



APPLICATION ACCEPTED: August 29, 2011
BOARD OF ZONING APPEALS: November 16, 2011
TIME: 9:00 a.m.

County of Fairfax, Virginia

November 9, 2011

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2011-SU-078

SULLY DISTRICT

APPLICANT: Ronald B. Sydnor

OWNERS: Ronald B. Sydnor
Carolyn L. McKay Sydnor

SUBDIVISION: Pleasant Valley

STREET ADDRESS: 4345 Silas Hutchinson Drive

TAX MAP REFERENCE: 33-4 ((02)) 181A

LOT SIZE: 11,880 square feet

ZONING DISTRICT: R-C, WS

ZONING ORDINANCE PROVISIONS: 8-913

SPECIAL PERMIT PROPOSAL: To grant a modification to the minimum yard requirements for R-C lots to permit construction of an attached deck 11.9 feet from the northern side lot line.

A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

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

C:\Users\rhorne\Desktop\documents for teleworking\Staff Report Sydnor RC.doc

Rebecca Horner

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-SU-078
RONALD B. SYDNOR

WASHINGTON DULLES INTERNATIONAL AIRPORT

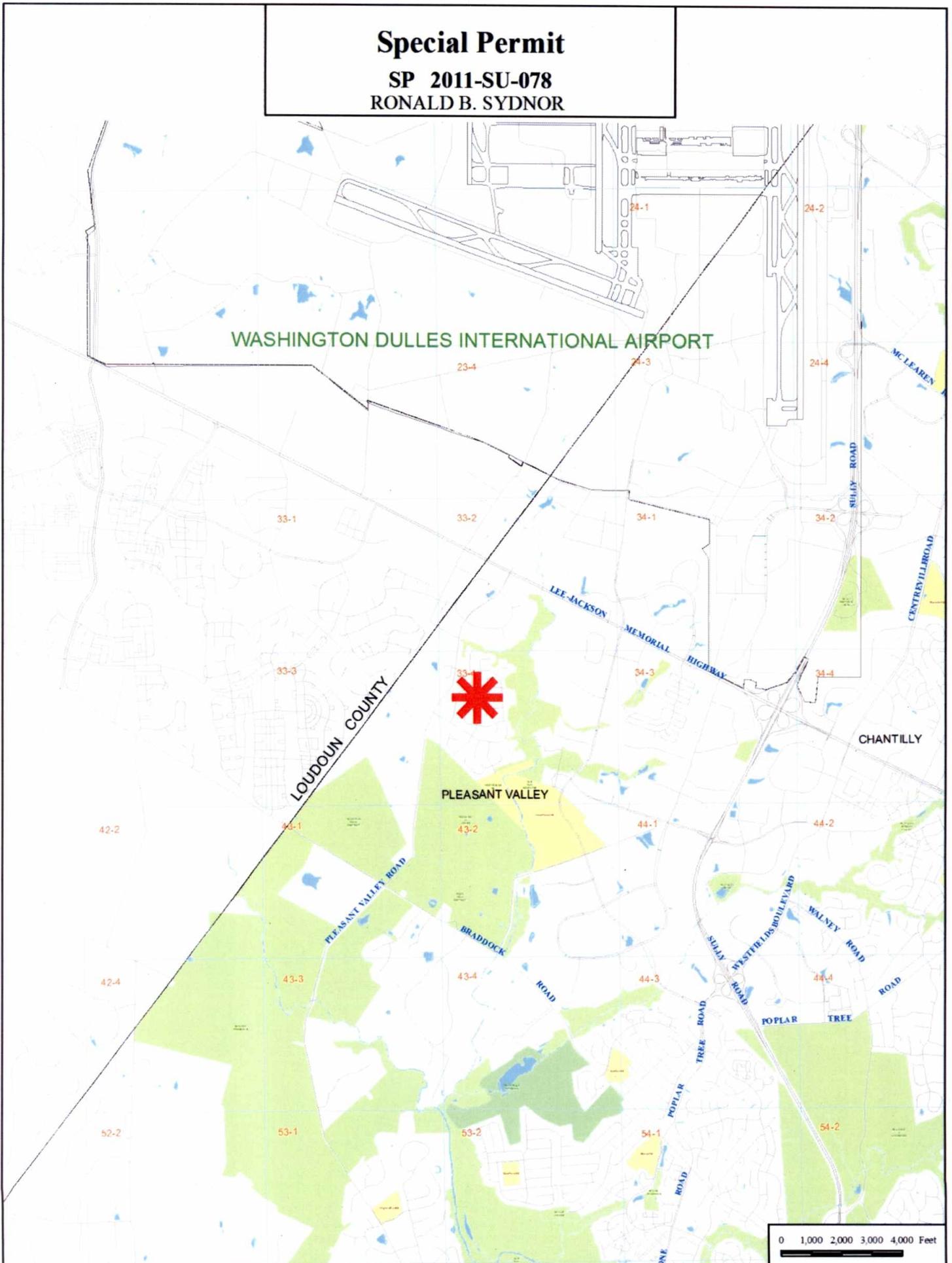


LOUDOUN COUNTY

PLEASANT VALLEY

CHANTILLY

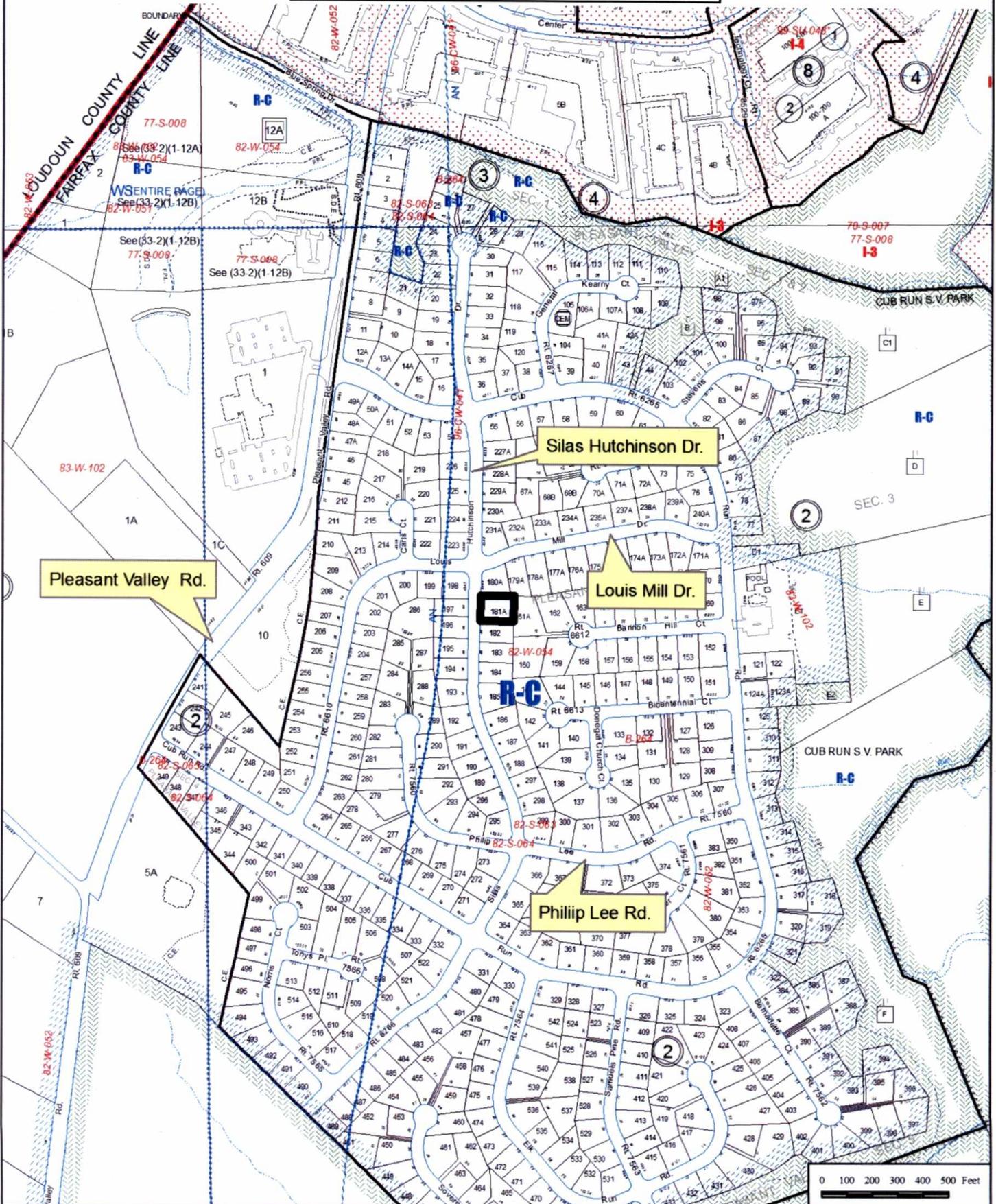
0 1,000 2,000 3,000 4,000 Feet

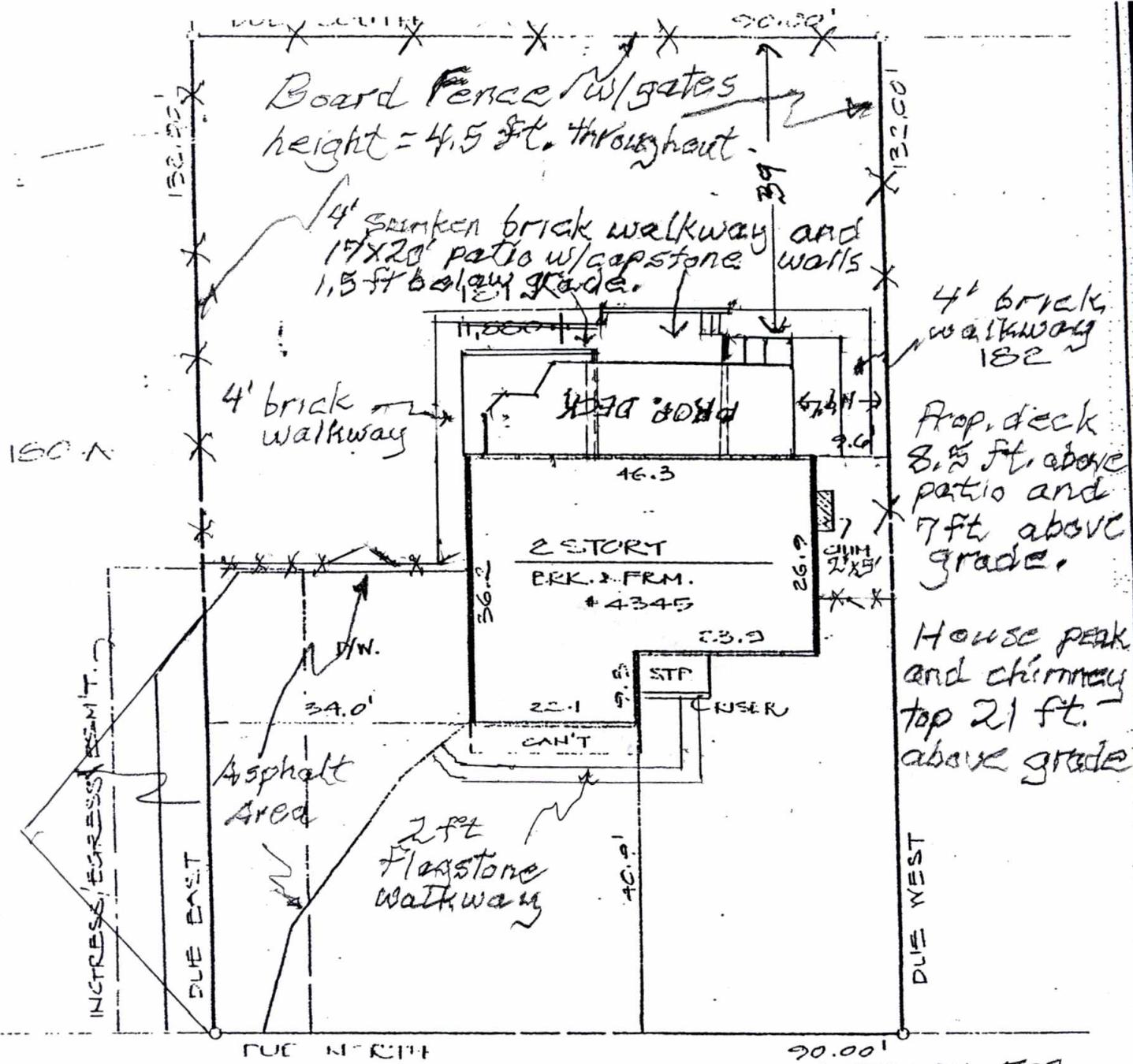


Special Permit

SP 2011-SU-078

RONALD B. SYDNOR





ALL ADDITIONS TO ORIGINAL PLAT BY T.L. FITZPATRICK FOR R.B. SYDNOR. SCALE: 1" = 20'
 SILAS HUTCHINSON DRIVE

SIGNED: Ronald B. Sydnor (50' R/W)
 Ronald B. Sydnor

SYDNOR

HOUSE LOCATION LOT 181A BLOCK SECTION 3A

16853. PLEASANT VALLEY
 TRINGFIELD STREET - FAIRFAX COUNTY - VIRGINIA

NOVA ASSOCIATES
 Engineers - Surveyors - Consultants

4300 Evergreen Lane Suite 202
 Annandale, Virginia 22003 (703)354-9600

ATTY: [Signature]

DRAWN BY: [Signature]

DATE: APR 23, 88

CASE NAME: [Signature]

SCALE: 1" = 20'

