



County of Fairfax, Virginia

June 1, 2011

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2011-MV-026

MOUNT VERNON DISTRICT

APPLICANTS/OWNERS: Steven B. Barnes
Jane M. Quirk

STREET ADDRESS: 8305 Marble Dale Court

SUBDIVISION: The Manors at Mount Vernon

TAX MAP REFERENCE: 102-3 ((27)) 29

LOT SIZE: 11,692 square feet

ZONING DISTRICT: R-3

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of an addition 15.9 feet from the rear lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2011-MV-026 for a screened porch addition with adoption of the proposed development conditions contained in Appendix 1.

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

*O:\dhedri\Special Permits\6-8) SP 2011-MV-026 Barnes & Quirk (50)\SP 2011-MV-026 Barnes & Quirk staff report.doc
Deborah Hedrick*

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

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



It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

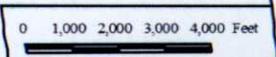
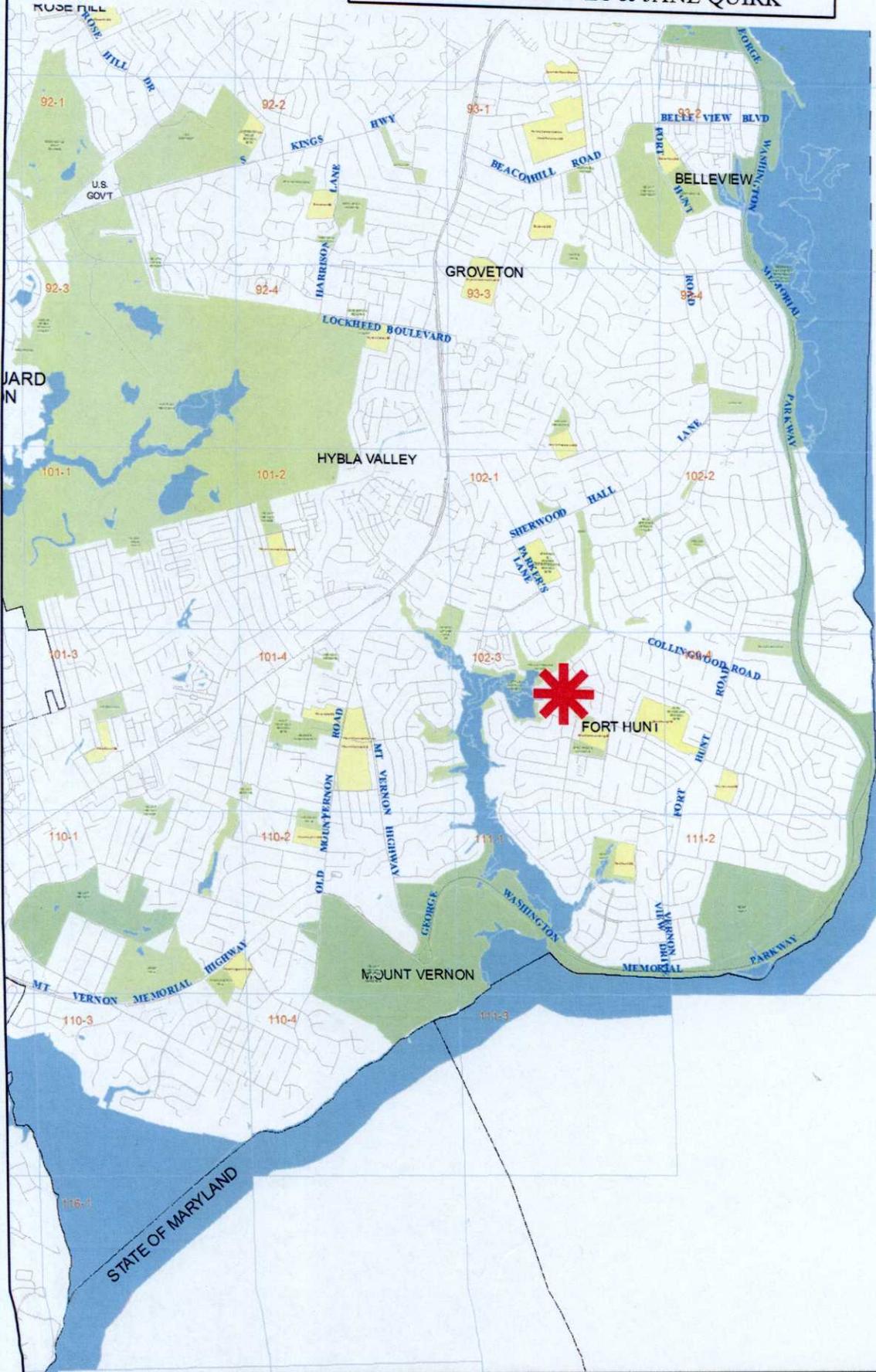
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**

