



APPLICATION ACCEPTED: September 16, 2013
BOARD OF ZONING APPEALS: December 11, 2013
TIME: 9:00 a.m.

County of Fairfax, Virginia

December 4, 2013

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2013-SU-076

SULLY DISTRICT

APPLICANT/OWNER: Berdia M. Foster

SUBDIVISION: Country Club Manor

STREET ADDRESS: 15212 Dumas Court, Centreville, 20120

TAX MAP REFERENCE: Tax Map 53-2 ((2)) (41) 16

LOT SIZE: 13,762 square feet

ZONING DISTRICT: R-2, Cluster

ZONING ORDINANCE PROVISIONS: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of addition 12.5 ft. from rear lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2013-SU-076 for the 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 applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

O:\vhorner\Special Permits\Foster 50%\Staff Report Foster.doc

Rebecca Horner

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.

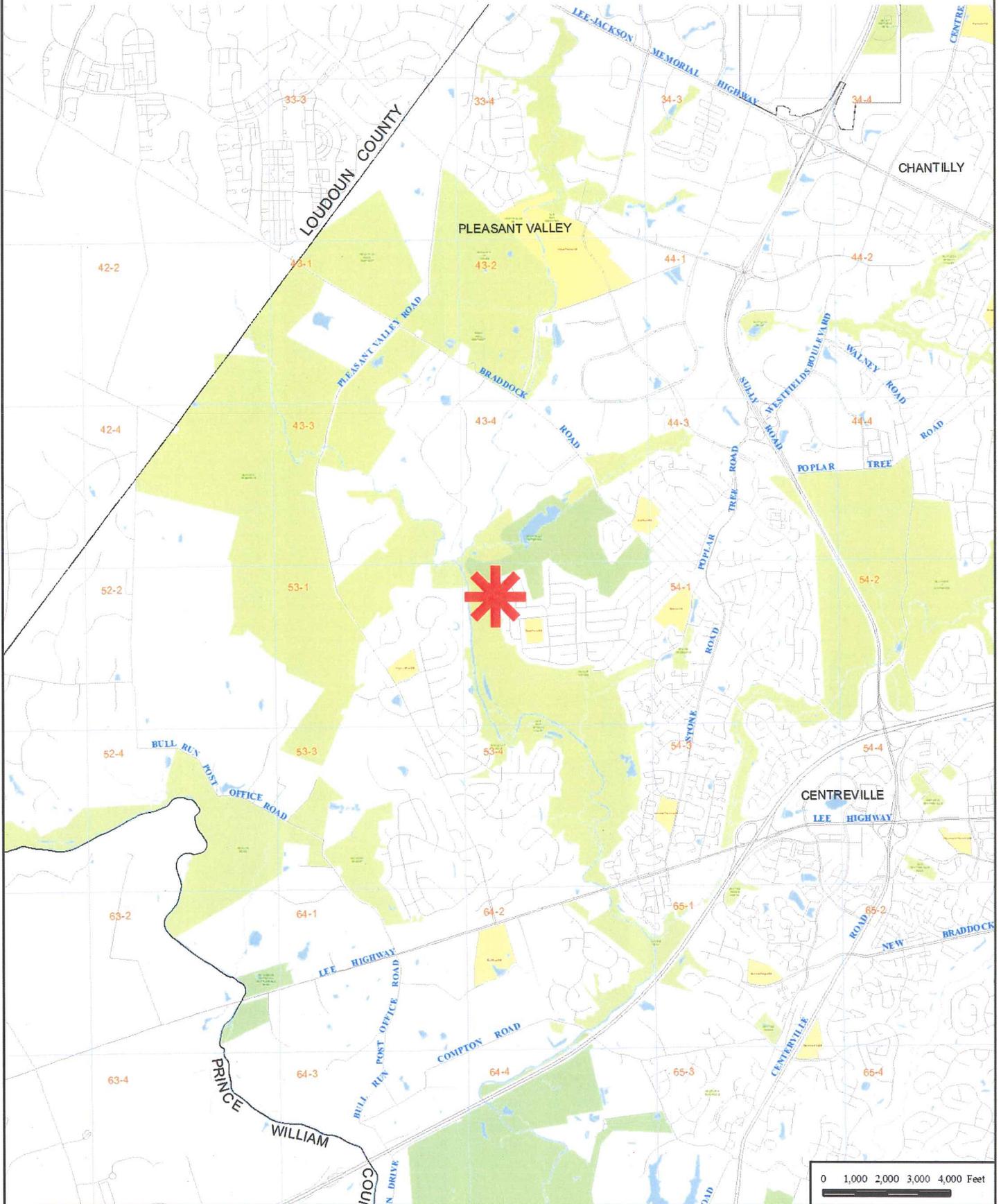
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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

