



APPLICATION ACCEPTED: December 27, 2013
BOARD OF ZONING APPEALS: March 19, 2014
TIME: 9:00 a.m.

County of Fairfax, Virginia

March 12, 2014

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2013-MA-111

MASON DISTRICT

APPLICANT: Aschalew Takele

OWNERS: Aschalew Takele
Mekdes Tilahun

SUBDIVISION: Ravensworth Grove Section 5

STREET ADDRESS: 7714 Arlen Street, Annandale, 22003

TAX MAP REFERENCE: 70-2 ((06)) 177

LOT SIZE: 10,639 square feet

ZONING DISTRICT: R-3

ZONING ORDINANCE PROVISIONS: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirement to permit construction of addition 6.1 ft. from side lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2013-MA-111 for the addition with the 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.

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.

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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/

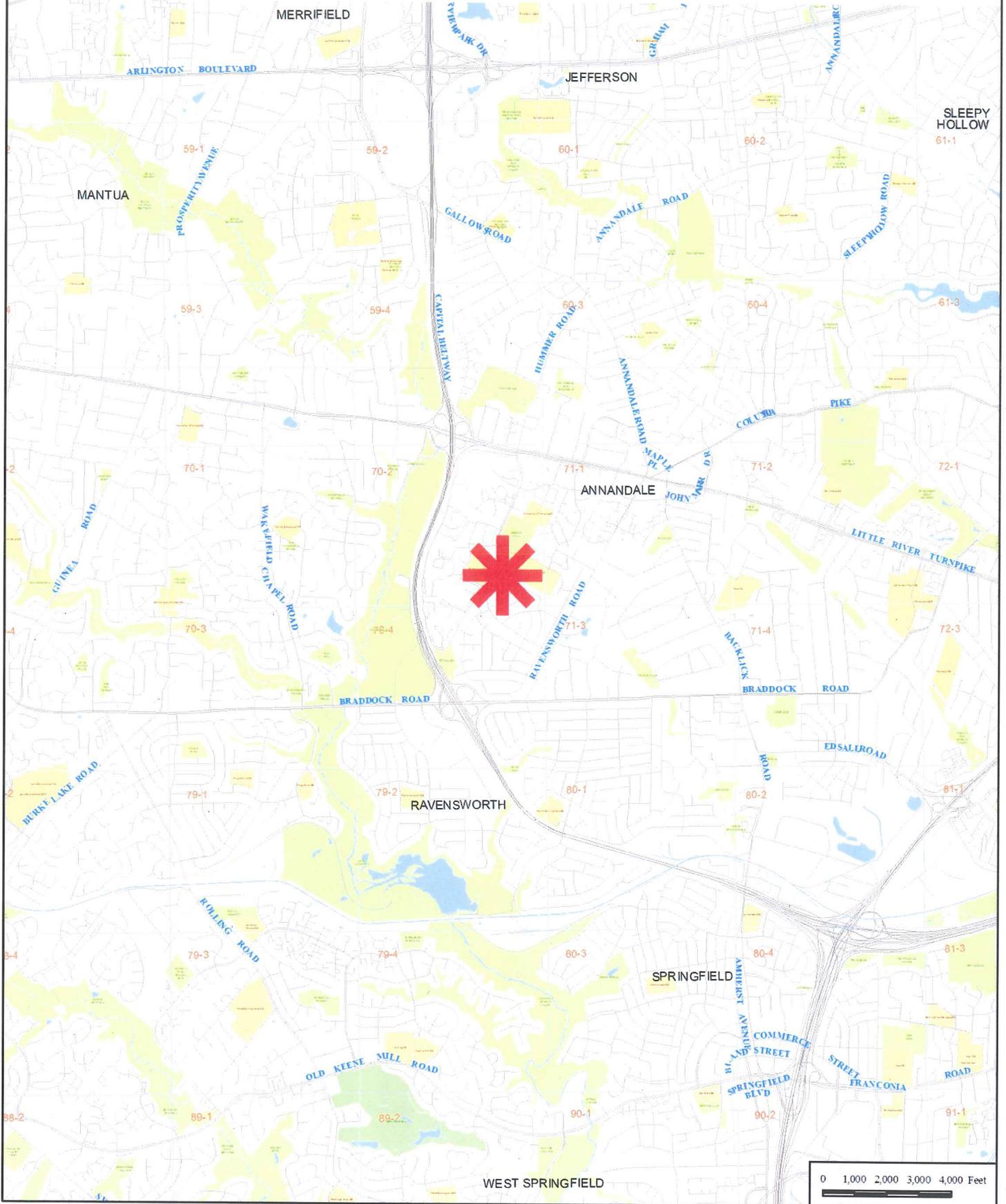
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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



