



APPLICATION ACCEPTED: February 3, 2012  
BOARD OF ZONING APPEALS: April 25, 2012  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

---

April 18, 2012

## STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2012-LE-007

### LEE DISTRICT

**OWNERS/APPLICANTS:** Craig W. and Veronica M. Floyd

**SUBDIVISION:** Wilson Woods

**STREET ADDRESS:** 5906 Ashby Manor Place

**TAX MAP REFERENCE:** 82-4 ((40)) 2

**LOT SIZE:** 17,080 square feet

**ZONING DISTRICT:** R-2

**ZONING ORDINANCE PROVISIONS:** 8-918

**SPECIAL PERMIT PROPOSAL:** To permit an accessory dwelling unit within an existing dwelling.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2012-LE-007 for the accessory dwelling unit, subject to the proposed development conditions contained in Appendix 1.

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

O:\bcho00\SP\Apr 25 - SP 2012-LE-007 (Floyd)\Staff\staff\_report.doc

B. 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.

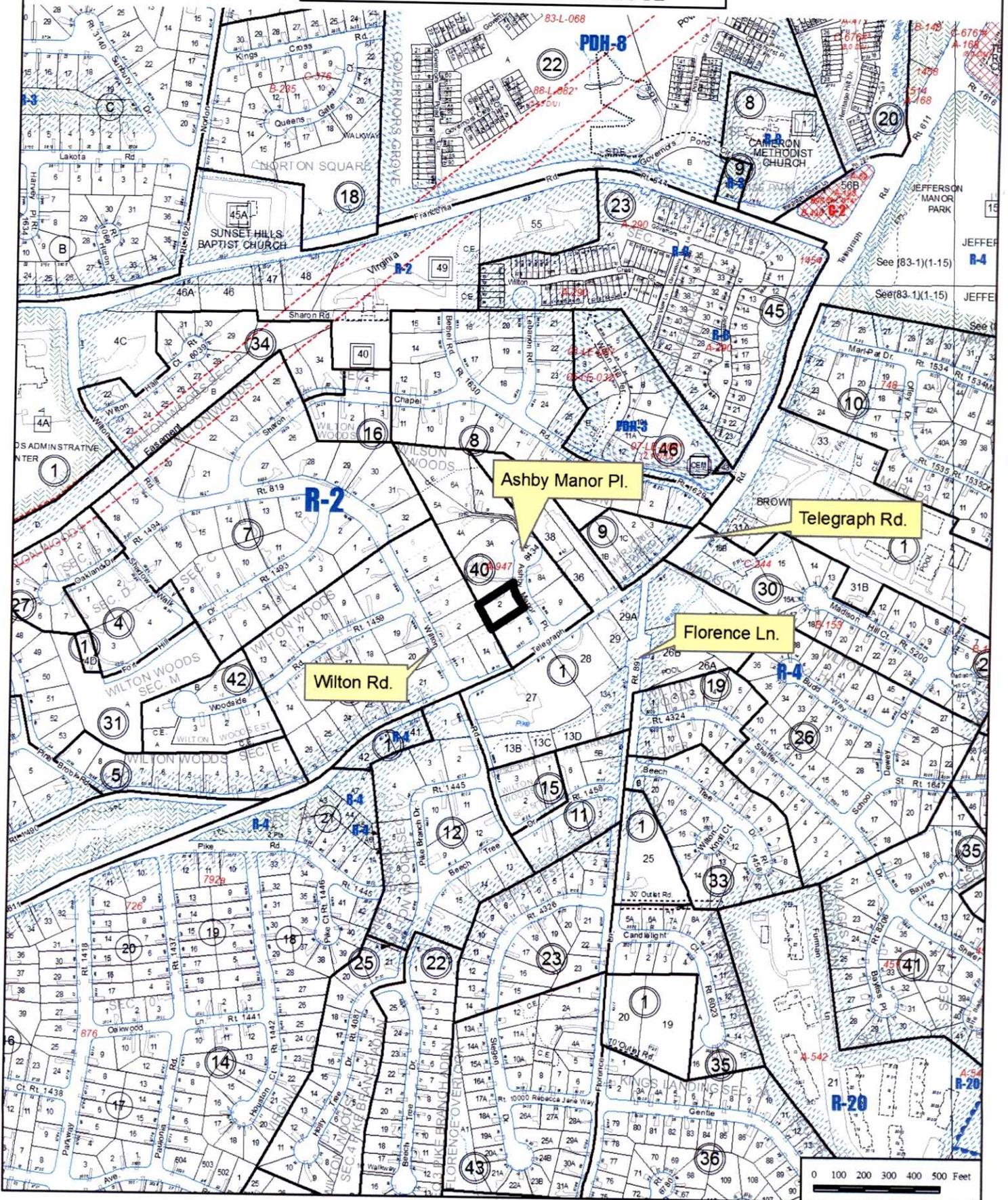
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government 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 2012-LE-007**  
**CRAIG W. & VERONICA M. FLOYD**



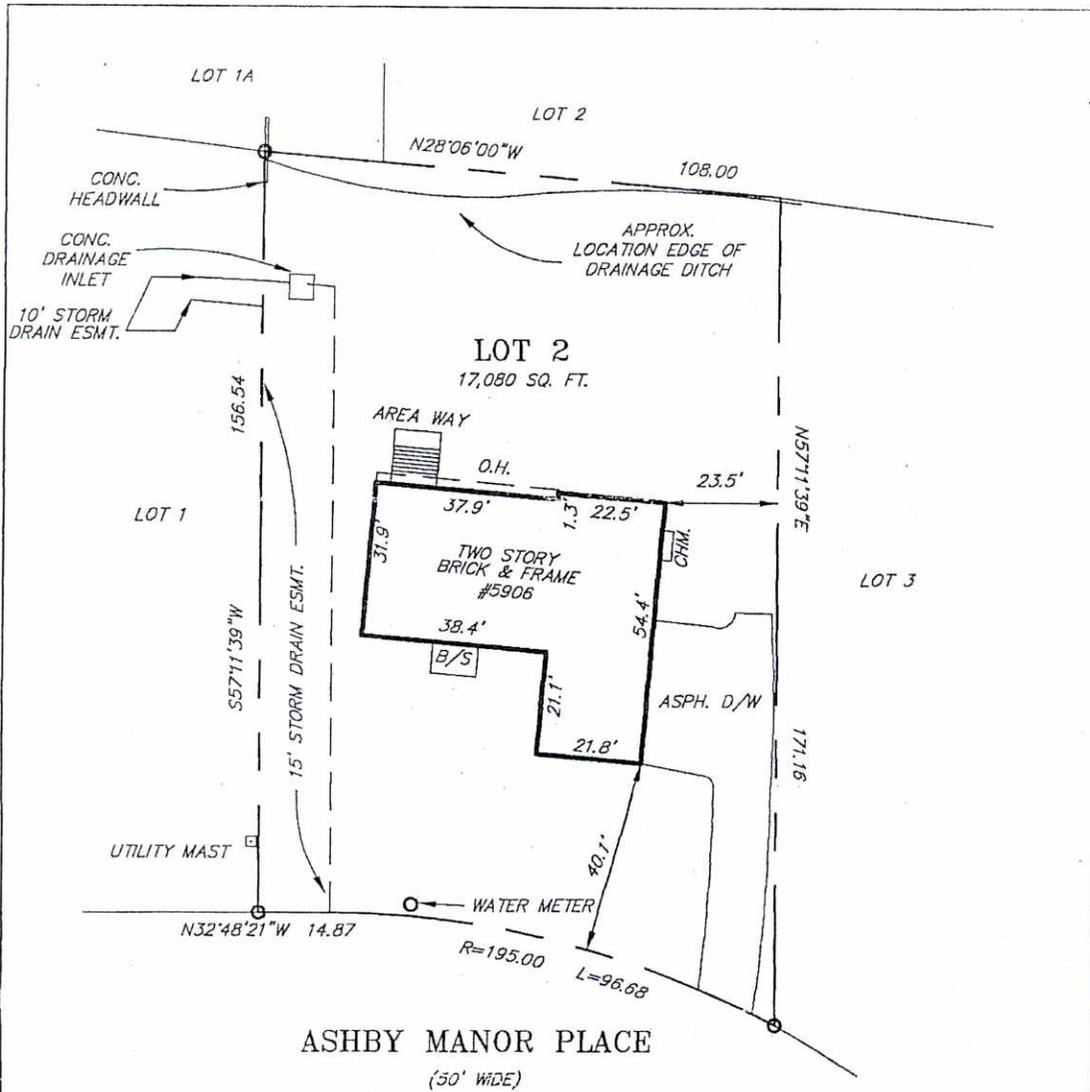
Ashby Manor Pl.

Telegraph Rd.

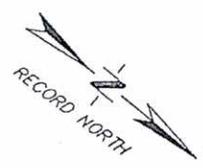
Florence Ln.

Wilton Rd.





**ASHBY MANOR PLACE**  
(50' WIDE)

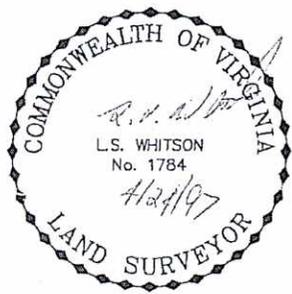


HOUSE LOCATION SURVEY  
**LOT 2**  
**WILSON WOODS**  
 DEED BOOK 7445 PAGE 16  
 LEE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA  
 SCALE: 1" = 30' DATE APRIL 24, 1997

**LEGEND**

- CHIM. = CHIMNEY
- B/W = BAY OR BOX WINDOW
- O.H. = OVERHANG
- C/S = CONCRETE STOOP
- = IRON PIPE FOUND

THIS SURVEY WAS ESTABLISHED BY TRANSIT AND TAPE AND UNLESS OTHERWISE SHOWN THERE ARE NO ENCROACHMENTS. NO TITLE REPORT WAS FURNISHED AND NO CORNER MONUMENTATION HAS BEEN SET UNLESS REQUESTED.

