



APPLICATION ACCEPTED: May 2, 2012  
BOARD OF ZONING APPEALS: July 18, 2012  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

July 11, 2012

## STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2012-PR-024

### PROVIDENCE DISTRICT

**APPLICANTS/OWNERS:** Robert D. Hackett  
Lydia M. Hackett

**STREET ADDRESS:** 8225 McNeil Street, Vienna, 22180

**SUBDIVISION:** Stonewall Manor

**TAX MAP REFERENCE:** 39-3 ((16)) 341

**LOT SIZE:** 10,830 square feet

**ZONING DISTRICT:** R-3

**ZONING ORDINANCE PROVISION:** 8-922

**SPECIAL PERMIT PROPOSAL:** To permit reduction of certain yard requirements to permit construction of an addition 6.6 feet from a side lot line.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2012-PR-024 for a one-story 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 applicants/owners 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. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

*O:\dhedri\Special Permits\7-18) SP 2012-PR-024 Hackett (50)\SP 2012-PR-024 Hackett staff report.doc  
Deborah Hedrick*

Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703-324-1290 FAX 703-324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



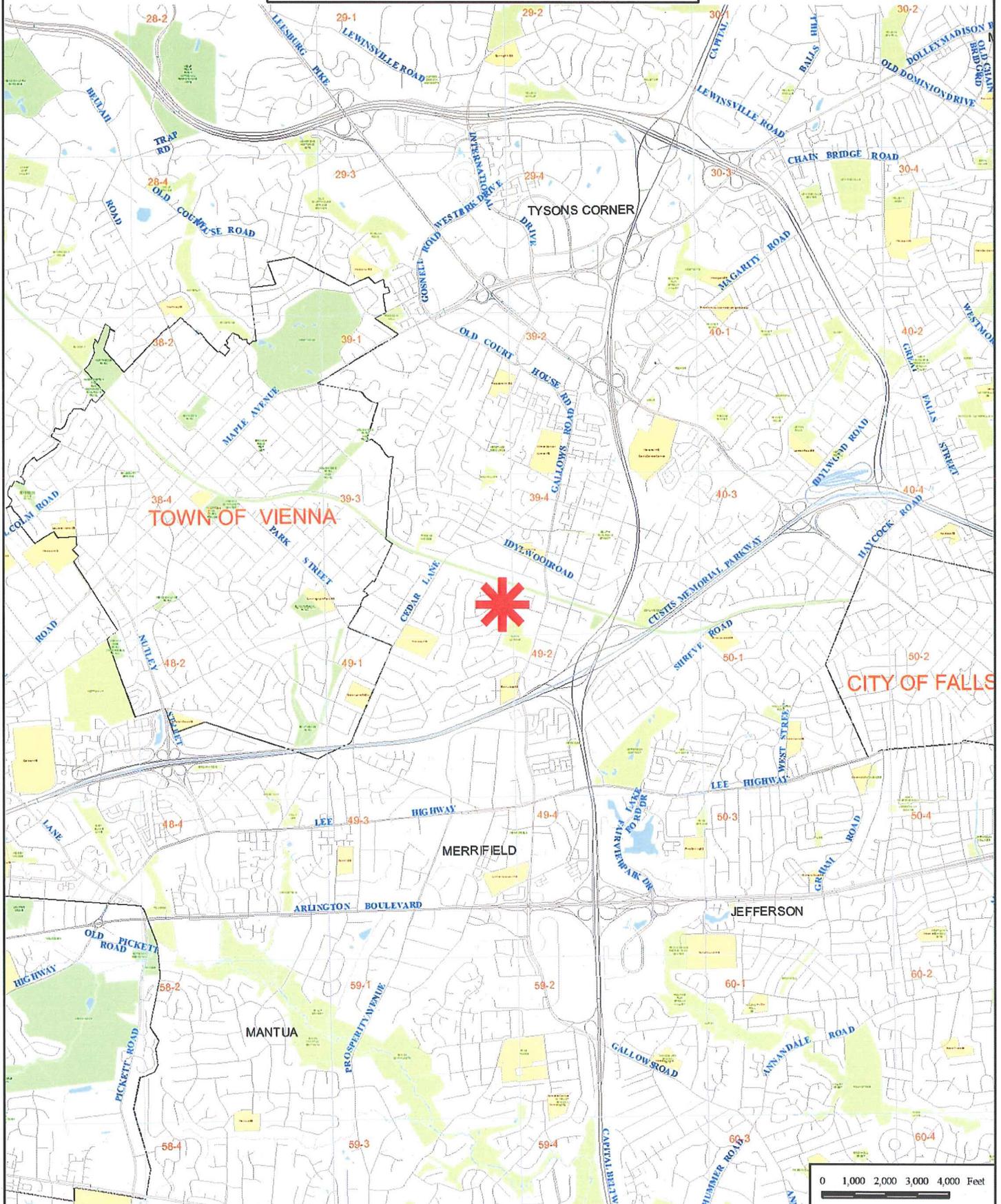
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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.**

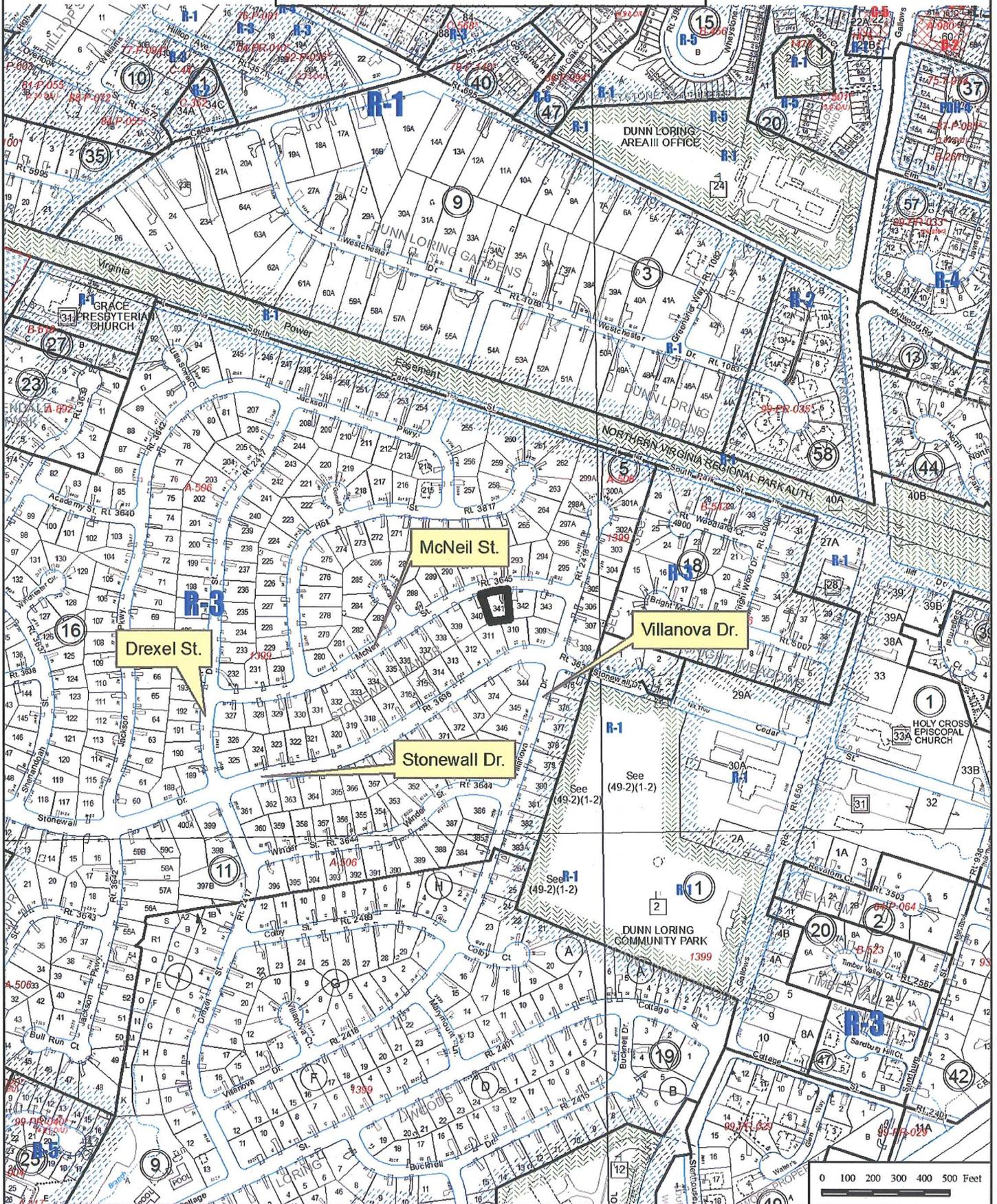


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

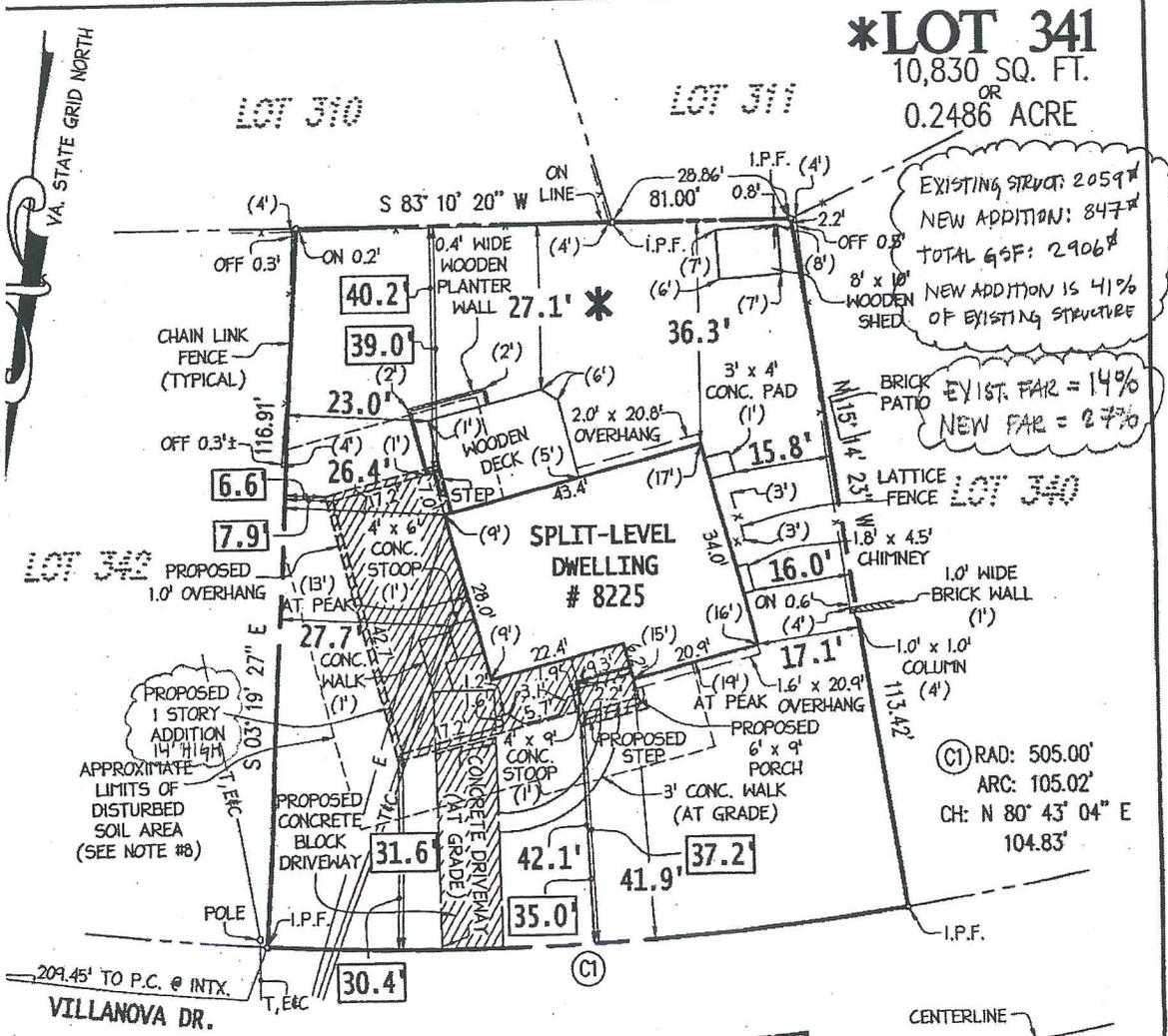
**Special Permit**  
**SP 2012-PR-024**  
**ROBERT D. AND LYDIA M. HACKETT**



**Special Permit**  
**SP 2012-PR-024**  
**ROBERT D. AND LYDIA M. HACKETT**



**\*LOT 341**  
10,830 SQ. FT.  
OR  
0.2486 ACRE



SETBACK TABLE  
ZONED R3

YARD	SETBACK
FRONT	30'
SIDE	12'
REAR	25'

- LEGEND:
- I.P.F. DENOTES IRON PIPE FOUND
  - X- DENOTES FENCE LINE
  - (1') DENOTES HEIGHT ABOVE GRADE
  - E.&C- DENOTES OVERHEAD TELEPHONE, ELECTRIC, AND CABLE LINES
  - 1.0' DENOTES PROPOSED SWING
  - /// DENOTES PROPOSED IMPROVEMENT/ADDITION

SPECIAL PERMIT PLAT  
**LOT 341**  
SECTION TWO  
**STONEWALL MANOR**  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

**MCNEIL STREET**  
(50' WIDE)

- NOTES:
- 1) THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
  - 2) THE LOT SHOWN HEREON APPEARS TO PLOT IN FLOOD ZONE "X" AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON F.E.M.A. MAP # 51059C0165E EFFECTIVE DATE: SEPTEMBER 17, 2010
  - 3) THE PROPERTY SHOWN ON THIS PLAT IS LOCATED ON TAX ASSESSMENT MAP # 039-3-16-0341
  - 4) PROPERTY SERVED BY PUBLIC WATER AND SEWER.
  - 5) NO BURIAL SITES ON LOT PER RECORD PLAT.
  - 6) NO EXISTING UTILITY EASEMENTS HAVING A WIDTH OF TWENTY-FIVE FEET OR MORE ARE SHOWN ON THIS PLAT.
  - 7) EASEMENTS, B.R.L.S & MERIDIAN, IF SHOWN HEREON, ARE AS DELINEATED ON PLAT RECORDED IN DEED BOOK 2396, PAGE 311 (UNLESS NOTED OTHERWISE).
  - 8) DISTURBED SOIL AREA IS APPROXIMATELY 2,425 SQ. FT.

