**APPLICATION ACCEPTED:** November 21, 2013
**BOARD OF ZONING APPEALS:** February 5, 2014
**TIME:** 9:00 a.m.

# County of Fairfax, Virginia

**January 29, 2014**

**STAFF REPORT**

**SPECIAL PERMIT APPLICATION NO. SP 2013-HM-098**

**HUNTER MILL DISTRICT**

| | |
|---|---|
| **APPLICANT:** | John E. Alfert |
| **OWNERS:** | Jonathan E. Alfert<br>Maria Albano |
| **STREET ADDRESS:** | 10541 Hunter Station Road, Vienna, 22181 |
| **SUBDIVISION:** | C.A. Dolby Prop |
| **TAX MAP REFERENCE:** | 27-2 ((1)) 32A |
| **LOT SIZE:** | 1.94 acres |
| **ZONING DISTRICT:** | R-E |
| **ZONING ORDINANCE PROVISION:** | 8-922 |
| **SPECIAL PERMIT PROPOSAL:** | To permit a reduction of certain yard requirements to permit construction of addition 14.7 feet from a side lot line. |

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2013-HM-098 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 applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

*O:\lgumk2\SP_VC Cases\SP 2013-HM-098 Alfert staff report.doc*

*Laura Gumkowski*



**Department of Planning and Zoning**
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/

DEPARTMENT OF PLANNING & ZONING

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.

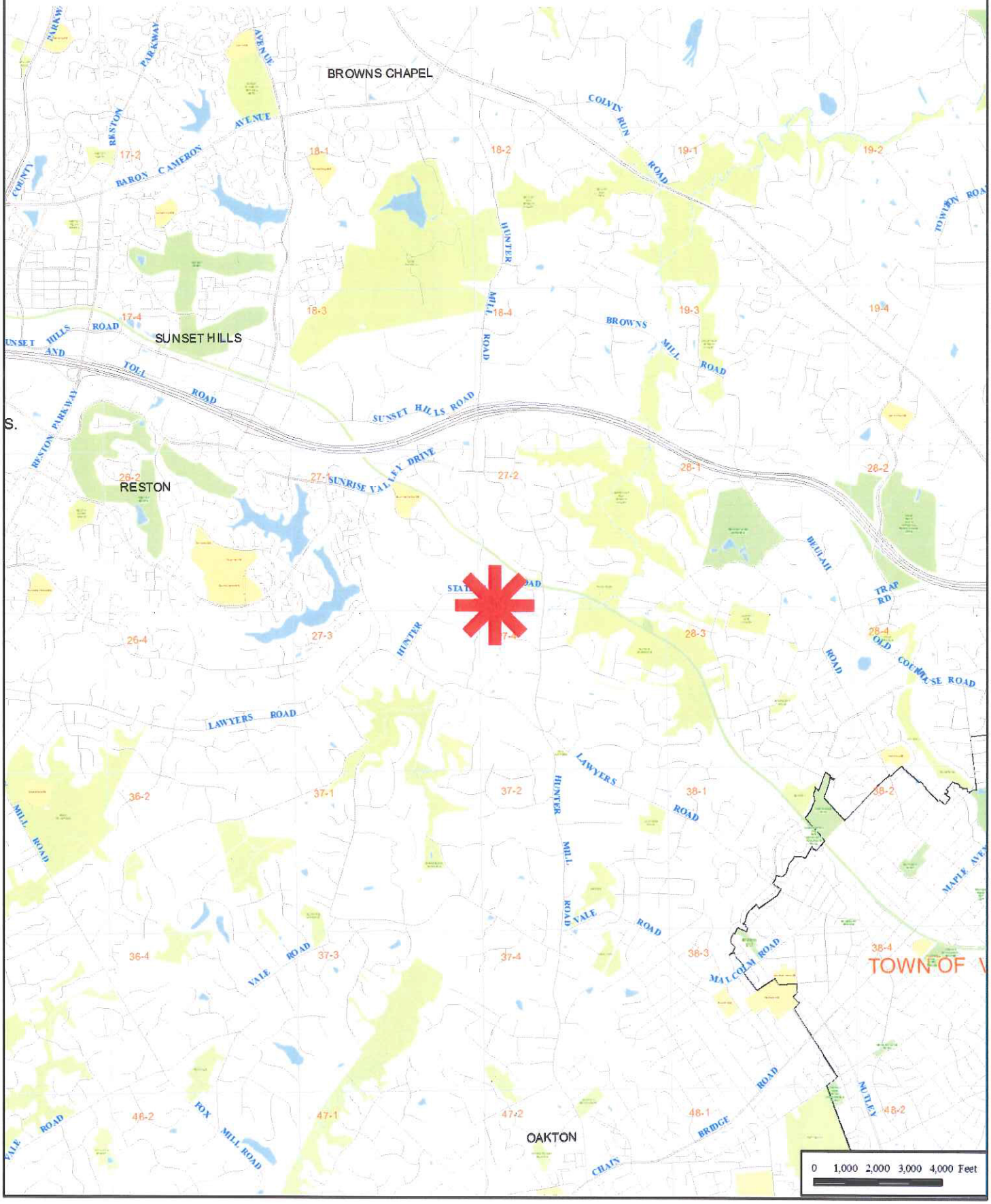
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government 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-HM-098**

