

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

AIMEE GRINNAN, SP 2013-MV-066 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 5.0 ft. from the side lot line. Located at 6804 Duke Dr., Alexandria, 22307, on approx. 7,200 sq. ft. of land zoned R-4. Mt. Vernon District. Tax Map 93-1 ((23)) (5) 7. (Concurrent with VC 2013-MV-016). Mr. Hart 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 November 20; and

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

1. The applicant is the owner of the property.
2. The Board has a staff recommendation of approval subject to some limitations, only with adoption of the proposed development conditions.
3. In large measure, the Board adopted the rationale of the staff report.
4. This was a close call because of the length of the addition.
5. It is 40 feet long, it is squared to the lot line, and it has a second floor on top of it.
6. It is unusual.
7. It is mitigated somewhat; it is not entirely out of line with what is in the neighborhood, although this is somewhat closer to the lot line than the other examples.
8. There is not a lot of wiggle room on this lot. The lot is too narrow to begin with and it is too small.
9. With the imposition of the development conditions, the impact that staff has identified would be sufficiently mitigated.
10. The Board determined that the Section 8-922 criteria have been met.

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 granted only for the purposes, structures and/or uses indicated on the plat "Special Permit Plat, Lot 7, Block 5, Bucknell Manor" prepared by Joseph W. Bronder, Land Surveyor, of Digiulian Associates, P.C., dated July 19, 2013, as revised through July 22, 2013, and approved with this application, as qualified by these development conditions.
3. The footprint of the addition shall be reduced or the addition shall be moved westward if possible to decrease the impact to the roots and limbs of off-site trees. If the footprint cannot be adjusted, then an alternative foundation footing system, such as a pier and grade beam on the front portion of the foundation, or hand digging, shall be used to reduce the loss of tree roots.
4. The applicant shall retain a certified arborist or a registered consulting arborist to determine and implement methods to reduce construction impacts to adjacent off-site trees. Such methods may include the use of a supersonic air tool to locate and avoid large structural roots and properly tying back limbs so materials may be lifted onto the building without damaging the trees.
5. Prior to commencement of and during the entire construction process, the applicant shall designate the area along the northern property boundary as a tree save area to protect existing off-site vegetation and shall install tree protection fencing along the northern property line to protect the vegetation in this area 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 inappropriate activity such as the storage of construction equipment does not occur in this area.
6. The proposed windows shown on the north elevation of the upper-level of the addition shall have blinds or other window coverings so that the property owner to the north retains privacy.
7. 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 (2,085 square feet existing + 3,127.5 square feet (150%) = 5,212.5 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.

- 8. The addition shall generally be consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions, with the qualifications set forth in condition #3 above.

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 the use has been established as noted above. The Board of Zoning Appeals may grant additional time to establish the use 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. Theodore seconded the motion, which carried by a vote of 4-2. Mr. Byers and Mr. Beard voted against the motion. Chairman Ribble recused himself from the hearing.

A Copy Teste:

Suzanne Frazier
 Suzanne Frazier, Deputy Clerk
 Board of Zoning Appeals

ACKNOWLEDGEMENT

County of Fairfax
Commonwealth of Virginia

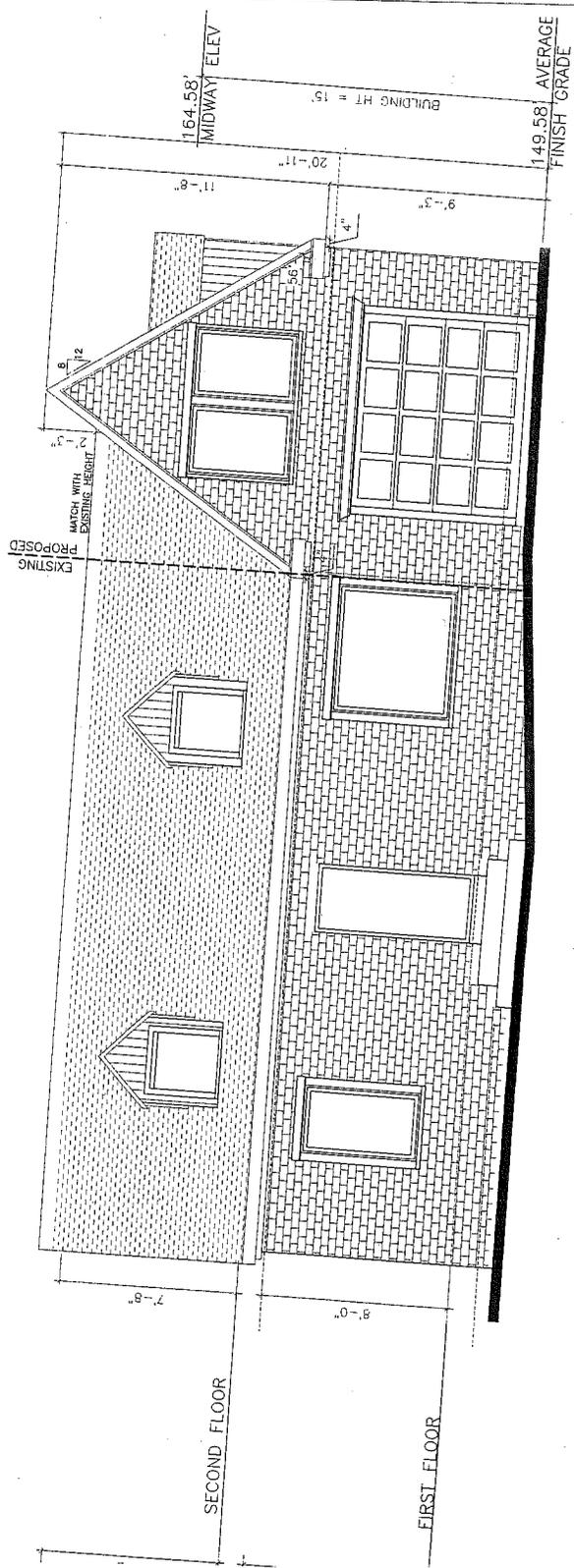
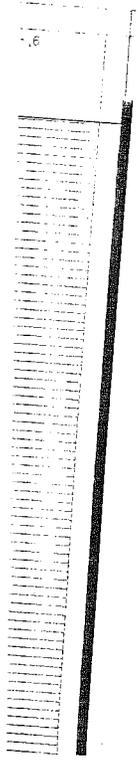
The foregoing instrument was acknowledged before me this 24 day of November, 2013.

