



APPLICATION ACCEPTED: August 22, 2014
BOARD OF ZONING APPEALS: November 19, 2014
TIME: 9:00 a.m.

County of Fairfax, Virginia

November 12, 2014

STAFF REPORT

SPECIAL PERMIT SP 2014-DR-185

DRANESVILLE DISTRICT

APPLICANTS/OWNERS: Christy Tedrow
Mark Tedrow

STREET ADDRESS: 6602 Tucker Avenue, McLean 22101

SUBDIVISION: Chesterfield

TAX MAP REFERENCE: 30-4 ((9)) 25A

LOT SIZE: 10,500 square feet

ZONING DISTRICT: R-3

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit addition 6.0 ft. from side lot line, an accessory storage structure 6.0 ft. from side lot line and 16.5 ft. from rear lot line, and to permit the reduction of minimum yard requirements based on error in building location to permit patio to remain 0.0 ft. from side lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2014-DR-185 for the addition and accessory storage structure with adoption of the proposed development conditions contained in Appendix 1.

If it is the intention of the Board of Zoning Appeals to approve the request for a special permit for error in building location to allow the patio to remain, staff recommends that such approval be made subject to the 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.

Casey V. Gresham

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



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.**

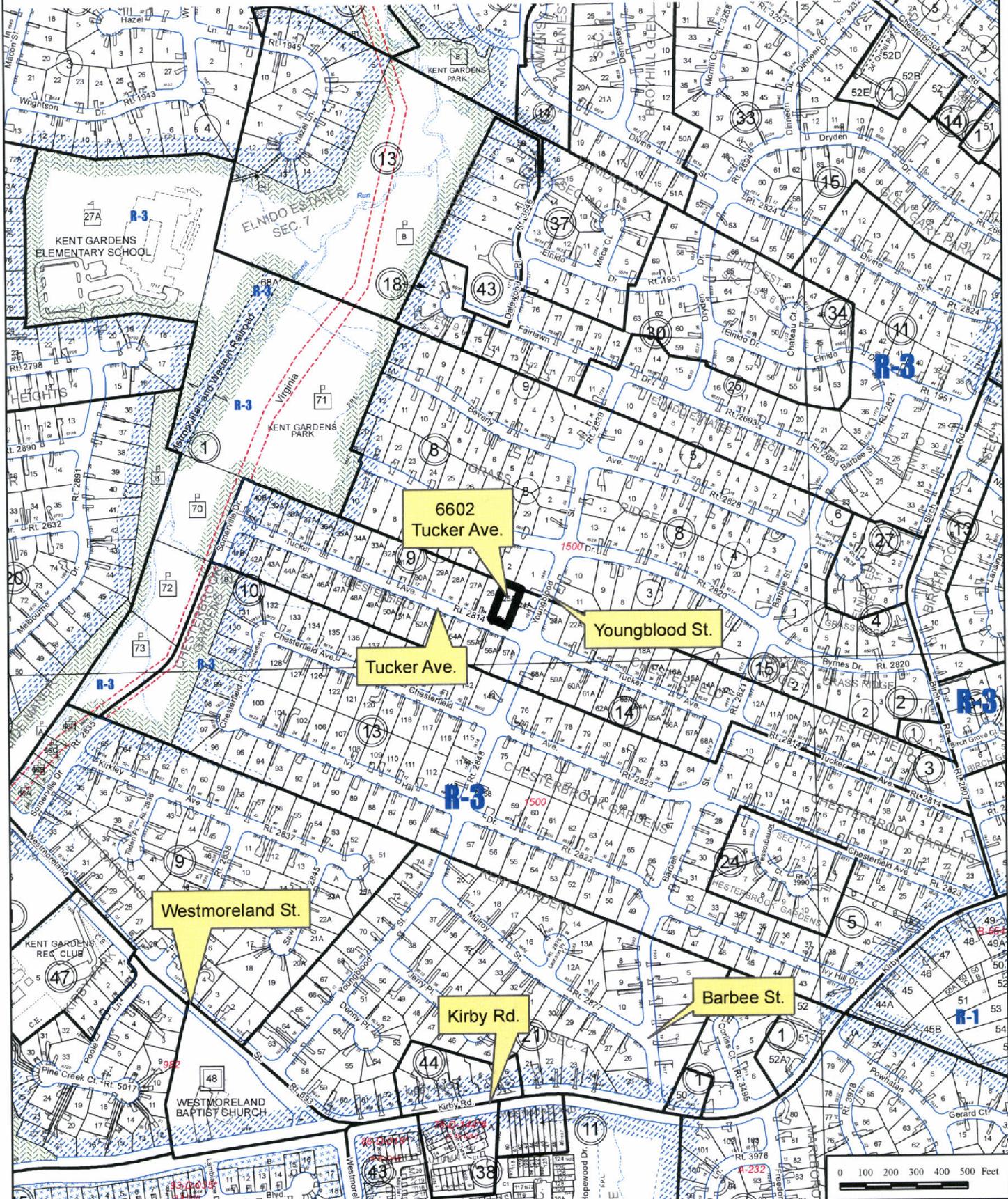


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit
SP 2014-DR-185
CHRISTY AND MARK TEDROW



Special Permit
SP 2014-DR-185
CHRISTY AND MARK TEDROW



Based on grade elevations and interior floor to bottom of floor structure I determined the house has a basement condition. Floor area calculations are as follows.

Existing House Floor Area: (Interior dimensions)
 Basement: 802.27 SF
 1st Floor: 823.96 SF
 Attic: 137.5 SF
 Total: 1,763.73 SF x 1.50 = 2,645.60 SF Maximum

Addition Area: 2,521.94 SF or 143% of Existing floor area.



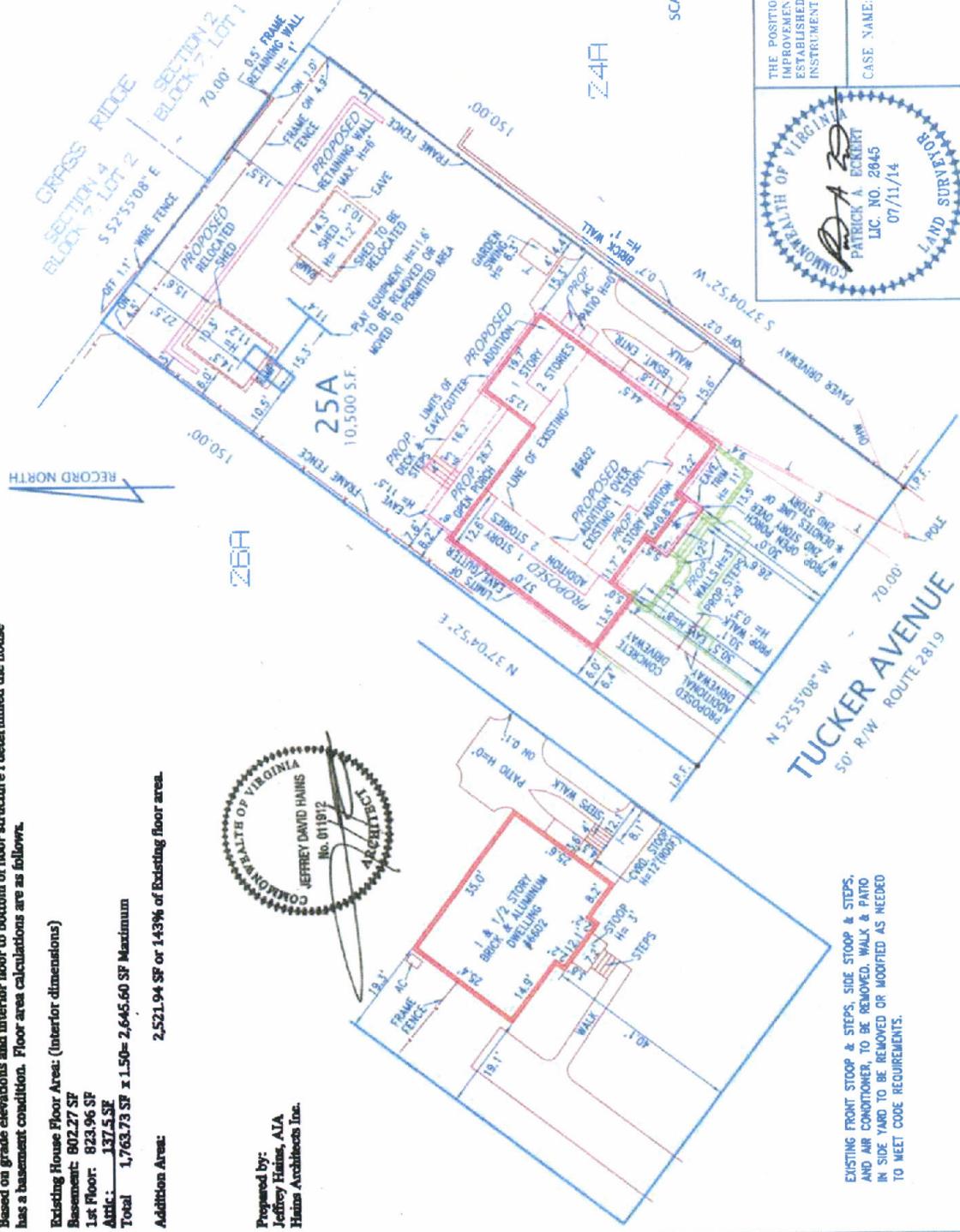
Prepared by:
 Jeffrey Hains, AIA
 Hains Architects Inc.

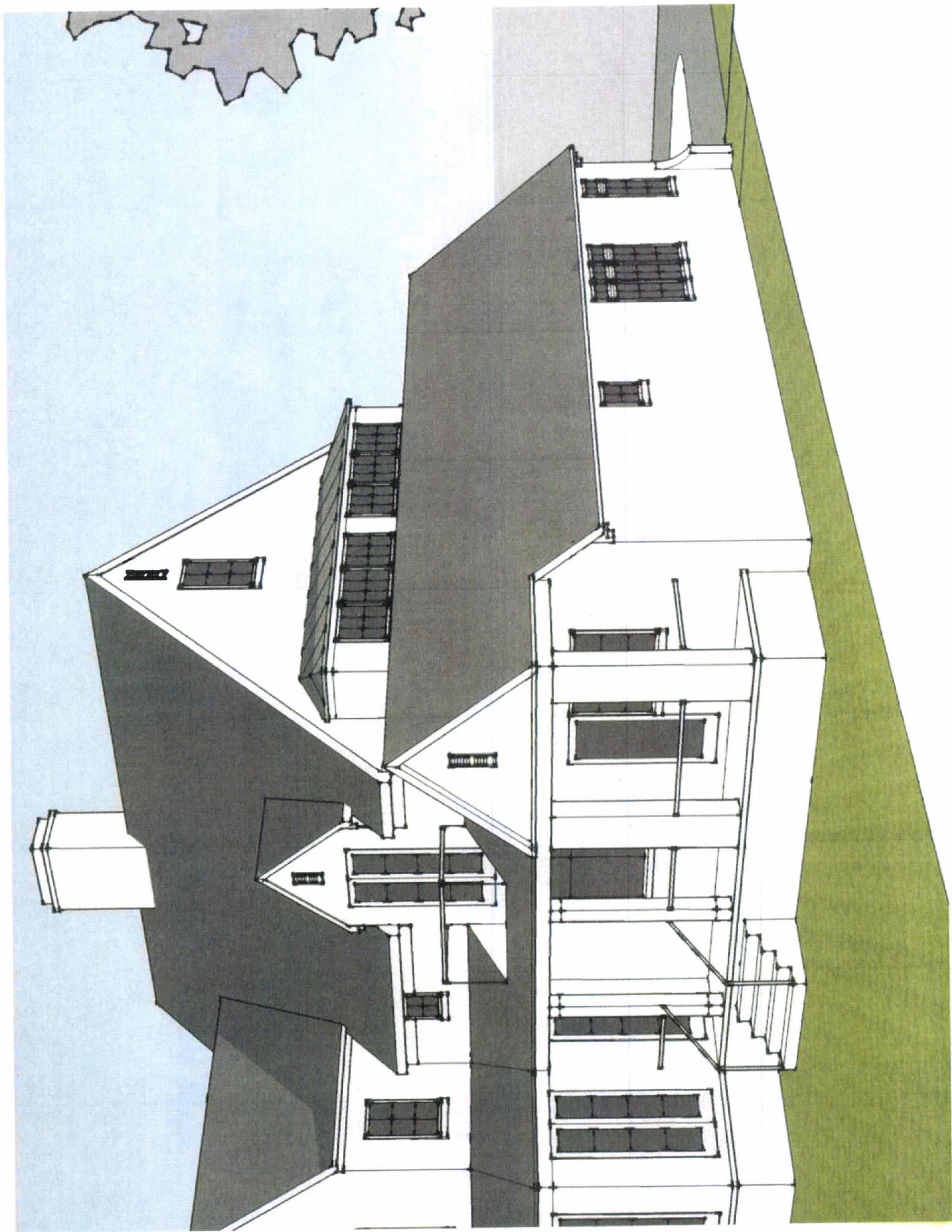
- TAX MAP: 0304 09 0025A ZONE: R-3
- PROPERTY SERVED BY PUBLIC WATER AND SEWER.
- NO UTILITY EASEMENTS 25 FEET WIDE OR GREATER WERE FOUND ON THIS PROPERTY.
- THERE ARE NO FLOOD PLAIN OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
- NO GRAVE SITES OR BURIAL GROUNDS WERE FOUND ON THIS PROPERTY.
- MINIMUM YARDS REQUIRED:
 FRONT 30 FEET
 SIDE 12 FEET
 REAR 25 FEET
- HEIGHTS:
 DWELLING 16 FEET
 DWELLING AFTER ADDITION 29 FEET
 FENCES 4 FEET
 PROPOSED REAR OPEN PORCH: 8 FEET
 FLOOR- 3.5 FEET, ROOF PEAK- 18 FEET
 PROPOSED FRONT OPEN PORCH:
 FLOOR- 2.5 FEET
 OTHER AS SHOWN
- THE EXISTING DWELLING WAS CONSTRUCTED IN 1952.
- IMPROVEMENTS SHOWN ON THIS PLAN ARE EXISTING UNLESS NOTED.
- TREES AND SHRUBS IN THE YARD ARE TO BE REMOVED AS NEEDED FOR THE CONSTRUCTION AND GRADING.

