



APPLICATION ACCEPTED: January 23, 2013

BOARD OF ZONING APPEALS: April 17, 2013

TIME: 9:00 a.m.

County of Fairfax, Virginia

April 10, 2013

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2013-DR-006

DRANESVILLE DISTRICT

APPLICANT: Hemamalini Paravastu

OWNERS: Hemamalini Paravastu
Srivatsan Chellam

STREET ADDRESS: 7109 Sea Cliff Road, McLean 22101

SUBDIVISION: West Lewinsville Heights

TAX MAP REFERENCE: 30-3 ((10)) 3

LOT SIZE: 12,857 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 addition 6.1 ft. from side lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2013-DR-006 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 applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

O:\gumk2\SP Cases\4-17) SP 2013-DR-006 Paravastu (50%)\SP 2013-DR-006 Paravastu Staff Report.doc

Laura Gumkowski

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

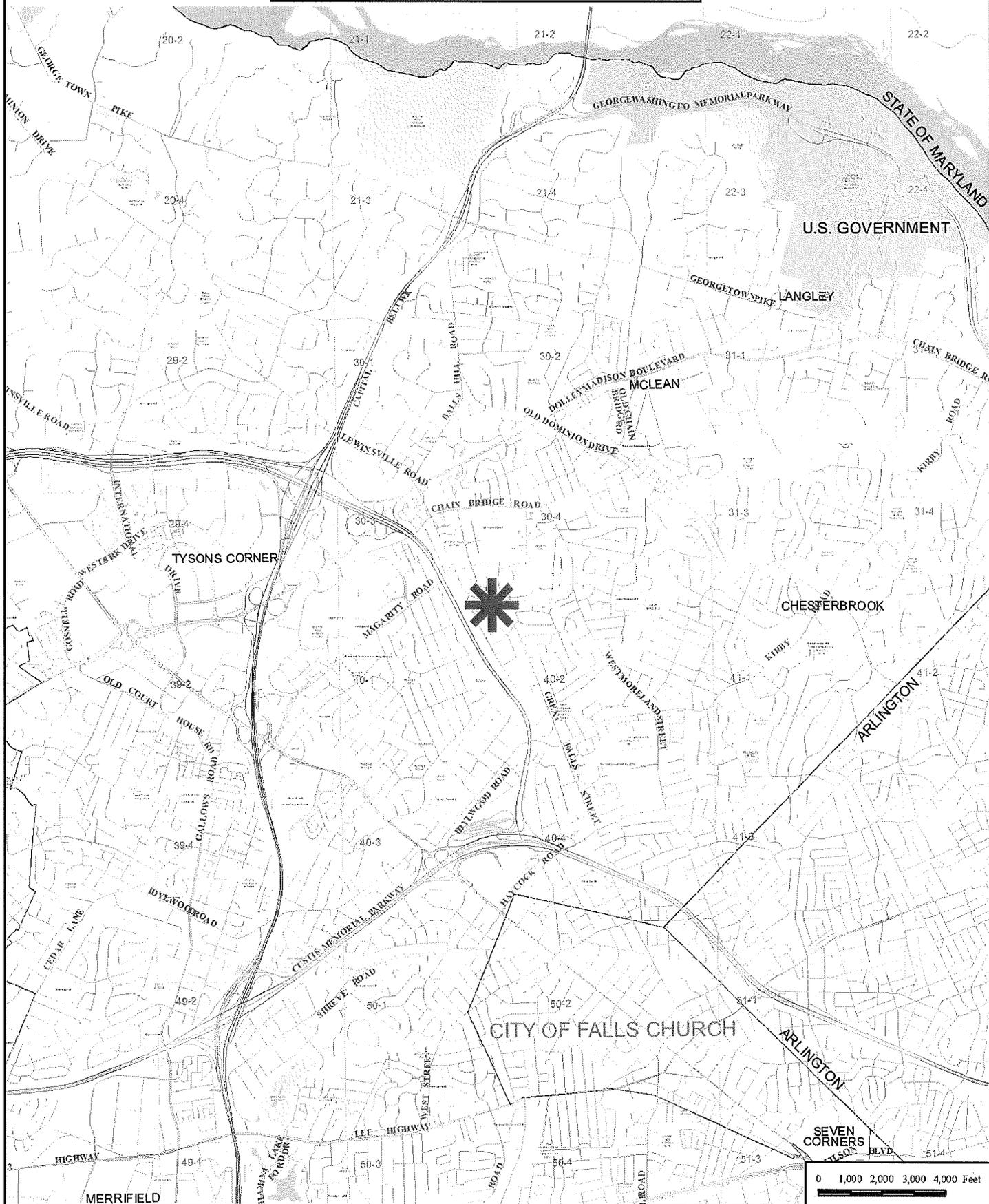
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**

