



**APPLICATION ACCEPTED:** September 9, 2015  
**BOARD OF ZONING APPEALS:** January 6, 2016  
**TIME:** 9:00 a.m.

# County of Fairfax, Virginia

---

**December 30, 2015**

## **STAFF REPORT**

### **SPECIAL PERMIT SP 2015-SU-127**

#### **SULLY DISTRICT**

**APPLICANT:** Mukesh and Anuradha Bhatia

**OWNER:** Mukesh and Anuradha Bhatia

**STREET ADDRESS:** 6622 Pelhams Trace, Centreville 20120

**SUBDIVISION:** Weltman Estates, Section 5

**TAX MAP REFERENCE:** 64-1 ((5)) (5) 2

**LOT SIZE:** 13,718 square feet

**ZONING DISTRICT:** R-C, WS

**ZONING ORDINANCE PROVISIONS:** 8-913

**SPECIAL PERMIT PROPOSAL:** To permit a reduction of minimum yard requirements for certain R-C lots to permit an addition 10 ft. from a side lot line, such that side yards total 26.0 feet.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2015-SU-127 subject to the Proposed Development Conditions contained in Appendix 1 of the staff report.

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.

Heath Eddy, AICP

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.**

## **SPECIAL PERMIT REQUEST**



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).

The applicant is requesting approval of a special permit to permit a reduction in minimum yard requirements for certain R-C lots to permit an addition 10 feet from a side lot line, with an aggregate side yard total of 26 feet.

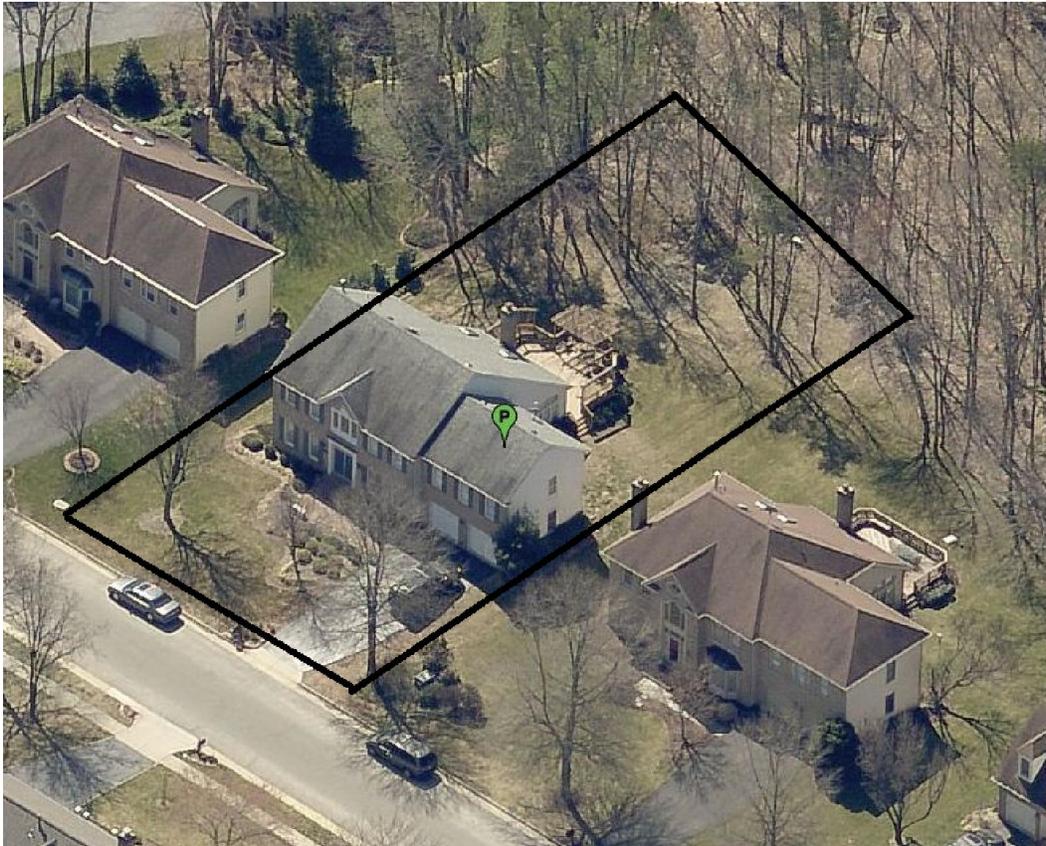
A copy of the house location survey showing the proposed location of a new 2-story addition to the existing residence, titled "House Location Survey, Lot 2 Weltman Estates Section Five" prepared by Robert A. Henegar of Patton Harris Rust & Associates, originally approved on September 28, 1990, is included in the front of the staff report. Please note this survey plat was the same survey used for a deck improvement to the residence in 1990, but is being reused for the purpose of this special permit application as permitted by the Zoning Ordinance in Sect. 8-913.4. The applicant's statement of justification, architectural renderings, and photographs of the subject property are found in Appendix 2. Appendix 3 contains the application affidavit.

### **CHARACTER OF THE SITE AND SURROUNDING AREA**

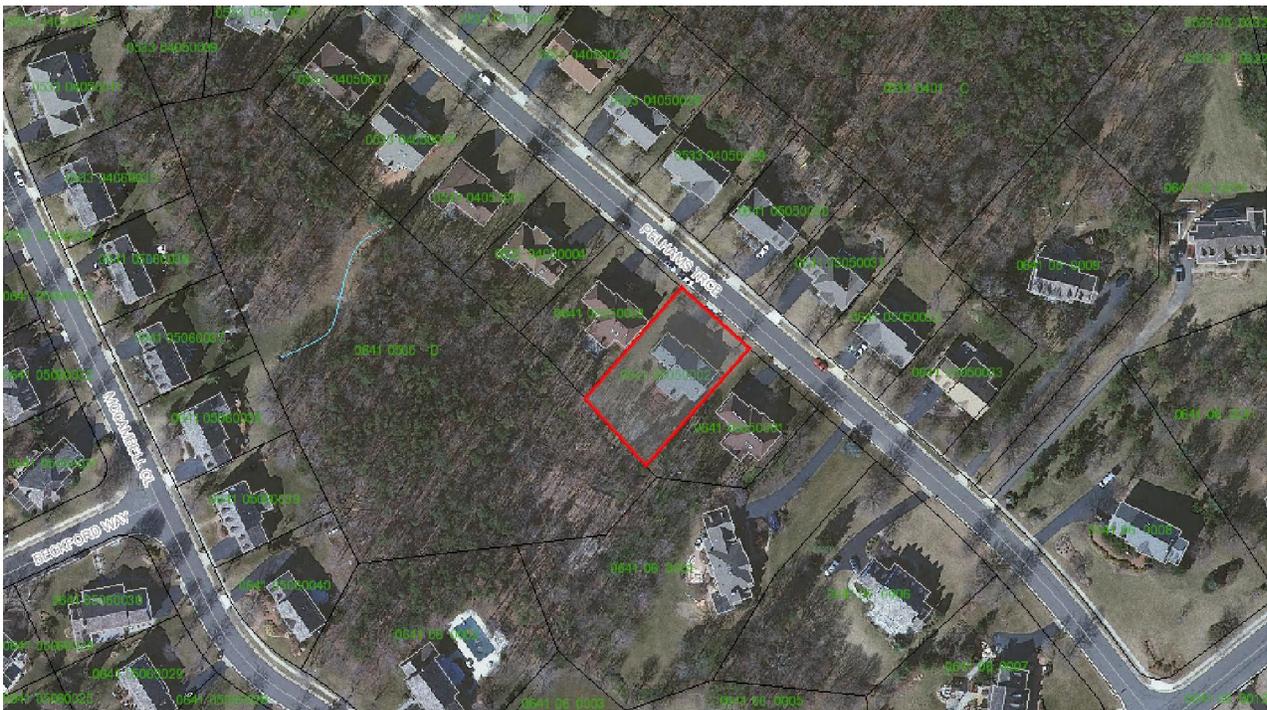
The 13,718 square foot lot contains a two story single family detached dwelling. The property includes a 2-car garage and suitable parking for at least 2 more vehicles in the driveway. The existing residence was constructed under Building Permit #89271B0390 in 1989-90. The basement was renovated and finished, and the existing deck was added to the residence in 2004 under Building Permits #04076B0530 and #04076B0570, respectively.

