



County of Fairfax, Virginia

September 30, 2015

STAFF REPORT

SPECIAL PERMIT APPLICATION SP 2015-HM-102

HUNTER MILL DISTRICT

APPLICANTS/OWNERS: Walter S. Wainwright TR, Elaine T. Wainwright, TR

STREET ADDRESS: 1922 Aubrey Place Court, Vienna, 22182

SUBDIVISION: Aubrey Place

TAX MAP REFERENCE: 28-3 ((19)) 10

LOT SIZE: 10,443 square feet

ZONING DISTRICT: R-3 Cluster

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction in certain yard requirements to permit construction of a screened porch 13.1 feet from the rear lot line.

STAFF RECOMMENDATION:

Staff recommends approval of SP 2015-HM-102 for the addition with adoption of the proposed development conditions contained in Appendix 1.

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

Paul S. Yoon

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

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

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

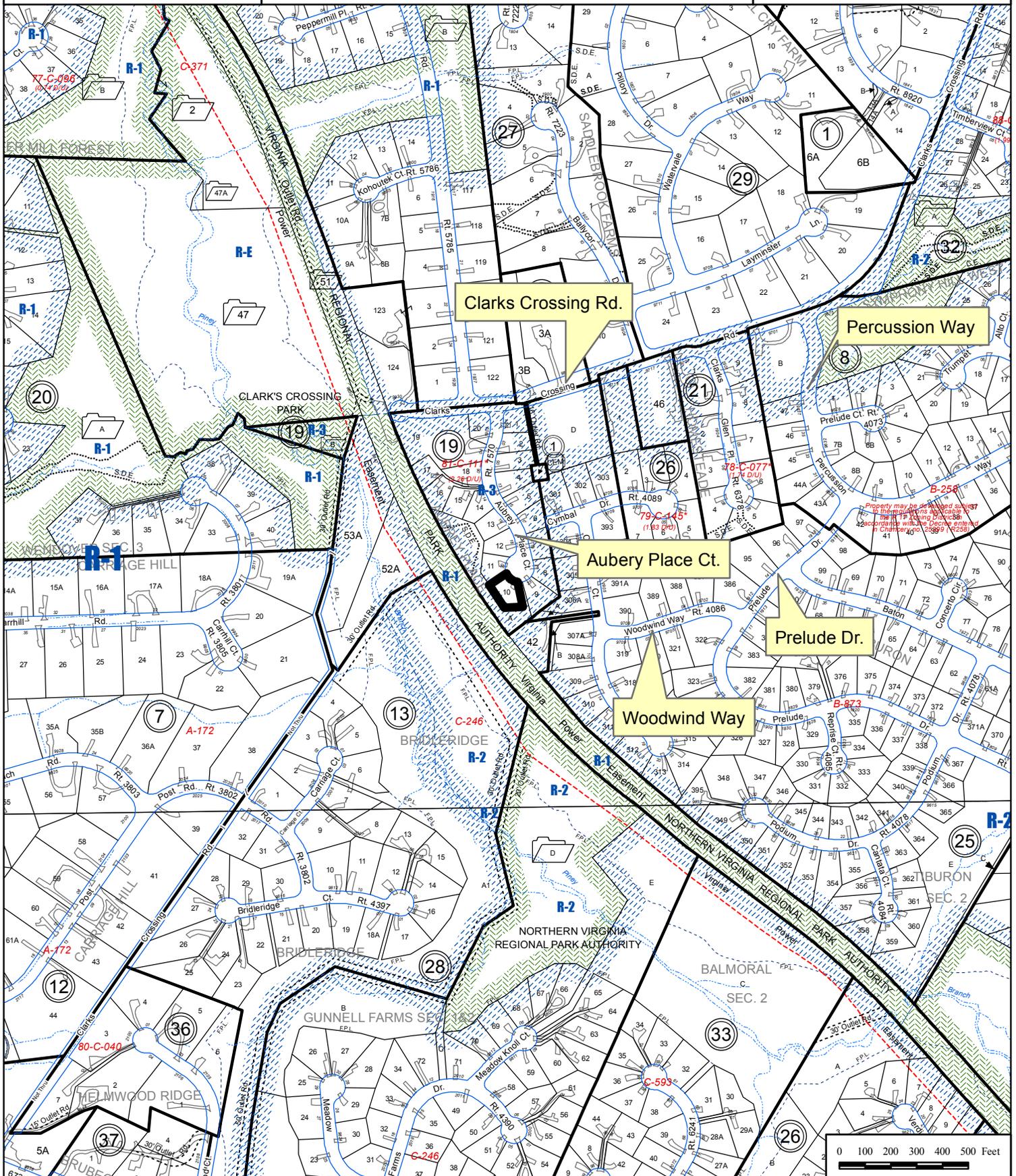


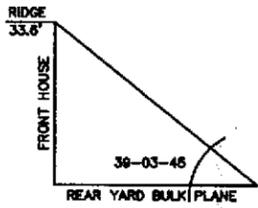
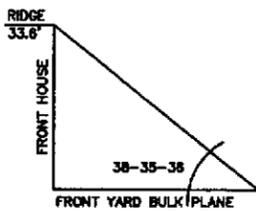
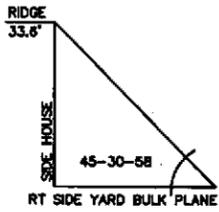
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



Special Permit SP 2015-HM-102

WALTER S. WAINWRIGHT TR, ELAINE T. WAINWRIGHT TR

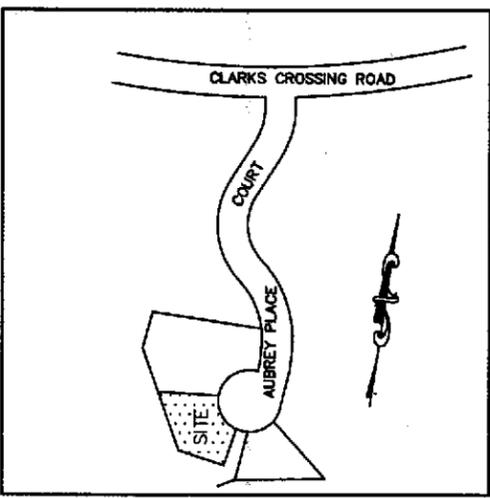




OWNERS TAB
 ELAINE T. WAINWRIGHT, TR
 1922 AUBREY PLACE COURT
 VIENNA, VA 22182
 DB 23220 PG 0178
 ZONE R-3
 TM 28-3-19-0010

