



County of Fairfax, Virginia

October 2, 2013

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2013-DR-053

DRANESVILLE DISTRICT

APPLICANT: Vikramdeep Dhillon

OWNERS: Vikramdeep Dhillon and Preetika K. Sidhu-Dhillon

STREET ADDRESS: 520 Lost Acre Lane, Great Falls, 22066

SUBDIVISION: Old Dominion Estates

TAX MAP REFERENCE: 71-2 ((2)) 6

LOT SIZE: 5.0 acres

ZONING DISTRICT: R-E

ZONING ORDINANCE PROVISION: 8-918

SPECIAL PERMIT PROPOSAL: To permit an accessory dwelling unit in a proposed accessory structure.

STAFF RECOMMENDATION: Staff recommends approval of SP 2013-DR-053 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.

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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 days after the decision becomes final.

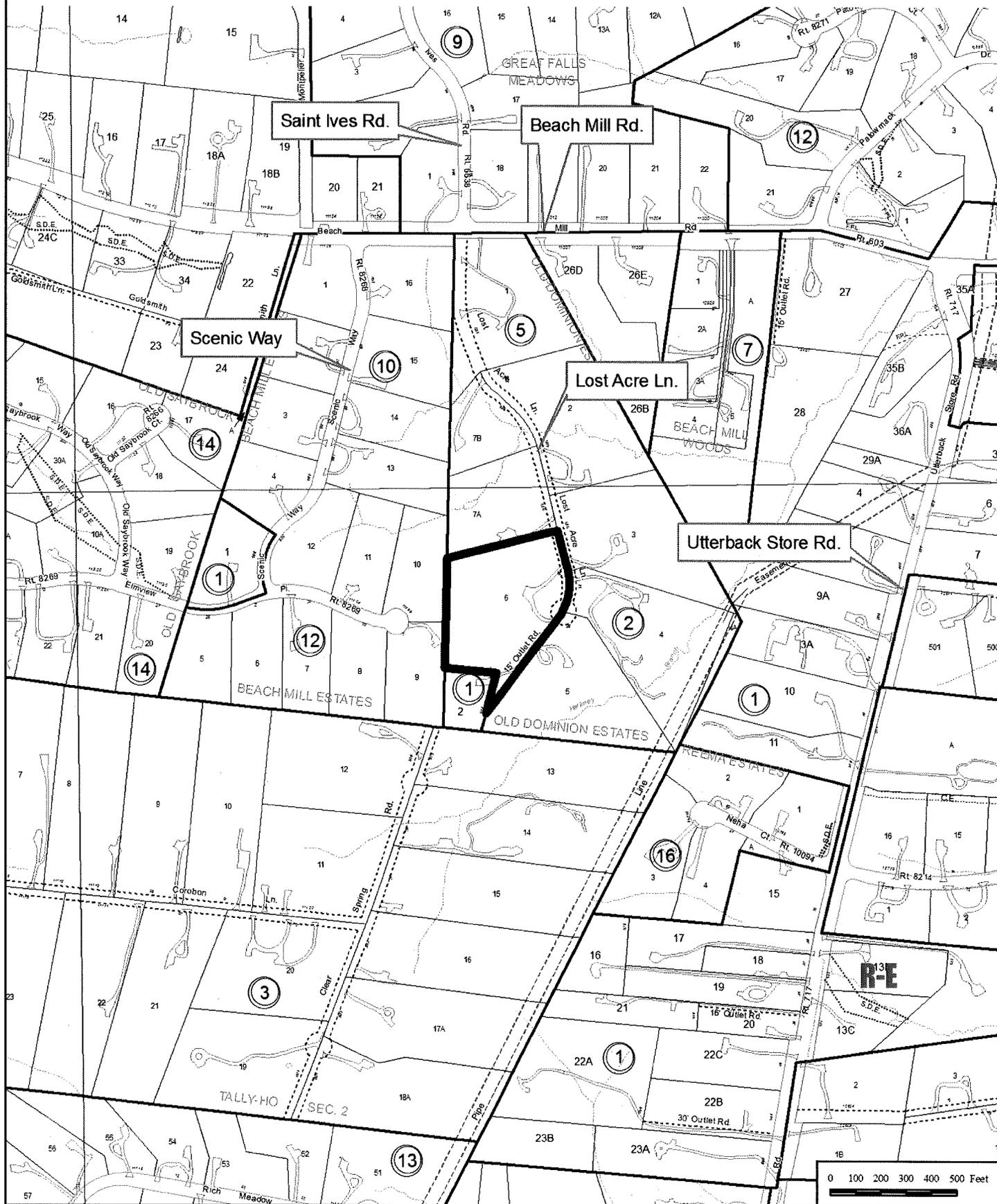
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

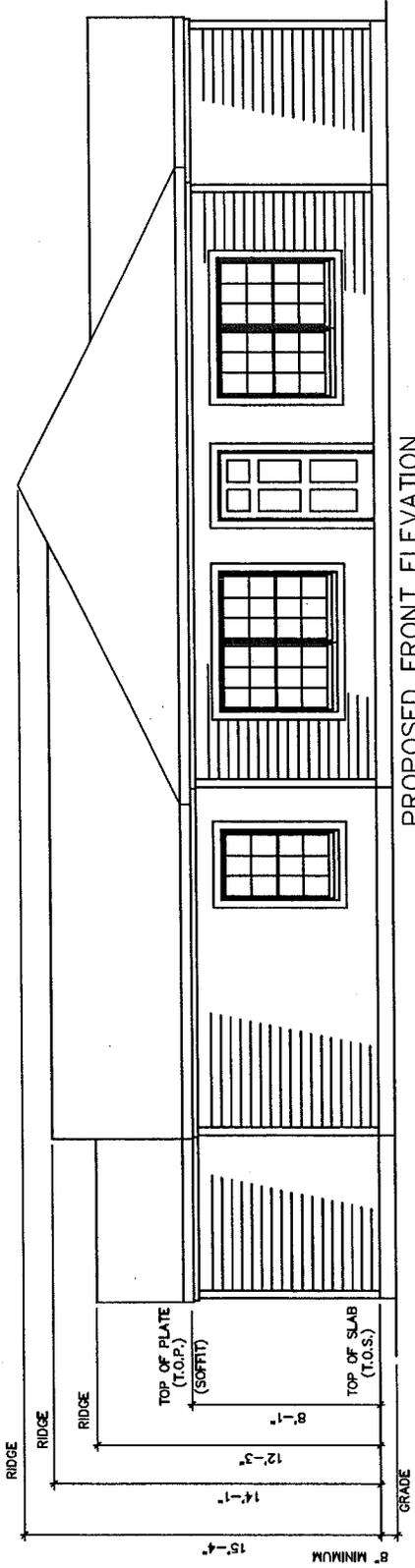
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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



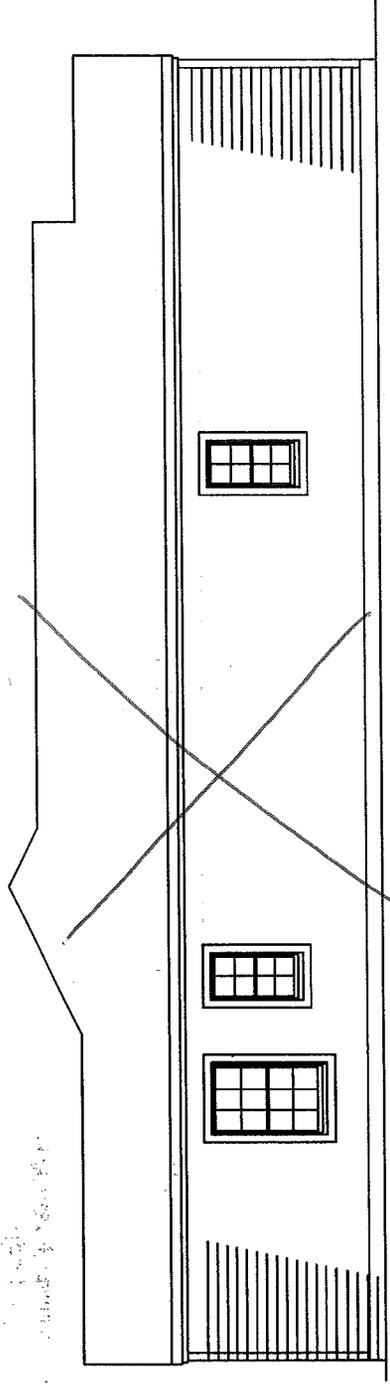
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit
SP 2013-DR-053
VIKRAMDEEP DHILLON

