



APPLICATION ACCEPTED: June 6, 2012
BOARD OF ZONING APPEALS: July 25, 2012
TIME: 9:00 a.m.

County of Fairfax, Virginia

July 18, 2012

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2012-MA-035

MASON DISTRICT

APPLICANTS AND OWNERS: Daniel P. Cannole
Pauline A. Cannole

SUBDIVISION: Parklawn

STREET ADDRESS: 6220 Crestwood Drive, Alexandria, 22312

TAX MAP REFERENCE: Tax Map 72-2((03)) (Q) 21

LOT SIZE: 11,599 square feet

ZONING DISTRICT: R-3, Residential

ZONING ORDINANCE PROVISIONS: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of addition 12.6 feet from rear lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2012-MA-035 for the addition with adoption of the proposed development conditions contained in Appendix 1.

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

O:\rhorner\Special Permits\cannole\Staff Report Cannole.doc

Rebecca Horner

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.

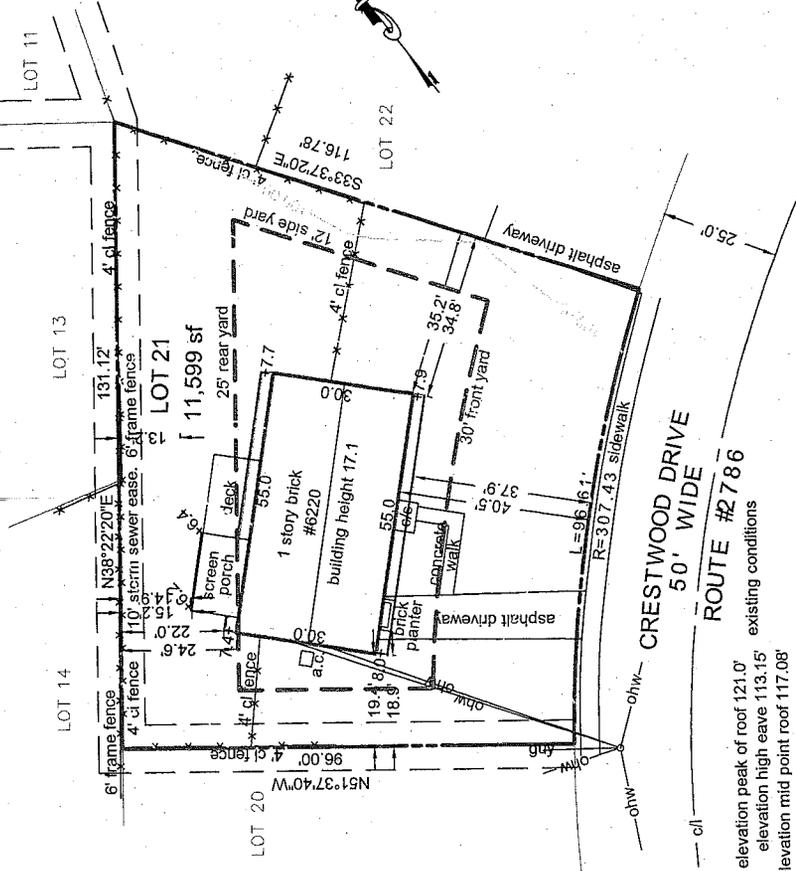
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government 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-MA-035
DANIEL P. & PAULINE A. CONNOLE





elevation peak of roof 121.0'
 elevation high eave 113.15'
 elevation mid point roof 117.08'
 elevation average grade 105.40'
 height of house 11.68'

eave
 gutter
 centerline

CRESTWOOD DRIVE
 50' WIDE
 ROUTE #2786
 existing conditions

CRESTWOOD DRIVE
 50' WIDE
 ROUTE # 2786
 proposed addition

RECEIVED
 Department of Planning & Zoning
 JUN 08 2012

predevelopment GFA 1,650 sf FAR 0.14
 postdevelopment GFA 2,180 sf FAR 0.19

Zoning Evaluation Division

SPECIAL PERMIT PLAT
 LOT 21, BLOCK Q, SECTION 3
PARKLAWN

MASON DISTRICT
 FAIRFAX COUNTY, VIRGINIA

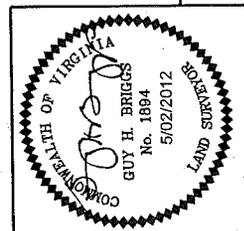
1. The property shown here on is located on Fairfax County tax map no. 072-2-030-0021 and is zoned R-3.
2. This property is serviced by public sewer and water.
3. There are no trails proposed on the comprehensive plan in this area.
4. There are no easement 25' or larger in width on this property, or major underground easements.
5. There is no flood plain or resource protection area in the vicinity of this site.
6. There are no burial sites apparent on the property.
7. Proposed use is residential.
8. SWM plans will be submitted at such time as a grading plan is required. Total disturbed area 1,779 sf.
9. Topography field shot. Elevations assumed.