The subject property is typical of lots developed in Weltman Estates in the late 1980s. The development was created and built under the cluster provisions of the R-2 District, which permit single family detached dwellings to be constructed with minimum yards of 25 feet front, 8 feet minimum/24 feet combined side, and 25 feet rear. The standard minimum yards required in the R-C District are 40 feet front, 20 feet side, and 25 feet rear.

The applicant's request would expand the footprint of the residence to essentially square off the area behind the existing 2-car garage, with a 2-story addition designed in large part to provide additional space for the applicant's elderly parent. This would not be a separate accessory dwelling unit, as the space would not be self-contained and would not have its own cooking facilities.



**Figure 1:** Subject property. Pictometry 2015



**Figure 2:** Overhead of surrounding area. County TAD 2015.

As can be demonstrated from aerial photographs of the surrounding area (in Figures 1 and 2, previous page), the property is in conformance with the original development of the neighborhood and surrounding properties. The cluster development served to allow for preservation of open space areas including the area behind the house (shown as parcel D in Figure 2) and north of the property (the larger parcel designated as parcel C, also in Figure 2).

## **BACKGROUND AND HISTORY**

The subject property is located in the Weltman Estates development west of Centreville proper, just north of Lee Highway in Sully District. The parent tract was rezoned from RE-1 for R-17 in 1964, and then to R-2 with the adoption of the 1978 Zoning Ordinance. With the change of zoning to R-C in 1982, the developer was part of a legal settlement with the County that allowed for the development of the property using the cluster standards in the R-2 District. Weltman Estates is part of the settlement decree entered as Chancery No. 78425 by the Fairfax County Circuit Court in September 1985, which essentially granted the developer the ability to retain cluster provisions of the R-2 District for this development.

According to County records, the most recent application for a special permit under Sect. 8-913 related to this specific development was in 1993, under Special Permits # SP 93-Y-036 through SP 93-Y-042, which were for 7 lots in Weltman Estates, Section 5. All seven special permit applications were approved by the BZA on November 3, 1993.

## **ANALYSIS**

### **Comprehensive Plan Provisions**

Plan Area: III

Planning District: Bulls Run

Planning Sector: Stone Bridge Community Planning Sector (BR5)

Plan Map: Low Density Residential (0.1-0.2 du/ac)

### **Zoning District Standards**

While the lots were developed based on the R-2 cluster provisions, they are still in the R-C District. As such, any additions to existing residences must apply for a Special Permit approval under Sect. 8-913 of the Zoning Ordinance. The table below shows the standards of the R-C District against the existing bulk standards of the subject property, as well as the proposed change to the residence, which will not decrease the existing yards of the subject property.

The table also includes the minimum bulk standards in the R-2 District using the cluster provisions, demonstrating the applicant's compliance with those standards as part of this application.

Bulk Standards (R-C)			R-2, cluster
Standard	Required	Provided	Required
Lot Size	Min. 5 acres	13,718 sf.	Min. 13,000 sf.
Lot Width	Min. 200 feet	90 feet	N/A
Building Height	Max. 35 feet.	30 feet	Max. 35 feet
Front Yard	Min. 40 feet	40.0 feet	Min. 25 feet
Side Yard	Min. 20 feet	10 feet minimum, 26 feet combined	8 feet minimum, 24 feet combined
Rear Yard	Min. 25 feet	46 feet	Min. 25 feet

**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 6. Subject to development conditions, the special permit must meet these standards.

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

<b>Standards 1 &amp; 2</b> Comprehensive Plan/ Zoning District	The development overall is inconsistent with the plan designations for the area, but the basis of the development was a court decree. The proposal requires the special permit approval in lieu of compliance with the R-C District requirements.
<b>Standard 3</b> Adjacent Development	The proposal is consistent with the character of the surrounding neighborhood, which was designed and built under the cluster provisions of the R-2 District.
<b>Standard 4</b> Pedestrian/ Vehicular Traffic	No increase vehicular or pedestrian traffic is expected with this application. In staff’s opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
<b>Standard 5</b> Landscaping/ Screening	Mature vegetation provides screening along the rear yard adjacent to the wooded open space. The visual impact of the addition would be minor at best given that the effect is to “square off” the area of the residence behind the garage, which is also 2 stories in height.
<b>Standard 6</b> Open Space	All prescribed open space was met with the initial development of Weltman Estates in each phase, with open space located immediately adjacent to the subject property.

<p><b>Standard 7</b> Utilities, Drainage, Parking, and Loading</p>	<p>The proposed addition will have no impact on sewer or water provision or parking. Land Development Services indicates that the addition will require implementation of Best Management Practices to address water quality of stormwater runoff. This will be addressed specifically at the building permit review stage.</p>
<p><b>Standard 8</b> Signs</p>	<p>No signage is proposed.</p>

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

<p><b>Standard 1</b> Lot Size and Bulk Regulations</p>	<p>The bulk regulations for minimum required yards are requested to be modified with the special permit application.</p>
<p><b>Standard 2</b> Performance Standards</p>	<p>The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.</p>
<p><b>Standard 3</b> Site Plan</p>	<p>The proposed construction will not disturb more than 2,500 square feet.</p>

**Standards for Reduction of Certain Yard Requirements (8-913)**

<p><b>Standard 1</b> Property was comprehensively rezoned to R-C in 1982 and either part of final plat approval prior to adoption or part of a consent decree approved by County Circuit Court in September 1985.</p>	<p>The property recorded in accordance with the final consent decree entered in Chancery No. 78425 by the Fairfax County Circuit Court on September 17, 1985, as amended by a final consent decree entered on November 25, 1991 by the County Circuit Court.</p>
<p><b>Standard 2</b> Modifications Shall Comply with Yards Required prior to R-C rezoning</p>	<p>The applicant proposes an addition that will maintain a minimum yard of 10 feet and combined side yards of 26 feet, which complies with the cluster provisions in the R-2 District.</p>
<p><b>Standard 3</b> Resultant Development will be Harmonious with Existing Development, Not Adversely Impact</p>	<p>The proposed addition should have no impact on surrounding properties. Land Development Services review indicates that the proposed addition will need to comply with County stormwater regulations, including the installation of Best Management Practices to address runoff water quality. This will be addressed with the building permit review.</p>
<p><b>Standard 4</b> Plat Submitted in Compliance with Requirements</p>	<p>The submitted plat meets the minimum standards for a proposed addition to an existing residence in this development.</p>

## **CONCLUSION**

Staff believes the applicant has met the technical requirements for this Special Permit. The proposed addition will be consistent and compatible with the surrounding residential character and will comply with the cluster provisions of the R-2 District.

## **RECOMMENDATION**

Staff recommends approval of this special permit application subject to the Proposed Development Conditions contained in Appendix 1 of the staff report.

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. Statement of Justification, Architectural Renderings, and Photos of Subject Property
3. Applicant's Affidavit
4. Building Permit History
5. Agency Review Comments
6. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2015-SU-127****December 30, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-SU-127 located at Tax Map 64-1 ((5)) (5) 2 to permit reduction of minimum yard requirements for certain R-C lots to permit an addition pursuant to Sects. 8-913 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of the addition as shown on the special permit plat titled, "House Location Survey, Lot 2, Weltman Estates Section Five" prepared by Robert A. Henegar, L.S., of Patton Harris Rust & Associates, dated February 27, 1990, showing the existing deck and trellis as approved in 2004 and the proposed 24.0' x 24.1', 2-story addition drawn by the Joe Zahala, dated August 24, 2015, received on August 26, 2015, as submitted with this application and is not transferable to other land.
3. The addition shall be compatible with the architectural design and materials of the existing residence, and consistent with the architectural renderings included with these conditions as Attachment 1.