JOB NO. 88005-14-37

Silas Hutchinson Drive

General Notes:

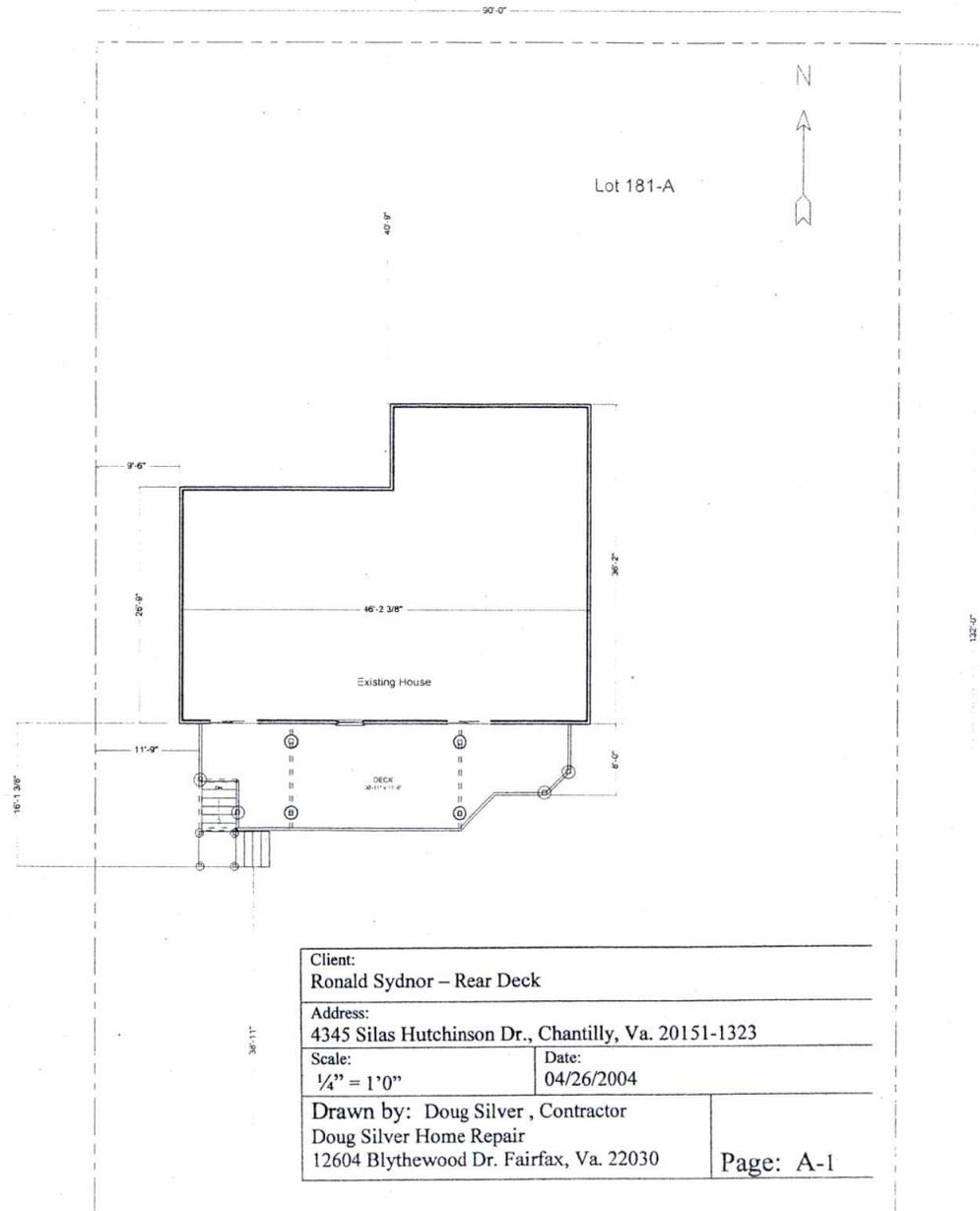
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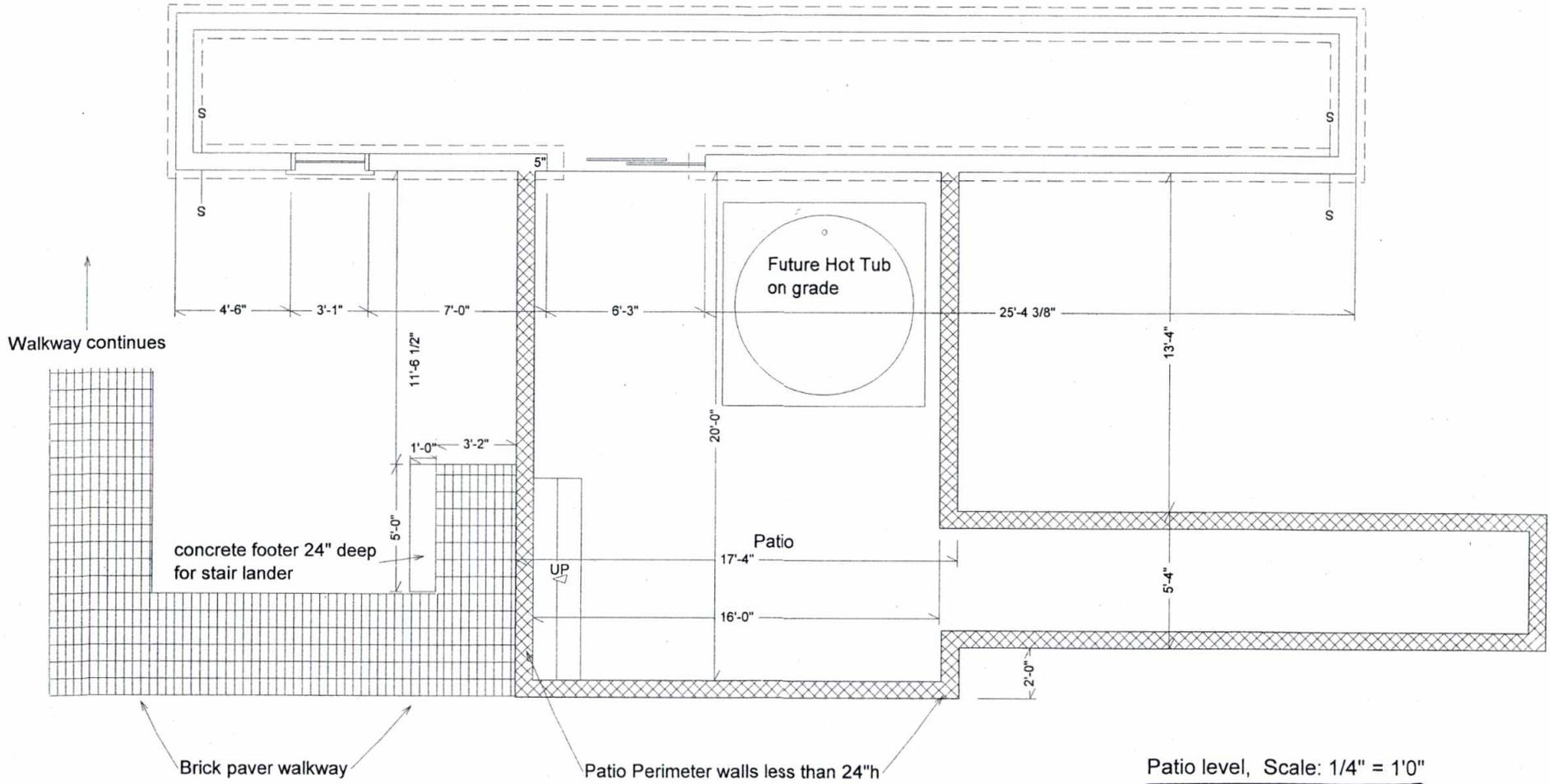
Foundation Notes:

1. Conformity with all local building codes and regulations as they pertain in size, reinforcing, and frost depth of foundation footings, thickness, reinforcing, waterproofing and ventilation of foundation walls, must take precedence over all dimensional or noted references on this plan
2. All footings must bear on undisturbed soil having a minimum soil bearing content of 2,000 P.S.F.

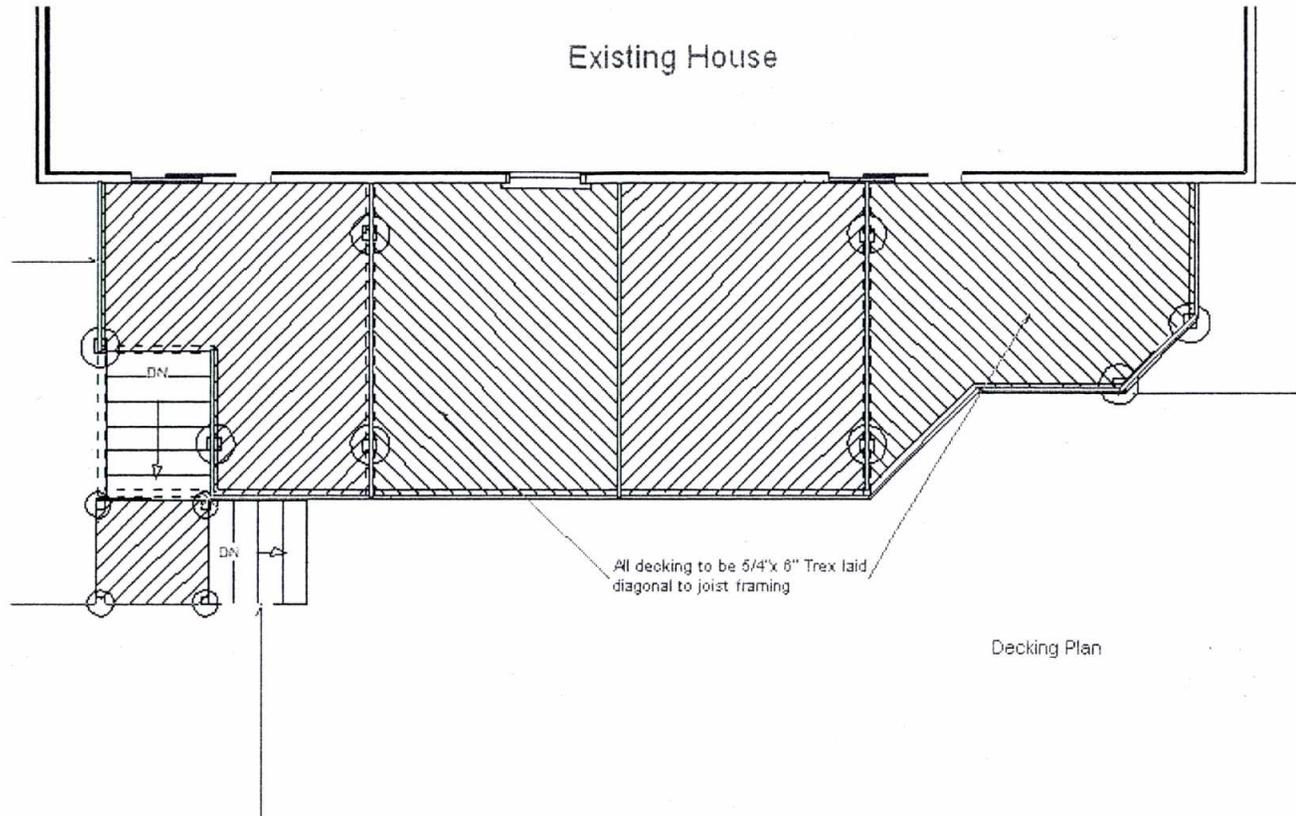
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 3. All framing hardware and fasteners shall be Hot-dipped zinc galvanized or stainless steel. Teco brand or Simpson strong tie hangers and angle brackets.
 4. All decking boards shall be screwed or nailed down with two fasteners every 16".
 5. All structural framing is 16"oc. unless otherwise indicated.
 6. All structural framing lumber is grade stamped #2 syp. or better.
 7. All beams shall be constructed of (2) 2" x 12" #2 syp pt. members or larger.
 8. All joist shall have joist hangers or angles applied.