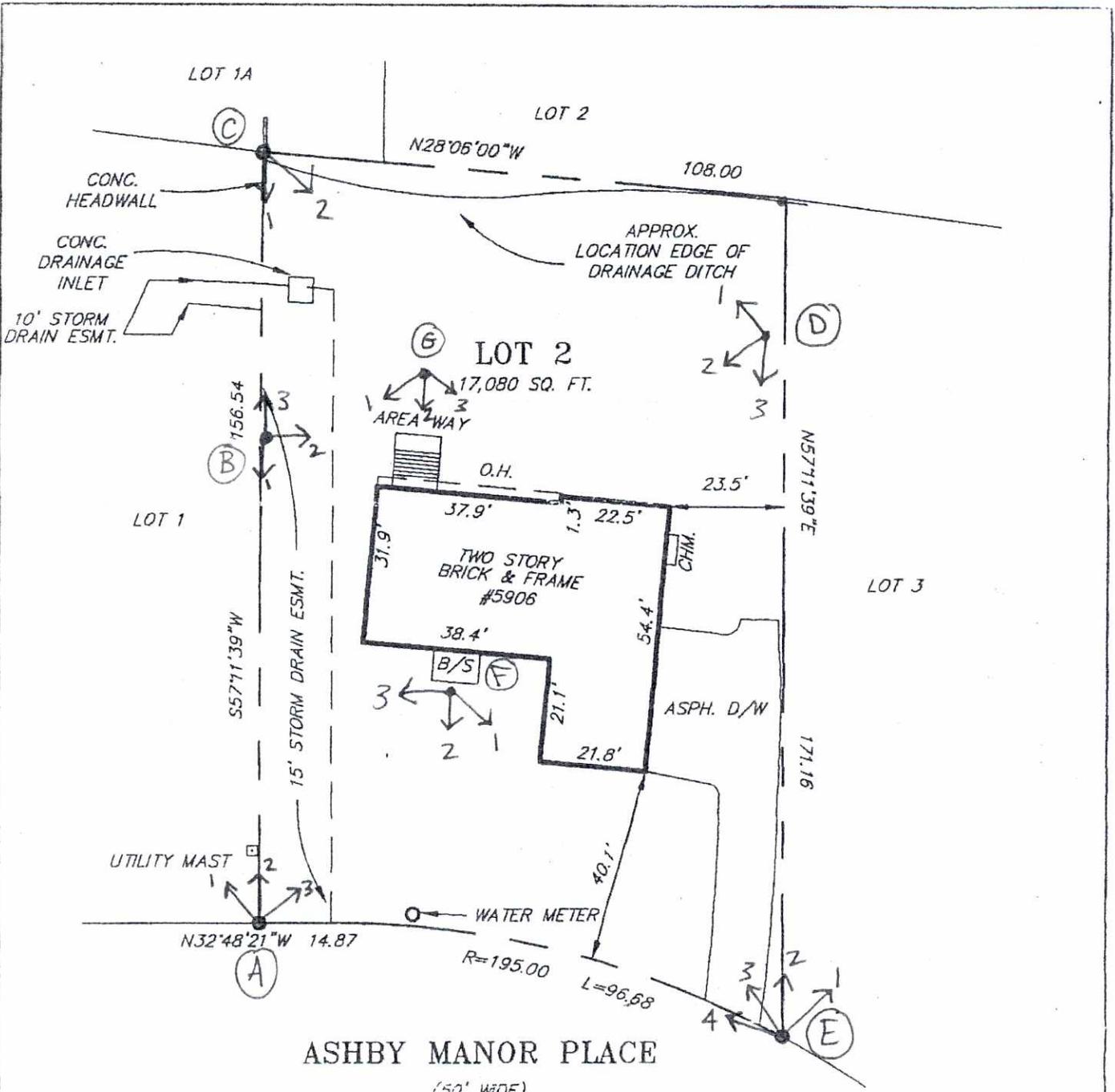


THIS IS NOT A BOUNDARY SURVEY. LOCATION OF DRIVEWAY AND FENCES ARE APPROXIMATE. THIS SURVEY DOES NOT DETERMINE THE OWNERSHIP OF FENCES. THIS PLAT IS NOT TO BE USE FOR CONSTRUCTION OF FENCES.

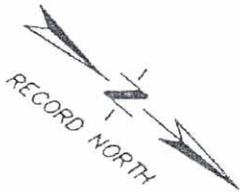
FLOOD NOTE:  
 THIS DWELLING IS NOT LOCATED IN A F.E.M.A. SPECIAL FLOOD HAZARD AREA.

<p><b>SAM WHITSON, L.S./LAND SURVEYING</b>          10875 MAIN STREET, SUITE 112          FAIRFAX, VIRGINIA 22030          (703)-591-4864 FAX: (703)-591-6307</p>	<p><b>OWNER: OAK STREET DEVELOPMENT</b>  <b>BUYER: FLOYD</b>          W.O. #97-462 CLIENT #AG972537</p>
---	---





ASHBY MANOR PLACE  
(50' WIDE)



