



County of Fairfax, Virginia

June 10, 2015

STAFF REPORT

SPECIAL PERMIT SP 2015-DR-048

DRANESVILLE DISTRICT

APPLICANTS/OWNERS: Jyotsna Aithal
Susheel Jain

STREET ADDRESS: 6722 Haycock Road, Falls Church, 22043

SUBDIVISION: Clarence Brothers Property

TAX MAP REFERENCE: 40-4 ((1)) 56

LOT SIZE: 20,942 square feet

ZONING DISTRICT: R-3

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction in certain yard requirements to permit construction of an addition 6.1 feet from the side lot line.

STAFF RECOMMENDATION:

Staff recommends approval of SP 2015-DR-048 for the addition with adoption of the proposed development conditions contained in Appendix 1.

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

Erin M. Haley

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

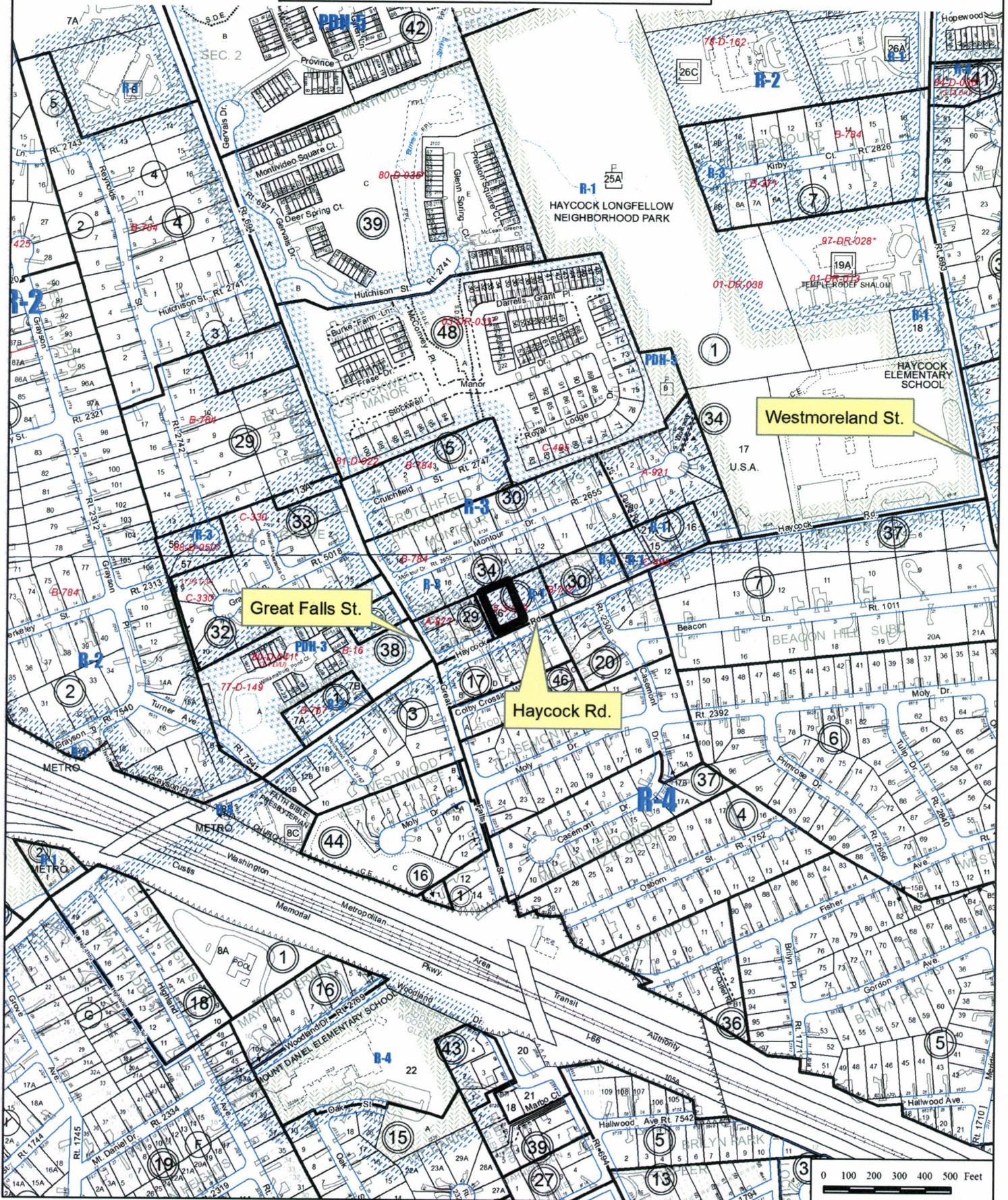
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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



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

Special Permit
SP 2015-DR-048
JYOTSNA AITHAL / SUSHEEL JAIN



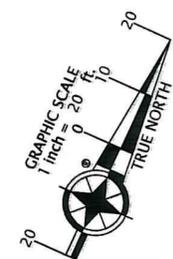
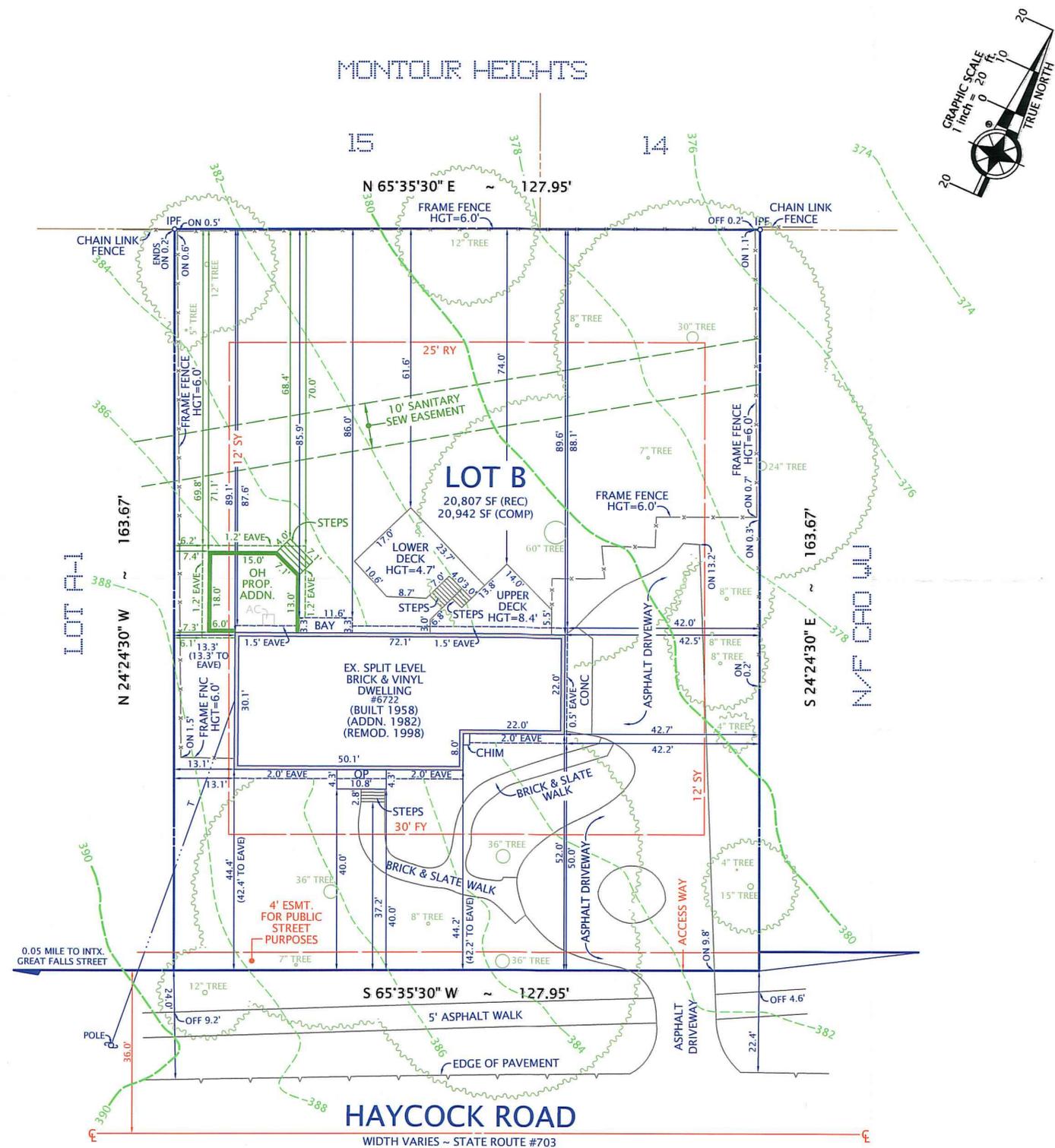
Westmoreland St.

Great Falls St.

Haycock Rd.



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- NOTES:
- TAX MAP: 40-4-01-0056
 - ZONE: R-3 (RESIDENTIAL 3 DU/AC)
 - LOT AREA: 20,807 SF (0.4777 ACRE) (REC.)
20,942 SF (0.4808 ACRE) (COMP.)
 - REQUIRED YARDS:

FRONT:	=	30.0 FEET
SIDE:	=	12.0 FEET
REAR:	=	25.0 FEET
 - HEIGHTS:

EX. DWELLING	=	21.3 FEET (MIDLINE OF ROOF)
PROPOSED ADDITION	=	MATCH EXISTING ROOFLINE
DECKS	=	AS NOTED
FENCES	=	AS NOTED
 - THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
 - THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
 - ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING UNLESS DENOTED AS PROPOSED.
 - THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
 - TOPOGRAPHY DELINEATED HEREON WAS TAKEN FROM AVAILABLE RECORDS, IS SHOWN AT 2' INTERVALS, AND IS AERIAL.
 - THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
 - AREAS:

EX. BASEMENT	=	1,991 SF
EX. FIRST FLOOR	=	1,991 SF
EX. GROSS FLOOR AREA	=	3,982 SF
- EX. FLOOR AREA RATIO: EX. GFA (3,982) / LOT AREA (20,942) = 0.19
- PROP. ADDITION = 348 SF / EX. GFA (3,982) = 0.09
- PROP. GROSS FLOOR AREA: EX. GFA (3,982) + PROP. ADDN. (348) = 4,330 SF
- PROP. FLOOR AREA RATIO: PROP. GFA (4,330) / LOT AREA (20,942) = 0.21
13. FRONT YARD = 5,100 SF. FRONT YARD PAVED SURFACE = 1,239 SF.
FRONT YARD COVERAGE = 1,239/5,100 = 0.243
(THERE IS A 142 SF HOLE IN THE MIDDLE OF THE DRIVEWAY)

PLAT
SHOWING THE IMPROVEMENTS ON
LOT B
OF A RESUBDIVISION OF OUTLOT "A"
**BROTHERS ADDITION TO
MONTOUR HEIGHTS**
AND THE PROPERTY OF
CLARENCE BROTHERS
(DEED BOOK 4506, PAGE 219)
FAIRFAX COUNTY, VIRGINIA
DRANESVILLE DISTRICT
SCALE: 1" = 20' AUGUST 28, 2014
NOVEMBER 07, 2014 (REV. AREAS)
FEBRUARY 25, 2015 (COV. CALC.)

