



# County of Fairfax, Virginia

October 21, 2010

## STAFF REPORT

**SPECIAL PERMIT APPLICATION NO. SP 2010-SU-050**

### SULLY DISTRICT

**APPLICANT/OWNER:** Dawn Rowland

**STREET ADDRESS:** 14702 Crenshaw Drive

**SUBDIVISION:** Country Club Manor

**TAX MAP REFERENCE:** 44-3 ((2)) (27) 8

**LOT SIZE:** 8,740 square feet

**ZONING DISTRICT:** R-3 (Cluster) and WS

**ZONING ORDINANCE PROVISION:** 8-914 and 8-922

**SPECIAL PERMIT PROPOSAL:** To permit reduction to minimum yard requirements based on error in building location to permit an accessory storage structure to remain 2.4 feet from a side lot line and 2.2 feet from the rear lot line and to permit reduction of certain yard requirements to permit construction of an accessory structure 5.0 feet from a side lot line and 7.0 feet from rear lot line.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2010-SU-050 for the accessory structure (detached garage) 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:\dhedn\Special Permits\10-27) SP 2010-SU-050 Rowland (50)\SP 2010-SU-050 Rowland 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.

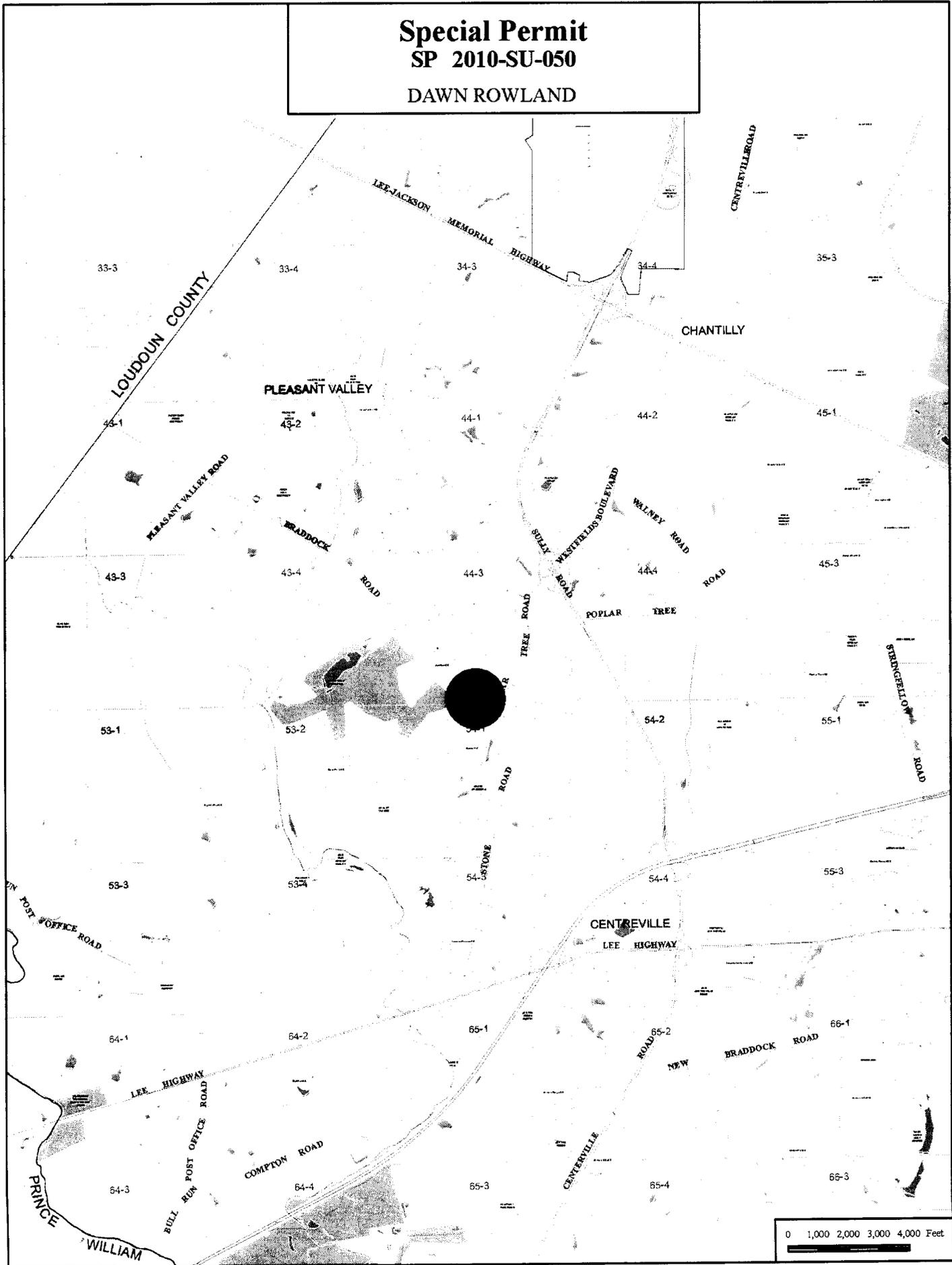
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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.**

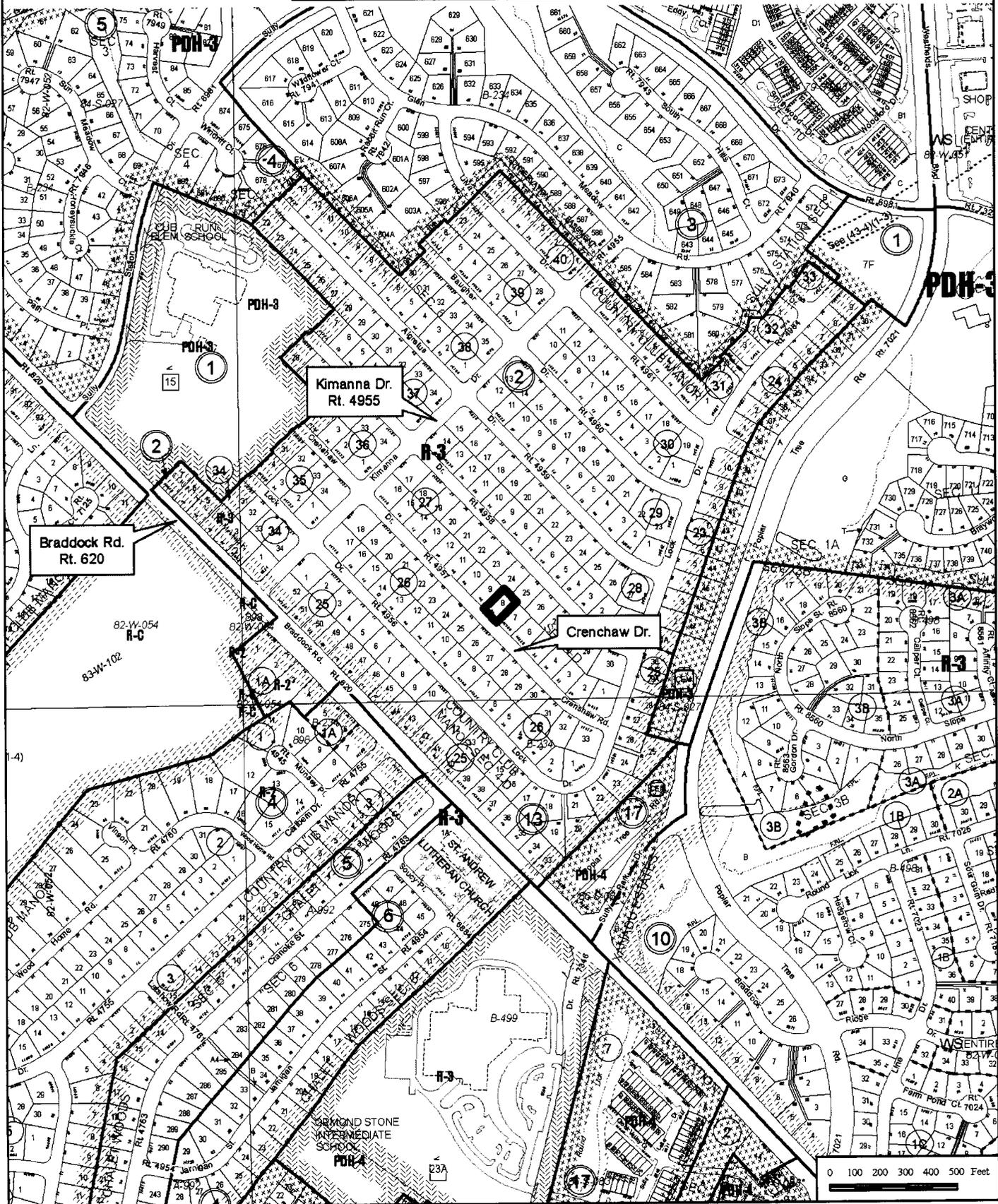


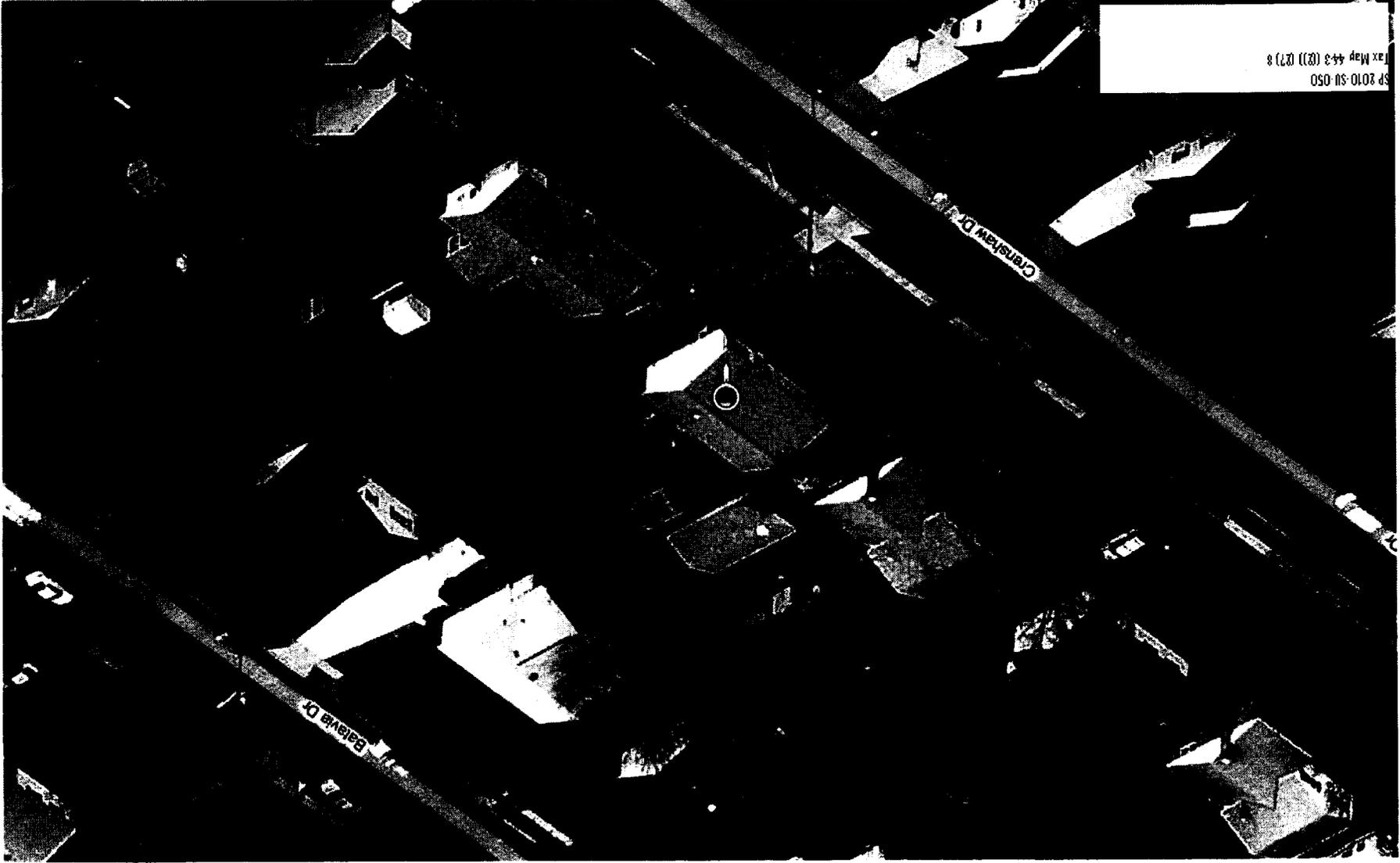
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**Special Permit**  
**SP 2010-SU-050**  
**DAWN ROWLAND**



