



County of Fairfax, Virginia

September 15, 2010

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2010-LE-045

LEE DISTRICT

APPLICANTS/OWNERS: Gregor G. Siebert
Laurie A. Siebert

STREET ADDRESS: 6020 Sumner Road

SUBDIVISION: Sumner Park

TAX MAP REFERENCE: 81-4 ((17)) 11

LOT SIZE: 10,517 square feet

ZONING DISTRICT: R-3 and HC

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of an addition 7.5 feet from a side lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2010-LE-045 for an addition 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 applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

O:\dhedr\Special Permits\9-22 SP 2010-LE-045 Siebert\SP 2010-LE-045 Siebert staff report.doc

Deborah Hedrick

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.

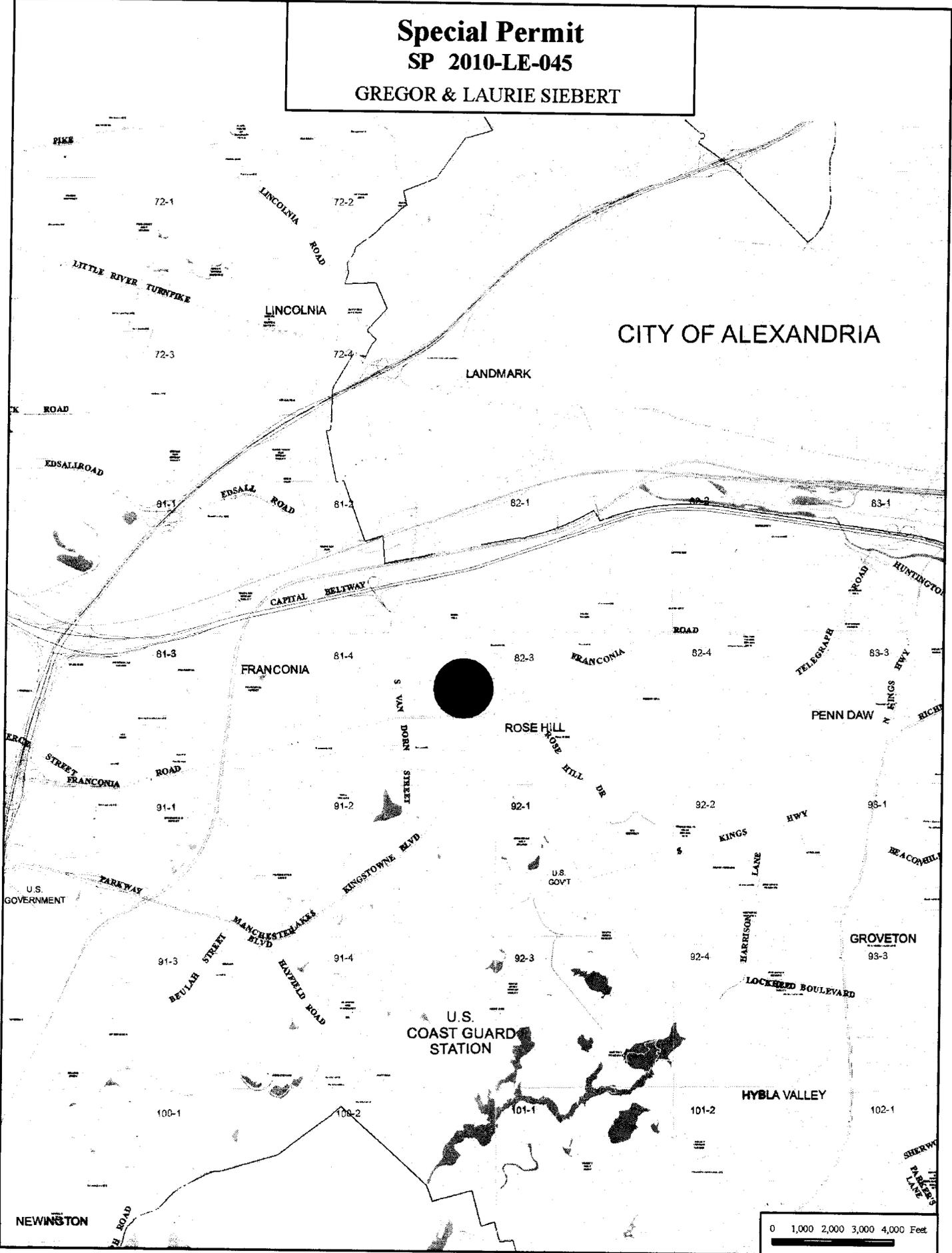
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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-LE-045
GREGOR & LAURIE SIEBERT

