

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

JOANNE MOAK, SP 2010-DR-003 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 5.4 ft. from side lot line such that side yards total 15.1 ft. Located at 1900 Woodgate La. on approx. 8,400 sq. ft. of land zoned R-3 (Cluster). Dranesville District. Tax Map 40-2 ((20)) 24. 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 applicant is the owner of the property.
2. The application meets all of the submission requirements as set forth in Sect. 8-922.
3. The staff recommends approval, and the Board adopts the staff's 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 of a garage addition (404 square feet), as shown on the plat prepared by Merestone Land Surveying PLLC, dated December 9, 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 (2,034 square feet existing + 3,051 square feet (150%) = 5,085 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 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. Prior to commencement of and during the entire construction process, the applicant shall designate the area west of the proposed garage addition and along the northern property boundary as tree save areas to protect the on-site 22-inch diameter red maple tree and the existing off-site vegetation and shall install tree protection fencing to protect the vegetation in these areas 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.

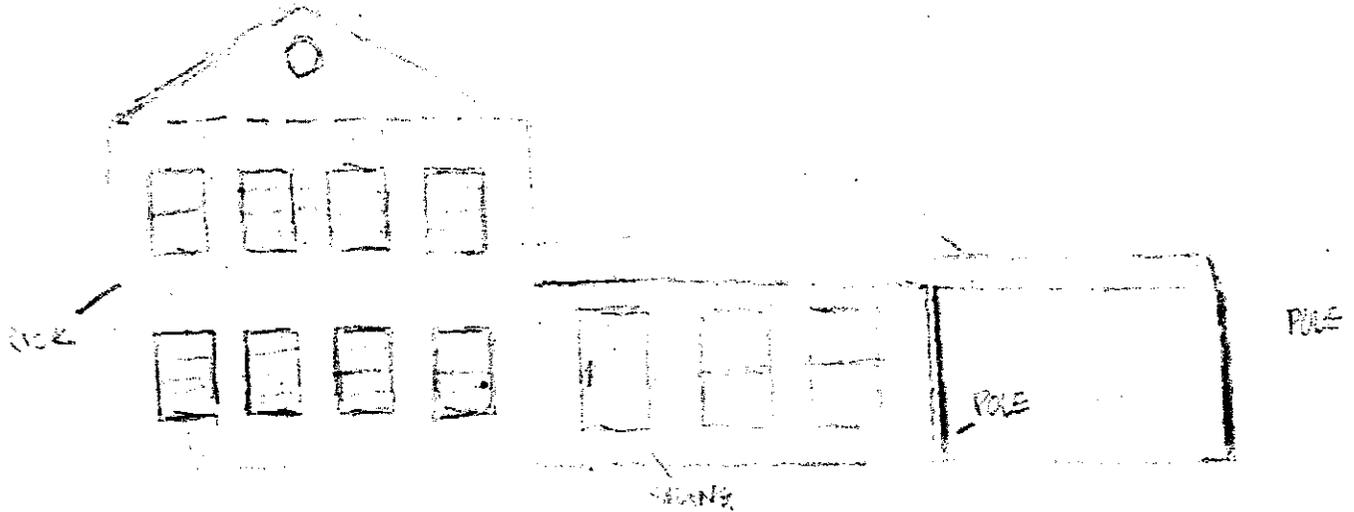
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

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.

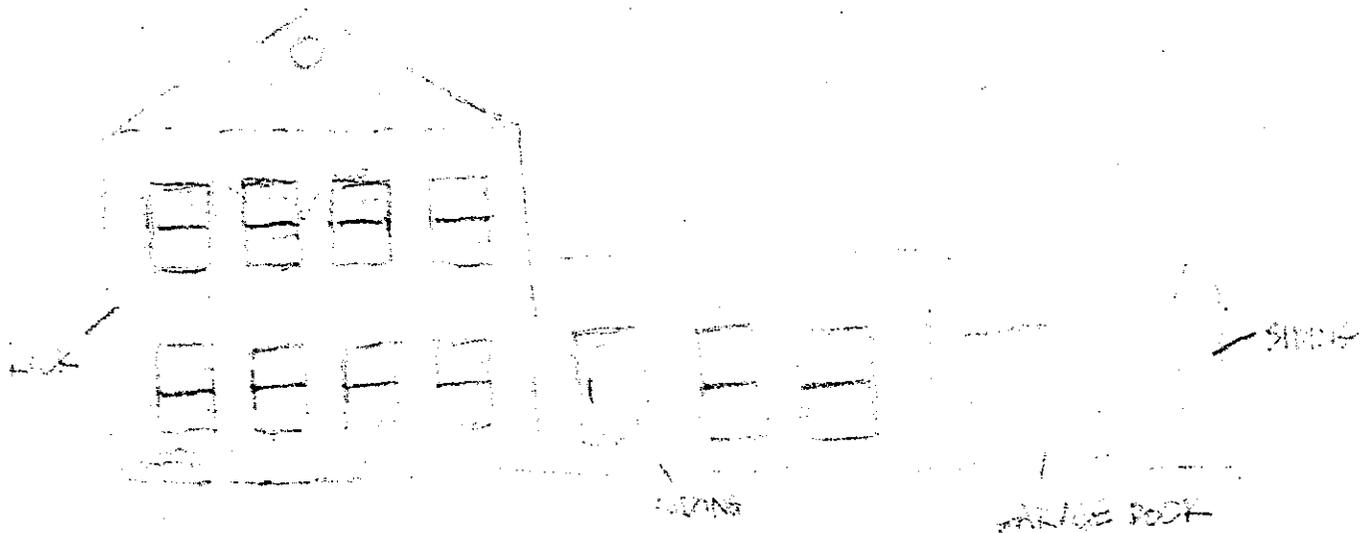
Mr. Hammack seconded the motion, which carried by a vote of 7-0.

