



County of Fairfax, Virginia

April 13, 2016

STAFF REPORT

SPECIAL PERMIT SP 2016-LE-006

LEE DISTRICT

APPLICANTS/OWNERS: Timothy Larry Grimsby
Stephanie Marie Grimsby

STREET ADDRESS: 6809 Lois Drive, Springfield, 22150

SUBDIVISION: Loisdale Estates

TAX MAP REFERENCE: 90-4 ((6)) 229

LOT SIZE: 10,918 square feet

ZONING DISTRICT: R-3

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction in certain yard requirements to permit construction of an addition (enclosed carport) 11.1 feet from a side lot line.

STAFF RECOMMENDATION:

Staff recommends approval of SP 2016-LE-006 for the addition with adoption of the proposed development conditions contained in Appendix 1.

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

Erin M. Haley

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

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

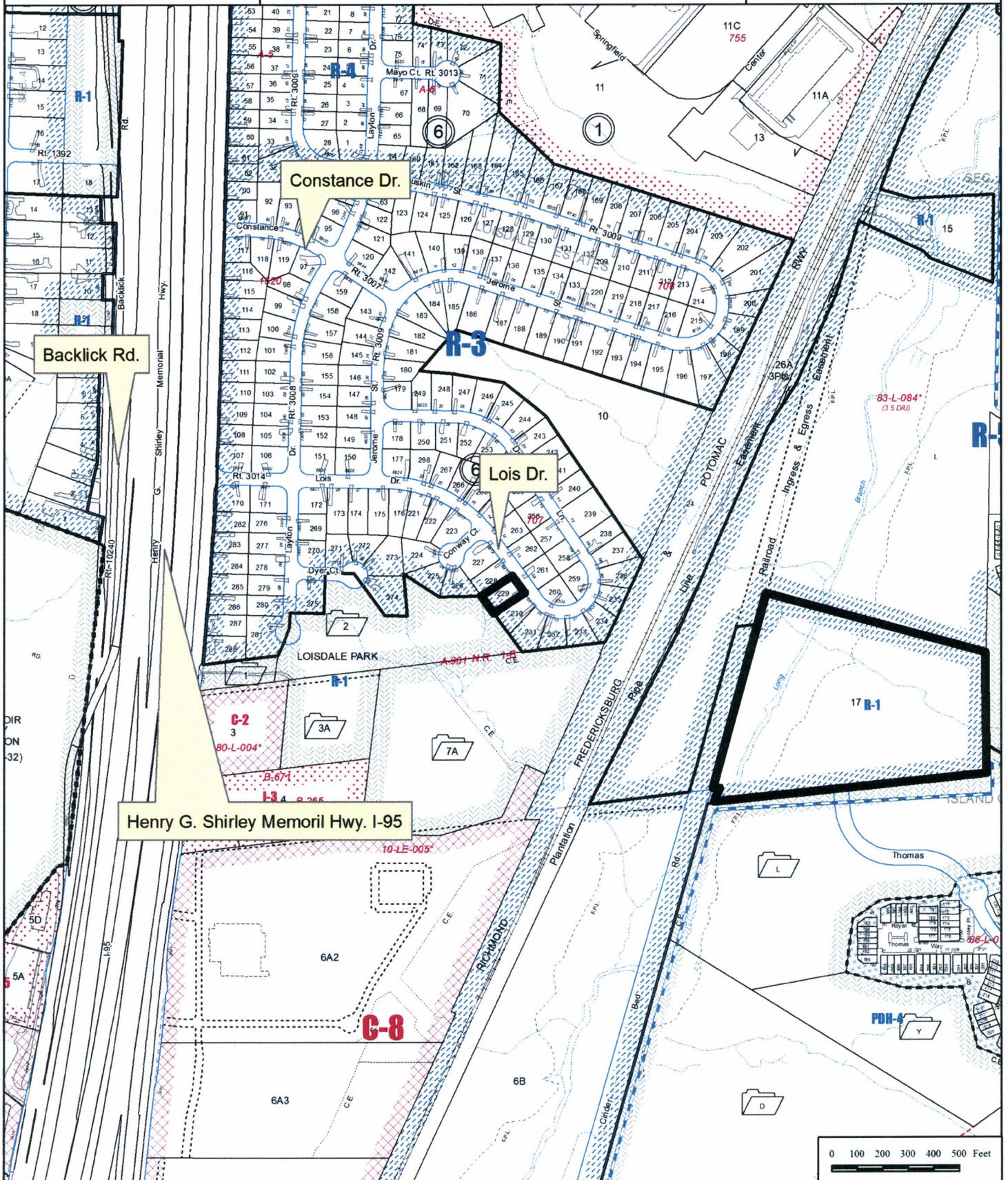
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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



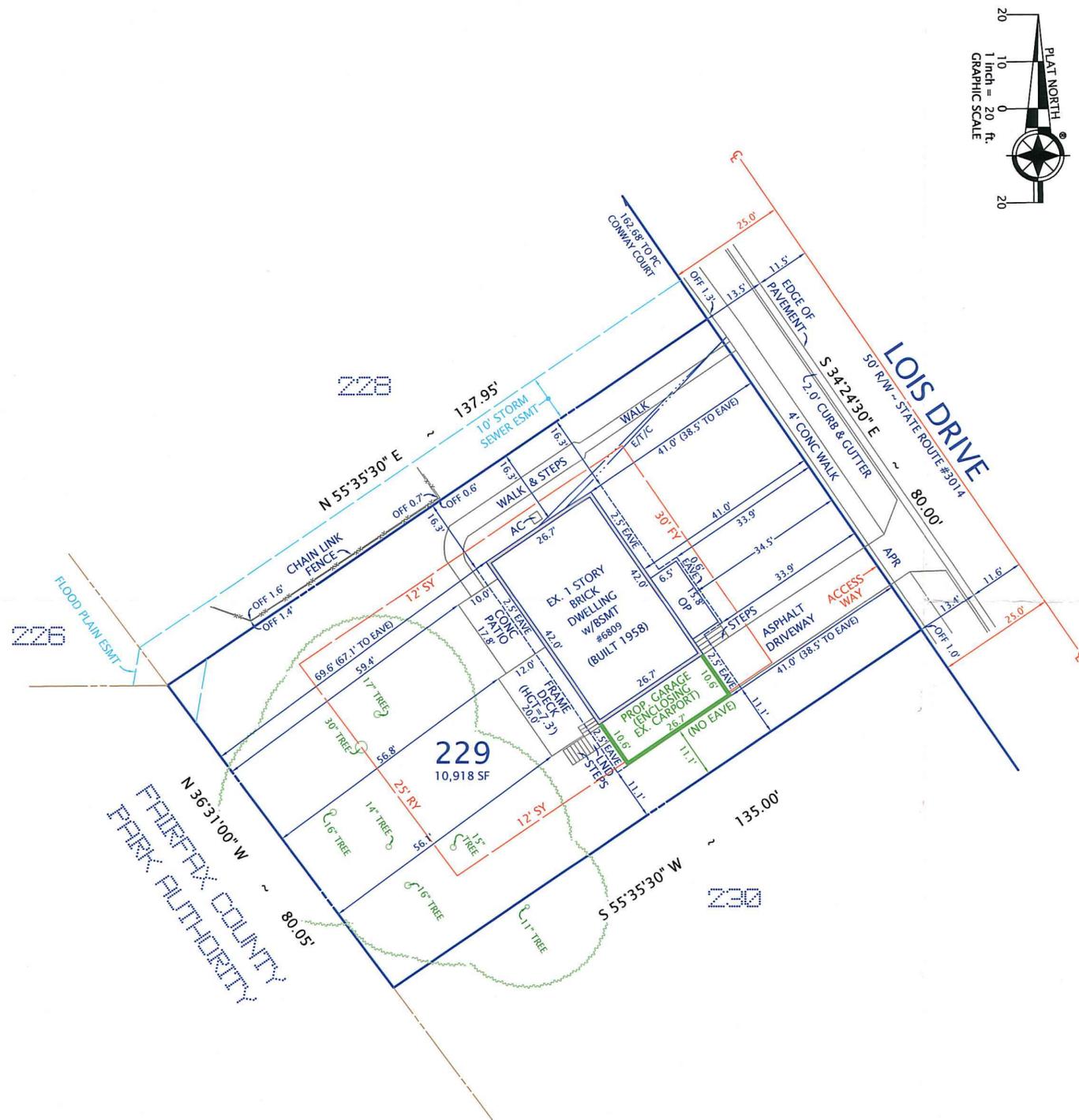
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



