



APPLICATION ACCEPTED: June 27, 2011
DATE OF PUBLIC HEARING: September 14, 2011
TIME: 9:00 a.m.

County of Fairfax, Virginia

September 7, 2011

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2011-MV-063

MOUNT VERNON DISTRICT

APPLICANT/OWNER: Jean C. Van Nest

LOCATION: 8510 Silverdale Road

SUBDIVISION: Beechwood Cluster

TAX MAP: 98-3 ((8)) 12

LOT SIZE: 8,518 square feet

ZONING: R-3 Cluster

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements for construction of an addition (sunroom) 19.9 feet from the rear lot line

STAFF RECOMMENDATION: Staff recommends approval of SP 2011-MV-063 for the addition with adoption of the proposed development conditions contained in Appendix 1.

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

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Brenda J Cho

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

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

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

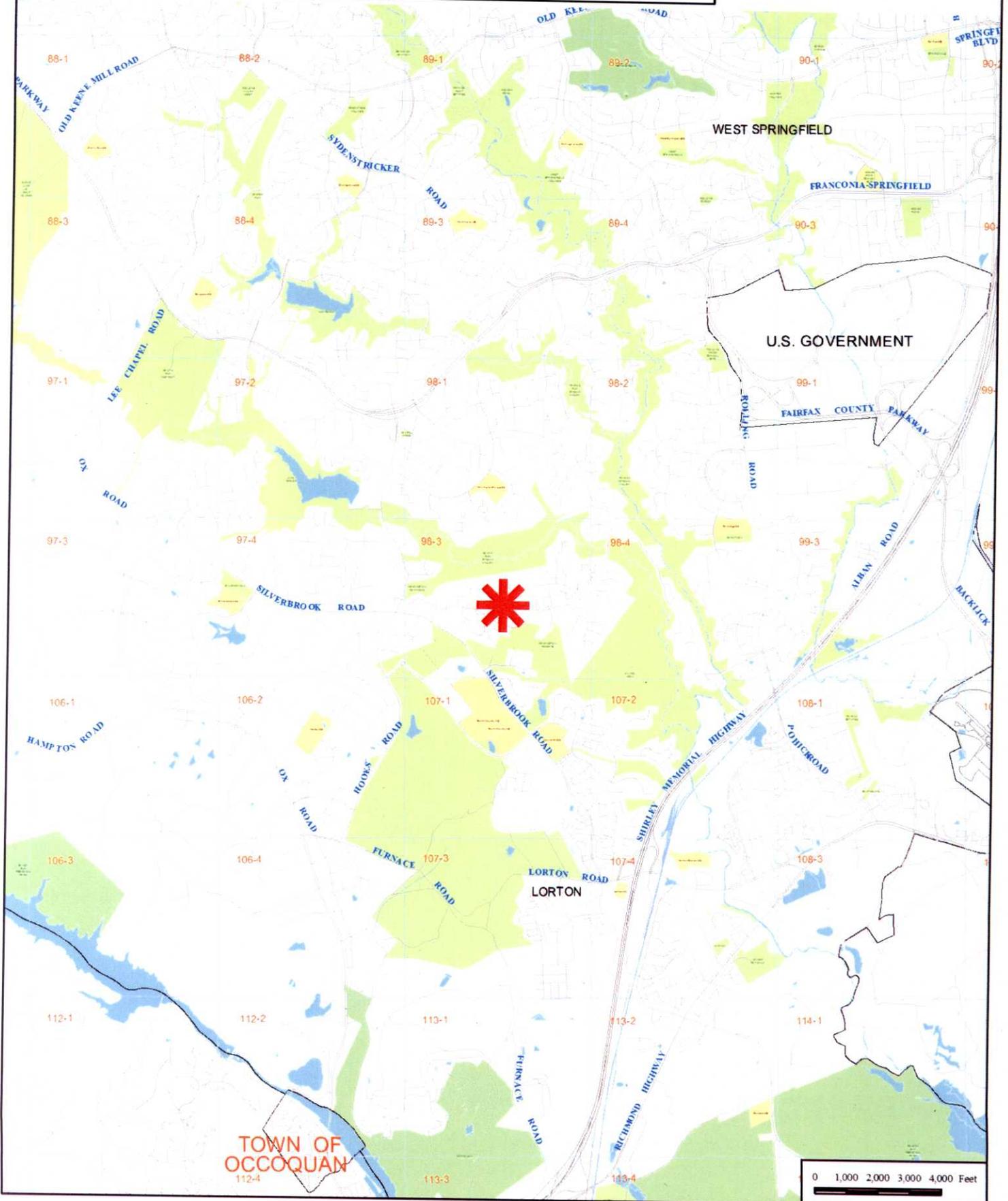


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

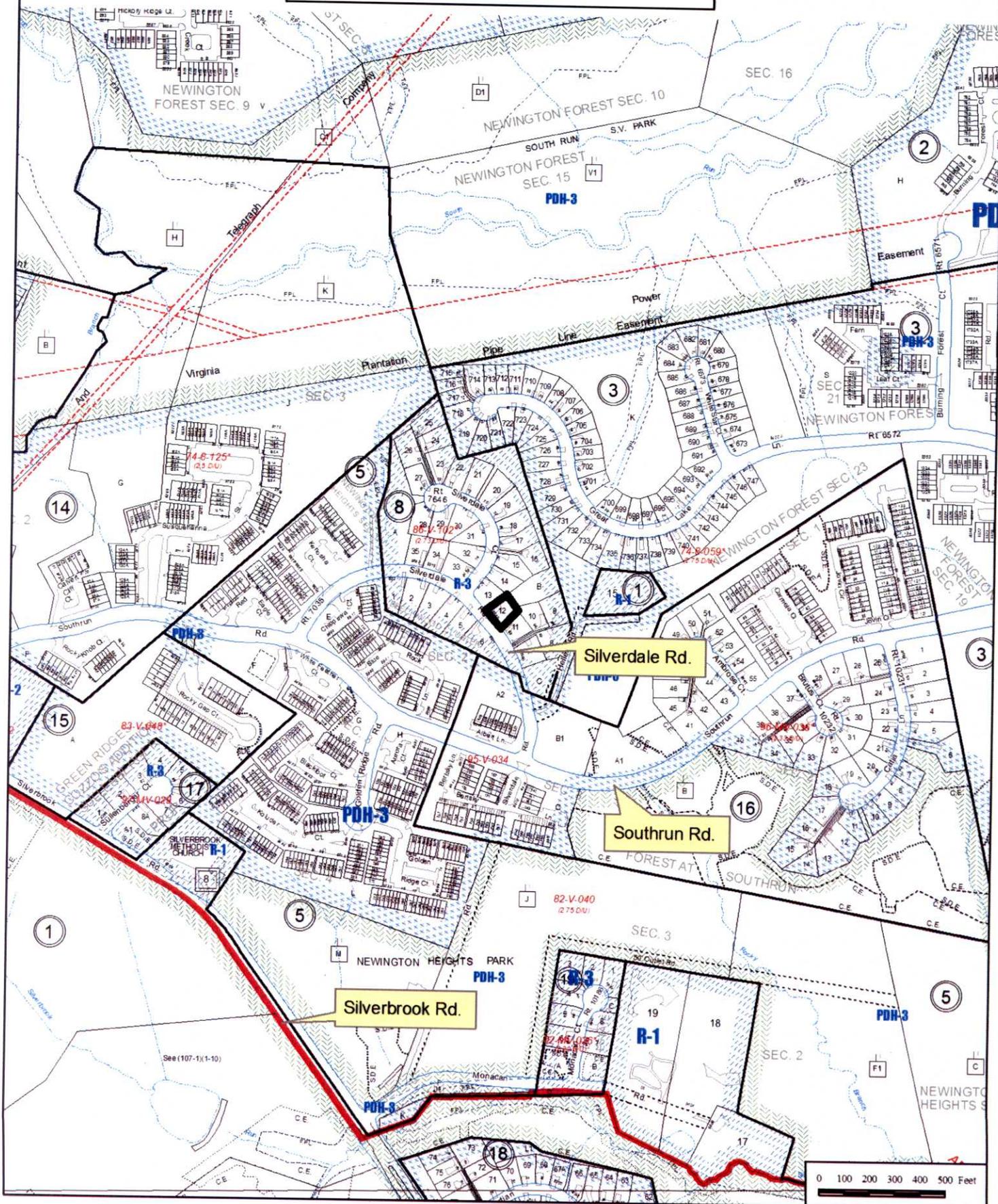
SP 2011-MV-063

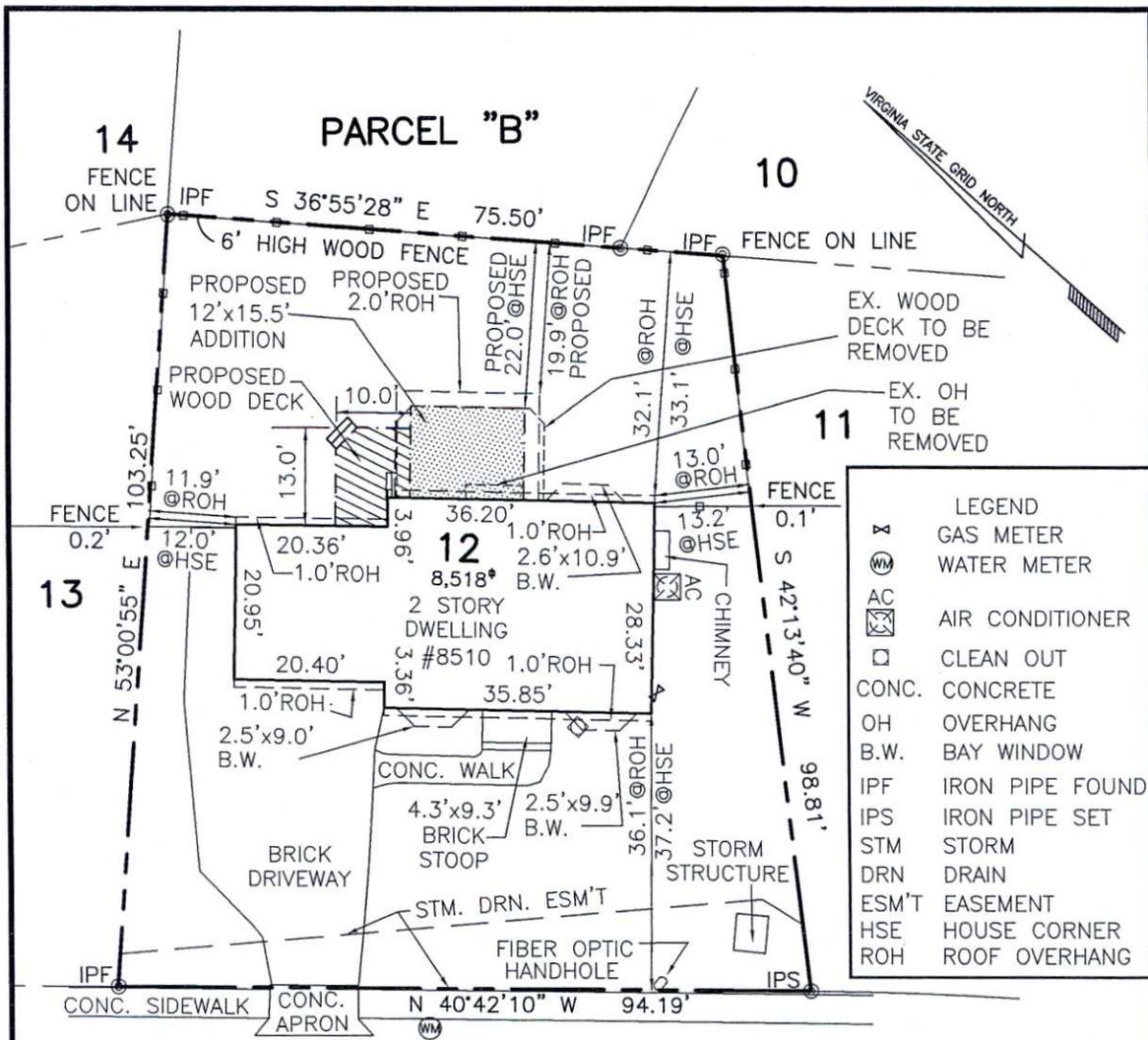
JEAN C. VAN NEST



Special Permit

SP 2011-MV-063
JEAN C. VAN NEST

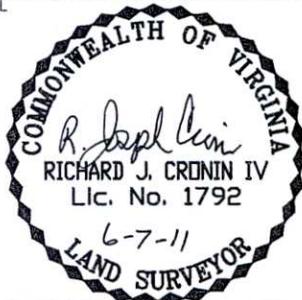




NOTES:

- 1) THE HEIGHT OF EXISTING DWELLING IS 23.3'±.
- 2) THE HEIGHT OF EXISTING WOOD DECK IS 1.7'±.
- 3) THE HEIGHT OF PROPOSED ADDITION IS 12.5'±.
- 4) THE HEIGHT OF PROPOSED WOOD DECK IS 1.9'±.
- 5) THE MINIMUM YARD REQUIREMENT FOR R-3 CLUSTER ZONING
FRONT = 20'
SIDE = 8' BUT A TOTAL MINIMUM OF 20'
REAR = 25'
- 6) THE PROPERTY SHOWN HEREON IS LOCATED ON FAIRFAX COUNTY ASSESSMENT MAP 098-3 ((8)) 12.
- 7) NO GRAVE SITES FOUND WHILE PREPARING THIS SURVEY.
- 8) THE PROPERTY SHOWN HEREON IS SERVED BY FAIRFAX COUNTY WATER AND SEWER.
- 9) GROSS FLOOR AREA OF PROPOSED ADDITION = APPROXIMATELY 186 SQ. FT.
- 10) GROSS FLOOR AREA OF EXISTING STRUCTURE INCLUDES BASEMENT, 1ST FLOOR AND SECOND FLOOR. = APPROXIMATELY 4,789 SQ. FT.
- 11) GROSS FLOOR RATIO = 58%
- 12) ENTIRE BACKYARD IS SCREENED BY A 6' HIGH WOOD FENCE. NO EXTRA SCREENING IS BEING PROVIDED.

