



County of Fairfax, Virginia

February 4, 2015

STAFF REPORT

SPECIAL PERMIT SP 2014-SP-251

SPRINGFIELD DISTRICT

APPLICANTS: Bruce & Maria Martique Vargo

OWNERS: Bruce & Maria Martique Vargo

STREET ADDRESS: 6717 Reynard Drive, Springfield, 22152

SUBDIVISION: Orange Hunt Estates

TAX MAP REFERENCE: 89-1 ((5)) 227

LOT SIZE: 12,366 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 a carport 21.4 feet from front lot line and 6.9 feet from side lot line, such that side yards total 16.1 feet.

STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-SP-251 for the carport with adoption of the proposed development conditions contained in Appendix 1.

Kelly M. Atkinson, AICP

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

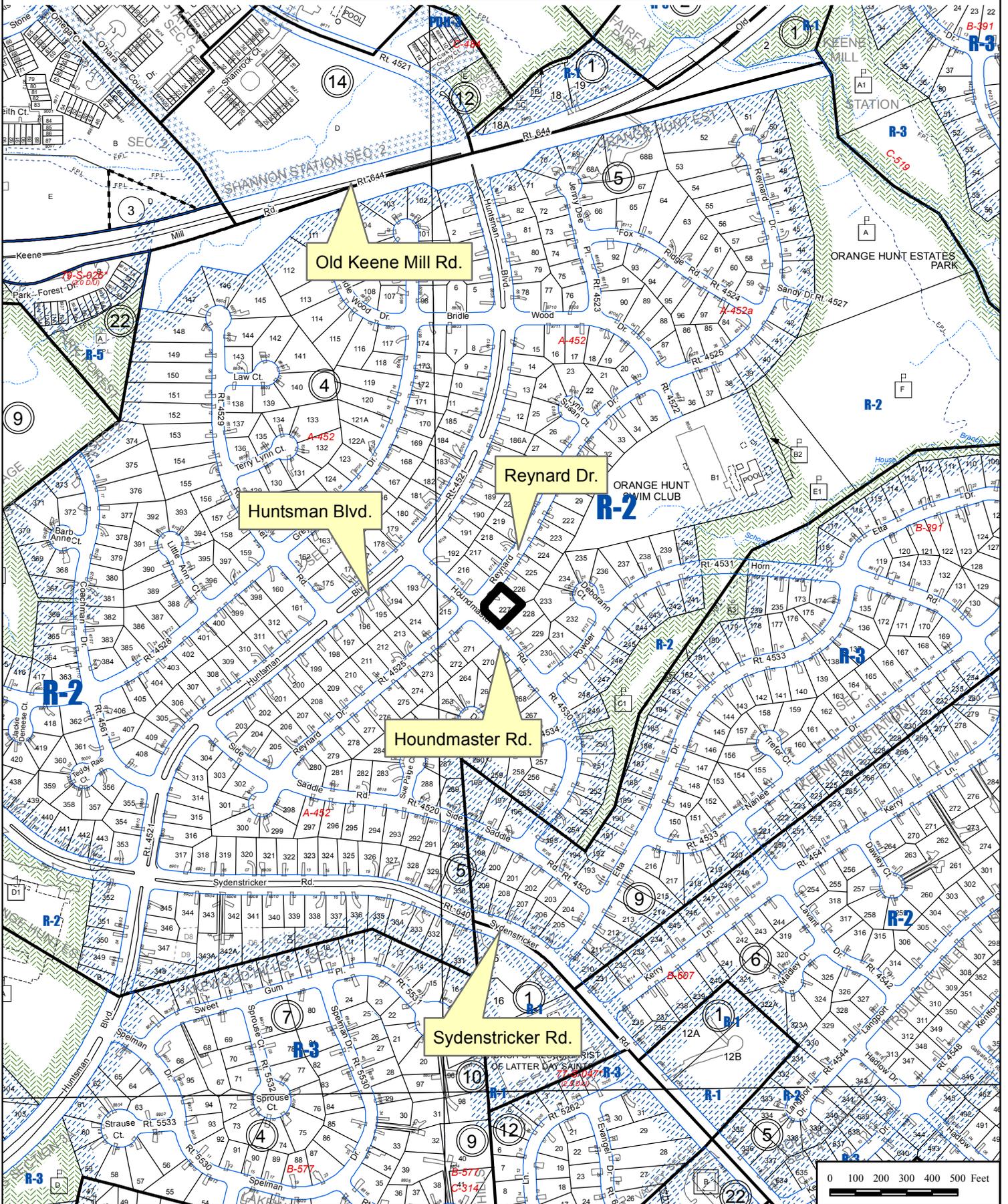
It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

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

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



Special Permit
SP 2014-SP-251
BRUCE & MARIA MARTIQUE VARGO



NOTES:

1. THE PROPERTY SHOWN HEREON IS LOCATED ON FAIRFAX COUNTY TAX MAP # 0891-05-0227, AND IS CURRENTLY ZONED R-2C (R-2 WITH CLUSTER DEVELOPMENT) MINIMUM YARDS: FRONT YARD - 25' SIDE YARD - 8', BUT A TOTAL MINIMUM OF 24' REAR YARD - 25'
2. THIS SURVEY WAS PREPARED WITHOUT A TITLE REPORT AND MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RESTRICTIONS AND ENCUMBRANCES OF RECORD.
3. THE POSITION OF THE EXISTING IMPROVEMENTS ON THIS SURVEY HAS BEEN CAREFULLY ESTABLISHED BY A FIELD SURVEY AND UNLESS NOTED OR OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.
4. THERE ARE NO FENCES ALONG THE PROPERTY LINE WHEN THE FIELD RUN SURVEY WAS PERFORMED.
5. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION OF FENCES OR ANY OTHER IMPROVEMENTS.
6. THIS PROPERTY IS SERVED WITH PUBLIC WATER AND SANITARY SEWER. THERE IS NO WELL OR DRAINFIELD.
7. OWNER: BRUCE E. VARGO & MARIA MARTIQUE VARGO
6717 REYNARD DRIVE
SPRINGFIELD, VIRGINIA 22152
DEED BOOK 21644 PAGE 627
8. ACCORDING TO FLOOD INSURANCE RATE MAP FOR FAIRFAX COUNTY, VIRGINIA, MAP NUMBER 51059C0290E, DATED SEPTEMBER 17, 2010, THIS PROPERTY LIES IN ZONE "X", *AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN*
9. ACCORDING TO FAIRFAX COUNTY CHESAPEAKE BAY PRESERVATION AREAS MAP 89-1, THE PROPERTY SHOWN HEREON IS APPROXIMATELY 820' FROM THE REAR CORNER TO THE RPA (RESOURCE PROTECTION AREA) LIMITS.
10. ALL VISIBLE UTILITIES ABOVE GROUND HAVE BEEN FIELD LOCATED ON THIS PLAT AND ARE SHOWN HEREON. EASEMENTS RECORDED IN DEED BOOK 2892 PAGE 516 ON THE SUBDIVISION PLAT DO NOT AFFECT THIS PLAT.
11. THE EXISTING LANDSCAPE HEDGE SCREENING (7 PLANTS AT ± 45') IS TO BE REMOVED DUE TO CONSTRUCTION OF THE PROPOSED CARPORT AND IS NOT BEING REPLANTED NOR REPLACED.