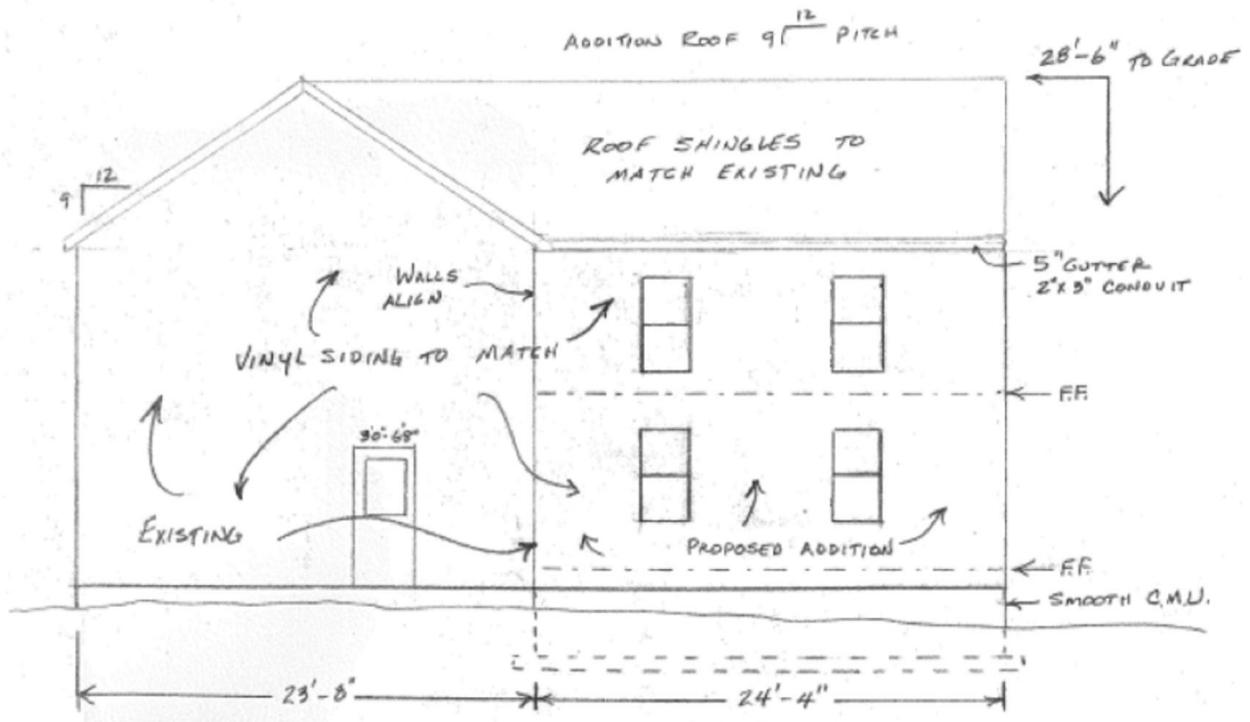
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

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.

**ATTACHMENT 1: ARCHITECTURE OF PROPOSED ADDITION**

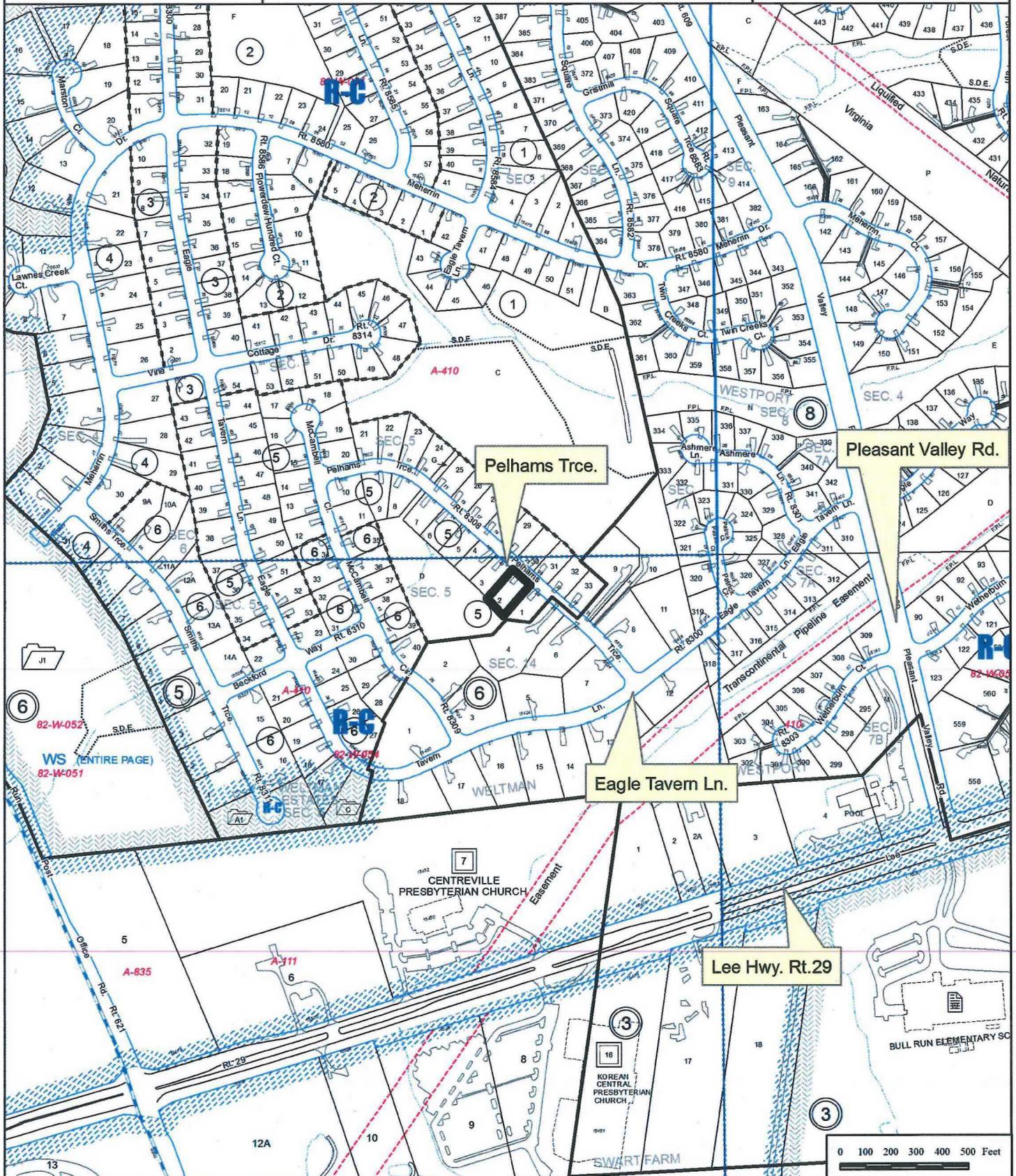


**Rear Yard View (top), Side Yard View (bottom)**





# Special Permit SP 2015-SU-127 MUKESH AND ANURADHA BHATIA



AUG 26 2015

Zoning Evaluation Division

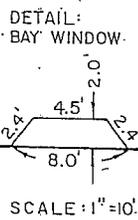
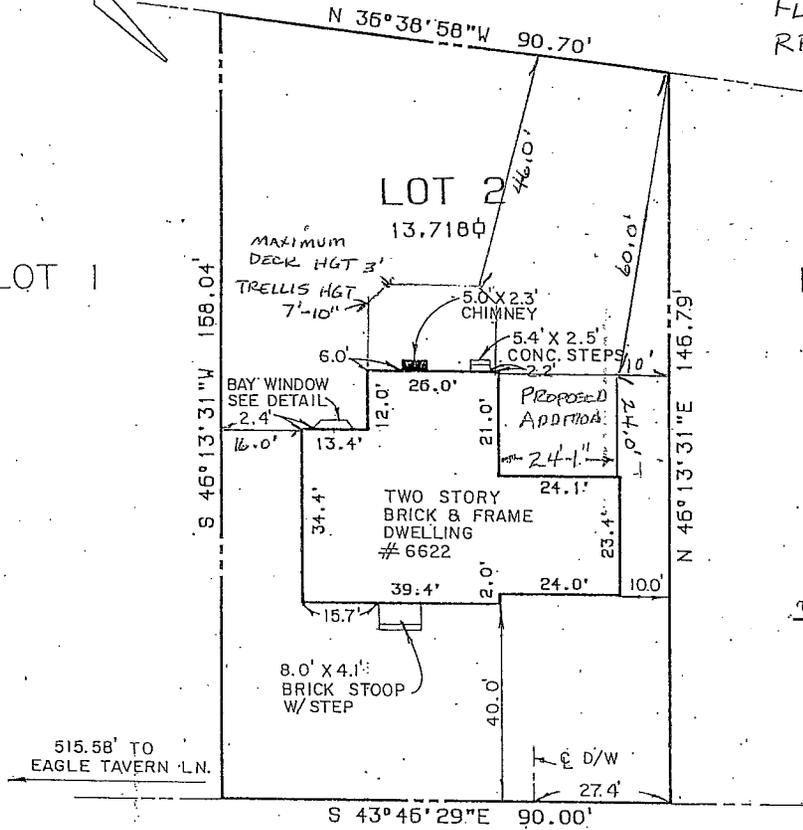
COUNTY MAP SHOWS  
THIS PROPERTY IS  
NOT LOCATED IN A  
FLOOD PLAIN OR  
RPA.