Cheryl L Foddrell
 Notary Public

My commission expires: Sept 30, 2017

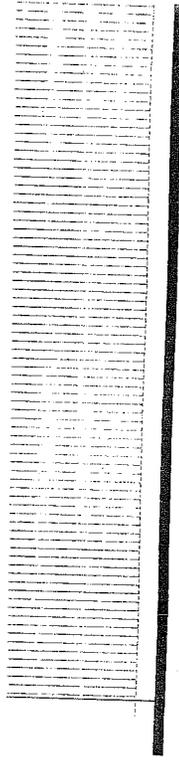


RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



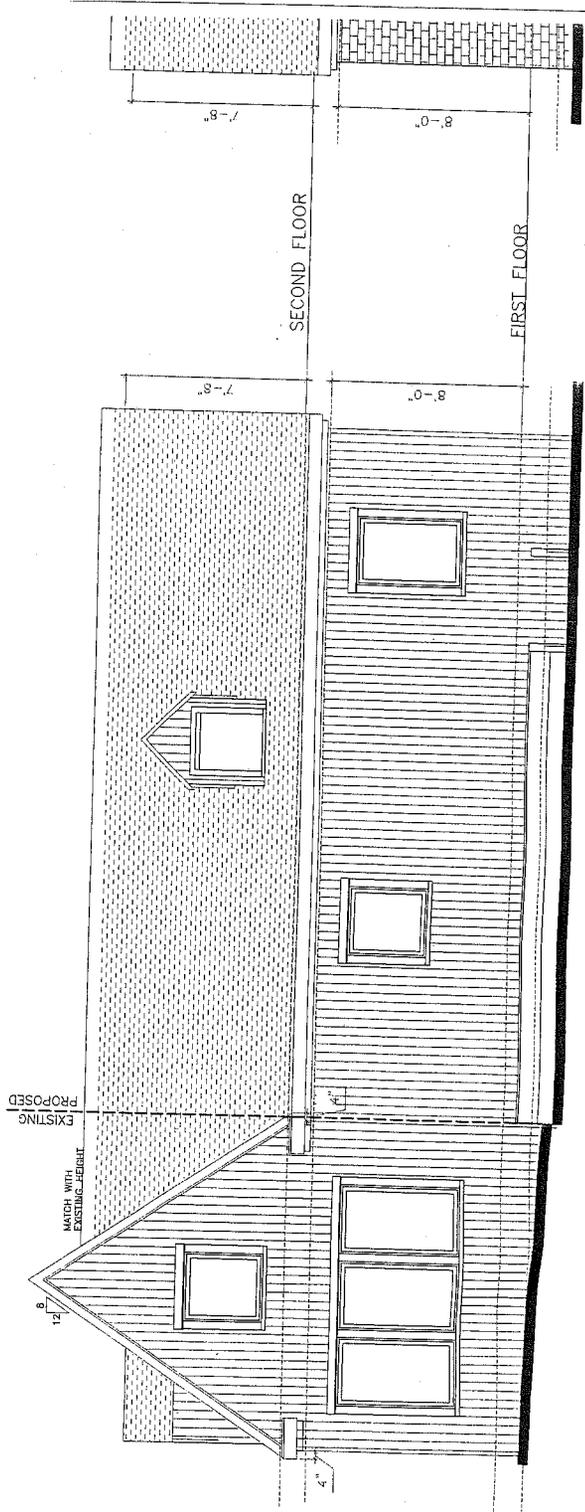
FRONT ELEVATION
SCALE: 1/4" = 1'-0"

EAST



PROPOSED RIGHT ELEVATION

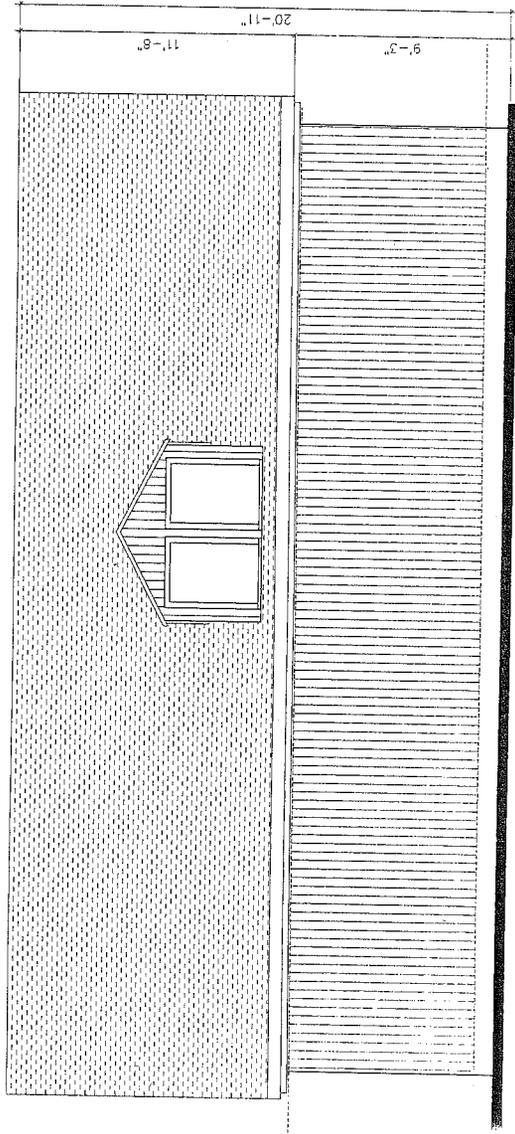
SCALE: 1/4" = 1'-0"