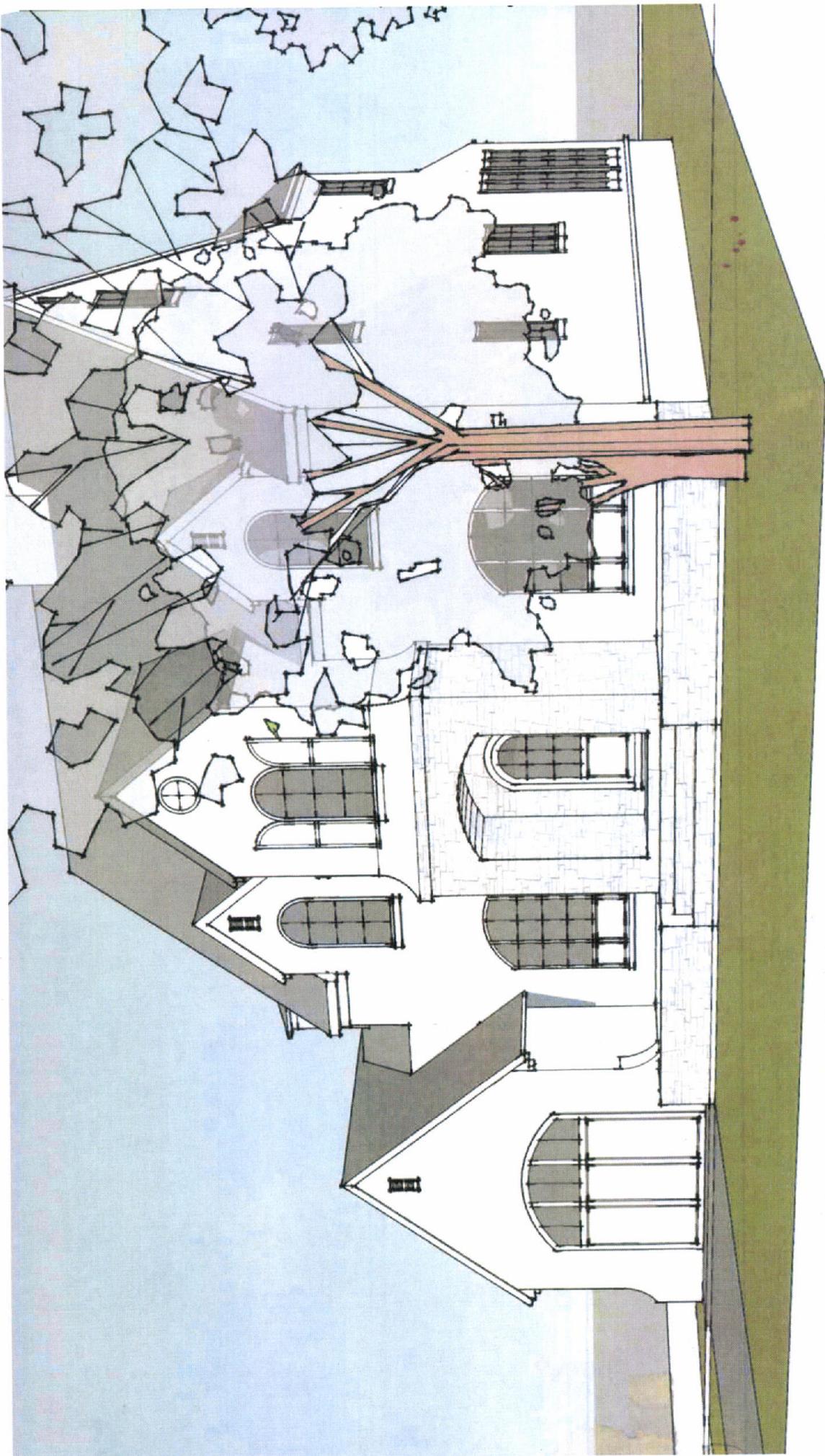
SPECIAL PERMIT PLAT
 LOT 25A SECTION 1
CHESTERFIELD
 FAIRFAX COUNTY, VIRGINIA
 SEPTEMBER 13, 2012
 REVISED JULY 11, 2014

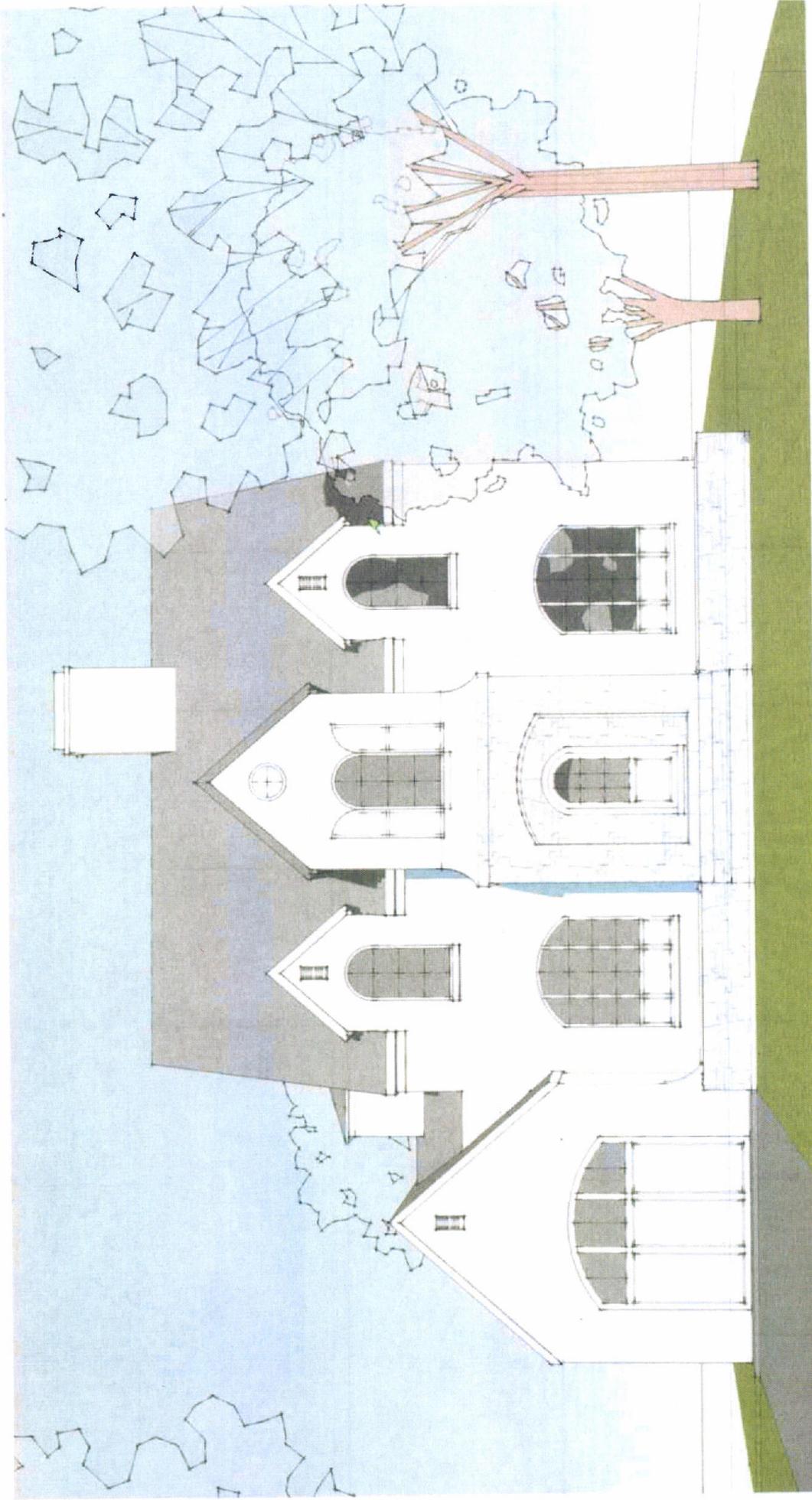
SCALE: 1" = 20'
 GRAPHIC SCALE: 0 20 40

THE POSITION OF THE EXISTING IMPROVEMENTS HAS BEEN ESTABLISHED BY AN ON SITE INSTRUMENT SURVEY.	NO TITLE REPORT FURNISHED. THIS PLAT IS SUBJECT TO RESTRICTIONS AND EASEMENTS RECORDED OF RECORD OR ESTABLISHED.
CASE NAME: TEDROW	ALTEERRA SURVEYS, INC. 11216 WAPLES MILL ROAD #102 FAIRFAX, VIRGINIA 22030 TEL NO. 703-520-1558 FAX NO. 703-995-4800 INFO@ALTEERRASURVEYS.COM









