



APPLICATION ACCEPTED: February 13, 2013
BOARD OF ZONING APPEALS: May 1, 2013
TIME: 9:00 a.m.

County of Fairfax, Virginia

April 24, 2013

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2013-MV-018

MOUNT VERNON DISTRICT

APPLICANT: John J. La Jeunesse, Trustee

OWNERS: John J. La Jeunesse, Trustee
Linda R. La Jeunesse, Trustee

STREET ADDRESS: 8315 Frosty Court, Lorton 22079

SUBDIVISION: Raceway Farms

TAX MAP REFERENCE: 99-4 ((5)) 149

LOT SIZE: 7,856 square feet

ZONING DISTRICT: R-5

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of an addition 14.9 feet from the rear lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2013-MV-018 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.

Susan Langdon/Reports

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

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



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

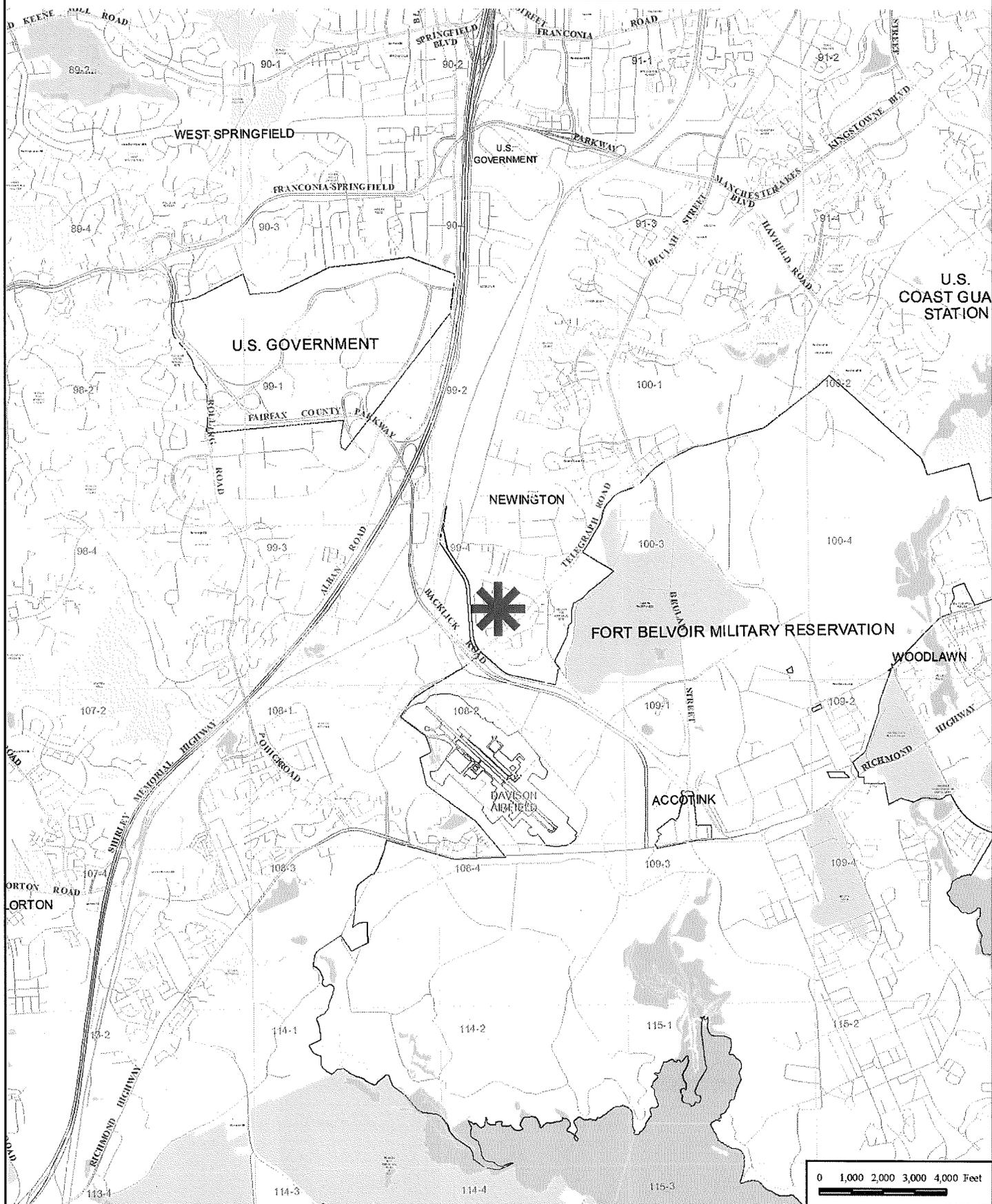
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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