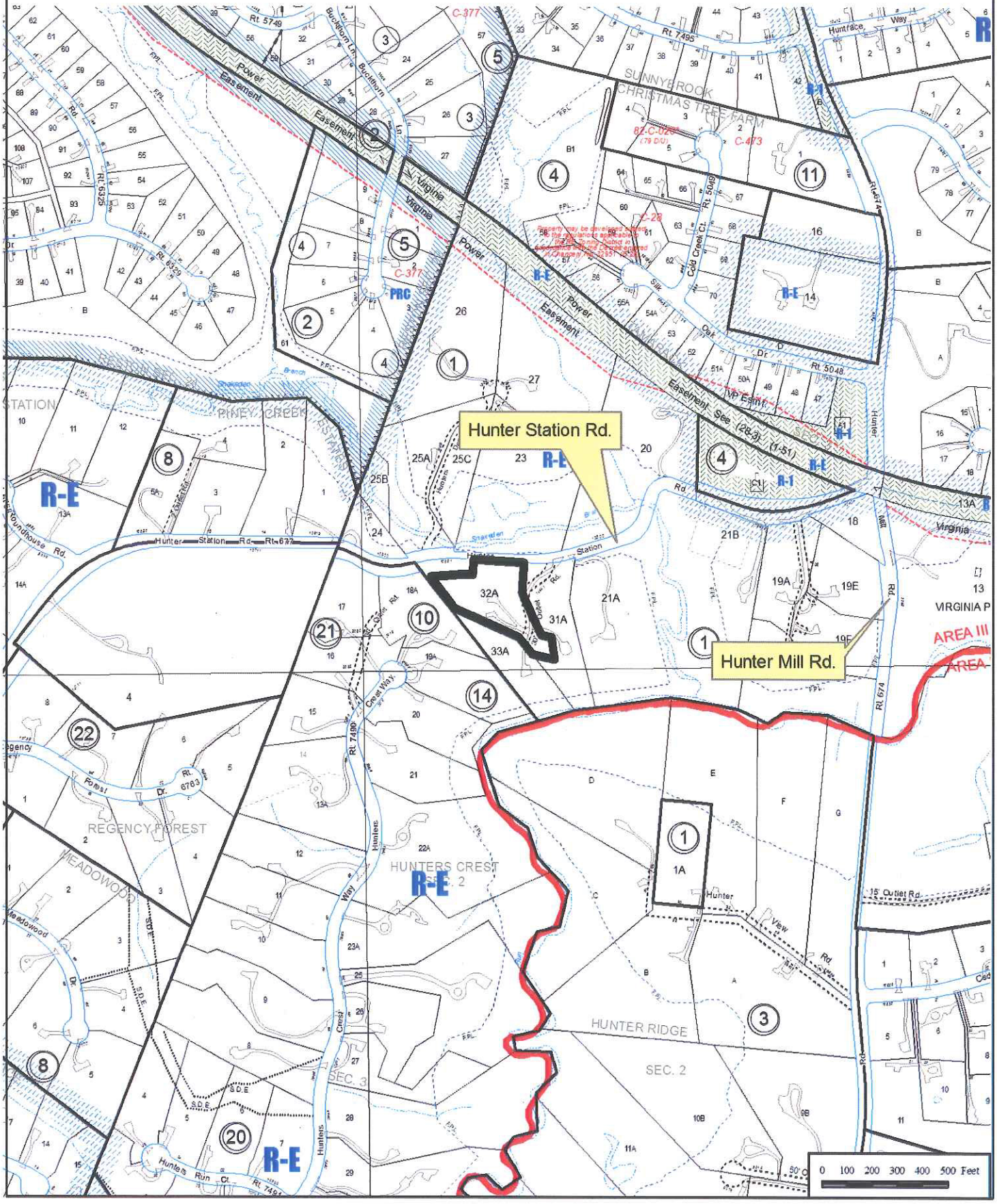
JOHN E. ALFERT



# Special Permit

**SP 2013-HM-098**

JOHN E. ALFERT



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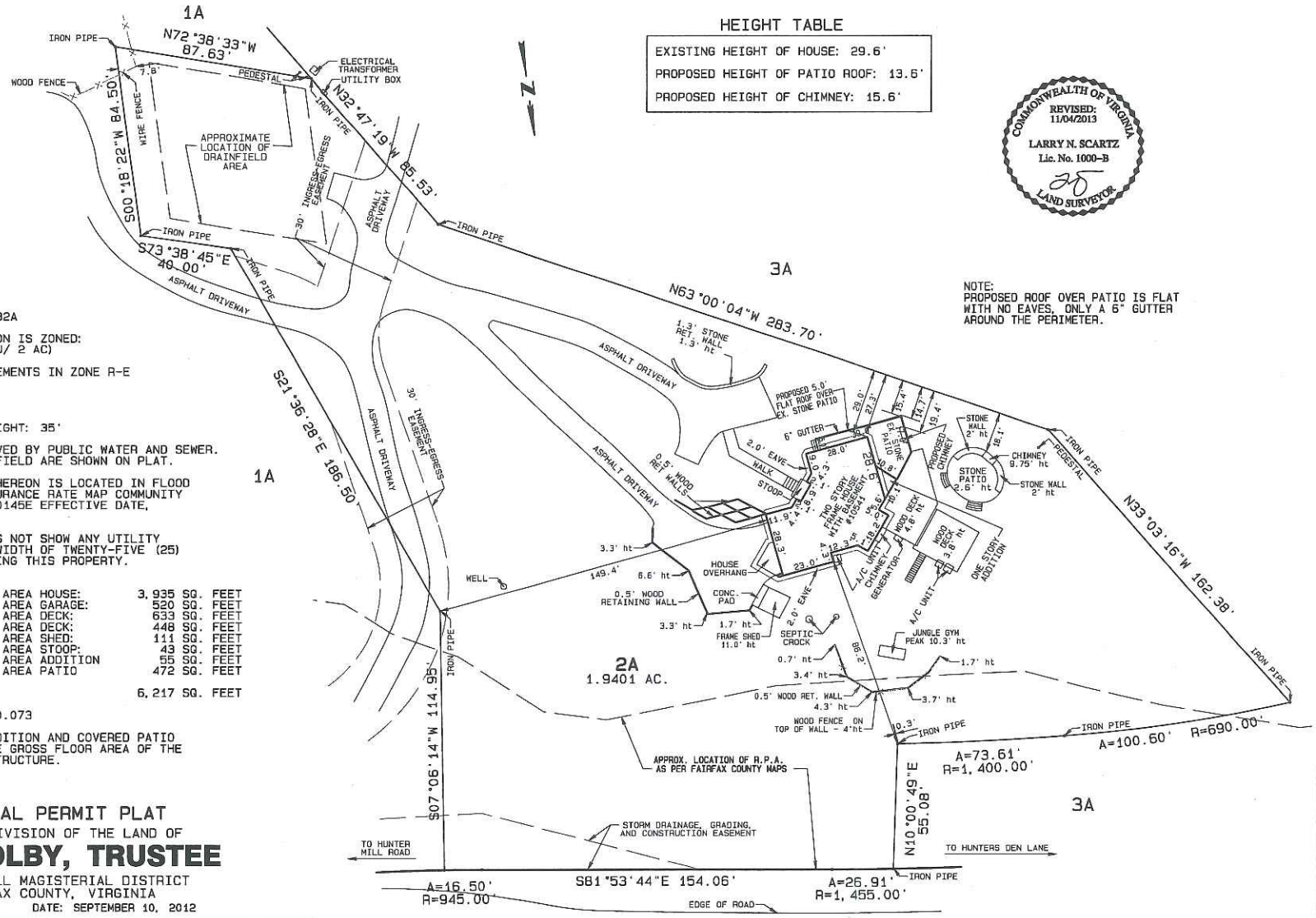
THIS SURVEY WAS PERFORMED ACCORDING TO THE STANDARDS SET FORTH IN VIRGINIA CODE SECTION 54.1-407.

## HEIGHT TABLE

| | |
|---|---|
| EXISTING HEIGHT OF HOUSE: | 29.6' |
| PROPOSED HEIGHT OF PATIO ROOF: | 13.6' |
| PROPOSED HEIGHT OF CHIMNEY: | 15.6' |

COMMONWEALTH OF VIRGINIA
REVISED: 11/04/2013
LARRY N. SCARTZ
Lic. No. 1000-B
LAND SURVEYOR

NOTE:
PROPOSED ROOF OVER PATIO IS FLAT WITH NO EAVES, ONLY A 6" GUTTER AROUND THE PERIMETER.




NOTES:

1. TAX MAP 027-2-01-0032A
2. PROPERTY SHOWN HEREON IS ZONED: R-E (RES ESTATE 1 DU/ 2 AC)
3. MINIMUM YARD REQUIREMENTS IN ZONE R-E
   FRONT YARD: 50'
   SIDE YARD: 20'
   REAR YARD: 25'

   MAXIMUM BUILDING HEIGHT: 35'
4. PROPERTY IS NOT SERVED BY PUBLIC WATER AND SEWER. THE WELL AND DRAIN FIELD ARE SHOWN ON PLAT.
5. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE "X" AS PER INSURANCE RATE MAP COMMUNITY PANEL NUMBER 51059C0145E 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. FLOOR AREA:

| | |
|---|---|
| EXIST GROSS FLOOR AREA HOUSE: | 3,935 SQ. FEET |
| EXIST GROSS FLOOR AREA GARAGE: | 520 SQ. FEET |
| EXIST GROSS FLOOR AREA DECK: | 633 SQ. FEET |
| EXIST GROSS FLOOR AREA DECK: | 448 SQ. FEET |
| EXIST GROSS FLOOR AREA SHED: | 111 SQ. FEET |
| EXIST GROSS FLOOR AREA STOOP: | 43 SQ. FEET |
| EXIST GROSS FLOOR AREA ADDITION | 55 SQ. FEET |
| EXIST GROSS FLOOR AREA PATIO | 472 SQ. FEET |
| TOTAL FLOOR AREA | 6,217 SQ. FEET |

   FLOOR AREA RATIO: 0.073
8. THE NEW ONE STORY ADDITION AND COVERED PATIO REPRESENT 9.2% OF THE GROSS FLOOR AREA OF THE EXISTING PRINCIPAL STRUCTURE.

# SPECIAL PERMIT PLAT

LOT 2A, DIVISION OF THE LAND OF

# C.A. DOLBY, TRUSTEE

HUNTER MILL MAGISTERIAL DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: 1"=30' DATE: SEPTEMBER 10, 2012

CASE NAME: ALFERT
CARMICHAEL CONSTRUCTION LLC

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

TAX MAP# 027-2-01-0032A JOB# 2012-1132 DSE

South Perspective

East Perspective

| NO. | DESCRIPTION | BY | DATE |
|---|---|---|---|
| | | | |

CARRMICHAEL CONSTRUCTION

PROJECT DESCRIPTION:
Alfert Residence Addition
10541 Hunter Station Rd.
Vienna, VA 22181

DRAWINGS PROVIDED BY:
CARRMICHAEL CONSTRUCTION
12969 Golden Meadow Ct.
Fairfax, VA 22033

DATE: 5/10/13

SCALE: 1/4"=1'

SHEET: A-1

RECEIVED
Department of Planning & Zoning
JUN 06 2013
Zoning Evaluation Division

South Elevation

East Elevation

| NO. | DESCRIPTION | BY | DATE |
|---|---|---|---|
| | | | |

CARRMICHAEL CONSTRUCTION

PROJECT DESCRIPTION:
Alfert Residence Addition
10541 Hunter Station Rd.
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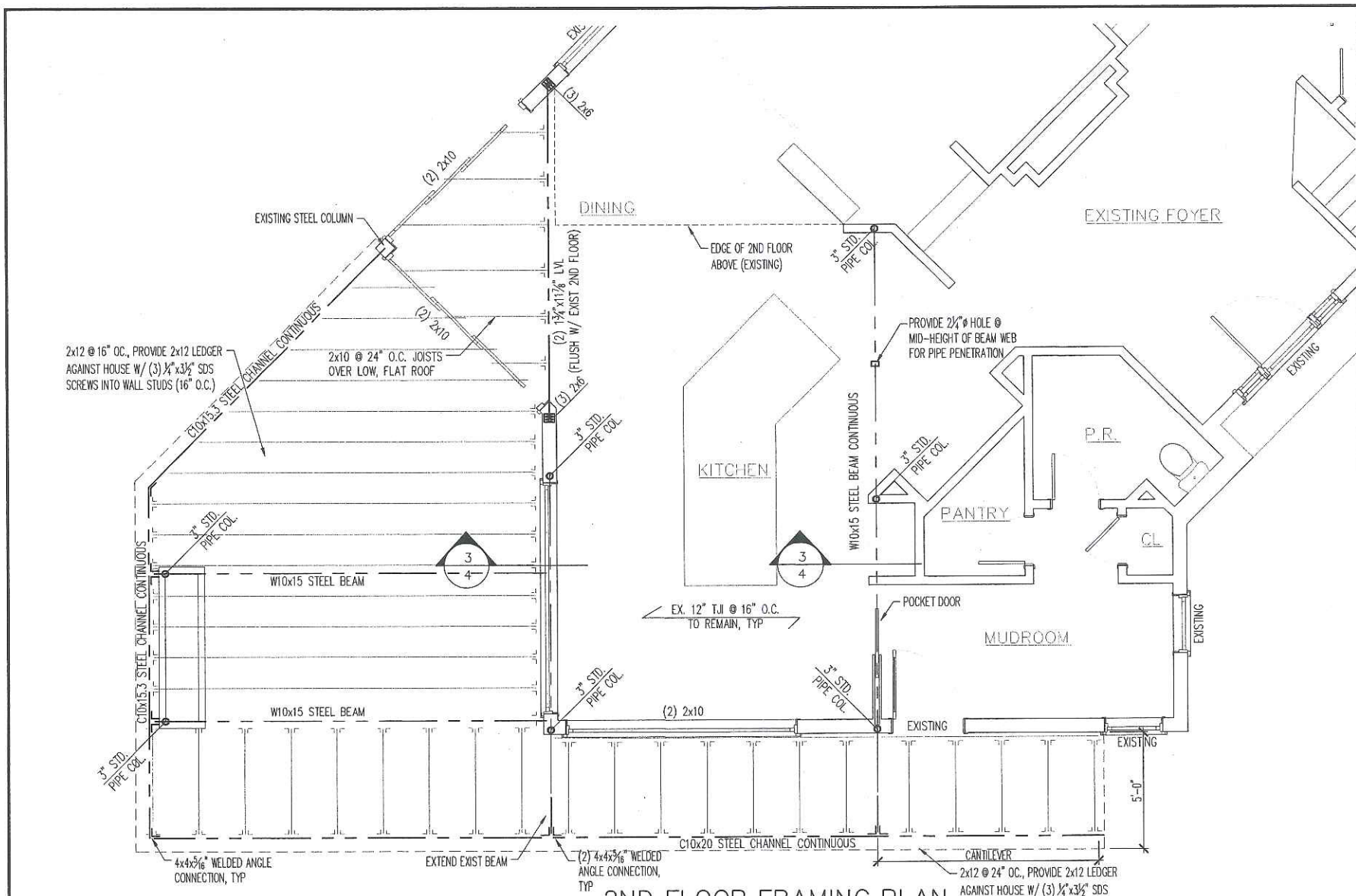
CARRMICHAEL CONSTRUCTION
12969 Golden Meadow Ct.
Fairfax, VA 22033