TEDROW RESIDENCE
6602 TUCKER AVE, MCLEAN, VA

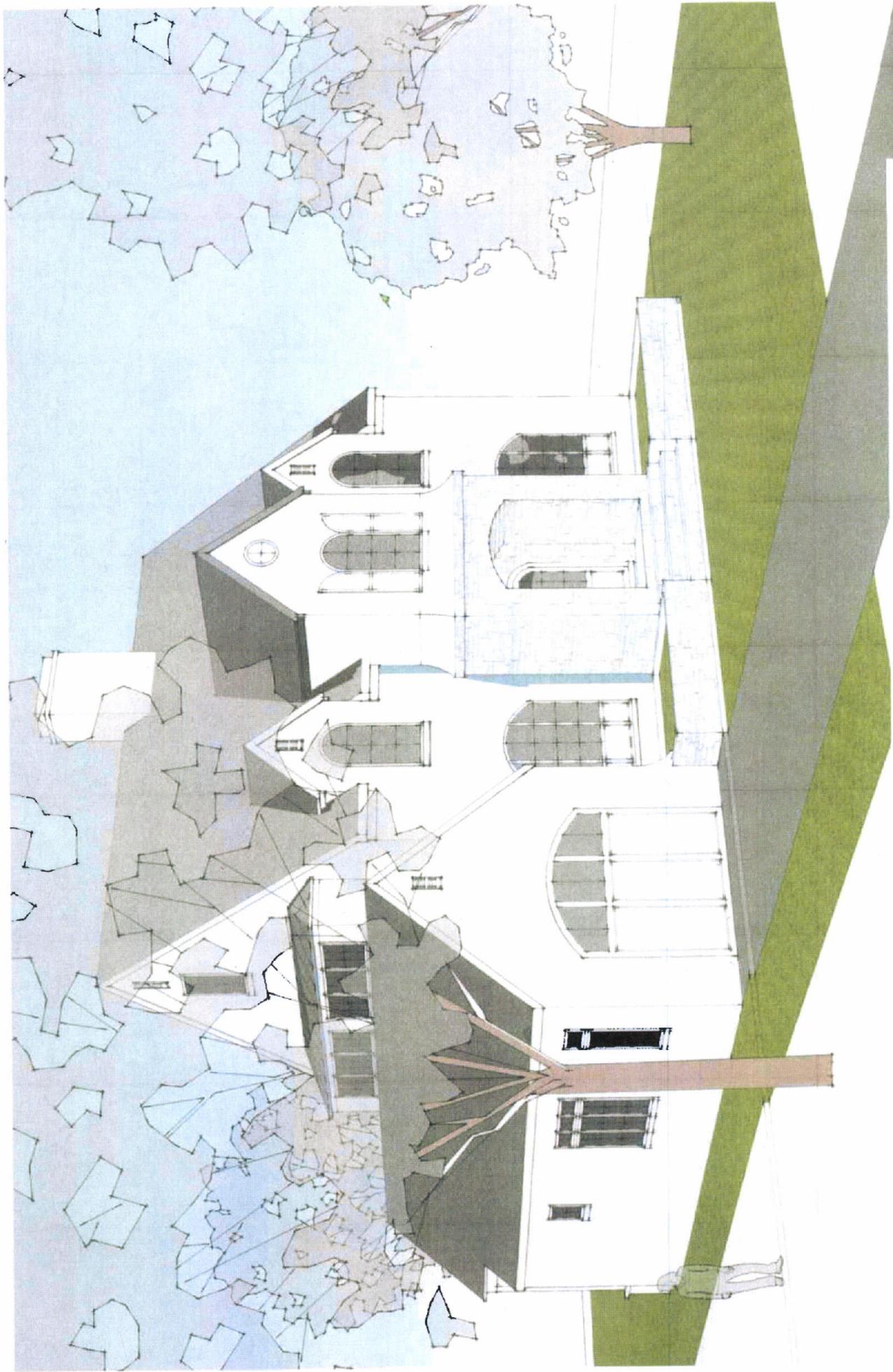
SP 2014-0011

HAINS ARCHITECTS, INC
MAY 6, 2014



HAINS ARCHITECTS, INC
MAY 6, 2014

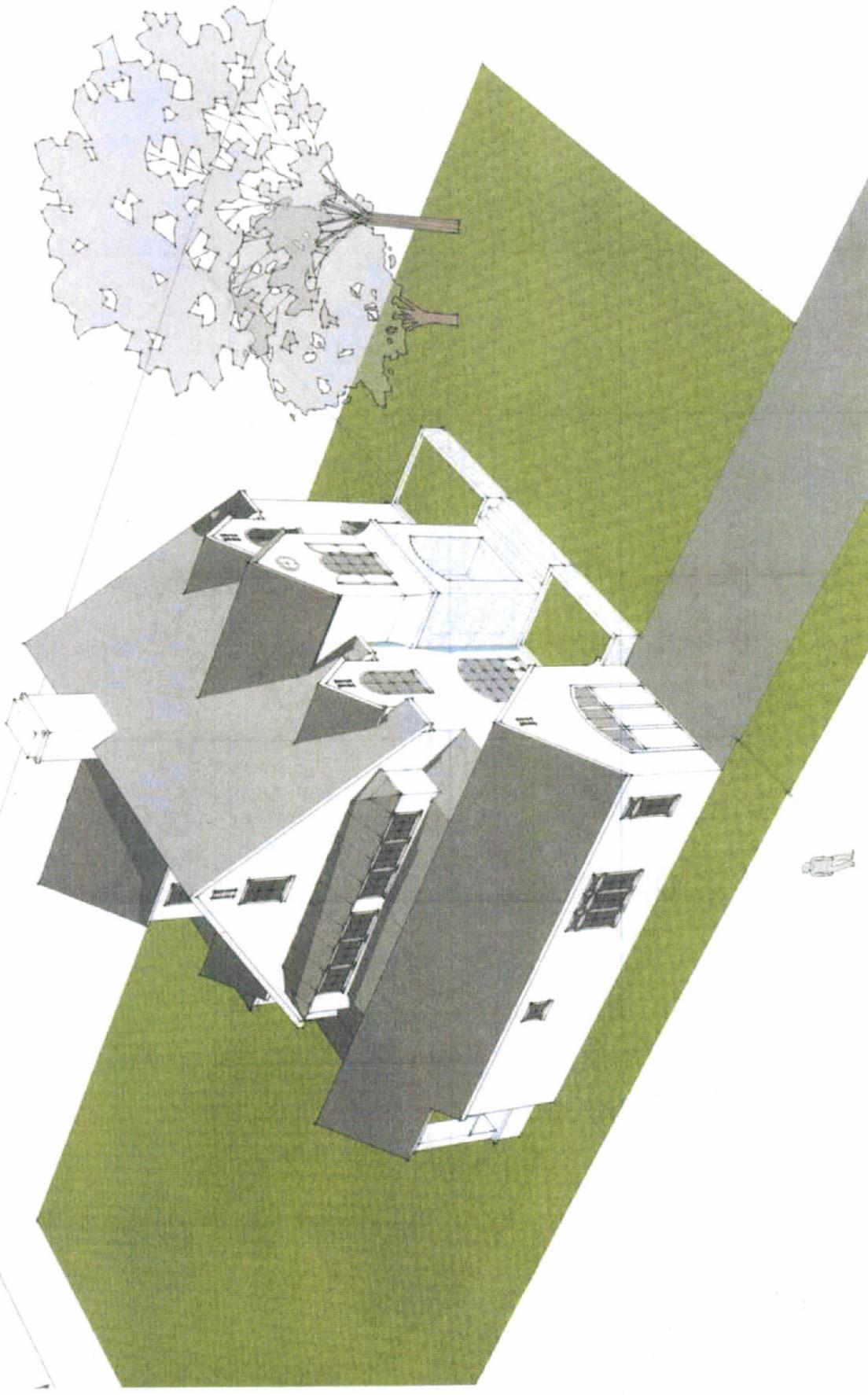
TEDROW RESIDENCE
6602 TUCKER AVE, MCLEAN, VA
SP 2014 - 0011



TEDROW RESIDENCE
6602 TUCKER AVE, MCLEAN, VA

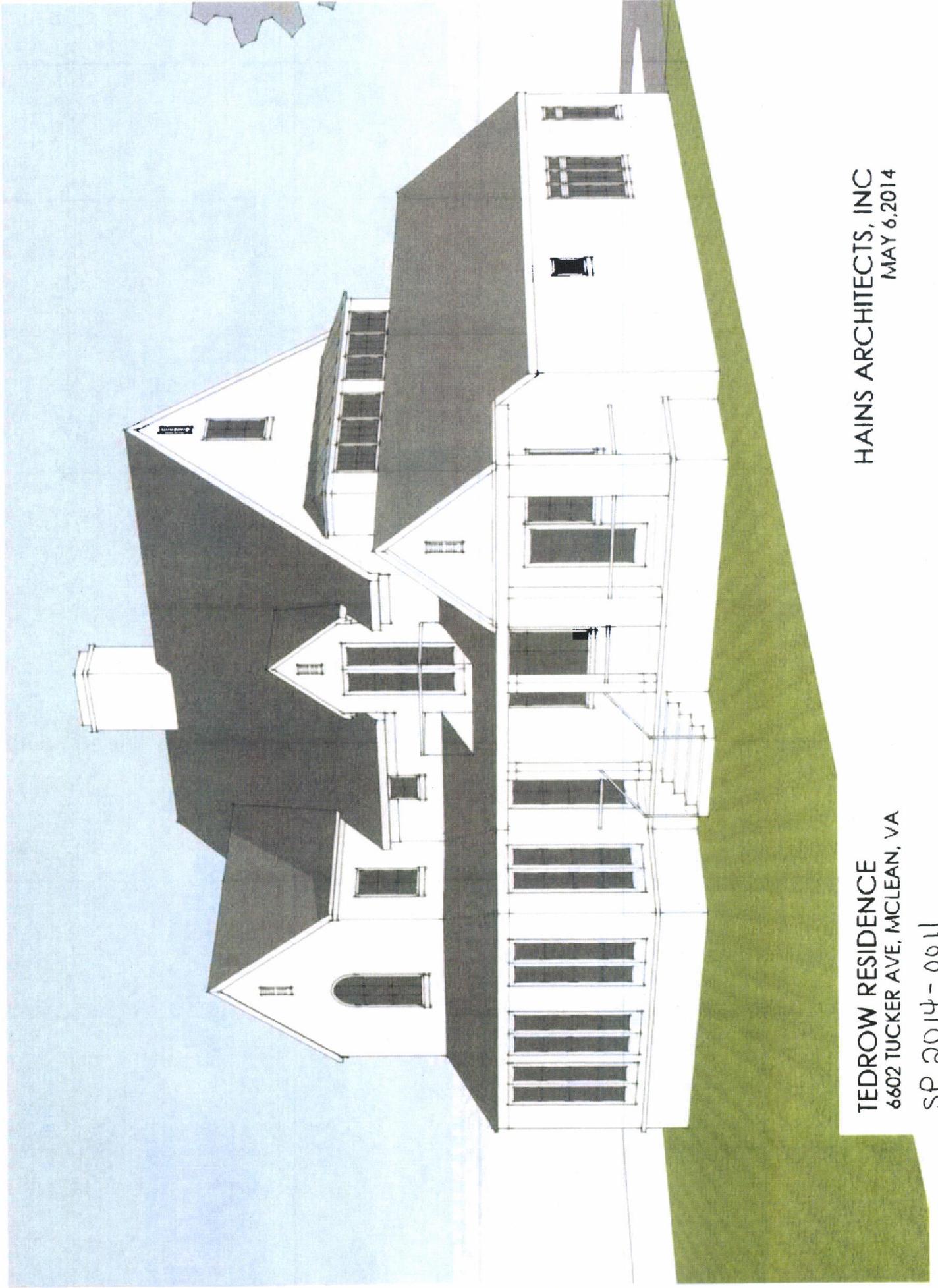
SP 2014-0011

HAINS ARCHITECTS, INC
MAY 6, 2014



TEDROW RESIDENCE
6602 TUCKER AVE, MCLEAN, VA
SP 2014-0011

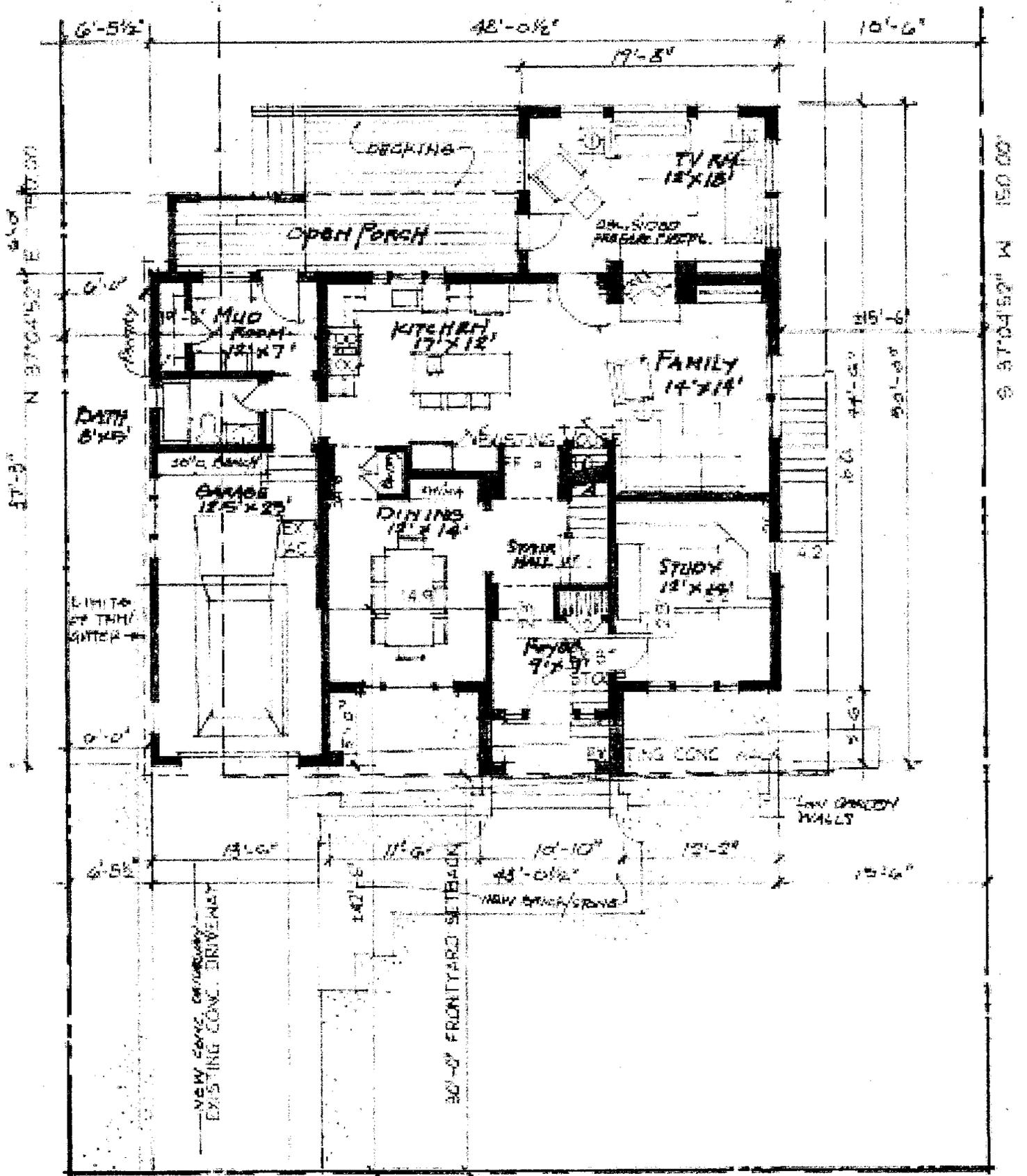
HAINS ARCHITECTS, INC
MAY 6, 2014



HAINS ARCHITECTS, INC
MAY 6, 2014

TEDROW RESIDENCE
6602 TUCKER AVE, MCLEAN, VA

SP 2014-0011



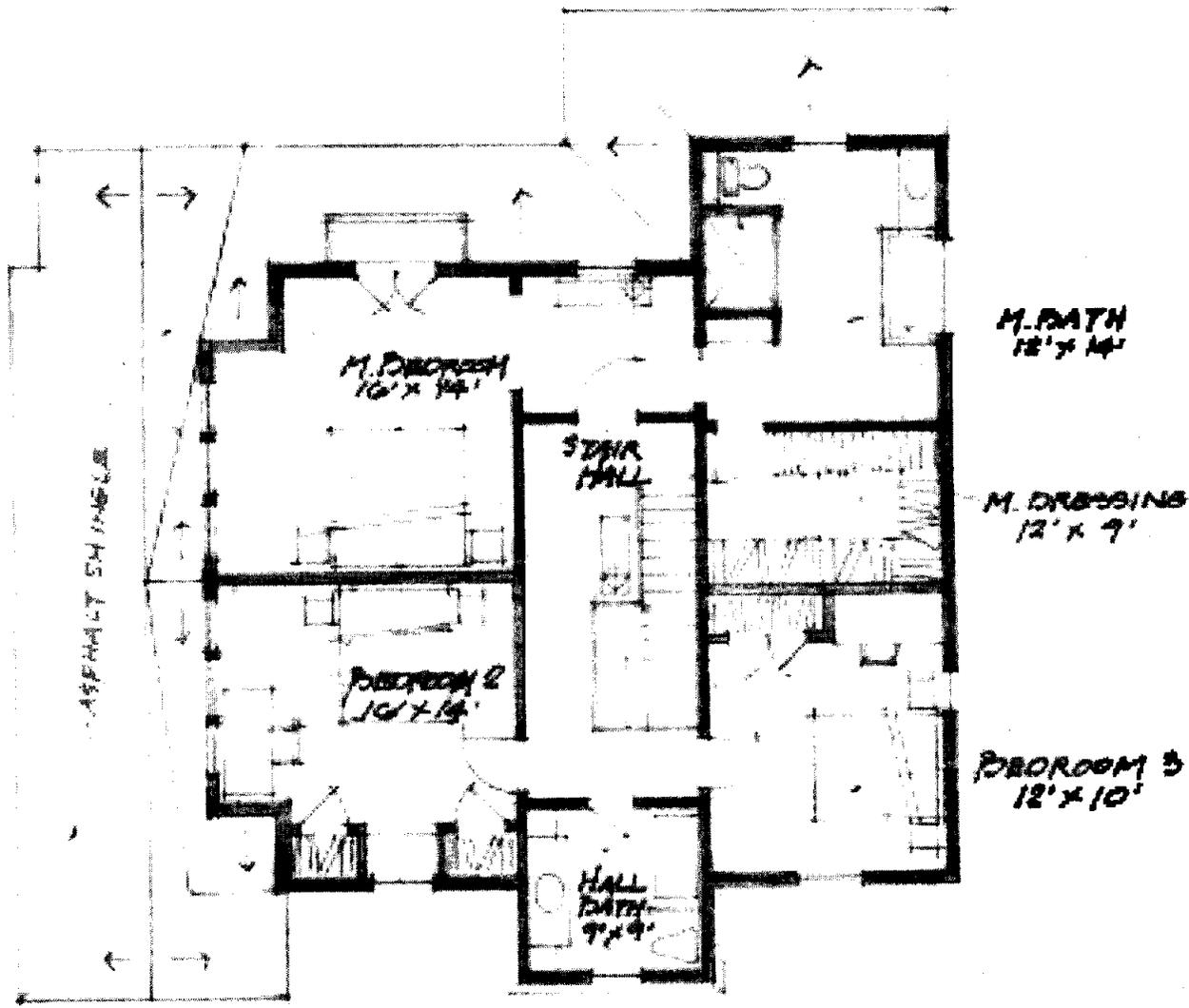
N 32°35'08" W 75.00'

