONING

JUN 29 2010

SPECIAL PERMIT &
VARIANCE BRANCH

BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated February 17, 2005, for the above referenced application. The Development Plan shows a garage addition to a single-family dwelling unit extending to within 5.5 feet of the property line.

COMPREHENSIVE PLAN CITATIONS

1. **Resource Protection (The Policy Plan, Parks and Recreation Objectives 2 & 5, pp. 5-7)**

“Objective 2: Protect appropriate land areas in a natural state to ensure preservation of significant and sensitive natural resources.”

“Policy g: Protect parklands from encroachments and minimize adverse human impacts to natural areas.”

“Policy j: Minimize adverse impacts of development on water resources and stream valleys.”

“Policy k: Minimize the effects of storm water outfalls on parkland.”

“Objective 5: Ensure the long term protection, preservation and sustainability of park resources.”

“Policy a: Protect parklands from adverse impacts of off-site development and uses. Specifically, identify impacts from development proposals that may negatively

affect parklands and private properties under protective easements and require mitigation and/or restoration measures, as appropriate.”

“Policy b: Ensure the protection and appropriate resource management of, and public access to, designated stream valleys through dedication to the Fairfax County Park Authority or other park agencies.”

Natural Resources Impact:

Hidden Pond Park, owned by the Fairfax County Park Authority is directly adjacent and down slope from the proposed addition, which is proposed to extend to within six feet of the park. The Park Authority notes the following:

1. The limits of clearing and grading are not marked on the plan, however, it is reasonable to assume that the entire 5.5 feet between the proposed garage and the property boundary with parkland will be used by workers and machinery to accommodate the construction process of both the garage and new driveway. This will bring the area of disturbance to within the drip line of at least three mature trees located in Hidden Pond Park, significantly impacting the existing root zones of these park trees.
2. All limits of clearing and grading should be field located with the Park Authority, and the applicant should follow the direction of Urban Forestry to preserve the health of the trees.
3. Staff requests that if the trees show visible damage or signs of decline within two years of completion of the work that the applicant shall pay to have the trees either treated or removed. The Park Authority will not assume any liability to damage done to the applicant's property by these trees becoming hazardous as a result of the applicant's construction.
4. The applicant is increasing the impervious area of their property from approximately 20% to 25% (excluding the area of the shed and patio, which were not provided even though they contribute to impervious area) yet there appears to be no stormwater control on this property.
5. Staff requests that the applicant detain all runoff from the new addition on their property and should not run downspouts or corrugated pipe in any way that causes erosion on the adjacent park property. Due to the small project size, inexpensive LID methods, such as multiple rain barrels may treat enough of the stormwater from a 1" storm to mitigate the increase in impervious surface.
6. Park Authority staff request that the applicant not extend landscaping, footpaths, compost, debris piles or other private use features onto parkland.

FCPA Reviewer: Andy Galusha
DPZ Coordinator: Debbie Hedrick

Copy: Cindy Walsh, Director, Resource Management Division
Liz Crowell, Manager, Cultural Resource Management & Protection Section
Chron Binder
File Copy

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 yard reduction request. In such instance, if a portion of the principal structure is to be removed, no more than fifty (50) percent of the gross floor area of the existing principal structure at the time of the first yard reduction shall be removed.
5. The resulting gross floor area of an existing accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use and intent to the principal structure on the site.
6. The BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot.
7. The BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director.
8. The BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff.
9. The BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic

field; location of easements; and/or preservation of historic resources.

10. The BZA may impose such conditions as it deems necessary to satisfy these criteria, including, but not limited to imposition of a maximum gross floor area, floor area ratio, lot coverage, landscaping and/or screening requirements.
11. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by fifteen (15) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia. Such plat shall contain the following information:
 - A. Boundaries of entire property, with bearings and distances of the perimeter property lines, and of each zoning district.
 - B. Total area of the property and of each zoning district in square feet or acres.
 - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
 - D. The location, dimension and height of any building, structure or addition, whether existing or proposed. In addition, for decks, the height of the finished floor above finished ground level.
 - E. All required minimum yards to include front, side and rear, a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing and proposed structures to lot lines.
 - F. Means of ingress and egress to the property from a public street(s).
 - G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).

- H. If applicable, the location of a well and/or septic field.
 - I. Existing and proposed gross floor area and floor area ratio.
 - J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
 - K. The location, type and height of any existing and proposed landscaping and screening.
 - L. Approximate delineation of any floodplain designated by the Federal Insurance Administration, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.
 - M. Seal and signature of professional person certifying the plat.
12. Architectural depictions of the proposed structure(s) as viewed from all lot lines and street lines to include building materials, roof type, window treatment and any associated landscaping and/or screening shall be provided.