County of Fairfax, Virginia

November 27, 2013

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2013-MA-070

MASON DISTRICT

APPLICANT/OWNER:	Robert Hunter Moore
STREET ADDRESS:	6317 Eppard Street, Falls Church, 22044
SUBDIVISION:	Sleepy Hollow Manor
TAX MAP REFERENCE:	51-3 ((11)) 13
LOT SIZE:	17,413 square feet
ZONING DISTRICT:	R-3
ZONING ORDINANCE PROVISION:	8-922
SPECIAL PERMIT PROPOSAL:	To permit reduction of certain yard requirements to permit construction of an addition 17.9 from a front yard line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2013-MA-070 for the garage addition with adoption of the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

O:\lgumk2\SP_VC Cases\(12-4) SP 2013-MA-070 Moore (50%)\SP 2013-MA-070 Moore staff report.doc

Laura Gumkowski

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

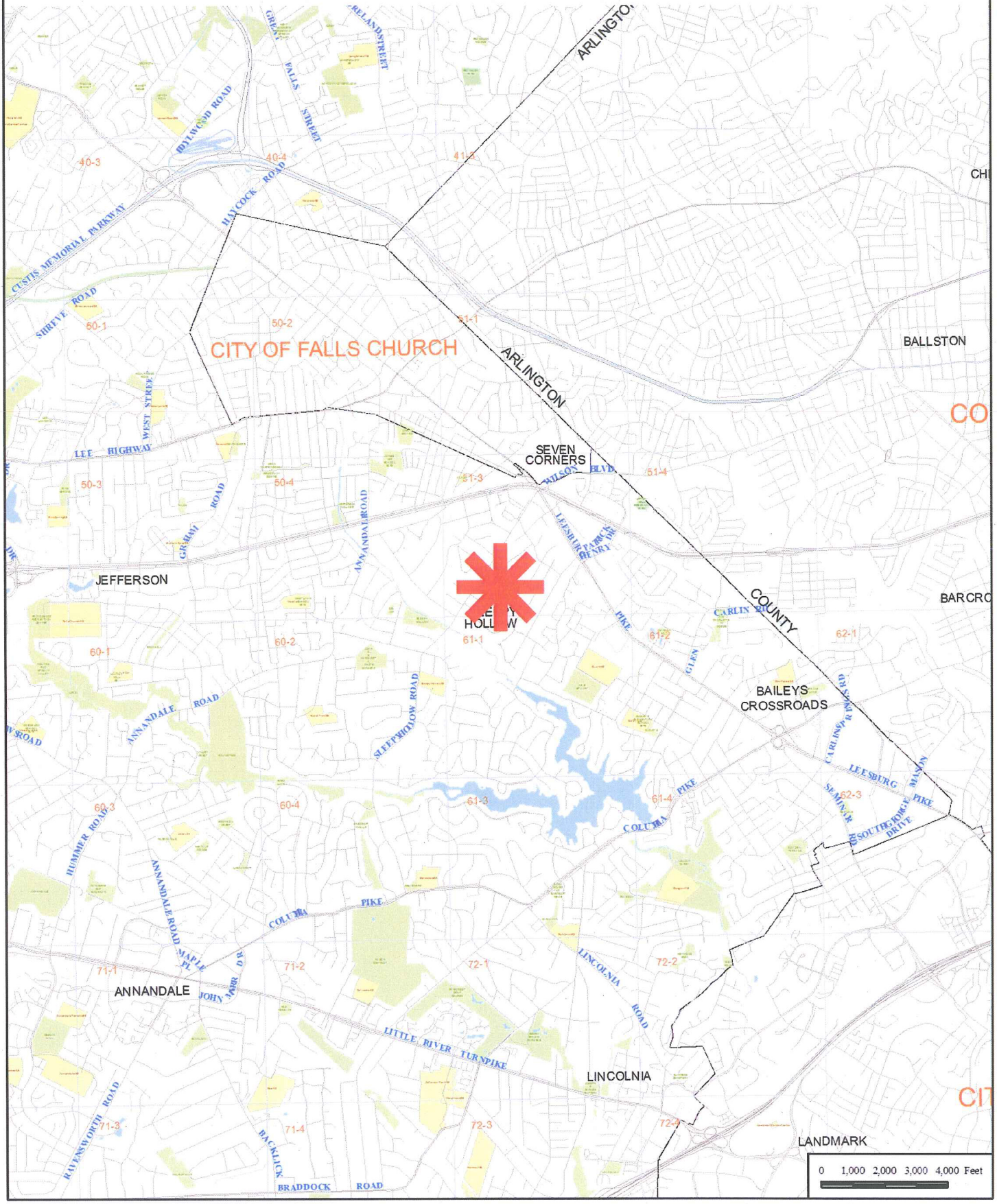
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government 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-MA-070

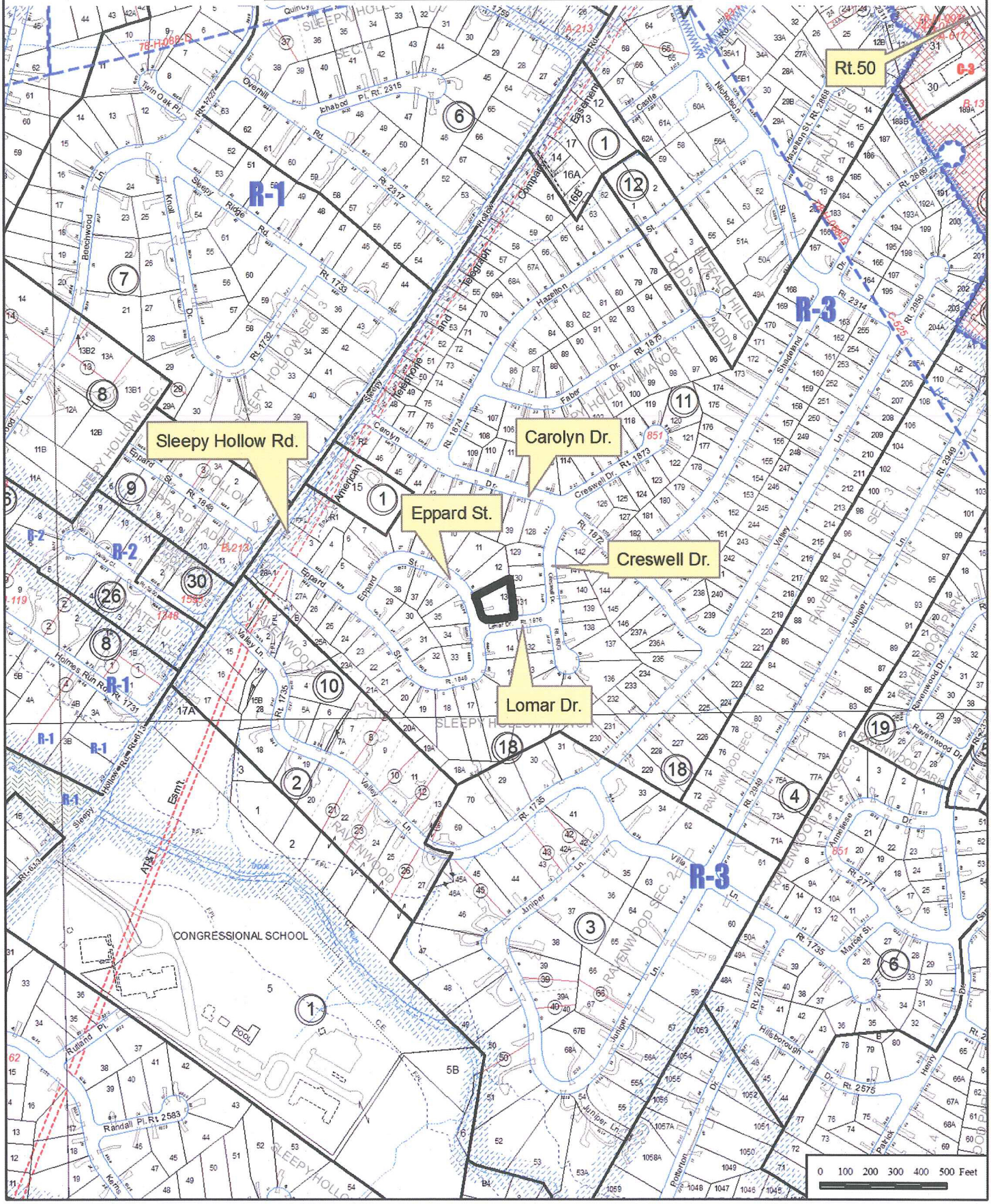
ROBERT HUNTER MOORE



Special Permit

SP 2013-MA-070

ROBERT HUNTER MOORE



COPYRIGHT SCARTZ SURVEYS - THIS IS A SERVICE DOCUMENT AND IS VALID FOR SIX MONTHS FROM DATE ISSUED.
THIS SURVEY WAS PERFORMED ACCORDING TO THE STANDARDS SET FORTH IN VIRGINIA CODE SECTION 54.1-407.

NOTES:
1. TAX MAP 051-3-11-0013

2. PROPERTY SHOWN HEREON IS ZONED:
   R-3 (RESIDENTIAL 3 DU/AC)

3. MINIMUM YARD REQUIREMENTS IN ZONE R-3
   FRONT: 30'
   SIDE: 12'
   REAR: 25'

4. PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.

5. THE PROPERTY SHOWN HERE IS LOCATED IN FLOOD ZONE "X" AS PER INSURANCE RATE MAP COMMUNITY PANEL NUMBER 51059C0285E EFFECTIVE DATE, SEPTEMBER 17, 2010.

6. THE RECORD PLAT DOES NOT SHOW ANY UTILITY EASEMENTS HAVING A WIDTH OF TWENTY-FIVE (25) FEET OR MORE EFFECTING THIS PROPERTY.

