



APPLICATION ACCEPTED: July 16, 2014  
BOARD OF ZONING APPEALS: October 8, 2014  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

---

October 1, 2014

## STAFF REPORT

### SPECIAL PERMIT SP 2014-PR-144

#### PROVIDENCE DISTRICT

**APPLICANTS/OWNERS:** Carol H. Nyce  
Christopher W. Nyce

**STREET ADDRESS:** 8236 Winder Street, Vienna 22180

**SUBDIVISION:** Stonewall Manor

**TAX MAP REFERENCE:** 39-3 ((16)) 351

**LOT SIZE:** 11,218 square feet

**ZONING DISTRICT:** R-3

**ZONING ORDINANCE PROVISION:** 8-922

**SPECIAL PERMIT PROPOSAL:** To permit reduction of certain yard requirements to permit construction of addition 7.8 feet from the side lot line.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2014-PR-144 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.

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.**

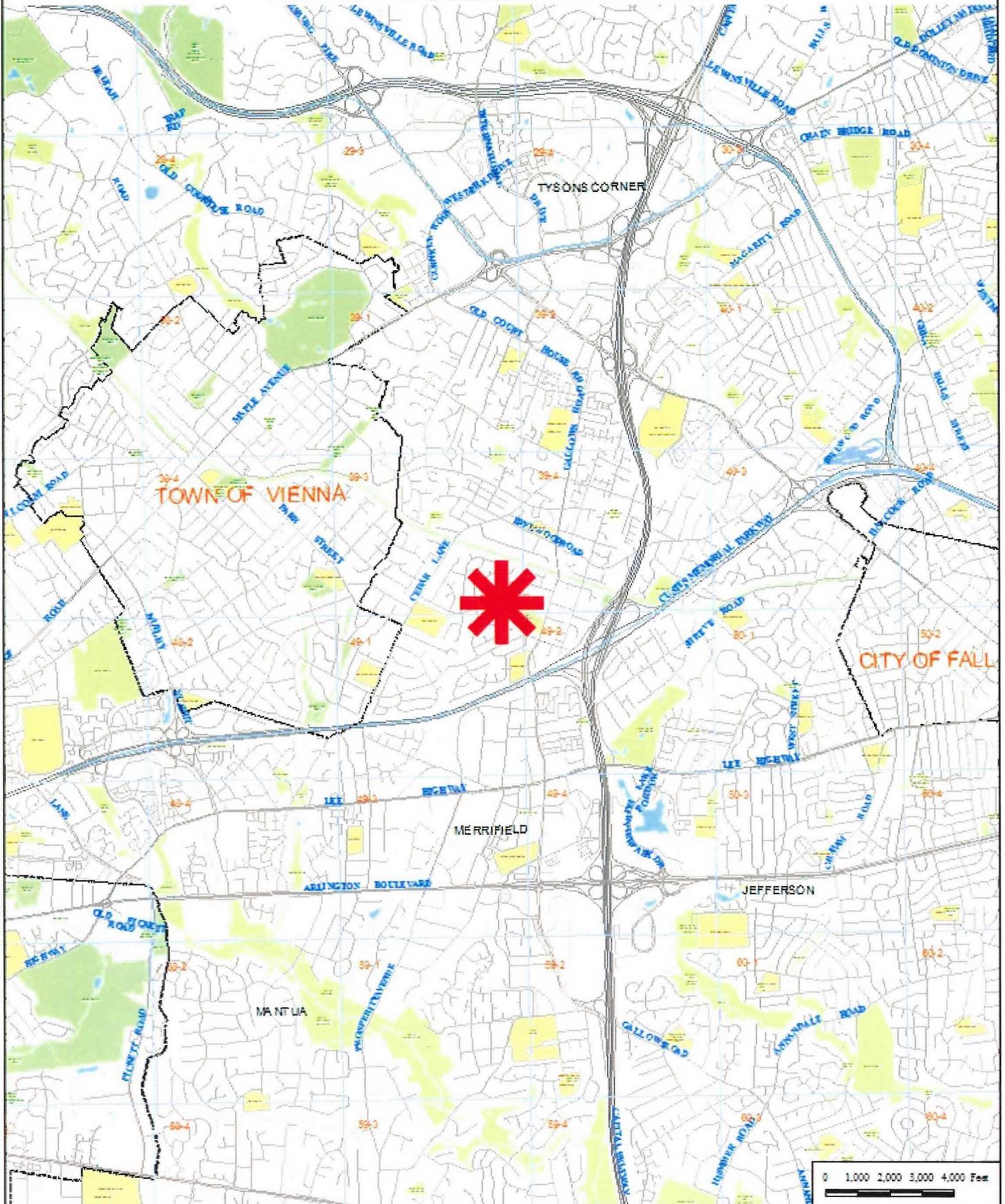


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Permit

SP 2014-PR-144

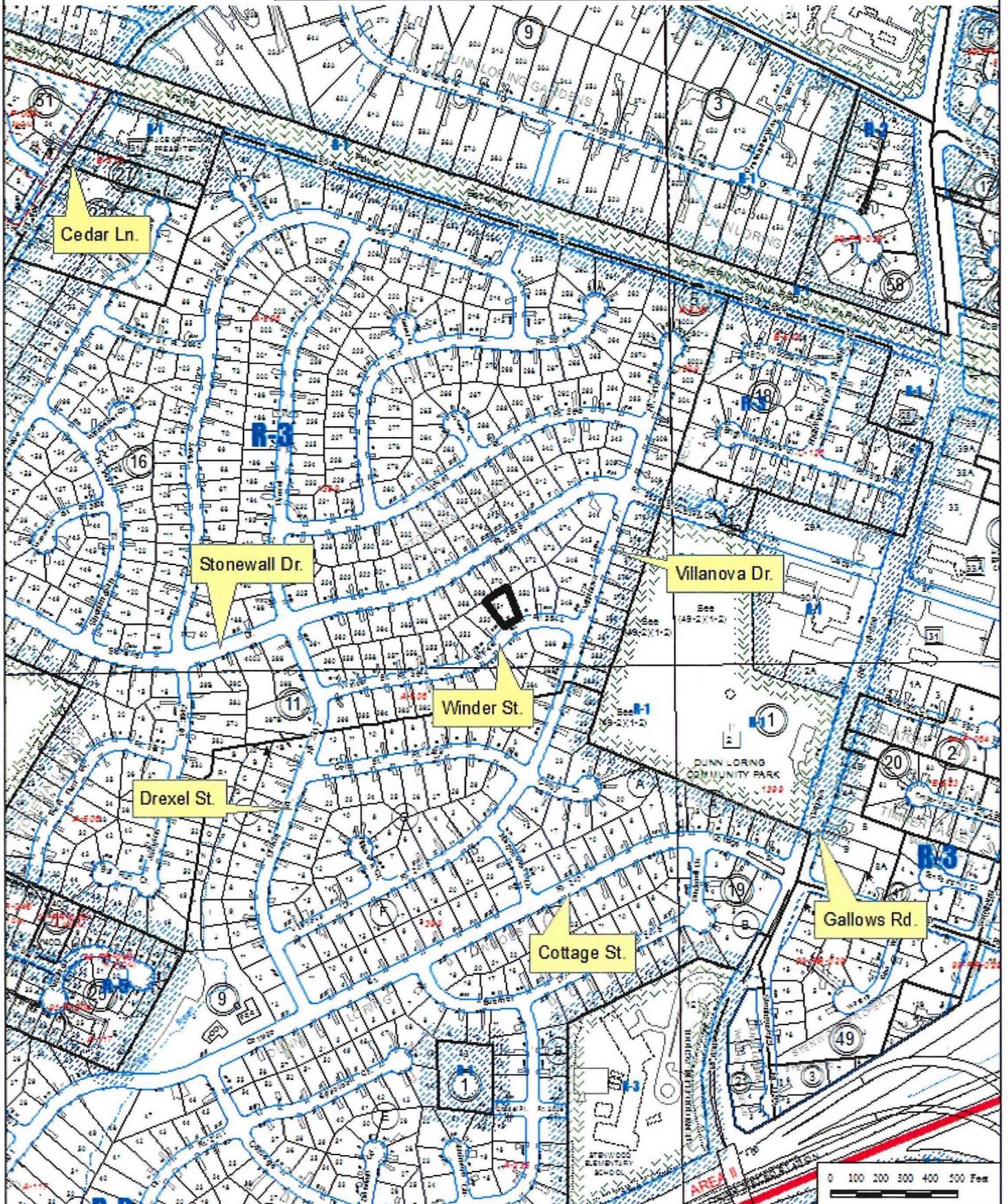
CAROL H. NYCE & CHRISTOPHER W. NYCE



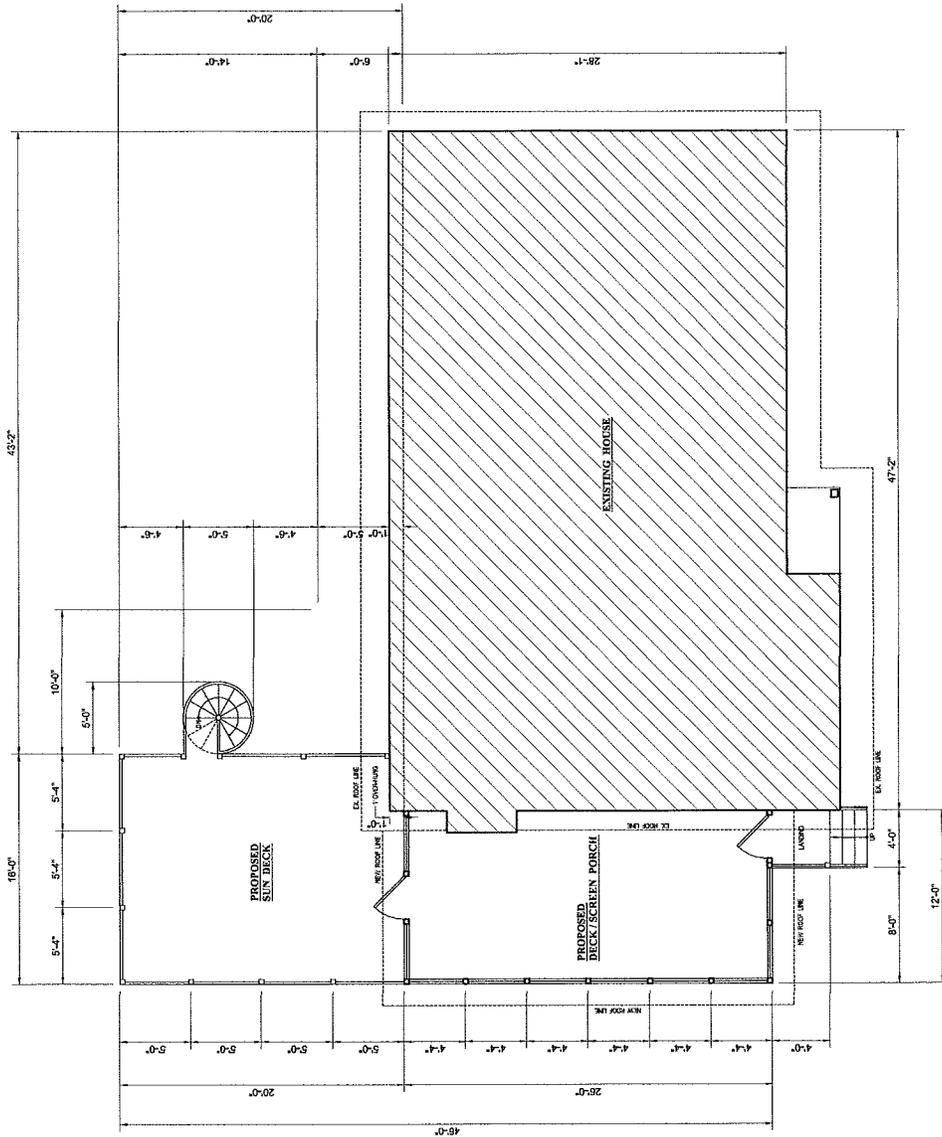
# Special Permit

SP 2014-PR-144

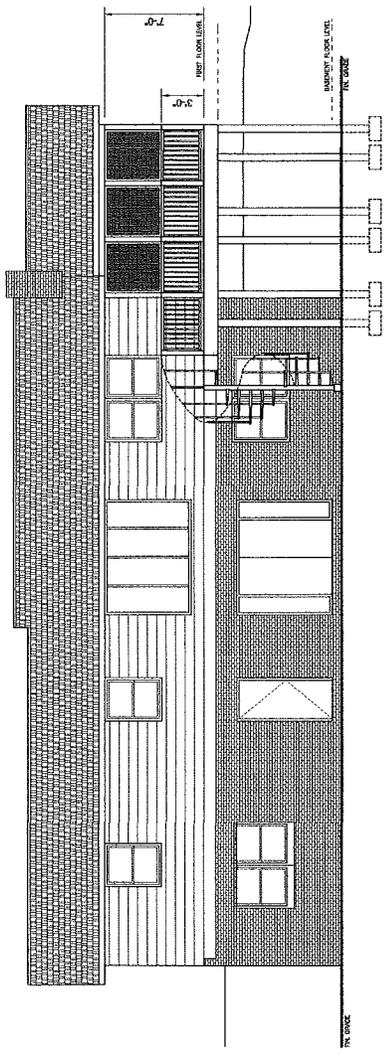
CAROL H. NYCE & CHRISTOPHER W. NYCE



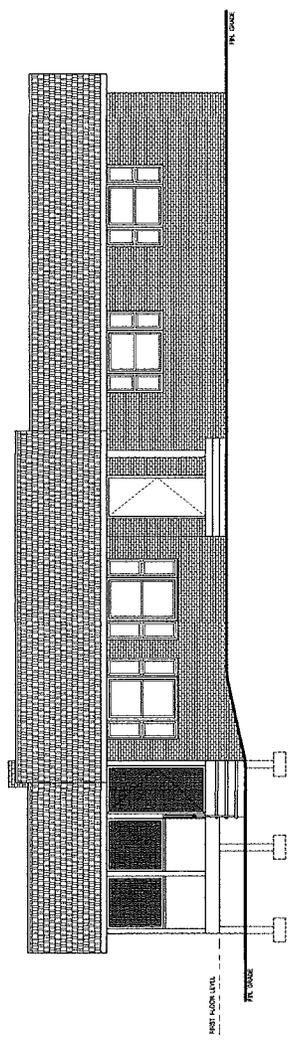




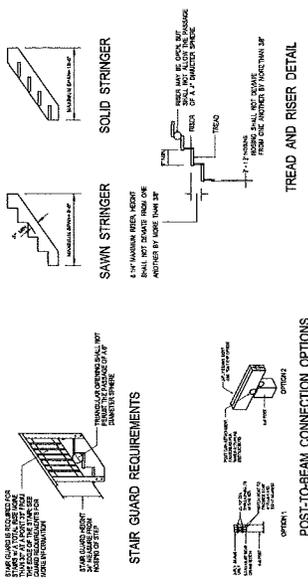
PROPOSED  
FLOOR PLAN  
SCALE 1/4" = 1'-0"



**PROPOSED REAR ELEVATION**  
 SCALE 1/4" = 1'-0"

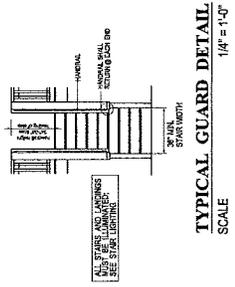


**PROPOSED FRONT ELEVATION**  
 SCALE 1/4" = 1'-0"



