



# County of Fairfax, Virginia

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December 30, 2015

## STAFF REPORT ADDENDUM

### SPECIAL PERMIT SP 2015-BR-084

#### BRADDOCK DISTRICT

**APPLICANT/OWNER:** Muath Alsufy

**STREET ADDRESS:** 4951 Regina Drive, Annandale, 22003

**SUBDIVISION:** Ravensworth Grove, Section 1

**TAX MAP REFERENCE:** 70-4 ((7)) 54

**LOT SIZE:** 10,501 square feet

**ZONING DISTRICT:** R-3

**ZONING ORDINANCE PROVISION:** 8-922

**SPECIAL PERMIT PROPOSAL:** To permit a reduction of certain yard requirements to permit construction of addition 6.0 feet from a side lot line.

#### STAFF RECOMMENDATION:

Staff recommends approval of SP 2015-BR-084 subject to the proposed development conditions contained in Appendix 1.

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

*Erin M. Haley*

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) 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).



## REASONS FOR ADDENDUM

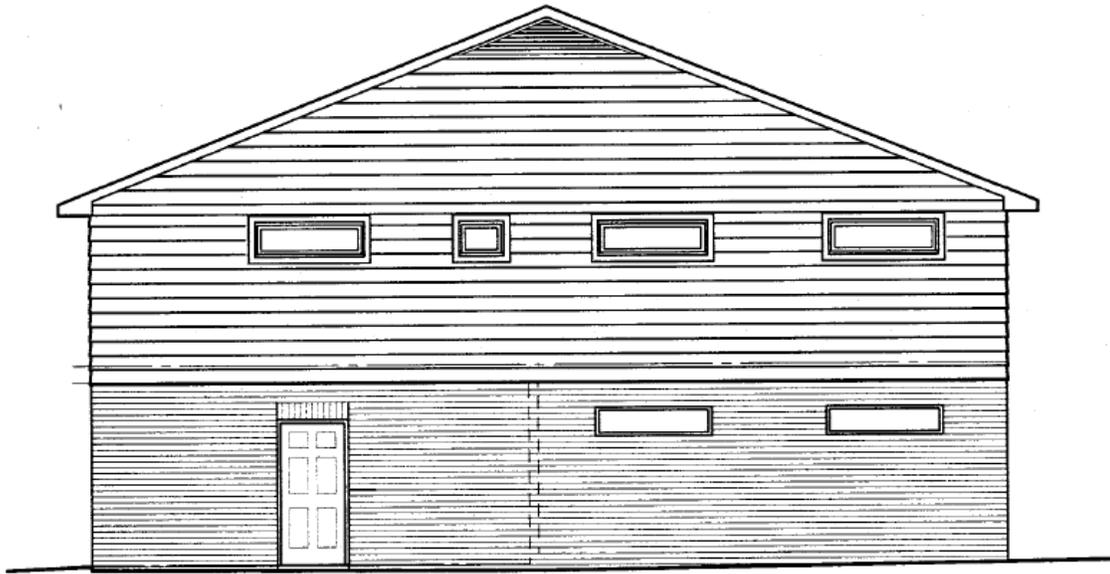
The applicant, Muath Alsufy, filed an application (SP 2015-BR-084) on 4951 Regina Drive (Tax Map 70-4 ((7)) 54) to permit a reduction of certain yard requirements to permit construction of an addition 6.0 feet from the southern side lot line. A map of the subject property is located in the front of the staff report addendum.

The staff report, recommending denial of the application, was published September 16, 2015 and concluded that the proposed two story, two car garage addition was out of character with development on nearby properties. Additionally, the addition was large, tall, and would be located close to the house on the adjacent property. Staff believed that the applicant should either build a by-right addition, which there is room to do on the property, or propose a smaller, less imposing encroachment into the required side yard. Staff concluded that the special permit application was not in conformance with the applicable Zoning Ordinance provisions and did not meet the intent of the Comprehensive Plan.



### FRONT ELEVATION

Figure 1- Applicant's original proposed front elevation



## SIDE ELEVATION

Figure 2- Applicant's original proposed side elevation

After the publication of the staff report, the applicant requested to defer his public hearing so the proposal could be revised. The applicant met with staff and subsequently submitted a revised special permit plat (Attachment 2) and revised elevations (Attachment 3).

Changes to the proposal include:

- Reducing visual impacts to the adjacent property by limiting the bulk of the encroachment to the first story of the house. The second story now is limited to a maximum of a 2.5 foot encroachment into the minimum required side yard with most of it located outside of the side yard entirely.
- Adding windows and other architectural elements to soften the appearance of the side elevation. A development condition is proposed that would require the applicant to construct the addition to be generally consistent with the provided elevations to ensure that these elements are included.
- An increase to the overall size of the addition from 1,620 square feet to 2,636 square feet. The additional square footage is located at the front and rear of the

existing house and does not cause any additional encroachment into a minimum required yard. Though staff would prefer a smaller scale addition to minimize impacts on adjacent properties, most of the addition is being constructed by-right. The portion that remains encroaching into the side yard is approximately 277.8 square feet in size, which staff believes amounts to a minor request by the applicant.