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

Special Permit
SP 2013-MA-111
ASCHALEW TAKELE



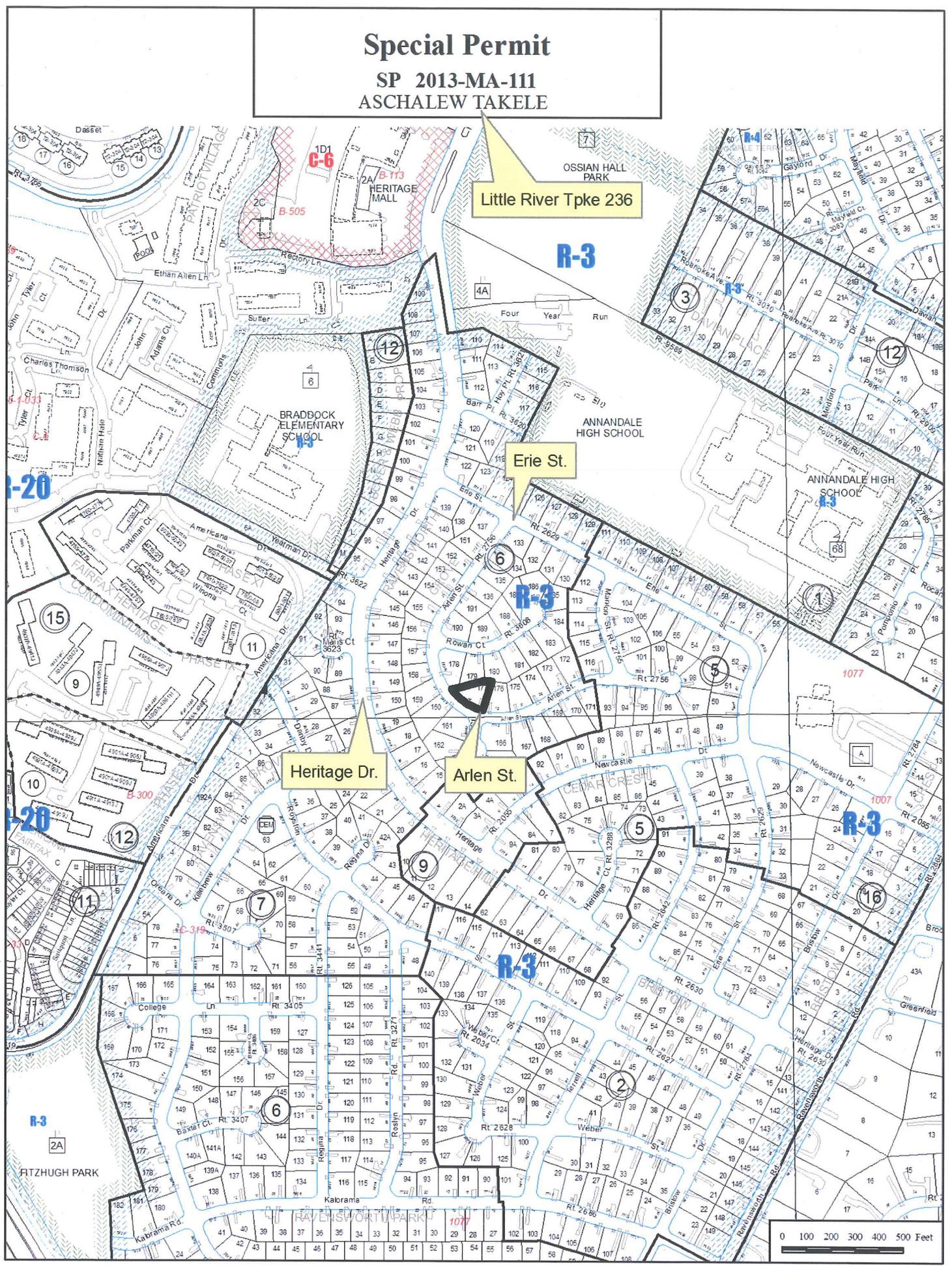
Special Permit SP 2013-MA-111 ASCHALEW TAKELE

Little River Tpke 236

Erie St.

Heritage Dr.

Arlen St.



NOTES:

1. THE PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
2. THE SURVEY WAS NOT PREPARED FOR CONSTRUCTION PURPOSES (INCLUDING FENCES).
3. THE LOCATION OF FENCES ARE APPROXIMATE AND DO NOT CERTIFY TO OWNERSHIP.
4. THE PROPERTY SHOWN ON THIS PLAT IS LOCATED ON TAX MAP # 70-2-(06)-177. PROPERTY CORNERS NOT SET.
5. NO KNOWN GRAVE SITE OR BURIAL SITE EXIST ON THE LOT.
6. THE PROPERTY IS SERVED BY PUBLIC WATER AND SANITARY SEWER SYSTEM.
7. THERE ARE NO KNOWN UTILITY EASEMENTS HAVING A WIDTH OF 25 FEET OR MORE ON SITE.
8. THERE ARE NO KNOWN MAJOR UTILITY EASEMENTS ON SITE.

