



APPLICATION ACCEPTED: August 26, 2011
DATE OF PUBLIC HEARING: November 16, 2011
TIME: 9:00 a.m.

County of Fairfax, Virginia

November 9, 2011

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2011-LE-074

LEE DISTRICT

APPLICANT: Enes Alic

OWNER: Enes Alic and Slobodanka Alic

LOCATION: 7130 Cold Spring Court

SUBDIVISION: Woodstone

TAX MAP: 92-4 ((6)) 152

LOT SIZE: 2,280 square feet

ZONING: R-5 Cluster, HD

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements for construction of an addition (sunroom) 15.9 feet from the rear lot line

STAFF RECOMMENDATION: Staff recommends approval of SP 2011-LE-074 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.

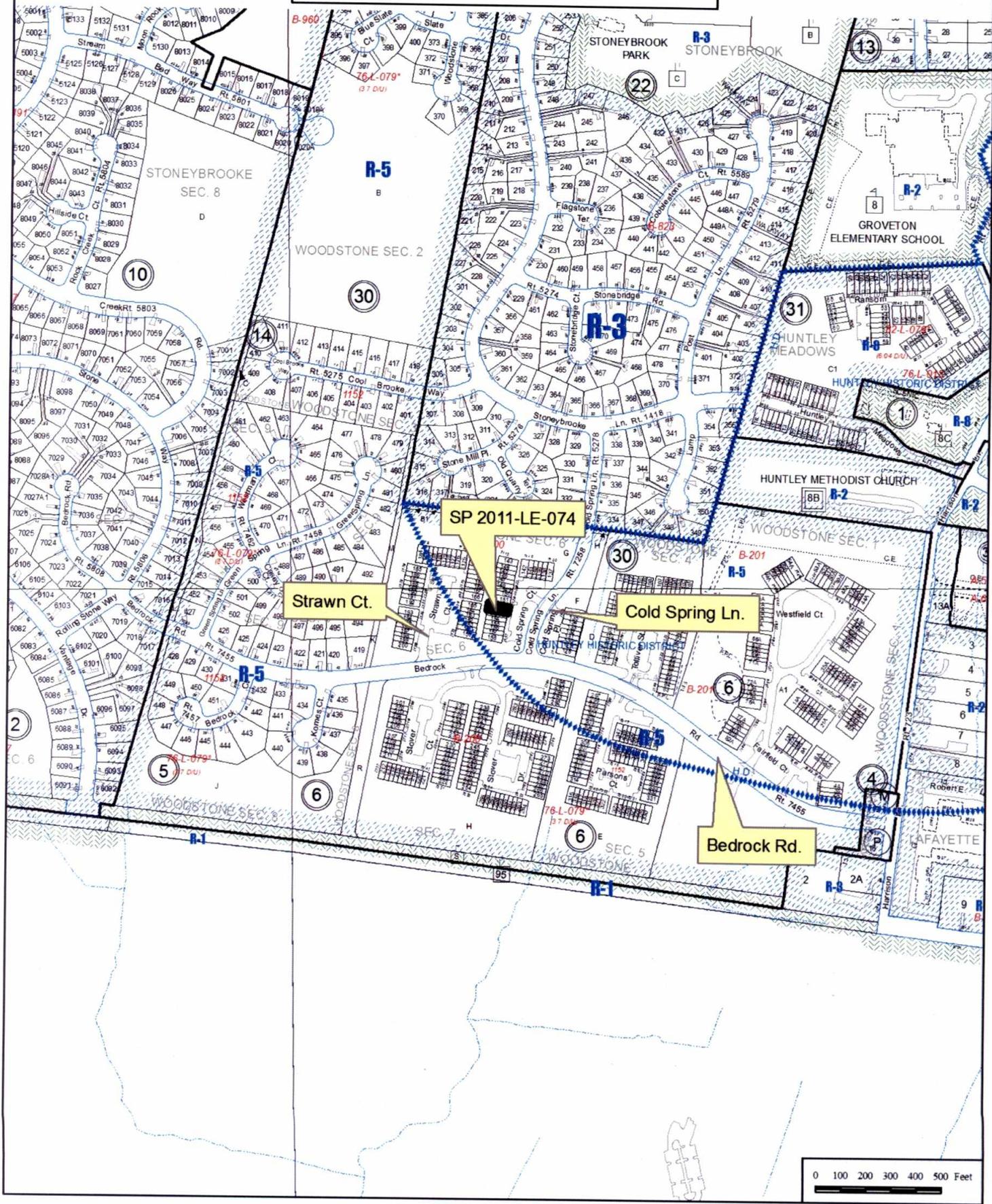
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government 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-LE-074
ENES ALIC



SP 2011-LE-074

Strawn Ct.