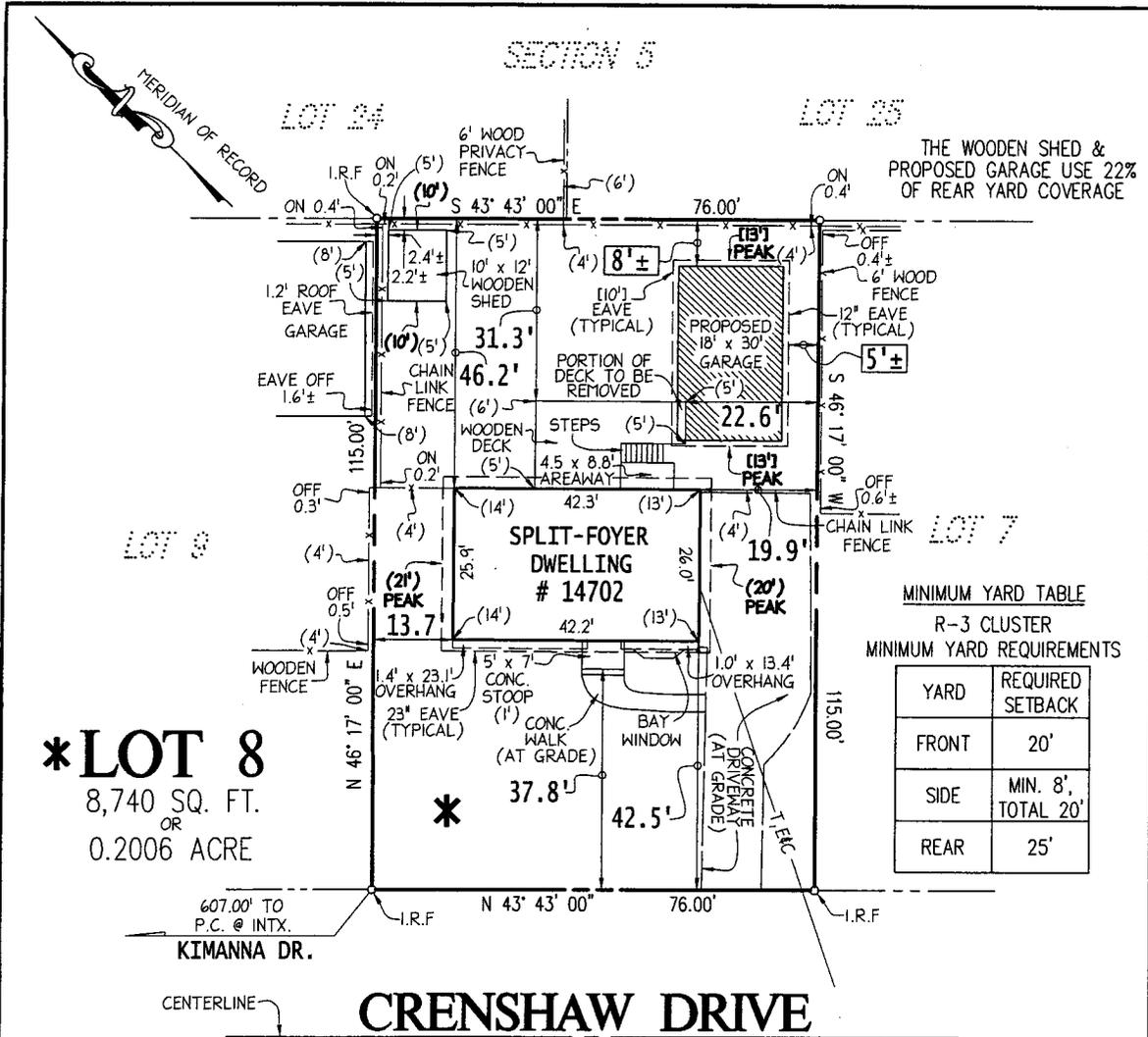
**Special Permit  
SP 2010-SU-050  
DAWN ROWLAND**





SP 2010-SU-050  
Tax Map 44-3 (02) (07) 8

SECTION 5

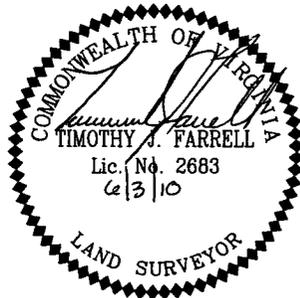


**CRENSHAW DRIVE**

(50' WIDE)

LEGEND:

- I.P.F. DENOTES IRON PIPE FOUND
- X- DENOTES FENCE LINE
- T,E&C- DENOTES OVERHEAD TELEPHONE, ELECTRIC, AND CABLE LINES
- B.R.L. DENOTES BUILDING RESTRICTION LINES
- N/F DENOTES NOW OR FORMERLY
- DB, PG DENOTES DEED BOOK AND PAGE
- (1') DENOTES HEIGHT FROM GRADE
- (1') DENOTES PROPOSED HEIGHT FROM GRADE
- I.R.F. DENOTES IRON ROD FOUND
- 15'** DENOTES PROPOSED SWING



NOTES:

- 1) THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
- 2) THE LOT SHOWN HEREON APPEARS TO PLOT IN FLOOD ZONE "X" AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN, AS SHOWN ON F.E.M.A. MAP# 515525-0025-D EFFECTIVE DATE: MARCH 5, 1990
- 3) PROPERTY SERVED BY PUBLIC WATER AND SEWER.
- 4) NO BURIAL SITES ON LOT PER RECORD. PLAT RECORDED IN DEED BOOK 3003, PAGE 505 AMONG THE LAND RECORDS OF FAIRFAX COUNTY, VIRGINIA.
- 5) THE PROPERTY SHOWN ON THIS PLAT IS LOCATED ON TAX ASSESSMENT MAP # 044-3-02-27-0008, ZONED R-3
- 6) NO EXISTING UTILITY EASEMENTS HAVING A WIDTH OF TWENTY-FIVE OR MORE PER RECORD PLAT.
- 7) EASEMENTS, B.R.L.S & MERIDIAN, IF SHOWN HEREON, ARE AS DELINEATED ON PLAT RECORDED IN DEED BOOK 3003, PAGE 505 (UNLESS NOTED OTHERWISE).

SPECIAL PERMIT PLAT  
**LOT 8**  
SECTION 4, BLOCK 27  
**COUNTRY CLUB MANOR**  
SULLY DISTRICT  
FAIRFAX COUNTY, VIRGINIA

**B.W. SMITH AND ASSOCIATES, INC.**

PROFESSIONAL LAND SURVEYING  
MANASSAS, VIRGINIA (703) 368-5866 1(800) 682-0996

FIELD CREW: D. CONRAD

REVISION 7/26/10 (COUNTY COMMENTS)

REVISION 06/28/10 (PROPOSED SWING)

JOB# 20101753

DFT: J.J.W.

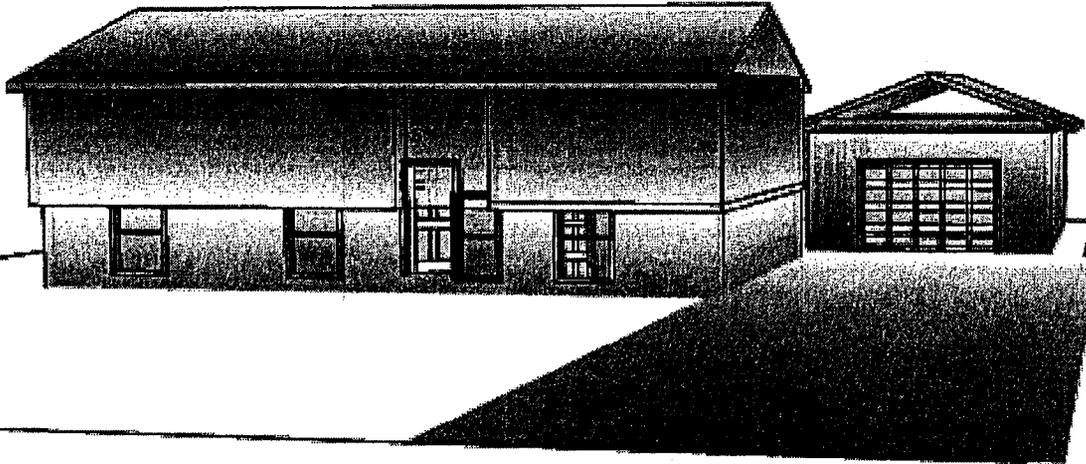
CHK: M.K.S.

NO TITLE REPORT FURNISHED

SCALE= 1" = 25'

DATE: 06/03/10

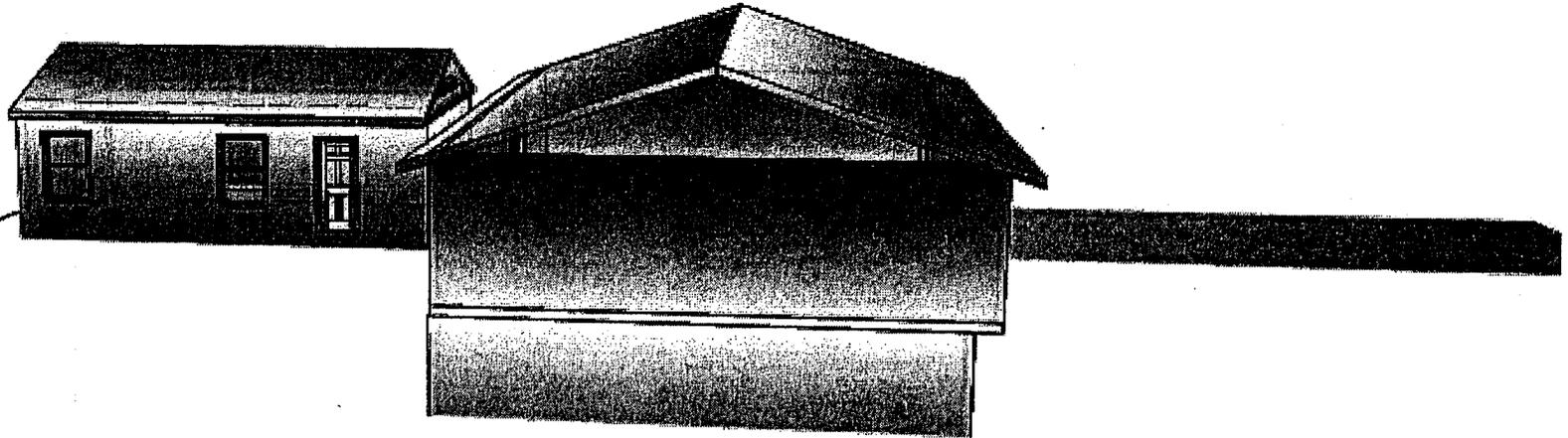
DAWN ROWLAND  
14702 CRENSHAW DR CENTREVILLE, VA



Scale: NTS

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Department of Planning & Zoning  
JUN 28 2010  
Zoning Evaluation Div.

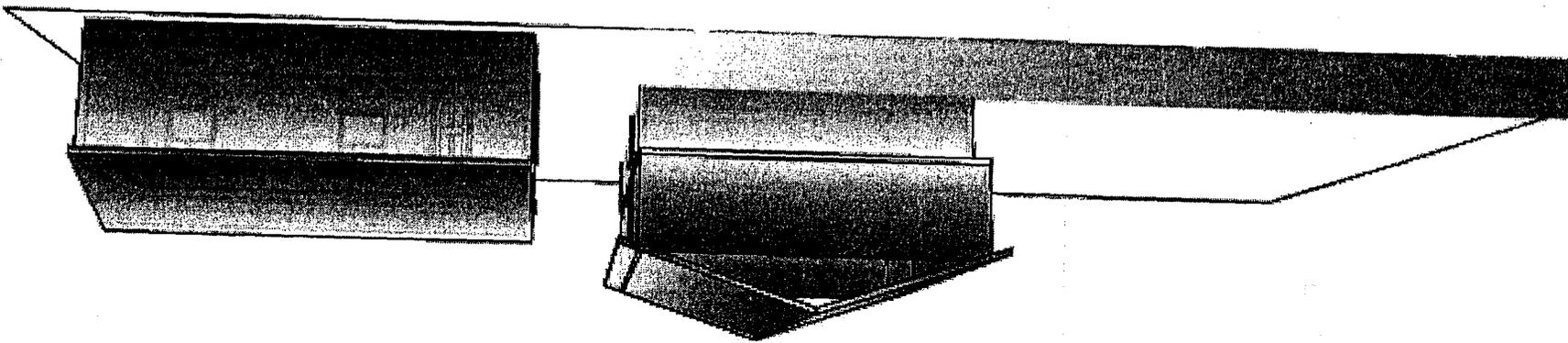
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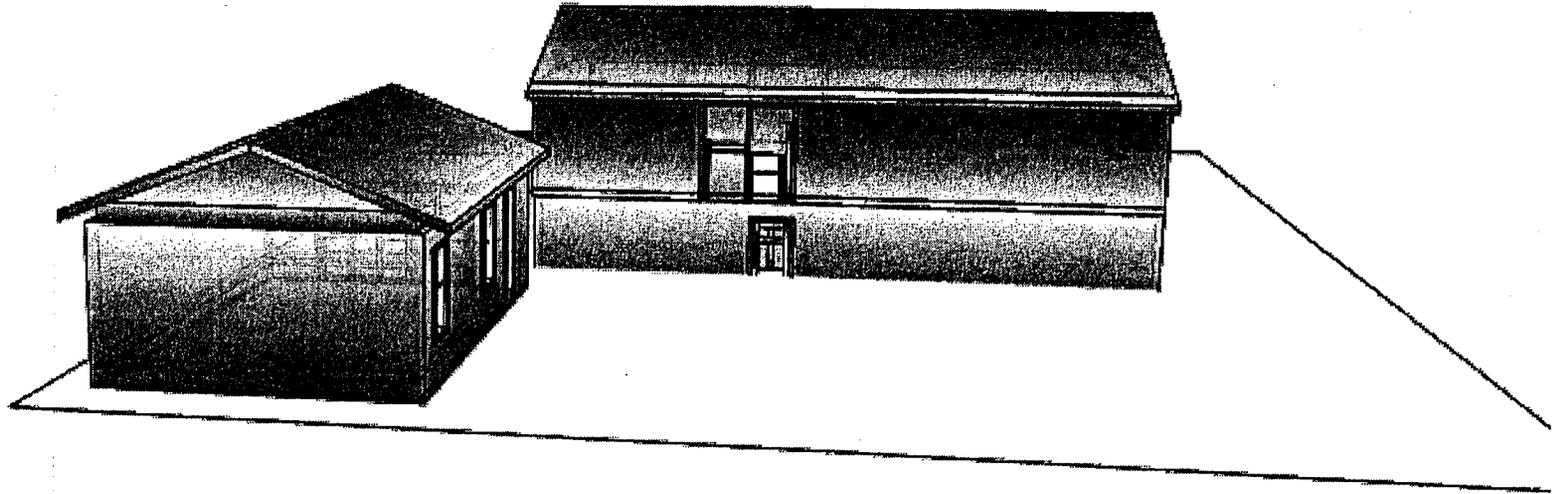
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Department of Planning & Zoning  
JUN 28 2010  
Zoning Evaluation Division