LEGENDS	
—	BRL
-x-x-	EX. WOOD FENCE
---	PROPERTY LINE
IPF	IRON PIPE FOUND
W/M	WATER METER
OH	OVERHANG
OHW	OVERHEAD WIRE

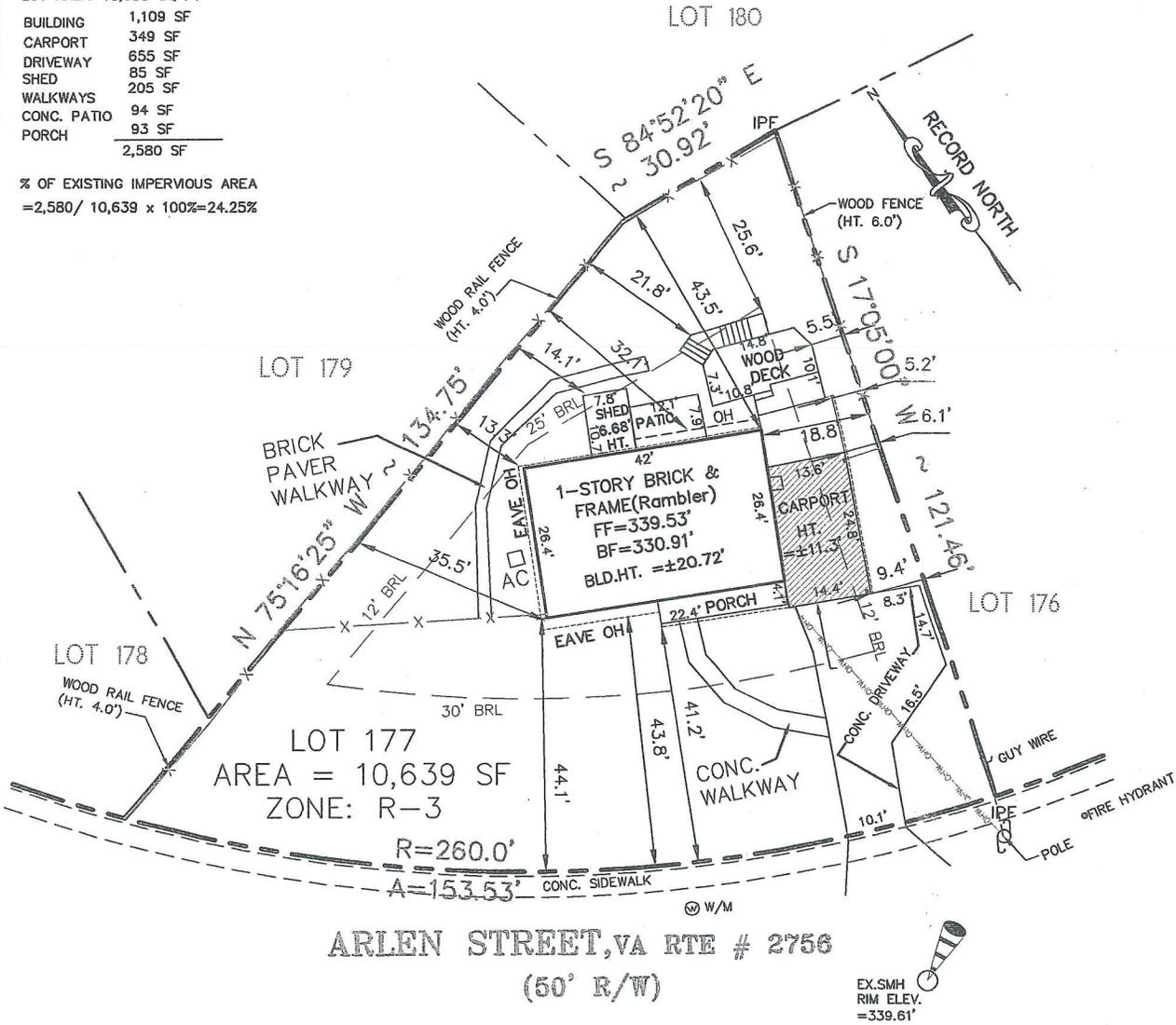
IMPERVIOUS AREA CALCULATIONS

LOT AREA	= 10,639 SQ FT
BUILDING	1,109 SF
CARPORT	349 SF
DRIVEWAY	655 SF
SHED	85 SF
WALKWAYS	205 SF
CONC. PATIO	94 SF
PORCH	93 SF
	<hr/>
	2,580 SF

% OF EXISTING IMPERVIOUS AREA
 = 2,580 / 10,639 x 100% = 24.25%

PROPERTY OWNER:

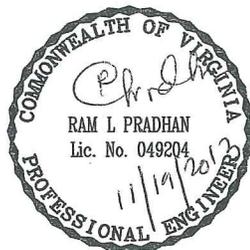
ASCHALEW TAKELE & MEKDES TILAHUN
 7714 ARLEN STREET, ANNANDALE, VA 22003



SETBACK TABLE (ZONE R-3, INTERIOR LOT)

	REQUIRED	PROVIDED
FRONT	30' (MIN.)	41.8'
SIDE	12' (MIN.)	14.3'
REAR	25' (MIN.)	43.5'

PROPOSED ADDITIONAL FLOOR AREA = 349 SF
 TOTAL GROSS FLOOR AREA = 2261+349 = 2,610 SF
 FLOOR AREA RATIO = 0.245 < 0.25 ALLOWABLE, OK



ZONING TABLE (R-3, 3 DU/AC)

DESCRIPTIONS	EXISTING
IMPERVIOUS AREA	24.25%
EX.GROSS FLOOR AREA	2,261 SF
FLOOR AREA RATIO (FAR)	0.21
BUILDING HEIGHT	±20.72' (MAX)

SPECIAL PERMIT PLAT

LOT 177, SEC 5, RAVENSWORTH GROVE
 7714 ARLEN STREET, ANNANDALE
 MASON DISTRICT
 FAIRFAX COUNTY, VIRGINIA 22003

PREPARED BY
Inova Engineering Consultants, Inc
 25209 LARKS TERRACE
 SOUTH RIDING, VIRGINIA-20152
 PHONE: (703) 655-3951
 E-mail: inovaengineers @ yahoo.com