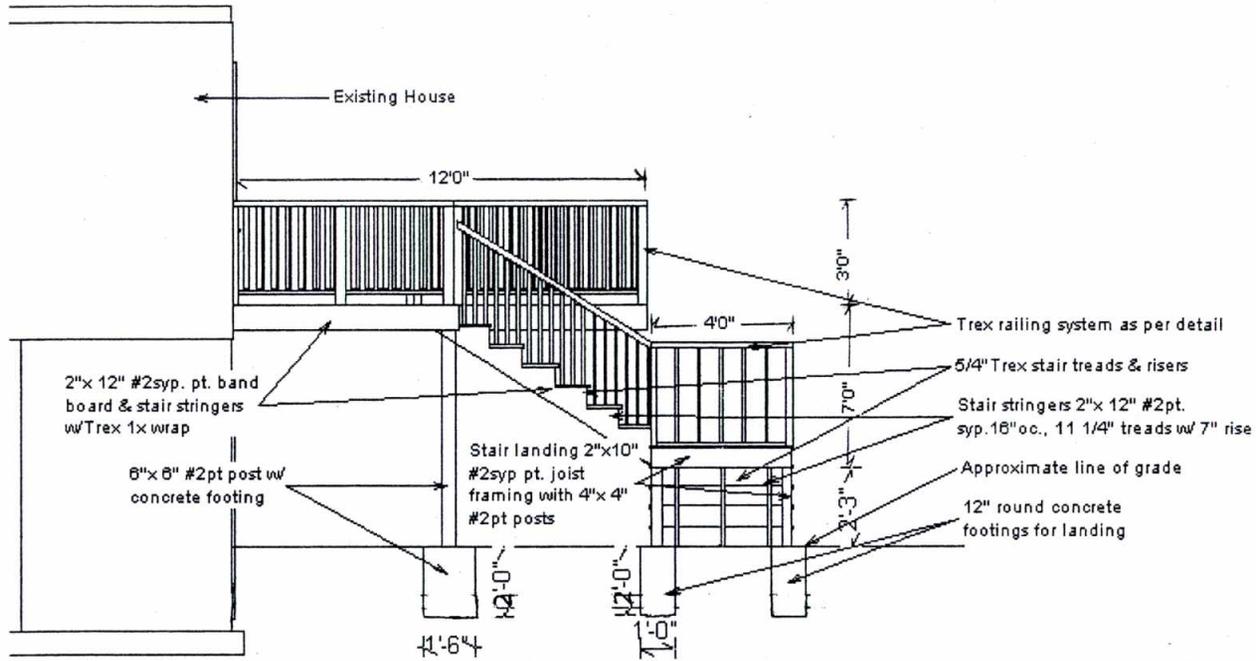




Client: Ronald Sydnor – Rear Deck	
Address: 4345 Silas Hutchinson Dr., Chantilly, Va. 20151-1323	
Scale: 1/4" = 1'0"	Date: 04/26/2004
Drawn by: Doug Silver, Contractor Doug Silver Home Repair 12604 Blythewood Dr. Fairfax, Va. 22030	
Page: A-2	

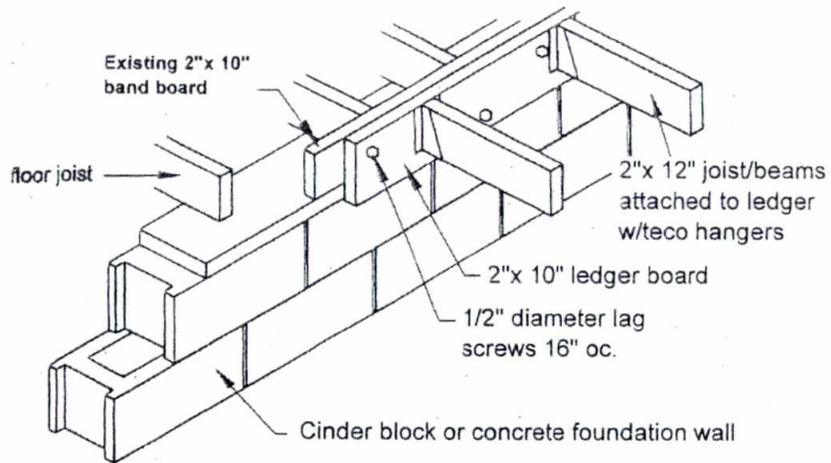


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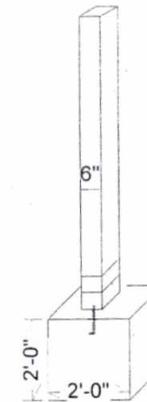


Side/Stair Elevation

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Ledger Board Attachment

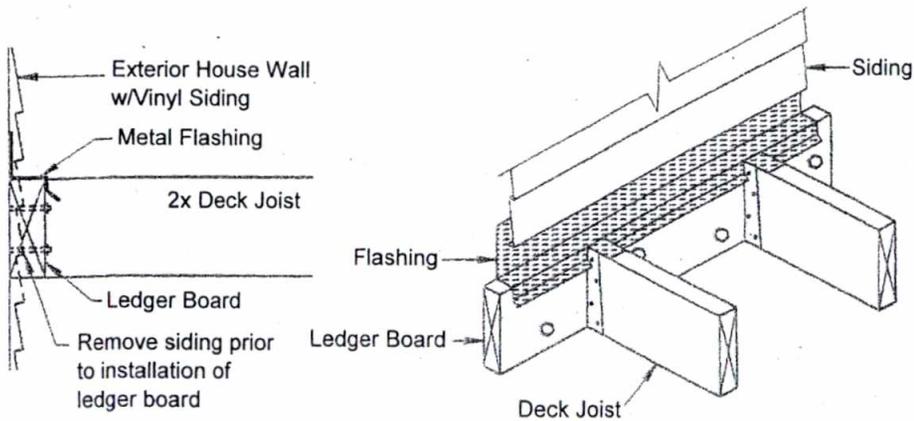


6"x 6" pt. post

Teco post base w/ 1/2" (J) bolt

Concrete footer 24" below grade 2' square or 18" round

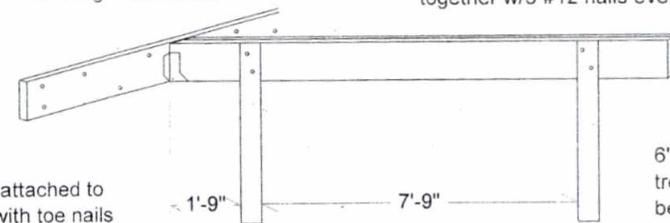
Footer Detail



Flashing Detail

2"x 10" #2 pressure treated ledger board bolted to 2x band board w/ 1/2" lag bolts 16" oc.

(2) 2"x 12" #2syp. pressure treated nailed together w/5 #12 nails every 16" oc.

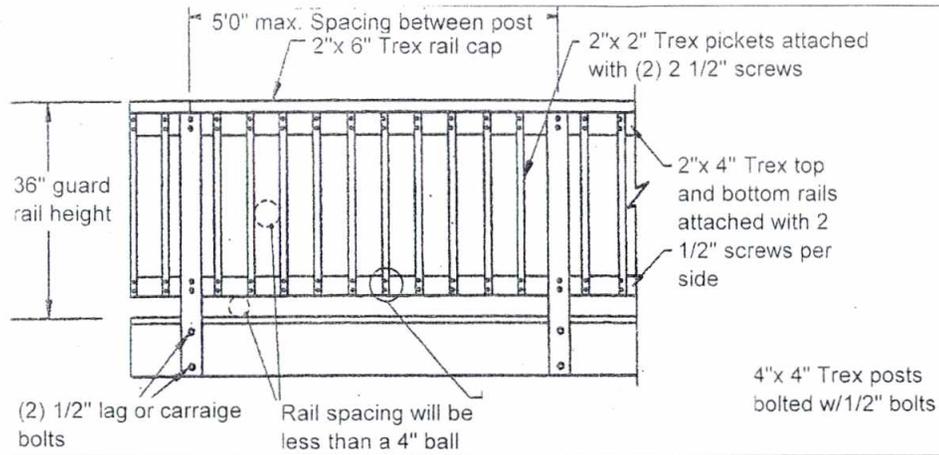


Beams attached to ledger with toe nails and Teco hangers

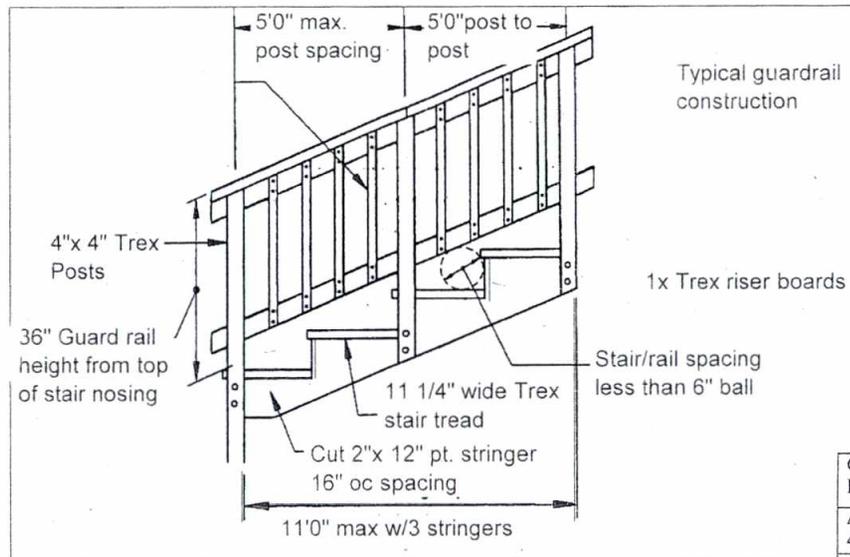
6"x 6" #2syp. pressure treated posts bolted to beam with (2) 1/2" carriage bolts

Post - Beam - Ledger Detail

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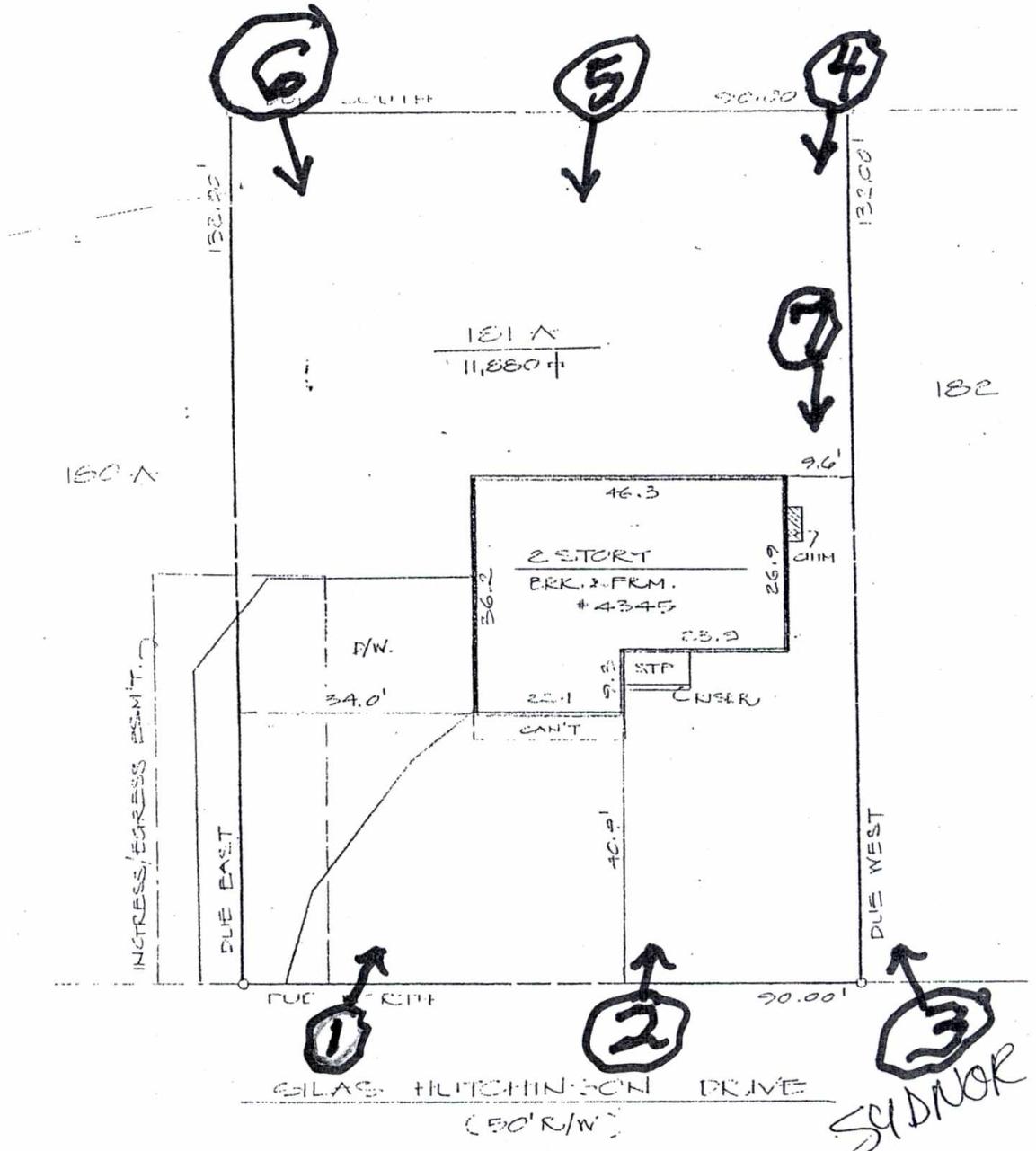


Guard Rail Detail



Stair Rail Detail

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Page: A-8	



HOUSE LOCATION

LOT 181A BLOCK - SECTION 3A

TRINITY

PLEASANT VALLEY

TRINITY DISTRICT - WIRIAX COUNTY - VIRGINIA

NOVA ASSOCIATES
 Engineers - Surveyors - Consultants

4300 Evergreen Lane Suite 202
 Annandale, Virginia 22003 (703)354-9600

ATTY: [Redacted]

DRAWN BY: [Redacted]

DATE: [Redacted]

CASE NAME: [Redacted]

SCALE: [Redacted]

