



County of Fairfax, Virginia

September 28, 2016

STAFF REPORT

SPECIAL PERMIT SP 2016-DR-064

DRANESVILLE DISTRICT

APPLICANTS/OWNERS: Cyrus A. Ramsey
Linda K. Ramsey

STREET ADDRESS: 1327 Woodside Drive, McLean, 22102

SUBDIVISION: Woodside Estates

TAX MAP REFERENCE: 20-3 ((5)) 20

LOT SIZE: 39,218 square feet

ZONING DISTRICT: R-1

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction of certain yard requirements to permit construction of an addition 10.1 feet from a side lot line.

STAFF RECOMMENDATION:

Staff recommends denial of SP 2016-DR-064 for a reduction of the side yard requirement.

However, if it is the intention of the Board of Zoning Appeals to approve SP 2016-DR-064, staff recommends that such approval be conditioned upon adoption of the proposed development conditions contained in Appendix 1.

Erin M. Haley

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/

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

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

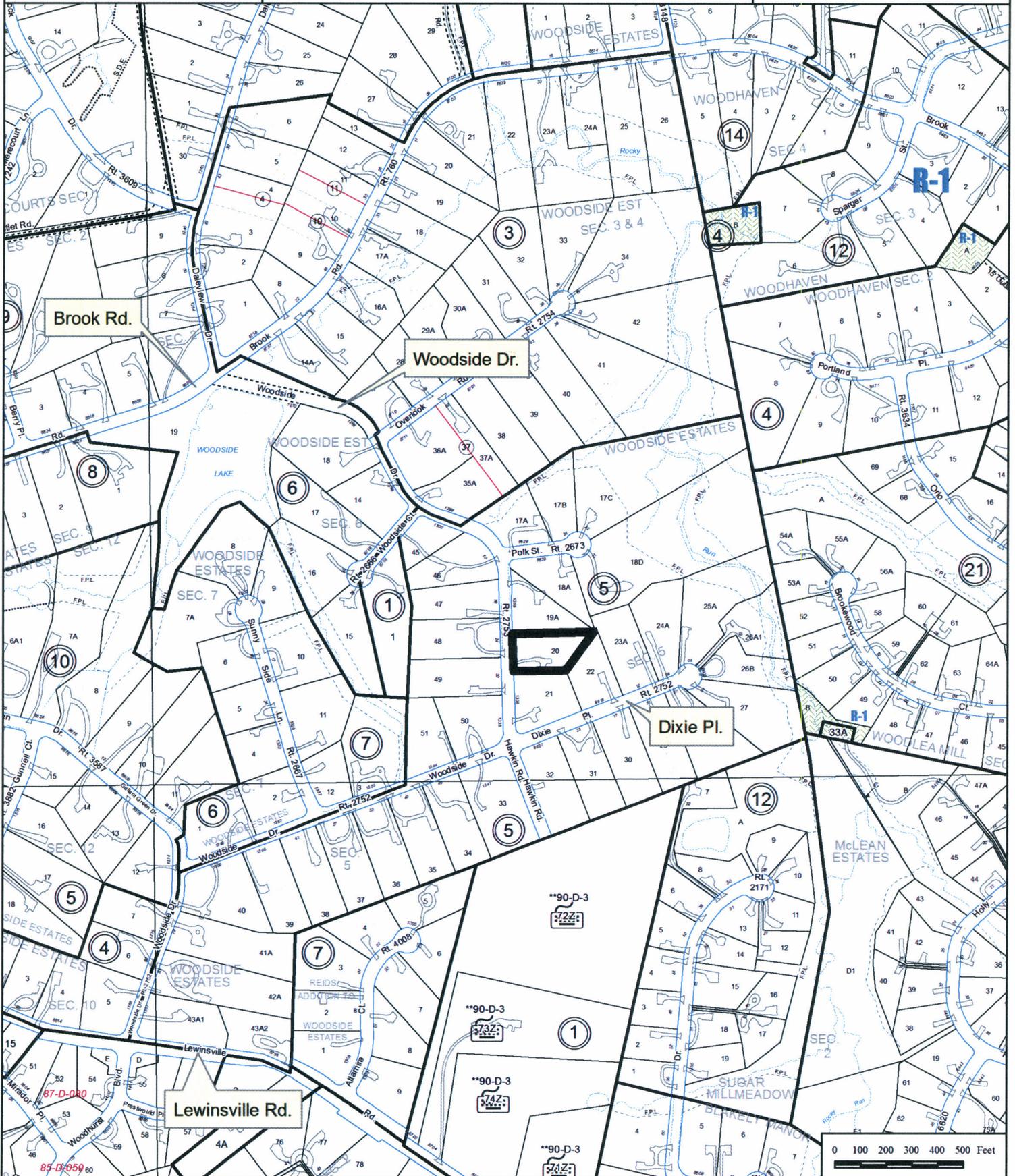
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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