COMMONWEALTH OF VIRGINIA  
TIMOTHY J. FARRELL  
Lic. No. 2683  
2/17/12

COMMONWEALTH OF VIRGINIA  
CHRISTINE A. KELLY  
Lic. No. 040101306  
ARCHITECT

**W. SMITH AND ASSOCIATES, INC.**  
PROFESSIONAL LAND SURVEYING  
ANASSAS, VIRGINIA (703) 368-5866 1(800) 682-0996

FIELD CREW: D. CONRAD  
REVISION: 2/28/12 (COMMENTS) DF  
JOB# 20120342

PROJECT

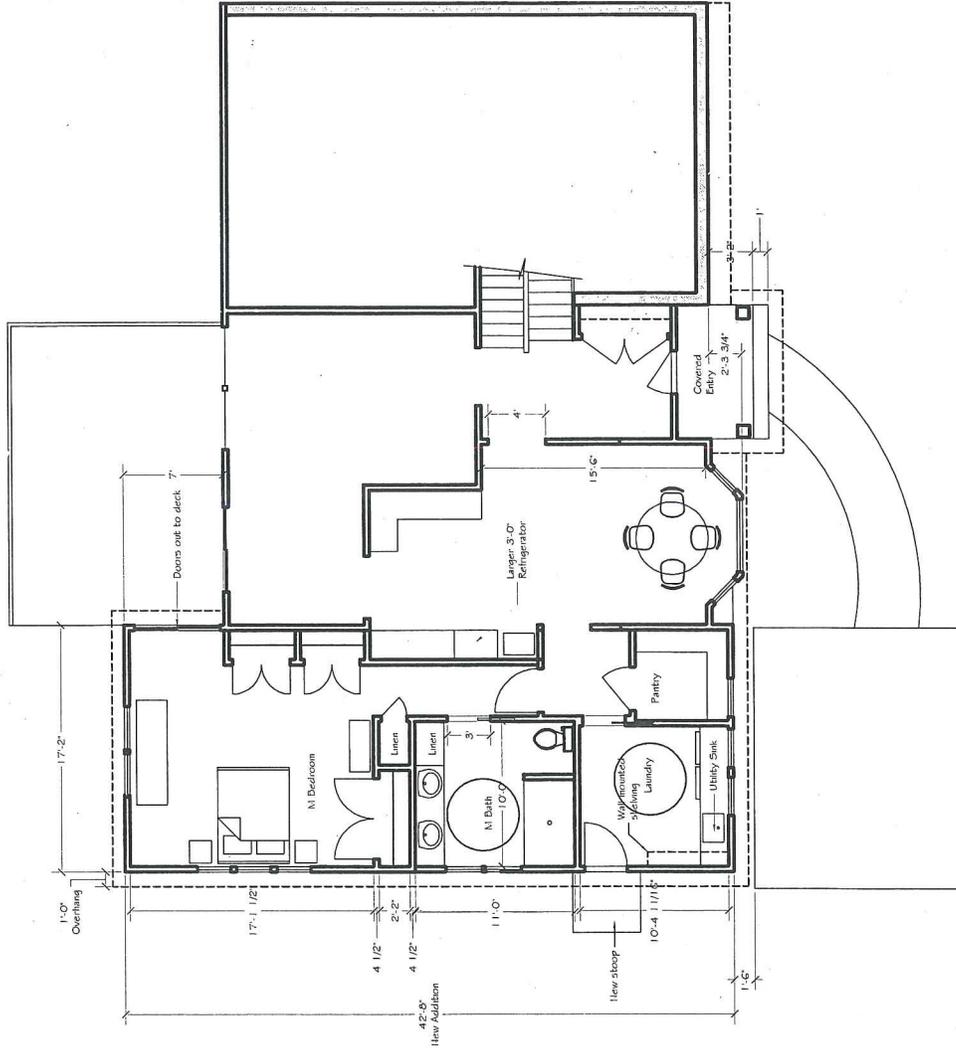
Hackett Residence  
 8225 Michell Street  
 Vienna, Virginia 22180

Drawing  
 First Floor Plan

Submission  
 Board of Zoning  
 Application

Date  
 March 1, 2012

Sheet No.  
**A1**



① First Floor Plan  
 Scale: 1/4" = 1'-0"

PROJECT

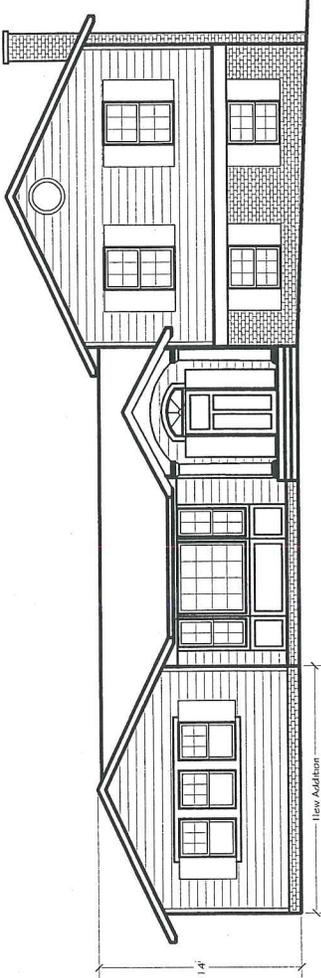
Hickett Residence  
 8225 Malcol Street  
 Vienna, Virginia 22160

Drawing  
 Exterior Elevations

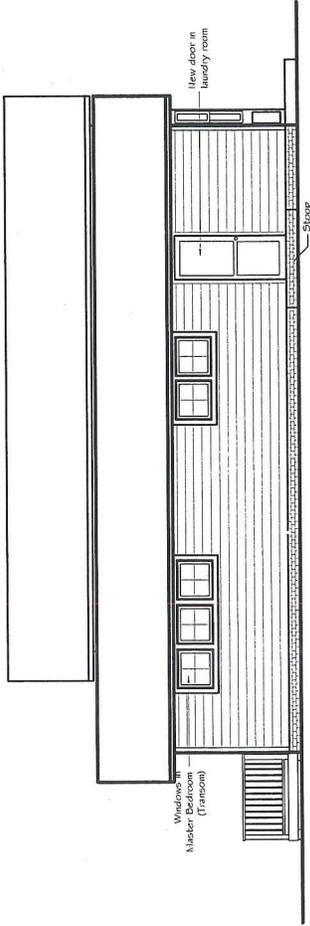
Submission  
 Board of Zoning  
 Application

Date  
 March 1, 2012

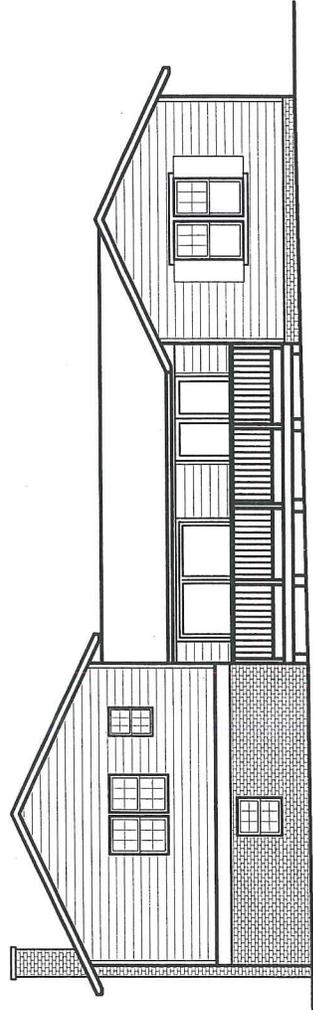
Sheet No. **A2**



① Front (North West) Elevation  
 SCALE: 1/4" = 1'-0"

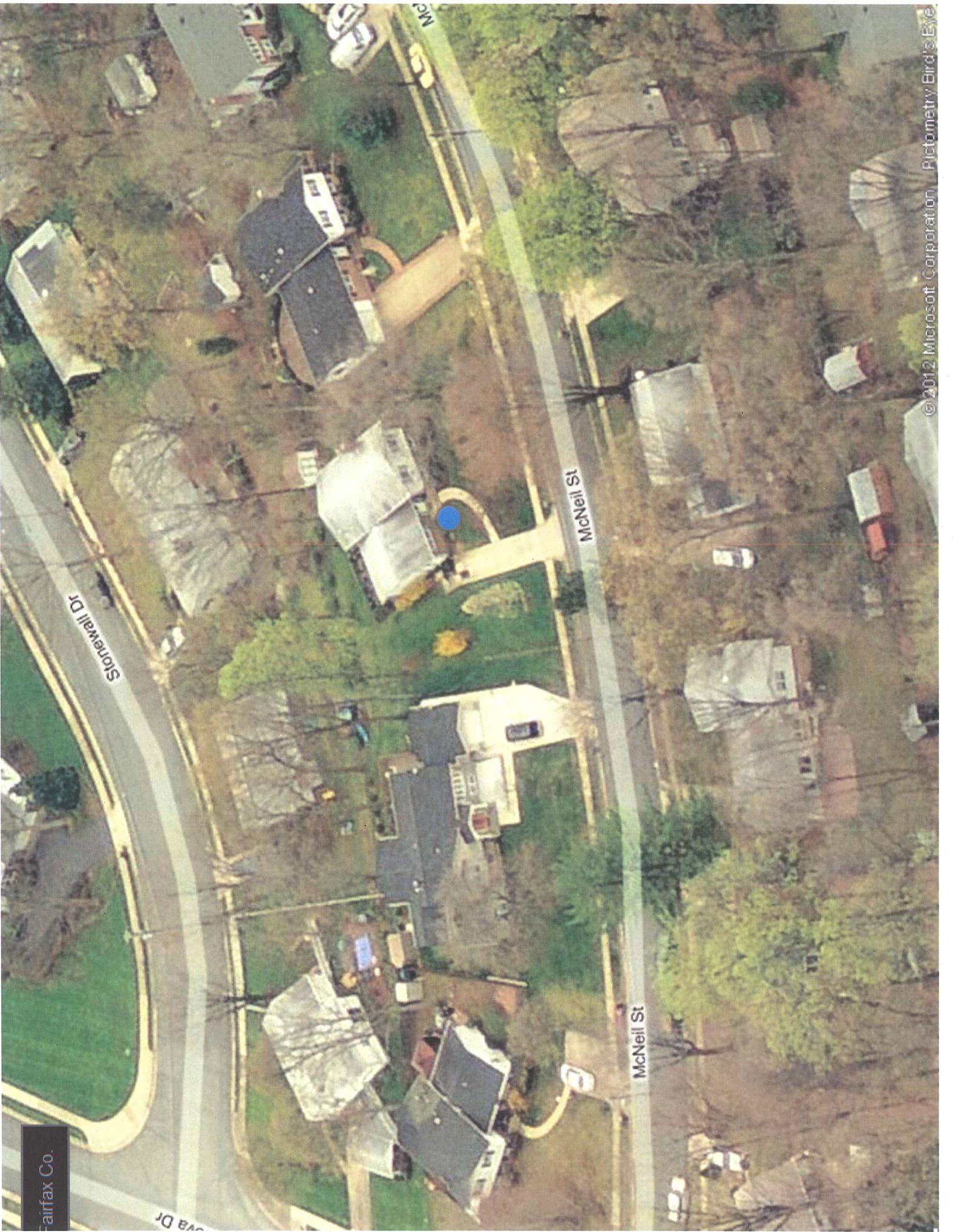


② Side (North East) Elevation  
 SCALE: 1/4" = 1'-0"



③ Rear (South East) Elevation  
 SCALE: 1/4" = 1'-0"

