

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

JOHN J. HESS, SP 2011-SP-024 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 14.0 ft. from rear lot line. Located at 6628 Shalestone Ct. on approx. 9,796 sq. ft. of land zoned R-3 (Cluster) and WS. Springfield District. Tax Map 65-4 ((2)) 435. 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 June 8, 2011; and

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

1. The applicant is the owner of the property.
2. The Board determined that the application meets all the submission requirements for Section 8-922 and the general requirements for Section 8-006.
3. In this case, you have an enclosed wood deck that will be replaced by a wooden porch.
4. The Board supports the conclusions in the staff report, which recommends approval.
5. As noted by the applicant, there is support from neighboring property owners.

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 an enclosed porch addition (380 square feet), as shown on the plat prepared by Sam Whitson Land Surveying, Inc., dated August 3, 2010, revised March 7, 2011, 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 [3,364 square feet existing + 5,046 square feet (150%) = 8,410 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.

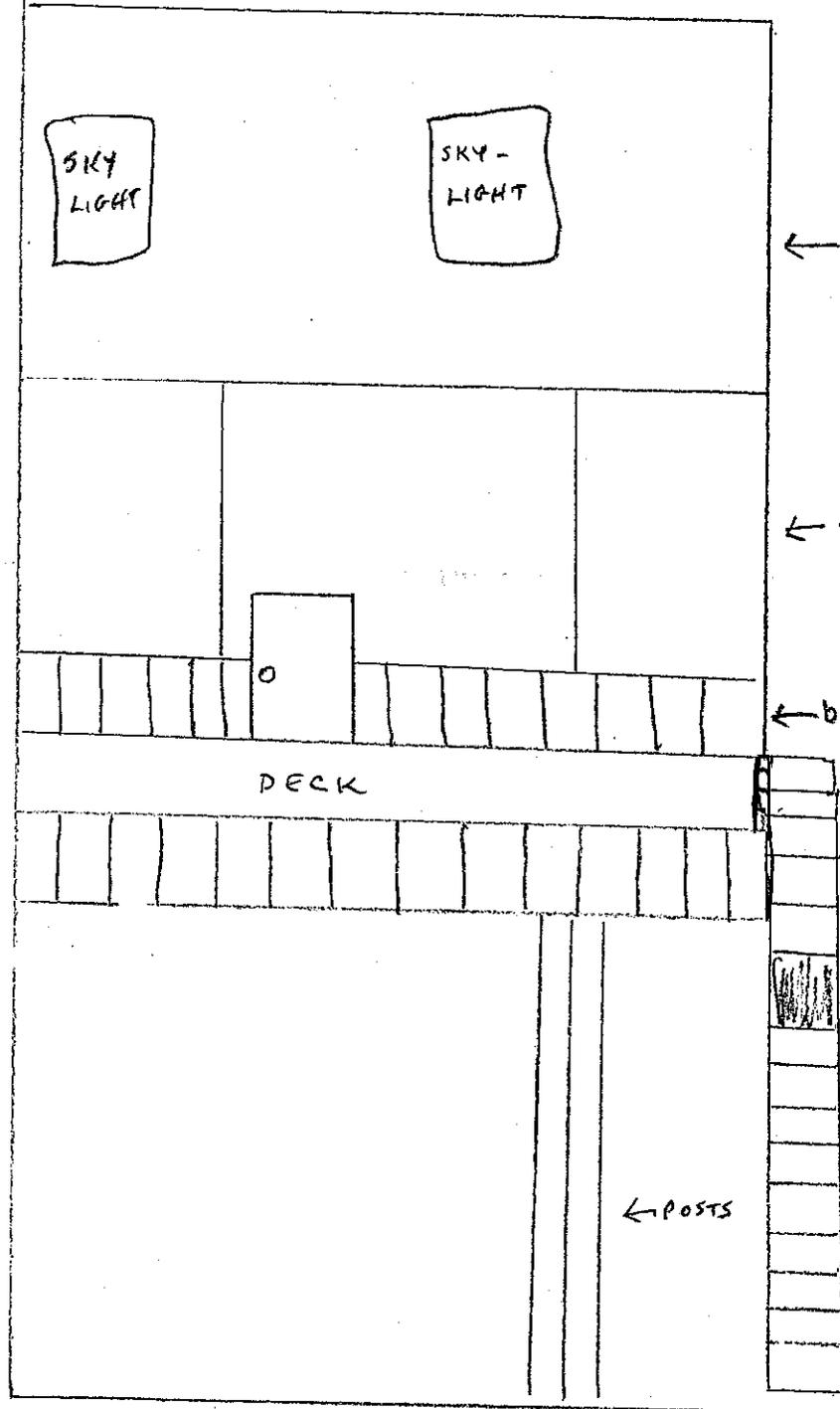
4. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. All play equipment shall be subject to the use limitations of Sect. 10-103 of the Zoning Ordinance.
6. Prior to commencement of and during the entire construction process, the applicant shall designate the area within 10 feet along the rear property boundary as a tree save area to protect the on-site and off-site trees. The applicant shall install tree protection fencing along this area to protect the vegetation from construction activities. The protective fencing shall remain intact during the entire construction process and shall be the maximum limit for clearing and grading. The applicant shall monitor the site to ensure that inappropriate activities such as the storage of construction equipment and materials do not occur within the area.

