The regular meeting of the Board of Zoning Appeals was held in the Board Auditorium of the Government Center on Wednesday, June 24, 2026. The following Board Members were present: Chairman Karen Day; Vice Chairman Rebeccah Ballo; Daniel Aminoff; Tristan O'Savio and Sean Peiffer. Akida Rouzi and Thomas W. Smith III were absent from the meeting. There was one vacancy on board.

Chairman Day called the meeting to order at 9:00 a.m. She asked if there were any Board Matters to bring before the Board. As there were no Board Matters, she then discussed the policies and procedures of the Board of Zoning Appeals.

//

~ ~ ~ June 24, 2026, Matters presented by the board:

Consent Agenda

Chairman Day for a motion to approve the items listed on the consent agenda:

Indefinitely Deferred

Hajuri Khadka D/B/A K & K Family Day Home, SP-2019-DR-030 to permit a home child care facility and a reduction to minimum setback requirements based on errors in building location to permit an accessory structure (shed) to remain 6.4 ft. from the north side lot line and an open deck 2.6 ft. from the south side lot line. Located at 1724 Olney Rd., on approx. 8,635 sq. ft. of land zoned R-4. Dranesville District. Tax Map 30-3 ((18)) 32.

Chairman Day moved to approve the Consent Agenda item. Mr. Aminoff seconded the motion, which was carried by a vote of 5-0. Ms. Rouzi and Mr. Smith were absent from the meeting.

//

~ ~ ~ June 24, 2026, Scheduled case of:

Nicholas Norman Brown and Morgan L. Intrieri, SP-2025-FR-00142 to permit a reduction in setback requirements to permit an addition 8.7 ft. from the northeast side lot line and a reduction in setback requirements based on an error in building location to permit an accessory structure (shed) 0.4 ft. from the east side lot line. Located at 7313 Bonniemill Ln. on approx. 17,561 sq. ft. of land zoned R-3. Franconia District. Tax Map 90-3 ((11)) 46

The participants in the hearing were as follows:

- Brandon McCadden, Senior Staff Coordinator
- Megan Riley, Staff Coordinator
- Nicholas Norman, Applicant

After the hearing where testimony was presented by Ms. Riley, Mr. McCadden, and Mr. Norman, and there being no public speakers for this case, Mr. Aminoff moved to approve-in-part **SP-2025-FR-00142**, to allow the addition but not the shed error for the reasons stated in the Resolution. Mr. Peiffer seconded the motion, which carried by a vote of 5-0. Ms. Rouzi and Mr. Smith were absent from the meeting.

//

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Nicholas Norman Brown and Morgan L. Intrieri, SP-2025-FR-00142 to permit a reduction in setback requirements to permit an addition 8.7 ft. from the northeast side lot line and a reduction in setback requirements based on an error in building location to permit an accessory structure (shed) 0.4 ft. from the east side lot line and 0.7 feet from the northeast side lot line. Located at 7313 Bonniemill Ln. on approx. 17,561 sq. ft. of land zoned R-3. Franconia District. Tax Map 90-3 ((11)) 46**.** Mr. Aminoff moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on June 24, 2026; and

WHEREAS, the Board has made the following findings of fact:

1. The applicants are the owners of the property.
2. The present zoning is R-3.
3. The area of the lot is 17,561 square feet.
4. The Board find this application does not meet the requirements for an error in building location. The applicant accepts responsibility for the placement of the shed and is at fault.
5. The Board finds the placement of the shed in the easement is problematic, the shed is large, and the reduction is far beyond what the Board would approve had this come to the board in advance.
6. The requirements to approve the setback reduction for the addition have been met.
7. The applicant has read, understands, and concurs with the modified development conditions.

WHEREAS, the Board has made the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the standards for the Reduction of Setback Requirements as contained in Sect. 5100.2(11)(e) of the Zoning Ordinance, the Board has determined that:

1. The application meets all the submission requirements set forth in Sect. 8101.3

2. A. The resulting gross floor area of the addition to the existing principal structure is not greater than 150 percent of the total gross floor area of the principal structure that existed at the time of the first expansion request. If a portion of the single-family detached dwelling is to be removed, no more than 50 percent of the gross floor area of the existing dwelling at the time of the first yard reduction will be removed;

   B. The resulting gross floor area of the existing accessory structure and any addition to it is clearly subordinate in purpose, scale, use and intent to the principal structure on the site.

