



APPLICATION ACCEPTED: January 27, 2016
BOARD OF ZONING APPEALS: April 13, 2016 @ 9:00 a.m.

County of Fairfax, Virginia

April 6, 2016

STAFF REPORT

SPECIAL PERMIT SP 2016-PR-005

PROVIDENCE DISTRICT

APPLICANT / OWNER: Hala Ghannam

STREET ADDRESS: 10462 White Granite Court, Oakton, VA 22124

SUBDIVISION: Arrowwood

TAX MAP REFERENCE: 47-4 ((12)) 15A

LOT SIZE: 2,739 square feet

ZONING DISTRICT: R-20

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit a reduction of certain yard requirements to permit the construction of an addition such that the rear yard measures 17 feet

STAFF RECOMMENDATION:

Staff recommends denial of SP 2016-PR-005 for the addition. However, if it is the intent of the BZA to approve the Special Permit application, staff recommends the BZA condition its approval by requiring conformance with the proposed development conditions contained 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 applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Kelly Posusney, 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.

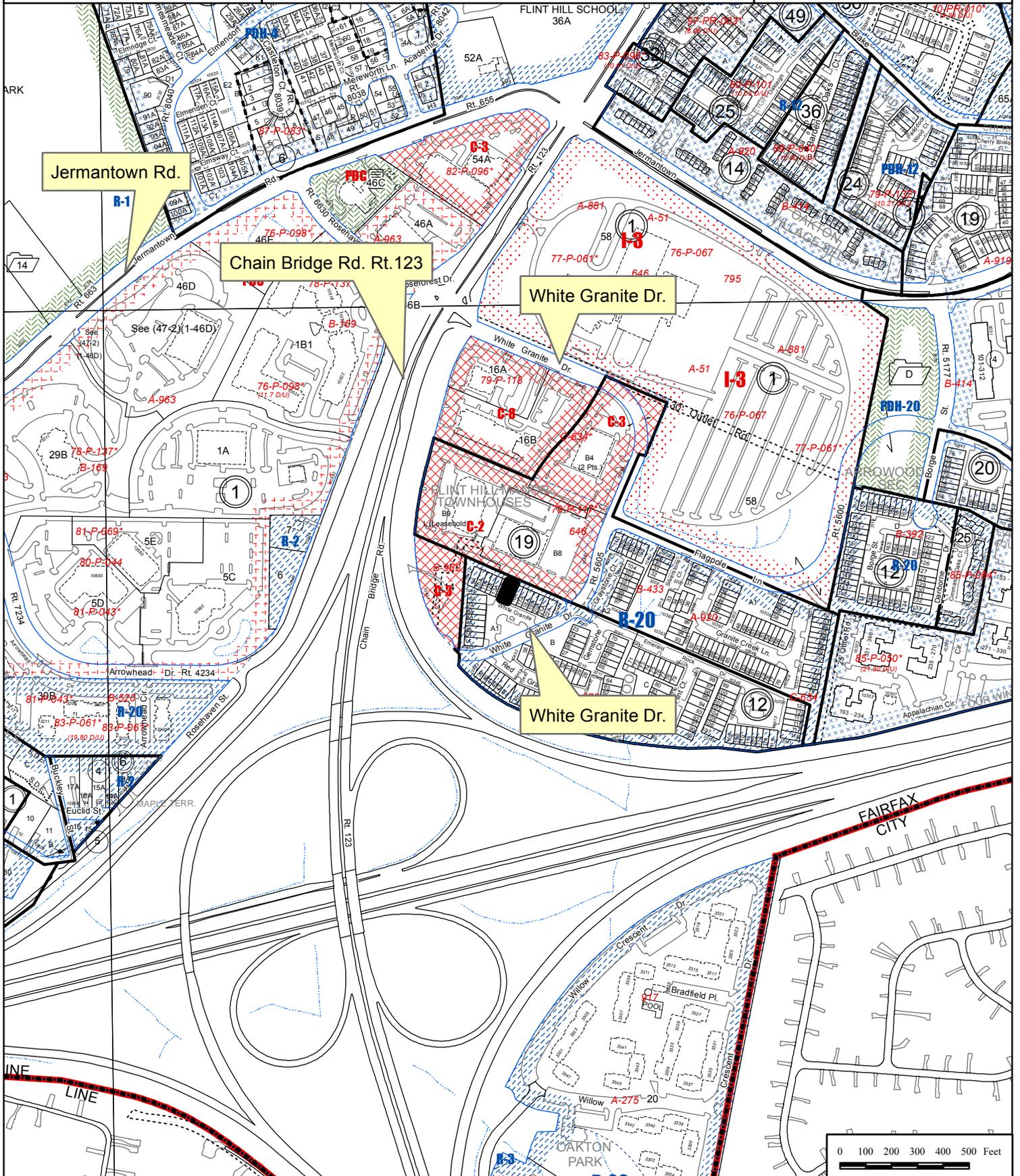
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-55**