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.

Ms. Gibb seconded the motion, which carried by a vote of 7-0.

EXISTING HOUSE EXTERIOR WALL →



← roofing - same as existing roof on house (shingle)

← screens

← balusters

-LANDING

-STAIRS

13'

3'

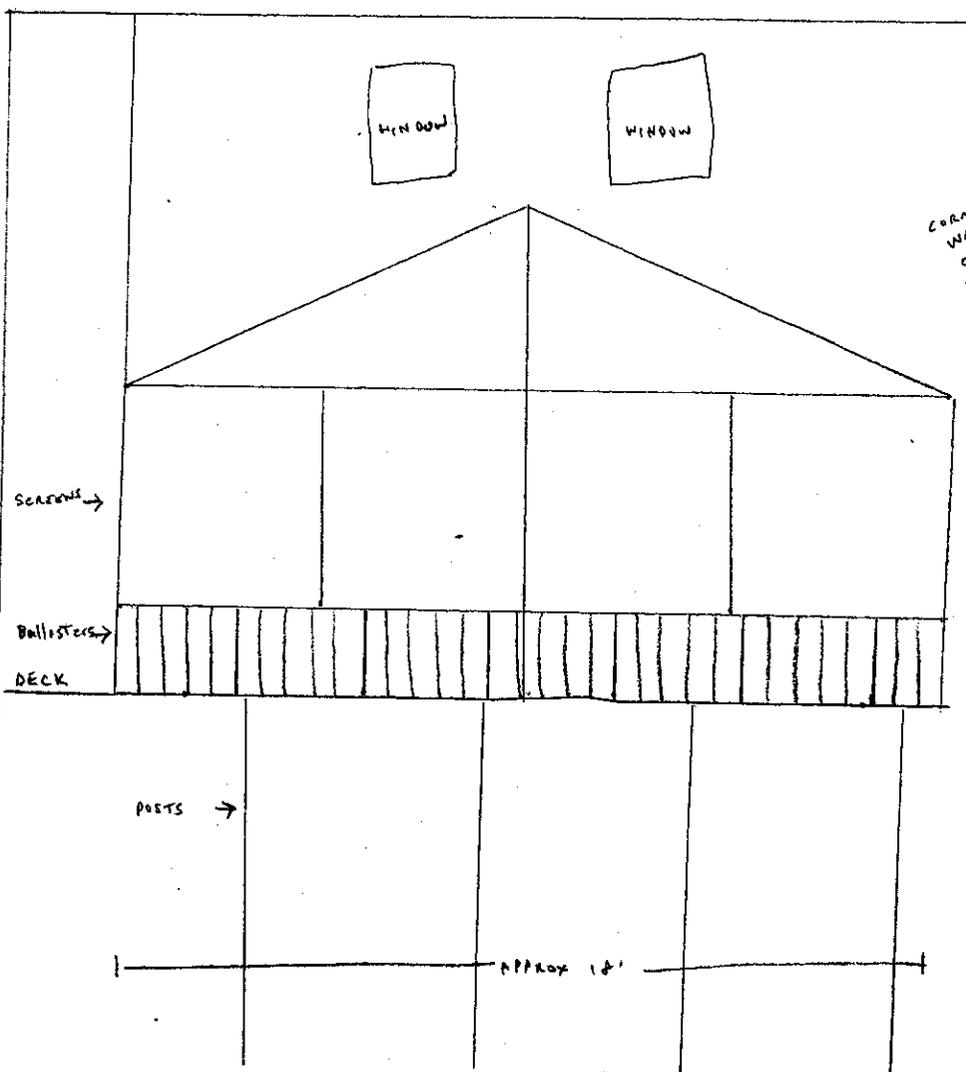
12' 6"

