

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

DWIGHT FULLER, SP 2013-BR-016 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 20.5 ft. from the rear lot line. Located at 9659 Boyett Ct., Fairfax, 22032, on approx. 10,529 sq. ft. of land zoned R-2 (Cluster). Braddock District. Tax Map 69-3 ((9)) 19. 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 April 17, 2013; and

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

1. The applicant is the owner of the land.
2. The Board has determined that the application meets all of the submission requirements set forth in Sect. 8-922.
3. Staff recommends approval, and the Board adopts its rationale.

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 of the screened porch addition (approximately 252 feet), as shown on the plat prepared by Thomas G. Lutke, L.S., of NoVA Surveys, dated January 10, 2013, as 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 (4,615 square feet existing + 6922.5 (150%) = 11,537.5 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. Subsequent additions

that meet minimum yard requirements shall be permitted without an amendment to this special permit.

4. Prior to commencement of and during the entire construction process, the applicant shall install tree protection fencing around existing trees located on either side of the brick patio in the rear yard to protect these trees from construction activities. The protective fencing shall remain intact during the entire construction process, and shall be the maximum limit for clearing and grading. The applicant shall monitor the site to ensure that an inappropriate activity, such as the storage of construction equipment, does not occur within the area.

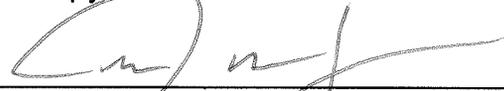
5. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.

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.

Ms. Gibb seconded the motion, which carried by a vote of 6-0. Chairman Ribble was not present for the vote.

A Copy Teste:

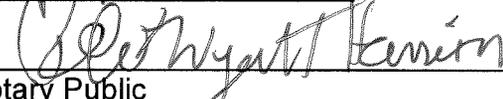
  
\_\_\_\_\_  
John W. Cooper, Deputy Clerk  
Board of Zoning Appeals

ACKNOWLEDGEMENT

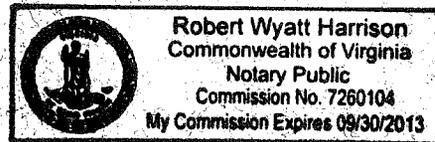
County of Fairfax  
Commonwealth of Virginia

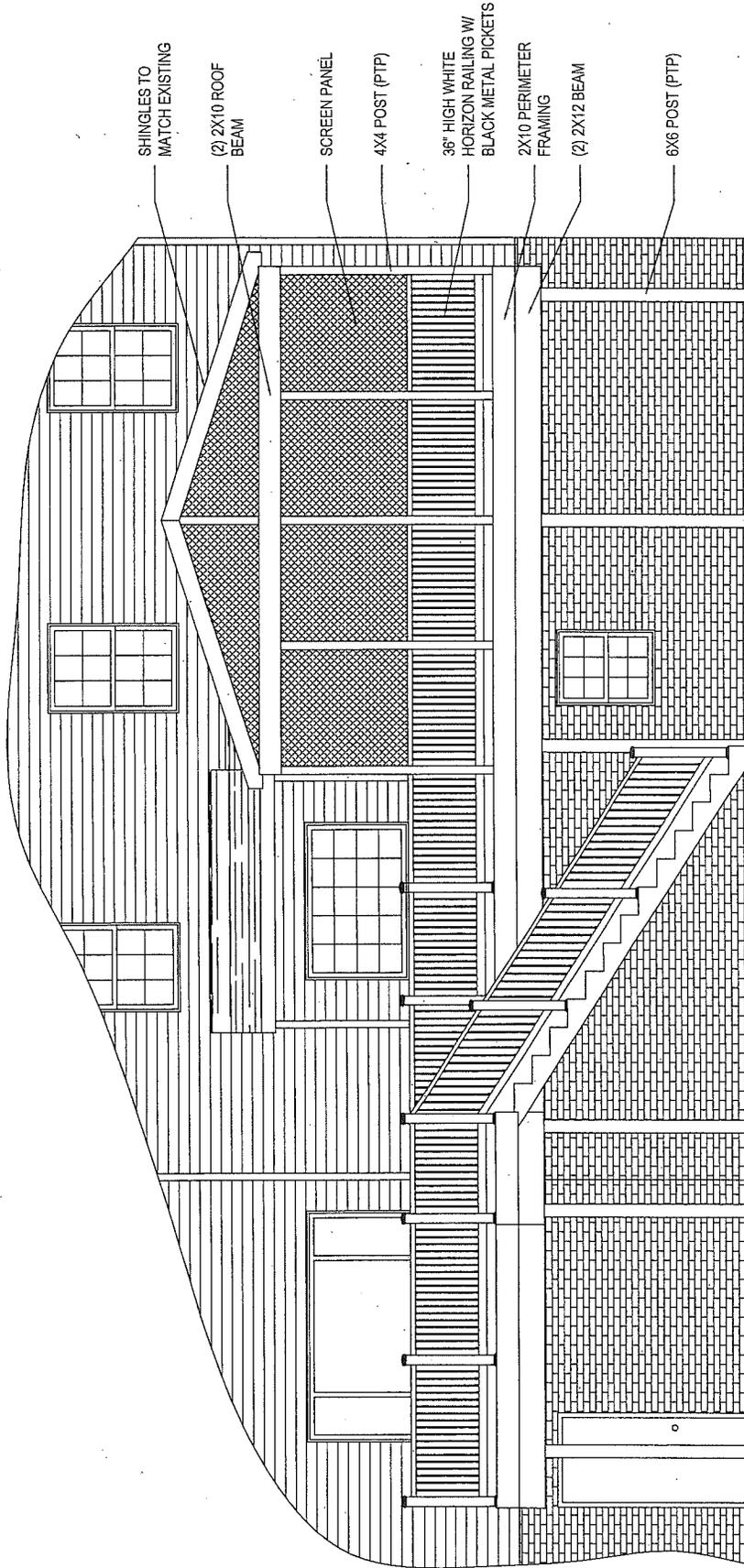
The foregoing instrument was acknowledged before me this 19 day of

April, 2013.