**STAR GUARD REQUIREMENTS**  
 SCALE 1/4" = 1'-0"

**TREAD AND RISER DETAIL**  
 SCALE 1/4" = 1'-0"

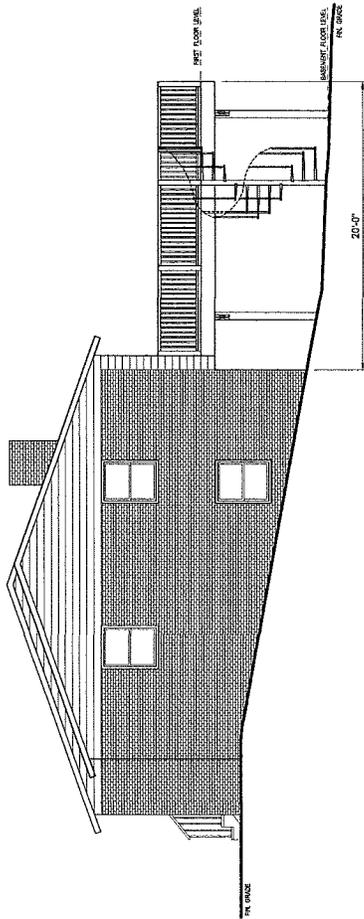


**TYPICAL GUARD DETAIL**  
 SCALE 1/4" = 1'-0"

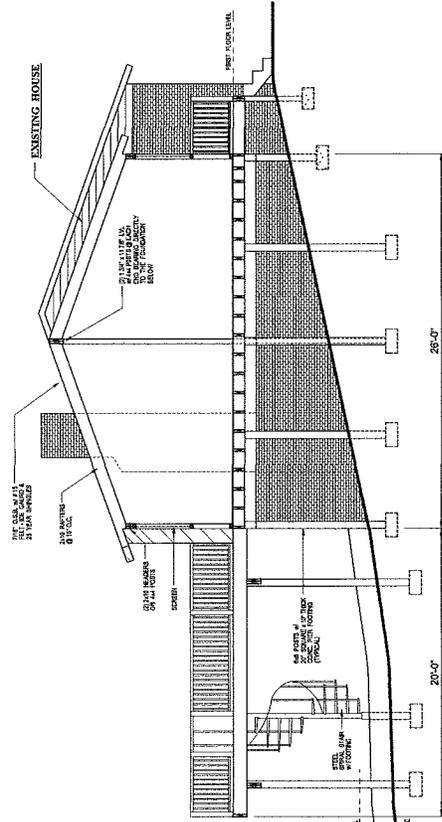
**STAIR NOTES:**  
 RISE/ROOM SHALL MEET - RNT1.5.2  
 RISER HEIGHT SHALL MEET - RNT1.5.1  
 TREAD DEPTH SHALL MEET - RNT1.5.3  
 LANDING SHALL MEET - RNT1.5.4  
 HANDRAIL GRIPS SHALL MEET - RNT1.5.6.1  
 HANDRAILS SHALL MEET - RNT1.5.3  
 GUARDRAILS SHALL MEET - RNT1.5.2

**POST-TO-BEAM DET. CONNECTION**  
 SCALE 1/4" = 1'-0"

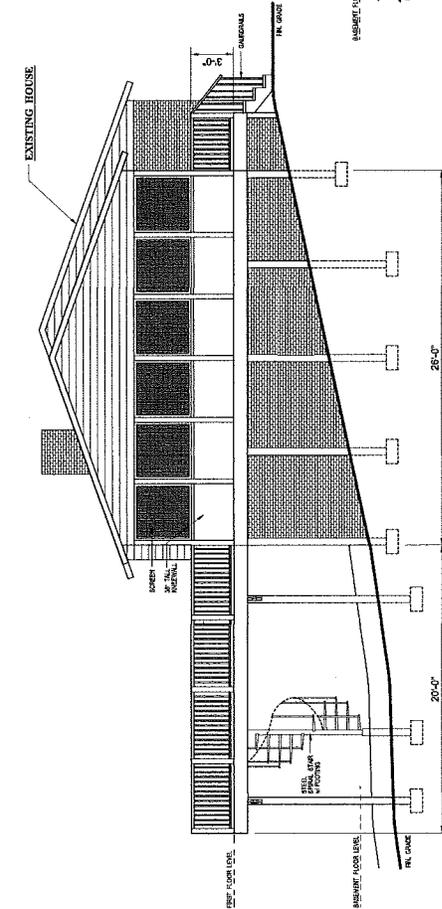
**STAIRS DETAILS**  
 SCALE 1/4" = 1'-0"



**PROPOSED  
LEFT SIDE ELEVATION**  
SCALE 1/4" = 1'-0"



**PROPOSED  
CROSS SECTION**  
SCALE 1/4" = 1'-0"



**PROPOSED  
RIGHT SIDE ELEVATION**  
SCALE 1/4" = 1'-0"

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

NOTES:  
1. TAX MAP 039-3-16-0351.

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

3. MINIMUM YARD REQUIREMENTS IN ZONE R-3

FRONT: 30'  
SIDE: 12'  
REAR: 25'

4. PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.

5. THE PROPERTY SHOWN HERE IS LOCATED IN FLOOD ZONE "X" AS PER INSURANCE RATE MAP COMMUNITY PANEL NUMBER 51059C0165E EFFECTIVE DATE, SEPTEMBER 17, 2010.

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

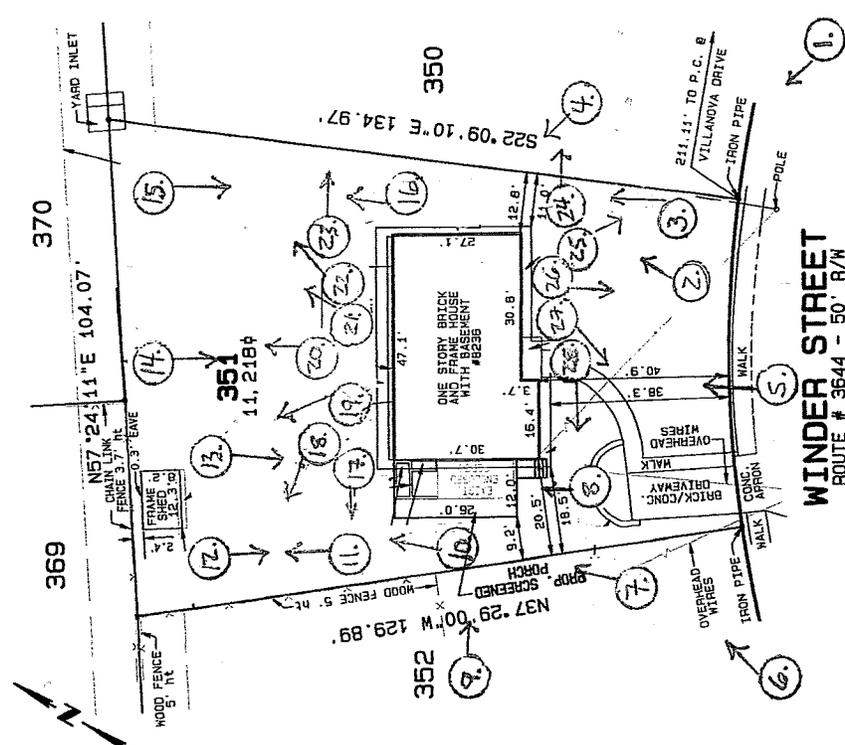
7. THE PROPERTY IS NOT LOCATED IN A FLOODPLAIN NOR AN RPA (RESOURCE PROTECTION AREA).

