

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

NAWAL TODI, SP 2009-PR-070 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 10.3 ft. from front lot line. Located at 2121 Tysons Executive Ct. on approx. 7,567 sq. ft. of land zoned PDH-3. Providence District. Tax Map 39-2 ((48)) 1. (Deferred from 10/20/09 at appl. req.) Mr. Hammack 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 December 15, 2009; and

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

1. The applicant is the owner of the land.
2. The Board has a favorable staff recommendation.
3. Staff's recommendation is adopted.
4. The addition will be slightly larger than what is existing.
5. Aside from the addition of the sun room, there will not be much change.
6. The Board has determined the applicant has satisfied the six required standards set forth in Sect. 8-922.

AND WHEREAS, the Board of Zoning Appeals has reached 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. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

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

1. These conditions shall be recorded by the applicant among the land record of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recordation 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 a proposed sunroom addition as shown on the plat prepared by Larry N. Scartz, Scartz Surveys dated November 12, 2009, submitted with this application and is not transferable to other land.
3. Pursuant to Provision 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of the existing principal structures may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (2,883 square feet existing + 4,324.5 (150%) = 7,207.5 square feet permitted) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction, special permit or variance. 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

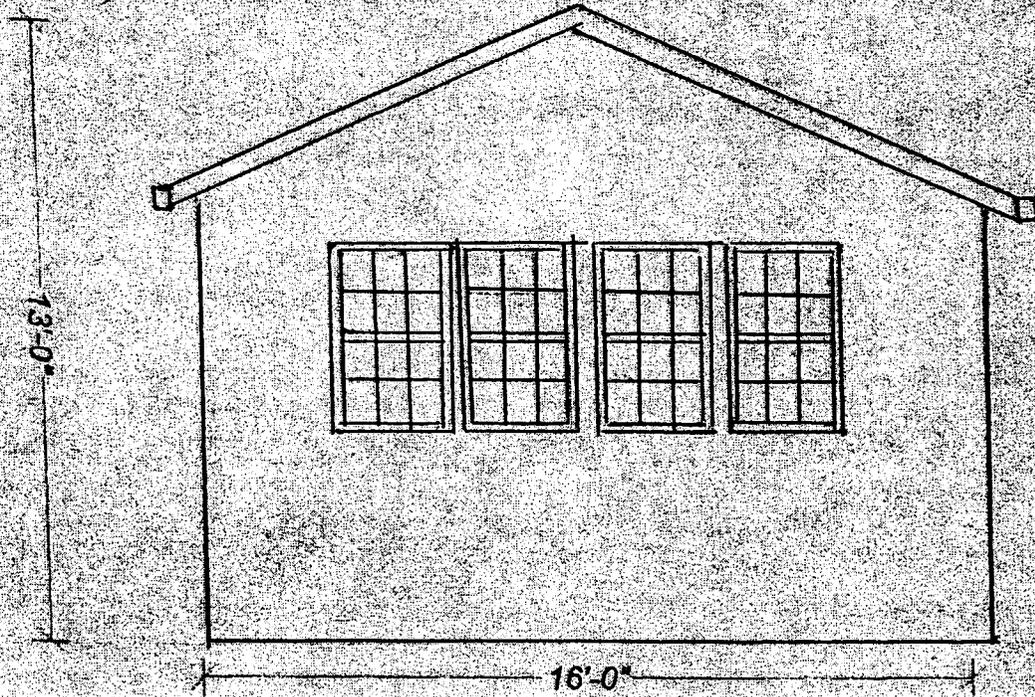
to include the floor area of any attached garage. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.

4. The addition shall be consistent with the architectural renderings and materials depicted on the plat and included in Attachment 1 to these conditions
5. Prior to final inspection of the addition, the lattice screening above the deck railing shall be removed and the deck shall be brought into compliance with Zoning Ordinance requirements.

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 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.

Ms. Gibb seconded the motion, which carried by a vote of 7-0.



