



County of Fairfax, Virginia

November 12, 2014

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2014-BR-182

BRADDOCK DISTRICT

APPLICANT: Peter H. Hopewell

OWNERS: Peter H Hopewell, Elizabeth H Hopewell

STREET ADDRESS: 8622 Hepplewhite Court, Annandale, VA, 22003

SUBDIVISION: Truro

TAX MAP REFERENCE: 70-1 ((12)) 0027

LOT SIZE: 10,572 square feet

ZONING DISTRICT: R-2 (Cluster)

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of addition 6.1 feet from side lot line such that side yards total 18.2 feet.

STAFF RECOMMENDATION: Staff recommends approval of SP 2014-BR-182 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.

Megan Duca

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.

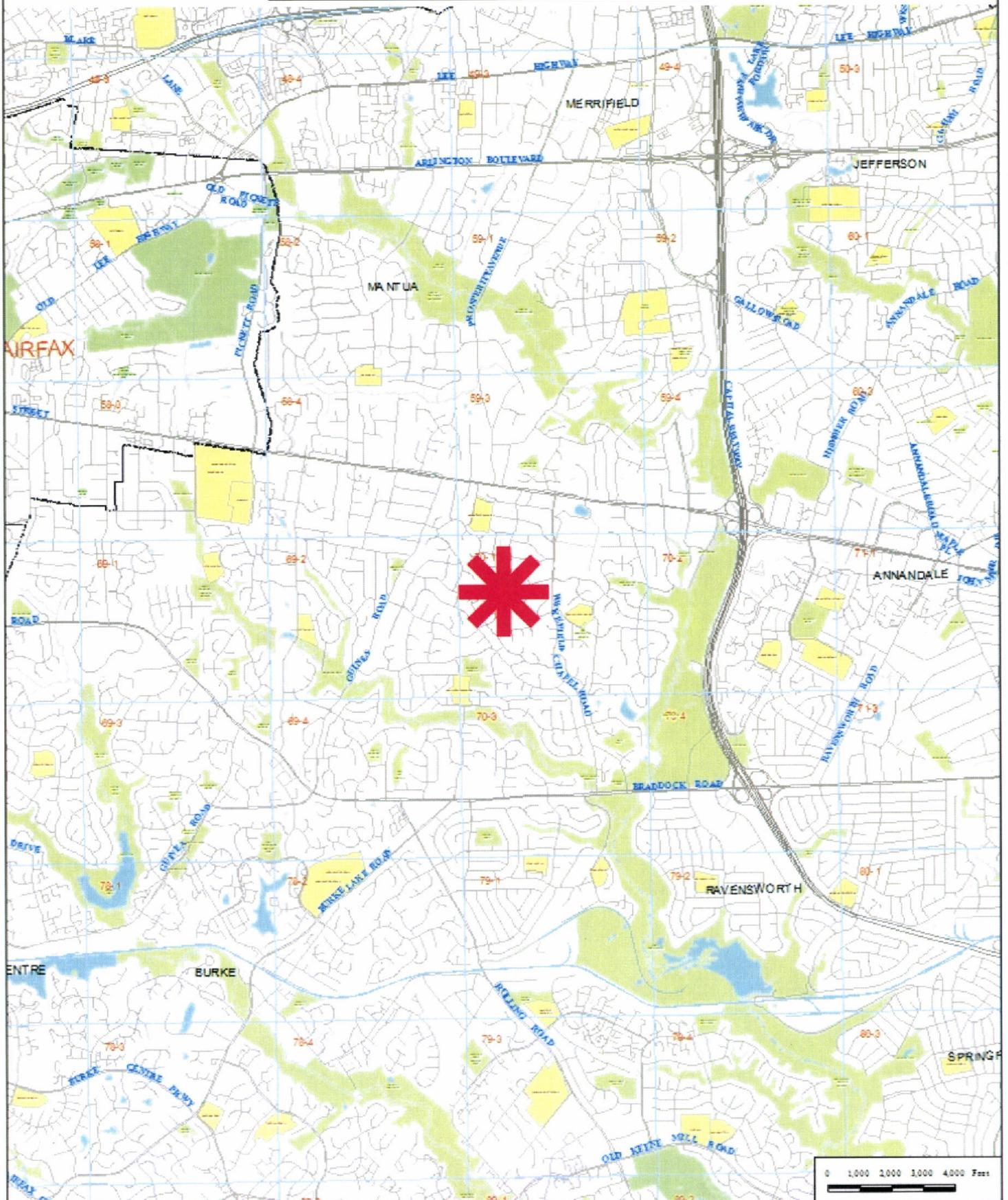
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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

