



**APPLICATION ACCEPTED:** August 12, 2014  
**BOARD OF ZONING APPEALS:** February 25, 2015  
**ADMINISTRATIVELY MOVED AT APPLICANT'S REQUEST**  
**TIME:** 9:00 a.m.

# County of Fairfax, Virginia

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February 18, 2015

## STAFF REPORT

**SPECIAL PERMIT APPLICATION NO. SP 2014-SP-174**

### SPRINGFIELD DISTRICT

**APPLICANT:** Shanan William Farmer

**OWNERS:** Shanan William Farmer  
Rachelle Monique Farmer

**SUBDIVISION:** Briarlynn Estates

**STREET ADDRESS:** 11100 Hampton Road, Fairfax Station, 22039

**TAX MAP REFERENCE:** 96-1 ((3)) 11

**LOT SIZE:** 5.00 acres

**ZONING DISTRICT:** R-C, WS

**ZONING ORDINANCE PROVISIONS:** 8-918

**SPECIAL PERMIT PROPOSAL:** To permit an accessory dwelling unit.

#### STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-SP-174 for an accessory dwelling unit, subject to the proposed development conditions contained in Appendix 1.

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

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

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*Megan Duca*

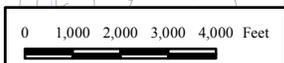
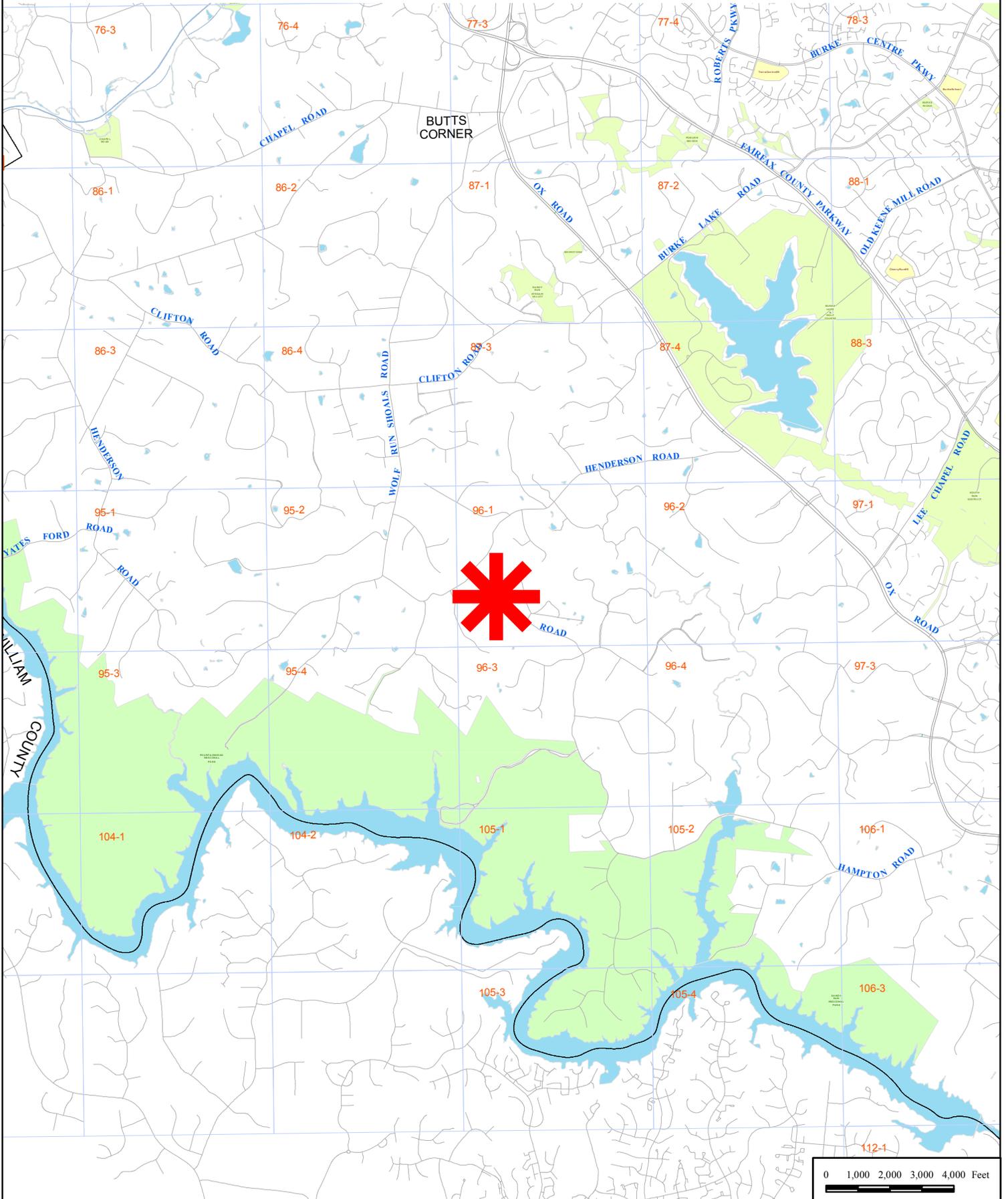
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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.**