DATE:
5/10/13

SCALE:
1/4"=1'

SHEET:
A-2




## 2ND FLOOR FRAMING PLAN

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

Client: CARRMICHAEL CONSTRUCTION Job#: 107-30-12

Project: ALFERT RESIDENCE

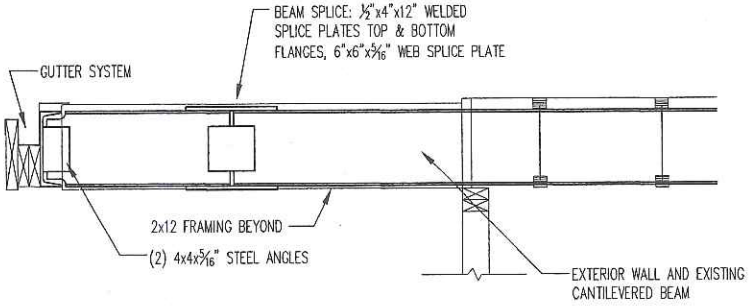
Description: ADDITION & RENOVATION

Design By: KNF Date: 8/25/12

Page No: 2 of 4

SUBMITTALS / REVISIONS

KNF ENGINEERING
STRUCTURAL CONSULTING
2315 SYDNEY DOVER RD
DOVER, FL 33527
P: 703-946-3188
kyle@knfeng.com




## BEAM SPLICE

SCALE: 3/4" = 1'-0"

Client: CARRMICHAEL CONSTRUCTION Job#: 107-30-12

Project: ALFERT RESIDENCE

Description: ADDITION & RENOVATION

Design By: KNF Date: 8/25/12

Page No: 4 of 4

SUBMITTALS / REVISIONS

KNF ENGINEERING
STRUCTURAL CONSULTING
2315 SYDNEY DOVER RD
DOVER, FL 33527
P: 703-946-3188
kyle@knfeng.com

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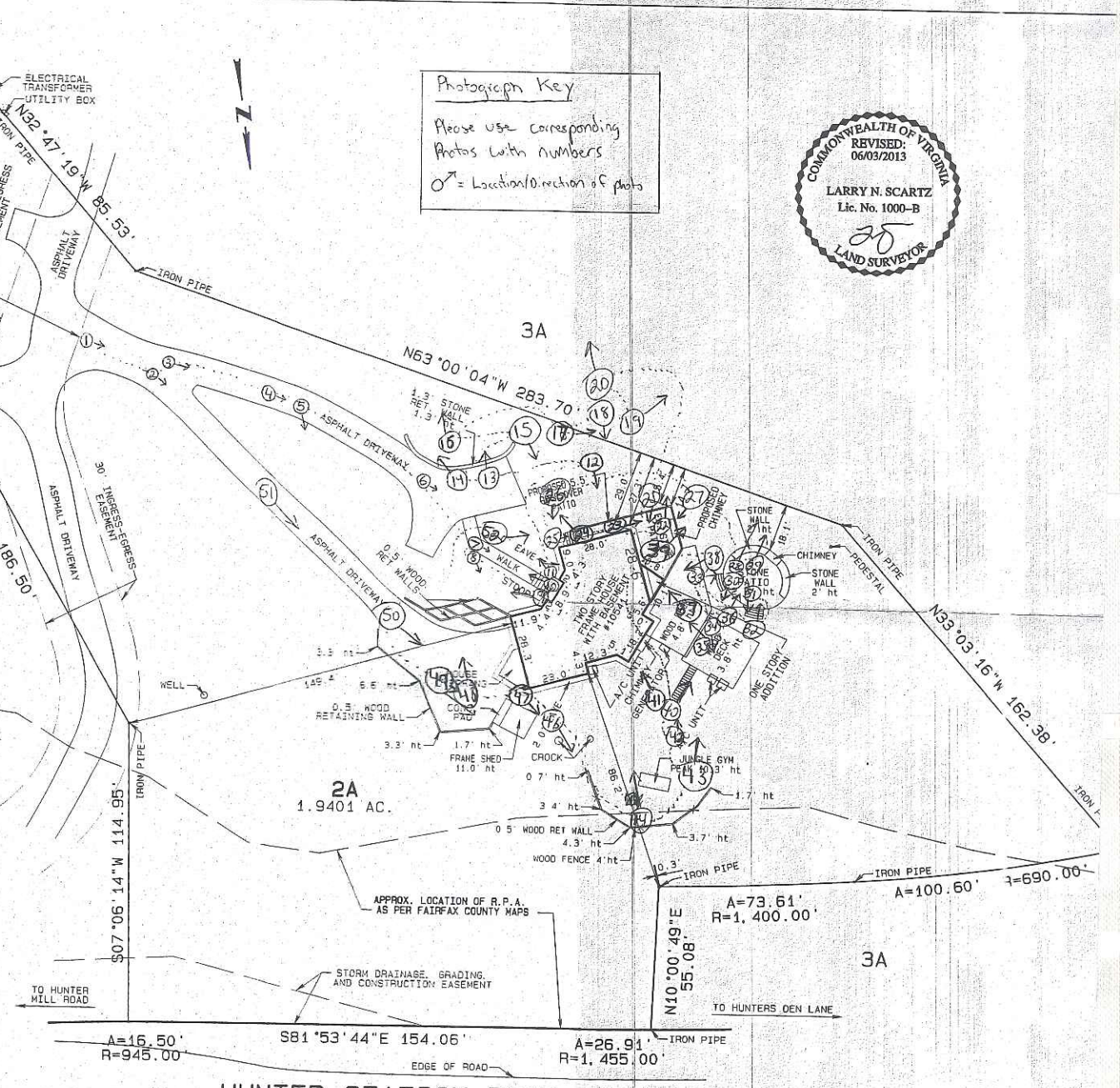


Photographs Key

Please use corresponding Photos with numbers

↗ = Location/Direction of photo

COMMONWEALTH OF VIRGINIA
REVISED: 06/03/2013
LARRY N. SCARTZ
Lic. No. 1000-B
LAND SURVEYOR

NOTES:

1. TAX MAP 027-2-01-0032A
2. PROPERTY SHOWN HEREON IS ZONED: R-E (RES ESTATE 1 DU/ 2 AC)
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   REAR YARD: 25'

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7. FLOOR AREA:

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| EXIST GROSS FLOOR AREA PATIO | 472 SQ. FEET |
| TOTAL FLOOR AREA | 5,697 SQ. FEET |

FLOOR AREA RATIO: 0.067

HEIGHT TABLE

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|---|---|
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# SPECIAL PERMIT PLAT

LOT 2A, DIVISION OF THE LAND OF

# C.A. DOLBY, TRUSTEE

HUNTER MILL MAGISTERIAL DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: 1"=30' DATE: SEPTEMBER 10, 2012

CASE NAME: ALFERT
CARMICHAEL CONSTRUCTION LLC

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

TAX MAP# 027-2-01-0032A JOB# 2012-1132 DSE

Photo 1 (Driveway) 5/10/13

Photo 2 (Driveway) 5/10/13

Photo 3 (Driveway) 5/10/13

Photo 4 (Driveway) 5/10/13

Photo 5

5/10/13

Photo 6 5/10/13

Photo 7 (Front of house) 5/10/1:

Photo 8 (Right side of house) 5/16

Photo 9 (Front Yard) 5/10/13

Photo 10 (Front void) 5/10/13

Photo 11 (Front yard) 5/10/13

Photo 12 (South side of house) 5/10/13

Photo 13 5/10/13

Photo 14 5/10/13

Photo 15 (South side of house.) 5/12/15

Photo 16 5/10/13

Photo 17 5/17/13

Photo 18 5/10/13

Photo 19 (Neighbors house
5/19/11

Photo 20 5/10/13

5/10/13

Photo 21 (Location of Perspective

Photo 22 5/10/13

Photo #3 5/10/13

Photo 24 5/10/13

Photo 25 5/10/13

Photo 26 5/19/13

Photo 27 5/10/13

Photo 28 (South Eastern Neighbors house) 5/10/13

Photo 29 5/10/13

Photo 30 5/10/13

Photo 31 5/10/13

Photo 32 5/10/13

Photo 33 5/10/13

Photo 34 5/10/13

Photo 35 5/10/13

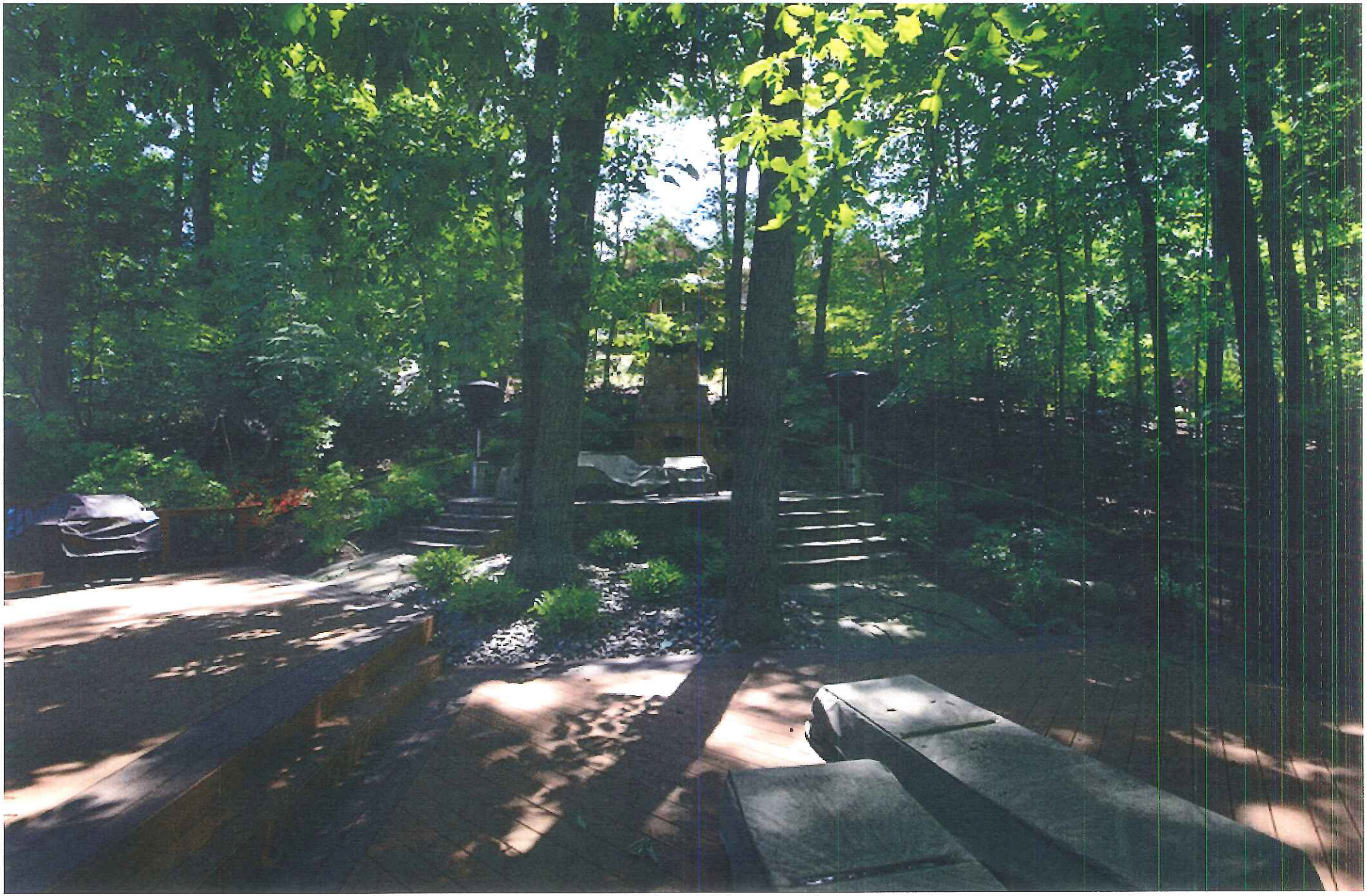

Photo 36 5/10/13

Photo 37 5/10/13

Photo 38 Western side of house
(Back Yard) 5/10/13

Photo 39 5/10/13

Photo 40 5/10/13

Photo 41 5/10/13

Photo 42 5/10/13

Photo 43 5/10/13

Photo 44 Skip #45

Photo 46 North side of house

Photo 42

5/10/13

Photo 48

5/10/13

Photo 49 5/10/13

Photo 50 5/10/13

Photo 51 5/10/13

Photo 52 5/10/13

☆ Addendum # 1 pictures

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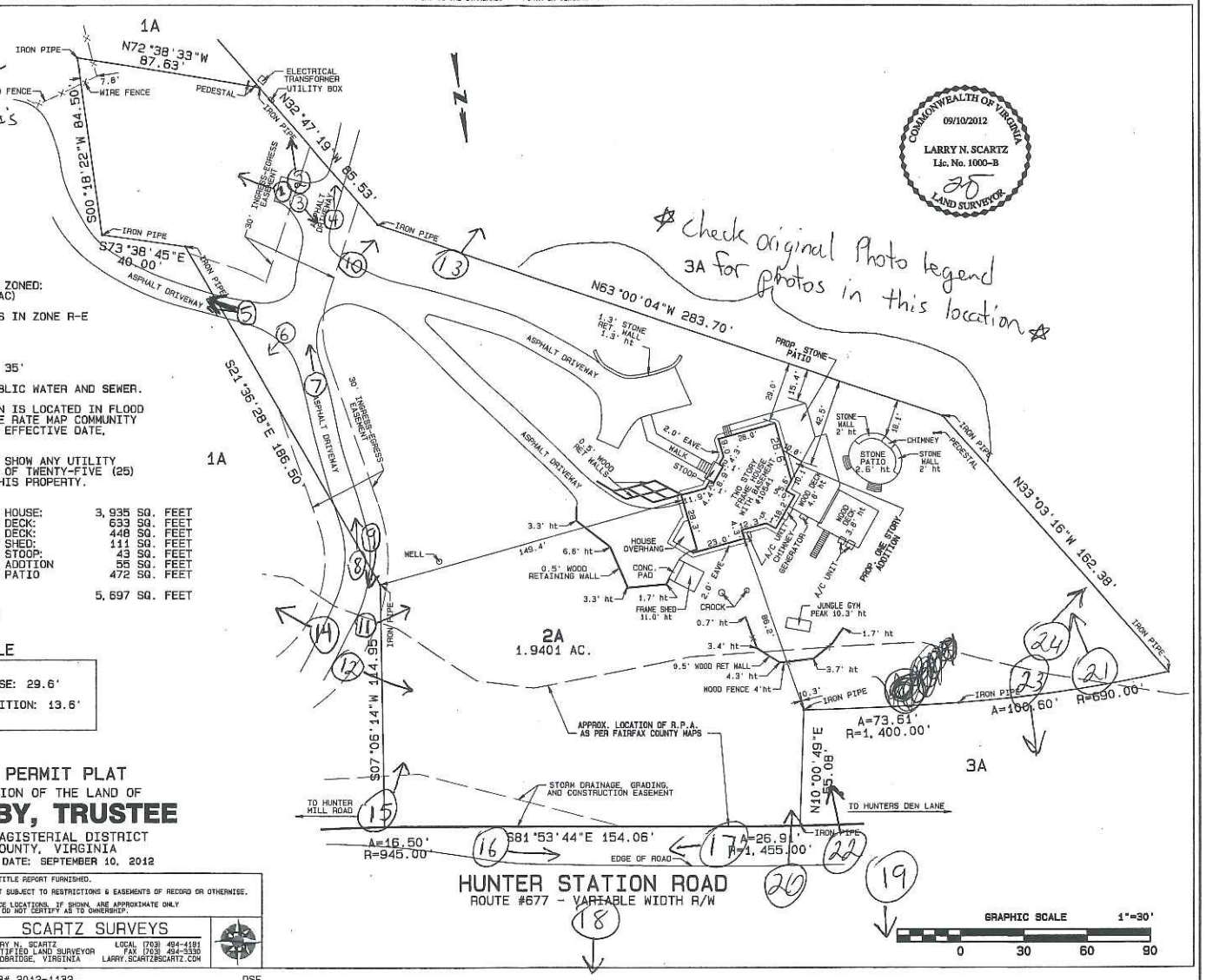
THIS SURVEY WAS PERFORMED ACCORDING TO THE STANDARDS SET FORTH IN VIRGINIA CODE SECTION 54.1-407.