Special Permit SP 2016-LE-006 TIMOTHY LARRY GRIMSBY



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NOTES

1. TAX MAP: 90-4-06-0229
2. ZONE: R-3 (RESIDENTIAL 3 DU/AC)
3. LOT AREA: 10,918 SF. (0.2506 ACRE)
4. REQUIRED YARDS:

FRONT:	=	30 FEET
SIDE:	=	12 FEET
REAR:	=	25 FEET
5. HEIGHTS:

EX. DWELLING	=	19.2 FEET (MIDLINE OF ROOF)
EX. CARPORT	=	13.6 FEET (MIDLINE OF ROOF)
PROPOSED GARAGE	=	13.6 FEET (MIDLINE OF ROOF)
		(MATCH EXISTING)
DECK	=	07.3 FEET
6. THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
7. THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
8. ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING UNLESS DENOTED AS PROPOSED.
9. THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
10. THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
11. AREAS:

EX. BASEMENT	=	1,121 SF
EX. FIRST FLOOR	=	1,121 SF
EX. GROSS FLOOR AREA	=	2,242 SF

EX. FLOOR AREA RATIO: EX. GFA (2,242 SF) / LOT AREA (10,918 SF) = 0.205

PROP. GARAGE = 283 SF / EX. GFA (2,242 SF) = 0.126

PROP. GROSS FLOOR AREA: 283 SF + 2,242 SF = 2,525 SF.

PROP. FLOOR AREA RATIO: PROP. GFA (2,525 SF) / LOT AREA (10,918 SF) = 0.231
12. OWNER: TIMOTHY & STEPHANIE MARIE GRIMSBY
6809 LOIS DRIVE
SPRINGFIELD, VA 22150
(DB. 23594, PG. 1646)

PLAT
SHOWING THE IMPROVMENTS ON
LOT 229, SECTION FOUR
LOISDALE ESTATES
(DEED BOOK 1520, PAGE 214)
FAIRFAX COUNTY, VIRGINIA
LEE DISTRICT
SCALE: 1" = 20' DECEMBER 22, 2015

RECEIVED
Department of Planning & Zoning
JAN 27 2016
Zoning Evaluation Division

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:		CASE NAME: TIMOTHY GRIMSBY
THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD. A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.		

CASE NAME: GRIMSBY

#140310012-1

SPECIAL PERMIT REQUEST

The applicant is requesting approval of a special permit to allow a reduction in yard requirements for the construction of a garage addition (enclosed carport) 11.1 feet from a side lot line. The proposed addition, located on the southern side of the house, will measure 13.6 feet in height and 283 square feet in area.

A copy of the special permit plat titled, "Plat, Showing the Improvements on, Lot 229, Section Four, Loisdale Estates," prepared by George M. O'Quinn, L.S., dated December 22, 2015, is included in the front of the staff report.

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

CHARACTER OF THE SITE AND SURROUNDING AREA



The 10,918 square foot lot contains a one story single family detached dwelling with a full basement. An asphalt driveway provides access from Lois Drive to a one car carport located at the southern side of the house. A small set of stairs leads from the driveway to the front porch. A concrete patio is located at the rear of the house as well as a wood deck 7.3 feet in height and stairs leading from the deck and the rear of the carport to the rear yard. A walkway and stairs lead from the patio, around the northern side of the house, to the sidewalk adjacent to Lois Drive. The property has a slight slope going down from Lois Drive to the rear of the lot and has mature trees in the rear yard.

The subject property and surrounding properties are zoned R-3. The properties to the north, east, and south are developed with single family detached dwellings and the property to the west is County-owned parkland (Loisdale Park).

BACKGROUND AND HISTORY

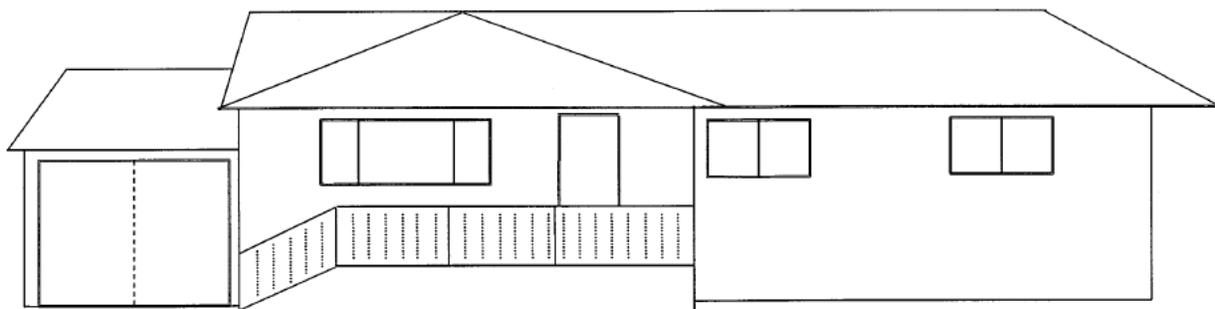
Fairfax County Tax Records indicate that the single family dwelling was constructed in 1958 and purchased by the applicants in 2014.

Since the adoption of the Zoning Ordinance, the BZA has heard several similar cases to allow additions to encroach into the minimum required side yard on nearby properties. There have been several applications for properties on Darby Lane and Jerome Street, and two on Lois Drive. Details about these applications included in Appendix 4.

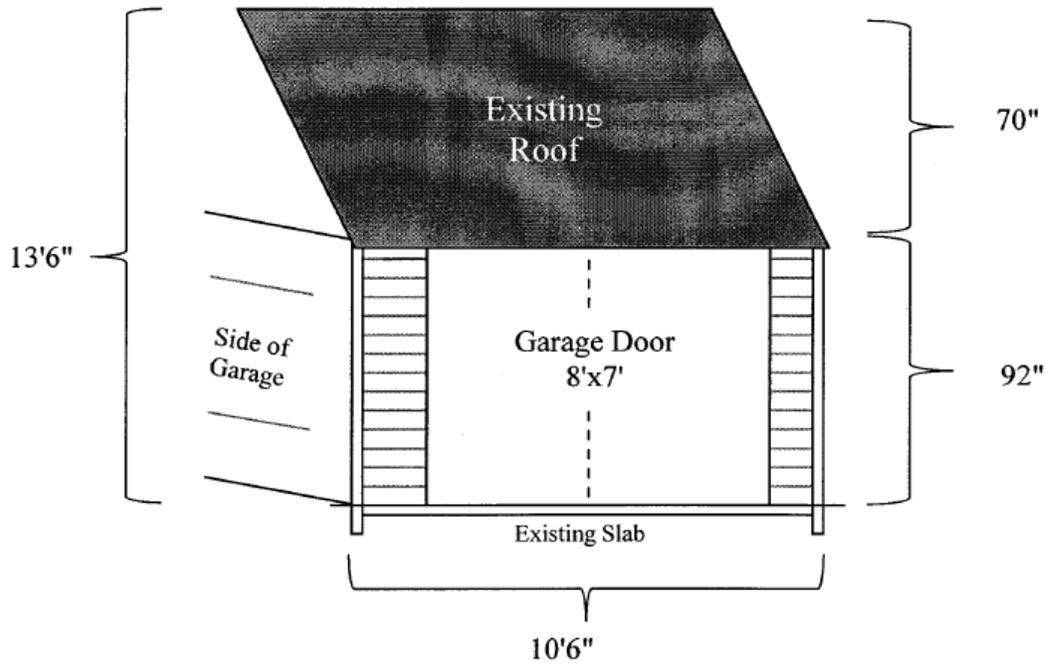
DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit for a reduction of certain yard requirements to enclose the existing carport to create a one car garage. The garage will be located 11.1 feet from the northern side lot line. In the R-3 zoning district, the required side yard is 12.0 feet. Therefore, the applicant is requesting a reduction of 0.9 feet, or 7.5 percent from the side lot line.