Scale: NTS



DANN ROWLAND  
14702 CRENSHAW DR CENTREVILLE, VA

14702 DAWN KOWLAND  
CRENSHAW DR CENTREVILLE, VA



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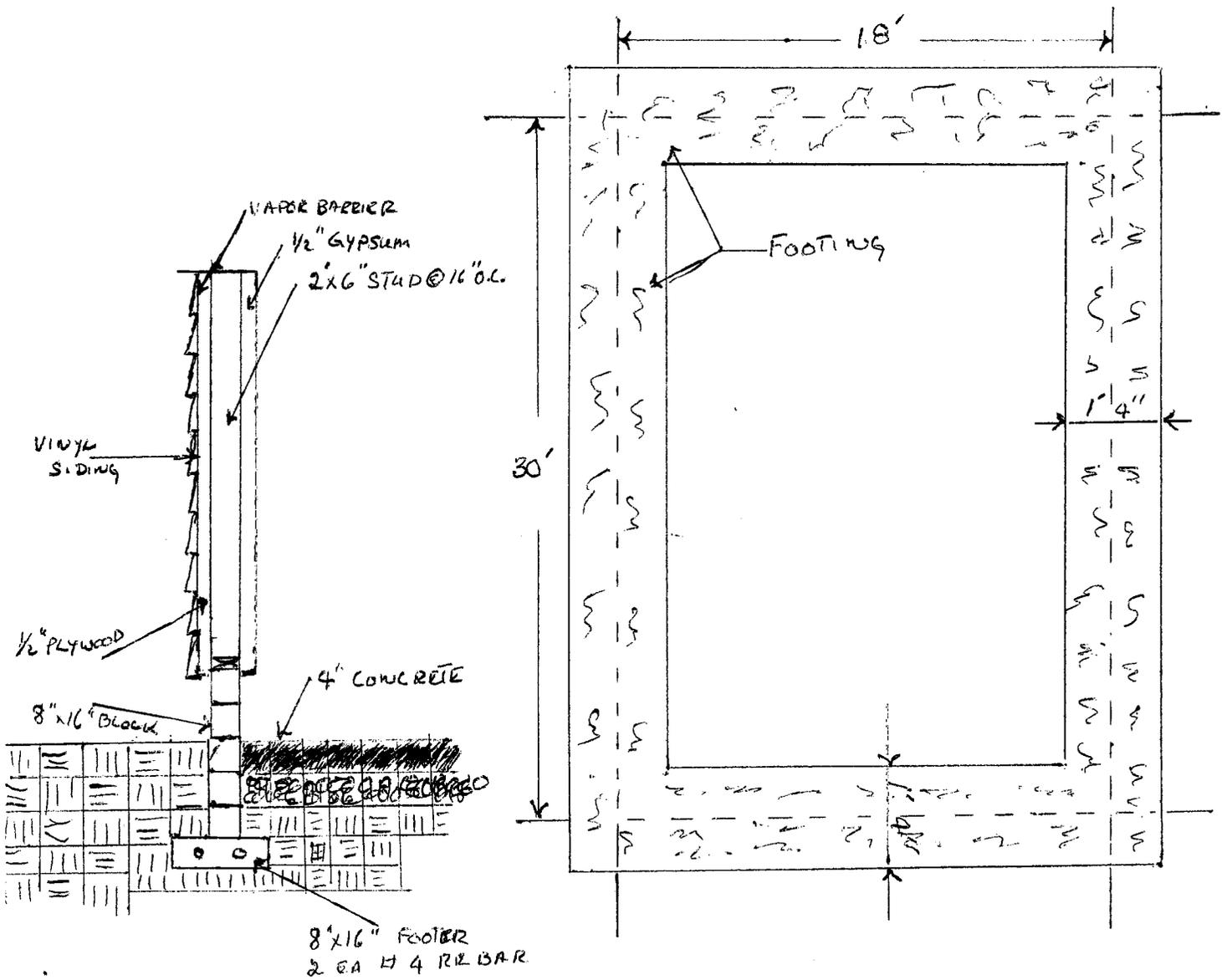
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Department of Planning & Zoning  
JUN 28 2010  
Zoning Evaluation Division

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Zoning Evaluation Division

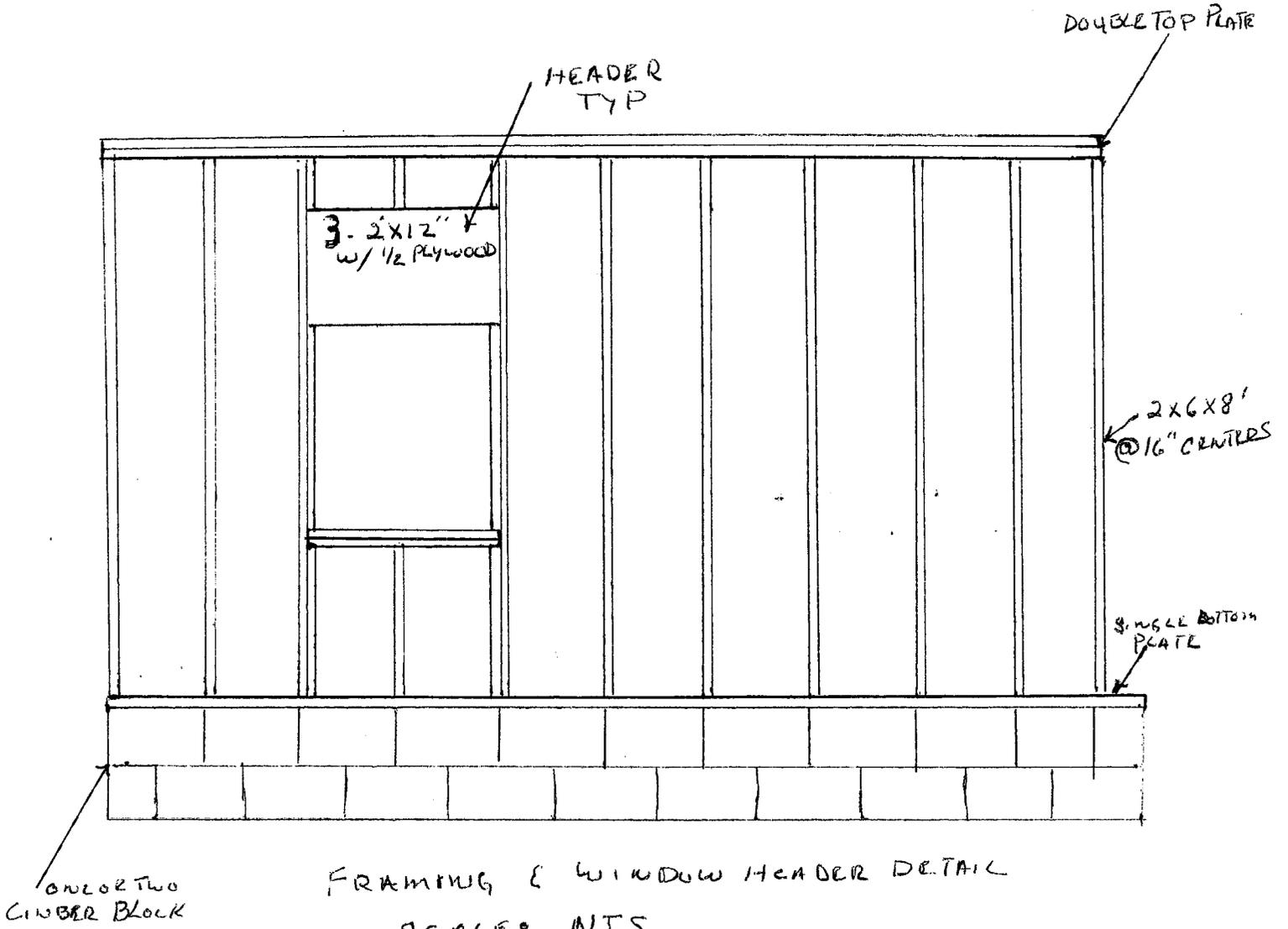
14702 Crenshaw Dr.  
Centreville, VA 20120  
Dawn Rowland



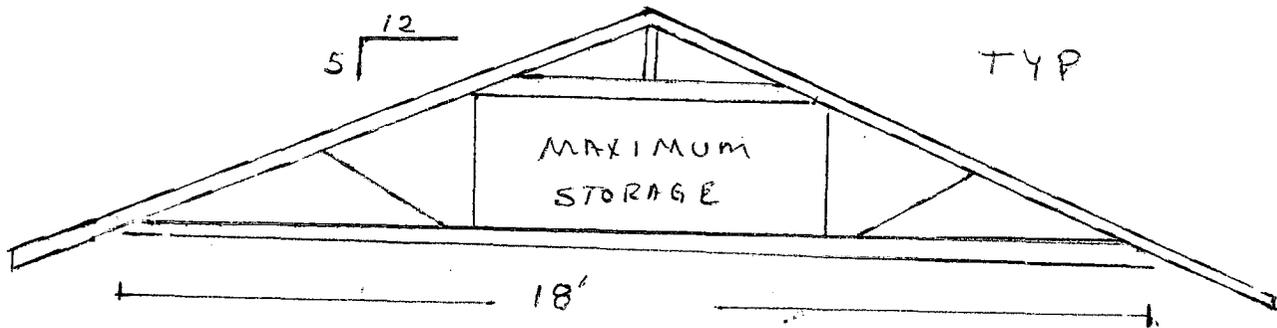
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SCALE: NTS

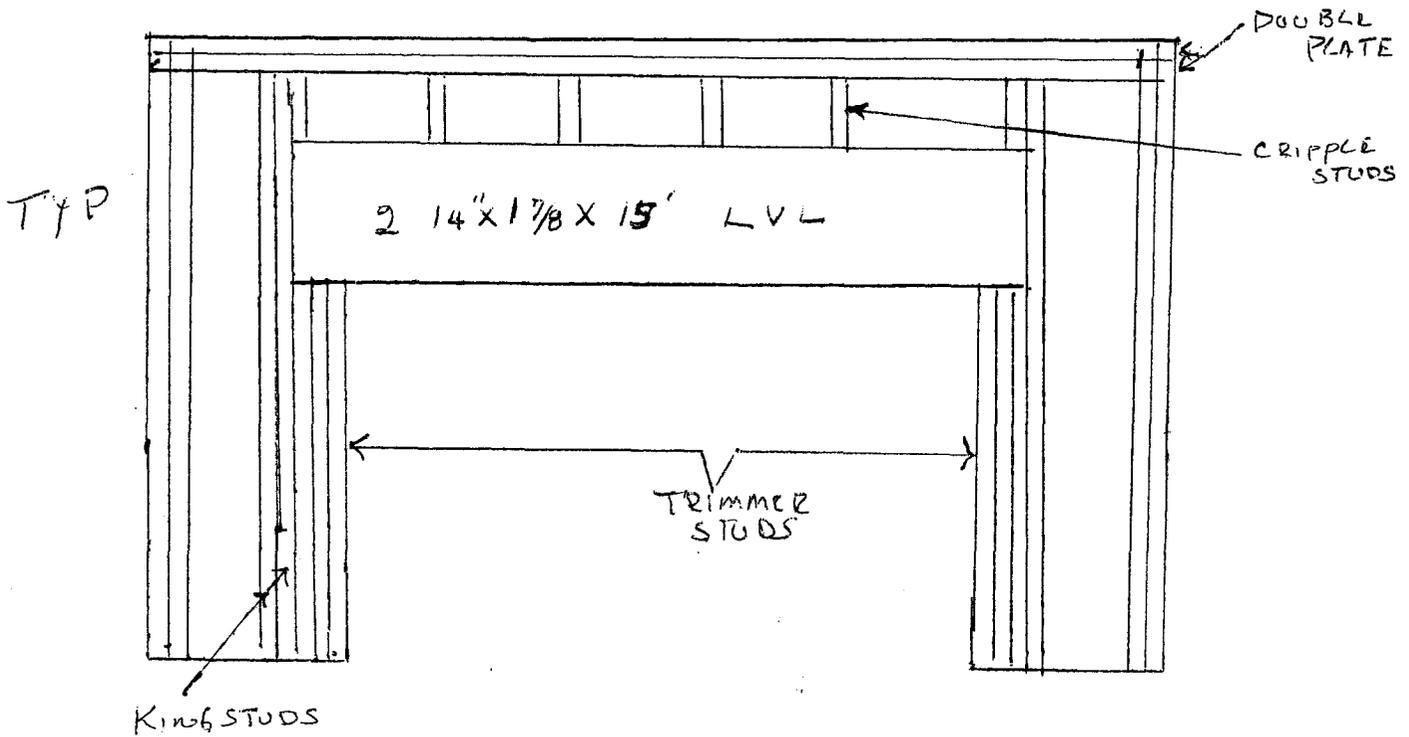
14702 Crenshaw Dr.  
Centreville, VA 20120  
Dawn Rowland



