The regular meeting of the Board of Zoning Appeals was held in the Board Auditorium of the Government Center on Wednesday, July 08, 2026. The following Board Members were present Chairman Karen L. Day; Vice Chairman Rebeccah Ballo; Sean Peiffer; Daniel Aminoff; Akida Rouzi, and Triston O'Savio. Thomas W. Smith III was absent. There is currently one vacancy on the 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.

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~ ~ ~ July 08, 2026, Consent Items:

Approval of May 20, 2026 and June 3, 2026 minutes.

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Request for Defer to 07/29/2026

Chesterbrook Swimming and Tennis Club, Incorporated, SPA-79-D-054-03, to amend SP-79-D-054-02 previously approved for a community swim, tennis, and recreation club to permit modifications to site and development conditions. Located at 1812 Kirby Rd. on approx. 8.78 ac. of land zoned R-1 and R-3. Dranesville District. Tax Map 31-3 ((5)) 1C and 31-3 ((1)) 60B. (Admin moved from 6/3/2026).

Chairman Day asked for any comments on the items listed on the consent agenda and hearing none stated that the consent agenda was approved without objection

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~ ~ ~ July 08, 2026, Scheduled case of:

Andrew L. Austin, Sue W. Austin and Sandra Lea Austin, SP-2026-BR-00008 to permit an accessory living unit. Located at 10715 Ames St. on approx.15,000sq. ft. of land zoned R-2 (Cluster). Braddock District. Tax Map 68-3 ((4)) (15) 17.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Megan Riley, Staff Coordinator
- Sue W. Austin, Applicants

After the hearing where testimony was presented by Mr. Krasner, Ms. Riley, and Mrs. Austin, and there being no public speakers for this case, Ms. Rouzi moved to approve special permit **SP-2026-BR-00008** for the reasons stated in the resolution. Mr. Peiffer seconded the motion, which carried by a vote of 6-0. Mr. Smith was absent from the meeting.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Andrew L. Austin, Sue W. Austin and Sandra Lea Austin, SP-2026-BR-00008 to permit an accessory living unit. Located at 10715 Ames St. on approx.15,000 sq. ft. of land zoned R-2 (Cluster). Braddock District. Tax Map 68-3 ((4)) (15) 17. Ms. Rouzi 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 July 8, 2026; and

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

1. The owner of the property is the applicant.
2. The present zoning is R-2 (Cluster)
3. The area of the lot is 15,000 square feet.
4. The Board agrees the application meets all the applicable standards as described in the staff's analysis.
5. The small square footage that exceeds the maximum is reasonable.
6. The application presents no negative issues
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 this use and with the general standards for Special Permit Uses as set forth in Sect. 4102.1.F(2) and the standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED**, 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. The approval for the interior accessory living unit (ALU) is granted to the applicants, Andrew L. Austin, Sue W. Austin, and Sandra Lea Austin, only, for the location indicated on the application, 10715 Ames St, Fairfax 22032, and is not transferable to other land or other owners.

3. This special permit is granted only for an ALU exceeding the 800 sf. gross floor area limitation as depicted on the plat, entitled *"Special Permit Plat, Lt 17 Blk 15 Sec 4 Country Club View,"* prepared by GeoEnv Engineers. and dated April 29, 2026, as submitted with this application, and is not transferable to other land.

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

5. The ALU is limited to a maximum of 910 square feet in gross floor area and must be in substantial conformance with the floor plan attached to these development conditions as Attachment 2.

6. Occupancy of the accessory living unit is limited to no more than two (2) persons, inclusive of any minor children.

7. The ALU must contain a working multi-purpose fire extinguisher and smoke and carbon monoxide detectors that are interconnected with the principal dwelling.