The addition would be approximately 283 square feet in size and 13.6 feet in height. Elevations and the applicant’s statement of justification indicate that the addition would match the appearance and materials of the existing house.



Front elevation of entire structure after carport enclosure



Front Elevation

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area IV, Springfield Planning District
Planning Sector: Springfield East Community Planning Sector (S7)
Plan Map: Residential, 2-3 dwelling units per acre

Zoning District Standards

Bulk Standards (R-3)		
Standard	Required	Provided
Lot Size	10,500 sf.	10,918 sf.
Lot Width	Interior: 80 feet	80 feet
Building Height	35 feet	19.2 feet
Front Yard	30 feet	33.9 feet
Side Yard	12 feet	Northern: 16.3 feet Southern: 11.1 feet*
Rear Yard	25 feet	56.1 feet

* Per Zoning Ordinance Sect. 2-412, carports may extend 5.0 feet into any minimum required side yard. The proposed garage will maintain the 11.1 foot setback.

Zoning Ordinance Requirements (Appendix 5)

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

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

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

<p>Standards 1 & 2 <i>Comprehensive Plan/ Zoning District</i></p>	<p>The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-3 District allows a reduction in minimum required yards with special permit approval. The proposed use is in harmony with the Comprehensive Plan and the general purpose and intent of the R-3 District.</p>
<p>Standard 3 <i>Adjacent Development</i></p>	<p>In staff’s opinion, the proposed use will not hinder or discourage use or development of neighboring properties or negatively affect value. Through testimony provided by the applicant and photographic research, staff has observed that several properties in the surrounding area have added on to their existing dwellings, including for garages. The proposed garage is in character with the neighborhood.</p>
<p>Standard 4 <i>Pedestrian/ Vehicular Traffic</i></p>	<p>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.</p>
<p>Standard 5 <i>Landscaping/ Screening</i></p>	<p>The proposed addition will be built over the existing footprint of the carport. No additional land disturbance is proposed and the existing landscaping and screening will not be disturbed during construction activity.</p>
<p>Standard 6 <i>Open Space</i></p>	<p>There is no prescribed open space requirement for individual lots in the R-3 District.</p>
<p>Standard 7 <i>Utilities, Drainage, Parking, and Loading</i></p>	<p>There are no changes to the utilities, drainage, parking or loading of the site.</p>
<p>Standard 8 <i>Signs</i></p>	<p>No signage is proposed.</p>

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

<p>Standard 1 <i>Lot Size and Bulk Regulations</i></p>	<p>A modification of the minimum required side yard is requested with this special permit application. The property conforms to all other lot and bulk regulations.</p>
<p>Standard 2 <i>Performance Standards</i></p>	<p>The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.</p>
<p>Standard 3 <i>Site Plan</i></p>	<p>The construction is not disturbing any additional land area; therefore the application is not subject to the provisions of Article 17, Site Plans.</p>

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

<p>Standard 1 Yard Requirements Subject to Special Permit</p>	<p>A. Minimum required yards – Yards not less than 50% of the requirement and not less than 5 feet.</p> <p>The proposed addition would be located 11.1 feet from the northern side lot line; the required side yard in an R-3 district is 12 feet, resulting in a reduction of 0.9 feet or 7.5 percent.</p> <p>B. Pipestem lots- N/A C. Accessory structure locations – N/A D. Extensions into minimum required yards allowed by Sect. 2-412- N/A</p>
<p>Standard 2 Not a Detached Structure in a Front Yard</p>	<p>The application does not propose a detached accessory structure.</p>
<p>Standard 3 Principal Structure that Complied with Yard Requirements When Established</p>	<p>The subject property contains a single family dwelling that is an existing principal structure. The existing structure was built as approved in 1958.</p>
<p>Standard 4 Addition No More than 150% of Existing Gross Floor Area (GFA)</p>	<p>The proposed addition is 283 square feet. The existing GFA of the primary structure is 2,242 square feet; Therefore 150% of the total gross floor area could result in additions up to 3,363 square feet in size for a possible total square footage at build out of 5,605 square feet. The total square footage of the house with the addition is 2,525 square feet. Therefore the application meets this provision.</p>
<p>Standard 5 Accessory Structure Subordinate in Purpose, Scale, Use and Intent</p>	<p>There is no accessory structure proposed, therefore this Standard is not applicable.</p>
<p>Standard 6 Construction in Character with On-Site Development</p>	<p>The elevation drawings and applicant’s statement indicate that the materials, size and scale of the proposed addition would be compatible with the existing dwelling.</p>
<p>Standard 7 Construction Harmonious with Off-Site Development</p>	<p>Through aerial photography, submitted photographs, and background research staff has confirmed that there are similar additions and garages on neighboring properties. The proposed addition would be the same height and size as the existing carport and built over the existing slab. Staff believes that the proposed addition would not affect neighboring properties.</p>
<p>Standard 8 Construction Shall Not Adversely Impact Adjacent Properties</p>	<p>Staff believes that the proposed addition will not significantly impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety. In regards to stormwater, if the construction disturbs more than 2,500 square feet which is not anticipated based on the current proposal, the application would be subject to the provisions of Article 17, Site Plans, and any anticipated stormwater issues will be addressed at that time.</p>

<p>Standard 9 <i>Represents the Minimum Amount of Reduction Necessary</i></p>	<p>The proposed addition is to enclose an existing carport which is located 11.1 feet from the southern side lot line. Once enclosed, the addition will be located within the footprint of the existing carport and remain 11.1 feet from the side lot line with no proposed increase in disturbed land area. While carports are permitted to extend up to 5 feet into a required side yard, enclosing the structure requires special permit approval.</p> <p>Staff believes that the proposal is the minimum request necessary for a usable one car garage.</p> <p>Other issues of lot shape, yard determination, environmental characteristics, slopes, wells, floodplains and/or Resource Protection Areas, easements and historic resources are not applicable to this site.</p>
<p>Standard 10 BZA May Impose Conditions</p>	<p>Proposed development conditions are included in Appendix 1.</p>
<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 proposed development conditions in Appendix 1.</p>

CONCLUSION

The proposed garage addition will be built over the existing carport footprint, on the existing slab, and without any additional land disturbance. While carports are permitted to extend up to 5 feet into a required side yard, enclosing the structure and having it extend 0.9 feet into the side yard requires special permit approval. Staff believes that the request is in conformance with the applicable Zoning Ordinance provisions.

RECOMMENDATION

Staff recommends approval of SP 2016-LE-006 for the garage addition subject to the proposed development conditions contained in Appendix 1.

