



# County of Fairfax, Virginia

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July 20, 2016

## STAFF REPORT

### SPECIAL PERMIT SP 2016-MA-040

#### MASON DISTRICT

**APPLICANT/OWNER:** Carl Lars Andersen

**STREET ADDRESS:** 6546 Marlo Drive, Falls Church, 22042

**SUBDIVISION:** Marlo Heights

**TAX MAP REFERENCE:** 60-2 ((17)) 30

**LOT SIZE:** 25,238 square feet

**ZONING DISTRICT:** R-1

**ZONING ORDINANCE PROVISIONS:** 8-914, 8-922

**SPECIAL PERMIT PROPOSAL:** To permit reduction of certain yard requirements to permit the construction of an addition approximately 18 feet from a side lot line and to permit a reduction in minimum yard requirements based on errors in building location to permit a shed to remain 0 feet from a side lot line and a trellis to remain 10.8 feet from a side lot line.

#### STAFF RECOMMENDATION:

Staff recommends approval of SP 2016-MA-040 for the addition with the adoption of the proposed development conditions contained in Appendix 1.

Staff does not make recommendations on building in error applications. However, if it is the intention of the Board of Zoning Appeals to approve the request for a special permit for an error in building location to allow the shed to remain 0 feet from the side lot line

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*Angelica P. Gonzalez*

and the trellis to remain 10.8 feet from the side lot line, staff recommends that such approval be made subject to the 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.

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).

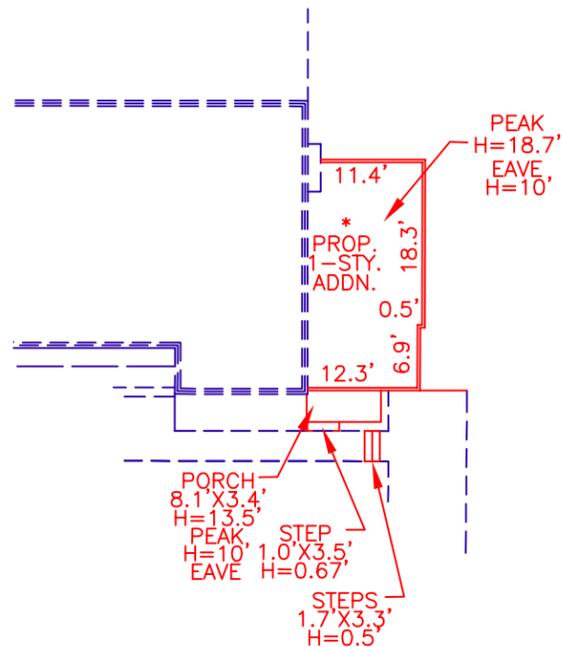


BY PROVISIONS OF THE VIRGINIA CODE: NO CORNER MARKERS SET.  
 BOUNDARY SURVEY NOT PERFORMED.  
 PLAT SUBJECT TO RESTRICTIONS OF RECORD, TITLE REPORT NOT FURNISHED.

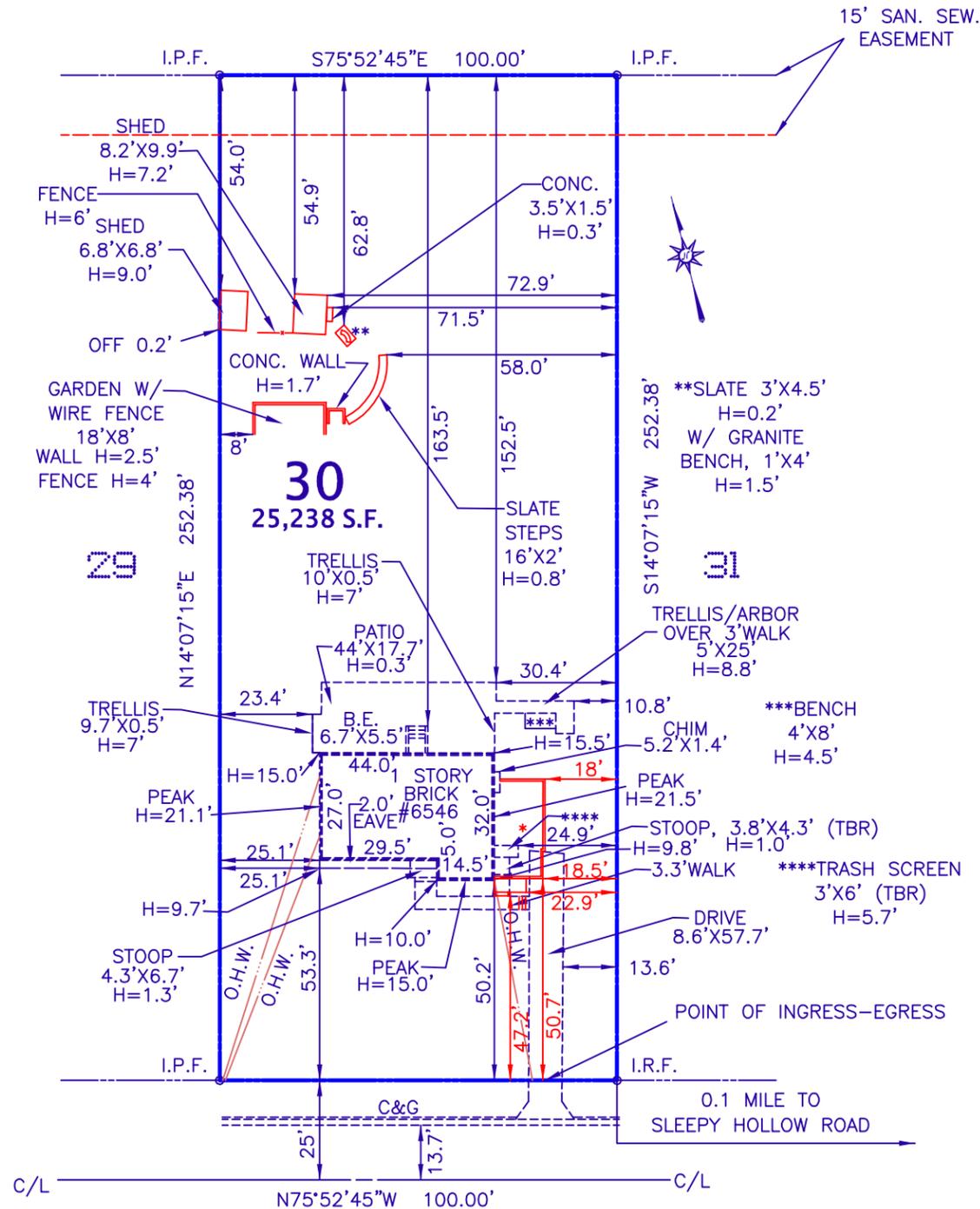
MHP# 0602-01-0037

NOTES:

1. TM #060-2-17-0030.
2. ZONE: R-1
3. SETBACKS: FRONT = 40', SIDE = 20', REAR = 25'.
4. PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
5. THERE ARE NO KNOWN GRAVES OR STRUCTURES MARKING A PLACE OF BURIAL ON THIS SITE.
6. THERE ARE NO MAJOR UNDERGROUND UTILITIES OR EASEMENTS FOR SUCH UTILITIES HAVING A WIDTH OF 25 FEET OR GREATER LOCATED ON THIS SITE.
7. THIS SITE DOES NOT CONTAIN 100-YEAR FLOOD PLAIN OR RESOURCE PROTECTION AREA (RPA). SITE IS LOCATED ENTIRELY WITHIN THE RESOURCE MANAGEMENT AREA (RMA).
8. NO ADDITIONAL LANDSCAPING OR SCREENING IS PROPOSED WITH THIS PLAN.
9. FLOOR AREA CALCULATIONS: PER ZO SECTION 20-300 (DEFINITIONS) (6 INCH EXTERIOR WALLS FOR FRAME CONSTRUCTION AND 8 INCH EXTERIOR WALLS FOR BASEMENT BLOCK WALLS. CALCULATED USING OUTSIDE DIMENSIONS OF DWELLING AS MEASURED IN THE FIELD.)  
 EX. LOT AREA = 25,238 SF  
 EX. BASEMENT = 1,088 SF  
 EX. FIRST FLOOR = 1,258 SF  
 EX. FLOOR AREA RATIO: EX. GFA (2,346) / LOT AREA (25,238) = 0.093  
 PROP. ADDITION = 289 SF / EX GFA (2,346 SF) = 0.123  
 PROP. GROSS FLOOR AREA: EX. GFA (2,346 SF) + PROP. ADDITION (289 SF) = 2,635 SF  
 PROP. GROSS FLOOR AREA RATIO: PROP. GFA (2,635 SF) / LOT AREA (25,238 SF) = 0.104  
 FLOOR AREA PERCENTAGE INCREASE = 12.3%



PROPOSED ADDITION  
 SCALE: 1"=20'



**MARLO DRIVE**  
 50' R/W

SPECIAL PERMIT PLAT  
 LOT 30, SECTION 2  
 MARLO HEIGHTS  
 MASON DISTRICT

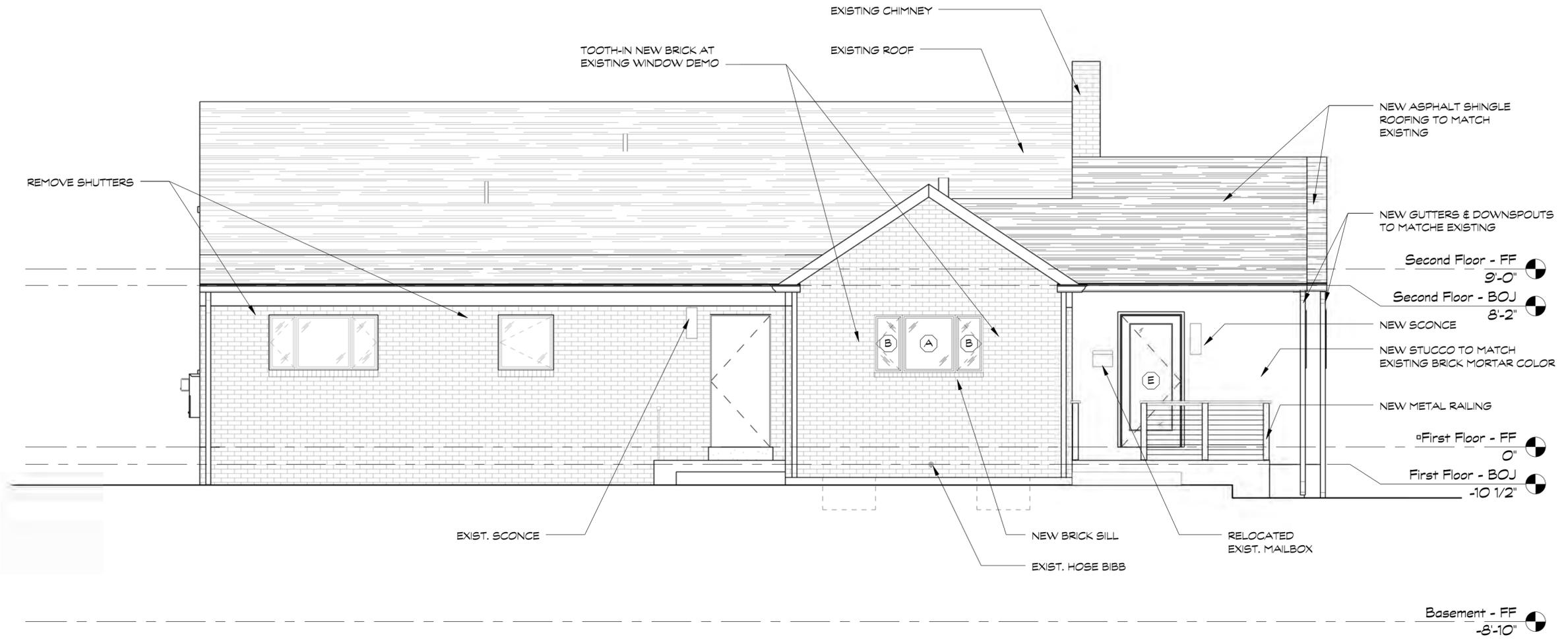
FAIRFAX COUNTY, VIRGINIA  
 SCALE 1"=40' DATE 03-17-16  
 REV. 04-18-16  
 REV. 07-12-16



