

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

DIANE MANDELL HORWITZ, SP 2011-PR-019 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 12.9 ft. and deck 12.9 ft. from rear lot line. Located at 2995 Steven Martin Dr. on approx. 5,637 sq. ft. of land zoned R-5. Providence District. Tax Map 48-3 ((37)) 32. 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 May 25, 2011; and

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

1. The owner of the property is the applicant.
2. The staff recommends approval, and the Board incorporates their rationale and recommendation.
3. As was referenced in testimony, there will be very little impact.
4. There has been a lot of support from neighboring property owners.
5. The applicant has clearly done their homework in making sure that the surrounding community is informed and, thus, ultimately was supportive.
6. As was the testimony, this will be in character with the existing on-site development in terms of location, height, bulk, scale with reference to the shingles and siding, et cetera.
7. This is certainly consistent with the existing development.
8. This will not be harmful to the community.

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 200 square feet) of the screen porch addition and deck, as shown on the plat prepared Urban, LTD., dated February, 2011 and signed March 1, 2011 by Chad E. Jernigan, Land Surveyor, 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 (1,872 square feet

existing + 1,808 square feet (150%) = 3,680 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.

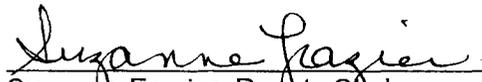
4. The addition shall generally be consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.

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. Hammack and Ms. Gibb seconded the motion, which carried by a vote of 5-0. Mr. Hart and Mr. Byers were absent from the meeting.

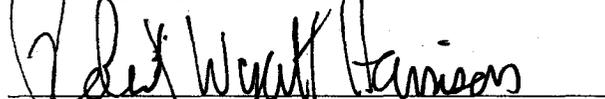
A Copy Teste:

  
 Suzanne Frazier, Deputy Clerk  
 Board of Zoning Appeals

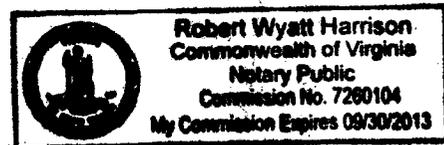
ACKNOWLEDGEMENT

County of Fairfax,  
 Commonwealth of Virginia:

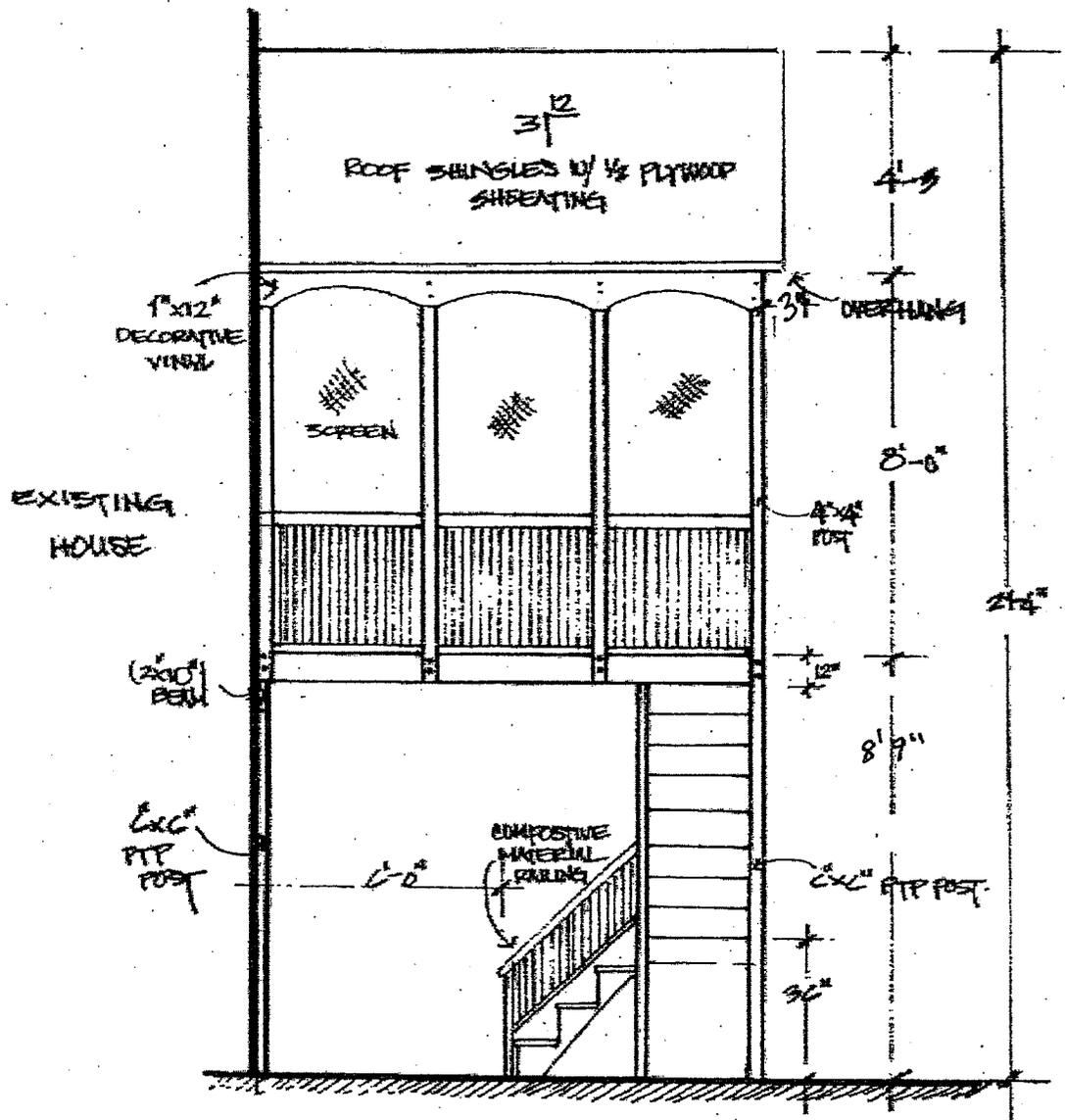
The foregoing instrument was acknowledged before me this 1 day of June, 2011.

