



# County of Fairfax, Virginia

---

November 9, 2016

## STAFF REPORT

### SPECIAL PERMIT SP 2016-BR-084

#### BRADDOCK DISTRICT

**APPLICANTS/OWNERS:** Brian A. Pete  
Stacy Pete

**STREET ADDRESS:** 5414 Mount Greenwich Court, Burke, 22015

**SUBDIVISION:** Signal Hill

**TAX MAP REFERENCE:** 78-2 ((14)) 272

**LOT SIZE:** 10,654 square feet

**ZONING DISTRICT:** R-3C

**ZONING ORDINANCE PROVISIONS:** 8-922

**SPECIAL PERMIT PROPOSAL:** To permit a reduction of certain yard requirements to permit the construction of an addition 19.2 feet from a rear lot line.

#### STAFF RECOMMENDATION:

Staff recommends approval of SP 2016-BR-084 for the addition and open deck with the adoption of the proposed development conditions contained in Appendix 1.

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

*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**



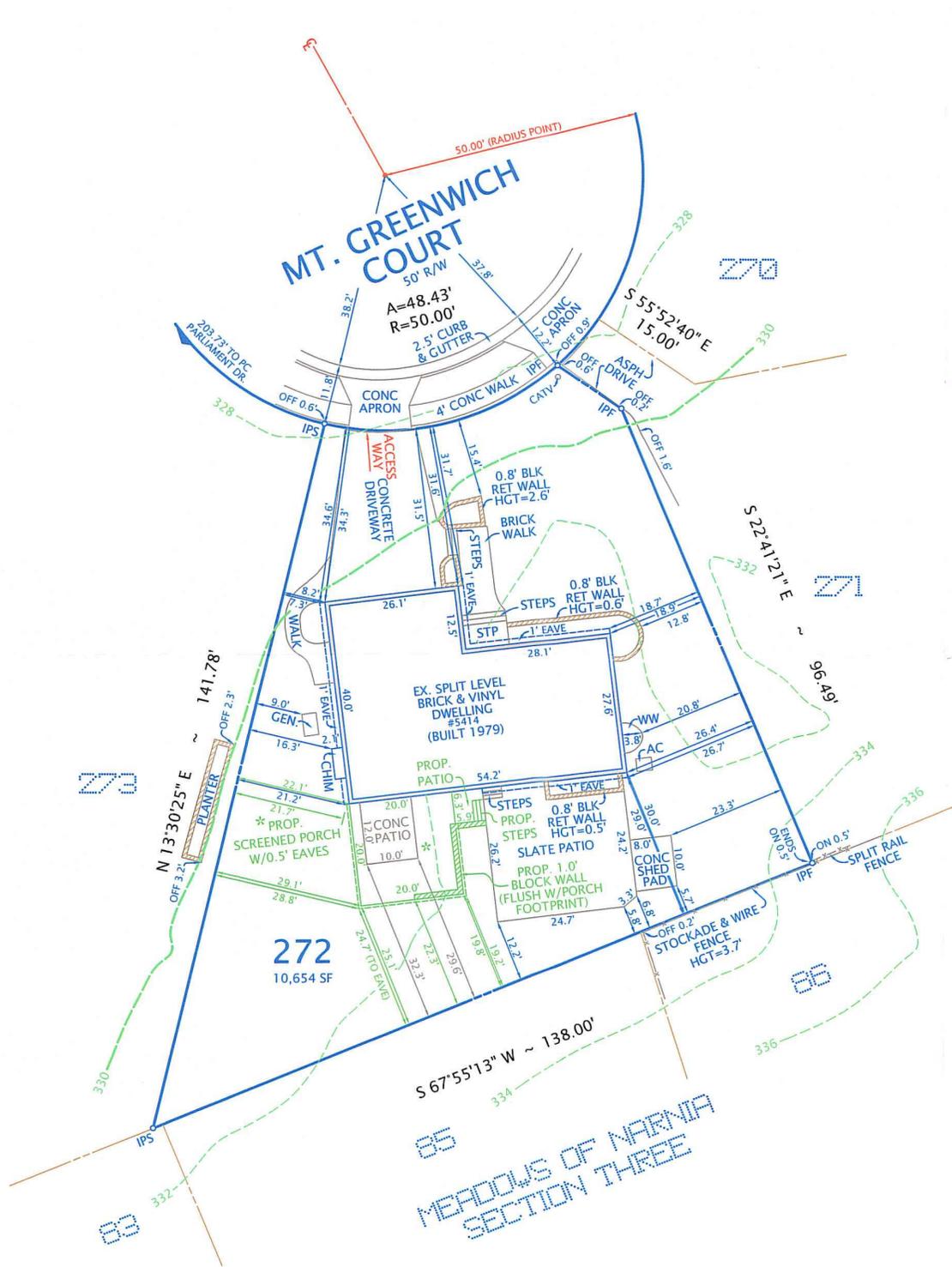
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



# Special Permit SP 2016-BR-084 BRIAN A. PETE AND STACY PETE



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**NOTES**

1. TAX MAP: 78-2-0014-0272
2. ZONE: R-3C (R-3 W/CLUSTER DEV)
3. LOT AREA: 10,654 SF
4. REQUIRED YARDS:
 

FRONT:	=	20 FEET
SIDE:	=	8 FEET BUT A TOTAL OF 20 FEET
REAR:	=	25 FEET
5. HEIGHTS:
 

EX. DWELLING	=	21.7 FEET (MIDLINE)
PROP. SCREENED PORCH	=	12.0 FEET (RIDGELINE)
	=	10.0 FEET (MIDLINE)
PROP. BLOCK WALL	=	02.0 FEET
FENCES	=	AS NOTED
6. THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
7. THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
8. ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING UNLESS DENOTED AS PROPOSED.
9. THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
10. TOPOGRAPHY DELINEATED HEREON WAS TAKEN FROM AVAILABLE RECORDS, IS SHOWN AT 2' INTERVALS, AND IS AERIAL.
11. THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
12. AREAS:
 

EX. BASEMENT	1,820 SF
EX. FIRST FLOOR	776 SF
EX. SECOND FLOOR	1,044 SF
EX. GROSS FLOOR AREA	3,640 SF

EX. FLOOR AREA RATIO: EX. GFA (3,640) / LOT AREA (10,654) = 0.342

PROP. SCREENED PORCH = 400 SF / EX. GFA (3,640) = 0.110

PROP. GROSS FLOOR AREA = 400 SF + EX. GFA (3,640) = 4,040 SF

PROP. FLOOR AREA RATIO: PROP. GFA (4,040) / LOT AREA (10,654) = 0.379
13. OWNERS: BRIAN A. PETE AND STACY PETE  
5414 MOUNT GREENWICH COURT  
BURKE, VA 22015  
(DEED BOOK 22295, PAGE 963)

**PLAT**  
SHOWING THE IMPROVEMENTS ON  
LOT 272, SECTION TWO-B  
**SIGNAL HILL**  
(DEED BOOK 4984, PAGE 87)  
FAIRFAX COUNTY, VIRGINIA  
BRADDOCK DISTRICT  
SCALE: 1" = 20'      JULY 19, 2016

RECEIVED  
Department of Planning & Zoning  
AUG 19 2016  
Zoning Evaluation Division

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:		CASE NAME:  BRIAN A. PETE  STACY PETE
THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.  A TITLE REPORT WAS NOT FURNISHED.  NO CORNER MARKERS SET.		