APEX SURVEYS 7720 VICEROY STREET 703 866-1236
 SPRINGFIELD, VIRGINIA 22151

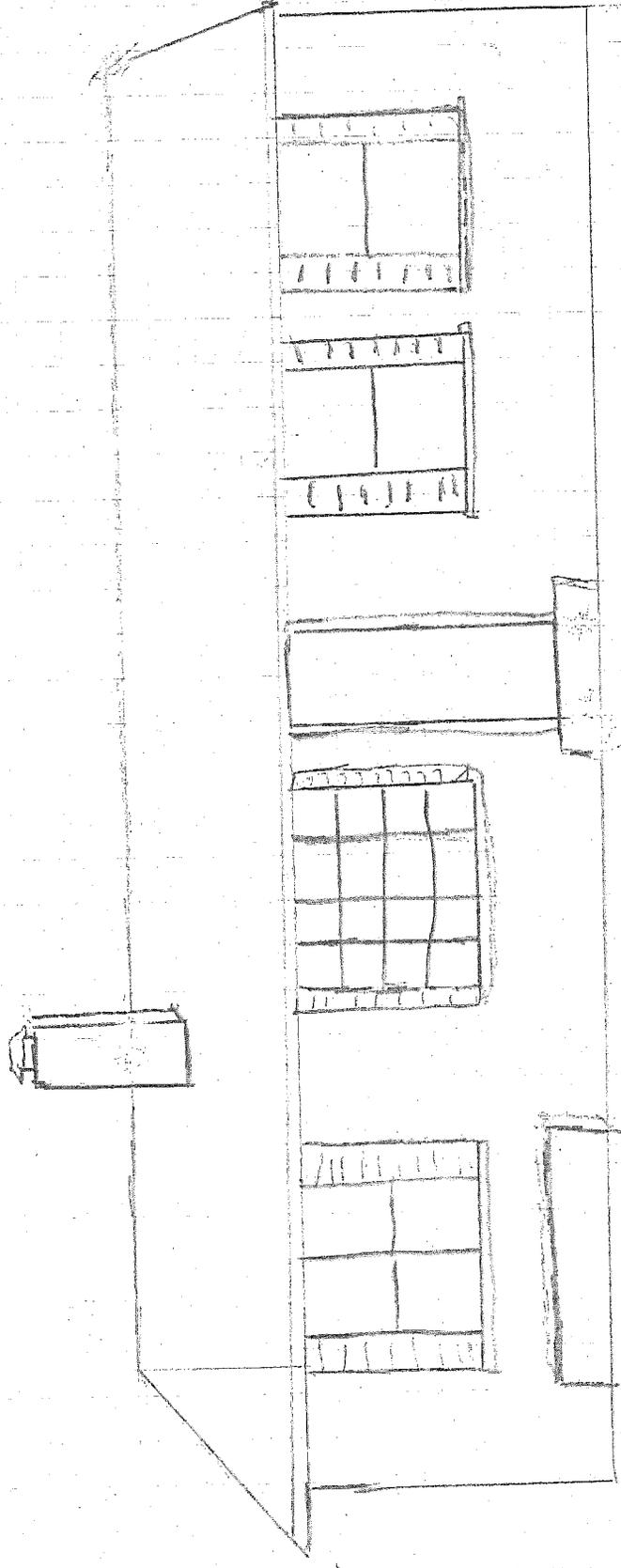
SCALE: 1"=25'

MAY 02, 2012

JOB # 12-0050



Demarcia Pacific Concrete
6220 Crestwood Dr
Alexandria, VA 22313
Phone: 703-444-1111
W/Proposed Addition



55' →

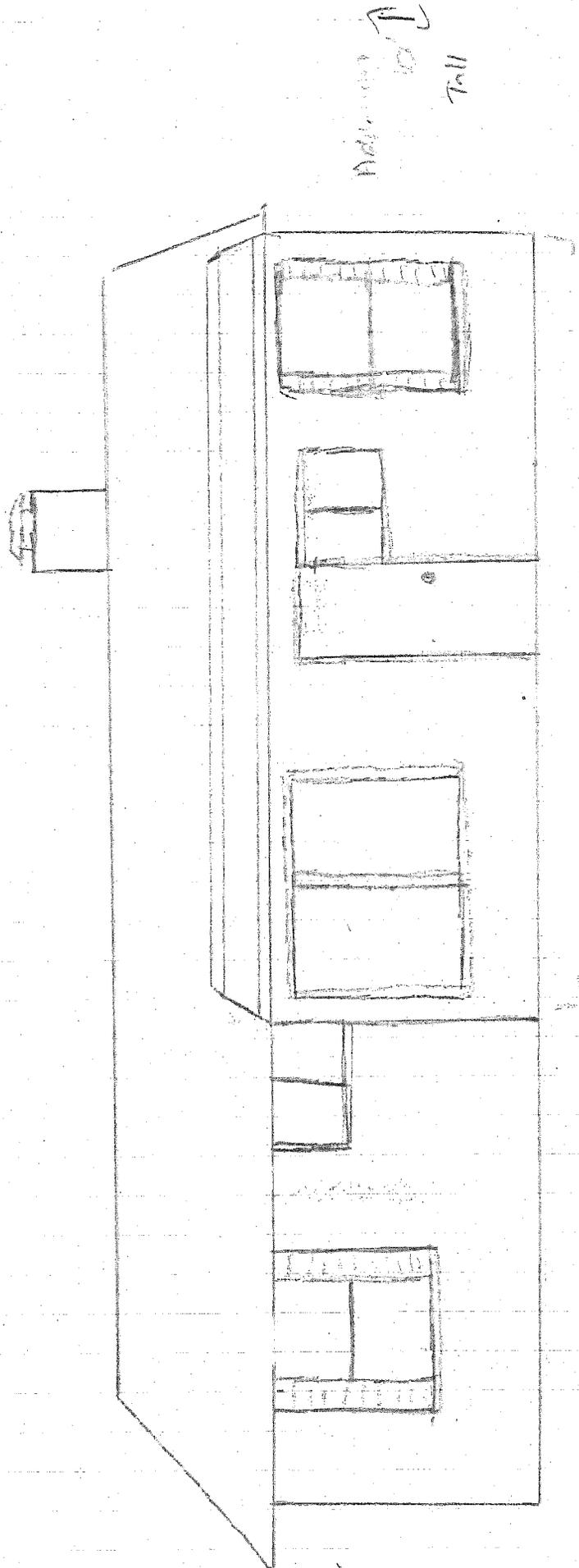
RECEIVED
Department of Planning & Zoning