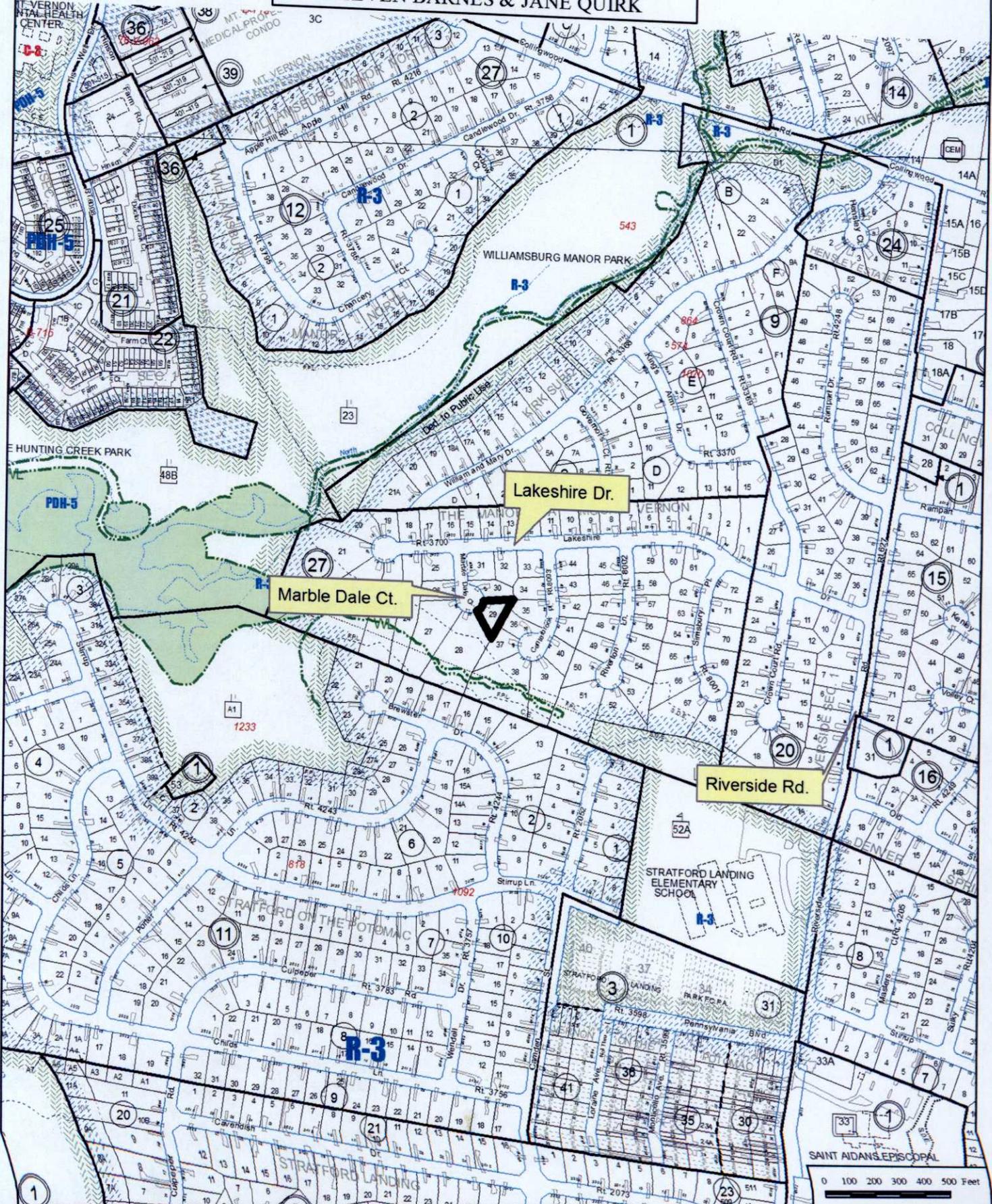


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

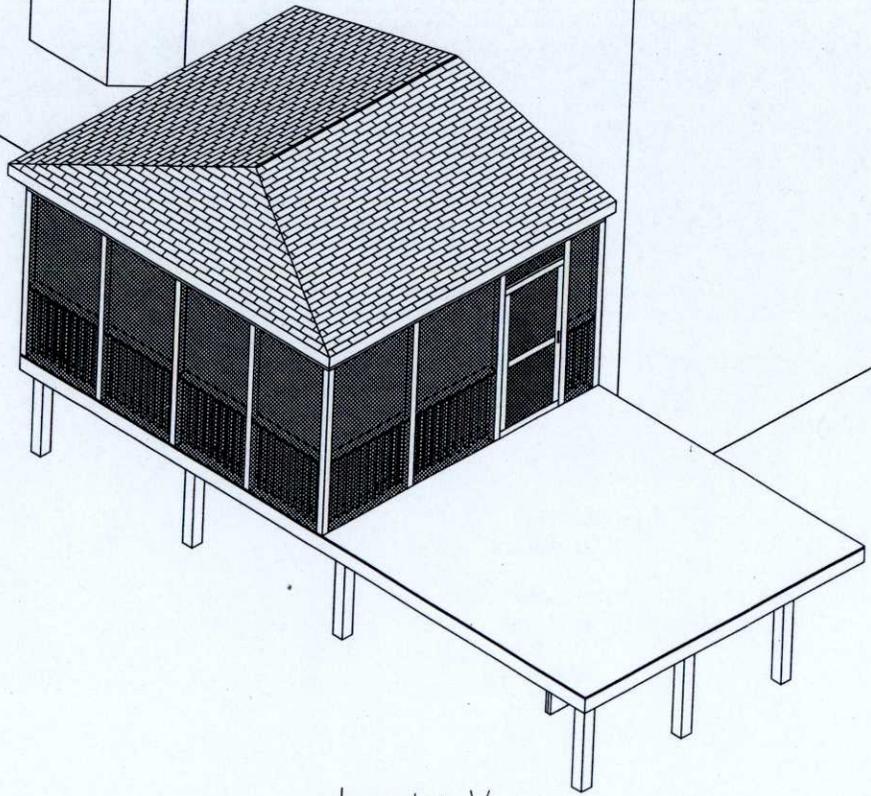
Special Permit
SP 2011-MV-026
STEVEN BARNES & JANE QUIRK



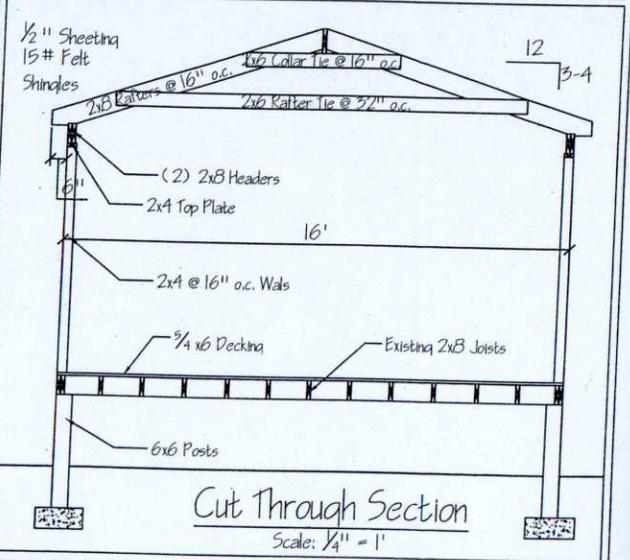
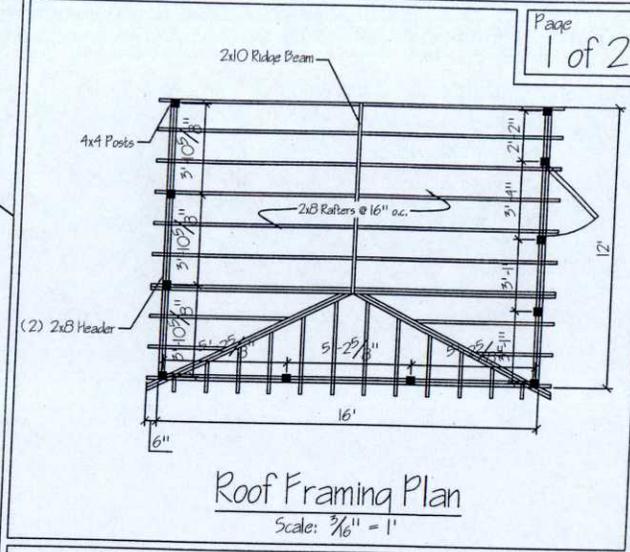
Special Permit
SP 2011-MV-026
STEVEN BARNES & JANE QUIRK



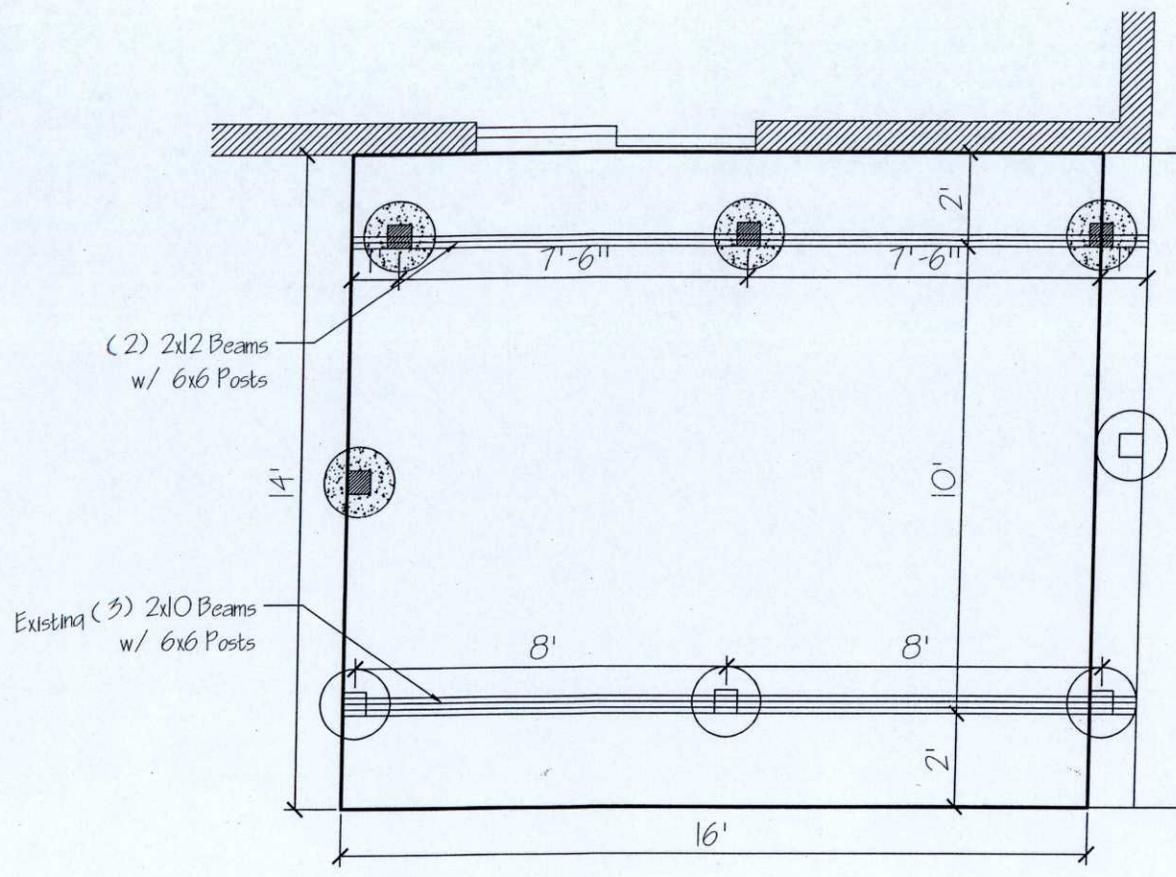
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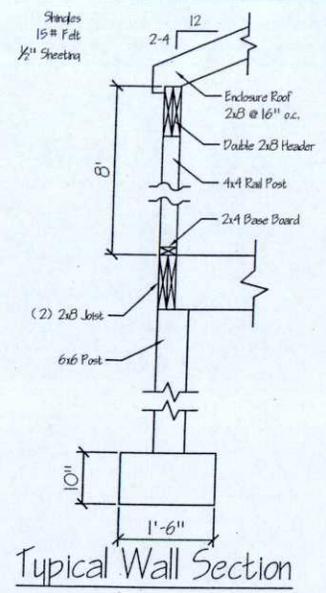
Isometric View