HOUSE LOCATION SURVEY

LOT 2

WILSON WOODS

DEED BOOK 7445 PAGE 16

LEE DISTRICT

FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 30' DATE APRIL 24, 1997

RECEIVED  
Department of Planning & Zoning

NOV 18 2011

Zoning Evaluation Division

Floyd Residence Photo Locations

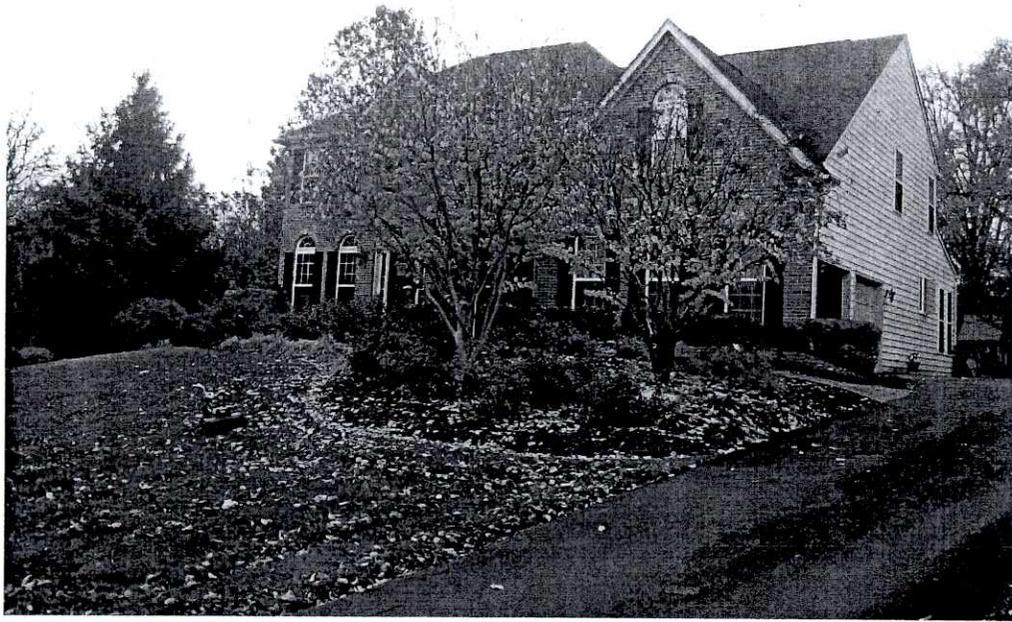