## SPECIAL PERMIT REQUEST

The applicants are seeking a special permit to allow a reduction of certain yard requirements to permit the construction of an addition (screened porch) to be located 19.2 feet from the rear lot line

A copy of the special permit plat titled, "Plat, Showing the Improvements on, Lot 272, Section Two-B," prepared by George M. O'Quinn, dated July 19, 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 10,654 square foot application property consists of a split-level single-family detached dwelling. Vehicular access to the dwelling is provided via a concrete driveway off of Mount Greenwich Court. A brick walkway leads from the driveway to the front stoop. Brick retaining walls enclose landscaped areas along the front of the house. An at-grade slate patio is located on the rear of the dwelling. The proposed screened porch will replace a separate concrete patio at the rear of the house.

The property is located west of Rolling Road, southeast of Burke Lake Road, and north of Lake Braddock Drive. The subject property and surrounding properties are zoned R-3 cluster and are developed with single-family detached dwellings.



*Figure 1: Aerial View*

## BACKGROUND AND HISTORY

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1979 and purchased by the applicant in 2012.

Since the adoption of the Zoning Ordinance, no similar cases for a reduction in the minimum required rear yard have been heard by the BZA for nearby properties.

## DESCRIPTION OF THE REQUEST

The applicants are requesting approval of a special permit for a reduction in yard requirements to permit the construction of a screened porch located 19.2 feet from the rear lot line. In the R-3C District the required rear yard is 25 feet; therefore the applicants are requesting a reduction of 5.8 feet for the sunroom, or 23.2 percent of the total minimum rear yard.

The proposed screened porch would be approximately 400 square feet in size and 12 feet in height, located on the southwestern corner of the rear of the dwelling. According to the applicants, the screened porch is designed to be compatible with the existing dwelling in terms of materials and style with a flagstone landing and shingles that match the house.



*Figure 2: Proposed screened porch*

**ANALYSIS**

**Comprehensive Plan Provisions**

**Plan Area:** Area III, Pohick Planning District  
**Planning Sector:** Main Branch Community Planning Sector (P2)  
**Plan Map:** Residential, 2-3 dwelling units per acre

**Zoning District Standards**

<b>Bulk Standards (R-3C)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	8,500 sf.	10,654 sf.
Lot Width	No Requirement	N/A
Building Height	35 feet max.	21.7 feet
Front Yard	Min. 20 feet	31.5 feet
Side Yard	Min. 8 feet (Total Minimum of 20 feet)	Eastern: 18.7 feet Western: 8.2 feet (Total of 26 feet)
Rear Yard	Min. 25 feet	Existing: 29.0 feet Proposed: 19.2 feet <sup>1</sup>

<sup>1</sup>As permitted through the approval of this application

**Zoning Ordinance Requirements (Appendix 5)**

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

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

<p><b>Standards 1 and 2</b> Comprehensive Plan/ Zoning District</p>	<p>The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-3 District allows a reduction in minimum required yards with special permit approval.</p>
<p><b>Standard 3</b> Adjacent Development</p>	<p>In staff's opinion, the proposed screened porch addition will not hinder or discourage the use or development of neighboring properties or negatively affect value. The proposed addition will be located to the rear of the house where the applicants have recently installed new landscaping in the rear yard. The addition is to be shorter than the house at 12 feet in height while the house is 21.7 feet in height.</p>

<p><b>Standard 4</b> Pedestrian/Vehicular Traffic</p>	<p>No increase in vehicular or pedestrian traffic is expected with this application. In staff's opinion, the proposed screened porch is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.</p>
<p><b>Standard 5</b> Landscaping/Screening</p>	<p>Recently installed vegetation provides adequate screening of the rear portion of the property.</p>
<p><b>Standard 6</b> Open Space</p>	<p>There is no prescribed open space requirement on individual lots in the R-3 District.</p>
<p><b>Standard 7</b> Utilities, Drainage, Parking, and Loading</p>	<p>There are no changes to the utilities, drainage and parking serving the property or use.</p>
<p><b>Standard 8</b> Signs</p>	<p>No signage is proposed.</p>

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

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

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

<p><b>Standard 1</b> Yard Requirements Subject to Special Permit</p>	<p>A. <i>Minimum required yards – Yards not less than 50% of the requirement and not less than 5 feet:</i> The proposed addition would be located 19.2 feet from the rear lot line. The required rear yard in an R-3 district is 25 feet, resulting in a reduction of 5.8 feet, or 23.2 percent.</p> <p>B. <i>Pipestem lots – N/A</i></p> <p>C. <i>Accessory structure locations – N/A</i></p> <p>D. <i>Extensions into minimum required yards allowed by Sect. 2-412: N/A</i></p>
<p><b>Standard 2</b> Not a Detached Structure in a Front Yard</p>	<p>This application does not propose a detached accessory structure in a front yard.</p>
<p><b>Standard 3</b> Principal Structure that Complied with yard Requirements When Established</p>	<p>When the existing structure was built in 1979, it conformed to all applicable requirements at that time.</p>

<p><b>Standard 4</b> Addition No More than 150% of Existing Gross Floor Area (GFA)</p>	<p>The proposed screened porch addition is 400 square feet. The existing GFA of the primary structure is 3,640 square feet; therefore, the proposed addition will be 11.0% of the GFA.</p>
<p><b>Standard 5</b> Accessory Structure Subordinate in Purpose, Scale, Use, and Intent</p>	<p>The application is for an addition; no accessory structures are proposed.</p>
<p><b>Standard 6</b> Construction in Character with On-Site Development</p>	<p>The proposed screened porch addition will be constructed on the southwest corner of the dwelling. The statement of justification and elevations indicate that the materials, size and scale of the proposed addition would be compatible with the existing dwelling.</p>
<p><b>Standard 7</b> Construction Harmonious with Off-Site Development</p>	<p>Through the statement of justification, aerial photography, photos and architectural elevations submitted by the applicant, staff has determined that the screened porch is similar in nature to other additions to surrounding dwellings. As previously stated, the proposed addition will be screened by the applicants' recently installed landscaping. In addition, the applicants have provided letters of support from the three adjacent neighbors. Staff believes the addition will be harmonious with surrounding uses and meet this provision.</p>
<p><b>Standard 8</b> Construction Shall Not Adversely Impact Adjacent Properties</p>	<p>Staff believes that the proposed screened porch addition will not significantly affect the use and/or enjoyment of any adjacent property with regard to issues such as noise, light, air, or safety. The three adjacent neighbors have provided letters of support for the addition. DPWES has indicated that there are no drainage complaints on file related to this property. Staff believes the sunroom and deck will not significantly increase runoff or erosion.</p>
<p><b>Standard 9</b> Represents the Minimum Amount of Reduction Necessary</p>	<p>Staff believes the special permit application proposal is modest in nature and is the minimum amount of reduction necessary due to the size and shape of the lot. The proposed location is the only viable location for a screened porch. Due to the shape of the lot, the dwelling was built very close to the front and rear yard setbacks leaving little room for expansions or additions to the rear of the home.</p> <p>Other issues of yard determination, environmental characteristics, slopes, wells, floodplain and/or Resource Protection Areas and historic resources are not applicable to this site.</p>
<p><b>Standard 10</b></p>	<p>Proposed development conditions are included in Appendix 1.</p>

BZA May Impose Conditions	
<b>Standard 11</b> Submission Requirements	A copy of the plat is included in the beginning of this report.
<b>Standard 12</b> Architectural Elevations	Proposed elevations are included as an attachment to the development conditions in Appendix 1.

## CONCLUSION / RECOMMENDATION

The proposed screened porch addition is 400 square feet in size and 12 feet in height. It is to be located to the rear of the house and the applicants have provided letters of support from the three adjacent neighbors. Staff believes that the request for a special permit for reduction in certain yard requirements to permit a screened porch addition is in conformance with the applicable Zoning Ordinance provisions. Staff recommends approval of SP 2016-BR-084 for the addition with the adoption of the proposed development conditions contained in Appendix 1.