SEAL



SCALE: 1" = 20'

DATE: 11-17-2010

LOT CORNERS: SET 12/10/2010

DRAWN BY: JHE

CHECKED BY: PAM

REFERENCES: DB 7362 PG 357

REVISED 6-7-2011 ADDED

ROOF OVERHANGS AND TIES

SPECIAL PERMIT PLAT
LOT 12
BEECHWOOD CLUSTER

MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

OWNER: VAN NEST PURCHASER: N/A

CASE NAME/FILE NUMBER: N/A

FLOOD ZONE NOTE: THE DWELLING SHOWN HEREON WAS NOT FOUND TO LIE WITHIN A FEMA IDENTIFIED "SPECIAL FLOOD HAZARD" AREA.

FLOOD INSURANCE RATE MAP: FAIRFAX CO. VIRGINIA 3-5-1990

COMMUNITY-PANEL NUMBER: 515525-0125D

ZONE DESIGNATION: X



Dewberry
Dewberry & Davis LLC

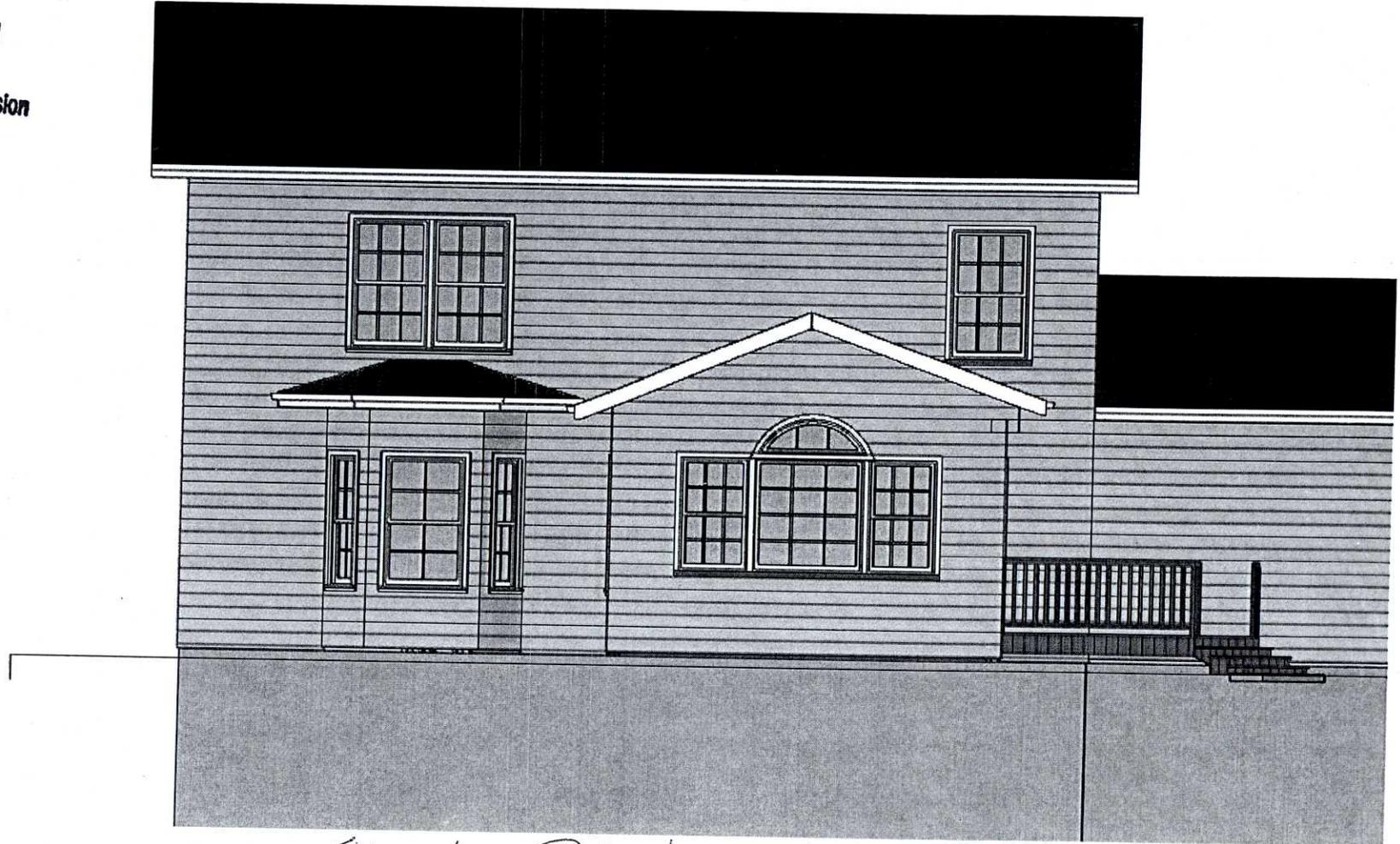
8401 ARLINGTON BLVD.
FAIRFAX, VA 22031
PHONE: 703.849.0100
FAX: 703.849.0118

NOTE: THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO REFLECT ALL EASEMENTS, ENCUMBRANCES OR OTHER CIRCUMSTANCES AFFECTING THE TITLE TO THE SUBJECT PROPERTY. FENCE LOCATIONS (IF SHOWN) ARE APPROXIMATE. THIS PLAT IS NOT INTENDED TO BE USED FOR CONSTRUCTION PURPOSES.