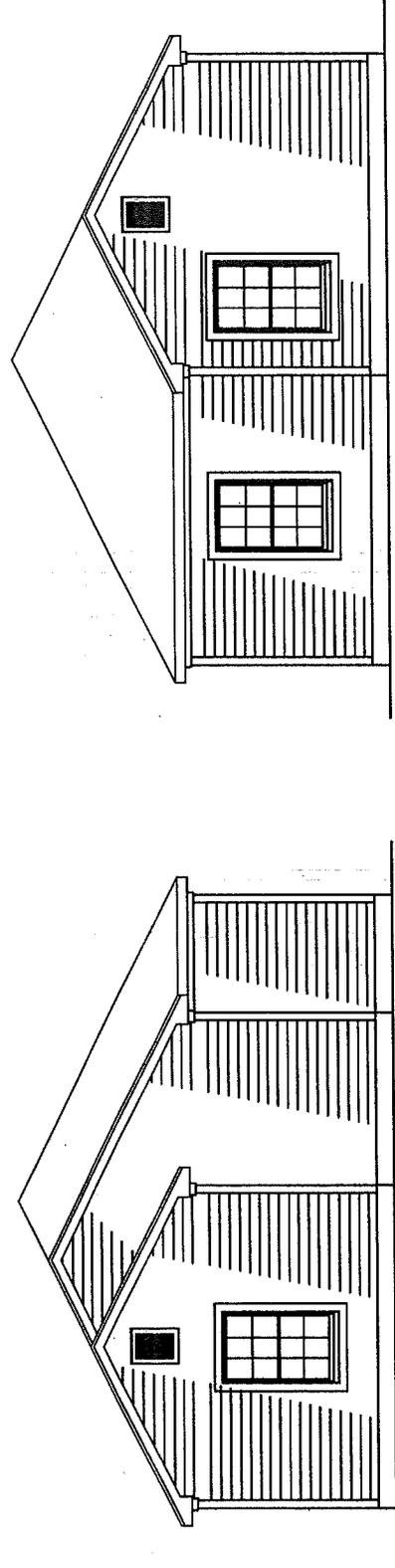




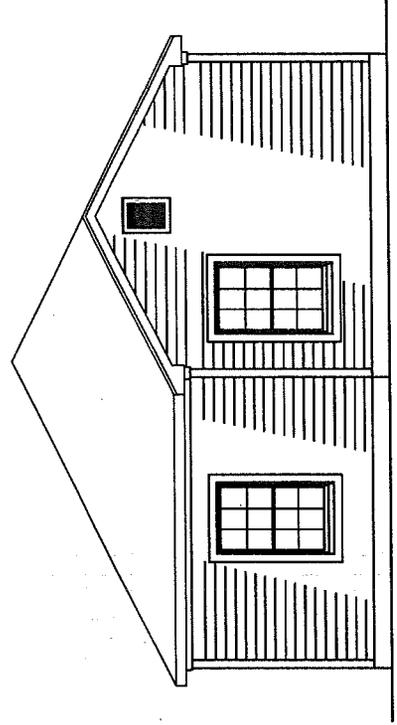
PROPOSED FRONT ELEVATION



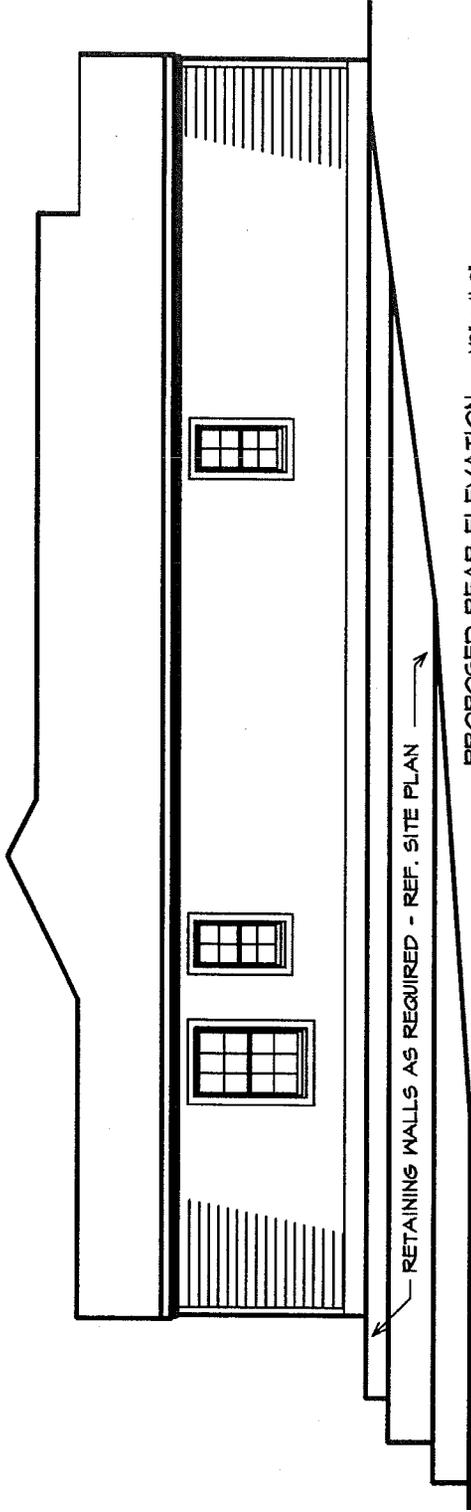
PROPOSED REAR ELEVATION



PROPOSED LEFT ELEVATION

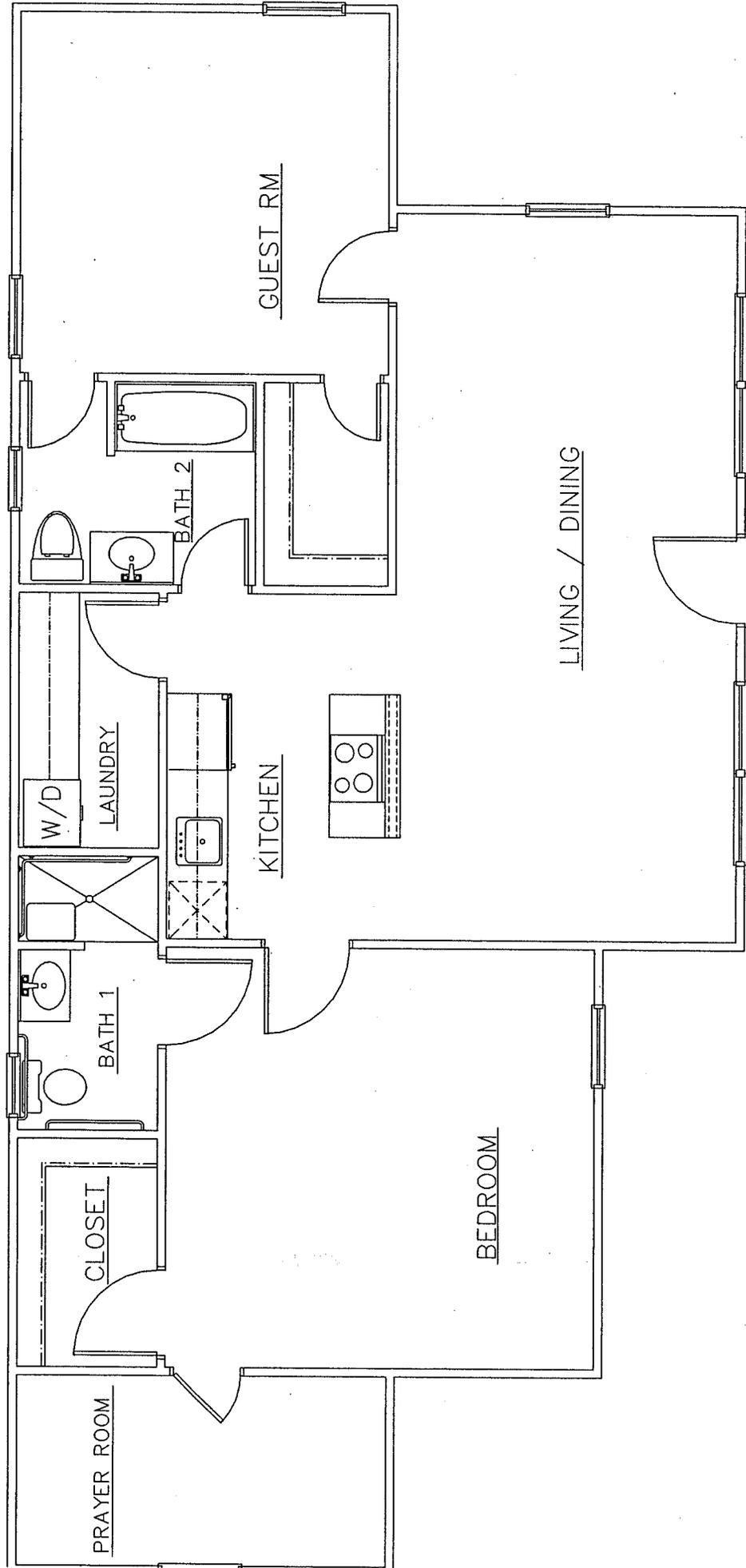


PROPOSED RIGHT ELEVATION



RETAINING WALLS AS REQUIRED - REF. SITE PLAN

PROPOSED REAR ELEVATION 1/8" = 1'-0"