ZONING TAB
 ZONE R-3

SETBACKS
 FRONT...25 FEET
 SIDE...8 FEET W/MIN OF 20' TOTAL
 REAR...25 FEET

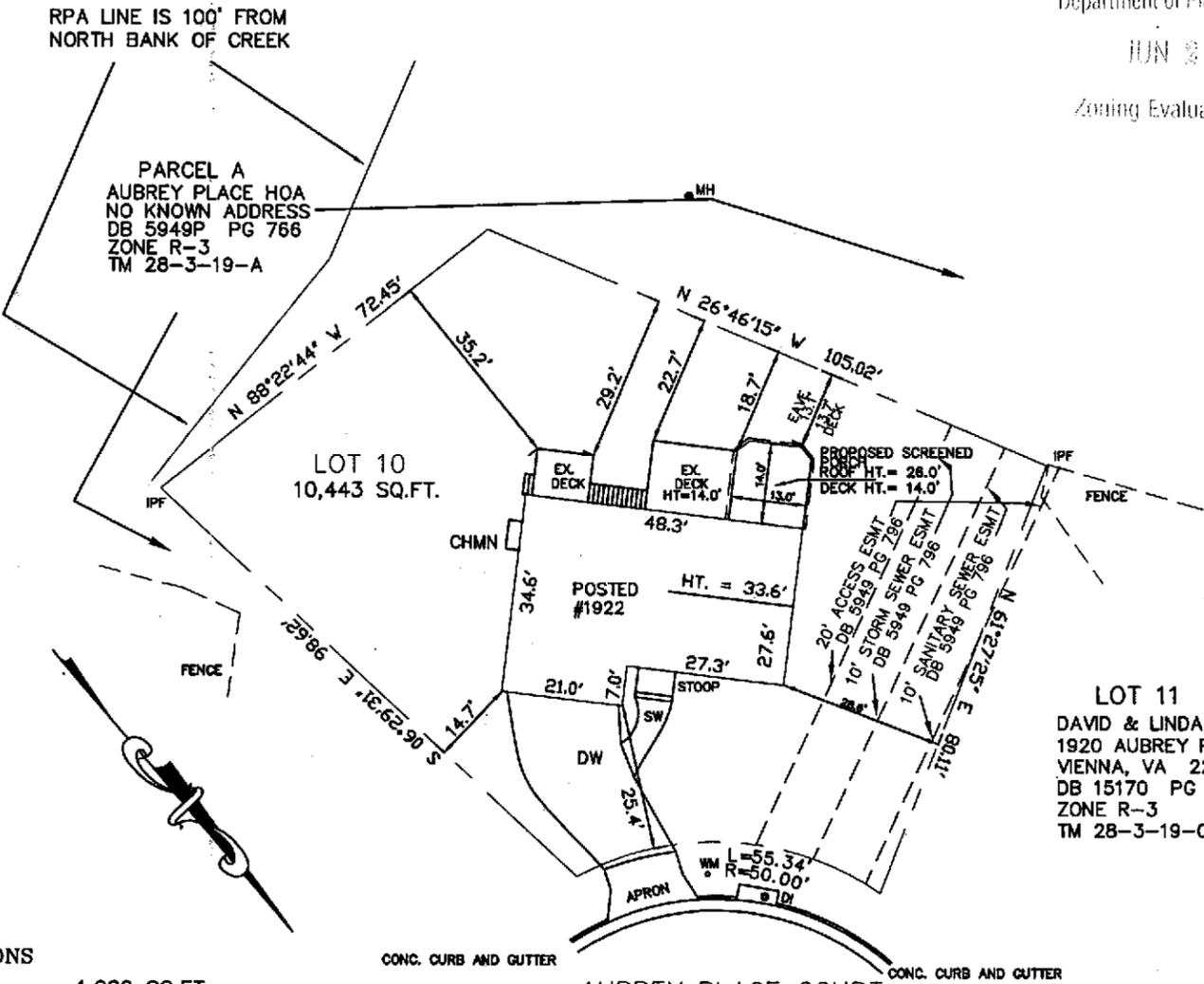


VICINITY MAP

GENERAL NOTES

- 1: THERE ARE NO KNOWN CEMETARIES LOCATED ON THIS PROPERTY.
- 2: THE PROPERTY IS SERVED BY PUBLIC SEWER AND WATER.
- 3: THE PROPERTY IS NOT SERVED BY NATURAL GAS.
- 4: NO EASEMENTS 25' OR GREATER EXIST
- 5: THE PROPERTY SHOWN HEREON IS NOT LOCATED IN AN ENVIRONMENTAL QUALITY CORRIDOR.
- 6: THE PROPERTY SHOWN HEREON IS NOT LOCATED IN A RESOURCE PROTECTION AREA.
- 7: THE PROPERTY SHOWN HEREON IS LOCATED IN A RESOURCE MANAGEMENT AREA.
- 8: SURVEY PROVIDED BY JAMES D. THURBER L.S. ON 4-10-2015

RECEIVED
 Department of Planning & Zoning
 JUN 23 2015
 Zoning Evaluation Division



LOT 11
 DAVID & LINDA BROTHERS
 1920 AUBREY PLACE COURT
 VIENNA, VA 22182
 DB 15170 PG 1935
 ZONE R-3
 TM 28-3-19-0011

GFA CALCULATIONS

BASEMENT 1,029 SQ.FT.
 MAIN FLOOR 1,029 SQ.FT.
 SECOND FLOOR 1,029 SQ.FT.
 GARAGE 441 SQ.FT.
 DECKS 267 SQ.FT.

EX. FLOOR AREA RATIO:
 EX. GFA (3,795) / LOT AREA (10,443) = 0.36

PROP SCREENED PORCH (ADDN.)
 178 SF/EX. GFA 3,795 = 0.05

PROP GROSS FLOOR AREA: PROP. GFA (178SF) + EX. GFA (3,795) = 3,973SF

PROP. FLOOR AREA RATIO: GFA (3,973) / LOT AREA (10,443) = 0.38

FLOOD PLAIN NOTE

1) THIS PARCEL IS LOCATED IN FLOOD ZONE X AS DEPICTED ON THE FLOOD INSURANCE RATE MAP COMMUNITY # 51059C PANEL # 0145 E AND IS DATED 9-17-2010

SPECIAL PERMIT
LOT 10
AUBREY PLACE

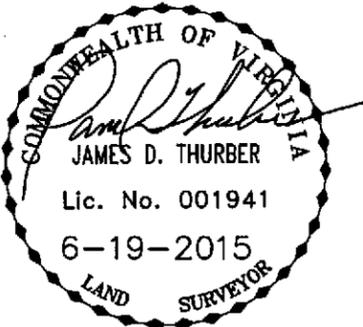
FAIRFAX COUNTY, VIRGINIA
 HUNTER MILL DISTRICT
 SCALE: 1" = 30' DATE: APRIL 10, 2015

| | |
|------------------|----------------------|
| DRAWN BY: JDT | DATE: 4-10-2015 |
| CHECKED BY: JDT | DRAWING NO.: FFX1922 |
| JOB NO.: FFX1922 | SHEET 1 OF 1 |

| NO. | DATE | DESCRIPTION | BY |
|-----|-----------|-----------------|-----|
| 2 | 6-18-2015 | COUNTY COMMENTS | JDT |
| 1 | 6-1-2015 | COUNTY COMMENTS | JDT |

JAMES D. THURBER, L.S.
THURBER ENGINEERING
& LAND SURVEYING
 10707 WOODLAND DRIVE
 FREDERICKSBURG, VA 22407
 PHONE: 540-207-3348 EMAIL: jim@telsltd.com

CERTIFIED CORRECT



| | | | |
|--------|-----------|-------------|------------|
| FILE#: | FFX1922 | CLIENT: | WAINWRIGHT |
| DATE: | 4-10-2015 | CHECKED BY: | JDT |
| SCALE: | 1" = 30' | CREW: | JT/CR |

SPECIAL PERMIT REQUEST

The applicant requests approval of a special permit to allow a reduction of the rear yard setback to permit the construction of a roofed deck (screened porch) 13.1 feet from the rear lot line. This screened porch would be located off the back of the house and would measure 26.0 feet in height (due to the lot's steep slope) and 178 square feet in gross floor area.