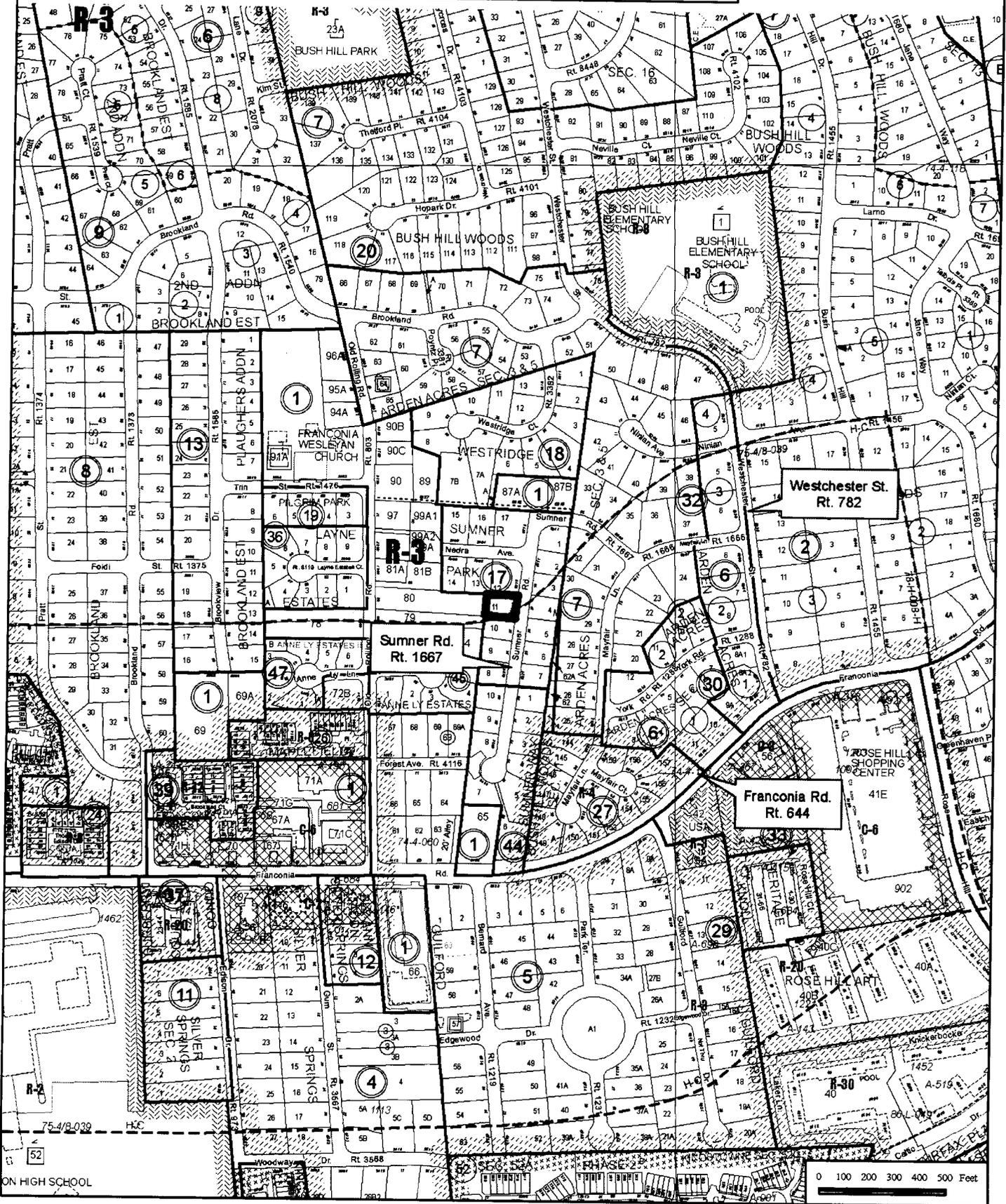


CITY OF ALEXANDRIA

U.S. COAST GUARD STATION

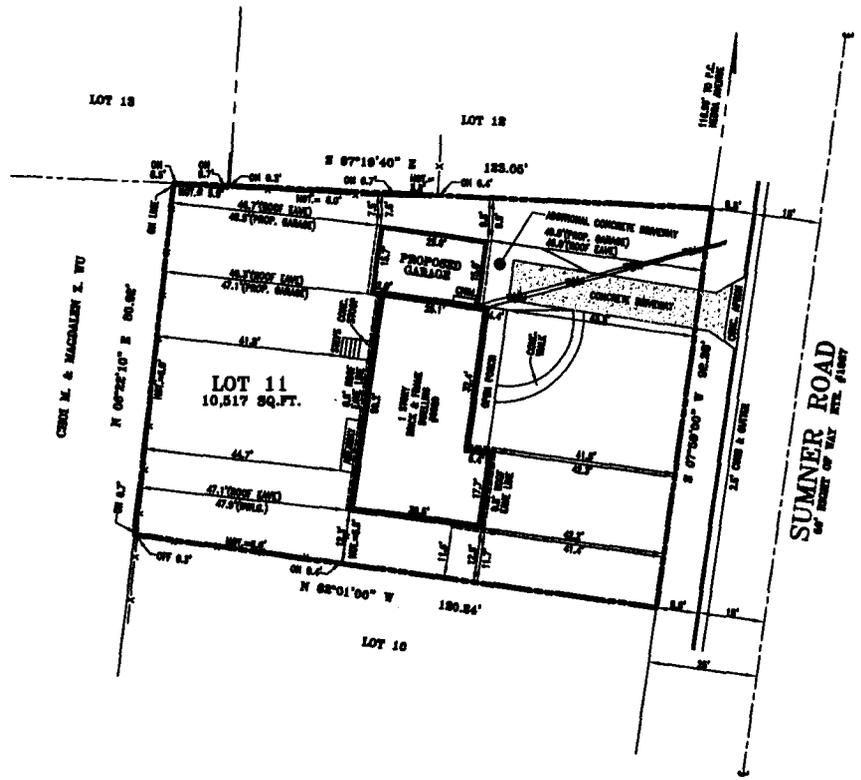
0 1,000 2,000 3,000 4,000 Feet

Special Permit
SP 2010-LE-045
GREGOR & LAURIE SIEBERT



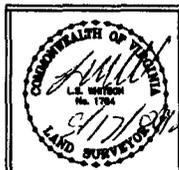
ON HIGH SCHOOL

0 100 200 300 400 500 Feet



NOTES:

1. THIS PROPERTY IS LOCATED IN TAX MAP: 61-4-17-00-001 AND IS ZONED R-3.
2. PROPERTY OWNERS ARE LAURIE AND GREGORY G. SIEBERT RECORDED IN DEED BOOK 20714 AT PAGE 1930 OF THE FAIRFAX COUNTY LAND RECORDS.
3. THIS PROPERTY IS SERVICED BY PUBLIC SEWER AND WATER.
4. NO TITLE REPORT FURNISHED AND ALL EASEMENTS OF RECORD MAY NOT BE SHOWN.
5. ZONING YARD REQUIREMENTS:
FRONT = 30 FEET SIDE YARD = 12 FEET REAR = 25 FEET
6. HEIGHT REQUIREMENT: 35 FEET
7. HEIGHTS:
DWELLING = 14.2 FEET
OPEN PORCH = 10.7 FEET
PROPOSED GARAGE = 14.0 FEET
WOOD FRAME FENCE (AS NOTED)
8. THERE IS NO EVIDENCE OF A BURIAL SITE ON THIS PROPERTY.
9. THERE ARE NO EASEMENTS OF 25 FEET OR MORE IN WIDTH THAT AFFECTS THIS PROPERTY.