7. THE PROPERTY IS NOT LOCATED IN A FLOODPLAIN NOR AN RPA (RESOURCE PROTECTION AREA).

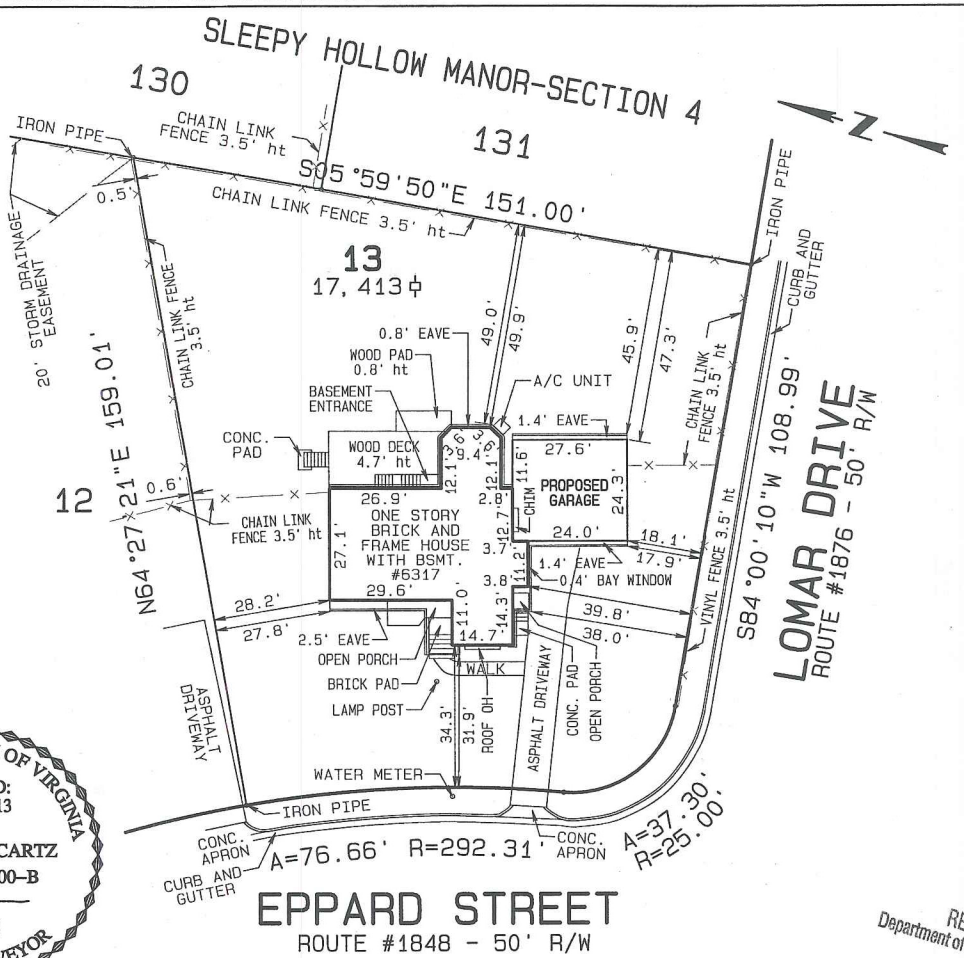
8. FLOOR AREA:

EXISTING GROSS FLOOR AREA HOUSE	2,122 SQ. FT.
EXISTING GROSS FLOOR AREA WOOD DECK	375 SQ. FT.
EXISTING GROSS FLOOR AREA WOOD PAD	68 SQ. FT.
EXISTING GROSS FLOOR AREA OPEN PORCH	83 SQ. FT.
EXISTING GROSS FLOOR AREA OPEN PORCH	14 SQ. FT.
PROPOSED GROSS FLOOR AREA GARAGE	663 SQ. FT.
TOTAL FLOOR AREA	3,325 SQ. FT.

PROPOSED FLOOR AREA RATIO: 0.19

HEIGHT TABLE

HEIGHT OF EXISTING HOUSE:	17.3'
HEIGHT OF PROPOSED GARAGE:	13.6'



COMMONWEALTH OF VIRGINIA
REVISED: 03/20/2013
LARRY N. SCARTZ
Lic. No. 1000-B
LAND SURVEYOR

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APR 03 2013
Zoning Evaluation Division

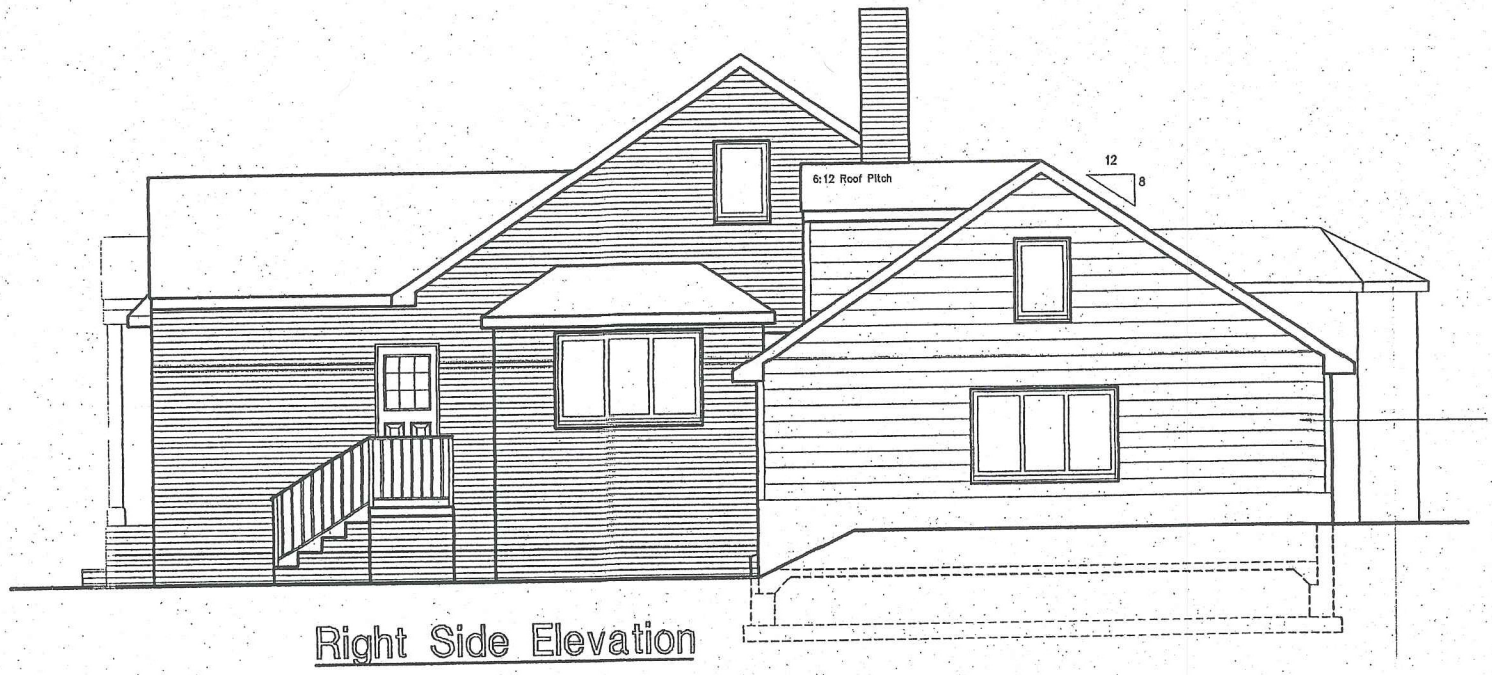
CASE NAME: MOORE
BILL SIMON

NO TITLE REPORT FURNISHED.
PLAT SUBJECT TO RESTRICTIONS & EASEMENTS OF RECORD OR OTHERWISE.
FENCE LOCATIONS, IF SHOWN, ARE APPROXIMATE ONLY AND DO NOT CERTIFY AS TO OWNERSHIP.

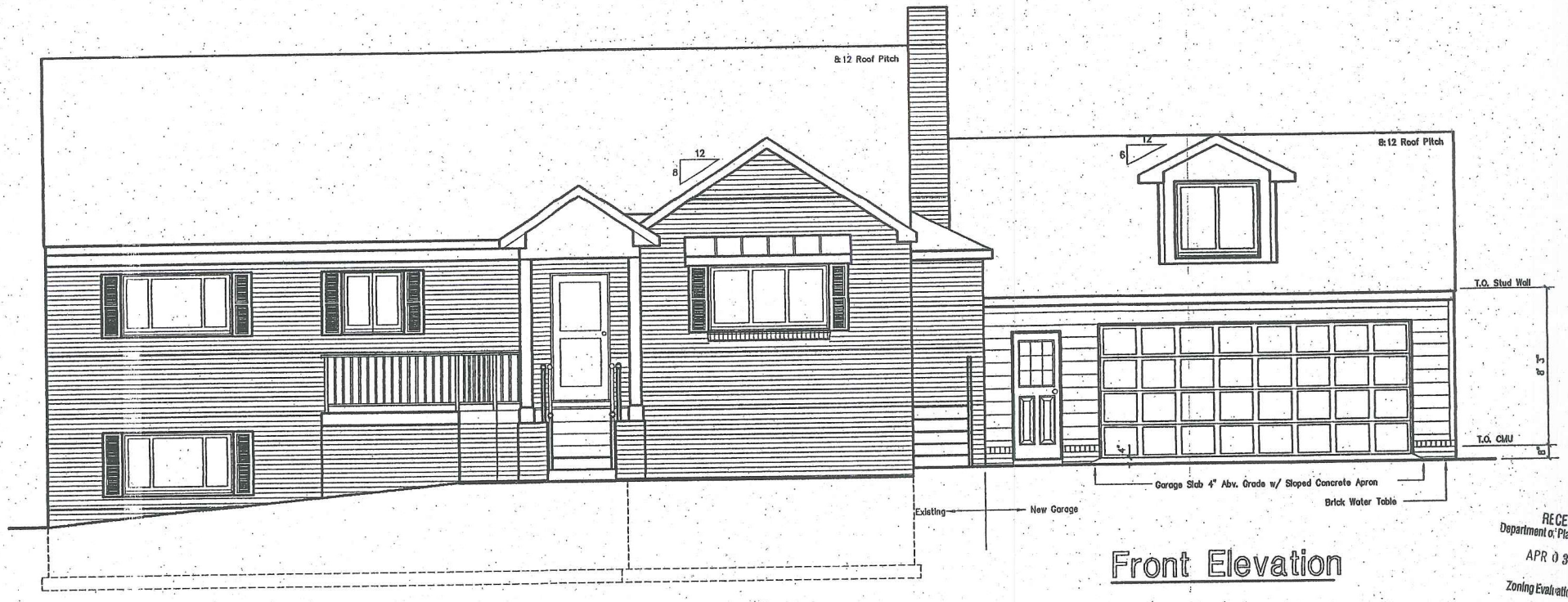
SCARTZ SURVEYS
LARRY N. SCARTZ
CERTIFIED LAND SURVEYOR
WOODBRIDGE, VIRGINIA
LOCAL (703) 494-4181
FAX (703) 494-3330
LARRY.SCARTZ@SCARTZ.COM

