



# County of Fairfax, Virginia

---

May 11, 2016

## STAFF REPORT ADDENDUM

### SPECIAL PERMIT SP 2015-DR-119

#### DRANESVILLE DISTRICT

**APPLICANT:** Ramez Andrawis

**OWNER:** Ramez Andrawis

**STREET ADDRESS:** 1408 Pathfinder Lane, McLean 22101

**SUBDIVISION:** Broyhill's McLean Estates, Section 3

**TAX MAP REFERENCE:** 30-2 ((31)) 200

**LOT SIZE:** 10,833 square feet

**ZONING DISTRICT:** R-3, HC

**ZONING ORDINANCE PROVISION:** 8-922

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

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2015-DR-119 for the addition, subject to the Proposed Development Conditions contained in Appendix 1 of the staff report.

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

Heath Eddy, AICP

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

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

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



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 REQUEST UPDATE

On November 18, 2015, the BZA held a public hearing to review this application as a request to permit a reduction in the side yard requirements to allow construction of an addition to the existing residence. The request was for a reduction to 6.0 feet from the side lot line, and includes the addition of 455 square feet of garage space.



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

Following the public hearing, the BZA voted to defer a decision on the application and requested that the applicant revise the application to move the proposed 2-car garage from the northern side of the residence (right side of the property in Figure 1, above) to the southern side and replace the existing 1-car carport. Following several months of discussions, and deferrals from the February 10<sup>th</sup> and March 9<sup>th</sup> BZA meetings, the applicant has returned with a revised request seeking reduction of the side yard to 6 feet to accommodate replacement of the existing enclosed screened porch and the 1-car carport with a 2-car, tandem garage.

A copy of the special permit plat titled “Two Car Garage Addition” prepared by Amal K. Sedrak, P.E., of MGS Engineering, Inc., undated and received April 18, 2016, consisting of one sheet and is provided at the front of this staff report. A copy of the applicant’s statement of justification and architectural renderings are provided in Appendix 2. The applicant’s affidavit is also included in Appendix 3.