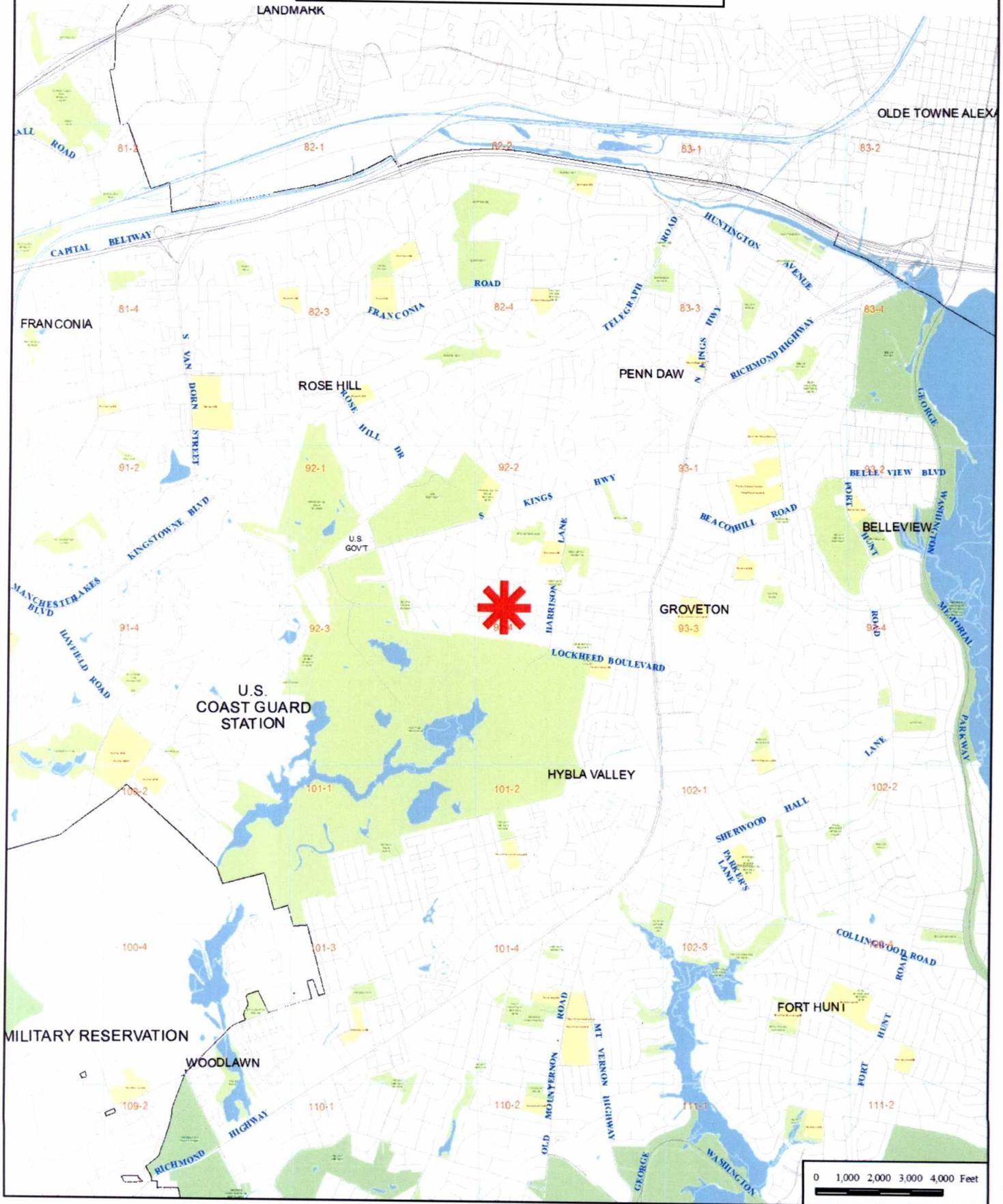
Cold Spring Ln.

Bedrock Rd.

0 100 200 300 400 500 Feet

Special Permit

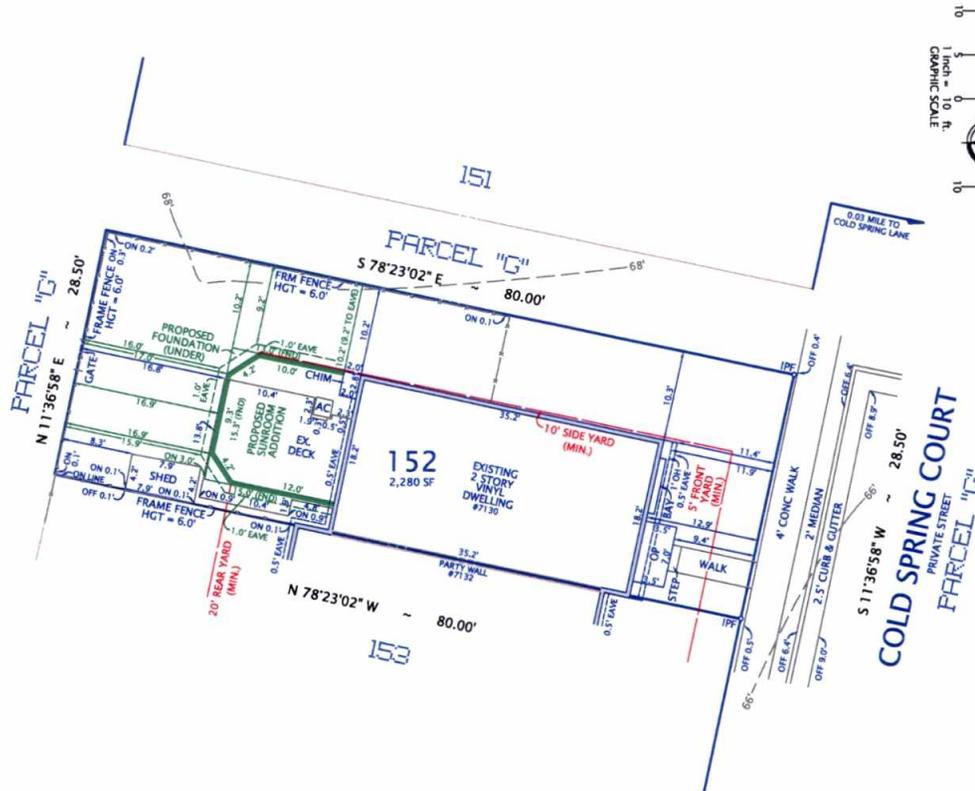
SP 2011-LE-074
ENES ALIC



BULK PLANE NOTES:
 (ALL MEASUREMENTS ARE TAKEN FROM
 THE ASSOCIATED EAVE)

EXISTING FRONT BULK PLANE = 30'26"23"
 EXISTING SIDE BULK PLANE = 27'57"54"
 EXISTING REAR BULK PLANE = 59'05"53"

PROP. SUNROOM BULK PLANE
 FROM THE REAR PROP. LINE = 52'57"27"
 FROM THE SIDE PROP. LINE = 38'39"35"



NOTES

- TAX MAP: 0924 06 0152
- ZONE: R-5C (R-5 w/ CLUSTER DEV)
- LOT AREA: 2,280 SF
- REQUIRED YARDS:
 FRONT: 15' BULK PLANE (5 FEET MIN.)
 SIDE: 15' BULK PLANE (10 FEET MIN.)
 REAR: 30' BULK PLANE (20 FEET MIN.)
- HEIGHTS:
 EX. DWELLING = 23.8 FEET
 SHED = 8.3 FEET
 PROPOSED ADDITION = 10.4 FEET
 DECK = 0.6 FEET
 FENCES = AS NOTED
 OP = 10.8 FEET
 STEP = 0.7 FEET
- THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
- THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
- ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING UNLESS DENOTED AS PROPOSED.
- THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
- TOPOGRAPHY DELINEATED HEREON WAS TAKEN FROM AVAILABLE RECORDS, IS SHOWN AT 2' INTERVALS, AND IS AERIAL.
- THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
- AREAS:
 EXISTING 1ST FLOOR = 641 SF
 EXISTING 2ND FLOOR = 641 SF
 EX. GROSS FLOOR AREA = 1,282 SF