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

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
3. Applicant's Affidavit
4. Similar Case History
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2016-LE-006****April 13, 2016**

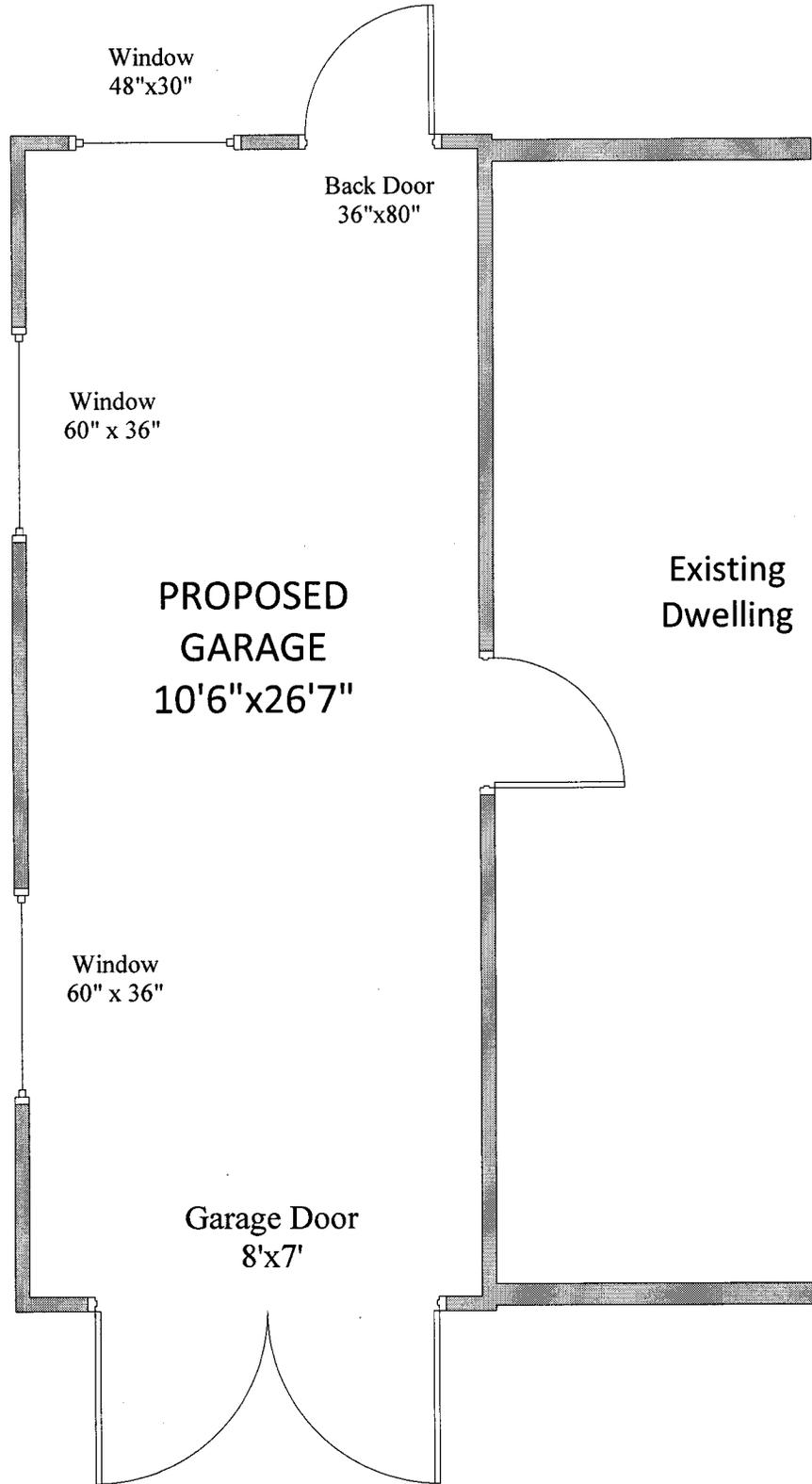
If it is the intent of the Board of Zoning Appeals to approve SP 2016-LE-006 located at Tax Map 90-4 ((6)) 229 to permit reduction of certain yard requirements pursuant to Section 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of the garage addition (283 square feet, 13.6 feet in height, 11.1 feet from the southern side lot line), as shown on the special permit plat titled, "Plat, Showing the Improvements on, Lot 229, Section Four, Loisdale Estates," prepared by George M. O'Quinn, L.S., dated December 22, 2015, as submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (2,242 square feet existing + 3,363 square feet (150%) = 5,605 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings as shown on Attachment 1 to these conditions and consistent with materials of the existing dwelling.

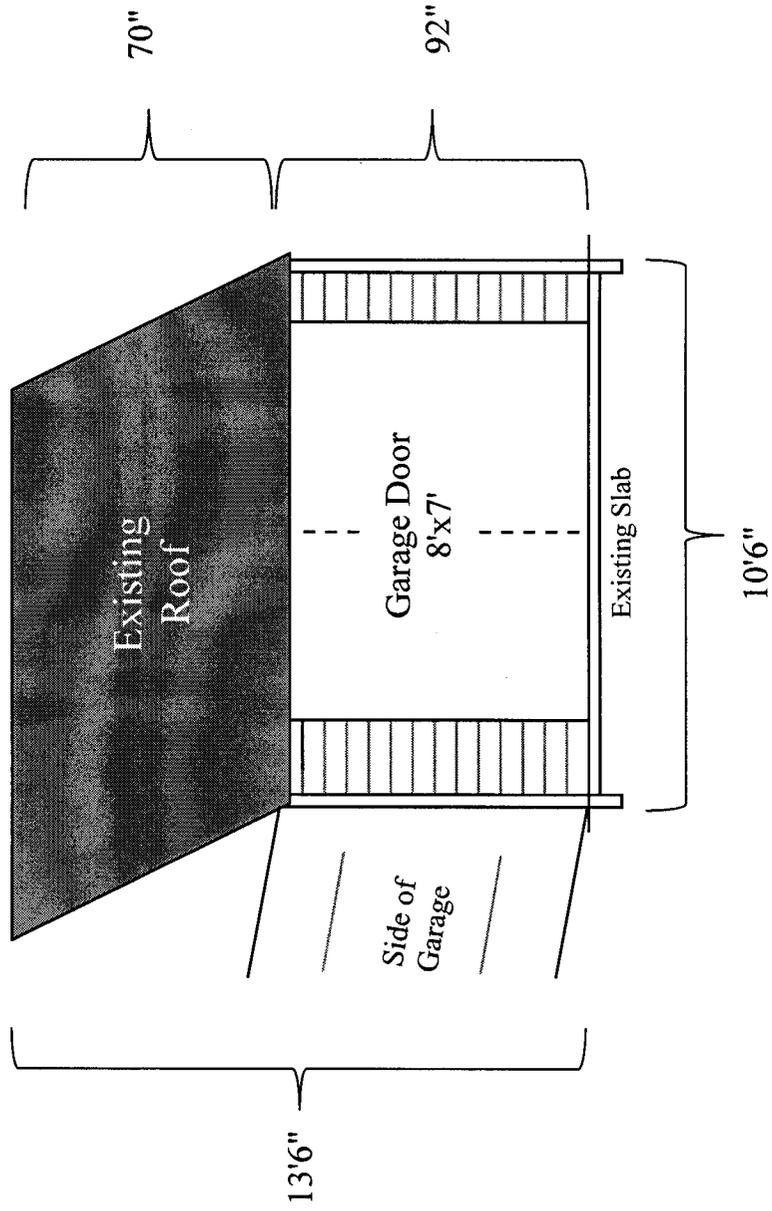
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

