



County of Fairfax, Virginia

June 5, 2013

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2013-SU-029

SULLY DISTRICT

APPLICANT/OWNER: Barbara M. Scott

STREET ADDRESS: 13731 Cabells Mill Drive, Centreville, 20120

SUBDIVISION: Cabells Mill

TAX MAP REFERENCE: 54-2 ((4)) 45

LOT SIZE: 9,600 square feet

ZONING DISTRICT: R-3 (Cluster), WS

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of roofed deck 16.4 feet from the front lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2013-SU-029 for the additions 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\6-12) SP 2013-SU-029 Scott (50%)\SP 2013-SU-029 Scott 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.**

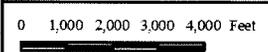
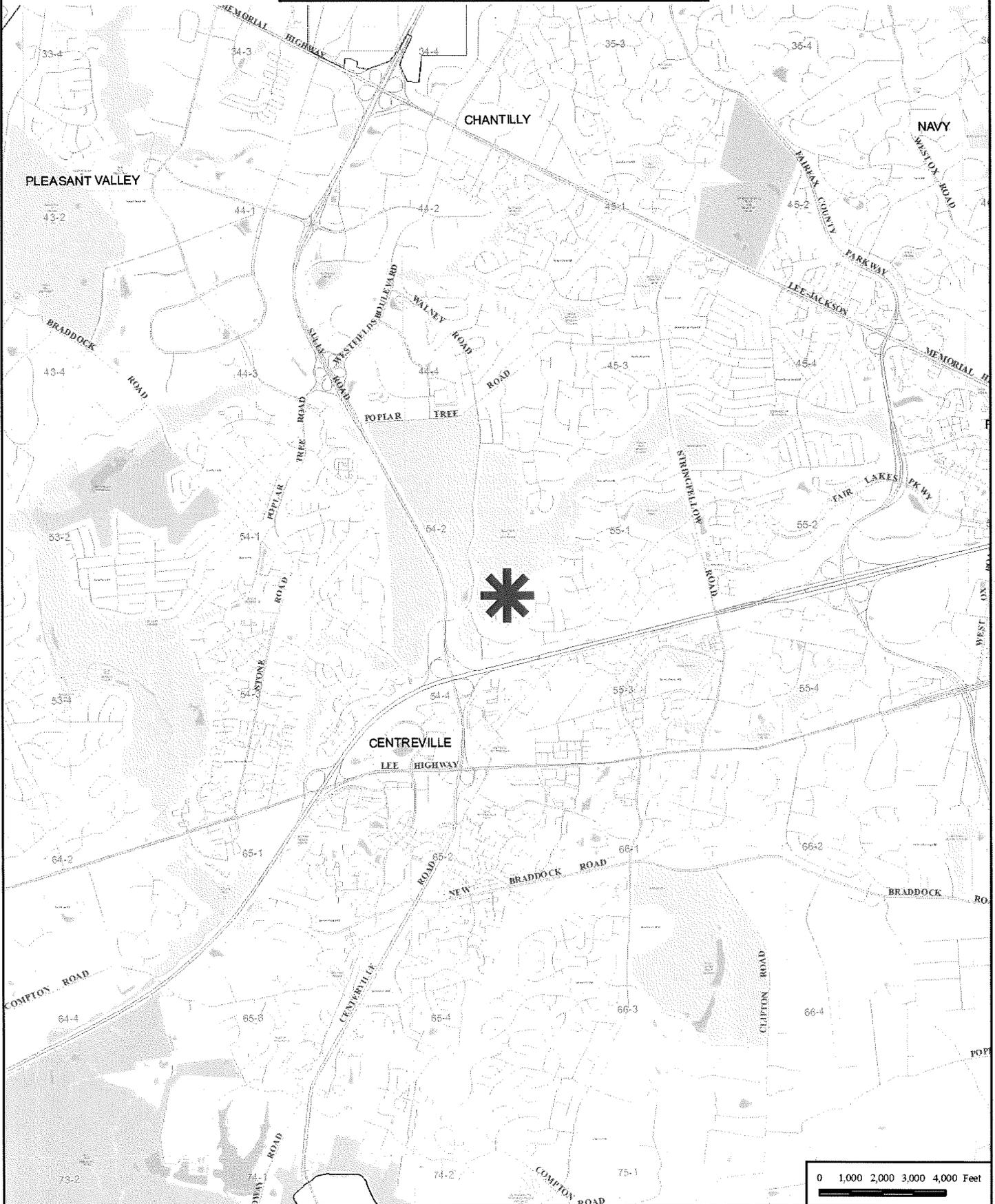


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2013-SU-029

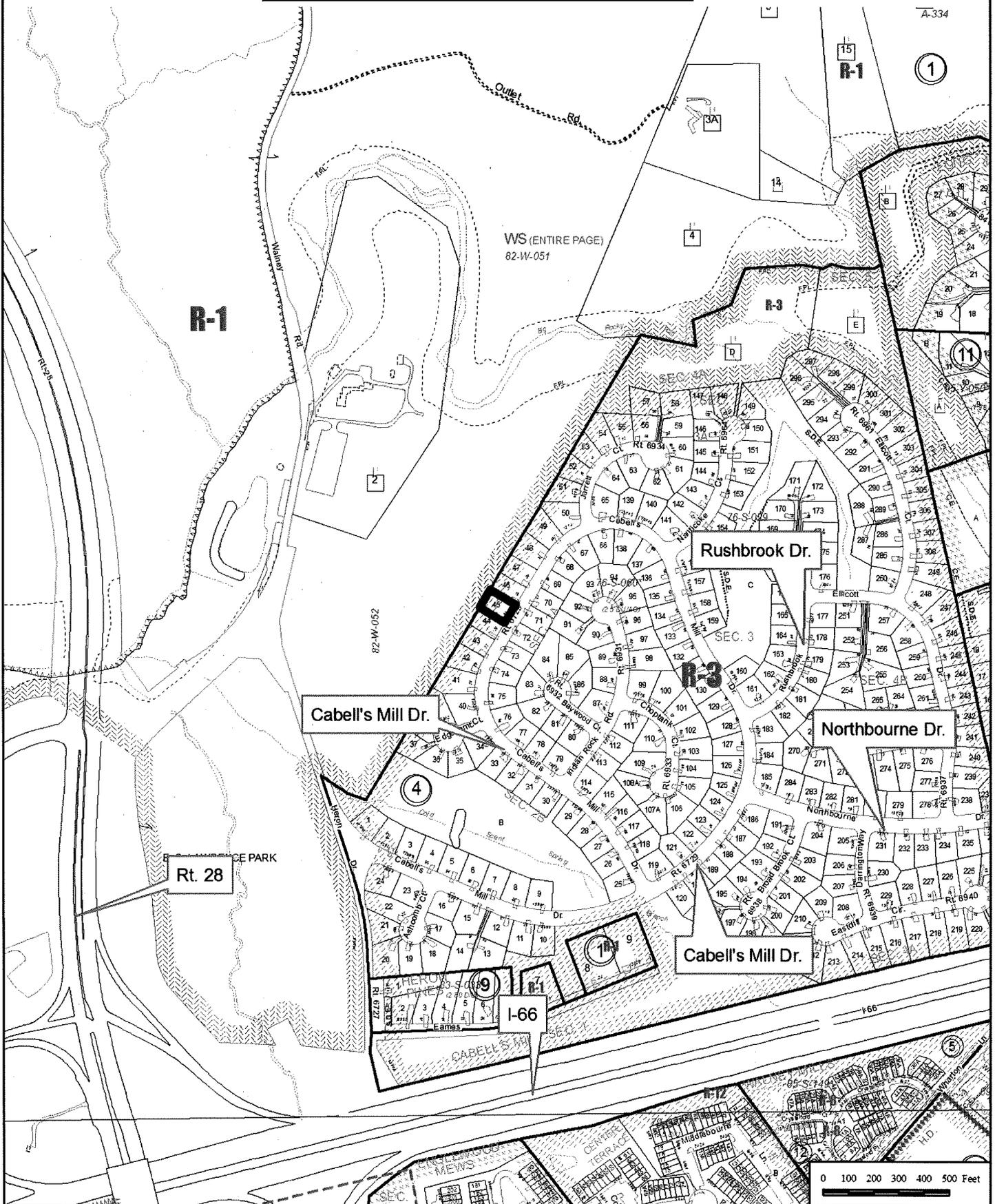
BARBARA M. SCOTT



Special Permit

SP 2013-SU-029

BARBARA M. SCOTT



WS (ENTIRE PAGE)
82-W-051

A-334

R-1

R-1

1

Rushbrook Dr.

Cabell's Mill Dr.

Northbourne Dr.

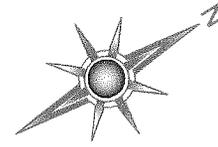
Rt. 28

Cabell's Mill Dr.

I-66

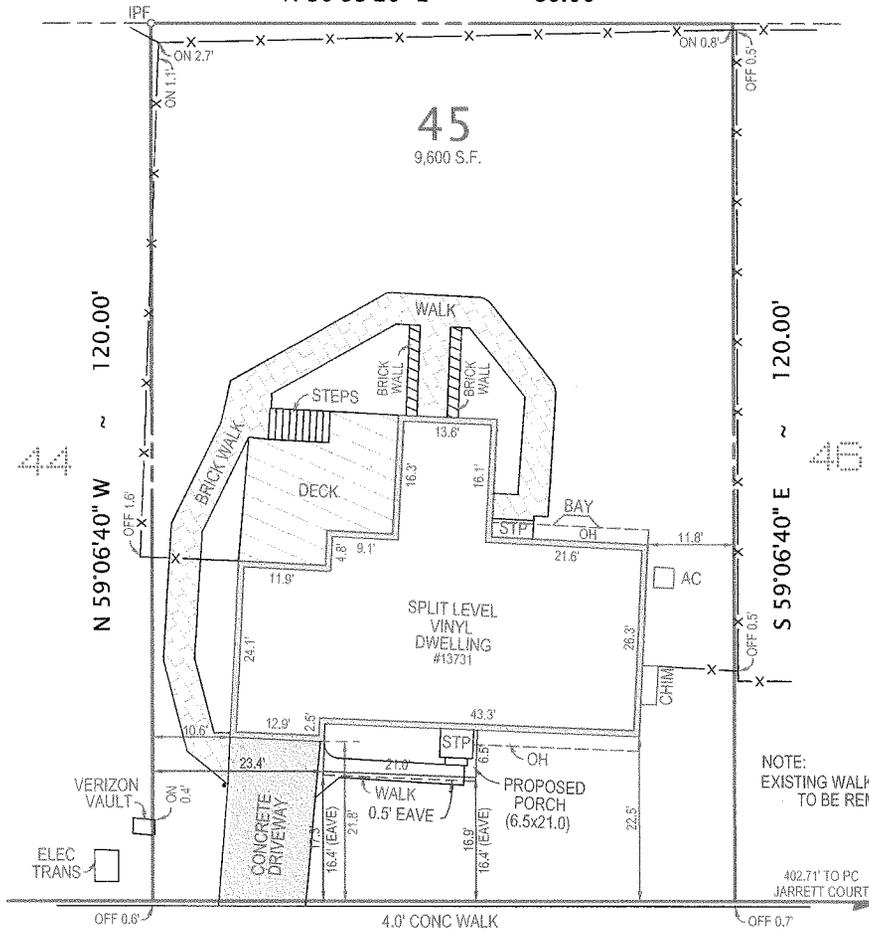
0 100 200 300 400 500 Feet

- NOTES: 1. FENCES ARE FRAME.
2. UTILITIES ARE UNDERGROUND.