RECEIVED
Department of Planning & Zoning
MAR 04 2015
Zoning Evaluation Division

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:		CASE NAME: AITHAL/JAIN
THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD. A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.		8808-H PEAR TREE VILLAGE COURT ALEXANDRIA, VIRGINIA 22309 703-619-6555 FAX: 703-799-6412

SPECIAL PERMIT REQUEST

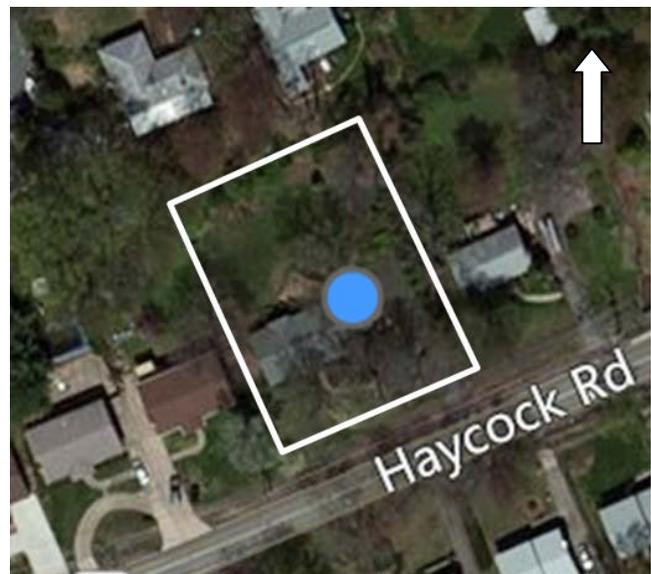
The applicant is requesting approval of a special permit to allow a reduction in yard requirements for the construction of a bedroom addition 6.1 feet from the side lot line. The proposed addition, located at the rear left of the house, will measure 21.3 feet in height and 348 square feet in area.

A copy of the special permit plat titled, "Plat Showing the Improvements on Lot B of a Resubdivision of Outlot "A", Brothers Addition to Montour Heights and the Property of Clarence Brothers," prepared by George M. O'Quinn, L.S., of Dominion Surveyors Inc., dated August 28, 2014, as revised through February 25, 2015, is included in the front of the staff report.

Copies of the proposed development conditions, the statement of justification and select file photographs and the affidavit are contained in Appendices 1 through 3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

The 20,942 square foot lot contains a one story single family detached dwelling. A circular asphalt driveway provides access from Haycock Road to a two car garage located on the eastern side of the house. A walkway leads from the driveway to a stoop at the front of the house. An existing elevated deck that varies in height from 4.7 feet to 8.4 feet is attached to the rear of the house. The rear yard is enclosed by a frame fence 6.0 feet in height. A sanitary sewer easement 10.0 feet wide runs across the width of the rear yard. A 4.0 foot wide asement for public street purposes runs across the front lot line.



The subject property and surrounding properties are zoned R-3. Properties to the south and west are zoned R-4 and developed with single family detached dwellings. Properties to the north are zoned R-1 and east are zoned R-1 and developed with single family detached dwellings. The property is located off Haycock Road, just east of Great Falls Street.

BACKGROUND AND HISTORY

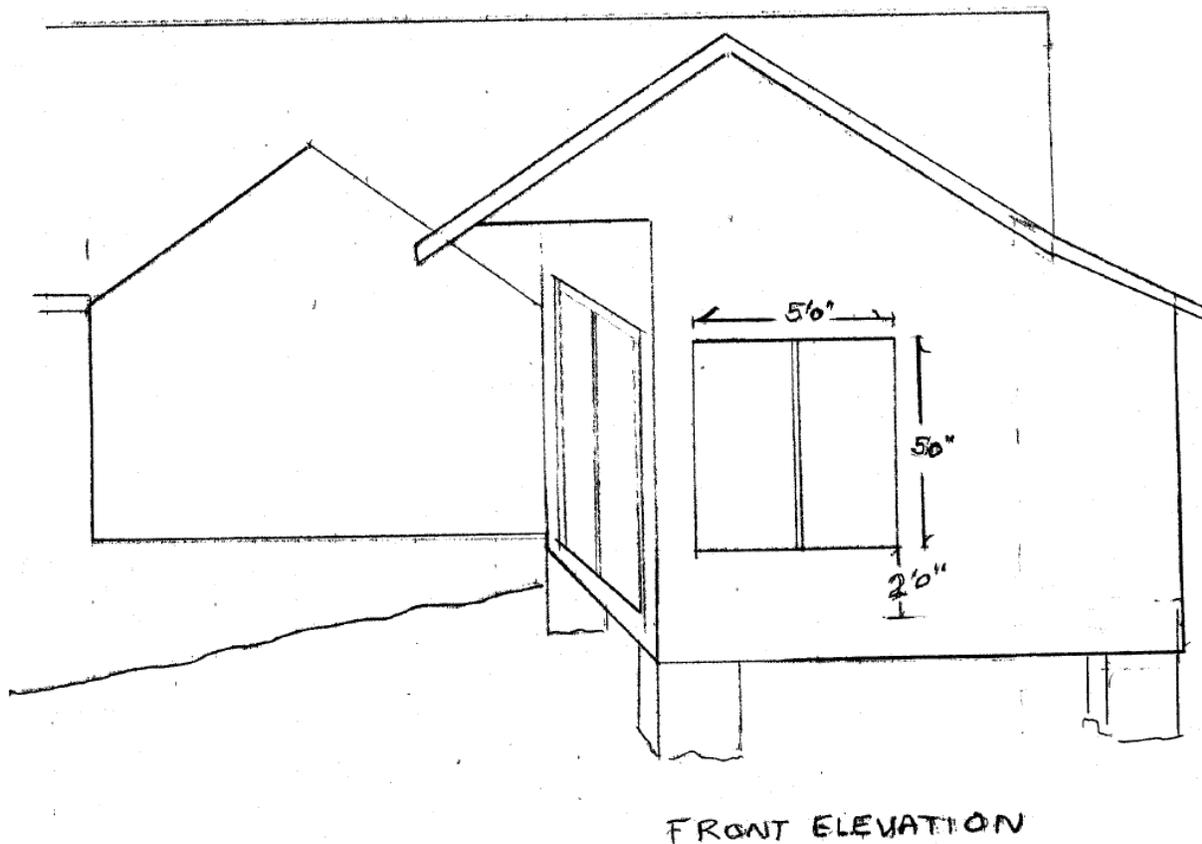
Fairfax County Tax Records indicate that the single family dwelling was constructed in 1958 and purchased by the applicant in 2013. On September 2, 1982, a building permit

Since the adoption of the Zoning Ordinance, there have been similar cases for a reduction in minimum required front yards on nearby properties. This information is included as Appendix 5.

DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit for a reduction of certain yard requirements to permit construction an addition. The addition, to be located 6.1 feet from the western side lot line, would be used for expansion of the master bedroom. In the R-3 zoning district, the required side yard is 12.0 feet. Therefore, the applicant is requesting a reduction of 5.9 feet, or 49.2 percent.

The addition would be approximately 348 square feet in size and would match the roofline of the existing house at 21.3 feet. Elevations and the applicant's statement of justification indicate that the addition would match the appearance and materials of the existing house.



ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area II, McLean Planning District
Planning Sector: Kirby Community Planning Sector (M3)
Plan Map: Residential, 2-3 dwelling units per acre

Zoning District Standards

Bulk Standards (R-3)		
Standard	Required	Provided
Lot Size	10,500 sf.	20,942 sf.
Lot Width	Interior: 80 feet	125 feet
Building Height	35 feet	21.3 feet
Front Yard	30 feet	37.2 feet
Side Yard	12 feet	Western side: 13.1 feet Eastern side: 42 feet
Rear Yard	25 feet	86 feet

Urban Forestry Analysis (Appendix 6)

The proposed improvements to this property are located within the critical root zone of a mature maple tree located on the neighboring property to the west. In order to protect the health of this tree, the Urban Forestry division recommends that tree protection measures should be installed and maintained throughout the duration of construction.

The existing 6.0 foot wood fence will serve as tree protection fencing. However, in order to minimize soil compaction during construction activity and preserve the tree’s root system as much as possible, a layer of wood chips 10.0 inches in depth should be put down and maintained between the existing fence and the area of construction. This mulch layer should extend around the proposed addition on the north and west sides to the drip line of the tree’s canopy. A development condition has been proposed to require these measures.

Zoning Ordinance Requirements (Appendix 7)

- 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 is included in Appendix 7. Subject to development conditions, the special permit must meet these standards.

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

<p>Standards 1 & 2 <i>Comprehensive Plan/ Zoning District</i></p>	<p>The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-3 District allows a reduction in minimum required yards with special permit approval. The proposed use is in harmony with the Comprehensive Plan and the general purpose and intent of the R-3 District.</p>
<p>Standard 3 <i>Adjacent Development</i></p>	<p>In staff’s opinion, the proposed use will not hinder or discourage use or development of neighboring properties or negatively affect value. Through testimony provided by the applicant and photographic research, staff has observed that several properties in the surrounding area have added on to their existing dwellings, or demolished structures and built larger dwellings.</p>
<p>Standard 4 <i>Pedestrian/ Vehicular Traffic</i></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.</p>
<p>Standard 5 <i>Landscaping/ Screening</i></p>	<p>The proposed addition will be built to the rear of the existing dwelling. With adoption of the proposed development conditions which provide tree protection measures to a nearby mature maple tree, the existing landscaping and screening will not be disturbed during construction activity.</p>
<p>Standard 6 <i>Open Space</i></p>	<p>There is no prescribed open space requirement in the R-3 District.</p>
<p>Standard 7 <i>Utilities, Drainage, Parking, and Loading</i></p>	<p>There are no changes to the utilities, drainage, parking or loading of the site.</p>
<p>Standard 8 <i>Signs</i></p>	<p>No signage is proposed.</p>

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

<p>Standard 1 <i>Lot Size and Bulk Regulations</i></p>	<p>A modification of the minimum required side yard is requested with this special permit application. The property conforms to all other lot and bulk regulations.</p>
<p>Standard 2 <i>Performance Standards</i></p>	<p>The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.</p>
<p>Standard 3 <i>Site Plan</i></p>	<p>The construction is not disturbing more than 2,500 square feet; therefore the application is not subject to the provisions of Article 17, Site Plans.</p>

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

<p>Standard 1 <i>Yard Requirements Subject to Special Permit</i></p>	<p>A. <i>Minimum required yards – Yards not less than 50% of the requirement and not less than 5 feet.</i></p> <p>The proposed addition would be located 6.1 feet from the western side lot line; the required side yard in an R-3 district is 12 feet, resulting in a reduction of 5.9 feet or 49.2 percent.</p> <p>B. Pipestem lots- N/A C. Accessory structure locations – N/A D. Extensions into minimum required yards allowed by Sect. 2-412- N/A</p>
<p>Standard 2 <i>Not a Detached Structure in a Front Yard</i></p>	<p>The application does not propose a detached accessory structure.</p>
<p>Standard 3 <i>Principal Structure that Complied with Yard Requirements When Established</i></p>	<p>The subject property contains a single family dwelling that is an existing principal structure. The existing structure was built as approved in 1958.</p>
<p>Standard 4 <i>Addition No More than 150% of Existing Gross Floor Area (GFA)</i></p>	<p>The proposed addition is 348 square feet. The existing GFA of the primary structure is 3,982 square feet; Therefore 150% of the total gross floor area could result in additions up to 5,973 square feet in size for a possible total square footage at build out of 9,955 square feet. The total square footage of the house with the addition of 4,330 square feet. Therefore the application meets this provision.</p>
<p>Standard 5 <i>Accessory Structure Subordinate in Purpose, Scale, Use and Intent</i></p>	<p>The proposed construction is subordinate to the primary use as it will be an addition to the rear of the primary residential dwelling that would match the existing roofline. The existing dwelling is 3,982 square feet. The proposed addition will be 348 square feet in size, which staff believes is subordinate in scale to the primary dwelling.</p>
<p>Standard 6 <i>Construction in Character with On-Site Development</i></p>	<p>The proposed addition will be constructed to the rear of the existing dwelling. The elevation drawings indicate that the materials, size and scale of the proposed addition would be compatible with the existing dwelling.</p>
<p>Standard 7 <i>Construction Harmonious with Off-Site Development</i></p>	<p>Through aerial photography, submitted photographs, and background research staff has confirmed that there are similar additions on neighboring properties. The proposed addition would be screened by a fence and existing mature vegetation. The proposed addition would not affect neighboring properties in terms of location, height and bulk.</p>
<p>Standard 8 <i>Construction Shall Not Adversely Impact Adjacent Properties</i></p>	<p>Staff believes that the proposed addition 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 provisions of Article 17, Site Plans, and any anticipated stormwater issues will be addressed at that time.</p>
<p>Standard 9 <i>Represents the Minimum Amount</i></p>	<p>The existing structure was constructed close to the western side lot line. The proposed addition is to provide an expansion of the master bedroom, which is located in the northwest corner of the house.</p>

<p><i>of Reduction Necessary</i></p>	<p>Therefore, it would be difficult to find alternative locations for this addition. Staff believes that the proposal is the minimum amount of space needed to have a usable bedroom expansion.</p> <p>Other issues of lot shape, yard determination, environmental characteristics, slopes, wells, floodplains and/or Resource Protection Areas, easements 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>A copy of the plat is included in the beginning of this report.</p>
<p>Standard 12 Architectural Elevations</p>	<p>Proposed elevations are included in the beginning of this report and are also included as an attachment to the proposed development conditions in Appendix 1.</p>

CONCLUSION

Staff believes that the request for a special permit for reduction in certain yard requirements to permit an addition is in conformance with the applicable Zoning Ordinance provisions with the implementation of the proposed development conditions contained in Appendix 1 of the staff report.