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

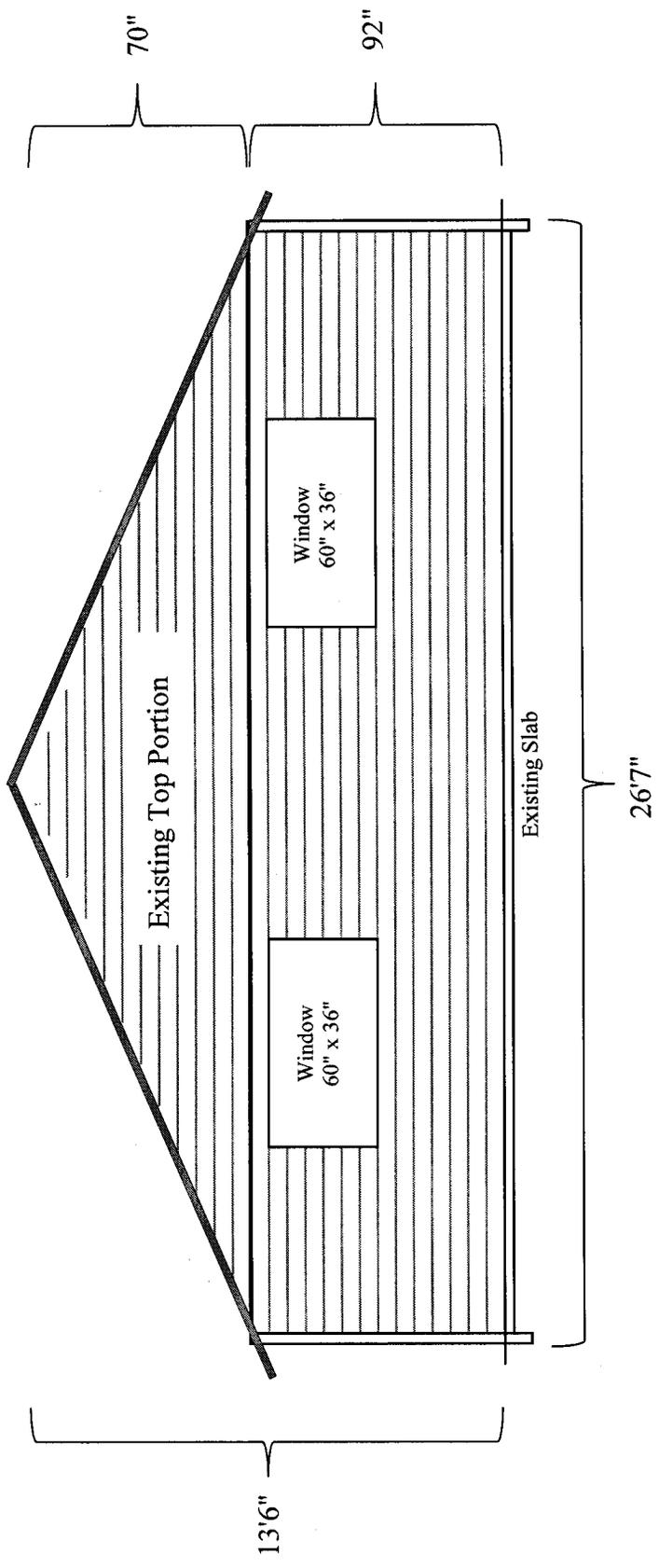
commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.



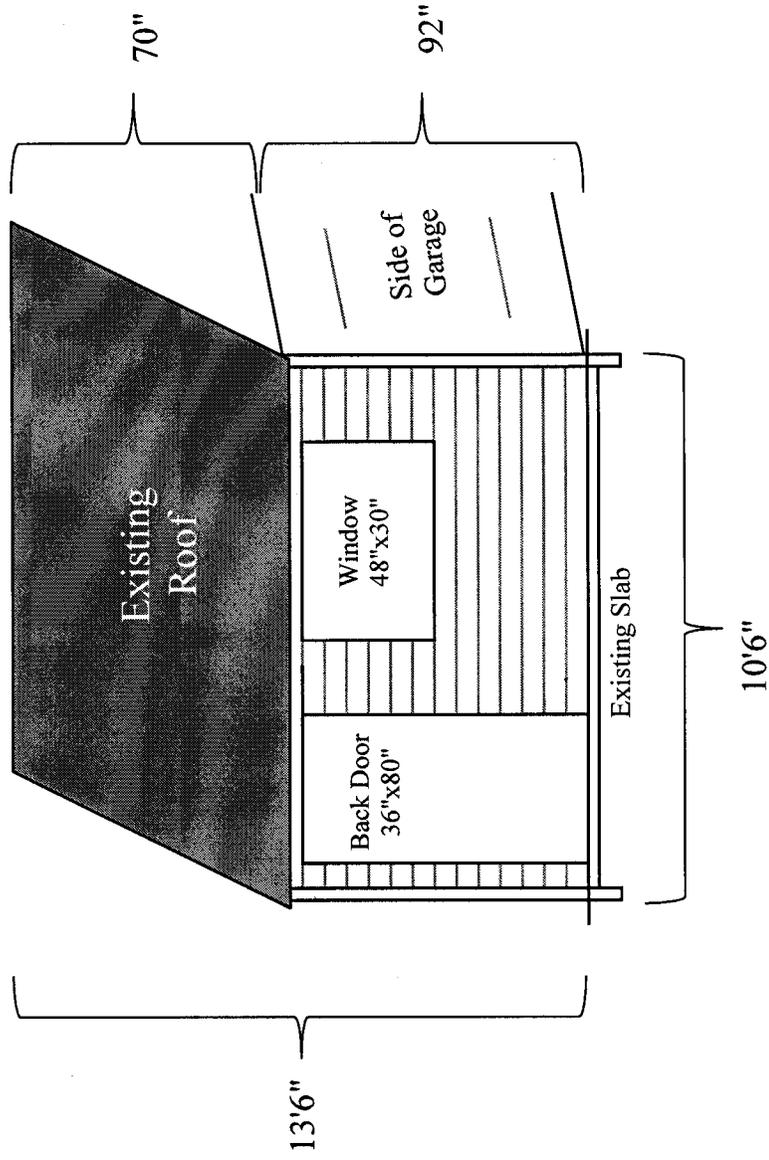
Floor Plan



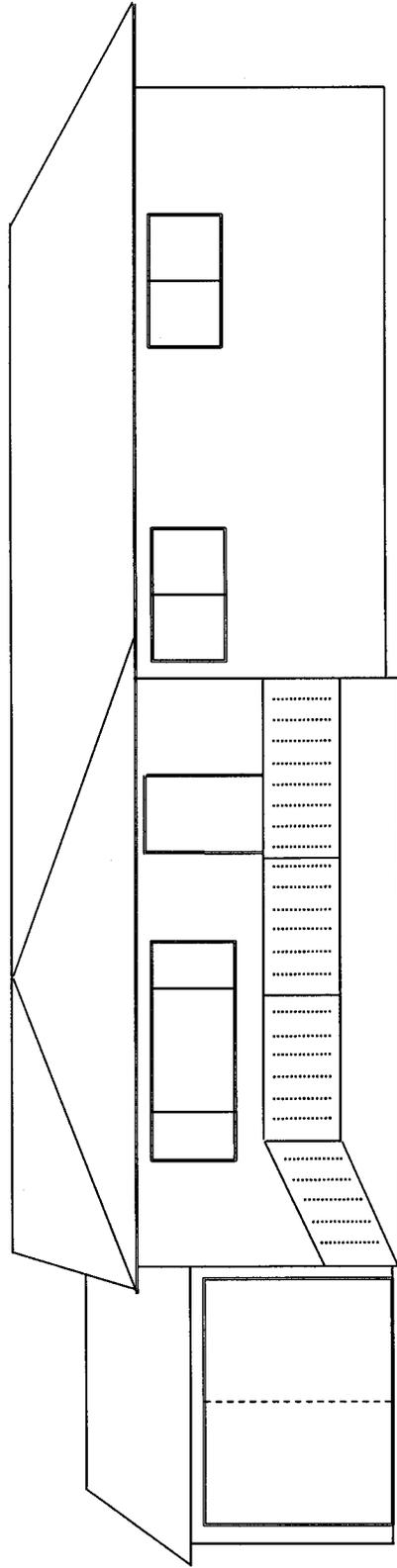
Front Elevation



Side Elevation



Back Elevation



Front elevation of entire structure after carport enclosure

(Revised) WRITTEN STATEMENT OF JUSTIFICATION

TO: Application Acceptance Section, County of Fairfax
FROM: Timothy Grimsby, Owner
SUBJECT: Special Permit: Enclose Carport and Convert it into a Garage

RECEIVED
Department of Planning & Zoning

JAN 27 2016
Zoning Evaluation Division

Summary:

I am requesting a minimum setback reduction of 11 inches on my side yard so I may enclose my carport and convert it into a garage. Enclosing the carport will include adding two permanent walls and a garage door.