Photo A.1



Photo A.2

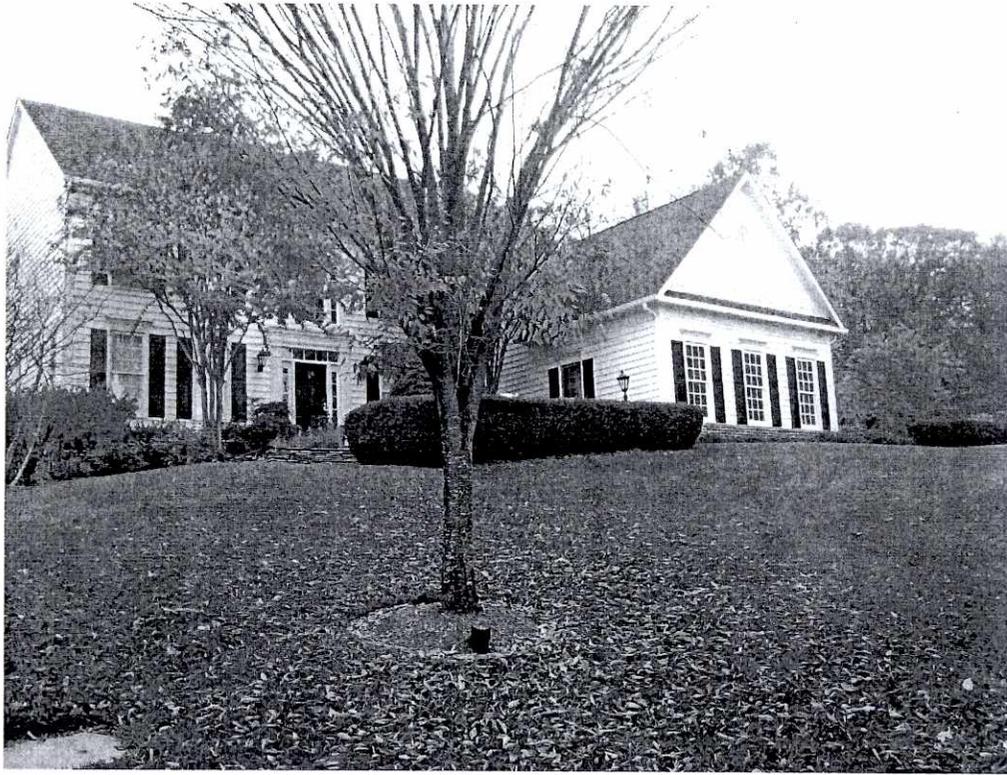


Photo A.3



Photo B.1

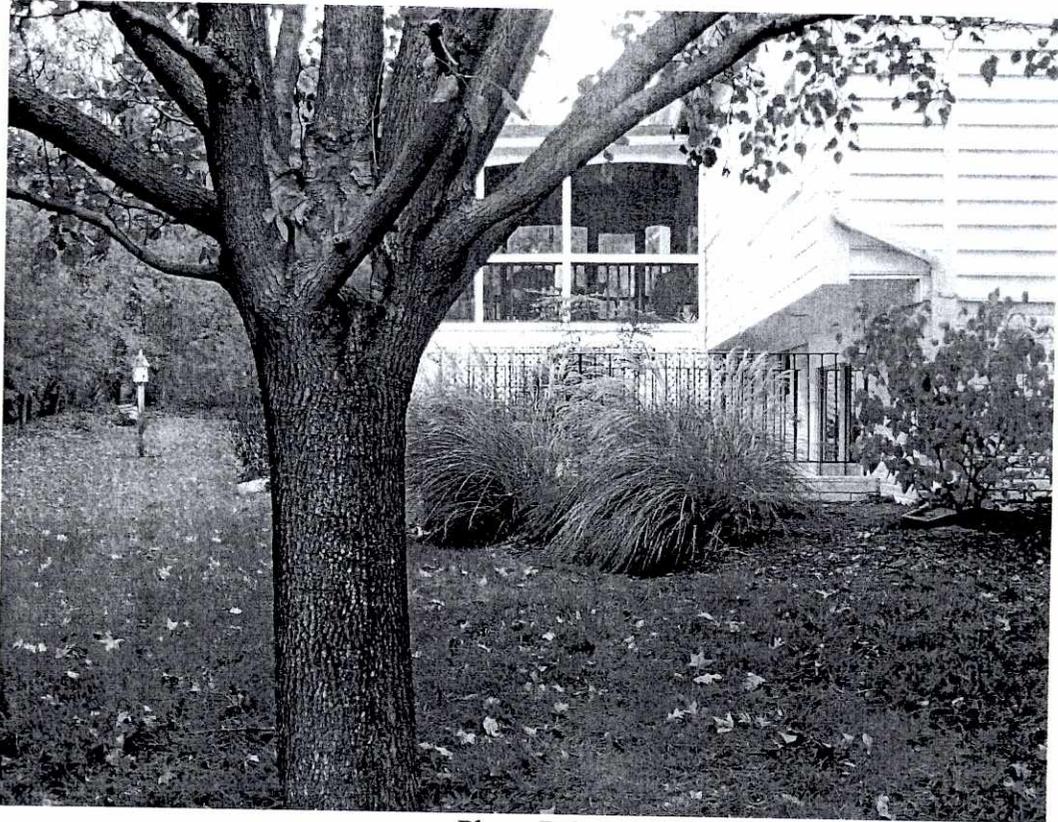


Photo B.2



Photo B.3



Photo C.1

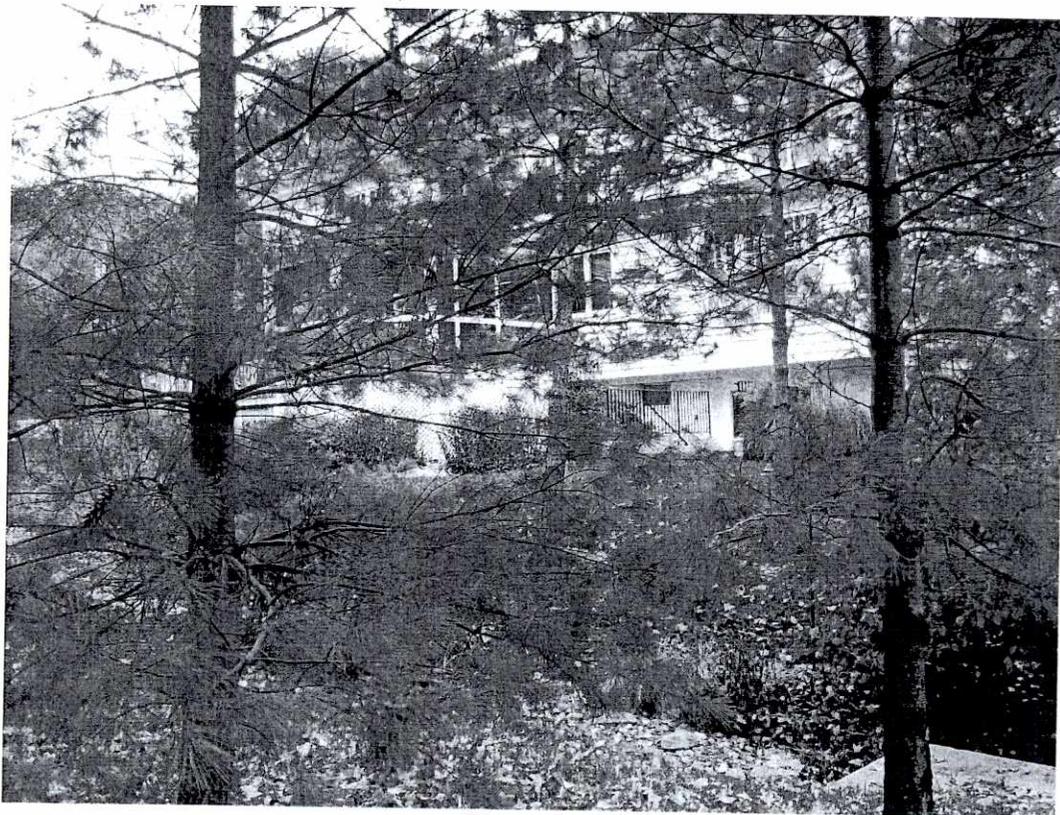


Photo C.2

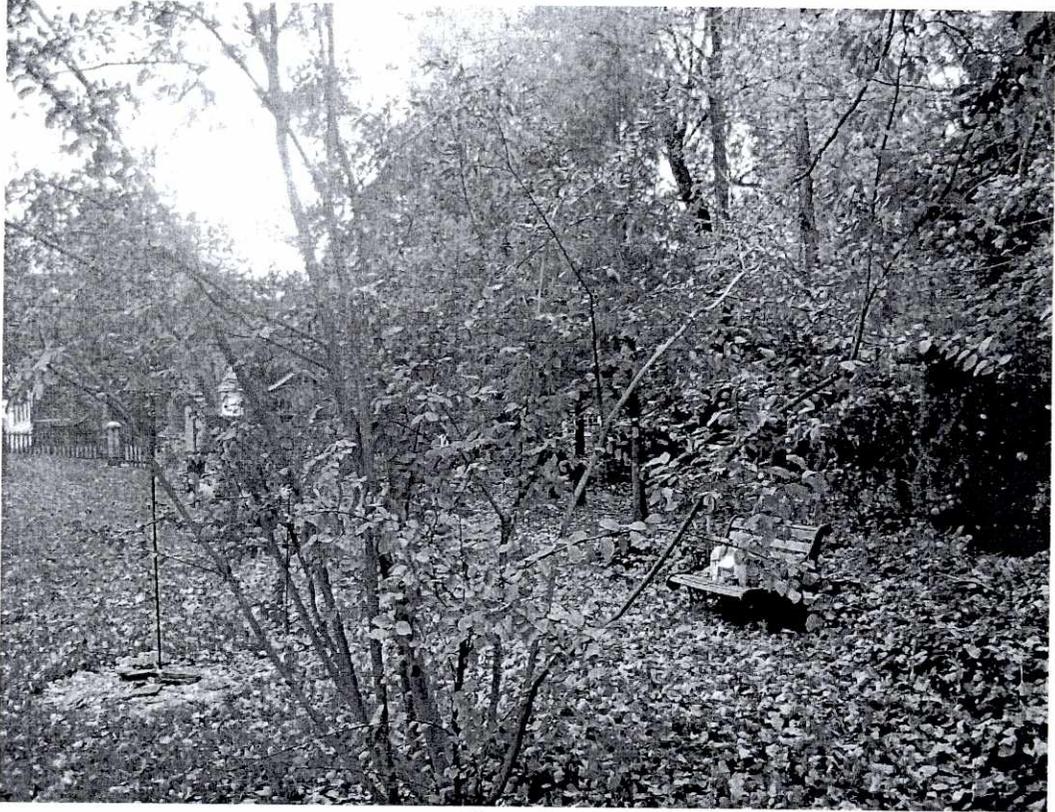


Photo D.1



Photo D.2