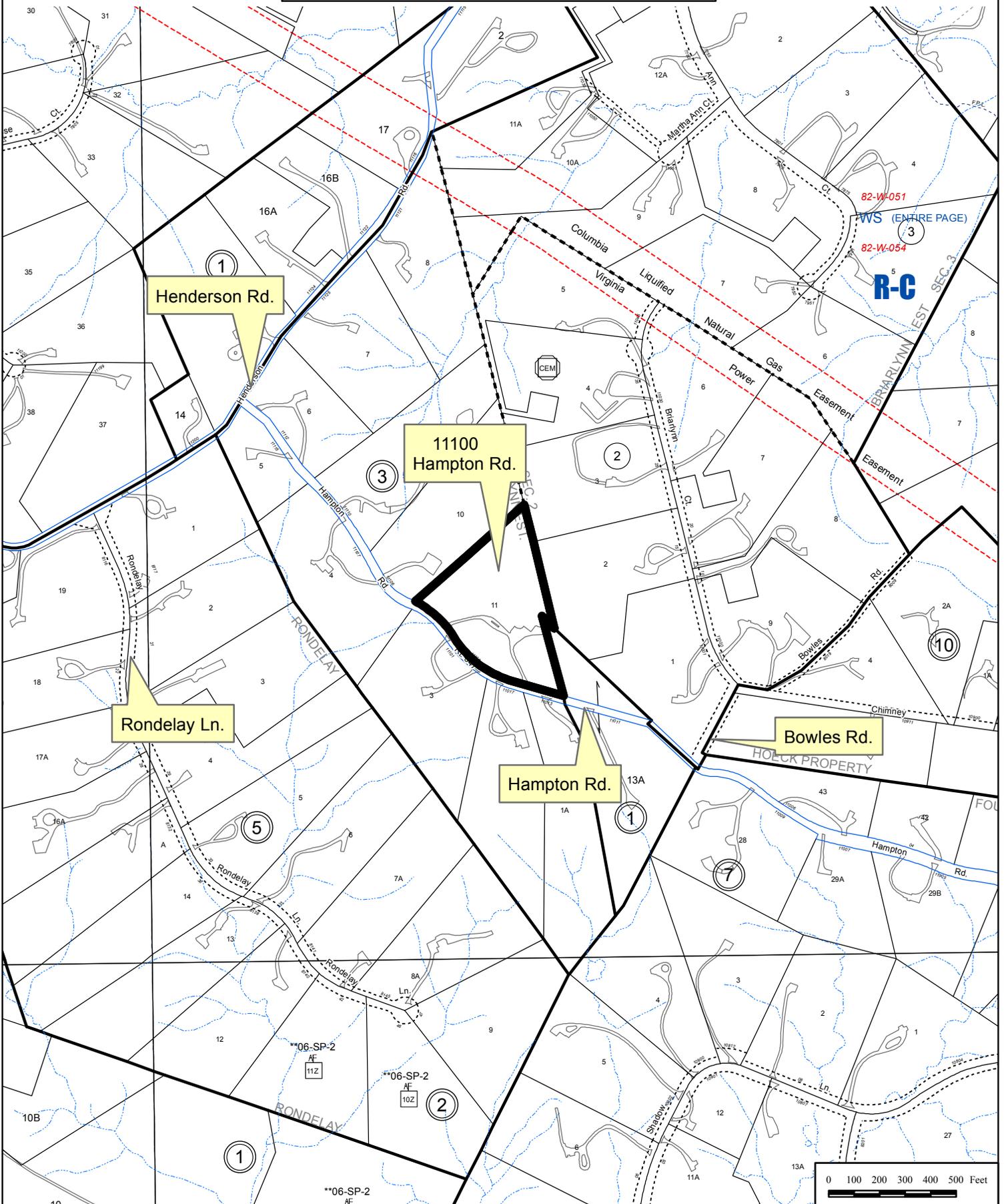


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**Special Permit**  
**SP 2014-SP-174**  
**SHANAN WILLIAM FARMER**



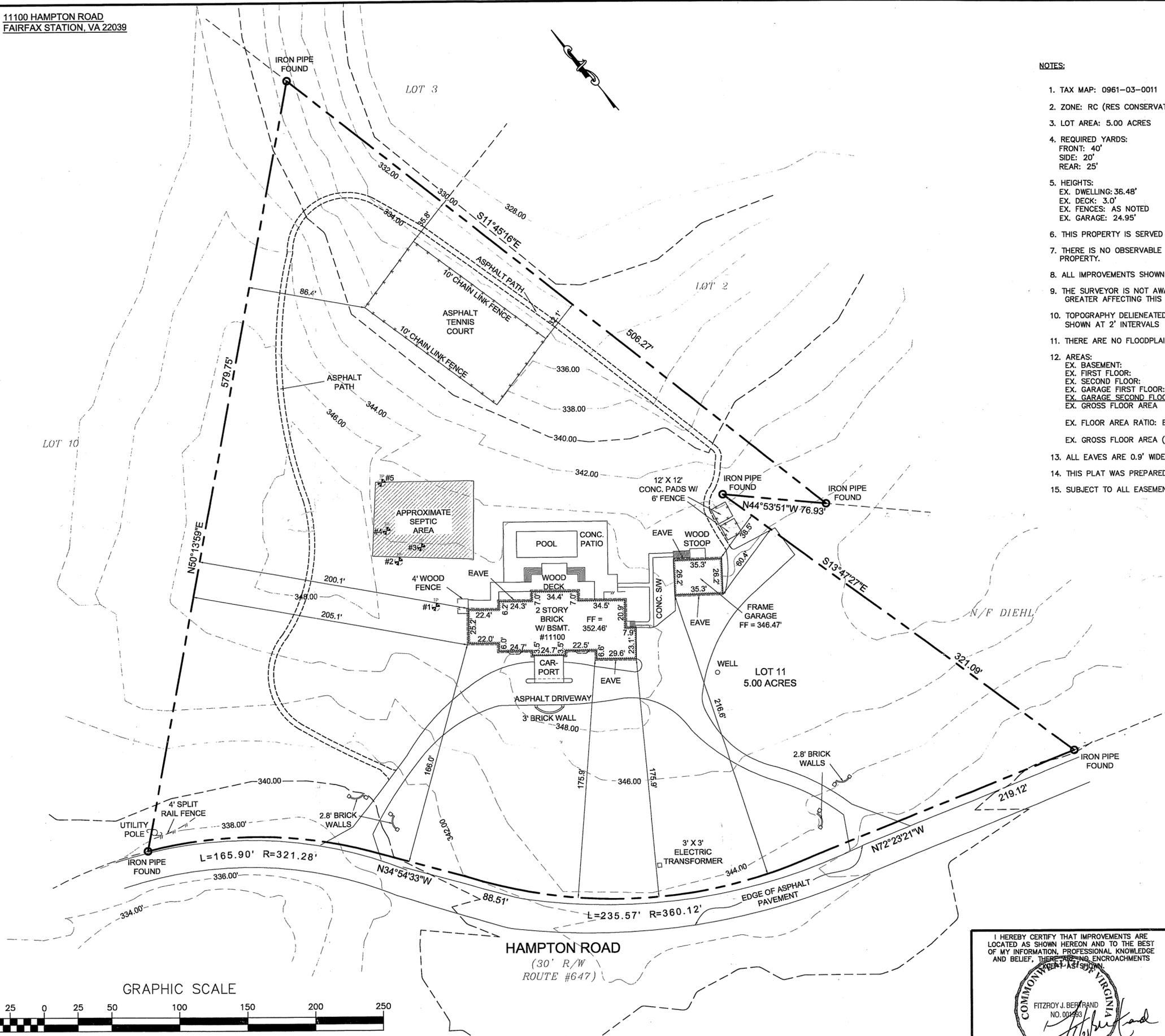
**Special Permit**  
**SP 2014-SP-174**  
**SHANAN WILLIAM FARMER**



ADDRESS: 11100 HAMPTON ROAD  
FAIRFAX STATION, VA 22039

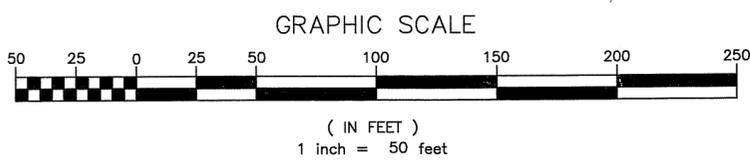
NOTES:

- TAX MAP: 0961-03-0011
- ZONE: RC (RES CONSERVATION 1DU/5AC)
- LOT AREA: 5.00 ACRES
- REQUIRED YARDS:  
FRONT: 40'  
SIDE: 20'  
REAR: 25'
- HEIGHTS:  
EX. DWELLING: 36.48'  
EX. DECK: 3.0'  
EX. FENCES: AS NOTED  
EX. GARAGE: 24.95'
- THIS PROPERTY IS SERVED BY A SEPTIC SYSTEM AND PRIVATE WELL
- THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
- ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING
- THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
- TOPOGRAPHY DELINEATED HEREON WAS FIELD SURVEYED BY THIS COMPANY AND IS SHOWN AT 2' INTERVALS
- THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
- AREAS:  
EX. BASEMENT: = 4,350 S.F.  
EX. FIRST FLOOR: = 4,350 S.F.  
EX. SECOND FLOOR: = 4,350 S.F.  
EX. GARAGE FIRST FLOOR: = 806 S.F.  
EX. GARAGE SECOND FLOOR: = 806 S.F.  
EX. GROSS FLOOR AREA: = 14,662 S.F.  
  
EX. FLOOR AREA RATIO: EX. GFA (14,662 S.F.) / LOT AREA (217,800 S.F.) = 0.067  
EX. GROSS FLOOR AREA (14,662) / EX. GAR AREA (1,612) = 9%
- ALL EAVES ARE 0.9' WIDE
- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
- SUBJECT TO ALL EASEMENT ON RECORD.



RECEIVED  
Department of Planning & Zoning  
JAN 16 2015  
Zoning Evaluation Division

DRAWN BY: DS  
FILE: #11100 HAMPTON ROAD



I HEREBY CERTIFY THAT IMPROVEMENTS ARE LOCATED AS SHOWN HEREON AND TO THE BEST OF MY INFORMATION, PROFESSIONAL KNOWLEDGE AND BELIEF, THERE ARE NO ENCROACHMENTS.

