



APPLICATION ACCEPTED: February 15, 2011

DATE OF PUBLIC HEARING: May 4, 2011

TIME: 9:00 a.m.

County of Fairfax, Virginia

April 27, 2011

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2011-DR-010

DRANESVILLE DISTRICT

APPLICANT: Belva and Volney Warner

OWNERS: Belva Warner
Volney Warner
Victoria Warner

LOCATION: 6802 Weaver Avenue

SUBDIVISION: McLean Manor

TAX MAP: 30-4 ((17)) 74

LOT SIZE: 11,753 square feet

ZONING: R-3

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of an addition 6.0 feet from a side lot line and 16.2 feet from the front lot line

STAFF RECOMMENDATION: Staff recommends approval of SP 2011-DR-010 for the 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 applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

O:\bcho00\SP\SP 2011-DR-010 (Warner - 50)\draft_report.doc

Brenda J Cho

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.

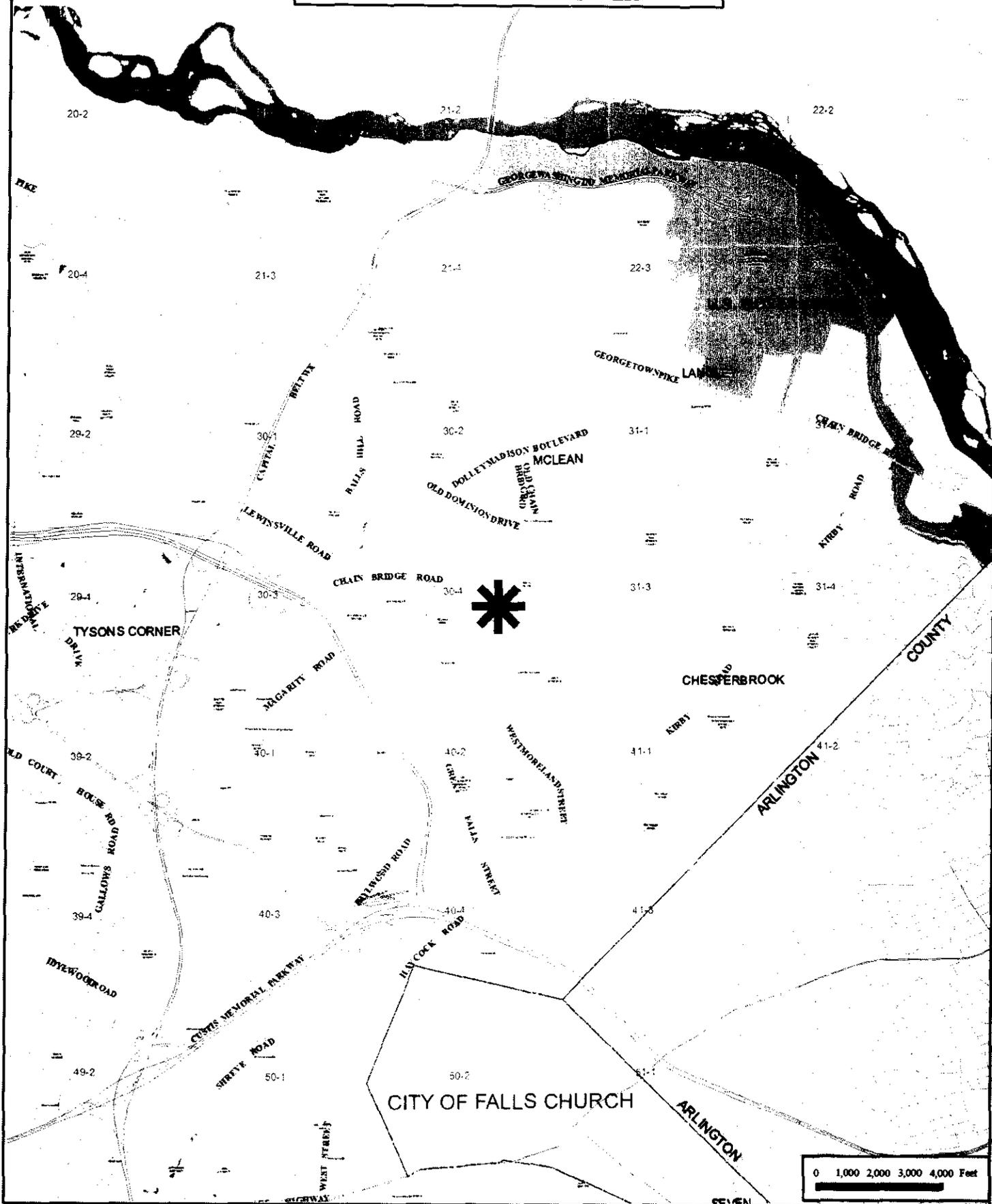
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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.**

