

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ELTON LAMAR SHORT, SP 2012-MV-064 Appl. under Sect(s). 8-923 of the Zoning Ordinance to permit fence greater than 4.0 ft. in height to remain in the front yard of a corner lot. Located at 8108 Frye Rd., Alexandria, 22309, on approx. 10,891 sq. ft. of land zoned R-3. Mt. Vernon District. Tax Map 101-1 ((4)) 36. Mr. Byers 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 December 5, 2012; and

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

1. The applicant is the owner of the land.
2. The zoning is R-3.
3. The area of the lot is 10,891 square feet.
4. The Board has two letters of support in addition to the testimony in the Public Hearing.
5. The Board also has a letter from Long Fence, the residential manager, indicating that he is going to undertake the reduction of the fence in accordance with the zoning requirements at no cost to the applicant.

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 of a wood fence, as shown on the plat titled "Plat, Showing House Location on Lot 36, Section 6, Woodlawn Terrace," prepared by Dominion Surveyors Inc., dated June 29, 2012.
2. Within 180 days of the special permit approval the height of the wood frame fence and fence posts shall be reduced to a maximum height of 6.0 feet.

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

A Copy Teste:



John W. Cooper, Deputy Clerk
Board of Zoning Appeals