RECOMMENDATION

Staff recommends approval of SP 2015-DR-048 for the addition with adoption of the proposed development conditions contained in Appendix 1.

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

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
3. Applicant’s Affidavit
4. Building Permit History
5. Similar Case History
6. Urban Forestry Management memo, dated April 14, 2015

7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2015-DR-048****June 10, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-DR-048 located at Tax Map 40-4 ((1)) 56 to permit reduction of certain yard requirements pursuant to Section 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

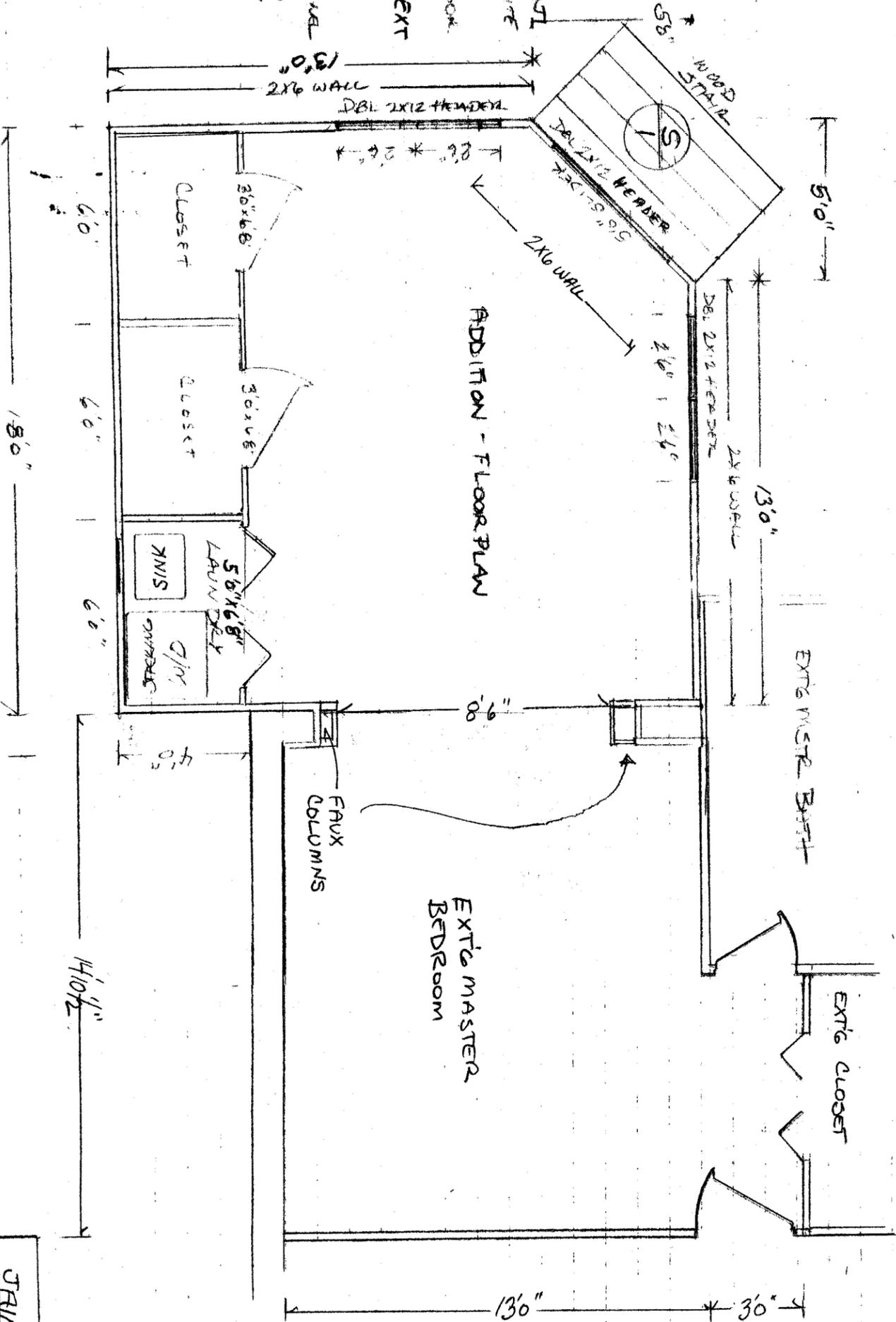
1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of the addition (360 square feet, 25 feet in height and 6.1 feet from the western side lot line adjacent to Lot A-1), as shown on the special permit plat titled, "Plat Showing the Improvements on Lot B of a Resubdivision of Outlot "A", Brothers Addition to Montour Heights and the Property of Clarence Brothers," prepared by George M. O'Quinn, L.S., of Dominion Surveyors Inc., dated August 28, 2014, as revised through February 25, 2015, as submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (3,982 square feet existing + 5,973 square feet (150%) = 9,955 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. For the duration of the construction activity, the applicant shall provide and maintain a layer of wood chips a minimum of 10.0 inches in depth between the existing fence and area of construction. This mulch layer shall extend around the proposed addition on the north and west sides, at least to the drip line of the canopy of the maple tree located 7.44 feet from the fence on neighboring property "Lot A" (6726 Haycock Road).

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.

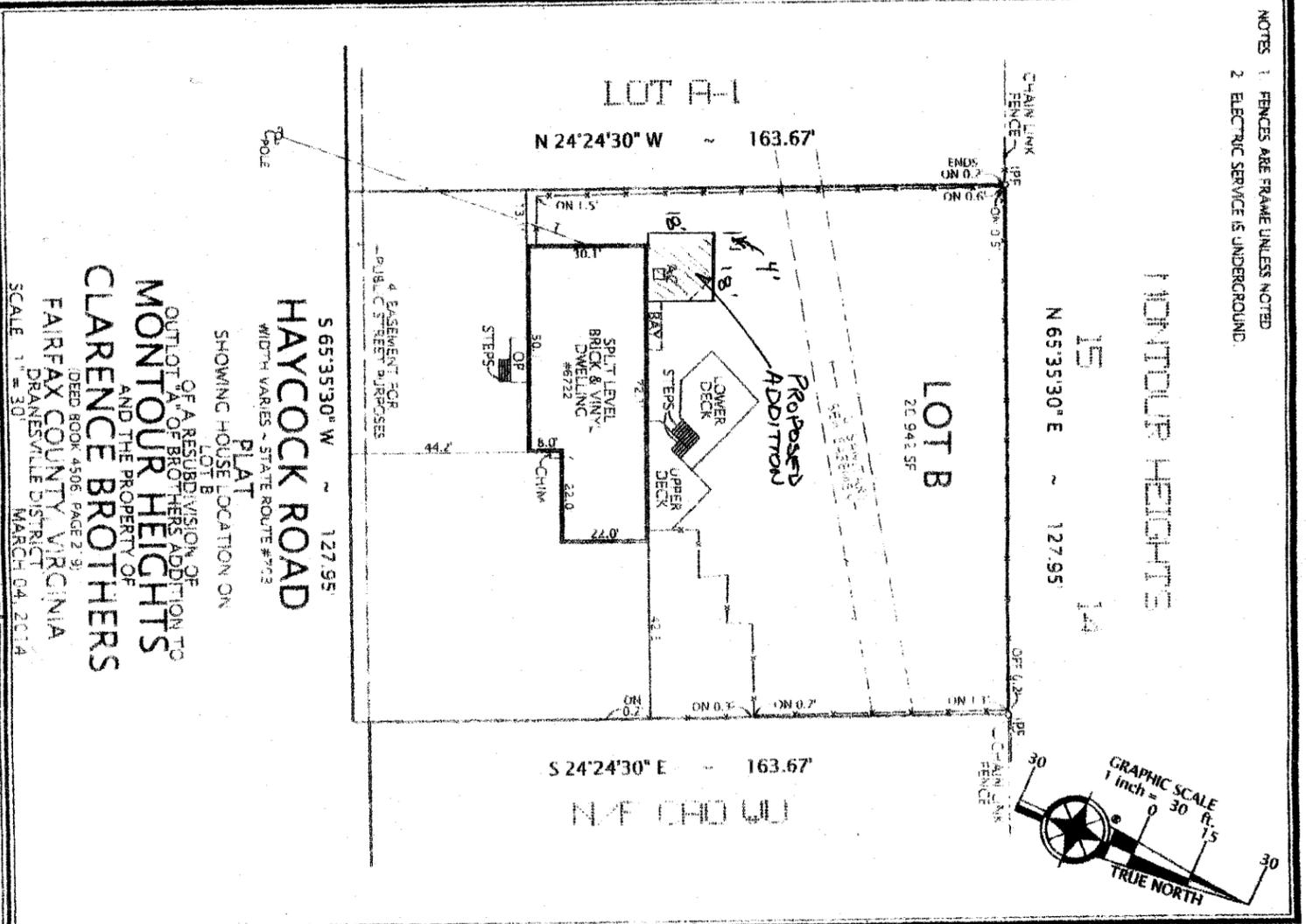
RECEIVED
 Department of Planning & Zoning
 JUL 11 2014
 Zoning Evaluation Division

- NOTES:
- WINDOWS:
 DBL 30" x 50" CASSEMENT
 WINDOWS (2 PAIR'S) WHITE
 QUAD, WOOD/INTERIOR,
 MOUNTED 2'0" OFF FLOOR.
 - EXT DOORS:
 MOUNT OWNERS 5'0" EXT
 SLIDER
 - INT DOORS:
 2 - 3'0" x 6'8" 5X PAUL
 DOOR IN LAUNDRY
 22" x 42" OWNERS
 WINDOW IN LAUNDRY
 ABOVE SINK



TRAIN RESIDENCE
 6722 HAYBOCK RD
 FAULS CHURCH, VA
 1 1/4" = 1'0"

NOTES
 1. FENCES ARE FRAME UNLESS NOTED
 2. ELECTRIC SERVICE IS UNDERGROUND.



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 THE DATE THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD. A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.