TUCKER AVENUE

FIRST FLOOR PLAN

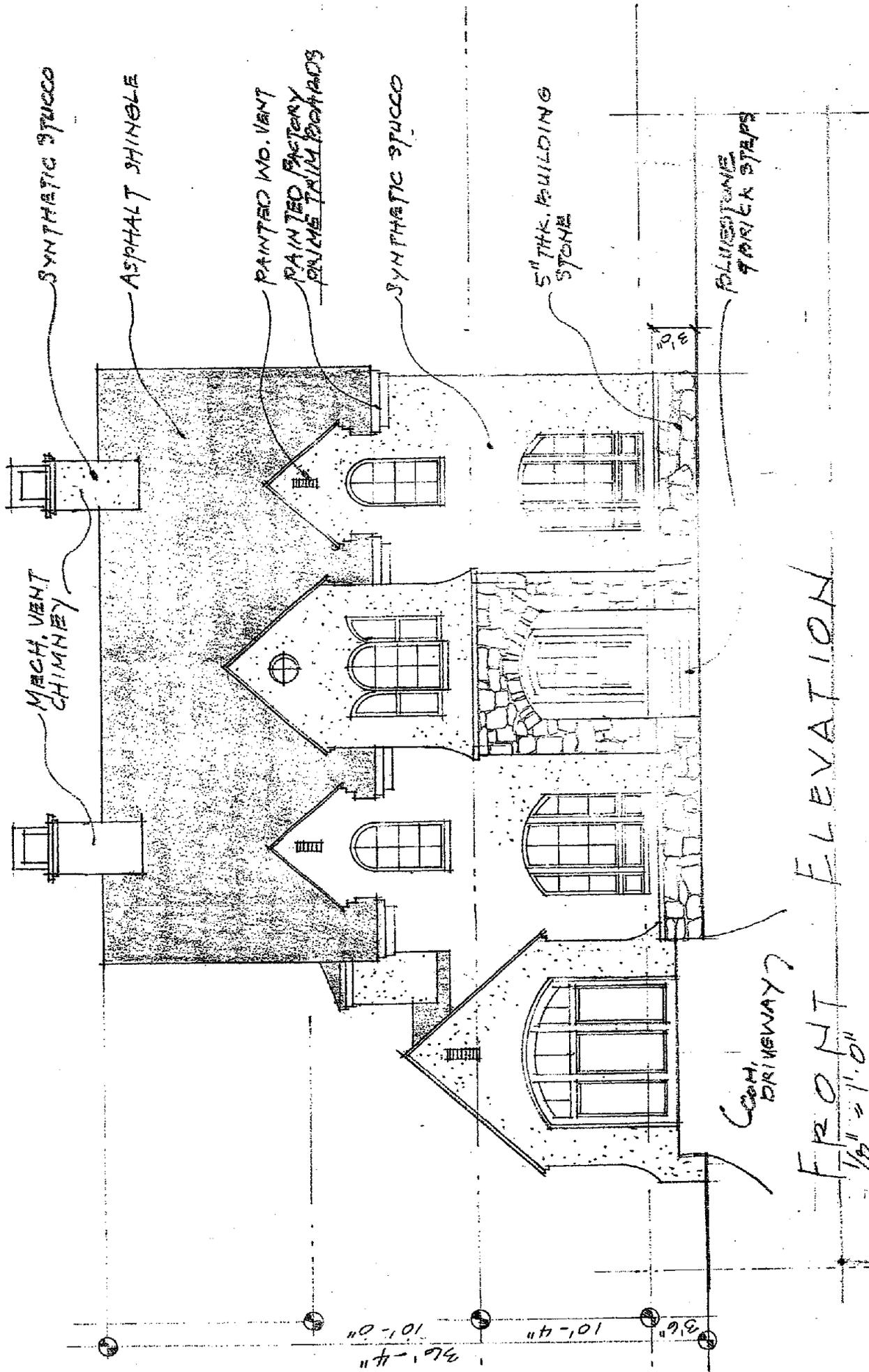
1/8" = 1' - 0"

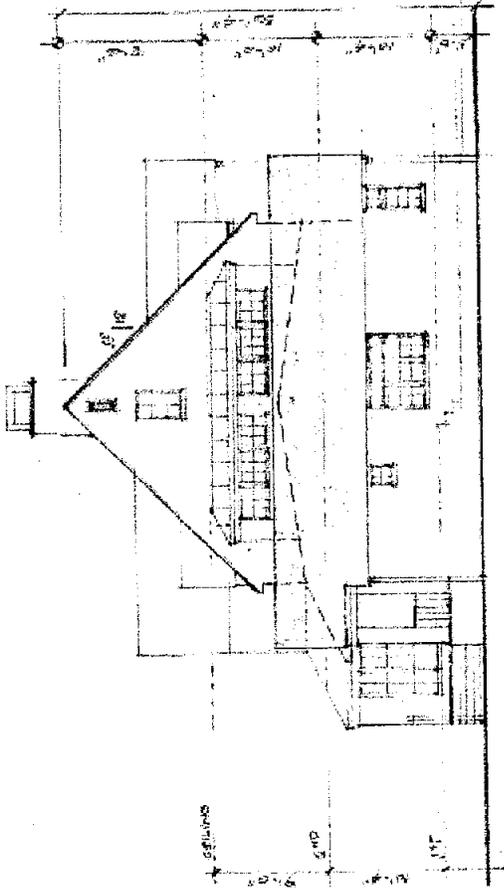
SP2014-0011
 Tedrow 2002 Tucker Ave



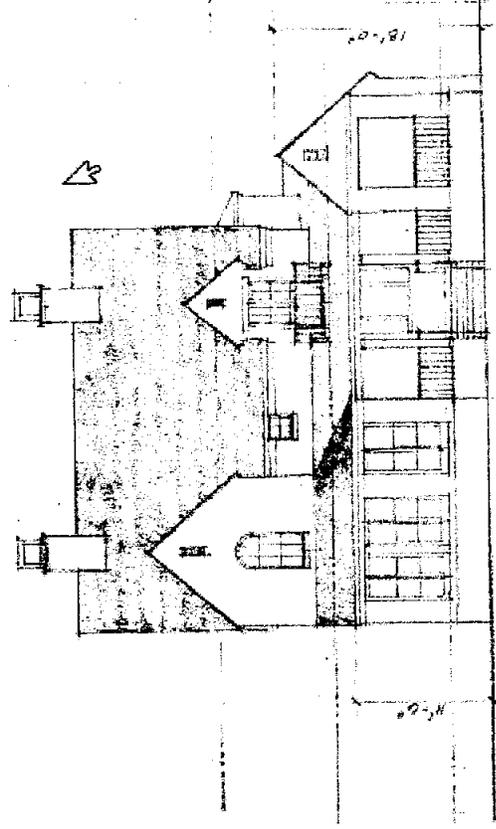
SECOND FLOOR PLAN.
 $\frac{1}{8}'' = 1'-0''$

SP 2014-0011.
 Tedrow
 6602 Tucker Ave



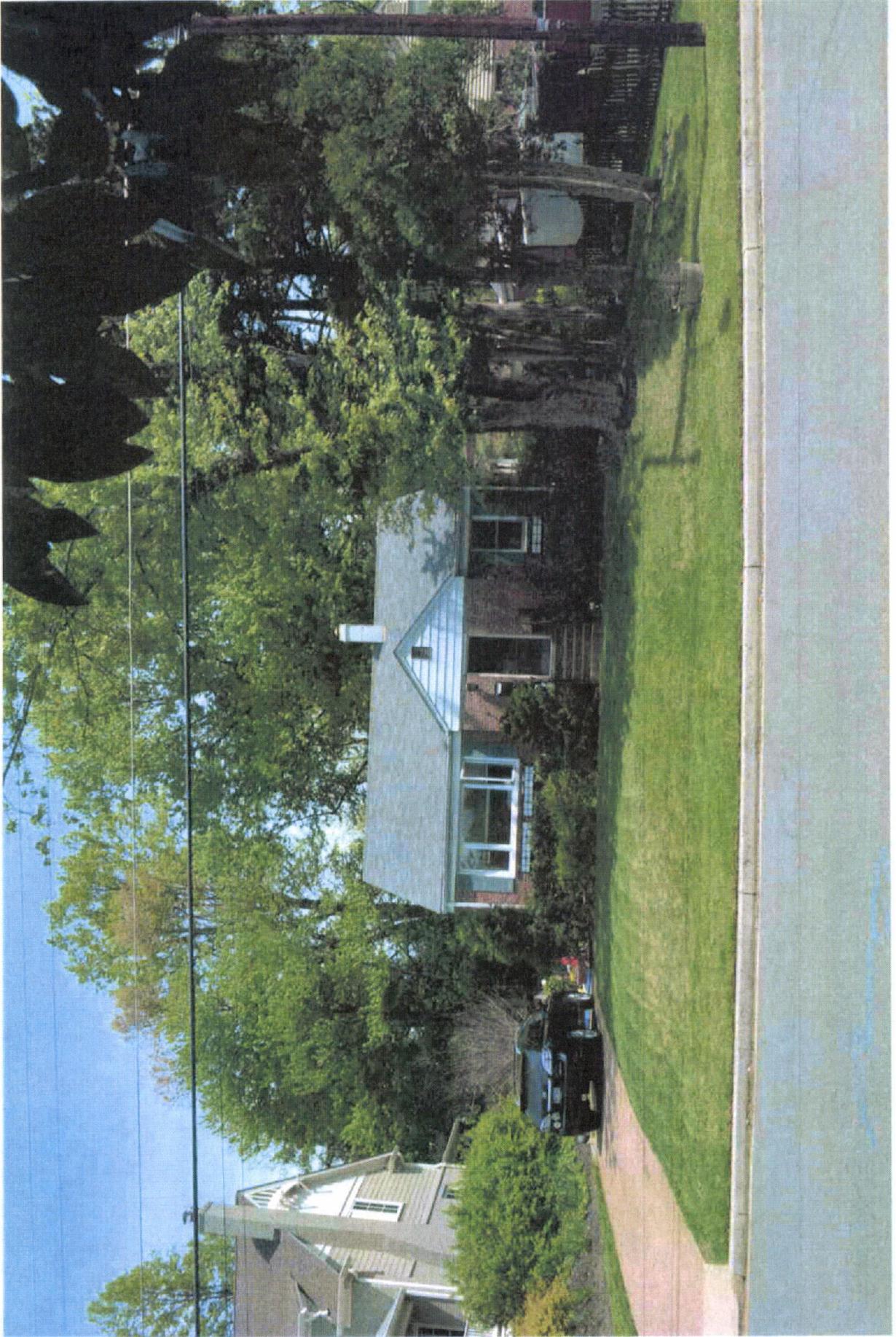


REAR ELEVATION
1/8\"/>

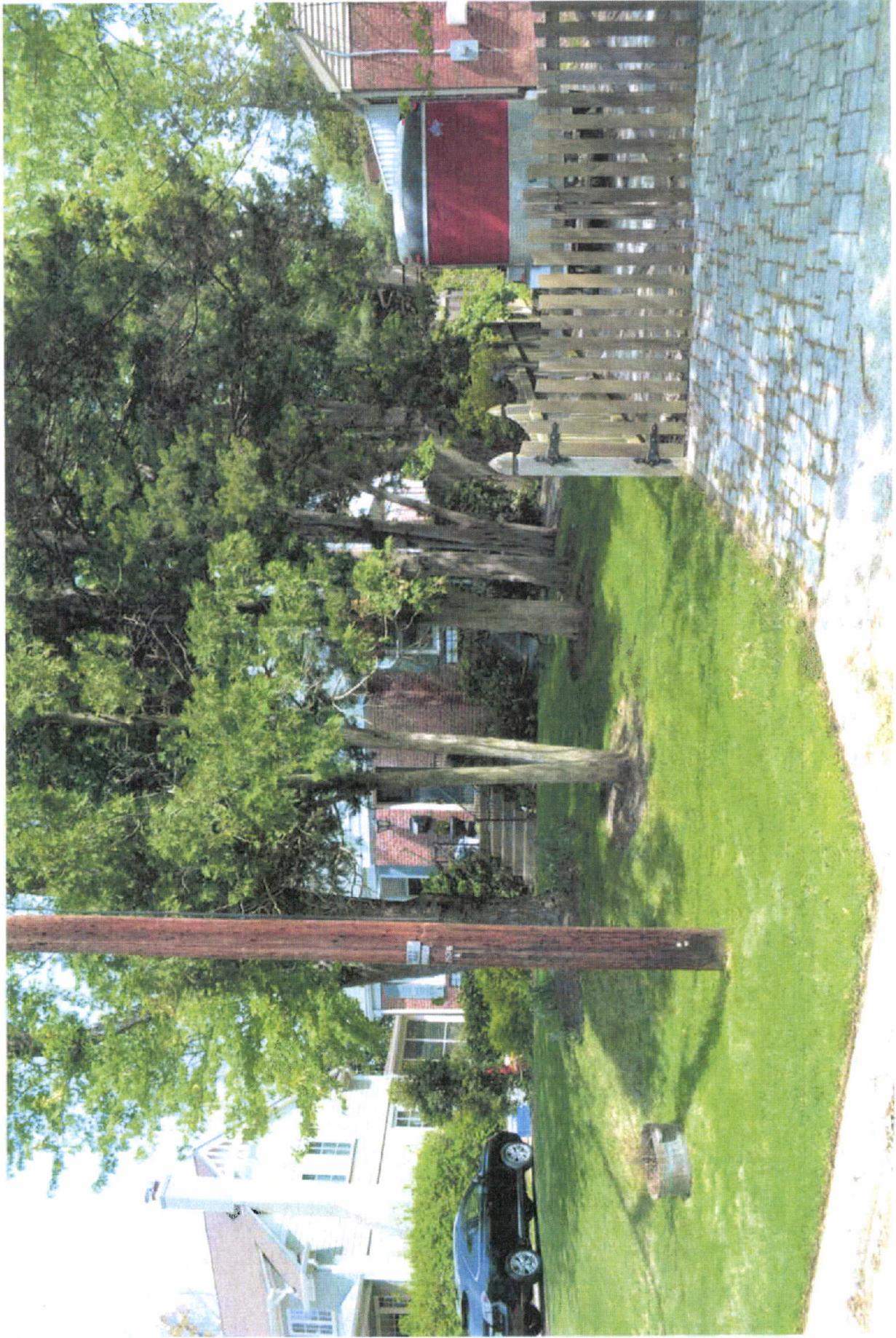


REAR ELEVATION
1/8\"/>

SP 2014-0011
 Tedrow
 6602 Tucker Ave



Tedrow, SP 2014-0011, 6602 Tucker Ave, Street view, Center 5/5/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, Street view, Right 5/5/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, Street view, Youngblood St Neighbor on Right 5/5/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, Street view, 6604 Tucker Neighbor on Left 5/5/2014