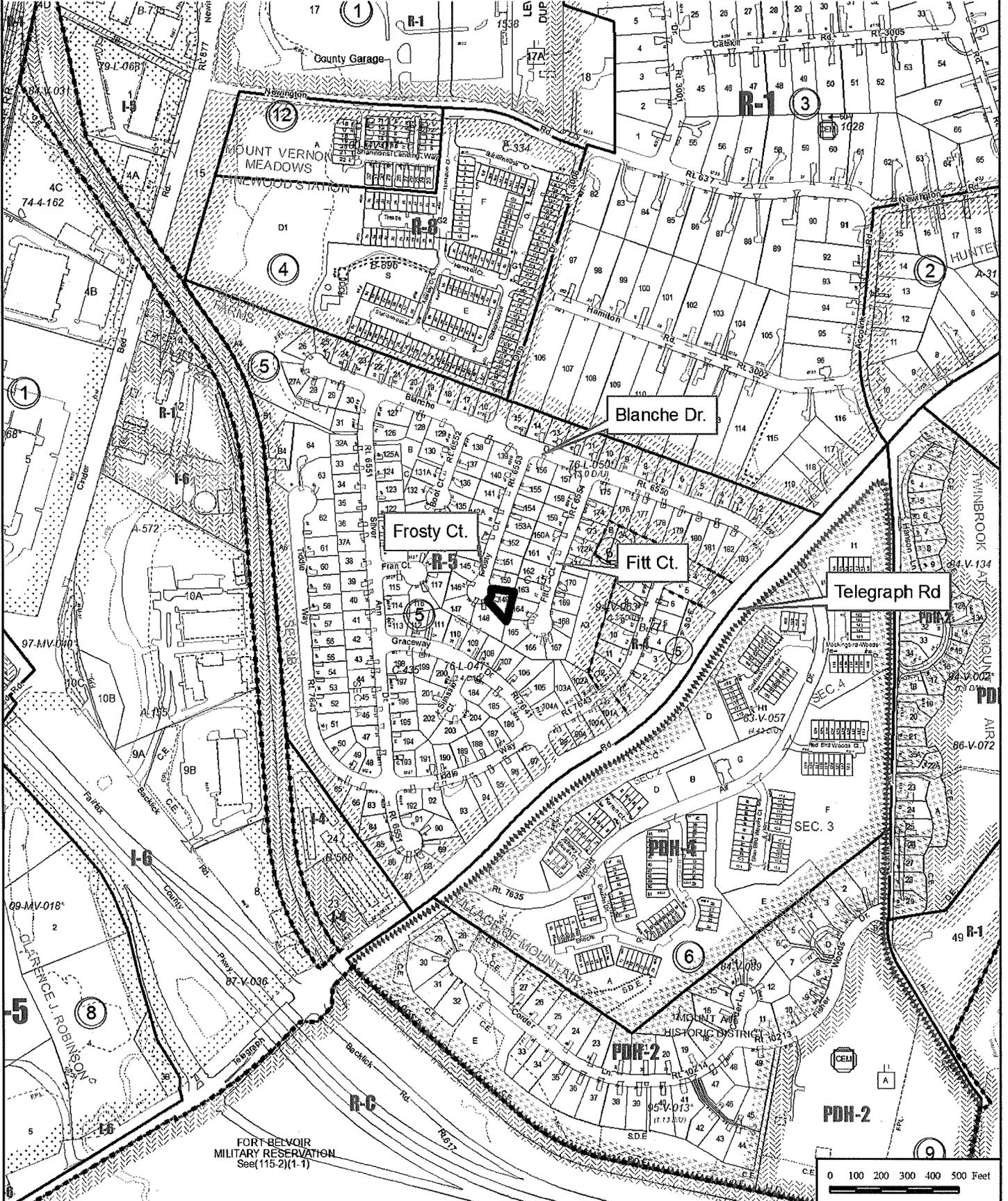


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit
SP 2013-MV-018
JOHN J. LA JEUNESSE, TRUSTEE

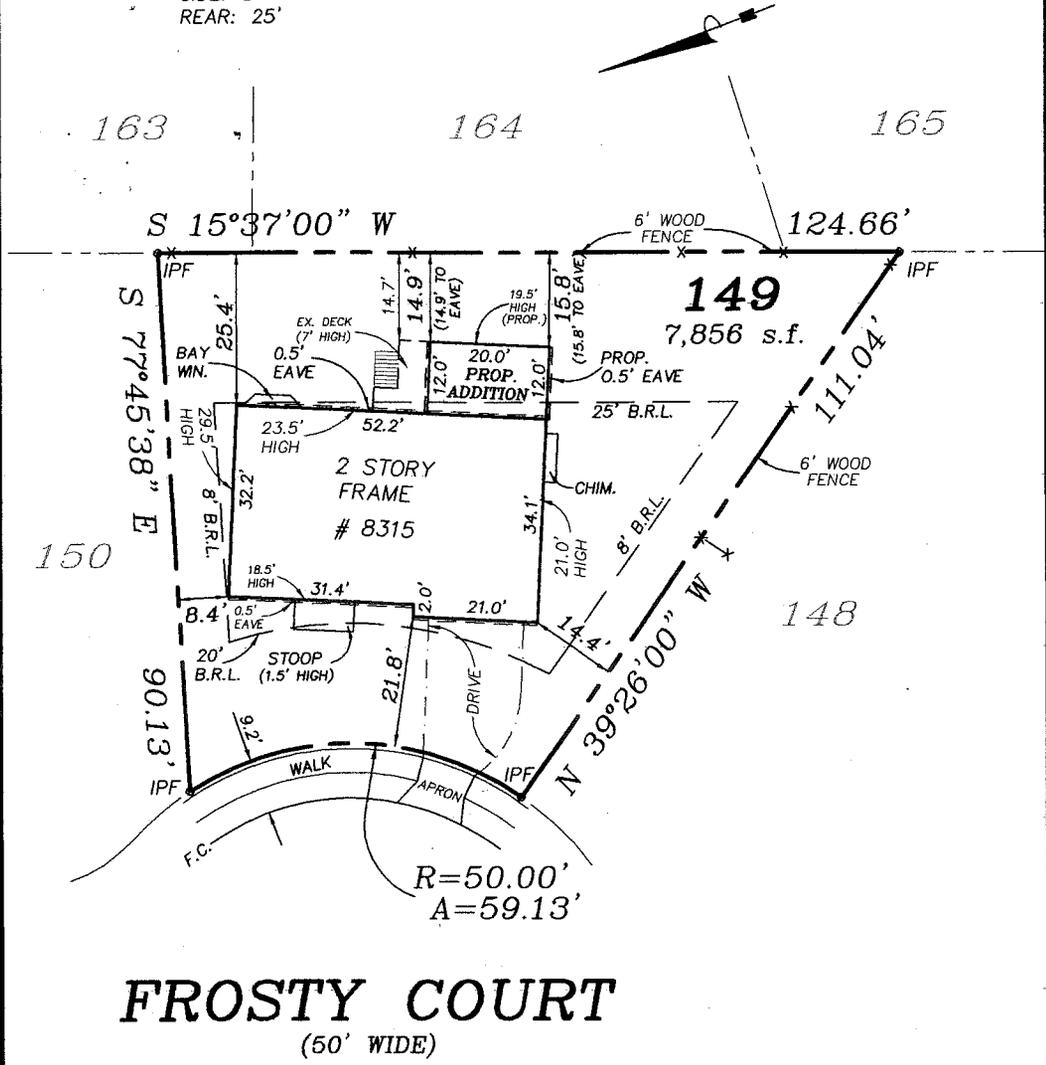


Special Permit
SP 2013-MV-018
JOHN J. LA JEUNESSE, TRUSTEE



NOTES:

1. PROPERTY IS LOCATED ON TAX MAP NO. 99-4-05-0149 AND IS PRESENTLY ZONED R-5 AS PER FAIRFAX COUNTY ZONING OFFICE.
2. R-5 B.R.L.'s: FRONT: 20'
SIDE: 8'
REAR: 25'
3. NO TITLE REPORT FURNISHED.
4. PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
5. AS PER PLAT OF RECORD AND INFORMATION PROVIDED BY OWNER, THERE ARE NO EASEMENTS ON THIS PROPERTY.



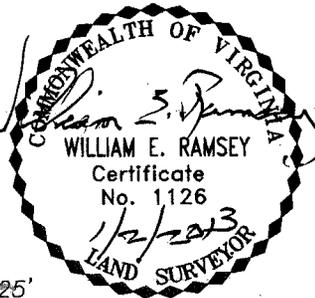
FROSTY COURT
(50' WIDE)

SPECIAL PERMIT
LOT 149
SECTION TWO
RACEWAY FARMS
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

NOTE: ACCORDING TO HUD-FIA MAP FOR FAIRFAX COUNTY, THIS PROPERTY IS SHOWN TO BE IN ZONE C, AN AREA OF MINIMAL FLOOD HAZARD.

REVISED: JANUARY 2, 2013
DATE: AUGUST 1, 2012.

SCALE: 1"=25'



TITLE REPORT NOT FURNISHED.
FENCES, IF SHOWN, ARE APPROXIMATE ONLY AND DO NOT CERTIFY AS TO OWNERSHIP.
IPF-DENOTES IRON PIPE FOUND.

