



# County of Fairfax, Virginia

---

June 8, 2016

## STAFF REPORT

### SPECIAL PERMIT SP 2016-SU-019

#### SULLY DISTRICT

**APPLICANTS/OWNERS:** Shawn Miller

**STREET ADDRESS:** 13909 Woods Run Court, Centreville, 20121

**SUBDIVISION:** Little Rocky Run

**TAX MAP REFERENCE:** 54-4 ((8)) 652

**LOT SIZE:** 2,275 square feet

**ZONING DISTRICT:** R-5, WS

**ZONING ORDINANCE PROVISIONS:** 8-922

**SPECIAL PERMIT PROPOSAL:** To permit a reduction of certain yard requirements to permit a deck to remain 5.2 feet from a rear lot line.

#### STAFF RECOMMENDATION:

Staff recommends approval of SP 2016-SU-019 for the deck with the 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 applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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

A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

*Sharon E. Williams*

---

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.

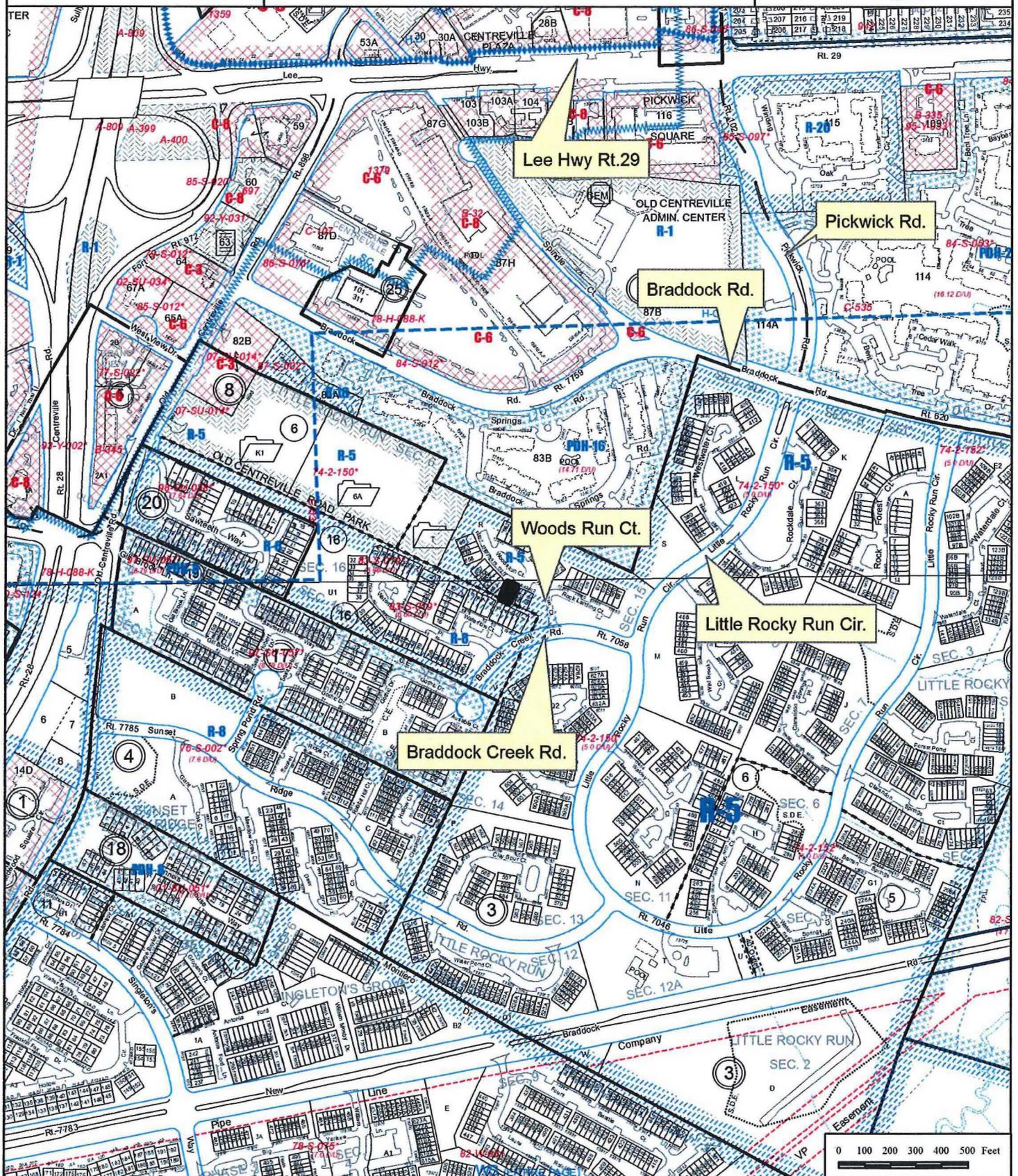
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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