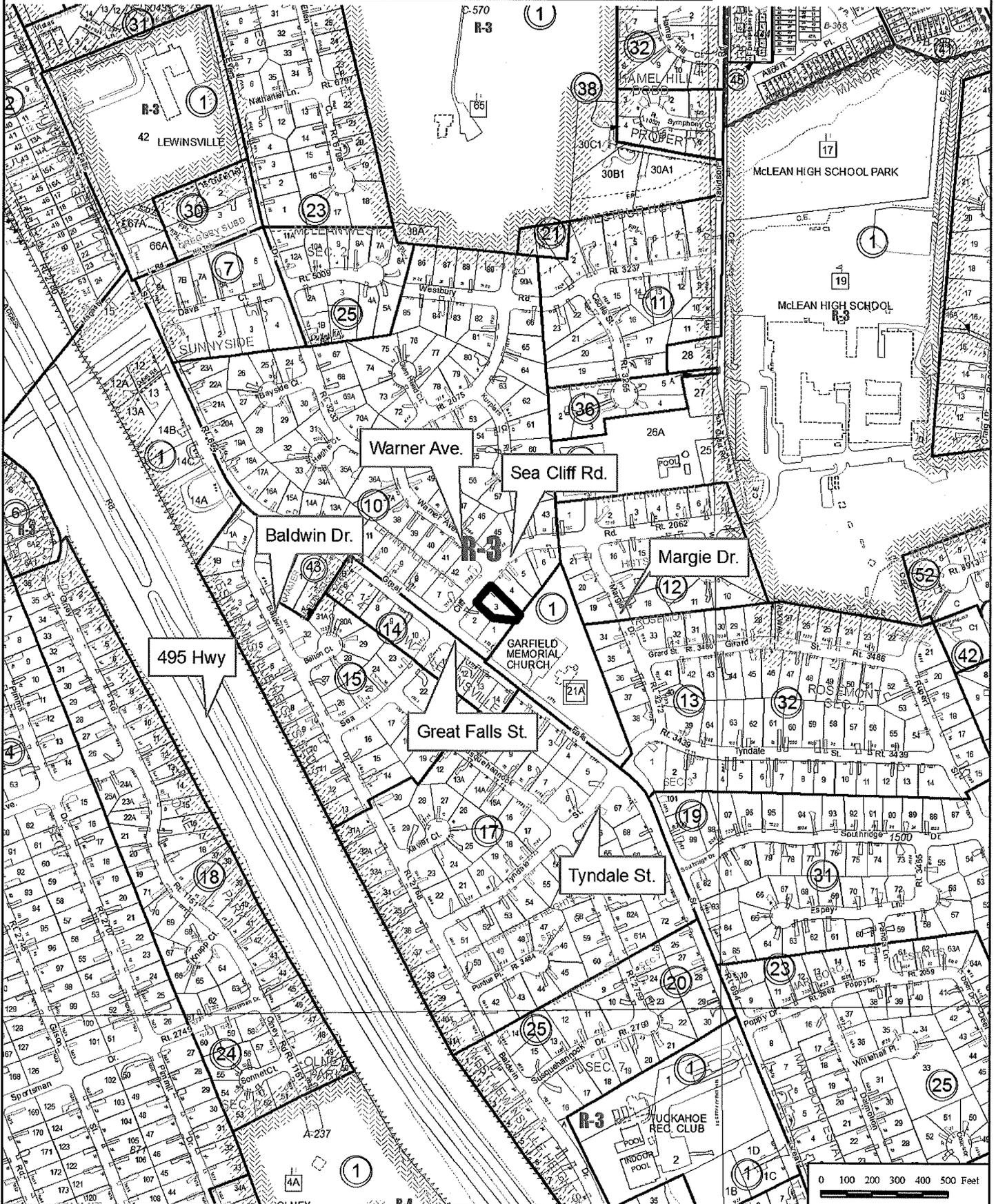


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

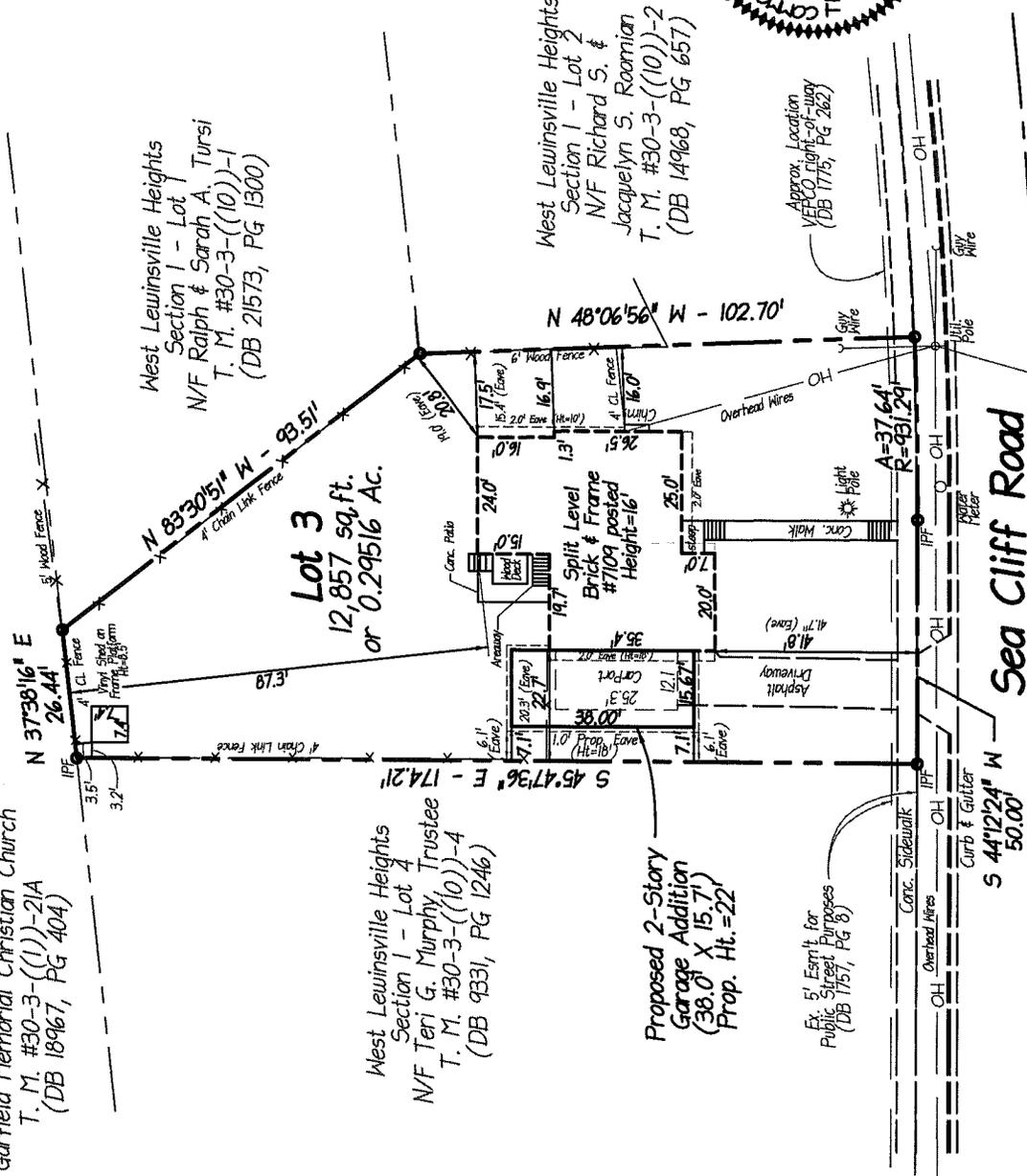
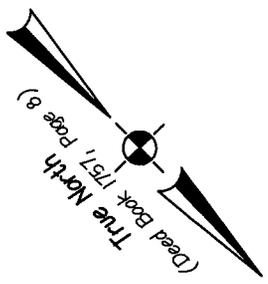
Special Permit
SP 2013-DR-006
HEMAMALINI PARAVASTU