FITZROY J. BERTRAND  
NO. 000493  
LAND SURVEYOR

1/22/2014  
DATE

PLAT SHOWING THE IMPROVEMENTS ON  
LOT 13  
BRIARLYNN ESTATES  
LIBER: 23636 FOLIO: 1861  
FAIRFAX COUNTY, VIRGINIA  
SCALE: 1" = 50' DATE: 12/29/14

REAL ESTATE SURVEYORS & DEVELOPERS, L.L.C.  
Residential, Commercial, Industrial and Land  
WWW.RESDLLC.COM  
LAUREL LAKES EXECUTIVE PARK  
8325 CHERRY LANE  
LAUREL, MARYLAND 20707  
TEL: (301)604-3105 FAX: (301)604-3108

HAMPTON ROAD  
(30' R/W  
ROUTE #647)

## SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow an accessory dwelling unit (ADU) in a detached accessory structure adjacent to the principal dwelling. A more detailed description of the proposal is provided on page two.

A copy of the special permit plat titled, "Plat Showing the Improvements on Lot 13, Briarlynn Estates," prepared by Fitzroy J. Bertrand, L.S., of Real Estate Surveyors & Developers, LLC, dated December 29, 2014, is included in the front of the staff report.

The proposed development conditions, applicant's statement of justification with file photographs, and affidavit are contained in Appendices 1 to 3, respectively.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The application property is located at 11100 Hampton Road within the Briarlynn Estates subdivision. The 5.0 acre site is developed with a single family detached two-story dwelling with a basement. The dwelling was constructed in 1986. An existing paved driveway provides access to the dwelling and proposed accessory dwelling unit from Hampton Road. A pool, concrete patio, and wood deck are located to the rear of the dwelling. An asphalt tennis court surrounded by a 10-foot high chain link fence is located in the rear of the property.



Source: Fairfax County GIS with Added Graphics

The subject property and surrounding parcels are zoned R-C, located within the Water Supply Protection Overlay District, and developed with single family detached dwellings.

## BACKGROUND

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1986 and the property was purchased by the applicant in 2014.

Records indicate that no similar applications have been heard by the Board of Zoning Appeals (BZA) in the surrounding area.

## DESCRIPTION OF THE APPLICATION

The applicant proposes an accessory dwelling unit to be located in an existing detached structure that is adjacent to the main dwelling. The applicant resides in the single family dwelling and the 64 year-old mother of the applicant would reside in the accessory dwelling unit.

According to Sect. 8-918 of the Fairfax County Zoning Ordinance, the accessory dwelling unit is permitted to be located in a freestanding structure because the size of the property is greater than two acres. The principal dwelling consists of 13,050 square feet. The accessory dwelling unit will be located within the detached structure, which is 1,612 square feet. Therefore, the proposed ADU accounts for approximately 12.4% of the gross floor area of the principal dwelling unit. The accessory dwelling unit would be located on both the first and second floors of what is currently a 3-car detached garage with finished living space above it. As shown on the proposed floorplan for the first floor of the accessory dwelling unit (Figure 1), the applicant proposes to convert the majority of the first floor of the existing garage into living space, which would include a kitchen, living room, and bathroom. A one car garage would remain to serve the accessory dwelling unit. The second floor of the accessory structure (Figure 2), which is accessed from a staircase near the proposed living room, would contain a bedroom, bathroom, closet, and finished living space. A deck with stairs is attached to the rear of the detached structure and provides an additional access point into the second floor of the accessory dwelling unit.

The one-car garage would provide parking for the accessory dwelling unit. The SP Plat and photographs submitted by the applicant indicate that additional parking is available within the garage attached to the principal dwelling unit, in the existing asphalt driveway, and under the carport located in the front of the principal dwelling.