PROJECT LINE

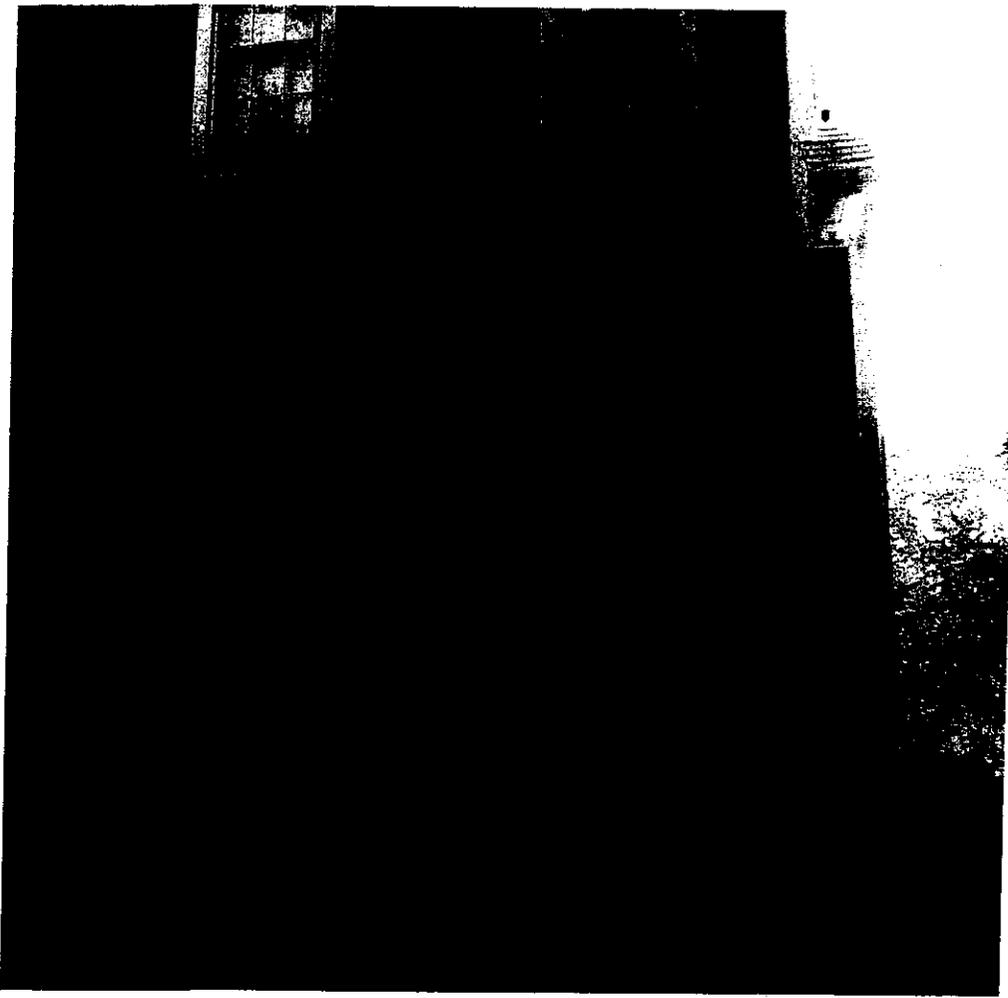
(Approximate distances)

