



APPLICATION ACCEPTED: April 17, 2015
BOARD OF ZONING APPEALS: July 15, 2015 @ 9:00 a.m.

County of Fairfax, Virginia

July 8, 2015

STAFF REPORT

SPECIAL PERMITSP 2015-SU-066

SULLY DISTRICT

APPLICANTS/OWNERS: Peter H. Robbins
Laura D. Robbins

SUBDIVISION: Dartmoor Woods

STREET ADDRESS: 3237 Navy Drive,
Herndon, 20171

TAX MAP REFERENCE: 36-3 ((16)) 20

LOT SIZE: 30,731 square feet

ZONING DISTRICT: R-1 (cluster)

ZONING ORDINANCE PROVISIONS: 8-307, 3-103

SPECIAL PERMIT PROPOSAL: To permit a home professional office.

STAFF RECOMMENDATION:

Staff recommends approval of SP 2015-SU-066 for the home professional office 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 applica..nt/owner 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).

GENERAL NOTES

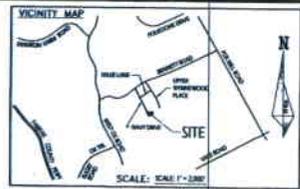
1. THE SUBJECT PROPERTY IS LOCATED AT THE INTERSECTION OF NAVY DRIVE AND ROUTE 10040.
2. ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY DATA.
3. THE SITE PLAN SHOWS THE PROPOSED IMPROVEMENTS TO THE EXISTING PAVEMENT AND SIDEWALKS.
4. THE SUBJECT PROPERTY IS A CORPUS CHRISTI CITY, TEXAS, AND IS SUBJECT TO THE CITY'S ZONING ORDINANCES.
5. THE SUBJECT PROPERTY IS A CORPUS CHRISTI CITY, TEXAS, AND IS SUBJECT TO THE CITY'S ZONING ORDINANCES.
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10. THE SUBJECT PROPERTY IS A CORPUS CHRISTI CITY, TEXAS, AND IS SUBJECT TO THE CITY'S ZONING ORDINANCES.

SITE TABULATIONS

ASPHALT DRIVE	1.00	1.00	1.00
CONCRETE DRIVE	1.00	1.00	1.00
GRAVEL DRIVE	1.00	1.00	1.00
PAVEMENT DRIVE	1.00	1.00	1.00
CONCRETE DRIVE	1.00	1.00	1.00
GRAVEL DRIVE	1.00	1.00	1.00
PAVEMENT DRIVE	1.00	1.00	1.00
CONCRETE DRIVE	1.00	1.00	1.00
GRAVEL DRIVE	1.00	1.00	1.00
PAVEMENT DRIVE	1.00	1.00	1.00

OWNER INFORMATION

NAME	PETER & LARA G. KUBINE
ADDRESS	1277 HAYWARD, HERNDON, VIRGINIA 20151
PHONE	703-424-8822



MINIMUM STORM WATER INFORMATION FOR REVISION, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS

THE FOLLOWING INFORMATION IS REQUIRED TO BE SUBMITTED WITH ALL SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS. IT IS THE RESPONSIBILITY OF THE APPLICANT TO OBTAIN ALL NECESSARY INFORMATION FROM THE CITY ENGINEER AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) TO ENSURE THAT ALL REQUIREMENTS ARE MET.