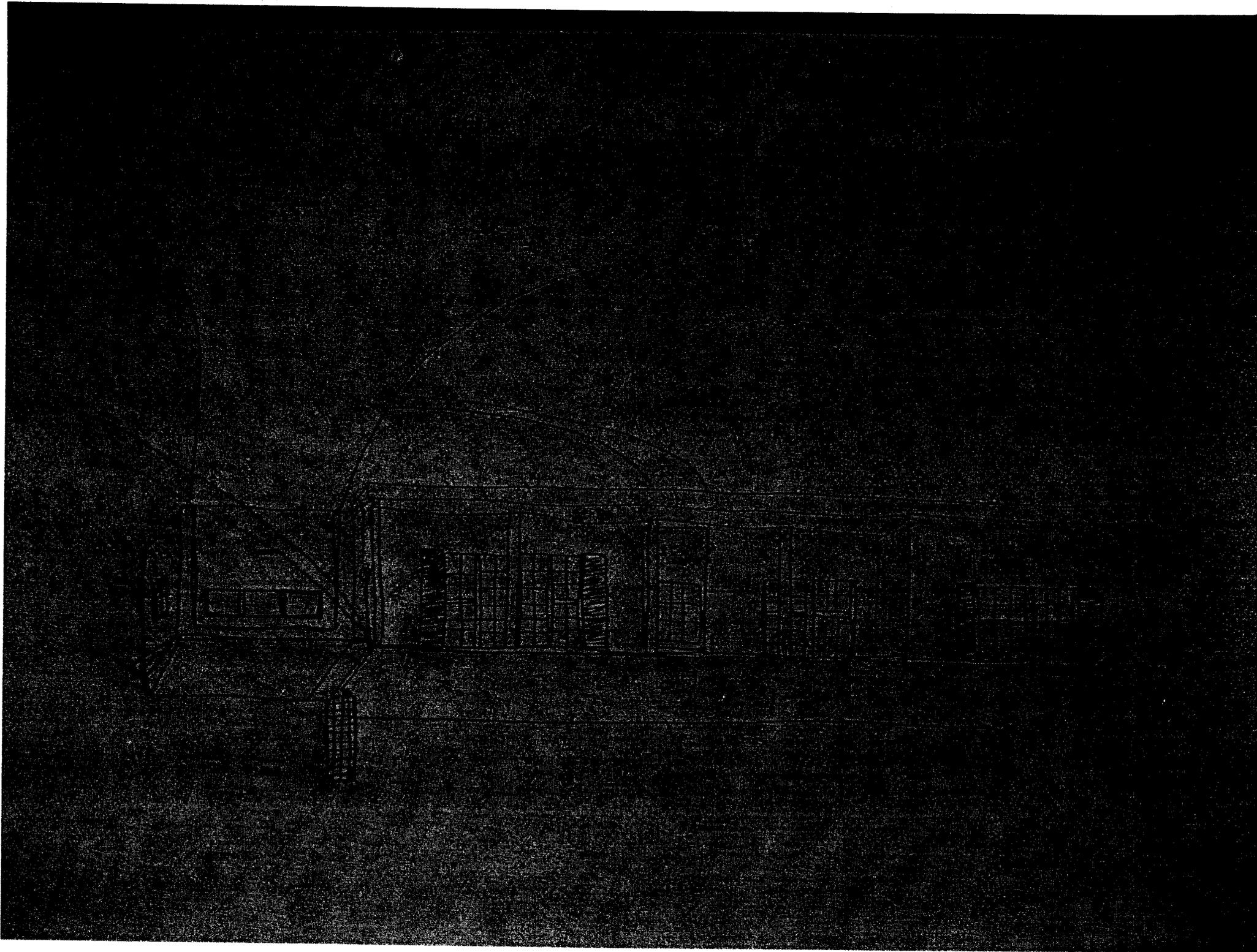
SPECIAL PERMIT PLAT
 LOT 11
SUMNER PARK
 DEED BOOK 1886 PAGE 688
 LEE DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 MAY 17, 2010 SCALE: 1" = 20'