Customer Name Steven Barnes	Original Date: Feb. 11, 11
Customer Address 8305 Marble Dale Ct.	Alexandria, Va 22308
Contractor Prince William Home Improvement	
Contractor's Address 14906 Persistence Dr	Woodbridge, VA 22191
	Drawn by: HV



Plan View
Scale: 3/8" = 1'



Typical Wall Section

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Blank Intentionally

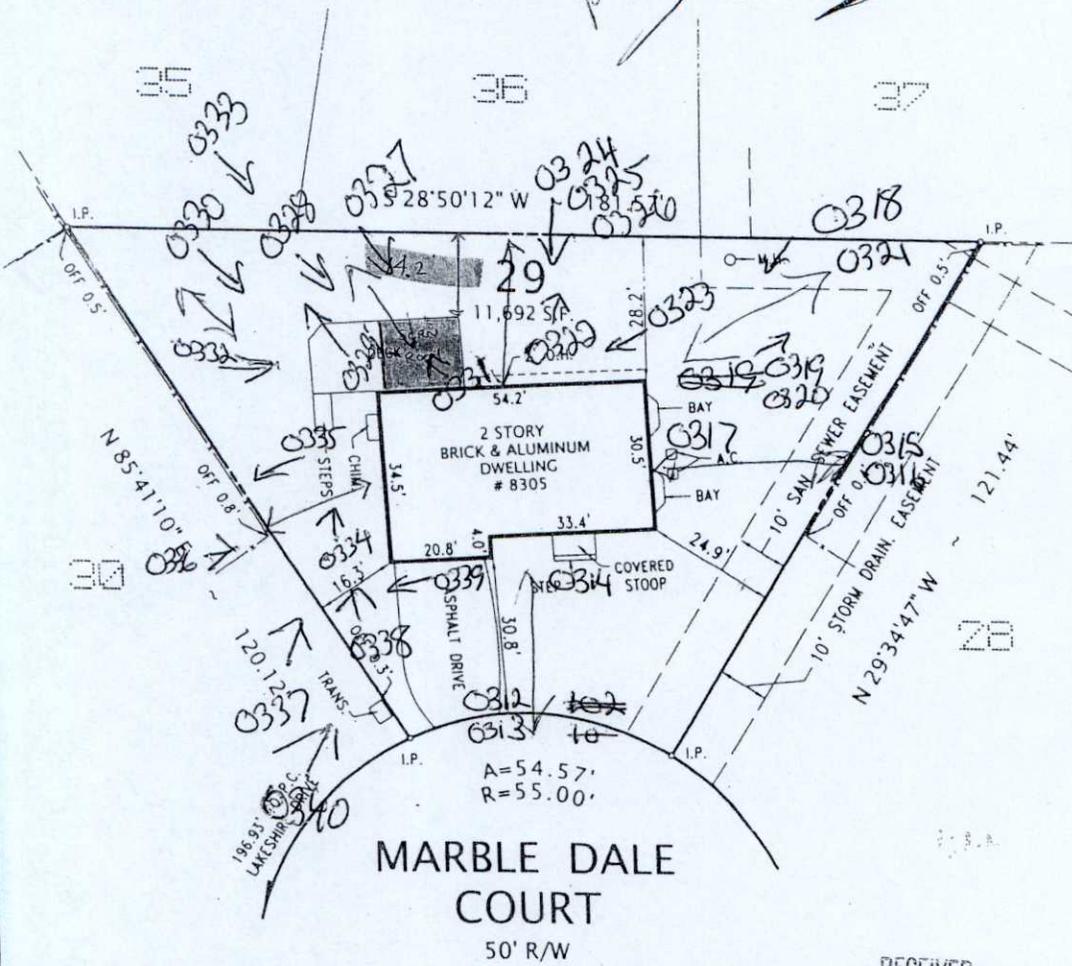
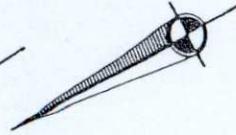
- Notes:
- 1) Existing Joist are 2x8 P.T. @ 16" o.c.
 - 2) Beam - Double 2x12 P.T.
 - 3) Footers 24" deep - 18" across - 10" min concrete
 - 4) Elevation is 5'-0"

Customer Name Steven Barnes	Original Date: Feb. 11, 11
Customer Address 8305 Marble Dale Ct., Alexandria, Va 22308	
Contractor Prince William Home Improvement	
Contractor's Address 14906 Persistence Dr Woodbridge, VA 22191	Drawn by: HV

NOTES: 1. UTILITIES ARE UNDERGROUND.
2. FENCES ARE FRAME.

2/18/11

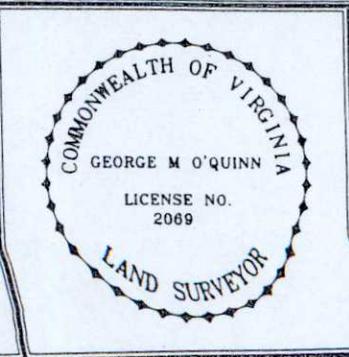
Photo Key



RECEIVED
Department of Planning & Zoning
SEP 27 2010
Zoning Evaluation Division

PLAT
SHOWING HOUSE LOCATION ON
LOT 29
THE MANORS AT MOUNT VERNON
FAIRFAX COUNTY, VIRGINIA
SCALE: 1" = 30' JULY 2, 2001

PLAT SUBJECT TO RESTRICTIONS OF RECORD.
TITLE REPORT NOT FURNISHED.