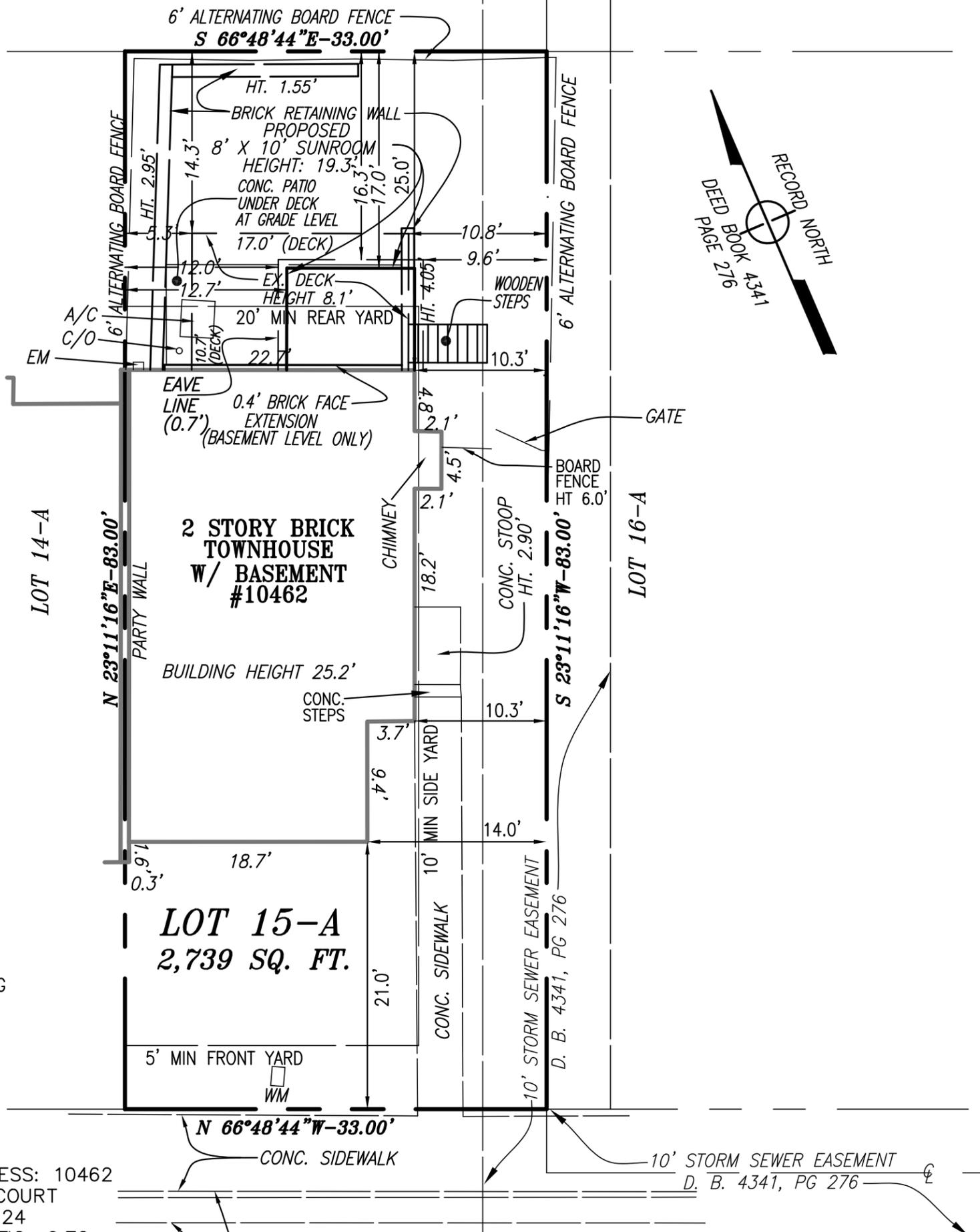
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



