



APPLICATION ACCEPTED: January 11, 2015
DATE OF PUBLIC HEARING: April 22, 2015 @ 9:00 a.m.

County of Fairfax, Virginia

April 15, 2015

STAFF REPORT

SPECIAL PERMIT SP 2015-DR-006

DRANESVILLE DISTRICT

APPLICANT/OWNER: Margel S. Prince

LOCATION: 6033 Corland Ct., McLean, 22101

SUBDIVISION: Wrenwood, Sec. 4

TAX MAP: 31-4 ((17)) 15

LOT SIZE: 15,043 square feet

ZONING: R-2

ZONING ORDINANCE PROVISION: 8-914

SPECIAL PERMIT PROPOSAL: To permit reduction to minimum yard requirements based on error in building location to permit an accessory storage structure to remain 10 feet from a side lot line.

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.

Casey V. Gresham

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



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.**

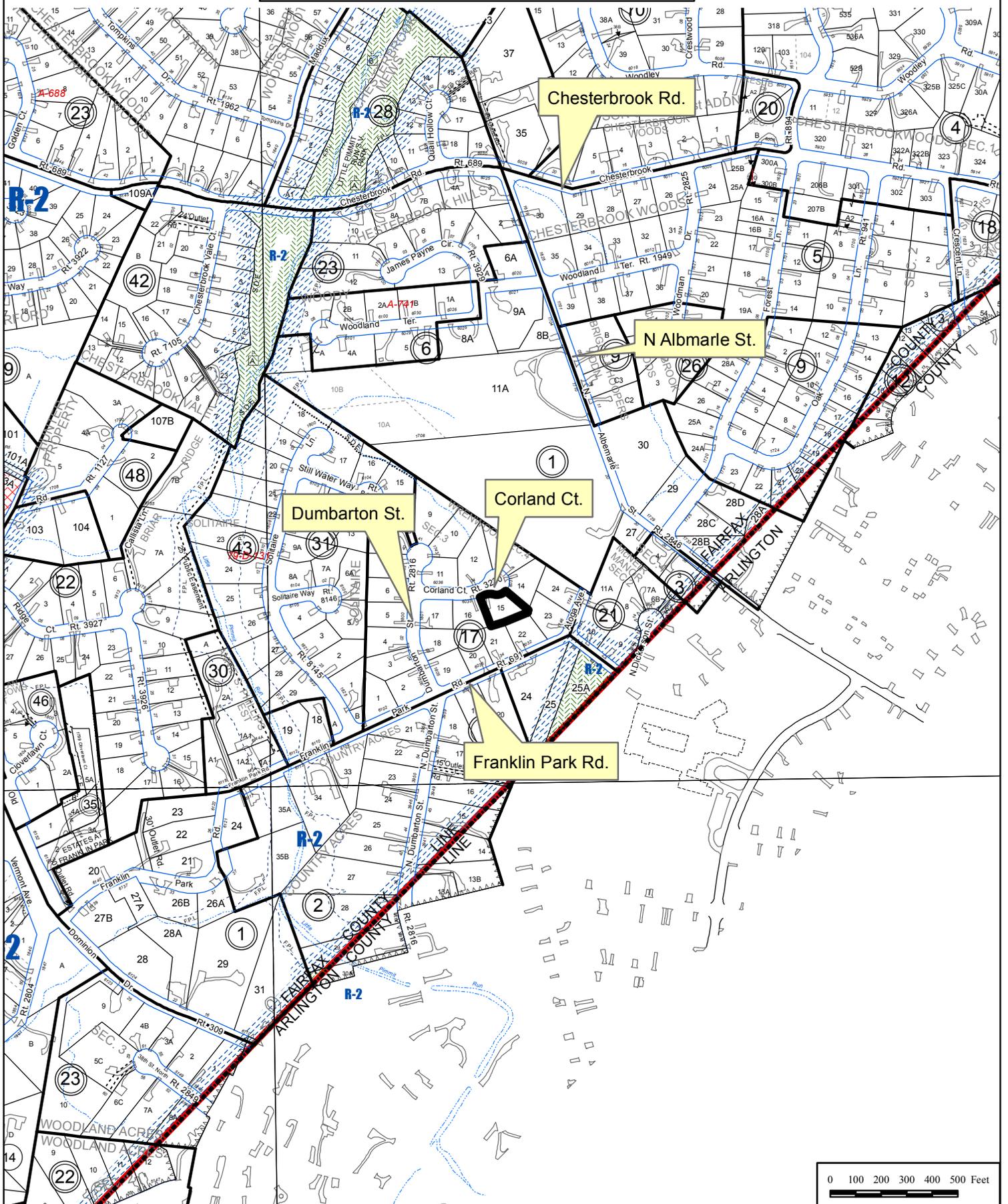


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

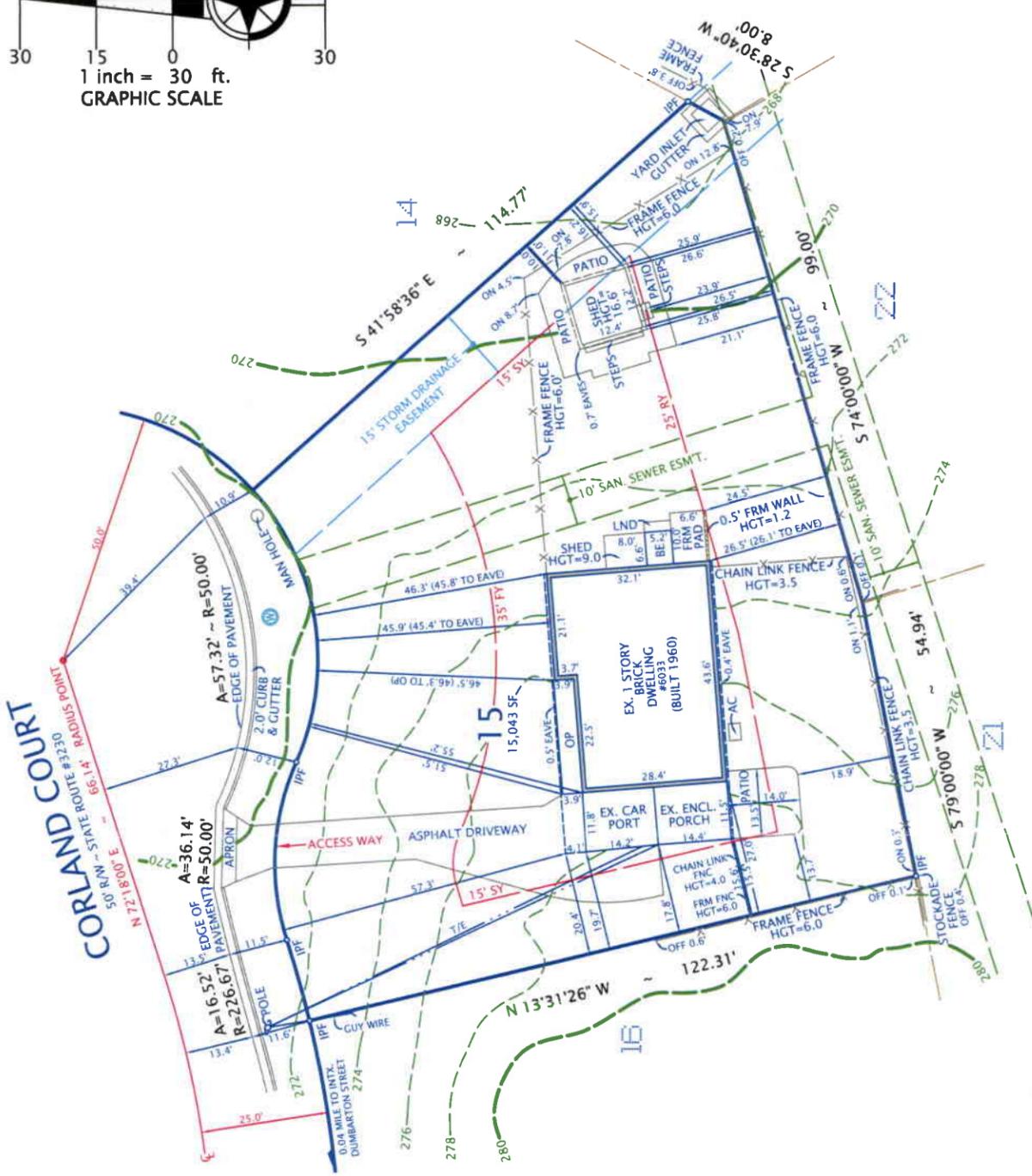
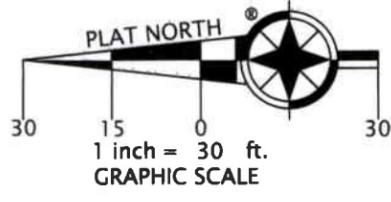
SP 2015-DR-006