RECEIVED
Department of Planning & Zoning

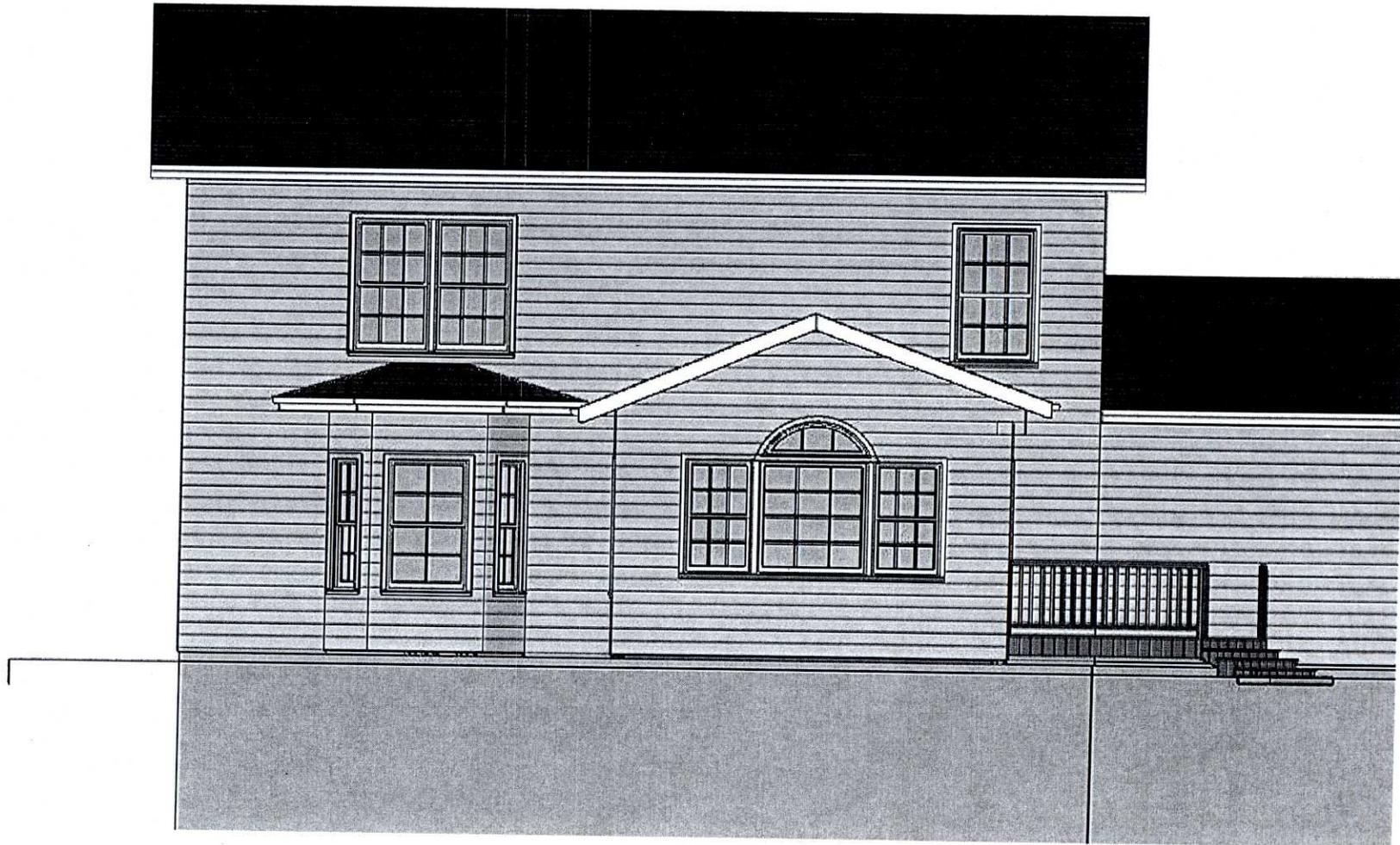
MAY 16 2011

Zoning Evaluation Division

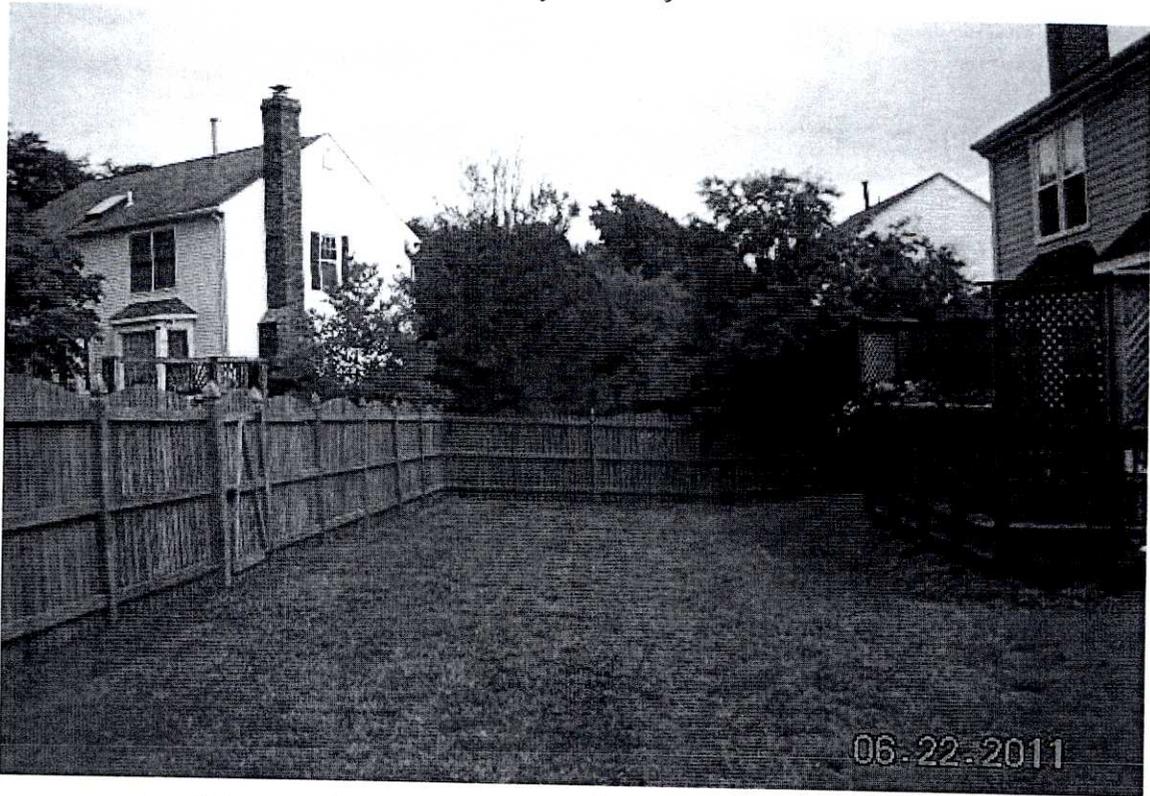


8510 Silverdale Rd, Boston.

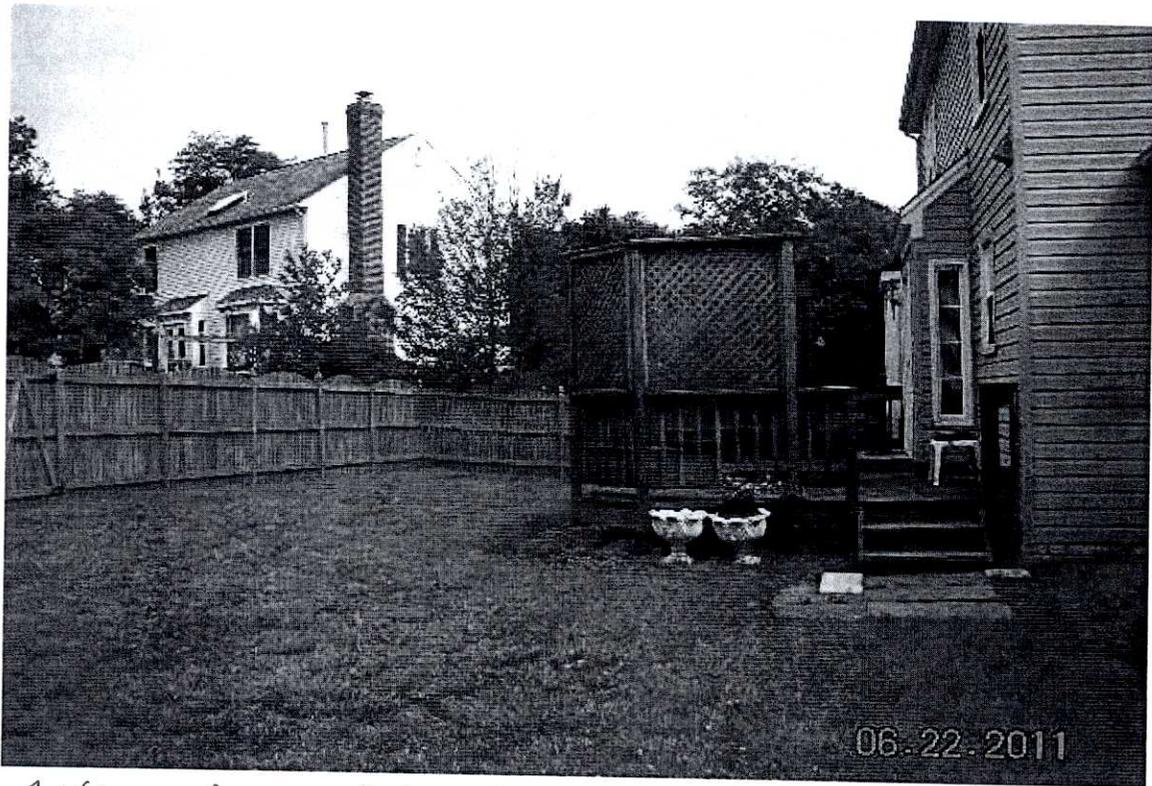
VanNest - Special Permit contractor's rendition of window redesign. (most current) 5/16/2011



View from left side of rear application property, left side, looking south east at abutting property on right beyond vegetation, & in @ property at corner that
↓ backs to HOA open space.

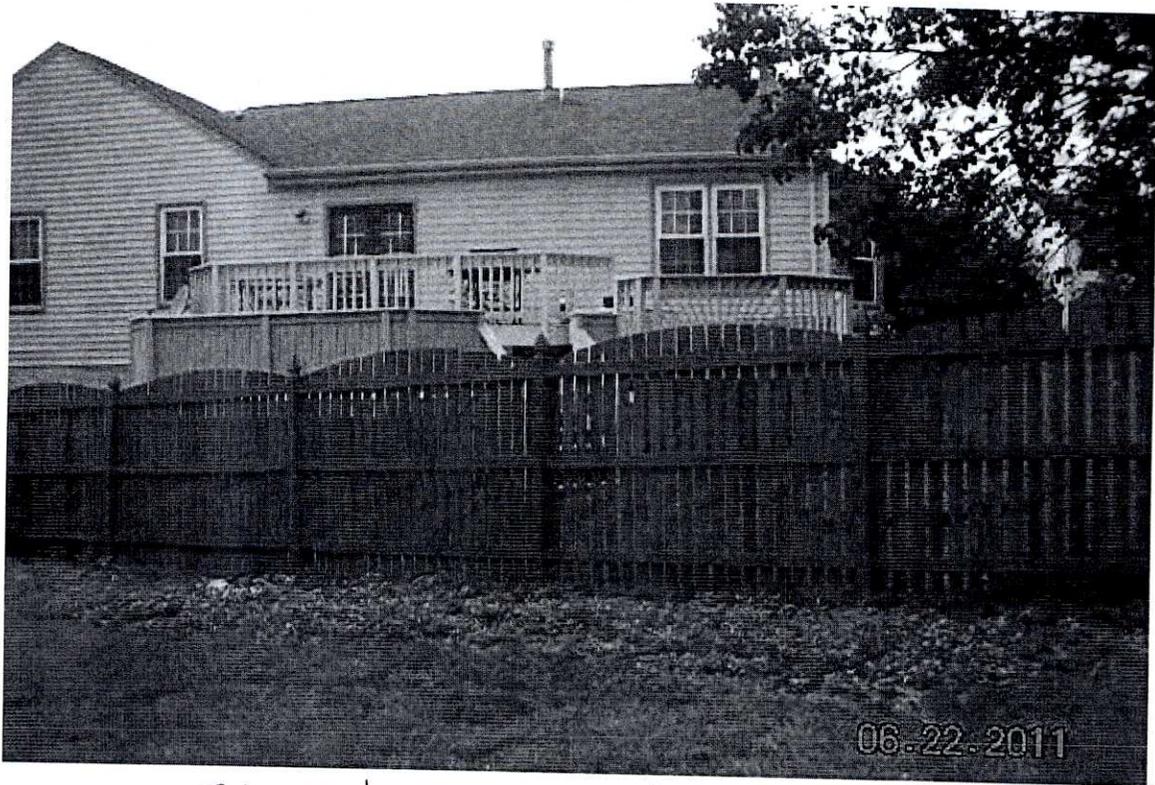


8510 Silverdale Rd., Lorton, VA

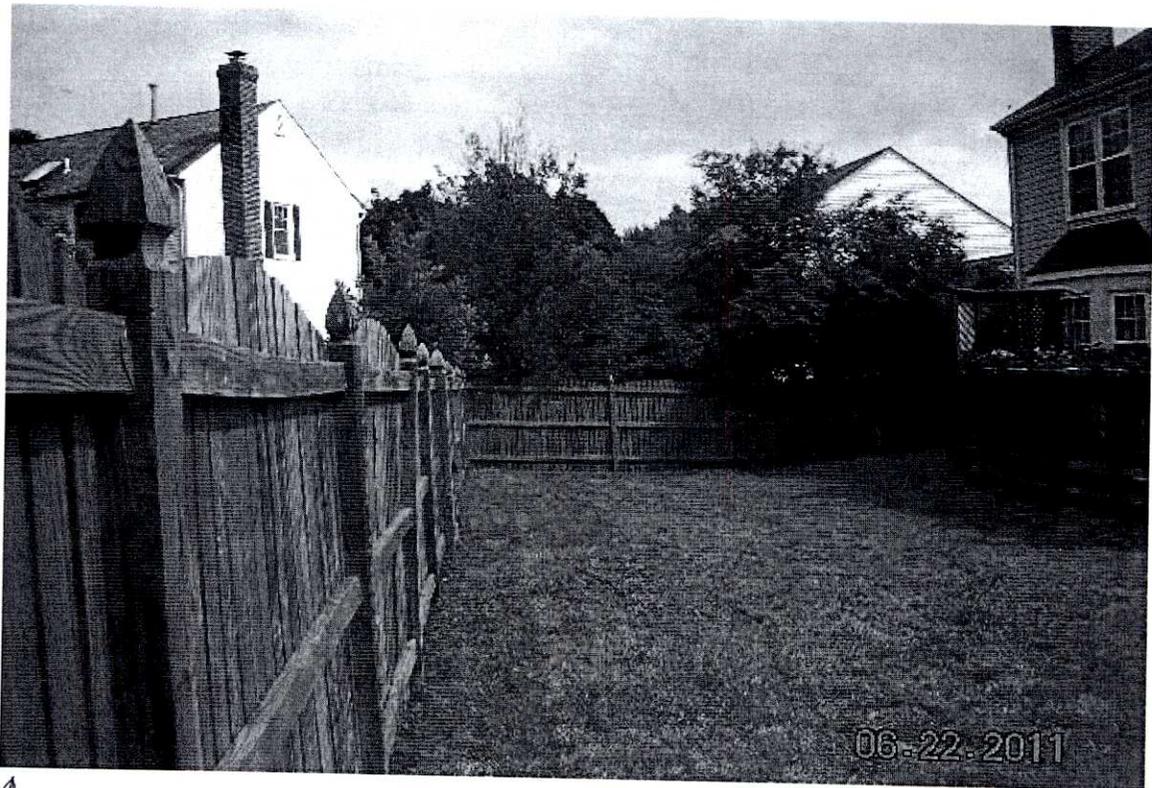


↑ View from left side of rear yard of application property looking east. Deck will be replaced with proposed structure.

↓ View of abutting property on left side of application property near yard, looking north west.