SPECIAL PERMIT PLAT
ON THE
PROPOSED CARPORT ADDITION

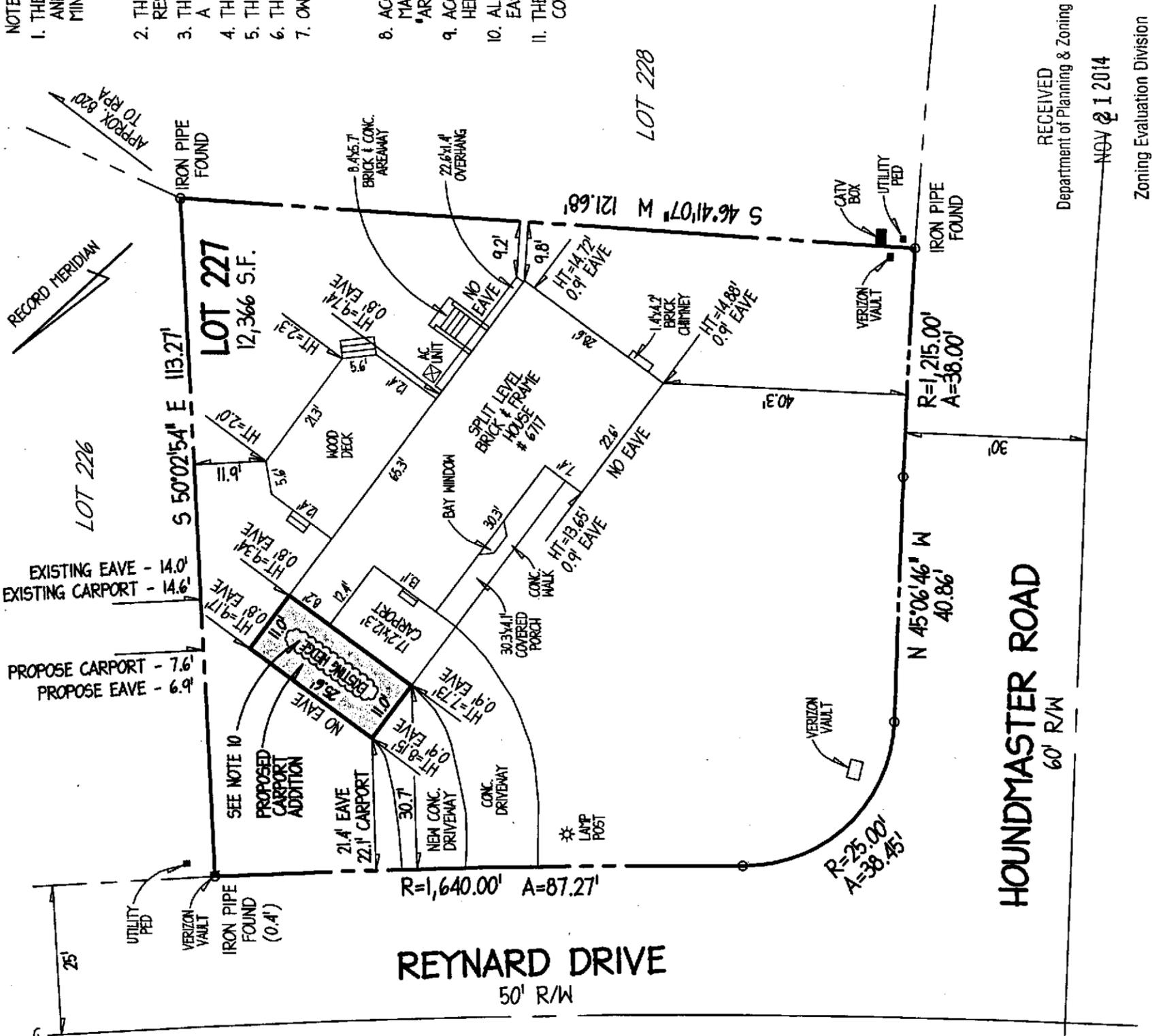
LOT 227
SECTION 3
ORANGE HUNT ESTATES

DEED BOOK 2892 PAGE 516
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA
DATE: OCTOBER 08, 2014 SCALE: 1"=20'
REV. DATE: NOVEMBER 18, 2014
REV. DATE: NOVEMBER 20, 2014

Remy G. DuCote
LAND SURVEYOR
5503 RAINWOOD DRIVE
FREDERICKSBURG, VIRGINIA 22407
(540) 841-4900

FLOOR AREA RATIO

EXISTING HOUSE =	1,893 S.F.
EXISTING CARPORT =	212 S.F.
PROPOSED CARPORT =	282 S.F.
TOTAL =	2,387 S.F.
2,387 S.F. / 12,366 S.F. =	0.193%



RECEIVED
Department of Planning & Zoning
NOV 21 2014
Zoning Evaluation Division

SPECIAL PERMIT REQUEST

The applicants are seeking approval of a special permit to allow a reduction of certain yard requirements to permit construction of a carport 21.4 feet from the front lot line and 6.9 feet from the side lot line, such that the side yards total 16.1 feet. This 282 square foot carport would be a maximum of 13.4 feet in height to the peak, as noted on the architectural renderings, with a gable, shingle roof and vinyl siding. A more detailed description of the proposal is provided on pages two and three.

A copy of the special permit plat titled "Special Permit Plat on the Proposed Carport Addition, Lot 227, Section 3, Orange Hunt Estates," prepared by Remy G. DuCote, Land Surveyor, dated October 8, 2014, as revised through November 20, 2014, is included in the front of the staff report.

A copy of the proposed development conditions, statement of justification with select file photographs, and affidavit are contained in Appendices 1-3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA



The 12,366 square foot corner lot contains a split-level brick and vinyl dwelling, which is accessed by an asphalt driveway on Reynard Drive. A one-car carport is attached to the northern elevation. The dwelling is accessed through a front stoop entrance via a walkway. A wood deck exists in the eastern rear yard.

Figure 1: Subject Property, Source: Fairfax County Pictometry 2013

An existing hedgerow provides screening along the northern property line. A number of mature trees are located around the periphery of the property. The property has an elevation of approximately 314 feet on the eastern corner of the property and slopes down to an elevation of 303 feet on the western corner of the property.

The subject property and surrounding properties are zoned R-2 and developed under the provisions of a cluster subdivision with single family detached dwellings.

BACKGROUND AND HISTORY

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1967 and purchased by the applicants in April 2011. A building permit for the rear deck was issued by Fairfax County in 2001 (Appendix 4).

There are no complaints related to the property in Fairfax County files.

County databases indicate that a number of special permit or variance requests related to a reduction in minimum required yards for the construction of an addition are located on nearby properties. Please see Appendix 5 for a list of related nearby cases.

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 carport 21.4 feet from the front lot line and 6.9 feet from the side lot line, such that the side yards total 16.1 feet. The carport will be used to accommodate an additional vehicle under a covered and flat surface. In an area zoned R-2C, the required front yard is 25 feet and the required side yard is 8 feet minimum, with a total of 24 feet required. The applicant is requesting a reduction of 3.6 feet, or 14% for the front yard and 1.1 feet for a total of 7.9 feet, or 14% and 33% for the total side yard. The special permit requests are summarized in the table below.

	Structure	Yard	Minimum Yard Required	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit (50%)	Carport	Front	25.0 feet	21.4 feet	3.6 feet	14%
Special Permit (50%)	Carport	Side	8.0 feet, but total of 24.0 feet	6.9 feet, total 16.1 feet	1.1 feet, 7.9 feet	14%, total 33%

The applicants propose to construct an additional carport, which will be attached to the existing carport. The proposed carport will contain 282 square feet and is 11.0 feet wide by 25.6 feet deep and located partially within the front and side yard of the site. As shown in the proposed elevations, the roofline of the proposed carport will be consistent with the roofline of the existing carport and is well within the maximum height requirements. The maximum height of the proposed carport is 13.4 feet to the peak. The proposed materials would include matching shingles and siding consistent with the materials of the existing carport and dwelling. While an existing hedgerow will be removed to construct this carport, the applicants have agreed to a development condition requiring screening for the proposed carport.

