

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

MICHAEL A. SILVERSTEIN & ROBERTA L. GARTSIDE, SP 2010-DR-065 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of carport 5'-1" from side lot line. Located at 1708 Warner Ave. on approx. 10,758 sq. ft. of land zoned R-3. Dranesville District. Tax Map 30-3 ((10)) 40. Mr. Hammack 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 February 2, 2011; and

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

1. The applicants are the owners of the land.
2. The applicants have met the six required standards set forth under Sect. 8-922 of the Ordinance.
3. The reduction is minimal for the application presented.
4. Staff gave the Board a favorable staff report.
5. The reasoning set forth in the staff report is adopted.

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 a carport as shown on the plat prepared by J.A. Burton Architecture, Inc., dated September 1, 2010, as revised and signed through October 27, 2010, as submitted with this application and is not transferable to other land.
2. The carport addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.

3. A building permit for the carport shall be obtained prior to construction and final inspections shall be obtained and approved.

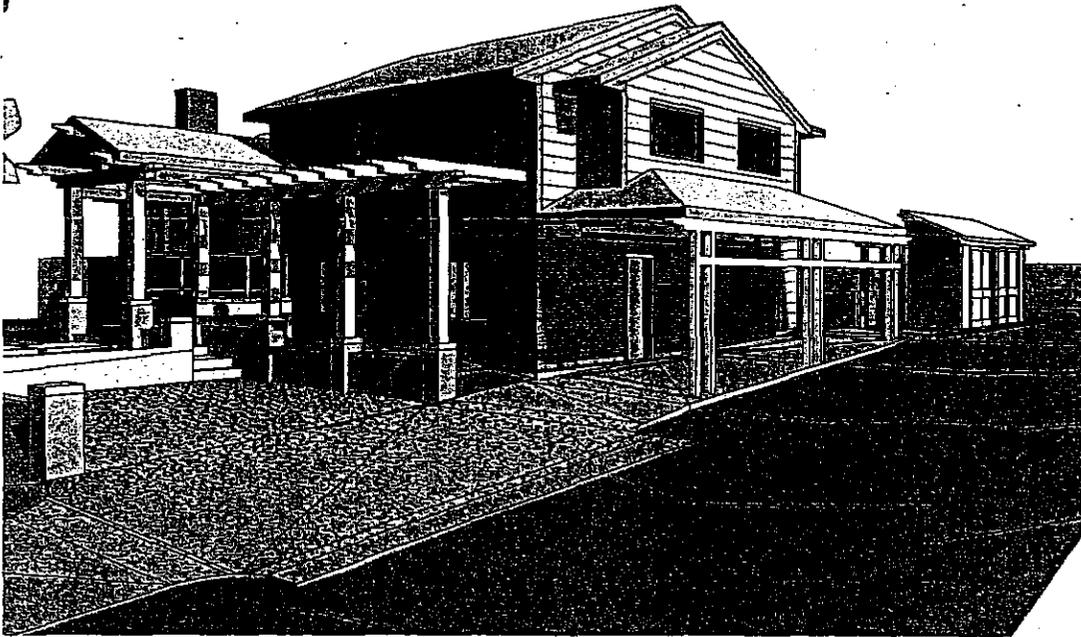
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

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

APPLICATION FOR A SPECIAL PERMIT

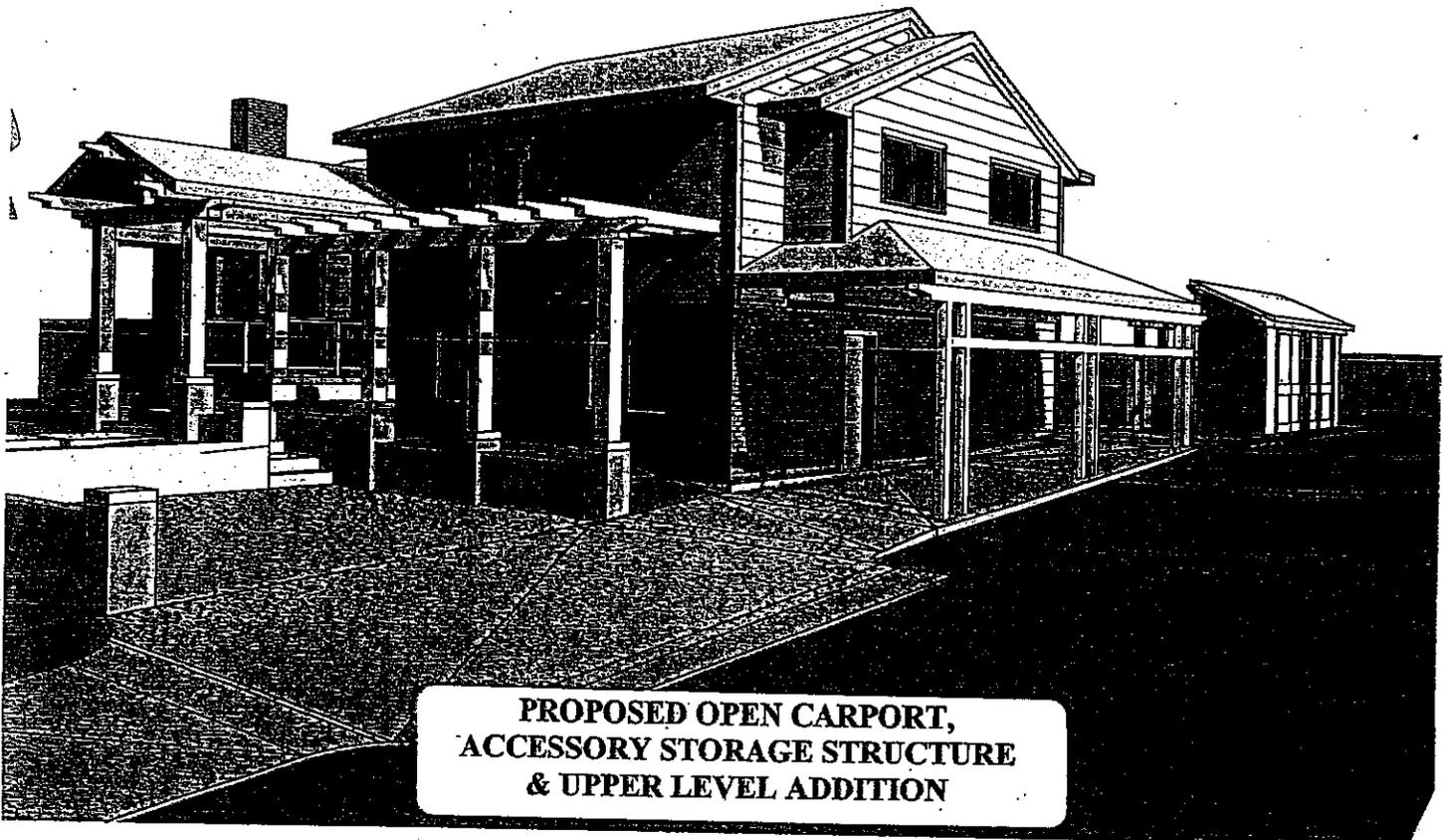
**Michael A. Silverstein
Roberta L. Gartside
1708 Warner Ave.
McLean, Virginia 22101**



September 7, 2010



**PROPOSED ADDITIONS
VIEW FROM WARNER AVE**



**PROPOSED OPEN CARPORT,
ACCESSORY STORAGE STRUCTURE
& UPPER LEVEL ADDITION**