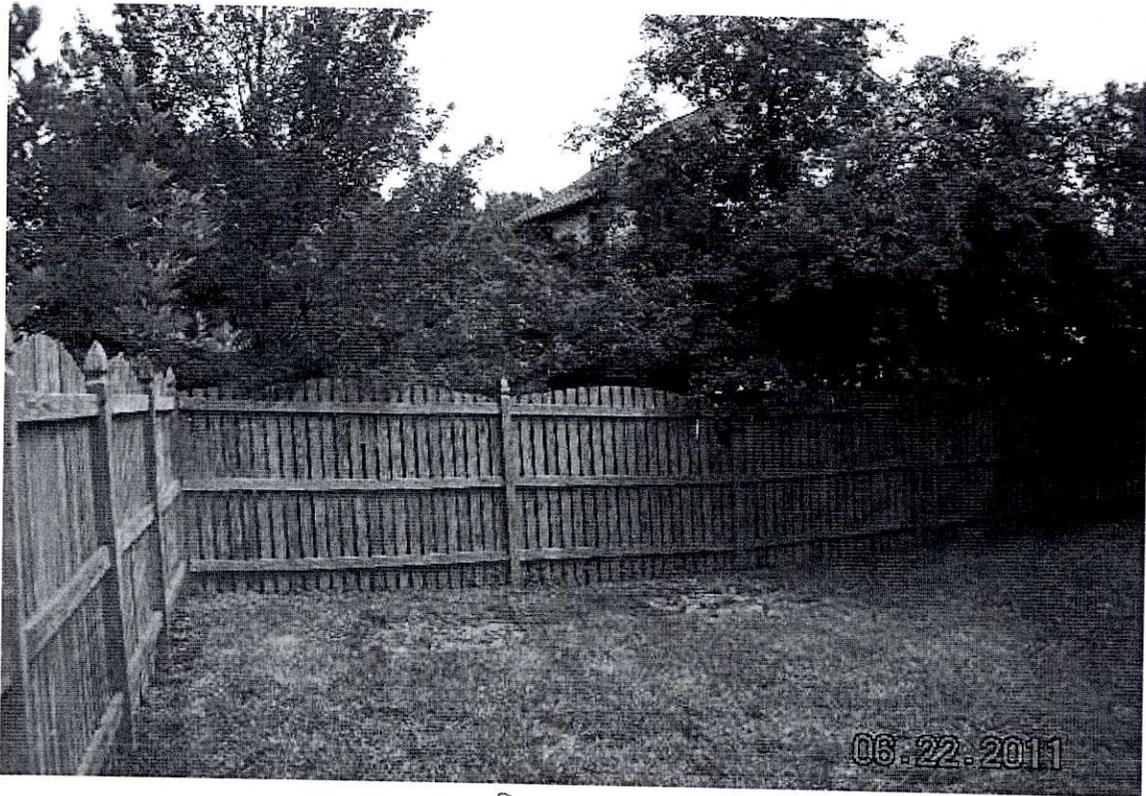


8510 Silverdale Rd., Horton, VA

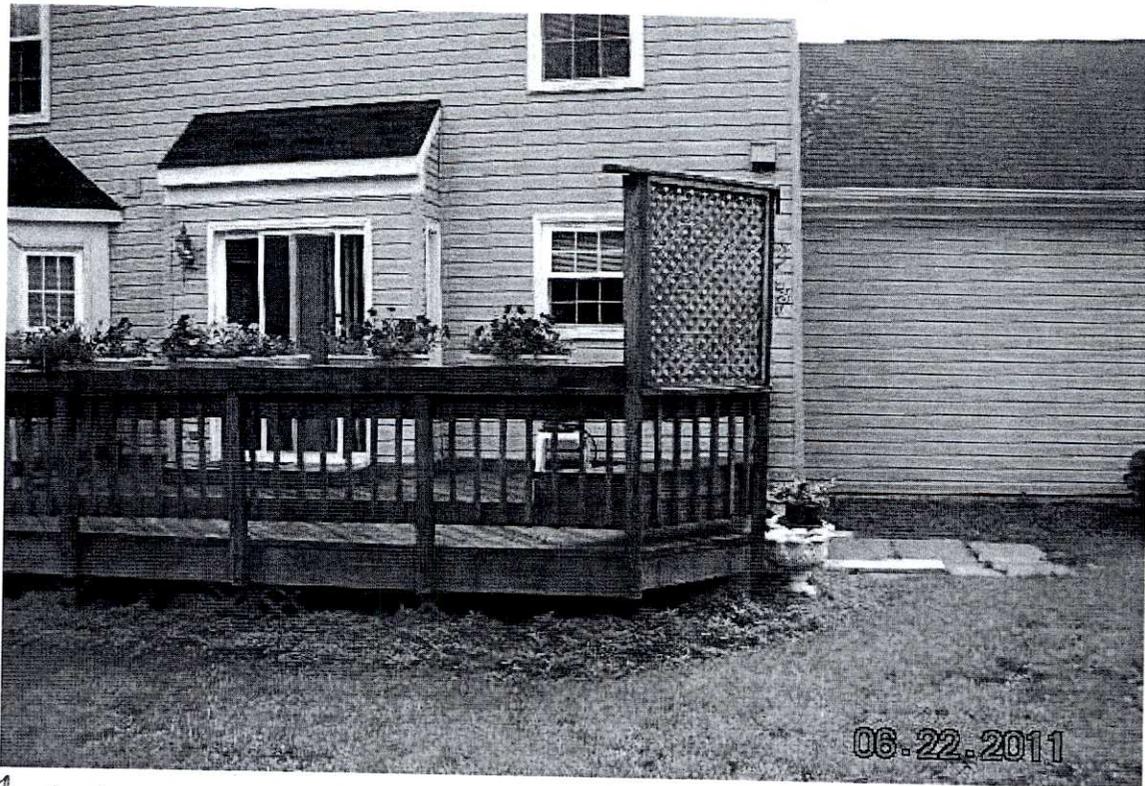


↑ View of abutting property behind vegetation on right side of application property near yard, looking north south.

View of abutting @ property, behind vegetation,
right side of application @ property. View
from application @ property looking ~~north~~
South

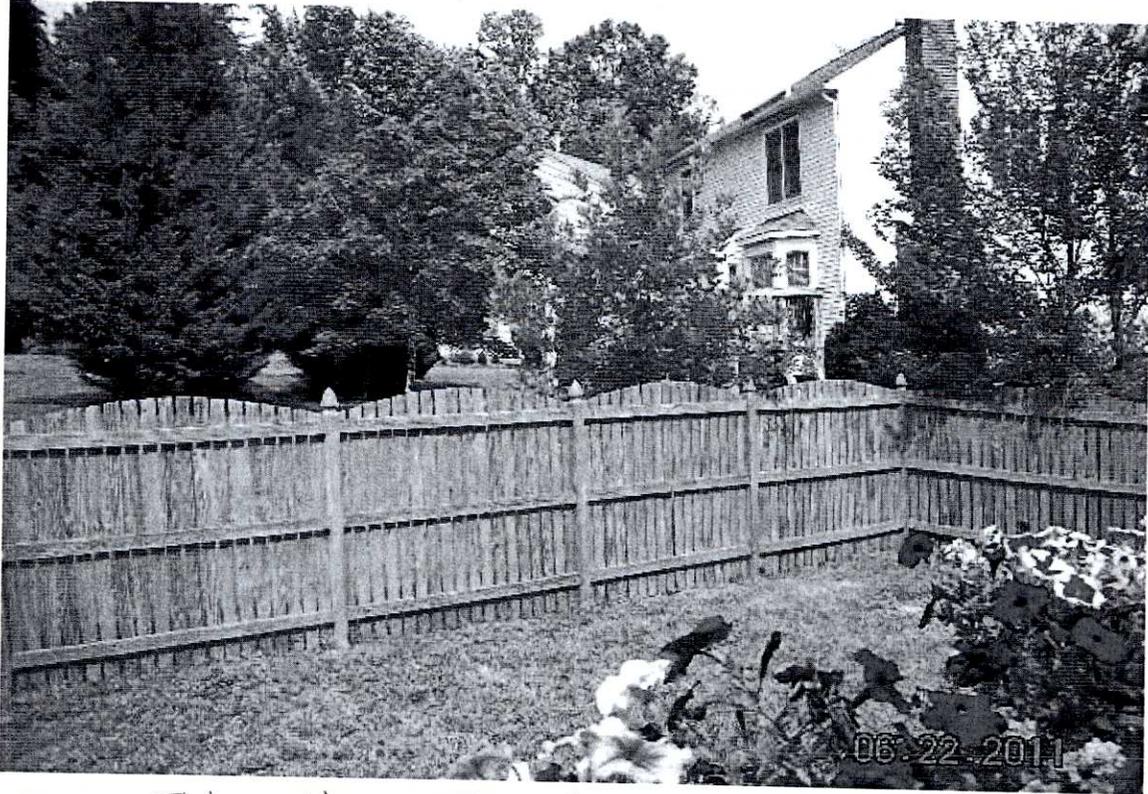


8510 Silverdale Rd, Horton, VA



↑ View of application @ property deck. Rear
yard view of deck to be replaced with
proposed structure.

View of property at corner of application
property that backs to HOA open space.
View from application property desk, looking east.



8570 Silverdale Rd., Norton, VA



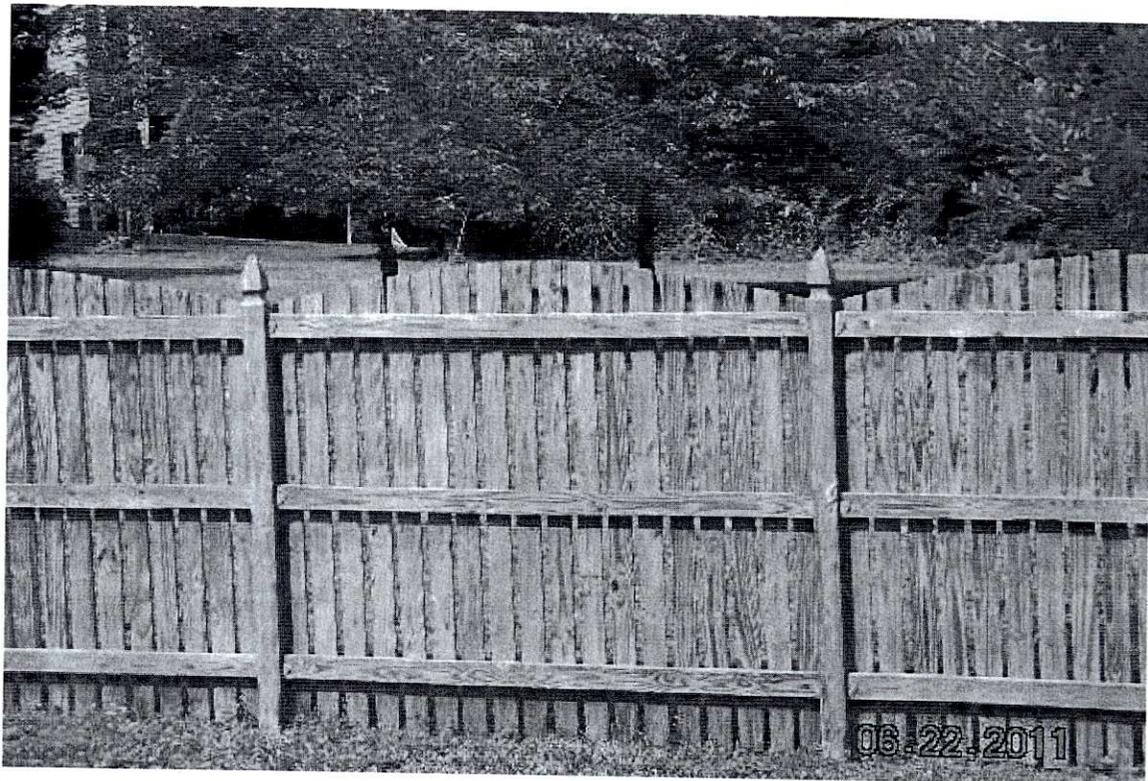
View of HOA open space taken from application
property desk looking north, north west.

View of application of property rear yard looking beyond HOA open space, north.