8. Either the principal dwelling or accessory living units must be owner-occupied.

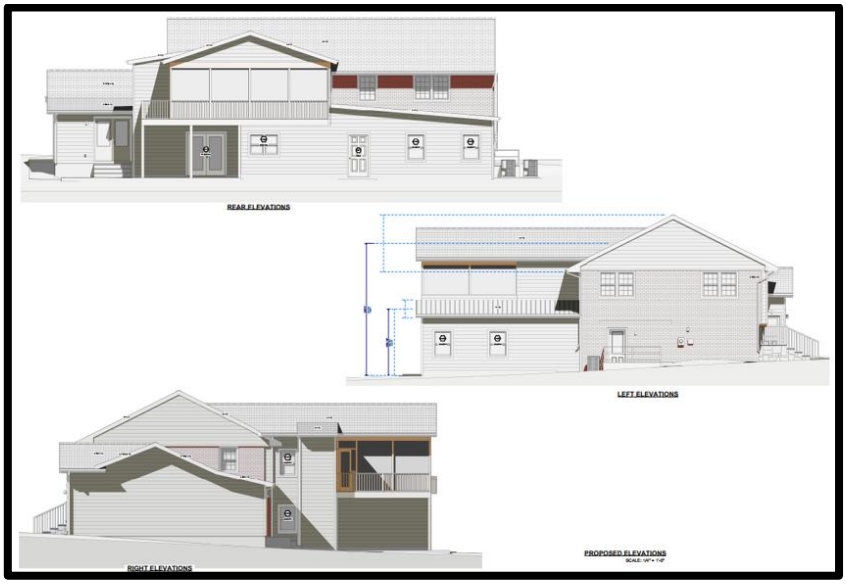
9. The applicants must permit the County to inspect the property during reasonable hours and in accordance with subsection 8106.2.D of the Zoning Ordinance.

10. The accessory living unit is approved for an initial period of two years from the approval date of the special permit and may be extended by the Zoning Administrator for succeeding periods of up to five years.

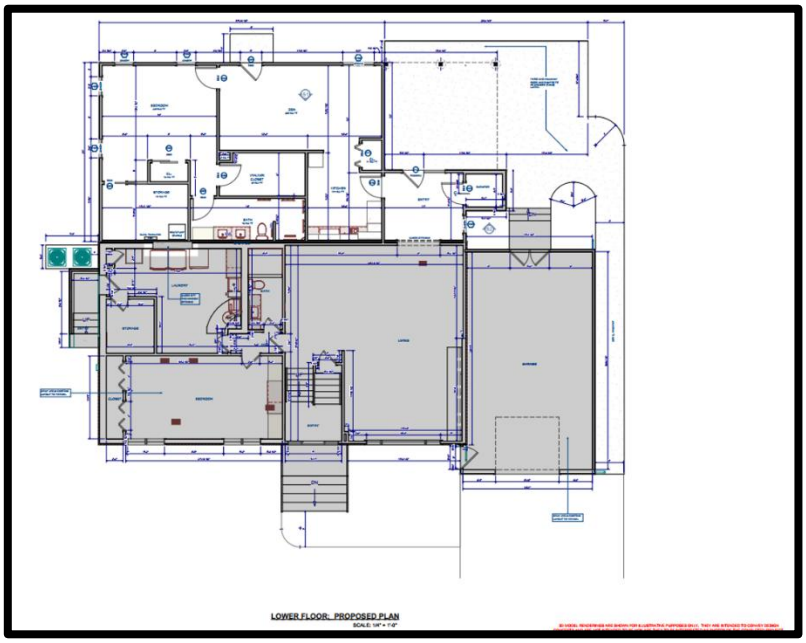
11. The applicant is responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, liens, judgements, encroachments or other encumbrances to title affecting the subject property, shown or not shown, on the approved special permit plat as may be determined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

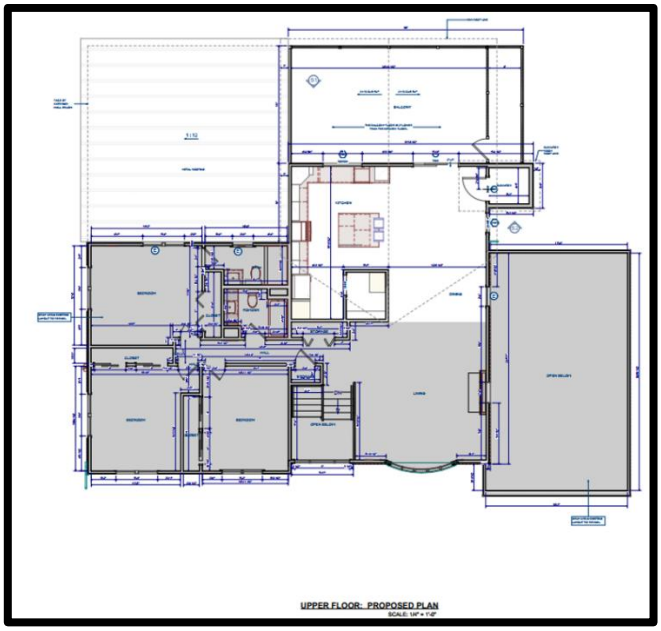
12. Pursuant to Sect. 8100.4D.(6) of the Zoning Ordinance, this special permit will automatically expire, without notice, 36 months after the date of approval unless construction has commenced on the accessory living unit addition and has been diligently prosecuted. The Board of Zoning Appeals may grant 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.

