



APPLICATION ACCEPTED: July 22, 2015
BOARD OF ZONING APPEALS: October 7, 2015
TIME: 9:00 AM

County of Fairfax, Virginia

September 29, 2015

STAFF REPORT

APPLICATION SP 2015-MV-112

MOUNT VERNON DISTRICT

APPLICANT/OWNER: Kyle T. and Susan C. Rector

LOCATION: 8608 Pilgrim Court, Alexandria

PARCEL: 102-3 ((18)) 17

LOT SIZE: 11,468 square feet

ZONING: R-3: Residential, Three Dwelling Units/Acre

ZONING ORDINANCE PROVISIONS: 8-914 and 8-922

PROPOSAL: To allow the existing shed to remain based on an error in building location 3.2 feet from the rear yard lot line and 3.4 feet from the side yard lot line; to reduce the minimum side yard from 12 feet to 7.7 feet for the construction of a detached garage

STAFF RECOMMENDATIONS:

Staff recommends approval of SP 2015-MV-112 for the reduction of the side yard requirement, subject to the proposed conditions listed in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner 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 recommendation of staff; it does not reflect the position of the Board of Zoning Appeals.

Nick Rogers, AICP

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

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



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 this application

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

Board of Zoning Appeals meetings are held in the Board Auditorium of the Government Center (12000 Government Center Parkway, Fairfax, VA 22035)



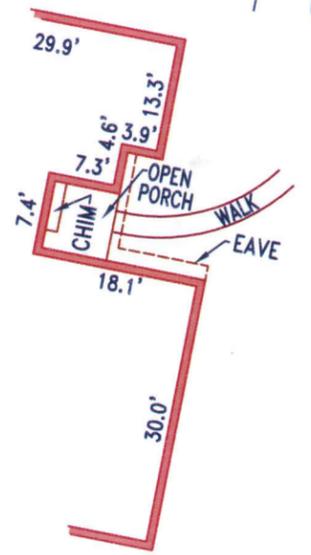
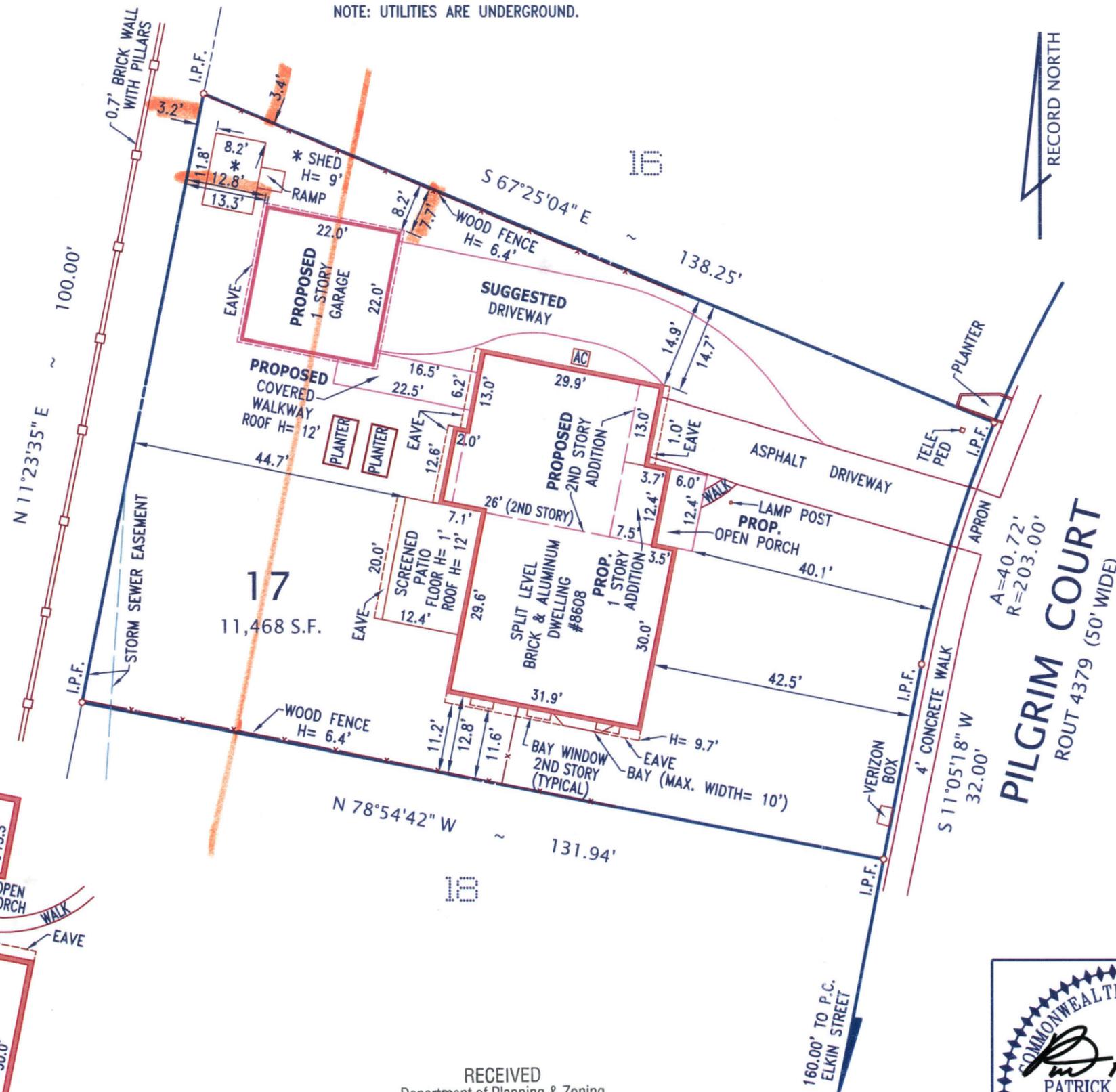
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

FORT HUNT CENTRE LLC
 MAP #: 1023 01 0044D
 ZONING: C-5 (NEIGHBORHOOD RETAIL)
 LAND USE: LOW RISE OFFICE

NOTE: UTILITIES ARE UNDERGROUND.