1. A SITE PLAN SHOWING THE PROPOSED IMPROVEMENTS TO THE EXISTING PAVEMENT AND SIDEWALKS.

2. A CROSS SECTION OF THE PROPOSED IMPROVEMENTS SHOWING THE PROPOSED PAVEMENT, SIDEWALK, AND CURB HEIGHTS.

3. A PLAN VIEW OF THE PROPOSED IMPROVEMENTS SHOWING THE PROPOSED PAVEMENT, SIDEWALK, AND CURB HEIGHTS.

4. A PLAN VIEW OF THE PROPOSED IMPROVEMENTS SHOWING THE PROPOSED PAVEMENT, SIDEWALK, AND CURB HEIGHTS.

5. A PLAN VIEW OF THE PROPOSED IMPROVEMENTS SHOWING THE PROPOSED PAVEMENT, SIDEWALK, AND CURB HEIGHTS.

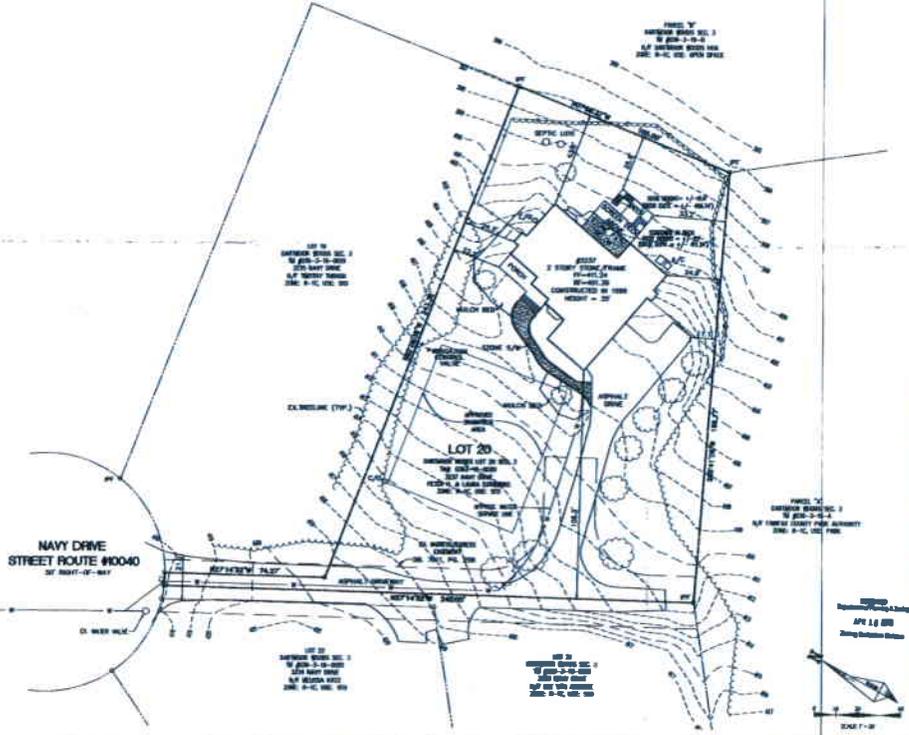
6. A PLAN VIEW OF THE PROPOSED IMPROVEMENTS SHOWING THE PROPOSED PAVEMENT, SIDEWALK, AND CURB HEIGHTS.

7. A PLAN VIEW OF THE PROPOSED IMPROVEMENTS SHOWING THE PROPOSED PAVEMENT, SIDEWALK, AND CURB HEIGHTS.

8. A PLAN VIEW OF THE PROPOSED IMPROVEMENTS SHOWING THE PROPOSED PAVEMENT, SIDEWALK, AND CURB HEIGHTS.

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10. A PLAN VIEW OF THE PROPOSED IMPROVEMENTS SHOWING THE PROPOSED PAVEMENT, SIDEWALK, AND CURB HEIGHTS.



SWAMP NARRATIVE

THE SUBJECT PROPERTY IS LOCATED IN AN AREA THAT IS DETERMINED TO BE A SWAMP. THE CITY ENGINEER HAS REVIEWED THE SWAMP NARRATIVE AND HAS DETERMINED THAT THE PROPOSED IMPROVEMENTS WILL NOT CAUSE ANY ADVERSE EFFECTS TO THE SWAMP.

CUTFILL NARRATIVE

THE SUBJECT PROPERTY IS LOCATED IN AN AREA THAT IS DETERMINED TO BE A CUTFILL. THE CITY ENGINEER HAS REVIEWED THE CUTFILL NARRATIVE AND HAS DETERMINED THAT THE PROPOSED IMPROVEMENTS WILL NOT CAUSE ANY ADVERSE EFFECTS TO THE CUTFILL.

DATE	REVISION	BY	FOR
04/16/2023	1	SMITH ENGINEERING	ISSUE FOR PERMIT

SMITH ENGINEERING

SPECIAL PERMIT PLAN

3237 NAVY DRIVE - HOME OFFICE

PROJECT: 24001

DATE: 04/16/2023

SCALE: 1" = 20'

APR 16 2023

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home professional office use. A copy of the special permit plat, titled, "Special Permit Plat, 3237 Navy Drive – Home Office," by Blake A. Smith, Professional Engineer, dated March 18, 2015, as revised through April 8, 2015, is included in the front of the staff report. Copies of the proposed development conditions, the statement of justification with select file photographs, and the affidavit are contained in Appendices 1 through 3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

The application property is improved with a two-story single-family detached dwelling. Vehicular access is provided from Navy Drive via an asphalt pipestem driveway. An elevated combination screened and open-air wooden deck is located at the rear of the house with stairs leading from the open-air deck to the yard below. A drainfield area is located in the front yard.



Figure 1: House Location
For illustrative purposes only

The subject property and surrounding properties are zoned R-1C. Properties to the north and west are developed as single family detached dwellings. The property to the east is open space owned by Dartmoor Woods Homeowners Association. To the south is open space owned by the Fairfax County Park Authority.

BACKGROUND

Fairfax County Tax Records indicate that the house was constructed and purchased by the current owners in 1996.

The applicants obtained a permit and final inspection to finish the basement in 1998. In 2003, the applicants obtained a permit and inspection to build the rear deck and screened porch. All relevant building permit information is included as Appendix 4.

Records indicate that no other special permit applications relating to a home child care facility have been heard by the Board of Zoning Appeals (BZA) in the surrounding area.

DESCRIPTION OF THE PROPOSED USE

The applicant requests approval of a special permit for a home professional office to provide professional psychological counseling services to a maximum of seven children daily between Monday and Thursday. Each appointment will last one hour with a minimum period of 15 minutes between each appointment. Hours of operation will be from 9:00 a.m. to 6:00 p.m. Parents will bring each client to the house at a scheduled appointment time and wait in a visitors area during the session. The applicant states that there will never be more than two clients on site at any one time. The applicant will be the sole operator of the home professional office and will have no other employees.