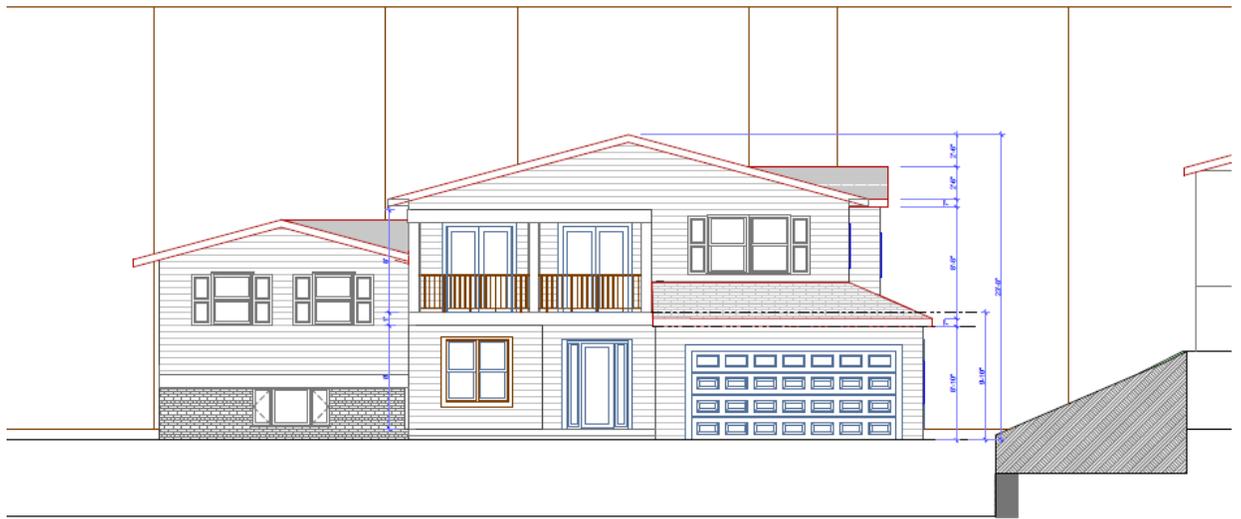


Figure 3- Applicant's revised proposed front elevation



Figure 4- Applicant's revised proposed side elevation

Development condition revisions include:

- New date of December 30, 2015
- Modification of development condition 2 to reflect the new date of the special permit plat

## **CONCLUSIONS**

In staff's evaluation of the submitted revisions, the proposal has improved from the original submission and lessened impacts on adjacent properties. By revising the design so that most of the second story of the addition is out of the minimum required side yard and adding more windows and other architectural elements, staff can now support the applicant's request. Staff now believes that the special permit application is in conformance with all applicable Zoning Ordinance provisions.

## **RECOMMENDATION**

Staff now recommends approval of SP 2015-BR-084 with the adoption of the Revised Proposed Development Conditions in Attachment 1 of the staff report addendum.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, 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 recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

The approval of a portion 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.

## **ATTACHMENTS**

1. Revised Development Conditions dated December 30, 2015
2. Revised Special Permit Plat
3. Revised Floor Plans and Elevations

**REVISED PROPOSED DEVELOPMENT CONDITIONS****December 30, 2015****SP 2015-BR-084**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-BR-084 located at Tax Maps 70-4 ((7)) 54 to permit a reduction of certain yard requirements to permit construction of an addition 6.0 feet from a side lot line pursuant to Section 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Those conditions carried forward from the previous special permit approvals are marked with an asterisk (\*). Edits have been underlined.

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of the addition (2,636 square feet in size and 23.67 feet in height) as shown on the plat titled "Special Permit/Variance Plat, Showing Improvements on Lot 54, Section 1, Ravensworth Grove," prepared by Thomas G. Lutke, L.S., on December 10, 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 2,129 square feet existing + 3,193.5 square feet (150%) = 5,322.5 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 A to these conditions.
5. The applicant shall obtain all final inspections for the building permits related to construction of the addition.
6. A row of evergreen trees such as holly, arborvitae, or cypress, a minimum of six feet in height at planting, shall be installed along the length of the addition between the addition and the southern side lot line. These trees shall be planted a maximum of ten feet on center.

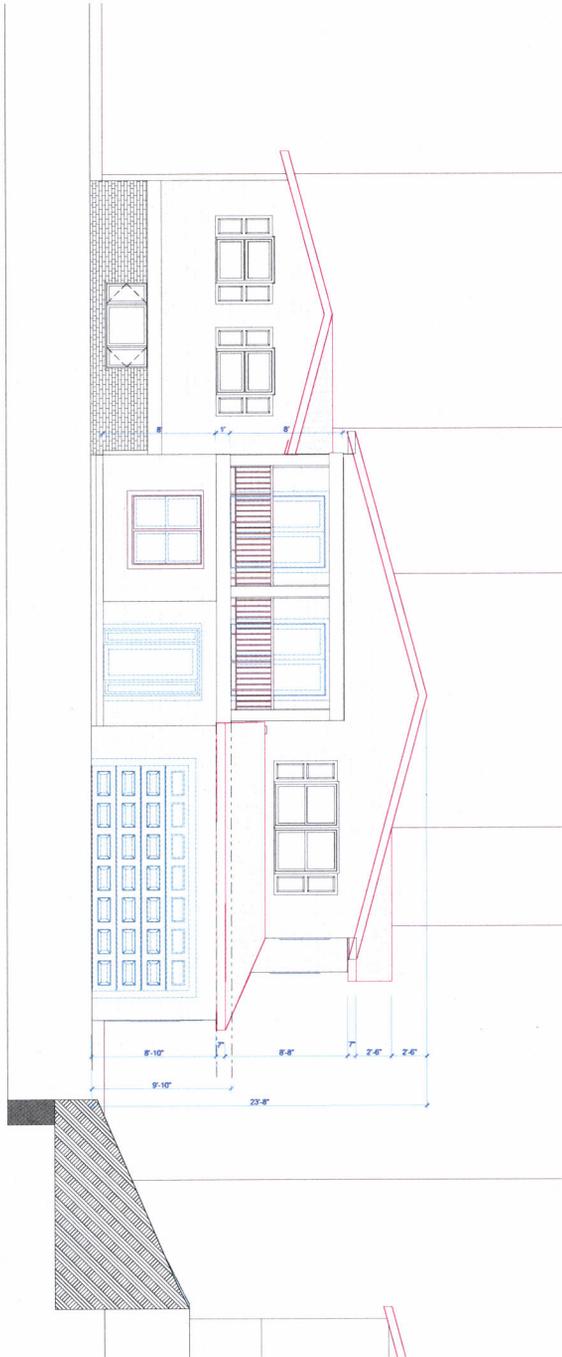
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