JUN 08 2012

Zoning Evaluation Division

Daniel & Pauline Corrode
6220 Greenwood Dr.
Alexandria, VA 22312

Rear of House
w/ Proposed Addition



10' 10"
Tall

Addition 30.9

entire Building

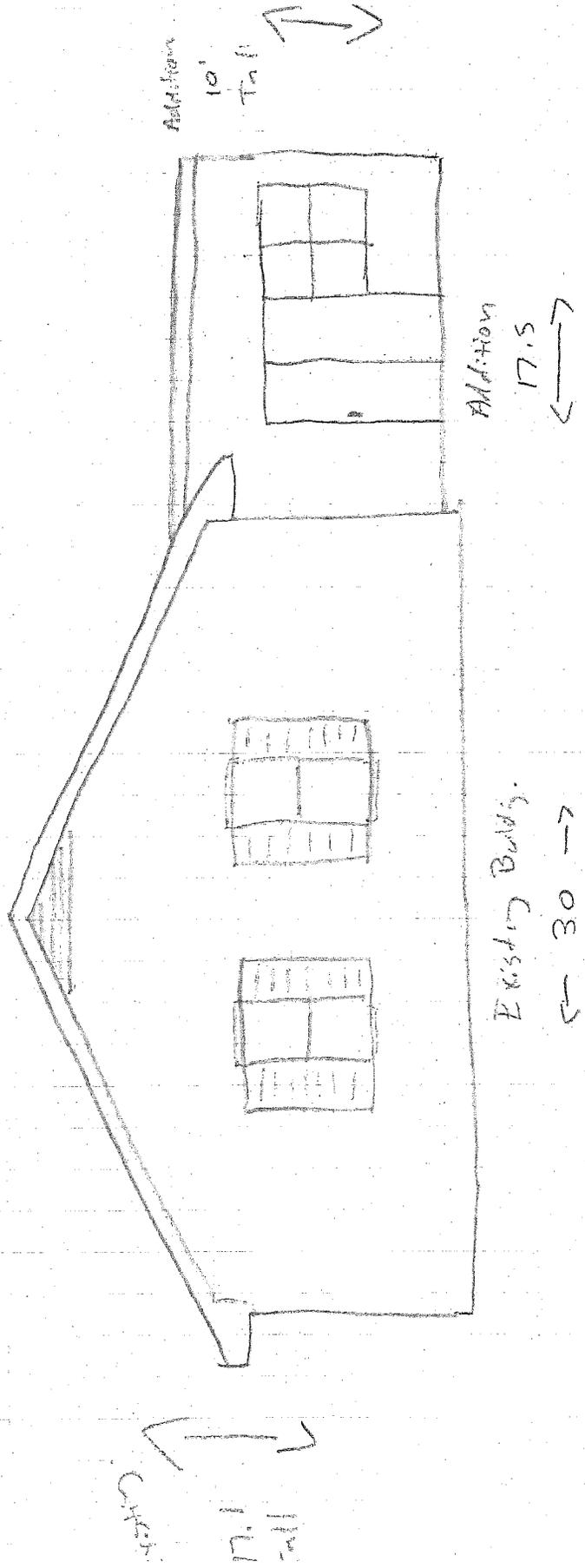
55'

20' 5" (10' 10")
Tall

7' 1"
Tall

Daniel + Pauline Connors
6220 Crestwood Dr
Alexandria, VA 22312

North East Side of House
w/ Proposed Addition



Daniel + Patrick Corvado
6220 Crestwood Dr
Alexandria, VA 22302

North west side of house
w/ Proposed Addition

EXISTING

ADDITION

EXISTING

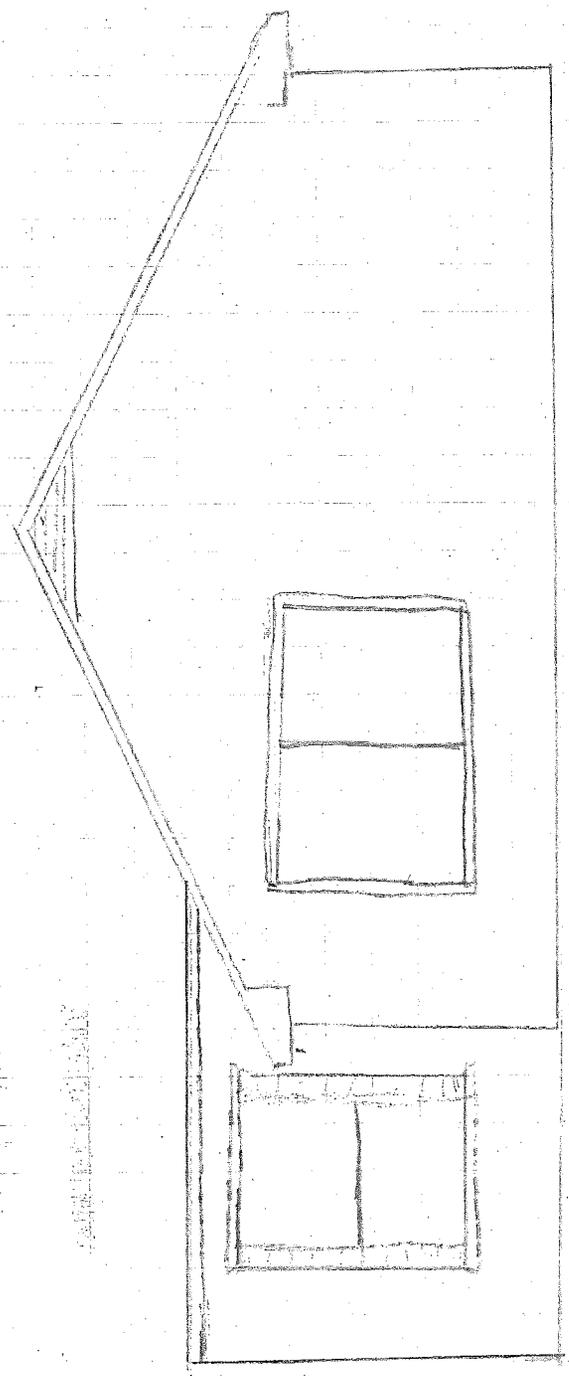
Original Bldg



Tall



Tall



12.5'



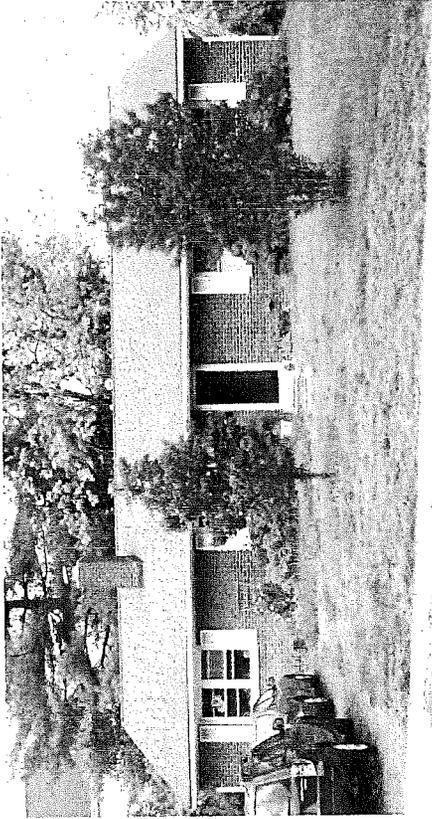
Addition

30'