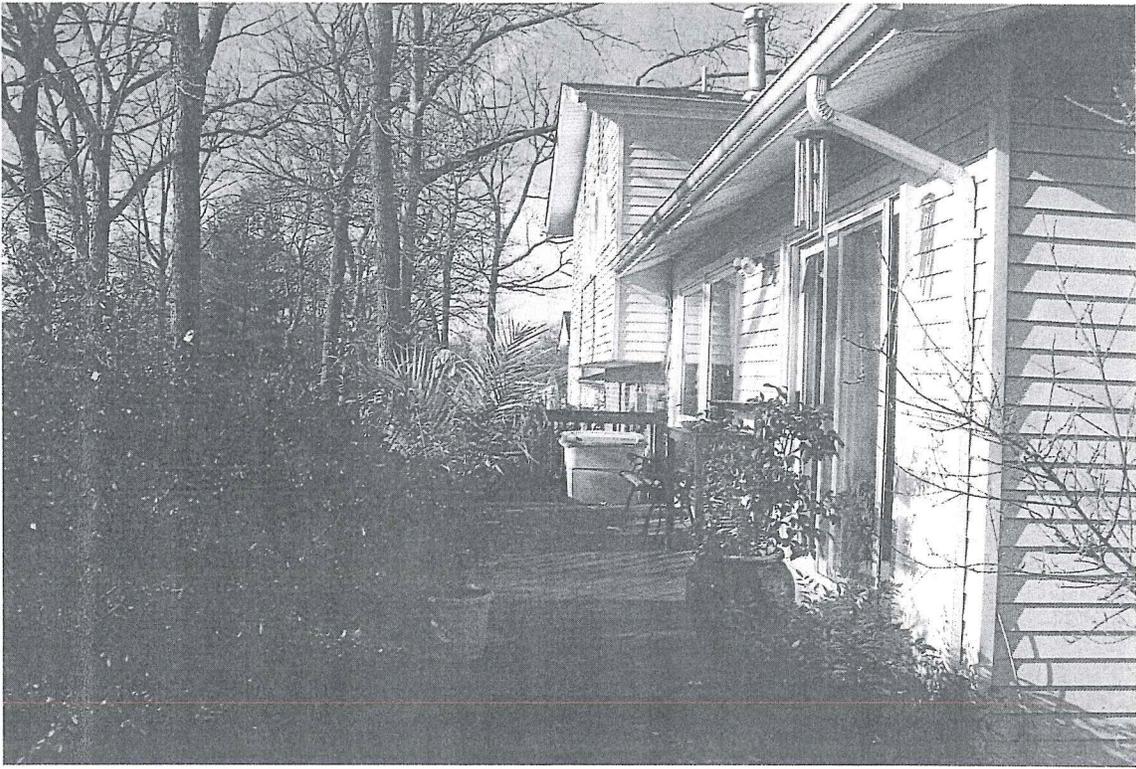
RECEIVED  
 Department of Planning & Zoning  
 APR 10 2012  
 Zoning Evaluation Division



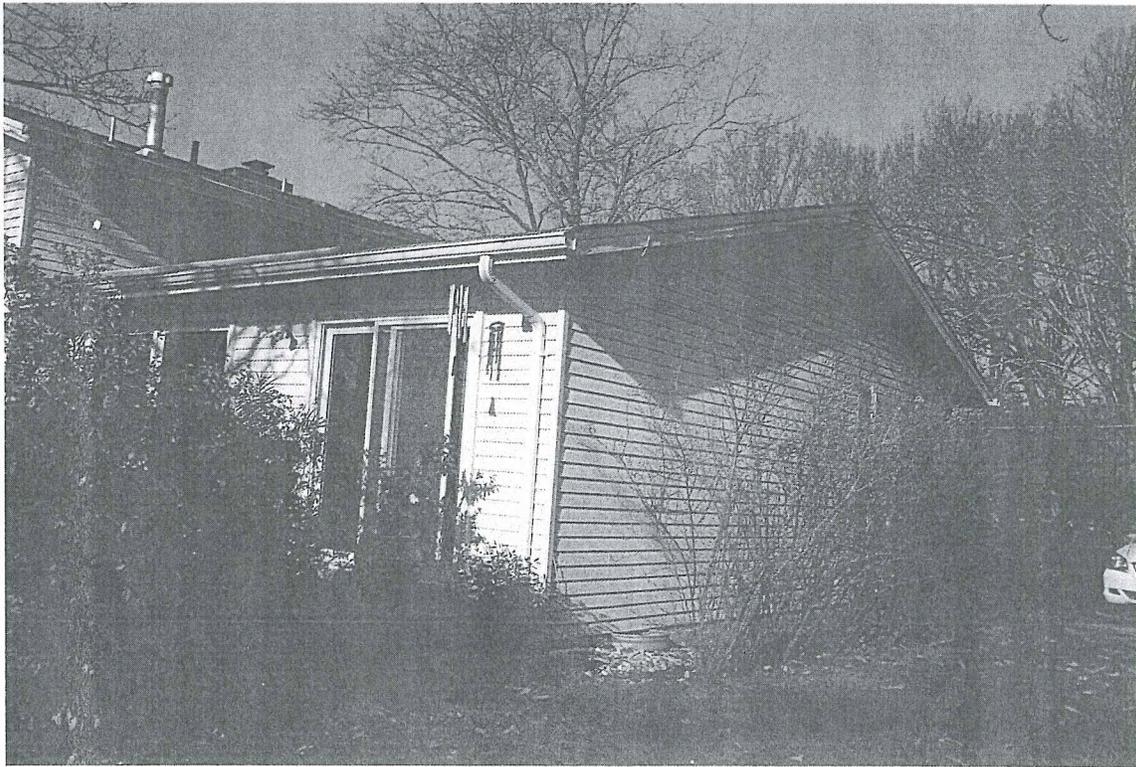
Fairfax Co.

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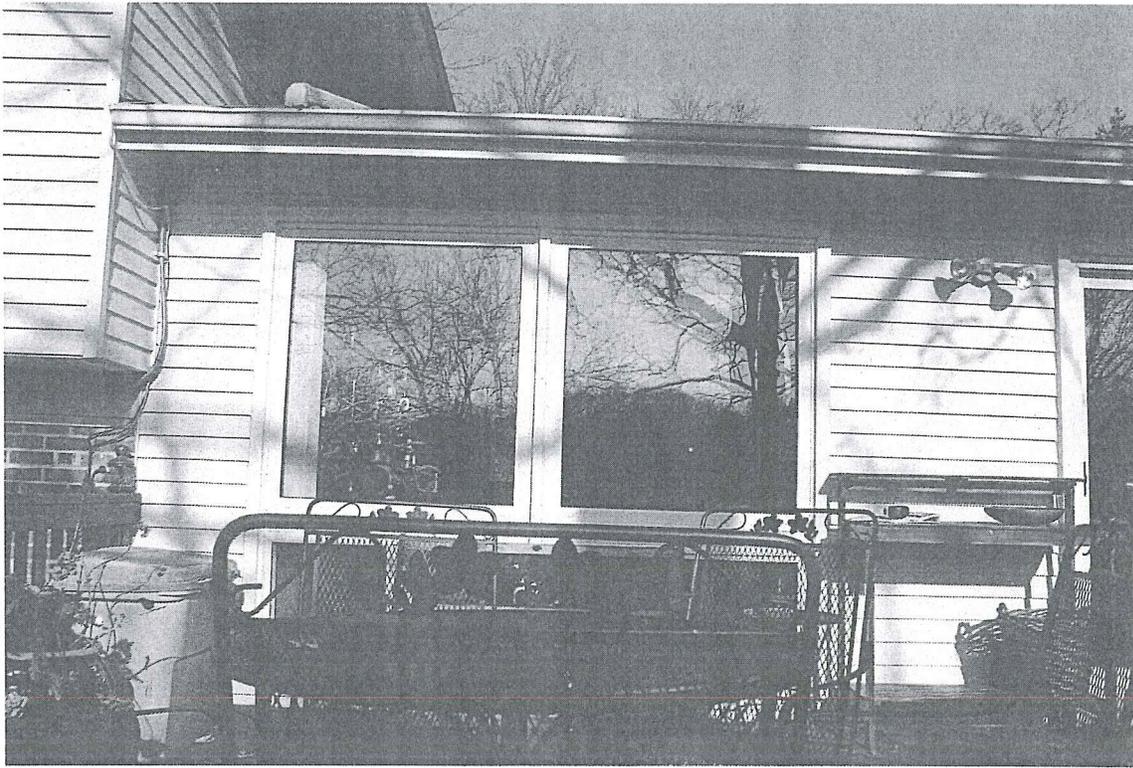


REAR ELEVATION / DECK

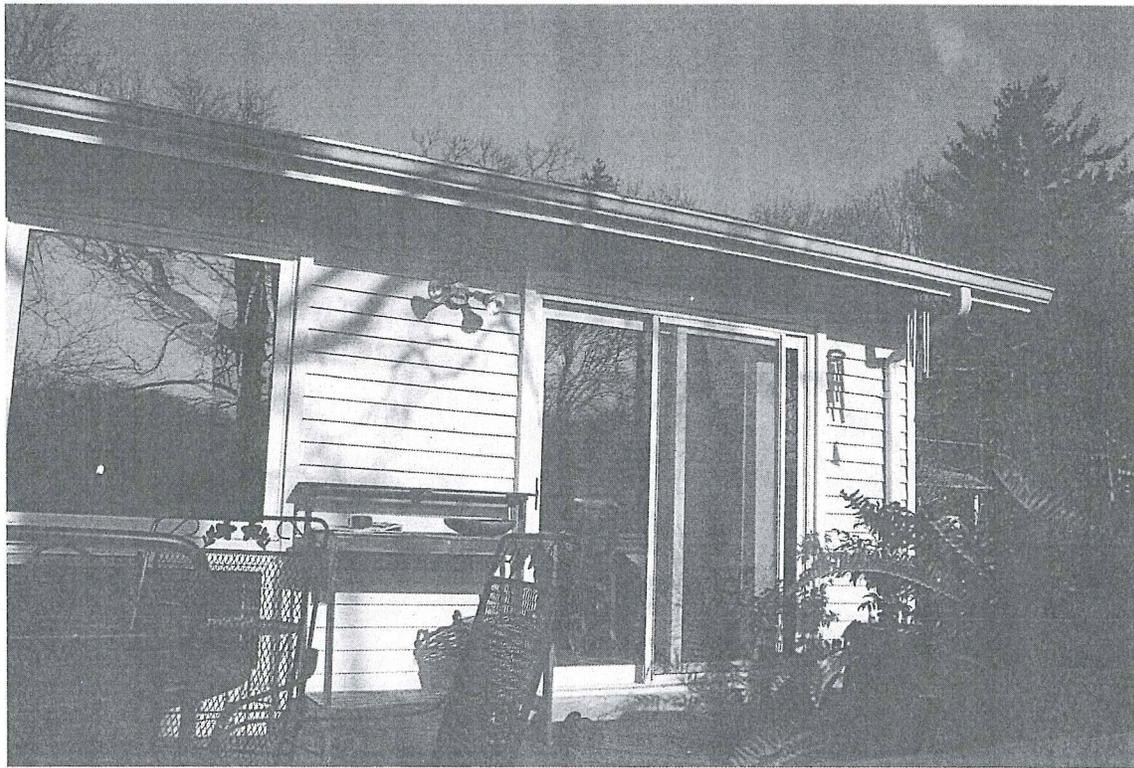


REAR - SOUTH EAST ELEVATION / DECK

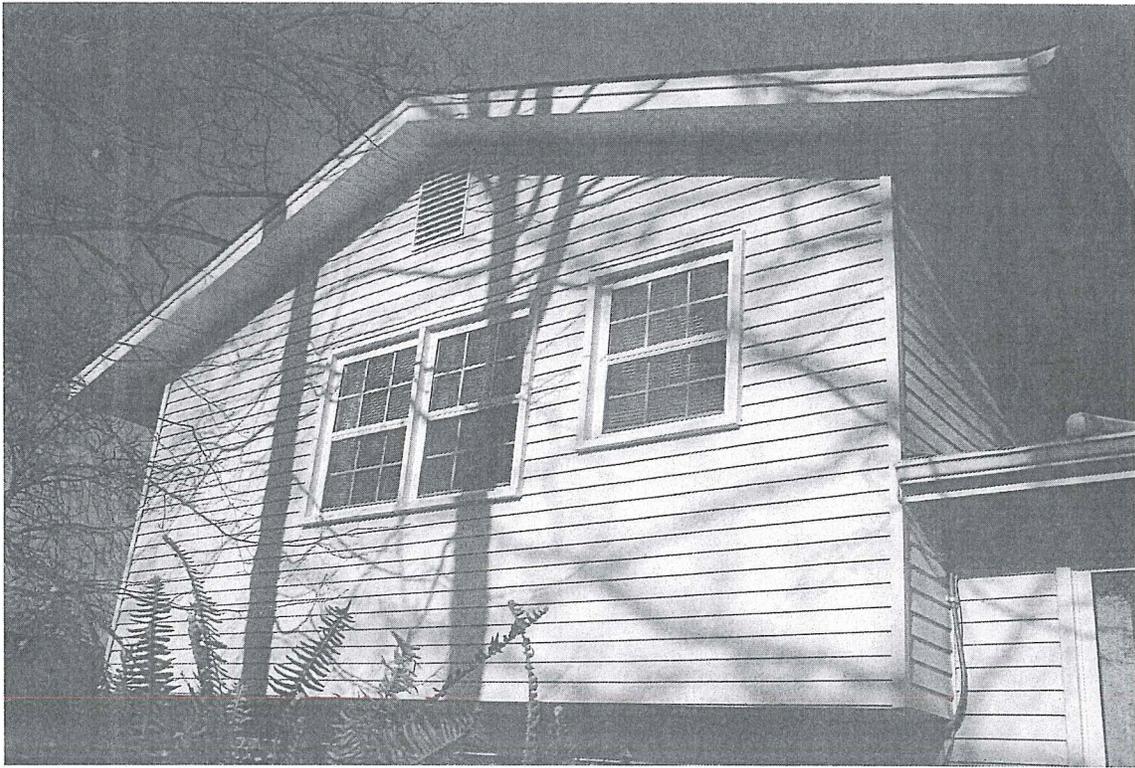
9225 McNeil St.