Special Permit SP 2016-PR-005 HALA GHANNAM



PARCEL A

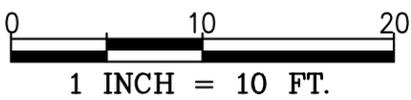
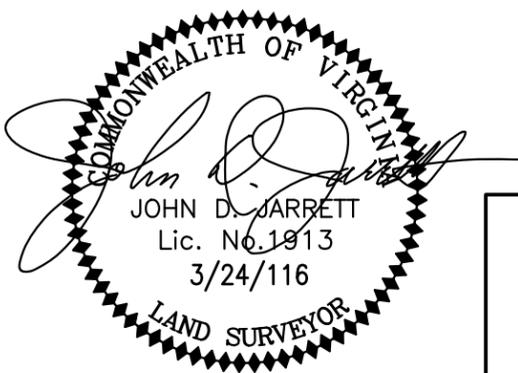


LEGEND

- IPF - IRON PIPE FOUND
- CONC. - CONCRETE
- EM - ELECTRIC METER
- RET. - RETAINING
- A/C - AIR CONDITIONING
- SQ. FT. - SQUARE FEET
- HT - HEIGHT
- C/O - CLEANOUT
- WM - WATER METER

NOTES

1. PROPERTY ADDRESS: 10462 WHITE GRANITE COURT OAKTON, VA 22124
2. FLOOR AREA RATIO: 0.72 INCLUDING 352 SQUARE FEET IN BASEMENT. (EXISTING)
3. NO TITLE REPORT FURNISHED.
4. THIS PROPERTY IS SERVICED BY PUBLIC SEWER AND WATER.
5. THERE ARE NO GRAVES OR BURIAL GROUNDS KNOWN TO BE ON THIS PROPERTY.
6. NO EASEMENTS OF 25 FEET OR GREATER ARE KNOWN TO EXIST ON THIS PROPERTY.
7. CURRENT ZONING: R-20.
8. THIS PROPERTY IS DEPICTED ON FEMA FLOOD HAZARD MAP NUMBER 51059C0262E AND IS LOCATED IN FLOOD HAZARD ZONE X, AN AREA WITH A 0.2% ANNUAL CHANCE OF FLOODING.
9. THERE IS NO RPA ON THIS PARCEL.
10. EXISTING SQUARE FOOTAGE OF DWELLING - 1,982 S.F. PROPOSED ADDITION: 80 S.F. TOTAL 2,062 S.F. YIELDING AN INCREASE OF 4.0%



PARCEL A
 WHITE GRANITE COURT
 PRIVATELY OWNED & MAINTAINED STREET
 WITH DIRECT ACCESS TO WHITE GRANITE
 DR. RT. 5605

**SPECIAL PERMIT PLAT
 FOR LOT 15-A
 OF THE RESUBDIVISION
 OF LOTS 1~22,
 SECTION ONE OF
 ARROWOOD**

DEED BOOK 4851 PAGE 202
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 SCALE: 1" = 10' DATE: NOVEMBER 12, 2015
 REVISED MAR. 24, 2016

P.O. Box 9051
 McLean, VA 22102
 Phone: 703.938.7544
 Fax: 703.938.7709
 Toll Free: 800.938.7709
 email: Survey@Jarrettfamily.com

Surveying Northern Virginia since 1960

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a reduction of certain yard requirements to permit the construction of an addition 17 feet from the rear lot line. The applicant is proposing to convert an existing deck into an 8' x 10' sunroom addition. The sunroom will measure 19.3 feet tall and the addition will add 80 square feet in gross floor area.

A copy of the special permit plat, titled "Special Permit Plat For Lot 15-A of the Resubdivision of Lots 1-22, Section 1, Arrowood," prepared by Jarrett Surveys, Inc. on November 12, 2015, as revised on March 24, 2016, is included in the front of the staff report.

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

CHARACTER OF THE SITE AND SURROUNDING AREA

The 2,739 square foot property consists of a two-story townhouse with basement. Vehicular access is provided off of White Granite Court. A private parking lot surrounding the townhome community includes assigned parking spaces for the residents. Sidewalks and a walkway to the front door provide access to the home. There is an existing 8.1 foot tall open, wood deck attached to the rear of the home. The space under the deck has pavers and provides access to the basement door. A 6.0 foot tall solid wood fence encloses the rear of the property.