FAIRFAX COUNTY
PARK AUTHORITY

N 30°53'20" E ~ 80.00'



NOTE:
EXISTING WALK AND STOOP
TO BE REMOVED

402.71' TO PC
JARRETT COURT

S 30°53'20" W ~ 80.00'
CABELLS MILL DRIVE
50' WIDE

HEIGHTS:

EX. DWELLING	=	20.2 FEET
DECK	=	5.6 FEET
PROPOSED PORCH	=	13.0 FEET
FENCES	=	5.8 FEET

PLAT
SHOWING HOUSE LOCATION ON
LOT 45, SECTION 2A
CABELLS MILL
(DEED BOOK 5738, PAGE 652)
FAIRFAX COUNTY, VIRGINIA
SULLY DISTRICT
SCALE: 1" = 20' MARCH 5, 2013

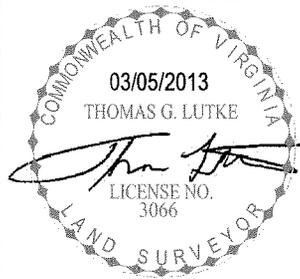
GRAPHIC SCALE



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I HEREBY CERTIFY THAT THE LOCATIONS OF ALL EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.
A TITLE REPORT WAS NOT FURNISHED.
NO CORNER MARKERS SET.



ORDERED BY:

MIGUEL

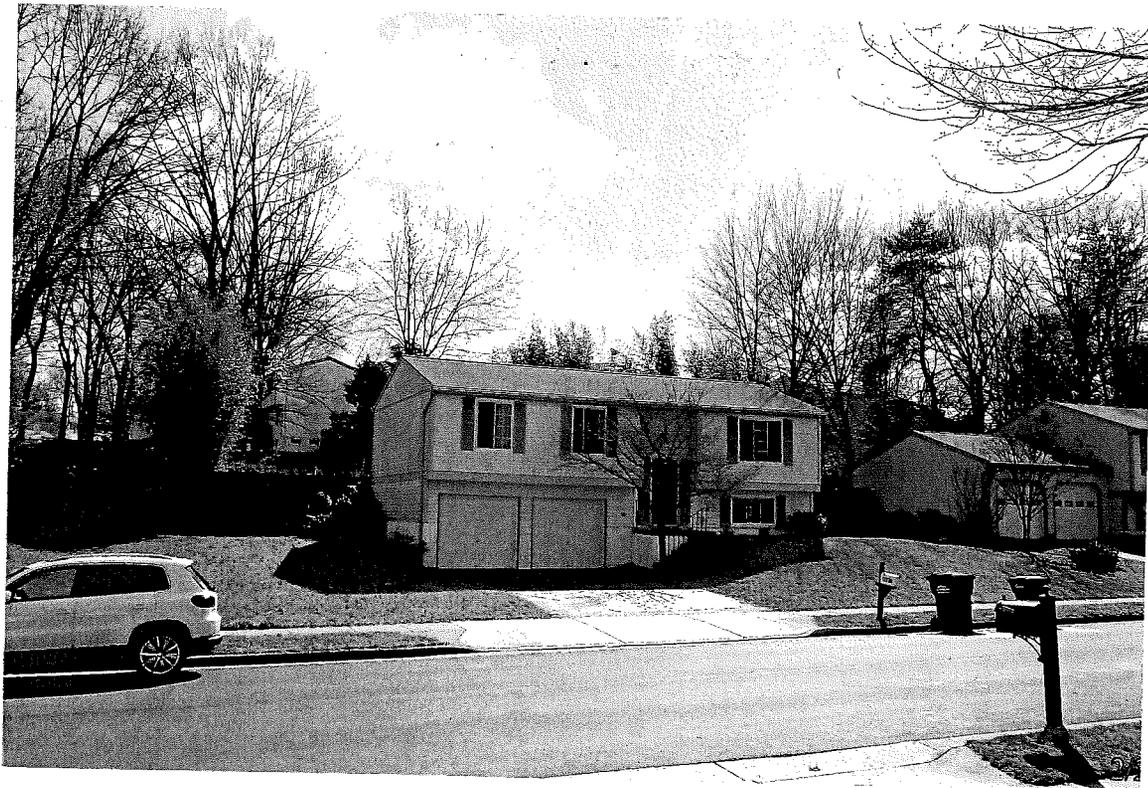


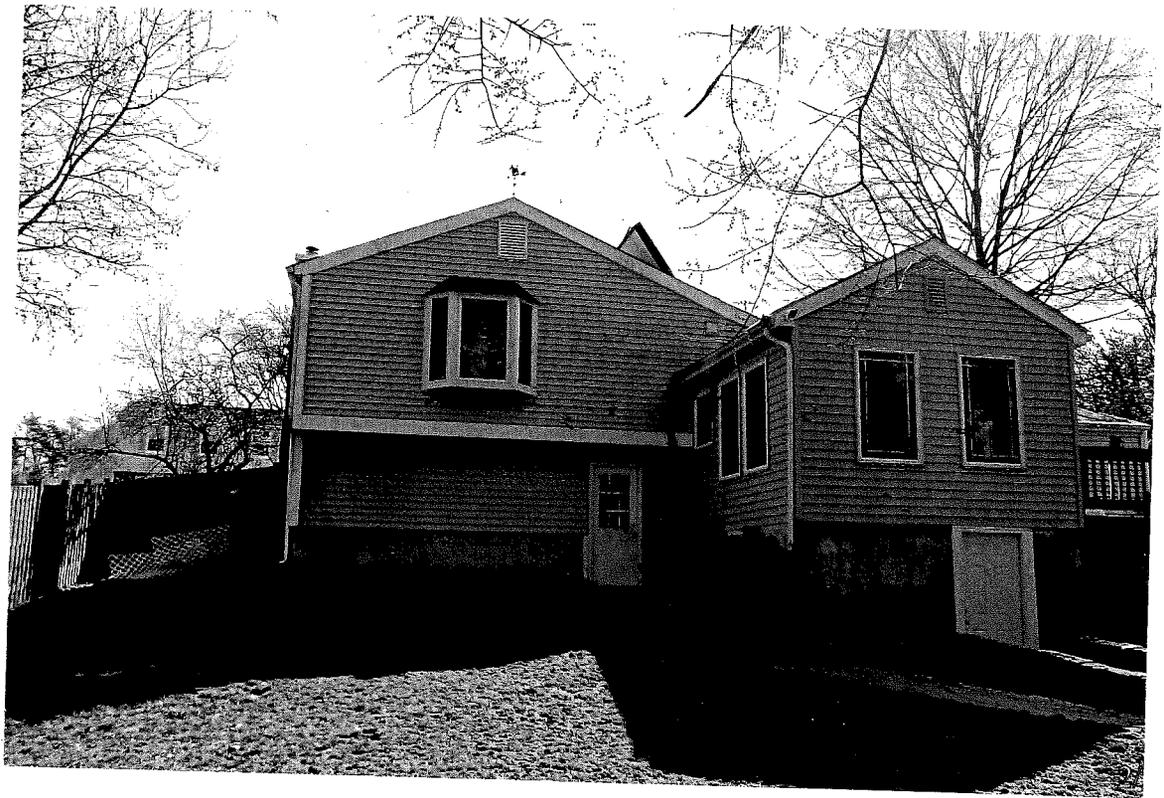
6655 ROCKLEIGH WAY
ALEXANDRIA, VA 22315
703-688-4038
FAX: 703-649-6038
WWW.NOVA-SURVEYS.COM