MARGEL S PRINCE



NOTES

1. TAX MAP: 31-4-17-0015
 2. ZONE: R-2 (RESIDENTIAL 2 DU/AC)
 3. LOT AREA: 15,043 SQUARE FEET (0.4353 ACRE)
 4. REQUIRED YARDS:
 - FRONT: = 35 FEET
 - SIDE: = 15 FEET
 - REAR: = 25 FEET
 5. HEIGHTS:
 - EX. DWELLING = 16.3 FEET (MIDLINE)
 - EX. SHEDS = AS NOTED
 - EX. ENCL. PORCH = 12.1 FEET (MIDLINE)
 - EX. CARPORT = 12.1 FEET (MIDLINE)
 - FENCES = AS NOTED
 6. THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
 7. THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
 8. ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING.
 9. THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
 10. TOPOGRAPHY DELINEATED HEREON WAS TAKEN FROM AVAILABLE RECORDS, IS SHOWN AT 2' INTERVALS, AND IS AERIAL.
 11. THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
 12. AREAS:
 - EX. BASEMENT = 1,316 SF
 - EX. FIRST FLOOR = 1,316 SF
 - EX. GROSS FLOOR AREA = 2,632 SF
- EX. FLOOR AREA RATIO: EX GFA (2632) / LOT AREA (15043) = 0.17



RECEIVED
Department of Planning & Zoning

DEC 01 2014

Zoning Evaluation Division

PLAT

SHOWING THE IMPROVEMENTS ON
LOT 15, SECTION FOUR

WRENNWOOD

(DEED BOOK 1852, PAGE 284)

FAIRFAX COUNTY, VIRGINIA

DRANESVILLE DISTRICT #1A1

SCALE: 1" = 30'

JUNE 10, 2014
OCTOBER 08, 2014 (SHED DETAIL)

CASE NAME:	MARGEL S. PRINCE
8808-H PEAR TREE VILLAGE COURT ALEXANDRIA, VIRGINIA 22309 703-619-6555 FAX: 703-799-6412	



I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:	THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD. A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.
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#140529012

CASE NAME: PRINCE

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a reduction to minimum yard requirements based on error in building location to permit an accessory storage structure to remain 10 feet from a side lot line. The applicant’s 16.6 foot tall shed is utilized for storage.

	Structure	Yard	Minimum Yard Required	Existing Location	Existing Reduction	Percentage of Reduction Requested
Special Permit	Shed	Side	15.0 feet	10.0 feet	5.0 feet	33%

A copy of the special permit plat titled “Plat Showing the Improvements on Lot 15, Section Four, Wrennwood,” prepared by George M. O’Quinn, L.S. , dated June 10, 2014, is included in the front of the staff report.

CHARACTER OF THE SITE AND SURROUNDING AREA

The 15,043 square foot lot is developed with a one story single family detached dwelling. An asphalt driveway extends from an existing carport to Corland Court. An enclosed porch is connected to the carport in the side yard of the property. The rear yard contains the shed, which is surrounded by an at-grade patio. A portion of the rear yard is surrounded by a 6 foot wood frame fence; the other portion of the yard is enclosed by a chain link fence 3.5 feet in height.



Figure 1: House location
 For illustrative purposes only

A 10-foot wide sanitary sewer easement runs from the front to the rear yard of the property. A portion of the frame fence is located within this easement. A 15-foot wide storm drainage easement also runs from the front to the rear yard of the property. A portion of the shed is located within this easement.

The subject property and surrounding properties are zoned R-2 and developed with single family detached dwellings.

BACKGROUND

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1960 and purchased by the applicant in 1975.

A Notice of Violation (NOV) was issued to the applicant on October 30, 2014, for an existing shed exceeding 8.5 feet in height that did not meet applicable zoning setbacks (Appendix 4). Rather than reducing the height of the shed to 8.5 feet or relocating the shed, the applicant chose to pursue the special permit remedy.

Records indicate that no other special permit applications relating to an error in building location have been heard by the Board of Zoning Appeals (BZA) in the surrounding area.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area II, McLean Planning District
Planning Sector: Kirby Community Planning Sector (M3)
Plan Map: Residential uses, at 2-3 dwelling units/acre (du/ac)

Zoning District Standards

Bulk Standards (R-2)		
Standard	Required	Provided
Lot Size	15,000 sf.	15,043 sf.
Lot Width	Interior: 100 feet	162 feet
Building Height	35 feet max.	16.3 feet
Front Yard	Min. 35 feet	45.9 feet
Side Yard	Min. 15 feet	10 feet ¹
Rear Yard	Min. 25 feet	Patio: 18.9 feet ² Dwelling: 26.1 feet

¹ Application is to address this side yard setback.