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



Special Permit SP 2016-DR-064 CYRUS A. RAMSEY

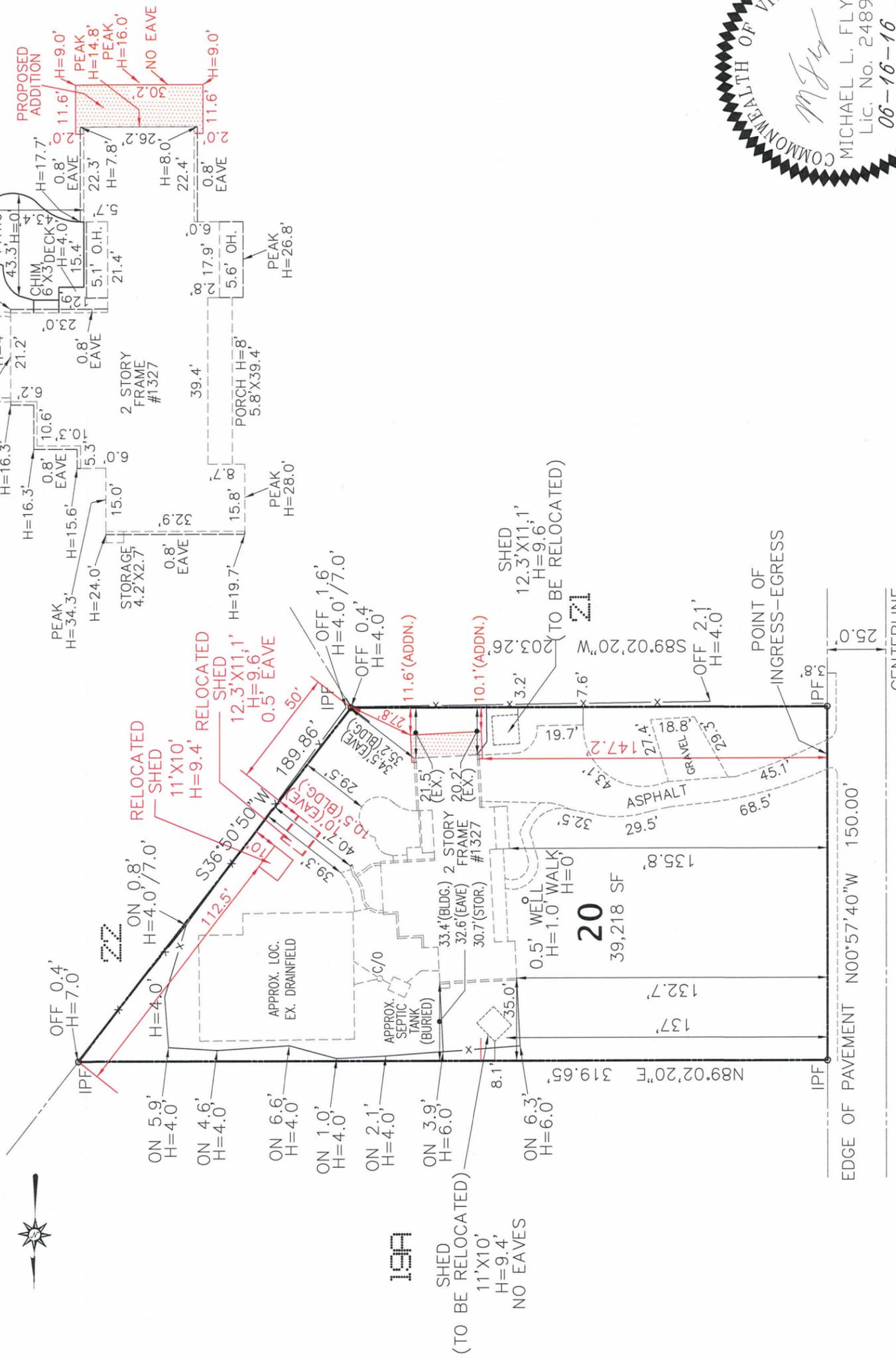


BY PROVISIONS OF THE VIRGINIA CODE: NO CORNER MARKERS SET.
 BOUNDARY SURVEY NOT PERFORMED.
 PLAT SUBJECT TO RESTRICTIONS OF RECORD, TITLE REPORT NOT FURNISHED.

HOUSE DETAIL: NOT TO SCALE

NOTES:

1. TM #0203-05-0020.
2. ZONE: R-1
3. SETBACKS: FRONT = 40', SIDE = 20', REAR = 25'.
4. PROPERTY IS SERVED BY PRIVATE WELL AND SEPTIC.
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 = 39,218 SF
 EX. FIRST FLOOR = 4,214 SF
 EX. SECOND FLOOR = 2,885 SF
 EX. BASEMENT = 2,414 SF
 EX. FLOOR AREA RATIO: EX. GFA (7,099) / LOT AREA (39,218) = 0.181
10. PROPOSED FLOOR AREA CALCULATIONS:
 PROP. ADDITION: 308 SF/EX. GFA (7,099 SF)=0.43
 PROP. GROSS FLOOR AREA: EX. GFA (7,099 SF)+ PROP. ADDITION (308 SF)=7,407 SF
 PROP. GROSS FLOOR AREA RATIO:
 PROP. GFA (7,407 SF)/LOT AREA (39,218 SF)=.188
 FLOOR AREA PERCENTAGE INCREASE=4.3%



WOODSIDE DRIVE
 (RTE.#3493, 50' R/W)



SPECIAL PERMIT PLAT
 1327 WOODSIDE DRIVE
 TM# 0203-05-0020
 WOODSIDE ESTATES
 DRANESVILLE DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 SCALE 1"=50' DATE 04-25-16
 REV. 06-04-16
 REV. 06-16-16

RECEIVED
 Department of Planning & Zoning
 JUN 22 2016
 Zoning Evaluation Division

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

SPECIAL PERMIT REQUEST

The applicant requests approval of a special permit to allow a reduction of certain yard requirements to permit construction of an addition 10.1 feet from the southern side lot line.

A copy of the special permit plat titled, "Special Permit Plat, 1327 Woodside Drive," prepared by Michael L. Flynn, L.S., dated April 25, 2016, as revised through June 16, 2016, is included in the front of the staff report.

A more detailed description of the proposal is provided on page two.