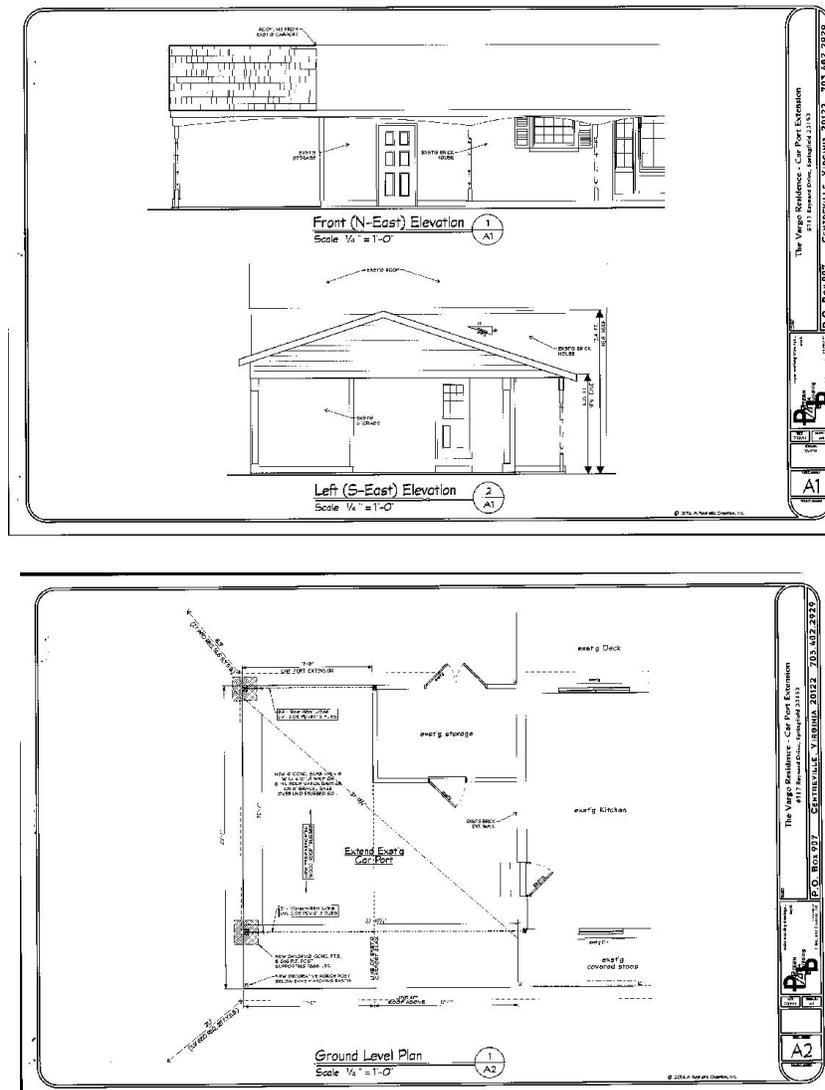


Figure 2: Proposed Elevations, Source: Applicants

ANALYSIS

Comprehensive Plan Provisions

Plan Area: III
Planning District: Pohick
Planning Sector: Main Branch Community Planning Sector (P2)
Plan Map: Residential 1-2 du/acre

Zoning Ordinance Requirements

- Sect. 8-006 General Special Permit Standards
- Sect. 8-903 Group 9 Standards
- Sect. 8-922 Provisions for Reduction of Certain Yard Requirements

This special permit is subject to sections of the Zoning Ordinance as referenced above, a copy of which are included in Appendix 7. Subject to development conditions, the special permit must meet these standards.

The following tables provide an overview of the standards reviewed in Section 8-006, Section 8-903, and Section 8-922 for the Reduction of Certain Yard requirements.

General Standards for Special Permit Uses (Sect. 8-006)

<p>Standards 1 and 2 Comprehensive Plan/ Zoning District</p>	<p>The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-2 Cluster District allows a reduction in minimum required yards with a special permit approval. The proposed use is in harmony with the Comprehensive Plan and the general purpose and intent of the R-2 Cluster District.</p>
<p>Standard 3 Adjacent Development</p>	<p>In staff's opinion, the proposed use will not hinder or discourage use or development of neighboring properties or value. Staff believes by observation of the neighborhood and through submitted photographs and aerial photography that the construction of the carport would not adversely affect the use or development of neighboring properties. The location of the carport would not substantially affect the existing onsite or offsite residential characteristics and would be similar to carports and additions on neighboring properties. Further, the carport will match the existing dwelling and carport in terms of building materials and height.</p>
<p>Standard 4 Pedestrian/Vehicular Traffic</p>	<p>No increase vehicular or pedestrian traffic is expected with this application. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood. FCDOT and VDOT have no comments on this application.</p>
<p>Standard 5 Landscaping/Screening</p>	<p>An existing hedgerow is proposed for removal in conjunction with this construction. Staff from Urban Forestry Management Division has recommended tree plantings to help screen the proposed carport (please see the Urban Forestry section of this report). A development condition has been included in Appendix 1 to address this concern.</p>
<p>Standard 6 Open Space</p>	<p>The proposed application does not impact the open space for this development.</p>
<p>Standard 7 Utilities, Drainage, Parking, and Loading</p>	<p>There are no changes to the utilities or drainage of the site. DPWES notes there are no previous past flooding complaints on or directly near the property. In regards to the increased driveway width, FCDOT and VDOT do not have any comments or concerns on this driveway.</p>
<p>Standard 8 Signs</p>	<p>No signage is proposed.</p>

Standards for all Group 3 Uses (Sect. 8-903)

<p>Standard 1 Lot Size and Bulk Regulations</p>	<p>The lot size for the subject property is satisfied with the existing development of the property. The bulk regulations for minimum required yards are requested to be modified with the special permit application.</p>
<p>Standard 2 Performance Standards</p>	<p>The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.</p>
<p>Standard 3 Site Plan</p>	<p>If the construction disturbs more than 2,500 square feet, the application is subject to the submission of a conservation plan or grading plan.</p>

Standards for Reduction of Certain Yard Requirements (8-922)

<p>Standard 1 Yard Requirements Subject to Special Permit</p>	<p>A. Minimum Required Yards - <i>Yard not less than 50% of the requirement and not less than 5 feet:</i> The proposed carport will be located 21.4 feet from the front lot line. The required front yard in the R-2C District is 25 feet, resulting in a reduction of 14%. The proposed carport will be located 6.9 feet from the northeastern side yard and a total of 16.1 feet from the total side yards. The required side yard in the R-2C District is 8 feet but total of 24 feet, resulting in a reduction of 14% and 33% total. B. Pipestem lots- N/A C. Accessory Structure locations – N/A D. Extensions into minimum required yards- N/A</p>
<p>Standard 2 Not A Detached Structure in a Front Yard</p>	<p>The applicants are proposing an attached carport.</p>
<p>Standard 3 Principal Structure that Complied with Yard Requirements When Established</p>	<p>The subject property contains a single family dwelling, which is an existing principal structure.</p>
<p>Standard 4 Addition No More than 150% of the Gross Floor Area (GFA) at the Time of First Expansion Request</p>	<p>As the proposed carport will not be enclosed, this standard does not apply.</p>
<p>Standard 5 Accessory Structure Subordinate in Purpose, Scale, Use and Intent</p>	<p>As the proposed carport is not an accessory structure, this standard does not apply.</p>