ATTACHMENT 1:



ATTACHMENT 2:





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~ ~ ~ July 08, 2026, Scheduled case of:

Chelsea B. Wilkowitz, Trustee and Aaron S. Wilkowitz, Trustee of the Aaron and Chelsea Wilkowitz Living Trust, SP-2026-DR-00014 to permit a reduction in setback requirements to permit an addition 8.3 ft. from the side lot line. Located at 6800 Walnut St. on approx. 12,364 sq. ft. of land zoned R-4. Dranesville District. Tax Map 40-4 ((15)) 19.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Adriana Santiago, Staff Coordinator

- Aaron S. Wilkowitz, Applicant

After the hearing where testimony was presented by Mr. Krasner, Ms. Santiago, and Mr. Wilkowitz, and there being no public speakers for this case, Mr. O'Savio moved to approve special permit **SP-2026-DR-00014** for the reasons stated in the resolution. Vice Chairman Ballo seconded the motion, which carried by a vote of 6-0. Mr. Smith was absent from the meeting.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Chelsea B. Wilkowitz, Trustee and Aaron S. Wilkowitz, Trustee of the Aaron and Chelsea Wilkowitz Living Trust, SP 2026-DR-00014 to permit a reduction in setback requirements to permit an addition 8.3 ft. from the side lot line. Located at 6800 Walnut St. on approx. 12,364 sq. ft. of land zoned R-4. Dranesville District. Tax Map 40-4 ((15)) 19. 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 July 8, 2026; and

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

1. The owner of the property is the applicant.
2. The present zoning is R-4.
3. The area of the lot is 12,364 square feet.
4. The application meets the standards and requirements for approval of a reduction in setback requirements.
5. The Board agrees with the location for the screened porch,
6. The structure is harmonious with the surrounding properties.
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.D(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.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED**, 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 side screened porch addition as shown on the special permit plat, entitled *"Plat Showing the Improvements of Lot 19, Mount Daniel,"* prepared by Dominion Surveyors, dated November 5, 2025, as submitted with this application and is not transferable to other land.

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 (2,880 square feet existing + 4,320 square feet (150%) = 7,200 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 screened porch addition must be generally consistent with the architectural renderings as shown in Attachment 1 to these conditions.

5. The applicants are 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.

6. 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 screened 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.

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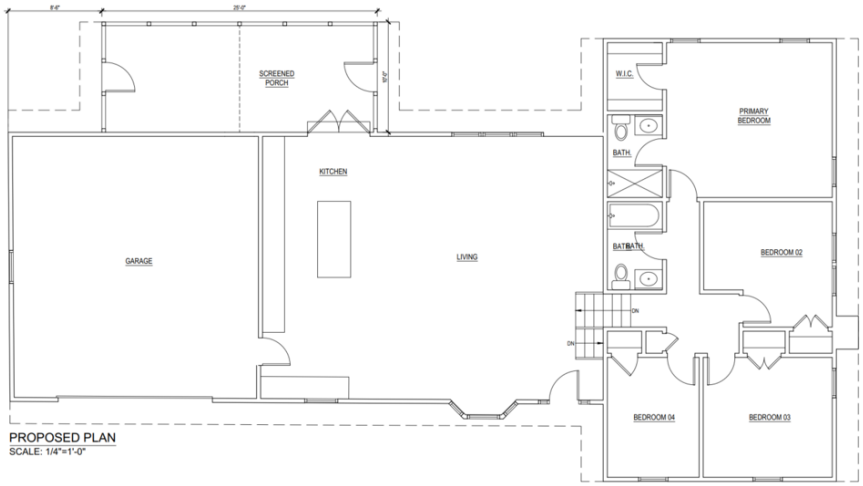
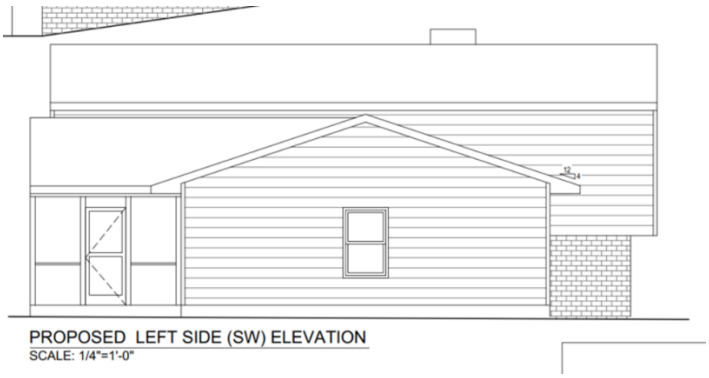
ATTACHMENT 1