Special Permit
SP 2013-DR-006
HEMAMALINI PARAVASTU



Board of Trustees of
 Garfield Memorial Christian Church
 T. M. #30-3-((1))-21A
 (DB 18967, PG 404)



NOTES:

- 1) The property delineated hereon is located on Fairfax County Tax Assessment Map #30-3-((10)) parcel 3 and is zoned R-3.
- 2) Current Owners: Hernaltini Paravastu & Srivastava Chelliam Acquired on May 4, 2012 as recorded in Deed Book 22297, Page 1542.
- 3) Property Address: #7109 Sea Cliff Road, McLean, Virginia 22101.
- 4) Current required minimum yards for the R-3 zone:
 Front - 30', Side - 12', Rear - 25'.
- 5) This parcel is served by public water and sewer.
- 6) There are no Flood plains or RPA's located on this parcel.
- 7) A search of the land records by this firm failed to locate any major utility easements or any utility easements having a width of 25' or more.
- 8) Total Gross Floor Area - Existing = 2,463 sf Proposed = 3,654 sf
- 9) Gross Floor Area Ratio - Existing = 19.2% Proposed = 28.4%

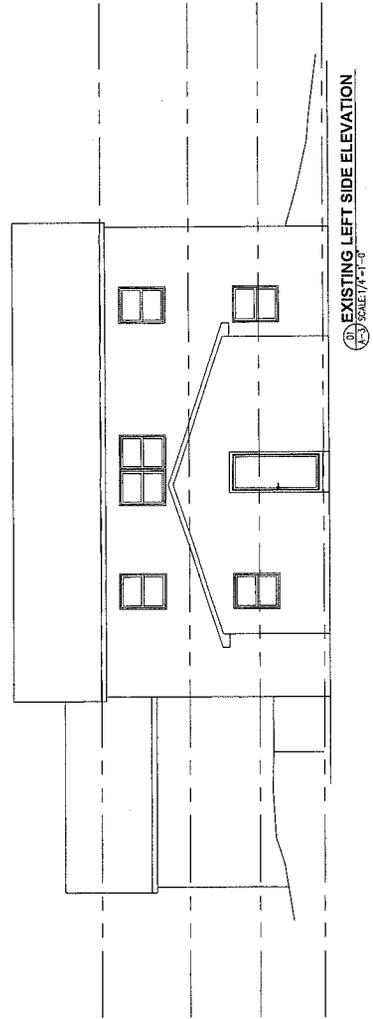
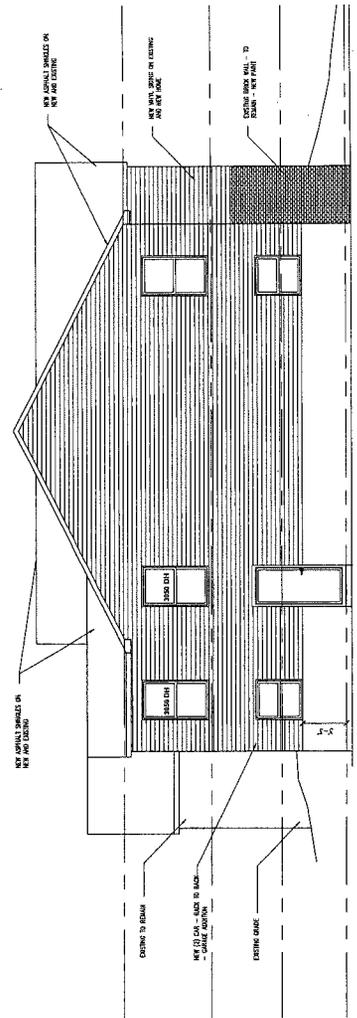
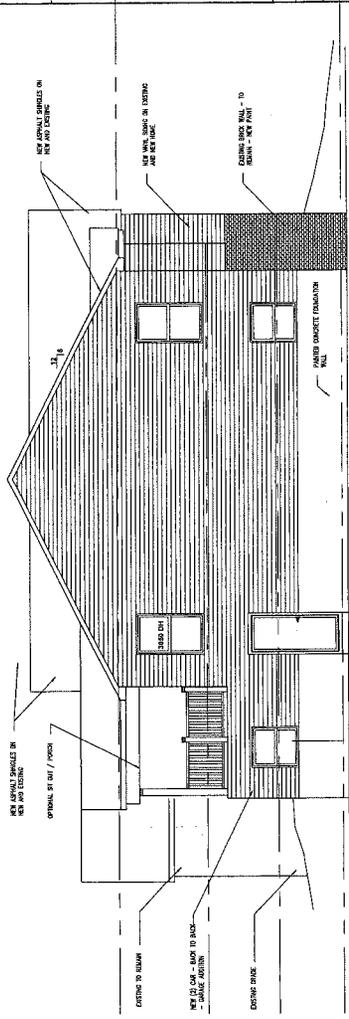


Special Permit Plat
 Lot 3 - Section 1
West Lewinsville Heights
 (Deed Book 1751, Page 8)
 Dranesville District
 Fairfax County, Virginia
 January 4, 2013 - Scale: 1" = 25'

Kendall Consulting, Inc.

Land Surveying & Land Planning
 P. O. Box 1569 - Fairfax, Virginia 22038
 (703) 591-1157 - Fax: (631) 876-6507 - twk.kc@verizon.net