PROPOSED SIDHU GUEST HOUSE 9-12-13

1192 SQ. FT. 3/16" = 1'-0"

520 Lost Acre Lane



1 - Looking West, at the front of existing house standing at 1st. driveway on Lost Acre Lane



2 - Looking to the property from Lost Acre Lane standing near the Northern property line

520 Lost Acre Lane



3 - Looking West, at the front of house standing at 2ed driveway on Lost Acre lane



4 - Looking West North, at the side of existing house from Eastern property line

520 Lost Acre Lane



5 - Looking from south toward North at the rear left corner of the house



6 - Looking at rear of the house from middle of back yard

520 Lost Acre Lane

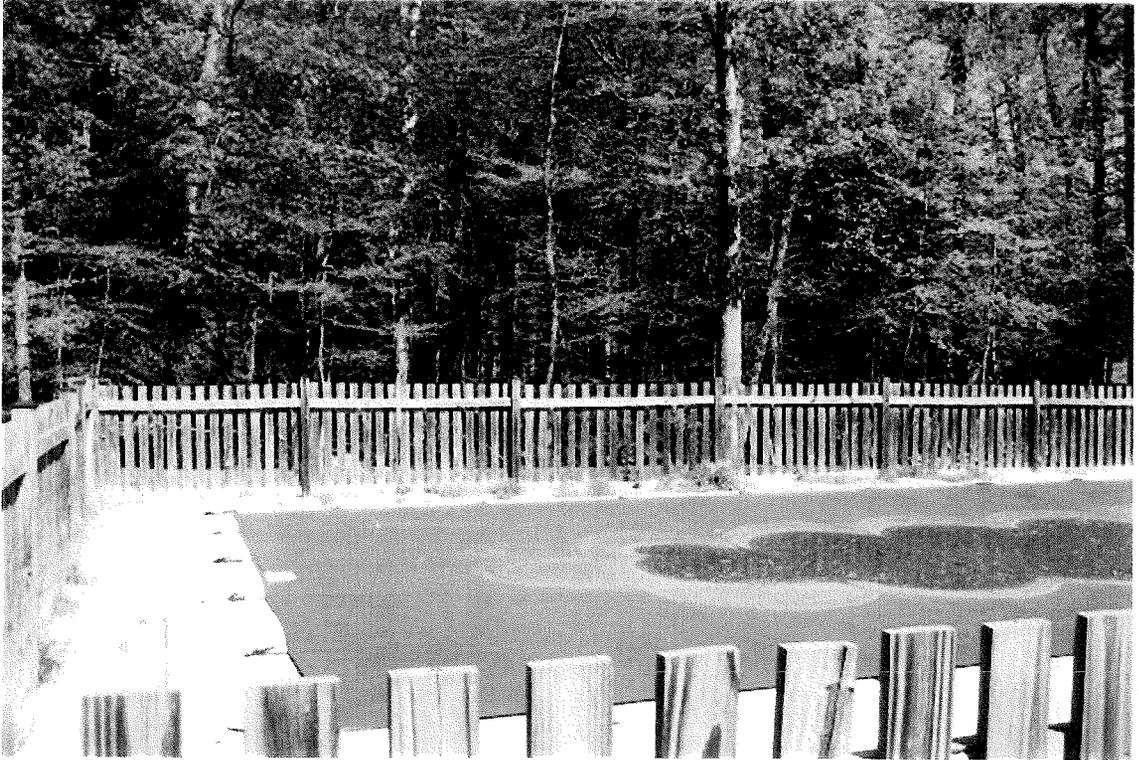


7 - Looking toward southeast standing in the middle of rear back yard



8 - Looking at rear of house standing in the middle of the back yard

520 Lost Acre lane

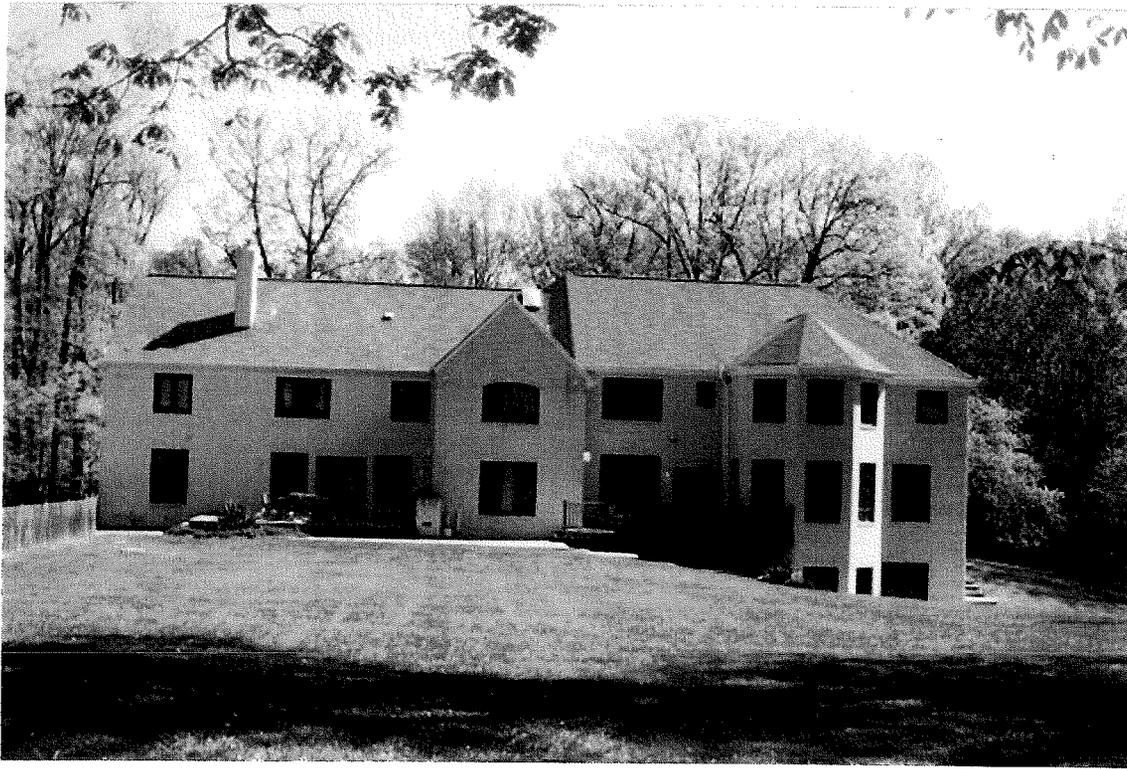


9 - Looking toward Northwest standing in the middle of backyard near existing pool



10 - Looking at the west rear corner of the house and the pool standing at the western property line