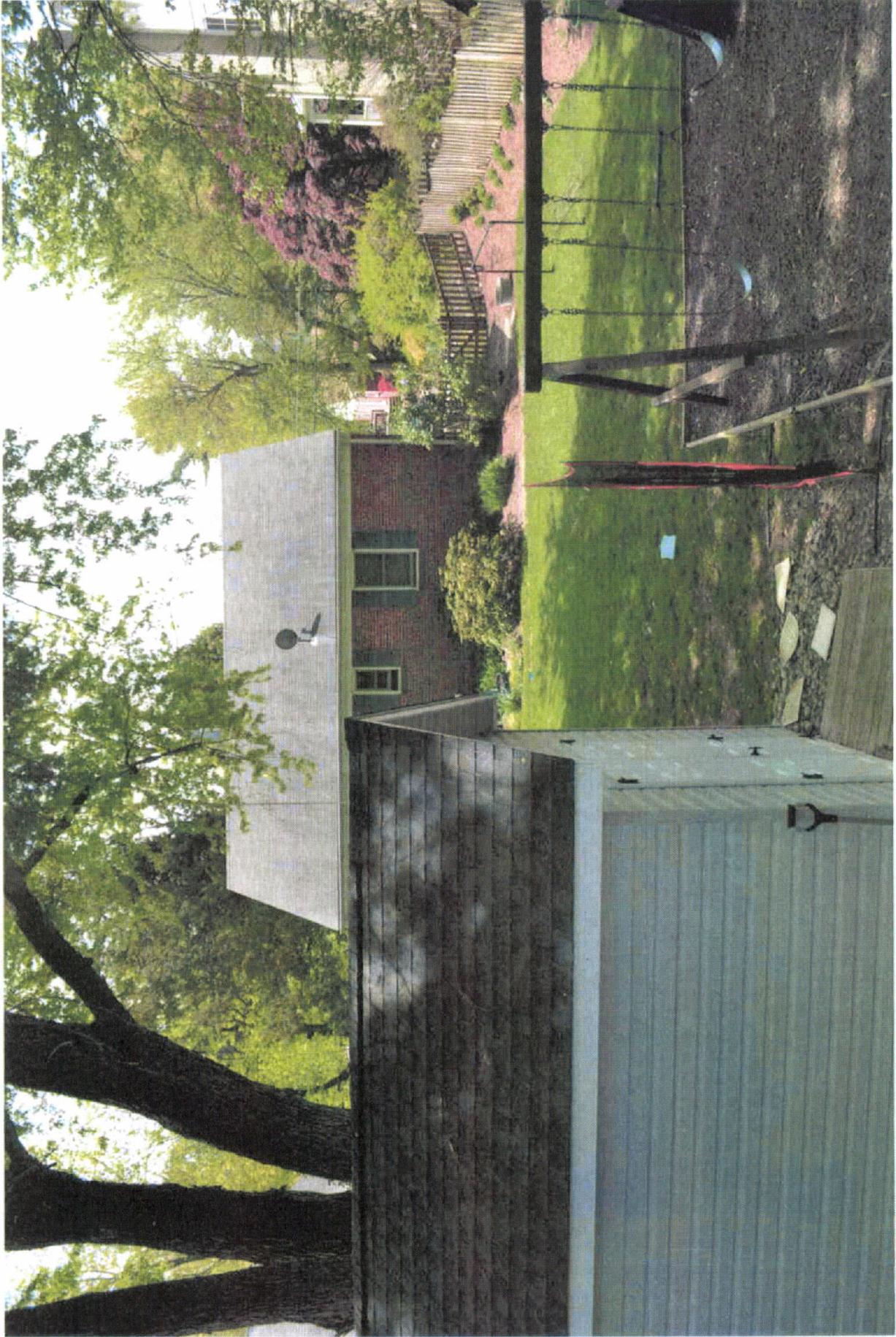
Tedrow, SP 2014-0011, 6602 Tucker Ave, Street view, Left 5/5/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, 6604 Tucker Neighbor, View from Driveway 5/5/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, View from 6604 Tucker Neighbor 5/5/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, Rear view, Right 5/5/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, Rear view, View from Rear right lot corner 5/5/2014



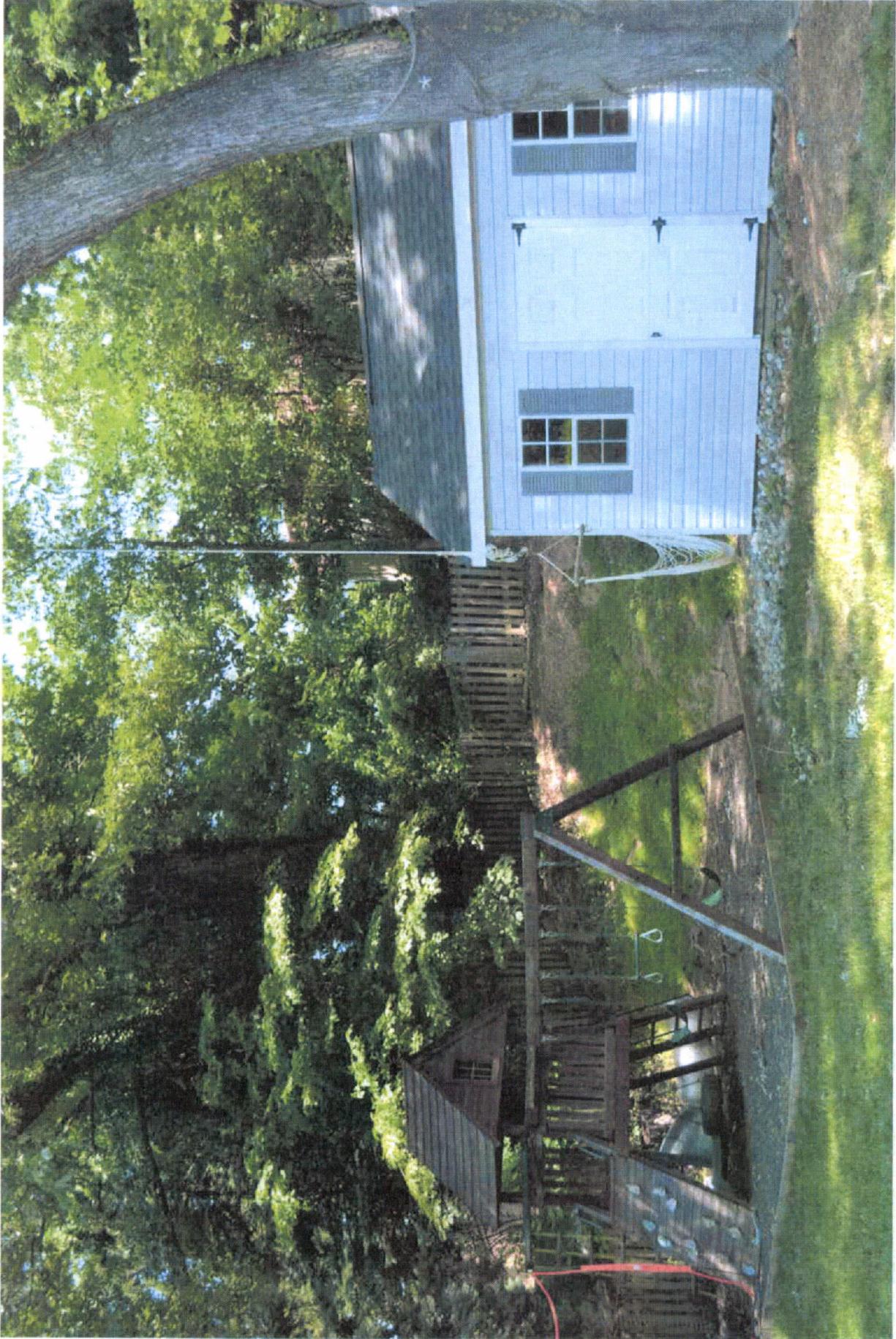
Tedrow, SP 2014-0011, 6602 Tucker Ave, Rear view, 6604 Tucker Neighbor 5/5/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, Patio, Rear View 5/5/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, Rear View, Center 7/7/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, Rear View, Vicinity of Proposed Shed Location 7/7/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, Rear View, From Right Lot Corner 7/7/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, Rear View, From Left Lot Corner 7/7/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, Rear View, Youngblood St Neighbor
7/7/2014



Tedrow, SP 2014-0011, 6602 Tucker Ave, View from Proposed Shed Location to Byrnes Dr Neighbors

7/7/2014

SPECIAL PERMIT REQUEST

The applicants request approval of a special permit to allow a reduction in certain yard requirements to permit an addition 6.0 ft. from a side lot line, to permit an accessory storage structure 6.0 ft. from a side lot line and 16.5 ft. from a rear lot line, and to a reduction in minimum yard requirements based on an error in building location to permit a patio to remain 0.0 ft. from a side lot line.

A copy of the special permit plat titled "Special Permit Plat, Lot 25A, Section 1, Chesterfield," prepared by Patrick A. Eckert, Land Surveyor, dated September 13, 2012 and 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 10,500 square foot property contains a 1.5 story brick dwelling, which is accessed by a concrete driveway from Tucker Avenue. A walkway leads from the driveway to the front entryway of the home. The rear yard contains two sheds, both 11.2 ft. in height, along with play equipment 11.6 ft. in height. This rear yard area is enclosed by a frame fence. The side yard contains a patio and walkway leading to the basement entrance. The front of the yard is landscaped with trees and shrubbery, and the rear yard is screened from the adjacent properties with mature trees.



Figure 1. Lot location

The subject property and surrounding properties are zoned R-3 and developed with single family detached dwellings, as shown in the table below:

	Zoning	Use
North	R-3	Single Family Detached Dwelling
East	R-3	Single Family Detached Dwelling
South	R-3	Single Family Detached Dwelling
West	R-3	Single Family Detached Dwelling

BACKGROUND AND HISTORY

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1952 and purchased by the applicant in July 2004.

Since the adoption of the Zoning Ordinance, a variance application has been heard by the Board of Zoning Appeals for a nearby property as shown in Appendix 4.

DESCRIPTION OF THE APPLICATION

The applicants are requesting approval of a special permit for a reduction of certain yard requirements to permit construction of a garage addition 6.0 feet from the side lot line. The required side yard in the R-3 District is 12 feet; therefore, the applicants are requesting a reduction of 6.0 feet, or 50 percent. The applicants are also requesting a reduction of certain yard requirements to permit an accessory storage structure 6.0 ft. from a side lot line and 16.5 ft. from a rear lot line. With the 12.0 foot required side yard and a required rear yard of 25.0 feet, the applicants are requesting reductions of 6.0 feet and 8.5 feet

In addition, the applicants request approval of a special permit for a reduction of minimum yard requirements based on an error in building location to permit a patio to remain 0.0 feet from a side lot line. With a required side yard of 12 feet, the applicants request a reduction of 12 feet, or 100 percent. The special permit requests are summarized in the table on Page 3.

	Structure	Yard	Minimum Yard Required	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit (50%)	Addition	Side	12.0 feet	6.0 feet	6.0 feet	50%
Special Permit (50%)	Accessory Storage Structure (shed)	Side	12.0 feet	6.0 feet	6.0 feet	50%
		Rear	25.0 feet	16.5 feet	8.5 feet	34%
Special Permit (Error)	Patio	Side	12.0 feet	0.0 feet	12.0 feet	100%

The applicants propose construction of a single-car garage addition on the western side of the property. The garage would be approximately 494 square feet in size. In addition to the garage, a second story addition is proposed above the existing dwelling but still within the setback requirements. The resulting gross floor of the addition would not exceed 150% of the existing principle structure. The existing dwelling is 1,844 square feet, and the entire proposed addition would be 2,718 square feet.

As shown in the elevations provided, the garage would be similar in nature to the proposed dwelling frontage and one-story addition. The roofline of the garage would be less than 10.5 feet, and the proposed addition roofline would be 29 feet in height. Trees and shrubs would be removed as needed for construction and grading.

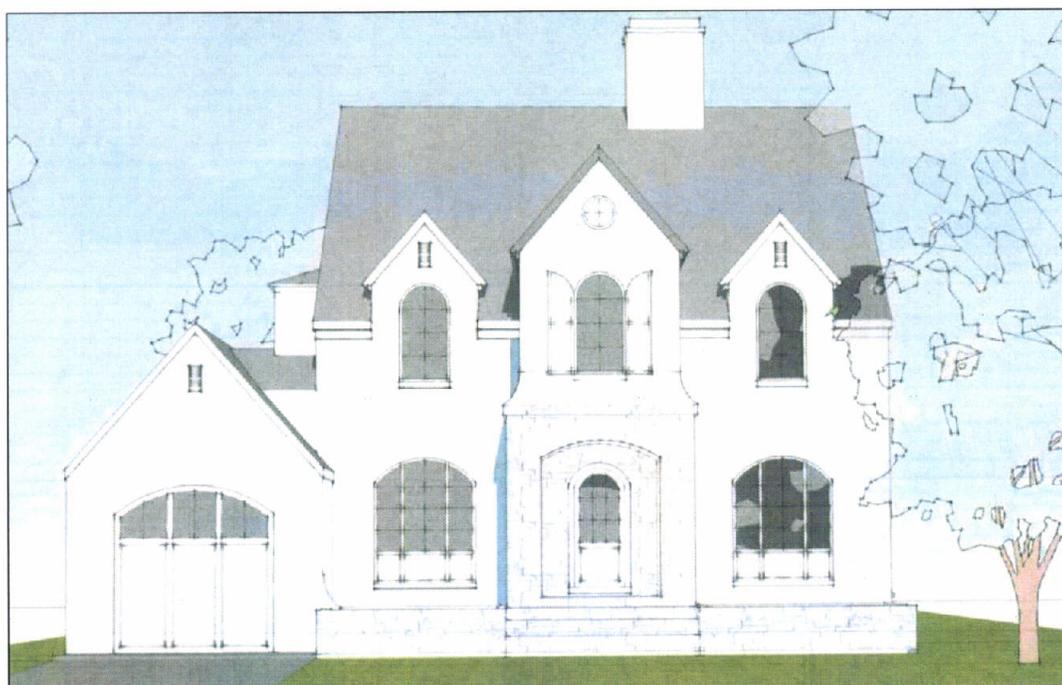


Figure 2. Proposed Elevation

ANALYSIS

Comprehensive Plan Provisions

Plan Area: II, McLean Planning District

Planning Sector: Kirby Community Planning Sector, M3

Plan Map: 2-3 dwelling units per acre

Zoning Ordinance Requirements

- Sect. 8-006 General Special Permit Standards
- Sect. 8-903 Group 9 Standards
- Sect. 8-914 Provisions for Approval of Reduction of the Minimum Yard Requirements Based on an Error in Building Location
- Sect. 8-922 Provisions for Reduction of Certain Yard Requirements