<p>Standard 6 Construction in Character with On-Site Development</p>	<p>The statement of justification, elevation drawings, and pictures submitted indicate that the materials, size and scale of the proposed carport will be compatible with the dwelling. The height of the existing and proposed carport is 13.4 feet to the peak. Staff believes that the application meets this provision.</p>
<p>Standard 7 Construction Harmonious with Off-Site Development</p>	<p>Through the statement of justification, aerial photography, photos and architectural elevations submitted by the applicants, staff has determined that the carport is similar in nature to surrounding carports and garages in the neighborhood in terms of height, scale, and architecture. Staff believes this carport will be harmonious with surrounding uses and meets this provision.</p>
<p>Standard 8 Construction Shall Not Adversely Impact Adjacent Properties</p>	<p>Staff believes that the application meets the erosion and stormwater runoff portion of the standards since DPWES has indicated that there are no previous past flooding complaints on or directly near the property. With the addition of vegetation screening the carport from adjacent property owners, staff believes that the proposed carport will not significantly impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety. In regards to stormwater, if the construction disturbs more than 2,500 square feet, the application is subject to the submission requirements for a conservation plan or grading plan, and any anticipated stormwater issues will be addressed at that time.</p>
<p>Standard 9 Represents the Minimum Amount of Reduction Necessary</p>	<p>The proposed carport will be located 21.4 feet from the front lot line, which is 14% of a reduction of the required front yard. The proposed carport will be located 6.9 feet from the side lot line, which is a 14% reduction of the required side yard. The total side yard will be reduced to 16.1 feet, which is a 33% reduction of the total required side yard. The corner lot status of the property and existing house location limits the alternative location for a carport on the property. Staff believes that this is a minor encroachment for a modest request and is the minimum amount of reduction necessary to accommodate the carport.</p> <p>In light of the location of the existing dwelling and driveway, the proposed location is the most practical and feasible location on the property for this carport.</p> <p>Other issues of lot shape, yard determination, environmental characteristics, wells, floodplains and/or Resource Protection Areas, and historic resources are not applicable to this site.</p>
<p>Standard 10 BZA May Impose Conditions</p>	<p>Proposed development conditions are included in Appendix 1.</p>
<p>Standard 11 Submission Requirements</p>	<p>The Applicants have met the submission requirements.</p>

Standard 12 Architectural Elevations	Proposed elevations are provided within this report and are also included as an attachment to the development conditions.
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Urban Forestry (Appendix 6)

On January 16, 2015, the Urban Forestry Management Division (UFMD) provided comments concerning tree plantings. Staff recommends evergreen and deciduous plantings to enhance screening between the proposed carport and the front and side yards. A development condition has been included in Appendix 1 to address this concern.

CONCLUSION/ RECOMMENDATION

Staff believes that the request for a special permit for reduction in certain yard requirements to permit a carport is in conformance with the applicable Zoning Ordinance provisions.

Staff recommends approval of SP 2014-SP-251 for the carport 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 Statement of Justification and Select File Photos
3. Applicant's Affidavit
4. Building Permit History
5. Similar Case History
6. Urban Forestry Memorandum dated January 16, 2015
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-SP-251****February 4, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-SP-251 located at Tax Map 89-1 ((5)) 227 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.

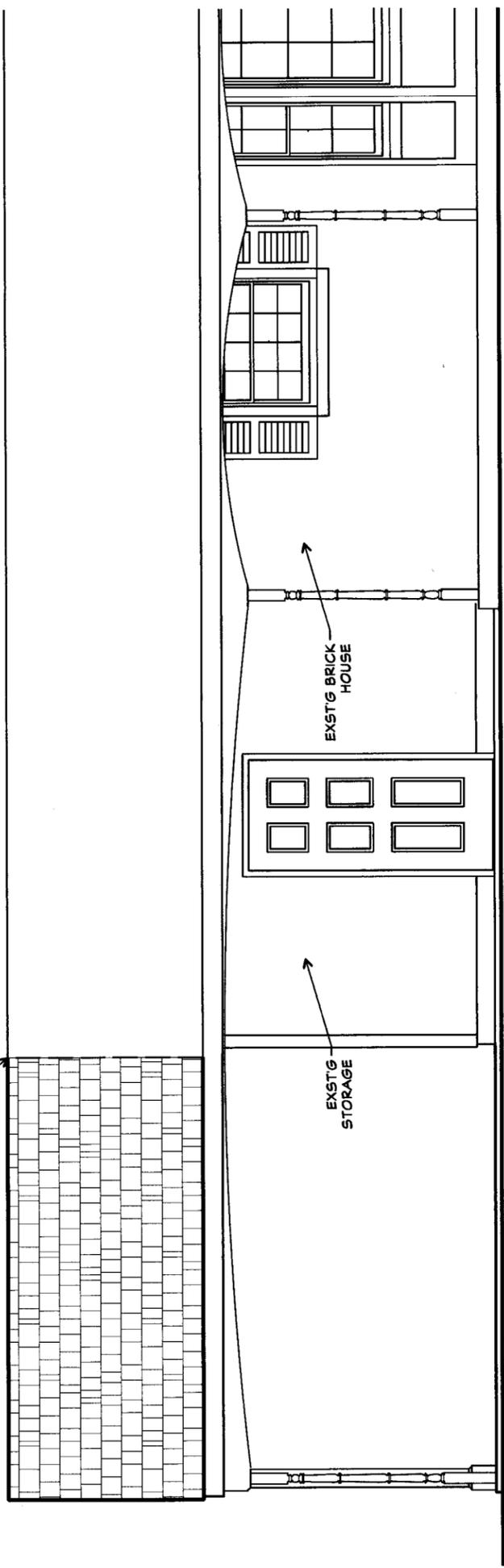
1. These conditions shall be recorded by the applicants among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of the carport (282 square feet, 13.4 feet in height), as shown on the plat titled "Special Permit Plat on the Proposed Carport Addition, Lot 227, Section 3, Orange Hunt Estates," prepared by Remy G. DuCote, Land Surveyor, dated October 8, 2014, as revised through November 20, 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.
4. To further screen the north side of the carport addition, the existing hedgerow shall be transplanted or replaced with a row of evergreen shrubs 24-30 inches in height at planting, with an ultimate height of three feet. Additionally, a small deciduous tree shall be planted between the carport addition and Reynard Drive. Compliance with this condition shall be demonstrated prior to issuance of the final permits.

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.

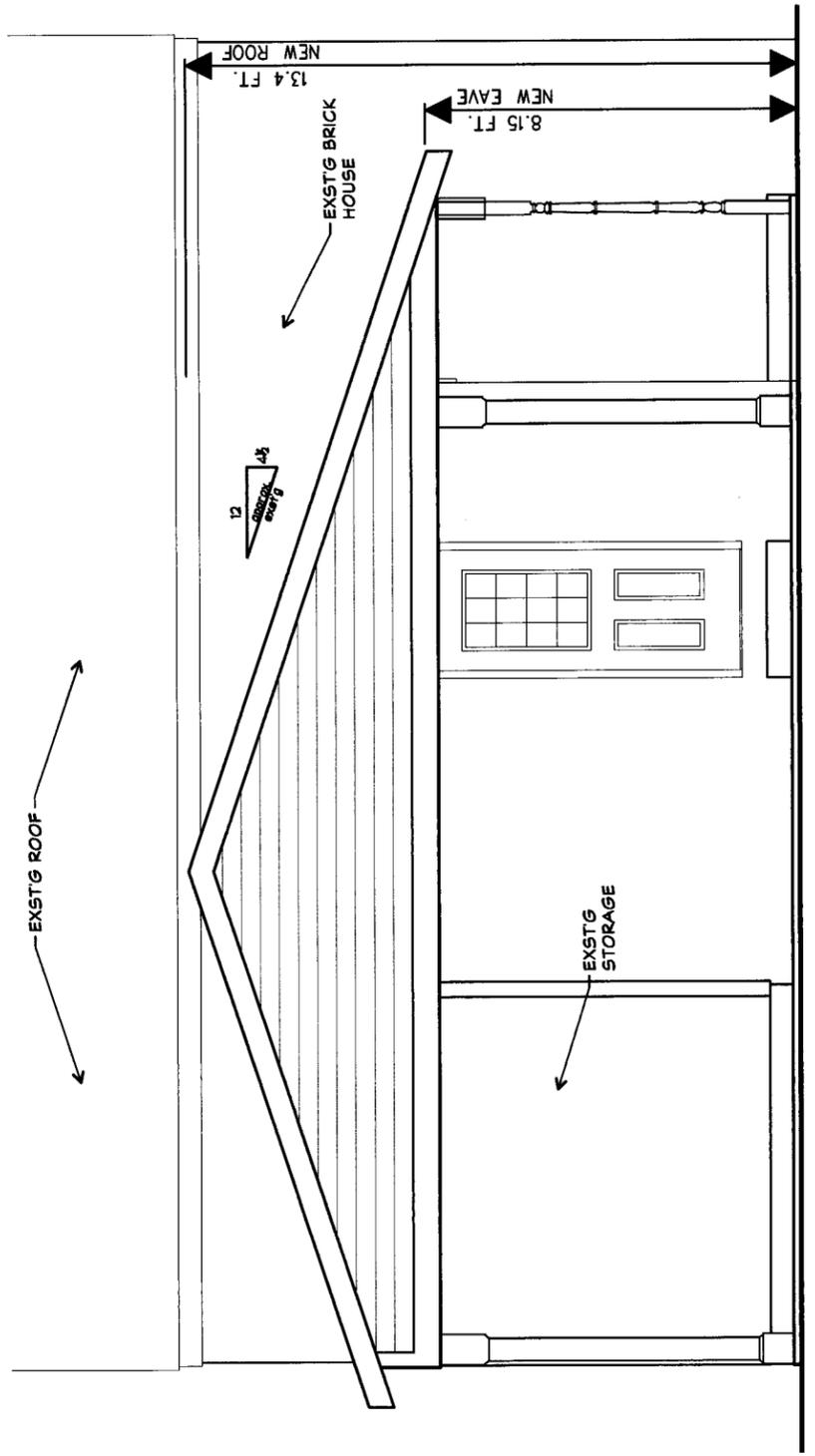
Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 30 months after the date of approval unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if 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.