520 Lost Acre Lane



11 - Looking at rear of the existing house standing at western property line

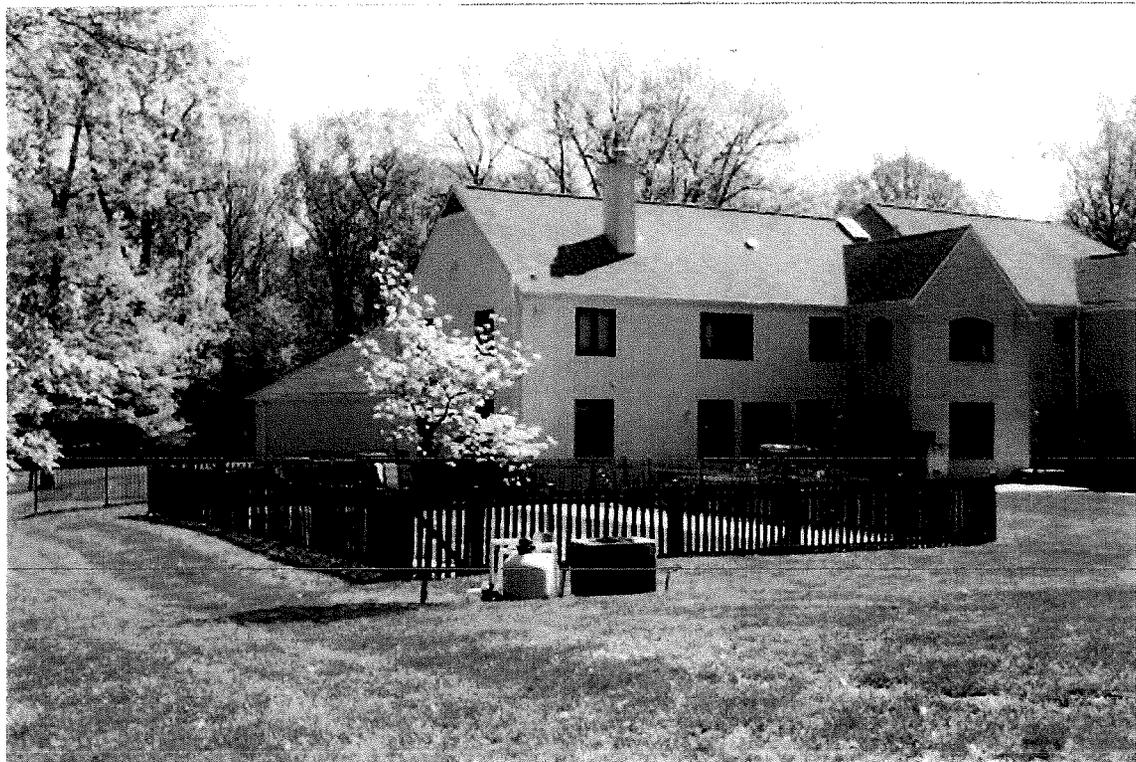


12 - Looking at the rear of the building standing at Western property line

520 Lost Acre lane

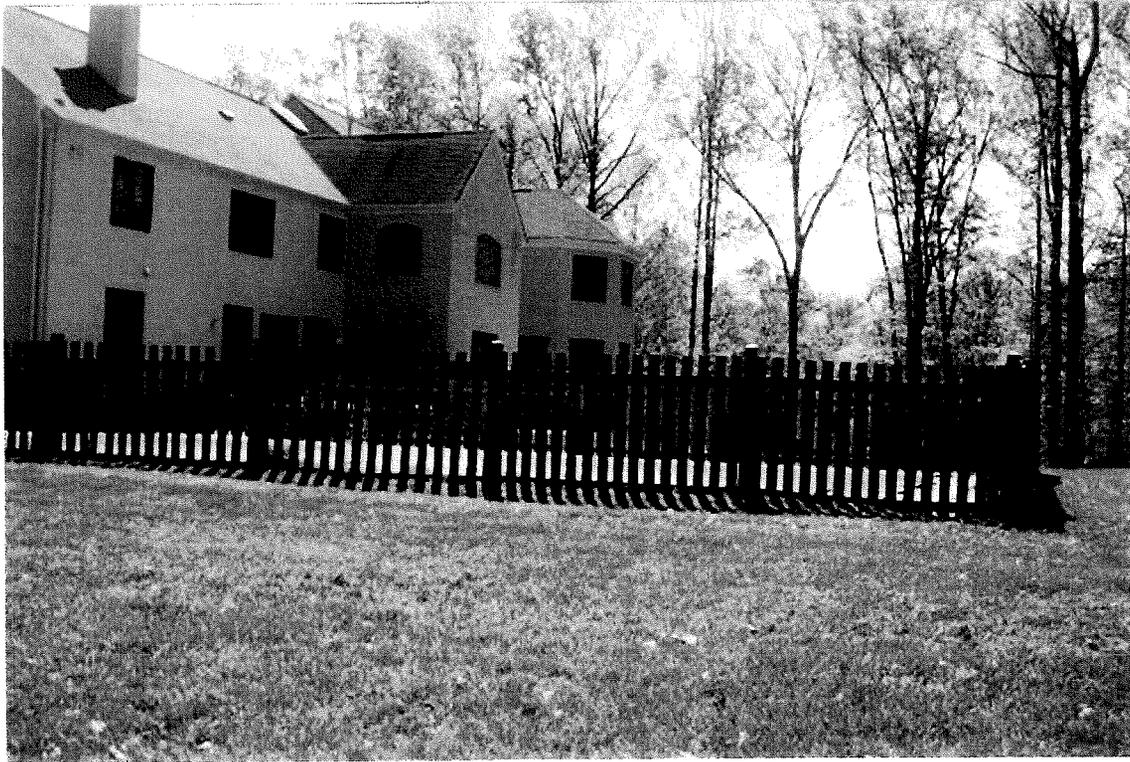


13 - Looking at East standing at Western property line



14 - Looking at the pool standing near western property line

520 Lost Acre lane



15 - Looking at the North side of building standing at Western property line

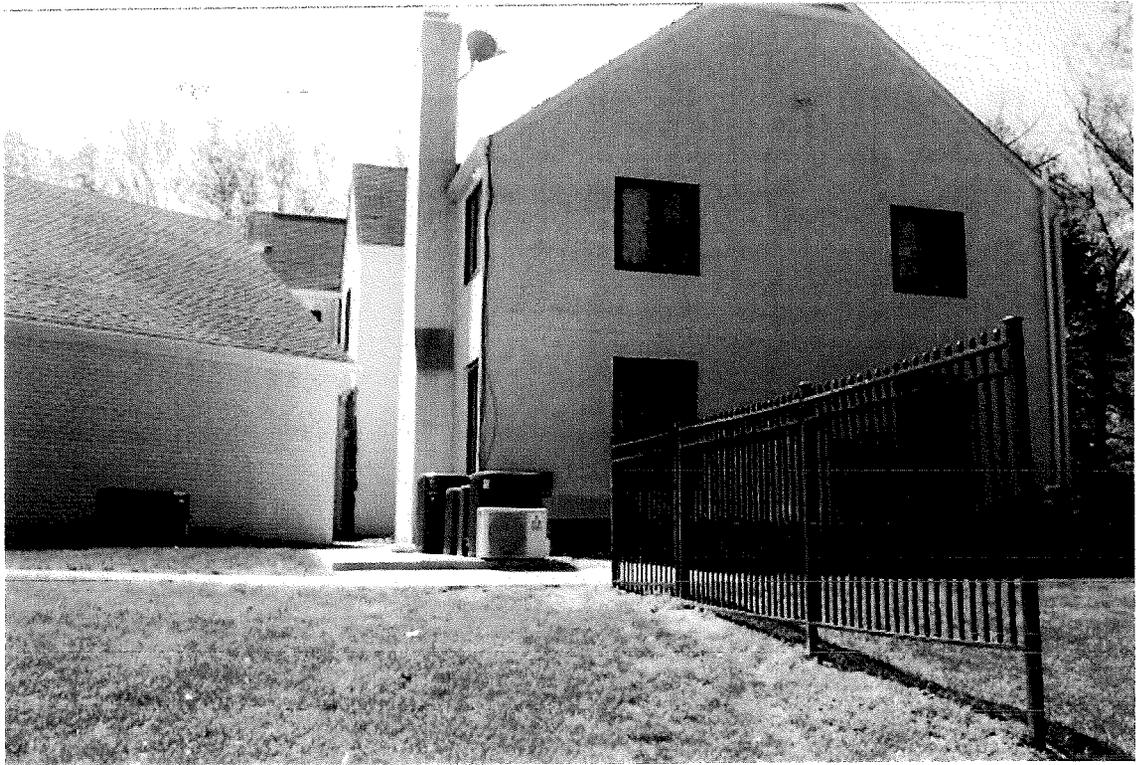


16 - Looking at the Northwest standing at location of proposed structure

520 Lost Acre Lane

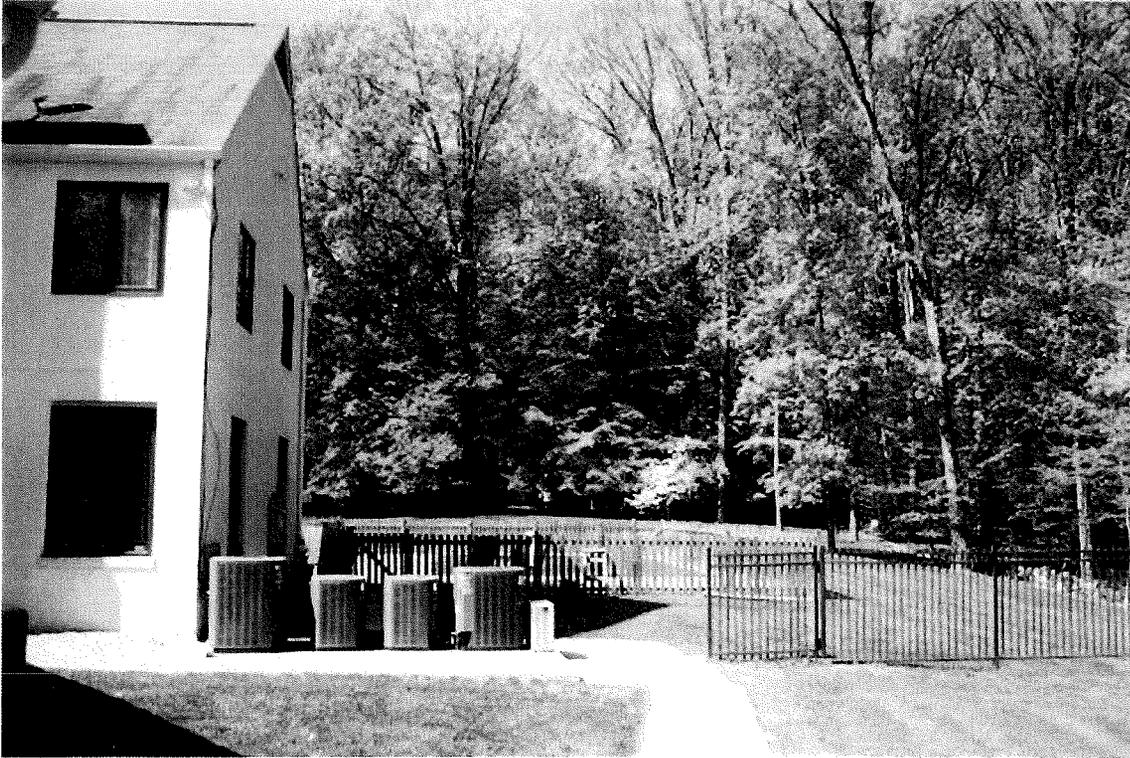


17 - Looking at the rear deck standing next to the pool



18 - Looking at the North side of the building standing near Western property line