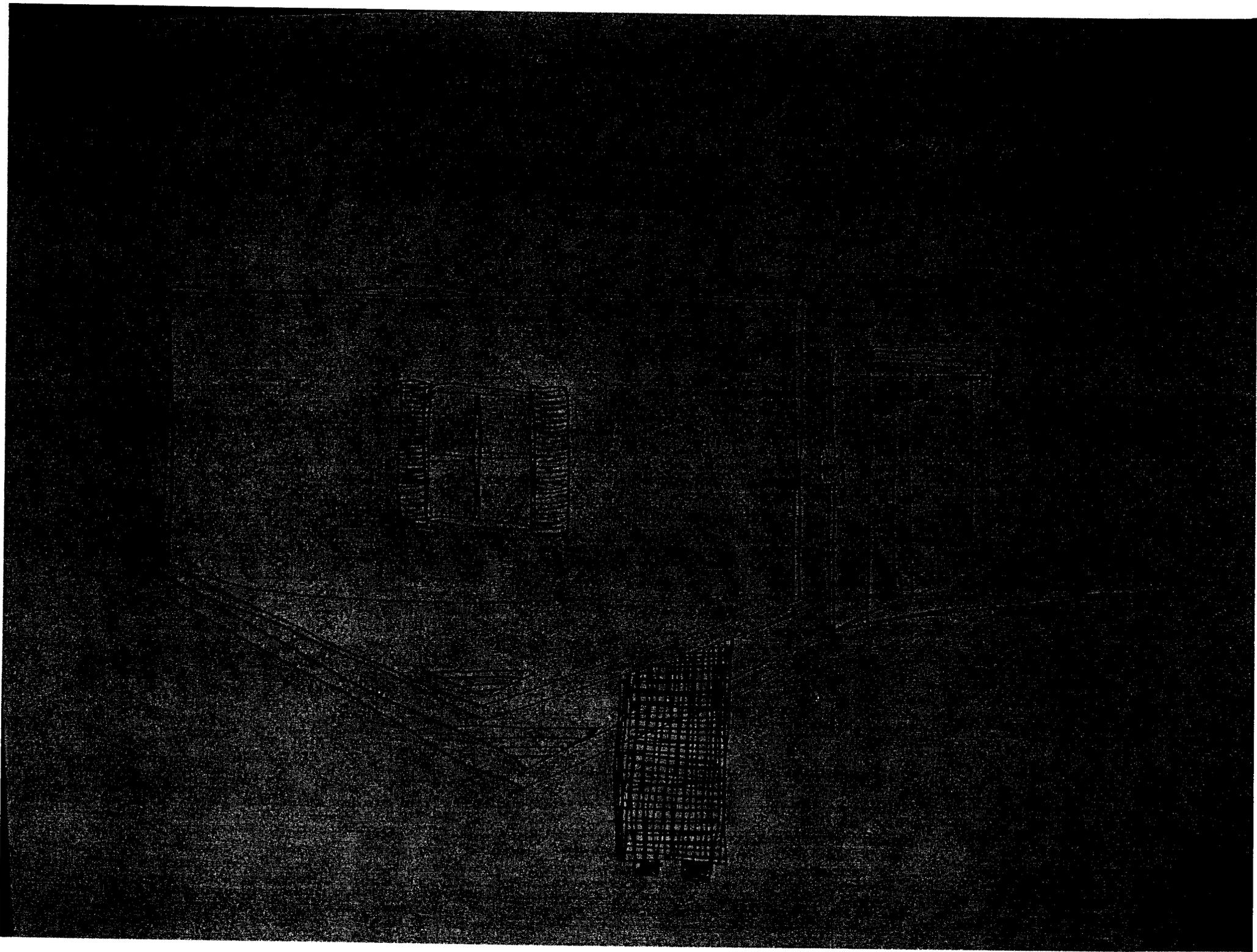
OWNER: SIEBERT
 V.O. #10-000

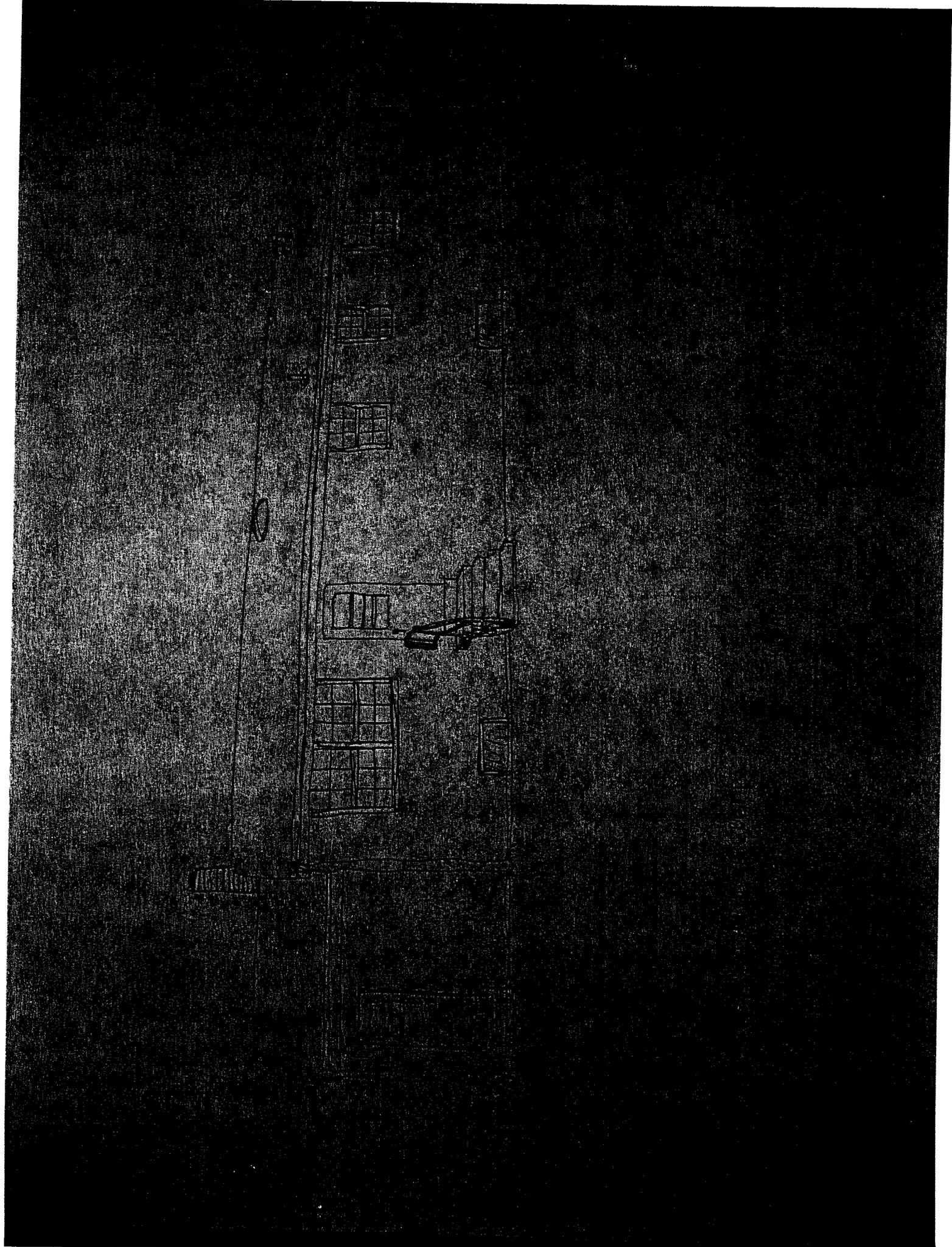
SAM WHITSON LAND SURVEYING, INC.
 7001 GATEWAY COURT SUITE 100 MANASSAS, VIRGINIA 20108
 PHONE: (703)898-0088 FAX: (703)898-0770

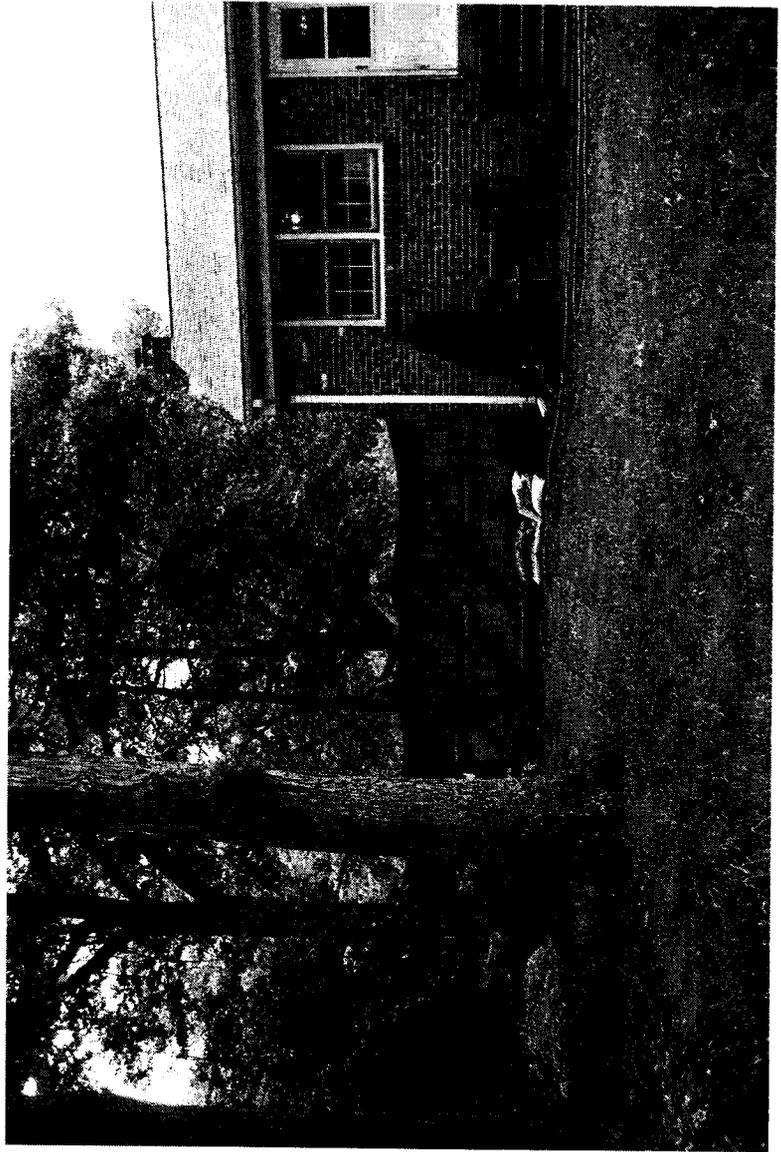
NOTES:

1. THIS PROPERTY IS LOCATED IN TAX MAP: 81-4-17-00-0011 AND IS ZONED R-3.
2. PROPERTY OWNERS ARE LAURIE AND GREGORY G. SIEBERT RECORDED IN DEED BOOK 20714 AT PAGE 1930 OF THE FAIRFAX COUNTY LAND RECORDS.
3. THIS PROPERTY IS SERVICED BY PUBLIC SEWER AND WATER.
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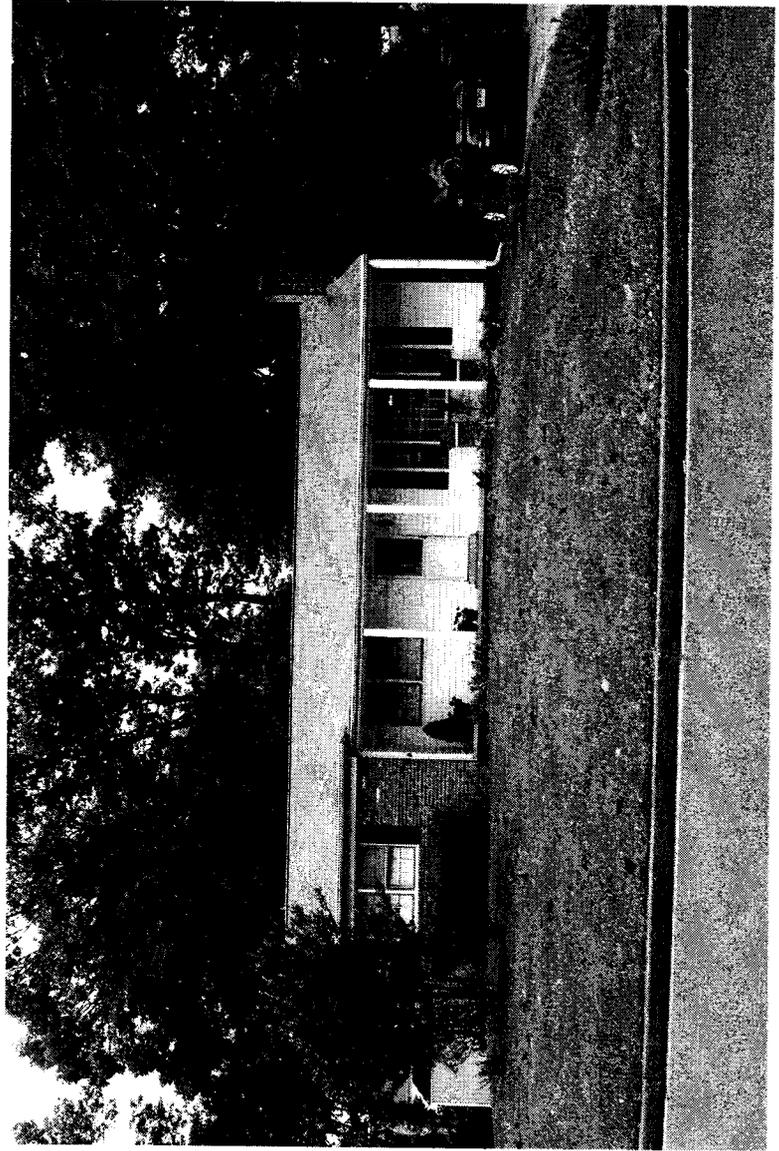
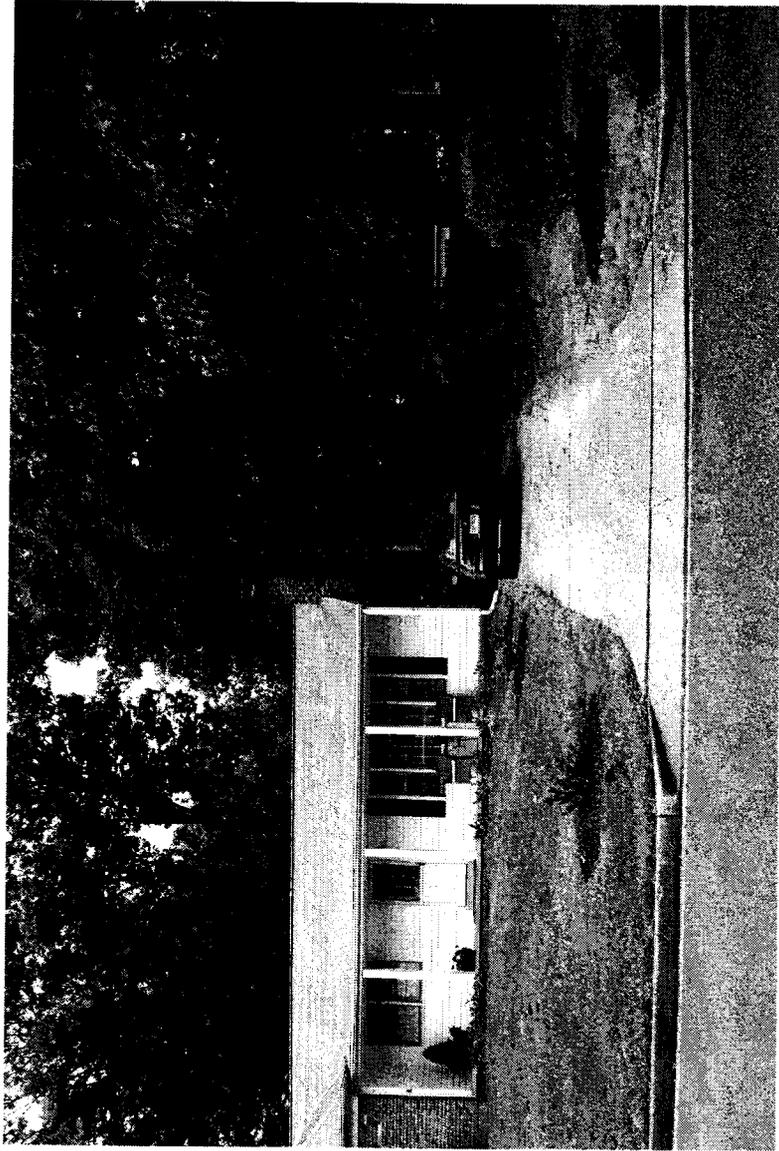