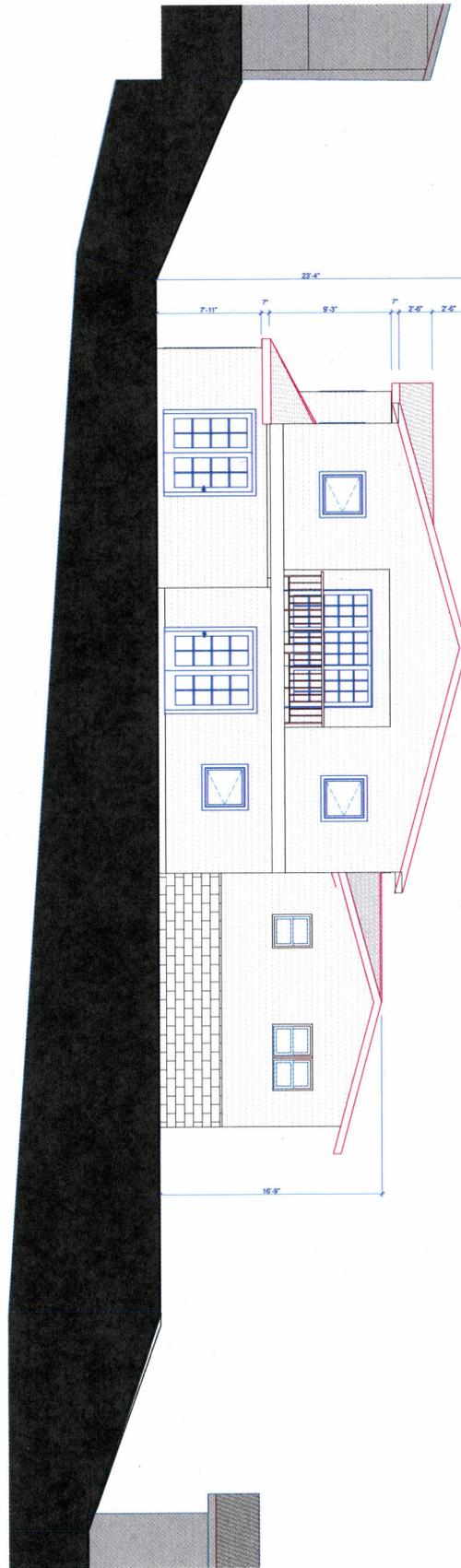
Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 30 months after the date of approval unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if 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.

