

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ELIZABETH R. MADIGAN, SP 2011-DR-032 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of deck 6.3 ft. from side lot line. Located at 1020 Duchess Dr. on approx. 25,000 sq. ft. of land zoned R-1 (Cluster). Dranesville District. Tax Map 20-4 ((13)) 4. Mr. Hart 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 13, 2011, and

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

1. The applicant is the owner of the land.
2. The Board has a favorable staff recommendation.
3. The rationale in the staff report is adopted.
4. This is not going to have any significant negative impact on anybody.
5. From the photographs, it is apparent that there is a deck there pretty much in the same location already.
6. This is adjoining a homeowners' common area parcel, which is largely wooded.
7. Shifting the deck a couple of feet is not really going to bother anybody.
8. With the imposition of the development conditions, any potential impacts have been mitigated.

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 deck (568 square feet), as shown on the plat prepared by Alexandria Surveys International, LLC , dated January 25, 2011, signed February 4, 2011, as submitted with this application and is not transferable to other land.
2. The deck shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.

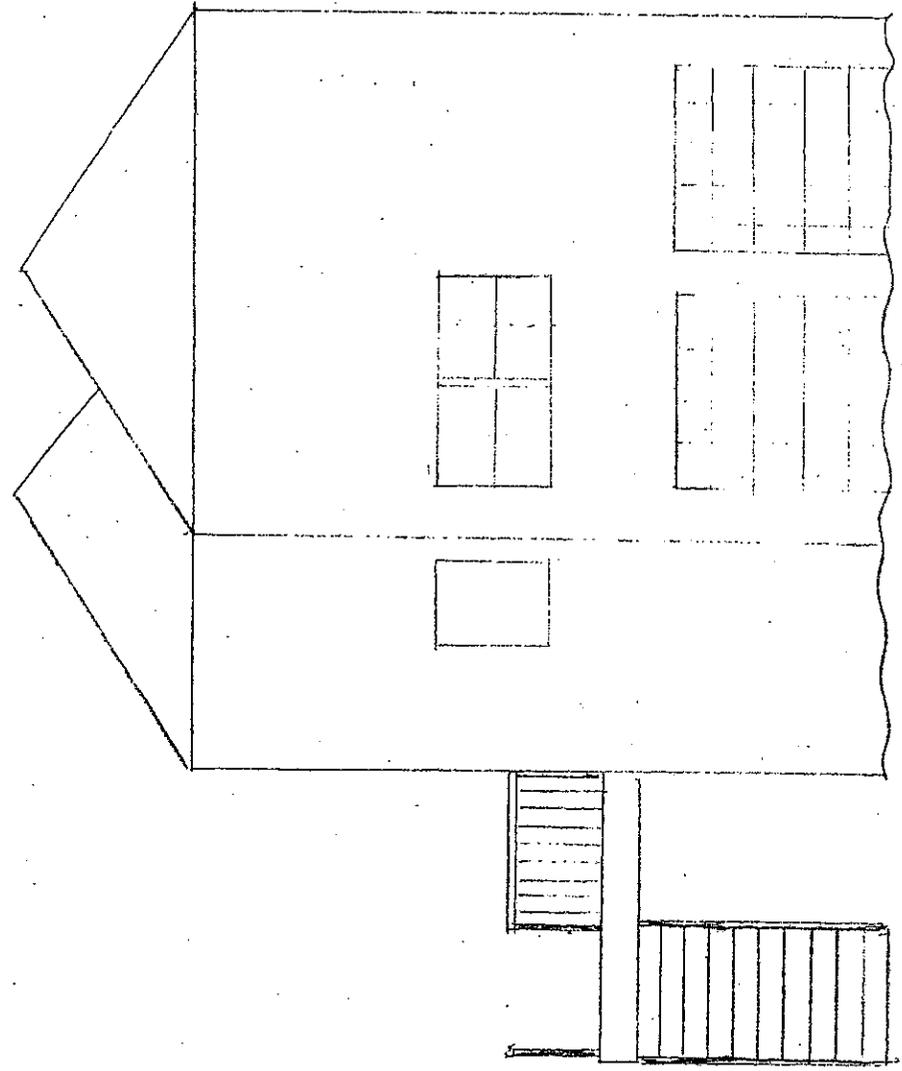
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

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 the construction has commenced and been diligently pursued. 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. Smith seconded the motion, which carried by a vote of 6-0. Chairman Ribble was absent from the meeting.