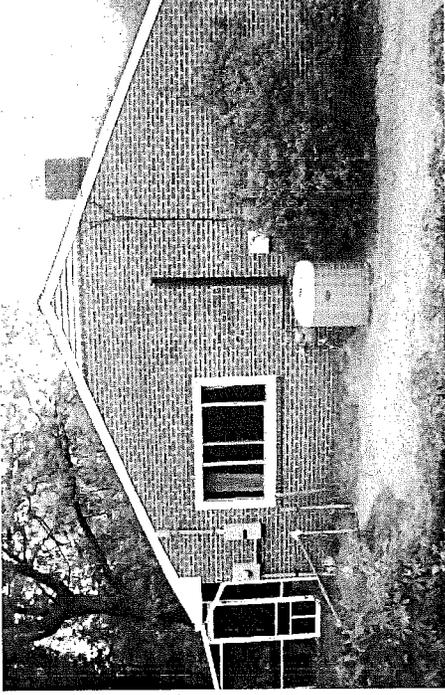


Addition

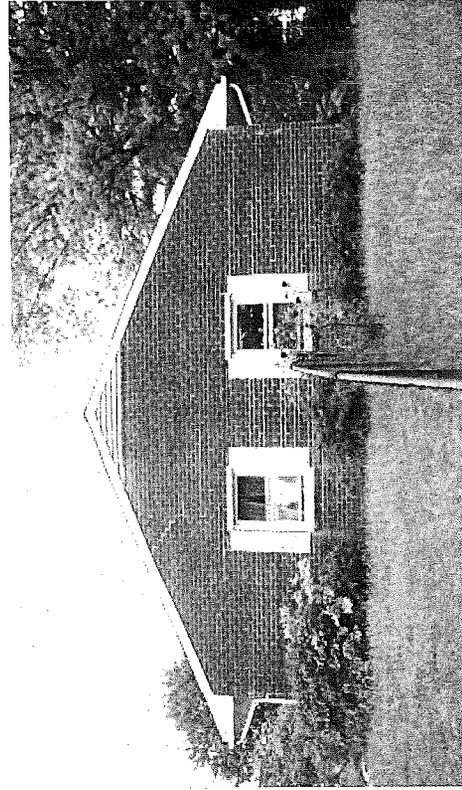
6220 Crestwood Dr, Alexandria, VA 22312



Front of house



West side of house
(Left side looking from front)

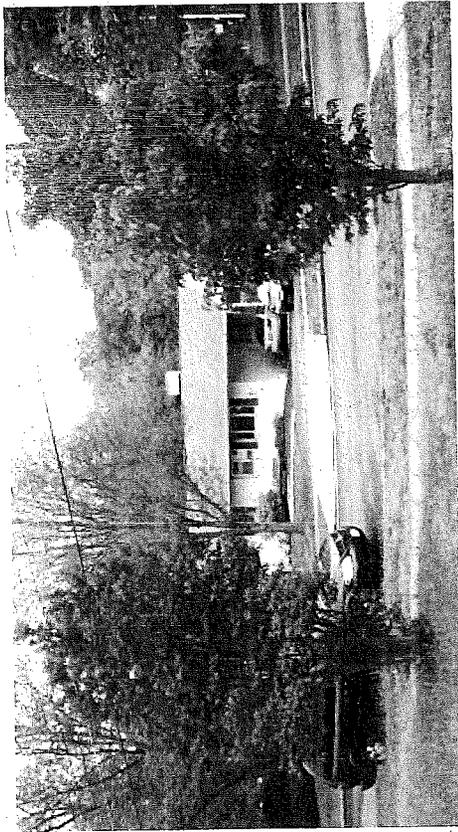


East side of house
(Right side looking from front)

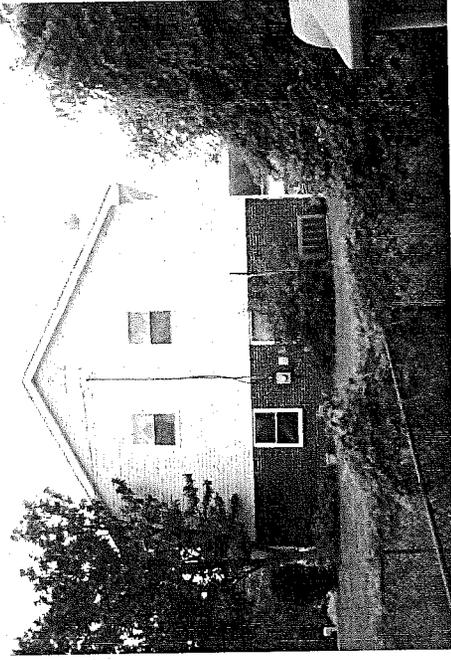


Rear of house

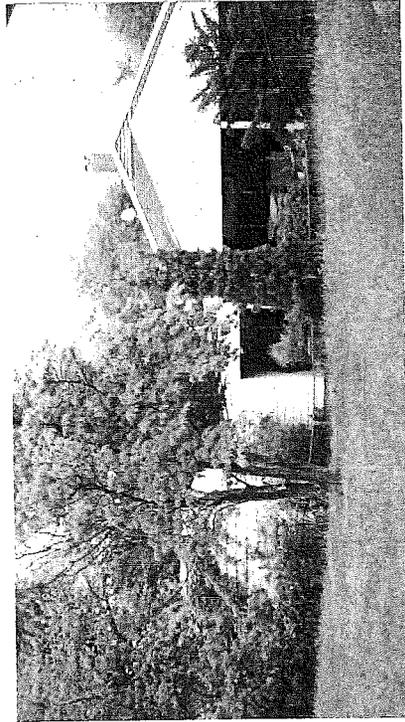
6220 Crestwood Dr, Alexandria, VA 22312



South- Across from front of House



West – Across from side of house

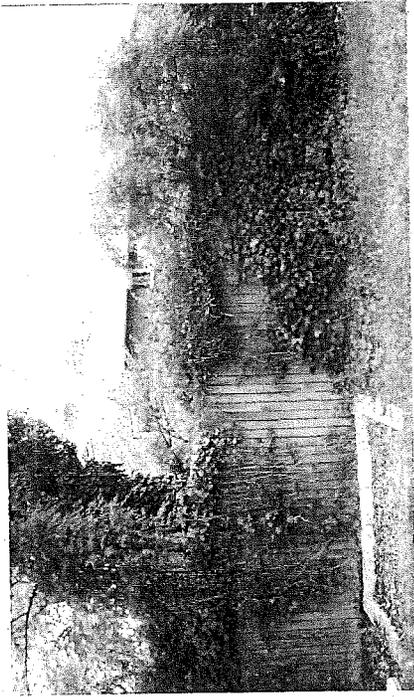


East – Across from side of house



North – Across from rear of house
(1 of 3)