3. The proposed scale of the development is harmonious with the existing on-site and surrounding off-site development, and the development preserves existing vegetation and significant trees, as determined by the Director, in a manner that is characteristic of surrounding off-site development.

4. The proposal does not adversely impact the use or enjoyment of any adjacent property through the creation of issues related to noise, light, air, safety, erosion, and stormwater runoff.

5. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot.

AND THAT the applicant has NOT presented testimony indicating compliance with Sects. 5100.2.D(11)(d), Provisions for BZA Authorized Reductions in Setback Requirements Based on an Error in Building Location, and this request is denied.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED-IN-PART** with the following development conditions:

1. These conditions must 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 must be provided to the Zoning Permits Section, Department of Planning and Development.

2. This special permit is approved only for the location of the proposed garage addition as shown on the special permit plat, entitled *"*Plat Showing Location on Lot 46 Bonniemill Acres*"* prepared by Dominion Surveyors, Inc, dated December 31, 2025, as submitted with this application and is not transferable to other land. The request to retain the shed is denied.

3. Pursuant to Par. 6 of Sect. 5100.2.D(11)(e) 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 (3,198 square feet existing + 4,797 square feet (150%) =

   7,995 square feet permitted) regardless of whether such addition complies with the minimum setback requirement or is the subject of a subsequent setback reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single-family dwelling for the purpose of this paragraph will be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum setback requirements will be permitted without an amendment to this special permit.

4. The garage addition must be generally consistent with the architectural elevations depicted in Attachment 1 of these conditions.

5. The applicant must remove or relocate the subject shed to a conforming location on the lot within 120 days of approval of this special permit .

6. Prior to the issuance of a building permit for the subject garage addition, the applicant must obtain a demolition and/or any other required permits and pass any required inspections for the removal of the former in-ground pool.

7. Within 120 days of approval of this special permit the applicant must obtain all building permits and pass inspection for the existing rear deck.

8. Pursuant to Sect. 8100.4.D(6) of the Zoning Ordinance, this special permit will automatically expire, without notice, 36 months after the date of approval unless construction has commenced on the subject addition 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.

//

~ ~ ~ June 24, 2026, Scheduled case of:

> **Sean M. Jellish and Jessica A. Jellish, SP-2025-FR-00106** to permit a reduction of setback requirements to permit an addition (carport with enclosed storage) 5.1 ft. from the northeast side lot line such that side setbacks total 13.5 ft. Located at 6828 Lamp Post Ln., on approx. 8,410 sq. ft. of land zoned R-3 (Cluster). Franconia District. Tax Map 92-2 ((22) 451.

The participants in the hearing were as follows:

- Brandon McCadden, Senior Staff Coordinator
- Adriana Santiago, Staff Coordinator
- Jessica A. Jellish, Applicant

After testimony was presented by Ms. Santiago and Mr. McCadden, Chairman Day called for a recess in order to allow staff time to verify the discrepancy between the dimensions of the addition on the plat versus the floor plan and elevations.

//

The meeting recessed at 9:31 a.m. and reconvened at 9:40 a.m.

//

When the meeting convened Ms. Santiago clarified that the dimensions of the carport matched, however the measurement on the plat started from the porch and the floor plan shows it starting from the dwelling. The applicant, Ms Jellish, indicated that the plat was not correct. Staff then recommended a deferral to allow time

for the plat to be correcred. Chairman Day then called for any public speakers for this case, and none were present. Mr. Peiffer then moved to continue **SP-2025-FR-00106**, to July 22, 2026.Vice Chairman Ballo seconded the motion, which carried by a vote of 5-0. Ms. Rouzi and Mr. Smith were absent from the meeting.

