



County of Fairfax, Virginia

October 26, 2016

STAFF REPORT

SPECIAL PERMIT SP 2016-MV-074

MOUNT VERNON DISTRICT

APPLICANTS/OWNERS: William Convery
Nancy Convery

STREET ADDRESS: 8501 Washington Avenue, Alexandria, 22309

SUBDIVISION: Mt. Zephyr

TAX MAP REFERENCE: 101-3 ((8)) (B) 26

LOT SIZE: 18,194 square feet

ZONING DISTRICT: R-2

ZONING ORDINANCE PROVISION: 8-922

SPECIAL PERMIT PROPOSAL: To permit reduction in certain yard requirements to permit construction of an addition 7.5 feet from a side lot line.

STAFF RECOMMENDATION:

Staff recommends approval of SP 2016-MV-074 for the addition with adoption of the proposed development conditions contained in Appendix 1.

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

Erin M. Haley

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

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

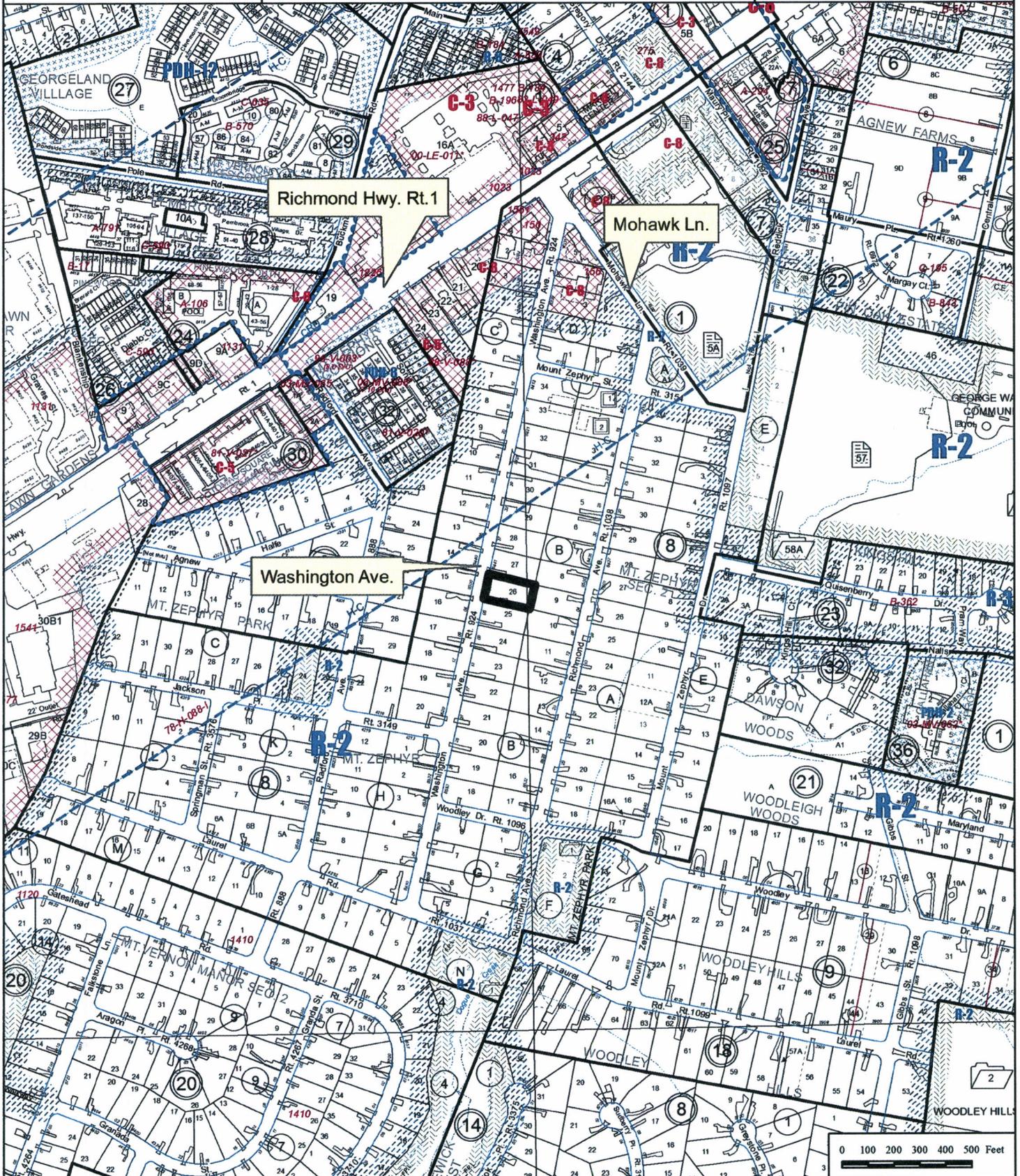
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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



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



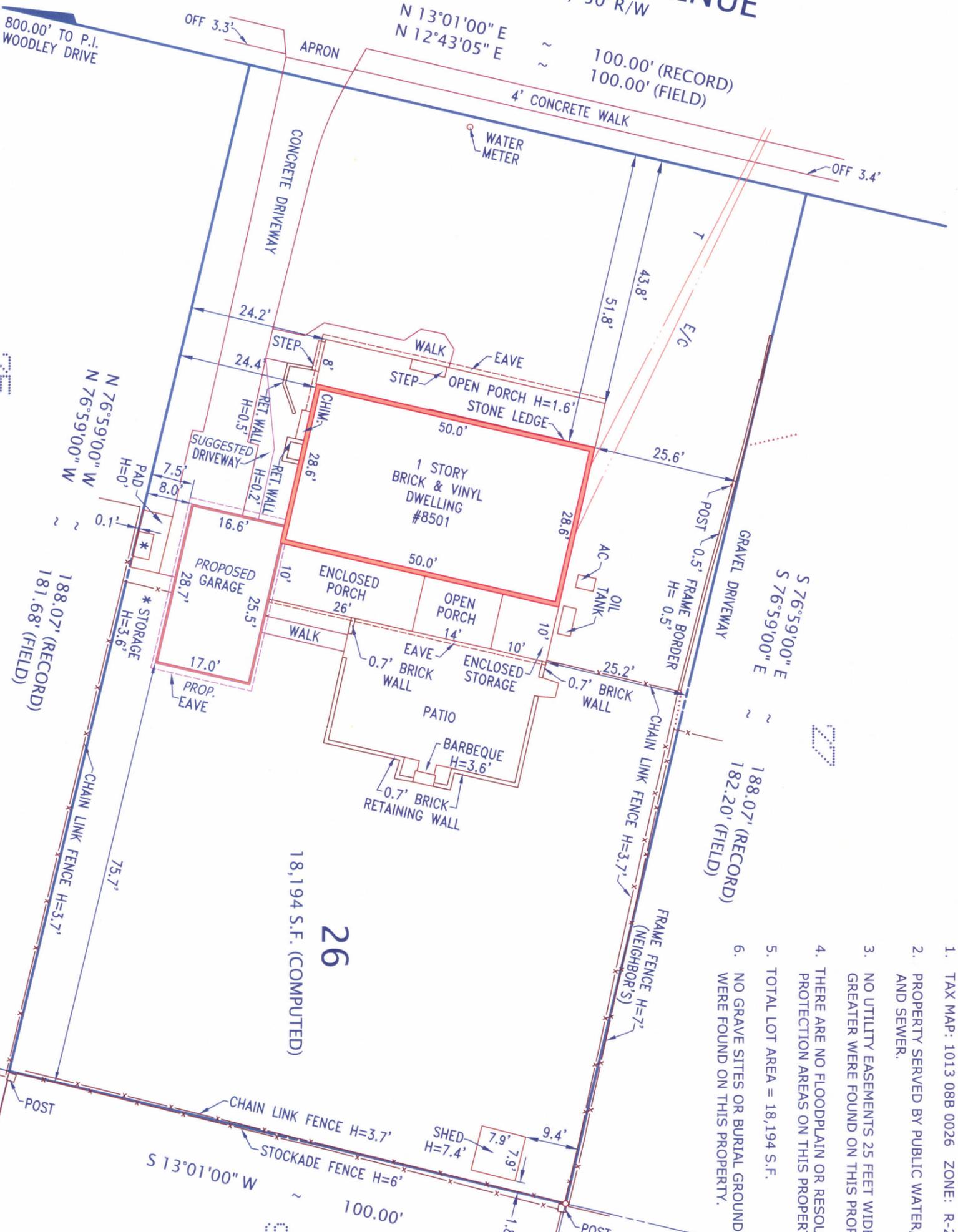
Special Permit SP 2016-MV-074 WILLIAM AND NANCY CONVERY