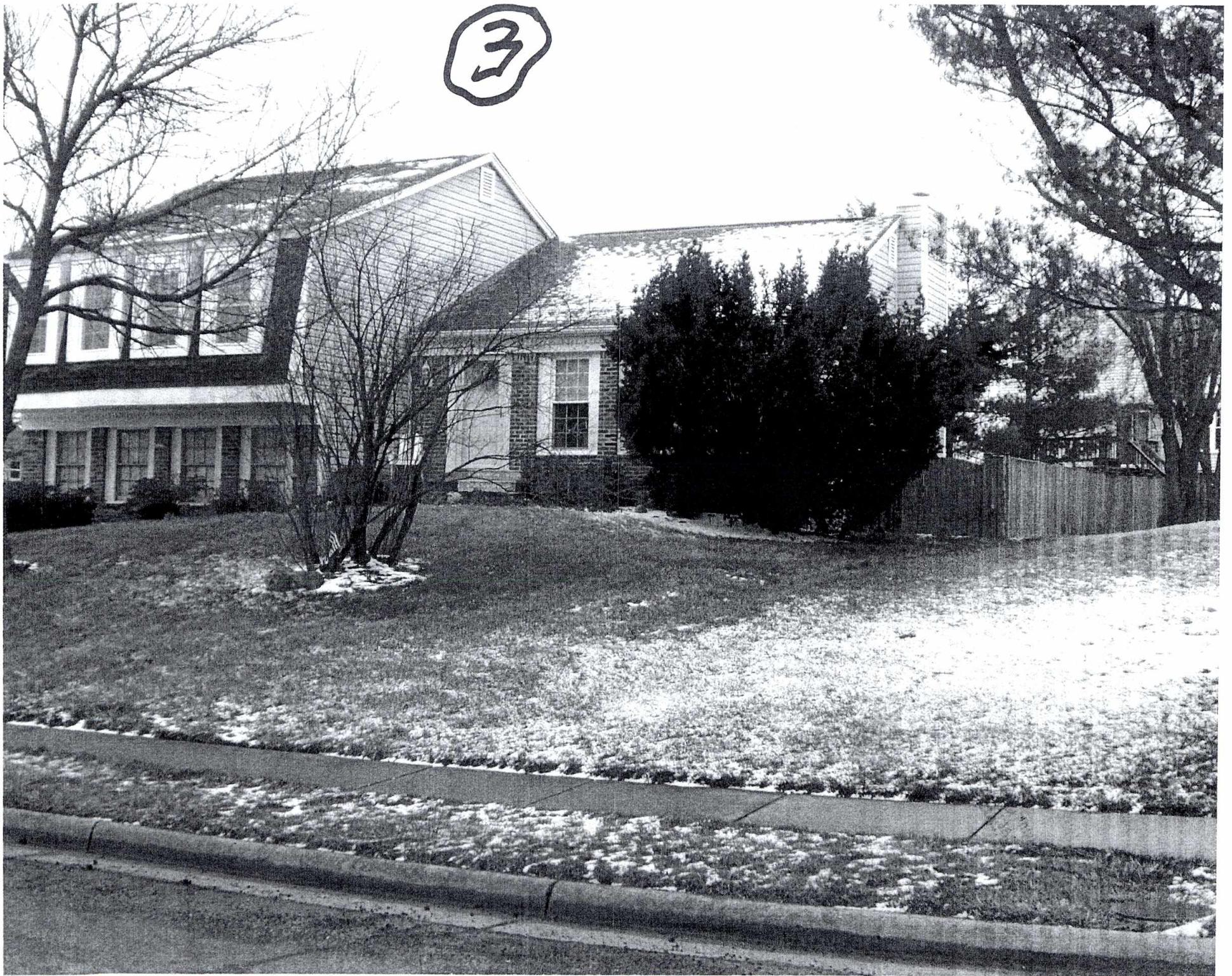
JOB NO. [Redacted]



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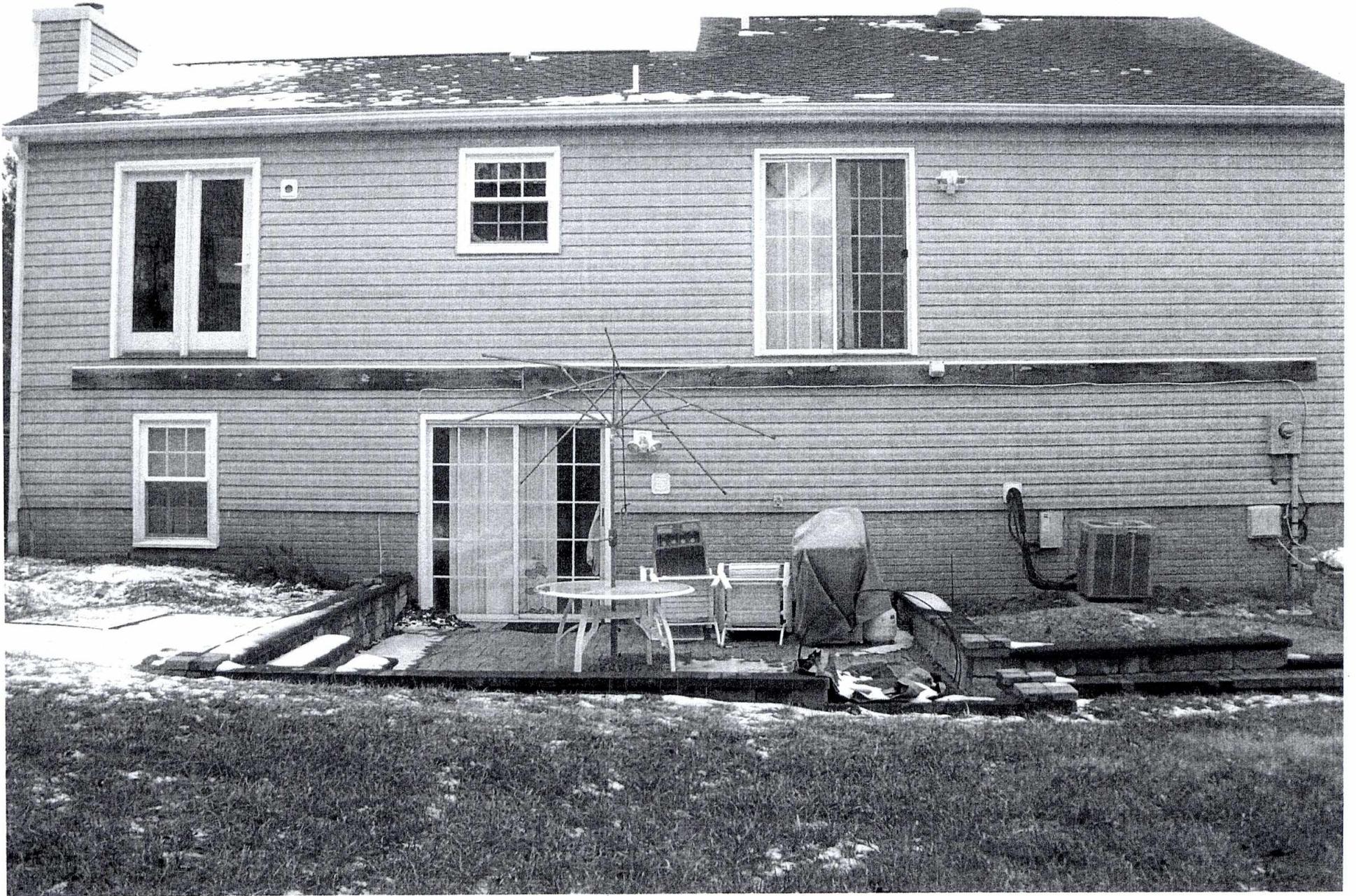
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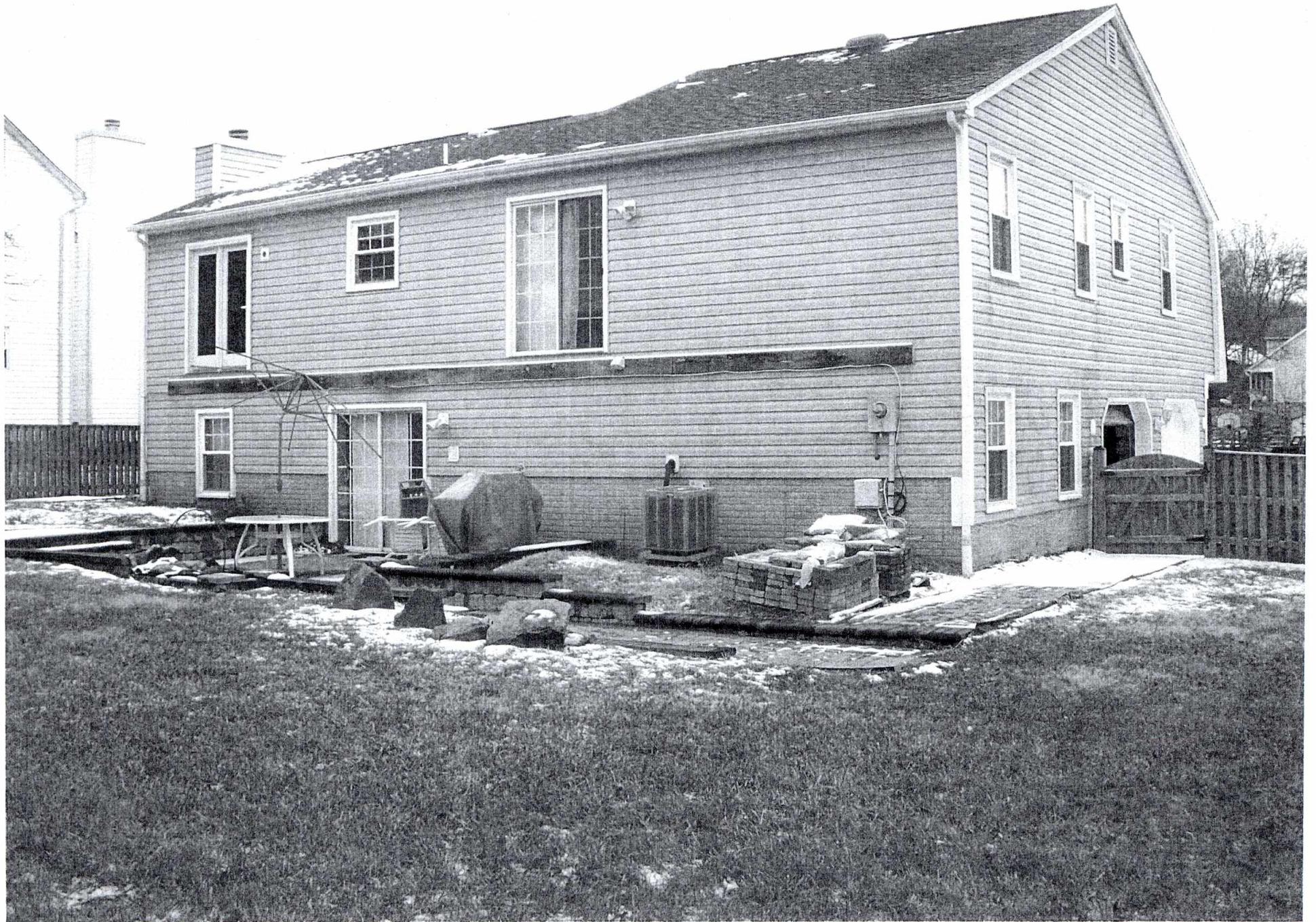
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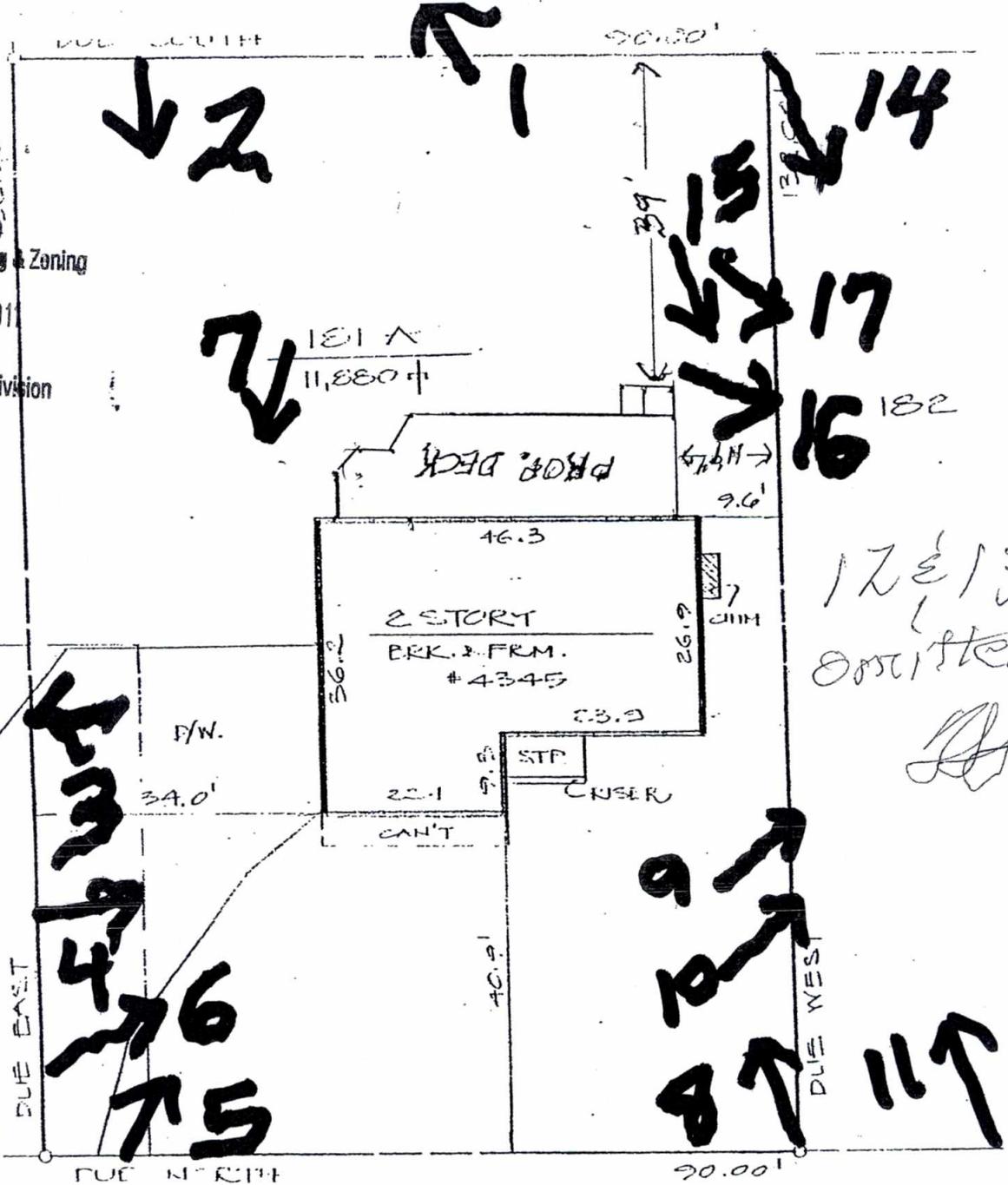
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Department of Planning & Zoning