GRAPHIC SCALE



**ALEXANDRIA SURVEYS, LLC**  
 1229 GARRISONVILLE ROAD SUITE 104 STAFFORD, VA 22556  
 TEL. NO. 703-636-1313 FAX NO. 703-736-4266



1 PROPOSED SOUTH ELEVATION  
 A2.4 1/4" = 1'-0"

proposed renovation for:  
 Andersen Residence  
 6546 Marlo Dr. Falls Church,  
 VA 22042

sheet title:

Proposed  
 Exterior  
 Elevations

sheet scale:

1/4" = 1'-0"

sheet date:

07.29.2016

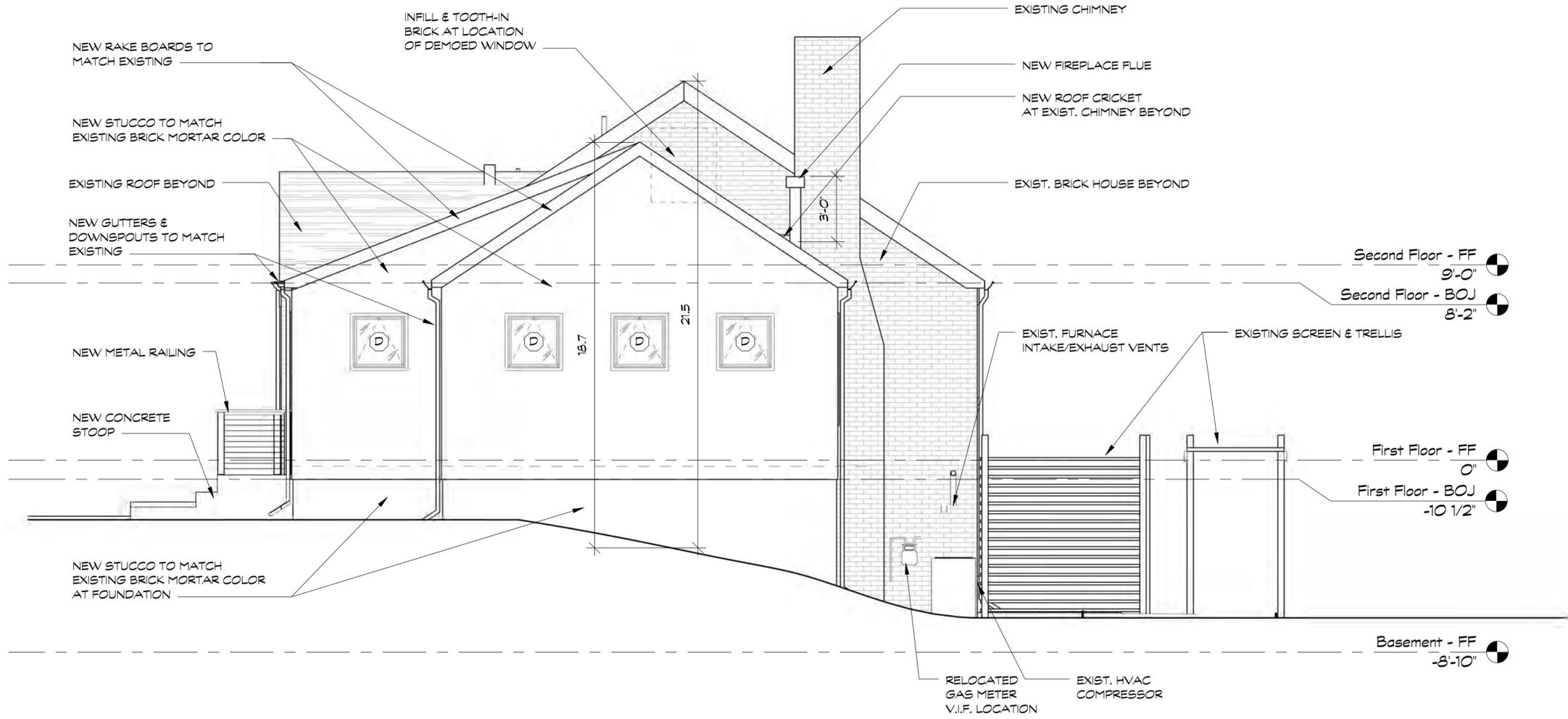
drawing revisions:

date:	description:	rev. #
5.24.16	SWT	
6.11.16	PRICING-1	

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A2.4

1 PROPOSED EAST ELEVATION  
 A2.5 1/4" = 1'-0"



proposed renovation for:  
 Andersen Residence  
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 VA 22042

sheet title:

Proposed  
 Exterior  
 Elevations

sheet scale:

1/4" = 1'-0"

sheet date:

07.29.2016

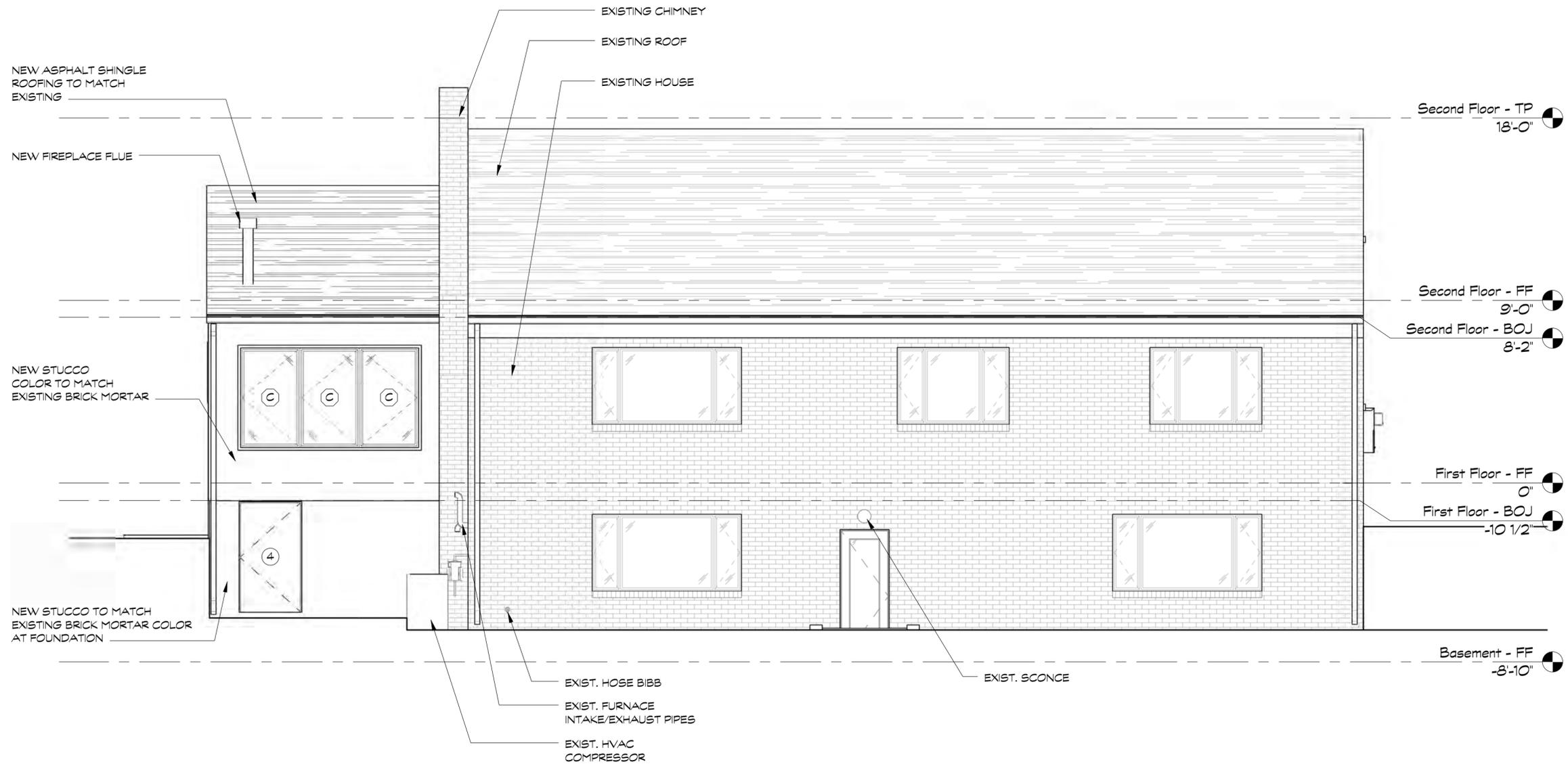
drawing revisions:

rev. #	description:	date:
	SWT	5.24.16
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A2.5

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1 PROPOSED NORTH ELEVATION  
 A2.6 1/4" = 1'-0"

proposed renovation for:  
 Andersen Residence  
 6546 Marlo Dr. Falls Church,  
 VA 22042

sheet title:

Proposed  
 Exterior  
 Elevations

sheet scale:

1/4" = 1'-0"

sheet date:

07.29.2016

drawing revisions:

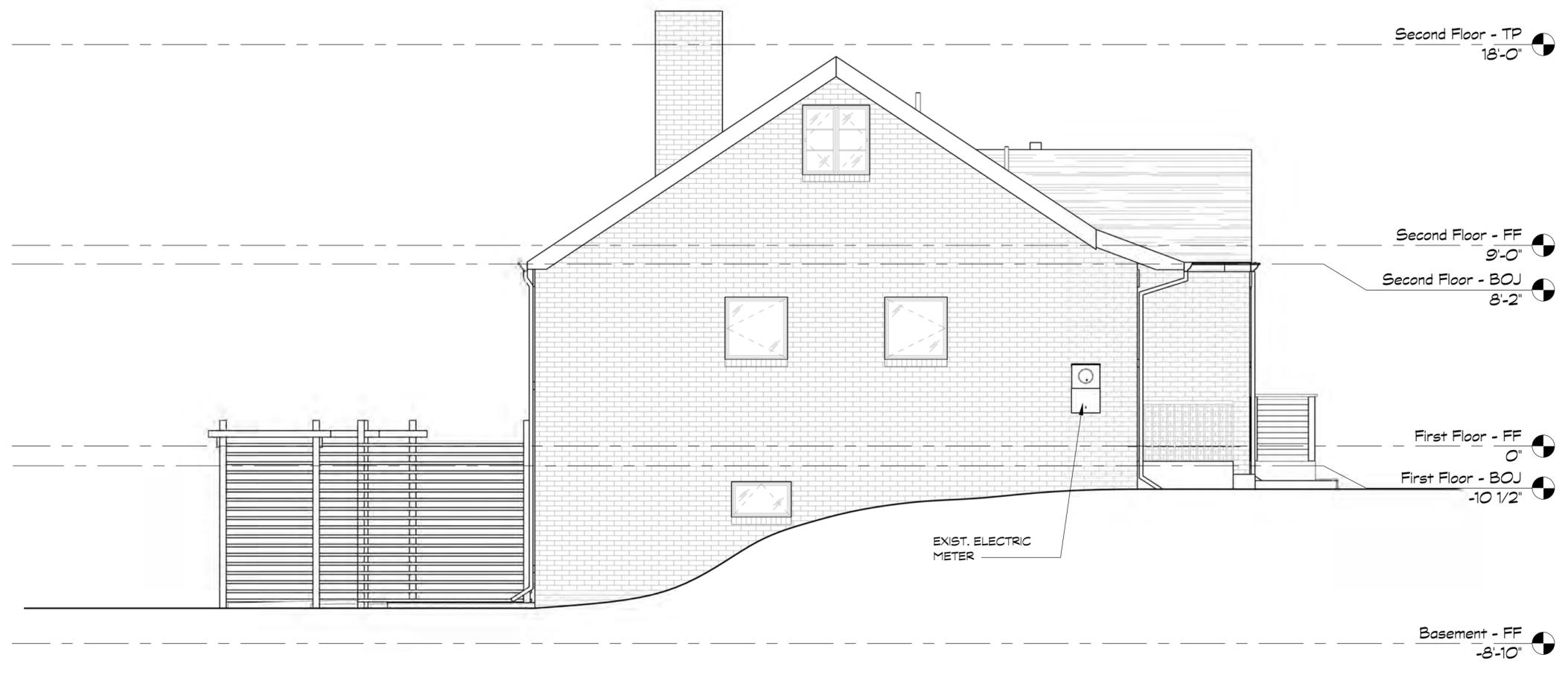
rev. #	description:	date:
	SWT	5.24.16
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A2.6

1 PROPOSED WEST ELEVATION  
 A2.7 1/4" = 1'-0"



proposed renovation for:  
 Andersen Residence  
 6546 Marlo Dr. Falls Church,  
 VA 22042

sheet title:  
 Proposed  
 Exterior  
 Elevations

sheet scale:  
 1/4" = 1'-0"

sheet date:  
 07.29.2016

drawing revisions:

rev. #	description:	date:
	SWT	5.24.16
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A2.7

## SPECIAL PERMIT REQUEST

The applicant seeks approval of a special permit to allow a reduction of certain yard requirements to construct a dining room, mud room, and powder room addition that is approximately 18 feet from the eastern side lot line. The proposed addition encompasses approximately 289 square feet in gross floor area and stands 18.7 feet high. The applicant further requests a special permit to allow errors in building location to allow a shed to remain 0 feet from the western side lot line and to allow a trellis 10.8 feet from the eastern side lot line.

A copy of the special permit plat, titled "Special Permit Plat Lot 30, Section 2, Marlo Heights," prepared by Michael L. Flynn dated March 17, 2016, as revised on April 18, 2016 and July 12, 2016, is included in the front of the staff report.

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

## CHARACTER OF THE SITE AND SURROUNDING AREA

The subject property is located on Marlo Drive within the Marlo Heights subdivision at 6546 Marlo Drive. According to the Fairfax County Department of Tax Administration, the 25,238 square foot lot is developed with a one-story single-family detached dwelling with an attic. Vehicular access to the dwelling is provided via a concrete driveway from Marlo Drive. From the driveway, a walkway and stoop provide access to the front of the home. Two accessory storage structures (sheds) are located at the rear of the property in the side yard. An accessory structure (trellis), is located in the side yard on the east side of the property.



Figure 1: Aerial View, Source: Fairfax County Pictometry

The lot is located northwest of the intersection of Marlo Drive and Sleepy Hollow Road. The subject property is located south of Sleepy Hollow Park and the surrounding properties are zoned R-1 and are developed with single-family detached dwellings.

## **BACKGROUND AND HISTORY**

According to Fairfax County Tax Records, the single-family dwelling was constructed in 1954 and purchased by the applicant in 1993. The following information provides background on the shed and trellis.

### **Shed**

- In 2014 the shed was constructed by the applicant 0.2 feet into the neighbor's property to the west (lot 29) as stated in the applicant's statement of justification.
- The accessory storage structure was constructed between March 22, 2014 and April 2, 2015 according to aerial imagery from Fairfax County Pictometry, confirming the applicant's claim.
- On June 7, 2016 an acknowledgment and permission letter was provided by the adjacent property owner at 6550 Marlo Drive in regards to the shed's encroachment into their property (Appendix 4).

### **Trellis**

- In June 2001 a trellis was constructed by the applicant 10.8 feet from the eastern side lot line, according to the applicant's statement of justification.
- Aerial imagery from Fairfax County Pictometry shows that the trellis existed since at least March 23, 2003.
- On August 14, 2006 a building permit was issued for an addition located southeast of the existing house, but it appears that the addition was never built. The approved plat associated with the building permit includes a trellis which demonstrates its existence since 2006. For additional information refer to Appendix 5.

According to the applicant's statement of justification, he constructed the shed and trellis himself and was unaware of the provisions of Sect. 10-103 of the Zoning Ordinance.

Similar cases for reduction of minimum yard requirements have been approved by the BZA on nearby properties (Appendix 6):

1. October 28, 1986 the BZA approved a reduction of certain yard requirements (VC 86-M-111), to permit the construction of a garage addition to a dwelling that is 20 feet from a street line of a corner lot where 40 feet is required located at 3232 Sleepy Hollow Road.
2. November 18, 1987 the BZA approved a reduction of certain yard requirements (SP 87-M-059), to permit a shed that is 9.1 feet in height 0.2 feet from a side lot line where a 20 foot side yard setback is required located at 6562 Marlo Drive.
3. November 18, 1987 the BZA approved a reduction of certain yard requirements

(VC 87-M-113), to permit the construction of a room addition that is 14.16 feet from a side lot line and a deck addition to 9.5 feet from a side lot line where a 20 foot side yard setback is required located at 6562 Marlo Drive.

**DESCRIPTION OF THE REQUEST**

**Addition**

The applicant proposes a new dining room, mudroom, and powder room addition to be partially located in the required side yard setback. The majority of the addition would be in conformance with the Ordinance. In an R-1 District, the required side yard is 20 feet; therefore, the applicant is requesting a reduction of 2 feet. The total increase in gross floor area, inclusive of the addition, would be 289 square feet as shown on the special permit plat. The roofline of the proposed addition will be lower than the existing roofline at 18.7 feet in height, and it will be within the maximum height requirements. The following table lists the specific setback request for the addition:

Special Permit Request							
	Structure	Yard	Height	Minimum Yard Required	Proposed Location	Proposed Reduction	Percentage of Reduction Requested
<b>Addition</b>	Addition (Dining Room/Mud Room/Powder Room)	Side	18.7 feet	20 feet	18 feet	2 feet	10%

The proposed materials will be consistent with the materials of the existing dwelling. The roof material consists of asphalt shingles to match the existing roof as shown in Figure 2, Figure 3, and Figure 4 below and on the following page. Furthermore, the proposed façade consists of stucco and utilizes a red earth tone color to match the color of the existing brick façade as shown in Figure 2, Figure 3, and Figure 4 below and on the following page.



Figure 2: Proposed North (Front) Elevation, Source: Applicant



Figure 3: Proposed South (Rear) Elevation, Source: Applicant



Figure 4: Proposed East (Right Side) Elevation, Source: Applicant

### Errors in Building Location

There are two structures which are the subject of the error in building location requests: a shed and a trellis. The table on the following page lists the specific setback requests:

Special Permit Requests							
	Structure	Yard	Height	Minimum Yard Required	Existing Location	Existing Reduction	Percentage of Reduction Requested
<b>Error</b>	Shed	Side	9 feet	20 feet	0 feet	20 feet	100%
<b>Error</b>	Trellis	Side	8.8 feet	20 feet	10.8 feet	9.2 feet	46%

The proposed shed is located at the rear of the subject property and 0.0 feet from the western side lot line as shown in the photo below. A 20 foot side yard setback is required for an accessory storage structure that is taller than 8.5 feet in height. The shed is approximately 46 square feet and 9 feet in height.



Figure 5: Shed, Source: Applicant

The proposed trellis is located northeast of the dwelling and east of the subject property and is 10.8 feet from the eastern side yard lot line as shown in the photo on the following page. The trellis is approximately 125 square feet and is 8.8 feet in height. A 20 foot side yard setback is required for accessory structures greater than 7 feet in height.



Figure 6: Trellis, Source: Applicant

**ANALYSIS**

**Comprehensive Plan Provisions**

**Plan Area:** Area I, Jefferson Planning District  
**Planning Sector:** Sleepy Hollow Community Planning Sector (J2)  
**Plan Map:** Residential, 0.5-1 dwelling units per acre

**Zoning District Standards**

Bulk Standards (R-1)		
Standard	Required	Provided
Lot Size	36,000 square feet	25,238 square feet <sup>1</sup>
Lot Width	Interior: 150	100 feet <sup>1</sup>
Building Height	35 feet max.	21.1 feet
Front Yard	40 feet	50.2 feet
Side Yard	20 feet	20 feet (west) 18 feet (east) <sup>2</sup>
Rear Yard	25 feet min.	54 feet

<sup>1</sup> The lot was legally platted in 1953 and therefore, pursuant to Section 2-405.1, the lot was considered a buildable lot.

<sup>2</sup> As permitted through the approval of this application.

### Zoning Ordinance Requirements (Appendix 6)

- Sect. 8-006 General Special Permit Standards
- Sect. 8-903 All Group 9 Uses
- Sect. 8-914 Provisions for Approval of Reduction of the Minimum Yard Requirements Based on an Error in Building Location
- 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-1 District allows a reduction in minimum required yards with special permit approval.
<b>Standard 3</b> Adjacent Development	In staff's opinion, the proposed addition will not hinder or discourage use or development of neighboring properties or negatively affect value. The proposed addition abuts a one story single-family detached home which would be approximately 37 feet away.
<b>Standard 4</b> Pedestrian/Vehicular Traffic	No increase in vehicular or pedestrian traffic is expected with this application. In staff's opinion, the proposed addition is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
<b>Standard 5</b> Landscaping/Screening	There is no required transitional screening and barriers between single-family dwelling units pursuant to Zoning Ordinance Section 13-302.
<b>Standard 6</b> Open Space	There is no prescribed open space requirement on individual lots in the R-1 District.
<b>Standard 7</b> Utilities, Drainage, Parking, and Loading	There are no changes to the utilities, drainage, parking, or loading of the site.
<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 lot is undersized with respect to area and width but was legally platted in 1953 and the minimum required side yards are requested to be modified with the special permit application. The property conforms with all other bulk standards.
<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 is not disturbing 2,500 square feet; therefore, the application is not subject to the provisions of Article 17, Site Plans.