ROOFLINE FROM
EXSTG CARPORT

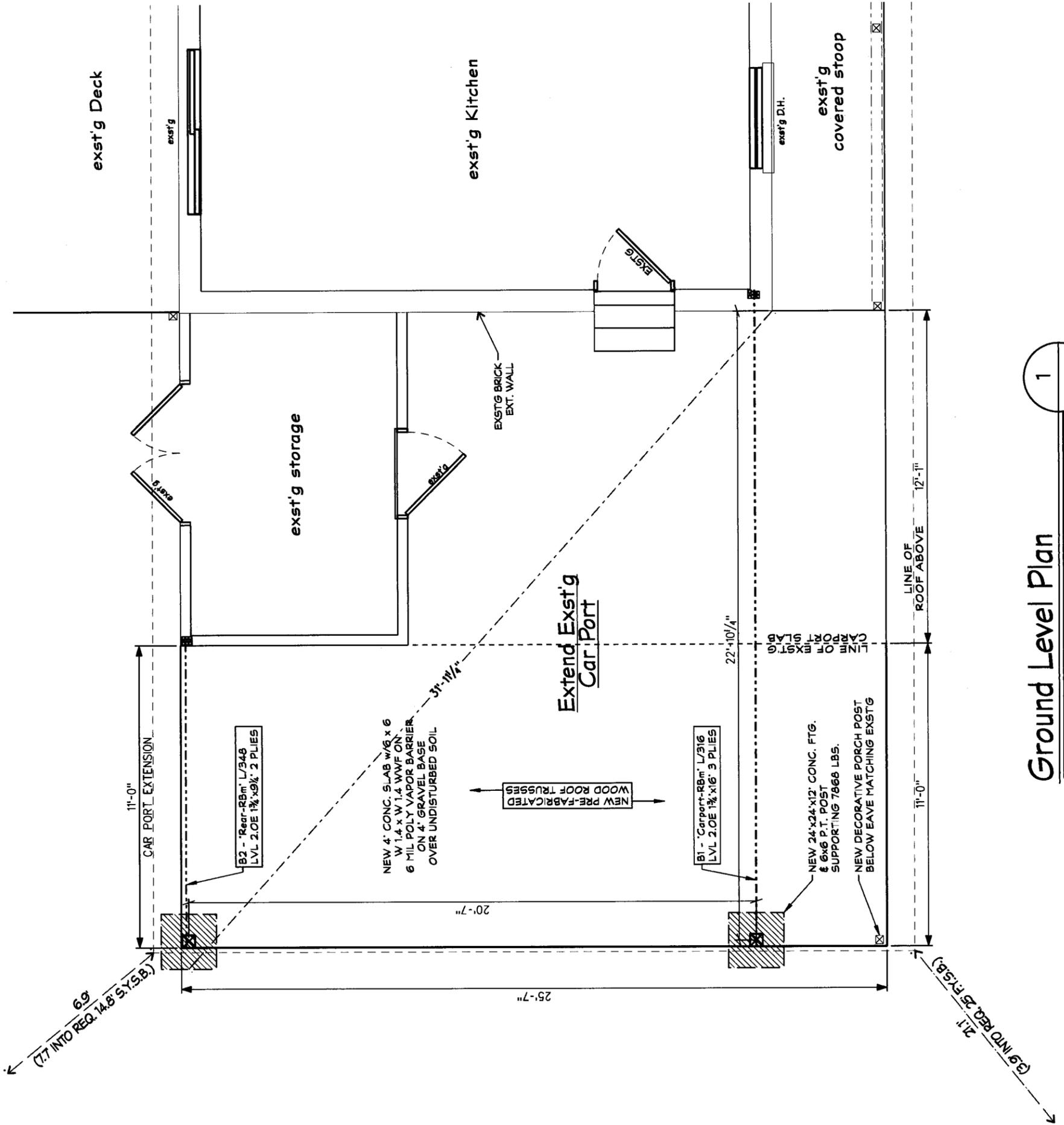


Front (N-East) Elevation 1
 Scale 1/4" = 1'-0" A1



Left (S-East) Elevation 2
 Scale 1/4" = 1'-0" A1

Attachment 1



1
A2

Ground Level Plan
 Scale 1/4" = 1'-0"

RECEIVED
Department of Planning & Zoning

NOV 18 2014

Zoning Evaluation Division

APPLICATION FOR SPECIAL PERMIT

August 2, 2014

Re: Vargo property
6717 Reynard Dr.
Springfield, Va.

We are applying a Special Permit for the construction of a Carport Extension to the above mentioned residential property. The property is a corner lot and is zoned R-2 Cluster. We are requesting an 18% reduction of the front yard requirements to 21.4 ft.

The existing drive way of the property has a significant slope that makes parking of a vehicle uncomfortable and unsafe in inclement weather. The carport would be enlarged to allow parking of a second vehicle on a flat surface and remove it from the street that is close to a busy intersection.

Type of operation

- Does not apply, this is a residential single family home.

Hours of operation

- Does not apply, this would be normal residential use.

Number of patrons or clients

- Does not apply, this is for residential use.

Estimate traffic impact

- Does not apply, residential use.

F. Vicinity or general area to be served

- None, residential use.

G. Description

- The architecture is to match existing structure.

H. Hazardous or toxic substances

- Does not apply, residential use.

Summary

The existing dwelling has 1326 sq. ft. of living space above grade. The existing carport is 300 sq. ft. and the new carport extension will require 280 sq. ft. with a distance of 6.9 ft. from the side property line and 21.4 ft. from the front property line. Excepting the foregoing all elements of the property conform to the provisions of all applicable ordinances, regulations and adopted standards. The proposed structure will have the same roof line and height as the existing structure and will be identical in its finishes. The proposed structure and its use are in harmony with the general purpose and intent of the residential zoning regulations. There is no adverse affect on the use and development of neighboring properties and no affect on pedestrian or vehicular traffic.