A copy of the proposed development conditions, statement of justification with select file photographs, and affidavit are contained in Appendices 1-3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

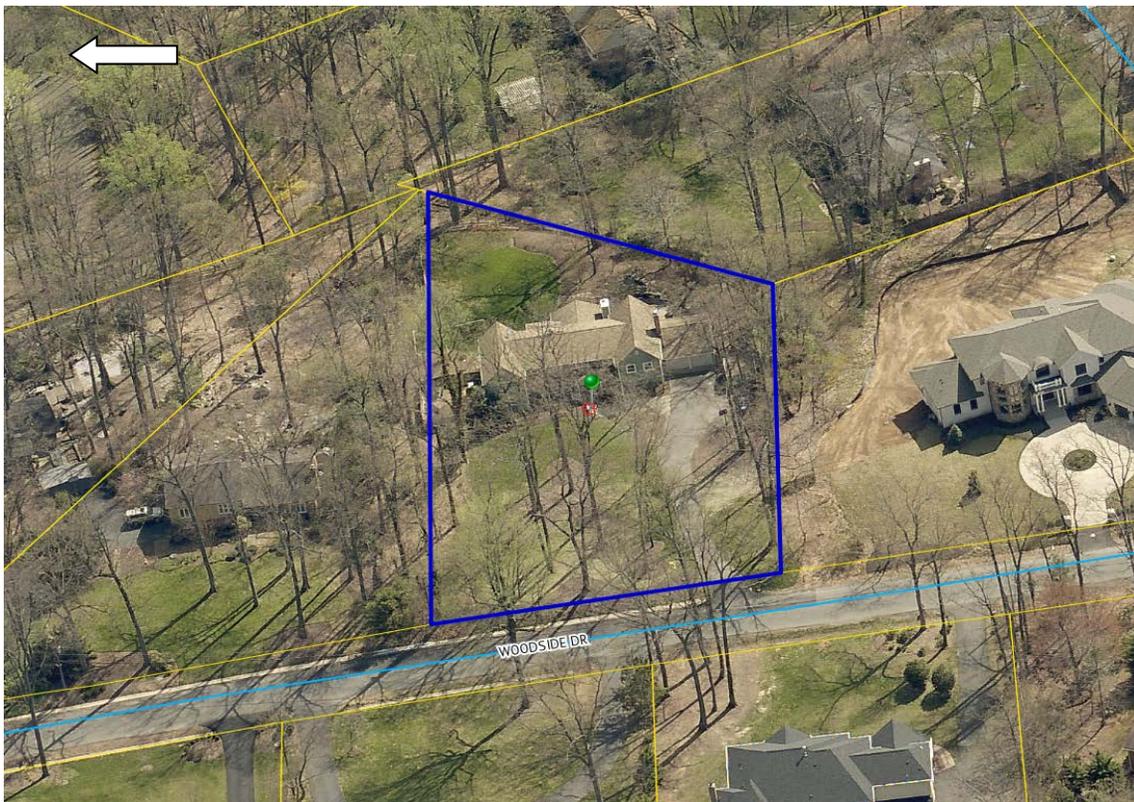


Figure 1: Aerial Image of the subject property, Pictometry, 2013

The 39,218 square foot lot contains a two-story dwelling with a basement, and is accessed via an asphalt driveway from Woodside Drive that leads to a two-car attached garage. A walkway leads from the driveway to the front porch of the dwelling. An at-

grade patio is located at the rear of the house. A shed 9.4 feet in height is located in the northern side yard and a shed 9.6 feet in height is located in the front yard near the existing garage. Both sheds are proposed to be relocated to by-right locations in the rear yard. An existing drainfield is located in the northern half of the rear yard.

The property is located west of Spring Hill Road and north of Lewinsville Road. The subject property and surrounding properties are zoned R-1 and developed with single family detached dwellings.

BACKGROUND AND HISTORY

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1957, then renovated and purchased by the applicants in 2012.

Since the adoption of the Zoning Ordinance, no similar special permit or variance applications have been heard by the Board of Zoning Appeals (BZA) for nearby properties in this subdivision.

DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit for a reduction of certain yard requirements to permit construction of a third attached garage bay to supplement the existing two-car garage to be located 10.1 feet from the southern side lot line (a reduction of 49.5 percent). The house is situated at a slight angle on the lot so the southwestern corner of the addition would be 10.1 feet from the property line and the southeastern corner would be 11.6 feet from the property line. In the R-1 zoning district, the required side yard is 20.0 feet. The applicant is requesting nearly the maximum reduction allowed under Sect. 8-922 of the Zoning Ordinance of 9.9 feet, or 49.5 percent.

The addition would be 11.6 feet wide and 30.2 feet long. It would be 16.0 feet in height and contain 308 square feet of gross floor area. The applicant has provided elevations that depict the addition matching the existing roofline as well as the materials and architectural features of the existing house.



Figure 2. Proposed Front Elevation

ANALYSIS

Comprehensive Plan Provisions

Plan Area: II, McLean Planning District
Planning Sector: Spring Hill Community Planning Sector (M6)
Plan Map: 1-2 dwelling units per acre

Zoning District Standards

Bulk Standards (R-1)		
Standard	Required	Provided
Lot Size	36,000 sf.	39,218 sf.
Lot Width	Interior: 150 feet	150 feet
Building Height	35 feet max.	33.4 feet
Front Yard	40 feet	132.7 feet
Side Yard	20 feet	Northern: 35 feet Southern: 34.5 feet
Rear Yard	25 feet	29.5 feet

Zoning Ordinance Requirements

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

This special permit is subject to sections of the Zoning Ordinance as referenced above, a copy of which is included in Appendix 4. Subject to development conditions, the special permit must meet these standards.

The following tables provide an overview of the standards reviewed in Sect. 8-006, Sect. 8-903, and Sect. 8-922 for the Reduction of Certain Yard requirements.

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

<p>Standards 1 and 2 Comprehensive Plan/ Zoning District</p>	<p>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 a special permit approval. Staff believes that the existing dwelling with a two car garage and long driveway has adequate parking facilities without the proposed third garage. In addition, staff believes that there are alternative locations on the property in which to construct additional garage space by-right without encroaching 49.5 percent into the required side yard. In staff's opinion, the proposal is not in harmony with the Comprehensive Plan and the general purpose and intent of the R-1 District.</p>
<p>Standard 3 Adjacent Development</p>	<p>The proposed addition would be located just 10.1 feet from the side lot line and add significant bulk to the southern side of the house. The lots in this neighborhood are large and staff believes there are multiple other locations for additional garage space that could be built by-right without encroaching into the side yard. In staff's opinion, the proposed use could hinder or discourage the use or development of neighboring properties or value.</p>
<p>Standard 4 Pedestrian/Vehicular Traffic</p>	<p>No increased vehicular or pedestrian traffic is expected with this application. The garage would be located at the end of the existing driveway. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.</p>
<p>Standard 5 Landscaping/Screening</p>	<p>There is some existing mature vegetation along the portion of the southern side lot line where the addition would be located.</p>
<p>Standard 6 Open Space</p>	<p>There is no prescribed open space requirement for individual lots in the R-1 District.</p>
<p>Standard 7 Utilities, Drainage, Parking, and Loading</p>	<p>With the exception of the garage addition, there are no changes proposed to the utilities, drainage, parking, or loading on the site.</p>
<p>Standard 8 Signs</p>	<p>No signage is proposed.</p>