SPECIAL PERMIT PLAT
LOT 13, SECTION 1
SLEEPY HOLLOW MANOR
MASON MAGISTERIAL DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: 1"=30' DATE: FEBRUARY 7, 2013

TAX MAP# 051-3-11-0013 JOB# 2013-0134 DSE



Right Side Elevation



Front Elevation

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Zoning Evaluation Division

William Simon - Contractor

Simon & Associates, LLC
312 W. Juniper Ave. Sterling, Va. 20164
Phone: 703-517-0488 Fax: 703-404-0207

Moore Residence
6317 Eppard St.
Falls Church, Va.

Permit Set

Scale: 1/4"=1'0"
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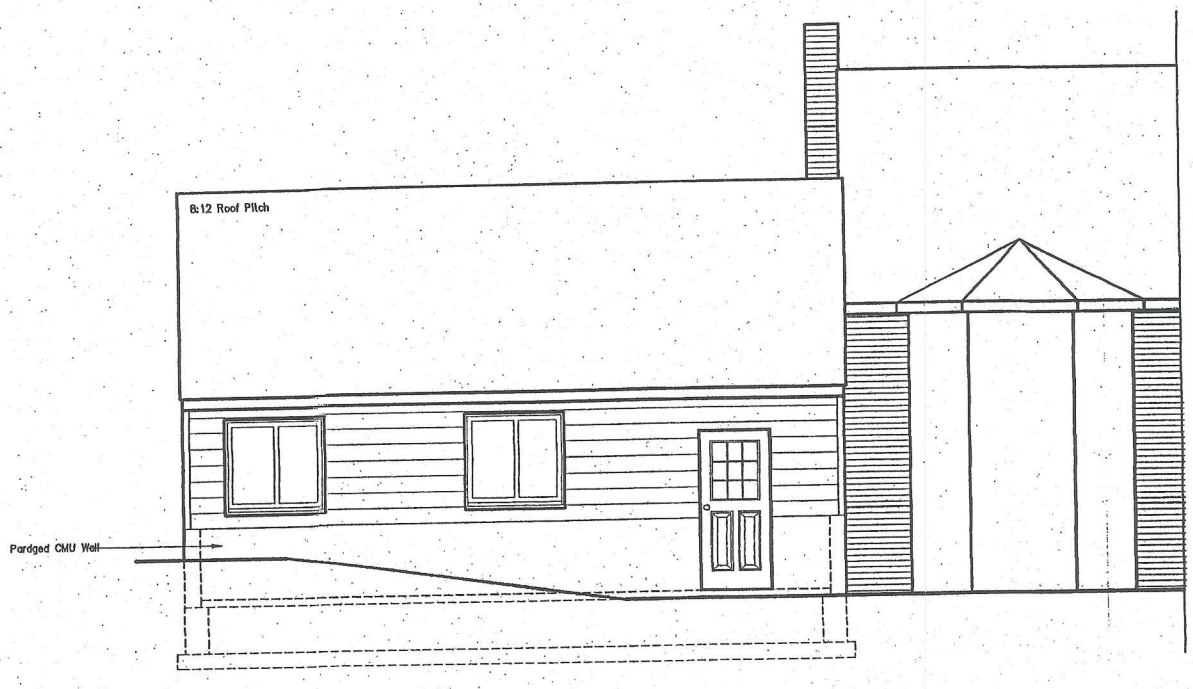
Plot Date [Prev]:
Plot Date [Curr]: 3-11-

Elev.s/Sec.s

1



Rear Elevation

Moore Residence
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Falls Church, Va.

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Phone: 703-517-0488 Fax: 703-404-0207

Permit Set

Scale: 1/4"=1'-0"
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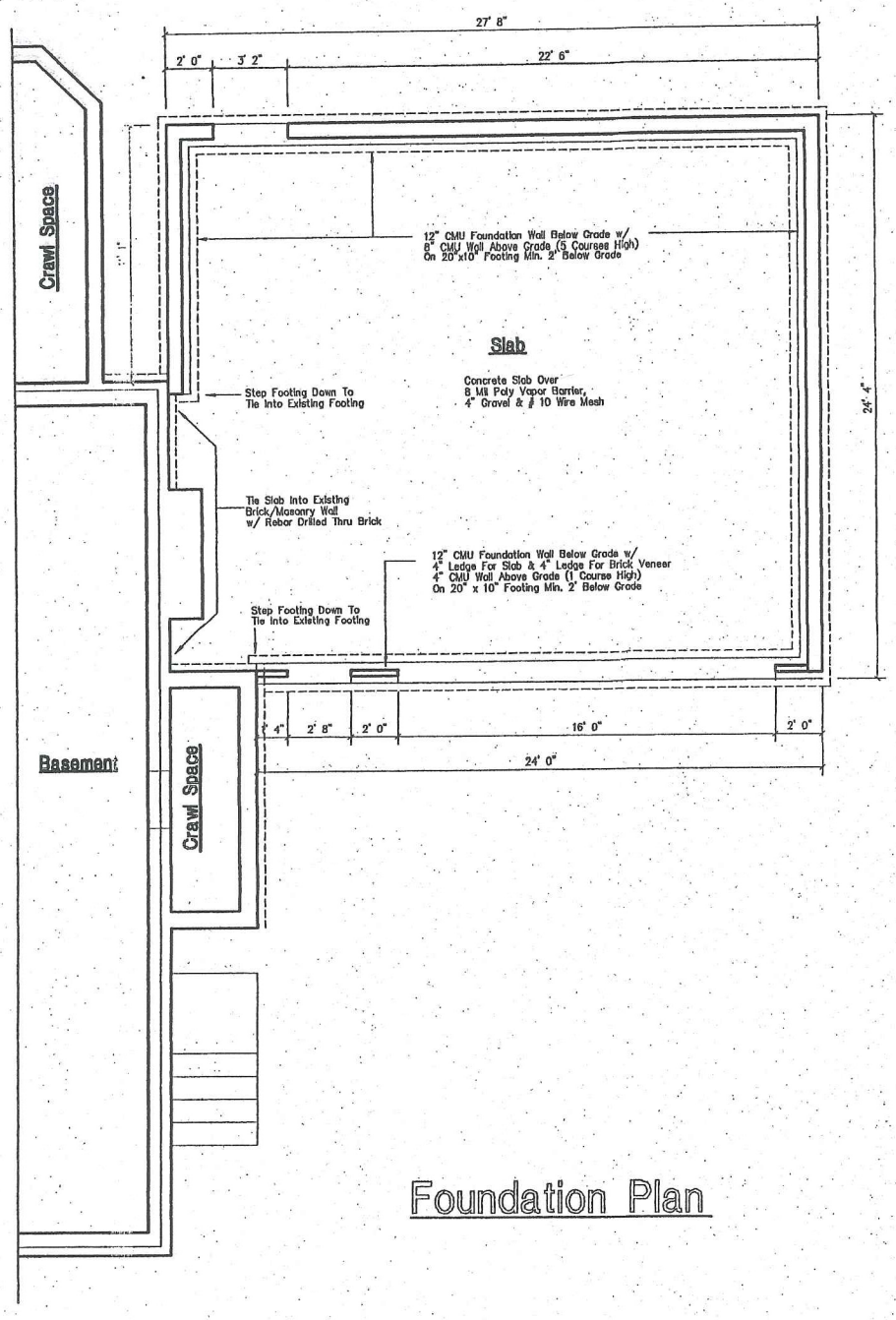
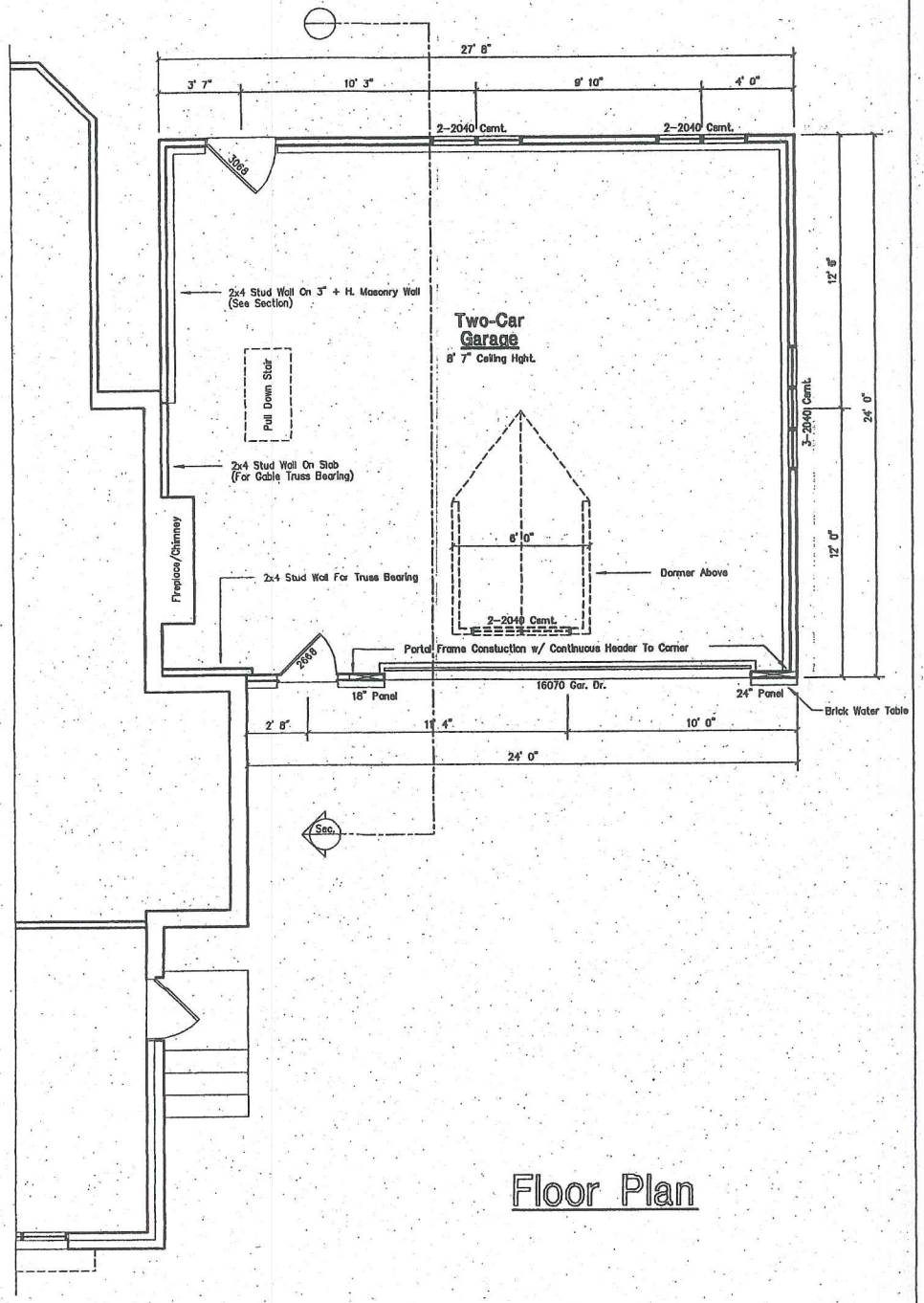
Plot Date [Prev]:
Plot Date [Cur]: 3-11-1

