



APPLICATION ACCEPTED: March 3, 2011
DATE OF PUBLIC HEARING: May 25, 2011
MOVED DUE TO ADS
TIME: 9:00 a.m.

County of Fairfax, Virginia

June 1, 2011

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2011-BR-008

BRADDOCK DISTRICT

APPLICANT/OWNER: Russell R. Paugh

LOCATION: 7305 Leesville Boulevard

SUBDIVISION: North Springfield

TAX MAP: 80-1 ((2)) (8) 2

LOT SIZE: 10,630 square feet

ZONING: R-3

ZONING ORDINANCE PROVISION: 8-914

SPECIAL PERMIT PROPOSAL: To permit reduction to minimum yard requirements based on errors in building locations to permit addition to remain 5.9 feet from a side lot line and accessory storage structure (shed) to remain 0.45 feet from a side lot line and 5.76 feet from the rear lot line.

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.

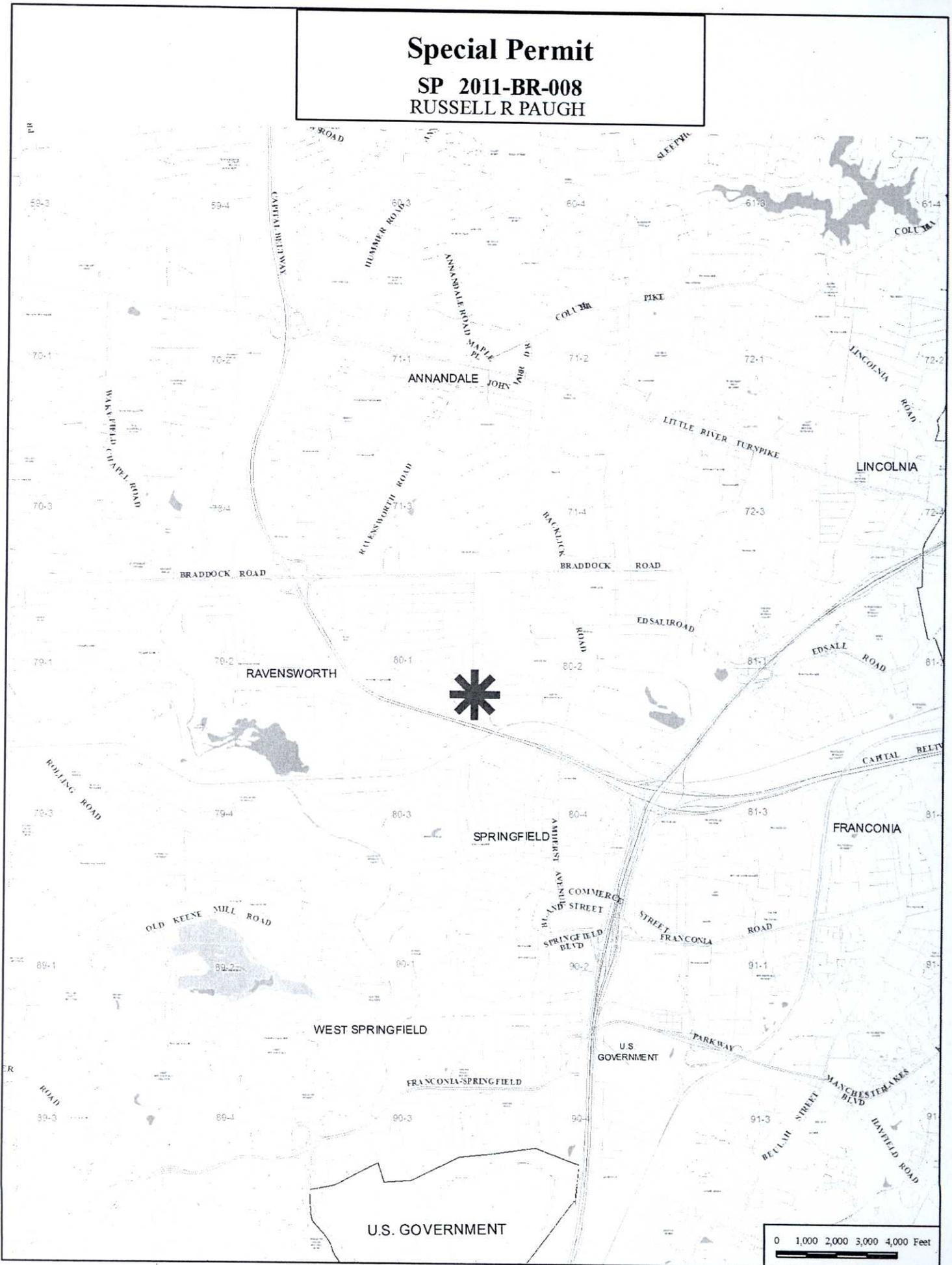
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government 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-BR-008
RUSSELL R PAUGH

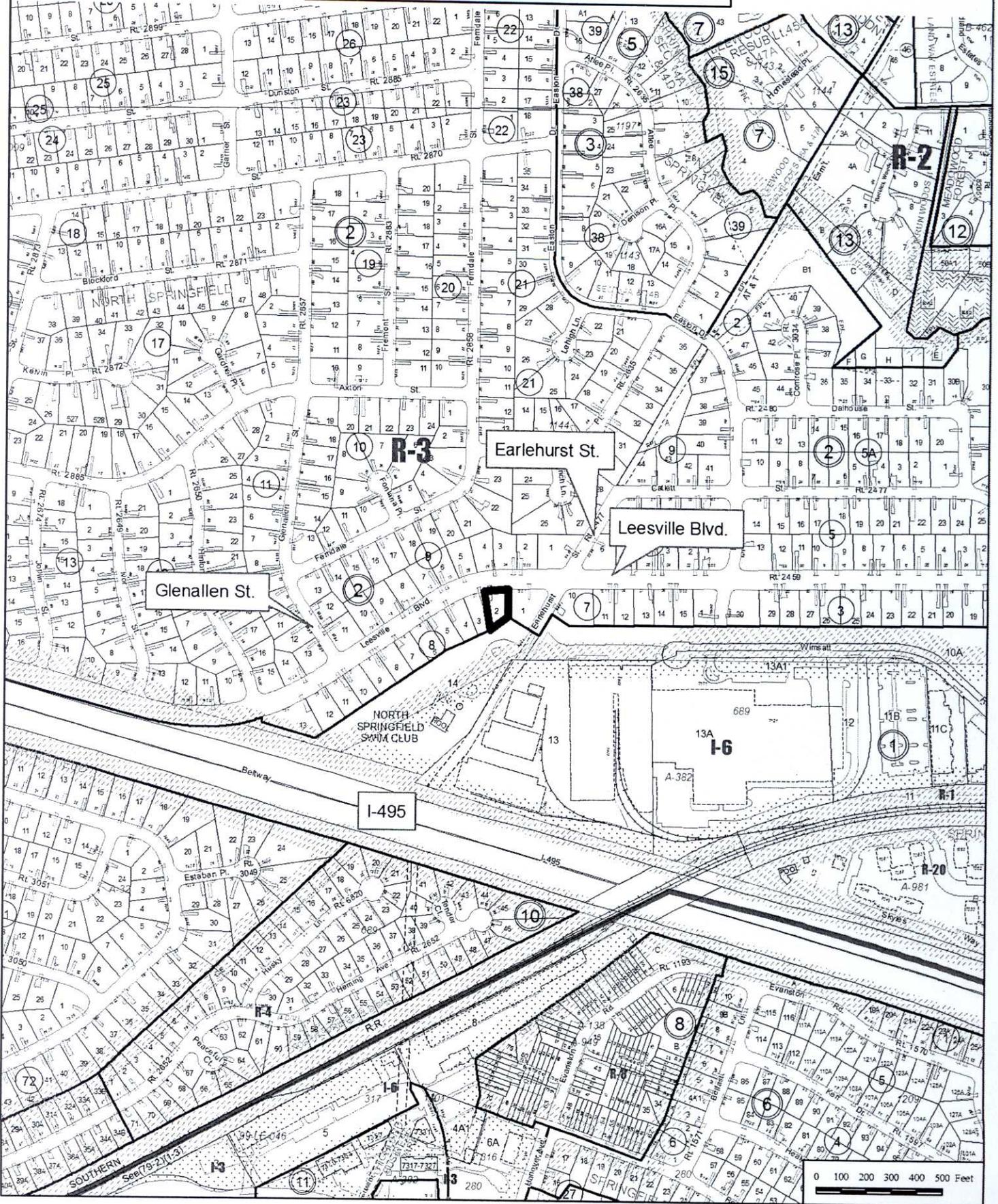


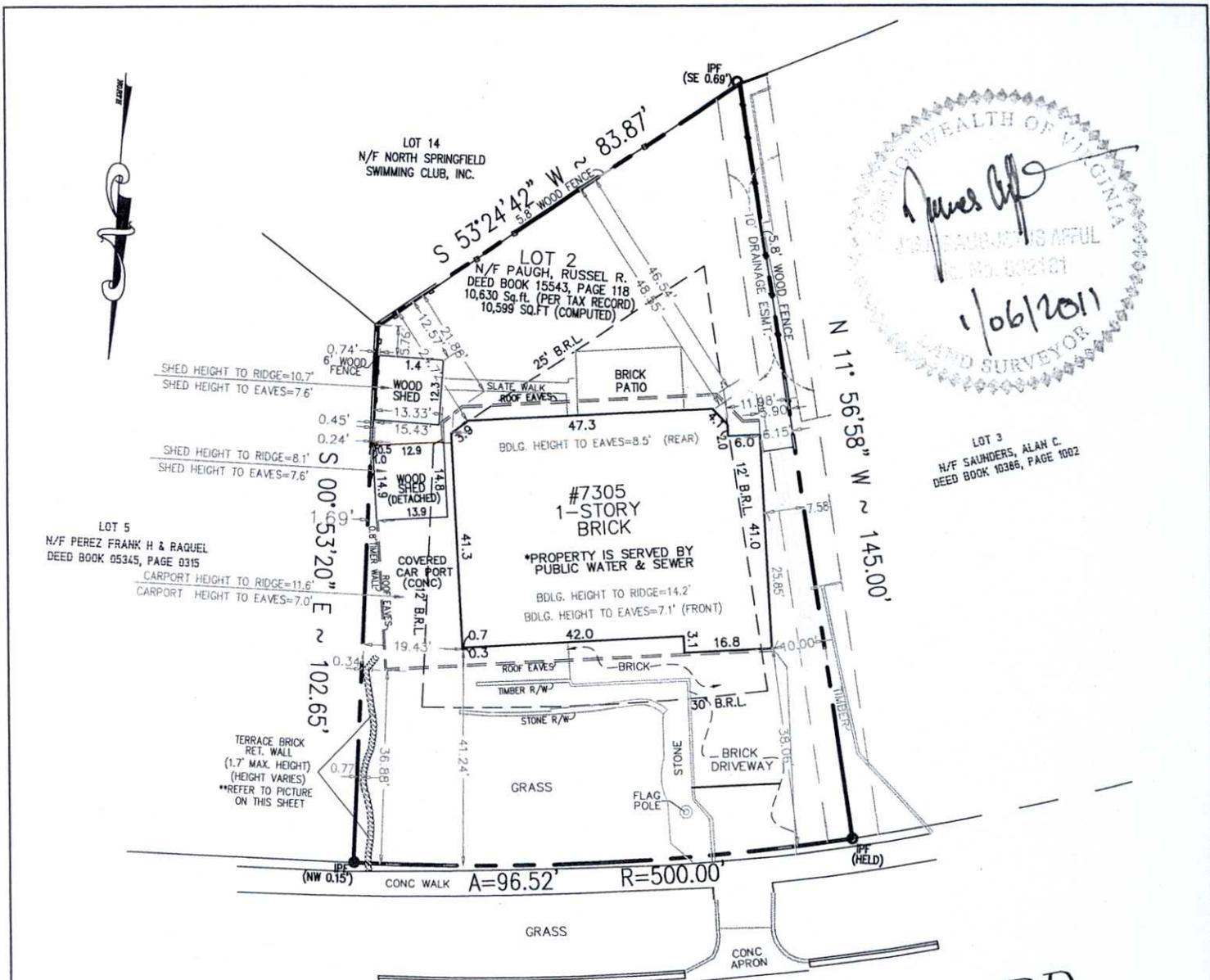
0 1,000 2,000 3,000 4,000 Feet

Special Permit

SP 2011-BR-008

RUSSELL R PAUGH





LEESVILLE BOULEVARD

(80' R/W)

GENERAL NOTES:

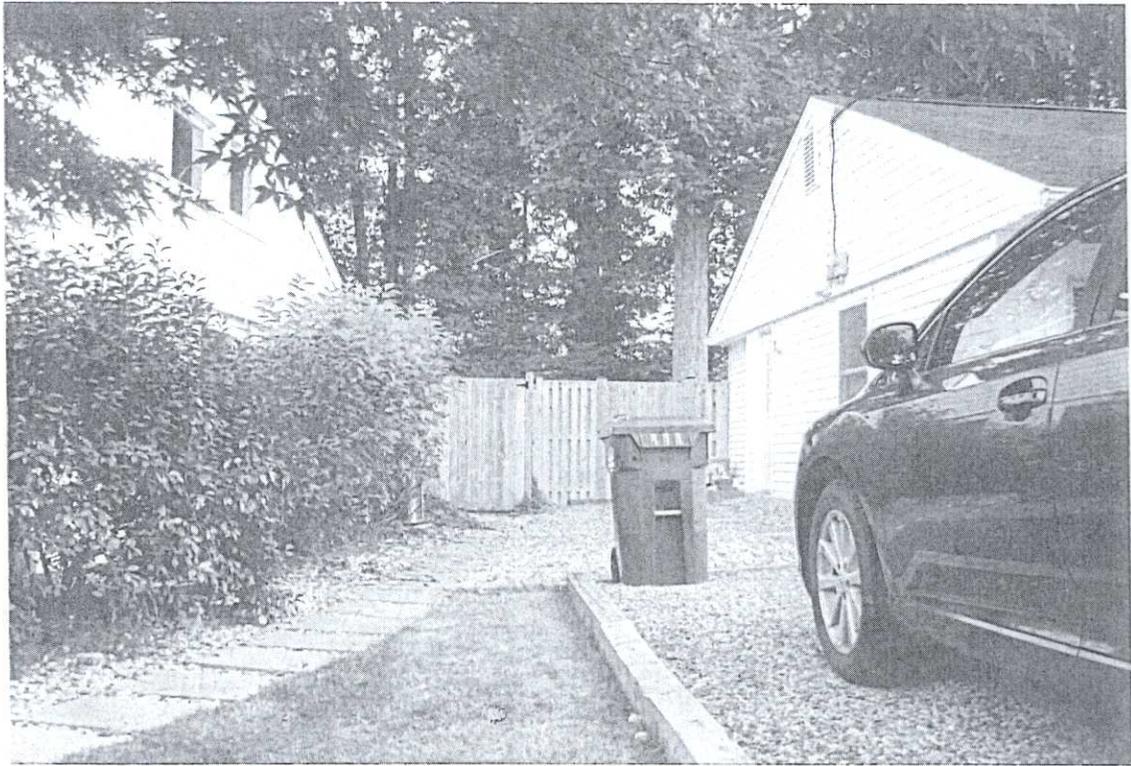
1. Horizontal Datum: Assumed
 2. Vertical Datum: Assumed
 3. Property shown hereon lies within Flood Zone "X" Areas determined to be outside the 0.2% annual chance floodplain as established by the U.S. Federal Emergency Management Agency, National Flood Insurance Program, Flood Insurance Rate Map, Community Panel No. 51059C 0290 E, map effective date September 17, 2010.
 4. Zoned: R-3 (Residential 3 DU/AC)
Min. Front Yard : 30 ft.
Min. Side Yard : 12 ft.
Min. Rear Yard : 25 ft.
 5. There are no marked parking spaces within the area surveyed.
 6. Boundary shown hereon is based on researched information at Fairfax County Land Records and provided by Client.
 7. This survey was prepared without the benefit of a Title Report and may not reflect easements, property lines and other restrictions of record.
 8. Underground utilities shown hereon, if any, were located from available records and surface indications. Subsurface investigation were not performed. All underground utility locations should be considered approximate. For marking of underground utility lines, call MISS UTILITY at 1-800- 257-7777 at least 48 hours prior to any excavation or construction.
- ** All Zoning interpretations and related issues are to be done by a qualified Zoning attorneys practicing in Fairfax County, Virginia.