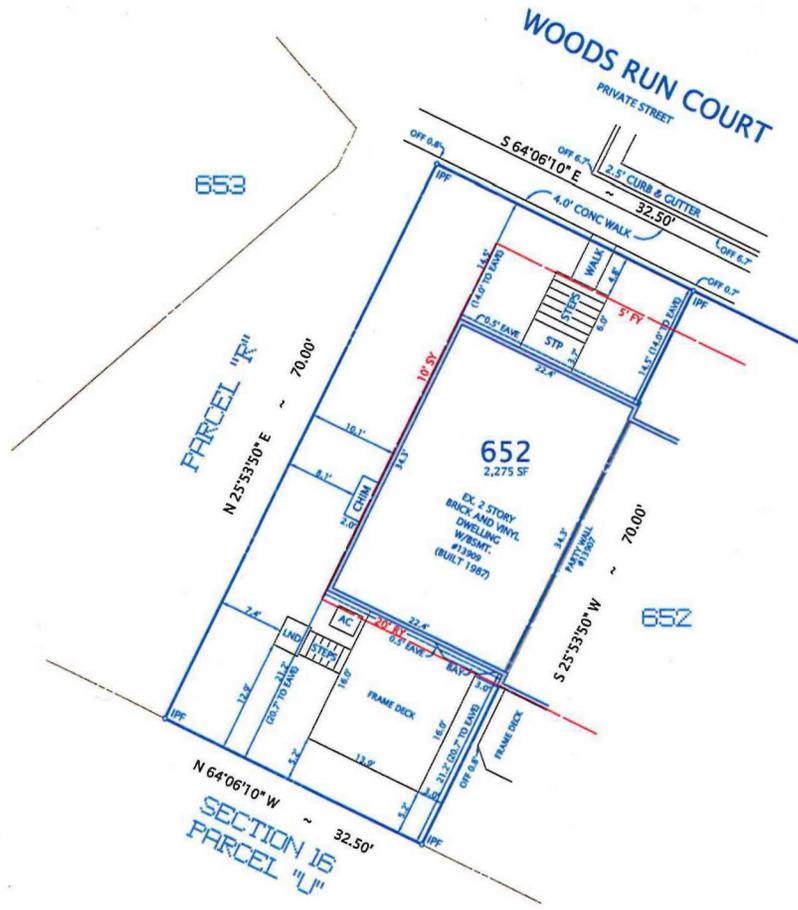
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



# Special Permit SP 2016-SU-019 SHAWN MILLER



COPYRIGHT BY DOMINION SURVEYORS, INC. THE INFORMATION CONTAINED ON THIS DOCUMENT MAY NOT BE COPIED, REPRODUCED OR ALTERED IN ANY FORM WITHOUT PERMISSION IN WRITING FROM THE COPYRIGHT OWNER.



NOTES

- TAX MAP: 54-4-08-0652
- ZONE: R-5 (RESIDENTIAL SDU/AC)
- LOT AREA: 2,275 SF (0.0522 ACRE)
- REQUIRED YARDS:
 

FRONT:	=	05 FEET
SIDE:	=	10 FEET
REAR:	=	20 FEET
- HEIGHTS:
 

DWELLING	=	25.4 FEET
DECK	=	05.8 FEET
- THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
- THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
- ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING.
- THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
- THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
- AREAS:
 

BASEMENT	=	768 SF
FIRST FLOOR	=	768 SF
SECOND FLOOR	=	768 SF
GROSS FLOOR AREA	=	2,304 SF

FLOOR AREA RATIO: GFA (2,304) / LOT AREA (2,275) = 1.013
- THERE IS AN EASEMENT FOR INGRESS-EGRESS, CONSTRUCTION, MAINTENANCE OF UTILITIES AND COUNTY AND OTHER EMERGENCY VEHICLES OVER ALL PRIVATE STREETS.
- OWNER: LAURA A. & SHAWN E. MILLER  
13909 WOODS RUN COURT  
CENTREVILLE, VA 20121  
(DB. 19080, PG. 345)

PLAT  
 SHOWING THE IMPROVEMENTS ON  
 LOT 652, SECTION FIFTEEN  
**LITTLE ROCKY RUN**  
 (DEED BOOK 6495, PAGE 1551)  
 FAIRFAX COUNTY, VIRGINIA  
 SULLY DISTRICT  
 SCALE: 1" = 10'      FEBRUARY 26, 2016

RECEIVED  
 Department of Planning & Zoning  
 MAR 10 2016  
 Zoning Evaluation Division

<p>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:</p>	<p>George M. O'Quinn</p>	<p>ORDERED BY:        MILLER        ELITE CONTRACTING</p>
<p>THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.        A TITLE REPORT WAS NOT FURNISHED.        NO CORNER MARKERS SET.</p>		<p><b>DOMINION</b> Surveyors Inc.        8808-H PEAR TREE VILLAGE COURT        ALEXANDRIA, VIRGINIA 22309        703-619-6555        FAX: 703-799-6412</p>

## SPECIAL PERMIT REQUEST

The applicant is requesting approval to permit a reduction in certain yard requirements to permit a deck to remain 5.2 feet from the rear lot line. The existing deck is 5.8 feet in height and 222.4 square feet (16' x 13.9' in area).