 EX. FLOOR AREA RATIO: EX. GFA (1282) / LOT AREA (2280) = 0.56
 PROP. SUNROOM = 215 SF / EX. GFA (1282) = 0.17

 PROP. GFA = EX. GFA (1282) + PROP. SUNROOM (215) = 1,497 SF
 PROP. FLOOR AREA RATIO: PROP. GFA (1497) / LOT AREA (2280) = 0.66
- UTILITIES ARE UNDERGROUND.
- THERE IS AN EASEMENT FOR INGRESS, EGRESS, CONSTRUCTION, MAINTENANCE OF UTILITIES AND COUNTY AND OTHER EMERGENCY VEHICLES OVER ALL PRIVATE STREETS WITHIN THE DEVELOPMENT.

PLAT

SHOWING THE IMPROVEMENTS ON

LOT 152, SECTION 6

WOODSTONE

(DEED BOOK 6864, PAGE 1855)

FAIRFAX COUNTY, VIRGINIA

LEE DISTRICT

SCALE: 1" = 10' JUNE 3, 2011



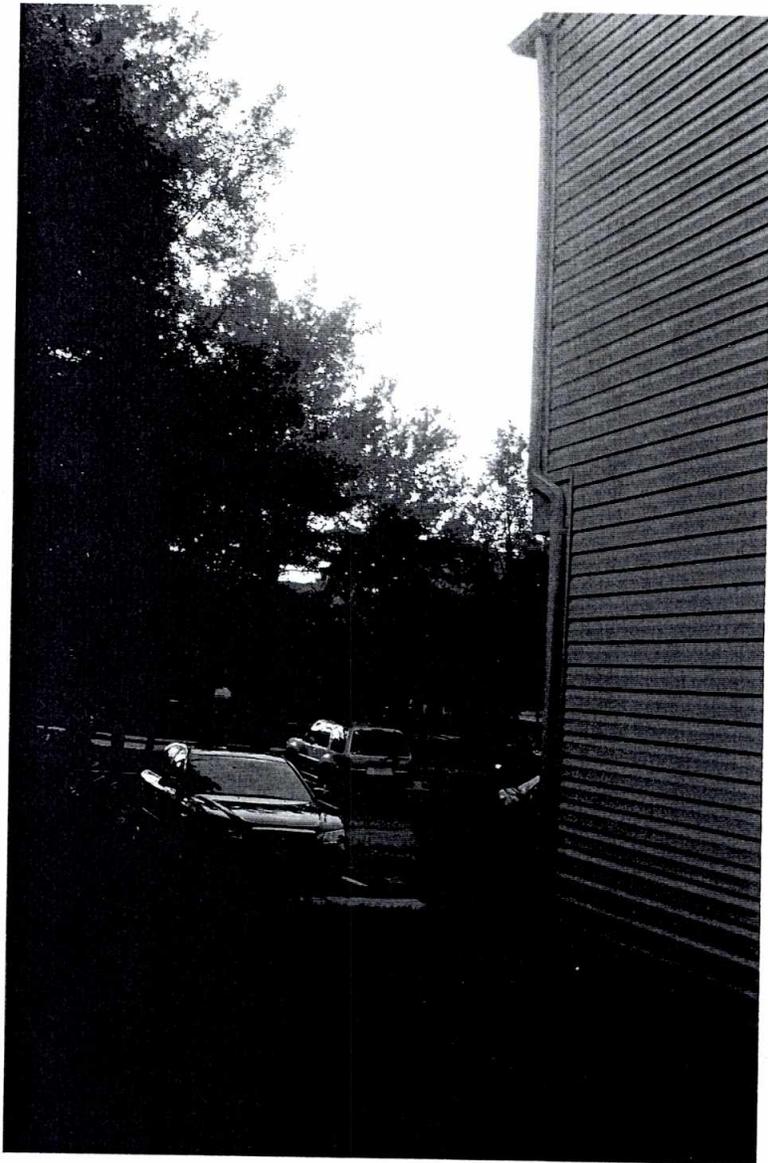
FRONT YARD

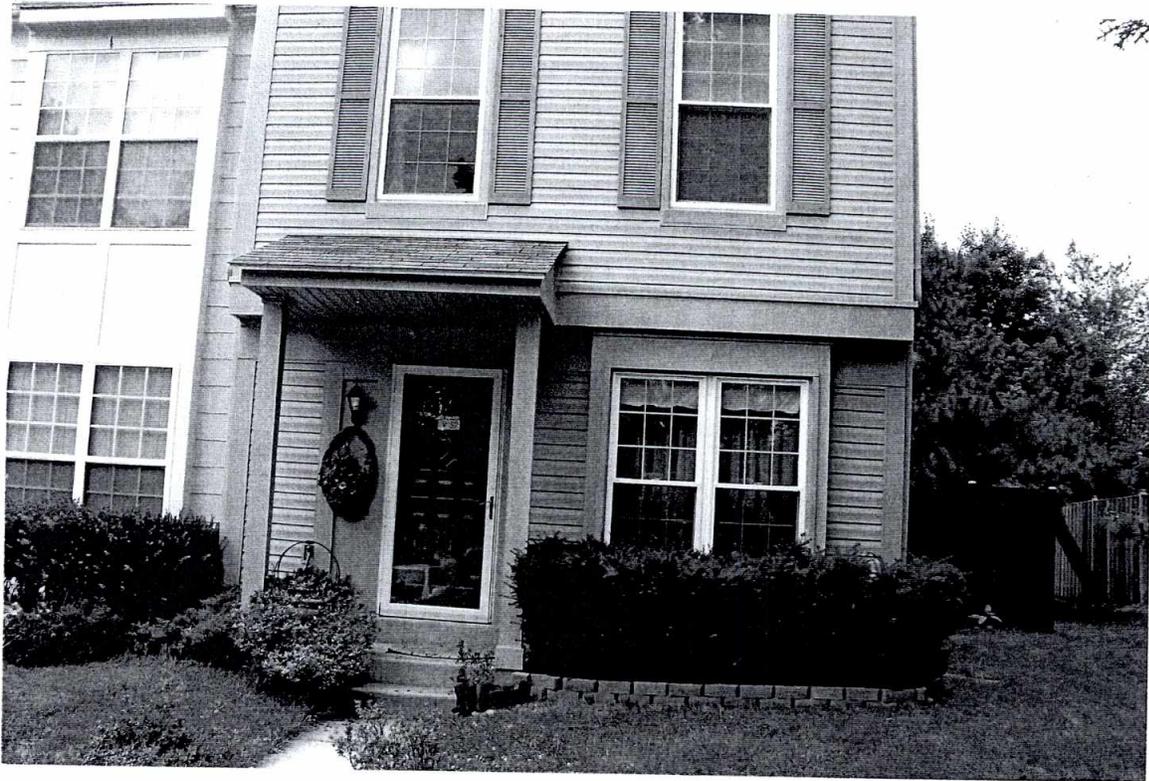
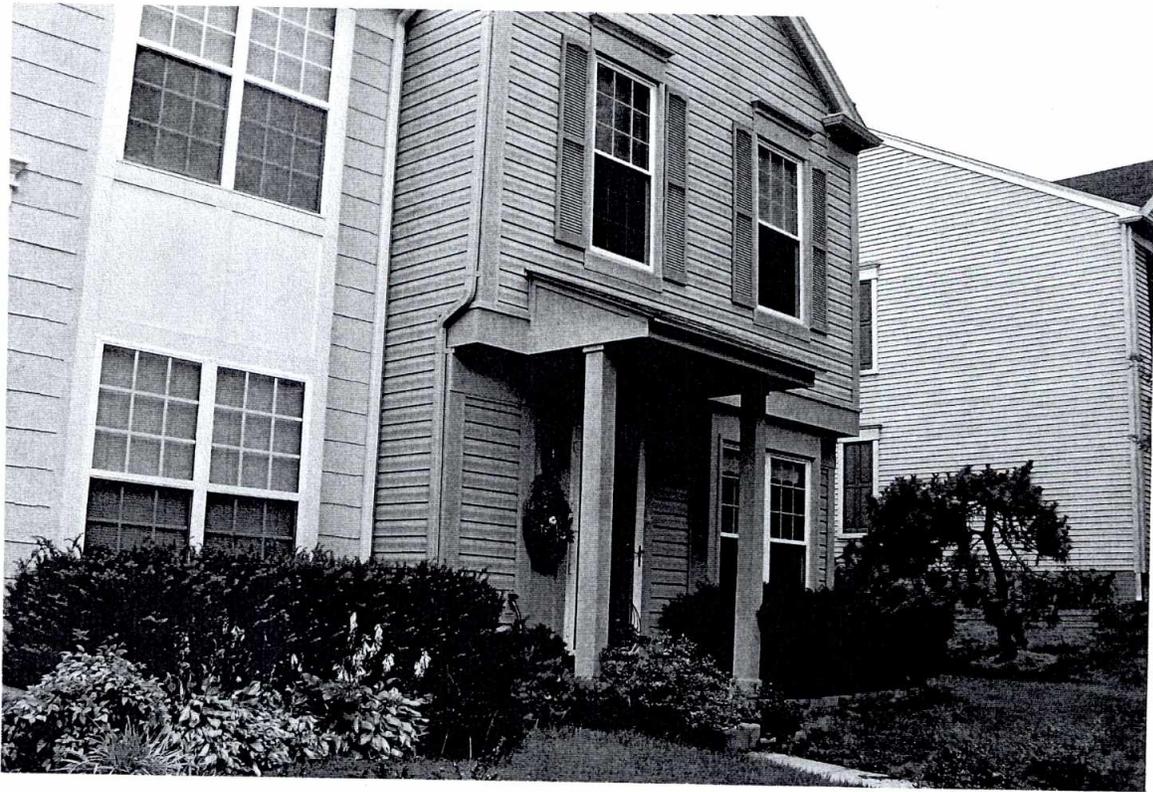
RIGHT SIDE OF DWELLING