Warner Ave.
 Rte #2075



CHHELLAM RESIDENCE ELEVATIONS

PROJECT: CHHELLAM RESIDENCE
 7109 SEA CLIFF ROAD, McLEANS VA 22101
 DWG. BY: S. GORUR
 JOB NO.: XXXX
 DATE: MAY 2012

NO.	DATE	REVISION
1	09-20-2012	ISSUED FOR ZONING APPROVAL
2		
3		
4		

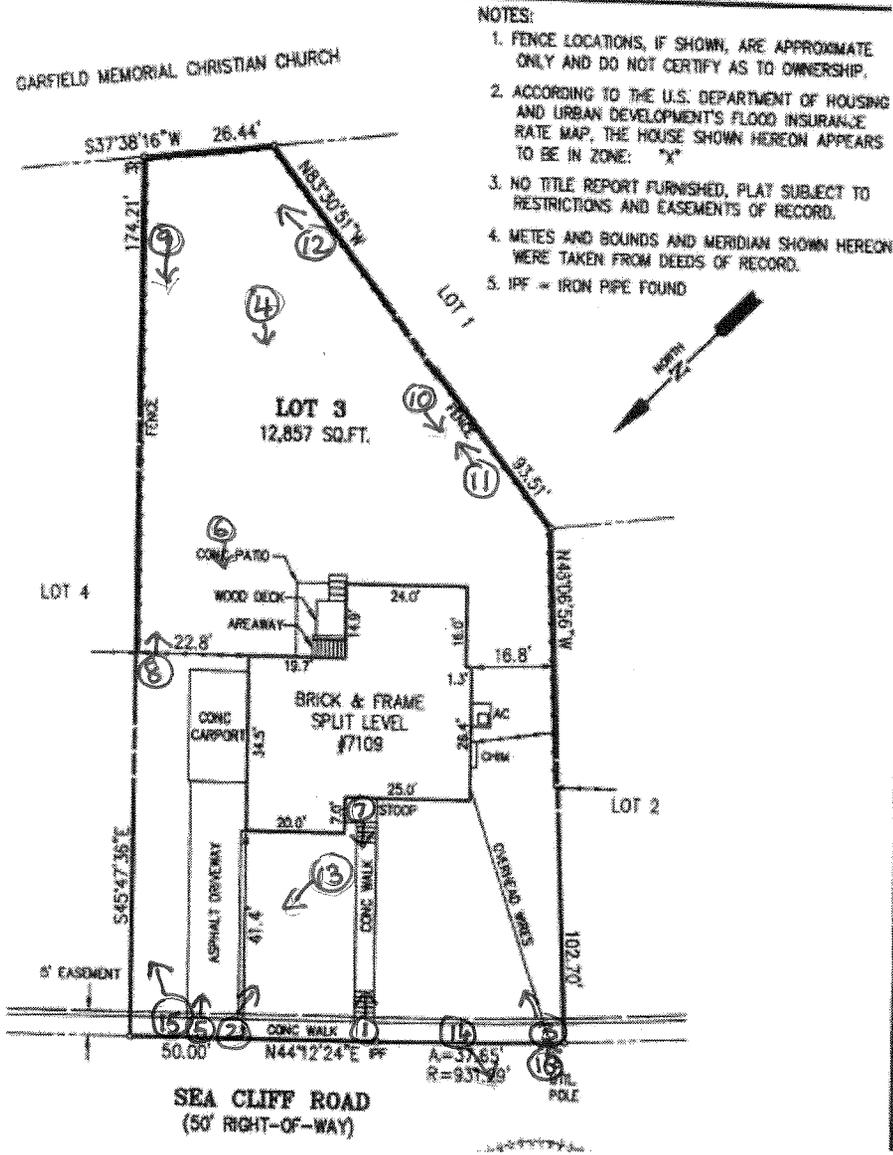
VERIFY ALL MEASUREMENTS AND CONDITIONS ON SITE BEFORE PROCEEDING WITH ANY WORK

CONSULTANT:
ANOTHER ANGLE
 ARCHITECTURAL DESIGN SERVICES
 SANDY GORUR
 1828 HENNINGEN COURT
 CENTREVILLE, VA 20120
 TEL: 571 338 1476

Photographs

The photographs of the property below were taken on 09/24/2012. The PLAT below includes an index to the included photographs along with the direction in which they were taken.

Existing PLAT with photograph direction indicators



- NOTES:
1. FENCE LOCATIONS, IF SHOWN, ARE APPROXIMATE ONLY AND DO NOT CERTIFY AS TO OWNERSHIP.
 2. ACCORDING TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S FLOOD INSURANCE RATE MAP, THE HOUSE SHOWN HEREON APPEARS TO BE IN ZONE: "X"
 3. NO TITLE REPORT FURNISHED, PLAT SUBJECT TO RESTRICTIONS AND EASEMENTS OF RECORD.
 4. METES AND BOUNDS AND MERIDIAN SHOWN HEREON WERE TAKEN FROM DEEDS OF RECORD.
 5. IPF = IRON PIPE FOUND

RECEIVED
 Department of Planning & Zoning
 JAN 14 2013
 Zoning Evaluation Division