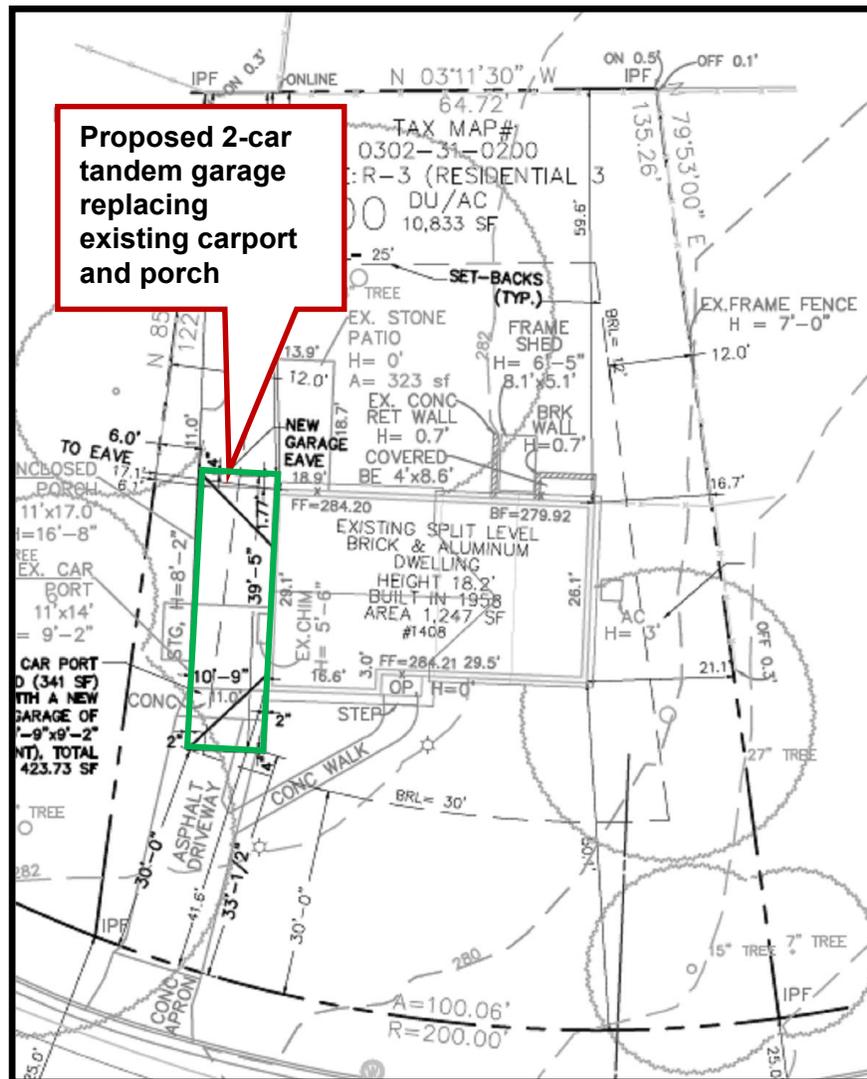


Figure 3: Special Permit Plat.

### ZONING ORDINANCE REQUIREMENTS (Appendix 4)

This special permit application is subject to the following provisions of the Zoning Ordinance and is provided as Appendix 4. Subject to the development conditions, the special permit must meet these standards.

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

The following is staff’s analysis of the Zoning Ordinance provisions and the proposal to permit a reduction in the minimum side yard to 6.0 feet to allow construction of a 2-car garage on the north side of the residence.

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

<p><b>Standards 1 &amp; 2</b> Comprehensive Plan/ Zoning District</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.</p>
<p><b>Standard 3</b> Adjacent Development</p>	<p>In staff’s opinion, the proposed garage is more consistent with the character of adjacent development, and would not negatively affect value.</p>
<p><b>Standard 4</b> Pedestrian/ Vehicular Traffic</p>	<p>No increase in vehicular or pedestrian traffic is expected with this application. In staff’s opinion, the proposed use is not hazardous to vehicular traffic consistent with a single family neighborhood and does not conflict with existing and anticipated traffic in the neighborhood.</p>
<p><b>Standard 5</b> Landscaping/ Screening</p>	<p>Mature vegetation provides screening of the proposed garage on the south side of the lot. The Urban Forester previously recommended that tree protection measures should be installed along the property line prior to construction, should this special permit be approved.</p>
<p><b>Standard 6</b> Open Space</p>	<p>There is no prescribed open space requirement on individual lots in the R-3 District.</p>
<p><b>Standard 7</b> Utilities, Drainage, Parking, and Loading</p>	<p>Staff anticipates no major impacts to the surrounding area with respect to utilities, drainage or parking.</p>
<p><b>Standard 8</b> Signs</p>	<p>No signage is proposed.</p>

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

<p><b>Standard 1</b> Lot Size and Bulk Regulations</p>	<p>The bulk regulation for the minimum required side yard is requested to be modified with the special permit application. The property conforms to all other lot size and bulk regulations in the R-3 District.</p>
<p><b>Standard 2</b> Performance Standards</p>	<p>The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.</p>
<p><b>Standard 3</b> Site Plan</p>	<p>The proposed construction will not disturb more than 2,500 square feet, therefore no additional site plan requirements are required.</p>