NOTES:

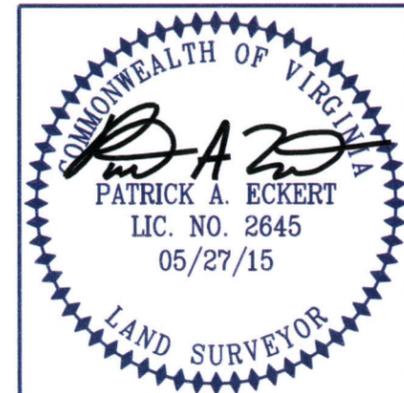
- TAX MAP: 1023 18 0017 ZONE: R-3
- PROPERTY SERVED BY PUBLIC WATER, GAS AND SEWER.
- NO UTILITY EASEMENTS 25 FEET WIDE OR GREATER WERE FOUND ON THIS PROPERTY.
- THERE ARE NO FLOOD PLAIN OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
- NO GRAVE SITES OR BURIAL GROUNDS WERE FOUND ON THIS PROPERTY.
- MINIMUM YARDS REQUIRED:
 FRONT 30 FEET
 SIDE 12 FEET
 REAR 25 FEET
- HEIGHTS:
 DWELLING 23 FEET
 PROP. 2ND STORY ADDITION 23 FEET (MATCH EXIST)
 PROPOSED GARAGE 16 FEET (MAX.)
 PROP. OPEN PORCH FLOOR 1 FOOT
 FENCES/OTHER AS SHOWN
- APPROXIMATE FLOOR AREAS:
 EXISTING DWELLING 2,883 SQUARE FEET
 PROPOSED ADDITIONS 1,673 SQUARE FEET (TOTAL)
 ADDITIONS EQUAL 58% OF EXISTING FLOOR AREA
 SHED 97 SQUARE FEET
 FAR: EXISTING .26 PROPOSED .40
- THE DWELLING WAS CONSTRUCTED IN 1971.
- IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING UNLESS NOTED AS PROPOSED.
- VEGETATION IS PRIMARILY LAWN WITH SEVERAL TREES. ONE TREE IS TO BE REMOVED FOR THE NEW CONSTRUCTION.



SPECIAL PERMIT PLAT
 LOT 17
FORT HUNT MANOR
 FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 20' MARCH 10, 2015
 MAY 27, 2015 (REVISED PER COMMENTS)

RECEIVED
 Department of Planning & Zoning
 JUN 26 2015
 Zoning Evaluation Division



THE POSITION OF THE EXISTING IMPROVEMENTS HAS BEEN ESTABLISHED BY AN ON SITE INSTRUMENT SURVEY.	NO TITLE REPORT FURNISHED. THIS PLAT IS SUBJECT TO RESTRICTIONS AND EASEMENTS RECORDED OF RECORD OR ESTABLISHED.
CASE NAME: RECTOR	ALTERRA SURVEYS, INC.
ORDERED BY: CRAFTED ARCHITECTURE LLC	11350 RANDOM HILLS ROAD 430 FAIRFAX, VIRGINIA 22030 TEL. NO. 703-520-1558 FAX NO. 703-995-4800 INBOX@ALTERRASURVEYS.COM

SPECIAL PERMIT REQUEST

The applicants, Kyle T. and Susan C. Rector, are requesting approval of a Special Permit to construct a new garage within the side yard setback. The applicants would construct a 22 foot by 22 foot, 484 square foot garage that would be connected to the existing dwelling by a covered walkway and would encroach 4.3 feet into the 12 foot minimum required side yard. Section 8-922 of the Zoning Ordinance gives property owners the ability to request a reduction of certain yard requirements from the Board of Zoning Appeals if the reduction would meet the Ordinance's criteria for approval.

The applicants are also requesting a reduction in the minimum yard requirements based on an error in building location for the existing rear yard shed. Specifically, the 9 foot tall shed is located 3.4 feet from the side yard lot line and 3.2 feet from the rear yard lot line, where 12 feet and 9 feet are required, respectively. The shed was constructed by previous owners of the property.

A reduced copy of the applicant's Special Permit Plat (SP Plat) is included in the front of the staff report. Copies of the draft development conditions, the applicant's statement of justification, and the applicant's affidavit are included in Appendices 1, 2, and 3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

The subject property is zoned R-3 and located approximately one half mile northwest of Fort Hunt Park and just west of Fort Hunt Road's intersection with Elkin Street (Figure 1). The 11,468 square foot lot contains an approximately 23 foot tall, 2,883 square foot single family detached dwelling. The existing driveway is approximately 10 feet wide, and connects the dwelling's one-car garage with Pilgrim Court. The northwestern corner of the rear yard contains a 97 square foot, 9 foot tall shed. The two side yards and the rear yard are enclosed by a 6.4 foot high board on board fence.

The adjacent properties and the surrounding properties are zoned R-3 and developed as single family detached dwellings, except for the adjacent office building, service station, and quick service food store, which is zoned C-5: Neighborhood Retail Commercial District.

BACKGROUND

According to the Department of Tax Administration, the dwelling was originally constructed in 1971 and remodeled in 2004. Based on historical air photo analysis conducted by staff, the rear yard storage structure was added between 2002 and 2007. The applicant purchased the property in 2006.