The issue with enclosing my carport is that it extends into the minimum setback required side yard by 11 inches. The setback requirement for this property is 12 feet, while the distance from the carport to the property line is 11 feet, 1 inch (Article 3, 3-307, 2(b)). The option to proceed with the carport conversion without the 11 inches variance would not leave enough room to properly store a vehicle (*See plat*).

Listed below are justifications for standards:

A. Type of operation(s):

Enclosing a carport, converting it into a garage.

B. Hours of operation:

Sporadically throughout the day

C. Estimated number of patrons/clients/patients/etc.

Two. This garage will be used by my wife and me.

D. Proposed number of employees/attendants/teachers/etc.

None

E. Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day.

Converting and carport into a garage will have no traffic impact.

F. Vicinity or general area to be served by the use.

My house on 6809 Lois Drive, Springfield, VA

G. Description of building facade and architecture of proposed new building or additions.

The proposed garage would be taking-up exactly the same footprint as the current carport. The exterior will have white siding to match other areas of the current residence.

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.

No hazardous or toxic substances will be stored utilized, treated, disposed of, or generated on site.

I. A statement of how 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.

The way the house sits on the property makes a owning a one car garage 11 inches into the minimum setback requirement. The setback requirement for this property is 12ft, while the distance from the carport to the property line is 11'1". Converting my carport into a garage will improve the appearance of my home and help to continue to enhance the overall value of the neighborhood. The proposed garage will retain the same footprint as the current carport, only reducing the minimum setback requirement by 11 inches.

ADDITIONAL SUBMISSION REQUIREMENTS

930.00

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

This addition is less than 150 percent of the total gross floor area of the principal structure.

930.01

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.

This gross floor area of this addition is clearly subordinate in purpose, scale, use and intent of the principal structure on the site.

930.02

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.

Garages are typical in my neighborhood, and also this addition will also retain the same area and purpose of the already established structure.

930.03

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.

Because I hope to enclose an already established structure, I believe 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

930.04

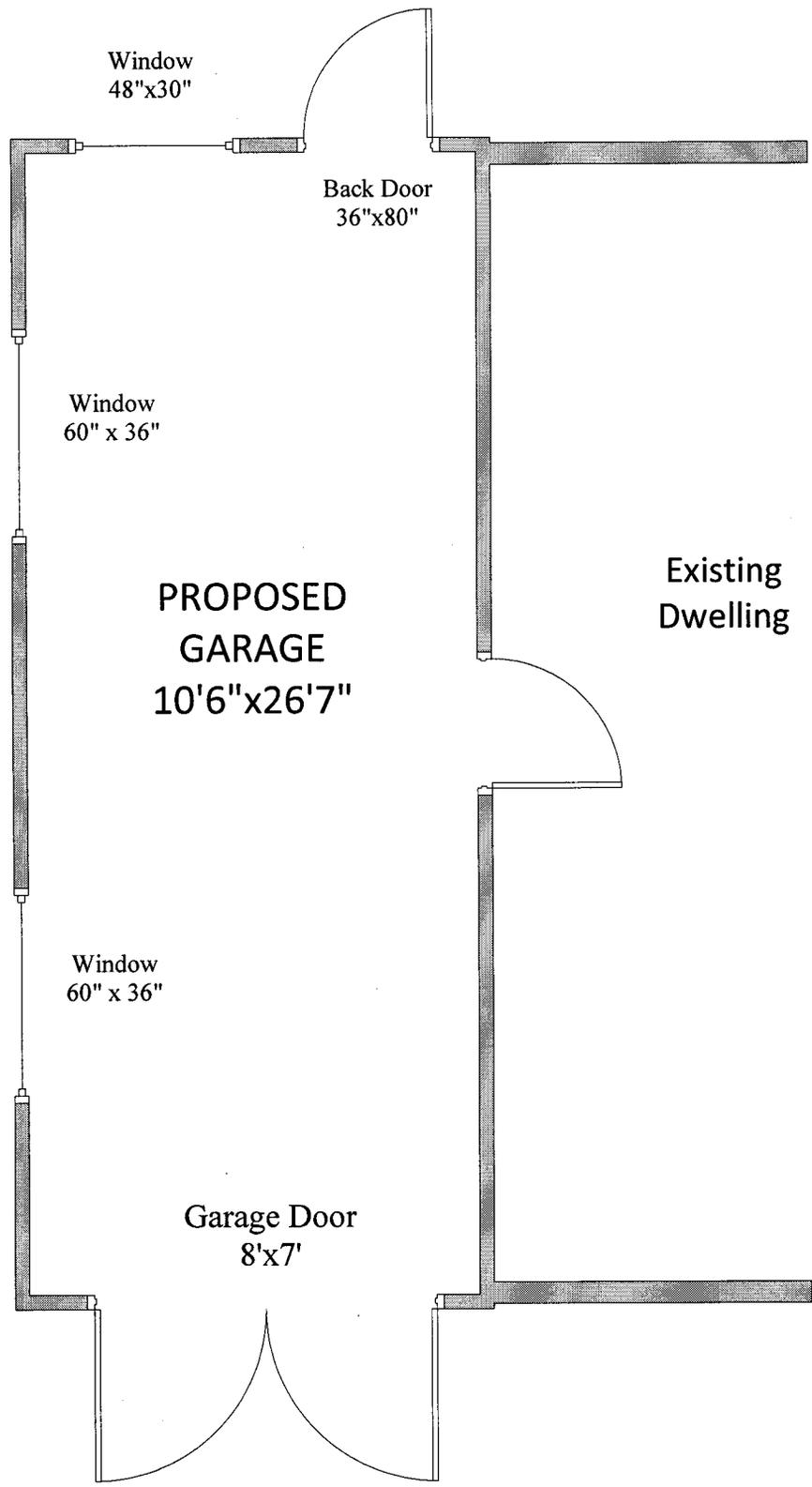
The BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff.

This addition will have minimal, if any, adverse issues relating to noise, light, air, safety, erosion, and stormwater runoff.

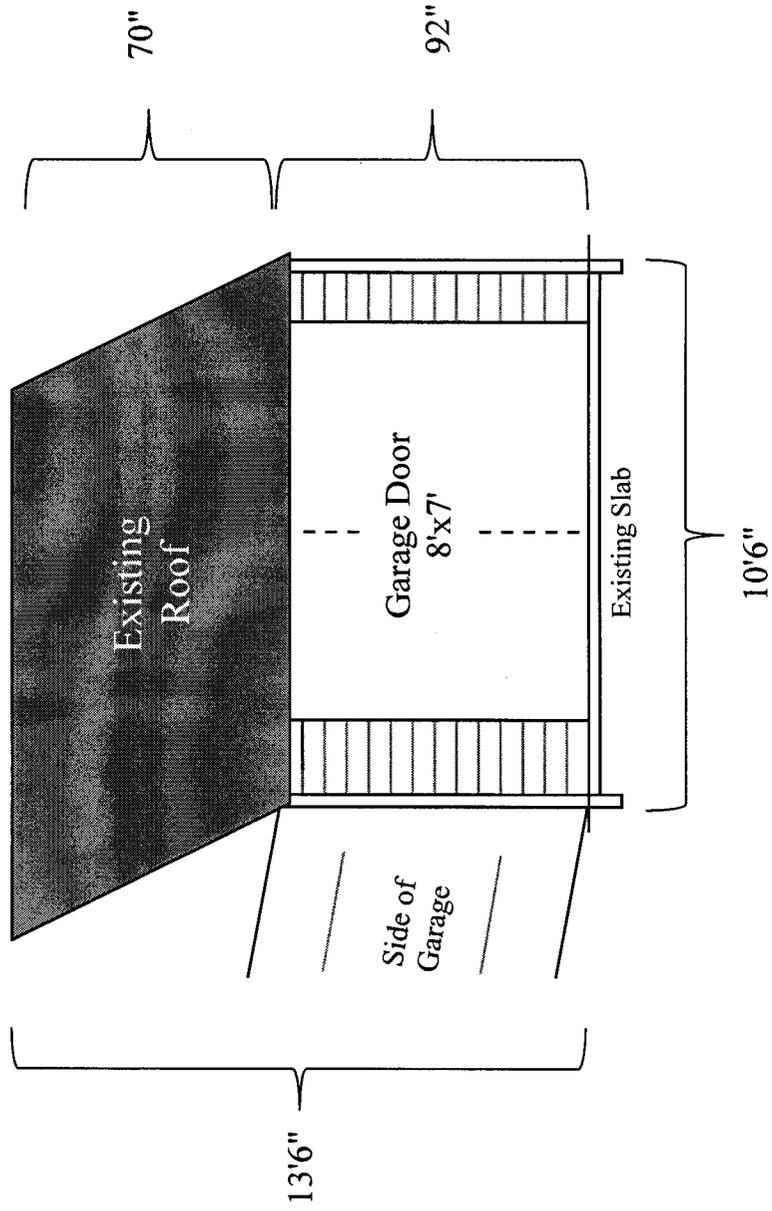
930.05

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.