RECORD NORTH

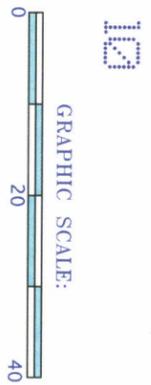
WASHINGTON AVENUE

ROUTE 924, 50' R/W



- NOTES:**
- TAX MAP: 1013 08B 0026 ZONE: R-2
 - PROPERTY SERVED BY PUBLIC WATER, GAS AND SEWER.
 - NO UTILITY EASEMENTS 25 FEET WIDE OR GREATER WERE FOUND ON THIS PROPERTY.
 - THERE ARE NO FLOODPLAIN OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
 - TOTAL LOT AREA = 18,194 S.F.
 - NO GRAVE SITES OR BURIAL GROUNDS WERE FOUND ON THIS PROPERTY.
 - MINIMUM YARDS REQUIRED:
FRONT 35 FEET
SIDE 15 FEET
REAR 25 FEET
 - HEIGHTS:
DWELLING 14 FEET
PROPOSED GARAGE ADDITION 14 FEET
OTHER AS SHOWN
 - APPROXIMATE FLOOR AREAS:
DWELLING 1790 S.F.
DWELLING W/ PROPOSED ADDITION 2275 S.F.
PROPOSED ADDITION EQUALS 27% OF EXISTING FLOOR AREA
FAR: EXISTING .10 PROPOSED: .13
 - THE EXISTING DWELLING WAS CONSTRUCTED IN 1955.
 - IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING UNLESS NOTED.
 - THE LOT IS PREDOMINANTLY LAWN COVERED WITH SOME TREES, SHRUBS IN THE AREA OF THE PROPOSED GARAGE ADDITION ARE TO BE REMOVED.
 - THE PORTION OF EXISTING DRIVEWAY AND WALK THAT ARE WITHIN THE AREA OF THE PROPOSED ADDITION ARE TO BE REMOVED.

CASE NAME:
CONVERY
ORDERED BY:
CRAFTED ARCHITECTURE



SPECIAL PERMIT PLAT
LOT 26 BLOCK "B" SECTION 2
MT. ZEPHYR
FAIRFAX COUNTY, VIRGINIA
SCALE: 1" = 20' APRIL 21, 2016

ALTERRA SURVEYS, INC.
11350 RANDOM HILLS ROAD #430
FAIRFAX, VIRGINIA 22030
TEL. NO. 703-520-1558
INBOX@ALTERRASURVEYS.COM