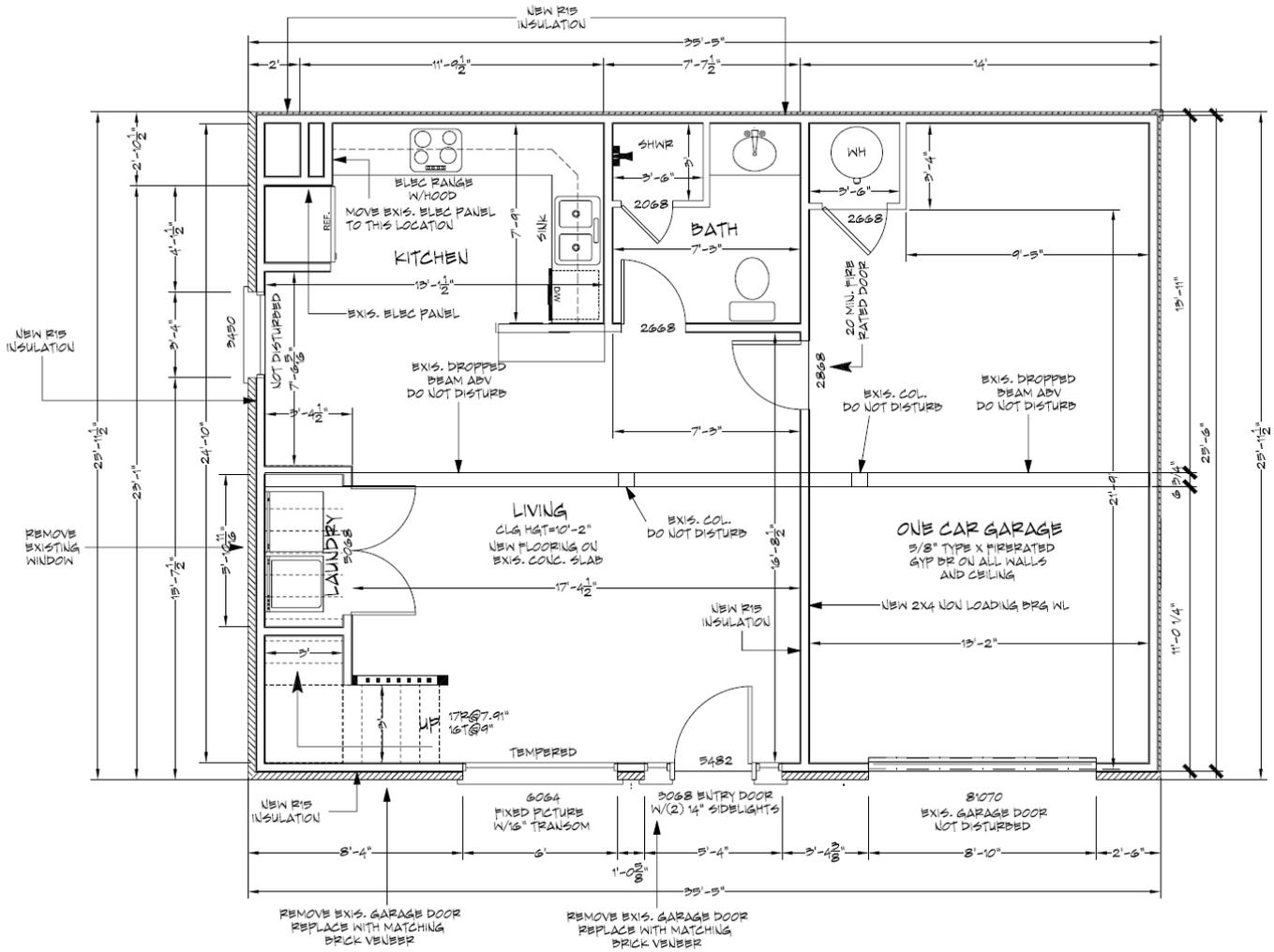


Figure 1: First Floor Plan

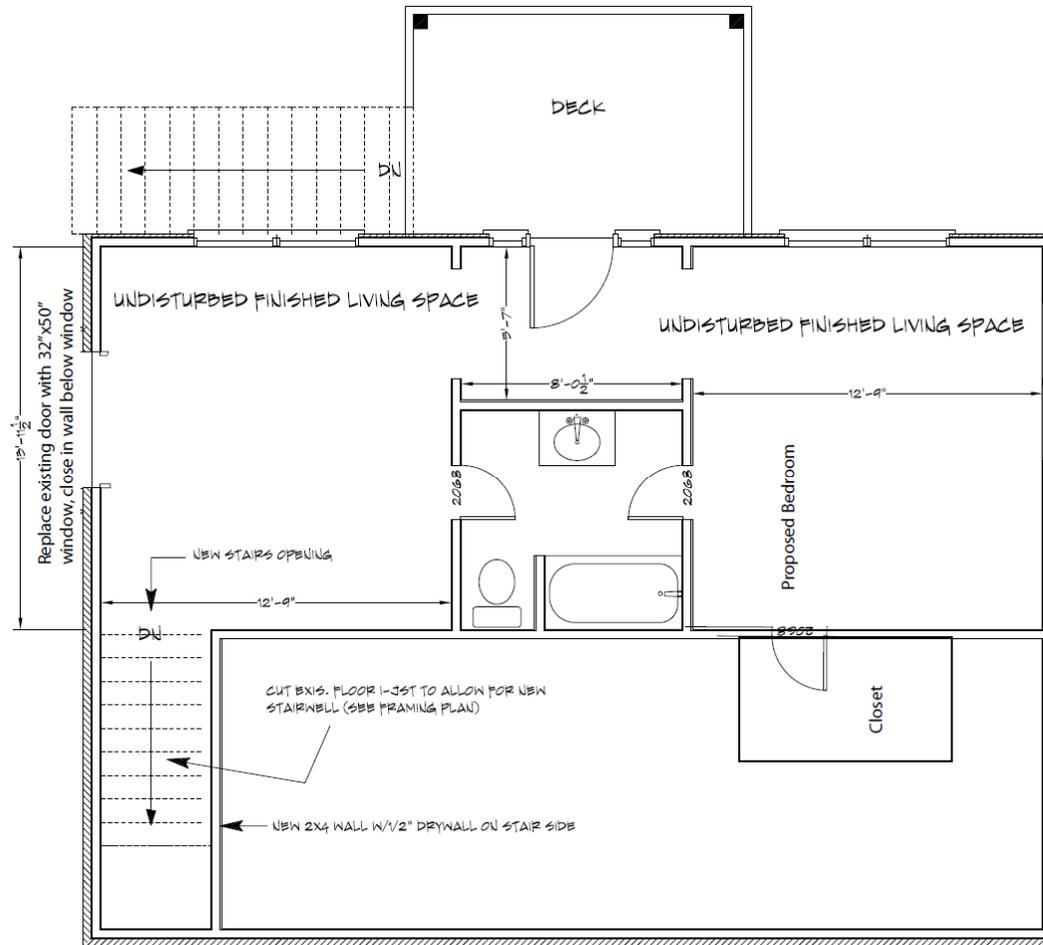


Figure 2: Second Floor Plan

## ANALYSIS

### Comprehensive Plan Provisions

**Plan Area:** Area III, Pohick Planning District  
**Planning Sector:** Dominion Community Planning Sector (P5)  
**Plan Map:** Residential use at 0.1 – 0.2 dwelling units/acre (du/ac)

### Zoning Ordinance Requirements (Appendix 4)

Subject to development conditions, the special permit must meet the sections of the Zoning Ordinance referenced below:

- Sect. 8-006 General Special Permit Standards
- Sect. 8-903 Group 9 Standards
- Sect. 8-918 Additional Standards for Accessory Dwelling Units

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

<b>Standards 1 and 2</b> Conformance with the Comprehensive Plan/ Zoning District	The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-C District permits an accessory dwelling unit as an accessory use with special permit approval. Staff finds that the proposed use is in harmony with the Comprehensive Plan and the general purpose and intent of the R-C District.
<b>Standard 3</b> Harmony with Adjacent Development	In staff's opinion, the proposed use will not hinder or discourage use or development of neighboring properties.
<b>Standard 4</b> Pedestrian/Vehicular Traffic	In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
<b>Standard 5</b> Landscaping/Screening	There are no transitional screening or barrier requirements for this application.
<b>Standard 6</b> Open Space	The proposed use will not encroach on or impact the existing open space.
<b>Standard 7</b> Adequate Utilities, Drainage, Parking, and Loading	As previously discussed, the garages, driveway, and carport would be used for parking. The applicant is not proposing any changes to the existing drainage on the property. The applicant would be required to meet all Health Department requirements for the septic system, as further discussed in the Additional Standards for Accessory Dwelling Units section of this report.
<b>Standard 8</b> Signs	There are no signs associated with the accessory dwelling unit.

**Standards for All Group 9 Uses (Sect. 8-903)**

<b>Standard 1</b> Compliance with Lot size and bulk regulations	No exterior site modifications are proposed. The subject property would continue to meet the lot size and bulk regulations of the R-C District.
<b>Standard 2</b> Compliance with Performance Standards	The use of the application property will be required to continue to comply with the performance standards set forth in Article 14 of the Zoning Ordinance.
<b>Standard 3</b> Site Plans	This application is not subject to the provisions of Article 17, Site Plans.

**Additional Standards for Accessory Dwelling Units (Sect. 8-918)**

<b>Standard 1</b> In association with single family detached dwelling	The applicant is proposing one accessory dwelling unit within a detached structure adjacent to a single family detached dwelling.
<b>Standard 2</b> Located within the structure of a single family detached dwelling unit, except on lots 2 acres or larger	Pursuant to Para. 2 of Sect. 8-918 of the Zoning Ordinance, an accessory dwelling unit may be located within a freestanding accessory structure on lots that are two acres or greater in area. Because the subject property is five acres in area, the accessory dwelling unit may be located within a freestanding accessory structure. The applicant is proposing an accessory dwelling unit within an existing detached garage located to the east of the existing single family detached dwelling.

<p><b>Standard 3</b> Gross floor area shall not exceed 35% of the GFA of the principal dwelling unit</p>	<p>The proposed accessory dwelling unit is 1,612 square feet in size and represents 12.4% of the total gross floor area of the principal structure (13,050 square feet).</p>
<p><b>Standard 4</b> Maximum of two bedrooms</p>	<p>The accessory dwelling unit contains one bedroom as shown on the submitted floorplans.</p>
<p><b>Standard 5</b> Occupancy qualification (aged 55 years or older and/or disabled)</p>	<p>The property owners currently occupy the principal dwelling unit. The mother of the applicant, who is over the age of 55, would reside in the ADU.</p>
<p><b>Standard 6</b> Reasonable access and mobility for disabled</p>	<p>The accessory dwelling unit would not be occupied by a disabled person according to the applicant's statement of justification.</p>
<p><b>Standard 7</b> Sufficient parking as determined by the BZA</p>	<p>The parking available within the garages, driveway, and carport would provide adequate parking for the owners and the mother of the applicant who will reside in the ADU.</p>
<p><b>Standard 8</b> Character of Neighborhood</p>	<p>Staff does not believe that the approval of the accessory dwelling unit would constitute sufficient change to modify or disrupt the predominant character of the neighborhood, which contains single family detached dwellings.</p>
<p><b>Standard 9</b> Building, safety, health, and sanitation regulations</p>	<p>The accessory dwelling unit will be required to meet the applicable regulations for building, safety, health and sanitation. The dwelling is currently served by an existing septic system. The SP Plat depicts the location of the "Approximate Septic Area." According to staff from the Fairfax County Department of Health, the current system is approved to serve a four bedroom house. The septic system would need to be upgraded to serve five bedrooms with the addition of the accessory dwelling unit. In order to permit this upgrade, the Health Department would inspect the existing system before issuing a permit for a licensed septic contractor to upgrade the existing system to a five bedroom system by adding two additional drainfield lines. A soil consultant would need to study the site to locate a 100% reserve for the five bedroom system and submit a proposal to the Health Department for the upgrade. The applicant has recently submitted plans to the Health Department to seek a permit for the upgrade. The Health Department is currently reviewing the proposal and has indicated that based on a preliminary review it appears that there will be enough area to expand the system to accommodate five bedrooms and to provide 100% reserve area for the expanded system. Staff has proposed a development condition that would require the applicant to upgrade the system to meet the requirements of the Fairfax County Health Department prior to the occupancy of the accessory dwelling unit.</p> <p>Staff has also proposed a development condition that will require the applicant to obtain all applicable permits and final inspections for the accessory dwelling unit prior to its occupancy.</p>
<p><b>Standard 10</b> Recorded in land records</p>	<p>If the special permit is approved, it will be required to be recorded within the land records of Fairfax County.</p>