//

~ ~ ~ June 24, 2026, Scheduled case of:

> **Susan Moreira, SP-2025-SP-00069** to permit a reduction in setback requirements to permit a roofed deck 16.5 feet from rear lot line. Located at 8901 Grandstaff Ct., on approx. 2,645 sq. ft. of land zoned R-5. Springfield District. Tax Map 88-4 ((13)) 39A.

The participants in the hearing were as follows:

- Brandon McCadden, Senior Staff Coordinator
- Brandon Lesko, Staff Coordinator
- Jeremy Lena, Agent for the Applicants

After the hearing where testimony was presented by Mr. McCadden, Ms. Monroe, and Mr. Monroe, and there being no public speakers for this case, Vice Chairman Ballo moved to deny **SP-2025-MA-00109**, for the reasons stated in the Resolution. Mr. Peiffer seconded the motion, which carried by a vote of 5-0. Ms. Rouzi and Mr. Smith were absent from the meeting.

//

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Susan Moreira, SP-2025-SP-00069 to permit a reduction in setback requirements to permit a roofed deck 16.5 feet from rear lot line. Located at 8901 Grandstaff Ct., on approx. 2,645 sq. ft. of land zoned R-5. Springfield District. Tax Map 88-4 ((13)) 39A. Vice Chairman Ballo moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on June 24, 2026; and

WHEREAS, the Board has made the following findings of fact:

1. The applicants are the owners of the property.
2. The Board adopts staff's findings and rationale the in the staff report.
3. The Board finds this application does not meet the standards of the reduction in setback requirements under 5100.2.D(11)(e), specifically standards eight and nine.
4. The Board finds the granting of this special permit will impair the purpose and intent of the Zoning Ordinance and will be detrimental to the use and enjoyment of other properties in the immediate vicinity.
5. The facades of these townhouses were offset from one another just slightly to allow for some semblance of privacy on these units. In this neighborhood as shown clearly on the plat there is a 3-foot push and pull to each unit. The 3-foot wall provides some sense of privacy for each unit. This design is purposeful in the preservation of privacy in the rear yard for each of these properties, it is part of the parcels, which makes for a harmonious designed community.
6. It's not that a second story balcony is de facto an incompatible architectural feature it's an incompatible architecture feature in this community where there are none. If you have an element like that where you are looking down into your neighbor's yard you are violating that sense of privacy that the designer of the community went to lengths to help preserve for people because they live in a townhouse community.
7. That kind of space and privacy is at a premium so I cannot find this type of new feature in this community meets standard 8 or standard 9.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has not presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 4102.1.F and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **DENIED.**

//

~ ~ ~ June 24, 2026, Scheduled case of:

> **Pauline B. George and David R. Klingler, SPA-2023-MA-00164-02** to amend SP 2023-MA-00164 previously approved for an error in building location for an open deck and a reduction in setback requirements for an addition 6.0 ft. from the northeast side lot line and 19.0 ft. from the rear lot line, to now allow a new addition (screen porch) 13.1 ft. from rear lot line. Located at 4008 Ancient Oak Ct. on approx. 12,291 sq. ft. of land zoned R-3 and HC. Mason District. Tax Map 60-4 ((29)) 5.

The participants in the hearing were as follows:

- Brandon McCadden, Senior Staff Coordinator,
- Pauline B. George and David R. Klingler, Applicants

After the hearing where testimony was presented by Mr. McCadden, Ms. George, and Mr. Klingler, and there being no public speakers for this case, Mr. O'Savio moved to approve **SPA-2023-MA-00164-02**, for the reasons stated in the Resolution. Vice Chairman Ballo seconded the motion, which carried by a vote of 5-0. Ms. Rouzi and Mr. Smith were absent from the meeting.