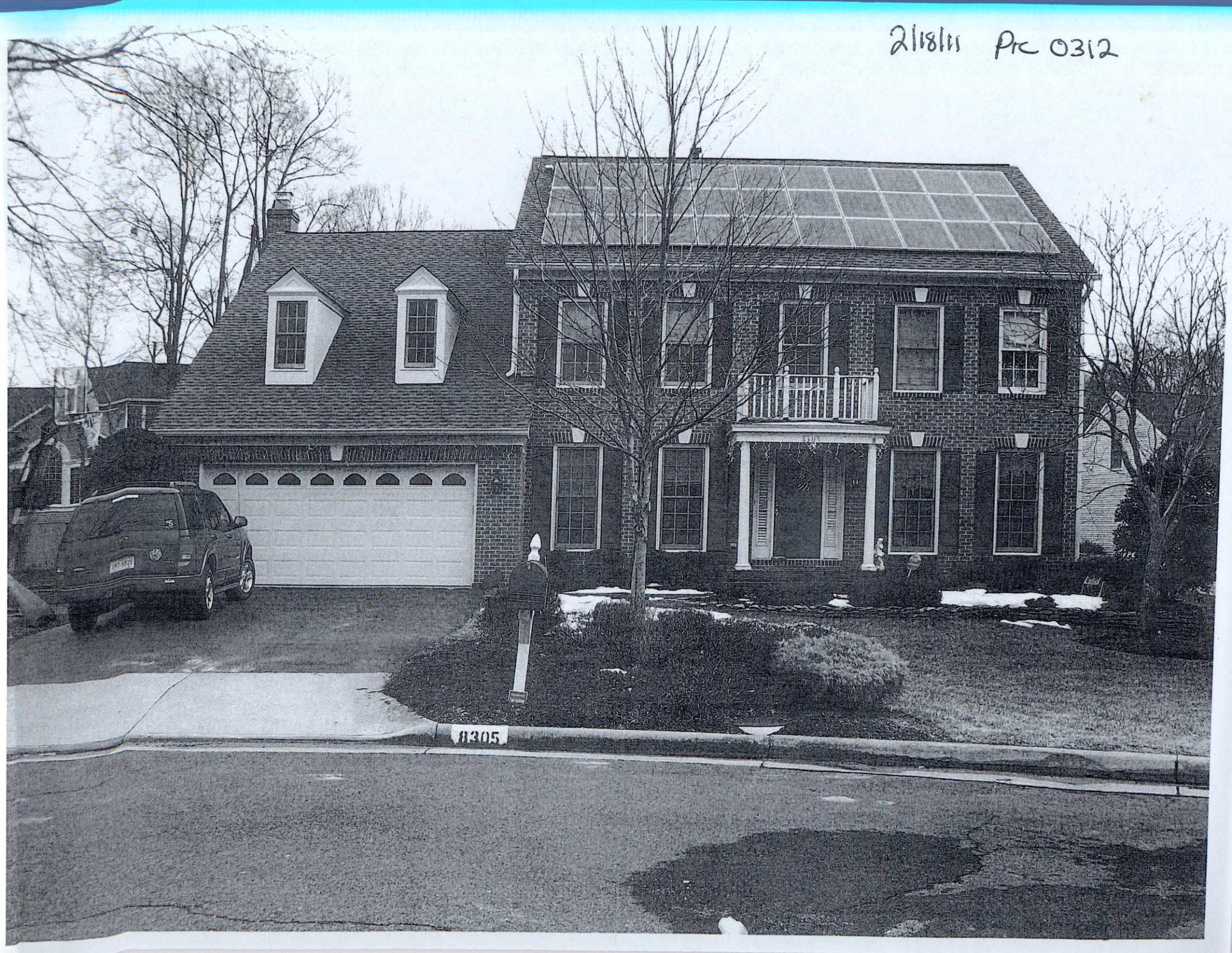


CASE NAME
SMITH - BARNES/QUIRK
MONUMENT TITLE COMPANY, INC.

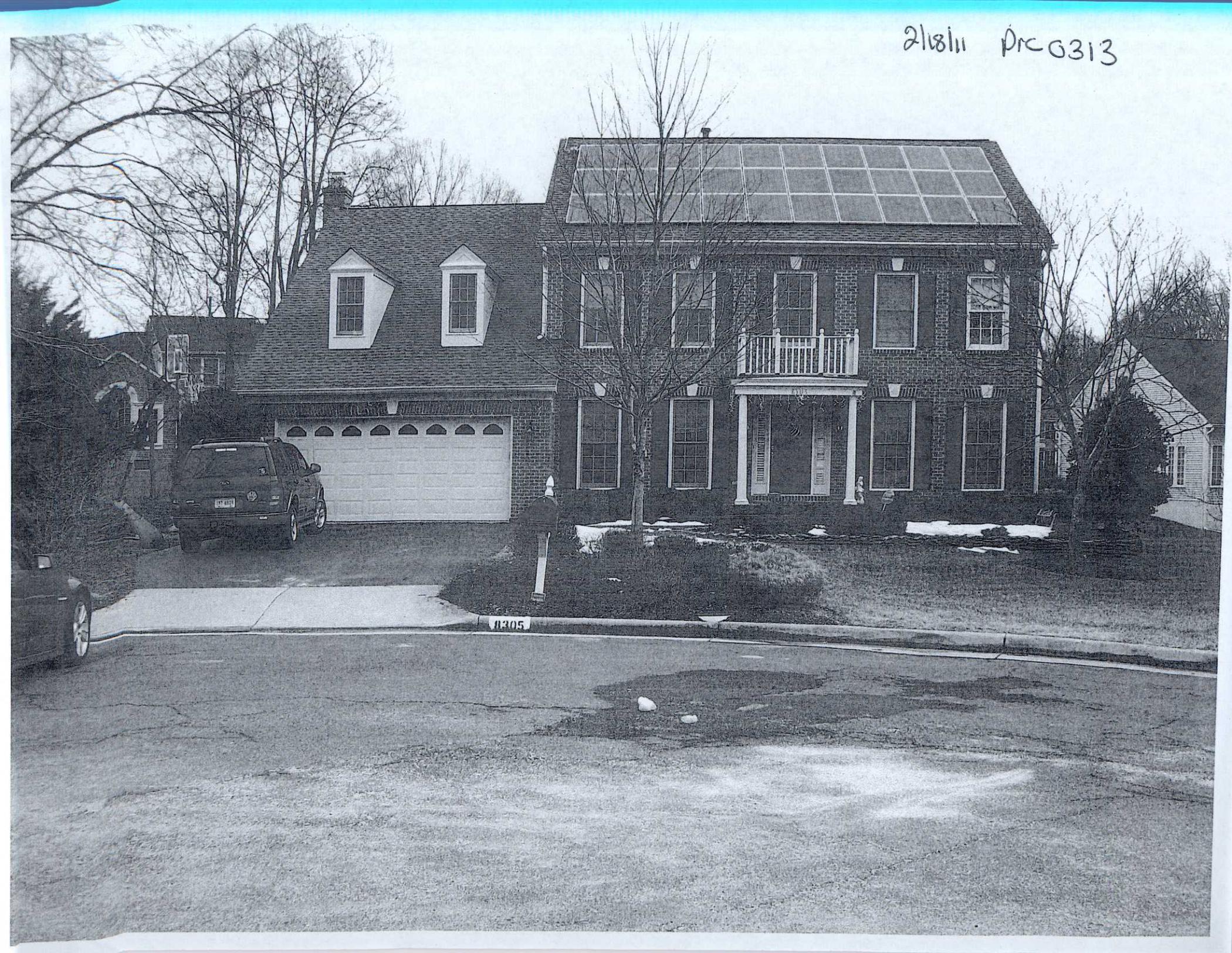
I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.
George M. O'Quinn
GEORGE M. O'QUINN L.S.