  
 Notary Public

My commission expires: 9-30-2013

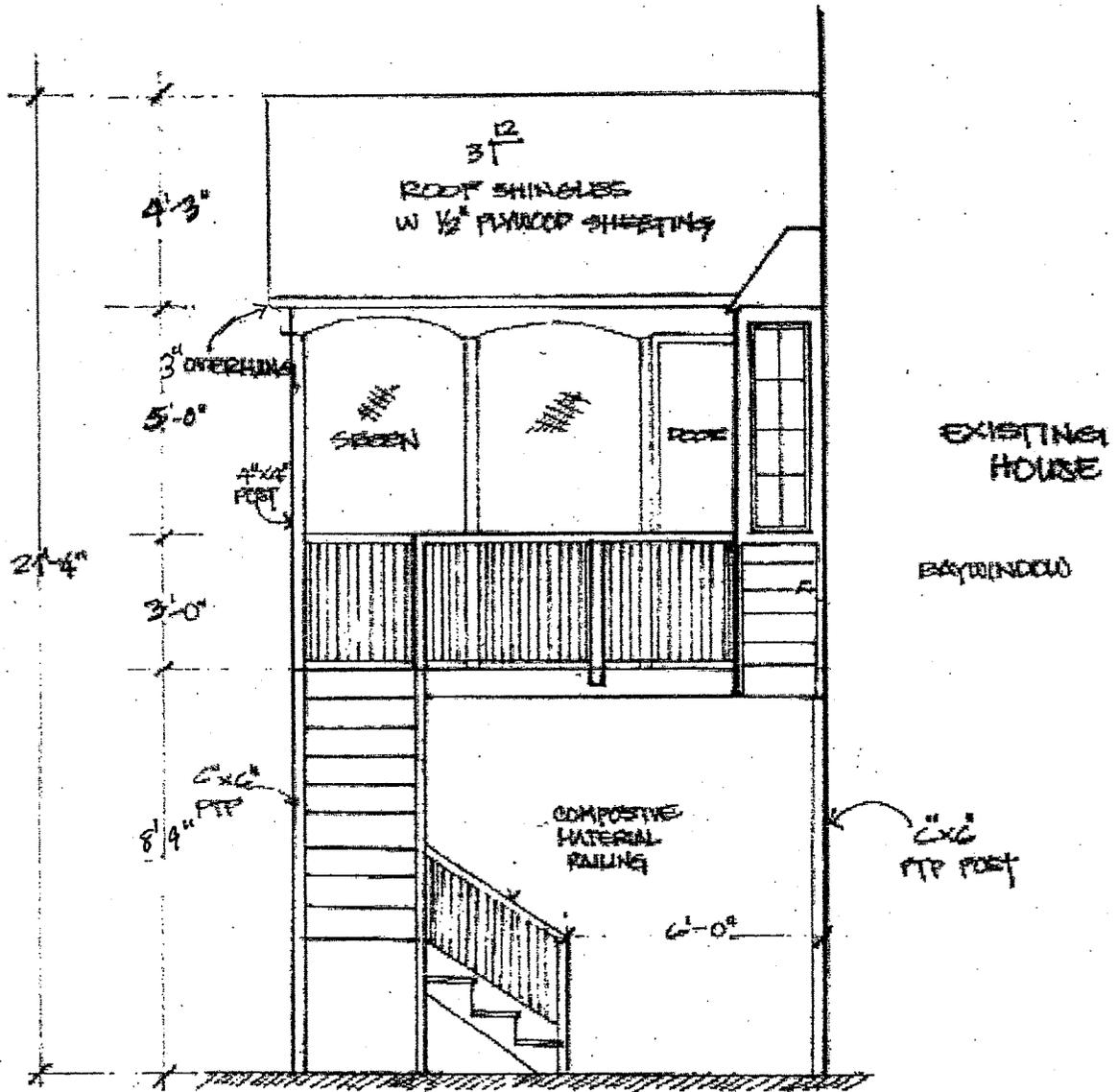