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

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

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

## APPENDICES

1. Proposed Development Conditions
2. Applicant's Statement of Justification
3. Applicant's Affidavit
4. Applicable Zoning Ordinance Provision

**PROPOSED DEVELOPMENT CONDITIONS****SP 2016-BR-084****November 9, 2016**

If it is the intent of the Board of Zoning Appeals to approve SP 2016-BR-084 located at Tax Map 78-2 ((14)) 272 to permit a reduction of certain yard requirements pursuant to Section 8-922 to permit an addition (screened porch) 19.2 feet from the rear lot line 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 screened porch (400 square feet and 12 feet in height) as shown on the plat titled, "Plat, Showing the Improvements on, Lot 272, Section Two-B," prepared by George M. O'Quinn, dated July 19, 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 (4,698 square feet existing + 7,047 square feet (150%) = 11,745 square feet maximum permitted on the 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 screened porch shall be generally consistent with the architectural renderings 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, thirty (30) months after the date of approval unless construction has commenced and been diligently prosecuted.

The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

5414 Mount Greenwich Court, Burke, VA 22015

Proposed Screened Room addition photo:

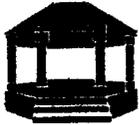


The proposed screen porch will be very similar in style to this. This is actually a photo from our contractor who will be building the addition if approved. Our addition will have a similar pitched roof, white PVC exterior, matched shingles to our current roof, single entry door in the same location, as well as a flagstone landing similar to this photo leading up to the upper patio on our property. \* Please see the attached Craig Sundecks & Porches breakdown sheet listing all of the materials to be used in the construction.

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Zoning Evaluation Division



# CRAIG

Sundecks + Porches

628 Marlboro Road | Stephens City, VA 22655  
www.craigsundecks.com | craigsundecks@aol.com  
888-364-2244

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AUG 19 2016

Zoning Evaluation Division

NAME / ADDRESS
Stacy & Brian Pete 5414 Mt. Greenwich Ct. Burke, VA 22015

SHEET	
DATE:	6/29/2016
DRAWING NO.:	5958-A

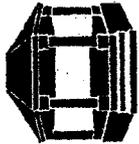
## SCREEN PORCH

Screen Porch on Concrete Slab with Ridge Beam, and with (2) 8" x 8" Cedar Columns  
 Install Owner Furnished Tile  
 Porch Electrical Package  
 White PVC Exterior Trim  
 1" x 1" STK T&G Cedar Ceiling  
 Cedar Tone Gold Sealer on Porch Posts, & Box-Beams  
 Sikkens SRD Cedar on Ceiling  
 4" x 4" x 10' Cedar Posts & Header  
 Bronze EZE Breeze Windows  
 SUBTOTAL

PATIO: Geometric Flagstone on a Concrete Base with Mortar Joints  
 Underground Drain Line  
 24" Techo Bloc Wall with Solid Cap Block  
 Techo Bloc Stairs  
 Black Aluminum American Rails  
 2" Conduit for Future Gas Line  
 220 Volt / 60 AMP Hot Tub Service  
 SUBTOTAL

Discount

Roof shingler :  
 Certain Teed  
 Landmark Series  
 architectural shingler in Moire Black (to match  
 existing roof shingler)

# CRAIG

SUNDECKS + PORCHES  
628 Marlboro Road | Stephens City, VA 22655  
www.craigundecks.com | craigundecks@aol.com

Stacy & Brian Pete  
5414 Mt. Greenwich Ct.  
Burke, VA 22015

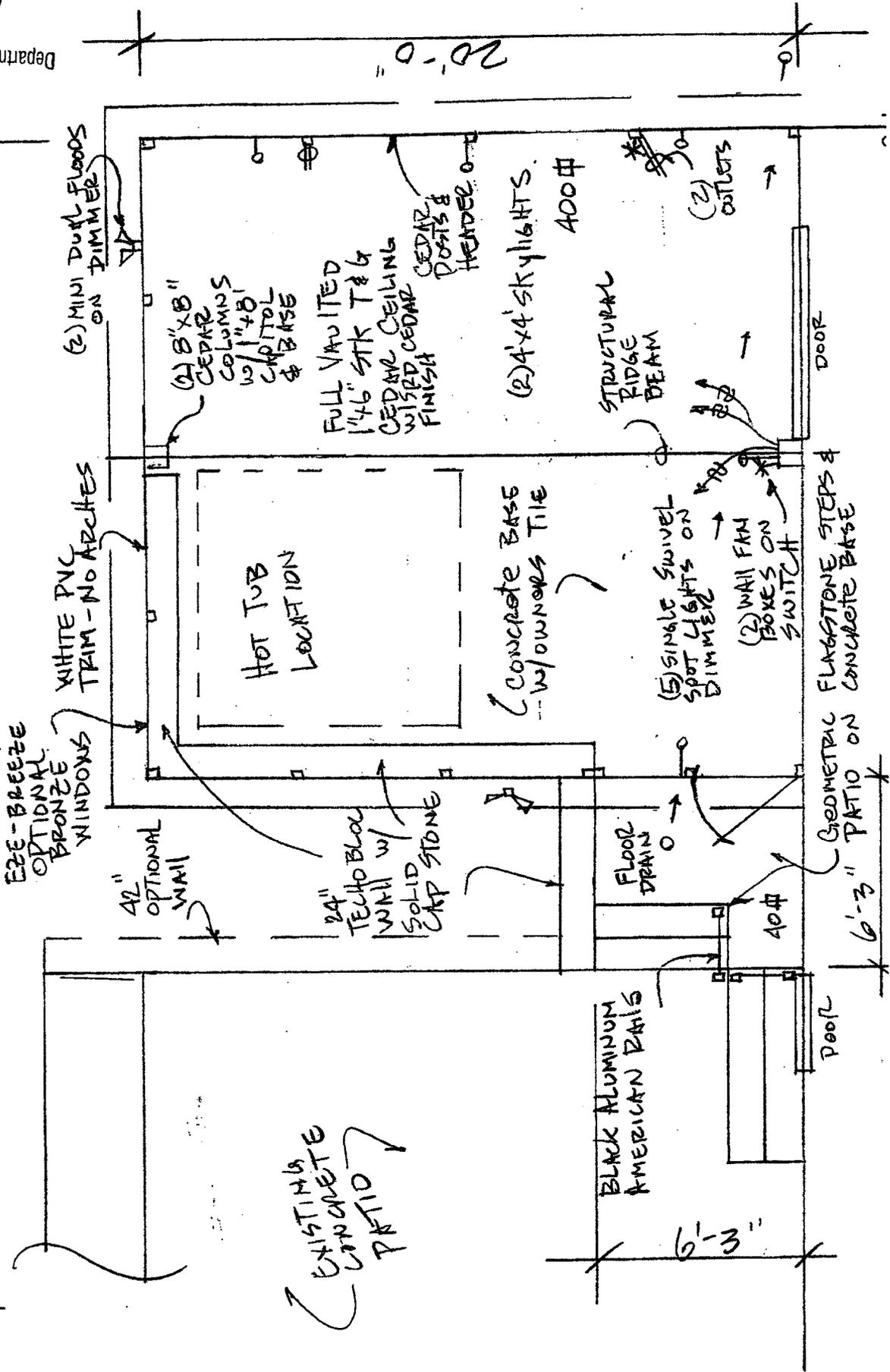
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Department of Planning & Zoning