Standards for all Group 3 Uses (Sect. 8-903)

<p>Standard 1 Lot Size and Bulk Regulations</p>	<p>The lot meets the size and bulk regulations required in the Zoning Ordinance. The minimum required side yard setbacks would be modified with this special permit application.</p>
<p>Standard 2 Performance Standards</p>	<p>The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.</p>

<p>Standard 3 Site Plan</p>	<p>If the construction disturbs more than 2,500 square feet, the application is subject to the provisions of Article 17, Site Plans.</p>
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Standards for Reduction of Certain Yard Requirements (8-922)

<p>Standard 1 Yard Requirements Subject to Special Permit</p>	<p>A. Minimum Required Yards – Yes. The applicants request a special permit to allow reduction of the minimum required side yard from 20.0 feet to 10.1 feet to permit construction of an addition to the southern side of the existing house. B. Pipestem lots- N/A C. Accessory Structure locations – No D. Extensions into minimum required yards- No</p>
<p>Standard 2 Result in a Detached Structure in a Front Yard</p>	<p>Not applicable to the subject application.</p>
<p>Standard 3 Contain a Principal Structure</p>	<p>The subject property contains a single family dwelling, which is an existing principal structure. The structure complied with setbacks of the District when it was established.</p>
<p>Standard 4 Addition No More than 150% of Existing Gross Floor Area (GFA)</p>	<p>The existing dwelling is 7,099 square feet in size. Therefore 150% of the total gross floor area could result in additions up to 10,648 square feet in size for a possible total square footage at build out of 17,747.5 square feet. The proposed addition is a total of approximately 308 square feet, for a total square footage of the house with the addition of 7,407 square feet. Therefore the application meets this provision.</p>
<p>Standard 5 Construction of Accessory Structure Subordinate in Purpose, Scale, Use and Intent</p>	<p>There is no accessory structure proposed, so this standard is not applicable to this application.</p>
<p>Standard 6 Construction in Character with On-site Development</p>	<p>The statement of justification, elevation drawings, and pictures submitted indicate that the materials, size and scale of the proposed addition will be compatible with the dwelling.</p>
<p>Standard 7 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 though there are other three-car garages in the nearby area, they were all built by-right. This addition would be the only one that staff is aware of that would encroach into a required side yard and it is proposed to do so by almost 50 percent. Staff does not believe that the proposed addition is harmonious with off-site development. Staff believes it is not similar in nature to surrounding dwellings because it would be located in such close proximity to adjacent properties. This addition will not be harmonious with surrounding development, in staff’s opinion.</p>

<p>Standard 8 Construction Shall Not Adversely Impact Adjacent Properties</p>	<p>The proposed addition to the southern side of the house will be located much closer to adjacent properties than other nearby houses. All of the other houses in the area were built by-right without the need to encroach into required yards. Staff believes that the proposed addition will adversely impact the use and/or enjoyment of the adjacent property by unnecessarily reducing the setback in the R-1 district to an R-4 standard. If the construction disturbs more than 2,500 square feet, the application is subject to the provisions of Article 17, Site Plans, and any anticipated stormwater issues will be addressed at that time.</p>
<p>Standard 9 Minimum Required Yards is the Minimum Amount of Reduction Necessary</p>	<p>Staff does not believe the special permit proposal is the minimum amount of reduction necessary. The applicant has sufficient space on the large property to build a by-right garage, although not attached to the existing two. Staff does not believe it is necessary to encroach almost the maximum allowed 50 percent (49.5 percent) into the side yard to provide a third attached garage bay. While a three-car garage would provide a convenience to the owner, there are other options on this property to provide covered parking.</p> <p>Other issues of lot shape, yard determination, environmental characteristics, slopes, wells, floodplains and/or Resource Protection Areas, easements and historic resources are not applicable to this site.</p>
<p>Standard 10 BZA May Impose Conditions</p>	<p>Staff has proposed development conditions in Appendix 1.</p>
<p>Standard 11 Submission Requirements</p>	<p>Satisfied at time of submittal.</p>
<p>Standard 12 Architectural Elevations</p>	<p>Elevations are provided and proposed to be incorporated as part of the development conditions.</p>

CONCLUSION AND RECOMMENDATION

In staff’s opinion, the applicants have not sufficiently justified the granting of this special permit to allow the construction of a garage addition. Based on staff’s review of the application and the surrounding area the neighborhood is characterized by large lots with houses centrally located on the property. There have been no other requests for special permits or variances to encroach in required yards in the area as all local construction has been done by-right. The proposed addition would be located only 10.1 feet from the adjacent property which in staff’s opinion would adversely impact that property by reducing the setback for a large addition to only 10.1 feet. In addition, it may be possible for the applicants to build a by-right garage in another location on the property.

Based on the findings stated above, staff recommends denial of SP 2016-DR-064. However, if it is the intent of the BZA to approve the Special Permit application, the BZA should condition its approval by requiring conformance with the conditions set forth 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 Photos
3. Applicant's Affidavit
4. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2016-DR-064****September 28, 2016**

If it is the intent of the Board of Zoning Appeals to approve SP 2016-DR-064 located at Tax Map 20-3 ((5)) 20 to permit reduction of certain yard requirements pursuant to Section 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. These conditions shall be recorded by the applicants 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 (308 square feet, 16 feet in height), as shown on the plat titled, "Special Permit Plat, 1327 Woodside Drive," prepared by Michael L. Flynn, L.S., dated April 25, 2016, as revised through June 16, 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 (7,099 square feet existing + 10,648.5 square feet (150%) = 17,747.5 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.