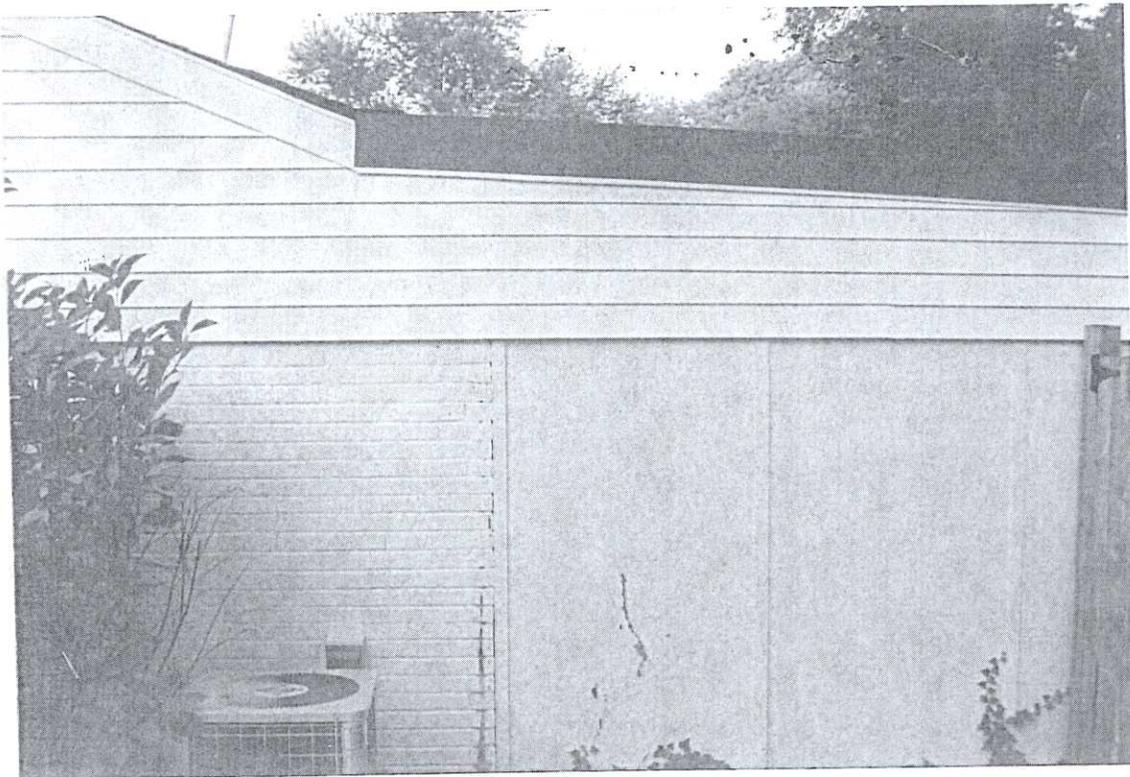
DATE : November 24, 2010	CASE No:	SCALE: 1" = 30'	FILE No. 7305_LeesvilleBlvd
BOUNDARY SURVEY 7305 LEESVILLE BOULEVARD LOT 2, BLOCK 8, SECTION 4 NORTH SPRINGFIELD DEED BOOK 15543, PAGE 118 BRADDOCK FAIRFAX COUNTY, VIRGINIA		 AULtec, Inc. 7895 Cessna Avenue, Suite D Gaithersburg, MD. 20879 Tel. (301) 947-6695 Fax (301) 947-6911 E-mail: aultec1@aultecinc.com <small>Engineers ■ Surveyors ■ Planners ■ GIS Consultants ■ GPS Consultants</small>	
		DRAWN BY: MKS	CHECKED BY: JAA

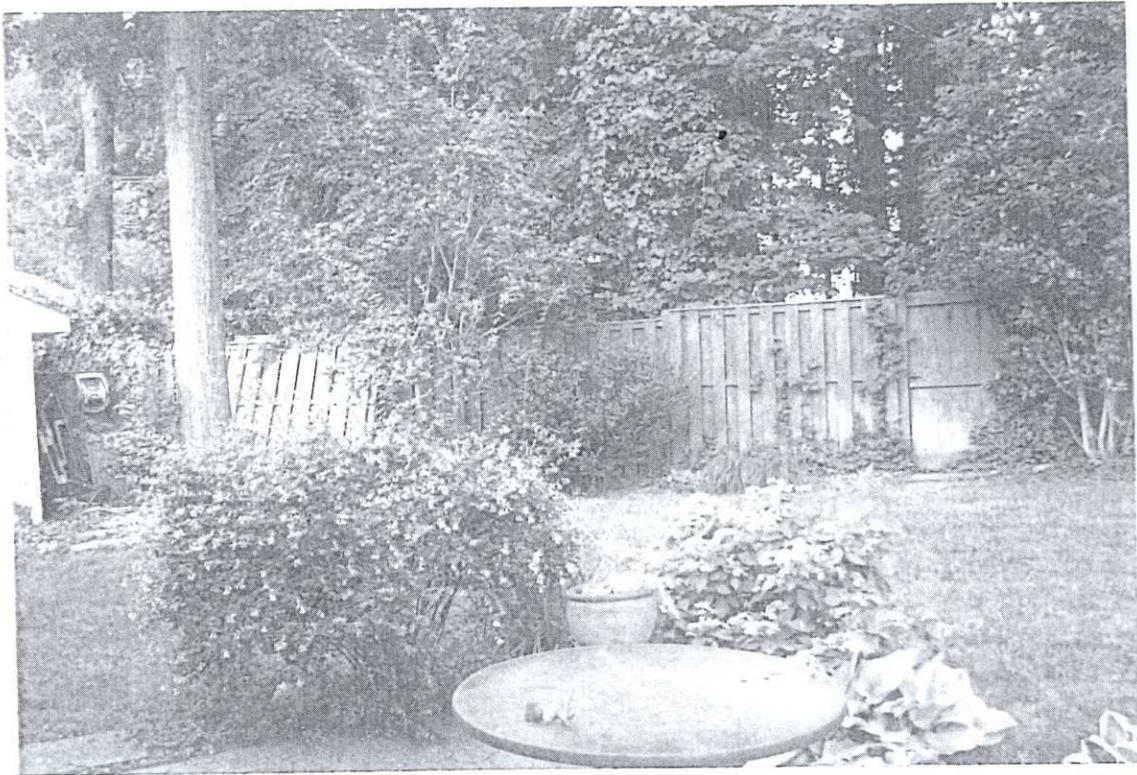
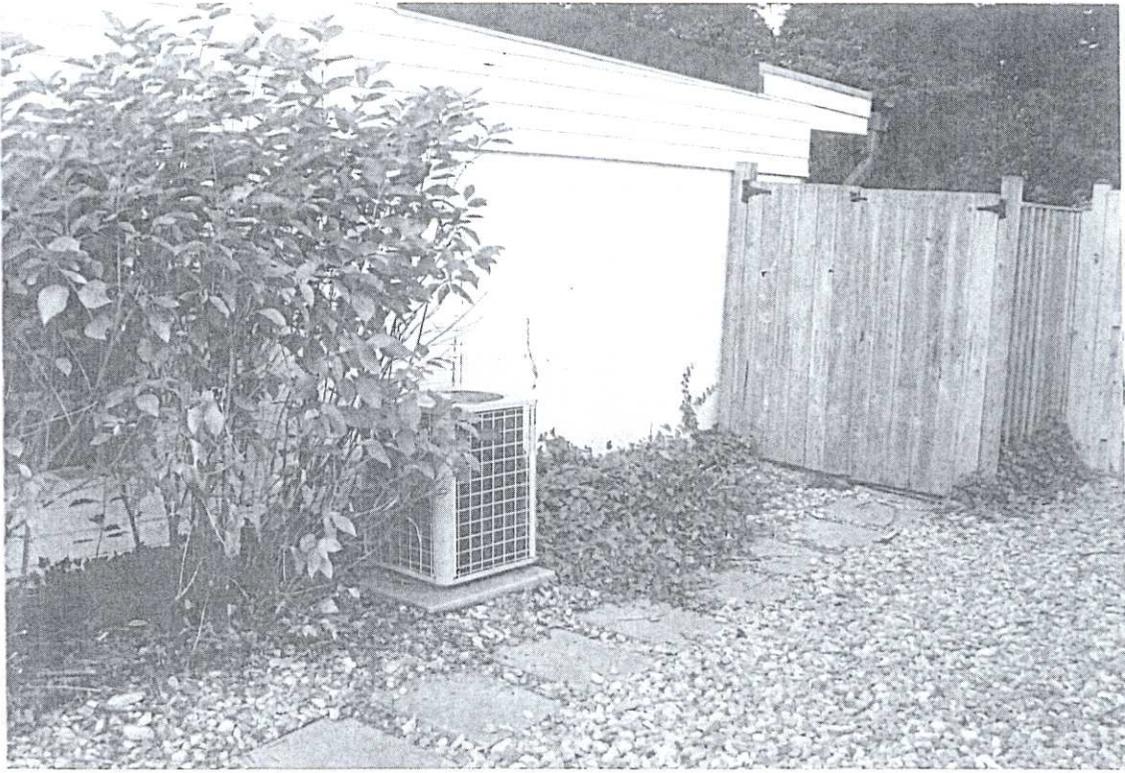