A copy of the special permit plat titled "Special Permit, Lot 10, Aubrey Place, Fairfax County, Virginia, Hunter Mill District," prepared by James D. Thurber, L.S., on June 19, 2015, is included in the front of the staff report.

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

CHARACTER OF THE SITE AND SURROUNDING AREA

The application property is a two story single-family detached dwelling located on a cul-de-sac. An asphalt driveway extends from Aubrey Place Court to a two-car garage. A slate walkway extends from the driveway to a stoop and the front entry of the dwelling. A deck is attached to the rear of the dwelling (building permits are provided in Appendix 4). Since the lot slopes away sharply from the rear of the house, and is oddly shaped with five sides, the applicant's ability to build additions to the rear is limited. A 20.0 foot access easement, 10.0 foot storm sewer easement, and 10.0 foot sanitary sewer easement run from the front lot line to the rear lot line along the right side of the property.



Figure 1: House Location

The subject property and adjacent property to the north is zoned R-3 Cluster and developed with single-family detached dwellings. The immediately enveloping property to the west, south and east is also zoned R-3 Cluster and utilized as open space by the Aubrey Place Homeowners Association.

BACKGROUND AND HISTORY

Fairfax County Tax Records indicate that the single family dwelling was constructed and purchased by the applicant in 1984.

Records indicate that no other special permit applications relating to a reduction in minimum yard requirements have been heard by the Board of Zoning Appeals (BZA) in the surrounding area.

DESCRIPTION OF THE PROPOSED USE

The applicant is requesting approval of a special permit for a reduction of certain yard requirements to permit the construction of a screened porch located 13.1 feet from the rear lot line. In the R-3 Cluster district, the required minimum rear yard is 25 feet; therefore, the applicants are requesting a reduction of 11.9 feet from the rear yard requirements, or 48%.

| Structure | Yard | Minimum Yard Required | Proposed Location | Proposed Reduction | Percentage of Reduction Requested |
|------------------------------|------|-----------------------|-------------------|--------------------|-----------------------------------|
| Roofed Deck (Screened Porch) | Rear | 25.0 feet | 13.1 feet | 11.9 feet | 48% |

The screened porch would be a maximum of 26.0 feet in height due to the lot's steep slope, and it would add an additional 178 square feet in gross floor area. If measured from the base of the principal dwelling, the screened porch would actually be a maximum of 11.5 feet in height. The roofline of the proposed addition would be lower than the existing roofline of the house and well within the maximum height requirement.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area II, Vienna Planning District
Planning Sector: Spring Lake Planning Sector (V3)
Plan Map: Residential, 2-3 dwelling units per acre

Zoning District Standards

| Bulk Standards (R-3 Cluster) | | |
|------------------------------|---|--|
| Standard | Required | Provided |
| Lot Size | 8,500 sf. | 10,443 sf. |
| Lot Width | 80.0 feet | 94.0 feet |
| Building Height | 35.0 feet max. | 33.6 feet |
| Front Yard | Min. 20.0 feet | 25.4 feet |
| Side Yard | Min. 8.0 feet (total side yard 24.0 feet) | 14.7 feet, 28.6 feet (total 43.3 feet) |
| Rear Yard | Min. 25.0 feet | 13.1 feet* |

*As permitted through the approval of this application.

Zoning Ordinance Requirements

- *Sect. 8-006* General Special Permit Standards
- *Sect. 8-903* Group 9 Standards
- *Sect. 8-922* Provisions for Reduction of Certain Yard Requirements

This special permit is subject to sections of the Zoning Ordinance as referenced above, a copy of which is included in Appendix 5. Subject to development conditions, the special permit must meet these standards.

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

| | |
|---|---|
| Standards 1 & 2 Comprehensive Plan/ Zoning District | The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-3 Cluster District allows a reduction in minimum required yards with special permit approval. |
| Standard 3 Adjacent Development | In staff's opinion, the proposed use will neither hinder nor discourage the use or development of neighboring properties or negatively affect value. |
| Standard 4 Pedestrian/ Vehicular Traffic | No increase in vehicular or pedestrian traffic is expected with this application. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood. |
| Standard 5 Landscaping/ Screening | Mature vegetation along the W&OD Trail and on the Aubrey Place Homeowners' Association land provides screening of the property in the rear yard. Neighbors' homes and windows also face away from the property so that the rear of the home is not visible from adjacent homes. |
| Standard 6 Open Space | There is no prescribed open space requirement on individual lots in the R-3 Cluster District. |
| Standard 7 Utilities, Drainage, Parking, and Loading | There are no changes to the utilities, drainage, parking or loading of the site. |
| Standard 8 Signs | No signage is proposed. |

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

| | |
|--|--|
| Standard 1 Lot Size and Bulk Regulations | The bulk regulations for the minimum required rear yard will be modified with this special permit application. The lot conforms to all other bulk regulations. |
| Standard 2 Performance Standards | The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance. |
| Standard 3 Site Plan | The construction is not disturbing more than 2,500 square feet; therefore the application is not subject to the provisions of Article 17, Site Plans. |

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

| | |
|---|---|
| Standard 1 Yard Requirements Subject to Special Permit | <p><i>A. Minimum required yards – Yards not less than 50% of the requirement and not less than 5 feet: The proposed addition would be located 13.1 feet from the rear lot line. The required rear yard in an R-3 Cluster district is 25.0 feet, resulting in a reduction of 11.9 feet or 48%.</i></p> <p><i>B. Pipestem lots- N/A</i></p> <p><i>C. Accessory structure locations – N/A</i></p> <p><i>D. Extensions into minimum required yards allowed by Sect. 2-412 – N/A</i></p> |
|---|---|

| | |
|--|---|
| <p>Standard 2 Not a Detached Structure in a Front Yard</p> | <p>The application does not propose a detached accessory structure.</p> |
| <p>Standard 3 Principal Structure that Complied with Yard Requirements When Established</p> | <p>When the existing structure was built in 1984, 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 addition is 178 square feet. The existing GFA of the primary structure is 3,795 square feet; therefore the proposed addition will be 4.7% of the GFA.</p> |
| <p>Standard 5 Accessory Structure Subordinate in Purpose, Scale, Use and Intent</p> | <p>The proposed construction is subordinate to the primary use as it will be a screened porch serving the primary residential dwelling. The height of the existing dwelling is 33.6 feet. The proposed screened porch will be 26.0 feet in height.</p> |
| <p>Standard 6 Construction in Character with On-Site Development</p> | <p>The proposed addition will be constructed to the rear of the existing dwelling. The elevation drawings indicate that the materials, size and scale of the proposed addition would be compatible with the existing dwelling.</p> |
| <p>Standard 7 Construction Harmonious with Off-Site Development</p> | <p>Through aerial photography, submitted photographs, and background research staff has confirmed that there are similar screened porch additions on neighboring properties. The proposed screened porch would not affect neighboring properties in terms of location, height and bulk.</p> |
| <p>Standard 8 Construction Shall Not Adversely Impact Adjacent Properties</p> | <p>Staff believes that the proposed addition will not significantly impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety. DPWES has indicated that there are no drainage complaints on file related to this property. Staff believes the screened porch will not significantly increase runoff or erosion.</p> |
| <p>Standard 9 Represents the Minimum Amount of Reduction Necessary</p> | <p>Staff believes the special permit application proposal is modest in nature and is the minimum amount of reduction necessary due to the irregular shape and steep slope of the lot, as well as the orientation of the existing dwelling and easements to the right of the dwelling.</p> <p>In addition to the lot's cul-de-sac location, which creates an irregular building envelope, the screened porch can only be</p> |