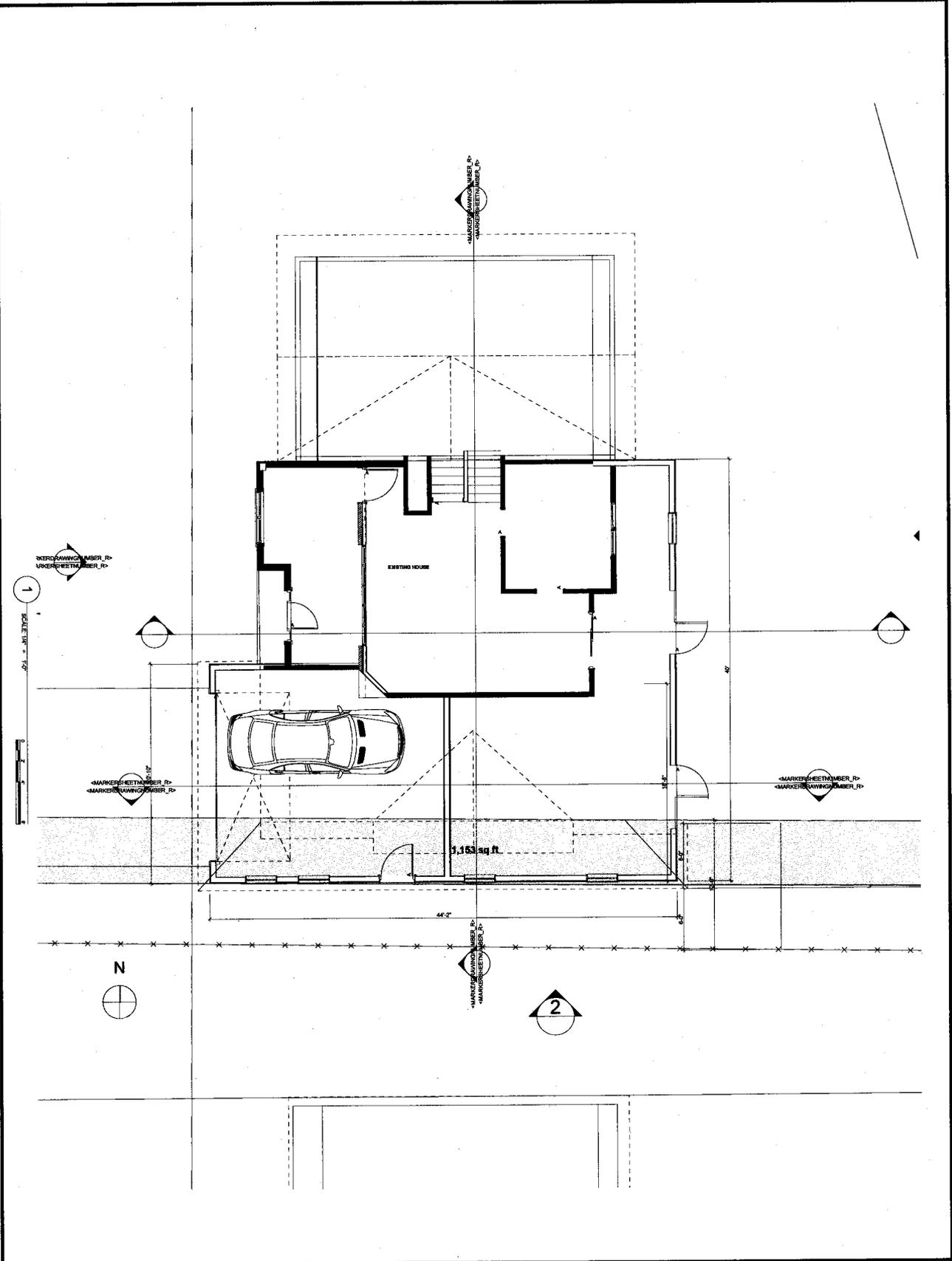






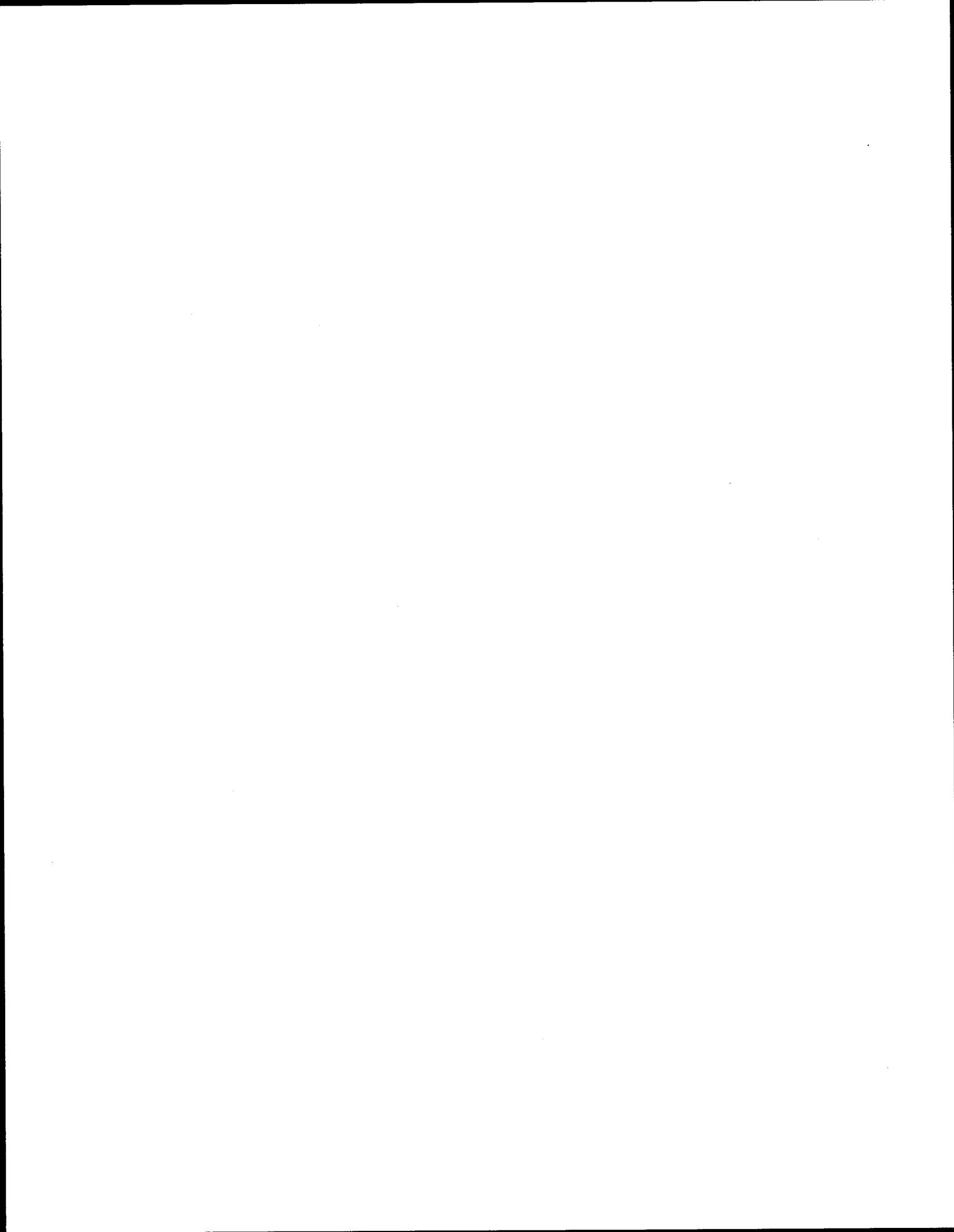






<p><b>SCOTT SIEGEL ARCHITECTS</b></p> <p>111551 HEARTSTONE COURT              RESTON VA 20191              PH (703) 498-4971              E-MAIL SCOTTIE@AOL.COM</p>	<p><b>CONSULTANTS</b></p> <p>ARCHITECTURAL ENGINEERS</p>	<p><b>ALSUFY ADDITION</b></p> <p>SPECIAL PERMIT / VARIANCE              SHOWING IMPROVEMENTS</p> <p>LOT 54, SECTION 1              RAVENSWORTH GROVE              (DEED BOOK 2022, PAGE 175)              FAIRFAX COUNTY, VIRGINIA              BRADDOCK DISTRICT</p>	<p>PROJECT ADDRESS:</p> <p>4951 Reginia Drive              Annandale, 22003</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>MARK</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>11</td> <td></td> <td></td> </tr> </tbody> </table> <p>PROJECT NO:              MODEL FILE:              DRAWN BY:              CHECK BY: DATE:              COPYRIGHT: 12/15/15</p>	MARK	DATE	DESCRIPTION	11		
MARK	DATE	DESCRIPTION								
11										
<p><b>FLOOR PLAN</b></p>										
<p><b>03</b></p>										
<p>SHEET 3 OF 6</p>										