SCALE : 1" = 20' DATE: NOVEMBER 17, 2013



EXISTING WALL/NEW WALL

Proposed
Enclosed
Car Port

Proposed Front elevation

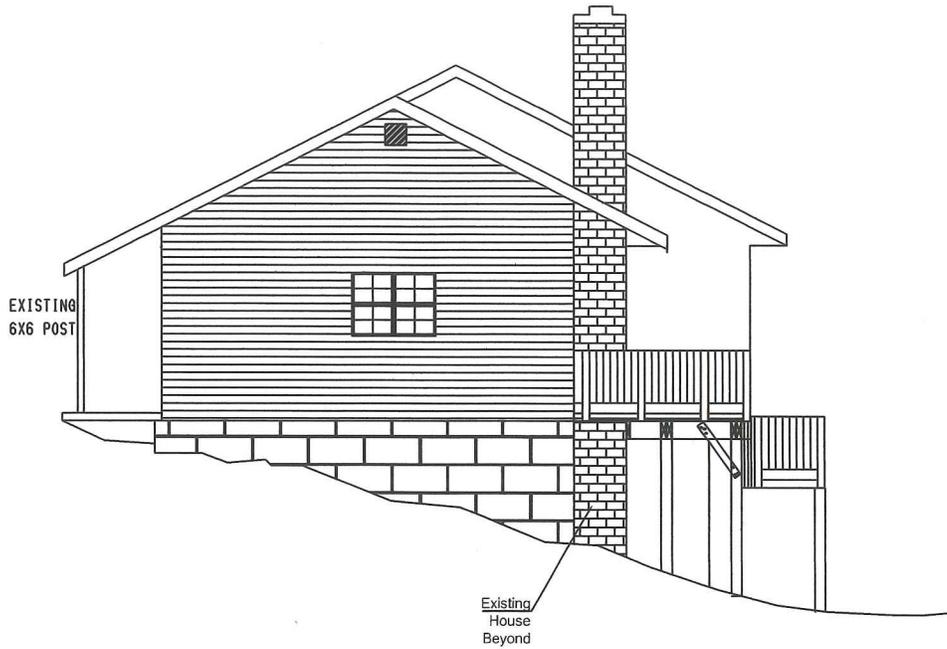


Proposed
Enclosed Car port

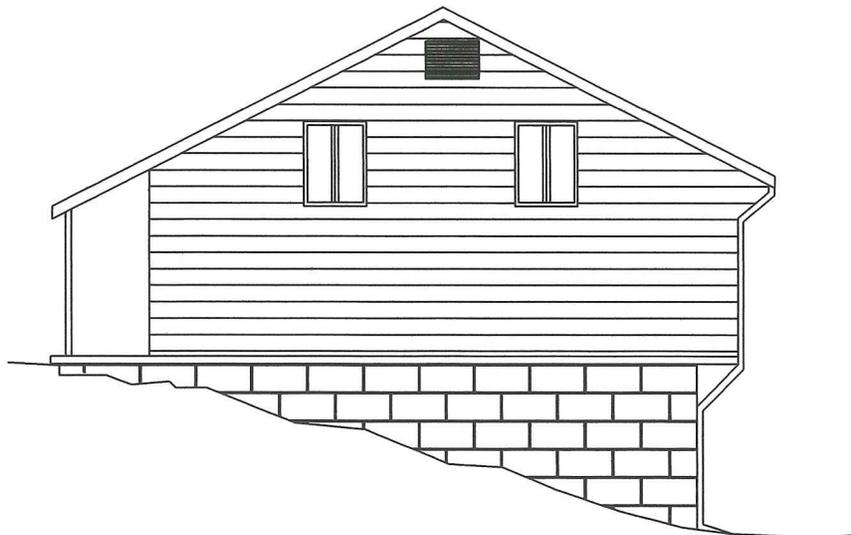
Existing Deck

Proposed Rear Elevation

Aschalew Takele
7714 Arlen St.
Annandale, VA 22003



Proposed Right Side Elev.



Proposed Left Side Elevation

Aschalew Takele
7714 Arlen St.
Annandale, VA 22003

RECEIVED
Department of Planning & Zoning

JUL 29 2013

Zoning Evaluation Division



front house: boundary



side of house

RECEIVED
Department of Planning & Zoning

JUL 29 2013

Zoning Evaluation Division





back of house: deck



back of house: without deck

RECEIVED
Department of Planning & Zoning

JUL 29 2013

Zoning Evaluation Division



FRONT SIDE VIEW.



SIDE VIEW.



FRONT SIDE VIEW.



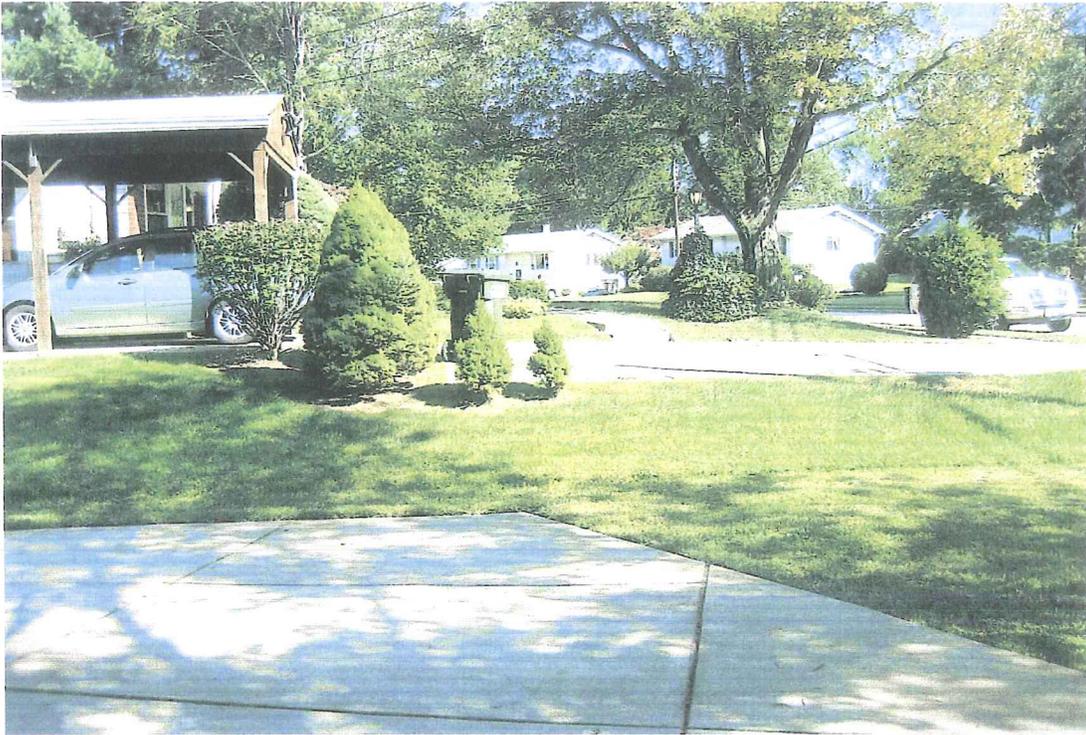
SIDE VIEW.