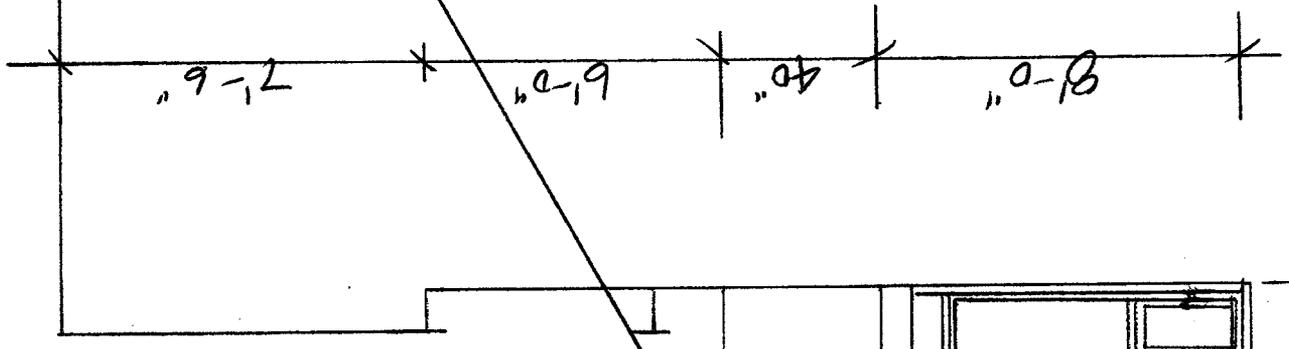
AUG 19 2016

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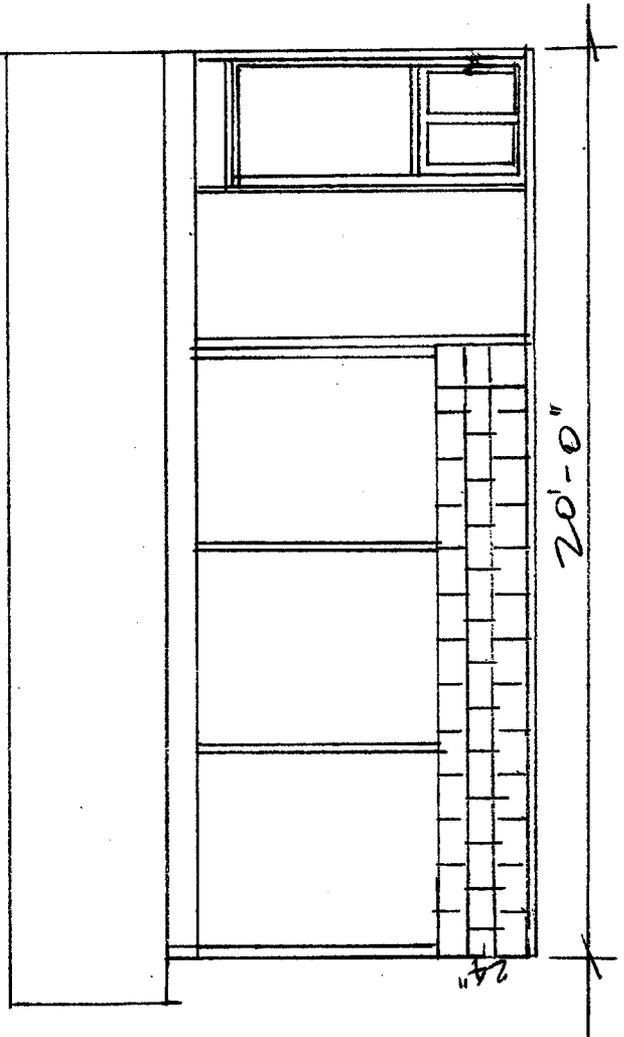
DRAWING # 5958  
DATE : 6/16/15  
SCALE : 1/4" = 1'-0"  
SIZE : 440 SQ. FT.



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Department of Planning & Zoning  
Aug 19 2016  
Zoning Evaluation Division



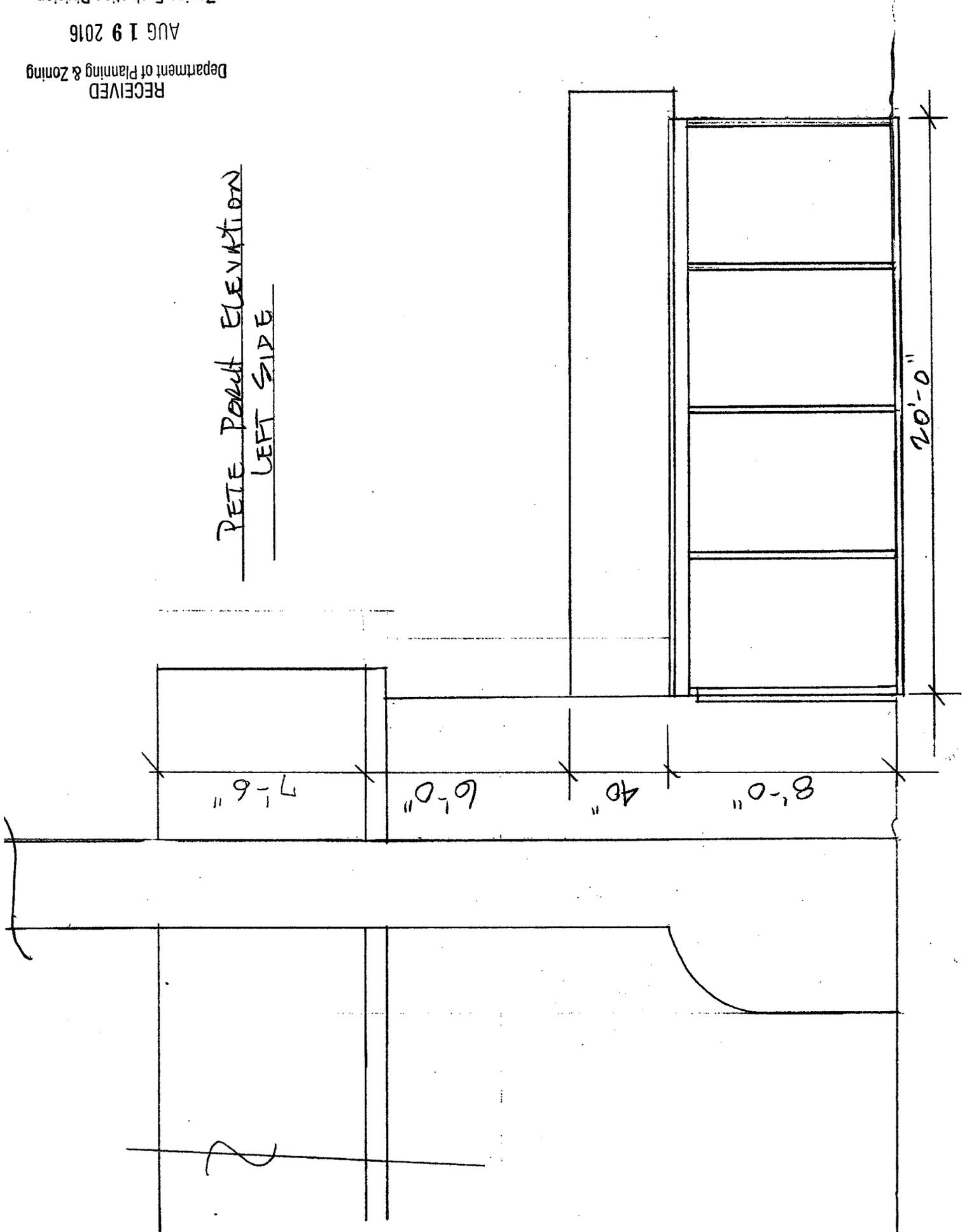
PETE POREK ELEVATION  
RIGHT SIDE



AUG 19 2016

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Department of Planning & Zoning