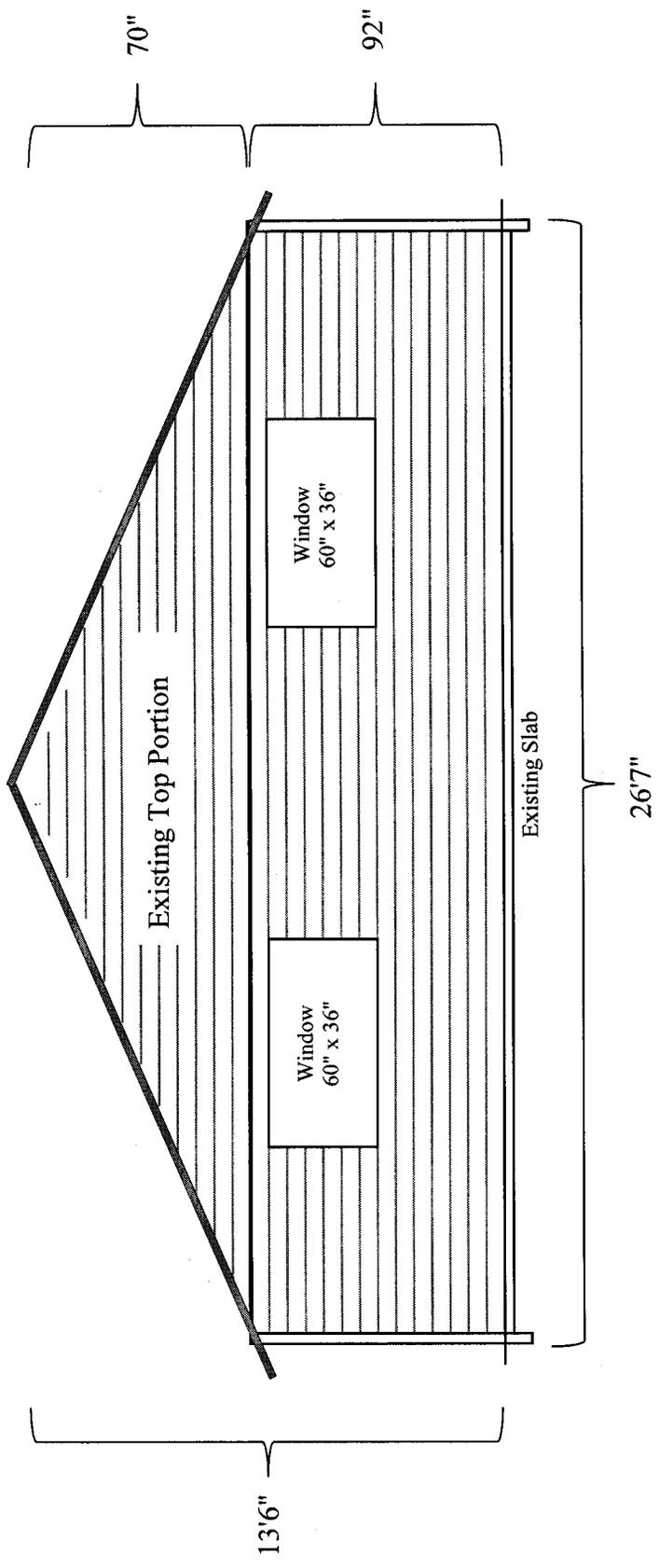
The 11 inches of reduction represents the minimum amount of reduction necessary. This is demonstrated by the fact that the carport I am requesting to enclose, encroaches the same amount (11 inches) into the minimum setback requirement.