Elev.s/Sec.s

2



Foundation Plan



Floor Plan

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6317 Eppard St.
Falls Church, Va.

Simon & Associates, LLC
312 W. Juniper Ave. Sterling, Va. 20164
Phone: 703-517-0488 Fax: 703-404-0207

Permit Set

Scale: 1/4"=1' 0"
© Copyright

Plot Date [Prev]:
Plot Date [Curr]: 3-11-13

Floor Plans

3

MAP #: 0513 11 0013
MOORE ROBERT HUNTER

6317 EPPARD ST

Aerial Imagery Copyright 2007 Commonwealth of Virginia

6317 Eppard St. Falls Church Va. 22044

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1 Existing front- Taken from Eppard ST

2 Existing Back- Taken from rear yard.

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3. Existing Side - Taken from Lomar Dr.

4. Taken from other side of Lomar Dr.

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5. Front of Carport - Taken from Driveway in Front.

6. Angle of corner from side yd.

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7. Rear yard TO Back of Carport & Lomar Dr. ST Side.

8. Corner Angle from Lomar Dr. Side.

3-21-13

6312 Eppard ST Falls Church VA 22044

9. Back corner of lot Corner angle.

10. Looking out from Back side of Carport To rear lot

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11. Looking out from the side of the carport to Lomax Dr.

12. Looking out from the front of carport to Eppard St.

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Zoning Evaluation Division

6317 Eppard St. Falls Church Va. 22044 3-2173

Front
6317 Eppard St. Falls Church Va 22044
32413

Back

6317 Leppard ST. Falls Church Va. 22044

3-21-13

1876
Side
6317 Eppard St Falls Church Va 22044
3-21-13

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a reduction of certain yard requirements to construct a garage addition.

A copy of the special permit plat, titled "Special Permit Plat, Lot 13, Section 1, Sleepy Hollow Manor," prepared by Larry N. Scartz, L.S., of Scartz Surveys, dated February 7, 2013, as revised through March 20, 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 17,413 square foot lot contains a one story brick and frame house with a basement. The corner lot has two front yards; one along Lomar Drive and the other along Eppard Street. A carport, a chimney and a small addition are attached to the southern elevation. An open wood deck and addition are attached to the eastern elevation. An addition and open porch with steps exist to the west of the dwelling. The asphalt driveway provides vehicular access to Eppard Street. A 3.5 foot high chain link fence encloses the rear yard. A vinyl fence, 3.5 feet in height, exists along a portion of the property line along Lomar Drive. One mature tree is located in the southwest corner of the property and a number of trees exist in the northeast corner of the property. The lot is relatively flat and has a grass lawn.

Zoning: R-3

BACKGROUND AND HISTORY

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1959 and purchased by the applicant in 1971.

Four exterior building permits exist in county records related to this property. A building permit was approved on November 15, 1991, for the construction of an addition and deck attached to the east of the dwelling. An additional building permit was approved on October 26, 1992 to extend the existing deck to the northeast of the dwelling. A separate building permit was approved on March 25, 1997, for the construction of a one-story addition attached to the south of the dwelling. Another building permit was applied for on January 2, 2007, for the construction of a one-story kitchen addition, and a stoop and stairs to be west of the dwelling.

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

DESCRIPTION OF THE APPLICATION

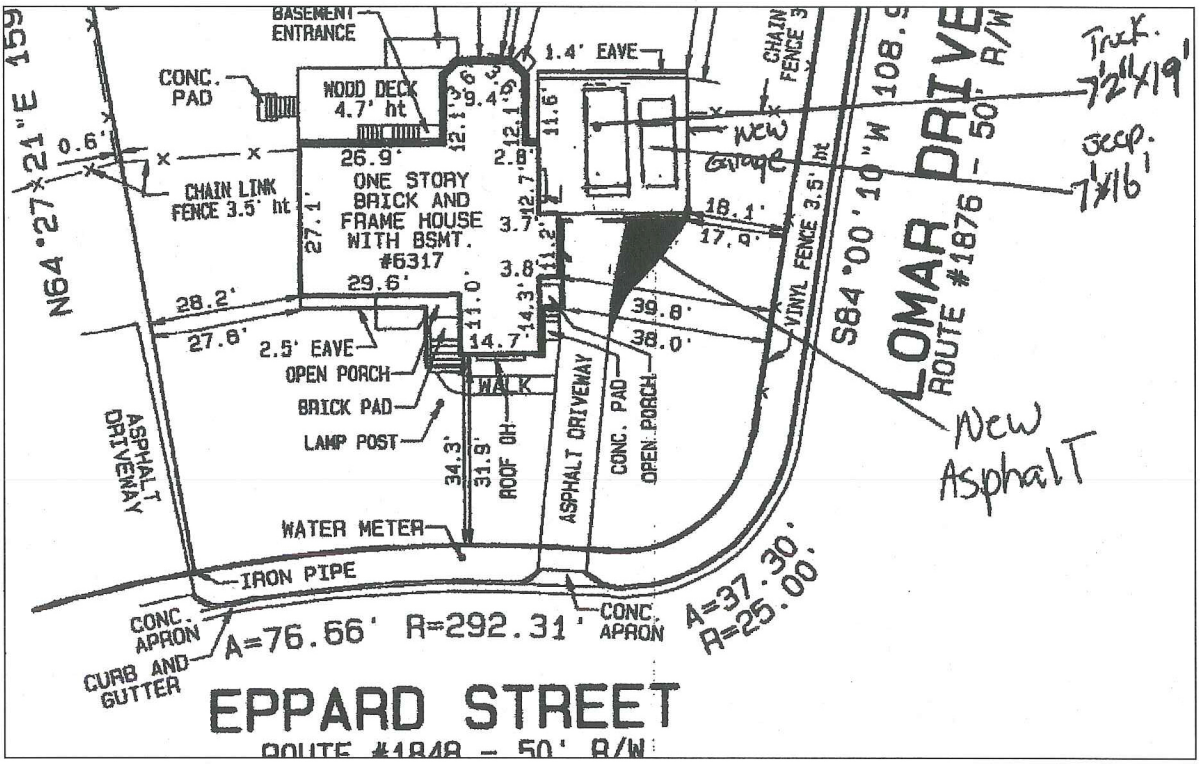
The applicant is requesting approval of a special permit for a reduction of certain yard requirements for the construction of a two-car garage addition 17.9 feet from the front yard line (along Lomar Drive).

	Structure	Yard	Minimum Yard Required*	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit	Addition	Front	30.0 feet	17.9 feet	12.1 feet	40.3%

*Minimum yard requirement per Section 3-307

The applicant proposes to expand an area of a current one-car carport by constructing an approximately 663 square foot addition on the south elevation to accommodate a 19 foot long truck and a 16 foot long SUV. The addition will be approximately 13.6 feet in height. The addition will have a gable roof with brick and siding similar to the existing dwelling. Storage space will be constructed above the garage with a dormer for natural lighting and pull down stairs for access.

The applicant also proposes to expand the existing asphalt driveway to accommodate entrance to the new two car garage as depicted below.