REAR OF DWELLING

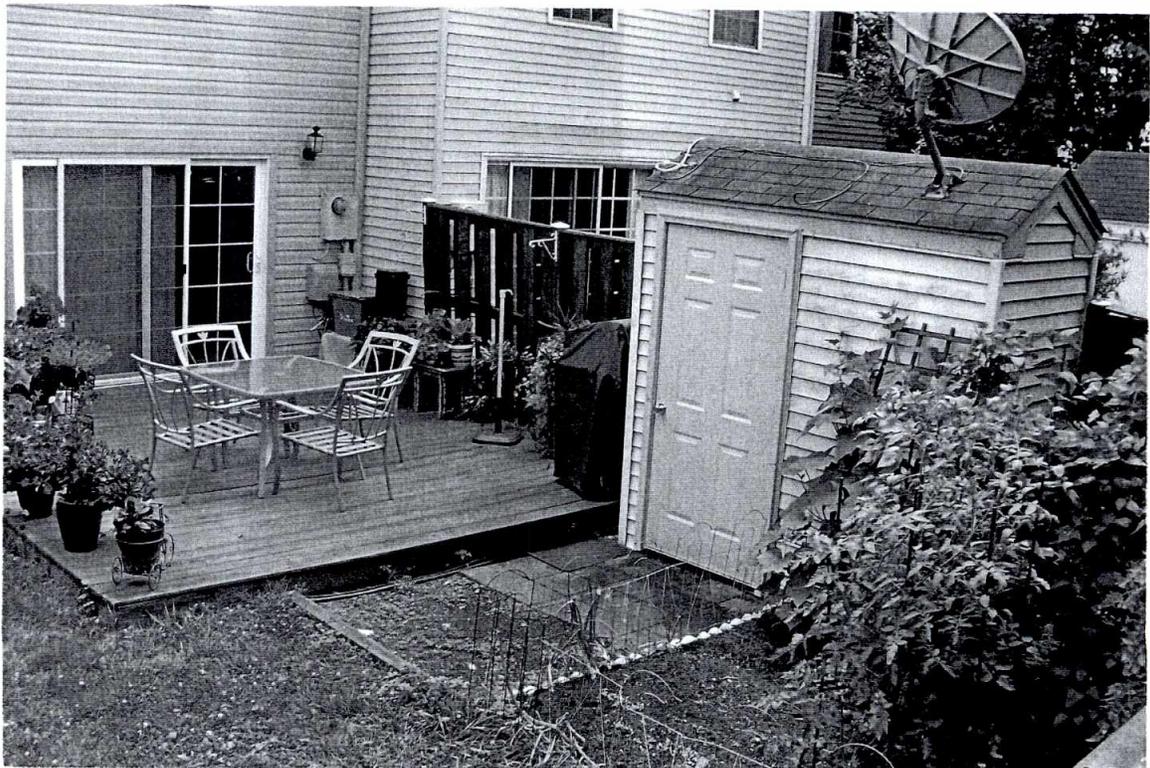
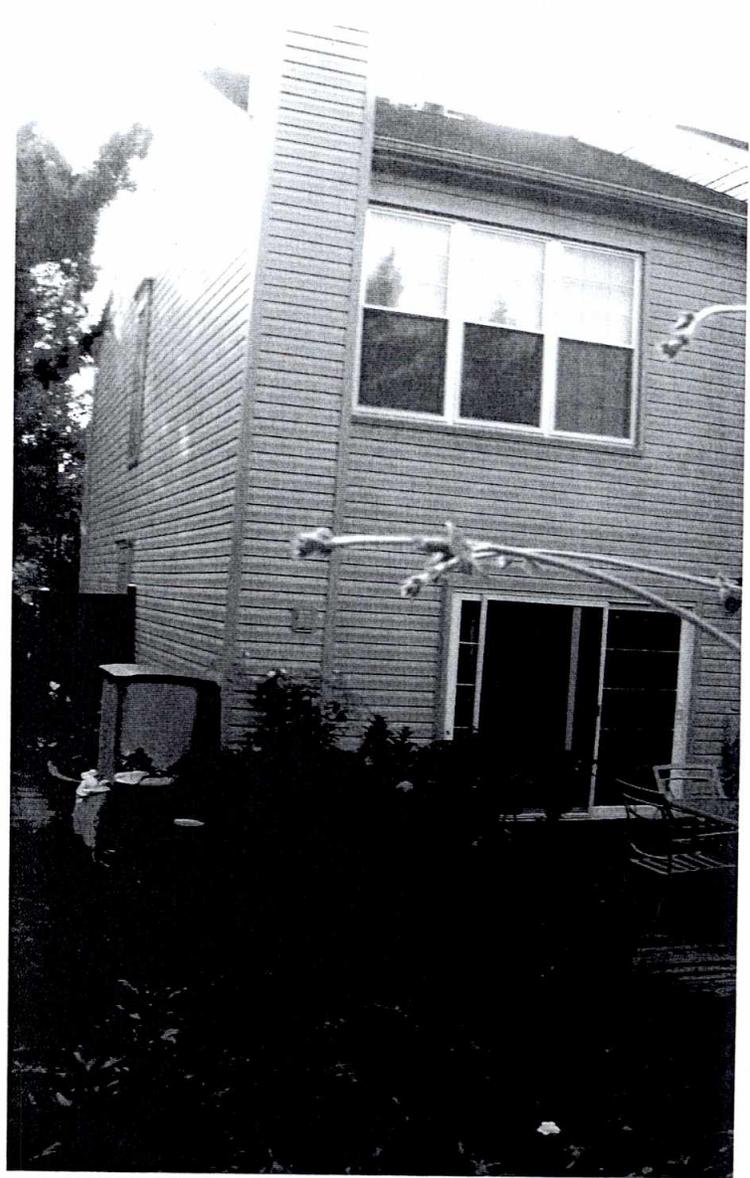
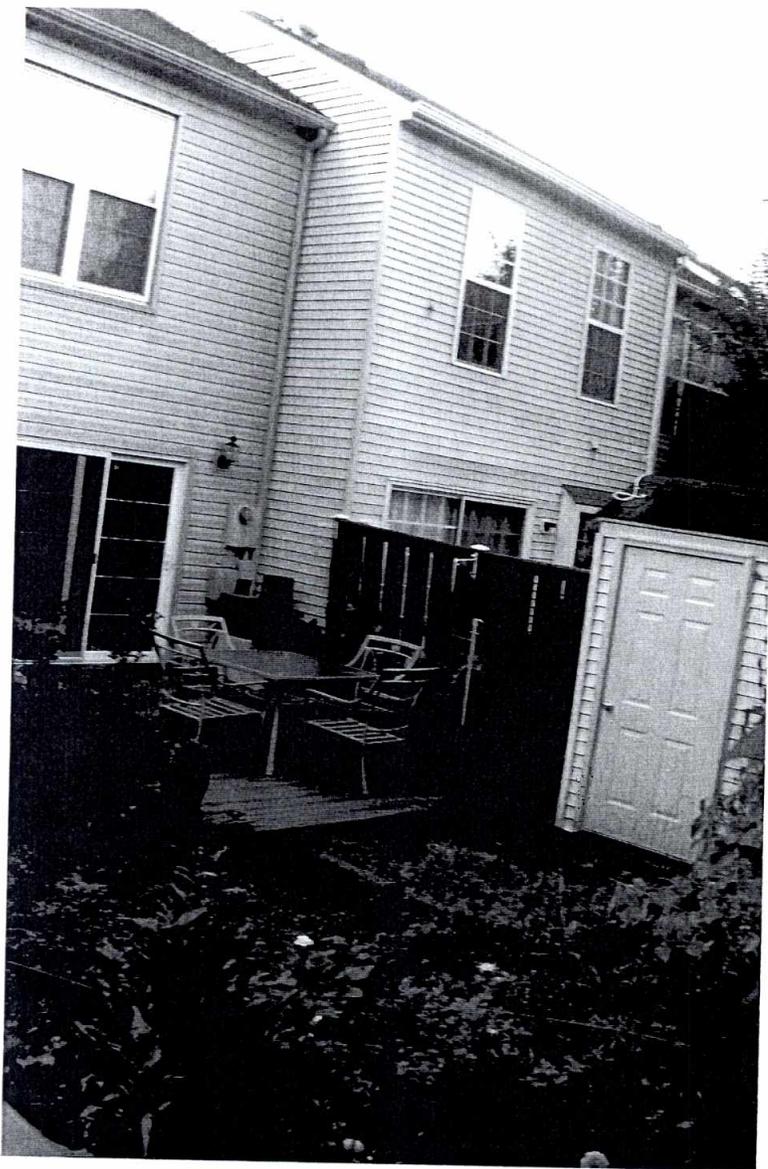
SHED

<p>I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:</p>		<p>CASE NAME: ENES ALIC</p>
<p>THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD. A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.</p>		<p>DOMINION Surveyors Inc.[®] 8808-H PEAR TREE VILLAGE COURT ALEXANDRIA, VIRGINIA 22309 703-619-6555 FAX: 703-799-6412</p>











DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit to allow an addition (sunroom) to be placed 15.9 feet from the rear lot line. The addition will measure approximately 215 square feet in area. An existing open wood deck at the rear will be removed for the enclosed sunroom.