↓

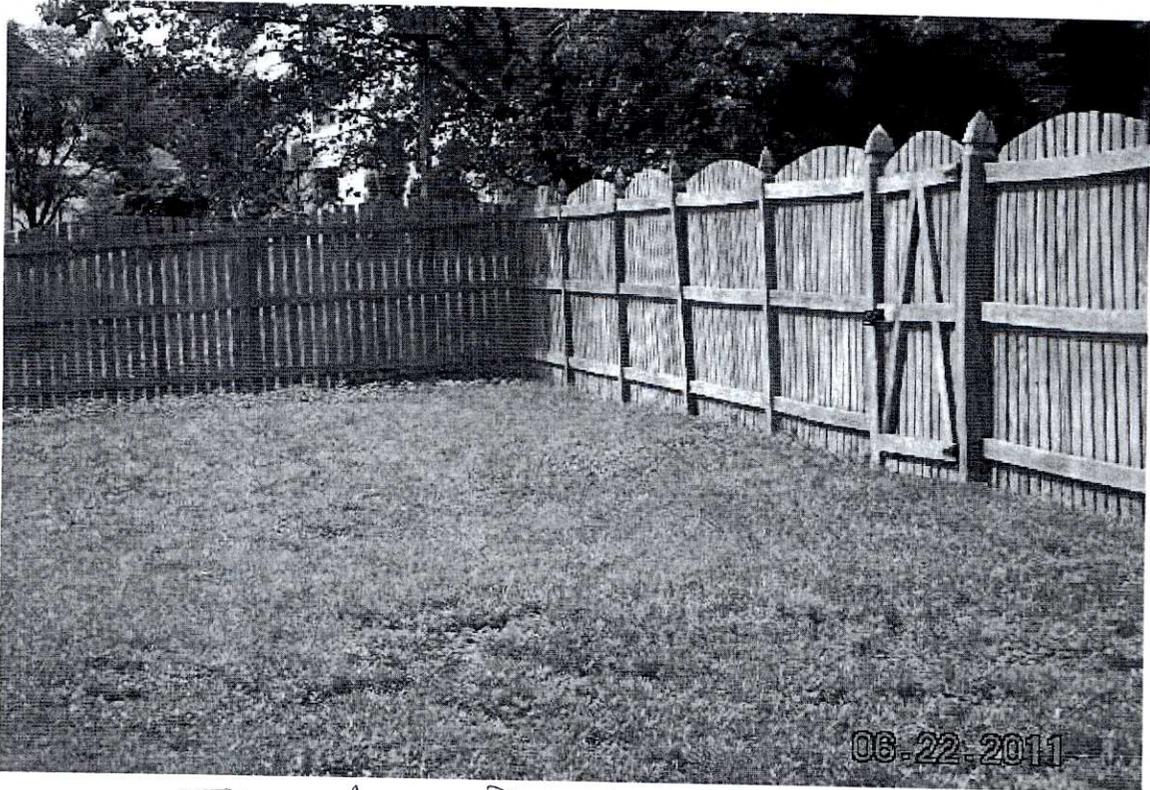


8510 Silverdale Rd, Lorton, VA

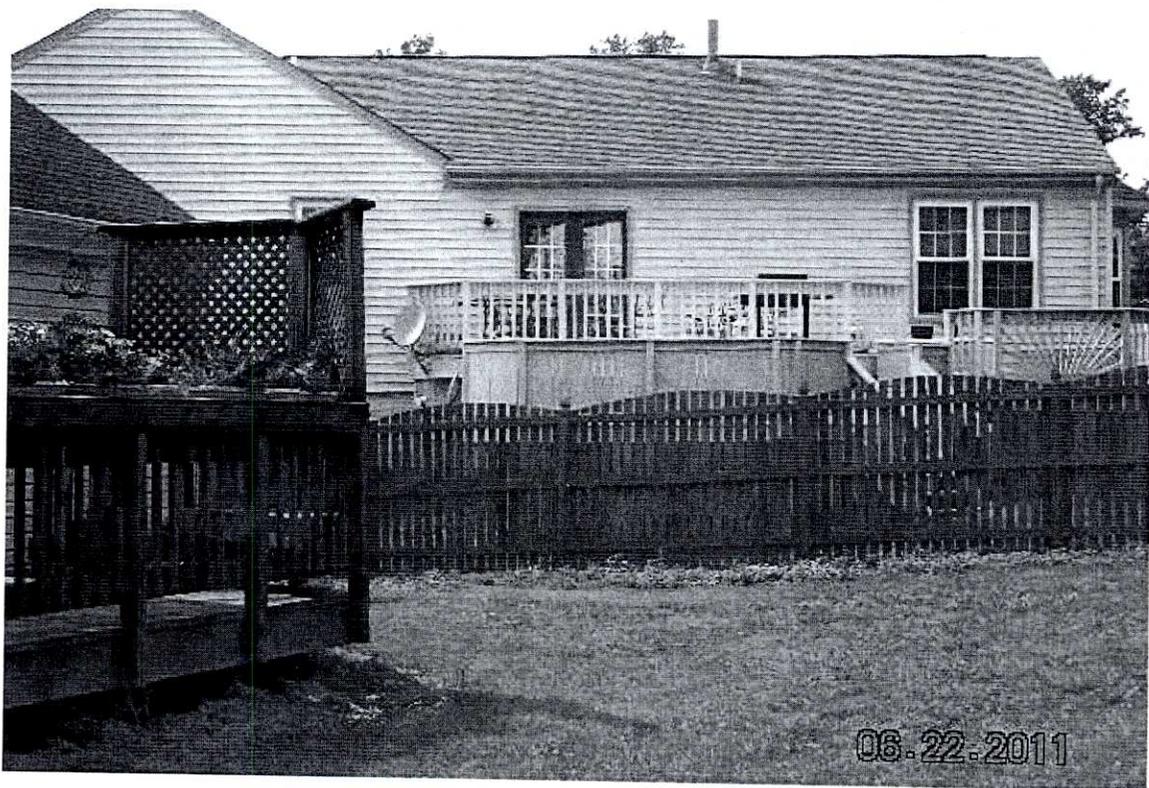


↑ View from application of property ^{rear yard} of HOA open space behind fence. - looking north.

application
View from property near yard looking north of
corner property beyond vegetation.



8570 Silverdale Rd., Boston, VA

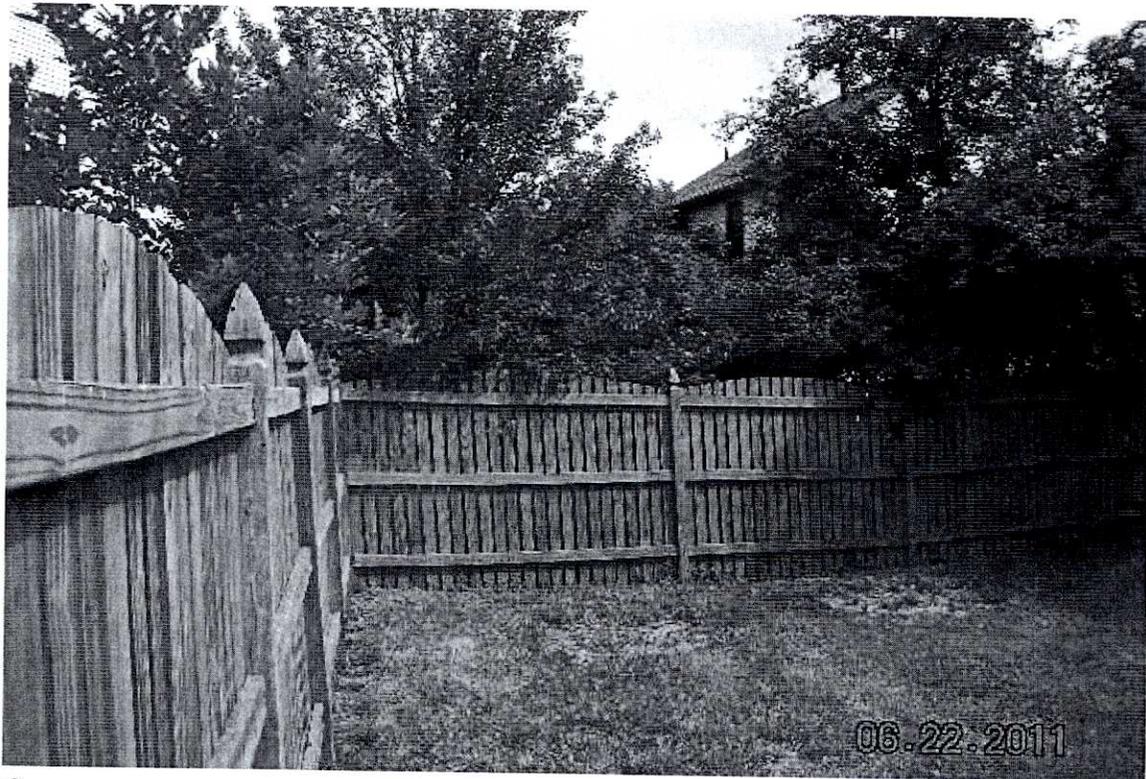


↑ View from application property near yard of
abutting property on left side. View is facing
north, north west. Abutting property faces
Silverdale Court on corner of Silverdale Road
and Silverdale Court.

View from ^{rear yard} corner of application property looking east at corner lot of property. Corner plot of property backs to HOA open space.



8570 Silverdale Rd., Horton, VA



View from application property rear yard lot line looking south at abutting property on right beyond vegetation.

View from application property looking north
at HOA open space. View is from rear yard
deck.

↓



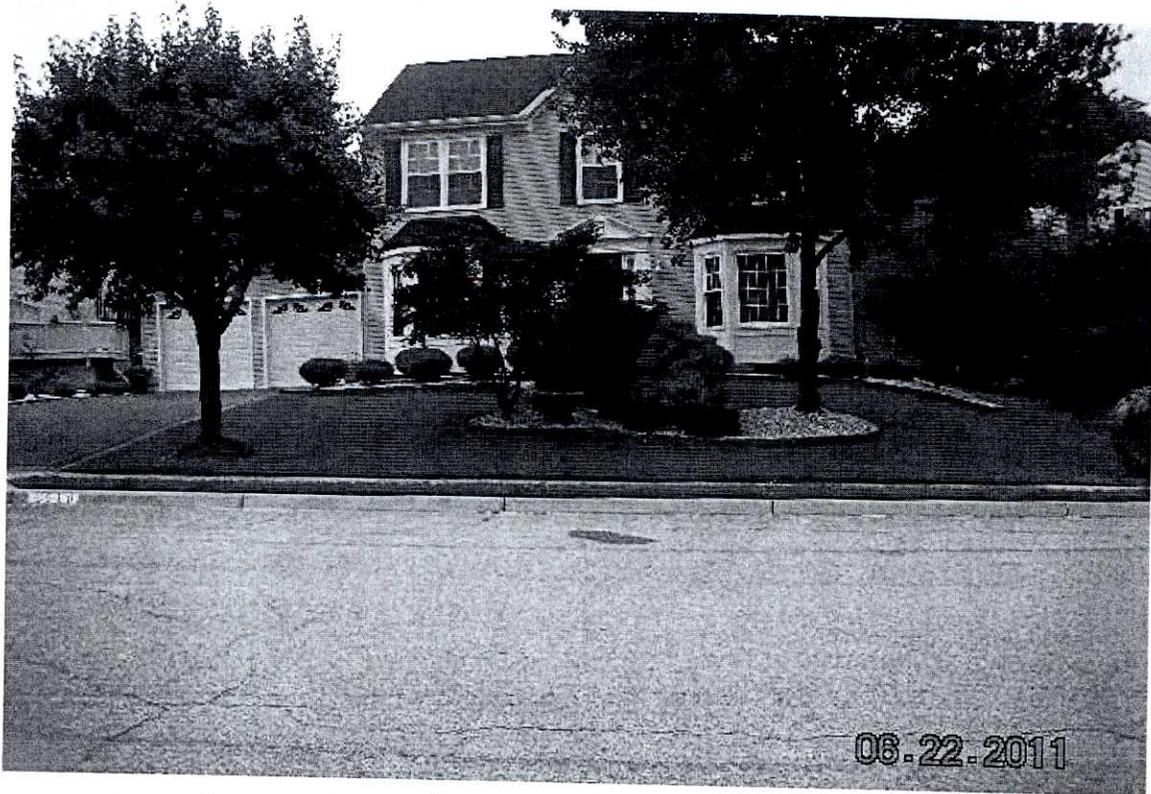
8510 Silverdale Rd., Horton, VA

View of abutting property on right side
of application property. View is looking
east from the street.



8570 Silverdale Rd, Lorton, VA

View of application property from across the street. View is looking north east.



8510 Silverdale Rd., Lorton, VA

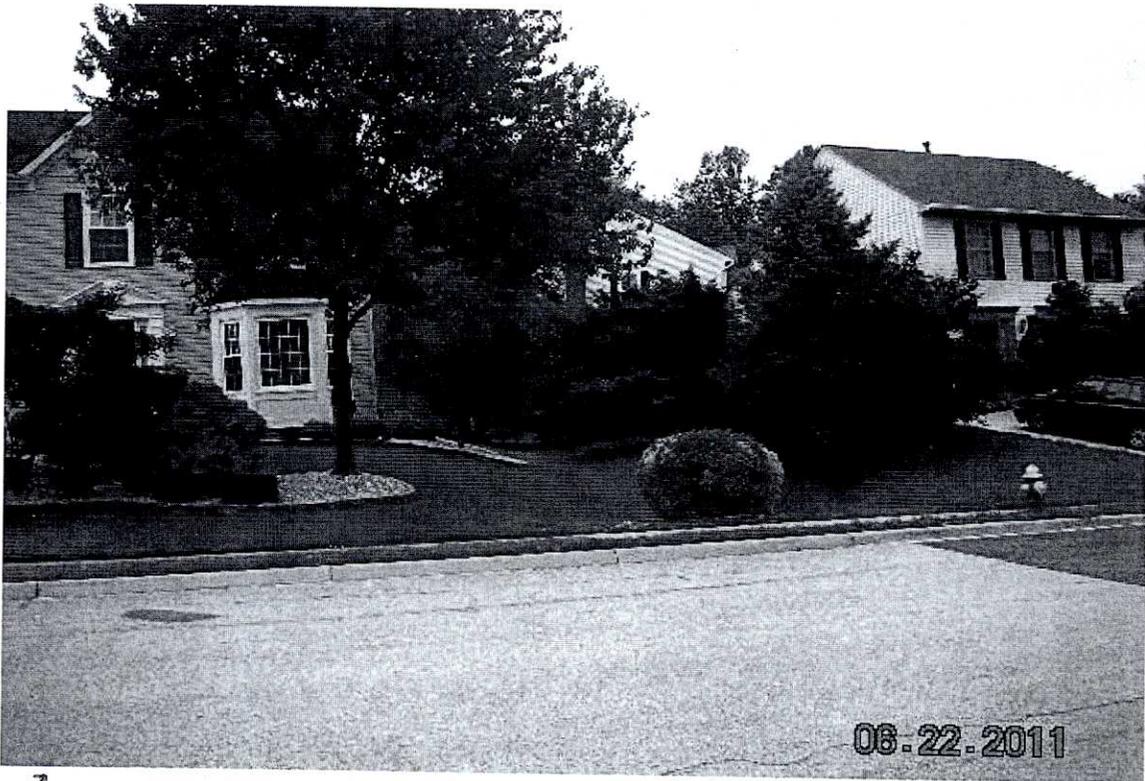


↑ View of application property (as above). Right side of photo shows abutting lot line of property on right side.