SP 2014-0424
Pg. 2

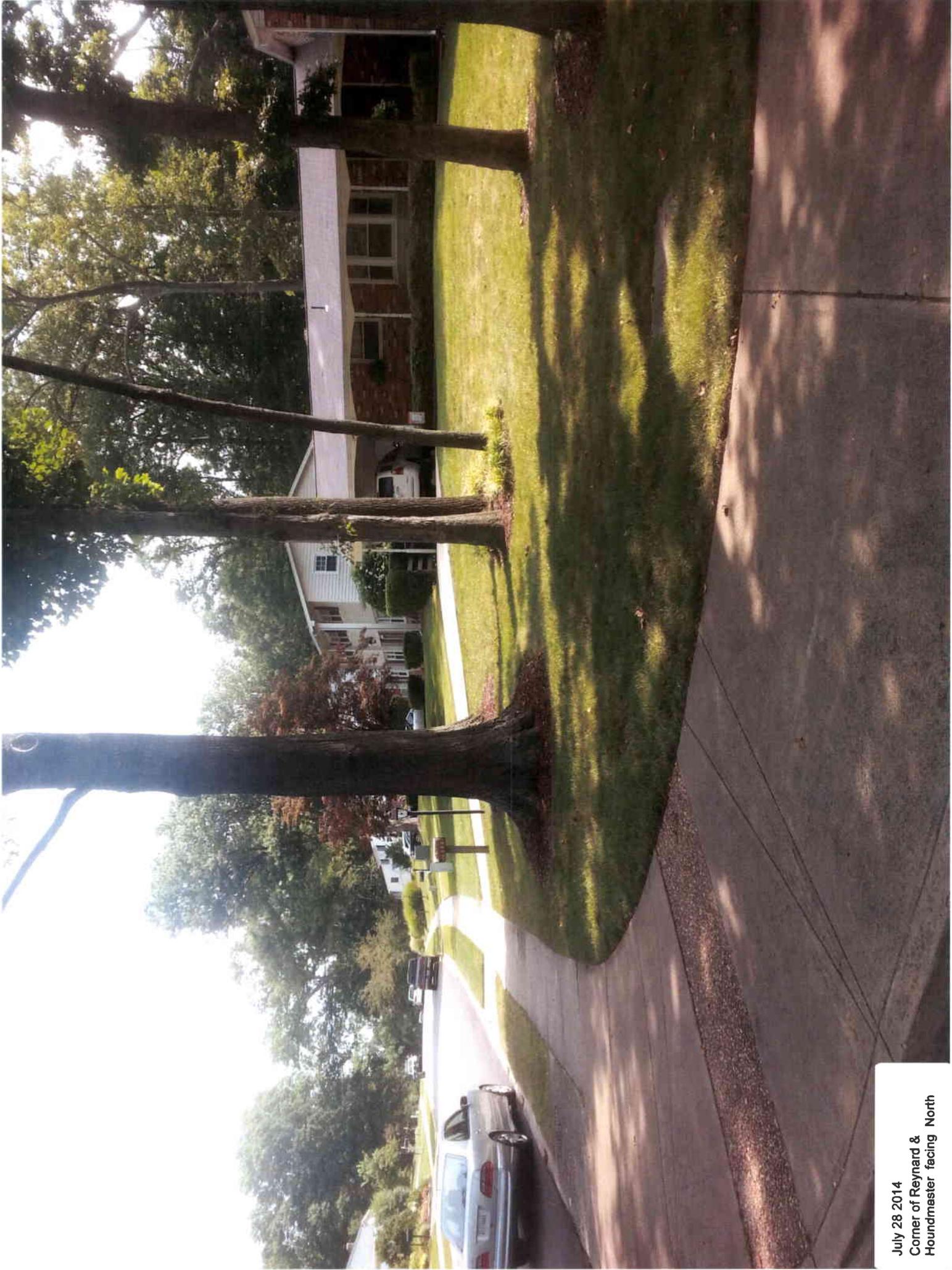
This application for a carport extension is to park a second vehicle safely rather than on the sloped driveway or on the street. Due to the position of the existing structure on this corner lot it is clear that the proposed location is the only location to place this extension.