	Structure	Yard	Min. Yard Req.*	Structure Location	Proposed Reduction	Percent of Reduction
Special Permit	Addition	Rear	20.0 feet	15.9 feet	4.1 feet	21%

*The minimum required rear yard for a single family attached dwelling in the R-5 District is controlled by a 30 degree angle of bulk plane but not less than 20 feet. Additionally, Par. 4 of Sect. 2-307 in the Zoning Ordinance states that “the yard requirements shall apply to all buildings and structures as they relate to the lot lines, public streets, and to other buildings, but shall not apply to individual units in single family attached dwellings.”

EXISTING SITE DESCRIPTION

The 2,280 square foot lot is developed with a two-story, single family attached dwelling. The dwelling is located at the end of a row of single family attached dwellings. There is a parking area in front of the dwellings. The vinyl dwelling for the application measures 1,282 square feet in area. The site is zoned R-5 Cluster and is located within the Huntley Historic District. There is a shed in the rear yard, which measures 8.3 feet in height. The site is landscaped with grass, trees, and other plantings. A six (6) foot high wood fence surrounds the rear yard.

CHARACTER OF THE AREA

	Zoning	Use
North	R-5 Cluster	Single Family Attached Dwelling
South	R-5 Cluster	Single Family Attached Dwelling
East	R-5 Cluster	Single Family Attached Dwelling

West	R-5 Cluster	Single Family Attached Dwelling
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BACKGROUND

Following adoption of the current Ordinance, the BZA heard the following variance application in the vicinity of the application parcel:

- Variance VC 94-L-016 was approved on June 3, 1994 for Tax Map 92-4 ((6)) 438, zoned R-5 Cluster at 4107 Komes Court to permit construction of an addition 19.8 feet from the rear lot line.

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

Title of SP Plat: Plat Showing the Improvements on Lot 152, Section 6, Woodstone

Prepared By: Dominion Surveyors Inc.

Dated: June 3, 2011

Proposal:

The applicant proposes to remove an existing open wood deck at the rear of the house and build a new enclosed sunroom over the deck's footprint. The addition will measure approximately 215 square feet in area and 10.4 feet in height. The proposed building materials will largely match the existing house, including siding, and there will be windows, doors and skylights built around the addition. The addition will be constructed 15.9 feet from the rear lot line, and the existing shed will remain in the rear yard. Due to the application site's location within the Huntley Historic District, the Fairfax County Architectural Review Board (ARB) must review the proposal before a building permit can be issued. A development condition requiring the ARB's review is proposed to address this issue.

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 property since the new sunroom will be built over the footprint of an existing deck. There is wood fencing around the rear yard, which will help screen the addition. Any impact from the addition on the adjacent single family attached dwelling will be minimal and will not affect the use or 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 1,282 square feet, and 150 percent of the total gross floor area is 1,923 square feet. In total, the applicant would be permitted to have approximately 3,205 square feet on site. The request is for an addition of 215 square feet, which will result in a gross floor area of 1,497 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 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 (10.4 feet) is less than half of the principal dwelling’s height at 23.8 feet and is largely mitigated by the existing 6 foot high wood fence around the rear yard. 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 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. 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 in the same area of an existing open wood deck, and the proposed height of the sunroom is in scale with the existing dwelling. 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 side lot line of the petitioned site, and the existing wood 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-LE-074 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-LE-074****November 9, 2011**

If it is the intent of the Board of Zoning Appeals to approve SP 2011-LE-074 located at Tax Map 92-4 ((6)) 152 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.

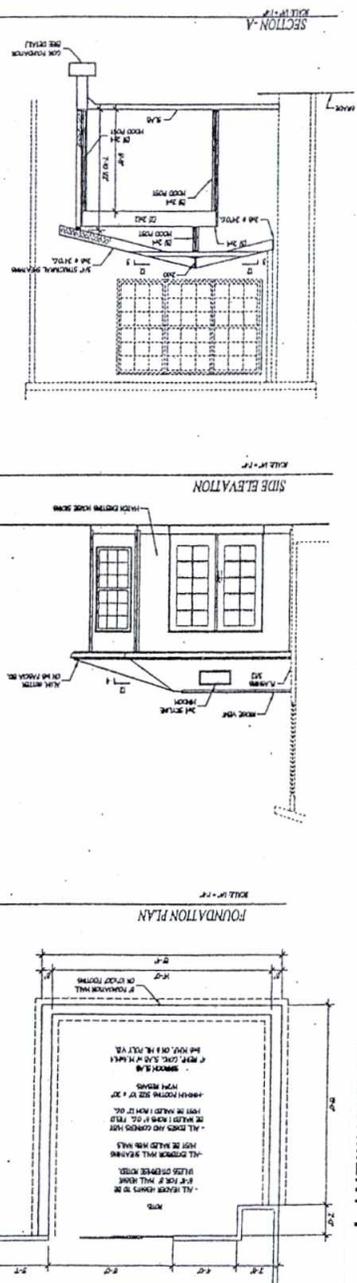
1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of the enclosed sunroom addition (215 square feet), as shown on the plat prepared by Dominion Surveyors Inc., dated June 3, 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 [1,282 square feet existing + 1,923 square feet (150%) = 3,205 square feet maximum permitted on lot] regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. The proposal shall be reviewed by the Fairfax County Architectural Review Board prior to the issuance of a building permit.