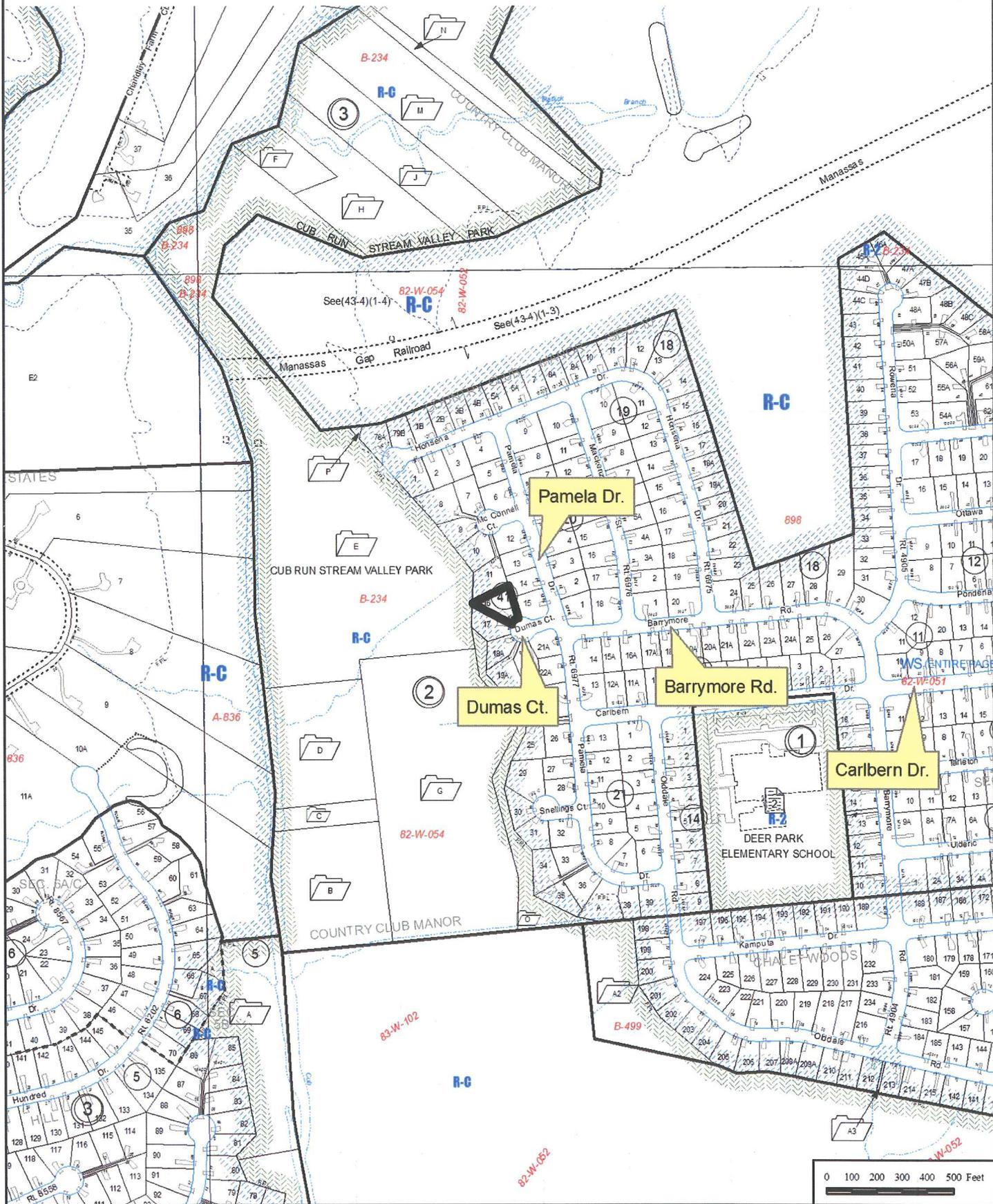
Special Permit

SP 2013-SU-076
BERDIA FOSTER



Special Permit

SP 2013-SU-076
BERDIA FOSTER



NOTES:

- TAX MAP: 53-2-02-41-16
- ZONE: R-2C (R-2 w/CLUSTER DEVELOPMENT)
- LOT AREA: 13,762 SF (0.3159 ACRE)
- REQUIRED YARDS:
 - FRONT: = 25.0 FEET
 - SIDE: = 8' MIN. & TOTAL 24'
 - REAR: = 25.0 FEET
- HEIGHTS:
 - EX. DWELLING = 22.7 FEET (MIDLINE OF ROOF)
 - PROPOSED SUNROOM = 15.0 FEET (MIDLINE OF ROOF)
 - PROPOSED DECK = 02.0 FEET
 - FENCES = AS NOTED
- THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
- THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
- ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING UNLESS DENOTED AS PROPOSED.
- THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
- TOPOGRAPHY DELINEATED HEREON WAS TAKEN FROM AVAILABLE RECORDS, IS SHOWN AT 2' INTERVALS, AND IS AERIAL.
- THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY. (SEE THE NORTHWEST CORNER OF THE PROPERTY)
- AREAS:
 - EX. BASEMENT = 1,474 SF
 - EX. FIRST FLOOR = 1,745 SF
 - EX. SECOND FLOOR = 1,486 SF
 - EX. GROSS FLOOR AREA = 4,705 SF
 - EX. FLOOR AREA RATIO: EX. GFA (4705) / LOT AREA (13762) = 0.34
 - PROP. SUNROOM: 412 SF / EX. GFA (4705) = 0.09
 - PROP. GROSS FLOOR AREA: 412 + 4705 = 5,117 SF
 - PROP. FLOOR AREA RATIO: PROP. GFA (5117) / LOT AREA (13762) = 0.37
- UTILITIES ARE UNDERGROUND.