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

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

special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

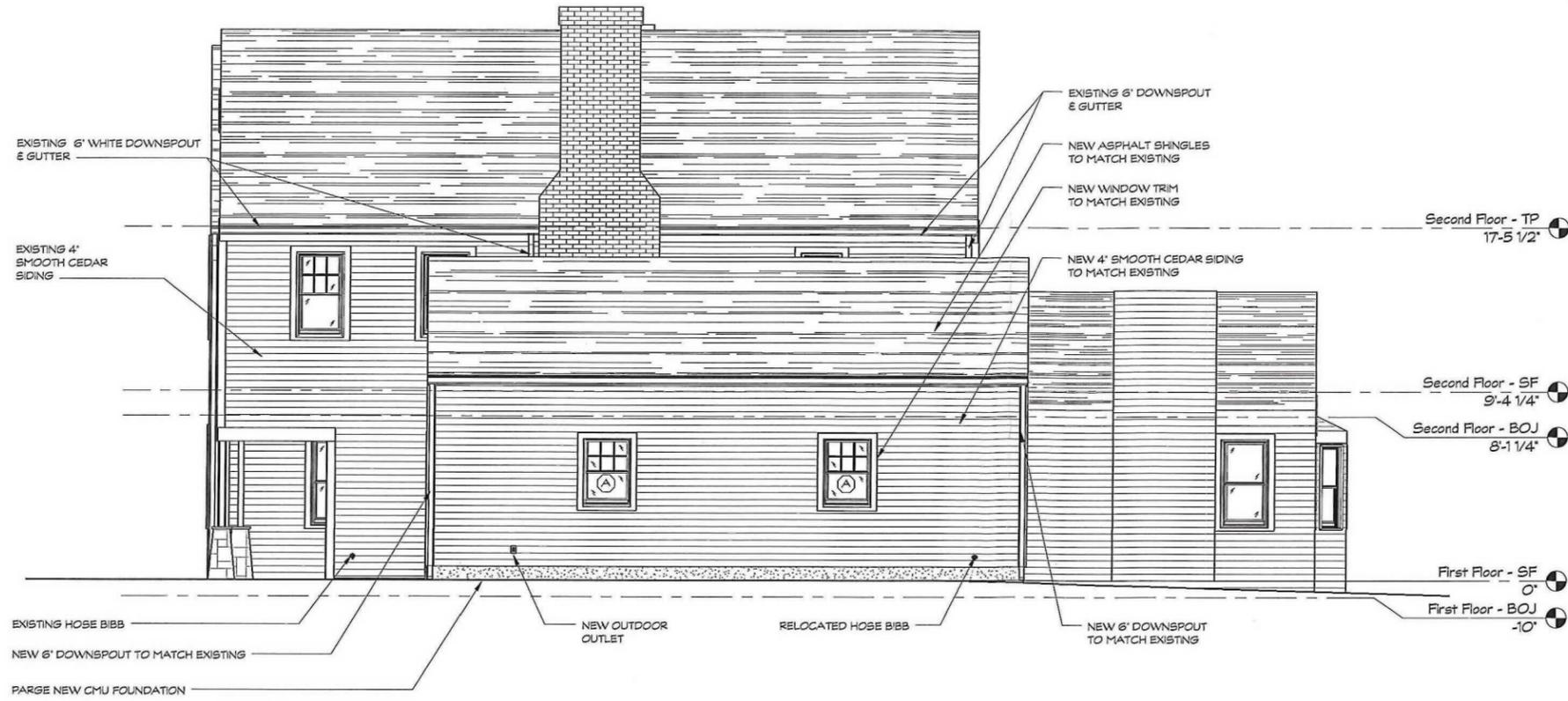
1327 WOODSIDE DRIVE
 MCLEAN, VA 22102
 PROPOSED EXTERIOR ELEVATIONS
 NOTE: 11" X 17" DRAWINGS
 SCALE 1:2



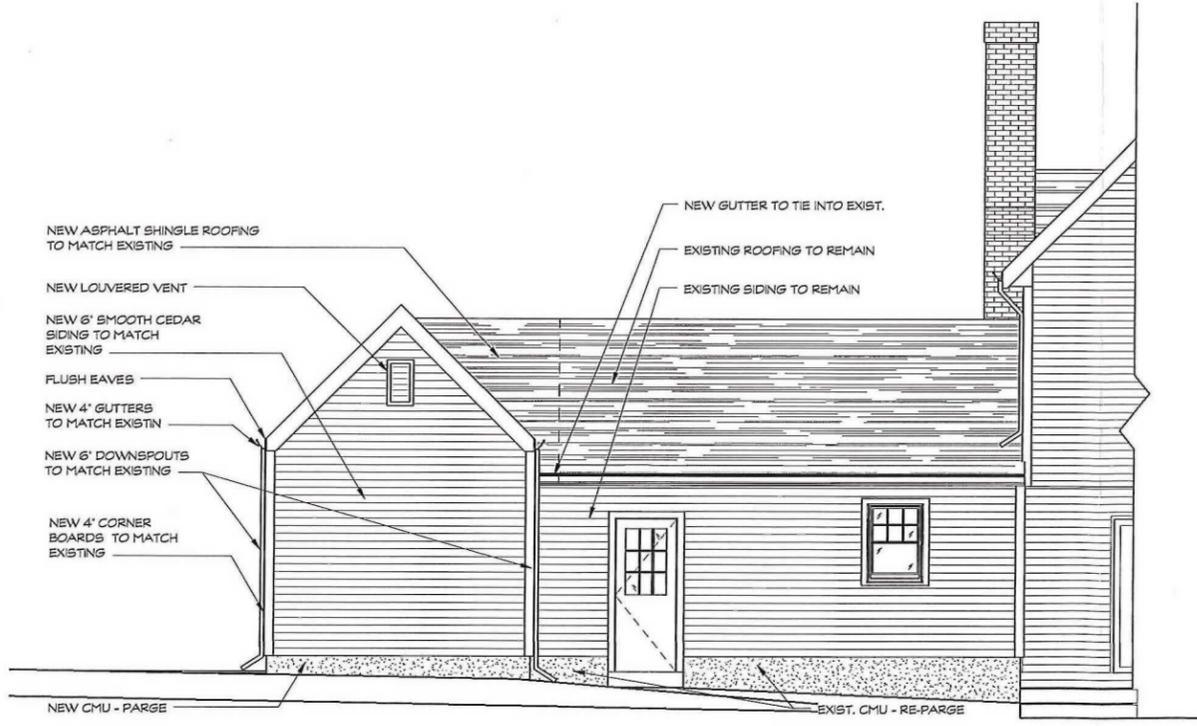
1 PROPOSED WEST ELEVATION
 A2.4 1/4" = 1'-0"