² This setback is to a patio, which can encroach up to 5 feet from a rear lot line.

Accessory Structures On-Site

Structure	Yard	Minimum Yard Required	Existing Location
Carport	Side	No closer than 5 feet to a side	17.8 feet
Enclosed Porch	Side	15 feet	15.5 feet
Patio	Side	No closer than 5 feet to any lot line	13.7 feet
Patio	Side	Detached from home, no closer than 2 feet from lot lines	~8 feet
Shed #1	Side	15 feet	10.0 feet
Shed #2	Side	15 feet	>15 feet

Urban Forestry Review

Following review of this application by the Urban Forest Management Division (Appendix 5), it was recommended that plantings be included to compensate for the encroachment into the side yard setback. A condition has been included in Appendix 1 to require the planting of one evergreen or deciduous tree between the shed and the eastern side lot line.

Zoning Ordinance Requirements

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

This special permit is subject to sections of the Zoning Ordinance as referenced above, a copy of which is included in Appendix 6. Subject to development conditions, the special permit must meet these standards.

CONCLUSION

Staff does not make recommendations on an error in building location. If it is the intent of the Board of Zoning Appeals to approve this application, the BZA should condition its approval by requiring conformance with the conditions set forth in Appendix 1.

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Statement of Justification and Select File Photos
3. Applicant's Affidavit
4. Notice of Violation, dated October 30, 2013
5. Urban Forest Management Division Review
6. Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2015-DR-006****April 15, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-DR-006, located at Tax Map 31-4 ((17)) 15, to permit an reduction in minimum yard requirements based on error in building location pursuant to Sect. 8-914 of the Fairfax County Zoning Ordinance, the BZA should condition the approval by requiring conformance with the following development conditions.

1. This special permit is approved for the location of the shed, as shown on the plat prepared titled, "Plat Showing the Improvements on Lot 15, Section Four, Wrennwood," prepared by George M. O'Quinn, L.S. , dated June 10, 2014, and approved with this application, as qualified by these development conditions.
2. The applicant shall plant one evergreen or deciduous category II tree between the shed and the eastern side lot line. UFMD recommends the planting of native species with either water quality or wildlife benefits, such as a downy serviceberry, a fringe tree, an American holly, or an arborvitae.

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.

JAN 09 2015

Zoning Evaluation Division

Special Permit Statement of Justification

- A. I believe the error exceeds ten (10) percent of the measurement involved.
- B. I believe the error is greater than ten (10) percent of the measurement involved and therefore: reduction or modification is requested in conjunction with the approval of a special permit for another use or application for a variance on the property, or is in conjunction with another special permit for an error in building location on the property that exceeds ten (10) percent of the measurement involved would not apply, and
- C. The noncompliance was done in good faith, or through no intention of the property owner, or was the result of an error in the location of the building. The building has a 12' x 12' footprint and Building Permit was not required, and
- D. Such reduction or modification will not impair the purpose and intent of this Ordinance, and
- E. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and
- F. It will not create an unsafe condition with respect to both other property and public streets, and
- G. To force compliance with the minimum yard requirements or location regulations would cause unreasonable hardship upon the owner.
- H. The reduction or modification will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.

Special Permit Statement of Justification

The intended use of this shed is for storage. A written statement from the applicant describing the proposed use, and other pertinent data, including specifically:

A. There is no power in the shed so reasonable access is daylight hours.

C. Only used by immediate family.

D. Only used by immediate family.

E. Minimal.

F. Just this property.

G. Gambrel roof stick built shed with a 12' by 12' footprint on cement piers.

H. No hazardous materials will be stored in this structure.

I. The 12' x 12' falls within the proper size limit to not require a permit. The sideline setback of 15' feet was breached on one corner by 4'. In turn that breaks the height limit. Shed now at high point stands around 17'. Code would indicate either the shed stays where it is then cut it down to 8.5', which would cut it to a useless height. The back side is nearly 2' above the ground, the resulting shed structure would be 6.5. Or shed be moved, has a set of complications they are quite difficult if not impossible. If moved it would have to go toward the house. Can't go toward the back: it would break the rear lot line rule. It's built on piers with j bolts. They are not uniformly centered. So in short I see a weaker structure if it is moved.