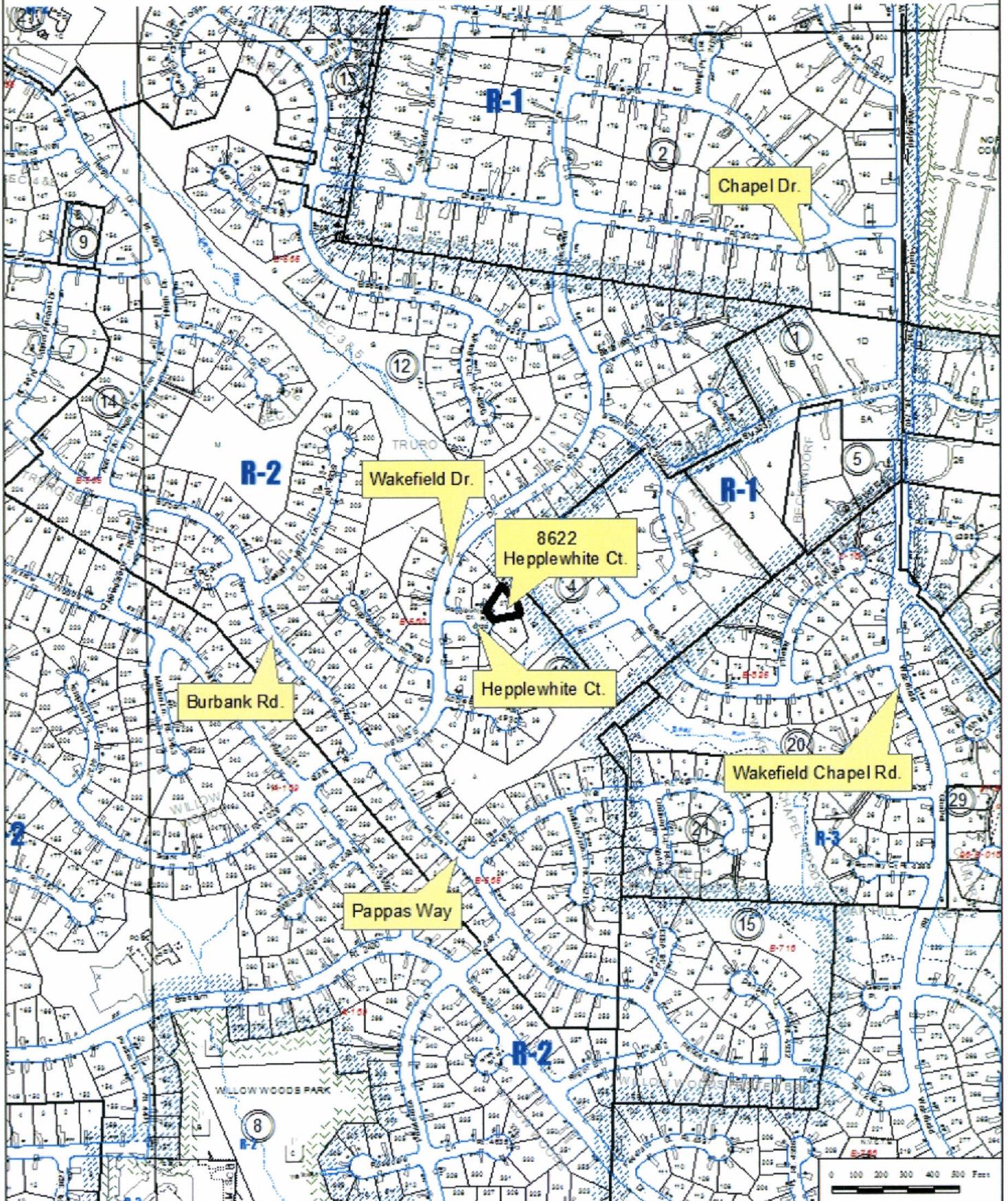
Special Permit

SP 2014-BR-182
PETER H. HOPEWELL



Special Permit

SP 2014-BR-182
PETER H. HOPEWELL





FRONT



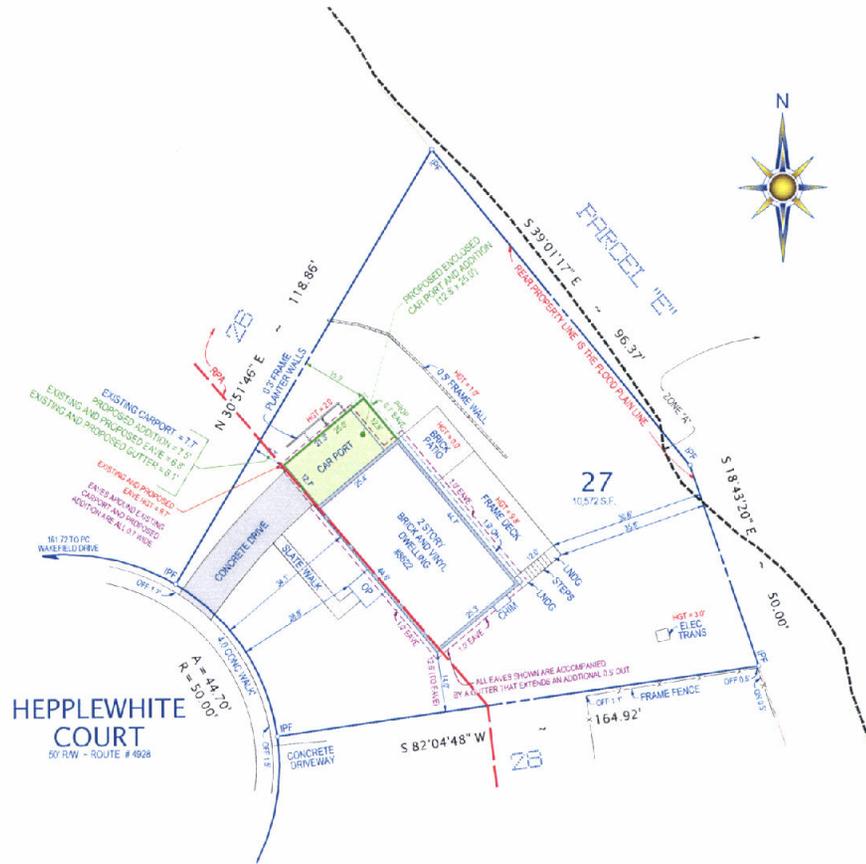
LEFT



RIGHT



BACK



HEPPLEWHITE COURT
50' R/W - ROUTE # 4928



- NOTES:
- TAX MAP: 0701 12 0027
 - ZONE: R-2C(R-2 W/CLUSTER DEV)
 - LOT AREA: 10,572 SF
 - REQUIRED YARDS:
 - FRONT: = 25.0 FEET
 - SIDE: = 8.0 FEET (TOTAL MINIMUM = 24 FEET)
 - REAR: = 25.0 FEET
 - HEIGHTS:
 - EX. DWELLING = 32.3 FEET
 - EX. CARPORT = 14.5 FEET
 - PROPOSED ADDITION = 14.5 FEET
 - DECK = 9.8 FEET
 - OPEN PORCH = 9.0 FEET
 - FRAME FENCES = 3.5 FEET
 - WALLS = AS NOTED
 - THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
 - THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
 - ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING UNLESS DENOTED AS PROPOSED.
 - THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
 - A PORTION OF THIS PROPERTY, AS DENOTED, IS LOCATED IN FLOOD ZONE "A".
 - AREAS:
 - EX. FIRST FLOOR = 1,130 SF
 - EX. SECOND FLOOR = 1,130 SF
 - EX. BASEMENT = 1,130 SF
 - GROSS FLOOR AREA = 3,390 SF

EX. FLOOR AREA RATIO: EX. GFA (3,360)/LOT AREA (10,572) = 0.32

 - EX. FIRST FLOOR = 1,130 SF
 - EX. SECOND FLOOR = 1,130 SF
 - EX. BASEMENT = 1,130 SF
 - PROPOSED ADDITION = 320 SF
 - GROSS FLOOR AREA = 3,710 SF

PROPOSED. FLOOR AREA RATIO: PR. GFA (3,710)/LOT AREA (10,572) = 035

PERCENTAGE INCREASE IN GFA = 9%

PLAT
SHOWING IMPROVEMENTS ON
LOT 27, SECTION 3
TRURO
(DEED BOOK 843, PAGE 266)
FAIRFAX COUNTY, VIRGINIA
BRADDOCK DISTRICT
SCALE: 1" = 20' JULY 18, 2014



I HEREBY CERTIFY THAT THE LOCATIONS OF ALL EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT P.L.D. SURVEY AND UNLESS SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD, NORTH IS RECORD NORTH.

A TITLE REPORT WAS NOT FURNISHED.



ORDERED BY:
PETER HOPEVELL

6555 ROCKE EIGHTH WAY
ALEXANDRIA VA 22315
703-488-4038
FAX: 703-449-6038

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DESCRIPTION OF THE APPLICATION

The applicant is seeking a special permit to allow a reduction of certain yard requirements to permit construction of an addition in the area where the existing carport is located. A copy of the special permit, plat titled "Plat Showing the Improvements on Lot 27, Section 3, Truro," prepared by Thomas G. Lutke of NoVA surveys, dated July 18, 2014, is included in the front of the staff report. A more detailed description of the proposal is provided on page two of this report. The proposed development conditions, affidavit, and applicant's statement of justification with photographs are contained in Appendices 1 to 3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

The 10,572 square foot lot contains a two-story brick and vinyl dwelling. A carport is attached to the northwestern portion of the dwelling and a brick patio and frame deck is located to the rear of the dwelling. The concrete driveway provides vehicular access to the lot from Hepplewhite Court and a slate walk provides pedestrian access from the driveway to the porch located at the front of the dwelling. The rear of the property slopes downward behind a 0.5 foot frame wall. As shown on the SP Plat, the majority of the property including the existing dwelling is located within a Resource Protection Area (RPA). The rear property line is the floodplain boundary.



BACKGROUND AND HISTORY

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1970 and purchased by the applicant in 2013. The House Location Plat from 1970 depicts a carport attached to the northwestern side of the dwelling.

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

DESCRIPTION OF THE REQUEST

The applicant is requesting approval of a special permit for a reduction of certain yard requirements to permit construction of an addition 6.1 feet from the northwestern side lot line such that side yards total 18.2 feet.

	Structure	Yard	Minimum Yard Required*	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit	Addition	Side	8.0 feet	6.1 feet	1.9 feet	23.8%
	Addition	Total Sides	24.0 feet	18.2 feet	5.8 feet	24.2%

*Minimum yard requirement pursuant to Section 3-207

The applicant proposes to enclose the existing carport, which is approximately 271 square feet in area, to construct a garage and to further extend the back of the garage flush with the main structure for extra storage within the garage. The total square footage of the combined garage and addition is approximately 320 square feet. The addition would be 14.5 feet in height, which is the same height as the existing carport. The addition would be covered with siding to match the existing dwelling.

ANALYSIS

Resource Protection Area (RPA)

Although the existing dwelling and proposed addition is located outside of the floodplain, the majority of the property and the existing structures are located within the RPA. The area of the existing carport that the applicant proposes to enclose has already been disturbed. The approximately 60 square foot rear portion of the addition would extend beyond the area of the existing carport within the RPA. Due to the topography of the site,

this area would be elevated with a beam to be consistent with the finished floor height of the garage.

Chapter 118 of the County Code contains the Chesapeake Bay Preservation Ordinance, which generally governs development activity within the RPA. Section 118-5.5 of Chapter 118 allows for the administrative approval of minor additions to principal structures established as of 1993 which do not result in the creation of 1,000 square feet or more of additional impervious area within the RPA. Given that the rear portion of the addition is located within a portion of the RPA that does not contain an existing structure, the applicant may be required to submit a Waiver of the Resource Protection Area (WRPA) and Water Quality Impact Assessment (WQIA) under this provision prior to the construction of the addition to ensure compliance with the Chesapeake Bay Preservation Ordinance.

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. 8-922 Standards	Provision met?	
	YES	NO
1. Approval shall not result in any yard that is less than fifty (50) percent of the requirement and any yard less than five (5) feet as measured from the lot line to the closest point of the proposed structure.	X	
2. This 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.	X	
3. 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.	X	
4. The resulting GFA of the addition may be up to 150 percent of the total GFA of the principal structure at the time of the first request. If a portion of a single family detached home is to be removed, no more than fifty (50) percent of the GFA of the existing dwelling at the time of the first yard reduction shall be removed.	X	
5. The GFA of an accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use, and intent.	X	
6. It is in character with the existing on-site development in terms of the location, height, bulk, and scale.	X	
7. It is harmonious to the surrounding off-site uses and structures in terms of location, height, bulk, and scale.	X	
8. It shall not adversely impact the use and or enjoyment of adjacent properties.	X	
9. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot.	X	
10. The BZA may impose conditions as it deems necessary to satisfy these criteria.	Attached	
11. It will meet all submission requirements.	X	
12. Architectural depictions of the proposed structure(s) as viewed from all lot lines and street lines.	X	

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-BR-182 for the addition with adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report.

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

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

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

APPENDICES

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

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-BR-182****November 12, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-BR-182 located at Tax Map 70-1 ((12)) 0027 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 (320 square feet), as shown on the plat prepared by Thomas G. Lutke of NoVA surveys, dated July 18, 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 (3,390 square feet existing + 5,085 square feet (150%) = 8,475 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.
5. The applicant shall obtain approval of any necessary permits for construction in the Resource Protection Area (RPA) prior to any land disturbing activities.