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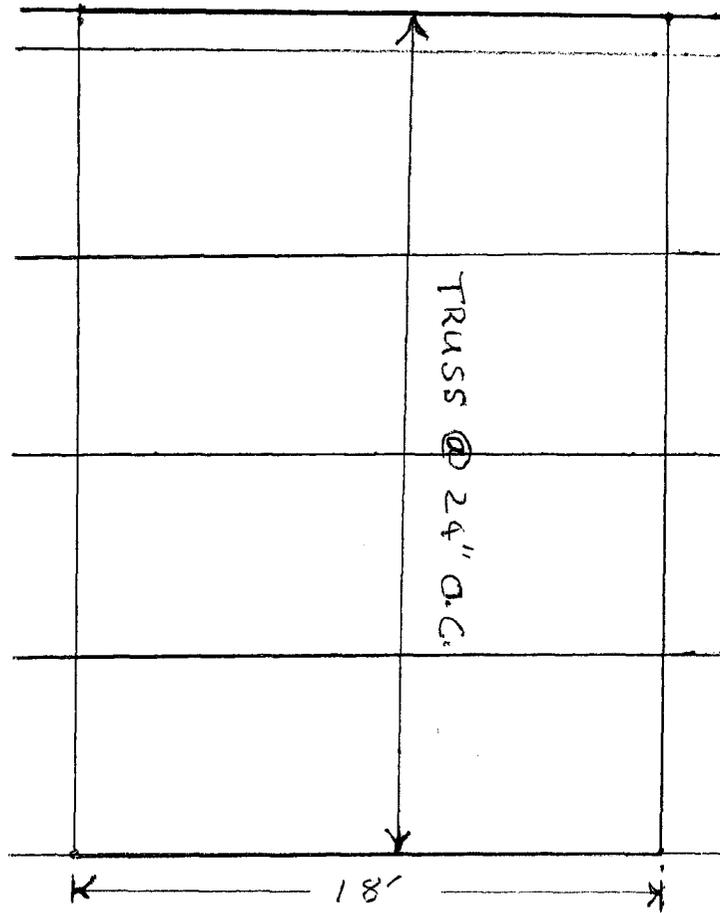
PRE-ENGINEERED TRUSS  
SCALE: N.T.S.



14'  
DOOR HEADER DETAIL

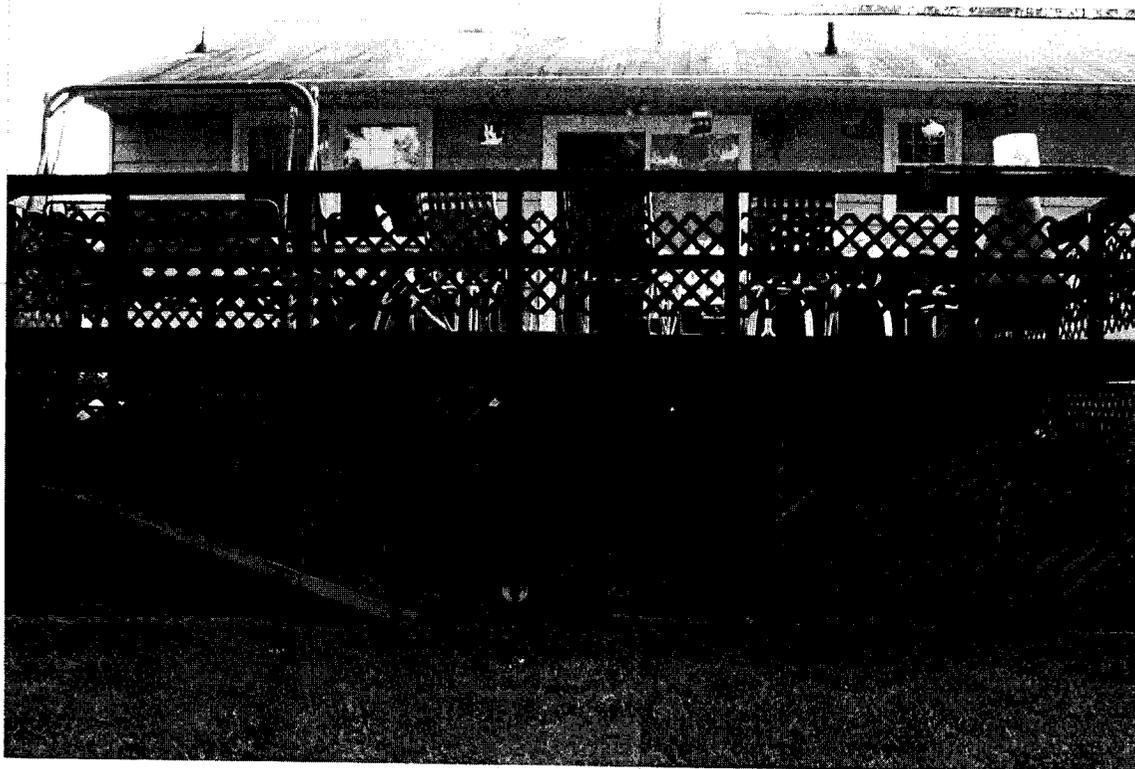
SCALE: N.T.S.

14702 Crenshaw Dr.  
Centreville, VA 20120  
Dawn Rowland



ROOF PLAN  
SCALE: NTS

**14702 CRENSHAW DRIVE CENTREVILLE VA  
7-27-10**



**FROM THE CENTER OF THE REAR YARD OF 14702 CRENSHAW DRIVE**

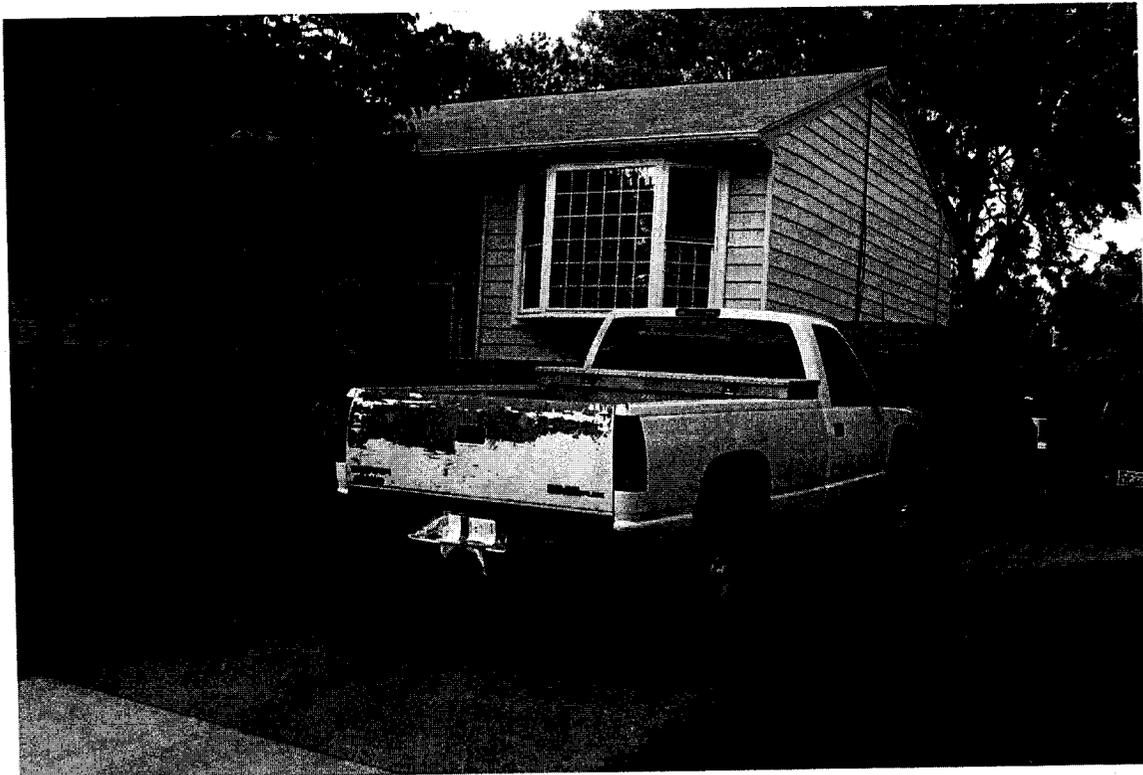


**FROM THE EAST SIDE OF THE REAR YARD OF 14702 CRENSHAW DRIVE**

**14702 CRENSHAW DRIVE CENTREVILLE, VA  
7-27-10**



**FROM SOUTHEAST SIDE YARD FACING 14700 CRENSHAW DRIVE**



**FROM SOUTH SIDE OF FRONT YARD FACING  
14701 CRENSHAW DRIVE**

14702 CRENSHAW DRIVE CENTREVILLE, VA  
7-27-10



FROM THE FRONT YARD FACING 14702 CRENSHAW DRIVE



FROM THE WEST SIDE OF FRONT YARD FACING 14702 CRENSHAW DRIVE

14702 CRENSHAW DRIVE CENTREVILLE, VA

7-27-10



FROM THE NORTHWEST SIDE YARD FACING 14702 CRENSHAW DRIVE



FROM THE NORTH SIDE OF THE REAR YARD FACING  
14702 CRENSHAW DRIVE

**14702 CRENSHAW DRIVE CENTREVILLE, VA**

**7-27-10**

9



9

**FROM CENTER OF REAR YARD FACING THE BACK OF  
14615 BATAVIA DRIVE**

10



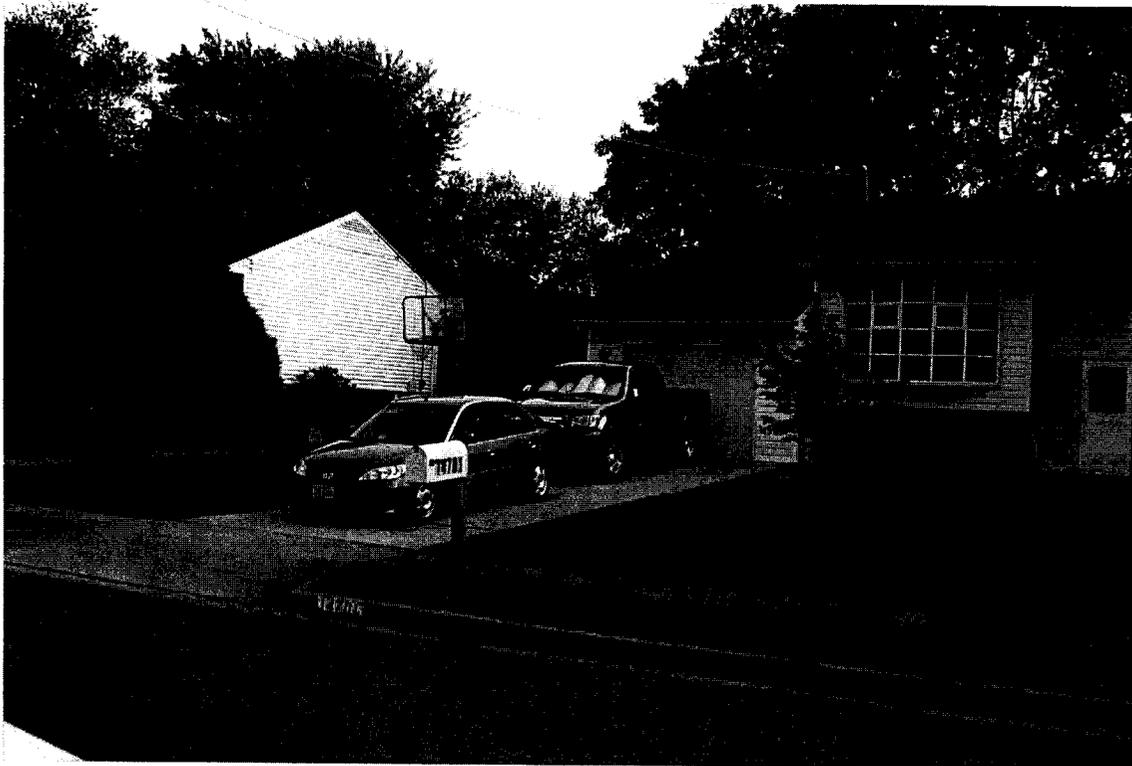
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**FROM EAST SIDE OF REAR YARD FACING THE BACK OF  
14615 BATAVIA DRIVE**