Left - Side Elevation

WINDYVIEW RESIDENCE
1020 DUCKERS DR
MELBURN VA 22074

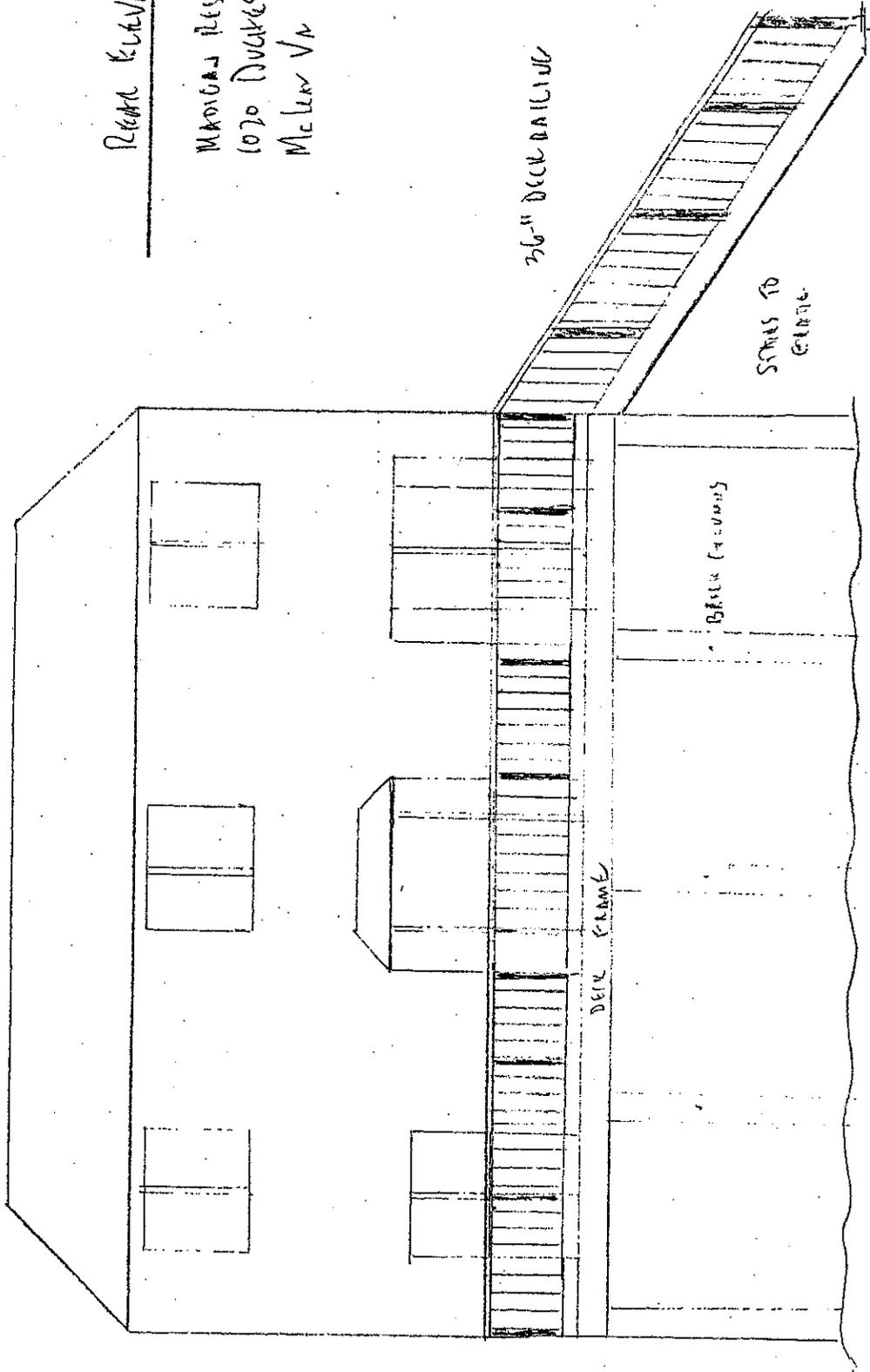


40" DECK ONLY

STAIRS

REAR ELEVATION

MARIGAN RESIDENCE
1070 DUCKSIS DR
MELLEN VA 22102



36" DECK BALUSTES

SPANS TO