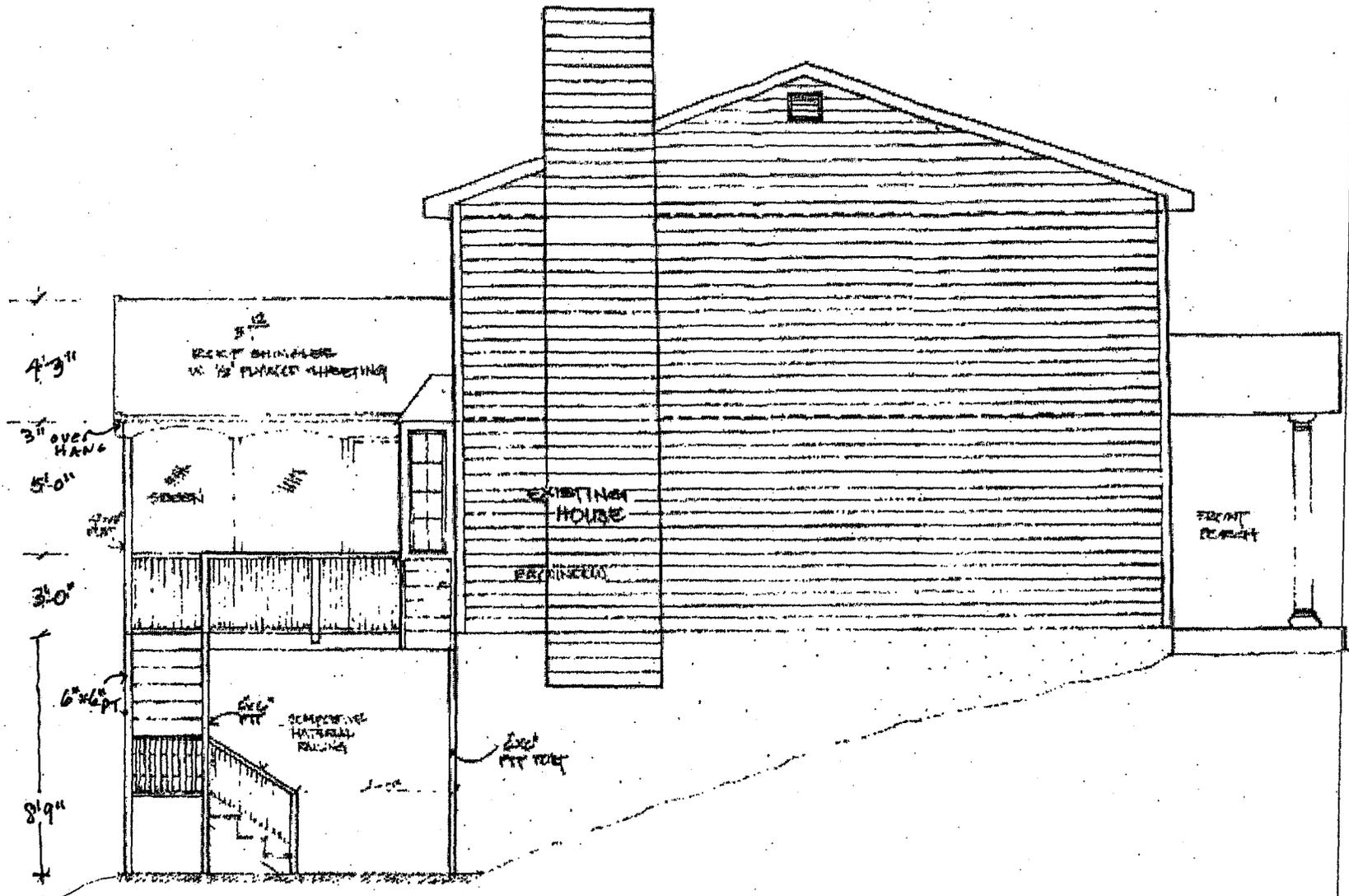
# LEFT ELEVATION

SCALE 1/4" = 1'