ANALYSIS

Comprehensive Plan Provisions

Plan Area: I
Planning Sector: Barcroft Community Planning Sector
Plan Map: 2-3 du/ac

Zoning Ordinance Requirements

Applicable bulk regulation(s) and additional location regulations are set forth above.

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

Sect. 8-006 General Special Permit Standards

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

General Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. *A number of properties located in this neighborhood have completed similar additions by converting a carport into a garage. Staff believes by observation of the neighborhood through submitted photographs, elevations, and aerial photography that the construction of the garage addition will not adversely affect the use or development of neighboring properties. Therefore, staff believes this standard has been met.*

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

This special permit application must satisfy all of the provisions contained in Sect. 8-922, Provisions for Reduction of Certain Yard Requirements. Standards 1, 2, 3, 11 and 12 relate to submission requirements and were satisfied at the time of submission. Standard 5 relates to accessory structures, which does not apply to this application and Standard 10 allows the BZA to impose development conditions. Staff believes that the application has met all of the remaining standards, specifically Standards 4, 6, 7, 8, and 9.

Standard 4 states that the resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first yard reduction request. In such instance, if a portion of the principal structure is to be removed; no more than fifty (50) percent of the gross floor area of the existing principal structure at the time of the first yard reduction shall be removed. *The existing dwelling is 2,122 square feet in size. Therefore 150% of the total gross floor area could result in additions up to 3,183 square feet in size for a possible total square footage at build out of 5,305 square feet. The proposed addition is approximately 663 square feet, for a total square footage of the house with the additions of 2,785 square feet. Therefore the application meets this provision.*

Standard 6 states that the BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot. *The location of the proposed garage will be built at the location of an existing carport. The elevation drawings submitted as well as the statement of justification, indicate that the materials, size and scale of the proposed addition will be in character with the existing dwelling. The height of the addition (13.6 feet) will not be higher than the existing height of the dwelling (17.3 feet). Staff believes that the application meets this provision.*

Standard 7 states that the BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director. *Through aerial*

photography, staff has confirmed that the garage addition is similar to others in the neighborhood in terms of its height and location on the lot. A number of homes have an existing carport in the same location on the property. Additionally, some homes in the neighborhood have converted the carports into one or two car garages. Therefore, staff believes the addition will be harmonious with surrounding off-site uses and meets this provision.

Standard 8 states that the BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff. *Staff believes that the application meets the erosion and stormwater runoff portion of the standards since DPWES has indicated that there are no drainage complaints on file related to this property. Staff believes that the proposed garage addition, 663 square feet, will not impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety. Staff believes the addition will not dramatically increase runoff or erosion, as a portion of the garage addition is being constructed on the site of an existing carport. Therefore, staff believes the application meets this provision.*

Standard 9 states that the BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources. *Staff believes the request to build the addition is a modest request to house the applicant's existing vehicles (as shown below). The location of the proposed garage is logical in respect to the existing dwelling, driveway, and curb cut. The driveway will be minimally altered to accommodate a two car entrance to the garage. A development condition is included to address this issue. No trees will be removed during by this construction; however, some small shrubbery and plants will need to be removed. Staff from the Urban Forestry Management Division has recommended the installation of tree protection fencing to protect the dripline and roots of existing trees in the area (Appendix 5). Additionally if any trees are removed it is recommended that the trees be replaced somewhere on the property. Development conditions have been included in Appendix 1 to address these concerns. Other issues of wells, floodplains and/or Resource Protection Areas, and historic resources are not applicable to this site. Staff believes the application meets this provision.*

CONCLUSION

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

RECOMMENDATION

Staff recommends approval of SP 2013-MA-070 for the garage addition with adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report. It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Similar Case History
5. Urban Forestry Management Division Memo dated October 18, 2013
6. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

SP 2013-MA-070

November 27, 2013

If it is the intent of the Board of Zoning Appeals to approve SP 2013-MA-070 located at Tax Map 51-3 ((11)) 13 to permit reduction of certain yard requirements pursuant to Section 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.

2. This special permit is approved for the location and size of the garage addition (663 square feet), as shown on the plat titled "Special Permit Plat, Lot 13, Section 1, Sleepy Hollow Manor," prepared by Larry N. Scartz, L.S., of Scartz Surveys dated February 7, 2013, as revised through March 20, 2013, as submitted with this application and is not transferable to other land.

3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (2, 122 square feet existing + 3,183 square feet (150%) = 5,305 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.

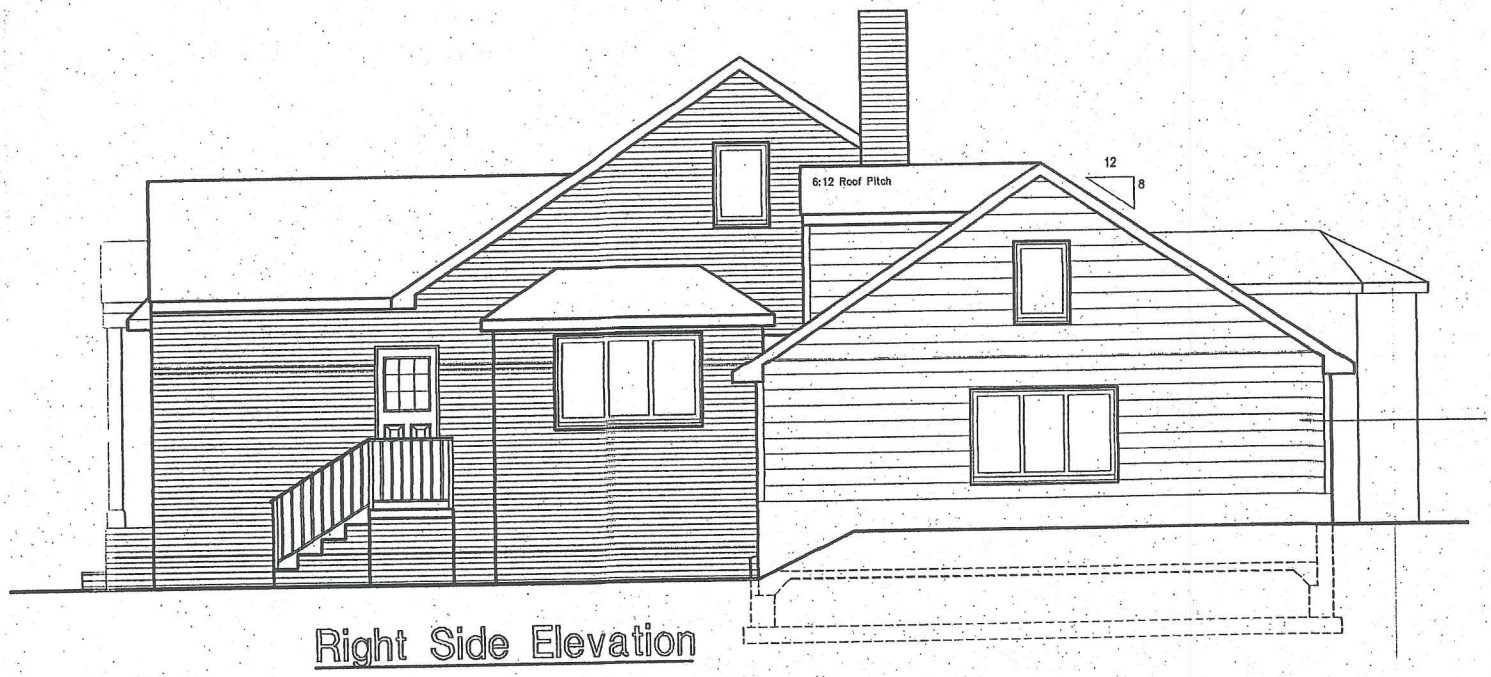
4. Prior to commencement of, and during the entire construction process, the applicant shall install tree protection fencing at the drip lines of existing small landscape trees and at the drip line of the existing large deciduous tree located southwest of the dwelling in the front yard, to protect these trees from construction activities. The protective fencing shall remain intact during the entire construction process, and shall be the maximum limit for clearing and grading. The applicant shall monitor the site to ensure that an inappropriate activity, such as the storage of construction equipment, does not occur within the area.

5. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.

6. The extension of the asphalt driveway to accommodate a new two car garage shall be generally consistent with the drawing contained in Attachment 2.

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.



Right Side Elevation

Front Elevation

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Department of Planning & Zoning
APR 03 2013
Zoning Evaluation Division

William Simon - Contractor

Simon & Associates, LLC
312 W. Juniper Ave. Sterling, Va. 20164
Phone: 703-517-0488 Fax: 703-404-0207

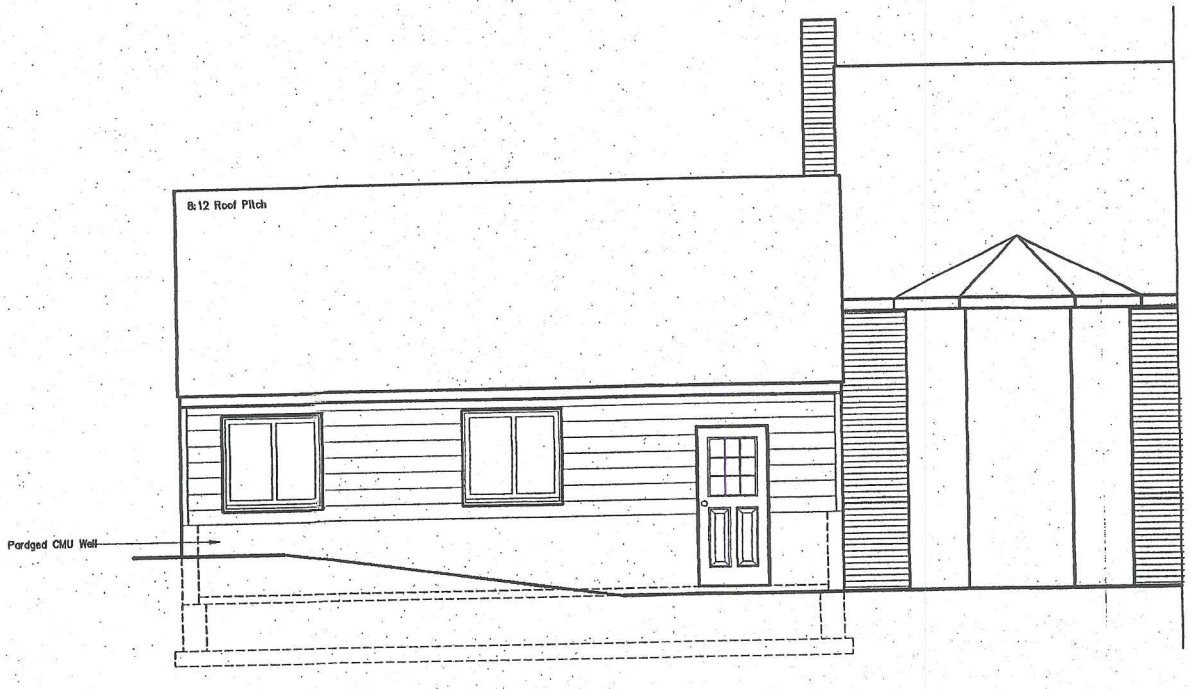
Moore Residence
6317 Eppard St.
Falls Church, Va.