The subject property and the surrounding properties to the east and south are zoned R-20 and developed with single family detached dwellings. The property to the west is vacant land zoned C-3. The area to the north is zoned C-2 and is developed with a three-story office building and parking garage.



Aerial View of Property (Source: Fairfax County Pictometry)

BACKGROUND AND HISTORY

Fairfax County Tax Records indicate that the townhouse was constructed in 1979 and purchased by the applicant in 1987. A building permit was issued on May 12, 1987 for the installation of a patio door in place of a window, a concrete patio and exterior stairs. The existing wood deck was constructed in lieu of the patio. Staff is unable to locate a building permit for the wood deck. A development condition has been proposed that requires the applicant to apply for building permits within thirty (30) days.

DESCRIPTION OF THE REQUEST

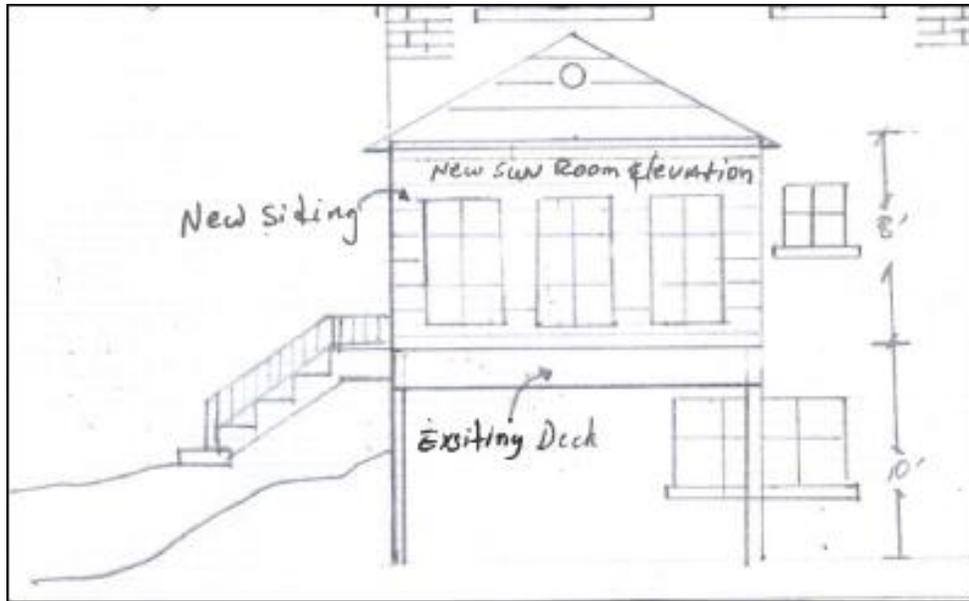
The applicant is requesting approval of a special permit for a reduction in yard requirements to permit the construction of a sunroom, located 17 feet from the rear lot line. In the R-20 District the required rear yard is 20 feet; therefore the applicant is requesting a reduction of 3 feet, or 15 percent of the total minimum rear yard.

The original submission proposed a 10' x 14' sunroom, totaling 140 square feet. The sunroom was to be located 14.3 feet from the rear lot line resulting in requesting a reduction of 5.7 feet, or 28.5 percent of the total minimum rear yard. Staff was concerned with the bulk of the proposed structure and its adverse impact on the adjacent property.

To address staff's concerns, the applicant reduced the proposed sunroom by 60 square feet to be an 8' x 10' addition located 17 feet from the rear lot line. The rear yard setback for the R-20 district is 20 feet. Since the townhouse is situated 25 feet from the lot line, a 5 foot wide addition would be allowed by-right. In order to create a usable space, the applicant is proposing an 8' x 10' sunroom. The reduced footprint of the sunroom is an improvement from the original submission. However, staff still asserts that the proposed addition will adversely impact surrounding properties due to its bulk and height above the adjacent lot to the west.

	Structure	Yard	Minimum Yard Required	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
Special Permit (50%)	Sunroom	Rear	20 feet (Controlled by a 30 ^o angle of bulk plane)	17 feet	3 feet	15%

The sunroom addition would be approximately 80 square feet in size and located in the rear of the property. The roofline of the proposed sunroom is proposed to be 19.3 feet tall. The proposed materials are beige siding consistent with the materials of the existing dwelling.