Photographs of Application Property

1) Front Center View of property



2) Front View from left corner



3) Front view from right corner



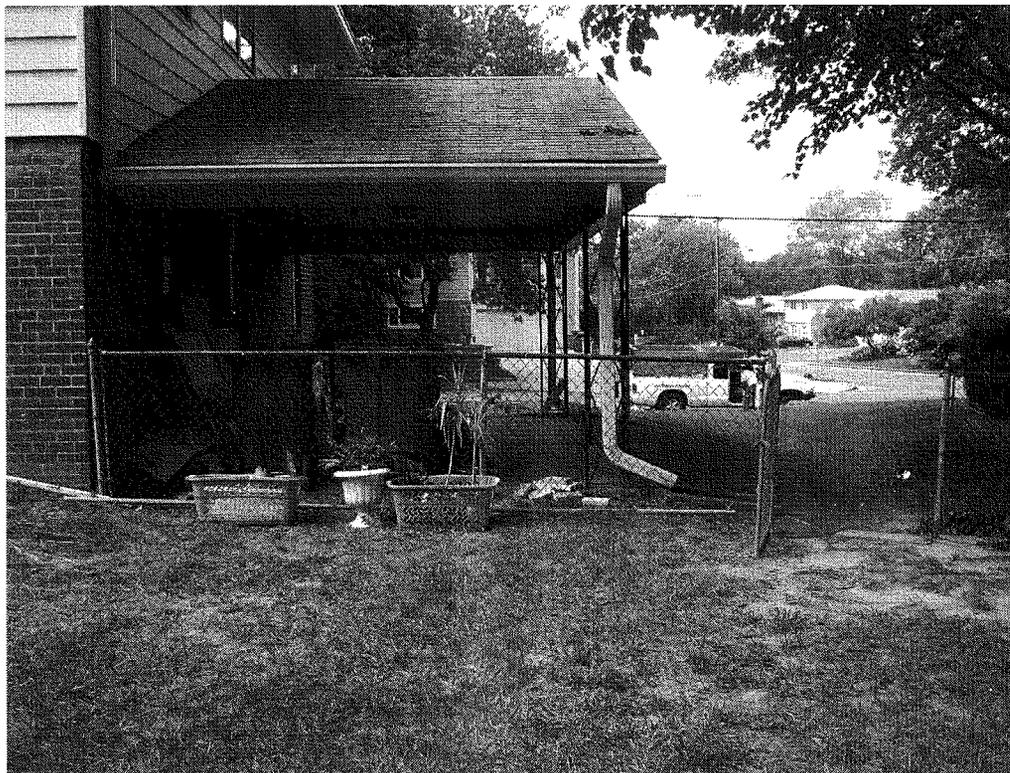
4) Rear View of property



5) Front view of Carport



6) Rear view of Carport



7) Road view from front door



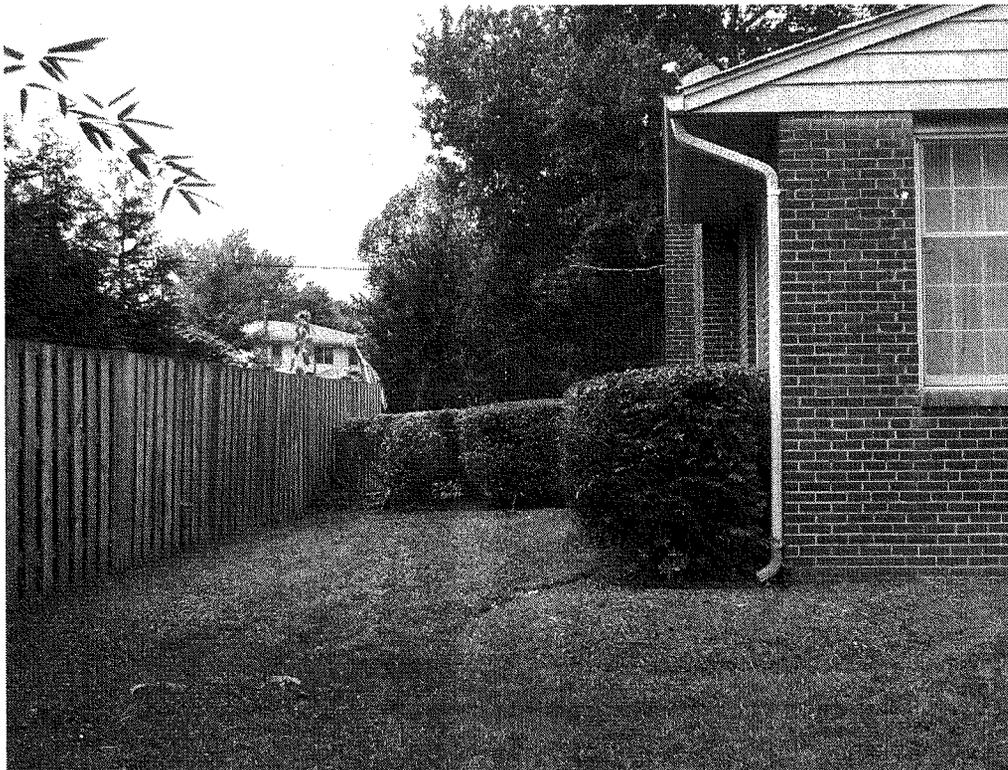
8) Left Property Line (from carport)



9) Left Property Line (from shed)



10) Right Property Line



11) Rear Right Property Line



12) Rear Property line



13) Road view from property (towards right)



14) Road view from property (towards left)



15) View of left front corner of property



16) View of right front corner of property



DESCRIPTION OF THE APPLICATION

The applicant is requesting a special permit to allow a reduction of certain yard requirements to permit construction of an addition, which will be a garage and second floor bedroom, to be located 6.1 feet from the eave to the northeastern side lot line.

	Structure	Yard	Minimum Yard Required*	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit	Addition	Side	12.0 feet	6.1feet	5.9 feet	49.2%

*Minimum yard requirement per Section 3-307

The applicant proposes to construct an approximately 1191 square foot addition on the east side of the existing dwelling. This addition will be a garage and second floor bedroom and will replace the existing carport.

A copy of the special permit plat titled 'Special Permit Plat Lot 3, Section 1' prepared by Kendall Consulting, Inc., dated January 4, 2013, is included in the front of the staff report.

EXISTING SITE DESCRIPTION

The 12,857 square foot lot contains a split level brick and frame dwelling. A carport is located to the north of the dwelling. An 8.5 foot high, 54.76 square foot shed exists on the east of the house in the rear yard. An asphalt driveway provides access to the property from Sea Cliff Road. A concrete walk way and stoop lead to the front door of the dwelling. An areaway that leads to a basement, a small wood deck and a concrete patio are located to the rear of the dwelling. The yard consists of mature trees and shrubs and a manicured lawn.

CHARACTER OF THE AREA

	Zoning	Use
North	R-3	Single Family Detached Dwellings
East	R-3	Place of Worship
South	R-3	Single Family Detached Dwellings
West	R-3	Single Family Detached Dwellings

BACKGROUND

According to Fairfax County Tax Records, the dwelling was constructed in 1959. A building permit was filed in 1977 to build a screen porch addition to the rear of the dwelling and a carport to the north side of the dwelling.

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

- Variance VC 96-D-135 was approved on February 4, 1997, for Tax Map 30-3 ((10)) 13A, zoned R-3, at 1711 Great Falls Street, to permit construction of carport 2.7 feet from side lot line.
- Special Permit SP 2010-DR-065 was approved on February 2, 2011, for Tax Map 30-3 ((10)) 40, zoned R-3, at 1708 Warner Avenue, to permit reduction of certain yard requirements to permit carport 5.1 feet from side lot line.