AUG 04 2011

Zoning Evaluation Division

150' N

INTERESTED PARTIES



SILAS HUTCHINSON DRIVE
(50' R/W)

HOUSE LOCATION LOT 181A BLOCK SECTION 3A

16855

PLEASANT VALLEY

TRINITY DISTRICT - FAIRFAX COUNTY - VIRGINIA

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Engineers - Surveyors - Consultants

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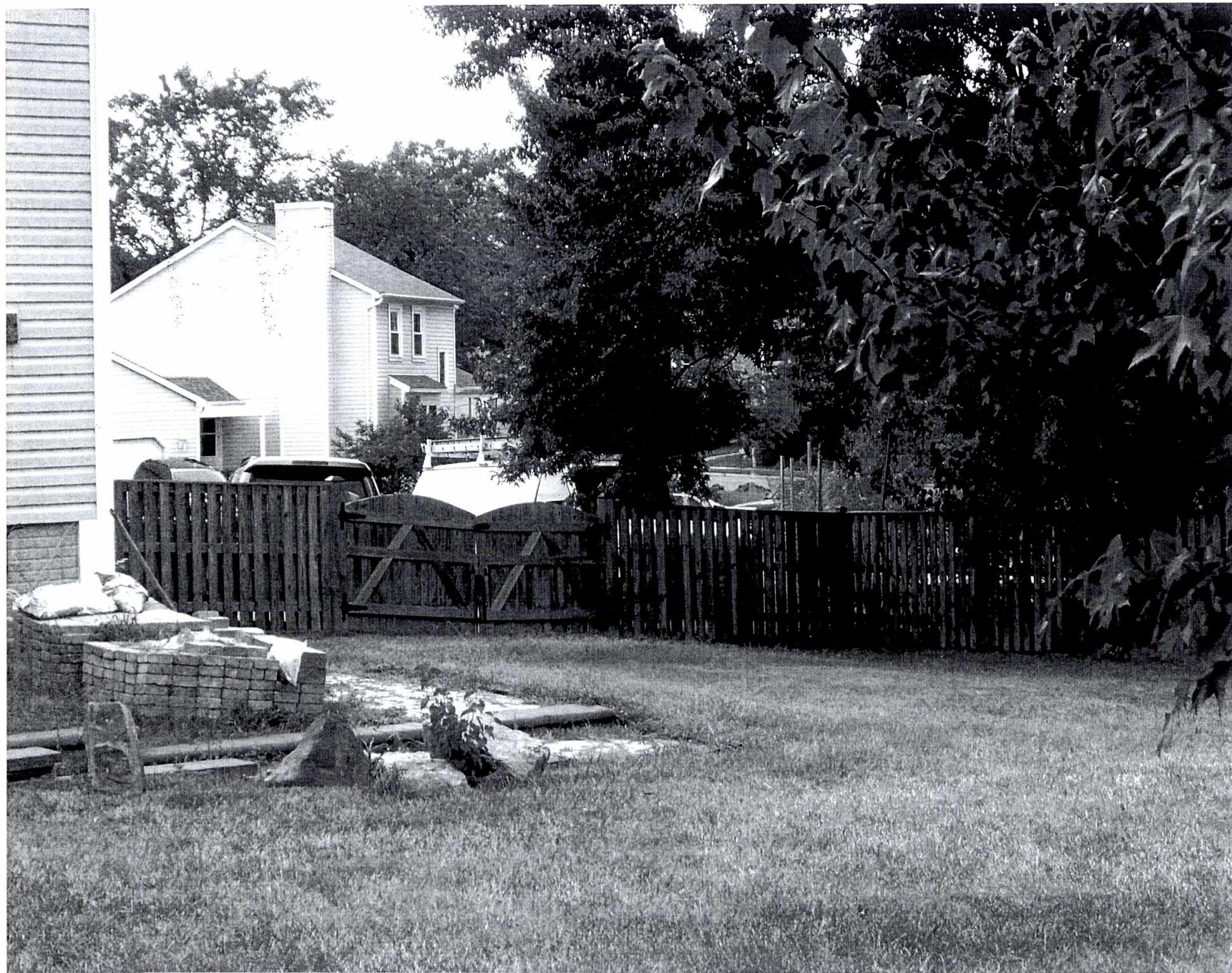




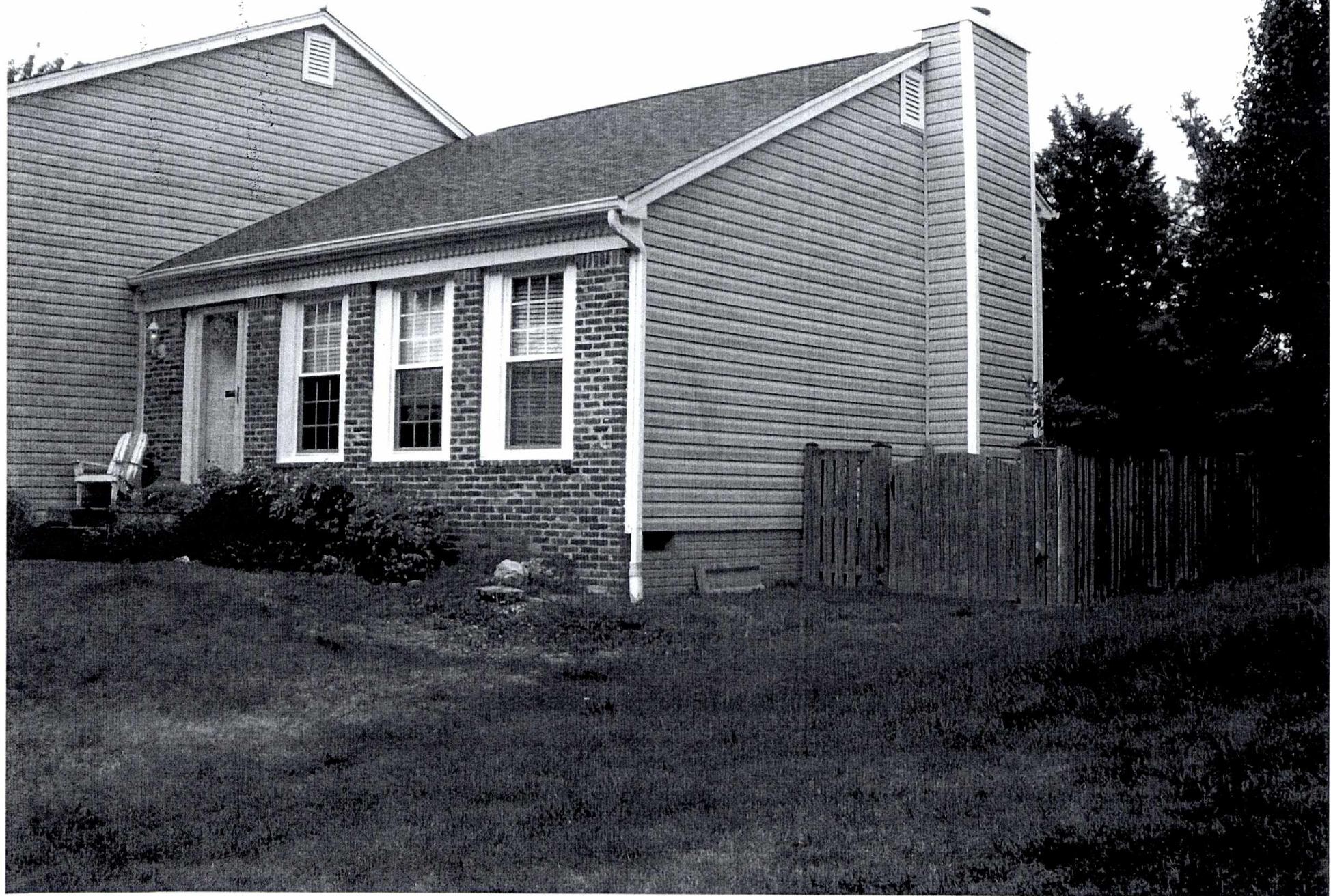


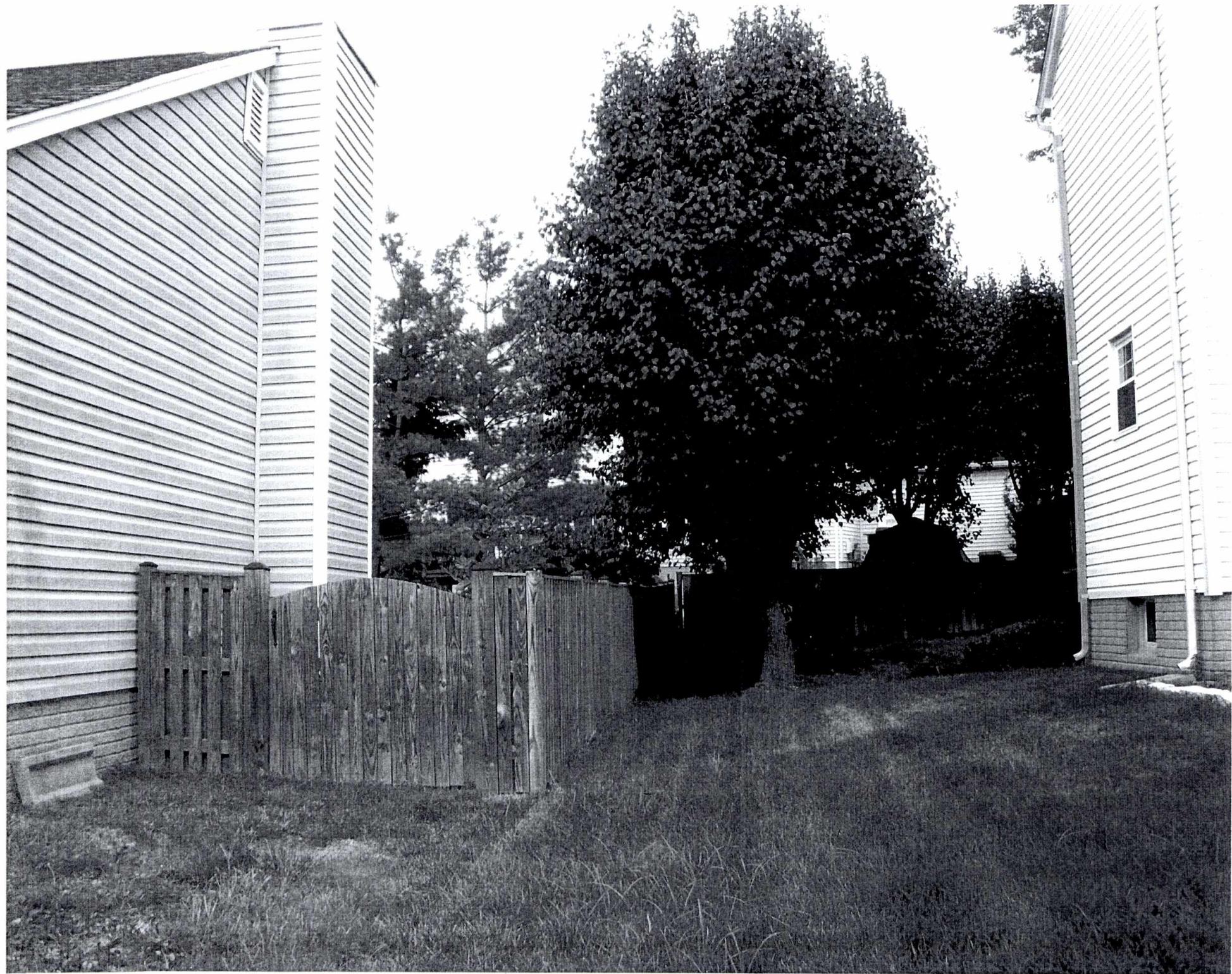
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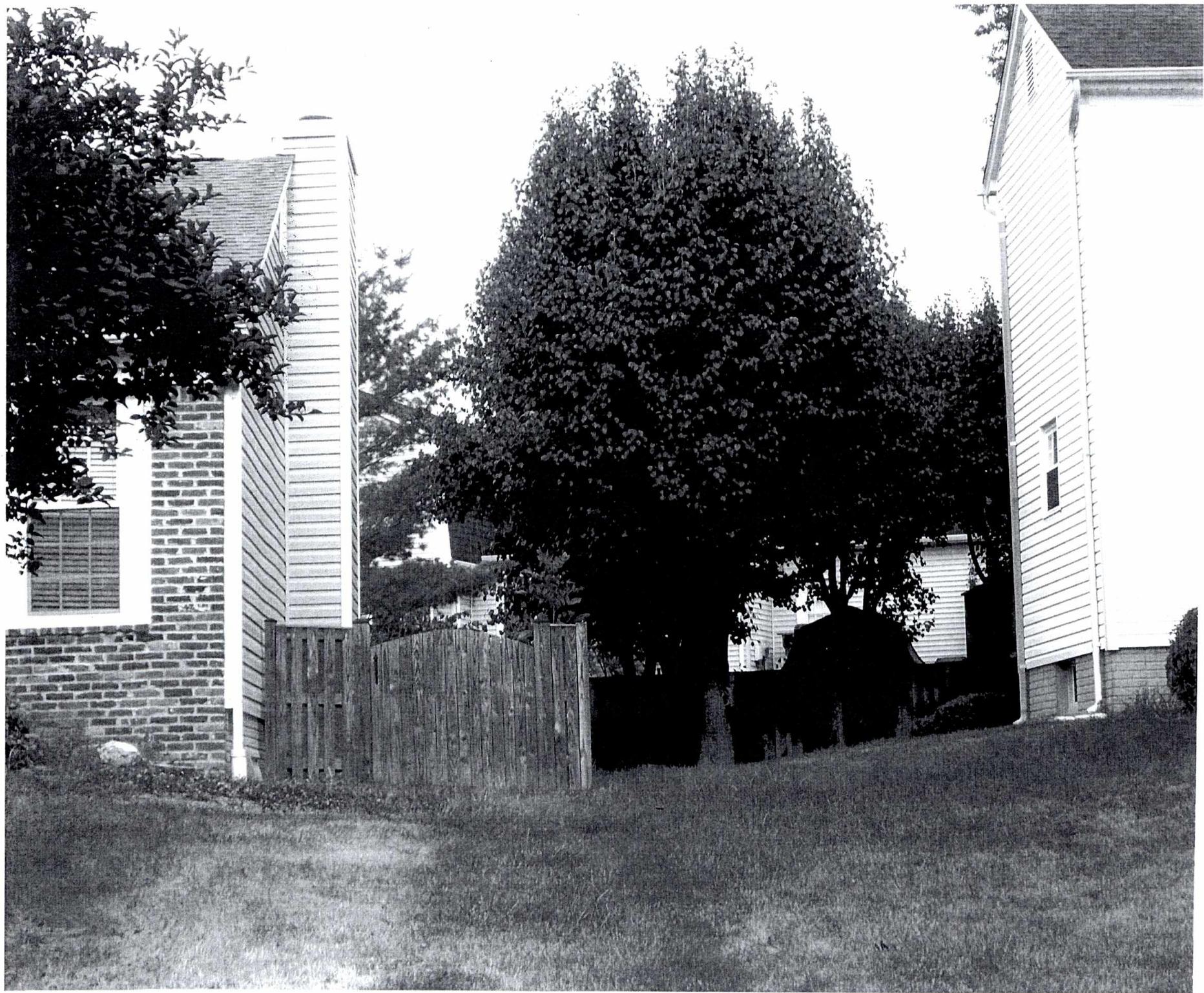