*J. Behl*  
8-24-15

PARCEL "D"

LOT 1

LOT 3



PELHAMS TRACE

150' R/W

FINAL APPROVAL

SEP 28 1990

ZONING ADMINISTRATION DIVISION  
OFFICE OF COMPREHENSIVE PLANNING

THE LOT SHOWN ON THIS PLAT IS IN A H.U.D. FLOOD HAZARD AREA ZONE C, AN AREA OF MINIMAL FLOOD HAZARD ACCORDING TO H.U.D. F.I.A. MAP COMMUNITY NO. 515525C SHEET # H & I - 15.

NOTES:

1. THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN ESTABLISHED BY A TRANSIT-TAPE SURVEY.
2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
3. THIS SURVEY IS NOT TO BE USED FOR ANY CONSTRUCTION.

HOUSE LOCATION SURVEY

LOT 2

WELTMAN ESTATES

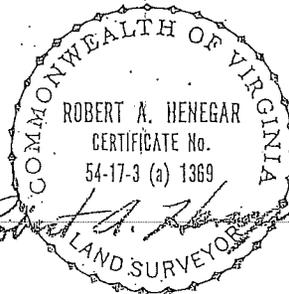
SECTION FIVE

SPRINGFIELD DISTRICT  
FAIRFAX COUNTY, VIRGINIA  
SCALE: 1" = 30' DATE: FEBRUARY 27, 1990

PATTON HARRIS RUST & ASSOCIATES

A PROFESSIONAL CORPORATION  
CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
FAIRFAX, VIRGINIA

DRAWN BY: SMB CHECKED BY: RTJ



STATEMENT OF JUSTIFICATION

Joseph A. Zehala, Agent  
5309 Cat Tail Court  
Centreville, VA 20120  
Cell: 703-201-3987 Fax: 703-815-0514  
Email: [JazzInVirginia@aol.com](mailto:JazzInVirginia@aol.com)

RECEIVED  
Department of Planning & Zoning  
SEP 10 2015  
Zoning Evaluation Division

September 9, 2015

Special Permit Statement of Justification  
6622 Pelhams Trace  
File: SP2015 0234  
Bhatia Residence

- Type of operation: Residential single family home
- Hours of operation: Continuous
- Estimate number of residents: 4-6
- No change in impact to traffic

Description of addition:

- 24'x24' – two story addition at North Side Rear of existing house
- Addition is first level elder care second level for bedroom, closet and bathroom
- Exterior to match existing house in style and finishes
- The 10' additional width of addition is the best match to the existing exterior
- The addition is in harmony with the surrounding homes

Thank you,

Joseph A. Zehala

Email to: Deborah Lesko Pemberton, Senior Applications Acceptance Planner  
[Deborah.Pemberton@Fairfaxcounty.gov](mailto:Deborah.Pemberton@Fairfaxcounty.gov)

---

**Joseph A. Zehala**  
**5309 Cat Tail Court**  
**Centreville, VA 20120**  
**Cell: 703-201-3987 Fax: 703-815-0514**  
**Email: JazzInVirginia@aol.com**

August 24, 2015

Fairfax County Zoning Department

901.03

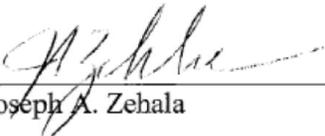
C) Recorded in accordance with a final consent decree entered in chancery NOS 78425, 78452, 78454, 78461, 78462 and 78465 by the FX CO Circuit Court on Sept. 17, 1985 as amended by a final consent decree entered on Nov. 25, 1991 by the Fairfax County Circuit Court in Chancery DO 123887.

903.01

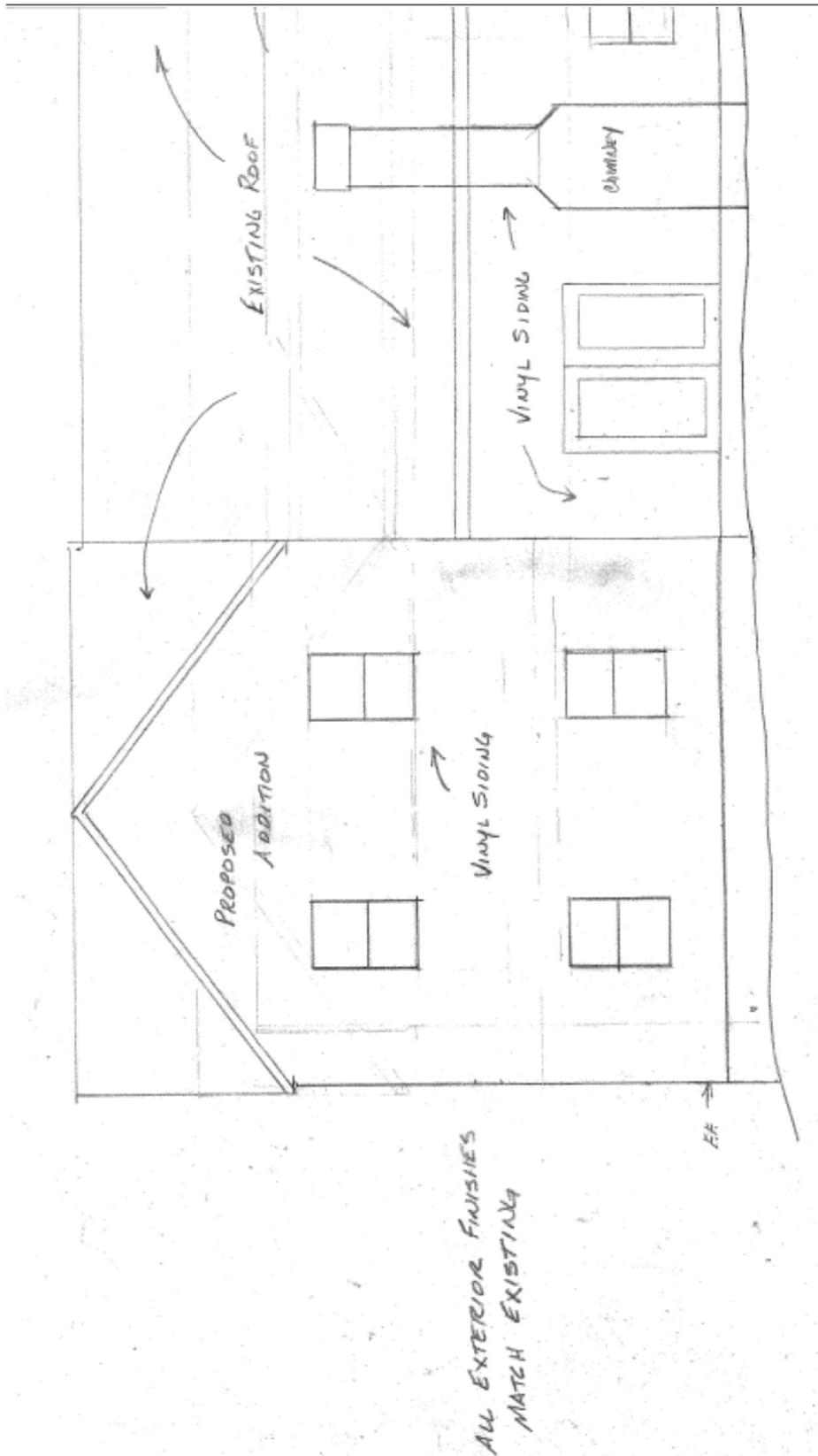
The resultant development will be harmonious with existing development in the neighborhood.