14702 CRENSHAW DRIVE CENTREVILLE, VA  
7-27-10

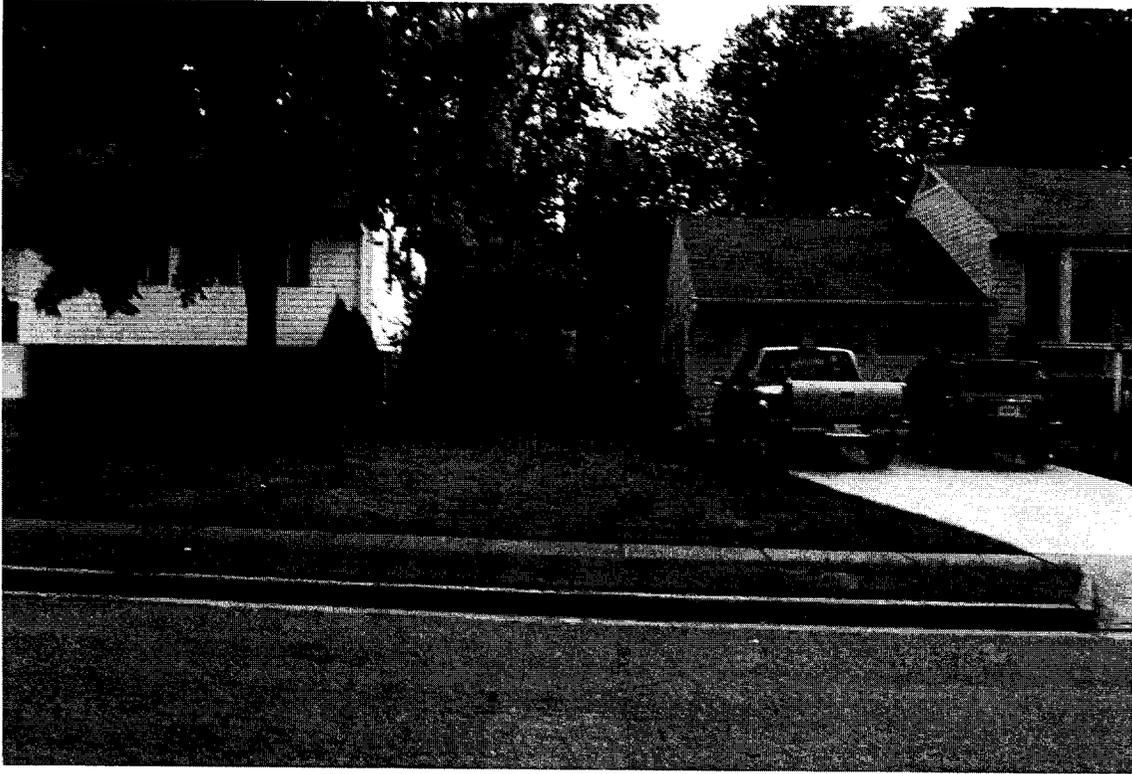


FROM SOUTHEAST SIDE YARD FACING 14702 CRENSHAW DRIVE

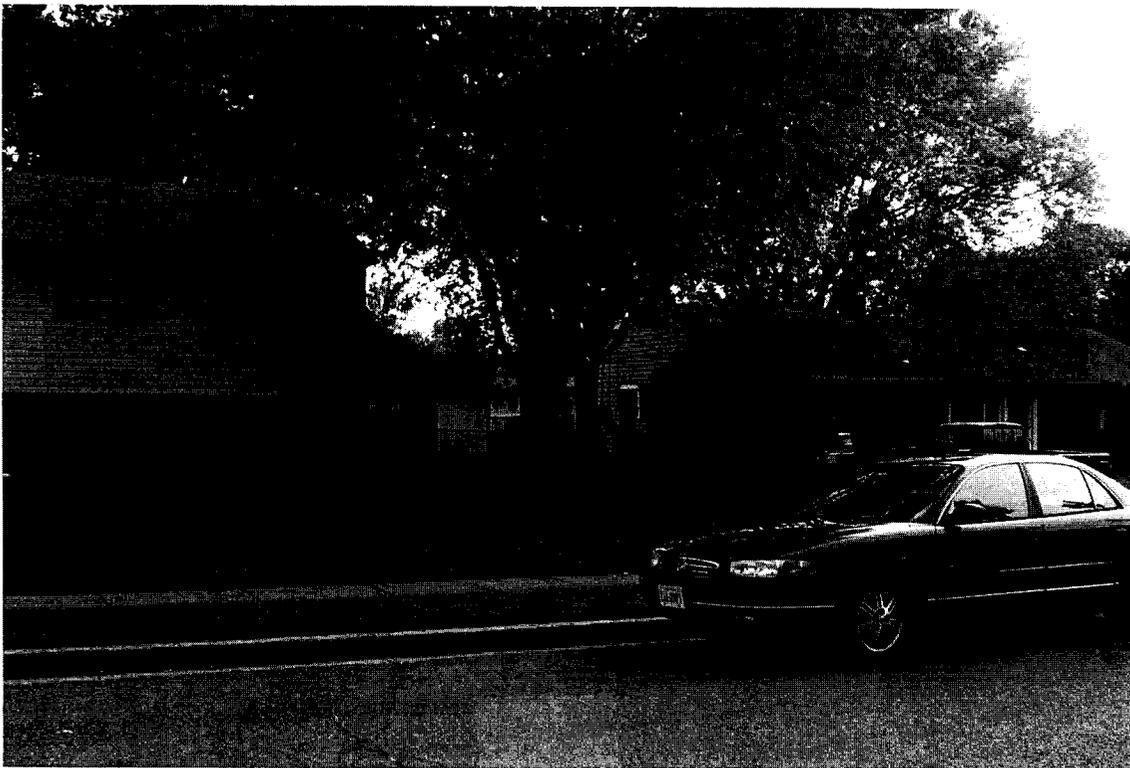


FROM SOUTH SIDE OF FRONT YARD FACING NORTH TOWARD  
14702 CRENSHAW DRIVE

**14702 CRENSHAW DRIVE CENTREVILLE, VA  
7-27-10**



**FROM FRONT YARD FACING 14703 CRENSHAW DRIVE**



**FROM WEST SIDE OF FRONT YARD FACING NORTH  
14705 CRENSHAW DRIVE**

14702 CRENSHAW DRIVE CENTREVILLE, VA  
7-27-10

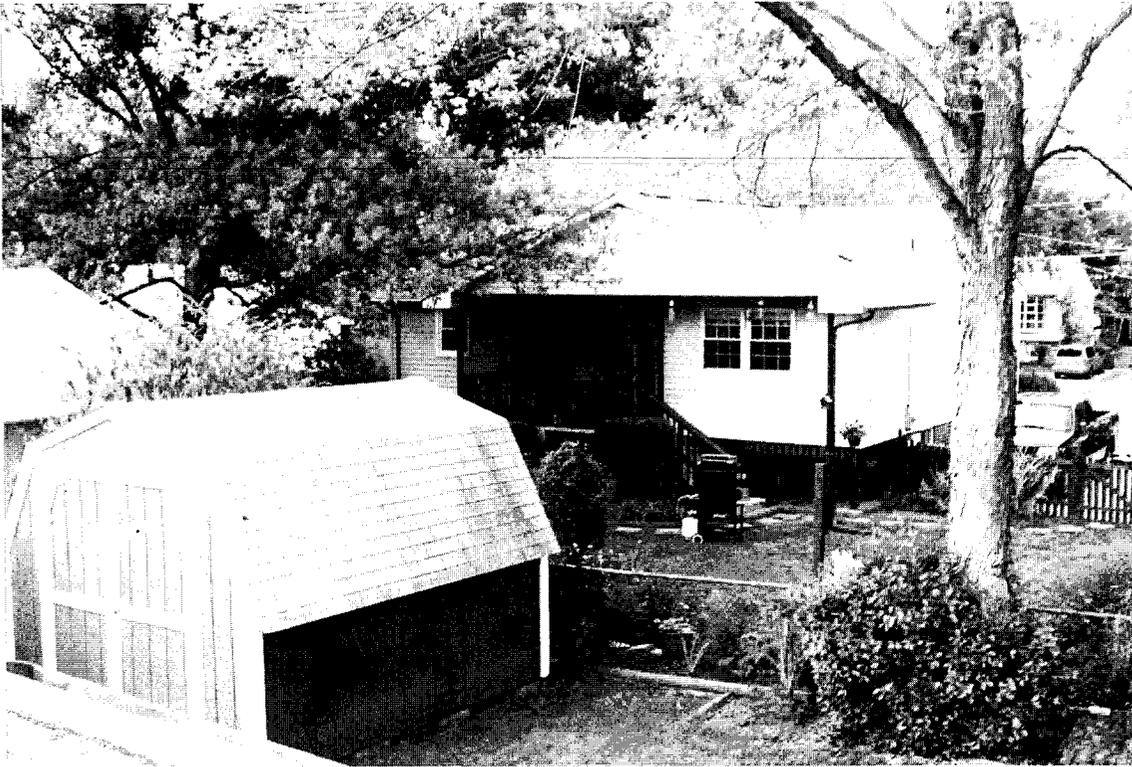


FROM NORTHWEST SIDE YARD FACING 14704 CRENSHAW DRIVE



FROM SIDE OF REAR YARD FACING NORTH TOWARD  
14617 BATAVIA DRIVE

**14702 CRENSHAW DRIVE CENTREVILLE, VA**  
**7-27-10**  
**ADDITIONAL PHOTOS REQUESTED**  
**(TAKEN APPROX. 10 FT FROM THE BACK DOOR)**

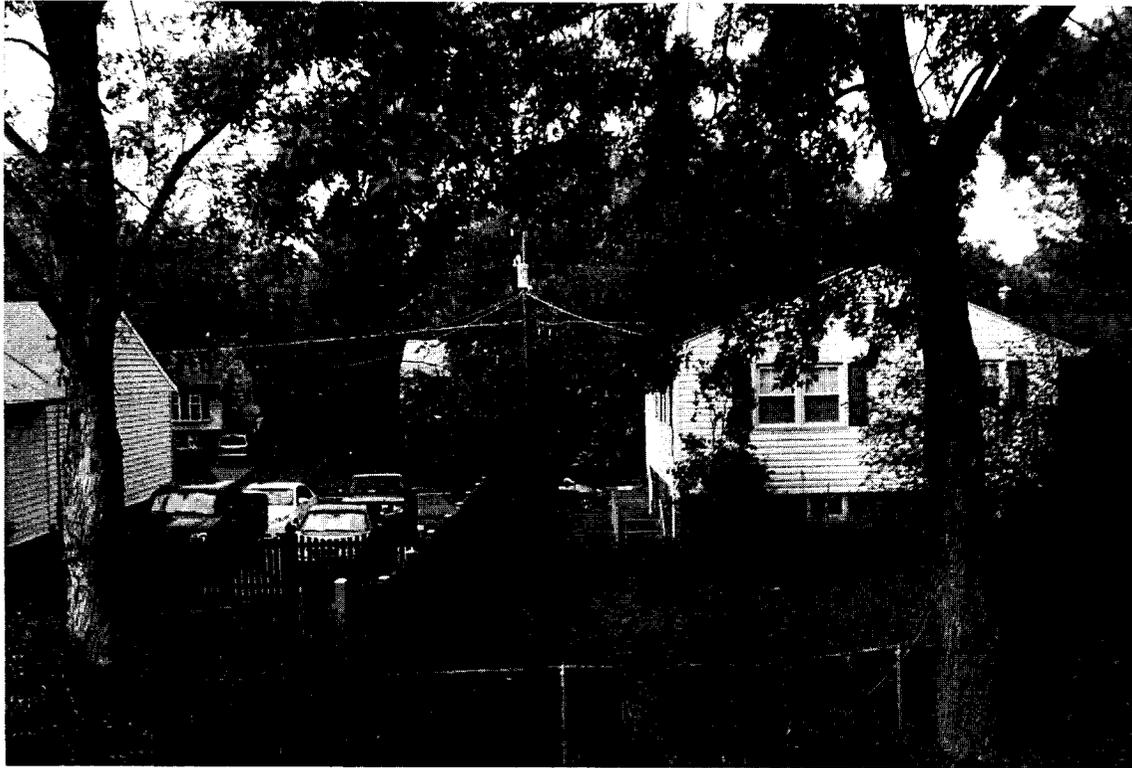


**FACING 14717 BATAVIA DRIVE**

**14702 CRENSHAW DRIVE CENTREVILLE, VA**

**7-27-10**

**ADDITIONAL PHOTOS REQUESTED  
(TAKEN APPROX. 10 FT FROM THE BACK DOOR)**



**FACING 14717 BATAVIA DRIVE AND 14715 BATAVIA DRIVE**

**14702 CRENSHAW DRIVE CENTREVILLE, VA**  
**7-27-10**  
**ADDITIONAL PHOTOS REQUESTED**  
**(TAKEN APPROX. 10 FT FROM THE BACK DOOR)**



**FACING 14715 BATAVIA DRIVE**

**DESCRIPTION OF THE APPLICATIONS**

The applicant is requesting special permit approval to permit reduction to minimum yard requirements based on an error in building location to permit an accessory storage structure, shed measuring 10.0 feet in height, to remain 2.4 feet from the western side lot line and 2.2 feet from the rear lot line.