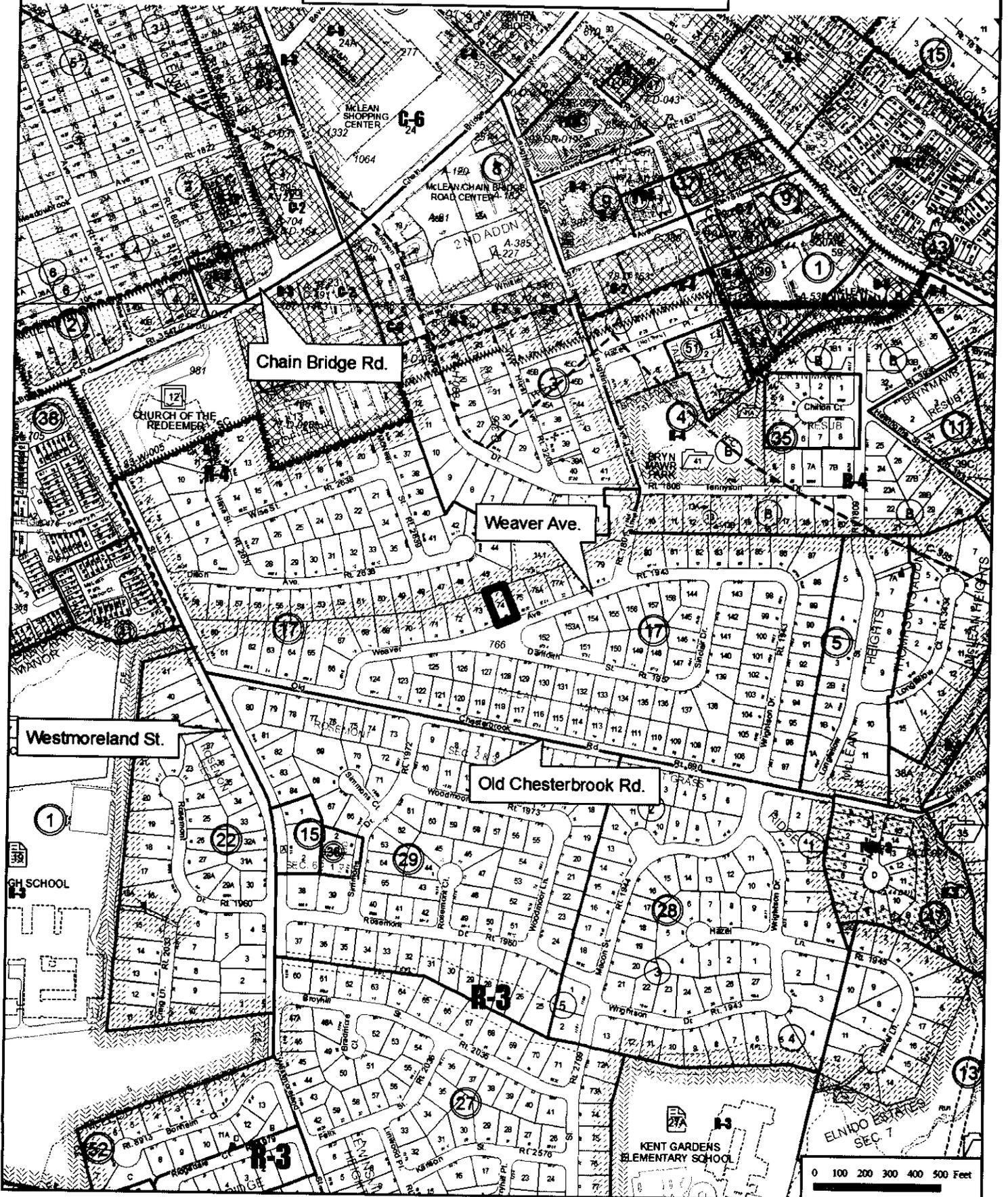


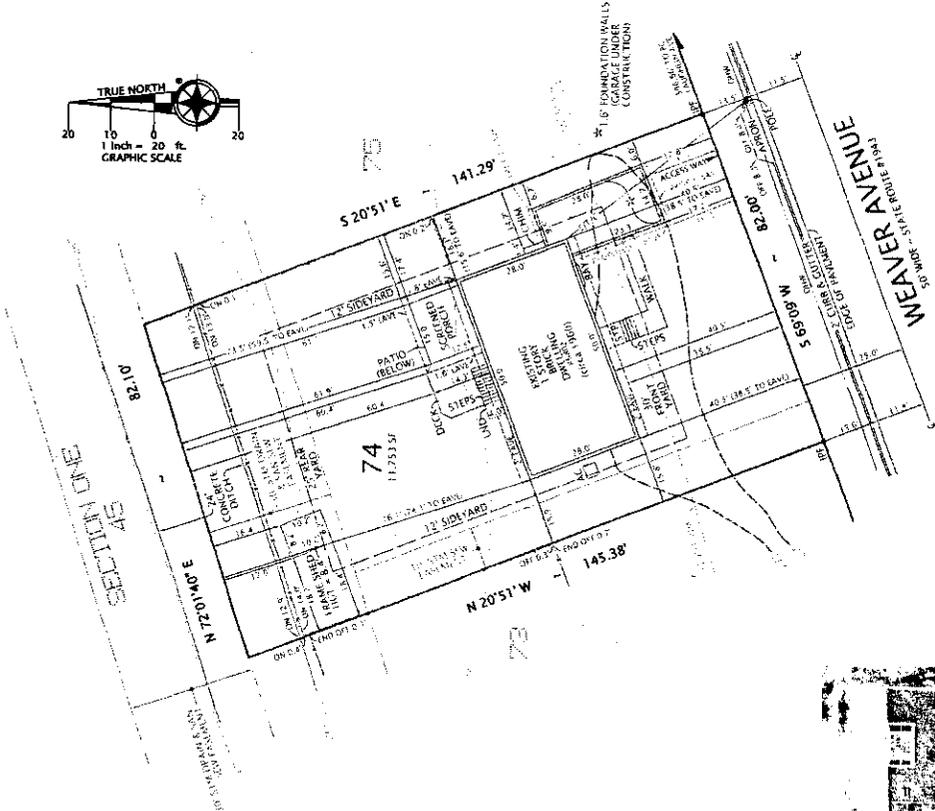
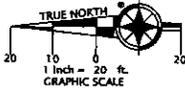
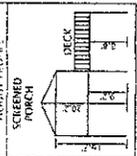
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit
SP 2011-DR-010
BELVA & VOLNEY WARNER



Special Permit
SP 2011-DR-010
BELVA & VOLNEY WARNER





NOTES:

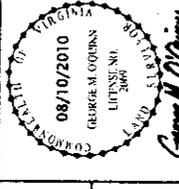
- TAX MAP: 030-4-17-0074
- ZONE: R-3 (RESIDENTIAL 3 DU/AC)
- LOT AREA: 11,753 SF (0.2696 ACRE)
- REQUIRED YARDS:
 - FRONT: 30.0' FEET
 - SIDE: 12.0' FEET
 - REAR: 25.0' FEET
- HEIGHTS:
 - EX DWELLING = 19.9 FEET
 - SHED = 08.4 FEET
 - PROP GARAGE (TOTAL) = 11.8 FEET
 - DECK = 08.8 FEET
 - SCREENED PORCH (TOTAL) = 20.2 FEET
 - FENCES = 03.8 FEET
 - (ALL FENCES ARE CHAIN LINK)
- THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
- THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
- ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING UNLESS DENOTED AS PROPOSED.
- THE SURVEYOR IS AWARE OF A UTILITY EASEMENT 30 FEET IN WIDTH AFFECTING THIS PROPERTY.
- TOPOGRAPHY DELINEATED HEREON WAS TAKEN FROM AVAILABLE RECORDS. IS SHOWN AT 5' INTERVALS, AND IS AERIAL.