FRONT SIDE VIEW.



FRONT SIDE VIEW.



SIDE VIEW



SIDE VIEW.



SIDE VIEW



BACK SIDE VIEW



SIDE VIEW.



BACK YARD VIEW.



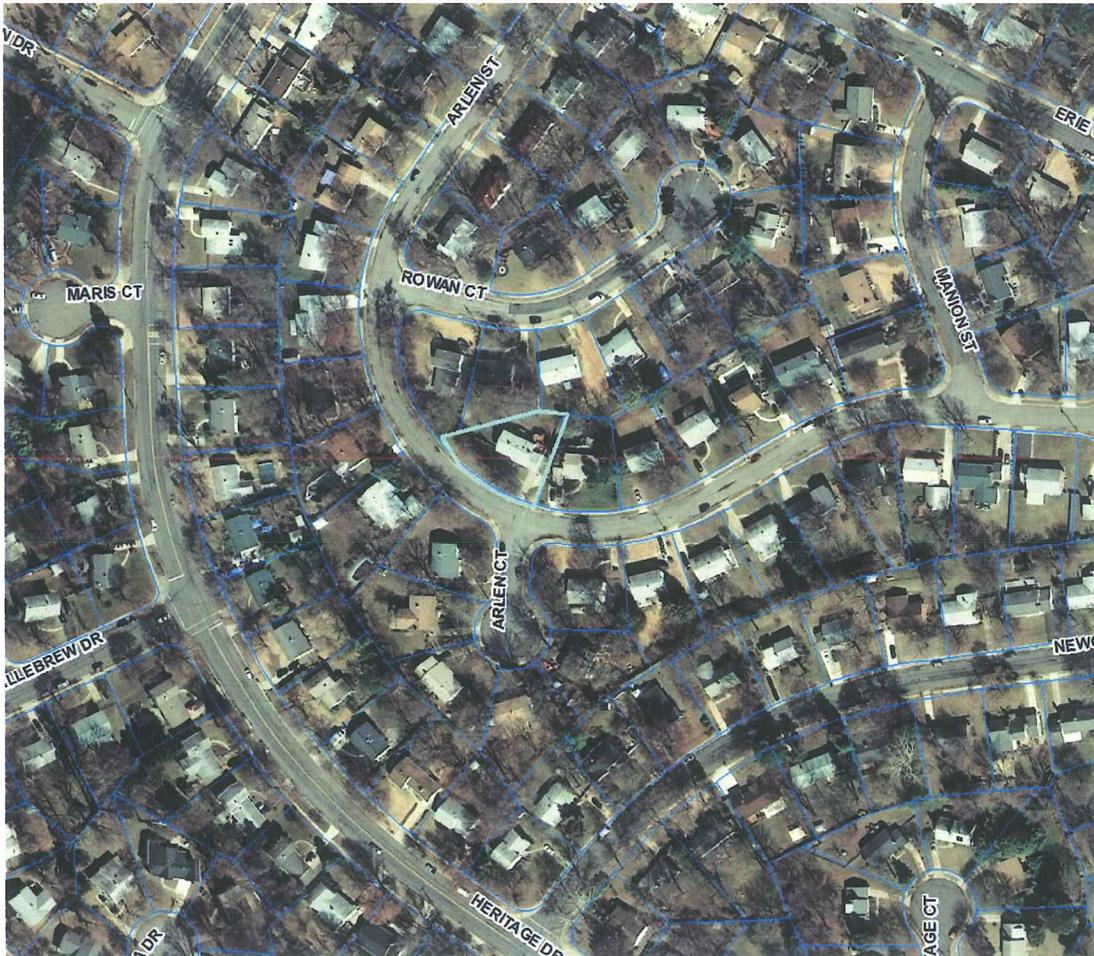
BACK ^{YARD} SIDE VIEW.

SPECIAL PERMIT REQUEST

The applicant requests approval of a special permit to permit a reduction of certain yard requirements to enclose an existing carport, 6.1 feet from the eastern side lot line.

A copy of the special permit plat titled "Special Permit Plat" prepared by Inova Engineering Consultants, Inc., dated November 17, 2013, and signed on November 19, 2013, is included at the front of the staff report.

A more detailed description of the request is on page two of this report.



CHARACTER OF THE SITE AND SURROUNDING AREA:

The existing 10,639 square foot lot, zoned R-3, contains a one-story brick and frame dwelling. The dwelling includes an attached carport. An open deck (patio) and a wood deck extends off the rear of the dwelling. A shed is located in the backyard, 14.1 feet from the rear lot line. The front of the dwelling includes a walkway extending to the driveway. Wood rail fencing (4.0 foot tall) extends from the dwelling along the western side property line, the rear and eastern side property lines, enclosing the backyard. The subject property takes access to Arlen Street via a concrete driveway. A brick paver walkway is located along the western side of the dwelling and extends to the rear patio. Some foundation plantings, mature trees and shrubs are located throughout the property. The property is surrounded by single family dwellings, zoned R-3.