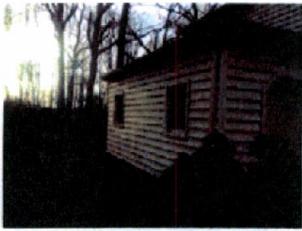
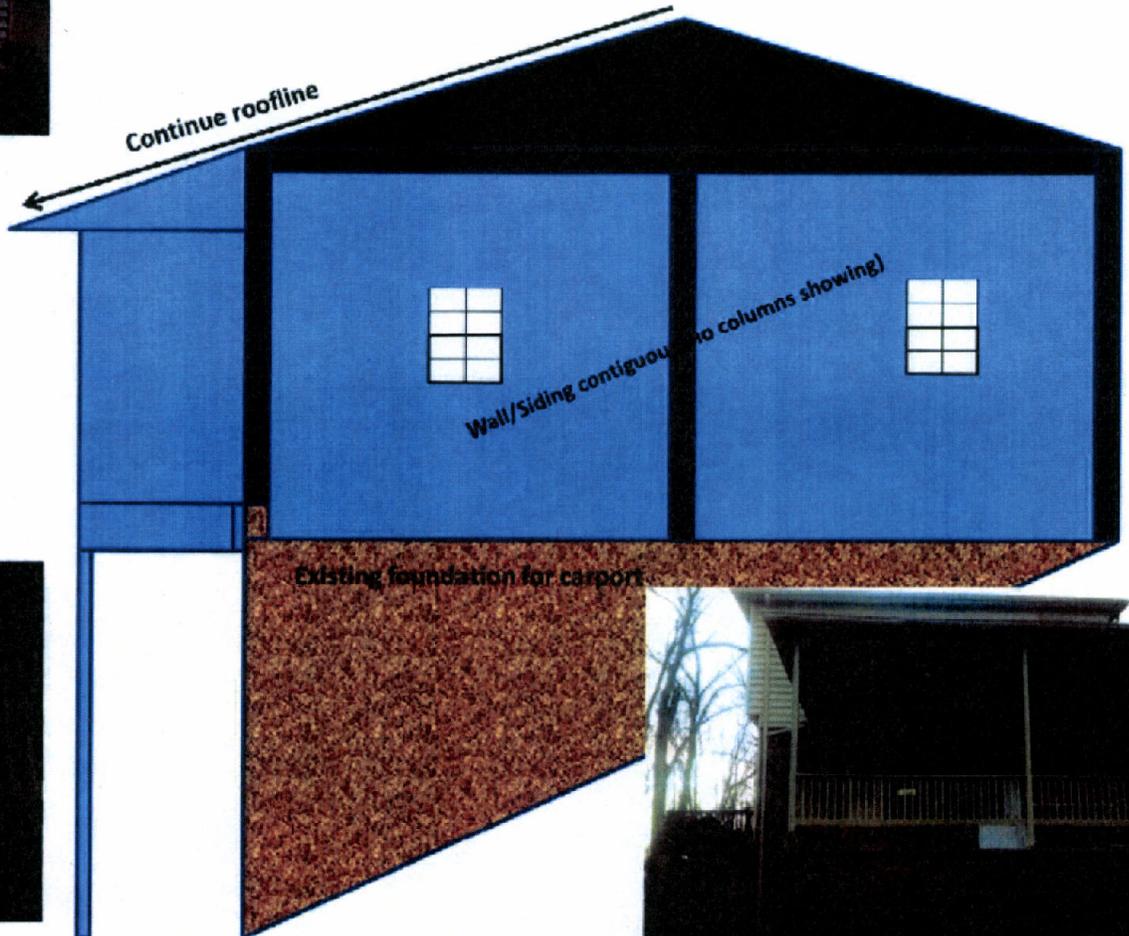
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

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.