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

<p><b>Standard 1</b> Yard Requirements Subject to Special Permit</p>	<p>A. <i>Minimum required yards – Yards not less than 50% of the requirement and not less than 5 feet:</i> The proposed addition would be located approximately 18 feet from the side lot line, instead of the required 20 feet. The required side yard in an R-1 District is 20 feet with a total minimum of 40 feet, resulting in a reduction of 2 feet, or 5%.</p> <p>B. <i>Pipestem lots – N/A</i></p> <p>C. <i>Accessory structure locations – N/A</i></p> <p>D. <i>Extensions into minimum required yards allowed by Sect. 2-412: N/A</i></p>
<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 1954, 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 addition is 289 square feet. The existing GFA of the primary structure is 2,346 square feet; therefore, the proposed addition will be approximately 8% of the GFA.</p>
<p><b>Standard 5</b> Accessory Structure Subordinate in Purpose, Scale, Use, and Intent</p>	<p>The addition will be included as a part of the Principle structure, so this standard is not applicable.</p>
<p><b>Standard 6</b> Construction in Character with On-Site Development</p>	<p>The proposed addition will be constructed to the east of the existing dwelling. The statement of justification and elevation drawings indicate that the materials, size and scale of the proposed addition would be compatible with the existing dwelling. The addition includes shingle roofing materials to match the existing home. The addition will also consist of a stucco material using an earth tone color that is consistent with the existing home.</p>
<p><b>Standard 7</b> Construction Harmonious with Off-Site Development</p>	<p>Through the statement of justification, aerial photography, photos and architectural elevations submitted by the applicant, staff has determined that the addition is similar in nature to surrounding dwellings in the neighborhood in terms of height, scale, and architecture. Staff believes that the addition will be harmonious with surrounding uses.</p>

<p align="center"><b>Standard 8</b> Construction Shall Not Adversely Impact Adjacent Properties</p>	<p>Staff believes that the proposed addition will not significantly affect 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 addition will not significantly increase runoff or erosion.</p>
<p align="center"><b>Standard 9</b> Represents the Minimum Amount of Reduction Necessary</p>	<p>Staff believes the special permit application proposal is modest in nature and is the minimum amount of reduction necessary due to the shape of the lot. The proposed addition encroaches two feet into the side yard. The existing lot width is 100 feet which is an undersized lot compared to the 150 foot lot required minimum width in an R-1 zoning district. Other issues of yard determination, environmental characteristics, slopes, wells, floodplain and/or Resource Protection Areas and historic resources are not applicable to this site.</p>
<p align="center"><b>Standard 10</b> BZA May Impose Conditions</p>	<p>Proposed development conditions are included in Appendix 1.</p>
<p align="center"><b>Standard 11</b> Submission Requirements</p>	<p>A copy of the plat is included in the beginning of this report.</p>
<p align="center"><b>Standard 12</b> Architectural Elevations</p>	<p>The existing and proposed elevations are in the beginning of this report.</p>

## CONCLUSION / RECOMMENDATION

Staff believes that the request for a special permit for reduction in certain yard requirements to permit an addition is in conformance with the applicable Zoning Ordinance provisions with the implementation of the proposed development conditions contained in Appendix 1 of the staff report. Staff recommends approval of SP 2016-MA-040 for the addition with the adoption of the proposed development conditions contained in Appendix 1.

Staff does not make recommendations on building in error applications. However, if it is the intention of the Board of Zoning Appeals to approve the request for a special permit for an error in building location to allow the shed to remain 0 feet from the side lot line and the trellis to remain 10.8 feet from the side lot line, staff recommends that such approval be made subject to the development conditions contained in Appendix 1.

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

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

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

## **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Statement of Justification
3. Applicant's Affidavit
4. Neighbor's Acknowledgement and Permission Letter
5. Building Permit #61880258 Approval
6. Similar Case History
7. Applicable Zoning Ordinance Provision

## PROPOSED DEVELOPMENT CONDITIONS

### SP 2016-MA-040

July 20, 2016

If it is the intent of the Board of Zoning Appeals to approve SP 2016-MA-040 located at Tax Map 60-2 ((17)) 30 to permit a reduction of certain yard requirements pursuant to Section 8-922 to permit the construction of an addition such that the eastern side yard measures 18 feet and to permit accessory structures consisting of a shed and trellis to remain pursuant to Section 8-914 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of the addition (289 square feet and 18.7 feet in height) and the location of the shed and trellis, as shown on the plat entitled "Special Permit Plat Lot 30, Section 2, Marlo Heights," prepared by Michael L. Flynn on March 17, 2016, as revised through April 18, 2016 as submitted with this application, provided further that this approval expressly excludes any portion of the shed or other structures that may be located on Tax Map 60-2 ((17)) 29 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 (2,346 square feet existing + 3,519 square feet (150%) = 5,865 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Subsequent additions that meet minimum yard shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings as shown in Attachment 1 to these conditions.
5. The applicant recognizes and acknowledges that the shed in the west side of the subject property that is subject to this special permit application encroaches 0.2 feet into the neighboring property. Accordingly, the applicant and his successors and assigns shall indemnify, keep and save harmless the County, its agents, officials, employees, volunteers, and the Board of Zoning appeals against claims of injuries, death, damage to the property, or other suits, liabilities, judgments, cost and expenses which may otherwise accrue against the County in consequence of the granting of this special permit. The Applicant shall, at his or own expense, appear, defend, and pay all charges of attorneys and all costs and other expenses arising therefrom or incurred in connection therewith; and if any

judgments shall be rendered against the county and/or the Board of Zoning Appeals in any such action, the Applicant and her successors and assigns shall, at his or her own expense, satisfy and discharge the same. 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.

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

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional time to establish the use 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.

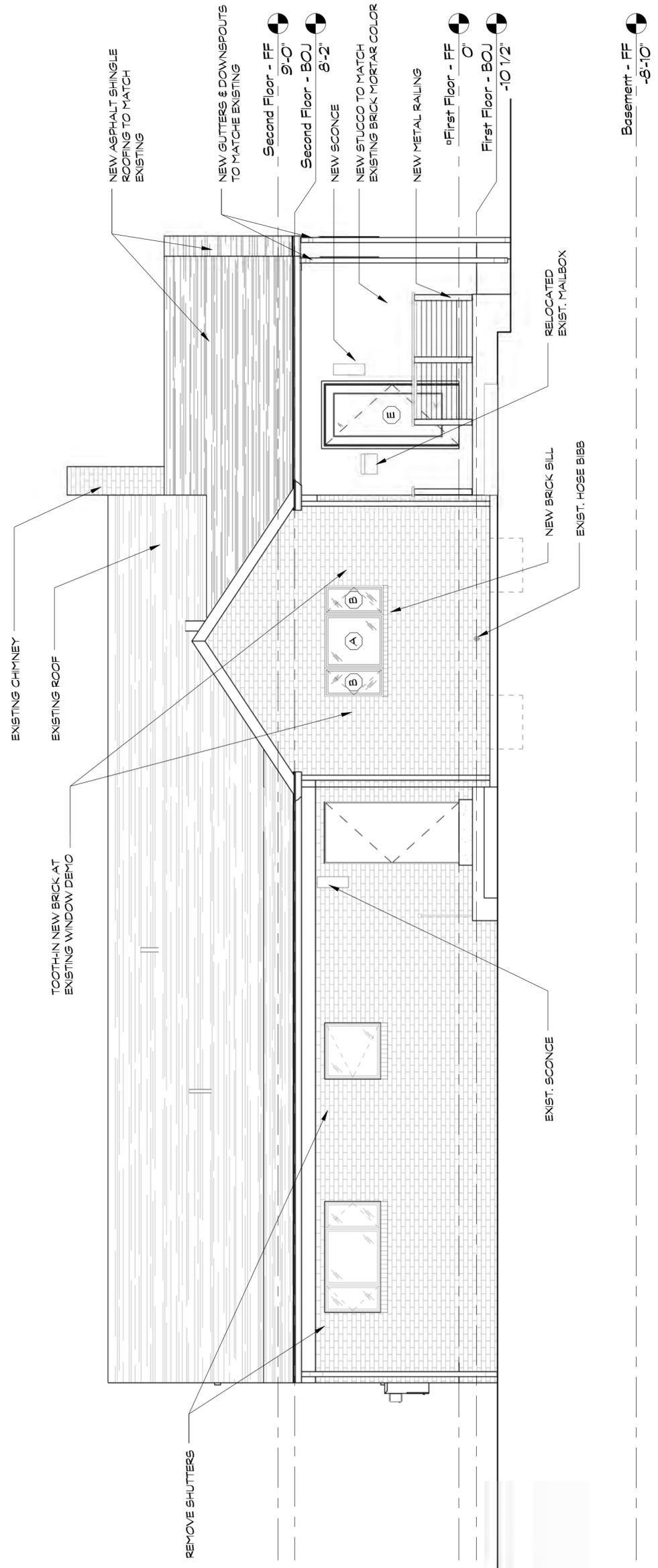
A2.4

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7550 Wisconsin Avenue, Suite 120, Bethesda, MD 20814, tel: 301.657.5000

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rev.#	description:
SWT	PRICING-1
5.24.16	6.11.16
drawing revisions:	
sheet date: 07.29.2016	
sheet scale: 1/4" = 1'-0"	
sheet title: Proposed Exterior Elevations	
proposed renovation for: Andersen Residence 6546 Mario Dr, Falls Church, VA 22042	



1 PROPOSED SOUTH ELEVATION  
A2.4 1/4" = 1'-0"

Proposed renovation for:  
Andersen Residence  
6546 Mario Dr. Falls Church,  
VA 22042

sheet title:

Proposed  
Exterior  
Elevations

sheet scale:

1/4" = 1'-0"

sheet date:

07.29.2016

drawing revisions:

date:	5.24.16
description:	SWT
date:	6.11.16
description:	PRICING-1

rev.#:

date:

description:

5.24.16

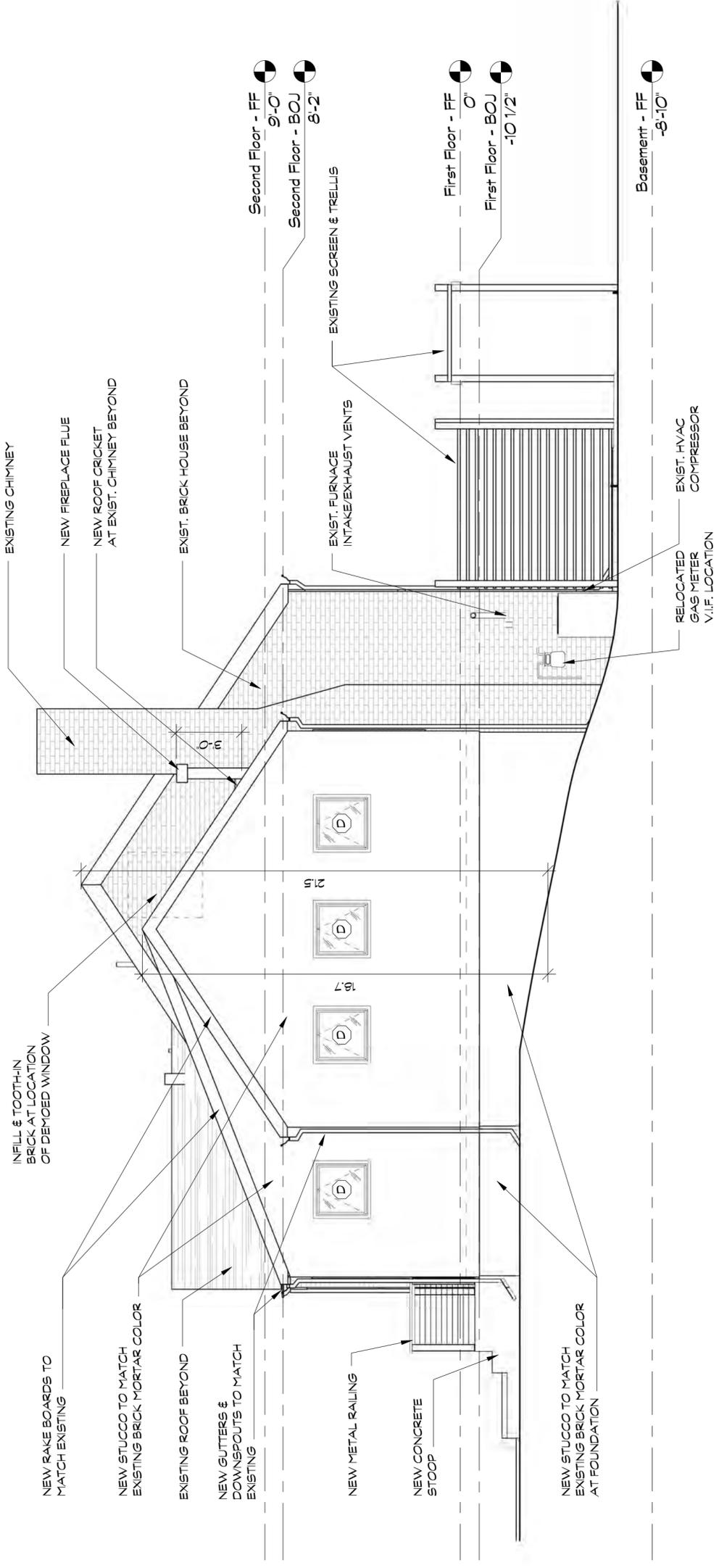
6.11.16

SWT

PRICING-1

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WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS.

A2.5



1 PROPOSED EAST ELEVATION  
A2.5 1/4" = 1'-0"

Proposed renovation for:  
Andersen Residence  
6546 Mario Dr. Falls Church,  
VA 22042

sheet title:

Proposed  
Exterior  
Elevations

sheet scale:

1/4" = 1'-0"

sheet date:

07.29.2016

drawing revisions:

date:	5.24.16
description:	SWT
date:	6.11.16
description:	PRICING-1

rev. #:

description:

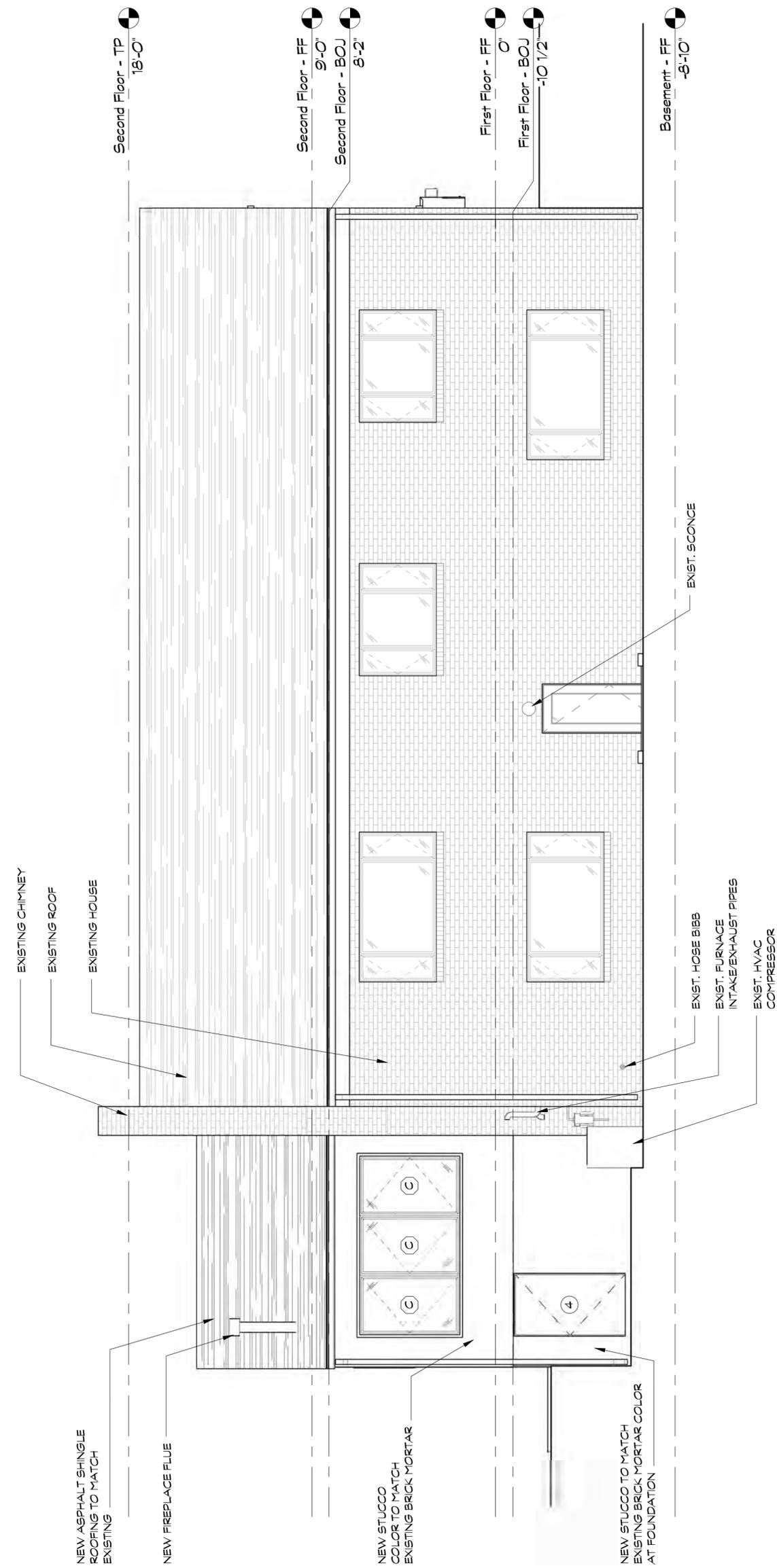
date:

description:

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1 PROPOSED NORTH ELEVATION  
A2.6 1/4" = 1'-0"



proposed renovation for:  
Andersen Residence  
6546 Mario Dr. Falls Church,  
VA 22042

sheet title:

Proposed  
Exterior  
Elevations

sheet scale:

1/4" = 1'-0"

sheet date:

07.29.2016

drawing revisions:

date:	5.24.16	description:	SWT
	6.11.16		PRICING-1

rev.#

description:

date:

5.24.16

SWT

PRICING-1

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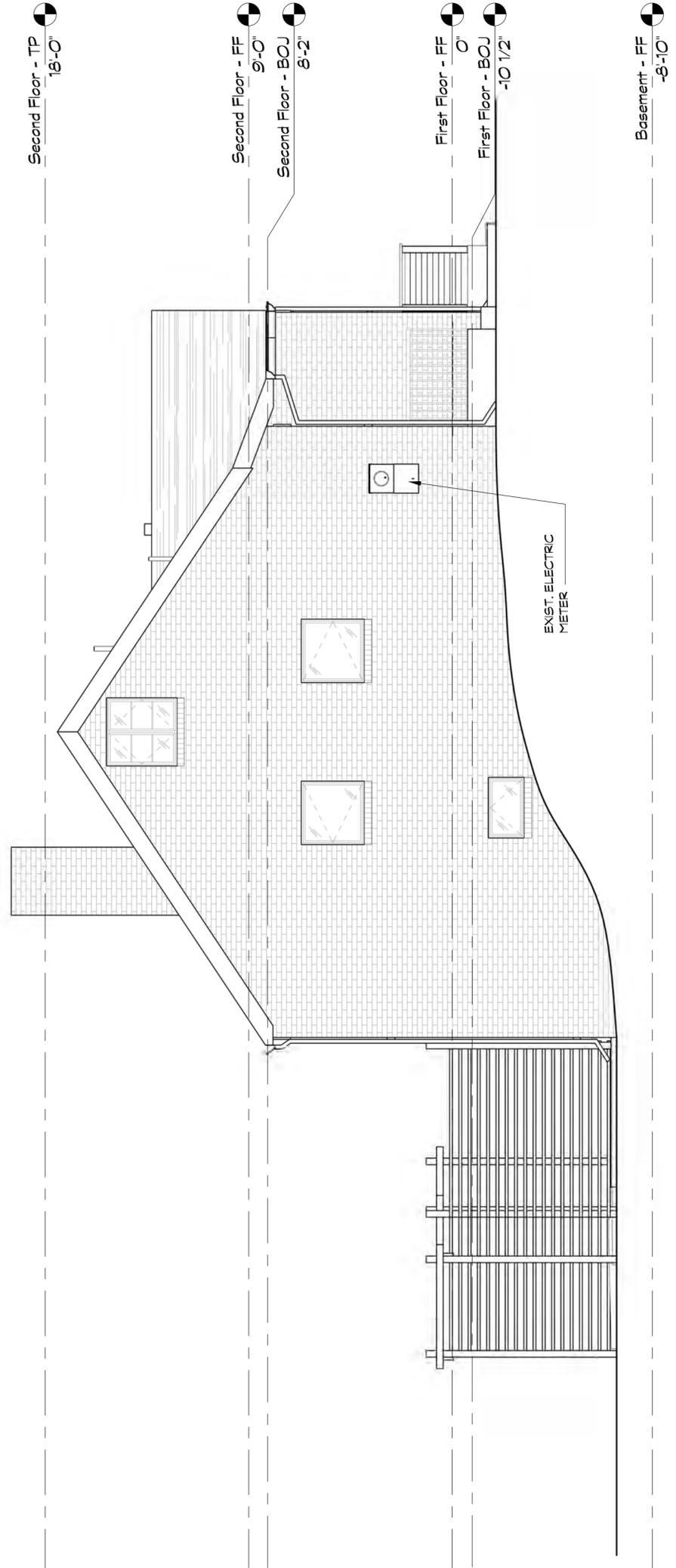
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WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS.

1 PROPOSED WEST ELEVATION  
A2.7 1/4" = 1'-0"



A2.7



7550 Wisconsin Ave  
Suite 120  
Bethesda, MD 20814

t. 301.657.5000  
f. 301.657.5070  
CARNEMARK.com

April 20, 2016

Revised: June 28, 2016

Board of Zoning Appeals  
Fairfax County Zoning Evaluation Division  
Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

Dear Members of the Board of Zoning Appeals;

Thank you for this opportunity to present this Special Permit Statement of Justification for an existing non-conforming accessory storage structure. This Statement is submitted on behalf of Mr. Lars Andersen, for the property located at 6546 Marlo Dr., Falls Church, Virginia 22042.