The proposed office will comprise approximately 600 square feet of the finished basement of the home with access provided through the front of the house or the basement walkout exit. All parking will occur in the driveway which has room for the required two parking spaces for a single family dwelling, one parking space for the sole employee of the office, and two spaces for the clients. No physical changes or modifications are proposed to the exterior of the structure.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area III, Upper Potomac Planning District
Planning Sector: West Ox Community Planning Sector (UP7)
Plan Map: Residential, .2-.5 du/ac

Zoning District Standards

Bulk Standards (R-1C)		
Standard	Required	Provided
Lot Size	25,000 s.f.	30,731 s.f.
Lot Width	Interior lot: no requirement	245.05 ft.
Building Height	35 ft.	35 ft.
Front Yard	30 ft.	105.2 ft.
Side Yard	12 ft., but a total minimum of 40 ft.	22.2 ft. (northern side yard) 24.9 ft. (southern side yard)
Rear Yard	25 ft.	43.8 ft.

Zoning Ordinance Requirements (Appendix 5)

- Sect. 8-006 General Special Permit Standards
- Sect. 8-303 All Group 3 Uses
- Sect. 8-907 Additional Standards for Home Professional Offices

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

<p>Standards 1 and 2 Comprehensive Plan/ Zoning District</p>	<p>The Comprehensive Plan recommends a residential use and the property is developed in accordance with the plan recommendation. The R-1 zoning district permits a home professional office use as an accessory use with special permit approval.</p>
<p>Standard 3 Adjacent Development</p>	<p>No new construction is proposed and no non-resident employees are proposed. The number of patients per day would be limited to seven and the use would be limited to operate four days per week. In staff's opinion, the proposed use will not hinder or discourage the use or development of neighboring properties or negatively affect value.</p>
<p>Standard 4 Pedestrian/Vehicular Traffic</p>	<p>Arrival and departure times of the clients are staggered, with a minimum of 15 minutes between each session and a limit of seven clients per day. Parents would wait on site during each session, which would also limit the number of trips to the site per day. 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 Landscaping/Screening</p>	<p>There are no proposed changes to the current landscaping or screening. There is existing mature vegetation in the front and rear yards. Therefore, staff believes this standard is met.</p>
<p>Standard 6 Open Space</p>	<p>There is no prescribed open space required in the R-1 District.</p>
<p>Standard 7 Utilities, Drainage, Parking, and Loading</p>	<p>There are no changes to the utilities and drainage serving the property. As previously discussed, the applicant states that the driveway would be used for parking for the home professional office and a development condition has been proposed to address this issue. Therefore, staff believes that this standard is met.</p>
<p>Standard 8 Signs</p>	<p>The applicant proposes no signs for the home professional office.</p>

Standards for all Group 3 Uses (Sect. 8-303)

<p>Standard 1 Lot Size and Bulk Regulations</p>	<p>The property meets the lot size and bulk regulations for the R-1C District. No new construction or exterior modifications are proposed.</p>
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<p>Standard 2 Performance Standards</p>	<p>The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.</p>
<p>Standard 3 Site Plan</p>	<p>Home professional offices are not subject to the provisions of Article 17, Site Plans.</p>

Additional Standards for Home Professional Offices (Sect. 8-907)

<p>Standard 1 Exterior Appearance of Single Family Dwelling</p>	<p>The subject property is developed with a single family dwelling in the character of the surrounding neighborhood. No exterior changes are proposed. Therefore, this standard has been met.</p>
<p>Standard 2 Principal Practitioner is a Resident</p>	<p>The principal practitioner resides in the application property.</p>
<p>Standard 3 Total Number of Persons Involved in the Operation Shall Not Exceed Four</p>	<p>The applicant will be the sole operator of the home professional office. There will be no other employees or assistants.</p>
<p>Standard 4 Non-Residential Uses in Area Do Not Disrupt Residential Character</p>	<p>Since the adoption of the Zoning Ordinance, the BZA has not heard any other applications for home professional offices in the area. Two home occupation permits have been issued for offices within homes on nearby properties. All properties in the area are either open space or developed with single family dwellings. There is adequate parking on site to accommodate clients who will visit the site. In staff's opinion, the proposed home professional office use would not disrupt the residential character of the area.</p>

CONCLUSION/ RECOMMENDATION

Staff believes that the subject application is in conformance with the applicable Zoning Ordinance provisions.

Staff recommends approval of SP 2015-SU-066 for the home professional office with adoption of the proposed development conditions contained in Appendix 1.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Statement of Justification and Select File Photographs
3. Applicant's Affidavit
4. Applicable Building Permit information
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2015-SU-066****July 8, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-SU-066 located at Tax Map 36-3 ((16)) 20 to permit a home professional office pursuant to Section 8-907 and 3-103 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicants, Peter H. Robbins and Laura D. Robbins, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 3237 Navy Drive, and is not transferable to other land.
2. This special permit is granted only for the home professional office use indicated on the plat titled, "Special Permit Plat, 3237 Navy Drive – Home Office," by Blake A. Smith, Professional Engineer, dated March 18, 2015, as revised through April 8, 2015, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit and the Non-Residential Use Permit shall be posted in a conspicuous place on the property and be made available to all departments of the County of Fairfax during hours of operation of the permitted use.
4. The hours of operation of the home professional office shall be limited to 9:00 a.m. to 6:00 p.m., Monday through Thursday.
5. The dwelling that contains the home professional office shall be the primary residence of the applicant.
6. Appointments shall be scheduled so that there shall be a minimum of thirty (15) minutes between the end of one appointment and the commencement of the next. The maximum number of patients shall be limited to seven (7) daily.
7. The applicant shall be the sole operator of the home professional office.
8. There shall be no signage associated with the home professional office.
9. All parking associated with the home professional office shall occur in the driveway located on the subject property.
10. The area utilized for the home professional office shall not exceed 600 square feet.