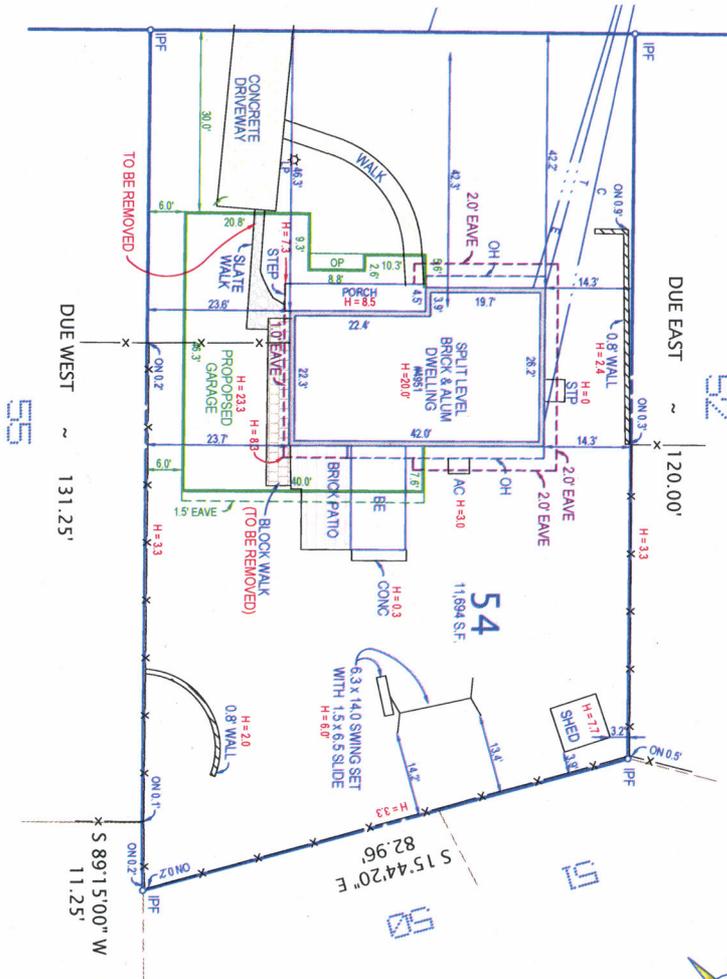


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# REGINA DRIVE

50' R/W - ROUTE #3441

DUE NORTH ~ 80.00'



I HEREBY CERTIFY THAT THE LOCATIONS OF ALL EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.

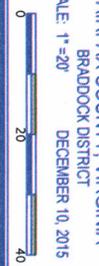
THIS PLAN IS SUBJECT TO RESTRICTIONS OF RECORD NORTH IS RECORD NORTH. A TITLE REPORT WAS NOT FURNISHED NO CORNER MARKERS SET.

12/10/2015  
THOMAS G. LUTKE  
LICENSE NO. 3066  
COMMONWEALTH OF VIRGINIA  
LAND SURVEYOR

ORDERED BY:  
ALSUFY

6855 ROCKLEIGH WAY  
ALEXANDRIA, VA 22315  
703-688-4038  
FAX: 703-648-8038  
NOVA SURVEYS

SPECIAL PERMIT / VARIANCE PLAT  
SHOWING IMPROVEMENTS ON  
LOT #4, SECTION 1  
RAVENSWORTH GROVE  
(DEED BOOK 2022 PAGE 175)  
FAIRFAX COUNTY, VIRGINIA  
BRADDOCK DISTRICT  
SCALE: 1" = 20'  
DECEMBER 10, 2015