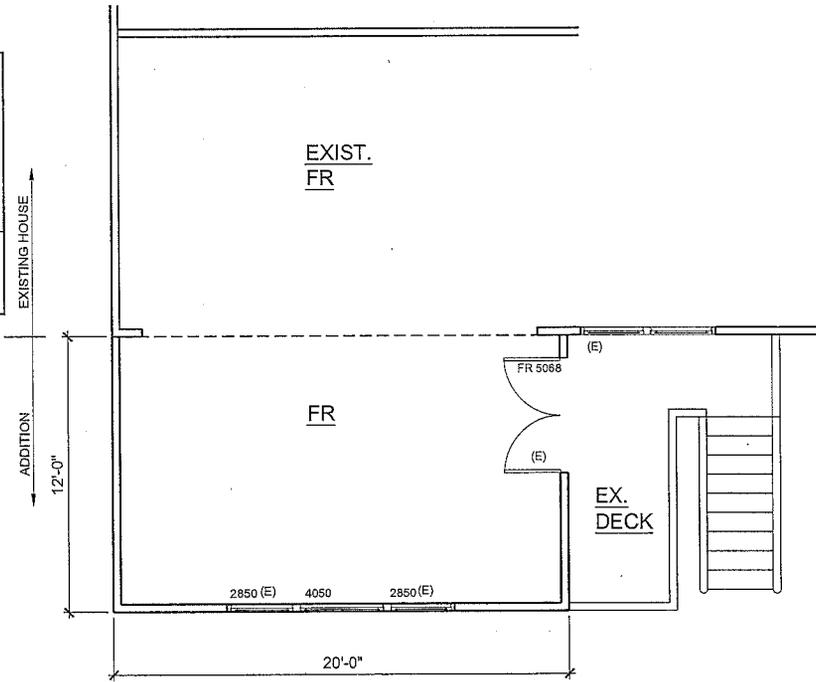
WILLIAM E. RAMSEY, P.C.
LAND SURVEYOR
FAIRFAX, VIRGINIA
703-385-4499

AREA CALCULATION

1. EXISTING FLOOR AREA @1 ST FLOOR	1,705.2 SF
2. EXISTING FLOOR AREA @2ND FLOOR	1,705.2 SF
TOTAL GROSS FLOOR AREA	3,410.4 SF
3. EXISTING FLOOR AREA @ BSMT	1,705.2 SF
TOTAL GROSS FLOOR AREA	5,115.6SF
4. ADDITION AREA @1ST LEVEL	240 SF
TOTAL GROSS FLOOR ADDITION AREA	240 SF

GFA RATIO

240/ 3,410.4 =	7.0 %
240/ 5,115.6 =	4.6 %



1 1ST FLOOR PLAN
SCALE: 1/4" = 1'-0"

Home Addition : LAJEUSSSE RESIDENCE

8312 Foothill Ct.
Leesville, VA 22089

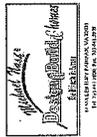
DATE: 11/26/12

SCALE: 1/4" = 1'-0"

FLOOR PLAN

A1

RECEIVED
Department of Planning & Zoning
NOV 26 2012
Zoning Evaluation Division

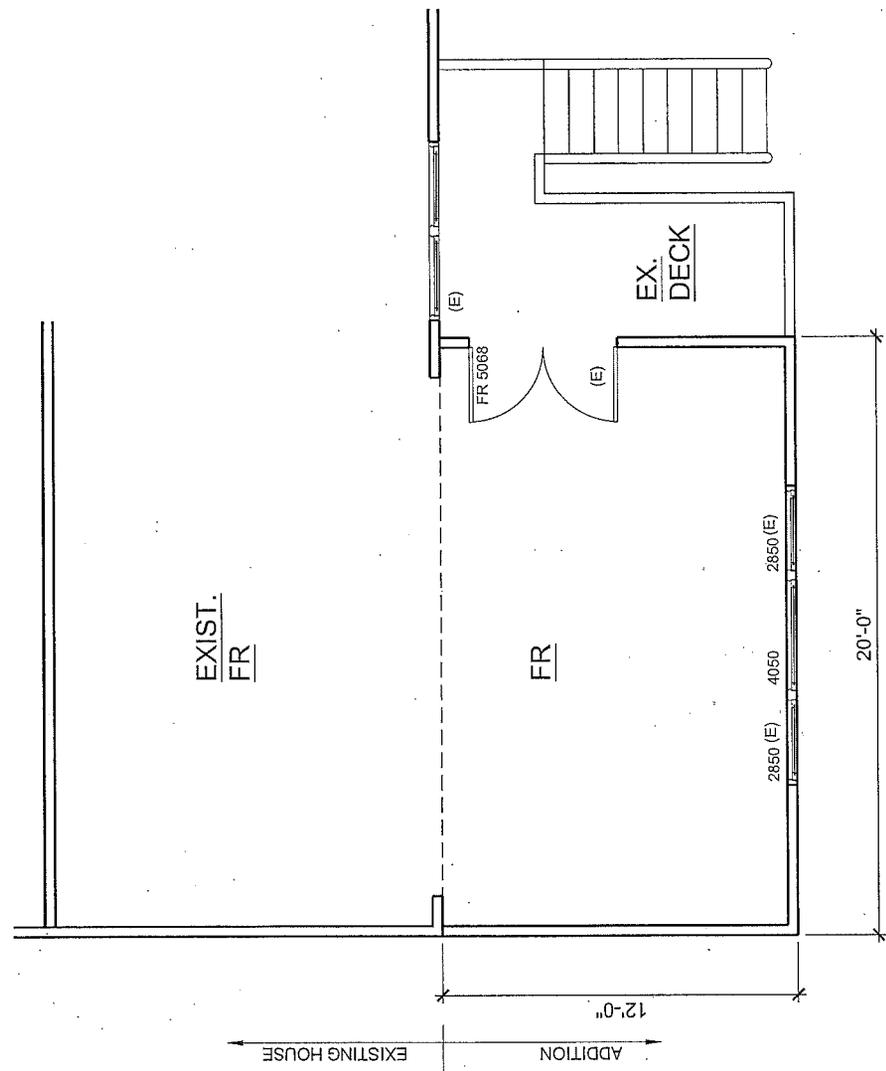


Home Addition
: LAJEUJESSE
RESIDENCE

8115 Perry Ct.
Lynch, VA 22979

DATE: 07/10
DRAWN: [Signature]

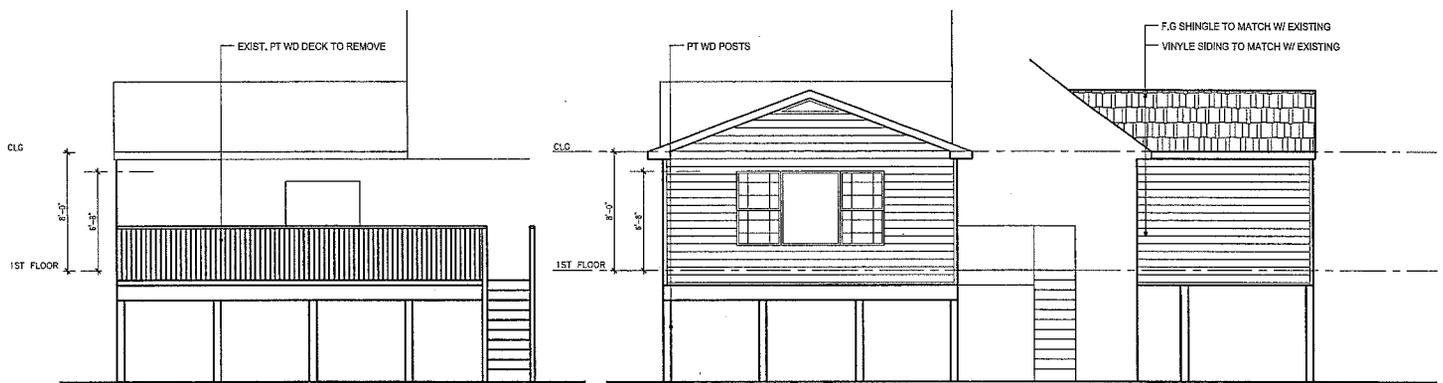
DATE: [Blank]
SCALE: [Blank]
PROJECT: FLOOR PLAN
SHEET: A1