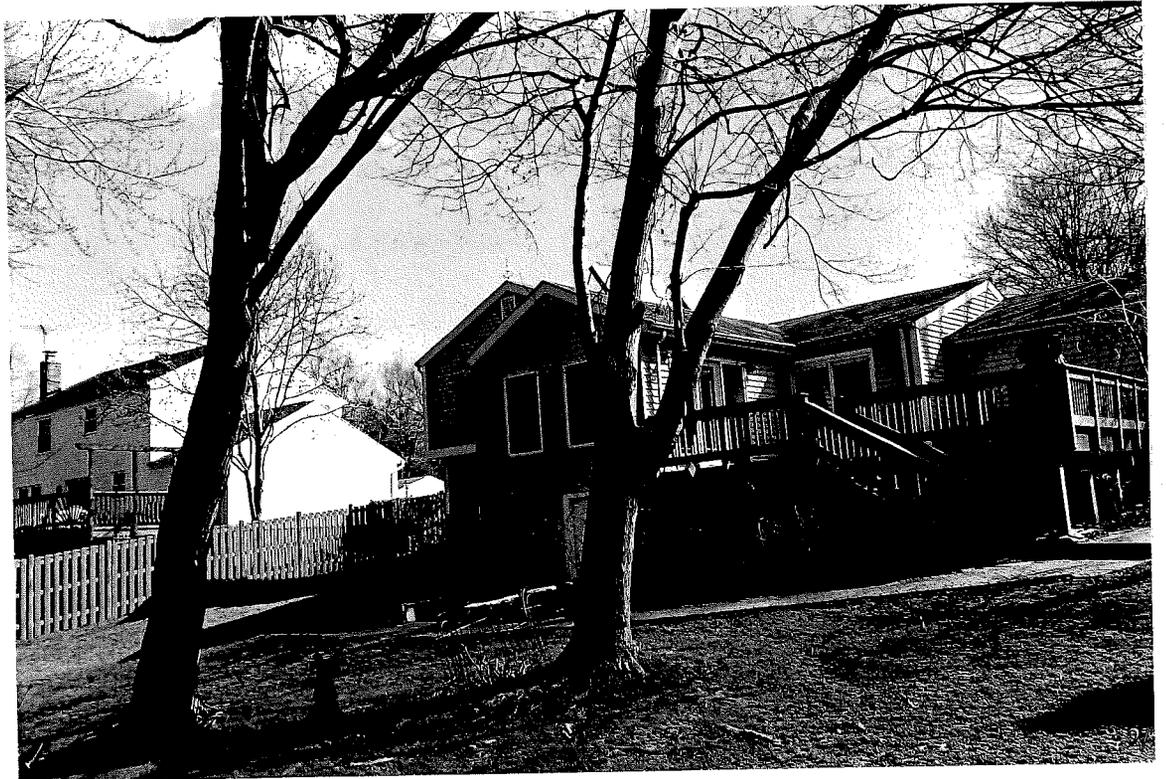
Site Visit 4/25/2013

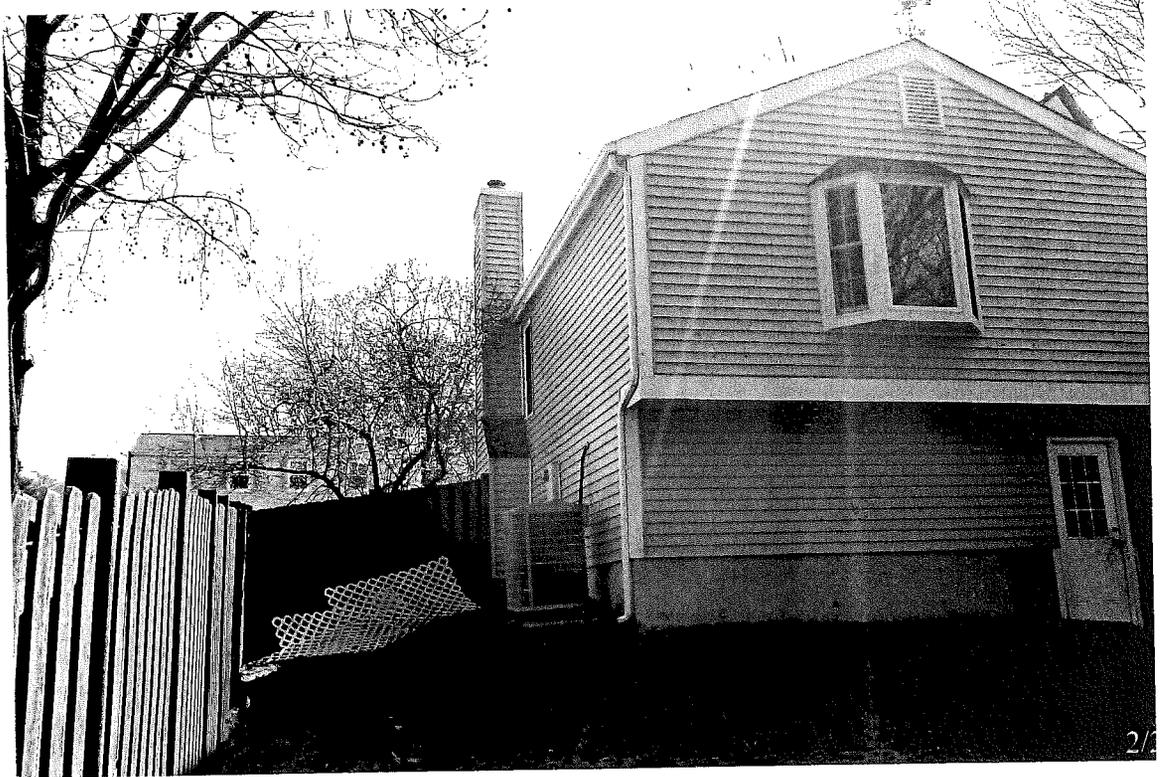


Submitted Photos
3/27/2013





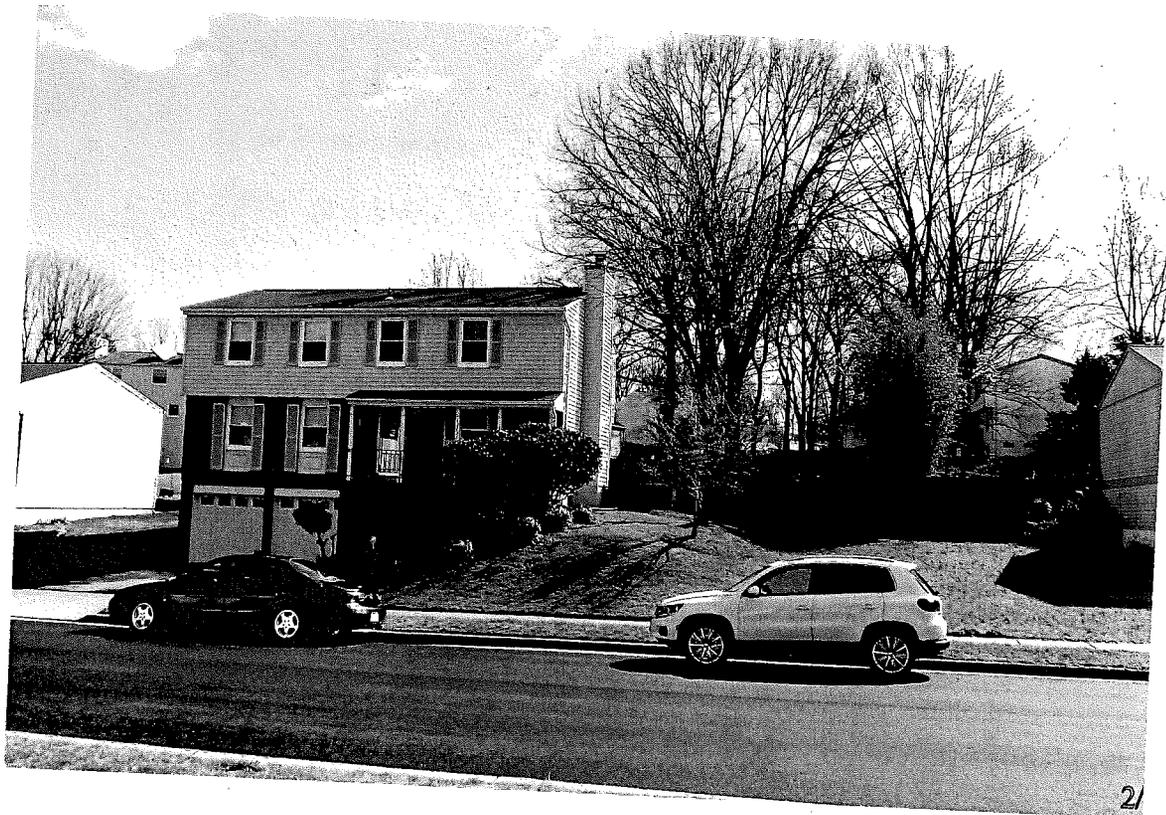




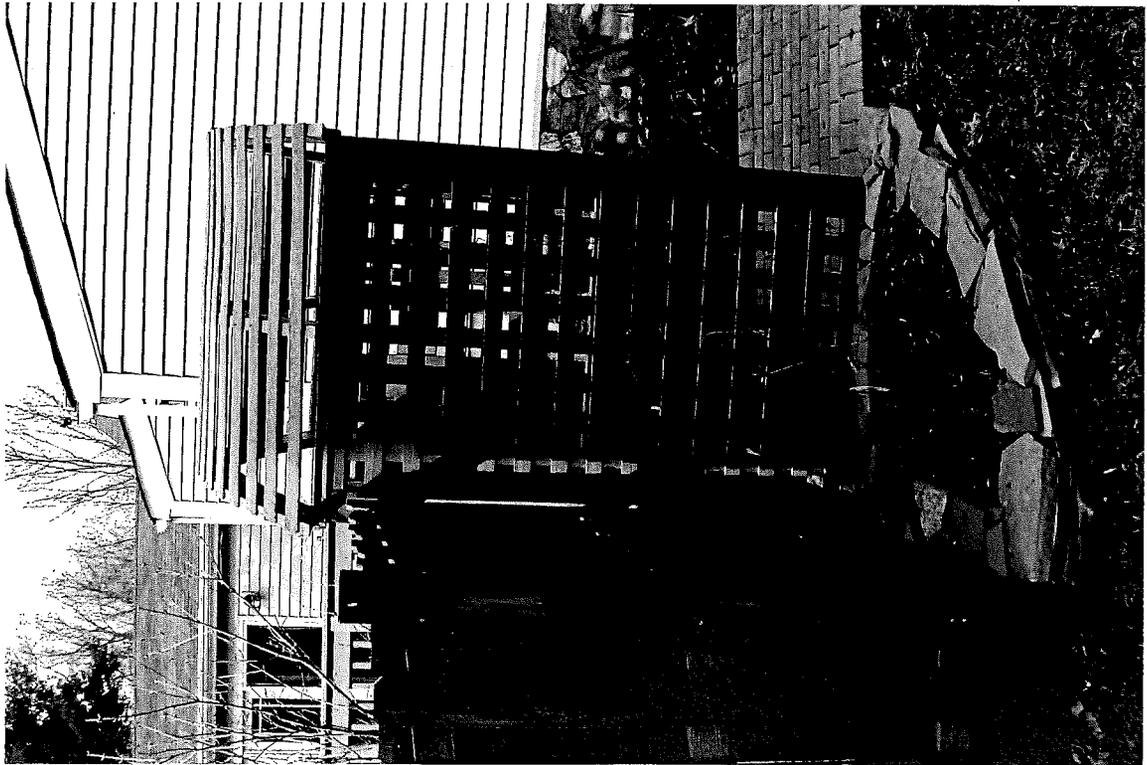
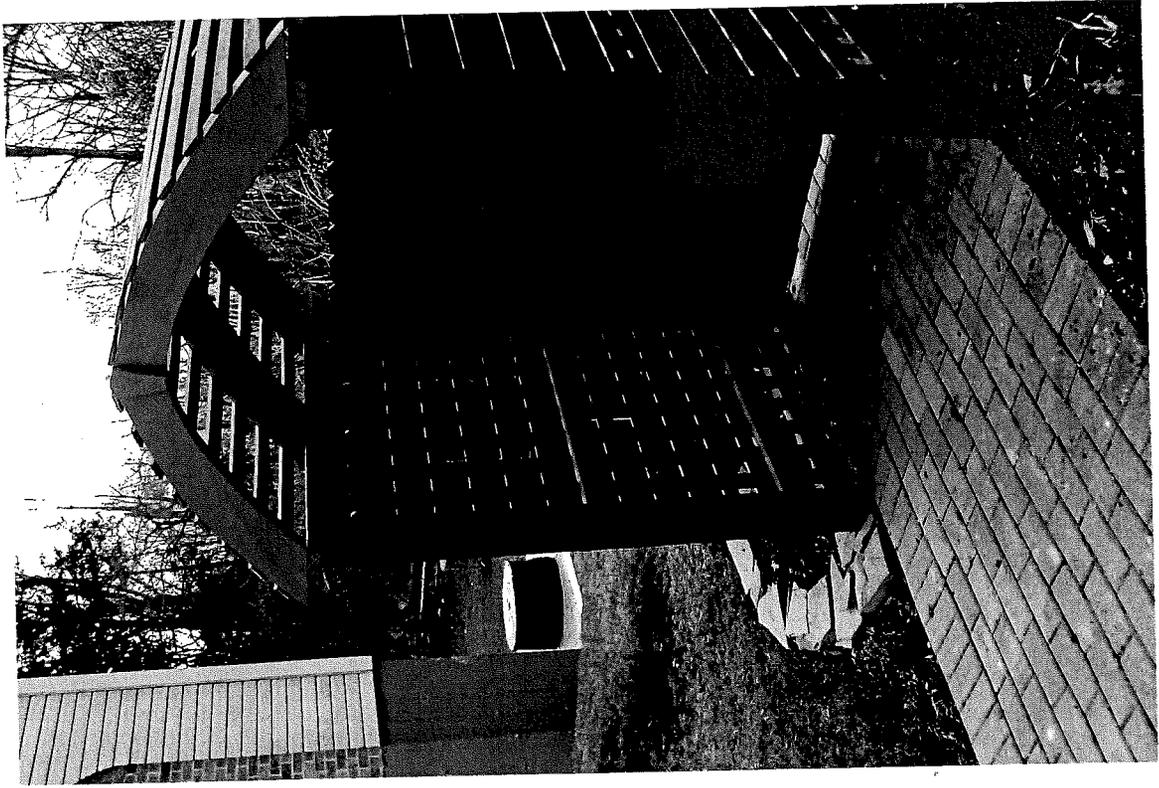




