

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

D. MICHAEL ELLIS, TR., SP 2009-SP-106 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 12.5 ft. from the rear lot line. Located at 6410 Stonehaven Ct. on approx. 13,226 sq. ft. of land zoned R-3 (Cluster) and WS. Springfield District. Tax Map 65-4 ((4)) 391. Mr. Hart 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 24, 2010; and

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

1. The applicant is the owner of the property.
2. Staff recommends approval and the Board adopts the rationale in the staff report.
3. This is a very strangely shaped pipestem lot.
4. It has a rectangular house on it, but the lot is more or less a triangle.
5. There is not really any direction to expand the house easily.
6. Functionally, the place for the sunroom is at the rear of the house, but the way that the house is positioned, and particularly because the triangle is so shallow, the sunroom extends into the minimum yard.
7. Being in the proposed location, the sunroom would not bother anyone.
8. The sunroom is in the same location as the deck, which has a trellis on top of it already, which visually sets up where the room is going to be.
9. It is not going to be significantly different from what is there now.
10. All of the criteria in the standard Section 8-922 motion have been satisfied.

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 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 addition as shown on the plat prepared by John C. Manganello, Land Development Consultants, Inc. dated May 28, 2009, signed through 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 (2,067 square feet existing + 3,100 (150%) = 5,167 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 architectural renderings included in Attachment 1 to these conditions.

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.

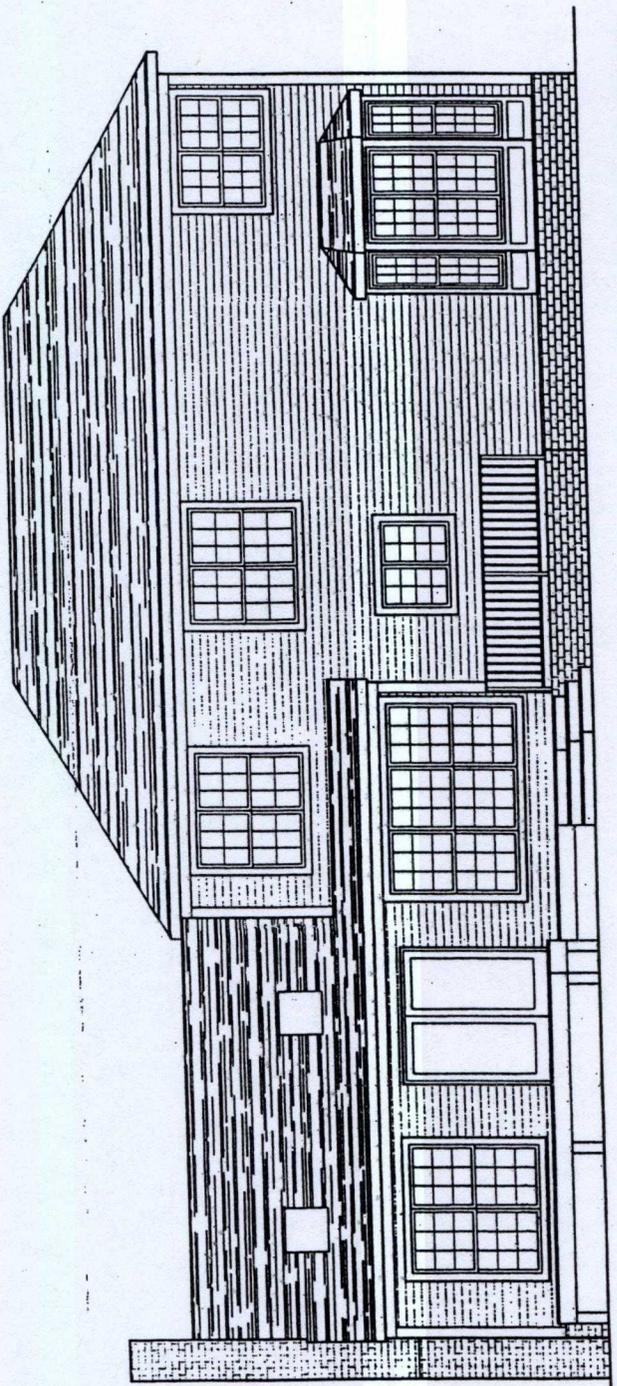
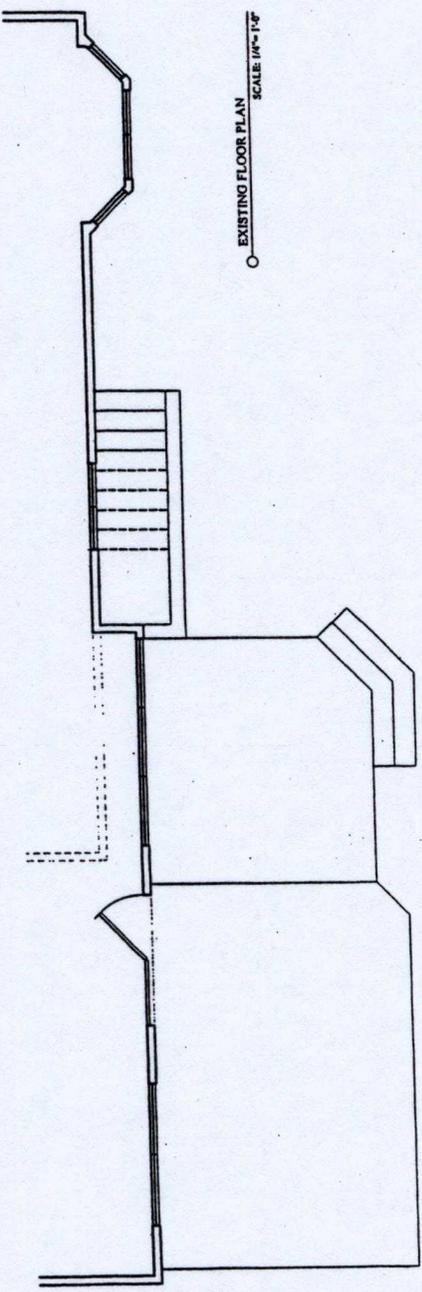
Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction 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.