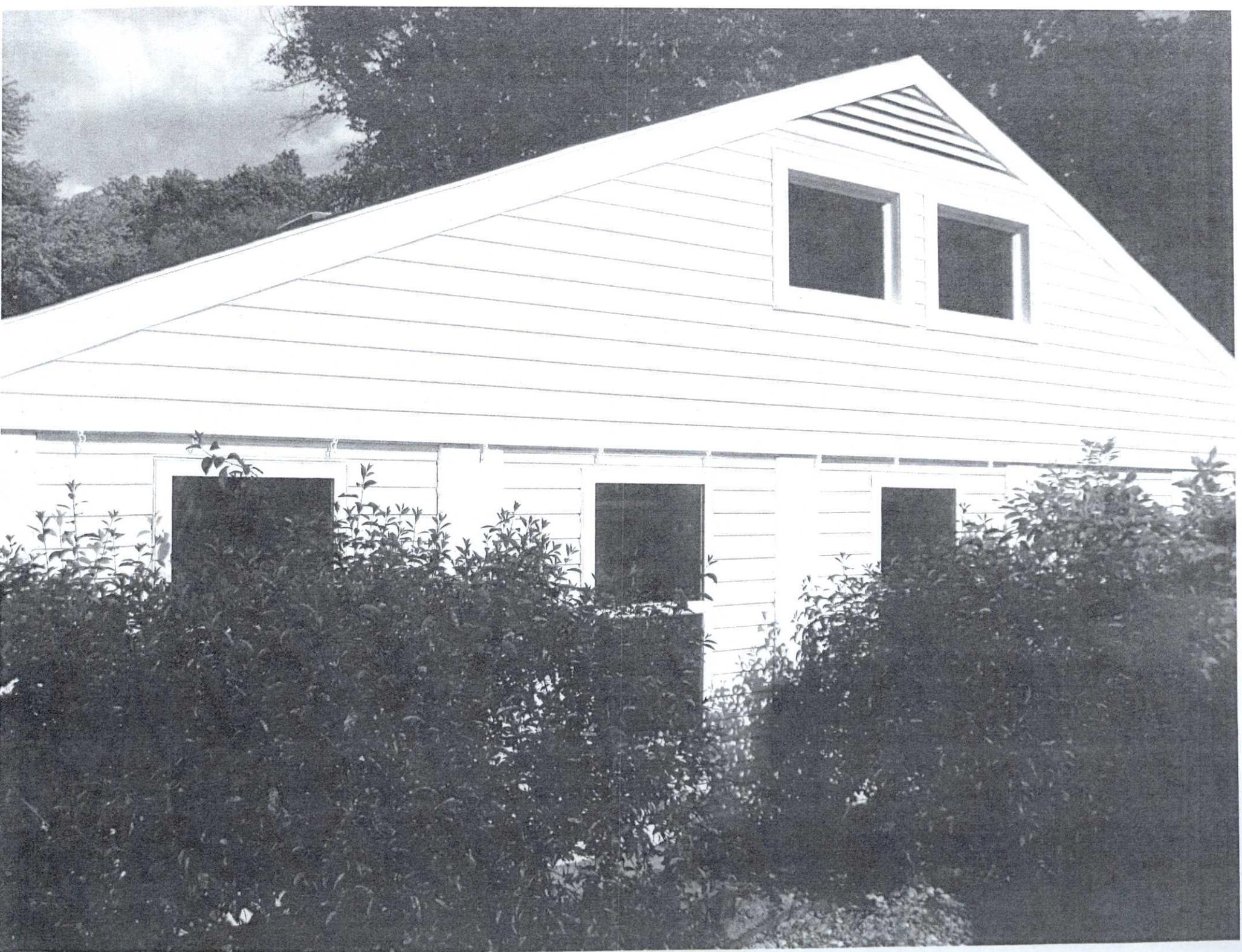
7305

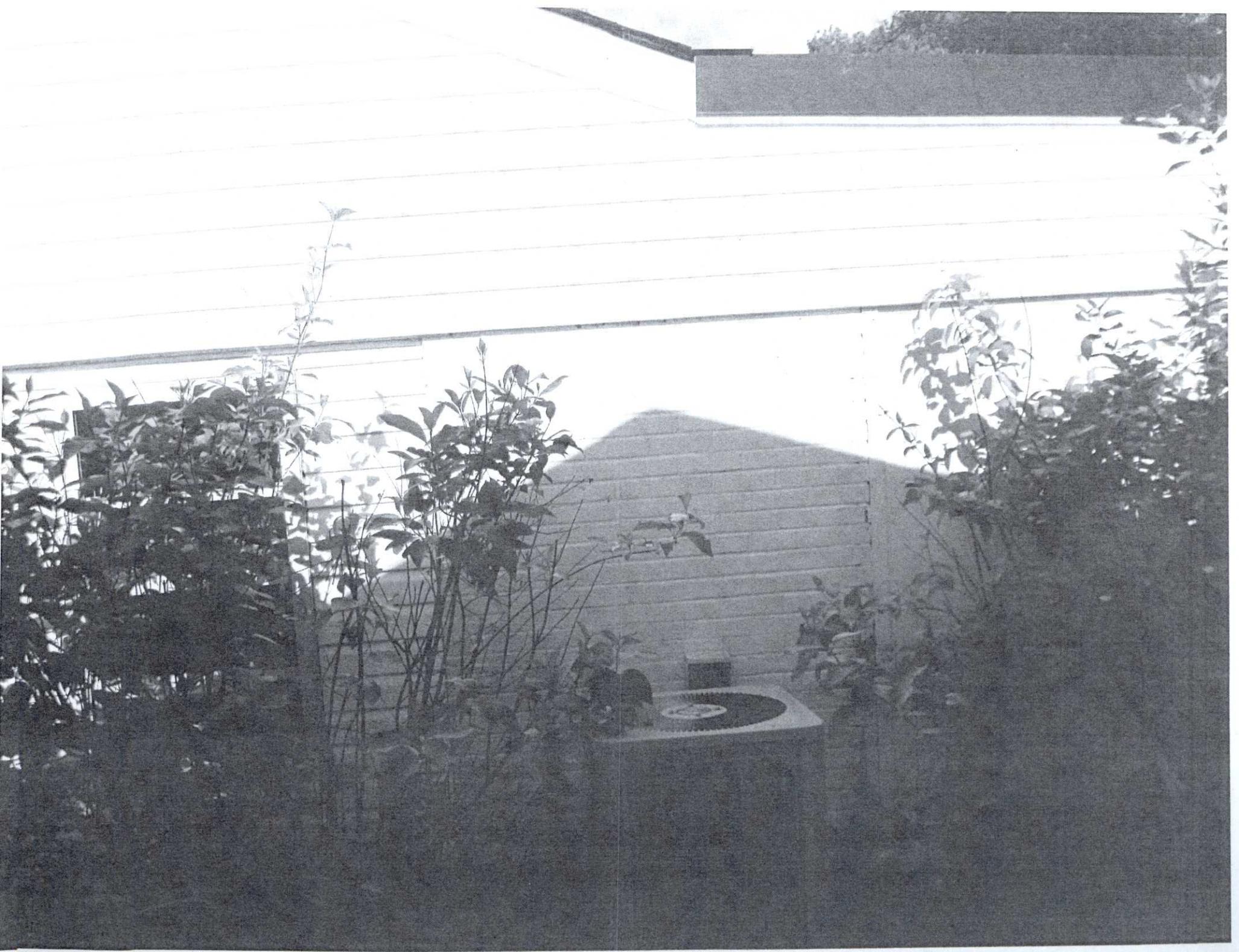


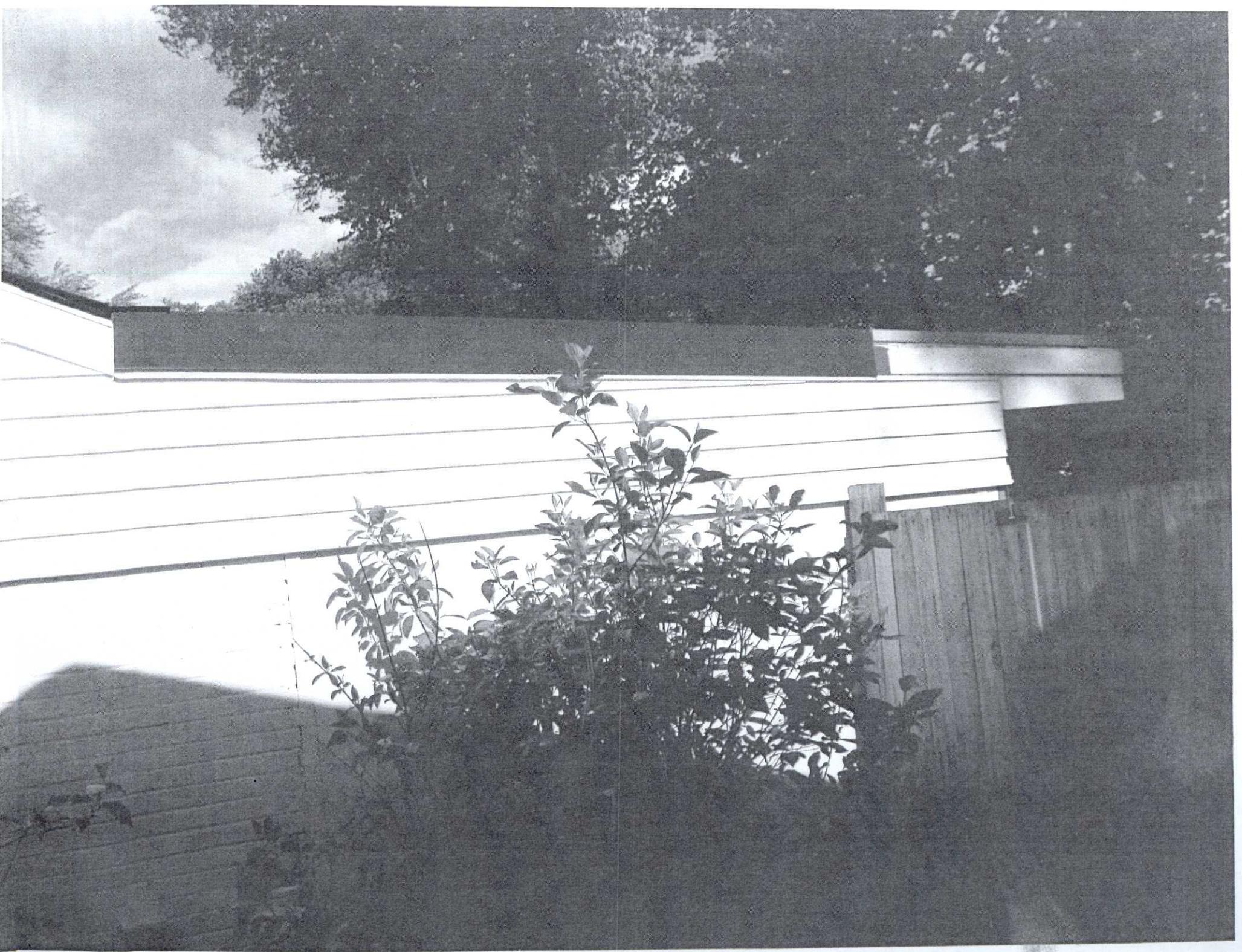


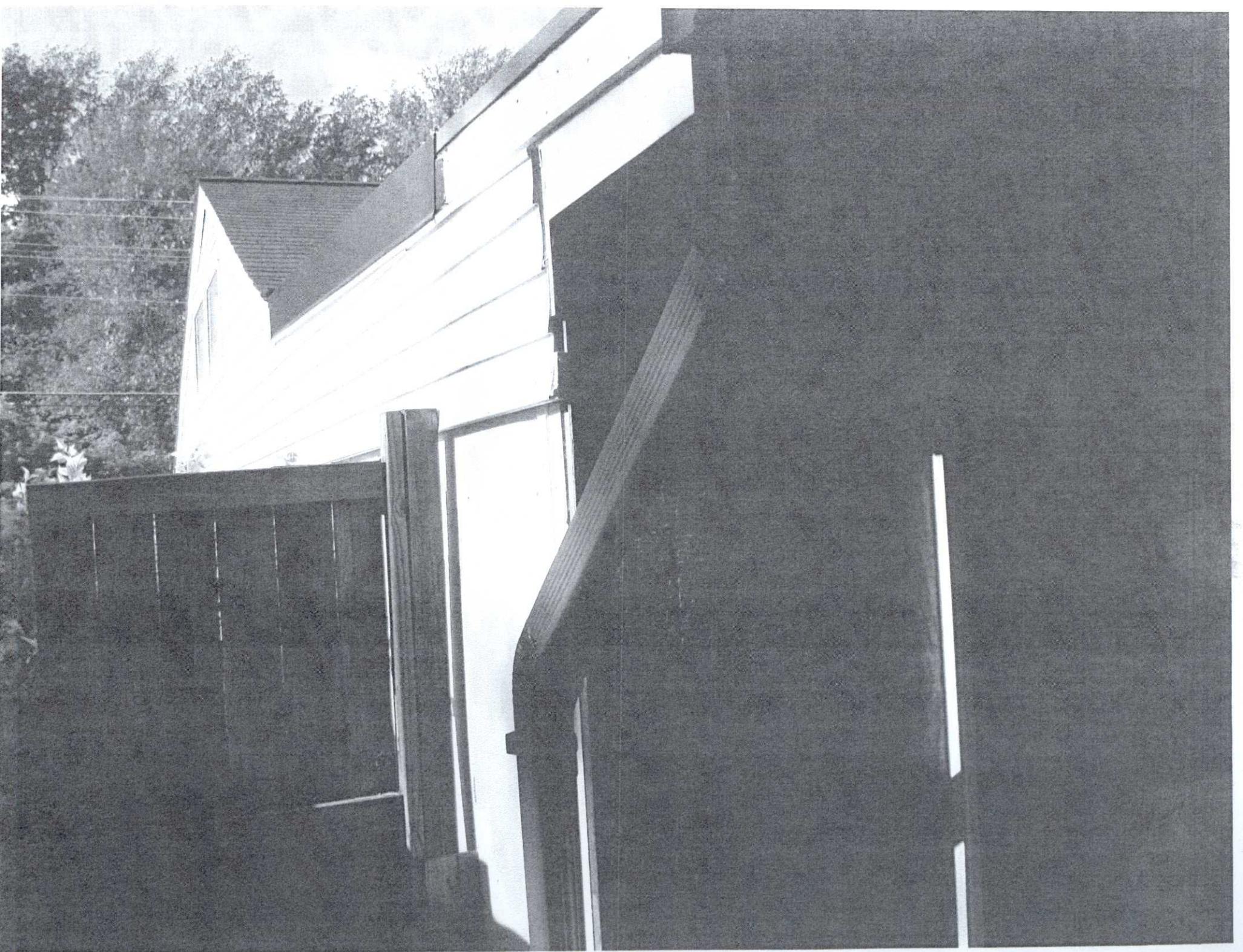


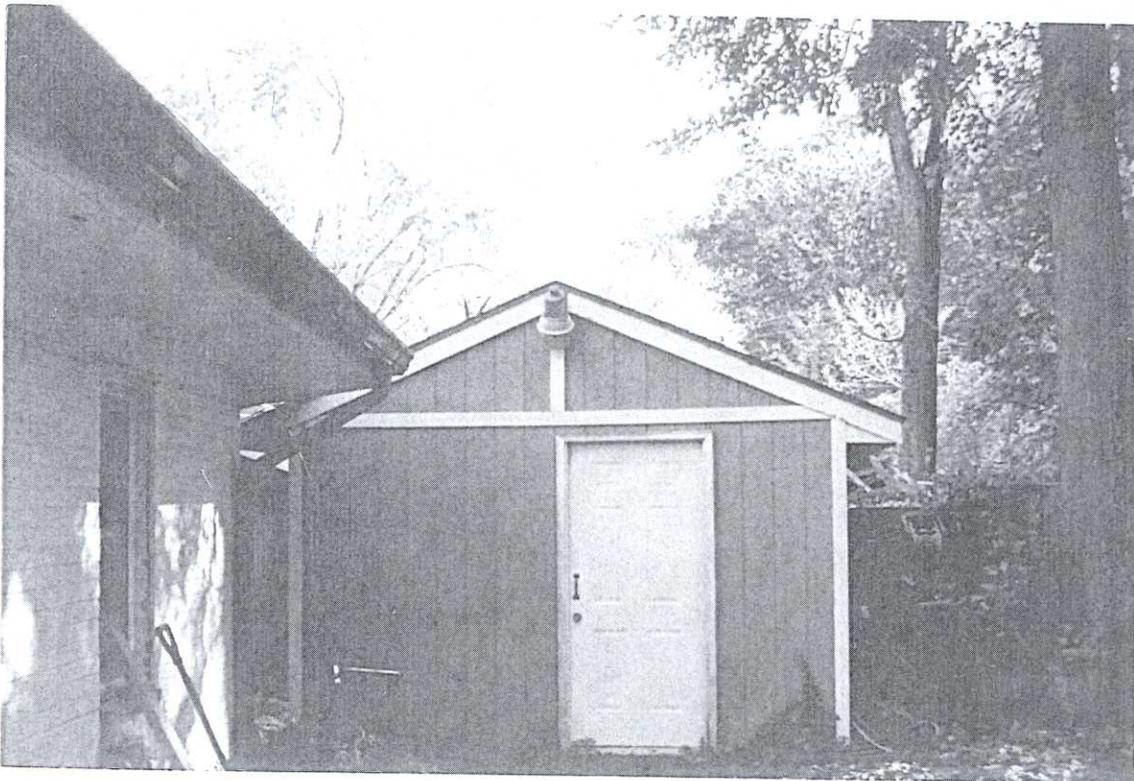
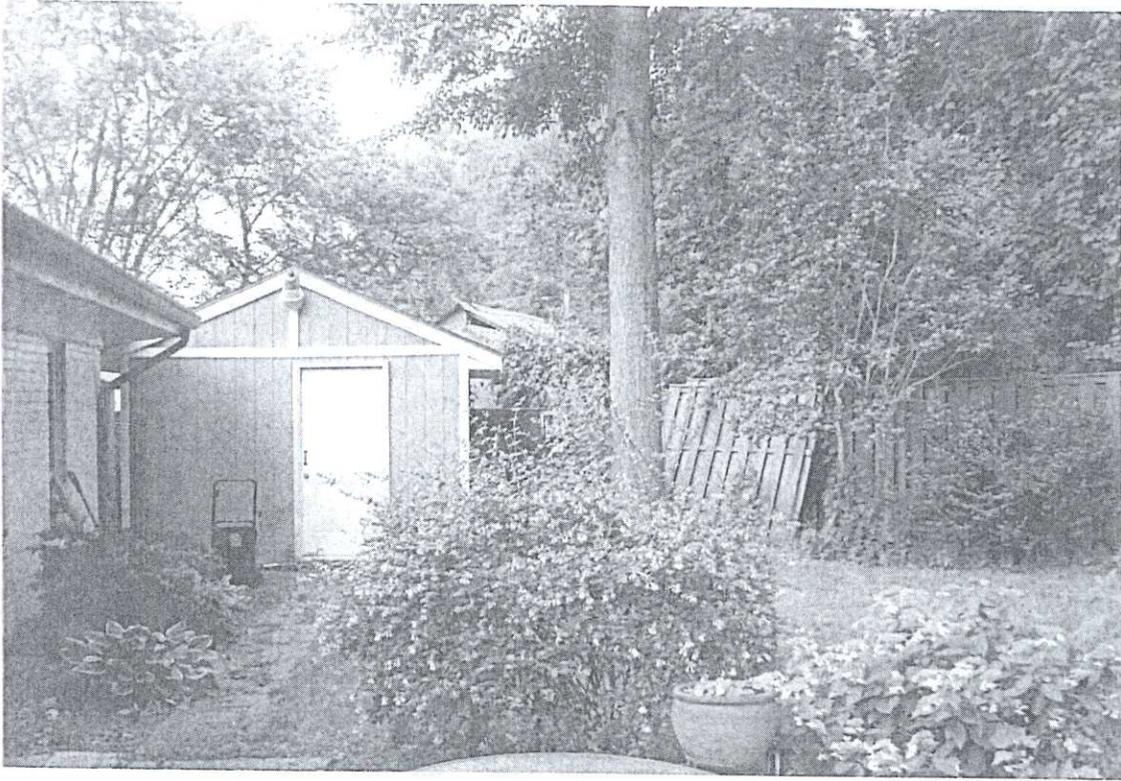