- THERE IS A 1993 RESOURCE PROTECTION AREA ON THIS PROPERTY. (007986-RPA-001) THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP. COMMUNITY PANEL NO. 51525 0083 D REVISED MARCH 5, 1990.

- AREAS:
 - EXISTING BASINMENT = 1,400 SF
 - EXISTING FIRST FLOOR = 1,400 SF
 - EXISTING GROSS FLOOR AREA = 2,800 SF
 - EX FLOOR AREA RATIO = EX GROSS FLOOR AREA (2800) / LOT AREA (11753) = 0.24
 - PROP GARAGE = 382 SF
 - PROP GARAGE (382) / EX GROSS FLOOR AREA (2800) = 0.14
 - PROP GROSS FLOOR AREA = PROP GARAGE (382) + EX GROSS FLOOR AREA (2800) = 3182 SF
 - PROP FLOOR AREA RATIO = PROP GROSS FLOOR AREA (3182) / LOT AREA (11753) = 0.27

PLAT
 SHOWING THE IMPROVEMENTS ON
 LOT 74, SECTION THREE
MCLEAN MANOR
(DEED BOOK 1364, PAGE 232)
 FAIRFAX COUNTY, VIRGINIA
 DRAMESVILLE DISTRICT
 AUGUST 10, 2010
 SCALE: 1" = 20'
 JANUARY 29, 2011 (REMOVE PROPOSED EAVE)

I HEREBY CERTIFY THAT THE CONDITIONS OF ALL THE EXISTING IMPROVEMENTS SHOWN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:

THE PLAT IS SUBJECT TO EXISTING RECORDS. A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.