A copy of the special permit plat, titled "Plat Showing the Improvement on Lot 652, Section Fifteen," prepared by George M. O'Quinn on February 26, 2016, 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 2,275 square foot application property is developed with a single-family attached townhouse with a basement. Vehicular access to the townhouse is provided via Woods Run Court. A concrete walkway and a stoop are located in the front yard on Woods Run Court. The 222.4 square foot deck (the subject of this application) is located in the rear of the house, adjacent to the southeastern property boundary.

The property is located to the north of Braddock Creek Road, west of Little Rocky Run Circle, and south of Braddock Road and Lee Highway. The subject property and surrounding properties are developed with single-family attached dwellings. The property is zoned R-5 and it is located in the Water Supply Protection Overlay District.



Figure 1: Aerial View

## **BACKGROUND AND HISTORY**

- Fairfax County Tax Records indicate that the single family dwelling was constructed in 1987 and purchased by the applicant in 2004.
- On August 4, 2014, the applicant applied for a building permit for an open deck with stairs to be 4.5 feet in height. The original building permit application is included in Appendix 4.
- On August 28, 2014, ZPRB staff failed the permit because the seal and property line were cut off.
- On September 8, 2014, ZPRB staff failed the permit because the plat was not to scale and based on the height, the deck did not comply with the minimum required rear yard setback of 8 feet.
- On September 15, 2014, the permit was approved after the height of the proposed deck was reduced to 3 feet. Following the approval, the applicant began the construction of the deck.
- On November 11, 2014, following a failed final inspection, ZPRB staff failed the permit because of a ten foot long plant hanger on one side of the deck. The building permit including the ZPRB comments is included in Appendix 5. The applicant has since removed the plant hanger.
- On June 3, 2015, a complaint was filed with the Department of Public Works and Environmental Services (DPWES). The complaint is currently under investigation; however, no Notice of Violation (NOV) or Corrective Work Order was filed.
- On November 24, 2015, the applicant's contractor wrote an appeal to determine whether Building Permit #142160213 permitted the construction of a four and a half foot tall open deck. The letter to appeal the failed inspection is included in Appendix 6.
- On December 7, 2015, ZAD determined that Building Permit #142160213 was approved for an open deck with a maximum height of three feet. As a result, ZAD determined that the applicant needed to apply for a Special Permit for a reduction in minimum yard requirements (Sect. 8-922) in order to bring the deck into conformance with the Zoning Ordinance and that the applicant was not eligible to apply for relief under an error in building location application (Sect. 8-914). The determination letter from ZAD is included in Appendix 7.

## **DESCRIPTION OF THE REQUEST**

The applicants are requesting approval of a special permit for a reduction in yard requirements to permit a deck to remain 5.2 feet from the rear lot line. The deck is 222.4 square feet and 5.8 feet in height. In the R-5 District the required rear yard is controlled

by a 30 degree angle of bulk plane, but it can be no less than 20 feet. However, an open deck with any part of its floor higher than three feet above finished ground level may extend 12 feet into the minimum required rear yard. Therefore, the applicants are requesting a reduction of 2.8 feet, or 35%.

	Structure	Yard	Minimum Yard Required	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
<b>Special Permit (50%)</b>	Deck	Rear	Min. of 8.0 feet*	5.2 feet	2.8 feet	35.0%

\*Sect. 2-412 allows an open deck with any part of its floor higher than three feet above finished ground to extend 12 feet into the minimum required rear yard.

## ANALYSIS

### Comprehensive Plan Provisions

**Plan Area:** Area III, Bull Run Planning District  
**Planning Sector:** Centreville Community Planning Sector (BR6)  
**Plan Map:** Residential, 8-12 dwelling units per acre

### Zoning District Standards

Bulk Standards (R-5)		
Standard	Required	Provided
Lot Size	No Requirement	N/A
Lot Width	18 feet	32.5 feet
Building Height	35 feet max.	<35 feet
Front Yard	Min. 5 feet, w/ 15 ABP <sup>1</sup>	14.5 feet
Side Yard	Min. 10 feet, w/ 15 ABP	7.4 feet <sup>2</sup>
Rear Yard	Min. 20 feet, w/ 30 ABP	5.2 feet <sup>3</sup>

<sup>1</sup>ABP = Angle of Bulk Plane

<sup>2</sup>Sect. 2-412 allows uncovered stairs and stoops which are less than ten feet in width to extend five feet into any minimum required yard

<sup>3</sup>As permitted through the approval of this application

### Zoning Ordinance Requirements (Appendix 8)

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

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

<b>Standards 1 and 2</b> Comprehensive Plan/ Zoning District	The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-5 District allows a reduction in minimum required yards with special permit approval.
<b>Standard 3</b> Adjacent Development	In staff's opinion, the existing deck has not hindered or discouraged the use or development of neighboring properties or negatively affected value.
<b>Standard 4</b> Pedestrian/Vehicular Traffic	No increase in vehicular or pedestrian traffic is expected with this application. In staff's opinion, the existing deck is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
<b>Standard 5</b> Landscaping/Screening	The existing deck does not appear to impact any existing landscaping.
<b>Standard 6</b> Open Space	There is no prescribed open space requirement on individual lots in the R-5 District.
<b>Standard 7</b> Utilities, Drainage, Parking, and Loading	There are no changes to the utilities and drainage serving the property or use.
<b>Standard 8</b> Signs	No signage is proposed.