//

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Pauline B. George and David R. Klingler, SPA-2023-MA-00164-02 to amend SP 2023-MA-00164 previously approved for an error in building location for an open deck and a reduction in setback requirements for an addition 6.0 ft. from the northeast side lot line and 19.0 ft. from the rear lot line, to now allow a new addition (screen porch) 13.1 ft. from rear lot line. Located at 4008 Ancient Oak Ct. on approx. 12,291 sq. ft. of land zoned R-3 and HC. Mason District. Tax Map 60-4 ((29)) 5. Mr. O' Savio moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on June 24, 2026; and

WHEREAS, the Board has made the following findings of fact:

1. The applicants are the owners of the property.
2. The present zoning is R-3 and HC.
3. The area of the lot is 12,291 square feet.
4. The Board agrees with staff's recommendation and adopts the rationale in the staff report.
5. The Board finds this a modest amendment request, it's harmonious with the adjacent properties, and will not negatively impact on the use and enjoyment of the adjacent properties.
6. The applicants tried working with the neighbor to resolve any potential impact and there was no testimony or public objection at today's hearing.
7. The applicant has read, understands, and concurs with the proposed development conditions.

WHEREAS, the Board has made the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the standards for the Reduction of Setback Requirements as contained in Sect. 5100.2(11)(e) of the Zoning Ordinance, the Board has determined that:

3. The application meets all the submission requirements set forth in Sect. 8101.3

4. A. The resulting gross floor area of the addition to the existing principal structure is not greater than 150 percent of the total gross floor area of the principal structure that existed at the time of the first expansion request. If a portion of the single-family detached dwelling is to be removed, no more than 50 percent of the gross floor area of the existing dwelling at the time of the first yard reduction will be removed;

   B. The resulting gross floor area of the existing accessory structure and any addition to it is clearly subordinate in purpose, scale, use and intent to the principal structure on the site.

5. The proposed scale of the development is harmonious with the existing on-site and surrounding off-site development, and the development preserves existing vegetation and significant trees, as determined by the Director, in a manner that is characteristic of surrounding off-site development.

6. The proposal does not adversely impact the use or enjoyment of any adjacent property through the creation of issues related to noise, light, air, safety, erosion, and stormwater runoff.

7. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED**, with the following development conditions:

1. These conditions must be recorded by the applicants among the land records of Fairfax County for this lot prior to the issuance of a building permit for the addition. A copy of the recorded conditions must be provided to the Zoning Permit Section, Department of Planning and Development.

2. This special permit is granted only for the location of the proposed screen porch addition, the previously approved addition, and the existing open deck to remain at the property indicated on the plat titled “Special Exception & Variance Plat, Lot 5, Sleepy Hollow Place”, prepared by H. Christopher Hughes of BL Survey Arborist, dated September 24, 2024, and as revised through March 16, 2026, consisting of one sheet, and approved with this application, as qualified by these development conditions.

3. Pursuant to Article 5100.2.D(11)(e) 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 (3,995 square feet existing + 5,992 square feet (150%) = 9,987 square feet permitted) regardless of whether such addition complies with the minimum setback requirement or is the subject of a subsequent setback reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single-family dwelling for the purpose of this paragraph will be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum setbacks requirements are permitted without an amendment to this special permit.

4. The subject screen porch addition must be generally consistent with the design as depicted in the architectural elevations as shown on Attachment 1 to these conditions.

5. The open deck must be maintained in good condition at all times, or otherwise brought into compliance with the ordinance.

6. The applicant is responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, liens, judgments, encroachments or other encumbrances to title affecting the subject property, shown or not shown, on the approved special permit plat as may be determined by a court of competent jurisdiction. Approval of this application does not abrogate, vacate, interfere with, or invalidate such claims.

7. Pursuant to Article 8100.4.D(6) of the Zoning Ordinance, this special permit automatically expires, without notice, 36 months after the date of approval unless construction has commenced on the screen porch addition 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.

//

~ ~ ~ June 24, 2026, After Agenda Item:

Informational Items

- Administrative Items Report for June 24, 2026.
- Memorandum regarding the Zoning Ordinance Work Program.

Chairman Day instructed the Board to review the administrative and informational items for June 24, 2026.

//

As there was no other business to come before the Board, the meeting was adjourned at 10:40 a.m.

//

Minutes by: Melissa R. Taylor
Approved on: July 22, 2026