CASE NAME: AITHAL/JAIN

COMMONWEALTH OF VIRGINIA
 03/04/2014
 GEORGE W. OQUINN
 LICENSE NO. 2069
 LAND SURVEYOR
 George W. Oquinn

DEED BOOK 4506, PAGE 2731
 FAIRFAX COUNTY, VIRGINIA
 DRANESVILLE DISTRICT
 MARCH 04, 2014
 SCALE 1" = 30'

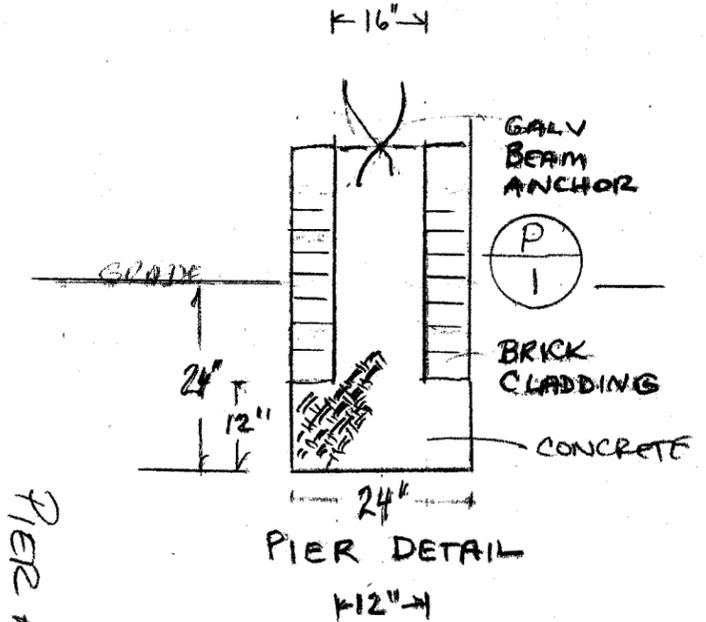
OUTLOT "A" OF A RESUBDIVISION OF MONTOUR HEIGHTS AND THE PROPERTY OF CLARENCE BROTHERS

5653530° W ~ 127.95'
 HAYCOCK ROAD
 WIDTH VARIES ~ STATE ROUTE #702
 PLAT
 SHOWING HOUSE LOCATION ON LOT B

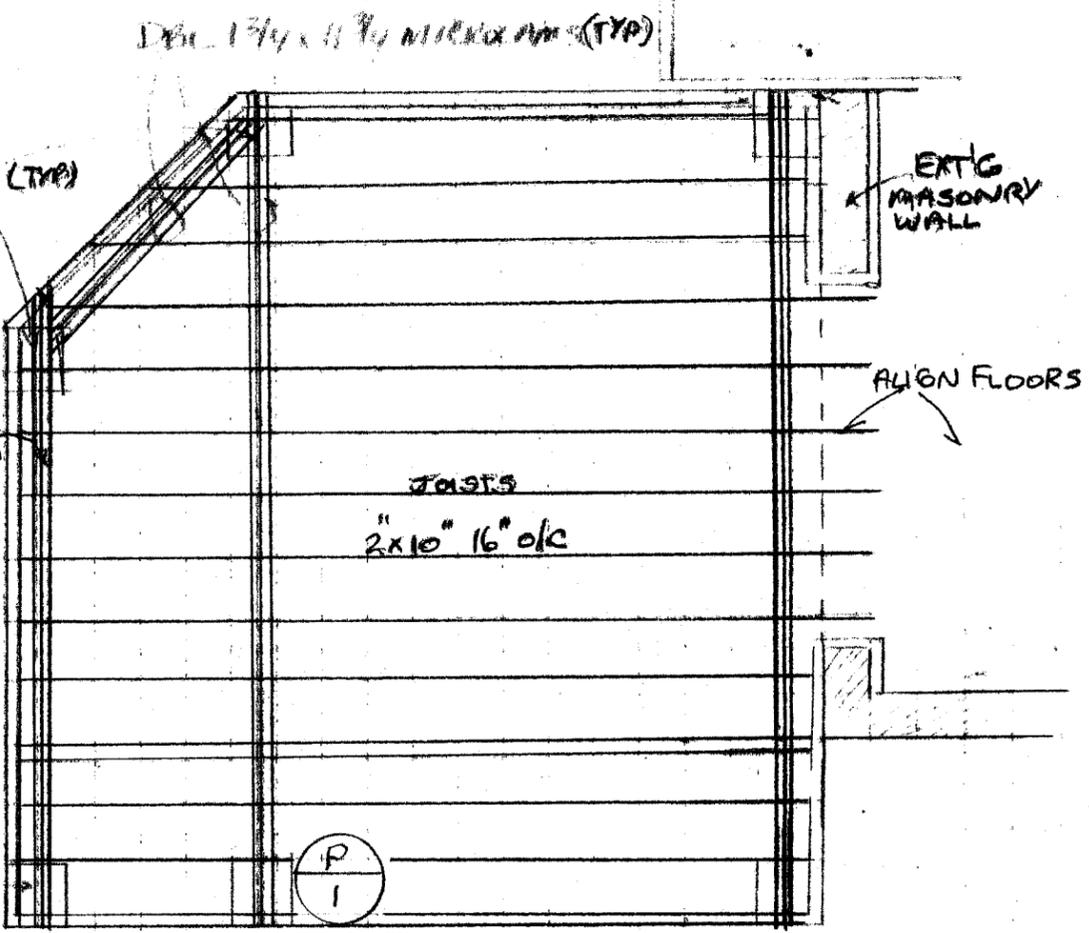
CASE NAME: BOLTZ, AITHAL/JAIN
 YOTSNA AITHAL/SUSHEEL JAIN

DOMINION Surveyors
 8808 H PEAR TREE VILLAGE COURT
 ALEXANDRIA, VIRGINIA 22309
 703.619.0235
 FAX: 703.799.6412

#14022405



PIER AND FLOOR FRAMING PLAN

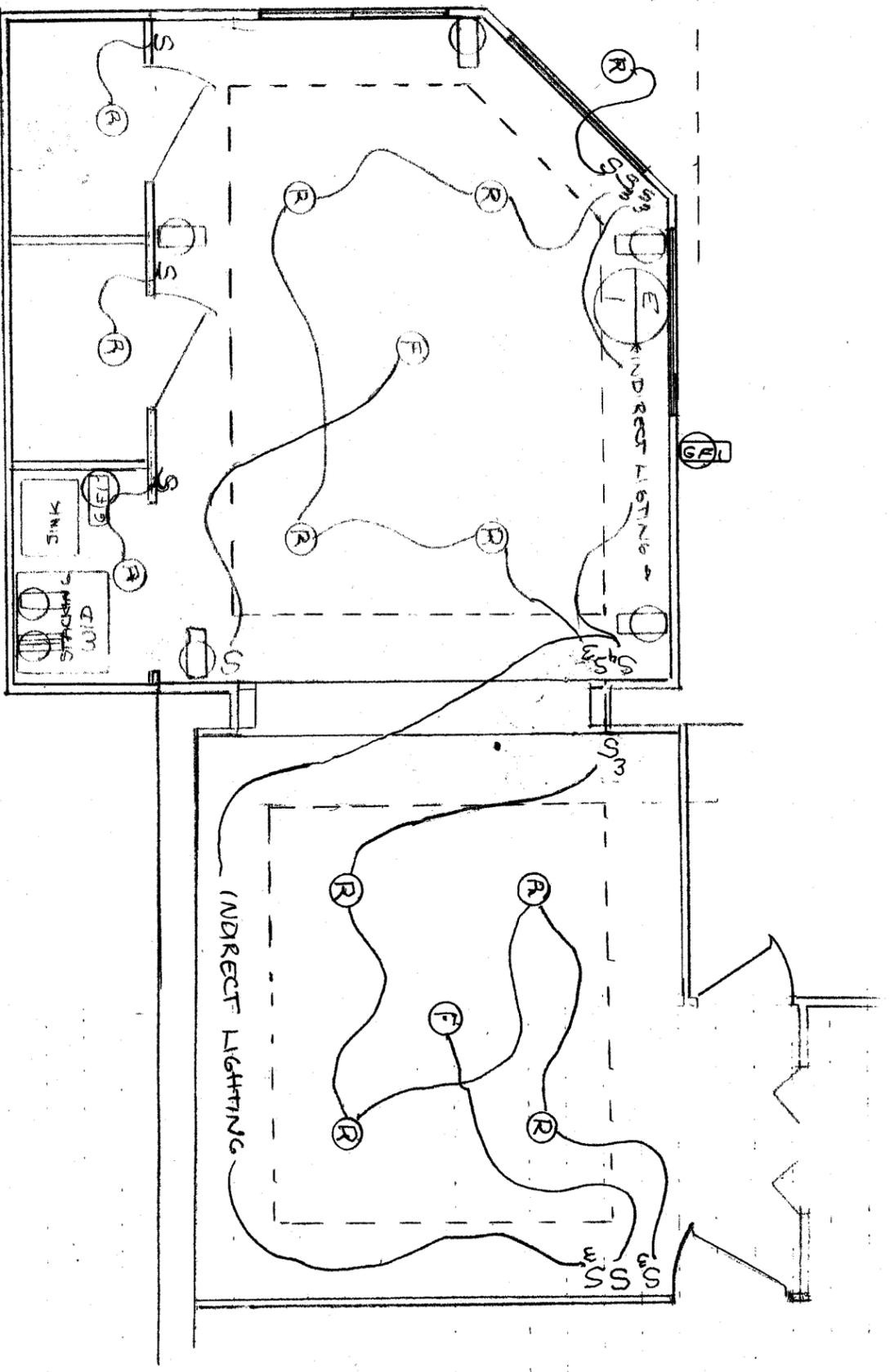


JAIN RESIDENCE
 6722 HAYCOCK RD
 FAUX CHURCH, VA
 1/4" = 1'0"

ELECTRICAL -
SYMBOLS

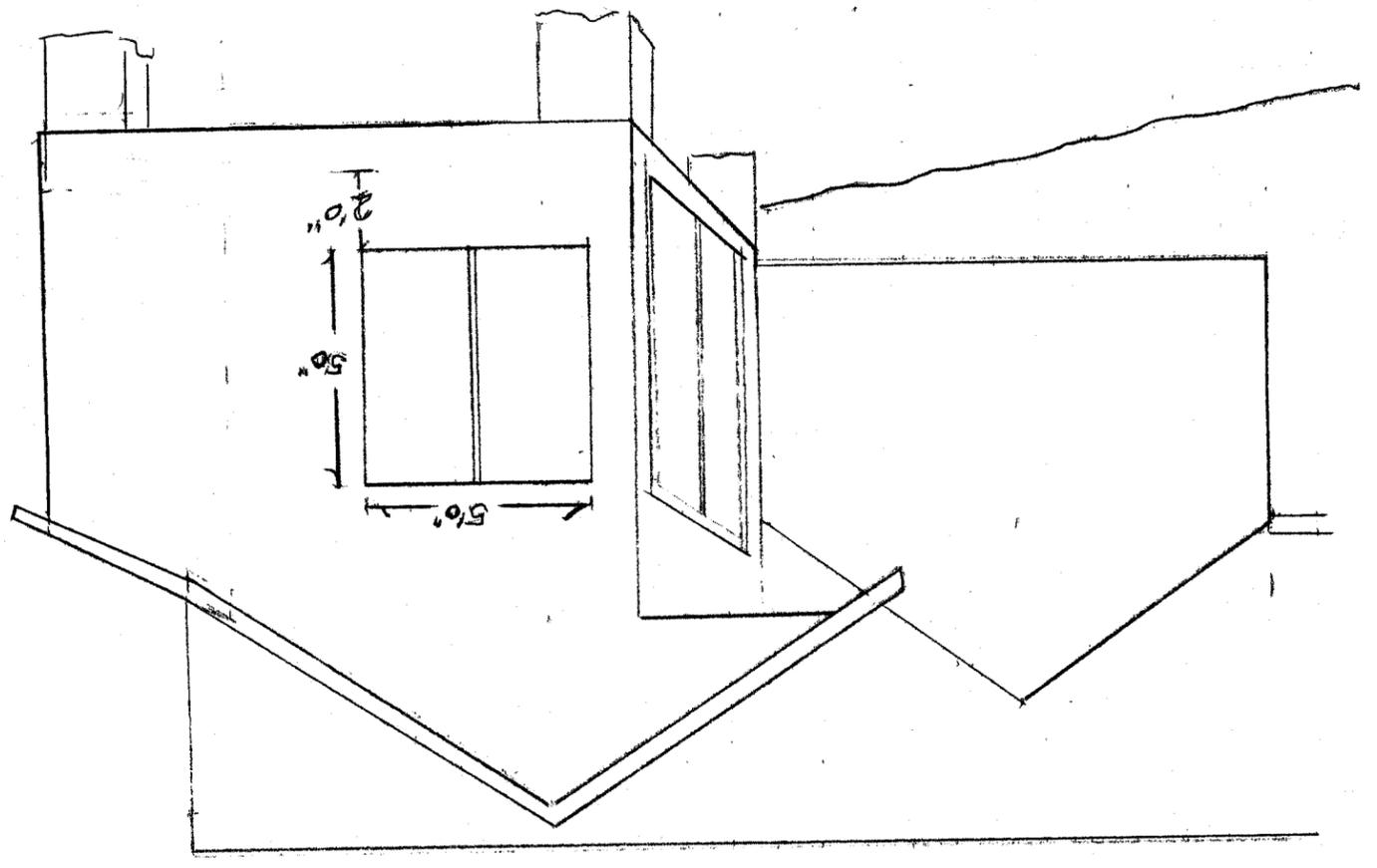
- S SINGLE POLE SWITCH
- S₃ 3 WAY SWITCH
- 110 OUTLET
- ⊖ 220 OUTLET
- ⊖ 4" RECESSED LIGHT
- F CEILING FAN
- ⊖ - GROUND FAULT INTERLOCK OUTLET
- ⊖ ROPE LIGHTS USED FOR INDIRECT LIGHTING (SEE DETAILS)