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

AA

#16-0245

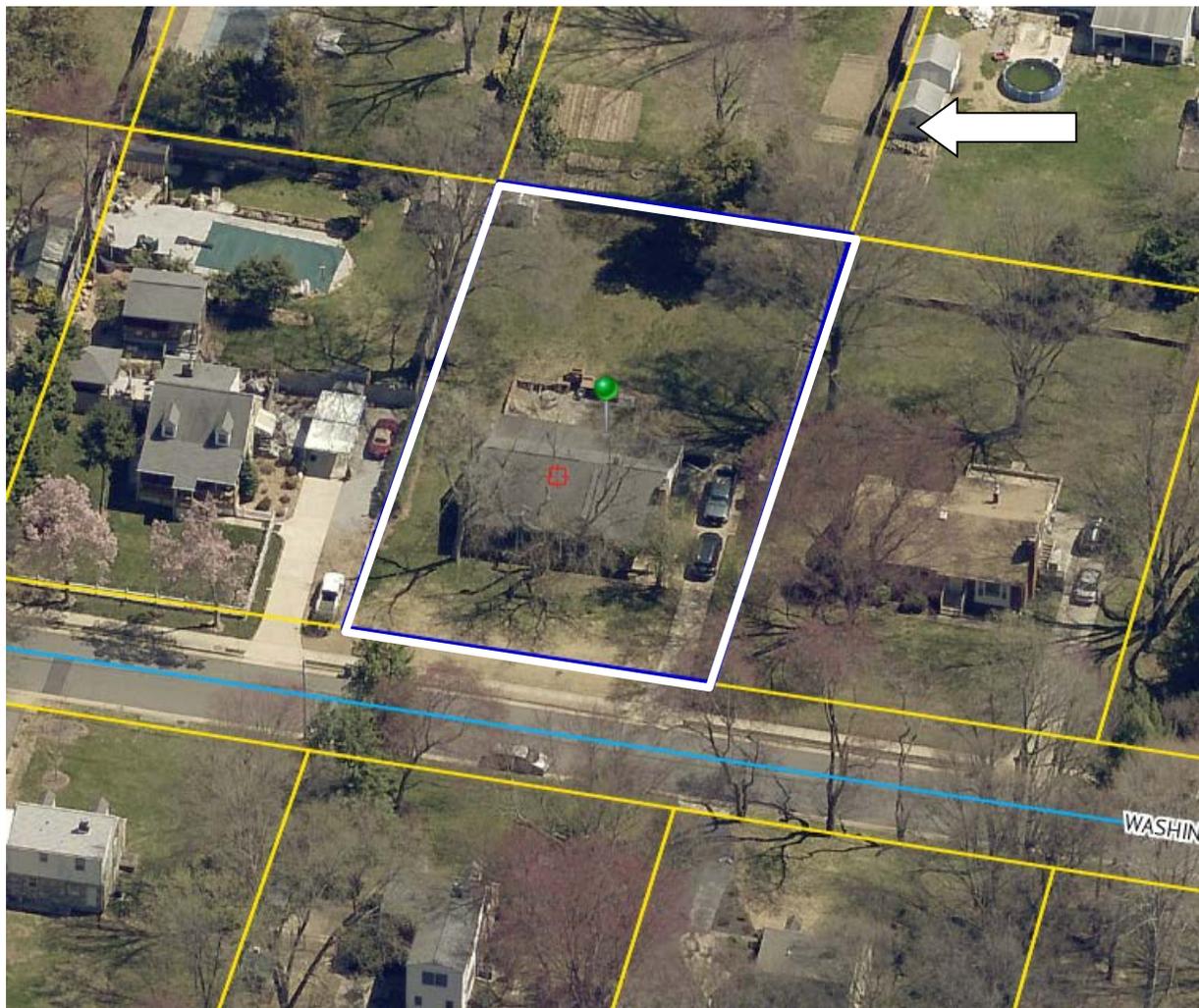
SPECIAL PERMIT REQUEST

The applicant is requesting approval of a special permit to allow a reduction in yard requirements for the construction of a garage addition 7.5 feet from a side lot line. The proposed addition, located at the southeastern corner of the house, will measure 14.0 feet in height and 485 square feet in area.

A copy of the special permit plat titled, "Special Permit Plat, Lot 26, Block "B", Section 2, Mt. Zephyr," prepared by Patrick A. Eckert, L.S., dated April 21, 2016, as revised through May 4, 2016, is included in the front of the staff report.

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

CHARACTER OF THE SITE AND SURROUNDING AREA



The 18,194 square foot lot contains a one-story single family detached dwelling. A concrete driveway provides access from Washington Avenue. A walkway leads from the driveway to the front porch. An at-grade patio at the rear of the house has a built-in barbeque. A shed 7.4 feet in height is located in the northeastern corner of the rear yard. A small storage structure 3.6 feet in height is located in the southern side yard. The rear yard is enclosed by a chainlink fence 3.7 feet in height.

The subject property and surrounding properties are zoned R-2 and developed with single family detached dwellings.

BACKGROUND AND HISTORY

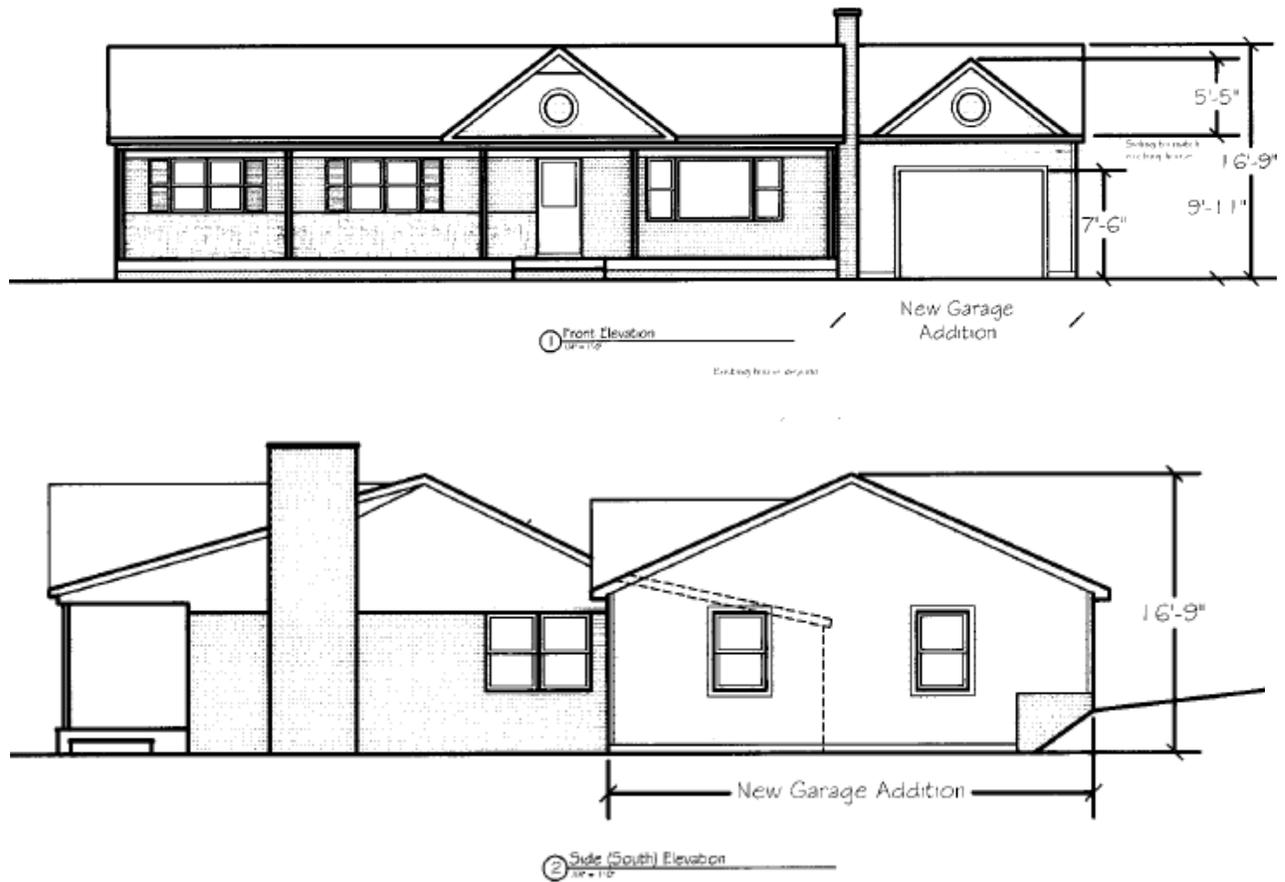
Fairfax County Tax Records indicate that the single family dwelling was constructed in 1955 and purchased by the applicants in 1979.

Since the adoption of the Zoning Ordinance, no similar applications for a reduction in minimum required yards have been heard by the Board of Zoning Appeals (BZA) for nearby properties.

DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit for a reduction of certain yard requirements to construct a new two-car attached garage. The property does not currently have either a garage or a carport. The garage would be located 7.5 feet from the southern side lot line. In the R-2 zoning district, the required side yard is 15.0 feet; therefore, the applicant is requesting a reduction of 7.5 feet, or 50 percent from the side lot line.

The addition would be approximately 485 square feet in size and 14.0 feet in height. The applicant proposes to locate the garage at the southeastern rear corner of the house. Elevations and the applicant's statement of justification indicate that the addition would match the height, appearance and materials of the existing house.



ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area IV, Mount Vernon Planning District
Planning Sector: Mount Vernon Community Planning Sector (MV7)
Plan Map: Residential, 2-3 dwelling units per acre

Zoning District Standards

Bulk Standards (R-2)		
Standard	Required	Provided
Lot Size	15,000 sf.	18,194 sf.
Lot Width	Interior: 100 feet	100 feet
Building Height	35 feet	14.0 feet
Front Yard	35 feet	43.8 feet
Side Yard	15 feet	Northern: 25.2 feet

Bulk Standards (R-2)		
Standard	Required	Provided
		Southern: Existing: 24.2 feet Proposed: 7.5 feet
Rear Yard	25 feet	75.7 feet

Urban Forestry Analysis (Appendix 4)

Disturbance related to construction of the proposed garage will likely extend into the critical root zone of an offsite mature deciduous tree on the adjacent Lot 25. In order to protect the health of this tree during construction, staff from the Urban Forestry Management Division recommends that tree protection measures should be installed and maintained for the duration of construction activity. A development condition has been proposed to require a layer of wood chips 8 inches in depth to be put down and maintained between the existing fence and the proposed garage along the southern property boundary from the front corner of the proposed garage until 10 feet past the back corner of the proposed garage, or further, if any mechanized equipment is to be used in that area.

Zoning Ordinance Requirements (Appendix 5)

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

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

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

Standards 1 & 2 <i>Comprehensive Plan/ Zoning District</i>	The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-2 District allows a reduction in minimum required yards with special permit approval. The proposed screened porch is in harmony with the Comprehensive Plan and the general purpose and intent of the R-2 District.
Standard 3 <i>Adjacent Development</i>	In staff’s opinion, the proposed use will not hinder or discourage use or development of neighboring properties or negatively affect value. Through testimony provided by the applicant and photographic research, staff has observed that the neighborhood is characterized by a variety of parking options, including driveway only, carports, attached garages, and detached garages.
Standard 4 <i>Pedestrian/ Vehicular Traffic</i>	No increase vehicular or pedestrian traffic is expected with this application. In staff’s opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.

Standard 5 <i>Landscaping/ Screening</i>	The proposed addition will be to the rear of the house at the end of an existing driveway. The distance from the street makes the proposed addition less visible from the adjacent properties.
Standard 6 <i>Open Space</i>	There is no prescribed open space requirement for individual lots in the R-2 District.
Standard 7 <i>Utilities, Drainage, Parking, and Loading</i>	There are no changes to the utilities, drainage, parking or loading of the site.
Standard 8 <i>Signs</i>	No signage is proposed.

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

Standard 1 <i>Lot Size and Bulk Regulations</i>	A modification of the minimum required side yard is requested with this special permit application. The property conforms to all other lot and bulk regulations.
Standard 2 <i>Performance Standards</i>	The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.
Standard 3 <i>Site Plan</i>	The construction is not disturbing more than 2,500 square feet of land area; therefore the application is not subject to the provisions of Article 17, Site Plans.

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

Standard 1 <i>Yard Requirements Subject to Special Permit</i>	<p>A. <i>Minimum required yards – Yards not less than 50% of the requirement and not less than 5 feet.</i></p> <p>The proposed addition would be located 7.5 feet from the southern side lot line; the required side yard in an R-2 district is 15 feet, resulting in a reduction of 7.5 feet or 50 percent.</p> <p>B. Pipestem lots- N/A C. Accessory structure locations – N/A D. Extensions into minimum required yards allowed by Sect. 2-412- N/A</p>
Standard 2 <i>Not a Detached Structure in a Front Yard</i>	The application does not propose a detached accessory structure.
Standard 3 <i>Principal Structure that Complied with Yard Requirements When Established</i>	The subject property contains a single family dwelling that is an existing principal structure. The existing structure was built as approved in 1955.
Standard 4 <i>Addition No More than 150% of Existing Gross Floor Area (GFA)</i>	The proposed addition is 485 square feet. The existing GFA of the primary structure is 1,790 square feet; Therefore 150% of the total gross floor area could result in additions up to 2,685 square feet in size for a possible total square footage at build out of 4,475 square feet. The total square footage of the house with the addition is 2,275 square feet. Therefore the application meets this provision.

<p>Standard 5 <i>Accessory Structure Subordinate in Purpose, Scale, Use and Intent</i></p>	<p>The applicant is requesting to construct an addition to the house, not an accessory structure. The addition will be a garage to serve the existing primary residence. This standard does not apply.</p>
<p>Standard 6 <i>Construction in Character with On-Site Development</i></p>	<p>The elevation drawings indicate that the materials, size and scale of the proposed addition would be compatible with the existing dwelling. The garage would have wood siding and a shallow sloped, asphalt shingle roof to match the roof of the existing house.</p>
<p>Standard 7 <i>Construction Harmonious with Off-Site Development</i></p>	<p>Through aerial photography, submitted photographs, and background research staff has confirmed that the neighborhood is characterized by a variety of parking options, including driveway only, carports, attached garages, and detached garages. Staff believes that the proposed addition would not affect neighboring properties in terms of location, height and bulk.</p>
<p>Standard 8 <i>Construction Shall Not Adversely Impact Adjacent Properties</i></p>	<p>The proposed addition is a one-story garage 14.0 feet in height (as measured by the Zoning Ordinance) and 485 square feet in size. The proposed one-story addition would be located to the rear of the house, and would be set back from and not directly aligned with the neighboring house on the adjacent property. Staff believes that the proposed addition will not significantly impact the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air or safety. In regards to stormwater, if the construction disturbs more than 2,500 square feet, 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 <i>Represents the Minimum Amount of Reduction Necessary</i></p>	<p>The proposed addition is a one-story, two-car garage on a property that does not currently have any enclosed parking facilities. It is to be located at the end of the existing driveway; therefore, it would be difficult to find alternative locations for this addition without entirely relocating the driveway area. Staff believes that the proposal is the minimum amount of space needed to have a usable garage.</p> <p>Other issues of lot shape, yard determination, environmental characteristics, slopes, wells, floodplains and/or Resource Protection Areas, easements and historic resources are not applicable to this site.</p>
<p>Standard 10 <i>BZA May Impose Conditions</i></p>	<p>Proposed development conditions are included in Appendix 1.</p>
<p>Standard 11 <i>Submission Requirements</i></p>	<p>A copy of the plat is included in the beginning of this report.</p>
<p>Standard 12 <i>Architectural Elevations</i></p>	<p>Proposed elevations are included as an attachment to the proposed development conditions in Appendix 1.</p>

CONCLUSION

Staff believes that the request for a special permit for reduction in certain yard requirements to permit the construction of an attached garage 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.

RECOMMENDATION

Staff recommends approval of SP 2016-MV-074 for the addition with adoption of the proposed development conditions contained in Appendix 1.