PLAT

SHOWING THE IMPROVEMENTS ON
LOT 16, BLOCK 41, SECTION TEN
OF A RESUBDIVISION OF
BLOCK 21 & A 7.5954 ACRE PORTION OF BLOCK 41

COUNTRY CLUB MANOR
(DEED BOOK 5113, PAGE 572)

FAIRFAX COUNTY, VIRGINIA
SULLY DISTRICT

SCALE: 1" = 20'
APRIL 23, 2013
AUGUST 15, 2013 (REV)

ORDERED BY:
BERDIA M. FOSTER
DON JONES

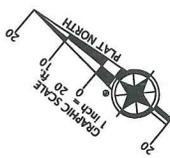
DOMINION Surveyors
Inc.*
8808 H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703-619-6555
FAX: 703-799-9412

COMMONWEALTH OF VIRGINIA
04/23/2013
LICENSE NO. 2069
Lloyd Sully
George M. O'Quinn

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:

THIS IS NOT A GUARANTEE TO RESTRICTIONS OF RECORD.

A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.

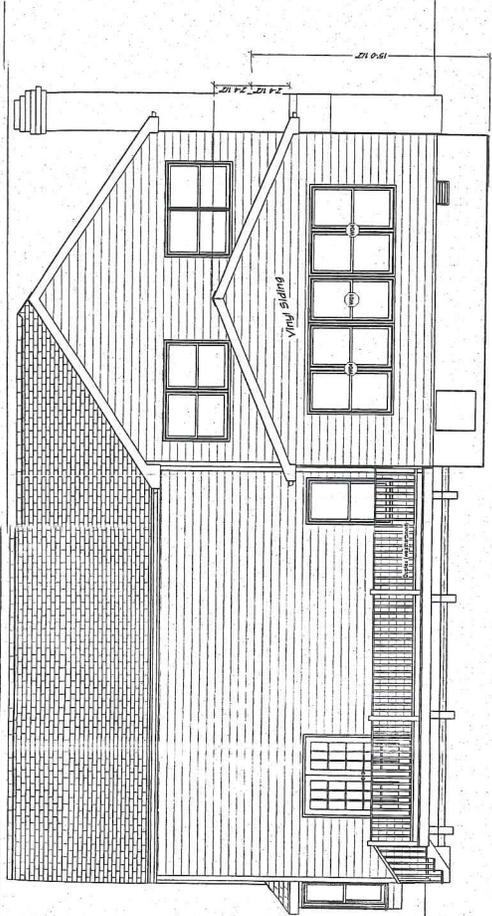


NOT TO SCALE

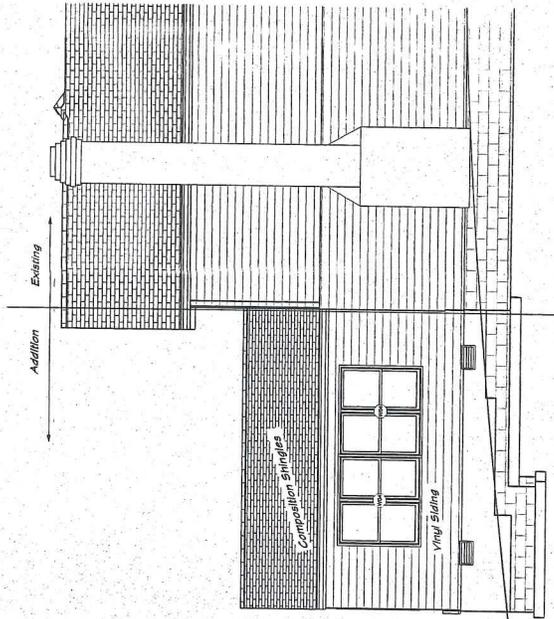
RECEIVED
Department of Planning & Zoning