Permit Set

Scale:

Plot
Plot

ATTACHMENT 1



Rear Elevation

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Falls Church, Va.

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Fax: 703-404-0207

Permit Set

Scale: 1/4"=1' 0"
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Plot Date [Prev]:
Plot Date [Cur]: 3-11-1

Elev.s/Sec.s

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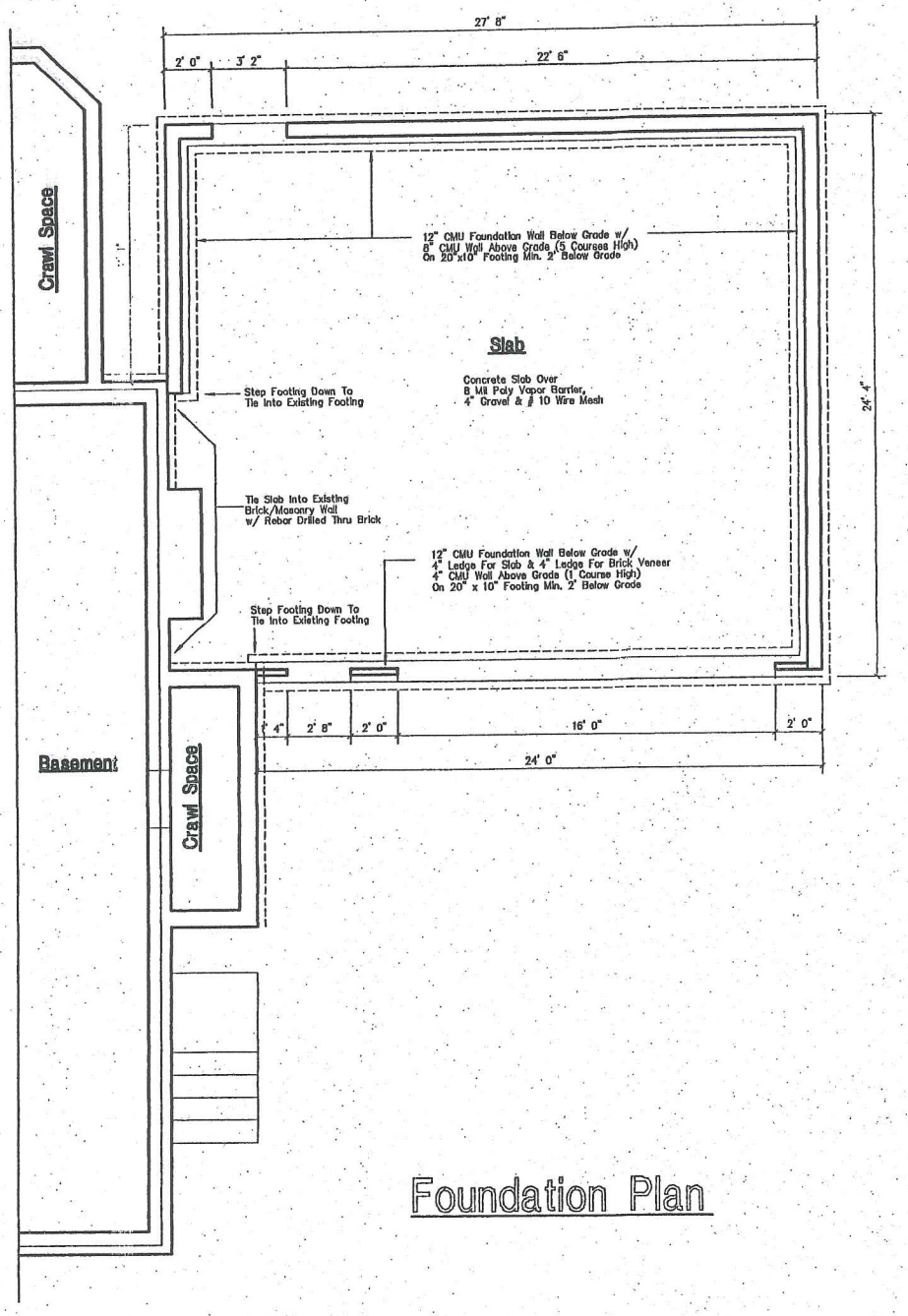
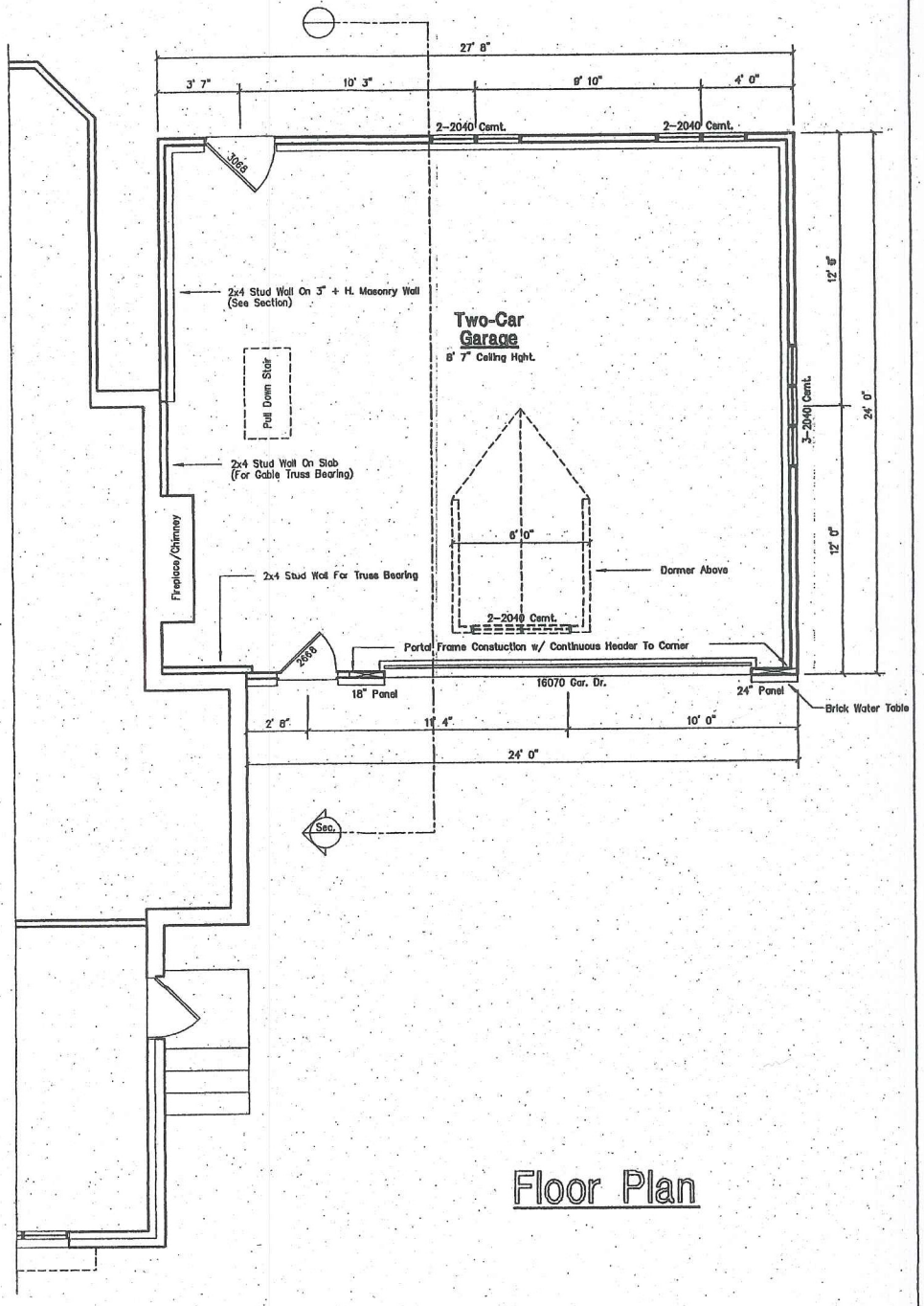


Foundation Plan



Floor Plan

Moore Residence
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Falls Church, Va.