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 take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

RECEIVED
Department of Planning & Zoning

MAR 18 2015

Zoning Evaluation Division



**WALSH COLUCCI
LUBELEY & WALSH PC**

Andrew A. Painter, Esq.
(571) 209-5775
apainter@thelandlawyers.com

March 18, 2015

Via Hand Delivery

Barbara C. Berlin, Director
Zoning Evaluation Division
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

**Re: Peter H. Robbins and Laura D. Robbins (Jointly, the "Applicant")
Application for Category 9 Special Permit
3237 Navy Drive, Herndon, VA 20171
Fairfax County Tax Map Reference: 36-3 ((16)) 20 (the "Subject Property")**

Dear Ms. Berlin:

On behalf of the Applicant, please accept the following as a statement of justification for a Category 9 Special Permit to allow for a home professional office on the Subject Property pursuant to §§ 8-907 and 3-103 (8) (B) of the Zoning Ordinance of Fairfax County, Virginia (the "Zoning Ordinance").

The Subject Property comprises approximately 30,731 square feet and is located in the Dartmoor Woods subdivision south of Bennett Road (Route 669), at the southern end of Navy Drive (Route 10040) in the Sully Magisterial District. The Subject Property is zoned to the R-1 zoning district pursuant to § 3-100 et seq. of the Zoning Ordinance. Zoning records do not indicate that the Subject Property is subject to any previously approved rezoning, special permit, or special exception applications.

Department of Tax Administration Records indicate that the Subject Property is presently improved with a two-story single family detached dwelling constructed in 1996. Upon information and belief, the dwelling was in compliance with all applicable ordinances when it was constructed. There is a second story combination screened and open-air wooden deck on the rear of the dwelling with stairs leading from the open-air deck to the backyard below. (See Photos 20 and 21 in the set of enclosed photographs.) The existing dwelling is surrounded by similar single family dwelling units to the north and west located at 3235 and 3236 Navy Drive (Tax Map ##36-3 ((16)) 19 and 36, respectively), open space owned by Dartmoor Woods Homeowners Association to the east (Tax Map #36-3 ((16)) B), and open space owned by the Fairfax County Park Authority to the south (Tax Map #36-3 ((16)) A).

ATTORNEYS AT LAW

703 528 4700 | WWW.THELANDLAWYERS.COM
2200 CLARENDON BLVD. | SUITE 1300 | ARLINGTON, VA 22201-3359

LOUDOUN 703 737 3633 | WOODBRIDGE 703 680 4664

The proposed home professional office will provide professional psychological counseling services to a maximum of seven children daily between Monday and Thursday. Each appointment will last one hour with a minimum period of 15 minutes between each appointment. Hours of operation will be from 9:00 a.m. to 6:00 p.m. A parent will bring each client to the Subject Property at a scheduled appointment time and will wait in a visitors area during the session. The Applicant will be the sole operator of the home professional office. There will be no employees or attendants.

The proposed office will comprise approximately 600 square feet, and will be located in the basement level of the home with access provided through the front of the house or the walkout exit through the basement. No physical changes or modifications are proposed to the exterior of the structure. There will be no signage associated with the proposed use, and the Subject Property will continue to serve as the primary residence of the Applicant. The Applicant does not propose any changes to the current landscaping and screening. No vegetation is proposed to be removed and the front and rear yards have existing mature vegetation.

The proposed use will have a *de minimus* impact on the overall traffic pattern of the surrounding community. There will be no more than one vehicle associated with each appointment, and there will be no more than two patients on the Subject Property at one time. All parking associated with the proposed home professional office will be located on the Subject Property. The Zoning Ordinance requires two parking spaces for a single family detached dwelling, plus at least one space should be provided for a patron to use during their appointment, for a total of three parking spaces. Based on the Public Facilities Manual ("PFM") requirement for size of parking spaces, there is space for four 18' X 8.5' spaces on the Subject Property.

The Subject Property is located in the West Ox Community Planning Sector of the Upper Potomac Planning District of Area III of the Fairfax County Comprehensive Plan (the "Plan"). There are no site-specific recommendations in the Plan for the Subject Property; however, the Plan acknowledges the existence of stable, low-density residential neighborhoods and recommends residential development that is compatible with the use, type, and intensity of existing neighborhoods. Given the limited number of clients per day and the limited schedule of four work days per week, the proposed home professional office is in harmony with the Plan and is in keeping with the low-density residential nature of the surrounding neighborhood.