| | |
|--|--|
| | located behind the dining room because of the existing deck and location of doors and windows. There is no other space on the lot where a screened porch can be conveniently situated. |
| Standard 10 BZA May Impose Conditions | Proposed development conditions are included in Appendix 1. |
| Standard 11 Submission Requirements | A copy of the plat is included in the beginning of this report. |
| Standard 12 Architectural Elevations | Proposed elevations are included as an attachment to the proposed development conditions in Appendix 1. |

CONCLUSION / RECOMMENDATION

Staff believes that the request is in conformance with the applicable Zoning Ordinance provisions and is in harmony with the Comprehensive Plan. Staff recommends approval of SP 2015-HM-102 for the addition with adoption of the proposed development conditions contained in Appendix 1.

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

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

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

APPENDICES

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

PROPOSED DEVELOPMENT CONDITIONS**SP 2015-HM-102****October 7, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-HM-102 located at Tax Map 28-3 ((19)) 10 to permit reduction of certain yard requirements pursuant to Section 8-922 of the Fairfax County Zoning Ordinance to permit a residential addition 13.1 feet from the rear lot line, 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 screened porch addition (178 square feet and 26.0 feet in height), as shown on the plat entitled "Special Permit, Lot 10, Aubrey Place, Fairfax County, Virginia, Hunter Mil District," prepared by James D. Thurber, L.S., on June 19, 2015, as submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (3,795 square feet existing + 5,693 square feet (150%) = 9,488 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.

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.

Drawing by: Omar Ruiz - Manager Scale: 1/4" = 1'

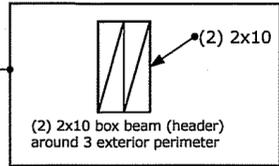
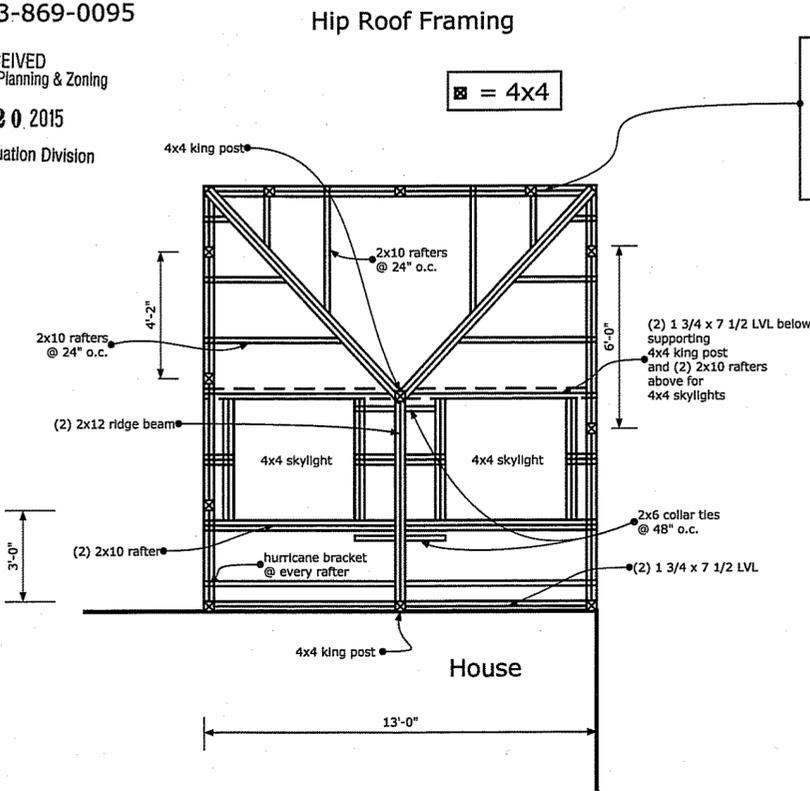
All work to comply with VRC 2009 and manufacturer's requirements

all connectors and fasteners to be hot dipped galvanized or equivalent for suitable contact with pressure treated lumber.
 all beams to be tied together with nails, screws, or mechanical connections per VRC 2009
 New structure is not blocking any existing egress at any level
 County Deck Details are attached as part of the approved permit for any missing details.
 Footers & posts within 5' from existing exterior house foundation must bear at the same level.

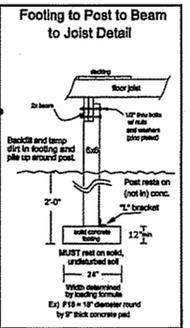
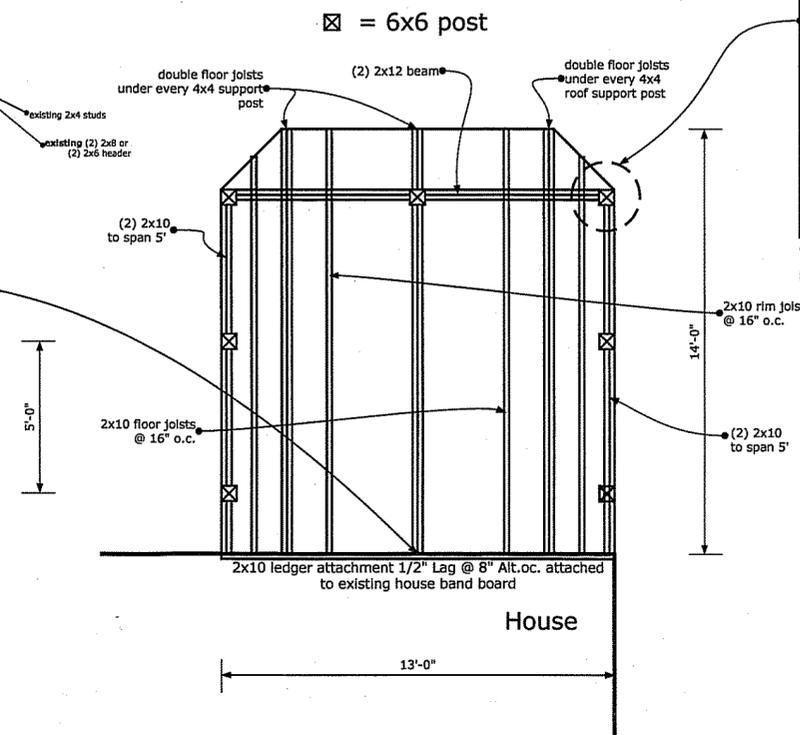
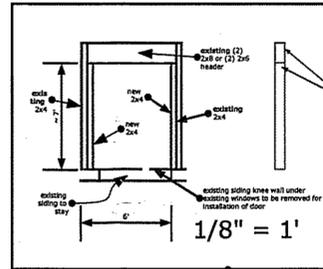
- Notes:
- Guardrails are required for decks & porches more than 30" above grade or floor. Guardrails must extend 36" above floor level.
 - The greatest riser height shall not exceed the smallest by more than 3/8".
 - Secure the pickets at top & bottom with 1-#8 corrosion resistant screw or 2-8d galv. nails.
 - Stairs with 3 or more risers require frost footings & handrails.
 - Graspable handrails to be continuous the full length of the stairs ends to be returned to post.