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

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. Urban Forestry memo
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2016-MV-074****October 26, 2016**

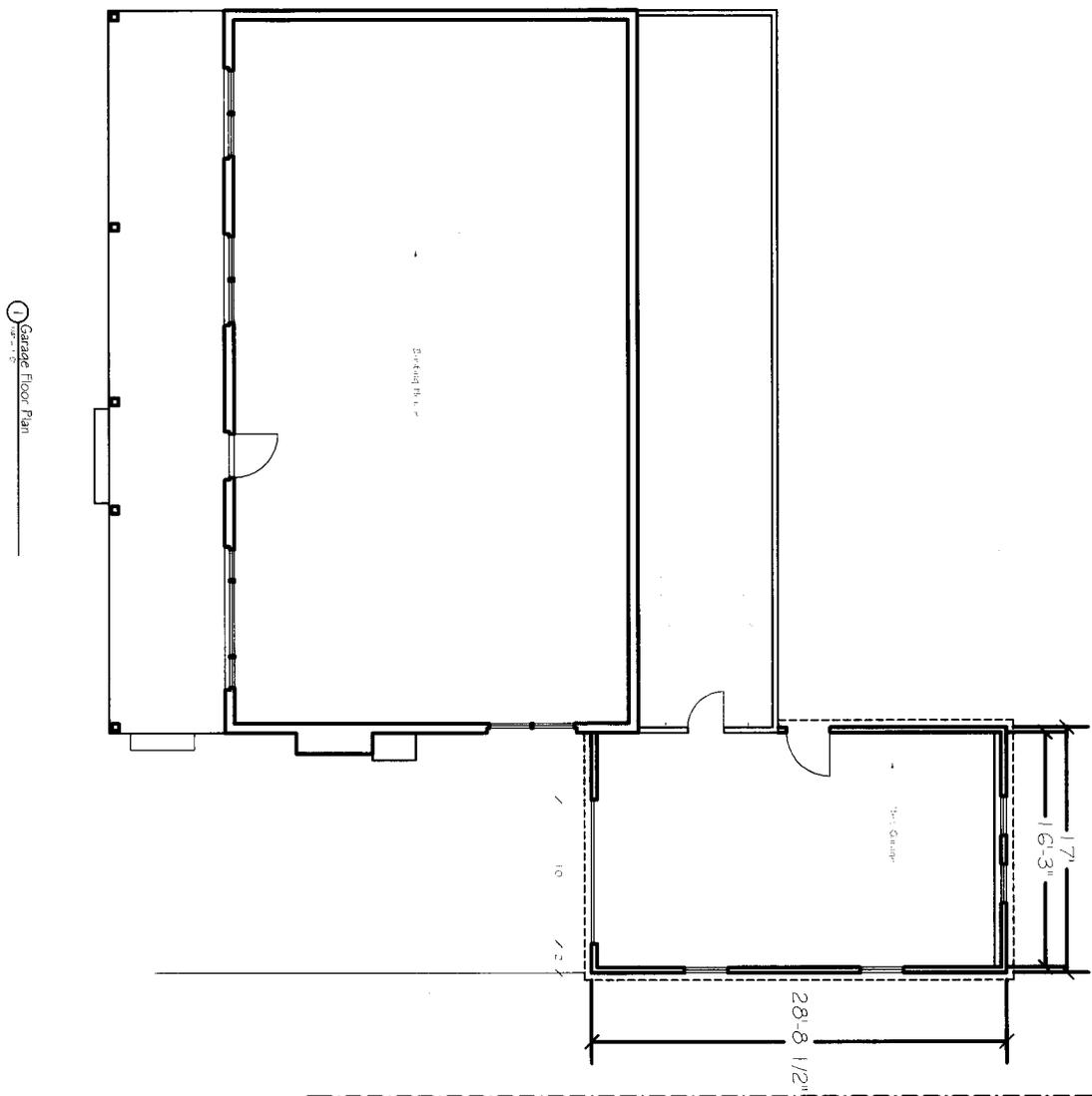
If it is the intent of the Board of Zoning Appeals to approve SP 2016-MV-074 located at Tax Map 101-3 ((8)) (B) 26 to permit reduction of certain yard requirements to construct an attached garage pursuant to Section 8-922 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of the addition (485 square feet, 14.0 feet in height, 7.5 feet from the southern side lot line), as shown on the special permit plat titled, "Special Permit Plat, Lot 26, Block "B", Section 2, Mt. Zephyr," prepared by Patrick A. Eckert, L.S., dated April 21, 2016, as revised through May 4, 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 (1,790 square feet existing + 2,685 square feet (150%) = 4,475 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.
5. A layer of wood chips 8 inches in depth shall be put down and maintained between the existing fence and the proposed garage along the southern property boundary from the front corner of the proposed garage until 10 feet past the back corner of the proposed garage, or further if any mechanized equipment is to be used in that area.

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.

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



CRAFTED ARCHITECTURE LLC
 Christine A. Kelly, AIA
 950 N Washington Street, Suite 234
 Alexandria, Virginia 22314 ph 703-768-7371
 email christine@craftedarchitecture.com

PROJECT
 Owner/Residence
 8501 Washington Avenue
 Alexandria, VA 22309

Drawing
 New Garage Plan

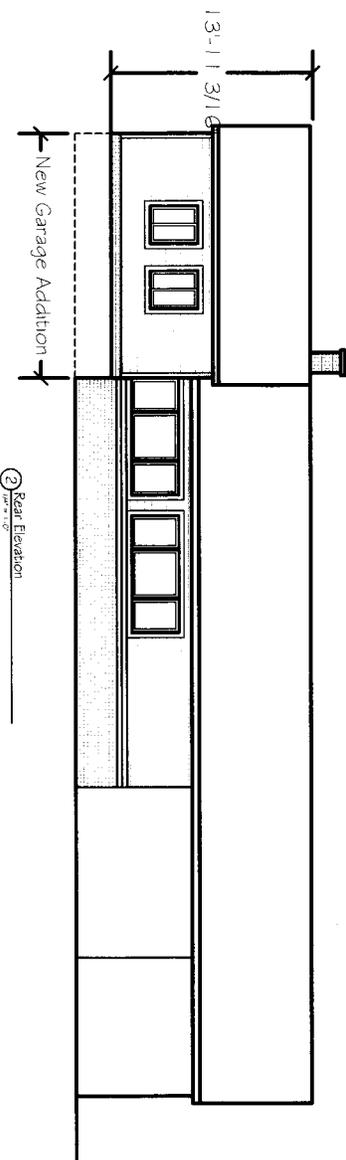
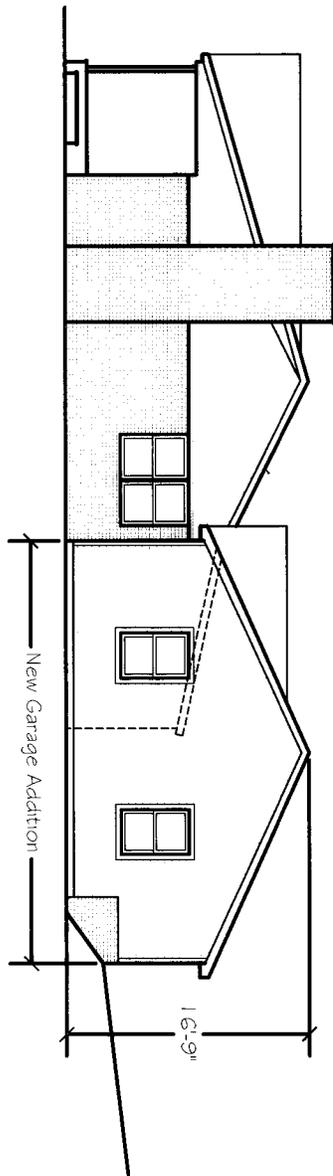
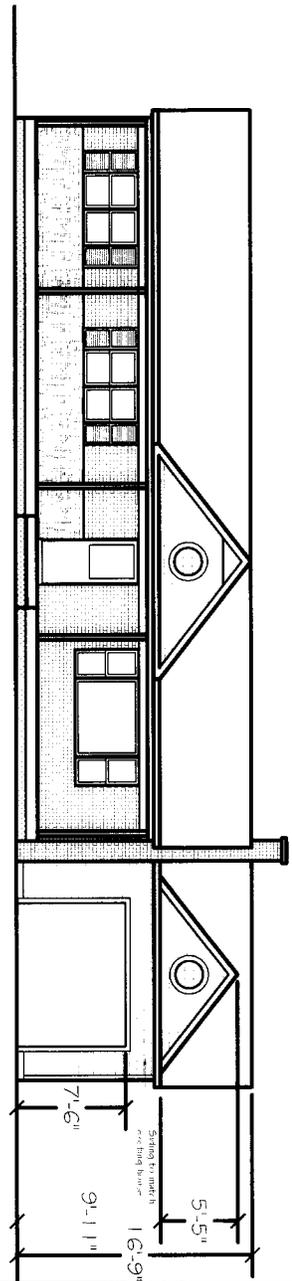
Submission:
 P&Z Design Review