In accordance with the requirements of § 8-011 (6) of the Zoning Ordinance, please accept the following information with regard to the proposed application:

1. Type of Operation: The Applicant seeks to open a home professional office for purposes of providing psychological counseling services to children.
2. Hours of Operation: The home professional office will operate four days a week, Monday through Thursday, from approximately 9:00 a.m. to 6:00 p.m.
3. Estimated Number of Patrons/Clients: The home professional office will provide psychological counseling services to a maximum of seven children per day.

4. Estimated Number of Employees/Attendants: The Applicant will be the sole operator of the home professional office. There will be no employees or attendants.
5. Traffic Impact: The proposed use will have a *de minimus* impact on the overall traffic pattern of the surrounding community. No new construction is proposed, and there will be no employees or attendants working at the home professional office. The Applicant plans to provide psychological counseling services to a maximum of seven children per day. Each appointment will last one hour with a minimum period of 15 minutes between each appointment between 9:00 a.m. to 6:00 p.m. There will be no more than one vehicle associated with each appointment, and there will be no more than two patients on the Subject Property at one time.
6. Vicinity/General Area To Be Served By the Use: The proposed home professional office will offer conveniently-located psychological counseling services to children in the greater Herndon-Oakton-Fairfax area.
7. Description of Building Façade/Architecture: No new construction is proposed. The existing two-story residential dwelling was built using architecture compatible with the character of the surrounding neighborhood.
8. Hazardous and Toxic Substances: To the best of the Applicant's knowledge there are no hazardous or toxic substances to be generated, utilized, stored, treated, or disposed of on the Subject Property.
9. Conformance With Ordinances: The proposed development conforms to the provisions of all applicable ordinances, regulations, adopted standards, and any applicable conditions.

Compliance with § 8-006 General Standards For All Uses

Section 8-006 of the Zoning Ordinance contains application evaluation criteria for approval of all special permits. Each criterion is listed in bold below, followed by the Applicant's response in italics:

1. **The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.**

The Plan acknowledges the existence of stable, low-density residential neighborhoods and recommends residential development that is compatible with the use, type, and intensity of existing neighborhoods. Given the limited number of clients per day and the limited schedule of four work days per week, the proposed home professional office is in harmony with the Plan's recommendations and is in keeping with the low-density residential nature of the surrounding neighborhood. Therefore, this standard is satisfied.

2. **The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.**

The R-1 zoning district regulations permit home professional offices, and the proposed request is in harmony with the general purpose and intent of the applicable zoning district regulations. Therefore, this standard is satisfied.

- 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.**

The proposed use will be harmonious with the surrounding community and will not adversely affect the use or development of neighboring properties. No new construction is proposed, and there will be no employees or attendants working at the home professional office. The Applicant will provide counseling services to approximately seven clients a day on an individual basis over the course of an approximately nine-hour work day, with each appointment lasting one hour. There will be no more than one vehicle associated with each appointment, and there will be no more than two patients on the Subject Property at one time. The proposed use will have a de minimus impact on the overall traffic pattern of the surrounding community. Therefore, this standard is satisfied.

- 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.**

The proposed home professional office will have a de minimus impact on pedestrian and vehicular traffic. As noted above, no new construction is proposed, and there will be no employees or attendants working at the home professional office. The Applicant plans to provide psychological counseling services to a maximum of seven children daily. Each appointment will last one hour with a minimum period of 15 minutes between each appointment between 9:00 a.m. to 6:00 p.m. There will be no more than one vehicle associated with each appointment, and there will be no more than two patients on the Subject Property at one time. Therefore, this standard is satisfied.

- 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.**

The Applicant does not propose any changes to the current landscaping and screening. No vegetation is proposed to be removed and the front and rear yards have existing mature vegetation. Therefore, this standard is satisfied.

- 6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.**

The Applicant does not propose any changes to open space on the Subject Property. Open space is provided in those areas shown on the special permit plat in accordance with the R-1 zoning district. Therefore, this standard is satisfied.

- 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.**

There are adequate parking, utility, and drainage facilities on the Subject Property to serve the proposed use. All parking associated with the proposed home professional office will be located on the Subject Property in accordance with the Zoning Ordinance. Based on the PFM requirement for size of parking spaces, there is space for four 18' X 8.5' spaces on the Subject Property. Therefore, this standard is satisfied.

- 8. Signs shall be regulated by the provisions of Article 12; however, the BZA may impose more strict requirements for a given use than those set forth in this Ordinance.**

No signs are proposed with the requested use; therefore, this standard is inapplicable.

Compliance with § 8-903 Specific Standards Group 9 Uses

Section 8-903 of the Zoning Ordinance contains application evaluation criteria for approval of Group 9 uses. Each criterion is listed in bold below, followed by the Applicant's response in italics:

- 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.**

As depicted on the special permit plat, the Subject Property is in compliance with all applicable lot size and bulk regulations in the R-1 zoning district. Therefore, this standard is satisfied.

- 2. All uses shall comply with the performance standards specified for the zoning district in which located.**

The Applicant's proposed use will comply with the applicable performance standards for the R-1 zoning district. Therefore, this standard is satisfied.

