



APPLICATION ACCEPTED: June 27, 2013
BOARD OF ZONING APPEALS: October 9, 2013*
*MOVED AT THE APPLICANT'S REQUEST
TIME: 9:00 a.m.

County of Fairfax, Virginia

October 2, 2013

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2013-BR-048

BRADDOCK DISTRICT

APPLICANTS/OWNERS: John E. Joiner
Lisa Z. Joiner

STREET ADDRESS: 8230 A The Midway, Annandale, 22003

SUBDIVISION: Fairfax Hills

TAX MAP REFERENCE: 70-2 ((2)) 53A1

LOT SIZE: 15,079 square feet

ZONING DISTRICT: R-2

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of accessory structure 8.3 feet from side lot line and 10.9 feet from side lot line.

STAFF RECOMMENDATION: Staff recommends denial of SP 2013-BR-048 for the accessory structure.

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:\ehaley\9-11) SP 2013-BR-048 Joiner (50%)\SP 2013-BR-048 Joiner staff report.doc

Erin M. Haley

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.

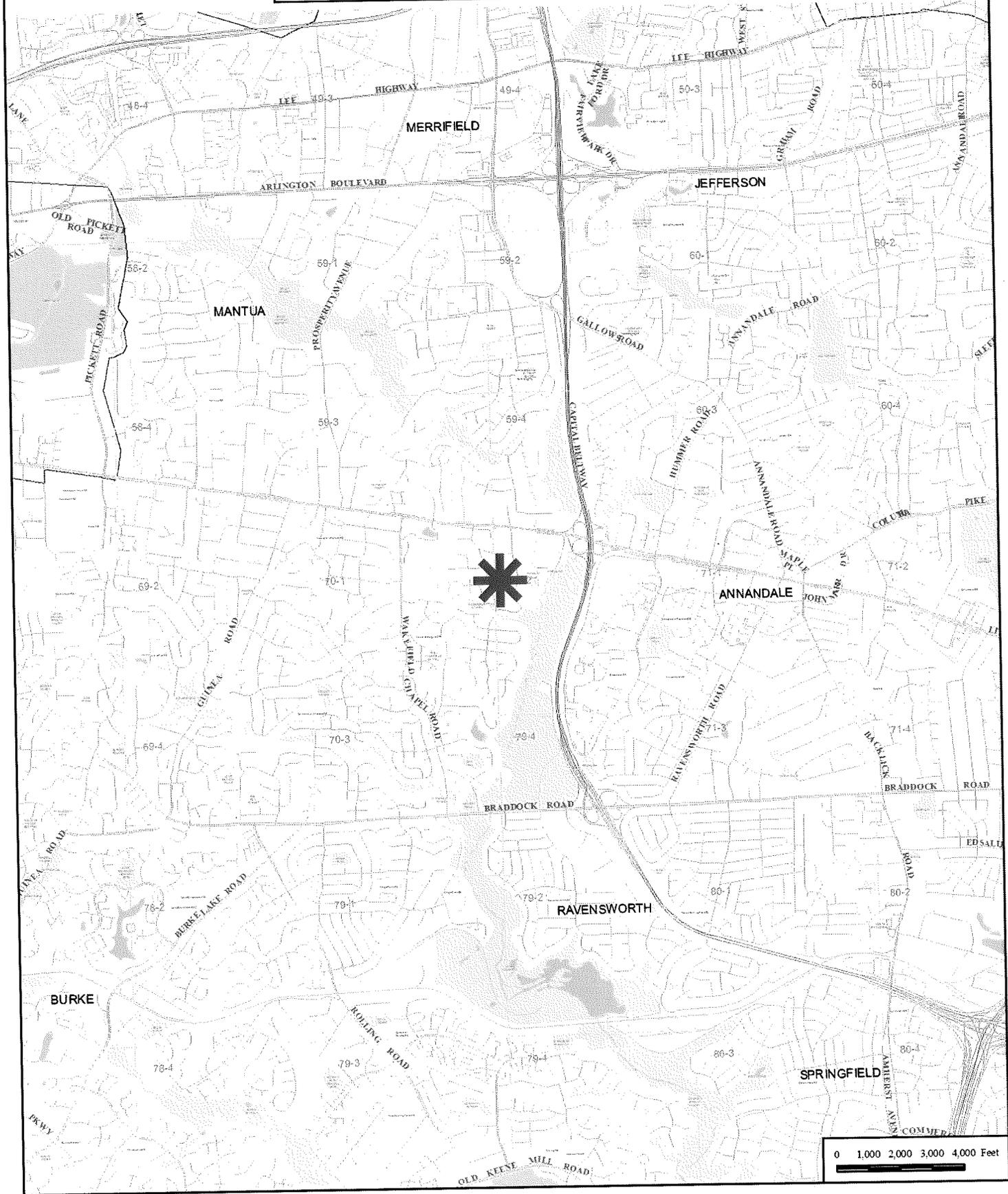
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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.**



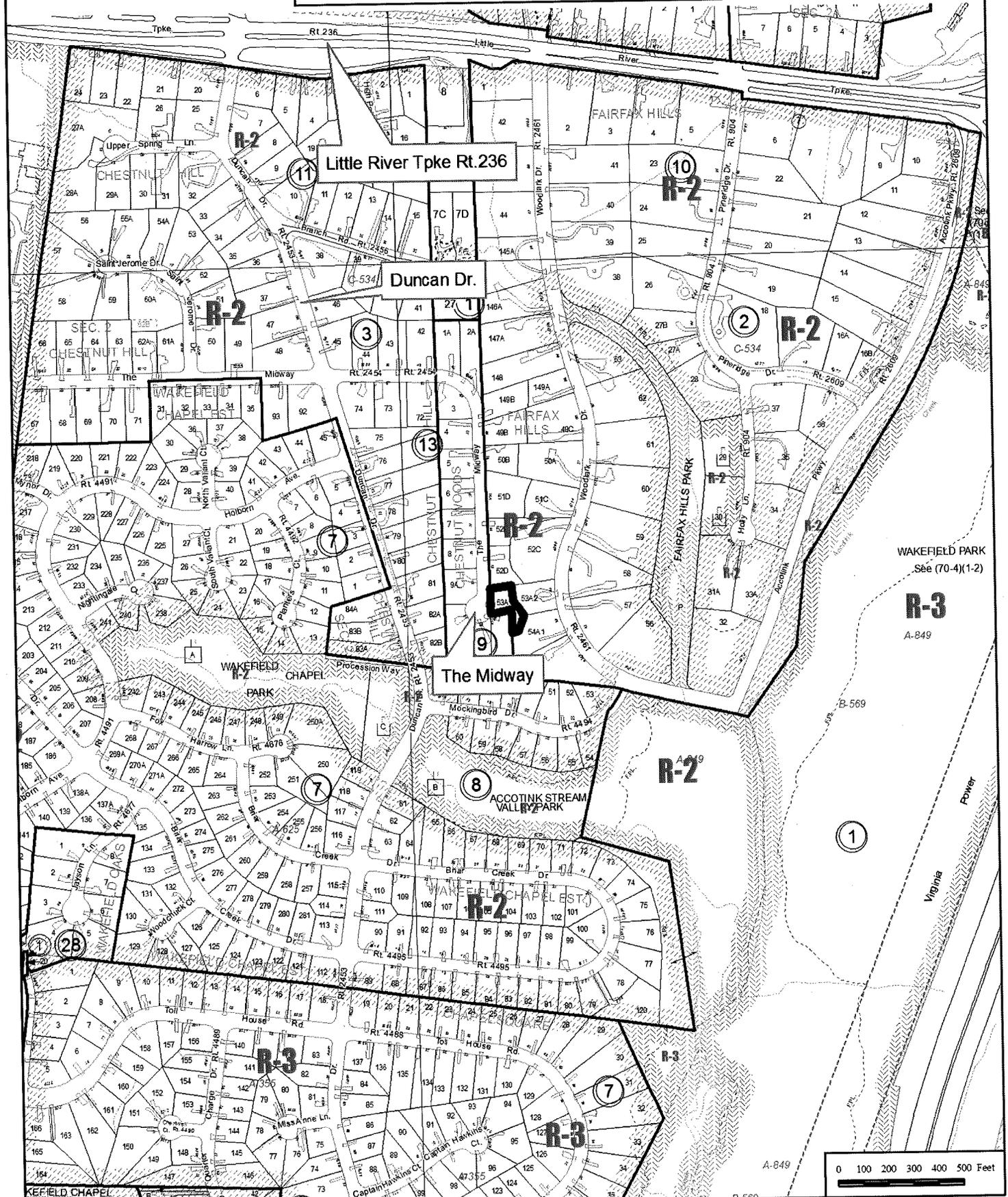
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit
SP 2013-BR-048
JOHN E. & LISA Z. JOINER



Special Permit

SP 2013-BR-048
JOHN E. & LISA Z. JOINER



WAKEFIELD PARK
See (70-4)(1-2)

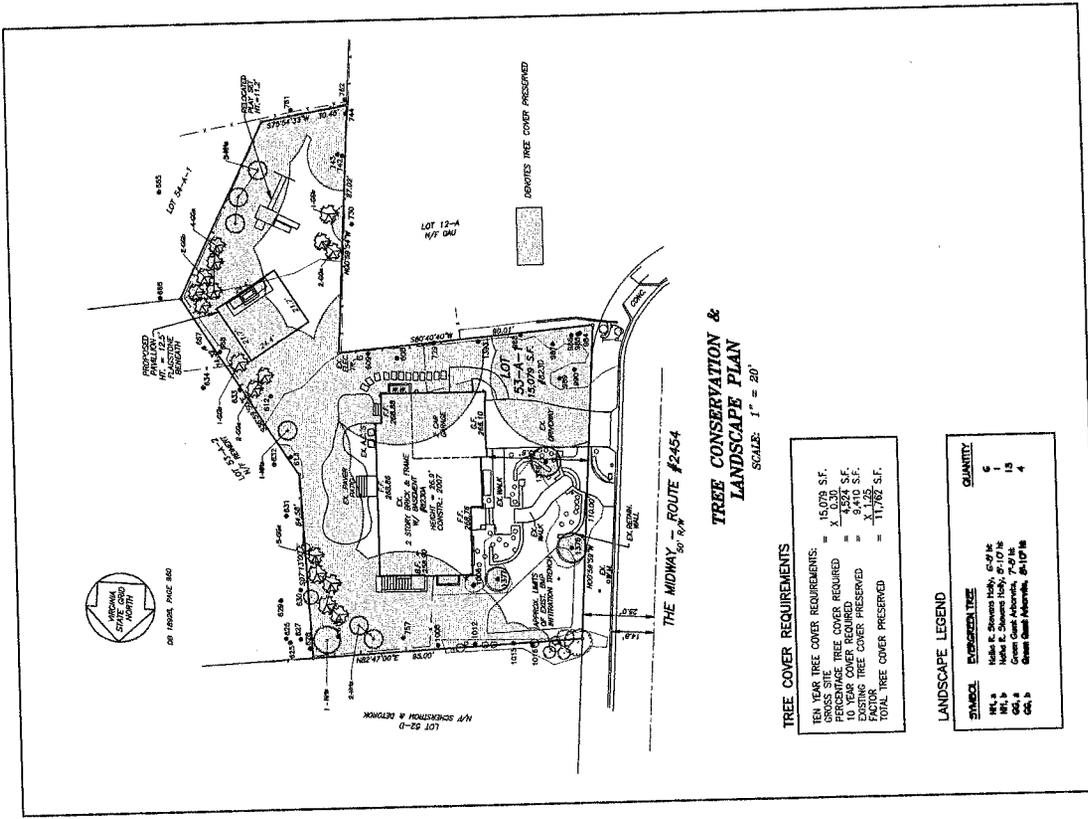
R-3
A-849



STATE OF VIRGINIA
 LAND SURVEYING
 BOARD OF PROFESSIONAL SURVEYORS
 DATE: 7-15-2013
 SCALE: 1" = 20'
 DRAWN BY: CSM
 FILE # P-2290-HP
 CO. #
 TIME MADE: 11:00 AM
 SHEET 2 OF 2