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 JUN 22 2016
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1327 WOODSIDE DRIVE
 MCLEAN, VA 22102
 PROPOSED EXTERIOR ELEVATIONS
 NOTE: 11" X 17" DRAWINGS
 SCALE 1:2



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



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

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 Department of Planning & Zoning
 JUN 22 2016
 Zoning Evaluation Division

May 12, 2016

Revised June 7, 2016

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

RECEIVED
Department of Planning & Zoning
JUN 08 2016
Zoning Evaluation Division

Dear Members of the Board of Zoning Appeals;

Thank you for this opportunity to present this **Special Permit Statement of Justification**, for the proposed addition to 1327 Woodside Dr., McLean, VA 22102, on behalf of Mr. Cyrus A. Ramsey and Mrs. Linda K. Ramsey.

To summarize: We request a reduction of the 20' side setback to a distance of 10'-1' at the front corner of a proposed addition and to 11'-7" at the back corner of a proposed addition. This proposed reduction in the minimum side yard would allow a three-vehicle garage to better meet the needs of a large family. An existing accessory storage structure in this location would be eliminated.

In accordance with the Special Permit Application Information packet, submission requirements for the Statement of Justification, Section 8-922 – Provisions for Reduction of Certain Yard Requirements, and Zoning Ordinance General Standards for a Special Permit, we submit the following for review.

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 proposed addition is to be a single-story wood frame structure on a concrete foundation, with lap siding, composition shingle roof and trim to match the existing home. The proposed form, with a horizontal eave and a terminating gable, harmonizes with the existing house.

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 proposed addition would encroach into the existing 20' side yard by a maximum of 9'-11", which is less than fifty percent (50%) of the 20' side setback. The requested reduction of the side yard is consistent with the Special Permit constraints, in that no reduction in excess of 50% is requested, and the remaining yard is greater than 5'.

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 side setback 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 in the side setback shall facilitate the improvement of the existing use as a single family residence.

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 in the side setback will not adversely effect the use or development of neighboring properties, and is harmonious with the existing use and intent as a single family residence.

The existing accessory storage structure is nearer to the property line than the proposed garage addition; removal of this existing structure would result in a larger yard. The proposed work presents a finer appearance to the neighboring property, as will the associated landscaping. As a single-story garage, the proposed would not present any privacy concerns from occupied windows overlooking the adjoining property, nor diminish the natural light of the adjoining 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 proposed addition and requested reduction in the side setback 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 professional landscaping and planting is part of the owner's intended scope of work.

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."*

The proposed reduction in side setback would have no impact on utility, drainage, parking, loading or other facilities for the proposed addition and property.

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 further submit that our requested reduction meets the provisions of Section 8-922 – Provisions for Reduction of Certain Yard requirements, as follows:

1. This application for special permit reduction in yard requirements is allowable per 8-922.1.A and the yard in question is not subject to proffered conditions or development conditions related to yards and the said yard is not depicted on an approved conceptual development plan, final development plan, development plan, special exception plat, special permit plat or variance plat.
 - a. The proposed reduction does not result in a 50% or more reduction in any yard nor a yard of less than 5'.
2. This application does not result in a detached accessory structure in a front yard.
3. This application applies to a lot which contains a principal structure, and which is in conformance with minimum yard requirements.
4. This application complies with the criteria for a maximum resulting gross floor area including addition or no more than 150% of the original existing gross floor area. The floor area percentage increase is 4.3%. (See attached Special Permit Plat for calculations.)
5. This application does not include an accessory structure, and therefore does not result in an accessory structure subordinating the main structure.
6. The proposed will be in character with the existing on-site development, with regard to location, height, bulk and scale. The proposed shall have a form and materials that harmonize with the existing house. Specifically, the proposed addition is to be a single-story wood frame structure on a concrete foundation, with lap siding, composition shingle roof and trim to match the existing home. The proposed form, with a horizontal eave and a terminating gable, harmonizes with the existing house.
7. The proposed will be harmonious with the off-site uses and structures. The proposed use is consistent with the existing and surrounding properties. The architectural detailing, design and construction are intended to be of high quality, consistent with or better than remodels and additions in the vicinity.
8. The proposed addition and reduction of the yard will not adversely impact the use and/or enjoyment or any adjacent property with regard to issues such as noise, light, air, safety, erosion, and storm water runoff.

The neighboring house is located far away from the area of the proposed addition, with no windows overlooking the area. And, there is a wood fence and extensive bamboo vegetation along the property line which will continue to provide privacy screening. The grade at the proposed addition will continue to slope away from the property line and predominately slope toward the rear of the house. Therefore there will be no impact to erosion and storm water runoff.

9. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. The configuration of the proposed addition is a result of the location of the existing garage, while the cross gable and stepped wall of the addition serves to match the character of the existing house.
10. We look forward to presentation of the proposed addition, and to a discussion of any additional criteria that the BZA may wish to consider to make this a successful proposal and addition to the property.
11. [SEE ATTACHED PLAT]
12. [SEE ATTACHED EXTERIOR ELEVATIONS]

We thank you for your time and attention!