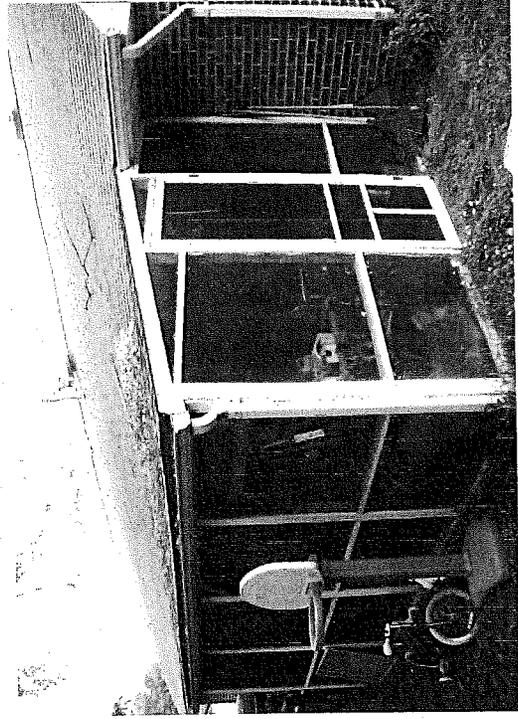
6220 Crestwood Dr, Alexandria, VA 22312



North – Across from rear of house
(2 of 3)



North – Across from rear of house
(3 of 3)



Rear of house – Existing porch that will be removed.

DESCRIPTION OF THE APPLICATION

The applicant is seeking approval of a special permit to permit reduction of certain yard requirements for construction of an addition 12.6 ft. from the northwestern rear lot line. The addition will be a kitchen extension, laundry/utility room and family room.

	Structure	Yard	Min. Yard Req.*	Structure Location	Proposed Reduction	Percent of Reduction
Special Permit	Addition	Rear	25 feet*	12.6 feet	12.4 feet	49.6%

* Minimum yard requirement per Section 3-307

EXISTING SITE DESCRIPTION

The lot is currently zoned R-3 and constructed with a one-story, single family detached dwelling. The dwelling was built in 1957.

An addition was later constructed on the southwestern side of the dwelling in 1969, shown to be 25' from the rear property line. According to the special permit plat, the addition in 1969 slightly encroaches into the minimum rear yard by 0.6 feet and the eave encroaches three (3) feet into the minimum rear yard. The encroachment is not eligible for an administrative reduction because the eave is less than 10 feet from the ground elevation. The Zoning Administration Division determined the 1969 addition, including the noncompliant eave, is vested, according to the vested rights determination attached in Appendix 4.

A screened porch and deck were later added. Staff was unable to find building records for either the porch or deck construction.

The lot is 11,599 square feet. The minimum lot size in an R-3 district is 11,500 square feet. The lot is fairly level, however, the grade increases on the property to the south and drops on the property to the northeast.

The lot is trapezoidal in shape and the dwelling is set back from the front lot line which creates a shallow backyard. The dwelling is accessed via a hard surfaced drive extending from Crestwood Drive.

The rear of the property contains several trees, shrubs and foundation plantings. A five (5) foot wide storm sewer easement is located along the rear and southern side property lines. There is a very large tree located very near the area of the proposed addition.

Structure	
Floor Area	1,650 square feet*
Year Constructed	1957
Access	Hard-surfaced driveway that extends from Crestwood Drive
Site Features	Mature vegetation, a 4' high chain link fence attached to the dwelling encloses the backyard.
Easements	Five (5) foot sanitary sewer easement along the western rear and southern side property lines.

*According to tax assessment records.

CHARACTER OF THE AREA

	Zoning	Use
North	R-3	Single-Family Dwellings
East	R-3	Single-Family Dwellings
South	R-3	Single Family Dwellings
West	R-3	Single-Family Dwellings

BACKGROUND

Following the adoption of the current Ordinance, the BZA has not heard any special permit and variance applications in the vicinity of the application parcel

PLAT	
Special Permit Plat	Attached
Title of SP Plat:	Special Permit Plat, Lot 21, Block Q, Section 3, Parklawn
Prepared By:	Apex Surveys, dated 05/02/2012, signed by Guy H. Briggs, Land Surveyor

Proposal:

The applicant requests approval to remove an existing screened porch and deck and replace them with a new 600 square foot addition for a kitchen expansion, laundry/utility

room and a living room. The addition will encroach further into the minimum rear yard than the existing structures.

The slab on grade addition is proposed to be constructed with hardboard siding and have a low pitched roof structure, similar to the roof on the existing screened porch. The architectural renderings indicate the addition will have no eave.

As noted previously, there are several mature trees throughout the lot with a small concentration of trees at the rear of the lot. There is one large tree located directly adjacent to the proposed addition. The addition will extend approximately three (3) feet past the location of the existing screened porch which will cause the addition to be very close to the existing tree.

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 6:

- 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 meets all of the 8 General Special Permit Standards with notes regarding General Standards 3.

General Standard 3 requires that the proposed uses 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. *The general character of the residential neighborhood is mixed with dwellings of all types and ages. The proposed addition is of a similar style to the existing dwelling and is harmonious with the existing home. The existing home has a low pitched roof. The addition will be at the rear of the structure and not noticeable from the street.*

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 existing 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. According to tax records, the existing dwelling has 1,650 square feet of living area. Therefore 150% of the total gross floor area could result in an addition up to 2,475 square feet square feet in size for a possible total building size of 4,125 square feet above-grade living area. The proposed addition is approximately 600 square feet in area, thereby realizing a total house size of 2,250 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 submitted indicate that the materials, size and scale of the proposed addition will be compatible with the existing structure. The addition will have very low pitch, to flat, roof rubber membrane roof and be in scale with the existing dwelling.

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. It appears the proposed improvements are compatible with the surrounding houses in the neighborhood because there is no one consistent style. The surrounding neighborhood is mixed with a variety of architectural styles of various ages. The proposed exterior building materials are consistent with the on-site dwelling. Staff believes the application 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. There is no RPA on the property. The addition adds minimal impervious area and is a replacement over an existing deck, with a small extension. There are several mature trees abutting the rear lot of the parcel which screens the addition from the abutting neighbors. Staff believes this standard is met.