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

<p><b>Standard 1</b> Yard Requirements Subject to Special Permit</p>	<p><i>A. Minimum required yards – Yards not less than 50% of the requirement and not less than 5 feet: The proposed addition would be located 6.0 feet from the side lot line. The required side yard in an R-3 district is 12 feet, resulting in a reduction of 6.0 feet, or 50.0%.</i></p> <p><i>B. Pipestem lots- N/A</i></p> <p><i>C. Accessory structure locations – N/A</i></p> <p><i>D. Extensions into minimum required yards allowed by Sect. 2-412: N/A</i></p>
<p><b>Standard 2</b> Not a Detached Structure in a Front Yard</p>	<p>The application does not propose a detached accessory structure.</p>
<p><b>Standard 3</b> Principal Structure that Complied with Yard Requirements When Established</p>	<p>At the time of its construction in 1958, the principal structure met all setback requirements. At the time of construction in 1983, the carport complied with the permitted extension standards for carports as given in Sect. 2-412.</p>
<p><b>Standard 4</b> Addition No More than 150% of Existing Gross Floor Area (GFA)</p>	<p>The proposed garage addition totals 423.7 square feet in area, though it involves the removal of the 187 square foot screened porch (which was included in the existing GFA). The net increase in GFA is 236.7 square feet, which is about 12.3% of the existing GFA of 1,932 square feet.</p>
<p><b>Standard 5</b> Accessory Structure Subordinate in Purpose, Scale, Use and Intent</p>	<p>N/A</p>
<p><b>Standard 6</b> Construction in Character with On-Site Development</p>	<p>The proposed new garage replaces the existing carport and screened porch. Given that this replaced the previous design for the garage on the other side of the residence, staff believes this represents a change more in character with the existing on-site residence.</p>
<p><b>Standard 7</b> Construction Harmonious with Off-Site Development</p>	<p>Through aerial photography, submitted photographs, and background research staff has confirmed that what the applicant proposes is consistent with the character of the neighborhood.</p>
<p><b>Standard 8</b> Construction Shall Not Adversely Impact Adjacent Properties</p>	<p>The proposed garage would be located approximately 20 feet from the neighbor's residence to the south, or about the same distance as the existing carport/screened porch. The proposed development will essentially reconfigure impervious surface on-site. Staff does not anticipate significant increases in runoff, though measures should be taken to reduce runoff through appropriate downspouting and diversion to existing stormwater facilities.</p>

<p><b>Standard 9</b> Represents the Minimum Amount of Reduction Necessary</p>	<p>Staff believes the special permit application proposal as revised represents the minimum amount of reduction necessary to achieve the addition of an enclosed garage to the residence.</p> <p>Other issues of environmental characteristics, slopes, wells, floodplains and/or Resource Protection Areas, easements and historic resources are not applicable to this site.</p>
<p><b>Standard 10</b> BZA May Impose Conditions</p>	<p>Proposed development conditions are included in Appendix 1.</p>
<p><b>Standard 11</b> Submission Requirements</p>	<p>A copy of the plat is included in the beginning of this report.</p>
<p><b>Standard 12</b> Architectural Elevations</p>	<p>Proposed elevations are included an attachment to the proposed development conditions in Appendix 1.</p>

## CONCLUSION

Staff finds that the proposal to permit a reduction of certain yard requirements to permit construction of an addition 6.0 feet from the side lot line is in conformance with the applicable Zoning Ordinance provisions.

## RECOMMENDATION

Staff recommends approval of SP 2015-DR-119 for the construction of the addition, subject to the Proposed Development Conditions contained in Appendix 1 of the staff report.

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

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

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

## APPENDICES

1. Proposed Development Conditions
2. Applicant's Statement of Justification and Photographs

3. Applicant's Affidavit
4. Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2015-DR-119****May 11, 2016**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-DR-119 located at Tax Map 30-2 ((31)) 200 to permit reduction of certain yard requirements pursuant to Sects. 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 additions as shown on the special permit plat titled, "Two Car Garage Addition" prepared by Amal K. Sedrak, P.E., of MGS Engineering, Inc., undated and received April 18, 2016, consisting of one sheet as submitted with this application and is not transferable to other land.
3. The addition shall be generally consistent with the materials of the existing house and the architectural renderings as shown on Attachment 1 to these conditions.
4. The applicant shall install tree protection fencing around the tree areas bordering the south side lot line prior to engaging in construction activity.