# RIGHT ELEVATION

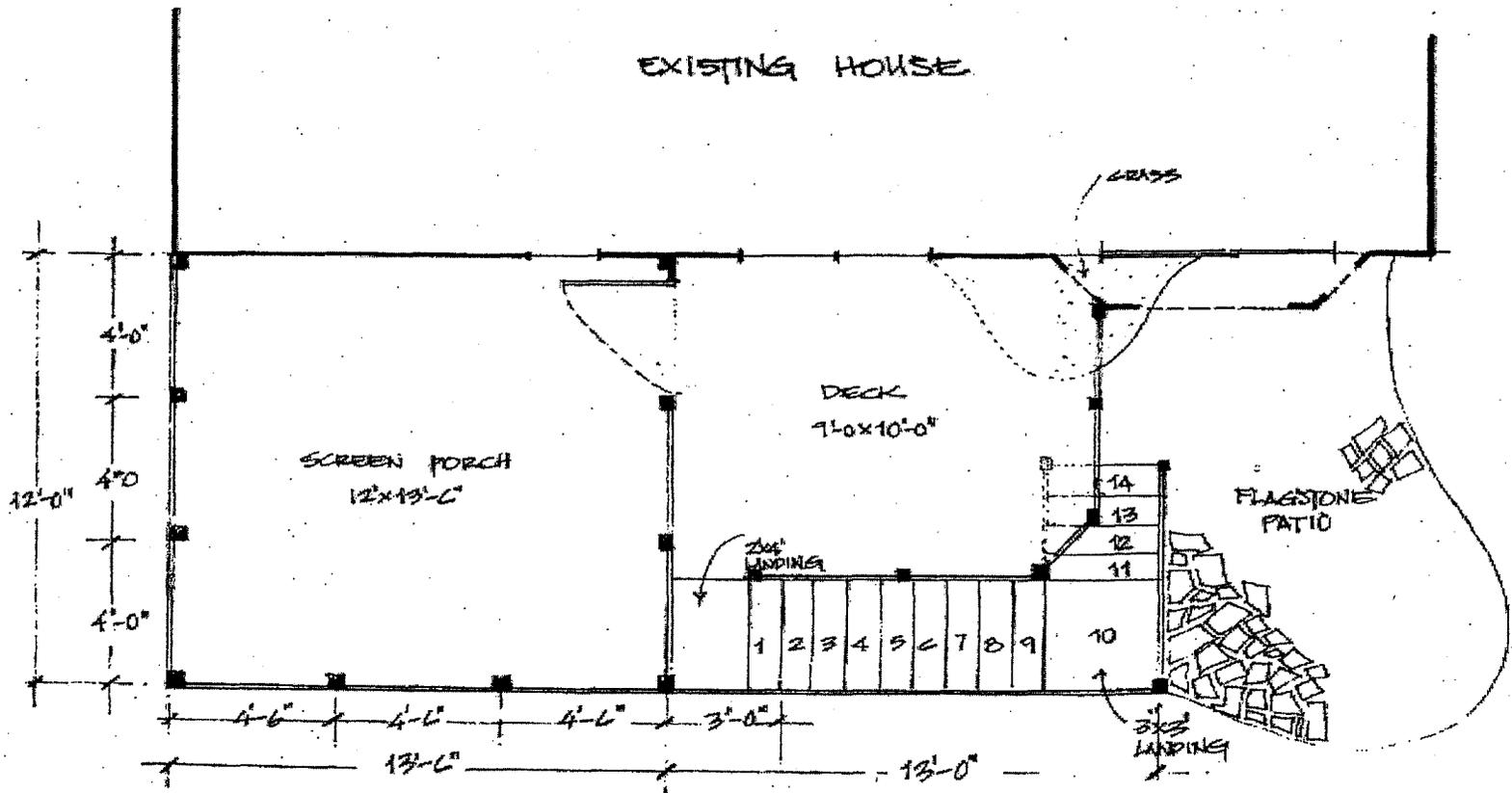
SCALE 1/4" = 1'-0"



