

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

MARK D. EMLET, SP 2013-SP-010 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 15.5 ft. from rear lot line. Located at 13925 South Springs Dr., Clifton, 20124, on approx. 9,791 sq. ft. of land zoned R-3 (Cluster). Springfield District. Tax Map 65-4 ((4)) 425. Mr. Beard 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 lot size is 9,791 square feet.
3. This is a pretty straightforward application.
4. It backs up to and the property actually falls off into a wooded area.
5. This is a 38 percent reduction that is requested, which falls well within the parameters.
6. Staff has recommended approval of the application with the development conditions.
7. The Board has determined that the applicant meets all the submission requirements as set forth in Section 8-922.

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 144 square feet) of the addition, as shown on the plat prepared by Thomas G. Lutke, Land Surveyor, dated November 21, 2012, 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 (4,279 square feet existing + 6,418.5 square feet (150%) = 10,697.5 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 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. Smith 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.

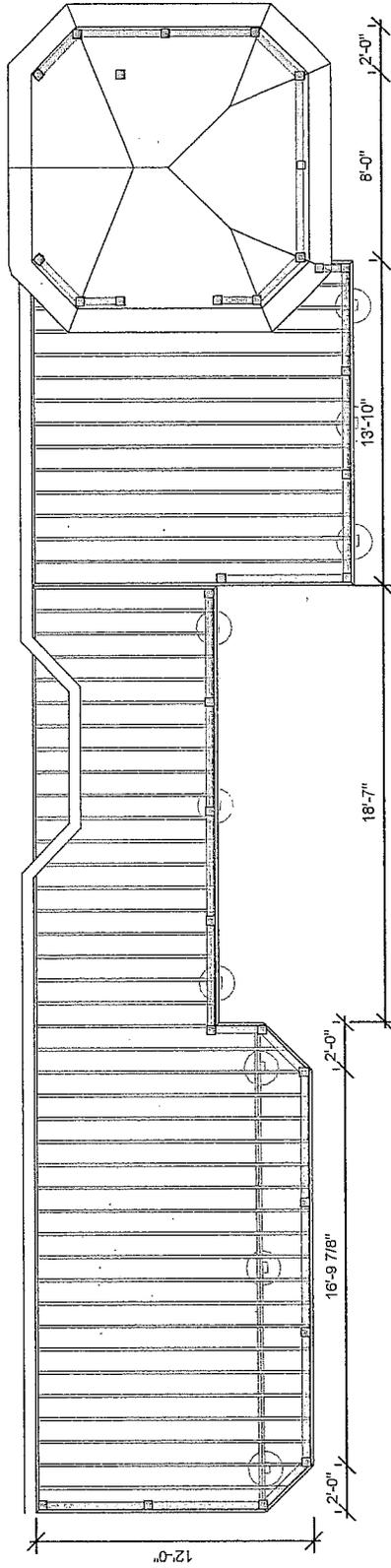
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Notary Public

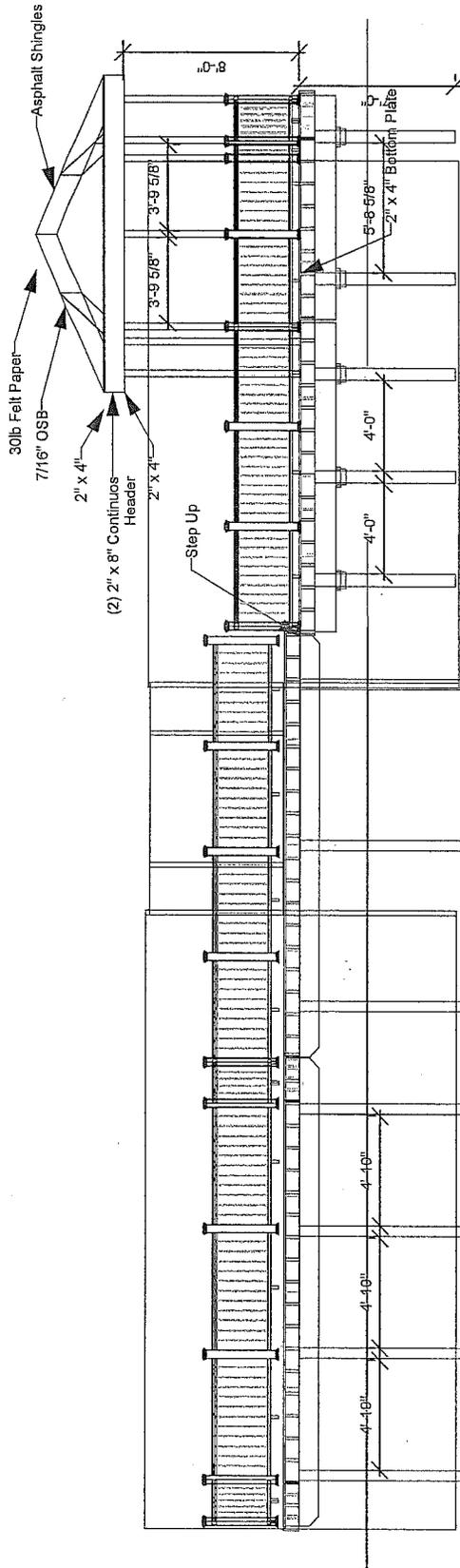
My commission expires: September 30, 2016