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

<b>Standard 1</b> Lot Size and Bulk Regulations	The bulk regulations for minimum required yards are requested to be modified with the special permit application.
<b>Standard 2</b> Performance Standards	The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.
<b>Standard 3</b> Site Plan	The construction of the deck does not appear to have disturbed 2,500 square feet; therefore, the application is not subject to the provisions of Article 17, Site Plans.

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

<b>Standard 1</b> Yard Requirements Subject to Special Permit	<p>A. <i>Minimum required yards – Yards not less than 50% of the requirement and not less than 5 feet – N/A</i></p> <p>B. <i>Pipestem lots – N/A</i></p> <p>C. <i>Accessory structure locations – N/A</i></p> <p>D. <i>Extensions into minimum required yards allowed by Sect. 2-412: The existing deck is located 5.2 feet from the rear lot line. Sect. 2-412 allows open decks with a part of its floor higher than three feet above finished grade to extend 12 feet into the required rear yard. Therefore, the applicants are requesting a reduction of 2.8 feet, or 35%.</i></p>
--	---

<p><b>Standard 2</b> Not a Detached Structure in a Front Yard</p>	<p>Not applicable to the subject application.</p>
<p><b>Standard 3</b> Principal Structure that Complied with yard Requirements When Established</p>	<p>When the existing structure was built in 1987, it conformed to all applicable requirements at that time.</p>
<p><b>Standard 4</b> Addition No More than 150% of Existing Gross Floor Area (GFA)</p>	<p>The deck is not an addition, therefore this standard is not applicable to the subject application.</p>
<p><b>Standard 5</b> Accessory Structure Subordinate in Purpose, Scale, Use, and Intent</p>	<p>Staff believes that the existing deck is subordinate in purpose, scale, use and intent to the principal structure.</p>
<p><b>Standard 6</b> Construction in Character with On-Site Development</p>	<p>The existing deck has been constructed to the rear of the dwelling. In staff's opinion, the materials, size and scale of the deck are compatible with the dwelling.</p>
<p><b>Standard 7</b> Construction Harmonious with Off-Site Development</p>	<p>Many of the surrounding properties to the east of the dwelling have decks that are similar to the deck on the subject property, therefore staff believes the deck is harmonious with off-site development.</p>
<p><b>Standard 8</b> Construction Shall Not Adversely Impact Adjacent Properties</p>	<p>Staff believes that the deck has not significantly affected the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, or safety. DPWES has indicated that there are no drainage complaints on file related to this property. Staff believes the deck has not significantly increased runoff or erosion.</p>
<p><b>Standard 9</b> Represents the Minimum Amount of Reduction Necessary</p>	<p>In staff's opinion, the grade change causes the need for the deck to be higher than 3 feet. The height of the deck is closer to 3 feet at the point that directly abuts the dwelling; however, as the deck extends further into the rear yard the height increases due to the land sloping away from the house.</p> <p>Other issues of lot shape, yard determination, environmental characteristics, 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>

<b>Standard 12</b> Architectural Elevations	The deck has already been built on-site. As such, there are no architectural elevations associated with this application.
--	---

## **CONCLUSION / RECOMMENDATION**

In staff's opinion, the applicant has justified the granting of this special permit to allow the deck to remain 5.2 feet from the rear lot line. Although it may be possible for the applicant to have a by-right deck that would not encroach into the required rear yard, the grade change makes it practically difficult to do so and still provide a usable deck.

Based on the findings stated above, staff recommends approval of SP 2016-SU-019 for the deck with the 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.

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

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

## **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Statement of Justification and Select File Photographs
3. Applicant's Affidavit
4. Original Building Permit Application
5. ZPRB Building Permit Review
6. Applicant's Appeal Letter
7. ZAD Determination Letter
8. Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2016-SU-019****June 8, 2016**

If it is the intent of the Board of Zoning Appeals to approve SP 2016-SU-019 located at Tax Map 54-4 ((8)) 652 to permit a reduction of certain yard requirements pursuant to Section 8-922 of the Fairfax County Zoning Ordinance to permit a deck to remain 5.2 feet from the rear lot line, 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 final inspection of the deck. 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 deck (222.4 square feet and 5.8 feet in height), as shown on the plat entitled "Plat Showing the Improvement on Lot 652, Section Fifteen," prepared by George M. O'Quinn on February 26, 2016, as submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (2,304 square feet existing + 3,456 square feet (150%) = 5,760.0 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Subsequent additions that meet minimum yard shall be permitted without an amendment to this special permit.
4. The applicant shall obtain final inspection on the deck within six (6) months of BZA approval.