Standard 9 states that the BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources. The proposed addition is in an area without existing trees, however the addition will be very close to one mature tree. A memorandum from the Urban Forest Management Division is included in Appendix 5

which recommends that tree protection fencing be placed at the drip lines or as close as possible to drip lines to protect both on and off-site trees from construction damage. The area of the addition is off the rear of the existing dwelling into the rear lot of the property. The abutting properties to the rear are screened by the existing trees and an offside wood stockade fence. There is minimal new impervious area because it is a replacement and slight enlargement over an existing deck and screened porch therefore staff believes that the application meets this provision, but only with the adoption of the tree protection development condition.

CONCLUSION

Staff finds that the subject application 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-MA-035 for the addition, subject to the Proposed Development Conditions contained in Appendix 1 of the staff report.

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

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

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

APPENDICES

1. Proposed Development Conditions with Attachment 1
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Vested Rights Determination.
5. Urban Forest Management Division Memorandum
6. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

SP 2012-MA-035

July 18, 2012

If it is the intent of the Board of Zoning Appeals to approve SP 2012-MA-035 located at 6220 Crestwood Drive, Tax Map 72-2 ((03)) (Q) 21 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.

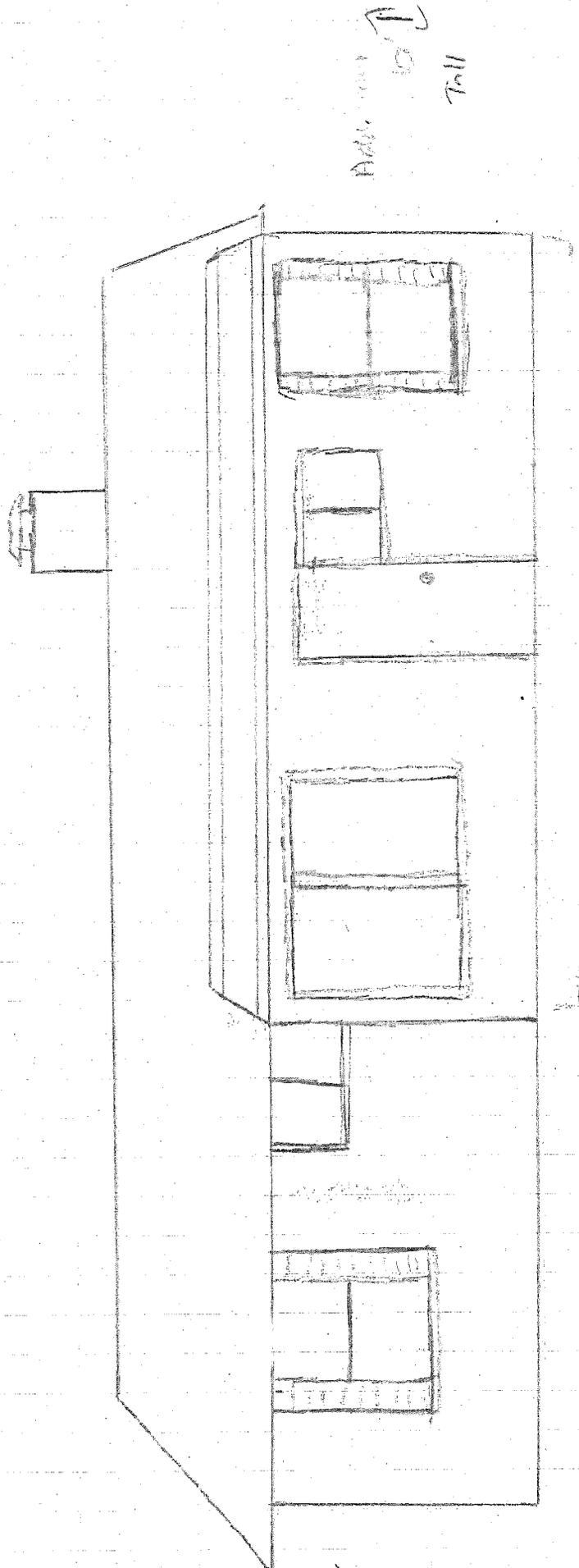
1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size (approximately 600 square feet) of the addition, as shown on the plat prepared by Apex Surveys, dated 05/02/2012, signed by Guy H. Briggs, Land Surveyor, submitted with this application and is not transferable to other land.
3. Prior to commencement of and during the entire construction process, the applicant shall designate the area along the northwestern area of the lot as a tree save area to protect existing on and off-site vegetation and shall install tree protection fencing to protect the vegetation in this area from construction activities. The protective fencing shall remain intact during the entire construction process and shall be the maximum limit for clearing and grading. The applicant shall monitor the site to ensure that inappropriate activity such as the storage of construction equipment does not occur in this area.
4. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (1,650 square feet existing + 2,475 square feet (150%) = 4,125 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.
5. The addition shall generally be consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.

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

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

Daniel & Pauline Corpeale
6220 Chestwood Dr
Alexandria, VA 22312

Rear of House
w/ Proposed Addition



Addition 7'1" Tall

Addition 36'4"

28'4" wide
7'1" Tall

Existing Bulding
55'