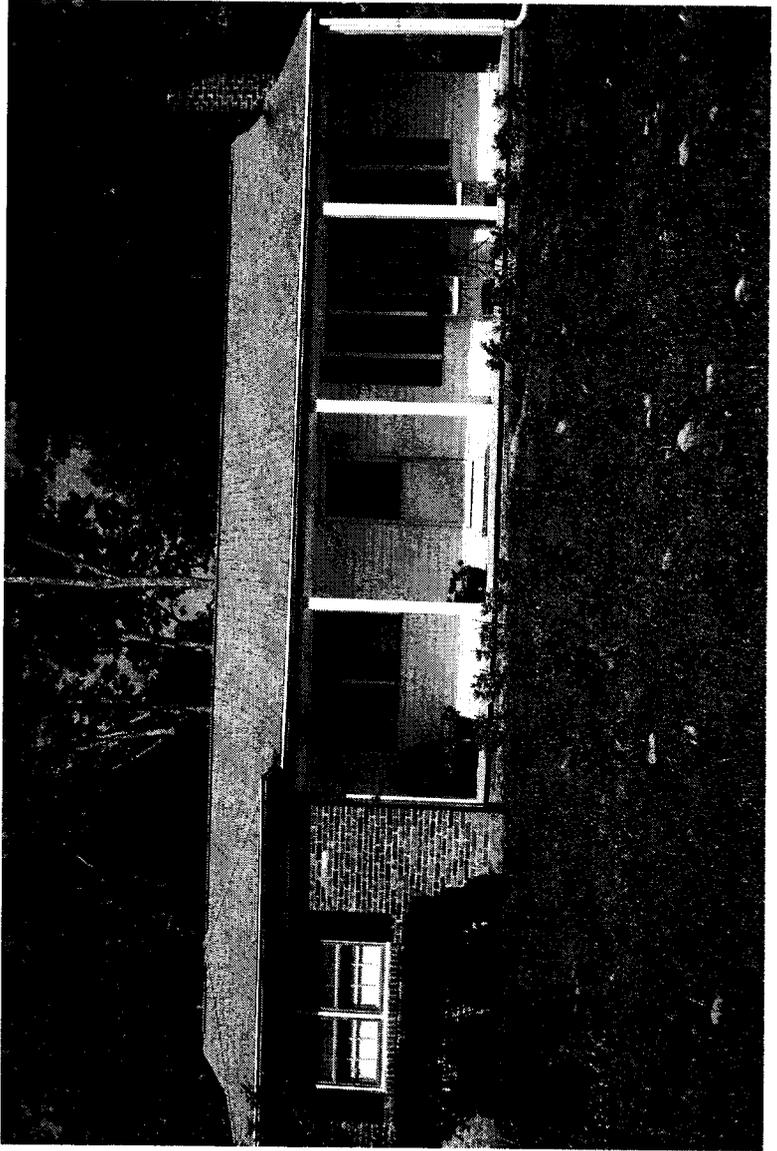
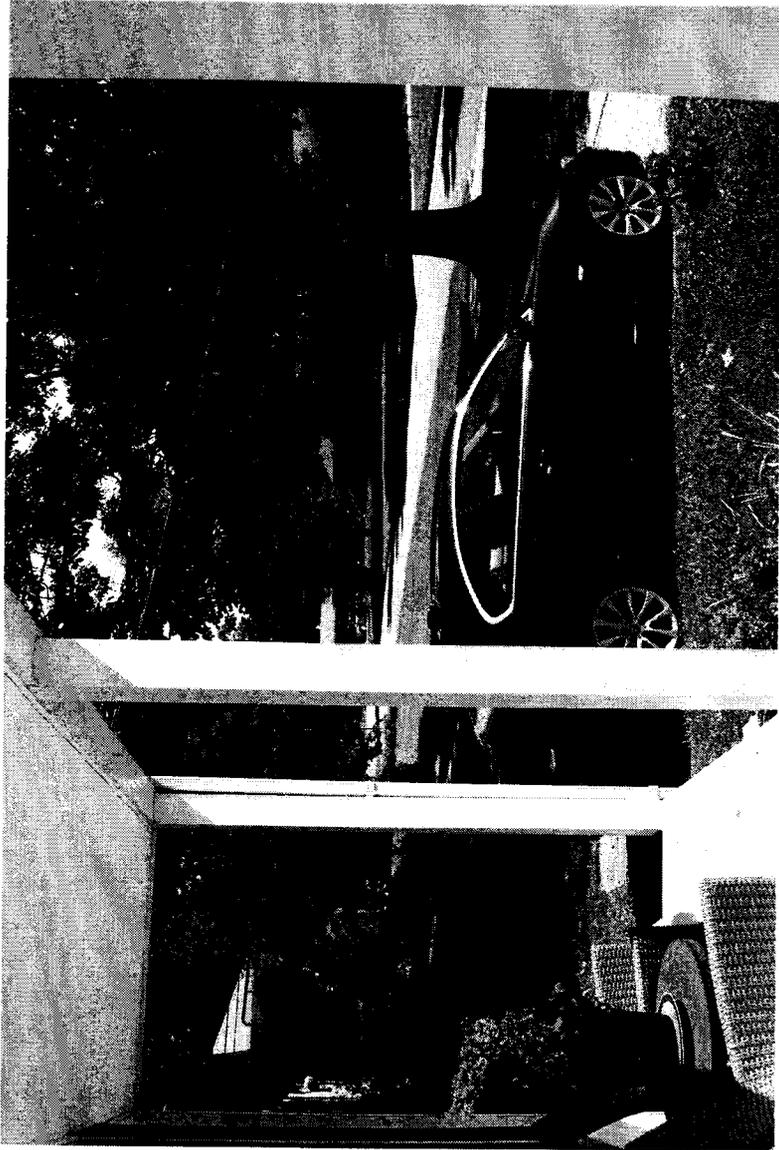