BRADDOCK DISTRICT
FAIRFAX HILLS
 LOT 63-A-1 - SECTION 1
EXISTING VEGETATION AND LANDSCAPE PLAN

REVISIONS
 5-15-2013
RUNYON, DUDLEY, ASSOCIATES, INC.
 ENGINEERING - SURVEYING - PLANNING
 10650 MAIN STREET - SUITE 301
 FAIRFAX, VIRGINIA 22030
 PHONE: 703-591-6608 FAX: 703-591-3982

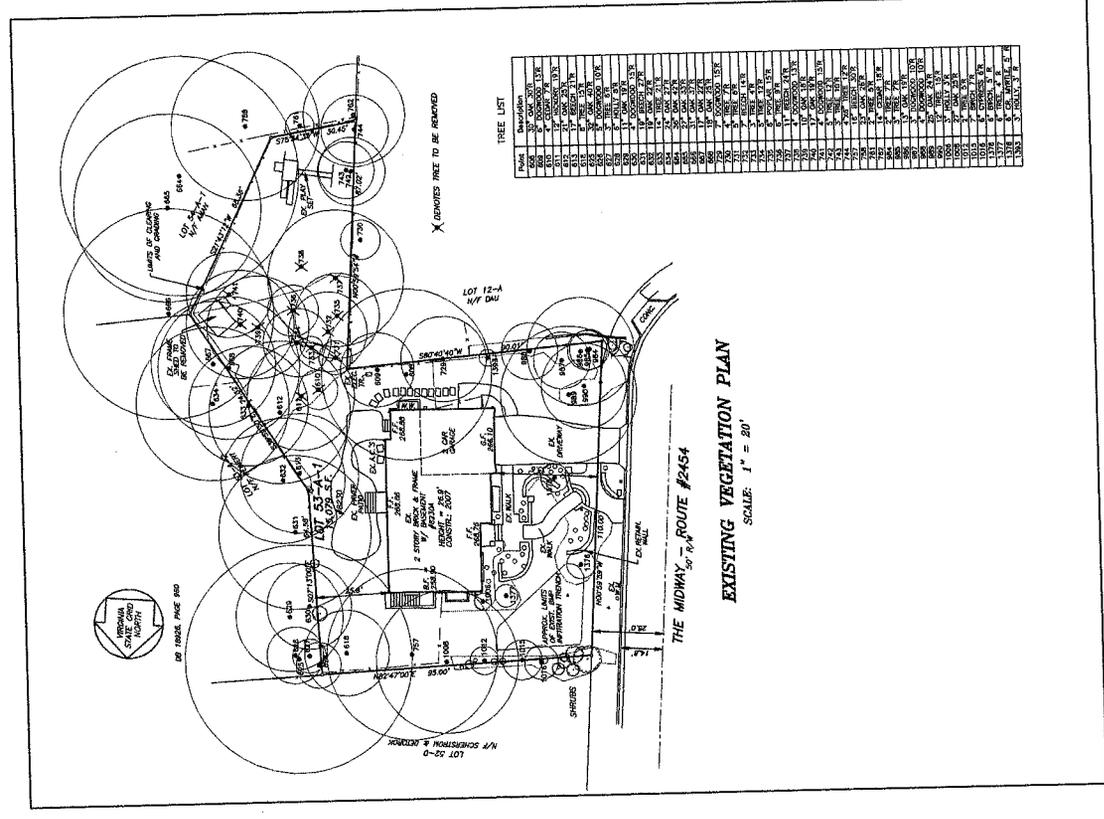


TREE COVER REQUIREMENTS

TEN YEAR TREE COVER REQUIREMENTS = 15,078 S.F.
 GROSS SITE TREE COVER REQUIRED X 0.20 = 3,016 S.F.
 TO YEAR COVER REQUIRED = 4,524 S.F.
 EXISTING TREE COVER PRESERVED = 4,100 S.F.
 TOTAL TREE COVER PRESERVED = 11,782 S.F.

LANDSCAPE LEGEND

SYMBOL	EXPRESSION TREE	QUANTITY
HT-A	Hales E. Shrevea Holly, 6-12 ft	6
HT-B	Hales E. Shrevea Holly, 12-14 ft	13
CC-A	Green Giant Metrosideros, 6-12 ft	4



TREE LIST

NO.	DATE	TYPE	DIAMETER	HEIGHT	STATUS
001	03/15/13	HT-A	12"	10'	REMOVED
002	03/15/13	HT-B	14"	12'	REMOVED
003	03/15/13	HT-C	16"	14'	REMOVED
004	03/15/13	HT-D	18"	16'	REMOVED
005	03/15/13	HT-E	20"	18'	REMOVED
006	03/15/13	HT-F	22"	20'	REMOVED
007	03/15/13	HT-G	24"	22'	REMOVED
008	03/15/13	HT-H	26"	24'	REMOVED
009	03/15/13	HT-I	28"	26'	REMOVED
010	03/15/13	HT-J	30"	28'	REMOVED
011	03/15/13	HT-K	32"	30'	REMOVED
012	03/15/13	HT-L	34"	32'	REMOVED
013	03/15/13	HT-M	36"	34'	REMOVED
014	03/15/13	HT-N	38"	36'	REMOVED
015	03/15/13	HT-O	40"	38'	REMOVED
016	03/15/13	HT-P	42"	40'	REMOVED
017	03/15/13	HT-Q	44"	42'	REMOVED
018	03/15/13	HT-R	46"	44'	REMOVED
019	03/15/13	HT-S	48"	46'	REMOVED
020	03/15/13	HT-T	50"	48'	REMOVED
021	03/15/13	HT-U	52"	50'	REMOVED
022	03/15/13	HT-V	54"	52'	REMOVED
023	03/15/13	HT-W	56"	54'	REMOVED
024	03/15/13	HT-X	58"	56'	REMOVED
025	03/15/13	HT-Y	60"	58'	REMOVED
026	03/15/13	HT-Z	62"	60'	REMOVED
027	03/15/13	HT-AA	64"	62'	REMOVED
028	03/15/13	HT-AB	66"	64'	REMOVED
029	03/15/13	HT-AC	68"	66'	REMOVED
030	03/15/13	HT-AD	70"	68'	REMOVED
031	03/15/13	HT-AE	72"	70'	REMOVED
032	03/15/13	HT-AF	74"	72'	REMOVED
033	03/15/13	HT-AG	76"	74'	REMOVED
034	03/15/13	HT-AH	78"	76'	REMOVED
035	03/15/13	HT-AI	80"	78'	REMOVED
036	03/15/13	HT-AJ	82"	80'	REMOVED
037	03/15/13	HT-AM	84"	82'	REMOVED
038	03/15/13	HT-AN	86"	84'	REMOVED
039	03/15/13	HT-AO	88"	86'	REMOVED
040	03/15/13	HT-AP	90"	88'	REMOVED
041	03/15/13	HT-AQ	92"	90'	REMOVED
042	03/15/13	HT-AR	94"	92'	REMOVED
043	03/15/13	HT-AS	96"	94'	REMOVED
044	03/15/13	HT-AT	98"	96'	REMOVED
045	03/15/13	HT-AU	100"	98'	REMOVED
046	03/15/13	HT-AV	102"	100'	REMOVED
047	03/15/13	HT-AW	104"	102'	REMOVED
048	03/15/13	HT-AX	106"	104'	REMOVED
049	03/15/13	HT-AY	108"	106'	REMOVED
050	03/15/13	HT-AZ	110"	108'	REMOVED
051	03/15/13	HT-BA	112"	110'	REMOVED
052	03/15/13	HT-BB	114"	112'	REMOVED
053	03/15/13	HT-BC	116"	114'	REMOVED
054	03/15/13	HT-BD	118"	116'	REMOVED
055	03/15/13	HT-BE	120"	118'	REMOVED
056	03/15/13	HT-BF	122"	120'	REMOVED
057	03/15/13	HT-BG	124"	122'	REMOVED
058	03/15/13	HT-BH	126"	124'	REMOVED
059	03/15/13	HT-BI	128"	126'	REMOVED
060	03/15/13	HT-BJ	130"	128'	REMOVED
061	03/15/13	HT-BK	132"	130'	REMOVED
062	03/15/13	HT-BL	134"	132'	REMOVED
063	03/15/13	HT-BM	136"	134'	REMOVED
064	03/15/13	HT-BN	138"	136'	REMOVED
065	03/15/13	HT-BO	140"	138'	REMOVED
066	03/15/13	HT-BP	142"	140'	REMOVED
067	03/15/13	HT-BQ	144"	142'	REMOVED
068	03/15/13	HT-BR	146"	144'	REMOVED
069	03/15/13	HT-BS	148"	146'	REMOVED
070	03/15/13	HT-BT	150"	148'	REMOVED
071	03/15/13	HT-BU	152"	150'	REMOVED
072	03/15/13	HT-BV	154"	152'	REMOVED
073	03/15/13	HT-BW	156"	154'	REMOVED
074	03/15/13	HT-BX	158"	156'	REMOVED
075	03/15/13	HT-BY	160"	158'	REMOVED
076	03/15/13	HT-BZ	162"	160'	REMOVED
077	03/15/13	HT-CA	164"	162'	REMOVED
078	03/15/13	HT-CB	166"	164'	REMOVED
079	03/15/13	HT-CC	168"	166'	REMOVED
080	03/15/13	HT-CD	170"	168'	REMOVED
081	03/15/13	HT-CE	172"	170'	REMOVED
082	03/15/13	HT-CD	174"	172'	REMOVED
083	03/15/13	HT-CE	176"	174'	REMOVED
084	03/15/13	HT-CD	178"	176'	REMOVED
085	03/15/13	HT-CE	180"	178'	REMOVED
086	03/15/13	HT-CD	182"	180'	REMOVED
087	03/15/13	HT-CE	184"	182'	REMOVED
088	03/15/13	HT-CD	186"	184'	REMOVED
089	03/15/13	HT-CE	188"	186'	REMOVED
090	03/15/13	HT-CD	190"	188'	REMOVED
091	03/15/13	HT-CE	192"	190'	REMOVED
092	03/15/13	HT-CD	194"	192'	REMOVED
093	03/15/13	HT-CE	196"	194'	REMOVED
094	03/15/13	HT-CD	198"	196'	REMOVED
095	03/15/13	HT-CE	200"	198'	REMOVED
096	03/15/13	HT-CD	202"	200'	REMOVED
097	03/15/13	HT-CE	204"	202'	REMOVED
098	03/15/13	HT-CD	206"	204'	REMOVED
099	03/15/13	HT-CE	208"	206'	REMOVED
100	03/15/13	HT-CD	210"	208'	REMOVED



