

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

HENDRIK VAN VOORTHUIZEN, SP 2010-DR-037 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction in certain yard requirements to permit construction of addition 23.1 ft. from the front lot line and 8.6 ft. from side lot line. Located at 6831 Lemon Rd. on approx. 10,500 sq. ft. of land zoned R-3. Dranesville District. Tax Map 40-2 ((26)) 53. Ms. Gibb 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 July 14, 2010; and

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

1. The applicant is the owner of the land.
2. Staff has recommended approval.
3. The applicant's agent has provided testimony describing the applicant's physical need for this addition.
4. The photographs provided show that it is compatible with the neighborhood.
5. The testimony indicated that they would make the addition have as little impact on the side yard as possible.

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. This special permit is approved for the location and size of the carport addition as shown on the plat prepared by Scartz Surveys, dated February 22, 2010, submitted with this application and is not transferable to other land.
2. Building permits for the carport addition shall be obtained prior to construction and all final inspections shall be obtained.
3. The carport addition shall be consistent with the architectural renderings included as 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.

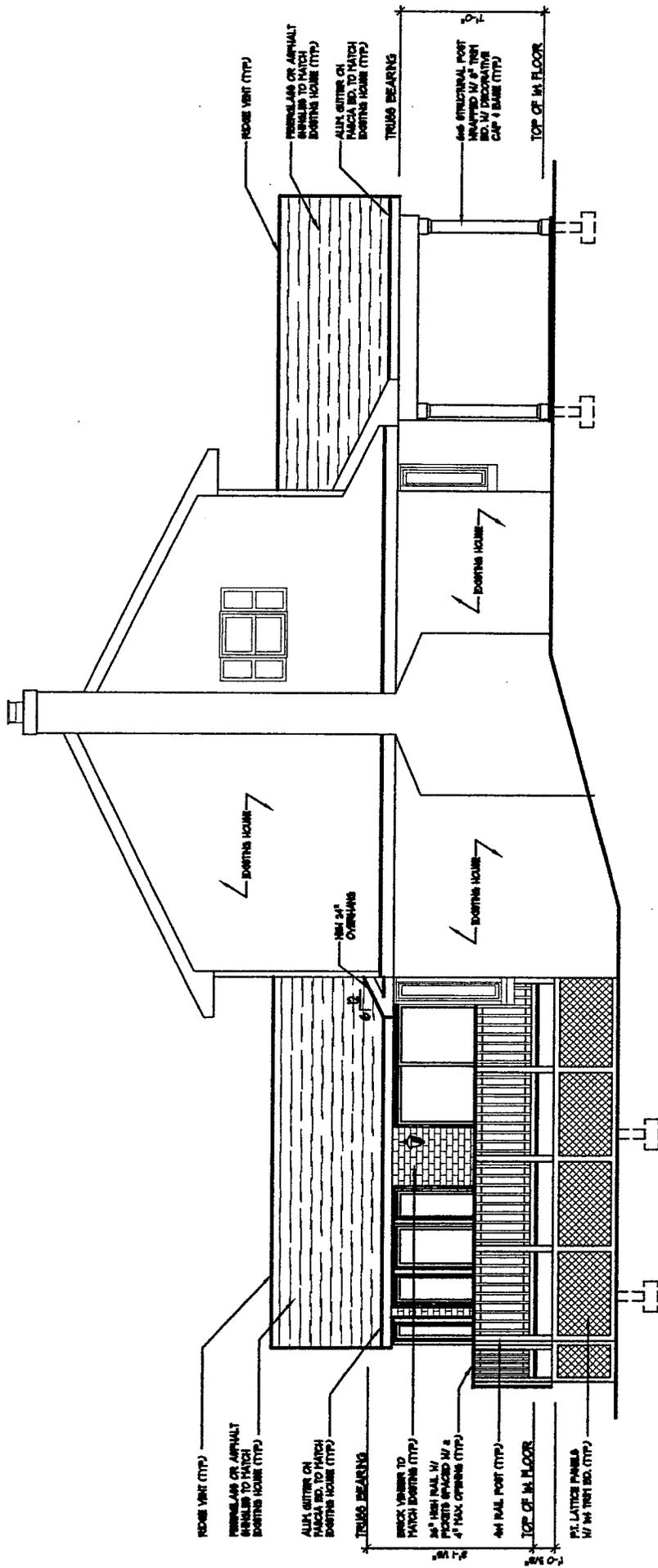
Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and

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 seconded the motion, which carried by a vote of 5-0. Mr. Byers and Mr. Smith were absent from the meeting.