<p><b>Standard 11</b> County inspections</p>	<p>Staff has proposed a development condition that will require the applicant to allow for the inspection of the property by County personnel during reasonable hours upon prior notice.</p>
<p><b>Standard 12</b> Five year term limit</p>	<p>As stated in the proposed development conditions, the accessory dwelling unit would be approved for a period of five years from the final approval date of the special permit and may be extended for five year periods with prior approval of the Zoning Administrator in accordance with Section 8-012 of the Zoning Ordinance.</p>
<p><b>Standard 13</b> Accessory Dwelling Units approved prior to July 27, 1987</p>	<p>This accessory dwelling unit was not approved prior to July 27, 1987. Therefore, this standard does not apply.</p>

## CONCLUSION

Staff believes that the request is in conformance with the applicable Zoning Ordinance provisions with the implementation of the proposed development conditions contained in Appendix 1.

## RECOMMENDATION

Staff recommends approval of SP 2014-SP-174 with the adoption of the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/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, Floorplan, and File Photographs
3. Applicant's Affidavit
4. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2014-SP-174****February 18, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-SP-174 located at Tax Map 96-1 ((3)) 11 to permit an accessory dwelling unit under Section 8-918 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

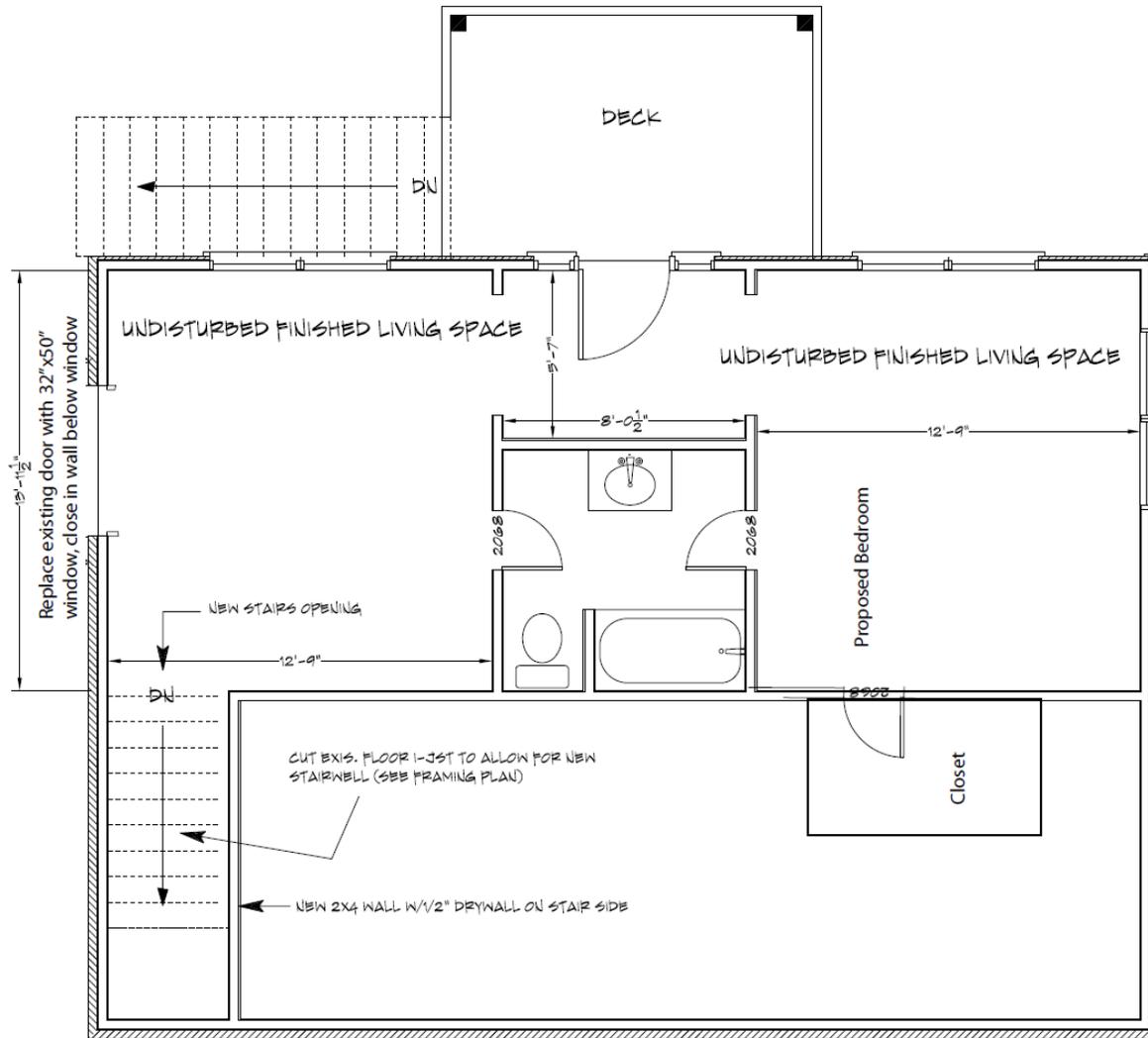
1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the final inspection. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This approval is granted to the applicant only, Shanan William Farmer, and is not transferable without further action of this Board, and is for the location indicated on the application, 11100 Hampton Road, and is not transferable to other land.
3. A copy of this special permit shall be posted in a conspicuous place in the accessory dwelling unit and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The occupants of the principal dwelling and the accessory dwelling unit shall be in accordance with Par. 5 of Sect. 8-918 of the Zoning Ordinance which states in part that one of the dwelling units shall be occupied by a person or persons who qualify as elderly (55 years of age or older) and/or permanently and totally disabled.
5. The accessory dwelling unit shall contain a maximum of 1,612 square feet (12.4% of the total gross floor area), and the layout shall be generally as depicted on the floor plan included as Attachment 1 to these conditions.
6. The existing onsite sewage disposal system shall be upgraded as necessary to satisfy the requirements of the Fairfax County Health Department. No one shall occupy the accessory dwelling unit until the Fairfax County Health Department requirements have been satisfied.
7. All applicable permits and final inspections shall be obtained for the accessory dwelling unit prior to the occupancy of the accessory dwelling unit.
8. Provisions shall be made for the inspection of the property by County personnel during reasonable hours upon prior notice and the accessory dwelling unit shall meet the applicable regulations for building, safety, health and sanitation.