	<b>Structure</b>	<b>Yard</b>	<b>Min. Yard Req.*</b>	<b>Structure Location</b>	<b>Amount of Error</b>	<b>Percent of Error</b>
<b>Special Permit</b>	<b>Accessory Storage Structure</b>	Side	8.0 feet	2.4 feet	5.6 feet	70%
<b>Special Permit</b>	<b>Accessory Storage Structure</b>	Rear	10.0 feet	2.2 feet	7.8 feet	78%

\* Minimum yard requirement per Section 10-104

The applicant is also requesting approval of a special permit to permit reduction of certain yard requirements to permit construction of an accessory structure, detached garage measuring 13.0 feet in height, to be located 5.0 feet from the eastern side lot line and 8.0 feet with eave 7.0 feet from rear lot line.

	<b>Structure</b>	<b>Yard</b>	<b>Minimum Yard Required*</b>	<b>Proposed Location</b>	<b>Proposed Reduction</b>	<b>Percentage of Reduction Requested</b>
<b>Special Permit</b>	<b>Accessory Structure</b>	Side	8.0 feet	5.0 feet	3.0 feet	38%
<b>Special Permit</b>	<b>Accessory Structure</b>	Rear	13.0 feet	7.0 feet	6.0 feet	46%

\* Minimum yard requirement per Section 10-104

**EXISTING SITE DESCRIPTION**

The site is currently zoned R-3, developed under the cluster regulations, with a split-foyer single family detached dwelling, built in 1968. The lot consists of 8,740 square feet and is surrounded by single family detached dwellings along all lot lines. The property is accessed via a concrete driveway from Crenshaw Drive which terminates on the eastern side of the existing dwelling. The lot is flat and contains existing mature vegetation. The side and rear yards contain a combination of wood and chain link fencing. A detached wooden shed is located in the northwestern corner of the rear yard. There is an existing deck attached to the rear of the dwelling, of which a portion will be removed to accommodate the detached garage structure.

**CHARACTER OF THE AREA**

	<b>Zoning</b>	<b>Use</b>
<b>North</b>	R-3 (Cluster)	Single Family Detached Dwellings
<b>East</b>	R-3 (Cluster)	Single Family Detached Dwellings
<b>South</b>	R-3 (Cluster)	Single Family Detached Dwellings
<b>West</b>	R-3 (Cluster)	Single Family Detached Dwellings

**BACKGROUND**

Records indicate there were no other similar applications for accessory structures for properties in the vicinity of the application site heard by the BZA. There have been other such applications approved within the County Club Manor subdivision; however, none within the immediate vicinity as depicted on the tax map.

The applicant has provided with the statement of justification documentation referencing several other detached and attached garages within the neighborhood; however, the detached garages appear to have been constructed by-right.

**ANALYSIS**

- **Special Permit Plat** (Copy at front of staff report)
- **Title of Plat:** Special Permit Plat, Lot 8, Section 4, Block 27, Country Club Manor
- **Prepared by:** B.W. Smith and Associates, Inc., dated June 3, 2010 as revised through July 26, 2010

- **Permits required for shed built in error:** No, as the structure measures 120 square feet in size
- **Location error for shed made by:** The previous homeowner

**Proposal:**

The applicant proposes to construct one-car detached garage, measuring 18 feet x 30 feet, consisting of approximately 540 square feet in area, to be located at its closest point 7.0 feet from the rear lot line and 5.0 feet from the eastern side lot line. The one-story garage is proposed to accommodate the applicants oversized cargo van and/or pick-up truck, and is therefore slightly larger than the typical size of a one-car garage. The applicant also proposes storage of non-combustible items within the proposed garage. The applicant requests approval to retain an existing 10.0 foot tall wooden shed located in the northwestern corner of the property which is located 2.2 feet from the rear lot line and 2.4 feet from the western side lot line. The applicant wishes to store combustible items, such as lawn equipment, in the shed.

**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 4:

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

**Sect. 8-006 General Special Permit Standards**

Staff believes that the application for the detached garage 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. *As noted in the applicants statement of justification, two other detached garages have been constructed in the immediate vicinity; although by-right, one is larger than the garage proposed with this application and the other is located on adjacent Lot 9. The immediately affected neighbors have expressed their support of the proposed*

*application, as noted in their letters attached to the statement of justification. Staff believes by observation of the neighborhood through submitted photographs that the construction of the detached garage will not adversely affect the use or development of neighboring properties. 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 detached garage will consist of approximately 540 square foot of space and is to be located behind the dwelling in the northeastern quadrant of the lot. No vegetation is proposed to be removed to accommodate its construction. There is existing mature vegetation located on the adjacent properties, as well as a 6 foot high wood fence to assist in screening the structure along the eastern side lot line. Staff does not believe additional landscaping or screening is needed at this time and that this standard has been met.*

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

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

*Standard 5 states that 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. The proposed detached garage will be 540 square feet in area and 13.0 feet in height. The existing dwelling is 1,488 square feet in area and 14.0 feet in height; therefore staff believes that the accessory structure is clearly subordinate and the application meets this provision.*

*Standard 6 states that the BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot. The proposed detached garage will be located at the end of the existing concrete driveway and will be 13.0 feet in height. The applicant proposes that the accessory structure will be architecturally compatible with the existing dwelling on the lot. The detached garage will provide the applicant the ability to accommodate either her existing full size cargo van and/or full size pick-up truck along with storage. Staff believes the proposed detached garage will not be out of character with existing on-site development and this standard has been met.*

*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. Observation of the neighborhood through aerial photography shows that many of the homes have garages, though most are attached and have been approved through variances by the BZA. The aerial photograph included at the front of this report shows at least 10 other accessory structures, both sheds and garages, on properties in the immediate vicinity of the application lot. The applicant's request is therefore not out of character with the surrounding area. Staff believes that there will be no harm to significant trees on the subject property or neighboring properties; therefore, this standard 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. No downstream complaints have been indicated by the Department of Public Works and Environmental Services (DPWES). The most affected neighbors located on Lots 7 and 9 have submitted statements in support of the applicant's detached garage plans. Lot 9 is also the location of an approved cinderblock detached garage built in 1977, located approximately 2 feet from the rear lot line and 2 feet from the applicants side lot line. Therefore, staff believes that the proposed structure will not have any adverse impact on neighboring properties.*

*Standard 9 states that the BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources. The proposed location of the detached garage is the most logical location given that there is an existing concrete driveway which runs alongside the eastern side of the dwelling and terminates within a few feet of the detached garage. Although not shown on the plat, the applicant has indicated to staff that if additional paving is necessary, she intends to use turf pavers to complete the transition from the concrete driveway to the detached garage. To accommodate an attached garage, the applicant would only be permitted an addition 14.9 feet in width, which would still require the need for a special permit to the side lot line because of the total side yard cluster provisions, and which would not accommodate either of her existing oversized vehicles. Other issues of well, septic fields, 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-SU-050 for an accessory structure (detached garage) 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 and Attachments
4. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2010-SU-050****October 21, 2010**

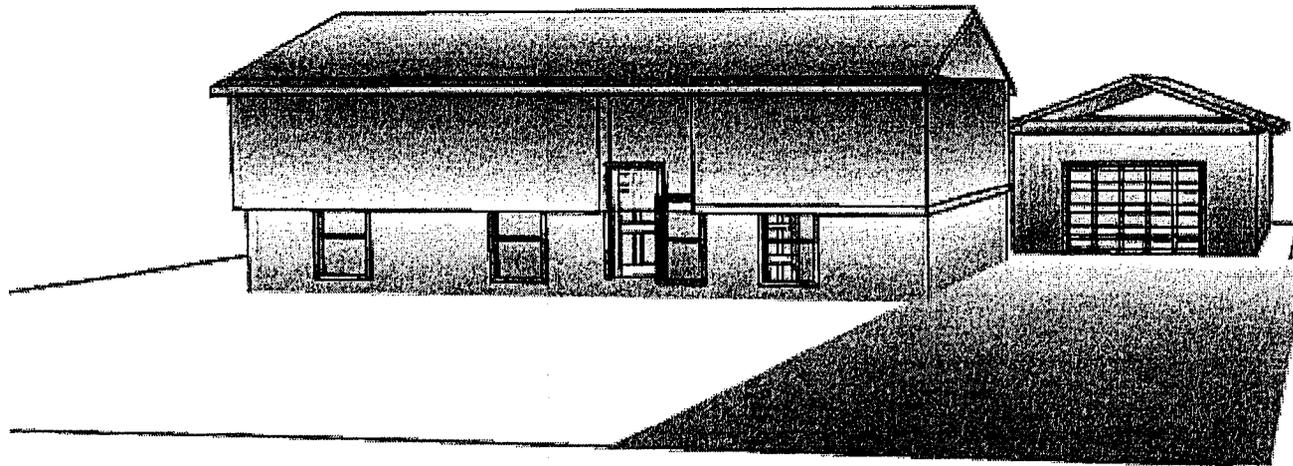
If it is the intent of the Board of Zoning Appeals to approve SP 2010-SU-050 located at Tax Map 44-3 ((2)) (27) 8 to permit reduction of minimum yard requirements pursuant to Sections 8-914 and 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This special permit is approved for the locations and sizes of an accessory storage structure (wooden shed) and an accessory structure (detached garage) as shown on the plat prepared by B.W. Smith and Associates, Inc., dated June 3, 2010, as revised through July 26, 2010, submitted with this application and is not transferable to other land.
2. The accessory structure shall be generally consistent with the architectural renderings and materials included in Attachment 1 to these conditions.
3. A building permit for the accessory structure (garage) shall be obtained prior to construction and approval of final inspections shall be obtained.

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.

DAWN KOWLAND  
14702 CRENSHAW DR CENTREVILLE, VA

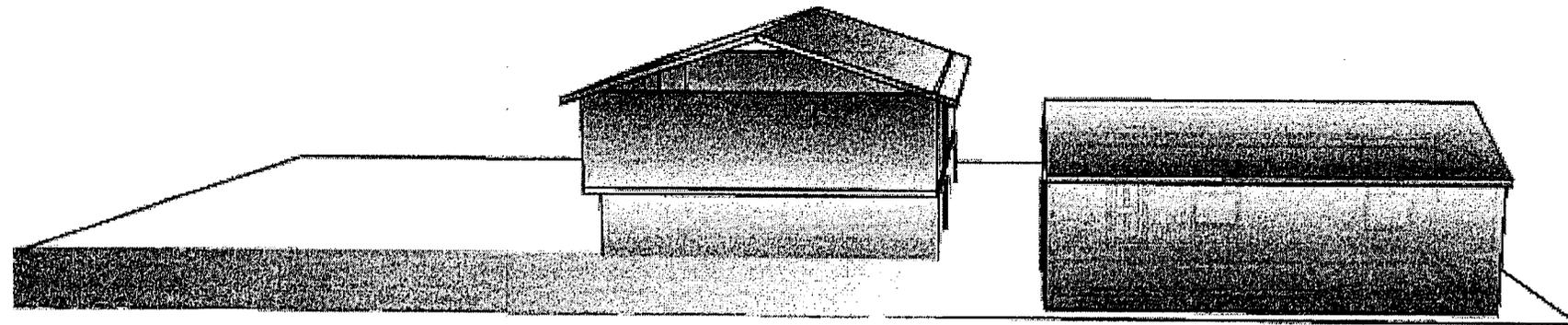


Scale: NTS

RECEIVED  
Department of Planning & Zoning  
JUN 28 2010  
Zoning Evaluation Division



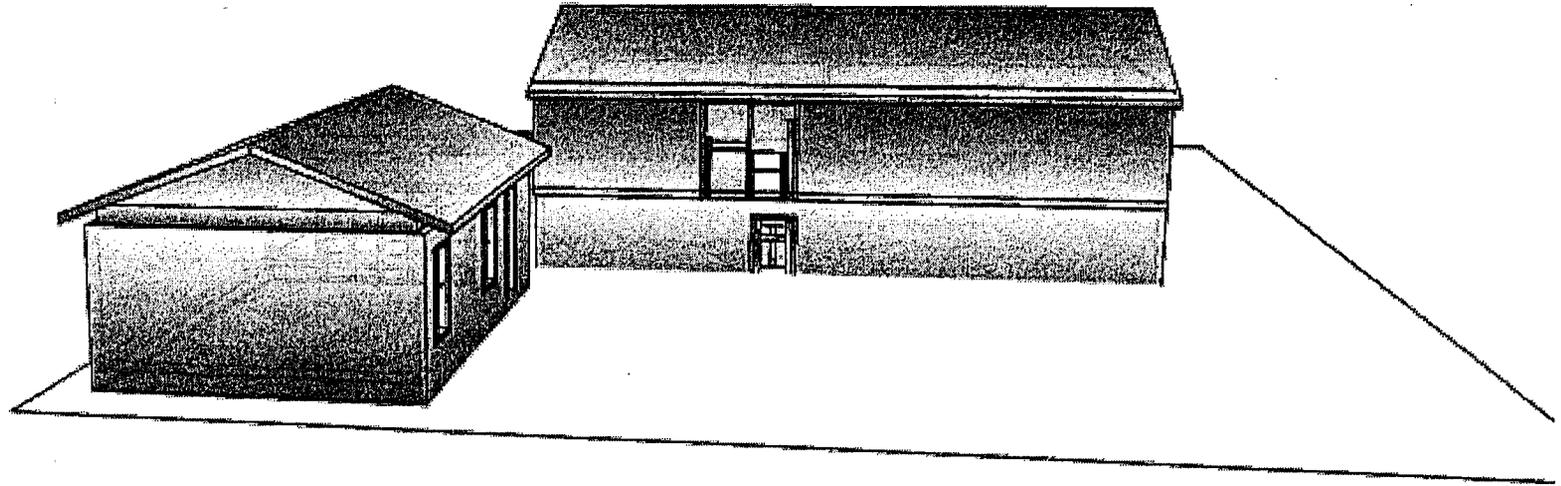
DAWN ROWLAND  
14702 CRENSHAW DR CENTREVILLE, VA



Scale: NTS

14702

DAWN KOWLAND  
CRENSHAW DR CENTREVILLE, VA



Scale: NTS

RECEIVED  
Department of Planning & Zoning  
JUN 28 2010  
Zoning Evaluation Division

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

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

I, Dawn Rowland, 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

109075

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 <b>BOLD</b> above)
Dawn Rowland	14702 Crenshaw Dr Centreville, VA 20120	Applicant and Owner

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

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

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

109075

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)

(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.