8. FLOOR AREA:  
EXISTING GROSS FLOOR AREA HOUSE 1,380 SQ. FT.  
EXISTING GROSS FLOOR AREA OPEN PORCH 32 SQ. FT.  
PROPOSED GROSS FLOOR AREA SCREEN PORCH 312 SQ. FT.  
TOTAL FLOOR AREA 1,724 SQ. FT.

PROPOSED FLOOR AREA RATIO: 0.15

HEIGHT TABLE

EXISTING HOUSE HEIGHT:	15.9'
EXISTING SHED HEIGHT:	9.3'
PROPOSED SCREEN PORCH HEIGHT:	14.8'



*\*Photo Key*



**SPECIAL PERMIT PLAT**  
LOT 351, SECTION 2  
**STONEWALL MANOR**  
PROVIDENCE MAGISTERIAL DISTRICT  
FAIRFAX COUNTY, VIRGINIA  
SCALE: 1"=25'  
DATE: APRIL 11, 2014

**WINDER STREET**  
ROUTE # 3644 - 50' R/W

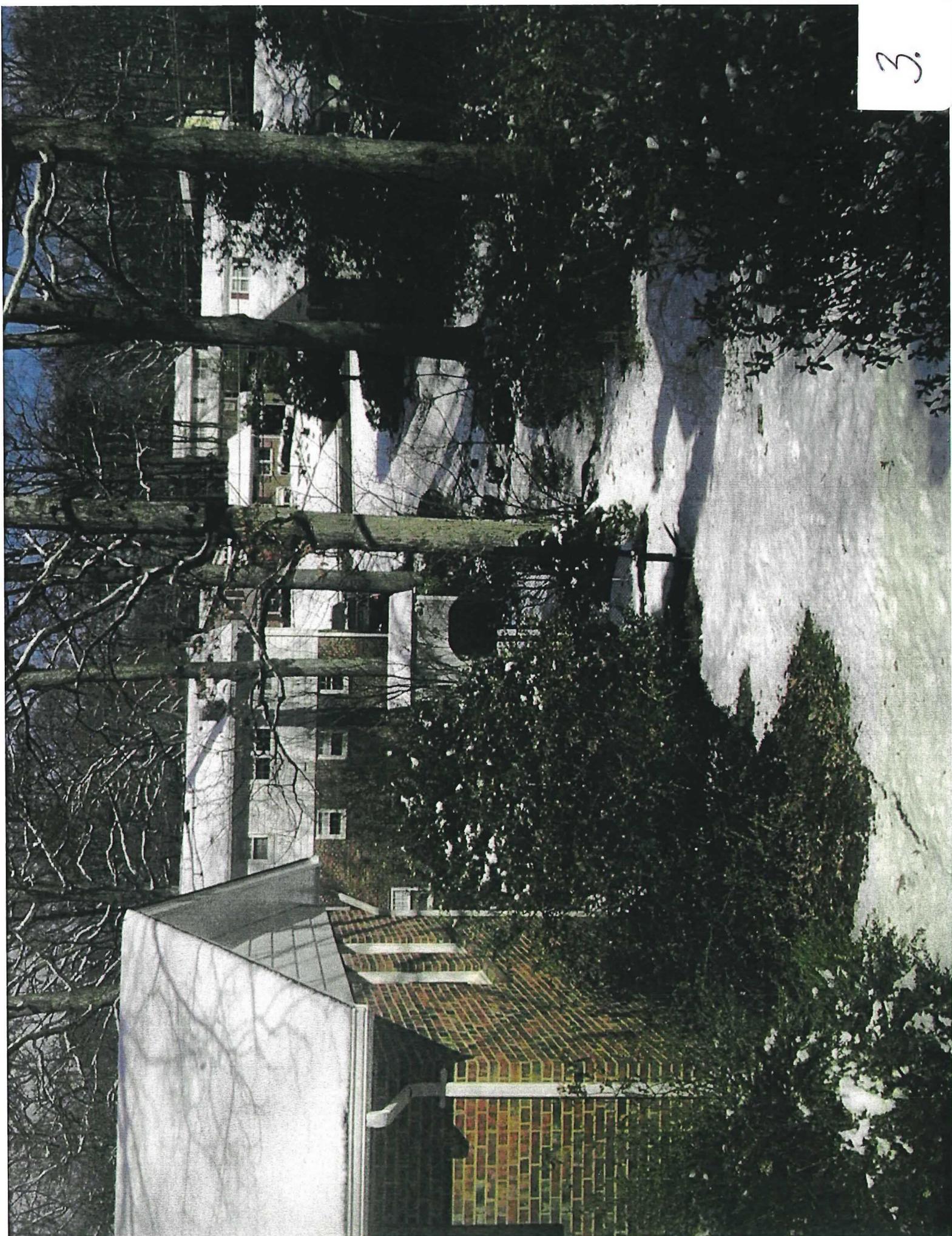
CASE NAME: NYCE SCHUYLER AHRENS	NO TITLE REPORT FURNISHED. PLAT SUBJECT TO RESTRICTIONS & EASEMENTS OF RECORD OR OTHERWISE. FENCE LOCATIONS, IF SHOWN, ARE APPROXIMATE ONLY AND DO NOT CERTIFY AS TO OWNERSHIP.
	<p><b>SCARTZ SURVEYS</b></p> <p>LARRY N. SCARTZ LOCAL (703) 494-4181 CERTIFIED LAND SURVEYOR FAX (703) 494-3330 HOODBRIDGE, VIRGINIA LARRY.SCARTZ@SCARTZ.COM</p>