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

The following table provides an overview of the standards reviewed in Sect. 8-922 for the 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. <i>The proposed square footage of the garage and second story addition results in a GFA of 2,718 square feet, or 147.4% of the existing structure. As this is below 150%, this application meets the standard.</i>	X	

<p>5. The GFA of an accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use, and intent.</p> <p><i>There is no accessory structure proposed, so this standard is not applicable to this application.</i></p>	<p>N/A</p>	
<p>6. It is in character with the existing on-site development in terms of the location, height, bulk, and scale.</p> <p><i>As shown in the architectural renderings, the proposed garage addition is similar in size, nature, and scale. Staff believes the addition is in conformance with this standard.</i></p>	<p>X</p>	
<p>7. It is harmonious to the surrounding off-site uses and structures in terms of location, height, bulk, and scale.</p> <p><i>In regards to surrounding dwellings, this proposal is consistent if not smaller in nature to many surrounding homes. It continues to be in harmony with its surroundings and is generally consistent with other homes throughout the neighborhood.</i></p>	<p>X</p>	
<p>8. It shall not adversely impact the use and or enjoyment of adjacent properties.</p> <p><i>As the garage proposal remains six feet away from the property and is well below the maximum building height, staff believes that this addition would not adversely impact the use and/or enjoyment of any adjacent properties.</i></p>	<p>X</p>	
<p>9. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot.</p> <p><i>Considering the constrained nature of the lot, staff believes that this addition is modest in size and conforms to this standard.</i></p>	<p>X</p>	
<p>10. The BZA may impose conditions as it deems necessary to satisfy these criteria.</p>	<p>Attached</p>	
<p>11. It will meet all submission requirements.</p>	<p>X</p>	
<p>12. Architectural depictions of the proposed structure(s) as viewed from all lot lines and street lines.</p>	<p>X</p>	

CONCLUSION

Staff believes that the request for a special of a special permit to allow a reduction in certain yard requirements to permit an addition 6.0 ft. from a side lot line, and to permit an accessory storage structure 6.0 ft. from a side lot line and 16.5 ft. from a rear lot line in accordance with the provisions of Sect. 8-922 of the Zoning Ordinance 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-DR-185 for the addition and the new location of the shed 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.

If it is the intention of the Board of Zoning Appeals to approve the request for a special permit for error in building location to allow the patio to remain, staff recommends that such approval be made subject to the development conditions contained in Appendix 1.

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

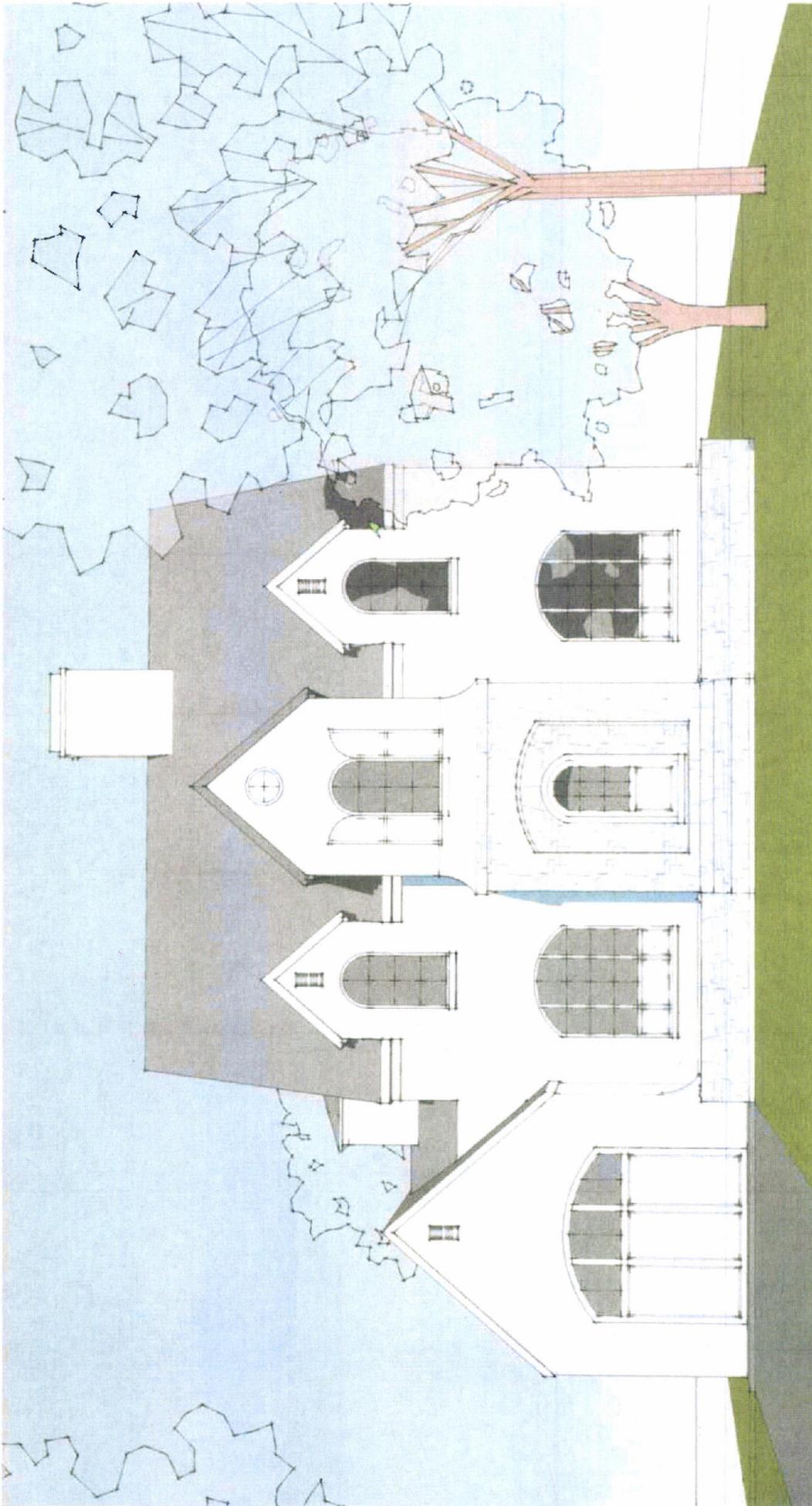
PROPOSED DEVELOPMENT CONDITIONS**SP 2014-DR-185****November 12, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-DR-185 located at Tax Map 30-4 ((9)) 25A to permit reduction of certain yard requirements pursuant to Section 8-922 and to permit a patio to remain pursuant to Section 8-914 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 garage addition (494 square feet), the shed, and the patio, as shown on the plat prepared titled "Special Permit Plat, Lot 25A, Section 1, Chesterfield," prepared by Patrick A. Eckert, Land Surveyor, dated September 13, 2012 and revised through July 11, 2014, as submitted with this application and is not transferable to other land.
3. 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.



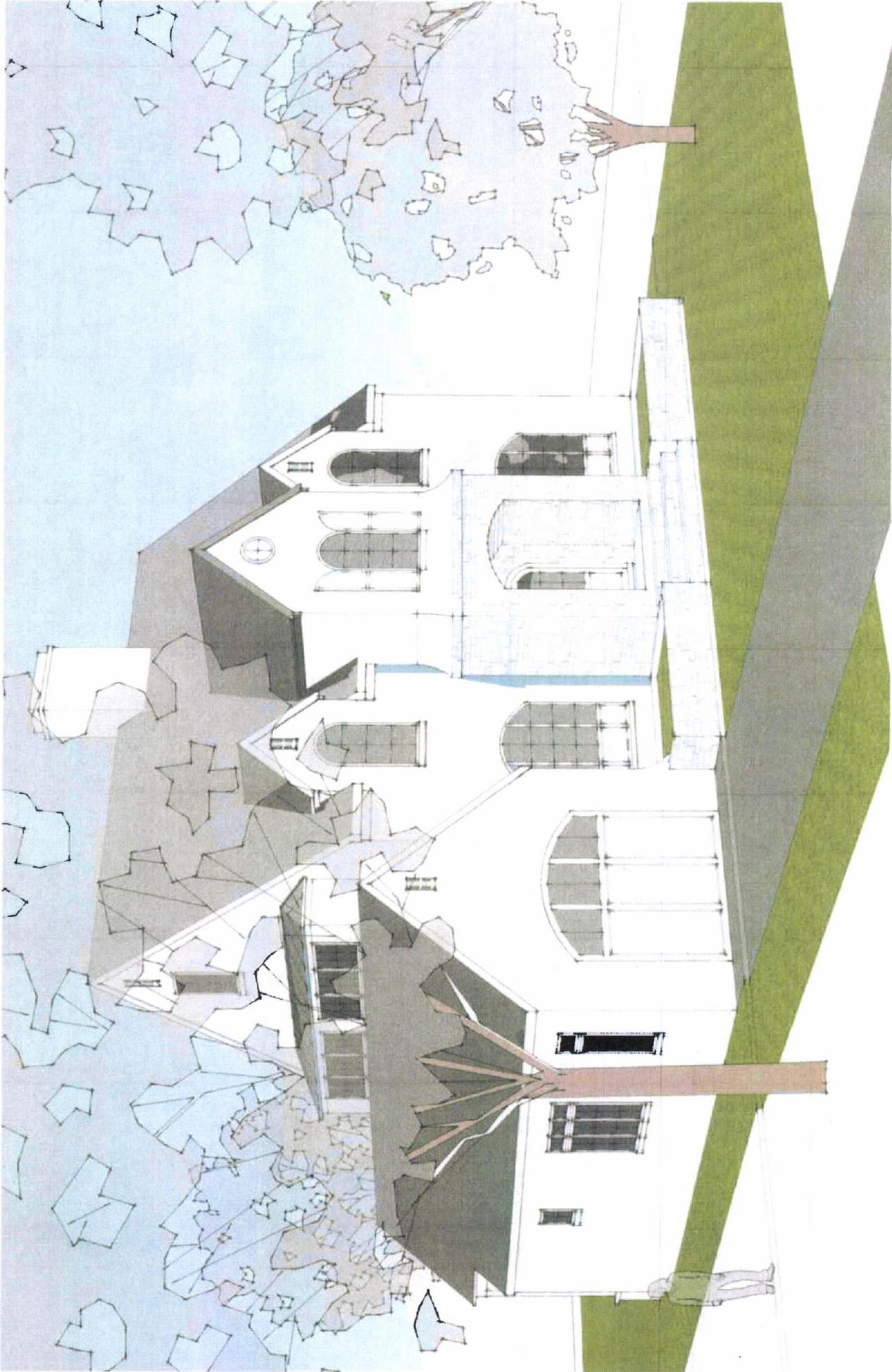
TEDROW RESIDENCE
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SP 2014-0011

HAINS ARCHITECTS, INC
MAY 6, 2014



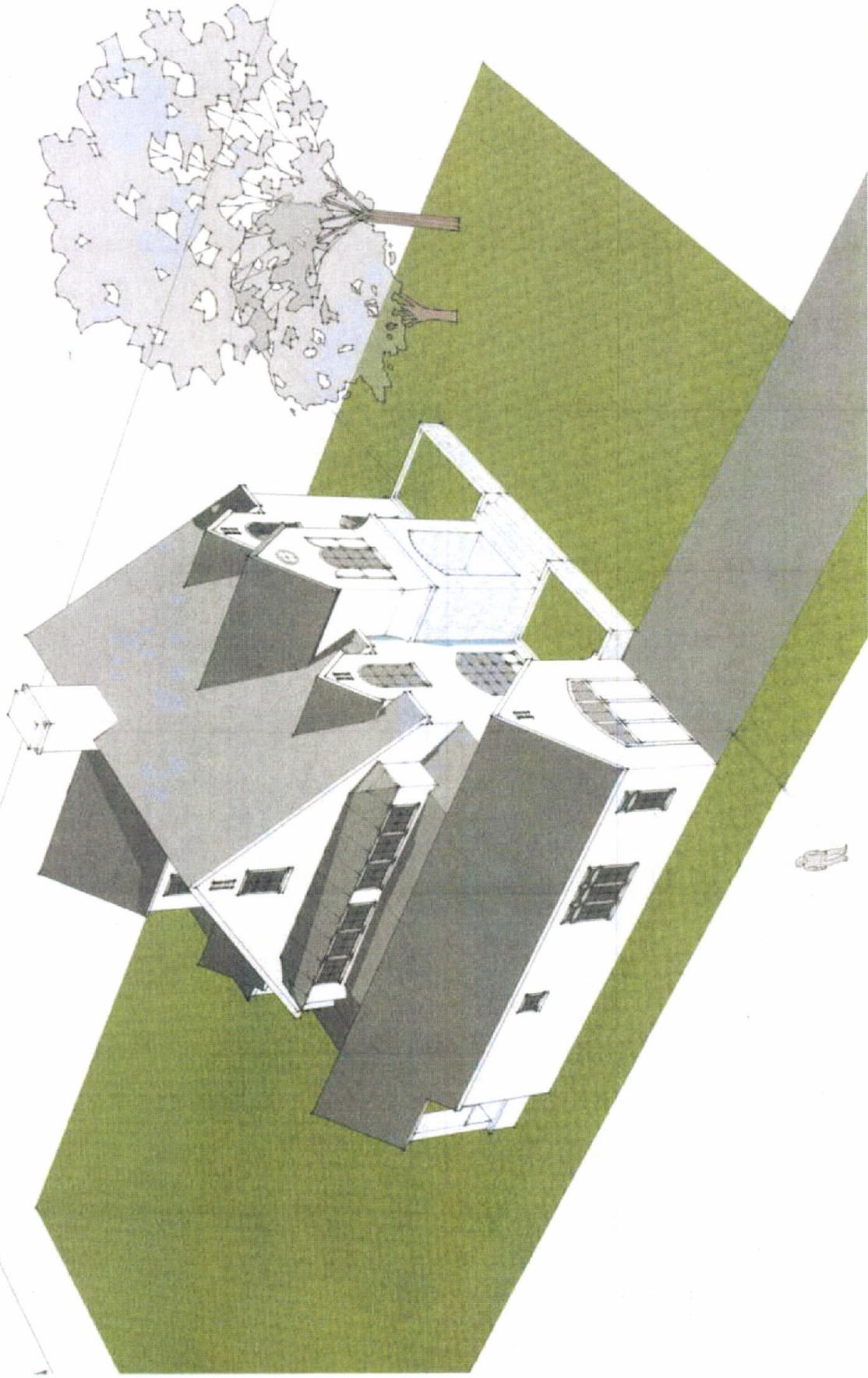
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MAY 6, 2014