520 Lost Acre Lane



19 - Look west at location for proposed structure standing in middle of the yard



20 - Looking West at location for proposed structure standing in middle of front yard

ABUTTING PROPERTIES - (Views of Abutting properties from inside Property Line)



21 - Looking at 521 Lost Acre lane (Lot 4)



22 - Looking at 525 Lost Acre Lane (Lot 5)

ABUTTING PROPERTIES - (Views of Abutting properties from inside Property Line)



23 - Look at 524 Lost Acre lane (Lot 2)



24 - Looking at 11101 Elmview Place (Lot 9)

ABUTTING PROPERTIES - (Views of Abutting properties from inside Property Line)



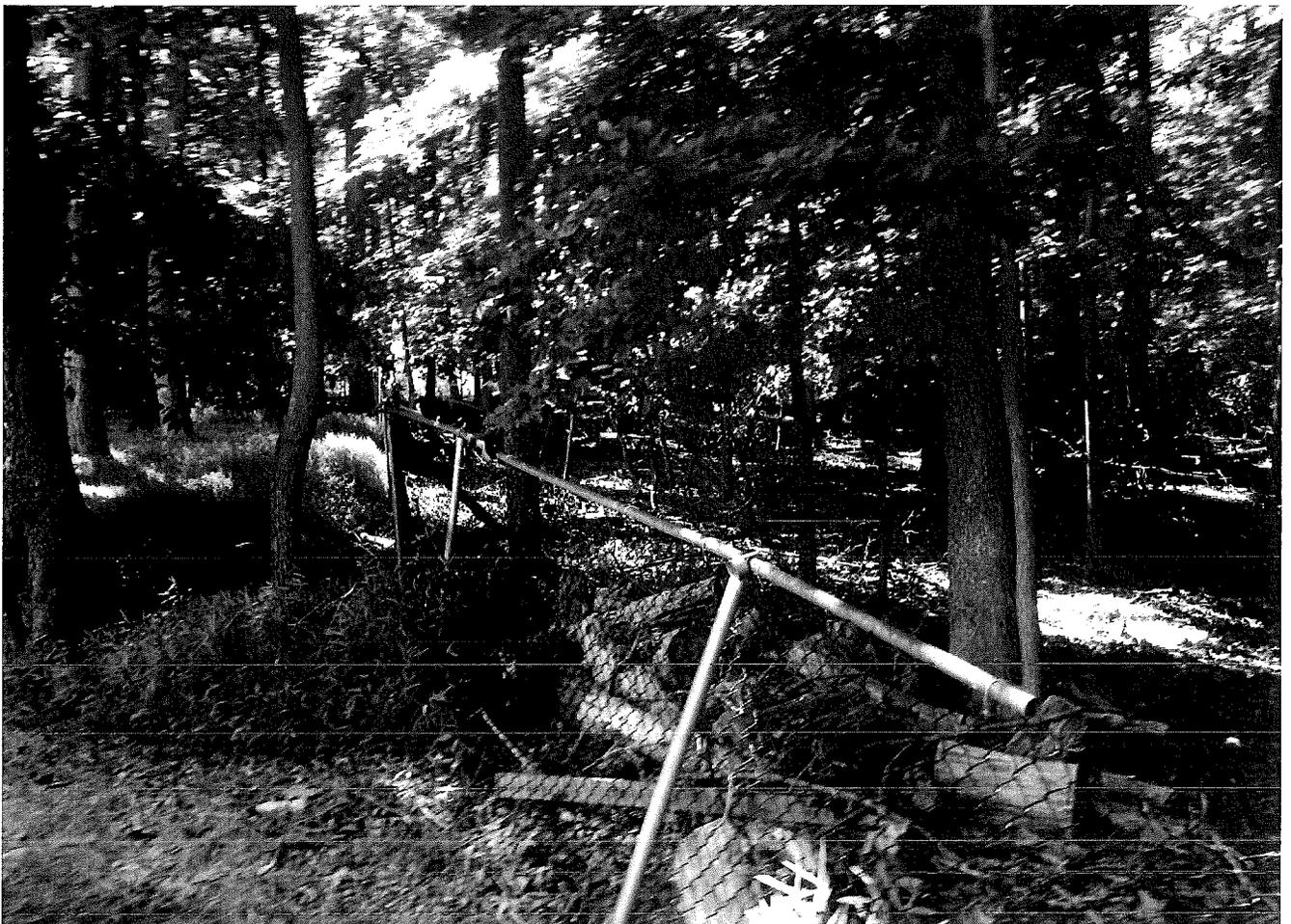
25 - Looking at 11100 Elmview Place (Lot 10)



26 - Looking at 510 Lost Acre lane (Lot 7)







SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow an accessory dwelling unit in a proposed detached accessory structure.

A copy of the special permit, plat titled "Special Permit Plat, 520 Lost Acre Ln, Great Falls, VA, Lot 6, Old Dominion Estates," prepared by Farhang Mojgani P.E., of Civiland, LLC, dated May 2013 as revised through August 27, 2013 is included in the front of the staff report.

A more detailed description of the proposal is provided on page two.

CHARACTER OF THE SITE AND SURROUNDG AREA

The 5.0 acre lot contains a two-story brick and frame single family dwelling. Two concrete patios and a wood deck area attached to the rear of the dwelling. A pool and related patio are located northwest of the dwelling. A detached accessory structure (garage) exists to the east of the dwelling. Two asphalt driveways serve as access to Lost Acre Lane. A stoop and stairs are attached to the east façade of the dwelling at the front door. A septic field is located to the west of the dwelling. A five foot chain link fence exists along a portion of the northern and western property lines. The lot slopes down from the northwest to the south east. A majority of the site is wooded with upland hardwood species.



The image on the previous page illustrates the general character of the surrounding area. The subject property and surrounding lots are zoned R-E and developed with single family detached dwellings on large lots ranging in size from two to five acres.

BACKGROUND

Fairfax County Tax Records indicate that the property was purchased by the applicant in 2004 and the single family dwelling was constructed in 2006. A building permit was approved for a pool on the property in July of 1991. An additional building permit was approved in October of 2005 to build a new single family dwelling with a garage and deck.

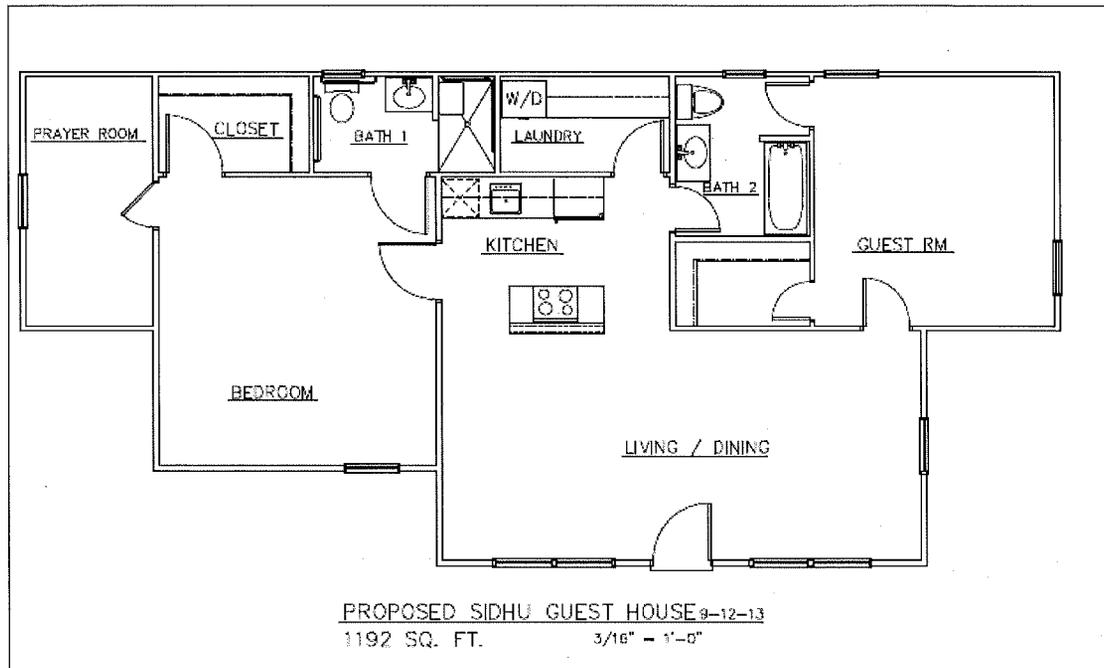
Records indicate that no other applications for accessory dwelling units have been heard by the Board of Zoning Appeals (BZA) in the surrounding area.