BACKGROUND

The original dwelling on the lot was constructed in 1963. The applicants purchased the property in 2001.

Information outlining other special permit/variance requests in the vicinity of the applicant's property is included in Appendix 4.

DESCRIPTION OF THE REQUEST

The applicant requests the approval of a special permit for a reduction of certain yard requirements to permit enclosure of the existing carport to an existing dwelling, 6.1 feet from the eastern side lot line. The applicant proposes a 349 square foot addition on the eastern side of the existing dwelling. The applicant's statement indicates that they wish to enlarge the family area in the home.

The proposed addition would be built to match the existing dwelling, according to the attached elevations provided by the applicant. The proposed addition would have windows in the front and side. The applicant indicates a sliding glass door will be installed at the rear of the addition. Windows shown do not appear to match the existing windows of the dwelling.

The Zoning Ordinance requires a minimum side yard of 12 feet. The applicant requests the addition to be located 6.1 feet from the side lot line, which represents a reduction of 5.9 feet, or 49.2%.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Annandale Planning District, Area I
Planning Sector: Ossian Hall Community Planning Sector
Plan Map: Residential 2-3 du/acre

Urban Forestry Analysis

Analysis of the application by the Urban Forest Management Division recommended that, due to the location of the proposed addition in relatively close proximity to the adjacent lot line, the applicant should plant vegetation to screen the addition from the neighboring property. The proposed development conditions address this issue by requiring a row of evergreen trees between the addition and the adjoining property line.

ZONING ORDINANCE REQUIREMENTS

The application must meet all of the following standards, copies of which are attached as Appendix 5:

- 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 meets General Standard 3 of the Standards.

General Standard 3 requires that the proposed uses 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. *The general character of the neighborhood is residential. Three similar reductions have been granted in the vicinity. The addition is proposed to be similar the existing dwelling and blend in to the neighborhood. Staff believes the request meets this standard.*

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 existing accessory structures, which does not apply to this application and Standard 10 allows the BZA to impose development conditions. *Staff believes that the application meets 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. *According to the stamped drawings provided by the surveyor, the existing dwelling has 2,261 square feet of living area. Therefore 150% of the total gross floor area could result in an addition up to 3,391.5 square feet square feet in size for a possible total building size of 5,652.5 square feet above-grade living area. The proposed addition is approximately 349 square feet in area, thereby realizing a total house size of 2,610 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 elevations submitted indicate that the materials, size and scale of the addition are compatible with the existing structure. The addition will be similar to the existing dwelling. The addition is fairly small increase in size; therefore it is subordinate in bulk and scale to the principal dwelling and does not create any additional height to the overall existing structure. Staff believes 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. The surrounding neighborhood contains residential homes, some with additions and garages built into side yards approved by special permit or variance. The exterior building materials are to be consistent with the on-site dwelling and compatible with those in the neighborhood. The topography of the area is fairly level. The addition is proposed to be approximately 14.4 by 24.8 feet in length, which is the area of the existing carport. The bulk appears to be consistent with adjacent development. 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. The addition is proposed in a location that is a carport. There is no existing vegetation in the area of the addition. Staff believes this standard is met.

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 area of the addition is proposed to be constructed in place of the existing carport, into the side yard of the property. The proposed addition extends off the existing attached garage in an area without vegetation and represents a small addition to the dwelling; therefore staff believes that the application meets this provision.

CONCLUSION

Staff finds that for the reasons outlined above, the subject application is in conformance with the applicable Zoning Ordinance provisions, and the Provisions for Reduction of Certain Yard Requirements with the implementation of the proposed development conditions contained in Appendix 1 of the staff report.

RECOMMENDATIONS

Staff recommends approval of SP 2013-MA-111 for the addition with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner 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. Affidavit
3. Statement of Justification
4. Similar Case History
5. Applicable Zoning Ordinance Provisions

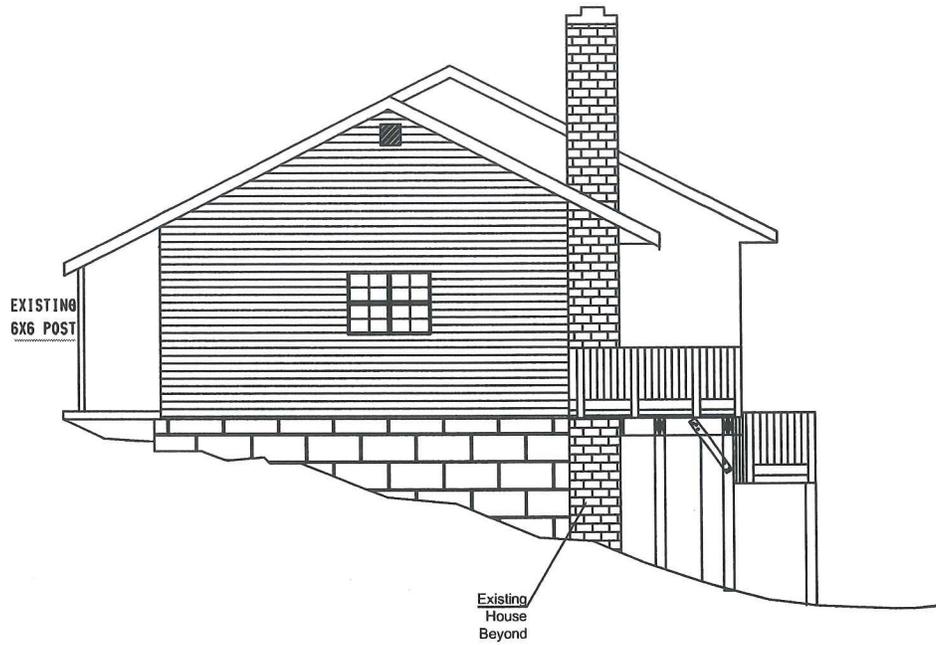
PROPOSED DEVELOPMENT CONDITIONS**March 12, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2013-MA-111 located at 7714 Arlen Street, Tax Map 70-2 ((06)) 177 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.