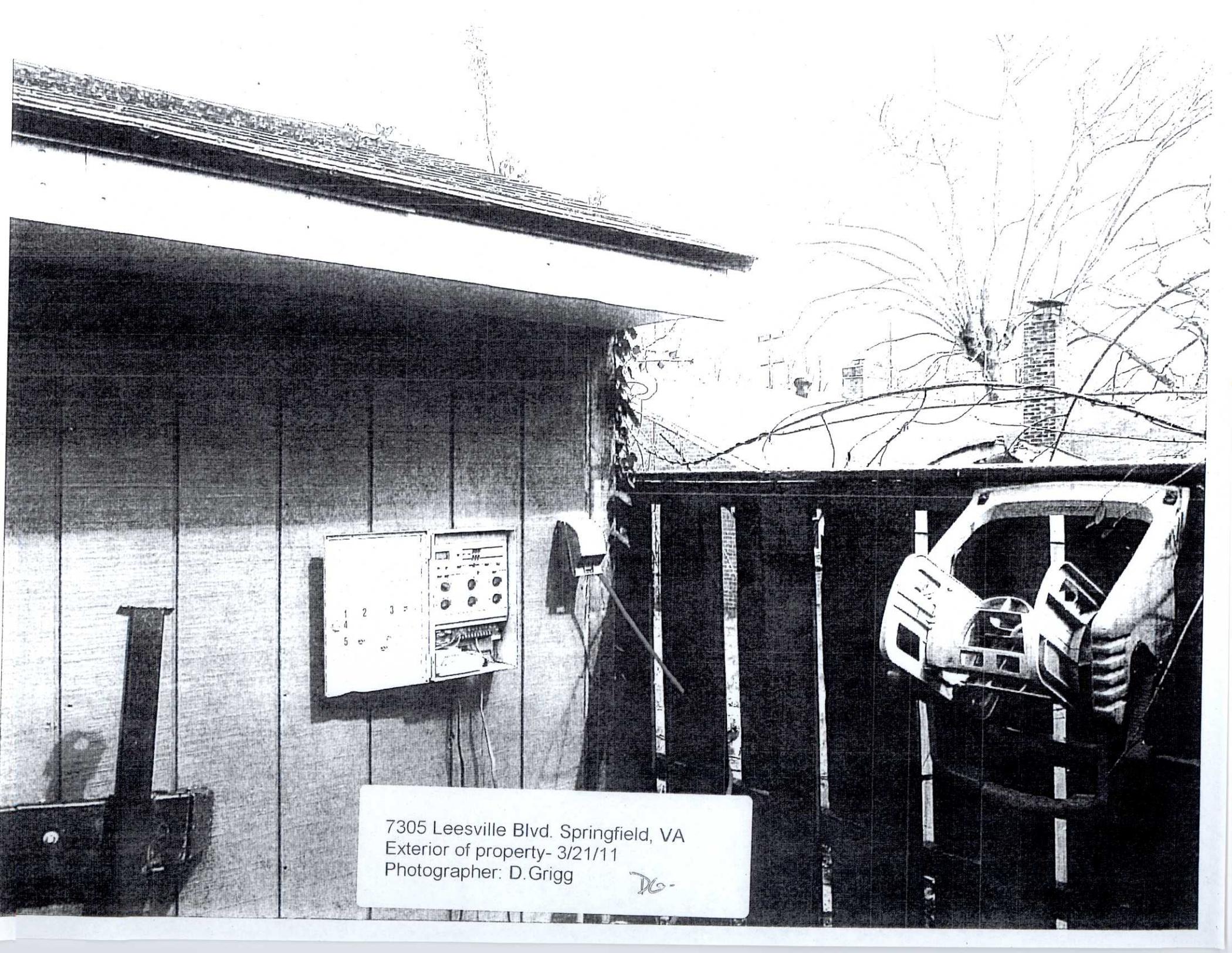






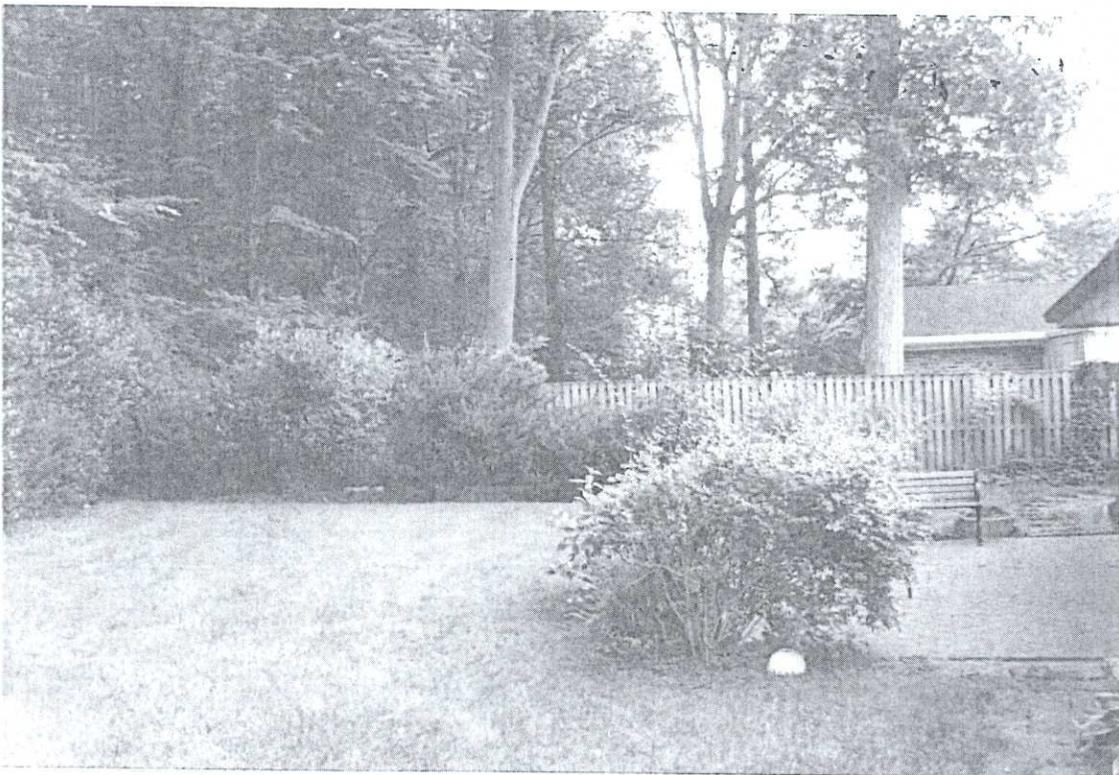


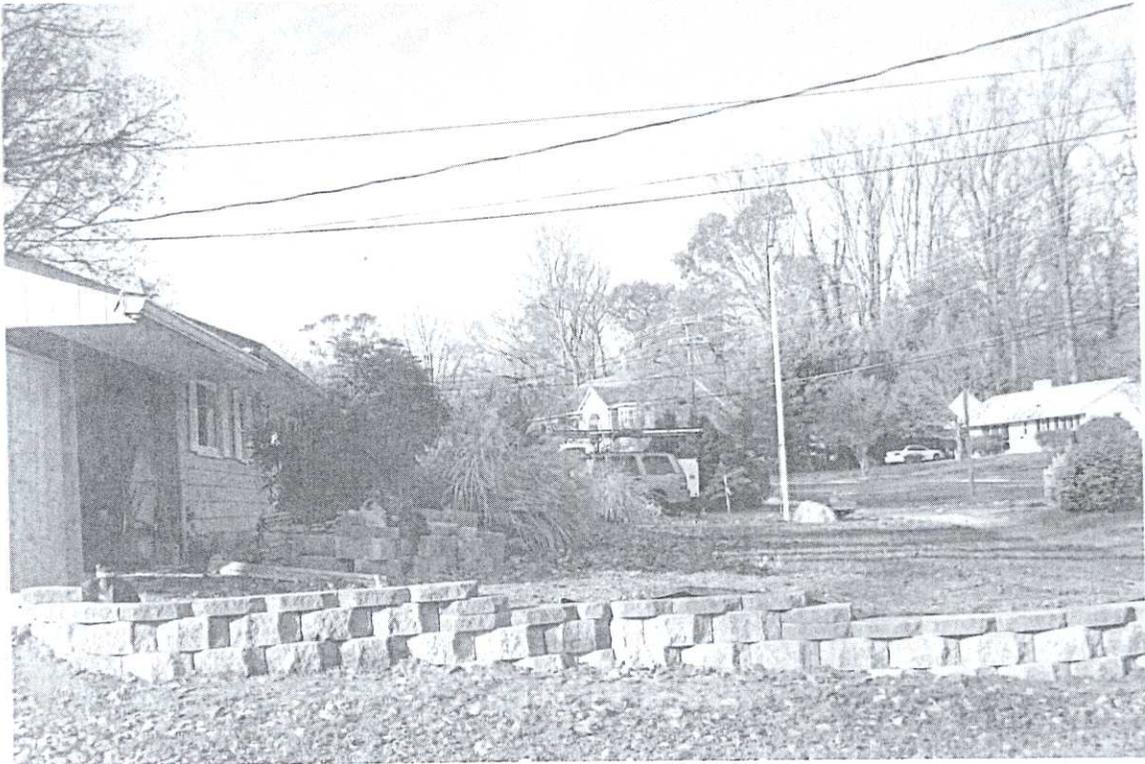
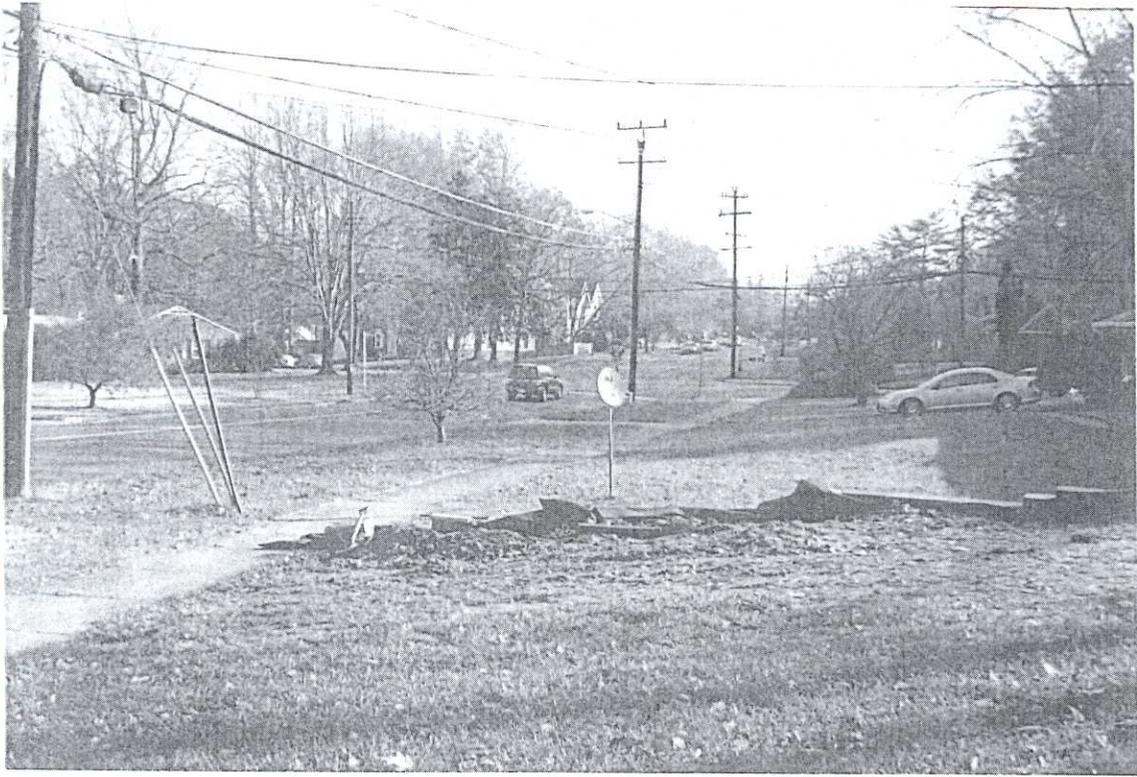