GROUND

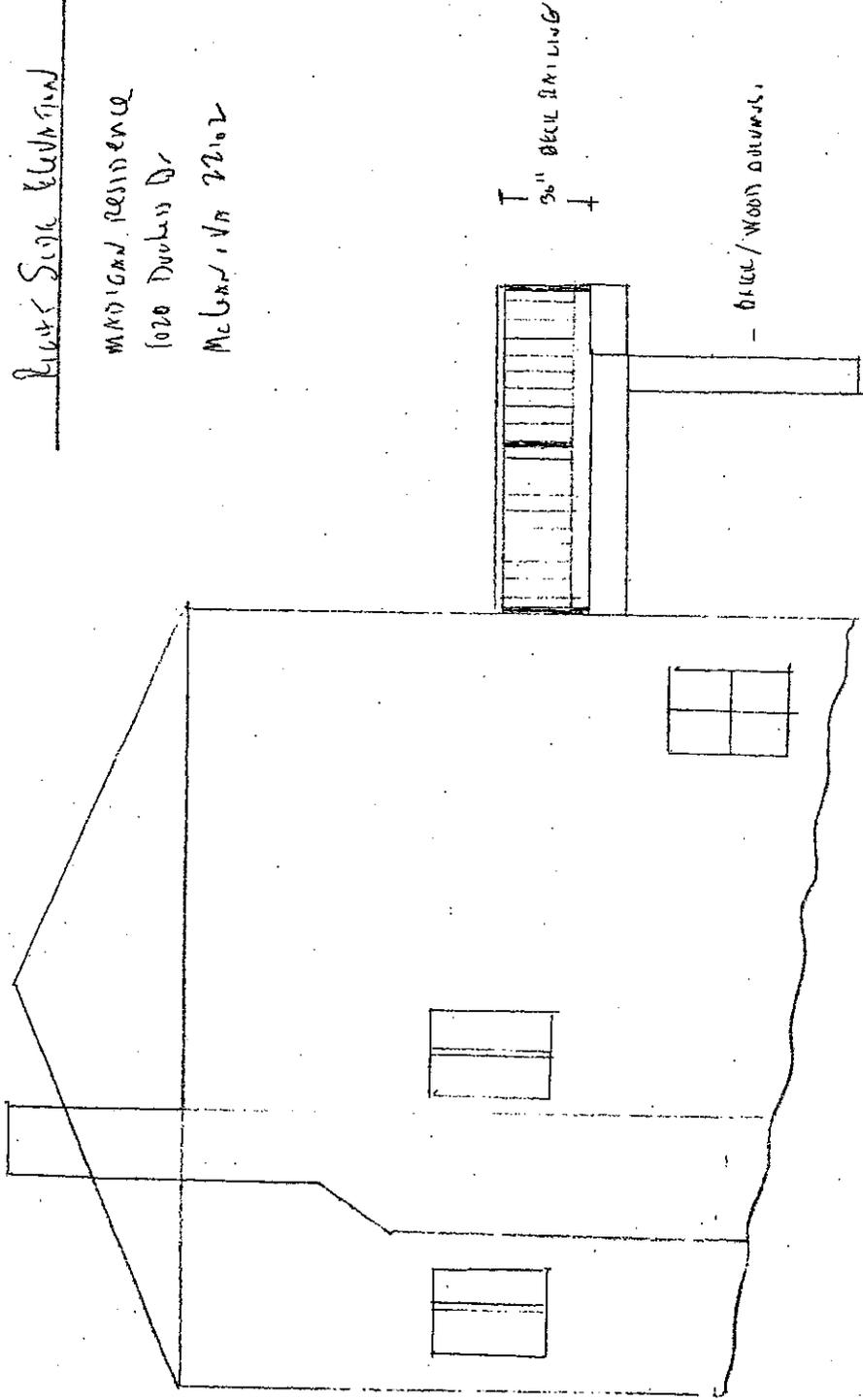
BREAK ROOMS

DECK FRAME

ALUMINUM SPANDE DECKING
WHITE VINYL TRIM

PLANS SIDE ELEVATION

WINDYBAY RESIDENCE
1020 DUBLIN DR
McLENNAN, TX 76702



↑ 2x6 BEEL BRACING ↓

- BRICK/WOOD COURSE -