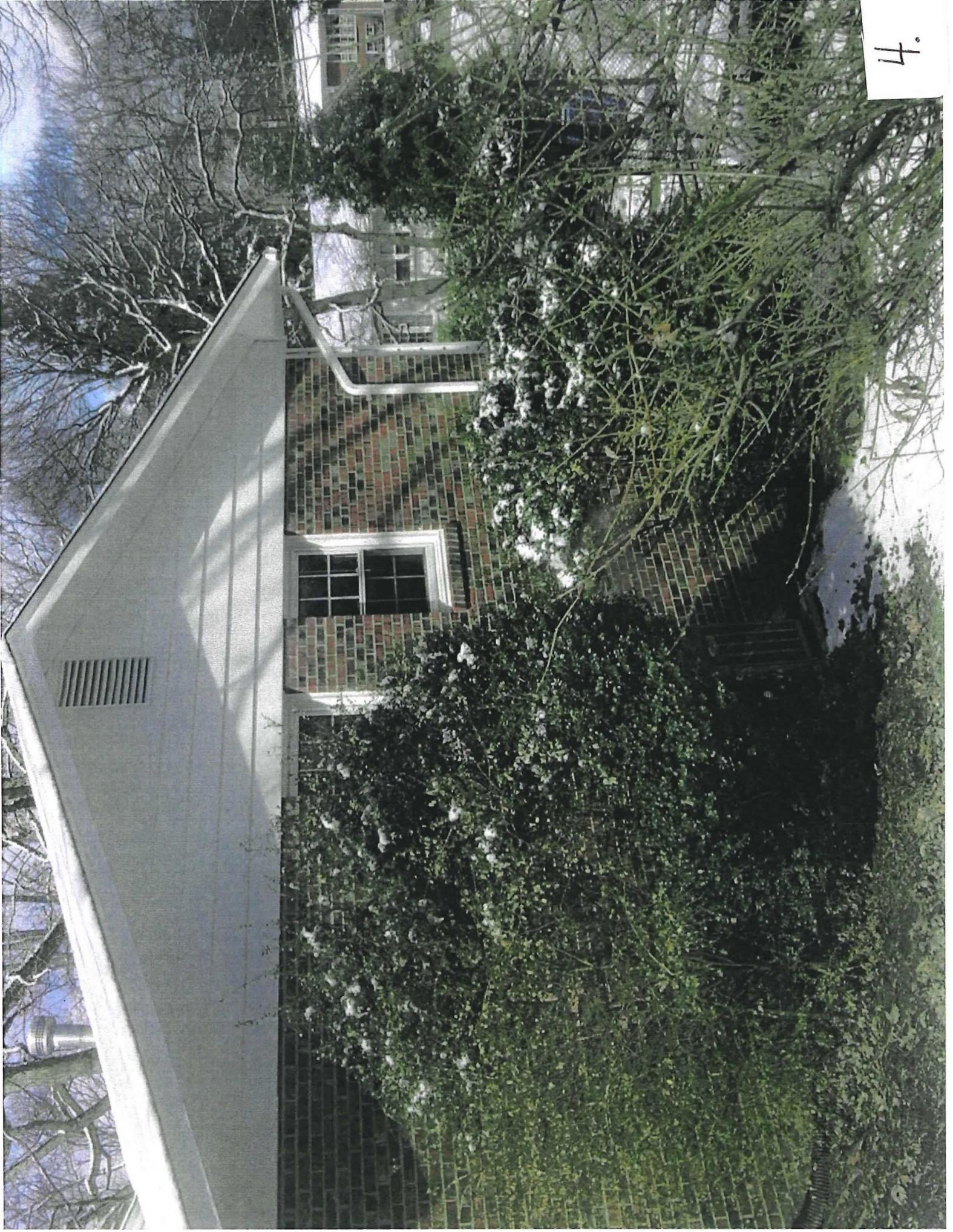


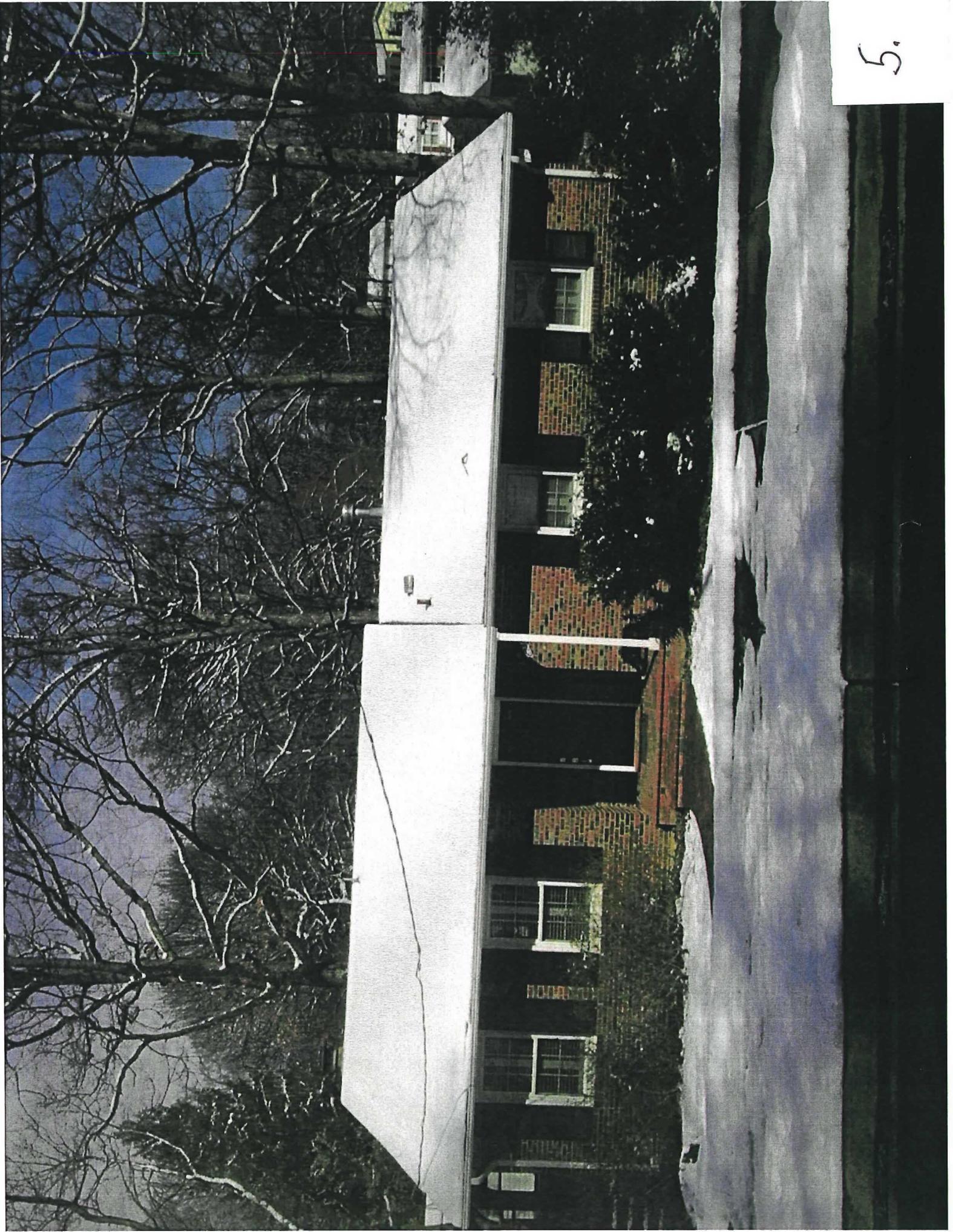
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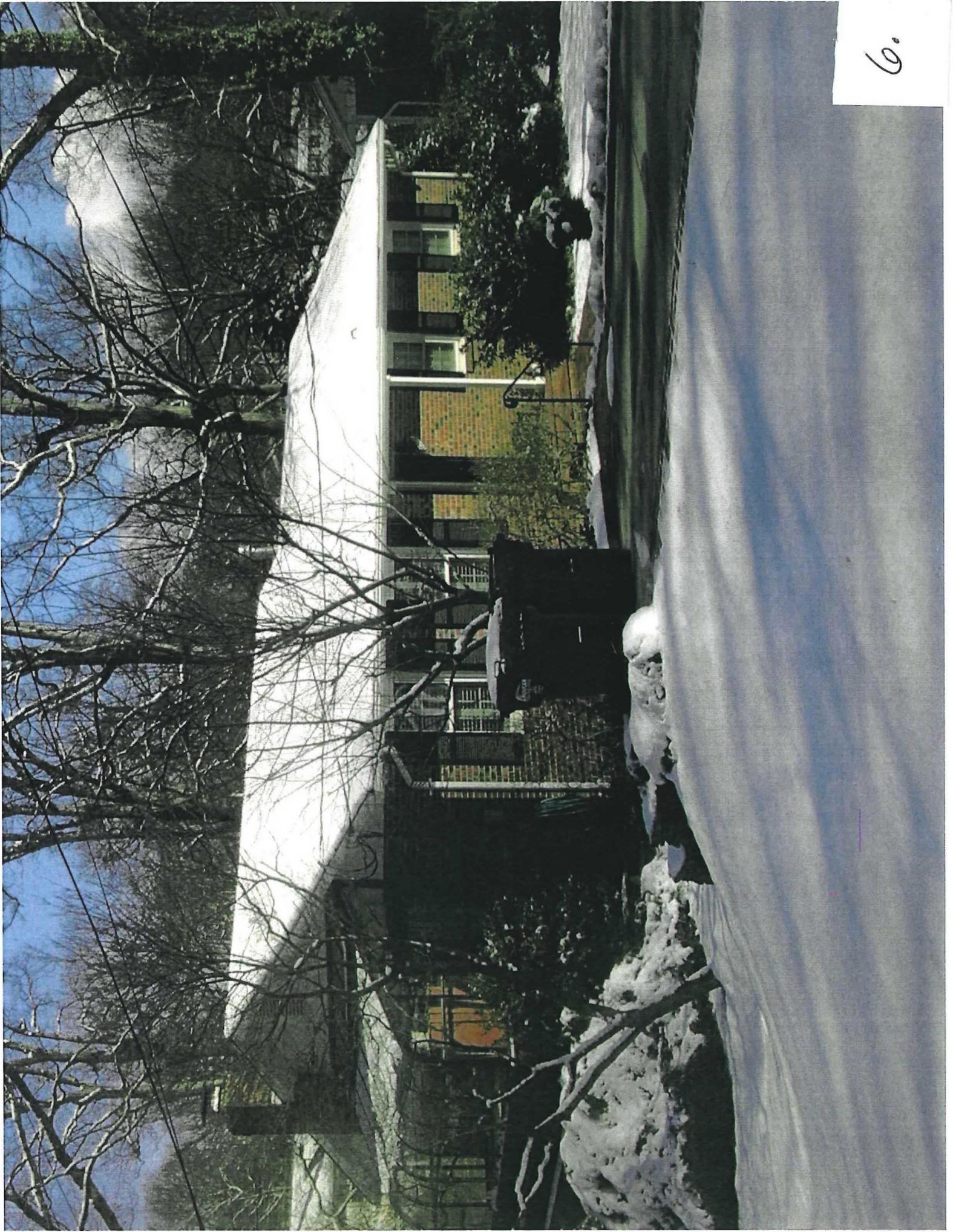
3.







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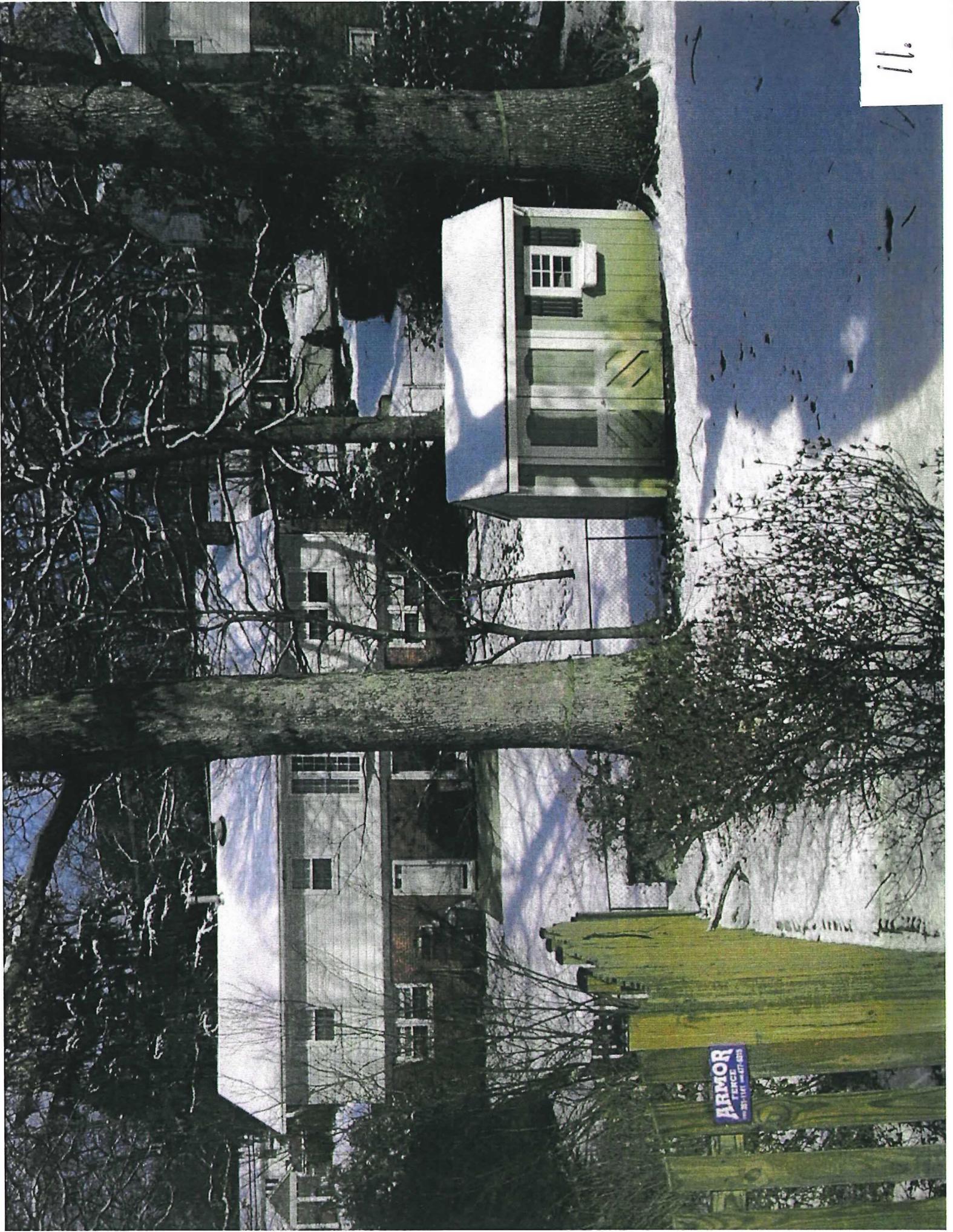