AUG 29 2013

Zoning Evaluation Division



2
A-3
Rear Elevation
Scale: 1/4" = 1'-0"



1
A-3
Left Elevation
Scale: 1/4" = 1'-0"

LAYMAN'S DRAFTING SERVICE

7321 Covingtons Corner Rd, Staebton, Va. 22715 (540) 439-9870 or (540) 272-0168

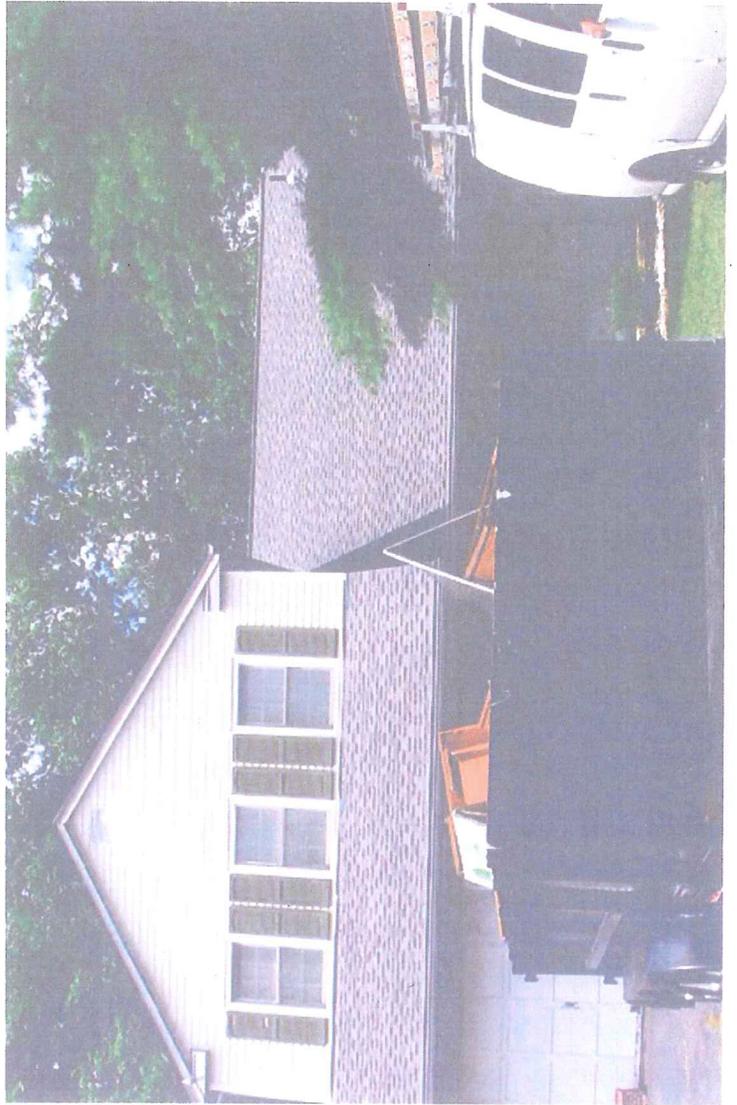
D & C CARPENTRY
6089 FRYIS LANE
WARRENTON, VA 20187
703-729-1172

NO.:	DATE:	SCALE:	DATE:
B. LA YMAN	6/14/2002	AS MARKED	
NO.:	DATE:	SCALE:	DATE:
3			
NO.:	DATE:	SCALE:	DATE:
5			

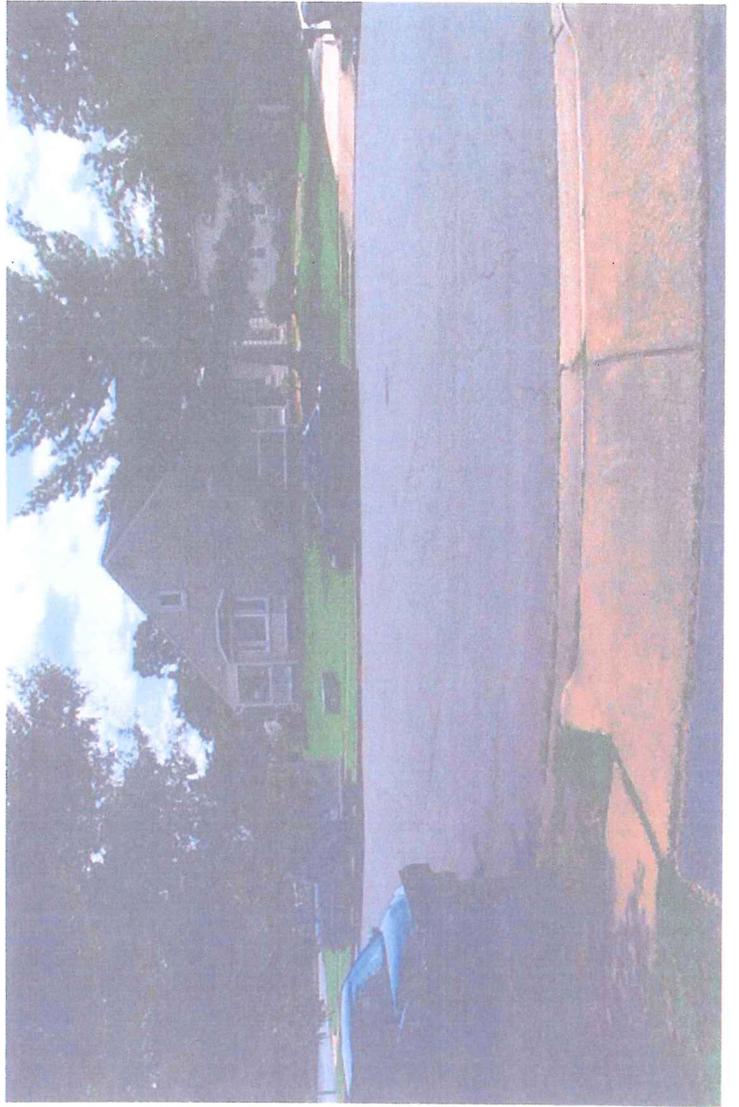
NOTE: ALL PROPOSED DIMENSIONS & LOCATIONS ARE SUBJECT TO FIELD VERIFICATION BY THE CONTRACTOR & FIELD SUPERVISOR.