ALEXANDRIA SURVEYS INTERNATIONAL, LLC.
6343 SOUTH KINGS HIGHWAY
ALEXANDRIA, VIRGINIA 22306
703-660-6615
FAX 703-768-7764

2/18/11 Prc 0312



218111 PRG 0313

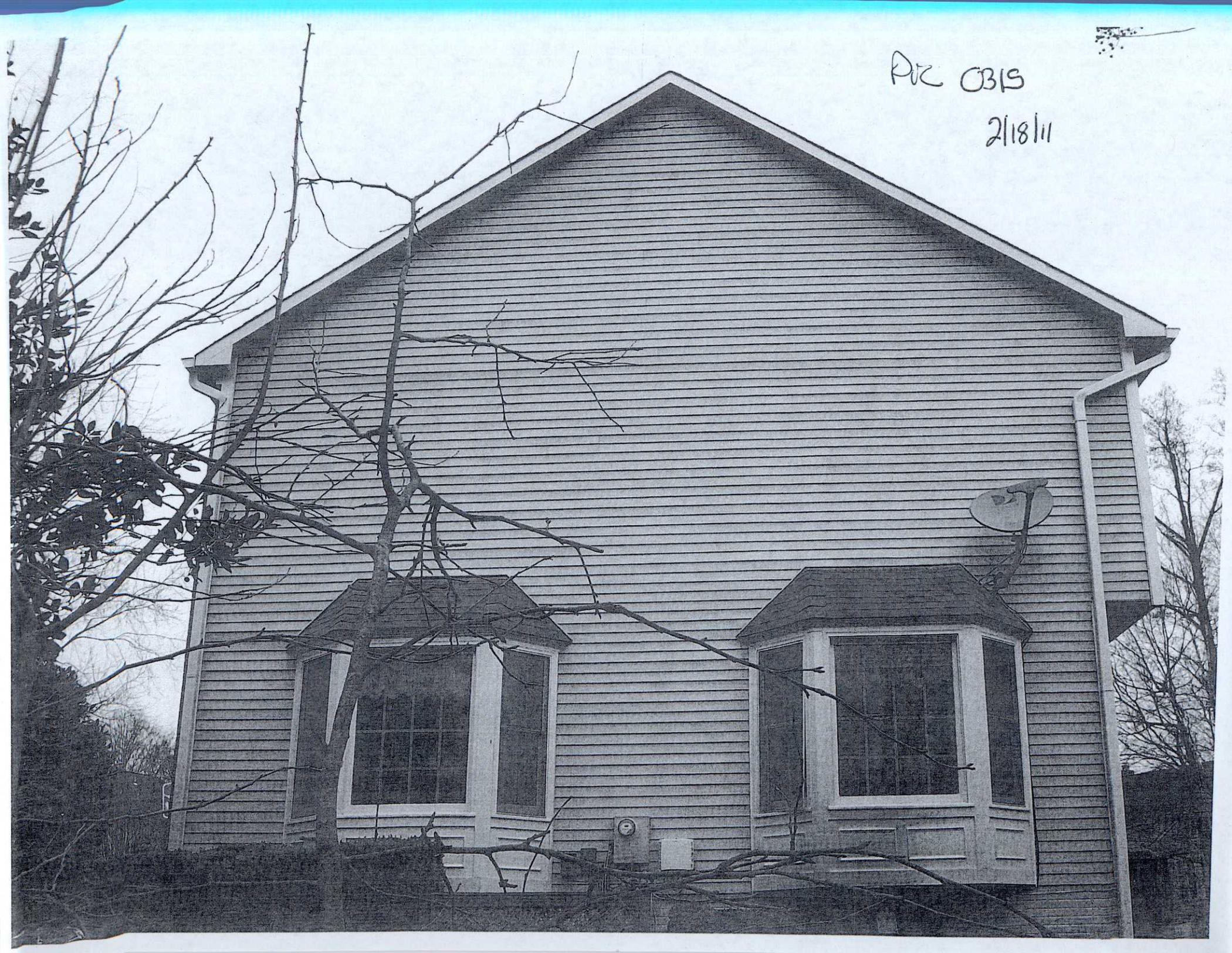


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Pic 0314



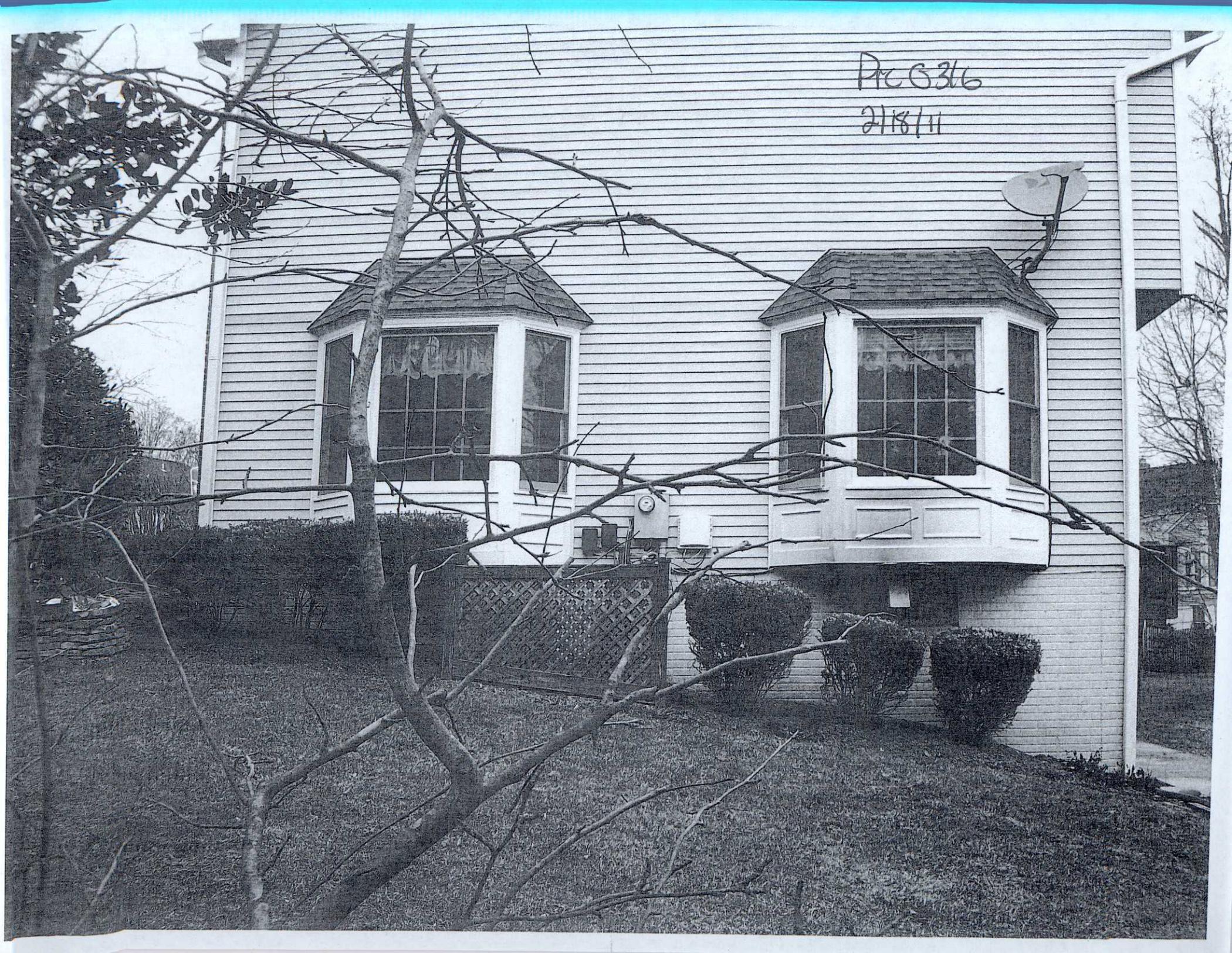
PIC 0319

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PrC 0316

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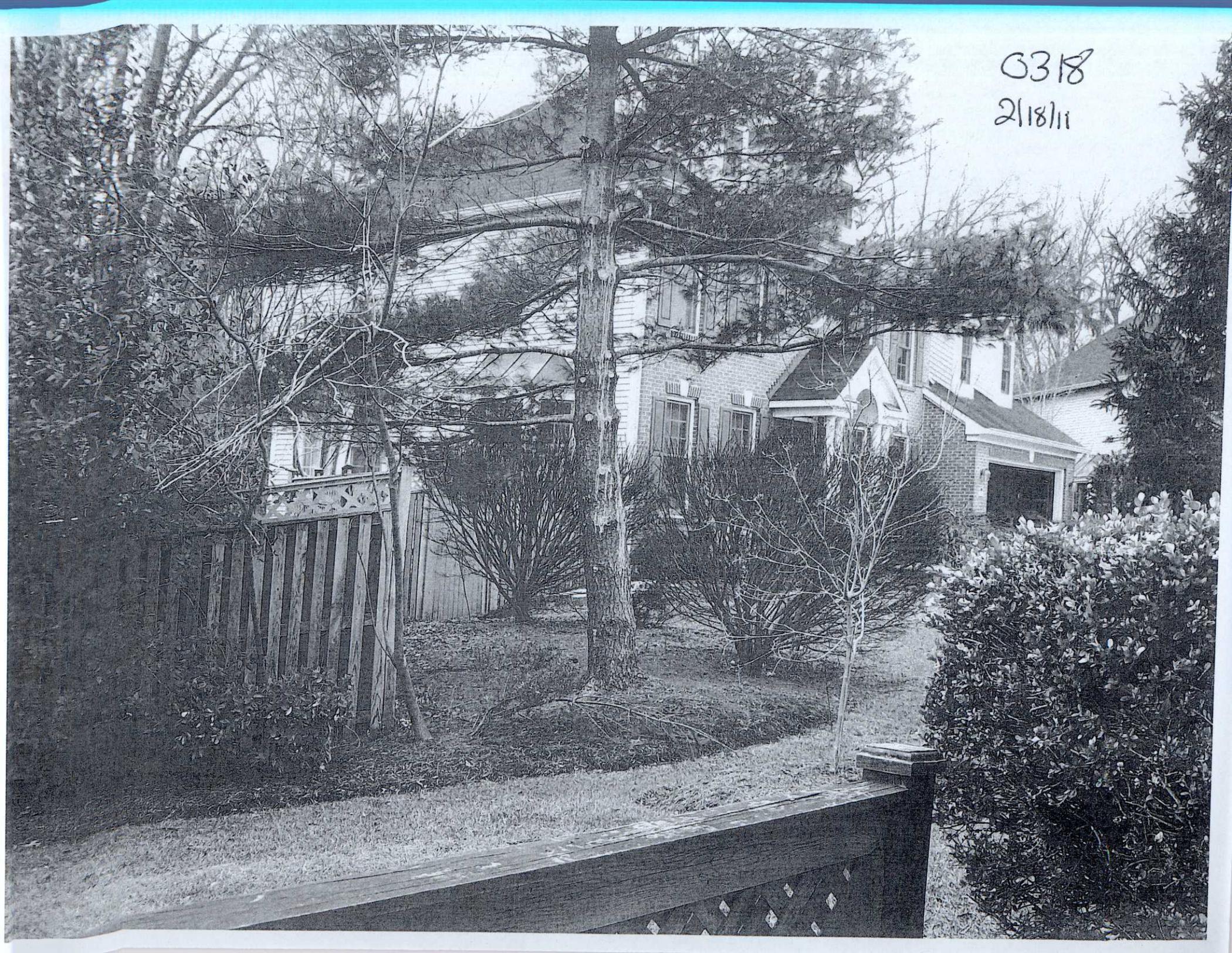