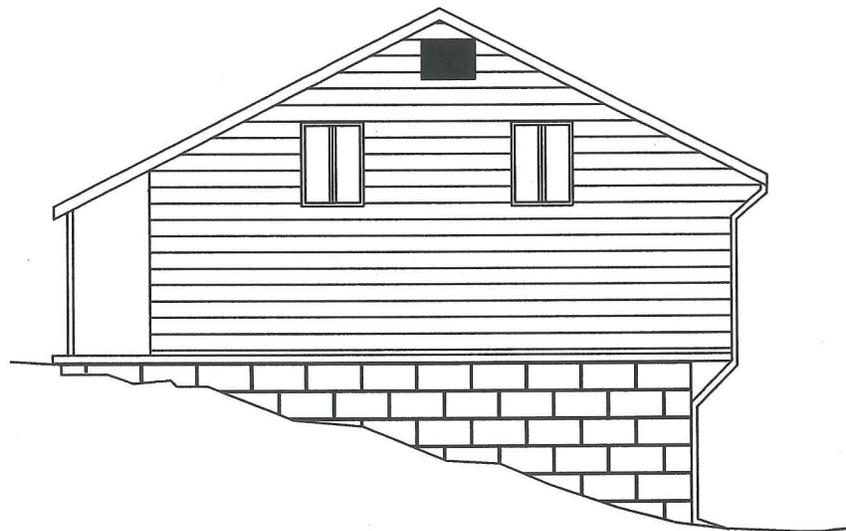
1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved only for the location of the proposed addition (approximately 349 square feet), as shown on the plat prepared by Inova Engineering Consultants, Inc., dated November 17, 2013, and signed on November 19, 2013, submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (2,261 square feet existing + 3,391.5 square feet (150%) = 5,652.5 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. Notwithstanding the definition of gross floor area as set forth in the 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. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall generally be consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. Notwithstanding that which is shown in Attachment 1, the applicant shall install windows to as closely match the windows in the existing dwelling as possible.
6. A single row of evergreen trees planted ten feet on center with a minimum height of five feet at time of planting, shall be installed between the addition and the side lot line prior to the time of final building inspection of the addition.

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

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and 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.

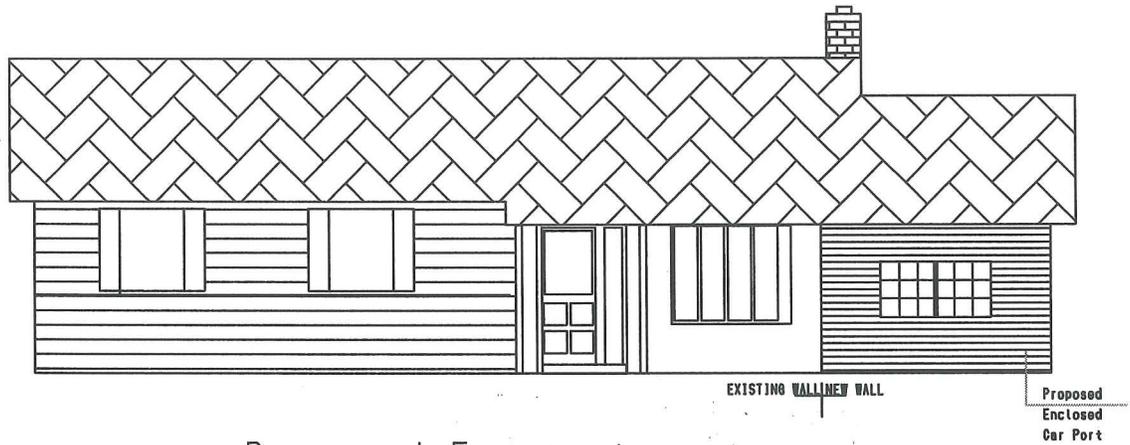


Proposed Right Side Elev.



Proposed Left Side Elevation

Aschalew Takele
7714 Arlen St.
Annandale, VA 22003



Proposed Front elevation



Proposed Rear Elevation

Aschalew Takele
7714 Arlen St.
Annandale, VA 22003

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/19/13
 (enter date affidavit is notarized)

I, ASCHALEW TAKELE, 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 121913

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)
ASCHALEW TAKELE	7714 ARLEN ST ANNANDALE, VA 22003	APPLICANT/ TITLE OWNER
MERDES TILAHUN	7714 ARLEN ST ANNANDALE, VA 22003	TITLE OWNER

(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: 8/19/13
(enter date affidavit is notarized)

121913

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)

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)

(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: 8/19/13
(enter date affidavit is notarized)

121913

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)

NONE

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

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

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/19/13
(enter date affidavit is notarized)

121913

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/19/13
(enter date affidavit is notarized)

121913

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) Aschalew Takele
 Applicant [] Applicant's Authorized Agent

ASCHALEW TAKELE
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 19th day of August, 2013, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: 04/30/2016



Inova Engineering Consultants, Inc.

CIVIL ENGINEERS . LAND SURVEYORS . LAND DEVELOPMENT

September 13, 2013

Virginia H.Ruffner, Planner III
Application Acceptance Section
Zoning Evaluation Department
Department Planning and Zoning
12055 Government Center Parkway
Fairfax, Virginia 22035

Re: Reduction in certain yard requirements section 8 -922.