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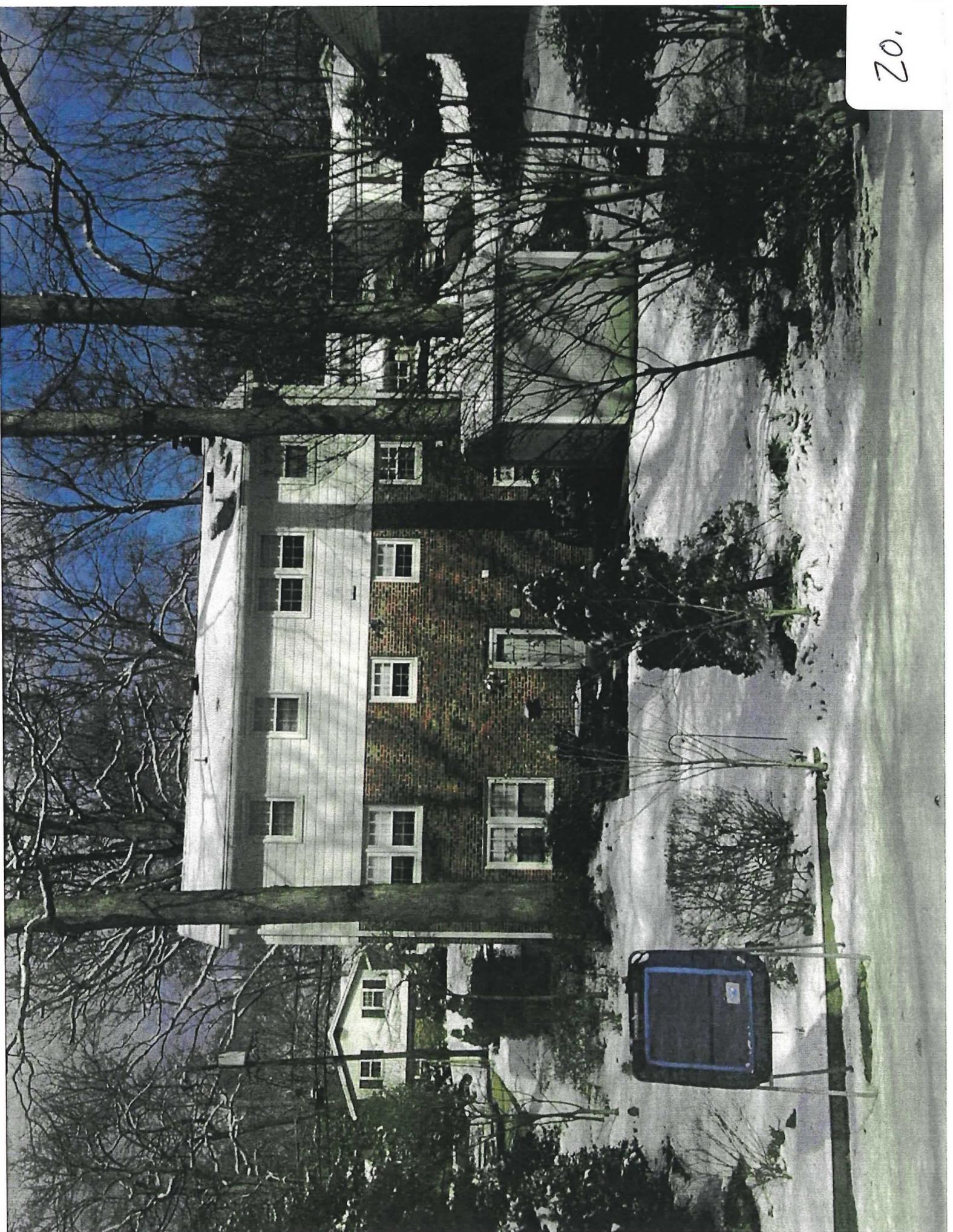


17.



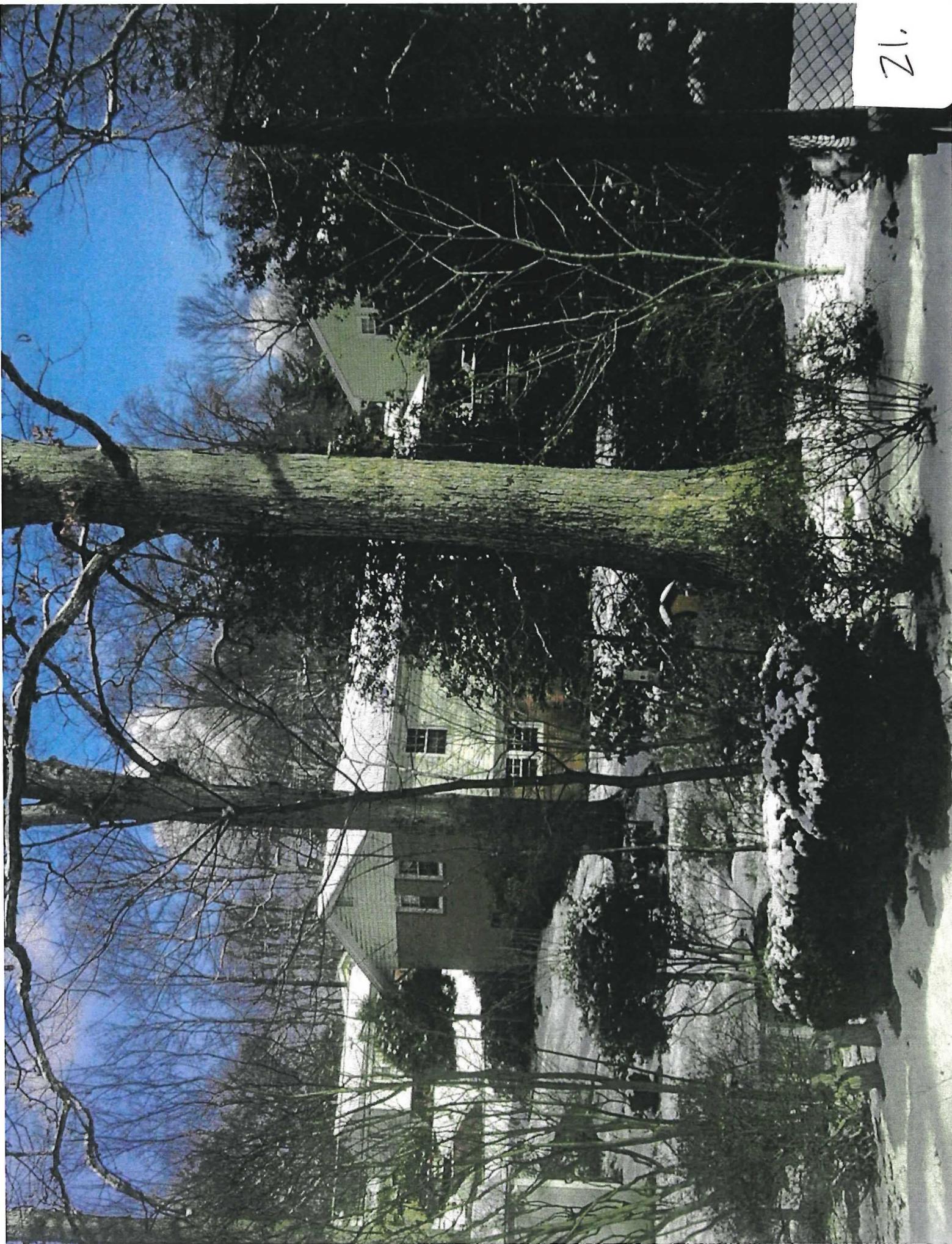






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## SPECIAL PERMIT REQUEST

The applicant is seeking approval of a special permit to allow a reduction of certain yard requirements to permit construction of an addition 7.8 feet from a side lot line.

A copy of the special permit plat titled "Special Permit Plat, Lot 351, Section 2, Stonewall Manor," prepared by Larry N. Scartz, Land Surveyor, dated April 11, 2014, as revised through July 11, 2014, 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 11,218 square foot lot contains a one story brick and frame dwelling with a basement. A brick and concrete driveway provides access to the lot from Winder Street. A walkway leads from the driveway to an open porch at the front of the dwelling. A stone retaining wall 1.0 feet in height is located in the front yard at the end of the driveway. An existing enclosed porch is located on the west side of the dwelling. A brick patio is located at the rear of the dwelling. A shed 9.3 feet in height is located in the northwest corner of the rear yard. A portion of a 20 foot storm sewer easement runs across the rear lot line. The property has a manicured lawn and landscaping.



The subject property and surrounding properties are zoned R-3 and are developed with single family detached dwellings.

## **BACKGROUND AND HISTORY**

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1964 and purchased by the applicants in 2003. In 1991, a previous owner obtained a building permit for a greenhouse and deck to be located on the left side of the dwelling. This building permit information is included as Appendix 5.

Since the adoption of the Zoning Ordinance, similar special permit and variance applications have been heard by the Board of Zoning Appeals for nearby properties as shown in Appendix 4.

## **DESCRIPTION OF THE APPLICATION**

The applicant is requesting approval of a special permit for a reduction of certain yard requirements to permit construction of an addition, a screened porch, 7.8 feet from a side lot line. The required side yard dictated by the R-3 requirements is 12 feet. Therefore, the applicant is requesting a reduction of 4.2 feet, or 35 percent. The applicant is also proposing to construct an open wood deck extending off of the screened porch into the rear yard, but the deck will be 12.7 feet from the side lot line and therefore does not require approval of a special permit.

The applicant proposes to remove the existing enclosed porch and replace it with a new screened porch approximately 14.8 feet in height and 312 square feet in size. The porch would be constructed to the west side of the existing dwelling. The exterior of the addition would be subordinate in height and size to the existing dwelling.

The applicant also proposes to reduce the height of the existing accessory storage structure, a shed from 9.3 feet in height to a maximum height of 8.5 feet. This will bring the shed into conformance with Zoning Ordinance requirements for location of accessory storage structures.

## **ANALYSIS**

### **Comprehensive Plan Provisions**

**Plan Area:** II

**Planning Sector:** Vienna, VI 02 Cedar

**Plan Map:** 3 dwelling units per acre

### **Zoning Ordinance Requirements**

- *Sect. 8-006* General Special Permit Standards
- *Sect. 8-903* Group 9 Standards

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

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

### **Sect. 8-006 General Special Permit Standards**

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

*General Standard 3* requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. *Staff believes by observation of the neighborhood through submitted photographs and aerial photography that the construction of the addition will not adversely affect the use or development of neighboring properties. The addition would be to the side of the dwelling and replace an existing enclosed porch, and would be subordinate in size and height. 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 1,380 square feet in size. Therefore 150% of the total gross floor area could result in additions up to 2,070 square feet in size for a possible total square footage at build out of 3,450 square feet. The proposed addition that is the subject of the special permit is approximately 312 square feet, for a total square footage of the house with the addition of 1,692 square feet. Therefore the application meets this provision.*

*Standard 6* states that the BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot. *The elevation drawings and pictures submitted indicate that the materials, size and scale of the proposed addition will be compatible with the dwelling. The proposed screened porch would be located largely*

*over an area where an existing enclosed porch is located. Staff believes that the application meets this provision.*

*Standard 7 states that the BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director. Through testimony submitted by the applicant, and aerial photography, staff has confirmed that the proposed screened porch is similar to other structures in the neighborhood in terms of its height, scale and architecture. Therefore, staff believes the addition will be harmonious with surrounding off-site uses and meets this provision.*

*Standard 8 states that the BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff. Staff believes that the proposed screened porch will not impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety. The screened porch is to be located where an enclosed porch currently exists and will be subordinate in size and height to the existing dwelling. Therefore, staff believes the application meets this provision.*

*Standard 9 states that the BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic field; location of easements; and/or preservation of historic resources. Staff believes the request to build the screened porch is a modest request. The structure would be almost entirely over a previously disturbed area. The size of the structure will be subordinate to the existing dwelling. Issues of slopes, vegetation and trees, Resource Protection Areas, wells, and/or floodplains, 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 2014-PR-144 for the addition with adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report. It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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