PETE POINT ELEVATION  
LEFT SIDE



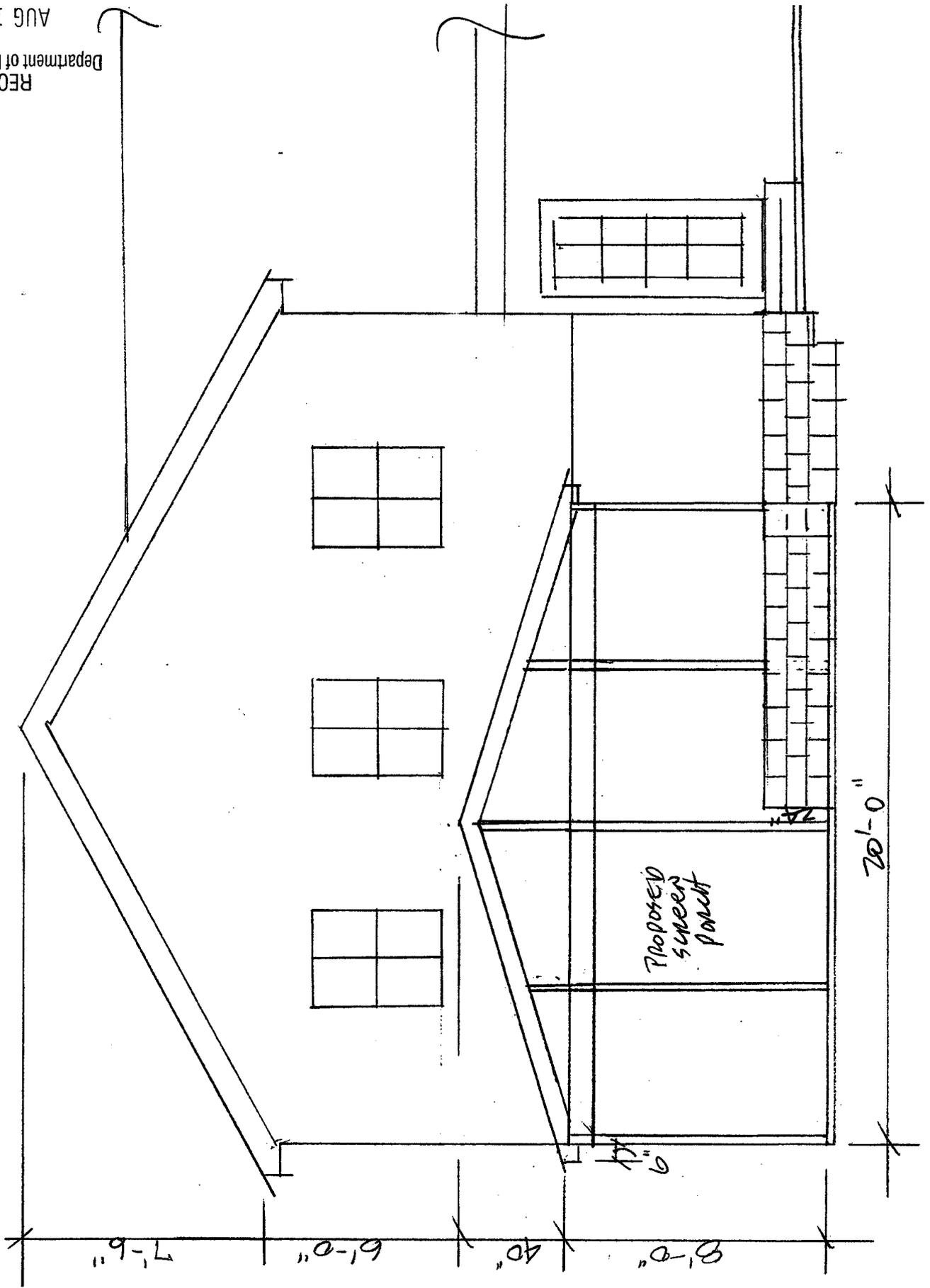
AUG 19 2016

Department of Planning & Zoning

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PETE PORCH ELEVATION

REAR



BELBIRK EDGE

Rear Landscaping Design  
(Rear Property Line Screen)  
5414 Mount Greenwich Court

EXT CYPRESS

Fence

POST

BB

LAWN  
FOR  
NOW

22'

Both on each  
Nellie Stevens  
or. Holly  
CRYPTOMELA:  
YOSHINO.

English  
Laurels (7)

8-10'

(3)  
GREEN  
LANT  
ARBORVITAE

NANDINA  
DOMESTICA (3)

DW

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**ATTACHMENT TO REQUEST SPECIAL PERMIT – UPDATED 8/18/16**RECEIVED  
Department of Planning & Zoning**BY BRIAN & STACY PETE**  
**5414 MOUNT GREENWICH COURT**  
**BURKE, VA 22015**

AUG 19 2016

Zoning Evaluation Division

We, the applicants for a special permit for reduction of certain yard requirements to allow construction of a screened room addition (screened porch), the edge of which the left hand corner of the addition would be 19.2 feet from the rear lot line of our residence at 5414 Mount Greenwich Court, Burke, VA 22015, submit the following statement in justification for the special permit. The statement explains how our request complies with the eight general standards for a special permit (Zoning Ordinance Section 8-006) and also complies with the twelve provisions regarding reduction of certain yard requirements (Zoning Ordinance Section 8-922).

**Description of Proposed Use**

The proposed use is a screened room addition (screened porch) to be constructed on the southwest side of our house, where we currently have a sliding glass door which exits to a lower outside patio. This is the only place available for the addition, as we have a large upper flagstone patio off of the kitchen (main level of the house). The outermost point of the proposed addition (which will be 20' x 20' feet in size) will be 19.2 feet from the rear line of our property, on the left side of the addition. The right side of the addition will sit at 24.7 feet from the property line. The distance results in a need to request a special permit for a reduction in minimum rear setback from 25 feet to 19.2 feet (5.8 feet reduction).

**Section 8-006**

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

The proposed screen porch and reduced rear yard setback do not conflict with or violate the adopted comprehensive plan.

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

The applicable zoning district R-3 Cluster in general, and specifically, Signal Hill subdivision, will not be affected in character by the granting of the special permit for our proposed screened porch. Screened porches are a very common sight in R-3 districts, and in fact our direct neighbors at 5412 Mount Greenwich Court just had a screened porch added to their property last year. The reduction in rear setback by our proposed screened porch is minimal, only 5.8 feet on one corner of the addition and 0.3 feet on the other corner. Furthermore, our direct neighbors to the right (5412 Mount Greenwich Court), left (5410 Mount Greenwich Court) and rear (9012 Digory Court) all support the proposed addition to our property (see attached letters).

- 3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use of development of neighboring properties in accordance with 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 proposed screened porch will have no effects on the use of development of neighboring properties. In addition, we also plan to have installed, in the fall, a landscaping screen on our rear property line, consisting of a variety of trees/shrubs that will grow between 15' to 25' feet in height. Please see the landscaping plans attached. The new landscaping will result in adequate screening and buffering from the upper patio and porch from our rear neighbors, providing privacy and a natural border between our properties.

- 4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the exiting and anticipated traffic in the neighborhood.**

The proposed screen porch will not change in any way the existing pedestrian and vehicular traffic in our neighborhood, which is typical for a residential cul-de-sac.

- 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.**

The provisions of Article 13 relate to disturbed ground areas of 2500 square feet or more. The construction of the proposed screened porch will disturb a far smaller ground area, approximately 440 square feet. However, we are hiring a landscape company in the fall to install landscape screening along our rear property line. A variety of trees which will grow between 15' to 25' feet in height will be planted to provide adequate screening and buffering from the upper patio and porch and our rear neighbors.

- 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 proposed screened porch will not in any way affect the existing open space of the zoning district of our neighborhood, which is compliant.