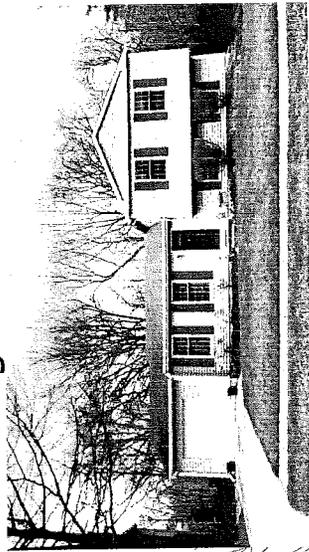








Existing Front Elevation

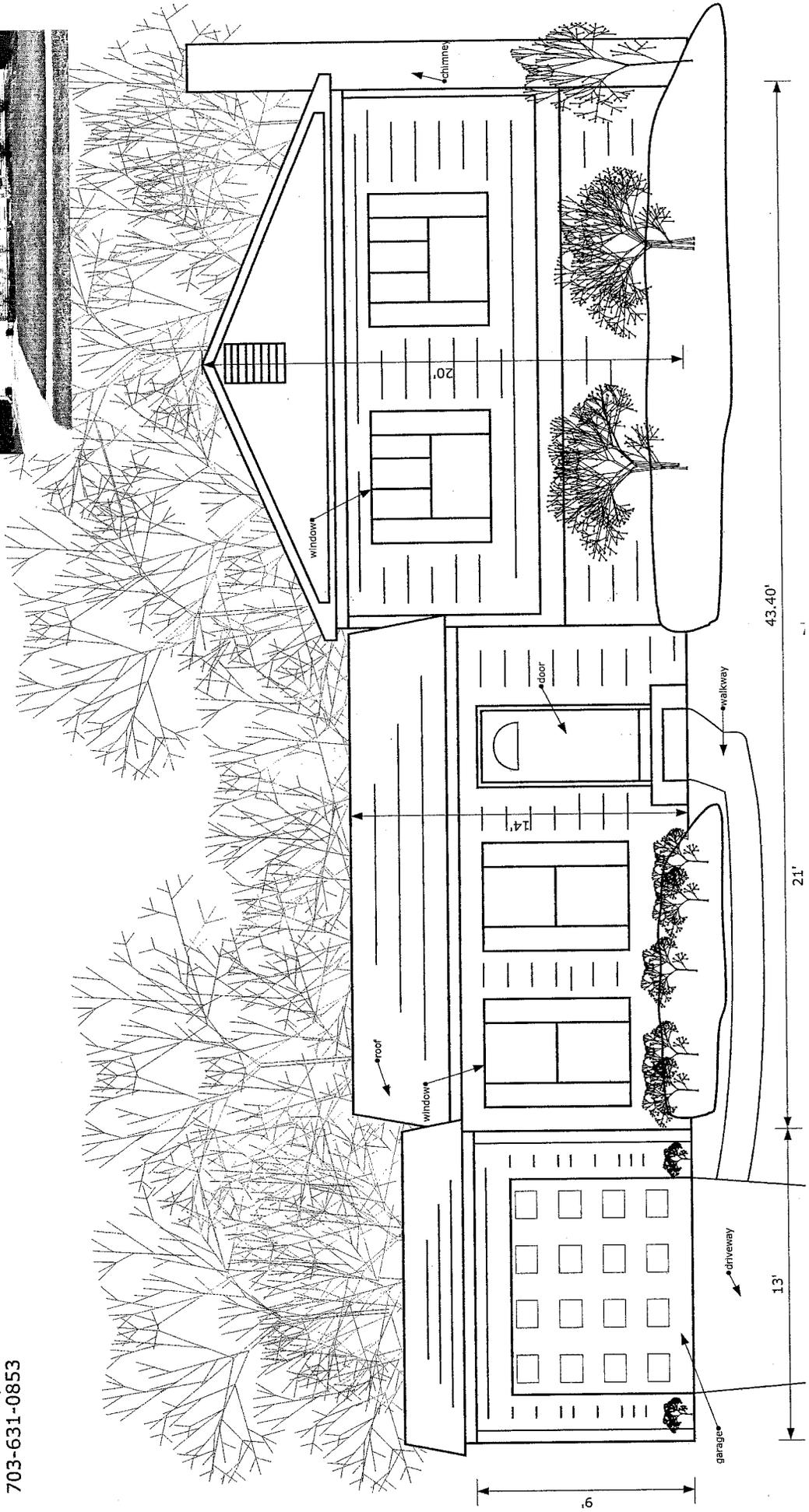


111 Berry St., #103 Vienna, VA 22180

STEADFAST CONSTRUCTION

Drawing by: Omar Ruiz - Manager Scale: 1/4" = 1'

Barbara Scott
13731 Cabells Mill Dr.
Centreville, VA 20120
703-631-0853



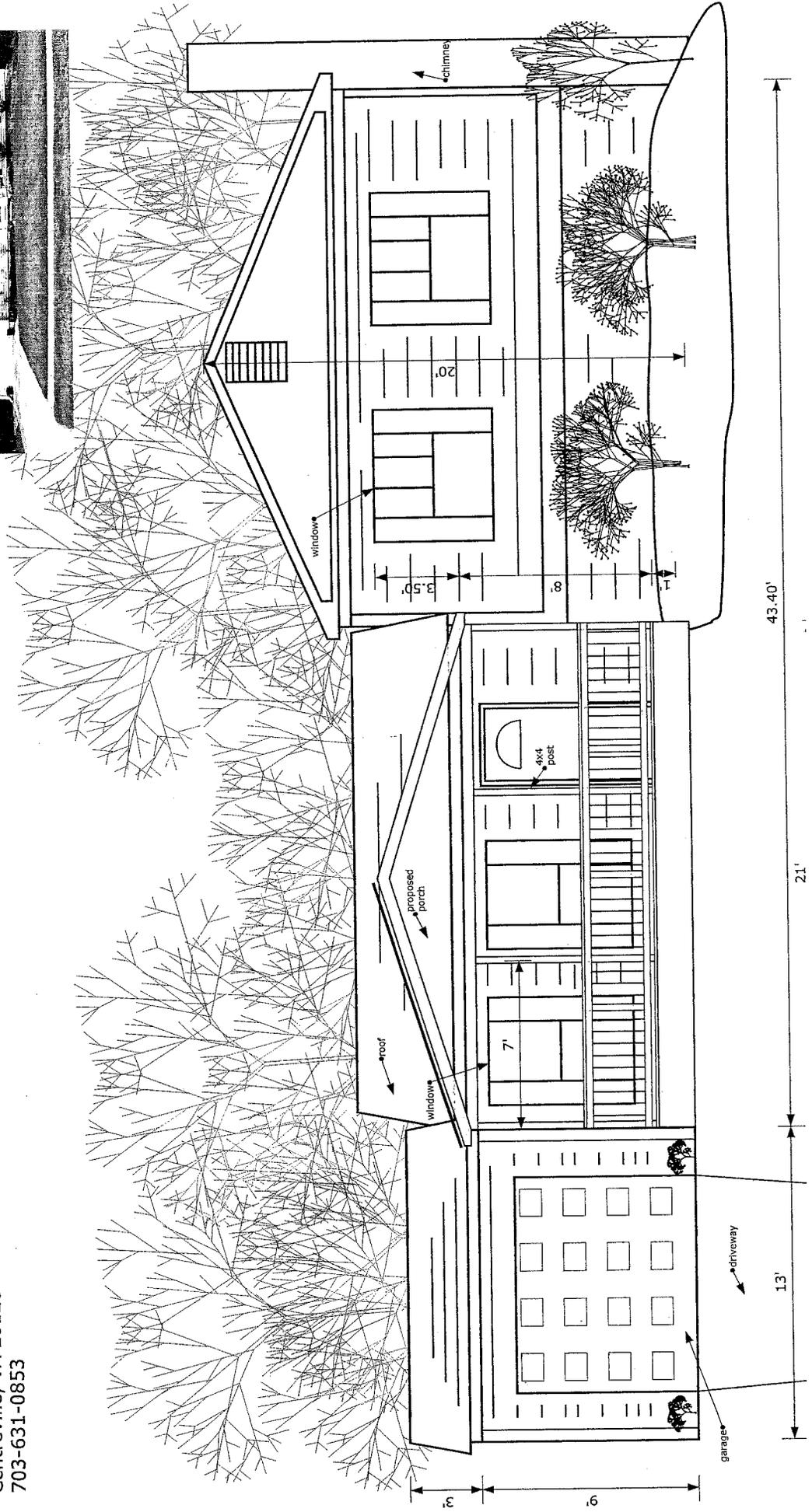
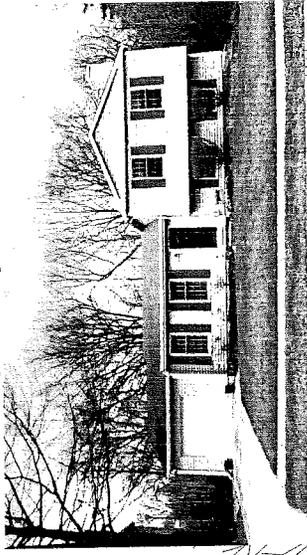
Front Elevation w/ Proposed Porch

111 Berry St., #103 Vienna, VA 22180

STEADFAST CONSTRUCTION

Drawing by: Omar Ruiz - Manager Scale: 1/4" = 1'