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

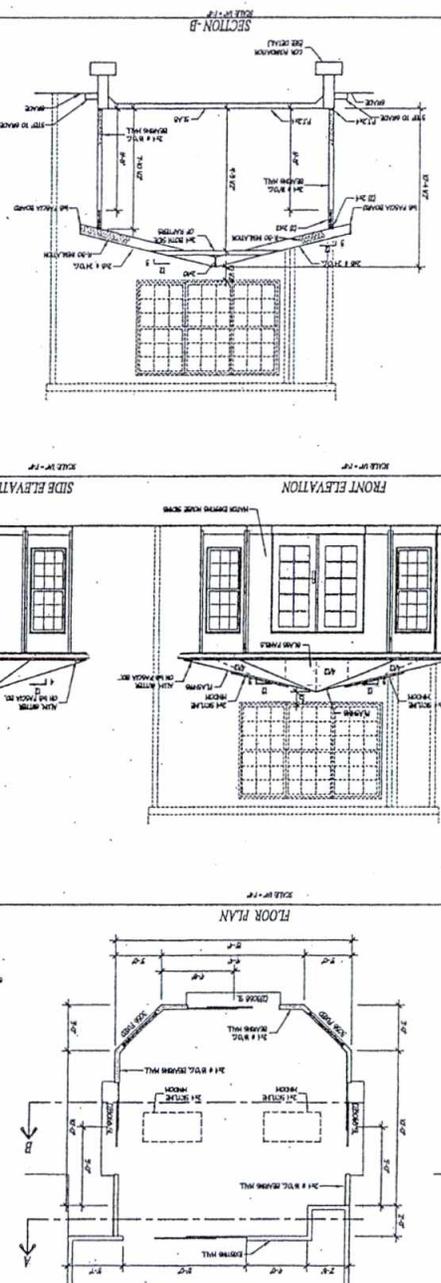
Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically

expire, without notice, thirty (30) months after the date of approval unless 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.

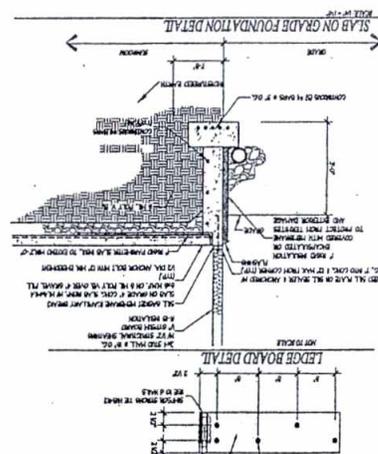
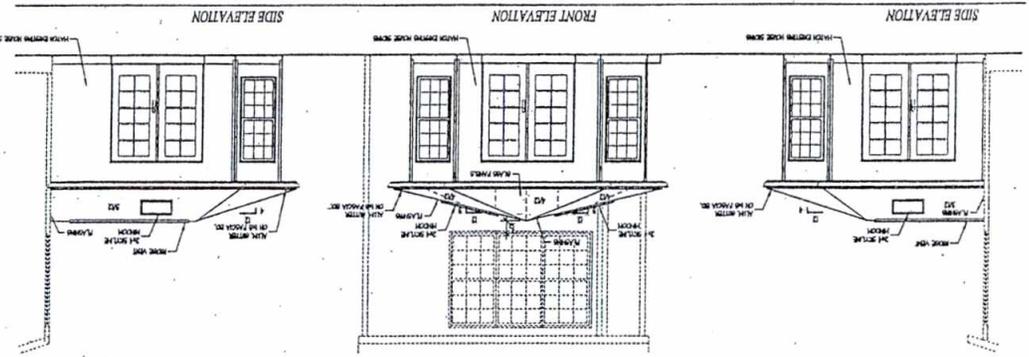
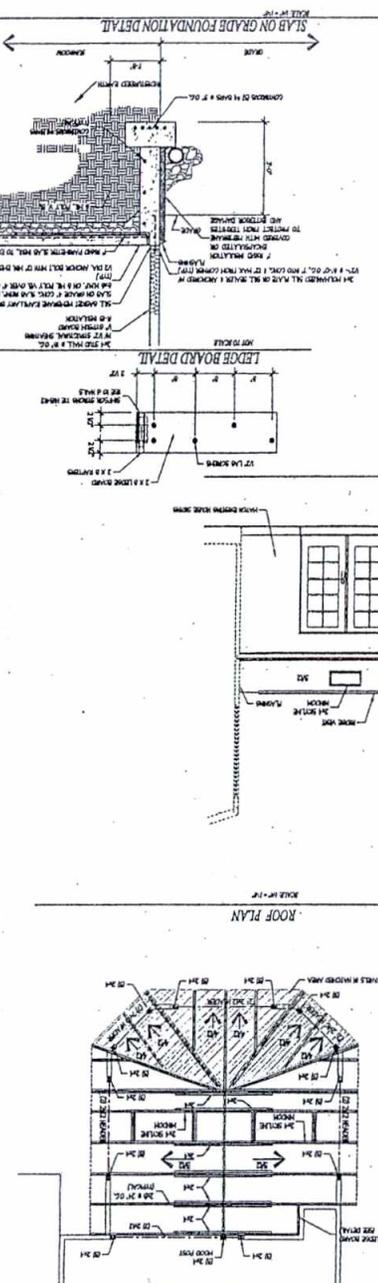
Alexandria, VA 22306



Alexandria, VA 22306



Alexandria, VA 22306



SPECIFICATIONS

GENERAL

REVISIONS

NO.	DATE	DESCRIPTION
1	10/1/00	ISSUED FOR PERMITS
2	10/1/00	REVISED PER PERMITTING OFFICE COMMENTS
3	10/1/00	REVISED PER PERMITTING OFFICE COMMENTS
4	10/1/00	REVISED PER PERMITTING OFFICE COMMENTS
5	10/1/00	REVISED PER PERMITTING OFFICE COMMENTS
6	10/1/00	REVISED PER PERMITTING OFFICE COMMENTS
7	10/1/00	REVISED PER PERMITTING OFFICE COMMENTS
8	10/1/00	REVISED PER PERMITTING OFFICE COMMENTS
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16	10/1/00	REVISED PER PERMITTING OFFICE COMMENTS
17	10/1/00	REVISED PER PERMITTING OFFICE COMMENTS
18	10/1/00	REVISED PER PERMITTING OFFICE COMMENTS
19	10/1/00	REVISED PER PERMITTING OFFICE COMMENTS
20	10/1/00	REVISED PER PERMITTING OFFICE COMMENTS

RECEIVED

APPROVED

CONTRACTOR

DATE

GENERAL NOTES:

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND THE VIRGINIA BUILDING CODES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
3. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE PERMITTING OFFICE.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
5. ALL UTILITIES SHALL BE LOCATED AND MARKED PRIOR TO CONSTRUCTION.
6. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
7. ALL FOUNDATION WORK SHALL BE CONCRETE ON GRADE WITH REINFORCING BARS.
8. ALL ROOFING SHALL BE INSULATED GYP. BOARD WITH 12\"/>

