

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

CAROL J. BAILEY, SP 2010-MV-049 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 13.0 ft. from side lot line. Located at 7614 Holiday Dr. on approx. 21,813 sq. ft. of land zoned R-2. Mt. Vernon District. Tax Map 102-2 ((7)) (7) 13. 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 October 27, 2010; and

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

1. The applicant is the owner of the property.
2. The Board has a favorable staff recommendation and adopts the rationale in the staff report.
3. The parcel is a strangely shaped trapezoid kind of lot with the house turned at an angle to all the lot lines.
4. The location of the existing carport is close to what appears to be the side line, although it is a confusing lot to figure out which is the side and which is the rear.
5. The corner of the carport is actually further away from that same line as the existing patio.
6. From the photographs, it appears that there is extensive mature vegetation on the lot and nearby.
7. The impact of the structure would be minimal.
8. The carport is already there and already has a substantial roof.
9. The impact of enclosing the carport would not be noticeable.
10. It will probably look better than the way it is now with half of it enclosed and half of it a carport.
11. The proposed location is the logical placement for the garage because the driveway is already there.
12. It would not make sense to pave over more of the yard to put the garage somewhere else.
13. Development Condition 5 will protect the existing mature trees so no one will be able to see it.
14. The Board has determined that all the criteria in the Sect. 8-922 motion have been satisfied.

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:

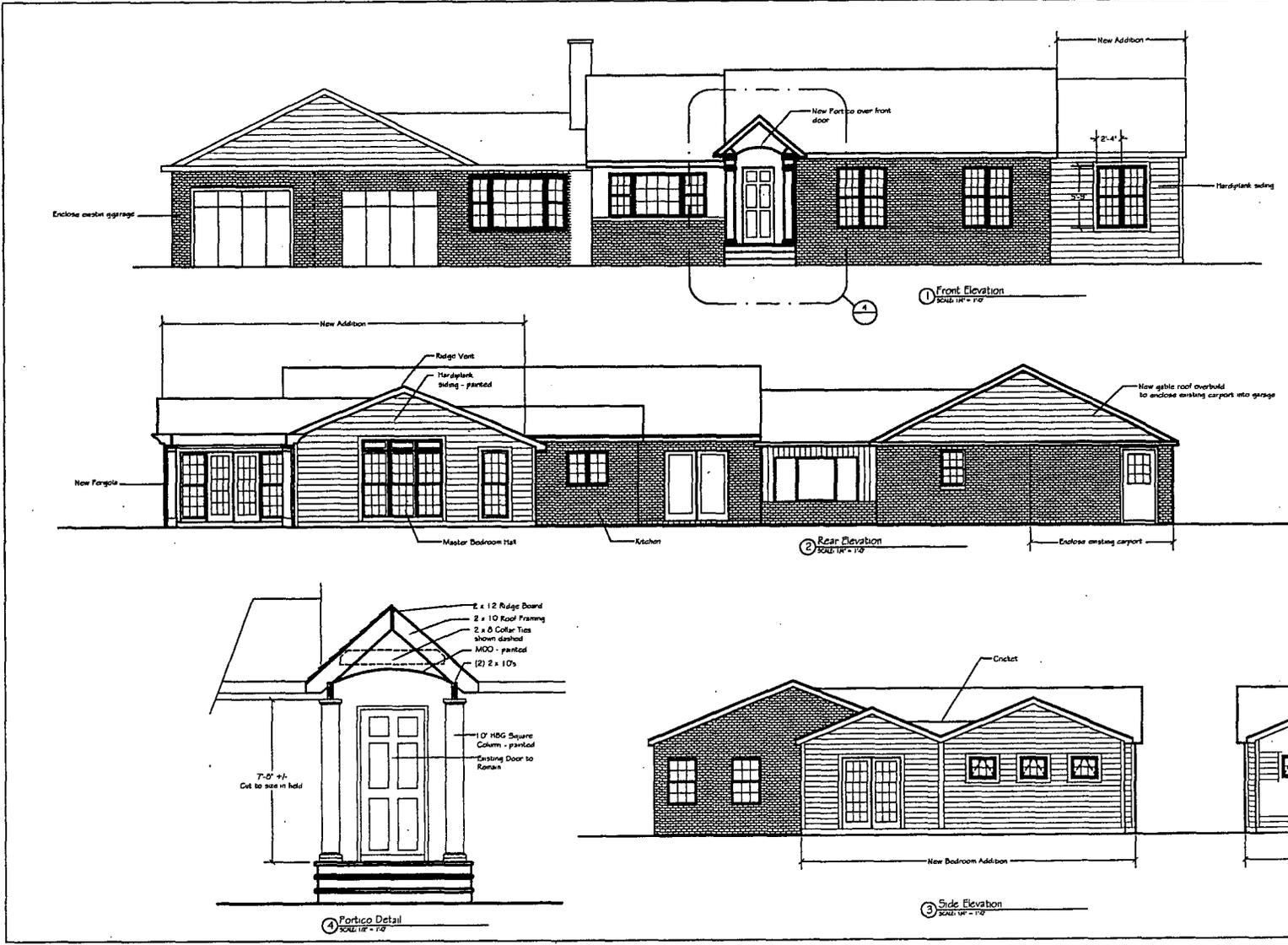
1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.