REAR ELEVATION

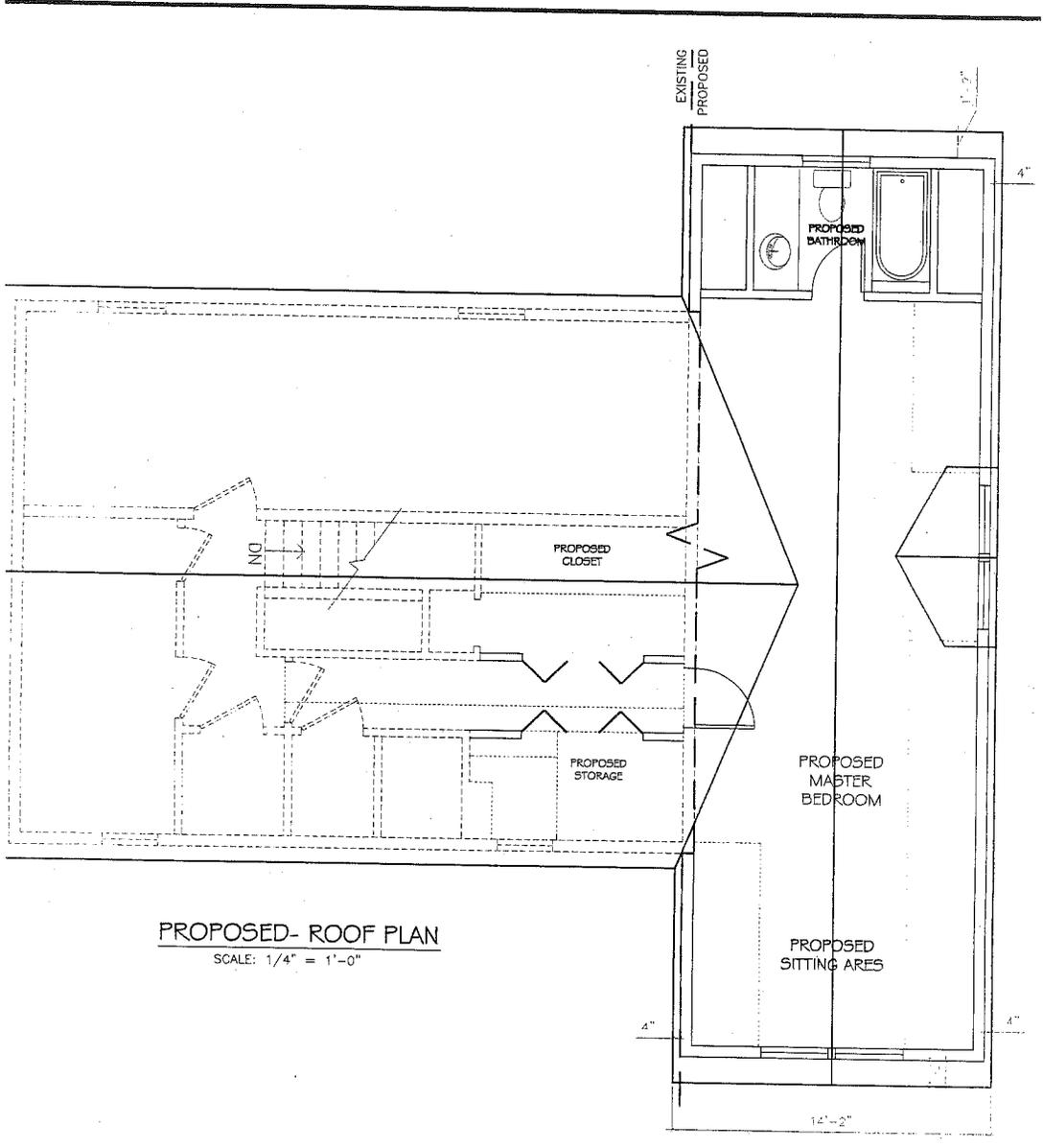
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WEST