Barbara Scott
 13731 Cabells Mill Dr.
 Centreville, VA 20120
 703-631-0853



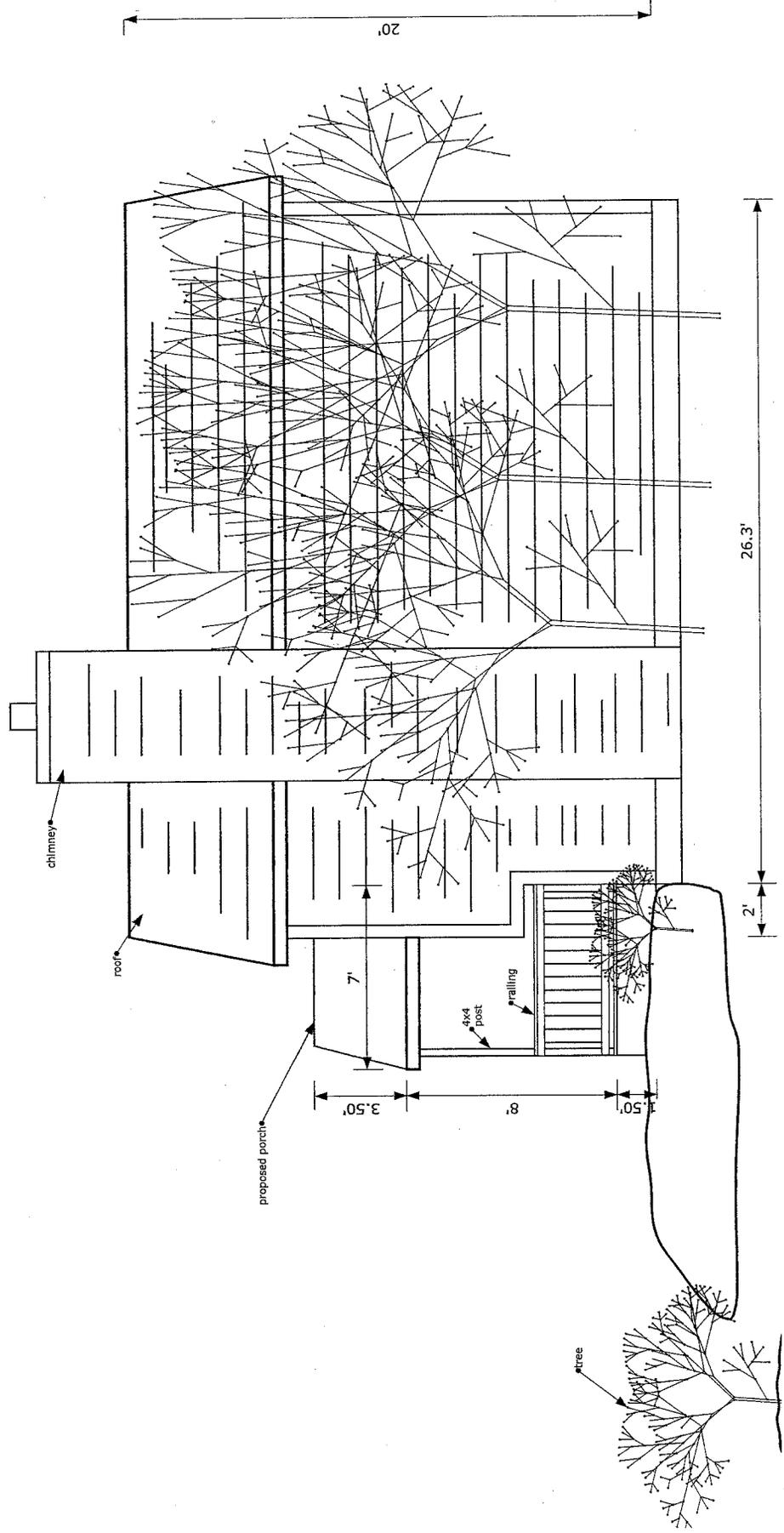
STEADFAST CONSTRUCTION 111 Berry St., #103 Vienna, VA 22180

Right Elevation



Drawing by: Omar Ruiz - Manager Scale: 1/4" = 1'

Barbara Scott
13731 Cabells Mill Dr.
Centreville, VA 20120
703-631-0853

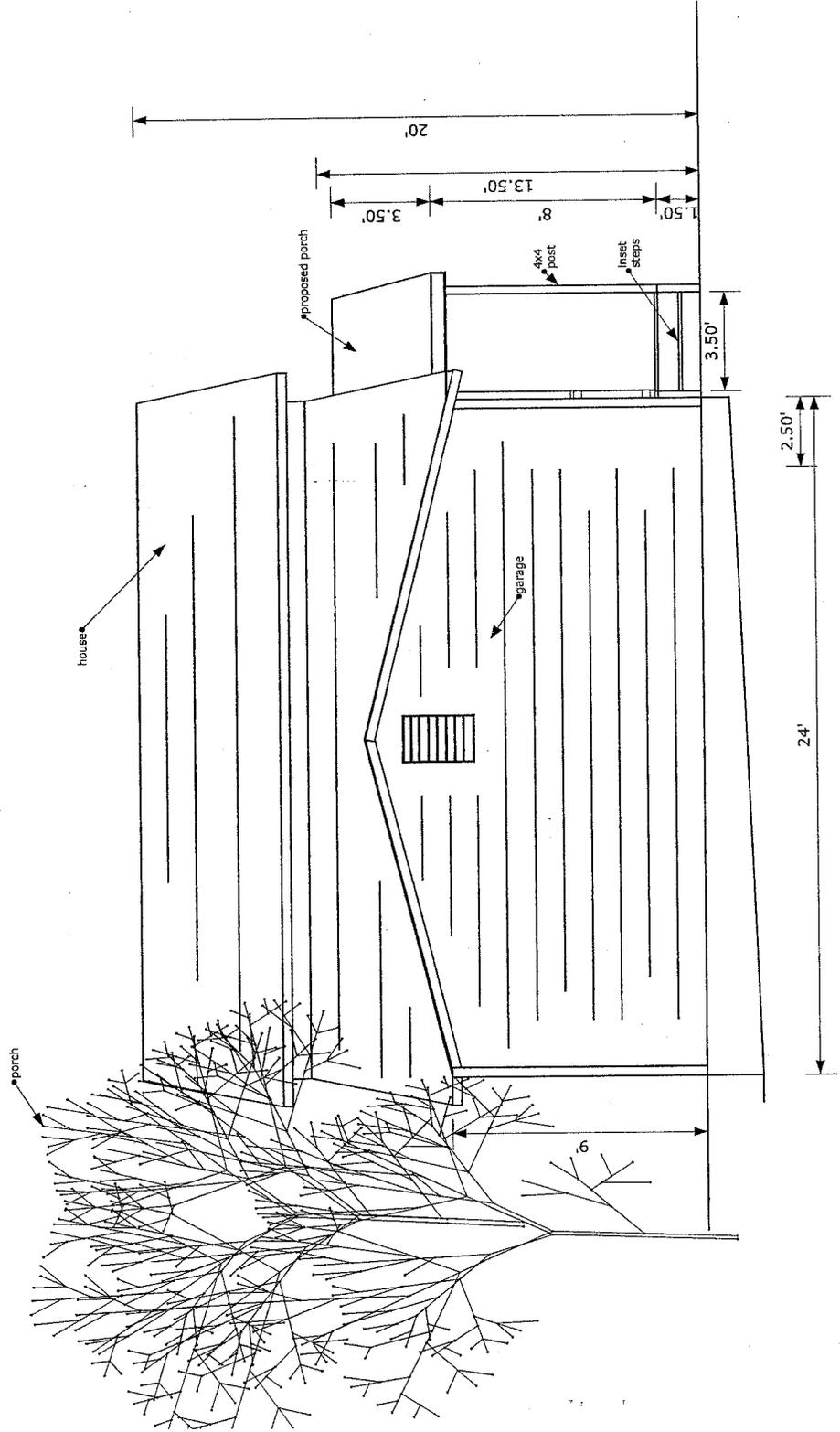
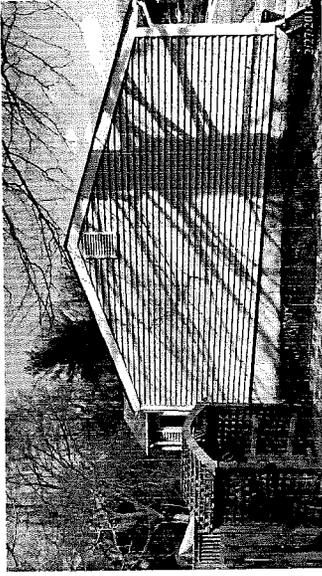


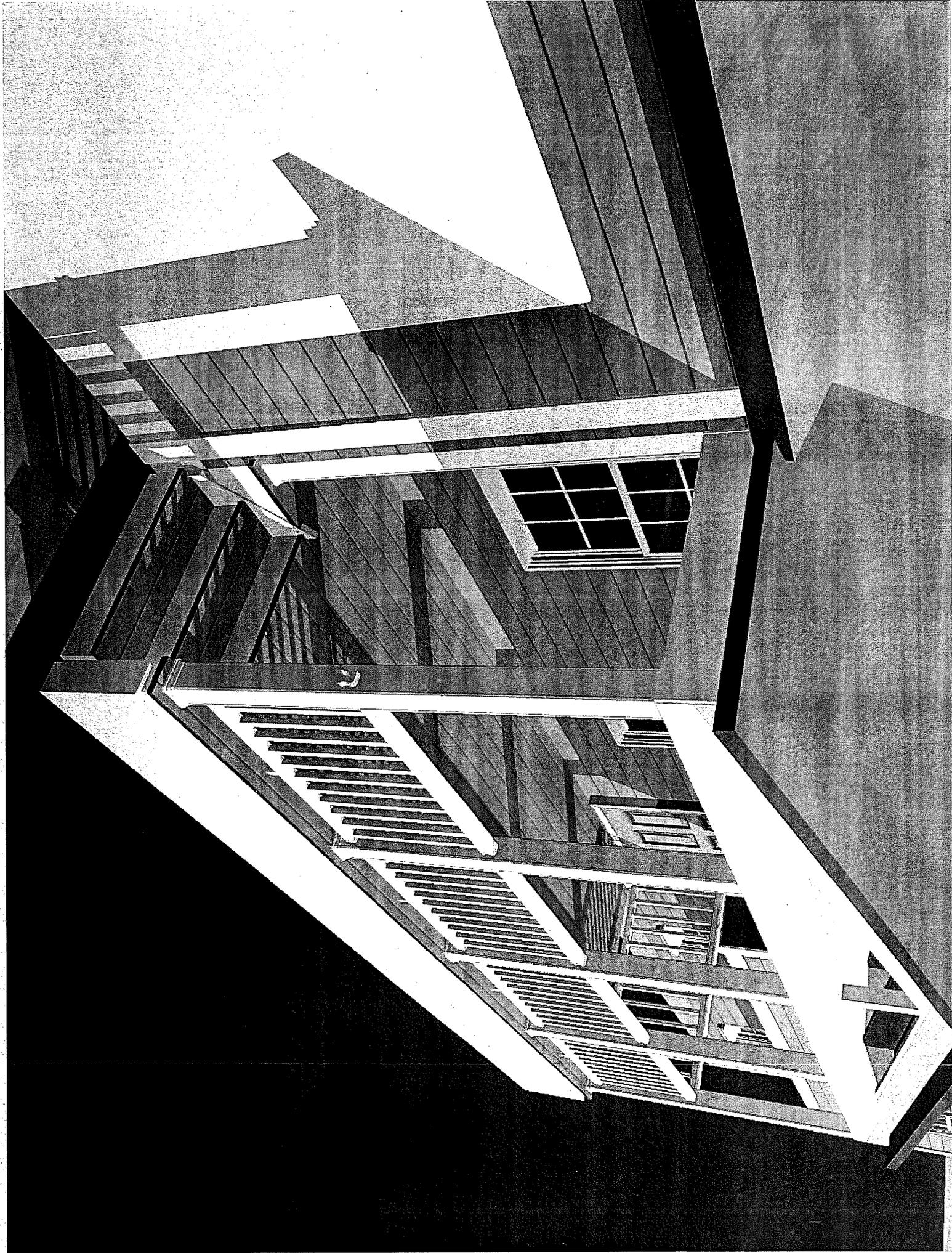
STEADFAST CONSTRUCTION 111 Berry St., #103 Vienna, VA 22180