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 take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

February 22, 2016

The deck built at 13909 Woods Run Court in Centreville Virginia does match the existing character of the home in terms of the location, height, bulk and scale of the existing structure on the lot. The surrounding structures all have similar decks built. This is only a deck so it will not adversely impact the use or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff. This is a townhouse so there is not a lot of options with regard to placement of the deck because of the yard size being small. The current placement will not affect existing vegetation or significant trees, location of a well and/or septic field, location of easements, and/or preservation of historic resources. We ask that you grant this special permit for the deck so that the homeowners do not have to go through a hardship of reducing or getting rid of it entirely.

Thank you,

Rebecca O'Meara

RECEIVED  
Department of Planning & Zoning

MAR 11 2016

Zoning Evaluation Division









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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/10/16  
 (enter date affidavit is notarized)

133749

I, Rebecca O'Meara, 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 <b>BOLD</b> above)
Shawn, E., Miller	13909 Woods Run Ct. Centreville, VA. 20121	owner / applicant
Laura, A., Miller	13909 Woods Run Ct. Centreville, VA. 20121	owner / applicant
ELPte Contracting Inc Rebecca O'Meara	9500 Technology Dr. Suite 203 Manassas, VA. 20110	applicant's agent

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

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



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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/10/14  
(enter date affidavit is notarized)

133749

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)

ELITE CONTRACTING SERVICES CORPORATION  
9500 TECHNOLOGY DR STE 203  
MANASSAS, VA 20108

**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)

STEVE W. WHEZEL II

(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: 3/10/16  
(enter date affidavit is notarized)

133749

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**)

N/A

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

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

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/10/16  
(enter date affidavit is notarized)

133749

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

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

none

(check if applicable)  There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/10/16  
(enter date affidavit is notarized)

133749

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:

Rebecca D. O'Meara

(check one)

[ ] Applicant

[v] Applicant's Authorized Agent

Rebecca D. O'Meara applicants agent  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 10th day of March 2016, in the State/Comm. of Virginia, County/City of Fairfax.

Rachael A. Locke

Notary Public

My commission expires: 6/30/2019



**PERMIT APPLICATION**

Permit Application Center  
 12055 Government Center Parkway  
 Suite 230  
 Fairfax, Virginia 22035-5504  
 703-222-0801, TTY 711  
 www.fairfaxcounty.gov/buildingpermits



County use only  
 Building # 142160213 \$ 90.00  
 Mechanical # \_\_\_\_\_ \$ \_\_\_\_\_  
 Electrical # \_\_\_\_\_ \$ \_\_\_\_\_  
 Plumbing # \_\_\_\_\_ \$ \_\_\_\_\_  
 Fire # \_\_\_\_\_ \$ \_\_\_\_\_  
 Appliance # \_\_\_\_\_ \$ \_\_\_\_\_  
 Plan # LS-14-4016

Tax Map # 0544-08-0652 Parent # \_\_\_\_\_

Job Location \_\_\_\_\_  
 Street Address 13909 Woods Run Ct. Centreville VA 20121  
 Lot Number 652 Building \_\_\_\_\_ Floor \_\_\_\_\_ Suite See 15  
 Tenant's Name \_\_\_\_\_ Subdivision Little Rock Run

Owner Information  
 Name Shawn Miller  Owner  Tenant  
 Address 13909 Woods Run Ct.  
 City Centreville State VA ZIP 20121  
 Phone \_\_\_\_\_ Email \_\_\_\_\_

Contractor Information (see back for additional contractors)  
 Company Name Suburban Contractors Inc  Same as Owner  
 Address 9040 Woodpecker Ct Contractor ID # 400063  
 City Gainesville State VA ZIP 20155  
 Phone 5712481683 Email mike.kollas@suburban-contractors.com  
 State Contractor's License # 2705138586 County BPOL # Subo-14

Applicant Information  
 Name ~~Mike Kollas~~ Jennifer Kollas Contact ID # AC4073800  
 Address 9040 Woodpecker Ct  
 City Gainesville State VA ZIP 20155  
 Phone 5712481683 Email mike.kollas@suburban-contractors.com

Designated Mechanics Lien Agent (residential only)  
 Name \_\_\_\_\_  None Designated  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Phone \_\_\_\_\_ Email \_\_\_\_\_

Description of Work  
OPEN DECK w/ stairs 16x14 no hot tub  
4.5' off ground. 224 sq ft. Detached.  
 Estimated Cost \$ 4,000.00 House Type \_\_\_\_\_ Masterfile Number \_\_\_\_\_

I hereby certify that I have authority to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Signature of Owner, Master or Agent \_\_\_\_\_ Date 8/4/2014  
 Printed Name Jennifer Kollas Title Office Manager

**COUNTY USE ONLY**

Licensing IM 8/11/14 Health \_\_\_\_\_ Wastewater \_\_\_\_\_  
 Zoning RMF 9-15 Site OK Building SA 9/15/14  
 Approved for issuance by \_\_\_\_\_ Date 9/15/14 Fee \$ \_\_\_\_\_  
R5