RIGHT ELEVATION

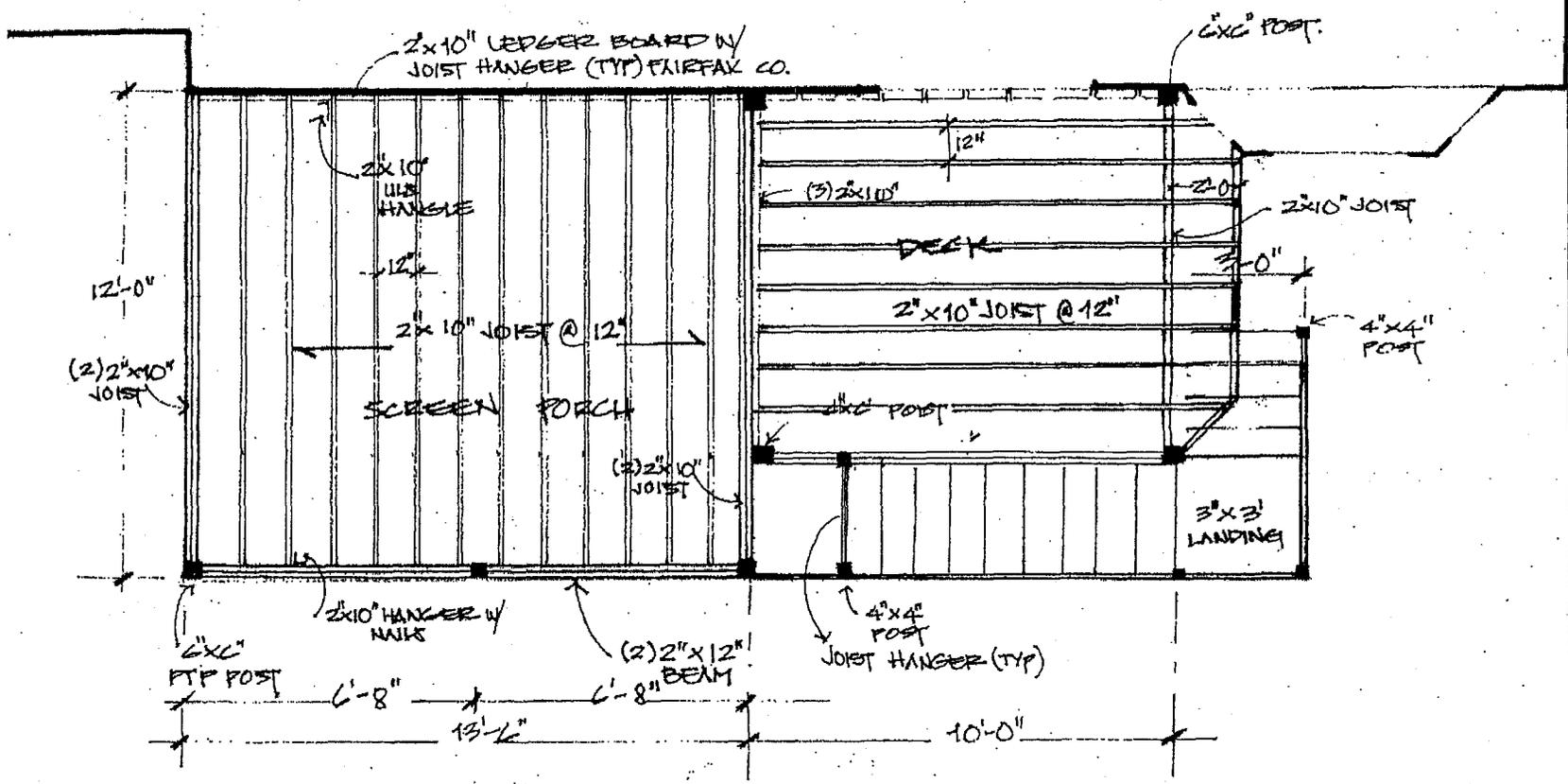
SCALE 1/4" = 1'-0"