Proposed Elevation

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area II, Fairfax Planning District
Planning Sector: Mosby Woods Community Planning Sector (F3)
 Flint Hill Suburban Center
Plan Map: Residential, 8-12 dwelling units per acre

Site Specific Text: Page 22 of the 2013 Edition of the Area II Plan, Fairfax Planning District, Flint Hill Suburban Center, as amended through 10-20-2015 under the heading “Land Unit C,” states:

“Land Unit C, approximately 20 acres, contains the Arrowhead townhouse subdivision. This land unit is planned and developed at a density of 8-12 dwelling units per acre.”

Zoning District Standards

Bulk Standards (R-20)		
Standard	Required	Provided
Lot Size	No Minimum Required	2,739 square feet
Lot Width	18 feet	32.7 feet
Building Height	35 feet max.	25.2 feet
Front Yard	Min. 5 feet	21 feet

Bulk Standards (R-20)		
Standard	Required	Provided
	(Controlled by 15° ABP ¹)	
Side Yard	Min. 10 feet (Controlled by 15° ABP)	10.3 feet
Rear Yard	Min. 20 feet (Controlled by 30° ABP)	17 feet ²

¹ ABP = Angle of Bulk Plane

²As proposed with this Special Permit Application (SP 2016-PR-005) for a Reduction of Certain Yard Requirements

Zoning Ordinance Requirements (Appendix 4)

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

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

Standards 1 and 2 Comprehensive Plan/ Zoning District	The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-20 District allows a reduction in minimum required yards with special permit approval.
Standard 3 Adjacent Development	In staff's opinion, the sunroom addition could adversely affect the neighboring properties. The lots are small and this structure is elevated with a height of 19.3 feet. Additionally, this addition would impact sunlight to the main floor of the neighbor directly adjacent. While the reduced footprint of the addition is a better alternative to the originally proposed 10' x 14' sunroom, the negative impacts to adjacent development still exist.
Standard 4 Pedestrian/Vehicular Traffic	No increase in vehicular or pedestrian traffic is expected with this application. In staff's opinion, the proposed sunroom is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
Standard 5 Landscaping/Screening	Mature vegetation provides adequate screening between the rear of the property and the commercial development to the north. A 6.0 foot tall solid wood fence encloses the rear of the property.
Standard 6 Open Space	There is no prescribed open space requirement on individual lots in the R-20 District.
Standard 7 Utilities, Drainage, Parking, and Loading	There are no changes to the utilities and drainage serving the property or use. The existing street parking on White Granite Court will be used for parking.
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 minimum required yards are requested to be modified with the special permit application.
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 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 (Sect. 8-922)

Standard 1 Yard Requirements Subject to Special Permit	<p>A. <i>Minimum required yards – Yards not less than 50% of the requirement and not less than 5 feet:</i> The proposed addition would be located 17 feet from the rear lot line. The required rear yard in a R-20 District is 20 feet, resulting in a reduction of 3 feet, or 15 percent.</p> <p>B. <i>Pipestem lots – N/A</i></p> <p>C. <i>Accessory structure locations – N/A</i></p> <p>D. <i>Extensions into minimum required yards allowed by Sect. 2-412: N/A</i></p>
Standard 2 Not a Detached Structure in a Front Yard	Not applicable to the subject application.
Standard 3 Principal Structure that Complied with yard Requirements When Established	When the existing structure was built in 1979, it conformed to all applicable requirements at that time.
Standard 4 Addition No More than 150% of Existing Gross Floor Area (GFA)	The sunroom addition is 80 square feet. The existing GFA of the primary structure is 1,982 square feet; therefore, the proposed addition will be 4% of the GFA.
Standard 5 Accessory Structure Subordinate in Purpose, Scale, Use, and Intent	The sunroom will be included as a part of the principal structure, so this standard is not applicable.
Standard 6	The proposed addition will be constructed to the rear of the existing dwelling at a height of 19.3 feet. The townhouse is 25.2 feet tall. The statement of justification and elevation