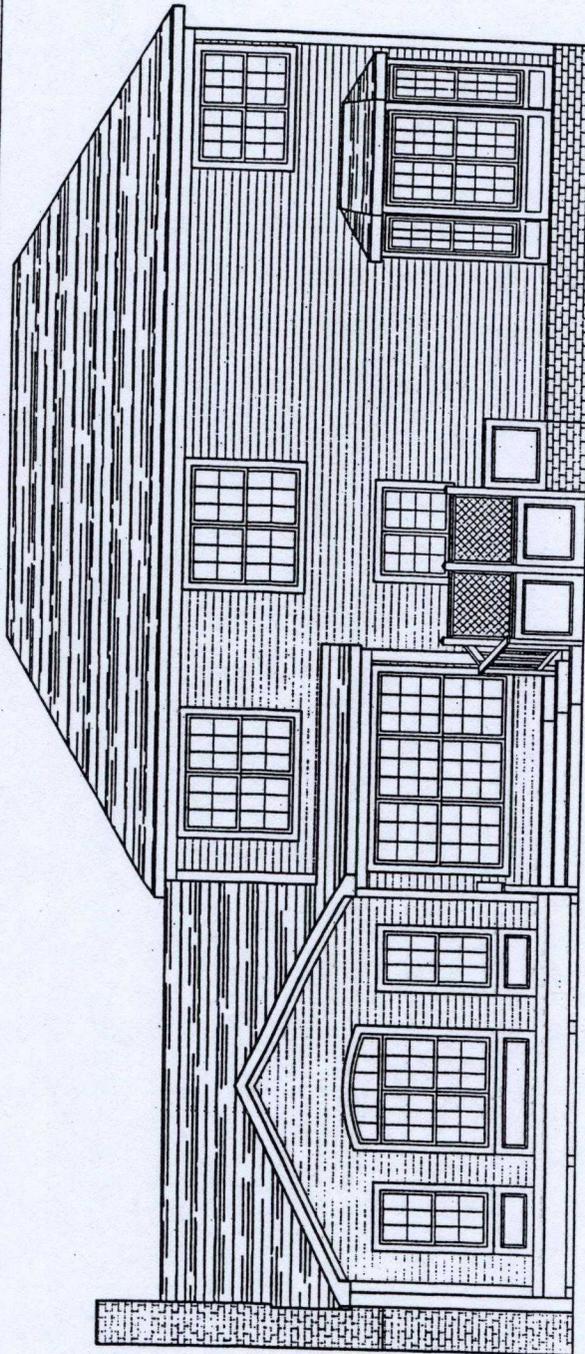
Mr. Smith seconded the motion, which carried by a vote of 6-0. Ms. Gibb was not present for the vote.