CASE NAME:
 RAINY STRONG
 WARNER, ET AL

DOMINION Surveyors
 8800 PARK TREE VILLAGE COURT
 ALEXANDRIA, VA 22309
 703.619.6531
 FAX: 703.799.6412



WARNER RESIDENCE: 6802 WEAVER AVE, McCLEAN VA
EXTERIOR VIEWS

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1/8" SCALE UNLESS OTHERWISE NOTED

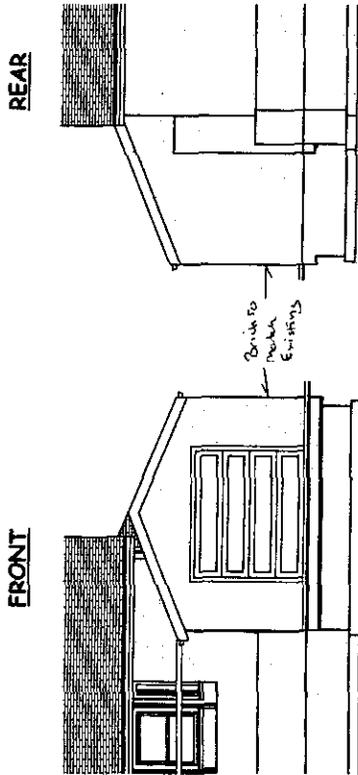
REVISION: FINAL

WARNER RESIDENCE
6802 WEAVER AVE
McCLEAN VA

DESIGN BY:

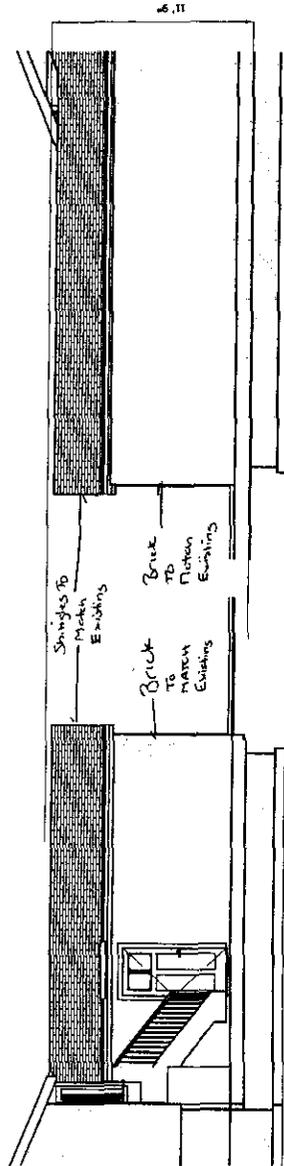
Randy Strong
VP

DREAMSBUILD
PO BOX 3011
Randy@Dreamsbuilt.com
703-898-7459



RIGHT FACING FRONT

LEFT FACING FRONT



FAR RIGHT CORNER OF PROPERTY FACING TOWARDS HOUSE



FAR RIGHT CORNER OF PROPERTY FACING AWAY FROM HOUSE



FAR FRONT OF PROPERTY FACING TOWARDS HOUSE



FAR FRONT OF PROPERTY FACING AWAY FROM HOUSE



FAR RIGHT FRONT CORNER OF PROPERTY FACING TOWARDS HOUSE



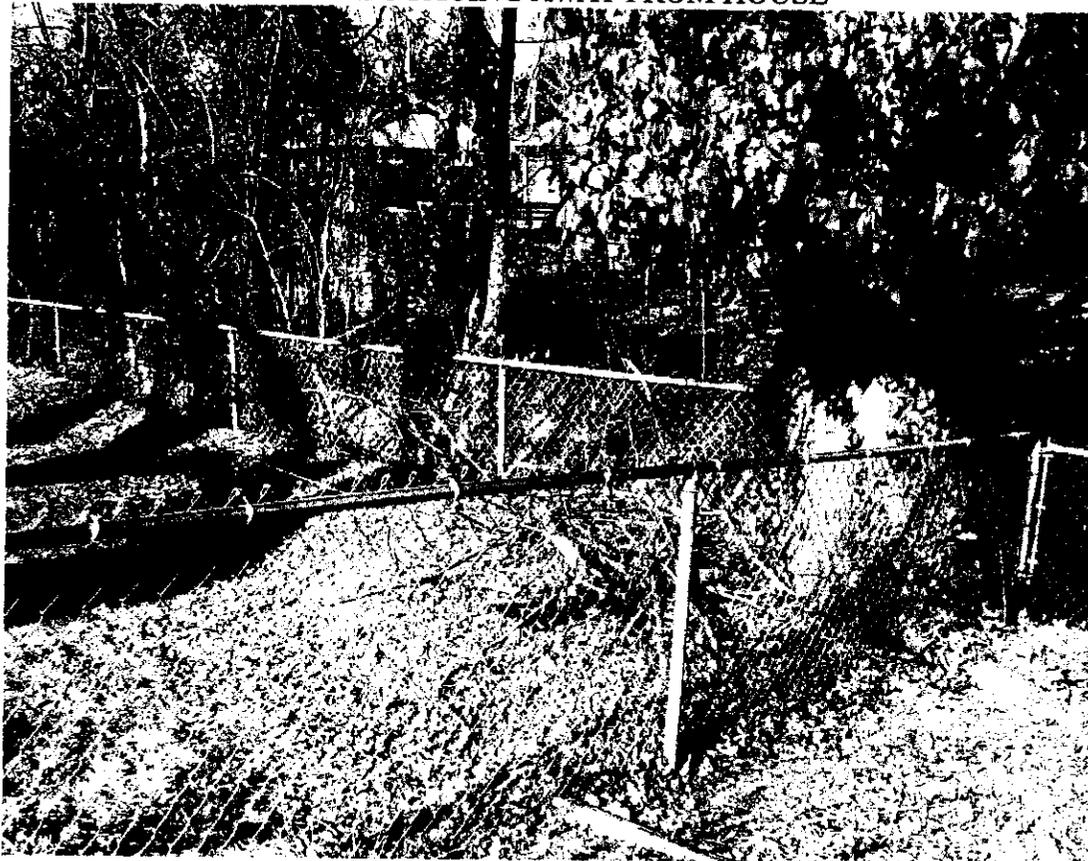
FAR RIGHT FRONT CORNER OF PROPERTY FACING AWAY FROM HOUSE



FAR RIGHT REAR CORNER OF PROPERTY FACING HOUSE



FAR RIGHT REAR CORNER OF PROPERTY FACING AWAY FROM HOUSE



FAR LEFT REAR CORNER OF PROPERTY FACING TOWARDS HOUSE



FAR REAR OF PROPERTY FACING AWAY FROM HOUSE



REAR OF PROPERTY SHOWING NEIGHBOR



FRONT OF 6802 WEAVER AVE SHOWING HOUSE TO RIGHT (WARNERS ALSO OWN THIS PROPERTY)



FAR REAR OF PROPERTY FACING HOUSE



REAR OF PROPERTY FACING AWAY FROM HOUSE SHOWING EXISTING SHED



DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit to permit an addition to be placed 6.0 feet from a side lot line and 16.2 feet from the front lot line. The addition (attached garage) will measure 382 square feet and 11.8 square feet in height within the left (east) side yard and the front yard. Concrete foundation walls are already in place for the proposed addition.

	Structure	Yard	Min. Yard Req.*	Structure Location	Proposed Reduction	Percent of Reduction
Special Permit	Addition	Side	12.0 feet	6.0 feet	6.0 feet	50%
Special Permit	Addition	Front	30.0 feet	16.2 feet	13.8 feet	46%

* A minimum side yard of 12 feet and front yard of 30 feet is required in the R-3 District.

EXISTING SITE DESCRIPTION

The 11,753 square foot lot is developed with a single-story, brick clad single family detached dwelling. The site is zoned R-3. The dwelling was constructed in 1960 and measures 2,800 square feet, including the basement. The topography of the site slopes approximately 10 feet down from the front of the lot to the rear. There is a screened porch and wood deck in the rear of the house, and a small shed that measures 8.4 feet in height is in the rear yard. The area around the house is landscaped with grass, deciduous trees and shrubs. The rear yard is surrounded with a chain link fence. There is a 30 foot stormwater drain and sanitary sewer easement in the rear yard, and a 10 foot stormwater sewer easement within the right (west) side yard. The existing shed is within the stormwater drain and sanitary sewer easement, but it will be removed. A majority of the site, including the footprint of the house, is within the Resource Protection Area (RPA).

