

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ALI ABDI, SP 2010-SP-072 Appl. under Sect(s). 8-923 of the Zoning Ordinance to permit a fence greater than 4.0 ft. in height to remain in front yards of a corner lot. Located at 6318 Wendy Ann Ct. on approx. 21,058 sq. ft. of land zoned R-1 (Cluster). Springfield District. Tax Map 77-4 ((9)) 20. 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 2, 2011; and

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

1. The owner of the property is the applicant.
2. The present zoning is R-2 cluster.
3. The area of the lot is 21,058 square feet.
4. Three letters of support were submitted for this application.

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 of the fence as shown on the plat prepared by Kendall Consulting, Inc., dated August 4, 2010, signed August 5, 2010, as submitted with this application and is not transferable to other land.
2. The applicant shall assume all responsibility for repair and/or replacement of any portions of the fence which must be removed to accommodate repairs and/or maintenance within any of the easements as shown on the special permit plat.
3. Within 90 days of approval of this special permit application, the applicant shall reduce all portions of the fence along Wendy Ann Court to a maximum of 6.0 feet in height.

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.

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