9. The accessory dwelling unit shall be approved for a period of five years from the final approval date of the special permit and may be extended for five year periods with prior approval of the Zoning Administrator in accordance with Section 8-012 of the Zoning Ordinance.
10. If the use of the accessory dwelling unit ceases and/or the property is sold or otherwise conveyed, the accessory dwelling unit shall be converted to a use permitted by the Zoning Ordinance or if the property is sold or conveyed, a special permit amendment may be submitted to permit the continued use of an accessory dwelling unit.
11. All parking shall be provided on site.

This approval, contingent on 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, six months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use 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.





REMODELED SECOND FLOOR PLAN

August 11, 2014

County of Fairfax  
 Department of Planning and Zoning  
 Zoning Evaluation Division  
 12055 Government Center Pkwy Suite 801  
 Fairfax, VA 22035  
 Reference To: Special Permit 11100 Hampton Road Fairfax Station, VA 22039

RECEIVED  
 Department of Planning & Zoning  
 AUG 11 2014  
 Zoning Evaluation Division

To Whom It May Concern:

This letter is a request for justification to convert a garage to an accessory dwelling unit with a kitchen and using the upper level of undisturbed finished living space as the sleeping area on a five acre lot. My family and I will be supporting my 64 year old mother so she will not be paying rent. As well as, providing her support with regards to light housekeeping and cooking.

Also below are further information for our statement of justification:

A.) According to Fairfax County Zoning Ordinance, 8-918: Additional Standards for Accessory Dwelling Units the following conditions apply:

1. Accessory dwelling units shall only be permitted in association with a single family detached dwelling unit and there shall be no more than one accessory dwelling unit per single family detached dwelling unit.

2. Except on lots two (2) acres or larger, an accessory dwelling unit shall be located within the structure of a single family detached dwelling unit. Any added external entrances for the accessory dwelling unit shall be located on the side or rear of the structure.

On lots two (2) acres or greater in area, an accessory dwelling unit may be located within the structure of a single family detached dwelling unit or within a freestanding accessory structure.

3. The gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the total gross floor area of the principal dwelling unit. When the accessory dwelling unit is located in a freestanding accessory structure, the gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the gross floor area of the accessory freestanding structure and the principal dwelling unit.

4. The accessory dwelling unit shall contain not more than two (2) bedrooms.

5. The occupancy of the accessory dwelling unit and the principal dwelling unit shall be in accordance with the following:

A. One of the dwelling units shall be owner occupied.

B. One of the dwelling units shall be occupied by a person or persons who qualify as

elderly and/or disabled as specified below:

(1) Any person fifty-five (55) years of age or over and/or

(2) Any person permanently and totally disabled. If the application is made in reference to a person because of permanent and total disability, the application shall be accompanied by a certification by the Social Security Administration, the Veterans Administration or the Railroad Retirement Board. If such person is not eligible for certification by any of these agencies, there shall be submitted a written declaration signed by two (2) medical doctors licensed to practice medicine, to the effect that such person is permanently and totally disabled. The written statement of at least one of the doctors shall be based upon a physical examination of the person by the doctor. One of the doctors may submit a written statement based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability.

For purposes of this Section, a person shall be considered permanently and totally disabled if such person is certified as required by this Section as unable to engage in any substantial gainful activity by reasons of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of the person's life.

C. The accessory dwelling unit may be occupied by not more than two (2) persons not necessarily related by blood or marriage. The principal single family dwelling unit may be occupied by not more than one (1) of the following:

(1) One (1) family, which consists of one (1) person or two (2) or more persons related by blood or marriage and with any number of natural children, foster children, step children or adopted children.

(2) A group of not more than four (4) persons not necessarily related by blood or marriage.

6. Any accessory dwelling unit established for occupancy by a disabled person shall provide for reasonable access and mobility as required for the disabled person. The measures for reasonable access and mobility shall be specified in the application for special permit. Generally, reasonable access and mobility for physically disabled persons shall include:

A. Uninterrupted access to one (1) entrance; and

B. Accessibility and usability of one (1) toilet room.

7. The BZA shall review all existing and/or proposed parking to determine if such parking is sufficient to meet the needs of the principal and accessory dwelling units. If it is determined that such parking is insufficient, the BZA may require the provision of one (1) or more off-street parking spaces. Such parking shall be in addition to the requirements specified in Article 11 for a single family dwelling unit.

8. The BZA shall determine that the proposed accessory dwelling unit together with any other accessory dwelling unit(s) within the area will not constitute sufficient change to modify or disrupt the predominant character of the neighborhood. In no instance shall the

approval of a special permit for an accessory dwelling unit be deemed a subdivision of the principal dwelling unit or lot.

9. Any accessory dwelling unit shall meet the applicable regulations for building, safety, health and sanitation.

10. Upon the approval of a special permit, the Clerk to the Board of Zoning Appeals shall cause to be recorded among the land records of Fairfax County a copy of the BZA's approval, including all accompanying conditions. Said resolution shall contain a description of the subject property and shall be indexed in the Grantor Index in the name of the property owners.

FAIRFAX COUNTY ZONING ORDINANCE 8-66

11. The owner shall make provisions to allow inspections of the property by County personnel during reasonable hours upon prior notice.

12. Special permits for accessory dwelling units shall be approved for a period not to exceed five (5) years from the date of approval; provided, however, that such special permits may be extended for succeeding five (5) year periods in accordance with the provisions of Sect. 012 above.

13. Notwithstanding Par. 5 of Sect. 9-012, any accessory dwelling unit approved prior to July 27, 1987 and currently valid may be extended in accordance with the provisions of this Section and Sect. 012 above.

B.) Furthermore, there are no known hazardous or toxic substances as set forth in Title 40, code of Federal Regulations Parts 116.4, 302.4, and 355 in our property.

C.) Our proposed property conforms to the provisions of all applicable ordinances, regulations and adopted standards.

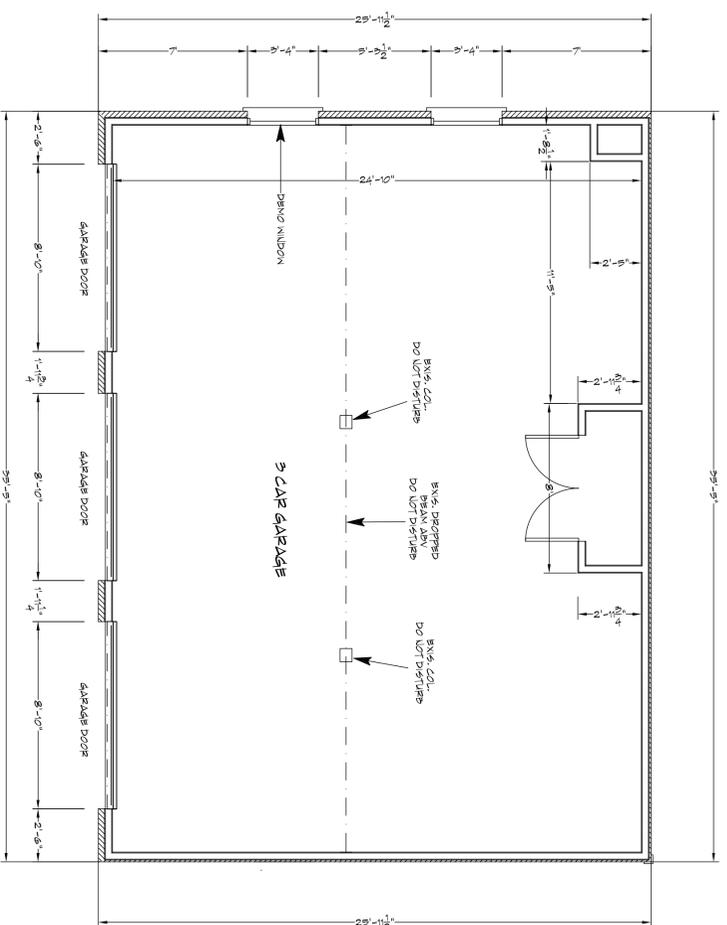
We appreciate your consideration and assistance with our application. we look forward to hearing from you.