- 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 screened porch will not impact the existing utilities, drainage, parking, etc. currently serving our property. These facilities are in full compliance with the Zoning Ordinance.

- 8. Signs shall be regulated by the provisions of Article 12; however the BZA, under the authority presented in the Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.**

The proposed screened porch will not entail the use of any signs on or adjacent to our property.

**Section 8-922**

- 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 developmental conditions related to yards and/or such yards are not depicted on an approved conceptual development plan, final development plan, development plan, special exemption 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 yard by more than fifty (50) percent.**

The proposed screened porch will result in a rear setback that is 19.2 feet, which is 76.8 percent of the ordinance's standard 25 feet setback. This will comply with item 1 of Section 8-922.

- 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.**

The proposed screened porch is not to be located in the front yard, it will be in the rear 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.**

The house was built in 1979 in full compliance with the yard requirements in effect at that time.

- 4. The resulting gross floor area of the addition to an existing principal structure may be up to 150 percent of the total gross floor area of the principal structure that existed at the time of the first expansion request. The resulting gross floor area of any subsequent addition is limited to 150 percent of the gross floor dwelling that existed at the time of the first expansion request, regardless of whether such addition complies with the minimum yard requirements or is the subject of a subsequent yard reduction special permit. If a portion of a single family detached dwelling is to be removed, no more than fifty (50) percent of the gross floor area of the existing dwelling at the time of the first yard reduction shall be removed. Notwithstanding the**

**definition of gross floor area, as set forth in this ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage.**

The 20' x 20' screened porch will have a floor area of approximately 400 square feet. The existing house structure has a gross floor area (GFA) of approximately 3,640 square feet. The proposed addition is thus about 11% percent of the existing GFA, and thus complies with item 4 of Section 8-922.

**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.**

The proposed screened porch will be a minor subordinate addition to the main structure. The purpose of the addition will be to make a more functional use of the outdoor space comfortably for the family.

**6. The BZA shall determine that the proposed development will be in character with the existing on-site development in terms of location, height, bulk, and scale of the existing structure(s) on the lot.**

The proposed screened porch will be very much in main character with our existing home, with white PVC trim and matching shingles to the current roof (see attached photo of proposed screened room, materials list and contractor's elevations).

**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 preservation of significant trees as determined by the Director.**

The proposed screened porch will be harmonious with the surrounding uses, as can be seen by the photographs that accompany this application. Prior to construction (this past spring), a screen of dying Leland Cyprus trees (17 trees in total) were removed from the rear property line. In their place, this fall, we will be planting a screen to include a variety of trees/shrubs with heights eventually reaching 15' – 25' feet. This will be completed by a hired landscape company; see attached plans. In addition, one other bush will also be removed near the house, however we will have a planter bed approximately 6' wide by 13' feet long with a variety of bushes and flowers planted. The planter bed will be between the screened porch and the upper patio.

**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.**

The proposed screened porch will not adversely impact the use of enjoyment of any adjacent property. It will not affect noise, light, air, safety, erosion, or stormwater runoff. Our three direct neighbors (left – 5413 Mount Greenwich Court, right – 5412 Mount Greenwich Court, and rear – 9012 Digory Court) are all aware of our plans to add an addition and are in complete support of us doing so (see attached letters). Our neighbors to the left at 5413 Mount Greenwich currently have a privacy screen of trees blocking our rear yard from their property line, our neighbors at 5412 Mount Greenwich have a rear addition and deck that sits far back into their property which will not be impacted by our addition, and we will be planting a screen of trees in the fall to help provide privacy and buffer from our direct rear

neighbor (who coincidentally supports us even if we hadn't planned to plant a landscaping screen at the property line).

- 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 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 filed, location of easements; and/or preservation of historic resources.**

Our property is at the end of a cul-de-sac. Because of this, the property lines make our lot much wider than it is deep. When we moved in four years ago the property already had a large, upper patio comprising the area behind the kitchen and dining area of the house in the rear yard. We use this patio regularly as our current outdoor recreational space. We also have a small lower patio measuring 12' x 10' feet off of the family room. We never use this patio as it is currently not a functional space for our family. The only logical and practical location for the proposed screened porch is this space; by removing the existing small patio and enlarging the space to 20' by 20' feet, we will be able to create a functional, usable, outdoor screened recreational room for our family.

Although we could create a room that is longer than wider (14' feet by 25' feet) the layout would not be functional for our needs as we are planning to put in a large Jacuzzi and the depth would be a factor. Equally important, this layout is not an option as the addition would extend off of the side of the house, not giving us privacy in the room (as it would be seen from the street) in addition to looking awkward on the house.

We would like to add this enclosed outdoor space because we find that during the spring and summer months it is difficult to enjoy our outdoor space to its full capacity due to mosquitos, bugs, and other annoying insects. We wish to add a screened porch to our home so that we can be outdoors at any time, regardless of season and weather and without having to deal with insects.

As noted above, the only reasonable and practical location for the addition is on the southwest side of our house, behind the family room where there is currently access to the outdoor space (a sliding glass door). Due to the odd shape of our lot, terminating at the end of a cul-de-sac, and the fact that our lot is wider than deep, we believe that we have compromised in the design of the screened in porch to minimize the encroachment while still providing a functional sized enclosure to include a large Jacuzzi, dining table and chairs, and lounge area. For all of these reasons described, strict application of the zoning ordinance would definitely prohibit or restrict our reasonable use of the property.

We fully understand and appreciate that the Zoning Ordinance is intended to provide for land owners' enjoyment of their property while minimizing impacts to adjacent properties. We believe we have fully described the above justifications for our requested special permit. The encroachment into the rear setback line of 5.8 feet would not be of significance to any adjacent property owners, and as previously stated, all direct neighbors of our property are in full support of us adding this addition if approved.

**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.**

We understand and accept that the BZA may impose conditions.

**11. Pertains to Plat requirements**

Our application package for this requested special permit includes copies of a plat generated by Dominion Surveyors, Inc. meeting the BZA requirements.

**12. Architectural depictions of the proposed structure(s) as viewed from all lot lines and street lines to include building materials, rood type, window treatment and any associated landscaping and/or screening shall be provided.**

Our application includes architectural drawings of the proposed screen porch, picture of the proposed screened porch, and a landscape screening architectural drawing for screening of the rear property line.



Brian A. Pete, Homeowner

Date: 8/18/16



Stacy Pete, Homeowner

Date: 8/18/16

RECEIVED  
Department of Planning & Zoning

AUG 19 2016

Zoning Evaluation Division

5414 Mount Greenwich Court, Burke, VA 22015

Proposed Screened Room addition photo:

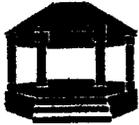


The proposed screen porch will be very similar in style to this. This is actually a photo from our contractor who will be building the addition if approved. Our addition will have a similar pitched roof, white PVC exterior, matched shingles to our current roof, single entry door in the same location, as well as a flagstone landing similar to this photo leading up to the upper patio on our property. **\* Please see the attached Craig Sundecks & Porches breakdown sheet listing all of the materials to be used in the construction.**

RECEIVED  
Department of Planning & Zoning

AUG 19 2016

Zoning Evaluation Division



# CRAIG

Sundecks + Porches

628 Marlboro Road | Stephens City, VA 22655  
www.craigsundecks.com | craigsundecks@aol.com  
888-364-2244

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Department of Planning & Zoning