- 3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.**

Section 17-104 (1) of the Zoning Ordinance exempts single family detached dwelling units from site plans and minor site plans; therefore, this standard is inapplicable.

Compliance with § 8-907 Additional Standards For Home Professional Offices

Section 8-907 of the Zoning Ordinance contains application evaluation criteria for approval of a home professional office. Each criterion is listed in bold below, followed by the Applicant's response in italics:

- 1. The premises shall have the exterior appearance of a single family detached dwelling.**

The residential dwelling on the Subject Property is compatible with the character of the surrounding neighborhood. There are no proposed changes to the exterior appearance of the dwelling. Therefore, this criterion is satisfied.

- 2. The structure shall be the domicile of the principal practitioner and her family.**

The Applicant will be the sole practitioner of the home professional office, and the Subject Property is her domicile. Therefore, this criterion is satisfied.

- 3. Additional professionals and assistants may be involved in the operation, provided that the total number of persons, whether paid or voluntary, involved in the operation shall not exceed four (4); except that on a lot of two (2) or more acres, the total number of persons shall not exceed six (6).**

The Applicant will be the sole operator of the home professional office. There will be no employees or attendants. Therefore, this criterion is satisfied.

I would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Board of Zoning Appeals at your earliest convenience. Thank you for your time and consideration in this matter and please feel free to call me directly at (571) 209-5775 should you have any questions.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.



Andrew A. Painter

Enclosures

cc: Laura D. Robbins, LCSW, Ph.D.
Mr. Anthony F. Venafro, Smith Engineering, PLLC
Lynne J. Strobel, Esq., Walsh Colucci
Martin D. "Art" Walsh, Esq., Walsh Colucci
Jeffrey R. Sunderland, Esq., Walsh Colucci



Photo 1 – Facing southeast looking along the asphalt driveway entrance to the property.



Photo 2 – Facing northwest looking back along the asphalt driveway entrance to the property towards the Navy Drive cul-de-sac.



Photo 3 – Facing northeast towards the front of the home from the end of the front yard near the edge of the asphalt driveway entrance to the property.



Photo 4 – Facing north and looking across the front yard of the property from the southern corner of the asphalt driveway where the driveway turns east towards the home.



Photo 5 – Facing south from the front door of the home and looking along the stone walkway to where it connects with the asphalt driveway.



Photo 6 – Facing southwest from the front door of the home looking across the front yard.



Photo 7 – Facing west from the front door of the home and looking towards the northern boarder of the property at the adjacent lot to the north.



Photo 8 – Facing northeast along the northern boarder of the property looking around the left side of the home (if facing the front door) towards the adjacent property to the north.



Photo 9 – Facing east looking towards the northeast corner of the backyard from the left side of the home (if facing the front door).



Photo 10 – Facing southeast looking across the backyard from the northern border of the property on the left side of the home (if facing the front door).



Photo 11 – Standing in the northeast corner of the property looking south along the rear fence in the backyard and the eastern border of the property.



Photo 12 – Standing in the northeast corner of the property looking southwest across the backyard towards the northeast corner of the home.



Photo 13 – Standing in the northeast corner of the property looking west along the northern border of the property, from the backyard looking towards the front yard along the side of the home.



Photo 14 – Standing in the asphalt driveway along the right side of the home (if facing the front door) and looking east towards the backyard.



Photo 15 – Standing at the end of the asphalt driveway on the right side of the home (if facing the front door) and looking east at the gate that opens into the backyard.



Photo 16 – Standing at the end of the asphalt driveway on the right side of the home (if facing the front door) and looking southeast at the southern boundary of the property and the southeast corner of the fence to the backyard.



Photo 17 – Standing inside the gate to the backyard on the right side of the house (if facing the front door) and looking east across the backyard to the rear of the property.



Photo 18 – Standing near the southern border of the property looking at the right side of the home (if facing the front door), the end of the asphalt driveway, and the garage.



Photo 19 – Standing in the center rear of the backyard at the eastern border of the property and looking southwest across the backyard.



Photo 20 – Standing in the center rear of the backyard at the eastern border of the property and looking at the rear of the home, including the combination screened and open-air deck and stairs.



Photo 21 – Standing in the center rear of the backyard at the eastern border of the property and looking northwest across the backyard towards the northern border of the property.