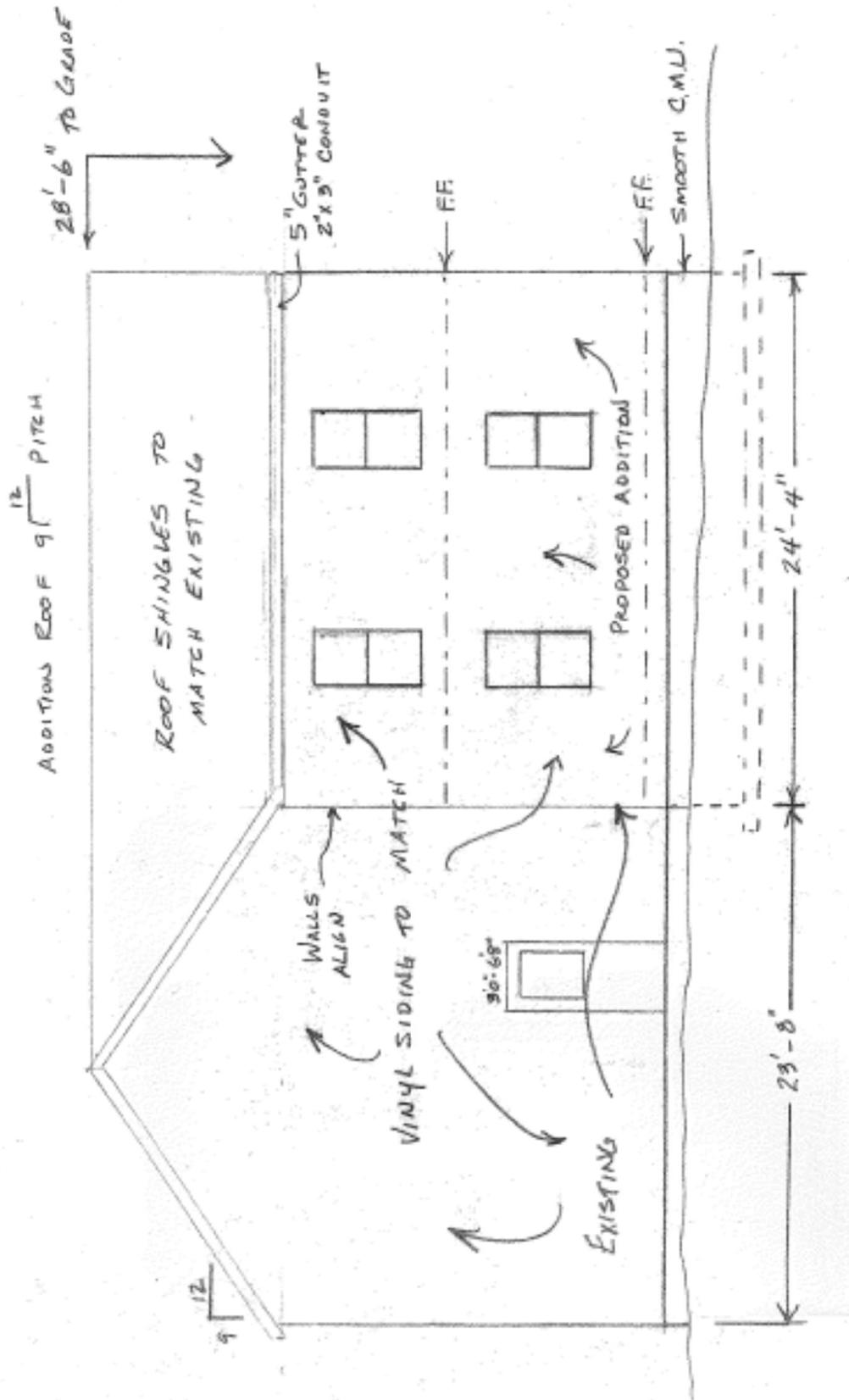
903.02

The resultant development will have no adverse impact on the Public Health, Safety and Welfare of the area.

  
\_\_\_\_\_  
Joseph A. Zehala

Architectural Renderings





SITE PHOTOGRAPHS RELEVANT TO PROPOSAL



VIEW FROM STREET 6622 PEHAM'S TRACE 8-15-15



VIEW FROM STREET - SOUTH PROPERTY LINE 8-15-15



VIEW FROM STREET - NORTH LOT LINE 8-15-15



VIEW OF PROPERTY 01 NORTH OF LOT 8-15-15



REAR VIEW OF DECK/TROUS 8-15-15



REAR VIEW  
6620 PELHAMS TR

REAR OF 6622 PELHAM ST  
PROPOSED AREA OF ADDITION



6622 PELHAMS TRACE  
RIGHT SIDE VIEW

6624 PELHAMS TRACE



# County of Fairfax, Virginia

## MEMORANDUM

Office of the County Attorney  
 Suite 549, 12000 Government Center Parkway  
 Fairfax, Virginia 22035-0064  
 Phone: (703) 324-2421; Fax: (703) 324-2665  
 www.fairfaxcounty.gov

**DATE:** September 16, 2015

**TO:** Deborah Pemberton, Planner III  
 Applications Acceptance Section  
 Zoning Evaluation Division  
 Department of Planning and Zoning

**FROM:** Sepideh Aflaki-Khosrowshahi, Paralegal  
 Office of the County Attorney

**SUBJECT:** BZA Affidavit  
 Temporary Application No. SP 2015-0234

**REF.:** 131019

RECEIVED  
 Department of Planning & Zoning

SEP 16 2015

Zoning Evaluation Division

Attached is a copy of an application and an original affidavit that has been approved by the Office of the County Attorney for the following case:

Name of Applicant

Affidavit Date of Oath

Mukesh and Anuradha Bhatia

7/28/15

Attachment

OWNER CONSENT / AGENT AUTHORIZATION STATEMENT

To Whom It May Concern:

I/We, MUKESH AND ANURADHA BHATIA, the undersigned applicant and/or title owner(s) of the property identified below, do hereby authorize Joe Zehala to act as agent(s) in the furtherance of an application for a special permit on my/our property located at: 6622 Pelhams Trace, Centreville, VA 20120 Tax Map No. 0641 05050002

Thank you in advance for your cooperation.

Date: 8/18/15 APPLICANT/TITLE OWNER By: Mukesh Bhatia

COMMONWEALTH/STATE OF: VIRGINIA  
CITY/COUNTY OF: FAIRFAX, TO WIT:

The foregoing instrument was acknowledged before me this 18 day of AUG, 2015, by MUKESH BHATIA (Signor)

[Signature]  
Notary Public (Signature)  
Notary Registration No. 7584020  
My Commission Expires: 10/31/2018



ALL TITLE OWNERS MUST SIGN IN PRESENCE OF NOTARY. IF THERE IS MORE THAN ONE OWNER, SIGNATURES MAY CONTINUE ON NEXT PAGE.

**Owner Consent / Agent Authorization Statement**

Page 2 of 2

CO-TITLE OWNER

Date: 8-18-15

By: Anuradha Bhatia

COMMONWEALTH/STATE OF: VIRGINIA

CITY/COUNTY OF: FAIRFAX, TO WIT:

The foregoing instrument was acknowledged before me this 18 day of AUG, 2015,  
by ANURADHA BHATIA  
(Signor)



Hellen Young Shin  
Notary Public (Signature)  
Notary Registration No. 7584020  
My Commission Expires: 10/31/2018



COUNTY OF FAIRFAX  
Department of Planning and Zoning  
Zoning Evaluation Division

12055 Government Center Parkway, Suite 801  
Fairfax, VA 22035 (703) 324-1290, TTY 711  
[www.fairfaxcounty.gov/dpz/zoning/applications](http://www.fairfaxcounty.gov/dpz/zoning/applications)

APPLICATION No: SP 2015-SU-127  
(Staff will assign)