In summary: We request a reduction to the minimum yard requirements in order to retain an existing accessory storage structure that was constructed, late summer of 2014, encroaching .2 feet (approximately 2.4") into the neighboring side yard, with a height of 9.0', which exceeds by 6" the maximum allowable height of 8.5'. We present this statement in response to Item # 930.10 of the Checklist Report SP 2016-0087, dated April 05, 2016. Also, included in the application is an encroachment approval letter, signed by the neighboring property owner.

We submit the following in accordance with the requirements of Section 8-914 – Provisions for Reduction to the Minimum Yard Requirements Based on Error in Building Location, submission requirements for the Special Permit Statement of Justification, and the Zoning Ordinance General Standards for a Special Permit.

Section 8-914 – Provisions for Reduction of Minimum Yard Requirements Based on Error in Building Location.

- 2.A *"The error exceeds ten (10) percent of the measurement involved, or..."*  
**The error is one-hundred (100) percent of the measurement involved, which exceeds ten (10) percent. The structure is encroaching .2 feet (approximately 2.4") into side yard property line, but should be located no closer than 20' to the property line, since it has a height of 9.0'.**
- 2.B *"The error is up to ten (10) percent of the measurement involved and such reduction or modification is requested in conjunction with the approval of a special permit for another use or application for a variance on the property, or is in conjunction with*

*another special permit for an error in building location on the property that exceeds ten (10) percent of the measurement involved, and..."*

**This modification is requested in conjunction with the approval of a special permit for a reduction of certain yard requirements for a proposed addition, section 8-922.**

- 2.C *"The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the relocation of the building subsequent to the issuance of a Building Permit, if such was required, and..."*

**The noncompliance was done in good faith. The homeowner did not intentionally exceed the height limitation for an accessory storage structure within a yard, when constructing the shed.**

- 2.D *"Such reduction or modification will not impair the purpose and intent of this Ordinance, and..."*

**A reduction in the required yard will not impair the purpose and intent of this Ordinance. An accessory storage shed located in the side yard is consistent with the purpose and intent of the Ordinance, other than the fact that this shed exceeds the required height limit.**

- 2.E *"It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and..."*

**A reduction in the required yard will not be detrimental to the use and enjoyment of the adjoining property. The structure in question has been in place for approximately ten years, and the neighbor has no objections to the existing structure. Any visual impact of the shed is mitigated by existing screening from natural vegetation and by the natural grade.**

- 2.F *"It will not create an unsafe condition with respect to both the other property and public streets, and..."*

**The existing storage shed presents no conceivable unsafe conditions with respect to the either the other property or to the public streets.**

- 2.G *"To force compliance with the minimum yard requirements or location regulations would cause unreasonable hardship upon the owner."*

**Given these provisions, to force the homeowner to remove the existing storage shed would seem to present an unreasonable hardship on the owner.**

- 2.H *"The reduction or modification will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations."*

**The reduction requested will have no impact on density or floor area ratio.**

- 3 *"In granting such a reduction or modification under the provisions of this Section, the BZA shall allow only a reduction or modification necessary to provide reasonable relief and may, as deemed advisable, prescribe such conditions, to include landscaping and screening measures, to assume compliance with the intent of this ordinance."*

**This is acknowledged and understood.**

- 4      *"Upon the granting of a reduction or modification for a particular building or structure in accordance with the provisions of this Section, the same shall be deemed to be a lawful building."*  
      **This is acknowledged and understood.**
- 5      *"The BZA shall have no power to waive or modify the standards necessary for approval as specified in this Section."*  
      **This is acknowledged and understood.**

Statement of Justification, Submission Requirements:

- A. *"Type of Operation(s)".*  
      **Single Family Residence**
- B. *"Hours of Operation".*  
      **N/A**
- C. *"Estimated number of patrons/client/patients/pupils, etc".*  
      **N/A**
- D. *"Proposed number of employees/attendants/teachers, etc".*  
      **N/A**
- E. *"Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day."*  
      **Zero impact**
- F. *"Vicinity or general area to be served by the use."*  
      **N/A**
- G. *"Description of building façade and architecture of proposed new buildings or additions."*  
  
      **The existing accessory storage structure is a wood frame structure on a concrete foundation, with wood siding and a gable composition shingle roof. (see photos)**
- H. *"A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Relations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and or disposed of on-site and the size and contents of any existing or proposed storage tanks or containers."*  
      **N/A**

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

- **Zoning Ordinance 10-104.10 (D) states that "an accessory storage structure which exceeds eight and one-half (8 ½) feet in height shall not be located in any part of any minimum required side yard."**
- **Zoning Ordinance 10-104.10 (E) states that "an accessory storage structure which exceeds eight and one-half (8 ½) feet in height shall not be located closer than a distance equal to its height to the rear lot line or located closer than a distance equal to the minimum required side yard to the side lot line."**

**The existing accessory storage structure has a height of 9.0', exceeding by 6" the maximum allowable height of 8.5' for a storage structure within a side yard. The existing accessory structure is located a distance of 54' from the rear lot line, and located 0.0' from the side lot line. We request that the required side yard be reduced to allow this non-conforming structure to remain within the side yard. The structure conforms to all other requirements of Zoning Ordinance 10-104.10, including the distance to the rear yard.**

#### General Standards and Intent of the Zoning Ordinance.

1. *"The proposed use at the specified location shall be in harmony with the adopted comprehensive plan."*

**The requested reduction would not change the use.**

2. *"The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations."*

**The requested reduction would allow the continued use of an existing structure that is compliant with the zoning regulation in all aspects but the 6" over the height limit.**

3. *"The proposed use shall be such that it will be harmonious with and will not adversely effect 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."*

**The requested reduction does not adversely effect the use or development of neighboring properties. Due to the grades, the visual impact of the existing structure appears less than would be typical of a compliant structure on a flat**

property. The structure in question has been in place for approximately ten years, and the neighbor has no objections to the property.

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."*

**The requested reduction will have no impact on existing or 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 Board of Zoning Appeals shall require landscaping and screening in accordance with the provisions of Article 13, Landscaping and Screening, in the Zoning Ordinance."*

**Remedial landscaping and screening is understood not to be required, although elective landscape planting may be completed by the homeowner. The existing grades and vegetation provide significant screening of the accessory structure.**

6. *"Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located."*

**The lot is a conventional subdivision lot in the R-1 Residential District, and per 3-109 there is no requirement for a specific amount of open space.**

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."*

**N/A**

8. *"Signs shall be regulated by the provision of Article 12, Signs, in the Zoning Ordinance; however, the Board of Zoning Appeals may impose more strict requirements for a given use than those set forth in this ordinance."*

**N/A**

We thank you for your time and attention!

Kind Regards,

Michael Gillen  
Senior Project Designer

CARNEMARK  
7550 Wisconsin Ave

Suite 120  
Bethesda, MD 20814  
301.657.5000

April 22, 2016

Revised: June 28, 2016

Board of Zoning Appeals  
Fairfax County Zoning Evaluation Division  
Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

Dear Members of the Board of Zoning Appeals;

Thank you for this opportunity to present this Special Permit Statement of Justification for an existing non-conforming accessory structure (trellis). This Statement is submitted on behalf of Mr. Lars Andersen, for the property located at 6546 Marlo Dr., Falls Church, Virginia 22042.

In summary: We request a reduction to the minimum yard requirements in order to retain an existing trellis that was constructed, June 2001, within the side yard with a height of 8.8', which exceeds the maximum allowable height of 7' for an accessory structure within the side yard.

We submit the following in accordance with the requirements of Section 8-914 – Provisions for Reduction to the Minimum Yard Requirements Based on Error in Building Location, submission requirements for the Special Permit Statement of Justification, and the Zoning Ordinance General Standards for a Special Permit.

Section 8-914 – Provisions for Reduction of Minimum Yard Requirements Based on Error in Building Location.

- 2.A *“The error exceeds ten (10) percent of the measurement involved, or...”*  
**The error is approximately forty-six (46) percent of the measurement involved, which exceeds ten (10) percent. The structure is 10.8' from the property line, and should be no closer than 20' from the property line, since it is over 7'.**
- 2.B *“The error is up to ten (10) percent of the measurement involved and such reduction or modification is requested in conjunction with the approval of a special permit for another use or application for a variance on the property, or is in conjunction with another special permit for an error in building location on the property that exceeds ten (10) percent of the measurement involved, and...”*  
**This modification is requested in conjunction with the approval of a special permit for a reduction of certain yard requirements for a proposed addition, section 8-922.**

- 2.C *"The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the relocation of the building subsequent to the issuance of a Building Permit, if such was required, and..."*  
**The noncompliance was done in good faith. The trellis was constructed by the homeowner without familiarity with the restrictions of the Zoning Ordinance.**
- 2.D *"Such reduction or modification will not impair the purpose and intent of this Ordinance, and..."*  
**A reduction in the required yard will not impair the purpose and intent of this Ordinance. A trellis located in the side yard is consistent with the purpose and intent of the Ordinance, other than the fact that this trellis exceeds the required height limit.**
- 2.E *"It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and..."*  
**The trellis is not detrimental to the use and enjoyment of the neighboring property; it is a desirable landscape feature and screening element, and has existing for many years with no objections or concerns by any person.**
- 2.F *"It will not create an unsafe condition with respect to both the other property and public streets, and..."*  
**The existing trellis presents no conceivable unsafe conditions with respect to the either the other property or to the public streets.**
- 2.G *"To force compliance with the minimum yard requirements or location regulations would cause unreasonable hardship upon the owner."*  
**Given these provisions, to force the homeowner to remove the existing trellis would seem to present an unreasonable hardship on the owner.**
- 2.H *"The reduction or modification will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations."*  
**The reduction requested will have no impact on density or floor area ratio.**
- 3 *"In granting such a reduction or modification under the provisions of this Section, the BZA shall allow only a reduction or modification necessary to provide reasonable relief and may, as deemed advisable, prescribe such conditions, to include landscaping and screening measures, to assume compliance with the intent of this ordinance."*  
**This is acknowledged and understood.**
- 4 *"Upon the granting of a reduction or modification for a particular building or structure in accordance with the provisions of this Section, the same shall be deemed to be a lawful building."*  
**This is acknowledged and understood.**
- 5 *"The BZA shall have no power to waive or modify the standards necessary for approval as specified in this Section."*  
**This is acknowledged and understood.**

Statement of Justification, Submission Requirements:

- A. *"Type of Operation(s)".*  
**Single Family Residence**
- B. *"Hours of Operation".*  
**N/A**
- C. *"Estimated number of patrons/client/patients/pupils, etc".*  
**N/A**
- D. *"Proposed number of employees/attendants/teachers, etc".*  
**N/A**
- E. *"Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day."*  
**Zero impact**
- F. *"Vicinity or general area to be served by the use."*  
**N/A**
- G. *"Description of building façade and architecture of proposed new buildings or additions."*  
**The existing accessory storage structure is a freestanding wood frame trellis. (see photos)**
- H. *"A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Relations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and or disposed of on-site and the size and contents of any existing or proposed storage tanks or containers."*  
**N/A**
- I. *"A statement of how the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or, if any waiver, exception or variance is sought by the applicant from such ordinances, regulations, standards and conditions, such shall be specifically noted with the justification for any such modification."*