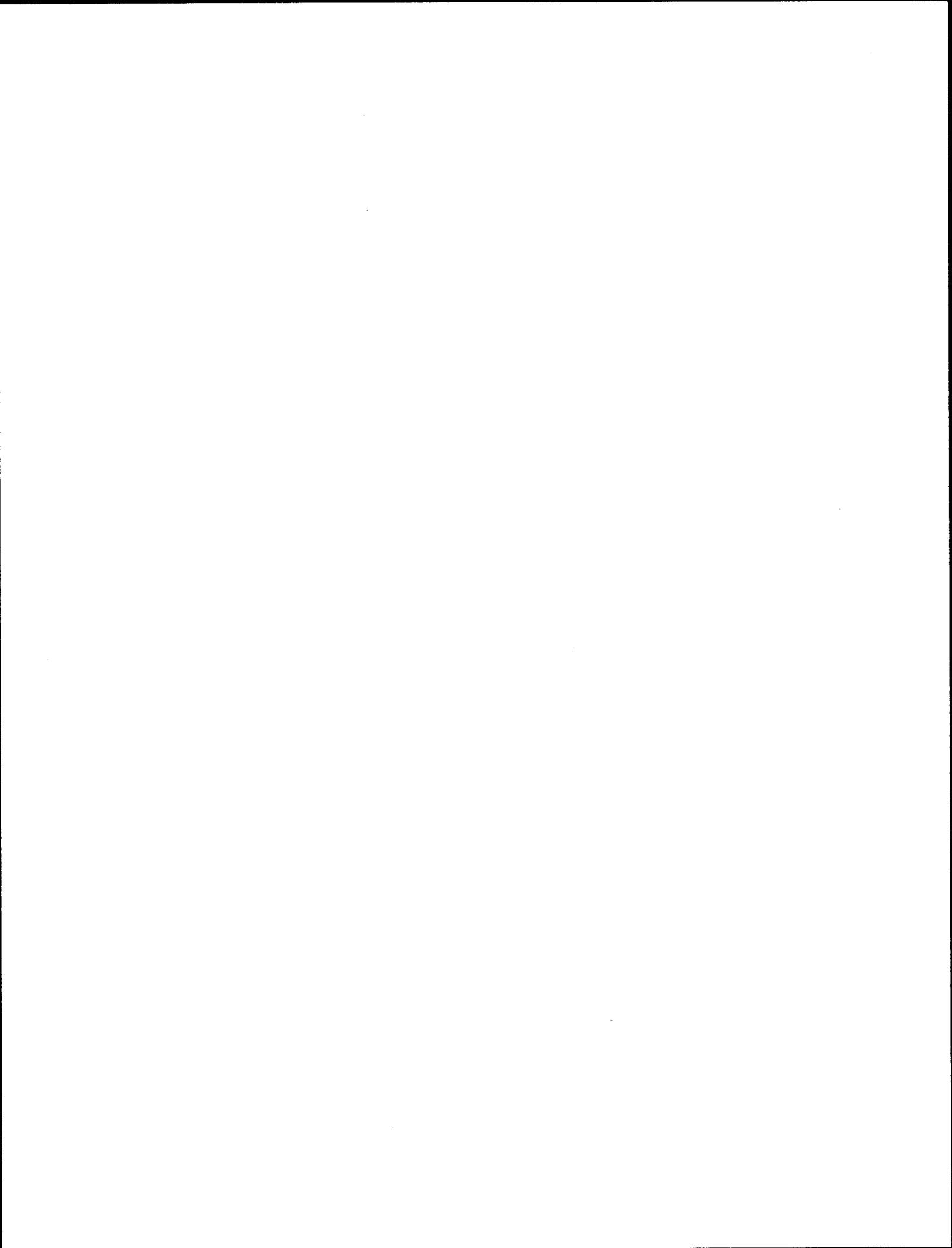
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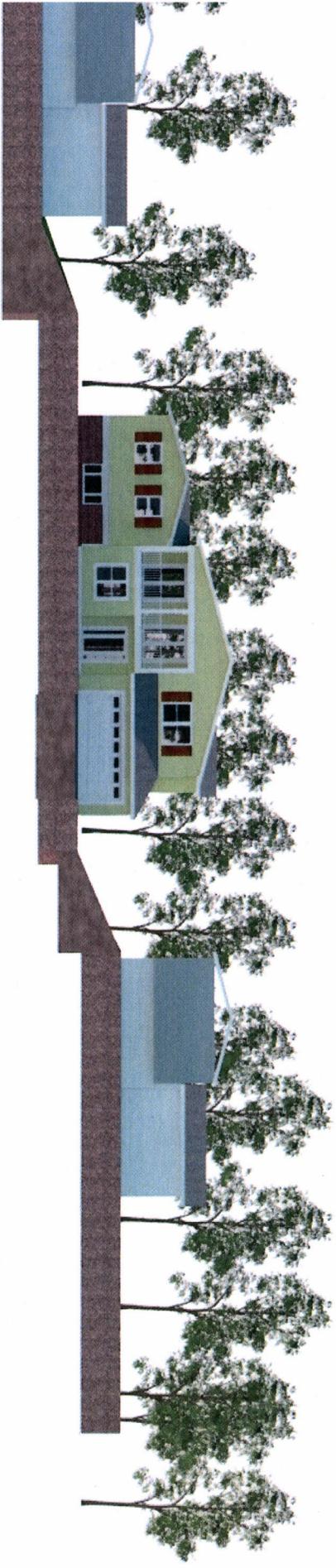
NOTES:

1. TAX MAP: 0704 07 0054
2. R.3 (RESIDENTIAL 4 DU/AC)
3. LOT AREA: 10,501 S.F.
4. REQUIRED YARDS:
 

FRONT:	=	30.0 FEET
SIDE:	=	12.0 FEET
REAR:	=	25.0 FEET
5. THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
6. THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
7. ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING.
8. THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
9. THERE ARE NO FLOOD PLAINS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
10. AREAS:
 