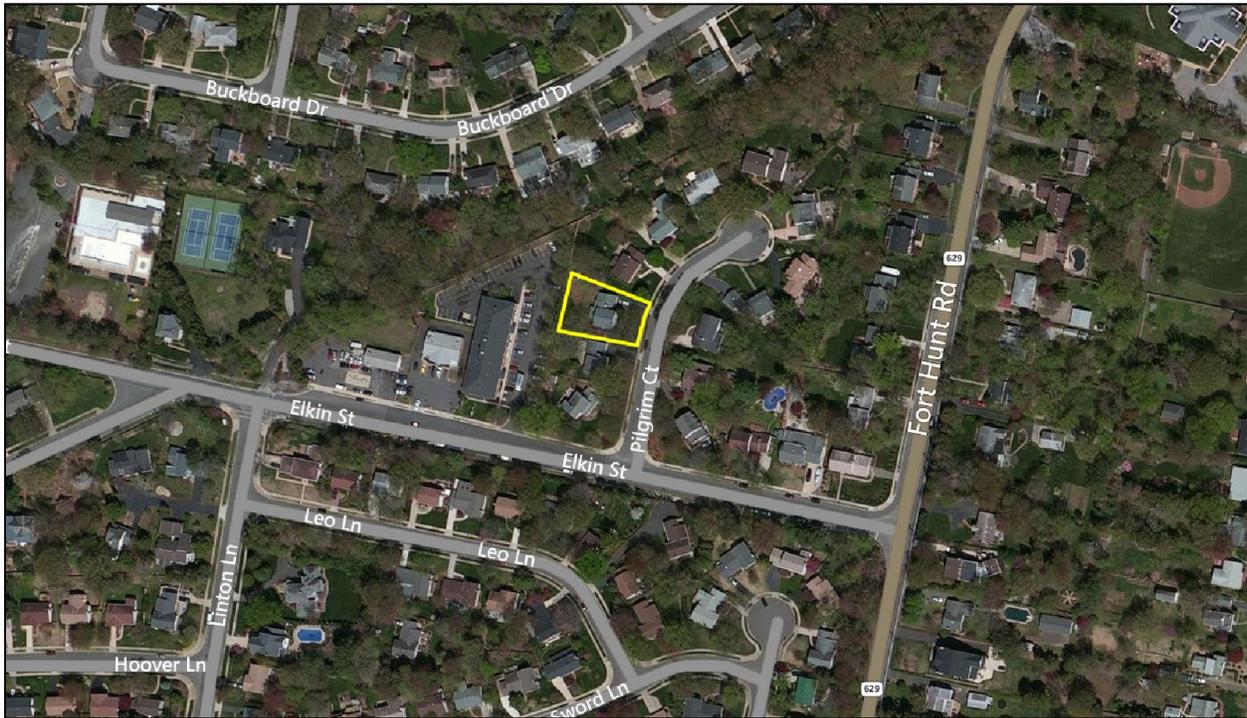


Figure 1: Aerial photograph of subject property and its surroundings. (Source: Fairfax County DPZ GIS and 2015 aerial photography)

DESCRIPTION OF THE SPECIAL PERMIT PLAT

The applicant proposes to construct a 484 square foot garage in the rear yard that would be 7.7 feet from the side yard lot line. Figure 1 on page 3 shows the SP Plat with the proposed garage. For R-3 zoned properties, the minimum required side yard is 12 feet. The garage would be no more than 16 feet tall, and would be accessed via a new driveway connecting the proposed garage with the existing driveway. The garage would be connected to the house via a breezeway. The applicant's elevation drawings showing the garage design are displayed in Attachment A to Appendix 1.

The applicant has indicated on the SP Plat that the house will be enlarged by-right by 1,673 square feet. The additional floor area would be added above the existing open porch at the house's front entry and above the existing garage. These additions would not exceed the current 23 foot height for the house. The addition would occur within the current footprint of the structure, and would not extend further into the front, side or rear yards. The existing garage would be converted into a storage room and office.

The SP Plat shows the shed's current location, where it would remain near the proposed garage. As previously discussed, Article 10 of the Zoning Ordinance requires a shed of this size to be located at least 9 feet from the rear yard lot line, and at least 12 feet from the side yard lot line. Staff has included a comparison of the applicant's request with the R-3 District requirements in Table 1.