- CIRCUITS :
- 1) 220V DEDICATED CIRCUIT FOR E. DRIVER
 - 2) 15 AMP LIGHT CIRCUIT
 - 3) 15 AMP 2 OUTLET CIRCUIT

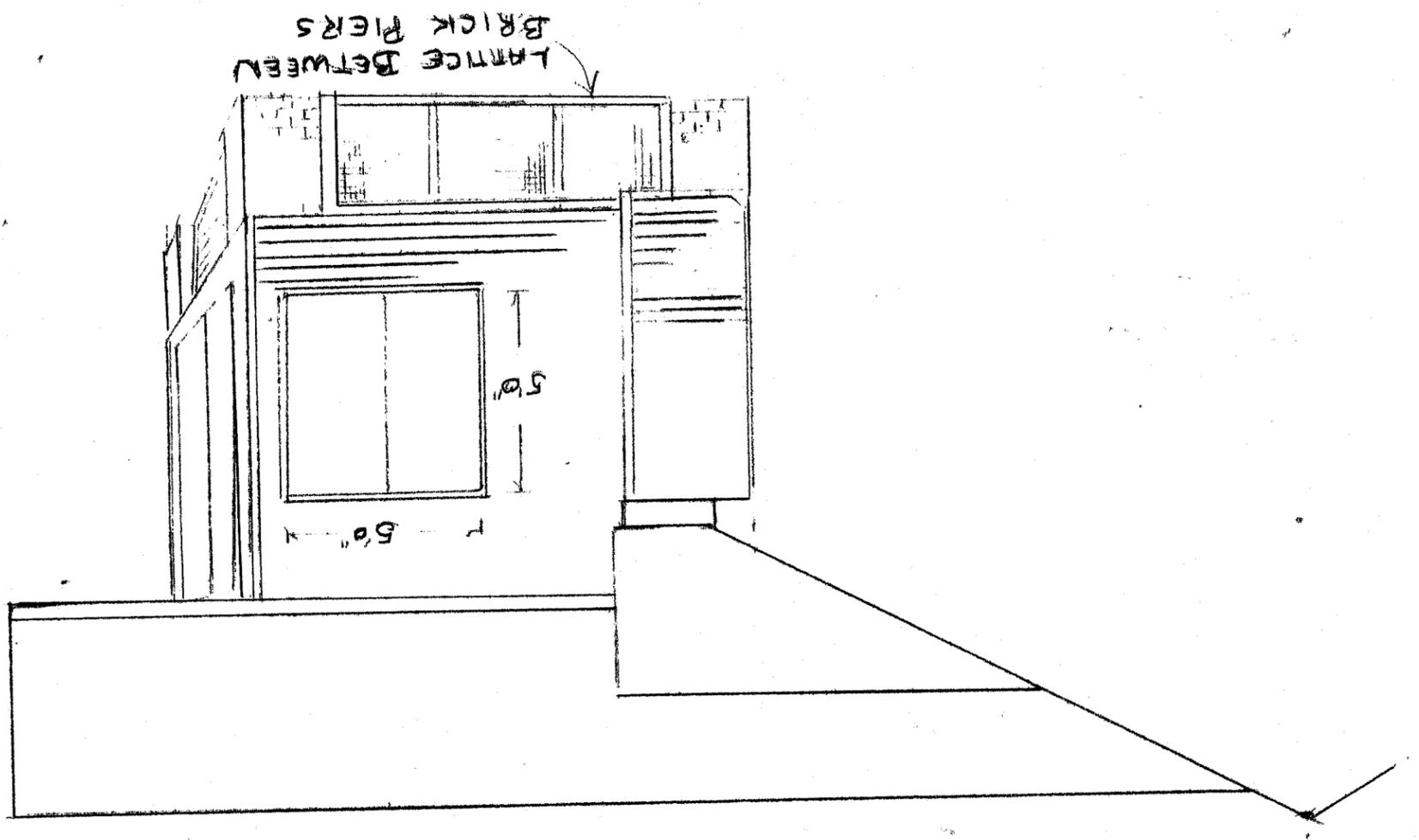


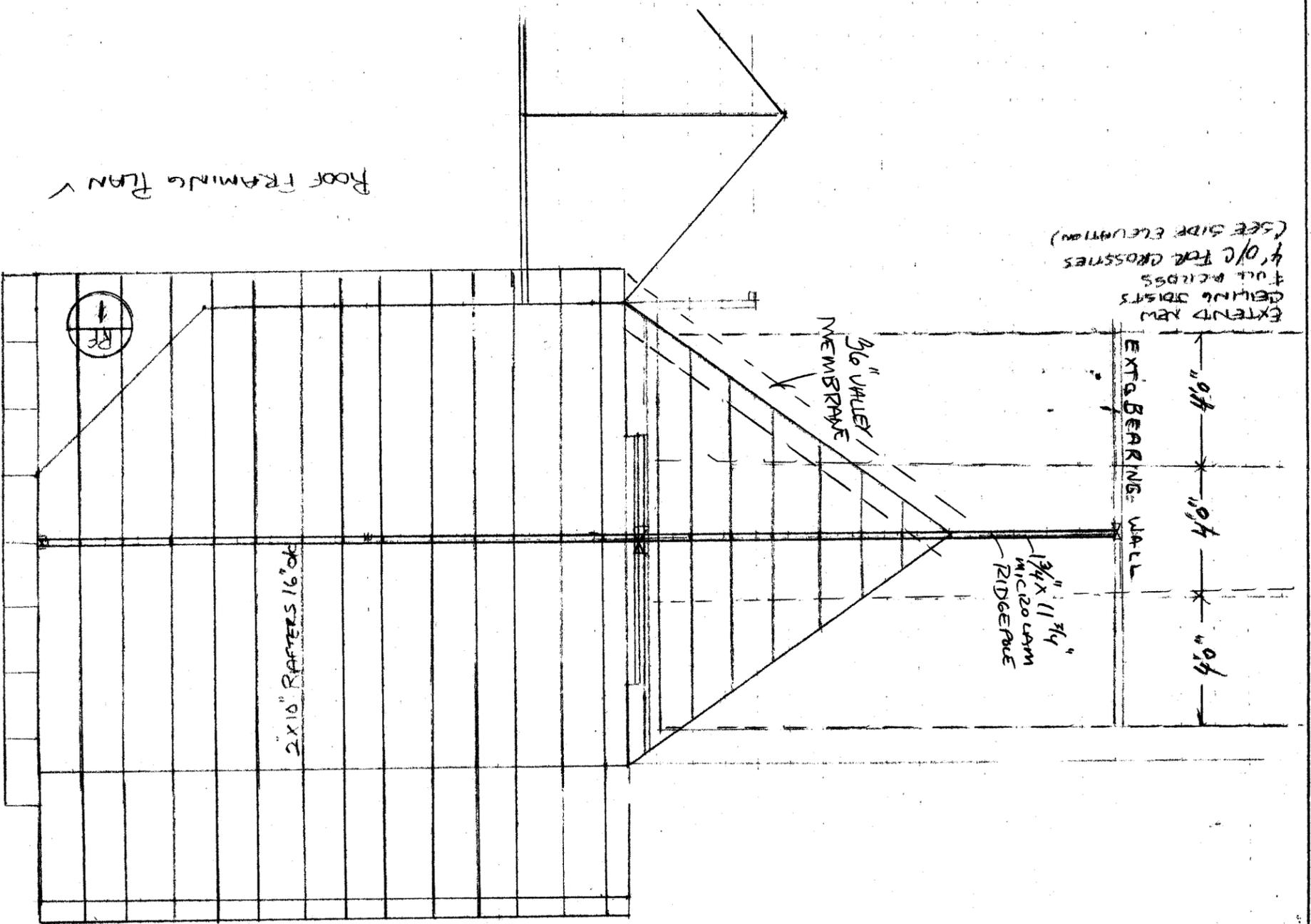
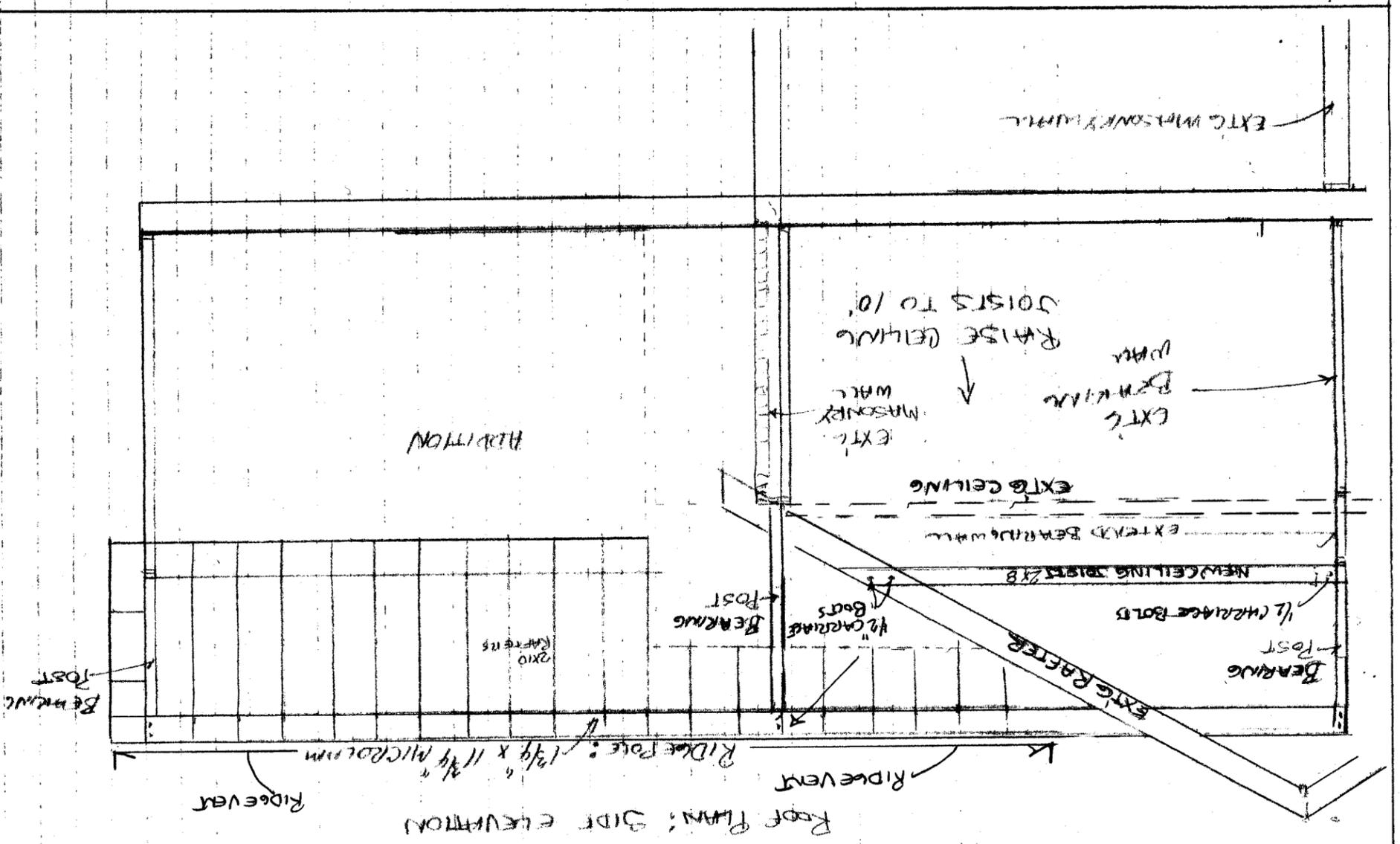
ADDITION - ELECTRICAL PLAN