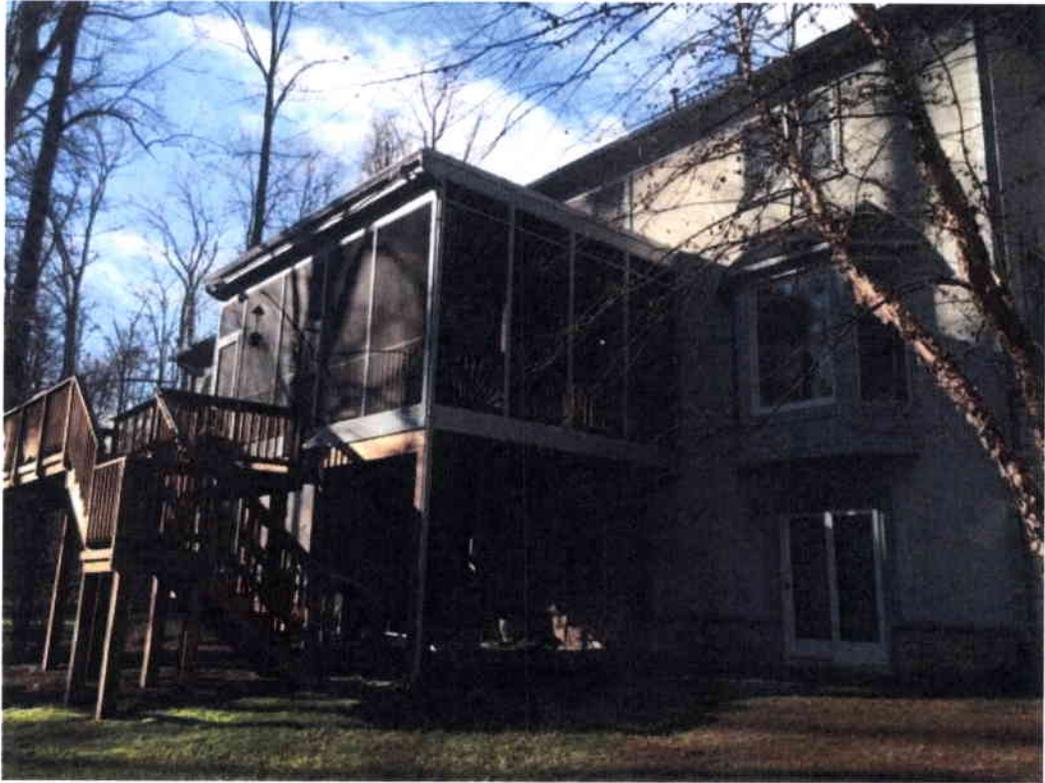


Photo 22 – Standing near the northeast corner of the property and looking southwest at the rear of the home.

Application No.(s): SP 2015-SU-066
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: March 17, 2015
(enter date affidavit is notarized)

128883

I, Andrew A. Painter, attorney/agent, do hereby state that I am an
(enter name of applicant or authorized agent)

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

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Peter H. Robbins Laura D. Robbins	3237 Navy Drive Herndon, VA 20171	Applicants/Title Owners of Tax Map 36-3 ((16)) 20
Smith Engineering, PLLC Agents: Blake A. Smith Ashleigh T. Blecker	14901 Bogle Drive, Suite 101 Chantilly, Virginia 20151	Engineer/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).

SP

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

Page 1 of 1

Special Permit/Variance Attachment to Par. 1(a)

DATE: March 17, 2015
(enter date affidavit is notarized)

128883

(NOTE): All relationships to the application are to 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)
Walsh, Colucci, Lubeley & Walsh, P.C. Agents: Martin D. Walsh Lynne J. Strobel M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Andrew A. Painter Matthew J. Allman Jeffrey R. Sunderland Elizabeth D. Baker Inda E. Stagg Amy E. Friedlander	2200 Clarendon Boulevard Suite 1300 Arlington, VA 22201	Attorneys/Planners/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney*/Agent Planner/Agent Planner/Agent Planner/Agent

*Admitted in New York and California.
Admission to Virginia Bar pending.

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

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

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: March 17, 2015
(enter date affidavit is notarized)

128883

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)

Smith Engineering, PLLC
14901 Bogle Drive, Suite 101
Chantilly, Virginia 20151

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)

Blake A. Smith, Sole Member

(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)

Page 1 of 1

Special Permit/Variance Attachment to Par. 1(b)

DATE: March 17, 2015
(enter date affidavit is notarized)

128823

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

Walsh, Colucci, Lubeley & Walsh, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, VA 22201

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

Wendy A. Alexander, David J. Bomgardner, Bryan H. Guidash, Michael J. Kalish, Nan E. Walsh
E. Andrew Burcher, Thomas J. Colucci, J. Randall Minchew, Andrew A. Painter,
Michael J. Coughlin, Peter M. Dolan, Jr., G. Evan Pritchard, M. Catharine Puskar,
Jay du Von, William A. Fogarty, John E. Rinaldi, Kathleen H. Smith,
John H. Foote, H. Mark Goetzman, Lynne J. Strobel, Garth M. Wainman,

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

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

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

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: March 17, 2015
(enter date affidavit is notarized)

128883

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)
None

(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: March 17, 2015
(enter date affidavit is notarized)

128883

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

128882

DATE: March 17, 2015
(enter date affidavit is notarized)

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

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

None

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

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

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

WITNESS the following signature:

(check one)

[] Applicant

[x] Applicant's Authorized Agent

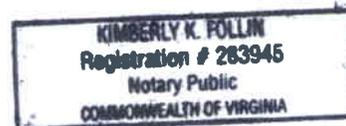
Andrew A. Painter, attorney/agent

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

Subscribed and sworn to before me this 17 day of March, 2015, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin
Notary Public

My commission expires: 11/30/2015



BUILDING PERMIT APPLICATION

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES
 PERMIT APPLICATION CENTER
 12855 Government Center Parkway, 2nd Floor
 Fairfax, Virginia 22035-5504 Telephone: 703-222-0001
 Web site: http://www.co.fairfax.va.us/perm

