

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ASHWINI & REETA S. KUMAR, SP 2010-MV-015 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 13.5 ft. from rear lot line. Located at 8530 Wild Spruce Dr. on approx. 8,500 sq. ft. of land zoned R-3 (Cluster). Mt. Vernon District. Tax Map 89-3 ((26)) 33. Mr. Smith 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 May 19, 2010; and

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

1. The applicants are the owners of the land.
2. In this case, it is a relatively small irregularly-shaped lot.
3. As the applicant noted, this is the most logical location for the sunroom addition.
4. The sunroom addition will replace an existing structure on the site.
5. The Board agrees with the rationale in the staff report recommending approval.
6. There is no other logical location on the lot for this addition.
7. There is homeowners' association approval noted in the staff report as well as some support from neighbors.
8. It is in conformance with the Comprehensive Plan.

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 (187 square feet), as shown on the plat prepared by Merestone Land Surveying PLLC, dated January 26, 2010, 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 (4,987 square feet existing + 7480.5 square feet (150%) = 12,467.5 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the

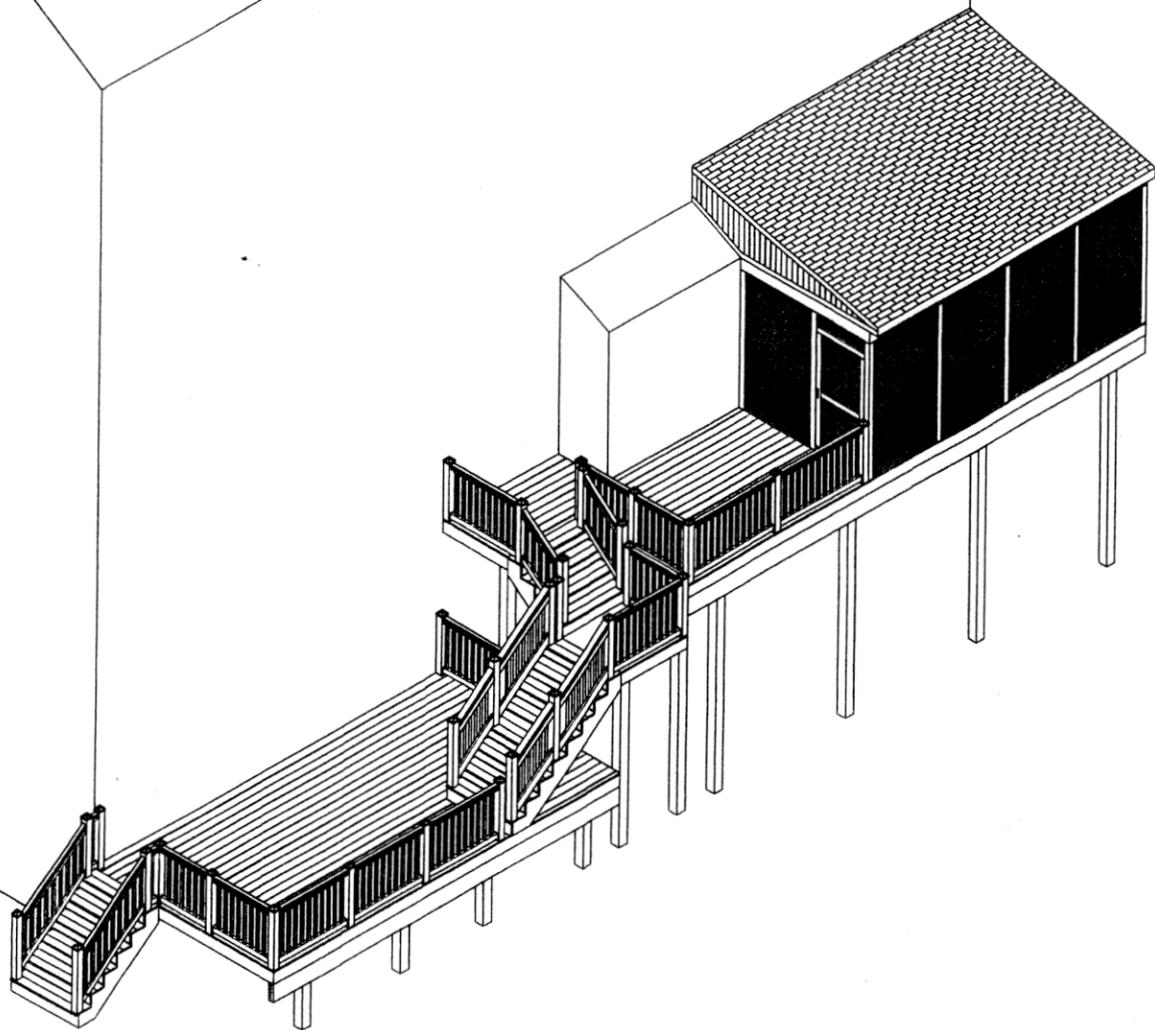
subject of a subsequent yard reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. Subsequent additions 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. If determined necessary by the Department of Public Works and Environmental Services (DPWES) staff, the loading planes for the foundation shall be more than five feet from the storm drain pipes in the easements along the eastern and the southern boundaries of the parcel.