Date
 May 1, 2016

Sheet No.
A1

JUL 22 2016

RECEIVED
Department of Planning & Zoning



CRAFTED ARCHITECTURE LLC

Christine A. Kelly, AIA
950 N Washington Street, Suite 234
Alexandria, Virginia 22314 ph 703-768-7371
email christine@craftedarchitecture.com

PROJECT

County Residence
8501 Washington Avenue
Alexandria, VA 22309

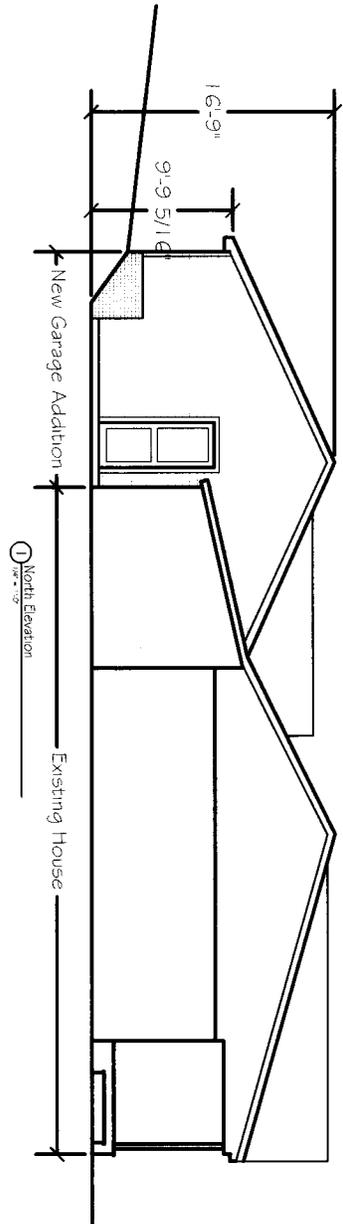
Drawing
New Garage Plan
Submission
1/4/15/2016

Date
1/4/15/2016

Sheet No.

A2

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



2

CRAFTED ARCHITECTURE LLC
Christine A. Kelly, AIA
950 N Washington Street, Suite 234
Alexandria, Virginia 22314 ph 703-768-7371
email christine@craftedarchitecture.com

PROJECT

Owner: Residence
4501 Washington Avenue
Alexandria, VA 22309

Drawing:
New Garage Plan

Submission:
For Design Review

Date:
Mar 1, 2016

Sheet No.

A3

Statement of Justification

Convery Residence
8501 Washington Avenue
Alexandria, Virginia 22309

RECEIVED
Department of Planning & Zoning

JUL 22 2016
Zoning Evaluation Division

We are requesting a special permit for a side yard setback reduction for the construction of a new attached garage. The garage will be utilized daily by the owners of the property, Bill and Nancy Convery. The proposed use will not affect the flow of traffic on the street or increase the number of trips made by owners from thier house. The existing house at contains a principal structure and use that comply with the minimum yard requirements in effect when the house was built. No portion of the existing house is scheduled to be demolished for the construction of the garage.

The garage is 485 sq. ft. and the existing house is 1790 sq. ft. The carport is 27% the size of the existing structure and therefore subordinate in purpose, scale, use and intent to the principal structure on site. An addition to an accessory structure is not part of the project.

The proposed addition is in scale and character with the on-site development in terms of location (it is in line with the existing driveway), height (it does not exceed the height of the existing one story home), bulk and scale of the existing home on the lot. The garage is wood construction with a shallow sloped, asphalt shingle roof to match the existing house.

The floor material of the garage will be a brushed finish concrete. The proposed structure is in harmony with the existing fabric of the neighborhood, off-site uses, structures and the zoning district. The height and scale of the addition match the scale, height and location of the surrounding structures. No trees will be removed for the construction of the carport and all existing vegetation will be retained. The garage does not adversely affect the use or development of neighboring properties with regard to issues such as noise, light, air, safety, erosion and storm water runoff. The size and height of the garage is in scale with the existing house and compliments the overall use and value of the home. It is attached to the house and is not a detached accessory structure. The location and design of the garage does not conflict with the existing and anticipated traffic in the neighborhood.

Landscaping will be utilized to screen the garage from the view of the neighbor. The existing lot has a large rear yard that is not affected by the design of the carport. Drainage and parking will be suitable for the site and project.

There are no signs associated with the project.

There are no known toxic or hazardous substances or waste on the site. There are no existing storage containers on site. There are no easements, septic fields, or preservation of historic resources on site.