3/1/11  
 SP 2010-0284



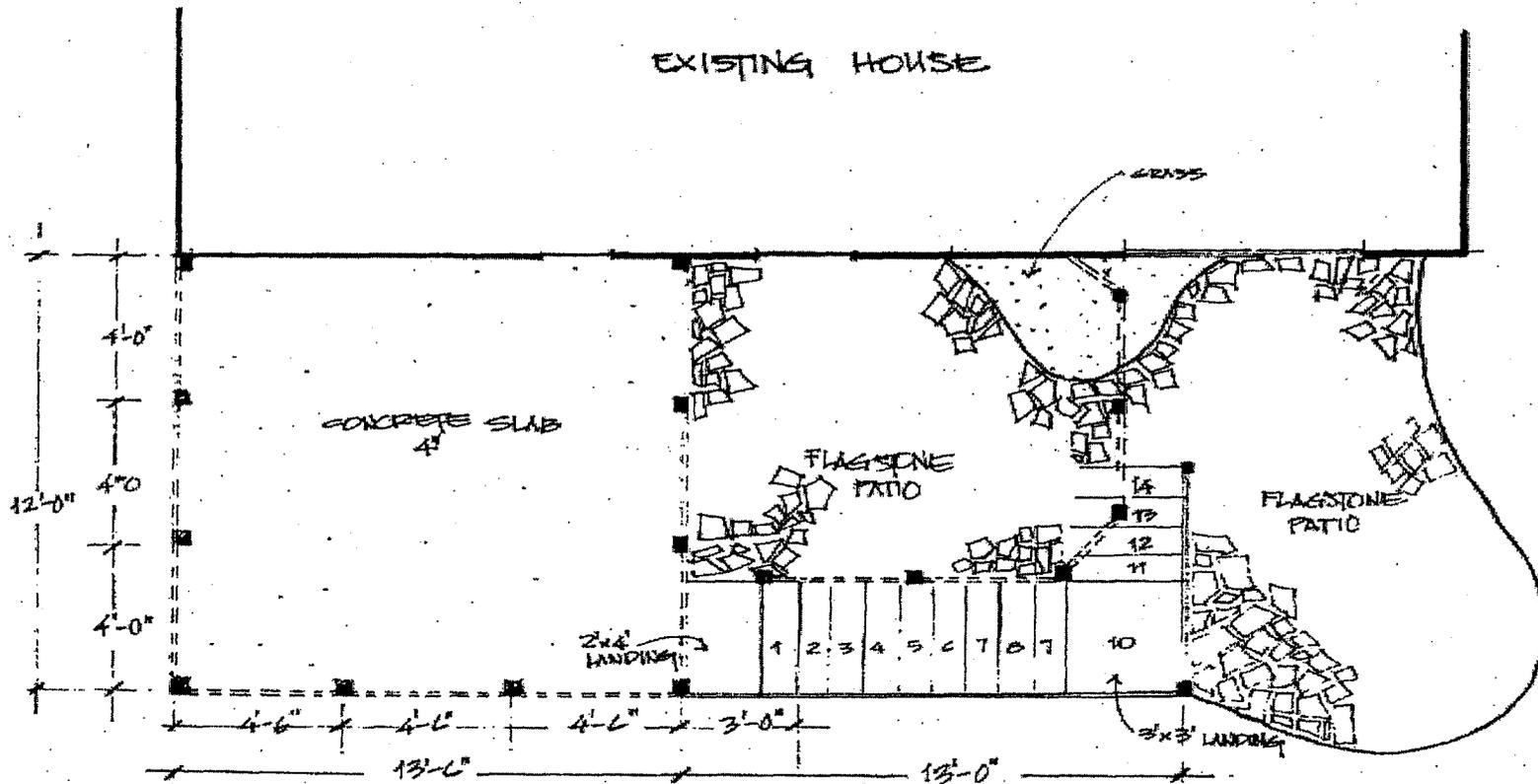
**FLOOR PLAN**  
SCALE 1/4" = 1'-0"

# EXISTING HOUSE



# FLOOR FRAMING

SCALE: 1/4" = 1'-0"



# LANDSCAPING PLAN

(GROUND LEVEL)

SCALE  $\frac{1}{4}'' = 1'-0''$