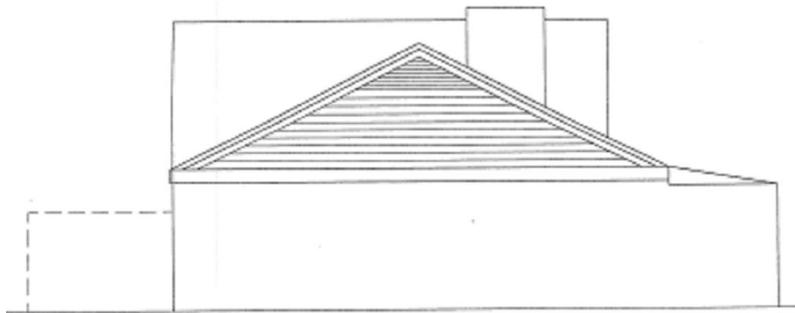
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 30 months after the date of approval unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

**ATTACHMENT 1: Architectural Rendering for Proposed Garage Addition**



Proposed front elevation



Proposed side elevation



Proposed rear elevation

## Statement of Justification and Revised Architectural Renderings

### Statement Of Justification Of Applicant Ramez Andrawis Regarding Section 8-922 Provisions For Reduction Of Certain Yard Requirements (review of existing condition)

The proposed development of two car garage conforms to the provisions of all applicable ordinances, regulations and adopted standards as follows:

- 1- 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.

We are going to remove the existing Car Port (154 sf), along with the enclosed porch (187 sf), and replace them with a new two car garage building and attached to the existing house; its size will be 39'-05" length x 10'-9" width x 9'-2" height - area of 423.73'.

The existing Car Port (154 sf), along with the enclosed porch (187 sf), were originally built according to the modification of the minimum yard requirement by no more than fifty (50) percent and/or is closer than five (5) feet to the south lot line. The existing minimum yard setback distance between the enclosed porch and south lot line is 6.1 ft measured to the wall. The new south yard setback distance measured between the south lot line and southwest eave corner of garage will be 6.0 ft.

Per the details indicated below, existing principal structure area is 1900 sf and the resulting gross floor area after removal of the existing enclosed porch & car port and adding the new two car garage should not exceed  $1.5 \times 1900 = 2850$  sf but the total final proposed new gross floor area will be 1982.7 sf which is 104.4%. Also, it is allowable to remove only 50% of the existing principal structure area of  $0.5 \times 1900 = 850$  sf, and we will remove 341 sf which is 17.95%.

- |  |          |
|--|----------|
| a. Above grade living area is  | 1,247 sf |
| b. Existing basement area=   | 312 sf   |
| c. Existing Enclosed porch area to be removed=                                       | 187 sf   |
| d. Existing Car Port area to be removed =  | 154 sf   |
| e. Existing total area to be removed=187+154=  | 341 sf   |
| f. Existing principal structure floor area= 1247+312+341=                            | 1900 sf  |
| g. New garage area =   | 423.7 sf |
| h. Total net added new area= 423.73-341=   | 82.7 sf  |
| i. Total of Existing principal structure and net added new floor area is= 1900+82.7= | 1982.7sf |
- 1982.7sf <  $1.50 \times 1900 < 2850$  sf , which is 104.4%, Ok, we met the criteria above.

- j. Enclosed porch area and car port to be removed = 341 sf of 17.95 % of total area <50%. OK. We met criteria above.
- 2- 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.

The design of the proposed two car garage addition are clearly identified on the plat with its area.

- 3- 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.

The design of the proposed two car garage is intended to be entirely compatible with the existing house. As reflected on the drawings submitted with this application, the proposed two car garage will replace the existing car port and enclosed porch and shall be built on the same location, same height or less. The proposed two car garage shall match the height of the existing car port and the existing house exterior wall material brick. Thus, it 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.

- 4- 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.

As reflected by photographs submitted with this application of surrounding homes and structures, the proposed two car garage would be 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. In fact, comparing the design drawings submitted along with the photographs of the front of 1408 Pathfinder Ln, makes clear that the proposed two car garage will make the residence more harmonious with the off-site uses and structures than it currently is. The proposed two car garage addition will not involve any meaningful alteration of existing topography.