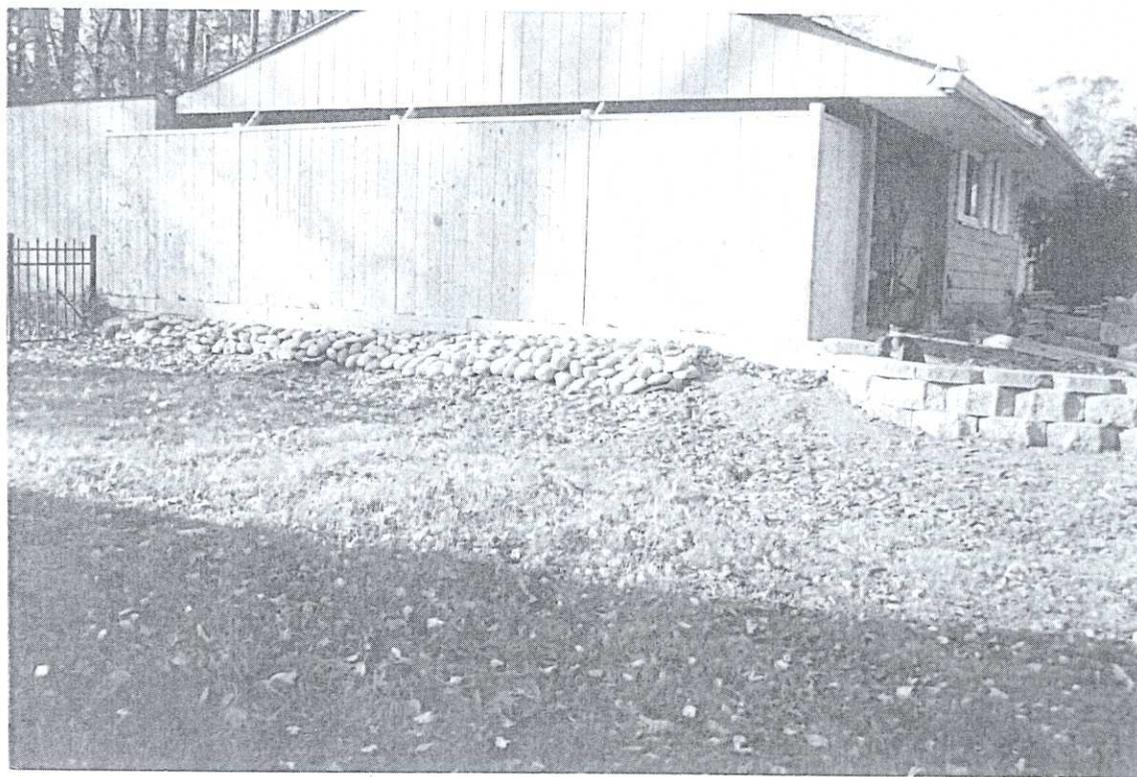


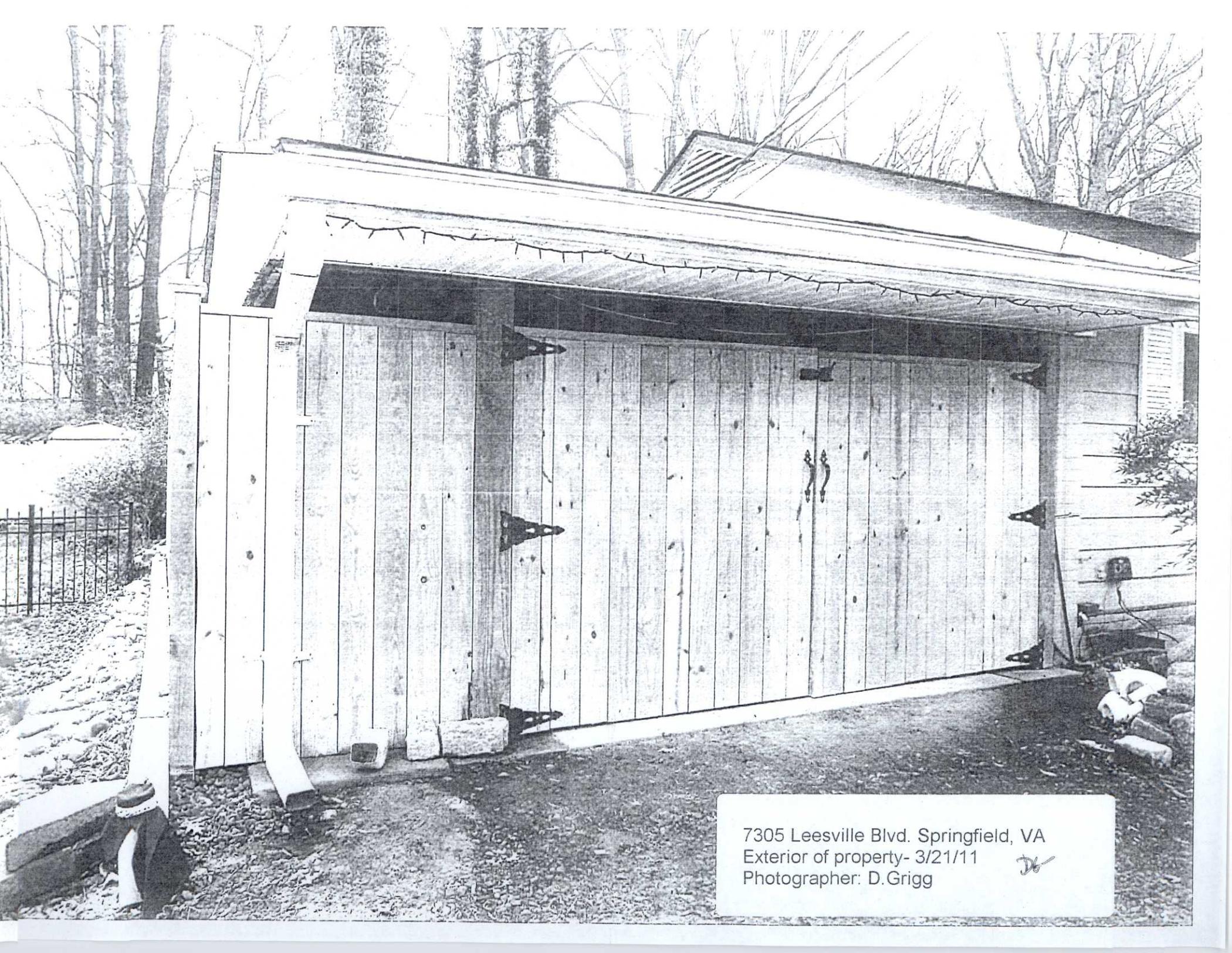
7305 Leesville Blvd. Springfield, VA
Exterior of property- 3/21/11
Photographer: D. Grigg

DC-



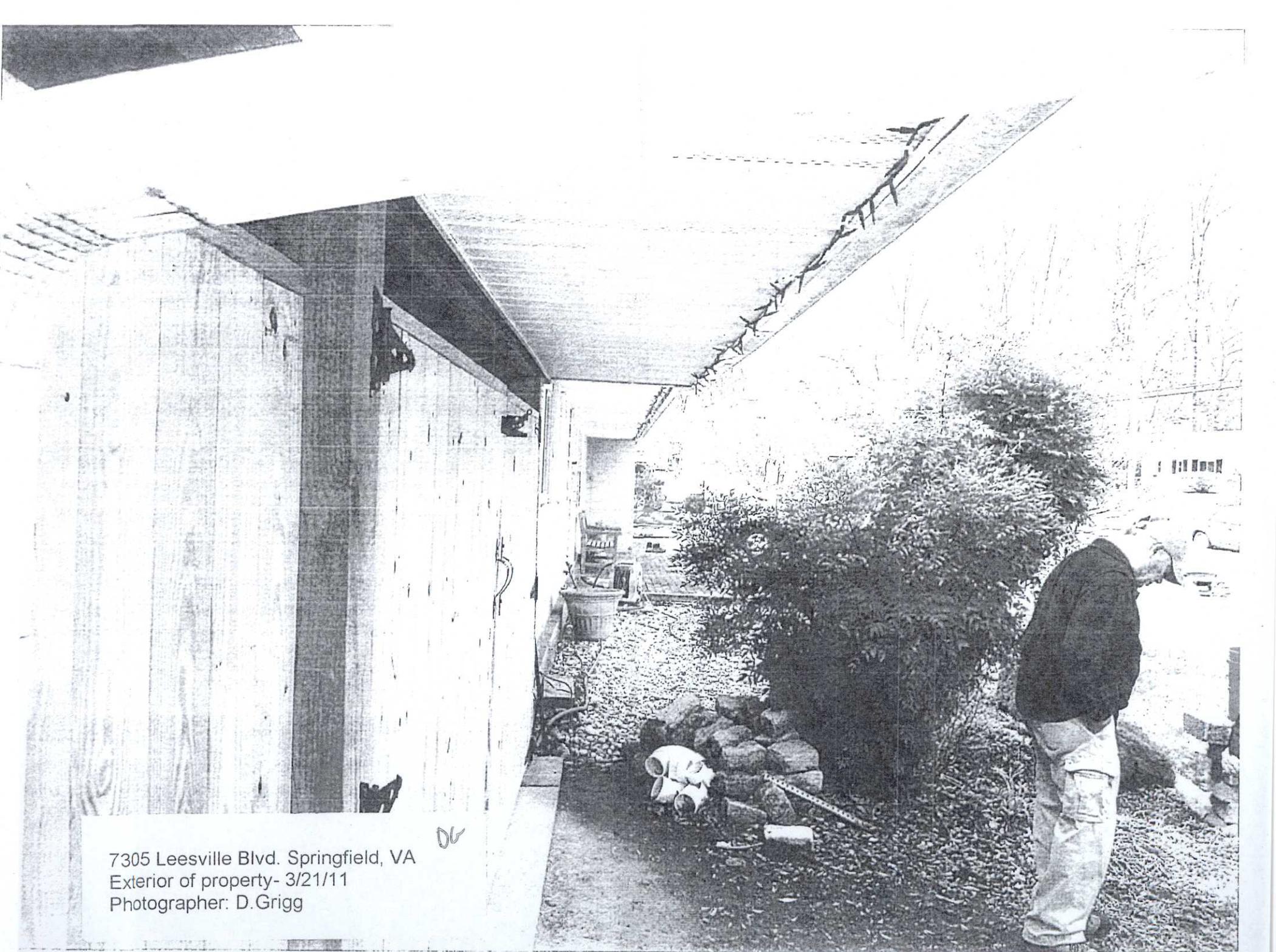






7305 Leesville Blvd. Springfield, VA
Exterior of property- 3/21/11
Photographer: D. Grigg

DG



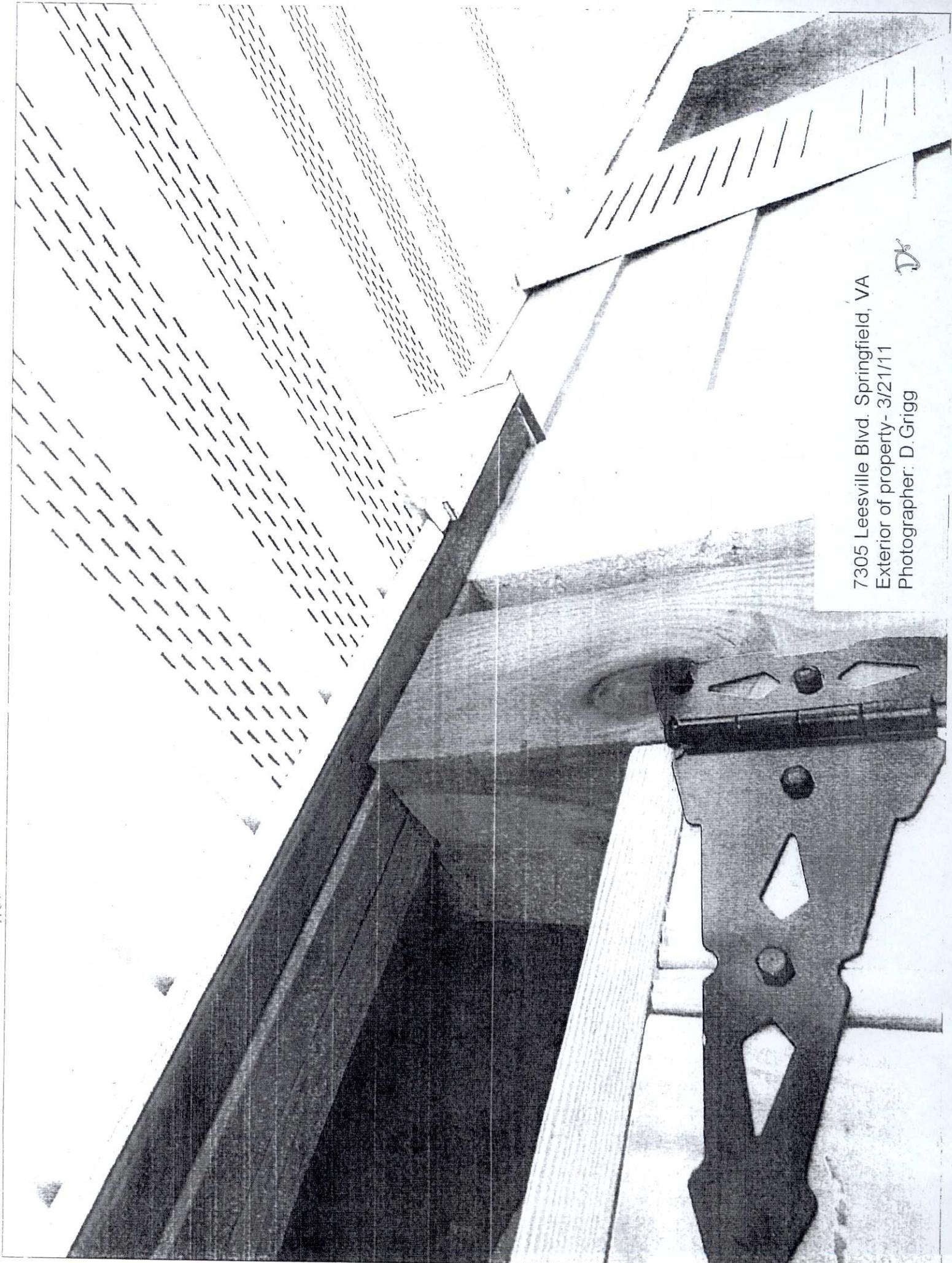
7305 Leesville Blvd. Springfield, VA
Exterior of property- 3/21/11
Photographer: D.Grigg

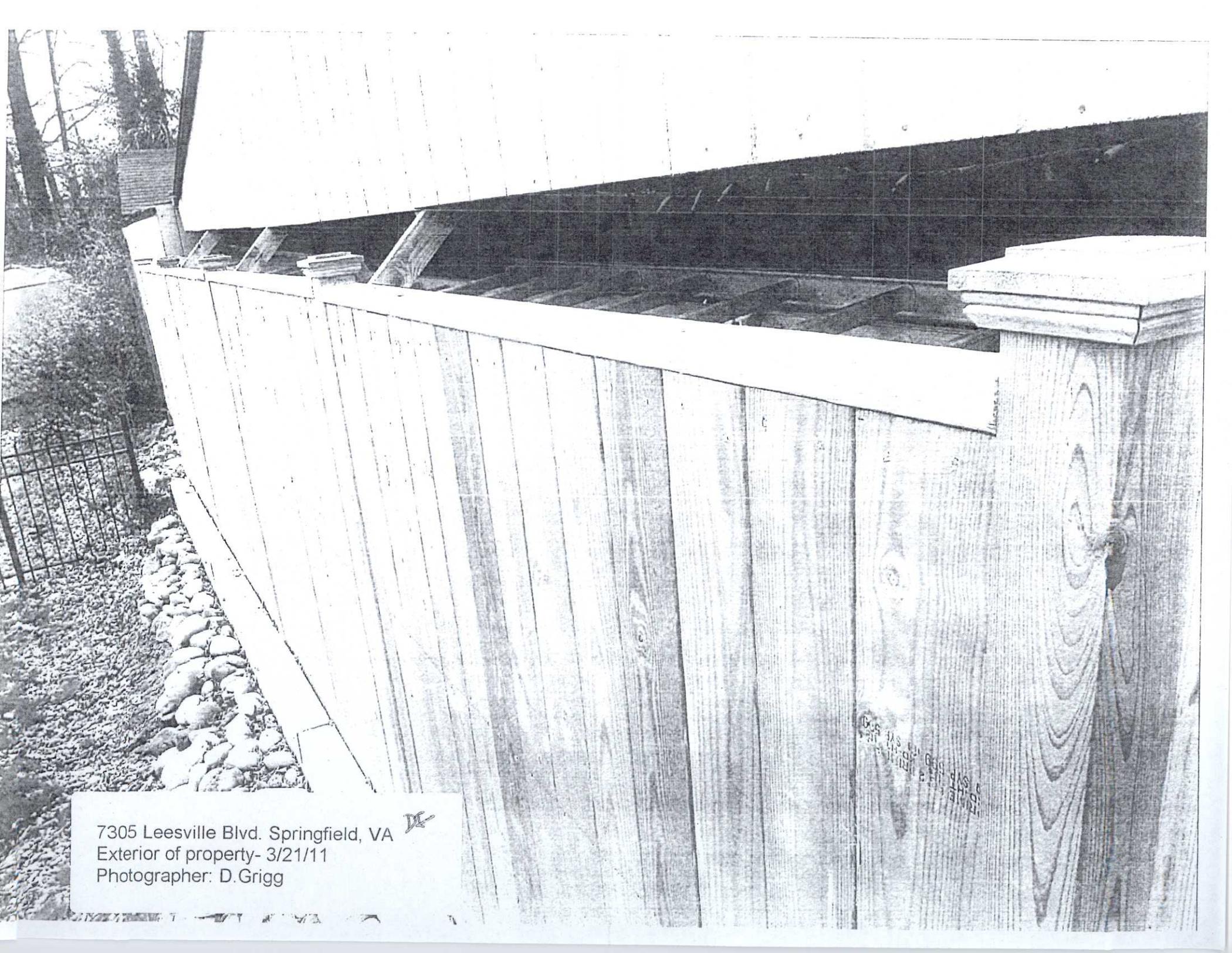
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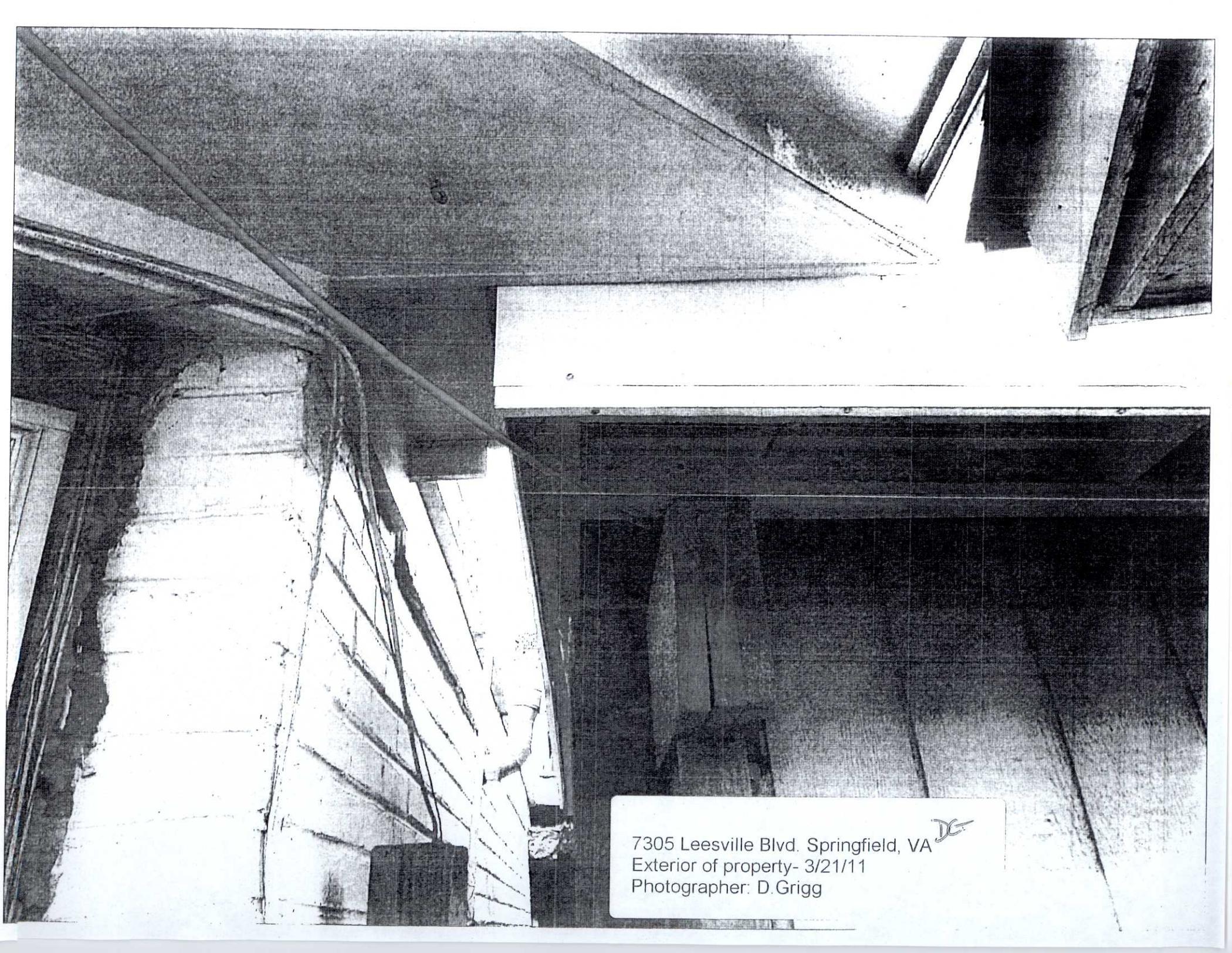
7305 Leesville Blvd. Springfield, VA
Exterior of property - 3/21/11
Photographer: D. Grigg