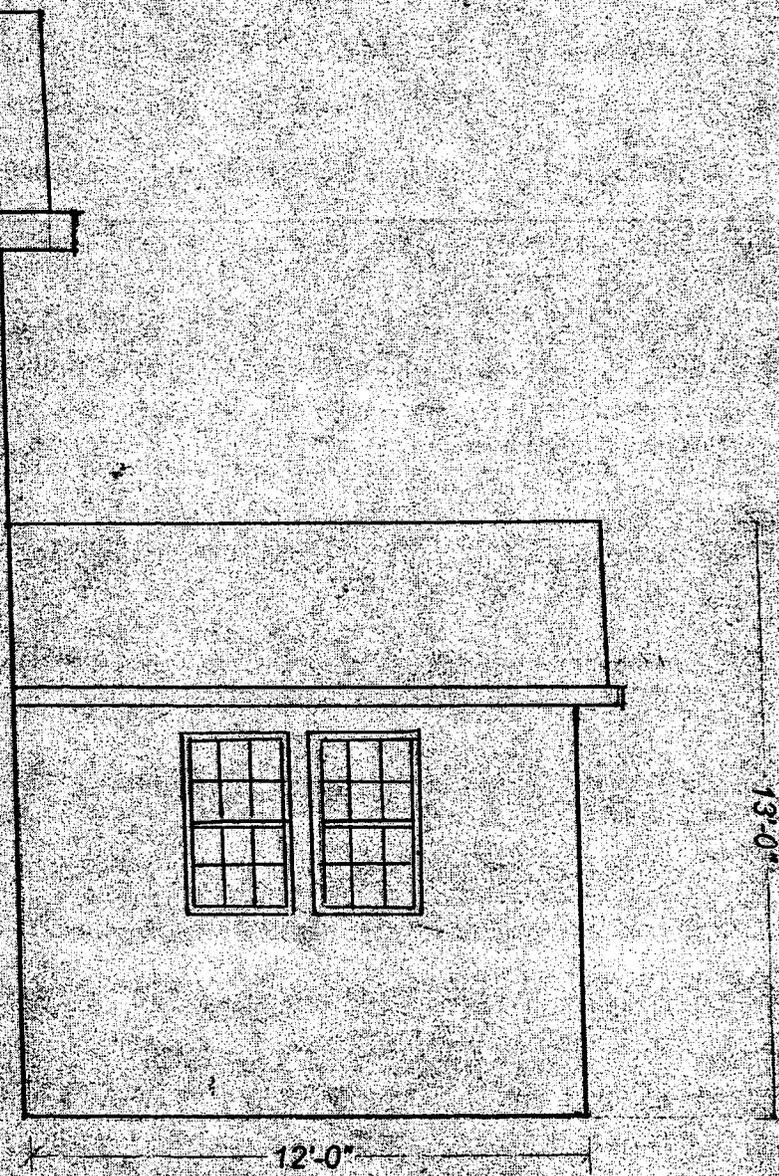
*Addition front Elevation*

*SCALE: 1/4" = 1'-0"*

*2121 TILSONS EXECUTIVE COURT*

*DUNN LORING, VA 22027*

Existing House



Addition Left Side Elevation

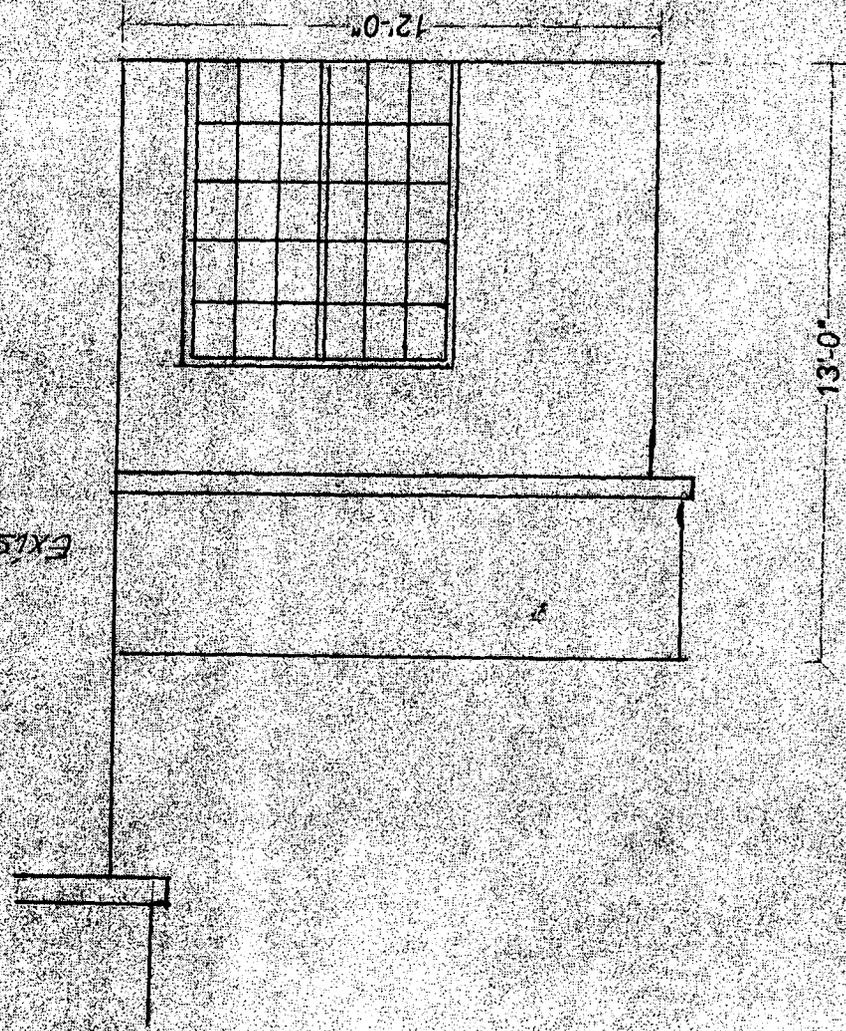
Scale: 1/4" = 1'-0"

2122 TYSONS EXHIBIT COURT  
DUMFRIES, VA 22022

2121 TAYLORS EXHIBIT UNIT  
DUNN LINDSAY VA 22027

SCALE 1/4" = 1'-0"

ADDITION RIGHT SIDE ELEVATION



EXISTING HOUSE