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



THE ATTACHED AFFIDAVIT
HAS NOT BEEN APPROVED
BY THE OFFICE OF THE COUNTY ATTORNEY

Return Copy



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County.

NOTICE OF VIOLATION Fairfax County Zoning Ordinance

DATE OF ISSUANCE: October 30, 2013

METHOD OF SERVICE: OFFICE OF THE SHERIFF

LEGAL NOTICE ISSUED TO: Margel S. Prince
ADDRESS: 6033 Corland Court
McLean, Virginia 22101

LOCATION OF VIOLATION: 6033 Corland Court
McLean, Virginia 22101-4205

TAX MAP REF: 0314 17 0015

ZONING DISTRICT: R- 2

CASE #: 201307448 **SR #:** 100004

POTENTIAL CIVIL PENALTIES UNDER ZONING ORDINANCE

§ 18-903(1):	Zoning Violation	First Offense	Each Subsequent Offense
	§10.102.24	\$ 200.00	\$ 500.00
	§10.104.10D	\$ 200.00	\$ 500.00
	TOTAL:	\$ 400.00	\$ 1000.00

Dear Responsible Party:

An inspection of the above referenced property on October 24, 2013 revealed the following violation(s) of the Fairfax County Zoning Ordinance:

§ 10-102 (24) Outdoor Storage
§ 2-302 (6) Accessory Use must comply with Article 10:

An inspection has determined that you are allowing storage in the rear and side yards of the address listed above. These items consist of, but are not limited to, the following:

Department of Code Compliance
12055 Government Center Parkway, Suite 1016
Fairfax, Virginia 22035-5508
Phone 703-324-1300 Fax 703-324-9346
www.fairfaxcounty.gov/code

Margel S. Prince
October 30, 2013
SR 100004
Page 2

Lumber, windows and other material

This outdoor storage:

- Exceeds 100 square feet in area, and
- Is not located in the rear half of the lot, and
- Is not screened from view from the first story window of any neighboring dwelling.

This outdoor storage is violation of Par. 24 of Sect. 10-102 of the Fairfax County Zoning Ordinance that states in part:

Storage, outdoor in R districts, provided such storage is located on the rear half of the lot, is screened from the view from the first story window of any neighboring dwelling, and the total area for such outdoor storage does not occupy more than 100 square feet.

Therefore, you are in violation of Par. 6 of Sect. 2-302 of the Zoning Ordinance that states:

No accessory structure or use, as defined in Article 20, shall hereafter be built, moved, remodeled, established, altered or enlarged unless such accessory structure or use complies with the provisions of Part 1 of Article 10.

You are hereby directed to clear this violation within fifteen (15) days of the date of this Notice. Compliance can be accomplished by the following:

- Removing all outdoor storage from this lot; or
- Relocation of the outdoor storage to the rear half of the lot, and
- Screening it from the view from the first story window of any neighboring dwelling, and
- Limiting it to a total area not exceeding 100 square feet.

§ 10-104 (10D) Accessory Storage Structure Location
§ 2-302 (6) Accessory Use must comply with Article 10:

The presence of an accessory storage structure which measured approximately 17 feet in height is approximately 144 square feet in area and is located approximately 10 feet from the side lot line.

Margel S. Prince
October 30, 2013
SR 100004
Page 3

The Fairfax County Zoning Ordinance permits accessory storage structures to be located in minimum required yards; however, if the structure exceeds eight and one-half (8½) feet in height, it must be located on the lot so as to comply with Par. 10D of Sect. 10-104 of the Zoning Ordinance which states:

An accessory storage structure which exceeds eight and one half (8 ½) feet in height shall not be located in any part of any minimum required side yard.

The minimum required side yard distance in the R- 2 District is 15 feet as detailed in Par. 2A (1) (b) of Sect. 3-207 of the Zoning Ordinance.

Therefore, as this accessory storage structure exceeds eight and one-half (8 ½) feet in height and is not located in accordance with the provisions of Par. 10D of Sect. 10-104 above, it is in violation of Par. 10D of Sect. 10-104 and Par. 6 of Sect. 2-302 of the Zoning Ordinance which states:

No accessory structure or use, as defined in Article 20, shall hereafter be built, moved, remodeled, established, altered or enlarged unless such accessory structure or use complies with the provisions of Par. 1 of Article 10.