1 1ST FLOOR PLAN
SCALE: 1/4" = 1'-0"

AREA CALCULATION	
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TOTAL GROSS FLOOR ADDITION AREA	240 SF
GFA RATIO	
240 / 3,410.4 =	7.0 %
240 / 5,115.6 =	4.6 %

EXISTING HOUSE ADDITION



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

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

③ - PROPOSED SIDE ELEVATION
SCALE: 1/4" = 1'-0"

RECEIVED
Department of Planning & Zoning
NOV 26 2012
Zoning Evaluation Division

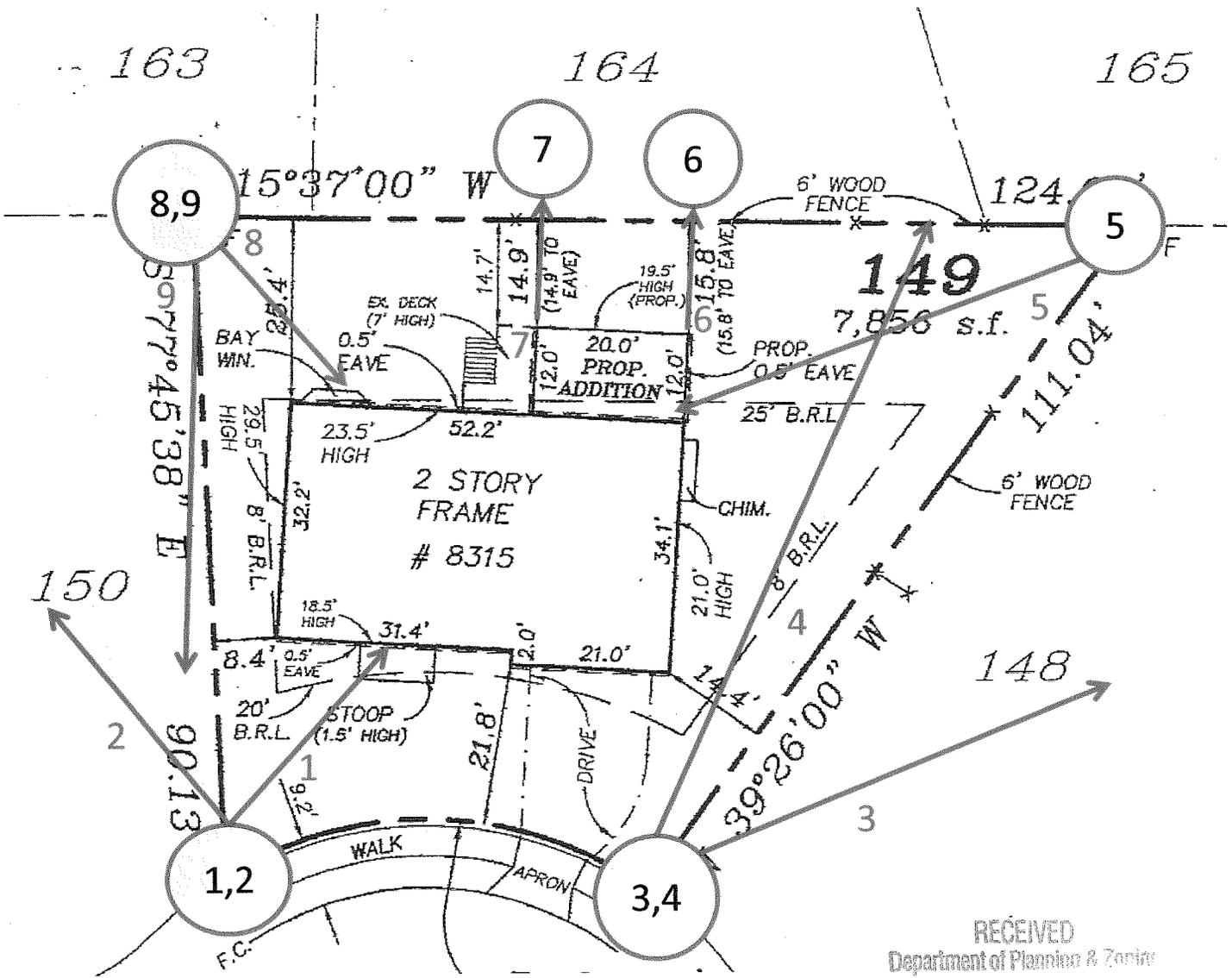
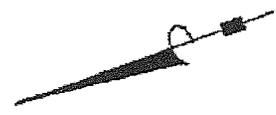
Photo Orientation

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4. PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.