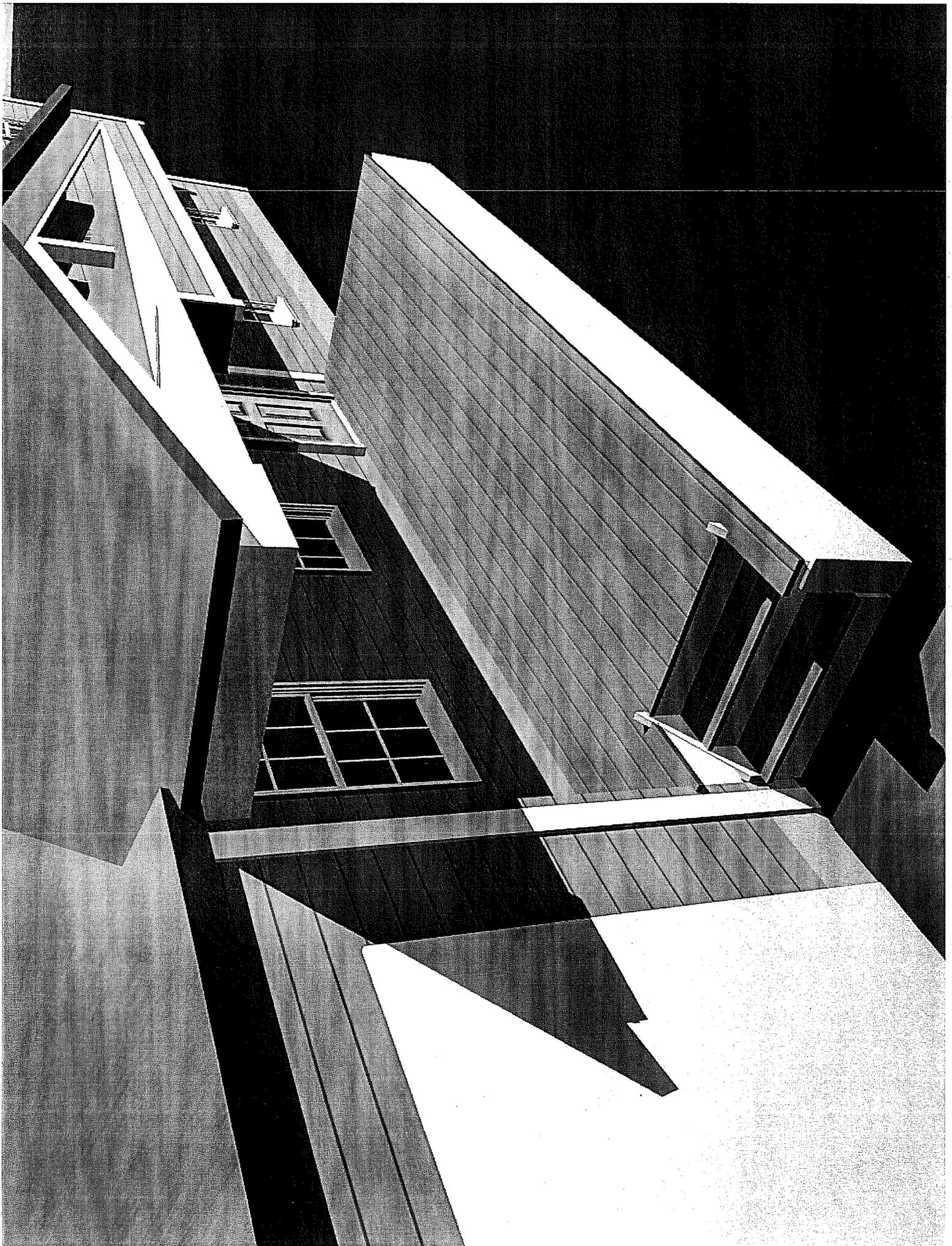
Drawing by: Omar Ruiz - Manager Scale: 1/4" = 1'

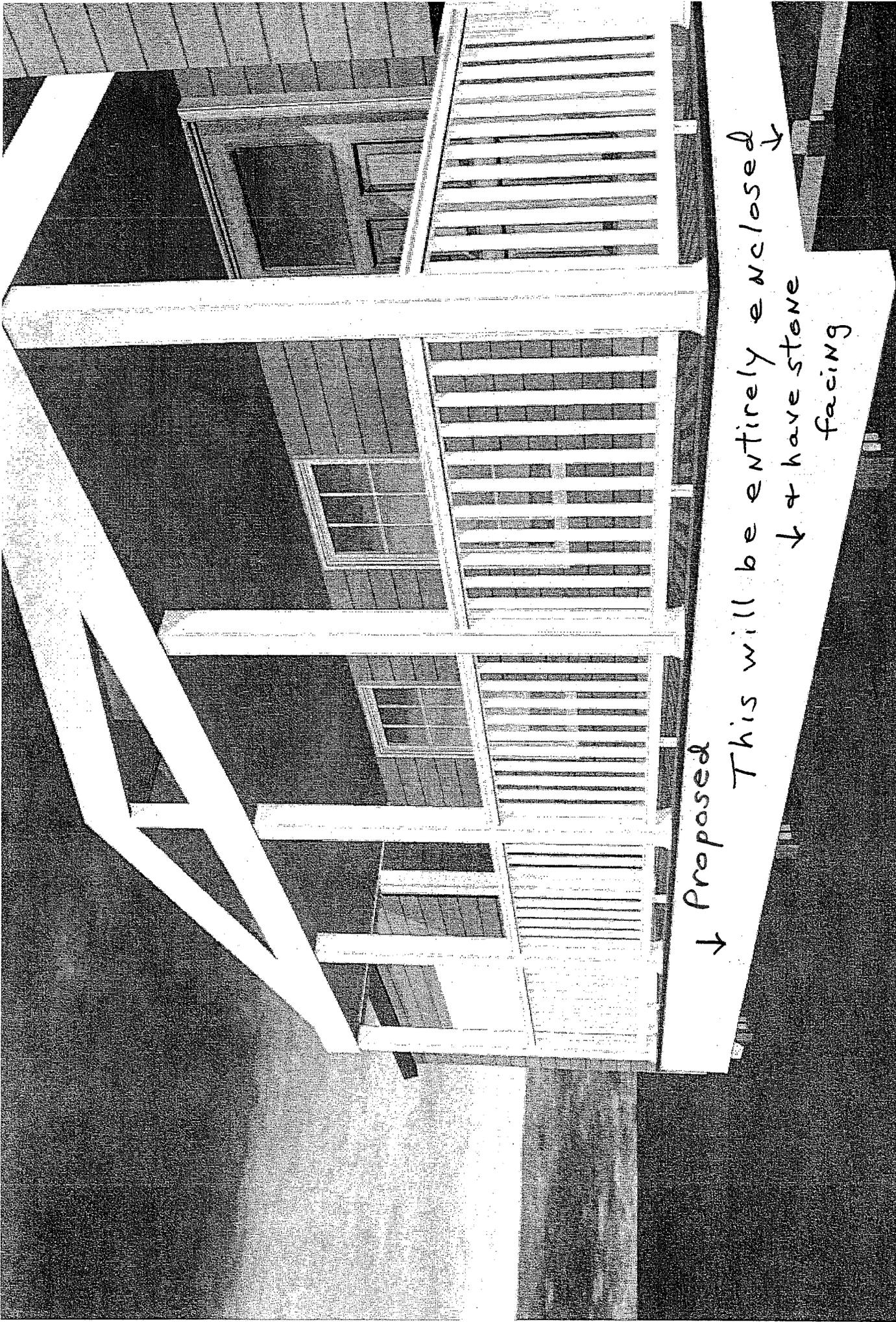
Barbara Scott
13731 Cabells Mill Dr.
Centreville, VA 20120
703-631-0853