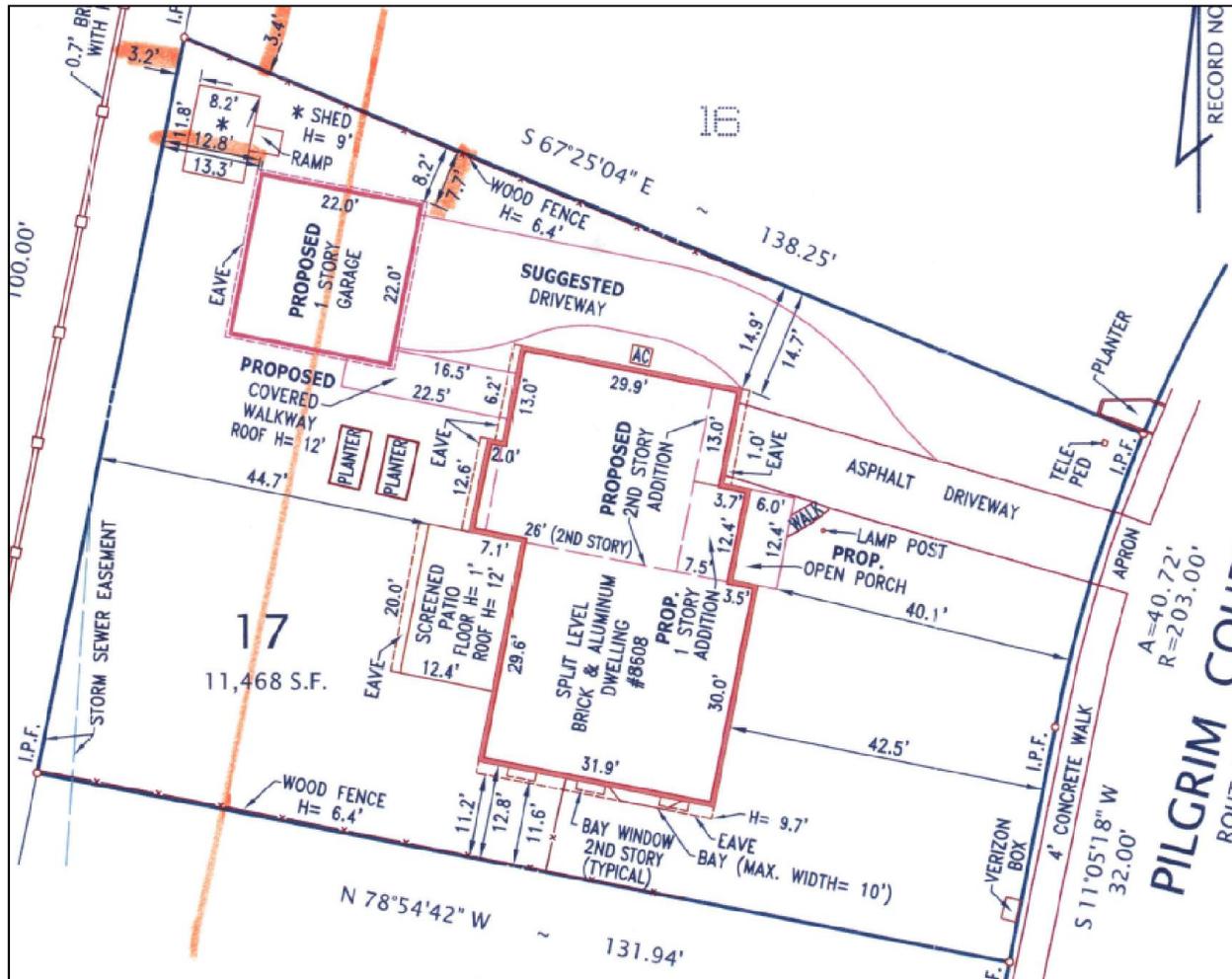


Figure 2: Aerial photograph of subject property and its surroundings. (Source: Alterra Surveys, Inc.; 5/27/2015)

Table 1: Encroachment Calculations for Side Yard					
Structure	Yard	Minimum Required Yard	Proposed Location	Proposed Reduction	Percentage Reduction Requested
Proposed Garage	Side	12.0 feet	7.7 feet	4.3 feet	35.8%
Shed	Side	12.0 feet	3.4 feet	8.6 feet	71.7%
Shed	Rear	9.0 feet	3.2 feet	5.8 feet	64.4%

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area IV, Mount Vernon Planning District
Planning Sector: MV6 – Fort Hunt Community Planning Sector
Plan Map: Residential, 2-3 dwelling units per acre

Urban Forestry Review (Appendix 4)

Staff from the Department of Public Works and Environmental Services' (DPWES') Urban Forest Management Division (UFMD) expressed concerns with impacts to on site and off site vegetation that could occur with the construction proposed on the SP Plat. UFMD recommended that the applicant consult with a certified arborist or registered consulting arborist on methods to employ for reducing impacts to on site landscaping along with a 24-inch caliper oak tree on the neighboring property. Such methods could include using a supersonic air tool to locate and avoid large root, tying back limbs to avoid damaging them when construction materials are lifted, and tree protection fencing along the tree drip line. UFMD also recommended a pier and grade beam on the north and east walls of the garage to reduce construction impacts on off-site tree's roots.

Staff has included a development condition in Appendix 1 that would require consultation with an ISA certified arborist for the garage construction and tree protection fencing in the recommended location.

Zoning District Standards

Standard	Required	Provided
Lot Size	10,500 sf.	11,468 sf.
Lot Width	Interior: 80 feet Corner: 105 feet	72.72 feet ¹
Building Height	35 feet max.	23 feet
Front Yard	Min. 30 feet	42.5 feet
Side Yard	Min. 12 feet	12.8 feet
Rear Yard	Min. 25 feet	44.7 feet

¹ The subject parcel was created prior to the advent of the 1978 Zoning Ordinance; therefore, although the parcel does not meet the Ordinance requirements, it is grandfathered as a legal, buildable lot under the provisions of Sect. 2-405.

Table 3: Accessory Structure Setback Standards				
Structure	Yard	Minimum Yard Required	Existing Location	Permit Status
Shed	Side	12 feet	3.4 feet	n/a
	Rear	9 feet	3.2 feet	n/a

Zoning Ordinance Requirements (Appendix 5)

The applicant’s request must meet the standards of the following Zoning Ordinance Sections:

- Sect. 8-006, General Special Permit Standards;
- Sect. 8-903, Standards for all Group 9 Uses;
- Sect. 8-914, Provisions for Approval of Reduction to the Minimum Yard Requirements Based on Error in Building Location; and,
- Sect. 8-922, Provisions for Reduction of Certain Yard Requirements.

General Special Permit Standards (Sect. 8-006):

Standards 1 and 2 Comprehensive Plan/ Zoning District	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 a Special Permit approval. The proposed design would be in harmony with the Comprehensive Plan and the general purpose and intent of the R-3 District.
Standard 3 Adjacent Development	The proposed garage would be approximately half the height permitted for structures in R-3 Districts and would be screened from the adjacent properties by the existing 6.4 foot high fence. The rear yard borders a parking lot screened from the subject property by a 7-foot high brick wall. In staff’s opinion, the proposed use will not hinder or discourage use or development of neighboring properties or value.
Standard 4 Pedestrian/ Vehicular Traffic	No increase vehicular or pedestrian traffic beyond customary traffic patterns would occur with this proposal. In staff’s opinion, the proposed design would not be hazardous and would not conflict with existing and anticipated traffic in the neighborhood.
Standard 5 Landscaping/ Screening	In staff’s opinion, the existing fence would screen the majority of the proposed garage from neighboring views.