DESCRIPTION OF THE REQUEST

The applicant is requesting approval of a special permit for an accessory dwelling unit in a detached accessory structure. The property is greater than 2.0 acres in size, therefore an accessory dwelling unit in a detached accessory structure is permitted. The existing dwelling on the site is 5,171 square feet in size and the accessory structure is proposed to be 1,182 square feet in size. The entire accessory structure will be composed of the accessory dwelling unit and would account for 22.86 % of the total gross floor area on site. The one story building will be 15 feet 4 inches in height. The building will contain two bedrooms, two bathrooms, a kitchen, living area and laundry room. Please see the architectural elevations contained at the front of the staff report for additional information.

The two parents of the owner, both over the age of 55, will be residing the accessory dwelling unit. Adequate parking exists in the current driveway for both the residents of the home and the accessory unit.

The following page contains a diagram of the accessory dwelling unit's floor plan.



ANALYSIS

Health Department Analysis

Following review of the proposal by the Fairfax County Health Department, a letter was issued on October 17, 2012, stating that the expanded septic field area proposed on the site plan appeared adequate for an eight bedroom maximum sewage disposal system (to include one kitchen and one laundry). Staff found that there was to be an additional kitchen and laundry room constructed in the accessory dwelling unit and asked the Health Department for clarification on the additional kitchen and laundry proposed and if the septic system was still adequate. Staff received a memorandum from the Health Department stating that the septic system as proposed to serve the primary dwelling and the detached structure with the two bedrooms and additional kitchen and laundry meets state design requirements, and therefore is adequate. A copy of the original letter and follow-up memorandum is attached in Appendix 4.

Zoning Ordinance Requirements

The existing single family dwelling with accessory dwelling unit on site currently meets all bulk regulations for the R-E Zoning District.

- Sect. 8-006 General Special Permit Standards
- Sect. 8-903 Group 9 Standards
- Sect. 8-918 Additional Standards for Accessory Dwelling Units

This special permit is subject to Sects. 8-006, 8-903 and 8-918 of the Zoning Ordinance as referenced above, a copy of which is included in Appendix 5. Subject to development conditions, the special permit must meet these standards.

CONCLUSION

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

RECOMMENDATION

Staff recommends approval of SP 2013-DR-053 for the accessory dwelling unit 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. Health Department Letter and Memorandum
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2013-DR-053****October 2, 2013**

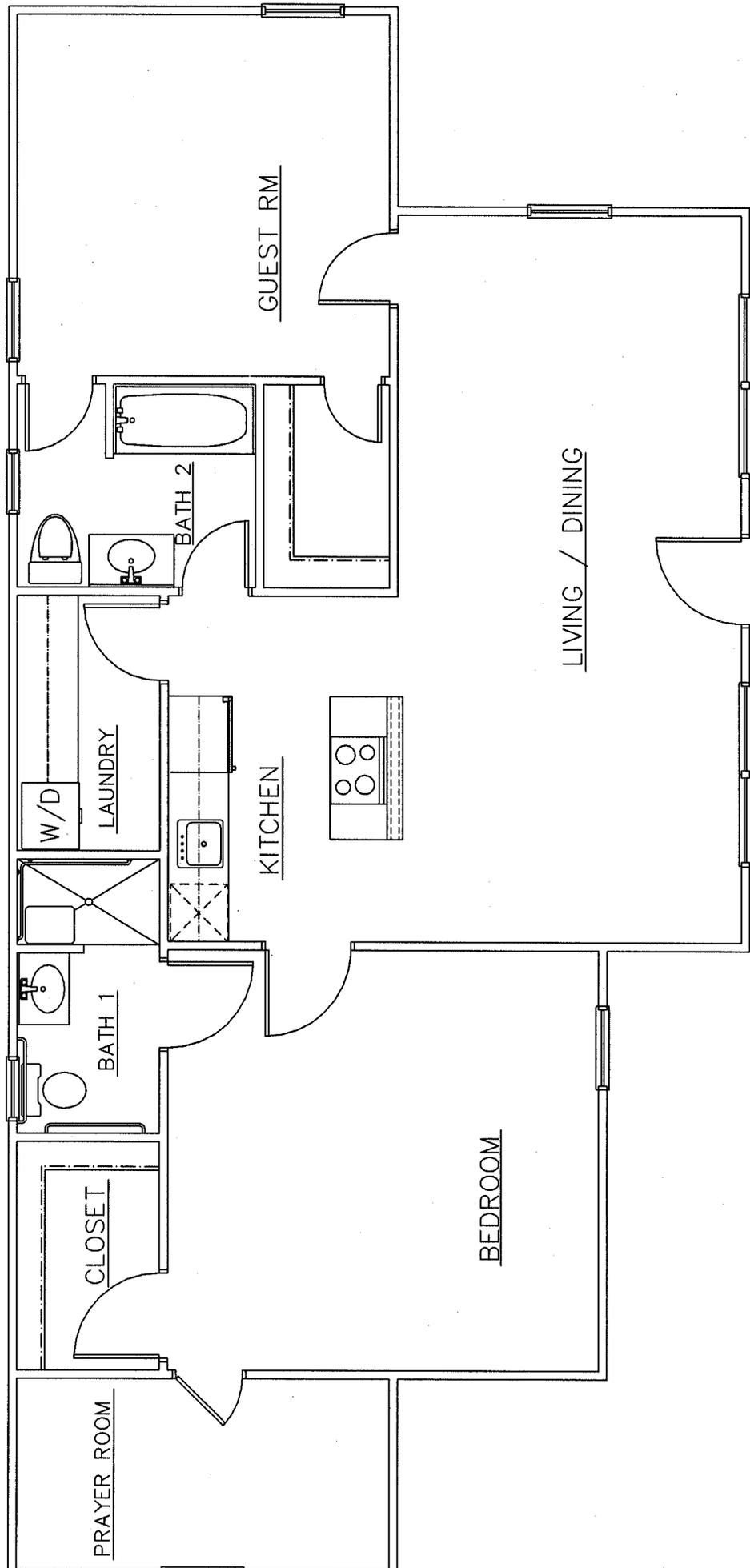
If it is the intent of the Board of Zoning Appeals to approve SP 2013-DR-053 located at Tax Map 71-2 ((2)) 6 to permit an accessory dwelling unit under Section 8-918 to the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following 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 for the accessory structure. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This approval is granted to the applicants only, Vikramdeep Dhillon and/or Preetika Sidhu-Dhillon, and is not transferable without further action of this Board, and is for the location indicated on the application, 520 Lost Acre Lane (5.00 acres), and is not transferable to other land.
3. A copy of this special permit **SHALL BE POSTED in a conspicuous place in the accessory dwelling unit** and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The occupants of the principal dwelling and the accessory dwelling unit shall be in accordance with Par. 5 of Sect. 8-918 of the Zoning Ordinance which states in part that one of the dwelling units shall be occupied by a person or persons who qualify as elderly (55 years of age or older) and/or permanently and totally disabled.
5. The accessory dwelling unit shall contain a maximum of 1,182 square feet, and the layout shall be generally as depicted on the floor plan included as Attachment 1 to these conditions.
6. All applicable building permits and final inspections shall be obtained for the accessory structure.
7. Provisions shall be made for the inspection of the property by County personnel during reasonable hours upon prior notice and the accessory dwelling unit shall meet the applicable regulation for building, safety, health and sanitation.

8. The accessory dwelling unit shall be approved for a period of five years from the final approval date of the special permit and may be extended for five year periods with prior approval of the Zoning Administrator in accordance with Section 8-012 of the Zoning Ordinance.
9. If the use of the accessory dwelling unit ceases and/or the property is sold or otherwise conveyed, the accessory structure shall be converted to a use permitted by the Zoning Ordinance or if the property is sold or conveyed, a special permit amendment may be submitted to permit the continued use of an accessory dwelling unit.
10. All parking shall be provided on site as shown on the special permit plat.

This approval, contingent on 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 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.



PROPOSED SIDHU GUEST HOUSE 9-12-13

1192 SQ. FT. 3/16" = 1'-0"

Application No.(s): SP 2013-DR-053
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/12/2013
 (enter date affidavit is notarized)

I, Farhang Mojgani, 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 121055

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) |
|--|---|--|
| Vikramdeep Dhillon | 520 Lost Acre Lane Great Falls, Va. 22066 | Owner / Applicant |
| Preetika K. Sidhu-Dhillon | 520 Lost Acre Lane Great Falls, Va. 22066 | Owner |
| CIVILAND, LLC | 20924 Nerine Ct. Sterling, VA. 20165 | Agent |
| Farhang Mojgani | 20924 Nerine Ct. Sterling, VA. 20165 | Agent |

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

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

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

Application No.(s): SP 2013-DR-053
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/12/2013
(enter date affidavit is notarized)

121055

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)

CIVILAND, LLC
20924 Nerine Ct.
Sterling, VA. 20165

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)

Farhang Mojgani

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

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

Application No.(s): SP 2013-DR-053
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/12/2013
(enter date affidavit is notarized)

121055

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**)

(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-DIR-053
(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/12/2013
(enter date affidavit is notarized)

121055

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

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

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

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

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

None

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

Application No.(s): SP 2013-DR-053
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/12/2013
(enter date affidavit is notarized)

121055

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.)