CHARACTER OF THE AREA

	Zoning	Use
North	R-3	Single Family Detached Dwelling
South	R-3	Single Family Detached Dwelling

East	R-3	Single Family Detached Dwelling
West	R-3	Single Family Detached Dwelling

BACKGROUND

Following adoption of the current Ordinance, the BZA heard the following similar special permit and variance applications in the vicinity of the application parcel:

- Variance VC 97-D-070 was approved on October 8, 1997 for Tax Map 30-4 ((17)) 152, zoned R-3, 6724 Danforth Street, to permit construction of an addition 23.25 feet from the street line of a corner lot.
- Variance VC 97-D-016 was approved on April 30, 1997 for Tax Map 30-4 ((17)) 153A, zoned R-3, 6723 Weaver Avenue, to permit an addition 6.6 feet from the side lot line.
- Variance VC 96-D-004 was approved on March 27, 1996 for Tax Map 30-4 ((17)) 105, zoned R-3, 1608 Wrightson Drive, to permit construction of an addition 8.6 feet from the side lot line.
- Variance VC 91-D-101 was approved on January 21, 1992 for Tax Map 30-4 ((17)) 153A, zoned R-3, 6723 Weaver Avenue, to allow construction of a garage addition 5.6 feet from the side lot line.
- Variance VC 87-D-121 was approved on December 16, 1987 for Tax Map 30-4 ((17)) 125, zoned R-3, 6809 Weaver Avenue, to allow construction of a carport addition 18 feet from the rear lot line.

SPECIAL PERMIT PLAT (Copy at the front of the report)

- **Title of SP Plat:** Plat showing the improvements on Lot 74, Section Three, McLean Manor
- **Prepared By:** George M. O'Quinn
- **Dated:** August 10, 2010

Proposal:

The applicant proposes to construct an addition located 6.7 feet with eave 6.0 feet from the side lot line and 16.2 feet from the front lot line. The addition of the garage will be attached to the house, and the proposed materials will match the existing house, as

shown in Appendix 4. The attached garage will measure 382 square feet and 11.8 square feet in height. The use of the garage will be for at least one (1) car. A large portion of the site, including the house, is within the RPA. The proposed addition will encroach into the RPA and will require the Department of Public Works and Environmental Services (DPWES) to review a RPA Exception application, which also incorporates a Water Quality Impact Assessment. Due to the proposed size of the addition (less than 1,000 square feet or 2% of the lot area up to 2,500 square feet), the addition may qualify as a minor addition.

ZONING ORDINANCE REQUIREMENTS (See Appendix 6)

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

General Special Permit Standards (Sect. 8-006)

Staff believes that the application for the addition meets all of the General Special Permit Standards, particularly Standard 3. General Standard 3 requires that 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.” Staff believes that the proposed addition will not adversely affect the neighboring properties since the addition will be constructed to match the existing house and will be placed over an existing driveway. On the other side of the house, there is an existing 10-foot wide stormwater sewer easement, and the grading of the site would not permit an easily accessible garage in the rear yard. Staff believes this standard has been met.

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

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 expansion request. The gross floor area of a single family dwelling would also include the floor area of any attached garage. *The gross floor area of the existing dwelling is 2,800 square feet, and 150 percent of the total gross floor area is 4,200 square feet. In total, the applicant would be permitted to have approximately 7,000 square feet on site. The request is for an addition of 382 square feet, which will result in a gross floor area of 3,182 square feet. Staff believes this standard is satisfied.*

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 plat and elevations, which are included as Appendix 4, indicate that the scale and materials, including brick, of the proposed addition will be compatible. The length and width of the addition is proportional to the house, and the height of the addition (11.8 feet) will not exceed the height of the existing single family dwelling (19.9 feet). Staff believes this standard is satisfied.*

Standard 7 states that the BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director. *The applicant proposes to construct a single story garage within the existing driveway due to the constraints of the site. The topography of the site slopes downward towards the rear of the lot, and the right (west) side yard is encumbered by a 10 foot stormwater sewer easement. Though there are no similar applications in the vicinity of the application site, the request is in scale with the surrounding structures and topography. Staff believes this standard is satisfied.*

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. *The proposed addition will not adversely impact the use or enjoyment of the adjacent properties due to the lack of impact. Though the site is within the RPA, the minimal footprint of the addition, which will be built over an existing driveway, will qualify as a minor addition, and it will be built away from the minor floodplain in the rear of the site. Adequate light and air will be preserved due to the compatible scale of the addition, and there are no anticipated impacts to noise, light, erosion and stormwater runoff. Staff believes this standard is satisfied.*

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 addition is the best possible location for an addition to the existing single family dwelling. Specifically, the site is encumbered by stormwater and sewer easements along the rear and side (west) yards, and the topography of the site slopes approximately 10 feet downward towards the rear from the front of the parcel. In addition, a majority of the site is within the RPA, and there is a minor floodplain in the rear of the lot. The proposed garage addition will also be located on an existing driveway. The lack of suitable buildable area on the site necessitates side and front yard reduction requests. Staff believes this standard is satisfied.*