0317 Pic 031

2/18/11



0318
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Pr 0319
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DL0320

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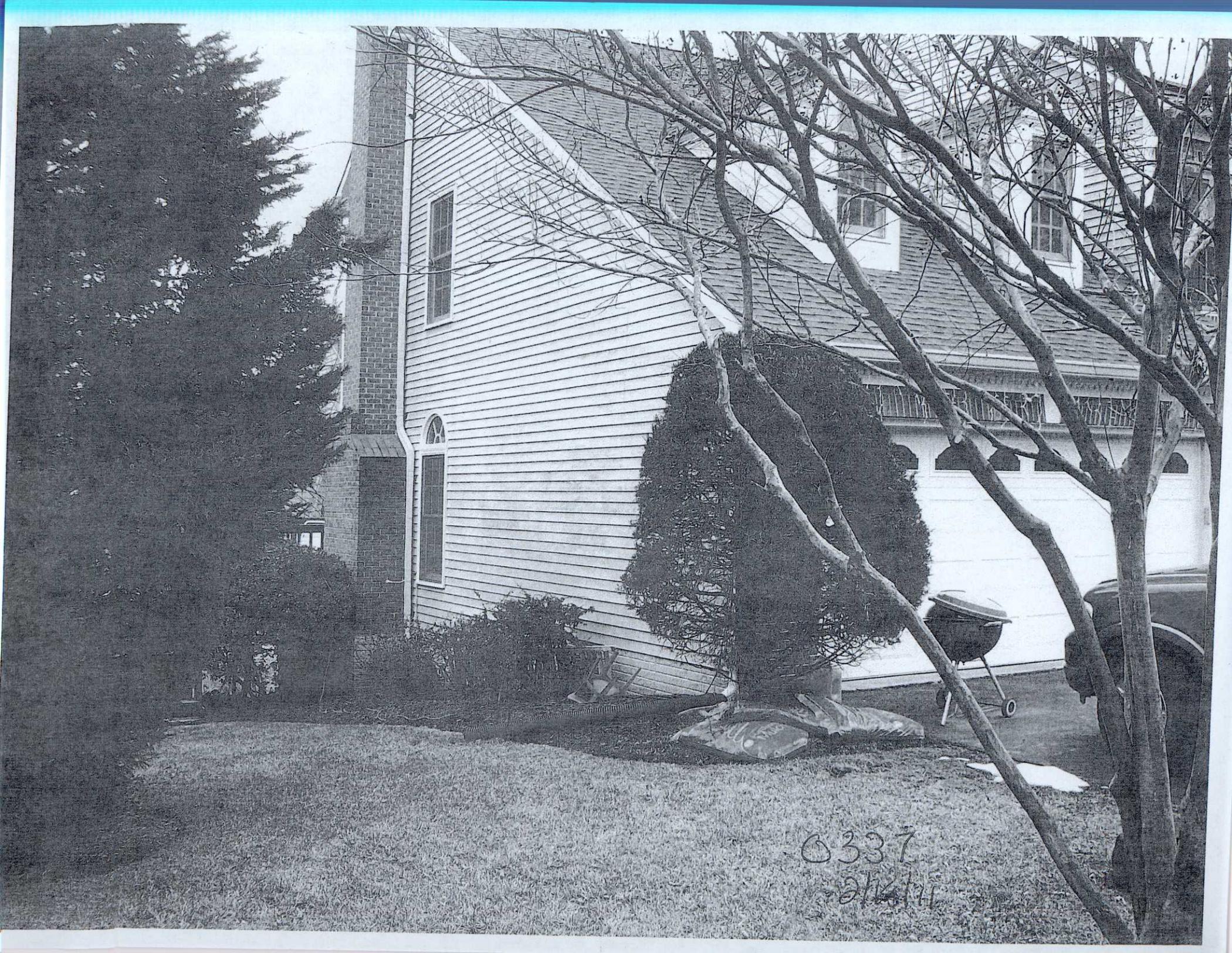
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DESCRIPTION OF THE APPLICATION

The applicants are requesting approval of a special permit to allow reduction of certain yard requirements to permit construction of a screened porch addition to be located 15.9 feet from the rear lot line.

	Structure	Yard	Minimum Yard Required*	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit	Addition	Rear	25.0 feet	15.9 feet	9.1 feet	36%

*Minimum yard requirement per Section 3-307

EXISTING SITE DESCRIPTION

The site is currently zoned R-3 and developed with a two-story, brick and aluminum dwelling built in June 1990. An existing wood deck located along a portion of the rear of the dwelling was constructed by building permit in November 1990. The lot is 11,692 square feet in size and is accessed via an asphalt driveway from Marble Dale Court which terminates at an existing two-car garage. Single-family detached dwellings are located within the cul-de-sac. There is a 10 foot storm drainage easement along the southern side lot line and a portion of the rear lot line. The application lot is flat and the yard is well-manicured and contains some existing mature trees and shrubs. There are two existing mature trees which currently provide screening for the existing open deck along the rear of the dwelling. No vegetation is proposed to be removed with this application.

CHARACTER OF THE AREA

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

BACKGROUND

Following the adoption of the current Ordinance, the BZA has heard the following similar variances in the vicinity of the application parcel:

- Variance VC 00-V-036 was approved on June 21, 2000 for Tax Map 102-3 ((15)) 43, zoned R-3, at 2006 Volley Court, to permit construction of addition 6.3 feet from the side lot line and 19.2 feet from the rear lot.
- Variance VC 94-V-065 was approved August 2, 1994 for Tax Map 102-3 ((20)) 20, zoned R-3, at 8310 Crown Court Road, to permit the construction of an addition 20.8 feet from the rear lot line.

ANALYSIS

- **Special Permit Plat:** (Copy at front of staff report)
- **Title of Plat:** Special Permit Plat Showing the Improvements on Lot 29, The Manors at Mount Vernon
- **Prepared by:** Alexandria Surveys International, LLC, dated January 28, 2011 as sealed through March 17, 2011

Proposal:

The applicants propose to construct an approximately 224 square foot screened porch addition in the location of a portion of an existing open wood deck. The existing open deck measures approximately 27 x 14 and the proposed screened porch will measure 16 x 14 while retaining an 11 x 14 open wood deck with steps that lead into the northern side yard.

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

Sect. 8-006 General Special Permit Standards

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

General Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. Staff believes by observation of the neighborhood through submitted photographs that the construction of the screened porch will not adversely affect the use or development of neighboring properties as the deck has existed since 1990 and the request is to merely enclose a small portion of the deck into a screened porch. Additionally, there are two existing mature trees which will screen the addition from the properties located along the rear lot line. Therefore, staff believes this standard has been met.

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

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

Standard 4 states that the resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first yard reduction request. In such instance, if a portion of the principal structure is to be removed; no more than fifty (50) percent of the gross floor area of the existing principal structure at the time of the first yard reduction shall be removed. The existing dwelling is 4,000 square feet in size. Therefore 150% of the total gross floor area could result in an addition up to 6,000 square feet in size for a possible total square footage at build out of 10,000. The proposed screened porch addition is approximately 224 square feet in size, for a total square footage of the house with the addition of 4,224 square feet. Therefore the application meets this provision.

Standard 6 states that the BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot. The elevation drawings and pictures submitted indicate that the materials, size and scale of the proposed one-story screened porch addition will be compatible with the dwelling; the house is two stories, the porch will be one story, and the architecture and material will match the existing deck. The applicants' request is to enclose a portion of an existing wood deck into a screened porch will be in character with existing on-site development. Staff believes that the application meets this provision.

