



FAIRFAX COUNTY

APPLICATION FILED: October 17, 2005
BOARD OF ZONING APPEALS: January 10, 2006
TIME: 9:00 a.m.

V I R G I N I A

January 3, 2006

STAFF REPORT

VARIANCE APPLICATION NO. VC 2005-DR-013

DRANESVILLE DISTRICT

APPLICANTS & OWNERS: Charles A. Colligan, Jr.
Elizabeth B. Colligan

SUBDIVISION: Grand Hamptons II

STREET ADDRESS: 12211 Windsor Hall Way

TAX MAP REFERENCE: 6-3 ((13)) 13

LOT SIZE: 25,443 square feet

ZONING DISTRICT: R-1 (Cluster)

ZONING ORDINANCE PROVISION: 18-401

VARIANCE PROPOSAL: To permit construction of addition 6.8 feet and deck 0.8 feet from side lot line

A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

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.**



American with Disabilities Act (ADA); Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334.

DESCRIPTION OF THE APPLICATION

To permit construction of an addition, specifically a screened in porch, to be located 6.8 feet from side lot line and deck 0.8 feet from side lot line.

	Structure	Yard	Min. Yard Req.*	Permitted Extension	Minimum Allowed	Proposed Location	Variance Request
Variance	Addition	Side	12.0 feet	N/A	12.0 feet	6.8 feet	5.2 feet
Variance	Deck	Side	12.0 feet	N/A	12.0 feet	0.8 feet	11.2 feet

*Minimum yard requirement per Section 3-107

CHARACTER OF THE AREA

	Zoning	Use
North	R-1 Cluster	Single Family Detached Dwelling
East	R-1 Cluster	Single Family Detached Dwelling
South	R-1 Cluster	Vacant Land
West	R-1 Cluster R-1	Fairfax County Park Authority Single Family Detached Dwelling

BACKGROUND

Attached as Appendix 4 is a current plat showing the yard requirements which were set by the Zoning Administration Division of the Department of Planning and Zoning on March 18, 2004. The requested addition and deck abut Fairfax County parkland.

Records indicate the dwelling was originally constructed in 1996.

Records indicate there were no other special permits for properties in the vicinity of the application site heard by the BZA.

ZONING ORDINANCE REQUIREMENTS

Applicable bulk regulation(s) and additional location regulations are set forth on Page 1.

This variance application must satisfy all of the nine (9) enumerated requirements contained in Sect. 18-404, Required Standards for Variances. If the BZA determines that a variance can be justified, it must then decide the minimum variance, which would afford relief as set forth in Sect. 18-405. A copy of these provisions is included as Appendix 4.

CONCLUSION

If it is the intent of the BZA to approve this application, the BZA should condition its approval by requiring conformance with the conditions set forth in Appendix 1 of this report, Proposed Development Conditions.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Plat Mark-up Establishing Yards
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**VC 2005-DR-013****January 3, 2006**

1. This Variance is approved for the location of a screened porch addition and deck, as shown on the plat prepared by ATCS, PLC, dated May 10, 2004, as revised through September 26, 2005, submitted with this application and is not transferable to other land.
2. A Building Permit shall be obtained prior to any construction and approval of final inspections shall be obtained.

Pursuant to Sect. 18-407 of the Zoning Ordinance, this variance shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the variance. 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.