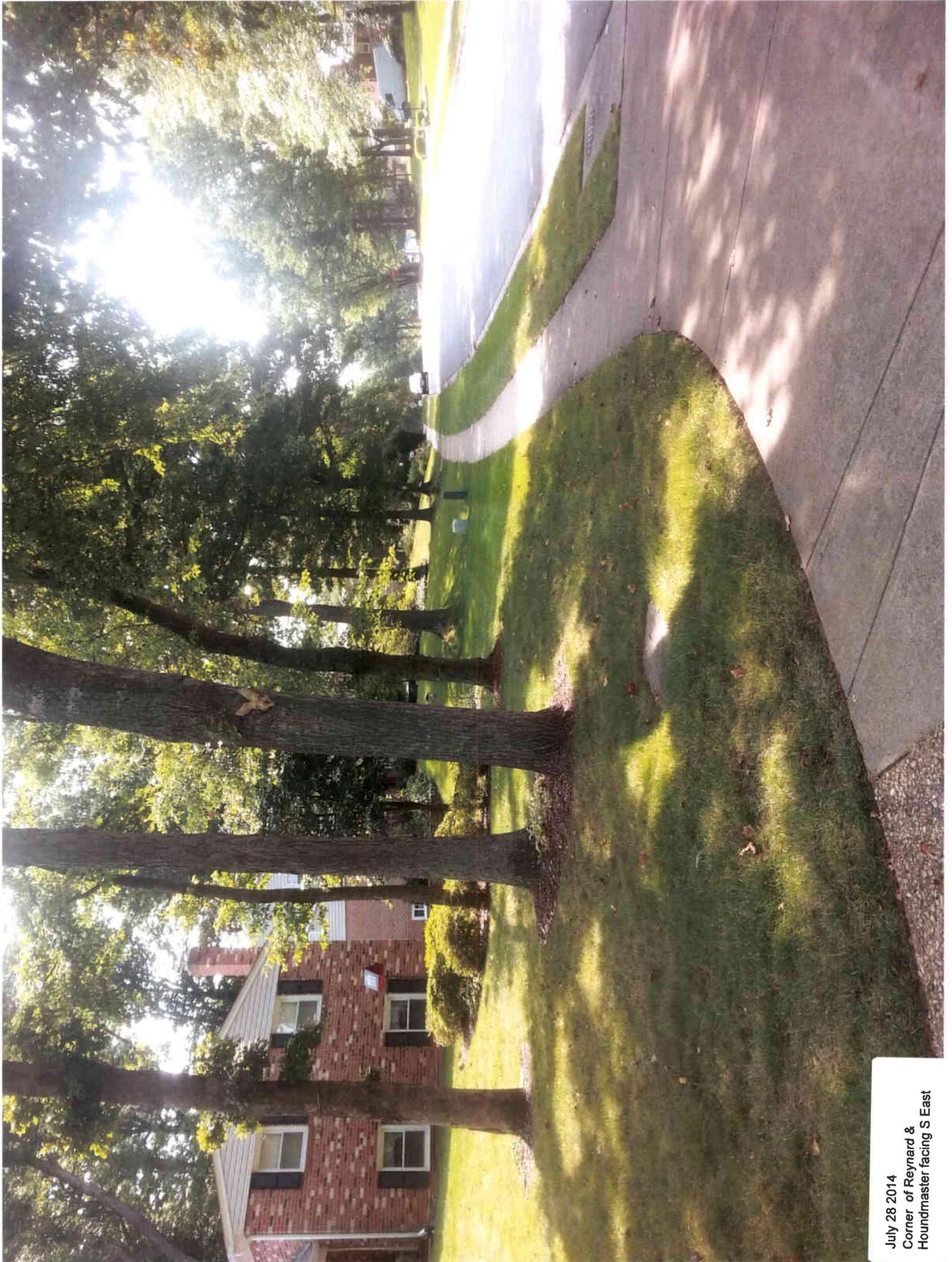
John Emrico
Agent



July 28 2014
Corner of Reynard &
Houndmaster
Facing East



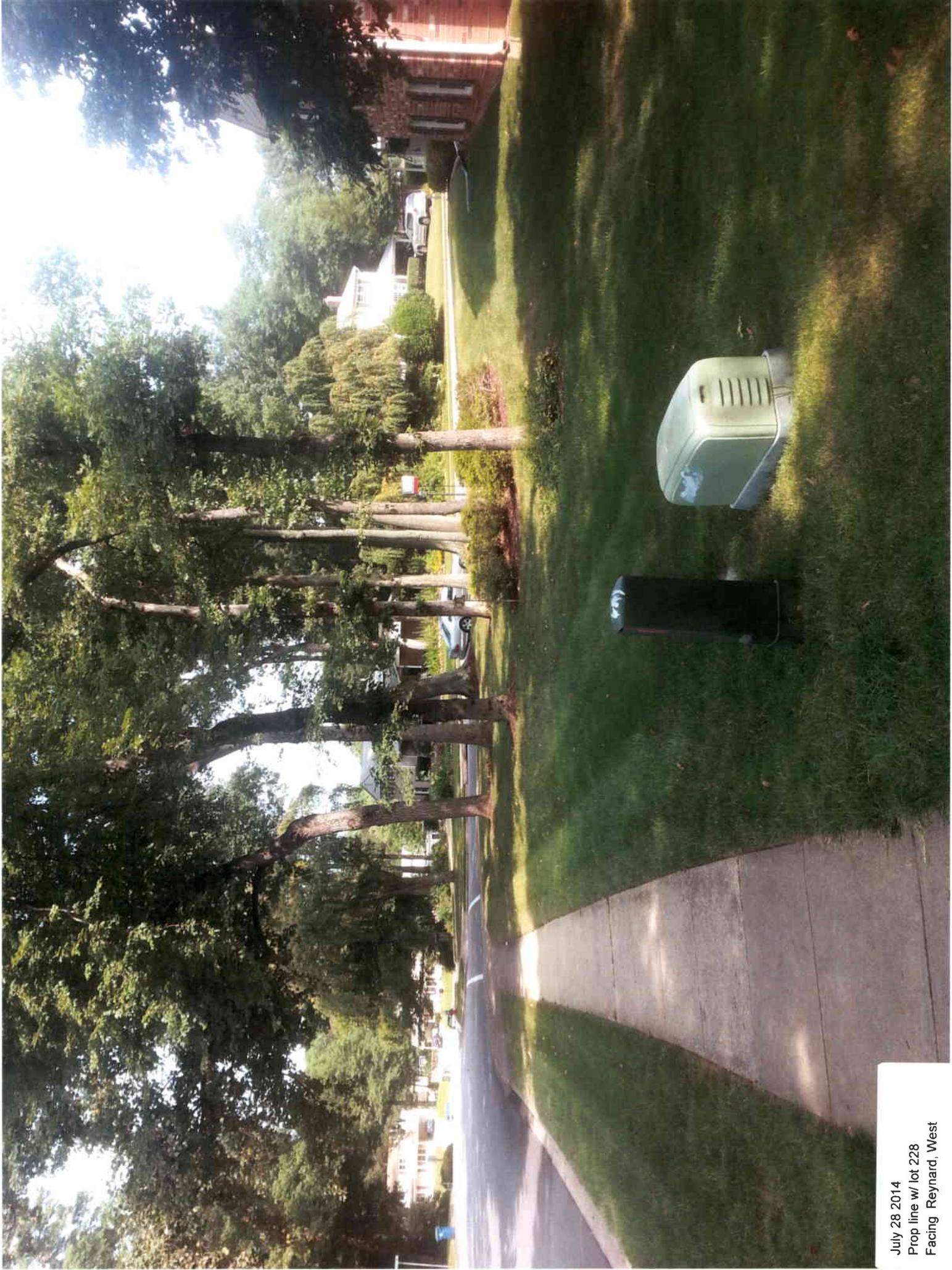
July 28 2014
Corner of Reynard &
Houndmaster facing North



July 28 2014
Corner of Reynard &
Houndmaster facing S East



July 28 2014
Prop line w/ lot 228
Facing North



July 28 2014
Prop line w/ lot 228
Facing Reynard, West



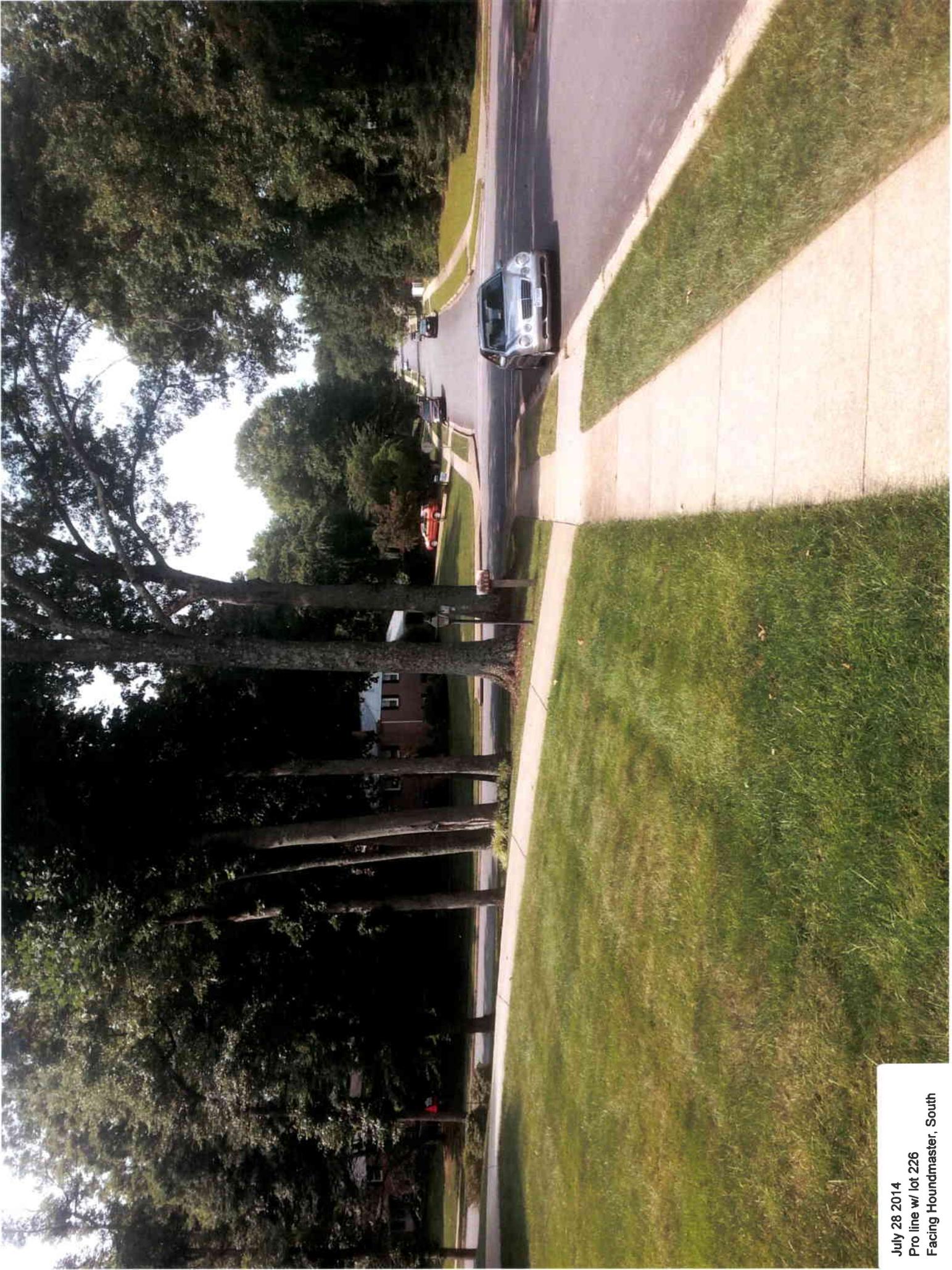
July 28 2014
Prop line w/ lot 226, 227, 228
Facing Houndmaster, South