<p>Standard 6 Open Space</p>	<p>There is no prescribed open space requirement for individual lots in the R-3 District.</p>
<p>Standard 7 Utilities, Drainage, Parking, and Loading</p>	<p>There are no changes to the utilities, drainage, parking or loading of the site.</p>
<p>Standard 8 Signs</p>	<p>No signage is proposed.</p>

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

<p>Standard 1 Lot Size and Bulk Regulations</p>	<p>The bulk regulations for minimum required yards would be modified to permit a 4.3 foot encroachment into the required side yard with the approval of this Special Permit application.</p>
<p>Standard 2 Performance Standards</p>	<p>The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.</p>
<p>Standard 3 Site Plan</p>	<p>The applicant’s statement of justification estimates the proposed disturbed area for the improvements shown on the SP Plat to be approximately 2,400 square feet. If the proposed construction’s land disturbance exceeds 2,500 square feet, the application shall be subject to the provisions of Article 17, Site Plans.</p>

Provisions for Reduction of Certain Yard Requirements (Sect. 8-922):

<p>Standard 1 Yard Requirements Subject to Special Permit</p>	<p><i>A. Minimum required yards – Yards not less than 50% of the requirement and not less than 5 feet:</i> The proposed garage would be located 7.7 feet from the side lot line. The required side yard in R-3 Districts is 12 feet, resulting in a 4.3 foot reduction or 35.8% <i>B. Pipestem lots - N/A</i> <i>C. Accessory structure locations - N/A</i> <i>D. Extensions into minimum required yards – N/A</i></p>
<p>Standard 2 Structure in a Front Yard</p>	<p>No accessory structure is proposed in the front yard.</p>
<p>Standard 3 Contain a Principal Structure</p>	<p>When the existing structure was built in 1971, it conformed to all applicable requirements at the time.</p>

<p>Standard 4 Addition No More than 150% of Existing Gross Floor Area (GFA)</p>	<p>The proposed garage would be 484 square feet in area. The existing GFA of the primary structure is 2,883 square feet. With the proposed by-right enlargement of the house, the total additional square footage will be 5,040 square feet. The proposed addition would be 74.8% of the current GFA.</p>
<p>Standard 5 Accessory Structure Subordinate in Purpose, Scale, Use and Intent</p>	<p>No changes in GFA are proposed for the existing shed. The 97 square feet would be subordinate in purpose, scale, use and intent to the principal structure.</p>
<p>Standard 6 Construction in Character with On-Site Development</p>	<p>The proposed garage would be similar and diminished in character when compared to the height, bulk and scale of the existing structure on the lot. The elevation drawings enclosed in Appendix 4 display a design for the garage and by-right addition that is in character with the existing on-site development.</p>
<p>Standard 7 Construction Harmonious with Off-Site Development</p>	<p>As previously discussed, the proposed garage would be screened from neighboring properties and would be approximately half the maximum height permitted in R-3 Districts, and would not affect the neighboring property in terms of location, height and bulk, vegetation or existing trees.</p>
<p>Standard 8 Construction Shall Not Adversely Impact Adjacent Properties</p>	<p>In staff's opinion, the proposed garage will not significantly affect the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety. UFMD has recommended tree protection measures to ensure that on-site and off-site vegetation to be preserved will not be adversely impacted by construction.</p>
<p>Standard 9 Minimum Required Yards is the Minimum Amount of Reduction Necessary</p>	<p>The proposed garage extends into the minimum required side yard by 35.8 percent and, in staff's opinion, this is the minimum encroachment necessary for the construction. The relatively narrow lot width limits the applicant's ability to locate the proposed garage outside the required side yard. 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>

Standard 11 Submission Requirements	The applicant has met the submission requirements. A reduced copy of the Special Permit Plat is included at the beginning of this report
Standard 12 Architectural Elevations	Proposed elevations are included in Appendix 4.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicant's request conforms to the applicable Zoning Ordinance provisions. The proposed extension of the garage would result in a 35.8% encroachment into the required side yard, which would be adequately screened.

Recommendations

Staff recommends approval of SP 2014-MV-230 for the reduction of the side yard requirement, subject to the proposed conditions listed in Appendix 1. Staff makes no recommendation on the error in building location.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner 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 recommendation 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 this application

APPENDICES

1. Draft Development Conditions
 - a. Attachment A: Elevation Drawings
2. Applicant's Statement of Justification and File Photos
3. Affidavit
4. Urban Forestry Review
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2015-MV-112****September 29, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-MV-112 located at Tax Map 102-3 ((18)) 17 to permit reduction of certain yard requirements for the construction of a garage pursuant to Sect. 8-922 and to permit the existing accessory storage structure to remain in place as an error in building location pursuant to 8-914 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 garage and the location of the shed as shown on the Special Permit Plat entitled "Special Permit Plat | Lot 17 | Fort Hunt Manor," prepared by Alterra Surveys, Inc. and dated March 10, 2015, as revised on May 27, 2015, as submitted with this application and is not transferrable 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 existing at the time of the first expansion (2,883 square feet existing + 4,325 square feet (150%) = 7,208 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 garage shall be generally consistent with the proposed elevations enclosed as Attachment A to these conditions.
5. In consultation with the Urban Forest Management Division, the applicant shall implement construction methods recommended by an ISA certified arborist and/or a registered consulting arborist, that shall reduce construction impacts to the existing off-site vegetation. Such methods may include, but shall not be limited to, the use of a supersonic air tool to locate, avoid, and protect large structural roots near the proposed garage and tying back limbs so that building materials that are lifted to construct the proposed garage do not damage tree limbs. The applicant shall install tree protection fencing along the overhanging

tree drip line of the off-site oak tree in the vicinity of the proposed garage in locations recommended by the consulted expert listed above.

6. The applicant shall implement an alternative foundation footing system to reduce construction impacts to the tree roots that may be present from the off-site oak tree in the vicinity of the proposed garage. The alternative foundation footing system may use, but not be limited to, a pier and grade beam on the north and east walls.

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.