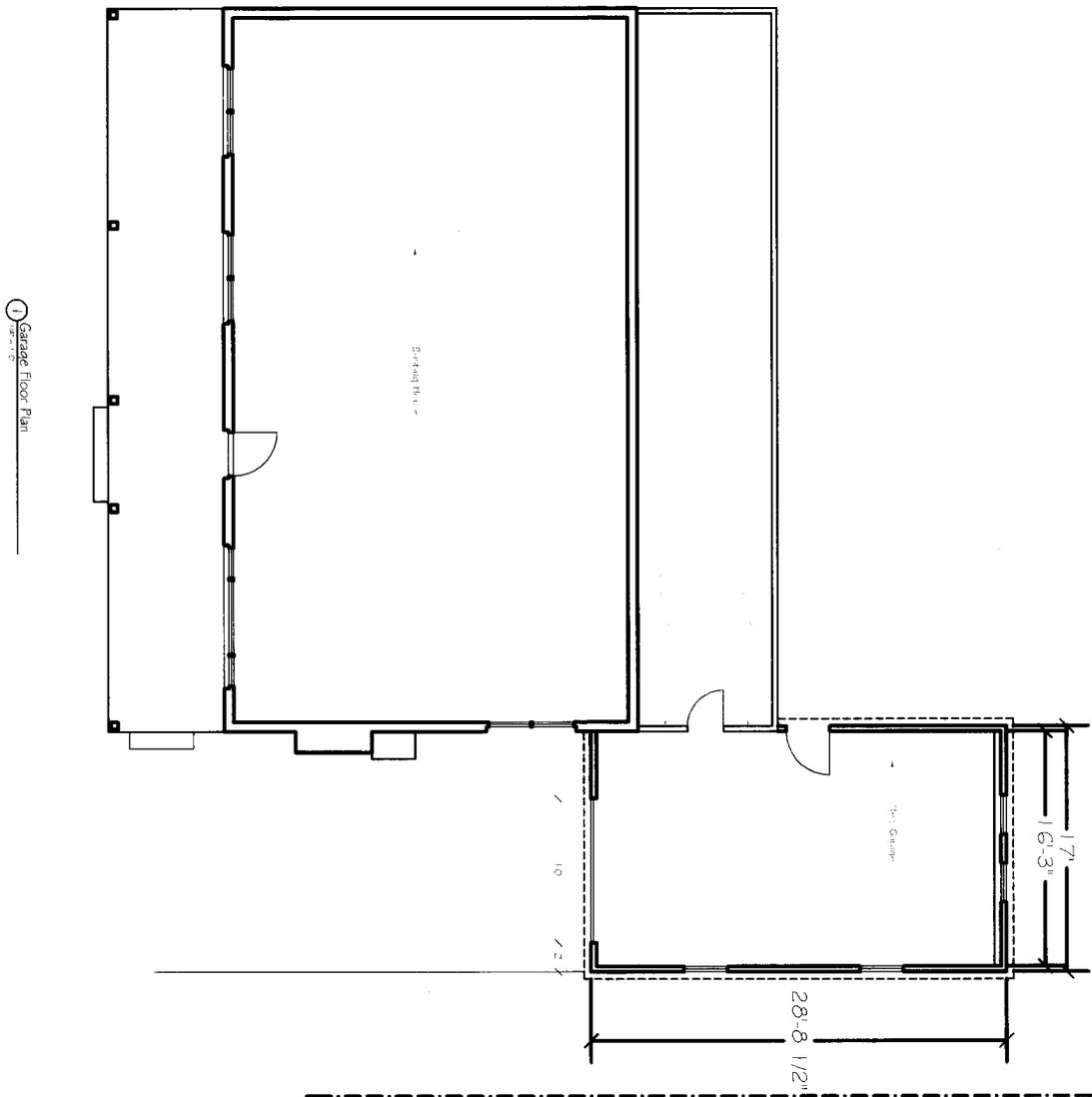
Other than our application for a Special Use Permit from Fairfax County, the proposed addition conforms to all known ordinances, regulations and standards.

All proposed uses are residential.

The amount of disturbed area = 1705 sq. ft.

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

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



1 Garage Floor Plan

CRAFTED ARCHITECTURE LLC

Christine A. Kelly, AIA
950 N Washington Street, Suite 234
Alexandria, Virginia 22314 ph 703-768-7371
email christine@craftedarchitecture.com

PROJECT

Owner/Residence
8501 Washington Avenue
Arlington, VA 22209

Drawing
New Garage Plan

Submission
PK Design Review

Date
Mar 1, 2016

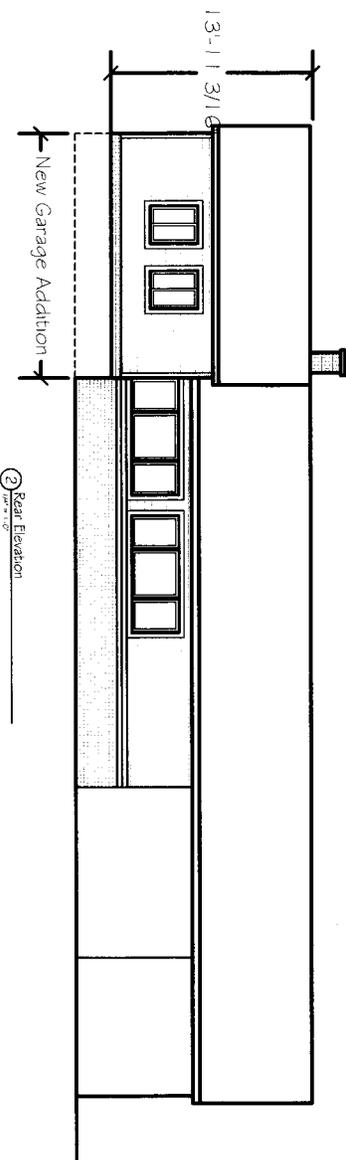
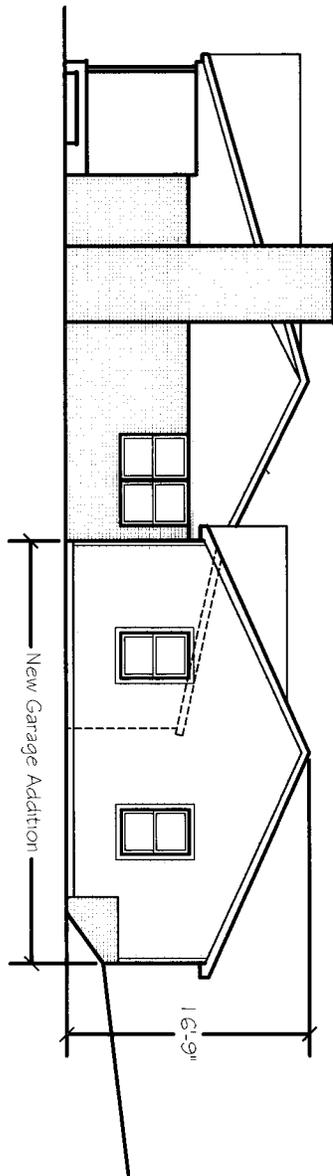
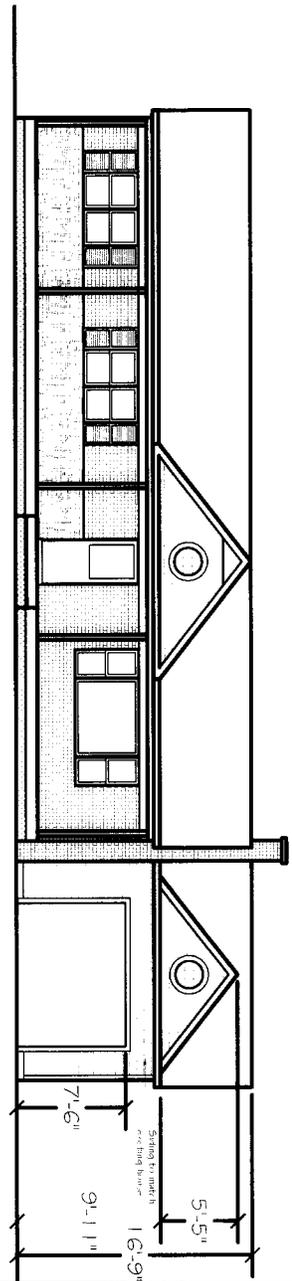
Sheet No.