FRONT ELEVATION

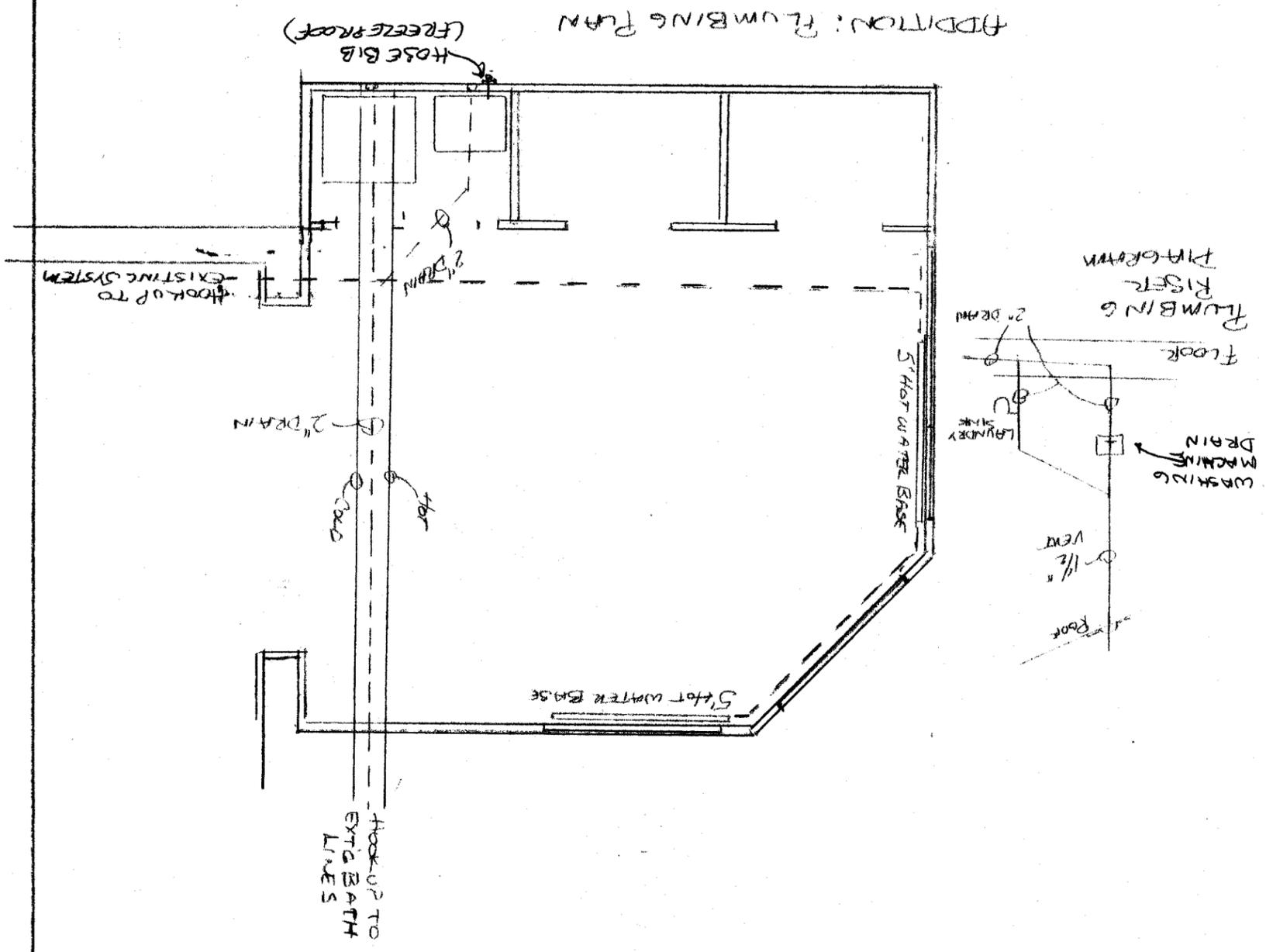
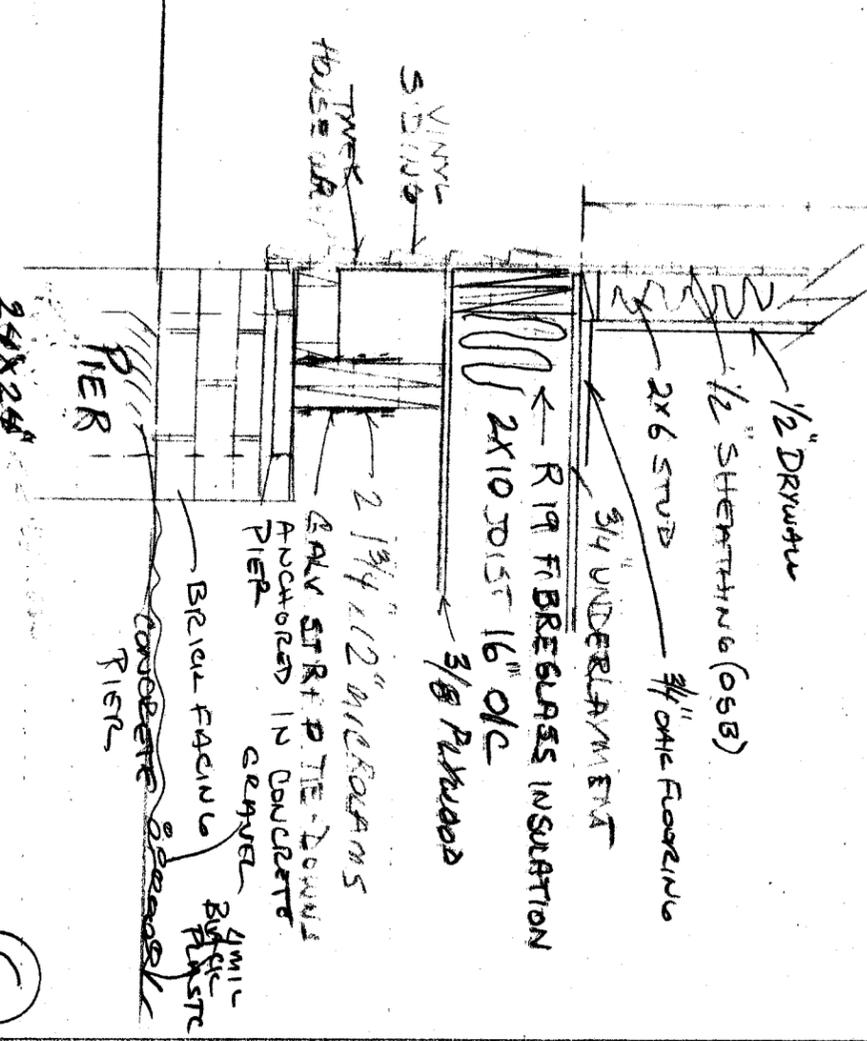
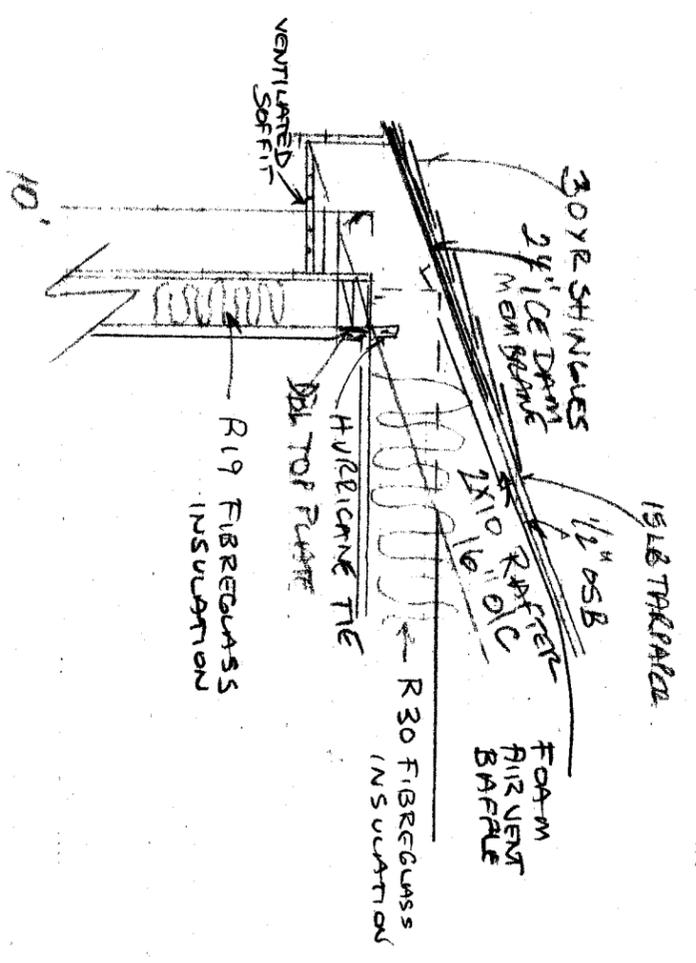