**Building Permit  
Zoning Review**

Bldg Permit #: **142160213**

**DECK**

**Address:** 13909 WOODS RUN CT  
 CENTREVILLE VA 20121-3078  
 Bldg: N/A Floor: Suite: N/A

**Tax Map:** 0544 08 0652

**Subdiv:** **LITTLE ROCKY RUN LT 652 SEC 15** ,275.00

**Owner:** MILLER LAURA ANN  
 13909 WOODS RUN CT CENTREVILLE VA 20121

**Phone Day:** (703) - - x Evening:

**Contractor:**  
 SUBURBAN CONTRACTORS INC  
 9040 Woodpecker Ct  
 Gainesville, Va 20155-0000  
 (571) 248-1683

**Type of Work:** DECK

**Description of Work:** BUILD DECK W/STEPS AS PER PLANS/no hot tub/////AMEND TO ADDD PLANTS HANGERS

**Specific Description of Work:**

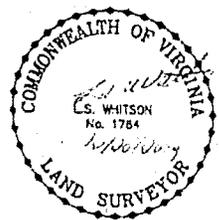
<u>Stairs:</u>	<u>Hot Tub:</u>	<u>Multi level</u>	<u>Single Span:</u>
Y	N	N	N

**ZPRB Review:**

<u>Date</u>		<u>Status</u>
08/28/2014	AMOXLE	Failed
<b>Problem Recorded:</b> 8/28/14		<b>Problem Resolved</b>
seal and rear property line are cut off.		
09/08/2014	CVILL1	Failed
<b>Problem Recorded:</b> 9/8/14		<b>Problem Resolved</b>
plat was not to scale and open high deck did not meet the min. required rer yard of 8'		
<b>Problem Recorded:</b> 8/28/14		<b>Problem Resolved</b>
seal and rear property line are cut off.		
09/08/2014	CVILL1	Failed
09/15/2014	ALANGH	Approved
11/20/2014	RGOOD3	Failed
		Incomplete

**Zoning Detail Review TAB:**

Zoning Dist.	Cluster Subdiv	Use	ADU Subdiv	Proffer						
R-5	N	SFA	N	N						
<b>Yard/Setbacks:</b>										
<b>Structure</b>	<b>Front (A)</b>	<b>Front (B)</b>	<b>Front (C)</b>	<b>Left</b>	<b>Right</b>	<b>Rear</b>	<b>Dimensions:</b>		<b>Height</b>	<b>Structure Type</b>
open deck	0.00	0.00	0.00	0.00	0.00	6.00	open deck	14*16	3.00	OPEN
<b>Is Deck Attached?</b> YES										



**HOUSE LOCATION SURVEY**  
**LOT 652 SECTION FIFTEEN**  
**LITTLE ROCKY RUN**  
**DEED BOOK 6495 PAGE 1551**  
**FAIRFAX COUNTY, VIRGINIA**  
**DATE: DECEMBER 20, 2004**  
**SCALE: 1" = 10'**  
**DRAFTED BY: A.L.S.**

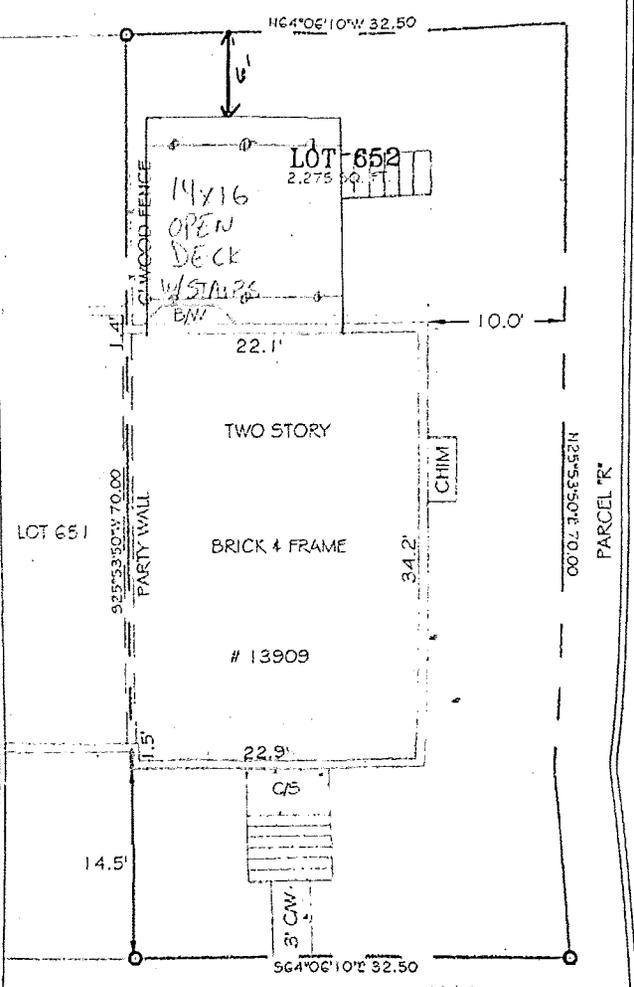
- LEGEND**
- C/W = CONCRETE WALK
  - S/W = STONE WALK
  - W/L = WOOD LANDING
  - B/L = BRICK LANDING
  - W/D = WOOD DECK
  - C/S = CONCRETE STOOP
  - M/S = METAL STOOP
  - C/C/S = COVERED CONCRETE STOOP
  - C/P = CONCRETE PATIO
  - R/E = RECESSED ENTRY
  - CHIM = CHIMNEY
  - O.H. = OVERHANG
  - B/W = BAY WINDOW
  - O.H.W. = OVERHEAD WIRE
  - A/W = AREA WAY
  - = MONUMENT FOUND
  - - - = FENCE