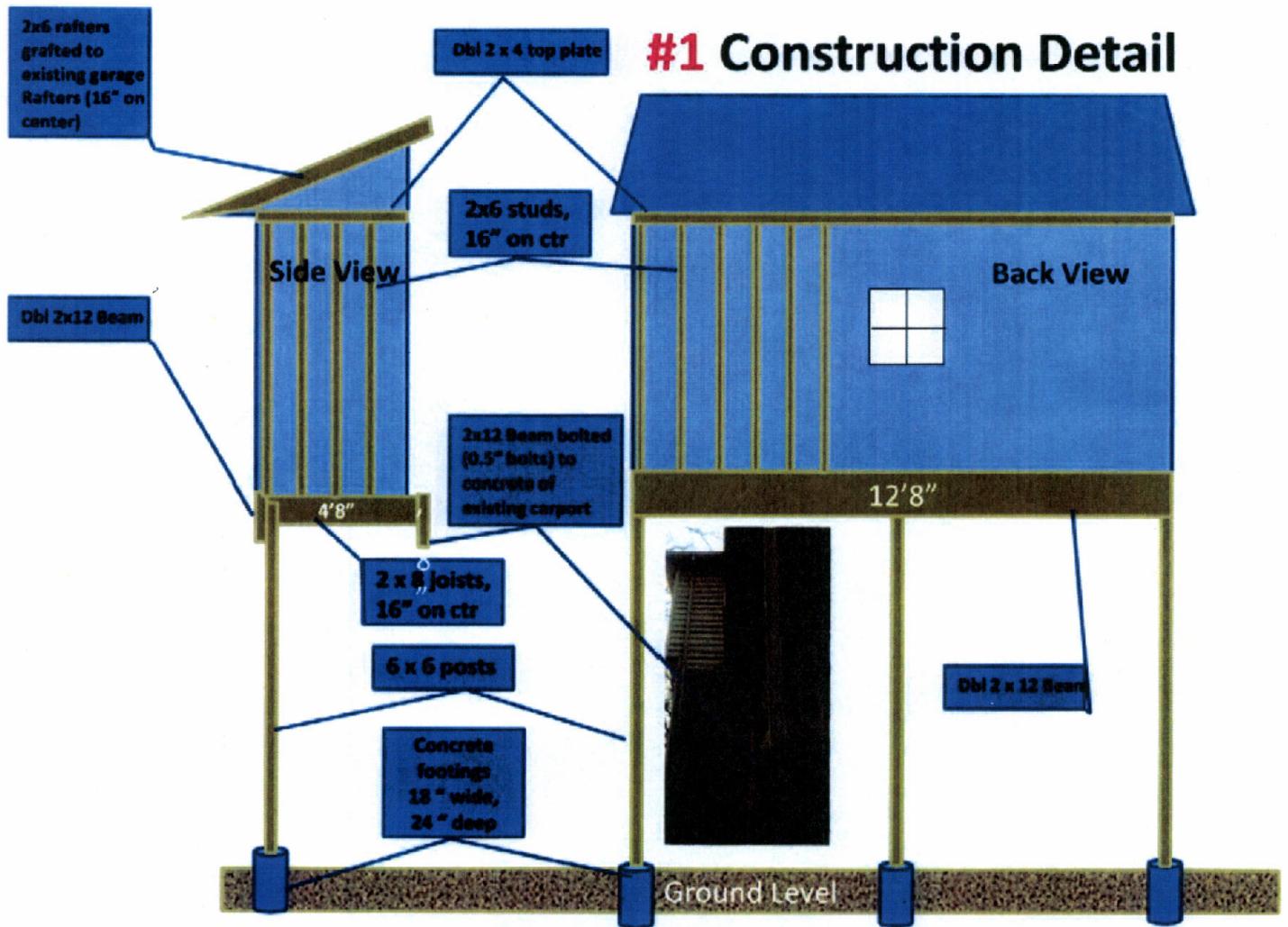
Side View

- 8622 Existing structure
- 8622 Proposed Construction



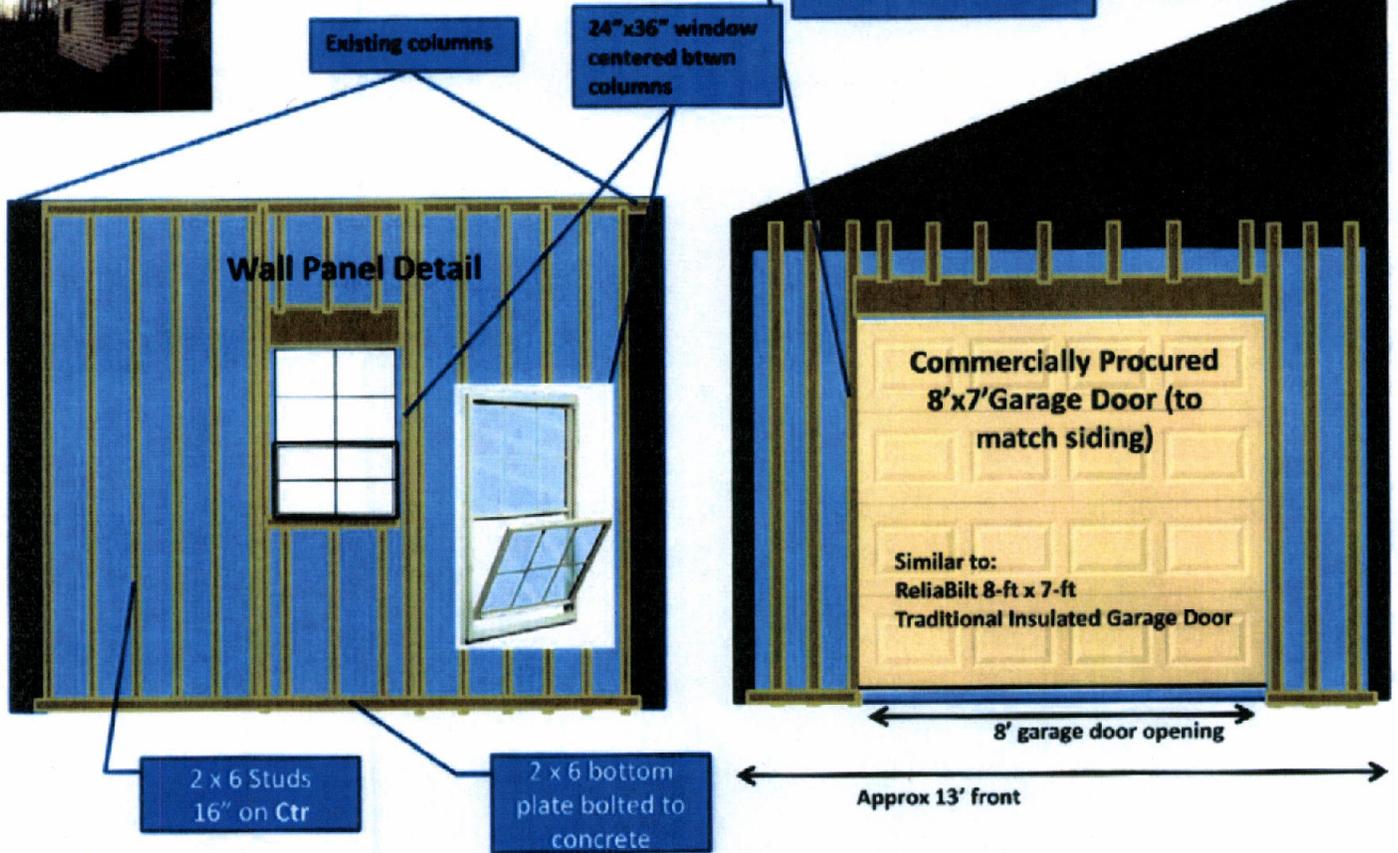
Side view of 8620 as example of finished product





#2/#3 Garage Wall Detail

(x 2 Panels for exterior walls in existing carport and front wall around garage door)



Application No.(s): SP 2014-BR-182
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 30 July 2014
 (enter date affidavit is notarized)

I, Peter H Hopewell, 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

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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)
Peter H Hopewell	8622 Hepplewhite Ct Annandale, VA 22003	Title Owner
Elizabeth H. Hopewell	8622 Hepplewhite Ct	Co Title Owner (Spouse)

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): SP 2014 BR-182
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 30 July 2014
(enter date affidavit is notarized)

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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)
Not Applicable

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)
None

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

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

Application No.(s): SP 2014-BR-182
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 30 July 2014
(enter date affidavit is notarized)

125346

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)
Not Applicable

(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)

None

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

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

Application No.(s): SP 2014 BR- 182
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 30 July 2014
(enter date affidavit is notarized)

125346

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

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

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

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

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

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

Application No.(s): SP 2014-BR-182
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 30 July 2014
(enter date affidavit is notarized)

125346

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

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

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

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

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

WITNESS the following signature:

(check one)

[X] Applicant [] Applicant's Authorized Agent
Peter H. Hopewell

Peter H. Hopewell
(type or print first name, middle initial, last name, and title of signer)

Subscribed and sworn to before me this 30 day of July, 2014, in the State/Comm. of Virginia, County/City of Fairfax.

Emerson
LTC Notary Public
Judge Advocate, U.S. Army

My commission expires: INDEFINITE
10 USC § 1044a

Case Number SP 2014-0284
8622 Hepplewhite Ct – Request for Special Permit to Enclose Carport

My wife and I acquired this property in February of 2013. At that time we planned to enclose the carport and add a small bump out on the back for storage of tools and shop equipment. We secured permission from the HOA to enclose the carport and hired a contractor. However, in submitting the application for the permit, we discovered that, even though the carport was a previously standing structure (the house was built in 1970), the Fairfax County Zoning Ordinances had changed, and our lot was now too narrow to meet the 24 foot setback requirements – our total setback was 21.7' (20.3' from the eaves).

We are requesting a special permit to reduce the minimum yard requirements so that we may enclose and modify our carport. This request is to reduce the setback to 6.1 feet from the side (including eaves and gutter) such that side yards total 18.2 feet, which would be a reduction of 1.9 feet for that side (8 required) and 5.8 feet for the total sides (24 required). This will be a residential addition, not for commercial use. And there will be no hazardous or toxic substances utilized, stored, or disposed of on site. The construction will be frame walls erected inside the already standing carport, and covered with siding to match the house. There will be a standard garage door, and all construction will be to code and in compliance with the HOA covenants. This reduction will not result in an increased floor area ratio from that permitted by current zoning regulations, as it will be only 109%, which is less than 150% of the gross floor area of the current dwelling.

The other houses in our neighborhood do not share this problem - currently, most of the other carports in and around our neighborhood have been converted to enclosed garages. This includes the house next door, which is on an even narrower lot with less set-back than ours. This simple enclosure would still be very much in accordance with the architectural plan of the neighborhood, and as mentioned before, was approved by our HOA. Granting our request for a special permit will in no means harm devalue, or impinge upon the neighboring properties, as the carport is already an existing structure. The character of the zoning district will not be changed by this small exception, and it is very much in keeping with the overall harmony and intended spirit of the Ordinance. This is an already standing structure, which we are merely seeking to enclose, and not further encroach on our lot lines.

Not enclosing our carport puts us at an unfair disadvantage – it exposes our personal property to risk of theft (classic car and tools), and devalues our property with respect to the other properties in our neighborhood with already converted carports / garages. We currently have to store our lawn equipment and vehicle / shop tools inside the house to reduce the risk of theft from

leaving them in the open. This equipment occupies valuable living space inside the dwelling, a hardship that would be relieved by being able to secure our property inside a closed, locked garage. Our classic automobile is also exposed to weather and risk of theft, as it is constantly exposed to the elements and is easily visible to passersby.

Thank you for your consideration,



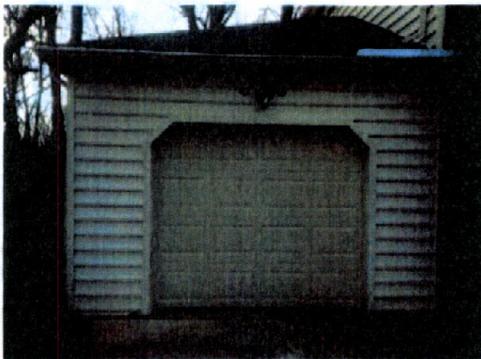
Peter H. Hopewell

Proposed enclosure / extension of carport at 8622 Hepplewhite Ct

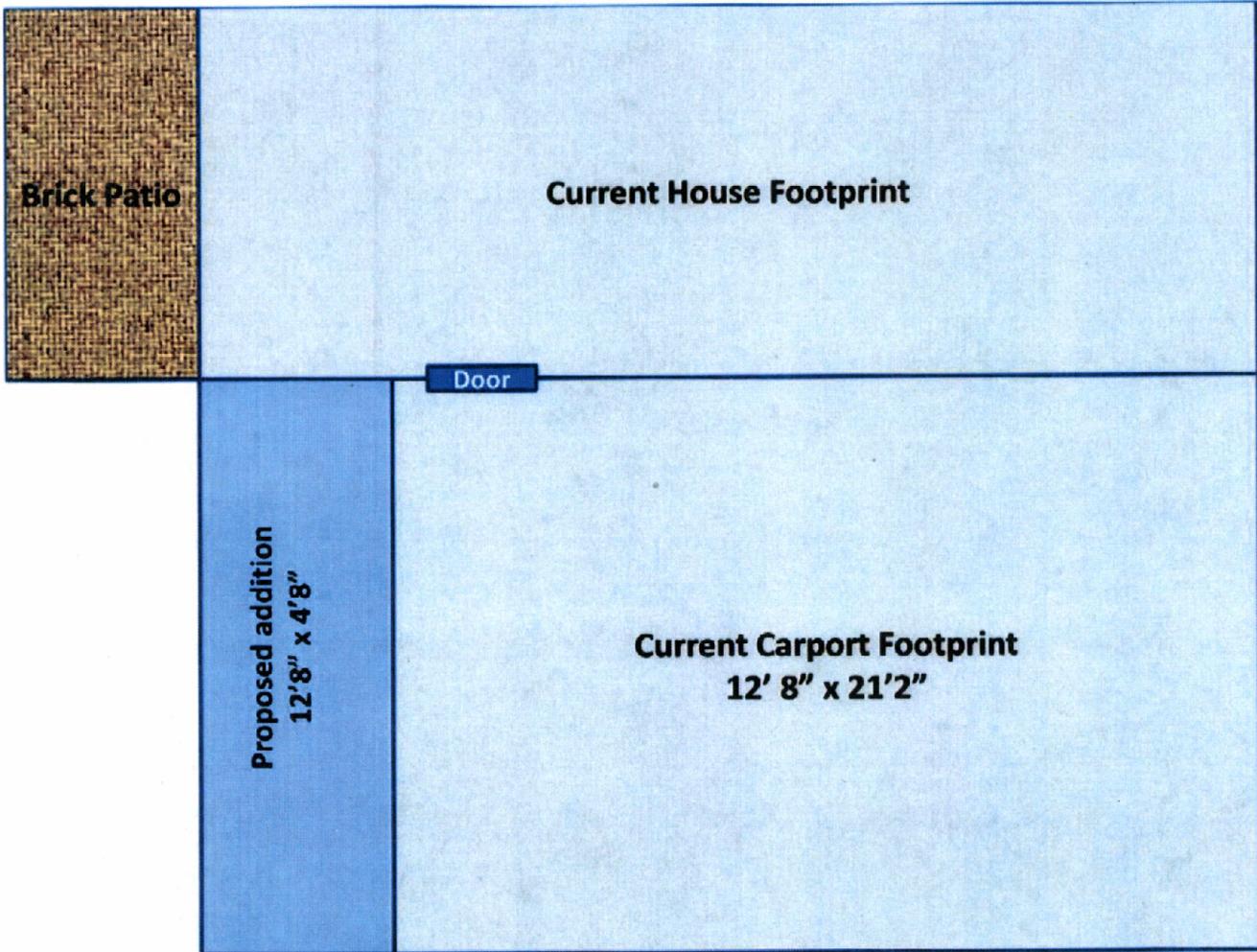
The Hopewells propose to enclose the carport at 8622 Hepplewhite and extend the back flush with the main structure for extra tool storage inside the garage. The addition will be open to the garage, and built to Fairfax County Code. Construction would be done by J.M Fox (licensed contractor) and in accordance with the covenants of Truro. Siding will match current siding on house, and roofline will be blended to match as well.