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

**APPENDICES**

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

**PROPOSED DEVELOPMENT CONDITIONS****SP 2014-PR-144****October 1, 2014**

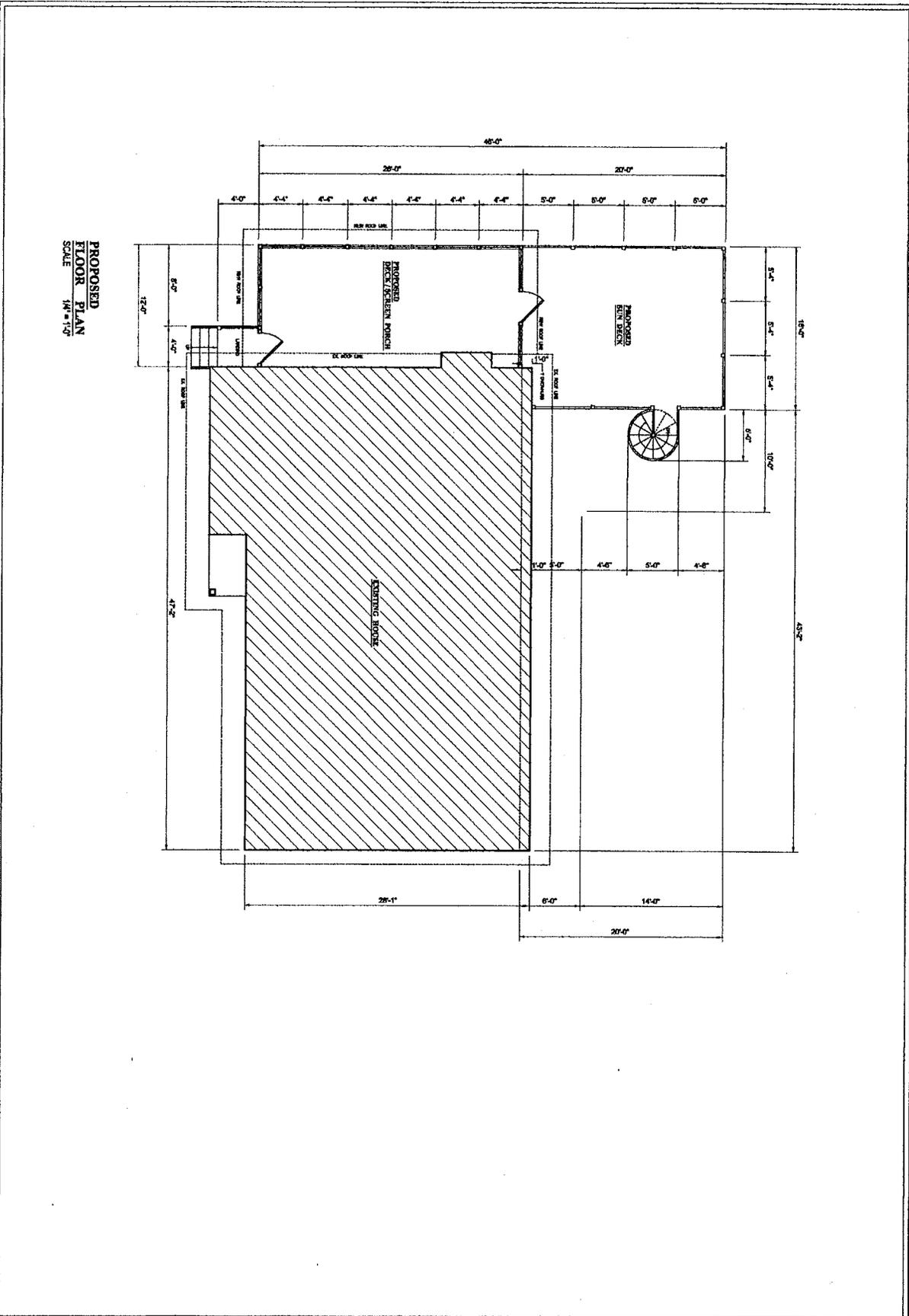
If it is the intent of the Board of Zoning Appeals to approve SP 2014-PR-144 located at Tax Map 39-3 ((16)) 351 to permit reduction of certain yard requirements pursuant to Section 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance 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 (312 square feet in size, 14.8 feet in height), as shown on the plat titled, "Special Permit Plat, Lot 351, Section 2, Stonewall Manor," prepared by Larry N. Scartz, Land Surveyor, dated April 11, 2014, as revised through July 11, 2014, 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 (1,380 square feet existing + 2,070 square feet (150%) = 3,450 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.



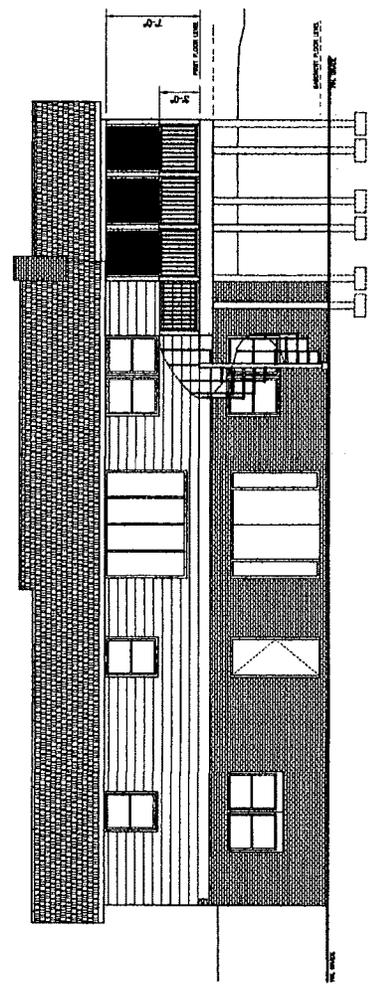
PREPARED BY:  
**SCHUYLER AHRENS**  
CONSULTANT

**E Z CAD DESIGNS**  
4382 KEVIN WALKER DR. # 102  
DUMFRIES, VA, 22025

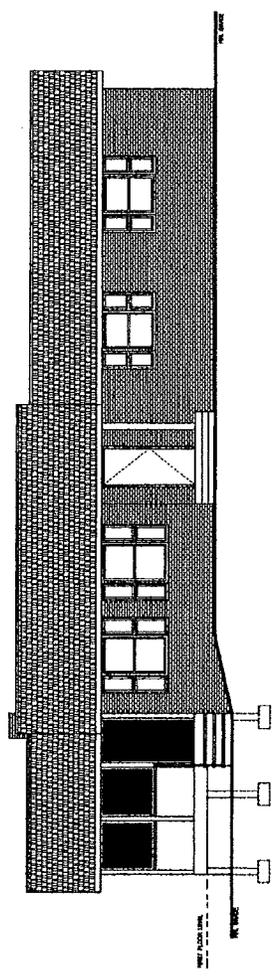
1/4" = 1'-0"  
SCALE

**NYCE RESIDENCE**  
6226 WINDY STREET  
VERMILION, VA 22100

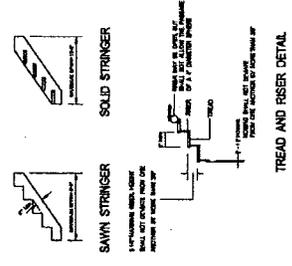
**A-1**



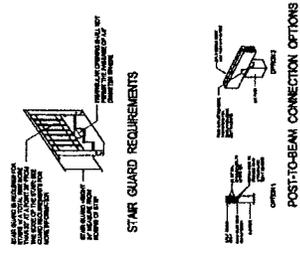
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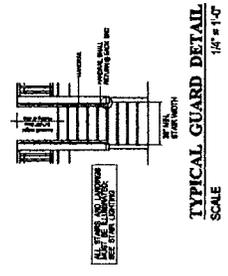
PROPOSED  
FRONT ELEVATION  
SCALE 1/4" = 1'-0"



STAIRS DETAILS  
SCALE 1/4" = 1'-0"

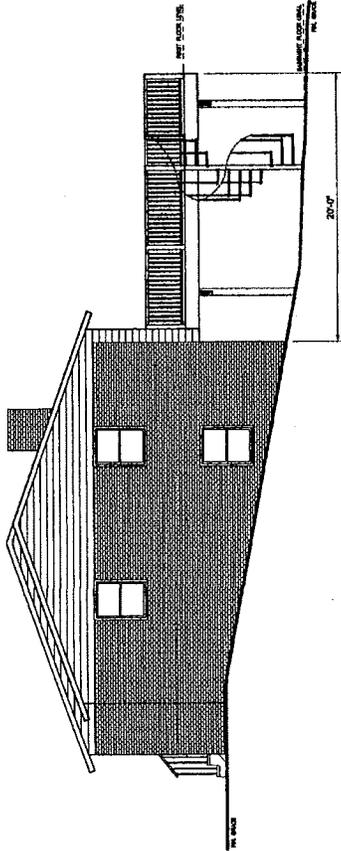


POST-TO-BEAM CONNECTION OPTIONS  
SCALE 1/4" = 1'-0"

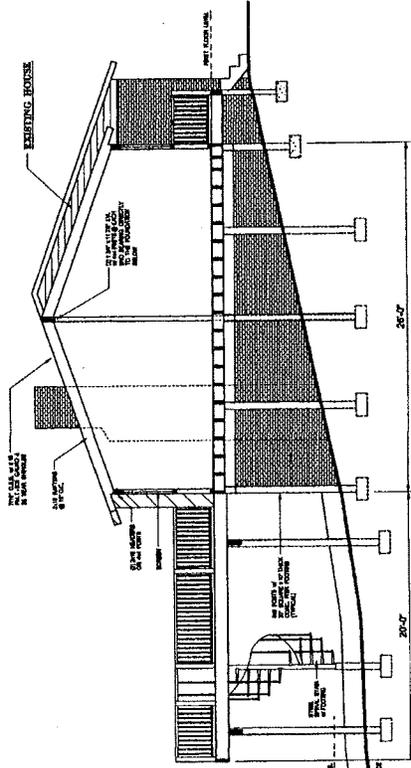


TYPICAL GUARD DETAIL  
SCALE 1/4" = 1'-0"

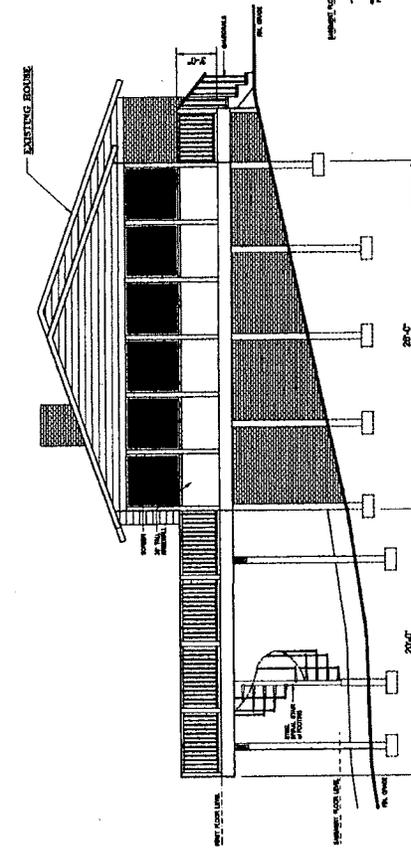
- STAR NOTES:
- HEADROOM SHALL MEET -R0115.3
  - RISER HEIGHT SHALL MEET -R0115.3.1
  - TREAD DEPTH SHALL MEET -R0115.3.2
  - JACKING SHALL MEET -R0115.4
  - POSTS SHALL MEET -R0115.4.3
  - HANDRAILS SHALL MEET -R0115.4.3
  - CHAMFERED SHALL MEET -R012.2



PROPOSED  
LEFT SIDE ELEVATION  
SCALE 1/4" = 1'-0"



PROPOSED  
CROSS SECTION  
SCALE 1/4" = 1'-0"



PROPOSED  
RIGHT SIDE ELEVATION  
SCALE 1/4" = 1'-0"

Application No.(s): SP 2014-PR-144  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 5/14/14  
(enter date affidavit is notarized)

I, Schayler P. Ahrens, do hereby state that I am an  
(enter name of applicant or authorized agent)

(check one)  applicant  
 applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true: 125483

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 <b>BOLD</b> above)
Carol H. Nyce	8236 Winder Street Vienna VA, 22180	- Applicant/Title Owner
Christopher W. Nyce	8236 Winder Street Vienna VA, 22180	- Applicant/Title Owner
Schayler P. Ahrens DBA- Ez Cad Designs (check if applicable)	4393 Kevin Walker Dr. #156 Dumfries VA, 22025	- Agent

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).