RECEIVED  
Department of Planning & Zoning

SEP 04 2015

**APPLICATION FOR A SPECIAL PERMIT** Zoning Evaluation Division  
(PLEASE TYPE or PRINT IN BLACK INK)

<b>APPLICANT</b>	<b>NAME</b> Mukesh and Anuradha Bhatia	
	<b>MAILING ADDRESS</b> 6622 Pelhams Trace, Centreville, VA 20120	
	<b>PHONE HOME ( )</b> <b>WORK ( )</b>	
	<b>PHONE MOBILE ( 703 )</b> 625-0992	
<b>PROPERTY INFORMATION</b>	<b>PROPERTY ADDRESS</b> 6622 Pelhams Trace, Centreville, VA 20120	
	<b>TAX MAP NO.</b> 64-1 ((5)) ((5)) 0002	<b>SIZE (ACRES/SQ FT)</b> 13,718 SQ. FT.
	<b>ZONING DISTRICT</b> R-C	<b>MAGISTERIAL DISTRICT</b> Sully
	<b>PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:</b>	
<b>SPECIAL PERMIT REQUEST INFORMATION</b>	<b>ZONING ORDINANCE SECTION</b> 8-913	
	<b>PROPOSED USE</b> Provisions for Approval of Modifications to the Minimum Yard Requirements for Certain R-C Lots to permit addition _____ feet from side lot line, such that side yards total _____ feet	
<b>AGENT/CONTACT INFORMATION</b>	<b>NAME</b> Joseph A. Zehala	
	<b>MAILING ADDRESS</b> 5309 Cat Tail Court, Centreville, VA 20120	
	<b>PHONE HOME ( 703 )</b> 815-0515 <b>WORK ( )</b>	
	<b>PHONE MOBILE ( 703 )</b> 201-3987	
<b>MAILING</b>	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact	
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>Joseph A. Zehala</p> <p>_____ TYPE/PRINT NAME OF APPLICANT/AGENT</p> <p><i>Joseph A. Zehala</i> _____ SIGNATURE OF APPLICANT/AGENT</p>		

DO NOT WRITE IN THIS SPACE

SP 2015-0234

Date Application accepted: \_\_\_\_\_

Application Fee Paid: \$ \_\_\_\_\_

Application No.(s): SP 2015-SU-127  
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7-28-15  
(enter date affidavit is notarized)

131019

I, JOSEPH A ZEHALA, 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)
JOSEPH A. ZEHALA	5309 CATTAIL CT CENTREVILLE VA	AGENT
MUKESH BHATIA } ANURADHA BHATIA }	6622 PELHAMS PL CENTREVILLE, VA	APPLICANT/OWNER AND CO-OWNER

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

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.  
\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): SP 2015-SU-127  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 7-28-15 131019  
(enter date affidavit is notarized)

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):

SP 2015-SU-127

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

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE:

7-28-15

(enter date affidavit is notarized)

131019

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): SP 2015-SU-127  
(county-assigned application number(s), to be entered by County Staff)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 7-28-15  
(enter date affidavit is notarized)

131019

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-SU-127  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 7-28-15  
(enter date affidavit is notarized)

131019

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)

[X] Applicant [ ] Applicant's Authorized Agent

JOSEPH A. ZEHALA  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 4 day of September 2015, in the State/Comm. of Virginia, County/City of Fairfax

Cheryl Lynette Foddrell  
Notary Public

My commission expires: Sept 30 2017



DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 FAIRFAX COUNTY, VIRGINIA  
 PERMIT APPLICATION CENTER  
 10555 MAIN STREET, 4TH FLOOR  
 FAIRFAX, VA. 22030 691-3031

**BUILDING PERMIT APPLICATION**

APPLICATION NO

8/25/1998

Date

**JOB LOCATION**

Street 8000 Dulles Station Apt. 2  
 Building \_\_\_\_\_ Floor \_\_\_\_\_ Suite \_\_\_\_\_  
 Subdivision Dulles Station, Section 5  
 Tenants Name \_\_\_\_\_

(DO NOT WRITE IN THIS SPACE)

Permit No. 87541150395  
 Map Reference 267-1-0505 (A)  
 Building Permit No. \_\_\_\_\_ Control No. \_\_\_\_\_  
 Std. \_\_\_\_\_ Mag. \_\_\_\_\_ Plan \_\_\_\_\_ Census \_\_\_\_\_

**OWNER**  
 Name W. L. Perry Homes, Inc.  
 Address (Mailing) 5761 Leesylvania Blvd., Suite  
 City Bethesda, State Maryland Zip 20817 400  
 Telephone (301) 902-9770

**CONTRACTOR**  
 Company Name W.L. Perry Homes, Inc.  
 Master \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone \_\_\_\_\_ License No. \_\_\_\_\_  
 State Contractors License No. 1551000  
 County Business Account No. 21844

For GENERAL CIVILITY (HOUSE TYPE 2200) **ROUTING**

Description	Date	Approved By:
Health Review		
Site Review	8/27/98	[Signature]
Zoning Review	8/27/98	[Signature]
Sanitation Review	8/27/98	[Signature]
Building Review	8/27/98	[Signature]
Fire Review		

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

**REMARKS:**

**BUILDING DESCRIPTION**

DESCRIPTION	QUANTITY
# Units	1
# Stories	2
# Rooms	11
# Bedrooms	4
# To be Added	0
# Baths	2
# Half Baths	1
# Kitchens	1
# Fireplaces	2
Basement	1
% Basements to Finish	0

**BUILDING DIMENSIONS**

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

Use Group of Building 5-1  
 Type of Construction 5-3  
 Building Area \_\_\_\_\_  
 Estimated Const. Cost \$45,000.00  
**ZONING REVIEW**  
 Zoning Proffers Building \_\_\_\_\_  
 Zoning Class \_\_\_\_\_  
 Zoning Case # \_\_\_\_\_  
**BUILDING CHARACTERISTICS**  
 Building Height 30'  
 Exterior Walls Frame  
 Interior Walls Frame  
 Roofing Material Asphalt Shingle  
 Flooring Material Carpet  
 Heating Fuel Gas  
 Heating System Boiler  
**GRADING AND DRAINAGE REVIEW**  
 Soils \_\_\_\_\_  
 Historical \_\_\_\_\_  
 Plan # \_\_\_\_\_  
 Retaining Wall \_\_\_\_\_

YARDS	Front	Left Side	Right Side	Rear

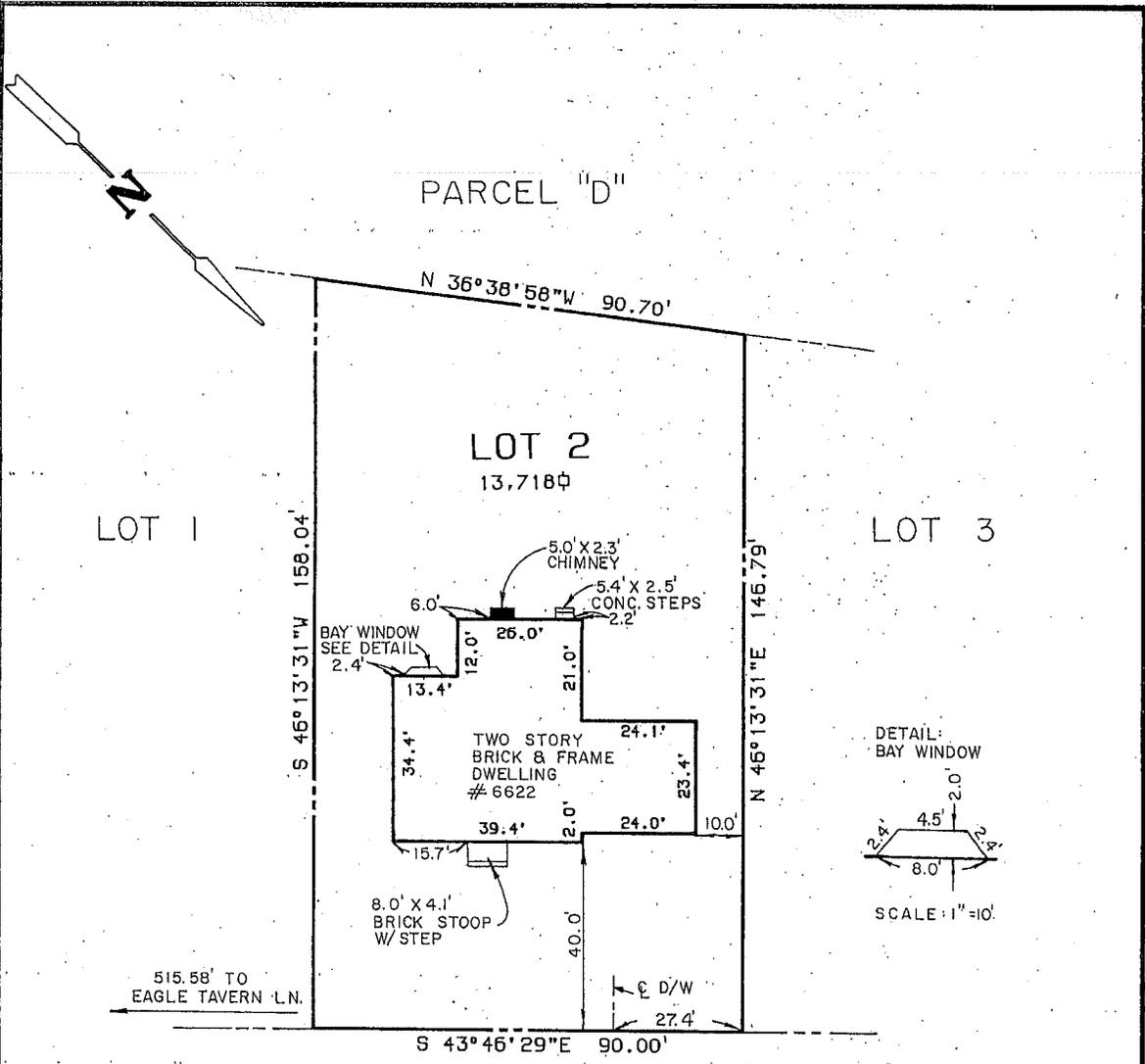
**REMARKS** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