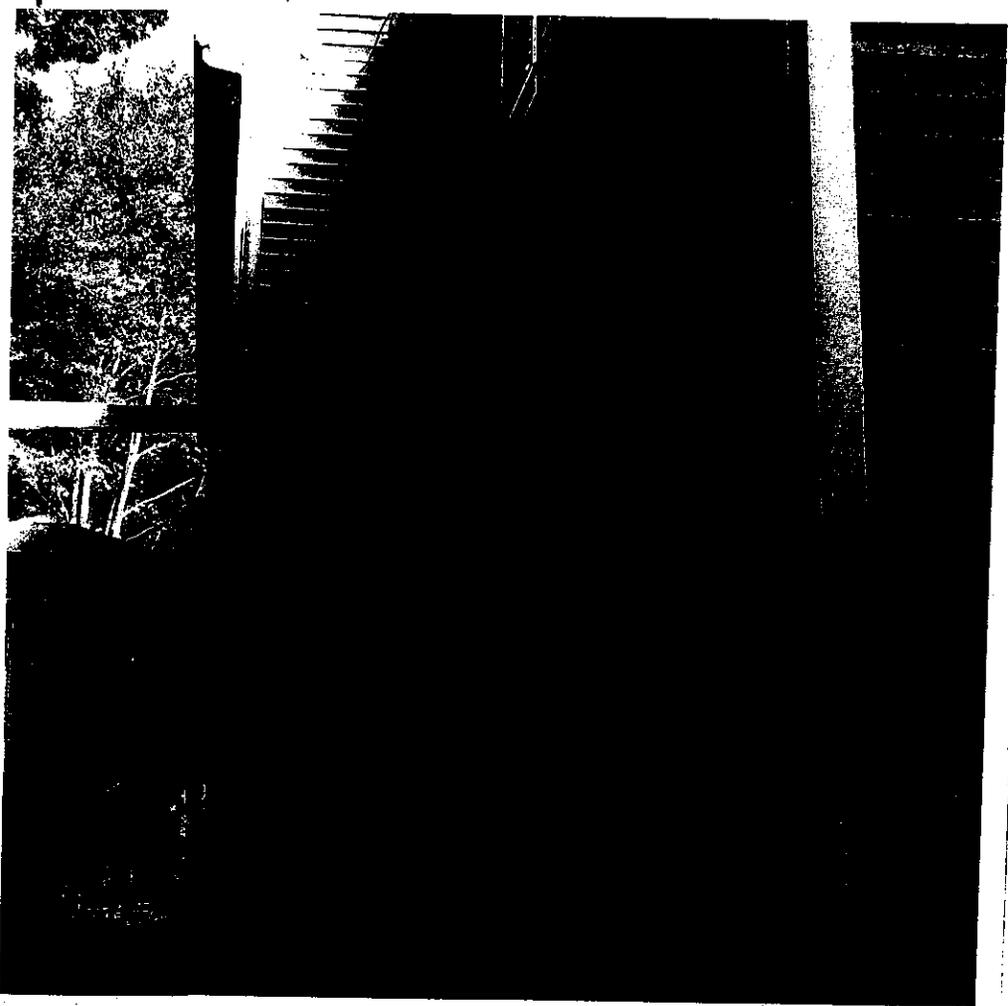
28' 6"