Photo legend

See corresponding Photos with labeled #'s




☆ Check original Photo legend 3A for photos in this location ☆

COMMONWEALTH OF VIRGINIA
09/10/2012
LARRY N. SCARTZ
Lic. No. 1000-B
LAND SURVEYOR

NOTES:

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FLOOR AREA RATIO: 0.067

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PROPOSED HEIGHT OF ADDITION: 13.6'

SPECIAL PERMIT PLAT

LOT 2A, DIVISION OF THE LAND OF

**C.A. DOLBY, TRUSTEE**

HUNTER MILL MAGISTERIAL DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: 1"=30' DATE: SEPTEMBER 10, 2012

CASE NAME: ALFERT CARMICHAEL CONSTRUCTION LLC

NO TITLE REPORT FURNISHED.
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LARRY.SCARTZ@SCARTZ.COM

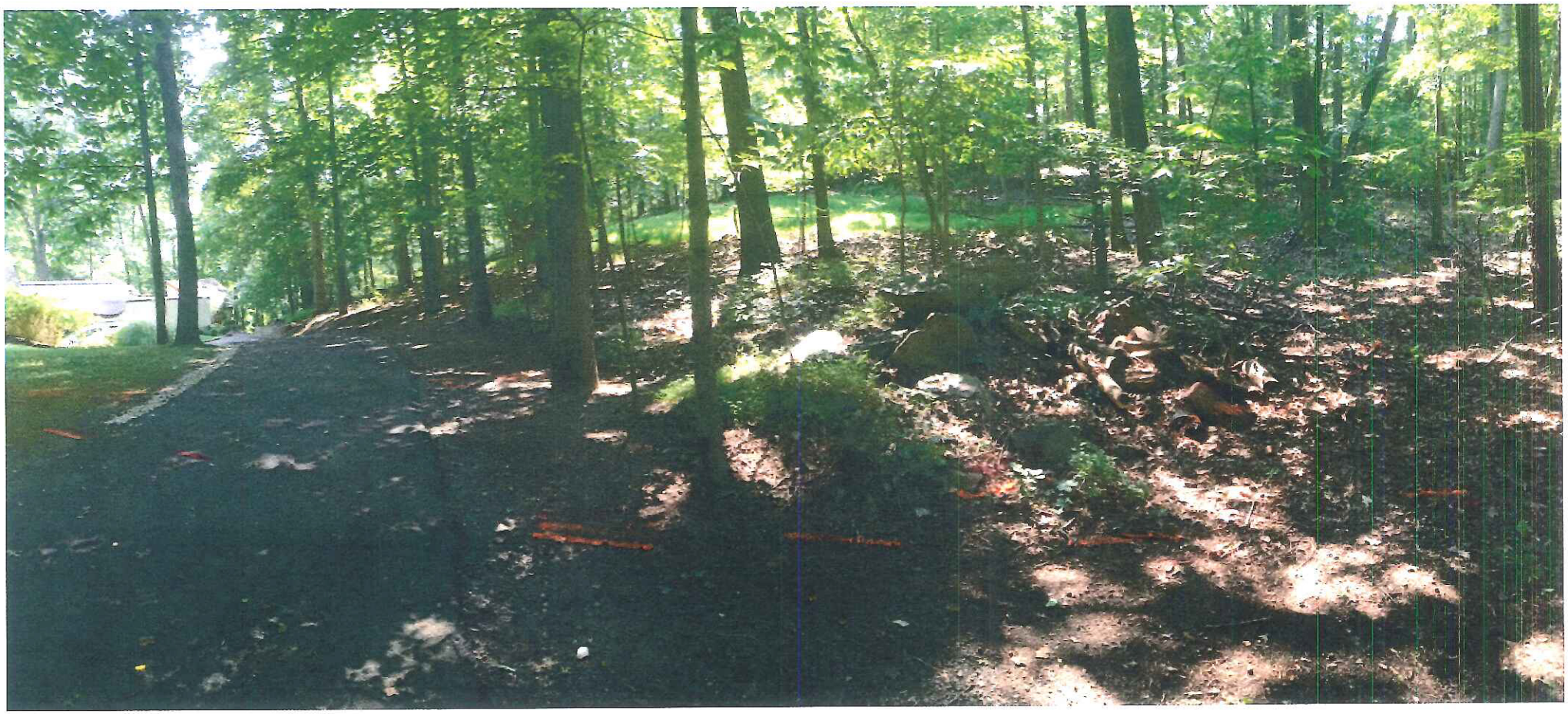
TAX MAP# 027-2-01-0032A JOB# 2012-1132 DSE

☆ Addendum 1 pictures

Picture #1

Picture # 2

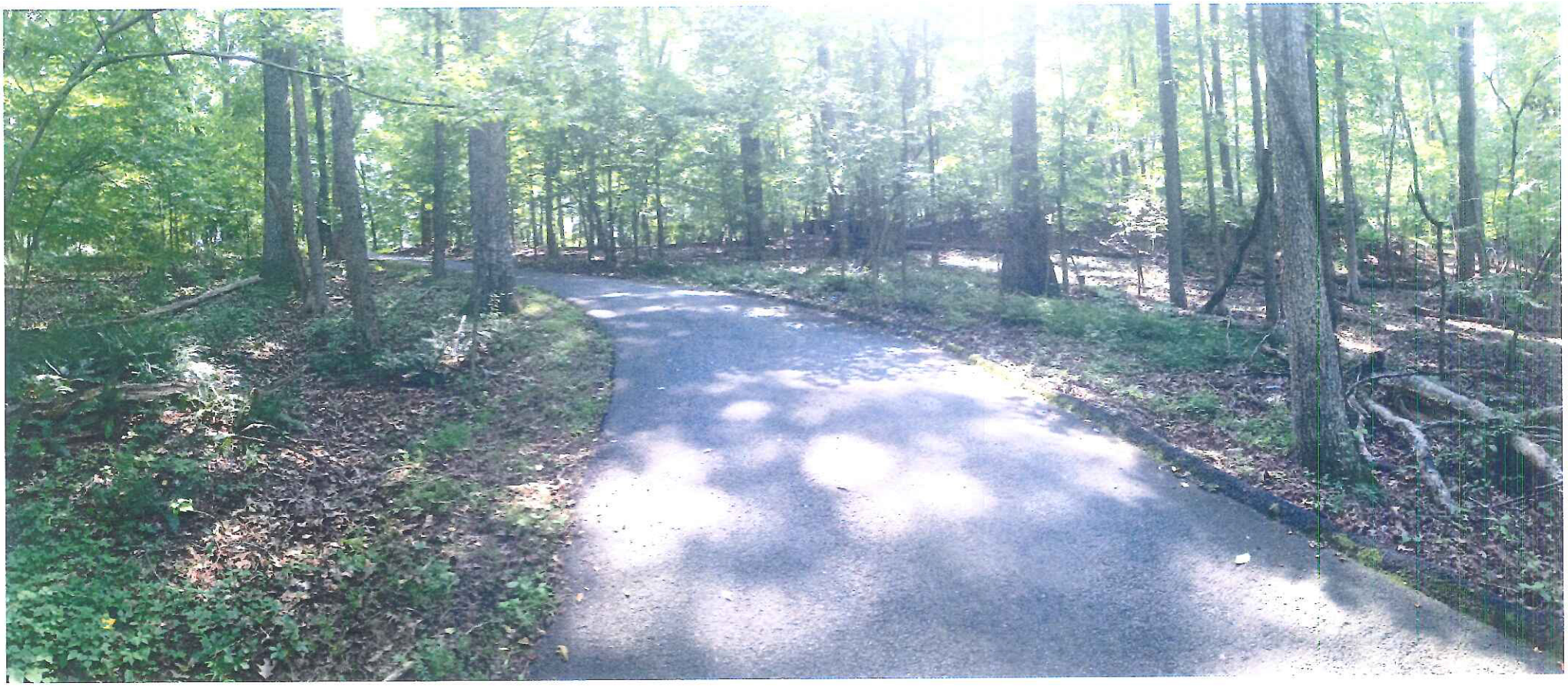
Pict. no. 3



Picture #4

Picture 5

Picture 6



Picture 8

Picture 9

Picture 10

Picture 11

Picture 12

D-1 15

Picture 16

Picture 18

Picture 19

Picture 21

Picture 22

Picture 23

## SPECIAL PERMIT REQUEST

The applicant is seeking approval of a special permit to allow a reduction of certain yard requirements to construct an addition (a roofed deck with a chimney) 14.7 feet from the rear lot line.

A copy of the special permit plat, titled "Special Permit Plat, Lot 2A, Division of the Land of C.A. Dolby, Trustee," prepared by Larry N. Scartz, L.S., of Scartz Surveys, dated September 10, 2012, as revised through November 4, 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

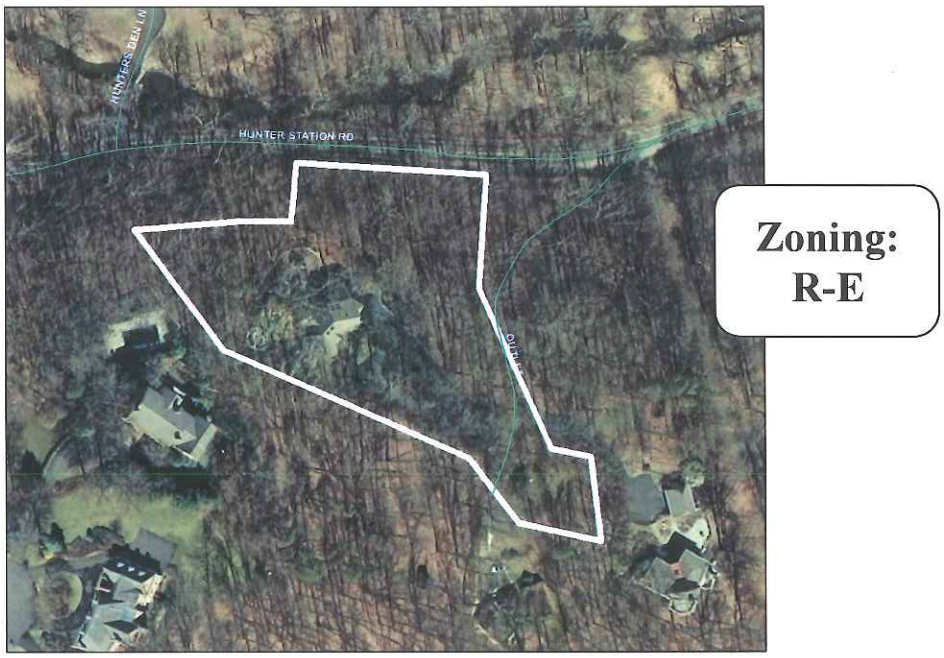
The 1.94 acre property contains a two story frame house with a basement. A one story triangular shaped addition is attached to the west façade of the house. Two stone patios exist on the property. One is attached to the southwestern corner of the house and another is circular shaped, freestanding and located to the west of the dwelling. Two wood decks with stairs exist to the west of the dwelling. A play set and a frame shed are located to the north of the dwelling. A permanent basketball hoop is located to the east of the dwelling.