FOR COUNTY USE ONLY:

Date _____ By _____	Fee _____
Approved for Issuance of Building Permit _____	Filing Fee <u>3873</u>
	Amount Due _____

The request for and use of personal information on this form is subject to the provisions of the Privacy Protection Act of 1976 and the Freedom of Information Act.  
 I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that if a permit is issued the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations including private building restrictions, if any, which relate to the property. He/She and the company or organization named and represented herein is duly registered or exempt from registration in accord with the provisions of Chapter 7 of the Code of Virginia.

Signature of Owner or Agent \_\_\_\_\_ Date \_\_\_\_\_ Notary Signature \_\_\_\_\_ Date \_\_\_\_\_



**PELHAMS TRACE**  
(50' R/W)

**FINAL APPROVAL**

SEP 28 1990

ZONING ADMINISTRATION DIVISION  
OFFICE OF COMPREHENSIVE PLANNING

THE LOT SHOWN ON THIS PLAT IS IN A H.U.D. FLOOD HAZARD AREA ZONE C, AN AREA OF MINIMAL FLOOD HAZARD ACCORDING TO H.U.D. F.I.A. MAP COMMUNITY NO. 515525C SHEET # H & I - 15.

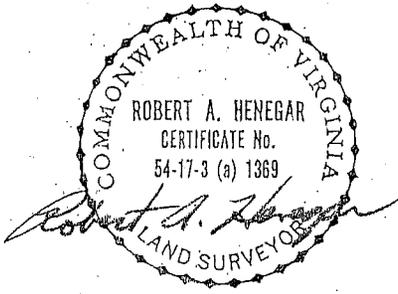
- NOTES:
1. THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN ESTABLISHED BY A TRANSIT-TAPE SURVEY.
  2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
  3. THIS SURVEY IS NOT TO BE USED FOR ANY CONSTRUCTION.

HOUSE LOCATION SURVEY  
LOT 2  
WELTMAN ESTATES  
SECTION FIVE

SPRINGFIELD DISTRICT  
FAIRFAX COUNTY, VIRGINIA  
SCALE: 1" = 30' DATE: FEBRUARY 27, 1990

**PATTON HARRIS RUST & ASSOCIATES**  
A PROFESSIONAL CORPORATION  
CONSULTING ENGINEERING - LAND SURVEYING - PLANNING  
FAIRFAX, VIRGINIA

DRAWN BY: SMB CHECKED BY: RTJ



# BUILDING PERMIT APPLICATION

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES  
 PERMIT APPLICATION CENTER  
 12055 Government Center Parkway, 2nd Floor  
 Fairfax, Virginia 22035-5504 Telephone: 703-222-0801  
 Web site: <http://www.co.fairfax.va.us/dpwec>

PERMIT # 0407630570

FOR INSPECTIONS CALL 703-222-0455 (see back for more information)

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

**JOB LOCATION**  
 ADDRESS 6022 PELHAMS TRACE  
 LOT # 2 BUILDING \_\_\_\_\_  
 FLOOR \_\_\_\_\_ SUITE \_\_\_\_\_  
 SUBDIVISION WOLFMAN ESTATES  
 TENANT'S NAME SUIS

**OWNER INFORMATION** OWNER  TENANT   
 NAME Mrs. BHATIA  
 ADDRESS 6022 PELHAMS TRACE  
 CITY CONTRAILS STATE VA ZIP 20120  
 TELEPHONE 703-818-9632

**CONTRACTOR INFORMATION** SAME AS OWNER   
 CONTRACTORS MUST PROVIDE THE FOLLOWING:  
 COMPANY NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
 TELEPHONE \_\_\_\_\_  
 STATE CONTRACTORS LICENSE # \_\_\_\_\_  
 COUNTY BPOL # \_\_\_\_\_

**APPLICANT** J + A HUNK

**DESCRIPTION OF WORK**  
DECK

PE. COUNTY DETAIL  
W/STAIRS 2.6 x 16

HOUSE TYPE \_\_\_\_\_  
 ESTIMATED COST OF CONSTRUCTION \$ 6000  
 BLDG AREA (SQ FT OF FOOTPRINT) 416 sq.  
 USE GROUP OF BUILDING \_\_\_\_\_  
 TYPE OF CONSTRUCTION \_\_\_\_\_  
 SEWER SERVICE PUBLIC  SEPTIC  OTHER   
 WATER SERVICE PUBLIC  WELL  OTHER   
 OTHER PLEASE SPECIFY \_\_\_\_\_

**DESIGNATED MECHANICS' LIEN AGENT**  
 (Residential Construction Only)  
 NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

NONE DESIGNATED  PHONE \_\_\_\_\_

**CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS**

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

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY

PLAN # 0407630570  
 TAX MAP # 024-1-05-05-000

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	<u>3-16-04</u>	<u>SS</u>
SITE PERMITS	<u>3/16/04</u>	<u>(Dad, SIP)</u>
HEALTH DEPT.		
BUILDING REVIEW		
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE	\$ _____
FILING FEE	\$ _____
AMOUNT DUE	\$ _____

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

**APPROVED FOR ISSUANCE OF BUILDING PERMIT**  
 (LOG OUT)  
 BY CPA DATE 3-16-04

**ZONING REVIEW**  
 USE S13  
 ZONING DISTRICT R-C HISTORICAL DISTRICT \_\_\_\_\_  
 ZONING CASE # \_\_\_\_\_  
 GROSS FLOOR AREA OF TENANT SPACE \_\_\_\_\_

YARDS:	GARAGE	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
FRONT <u>AC</u>	OPTIONS	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
FRONT <u>AC</u>	REMARKS	<u>Open Deck w/STAIRS</u>		
L SIDE <u>28'</u>				
R SIDE <u>20'</u>				
REAR <u>47'</u>				

**GRADING AND DRAINAGE REVIEW**  
 SOILS # \_\_\_\_\_ A  B  C   
 AREA TO BE DISTURBED (TOTAL SQ FT THIS PERMIT) \_\_\_\_\_  
 IMPERVIOUS AREA (TOTAL SQ FT THIS PERMIT) \_\_\_\_\_  
 PLAN # \_\_\_\_\_ APPR. DATE \_\_\_\_\_

**STAMPS**

(See reverse side of application)

**REMARKS** Sketch attached

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

K. Hunk 03/16/04  
 Signature of Owner or Agent Date  
Jose Hunk AGENT  
 Printed Name and Title  
 (Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

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

FOOTINGS AND PIERS MUST BE PLACED ON COMPETENT MATERIAL.