Application No.(s): SP 2011-LE-074
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: August 4, 2011
(enter date affidavit is notarized)

I, Enes Alic, 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 *112595 a*

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)
Enes Alic Slobodanka Alic	7130 Cold Spring Ct. Alexandria, VA 22306 7130 Cold Spring Ct. Alexandria, VA 22306	Applicant/ Title Owner 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-LE-074
(county-assigned application number(s), to be entered by County Staff)

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: August 4, 2011
(enter date affidavit is notarized)

112595a

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-LE-074
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: August 4, 2011
(enter date affidavit is notarized)

112595a

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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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: August 4, 2011
(enter date affidavit is notarized)

112595a

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-LE-074
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: August 4, 2011
(enter date affidavit is notarized)

112595a

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

Enes Alic

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

Subscribed and sworn to before me this 4th day of Aug, 2011, in the State/Comm. of Virginia, County/City of Fairfax.

Nancy Veronica Mejia
Notary Public

My commission expires: 01-31-2014



Enes & Slobodanka Alic
7130 Cold Spring Ct
Alexandria, VA 22306
Tel. 703-989-0718
Fax. 866-582-4301

RECEIVED
Department of Planning & Zoning

JUN 28 2011

Zoning Evaluation Division

Zoning Evaluation Division
Fairfax County
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

June 13, 2011

To whom it may concern:

This letter is intended to demonstrate how the attached application for a Special Permit for 7130 Cold Spring Ct, Alexandria, VA 22306, meets the Zoning Ordinance standards for a Special Permit, pursuant to Section 8-922 of the Zoning Ordinance.

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.

The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.

We would like to ask for permission, that part of our backyard is turned into a sunroom with a drive to improve the quality of life of our mother (87 years old) that moves only with other people 's support and access to the disability chair. The sunroom would provide the quality and beauty of life to our mom during the year and all of the four seasons.

2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

The sunroom will be in complete (interior and exterior) harmony with the existing house. The roof and siding of the sunroom will be of the same material and color as

the roof of the existing house and the surrounding establishments, as will be the doors and windows.

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.

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 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.

There are numerous houses in the area where the owner/s have already built-in a sunroom and turned the area into a habitable space. Besides not disrupting the harmony, use, or development of neighboring properties, this improvement will actually increase the value of the property and, as a result, should increase the value of the surrounding properties.

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.

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.

There should be absolutely no change in pedestrian and vehicular traffic associated with the requested sunroom enclosure. It will not increase or decrease any such traffic.

5. In addition to the standards which may be set forth in this Article for a particular group or use, the Board of Zoning Appeals shall require landscaping and screening in accordance with the provisions of Article 13, Landscaping and Screening, in the Zoning Ordinance.

In addition to the standards which may be set forth in this Article for a particular group or use, the Board of Zoning Appeals shall require landscaping and screening in accordance with the provisions of Article 13, Landscaping and Screening, in the Zoning Ordinance.

There will be no change, and no need for change, in the appearance of the landscaping around this new enclosure. The existing patio will remain where it is with the exception of taking the necessary steps to complete the sunroom.

6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

There will be no change to the existing footprint of the property, so there is no additional need for more open space.

7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.

Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.

All the electric work for the sunroom will be internal. No additional utility, drainage, parking, loading, or other facilities are needed.

8. Signs shall be regulated by the provisions of Article 12, Signs, in the Zoning Ordinance; however, the Board of Zoning Appeals may impose more strict requirements for a given use than those set forth in this Ordinance.

Number 8, above, does not apply.

SUBMISSION OF MISSING REQUIREMENT

- 5.07** The sunroom will be in complete harmony with the existing house. Siding will be plastic with matching colors as the house. The roof will be of the same material and color as the roof of the existing house and doors and windows will match with HOA requirements and existing doors and windows.
- 5.08** In the sunroom will not be store any hazardous or toxic substances.

8-922 STANDARDS

4. The resulting gross floor area of the proposed sunroom (215sf) to the existing principal structure (1282sf) is 0.17%.
No portion of the principal structure will be removed in association with this project.
5. The resulting gross floor area of the proposed sunroom equals 215sf and is clearly subordinate in purpose scale, use and intent to the principal structure of the site. (1282sf)
6. The proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structures on the lo. (See Plat)
7. 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.
(See Plat)
8. 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. (See Plat)
9. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. The

existing structure is on end unit townhouse. There is no alternative location for the proposed sunroom. The proposed sunroom is aligned with the north face of the existing dwelling. The proposed sunroom maintains a rectangular footprint to match the rectangular lot. The fence of the proposed sunroom will be within the 10' minimum side yard. The site has no steep slopes, no floodplains or R.P.A.'s. There will be no removal of trees or existing vegetation associated with this project. There are no easements, septic fields and/or historic resources on the site.

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.

Alexandria, August 15, 2011

Applicant 
Enes Alic

There are not known all hazardous or toxic substances as set forth in title 40, code of Federal Regulations Parts 116.4, 302.4, and 355. All hazardous waste as set forth in Commonwealth of Virginia.

Department of Waste Management regulations VR 672-10-1 Virginia Hazardous Waste Management Regulations and/or petroleum products as defined in title 40, code of Federal Regulation part 280, to be generated, utilized, stored, treated and/or disposed off site and the size and contents of any existing or proposed storage tanks or containers.

Alexandria,
August 11, 2011

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Department of Planning & Zoning

AUG 15 2011

Zoning Evaluation Division

8-006 General Standards

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

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

8-903 Standards for All Group 9 Uses

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

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

8-922 Provisions for Reduction of Certain Yard Requirements

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

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

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

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

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

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

field; location of easements; and/or preservation of historic resources.

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

- H. If applicable, the location of a well and/or septic field.
 - I. Existing and proposed gross floor area and floor area ratio.
 - J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
 - K. The location, type and height of any existing and proposed landscaping and screening.
 - L. Approximate delineation of any floodplain designated by the Federal Insurance Administration, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.
 - M. Seal and signature of professional person certifying the plat.
12. Architectural depictions of the proposed structure(s) as viewed from all lot lines and street lines to include building materials, roof type, window treatment and any associated landscaping and/or screening shall be provided.