View from across street of application property shows abutting property on left. View is looking north. Abutting property faces Silverdale Court and covers with Silverdale Road.

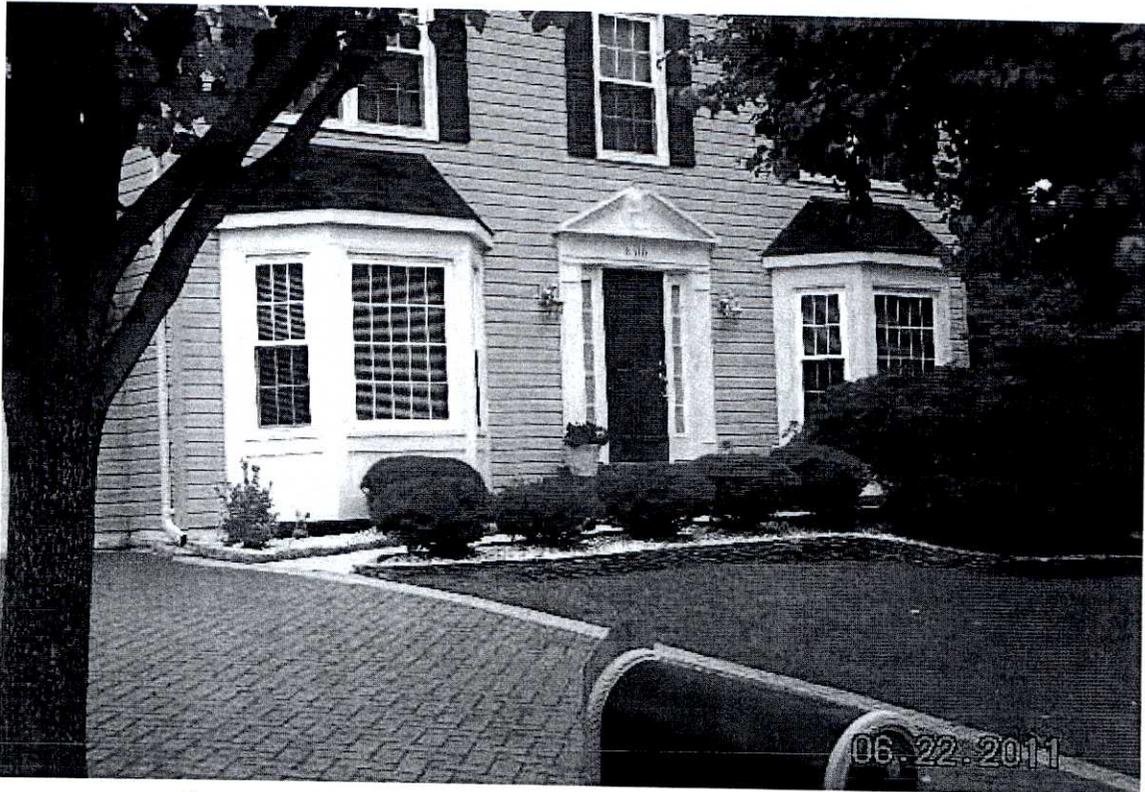


8570 Silverdale Rd,orton, VA

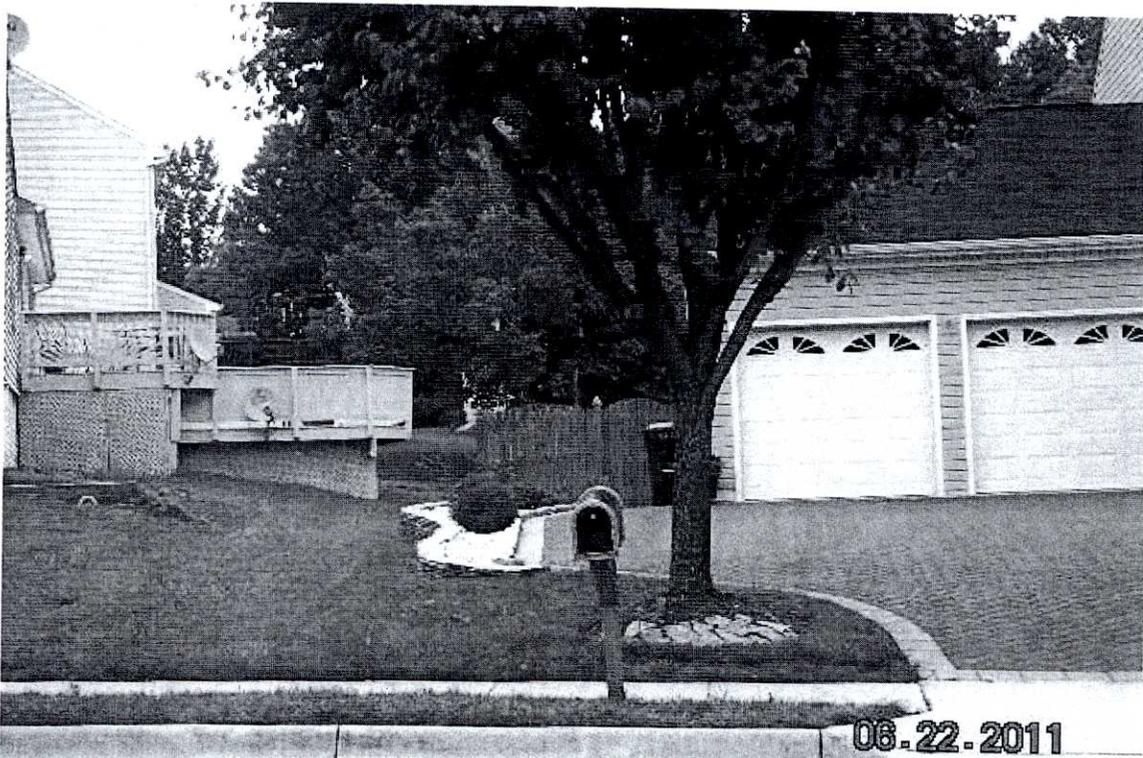


View of abutting property on right side of application property. View is from across the street looking east.

View of application property taken from sidewalk, left side, looking east, south east.

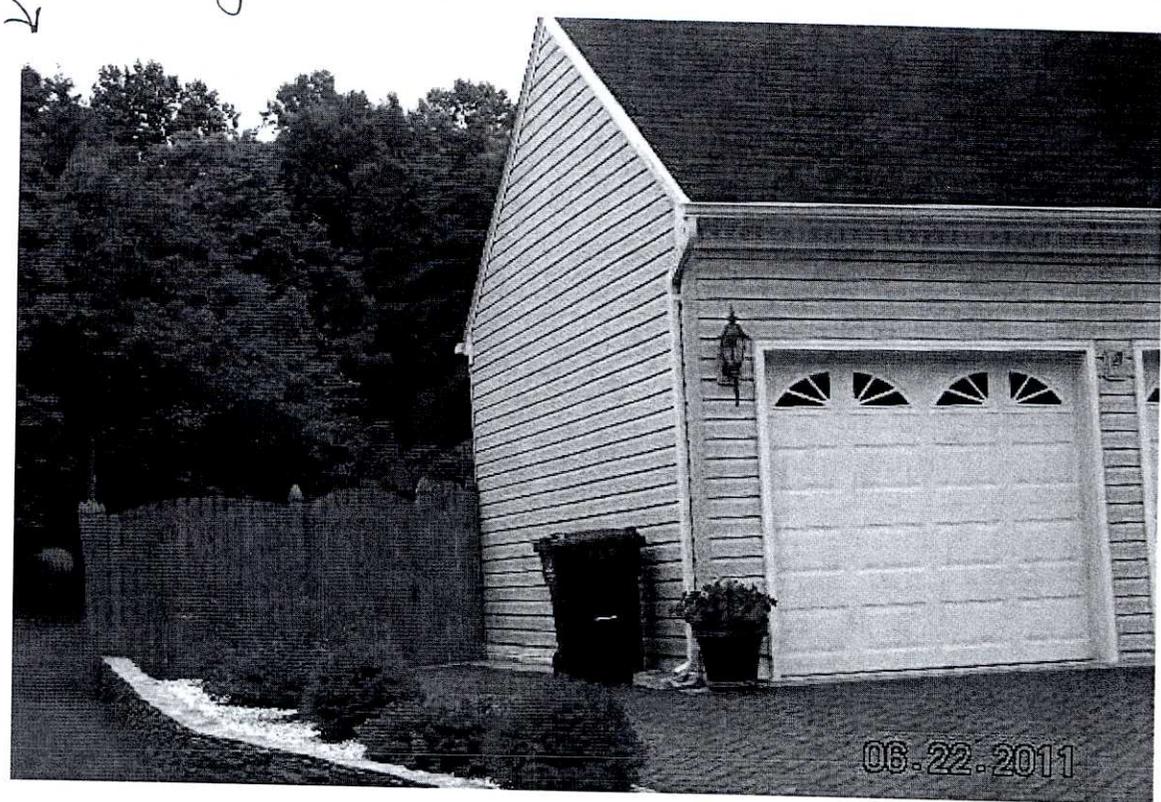


8570 Silverdale Rd., Horton, VA

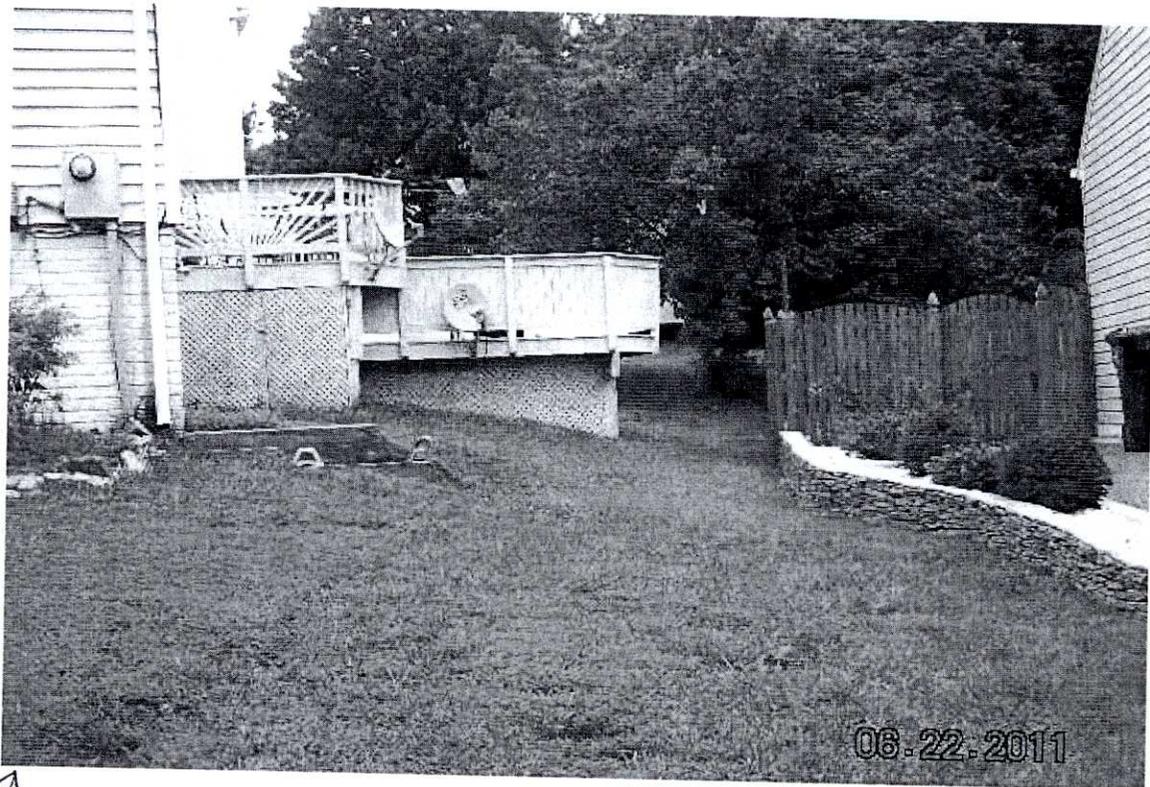


View of abutting property on left of application property taken from the street looking north.