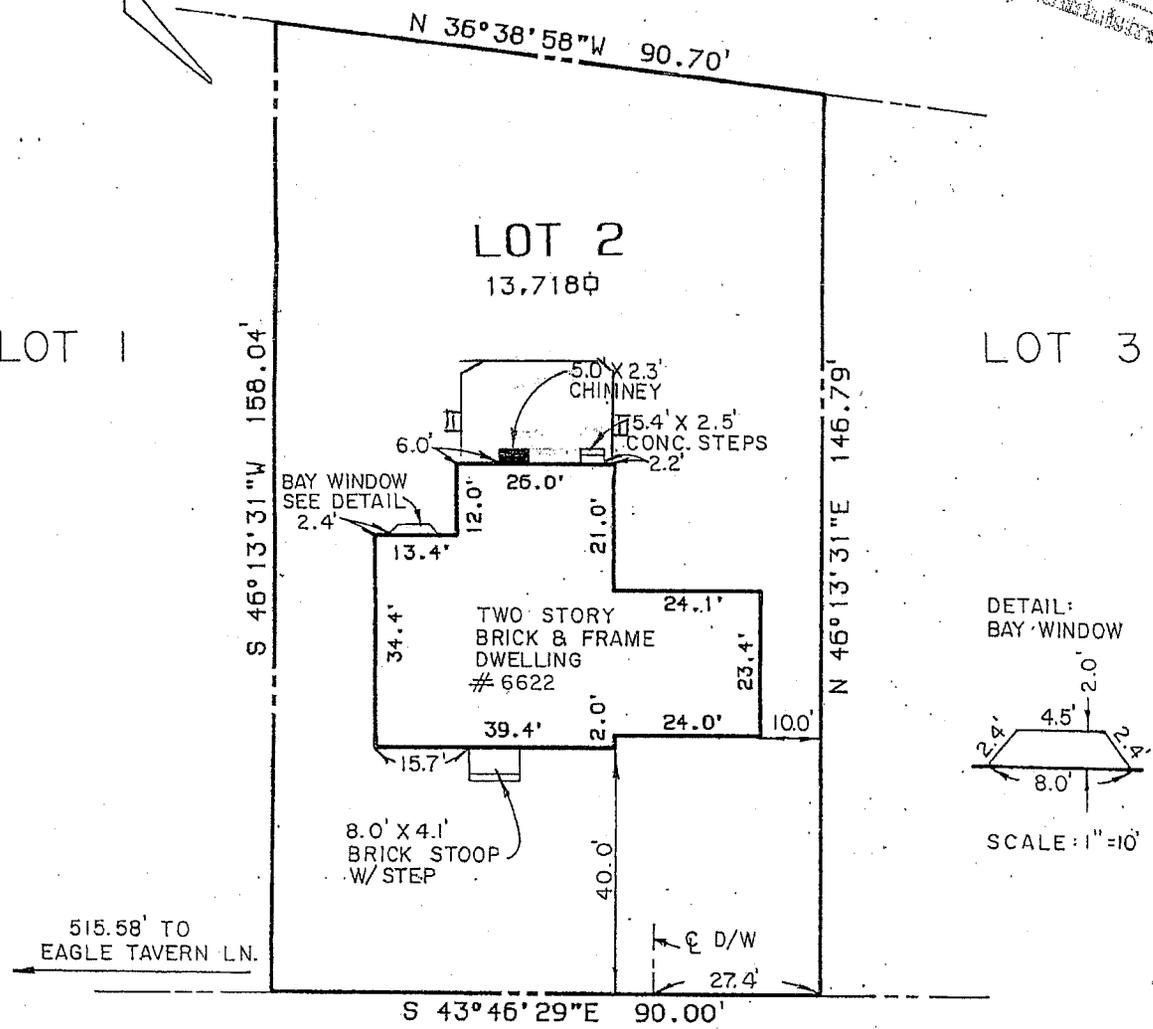
APPROVED  
 3-16-04 ss  
*William E. Adams*  
 Zoning Administrator

PARCEL "D"

LOT 1

LOT 3

LOT 2  
 13,718 $\phi$



515.58' TO EAGLE TAVERN LN.

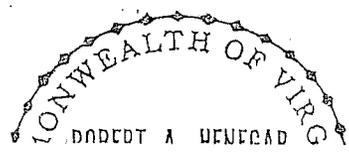
PELHAMS TRACE  
 (50' R/W)

DPW&ES  
 Office of Building  
 Code Services  
 Approved for

By: *W. E. Adams*  
 Date: 3/16/04

THE LOT SHOWN ON THIS PLAT IS IN A H.U.D. FLOOD HAZARD AREA ZONE C, AN AREA OF MINIMAL FLOOD HAZARD ACCORDING TO H.U.D. F.I.A. MAP COMMUNITY NO. 515525C SHEET # H & I - 15.

- NOTES:
1. THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN ESTABLISHED BY A TRANSIT-TAPE SURVEY.
  2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
  3. THIS SURVEY IS NOT TO BE USED FOR ANY CONSTRUCTION.



**AGENCY REVIEW COMMENTS****Eddy, Heath**

---

**From:** Nguyen, Quy  
**Sent:** Monday, November 02, 2015 10:29 AM  
**To:** Eddy, Heath  
**Subject:** SP 2015- SU- 127 for 6622 Pelhams Trace

Hi Heath;

After reviewing the above special permit application, SDID provide the following comments:

The property is not located in an RPA or floodplain.

There is no current drainage complaint from the neighbors in the vicinity

The proposed addition will add approximately 580 sf to the existing impervious area on the lot, and it is not exempt under chapter 124 County Code, therefore Best Management Practice (BMP) shall be required for the work. Final impervious area is approximately 3960 sf, about 29% of the lot.

Please let me know if you have any questions.

Thanks

**Quy Nguyen, Engineer II, MS, EIT**  
*Land Development Services*  
*Site Development and Inspections Division*  
*Direct: 703-324-1464*  
*Email: [quy.nguyen@fairfaxcounty.gov](mailto:quy.nguyen@fairfaxcounty.gov)*



## County of Fairfax, Virginia

## MEMORANDUM

RECEIVED  
Department of Planning & Zoning  
OCT 28 2015  
Zoning Evaluation Division

**DATE:** October 27, 2015

**TO:** Heath Eddy, Staff Coordinator  
Zoning Evaluation Division, DPZ

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

**SUBJECT:** Weltman Estates Section 5, Lot 2-SP 2015-SU-127

I have reviewed the above referenced Special Permit stamped "Received, Department of Planning & Zoning, September 4, 2015, and a Written Statement of Justification stamped dated September 10, 2015, and a Plat Plan stamped dated August 26, 2015. A site visit was conducted on October 22, 2015. The following comment is based on this review.

This application proposes no work that is likely to result in impacts to existing trees. No additional landscape plantings are required. Forest Conservation branch staff has no further comments regarding this application.

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

lb/

UFMDID #: 204540

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](http://www.fairfaxcounty.gov/dpwes)



## Zoning Ordinance Provisions

### 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.

**8-913 Provisions for Approval of Modifications to the Minimum Yard Requirements for Certain R-C Lots**

The BZA shall approve a special permit to allow a modification to the minimum yard requirements of the R-C District, but only in accordance with the following provisions:

1. The proposed dwelling or addition thereto is on a lot which was comprehensively rezoned to the R-C District on July 26, 1982 or August 2, 1982 and such lot was: (a) the subject of final plat approval prior to July 26, 1982, or (b) recorded in accordance with a final consent decree entered in Chancery No. 78451 by the Fairfax County Circuit Court on September 17, 1985, or (c) recorded in accordance with a final consent decree entered in Chancery Nos. 78425, 78452, 78454, 78461, 78462 and 78465 by the Fairfax County Circuit Court on September 17, 1985, as amended by a final consent decree entered on November 25, 1991 by the Fairfax County Circuit Court in Chancery No. 123887.
2. Such modification shall result in a yard not less than the minimum yard requirement of the zoning district which was applicable to the lot on July 25, 1982.
3. Such a modification shall be approved if it is established that the resultant development will be harmonious with existing development in the neighborhood and will not adversely impact the public health, safety and welfare of the area.
4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plat. Such plat shall be prepared by a certified land surveyor or registered engineer except plats submitted for

additions to existing single family dwellings or accessory structures related to existing single family dwellings may be prepared by the applicant. Such plat shall contain the following information:

- A. The dimensions of the lot or parcel, the lot lines thereof, and the area of land contained therein.
- B. The location, dimensions 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 and for accessory structures, the height of the highest point of the structure from finished ground level.
- C. The distance from all property lines to the proposed building, structure or addition, shown to the nearest one-tenth of a foot.

- D. The existing and intended use of each building or structure or part thereof, including the number of dwelling units within a dwelling.
- E. The location and configuration of any existing or proposed off-street parking space(s), the number of spaces proposed to be provided, and information as to the proposed surfacing of such areas.
- F. The delineation of any Resource Protection Area and Resource Management Area.
  - G. The signature and certification number, if applicable, of the person preparing the plat.