CONCLUSION

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

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Fairfax County Department of Transportation Analysis
5. Urban Forest Management Analysis
6. Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2011-DR-010****April 27, 2011**

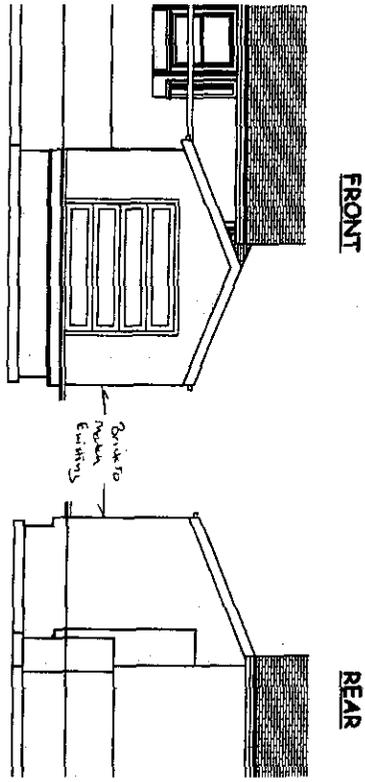
If it is the intent of the Board of Zoning Appeals to approve SP 2011-DR-010 located at Tax Map 30-4 ((17)) 74 to permit a reduction of certain yard requirements pursuant to Section 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance 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 addition (382 square feet), as shown on the plat prepared by George M. O'Quinn, dated August 10, 2010, as submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion [2,800 square feet existing + 4,200 square feet (150%) = 4,200 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 generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. Notwithstanding what is shown on the plat, the shed shall be removed outside the easement within six (6) months of final approval of this application.
6. The applicant shall complete a Resource Protection Area (RPA) Exception application for review and approval by the Department of Public Works and Environmental Services (DPWES), prior to approval of a building permit.

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

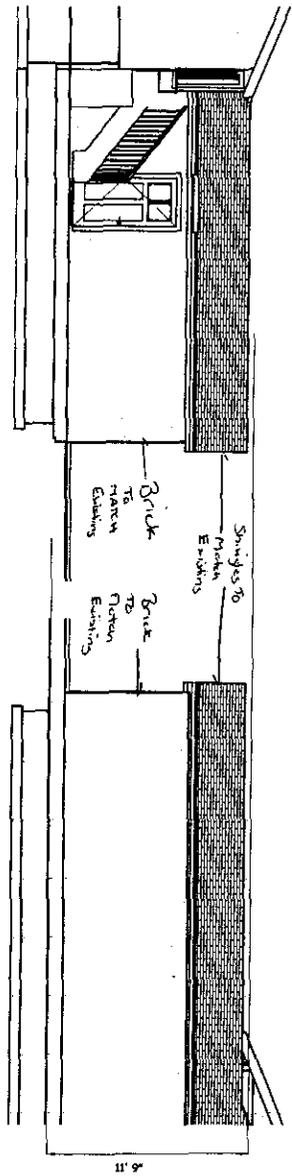
Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction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

WARNER RESIDENCE: 6802 WEAVER AVE, McCLEAN VA
EXTERIOR VIEWS



FRONT

REAR



LEFT FACING FRONT

RIGHT FACING FRONT

11' 0"

DESIGN BY:

Randy Strong
VP
DREAMSBUILT
POBOX 3011
Randy@Dreamsbuilt.com
703-898-7459

WARNER RESIDENCE
6802 WEAVER AVE
McCLEAN VA

1/8" SCALE UNLESS OTHERWISE NOTED

REVISION: FINAL

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/24/11
 (enter date affidavit is notarized)

I, Randy D Strong, 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 110979a

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)
Volney F Warner	6724 Weaver Ave McLean VA 22101	Applicant / Title Owner
Belva J. Warner	6724 Weaver Ave, McLean VA 22101	Applicant / Title Owner
Victoria J Warner	6802 Weaver Ave, McLean VA 22101	Owner
Strong LLC dba Dreams Built	PO Box 3011 Leesburg VA 20177	Agent
Randy D Strong	PO Box 3011 Leesburg VA 20177	Agent

(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: 3/24/11
(enter date affidavit is notarized)

110979a

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)

Strong LLC dba Dreams Built
PO Box 3011
Leesburg VA 20177

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)

Randy D Strong
Amy C Strong

(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: 3/24/11
(enter date affidavit is notarized)

110979a

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

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

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

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3/24/11
(enter date affidavit is notarized)