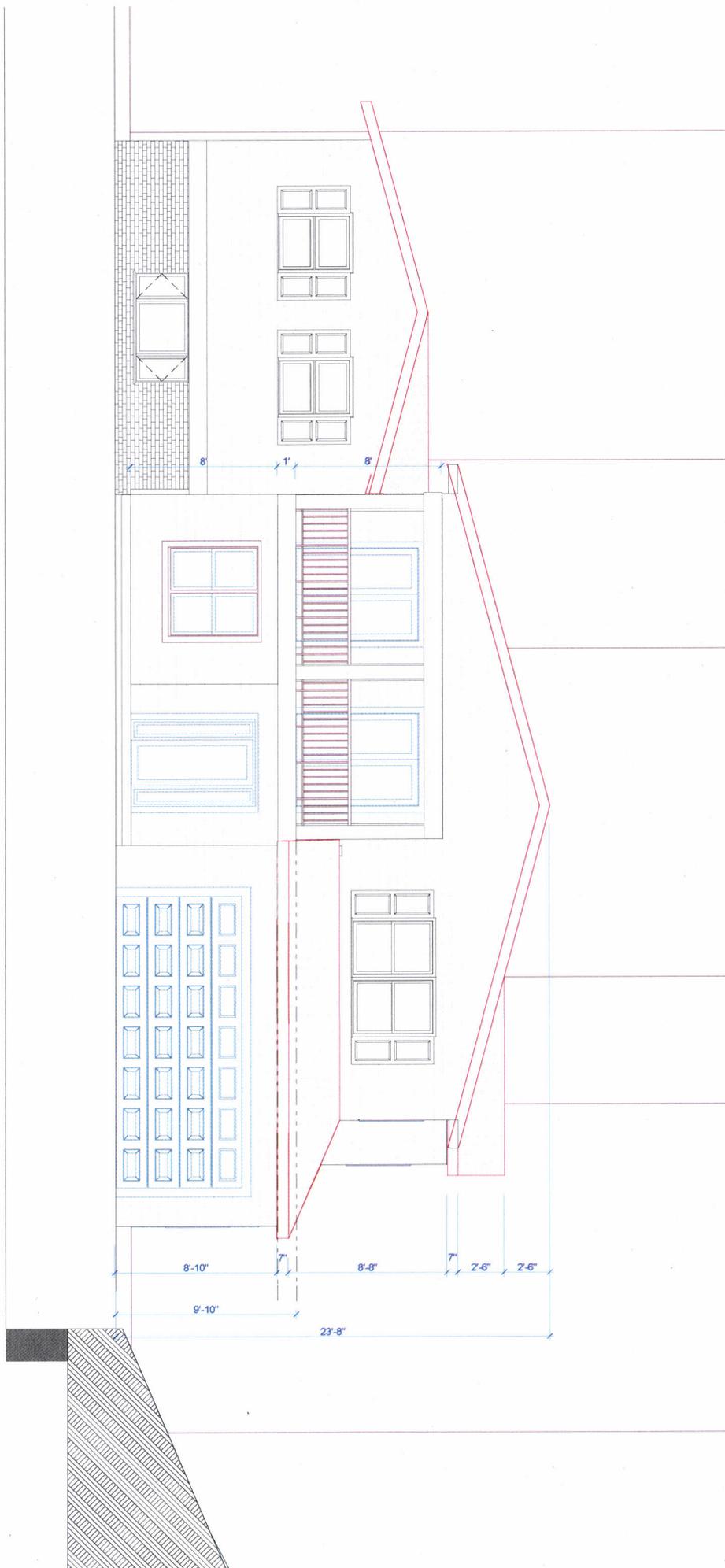
EX. FIRST FLOOR	=	1,116 SF
EX. BASEMENT	=	1,013 SF
GROSS FLOOR AREA	=	2,129 SF
11. EX. FLOOR AREA RATIO: EX. GFA (2,129) / LOT AREA (10,501) = 0.20
12. EX GROSS FLOOR AREA = 2,129 SF
13. PROPOSED GARAGE & 2ND FLOOR = 2,636 SF
14. PROPOSED GROSS FLOOR = 4,765 SF
15. PROP FLOOR AREA RATIO: PR. GFA (4,765) / LOT AREA (10,501) = 0.454
16. UNLESS NOTED OTHERWISE, ALL EAVES ARE HIGHER THAN 10 FEET TO EXISTING GRADE.
17. UTILITIES ARE UNDERGROUND.
18. NO TRAILS ARE REQUIRED FOR THIS SITE PER THE ADOPTED COMPREHENSIVE PLAN.
19. ALL PROPOSED EAVES ARE PROPOSED HIGHER THAN 10 FEET TO EXISTING GRADE.
20. UNLESS LABELED AS PROPOSED, ALL IMPROVEMENTS SHOWN ARE EXISTING.