2. This special permit is approved for the location and size (approximately 591.0 square feet) of the addition (garage), as shown on the plat prepared by Alfred Copeland, Certified Land Surveyor dated May 16, 1972, revised by Christine A. Leonard, Architect, through August 3, 2010, 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 (1,892 square feet existing + 2838 square feet (150%) = 4,730 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 consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. Prior to commencement of and during the entire construction process, tree protective fencing shall be installed between the proposed garage location and the limits of clearing and grading at the southern and eastern property boundary. Tree protection fencing in the form of 14-gauge welded wire fence mounted on steel posts shall be installed at the limits of clearing and grading. The applicant shall monitor the site to ensure that inappropriate activity such as the storage of construction equipment does not occur within the tree save areas.

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.

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



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PROJECT

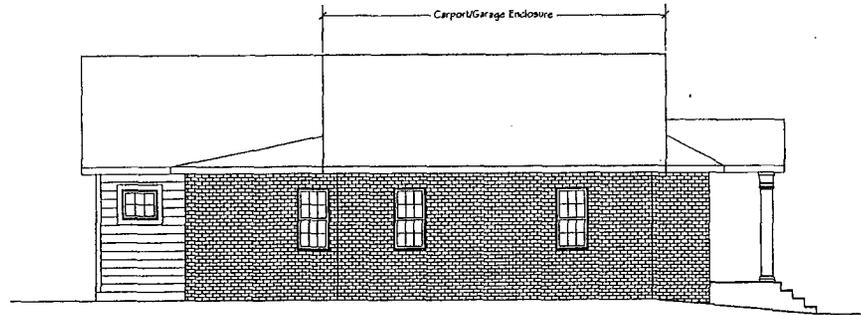
Batley Residence
 7614 Holiday Drive
 Alexandria, Virginia 22306

Drawing
 Exterior Elevations

Submission
 For Permit and Construction

Date
 September 15, 2009
 Revised December 15, 2009

Sheet No. A4



① Side (East Elevation)
SCALE: 1/4" = 1'-0"

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PROJECT

Daley Residence
7614 Holiday Drive
Alexandria, Virginia 22308

Drawing

Exterior Elevations

Submission

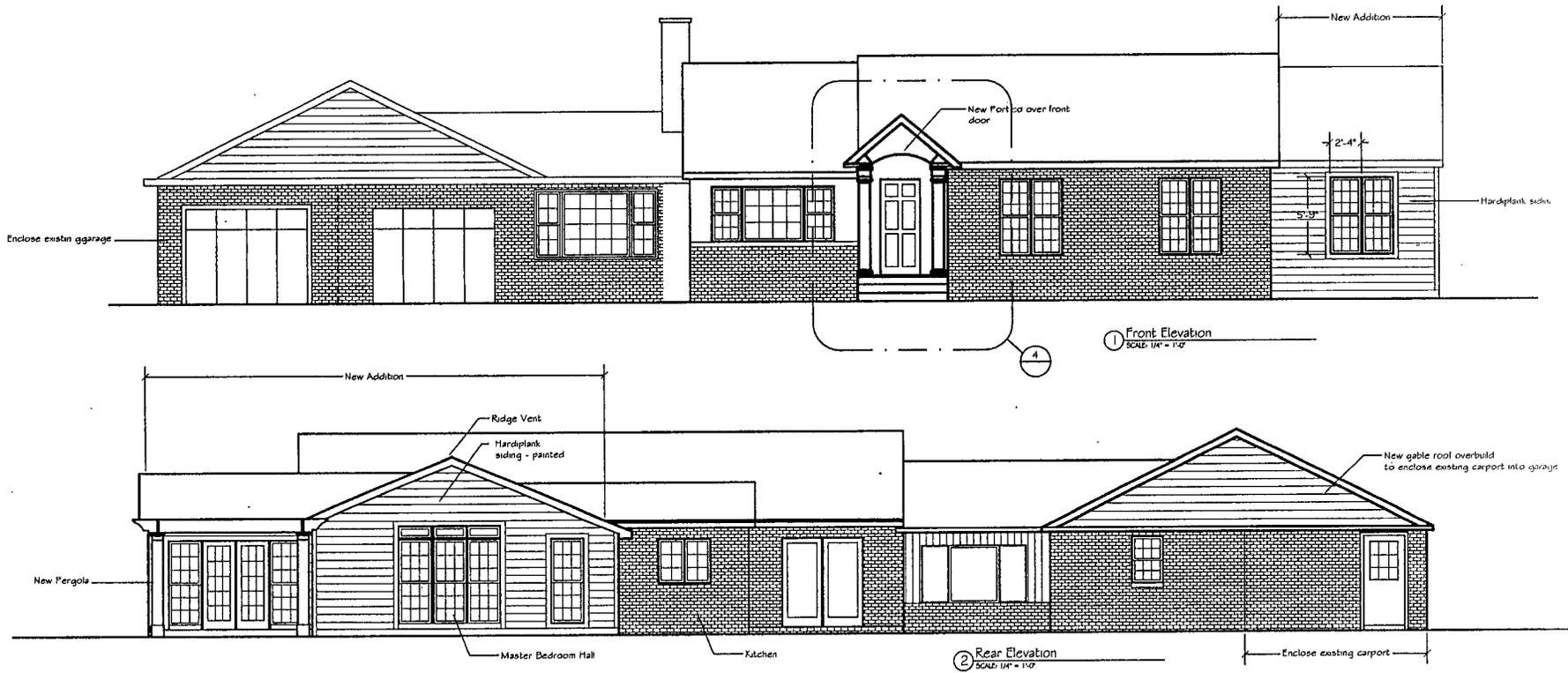
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Department of Planning & Zoning
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