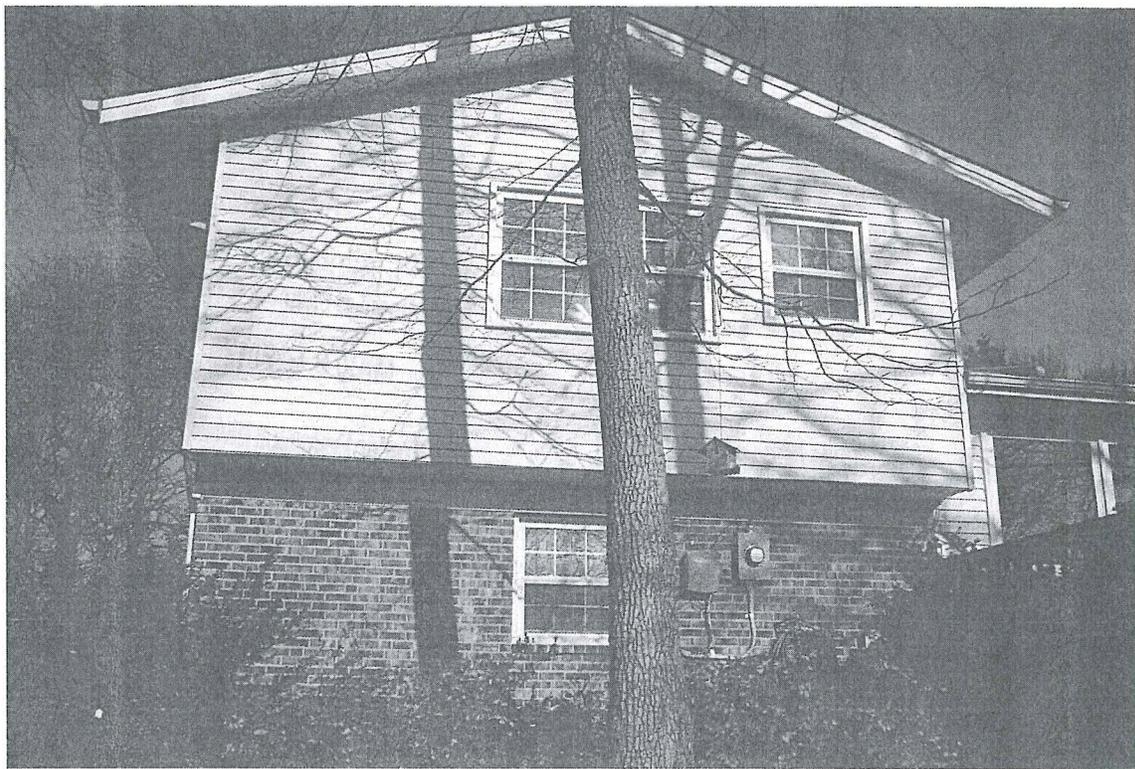
Rear living room windows



Rear Patio Doors out to Deck

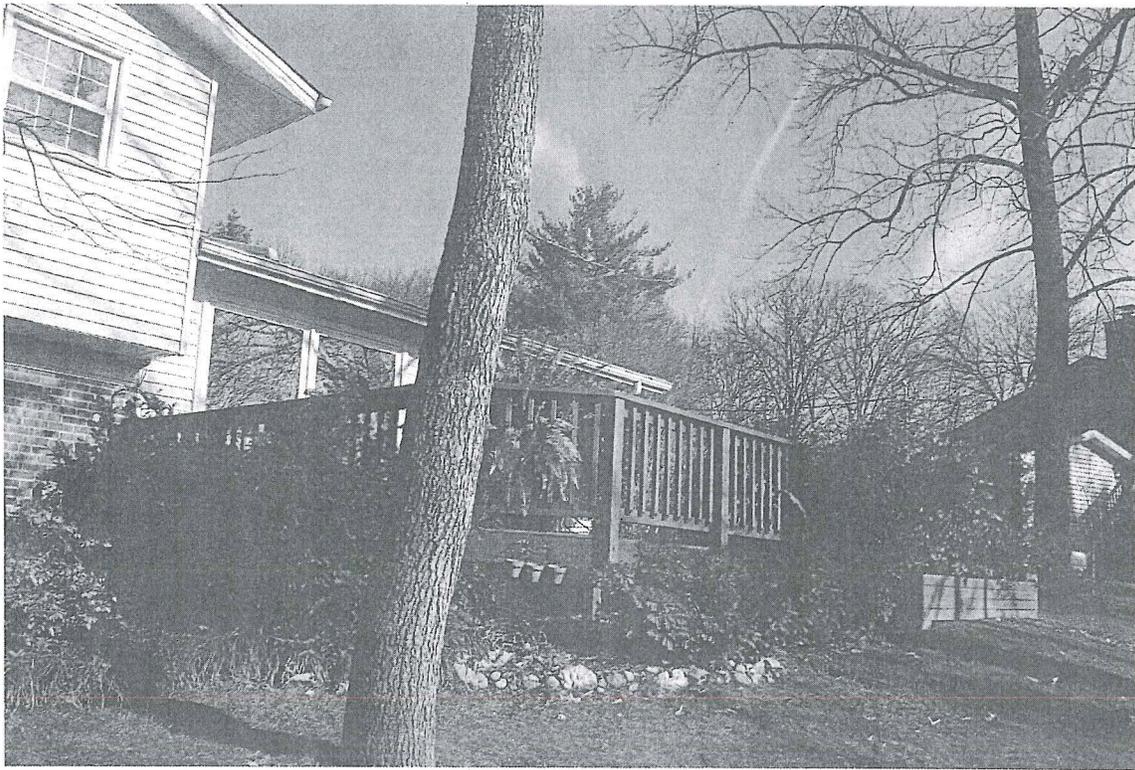


South Elevation

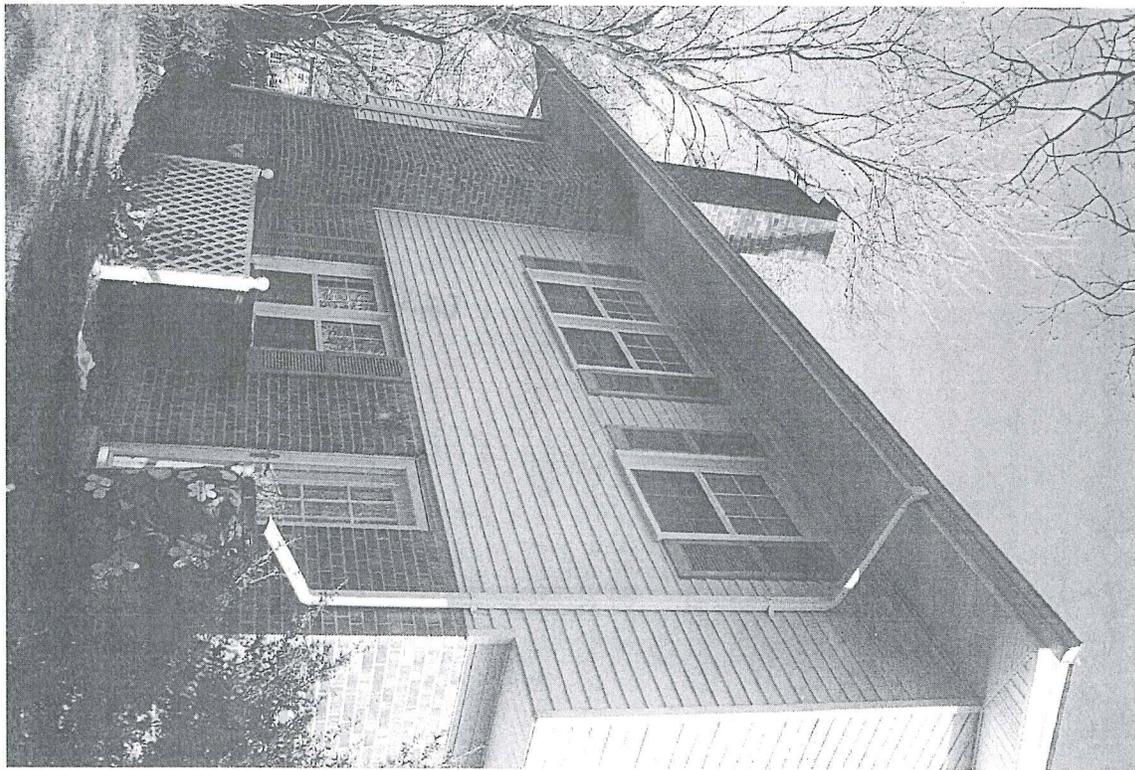


South Elevation

9225 McNeil St.

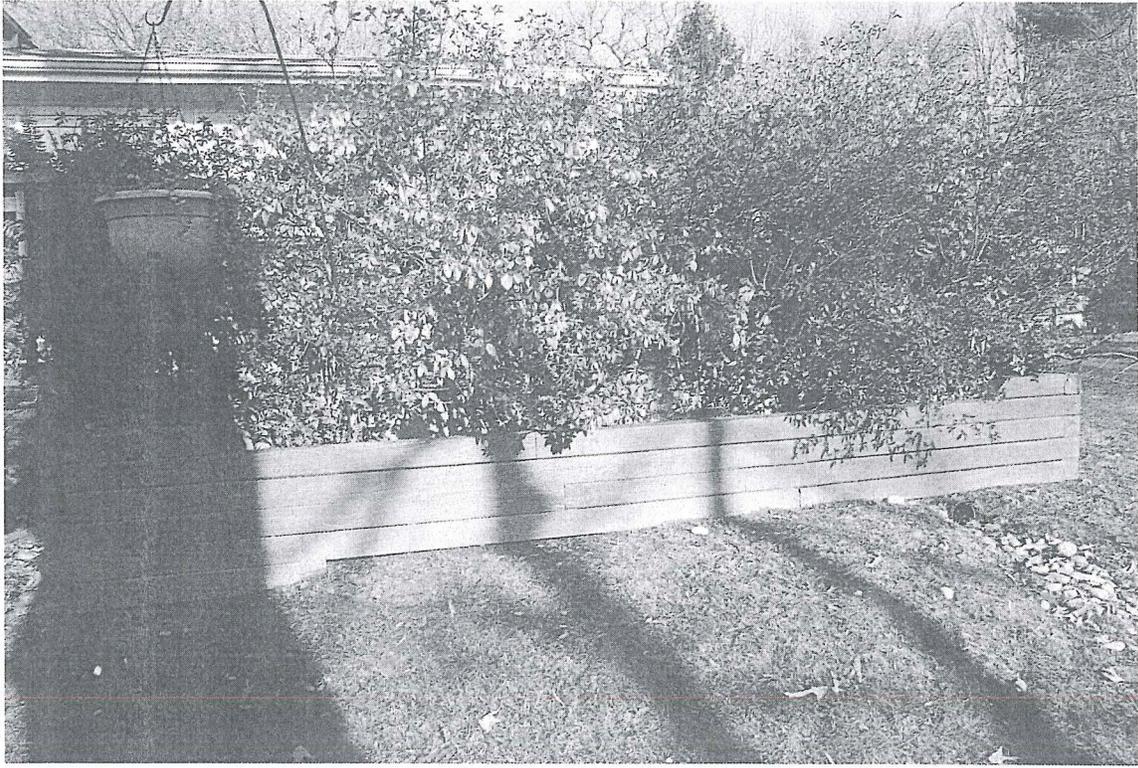


Bear Deck



West Elevation

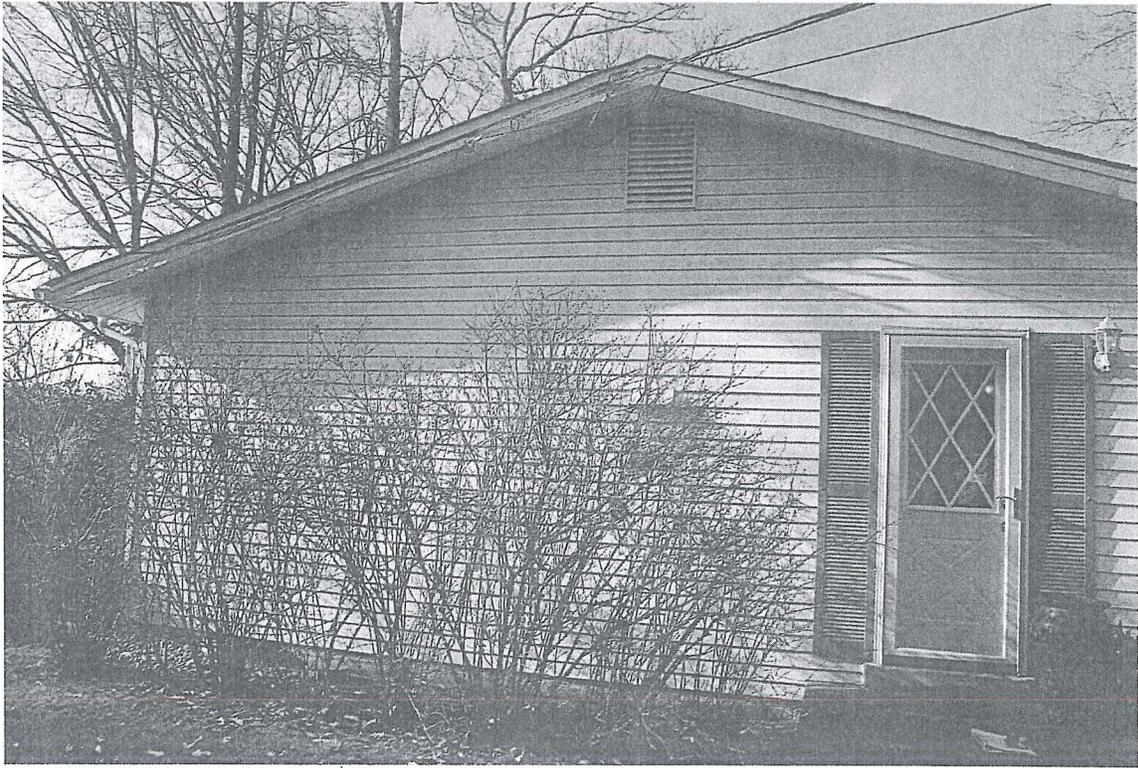
8225 McNeil St.