2. R-5 B.R.L.'s: FRONT: 20'
SIDE: 8'
REAR: 25'



RECEIVED
Department of Planning & Zoning
NOV 26 2012
Zoning Evaluation Division

Photos



1) 8315 Frosty Court – Front Elevation from North Corner



2) 8313 Frosty Court – Front Elevation from North Corner

Photos



3) 8317 Frosty Court – Front Elevation from Northwest Corner

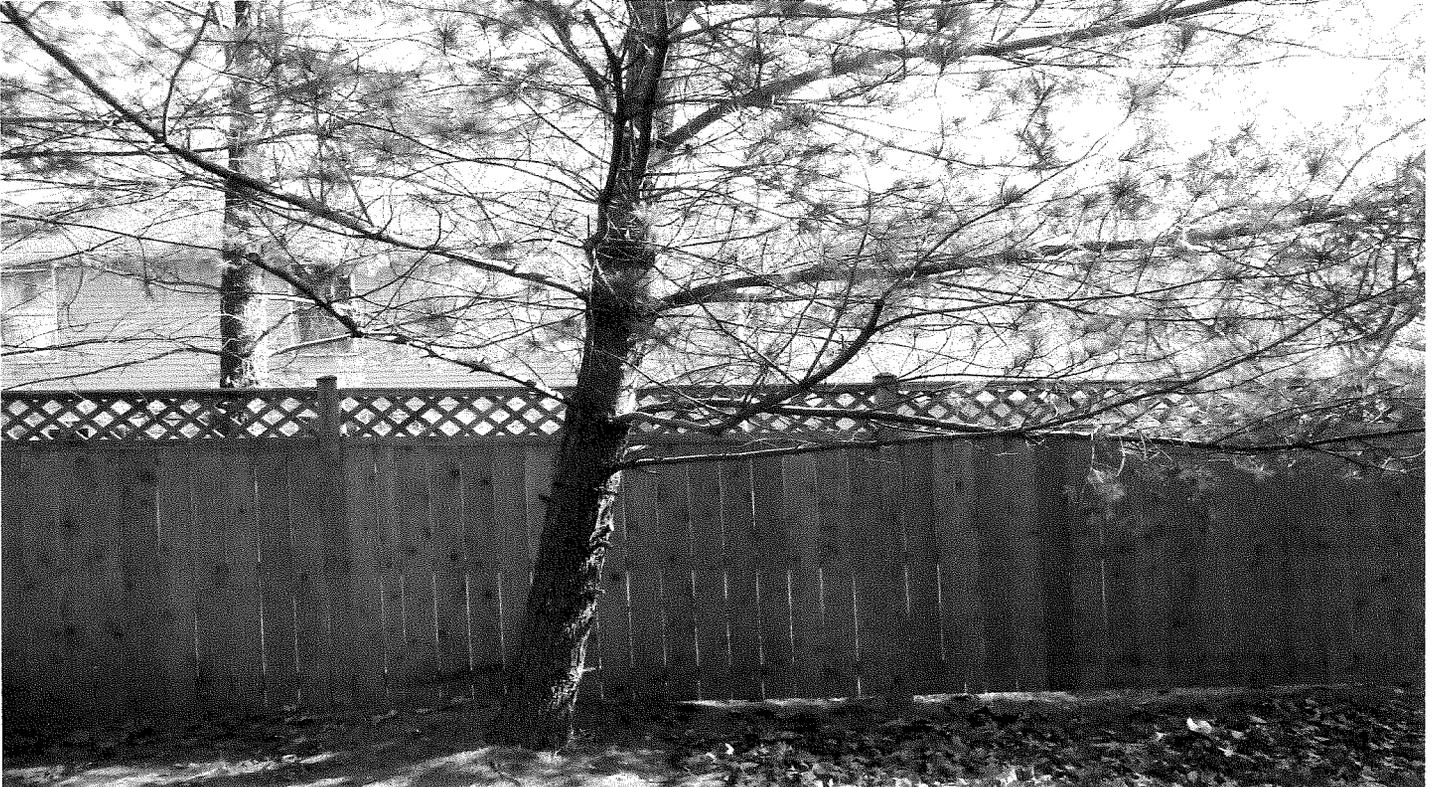


4) 8315 Frosty Court – West Lot Line from Northwest Corner

Photos

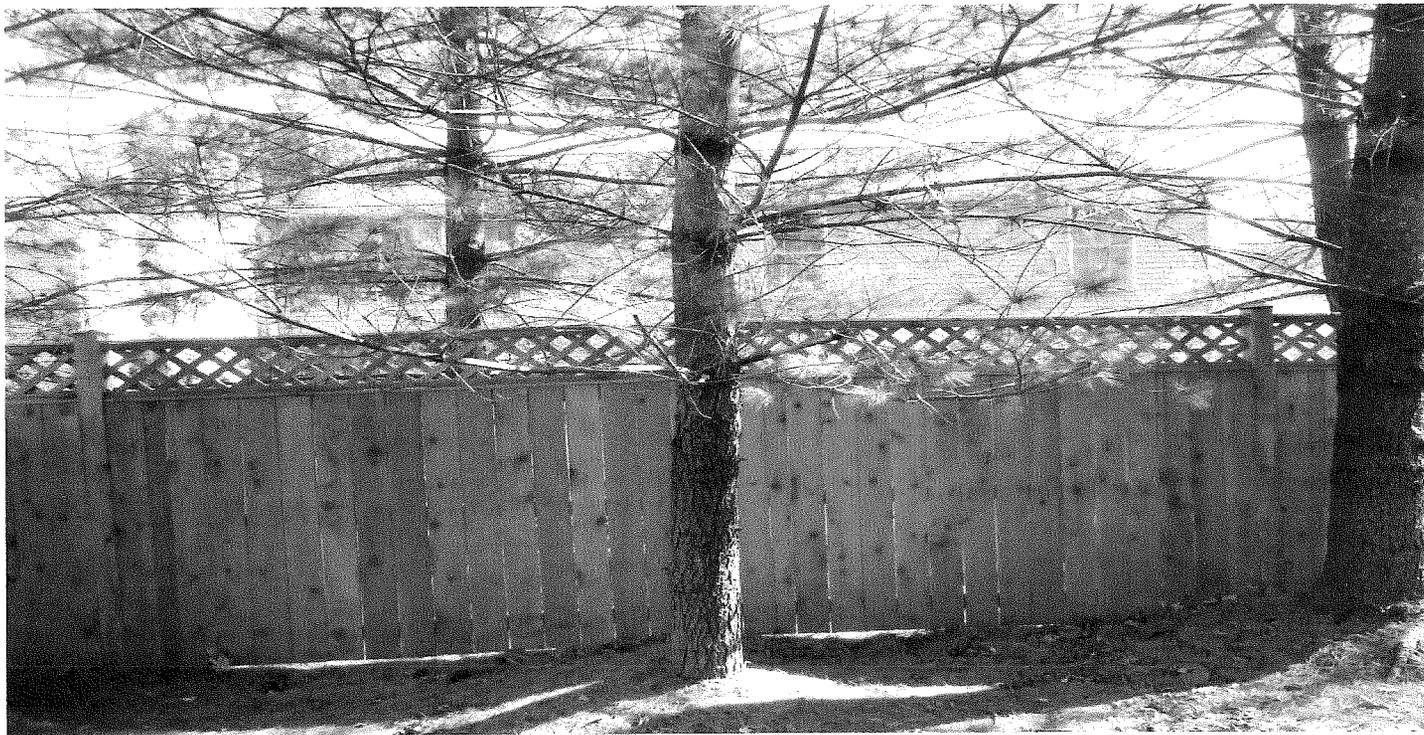


5) 8315 Frosty Court – Rear Elevation from Southwest Corner



6) 8317 Fitt Court – Rear Neighbor from Southwest Addition Corner

Photos



7) 8317 Fitt Court – Rear Neighbor from Northwest Addition Corner



8) 8315 Frosty Court – Rear Elevation from Northeast Corner

Photos



9) 8315 Frosty Court – East Lot Line from Northeast Corner



DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit to allow a reduction of certain yard requirements to permit construction of an addition 14.9 from the rear lot line.

	Structure	Yard	Minimum Yard Required*	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit	Addition	Rear	25.0 feet	14.9 feet	10.1 feet	40.4%

*Minimum yard requirement per Section 3-507

The addition is a 12.0 foot by 20.0 foot, 240 square foot family room addition. The addition will be constructed on a portion of an existing deck off the rear of the dwelling. A portion of the deck will remain open with stairs to the rear yard.

A copy of the special permit plat entitled "Special Permit, Lot 149, Section Two, Raceway Farms" prepared by William E. Ramsey, P.C. dated August 1, 2012, revised January 2, 2013, is included at the front of the staff report.