CAB

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 5/14/14  
(enter date affidavit is notarized)

125483

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)

*Schuyler Paul Ahrens DBA - Ez Cad Designs (Sole Proprietor)  
4393 Kevin Walker Dr. #156. Dumfries VA, 22025*

**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)

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 5/14/14  
(enter date affidavit is notarized)

125483

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

**PARTNERSHIP INFORMATION**

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

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

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

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

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

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 5/14/14  
(enter/date affidavit is notarized)

125483

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: 5/14/14  
(enter date affidavit is notarized)

125483

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

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

*None*

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

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

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

WITNESS the following signature:

(check one)

*[Signature]*  
[ ] Applicant [X] Applicant's Authorized Agent

Schuyler P. Ahrens  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 14 day of MAY 2014, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

*[Signature]*  
Notary Public

My commission expires: JULY 31, 2017



*CAB*

## Statement of Justification

**Re: Christopher and Carol Nyce  
8236 Winder Street  
Vienna VA, 22180  
Proposed Side Screen Porch and Deck**

RECEIVED  
Department of Planning & Zoning  
JUL 14 2014  
Zoning Evaluation Division

1. 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. The proposed screen porch and deck are going to be attached to the side of the existing dwelling.
2. This special permit shall only apply to the proposed single-story attached screen porch and deck encroaching into the side lot property line- in an R-3 zone within 7.8' feet from the proposed eave of the screened porch and 12.7' feet from the proposed deck.
3. 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. The existing house is 1,380 SQFT. The proposed floor area of the screen porch is 312 SQFT, giving a total proposed floor area of 1,692 SQ. Feet. The total percentage increase will be 18% percent.
4. 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. The proposed floor area ratio to the existing dwelling is at 0.15
5. 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 proposed screen porch will be located on the side of the existing house in the same general location as the existing sunroom. The proposed structures will not exceed the height of the existing house and the porch eaves are designed to match the existing house eaves. The proposed structure will be constructed with materials of good quality, matching the façade of the existing house and structures located on the property.

- 6. 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 the significant trees as determined by the Director. No grading or removal of trees and/or shrubs will be necessary for this project. Many of the neighboring properties have an addition located on the side of their dwellings, of similar scale and style. Pictures of neighboring properties with similar structures will be provided to the BZA.**
- 7. 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 storm water runoff. There is currently a sunroom structure in place of the proposed screen porch and deck. While the applicant is requesting that the proposed structure be a bit larger than the existing structure, the new screen porch will be considerably more ecstasically pleasing to the neighboring properties and less intrusive than a completely enclosed structure.**
- 8. 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 proposed screen porch and deck need to be constructed in their proposed locations due to the layout/functionality of the existing dwelling and to avoid disturbing the existing patio structure in the rear. The kitchen is located on the front/side of the existing dwelling, adjacent to the proposed structures. The proposed screen porch will be primarily used for leisure activities, eating, and family events and will protect the residents from insects and parasites during such activities. The rear of the house at the second level consist of the formal dining room and living room, there are no doors located at the rear- second level to access any of the proposed structures. The deck will provide a place for leisure activities, barbeques and an access to the rear yard. Also, the existing rear yard directly behind the house has a very large patio area that goes across the majority of the house from left to right. This patio area is used frequently and needs to remain open, covering the patio would take away from its current/intended esthetics, and diminish its intended use.**
- 9. No hazardous or toxic substances will be generated, utilized, stored, treated, and/or disposed of at this residence and the size and contents of any existing or proposed storage tanks or containers.**
- 10. Such reduction will not impair the purpose and intent of this ordinance and will conform to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought by the applicant, such shall be specifically noted with the justification for such modification.**

# Similar Case History

## Group: 00-P-129

### VC 00-P-129

**APPLICANT:** TAYLOR, ROBERT G & CATHERINE M  
**STATUS:** APPLICATION APPROVED  
**STATUS/DECISION DTE:** 12/06/2000  
**ZONING DISTRICT:** R-3  
**DESCRIPTION:** TO PERMIT THE CONSTRUCTION OF CARPORT 5.2 FT. FROM SIDE LOT LINE  
**LOCATION:** 2405 DREXEL STREET  
**TAX MAP #S:**  
 0393 16 0243

## Group: 00-P-150

### VC 00-P-150

**APPLICANT:** REINHOLTZ, RICHARD S & LUCINDA A  
**STATUS:** APPLICATION APPROVED  
**STATUS/DECISION DTE:** 01/31/2001  
**ZONING DISTRICT:** R-3  
**DESCRIPTION:** TO PERMIT THE CONSTRUCTION OF ADDITION 9.4 FT FROM SIDE LOT LINE  
**LOCATION:** 2433 SHENANDOAH ST. VIENNA, VA 22180  
**TAX MAP #S:**  
 0393 16 0126

## Group: 01-P-081

### VC 01-P-081

**APPLICANT:** ANGERMEIER, GLENN V. & MARGARET B.  
**STATUS:** APPLICATION APPROVED  
**STATUS/DECISION DTE:** 08/22/2001  
**ZONING DISTRICT:** R-3  
**DESCRIPTION:** TO PERMIT THE CONSTRUCTION OF ADDITION 6.4 FEET FROM SIDE LOT LINE  
**LOCATION:** 8311 MCNEIL STREET, VIENNA, VA 22180  
**TAX MAP #S:**  
 0393 16 0331

## Group: 83-P-192

### VC 83-P-192

**APPLICANT:** RICHARD L PARKS  
**STATUS:** APPLICATION APPROVED  
**STATUS/DECISION DTE:** 02/14/1984  
**ZONING DISTRICT:** R-3  
**DESCRIPTION:** TO ALLOW ENCLOSURE OF EXISTING SCREENED PORCH 9.68 FT. FROM SIDE LOT LINE (12 FT. MIN. SIDE YARD REQ.)  
**LOCATION:** 2414 DREXEL STREET  
**TAX MAP #S:**  
 0393 16 0200

**Group: 90-P-048****VC 90-P-048**

**APPLICANT:** TARAK N BHAR  
**STATUS:** APPLICATION DENIED  
**STATUS/DECISION DTE:** 07/18/1990  
**ZONING DISTRICT:** R-3  
**DESCRIPTION:** ALLOW CONSTRUCTION OF GARAGE ADDITION TO DWELLING TO 5.4 FT. FROM SIDE LOT LINE (12 FT. MIN. SIDE YARD REQ.)  
**LOCATION:** 2430 DREXEL STREET  
**TAX MAP #S:**  
 0393 16 0192

**Group: 91-P-100****VC 91-P-100**

**APPLICANT:** GATES, KIRBY K. & CATHERINE B.  
**STATUS:** APPLICATION APPROVED  
**STATUS/DECISION DTE:** 11/20/1991  
**ZONING DISTRICT:** R-3  
**DESCRIPTION:** ALLOW CONSTRUCTION OF ADDITION 3 FT. FROM SIDE LOT LINE (12 FT. MIN. SIDE YARD REQ.)  
**LOCATION:** 2414 ROCKBRIDGE ST.  
**TAX MAP #S:**  
 0393 16 0174

**Group: 92-P-063****VC 92-P-063**

**APPLICANT:** JERNIGAN, EDWARD G. & BERNADINE A.  
**STATUS:** APPLICATION APPROVED  
**STATUS/DECISION DTE:** 07/31/1992  
**ZONING DISTRICT:** R-3  
**DESCRIPTION:** ALLOW CONSTRUCTION OF CARPORT 2.1 FT. FROM SIDE LOT LINE (7 FT. MIN. SIDE YARD REQ.)  
**LOCATION:** 2431 ROCKBRIDGE STREET  
**TAX MAP #S:**  
 0393 16 0159

**Group: 93-P-060****VC 93-P-060**

**APPLICANT:** COLLAMER, HAROLD W. & SHIRLEY A.  
**STATUS:** APPLICATION APPROVED  
**STATUS/DECISION DTE:** 09/22/1993  
**ZONING DISTRICT:** R-3  
**DESCRIPTION:** PERMIT CONSTRUCTION OF ADDITION 2.3 FT. FROM SIDE LOT LINE (12 FT. MIN. SIDE YARD REQ.)  
**LOCATION:** 8232 MCNEIL STREET  
**TAX MAP #S:**  
 0393 16 0289

**Group: 99-P-048****VC 99-P-048**

**APPLICANT:** QUINN, GERARD AND ANN  
**STATUS:** APPLICATION APPROVED  
**STATUS/DECISION DTE:** 07/13/1999  
**ZONING DISTRICT:** R-3  
**DESCRIPTION:** TO PERMIT THE CONSTRUCTION OF ADDITION 3.0 FT. FROM SIDE LOT LINE  
**LOCATION:** 2429 ROCKBRIDGE STREET, VIENNA, VIRGINIA 22180  
**TAX MAP #S:**  
 0393 16 0133

**Group: 2002-PR-028****VC 2002-PR-028**

**APPLICANT:** PHILIP AND LAURA ESKELAND  
**STATUS:** APPLICATION APPROVED  
**STATUS/DECISION DTE:** 05/15/2002  
**ZONING DISTRICT:** R-3  
**DESCRIPTION:** TO PERMIT CONSTRUCTION OF ADDITION 8.1 FEET FROM SIDE LOT LINE WITH EAVES 5.6 FEET FROM SIDE LOT LINE  
**LOCATION:** 2426 JACKSON PARKWAY, VIENNA, VA 22180  
**TAX MAP #S:**  
 0393 16 0110

**Group: 2004-PR-033****VC 2004-PR-033**[STAFF REPORT](#)

**APPLICANT:** FRANCIS AND ROBIN SAILER  
**STATUS:** APPLICATION DENIED  
**STATUS/DECISION DTE:** 07/21/2004  
**ZONING DISTRICT:** R-3  
**DESCRIPTION:** TO PERMIT CONSTRUCTION OF ADDITIONS 5.5 FEET WITH EAVE 4.5 FEET AND 7.6 FEET WITH EAVE 6.6 FEET FROM SIDE LOTLINE  
**LOCATION:** 8423 STONEWALL DRIVE  
**TAX MAP #S:**  
 0393 16 0005