Elaine & Scott Wainwright
 1922 Aubrey Place Ct.
 Vienna, VA 22182
 703-281-2751
 703-869-0095

RECEIVED
 Department of Planning & Zoning
 APR 20 2015
 Zoning Evaluation Division

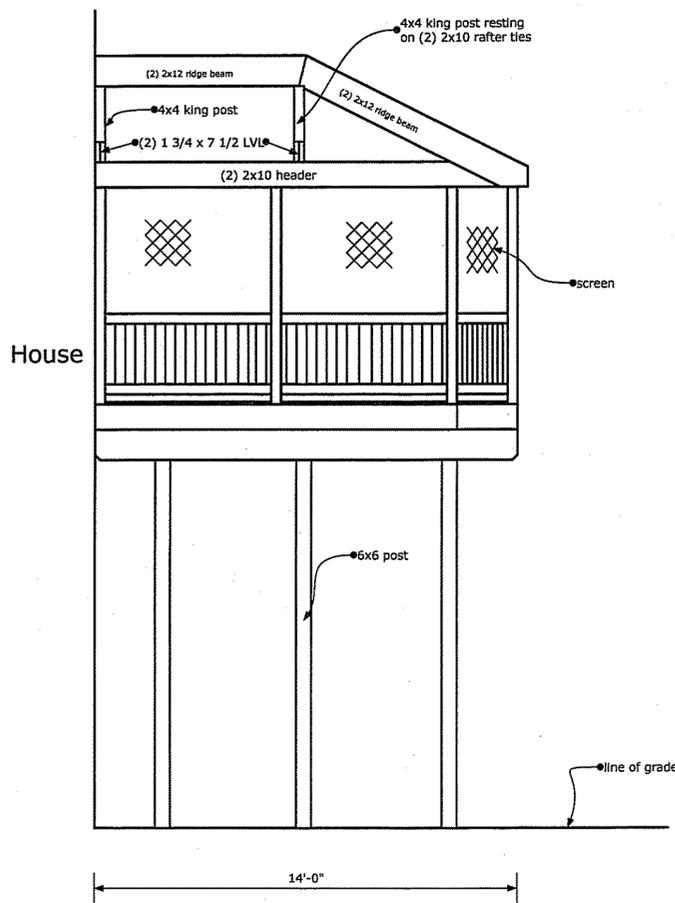


FRAMING

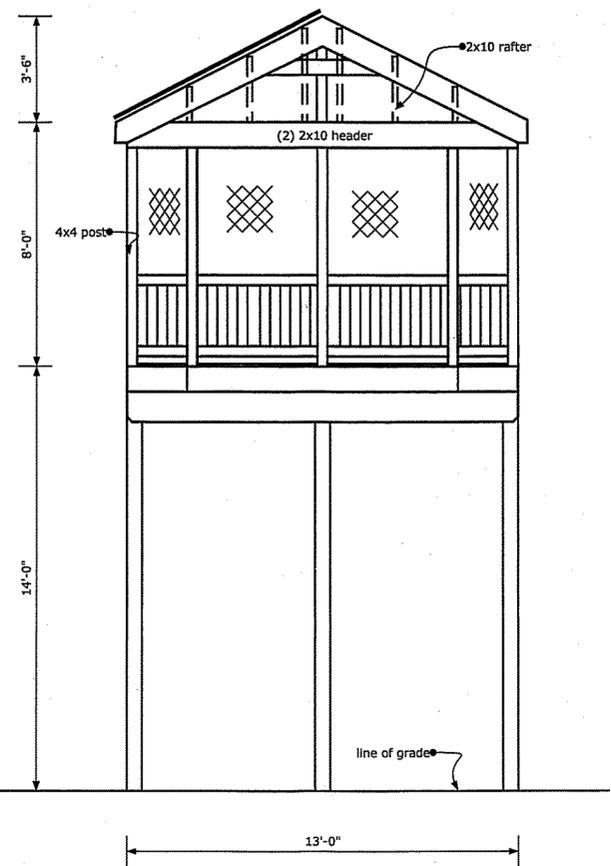


ELEVATION

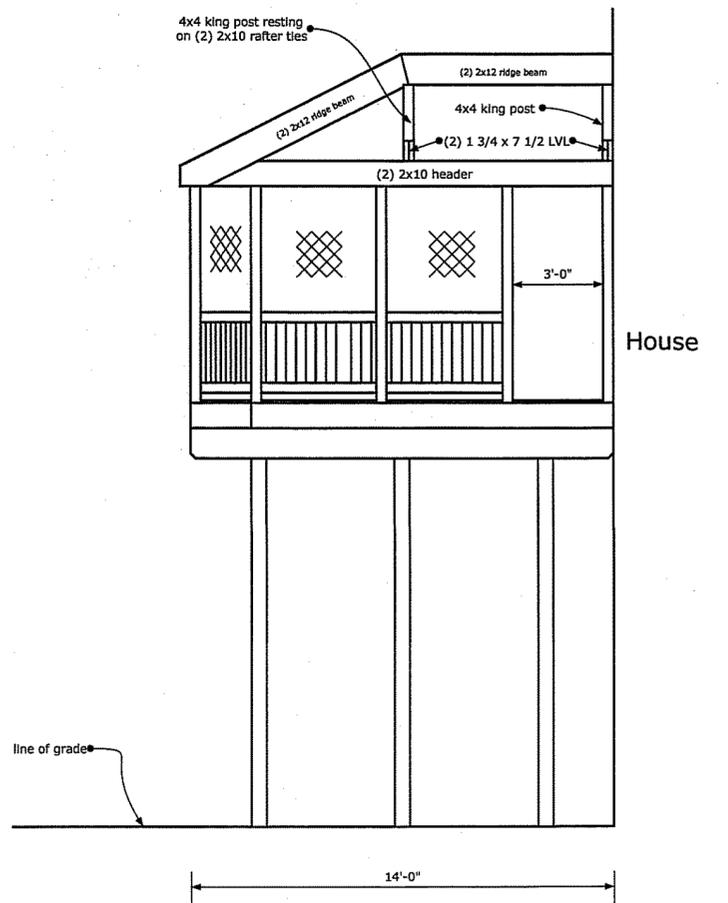
LEFT



FRONT



RIGHT



Drawing by: Omar Ruiz - Manager Scale: 1/4" = 1'