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 5:

- *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 the addition will not adversely affect the use or development of neighboring properties. There are similar garage additions located in the neighborhood. 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 1,978 square feet in size. Therefore 150% of the total gross floor area could result in additions up to 2,967 square feet in size for a possible total square footage at build out of 4,945 square feet. The proposed addition is approximately 1191 square feet, for a total square footage of the house with the additions, of 3,169 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 addition will be compatible with the dwelling; the height of the addition is similar to the height of the existing dwelling as the dwelling is 16 feet measured to the midpoint and the proposed addition is 22 feet to the midpoint. The garage is similar in mass to the existing dwelling in that the length of the addition is smaller than the length of the existing dwelling. The applicant has agreed to be flexible on the façade treatment of the garage. Currently, the garage is proposed to have a stone façade, but the applicant has agreed they will use a brick or vinyl covering to be similar to the rest of the dwelling. Therefore, staff believes 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. Staff has confirmed that the addition is similar to others in the neighborhood in terms of its height, construction materials and location on the lot through aerial photographs. The surrounding neighbors have a mixture of carports and garages. No vegetation offsite will be negatively affected by this addition. Therefore, staff believes the additions will be harmonious with surrounding off-site uses and meet 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 proposed addition (1191 square feet) will not impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety. The Urban Forestry Management Division recommends screening the proposed garage from the neighbors on the northeast property. Full comments from the Urban Forestry Management Division can be accessed in Appendix 4 of this report. Staff

has included a development condition in Appendix 1 of this staff report to address this concern. Therefore, staff believes 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. Staff believes the request to build the additions is a modest request as the proposed addition will disturb the smallest amount of land possible. The site of the proposed addition is the current location of an existing carport and driveway. This location will minimize ground disturbance, will also minimize increased drainage issues and no vegetation will be affected. Additionally, the opposing side yard is smaller than the side yard of the proposed addition (east) is measured at 22.7 feet total and the opposing side yard (west) is measured at 16.0 feet. If constructed in this location the addition would be closer than the neighbor on the eastern side. Other issues of wells, floodplains and/or Resource Protection Areas, easements and historic resources are not applicable to this site. Staff believes the application meets this provision.

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 2013-DR-006 for the 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. Urban Forest Management Division Memorandum dated February 14, 2013
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2013-DR-006****April 10, 2013**

If it is the intent of the Board of Zoning Appeals to approve SP 2013-DR-006 located at Tax Map 30-3 ((10)) 3 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 an addition (approximately 1191 square feet), as shown on the plat prepared by Kendall Consulting, Inc., dated January 4, 2013, as submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (1,978 square feet existing + 2,967 square feet (150%) = 4,945 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. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. Screening shall be provided between the proposed garage and the adjoining property with vegetation according to the Department of Public Works and Environmental Services, Forest Conservation Branch standards, provided in Attachment 1 of these conditions.
5. Every effort shall be made to protect offsite trees during construction of the garage. If needed the applicant shall hire a certified arborist to assess and make recommendations on tree protection measures.
6. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 2 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.



County of Fairfax, Virginia

MEMORANDUM

DATE: February 14, 2013

TO: Laura Gumkowski, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Craig Herwig Urban Forester III *CSH*
Forest Conservation Branch, DPWES

SUBJECT: West Lewisville Heights-7109 Sea Cliff Road. SP 2013-DR-006

RE: Request for assistance dated February 6, 2013

This review is based upon the Special Permit Application, SP 2013-DR-006, stamped "Received, Department of Planning and Zoning September 27, 2012 and the property plat stamped "Received, Department of Planning and Zoning January 14, 2013.

1. **Comment:** There appears to be no existing vegetation, on-site or off-site that will be impacted by the construction of the proposed garage. Due to the size of proposed garage, and the proximity to the adjoining residence, the Urban Forest Management Division recommends screening the proposed garage from the adjoining property with vegetation.

Recommendation: The Urban Forest Management Division recommends a landscape screening consisting of a single row of small evergreen trees such as Foster's holly, Nellie Stevens holly, or columnar arborvitae, at least 6-feet in height at time of planting within the 7.1 foot wide area between the proposed garage and the property boundary.

Please feel free to contact me at 703-324-1770 with any questions or concerns.

CSH/

UFMDID #: 178381

cc: DPZ File

Department of Public Works and Environmental 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



A-3

DRAWING:

DATE: MAY 2012

JOB NO: XXXX

DWG. BY: S. GORIR

PROJECT: CHELLAM RESIDENCE ELEVATIONS

7109 SEA CLIFF ROAD, McLEAN VA 22101

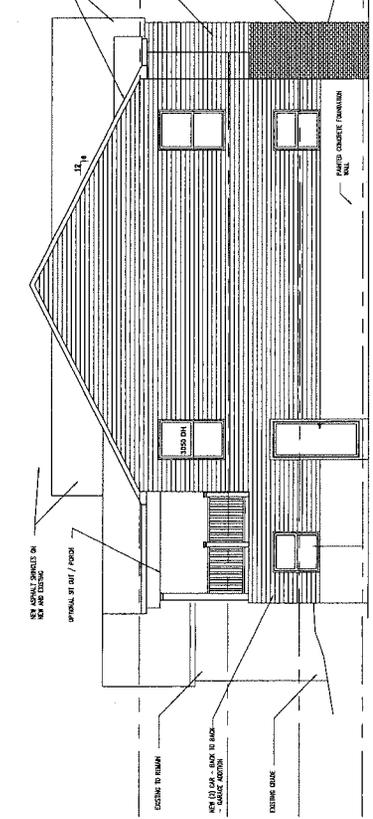
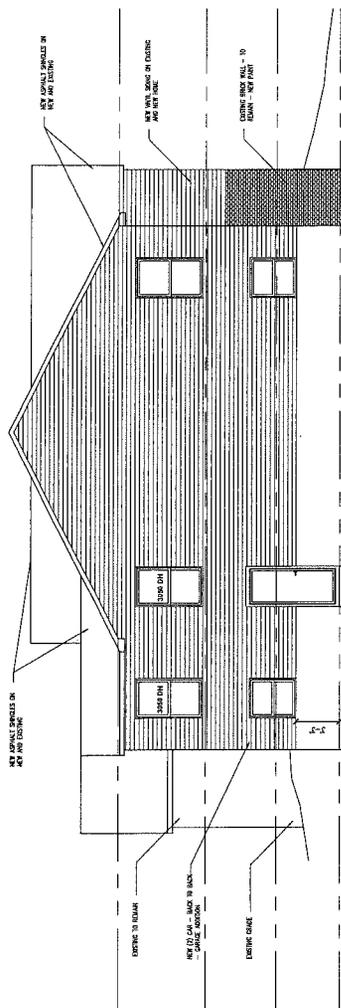
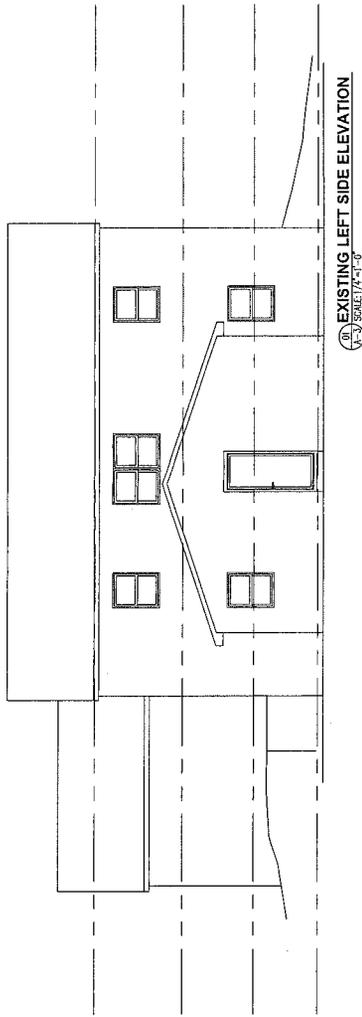
DRAWING TITLE: ELEVATIONS