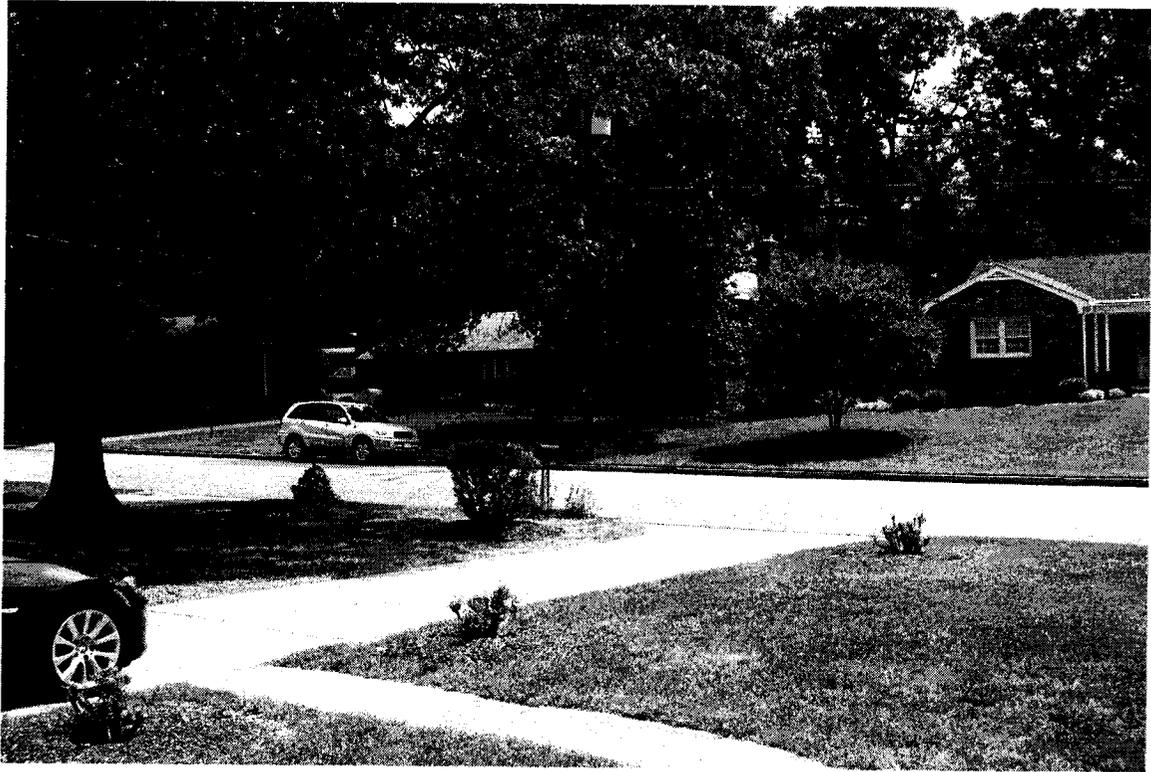
















DESCRIPTION OF THE APPLICATION

The applicants are requesting approval of a special permit to permit reduction of certain yard requirements to permit construction of a garage addition to be located 7.5 feet from the northern side lot line.

	Structure	Yard	Minimum Yard Required*	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit	Addition	Side	12.0 feet	7.5 feet	4.5 feet	38%

*Minimum yard requirement per Section 3-307

EXISTING SITE DESCRIPTION

The site is currently zoned R-3, developed with a one-story brick and stone single family detached dwelling, built in 1961, and is within a Highway Corridor Overlay District. The lot consists of 10,517 square feet and is surrounded by single family detached dwellings. A wood privacy fence surrounds the side and rear yards of the property. The property is accessed via a concrete driveway from Sumner Road which terminates at the dwelling. The lot is flat and contains existing mature vegetation consisting of mature trees and shrubs.

CHARACTER OF THE AREA

	Zoning	Use
North	R-3	Single Family Detached Dwellings
East	R-3	Single Family Detached Dwellings
South	R-3	Single Family Detached Dwellings
West	R-3	Single Family Detached Dwellings

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:** Special Permit Plat, Lot 11, Sumner Park, Deed Book 1965, Page 628
- **Prepared by:** Sam Whitson Land Surveying, Inc., dated May 17, 2010

Proposal:

The applicants propose to construct a one-car garage addition, consisting of 375 square feet, to be located 7.5 feet from the northern side lot line. The one-story addition will incorporate not only a one-car garage, but will include an area within for storage of garden tools and equipment.

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 5:

- *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 a majority of the surrounding properties have enclosed garages on their homes and the request as proposed is modest. 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 375 square foot one-car garage addition. Although no vegetation is proposed to be removed to accommodate the construction and there is existing mature vegetation along the side lot line, staff from the Forest Conservation Branch has indicated in a memorandum dated August 3, 2010, attached as Appendix 4, that there are several off-site trees located on Lot 12 adjacent to the northern property boundary, which appear to be in good condition and should be considered a priority for preservation. Therefore staff has incorporated a proposed development condition requiring a tree save area to protect those off-site trees, yet 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 1,340 square feet in size. Therefore 150% of the total gross floor area could result in an addition up to 2,010 square feet in size for a possible total square footage at build out of 3,350. The proposed addition is 375 square feet, for a total square footage of the house with the addition of 1,715 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 one-story addition will be compatible with the architecture of the existing dwelling on the lot. The height of the new addition (14.0) will not exceed the height of the existing dwelling (14.2 feet); therefore, the proposed 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 applicants propose to construct a one-story, one-car garage addition at the end of their existing driveway to accommodate the storage of their household vehicle, and garden tools and equipment. There is ample mature vegetation both on and off-site, and the addition is proposed adjacent to the garage and driveway of the neighboring property. As noted previously, it is recommended that the applicant provide a tree save area to protect the existing off-site trees located on Lot 12 to ensure preservation. Staff believes the addition will be harmonious with surrounding off-site uses, with adoption of the proposed development conditions, and meets this provision.