- 5- 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.

The proposed two car garage will not adversely impact the use and/or enjoyment of any adjacent property with regard to issues as noise, light, air, safety, erosion, and stormwater runoff. On the contrary, the proposed garage will resolve the safety and parking issues and keep the street clear. The proposed two car garage will not require site grading change. The proposed garage will increase the neighbors' enjoyment of their properties.

- 6- 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 current/existing reduction represents the minimum amount of reduction that is necessary to accommodate the proposed two car garage. As indicated on the drawings submitted with this application, the proposed two car garage will be attached directly to the south side of the existing single house. We proposed another location attached to the north side of the single house) indicated on our last submittal that was rejected; therefore we relocated the proposed two car garage. There is no viable or appropriate orientation for this garage except what we proposed. The lot does not have any steep slopes, floodplains or Resource Protection Areas. The lot does not have any wells, septic tanks, or historic resources, nor would the proposed garage approach, much less impinge on any easements.

- 7- 930.11: all required minimum yards have been indicated and included front, sides and rear. Also, the distances from all proposed and existing structures to lot lines have been shown.

Front lot coverage calculations are provided as follows:

- a. Front lot area is  $=100.06 \times 30 = 3,001.8$  sf.
- b. Existing driveway and concrete walk area is  $= 380$  sf
- c. Front yard coverage ratio is  $100 \times (380) / 3,001.8 = \mathbf{12.66\% \text{ which is less than the maximum of 30\% for R-3}}$

- 8- 930.15: Existing and proposed gross floor area and floor area ratio are provided as follows:

Existing Basement Area=	312 Sf.
Existing First Floor Area=	1, 247 Sf.
Existing Attached Accessory Structures=	$187+154+32=341+32= 373$ Sf.
Existing Gross Floor without Accessory Structures =	$1,247+312= 1,559$ Sf
Existing Gross Floor Including Accessory Structures (Ex.GFA) =	$1,559+373= \mathbf{1,932}$ Sf
Lot Area=	10,833 Sf
Existing Floor Area Ratio without Accessory Structures=	$1,559/10,833= 0.144$
Existing Floor Area Ratio with Accessory Structures=	$1,932(\text{Ex.GFA}) / 10,833= \mathbf{0.178}$
New Garage Area Is =	423.7 Sf.
Existing Car Port and Enclosed Porch Area That Will Be Removed=	341 Sf
Net New Garage Addition Area To The Existing Car Port And Enclosed Porch (Will Be Removed) =	$=423.7-341 = 82.7$ Sf.

Proposed Addition Ratio = New Addition Area (82.7) / (Ex.GFA) 1,932 = 0.043

Proposed Final Gross Floor Area after Adding the New Garages = 82.7 + 1932 = 2014.7 sf

Total Final Proposed Floor Area Ratio = 2014.7 / 10,833 = 0.186

## **SPECIAL PERMIT STATEMENT OF JUSTIFICATION**

The subject property information is as follows:

- 9- Address is 1408 Pathfinder Ln, Mclean, VA 22101
- 10- Land area is 10,833 sf.
- 11- Current land use code is Single Family or Dwelling (Patio House), Detached.
- 12- Zoning description is R-3, 3Du /ac
- 13- Map # 0302 31 0200
- 14- Tax District 20132
- 15- House Style is Split Level 2-Levels.
- 16- Exterior Wall Material is Brick.
- 17- Roof is Composition Shingle.
- 18- Basement is Full
- 19- Basement type is Daylight/ English
- 20- Year Built is 1958.
- 21- Model Name is C1
- 22- Bedrooms total is "3"
- 23- Full Baths is "2"
- 24- Construction Quality is Average 10

Currently, there is only one Car Port (154 sf) that is being used for partial (does not cover an entire car) parking by only one car, whereas the family members are four persons and they need additional parking spaces. Therefore, we are going to remove the existing Car Port (154 sf), along with the enclosed porch (187 sf), and replace them with a new two car garage building and attached to the existing house; its size will be 39'-05" length x 10'-9" width x 9'-2" height - area of 423.73'.