CRAFTED ARCHITECTURE LLC

Christine Kelly, AIA
 2109 Popkins Lane Alexandria, Virginia 22307
 ph 703-768-7371 fax 703-768-8444
 e-mail christine@craftedarchitecture.com

PROJECT

Rector Residence
 8608 Pilgrim Court
 Alexandria, Virginia 22305

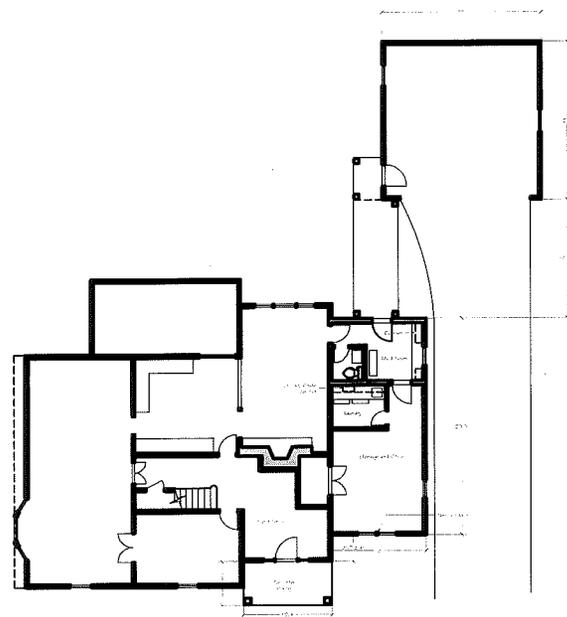
Drawing
 First Floor Plan

Submission
 For Design Review

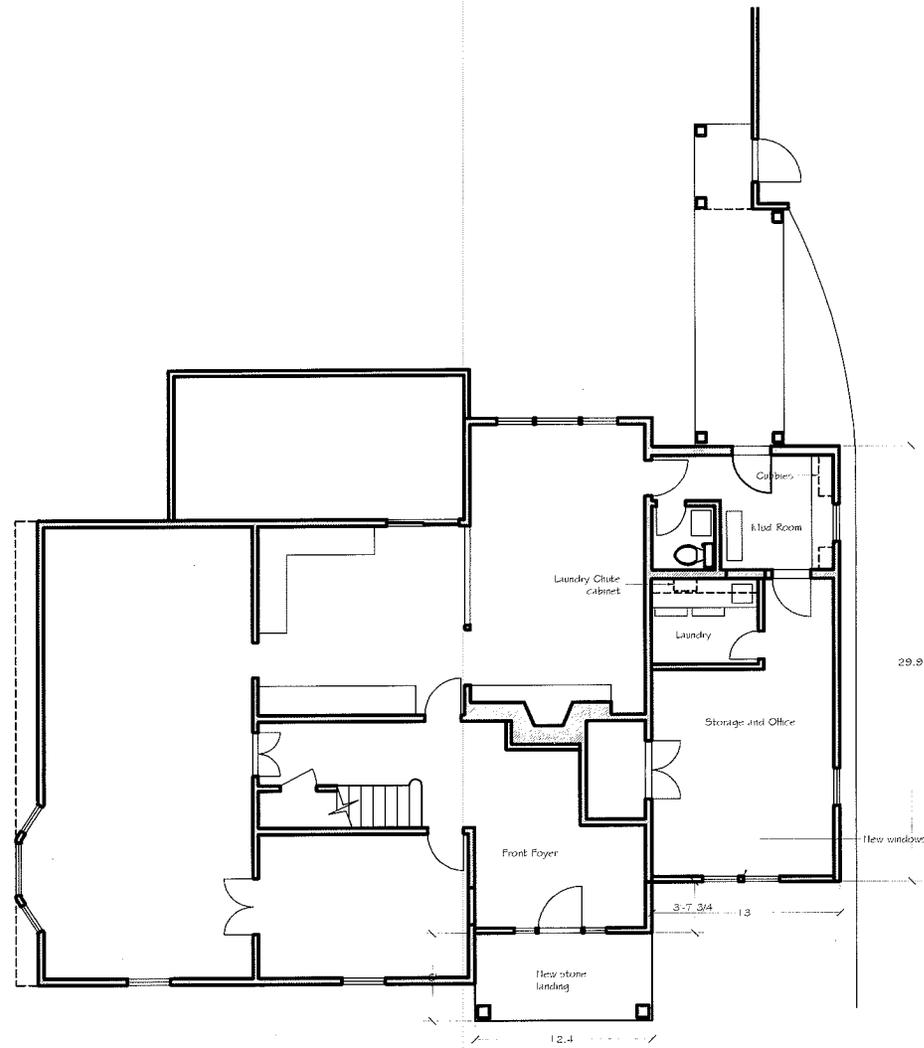
Date
 December 6, 2014
 December 13, 2014

Sheet No.

AI



② First Floor Site Plan - New Work
 SCALE: 1/8" = 1'-0"

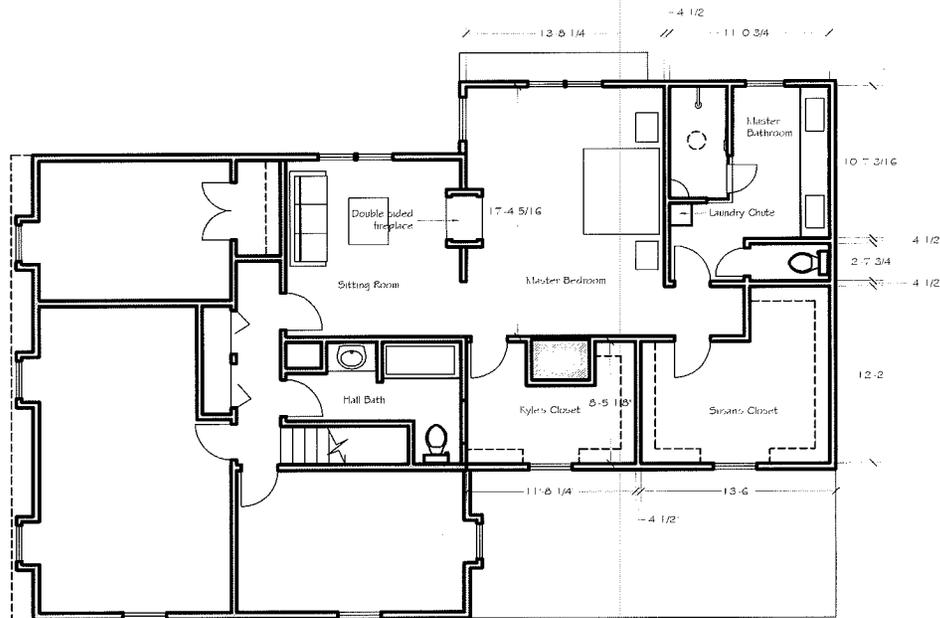


① First Floor Plan - New Work
 SCALE: 1/4" = 1'-0"