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



 <p>OUTDOOR ESCAPES</p>	<p>General Contractor Outdoor Escapes 200 Sand Trap Ln. Locust Grove, VA 22508 1-866-681-4871</p>	<p>Project Title Mark Emlet & Jean K. Tunstall 13925 South Springs Dr. Clifton, VA 20124</p>	<p>Project Manager James Parascand</p>	<p>Drawing Title Drawing 1</p>
<p>Date July 30, 2012</p>		<p>Scale 1/8" = 1'</p>		



OUTDOOR ESCAPES

Outdoor Escapes
 200 Sand Trap Ln.
 Locust Grove, VA 22508
 1-866-681-4871

General Contractor

Project Title

Mark Emlet & Jean K. Tunstall
 13925 South Springs Dr.
 Clifton, VA 20124

Project Manager

James Parascand

Date

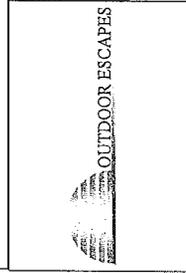
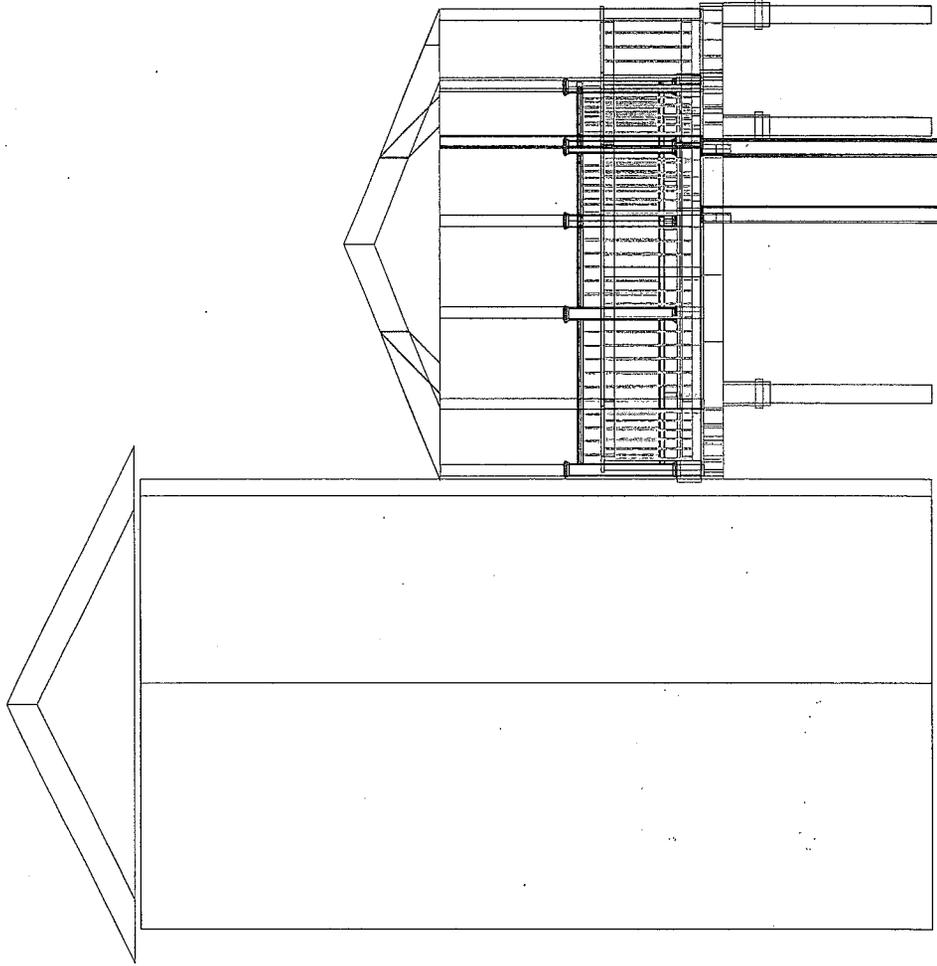
October 11, 2012