The existing Car Port (154 sf), along with the enclosed porch (187 sf), were originally built according to the modification of the minimum yard setback requirement by no more than fifty (50) percent and/or is closer than five (5) feet to the south lot line. The existing minimum yard setback distance between the enclosed porch and south lot line is 6.1 ft measured to the wall. The new south yard setback distance measured between the south lot line and southwest eave corner of garage will be 6.0 ft.

The proposed development conforms to the provisions of all applicable ordinances, regulations, and adopted standards. If any waiver, exception or variance is sought,

Beginning of the construction will be pending the special permit approval and issuance.

- The traffic will not be impacted; conversely, it should be improved as there will be no parking on the street.
- The new garage building will match the existing house exterior wall material brick.
- No hazardous or toxic substances exist.

- This property is not located within a resource protection area per the Chesapeake Bay preservation ordinance.
- This property is not located within a historic overlay district.
- Limit of Disturbance is less than 2500 square feet and is equal about 500 sf.

Revised Architectural Renderings



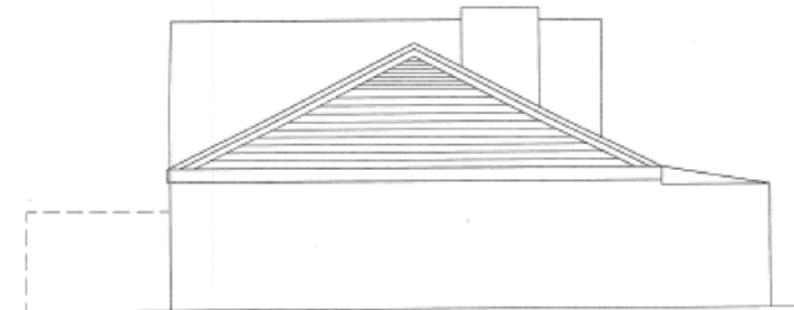
Existing front elevation



Proposed front elevation



Existing side elevation



Proposed side elevation



Existing rear elevation



Proposed rear elevation

Application No.(s):

SP 2015-DR-119

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 25th day of February 2015  
(enter date affidavit is notarized)

127922

I, Hayam Mikhail, do hereby state that I am an  
(enter name of applicant or authorized agent)

(check one) [ ] applicant  
[X] 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)
Ramez Andrawis	1408 Pathfinder Lane McLean VA 22101	owner/Applicant
H Mc Partners, Inc Hayam Mikhail	8805 Western Hemlock Way Lorton VA 22079	Applicant's Authorized 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).

Handwritten initials in a circle

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 02/25/2015  
(enter date affidavit is notarized)

127922

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)

No share holders

**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): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 02/25/2015  
(enter date affidavit is notarized)

1279 22

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**)

No Partners

(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)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 02/25/2015  
(enter date affidavit is notarized)

127922

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:

None

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: 02/25/2015  
(enter date affidavit is notarized)

127922

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) R. Andrawis  
 Applicant [ ] Applicant's Authorized Agent

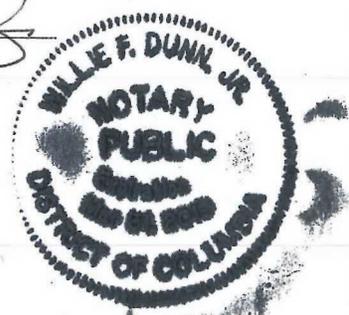
Ramez Andrawis, M.D.  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 25<sup>th</sup> day of February, 20 15, in the State/Comm. of District of Columbia, County/City of Washington.