The property has an asphalt driveway that provides access to Hunter Station Road and splits into two on the property. One section leads to the eastern façade of the dwelling and the other leads to the northeastern façade where the garage is located.

The property has a 30 foot ingress/egress easement located on the eastern property line serving neighboring residential lots. The property is served by private well and a residential septic system, with the drainfield located in the southeastern corner of the property.

A Resource Protection Area is located along the northern portion of the property and no construction will take place inside the limits of this area. An existing storm drainage, grading and construction easement is located on the northeast corner of the property, but is not associated with the proposed construction. The property slopes down from the southeastern corner of the property to the northwest corner of the property. Additionally, the property is heavily wooded.

The subject property and surrounding properties are zoned R-E and developed with single family detached dwellings, as depicted on the following page. The property is west of Hunter Mill Road and south of Hunter Station Road.




## BACKGROUND AND HISTORY

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1986 and purchased by the applicant in 2003.

County records contain a number of building permits related to this property:

- In 1986, two building permits were approved; one for the construction of the single family dwelling and another for the construction of retaining walls on the property.
- In September 2012, a building permit was approved for a one story addition and interior alterations (Appendix 4). The Zoning Permit Review Branch noted that a second phase of work was anticipated and will require approval of a special permit.
- In February 2013, a building permit was applied for, but denied, as proposed construction did not meet the minimum required side yard setback (Appendix 4).
- On September 4, 2013 a special permit application was submitted by the applicant and partially approved by an administrative reduction on November 13, 2013. A 1.9 foot administrative reduction to the minimum required side yard was granted, and permitted a 9.75 foot tall chimney and stone patio to remain 18.1 feet from the southern side property line (Appendix 5).

Records indicate that no other applications related to the construction of roofed decks in minimum required yards have been heard by the Board of Zoning Appeals (BZA) in the

surrounding area.

## DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit for a reduction of certain yard requirements for the construction of an addition to be located 14.7 feet from the southern side lot line.

| | Structure | Yard | Minimum Yard Required* | Proposed Location | Proposed Reduction | Percentage of Reduction Requested |
|---|---|---|---|---|---|---|
| **Special Permit** | Addition | Side | 20.0 feet | 14.7 feet | 5.3 feet | 26.5% |

*Minimum yard requirement per Section 3-E07

The applicant proposes to construct a roof over an existing 472 square feet stone patio with a chimney to be located along the western end of the patio. The proposed height of the flat patio roof will be 13.6 feet. The roof will have a rubber membrane on top that will not be visible and the edges will be covered in bronze aluminum. In addition, the ceiling will have cherry stained wood to match the floors inside the home. The proposed chimney will be 15.6 feet in height. It will be constructed of stone similar to that of the exiting patio.

## ANALYSIS

### Comprehensive Plan Provisions

Plan Area: III
Planning Sector: Reston Community Planning Sector (UP5 )
Plan Map: .1-.2 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. *Staff believes by observation of the neighborhood through submitted photographs, elevations, and aerial photography that the construction of the addition will not adversely affect the use or development of neighboring properties. Adequate tree screening exists between the addition and the nearest neighbor. Additionally, the large size of the lot provides satisfactory privacy between neighbors. 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 3,935 square feet in size. Therefore 150% of the total gross floor area could result in additions up to 5,903 square feet in size for a possible total square footage at build out of 9,838 square feet. The proposed addition is approximately 472 square feet, for a total square footage of the house with the deck of 4,407 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 stone patio is already existing and the application is to add a roof and chimney to the patio. The elevation drawings submitted, as well as the statement of justification, indicate that the materials, size and scale of the proposed covered deck will be in character with the existing dwelling. The height of the addition (13.6 feet) and the proposed chimney (15.6 feet) will not be higher than the existing height of the dwelling (29.6 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. *Staff believes that the addition will be harmonious with off-site uses. The applicant already has a patio established at this location and is constructing a roof over the patio and a fireplace with a chimney. Therefore, staff believes the application 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 addition, 472 square feet in size to cover an existing patio, 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. 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 cover an existing patio. No trees will be removed during this construction. 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-HM-098 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. Building Permit History
5. Administrative Yard Reduction by Zoning Administration Division dated November 13, 2013
6. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS**

**SP 2013-HM-098**

**January 29, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2013-HM-098 located at Tax Map 27-2 ((1)) 32A 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 (472 square feet), as shown on the plat titled, "Special Permit Plat, Lot 2A, Division of the Land of C.A. Dolby, Trustee," prepared by Larry N. Scartz, L.S., of Scartz Surveys, dated September 10, 2012, as revised through November 4, 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 (3,935 square feet existing + 5,903 square feet (150%) = 9,838 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.

South Perspective

East Perspective

| NO. | DESCRIPTION | BY | DATE |
|---|---|---|---|
| | | | |

CARRMICHAEL CONSTRUCTION

PROJECT DESCRIPTION:
Alfert Residence Addition
10541 Hunter Station Rd.
Vienna, VA 22181

DRAWINGS PROVIDED BY:
CARRMICHAEL CONSTRUCTION
12969 Golden Meadow Ct.
Fairfax, VA 22033

DATE: 5/10/13

SCALE: 1/4"=1'

SHEET: A-1

RECEIVED
Department of Planning & Zoning
JUN 06 2013
Zoning Evaluation Division

ATTACHMENT 1

South Elevation

East Elevation

| NO. | DESCRIPTION | BY | DATE |
|---|---|---|---|
| | | | |

CARRMICHAEL CONSTRUCTION

PROJECT DESCRIPTION:
Alfert Residence Addition
10941 Hunter Station Rd.
Vienna, VA 22181

DRAWINGS PROVIDED BY:
CARRMICHAEL CONSTRUCTION
12969 Golden Meadow Ct.
Fairfax, VA 22033

DATE:
5/10/13

SCALE:
1/4"=1'

SHEET:
A-2

Application No.(s): SP 2013-HM-098
(county-assigned application number(s), to be entered by County Staff)



**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 6-28-13
(enter date affidavit is notarized)

121335

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)

Carr Michael Construction, LLC
12969 Golden Meadow Ct. Fairfax, VA 22033

**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)

Michael A. Carr JF MC

~~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): SP 2013-HM-098

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



**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 6-28-13

(enter date affidavit is notarized)

121335

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**)

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): SP 2013-HM-098

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



**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 6-28-13 121335

(enter date affidavit is notarized)

---

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

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

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

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

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

NONE

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

Application No.(s): SP 2013-HM-098
(county-assigned application number(s), to be entered by County Staff)



**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 6-28-13 121335
(enter date affidavit is notarized)

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

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

NONE

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

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

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

**WITNESS the following signature:**

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

Jonathan E Alfert
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 28 day of June 20 13, in the State/Comm. of Virginia, County/City of Fairfax.

Shannon Maria Reese
Notary Public

My commission expires: 1-31-16

SPECIAL PERMIT STATEMENT OF JUSTIFICATION

A written statement from the applicant describing the proposed use, and other pertinent data, including specifically:

RECEIVED
Department of Planning & Zoning
JUN 06 2013
Zoning Evaluation Division

A. Type of Operation(s).

NA

B. Hours of Operation

NA

C. Estimated number of patrons/clients/patients/pupils/etc.

NA

D. Proposed number of employees/attendants/teachers/etc.

NA

E. Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day.

NA

F. Vicinity or general area to be served by the use.

The converted patio is directly off the kitchen of the home and thus is the logical spot for it to be located.

G. Description of building façade and architecture of proposed new building or additions.

The existing patio on grate is constructed of building stone on the small area that is exposed on the sides and flagstone on the flat surfaces. The new fireplace façade will be tiled with a material stone similar in color and shape to the flagstone on the existing patio. The flat roof structure that will cover the patio will have a rubber roof membrane on top that will not be visible and the edges will be wrapped with dark colored bronze aluminum. The ceiling of the patio will be clad with cherry stained to match the floors inside the home.

H. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.

NA

I. A statement of how the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or, if any waiver, exception or variance is sought by the applicant from such ordinances, regulations, standards and conditions, such shall be specifically noted with the justification for any such modifications.

The home is positioned on a steep lot with the kitchen located in the back left corner. This set up and existing site conditions make it ideal to have the covered patio encroach on the side set back as it is right off the kitchen and in a flat area that is not present in other areas of the lot. The covered patio will serve as an outdoor dining area and is most desirable to be located off the kitchen.

