

PAUL KLEIN & BARBARA ELKIN, SP 2007-MV-043

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 (288 square feet) of a screen porch addition, as shown on the plat prepared by Alexandria Surveys International, LLC, dated March 11, 2004, as revised through May 25, 2004, as submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (1,588 square feet) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard 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 shall be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. The addition shall be consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. Notwithstanding the proposed patio as depicted on the plat, the patio shall not be attached to the dwelling.
6. Prior to approval of a building permit, the applicants shall obtain a determination from the Department of Public Works and Environmental Services (DPWES) that the proposed addition is a permitted use in the floodplain in accordance with Paragraph 8 of Section 2-903 of the Zoning Ordinance.
7. The addition shall comply with the current Chesapeake Bay Ordinance requirements. An exception for the addition shall be obtained, if necessary, from DPWES prior to construction.
8. Notwithstanding the height of the proposed screen porch addition as depicted on the plat, the height may increase to compensate for any increase in floor elevation as may be required by DPWES.
9. Prior to approval of a building permit, a Hold Harmless agreement shall be executed with the County for all adverse effects which may arise as a result of the location of the addition within a floodplain area.
10. Disclosure of the Hold Harmless agreement and the fact that the addition is located within the 100-year floodplain shall be made in writing to any potential home buyers prior to execution of a sales contract.

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 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.