DESIGN | INSTALLATION | MAINTENANCE

21617 Cedar Lane
Dulles, VA 20166

Business Office: 703-271-3333
Home Office: 703-271-3333

Project Title

Joiner Residence
8230 The Midway
Annandale, VA 22003

**Conceptual Rear Yard
Landscape
Development**

**Proposed Structure
Plan & Elevations**

Job Number: 3000

Revisions

No. Description Date

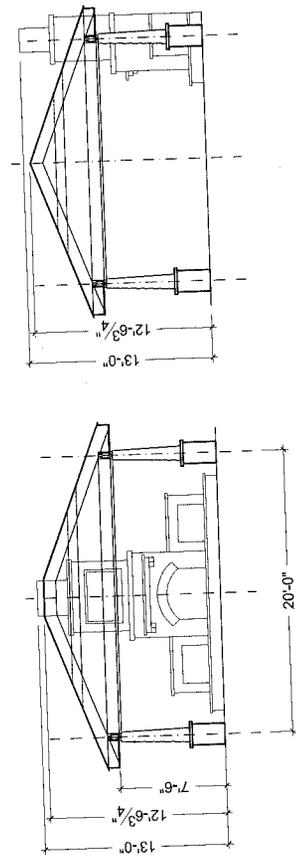
This plan is the property of Chapel Valley Landscape Company for design/build purposes only. Any unauthorized reproduction or use of this plan is prohibited under penalty of law.

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

Date: May 17th, 2013

Drawn By:

Sheet No. 1 of 1



STRUCTURE SECTIONS
scale as noted

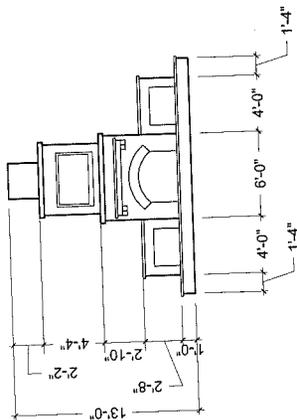
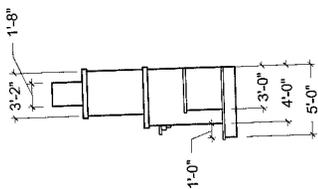
ASPHALT SHINGLED ROOFING (SHINGLES TO MATCH RESIDENCE)

PVC TRIM

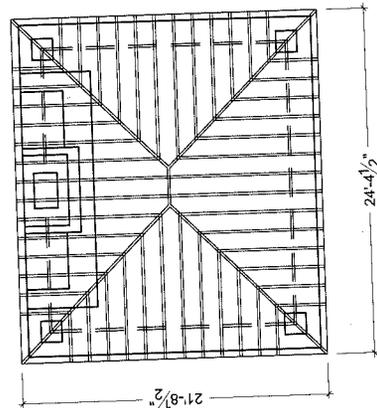
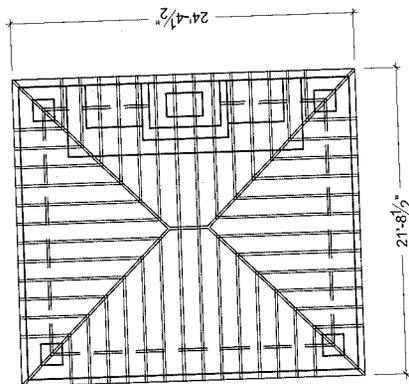
STONE FACED FIREPLACE

BRICK FACED COLUMN BASE (BRICK TO MATCH RESIDENCE)

STRUCTURE ELEVATIONS
scale as noted



FIREPLACE ELEVATION
scale as noted



ROOF FRAMING
scale as noted



DESIGN • INSTALLATION • MAINTENANCE • MAINTENANCE

21617 Cedar Lane
Dulles, VA 20166

Business: (703) 422-3310 Residential: (703) 422-0600
Virginia: (703) 422-0600

Project Title

Joiner Residence
8230 The Midway
Annandale, VA 22003

**Conceptual Rear Yard
Landscape
Development**

Views throughout the property

Job Number: xxxxxx

Revision:

No. Description Date

This plan is the property of Chapel Valley Landscape Company and authorized use or reproduction of this plan is prohibited under penalty of law.

Scale: NTS

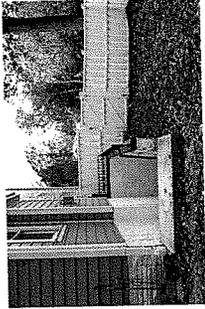
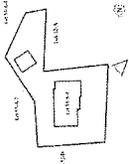
Date: May 17th, 2013

Drawn By:

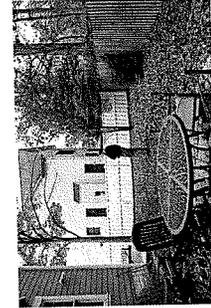
Sheet No. 1 of 1



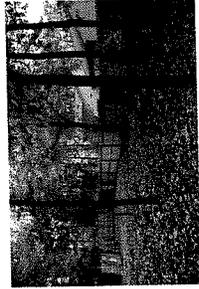
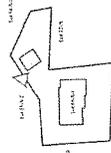
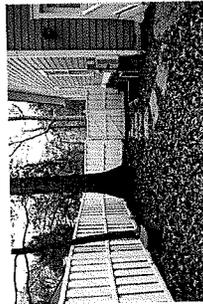
View Northeast Toward Lot 53-A-1



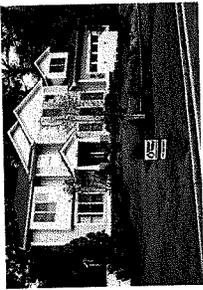
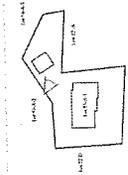
View West - North of Residence Lot 53-A-1



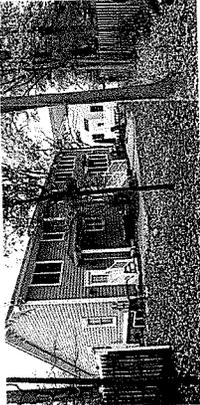
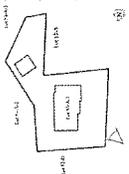
Views West - South of Residence Lot 53-A-1



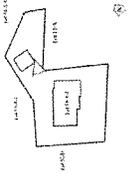
Views Southwest Toward Lot 12-A



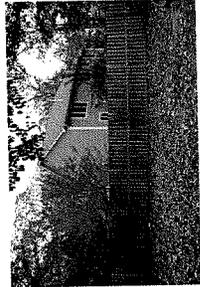
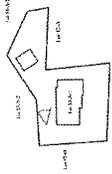
Views Southeast Toward Lot 53-A-1



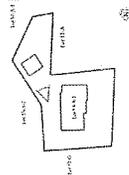
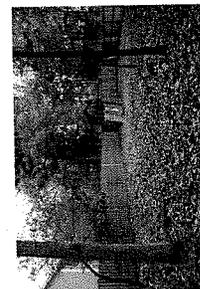
Views North Toward Lot 53-D



Views South Toward Lot 51-A-1



Views Southeast Toward Lot 51-A-1





DESIGN INSTALLATION MAINTENANCE

21617 Cedar Lane
Dulles, VA 20166

Business: 410-283-2010
Residential: 410-283-2011
Fax: 410-283-2012

Project Title

Joiner Residence
8230 The Midway
Annandale, VA 22003

**Conceptual Rear Yard
Landscape
Development**

Surrounding Properties

Job Number: 20003

Revision

No.

Description

Date

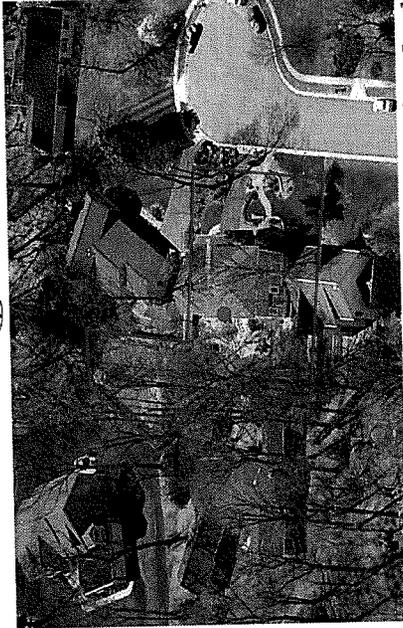
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Scale: NTS

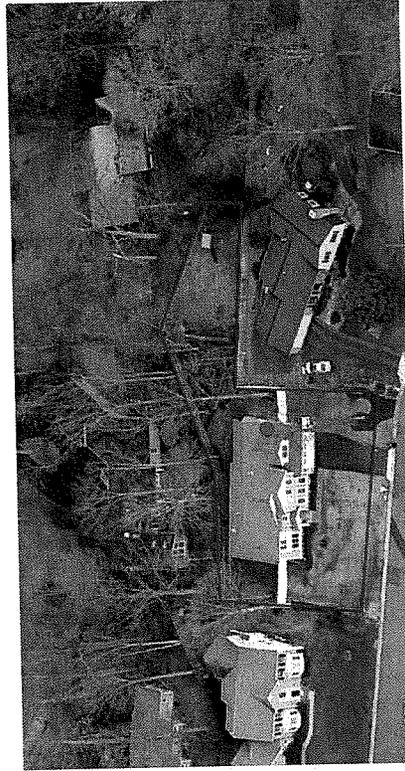
Date: May 17th, 2013

Drawn By:

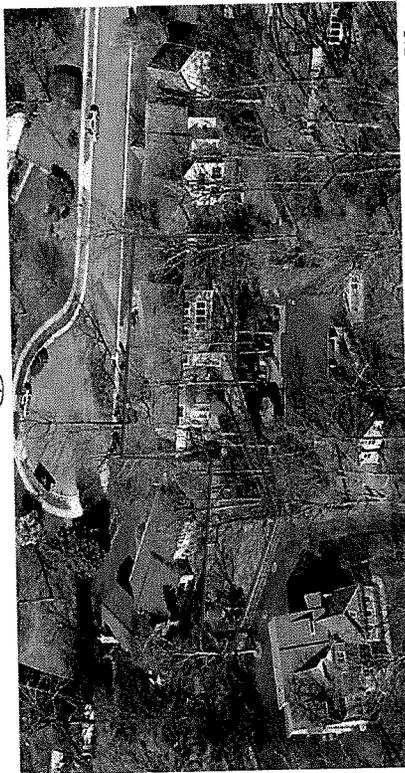
Sheet No. 1 of 1



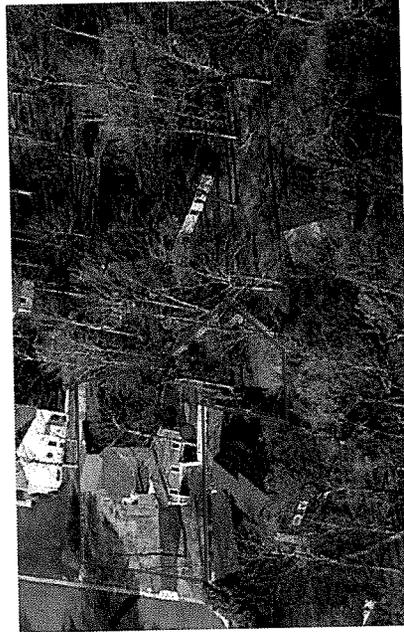
Looking South



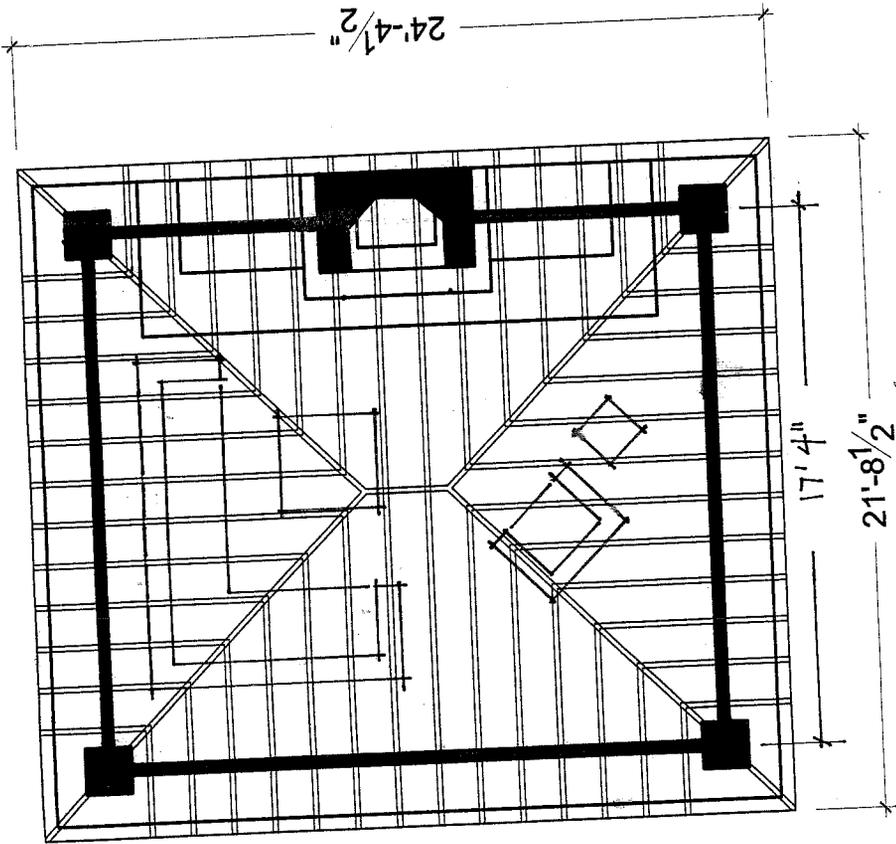
Looking East



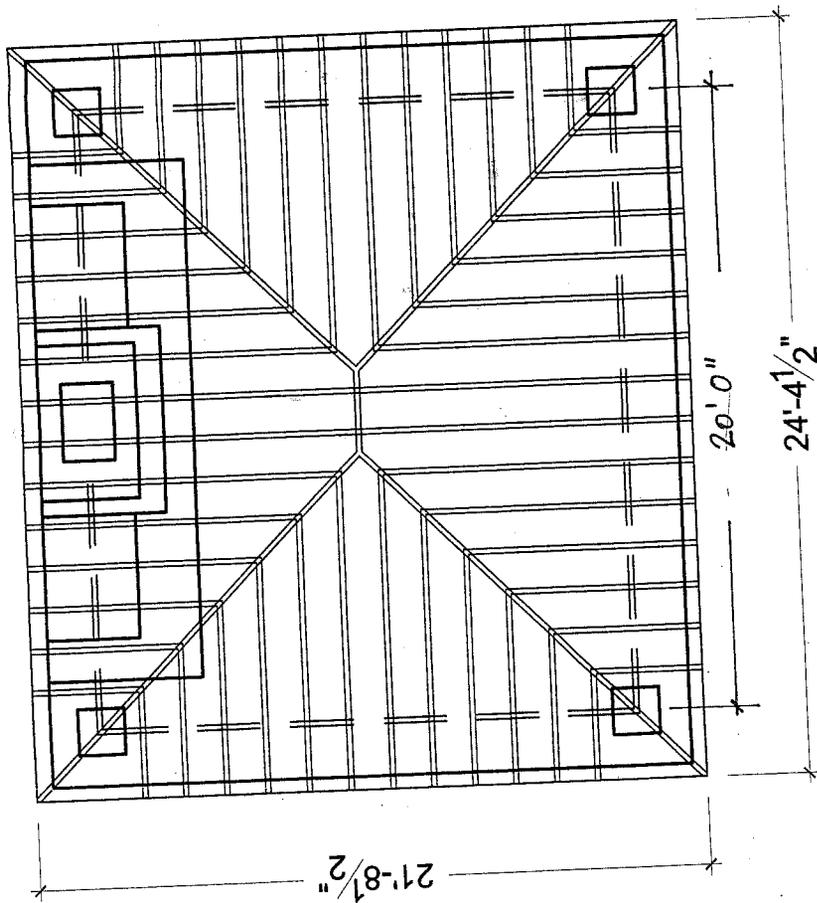
Looking West



Looking North



Proposed furniture layout

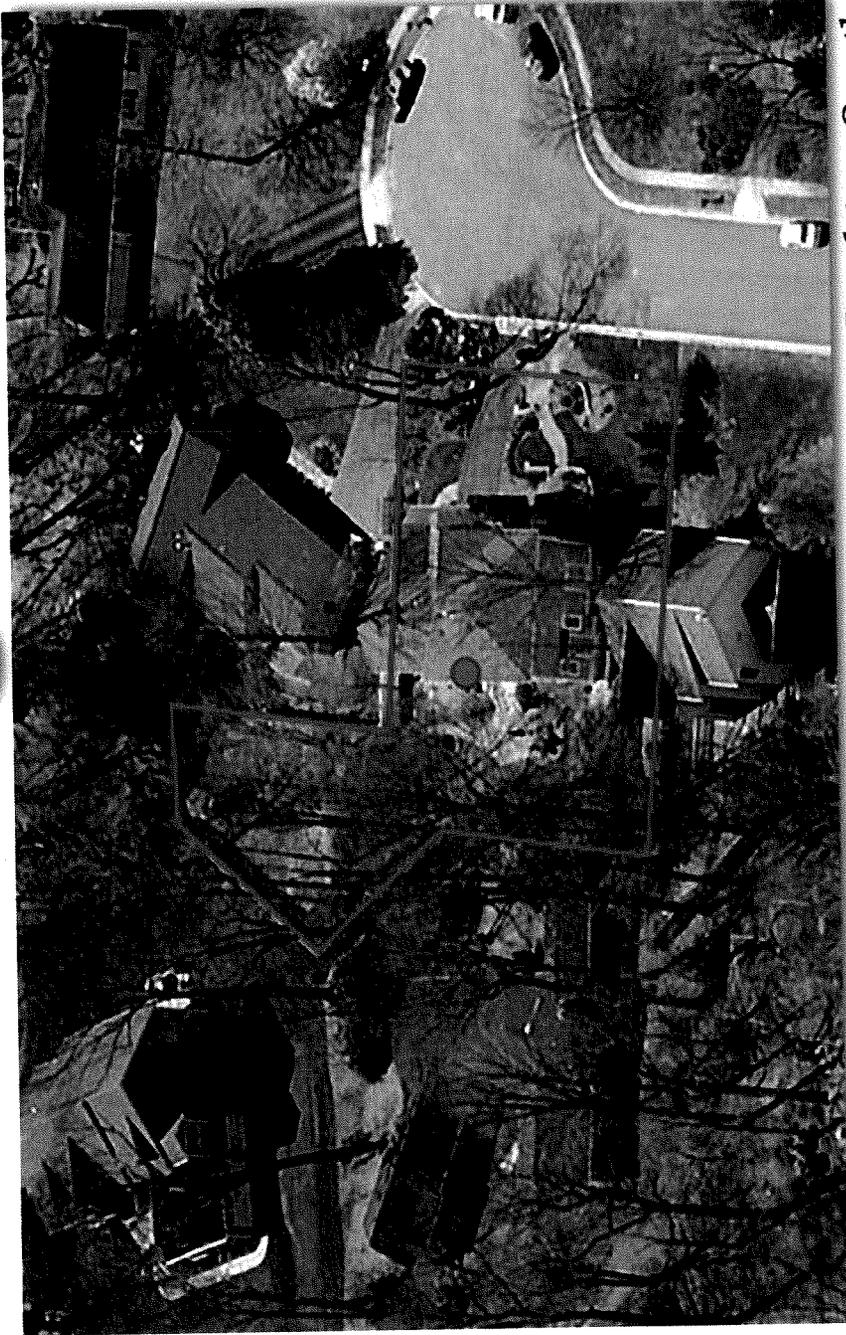
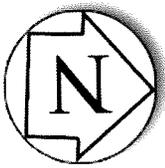