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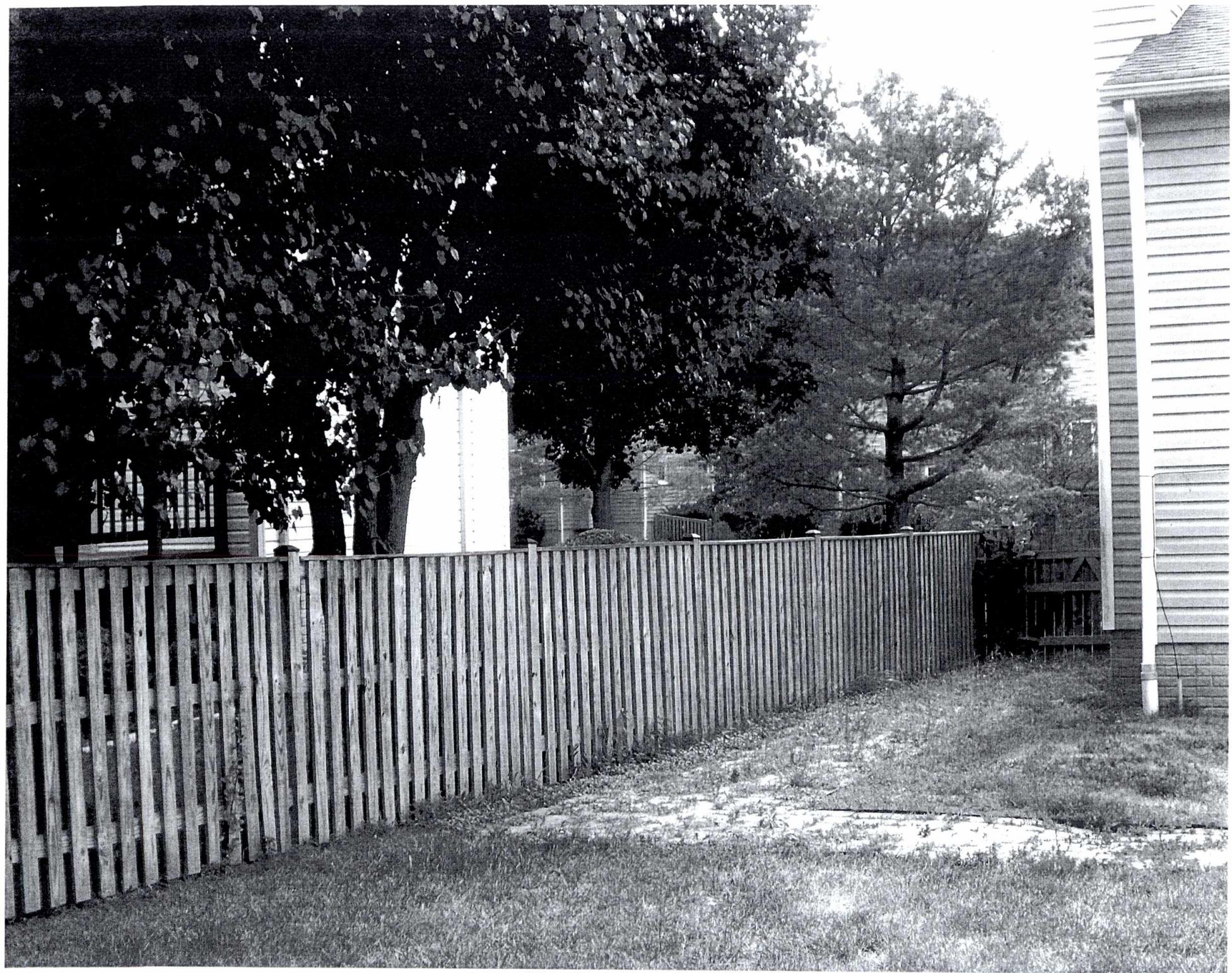
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16



17

DESCRIPTION OF THE APPLICATION

The applicant is seeking approval of a special permit to modify minimum yard requirements for R-C lots to permit the construction of an attached deck be located 11.9 feet from the eastern side lot line.

	Structure	Yard	Min. Yard Req.*	Structure Location	Proposed Reduction	Percent of Reduction
Special Permit	Deck	Side (east)	20 feet	11.9 feet	8.1 feet	40.5%

* Minimum yard requirement per Sect. 3-C07.

EXISTING SITE DESCRIPTION

The 11,880 square foot lot is currently zoned R-C and developed with a two-story, single family detached dwelling. The minimum lot size in an R-C district is five (5) acres.

Structure	
Floor Area	1,484* square feet
Year Constructed	1984
Access	hard-surfaced driveway that extends from Silas Hutchinson Dr.
Site Features	Mature trees, foundation plantings, existing wood perimeter fence and sunken open deck/patio at rear of structure.
Easements	Ingress/egress easement on northwestern portion of lot.

*According to Fairfax County tax records.

CHARACTER OF THE AREA

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

BACKGROUND

The subject property was developed under the R-2 Cluster regulations. Records indicate a building permit was issued in 1984. The property was zoned R-17 with rezoning B-264 by the Board of Supervisors on June 15, 1966, which in 1978 was converted to the R-2 Cluster District. On July 26, 1982, the property was rezoned to the R-C District as part of rezoning RZ 82-W-054. The R-2 Cluster regulations specified a minimum required side yard of eight (8) feet, with total minimum side yards of 24 feet. At the time the dwelling was constructed, it met the R-2 Cluster regulations. With the adoption of RZ 82-W-054, the property was subject to the R-C Zoning District regulations, which specify a minimum side yard of 20 feet.

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

- Special Permit SP 90-S-060 was approved on November 13, 1990 for Tax Map 33-4 ((02)) at 4516 Silas Hutchinson Drive to permit construction of a garage 14 feet from the side lot line.
- Special Permit SP 90-S-069 was approved on December 21, 1990 for Tax Map 33-4 ((02)) at 4355 Silas Hutchinson Drive to permit construction of an addition 19 feet from the side lot line and 14 feet from the other side lot line.
- Special Permit SP 91-S-014 was approved July 10, 1991 for Tax Map 33-4 ((02)) at 43333 Silas Hutchinson Drive to permit a deck 12 feet from the side lot line.
- Special Permit SP 92-Y-050 was approved on October 28, 1992 for Tax Map 33-4 ((02)) at 4316 Silas Hutchinson Drive to permit construction of a deck 9 feet from the side lot line.
- Special Permit SP 93-Y-024 was approved on September 14, 1993 for Tax Map 33-4 ((2)) at 4309 Silas Hutchinson Drive to permit construction of an addition 8.6 feet from the side lot line.
- Variance VC 2002-SU-116 was approved on October 30, 2002 for Tax Map 33-4 ((02)) at 4525 Silas Hutchinson Drive to permit construction of an addition 9.3 feet from the side lot line.
- Special Permit SP 2004-SU-016 was approved June 16, 2004 for Tax Map 33-4 ((02)) at 4334 Silas Hutchinson Drive to permit construction of an addition 8.7 feet from the side lot line.
- Special Permit SP 2004-SU-054 was approved December 7, 2004 for Tax Map 33-4 ((02)) at 4315 Silas Hutchinson Drive to permit construction of an addition 10.9 feet from the side lot line.

- Special Permit SP 2005-SU-048 was approved on February 7, 2006 for Tax Map 33-4 ((02)) at 4338 Silas Hutchinson Drive to permit an addition 11.8 feet from the side lot line.

PLAT	
Special Permit Plat	Attached
Title of SP Plat:	House Location, Lot 181A, Section 3A
Prepared By:	NOVA Associates, as revised by T.L. Fitzpatrick

Proposal:

The applicant requests to add a deck to the eastern side of the existing house. The addition will cover an open deck at the rear of the house and will be 8.5 feet in height. The deck is proposed to be located 11.9 feet from the eastern side lot line.

ZONING ORDINANCE REQUIREMENTS

Applicable bulk regulation(s) and additional location regulations are set forth on Page 1.

The application meets all of the following standards, copies of which are attached as Appendix 4:

- Sect. 8-006, General Standards
- Sect. 8-903, Standards for all Group 9 Uses
- Sect. 8-913, Provisions for Approval of Modifications to the Minimum Yard Requirements for Certain R-C Lots

CONCLUSION

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

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 with Attachment 1
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2011-SU-078****November 9, 2011**

1. This special permit is approved for the location and size (approximately 340 square feet) of the deck, as shown on the plat prepared by NOVA Associates, as revised by T.L. Fitzpatrick, submitted with this application and is not transferable to other land.
2. All applicable permits shall be obtained prior to any construction and approval of final inspections shall be obtained.
3. The deck shall generally be consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.

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

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

General Notes:

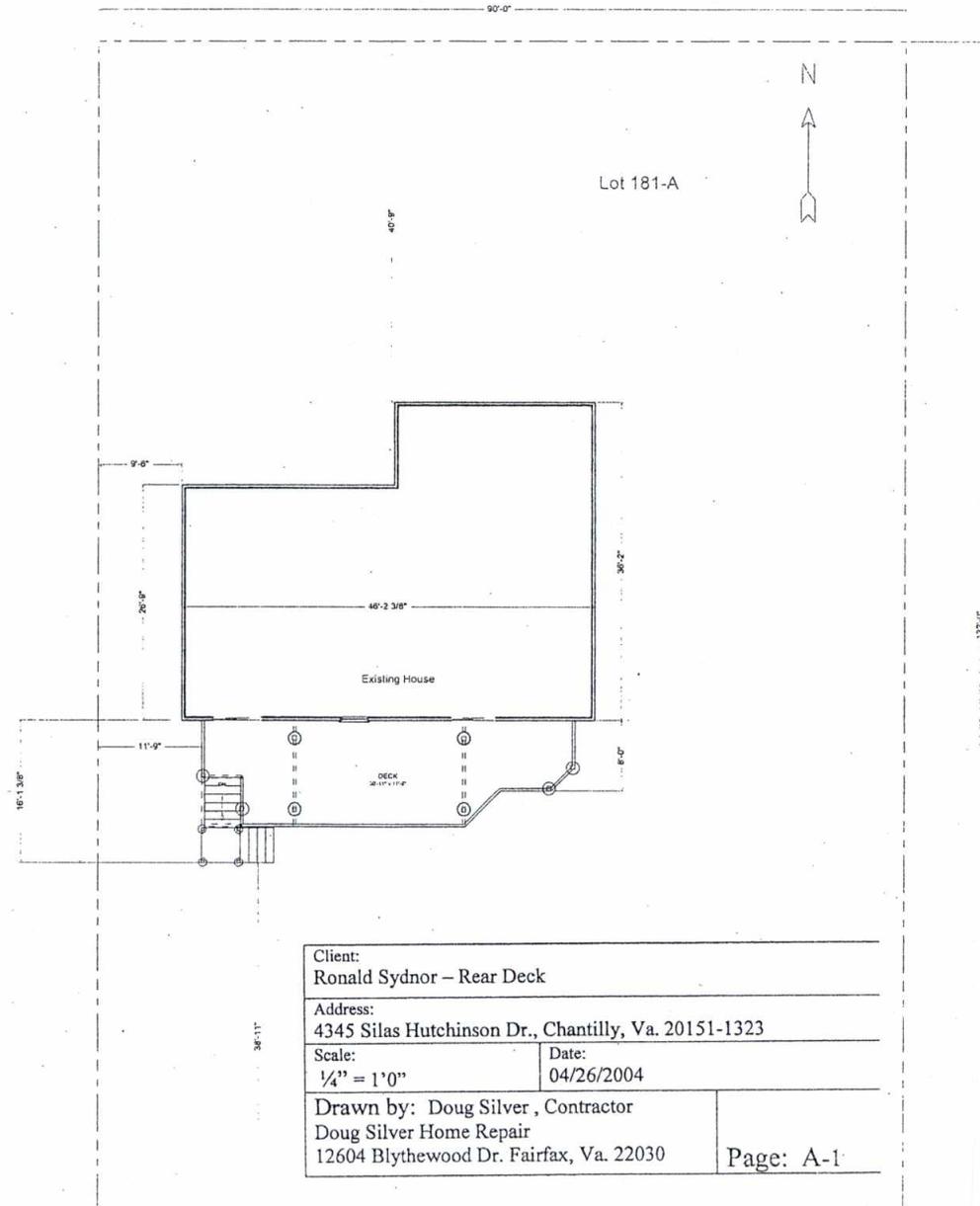
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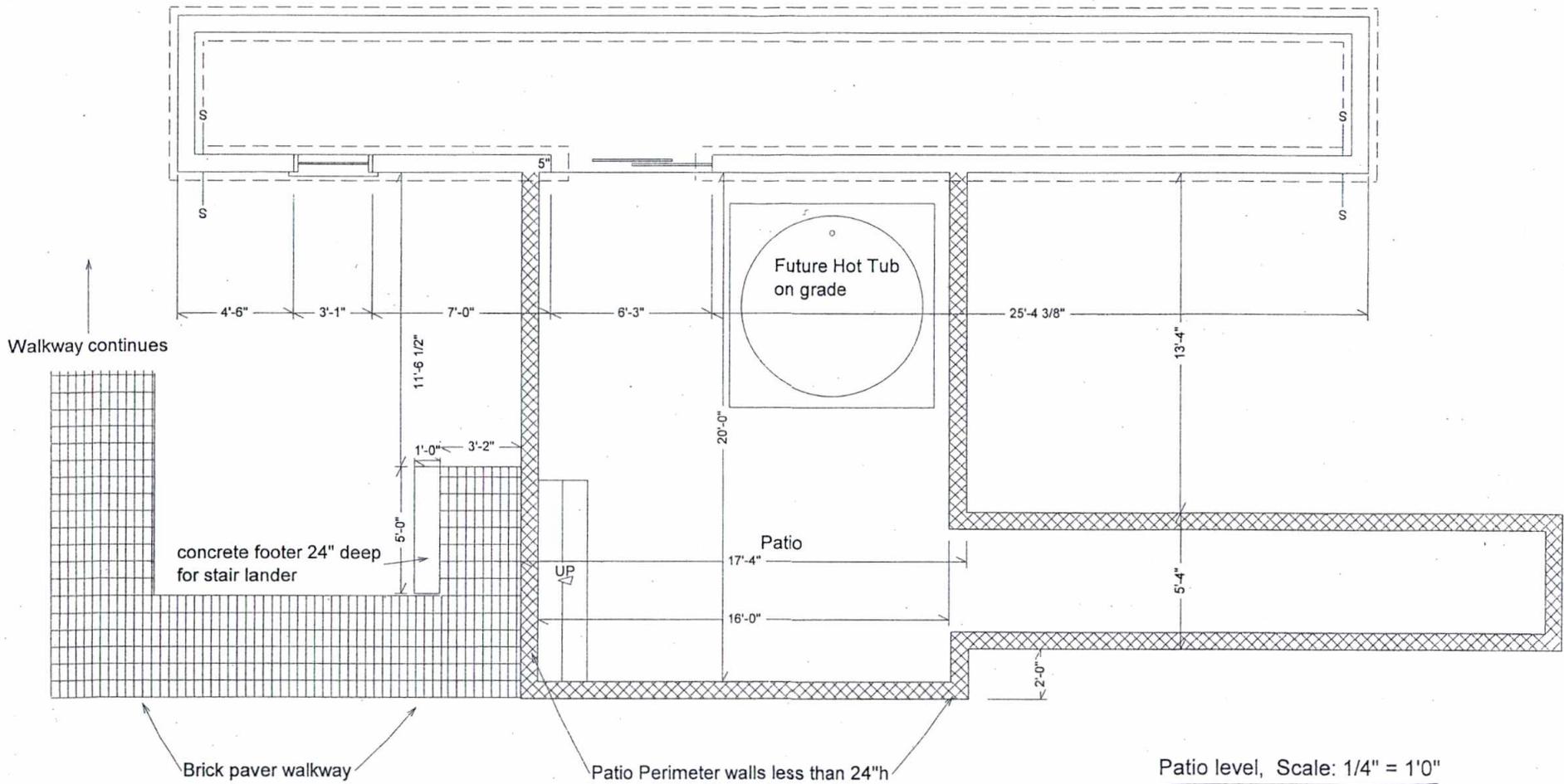
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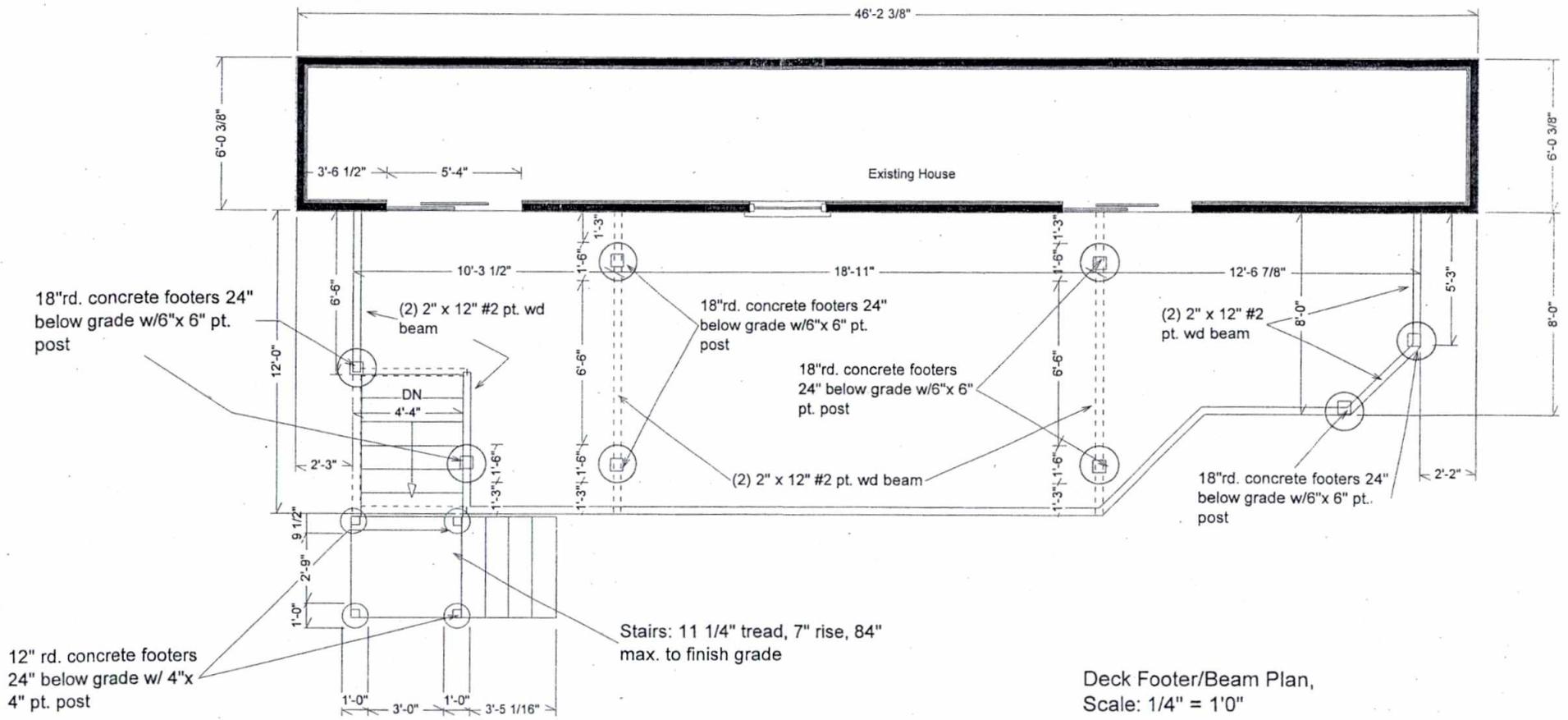
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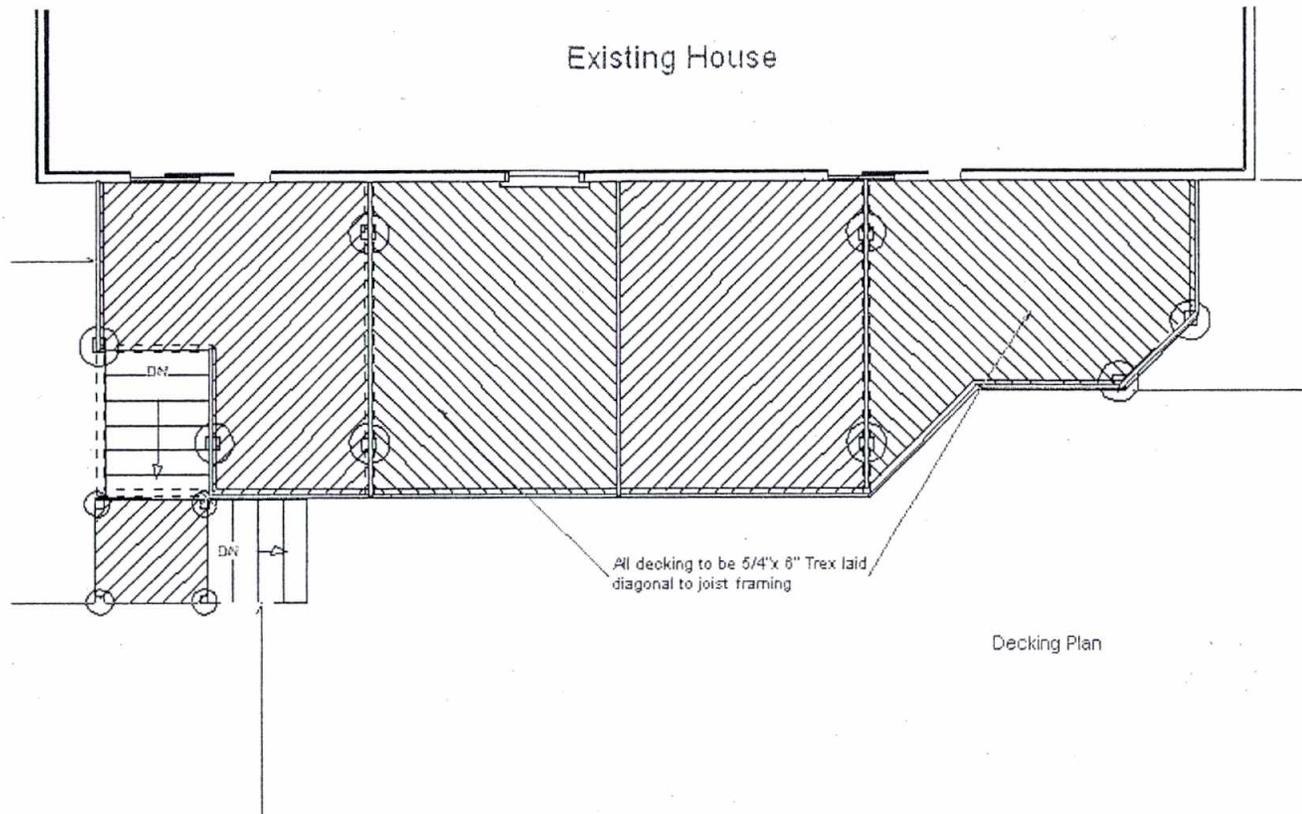