Joanne Moak & Philippe Rolly
1900 Woodgate Lane
McLean, VA 22101

Drawing of Current Principal Structure and Current Car Port



Drawing of Principal Structure and Proposed Construction of a Garage

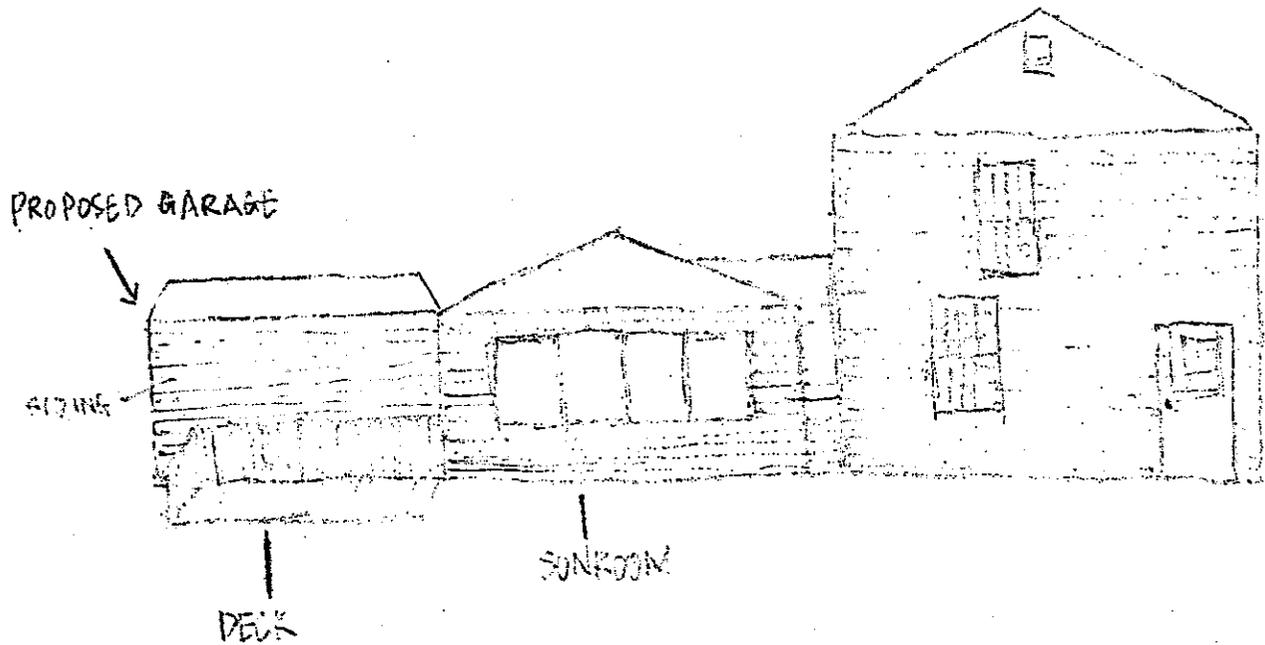


Joanne Moak
1900 Woodgate Lane
McLean, VA 22101

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Drawing of Principal Structure and Proposed Construction of a Garage – BACK VIEW.



Joanne Moak
1900 Woodgate Lane
McLean, VA 22101

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Drawing of Principal Structure and Proposed Construction of a Garage – SIDE VIEW.