SIDE ELEVATION





FLOOR/WALL SECTION

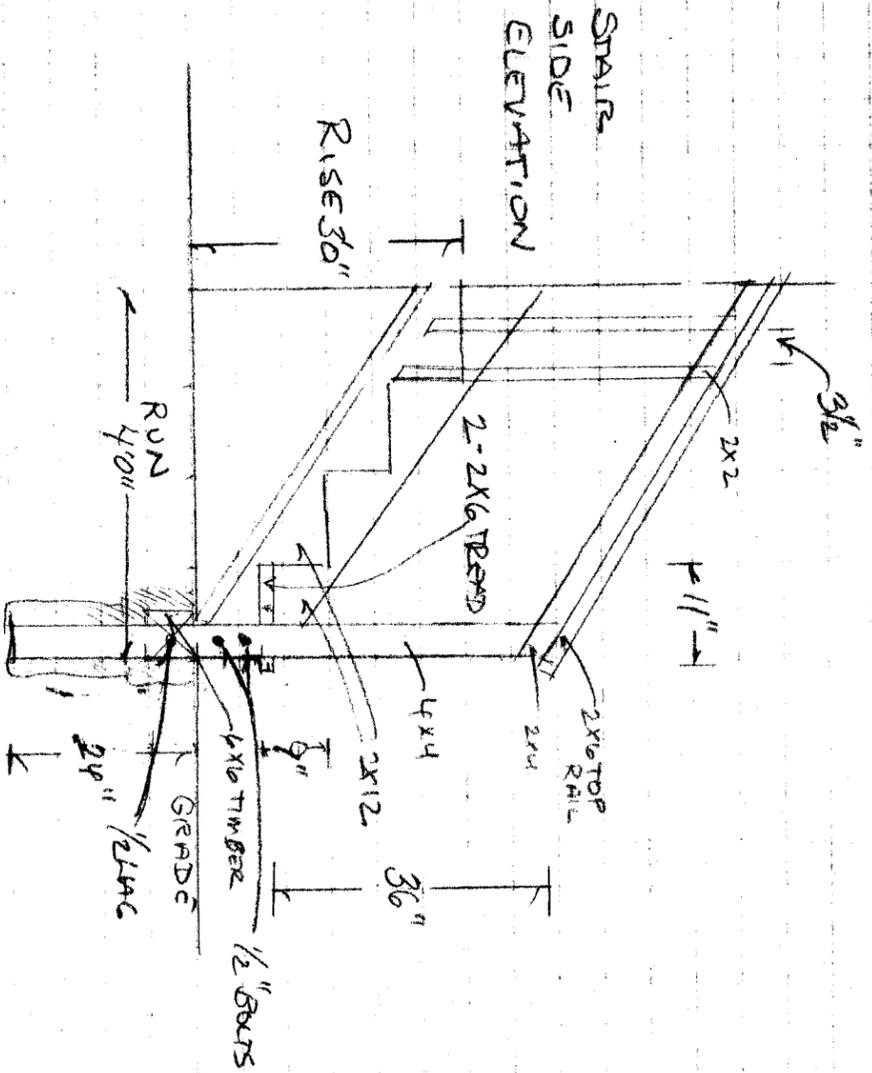
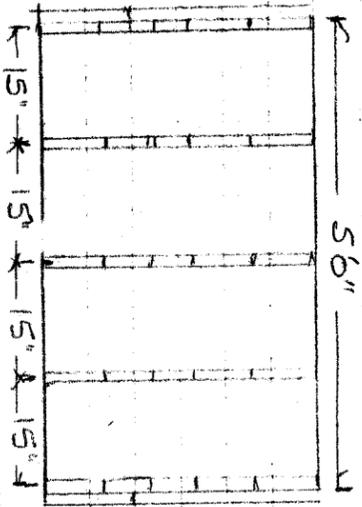


ADDITION: PLUMBING PLAN (FREEZE PROOF)

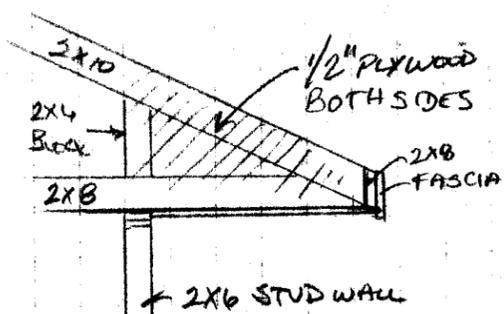
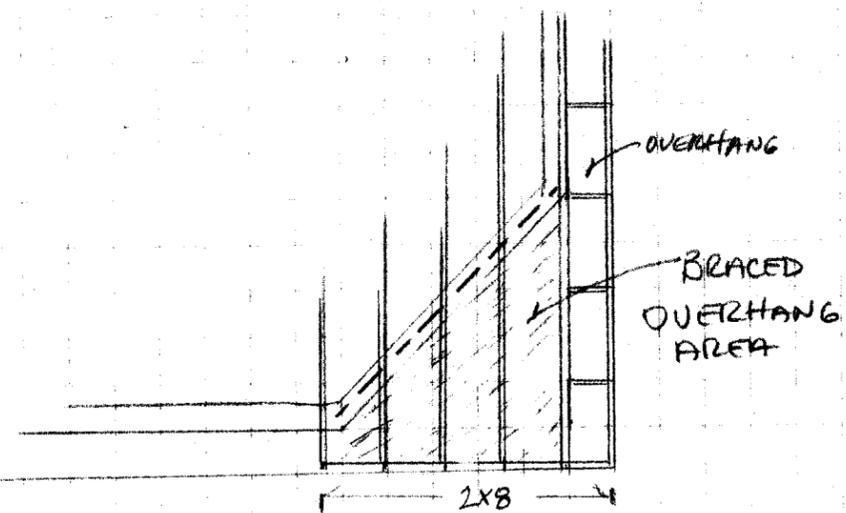
STAIR DETAILS

(S/1)

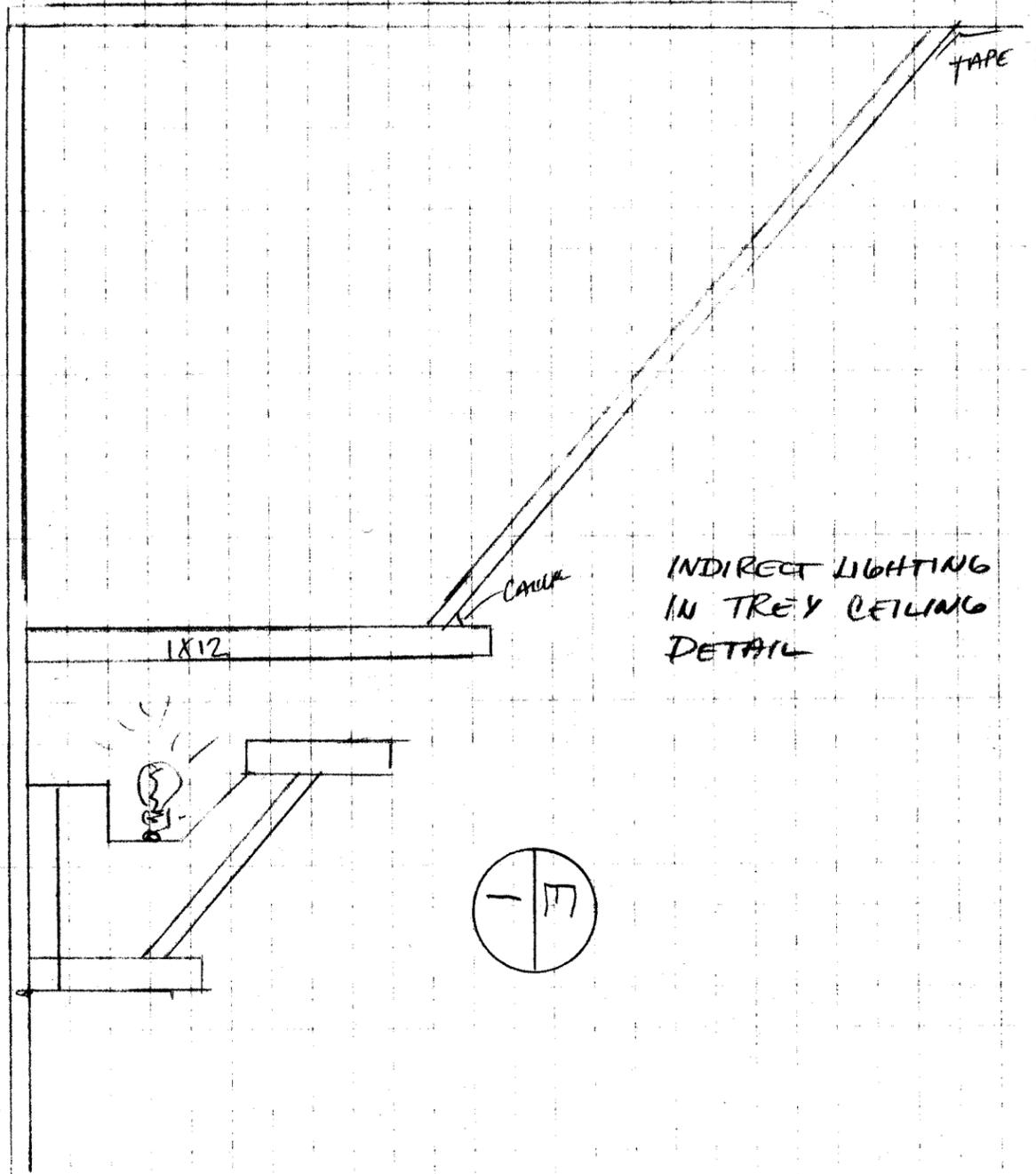
- NOTES:
- ALL MATERIAL PRESSURE TREATED
 - 5 STRIPPERS
 - 2 FULL OUTSIDE 2X12S
 - ALL BOLTS HOR DIPPED GALVANIZED



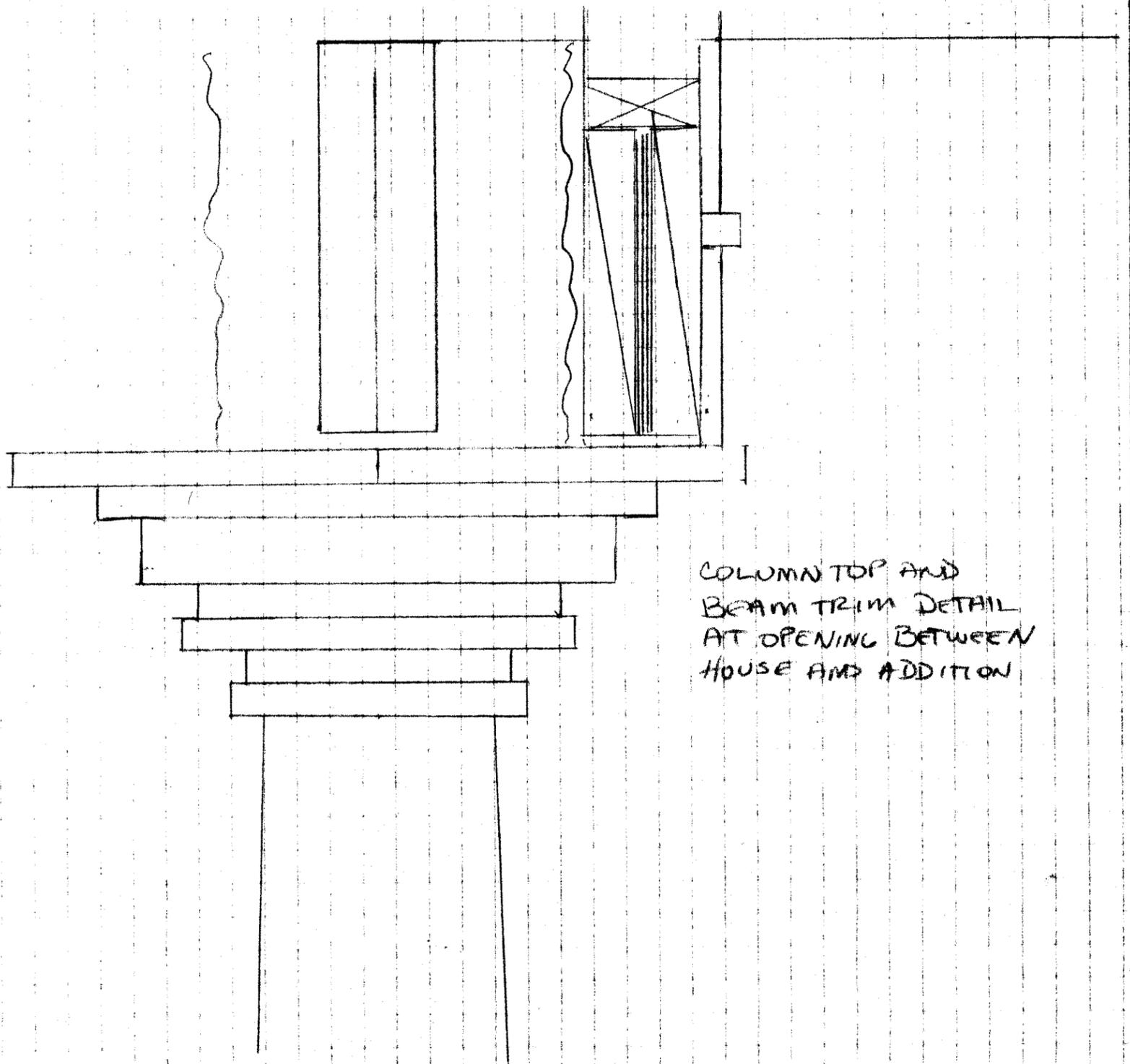
(RF)



ROOF OVERHANG DETAILS



INDIRECT LIGHTING
IN TRAY CEILING
DETAIL



COLUMN TOP AND
BEAM TRIM DETAIL
AT OPENING BETWEEN
HOUSE AND ADDITION

STATEMENT OF JUSTIFICATION & OWNERSHIP

APPENDIX 2

For Fairfax County Department of Planning and Zoning, Zoning Evaluation Division.