Standard 7 states that the BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director. The applicants propose to enclose a portion of an existing open deck. This enclosure is in character with the existing dwelling and the dwelling is similar to many others in the neighborhood in terms of its height, construction materials and location on the lot. There is mature vegetation both on and off-site and no vegetation is proposed to be removed to accommodate this request. Therefore, staff believes the screened porch will be harmonious with surrounding off-site uses and meets this provision.

Standard 8 states that the BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff. Staff believes that the application meets the erosion and stormwater runoff portion of the standards since DPWES has indicated that there are no drainage complaints on file related to this property. Staff believes that the addition of a 224 square foot one-story screened porch will not impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety, as it will be placed where a wood deck has existed for many years and will simply enclose that area. Staff believes the addition could in fact lesson issues such as noise, is a modest request and will not increase runoff or erosion. Therefore, the application meets this provision.

Standard 9 states that the BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources. The request to construct a screened porch addition is shown in the most logical location, as it will be placed where an existing wood deck is located. The request is modest in size and scale and the placement of the house on the irregular shaped lot prohibits alternate locations for such a structure. Staff believes the application meets this provision. Other issues of well, floodplains and/or Resource Protection Areas are not applicable to this site.

CONCLUSION

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

RECOMMENDATION

Staff recommends approval of SP 2011-MV-026 for a screened porch addition with adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report. It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Applicable Zoning Ordinance Provisions

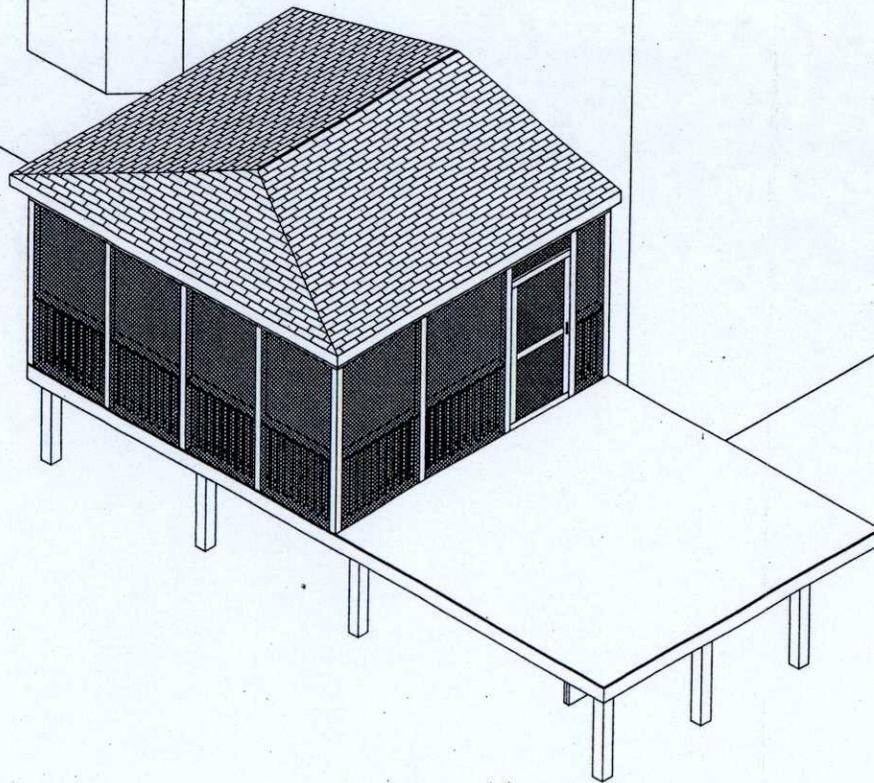
PROPOSED DEVELOPMENT CONDITIONS**SP 2011-MV-026****June 1, 2011**

If it is the intent of the Board of Zoning Appeals to approve SP 2011-MV-026 located at Tax Map 102-3 ((27)) 29 to permit reduction of certain yard requirements pursuant to Section 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

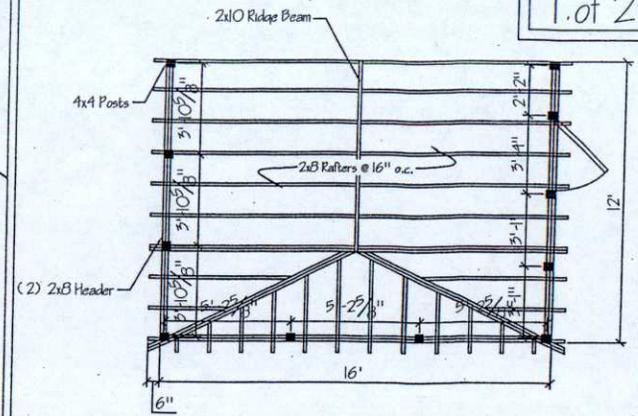
1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of a screened porch addition (approximately 224 square feet), as shown on the plat prepared by Alexandria Surveys International, LLC, dated January 28, 2011 as sealed through March 17, 2011, 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 (4,000 square feet existing + 6,000 square feet (150%) = 10,000 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.

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.

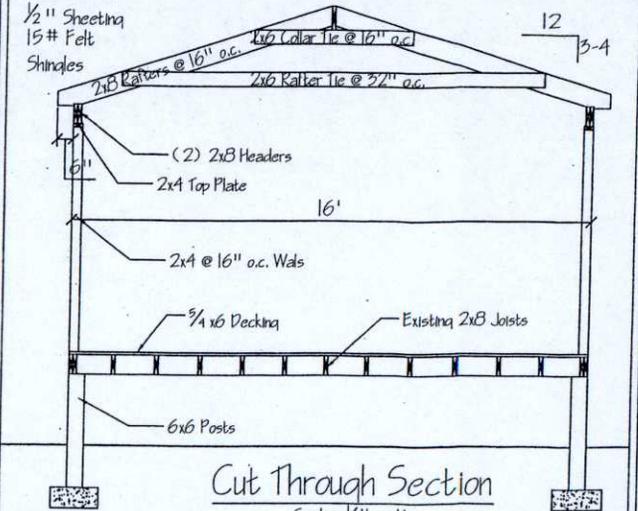


Isometric View



Roof Framing Plan

Scale: 3/16" = 1'



Cut Through Section

Scale: 1/4" = 1'

Customer Name Steven Barnes	Original Date: Feb. 11, 11
Customer Address 8305 Marble Dale Ct, Alexandria, Va 22308	
Contractor Prince William Home Improvement	
Contractor's Address 14906 Persistence Dr Woodbridge, VA 22191	Draw

Application No.(s): SP 2011-MV-026
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/1/10
 (enter date affidavit is notarized)

I, Troy Caswell, 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 109924a

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)
Steven B. Barnes	8305 Maple Dalect Alexandria VA 22308	Applicant/Title owner
Jane M. Quirk	"Same"	Applicant/Title owner
Scott Moltzhauser inc., Doing Business as Prime William Home Improvement	14910 Pensilence Dr. Woodbridge VA 22191	Agent
Troy A Caswell	"Same"	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):

SP 2011-MV-026

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

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/1/10
(enter date affidavit is notarized)

109924a

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)

Scott Moltzhauser inc., Doing Business as Prince William Home Improvement.
14910 Persistence Dr. Woodbridge VA 22191

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)

A. Scott Moltzhauser

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

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

Application No.(s):

SP 2011-MV-026

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

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/1/10
(enter date affidavit is notarized)

109924a

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.

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Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE:

11/1/10

(enter date affidavit is notarized)

109924a

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): SP 2011-MV-026
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/1/10 109924a
(enter date affidavit is notarized)

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

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

None

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

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

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

WITNESS the following signature:

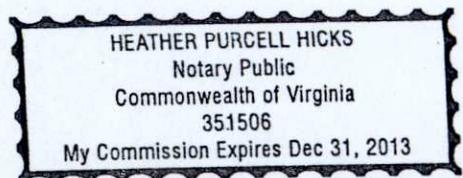
(check one) [] Applicant [] Applicant's Authorized Agent

Troy Caswell Agent.
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 1 day of November 2010, in the State/Comm. of Virginia, County/City of Prince William

Heather Hicks
Notary Public

My commission expires: December 31 2013



FEB 18 2011

Zoning Evaluation Division

5.00

Barnes-Quirk, Statement from the applicant describing the proposed use, giving all pertinent data.