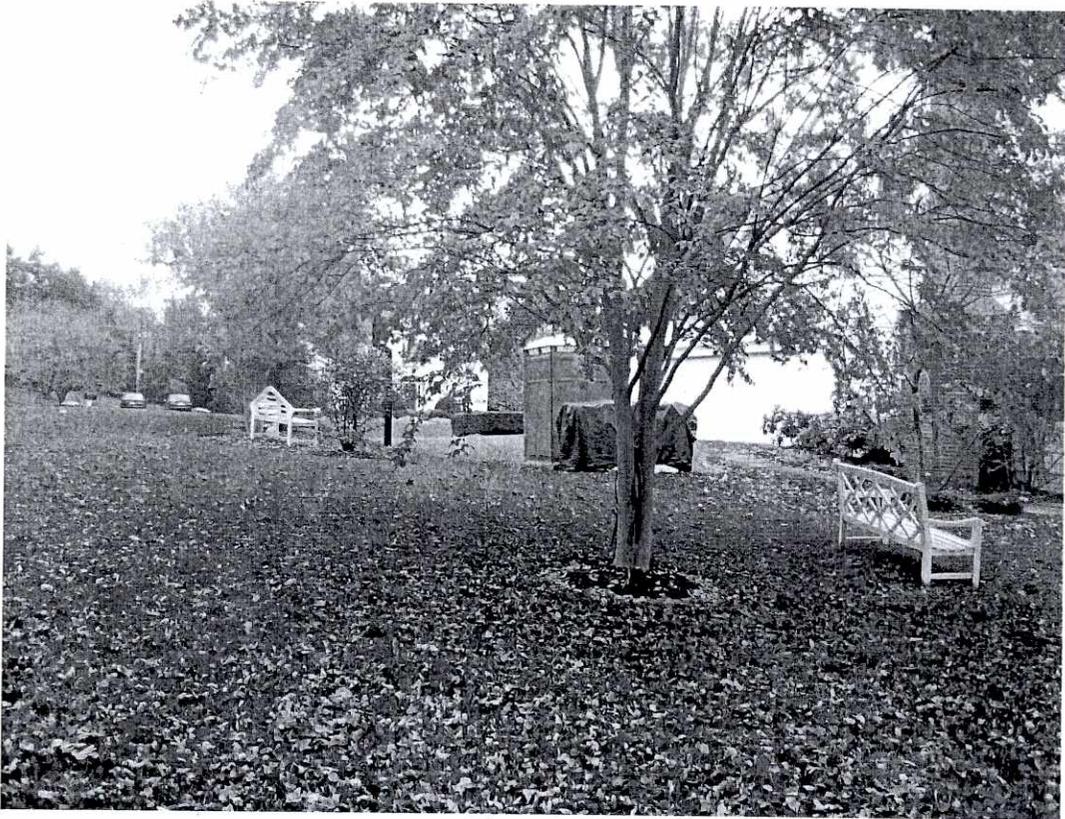


Photo D.3

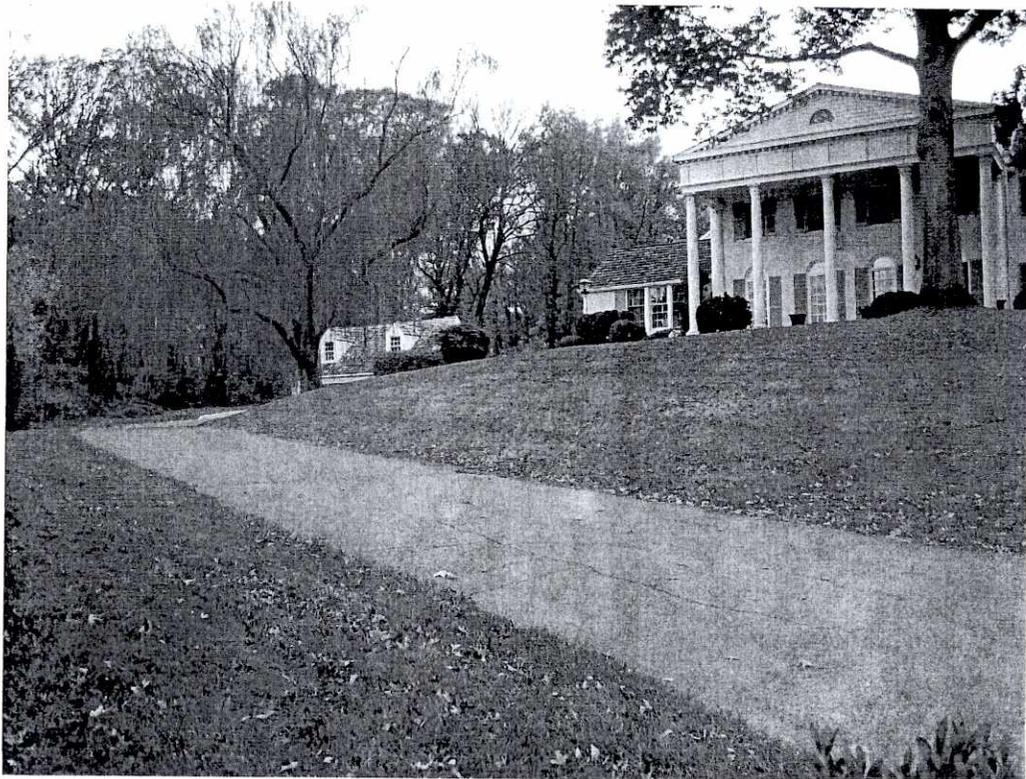


Photo E.1

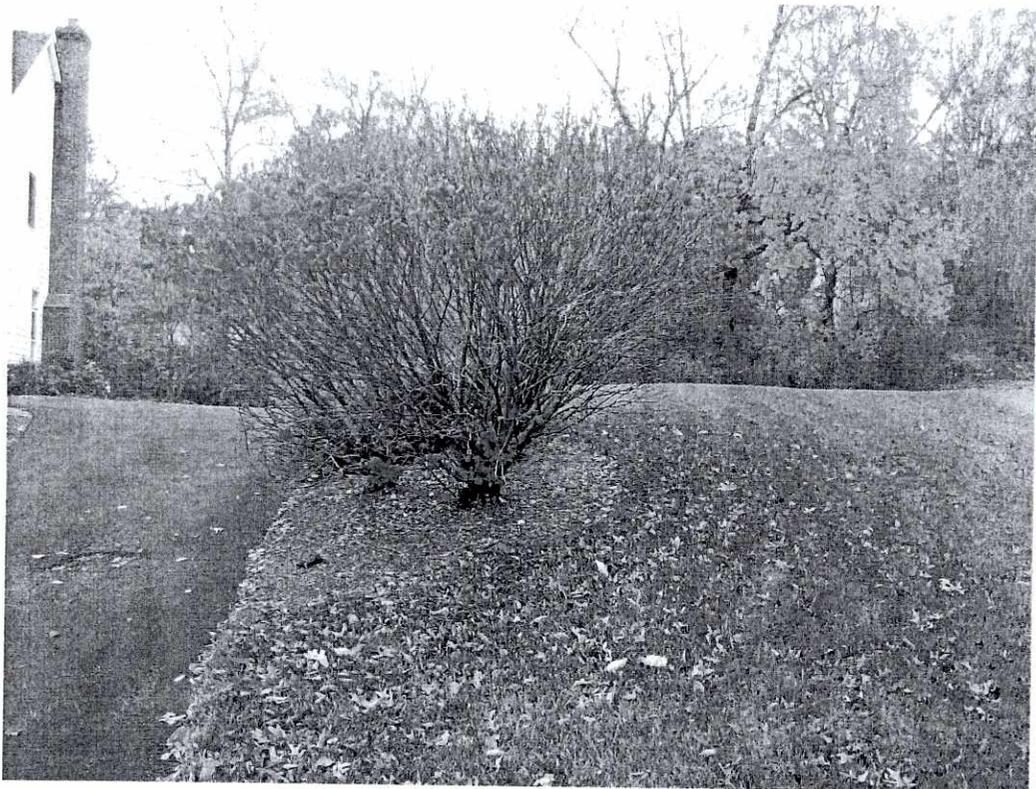


Photo E.2

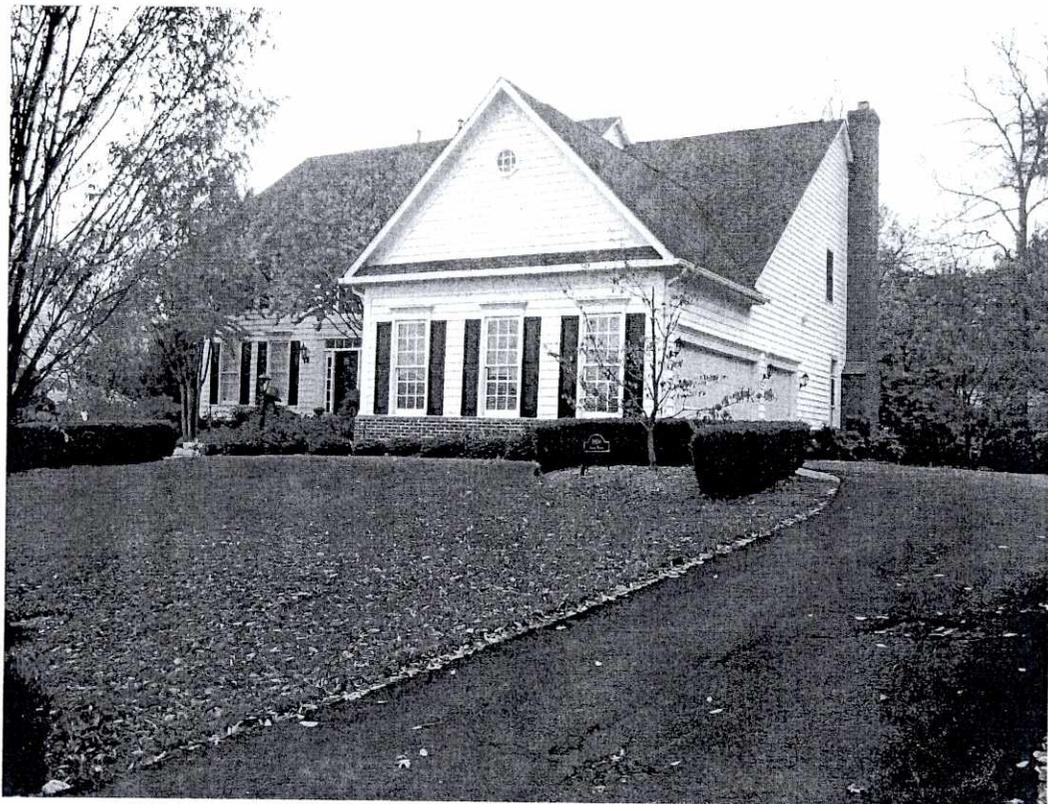


Photo E.3

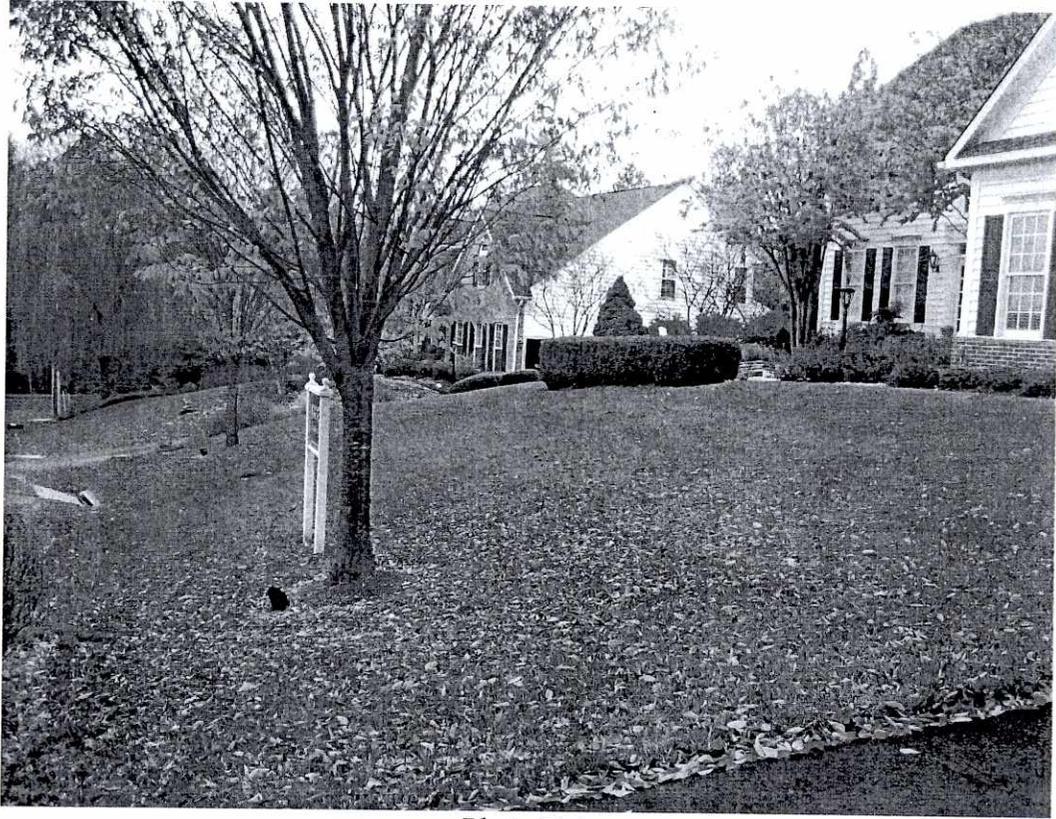


Photo E.4

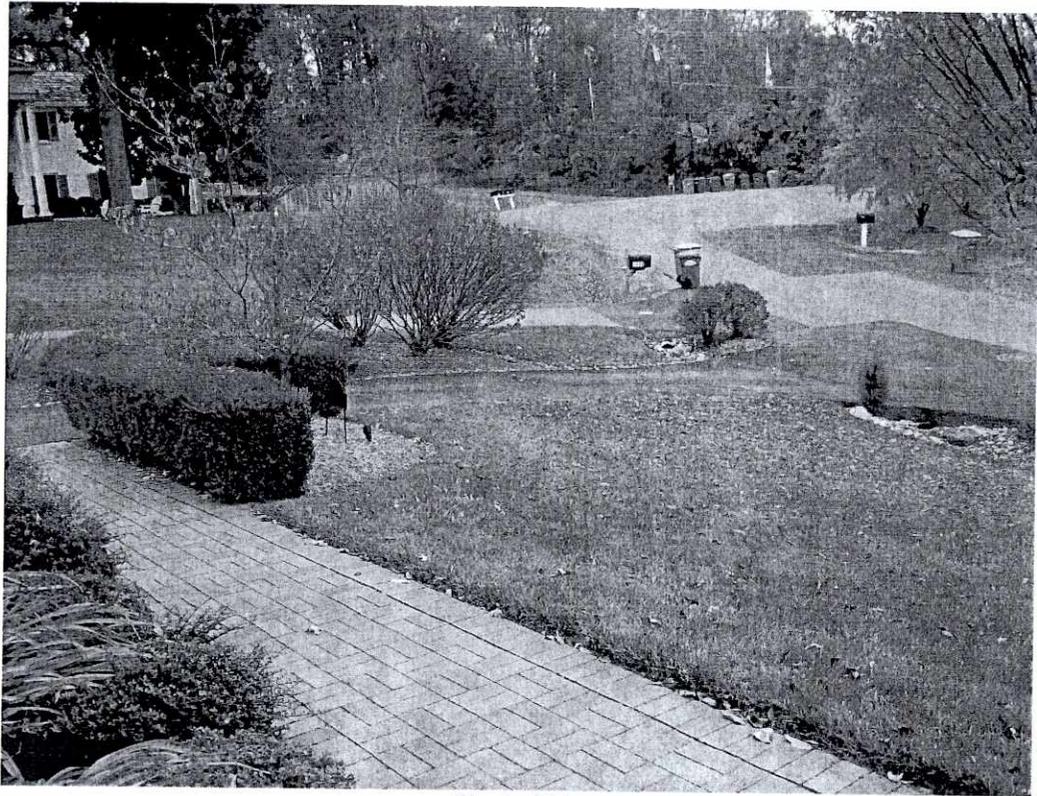