We, Susheel Jain and Jyotsna Aithal, husband and wife, owners of our home located at 6722 Haycock Rd. Falls Church, VA 22043 ask you for a Special Permit allowing us to encroach three feet into the 12' setback with our zoning provides for. Our home sits 13'1" off the property line and our planned master bedroom addition/expansion will protrude 4' in that direction.

After having several conversations with members of your department we have now provided all information required to process this application. We ask for this Special Permit based on the location of our home on the lot. The original builder placed the home location tight to the left property line. The home being built in the 50's had small bedrooms. Our addition is to enlarge the Master Bedroom to include more space to accommodate our king size bed, addition of two closets whereas the existing closet is on 3 feet long.

Most of our neighbors have either additions to their homes or have torn the original home down and built a new one such as the 5,000 plus square foot home to our right under construction now. The addition has been designed to blend with our home and use the same materials used in original construction.

Thank you very much for your attention to our request and if any additional information is required please call me at 312-927-1318.

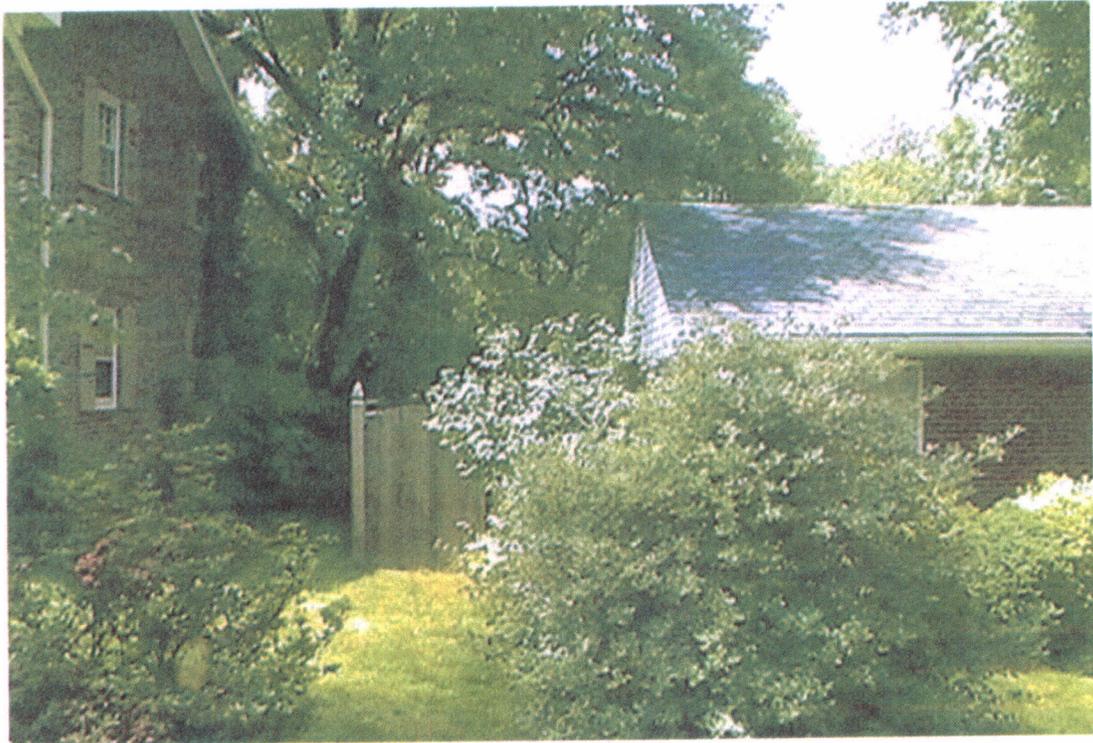
Respectfully,

Susheel Jain

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



FROM FRONT OF HOUSE @ SIDEWALK









REAR VIEW



LOOK OUT ROFR OF BEDROOM SLIDING DOOR



LOOKING ACROSS BACK OF HOUSE FROM ADDITION

#1



ACROSS BACK #2











Application No.(s): SP 2015-DR-048
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6-18-14
 (enter date affidavit is notarized)

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

(check one) applicant 126305
 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)
SUSHEEL JAIN	6722 HAYCOCK RD. PAULS CHURCH, VA. 22043	HUSBAND & WIFE
JYOTSNA AITHAL	SAME	Applicant / Title Owner

(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: 6-18-14
(enter date affidavit is notarized)

126305

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

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

CORPORATION INFORMATION

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6-18-14
(enter date affidavit is notarized)

126305

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

PARTNERSHIP INFORMATION

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

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

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

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

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

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6-18-14
(enter date affidavit is notarized)

126305

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: 6-18-14
(enter date affidavit is notarized)

126305

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

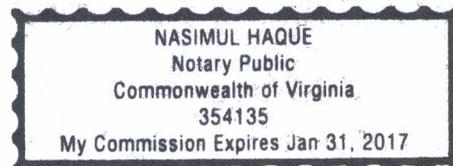
Applicant's Authorized Agent

Susheel K. Jain
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 18TH day of JUNE 2014, in the State/Comm. of VIRGINIA, County/City of FALLS CHURCH

Hal Ha
Notary Public

My commission expires: JANUARY 31, 2017



**BUILDING
 PERMIT APPLICATION**

APPLICATION NO

APPENDIX 4

19
 Date

JOB LOCATION

Street 6722 HAYCOCK ROAD
 Building _____ Floor _____ Suite _____
 Subdivision FALLS CHURCH, VA 22043
 Tenants Name (in Fairfax County)

DO NOT WRITE IN THIS SPACE

Permit No. 115 50200
 Map Reference 104-01-0050
 Building Permit No. _____ Control No. _____
 Std. MI Mag. DK Plan ML Census 110904

OWNER

Name JAMES I. LEVENSON
 Address (Mailing) 6722 HAYCOCK ROAD
 City FALLS CHURCH State VA Zip 22043
 Telephone (703) 241-0044
(Fairfax County)

CONTRACTOR

Company Name SELF
 Master _____
 Address _____
 City _____ State _____ Zip _____
 Telephone _____ License No. _____
 State Contractors License No. _____
 County Business Account No. _____

For Storage Space over garage

ROUTING

Model/Use _____

- Sewage: Public Community Septic Tank None
 WATER: Public Individual Well None
 N-New D-Demolish
 R-Alter or Repair M-Move
 A-Add To O-Other

REMARKS:

BUILDING DESCRIPTION QUANTITY

- # Units _____
 # Stories _____
 # Rooms _____
 # Bedrooms _____
 # To be Added _____
 # Baths _____
 # Half Baths _____
 # Kitchens _____
 # Fireplaces _____
 Basement _____
 % Basements to Finish _____

BUILDING DIMENSIONS			
No. Stories	Width	Depth	Sq. Ft.
	X	=	
	X	=	
	X	=	
	X	=	

	Date	Approved By:
Health Review		
Site Review	<u>9/2/82</u>	<u>[Signature]</u>
Zoning Review	<u>9/2/82</u>	<u>[Signature]</u>
Sanitation Review		
Building Review	<u>9/2/82</u>	<u>[Signature]</u>
Fire Review		

Use Group of Building A-4
 Type of Construction A-R
 Building Area _____
 Estimated Const. Cost \$2000.00

ZONING REVIEW
 Zoning Proffers Building _____
 Zoning Class _____
 Zoning Case # _____

BUILDING CHARACTERISTICS
 Building Height _____
 Exterior Walls _____
 Interior Walls _____
 Roofing Material _____
 Flooring Material _____
 Heating Fuel _____
 Heating System _____

GRADING AND DRAINAGE REVIEW
 Soils DK
 Historical _____
 Plan # _____
 Retaining Wall _____

YARDS Front Front Left Side Right Side Rear

No changes

REMARKS

Garage is 20' from all lines
Classified as Storage
Wrap top to
garage

FOR COUNTY USE ONLY:

Date 9-2-82 By [Signature]
 Approved for Issuance of Building Permit

Fee _____
 Filing Fee 18.00
 Amount Due _____

The request for and use of personal information on this form is subject to the provisions of the Privacy Protection Act of 1976 and the Freedom of Information Act.

I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that if a permit is issued the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations including private building restrictions, if any, which relate to the property. He/She and the company or organization named and represented herein is duly registered or exempt from registration in accord with the provisions of Chapter 7 of the Code of Virginia.

[Signature] Date 9/2/82 Notary Signature _____ Date _____

Similar Case History

Group: 86-D -130**VC 86-D-130**

APPLICANT: JONES, J. FRANCIS
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 02/18/1987
ZONING DISTRICT: R- 4
DESCRIPTION: TO ALLOW PARTIALLY CONSTRUCTED 16 FOOT HIGH GARAGE TO BE COMPLETED AND REMAIN 6.0 FEET FROM THE SIDE AND 11.6 FEET FROM THE REAR LOT LINES (10 FT. MIN. SIDE YARD AND 16 FT. MIN. REAR YARD REQUIRED)
LOCATION: 6815 WOODLAND DRIVE
TAX MAP #:
0404 01 0016

Group: 93-D -087**VC 93-D-087**

APPLICANT: DAVIS, BERRYMAN & HELEN S.
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 11/11/1993
ZONING DISTRICT: R- 4
DESCRIPTION: PERMIT CONSTRUCTION OF ADDITION 13.3 FT. FROM REAR LOTLINE (25 FT. MIN. REAR YARD REQ.)
LOCATION: 6711 HAYCOCK ROAD
TAX MAP #:
0404 20 0007



County of Fairfax, Virginia

MEMORANDUM

DATE: April 14, 2015

TO: Erin M. Haley, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Forest Conservation Branch, DPWES

SUBJECT: Clarence Brothers Lot B.SP 2015-DR-048

This review is based upon the Special Permit Application, SP 2015-DR-048 stamped "Received, Department of Planning and Zoning, July 11, 2014" and the Special Permit Plat stamped "Received, Department of Planning and Zoning, March 4, 2015."

1. **Comment:** The proposed improvements to this property appear to be approximately 90% contained within the critical root zone of a mature maple originating 7.44 feet from the fence on neighboring property "Lot A" (6726 Haycock Rd). In order to protect the health of this tree during construction, tree protection measures should be installed and maintained throughout the duration of construction.

Recommendation: The existing 6 foot wood fence will serve as adequate tree protection fencing, and no signage is necessary. In order to minimize soil compaction during construction and preserve the tree's root system as much as possible, a layer of wood chips 10 inches in depth should be put down and maintained between the existing fence and construction. This mulch layer should extend around the proposed addition on the north and west sides, at least to the drip line of the tree's canopy.

rh/

UFMDID #: 199891

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.