Current View - 8622



Model for enclosure – Current view of 8620 Hepplewhite



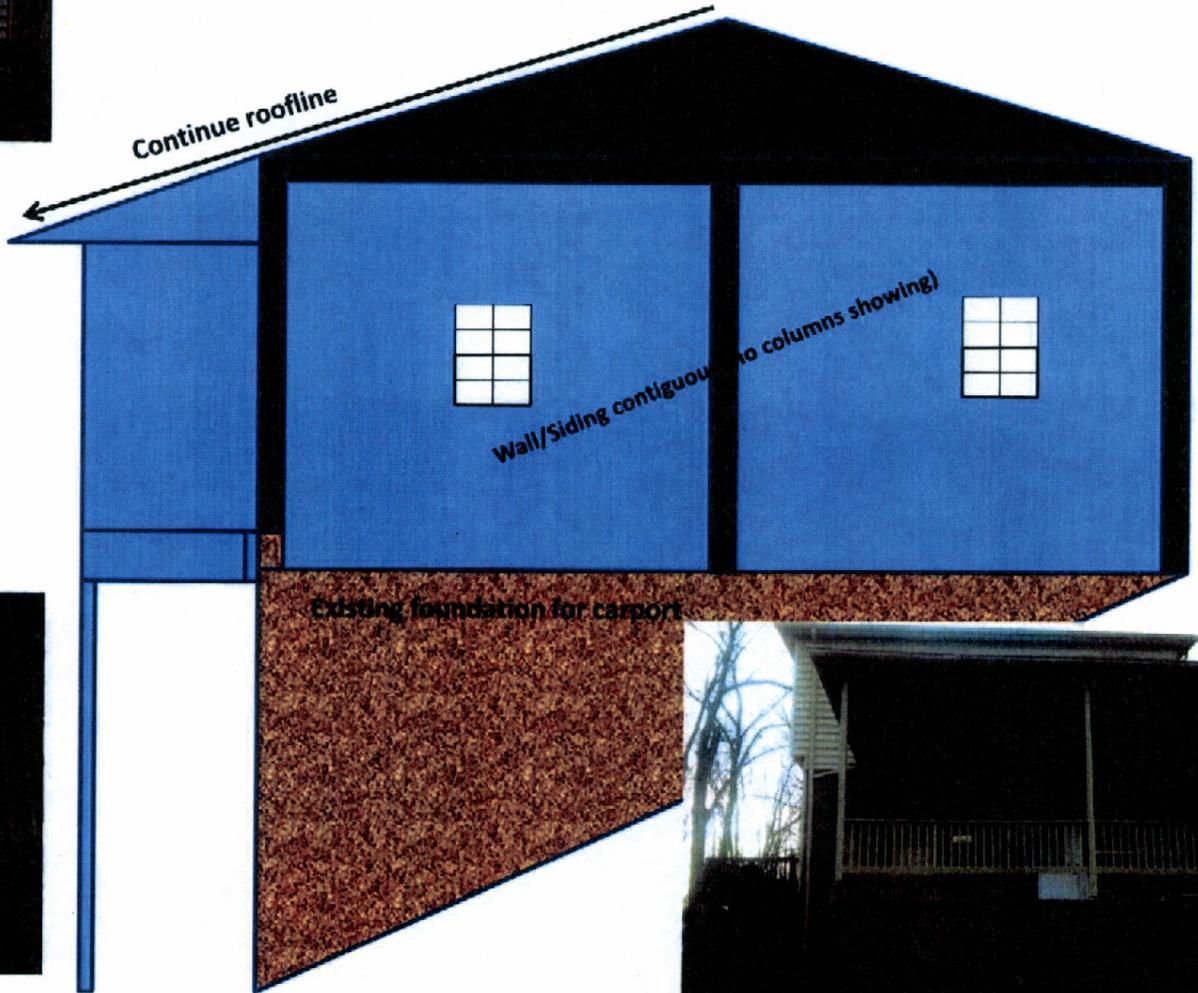
Proposed addition brings back of carport in line with back of house and provides storage for tools