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SP 2014 - 0011



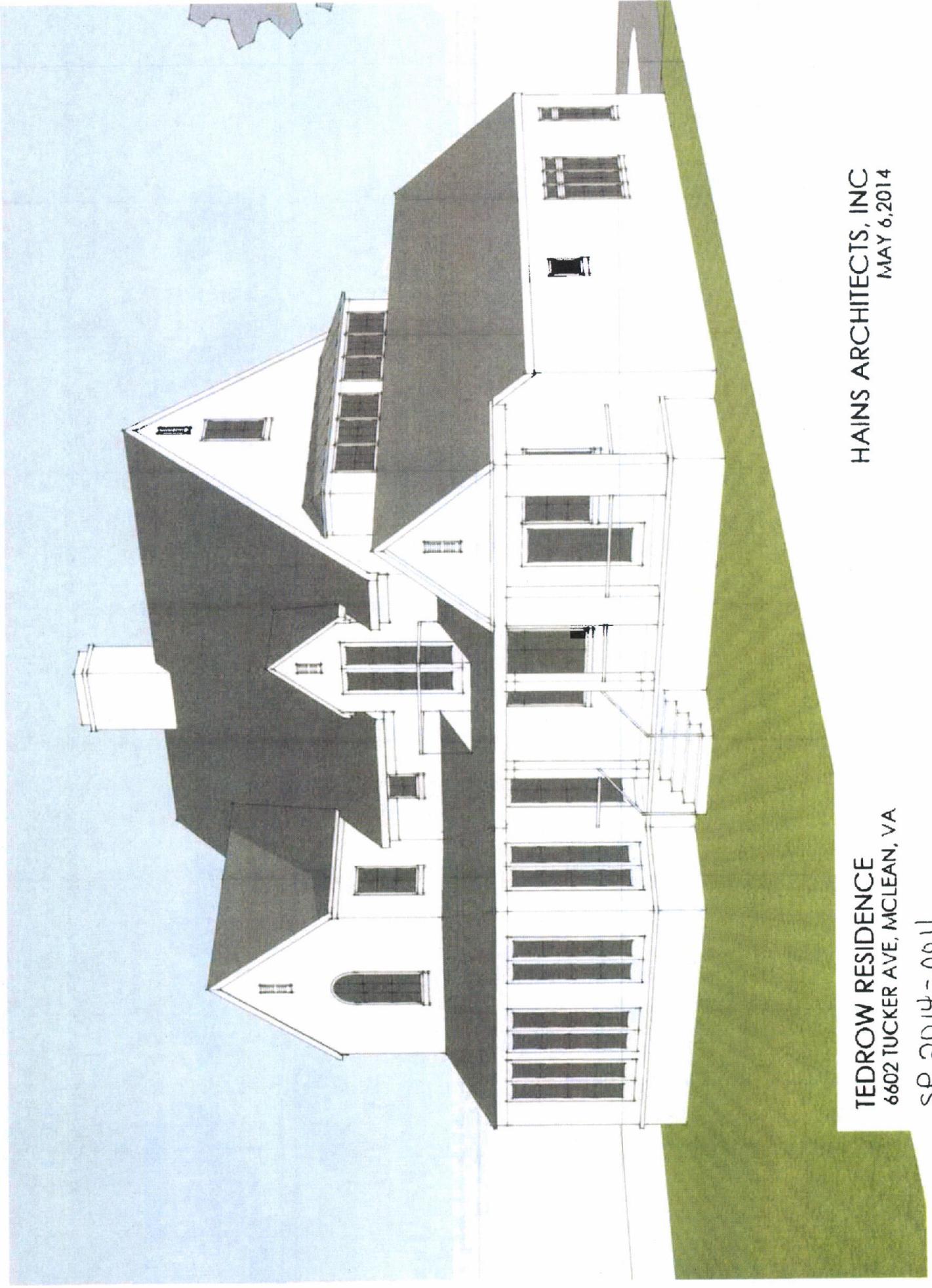
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6602 TUCKER AVE, MCLEAN, VA
SP 2014-0011

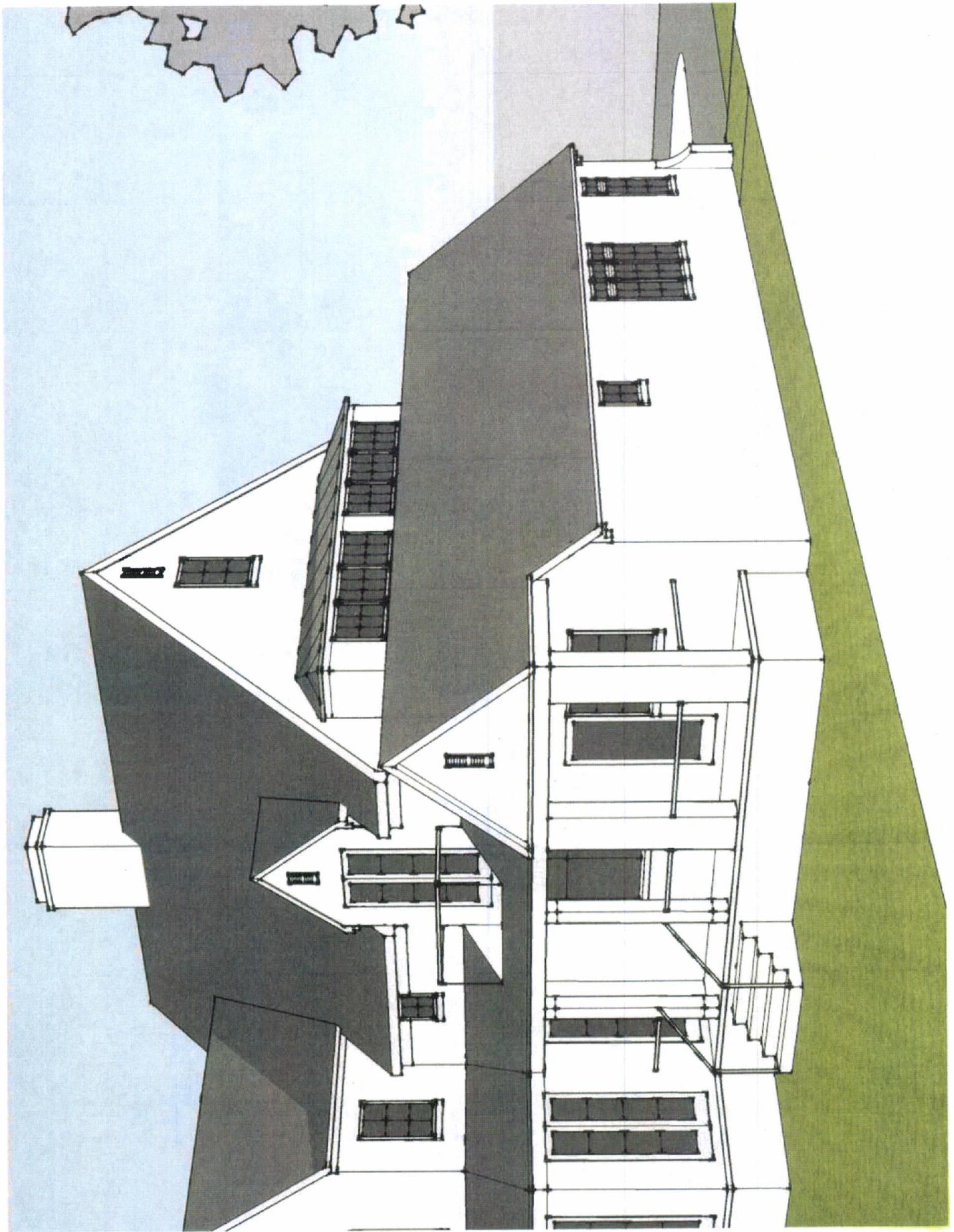
HAINS ARCHITECTS, INC
MAY 6, 2014

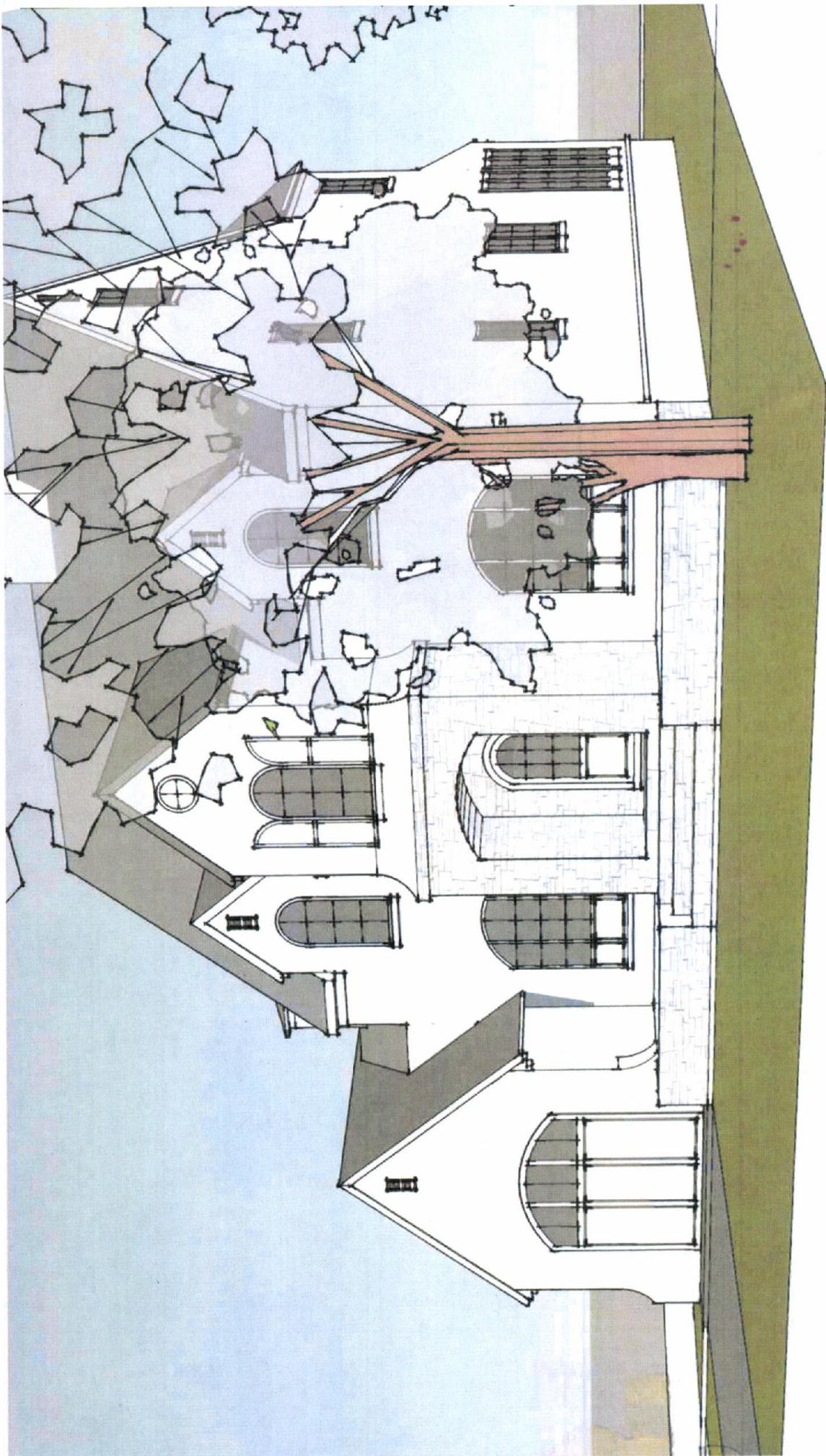


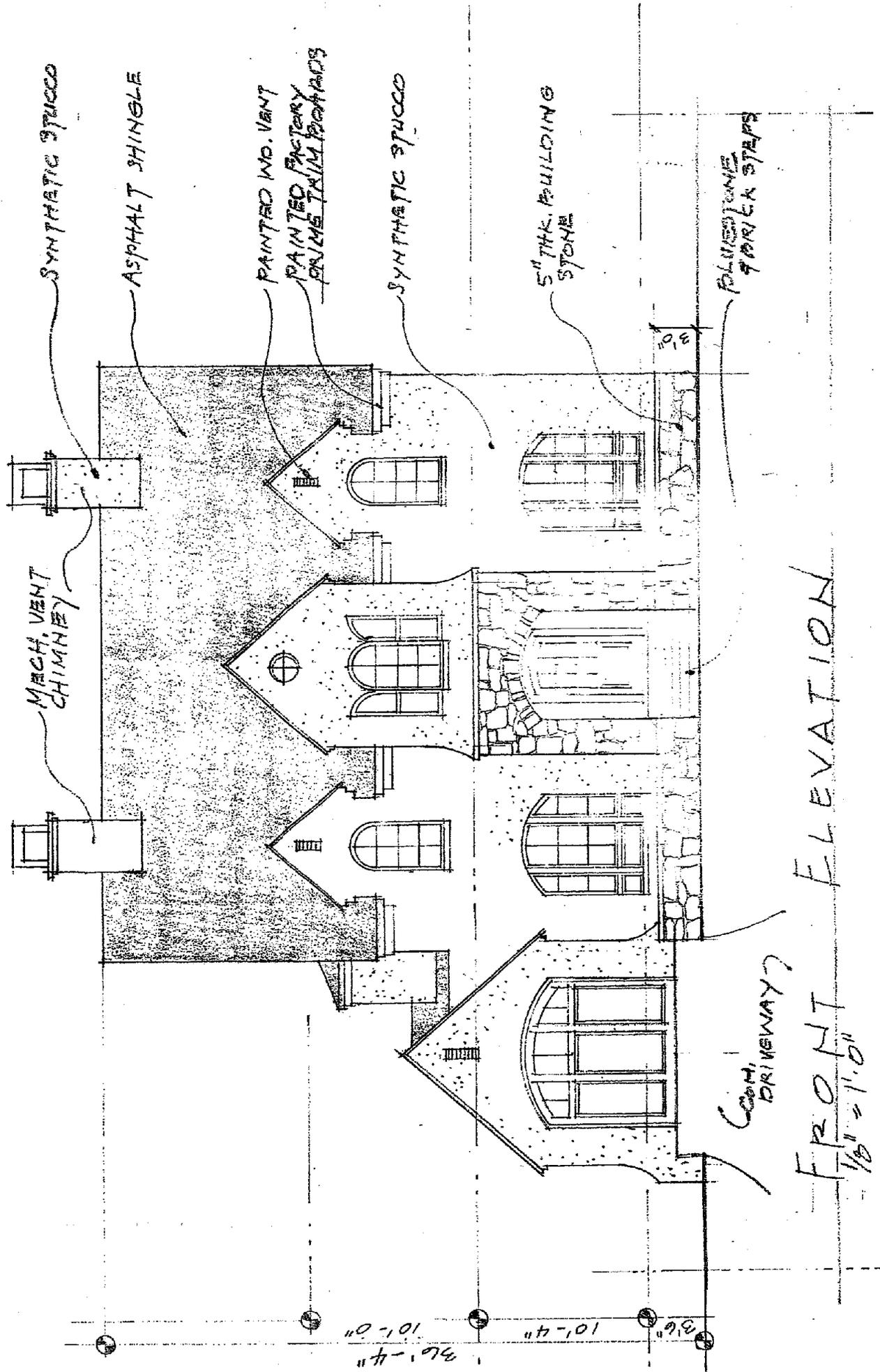
TEDROW RESIDENCE
6602 TUCKER AVE, MCLEAN, VA