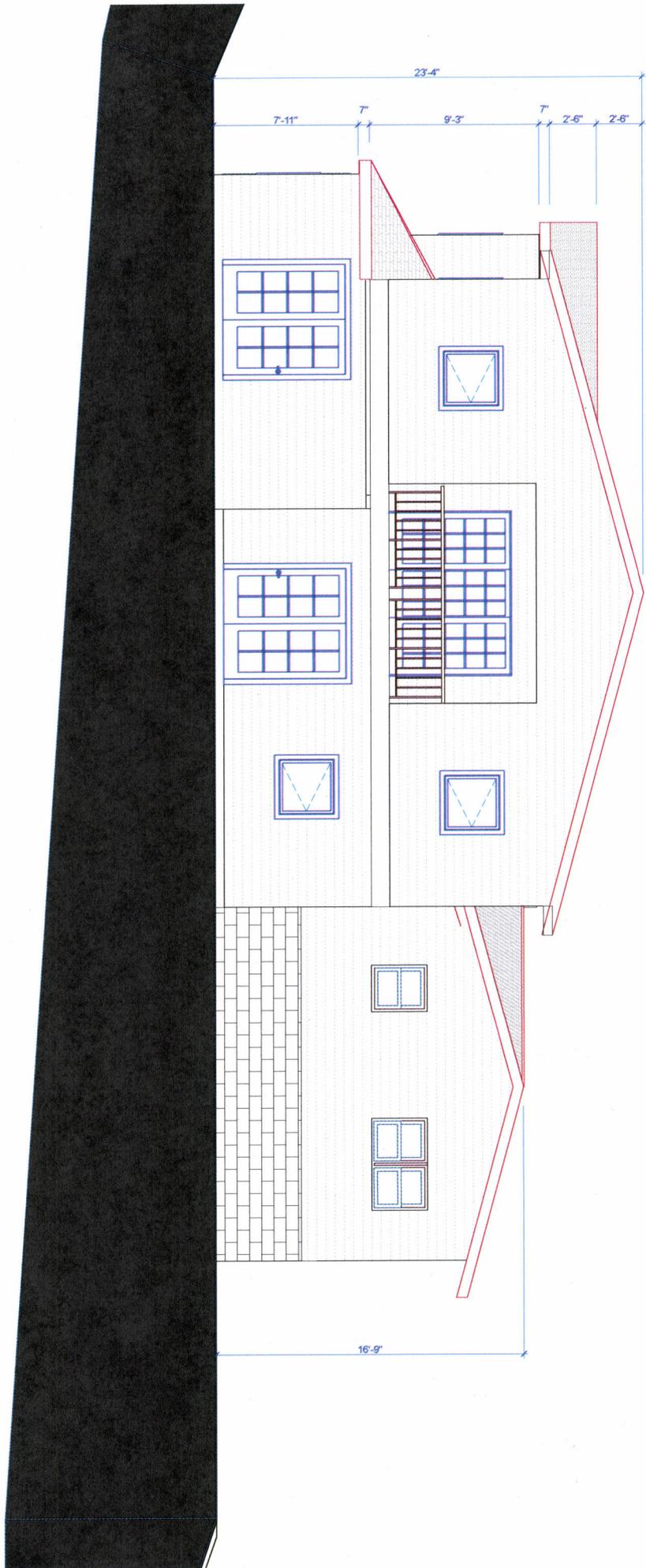


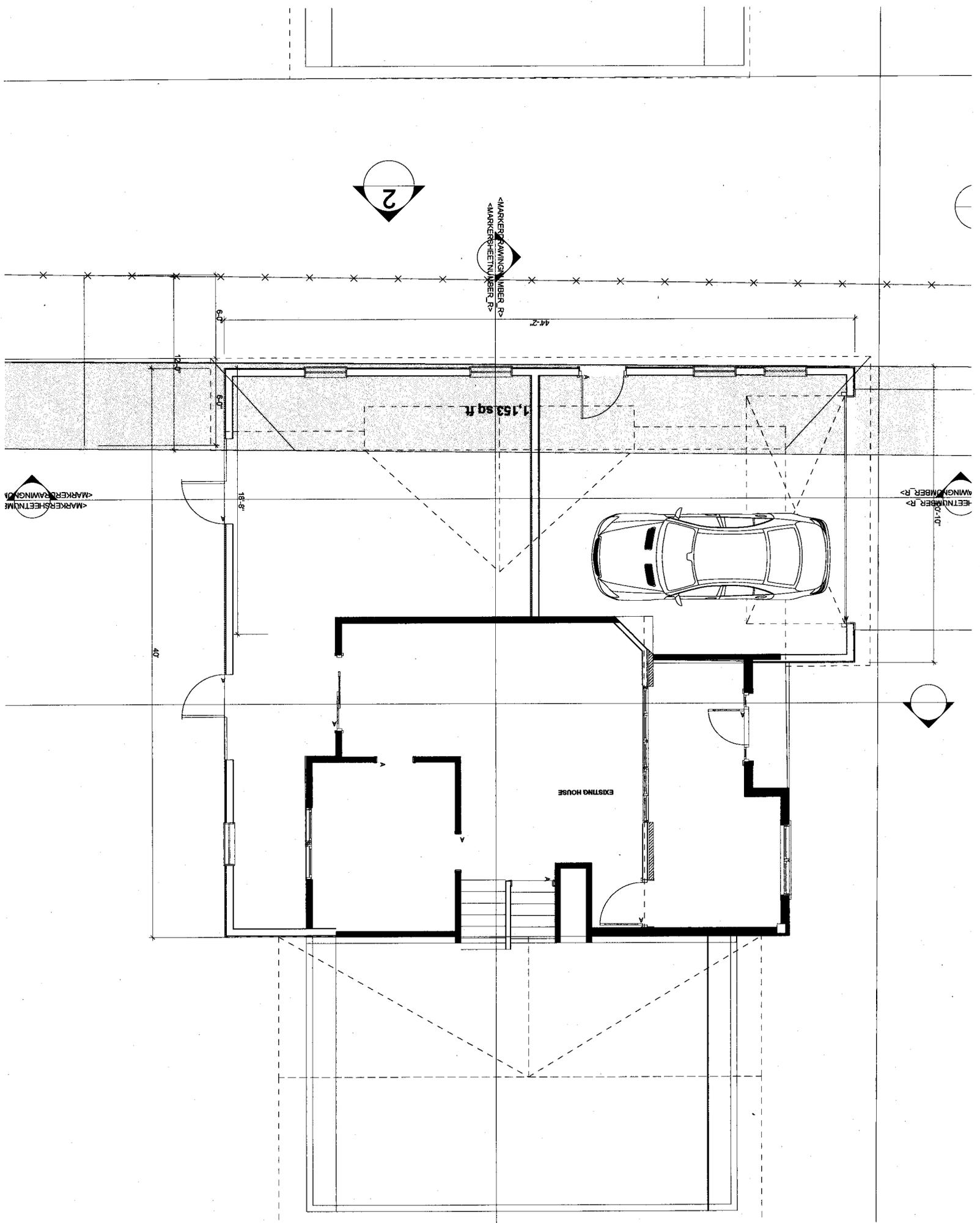












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1,153 sq ft

EXISTING HOUSE

<MARKER SAMINGUMBER R>  
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10'-10"

<MARKER SAMINGUMBER R>  
<MARKER SHEET NUMBER R>

6'-3"  
18'-8"  
4'-0"

44'-2"



RAHETINUMBER\_R2  
DRAWINGSUMBER\_R2

MARKERSHEET  
MARKERKAWAN

1,448 sq ft