Side view of 8620 as example of finished product

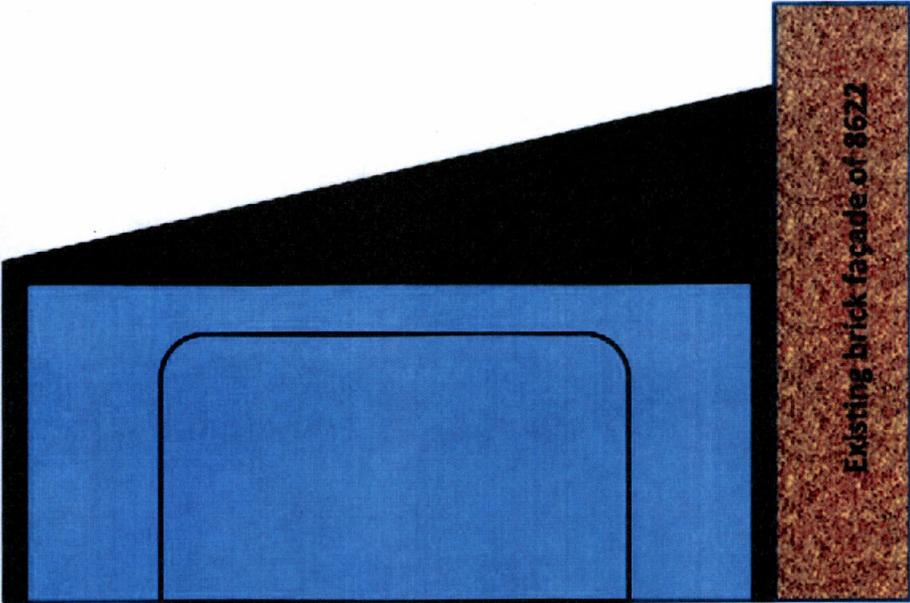
Side View

- 8622 Existing structure
- 8622 Proposed Construction



Front View

Current View



Existing brick facade of 8622

8'x7' garage door

Approx 13' front

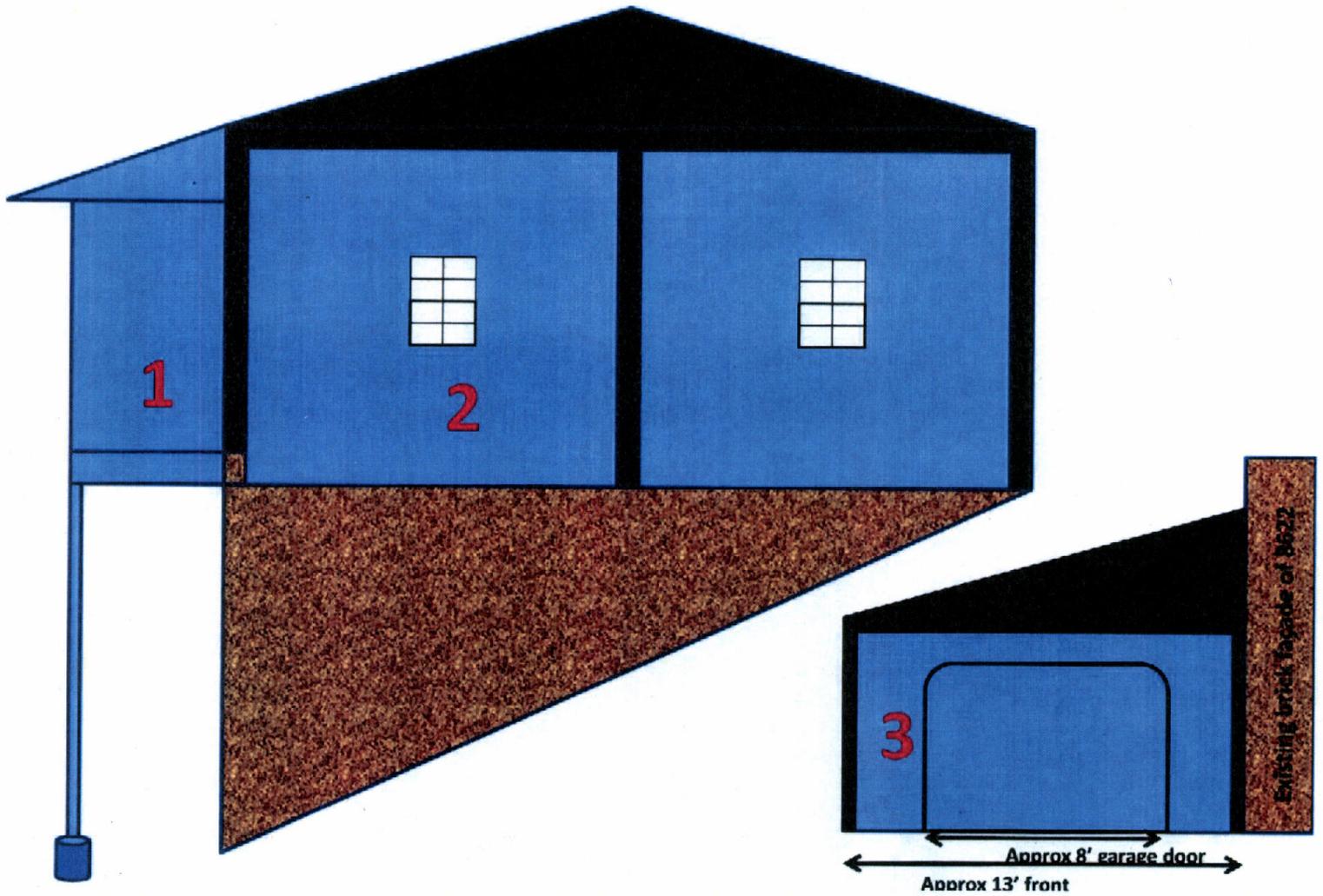
- 8622 Existing structure
- 8622 Proposed Construction