SOJ

In response to the deficiency listed in the checklist report please see below.

| Item: | Response |
|---|---|
| 3.0 | Included in this resubmission is copies of the pictures of the adjacent properties. |
| 5.08 | There are no hazardous or toxic substances to be generated, utilized, stored, treated, and/or disposed of on-site and there are no existing or proposed storage tanks on containers on site. |
| 5.09 | The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards. |
| 7.00 | We have included a 8-1/2"x11" copy of the plat |
| 930.00 | 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 expansion request. The resulting gross floor area of any subsequent addition is limited to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion request, regardless of whether such addition complies with the minimum yard requirements or is the subject of a subsequent yard reduction special permit. If a portion of a single family detached dwelling is to be removed, no more than fifty (50) percent of the gross floor area of the existing dwelling at the time of the first yard reduction shall be removed. Notwithstanding the definition of gross floor area, as set forth in this Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage.<br><br>**The gross floor area of the proposed roofed deck is 472 sqft (floor area ratio of .067) well under the 150 percent limit**<br><br>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.<br><br>**We believe the gross floor area of 472 sqft is to scale with the existing home is the ideal location for a roofed deck on the property.**<br><br>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.<br>**The proposed structure is similar in contemporary design to that of the existing home.**<br><br>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.<br>**The proposed structure will not require any alteration to the existing topography and will not require any trees to be removed.**<br><br>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.<br>**The proposed structure will not be visible by any adjacent property due to the large lot and heavy vegetation on all side of the property.** |

| | |
|---|---|
| | 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.<br>**The existing patio is the best suited to be enclosed to create an area the homeowner can use all year round and allow outdoor dining without the annoyance of having to constantly clean and maintain the furniture from tree sap, pollen and animal dropping. It is located directly off the kitchen and is the only flat area on the property besides the area just outside the front door of the home.** |
| 930.19 | We have updated the seal on the plat |

Fairfax County Government
12055 Government Center Parkway
Fairfax, VA 22035

**Building Permit Zoning Review**

*This document does not reflect th Building Permit approval.*

APPENDIX 4

9/13/12 11:52:38AM

**Bldg Permit #:** 122570082 **MULTIPLE WORK PERMIT**

**Address:** 10541 Hunter Station Rd Vienna VA 22181-2810
**Bldg:** N/A **Floor:** **Suite:** N/A

**Subdiv:** C A Dolby Prop Lt 2A **Sub Census:** 814.01 **Lot Size:** 1.94
**Tax Map:** 0272 01 0032A
**Owner:** Alfert Jonathan E
**Phone Day:** (703)999-9999 x **Evening:**

**Contractor:**
CARRMICHAEL CONSTRUCTION LLC
12969 Golden Meadow Ct
Fairfax, Va 22033-0000
(703) 926-2558

**Type of Work:** MULTI WORK
**Description of Work:** 1 story addition/ interior alterations to mudroom/kitchen and pantry / patio

**ZPRB Review:**

| Date | | Status |
|---|---|---|
| 9/13/12 | ASABIN | Approved |

**Zoning Detail Review TAB:**

| Zoning Dist. | Exceeds 30% | Height | Wet Bar | 2nd Kitchen | Proffer | Setback | Parking Requirement |
|---|---|---|---|---|---|---|---|
| R-E | N | 11.00 | N | N | N | N | Y |

| Zoning Use |
|---|
| SFD |

**Yard/Setbacks:**

| Structure | Front (A) | Front (B) | Front (C) | Left | Right | Rear |
|---|---|---|---|---|---|---|
| addition | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 40.00 |
| stone patio | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 15.40 |

**DETAILS COMMENTS:**
Using a special permit plat for this work which is Phase 1. Phase II will require a special permit and this plat was created for that. I suspect the SP for Phase II in being applied for now.

Fairfax County Government
12055 Government Center Parkway
Fairfax, VA 22035

**Building Permit Zoning Review**

*This document does not reflect the final Building Permit approval.*

2/20/13 9:44:38AM

**Bldg Permit #:** 130510026 **RESIDENTIAL ADDITION**

**Address:** 10541 Hunter Station Rd Vienna VA 22181-2810
**Bldg:** N/A **Floor:** **Suite:** N/A

**Subdiv:** C A Dolby Prop Lt 2A **Sub Census:** 814.01 **Lot Size:** 1.94
**Tax Map:** 0272 01 0032A
**Owner:** Alfert Jonathan E
**Phone Day:** (703)926-2558 x **Evening:**

**Contractor:**
CARRMICHAEL CONSTRUCTION LLC
12969 Golden Meadow Ct
Fairfax, Va 22033-0000
(703) 926-2558

**Type of Work:** ADDITIONAL STORIES
**Description of Work:** Build roof over existing slab

**Specific Description of Work:**

| 1 Story Ground | 1 Story Crawl | 1 Story Bsmt Below | 2 Story Ground | 2 Story Crawl | 2 Story Bsmt below | 2nd Story Addn Over Exist Structure |
|---|---|---|---|---|---|---|
| Y | N | N | N | N | N | N |

**ZPRB Review:**

| Date | | Status |
|---|---|---|
| 2/20/13 | AMOOR4 | Failed |

**Problem Recorded:** 2/20/13 **Problem Resolved:**
needs 20' off side lot line for roofed deck

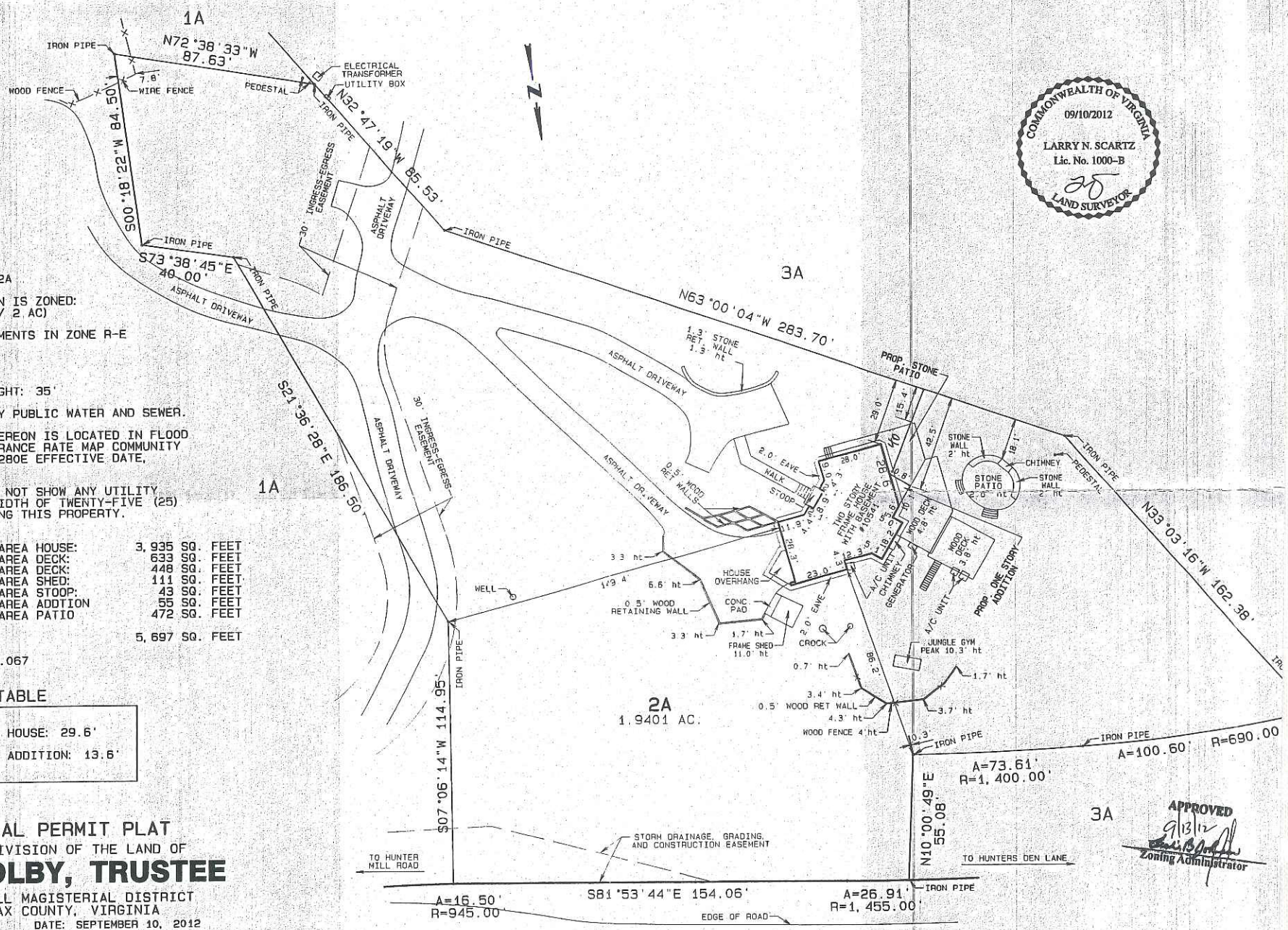
Incomplete

**Problem Recorded:** 2/20/13 **Problem Resolved:**
needs 20' off side lot line for roofed deck

**DETAILS COMMENTS:**

1225700

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.




COMMONWEALTH OF VIRGINIA
09/10/2012
LARRY N. SCARTZ
Lic. No. 1000-B
LAND SURVEYOR

APPROVED
9/13/12
Zoning Administrator

NOTES:

1. TAX MAP 027-2-01-0032A
2. PROPERTY SHOWN HEREON IS ZONED: R-E (RES ESTATE 1 DU/ 2 AC)
3. MINIMUM YARD REQUIREMENTS IN ZONE R-E
   FRONT YARD: 50'
   SIDE YARD: 20'
   REAR YARD: 25'

   MAXIMUM BUILDING HEIGHT: 35'
4. PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
5. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE "X" AS PER INSURANCE RATE MAP COMMUNITY PANEL NUMBER 51059C0280E 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. FLOOR AREA:

| | |
|---|---|
| EXIST GROSS FLOOR AREA HOUSE: | 3,935 SQ. FEET |
| EXIST GROSS FLOOR AREA DECK: | 633 SQ. FEET |
| EXIST GROSS FLOOR AREA DECK: | 448 SQ. FEET |
| EXIST GROSS FLOOR AREA SHED: | 111 SQ. FEET |
| EXIST GROSS FLOOR AREA STOOP: | 43 SQ. FEET |
| PROP. GROSS FLOOR AREA ADDTION | 55 SQ. FEET |
| PROP. GROSS FLOOR AREA PATIO | 472 SQ. FEET |
| TOTAL FLOOR AREA | 5,697 SQ. FEET |

FLOOR AREA RATIO: 0.067

HEIGHT TABLE

EXISTING HEIGHT OF HOUSE: 29.6'