PROPOSED PLAN
SCALE: 1/4"=1'-0"

PROPOSED REAR (NW) ELEVATION
SCALE: 1/4"=1'-0"



PROPOSED LEFT SIDE (SW) ELEVATION
SCALE: 1/4"=1'-0"

PROPOSED LEFT SIDE (SW) ELEVATION
SCALE: 1/4"=1'-0"

ADD NOTE:
FRONT ELEVATION NOT SHOWN - NO CHANGES

PROPOSED RIGHT SIDE (NE) ELEVATION
SCALE: 1/4"=1'-0"

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~ ~ ~ July 08, 2026, Scheduled case of:

> **Anil K. Sareen, TR and Vandana Sareen, TR, SP-2025-PR-00138** to permit a reduction in setback requirements based on errors in building location to allow an addition to remain 17.6 ft. from the rear lot line. Located at 8511 Ashgrove Plantation Cir. on approx. 13,204 sq. ft. of land zoned R-3 (Cluster) and HC. Providence District. Tax Map 39-1 ((32)) 16**.**

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Brandon Lesko, Staff Coordinator
- Wendi Hall, Planning Tech
- Amil K. Sareen, Applicant

After the hearing where testimony was presented by Mr. Krasner, Ms. Lesko, and Mr. Sareen, and there being no public speakers for this case, Vice Chairman Ballo moved to approve special permit **SP-2025-PR-00138** for the reasons stated in the resolution. Ms. Rouzi and Mr. Aminoff seconded the motion, which carried by a vote of 6-0. Mr. Smith was absent from the meeting.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Anil K. Sareen, TR and Vandana Sareen, TR, SP-2025-PR-00138 to permit a reduction in setback requirements based on errors in building location to allow an addition to remain 17.6 ft. from the rear lot line. Located at 8511 Ashgrove Plantation Cir. on approx. 13,204 sq. ft. of land zoned R-3 (Cluster) and HC. Providence District. Tax Map 39-1 ((32)) 16**.** 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 July 8, 2026; and

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

1. The applicants are the owners of the land.
2. The present zoning is R-3 (Cluster) and HC.
3. The area of the lot is 13,204 square feet.
4. The applicant has established that the error occurred through no fault of their own as they were issued a revised building permit.
5. The applicant has read, understands, and concurs with the proposed development conditions.

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

That the applicant has presented testimony indicating compliance with Sect. 5100.2.D(11)(d), Provisions for BZA Authorized Reductions in Setback Requirements Based on an Error in Building Location, the Board has determined:

A. The error exceeds ten percent of the applicable measurement, or

B. The error is up to ten percent of the applicable measurement and the reduction or modification is requested in conjunction with the approval of another special permit or application for a variance on the property, and

C. The noncompliance was done through no fault of the property owner, or was the result of an error in the relocation of the building after the issuance of a building permit, if one was required, and

D. It will not impair the purpose and intent of this Ordinance, and

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

F. It will not create an unsafe condition regarding other properties or public streets, and

G. Compliance with the minimum setback requirements or location regulations would cause the owner unreasonable hardship, and

H. It will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.

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

1. That the granting of this special permit will not impair the purpose and intent of the Zoning Ordinance, nor will it be detrimental to the use and enjoyment of other property in the immediate vicinity.

2. That the granting of this special permit will not create an unsafe condition regarding other properties or public streets and that to force compliance with the minimum setback requirements or location regulations would cause the owner unreasonable hardship.

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

1. This special permit is approved for the location of the second story addition to remain as shown on the plat titled "Special Permit Plat, Lot 16, Section 1 Ashgrove Plantation" prepared by Larry Scartz of Scartz Surveys, on October 21, 2025, and revised through March 25, 2026 as submitted with this application and is not transferable to other land.

2. The applicant must obtain all applicable building permits and pass final inspection for the addition within 120 days of special permit approval.

3. The applicant is responsible for identifying and complying with the terms of all easements, covenants, conditions, liens, judgments, encroachments or other encumbrances to title affecting the subject property, shown or not shown, on the approved special permit/variance plat. Approval of this application does not abrogate, vacate, interfere with, or invalidate such claims.

4. Pursuant to subsection 8100.4.D(6) this special permit takes effect upon a vote of approval by the Board of Zoning Appeals.