HOUSE ROOF

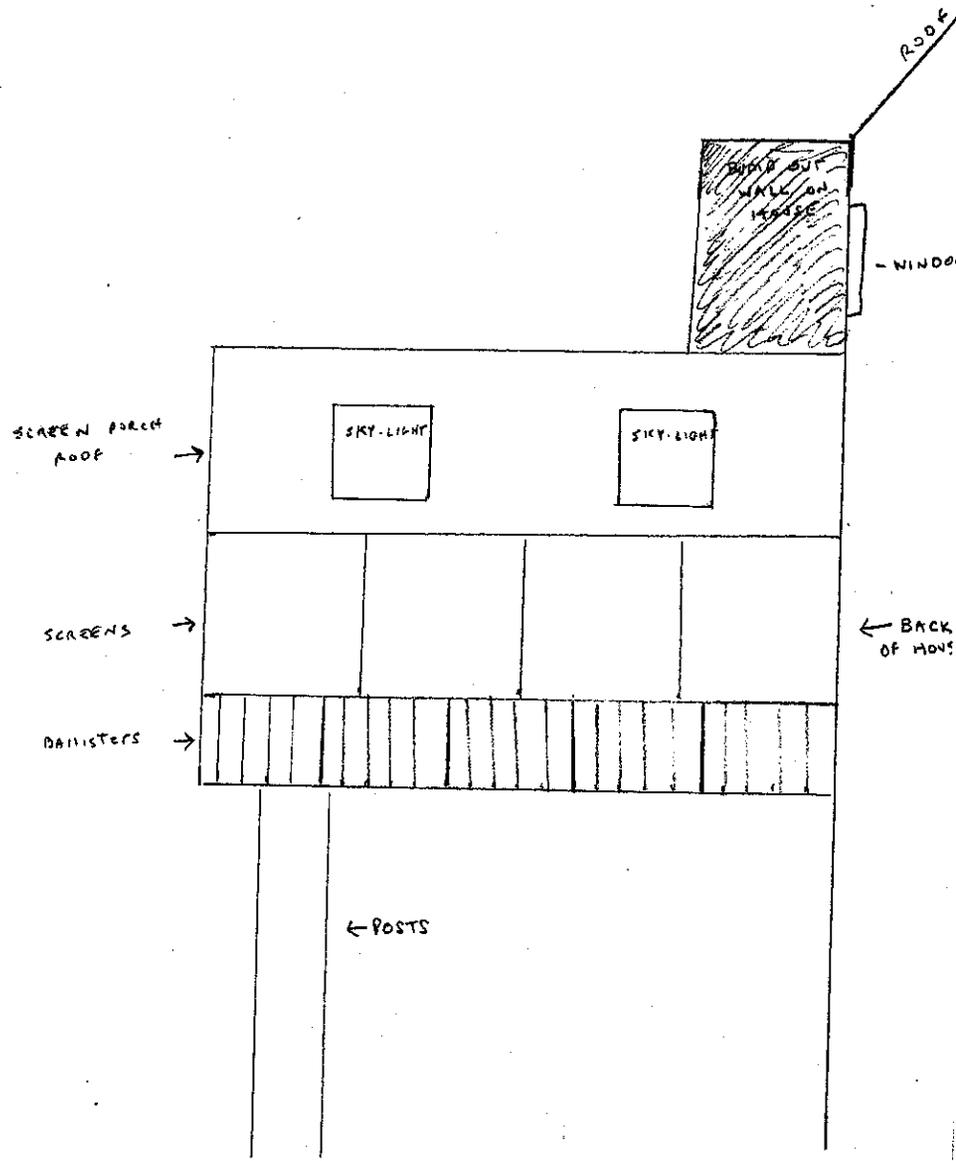


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 Department of Planning & Zoning
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 Zoning Evaluation Division





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BACK of house



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