

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

RICHARD A. MARCINOWSKI, SP 2009-LE-112 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 18.0 ft. from rear lot line. Located at 6105 Lemon Thyme Dr. on approx. 9,077 sq. ft. of land zoned PDH-4 and NR. Lee District. Tax Map 91-1 ((25)) 45. Mr. Byers 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 March 10, 2010; and

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

1. The applicant is the owner of the land.
2. The Board has determined that the application meets all the submission requirements set forth in Sect. 8-922, provisions for the Reduction of Certain Yard Requirements, of the Zoning Ordinance.
3. The staff recommends approval.
4. The Board adopts staff's rationale.
5. There are two letters of support with four different signatures.

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 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 of a sunroom addition (240 square feet), as shown on the plat prepared by DRH Design Group, Inc., dated September 22, 2009, as revised through December 4, 2009, 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 (3,174 square feet existing + 4,761 square feet (150%) = 7,935 square feet maximum permitted on lot) 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

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.

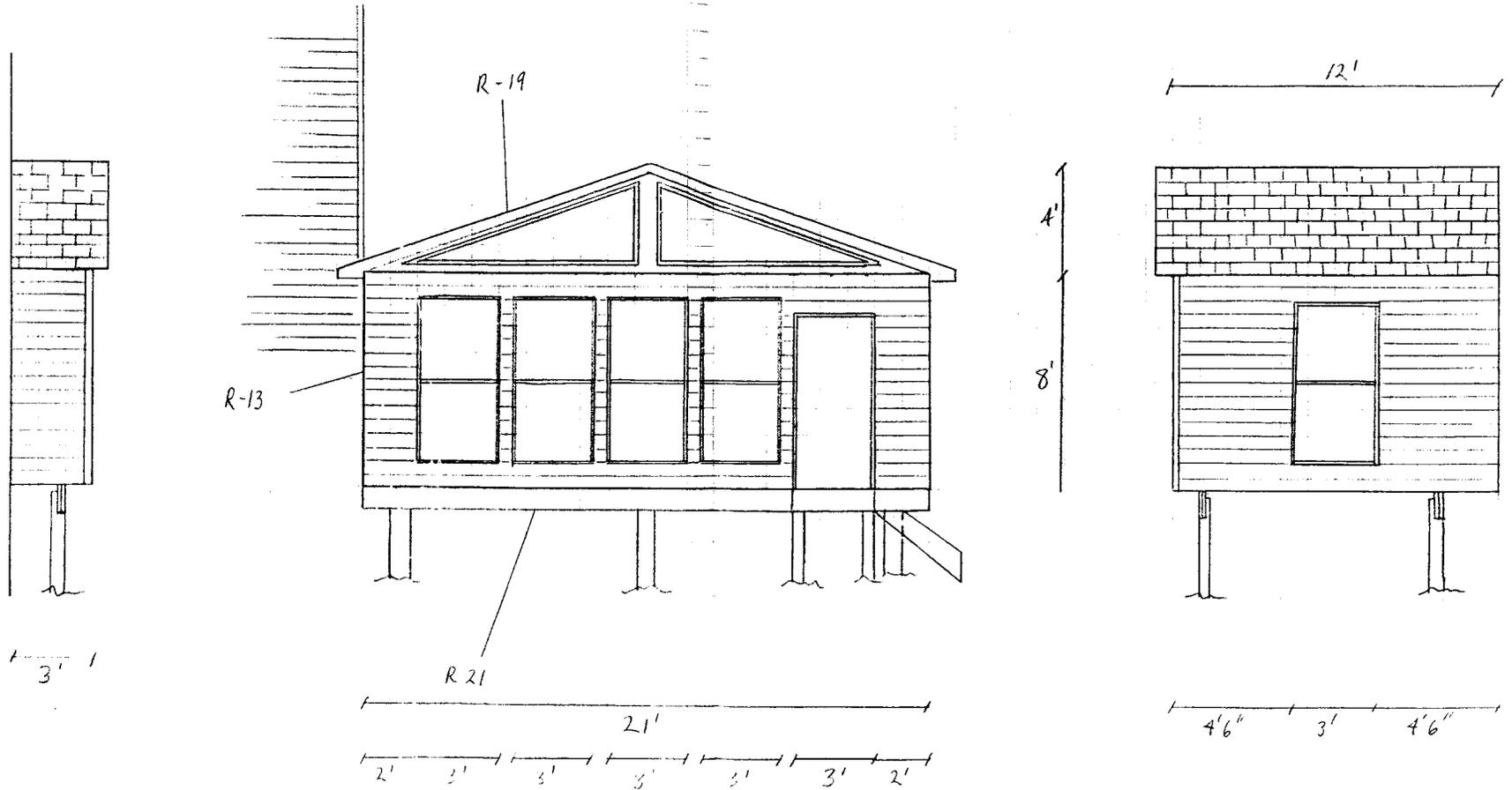
4. The addition shall be consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. The applicant shall designate the area from the edge of the building envelope to the northwestern property line as a tree save area and shall install tree protection fencing prior to commencement of the construction process to preserve the on-site and off-site trees and vegetation in this area from construction activities. The protective fencing shall remain intact during the entire construction process, and shall be the maximum limit for clearing and grading. The applicant shall monitor the site to ensure that inappropriate activities such as the storage of construction equipment do not occur within the area. The limits of clearing and grading shall be no further than 10 feet from base of the proposed addition.