**The existing accessory structure (trellis) has a height of 8.8', which exceeds the allowable height of 7' for an accessory structure located within a side yard. The existing non-conforming trellis is located 10.8' from the property line, which is within the 20 side yard setback. We request a reduction or modification of the side yard requirement such that this non-conforming structure be allowed to remain within the side yard in its existing configuration.**

We submit that this reduction is consistent with the General Standards and Intent of the Zoning Ordinance, as follows:

1. *"The proposed use at the specified location shall be in harmony with the adopted comprehensive plan."*

**The requested reduction in the height limitation would not change the use.**

2. *"The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations."*

**A reduction in the required yard will not impair the purpose and intent of this Ordinance. A trellis located in the side yard is consistent with the purpose and intent of the Ordinance, other than the fact that this trellis exceeds the required height limit.**

3. *"The proposed use shall be such that it will be harmonious with and will not adversely effect 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."*

**A reduction in the required yard will not impair the purpose and intent of this Ordinance. The trellis is located where it does not block or limit the views of the neighboring property, except the view of the corner of the house, which is enhanced by the placement of this screening element.**

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."*

**The trellis has no impact on existing or 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 Board of Zoning Appeals shall require landscaping and screening in accordance with the provisions of Article 13, Landscaping and Screening, in the Zoning Ordinance."*

**Remedial landscaping and screening is understood not to be required. The existing trellis is itself an example of a desirable landscaping and screening element.**

6. *"Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located."*

**The lot is a conventional subdivision lot in the R-1 Residential District, and per 3-109 there is no requirement for a specific amount of open space.**

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.”*

**N/A**

8. *“Signs shall be regulated by the provision of Article 12, Signs, in the Zoning Ordinance; however, the Board of Zoning Appeals may impose more strict requirements for a given use than those set forth in this ordinance.”*

**N/A**

We thank you for your time and attention!

Kind Regards,

Michael Gillen  
Senior Project Designer

CARNEMARK  
7550 Wisconsin Ave  
Suite 120  
Bethesda, MD 20814  
301.657.5000

OWNER CONSENT/AGENT AUTHORIZATION STATEMENT

To Whom It May Concern:

We, Carl Lars Andersen and Maria P. Andersen, the undersigned title owners of the property identified below, do hereby authorize Michael Gillen and Carnemark Design & Build, Inc., to act as agent(s) in the furtherance of an application for a special permit on the property located at: 6546 Marlo Drive, Falls Church, Virginia 22042.  
Tax Map No.: 0602 17 0030.

Thank you in advance for your cooperation.

TITLE OWNER/APPLICANT

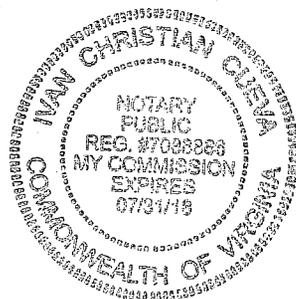
Date: April 16, 2016 By: *Carl Lars Andersen*  
Carl Lars Andersen

COMMONWEALTH/STATE OF: Virginia  
CITY/COUNTY OF: Fairfax, TO WIT:

The foregoing instrument was acknowledged before me this 16 day of April 16, 2016,  
in the County of Fairfax, Virginia.  
[State]

*Ivan Christian Cleva*  
Notary Public (Signature)  
Notary Registration No. 7088866  
My Commission Expires: July 31, 2018

AFFIX NOTARY SEAL/STAMP



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

OWNER CONSENT AGENT AUTHORIZATION STATEMENT  
Page 2 of 2

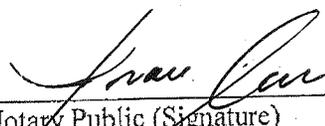
CO-TITLE OWNER

Date: April 16, 2016

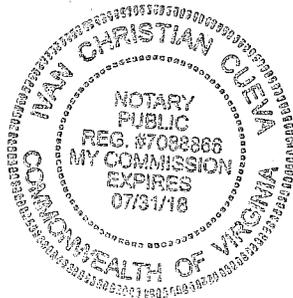
By:   
Mariz R. Andersen

COMMONWEALTH/STATE OF: Virginia  
CITY/COUNTY OF: Fairfax, TO WIT:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of April 16, 2016,  
in the County of Fairfax, Virginia.  
[State]

  
Notary Public (Signature)  
Notary Registration No. 7088866  
My Commission Expires: July 31, 2018

AFFIX NOTARY SEAL/STAMP



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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 16, 2016  
(enter date affidavit is notarized)

134333

I, Carl Lars Andersen, 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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Carl Lars Andersen	6546 Marlo Drive Falls Church VA 22042	Applicant/Title Owner
Maria P. Andersen	6546 Marlo Drive Falls Church VA 22042	Co-Title Owner
Michael Gillen, CARNEMARK SYSTEMS AND DESIGN, INC.	7550 Wisconsin Ave Suite 120 Bethesda MD 20814	Agent

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

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

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

Page Two

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 16, 2016  
(enter date affidavit is notarized)

134333

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)  
CARNEMARK SYSTEMS AND DESIGN, INC.  
7550 Wisconsin Ave  
Suite 120  
Bethesda MD 20814

**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)

Jonas F. Carnemark, sole shareholder

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

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

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

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 16, 2016  
\_\_\_\_\_(enter date affidavit is notarized)

134333

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

**PARTNERSHIP INFORMATION**

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

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

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

N/A

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

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

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

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 16, 2016  
(enter date affidavit is notarized)

134333

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:

N/A

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: April 16, 2016  
(enter date affidavit is notarized)

134333

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

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

NONE

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

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

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

WITNESS the following signature:

(check one)

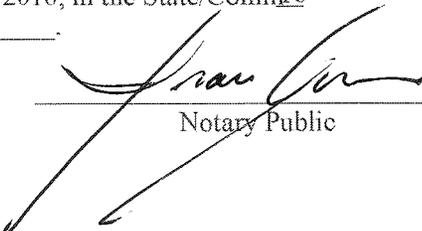
  
[X] Applicant

[ ] Applicant's Authorized Agent

Carl Lars Andersen

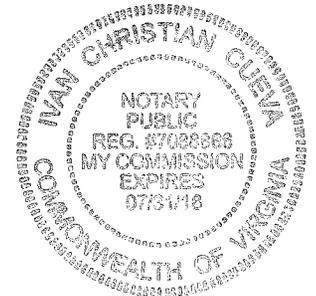
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 16th day of April 2016, in the State/Comm 6 Virginia, County/City of Fairfax

  
Notary Public

My commission expires:

July 31, 2018





6550 Marlo Drive  
Falls Church, VA 22042  
June 7, 2016

Lars Andersen  
6546 Marlo Drive  
Falls Church VA 22042

**Re: Encroachment Permission Letter**

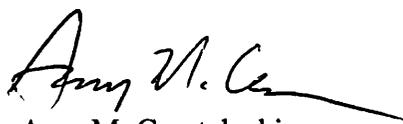
Dear Lars:

This letter is further to our discussion earlier today whereby you informed me of the recent survey of your immediately neighboring property (6546 Marlo Drive; Map # 0602 17 0030), and the apparent encroachment of your backyard shed onto my property (6550 Marlo Drive; Map # 0602 17 0029) by approximately .2 feet (approximately 2.4”).

Per your request, I hereby evidence and acknowledge my continuing and ongoing permission for your shed (and concrete base for same) to encroach on my property by the approximately 2.4”, as shown on the attached survey map dated March 17, 2016.

Further to our discussions, and for better clarity, I note that my permission hereunder grants no interest or transfer in property ownership rights, but only provides for my express permission (as sole owner of my above referenced lot and property) for the above stated encroachment and the license grant for same.

Very truly yours,

  
Amy M. Crystaloski

# APPENDIX 5

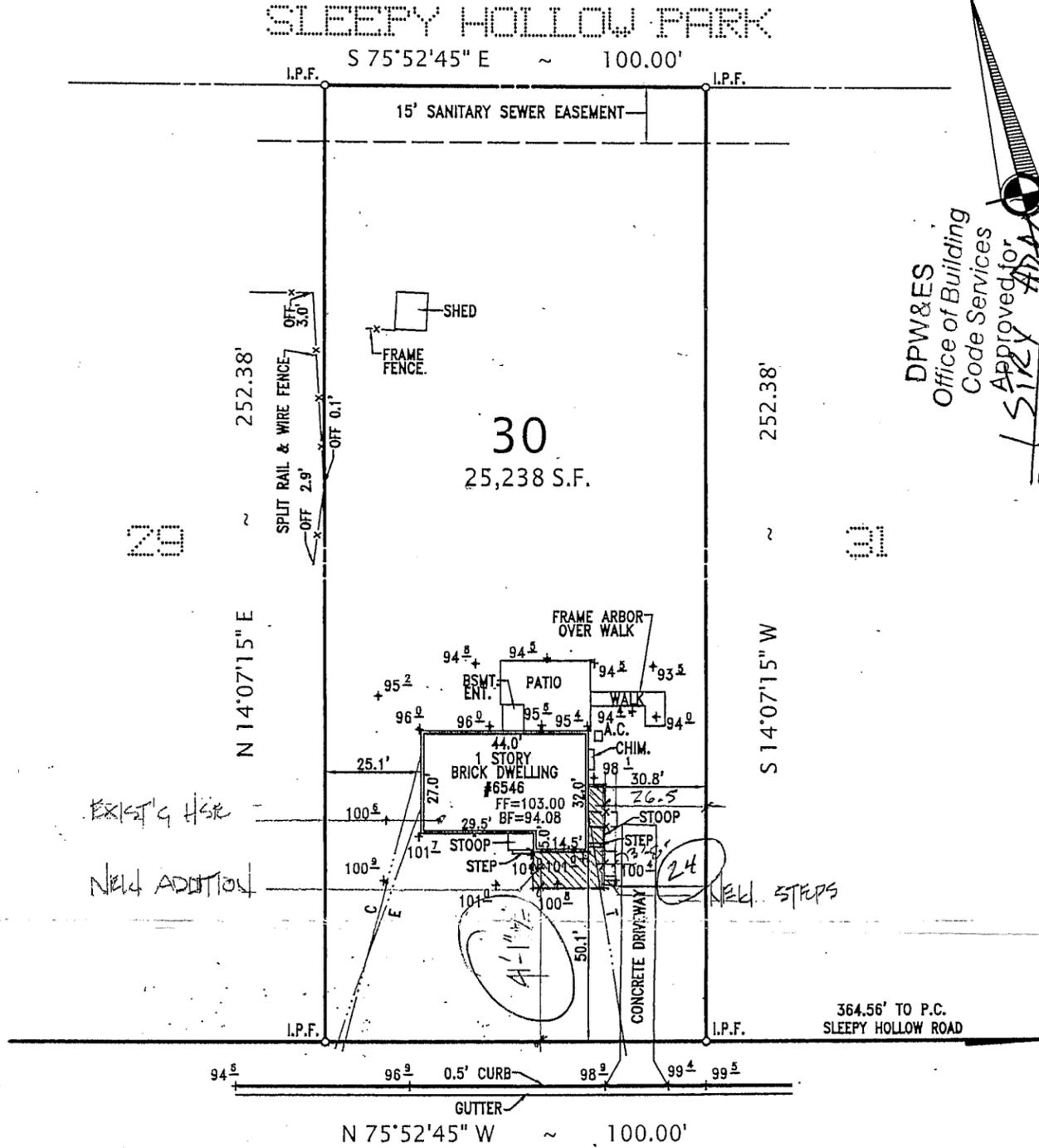
NOTE:  
NO Construction  
Shall Encroach into  
County Easements  
(Ground or Air Space)

FOOTINGS AND PIERS MUST BE  
PLACED ON COMPETENT MATERIAL.