The proposed use is having a screen area to enjoy and enhance the property value and appearance to home and surrounding area.

If the BZA determines that:

The error exceeds ten (10) percent of the measurement involved, and
Required 25' provided put the new set back need or proposed.

The noncompliance was done in good faith, or through no fault of the property owner, and 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 such reduction will not impair the purpose and intent of this ordinance, and it will not be detrimental to the use and enjoyment of other property in the immediate vicinity.

This proposal will not create and unsafe condition with respect to both the other property and public streets.

To force compliance with the minimum yard requirements would cause unreasonable hardship upon the owners.

The reduction will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.

The total square foot of the new structure on top of the existing deck will not exceed 224 sq. feet. The resulting gross floor area of the addition will be less than 150 percent of the total gross floor area of the principal structure that existed at the time of the yard reduction request. In addition to the top structure the lower lattice does not exceed 150 percent of the total gross floor area of the principal structure when combined with the top area that existed at the time of the yard reduction request. In such instance, if a portion of the principal structure is to be removed, no more than 50 percent of the gross floor area of the existing principal structure shall be removed.

5.00

continued.

Barnes-Quirk, Statement from the applicant describing the proposed use, giving all pertinent data.

- Providing the BZA approves the change in such reduction the reduction will not result in the placement of a detached accessory structure in a front yard where placement of such accessory structure is not otherwise permitted in that yard.
- In seeking a special permit we only wish to apply to this lot as it contains a principal structure and use that complied with the minimum yard requirements in effect when the use or structure was established.
- The total square foot of the new structure on top of the existing deck will not exceed 224 sq. feet. The resulting gross floor area of the addition will be less than 150 percent of the total gross floor area of the principal structure that existed at the time of the yard reduction request. In addition to the top structure the lower lattice does not exceed 150 percent of the total gross floor area of the principal structure when combined with the top area that existed at the time of the yard reduction request. In such instance, if a portion of the principal structure is to be removed, no more than 50 percent of the gross floor area of the existing principal structure shall be removed.
- The new existing gross floor area of the structure and any addition to it shall be clearly subordinate in purposed, scale, use and intent to the principal structure on the site.
- The proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structures on the lot.
- We believe that the proposed development is harmonious with the surrounding off-site uses and structures, topography, existing vegetation, and the preservation fo significant trees as determined by the director.
- The proposed development will not adversely impact the use and-or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion and storm water runoff.
- We are looking for an reduction that represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. All factors have been considered, but are not limited to the layout of the existing structure; availability of alternate locations for the addition; orientation of the structures o the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and resource protection areas; preservation of existing vegetation and significant trees as determined by the Director; location of well and septic field; location of easements and preservation of historic resources.

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Zoning Evaluation Division

5.07

Barnes-Quirk Description of building facade and architecture of proposed new building or additions.

The structure being added is a 14'X16'screen room. The roof will be a hip roof conforming to the architecture of the surrounding structures. The facade is constructed out of number one grade ACQ pressure treated lumber "i.e. the trim." The structure will have a wood rail with composite cap on the rail. Screening will be placed on the outside of the rail. This enclosure is being added on top of a portion of the existing decking system. All wood will be installed natural with out stain or paint. The framing construction will meet or exceed building guidelines of Fairfax County. The enclosure will have one door leading to the open deck the door will be a white vinyl door. The portion of structure under the enclosure will have additional support as to make the enclosed section freestanding. Lights will also be added to existing steps as to bring them up to code.

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5.08

Barnes-Quirk A listing of all hazardous or toxic substances.

To the best of my knowledge there will be no hazardous materials brought to or stored on property before or during construction. Any and all non toxic waste will be transported and disposed of in an appropriate manor by Prince William Home Improvement.

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5.09

Barnes-Quirk, A statement that the proposed development will conform with all regulations and provisions.

This Addition of a screen room is in conformity to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver exception or variance is sought by the applicant, such shall be specifically noted with the justification for such modification. The only thing that would not conform is the regulation of setback for an addition. However the provision for variance of setback will be adhered to as we may ask for a 50% reduction of said setback.

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7.00/911.11

Barnes-Quirk, One 8.5"by11" Reduction of the special permit plat.

- Client to provide updated plat as needed by county.

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912.00

Barnes-Quirk, Statement of justification explaining how the error in building locations occurred.

The error in building locations occurred when Mr. Barnes added lattice under a permitted existing deck along a portion of the side of the deck not realizing the ramifications that changed the structure to an addition in Fairfax County. Mr. Barnes would like the lattice to stay if the county approves it. If not it can be removed.

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930.00

Barnes-Quirk, 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.

The total square foot of the new structure on top of the existing deck will not exceed 224 sq. feet. The resulting gross floor area of the addition will be less than 150 percent of the total gross floor area of the principal structure that existed at the time of the yard reduction request. In addition to the top structure the lower lattice does not exceed 150 percent of the total gross floor area of the principal structure when combined with the top area that existed at the time of the yard reduction request. In such instance, if a portion of the principal structure is to be removed, no more than 50 percent of the gross floor area of the existing principal structure shall be removed.

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Zoning Evaluation Division

930.00,
continued

- Providing the BZA approves the change in such reduction the reduction will not result in the placement of a detached accessory structure in a front yard where placement of such accessory structure is not otherwise permitted in that yard.
- In seeking a special permit we only wish to apply to this lot as it contains a principal structure and use that complied with the minimum yard requirements in effect when the use or structure was established.
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- 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 structures on the lot.
- We believe that the proposed development is harmonious with the surrounding off-site uses and structures, topography, existing vegetation, and the preservation fo significant trees as determined by the director.
- The proposed development will not adversely impact the use and-or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion and storm water runoff.
- We are looking for an reduction that represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. All factors have been considered, but are not limited to the layout of the existing structure; availability of alternate locations for the addition; orientation of the structures o the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and resource protection areas; preservation of existing vegetation and significant trees as determined by the Director; location of well and septic field; location of easements and preservation of historic resources.

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Zoning Evaluation Division

930.01, 930.02, 930.03, 930.04,
930.05

Barnes-Quirk

- Providing the BZA approves the change in such reduction the reduction will not result in the placement of a detached accessory structure in a front yard where placement of such accessory structure is not otherwise permitted in that yard.
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Zoning Evaluation Division

Barnes-Quirk 930.17

The Location , Type and Height of any existing and proposed landscaping and screening.

- The Screen will be 8' taller than existing flooring of existing deck. The existing deck is 5' above grade at the floor level. Producing a 13' total height at the apex of screening.

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Continued

930.05, 930.10, 930.11, 930.14-15-17-18-19

Barnes-Quirk, see plat

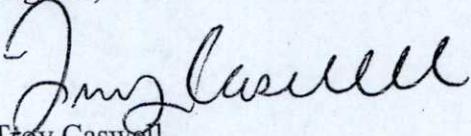
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Zoning Evaluation Divi

To: Fairfax County
12055 Government Center Parkway
Suite 801
Fairfax Va. 22035

Letter for Zoning Ordinance Standards for Variance

- 1) The property at 8305 Marble Dale Ct. Alexandria VA, 22308 was acquired in good faith.
- 2) The shallowness and the shape of the lot at the time of the ordinance were exceptional.
- 3) The condition or situation of the subject property has approval to build a deck to a Certain point and the deck was built a few years back. Now the owner wishes to enclose the structure and can not build due to setbacks. The decking system meet the county building guidelines and if partially enclosed the remainder of the deck would be unusable and difficult to maintain.
- 4) The strict application of the ordinance would produce undue hardship as the owner can not use deck during the daytime in season as the heat is unbearable for someone of the applicant's age and health.
- 5) This is not shared by all other properties in the same zoning district.
- 6) The strict application of the zoning ordinance would effectively prohibit or unreasonably restrict the utilization of the subject property. The decking system Only goes past the existing roof structure a few feet and adding a roof system on the deck would match the architecture of the neighborhood.
- 7) The authorization of the variance will not be of substantial detriment to the adjacent property,
- 8) Providing the structure is built properly it will not be changed by granting the variance.
- 9) Certainly the variance will be in harmony with the intended sprit and purposes of this ordinance and will not be contrary to the public interest.

Regards,



Troy Caswell
571/259/8768
14910 Persistence Dr.
Woodbridge VA, 22191

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SEP 27 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.

8-922 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.