SP 2014-0011

HAINS ARCHITECTS, INC
MAY 6, 2014







SYNTHETIC STUCCO

ASPHALT SHINGLE

PAINTED WD. VENT
PAINTED FACTORY
PRIME TRIM BOARDS

SYNTHETIC STUCCO

5" THK. BUILDING
STONE

POLYESTER
FIBER STEPS

MACH. VENT
CHIMNEY

COM.
DRIVEWAY

ELEVATION

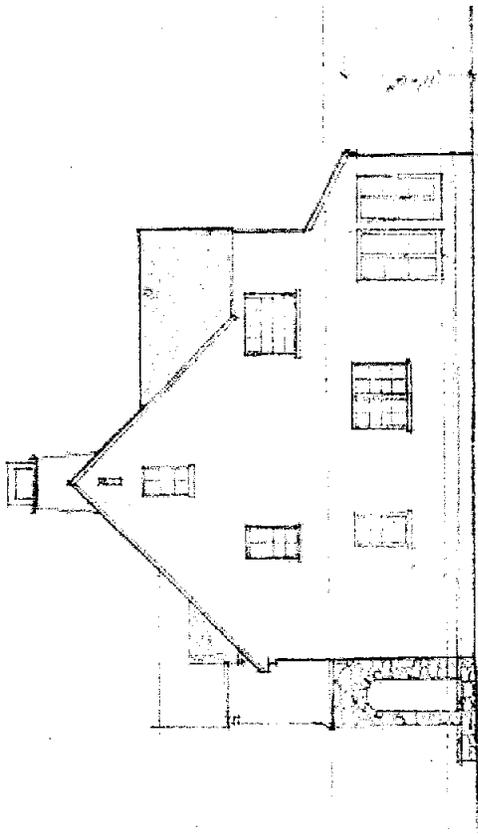
FRONT
1/8" = 1'-0"

36'-4"

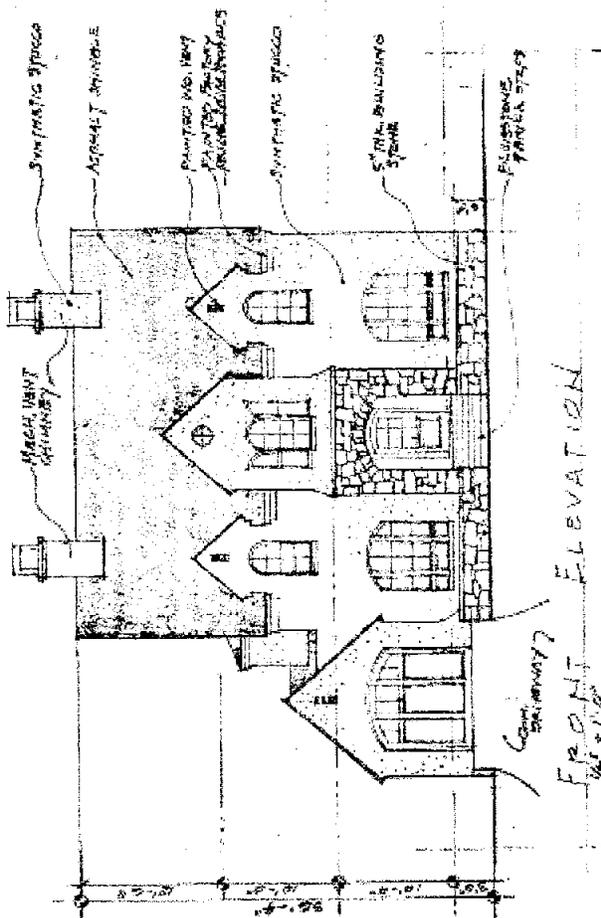
10'-4"

3'-6"

3'-0"



RIGHT SIDE ELEVATION
1/10/10

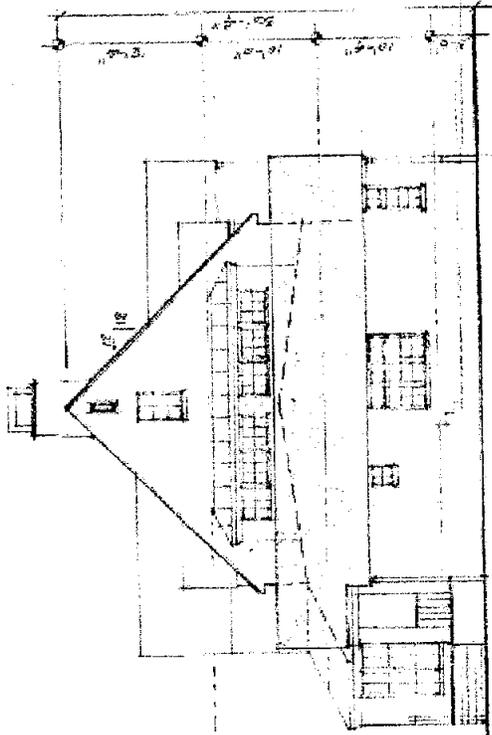


FRONT ELEVATION
1/10/10

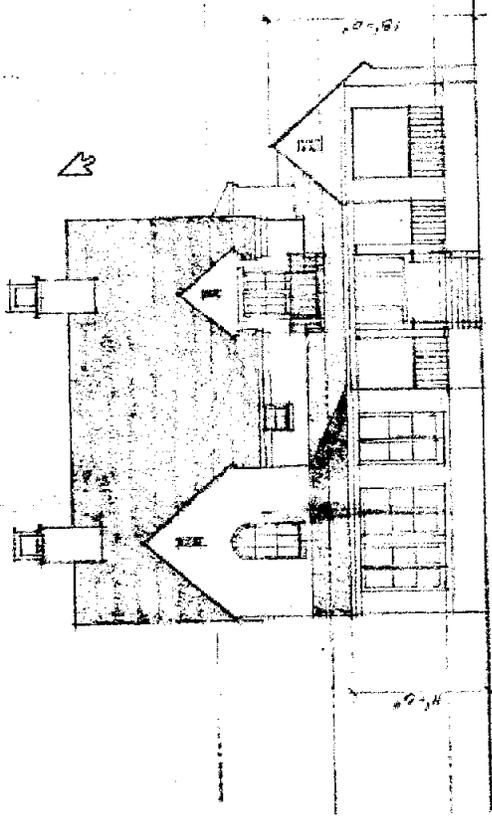
SP 2014-0011

Tedrow

4602 Tucker Ave



LEFT SIDE ELEVATION



REAR ELEVATION

SP 2014-0011
 Tedrow
 6602 Tucker Ave

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 10 JAN 2014
 (enter date affidavit is notarized)

I, Christine A. Tedrow, do hereby state that I am an
 (enter name of applicant or authorized agent)

123954

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

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

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Christine A. Tedrow	4602 Tucker Ave	Applicants/ Owners
Mark A. Tedrow	McLean, VA 22101	

(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): _____
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DATE: 10 JAN 2014
(enter date affidavit is notarized)

123954

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

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

CORPORATION INFORMATION

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

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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): _____
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DATE: 10 JAN 2014
(enter date affidavit is notarized)

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

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

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

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

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

None

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

123954

DATE: 10 JAN 2014
(enter date affidavit is notarized)

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

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

None

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

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

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

WITNESS the following signature:

(check one)

[Signature]
 Applicant

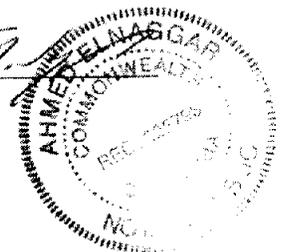
Applicant's Authorized Agent

Christine A. Tedrow
(type or print first name, middle initial, last name, and title of signer)

Subscribed and sworn to before me this 10th day of January 2014, in the State/Comm. of Virginia, County/City of Fairfax.

[Signature]
Notary Public

My commission expires: 1/31/2014



Fairfax County Government
Department of Planning and Zoning
Zoning Evaluation Division
Special Permit and Variance Division
8th Floor, Suite 801 Herrity Building
Fairfax County
Fairfax, Virginia

7 January, 2014

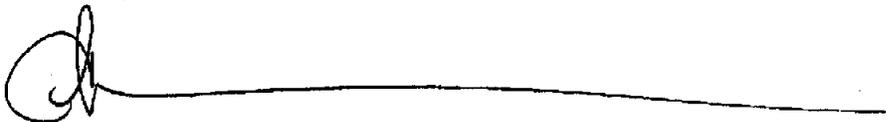
Plans for a remodel of and addition to the existing structure on our property at 6602 Tucker Ave include the addition of an attached single-car garage with a mudroom and bath (heretofore referred to as the "garage"). We are seeking to reduce the side yard requirement to six feet on one side of the existing structure to incorporate the proposed garage. We are also seeking to reduce the rear yard requirement to 16.5 feet to allow for the existing shed to be moved to the rear left corner of the property (in line with proposed garage) and provide more open yard. During the proposed construction, a 5 foot retaining wall will be built 13.5 feet from the rear property line.

The resulting gross floor of the proposed remodel/addition will not exceed the 150% of the existing principle structure. The current dwelling is 1844 sq ft, and the entire proposed addition will be 2718 sq ft (147.4% of the existing structure). The garage portion of the addition will be approximately 494 sq ft.

The intended use of the entire proposed addition is for more living space and to create more area for family gatherings. The proposed garage is clearly subordinate in purpose, scale, use and intent to the principal existing structure on the site and proposed remodeled structure. The proposed garage will be in character and harmonious with surrounding structures including location, height, bulk and scale. The exterior of the garage will matching the proposed/planned remodeled existing structure in stucco and stone. No trees or other vegetation will be removed to incorporate the single-car garage to the remodeled structure. The entire proposed addition including the garage will not adversely impact the adjacent properties with regard to noise, light, air, safety, erosion, or storm water runoff. Reductions to yard requirements will not result in the placement of an accessory structure in the front yard.

Thank you for considering our request for reduction in yard requirements.

Sincerely,



Christy Tedrow
Home Owner
Christy.tedrow@gmail.com
703-356-7223 home
703-673-8988 mobile

RECEIVED
Department of Planning & Zoning

JAN 13 2014

Zoning Evaluation Division

Similar Case History

ZAPS - VC - VC 97-D -059

Application Desc ...: PERMIT CONSTRUCTION OF ADDITION 8.0 FT. FROM SIDE LOT LINE

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.

8-914

8-914 Provisions for Approval of Reduction to the Minimum Yard Requirements Based on Error in Building Location

The BZA may approve a special permit to allow a reduction to the minimum yard requirements for any building existing or partially constructed which does not comply with such requirements applicable at the time such building was erected, but only in accordance with the following provisions:

1. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) 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 and 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. Location of all existing structures, with dimensions, including height of any structure and penthouse, and if known, the construction date(s) of all existing structures.
 - E. All required minimum yards to include front, side and rear, and a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing 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 well and/or septic field.
 - I. For nonresidential uses, a statement setting forth the maximum gross floor area and FAR for all uses.
 - 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. Seal and signature of professional person certifying the plat.

In addition, the application shall contain a statement of justification explaining how the error in building location occurred and any supportive material such as aerial photographs, Building Permit applications, County assessments records, a copy of the contract to build the structure which is in error, or a statement from a previous owner indicating how the error in building location occurred.

2. The BZA determines that:
 - A. The error exceeds ten (10) percent of the measurement involved, or
 - B. The error is up to ten (10) percent of the measurement involved and such reduction or modification is requested in conjunction with the approval of a special permit for another use or application for a variance on the property, or is in conjunction with another special permit for an error in building location on the property that exceeds ten (10) percent of the measurement involved, and
 - C. The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the relocation of the building subsequent to the issuance of a Building Permit, if such was required, and
 - D. Such reduction or modification will not impair the purpose and intent of this Ordinance, and
 - E. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and
 - F. It will not create an unsafe condition with respect to both other property and public streets, and
 - G. To force compliance with the minimum yard requirements or location regulations would cause unreasonable hardship upon the owner.
 - H. The reduction or modification will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.
3. In granting such a reduction under the provisions of this Section, the BZA shall allow only a reduction necessary to provide reasonable relief and may, as deemed advisable, prescribe such conditions, to include landscaping and screening measures, to assure compliance with the intent of this Ordinance.

4. Upon the granting of a reduction for a particular building in accordance with the provisions of this Section, the same shall be deemed to be a lawful building.
5. The BZA shall have no power to waive or modify the standards necessary for approval as specified in this Section.

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.