July 28 2014
Prop line w/ lot 226, 227, 228
Facing Reynard, West



July 28 2014
Prop line W/ lot 226
On Reynard facing East



July 28 2014
Pro line w/ lot 226
Facing Houndmaster, South

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 2 AUGUST 2014
 (enter date affidavit is notarized)

I, BHH EMERCO, do hereby state that I am an
 (enter name of applicant or authorized agent)

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

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

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)
BRUCE E. VARGO	6717 REYNARD DRIVE SPRINGFIELD VA 22152	TITLE OWNER
MARIA M. VARGO	6719 REYNARD DRIVE SPRINGFIELD VA 22152	TITLE OWNER
<u>BHH EMERCO</u>	6324 STEINWALL ST ALEXANDRIA VA 22315	AGENT

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 2 AUGUST 2014
(enter date affidavit is notarized)

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)

N/A

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)

N/A

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 2 AUGUST 2014
(enter date affidavit is notarized)

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

PARTNERSHIP INFORMATION

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

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

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

N/A

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 2 AUGUST 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:

H/A

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

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

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

NONE

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 2 AUGUST 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)

Bruce E. Vargo
 Applicant Applicant's Authorized Agent
BRUCE E. VARGO
MARIA MARTIQUE VARGO
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 2nd day of August 2014, in the State/Comm. of Virginia, County/City of Fairfax.

Ma Gemma C. Espanola-Jones
Notary Public

My commission expires: October 31, 2016



Ma Gemma C Espanola-Jones
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7514247
My Commission Expires
October 31, 2016

BUILDING PERMIT APPLICATION

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES
 PERMIT APPLICATION CENTER

12055 Government Center Parkway, 2nd Floor
 Fairfax, Virginia 22035-5504

Telephone: 703-222-0801
 Web site: http://www.co.fairfax.va.us/dpwes

PERMIT # 0124730110

FOR INSPECTIONS CALL 703-222-0455 (see back for more information)

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY

PLAN # ~~0124730110~~ 01-09126
 TAX MAP # 089-1-05-0227

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN
 (PLEASE PRINT OR TYPE)

JOB LOCATION

ADDRESS 6717 REYNARD DRIVE
 LOT # 227 BUILDING
 FLOOR SUITE
 SUBDIVISION ORANGE HUNT ESTATES, JR.
 TENANT'S NAME ALAN K. STANSFIELD

OWNER INFORMATION

OWNER TENANT

NAME ALAN K. STANSFIELD
 ADDRESS 6717 REYNARD DRIVE
 CITY SPRINGFIELD STATE VA ZIP 22152
 TELEPHONE 703-644-3901

CONTRACTOR INFORMATION

SAME AS OWNER

CONTRACTORS MUST PROVIDE THE FOLLOWING:
 COMPANY NAME
 ADDRESS
 CITY STATE ZIP
 TELEPHONE
 STATE CONTRACTORS LICENSE #
 COUNTY BPOL #

APPLICANT

Alan K. Stansfield

DESCRIPTION OF WORK

DECK IN BACKYARD OF HOUSE.
 WITH STEPS PER COUNTY DETAIL

HOUSE TYPE

ESTIMATED COST OF CONSTRUCTION \$18,000.00
 BLDG AREA (SQ FT OF FOOTPRINT) 28' x 16' x 3'
 USE GROUP OF BUILDING
 TYPE OF CONSTRUCTION
 SEWER SERVICE PUBLIC SEPTIC OTHER
 WATER SERVICE PUBLIC WELL OTHER
 OTHER PLEASE SPECIFY

DESIGNATED MECHANICS' LIEN AGENT

(Residential Construction Only)
 NAME
 ADDRESS
 NONE DESIGNATED PHONE

CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS

# KITCHENS	EXTER. WALLS	
# BATHS	INTER. WALLS	
# HALF BATHS	ROOF MATERIAL	
# BEDROOMS	FLOOR MATERIAL	
# OF ROOMS	FIN. BASEMENT	%
# STORIES	HEATING FUEL	
BUILDING HEIGHT 3'	HEATING SYSTEM	
BUILDING AREA	# FIREPLACES	
BASEMENT		

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Signature of Owner or Agent: Alan K. Stansfield
 Date: 09/04/01

Printed Name and Title: ALAN K. STANSFIELD

(Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	9-4-01	
SITE PERMITS	9-4-01	
HEALTH DEPT.		
BUILDING REVIEW		
SANITATION		
FIRE MARSHAL		
ASBESTOS 1967		
PROFFERS		

FEE \$
 FILING FEE - \$
 AMOUNT DUE = \$ 56.00

BUILDING PLAN REVIEW
 REVIEWER # OF HOURS
 REVISION FEES \$
 FIRE MARSHAL FEES \$
 FIXTURE UNITS PLAN LOC: J R

APPROVED FOR ISSUANCE OF BUILDING PERMIT (LOG OUT)
 BY DATE

ZONING REVIEW
 USE SFD
 ZONING DISTRICT R-2C HISTORICAL DISTRICT
 ZONING CASE #
 GROSS FLOOR AREA OF TENANT SPACE
 YARDS: GARAGE 1 2 3
 FRONT OPTIONS YES NO
 FRONT MC REMARKS
 L SIDE 11' 28' x 16.3' Deck
 R SIDE 23' w/ stairs *
 REAR 3 ft in height

GRADING AND DRAINAGE REVIEW
 SOILS # A B C
 AREA TO BE DISTURBED (TOTAL SQ FT THIS PERMIT)
 IMPERVIOUS AREA (TOTAL SQ FT THIS PERMIT)
 PLAN # APPR. DATE

STAMPS
 (See reverse side of application)

REMARKS
 Partially approved for 272'
 no floor plan 9-4-01
 402

NOTARIZATION (if required)
 State (or territory or district) of
 County (or city) of, to wit:
 I, _____
 a Notary Public in the State and County aforesaid, do certify that
 whose name is signed to this application, appeared before me in the State and County aforesaid and executed this affidavit.
 Given under my hand this _____ day of _____, 20____.
 My commission expires the _____ day of _____, 20____.
 (Notary Signature)

SIMILAR CASE HISTORY

- VC 88-S-058 – Extension to a carport (89-1 ((5)) 94) (38% reduction from side yard and 2% reduction from total side yards)
- VC 88-S-159 – Garage addition (89-1 ((5)) 237) (18% reduction from total side yards)
- VC 96-S-145 – Construction of an addition (89-1 ((5)) 228) (53% reduction from side yard and 20% reduction from total side yards)
- SP 2011-SP-106 – Permit addition to remain (89-1 ((5)) 85) (16% reduction in side yard)



County of Fairfax, Virginia

MEMORANDUM

DATE: January 16, 2015

TO: Kelly Atkinson, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Hugh C. Whitehead, Staff Coordinator *HCW*
Forest Conservation Branch, DPWES

SUBJECT: Orange Hunt Estates Section 3, Lot 227, SP 2014-SP-251

I have reviewed the above referenced Special Permit application, including a Statement of Justification and Special Permit Plat, stamped as received by the Zoning Evaluation Division (ZED) on November 17, 2014 and November 21, 2014, respectively. The following comments are based on this review and observations from Google Maps (photo attached).

1. **Comment:** The application proposes to reduce the front yard setback requirement of 25 feet by 18 percent to a distance of 21.4 feet. Available space exists to enhance the effectiveness of the reduced yard by planting a tree on the northeast side of the driveway between the carport extension and Reynard Drive.

Recommendation: Make approval of the Special Permit conditional based on planting a small deciduous tree or medium evergreen tree between the carport extension and Reynard Drive. Suggested deciduous species include flowering dogwood (*Cornus florida*) and Eastern redbud (*Cercis canadensis*). Evergreen species include American holly (*Ilex opaca*).

If there are any questions or further assistance is desired, please contact me at (703)324-1770.

HCW/
UFMDID #: 198543

Attachment (as stated)

cc: DPZ File

Department of Public Works and Environmental Services
Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 711, Fax: 703-653-9550
www.fairfaxcounty.gov/dpwes





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.