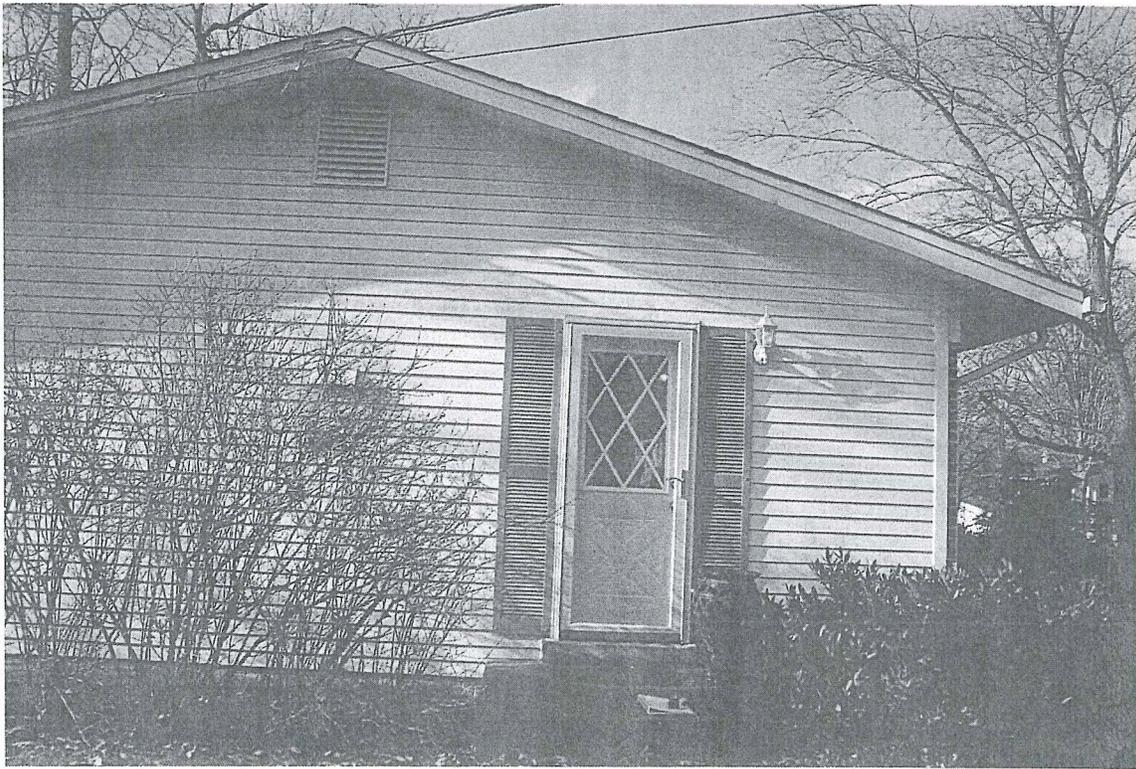
Rear Planter next to deck



North East Elevatoris looking toward Street

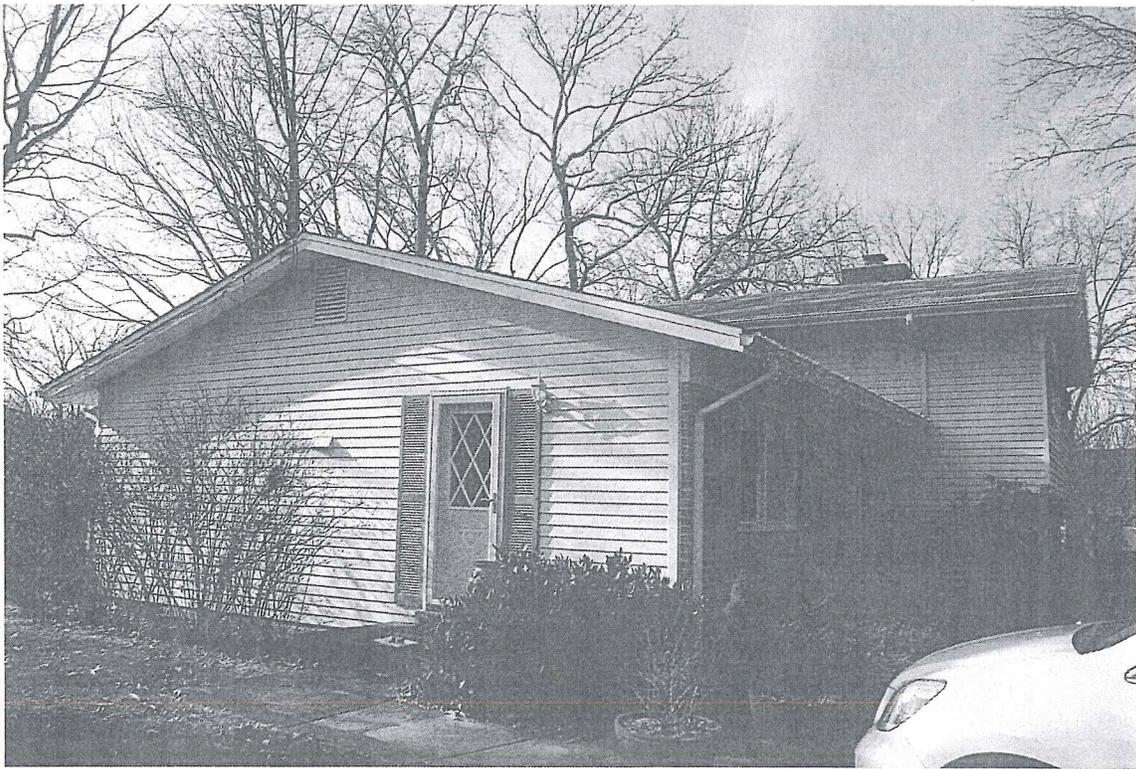


North East Elevation



North East Elevation

0225 McNeil St.

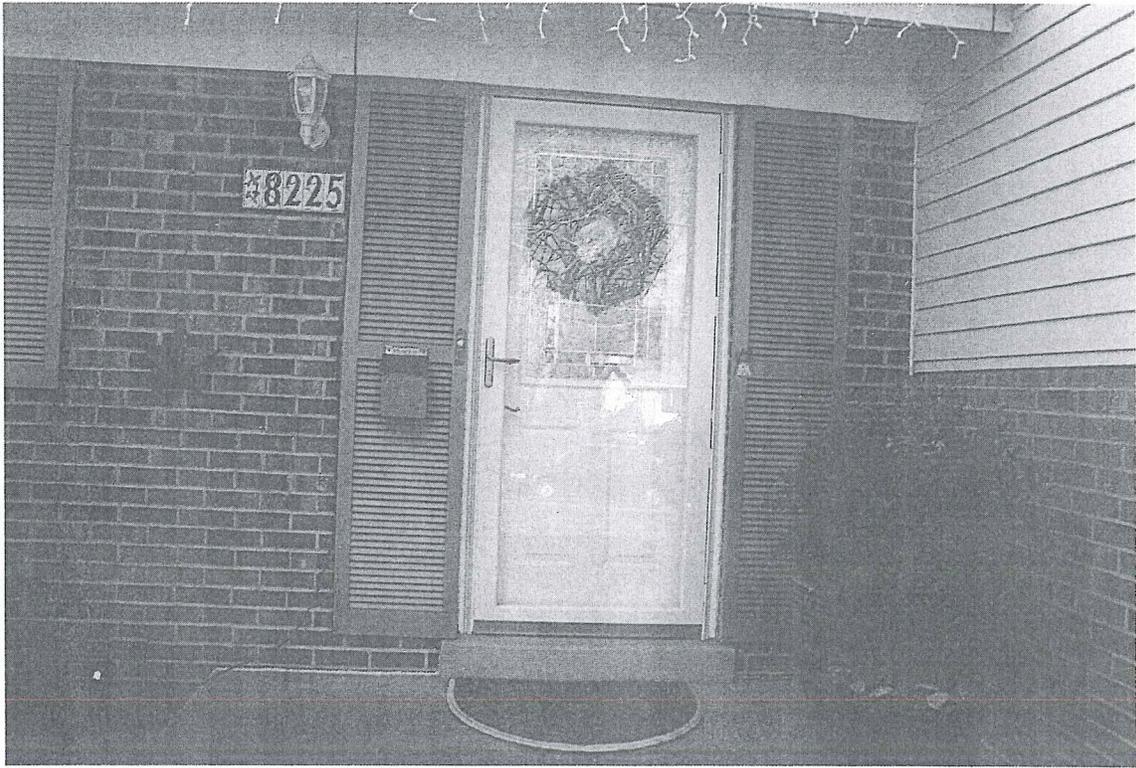


NORTH EAST ELEVATION



FRONT (NORTH WEST) ELEVATION

0225 McMill St.

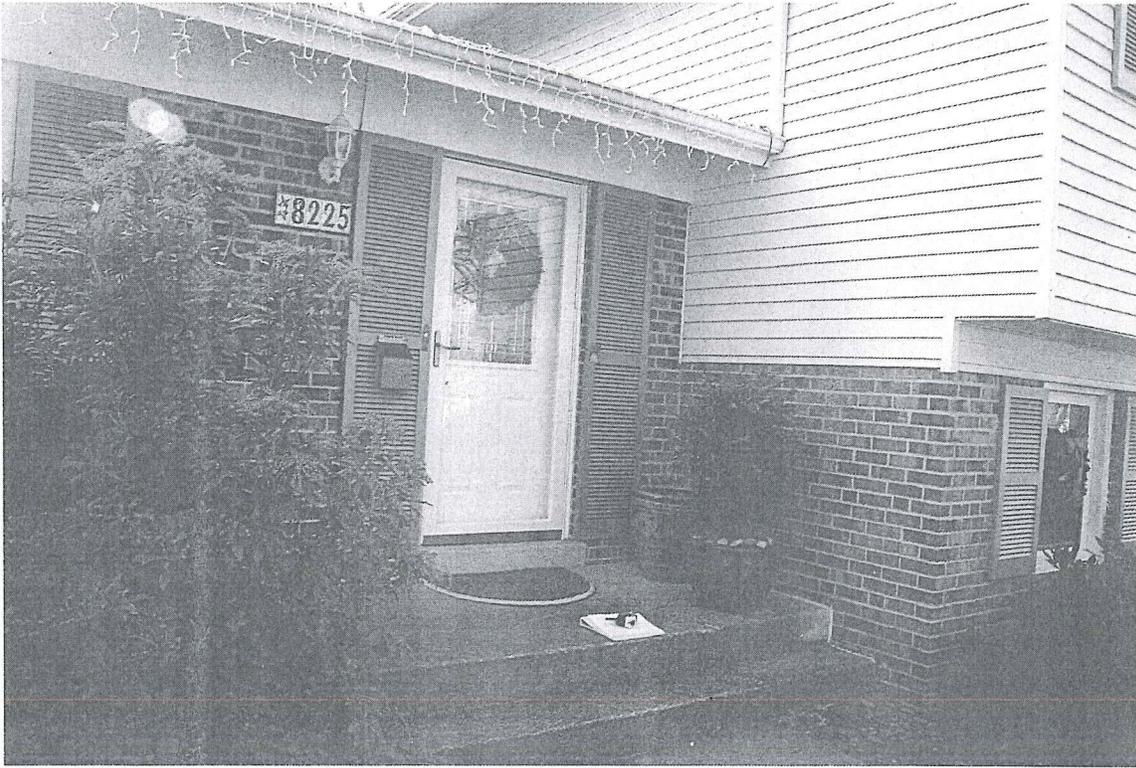


FRONT ENTRY

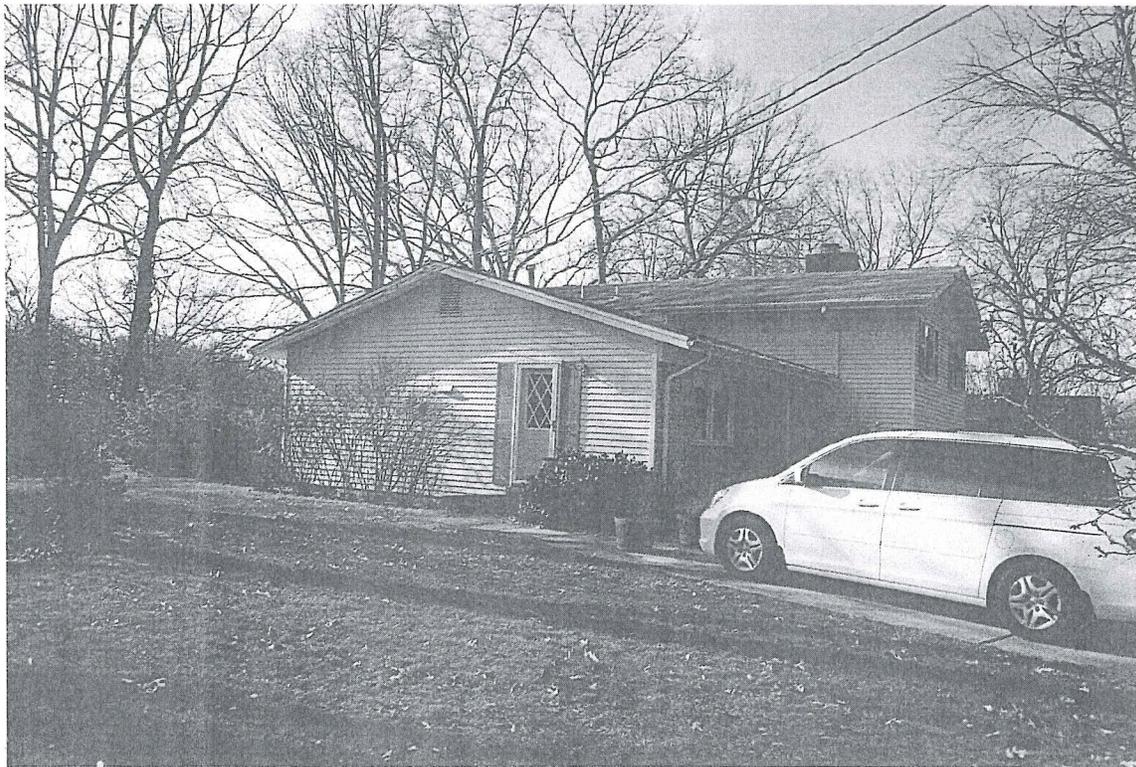


FRONT ENTRY

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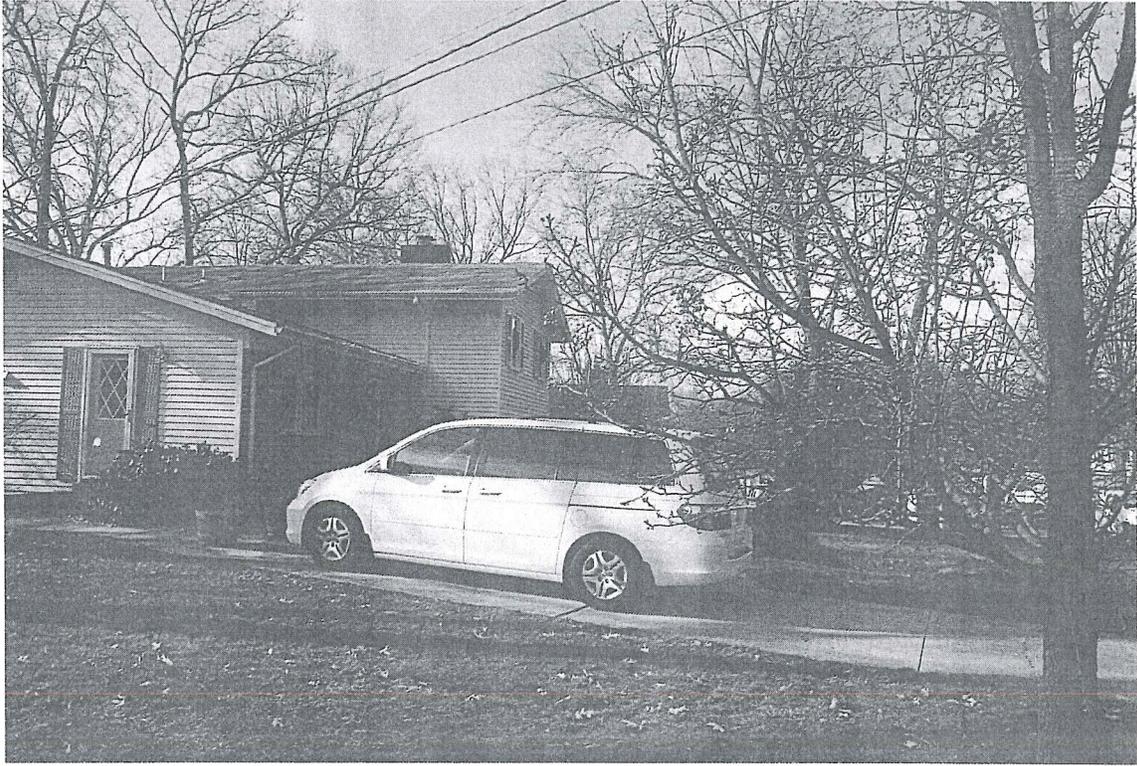