**NOTES**

AS PER TITLE 54.1-407 OF THE CODE OF VIRGINIA THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY; IT IS A HOUSE LOCATION SURVEY. ANY MONUMENTS SHOWN ON THIS PLAT WERE RECOVERED IN THE FIELD AND DEEMED SUFFICIENT FOR A HOUSE LOCATION SURVEY. THIS PLAT DOES NOT CERTIFY THAT THE LOCATIONS OF THESE MONUMENTS ARE PRECISELY CORRECT. YOUR LENDER REQUIRED A HOUSE LOCATION SURVEY TO VERIFY THE ORIENTATION OF THE HOUSE, LOCATION OF IMPROVEMENTS, AND TO ENSURE THAT THERE ARE NO IMPROPER ENCUMBRANCES UPON THE PROPERTY. IF THE OWNER DESIRES THE PRECISE LOCATION OF CORNERS TO BE MARKED, THEN A BOUNDARY SURVEY MAY BE REQUESTED FOR AN ADDITIONAL FEE. THE LOCATION OF FENCES, DRIVEWAYS, AND OTHER IMPROVEMENTS ARE APPROXIMATE. THIS PLAT DOES NOT DETERMINE THE OWNERSHIP OF FENCES. THIS PLAT IS NOT TO BE USED FOR CONSTRUCTION OF FENCES OR ANY OTHER IMPROVEMENTS. THIS PLAT WAS ESTABLISHED BY TRANSIT AND TAPE. NO TITLE REPORT WAS FURNISHED.

**OPEN DECK APPROVED**  
 NO Privacy screening  
 Lattice, plant hanger, trellis, or arbor  
 (Nothing above the rail and nothing below the deck flooring)

N/F DAVID L. HUNTER



APPROVED  
 JUDY 9/15/14  
 Julie B. Johnson  
 Lending Administrator  
 Open deck w/stairs

**WOODS RUN COURT**  
 (PRIVATE STREET)

+/- 275' TO  
 ROCK LANDING COURT

**SAM WHITSON LAND SURVEYING, INC.**  
 11170 LEE HIGHWAY SUITE C  
 FAIRFAX, VIRGINIA 22030  
 (703)352-9515 FAX: (703)352-9516  
 VISIT OUR WEBSITE AT <http://www.samwhitson.com/>

**OWNER: GIGLIO**  
**BUYER: MILLER & DICKINSON**  
 W.O. #04-6806 CLIENT # C4-3389

5' 10 1/4"  
 STRUCTURAL  
 B.P.H.

3/4" = 1' 0"

Office: 571.248.1683  
Fax: 703.754.1194



9040 Woodpecker Court  
Gainesville, VA 20155  
[www.suburban-contractors.com](http://www.suburban-contractors.com)

November 24, 2015

Leslie B. Johnson  
Zoning Administrator  
Zoning Administration Division  
Department of Planning & Zoning  
12055 Government Center Pkwy, Suite 807  
Fairfax, Virginia 22035  
[ordadmin@fairfaxcounty.gov](mailto:ordadmin@fairfaxcounty.gov)  
703-324-1314

Reference: 13909 Woods Run Ct. Centreville, VA 20121 / Tax Map#:0544-08-0652

Dear Mrs. Johnson,

I am writing to you today to appeal a build in error violation that we are receiving from the zoning department on a build in error for a deck that we built on or around 9/15/2014.

Here is some background on the property project; the homeowner and I would like to meet with you in person to discuss this further at your earliest convenience.

On 8/4 2014 we submitted an application for a deck to be at the above referenced property, the application was rejected on that date by zoning because the original deck design encroached into the setback boundary. The original deck designed submitted on 8/4/2014 was for a 16'x12' deck with a 3'x5' grill area bump out, and stairs off to the side, the grill area bump out encroached into the setback so the application was rejected.

Based on the information and guidance we received from Fairfax Zoning to be compliant with design and build we went back and redesigned the deck with the homeowner Mr. Shawn Miller. The new deck design was submitted to the county on 9/15/2014 for a basic 16'x14' deck with stairs off the side, which was approved by zoning. After this approval was received from zoning we began building the basic 16'x14' deck with stairs off the side.

All of our applications and drawings showed and stated that the deck was to be build at 4'-6" off the ground, and the deck was approved as far as we knew at that height. The rear of this property has an immediate 4'-6" grade drop between the exit door and the ground.

Our final inspection was rejected because of an approx. 10' long plant hanger on one side of the deck, which I tried to get revised on the zoning application after the final inspection was conducted but was unsuccessful. After further discussions with zoning, and not being able to get the plant hanger approved the homeowner is allowing us to remove this feature of the deck and tear down the plant hanger.