EXISTING SITE DESCRIPTION

The 7,856 square foot lot is triangular in shape and is located near the end of Frosty Court with a driveway providing access to a two-car garage. A six foot tall wood fence encompasses a portion of the side and rear yards. The topography of the lot is fairly flat and several mature trees and shrubs are contained within the property.

CHARACTER OF THE AREA

	Zoning	Use
North	R-5	Single Family Detached Dwellings
East	R-5	Single Family Detached Dwellings
South	R-5	Single Family Detached Dwellings
West	R-5	Single Family Detached Dwellings

BACKGROUND

Following the adoption of the current Zoning Ordinance, the Board of Zoning Appeals (BZA) heard the following similar applications in the vicinity of the application parcel:

- Variance VC 99-V-186 was approved on February 15, 2000, for Tax Map 99-4 ((5)) 117, zoned R-5, on Fran Court, to permit construction of a sunroom addition 13.0 feet from the rear lot line and VC 84-V-072 was approved on July 10, 1984 to permit construction of a deck 15.1 feet from the rear lot line.
- Variance VC 89-V-021 was approved on June 7, 1989, for Tax Map 99-4 ((5)) 147, zoned R-5, on Frosty Court, to permit construction of enclosed porch addition 13.0 from the rear 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 4:

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

Sect. 8-006 General Special Permit Standards

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

General Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. *Staff believes by observation of the neighborhood through submitted photographs that the construction of the addition will not adversely affect the use or development of neighboring properties. There are similar additions located throughout the neighborhood and a deck is currently located on the rear of the dwelling. The addition will enclose a portion of the existing deck area. 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 as noted on the floor plan is 5,115 square feet in size. Therefore 150% of the total gross floor area could result in an addition up to 7,672.5 square feet in size for a possible total square footage at build out of 12,787.5. The proposed addition is approximately 240 square feet in size, for a total square footage of the house with the screen porch addition of 5,355 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 house a two story colonial. The addition will be one story, and the architecture and material will match the existing house. The applicants' request is to enclose a portion of an area currently developed with a deck. Staff believes that the application meets this provision.

Standard 7 states that the BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director. The addition is in character with the dwelling and the dwelling is similar to many others in the neighborhood in terms of its height, construction materials and location on the lot. There is mature vegetation in the area to the rear of the proposed addition and no vegetation is proposed to be removed to accommodate this request. Therefore, staff believes the addition will be harmonious with surrounding off-site uses and meets this provision.

Standard 8 states that the BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff. Staff believes that the application meets the erosion and stormwater runoff portion of the standards since DPWES has indicated that there are no drainage complaints on file related to this property. Staff believes that the addition of a 240 square foot one-story addition will not impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety, as it is will be placed where a wood deck has existed for many years and will simply enclose a portion of that deck. Staff believes the addition could in fact lesson issues such as noise, is a modest request and will not increase runoff or erosion. Therefore, the application meets this provision.

Standard 9 states that the BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources. The request to construct an addition is shown in the most logical location, as it will be placed where an existing wood deck is located at the rear of the dwelling where the exit doors exist. The request is modest in size and scale and the placement of the house on the small lot prohibits alternate locations for such a structure. Staff believes the application meets this provision. Other issues of wells, floodplains and/or Resource Protection Areas are not applicable to this site.

CONCLUSION

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

RECOMMENDATION

Staff recommends approval of SP 2013-MV-018 with adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report. It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**April 24, 2013**

If it is the intent of the Board of Zoning Appeals to approve SP 2013-MV-018 located at Tax Map 99-4 ((5)) 149 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.

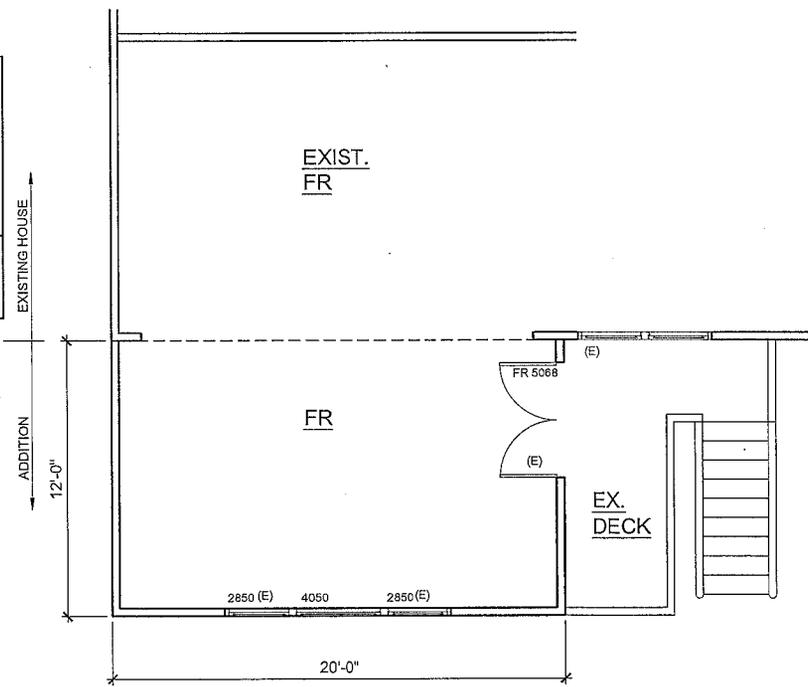
1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of an addition (approximately 240 square feet) as shown on the plat prepared by William E. Ramsey, P.C., dated August 1, 2012, revised January 2, 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 (5,115 square feet existing + 7,672.5 square feet (150%) = 12,787.5 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.

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

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

AREA CALCULATION	
1. EXISTING FLOOR AREA @1 ST FLOOR	1,705.2 SF
2. EXISTING FLOOR AREA @2ND FLOOR	1,705.2 SF
TOTAL GROSS FLOOR AREA	3,410.4 SF
3. EXISTING FLOOR AREA @ BSMT	1,705.2 SF
TOTAL GLOSS FLOOR AREA	5,115.6SF
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TOTAL GROSS FLOOR ADDITION AREA	240 SF

GFA RATIO	
240/ 3,410.4 =	7.0 %
240/ 5,115.6 =	4.6 %



1 1ST FLOOR PLAN
SCALE: 1/4" = 1'-0"

Home Addition : LAJEUESSE RESIDENCE

8115 Fanny Ct.
Lorton, VA 22079

DATE: 07/10
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 SCALE: FLOOR PLAN
 SHEET: A1

RECEIVED
 Department of Planning & Zoning
 NOV 26 2012
 Zoning Evaluation Division