NO.	DATE	REVISION
1	05-20-2012	ISSUED FOR ZONING APPROVAL
2		
3		

VERIFY ALL MEASUREMENTS AND CONDITIONS ON SITE BEFORE PROCEEDING WITH ANY WORK

CONSULTANT:

ANOTHER ANGLE
ARCHITECTURAL DESIGN SERVICES
SANDY GORIR
13821 WENSTEIN COURT
CENTREVILLE VA 20120
TEL: 571-538-1476



PROPOSED LEFT SIDE ELEVATION -2
SCALE: 1/4"=1'-0"

DRAWING: MAY 2012

DATE: MAY 2012

JOB NO: XXXX

DWG BY: S. GORUR

PROJECT:

CHELLAM RESIDENCE ELEVATIONS
7109 SEA CLIFF ROAD, McLEAN VA 22101

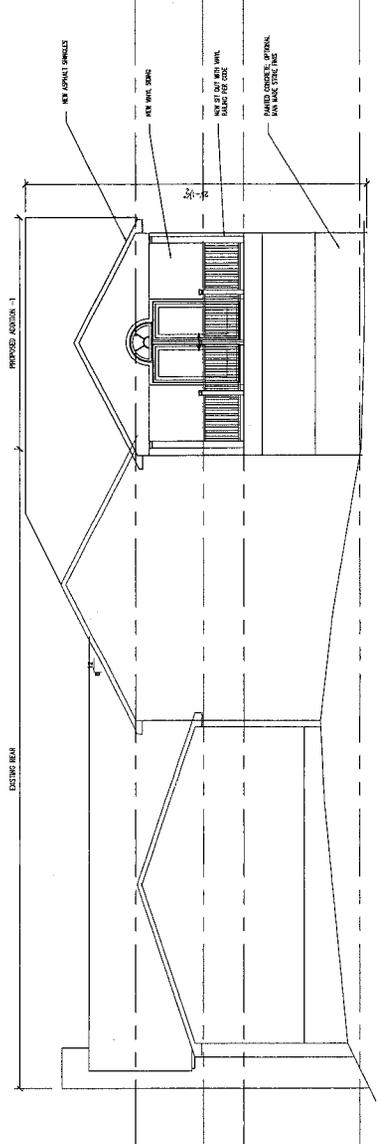
DRAWING TITLE: **ELEVATIONS**

NO.	DATE	REVISION
1	09-20-2012	ISSUED FOR PERMITS APPROVAL
2		
3		
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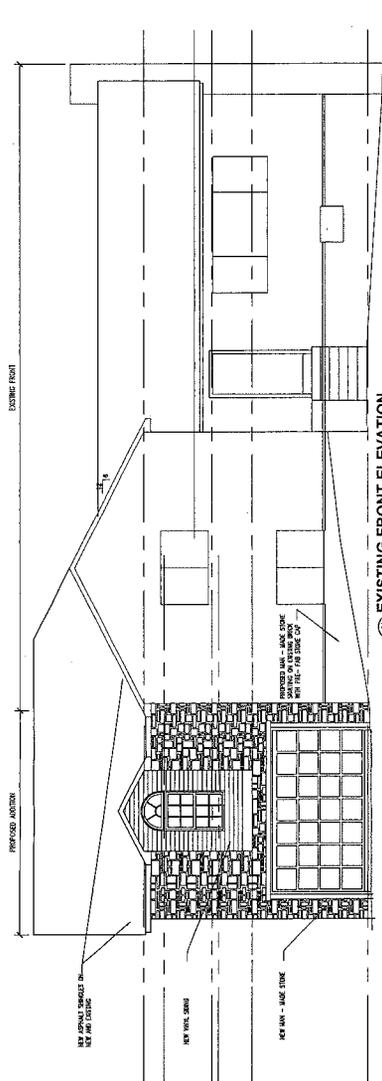
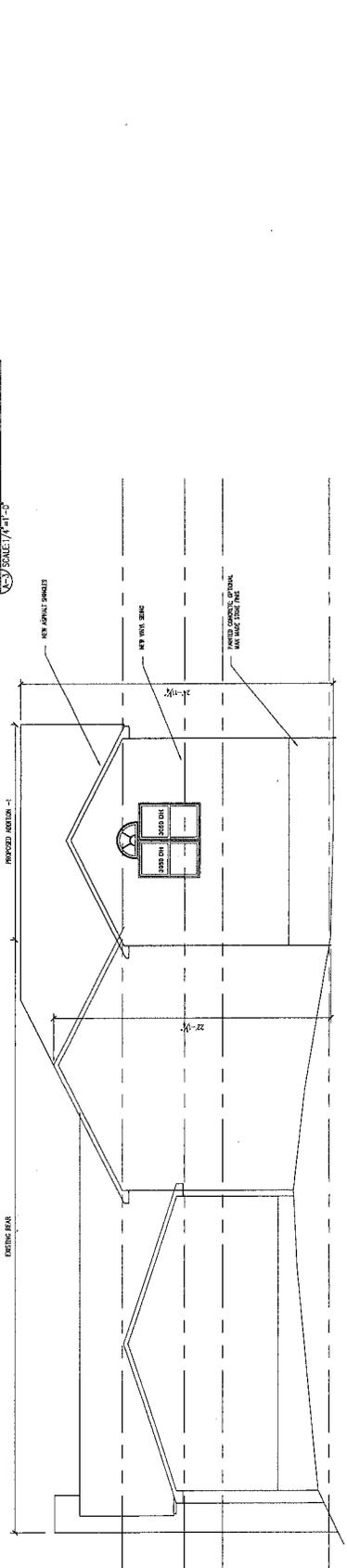
VERIFY ALL MEASUREMENTS AND CONDITIONS ON SITE BEFORE PROCEEDING WITH ANY WORK