Office: 571.248.1683  
Fax: 703.754.1194



9040 Woodpecker Court  
Gainesville, VA 20155  
[www.suburban-contractors.com](http://www.suburban-contractors.com)

While working with the zoning department to try and get the plant hanger approved, we found out that the county was issuing another, entirely new violation on this deck for the build in error. We feel this is unfair for the zoning staff to do almost a year after the deck was built considering the error was not communicated to us prior to starting construction (as was the encroachment issue that we resolved prior to construction of the deck.)

Lowe's (the primary for this contract), the homeowner and I would like the time to meet with you to further prove our point that we did everything we could with the information provided to us to build this deck in accordance with county zoning. Our ultimate goal here is for the county to approve the deck and finalize this permit.

I look forward to hearing from you soon,

Sincerely,

Mike Kollas  
President  
Suburban Contractors Inc.  
[mike.kollas@suburban-contractors](mailto:mike.kollas@suburban-contractors)  
703-209-0129



# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

December 7, 2015

Mike Kollas  
Suburban Contractors Inc.  
9040 Woodpecker Court  
Gainesville, VA 20155

RE: Determination Request  
13909 Woods Run Court  
Little Rocky Run, Section 15  
Tax Map: 54-4 ((8)) 652  
Zoning District: R-5

Dear Mr. Kollas:

This is in response to your letter dated November 24, 2015, in which you asked for my determination as to whether or not Building Permit #142160213 permits the construction of a four and a half foot tall deck. You argue that you submitted a building permit application for a four and a half foot tall deck but that the permit was mistakenly issued for a three foot tall deck. I understand that you have had numerous discussions with my staff in the Zoning Permit Review Branch. However, as outlined below, the building permit was not issued in error, rather, the deck was not constructed in accordance with the building permit.

On August 4, 2014, you submitted a building permit application to construct an attached deck at the rear of the townhouse located at 13909 Woods Run Court. Pursuant to the work description and the associated plat, the proposed deck was to be open (no lattice, plant hangers, etc.), four and a half feet in height and located six feet from the rear lot line. According to the permit history, a zoning review of the permit was failed on September 8, 2014, in part because an open deck that is greater than three feet in height and attached to a townhouse in the R-5 District may not be closer than eight feet to the rear lot line. As the deck was proposed to be six feet from the rear lot line it did not comply with the setback requirement. On September 15, 2014, you resubmitted the permit for zoning review and according to the comments contained on the FIDO zoning review tab, the proposed height of the deck was lowered to three feet. The zoning review was then approved because an open deck that is three feet or less in height and is attached to a townhouse may extend to the rear lot line. The attached zoning review clearly shows that the deck was approved at a height of three feet and not four and a half feet. While the building permit that was ultimately issued did not specify the height of the deck, it is clear, based on the zoning approval, that the deck could only be constructed at a maximum height of three feet and

Department of Planning and Zoning  
Zoning Administration Division  
12055 Government Center Parkway, Suite 807  
Fairfax, Virginia 22035-5505  
Phone 703-324-1374 FAX  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



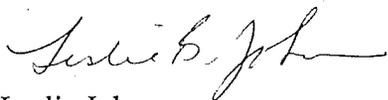
Mike Kollas  
December 7, 2015  
Page 2

be in compliance with the setback shown on the plat provided with the building permit application. Based on the above information it is my determination that the permit was approved for an open deck with a maximum height of three feet.

In your letter you state that the deck has already been constructed at four and a half feet in height and it is my understanding that the deck is located approximately six feet from the rear lot line. As described above, a four and a half foot tall deck may not be located closer than eight feet to the rear lot line. The deck that you have constructed therefore does not comply with the minimum required rear yard setback. To bring the deck into compliance you will either need to lower the deck to three feet in height, reduce the deck in size so that it is no closer than eight feet from the rear lot line or apply for a special permit for a reduction of certain yard requirements pursuant to Sect. 8-922 of the Zoning Ordinance. Please note that all special permit applications require the submission of an application, plat and fees, notification of adjacent property owners, and a public hearing before the Board of Zoning Appeals. Please contact the Zoning Evaluation Division at (703) 324-1290 for information and assistance. Please further note that failure to bring the deck into compliance may impact the property owner's ability to obtain future permits for this property.

I trust that this correspondence fully responds to your request. If you have any additional questions, please feel free to contact me at 703-324-1314.

Sincerely,



Leslie Johnson  
Zoning Administrator

cc: Melissa Smarr, Branch Chief, Land Disturbance and Post Occupancy Branch, DPWES  
Elizabeth Perry, Senior Deputy Zoning Administrator, Department of Code Compliance  
Laura Arseneau, Planner, Zoning Evaluation Division  
Diane Johnson-Quinn, Deputy Zoning Administrator for Zoning Permit Review Branch  
Shawn Miller, Property Owner, 13909 Woods Run Court, Centreville Road, VA 20121

### **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 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 1/2" 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.