REGISTERED PROFESSIONAL ARCHITECT
 12101 UNIVERSITY AVENUE, SUITE 100
 FALLS CHURCH, VA 22044

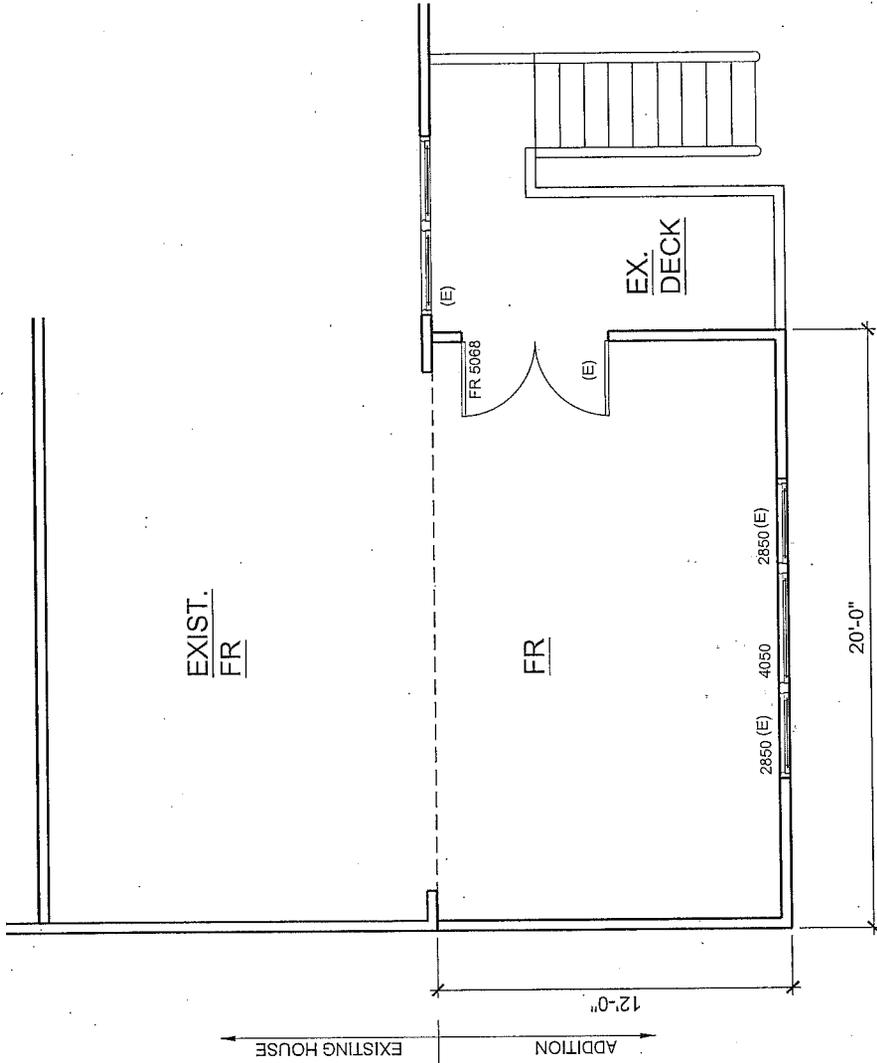
Home Addition
 : LAJUESSE
 RESIDENCE

#135 Freedy Ct.
 Lorton, VA 22079

DATE: 07/01/10
 DRAWN BY: [Signature]

DATE: [Blank]
 DRAWN BY: [Blank]
 CHECKED BY: [Blank]
 SCALE: [Blank]
 SHEET: [Blank]

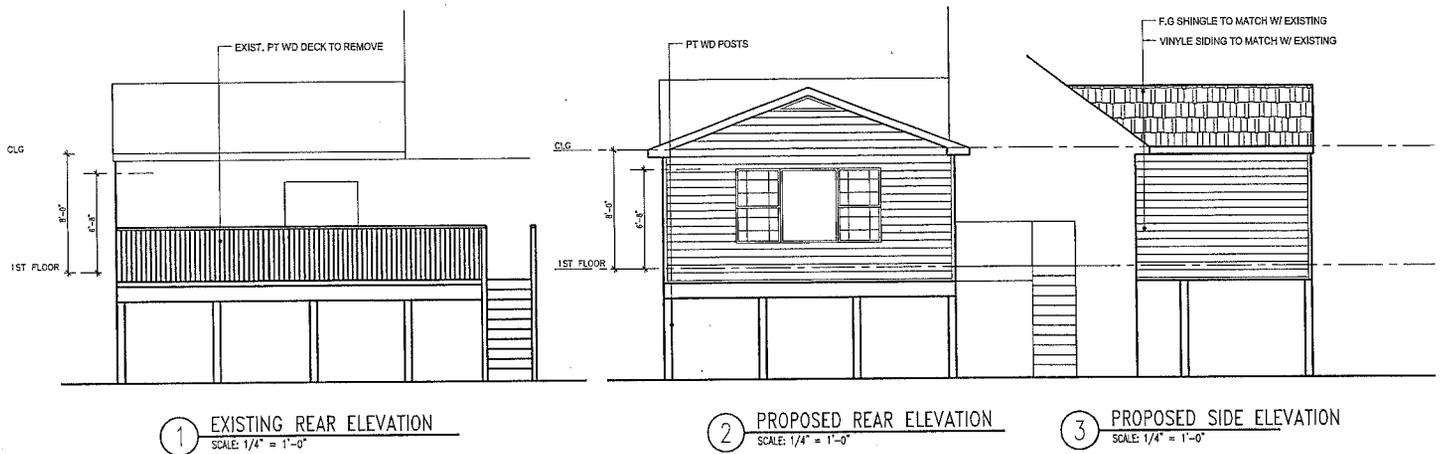
A1



1 1ST FLOOR PLAN
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EXISTING HOUSE ADDITION

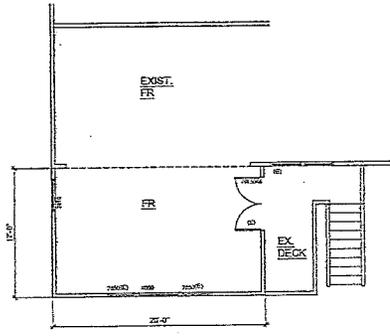


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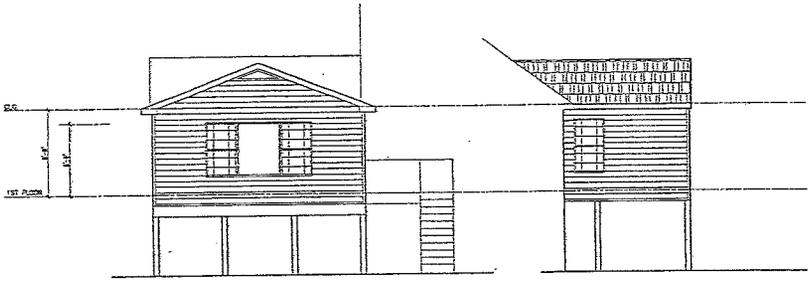


Home Addition
- LAJEUSSÉ
RESIDENCE

1118 Stony Cr.
Lynch, VA 22509



① 1ST FLOOR PLAN
SCALE: 1/4" = 1'-0"



② REAR ELEVATION
SCALE: 1/4" = 1'-0"

③ SIDE ELEVATION
SCALE: 1/4" = 1'-0"

Appr. 07/10
Date Issued

Project
Floor Plan
& Elev

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: December 31, 2012
 (enter date affidavit is notarized)

I, John J. La Jeunesse, Trustee, 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

118874

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)
John J. La Jeunesse, Trustee	8315 Frosty Court Lorton, Virginia 22079	Applicant/Title Owner
Linda R. La Jeunesse, Trustee	8315 Frosty Court Lorton, Virginia 22079	Title Owner

Trustees of the John J. La Jeunesse and Linda R. La Jeunesse Living Trust for the benefit of John J. La Jeunesse and Linda R. La Jeunesse.