ROOF FRAMING

scale as noted



Looking West



Looking South

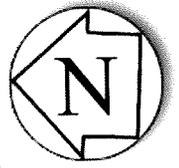


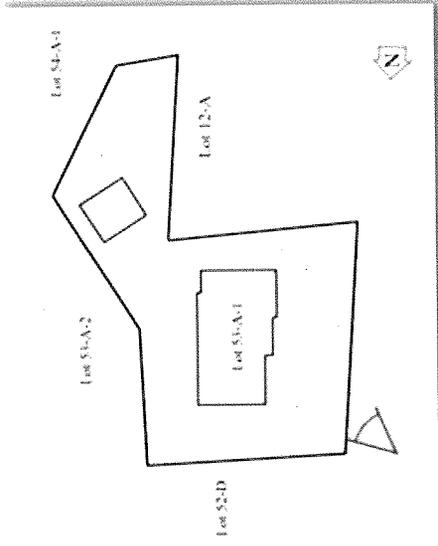
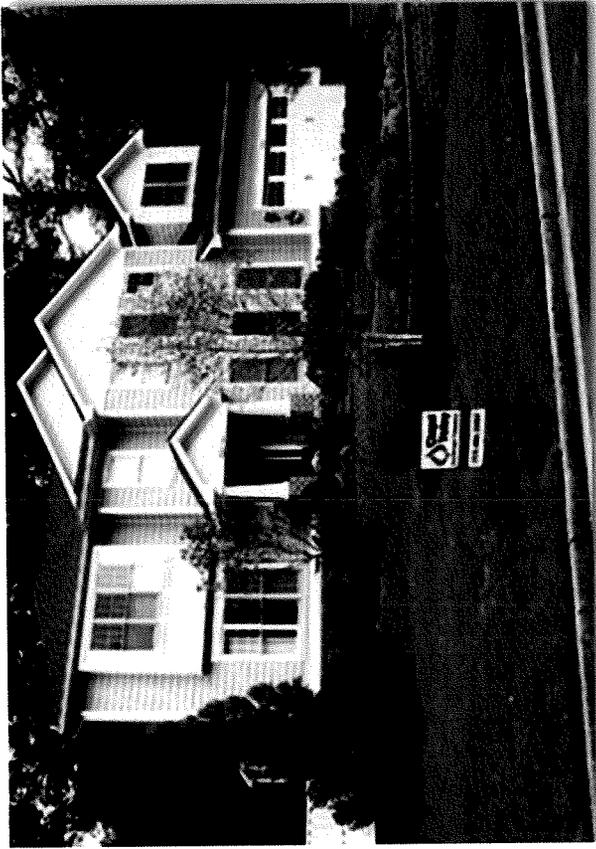
Looking East



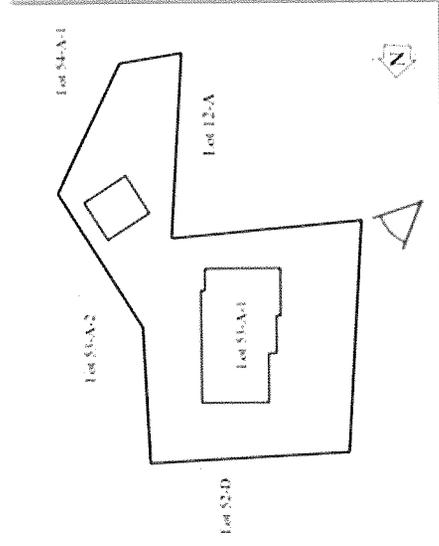
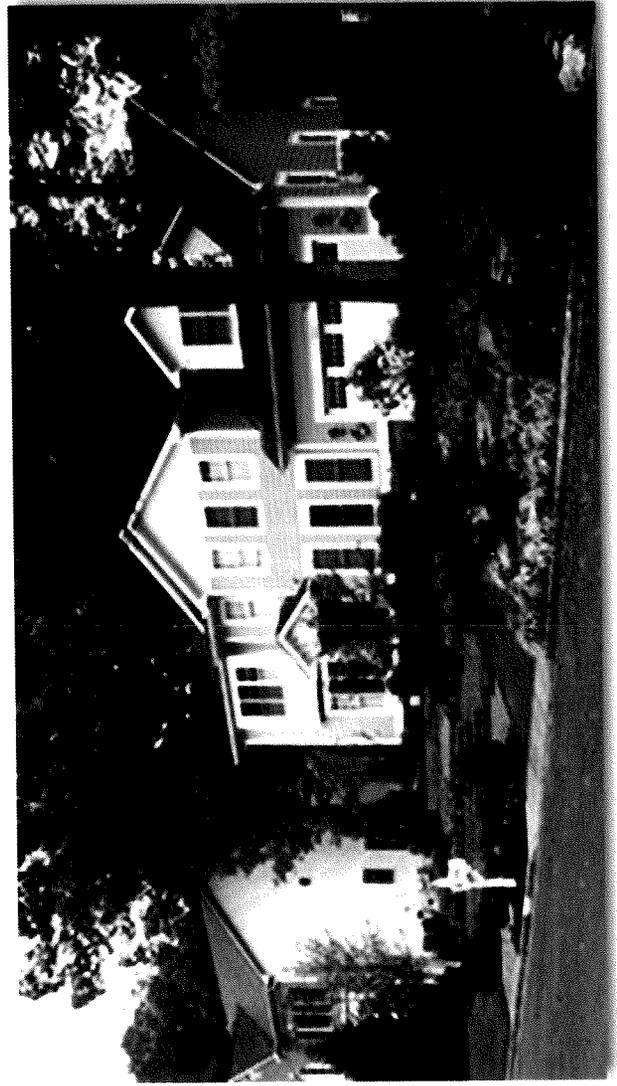