AUG 19 2016

Zoning Evaluation Division

NAME / ADDRESS
Stacy & Brian Pete 5414 Mt. Greenwich Ct. Burke, VA 22015

SHEET	
DATE:	6/29/2016
DRAWING NO.:	5958-A

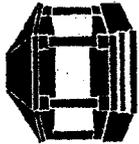
## SCREEN PORCH

Screen Porch on Concrete Slab with Ridge Beam, and with (2) 8" x 8" Cedar Columns  
 Install Owner Furnished Tile  
 Porch Electrical Package  
 White PVC Exterior Trim  
 1" x 1" STK T&G Cedar Ceiling  
 Cedar Tone Gold Sealer on Porch Posts, & Box-Beams  
 Sikkens SRD Cedar on Ceiling  
 4" x 4" x 10' Cedar Posts & Header  
 Bronze EZE Breeze Windows  
 SUBTOTAL

PATIO: Geometric Flagstone on a Concrete Base with Mortar Joints  
 Underground Drain Line  
 24" Techo Bloc Wall with Solid Cap Block  
 Techo Bloc Stairs  
 Black Aluminum American Rails  
 2" Conduit for Future Gas Line  
 220 Volt / 60 AMP Hot Tub Service  
 SUBTOTAL

Discount

Roof shingler :  
 Certain Teed  
 Landmark Series  
 architectural shingler in Moire Black (to match  
 existing roof shingler)

# CRAIG

SUNDECKS + PORCHES  
628 Marlboro Road | Stephens City, VA 22655  
www.craigundecks.com | craigundecks@aol.com

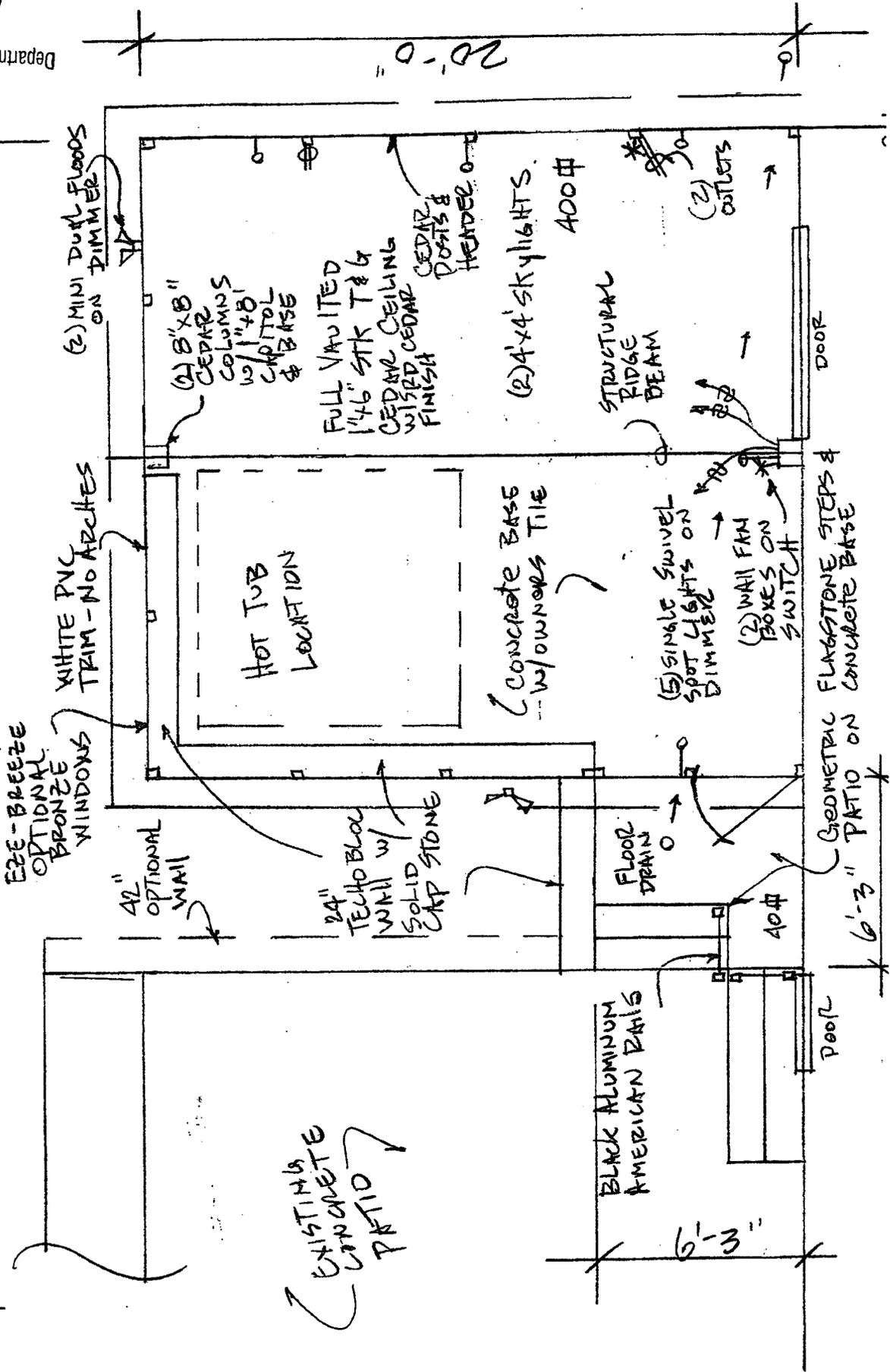
Stacy & Brian Pete  
5414 Mt. Greenwich Ct.  
Burke, VA 22015

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Department of Planning & Zoning