Standard 8 states that the BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff. Staff believes that the application meets the erosion and 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 375 square foot one-story addition will not impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety, as it is proposed adjacent to the neighboring property's one-story garage and driveway. 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 one-story addition is shown in the most logical location, as it will be placed where the existing driveway currently terminates. The request is modest in size and scale as it will accommodate only one vehicle and storage of garden equipment. 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-LE-045 for a one-story, one-car garage addition 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 applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Memorandum dated August 3, 2010, Forest Conservation Branch
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2010-LE-045****September 15, 2010**

If it is the intent of the Board of Zoning Appeals to approve SP 2010-LE-045 located at Tax Map 81-4 ((17)) 11 to permit reduction of certain yard requirements pursuant to Section 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 one-story garage addition (375 square feet), as shown on the plat prepared by Sam Whitson Land Surveying, Inc., dated May 17, 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 (1,340 square feet existing + 2,010 square feet (150%) = 3,350 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. Prior to commencement of and during the entire construction process, tree protective fencing shall be installed between the proposed garage location and the limits of clearing and grading at the northern property boundary. Tree protection fencing in the form of 14-gauge welded wire fence mounted on steel

posts shall be installed at the limits of clearing and grading. The applicant shall monitor the site to ensure that inappropriate activity such as the storage of construction equipment does not occur within the tree save areas

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

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and 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.





W. H. HENNINGSON

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 24, 2010
(enter date affidavit is notarized)

I, Laurie Siebert, 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 108646

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)
Laurie A. Siebert	6020 Sumner Rd alexandria, VA 22310	Owner/Applicant
Gregor G. Siebert	6020 Sumner Rd alexandria, VA 22310	owner/Applicant

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 24, 2010
(enter date affidavit is notarized)

108646

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)

W/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): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 24, 2010
(enter date affidavit is notarized)

108646

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**)

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 24, 2010
(enter date affidavit is notarized)

108646

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.

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 24, 2010
(enter date affidavit is notarized)

108646

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:

Laurie Siebert

(check one)

Applicant

[] Applicant's Authorized Agent

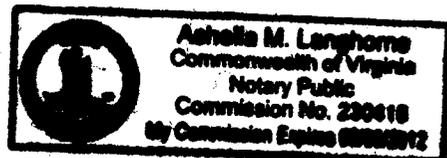
Laurie Siebert

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

Subscribed and sworn to before me this 24th day of May, 2010, in the State/Comm. of Virginia, County/City of Fairfax

Ashelle M. Langhorne
Notary Public

My commission expires: June 30, 2012



May 24, 2010

Memorandum for County of Fairfax Zoning Evaluation Division

From: Gregor and Laurie Siebert
6020 Sumner Road
Alexandria, VA 22310
Lee District, Lot 11

RECEIVED
Department of Planning & Zoning
JUL 01 2010
Zoning Evaluation Division

Subject: Special Permit Application

We are applying for a special permit to request a reduction of certain yard requirements to permit an accessory structure 7.5 feet from the side lot line. This structure does not result in the placement of a detached accessory structure in the front yard. The lot contains a principal structure and the proposed use will be attached and on the best side.

The gross floor area of living space is 1,340 square feet and the addition will be 375 square feet. The addition to the existing principal structure is 28 percent and the gross floor area of the addition shall be clearly subordinate in purpose, scale, use and intent to the principal structure on the site.

The proposed development will be in character with the existing on-site development in terms of location, height, bulk and scale of the existing structure on the lot. The proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director. It 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 storm water runoff.

The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. The area is flat and the best area for the proposed structure in relationship to the existing structure and shape of the lot. There will be preservation of existing vegetation and trees. The lot has public water and sewage and no known easements or burial sites.

The new structure will be comparable to the existing structure using the same type of materials.

There are no hazardous materials on the property other than normal household items. The reason for the special permit is to permit the structure 7.5 ft from the side lot line therefore, we are requesting a reduction of the side yard requirement.

24 May 2010

Memorandum for County of Fairfax Zoning Evaluation Division

From: Grega and Laurie Siebert

6020 Summer Road

Alexandria, VA 22310

Summer Park, Lot 11

Subject: Special Permit Application

We are submitting a special permit/variance for the construction of an attached, single car garage. This is necessary because the proposed structure exceeds the authorized setback by several feet. The proposed addition will be used for vehicle parking and storage of garden tools/equipment.

RECEIVED
Planning & Zoning
MAY 24 2010
Zoning Evaluation Division



County of Fairfax, Virginia

MEMORANDUM

RECEIVED
Department of Planning & Zoning
AUG 05 2010
Zoning Evaluation Division

August 3, 2010

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

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

SUBJECT: Sumner Park Lot 11; SP 2010-LE-045

RE: Request for assistance dated July 15, 2010

This review is based on the Special Permit/Variance application SP 2010-LE-045 and the Special Permit Plat for "Lot 11, Sumner Park" stamped "Received, Department of Planning and Zoning, May 24, 2010." A site visit was conducted on August 2, 2010.

Site Description: This site is developed with a one-story brick and frame single family detached dwelling with a concrete driveway located at the northeast portion of the property. There are several off-site trees located on Lot 12 adjacent to the northern property boundary consisting of a 24-inch diameter white oak, an 11-inch diameter black gum, and a 20-inch diameter red oak. These trees appear to be in fair to good condition and should be considered a priority for preservation.

- 1. Comment:** There are several off-site trees located on Lot 12 adjacent to the northern property boundary consisting of a 24-inch diameter white oak, an 11-inch diameter black gum, and a 20-inch diameter red oak. These trees appear to be in fair to good condition and should be considered a priority for preservation.

Recommendation: A tree save area should be provided at the northern portion of the property to protect the existing off-site trees from construction activities.

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

TLN/
UFMID #: 152260

cc: RA File
DPZ File

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



8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-903 Standards for All Group 9 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, or other appropriate submission as determined by the Director.

8-922 Provisions for Reduction of Certain Yard Requirements

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

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

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

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

2. Such reduction shall not result in the placement of a detached accessory structure in a front yard where the placement of such accessory structure is not otherwise permitted in that yard.

3. This special permit shall only apply to those lots that contain a principal structure and use that complied with the minimum yard requirements in effect when the use or structure was established.
4. The resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first 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.