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

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

109075

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

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

109075

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

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

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

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

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

None

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

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

109075

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)

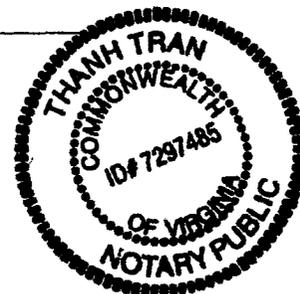
Dawn Rowland  
 Applicant [ ] Applicant's Authorized Agent

Dawn Rowland owner / Applicant  
(type or print first name, middle initial, last name, and title of signee)

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

Thanh Tran  
Notary Public

My commission expires: July 31, 2013



**STATEMENT OF JUSTIFICATION**  
**14702 Crenshaw Drive**  
**Centreville, VA 20120**

**APPENDIX 3**

I am requesting a special permit to allow a reduction of certain yard requirements to permit construction of a detached accessory structure. This structure will be located 5 feet from the side property line and 8 feet from the rear property line of the lot. The east side of my property is the only location on my lot to build a suitable detached accessory structure. With the current requirements, I am unable to build the proposed structure due to my house not being built on the now current build line on the west side of my lot.

The height of the proposed detached accessory structure is 13 feet. By right, the minimum rear setback is 13 feet (**Section 10-104 Standard 10 E**). To maintain a consistent, natural flow from the existing route of access, I am requesting a reduction of the minimum rear yard requirement of 13 feet by approximately ~~38~~ %.

There are two other properties with detached accessory structures on street. One being the property at 14704 Crenshaw Drive which is the adjacent property on the west boundary of my property. It was constructed in 1977 and measures 17 feet by 30 feet. It is located on the east side of the lot and is approximately 2 feet from my property line and from the rear property line. The other detached accessory structure is located at 14718 Crenshaw Drive which is eight houses away on the same side of the street as my property. It was constructed approximately in 2000 and measures 24.5 feet by 25.5 feet and is located on the east side of the lot approximately 6 feet from the side property line and 7 feet from the rear property line. My proposed improvement will have the same character and be in harmony and architecturally compatible with the other detached accessory structures on my street, as well as the neighboring houses.

I have shared my proposed plans for a detached accessory structure with my immediate neighbors located at 14700, 14704, 14701, and 14703 Crenshaw Drive. I am including supportive letters from the above listed property owners.

**8-922 Provisions for Reduction of Certain Yard Requirements**

Standard 1. A special permit for my property is allowed under 8-922 (1-A). The requested yard reduction is not less than 50% of the rear setback or 5 feet of the side setback.

Standard 2. A detached accessory structure in the front yard is not planned.

Standard 3. The principle structure and use complied with the minimum yard requirements in effect when the principle structure was established.

Standard 4. An addition to an existing principal structure is not planned. The proposed accessory structure will add 25% of total gross floor area.

Standard 5. No issues regarding an existing accessory structure are contained in the application.

Standard 6. The proposed detached structure is in character with the existing structure on the lot.

## STATEMENT OF JUSTIFICATION

Standard 7. The proposed detached structure is harmonious with the surrounding structures.

Standard 8. The proposed detached structure shall not adversely impact the adjacent properties in any way.

Standard 9. The proposed reduction represents the minimum amount necessary to accommodate the detached structure. The proposed detached structure is rectangular shaped 18' x 30', the lot is also rectangular shaped 76' x 115'. The proposed yard does not contain a steep slope, well or septic field. Nor does it contain any known easements and/or preservation of historic resources.

Standard 10. No further necessary conditions or restrictions are known.

Standard 11. A-M requirements met on attached plats.

Standard 12. Architectural depictions of the proposed detached structure are included.

*Dawn Rowland*

June 26,2010

To Whom It May Concern:

We are the property owners of 14701 Crenshaw Drive Centreville, VA 20120. We live in the house across the street and to the south of 14702 Crenshaw Drive. We have reviewed the proposed plans for her detached garage and support the addition. The detached garage would be in character with the neighborhood and not adversely affect the neighboring properties.

Sincerely,

Jose Jurado & Reyna Jurado

*Jose Jurado*  
*Reyna Jurado*

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Department of Planning & Zoning

JUN 28 2010

Zoning Evaluation Division

June 26, 2010

To Whom It May Concern:

I am the property owner of 14700 Crenshaw Drive Centreville, VA 20120. My house is next door on the southeast side of 14702 Crenshaw Drive. Dawn Rowland has shared her proposed plans for her detached garage on the east side of her property. I support the proposed plans and feel it will not adversely affect neighboring properties.

Sincerely,

  
Patricia A. Wilson

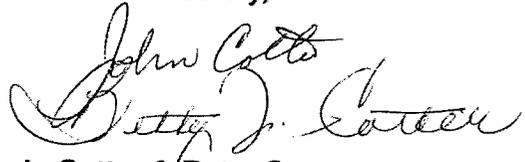
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Department of Planning & Zoning  
JUN 28 2010  
Zoning Evaluation Division

June 26, 2010

To Whom It May Concern:

We are the property owners of 14703 Crenshaw Drive Centreville, VA 20120. We live in the house across the street and to the right from 14702 Crenshaw Drive. The property owner, Dawn Rowland has reviewed the proposed plans for her detached garage with us. We support her proposal and feel the detached garage would be in character with the neighborhood and not adversely affect the neighboring properties.

Sincerely,

Handwritten signatures of John Cotter and Betty J. Cotter in cursive script.

Walter J. Cotter & Betty Cotter

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JUN 28 2010

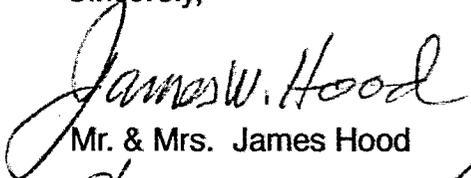
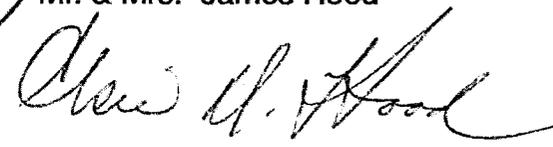
Zoning Evaluation Division

June 27, 2010

To Whom It May Concern:

We are the property owners of 14704 Crenshaw Drive Centreville, VA 20120. We live in the house on the northwest side of 14702 Crenshaw Drive. We have a detached garage on the east side of our property that we had built in 1977. Our garage measures 17 ft by 30 ft and sits 2 ft off the rear and side property lines. Our neighbor, Dawn Rowland has reviewed the proposed plans for her detached garage with us. We have no problem with the proposed detached garage and feel it will not influence my property now or in the future.

Sincerely,

  
Mr. & Mrs. James Hood  


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Zoning Evaluation

SHED--ERROR IN BUILDING  
LETTER OF JUSTIFICATION  
DAWN ROWLAND  
14702 CRENSHAW DRIVE CENTREVILLE, VA

July 30,2010

There is a shed located in the North corner of the rear of my property. It is 10 ft. tall (from the ground to the peak including the cinderblock foundation). It measures 10 ft. x 12 ft. and is 2.4 ft. from the rear property line and 2.2 ft. from the side property line. The shed was built there in 1992 by the previous owner. It replaced a shed that had been located there for approximately 15 years (totaling over 30 years of a shed being located in the North corner of the property). It is my understanding that when the cinderblock foundation was placed there in the 1970's, there was not a building code in place for a shed less than 150 sq. ft. and/or for sheds not placed on a concrete pad.

**8-914**

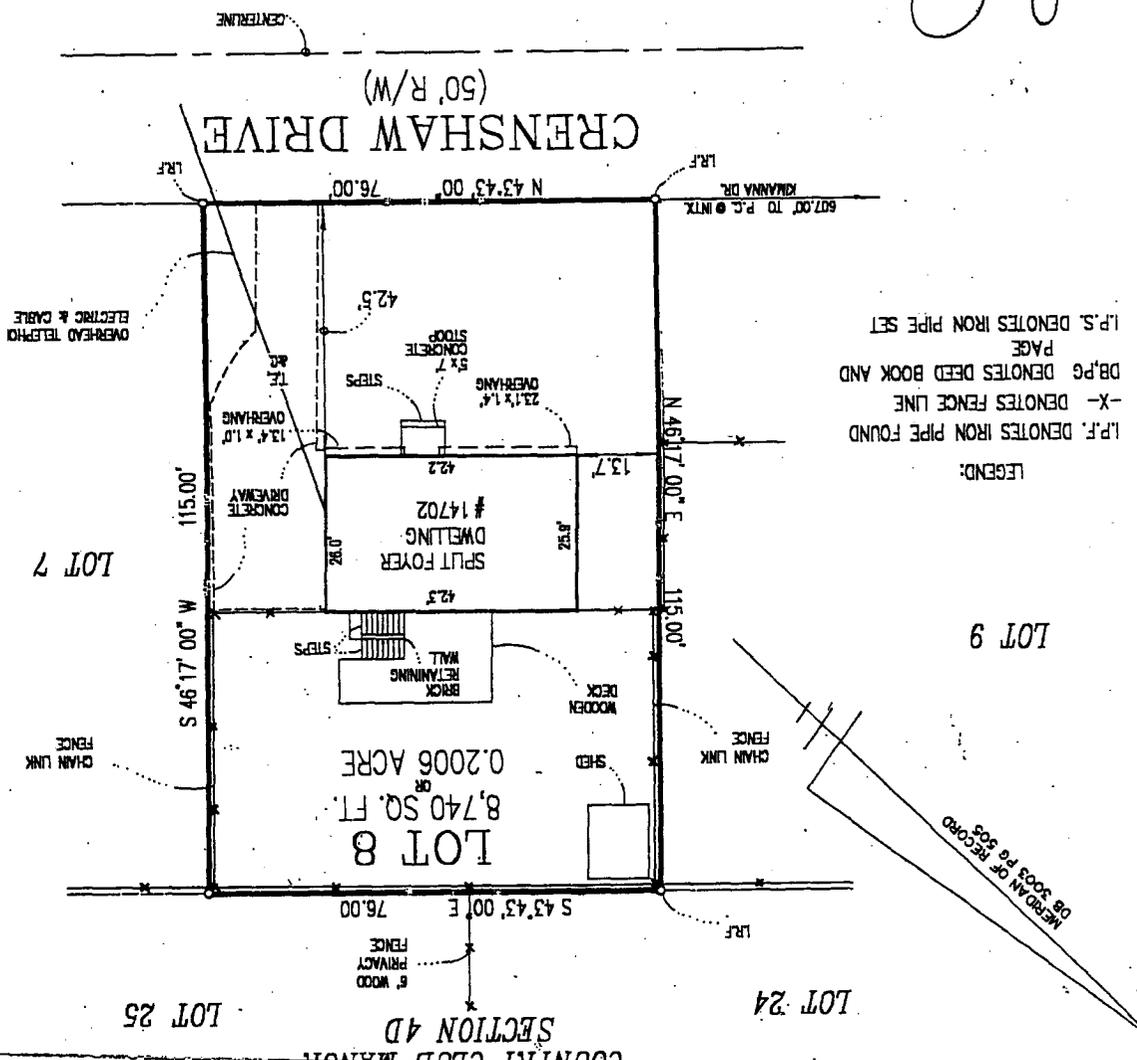
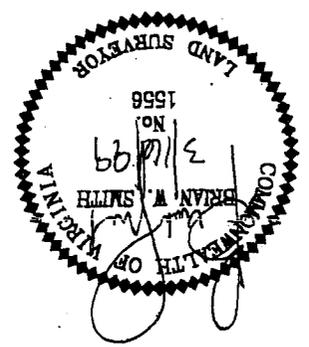
- A. The error exceeds ten (10) percent of the measurement involved.
- B. The noncompliance was done in good faith by the previous property owners. I have attached two plats, one is from when I purchased the property in 1999 which has the shed on it as well as the plat from when the previous owner purchased the property in 1988.
- C. The reduction will not impair the purpose and intent of this Ordinance.
- D. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity.
- E. It will not create an unsafe condition with respect to both other property and public streets.
- F. To force compliance with the minimum yard requirements would cause unreasonable hardship due to the amount of storage it supplies with its numerous shelving and the copious amounts of tools and lawn equipment. There is no other place feasible on the property to relocate the shed.
- G. The reduction will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.