Respectfully,

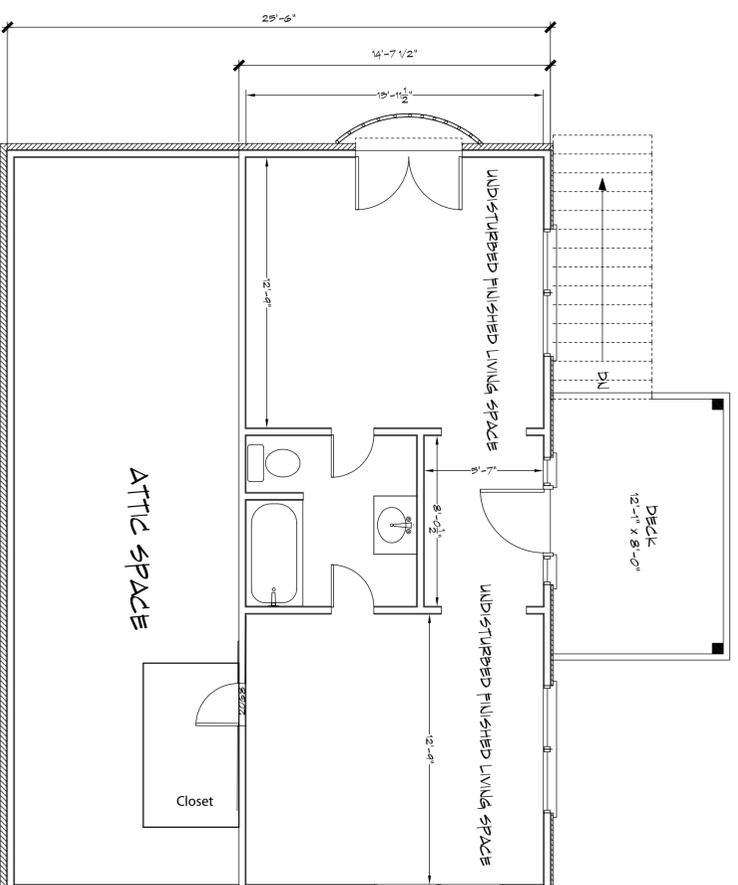
A handwritten signature in cursive script that reads "Shan William Farmer".

Dr. Shan William Farmer

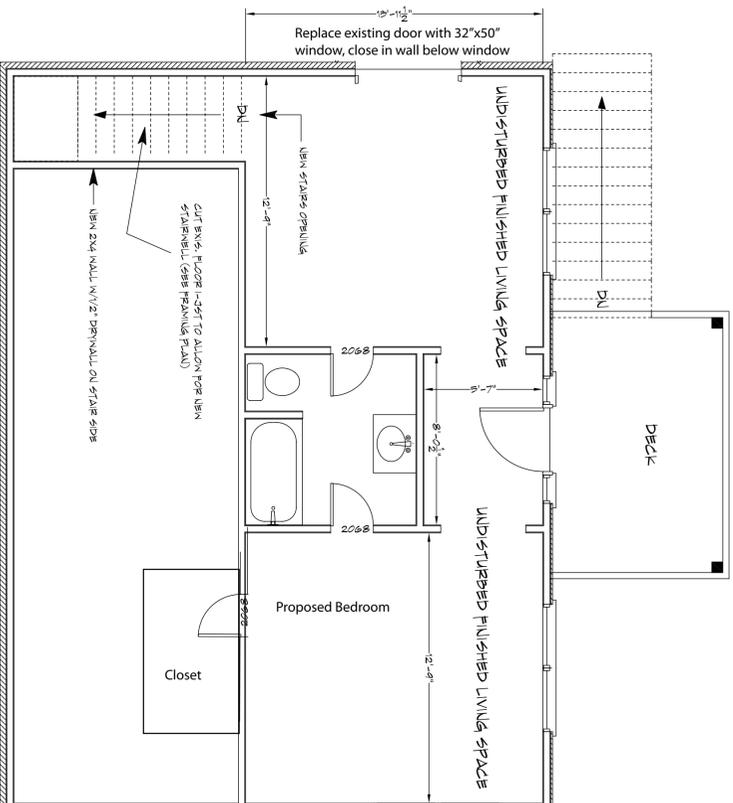
APPLICABLE BUILDING CODE: 2009 Commonwealth of Virginia Residential Code



RENODELED FIRST FLOOR PLAN  
SCALE: 1/4" = 1'-0"



EXISTING SECOND FLOOR PLAN  
SCALE: 1/4" = 1'-0"



RENODELED SECOND FLOOR PLAN  
SCALE: 1/4" = 1'-0"

This drawing is a document of services and shall not be reproduced without the consent of the building designer and/or owner(s) of copyright.



GARAGE RENOVATION

Drawing Dates

ADVERSE CONDITIONS

Project Name: SHANAN FARMER  
 1110 HAMPTON RD  
 Lot Number: N/A  
 Scale: AS SHOWN  
 Contract Date: 03/29/14  
 County: FAIRFAX  
 Block Number: N/A  
 Drawn By: JMH  
 Job No: 14-5236  
 State: VA

A Custom Design For:  
**SHANAN FARMER**

Project Name:	SHANAN FARMER		
Address:	1110 HAMPTON RD		
Lot Number:	N/A	Contract Date:	03/29/14
Scale:	AS SHOWN	County:	FAIRFAX
Block Number:	N/A	Drawn By:	JMH
		Job No:	14-5236
		State:	VA
Checked By:			