<p>Construction in Character with On-Site Development</p>	<p>drawings indicate that the materials of the proposed addition would be consistent with the existing beige siding on the dwelling. The townhouse is mostly a red brick façade with a few accents of beige siding on the side elevation above the front door. The sunroom is proposed to be new siding and staff has concerns the addition will change the look of the rear elevation for the townhome which was all red brick.</p>
<p>Standard 7 Construction Harmonious with Off-Site Development</p>	<p>Utilizing the statement of justification, aerial photography, photos and elevations submitted by the applicant, staff has determined that the proposed 8' x 10' sunroom addition, although reduced in size and bulk from the originally proposed 10' x 14' sunroom addition, will not be harmonious with surrounding uses.</p> <p>There are no other enclosed structures encroaching into the rear setback in this 20 acre subdivision. There are elevated decks, similar to the one at this site, but no enclosed additions in the setback. It does not appear this addition will be harmonious with its surroundings. In fact, this may create a precedent and change the character of the area.</p>
<p>Standard 8 Construction Shall Not Adversely Impact Adjacent Properties</p>	<p>Staff believes that the proposed addition may affect the use and/or enjoyment of the adjacent property with regard to issues such as light. Specifically, staff has concerns that since the enclosed sunroom will be elevated, the amount of natural light into the adjacent property may be significantly affected.</p>
<p>Standard 9 Represents the Minimum Amount of Reduction Necessary</p>	<p>Staff believes the special permit application proposal, as revised to show an 8' x 10' addition, though smaller than the original request, is still not the minimum amount. The applicant could construct a 5 foot wide alcove by-right within the required 20 foot setback.</p> <p>Other issues of yard determination, environmental characteristics, slopes, wells, floodplain and/or Resource Protection Areas and historic resources are not applicable to this site.</p>
<p>Standard 10 BZA May Impose Conditions</p>	<p>If it is the intent of the BZA to approve the Special Permit application, proposed development conditions are included in Appendix 1.</p>
<p>Standard 11 Submission Requirements</p>	<p>A copy of the plat is included in the beginning of this report.</p>
<p>Standard 12 Architectural Elevations</p>	<p>Proposed elevations are included as an attachment to the development conditions in Appendix 1.</p>

CONCLUSION / RECOMMENDATION

Staff believes that the request for a special permit for reduction in certain yard requirements to permit a sunroom addition is not conformance with the Zoning Ordinance provisions and elements of the Comprehensive Plan as outlined above in the analysis section of the staff report. Therefore, staff recommends denial of SP 2016-PR-005 for the addition. However, if it is the intent of the BZA to approve the Special Permit application, staff recommends the BZA condition its approval by requiring conformance with the proposed development conditions contained 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 Zoning Ordinance Provision

