

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

BRIDGETTE DOWNER AND JESSE DOWNER, SP 2012-SP-015 Appl. under Sect(s). 8-923 of the Zoning Ordinance to permit fence greater than 4.0 ft. in height to remain in front yard. Located at 12377 Henderson Rd., Clifton, 20124, on approx. 1.96 ac. of land zoned R-C and WS. Springfield District. Tax Map 86-3 ((1)) 12. 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 June 27, 2012; and

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

1. The applicants are the owners of the land.
2. The motion is based on the testimony of the applicant and the acknowledgement that there is a great deal of traffic on Henderson Road that just simply keeps enlarging, and that, in and of itself, justifies a higher fence.
3. The fence is pulled in from the property line a little bit. It varies from 4.2 feet to maybe a little further back and then comes back to the property line, and so it does not interfere with the sight lines along Henderson Road.

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.

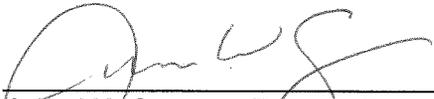
NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This special permit is approved for the location and maximum height of the wood privacy fence as shown on the plat prepared by DiGiulian Associates, P.C., dated May 24, 2011, as signed and sealed through March 16, 2012, as submitted with this application and is not transferable to other land.

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

A Copy Teste:



John W. Cooper, Deputy Clerk
Board of Zoning Appeals