CLIENT: THE ELLS RESIDENCE
6410 STONEHAVEN COURT
CUPTON, VIRGINIA 20124

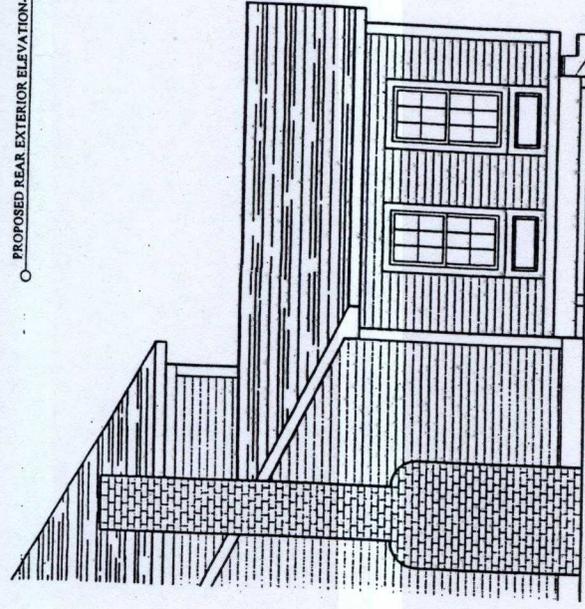
CONTRACTOR: COLONIAL REMODELING
ARLINGTON, VIRGINIA 22207
703-934-0800

DATE: 7/17/2008
SCALE: AS SHOWN
SHEET TITLE: EXISTING FLOOR PLAN AND ELEVATION
SHEET NUMBER: 1 OF 4

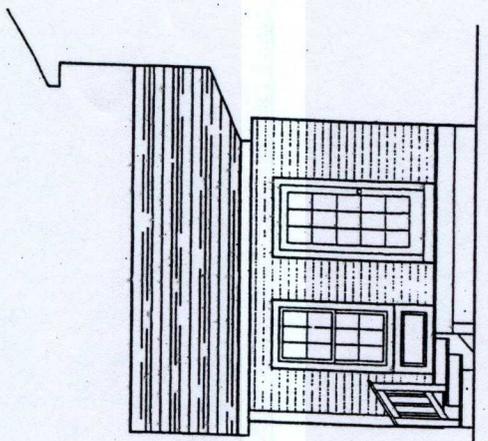




○ PROPOSED REAR EXTERIOR ELEVATION- OPTION A
SCALE: 1/4" = 1'-0"



○ PROPOSED SIDE EXTERIOR ELEVATION- OPTION A
SCALE: 1/4" = 1'-0"

