

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

PAUL & ANN LAWRENCE, SP 2013-DR-046 Appl. under Sect(s). 8-923 of the Zoning Ordinance to permit fence greater than 4.0 ft. in height to remain in front yards of a corner lot. Located at 2042 Virginia Ave., McLean, 22101, on approx. 32,294 sq. ft. of land zoned R-2. Dranesville District. Tax Map 41-1 ((7)) 1. 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 September 25, 2013; and

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

1. The owner of the property is the applicants.
2. The present zoning is R-2.
3. The area of the lot is 32,294 square feet.
4. The Board received several letters of support.
5. It was noted in the staff report there are no sight distance issues.
6. This was a notice of violation that came into existence approximately eight years after the fence was built.

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 and maximum height of fencing as shown on the plat prepared by Alexandria Surveys, LLC, dated November 14, 2012, submitted with this application and is not transferable to other land.
2. The special permit is approved for that portion of the fence that is on the applicants' property.

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. Smith seconded the motion, which carried by a vote of 5-0. Mr. Ribble was not present for the vote. Ms. Theodore was absent from the meeting.

A Copy Teste:



Suzanne Fraizer, Deputy Clerk
Board of Zoning Appeals