Sheet A2

Page 1 of 2



**FARMER'S RESIDENCE AT 11100 HAMPTON RD FAIRFAX STATION, VA 22039  
JULY 07, 2014**

1. Front view of the garage



Close-up view of the garage



**FARMER'S RESIDENCE AT 11100 HAMPTON RD FAIRFAX STATION, VA 22039  
JULY 07, 2014**

2. Left side of the garage



3. Rear view of the garage



**FARMER'S RESIDENCE AT 11100 HAMPTON RD FAIRFAX STATION, VA 22039  
JULY 07, 2014**

4. Right side of the garage



5. Rear and right side view of the garage



**FARMER'S RESIDENCE AT 11100 HAMPTON RD FAIRFAX STATION, VA 22039  
JULY 07, 2014**

6. Panoramic view of the front house and front garage

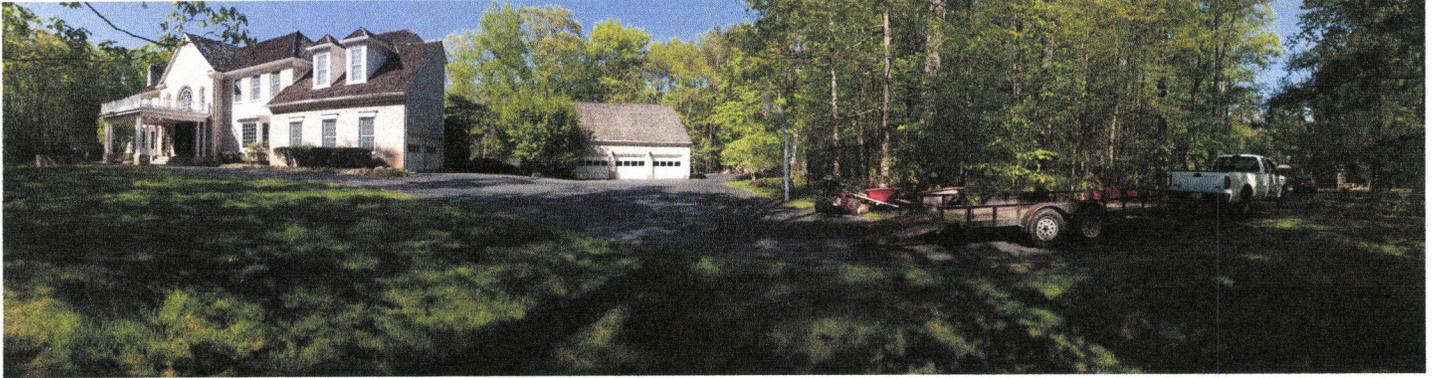


7. Panoramic view of the rear garage and rear house



**FARMER'S RESIDENCE AT 11100 HAMPTON RD FAIRFAX STATION, VA 22039  
JULY 07, 2014**

8. Panoramic view of the front house, front garage and driveway



9. Deck and swimming pool on the back of the house



**FARMER'S RESIDENCE AT 11100 HAMPTON RD FAIRFAX STATION, VA 22039  
JULY 07, 2014**

10. Entrance/Driveway of the house



11. Left side view of the house



**FARMER'S RESIDENCE AT 11100 HAMPTON RD FAIRFAX STATION, VA 22039  
JULY 07, 2014**

12. Left side of the house



13. Swimming pool and deck view from the left side of the house



**FARMER'S RESIDENCE AT 11100 HAMPTON RD FAIRFAX STATION, VA 22039  
JULY 07, 2014**

14. Backyard view from the left side of the house



15. Path in the backyard to go to the tennis court



16. Close-up view of the tennis court



**FARMER'S RESIDENCE AT 11100 HAMPTON RD FAIRFAX STATION, VA 22039  
JULY 07, 2014**

17. Wooded area, adjacent to the tennis court



18. Pathway connecting the pool area and tennis court



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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: May 08, 2014  
 (enter date affidavit is notarized)

I, Kamol A. Farid, 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: 125458

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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Shanan W. Farmer	11100 Hampton Road Fairfax Station, VA 22039	Applicant/Title Owner
Rachelle M. Farmer	11100 Hampton Road Fairfax Station, VA 22039	Title Owner
Kamol A. Farid	4000 Legato Road Suite 1100 Fairfax, VA 22033	Agent
Eleanor M. Farid	4000 Legato Road Suite 1100 Fairfax, VA 22033	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).

CAB

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: May 08, 2014  
(enter date affidavit is notarized)

125458

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: May 08, 2014  
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125458

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)

N/A

(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): \_\_\_\_\_  
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125458

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

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

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

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

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

NONE

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

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: May 08, 2014  
(enter date affidavit is notarized)

125458

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)

[ ] Applicant

Applicant's Authorized Agent

Kamol A. Farid, Authorized Agent

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

Subscribed and sworn to before me this 08 day of May, 2014, in the State/Comm. of Virginia, County/City of Fairfax.

[Signature]

Notary Public

My commission expires: 10-31-2017



**CHUNGHIN SUN**  
NOTARY PUBLIC  
COMMONWEALTH OF VIRGINIA  
Expires 10/31/2017  
ID #: 7543786

CPB

**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.

**Additional Standards for Accessory Dwelling Units**

As established by the Fairfax County Board of Supervisors' Policy on Accessory Dwelling Units (Appendix 5), the BZA may approve a special permit for the establishment of an accessory dwelling unit with a single family detached dwelling unit but only in accordance with the following conditions:

1. Accessory dwelling units shall only be permitted in association with a single family detached dwelling unit and there shall be no more than one accessory dwelling unit per single family detached dwelling unit.
2. Except on lots two (2) acres or larger, an accessory dwelling unit shall be located within the structure of a single family detached dwelling unit. Any added external entrances for the accessory dwelling unit shall be located on the side or rear of the structure.

On lots two (2) acres or greater in area, an accessory dwelling unit may be located within the structure of a single family detached dwelling unit or within a freestanding accessory structure.

3. The gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the total gross floor area of the principal dwelling unit. When the accessory dwelling unit is located in a freestanding accessory structure, the gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the gross floor area of the accessory freestanding structure and the principal dwelling unit.
4. The accessory dwelling unit shall contain not more than two (2) bedrooms.
5. The occupancy of the accessory dwelling unit and the principal dwelling unit shall be in accordance with the following:
  - A. One of the dwelling units shall be owner occupied.
  - B. One of the dwelling units shall be occupied by a person or persons who qualify as elderly and/or disabled as specified below:
    - (1) Any person fifty-five (55) years of age or over and/or
    - (2) Any person permanently and totally disabled. If the application is made in reference to a person because of permanent and total disability, the application shall be accompanied by a certification by the Social Security Administration, the Veterans Administration or the Railroad

Retirement Board. If such person is not eligible for certification by any of these agencies, there shall be submitted a written declaration signed by two (2) medical doctors licensed to practice medicine, to the effect that such person is permanently and totally disabled. The written statement of at least one of the doctors shall be based upon a physical examination of the person by the doctor. One of the doctors may submit a written statement based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability.

For purposes of this Section, a person shall be considered permanently and totally disabled if such person is certified as required by this Section as unable to engage in any substantial gainful activity by reasons of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of the person's life.

- C. The accessory dwelling unit may be occupied by not more than two (2) persons not necessarily related by blood or marriage. The principal single family dwelling unit may be occupied by not more than one (1) of the following:
  - (1) One (1) family, which consists of one (1) person or two (2) or more persons related by blood or marriage and with any number of natural children, foster children, step children or adopted children.
  - (2) A group of not more than four (4) persons not necessarily related by blood or marriage.
- 6. Any accessory dwelling unit established for occupancy by a disabled person shall provide for reasonable access and mobility as required for the disabled person. The measures for reasonable access and mobility shall be specified in the application for special permit. Generally, reasonable access and mobility for physically disabled persons shall include:
  - A. Uninterrupted access to one (1) entrance; and
  - B. Accessibility and usability of one (1) toilet room.
- 7. The BZA shall review all existing and/or proposed parking to determine if such parking is sufficient to meet the needs of the principal and accessory dwelling units. If it is determined that such parking is

insufficient, the BZA may require the provision of one (1) or more off-street parking spaces. Such parking shall be in addition to the requirements specified in Article 11 for a single family dwelling unit.

8. The BZA shall determine that the proposed accessory dwelling unit together with any other accessory dwelling unit(s) within the area will not constitute sufficient change to modify or disrupt the predominant character of the neighborhood. In no instance shall the approval of a special permit for an accessory dwelling unit be deemed a subdivision of the principal dwelling unit or lot.
9. Any accessory dwelling unit shall meet the applicable regulations for building, safety, health and sanitation.
10. Upon the approval of a special permit, the Clerk to the Board of Zoning Appeals shall cause to be recorded among the land records of Fairfax County a copy of the BZA's approval, including all accompanying conditions. Said resolution shall contain a description of the subject property and shall be indexed in the Grantor Index in the name of the property owners.
11. The owner shall make provisions to allow inspections of the property by County personnel during reasonable hours upon prior notice.
12. Special permits for accessory dwelling units shall be approved for a period not to exceed five (5) years from the date of approval; provided, however, that such special permits may be extended for succeeding five (5) year periods in accordance with the provisions of Sect. 012 above.
13. Notwithstanding Par. 5 of Sect. 9-012, any accessory dwelling unit approved prior to July 27, 1987 and currently valid may be extended in accordance with the provisions of this Section and Sect. 012 above.