TOTAL EARTH DISTURBANCE ON  
THIS LOT SHALL NOT EXCEED  
2500 SQ. FT.

COPYRIGHT BY ALEXANDRIA SURVEYS INTERNATIONAL, LLC THE INFORMATION CONTAINED ON THIS DOCUMENT MAY NOT BE COPIED, REPRODUCED OR ALTERED IN ANY FORM WITHOUT PERMISSION IN WRITING FROM THE COPYRIGHT OWNER.

NOTE: 1) ELEVATIONS BASED ON ASSUMED DATUM.  
2) SPOT SHOTS ALONG MARLO DRIVE TOP OF CURB.  
DEMOLISHED FROM ALL



DPW&ES  
Office of Building  
Code Services  
Approved for  
By: *LARS ANDERSON*  
Date: *5/28/06*

EXIST'G HSR  
NEW ADDITION

24  
NEW STEPS

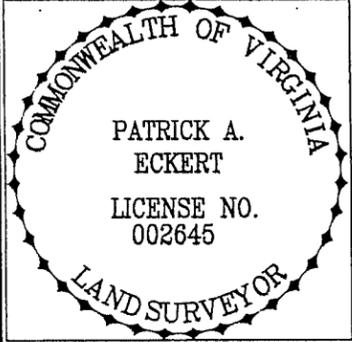
MARLO DRIVE  
50' R/W

APPROVED  
*Lars Anderson*  
Zoning Administrator

PLAT  
SHOWING HOUSE LOCATION ON  
LOT 30 SECTION 2  
**MARLO HEIGHTS**  
FAIRFAX COUNTY, VIRGINIA  
SCALE: 1" = 40'      MAY 24, 2006

CASE NAME: LARS ANDERSON

GRAPHIC SCALE  
0 40 80



BY PROVISIONS OF THE VIRGINIA CODE: NO CORNER MARKERS SET, BOUNDARY SURVEY NOT PERFORMED.  
PLAT SUBJECT TO RESTRICTIONS OF RECORD, TITLE REPORT NOT FURNISHED.

I HEREBY CERTIFY THAT THE POSITIONS OF  
ALL THE EXISTING IMPROVEMENTS HAVE BEEN  
CAREFULLY ESTABLISHED BY A CURRENT FIELD  
SURVEY, AND UNLESS OTHERWISE SHOWN,  
THERE ARE NO VISIBLE ENCROACHMENTS.  
*Patrick A. Eckert*  
PATRICK A. ECKERT . . . . . I.S.

REQUESTED BY:  
LARS ANDERSON  
**ALEXANDRIA SURVEYS**  
INTERNATIONAL, LLC  
6343 SOUTH KINGS HIGHWAY ALEXANDRIA, VIRGINIA 22306  
TEL. NO. 703-660-6615 FAX NO. 703-768-7764

DWA  
JOB NO.: 0404  
DATE: 06.21.06  
SCALE: AS NOTED  
SHT REF:  
REV NO.:

ANDERSEN RESIDENCE 6546 MARLO DRIVE  
FAIRFAX COUNTY VIRGINIA

SK NO:  
S1

1025 39th STREET NW WASHINGTON, DC 20007  
202.337.1290  
FAX: 202.337.1250

EXISTING SITE PLAN

P:\60522007.dwg\60522007P.dwg

DL/15-K8

#60522007

**BUILDING PERMIT APPLICATION**  
**FAIRFAX COUNTY GOVERNMENT**  
**PERMIT APPLICATION CENTER**  
 12055 Government Center Parkway, 2nd Floor  
 Fairfax, Virginia 22035-5504  
 Telephone: 703-222-0801  
 Web site: <http://www.fairfaxcounty.gov/dpws>

**PERMIT #** 61880258  
 FOR INSPECTIONS CALL 703-222-0455 (see back for more information)  
 OR VISIT US ON THE WEB AT  
[http://www.fairfaxcounty.gov/isisnet/inspection\\_sched.asp](http://www.fairfaxcounty.gov/isisnet/inspection_sched.asp)

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

**JOB LOCATION**  
 ADDRESS 6546 MARLO DRIVE  
 LOT # 30 BUILDING \_\_\_\_\_  
 FLOOR \_\_\_\_\_ SUITE \_\_\_\_\_  
 SUBDIVISION Marlo Hts Sec 2  
 TENANT'S NAME \_\_\_\_\_  
 EMAIL clarsandersen@hotmail.com  
 CONTACT ID \_\_\_\_\_

**OWNER INFORMATION** OWNER  TENANT   
 NAME LARS ANDERSEN  
 ADDRESS 6546 MARLO DRIVE  
 CITY FALLS CHURCH STATE VA ZIP 22042  
 TELEPHONE 703-533-0026  
 EMAIL clarsandersen@hotmail.com  
 CONTACT ID \_\_\_\_\_

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

**APPLICANT**  
 NAME LARS ANDERSEN  
 ADDRESS 6546 MARLO DR  
 CITY FALLS CHURCH STATE VA ZIP 22042  
 TELEPHONE 703-533-0026  
 EMAIL clarsandersen@hotmail.com  
 CONTACT ID \_\_\_\_\_

**DESCRIPTION OF WORK**  
ENLARGEMENT OF KITCHEN & DINING ROOM

**HOUSE TYPE** \_\_\_\_\_  
 ESTIMATED COST OF CONSTRUCTION \$ 200,000  
 USE GROUP OF BUILDING \_\_\_\_\_  
 TYPE OF CONSTRUCTION \_\_\_\_\_  
**DESIGNATED MECHANICS' LIEN AGENT**  
 (Residential Construction Only)  
 NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 NONE DESIGNATED  PHONE \_\_\_\_\_

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

Lars Andersen 7/7/06  
 Signature of Owner or Agent Date  
LARS ANDERSEN, OWNER  
 Printed Name and Title  
 (Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY  
 PLAN # 11-05-6003  
 TAX MAP # 280-2-17-020

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	<u>7/11/06</u>	<u>[Signature]</u>
SITE PERMITS	<u>7/11/06</u>	<u>[Signature]</u>
HEALTH DEPT	<u>7/11</u>	
BUILDING REVIEW	<u>CIVIL</u>	<u>[Signature]</u>
SANITATION	<u>7/11</u>	
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE \_\_\_\_\_  
 FILING FEE \_\_\_\_\_  
 AMOUNT DUE = \$ \_\_\_\_\_

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

**APPROVED FOR ISSUANCE OF BUILDING PERMIT**  
 (LOG OUT)  
 BY [Signature] DATE \_\_\_\_\_

**ZONING REVIEW**  
 USE [Signature]  
 ZONING DISTRICT R1 HISTORICAL DISTRICT \_\_\_\_\_  
 ZONING CASE # \_\_\_\_\_  
 GROSS FLOOR AREA OF TENANT SPACE \_\_\_\_\_

**YARDS:** FRONT 41 GARAGE 1  2  3   
 FRONT \_\_\_\_\_ OPTIONS YES  NO   
 L SIDE N/C REMARKS \_\_\_\_\_  
 R SIDE 24  
 REAR N/C

**REMARKS**  
16 ft high  
subject to Bar on modification  
(1) add in front  
right side 4'8" x 14'2"  
(2) covered stoop in  
side yard w/ steps  
3'8" x 9'  
Denied does not meet  
40 ft front setback  
5th UNMAPPED 7/6/06

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

# Similar Case History

ZAPS - VC - VC 86-M -111	<b>Application Desc ...:</b> TO ALLOW CONSTRUCTION OF A GARAGE ADDITION TO DWELLING TO 20 FEET FROM STREET LINE OF A CORNER LOT (40 FT. MIN. REQUIRED)	APPLICATION APPROVED	BOS Hearing: 0001-01-01
ZAPS - VC - VC 87-M -113	<b>Application Desc ...:</b> TO ALLOW CONSTRUCTION OF ROOM ADDITION AND DECK ADDITION TO DWELLING TO 14.16 FT. FOR THE ROOM, 9.5 FT. FOR THE DECK FROM SIDE LOT LINE (20 FT. MIN. SIDE YARD FOR THE ROOM, 15 FT. MIN. SIDE YARD REQ. FOR THE DECK)	APPLICATION APPROVED	BOS Hearing: 0001-01-01
ZAPS - SP - SP 87-M -059	<b>Application Desc ...:</b> REDUCTION TO MINIMUM YARD REQUIREMENTS BASED ON ERROR IN BUILDING LOCATION TO 9.1 FT. HIGH STORAGE SHED TO REMAIN 0.2 FT. FROM SIDE LOT LINE (20 FT. MIN. SIDE YARD REQ.)	APPLICATION APPROVED	BOS Hearing: 0001-01-01

## 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.

## **8-914 Provisions for Approval of Reduction to the Minimum Yard Requirements Based on Error in Building Location**

The BZA may approve a special permit to allow a reduction to the minimum yard requirements for any building existing or partially constructed which does not comply with such requirements applicable at the time such building was erected, but only in accordance with the following provisions:

1. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) 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 and 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. Location of all existing structures, with dimensions, including height of any structure and penthouse, and if known, the construction date(s) of all existing structures.
  - E. All required minimum yards to include front, side and rear, and a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing 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 well and/or septic field.
  - I. For nonresidential uses, a statement setting forth the maximum gross floor area and FAR for all uses.
  - 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. Seal and signature of professional person certifying the plat.

In addition, the application shall contain a statement of justification explaining how the error in building location occurred and any supportive material such as aerial photographs, Building Permit applications, County assessments records, a copy of the contract to build the structure which is in error, or a statement from a previous owner indicating how the error in building location occurred.

2. The BZA determines that:
  - A. The error exceeds ten (10) percent of the measurement involved, or
  - B. The error is up to ten (10) percent of the measurement involved and such reduction or modification is requested in conjunction with the approval of a special permit for another use or application for a variance on the property, or is in conjunction with another special permit for an error in building location on the property that exceeds ten (10) percent of the measurement involved, and
  - C. The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the relocation of the building subsequent to the issuance of a Building Permit, if such was required, and
  - D. Such reduction or modification will not impair the purpose and intent of this Ordinance, and
  - E. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and
  - F. It will not create an unsafe condition with respect to both other property and public streets, and
  - G. To force compliance with the minimum yard requirements or location regulations would cause unreasonable hardship upon the owner.
  - H. The reduction or modification will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.
3. In granting such a reduction under the provisions of this Section, the BZA shall allow only a reduction necessary to provide reasonable relief and may, as deemed advisable, prescribe such conditions, to include landscaping and screening measures, to assure compliance with the intent of this Ordinance.
4. Upon the granting of a reduction for a particular building in accordance with the provisions of this Section, the same shall be deemed to be a lawful building.
5. The BZA shall have no power to waive or modify the standards necessary for approval as specified in this Section.

## 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 ration, 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.