COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

CLEBURNE BRUCE BRINKMAN, SP 2013-MA-013 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction in certain yard requirements to permit construction of additions 6.4 ft. and 8.1 ft. from side lot line. Located at 6825 Westlawn Dr., Falls Church, 22042, on approx. 7,200 sq. ft. of land zoned R-4. Mason District. Tax Map 50-4 ((20)) 378. 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 April 24, 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 applicant has satisfied the six required subsections set forth under Sect. 8-922.
3. There is a favorable staff recommendation, and the Board adopts their rationale in support of the motion.

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 a screen porch (approximately 308 square feet) and gable roof as shown on the plat prepared by James D. Thurber, dated March 27, 2012, signed October 14, 2012, 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 (1,617 square feet existing + 2,425.5 square feet (150%) = 4,042.5 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. 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 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.

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

A Copy Teste:

K.A. Knoth

Kathleen A. Knoth
Clerk to the Board of Zoning Appeals

ACKNOWLEDGEMENT

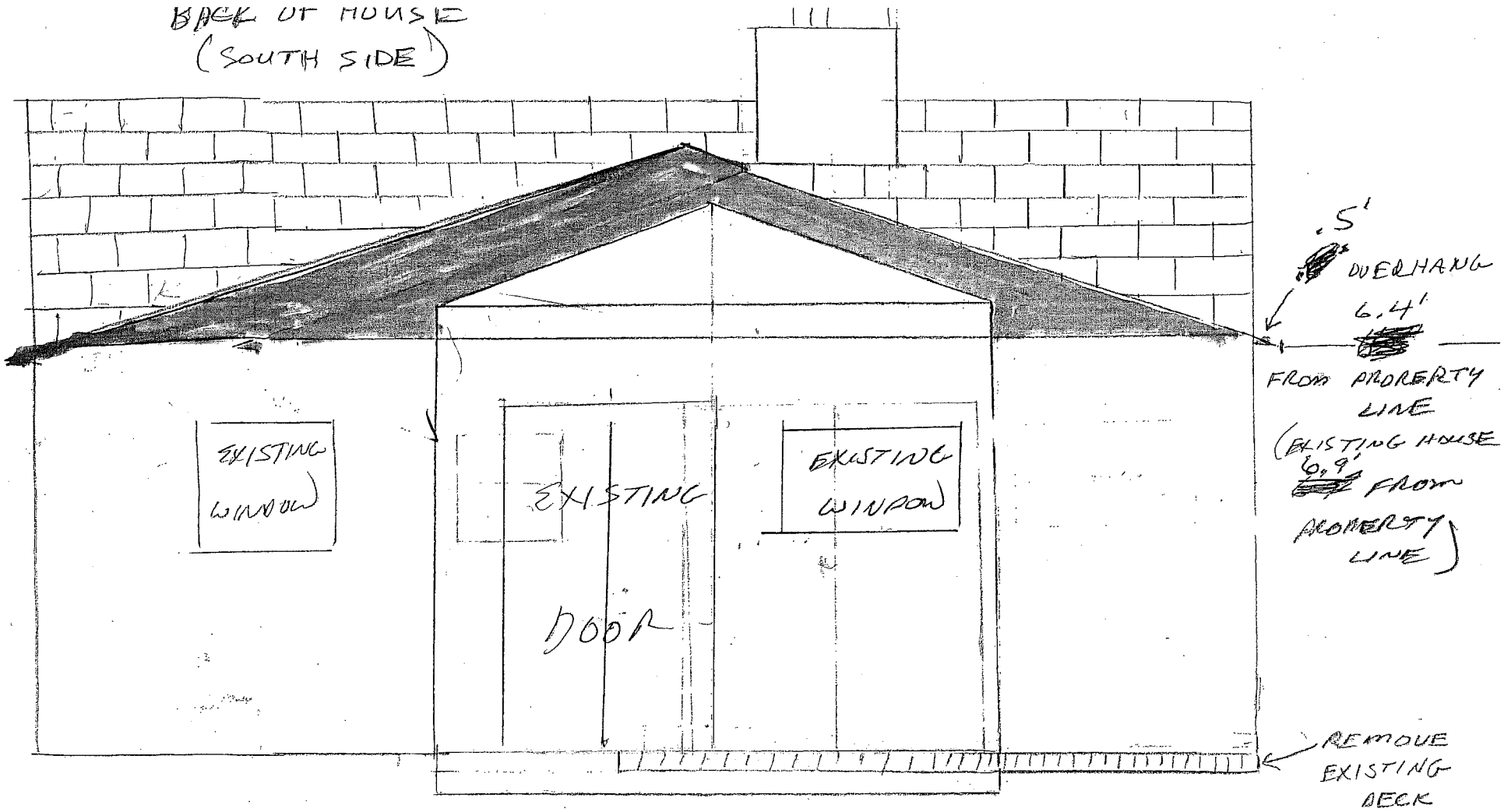
County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 1st day of May, 2013.

Notary Public

My commission expires: September 30, 2016

John W. Cooper
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7518586
My Commission Expires
September 30, 2016



- PROPOSED GABLED ROOF

- PROPOSED SCREENED PORCH
(14'D x 22'W)

ATTACHMENT 1

VIEW OF EAST SIDE OF HOUSE