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~ ~ ~ July 08, 2026, Scheduled case of:

Maryna Mahfoudhi and Mohamed Mahfoudhi, SP-2026-MV-00012 to permit an increase in fence height in the front yard adjacent to Old Mill Rd. Located at 5618 Old Mill Rd. on approx. 25,754 sq. ft. of land zoned R-2. Mount Vernon District. Tax Map 110-1 ((30) 2.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Brandon Lesko, Staff Coordinator
- Maryna Mahfoudhi and Mohamed Mahfoudhi, Applicants

After the hearing where testimony was presented by Mr. Krasner, Mr. Lesko, and Mr. and Mrs. Mahfoudh, and there being no public speakers for this case, Mr. Pieffer moved to approve special permit **SP-2026-MV-00012** for the reasons stated in the resolution. Vice Chairman Ballo seconded the motion, which carried by a vote of 6-0. Mr. Smith was absent from the meeting.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Maryna Mahfoudhi and Mohamed Mahfoudhi, SP-2026-MV-00012 to permit an increase in fence height in the front yard adjacent to Old Mill Rd. Located at 5618 Old Mill Rd. on approx. 25,754 sq. ft. of land zoned R-2. Mount Vernon District. Tax Map 110-1 ((30) 2. Mr. Pieffer 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 July 8, 2026; and

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

1. The owner of the property are the applicants.
2. The present zoning is R-2
3. The area of the lot is 25,754 square feet.
4. The Board has heard the applicant's request to modify the request today at the hearing but ultimately supports approval for the application as originally presented and recommend by staff which drops the height to 4 ft. as indicated on the plat across the frontage with the 6 ft. tall section along the side lot lines adjacent to the church parking lot.
5. 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 general standards for Special Permit Uses as set forth in Sect. 4102.7.A(7)(c)(3) and the standards for this use as contained in the Zoning Ordinance.

A. The fence or wall height may not exceed six feet;

B. The fence or wall must meet the sight distance requirements contained in subsection 5100.2.D(4)(c);

C. The proposed fence or wall height increase is warranted based on the orientation and location of the principal structure on the lot, the orientation and location of nearby off-site structures, topography of the lot, presence of multiple front yards, concerns related to safety or noise, or other similar factors;

D. The proposed fence or wall height increase will be in character with the existing on-site development and will be harmonious with the surrounding off-site uses and structures in terms of location, height, bulk, scale, and any historic designations;

E. The proposed fence or wall height increase will not adversely impact the use or enjoyment of other properties in the immediate vicinity; and

F. The Board or BZA may impose such conditions as it deems necessary to satisfy these criteria, including but not limited to imposition of landscaping, fence, or wall design requirements.

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

1. This special permit is granted only for the proposed fence greater than four feet in height in the front yard adjacent to Old Mill Road as indicated on the plat titled, Special Permit Plat for Residential Fence for Lot 2 Property of St. James Church", prepared by Ibrahim E. Chehab of GeoEnv on March 23, 2026 and revised through June 9, 2026 as qualified by these development conditions.

2. The fence must be consistent with the design and style of the fence depicted in Attachment 1 to these conditions.

3. The fence must be maintained in good condition at all times.

4. The applicant is responsible for identifying and complying with the terms of all easements, covenants, conditions, liens, judgments, encroachments, or other encumbrances to title affecting the subject property, shown, or not shown, on the approved special permit/variance plat. Approval of this application does not abrogate, vacate, interfere with, or invalidate such claims.

5. 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 fence 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.

Attachment 1

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~ ~ ~ July 08, 2026, Chairman Day moved to listen to After Agenda Action items:

Action Items

- Approval of Updated 2026 BZA Meeting Dates, to include Wednesday, November 4, 2026.

Mr. Aminoff moved to approve adding November 4, 2026 to the hearing dates calendar, Vice Chairman Ballo seconded the motion, which carried by a vote of 6-0.

- Additional time request, A Di Da Charitable Buddhist Association, SPA-2020-MA-065, Staff recommends additional time to expire on June 6, 2029

Ms. Rouzi moved to approve Additional Time Request to June 6, 2029, Vice Chairman Ballo seconded the motion, which carried by a vote of 6-0.

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~ ~ ~ July 08, 2026, Chairman Day mentioned admin items:

Informational Items

- Administrative Items Report for July 8, 2026.
- Recently accepted appeal application Jonathan Boyer, ZAPL-2026-MV-00006, which is scheduled for public hearing on Wednesday, October 7, 2026.
- Zoning Ordinance Amendment, effective as of July 1, 2026, in response to the Code of Virginia Amendment.
- Accessory Living Units (ALU) White Paper
- ALU Presentation
- Home day Care Facilities (HDC) White Paper

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As there was no other business to come before the Board, the meeting was adjourned at 10:36 A.M.

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Minutes by: Stephanie Martinez Lopez
Approved on: July 29, 2026