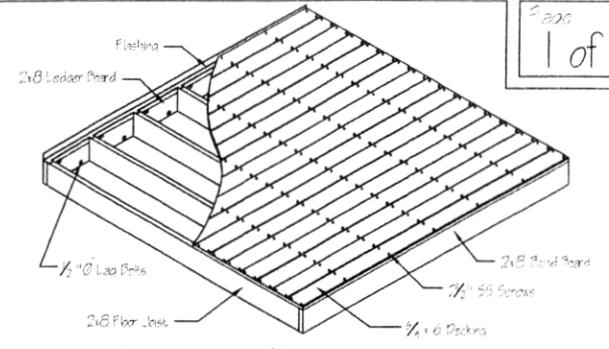
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

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.

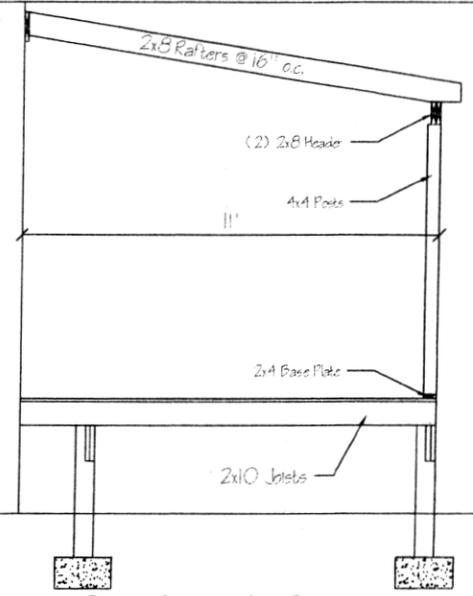
Mr. Beard seconded the motion, which carried by a vote of 6-0. Ms. Gibb was absent from the meeting.



Isometric View

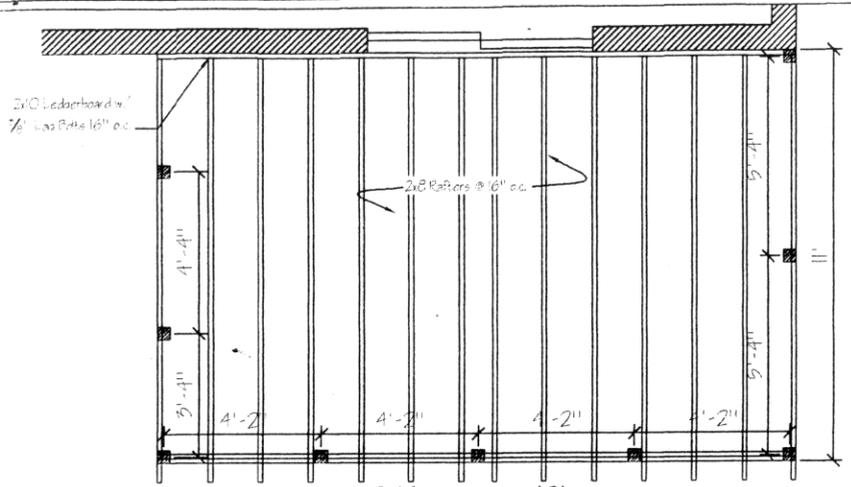


Typical Floor Section



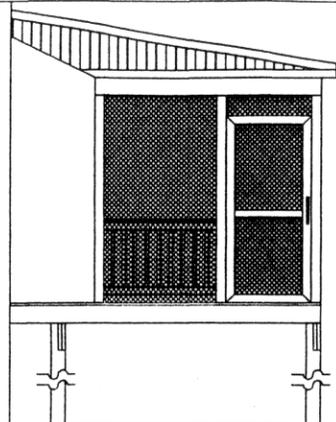
Cut Through Section

Name
Ashwini & Recta Kumar
Address
8530 Wild Spruce dr Springfield, VA 22153

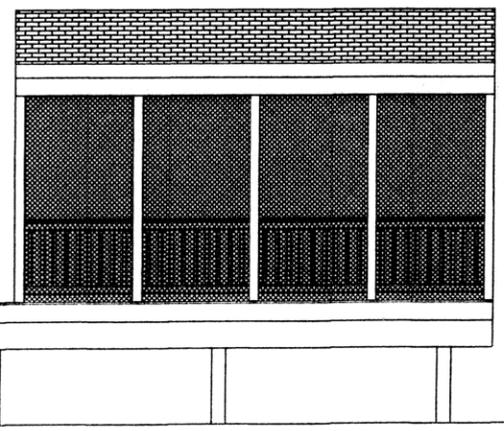


Roof Framing Plan

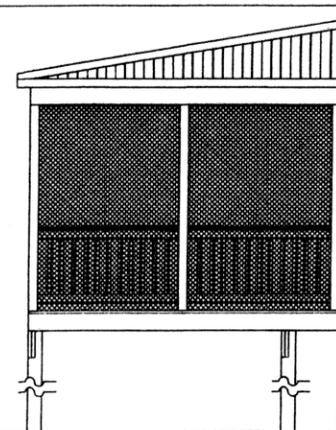
Scale = 1/4" = 1'



Left Side Elevation



Front Elevation



Right Side Elevation

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