Simon & Associates, LLC
312 W. Juniper Ave. Sterling, Va. 20164
Phone: 703-517-0488 Fax: 703-404-0207

Permit Set

Scale: 1/4"=1' 0"
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Plot Date (Prev):
Plot Date (Curr): 3-11-13

Floor Plans

3

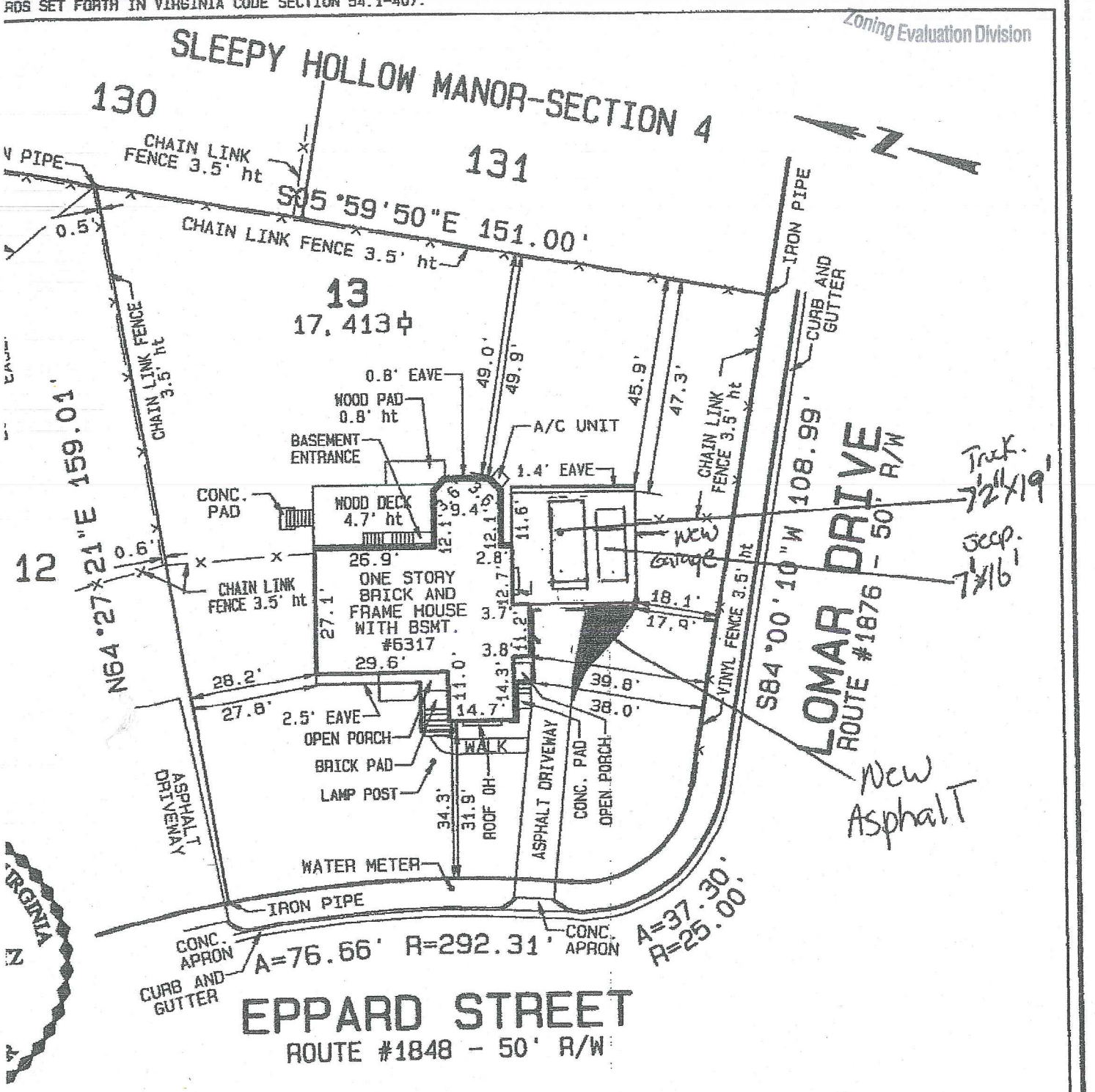
ATTACHMENT 2

Departme...

NOV 21 2013

Zoning Evaluation Division

ENT AND IS VALID FOR SIX MONTHS FROM DATE ISSUED.
RDS SET FORTH IN VIRGINIA CODE SECTION 54.1-407.



SPECIAL PERMIT PLAT

LOT 13, SECTION 1

SLEEPY HOLLOW MANOR

MASON MAGISTERIAL DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE: 1"=30' DATE: FEBRUARY 7, 2013

Application No.(s): SP 2013-MA-070
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6-13-13
(enter date affidavit is notarized)

I, William L. Simon, 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

20650

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)
Robert Hunter Moore	6317 Eppard ST. Falls Church, Va. 22044	Applicant/Title Owner
William L. Simon d/b/a Simon & Associates	312 West Juniper Ave Sterling Va 20164	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-MA-070

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6-13-13 120650

(enter date affidavit is notarized)

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.) Simon & Associates 312 West Juniper Ave Sterling Va. 20164

CORPORATION INFORMATION

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

DESCRIPTION OF CORPORATION: (check one statement)

[ ] There are 10 or less shareholders, and all of the shareholders are listed below.

[ ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

[ ] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

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

William L. Simon – sole Proprietor
312 West Juniper Ave
Sterling Va 20164

(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-MA-070

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6-13-13

(enter date affidavit is notarized)

120650

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-MA-070

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6-13-13

(enter date affidavit is notarized)

120650

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-MA-070

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6-13-13 120650

(enter date affidavit is notarized)

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

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

None

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

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

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

WITNESS the following signature:

William L. Sinon

(check one) [ ] Applicant [+] Applicant's Authorized Agent

William L. Sinon Applicant's Authorized Agent

(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 VA, County/City of Sterling.

Balvir K Grewal

Notary Public

My commission expires: 04/30/2015

BALVIR K. GREWAL
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES APR. 30, 2015
COMMISSION # 7108752

APPENDIX 3

RECEIVED
Department of Planning & Zoning
AUG 12 2013
Zoning Evaluation Division

William Simon
312 WEST JUNIPER AVE
STERLING VIRGINIA 20164
705-517-0488

County of Fairfax Virginia
8-12-13
Virginia H. Ruffner, planner 111
Application Acceptance Section, ZED, DPZ

Special Permit Application - Robert Moore

930.00 (GFA)

Existing gross floor area house. 2,122 sq. ft.

Proposed gross floor area garage 663 sq. ft.

31 percent of the total GFA of the existing house.

930.01
The new garage will be smaller in size, not highter in height use to keep cars and storage.

930.02
The propose structure is in character with the existing house.
using the same brick, siding,
windows and roof.

930.03
There is very little impack to the surrounding off site uses because of

location, it only shows about 4'7"
out of the ground on the right facing the new garage. very little impack to vegeation and trees.

930.04

The new garage will have no impack on any adjacent property because it far enough away from the back
property lot and a street on the right side facing the new garage.
No noise impack or light because it will be close in, if anything it will help because there is a carport
there now with no walls. no impack on stormwater runoff or erosion.

930.05

We are using the area where there is a carport now and using it to build the garage ther is no other
place on lot to relocated.

SPECIAL PERMIT STATEMENT OF JUSTIFICATION

Robert H. Moore
6317 Eppard St.
Falls Church, Va. 22044

A. I am applying for a special permit to convert an existing carport (attached to the side of my house) into a two car garage. The garage will be 27.6' x 24.3', which is 11.3' wider and 5.7' deeper than the present carport.

B. In continuous use.

C. One

D. None

E. Proposed garage driveway exits and enters from Eppard St., a lightly traveled residential street. On average there are three car trips per day to and from the garage.

F. Garage will serve to house two cars on the property of the applicant.

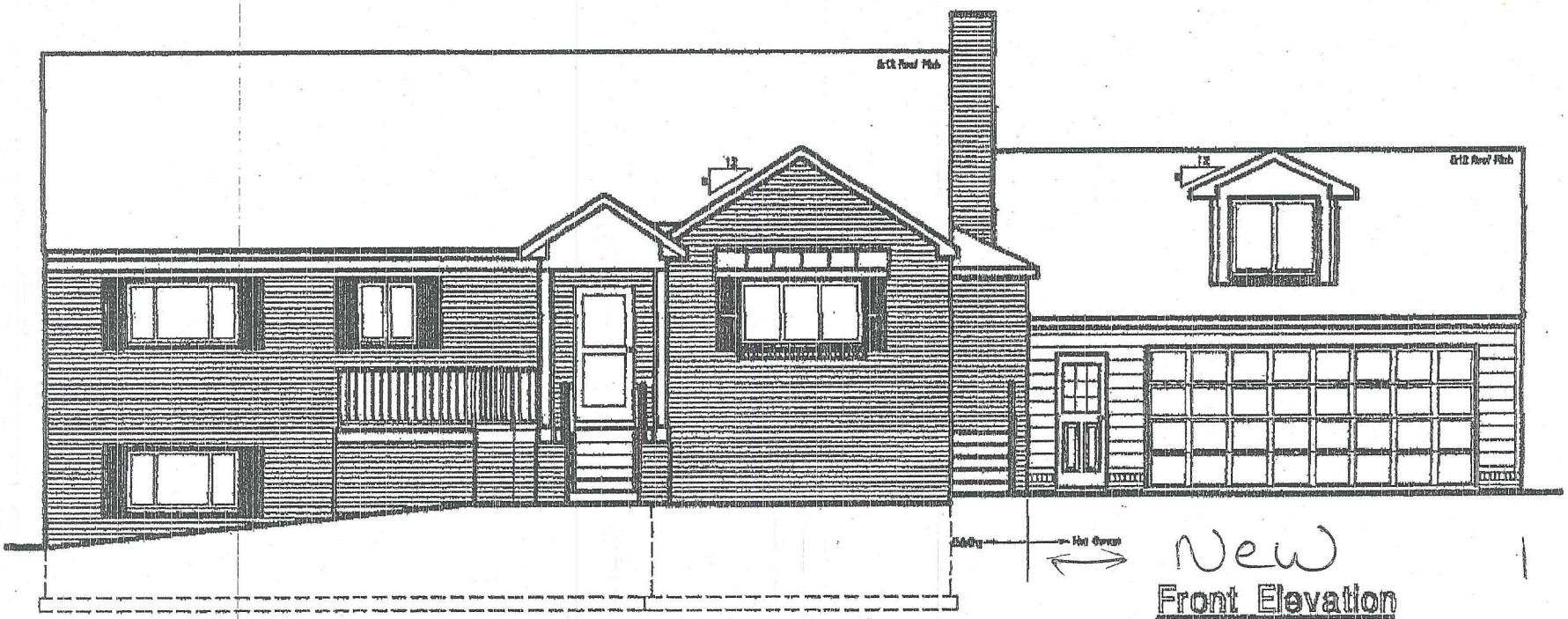
G. The Garage will be one story, wood frame with siding to match the house, on a concrete slab with masonry foundation.