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JUL 17 2015

Zoning Evaluation Division



① Second Floor Plan - New Work
SCALE: 1/4" = 1'-0"

CRAFTED ARCHITECTURE LLC

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PROJECT

Rector Residence
 8608 Pilgrim Court
 Alexandria, Virginia 22308

Drawing
 Second Floor Plan

Submission
 For Design Review

Date
 December 6, 2014
 December 13, 2014

Sheet No. **A2**

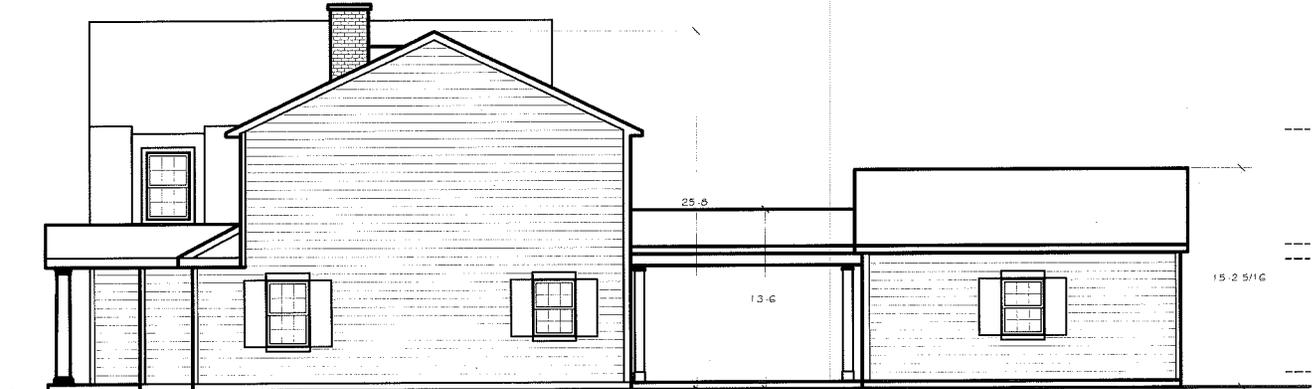
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 Department of Planning & Zoning

JUL 17 2015
 Zoning Evaluation Division

New Master Bedroom
Address
26 2 7-8



1 Front Elevation
SCALE: 1/4" = 1'-0"



2 Side Elevation
SCALE: 1/4" = 1'-0"

CRAFTED ARCHITECTURE LLC

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PROJECT

Rector Residence
8608 Plann Court
Alexandria, Virginia 22308

Drawing
Exterior Elevations

Submission
For Design Review

Date
December 6, 2014
December 13, 2014

Sheet No.

A3

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Department of Planning & Zoning

JUL 17 2015

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Department of Planning & Zoning

JUL 17 2015

Zoning Evaluation Division

Statement of Justification

Rector Residence
8608 Pilgrim Court
Alexandria, Virginia 22308

We are requesting a special permit for a side and rear yard setback reduction for the construction of a new attached garage and an approval of reduction to the minimum yard requirements based on error in building location for the shed. The garage will be utilized daily by the owners of the property, Kyle and Susan Rector. The proposed use will not affect the flow of traffic on the street or increase the number of trips made by owner from their house. The existing house contains a principal structure and use that comply with the minimum yard requirements in effect when the house was built. No portion of the existing house is scheduled to be demolished for the construction of the garage. The shed was existing at the time the house was purchased and the owner was not aware of the improper location of the shed. The shed will remain behind the new garage and will not interfere with the placement of the garage or the enjoyment or use of the surrounding properties and will not impair the purpose and intent of the zoning ordinance. It does not create an unsafe condition and in its current location, leaves access to three sides of the proposed garage. If it needed to be moved, it would have to be moved to the opposite corner of the lot and in its current location, it would now be concealed by the garage. The reduction in modification will not result in an increase in the density or floor area ratio permitted by the zoning district regulations.

The garage is 484 sq. ft. and the existing house is 2600 sq. ft. The garage is 18% the size of the existing structure and therefore subordinate in purpose, scale, use and intent to the principal structure on site. An addition to an accessory structure is not part of the project.

The proposed addition is in scale and character with the on-site development in terms of location (it is connected with the existing driveway), height (it does not exceed the height of the existing two-story home), bulk and scale of the existing home on the lot. The garage is wood frame construction with hard plank siding, a gable roof with asphalt shingles to match the existing house. The location of the garage (at the rear yard of the property) borders a commercial property.

The proposed garage is in harmony with the existing fabric of the neighborhood, off-site uses, structures and the zoning district. The height and scale of the addition match the scale, height and location of the surrounding structures. No trees will be removed for the construction of the garage and all existing vegetation will be retained. The structure does not adversely affect the use or development of neighboring properties with regard to issues such as noise, light, air, safety, erosion and storm water runoff. The size and height of the garage is in scale with the existing house and compliments the overall use and value of the home. Although it is located in the rear yard of the property, it is attached to the house and is not a detached accessory structure. The location and design of the addition does not conflict with the existing and anticipated traffic in the neighborhood.