Elaine & Scott Wainwright
1922 Aubrey Place Ct.
Vienna, VA 22182
703-281-2751
703-869-0095



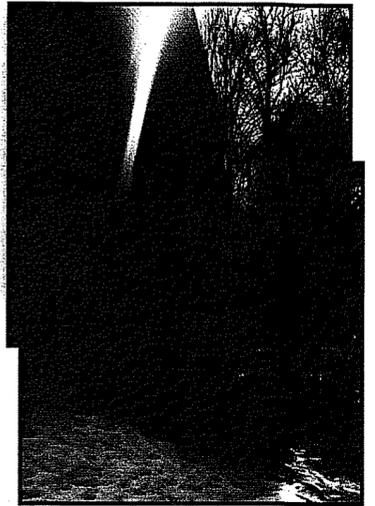
Current



Drawing by: Omar Ruiz - Manager Scale: 1/4" = 1'

Elaine & Scott Wainwright
1922 Aubrey Place Ct.
Vienna, VA 22182
703-281-2751
703-869-0095

Left Elevation



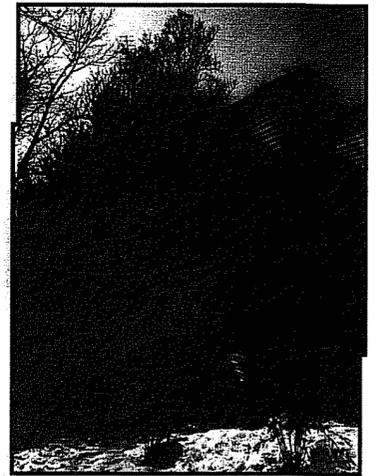
Current



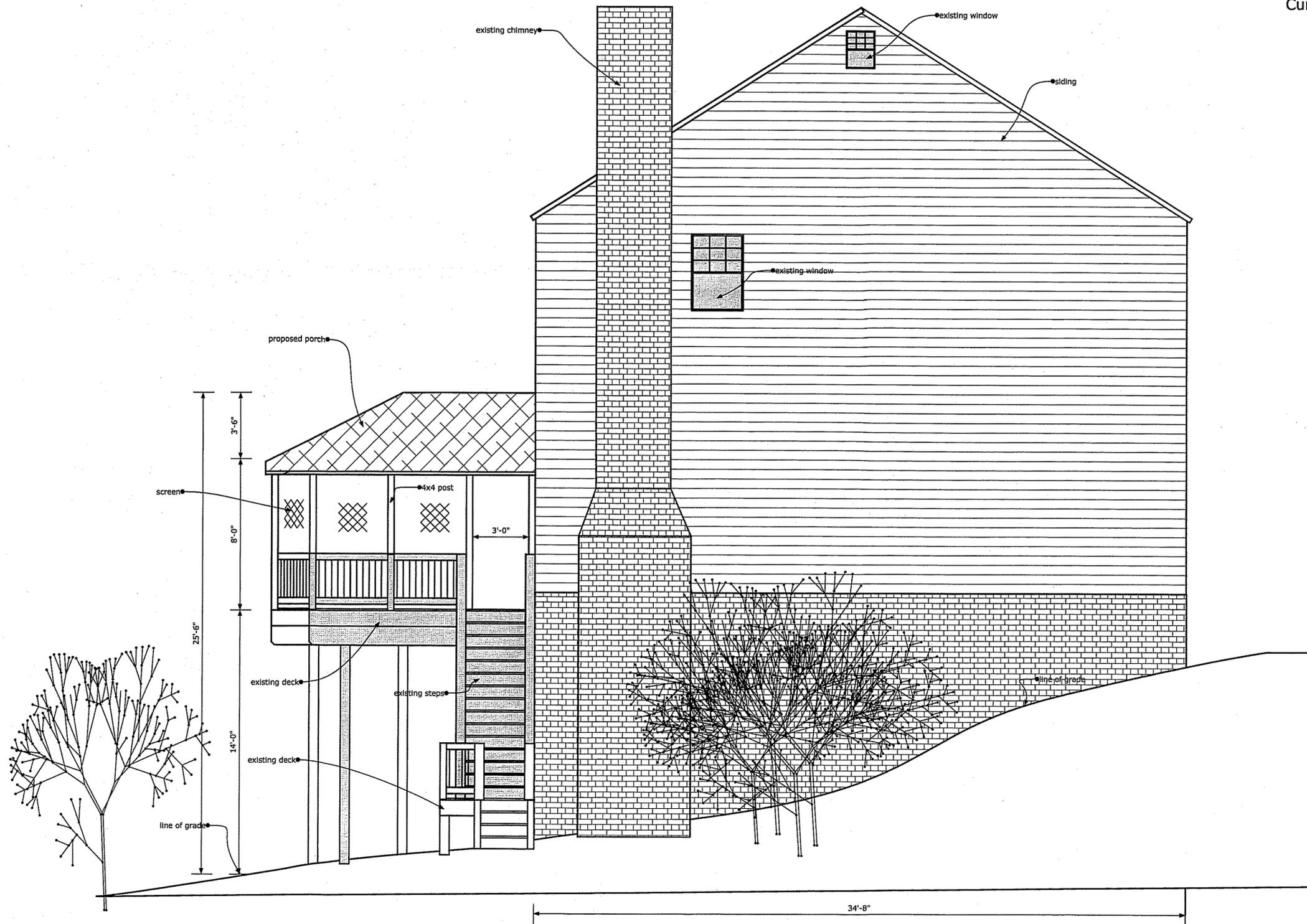
Drawing by: Omar Ruiz - Manager Scale: 1/4" = 1'

Elaine & Scott Wainwright
1922 Aubrey Place Ct.
Vienna, VA 22182
703-281-2751
703-869-0095

Right Elevation



Current



ATTACHMENT TO REQUEST FOR SPECIAL PERMITRECEIVED
Department of Planning & Zoning**BY WALTER S. & ELAINE T. WAINWRIGHT, TRUSTEES,**

JUN 15 2015

THE ELAINE T. WAINWRIGHT TRUST,**1922 AUBREY PLACE COURT, VIENNA, VA 22182**

Zoning Evaluation Division

We, the applicants for a special permit for reduction of certain yard requirements to allow construction of a roofed deck (screened porch), the edge of which would be 13.1 feet from the rear lot line of our residence at 1922 Aubrey Place Court, Vienna, VA 22182, submit the following statement in justification for the special permit. This statement explains how our request complies with the eight general standards for a special permit (Zoning Ordinance Section 8-006) and also complies with the twelve provisions regarding reduction of certain yard requirements (Zoning Ordinance Section 8-922).

Description of Proposed Use:

The proposed use is a roofed deck (screened porch) to be constructed behind the dining room, on the southwest side of our house, at the only practical location for this use. The outermost point of the porch would be 13.1 feet from the rear lot line of our property. This distance results in a need to request a special permit for a reduction in the minimum rear setback from 25 feet to 13.1 feet.

Section 8-006:

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

The proposed screened porch and reduced rear yard setback do not conflict with or violate the adopted comprehensive plan.