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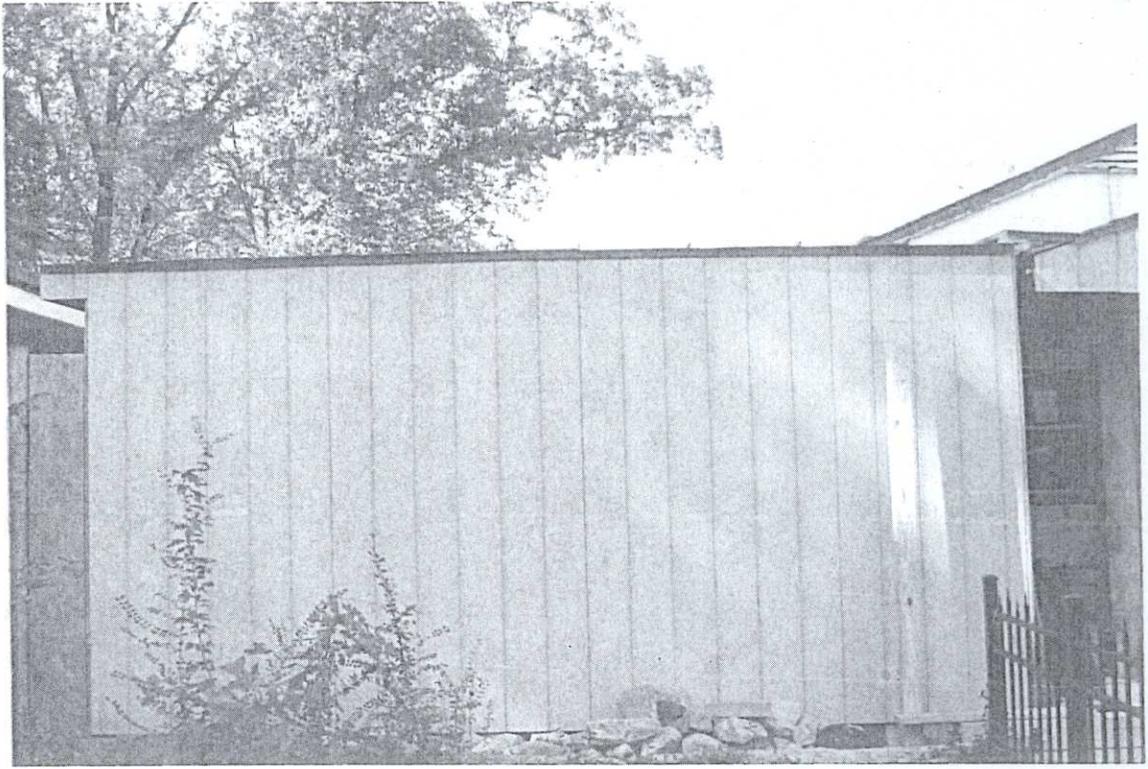


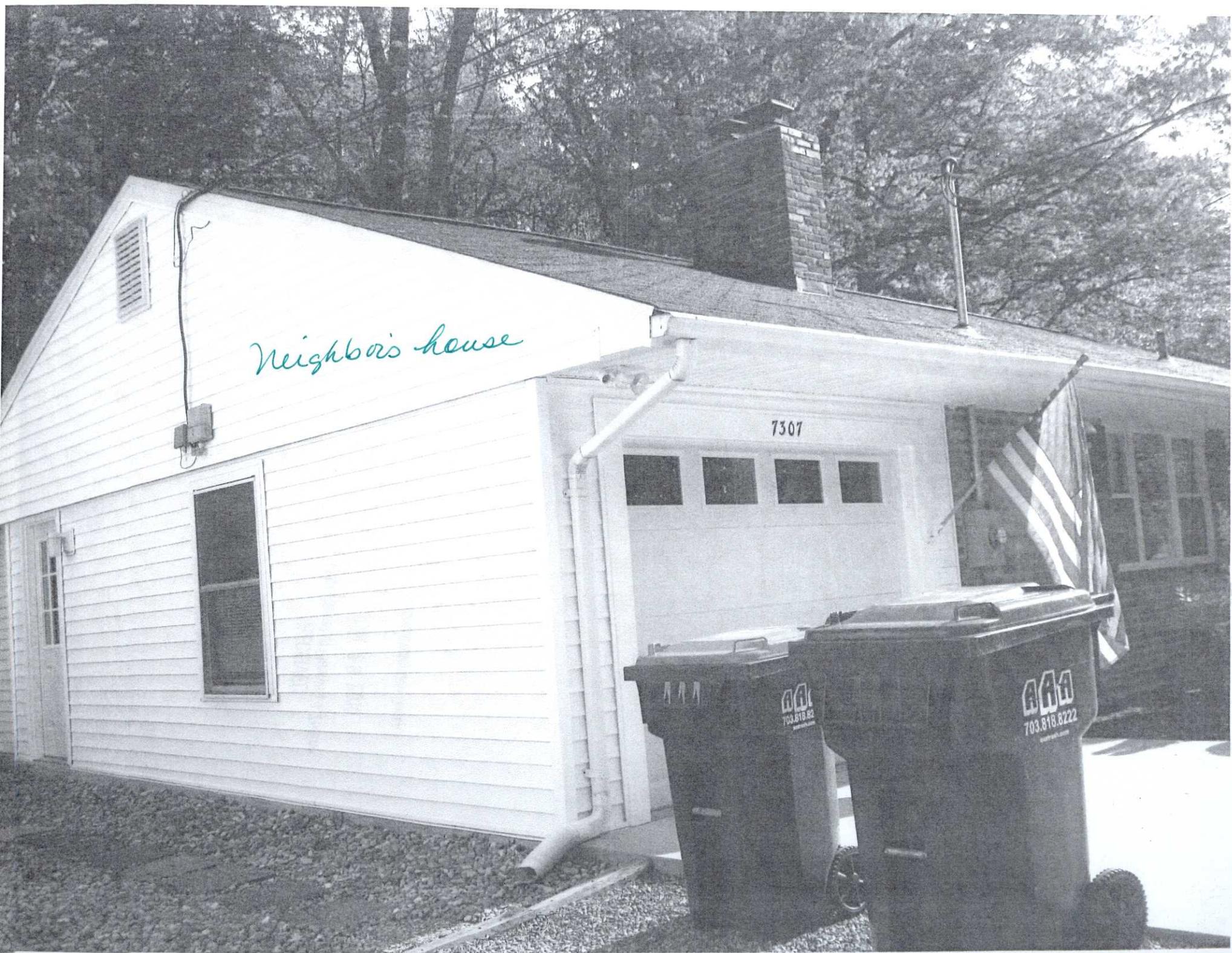


7305 Leesville Blvd. Springfield, VA *DE*
Exterior of property- 3/21/11
Photographer: D. Grigg



7305 Leesville Blvd. Springfield, VA 
Exterior of property- 3/21/11
Photographer: D. Grigg





Neighbor's house

7307



DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of two special permit requests. The first request is to permit a reduction to minimum yard requirements based on an error in building location to permit an addition, garage and storage area, to remain 5.9 feet from the western side lot line.

Description of Special Permit Request #1

	Structure	Yard	Min. Yard Req.*	Structure Location	Amount of Error	Percent of Error
Special Permit Request #1	Addition	Side	12.0 feet	5.9 feet	6.1 feet	50.8%

*Minimum yard requirement per Section 3-307

The second special permit request is to permit a reduction to minimum yard requirements based on an error in building location to permit an accessory storage structure, a 10.7-foot high wood shed to remain 0.45 feet from the eastern side lot line and 5.76 feet from the rear lot line.

Description of Special Permit Request #2

	Structure	Yard	Min. Yard Req.*	Structure Location	Amount of Error	Percent of Error
Special Permit Request #2	Accessory Storage (Shed)	Side (East)	12.0 feet	0.45 feet	11.55 feet	96.3%
Special Permit Request #2	Accessory Storage (Shed)	Rear	10.7 feet	5.76 feet	4.24 feet	39.6%

*Location Regulations per Section 10-104

EXISTING SITE DESCRIPTION

The 10,630 square-foot property is located on the southern side of Leesville Boulevard, north of the Capital Beltway (Interstate 495). Access to the site is provided from Leesville Boulevard via an existing brick paver driveway that extends from the curb to the garage at the front of the dwelling. The house has a menagerie of additions, including a garage on the western side of the dwelling with storage at the rear of the garage. This structure was previously a carport and that was converted to a garage without building permit approval. This addition is the basis for the first special permit

request. Another carport structure is located less than 2.0 feet from the eastern property line. There is a shed to the rear of the carport structure which measures less than 8 ½ feet in height and is separated by inches from the carport. A building permit was issued for this shed. A second shed shown as 10.7 feet in height to the ridge is located behind these structures. This shed is the basis for the second special permit request. A 7-foot high wood privacy fence is located along the side lot line, adjacent to the carport and connects to a gate at the front of the carport. A stone retaining wall extends from the front plane of the dwelling to the sidewalk along the eastern side property line. A brick patio exists at the rear of the dwelling.

CHARACTER OF THE AREA

	Zoning	Use
North	R-3	Single Family Detached Dwellings
South	R-3	North Springfield Swim Club; I-495
East	R-3; I-6	Single Family Detached Dwellings; Industrial Uses
West	R-3	Single Family Detached Dwellings

BACKGROUND

Records indicate that the one-story single family detached dwelling was constructed in 1955. In 1970, a building permit was issued for the construction of a carport and a family room addition at the rear of the dwelling. County records indicate that the property became jointly owned by the applicant and the previous owner in 1999; the applicant became the sole owner in 2003. A building permit was issued to the applicant in 2008 for a shed measuring 15 x 14 x 8 feet which is shown on the plat to be located along the eastern property line. In 2009, a building permit was issued to the applicant for a carport to be located 7.0 feet from the eastern property line. However, the applicant constructed the carport less than 2.0 feet from the side lot line and did not provide a driveway to access it. Copies of the aforementioned building permits are included as Appendix 4 to this staff report.

Staff from the Department of Planning and Zoning, Zoning Evaluation Division and the Department of Code Compliance conducted a site visit on March 21, 2011 and discussed a number of topics with the applicant. Staff informed the applicant that the structure depicted on the plat as “covered car port” is problematic in that it was not constructed in the location approved by the building permit at 7.0 feet from the eastern lot line. In addition, the Zoning Ordinance defines a carport as, “Any space outside a building and contiguous thereto, wholly or partly covered by a roof, used for the shelter of parked motor vehicles. A carport shall have no enclosure that is more than eighteen

(18) inches in height, other than the minimum required supports for its roof, and the side(s) of the building to which the carport is contiguous.”

According to the plat submitted by the applicant and included at the front of the staff report, this structure is located 1.69 feet from the eastern side lot line. Any structure located closer than 2.0 feet from the property line requires the installation of a one hour rated fire wall, which would make this structure an addition and not able to meet the definition of a carport. This structure does not have a fire wall, however, there is a 7.0-foot high board-on-board fence located around the perimeter of the carport attached to the concrete base of the carport and at intervals to the roof of the carport. A gate is attached to the front post of the structure which functionally encloses the “carport”. This enclosure of the carport is not depicted on the plat submitted by the applicant with this application. The structure is attached to the dwelling and has a roof, eaves and gutters that tie into the existing roofline of the dwelling. By definition and function, this structure is an addition, not a carport and must meet the minimum required yard of 12 feet. Staff advised the applicant to include the structure in the special permit request. The applicant elected not to include the request as part of this application. The applicant indicates he will bring the structure into conformance with the Zoning Ordinance definition of a carport, including installing a second driveway to access the carport and obtaining approval from the Virginia Department of Transportation (VDOT) to construct a curb cut to serve the proposed driveway.

Staff requested that the applicant provide an updated plat depicting the above-planned changes and demonstrates that the addition of a second driveway will not exceed the maximum required front yard coverage of 30% permitted by the Zoning Ordinance. The applicant elected not to provide a revised plat. Therefore, in the event the Board of Zoning Appeals approves this application, staff has proposed a development condition that requires the applicant to bring the carport addition into compliance with the Zoning Ordinance, to obtain a new building permit for the carport and to demonstrate on a revised plat the location, dimensions and distance from the property lines of the proposed carport and driveway, or to entirely remove the carport structure.