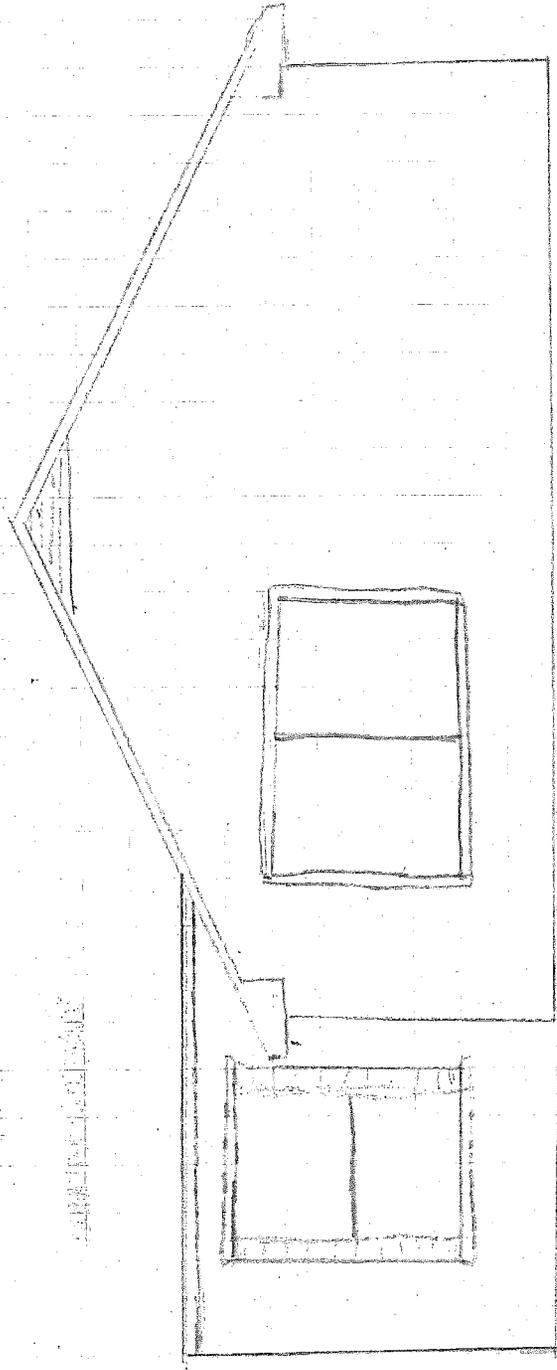
Demuel & Pacific Concrete
6220 Crestwood Ct.
Alexandria, VA 22304

North west side of house
w/ Proposed Addition

EXISTING

ADDITION

EXISTING



Original Bldg



10'

Tall

Addition

10'

Tall

12.5'



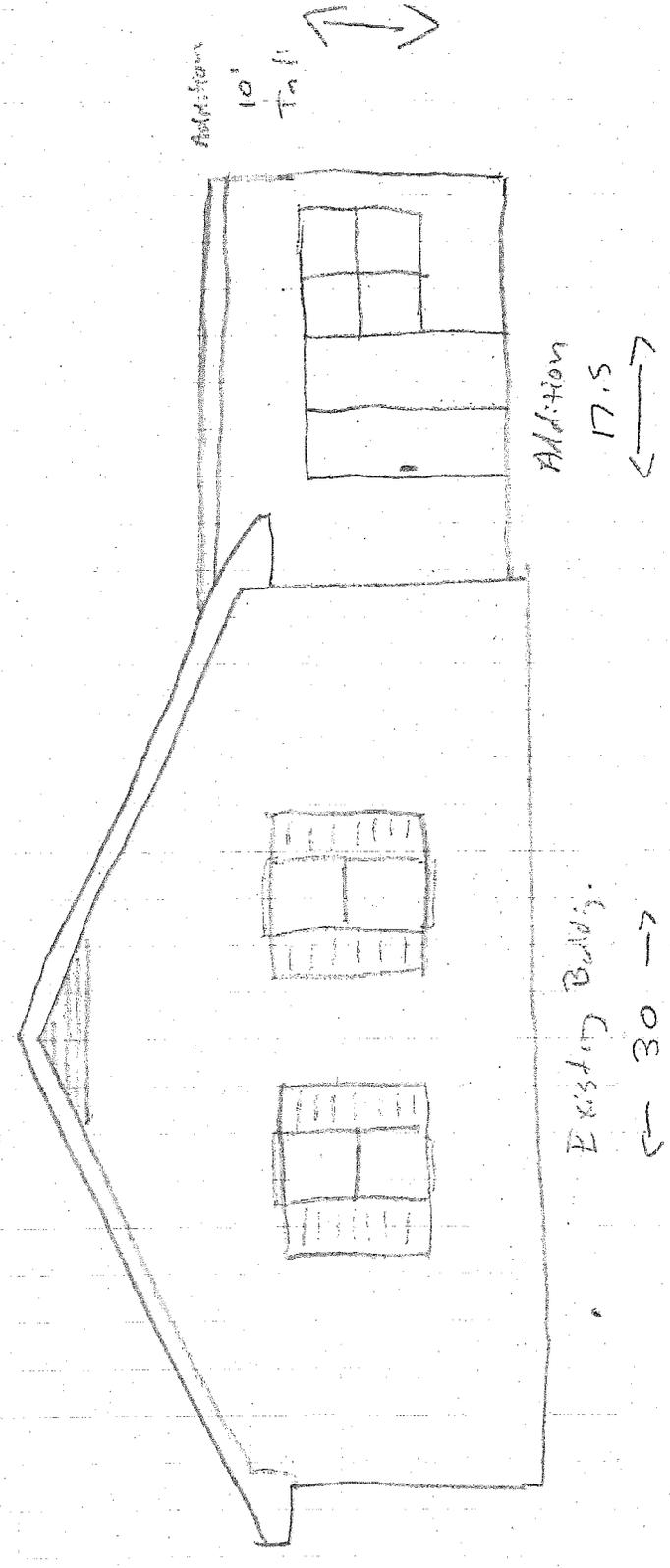
30'



Addition

Daniel + Pauline Corinole
6220 Crestwood Dr
Alexandria, VA 22312

North East side of House
w/ Proposed Addition



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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/3/2012
 (enter date affidavit is notarized)

I, Daniel Comole, 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

116140

and that, to the best of my knowledge and belief, the following is true:

1(a). The following constitutes a listing of the names and addresses of all APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES of the land described in the application,* and, if any of the foregoing is a TRUSTEE,** each BENEFICIARY of such trust, and all ATTORNEYS and REAL ESTATE BROKERS, and all AGENTS who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in BOLD print must be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Daniel P. Comole	6220 Crestwood Dr. Alexandria, VA 22312	Applicant/Title Owner
Pauline A. Comole	6220 Crestwood Dr Alex, VA 22312	Applicant/Title Owner

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

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

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

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

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/3/2012
(enter date affidavit is notarized)

116140

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)

None

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.*

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

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/3/2012
(enter date affidavit is notarized)

116140

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)

None

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/3/2012
(enter date affidavit is notarized)

116140

1(d). One of the following boxes must be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

None

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/3/2012
(enter date affidavit is notarized)

116140

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

Applicant's Authorized Agent

Daniel P. Connole

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

Subscribed and sworn to before me this 3rd day of May, 2012, in the State/Comm. of Virginia, County/City of Arlington.