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

The applicable zoning district R-3 (cluster) in general, and specifically the Aubrey Place subdivision within that district, will not be affected in character by the granting of a special permit for our proposed screened porch. Screened porches are a very common sight in R-3 districts, and in fact a neighbor further down our street (Lot 14) already has a large screened porch. The reduction in rear setback by our proposed screened porch will be virtually unnoticeable by the only people who could observe it, people on the W & OD bike trail, who are buffered from our property by "Lot A" (common property), which is between our property and the W & OD right-of-way. Users of the trail are a considerable distance away and would only view our porch in the winter when leaves are off the trees of the wooded area that separates our house from the bike trail.

- 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 screened porch will have no effects on the use or development of neighboring properties. The existing natural landscape, wooded areas, and orientation of adjacent residences facing away from our backyard will result in adequate screening and buffering the porch from adjacent land and buildings and will in no way impair the value of such land.

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 screened porch will not change in any way the existing pedestrian and vehicular traffic in our neighborhood, which is typical for a residential cul-de-sac.

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 provisions of Article 13 relate to disturbed ground areas of 2500 square feet or more. The construction of the proposed screened porch will disturb a far smaller ground area, in the range of no more than about 400 square feet.

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 proposed screened porch will not in any way affect the existing open space of the zoning district or of our neighborhood, which is compliant.

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.**

The proposed screened porch will not impact the existing utilities, drainage, parking, etc. currently serving our property. These facilities are in full compliance with the Zoning Ordinance.

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.**

The proposed screened porch will not entail the use of any signs on or adjacent to our property.

Section 8-922:

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.

The proposed screened porch will result in a rear setback that is 13.1 feet, which is 52.4 percent of the ordinance's standard 25 feet rear setback. This will comply with item 1 of Section 8-922.

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.

The proposed screened porch is not to be located in the front yard. It will be in the rear 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.

The house was built in 1984 in full compliance with the yard requirements in effect at that time.

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.

The 13' x 14' screened porch will have a floor area of approximately 178 square feet. The existing house structure has a gross floor area (GFA) of approximately 3,795 square feet. The proposed addition is thus about 5 percent of the existing GFA, and thus complies with item 4 of Section 8-922.

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.

The proposed screened porch will be a very minor subordinate addition to the main structure.

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.

The proposed screened porch will be very much in character with our existing house, as shown on the architectural drawings included with this application.

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.

The proposed screened porch will be harmonious with the surrounding uses, as can be seen from the photographs that accompany this application. Only one tree, approximately 25 years old and originally planted by us, will need to be removed to permit the construction of the screened porch. This tree is located immediately behind our dining room and would need to be removed in the future in any event to prevent damage to our house and existing deck.

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.

The proposed screened porch will not adversely impact the use or enjoyment of any adjacent property. It will not affect noise, light, air, safety, erosion, or stormwater runoff. The house closest to the proposed screened porch is that of our neighbors at 1920 Aubrey Place Court (Lot 11). Their house is angled away from ours such that there is no view from their rear windows or deck toward the portion of our house where our proposed screened porch would be. Also, they have no windows (except one in their basement) that face toward our house or from which the proposed screened porch would be visible. The house on Lot 9, the property on the other side of our house, is also angled away from ours and would have no view whatsoever of our proposed porch. The property to the rear of us is Lot "A", a strip of common property on which there is no structure. Beyond that is the right-of-way of the W&OD bike trail. People using the bike trail currently have a view of the rear of our house from a considerable distance (through a heavily wooded area which mostly obscures the view except during winter), and the addition of the porch would not affect their enjoyment of the bike trail. For all these reasons, we believe that the authorization of the special permit will not adversely impact the use and/or enjoyment of any adjacent property.

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.

Our property is at the end of a cul-de-sac and adjacent to "common property" (Lot "A") that was incorporated into the layout of the subdivision, presumably to buffer the houses of the subdivision from the W&OD bike trail right-of-way. Because of these factors, the property lines make our lot much

wider than it is deep. The lot is oddly-shaped, with five sides rather than four, and the house was built at a location within the lot boundaries and at an angle that makes the distance from the southwest side of the house to the rear property line considerably shallower than if the house had been built at a different angle within the property.

The only logical and practicable location for the proposed screened porch is at the southwest side of our house, directly behind our dining room. Strict application of the 25-foot setback from the rear property line would make it impossible to have a porch of any useable size at this location, and we would have to either not build a porch or build it considerably farther west along the back of the house, at a location that is not only impractical but also would result in unnecessary hardships, for the following reasons:

- a) We have an existing deck on the rear of our house, behind our kitchen, that is accessed from the kitchen, and from which a long set of stairs descends down to a smaller lower deck that is to the rear of sliding glass doors for exiting from our basement. (See attached photos and drawings.) Building the screened porch anywhere other than behind the dining room would necessitate the demolition of the existing stairs and/or the existing deck and replacement with completely new structures. The existing deck and stairs are only a few years old and are in excellent condition, so this would cause unnecessary expense and hardship. Further, because of the severe slope of our back yard, any new stairway down could not land at any significant distance back from the house, and thus a complicated and unsightly "switchback" arrangement of stairs and landing platforms would have to be constructed to get the final landing point of the stairs in a practical location (onto the existing lower deck by the basement sliding glass door.)
- b) Building the screened porch at the southeast side of the house, directly behind our family room, would destroy the views of the woods behind our house from that room, which is where we spend the vast majority of our waking hours (we are both retired and do not go to work during the days.) A screened porch behind that room would also cut off most of the sunlight that comes into our family room through the four large windows that currently make this a very light and bright room, which we enjoy very much. Further, Elaine has been diagnosed with Seasonal Affective Disorder and the sunlight that comes into the family room during the winter is a very important element in minimizing the effects she suffers.
- c) Our family room floor is one step down from the level of our kitchen floor, so if a screened porch were to be located behind the family room, its floor would have to be one step down from our existing deck, rather than at the same level. That step down would make it considerably more difficult to access, especially when carrying food/beverages, from the kitchen or the existing deck.
- d) In contrast to the significant hardships described in a) through c) above, locating the screened porch directly behind the existing dining room would not create any hardships and would be the most beneficial overall. It would allow the retention of the existing deck and stairway structures, and it would simplify access from the house and deck to the porch, being on the same level, without steps involved. It is our intention to reorient the furniture in this room to facilitate easy access to the proposed door that would lead to the screened porch. The loss of sunlight in the dining room due to the porch would not be a problem for us, as we only spend minimal amounts of time in the dining room, and then usually only at night.

During the spring and summer months we find it intolerable to use our existing deck to enjoy the outdoor warmth and the natural beauty of our surroundings because of the prevalence of gnats, mosquitos, and other annoying insects. We wish to build a screened porch so that we can be outdoors during warm weather, day and night, without having to suffer the insects. As noted above, the only

reasonable and practical location for the screened porch is at the southwest side of our house, behind the dining room. It is unfortunate that our house was built originally on our oddly-shaped lot in a way that porch construction at that location would encroach on the 25-foot setback dimension. We believe that we have compromised in the design of the porch to minimize the encroachment while still providing a minimal-sized enclosure suitable for chairs, table, etc. For all of the reasons previously described, strict application of the zoning ordinance would definitely prohibit or restrict our reasonable use of the property.