8620 – Example of Finished Product

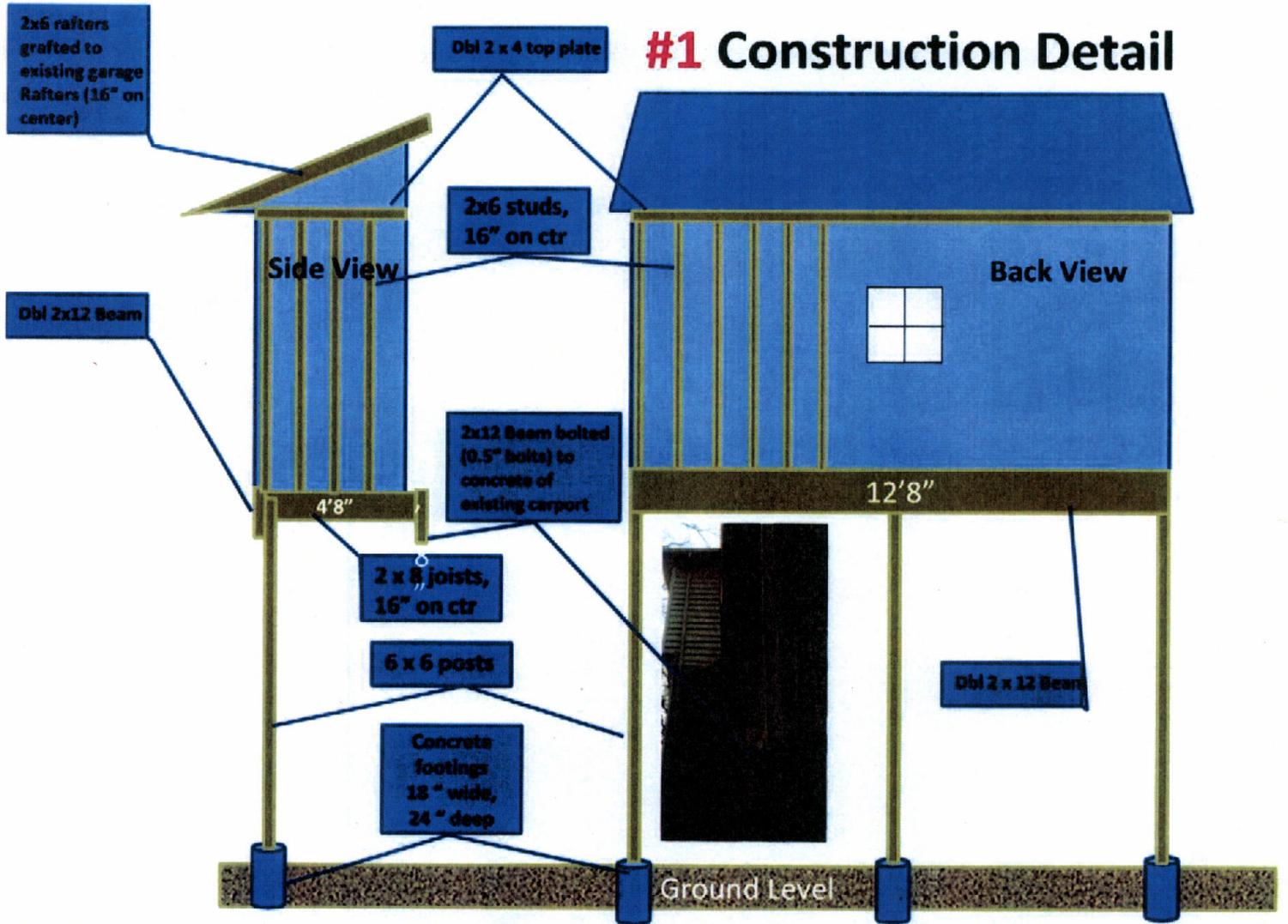


Construction Overview

- 8622 Existing structure
- 8622 Proposed Construction

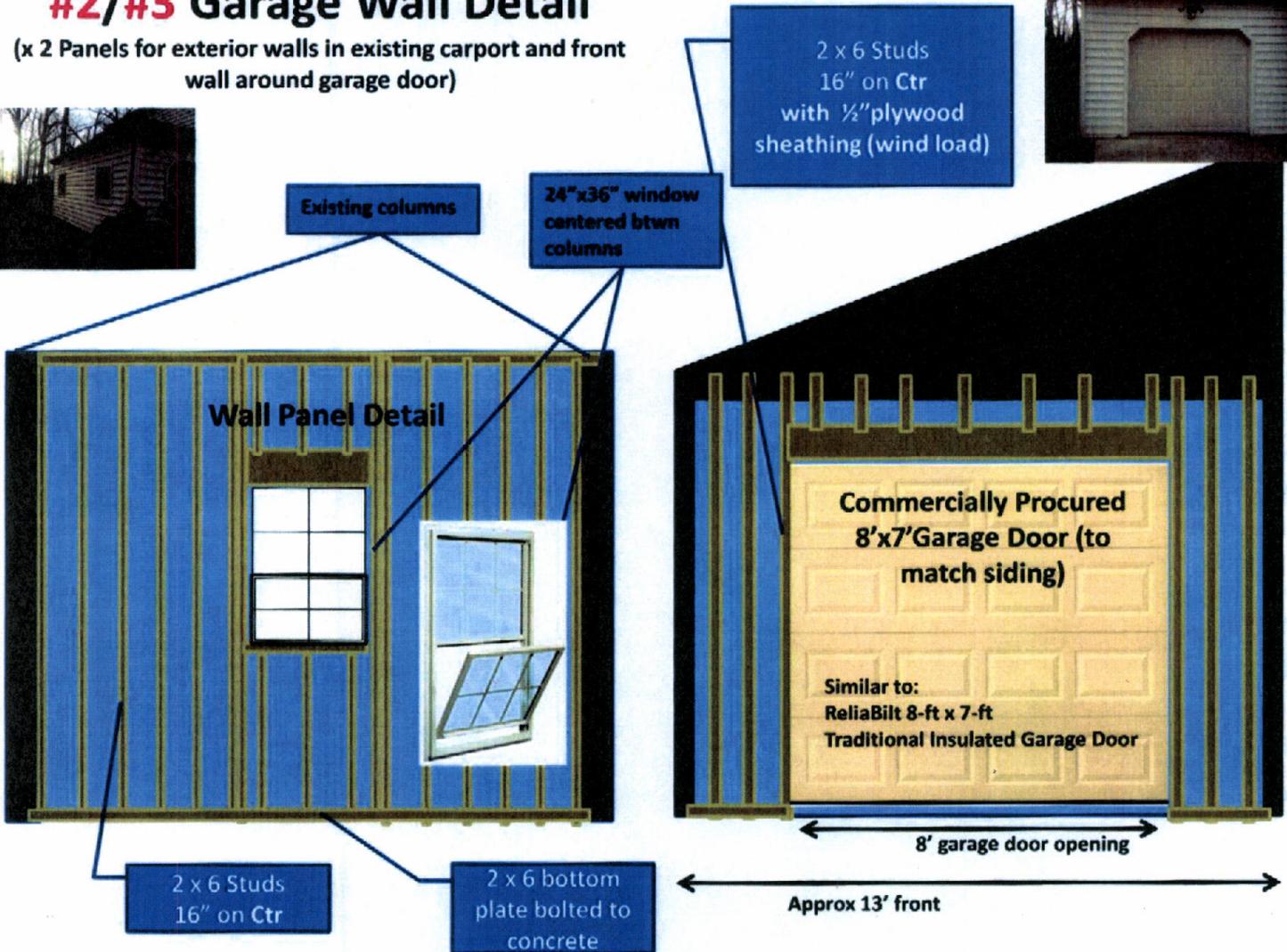


#1 Construction Detail

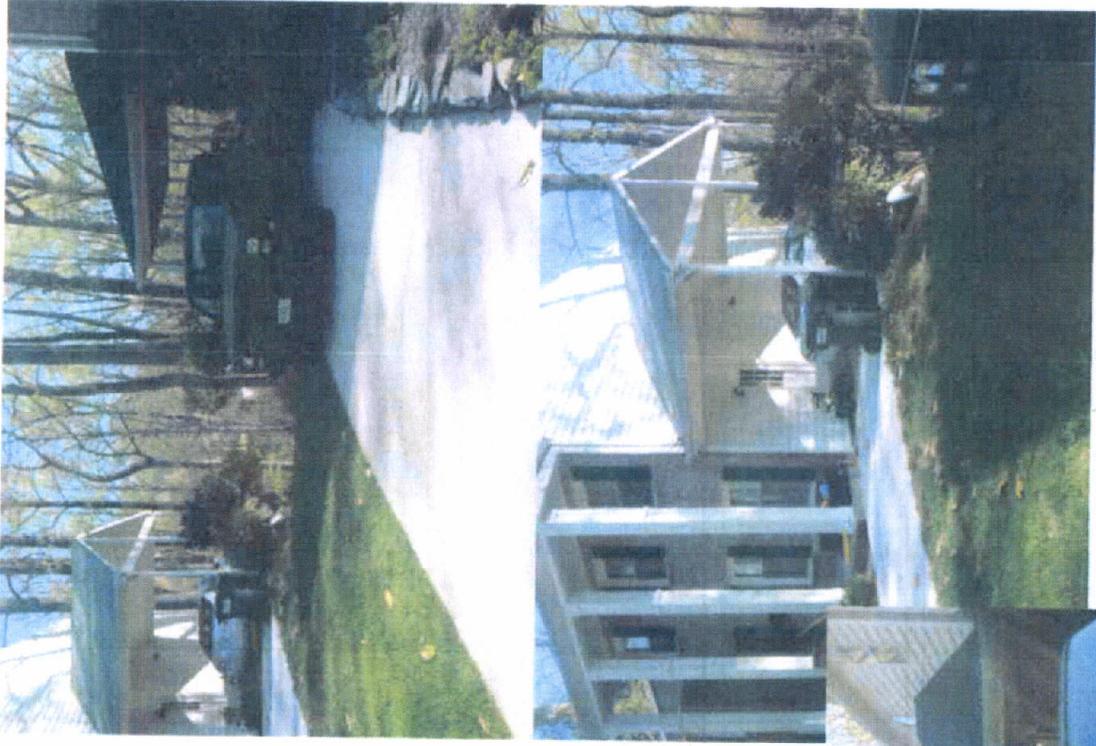
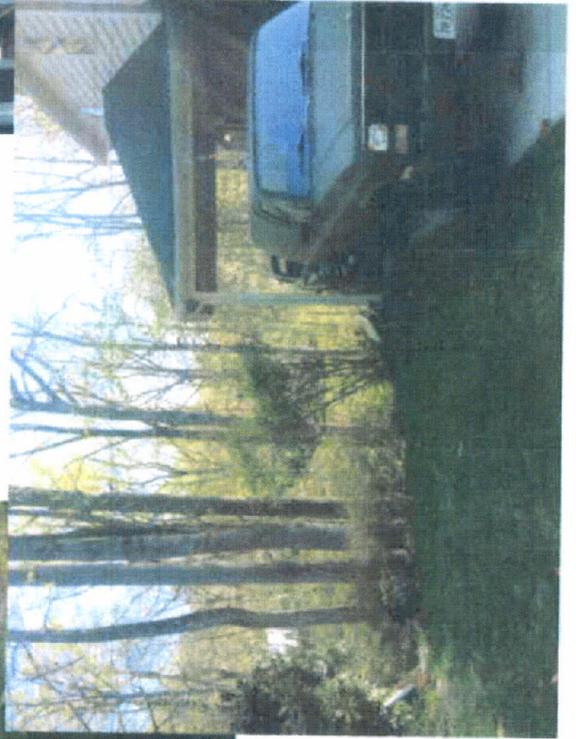


#2/#3 Garage Wall Detail

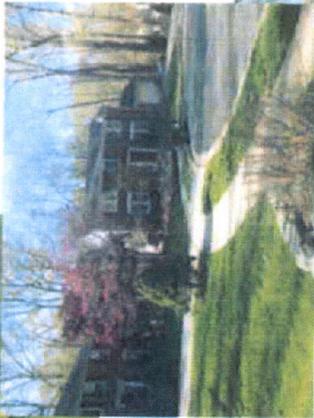
(x 2 Panels for exterior walls in existing carport and front wall around garage door)