Kind Regards,

Joshua Van Donge, AIA, LEED AP
Design Developer

CARNEMARK
7550 Wisconsin Ave
Suite 120
Bethesda, MD 20814
301.657.5000

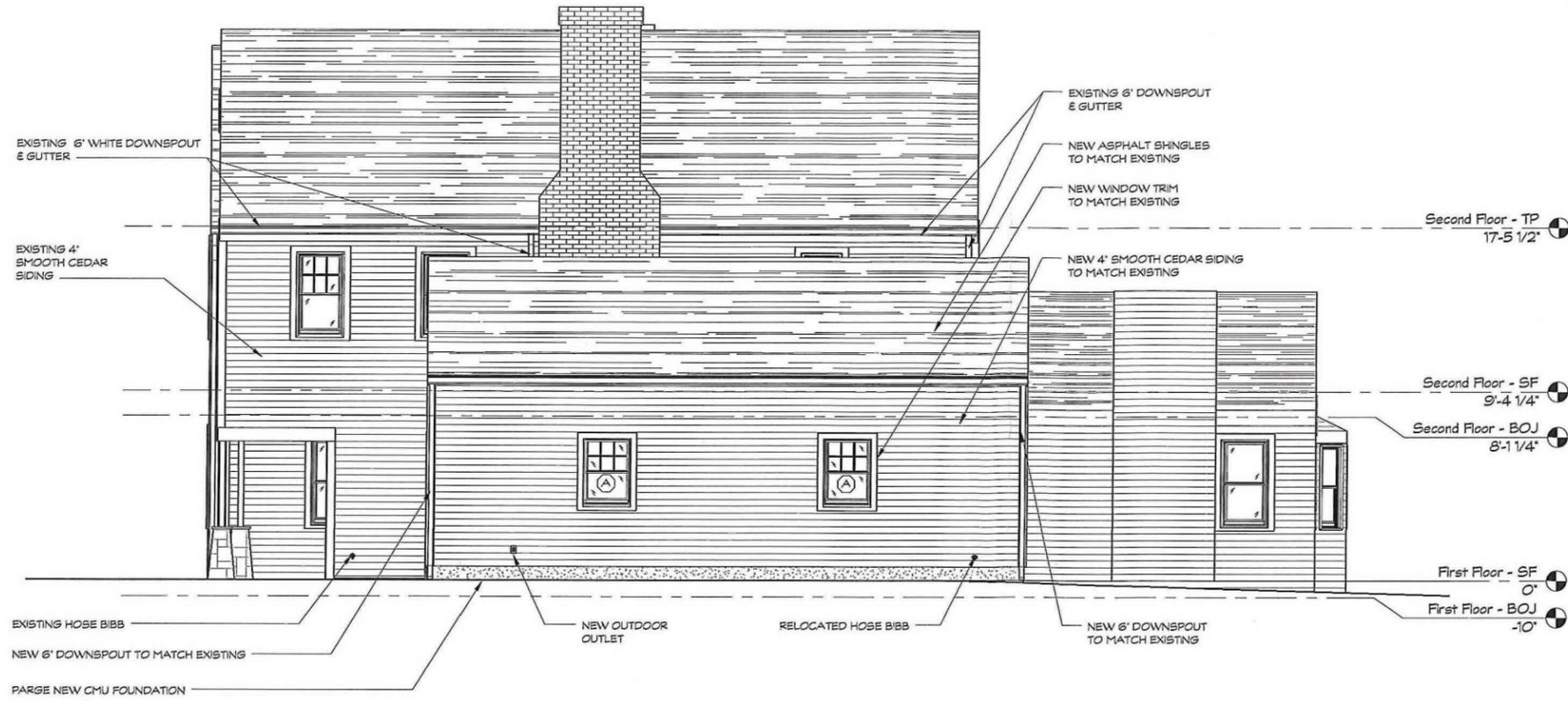
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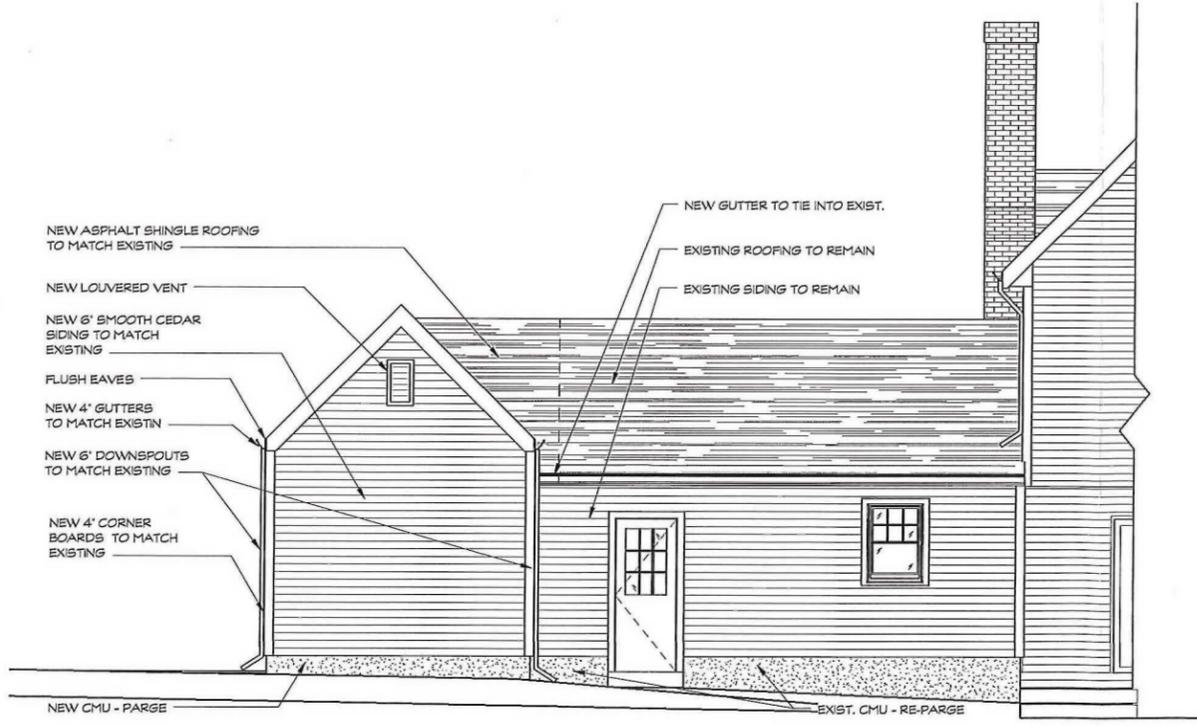
1 PROPOSED WEST ELEVATION
 A2.4 1/4" = 1'-0"