We fully understand and appreciate that the Zoning Ordinance is intended to provide for land owners' enjoyment of their property while minimizing impacts to adjacent properties. We believe we have fully described above the justifications for our requested variance and that those justifications are not only valid but also fully in harmony with the intended spirit and purposes of the Zoning Ordinance. The encroachment into the rear setback line would not be of significance to any adjacent property owners or users of the bike trail, and as such the proposed screened porch and reduced rear setback will not be contrary to the public interest.

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.

We understand and accept that the BZA may impose conditions.

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.

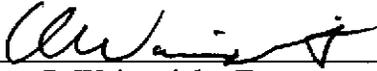
L. Approximate delineation of any floodplain designated by the Federal Emergency Management Agency, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as 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.

Our application package for this requested special permit includes 23 copies of a plat meeting the above requirements.

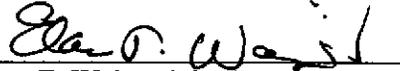
12. Architectural depictions of the proposed structure(s) as viewed from all lot lines and street lines to include building materials, roof type, window treatment and any associated landscaping and/or screening shall be provided.

Our application includes copies of a 4-sheet set of architectural drawings showing the proposed screened porch, with the details as required.



Walter S. Wainwright, Trustee

Date: 6/15/15



Elaine T. Wainwright, Trustee

Date: 6/15/15











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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: July 28, 2015
 (enter date affidavit is notarized)

130234

I, Walter S. & Elaine T. Wainwright, Trustees, 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) |
|---|---|--|
| Walter S. Wainwright, Trustee for Elaine T. Wainwright Trust, for the benefit of Elaine T. Wainwright | 1922 Aubrey Place Court, Vienna, VA 22182 | Applicant/Title Owner |
| Elaine T. Wainwright, Trustee for Elaine T. Wainwright Trust, for the benefit of Elaine T. Wainwright | 1922 Aubrey Place Court, Vienna, VA 22182 | Applicant/TitleOwner |

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: July 28, 2015
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130234

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

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

CORPORATION INFORMATION

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

Application No.(s): _____
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JULY 28, 2015
(enter date affidavit is notarized)

130234

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

PARTNERSHIP INFORMATION

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

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

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

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

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

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

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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: July 28, 2015
(enter date affidavit is notarized)

130234

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

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

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

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

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

NONE

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: July 28, 2015
(enter date affidavit is notarized)

130234

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:

Walter S. & Elaine T. Wainwright
Elaine T. Wainwright

(check one)

Applicant [] Applicant's Authorized Agent

Walter S. & Elaine T. Wainwright, Trustees
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 28th day of July 2015, in the State/Comm. of Virginia, County/City of Fairfax.

Muneza Islam
Notary Public

My commission expires: Aug. 31, 2017



llc



Land Development Information History: ISIS - Building Permit - 85073B0940

Permit Information

Permit Id: 85073B0940
Type Work: Exterior Addition (A02)
Job Address: 001922 AUBREY PLACE CT
Permit Status: Initial/Approved (IA)
Work Description: BUILD DECK

Land Development Information History: ISIS - Building Permit - 98119B0260

Permit Information

Permit Id: 98119B0260
Type Work: Finish Basement-Residential (R27)
Job Address: 001922 AUBREY PLACE CT
Permit Status: Initial/Approved (IA)
Work Description: SFD-FINISH BSMT (PER COUNTY DETAILS)

Land Development Information History: FIDO - DECK – 110130024

Permit Information

Permit Number: 110130024
Permit Type: DECK
Job Address: 001922 AUBREY PLACE CT
VIENNA, VA 22182-1976
Permit Status: Finalized
Work Description: build open deck; with stairs, no hot tub, per county details

8-006 General Standards

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

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

8-903 Standards for All Group 9 Uses

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

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

8-922 Provisions for Reduction of Certain Yard Requirements

The BZA may approve a special permit to allow a reduction of certain yard requirements subject to all of the following:

1. Only the following yard requirements shall be subject to such special permit:
 - A. Minimum required yards, as specified in the residential, commercial, industrial and planned development districts in Articles 3, 4, 5 and 6, provided such yards are not subject to proffered conditions or development conditions related to yards and/or such yards are not depicted on an approved conceptual development plan, final development plan, development plan, special exception plat, special permit plat or variance plat.
 - B. Yard regulations for pipestem lots and lots contiguous to pipestem driveways set forth in Sect. 2-416.
 - C. Accessory structure location requirements set forth in Sect. 10-104.
 - D. Regulations on permitted extensions into a minimum required yard as set forth in Sect. 2-412.

Approval of a reduction of yard requirements specified in Paragraphs A, B and C above shall not result in any yard that is less than fifty (50) percent of the requirement and shall not result in any yard of less than five (5) feet, as measured from the lot line to the closest point of the proposed structure.

Approval of a reduction of yard requirements specified in Par. D above shall not result in an extension that exceeds the applicable distances set forth in Sect. 2-412 by more than fifty (50) percent. Where no extension is permitted by the provisions of Sect. 2-412, the BZA shall not approve a special permit that results in a structure that extends into a minimum required yard by more than fifty (50) percent.

2. Such reduction shall not result in the placement of a detached accessory structure in a front yard where the placement of such accessory structure is not otherwise permitted in that yard.

3. This special permit shall only apply to those lots that contain a principal structure and use that complied with the minimum yard requirements in effect when the use or structure was established.
4. The resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first yard reduction request. In such instance, if a portion of the principal structure is to be removed, no more than fifty (50) percent of the gross floor area of the existing principal structure at the time of the first yard reduction shall be removed.
5. The resulting gross floor area of an existing accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use and intent to the principal structure on the site.
6. The BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot.
7. The BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director.
8. The BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff.
9. The BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic

field; location of easements; and/or preservation of historic resources.

10. The BZA may impose such conditions as it deems necessary to satisfy these criteria, including, but not limited to imposition of a maximum gross floor area, floor area ratio, lot coverage, landscaping and/or screening requirements.
11. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by fifteen (15) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia. Such plat shall contain the following information:
 - A. Boundaries of entire property, with bearings and distances of the perimeter property lines, and of each zoning district.
 - B. Total area of the property and of each zoning district in square feet or acres.
 - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
 - D. The location, dimension and height of any building, structure or addition, whether existing or proposed. In addition, for decks, the height of the finished floor above finished ground level.
 - E. All required minimum yards to include front, side and rear, a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing and proposed structures to lot lines.
 - F. Means of ingress and egress to the property from a public street(s).
 - G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).

- H. If applicable, the location of a well and/or septic field.
 - I. Existing and proposed gross floor area and floor area ratio.
 - J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
 - K. The location, type and height of any existing and proposed landscaping and screening.
 - L. Approximate delineation of any floodplain designated by the Federal Insurance Administration, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.
 - M. Seal and signature of professional person certifying the plat.
12. Architectural depictions of the proposed structure(s) as viewed from all lot lines and street lines to include building materials, roof type, window treatment and any associated landscaping and/or screening shall be provided.