Left Elevation





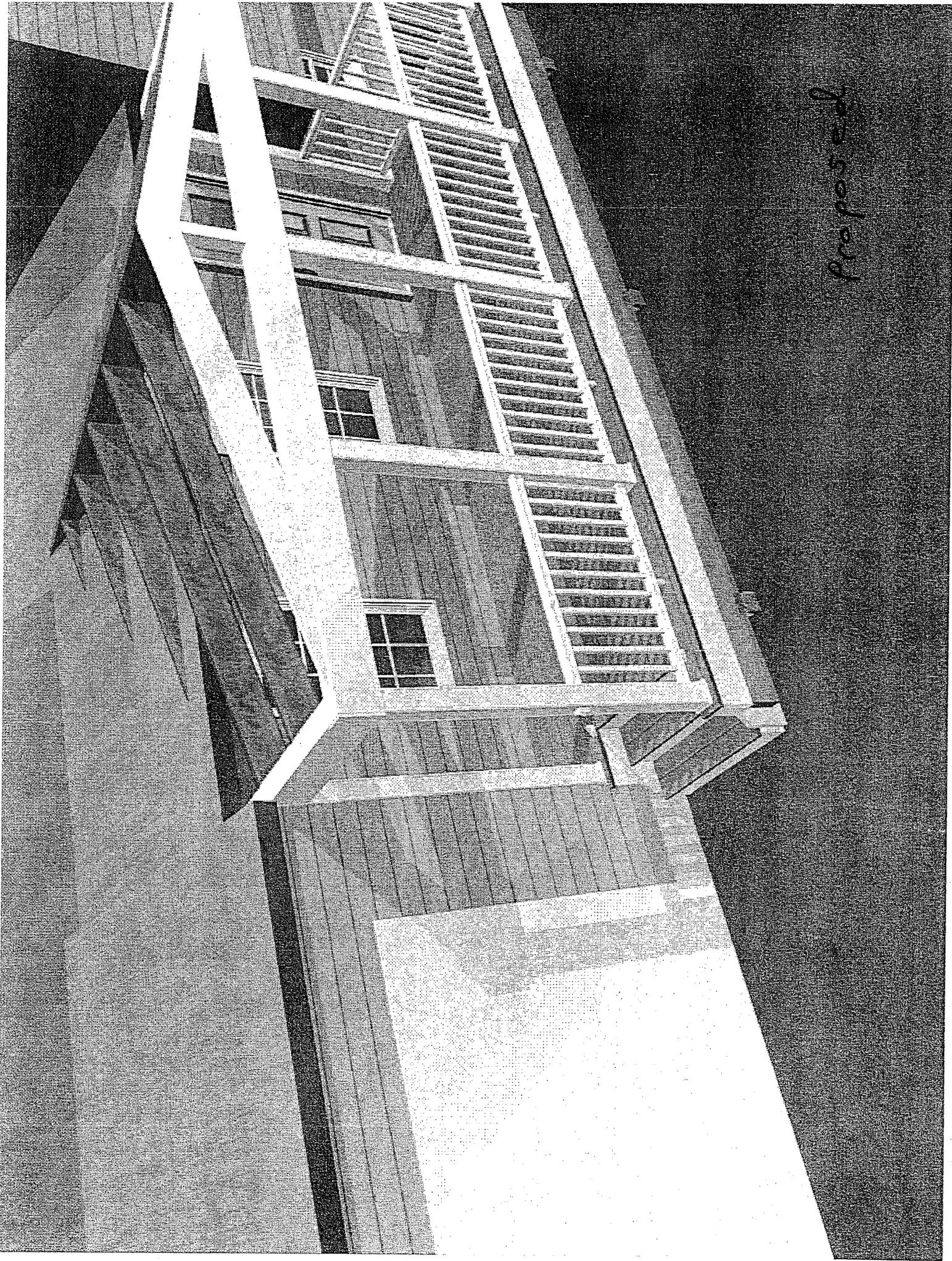




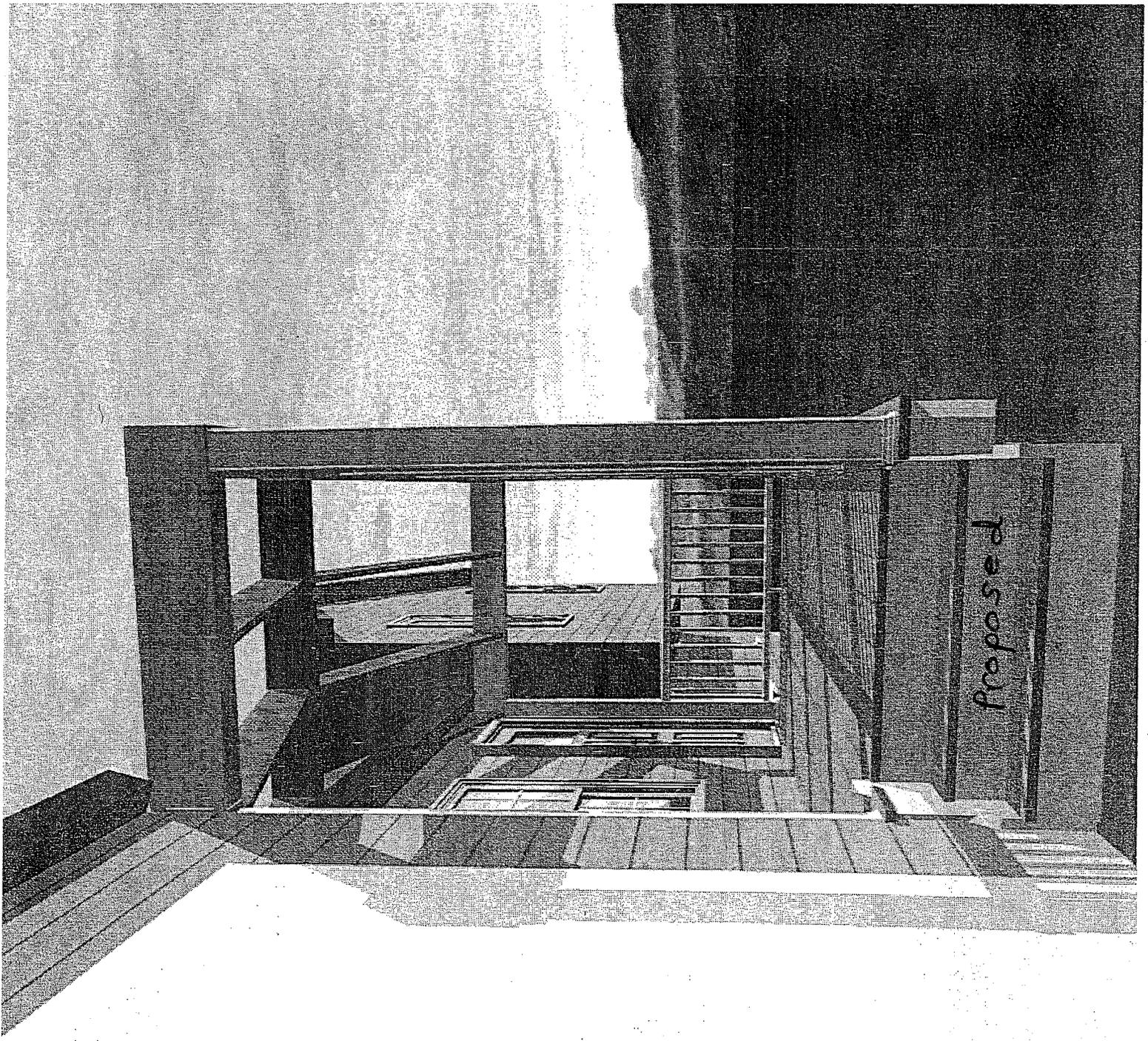
↓ Proposed

This will be entirely enclosed ↓

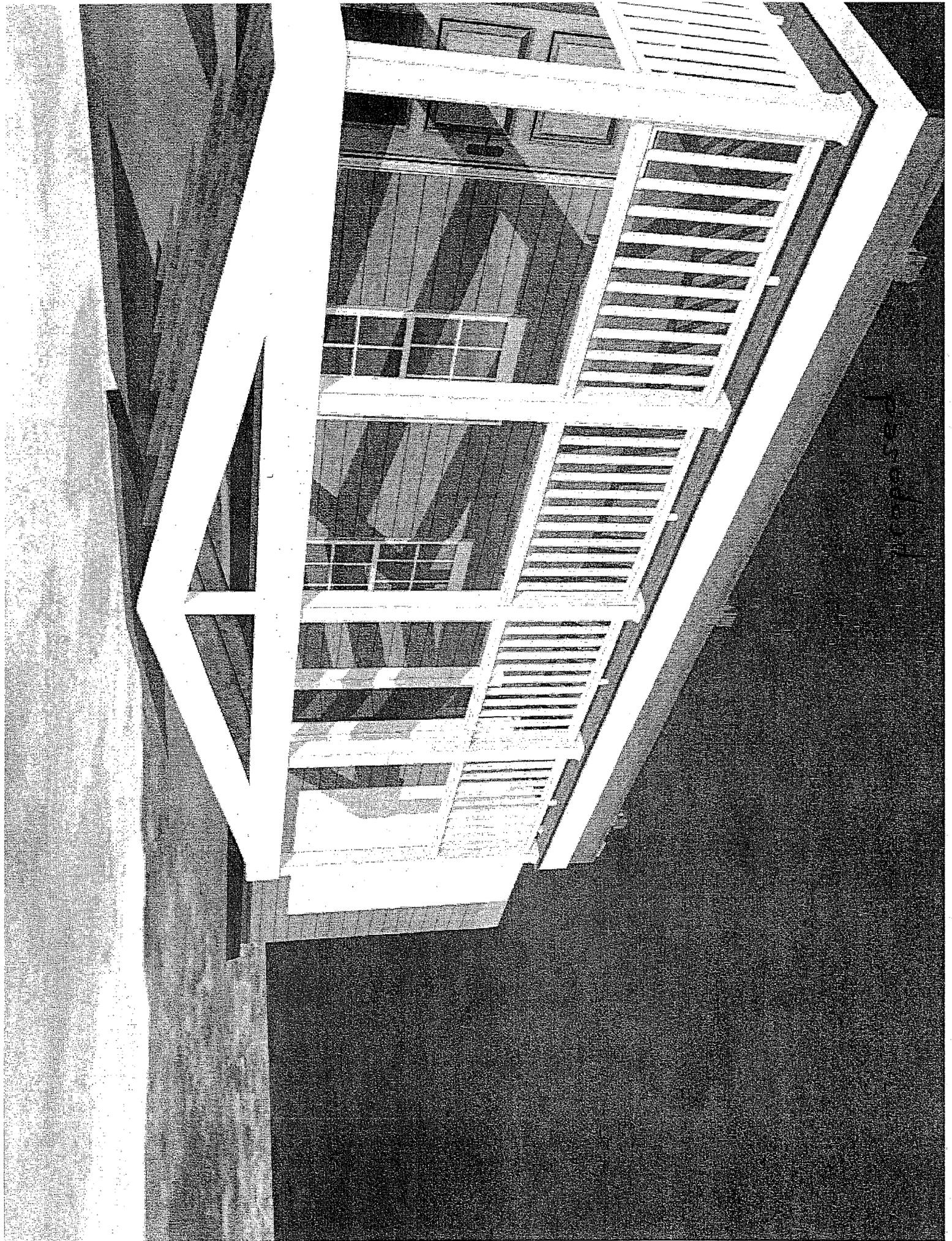
↓ I have stone facing

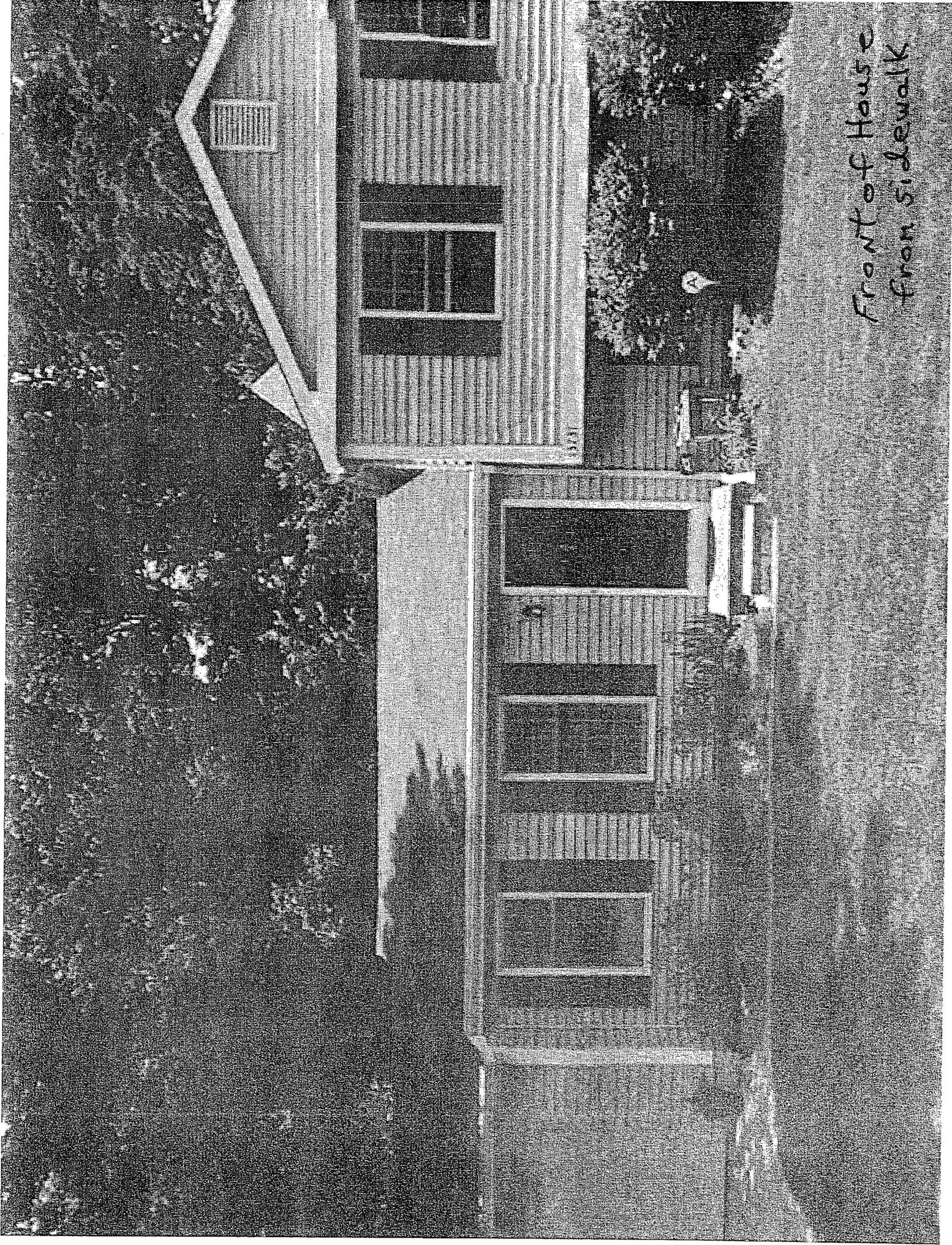


Proposed



Proposed





Front of House
from sidewalk

DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit for a reduction of certain yard requirements to permit construction of an addition, a covered porch, 16.4 feet from the front lot line.

	Structure	Yard	Minimum Yard Required*	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit	Covered porch addition	Front	20.0 feet	16.4 feet	3.6 feet	18%

*Minimum yard requirement per Section 3-307

The applicant proposes to construct an approximately 136.5 square foot addition on the southwest elevation in the front yard. The covered porch will be approximately 13.0 feet in height. The addition will have a gable roof and white railings. The bottom of the porch façade will have stone facing which matches the rest of the house.

A copy of the special permit plat titled 'Plat Showing House Location on Lot 45, Section 2A, Cabells Mill' prepared by Thomas G. Lutke, L.S., of NoVA Surveys, dated March 5, 2013, is included in the front of the staff report.

EXISTING SITE DESCRIPTION

The 9,600 square foot lot contains a split level, vinyl, single family dwelling. An addition is located on the northwest of the existing dwelling. A wooden deck with stairs exists on the west of the single family dwelling. A concrete stoop with stairs exists on the eastern façade. A brick walkway extends from the east of the rear addition through the backyard, along the southern side yard and ends at the concrete driveway. The brick walkway also provides access to the crawl space at the rear of the house. The driveway provides access to the lot from Cabells Mill Drive. A 5.8 foot wooden fence encloses the rear yard of the property. A 6 foot, 11 inch trellis is located to the west of dwelling. The Zoning Ordinance allows an accessory structure, in this case a trellis, to be up to 7 feet in height.

CHARACTER OF THE AREA

	Zoning	Use
North	R-3 Cluster, WS	Single Family Detached Dwellings
East	R-3 Cluster, WS	Single Family Detached Dwellings
South	R-3 Cluster, WS	Single Family Detached Dwellings
West	R-1, WS	Eleanor C. Lawrence Park, FCPA

BACKGROUND

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1983. A building permit was approved in March of 1983 for the construction of a 120 square foot deck on the rear of the dwelling. A second building permit was approved in July of 2004 for a 208 square foot, one-story addition and open deck to the rear on the dwelling.

Records indicate there were no other similar applications for properties in the vicinity of the application site heard by the BZA.

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 and aerial photography that the construction of the covered porch addition will not adversely affect*

the use or development of neighboring properties. Therefore, staff believes this standard has been met.

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

This special permit application must satisfy all of the provisions contained in Sect. 8-922, Provisions for Reduction of Certain Yard Requirements. Standards 1, 2, 3, 11 and 12 relate to submission requirements and were satisfied at the time of submission. Standard 5 relates to accessory structures, which does not apply to this application and Standard 10 allows the BZA to impose development conditions. Staff believes that the application has met all of the remaining standards, specifically Standards 6, 7, 8, and 9.

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 additions will be compatible with the dwelling. The height of the porch will not be higher than the existing height of the house, which is one story adjacent to the proposed porch. The gabled roof of the proposed covered porch matches the gable roof on the existing structure and the stone facing of the porch bottom will match the existing stone facing of the house. 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. Through photographs submitted by the applicant and aerial photography, staff has confirmed that the porch addition is similar to others in the neighborhood in terms of its height and location on the lot. While stone front facades are not prevalent in the neighborhood, the applicant has affirmed in the statement of justification that the materials along the bottom of the porch will match the existing stone façade (please see picture included at the beginning of this report). Therefore, staff believes the addition 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 covered porch addition at 136.5 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. Staff believes the addition will not increase runoff or erosion as a portion of the porch addition is being constructed on the site of an existing concrete walkway. 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 addition is a modest request. The construction and layout of the porch are minimal as a portion of the garage extends past the front of the house and requires a deeper deck to provide stair access to the driveway. A 20 inch diameter red oak tree is located in the southwest corner of the front yard. Staff from the Urban Forest Management, Forest Conservation Branch has recommended that tree protection measures be installed around this tree (see Appendix 4). A development condition has been included in Appendix 1 to address this concern Other issues of wells, floodplains and/or Resource Protection Areas 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-SU-029 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. Memorandum from Urban Forest Management dated May 10, 2013
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2013-SU-029****June 5, 2013**

If it is the intent of the Board of Zoning Appeals to approve SP 2013-SU-029 located at Tax Map 54-2 ((4)) 45 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. This special permit is approved for the location and size of the covered porch addition (approximately 136.5 feet), as shown on the plat prepared by Thomas G. Lutke, L.S., of NoVA Surveys, dated March 5, 2013, as submitted with this application and is not transferable to other land.
2. Prior to commencement of and during the entire construction process, the applicant shall install tree protection fencing around the existing red oak tree located south of the driveway to protect this tree from construction activities. The protective fencing shall remain intact during the entire construction process, and shall be the maximum limit for clearing and grading. The applicant shall monitor the site to ensure that an inappropriate activity, such as the storage of construction equipment, does not occur within the area.