PROPOSED DEVELOPMENT CONDITIONS**SP 2016-PR-005****April 6, 2016**

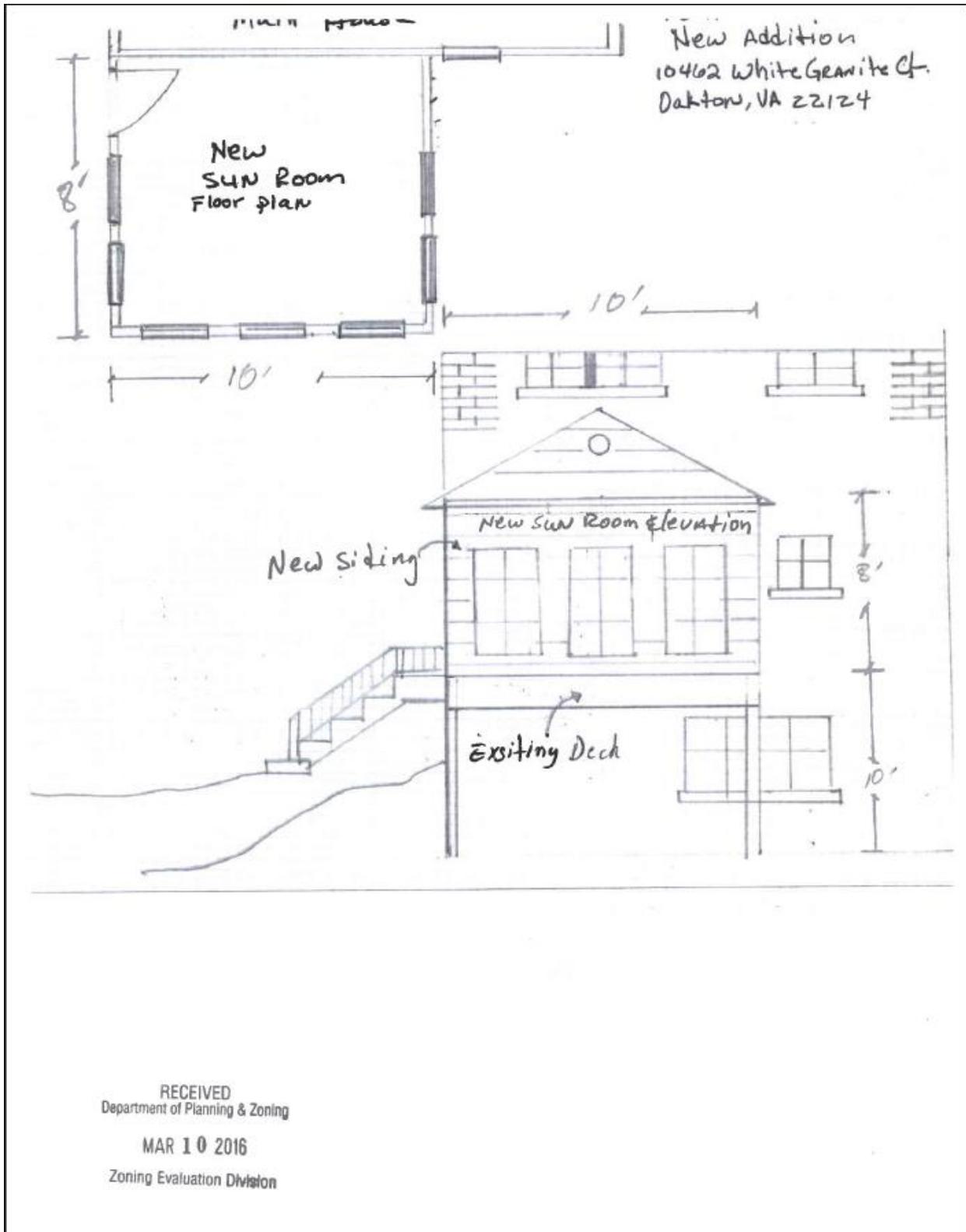
If it is the intent of the Board of Zoning Appeals to approve SP 2016-PR-005 located at Tax Map 47-4 ((12)) 15A to permit a reduction of certain yard requirements pursuant to Section 8-922 of the Fairfax County Zoning Ordinance, specifically to permit a residential addition (8' x 10' sunroom) such that the rear yard measures 17 feet, staff recommends 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 sunroom (80 square feet and 19.3 feet in height), as shown on the plat titled "Special Permit Plat For Lot 15-A of the Resubdivision of Lots 1-22, Section 1, Arrowood," prepared by Jarrett Surveys, Inc. on November 12, 2015, as revised on March 24, 2016, 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 (1,982 square feet existing + 2,973 square feet (150%) = 4,955 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 shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings as shown on Attachment 1 to these conditions.
5. Within thirty (30) days of approval, the applicant shall apply for all applicable building permits for the existing deck and shall pass any required inspections within 180 days.

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, thirty (30) months after the date of approval unless building permits for the addition have been filed and construction has commenced and 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.



RECEIVED
Department of Planning & Zoning

JAN 20 2016

Zoning Evaluation Division

Statement of Justification

The following represents the revised Statement of Justification of items # 4, 6-9 ON THE STANDARDS OF 8-922

4. The existing house is 1,982 S.F. The Proposed addition is 140 S.F. Totaling at 2,122 S.F. YIELDING AN INCREASE OF 7.1%

6. The proposed development will be in character with the existing on-site development as it will be built on location of existing structure. The height, bulk and scale of structure will not interfere with any surrounding properties or extend outside existing structure.

7. The proposed development is harmonious with the surrounding off site uses and structures in terms of location, height, bulk and scale of surrounding structures, typography, existing vegetation and the preservation of any significant trees. No trees or vegetation shall be removed through this process.

8. THIS PROPERTY IS DEPICTED ON FEMA FLOOD HAZARD MAP NUMBER 51059C0262E AND IS LOCATED IN FLOOD HAZARD ZONE X, AN AREA WITH A 0.2% ANNUAL CHANCE OF FLOODING. Therefore the property shall not interfere with erosion and storm water runoff. The development will have no impact on adjacent properties regarding noise, light, air, safety, as well as the above stated erosion and storm water runoff.