Photo F.1

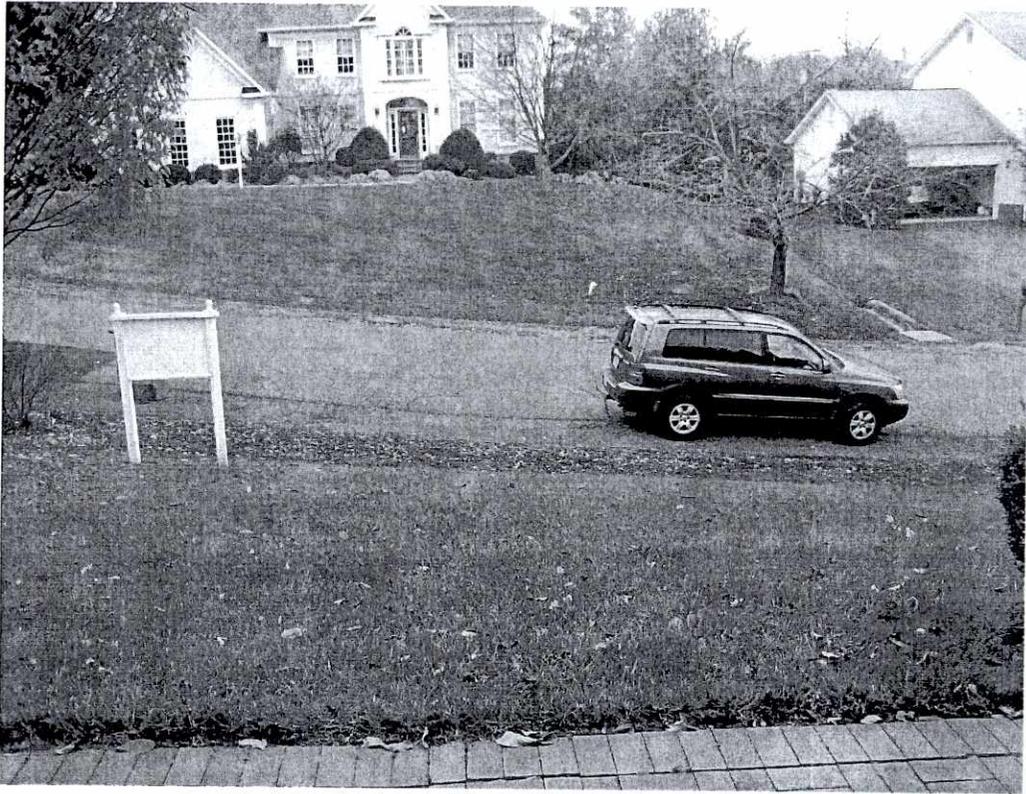


Photo F.2



Photo F.3

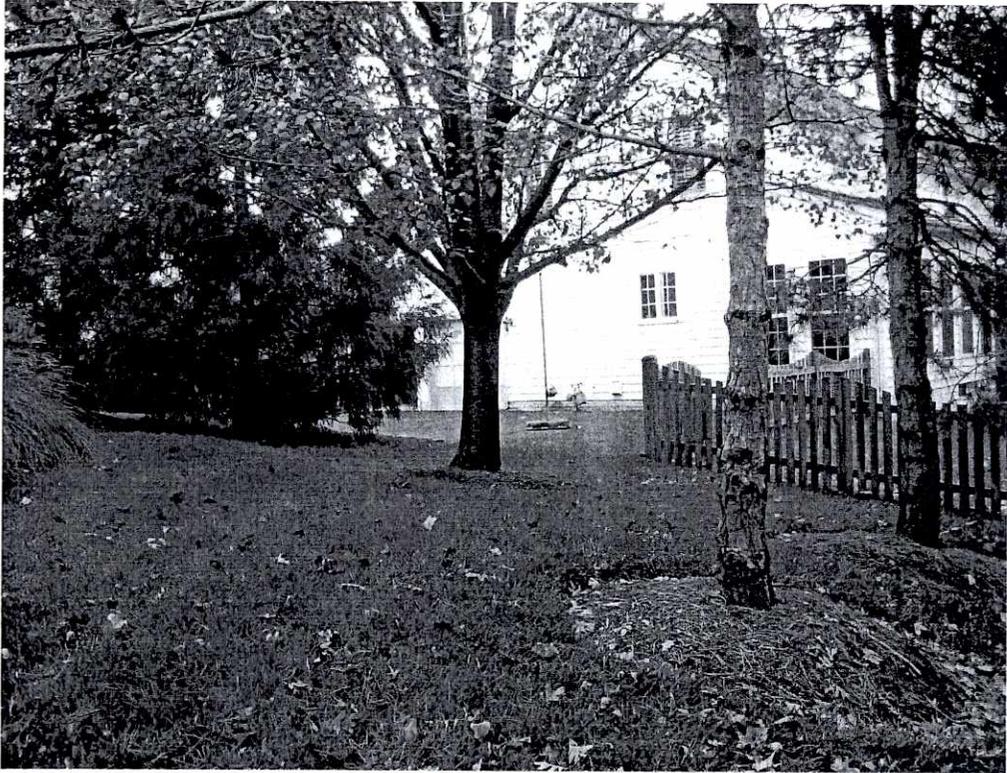


Photo G.1



Photo G.2

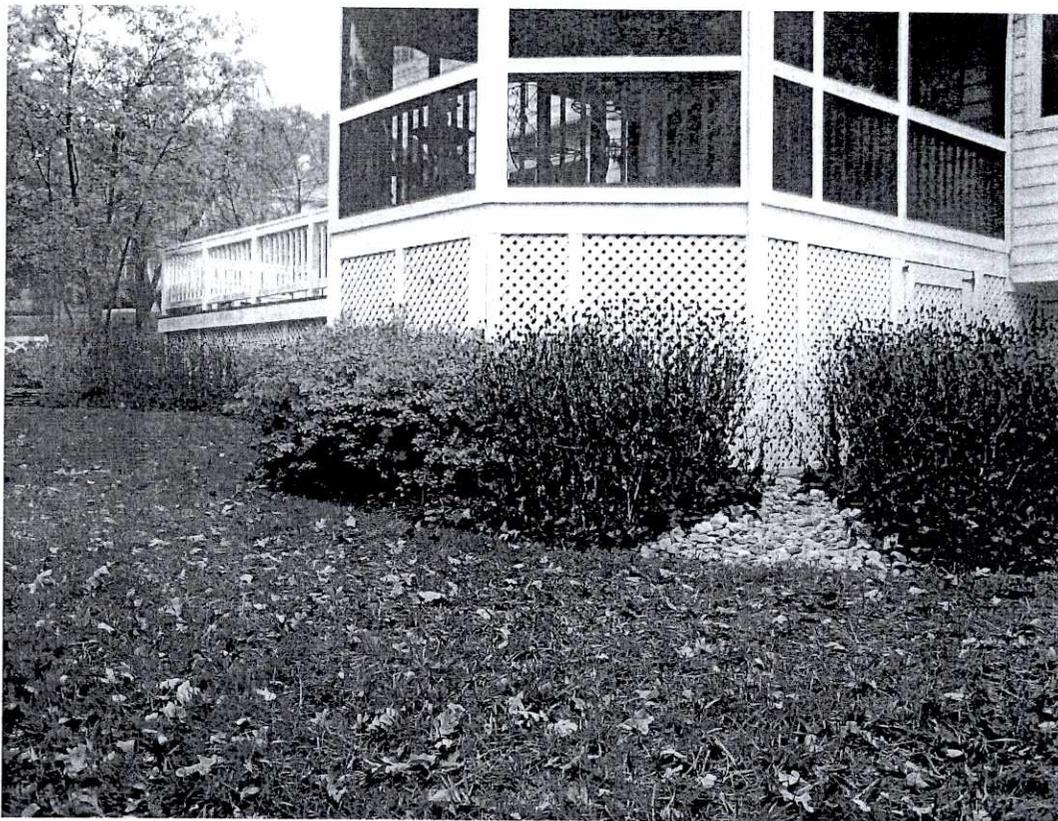
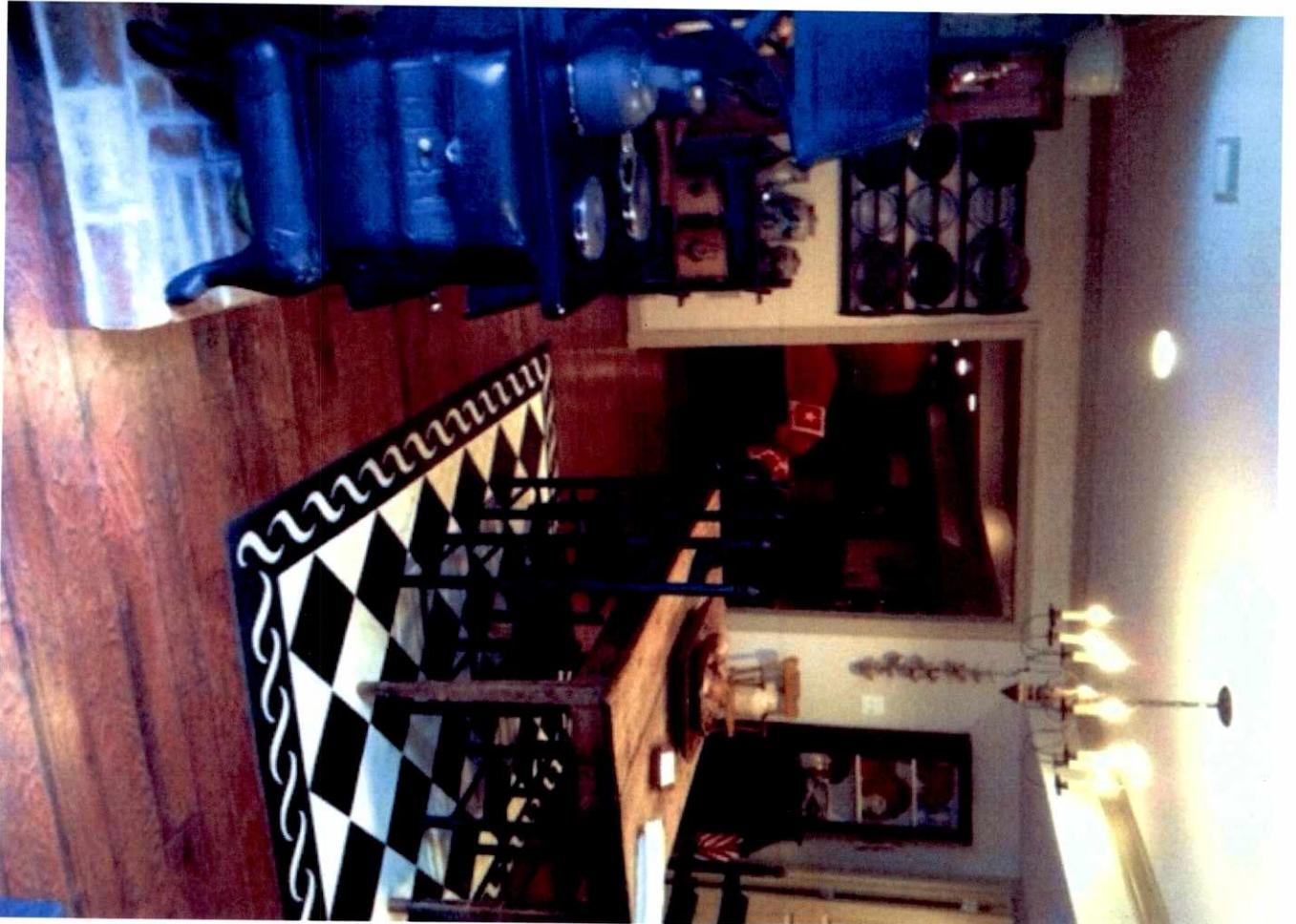
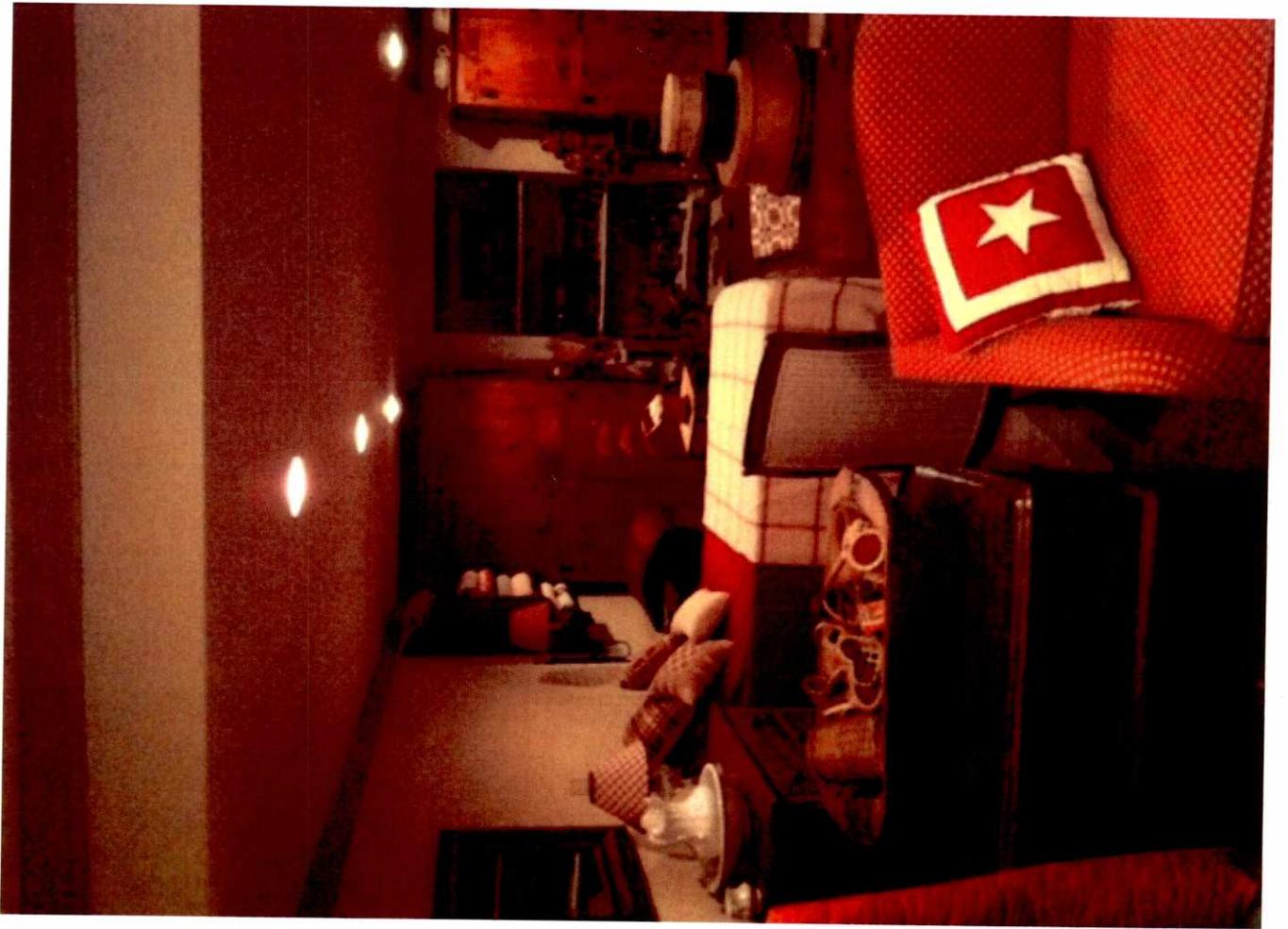
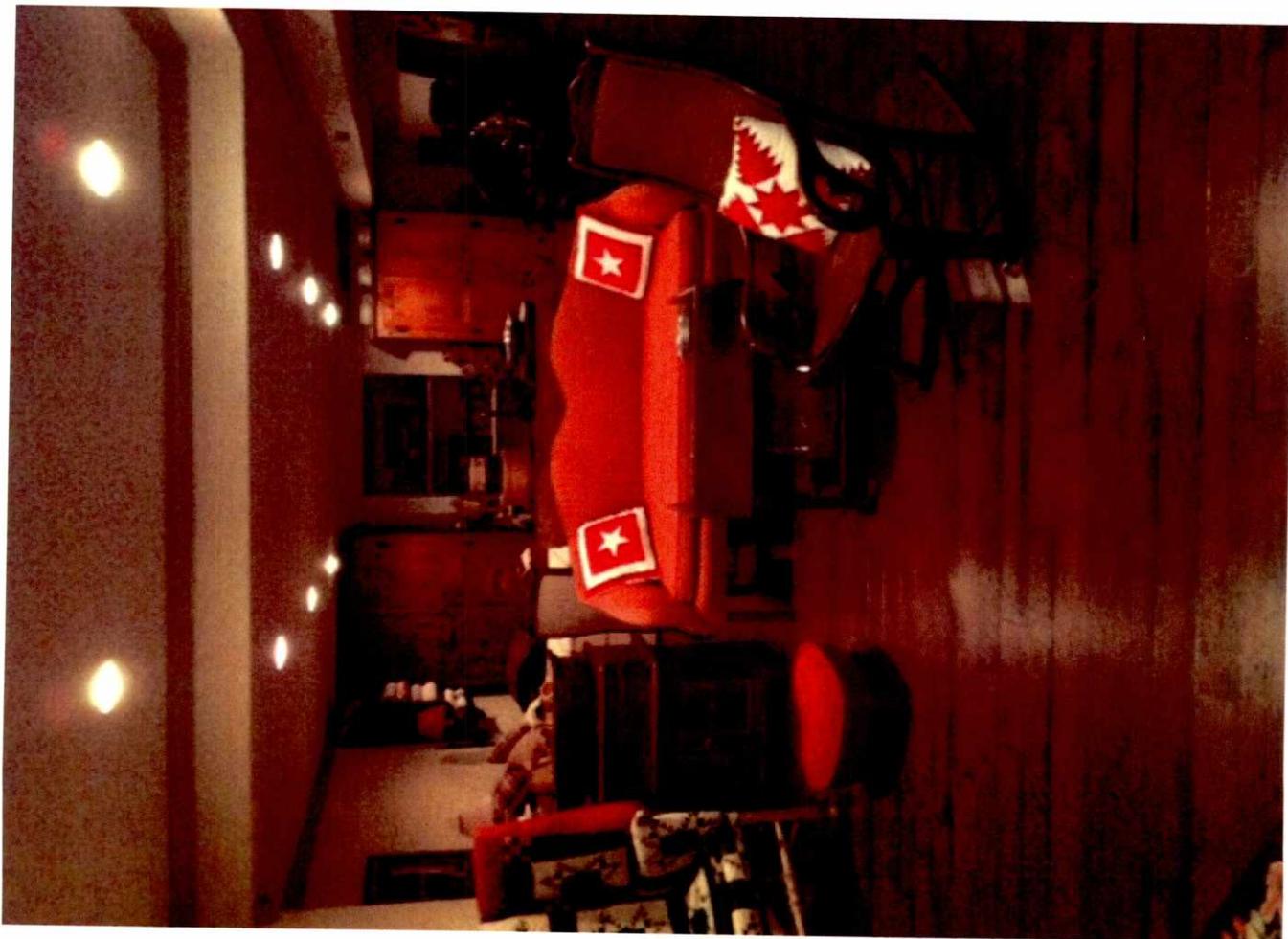