Following the adoption of the current Ordinance, records indicate the following similar applications for properties in the vicinity of the application site were heard by the Board of Zoning Appeals (BZA):

- *Special Permit SP 87-A-014* was denied on June 10, 1987 for Tax Map 80-1 ((2)) (21) 17, zoned R-3, at 5508 Atlee Place, to permit reduction to minimum yard requirements based on error in building location to allow 8-foot high shed to remain 2.2 feet from side lot line (12 feet minimum required).
- *Variance VC 89A-052* was approved on August 4, 1989 for Tax Map 80-1 ((2)) (3) 23, zoned R-3, at 7115 Leesville Boulevard, to permit carport addition to dwelling 1.9 feet from a side lot line (7 feet minimum side yard required).
- Tax Map 80-1 ((2)) (3) 17, zoned R-3, at 7103 Leesville Boulevard, to permit reduction to minimum yard requirements based on error in building location to

allow detached shed (13.7 feet in height) to remain 7.5 feet from rear lot line and 6.0 feet from a side lot line (13.7 feet minimum rear yard and 12 feet minimum side yard required).

- *Special Permit SP 90-A-033* was approved on August 3, 1990 for Tax Map 80-1 ((2)) (18) 15, zoned R-3, at 7419 cha, to permit reduction to minimum yard requirements based on error in building location to allow 8-foot high shed to remain 2.2 feet from side lot line (12 feet minimum required).
- *Variance VC 01-B-143* was approved, in part, on November 28, 2001 for Tax Map 80-1 ((2)) (3) 18, zoned R-3, at 7105 Leesville Boulevard, to permit construction of a carport 3.8 feet from a side lot line and a shed 3.7 feet from a side lot line. The shed was denied.
- *Variance VC 01-B-203* was approved on March 11, 2002 for Tax Map 80-1 ((2)) (17) 20, zoned R-3, at 7418 Axton Street, to permit an addition 8.9 feet from a side lot line.
- *Variance VC 01-B-143* was approved, in part, on November 28, 2001 for Tax Map 80-1 ((2)) (3) 18, zoned R-3, at 7105 Leesville Boulevard, to permit construction of a carport 3.8 feet from a side lot line and a shed 3.7 feet from a side lot line. The shed was denied.
- *Special Permit SP 2003-BR-029* was approved on October 1, 2003 for Tax Map 80-1 ((2)) (8) 3, zoned R-3, at 7307 Leesville Boulevard, to permit reduction to minimum yard requirements based on error in building location to permit addition to remain 8.8 feet from side lot line.
- *Special Permit SP 2004-BR-026* was approved on July 21, 2004 for Tax Map 80-1 ((2)) (3) 24, zoned R-3, at 7117 Leesville Boulevard, to permit reduction to minimum yard requirements based on error in building location permit accessory storage structure to remain 3.8 feet from side lot line and 2.9 feet with eave 0.9 feet from rear lot line.
- *Variance VC 2004-BR-079* was approved on July 21, 2004 for Tax Map 80-1 ((2)) (3) 24, zoned R-3, at 7117 Leesville Boulevard, to permit construction of addition 10.7 feet with eave 9.7 feet from side lot line.

ZONING ORDINANCE REQUIREMENTS (See Appendix 5)

- General Special Permit Standards (Sect. 8-006)
- Group 9 Standards (Sect. 8-903)
- Sect. 8-914 Provisions for Approval of Reduction to the Minimum Yard Requirements Based on Error in Building Location

This special permit is subject to Sects. 8-006, 8-903 and 8-914 of the Zoning Ordinance as referenced above, a copy of which is included in Appendix 5. Subject to development conditions, the special permit must meet these standards.

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. Previously Approved Building Permits
5. Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

SP 2011-BR-008

June 1, 2011

1. This special permit is approved for the location of the garage/storage addition and accessory storage structure, 10.7-foot high wood shed, as shown on the plat prepared by Aultec, Inc., dated May 2010, as revised through November 24, 2010 and signed January 6, 2011 by James A. Afful, Professional Land Surveyor, as submitted with this application and is not transferable to other land.
2. Within 120 days of approval of this special permit, the covered carport addition shall be brought into conformance with the Zoning Ordinance definition of a carport and shall be a minimum of 7.0 feet from the eastern side lot line. A driveway shall be installed to provide access to the carport. The applicant shall obtain a new building permit for the carport and provide an updated plat that depicts the height and location of all structures on the property including the location of the new driveway, and provides a calculation for front yard coverage not to exceed that allowed by the Zoning Ordinance or the carport shall be removed from the property.

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

Application No.(s): SP 2011-BR-008
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/28/10
 (enter date affidavit is notarized)

I, Bussell Raymond Paugh, 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 109109

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)
Bussell B Paugh	7305 Leesville Blvd Springfield Va 22151	OWNER

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s):

SP 2011-BR-009

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/28/10
(enter date affidavit is notarized)

109109

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)

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)

None

(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-BR-008
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/28/10
(enter date affidavit is notarized)

109109

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)

None

(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**)

None

(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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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/28/10
(enter date affidavit is notarized)

109109

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-BR-008

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/28/10 (enter date affidavit is notarized)

109109

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)

Russell B Paugh

[X] Applicant [] Applicant's Authorized Agent

Russell B Paugh

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

Subscribed and sworn to before me this 28 day of June 2010, in the State/Comm. of Virginia, County/City of Fairfax.

Notary Public signature

My commission expires: 12/31/2011

ALIEN TRAN Notary Public, Commonwealth of Virginia My Commission Expires December 31, 2011 Notary Registration Number 7092302

letter - Carport and Shed

The error in question exceeds ten (10) percent of the measurement involved. The noncompliance was done in good faith, or no fault of the property owner, such reduction will not impair the purpose and intent of this ordinance, it will not be detrimental to the use and enjoyment of the property in the immediate vicinity.

It will not create an unsafe condition with respect to both other property and public streets.

To force compliance with the minimum yard requirements would cause unreasonable hardship upon me. It would decrease the value of my property and cost me a considerable

amount of money to demo and rebuild my garage. The extra walls and insulation on my garage

helps keep my home warmer. plus is shelter for my dog, s during the day when i am at work,

they enter an exit to the back yard through the garage. plus it is safe storage for my

expensive power tools and equipment.

The reduction will not result in an increase in density or floor area ratio.

Russell Paugh

Russell Paugh

DOCUMENTS

When i moved in with my ex girlefriend Thelma Haskell in 1999 at 7305 leesville blvd to the best of my knowledge the existing carport was already enclosed with a quarter inch veneer plywood painted almond color like existing part of carport as seen in pitcher # 1 plywood was badly deteirated and wroughted. carport also had #4 old aluminium storm windows in it, and two swinging hinged doors. two or three months later as we started fixing up the old house we had new siding. windows. and door replaced. now i mainl,y use it as a garage and tool storage. I am now in process of obtaining proper permits and plans for structure .untill I run into problem with zoning, they suggested to apply for special permit for error in building. Have no more information on existing structure, no aerial photographs. building permits. contract copy. or statment from original owner. who may be deceased.

Russell R Paugh

Russell R Paugh

RECEIVED
Department of Planning & Zoning
OCT 20 2010
Zoning Evaluation Division

COUNTY OF FAIRFAX, VIRGINIA

SITE PLAN

APPLICATION FOR BUILDING PERMIT
AND CERTIFICATE OF OCCUPANCY
DEPARTMENT OF COUNTY DEVELOPMENT
DIVISION OF INSPECTION SERVICES

APPLICATION NO. <u>9905</u>	PERMIT NO. <u>P70837</u>
DATE	

MAP REFERENCE			
Plat Number <u>801</u>	Subd. Des. <u>2</u>	Bk. or Sec. <u>8</u>	Parcel or Lot <u>2</u>

IMPORTANT - Applicant to complete ALL items. Mark where applicable

I. LOCATION OF BUILDING

STREET X 7305 Leesville Blvd, No. Springfield, VA

LOT NO.	BLOCK	SECTION	SUBDIVISION	MAG. DIST.
<u>R</u>	<u>8</u>	<u>4</u>	<u>No. Springfield</u>	<u>HAFTN</u>

LEAVE BLANK FOR NEW CONSTRUCTION

PRESENT USE Residence

DEPARTMENTAL USE ONLY

PLAN APPROVAL

Use Group of Building L-3

Type of Construction 4-B

Area of Bldg. _____ @ _____

_____ @ _____

Total Fee \$ 21.00

II. TYPE AND COST OF BUILDING - Please check appropriate box

A. TYPE OF IMPROVEMENT

- New Structure
- Addition (if residential, enter number of new housing units added, if any, in Part D-2)
- Alteration (See 2 above)
- Repair
- Wrecking
- Moving (relocation)
- Foundation Only
- Other _____

B. OWNERSHIP

Public	Private
1. <input type="checkbox"/> Federal	6. <input checked="" type="checkbox"/> Taxable
2. <input type="checkbox"/> State	7. <input type="checkbox"/> Tax Exempt Inst.
3. <input type="checkbox"/> County	
4. <input type="checkbox"/> City or Town	
5. <input type="checkbox"/> Other (International)	

Please Specify _____

C. COST (Estimate)

Cost of improvement \$ _____

To be installed but not included in the above cost

a. Electrical _____

b. Plumbing _____

c. Heating, air conditioning _____

d. Other (elevator, etc.) _____

TOTAL COST OF IMPROVEMENT \$4000.00

D. PROPOSED USE

(For "Wrecking" show most recent use)

RESIDENTIAL

- One-family (incl. Semi-detached, row, town)
- Two or more family
- Transient hotel, motel or dormitory
- Garage
- Carport
- Mobile Homes
- Other—Specify add four R Springfield Library

NON-RESIDENTIAL

- Amusement, recreational
- Church, other Religious
- Industrial
- Parking garage
- Service Station, Repair Garage
- Hospital, Institutional
- Office, Bank, Professional
- Public utility
- School
- Stores, Mercantile
- Tanks, Towers
- Other—Specify _____
- Structures other than buildings

Approved by Building Inspector Jack P. Burch

DATE APPROVED 12/8/70

E. Is this structure part of a larger complex such as a hospital, university, industrial plant, shopping center, office building complex, etc.

YES (enter principal activity of the complex, e.g. Hospital, University, etc.)

NO

ZONING—Identify use for which land is zoned, for example: residential, commercial, industrial, other. Re

NON-RESIDENTIAL—Describe in detail proposed use of buildings, e.g. laundry building at hospital, elementary school, parking garage — or department store, rental office building or office building at industrial plant. If use of existing building is being changed, enter proposed use.

DESCRIPTION & REMARKS:

III. SELECTED CHARACTERISTICS OF NEW BUILDINGS, ADDITIONS OR ALTERATIONS ONLY (Leave blank for repairs, wrecking, etc.)

G. PRINCIPAL TYPE OF FRAME

- Masonry (wall bearing)
- Wood frame
- Structural Steel
- Reinforced concrete
- Other—Specify _____

H. PRINCIPAL TYPE OF HEATING FUEL

- Gas
- Oil-Grade No. (circle) 1, 2, 3, 4, 5, 6
- Electricity
- Coal
- Other—Specify _____

I. TYPE OF SEWAGE DISPOSAL

- Public
- Private (septic tank, etc.)

J. TYPE OF WATER SUPPLY

- Public or Privately owned company
- Individual, well, cistern

K. TYPE OF MECHANICAL

AIR CONDITIONING

- Central-elec.
- Central-gas
- Individual room air conditioner
- None

INCINERATOR

- None
- Incinerator with air-pollution control
- Settling chamber
- Scrubber
- Precipitator
- Other _____
- Incinerator without air-pollution control

ELEVATOR(s)

Enter number (0, 1, 2, etc.) _____

L. DIMENSIONS

No. of Stories above street level CNC

Basement Yes No

Height of Construction, Ft. _____

Width 78 Depth 48

Total floor area, sq. ft. incl. bsmt. _____

(All floors based on exterior dimensions)

Total Land Area, Sq. Ft. 1410

M. NUMBER OF OFF STREET PARKING SPACES

Enclosed _____

Outdoors _____

N. RESIDENTIAL (Complete only for new bldg.)

Single Family

Total Single Family Units _____

Total No. of Bedrooms _____

Bathrooms _____

Full _____

Half _____

Multi-family

Total No. Kitchens _____

Bathrooms: _____

Full _____

Half _____

Total Other Rooms _____

Total No. of Buildings _____

Total No. apartments by no. of bedrooms:

0 (efficiency) _____

1 _____

2 _____

3 _____

4 _____

5 or more-specify _____

Total No. Apartments _____

Name	Mailing address - Number, street, city, and state	ZIP code	Tel. No.
Owner <u>Samuel W. Miller III</u>	<u>7305 Leesville Blvd, No. Springfield, VA</u>	<u>22151</u>	<u>941-2557</u>
Contractor <u>Owner</u>			
Architect			
Engineer			

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will conform to the regulations in the Building Code, the Zoning Ordinance, or private building restrictions, if any, which may be imposed on the above property by deed.

Address 111 Miller III Date 9 November 1970

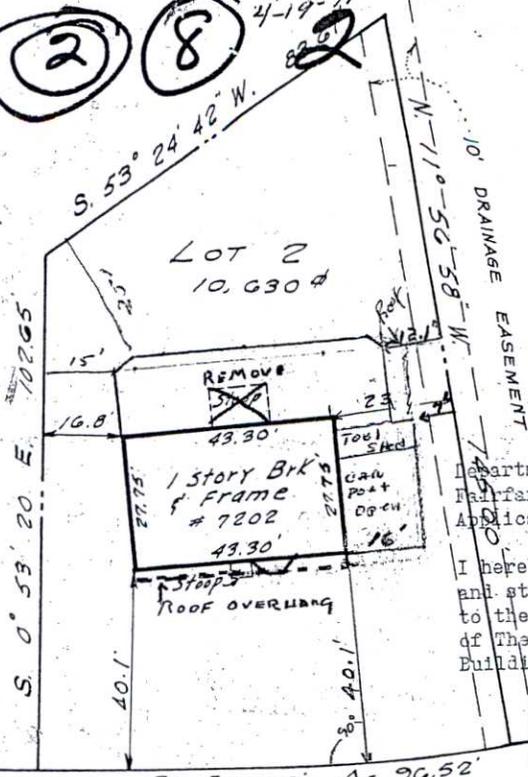
C. & J. INCORPORATED

80-1

(2) (8)

Mills
4-19-71

P-70837



Department of County Development
Fairfax County, Virginia
Application Number 69905

I hereby certify that this plot plan and structure shown hereon conform to the requirements of Section 113.1 of The Fairfax County, Virginia Building Code.

Director of County Development
[Signature]
By His Agent

11-16-70

LEESVILLE BOULEVARD

(80' WIDE)

Approved for proposed location of building as shown. Final approval subject to wall check.

HOUSE LOCATION
LOT - 2

Date DEC 8 1970

BLOCK 8 SECTION 4

[Signature]
Planning Administrator

NORTH SPRINGFIELD

MASON MAGISTERIAL DISTRICT FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 30'

[Signature]
JULY 15, 1963

SURVEY FOR:
J.L. SCOTT & ASSOC.