**8622 Hepplewhite
Site Views
garage side lot lines**



**8622 Hepplewhite
view R-L across front of house
(facing cul de sac)**

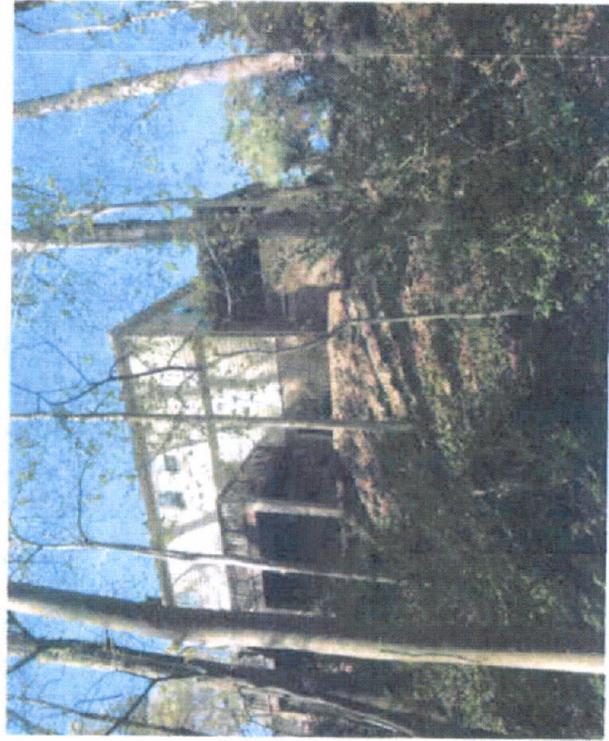




8622 Hepplewhite
Site Views
Front and side lot lines



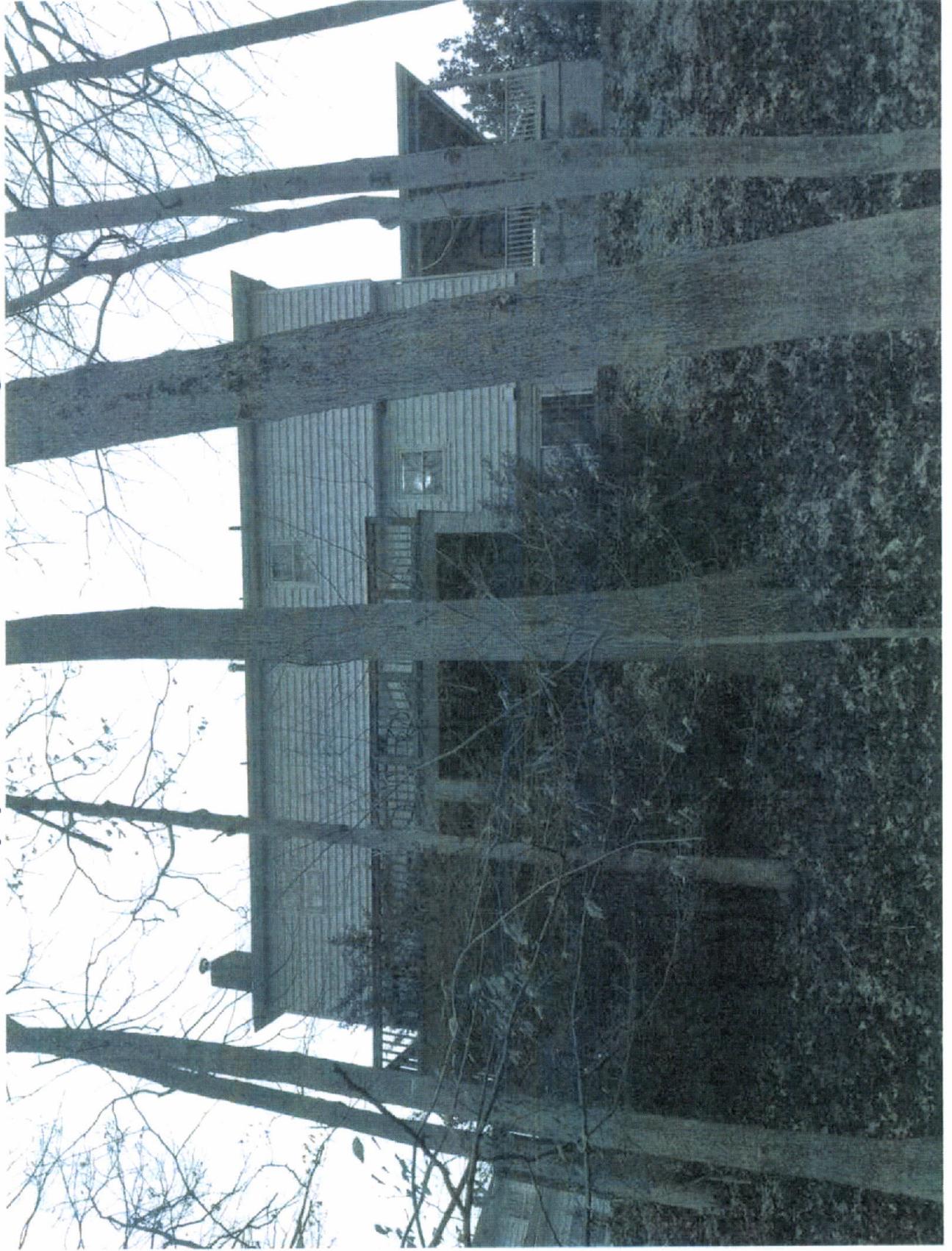
**8622 Hepplewhite
Site Views
Rear and side lot lines**



8622 Hepplewhite - Looking North



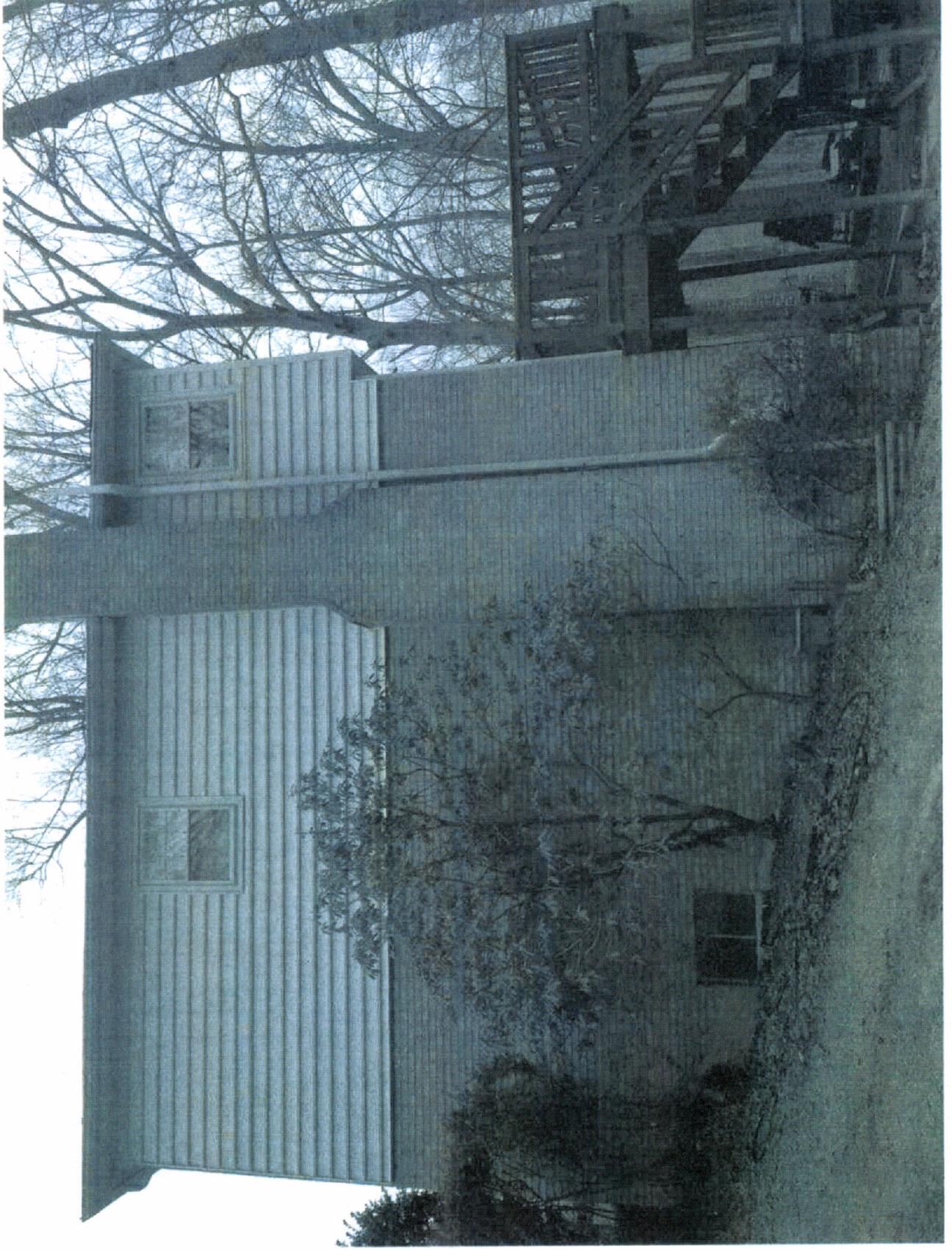
8622 Hepplewhite - Looking South



8622 Hepplewhite - Looking East



8622 Hepplewhite - Looking West



Similar Case History

Group: 87-A -026
VC 87-A -026

APPLICANT: PAUL M MARCH
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 07/07/1987
ZONING DISTRICT: R-2
DESCRIPTION: TO ALLOW CONSTRUCTION OF GARAGE ADDITION TO DWELLING TO 6.7 FT. FROM SIDE LOT LINE SUCH THAT SIDE YARDS TOTAL 17.9 FT. (8 FT. MIN., 24 FT. TOTAL MIN. SIDE YARD REQ.)
LOCATION: 8604 BONNIE DRIVE
TAX MAP #S:
 0701 12 0014

Group: 88-A -060
VC 88-A -060

APPLICANT: BREWER, ROBERT HENRY
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 06/29/1988
ZONING DISTRICT: R-2
DESCRIPTION: ALLOW ENCLOSURE OF EXISTING CARPORT FOR A GARAGE 7.6 FT. FROM SIDE LOT LINE SUCH THAT SIDE YARDS TOTAL 20.8 FT. (8 FT. MIN., 24 FT. TOTAL MIN. SIDE YARD REQ.)
LOCATION: 8620 HEPPELWHITE COURT
TAX MAP #S:
 0701 12 0028

Group: 95-B -087
VC 95-B -087

APPLICANT: FARISH, GEORGE B. & GEORGINE J.
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 10/03/1995
ZONING DISTRICT: R-2
DESCRIPTION: PERMIT CONSTRUCTION OF ADDITION 5.5 FT. FROM SIDE LOT LINE SUCH THAT SIDE YARDS TOTAL 15.2 FT.
LOCATION: 4312 WAKEFIELD DRIVE
TAX MAP #S:
 0701 12 0012

Group: 2003-BR-092

VC 2003-BR-092

STAFF REPORT

APPLICANT: ANDREW L. A. GOODMAN AND CATHIE GRANT-GOODMAN
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 08/06/2003
ZONING DISTRICT: R-2
DESCRIPTION: TO PERMIT CONSTRUCTION OF ADDITION 5.0 FEET AND EAVE 3.0 FEET FROM SIDE LOT LINE
LOCATION: 4211 ELIZABETH LANE
TAX MAP #5:
0701 12 0070

Group: 2004-BR-104

VC 2004-BR-104

APPLICANT: GEORGE C. VAN DYKE, TRUDI C. VAN DYKE
STATUS: WITHDRAWN
STATUS/DECISION DTE: 08/11/2006
ZONING DISTRICT: R-2
DESCRIPTION: TO PERMIT CONSTRUCTION OF ADDITION 10.8 FEET WITH EAVES .8 FEET SIDE LOT LINE
LOCATION: 8713 CHIPPENDALE COURT
TAX MAP #5:
0701 12 0049

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.