Photo G.3









**DESCRIPTION OF THE APPLICATION**

**Special Permit Request:** To permit an accessory dwelling unit in the basement of an existing dwelling.

**Size of Principal Dwelling:** 4,488 square feet\*

**Size of Accessory Dwelling Unit:** 1,322 square feet or 29%

**Lot Size:** 17,080 square feet

\*The square footage of the principal dwelling is for above ground gross floor area.

**LOCATION AND CHARACTER OF THE AREA**

**Existing Site Description**

The subject property measures 17,080 square feet in area and is zoned R-2. The site is developed with a two story, brick and frame single-family detached house. There is an asphalt driveway in the front, which ends at a three car garage at the side of the house. There is a paved walkway between the driveway and front door. At the rear of the house, there is an open wood deck and screened porch, as well as an entrance to the basement. The rear yard is not fenced. Along the side (east) property line, there is a 15 foot storm drain easement, and there is a drainage ditch along the rear property line. The site is landscaped with grass, trees, shrubs and other flowering plants.

**Surrounding Area Description**

<b>Direction</b>	<b>Use</b>	<b>Zoning</b>
<b>North</b>	Single Family Detached Dwelling	R-2
<b>South</b>	Single Family Detached Dwelling	R-2
<b>East</b>	Single Family Detached Dwelling	R-2
<b>West</b>	Single Family Detached Dwelling	R-2

## BACKGROUND

The applicant was issued a permit for an interior renovation of the basement and rough-in for a kitchen in 2011, which was finalized. A copy of the permit and approved plan is attached as Appendix 4. There are no violations on the site.

Records indicate there have been no applications for accessory dwelling units in the vicinity of the application site.

## ANALYSIS

### Special Permit Plat (Copy at front of staff report)

**Title of SP Plat:** House Location Survey, Lot 2, Wilson Woods, Deed Book 7445, Page 16, Lee District

**Prepared By:** Sam Whitson, L.S. / Land Surveying

**Dated:** April 24, 1997

### Proposed Use:

The applicant requests a special permit to allow an accessory dwelling unit in the cellar of the existing dwelling for an occupant over 55 years old, who is a family member of the applicants. The principal dwelling measures a total of 4,488 square feet in above ground gross floor area (GFA), and the proposed accessory dwelling unit will measure 1,322 square feet or 29% of the principal dwelling. The accessory dwelling unit will have an open living/sleeping area, a kitchen and bathroom. The unit will be accessible through the principal dwelling and through a separate door to the outside at the rear of the dwelling. There is a three car garage connected to the house, which is accessed through a long asphalt driveway.

## ZONING ORDINANCE PROVISIONS

### Special Permit Requirements (See Appendix 5)

- \* General Special Permit Standards (Sect. 8-006)
- \* Group Standards for All Group 9 Uses (Sect. 8-903)
- \* Additional Standards for Accessory Dwelling Units (Sect. 8-918)

## **Summary of Zoning Ordinance Provisions**

This special permit is subject to Sects. 8-006, 8-903 and 8-918 of the Zoning Ordinance as referenced above, a copy of which is included in Appendix 5. Subject to development conditions, the special permit must meet these standards.

Par. 9 of Sect. 8-918 requires that "any accessory dwelling unit shall meet the applicable regulations for building, safety, health and sanitation." There are no windows in the living/sleeping area, and an emergency escape and rescue opening may be required to meet residential code requirements. A development condition is included to address this issue.

## **CONCLUSIONS AND RECOMMENDATIONS**

Staff believes that all applicable standards for the accessory dwelling unit as outlined in Sects. 8-006, 8-903 and 8-918 will be satisfied with adoption of the proposed development conditions. Therefore staff recommends approval of SP 2012-LE-007 subject to the Proposed Development Conditions contained in Appendix 1 of this 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

## **APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Interior Renovation of Basement Permit
5. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2012-LE-007****April 18, 2012**

If it is the intent of the Board of Zoning Appeals to approve SP 2012-LE-007 located at Tax Map 82-4 ((40)) 2 to permit an accessory dwelling unit under Section 8-918 to 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 the building permit for the kitchen. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This approval is granted to the applicants only, Craig W. and/or Veronica M. Floyd, and is not transferable without further action of this Board, and is for the location indicated on the application, 5906 Ashby Manor Place (17,080 square feet), and is not transferable to other land.
3. A copy of this special permit SHALL BE POSTED in a conspicuous place on the property of the use and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The occupants of the principal dwelling and the accessory dwelling unit shall be in accordance with Par. 5 of Sect. 8-918 of the Zoning Ordinance which states in part that one of the dwelling units shall be occupied by a person or persons who qualify as elderly (55 years of age or older) and/or permanently and totally disabled.
5. The accessory dwelling unit shall contain a maximum of 1,322 square feet, and the layout shall be generally as depicted on the floor plan included as Attachment 1 to these conditions.
6. All applicable trade permits and final inspections shall be obtained for the kitchen components and the window/emergency escape opening if required, in the accessory dwelling unit.
7. Provisions shall be made for the inspection of the property by County personnel during reasonable hours upon prior notice, and the accessory dwelling unit shall meet the applicable regulations for building, safety, health and sanitation.

8. The accessory dwelling unit shall be approved for a period of five (5) years from the final approval date of the special permit and may be extended for five (5) year periods with prior approval of the Zoning Administrator in accordance with Section 8-012 of the Zoning Ordinance.
9. If the use of the accessory dwelling unit ceases and/or the property is sold or otherwise conveyed, the accessory structure shall be converted to a use permitted by the Zoning Ordinance or if the property is sold or conveyed, a special permit amendment may be submitted to permit the continued use of an accessory dwelling unit.
10. All parking shall be provided on site as shown on the special permit plat.

This approval, contingent on 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, six (6) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use 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.



Application No.(s): SP 2012 - LE - 007  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: December 15, 2011  
 (enter date affidavit is notarized)

I, Louis V. Genuario, Jr., 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

114202

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 <b>BOLD</b> above)
Craig W. & Veronica M. Floyd	5906 Ashby Manor Place, Alexandria, VA 22310	Applicant/Owner
Louis V. Genuario, Jr. of Genuario Construction Company, Inc.	8400 Radford Avenue, Suite 200, Alexandria, VA 22309	Agent

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

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

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

Application No.(s): SP 2012-LE-007  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: December 15, 2011  
(enter date affidavit is notarized)

114202

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)  
Genuario Construction Company, Inc., 8400 Radford Avenue, Suite 200, Alexandria, VA 22309

**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)

Arthur R. Genuario  
Louis V. Genuario, Jr.

(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.

SP 2012-LE-007

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: December 15, 2011  
(enter date affidavit is notarized)

114202

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.

Application No.(s): SP 2012-LE-007  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: December 15, 2011  
(enter date affidavit is notarized)

114202

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 2012-LE-007  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: December 15, 2011  
(enter date affidavit is notarized)

114202

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: [Signature]  
(check one) [ ] Applicant [x] Applicant's Authorized Agent  
Louis V. Genuario, Jr./VP, Genuario Construction Co.  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 15 day of December 2011, in the State/Comm. of Virginia, County/City of Fairfax.

Lindsay M. Gainer # 355537  
Notary Public

My commission expires: September 30, 2013





RECEIVED  
Department of Planning & Zoning

NOV 18 2011

Zoning Evaluation Division

November 16, 2011

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

Re: Special Permit Statement of Justification  
for 5906 Ashby Manor Place

To Whom It May Concern:

The Special Use Permit (SUP) for 5906 Ashby Manor Place, Alexandria, VA 22310 is being requested for the proposed use of an Accessory Dwelling Unit (ADU), per the requirements set forth in the Fairfax County Zoning Ordinance, Section 8-918. The Accessory Dwelling unit will be located in the existing basement of the Owner's home and will serve as a residence for Mrs. Terese R. McCann, Veronica Floyd's 78 year old mother who is relocating from New Jersey to live with her daughter and son-in law.