Applicant: Aschalew Takele

SP 2013-0199

Dear Sir/Madam:

Please accept the following as a statement of justification for a special permit on property identified among the Fairfax county tax records as 70-2-((06))-177 (the "subject property"). This justification letter is in response to the comments dated August 29, 2013.

The subject property is currently zoned R-3 and contains 10,639 square feet and is located Ravensworth Grove Subdivision in the Mason Magisterial District. The site is developed with 1 story single family dwelling rambler house, with car port built in 1963. The existing gross floor area of the house is 2,261 square feet. The existing carport area is 349 sf. Applicant is intended to convert accessory structure carport into part of main structure and use partly living and kitchen purpose. The carport is 6.1 ft feet (min) from the right property line. The zoning will allow maximum 50% of the required setback that 6 ft and not less than 5 ft from property line. Since the existing structure is within the said limits and no additional impervious area is proposed. In accordance with requirement of section 8-922 of the zoning ordinance, please accept the proposed use of carport as living space. The total gross floor area will be 2,610 sf the increased in gross floor area will be 349 sf which is 15.43 % of the existing gross floor area. Please refer attached special permit plat pertaining to all main and accessory structures within the lot and zoning tabulation and setbacks requirements. The increased in gross floor area will not exceed allowable floor area ratio (FAR) 0.25 for R-3 zone. The proposed development will be in harmony to the existing neighborhood environment will not adverse impact on adjoining properties. On behalf our client, I would like to request you for granting special permit for use as existing carport to living space and for that use

reduction in certain yard requirement under section 8-922. If you have further questions please call me at 703-655-3951.

Sincerely,

Handwritten signature of Ram Pradhan and the date 9/16/2013.

Ram Pradhan, P.E.
(Principal)
Inova Engineering Consultants, Inc.
25209 Larks Terrace,
South Riding , Va 20152

Department of Planning and Zoning
12055 Government Center Parkway
Fairfax Virginia 22035

Re: Reduction in certain yard requirements section 8-922.
Applicant: Aschalew Takele
SP 2013-0199

Dear Sir/Madam:

This is additional information regarding August 29, 2013 letter.

- Item 5.07 - The enclosed carport will not change the house façade. We keep the original façade. We use vinyl siding.

- Item 5.08 – There is no 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 commonwealth of Virginia/Department of waste management regulations VR 672-10-1Virginia 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 the site and the size and contents of any existing or proposed storage tanks or containers.

- Item 5.09 - We comply with all applicable ordinances, regulations and adopted standards.

Sincerely,

Aschalew Takele



Applicant cell (703)459-5881

RECEIVED
Department of Planning & Zoning
JUL 29 2013
Zoning Evaluation Division

Date: 07/29/2013

Property located: 7714 Arlen St Annandale, VA 22003

Tax Map No.: 0702060177

Size (Acres/Sq.Ft.): 10,639 Sq. Ft

Zoning District: R-3

Magisterial District: Mason

Zoning Ordinance Section: 8-922

We, Aschalew Takele / Mekdes Tilahun applying for Reduction of side yard from 12 feet side to 6 feet to enclose the existing car port to have large family room.

Sincerely,

Aschalew Takele

Case History

Group: 86-A -027

VC 86-A -027

APPLICANT: ARMOND A SONNEK
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 06/24/1986
ZONING DISTRICT: R- 3
DESCRIPTION: CONSTRUCTION OF CARPORT ADDITION TO DWELLING TO 4.5 FT. FROM SIDE LOT LINE
LOCATION: 7727 ARLEN STREET
TAX MAP #S:
 0702 06 0156

Group: 86-A -035

VC 86-A -035

APPLICANT: EISENHART, MR. AND MRS. G. T.
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 07/01/1986
ZONING DISTRICT: R- 3
DESCRIPTION: CONSTRUCTION OF GARAGE ADDITION TO DWELLING TO 7.6 FEET FROM SIDE LOT LINE (12 FEET MIN. REQUIRED)
LOCATION: 8204 TOLL HOUSE ROAD
TAX MAP #S:
 0702 07 0050

Group: 89-A -025

VC 89-A -025

APPLICANT: J. RONALD MAZURIK
STATUS: APPLICATION DENIED
STATUS/DECISION DTE: 06/14/1989
ZONING DISTRICT: R- 3
DESCRIPTION: ALLOW CONSTRUCTION OF ADDITION TO EXISTING ATTACHED GARAGE TO 3.1 FT. FROM SIDE LOT LINE (12 FT. MIN. SIDE YARD REQ.)
LOCATION: 8250 TOLL HOUSE ROAD
TAX MAP #S:
 0702 07 0025

Group: 2012-MA-036

SP 2012-MA-036

[STAFF REPORT](#)
[LOCATOR MAP](#)

APPLICANT: ESPERANZA E. MARTINEZ
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 09/12/2012
ZONING DISTRICT: R- 3
DESCRIPTION: REDUCTION OF CERTAIN YARD REQUIREMENTS TO PERMIT ADDITION 10.2 FEET FROM SIDE LOT LINE AND REDUCTION OF MINIMUM YARD REQUIREMENT BASED ON ERROR IN BUILDING LOCATION TO PERMIT ACCESSORY STRUCTURE TO REMAIN 0.7 FEET FROM SIDE LOT LINE AND 8.7 FEET FROM REAR LOT LINE.
LOCATION: 7725 ARLEN STREET, ANNANDALE, VA 22003
TAX MAP #S:
 0702 06 0157

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.