3. 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.

Application No.(s): SP 2013 - SU - 029
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: APRIL 8, 2013
 (enter date affidavit is notarized)

I, Barbara M. Scott, 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 120071

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)
Barbara M. Scott	13731 Cabells Mill Drive Centreville, VA 20120	Applicant/Title Owner

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

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

Application No.(s): SP 2013 - SU - 029
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 8, 2013
(enter date affidavit is notarized)

|2007|

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)
N/A

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): SP 2013-SU-029
(county-assigned application number(s), to be entered by County Staff)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 8, 2013
(enter date affidavit is notarized)

| 2007 |

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)

N/A

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

NONE

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

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

Application No.(s):

SP 2013-SU-029

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE:

APRIL 8, 2013
(enter date affidavit is notarized)

120071

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-SU-029
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 8, 2013 120671
(enter date affidavit is notarized)

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

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

NONE

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

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

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

WITNESS the following signature:

(check one) Barbara M. Scott
[] Applicant [] Applicant's Authorized Agent

Barbara M. Scott
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 8th day of April 2013, in the State/Comm. of Fairfax, County/City of Virginia.

[Signature]
Notary Public

My commission expires: 9/30/2013

SONIA J. SKIPPER
NOTARY ID #287468
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES SEPTEMBER 30, 2013

Statement of Justification

I, Barbara M. Scott, sole owner of the property at 13731 Cabells Mill Drive, Centreville, VA 20120, request permission for the building of a covered front porch to said property. The porch will be 21' x 6'6" (21' x 7' with eaves). It will have a gabled roof to blend with the current gabled area of the original dwelling. The porch will have 5 4x4 sleeved wall posts and Fairway 100 series all white sleeved rails. It will have a closed ceiling and a smooth finish beaded soffit. The entire porch structure will be made of the highest quality compost material, with the flooring of ceramic slate. There will be two 4' wide recessed steps with slate which will adjoin the current concrete garage driveway. Once the proposed porch is completed, I have contracted with Garden World Nursery of Fairfax, Virginia to professionally landscape the surrounding house to give a more harmonious look to the exterior.

I am requesting the building of the covered porch area to replace the current crumbling cement porch/steps and provide shelter for myself and handicapped son for front door entry and exit to our home. Due to the variety of weather conditions in our area a covered front porch will not only be an asset to myself and son, but also improve the exterior look of our home.

My proposed covered porch has been approved in writing by the Cabells Mill Home Owners Association and the Architectural Review Board for the homeowners association (see attached letter). Additionally, per the HOA, the proposed porch is in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure on the lot and is in harmony with the homes, topography, and existing vegetation and in keeping with the preservation of significant trees adjacent to it. The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards with the exception of the proposed porch addition.

The proposed porch will 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 house was originally built (1983) and is close to the lot line. I am only using (138 square feet – proposed porch) which is 7.58% percent of the house area. The house's entire above grade living area is 1820 square feet.

All utilities (electric, water, sewer) are underground and will not be affected by the proposed porch structure. The property is not on a floodplain per the Federal Insurance Administration. To the best of my knowledge there are no hazardous or toxic waste materials on the property.

I am requesting a waiver/modification of the plat requirements by NOVA surveys submitted on March 11, 2013 in lieu of having a new plat made. Buildings or structures on the property and the current dwelling meet all the required setbacks for the zoning

district. I also request an out of turn hearing due to the dilapidated condition of the existing porch and the severe hardship in getting my handicapped son and myself into and out of our home by use of the front door. I respectfully thank you for your consideration of this proposal.

A handwritten signature in black ink that reads "Barbara M. Scott". The signature is written in a cursive style with a horizontal line underneath the name.

Barbara M. Scott

March 27, 2013



County of Fairfax, Virginia

MEMORANDUM

DATE: May 10, 2013

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

FROM: Jay Banks, Urban Forester II
Urban Forest Management-Forest Conservation Branch
Department of Public Works and Environmental Services

SUBJECT: Cabell's Mill Section 2A, Lot 45.SP 2013-SU-029

This review is based upon the Special Permit application stamped "Received, Department of Planning & Zoning March 28, 2013."

General Comment: An existing 20 inch diameter red oak tree is located at the southwest corner of the front yard, where construction equipment or building materials may possibly be stored. Urban Forest Management Division staff recommends that some type of barrier or tree protection device be put in place to protect as much of the dripline as possible of the red oak.

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

JSB/

UFMDID #: 180823

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.