GOLD CUP 99002693 ROWLAND/MARQUART

FAIRFAX COUNTY, VIRGINIA  
 SULLY DISTRICT  
**COUNTRY CLUB MANOR**  
 SECTION 4 BLOCK 27  
**LOT 8**  
 HOUSE LOCATION SURVEY

- NOTES:
- 1) THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
  - 2) PROPERTY CORNERS NOT SET PER WAIVER REQUEST.
  - 3) THE LOT SHOWN HEREON APPEARS TO BE OUTSIDE 500-YEAR FLOOD PLAIN, AS SHOWN ON ON F.E.M.A. MAP # 516525-0025-D EFFECTIVE DATE: MARCH 5, 1990
  - 4) FENCES SHOWN HEREON MEANDER OR RUN PARALLEL WITHIN 0.5 FEET OF PROPERTY LINE UNLESS NOTED OTHERWISE.

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 AUG 02 2010  
 Zoning Evaluation Division

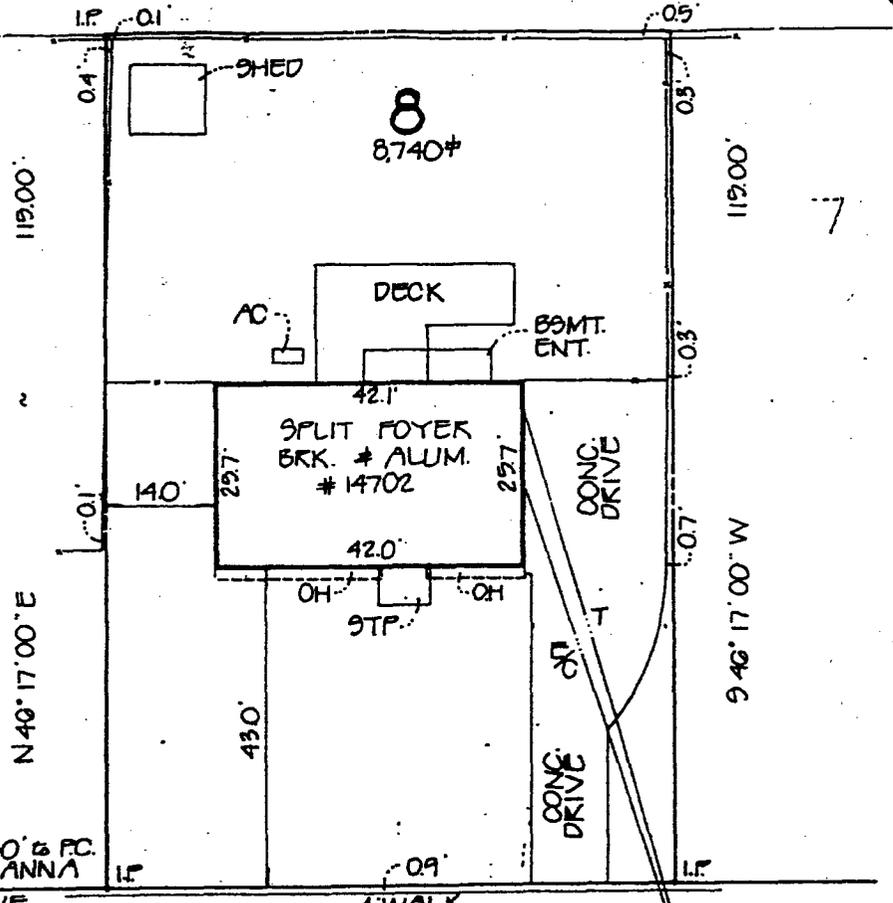


LEGEND:  
 I.P.F. DENOTES IRON PIPE FOUND  
 -X- DENOTES FENCE LINE  
 DB, PG DENOTES DEED BOOK AND PAGE  
 I.P.S. DENOTES IRON PIPE SET

NOTE: FENCES ARE CHAIN LINK.

SECTION 4

S 43° 43' 00" E 70.00'



CRENSHAW DRIVE

50' R/W

FLAT

SHOWING HOUSE LOCATION ON LOT 8, BLOCK 27, SECTION 4

COUNTRY CLUB MANOR FAIRFAX COUNTY, VIRGINIA

SCALE: 1"=20'

CASE NAME

HARRIS - MARQUARDT

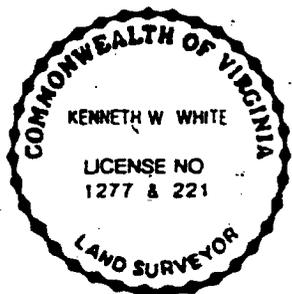
V.T.

THIS PROPERTY IS NOT LOCATED IN A H.U.D. DESIGNATED FLOOD HAZARD ZONE. PLAT SUBJECT TO RESTRICTIONS OF RECORD.

TITLE REPORT NOT FURNISHED.

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

*Kenneth W. White*  
KENNETH W. WHITE L.S.



ALEXANDRIA SURVEYS, INC.  
6343 SOUTH KINGS HIGHWAY  
ALEXANDRIA, VIRGINIA 22306

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AUG 02 2010  
Zoning Evaluation Division

**SP 2010-0123**  
**Special Permit Application Deficiencies Response**  
**Dawn Rowland**  
**14702 Crenshaw Drive**  
**Centreville, VA 20120**

July 26, 2010

**Item 1.00 (Revised Application Form)**

Provided original signature on copy of application. (Application remained with file)

**Item 3.00 (Revised Pictures)**

Submitted required photographs and three additional requested photographs.

**Item 5.00 (Revised Standard 4 to Address the Total Gross Floor Area of The Existing and Proposed Structures)**

**8-922** Standard 4. The total gross floor area of the existing structure is 1500 sq. ft. and the proposed accessory structure is 493 sq. ft. The proposed accessory structure will add 32% of total gross floor area.

**Item 5.08 (A Listing Of All Known Hazardous or Toxic Substances)**

Provided Statement

**Item 5.09 (A Statement Regarding No Use of a Waiver)**

Provided Statement

**Item 7.00 (One 8 1/2" x 11" Reduction of the Special Permit Plat with the structure heights updated in bold)**

One 8 1/2" x 11" updated plat submitted.

**Item 930.00 (Resulting Gross Floor Area of an Addition)**

Addressed in Item 5.00

**Item 930.01 (Resulting Gross Floor Area of an Existing Accessory Structure and Any Addition To It)**

Addressed in Item 5.00

**Item 930.10 D. (Location, Dimension and Height of Any Building or Structure)**

Heights Listed in Bold.

**Item 930.15 I. (Existing and Proposed Gross Floor Area and Floor Area Ratio)**

Addressed in Item 5.00

**Item 930.17 K. (Deficient Status Listed in Error per Marie Langhorne)**

**Item 930.19 M. ( Certified Plat With Seal)**

Revised and Resubmitted 14 black and 1 blue certified plats with seals.

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Department of Planning & Zoning

JUL 30 2010

Zoning Evaluation Division

**SP 2010-0123**  
**Statement of Hazardous or Toxic Substances**  
**Dawn Rowland**  
**14702 Crenshaw Drive**  
**Centreville, VA 20120**

July 26, 2010

There are no known hazardous or toxic substances as set forth in title 40, Code of Federal Regulations Parts 116.4, 302.4, and 355.

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JUL 30 2010  
Zoning Evaluation Division

**SP 2010-0123**  
**Statement of Use for Waivers, Exceptions, or Variance**  
**Dawn Rowland**  
**14702 Crenshaw Drive**  
**Centreville, VA 20120**

July 26, 2010

There are no waivers, exceptions, or sought variances.

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Department of Planning & Zoning  
JUL 30 2010  
Zoning Evaluation Division

## USAGE CLARIFICATION

14702 Crenshaw Drive  
Centreville, VA 20120

September 30, 2010

The proposed detached accessory structure measuring 18 ft x 30 ft will be used for storage and to garage an automobile. I own several trucks, one being a 2003 dually. The dually measures approximately 8 ft wide from fender to fender, 12.6 ft wide with the doors open, and 22 ft in length. The walls will be 9 inches thick on all four sides making the interior space 16.5 ft x 28.5 ft. I plan to construct shelves and or cabinets inside the garage, and there needs to be a couple of feet along or around the vehicle to provide a safe walking area.

My shed will continue to store gas cans, gas powered weed eater, edger, lawn mower, snow blower, leaf blower hedge trimmer, chain saw, pressure washer and a rotor tiller. Basically anything with fumes or anything combustible, like yard fertilizer.

A detached accessory structure of 18 ft x 30 ft is not large compared to others in my neighborhood. There are two houses with detached garages on my street. 14718 Crenshaw Dr. is 24+ ft x 24+ ft with a peak of 14-16 ft. 14704 Crenshaw Dr. is 17 ft x 30 ft with a peak of approximately 13 ft. Both detached garages are located in the right back corner of the lot which is the same area I am proposing to build.

The house across the street has an attached garage measuring 18 ft x 30 ft. There is not enough room on the side of my house to allow an 18 ft wide attached garage because of the location on the lot where my house was build. The lot across from me and the lot behind me have approximately 3 more ft between the house and the property line.

I have added measurements. There are a total of five detached garages in my immediate area. 14551 Lock Dr, 14625 Algretus Dr. Both of these have been there for while. The only other newer looking one is 14633 Lilva Dr. It is larger than a one car garage, tall also.

There are at least 10 two car garages, all attached on corner lots. The newest one is 14528 Lock Dr. I am not sure if there is a variance was obtained.

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SEP 30 2010

Zoning Evaluation Division

## **8-006 General Standards**

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

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

**8-903 Standards For All Group 9 Uses**

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

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

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

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

1. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia and such plat shall contain the following information:
  - A. Boundaries of entire property, with bearings and distances of the perimeter property lines and of each zoning district.
  - B. Total area of the property and of each zoning district in square feet or acres.
  - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
  - D. Location of all existing structures, with dimensions, including height of any structure and penthouse, and if known, the construction date(s) of all existing structures.
  - E. All required minimum yards to include front, side and rear, and a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing structures to lot lines.
  - F. Means of ingress and egress to the property from a public street(s).
  - G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).
  - H. If applicable, the location of well and/or septic field.
  - I. For nonresidential uses, a statement setting forth the maximum gross floor area and FAR for all uses.
  - J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
  - K. Seal and signature of professional person certifying the plat.

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

2. The BZA determines that:
  - A. The error exceeds ten (10) percent of the measurement involved, and
  - B. The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the relocation of the building subsequent to the issuance of a Building Permit, if such was required, and
  - C. Such reduction will not impair the purpose and intent of this Ordinance, and
  - D. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and
  - E. It will not create an unsafe condition with respect to both other property and public streets, and
  - F. To force compliance with the minimum yard requirements would cause unreasonable hardship upon the owner.
  - G. The reduction will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.
3. In granting such a reduction under the provisions of this Section, the BZA shall allow only a reduction necessary to provide reasonable relief and may, as deemed advisable, prescribe such conditions, to include landscaping and screening measures, to assure compliance with the intent of this Ordinance.
4. Upon the granting of a reduction for a particular building in accordance with the provisions of this Section, the same shall be deemed to be a lawful building.
5. The BZA shall have no power to waive or modify the standards necessary for approval as specified in this Section.

## 8-922 Provisions for Reduction of Certain Yard Requirements

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

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

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

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

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

3. This special permit shall only apply to those lots that contain a principal structure and use that complied with the minimum yard requirements in effect when the use or structure was established.
4. The resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first yard reduction request. In such instance, if a portion of the principal structure is to be removed, no more than fifty (50) percent of the gross floor area of the existing principal structure at the time of the first yard reduction shall be removed.
5. The resulting gross floor area of an existing accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use and intent to the principal structure on the site.
6. The BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot.
7. The BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director.
8. The BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff.
9. The BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources.

10. The BZA may impose such conditions as it deems necessary to satisfy these criteria, including, but not limited to imposition of a maximum gross floor area, floor area ratio, lot coverage, landscaping and/or screening requirements.
11. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by fifteen (15) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia. Such plat shall contain the following information:
  - A. Boundaries of entire property, with bearings and distances of the perimeter property lines, and of each zoning district.
  - B. Total area of the property and of each zoning district in square feet or acres.
  - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
  - D. The location, dimension and height of any building, structure or addition, whether existing or proposed. In addition, for decks, the height of the finished floor above finished ground level.
  - E. All required minimum yards to include front, side and rear, a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing and proposed structures to lot lines.
  - F. Means of ingress and egress to the property from a public street(s).
  - G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).
  - H. If applicable, the location of a well and/or septic field.
  - I. Existing and proposed gross floor area and floor area ratio.
  - J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.

- K. The location, type and height of any existing and proposed landscaping and screening.
  - L. Approximate delineation of any floodplain designated by the Federal Insurance Administration, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.
  - M. Seal and signature of professional person certifying the plat.
12. Architectural depictions of the proposed structure(s) as viewed from all lot lines and street lines to include building materials, roof type, window treatment and any associated landscaping and/or screening shall be provided.