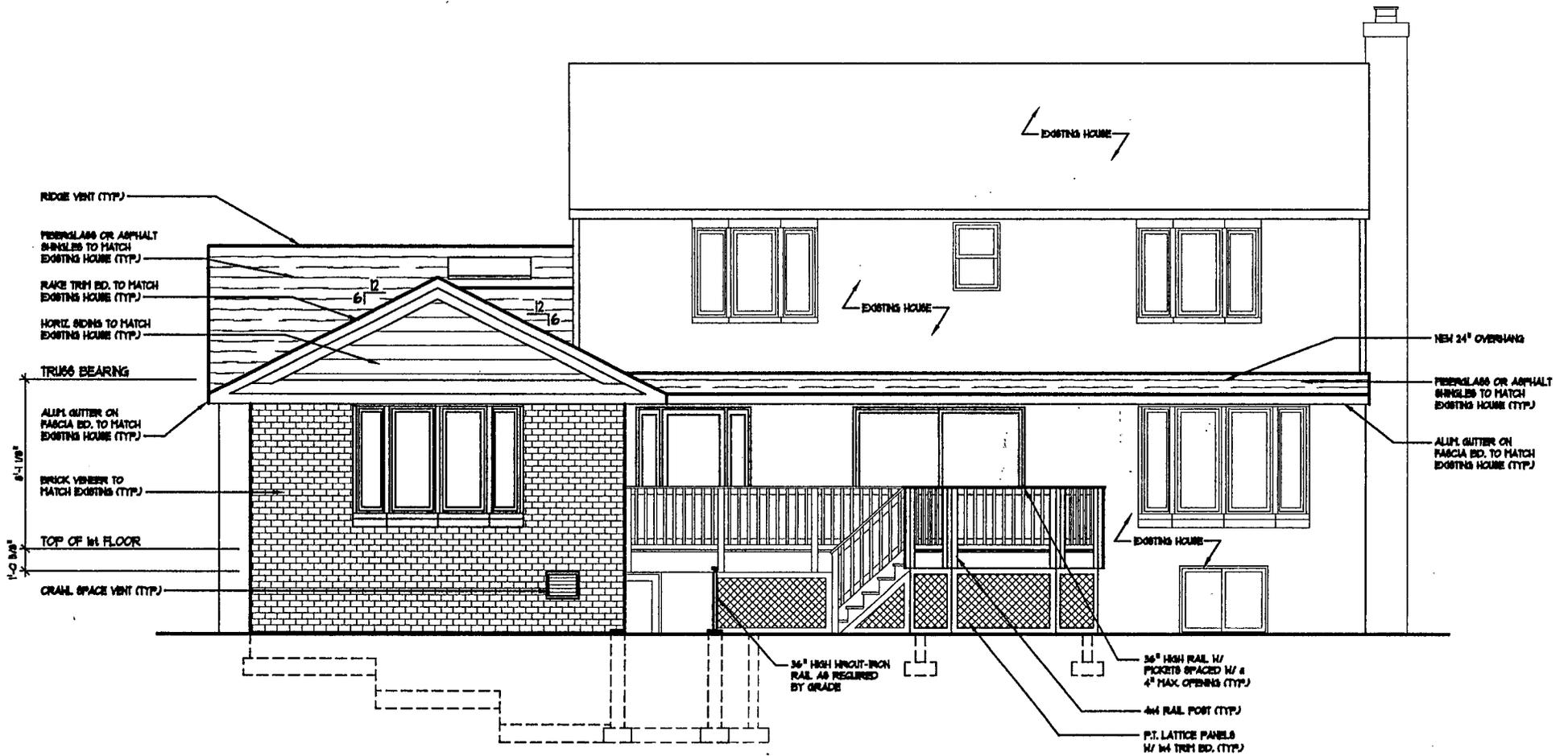






**LEFT SIDE ELEVATION**

RECEIVED  
 Department of Planning & Zoning  
 MAR 19 2010  
 Zoning Evaluation Division



**REAR ELEVATION**

RECEIVED  
 Department of Planning & Zoning

MAY 12 2010

Zoning Evaluation Division