CONSULTANT:

ANOTHER ANGLE
ARCHITECTURAL DESIGN SERVICES
SANDY GORUR
13821 MONTICELLO COURT
CENTREVILLE, VA 20120
TEL: 571 338 1478



PROPOSED REAR ELEVATION - 1
SCALE: 1/4" = 1'-0"



EXISTING FRONT ELEVATION
SCALE: 1/4" = 1'-0"

Application No.(s): SP 2013-DR-006
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9/26/2012
 (enter date affidavit is notarized)

I, HEMAMALINI PARAVASTU, 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

118106

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)
HEMAMALINI PARAVASTU	7109 SEA CLIFF RD. MCLEAN, VA 22101	APPLICANT / TITLE OWNER
SRIVATSAN CHELLAM	7109 SEA CLIFF RD. MCLEAN, VA 22101	TITLE OWNER

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): SP 2013-DR-006
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9/26/2012
(enter date affidavit is notarized)

118106

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

Application No.(s):

SP 2013-DR-006

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9/26/2012
(enter date affidavit is notarized)

118106

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)

NONE

(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 2013-DR-006

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9/26/2012
(enter date affidavit is notarized)

118106

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

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

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

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

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

NONE

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

Application No.(s):

SP 2013-DR-006

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9/26/2012 (enter date affidavit is notarized)

118106

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:

P. Hemamalini

(check one)

[X] Applicant

[] Applicant's Authorized Agent

HEMAMALINI PARAVASTU

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

Subscribed and sworn to before me this 26 day of SEP 2012, in the State/Comm. of VA, County/City of Fairfax.

My commission expires: 6/30/16

Notary Public signature

SAM HOWLADER NOTARY PUBLIC COMMONWEALTH OF VIRGINIA MY COMMISSION EXPIRES JUNE 30, 2016 COMMISSION # 351008

JAN 14 2013

Zoning Evaluation Division

Statement of Justification

Description of Project

We are filing for this special permit to allow us to expand our single family home, and primary residence, by adding a garage and extending the existing first floor bedrooms above the garage.

The proposed development conforms to the provisions of all ordinances, regulations and adopted standards applicable to our zoning district (R-3 (3 DU/AC)) except for the minimum yard requirements for which we are requesting a variance from the allowed setbacks.

To implement the design described below we are requesting a variance to reduce the right side yard setback to 6 feet to allow us to put the proposed addition in the location of our existing carport. The included Special Permit PLAT describes the proposed addition and setback reductions.

Our property was built in 1959 and is zoned R3. The setbacks for our property are:

- Front yard: 30 feet
- Side yard: 12 feet
- Rear yard: 25 feet

The existing structure has the following dimensions:

Lot Sqft. = 12,857 sqft.
 GFA = 2463 sqft.
 Property Height = 16 feet
 Fence Height = 4 feet

Our proposed addition will include the following features and have the following dimensions:

- A conversion of the existing carport to a single car garage (width wise) but a 2- car depth, so cars can be stacked back to back. The addition footprint will approximately be 15.7' feet x 38 feet. Currently we have a carport which is 12' wide.
- Extension of the bedrooms to span above the garage. The existing master bath is too small and inconvenient for 2 people and hence would like to extend the master bedroom above the garage thereby giving us more room to increase the dimensions of the master bath.
- GFA = 3654 sqft. (15.7*38 = 596 sqft * 2 floors = 1192 sqft new + 2463 sqft existing = 3654 sqft)
- Property Height = 22 feet
- Fence Height = 4 feet (no change)

From the above and the design section below (architectural diagrams/building façade/materials used and colors) it can be noted that:

- The resulting GFA of the proposed structure will be ^{48%} less than 150 percent of the total GFA of the existing principle structure.
- The resulting GFA of the proposed structure is subordinate in purpose, scale, use and intent to the principle structure.
- 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 proposed structure will be 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. We do not plan to add any additional trees/vegetation for screening or landscaping.

- Since the purpose of the garage will be the same as the existing carport and the 1st floor rooms above the garage will be bedrooms, 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 storm water runoff.
- The existing carport is 12.1' wide. We would like to request an addition of 3.6' width-wise, resulting in a 15.7' wide garage (single-car wide, double-car deep). Hence we are requesting the reduction in the side yard setback requirement to use up 5.7' of the allowed 12'. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Due to the tapering nature of our backyard, an alternative garage location behind the house will impact the esthetics of the current property and we will lose significant backyard space. Also, since the carport will be converted into a garage, the new structure will be (a) conversion of the existing open structure into a closed garage and (b) extension lengthwise to provide for a 2 car garage. As a part of this renovation, we do not plan to add new or remove existing vegetation in our property.

The architectural diagrams and building façade of our proposed addition are included below in the **Design** section of this document.

No hazardous or toxic substances or storage tanks are in existence and are not proposed by this permit application.

The following special permit justification questions do not apply to this request since this a single family home:

- Types of operation(s).
- Hours of operation,
- Estimated number of patrons,
- Proposed number of employees,
- Estimated traffic impact, vicinity or general area to be served by the use.



County of Fairfax, Virginia

MEMORANDUM

DATE: February 14, 2013

TO: Laura Gumkowski, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Craig Herwig Urban Forester III *CSH*
Forest Conservation Branch, DPWES

SUBJECT: West Lewisville Heights-7109 Sea Cliff Road. SP 2013-DR-006

RE: Request for assistance dated February 6, 2013

This review is based upon the Special Permit Application, SP 2013-DR-006, stamped "Received, Department of Planning and Zoning September 27, 2012 and the property plat stamped "Received, Department of Planning and Zoning January 14, 2013.

1. **Comment:** There appears to be no existing vegetation, on-site or off-site that will be impacted by the construction of the proposed garage. Due to the size of proposed garage, and the proximity to the adjoining residence, the Urban Forest Management Division recommends screening the proposed garage from the adjoining property with vegetation.

Recommendation: The Urban Forest Management Division recommends a landscape screening consisting of a single row of small evergreen trees such as Foster's holly, Nellie Stevens holly, or columnar arborvitae, at least 6-feet in height at time of planting within the 7.1 foot wide area between the proposed garage and the property boundary.

Please feel free to contact me at 703-324-1770 with any questions or concerns.

CSH/

UFMDID #: 178381

cc: DPZ File

Department of Public Works and Environmental 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.