Looking North

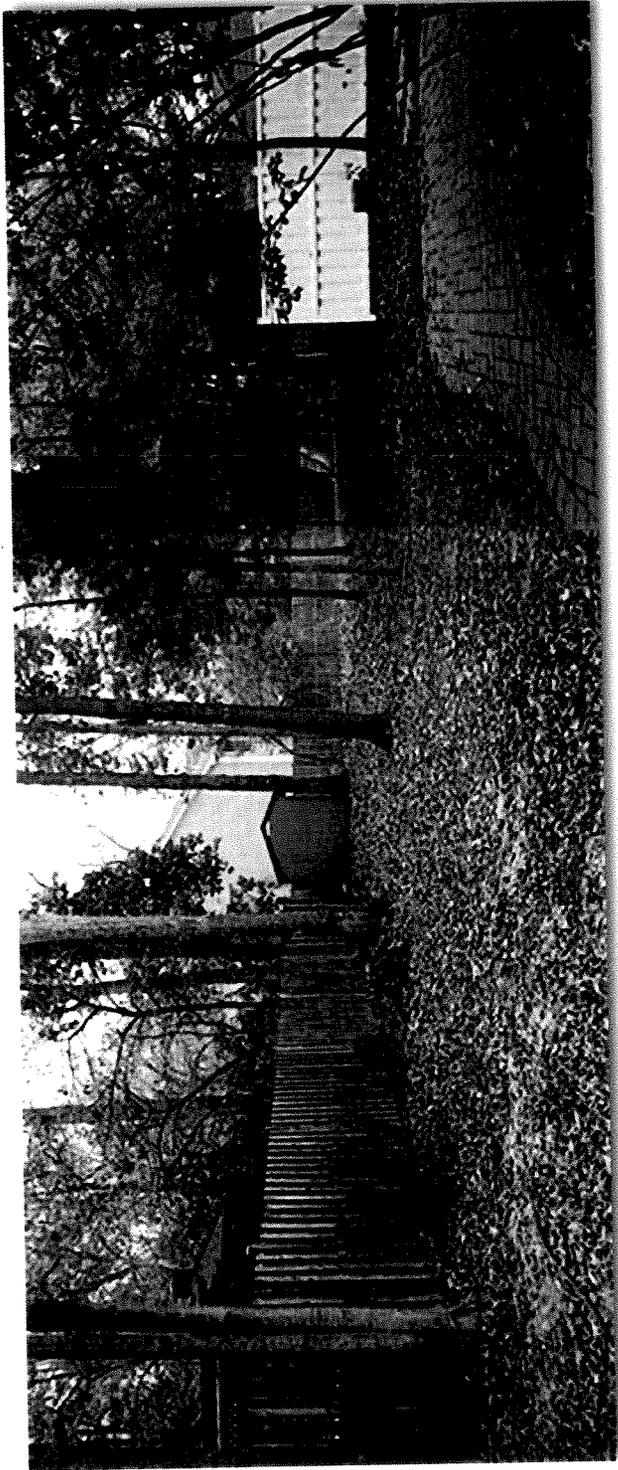




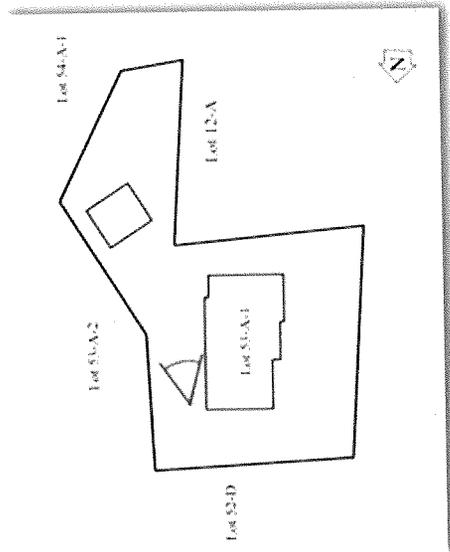
Views Southeast Toward Lot 53-A-1



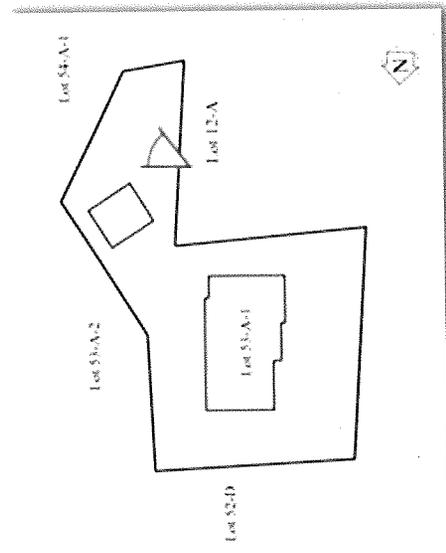
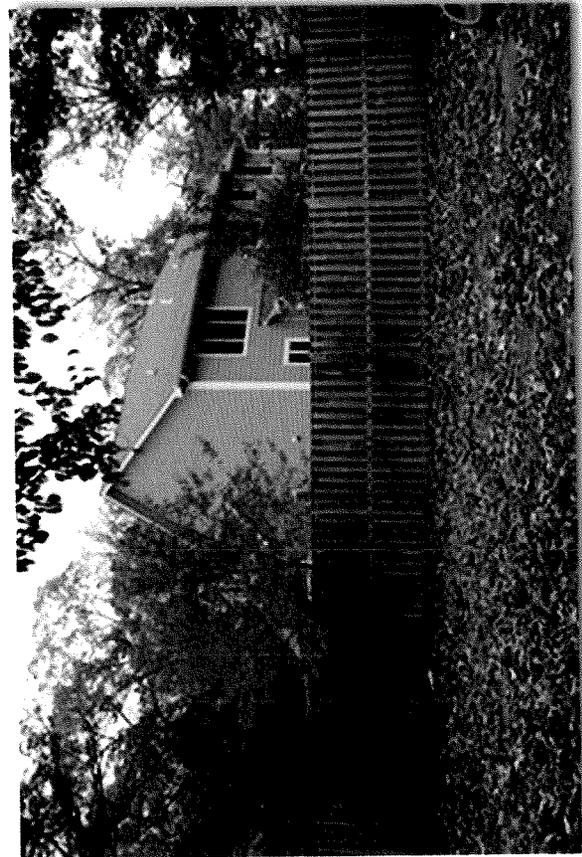
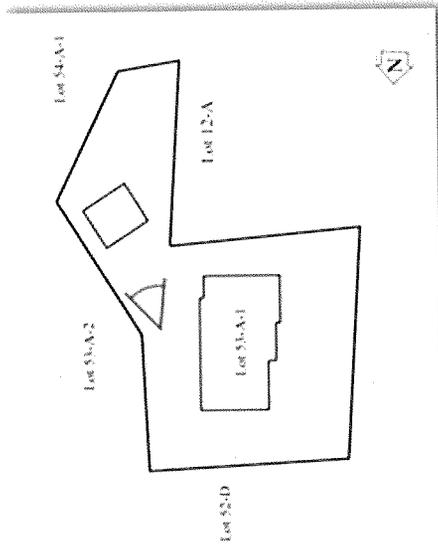
View Northeast Toward Lot 53-A-1

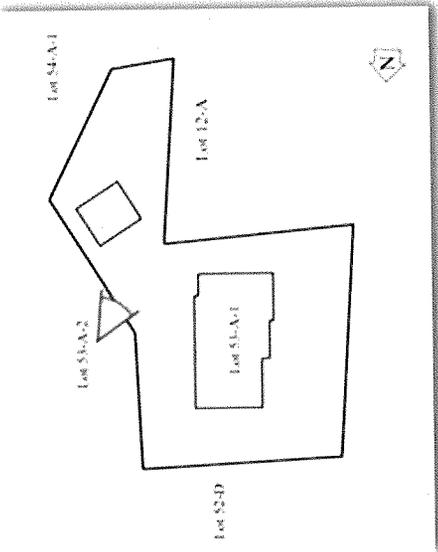


Views South Toward Lot 54-A-1



Views Southeast Toward Lot 54-A-1



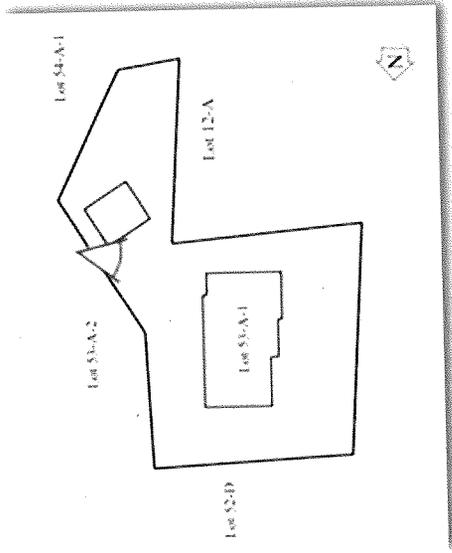


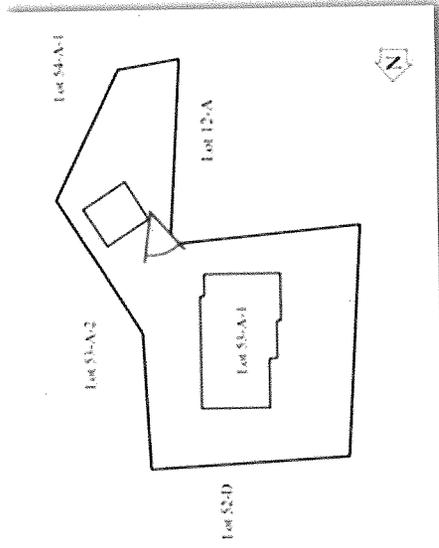
Views Southwest Toward Lot 12-A



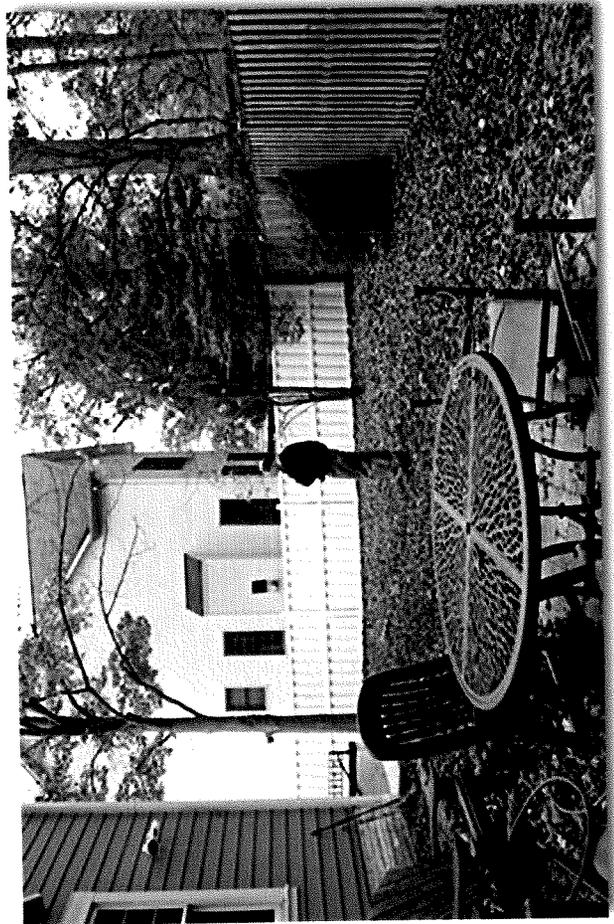


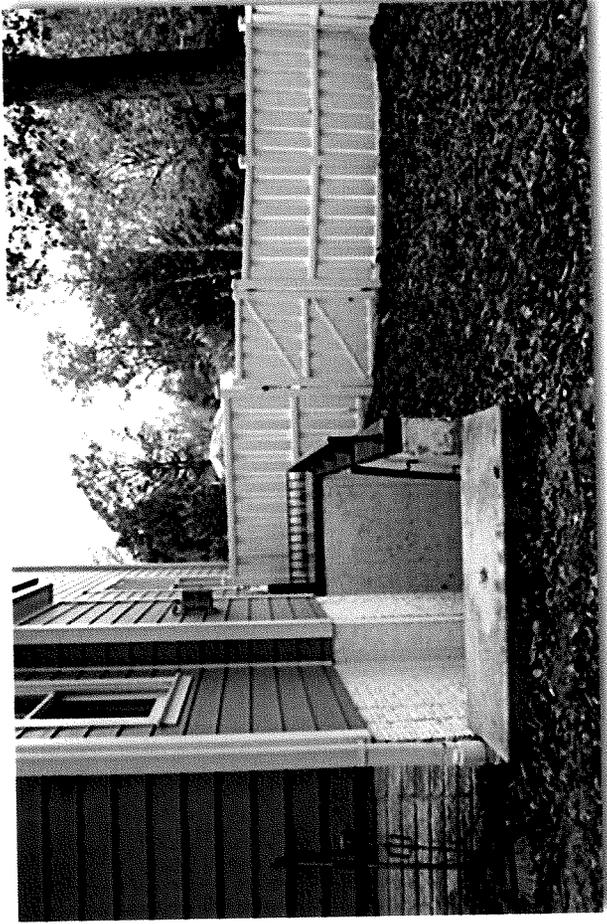
Views West - South of Residence Lot 53-A-1





Views North Toward Lot 52-D





View West - North of Residence Lot 53-A-1

SPECIAL PERMIT REQUEST

The applicant is requesting approval of a special permit to allow reduction of certain yard requirements to permit construction of an accessory structure, a detached covered deck, or pavilion, 8.3 feet from the eastern side lot line and 10.9 feet from western side lot line.

A copy of the special permit plat titled, "Special Permit Plat, Lot 53-A-1 - Section 1, Fairfax Hills," prepared by Reid M. Dudley, of Runyon, Dudley, Associates, Inc., dated May 15, 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 SURROUNDING AREA

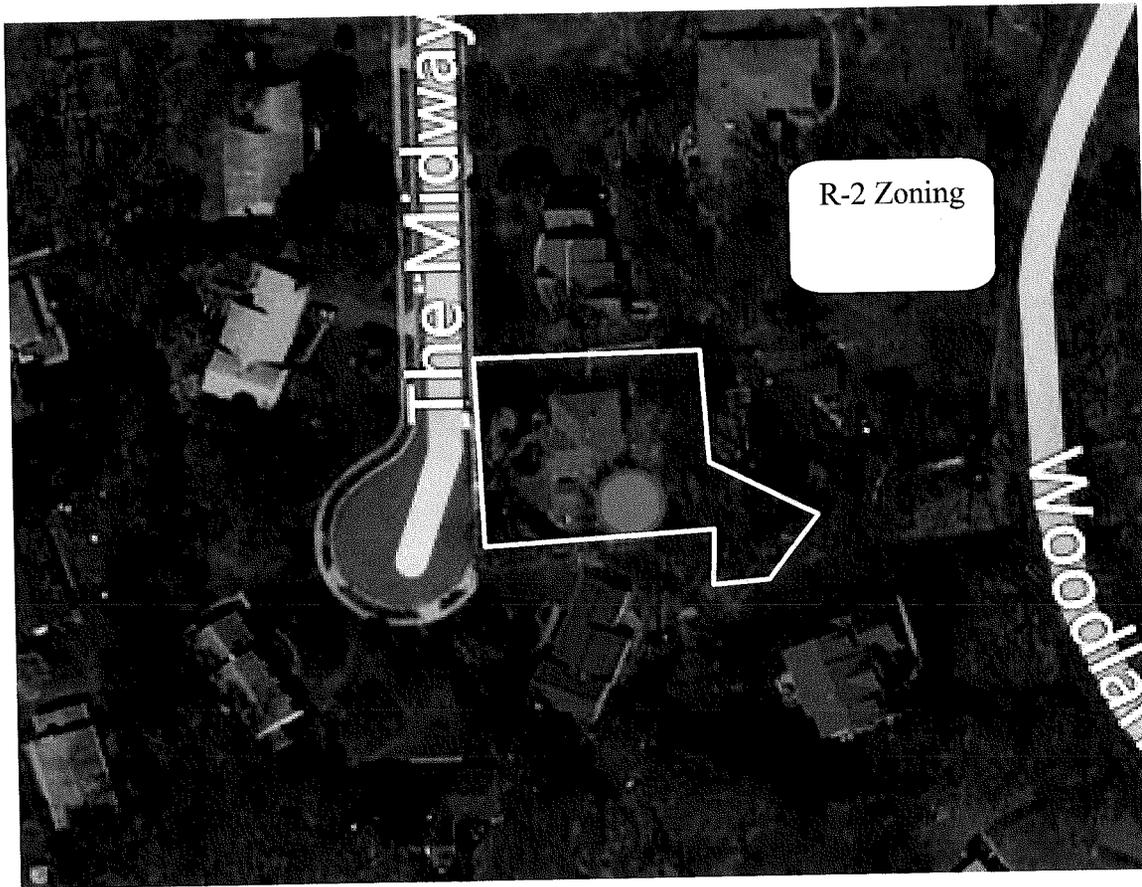
The 15,079 square foot lot contains a two-story brick and frame dwelling with a full basement. A brick stoop exists on the west façade of the house with a brick walkway and a series of brick planters and retaining walls leading to the right-of-way. On the east façade of the dwelling, two composite stoops lead down to a paver patio. The asphalt driveway provides access to the lot and two-car garage from The Midway. Several different types of fencing enclose the rear and side yards, including:

- A 6.1 foot plastic fence along the north and a portion of the south side lot lines
- A 6.0 foot wood fence along a portion of the south side lot line
- A 6.0 foot picket fence along the west side lot line
- A 6.0 foot board fence along the east side lot line
- A 6.1 foot board on board fence along the rear lot line.

There are a number of mature trees in the front and rear yards and the front yard contains shrubs and flowers. The front yard of the lot slopes downward from the dwelling to the right-of-way but the yard to the rear of the dwelling is relatively flat.

An accessory storage structure and a play set are located in the southern part of the rear yard.

The image on the following page illustrates the general character of the surrounding area. The properties to the west and southwest are part of The Midway subdivision and are developed with single family dwellings. The properties to the north and east are part of the Fairfax Hills subdivision and also contain single family dwellings. All are zoned R-2.



BACKGROUND

Fairfax County tax records indicate that the lot was purchased in 2007 by the applicant. A building permit to construct the existing single-family dwelling was obtained in 2007.

A copy of information outlining similar special permit and variance requests in the area is attached in Appendix 4.

DESCRIPTION OF THE REQUEST

The applicant is requesting approval of a special permit for a reduction of certain yard requirements to permit construction of an accessory structure, a pavilion, in the rear yard of the subject property. The minimum required side yard in the R-2 district is 15.0 feet. The pavilion is proposed to be 8.3 feet from the northeastern side lot line, which requires a reduction of 6.7 feet, or 44.7 percent. The pavilion is proposed to be 10.9 feet from the western side lot line, which requires a reduction of 4.1 feet, or 27.3 percent.

The proposed pavilion will be approximately 12.5 feet in height and 530 square feet in size, with a stone faced fireplace, 13.0 feet in height. The pavilion will have an asphalt shingle roof, a flagstone patio, and columns with brick bases. Architectural drawings of the proposed pavilion are included at the front of this report.

The applicant proposes demolishing and removing the existing accessory storage structure and relocating the existing play set to the north of its current location.

ANALYSIS

Urban Forestry Analysis (Appendix 5)

The Urban Forestry Management Division (UFMD) has provided comments on the applicant's Existing Vegetation and Landscape Plan (sheet 2 of 2 of the special permit plat). Because significant trees would be affected by the proposed project, UFMD requested that the applicant show how they are meeting the Tree Preservation Target and 10-Year Tree Canopy calculations as required by the Public Facilities Manual. UFMD also requested more information about the demolition of the existing accessory storage structure, how the site will be accessed during construction without damaging on and off site trees proposed for preservation, and how trees will be protected during construction. The applicant has not yet provided the requested information.

During a site visit at the property with the applicant, staff identified a beech tree (identified as tree number 737 on the Existing Vegetation and Landscape Plan) that the applicant proposes to remove. Staff believes this tree should be preserved as it is in good health and in an area that, with careful construction techniques and by adjusting the size and/or location of the pavilion, can be preserved with minimal damage.

Comprehensive Plan Provisions

Plan Area: Area I, Annandale Planning District
Planning Sector: Wakefield Chapel Planning Sector (AN07)
Plan Map: Residential use at 1-2 dwelling unit/acre (du/ac)

Zoning Ordinance Requirements

The application must meet all of the following standards, copies of which are attached as Appendix 6:

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

Staff finds that the application does not meet 8-006, Standard 3, and 8-922, Standards 7, 8, or 9.

Sect. 8-006 General Special Permit Standards

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, aerial photography, and from a site visit that the proposed structure is larger in size and scope than other accessory structures in the area. No other special permits for similar structures have been approved for any neighboring properties. Staff believes that the proposed use would not be harmonious with the neighboring properties. The proposed location is close to the lot lines of three adjacent properties and according to the applicant the structure would be used for hosting social events with guests. Staff believes this could have an adverse impact on the ability of neighbors to use and enjoy their own yards. Therefore, staff believes this standard has not 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 10 allows the BZA to impose development conditions. Staff believes that the application has met Standards 5, and 6. *Staff finds that the application does not meet Standards 7, 8, or 9.*

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 site visits, photos submitted by the applicant, and aerial photography, staff has determined that the proposed pavilion is not harmonious with the neighborhood in terms of its height, size, scale, and location on the lot. The rear or side yards of three properties are in close proximity to the proposed pavilion. The structure will be approximately 530 square feet in size and will include seating and a fireplace. There are no other accessory structures approaching that size in the surrounding area. Staff has also determined that the proposed preservation of significant trees, particularly the 11-inch beech tree (number 737), is inadequate. UFMD has requested additional information and tree protection from the applicant, which they have not yet provided. Therefore, staff believes the pavilion will not 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 proposed pavilion, 12.5 feet tall and 530 square feet with a large 13 foot tall fireplace, will impact the use and/or enjoyment of the adjacent properties with regard to issues such as noise and light. The applicant states that they plan to use the pavilion for socializing, which will increase the amount of noise and light impacting the adjacent properties; therefore, staff believes the application does not meet 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 does not find that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Staff believes that the structure could either be constructed in an alternate location or reduced in size and oriented differently to make the requested reduction for just the east side yard and also lessen the impact on adjacent properties. This could reduce the impact on the adjacent western property and push the proposed pavilion further from the beech tree to make preservation more viable. The applicant has provided a proposed floor plan for the pavilion (attached to the special permit plat at the front of this report) and staff believes there is sufficient extra floor area so that a reduction in size will not impact the applicant's use and enjoyment of the structure. Staff also believes a covered deck could be attached to the dwelling. There is area available on the rear, southern, portion of the dwelling to attach a deck. It is very common that covered decks, screened porches, and sunrooms are attached to the rear of homes. They still allow sufficient light to come in existing windows. The applicant has also provided insufficient protection of significant trees. Staff believes the application does not meet this provision.*

CONCLUSION

Staff believes that the applicant does not meet all applicable standards for a reduction in certain yard requirements.

RECOMMENDATION

Staff recommends denial of SP 2013-BR-048 for the accessory structure.

However, should the Board find that the applicant is in conformance with the applicable Zoning Ordinance provisions; staff recommends the 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. Similar Case History
5. Urban Forestry Memo
6. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2013-BR-048****October 2, 2013**

If it is the intent of the Board of Zoning Appeals to approve SP 2013-BR-048 located at Tax Map 70-2 ((2)) 53A1 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 accessory structure (530 square feet), as shown on the plat prepared by Reid M. Dudley, of Runyon, Dudley, Associates, Inc., dated May 15, 2013, as submitted with this application and is not transferable to other land.
2. The accessory structure shall be generally consistent with the architectural renderings and materials as shown on the special permit plat.
3. The accessory storage structure (shed) and accessory structure (play set) shall be removed or relocated from the required yard areas to comply with applicable Zoning Ordinance provisions within 90 days of this special permit approval.
4. Tree protection fencing shall be installed prior to demolition of the accessory storage structure (shed) and construction of the accessory structure (pavilion) to protect trees on Lots 53-A-2 and 54-A-1, the 11-inch beech, and other trees indicated to be protected as shown on the existing vegetation plan (sheet 2 of 2 of the special permit plat) on the subject property. It shall be placed at the drip-line of the trees. The fencing shall remain in place until all construction and final grading is complete. Additional trees shall be planted as shown on the tree conservation and landscape plan (sheet 2 of 2 of the special permit plat).

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, 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-BR-048
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 21, 2013
 (enter date affidavit is notarized)

I, John E. Joiner, 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 120508

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
John E. Joiner	8230A The Midway, Annandale, VA 22003	Applicant/Title Owner
Lisa Zeiler Joiner	8230A The Midway, Annandale, VA 22003	Applicant/Title Owner
Chapel Valley Landscape Company	21617 Cedar Lane, Dulles, VA 20166	Agent
William G. Foster IV	21617 Cedar Lane, Dulles, VA 20166	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-BR-048
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 21, 2013
(enter date affidavit is notarized)

120508

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)

Chapel Valley Landscape Company, 21617 Cedar Lane, Dulles, VA 20166

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)

J. Landon Reeve IV

James D. Reeve

(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 - 048

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

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 21, 2013

(enter date affidavit is notarized)

120508

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

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

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

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

(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-BR-048
(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 21, 2013
(enter date affidavit is notarized)

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-BR-048
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 21, 2013
(enter date affidavit is notarized)

120508

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)

[Signature]
 Applicant

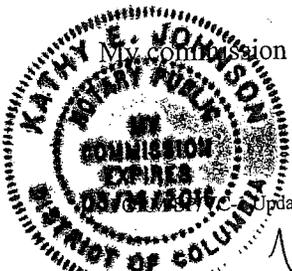
Applicant's Authorized Agent

John E. Joiner Applicant/Title Owner
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 21st day of May 20 13, in the State/Comm. of District of Columbia County/City of _____

[Signature]
Notary Public

My commission expires: March 14, 2016



OWNER CONSENT/AGENT AUTHORIZATION LETTER

To Whom it May Concern:

I/We, the undersigned title owners of the property described below, do hereby authorize and give formal consent to Chapel Valley Landscape Company and Bill Foster to act as our Agents in the furtherance of an application for a special permit on property located at 8230A The Midway, Annandale, VA 22003, Tax Map No. 0702 02 0053A1.