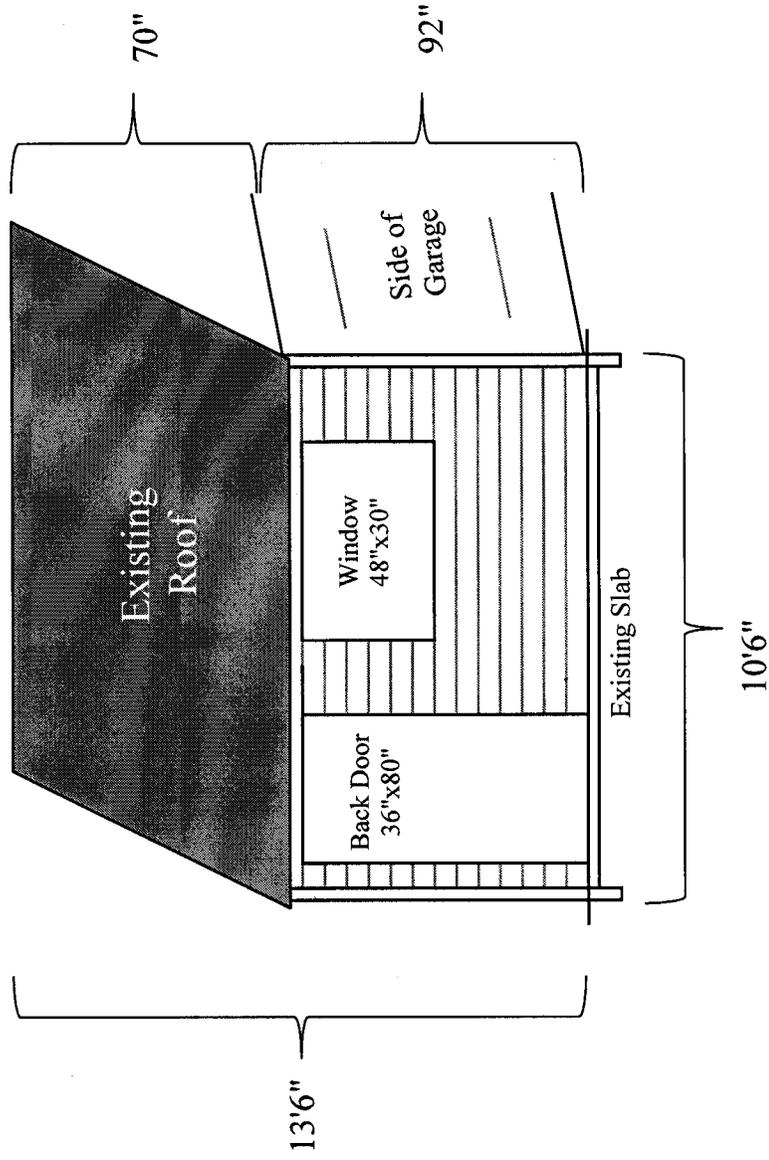
Floor Plan



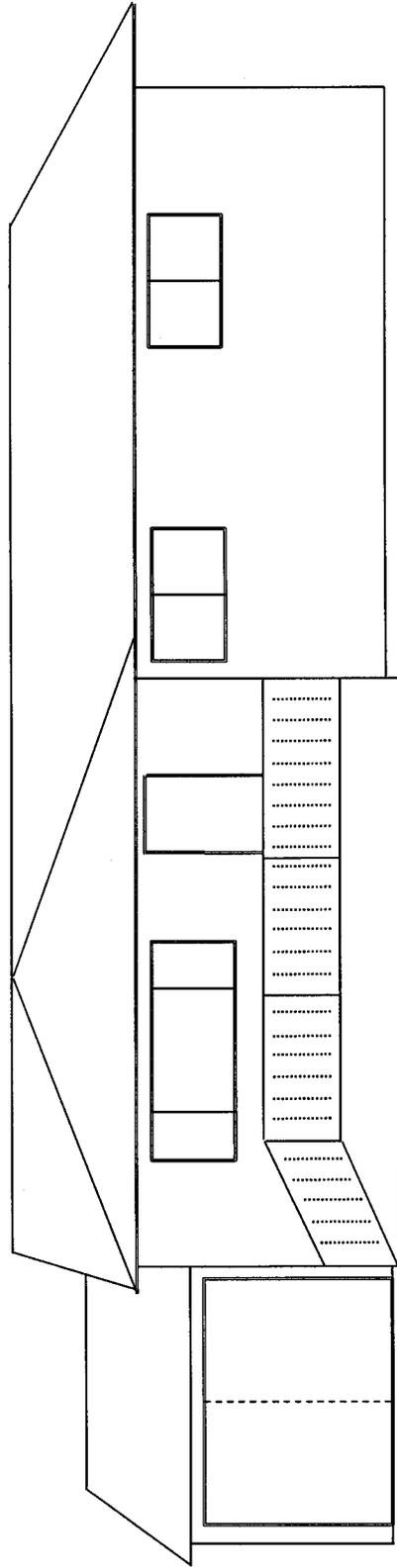
Front Elevation



Side Elevation



Back Elevation



Front elevation of entire structure after carport enclosure





CHICAGO
ILLINOIS
710-444
BLACKHAWK













Application No.(s): SP 2016-LE-006
 (County-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: July 3rd, 2015
 (enter date affidavit is notarized)

132239

I, Timothy L. Grimsby, 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)
Timothy Grimsby	6809 Lois Drive, Springfield, VA	spouse/owner/applicant
Stephanie M. Grimsby	same as above	spouse/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.

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: July, 3rd, 2015
(enter date affidavit is notarized)

132209

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)

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

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

Application No.(s): _____
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132239

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**)

(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.

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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): _____
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

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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:

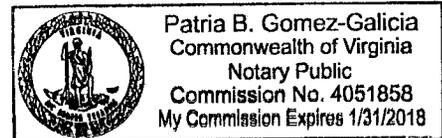
(check one) T.L. Grimsby
 Applicant [] Applicant's Authorized Agent

Timothy L Grimsby
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 3rd day of July, 2015, in the State/Comm. of Fairfax, County/City of Springfield.

P.B. Gomez-Galicia
Notary Public

My commission expires: Jan-31, 2018



Handwritten initials or mark in a circle.

Similar Case History

Group: 00-L-028

VC 00-L-028

APPLICANT: PAMELA MARY ANN NEISCH
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 06/14/2000
ZONING DISTRICT: R-3
DESCRIPTION: TO PERMIT CONSTRUCTION OF ADDITION 8.0 FT. FROM SIDE LOT LINE
LOCATION: 6806 DARBY LN., SPRINGFIELD, VA 22150
TAX MAP #S:
 0904 06 0237

Group: 86-L-007

VC 86-L-007

APPLICANT: FUENTES, JAIME O.
STATUS: EXPIRED
STATUS/DECISION DTE: 10/28/1987
ZONING DISTRICT: R-3
DESCRIPTION: ADDITION TO DWELLING TO 8 FEET FROM SIDE LOT LINE (12FEET MIN. REQUIRED)
LOCATION: 6832 DARBY LANE
TAX MAP #S:
 0904 06 0249

Group: 87-L-052

VC 87-L-052

APPLICANT: HANS H & JANE S RUNOW
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 07/22/1987
ZONING DISTRICT: R-3
DESCRIPTION: TO ALLOW CONSTRUCTION OF ADDITION TO DWELLING TO 10.0 FT. FROM SIDE LOT LINE (12 FT. MIN. SIDE YARD REQ.)
LOCATION: 6819 JEROME STREET
TAX MAP #S:
 0904 06 0183

Group: 88-L-052**VC 88-L-052**

APPLICANT: BILLY B WILLIAMS
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 09/21/1988
ZONING DISTRICT: R-3
R-4
DESCRIPTION: ALLOW ENCLOSURE OF EXISTING CARPORT FOR GARAGE AND KITCHEN 10 FT. FROM SIDE LOT LINE (12 FT. MIN. SIDE YARD REQ.)
LOCATION: 6806 RUSKIN STREET
TAX MAP #S:
0904 06 0164

Group: 94-L-091**VC 94-L-091**

APPLICANT: WILSON, CHARLES H
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 09/21/1994
ZONING DISTRICT: R-3
R-4
DESCRIPTION: PERMIT CONSTRUCTION OF ADDITIONS 9.2 FT. FROM SIDE LOT LINE
LOCATION: 6808 RUSKIN STREET
TAX MAP #S:
0904 06 0163

Group: 95-L-104**VC 95-L-104**

APPLICANT: BAILEY, RONNIE
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 11/21/1995
ZONING DISTRICT: R-3
DESCRIPTION: PERMIT CONSTRUCTION OF ADDITION 6.0 FT. FROM SIDE LOT LINE AND TO EXCEED 30% MINIMUM REAR YARD COVERAGE
LOCATION: 6801 LOIS DRIVE
TAX MAP #S:
0904 06 0233

Group: 99-L-041**VC 99-L-041**

APPLICANT: MASCARENHAS, BRIAN & SYLVANA
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 06/16/1999
ZONING DISTRICT: R-3
DESCRIPTION: PERMIT CONSTRUCTION OF ADDITION 7.6 FT. FROM SIDE LOTLINE
LOCATION: 7205 LAYTON DRIVE
TAX MAP #S:
0904 06 0121

Group: 2009-LE-041**SP 2009-LE-041**

APPLICANT: JAMES P. AND KATHRYN M. DRINKARD
STATUS: APPLICATION APPROVED
STATUS/DECISION DTE: 09/15/2009
ZONING DISTRICT: R-3
DESCRIPTION: REDUCTION OF CERTAIN YARD REQUIREMENTS TO PERMIT ADDITION 8.8 FEET FROM SIDE LOT LINE
LOCATION: 6814 DARBY LANE
TAX MAP #5:
 0904 06 0240

Group: 91-L-036**VC 91-L-036**

APPLICANT: JOHNSON, JOHN R. & NANCY J.
STATUS: APPLICATION DENIED
STATUS/DECISION DTE: 06/12/1991
ZONING DISTRICT: R-3
DESCRIPTION: ALLOW ENCLOSURE OF EXISTING CARPORT 5.8 FEET FROM SIDELOT LINE AND DETACHED STRUCTURE 5 FEET FROM REAR LOT LINE (15 FT. MIN. SIDE YARD REQ. & HEIGHT OF STRUCTURE FROM REAR LOT LINE REQ. FOR DETACHED STRUCTURE)
LOCATION: 6902 CONSTANCE DRIVE
TAX MAP #5:
 0904 06 0094

Group: 95-L-043**VC 95-L-043**

APPLICANT: BAILEY, RONNIE
STATUS: APPLICATION DENIED
STATUS/DECISION DTE: 07/19/1995
ZONING DISTRICT: R-3
DESCRIPTION: PERMIT CONSTRUCTION OF ADDITION 2.0 FT. FROM SIDE LOT LINE AND PERMIT GREATER THAN 30% MINIMUM REAR YARD COVERAGE
LOCATION: 6801 LOIS DRIVE
TAX MAP #5:
 0904 06 0233

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.