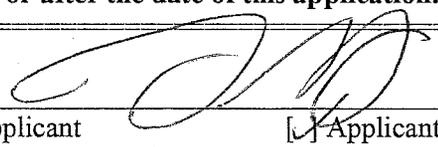
(check if applicable) There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

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)

Applicant Applicant's Authorized Agent



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

Subscribed and sworn to before me this 12th day of June, 2013, in the State/Comm. of VIRGINIA, County/City of Loudoun.


Notary Public

My commission expires: 2/29/2016

SHERAZ FRANCIS
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES FEB. 29, 2016
COMMISSION # 7205839



CIVIL AND LAND DEVELOPMENT ENGINEERING

RECEIVED
Department of Planning & Zoning
JUN 19 2013
Zoning Evaluation Division

P.O. Box 650206
Sterling, VA 20165

Tel (703) 404-0363
Fax (703) 404-0443

June 19, 2013

LETTER OF JUSTIFICATION

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

RE: 520 Lost Acre Lane
Great Falls, VA 22066
Tax Map 0071-02-0006

Subject: Special Permit for an Accessory Dwelling Unit

Dear Sir/Madam:

Mr. Vikramdeep Dhillon, hereby requests a grant for special permit for an accessory dwelling unit with a single family detached dwelling unit for the above referenced property as indicated below, please see attached detailed site plan and justification.

SITE DESCRIPTION

The subject property is approximately 5 acres and it is zoned RE. The site is bounded and surrounded by residential properties with the same RE zoning designation to all four North, South, east and West directions.

The existing improvements on the site are: a two (2) stories plus basement house with a garage and an associate access driveway to the house and garage and a pool. The site is on well and onsite sewage system. The Health Department approved the extension of the existing drainfield by adding 6 trenches, replace and reconfigure the distribution boxes, and modify the septic tanks in order for the system to handle the additional bedrooms. The site is located along Lost Acre lane that is a 50' wide ingress/Egress easement, which serves 8 properties and subject property is one to last on the end of the easement.

| <u>Yard Setback</u> | <u>Required</u> | <u>Provided for Accessory Unit</u> |
|----------------------------|------------------------|---|
| Sides | 20' | 124.87' (RT), 304.48' (LT) |
| Rear | 25' | 144.15' |
| Front | 50' | 285.04' |

SPECIAL PERMIT REQUEST:

This request is based on section 8-918 of the zoning ordinance, which specifies that as established by the Fairfax County Board of Supervisors' policy on accessory dwelling unit, the BZA may approve a special permit for an accessory dwelling unit with a single family detached dwelling unit in accordance with the following conditions:

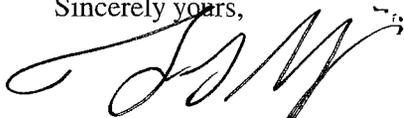
1. The accessory dwelling unit is in associate with the a single family detached dwelling unit and there would not be more than one accessory dwelling unit.
2. The site is 5 acres and accessory dwelling would be a freestanding accessory structure.
3. The gross area of principal single family detached dwelling unit is approximately 4,042 Square feet and gross area for accessory dwelling unit would be approximately 1,177 square feet (29.12%) which is less than 35% of principal dwelling unit.
4. The accessory dwelling unit contain 2 bedrooms.
5. The principal structure is occupied by owner, his wife and children, and accessory dwelling unit would be occupied by parent of the owner who are more than 55 years old.
6. The Parent of owner are not disable persons.
7. There is a an existing 3 cars garage and a wide circular driveway which provide sufficient parking area for number of cars.
8. The accessory structure would not the character of neighborhood or zoning district.
9. The accessory structure shall meet the regulations for building safety health & sanitation.
10. Upon the approval of special permit, the a copy of BZA's approval, including all conditions would be recorded in land records of Fairfax County.
11. The owner will allow inspections of property of the property by County personal during reasonable house and upon prior notice.
12. Owner will submit a request for extension of special permit approval prior to end of 5 years from date of approval with the previsions of above item 12.

To my best knowledge, there is no Hazardous materials is generated, utilized, stored on this site.

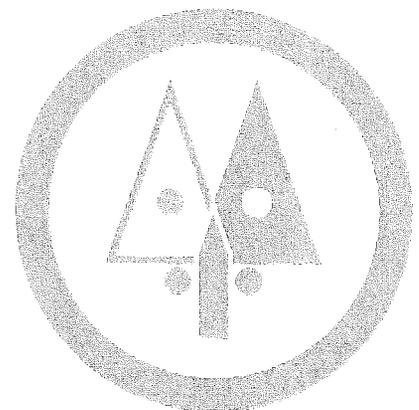
The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards.

For the above reasons, this special permit for accessory dwelling unit is respectfully requested and we hope that the staff will support this request.

Sincerely yours,



Farhang Mojgani, P.E.
Project Manager



MAY 10 2013

Zoning Evaluation Division



CIVIL AND LAND DEVELOPMENT ENGINEERING

P.O. Box 650206
Sterling, VA 20165
Tel (703) 404-0363
Fax (703) 404-0443

May 9, 2013

LETTER OF JUSTIFICATION

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

RE: Property located at 520 Lost Acre Lane
Great Falls, VA 22066
Tax Map 0071-02-0006

Subject: Special Permit for an Accessory Dwelling Unit

Dear Sir/Madam:

Mr. Vikramdeep Dhillon, hereby requests a grant for special permit for an accessory dwelling unit with a single family detached dwelling unit for the above referenced property as indicated below, please see attached detailed site plan and justification.

SITE DESCRIPTION

The subject property is approximately 5 acres and it is zoned RE. The site is bounded and surrounded by residential properties with the same RE zoning designation to all four North, South, east and West directions.

The existing improvements on the site are: a two (2) stories plus basement house with a garage and an associate access driveway to the house and garage and a pool. The site is on well and onsite sewage system. The Health Department approved the extension of the existing drainfield by adding 6 trenches, replace and reconfigure the distribution boxes, and modify the septic tanks in order for the system to handle the additional bedrooms. The site is located along Lost Acre lane that is a 50' wide ingress/Egress easement, which serves 8 properties and subject property is one to last on the end of the easement.

| <u>Yard Setback</u> | <u>Required</u> | <u>Provided for Accessory Unit</u> |
|----------------------------|------------------------|---|
| Sides | 20' | 124.87' (RT), 304.48' (LT) |
| Rear | 25' | 144.15' |
| Front | 50' | 285.04' |

SPECIAL PERMIT REQUEST:

To build a one story accessory dwelling unit that has two bedrooms and one kitchen, approximately 1,177 Square Feet (55'x26') on the North side of the house, next to existing pool.

This request is based on section 8-918 of the zoning ordinance, which specifies that as established by the Fairfax County Board of Supervisors' policy on accessory dwelling unit, the BZA may approve a special permit for an accessory unit based on the above mentioned criteria.

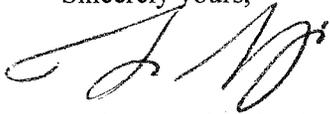
SPECIAL PERMIT REQUEST REASONING

1. The existing house is the primary residence for the owner.
2. There are four members of the Dhillon family who live in the existing house.
3. The parents of Mr. & Mrs. Dhillon who are more than 55 years old wish to live in this accessory dwelling unit.
4. The granting of this special permit will not change the character of the zoning district.

This request is based on section 8-918 of the zoning ordinance, which specifies that as established by the Fairfax County Board of Supervisors' policy on accessory dwelling unit, the BZA may approve a special permit for an accessory unit based on the above-mentioned criteria.

For the above reasons, this special permit for accessory dwelling unit is respectfully requested and we hope that the staff will support this request.

