

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

OWEN M. AND JOYCE Z. MCCALL, SP 2011-HM-057 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 8.81 ft. from side lot line. Located at 9522 Rockport Rd., 22180-3446 on approx. 11,200 sq. ft. of land zoned R-3. Hunter Mill District. Tax Map 38-1 ((17)) 22. 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 September 14, 2011; and

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

1. The applicants are the owners of the property.
2. The Board determined that the application meets all the submission requirements of Section 8-922.
3. The Board adopts the rationale of the staff in the staff report, which has recommended approval.
4. There really will be very minimal impact from this application.
5. It is really not adding significant additional impervious area, if any.
6. It was clearly in character with the rest of the neighborhood.
7. As was referenced, there may be some enhancements in addition to the water enhancements that were referenced in the testimony.
8. There is a letter of support in the file from a neighboring property owner at 9517 Rockport Road.
9. It is a relatively minimal modification of 3.1 feet.

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 (approximately 122 square feet) of the addition, as shown on the plat prepared by Land Development Consultants, Inc. June 20, 2011 by John C. Maganello, Professional Engineer, 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 (3,170 square feet existing + 4,755 square feet (150%) = 7,925 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 generally be consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. The applicant shall complete a Resource Protection Area (RPA) Exception application for review and approval by the Department of Public Works and Environmental Services (DPWES), prior to approval of a building permit.

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.

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

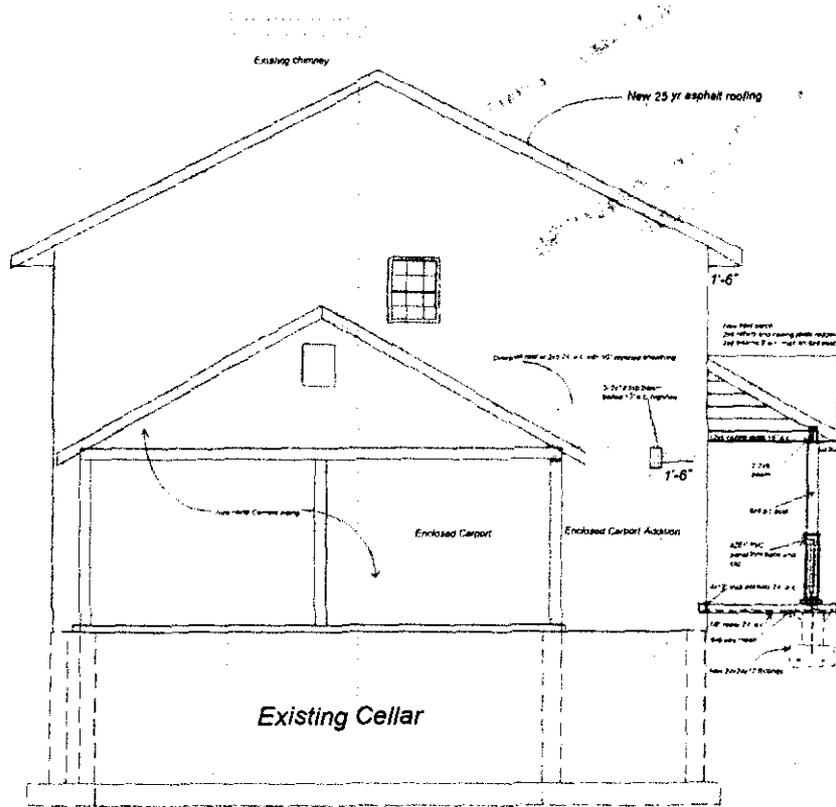


Builder
Bair Group LLC
11160 C-1 South Lakes Dr.
Reston, VA 20191

McCall Residence
9522 Rockport Road
Vienna, VA 22180

Garage/Porch Addition
11-24-2010 Dimension revision
Revised 5-2-2011

Scale 1/4"=1'



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