1109792

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

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

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

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

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

NONE

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3/24/11
(enter date affidavit is notarized)

110979a

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

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

NONE

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

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

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

WITNESS the following signature:

(check one)

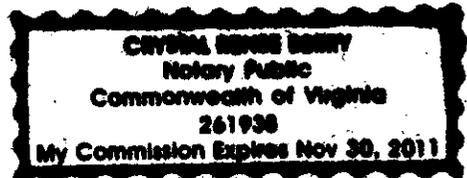
[Signature]
[] Applicant Applicant's Authorized Agent

Randy D. Stray Agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 24 day of March 2011, in the State/Comm. of Virginia, County/City of Leesburg.

[Signature]
Notary Public

My commission expires: November 30, 2011



10 February 2011

Fairfax County Government
Department of Planning and Zoning
Zoning Evaluation Division
Special Permit and Variance Division
8th Floor, Suite 801, Herrity Building
Fairfax County
Fairfax, Virginia

The proposed addition to the property, 6802 Weaver Ave, is an attached garage to aid the access for their daughter to the property. Her health issues are discussed in the attached letter from the owner. The past few months have required increased travel to the hospital. Therefore due to her deteriorating health we request an expedited hearing.

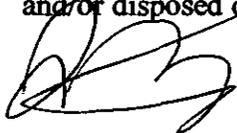
The garage will be 382 sq-ft additional to the 2800 sq-ft gross floor area of the existing structure a net 0.14 increase (Prop. Garage (382)/ Ex Gross Floor Area (2800)). The proposed floor area ratio is 0.27 (Prop Gross Floor Area (3182) / Lot Area (11753)) The garage addition is clearly subordinate in purpose, scale, use and intent to the principal structure on the site.

The proposed garage will be in character and harmonious with the existing structure and surrounding structures including location, height, bulk, scale. The exterior of the garage will be matching brick to the roof line, the same as the existing structure. The trim (eaves, rake boards) will be white painted wood to match existing structure. The garage passage door will be red to match front door and garage door will be white to match trim and other neighbors garage doors. All trees will be preserved and 3 bushes will be replanted to assure existing vegetation is preserved.

The proposed garage will not adversely impact the adjacent properties with regard to noise, light, air, safety, erosion, and storm water runoff.

The proposed garage footprint represents the absolute minimum design which allows the occupant to park her existing car. Then with the aid of her live in nurse exit the vehicle. The location selected was the only location allowed by the requirements laid out for a special permit.

To clarify per request, there are no Hazardous or toxic substances either generated, stored, treated and/or disposed of on site. There are no existing or proposed storage tanks or containers



Randy Strong
randy@dreamsbuilt.com
703.898.7459

RECEIVED
Department of Planning & Zoning

FEB 14 2011

Zoning Evaluation Division



County of Fairfax, Virginia

MEMORANDUM

DATE: March 8, 2011

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

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

SUBJECT: Transportation Impact

REFERENCE: SP 2011-DR-010; Belva & Volney Warner
Land Identification Map: 030-4((17))0074

Transmitted herewith are the comments of the Department of Transportation with respect to the referenced application. These comments are based on the informational packet made available to this department on March 7, 2011 and plat dated August 10, 2010.

The proposed application for reduction of certain yard requirements to allow construction of an attached garage would not create any significant additional impacts on the surrounding public street system. Therefore, this department would not object to the approval of the subject application.

AKR/mdd



County of Fairfax, Virginia

MEMORANDUM

March 25, 2011

TO: Ms. Susan Langdon, Chief
Special Permit and Variance Branch, Zoning Evaluation Division, DPZ

FROM: Craig Herwig, Urban Forester III *CSH*
Forest Conservation Branch, DPWES

SUBJECT: McLean Manor, Section 3, Lot 74, Dranesville District, SP 2011-DR-010

RE: Request for assistance dated March 4, 2011

This review is based upon a review of the Special Permit Application, SP 2011-DR-010 and the special permit plat stamped, "Received, Department of Planning and Zoning, January 31, 2011", showing the foundation (under construction) and proposed garage at the southeast portion of the property.

General Comment: Because it appears there are no trees on or off-site within proximity to the proposed garage that would be impacted by construction, the Urban Forest Management Division has no comments regarding this Special Permit Application.

Please feel free to contact me at 703-324-1770 if you have any further questions or concerns.

CSH/
UFMID #: 159241

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



ZONING ORDINANCE PROVISIONS

8-006 General Standards

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

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

8-903 Standards for all Group 9 Uses

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

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.

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

8-922 Provisions for Reduction of Certain Yard Requirements

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

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

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

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

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

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

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