You are hereby directed to clear this violation within fifteen (15) days of the date of this Notice. Compliance can be accomplished by:

- Removing the storage structure from the property in its entirety; or
- Reducing the height of the structure to eight and one-half (8 ½) feet or less to allow it to remain at its present location; or
- Relocating the structure to a distance from the side lot line in accordance with Par. 10D of Sect. 10-104 of the Zoning Ordinance as outlined above.

As an alternative you may apply to the Fairfax County Board of Zoning Appeals (BZA) and actively pursue and ultimately obtain approval of a Group 9 Special Permit for an error in building location to allow the accessory storage structure to remain at its present height and at its present location. For information and answers to any questions regarding this application process, you may contact the Zoning Evaluation Division at 703-324-1290.

Margel S. Prince
October 30, 2013
SR 100004
Page 4

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance which can result in court ordered sanctions or civil penalties. Civil penalties may be ordered in the amount of \$200.00 for each violation of the Zoning Ordinance cited herein for the first violation and \$500.00 for each violation of the Zoning ordinance cited herein for any subsequent violation, in accordance with Zoning Ordinance §18-903(1).

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, a written statement setting forth the decision being appealed, the date of decision, the grounds for the appeal, how the appellant is an aggrieved party, any other information that you may wish to submit and a \$600.00 filing fee. Once an appeal application is accepted, it will be scheduled for public hearing and decision before the BZA. For information regarding an appeal contact:

Zoning Administration Division
12055 Government Center Parkway, Suite 807
Fairfax, Virginia 22035
Office: (703)324-1314

Information and forms can also be obtained at <http://www.fairfaxcounty.gov/dpz/bza/appeals/>.

If you have questions, would like to schedule an appointment to meet with an investigator, or schedule a follow up inspection, please contact me directly at (703)324-9327. For any other questions, contact our main office at (703)324-1300.

LEGAL NOTICE ISSUED BY:



Signature

Michael Caudle
Code Compliance Investigator
(703)324-9327

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth.

Not found.

Sgt. P. Conner
SERVING OFFICER
& Mark W. Sites, Sheriff

10/31/13
DATE

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
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Not found.

SERVING OFFICER
for _____

DATE

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Served on a Secretary of the Commonwealth.

Not found.

SERVING OFFICER
for _____

DATE

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Served on a Secretary of the Commonwealth.

Not found.

SERVING OFFICER
for _____

DATE



County of Fairfax, Virginia

MEMORANDUM

DATE: February 25, 2015

TO: Casey Gresham, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Craig Herwig, Urban Forester III *CH*
Forest Conservation Branch, DPWES

SUBJECT: Wrennwood Sec 4, Lot 15; SP 2015-DR-006

Staff from the Urban Forest Management Division (UFMD) have reviewed the above referenced Special Permit application including a Statement of Justification and a Special Permit plat of the subject property, stamped as received by the Zoning Evaluation Division on January 9, 2015. The following comments and recommendations are based on this review. A site visit was conducted on February 25, 2015.

Comment: Construction of the accessory structure has reduced the set back in the side yard. To compensate for this encroachment, UFMD recommends the planting of one category II tree.

Recommendation: UFMD recommends planting one evergreen or deciduous category II tree (Deciduous tree: 2-inches in caliper at time of planting or evergreen tree 6-feet high at time of planting). Examples of tree species can be found in the public facilities manual under 12-0600 table 12.17. UFMD recommends the planting of native species with either water quality or wildlife benefits including the following category II trees: downy serviceberry, fringe tree, American holly or arborvitae.

If you have any further questions, please feel free to contact me at 703-234-1770.

CSH/

UFMDID #: 199122

cc: DPZ File



8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-903 Standards for All Group 9 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, or other appropriate submission as determined by the Director.

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

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

1. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia and such plat shall contain the following information:
 - A. Boundaries of entire property, with bearings and distances of the perimeter property lines and of each zoning district.
 - B. Total area of the property and of each zoning district in square feet or acres.
 - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
 - D. Location of all existing structures, with dimensions, including height of any structure and penthouse, and if known, the construction date(s) of all existing structures.
 - E. All required minimum yards to include front, side and rear, and a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing structures to lot lines.
 - F. Means of ingress and egress to the property from a public street(s).
 - G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).
 - H. If applicable, the location of well and/or septic field.
 - I. For nonresidential uses, a statement setting forth the maximum gross floor area and FAR for all uses.
 - J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
 - K. Seal and signature of professional person certifying the plat.

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

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

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