View of appraised property left side of garage. Taken from left side of front yard looking east, north east.

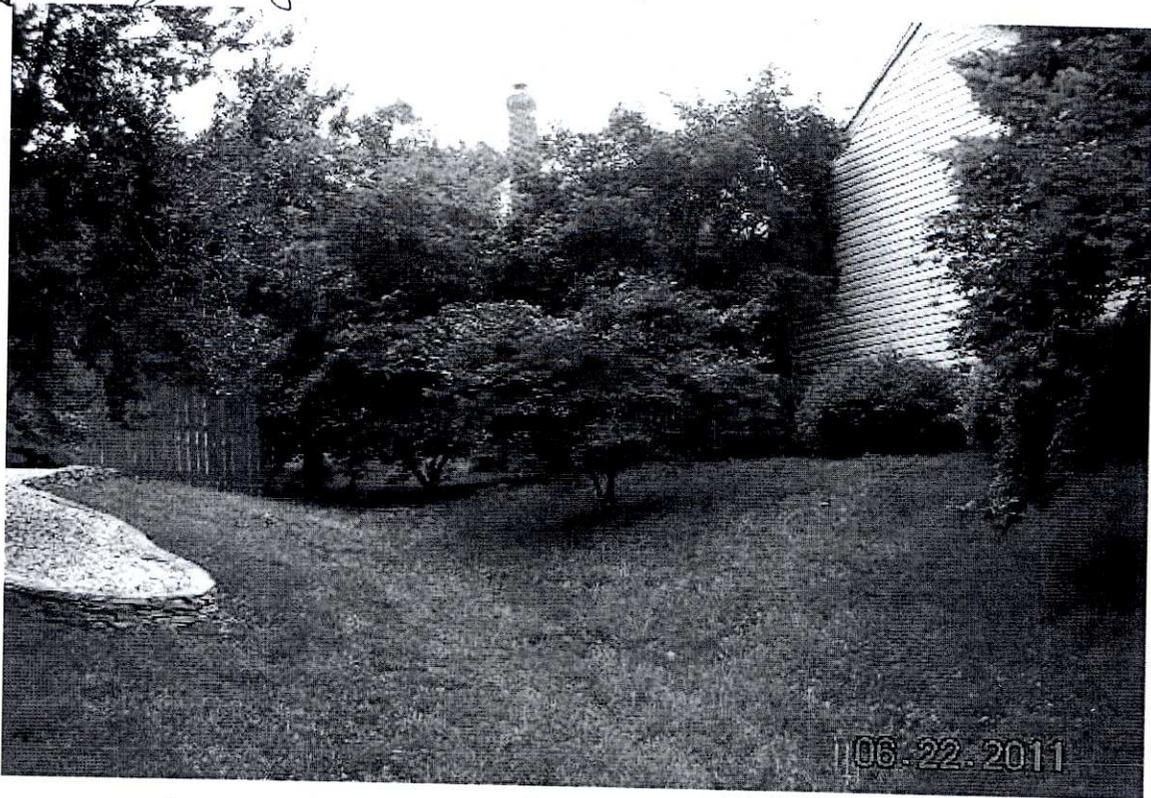


8570 Silverdale Rd, Horton, VA

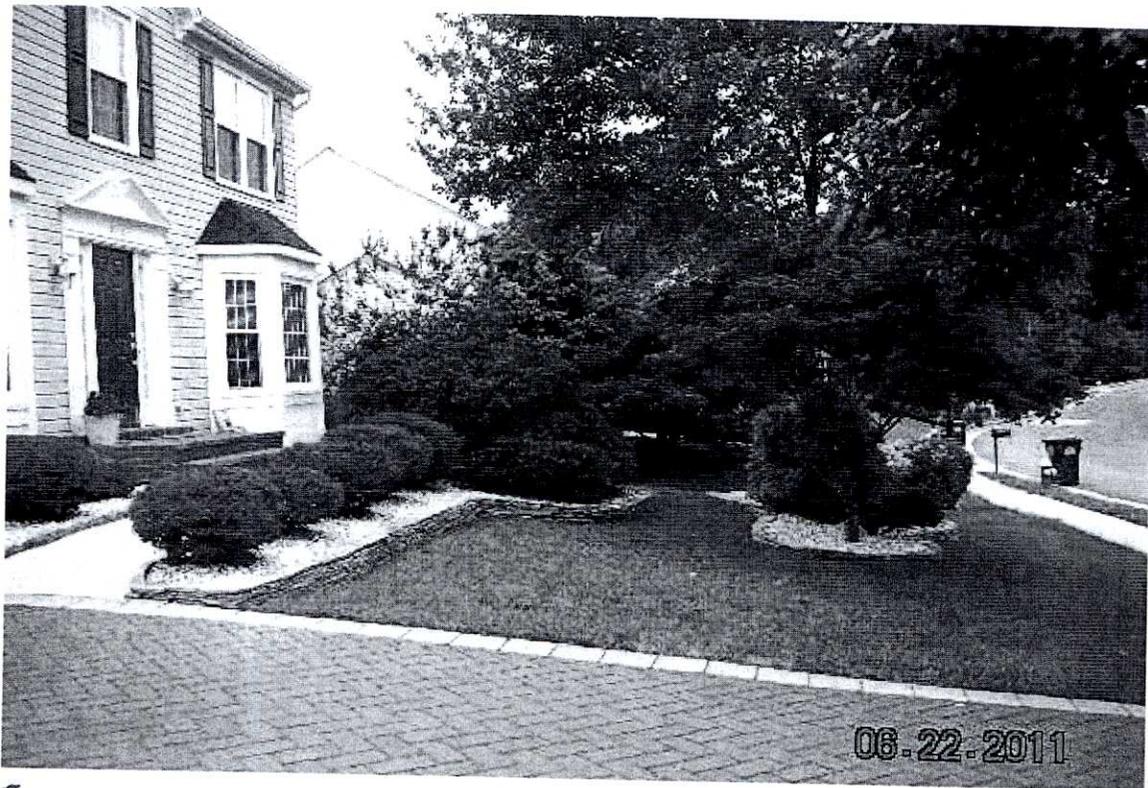


View from lot line of abutting property on left with appraised property looking east, north east.

View of abutting property on ~~left~~^{right} of application property showing ~~showing~~ vegetation and lot line that runs approximately down center of photo. View facing east.



8570 Silverdale Rd.,orton, VA



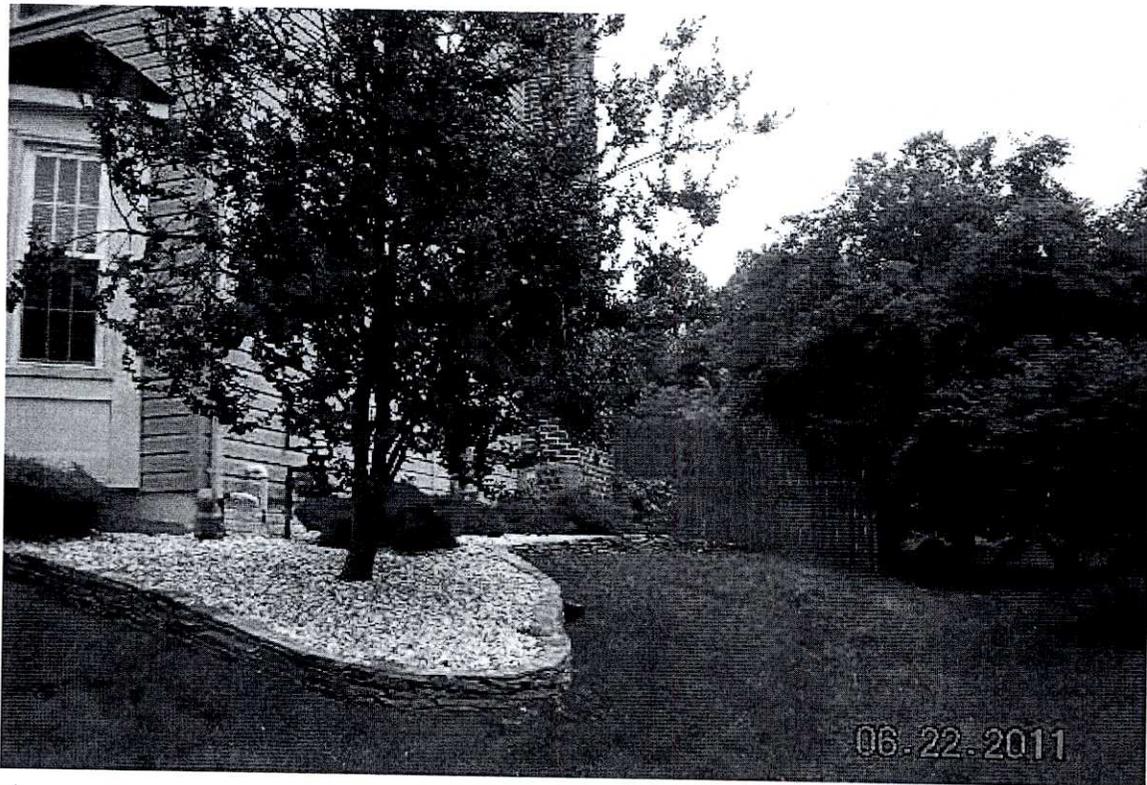
↑ View of application property from driveway of front yard. View is to the south.

View of property on left side of application property. View from sidewalk looking north, north east.