A1

Zoning Evaluation Division

JUL 22 2016

RECEIVED
Department of Planning & Zoning



CRAFTED ARCHITECTURE LLC

Christine A. Kelly, AIA
950 N Washington Street, Suite 234
Alexandria, Virginia 22314 ph 703-768-7371
email christine@craftedarchitecture.com

PROJECT

County Residence
8501 Washington Avenue
Alexandria, VA 22309

Drawing
New Change Plan

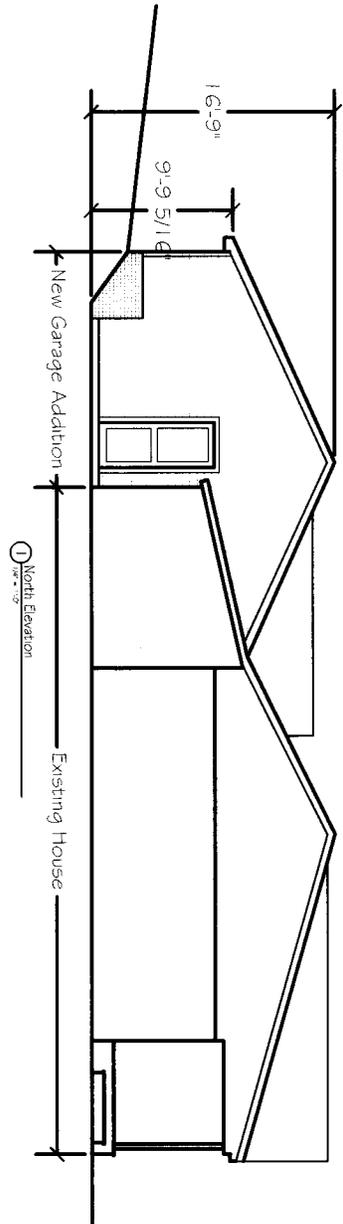
Submission
NA Design Review

Date
Mar 1, 2016

Sheet No.

A2

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



2

CRAFTED ARCHITECTURE LLC
 Christine A. Kelly, AIA
 950 N Washington Street, Suite 234
 Alexandria, Virginia 22314 ph 703-768-7371
 email christine@craftedarchitecture.com

PROJECT

Owner: Residence
 4501 Washington Avenue
 Alexandria, VA 22309

Drawing:
 New Garage Plan

Submission:
 For Design Review

Date:
 May 1, 2016

Sheet No.

A3



8501 WASHINGTON AVENUE
EMERY WASHINGTON 1050

RECEIVED
Department of Planning & Zoning
JUN 06 2016
Zoning Evaluation Division



8501 WASHINGTON AVE



8501 WASHINGTON AVE



8501 WASHINGTON AVE



RECEIVED
Department of Planning & Zoning

JUN 06 2016

Zoning Evaluation Division

8501 WASHINGTON AVE



SOUTH SIDE OF 8901 WASHINGTON AVENUE



PROPOSED
GARAGE LOCATION

RESIDENCE TO SOUTH H. OF
8501 WASHINGTON AVENUE



8501 WASHINGTON AVENUE

PROPOSED
GARAGE LOCATION





RESIDENCE TO NORTH OF
8501 WASHINGTON AVENUE

Application No.(s): SP 2016-MV-074
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JUNE 6, 2016
 (enter date affidavit is notarized)

I, CHRISTINE A KELLY, 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

135215

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

I(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)
WILLIAM F. CONVERY	8501 WASHINGTON AVENUE ALEXANDRIA, VA 22309	OWNER, APPLICANT, TITLE OWNER
NANCY L. CONVERY	8501 WASHINGTON AVENUE ALEXANDRIA, VIRGINIA 22309	OWNER, APPLICANT TITLE OWNER
CHRISTINE A. KELLY	950 NORTH WASHINGTON STREET SUITE 234, ALEXANDRIA, VA 22314	AGENT
CHAPTER ARCHITECTURE, LLC		

(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).

me

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JUNE 6, 2016
(enter date affidavit is notarized)

135215

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.)

CHRISTINE A KELLY T.A / CRAFTED ARCHITECTURE, LLC
CORPORATION INFORMATION **SOLE PROPRIETOR**

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

2109 POPKINS LANE
ALEXANDRIA, VIRGINIA 22307

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)

CHRISTINE A. KELLY

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JUNE 6, 2016
(enter date affidavit is notarized)

135215

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

PARTNERSHIP INFORMATION

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

N/A

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

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: June 6, 2016
(enter date affidavit is notarized)

135215

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

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

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

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

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

NONE

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JUNE 6, 2016
(enter date affidavit is notarized)

135215

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 [X] Applicant's Authorized Agent

Christine A Kelly, Architect Agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 6 day of June, 2016, in the State/Comm. of VA, County/City of Winchester.

[Signature]
Notary Public

My commission expires: 11/30/16





County of Fairfax, Virginia

MEMORANDUM

DATE: September 14, 2016

TO: Erin M. Haley, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Rachel Habig-Myers, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: Mt Zephyr Sec 2 Blk B Lot 26.SP 2016-MV-074

This review is based upon the Special Permit Application, SP 2016-MV-074 stamped “Received, Department of Planning and Zoning, June 6, 2016” and the Special Permit Plat stamped “Received, Department of Planning and Zoning, July 22, 2016.”

1. **Comment:** Disturbance related to construction of the proposed garage will likely extend into the critical root zone of an offsite mature deciduous tree originating on neighboring property “Lot 25”. In order to protect the health of this tree during construction, tree protection measures should be installed and maintained throughout the duration of construction.

Recommendation: In order to minimize soil compaction during construction and preserve the tree’s root system as much as possible, a layer of wood chips 8 inches in depth should be put down and maintained between the existing fence and the proposed garage along the southern property boundary. This tree protection should extend from the front corner of the proposed garage until 10 feet past the back corner of the southern side of the proposed garage, or further if any mechanized equipment is to be used in an area beyond this along the southern property boundary.

rh/

UFMDID #: 219382

cc: DPZ File

Department of Public Works and Environmental Services
Urban Forest Management Division
 12055 Government Center Parkway, Suite 518
 Fairfax, Virginia 22035-5503
 Phone 703-324-1770, TTY: 711, Fax: 703-653-9550
www.fairfaxcounty.gov/dpwes



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.