Foster Berdia m.
15212 Dumas CT
Centerville Va 20120
SP 2013 / 0171

Foster home looking at front



Neighbor home in front left side of Foster home



Neighbor home on ~~Right~~ Left side of Foster home



Neighbor home in front of Foster home on ~~left~~ Right



Neighbor house on right back side of Foster home



Neighbor house on Left side Foster home



Neighbor house on ~~left~~ right side Next to Foster home



Left side of Back yard



middle Back Yard



middle of Backyard



Right Side of Back Yard

Page 1 of 1



SPECIAL PERMIT REQUEST

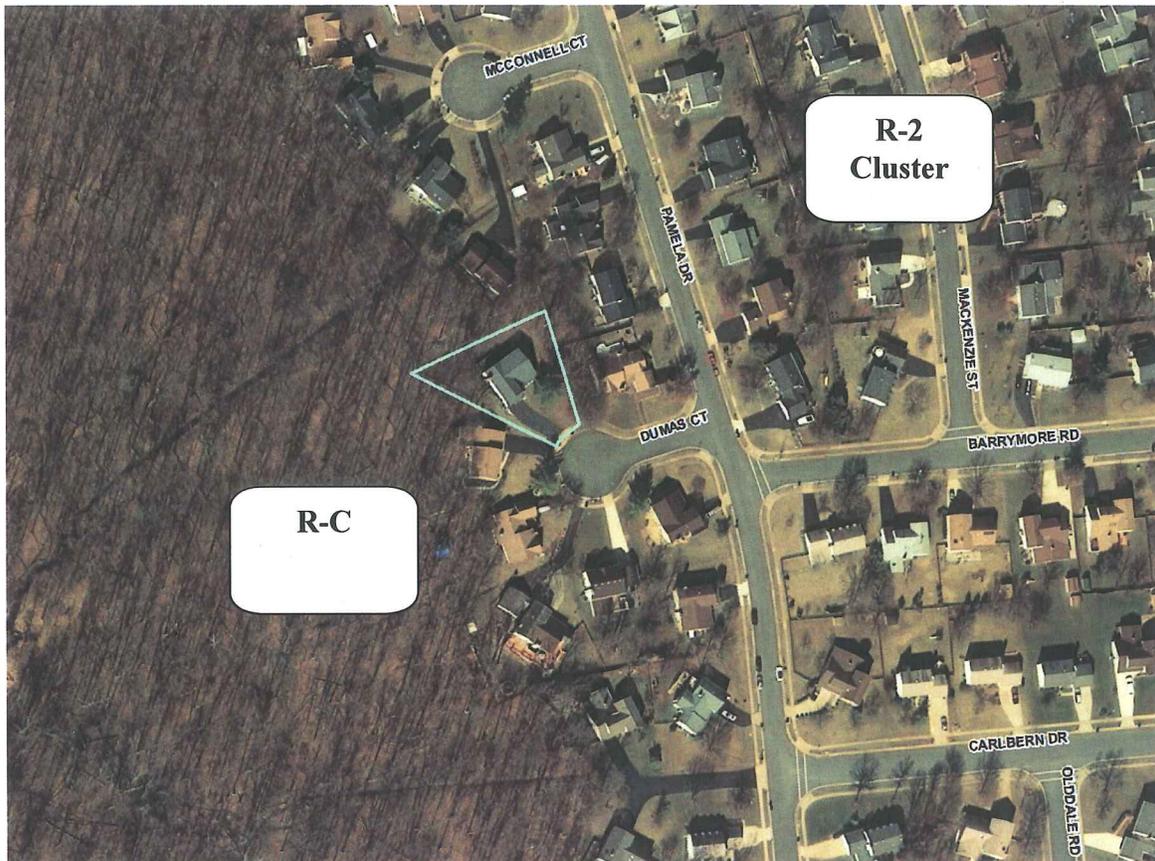
The applicant is seeking approval of a special permit for a reduction of certain yard requirements to permit construction of an addition 12.5 ft. from the rear lot line.

A copy of the special permit, plat titled "Plat Showing the Improvements on Lot 16, Block 41, Section Ten," prepared by George M. O'Quinn, L.S., of Dominion Surveyors Inc., dated April 23, 2013, as revised through August 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 13,762 square foot lot is currently zoned R-2 and developed under the cluster provision. The lot contains a split-level single family detached dwelling. The asphalt driveway provides access to the lot from Dumas Court. A split-rail fence extends along a portion of the rear property line and a four foot tall split-rail and wire fence extends along a portion of the western side lot line. A 3.8 foot tall split-rail fence extends along a portion of the eastern side lot line. There are a number of mature trees and the lot is relatively level.



As shown on the previous page, the existing lot and surrounding lots to the north, east and south are zoned R-2, cluster and developed with single family detached dwellings. R-C zoned property is located to the west and consists of recreational open space for the Cub Run Stream Valley Park.

BACKGROUND AND HISTORY

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1982. The applicant has owned the property since 1982.