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

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: December 31, 2012
(enter date affidavit is notarized)

118874

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)

NONE

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: December 31, 2012
(enter date affidavit is notarized)

11 8874

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**)
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.

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Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: December 31, 2012
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118874

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: December 31, 2012
(enter date affidavit is notarized)

118874

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

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

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

John J. La Jeunesse, Trustee
 Applicant [] Applicant's Authorized Agent

John Joseph La Jeunesse, Trustee
(type or print first name, middle initial, last name, and title of signee)

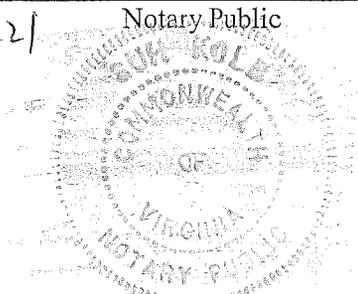
Subscribed and sworn to before me this 31st day of December 2012, in the State/Comm. of Virginia, County/City of Prince William

[Signature]

My commission expires: 10/31/2014

7028821

Notary Public



Special Permit Statement of Justification

The project that is the subject of this special permit is an addition to the family room of a private residence. The addition will provide an improved quality of life for the residents and an expanded entertaining area for use when grandchildren and great-grandchildren come to visit.

1. The room, when completed will not extend more than 50% of the requirement and will result in 14.9 feet of yard between the lot line and the proposed structure.
2. No detached accessory structure will be constructed.
3. The lot only contains the principal structure that was originally built on the lot.
4. The addition will add 240 s.f. (12.0' by 20') to the first floor of the original structure of 1705.2 s.f. a 14.07% increase in first floor living space. Overall, a 7.0% increase in living space will be added if the second floor area of an additional 1705.2 s.f. is considered.
5. The addition to the family room in the rear of the house is clearly subordinate in purpose, scale, use, and intent of the principal structure.
6. The addition will be in character of the existing structure and will comply with the Raceway Farms Homeowners Association (RFHA) architectural guidelines, maintaining the color style, and trim compatible with the current structure.
7. The addition has been deemed harmonious with the neighborhood and approved by the RFHA Architectural Committee.
8. The addition also conforms to the provisions of all applicable ordinances, regulations, and adopted standards.
9. The owners of the adjacent neighboring properties have agreed that the addition will not adversely impact them or their property. (see attached statements and signatures)
10. There are no known hazardous materials or toxic substances that will be generated, utilized, stored, treated, and/or disposed of on site.
11. The proposed reduction is the minimum necessary to accommodate the proposed addition.
12. The location, rear of home, and the current landscaping, double row of 15' pine trees on the rear lot line, will provide screening of the addition from neighboring homes and ensure their privacy.

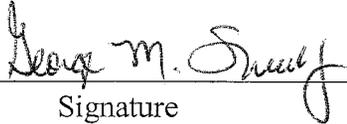
RECEIVED
Department of Planning & Zoning

FEB 11 2013

Zoning Evaluation Division

Approval of Special Exception

I, the undersigned resident of Raceway Farms, understand the intent of the special exception requested by Mr. John La Jeunesse of 8315 Frosty Court and recommend that the exception be approved.



Signature

8314 Fitt Ct.
Lorton, VA 22079
(703) 772-1819

4 Nov 2012

Date

RECEIVED
Department of Planning & Zoning

JAN 29 2013

Zoning Evaluation Division

Approval of Special Exception

I, the undersigned resident of Raceway Farms, understand the intent of the special exception requested by Mr. John La Jeunesse of 8315 Frosty Court and recommend that the exception be approved.

Wynne Beggs
Lynne Beggs

Signature
8317 FROSTY CT.

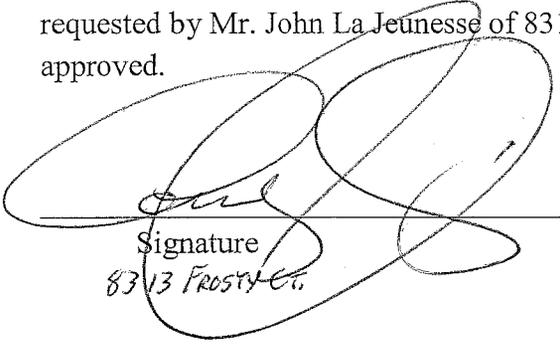
10/22/12
10/22/12

Date

RECEIVED
Department of Planning & Zoning
JAN 29 2013
Zoning Evaluation Division

Approval of Special Exception

I, the undersigned resident of Raceway Farms, understand the intent of the special exception requested by Mr. John La Jeunesse of 8315 Frosty Court and recommend that the exception be approved.


Signature
8313 Frosty Ct.

10/31/12
Date

RECEIVED
Department of Planning & Zoning

JAN 29 2013

Zoning Evaluation Division

Approval of Special Exception

I, the undersigned resident of Raceway Farms, understand the intent of the special exception requested by Mr. John La Jeunesse of 8315 Frosty Court and recommend that the exception be approved.

Wayne Riggs
Ginny Riggs

Signature
8317 FROSTY CT.

10/22/12
10/22/12

Date

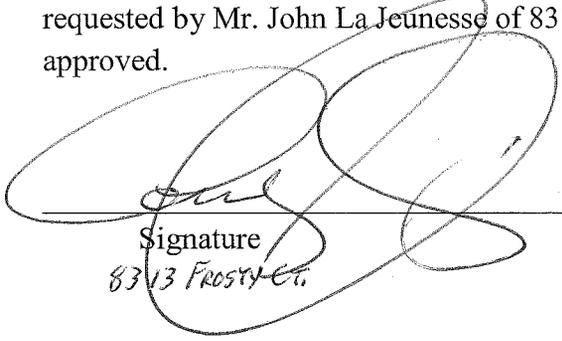
RECEIVED
Department of Planning & Zoning

NOV 26 2012

Zoning Evaluation Division

Approval of Special Exception

I, the undersigned resident of Raceway Farms, understand the intent of the special exception requested by Mr. John La Jeunesse of 8315 Frosty Court and recommend that the exception be approved.


Signature
8313 Frosty Ct.

10/31/12
Date

RECEIVED
Department of Planning & Zoning
NOV 26 2012
Zoning Evaluation Division

Approval of Special Exception

I, the undersigned resident of Raceway Farms, understand the intent of the special exception requested by Mr. John La Jeunesse of 8315 Frosty Court and recommend that the exception be approved.

George M. Sneyd
Signature

8314 FH Ct.
Lorton, VA 22079
(703) 772-1819

4 Nov 2012

Date

RECEIVED
Department of Planning & Zoning
NOV 26 2012
Zoning Evaluation Division

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-903 Standards for All Group 9 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, or other appropriate submission as determined by the Director.

8-922 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.