

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

FRANK L. AND VICTORIA Z. RINDONE, SP 2009-DR-105 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit addition 7 ft. 6 in. from side lot line. Located at 1502 Audmar Dr. on approx. 10,519 sq. ft. of land zoned R-3. Dranesville District. Tax Map 30-3 ((9)) 117A. 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 24, 2010; and

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

1. The applicants are the owners of the property.
2. The application meets all the submission requirements as forth in Sect. 8-922.
3. Staff recommends approval, and the Board adopts its rationale.

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 (approximately 1,430 square feet) of the addition, as shown on the plat prepared by Robert Lach, Jr., Architect dated October 30, 2009, revised by Robert Murphy, Agent, through December 22, 2009, submitted with this application and is not transferable to other land.
3. Building permits for the addition shall be obtained prior to construction.
4. 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 (2,088 square feet existing + 3,012 (150%) = 5,020 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. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor

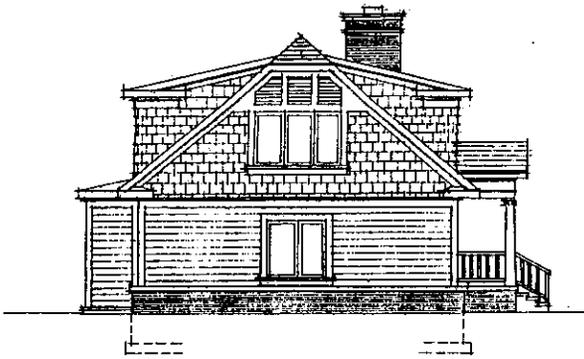
area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.

5. The addition shall be consistent with the architectural renderings included as Attachment 1 to these conditions.
6. The applicant shall designate the area at the edge of the building envelope to the southern property boundary as tree save area and install tree protection fencing to preserve the holly tree located in this area.
7. A minimum of five (5) shrubs, a minimum of 18 inches in height at time of planting, shall be planted along the southern foundation of the addition.

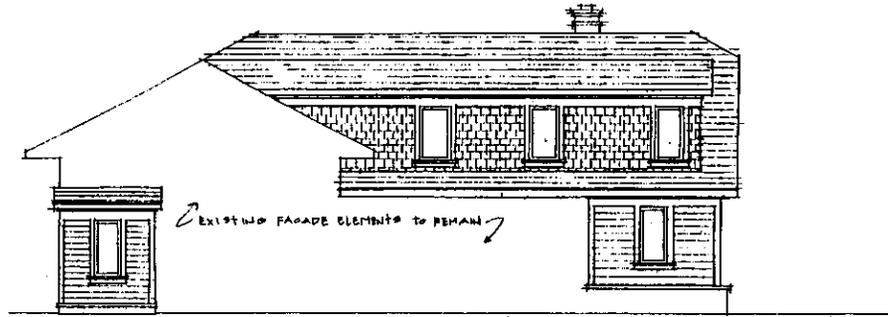
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

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.

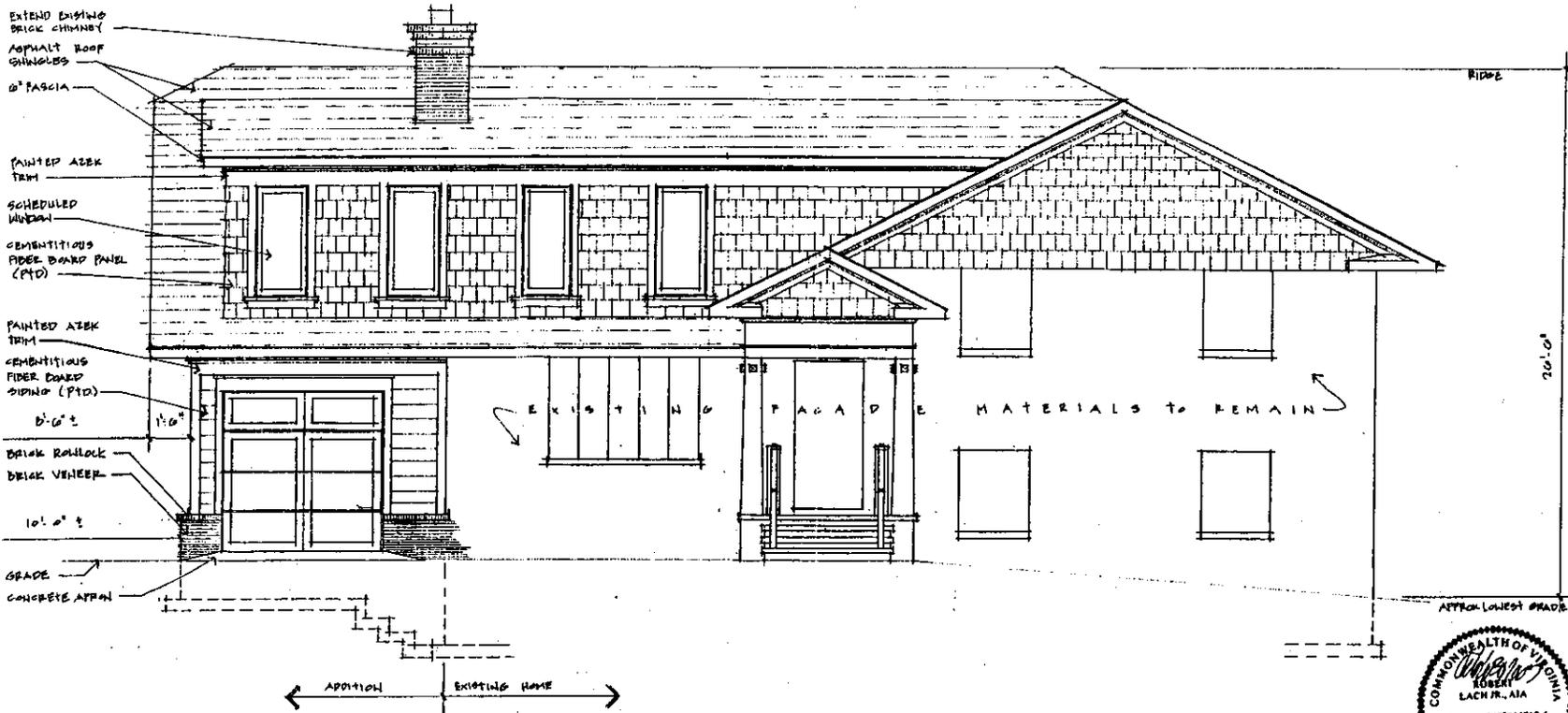
Mr. Hammack seconded the motion, which carried by a vote of 5-0. Mr. Hart recused himself. Ms. Gibb was not present for the vote.



LEFT SIDE ELEVATION 1/8" = 1'-0"



REAR ELEVATION 1/8" = 1'-0"



FRONT ELEVATION 1/4" = 1'-0"

PROPOSED ADDITION & RENOVATION
 ORG.
 MR. & MRS. RINDONE
 371 ADAMS DRIVE, McLEANS, VIRGINIA 22101
 PREPARED BY
 C HOME ARCHITECTS LLC
 01/13/2008

Date Oct 20, 2007
 Scale AS NOTED
 Drawn C HOME
 Job RINDONE
 Sheet 4
 OF 4 Sheets