**Group: 2012-PR-024****SP 2012-PR-024**[STAFF REPORT](#)[LOCATOR MAP](#)

**APPLICANT:** ROBERT D. AND LYDIA M. HACKETT  
**STATUS:** APPLICATION APPROVED  
**STATUS/DECISION DTE:** 07/18/2012  
**ZONING DISTRICT:** R-3  
**DESCRIPTION:** REDUCTION OF CERTAIN YARD REQUIREMENTS TO PERMIT ADDITION 6.6 FEET FROM SIDE LOT LINE  
**LOCATION:** 8225 MCNEIL STREET, VIENNA, VA 22180  
**TAX MAP #S:**  
 0393 16 0341



22180

Subcensus 606.02  
Tract:

Phone:

**Contractor Information**

Name: EAST COAST CRAFTSMAN Master:  
Address: 09506 DEBRA SPRADLIN CT BPOL Lichese: 214571  
City: BURKE State: VA Zip: 22015 State License: 58351  
Trade Reg.: 0  
Phone:

**Building Permit**

**Building Plan Review**

Estimated Cost: 15132 Sewer Water Code: 1  
Use Group: (01) R4 Sewer Shed: M2  
Type Const: (01) Combustible/Unprotected (5B)  
Model Group:  
Plan Received: 1991-05-17 Review Time: 00:00:00  
Review Started: 1991-05-17 Results: APP  
Review Completed: 1991-06-03 Engineer: CSS

Comments:

**Totals Fee Area**

Type of Construction	Fee	Fee Rate
Combustible/Unprotected (5B)	400	0.054

Total	400
Filing Fee	56.00
Total Fee	56.00
Amount paid	56.00

**Real Estate Review**

Building  
Units: 0  
Kitchens: 0  
Baths: 0  
Half Baths: 0  
Bedrooms: 0  
Rooms: 0  
Stories:  
Building Height: 0  
Basement:  
Ext Walls:  
Int Walls:  
Roofing:  
Flooring:  
Base Fin:  
Fuel/Heat:  
Fuel System:

Building Area: 0  
Fireplace: 0

Owner of Record: SAVAGE FRANCIS Y

Review Data

Date To: 1991-05-17

Date From: 1991-05-17

Results: APP

Reviewer: GS

Comments:

**Business Licensing Review**

Review Data

Date To: 1991-05-17

Date From: 1991-05-17

Results: APP

Reviewer: GS

Comments:

**Zoning Review**

Review Data

Date To: 1991-05-17

Date From: 1991-05-17

Results: APP

Reviewer: MVC

Comments:

**Grading / Drainage Review**

Review Data

Date To: 1991-05-17

Date From: 1991-05-17

Results: APP

Reviewer: LCC

Comments:

**Licensing Review**

Review Data

Date To: 1991-05-17

Date From: 1991-05-17

Results: APP

Reviewer: GS

Comments:

**Inspections**

**Inspection - FTGH - 999998**

Req Taken: 1991-06-03 Phone:  
 Time: 14:37:36 Floor: NA  
 Sched For: 1991-06-05 Suite/Area: NA  
 Assigned To: A08 Comments:  
 Branch: Req Taken By: UK  
 Requested By: DAVID Ovrd:  
 Rpt Br: 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FTGH		1991-06-05	BJC	C	A	N					00:00:00	00:00:00	00:00:00	1

**Inspection - FRM - 999997**

Req Taken: 1991-06-19 Phone:  
 Time: 16:11:26 Floor: NA  
 Sched For: 1991-06-20 Suite/Area: NA  
 Assigned To: A08 Comments:  
 Branch: Req Taken By: MB  
 Requested By: DAVID Ovrd:  
 Rpt Br: 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FRM		1991-06-20	BJC	C	A	N					00:00:00	00:00:00	00:00:00	1

**Inspection - FRM - 999996**

Req Taken: 1991-08-06 Phone:  
 Time: 11:38:49 Floor: NA  
 Sched For: 1991-08-07 Suite/Area: NA  
 Assigned To: A08 Comments:  
 Branch: Req Taken By: MB  
 Requested By: DAVID Ovrd:  
 Rpt Br: 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FRM		1991-08-07	BJC	C	A	N					00:00:00	00:00:00	00:00:00	1

**Contact Us:** [General \(Office of Public Affairs\)](#) | [Technical \(Web Administrator\)](#) | [Directed Inquiries \(County Agencies\)](#)  
**Phone:** [County Main Number - 703-FAIRFAX \(703-324-7329\)](#), TTY 711 | [County Phone Listing](#)

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**BUILDING PERMIT APPLICATION**

APPLICATION NO

19

Date

**JOB LOCATION**

Street 2230 G. St. S.W. Vienna VA  
 Building \_\_\_\_\_ Floor \_\_\_\_\_ Suite \_\_\_\_\_  
 Subdivision \_\_\_\_\_  
 Tenants Name \_\_\_\_\_

DO NOT WRITE IN THIS SPACE

Permit No. 9113780620  
 Map Reference 39-3-16-0351  
 Building Permit No. \_\_\_\_\_ Control No. \_\_\_\_\_  
 Std. \_\_\_\_\_ Mag. \_\_\_\_\_ Plan \_\_\_\_\_ Census \_\_\_\_\_

OWNER

Name Ernest & Thelma  
 Address (Mailing) 3231 Kinder St  
 City Vienna State VA Zip \_\_\_\_\_  
 Telephone 573-6111

CONTRACTOR

Company Name East Coast Craftmen  
 Master \_\_\_\_\_  
 Address 2106 Dabon Franklin CT  
 City Beche State LA Zip 70015  
 Telephone 601-5342 License No. 5521  
 State Contractors License No. B 058351  
 County Business Account No. 21-4571 (28)

For Deck w/ Greenhouse  
 Description \_\_\_\_\_  
 Model/Use Single Family  
 Sewage: Public  Community  Septic Tank  None   
 WATER: Public  Individual Well  None   
 N-New  D-Demolish  
 R-Alter or Repair  M-Move  
 A-Add To  O-Other

**ROUTING**

	Date	Approved By:
Health Review		
Site Review	<u>5-17-91 JAG</u>	
Zoning Review	<u>5/17/91 JAG</u>	
Sanitation Review		
Building Review	<u>6-3-91 CSS</u>	
Fire Review		
<u>LOG OUT</u>		

REMARKS:

**BUILDING DESCRIPTION QUANTITY**  
 # Units \_\_\_\_\_  
 # Stories \_\_\_\_\_  
 # Rooms \_\_\_\_\_  
 # Bedrooms \_\_\_\_\_  
 # To be Added \_\_\_\_\_  
 # Baths \_\_\_\_\_  
 # Half Baths \_\_\_\_\_  
 # Kitchens \_\_\_\_\_  
 # Fireplaces \_\_\_\_\_  
 Basement \_\_\_\_\_  
 % Basements to Finish \_\_\_\_\_

BUILDING DIMENSIONS			
No. Stories	Width	Depth	Sq. Ft.
		X	=
		X	=
		X	=
		X	=

Use Group of Building R-1  
 Type of Construction SB  
 Building Area \_\_\_\_\_  
 Estimated Const. Cost 15,137

**ZONING REVIEW**  
 Zoning Proffers Building \_\_\_\_\_  
 Zoning Class R-3  
 Zoning Case # \_\_\_\_\_

**BUILDING CHARACTERISTICS**  
 Building Height 1 story  
 Exterior Walls \_\_\_\_\_  
 Interior Walls \_\_\_\_\_  
 Roofing Material \_\_\_\_\_  
 Flooring Material \_\_\_\_\_  
 Heating Fuel \_\_\_\_\_  
 Heating System \_\_\_\_\_

**GRADING AND DRAINAGE REVIEW**  
 Soils 10 Soil - possible high  
 Historical \_\_\_\_\_  
 Plan # \_\_\_\_\_  
 Retaining Wall \_\_\_\_\_

Water table per Nelson Thurnage.

YARDS: Front \_\_\_\_\_ Front \_\_\_\_\_ Left Side 12' Right Side \_\_\_\_\_ Rear \_\_\_\_\_

REMARKS: Storage shed - Sec 2/Art 351 Attached  
attached greenhouse on east side  
of deck - 5' off grade - 1 story

FOR COUNTY USE ONLY:

Date <u>6/3/91</u> By <u>[Signature]</u> Approved for Issuance of Building Permit	Fee <u>\$56.00</u> Filing Fee _____ Amount Due _____
--	--

The request for and use of personal information on this form is subject to the provisions of the Privacy Protection Act of 1976 and the Freedom of Information Act.

I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that if a permit is issued the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations including private building restrictions, if any, which relate to the property. He/She and the company or organization named and represented herein is duly registered or exempt from registration in accord with the provisions of Chapter 7 of the Code of Virginia.

Signature of Owner or Agent

Date 6-17-91

Notary Signature

Date

375

370

N. 57° 24' 11" E 104.67'

STORM SEW ESMT

APPROVED  
Rick Kuehse  
DIVISION OF  
INSPECTION SERVICES

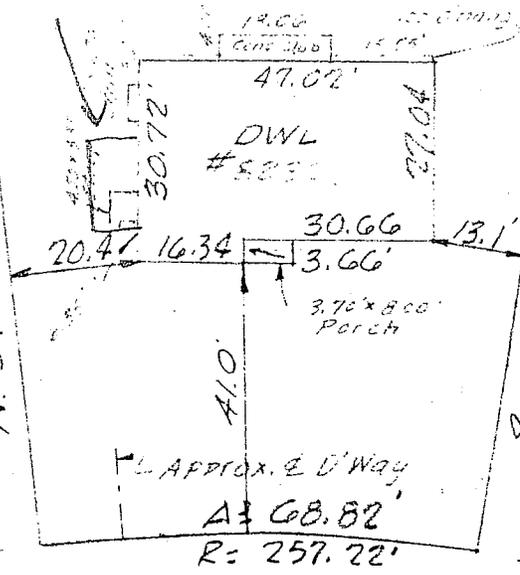
*lee*

Date 5-17-91

350

LOT 351  
11,218 sq ft

Deck



211.11' TO P.C.  
VILLANOVA DR.

**FINAL APPROVAL**  
*J. Woodson*  
 ZONING ADMINISTRATOR  
 DATE SEP 21 1964

WINDER ST.  
50' R/W

HOUSE LOCATION  
LOT 351 SECTION 2

# STONEWALL MANOR

PROVIDENCE MAGISTERIAL DISTRICT

FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 30' DATE: WALL CK 4-13-64  
Final 5-19-64

GREENHORNE, O'HARA, DEWBERRY & NEALON

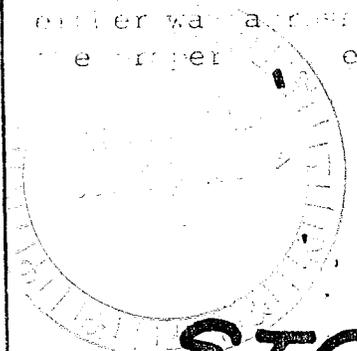
Civil Engineers - Land Surveyors

4610 Lee Highway, Arlington, Virginia. Jo 6-0715

Certified Correct:

Reference: DB 2396 PO 310  
Drawn by: MC  
Checked by: KA

I hereby certify that the position of all existing improvements on the above described property have been carefully established by a transit-tape survey, and, that unless otherwise shown, there are no encroachments either way across the property.



### **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.