FRONT ENTRY

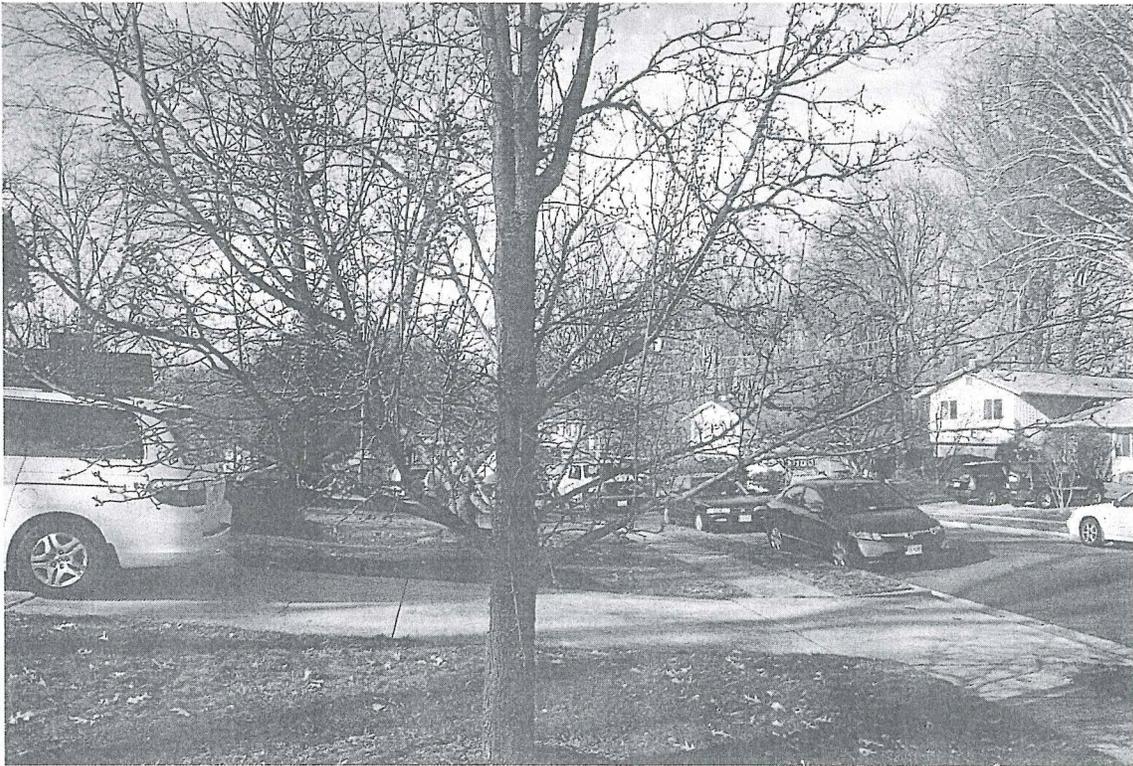


North East Elevation

8225 McNeil Street

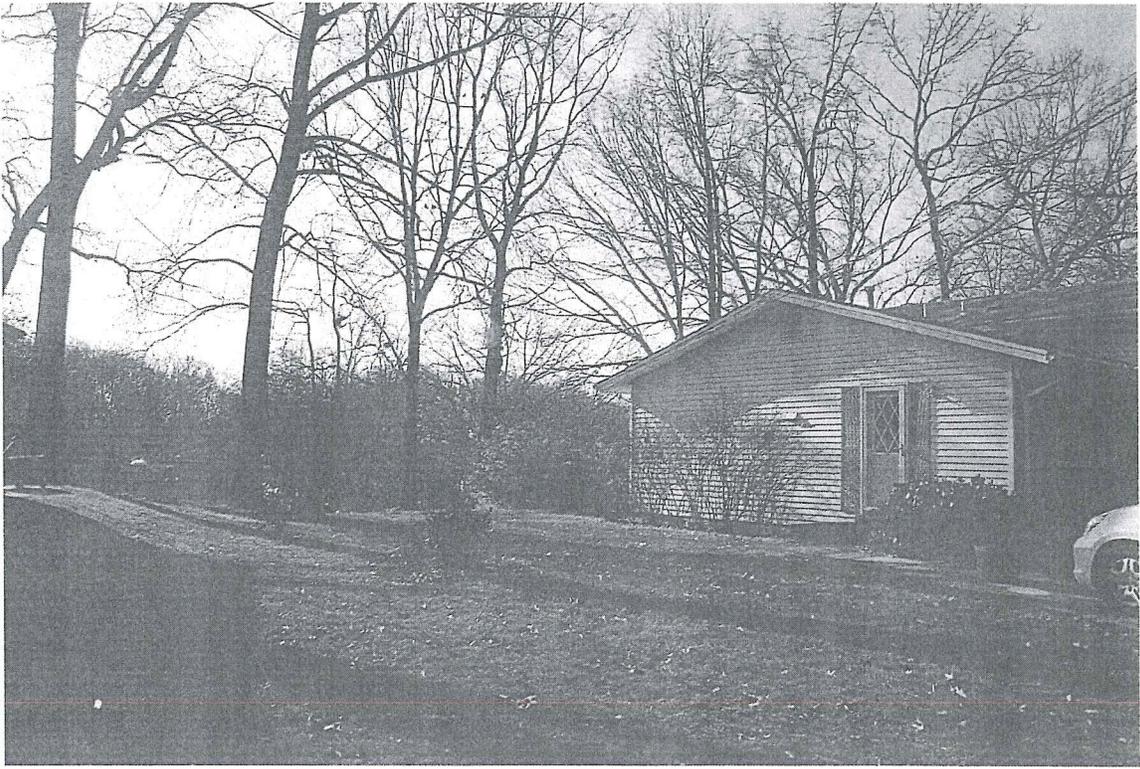


DRIVEWAY



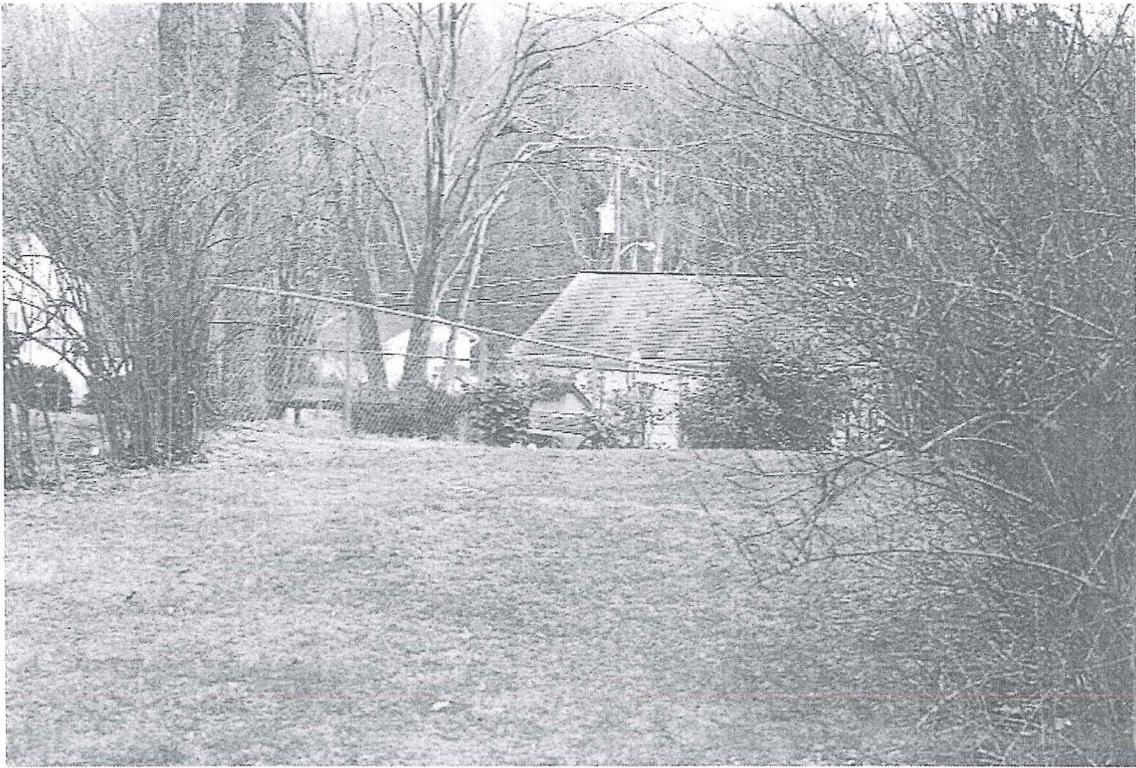
DRIVEWAY / STREET

8225 McNeil Street



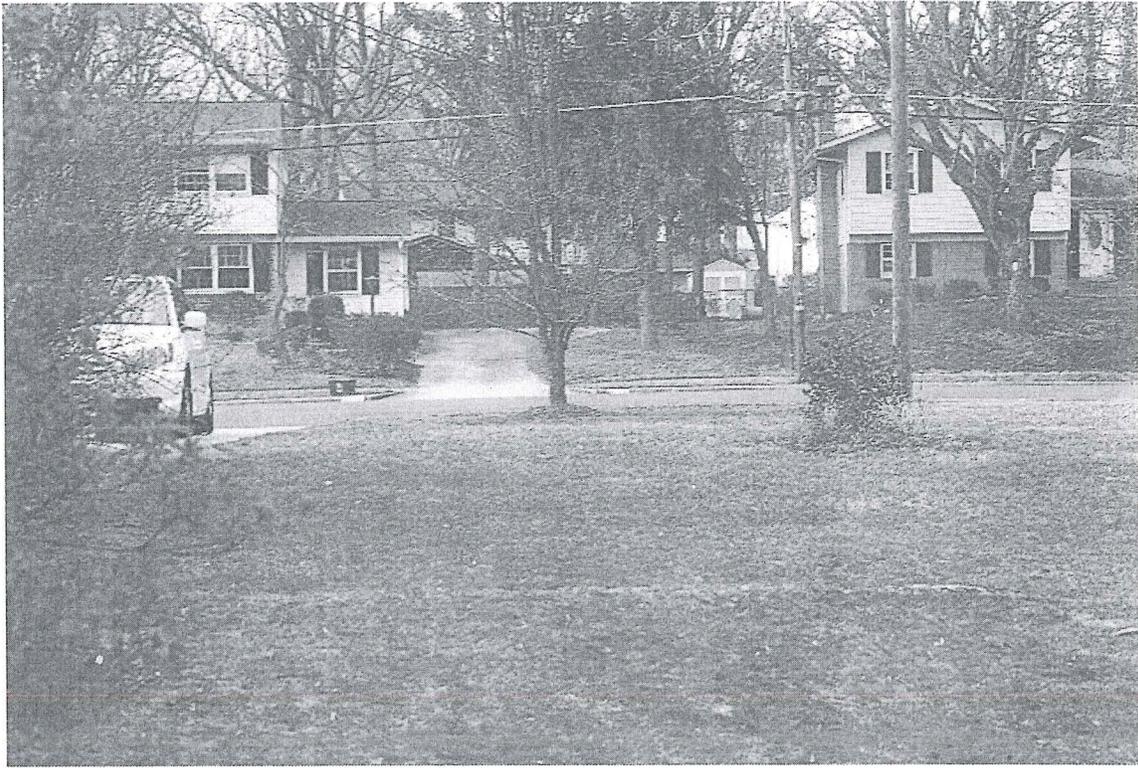
North East Elcarton

9225 McNeil St.



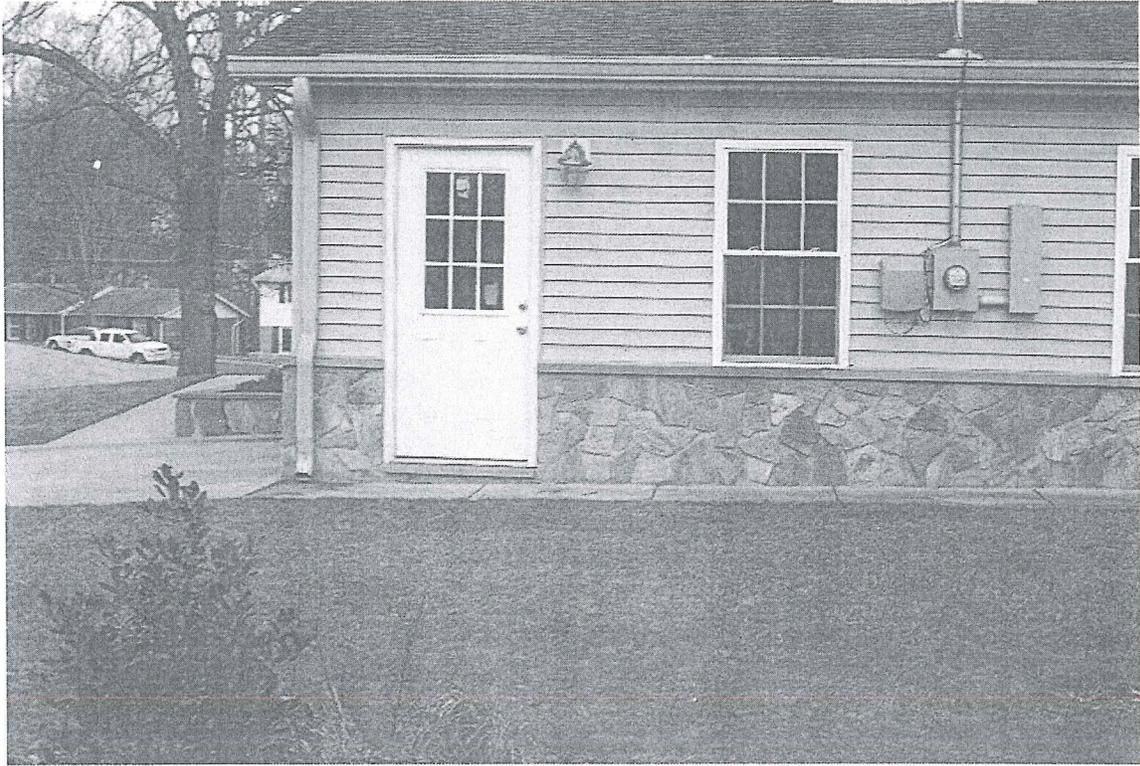
Rear Yard looking SOUTH

9225 McNeil St.



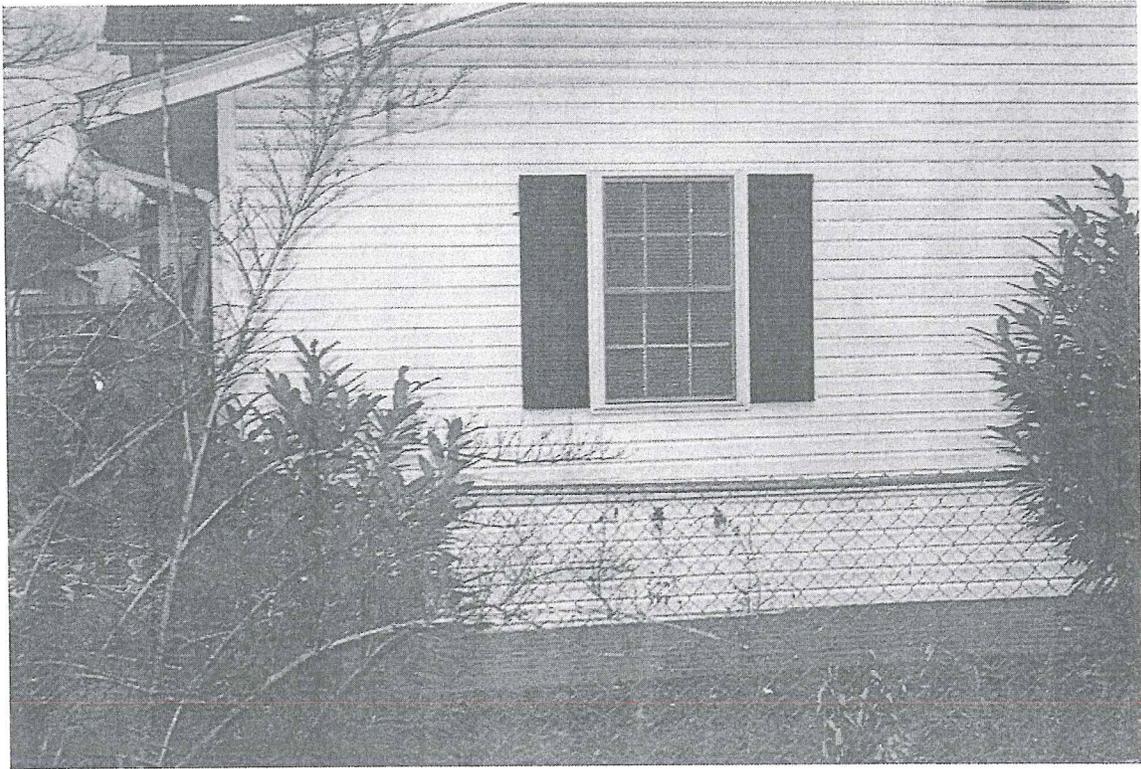
SIDE OF HOUSE LOOKING NORTH TOWARD STREET

9225 McNeil St.



SIDE OF HOUSE LOOKING EAST TOWARD NEIGHBOR

9225 McNeil St.



WEST SIDE OF HOUSE LOOKING WEST TOWARD NEIGHBOR

**DESCRIPTION OF THE APPLICATION**

The applicants are requesting approval of a special permit to permit reduction of certain yard requirements to allow the construction of a one-story addition to be located 6.6 feet to its eave from the eastern side lot line.

	<b>Structure</b>	<b>Yard</b>	<b>Minimum Yard Required*</b>	<b>Proposed Location</b>	<b>Proposed Reduction</b>	<b>Percentage of Reduction Requested</b>
<b>Special Permit</b>	Addition	Side	12.0 feet	6.6 feet	5.4 feet	45%

\*Minimum yard requirement per Section 3-307

**EXISTING SITE DESCRIPTION**

The site is currently zoned R-3 and developed with a split-level, single-family detached dwelling, built in 1964. The existing dwelling is situated at an angle toward the western side yard. An existing wood deck is located on the rear of the dwelling which was constructed by building permit. The lot consists of 10,830 square feet and is accessed via a concrete driveway from McNeil Street which terminates at the dwelling. The yard contains a mixture of mature trees and shrubs.

**CHARACTER OF THE AREA**

	<b>Zoning</b>	<b>Use</b>
<b>North</b>	R-3	Single Family Detached Dwellings
<b>East</b>	R-3	Single Family Detached Dwellings
<b>South</b>	R-3	Single Family Detached Dwellings
<b>West</b>	R-3	Single Family Detached Dwellings

**BACKGROUND**

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

- Special Permit SP 2007-PR-040 was approved on July 17, 2007 for Tax Map 49-1 ((11)) 19, zoned R-3, at 2512 Swift Run Street, to permit reduction of certain yard requirements to permit construction of an addition 6.0 feet from a side lot line.