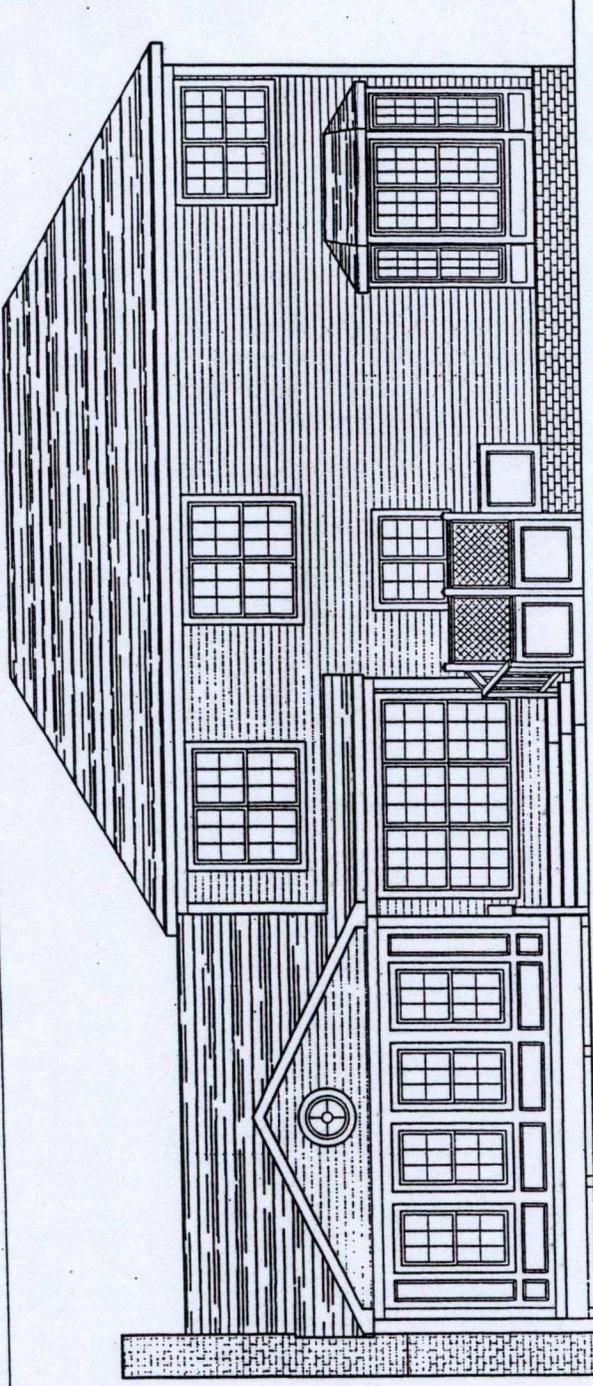


○ PROPOSED SIDE EXTERIOR ELEVATION- OPTION A
SCALE: 1/4" = 1'-0"

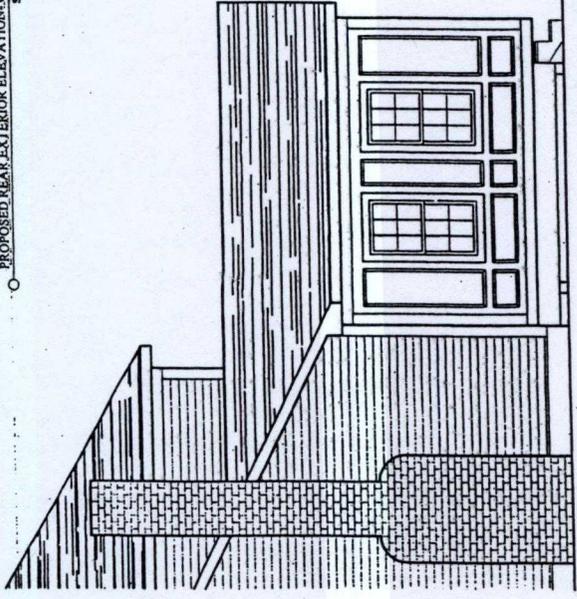
CONTRACTOR:
COLONIAL REMODELING
3508 LEE HIGHWAY
ARLINGTON, VIRGINIA 22207

CLIENT:
THE ELLIS RESIDENCE
8410 STONEHAVEN COURT
CLIFTON, VIRGINIA 20124

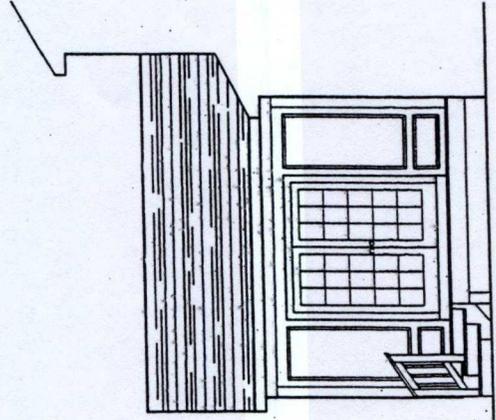
DATE: 7/17/200
SCALE: AS SHOWN
SHEET TITLE: PROPOSED EXTERIOR ELEVATION OPTION A
SHEET NUMBER: 3 OF 4



○ PROPOSED REAR EXTERIOR ELEVATION-OPTION B
SCALE: 1/4" = 1'-0"



○ PROPOSED SIDE EXTERIOR ELEVATION-OPTION B
SCALE: 1/4" = 1'-0"



○ PROPOSED SIDE EXTERIOR ELEVATION-OPTION B
SCALE: 1/4" = 1'-0"

COLNIAL REMODELING
3505B LEE HIGHWAY
ARLINGTON, VIRGINIA 22207

CONTRACTOR

THE ELLIS RESIDENCE
6410 STONEHAVEN COURT

CLIENT
DATE: 7/17/21
SCALE: AS SHOWN
SHEET NO.:
PROPOSED ELEVATION OPTION
SHEET NUMBER