PROPOSED HEIGHT OF ADDITION: 13.6'

# SPECIAL PERMIT PLAT

LOT 2A, DIVISION OF THE LAND OF

# C.A. DOLBY, TRUSTEE

HUNTER MILL MAGISTERIAL DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: 1"=30' DATE: SEPTEMBER 10, 2012

CASE NAME: ALFERT CARMICHAEL CONSTRUCTION LLC

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

CARRMICHAEL CONSTRUCTION

November 13, 2013

Roger Marcy
Zoning Permit Review Branch
Department of Planning and Zoning
12055 Government Center Parkway, Suite 250
Fairfax, Virginia 22035

RE: Special Permit Application – Jonathan E. Alfert. SP 2013-0142

Dear Mr. Marcy,

Per the Fairfax County Zoning Ordinance, we would like to request an approval of reduction to the minimum yard requirements based on error in building location. There is an existing 9.75 feet tall chimney located 18.1 feet from the side lot line. Below is the justification explaining how the error in building location occurred:

- The error exceeds ten (10) percent of the measurement involved, and
  *Response: The error does not exceed ten (10) percent of the measurement involved. The required set back is 20 feet. The Chimney is located 18.1 feet from the property line. This is nine (9) percent of the measurement involved.*

- The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the relocation of the building subsequent to the issuance of the Building Permit, if such was required, and
  *Response: I was not aware when the fireplace was installed that is was not in compliance with zoning. I inquired by phone to the zoning department but must not have given them or received the correct information about outdoor fireplaces and where they can be located.*

- Such a reduction will not impar the purpose and intent of this Ordinance, and
  *Response: I don't believe the fireplace will impar the purpose or intent of the ordinance. It is natural stone and blends well with the landscape.*

- It will not be detrimental to the use and enjoyement of the property in the immediate vicinity, and

12969 Golden Meadow Ct., Fairfax, VA 22033 ~ Office: (703) 956-6614 ~ Fax: (703) 956-6627

CARRMICHAEL CONSTRUCTION

- It will not create an unsafe condition with respect to both other property and public streets, and
  *Response: our lot is heavily wooded and the fireplace is not visible from other lots. Again, it is natural stone and blends well with the surrounding area.*

- To force compliance with the minimum yard requirements would cause unreasonable hardship upon the owner.
  *Response: To force compliance would ruin what is a beauty feature to our property and negatively effect the value of our home and how we use it.*

- The reduction will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.
  *Response: the property is 2 acres so we are well within the density/floor area ratio allowed in our district.*

I apologize that the fireplace was not located properly to begin with but I think that was due to a miscommunication by either me or a person working in the zoning department. I remember calling to inquire if outdoor fireplaces required permits and distinctively remember being told it was not necessary for landscape features.

Sincerely,

Jonathan E. Alfert

12969 Golden Meadow Ct., Fairfax, VA 22033 ~ Office: (703) 956-6614 ~ Fax: (703) 956-6627

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.

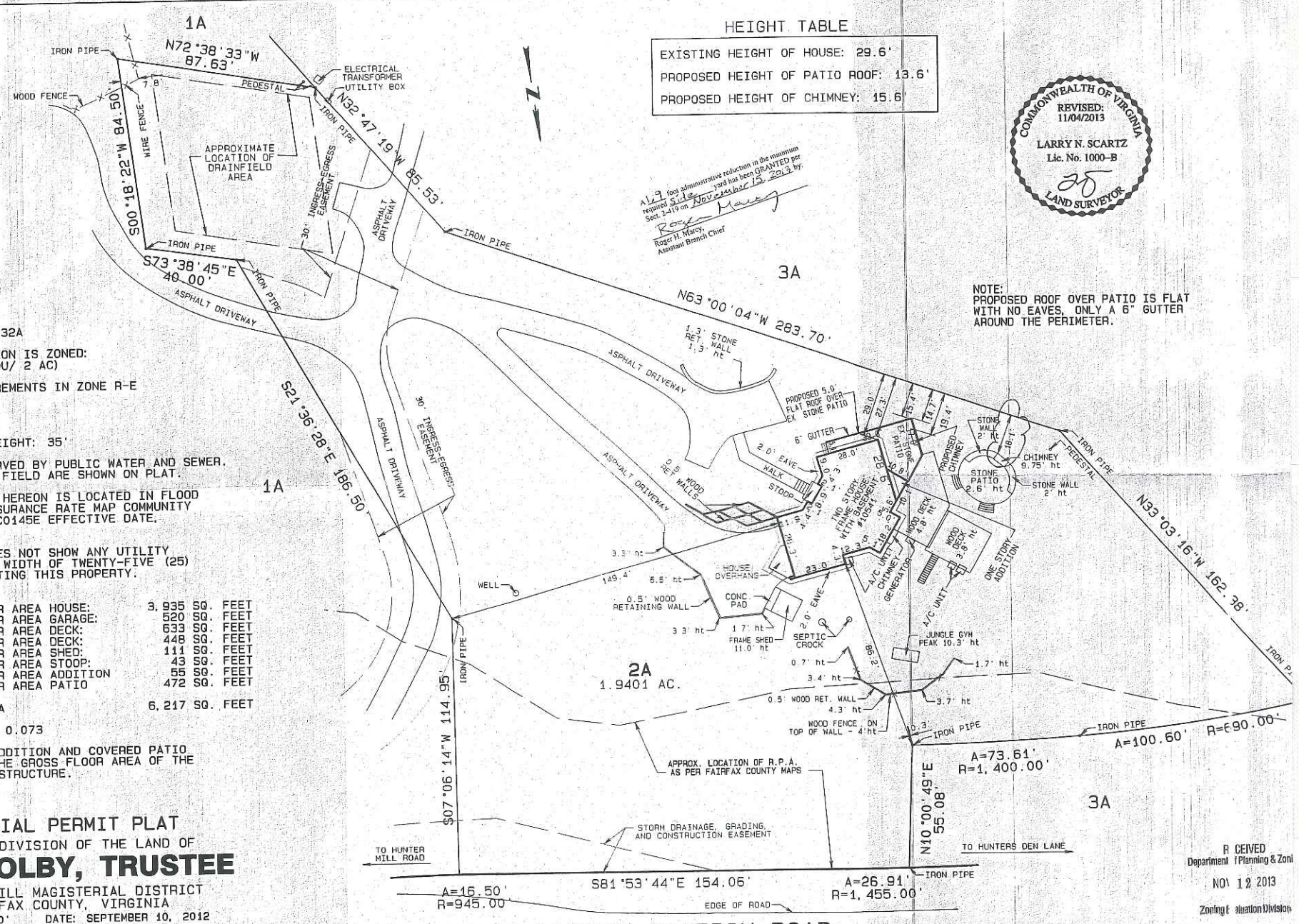
## HEIGHT TABLE

| | |
|---|---|
| EXISTING HEIGHT OF HOUSE: | 29.6' |
| PROPOSED HEIGHT OF PATIO ROOF: | 13.6' |
| PROPOSED HEIGHT OF CHIMNEY: | 15.6' |

A 19 foot administrative reduction in the minimum required side yard has been GRANTED per Sect. 2-419 on November 15, 2013 by:
Roger H. Marcy,
Assistant Branch Chief

COMMONWEALTH OF VIRGINIA
REVISED: 11/04/2013
LARRY N. SCARTZ
Lic. No. 1000-B
LAND SURVEYOR

NOTE:
PROPOSED ROOF OVER PATIO IS FLAT WITH NO EAVES, ONLY A 6" GUTTER AROUND THE PERIMETER.




NOTES:
1. TAX MAP 027-2-01-0032A
2. PROPERTY SHOWN HEREON IS ZONED: R-E (RES ESTATE 1 DU/ 2 AC)
3. MINIMUM YARD REQUIREMENTS IN ZONE R-E
   FRONT YARD: 50'
   SIDE YARD: 20'
   REAR YARD: 25'

   MAXIMUM BUILDING HEIGHT: 35'
4. PROPERTY IS NOT SERVED BY PUBLIC WATER AND SEWER. THE WELL AND DRAIN FIELD ARE SHOWN ON PLAT.
5. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE "X" AS PER INSURANCE RATE MAP COMMUNITY PANEL NUMBER 51059C0145E 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. FLOOR AREA:

| | |
|---|---|
| EXIST GROSS FLOOR AREA HOUSE: | 3,935 SQ. FEET |
| EXIST GROSS FLOOR AREA GARAGE: | 520 SQ. FEET |
| EXIST GROSS FLOOR AREA DECK: | 633 SQ. FEET |
| EXIST GROSS FLOOR AREA DECK: | 448 SQ. FEET |
| EXIST GROSS FLOOR AREA SHED: | 111 SQ. FEET |
| EXIST GROSS FLOOR AREA STOOP: | 43 SQ. FEET |
| EXIST GROSS FLOOR AREA ADDITION | 55 SQ. FEET |
| EXIST GROSS FLOOR AREA PATIO | 472 SQ. FEET |
| TOTAL FLOOR AREA | 6,217 SQ. FEET |

   FLOOR AREA RATIO: 0.073
8. THE NEW ONE STORY ADDITION AND COVERED PATIO REPRESENT 9.2% OF THE GROSS FLOOR AREA OF THE EXISTING PRINCIPAL STRUCTURE.

# SPECIAL PERMIT PLAT

LOT 2A, DIVISION OF THE LAND OF

# C.A. DOLBY, TRUSTEE

HUNTER MILL MAGISTERIAL DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: 1"=30' DATE: SEPTEMBER 10, 2012

CASE NAME: ALFERT CARMICHAEL CONSTRUCTION LLC

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

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

TAX MAP# 027-2-01-0032A JOB# 2012-1132 DSE

**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.