JAMES D. PAYNE & ASSOCIATES
CERTIFIED LAND SURVEYORS
ARLINGTON, VIRGINIA

CERTIFIED CORRECT:
[Signature]
CERTIFIED SURVEYOR

CASE No.: TE1908
Samuel W. Miller, III

Conary Copy

BUILDING PERMIT APPLICATION PERMIT # 83080187
FAIRFAX COUNTY GOVERNMENT
PERMIT APPLICATION CENTER
 12055 Government Center Parkway, 2nd Floor
 Fairfax, Virginia 22035-5504
 Telephone: 703-222-0801
 Web site: <http://www.fairfaxcounty.gov/dpwes>

FOR INSPECTIONS CALL 703-222-0455 (see back for more information)
 OR VISIT US ON THE WEB AT
http://www.fairfaxcounty.gov/isisnet/inspection_sched.asp

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY
 PLAN # W-08-6767
 TAX MAP # 10801 02080002

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	<u>11/30</u>	<u>[Signature]</u>
SITE PERMITS	<u>11/30/08</u>	<u>[Signature]</u>
HEALTH DEPT		
BUILDING REVIEW	<u>11/30/08</u>	<u>[Signature]</u>
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFEERS		

FEE
 FILING FEE
 AMOUNT DUE 65.00

BUILDING PLAN REVIEW
 REVIEWER _____ # OF HOURS _____
 REVISION FEES _____
 FIRE MARSHAL FEES _____
 FIXTURE UNITS _____ PLAN LOG R

APPROVED FOR ISSUANCE OF BUILDING PERMIT
 (LOG OUT)
 BY _____ DATE _____

ZONING REVIEW
 USE SD
 ZONING DISTRICT K-3 HISTORICAL DISTRICT _____
 ZONING CASE # _____
 GROSS FLOOR AREA OF TENANT SPACE _____

YARDS:	GARAGE	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
FRONT	OPTIONS	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
FRONT	REMARKS	<u>Bld Storage shed</u>		
L SIDE				
R SIDE				
REAR				

REMARKS
14x11 = 196 sq ft

HOUSE TYPE Residential
 ESTIMATED COST OF CONSTRUCTION \$2000.00
 USE GROUP OF BUILDING Storage
 TYPE OF CONSTRUCTION Wood Frame

DESIGNATED MECHANICS' LIEN AGENT
 (Residential Construction Only)
 NAME _____
 ADDRESS _____
 NONE DESIGNATED PHONE _____

NOTARIZATION (if required)
 State (or territory or district) of _____
 County (or city) of _____, to wit; I, _____
 Notary Public in the State and County aforesaid, do certify that
 whose name is signed to this application, appeared before me in the State and County aforesaid and executed this affidavit.
 Given under my hand this _____ day of _____, 20____
 My commission expires the _____ day of _____, 20____
 (Notary Signature)

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN
 (PLEASE PRINT OR TYPE)

JOB LOCATION
 ADDRESS 7305 Leesville Blvd Springfield Va
 LOT # 2 BUILDING House
 FLOOR _____ SUITE Blk 8 Key
 SUBDIVISION North Springfield
 TENANT'S NAME Bussell Pough
 EMAIL Tucker1955@Netzero.com
 CONTACT ID _____

OWNER INFORMATION OWNER TENANT
 NAME Bussell Pough
 ADDRESS 7305 Leesville Blvd
 CITY Springfield STATE Va ZIP 22151
 TELEPHONE 703-941-5528
 EMAIL Tucker1955@Netzero.com
 CONTACT ID _____

CONTRACTOR INFORMATION SAME AS OWNER
 CONTRACTORS MUST PROVIDE THE FOLLOWING:
 COMPANY NAME _____
 ADDRESS _____
 CITY _____ STATE _____ ZIP _____
 TELEPHONE _____
 EMAIL _____
 STATE CONTRACTORS LICENSE # _____
 COUNTY BPOL # _____
 CONTACT ID _____

APPLICANT
 NAME Bussell Pough
 ADDRESS 7305 Leesville Blvd
 CITY Springfield STATE Va ZIP 22151
 TELEPHONE 703-941-5528
 EMAIL Tucker1955@Netzero.com
 CONTACT ID _____

DESCRIPTION OF WORK
Storage shed 15x14x8

HOUSE TYPE Residential
 ESTIMATED COST OF CONSTRUCTION \$2000.00
 USE GROUP OF BUILDING Storage
 TYPE OF CONSTRUCTION Wood Frame

DESIGNATED MECHANICS' LIEN AGENT
 (Residential Construction Only)
 NAME _____
 ADDRESS _____
 NONE DESIGNATED PHONE _____

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Bussell Pough 11/03/08
 Signature of Owner or Agent Date
Bussell B Pough Foreman
 Printed Name and Title
 (Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

STATE GRID MERIDIAN
PER DB 1331 PG 122

NORTH SPRINGFIELD
SWIMMING POOL
Total earth disturbance on this lot shall not exceed 2500 sq. ft. - Earth disturbance in excess of 2500 shall constitute a violation and require the submission of a grading plan.

LOT 2
0.600 SQ. FT.
OR
0.2433 ACRE
*(SEE NOTE #5)

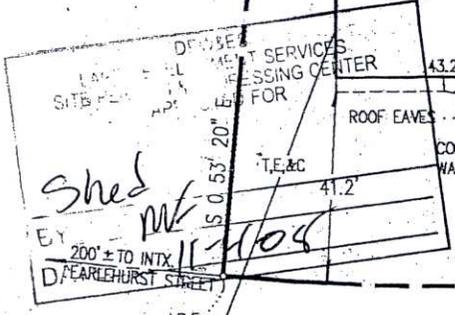
LOT 1 SECTION TWO

1 STORY DWELLING # 7305

10' DRAINAGE ESMT. PER DB 1331 PG 122

6' WOODEN PRIVACY FENCE

LOT 3



ROOF EAVES

CONC. WALK

ASPHALT DRIVEWAY

RAD= 500.00'
ARC= 96.52'
CH= N 83 34' 51" E
96.37'

LEESVILLE BOULEVARD
(80' R/W)

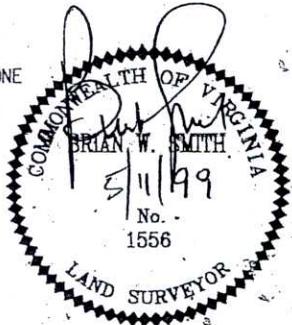
LEGEND:

FOOTINGS AND PIERS MUST BE PLACED ON COMPETENT MATERIAL.

- I.P.F. DENOTES IRON PIPE FOUND
- X- DENOTES FENCE LINE
- DB, PG DENOTES DEED BOOK AND PAGE
- T,E,&C- DENOTES OVERHEAD TELEPHONE, ELECTRIC, & CABLE WIRES

NOTES:

- THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
- THE LOT SHOWN HEREON APPEARS TO PLOT IN FLOOD-ZONE "X" AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN, AS SHOWN ON F.E.M.A. MAP # 515525 0100-D EFFECTIVE DATE: MARCH 5, 1990
- FENCES SHOWN HEREON MEANDER OR RUN PARALLEL WITHIN 0.5 FEET OF PROPERTY LINE UNLESS NOTED. TIES TO FENCES ARE APPROXIMATE AND DO NOT CERTIFY TO OWNERSHIP.
- THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES (INCLUDING FENCES).
- RECORD PLAT RECORDED IN DB 1331 PG 122 ERRONEOUSLY SHOWS AREA TO BE 10,630 SQ.FT.



HOUSE LOCATION SURVEY
LOT 2
SECTION FOUR BLOCK 8
NORTH SPRINGFIELD
BRADDOCK DISTRICT
FAIRFAX COUNTY, VIRGINIA

MB# E9905001

HASKELL AND PAUGH / MILLER

B.W. SMITH AND ASSOCIATES, INC.

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

FIELD CREW: N. RABINOWITCH

DTF: M.A.H.	CHK: T.J.F.	NO TITLE REPORT FURNISH	SCALE: 1" = 30'	DATE: 5/11/99
-------------	-------------	-------------------------	-----------------	---------------

BUILDING PERMIT APPLICATION

FAIRFAX COUNTY GOVERNMENT
 PERMIT APPLICATION CENTER
 12055 Government Center Parkway, 2nd Floor
 Fairfax, Virginia 22035-5504
 Telephone: 703-222-0801
 Web site: <http://www.fairfaxcounty.gov/dpwes>

PERMIT # 90960141

FOR INSPECTIONS CALL 703-222-0455 (see back for more information)
 OR VISIT US ON THE WEB AT

http://www.fairfaxcounty.gov/isisnet/inspection_sched.asp

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY
 PLAN # 12055-0001
 TAX MAP # 12055-0001

ROUTING	DATE	APPROVED BY
LICENSING	4/1/09	[Signature]
ZONING	4/6/09	[Signature]
SEE PERMITS	4/1/09	[Signature]
HEALTH DEPT		
BUILDING REVIEW	2/11/09	[Signature]
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFESSIONALS		

FILED
 FILING FEE \$
 AMOUNT DUE \$ 100

BUILDING PLAN REVIEW
 REVIEWER _____ # OF HOURS _____
 REVISION FEES \$ _____
 FIRE MARSHAL FEES \$ _____
 FIXTURE UNITS _____ PLAN LOC. R

APPROVED FOR ISSUANCE OF BUILDING PERMIT
 (LOG OFF)
 BY: [Signature] DATE: 4/1/09

ZONING REVIEW
 USE SFD HISTORICAL DISTRICT _____
 ZONING DISTRICT _____
 ZONING CASE # _____
 GROSS FLOOR AREA OF TENANT SPACE _____

YARDS:	GARAGE	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
FRONT <u>40</u>	OPTIONS	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
FRONT	REMARKS	<u>12 x 23</u>		
L SIDE <u>7</u>		<u>Current</u>		
R SIDE <u>Mc</u>		<u>per plans</u>		
REAR <u>Mc</u>		<u>7' tall</u>		

REMARKS
Modify existing car port for zoning code requirements.

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN
 (PLEASE PRINT OR TYPE)

JOB LOCATION
 ADDRESS 7305 Leesville Blvd Spring
 LOT # 2 BUILDING V.A. 22151
 FLOOR _____ SUITE _____
 SUBDIVISION _____
 TENANT'S NAME Russell Pough
 EMAIL Jucker1955@Net2000.com
 CONTACT ID _____

OWNER INFORMATION OWNER TENANT
 NAME Russell Pough
 ADDRESS 7305 Leesville Blvd
 CITY Spring Hill STATE Va ZIP 22151
 TELEPHONE 703-941-5528
 EMAIL Jucker1955@Net2000.com
 CONTACT ID _____

CONTRACTOR INFORMATION SAME AS OWNER
 CONTRACTORS MUST PROVIDE THE FOLLOWING:
 COMPANY NAME _____
 ADDRESS _____
 CITY _____ STATE _____ ZIP _____
 TELEPHONE _____
 EMAIL _____
 STATE CONTRACTORS LICENSE # _____
 COUNTY BPOL # _____
 CONTACT ID _____

APPLICANT
 NAME Russell Pough
 ADDRESS 7305 Leesville Blvd
 CITY Spring Hill STATE Va ZIP 22151
 TELEPHONE 703-941-5528
 EMAIL Jucker1955@Net2000.com
 CONTACT ID _____

DESCRIPTION OF WORK
Car Port Front 12 FT
Rear 10 FT
Length 22 FT 6 inch

HOUSE TYPE Bungalow
 ESTIMATED COST OF CONSTRUCTION 4,000.00
 USE GROUP OF BUILDING _____
 TYPE OF CONSTRUCTION Brick & Block
 DESIGNATED MECHANICS' LIEN AGENT Siddis
 (Residential Construction Only)
 NAME _____
 ADDRESS _____
 NONE DESIGNATED PHONE _____

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Russell Pough 4/1/09
 Signature of Owner or Agent Date
Russell Pough
 Printed Name and Title
 (Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

NOTARIZATION (if required)
 State (or territory or district) of _____
 County (or city) of _____ to wit: I, _____
 Notary Public in the State and County aforesaid, do certify that _____
 whose name is signed to this application, appeared before me in the State and County aforesaid and executed this affidavit.
 Given under my hand this _____ day of _____, 20____.
 My commission expires the _____ day of _____, 20____.

 (Notary Signature)

NORTH SPRINGFIELD

Total earth disturbances on this lot shall not exceed 2500 sq. ft. - Earth disturbance in excess of 2500 shall constitute a violation and require the submission of a grading plan.

LOT 2
OR
0.2433 ACRE
*(SEE NOTE #5)

LOT 1 SECTION TWO

1 STORY DWELLING # 7305

LOT 3

LEESVILLE BOULEVARD

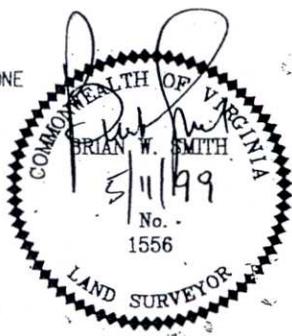
(80' R/W)

LEGEND:

- I.P.F. DENOTES IRON PIPE FOUND
- X- DENOTES FENCE LINE
- DB, PG DENOTES DEED BOOK AND PAGE
- T,E,&C- DENOTES OVERHEAD TELEPHONE ELECTRIC, & CABLE WIRES

NOTES:

- 1) THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
- 2) THE LOT SHOWN HEREON APPEARS TO PLOT IN FLOOD-ZONE "X" AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN, AS SHOWN ON F.E.M.A. MAP # 515525 0100-D EFFECTIVE DATE: MARCH 5, 1990
- 3) FENCES SHOWN HEREON MEANDER OR RUN PARALLEL WITHIN 0.5 FEET OF PROPERTY LINE UNLESS NOTED. TIES TO FENCES ARE APPROXIMATE AND DO NOT CERTIFY TO OWNERSHIP.
- 4) THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES (INCLUDING FENCES).
- 5) RECORD PLAT RECORDED IN DB 1331 PG 122 ERRONEOUSLY SHOWS AREA TO BE 10,630 SQ.FT.



HOUSE LOCATION SURVEY
LOT 2
SECTION FOUR BLOCK 8
NORTH SPRINGFIELD
BRADDOCK DISTRICT
FAIRFAX COUNTY, VIRGINIA

MB# E9905001

HASKELL AND PAUGH / MILLER

B.W. SMITH AND ASSOCIATES, INC.

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

FIELD CREW: N. RABINOWITZ

DTF: M.A.H. | CHK: T.J.F. | NO TITLE REPORT FURNISH | SCALE: 1" = 30' | DATE: 5/11/99

8-006 General Standards

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

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

8-903 Standards For All Group 9 Uses

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

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

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

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

1. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia and such plat shall contain the following information:
 - A. Boundaries of entire property, with bearings and distances of the perimeter property lines and of each zoning district.
 - B. Total area of the property and of each zoning district in square feet or acres.
 - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
 - D. Location of all existing structures, with dimensions, including height of any structure and penthouse, and if known, the construction date(s) of all existing structures.

- E. All required minimum yards to include front, side and rear, and a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing structures to lot lines.
- F. Means of ingress and egress to the property from a public street(s).
- G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).
- H. If applicable, the location of well and/or septic field.
- I. For nonresidential uses, a statement setting forth the maximum gross floor area and FAR for all uses.
- J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
- K. Seal and signature of professional person certifying the plat.

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

- 2. The BZA determines that:
 - A. The error exceeds ten (10) percent of the measurement involved, and
 - B. The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the relocation of the building subsequent to the issuance of a Building Permit, if such was required, and
 - C. Such reduction will not impair the purpose and intent of this Ordinance, and
 - D. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and
 - E. It will not create an unsafe condition with respect to both other property and public streets, and

- F. To force compliance with the minimum yard requirements would cause unreasonable hardship upon the owner.
 - G. The reduction will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.
3. In granting such a reduction under the provisions of this Section, the BZA shall allow only a reduction necessary to provide reasonable relief and may, as deemed advisable, prescribe such conditions, to include landscaping and screening measures, to assure compliance with the intent of this Ordinance.
 4. Upon the granting of a reduction for a particular building in accordance with the provisions of this Section, the same shall be deemed to be a lawful building.
 5. The BZA shall have no power to waive or modify the standards necessary for approval as specified in this Section