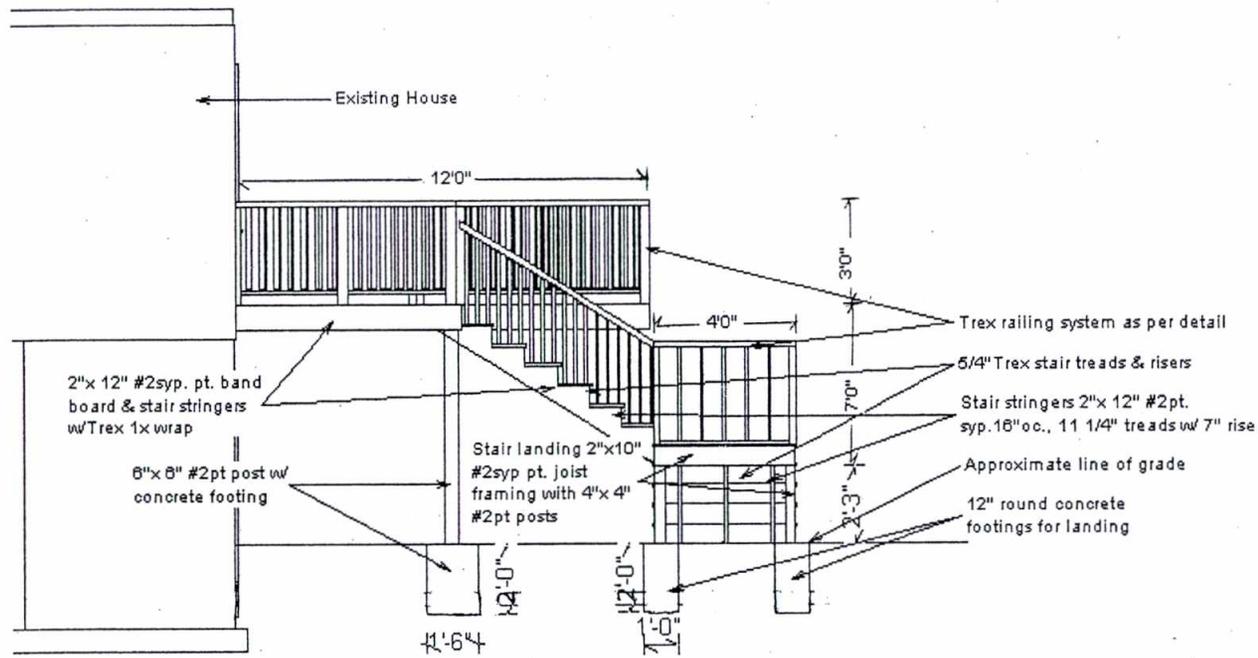
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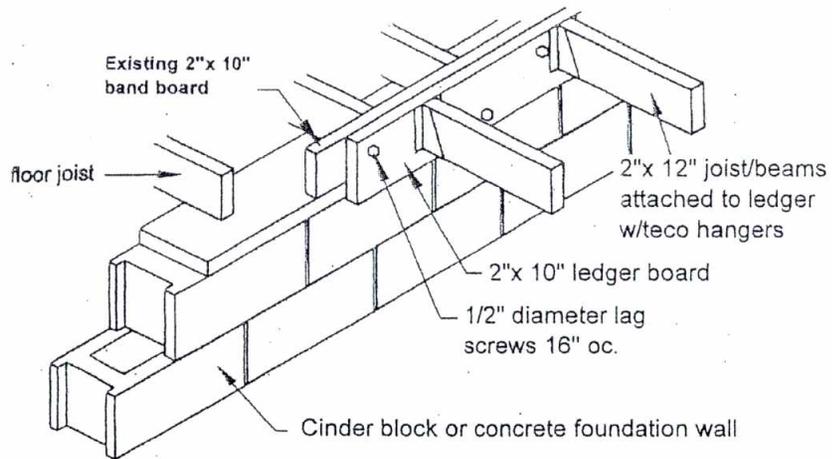


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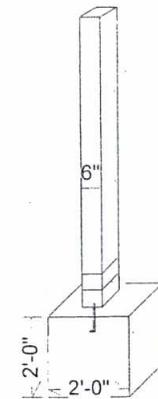


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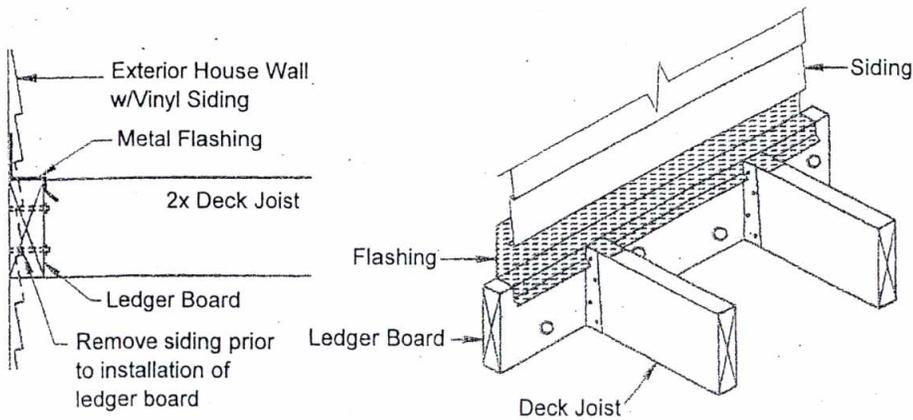


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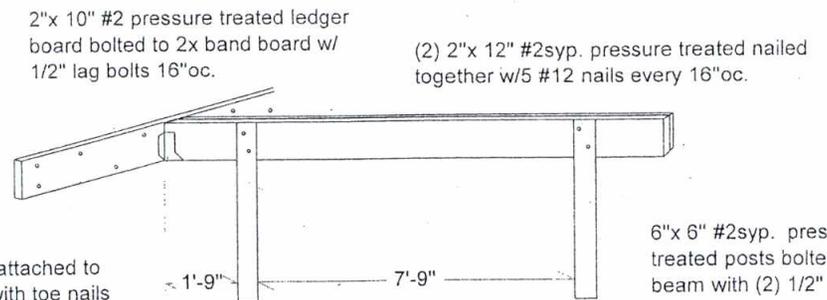


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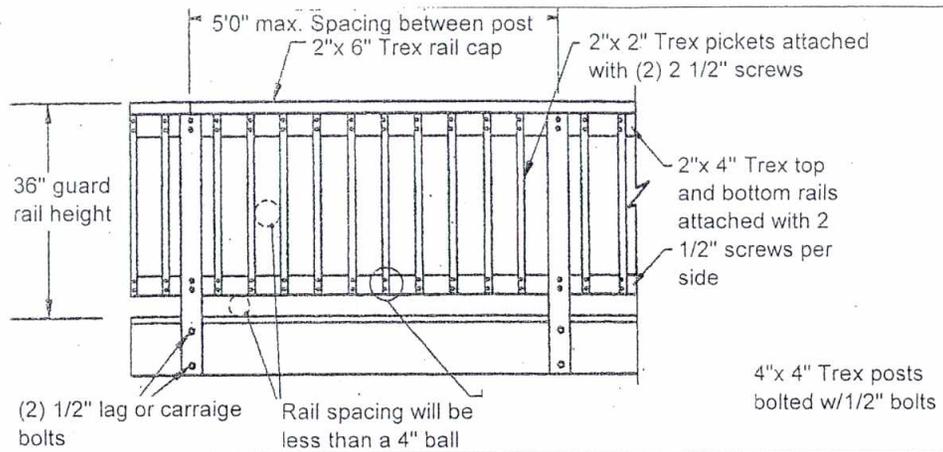


Flashing Detail

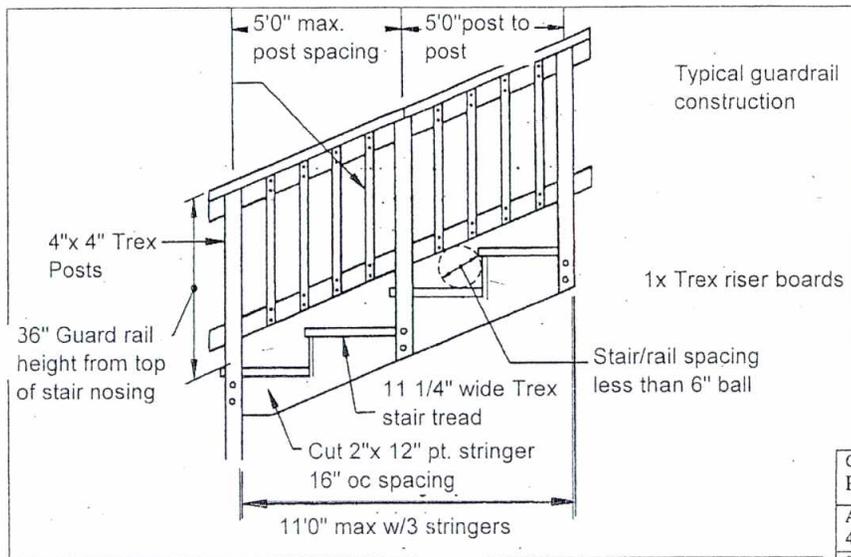


Post - Beam - Ledger Detail

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Guard Rail Detail



Stair Rail Detail

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7/17/11
(enter date affidavit is notarized)

I, RONALD B. SYDNOR, 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 111956 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)
RONALD B. SYDNOR	4345 SILAS HUTCHINSON DR. CHANTILLY, VA 20151	APPLICANT/ TITLE OWNER
CAROLYN L. MCKAY SYDNOR	4345 SILAS HUTCHINSON DR. CHANTILLY, VA 20151	TITLE OWNER
THOMAS L. FITZPATRICK	12901 CENTRE PARK CIR. #416 HERNDON, VA 20171	AGENT

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7/17/11
(enter date affidavit is notarized)

111 956a

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7/17/11
(enter date affidavit is notarized)

111956a

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: 7/17/11
(enter date affidavit is notarized)

111 956a

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.

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7/17/11
(enter date affidavit is notarized)

111956a

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:

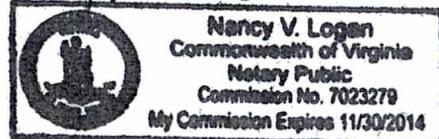
(check one) Applicant Roward B. Sydnor [] Applicant's Authorized Agent

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

Subscribed and sworn to before me this 17th day of July, 2011, in the State/Comm. of Virginia, County/City of Fairfax.

Nancy V. Logen
Notary Public

My commission expires: 11-30-2014



MAY 10 2011

Zoning Evaluation Division

SPECIAL PERMIT STATEMENT OF JUSTIFICATION

- A. Attached deck to rear of SFD dwelling.
- B. N/A
- C. N/A
- D. N/A
- E. N/A
- F. Single residential lot
- G. Wooden deck per Fairfax Co. stds.
- H. N/A
- I. Proposed deck will be designed and constructed according to all applicable Fairfax County regulations, ordinances and standards.

Ronald B. Seydner
Ronald B. Seydner

8-913

3.

Such a modification shall be approved if it is established that the resultant development will be harmonious with existing development in the neighborhood and will not adversely impact the public health, safety and welfare of the area.

RECEIVED
Department of Planning & Zoning
AUG 04 2004
Zoning Evaluation

8-913

1. The proposed dwelling or addition thereto is on a lot which was comprehensively rezoned to the R-C district on July 26, 1982 or August 2, 1982 and such lot was subject of final plat approval prior to July 26, 1982.

The plat was approved on August 3, 1979.

RECEIVED
Department of Planning & Zoning

AUG 04 2011

Zoning Evaluation Division

RECEIVED
Department of Planning & Zoning

JUL 22 2011

Zoning Evaluation Division

The resultant development
will have no adverse
impact on the public
health, safety and welfare
of the area.

RECEIVED
Department of Planning & Zoning

JUL 22 2011

Zoning Evaluation Division

The resultant development
will be harmonious with
existing development in
the neighborhood.

RECEIVED
Department of Planning & Zoning

JUL 22 2011

Zoning Evaluation Division

3-913 The modifications shall
not result in a yard less
than the minimum yard
requirement of the zoning
district which was
applicable to the lot on
July 25th 1982.

RECEIVED
Department of Planning & Zoning

JUL 22 2011

Zoning Evaluation Division

To the best of my knowledge
there are no hazardous or toxic
substances as described in
Federal and State regulations
on this property.

RECEIVED
Department of Planning & Zoning

JUL 22 2011

Zoning Evaluation Division

The residential property
and dwelling, 33-4-02-181A
is owned solely by the
applicant, Ronald B. Sydnor
and his wife, Carolyn L. McKay
Sydnor.

Ronald B Sydnor
Ronald B. Sydnor

This is to request a
waiver of the special
permit plat requirement
due to the fact that
this is for the R-C District
Ordinance 8-913

Thomas J. [Signature]

RECEIVED
Department of Planning & Zoning
MAY 10 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.

8-913

Provisions for Approval of Modifications to the Minimum Yard Requirements for Certain R-C Lots

The BZA shall approve a special permit to allow a modification to the minimum yard requirements of the R-C District, but only in accordance with the following provisions:

1. The proposed dwelling or addition thereto is on a lot which was comprehensively rezoned to the R-C District on July 26, 1982 or August 2, 1982 and such lot was: (a) the subject of final plat approval prior to July 26, 1982, or (b) recorded in accordance with a final consent decree entered in Chancery No. 78451 by the Fairfax County Circuit Court on September 17, 1985, or (c) recorded in accordance with a final consent decree entered in Chancery Nos. 78425, 78452, 78454, 78461, 78462 and 78465 by the Fairfax County Circuit Court on September 17, 1985, as amended by a final consent decree entered on November 25, 1991 by the Fairfax County Circuit Court in Chancery No. 123887.
2. Such modification shall result in a yard not less than the minimum yard requirement of the zoning district which was applicable to the lot on July 25, 1982.
3. Such a modification shall be approved if it is established that the resultant development will be harmonious with existing development in the neighborhood and will not adversely impact the public health, safety and welfare of the area.
4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plat. Such plat shall be prepared by a certified land surveyor or registered engineer except plats submitted for additions to existing single family dwellings or accessory structures related to existing single family dwellings may be prepared by the applicant. Such plat shall contain the following information:
 - A. The dimensions of the lot or parcel, the lot lines thereof, and the area of land contained therein.
 - B. The location, dimensions 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 and for accessory structures, the height of the highest point of the structure from finished ground level.
 - C. The distance from all property lines to the proposed building, structure or addition, shown to the nearest one-tenth of a foot.

- D. The existing and intended use of each building or structure or part thereof, including the number of dwelling units within a dwelling.
- E. The location and configuration of any existing or proposed off-street parking space(s), the number of spaces proposed to be provided, and information as to the proposed surfacing of such areas.
- F. The delineation of any Resource Protection Area and Resource Management Area.
- G. The signature and certification number, if applicable, of the person preparing the plat.