PERMIT # 03230 Bolo 70
 FOR INSPECTIONS CALL 703-222-0455 (see back for more information)

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

JOB LOCATION
 ADDRESS 3237 Navy Dr.
 LOT # 20 BUILDING Sec-3
 FLOOR _____ SUITE _____
 SUBDIVISION WARTWOOD Woods
 TENANT'S NAME _____

OWNER INFORMATION OWNER TENANT
 NAME PETER & LIBBY ROBBINS
 ADDRESS 3237 Navy Dr.
 CITY DAKHILL STATE Va ZIP 20171
 TELEPHONE 77160981

CONTRACTOR INFORMATION SAME AS OWNER
 CONTRACTORS MUST PROVIDE THE FOLLOWING:
 COMPANY NAME Woodcraft Builders
 ADDRESS 4208 Lee Hwy.
 CITY Warrenton STATEVA ZIP 20187
 TELEPHONE 775503499
 STATE CONTRACTORS LICENSE # 021171A
 COUNTY BPOL # 8171

APPLICANT GUILLERMO RODRIGUEZ

DESCRIPTION OF WORK
SCREEN PORCH + DECK w/ STAIRS
17' x 22'

HOUSE TYPE SINGLE HOUSE
 ESTIMATED COST OF CONSTRUCTION 26,136
 BLDG AREA (SQ FT OF FOOTPRINT) _____
 USE GROUP OF BUILDING R4
 TYPE OF CONSTRUCTION SB
 SEWER SERVICE PUBLIC SEPTIC OTHER
 WATER SERVICE PUBLIC WELL OTHER
 OTHER PLEASE SPECIFY _____

DESIGNATED MECHANICS' LIEN AGENT
 (Residential Construction Only)
 NAME _____
 ADDRESS _____

NONE DESIGNATED PHONE _____

CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS

# KITCHENS _____	EXTER. WALLS _____
# BATHS _____	INTER. WALLS _____
# HALF BATHS _____	ROOF MATERIAL _____
# BEDROOMS _____	FLOOR MATERIAL _____
# OF ROOMS _____	FIN. BASEMENT _____ %
# STORIES _____	HEATING FUEL _____
BUILDING HEIGHT <u>21'</u>	HEATING SYSTEM _____
BUILDING AREA _____	# FIREPLACES _____
BASEMENT _____	

DO NOT WRITE IN THIS SPACE - COUNTY USE ONLY

PLAN # W-03-05417
 TAX MAP # 036-3-16/100

ROUTING	DATE	APPROVED BY
LICENSING	<u>8/18/03</u>	<u>[Signature]</u>
ZONING	<u>8-26-03</u>	<u>[Signature]</u>
SITE PERMITS	<u>8-28-03</u>	<u>[Signature]</u>
HEALTH DEPT	<u>8/27/03</u>	<u>[Signature]</u>
BUILDING REVIEW	<u>8/26/03</u>	<u>[Signature]</u>
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

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

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

APPROVED FOR ISSUANCE OF BUILDING PERMIT (LOG OUT)
 BY [Signature] DATE 08/27/03

ZONING REVIEW ZONING CLASS R-1C
 USE SD-96
 ZONING CASE # _____

GROSS FLOOR AREA OF TENANT SPACE

YARDS:	GARAGE	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
FRONT _____	OPTIONS	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
FRONT <u>NC</u>	REMARKS	<u>Screen porch and Deck w/ Stairs plat attached</u>		
L SIDE <u>NC</u>				
R SIDE <u>33'</u>				
REAR <u>26'</u>				

GRADING AND DRAINAGE REVIEW
 SOILS # _____ A B C
 HISTORICAL DISTRICT _____
 AREA TO BE DISTURBED (TOTAL SQ FT) 7044
 ADD'L IMPERVIOUS AREA (ADDED SQ FT) 3744
 PLAN # _____ APPR. DATE _____

STAMPS
EST. 1/1/2503 EXACT
 (See reverse side of application)

REMARKS
[Signature]

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

Signature of Owner or Agent [Signature] Date 7-31-03
 Printed Name and Title Guillermo Rodriguez
 (Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

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

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.

8-907 Additional Standards for Home Professional Offices

1. The premises shall have the exterior appearance of a single family detached dwelling.
2. The structure shall be the domicile of the principal practitioner and his family.
3. Additional professionals and assistants may be involved in the operation, provided that the total number of persons, whether paid or voluntary, involved in the operation shall not exceed four (4); except that on a lot of two (2) or more acres, the total number of persons shall not exceed six (6).
4. In consideration of an application for a permit, the BZA shall review all non-residential uses within the area, and shall determine that such use, together with all other non-residential uses, does not constitute sufficient non-residential activity as might modify or disrupt the predominantly residential character of the area.
5. Notwithstanding the provisions of Sect. 014 above, home professional offices approved prior to January 24, 1977 may be renewed for one five (5) year period under the ordinances in effect at the time the permit was originally granted, provided that the principal user is the same as the one who originally received the special permit. Thereafter, any renewal shall be subject to the provisions of this Ordinance.