↓

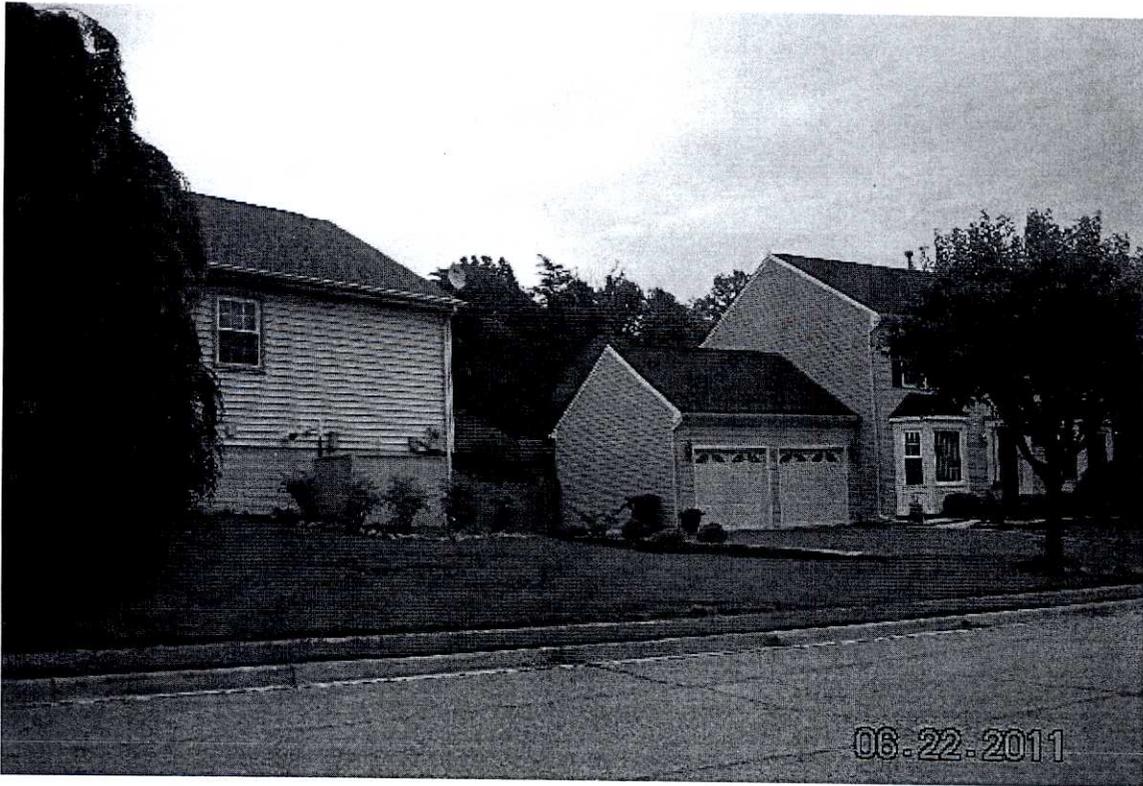


8510 Silverdale Rd, Lorton, VA

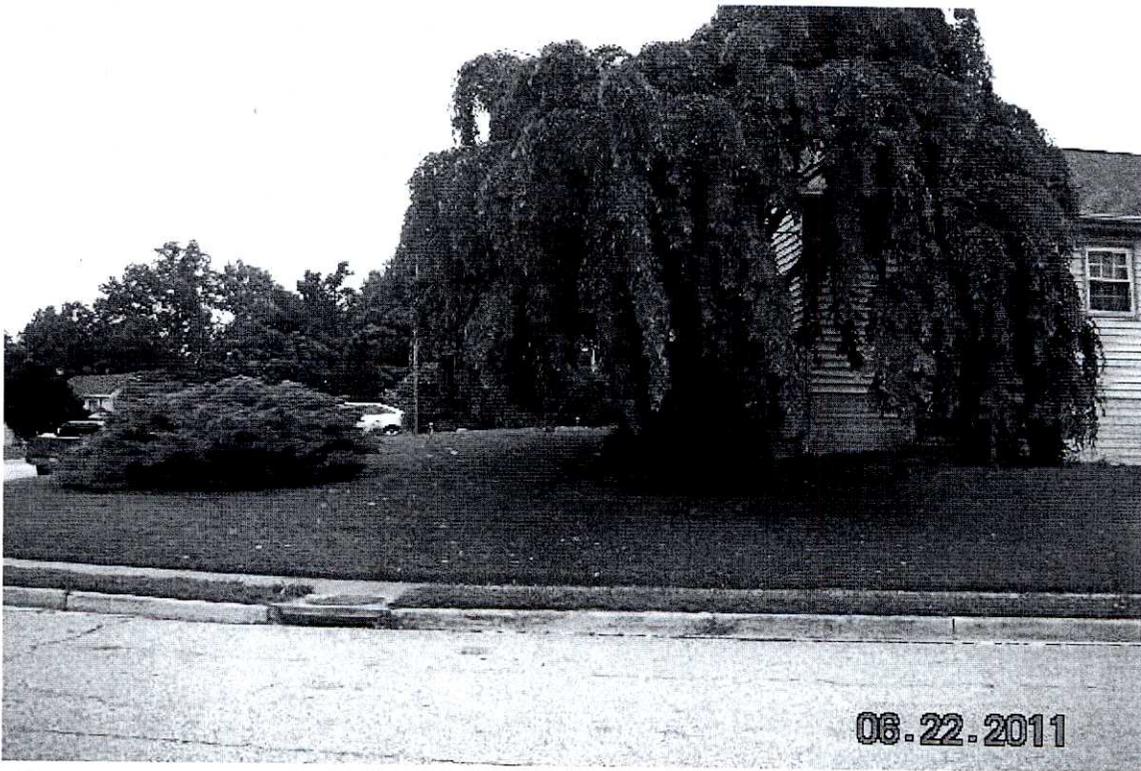


↑ View of application property right side yard and property abutting on right vegetation near yard. View is looking east, north east.

View from across the street near corner of Silverdale Road + Silverdale Court, looking East. Abutting property on ~~right~~ left of application property faces Silverdale Court.



8510 Silverdale Rd., Lorton, VA



↗
View of side of property on left of application property. Taken from across the street, looking north.

View of right side of application property
taken from sidewalk looking east, south east



8510 Silverdale Rd, Loudon, VA



View of property vegetation of abutting
right side of property of application property.
View taken from sidewalk facing east, south east.

DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit to allow an addition (sunroom) to be placed 19.9 feet from the rear lot line. The addition will measure approximately 186 square feet. An existing open wood deck at the rear, which is approximately 250 square feet, will be removed for a new enclosed sunroom and adjoining open deck with stairs to the ground level.

	Structure	Yard	Min. Yard Req.	Structure Location	Proposed Reduction	Percent of Reduction
Special Permit	Addition	Rear	25.0 feet	19.9 feet	5.1 feet	20%

EXISTING SITE DESCRIPTION

The 8,158 square foot lot is developed with a two-story, single family detached dwelling. The siding and frame dwelling measures 4,789 square feet and was built in 1990. The site is zoned R-3 Cluster, which requires a minimum rear yard of 25 feet. At the rear of the house, there is an open wood deck with lattice surrounding the sides. The site is landscaped with grass, trees, and other plantings. A six (6) foot high wood fence surrounds the rear yard, and there is a brick driveway in the front which terminates at a two (2) car garage. Single family detached dwellings surround the site, and there is HOA open space along the rear of the site.

CHARACTER OF THE AREA

	Zoning	Use
North	R-3 Cluster	HOA Open Space
South	R-3 Cluster	Single Family Detached Dwelling
East	R-3 Cluster	Single Family Detached Dwelling
West	R-3 Cluster	Single Family Detached Dwelling

BACKGROUND

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

- Special Permit SP 2007-MV-067 was approved on September 18, 2007 for Tax Map 98-3 ((8)) 16, zoned R-3 Cluster at 8423 Silverdale Court to permit construction of an addition 16.6 feet from the rear lot line.

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

Title of SP Plat: Special Permit Plat, Lot 12, Beechwood Cluster

Prepared By: Dewberry & Davis LLC

Dated: November 17, 2010, revised and sealed June 7, 2011

Proposal:

The applicant proposes to remove an existing open wood deck and build a new enclosed sunroom over the deck's footprint. The sunroom will measure approximately 186 square feet in area and be 12.5 feet in height. The proposed materials, including siding, of the addition will largely match the house, and windows and a set of sliding doors will be built around the addition. A new open deck, which will be approximately 1.9 feet in height, will be built next to the sunroom. A couple of steps will extend from the deck to the ground level. Landscaping is proposed around the sunroom.

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:

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

General Special Permit Standards (Sect. 8-006)

Staff believes that the application for the addition meets all of the General Special Permit Standards, particularly Standard 3. General Standard 3 requires that the "proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan." *Staff believes that the proposed addition will not adversely affect the neighboring properties since the new*

sunroom will be built over the footprint of an existing deck. There is wood fencing around the rear yard, and the addition will directly face open space abutting the rear yard. Any impact from the addition on the adjacent lots will be minimal and will not affect the use of development of the neighboring properties. Staff believes this standard has been met.

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

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

Standard 4 states that the resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first expansion request. The gross floor area of a single family dwelling would also include the floor area of any attached garage. *The gross floor area of the existing dwelling is 4,789 square feet, and 150 percent of the total gross floor area is 7,183.5 square feet. In total, the applicant would be permitted to have approximately 11,972.5 square feet on site. The request is for an addition of 186 square feet, which will result in a gross floor area of 4,975 square feet. This standard is satisfied.*

Standard 6 states that the BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot. *The applicant proposes to build an enclosed sunroom with a new open deck in the area of an existing deck, and the proposed construction of the addition will be in scale with the house, as shown on the plat and draft elevations (see Attachment 1). The height of the proposed addition (12.5 feet) is almost half of the principal dwelling's height, which is 23.3 feet. Staff believes this standard is satisfied.*

Standard 7 states that the BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director. *The applicant proposes to demolish an existing open wood deck and build an enclosed sunroom and adjoining open wood deck at the rear of the house. The location of the proposed addition is the most suitable location on the application site since the area has already been developed with a deck. There is wood fencing around the perimeter of the rear yard, and the addition is subordinate to both the principal dwelling and the surrounding structures. No trees are proposed for removal to build the new addition and deck. Staff believes this standard is satisfied.*

Standard 8 states that the BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff. *The proposed sunroom will not adversely impact the use or enjoyment of the adjacent properties. The applicant proposes to build a sunroom and deck in the same area of an existing open wood deck. Adequate light and air will be preserved due to the compatible scale of the addition, and there are no anticipated impacts to noise, light, erosion and stormwater runoff. Staff believes this standard is satisfied.*

Standard 9 states that the BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources. *The proposed location of the addition is the best possible location since it will be built in the area of an existing open wood deck. The applicant does not propose to extend the sunroom any further into the rear yard as the existing wood deck. HOA open space abuts the rear lot line of the petitioned site, and the existing fencing around the rear yard will remain. There is no RPA or floodplains on the site, and no trees will be removed. Staff believes this standard is satisfied.*

CONCLUSION

Staff recommends approval of SP 2011-MV-063 for an addition (sunroom) in the rear yard with adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

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

APPENDICES

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

PROPOSED DEVELOPMENT CONDITIONS**SP 2011-MV-063****September 7, 2011**

If it is the intent of the Board of Zoning Appeals to approve SP 2011-MV-063 located at Tax Map 98-3 ((8)) 12 to permit a reduction of certain yard requirements pursuant to Section 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of the enclosed sunroom addition (183 square feet), as shown on the plat prepared by Dewberry & Davis LLC, November 17, 2010, revised and sealed June 7, 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 [4,789 square feet existing + 7,183.5 square feet (150%) = 11,972.5 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 the construction has commenced and been diligently pursued. 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.

RECEIVED
Department of Planning & Zoning
MAY 16 2011
Zoning Evaluation Division



8510 Silverdale Rd, Dorset.

VanNest - Special Permit contractor's rendition of window redesign. (most current) 5/16/2011

Application No.(s): SP 2011-MV-063
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: June 6, 2011
 (enter date affidavit is notarized)

I, Jean C. Van Nest, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant 111999a
 applicant's authorized agent listed in Par. 1(a) below

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)
Jean C. Van Nest	8510 Silverdale Rd Lorton, VA 22079	Applicant/Title 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-MV-063
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: June 6, 2011
(enter date affidavit is notarized)

111 999 a

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)

(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-063

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

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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE:

June 6, 2011

(enter date affidavit is notarized)

111999a

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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DATE: June 6, 2011
(enter date affidavit is notarized)

111999a

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-063
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: June 6, 2011
(enter date affidavit is notarized)

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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:

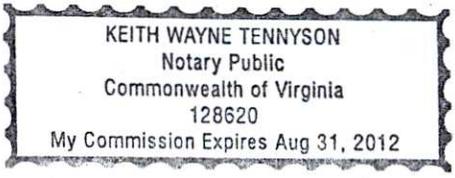
(check one) Applicant [] Applicant's Authorized Agent

Jean C. Van Nest
Jean C. Van Nest Applicant/Title Owner
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 06 day of June, 2011, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

[Signature]
Notary Public

My commission expires: 08/31/2012



Special Permit Statement of Justification

The proposed structure is a 12' X 15' sun room addition to a principal residence. The sun room will replace an existing deck. A new deck will be constructed as an addition to the sun room addition.

No trees exist in the rear yard where the proposed construction will occur, and existing vegetation will not be adversely impacted. Proposed landscaping after construction is completed will consist of small shrubs not to exceed 3' in height planted around the perimeter of the sun room.

The proposed addition will not have an adverse impact on traffic in the small residential subdivision of single family homes.

The area to be served by the proposed addition is in the rear of the existing residence. Access will be through the front door of the residence and/or through the fence gate to the back yard and deck.

Façade of the sun room addition will be identical vinyl siding and color of the existing subject property. Architecture of the sun room will conform to that of the existing property structure.

The use of the addition will conform to current provisions. The exception is that a waiver to the county set back requirement conditions is being sought for 3' to the rear lot line. That lot line connects to an approximate one-acre of Beechwood Cluster HOA open space.

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Department of Planning & Zoning

MAY 16 2011

Zoning Evaluation Division

ZONING ORDINANCE PROVISIONS

8-006 General Standards

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

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

8-903 Standards for all Group 9 Uses

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

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

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

8-922 Provisions for Reduction of Certain Yard Requirements

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

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

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

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

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

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

5. The resulting gross floor area of an existing accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use and intent to the principal structure on the site.
6. The BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot.
7. The BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director.
8. The BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff.
9. The BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources.
10. The BZA may impose such conditions as it deems necessary to satisfy these criteria, including, but not limited to imposition of a maximum gross floor area, floor area ratio, lot coverage, landscaping and/or screening requirements.
11. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by fifteen (15) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia. Such plat shall contain the following information:

- A. Boundaries of entire property, with bearings and distances of the perimeter property lines, and of each zoning district.
 - B. Total area of the property and of each zoning district in square feet or acres.
 - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
 - D. The location, dimension and height of any building, structure or addition, whether existing or proposed. In addition, for decks, the height of the finished floor above finished ground level.
 - E. All required minimum yards to include front, side and rear, a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing and proposed structures to lot lines.
 - F. Means of ingress and egress to the property from a public street(s).
 - G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).
 - H. If applicable, the location of a well and/or septic field.
 - I. Existing and proposed gross floor area and floor area ratio.
 - J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
 - K. The location, type and height of any existing and proposed landscaping and screening.
 - L. Approximate delineation of any floodplain designated by the Federal Emergency Management Agency, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.
 - M. Seal and signature of professional person certifying the plat.
12. Architectural depictions of the proposed structure(s) as viewed from all lot lines and street lines to include building materials, roof type, window treatment and any associated landscaping and/or screening shall be provided.