[Signature] - 285375
Notary Public

My commission expires: Sept 30, 2012

Special Permit Statement of Justification

RECEIVED
Department of Planning & Zoning

MAY 07 2012

Applicants: Daniel & Pauline Connole

Property Address: 6220 Crestwood Dr, Alexandria, VA 22312

Zoning Evaluation Division

- A. Type of operation: Single-family home
- B. Hours of operation: N/A
- C. Estimated number of patrons/clients, etc.: N/A
- D. Proposed number of employees, etc.: N/A
- E. Estimate of traffic impact: N/A
- F. Vicinity or general area served by use: N/A

- G. Description of building addition: Slab-on-grade addition of dimensions shown on attached plat, with 2X4 walls and Hardiboard siding. Roof will be low to minimum pitch and will be a rubber membrane roof.

- H. Disposal of hazardous or toxic substances: Any materials that contains or may contain lead-based paint will be disposed of by a certified EPA RRP Firm according to EPA regulations. Homeowners have not tested for lead paint, nor are they required to by law. They will act on the assumption that, because of the age of the house, there is lead paint present, so all demolition material will be handled as stated above.

- I. Reasons for special permit: Home is located on an irregular lot, where it is currently at the minimum rear setback of 25 feet. The desired addition will consist of a kitchen extension, laundry/utility room and family room. Because the kitchen is located at the rear of the house, the only way to achieve the desired improvements to the home is to build on to the back of the house by decreasing the rear yard setback to 12.6 feet.

The proposed addition will be approximately 600 square feet in size, for a 37% (approx.) increase over the current size of 1650 square feet.

The addition will consist of only 3 rooms: A family room, a laundry/utility room and an expansion of the kitchen area and will therefore be subordinate to the principal structure.

The proposed addition will be in character with the existing house and surrounding neighborhood in terms of location, height, bulk and scale. The roof will be low to minimum pitch in order to be unobtrusive to surrounding properties.

The proposed addition will not adversely impact the use and/or enjoyment of adjacent properties with regard to issues such as noise, light, air, safety, erosion or stormwater runoff.

The proposed addition will be built by a licensed general contractor and will adhere to all building codes, as well as any conditions specified by the BZA in regards to maximum gross floor area, floor area ratio, lot coverage and landscaping and/or screening requirements.



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

Vested Rights Determination under §15.2-2307 of the Code of Virginia

Property Tax Map Number:	72-2 ((3)) (Q) 21
Property Address:	6220 Crestwood Drive
Requestor's Name:	Rebecca Horner
Requestors Address: (if different than above)	
Requestor's Phone Number:	(703) 324-1290
Current Zoning:	R-3
Magisterial District:	Mason
Subdivision Name/Section/Block/Lot No.:	Parklawn, Lot 21, Section 3, Block Q

Written Description of Structure that may be vested under §15.2-2307 of the Code of Virginia (See Attached Instruction Sheet)

The property is zoned R-3, and is developed with a single family detached dwelling. According to the Real Estate Assessment records, the dwelling was constructed in 1956, with a left side addition and a screen porch added over time. The plat submitted, titled "Special Permit Plat, Lot 21, Block Q, Section 3, Parklawn," prepared by Apex Surveys and dated May 2, 2012, shows the left side addition 24.6 feet from the rear lot line with 7.4 foot tall roof eave 22 feet from the rear lot line. The eave is less than ten (10) feet above finished grade and is therefore considered part of the addition from a zoning perspective. As the minimum required rear yard in the R-3 District is 25 feet, the left side addition encroaches three (3) feet into the minimum required rear yard. The plat also shows the screen porch 15.2 feet from the rear lot line, encroaching 9.8 feet into the minimum required rear yard. According to our records, Building Permit #P56864 was issued on April 15, 1969 for the left side addition. It appears that an error in the location of the left side addition resulted in the encroachment into the minimum required rear yard. There is no record of a building permit for the screen porch.

Background Summary (check all that are applicable):

- A Building Permit was issued for the left side addition.
- A Building Permit was not located for the screen porch.
- A Non-Residential Use Permit/Residential Use Permit has been issued or, when a Non-RUP/RUP is not required, evidence that the structure(s) has passed final inspection.
- Department of Tax Administration records indicate that left side addition has been taxed for at least 15 years.
- Department of Tax Administration records do not indicate that the screen porch has been taxed for at least 15 years.

Department of Planning and Zoning
Zoning Administration Division
Ordinance Administration Branch
12055 Government Center Parkway, Suite 807
Fairfax, Virginia 22035-5505
Phone 703-324-1314 FAX 703-803-6372
www.fairfaxcounty.gov/dpz/



Staff Determination:

- §15.2-2307 of the Code of Virginia is applicable for the left side addition and it may remain. The structure may not be replaced or enlarged unless the replacement or expansion complies with all regulations of the district in which located.
- §15.2-2307 of the Code of Virginia is applicable for the structure and the structure(s) may remain; however, §15.2-2307 is not applicable for the use of the structure. A separate letter explaining the status and use of the structure(s) will be issued.
- §15.2-2307 of the Code of Virginia is not applicable to the screen porch.

Reviewer's Signature:

Matthew Merck
Zoning Administration Division
Department of Planning and Zoning

Date: 7-2-2012

cc: Daniel P. Connoles & Pauline A. Connoles, 6220 Crestwood Drive, Alexandria, VA 22312
Janet E. Coldsmith, Director, Real Estate Division, DTA
Eileen M. McLane, Zoning Administrator
Michelle O'Hare, Deputy Zoning Administrator, Ordinance Administration Branch
Diane Johnson-Quinn, Deputy Zoning Administrator, for Zoning Permit Review Branch



County of Fairfax, Virginia

MEMORANDUM

July 9, 2012

TO: Rebecca Horner, Senior Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Nicholas J. Drunasky, Urban Forester II
Forest Conservation Branch, UFMD

SUBJECT: 6220 Crestwoods Drive, SP 2012-MA-035

RE: Request for assistance

This review is based upon the Special Permit application SP 2012-MA-035 stamped "Received, Department of Planning & Zoning May 7, 2012."

General Comment: Staff recommends that some type of barriers or tree protection devices be put in place to protect the large existing tree adjacent to the screen porch and deck, along with other smaller on-site and off-site trees critical root systems (their driplines) where work will occur along with any other trees that construction equipment or delivery machinery may be operated near. Tree protection fencing should be placed at the driplines or as close to the driplines as possible to protect trees root systems.

If you have any questions, please feel free to contact me at 703-324-1770.

NJD/
UFMID #: 171461

cc: RA File
DPZ File

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes



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.