H. None

I. The structure will conform to all applicable regulations. This application is for a variance to the setback from the property line on the side of the house next to Lomar Dr. The garage is 11.3 feet wider than the existing carport. It will be 18.1 feet from the property line.

RECEIVED
Department of Planning & Zoning
APR 03 2013
Zoning Evaluation Division

RECEIVED
Department of Planning & Z
APR 03 2013
Zoning Evaluation Divisio



New
Front Elevation
1/8" = 1'

6317 Eppard ST. Falls Church Va. 22044

RECEIVED
Department of Planning & Zoning
APR 0 3
Zoning Evaluation Division

Right Side Elevation

New

Rear Elevation New

6317 Eppard St. Falls Church Va. 22044

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

March 29th, 2013

Dear Sirs,

Re: Application for a Special Permit to Build a Garage at my home, 6317 Eppard St., Falls Church, Va., 22044-1707.

I, Robert H. Moore, certify that I am the sole owner of the property at 6317 Eppard St., Falls Church, Va., 22044-1707, which is my residence. The proposed garage will be used by my vehicles and guest at my home.

Robert H. Moore

RECEIVED
Department of Planning & Zoning
APR 03 2013
Zoning Evaluation Division

William Simon
312 WEST JUNIPER AVE
STERLING VIRGINIA 20164
705-517-0488

County of Fairfax Virginia
6-20-13
Virginia H. Ruffner, planner 111
Application Acceptance Section, ZED, DPZ

Special Permit Application - Robert Moore
Building a garage.
Right now there is a 16.3x 18.6 carport that will fit one and 1/2 cars.
Would like to build a 24,x 24.3 garage with storage above.
All the exterior finish would match the existing house. There is no change in the drive way
at the street front , it will remain the same. Having the garage will help him to get out of the driveway
easier bcause it is a single car driveway so he does not have to move the other car and does not want to park out in the street.. It will help keep his car out of the weather and will help to keep him safer in case of unknow trouble. Mr. Moore is getting older and as time goes by this garage will help him to get by.
There will be pull down steps for storage, to get to things easier.
The Propose garage will be used by Mr. Moore and his vehicles.

William L. Simon

RECEIVED
Department of Planning & Zoning
JUN 21 2013
Zoning Evaluation Division

William Simon
312 WEST JUNIPER AVE
STERLING VIRGINIA 20164
705-517-0488

RECEIVED
Department of Planning & Zoning
JUL 25 2013
Zoning Evaluation Division

County of Fairfax Virginia
6-20-13
Virginia H. Ruffner, planner 111
Application Acceptance Section, ZED, DPZ

Special Permit Application - Robert Moore
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Right now there is a 16.3x 18.6 carport that will fit one and 1/2 cars.
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There will be pull down steps for storage, to get to things easier.
The Propose garage will be used by Mr. Moore and his vehicles.

William L. Simon

RECEIVED
Department of Planning & Zoning
JUL 25 2013
Zoning Evaluation Division

William Simon
312 WEST JUNIPER AVE
STERLING VIRGINIA 20164
705-517-0488

County of Fairfax Virginia
6-20-13
Virginia H. Ruffner, planner 111
Application Acceptance Section, ZED, DPZ

Special Permit Application - Robert Moore

(GFA)

Existing gross floor area house. 2,122 sq. ft.

Proposed gross floor area garage 663 sq. ft.

31 percent of the total GFA of the existing house.

William L. Simon

Similar Case History

Group: 86-M -122

VC 86-M -122

APPLICANT:	DELANEY, SANDRA L.
STATUS:	APPLICATION APPROVED
STATUS/DECISION DTE:	03/03/1987
ZONING DISTRICT:	R- 3
DESCRIPTION:	TO ALLOW ENCLOSURE OF CARPORT AS A ROOM ADDITION TO A DWELLING 10 FEET FROM A SIDE LOT LINE (12 FEET MIN. REQUIRED) AND TO ALLOW EXISTING SHED TO REMAIN 1.4 FEET FROM SIDE LOT LINE (7.7 FT MIN. REAR YARD AND 12 MIN. SIDE YARD)
LOCATION:	3106 VALLEY LANE
TAX MAP #S:	

0513 11 0252

Group: 88-M -120

VC 88-M -120

APPLICANT:	RICHARD H PLEASANTS IV
STATUS:	APPLICATION DENIED
STATUS/DECISION DTE:	11/18/1988
ZONING DISTRICT:	R- 3
DESCRIPTION:	ALLOW CONSTRUCTION OF GARAGE ADDITION TO DWELLING TO 28 FT. FROM FRONT LOT LINE AND 3.5 FT. FROM SIDE LOT LINE (30 FT. MIN. FRONT, AND 12 FT. MIN. SIDE YARD REQ.)
LOCATION:	3129 VALLEY LANE
TAX MAP #S:	

0513 11 0219

Group: 89-M -011

VC 89-M -011

APPLICANT:	HUNG VU & HOA HUYNH THI
STATUS:	APPLICATION APPROVED
STATUS/DECISION DTE:	05/26/1989
ZONING DISTRICT:	R- 3
DESCRIPTION:	ALLOW ENCLOSURE OF SCREENED PORCH AS A KITCHEN ADDITION TO DWELLING 10.1 FT. FROM SIDE LOT LINE (12 FT. MIN. SIDE YARD REQ.)
LOCATION:	3117 VALLEY LANE
TAX MAP #S:	

0513 11 0213

Group: 94-M -127

VC 94-M -127

APPLICANT:	PARENTE, JUDY & FRANK
STATUS:	APPLICATION APPROVED
STATUS/DECISION DTE:	12/21/1994
ZONING DISTRICT:	R- 3
DESCRIPTION:	PERMIT CONSTRUCTION OF ADDITION 10.1 FT. FROM SIDE LOT LINE
LOCATION:	3121 SHADELAND DRIVE
TAX MAP #S:	

0513 11 0153

Group: 99-M -066

VC 99-M -066

APPLICANT:	DAVID H MILBURN
STATUS:	APPLICATION APPROVED
STATUS/DECISION DTE:	08/10/1999
ZONING DISTRICT:	R- 3
DESCRIPTION:	PERMIT CONSTRUCTION OF ADDITION 9.4 FT. FROM SIDE LOTLINE
LOCATION:	6409 EPPARD STREET
TAX MAP #S:	

0513 11 0015

Group: 00-M -102

VC 00-M -102

APPLICANT:	AWAD, HAMID
STATUS:	APPLICATION APPROVED
STATUS/DECISION DTE:	10/18/2000
ZONING DISTRICT:	R- 3
DESCRIPTION:	TO PERMIT THE CONSTRUCTION OF ADDITION 10.0 FT. FROM SIDE LOT LINE
LOCATION:	3059 HAZELTON STREET
TAX MAP #S:	

0513 11 0081

Group: 00-M -114

VC 00-M -114

APPLICANT:	CLAITOR, JOHN H. AND MARIA
STATUS:	APPLICATION APPROVED
STATUS/DECISION DTE:	11/08/2000
ZONING DISTRICT:	R- 3
DESCRIPTION:	TO PERMIT THE CONSTRUCTION OF ADDITION 10.1 FEET FROMSIDE LOT LINE
LOCATION:	6344 CAROLYN DRIVE, FALLS CHURCH, VA. 22044
TAX MAP #S:	

0513 11 0147

Group: 2010-MA-066

SP 2010-MA-066 STAFF REPORT LOCATOR MAP

APPLICANT:	MRS. KIRSTEN BLALOCK GNIPP
STATUS:	APPLICATION APPROVED
STATUS/DECISION DTE:	02/02/2011
ZONING DISTRICT:	R- 3
DESCRIPTION:	REDUCTION OF CERTAIN YARD REQUIREMENTS TO PERMIT ADDITION 9.7 FEET FROM SIDE LOT LINE
LOCATION:	3139 CRESWELL DRIVE
TAX MAP #S:	

0513 11 0140

APPENDIX 5

County of Fairfax, Virginia

MEMORANDUM

DATE: October 18, 2013

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

FROM: Nicholas J. Drunasky, Urban Forester II
Forest Conservation Branch, UFMD

SUBJECT: Sleepy Hollow Manor Section 1, Lot 13, 6317 Eppard St, SP 2013-MA-070

This review is based upon the Special Permit application stamped "Received, Department of Planning & Zoning April 3, 2013."

General Comment: It appears that a handful of small landscape trees exist around the existing driveway along with a large deciduous tree on the right side of the driveway, not far from the proposed garage to be constructed. Staff recommends care is taken while constructing the garage in order to reduce both above and below ground impacts to these trees. The applicant may want to consider installing tree protection fencing to protect the dripline and roots of existing trees in the area. If any trees are removed for construction of this project, it is recommended by Urban Forest Management Division that they be replaced somewhere on the property.

If you have any questions, please feel free to contact me at 730-324-1770.

NJD/

UFMDID #: 185004

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.