- Variance VC 2002-PR-028 was approved on May 15, 2002 for Tax Map 39-3 ((16)) 110, zoned R-3, at 2426 Jackson Parkway, to permit construction of an addition 8.1 feet from a side lot line with eaves 5.6 feet from a side lot line.
- Variance VC 01-P-180 was denied on January 16, 2002 for Tax Map 39-3 ((16)) 110, zoned R-3, at 2426 Jackson Parkway, to permit construction of an addition 2.1 feet from a side lot line.
- Variance VC 01-P-081 was approved on August 22, 2001 for Tax Map 39-3 ((16)) 331, zoned R-3, at 8311 McNeil Street, to permit construction of an addition 6.4 feet from a side lot line.
- Special Permit SP 01-P-006 was approved on May 2, 2001 for Tax Map 39-3 ((16)) 147, zoned R-3, at 2446 Shenandoah Street, to reduction to minimum yard requirements based on error in building location to permit addition to remain 8.9 feet from a side lot line.
- Variance VC 00-P-150 was approved on January 31, 2011 for Tax Map 39-3 ((16)) 126, zoned R-3, at 2433 Shenandoah Street, to permit construction of an addition 9.4 feet from a side lot line.
- Variance VC 99-P-048 was approved on July 13, 1999 for Tax Map 39-3 ((16)) 133, zoned R-3, at 2429 Rockbridge Street, to permit construction of an addition 3.0 feet from a side lot line.
- Variance VC 98-P-009 was approved on April 10, 1998 for Tax Map 49-1 ((11)) 384, zoned R-3, at 2504 Villanova Drive, to permit construction of an addition 5.3 feet from a side lot line.
- Variance VC 93-P-060 was approved on September 22, 1993 for Tax Map 39-3 ((16)) 289, zoned R-3, at 8232 McNeil Street, to permit construction of an addition 2.3 feet from a side lot line.
- Variance VC 91-P-100 was approved on November 20, 1991 for Tax Map 39-3 ((16)) 174, zoned R-3, at 2414 Rockbridge Street, to allow construction of an addition 3 feet from a side lot line.
- Variance VC 90-P-048 was denied on July 18, 1990 for Tax Map 39-3 ((16)) 192, zoned R-3, at 2430 Drexel Street, to allow construction of an addition to dwelling 5.4 feet from a side lot line.
- Variance VC 83-P-192 was approved on February 14, 1984 for Tax Map 39-3 ((16)) 200, zoned R-3, at 2414 Drexel Street, to allow enclosure of existing screened porch 9.68 feet from a side lot line.

- Variance VC 83-P-131 was approved on December 13, 1983 for Tax Map 49-1 ((11)) 45, zoned R-3, at 2529 Bull Run Court, to allow construction of an addition 8 feet from a side lot line.

## ANALYSIS

- **Special Permit Plat** (Copy at front of staff report)
- **Title of Plat:** Special Permit Plat, Lot 341, Section Two, Stonewall Manor
- **Prepared by:** B.W. Smith and Associates, Inc., sealed by Timothy J. Farrell on February 17, 2012, as revised through February 28, 2012 and sealed by Christine A. Kelly, Architect, on April 24, 2012

## Proposal:

The applicants propose to construct a one-story, 847 square foot addition to be located 6.6 feet to its eave from the eastern side lot line. The placement of the addition will maintain the split-level height of the existing dwelling and will accommodate one level living for one of the applicants who is disabled. The addition will allow the applicants the ability to incorporate interior renovations to the split-level dwelling to add a master bedroom, a full bathroom, laundry facilities and an at-grade entry on the main level.

## 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:

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

### **Sect. 8-006 General Special Permit Standards**

Staff believes that the application for the addition meets all of the 8 General Special Permit Standards. Of particular note regarding this application is General Standard 3.

*General Standard 3* requires that the proposed use be harmonious with and 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 by observation of the neighborhood through submitted photographs that the construction of a one-story addition will not adversely affect the use or development of*

*neighboring properties. As referenced under the Background section of this report, many homes in the neighborhood have received similar approvals and therefore the addition as requested would appear not to affect the development of neighboring properties. Therefore, staff believes this standard has been met.*

### **Sect. 8-922 Provisions for Reduction of Certain Yard Requirements**

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 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. The existing dwelling is 2,059 square feet in size. Therefore 150% of the total gross floor area could result in an addition up to 3088.5 square feet in size for a possible total square footage at build out of 5,147.5. The proposed one-story addition is approximately 847 square feet in size, for a total square footage of the house with the addition of 2,906 square feet. Therefore the application meets this provision.*

*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 elevation drawings and pictures submitted indicate that the materials, size and scale of the proposed one-story addition will be compatible with the existing dwelling on the lot. The house is a split-level and the addition will maintain the existing height of the lower portion of the split-level home, which is 14 feet in height. The architecture and material will match the existing dwelling. Staff believes that the application meets this provision.*

*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 applicants propose to construct a one-story addition to accommodate renovations to the home to allow one-level living. No vegetation will be removed to accommodate the construction. The applicants have received numerous letters in support from the most immediately affected neighbors. The addition is proposed along the side of the dwelling in an effort to maximize the interior layout while providing one-level living for one of the applicants who is disabled. Other homes in the neighborhood have received similar approvals for*

*additions to their homes. Therefore, staff believes the one-story addition will be harmonious with surrounding off-site uses and meets this provision.*

*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. Staff believes that the application meets the erosion and stormwater runoff portion of the standards since DPWES has indicated that there are no drainage complaints on file related to this property. Staff believes that the addition of a 847 square foot one-story addition will not impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety, as the neighbors most affected have indicated their support of the request. The height of the proposed structure will maintain the existing height of the lower portion of the split-level home and therefore staff does not foresee issues of noise, light or air affecting any adjacent property. Therefore, the application meets this provision.*

*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 request to construct a one-story addition is shown in the most logical location, as it will enlarge the existing one-level portion of the split-level home and provide for interior renovations to accommodate one-level living for a disabled applicant. The placement of the existing dwelling on the lot, situated toward the western side yard and placed at an angle on the lot, would create greater impacts to adjacent properties in alternate locations. Because the existing dwelling is situated on the lot at an angle, the addition is 6.6 feet at its closest point, but angles away from the lot line and is over 20 feet from the lot line at the front edge. No vegetation is proposed to be removed to accommodate the request. Staff believes the application meets this provision. Other issues of well, floodplains and/or Resource Protection Areas are not applicable to this site.*

## **CONCLUSION**

Staff believes that the request is in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proposed Development Conditions contained in Appendix 1 of the staff report.

## **RECOMMENDATION**

Staff recommends approval of SP 2012-PR-024 for a one-story, 847 square foot addition 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 applicants/owners 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. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2012-PR-024****July 11, 2012**

If it is the intent of the Board of Zoning Appeals to approve SP 2012-PR-024 located at Tax Map 39-3 ((16)) 341 to permit 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 a one-story addition (approximately 847 square feet), as shown on the plat prepared by B.W. Smith and Associates, Inc., sealed by Timothy J. Farrell on February 17, 2012, as revised through February 28, 2012 and sealed by Christine A. Kelly, Architect, on April 24, 2012, 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 (2,059 square feet existing + 3,088.5 square feet (150%) = 5,147.5 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.

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

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless 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.

Christine Kelly, AIA  
2109 Popkins Lane Alexandria, Virginia 22307  
ph 703-768-7371 fax 703-768-8444  
e-mail christine@craftedarchitecture.com

**CRAFTED ARCHITECTURE LLC**

**PROJECT**

Hockett Residence  
6225 Mabel Street  
Vienna, Virginia 22100

Drawing  
Exterior Elevations

Submission  
Board of Zoning  
Application

Date  
March 1, 2012

Sheet No. **A2**



RECEIVED  
Department of Planning & Zoning  
APR 10 2012  
Zoning Evaluation Division

Application No.(s): SP 2012-PR-024  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: March 24, 2012  
 (enter date affidavit is notarized)

I, Robert D. Hackett, 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

115277

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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Robert D. Hackett	8225 McNeil Street, Vienna, VA 22180	Applicant/Title Owner
Lydia M. Hackett	8225 McNeil Street, Vienna, VA 22180	Applicant/Title Owner
Crafted Architecture LLC	2109 Popkins Lane, Alexandria, VA 22307	Agent
Christine A. Kelly	2109 Popkins Lane, Alexandria, VA 22307	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-PR-024  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: March 24, 2012  
(enter date affidavit is notarized)

115277

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)

Crafted Architecture LLC, 2109 Popkins Lane, Alexandria, VA 22307

**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)

Christine A. Kelly

(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 2012-PR-024  
(county-assigned application number(s), to be entered by County Staff)

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: March 24, 2012  
(enter date affidavit is notarized)

115277

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-PR-024  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: March 24, 2012  
(enter date affidavit is notarized)

115277

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:

None

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

115277

DATE: March 24, 2012
(enter date affidavit is notarized)

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) [x] Applicant [ ] Applicant's Authorized Agent

Robert D. Hackett, Applicant/Title Owner
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 23rd day of March 2012, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: March 31, 2012



Firoozé Hamid-Farhang
NOTARY PUBLIC
Commonwealth of Virginia
Reg. # 350548
My Commission Expires
March 31, 2012

Statement of Justification  
Hackett Residence  
8225 McNeil Street  
Vienna, Virginia 22180

RECEIVED  
DEPARTMENT OF PLANNING  
AND ZONING

MAY 30 2012

SPECIAL PERMIT &  
VARIANCE BRANCH

We are proposing a special permit for a side yard setback reduction for the construction of a master bedroom addition to the existing house. It will be utilized daily by the owners of the property, Lydia and Dempsey Hackett. The master bedroom will be constructed for to create one level living for Lydia who has been diagnosed with Multiple Sclerosis. The addition is designed to be completely accessible and ties in well with the existing living spaces in the house. The proposed use will not affect the flow of traffic on the street or increase the number of trips made by the Hacketts from their house in Vienna, Virginia. The existing house contains a principal structure and use that comply with the minimum yard requirements in effect when the house was built. The existing house is 2059 sq. ft and the proposed new development is 847 sq. ft. That will bring the total square footage to 2906 sq. ft. The addition will be 41% of the existing structure and therefore subordinate in purpose, scale use and intent to the principal structure on site. The existing FAR for the property is 14%. The Floor Area Ratio (including the new addition) is 27%. An addition to an accessory structure is not part of the project.

The proposed addition is in scale and character with the existing on-site development in terms of location (it is in line with the existing driveway), height (it does not exceed the height of the existing split level home), bulk and scale of the existing home on the lot. The addition is wood frame construction with a sloped, shingle roof to match the existing house. The flooring material of the addition is hardwood to match the existing house. The proposed extension is in harmony with the existing fabric of the neighborhood, off-site uses, structures and zoning district. The height and scale of the addition match the scale, height and location of the surrounding structures. No trees will be removed for the construction of the addition. The addition does not adversely affect the use or development of neighboring properties with regard to issues such as noise, light, air, safety, erosion and storm water runoff. The size and height of the addition does not conflict with the existing and anticipated traffic in the neighborhood.

The new construction is in the adjacent to the kitchen, dining room and living room. A new 'at grade' entrance will be designed in the laundry room to give Lydia an easy entrance into the house.

The existing lot has a rear yard that is not affected by the addition to the house. Drainage and parking will be suitable for the site and project. There are no signs associated with this project.

There are no known toxic or hazardous substances or waste on the site. There are no existing storage containers on site. There are no easements, septic fields, or preservation of historic resources on site.

Other than our application for a Special Use Permit from Fairfax County, the proposed addition conforms to all known ordinances, regulations and standards.

All proposed uses are residential.

The amount of disturbed area = 2425 sq. ft.

8226 McNeil Street  
Vienna VA 22180  
February 25, 2012

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

Dear Sir/Ma'am,

I support the Hackett family's request for a special permit to build a house addition with a back corner that will be located eight feet from the property line. I am their neighbor across the street who will face the proposed addition. I have reviewed the proposed plans and agree that the one story addition will not create any issues or negatively impact the neighborhood in any way.

If there are any questions, I can be reached at 703-698-5883.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Philip Ross', with a long horizontal line extending to the right.

Philip Ross

RECEIVED  
Department of Planning & Zoning

MAR 05 2012

Zoning Evaluation Division

8229 McNeil Street  
Vienna VA 22180  
February 25, 2012

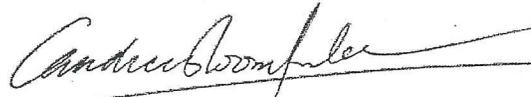
Zoning Evaluation Division  
Fairfax County  
Department of Planning and Zoning  
12055 Government Center Parkway,  
Suite 801  
Fairfax, VA 22035

Dear Sir/Ma'am,

I support the Hackett family's request for a special permit to build a house addition with a back corner that will be located eight feet from the property line. I am their immediate neighbor on the opposite side of the lot from the proposed addition. I have reviewed the proposed plans and agree that the one story addition will not create any issues or negatively impact the neighborhood in any way.

Thank you.

Sincerely,



Candice Bloomfield

8223 McNeil Street  
Vienna VA 22180  
February 25, 2012

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

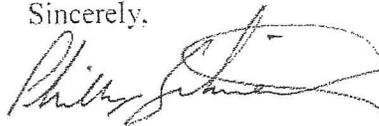
Dear Sir/Ma'am,

I support the Hackett family's request for a special permit to build a house addition with a back corner that will be located eight feet from the property line. I am their immediate neighbor and the property line separates our two lots. I have reviewed the proposed plans and agree that the one story addition will not create any issues or negatively impact the neighborhood in any way.

If there are any questions, I can be reached at 703-560-5565.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip Schneider", written over a horizontal line.

Phillip Schneider

8224 McNeil Street  
Vienna VA 22180  
February 25, 2012

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

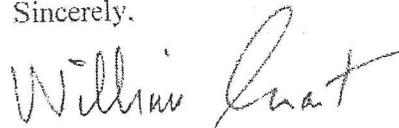
Dear Sir/Ma'am,

I support the Hackett family's request for a special permit to build a house addition with a back corner that will be located eight feet from the property line. I am their neighbor across the street who will face the proposed addition. I have reviewed the proposed plans and agree that the one story addition will not create any issues or negatively impact the neighborhood in any way.

If there are any questions, I can be reached at 703-573-8210.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "William Grant". The signature is written in dark ink and is positioned above the printed name.

William Grant

### **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.