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

DESCRIPTION OF THE APPLICATION

	Structure	Yard	Min. Yard Req.*	Structure Location	Proposed Reduction	Percent of Reduction
Special Permit	Addition	Rear	25.0 feet	12.5 feet	12.5 feet	50.0%

The applicant is requesting approval of a special permit for a reduction of certain yard requirements to permit construction of an addition, a sunroom, 12.5 feet from the rear lot line. The applicant proposes a deck and steps to attach to the proposed sunroom addition. The sunroom will attach to the first level of the dwelling with a proposed height of 15 feet and square footage of 412 square feet.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Bull Run Planning District
Planning Sector: Flatlick Community Planning Sector (BR3)
Plan Map: Residential 2-3 d.u./acre

Zoning Ordinance Requirements

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

This special permit is subject to sections of the Zoning Ordinance as referenced above, a copy of which is included in Appendix 5. Subject to development conditions, the special permit must meet these standards.

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. One special permit located in this neighborhood has been approved for a similar addition. Staff believes by observation of the neighborhood through submitted photographs and aerial photography that the construction of the sunroom 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 4,705 square feet in size. Therefore 150% of the total gross floor area could result in additions up to 7,057.5 square feet in size for a possible total square footage at build out of 11,762.5 square feet. The proposed addition is approximately 412 square feet, for a total square footage of the house with the addition of 5,117 square feet. Therefore the application meets this provision.

Standard 6 states that the BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot. The elevation drawings and pictures submitted indicate that the materials, size and scale of the proposed addition will be compatible with the dwelling. The height of the addition will not be higher than the existing height of the house. The proposed sunroom is one story in height and will extend off the rear of the dwelling. 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. Staff believes the sunroom addition is similar to others in the neighborhood in terms of its height and location on the lot. The sunroom is proposed to extend from the rear of the dwelling toward a forested area that will not be seen by many. The proposed addition is in an area at the edge of an existing tree line. 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 sunroom addition, 412 square feet, will not impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety. Staff believes the addition will not increase runoff or erosion as the area is adjacent to the existing dwelling. 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. The construction and layout of the addition is minimal. Very little existing vegetation or trees appear to be impacted by the construction of the proposed sunroom. 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-SU-076 for the addition with adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report. It should

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

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

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Similar Case History
5. Applicable Zoning Ordinance Provision

PROPOSED DEVELOPMENT CONDITIONS**SP 2013-SU-076****September 4, 2013**

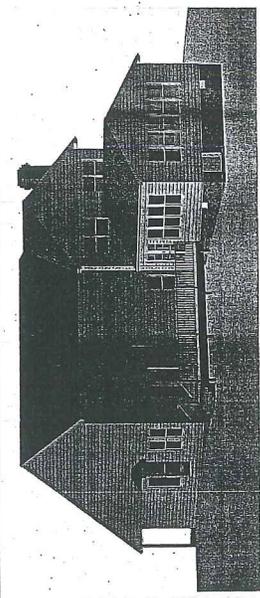
If it is the intent of the Board of Zoning Appeals to approve SP 2013-SU-076 located at Tax Map 53-2 ((2)) (41) 16 to permit reduction of certain yard requirements pursuant to Section 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance 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 addition (344 square feet), as shown on the plat prepared by prepared by George M. O'Quinn, L.S., of Dominion Surveyors Inc., dated April 23, 2013, as revised through August 15, 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 (4,705 square feet existing + 7,057.5 square feet (150%) = 11,762.5 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.

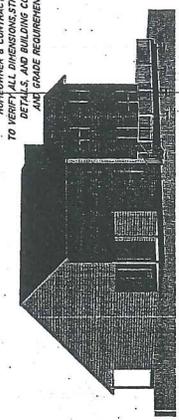
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 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.

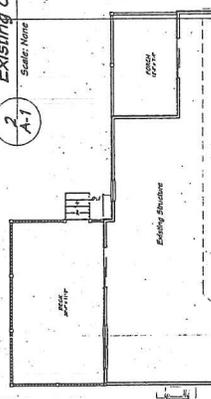
TO THE BEST OF MY KNOWLEDGE THESE PLANS ARE ACCURATE AND COMPLETE AS SHOWN ON THEM. AFTER PRINTING AND ANY CHANGES MADE BY THE OWNER'S AND / OR BUILDER'S EXPENSE AND RESPONSIBILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS, STRUCTURAL REQUIREMENTS, AND GRADE REQUIREMENTS.