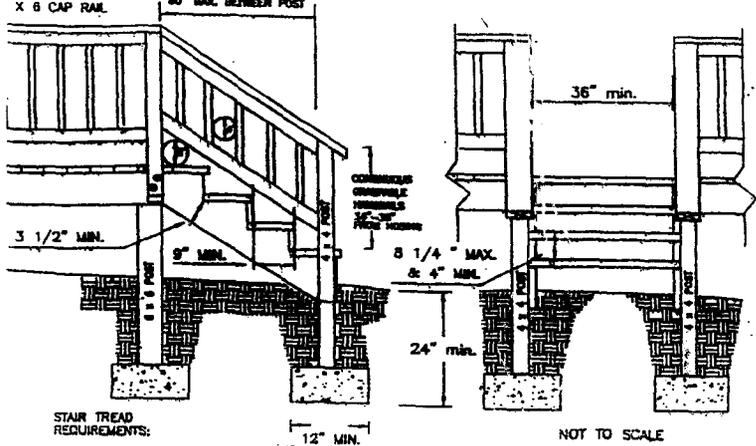
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

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.

Mr. Hart and Ms. Gibb each seconded the motion, which carried by a vote of 5-0. Mr. Beard and Mr. Hammack were absent from the meeting.

STEADFAST, INC
2849 ZIMPEL LANE
FAIRFAX, VA 22031

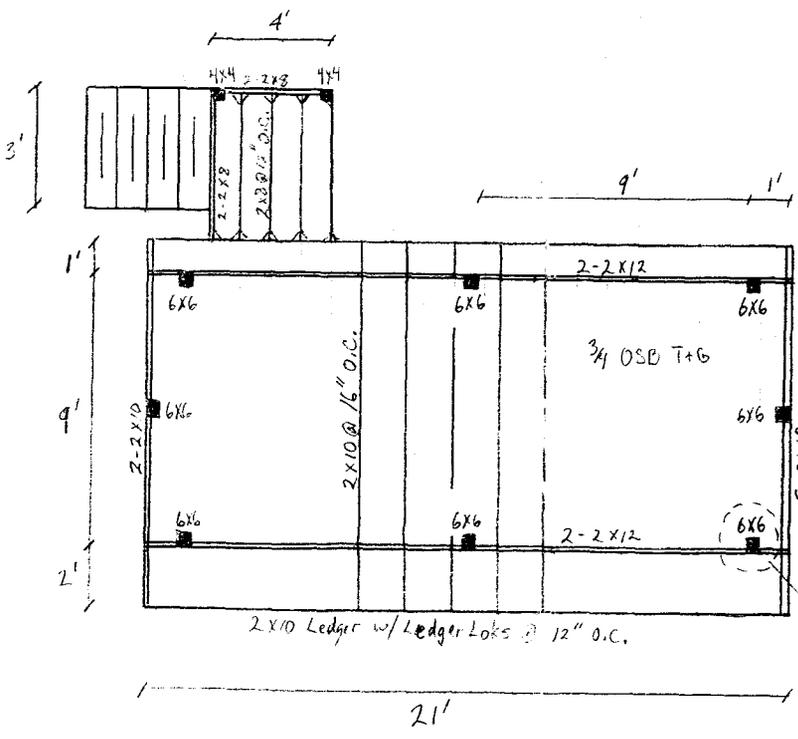




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 FAIRFAX, VA 22031

Marcinowski
 6105 Lemon Thyme dr.
 Alex, Va, 22310

Drawn by : Mike Shephard
 Scale : 1/4" = 1'
 Composite Decking on Landing and Steps



WALL per WSP Method
 Continuous Sheathing method