  
\_\_\_\_\_  
Notary Public

My commission expires: 9-30-2013





REAR ELEVATION

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

A

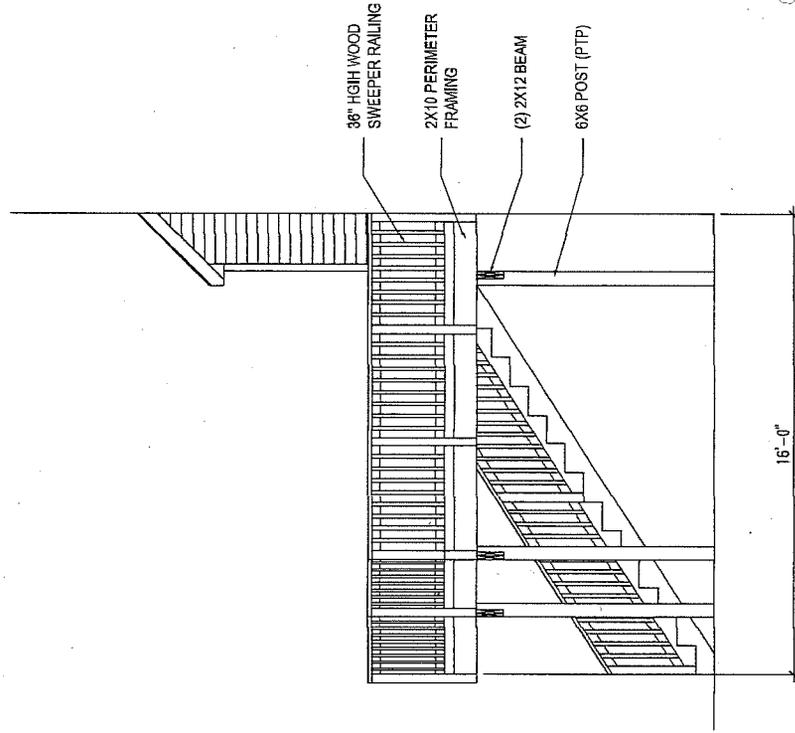
PREPARED BY:

# LONG FENCE CO. INC.

42521 JOHN MOSBY HIGHWAY  
CHANTILLY, VA. 20152 (703)-471-0960

ELEVATIONS

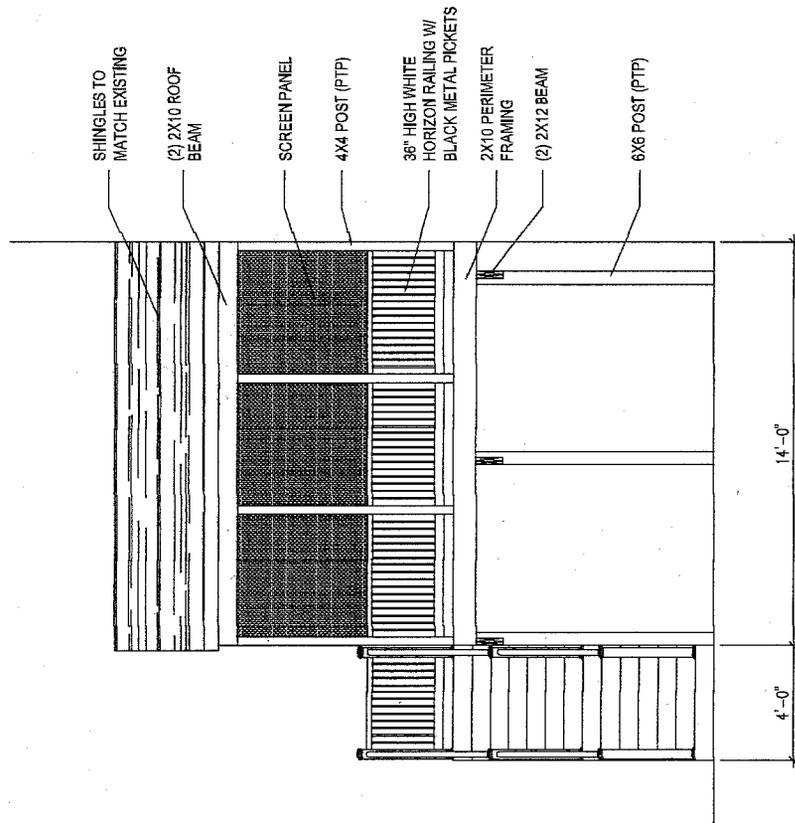
## 3.1



16'-0"

### B EXISTING RIGHT SIDE ELEVATION

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



14'-0"

4'-0"

### A NEW RIGHT SIDE ELEVATION

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

B

A