4 Overview Addition
Scale: 1/4" = 1'-0"
A-1

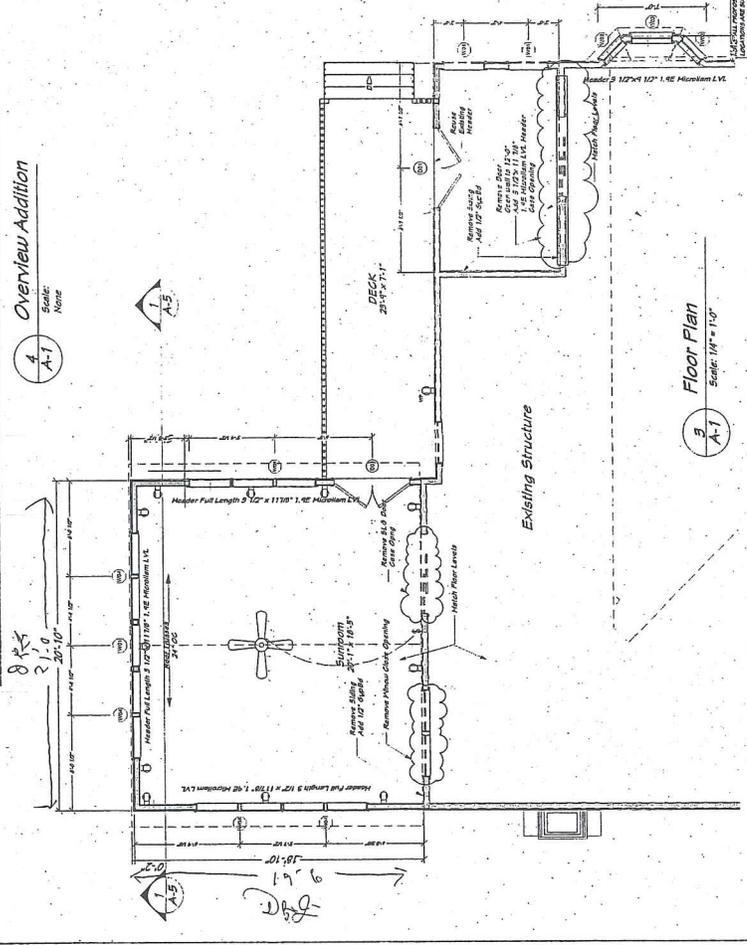


2 Existing Overview
Scale: None
A-1



1 Existing Floor Plan
Scale: 1/8" = 1'-0"
A-1

TO THE REST OF MY KNOWLEDGE THESE PLANS ARE ACCURATE AND COMPLETE AS SHOWN ON THEM. AFTER PRINTING AND ANY CHANGES MADE BY THE OWNER'S AND / OR BUILDER'S EXPENSE AND RESPONSIBILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS, STRUCTURAL REQUIREMENTS, AND GRADE REQUIREMENTS.



3 Floor Plan
Scale: 1/8" = 1'-0"
A-1

Basic Design Specifications

Foundation: 4" x 4" concrete piers on 4" x 4" concrete footings. All exterior walls on 4" x 4" concrete piers on 4" x 4" concrete footings. All interior walls on 4" x 4" concrete piers on 4" x 4" concrete footings. All exterior walls on 4" x 4" concrete piers on 4" x 4" concrete footings. All interior walls on 4" x 4" concrete piers on 4" x 4" concrete footings.

Description of Work

Remove existing deck and replace with a 10' x 20' deck. Remove an area of porch with 4" x 4" concrete foundation. Add 10' x 20' deck. Make porch floor to match existing. Shining area and add trap window to existing room.

Square Footage

Deck 285 sq ft
New Sunroom 411 sq ft
New Deck 100 sq ft
Remodel 104 sq ft

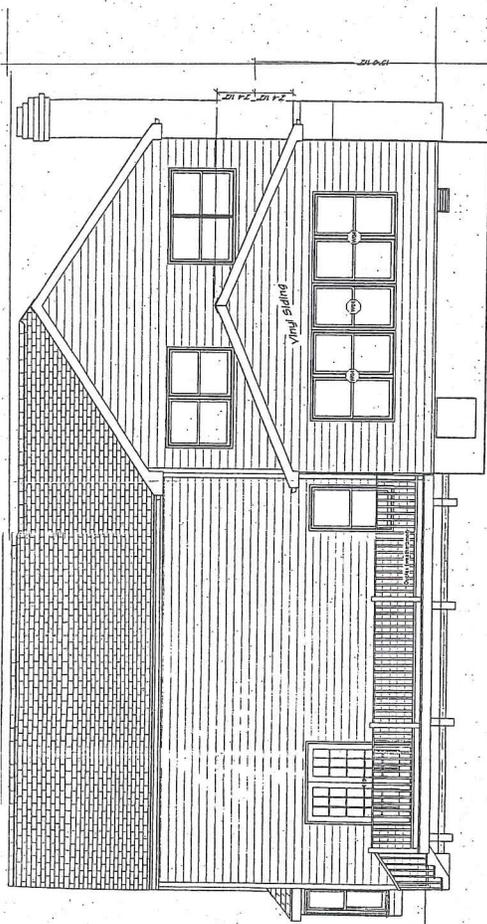
Drafting Prepared by: [Signature]

LAYMAN'S DRAFTING SERVICE
7321 Covingtons Corner Rd, Bealton, Va. 22112 (940) 438-9170 or (940) 272-0186

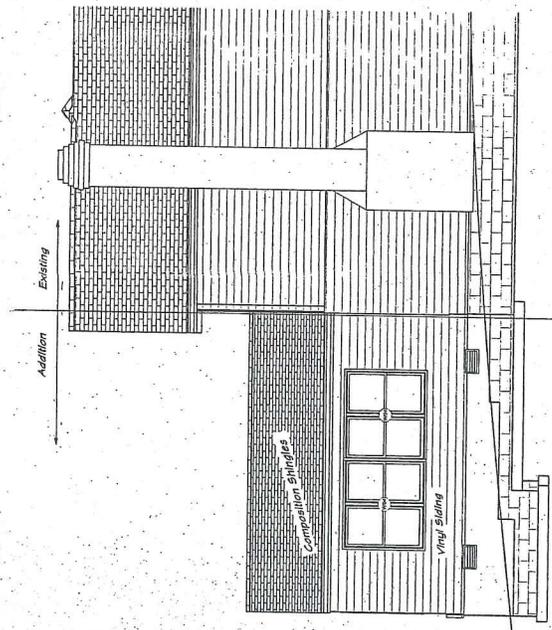
D. & C. CARRENTY
6089 FRYS LAKE
WARRENTON, VA 20187
703-729-1172