Scale

1/8" = 1'

Drawing Title

Front Elevation



General Contractor
Outdoor Escapes
 200 Sand Trap Ln.
 Locust Grove, VA 22508
 1-866-681-4871

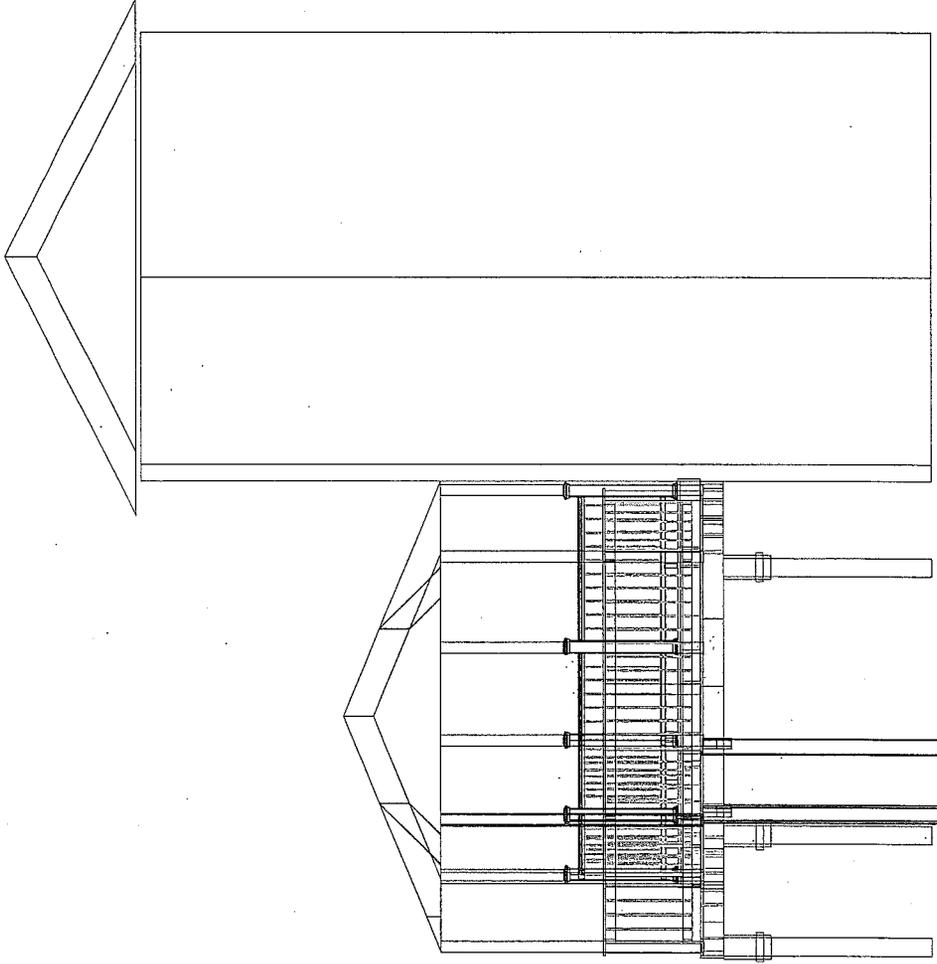
Project Title
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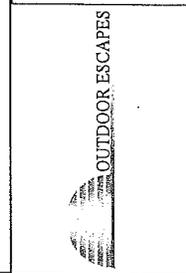
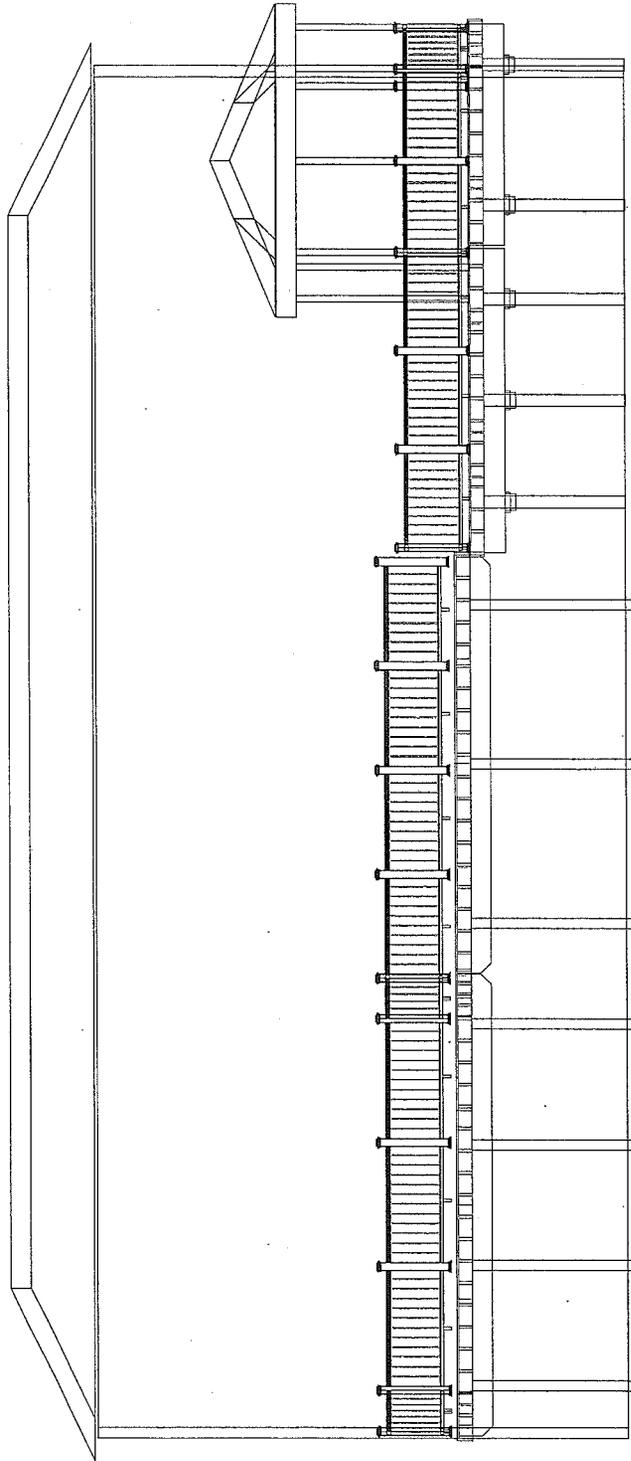
Date
 November 14, 2012

Drawing Title
 Left Elevation

Scale
 1/8" = 1'



	General Contractor Outdoor Escapes 200 Sand Trap Ln. Locust Grove, VA 22508 1-866-681-4871	Project Title Mark Emlet & Jean K. Tunstall 13925 South Springs Dr. Clifton, VA 20124	Project Manager James Parascand Date November 14, 2012	Drawing Title Right Elevation Scale 1/8" = 1'
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General Contractor
 Outdoor Escapes
 200 Sand Trap Ln.
 Locust Grove, VA 22508
 1-866-681-4871

Project Title
 Mark Emlet & Jean K. Tunstall
 13925 South Springs Dr.
 Clifton, VA 20124

Project Manager
 James Parascand
Date
 November 14, 2012

Drawing Title
 Front Elevation
Scale
 1/8" = 1'