Thank you in advance for your cooperation.

Date: 5/21/13 By: [Signature]

COMMONWEALTH/STATE OF: District of Columbia

CITY/COUNTY OF: _____, TO WIT:

The foregoing instrument was acknowledged before me this 21st day of May, 2013, by Kathy E. Johnson.

[Signature: Kathy E. Johnson]

Notary Public (Signature)

Notary Registration No. _____

My Commission Expires: March 14, 2016



Date: 5/22/13

By: [Signature]

COMMONWEALTH/STATE OF: Virginia

CITY/COUNTY OF: Fairfax, TO WIT:

The foregoing instrument was acknowledged before me this 22nd day of May, 2013, by Shannon D. Scott.

[Signature: Shannon D. Scott]

Notary Public (Signature)

Notary Registration No. 7535330

My Commission Expires: 11-30-17





APPENDIX 3

RECEIVED
Department of Planning & Zoning

APR 02 2013

Zoning Evaluation Division

American Nursery and Landscape Association
Associated Builders and Contractors
Associated Landscape Contractors of America
Landscape Contractors Association MD · DC · VA
Maryland Nursery and Landscape Association
The Irrigation Association

March 28th, 2013

Department of Planning and Zoning
Zoning Evaluation Division

Special Permit Request - Provisions for Reduction of Certain Yard Requirements - Sect 8-922
for: John E. & Lisa Z. Joiner - 8230 A The Midway - Annandale, VA 22003

Proposed Use
New Accessory Structure – Covered Garden Pavilion.

STATEMENT OF JUSTIFICATION

The property owners, John and Lisa Joiner, would like to improve the functional use and overall aesthetic of their current back property but are significantly challenged by the limiting nature of the current yard requirements given the unusual and unique layout of the property boundary lines. The Joiners would like to improve the landscape of their back property with the addition of a covered garden pavilion with layout as shown on the accompanying plat and rendered plans. The pavilion will create a covered destination point within a section of the modestly sized back property that is under utilized and unkempt. The design and details developed for the pavilion reflect the design details and styling of the residence. Evergreen trees are incorporated as a naturalized screening, strategically positioned to buffer views from and toward adjoining properties. Thank you.

A handwritten signature in black ink, appearing to read "Bill Foster", is written over a horizontal line.

Bill Foster, Agent
Chapel Valley Landscape Company
21617 Cedar Lane
Dulles, VA 20166

Chapel Valley Landscape Company

MD: 3275 Jennings Chapel Road • P.O. Box 159 • Woodbine, Maryland 21797 • Washington: 301-924-5400 • Baltimore: 410-442-2310 • Fax 301-854-6390
VA: 21617 Cedar Lane • Dulles, Virginia 20166 • 703-406-0802 • Fax 703-406-9251
DC: 3041 Colvin Street • Alexandria, VA 22314 • 703-823-5751 • Fax 703-823-5752

www.chapelvalley.com



American Nursery and Landscape Association
Associated Builders and Contractors
Associated Landscape Contractors of America
Landscape Contractors Association MD · DC · VA
Maryland Nursery and Landscape Association
The Irrigation Association

May 17th, 2013

Department of Planning and Zoning
Zoning Evaluation Division

Special Permit Application:
Statement of Justification - Section 8-922 Provisions for Reduction of Certain Yard Requirements

Applicant:
John E. & Lisa Z. Joiner
8230 A The Midway - Annandale, VA 22003

Applicant Agent:
Bill Foster – Chapel Valley Landscape Company
21617 Cedar Lane – Dulles, VA 20166

Proposed Use:
New Residential Accessory Structure – Covered Garden Pavilion.

Statement:
The property owners, John and Lisa Joiner, would like to improve upon the functional use and overall aesthetic of their current back property but are significantly challenged by the limiting nature of the current yard requirements given the unusual and unique layout of the property boundary lines.

The GFA of the proposed pavilion is 530sf. The GFA of the principle structure on the property, the residence, is 6,224sf. Based on a simple comparative of the two GFA calculations and the nature of the pavilion as a covered but open air destination, for occasional, seasonal gathering, the proposed structure is clearly subordinate in purpose, scale, use and intent to the principle structure.

The design details of the proposed pavilion are in keeping with the Arts and Crafts styling details present in the architecture of the principle structure. Square, tapered columns set on brick piers reflect the details of the front entrance of the residence. Trim work is PVC with a Hip style roof design and architectural asphalt shingles to match the roofing material on the residence.

The positioning and orientation of the proposed pavilion, in combination with the layout of evergreen screening and existing privacy fence provide a harmonious addition to the surrounding. The surrounding structures are orientated such that they face away from the pavilion location and the views from the surrounding structures are not interrupted by the proposed structure.

Chapel Valley Landscape Company

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DC: 3041 Colvin Street • Alexandria, VA 22314 • 703-823-5751 • Fax 703-823-5752

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The pavilion with evergreen screening and existing privacy fence will not adversely impact the use and or enjoyment of the adjacent properties due to noise, light, air, safety, erosion and storm water runoff.

The pavilion proposed is a architectural garden feature that when completed will be in harmony with the site, the principle structure, and the surrounding residential community. Thank you.



Bill Foster, **Agent**
Chapel Valley Landscape Company
21617 Cedar Lane
Dulles, VA 20166



American Nursery and Landscape Association
Associated Builders and Contractors
Associated Landscape Contractors of America
Landscape Contractors Association MD · DC · VA
Maryland Nursery and Landscape Association
The Irrigation Association

RECEIVED
Department of Planning & Zoning

JUN 20 2013

Zoning Evaluation Division

June 20th, 2013

Department of Planning and Zoning
Zoning Evaluation Division

Special Permit Application:
Statement of Justification - Section 8-922 Provisions for Reduction of Certain Yard Requirements
Original 3/28/2013, Second 5/17/2013

Applicant:
John E. & Lisa Z. Joiner
8230 A The Midway - Annandale, VA 22003

Applicant Agent:
Bill Foster – Chapel Valley Landscape Company
21617 Cedar Lane – Dulles, VA 20166

Proposed Use:
New Residential Accessory Structure – Covered Garden Pavilion.

Statement:
The property owners, John and Lisa Joiner, would like to improve upon the functional use and overall aesthetic of their current back property. **8-922 (9)** The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure given **(1.)** the very unusual shape of the lot and **(2.)** the associated yard designations on the lot.

The GFA of the proposed pavilion is 530sf. The GFA of the principle structure on the property, the residence, is 6,224sf. **8-922 (4)** The GFA of the proposed pavilion is 8.5% of the GFA of the principle structure that existed at the time of the first expansion request. Based on a comparison of the two GFA calculations and the nature of the pavilion structure as a covered but open destination point, for occasional, seasonal gathering, **8-922 (5)** the proposed structure can therefore clearly be seen as subordinate in purpose, scale, use and intent to the principle structure.

8-922 (6) The design details and location of the proposed pavilion are in character with existing on-site development. The Arts and Crafts style and scale details consistent to principle structure are expanded into the details of the proposed pavilion. Square, tapered columns set on brick piers reflect the details of the front entrance of the residence. Trim work is PVC with a Hip style roof design and architectural asphalt shingles to match the roofing material on the residence.

Chapel Valley Landscape Company

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8-922 (7) The placement, height and orientation of the proposed pavilion structure, in combination with the layering of evergreen screening and privacy fence provide a harmonious addition to the surrounding. The surrounding residential structures on each of the adjoining lots are orientated such that they primarily face away from the proposed pavilion location and therefore the views enjoyed from the adjacent properties are not impacted or interrupted by the proposed structure. **8-922 (8)** The proposed pavilion with the evergreen screening and privacy fence will not adversely impact the use and or enjoyment of the adjacent properties due to noise, light, air, safety, erosion and storm water runoff.

The pavilion proposed is a architectural garden feature that when completed will be in harmony with the site, the principle structure, and the surrounding residential community. Thank you.



Bill Foster, **Agent**
Chapel Valley Landscape Company
21617 Cedar Lane
Dulles, VA 20166

Similar Case History

Group: 83-A -080

VC 83-A-080

APPLICANT: ROY R & LOUANN MEISINGER
STATUS: APPLICATION DENIED
STATUS/DECISION DTE: 09/26/1983
ZONING DISTRICT: R- 2
DESCRIPTION: TO ALLOW CONSTRUCTION OF GARAGE ADDITION TO DWELLING TO 9.0 FT. FROM SIDE LOT LINE
(15 FT. MIN. SIDE YARD REQ.)
LOCATION: 8253 THE MIDWAY
TAX MAP #S:
0702 13 0072

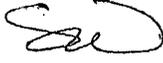


County of Fairfax, Virginia

MEMORANDUM

DATE: July 30, 2013

TO: Erin M. Haley, Planner II
Department of Planning and Zoning

FROM: Samantha Wangsgard, Urban Forester II 
Forest Conservation Branch, DPWES

SUBJECT: Fairfax Hills, Sec 1, Lot 53A1; SP 2013-BR-048

RE: Request for Assistance dated July 12, 2013

This review is based upon the Application for a Special Permit stamped "Received, Department of Planning and Zoning, May 22, 2013" and associated Statement of Justification stamped "Received, Department of Planning and Zoning, June 20, 2013". A site visit was conducted on July 30, 2013.

Site Description: The proposed location of disturbance is located in southeastern portion of the lot behind the existing two-story home. Presently there is a shed and play set located in this area. The vegetation in the area proposed for disturbance is primarily made up of trees less than 8 inches in diameter, however there are several white oaks and an American beech that are between 10 and 17 inches in size. To the west of the proposed limits of disturbance there are four white and red oaks that range in size from 18 to 31 inches in diameter. Several of these trees appear to be shared trees or are located on the adjacent property; however their critical root zones overlap the area proposed for disturbance.

1. Comment: The Tree Cover Requirements table does not include all information used to calculate the Tree Preservation Target and 10-Year Tree Canopy.

Recommendation: Tables similar to PFM Table 12.3 and Table 12.10 should be provided to demonstrate how the Tree Preservation Target and 10-Year Tree Canopy calculations have been met.

2. Comment: It is unclear how the existing structure will be demolished and how the site will be accessed without damaging the existing on and off site trees proposed for preservation. Additionally, it is unclear how these trees will be protected during construction.

Recommendation: The tree preservation plan and landscape plan should be revised to specifically address how the site will be accessed, how the existing structure will be demolished and how trees located outside the limits of disturbance will be protected.

UFMDID #: 183221
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.