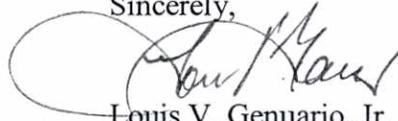
Please see below for additional information:

- A) Type of Operation – Accessory Dwelling Unit.
- B) Hours of Operation – None; will be used as a private residence.
- C) Estimated Number of Patrons/Clients/etc. – None; accessory dwelling unit will be occupied by one (1) person.
- D) Proposed Number of Employees/Teachers/etc. – None.
- E) Traffic Impact of the Proposed Use – None; approval of SUP will result in one (1) additional car being parked in the Owner's driveway.
- F) Vicinity or General Area to be Served – Owner's existing basement will be used to house the Accessory Dwelling Unit
- G) Description of Façade/Architecture of Proposed New Building or Additions – None, only interior alterations to the Owner's existing basement will be required. No exterior facades or new buildings are included in the permit application.
- H) Hazardous or Toxic Substances – None will be generated, utilized, stored, etc. in the proposed Accessory Dwelling Unit.

- I) In conformance with Zoning Ordinance Section 8-918 the existing single family dwelling that will house the ADU is located on a lot totaling less than two (2) acres, with the entrance to the Accessory Dwelling Unit being located on the rear elevation. The ADU does not exceed 35% of the total gross floor area of the principal dwelling unit and will not contain more than two (2) bedrooms. The principal dwelling unit will be occupied by the owners of the home (not to exceed four (4) people), with the ADU being occupied by one (1) person over the age for fifty-five (55) years old. Uninterrupted access to the Accessory Dwelling Unit's entrance, as well as accessibility to one (1) bathroom are provided for in the construction plans, which also conform to applicable building codes. Issuance of the SUP will result in one (1) additional vehicle being garaged at the existing single family home. Owner understands that the SUP is valid for a period of five (5) years in accordance with Zoning Ordinance Section 8-012, and that an extension of the SUP must be requested at least thirty (30) days prior to its expiration.

Please contact our office at 703-360-3134 if any additional information is required.

Sincerely,

A handwritten signature in black ink, appearing to read "Louis V. Genuario, Jr.", with a large, stylized flourish on the left side.

Louis V. Genuario, Jr.

Vice President

Genuario Construction Co., Inc.



December 12, 2011

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

Re: Special Permit Application, file  
SP 2011-0293

To Michael Chauncey:

Please find below the GFA calculations requested via phone on December 12, 2011 in regard to the Special Permit Application for 5906 Ashby Manor Place, Alexandria, VA 22310 (file SP 2011-0293).

- GFA of proposed Accessory Dwelling Unit – 1,322 sf (*excludes* Utility Room, Storage Room, Sump Pump Closet & Stairway from Basement to First Floor)
- GFA of Primary Dwelling Unit Above Grade Living Space – 4,488 sf (*includes* Garage)
- Proposed ADU GFA is 29.45% of the Primary Dwelling Unit
- 100% of Basement is **below** grade

Please contact our office at 703-360-3134 if any additional information is required.

Sincerely,

Louis V. Genuario, Jr.  
Vice President  
Genuario Construction Co., Inc.

Cc: Floyd G21113.05

**BUILDING PERMIT APPLICATION**

Permit Application Center  
 12055 Government Center Parkway  
 Suite 200  
 Fairfax, Virginia 22035-5504  
 703-222-0801 TTY 711  
 www.fairfaxcounty.gov/buildingpermits



Permit # 112510008  
 Plan # w-11-4939  
 Tax Map # ~~60-11-4930~~  
 0824-40-0002

**JOB LOCATION**

STREET ADDRESS 5906 Ashby Manor Place  
 LOT #2 \_\_\_\_\_ BUILDING N/A \_\_\_\_\_ FLOOR N/A \_\_\_\_\_ SUITE N/A \_\_\_\_\_  
 SUBDIVISION Wilson Woods  
 TENANT'S NAME Craig & Veronica Floyd

**OWNER INFORMATION**

OWNER  TENANT

NAME Craig & Veronica Floyd  
 ADDRESS 5906 Ashby Manor Place  
 CITY Alexandria STATE Virginia ZIP 22310  
 PHONE 703-960-2320 E-MAIL veronica@veronicafloyd.com

**CONTRACTOR INFORMATION**

SAME AS OWNER

COMPANY NAME Genuario Construction Co., Inc. CONTACT ID William Anderson  
 ADDRESS 8400 Radford Ave. Suite 200  
 CITY Alexandria STATE Virginia ZIP 22309  
 PHONE 703-360-3134 E-MAIL william@genuariocompanies.com  
 STATE CONTRACTOR'S LICENSE # 2701019002A ✓ COUNTY BPOL # 1031815 02 8067

**APPLICANT**

NAME Genuario Construction Co., Inc. Linda Flickinger CONTACT ID 3074558  
 ADDRESS 1414 Belcastle Court  
 CITY Reston STATE VA ZIP 20194  
 PHONE 703-864-5803 E-MAIL lindafllick@aol.com

**DESIGNATED MECHANICS' LIEN AGENT (Residential Construction Only)**

NONE DESIGNATED

NAME \_\_\_\_\_ PHONE \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

**DESCRIPTION OF WORK**

Interior renovation of single family dwelling basement to include the following: installing cabinets, finishing a roughed-in bathroom, adding electrical wiring, outlets, fixtures, & multimedia, interior wall framing, flooring, drywall paint, light demo. Rough-In only for the following: dishwasher, fridge, electric stove, & sink.

HOUSE TYPE \_\_\_\_\_  
 MASTERFILE NUMBER \_\_\_\_\_

ESTIMATED COST OF CONSTRUCTION \$ ~~15,000~~ 15,000

**APPLICANT AGREEMENT**

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

L. Flickinger 9-8-11  
 Signature of Owner, Master, or Agent Date  
L. Flickinger, Agent  
 Name and Title (please print)

An Affidavit of Permit Authorization (located on reverse side of application) must be completed by the property owner if the permit is to be issued in the owner's name and another party is submitting the application on behalf of the owner. Please read the note to property owners on this application prior to signing the affidavit.

**COUNTY USE ONLY**

ROUTING	DATE	APPROVED BY
LICENSING	<u>9/8/11</u>	<u>[Signature]</u>
ZONING	<u>9/8/11</u>	<u>[Signature]</u>
SITE		

ROUTING	DATE	APPROVED BY
HEALTH		
SANITATION		
BUILDING	<u>9-8-11</u>	<u>[Signature]</u>

APPROVED FOR ISSUANCE BY \_\_\_\_\_ DATE \_\_\_\_\_ FEE \$ 294.00



## 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.

### **8-918 Additional Standards for Accessory Dwelling Units**

As established by the Fairfax County Board of Supervisors' Policy on Accessory Dwelling Units (Appendix 5), the BZA may approve a special permit for the establishment of an accessory dwelling unit with a single family detached dwelling unit but only in accordance with the following conditions:

1. Accessory dwelling units shall only be permitted in association with a single family detached dwelling unit and there shall be no more than one accessory dwelling unit per single family detached dwelling unit.
2. Except on lots two (2) acres or larger, an accessory dwelling unit shall be located within the structure of a single family detached dwelling unit. Any added external entrances for the accessory dwelling unit shall be located on the side or rear of the structure.

On lots two (2) acres or greater in area, an accessory dwelling unit may be located within the structure of a single family detached dwelling unit or within a freestanding accessory structure.

3. The gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the total gross floor area of the principal dwelling unit. When the accessory dwelling unit is located in a freestanding accessory structure, the gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the gross floor area of the accessory freestanding structure and the principal dwelling unit.
4. The accessory dwelling unit shall contain not more than two (2) bedrooms.
5. The occupancy of the accessory dwelling unit and the principal dwelling unit shall be in accordance with the following:

A. One of the dwelling units shall be owner occupied.

B. One of the dwelling units shall be occupied by a person or persons who qualify as elderly and/or disabled as specified below:

(1) Any person fifty-five (55) years of age or over and/or

(2) Any person permanently and totally disabled. If the application is made in reference to a person because of permanent and total disability, the application shall be accompanied by a certification by the Social Security Administration, the Veterans Administration or the Railroad Retirement Board. If such person is not eligible for certification by any of these agencies, there shall be submitted a written declaration

signed by two (2) medical doctors licensed to practice medicine, to the effect that such person is permanently and totally disabled. The written statement of at least one of the doctors shall be based upon a physical examination of the person by the doctor. One of the doctors may submit a written statement based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability.

For purposes of this Section, a person shall be considered permanently and totally disabled if such person is certified as required by this Section as unable to engage in any substantial gainful activity by reasons of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of the person's life.

C. The accessory dwelling unit may be occupied by not more than two (2) persons not necessarily related by blood or marriage. The principal single family dwelling unit may be occupied by not more than one (1) of the following:

(1) One (1) family, which consists of one (1) person or two (2) or more persons related by blood or marriage and with any number of natural children, foster children, step children or adopted children.

(2) A group of not more than four (4) persons not necessarily related by blood or marriage.

6. Any accessory dwelling unit established for occupancy by a disabled person shall provide for reasonable access and mobility as required for the disabled person. The measures for reasonable access and mobility shall be specified in the application for special permit. Generally, reasonable access and mobility for physically disabled persons shall include:

A. Uninterrupted access to one (1) entrance; and

B. Accessibility and usability of one (1) toilet room.

7. The BZA shall review all existing and/or proposed parking to determine if such parking is sufficient to meet the needs of the principal and accessory dwelling units. If it is determined that such parking is insufficient, the BZA may require the provision of one (1) or more off-street parking spaces. Such parking shall be in addition to the requirements specified in Article 11 for a single family dwelling unit.

8. The BZA shall determine that the proposed accessory dwelling unit together with any other accessory dwelling unit(s) within the area will not constitute sufficient change to modify or disrupt the predominant character of the neighborhood. In no instance shall the approval of a special permit for an accessory dwelling unit be deemed a subdivision of the principal dwelling unit or lot.

9. Any accessory dwelling unit shall meet the applicable regulations for building, safety, health and sanitation.

10. Upon the approval of a special permit, the Clerk to the Board of Zoning Appeals shall cause to be recorded among the land records of Fairfax County a copy of the BZA's approval, including all accompanying conditions. Said resolution shall contain a description of the subject property and shall be indexed in the Grantor Index in the name of the property owners.

11. The owner shall make provisions to allow inspections of the property by County personnel during reasonable hours upon prior notice.

12. Special permits for accessory dwelling units shall be approved for a period not to exceed five (5) years from the date of approval; provided, however, that such special permits may be extended for succeeding five (5) year periods in accordance with the provisions of Sect. 012 above.

13. Notwithstanding Par. 5 of Sect. 9-012, any accessory dwelling unit approved prior to July 27, 1987 and currently valid may be extended in accordance with the provisions of this Section and Sect. 012 above.