Sincerely yours,



Farhang Mojgani, P.E.
Project Manager





County of Fairfax, Virginia

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

October 17, 2012

Vikramdeep Dhillon
Preetika K. Sidhu-Dhillon
520 Lost Acre Lane
Great Falls, VA 22066

RE: Soils Evaluation for the Expansion of the Subsurface Sewage Disposal System at
520 Lost Acre Lane, Great Falls, Virginia 22066; Old Dominion Estates Subdivision, Lot 6;
Tax Map: 0071 02 0006

Dear Mr. and Mrs. Dhillon:

Site and soils evaluations on the above referenced lot were satisfactory with a rate of 10 minutes per inch at a depth of 48 inches after grade cuts in the active area, and with a rate of 10 minutes per inch at a depth of 52 inches after grade cuts in the reserve area. Issuance of a Sewage Disposal System Construction Permit is subject to the following requirements:

1. Sufficient area must be available within the approved footprint for the required individual sewage disposal system. A reserve area equal to 100% of the initial system must be provided.
2. A dimensional site/grading plan showing the house location and all required information must be submitted to the Health Department for review.
3. All proposed underground utilities to the new house must be shown on the site/grading plan.
4. The Health Department must review and approve the building permit applications.
5. A complete set of Architectural Plans, to include all existing and proposed structures, must be submitted to the Health Department during review of the site/grading plans. If a Fairfax County approved set is not available, the set submitted to the Health Department must have an owner signed and dated notice as part of the Architectural Plans stating that the structures represented will be those built.
6. The available expanded active area appears adequate for an eight (8) bedroom maximum sewage disposal system (to include 1 kitchen and 1 laundry) utilizing absorption trenches. Add an additional 6 trenches; 61 feet long, 24 inches wide, and 48 inches deep to bring the system to a total of 16 trenches. The sewage disposal system design selected for use must have general approval through the *Virginia Department of Health*.
7. Remove the existing flow diversion valve.

Fairfax County Health Department
Division of Environmental Health
Technical Review and Information Resources
10777 Main Street, Suite 102, Fairfax, VA 22030
Phone: 703-246-2510 TTY: 711 Fax: 703-278-8157
www.fairfaxcounty.gov/hd

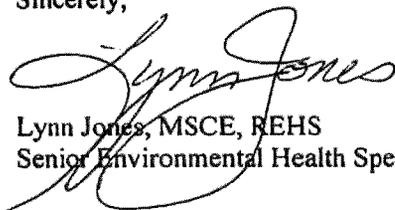


Vikramdeep Dhillon
Preetika K. Sidhu-Dhillon
October 17, 2012
Page 2

8. Replace and reconfigure the distribution boxes for equal distribution to all trenches.
9. There must be a minimum of 3600 gallons of storage capacity in the septic tank(s). If more than one septic tank is used in series, the first septic tank must have a minimum of 1800 gallons of storage capacity.
10. Flow equalization time-dosed pumping is required.
11. The available reserve area appears adequate for an eight (8) bedroom maximum sewage disposal system (to include 1 kitchen and 1 laundry) utilizing secondary treatment and absorption trenches. The sewage disposal system design selected for use must have general approval through the *Virginia Department of Health* for a loading rate of 1.8 gallons of sewage effluent per square foot of absorption area per day.
12. Please note that some types of secondary treatment systems contain media that must be replaced on a periodic basis. Replacement of the media is the responsibility of the property owner.
13. Due to the variations in soil, in some instances it may be necessary to reappraise a particular lot.
14. Where public water is not available, approval is subject to proper location of a well in accordance with applicable State and County Regulations.

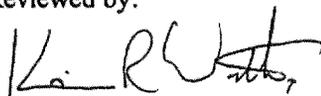
If you require further information concerning this matter, please contact our office at (703) 246-2201 between 8:00 a.m. and 4:30 p.m., Monday through Friday.

Sincerely,



Lynn Jones, MSCE, REHS
Senior Environmental Health Specialist

Reviewed by:



Kevin R. Wastler
Environmental Health Supervisor

lj/kw/ds

Encl: Copy of Plat
cc: Department of Tax Administration
ECO Virginia, LLC



County of Fairfax, Virginia

DATE: September 19, 2013

TO: Laura Gumkowski
Department of Planning and Zoning
Zoning Evaluation Division

FROM: Kevin R. Wastler, EH Supervisor *KRW*
Technical Review and Information Resources Section
Fairfax County Health Department

SUBJECT: Septic Design Requirements

REFERENCE: 520 Lost Acre Lane, Great Falls, Virginia 22066; Subdivision: Old Dominion Estates

This is to inform you that the application to install an onsite sewage disposal by Vikramdeep Dhillon was approved on October 17, 2012. The original septic design approval at that time was for an eight bedroom septic field with one kitchen and one laundry room. The Health Department has recently rescinded a local policy on design of septic systems that would account for additional waste generated by any additional kitchen or laundry room. The septic field design is calculated on the number of bedrooms and one kitchen and one laundry room as per Virginia Department Health guidelines for onsite sewage disposal design. Therefore, the request for the detached structure with two bedrooms with an additional kitchen and laundry meets the requirements for design under the *Commonwealth of Virginia, State Board of Health, Sewage Handling and Disposal Regulations*.

Fairfax County Health Department
Division of Environmental Health
Technical Review and Information Resources
10777 Main Street, Suite 102, Fairfax, VA 22030
Phone: 703-246-2510 TTY: 711 Fax: 703-278-8156
www.fairfaxcounty.gov/hd



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.

8-918 Additional Standards for Accessory Dwelling Units

As established by the Fairfax County Board of Supervisors' Policy on Accessory Dwelling Units (Appendix 5), the BZA may approve a special permit for the establishment of an accessory dwelling unit with a single family detached dwelling unit but only in accordance with the following conditions:

1. Accessory dwelling units shall only be permitted in association with a single family detached dwelling unit and there shall be no more than one accessory dwelling unit per single family detached dwelling unit.
2. Except on lots two (2) acres or larger, an accessory dwelling unit shall be located within the structure of a single family detached dwelling unit. Any added external entrances for the accessory dwelling unit shall be located on the side or rear of the structure.
On lots two (2) acres or greater in area, an accessory dwelling unit may be located within the structure of a single family detached dwelling unit or within a freestanding accessory structure.
3. The gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the total gross floor area of the principal dwelling unit. When the accessory dwelling unit is located in a freestanding accessory structure, the gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the gross floor area of the accessory freestanding structure and the principal dwelling unit.
4. The accessory dwelling unit shall contain not more than two (2) bedrooms.
5. The occupancy of the accessory dwelling unit and the principal dwelling unit shall be in accordance with the following:
 - A. One of the dwelling units shall be owner occupied.
 - B. One of the dwelling units shall be occupied by a person or persons who qualify as elderly and/or disabled as specified below:
 - (1) Any person fifty-five (55) years of age or over and/or
 - (2) Any person permanently and totally disabled. If the application is made in reference to a person because of permanent and total disability, the application shall be accompanied by a certification by the Social Security

Administration, the Veterans Administration or the Railroad Retirement Board. If such person is not eligible for certification by any of these agencies, there shall be submitted a written declaration signed by two (2) medical doctors licensed to practice medicine, to the effect that such person is permanently and totally disabled. The written statement of at least one of the doctors shall be based upon a physical examination of the person by the doctor. One of the doctors may submit a written statement based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability.

For purposes of this Section, a person shall be considered permanently and totally disabled if such person is certified as required by this Section as unable to engage in any substantial gainful activity by reasons of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of the person's life.

- C. The accessory dwelling unit may be occupied by not more than two (2) persons not necessarily related by blood or marriage. The principal single family dwelling unit may be occupied by not more than one (1) of the following:
 - (1) One (1) family, which consists of one (1) person or two (2) or more persons related by blood or marriage and with any number of natural children, foster children, step children or adopted children.
 - (2) A group of not more than four (4) persons not necessarily related by blood or marriage.
- 6. Any accessory dwelling unit established for occupancy by a disabled person shall provide for reasonable access and mobility as required for the disabled person. The measures for reasonable access and mobility shall be specified in the application for special permit. Generally, reasonable access and mobility for physically disabled persons shall include:
 - A. Uninterrupted access to one (1) entrance; and
 - B. Accessibility and usability of one (1) toilet room.

7. The BZA shall review all existing and/or proposed parking to determine if such parking is sufficient to meet the needs of the principal and accessory dwelling units. If it is determined that such parking is insufficient, the BZA may require the provision of one (1) or more off-street parking spaces. Such parking shall be in addition to the requirements specified in Article 11 for a single family dwelling unit.
8. The BZA shall determine that the proposed accessory dwelling unit together with any other accessory dwelling unit(s) within the area will not constitute sufficient change to modify or disrupt the predominant character of the neighborhood. In no instance shall the approval of a special permit for an accessory dwelling unit be deemed a subdivision of the principal dwelling unit or lot.
9. Any accessory dwelling unit shall meet the applicable regulations for building, safety, health and sanitation.
10. Upon the approval of a special permit, the Clerk to the Board of Zoning Appeals shall cause to be recorded among the land records of Fairfax County a copy of the BZA's approval, including all accompanying conditions. Said resolution shall contain a description of the subject property and shall be indexed in the Grantor Index in the name of the property owners.
11. The owner shall make provisions to allow inspections of the property by County personnel during reasonable hours upon prior notice.
12. Special permits for accessory dwelling units shall be approved for a period not to exceed five (5) years from the date of approval; provided, however, that such special permits may be extended for succeeding five (5) year periods in accordance with the provisions of Sect. 012 above.
13. Notwithstanding Par. 5 of Sect. 9-012, any accessory dwelling unit approved prior to July 27, 1987 and currently valid may be extended in accordance with the provisions of this Section and Sect. 012 above.