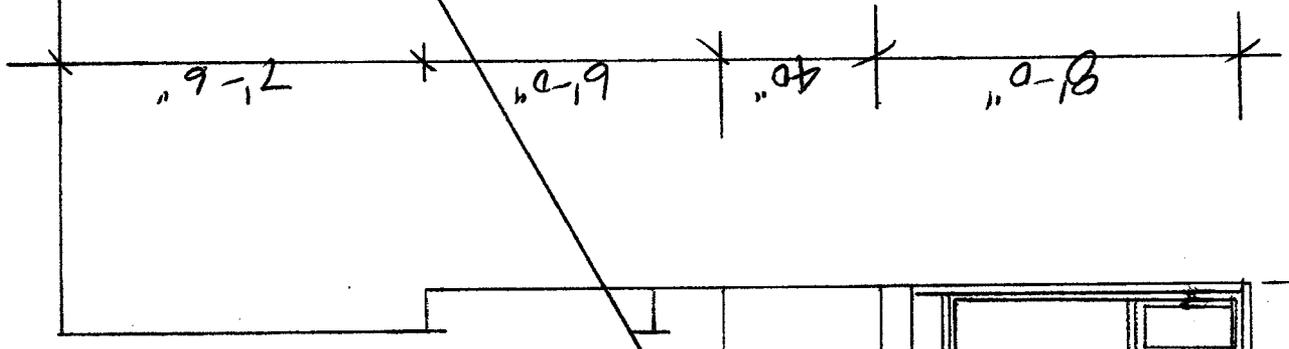
AUG 19 2016

Zoning Evaluation Division

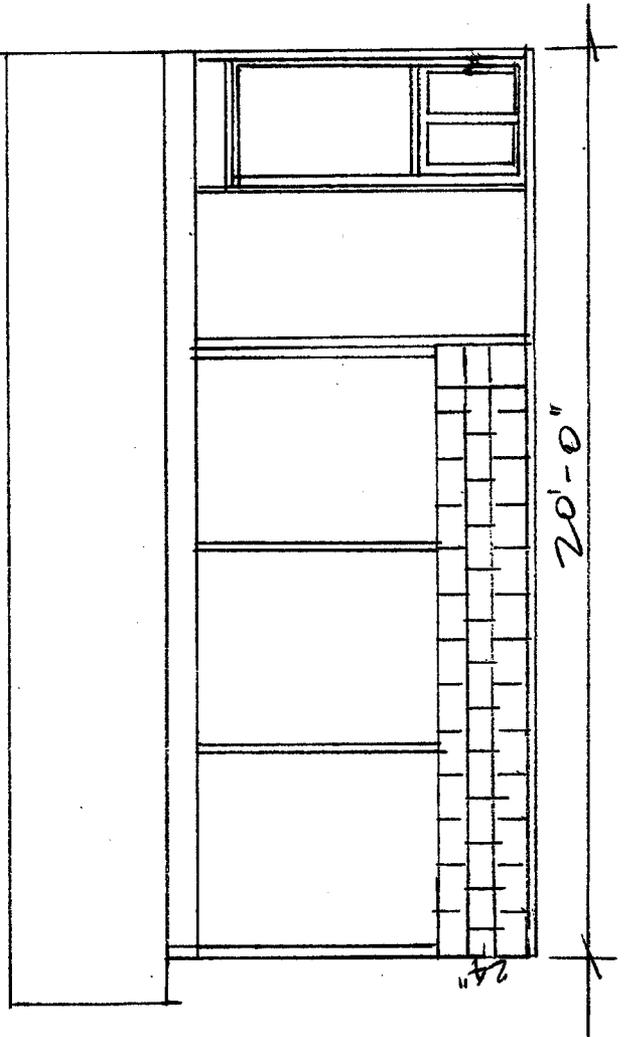
DRAWING # 5958  
DATE : 6/16/15  
SCALE : 1/4" = 1'-0"  
SIZE : 440 SQ. FT.



RECEIVED  
Department of Planning & Zoning  
Aug 19 2016  
Zoning Evaluation Division



PETE POREK ELEVATION  
RIGHT SIDE





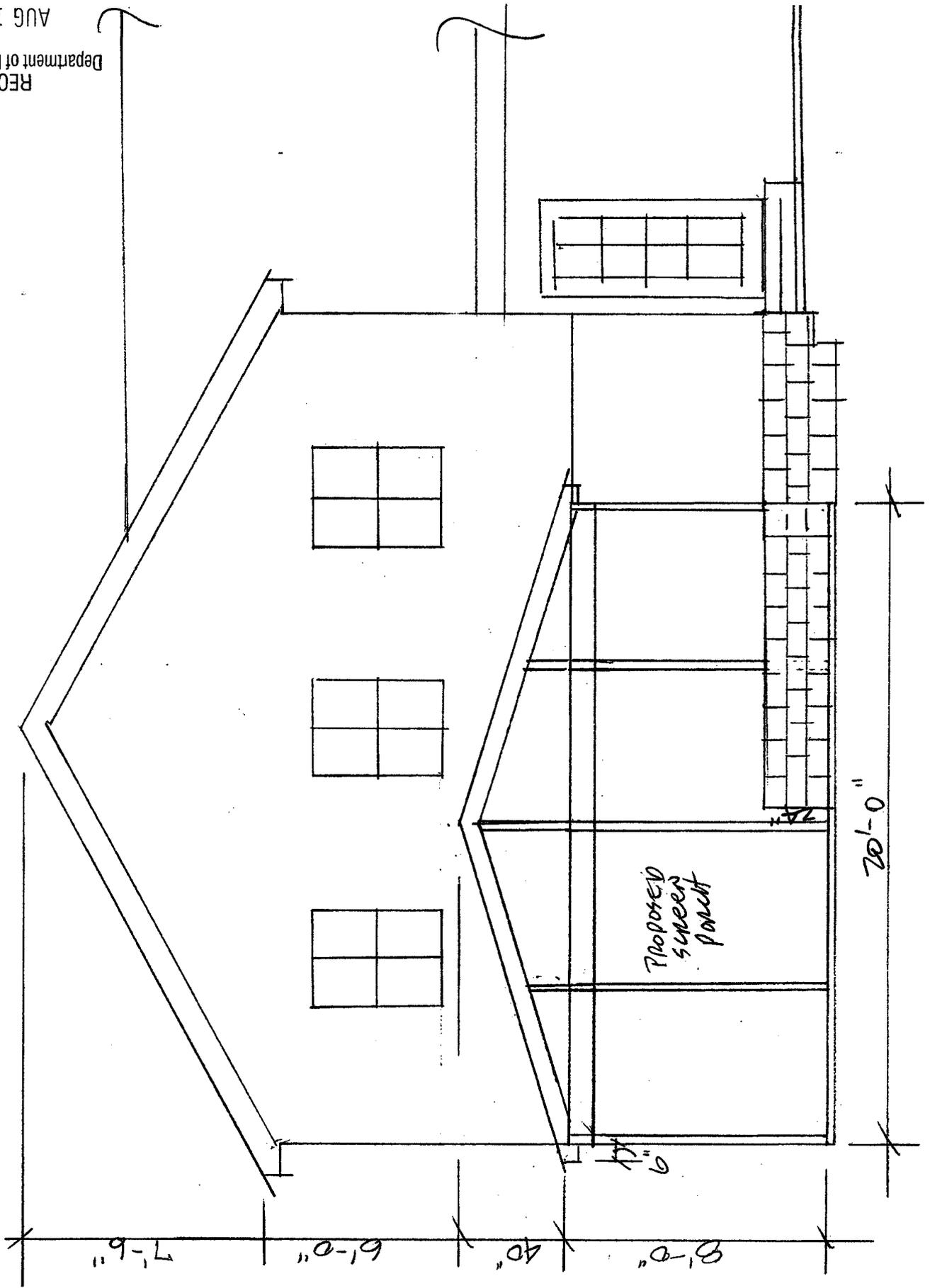
AUG 19 2016

Department of Planning & Zoning

RECEIVED

PETE PORCH ELEVATION

REAR



BELBIRK EDGE

Rear Landscaping Design  
(Rear Property Line Screen)  
5414 Mount Greenwich Court

EXT CYPRESS

Fence

BB

POST

LAWN  
FOR  
NOW

22'

Both on each  
Nellie Stevens  
or. Holly  
CRYPTOMELA:  
YOSHINO.

English  
Laurels (7)

8-10'

(3)  
GREEN  
LANT  
ARBORVITAE

NANDINA  
DOMESTICA (3)

DW

RECEIVED  
Department of Planning & Zoning  
AUG 01 2016  
Zoning Evaluation Division



5414

5414





5410

5410













Application No.(s): SP 2016 - BR - 084  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 7/28/16  
(enter date affidavit is notarized)

136116

I, Brian A. Pete and Stacy Pete, do hereby state that I am an  
(enter name of applicant or authorized agent)

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

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

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

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

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Brian A. Pete	5414 Mount Greenwich Court, Burke, VA 22015	Applicant/Title Owner
Stacy Pete	5414 Mount Greenwich Court, Burke, VA 22015	Applicant/Title Owner

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

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 7/28/16  
(enter date affidavit is notarized)

136118

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)

N/A

**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)

N/A

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

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

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

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 7/28/16  
(enter date affidavit is notarized)

136116

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.

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

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 7/28/16  
(enter date affidavit is notarized)

136116

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

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

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

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

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

NONE

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

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 7/28/16  
(enter date affidavit is notarized)

136116

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:



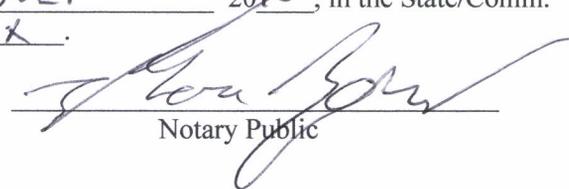
(check one)

Applicant

Applicant's Authorized Agent

Brian A. Pete and Stacy Pete  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 28 day of JULY, 2016, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

  
Notary Public

My commission expires: 01/31/2018

**Benjamin Myers**  
Notary Public 7597183  
Commonwealth of Virginia  
My Commission Expires 01/31/2018



### **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.