Drainage and parking will be suitable for the site and project.

There are no signs associated with the project.

There are no known toxic or hazardous substances or waste on the site. There are no existing storage containers on site. There are no easements, septic fields, or preservation of historic resources on site.

Other than our application for a Special Use Permit from Fairfax County, the proposed addition conforms to all known ordinances, regulations and standards.

All proposed uses are residential.

The amount of disturbed area = 2400 sq. ft.



8608 PILGRIM COURT
SIDE YARD FENCE
ALONG NORTH PROPERTY LINE

8608 PILGRIM COURT
REMYARD FENCE



2608 PILGRIM CT
FRONT YARD LOOKING
AT SIDE YARD ALONG
NORTH SIDE





EXIST. SHED ↑

8608
PLYMOUTH CT

Application No.(s):

SP 2015-MV-112

(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/24/15
(enter date affidavit is notarized)

129760

I, Christine A Kelly, 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)
Kyle T. Pector	8608 Pilgrim Court Alexandria, VA 22308	owner / Applicant
Susan C. Pector	8608 Pilgrim Court Alexandria, VA 22308	owner / Applicant
Christine A. Kelly	950 N. Washington Street Alexandria, VA 22314	Applicant's Authorized Agent
Crafted Architecture LLC (check if applicable)	950 N. Washington Street, Alexandria, VA 22314	

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):

SP 2015-MV-112

(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE:

6/26/15

(enter date affidavit is notarized)

129760

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)

Crafted Architecture LLC, sole Proprietor
Christine Anne Kelly, owner
2609 Popkins Lane, Alexandria, VA 22307

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)

Christine Anne Kelly, AIA

(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):

SP 2015-MV-112

(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE:

4/26/15

(enter date affidavit is notarized)

129760

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): SP 2015-MV-112
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/24/15
(enter date affidavit is notarized)

129 760

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):

SP 2015-MV-112

(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/24/15 (enter date affidavit is notarized)

129760

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.

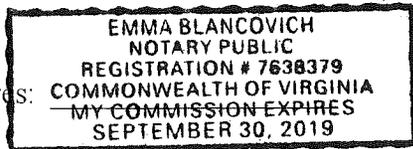
4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, 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

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

Subscribed and sworn to before me this 26 day of June 20 15, in the State/Comm. of Virginia, County/City of Alexandria.



Emma Blumovich Notary Public

My commission expires:



County of Fairfax, Virginia

MEMORANDUM

DATE: September 1, 2015

TO: Nicholas Rogers, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Linda Barfield, Urban Forester II
Forest Conservation Branch, DPWES 

SUBJECT: Fort Hunt Manor, Lot 17, SP 2015-MV-112
Tax Map No: 1023-18-0017

RECEIVED
Department of Planning & Zoning
SEP 03 2015
Zoning Evaluation Division

I have reviewed the above referenced Special Permit Application and a Written Statement of Justification stamped "Received, Department of Planning and Zoning, July 17, 2015; and a Special Permit Plat Plan stamped "Received, Department of Planning and Zoning, June 26, 2015. A site visit was conducted on August 26, 2015 at 8608 Pilgrim Court in Alexandria. The following comments and recommendations are based on this review:

1. **Comment:** The site has existing on site and landscape plantings which could be impacted by heavy construction equipment and the storage of building materials.

Recommendation: The applicant should consult with a certified arborist or a registered consulting arborist on specific methods to further reduce construction impacts to vegetation. See www.goodtreecare.com for a list of local consultants. Methods may include the use of a supersonic air tool to locate and avoid large structural roots and tying back limbs so materials may be lifted near the proposed 1 story garage structure without damaging the limbs. Tree protection fencing should be installed along the tree drip line.

2. **Comment:** A large 24" oak tree located off-site in close proximity to the north side of the proposed 1 story garage could be impacted by the proposed construction on this site.

Recommendation: The applicant should consider an alternative foundation footing system to reduce construction impacts to the tree roots that may be present. A pier and grade beam on the north and east walls would significantly reduce the loss of tree roots that might be located in that area within the tree drip line area which overhangs the site.

If you have any further questions, please feel free to contact me at 703-324-1770.

lb/

UFMDID #: 202811

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.

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

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

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

- J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
- K. Seal and signature of professional person certifying the plat.

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

- 2. The BZA determines that:
 - A. The error exceeds ten (10) percent of the measurement involved, or
 - B. The error is up to ten (10) percent of the measurement involved and such reduction or modification is requested in conjunction with the approval of a special permit for another use or application for a variance on the property, or is in conjunction with another special permit for an error in building location on the property that exceeds ten (10) percent of the measurement involved, and
 - C. The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the relocation of the building subsequent to the issuance of a Building Permit, if such was required, and
 - D. Such reduction or modification will not impair the purpose and intent of this Ordinance, and
 - E. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and
 - F. It will not create an unsafe condition with respect to both other property and public streets, and
 - G. To force compliance with the minimum yard requirements or location regulations would cause unreasonable hardship upon the owner.

- H. The reduction or modification will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.
- 3. In granting such a reduction or modification under the provisions of this Section, the BZA shall allow only a reduction or modification necessary to provide reasonable relief and may, as deemed advisable, prescribe such conditions, to include landscaping and screening measures, to assure compliance with the intent of this Ordinance.
- 4. Upon the granting of a reduction or modification for a particular building or structure in accordance with the provisions of this Section, the same shall be deemed to be a lawful building.
- 5. The BZA shall have no power to waive or modify the standards necessary for approval as specified in this Section.

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 expansion request. The resulting gross floor area of any subsequent addition is limited to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion request, regardless of whether such addition complies with the minimum yard requirements or is the subject of a subsequent yard reduction special permit. If a portion of a single family detached dwelling is to be removed, no more than fifty (50) percent of the gross floor area of the existing dwelling at the time of the first yard reduction shall be removed. Notwithstanding the definition of gross floor area, as set forth in this Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage.
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.