Willie F. Dunn, Jr.  
Notary Public

My commission expires: MARCH 31, 2019

WILLIE F. DUNN, JR.  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires March 31, 2019





# County of Fairfax, Virginia

## MEMORANDUM

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

**DATE:** March 17, 2015

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

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

**SUBJECT:** BZA Affidavit  
Temporary Application No. SP 2015-0507

**REF.:** 127922

RECEIVED  
Department of Planning & Zoning

MAR 19 2015

Zoning Evaluation Division

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

Name of Applicant

Affidavit Date of Oath

Ramez Andrawis

2/25/15

Attachment

Works and Environmental Services (DPWES) at the Plan and Document Control counter, located on the 5<sup>th</sup> floor of the Herrity Building, 12055 Government Center Parkway. If you have any questions, please call (703) 324-1730.



**COUNTY OF FAIRFAX**  
**Department of Planning and Zoning**  
**Zoning Evaluation Division**  
 12055 Government Center Parkway, Suite 801  
 Fairfax, VA 22035 (703) 324-1290, TTY 711  
[www.fairfaxcounty.gov/dpz/zoning/applications](http://www.fairfaxcounty.gov/dpz/zoning/applications)

APPLICATION No: \_\_\_\_\_  
 (Staff will assign)

RECEIVED  
 Department of Planning & Zoning  
 MAR 13 2015  
 Zoning Evaluation Division

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

APPLICANT	NAME <i>Ramez Andrawis</i>	
	MAILING ADDRESS <i>1408 Pathfinder Lane McLean VA 22101</i>	
	PHONE HOME (703) 821-9065	WORK (202) 741-3121
	PHONE MOBILE (202) 716-9065	
PROPERTY INFORMATION	PROPERTY ADDRESS <i>1408 Pathfinder Lane McLean VA 22101</i>	
	TAX MAP NO. <i>30-2-31-0200</i>	SIZE (ACRES/SQ FT) <i>10.833</i>
	ZONING DISTRICT <i>R-3, H.C</i>	MAGISTERIAL DISTRICT <i>Dranesville</i>
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: <i>N/A</i>	
SPECIAL PERMIT REQUEST INFORMATION	ZONING ORDINANCE SECTION <i>8-922</i>	
	PROPOSED USE <i>Reduce side yards 50% Reduction</i>	
AGENT/CONTACT INFORMATION	NAME <i>Hayam Mikhail</i>	
	MAILING ADDRESS <i>8805 Western Hemlock Way Lorton VA 22079</i>	
	PHONE NUMBER	HOME WORK
	PHONE NUMBER	MOBILE <i>703-929-8207</i>
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact	
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p>		
<p><i>Hayam Mikhail</i>                  TYPE/PRINT NAME OF APPLICANT/AGENT</p>		<p><i>H. Mikhail</i>                  SIGNATURE OF APPLICANT/AGENT</p>

*SR 2015-0507*

DO NOT WRITE IN THIS SPACE

Ramez Andrawis, MD  
1408 pathfinder Lane  
McLean, VA 22101  
202 – 716 9065 Cell  
703 – 821 9065 Home  
10/23/2013

Dear Sir/Madam,

I am "Ramez Andrawis" the sole owner of the property of 1408 Pathfinder Lane, McLean, VA 22101. I do authorize Mrs. Hayam Mikhail the architect of HMC to represent me in the process of getting the special permit for double two car garages in a row within my property in Fairfax county.

Please, do not hesitate to contact me if you have any questions.

Truly yours,

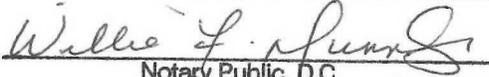


Ramez Andrawis, MD

District of Columbia : SS

Subscribed and Sworn to before me

this 23<sup>rd</sup> day of October, 2013



Notary Public, D.C.

My commission expires 3/14/2014



Willie F. Dunn, Jr.  
Notary Public, District of Columbia  
My Commission Expires 3/14/2014

## Zoning Ordinance Provisions

### 8-006 General Standards

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

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

### 8-903 Standards for All Group 9 Uses

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

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

### **8-922 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 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.
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 Emergency Management Agency, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.
  - M. Seal and signature of professional person certifying the plat.
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.