RECEIVED
 Department of Planning & Zoning
 JUN 22 2016
 Zoning Evaluation Division

1327 WOODSIDE DRIVE
 MCLEAN, VA 22102
 PROPOSED EXTERIOR ELEVATIONS
 NOTE: 11" X 17" DRAWINGS
 SCALE 1:2



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



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

RECEIVED
 Department of Planning & Zoning
 JUN 22 2016
 Zoning Evaluation Division













Application No.(s): SP 2016-DR-064
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/16/16
(enter date affidavit is notarized)

135031

I, Patrick H. Herald, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Cyrus A. Ramsey	1327 Woodside Drive McLean, VA 22102	Applicant/Title owner
Linda K. Ramsey	1327 Woodside Drive McLean, VA 22102	Co-Title Owner
Patrick H. Herald Carnemark Systems & 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).

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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 & 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.

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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.

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

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

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: 5/16/16
(enter date affidavit is notarized)

135631

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

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

None

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

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

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

WITNESS the following signature:

(check one) Applicant Applicant's Authorized Agent

Patrick H. Herald
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 16 day of May 2016, in the State/Comm. of Montgomery, County/City of Bethesda.

[Signature]
Notary Public

My commission expires: 07/03/2019



8-006 General Standards

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

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

8-903 Standards for All Group 9 Uses

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

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

8-922 Provisions for Reduction of Certain Yard Requirements

The BZA may approve a special permit to allow a reduction of certain yard requirements subject to all of the following:

1. Only the following yard requirements shall be subject to such special permit:
 - A. Minimum required yards, as specified in the residential, commercial, industrial and planned development districts in Articles 3, 4, 5 and 6, provided such yards are not subject to proffered conditions or development conditions related to yards and/or such yards are not depicted on an approved conceptual development plan, final development plan, development plan, special exception plat, special permit plat or variance plat.
 - B. Yard regulations for pipestem lots and lots contiguous to pipestem driveways set forth in Sect. 2-416.
 - C. Accessory structure location requirements set forth in Sect. 10-104.
 - D. Regulations on permitted extensions into a minimum required yard as set forth in Sect. 2-412.

Approval of a reduction of yard requirements specified in Paragraphs A, B and C above shall not result in any yard that is less than fifty (50) percent of the requirement and shall not result in any yard of less than five (5) feet, as measured from the lot line to the closest point of the proposed structure.

Approval of a reduction of yard requirements specified in Par. D above shall not result in an extension that exceeds the applicable distances set forth in Sect. 2-412 by more than fifty (50) percent. Where no extension is permitted by the provisions of Sect. 2-412, the BZA shall not approve a special permit that results in a structure that extends into a minimum required yard by more than fifty (50) percent.

2. Such reduction shall not result in the placement of a detached accessory structure in a front yard where the placement of such accessory structure is not otherwise permitted in that yard.

3. This special permit shall only apply to those lots that contain a principal structure and use that complied with the minimum yard requirements in effect when the use or structure was established.
4. The resulting gross floor area of an addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first yard reduction request. In such instance, if a portion of the principal structure is to be removed, no more than fifty (50) percent of the gross floor area of the existing principal structure at the time of the first yard reduction shall be removed.
5. The resulting gross floor area of an existing accessory structure and any addition to it shall be clearly subordinate in purpose, scale, use and intent to the principal structure on the site.
6. The BZA shall determine that the proposed development will be in character with the existing on-site development in terms of the location, height, bulk and scale of the existing structure(s) on the lot.
7. The BZA shall determine that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location, height, bulk and scale of surrounding structures, topography, existing vegetation and the preservation of significant trees as determined by the Director.
8. The BZA shall determine that the proposed development shall not adversely impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, safety, erosion, and stormwater runoff.
9. The BZA shall determine that the proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. Specific factors to be considered include, but are not limited to, the layout of the existing structure; availability of alternate locations for the addition; orientation of the structure(s) on the lot; shape of the lot and the associated yard designations on the lot; environmental characteristics of the site, including presence of steep slopes, floodplains and/or Resource Protection Areas; preservation of existing vegetation and significant trees as determined by the Director; location of a well and/or septic

field; location of easements; and/or preservation of historic resources.

10. The BZA may impose such conditions as it deems necessary to satisfy these criteria, including, but not limited to imposition of a maximum gross floor area, floor area ratio, lot coverage, landscaping and/or screening requirements.
11. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by fifteen (15) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia. Such plat shall contain the following information:
 - A. Boundaries of entire property, with bearings and distances of the perimeter property lines, and of each zoning district.
 - B. Total area of the property and of each zoning district in square feet or acres.
 - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
 - D. The location, dimension and height of any building, structure or addition, whether existing or proposed. In addition, for decks, the height of the finished floor above finished ground level.
 - E. All required minimum yards to include front, side and rear, a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing and proposed structures to lot lines.
 - F. Means of ingress and egress to the property from a public street(s).
 - G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).

- H. If applicable, the location of a well and/or septic field.
 - I. Existing and proposed gross floor area and floor area ratio.
 - J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
 - K. The location, type and height of any existing and proposed landscaping and screening.
 - L. Approximate delineation of any floodplain designated by the Federal Insurance Administration, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.
 - M. Seal and signature of professional person certifying the plat.
12. Architectural depictions of the proposed structure(s) as viewed from all lot lines and street lines to include building materials, roof type, window treatment and any associated landscaping and/or screening shall be provided.