9. The distance from proposed development to property line is 14.3', code requires 12 feet from the proposed structure to the property line. The proposed reduction represents a minimum amount of reduction that will be necessary to accommodate the proposed structure (Shown on Plat)

- H. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.

Hazardous or Toxic Substances. There are no known hazardous or toxic substances. No hazardous materials will be generated, utilized, stored, treated, and/or disposed of onsite.



Applicant's Signature

06-03-15

Date

- I. A statement that the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or, if any waiver, exception or variance is sought by the applicant from such ordinances, regulations, standards and conditions, such shall be specifically noted with the justification for any such modification.

Zoning Ordinance Compliance. The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought, such request has been specifically noted with the justification for such modification.



Applicant's Signature

06-03-15

Date

**Fairfax Family Practice
3650 Joseph Siewick Dr.
Suite 400
Fairfax, VA 22033**

Aug 28 2014

Amnah Y. Ghannam
10462 White Granite Ct
Oakton, VA 22124

RECEIVED
Department of Planning & Zoning

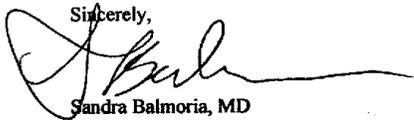
MAY 27 2015

Zoning Evaluation Division

To Whom It May Concern:

Ms Amnah Ghannam has been my patient for 2 years. She has multiple medical conditions which would benefit from daily exposure to sunlight. Unfortunately, some of her other medical conditions make it difficult for her to be outdoors in an unprotected space. It would be helpful for her to have access to a protected space with exposure to sunlight. We therefore support her daughter's plan to enclose her deck to be used as a sunroom.

Sincerely,



Sandra Balmoria, MD

FAIRFAX FAMILY PRACTICE
A VCU Academic Center

3650 Joseph Slewick Dr. #400
Fairfax, VA 22033
703-391-2920 / www.fairfaxfamilypractice.com

Patient: Ammah Y Abu Ghannam Date: 11/23/12

Address: _____

Rx *Patient requires to be only on the 1st floor - may benefit pt to clock in to the deck Dr Schwab (fall risk)*

NPI# _____
DEA No: 1801182373 Refill 1 2 3 4

Dispense as written
 Voluntary Formulary Permitted Nalley M. Pharis DO
Prescriber

If neither box is marked, a voluntary formulary product must be dispensed

RECEIVED
Department of Planning & Zoning
MAY 27 2015
Zoning Evaluation Division

21 November 2012

Arrowood Board of Directors:

Please accept this letter as notification that we support Hala Ghannam's plan to build an enclosed sun room. We have not seen any pictures/sketches of the proposed project but assume it will follow County and Association regulations.

Sincerely,



**Wayne & Raelene Sok
Owners
10464 White Granite Ct.
Oakton, VA 22124**

RECEIVED
Department of Planning & Zoning
MAY 27 2015
Zoning Evaluation Division



Front Door



Rear of the Residence (Location of Sunroom)

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JUNE 24, 2015
 (enter date affidavit is notarized)

130120

I, Hala A. G. hanna, 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)
Hala A. G. hanna	10462 White Granite Ct. Oakton, VA 22124	OWNER APPLICANT
RISHI D. GHANVAM RG CONTRACTORS LLC	1320 OLD CHAIN BRIDGE RD. MCLEAN VA 22101 SUITE 413	AGENT

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

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

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

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

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JUNE 24, 2015
(enter date affidavit is notarized)

130120

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)

RG CONTRACTORS LLC
1320 OLD CHAIN BRIDGE RD, SUITE 413
MCLEAN, VA 22101

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)

RAAFAT R. GHANAM

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

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

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

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JUNE 24, 2015
(enter date affidavit is notarized)

130120

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

PARTNERSHIP INFORMATION

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

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

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

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

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

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

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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JUNE 24, 2015
(enter date affidavit is notarized)

130120

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: JUNE 24, 2015
(enter date affidavit is notarized)

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

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

None

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

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

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

WITNESS the following signature:

(check one) Applicant [] Applicant's Authorized Agent

H. Ghannam
Hela A. Ghannam owner / Applicant
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 24 day of JUNE 2015, in the State/Comm. of VIRGINIA, County/City of LOUDOUN.

My commission expires: 08/31/2016



(Handwritten signature)

8-006 General Standards

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

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

8-903 Standards For All Group 9 Uses

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

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

8-922 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.