B. LAYMAN
1000
KELKOR
AS MARRIED

NO.	DATE	REVISION
1		
2		
3		
4		
5		



2
A-3
Rear Elevation
Scale: 1/4" = 1'-0"



1
A-3
Left Elevation
Scale: 1/4" = 1'-0"

LAYMAN'S DRAFTING SERVICE
 7321 Conington Corner Rd. Beakton, Va. 22712 (540) 438-8970 or (540) 272-0168

DATE	6/16/2004
PROJECT	6089 FAYS LANE
DRAWN BY	B. LAYMAN
CHECKED BY	AS MARKED
NO. OF SHEETS	5
SHEET NO.	3

NOTE: ALL PROVIDED DIMENSIONS & MATERIALS ARE TO BE USED UNLESS OTHERWISE SPECIFIED BY THE ARCHITECT'S FOOTNOTES.

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9/23/13
 (enter date affidavit is notarized)

121740

DRJ 9-23-13
 Don R. Jones

I, Berdia M. Foster, 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

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)
Berdia M. Foster	15212 Dumas Court Centerville, Va-20120	Owner
DON R. JONES	6089 Fryslane Warrenton, VA, 20187	Acting 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): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9/23/13
(enter date affidavit is notarized)

121740

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

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

N/A

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below

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

N/A

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9/23/13
(enter date affidavit is notarized)

121740

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

PARTNERSHIP INFORMATION

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

N/A

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

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

N/A

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9/23/13
(enter date affidavit is notarized)

121740

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): _____
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

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121740

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)

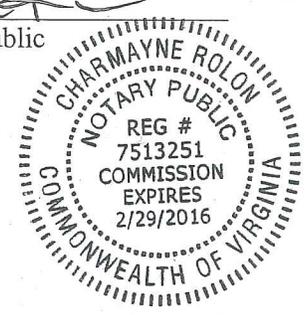
[X] Applicant [] Applicant's Authorized Agent

DOX R. JONES
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 23 day of September 2013, in the State Comm. of Virginia, County/City of Fairfax.

My commission expires: 2/29/16

Charmayne Rolon
Notary Public



AUG 29 2013

Zoning Evaluation Division

CHECKLIST REPORT

Page 1 of 6

Item #5.00 Applicant will use the sitting room as a place to relax. The room will contain furniture a few plants and a ceiling fan.

Page 2 of 6

Item #5.07 Plywood wrapped with tyvek, hardy board, facial board, roof shingles to match existing house, foundation of concrete covered with brick. There will be a crawlspace with an access door which will be vented. (See architecture drawing).

Item #5.8 there is nothing already on site or any product of a toxic or hazardous nature to be used in this project.

Item #5.09 the proposed addition will conform to all applicable ordinances, regulations and standards. The only variation being requested is that the setback of 25' standard be adjusted to allow for 12'5 feet from property line. The requested adjustment will match the existing structure; it will enhance neighboring homes, as well as improve the property esthetically.

Page 3 of 6

Item 930.00 Resulting gross floor area will be for existing house is 4, 705 sq. ft., the addition will be 412 sq. ft. gross floor area, a 0.09 increase.

Item 930.01 The gross floor area of the existing structure and the addition will be subordinate in purpose, scale, use and intent.

Page 4 of 6

Item 930.10 The plat has been revised to allow for the 12.5 ft. adjustment and a reduction in the proposed size of the structure has been met.

Item 930.11 All required 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 are clearly identified on the revised plat.

AUG 29 2013

Check List Report

Zoning Evaluation Division

Provisions for Reduction of Certain Yard Requirement

Page 3 and 4 of 6

930.02 – The proposed development is in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure on the lot.

930.03- The proposed development is harmonious with the surrounding off-site use and structures in terms location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the director.

930.04- The proposed development does not adversely impact the use/or enjoyment of any adjacent property with regard to issues such as noise ,light, air, safety, erosion, and stormwater runoff.

930.05- The proposed reduction does represent 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 yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources.

The proposed structure does meet the criteria of floor area, floor area ratio, lot coverage, landscaping and screening requirements.

Similar Case History

Group:

APPLICANT:	SUSAN SAWYER
STATUS:	RECEIVED
STATUS/DECISION DTE:	05/17/2007
ZONING DISTRICT:	R- 2
TAX MAP #S:	0532-02
DESCRIPTION:	TO PERMIT REDUCTION OF CERTAIN YARD REQUIREMENTS TO PERMIT ADDTION 22.6 FEET FROM REAR LOT LINE
LOCATION:	5601 EUPHRATES COURT

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.