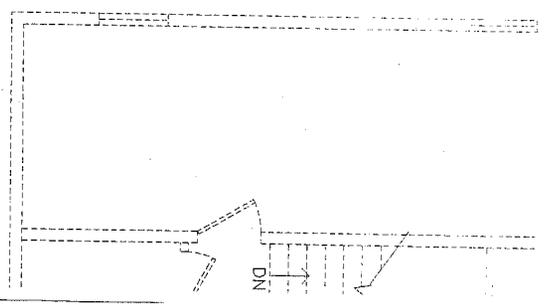


PROPOSED RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

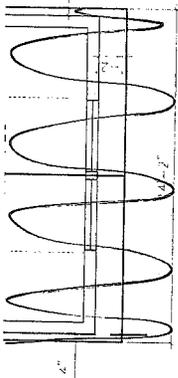
NORTH



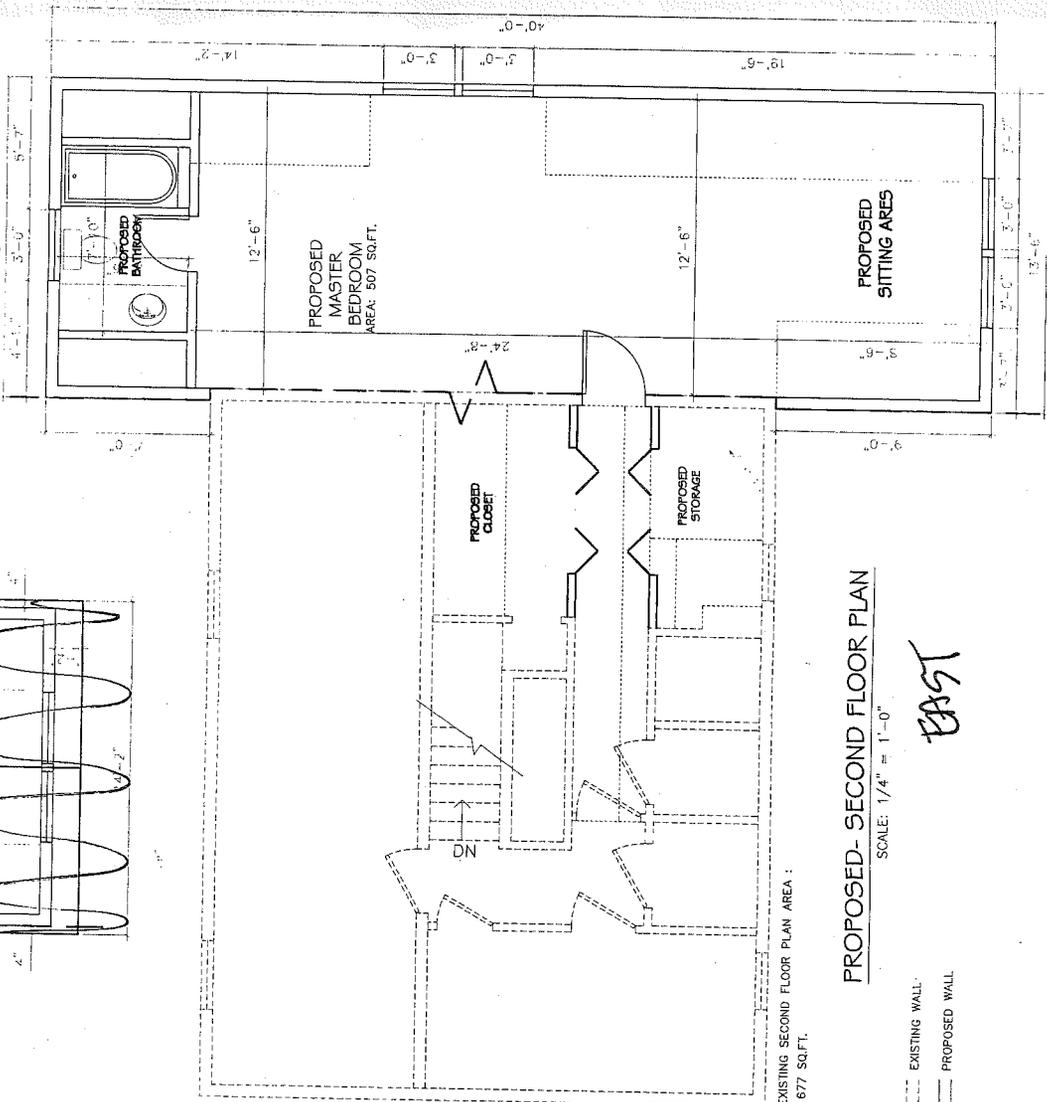
PROPOSED- ROOF PLAN
SCALE: 1/4" = 1'-0"



WEST



BR
OP
EXR



EXISTING SECOND FLOOR PLAN AREA :
677 SQ.FT.

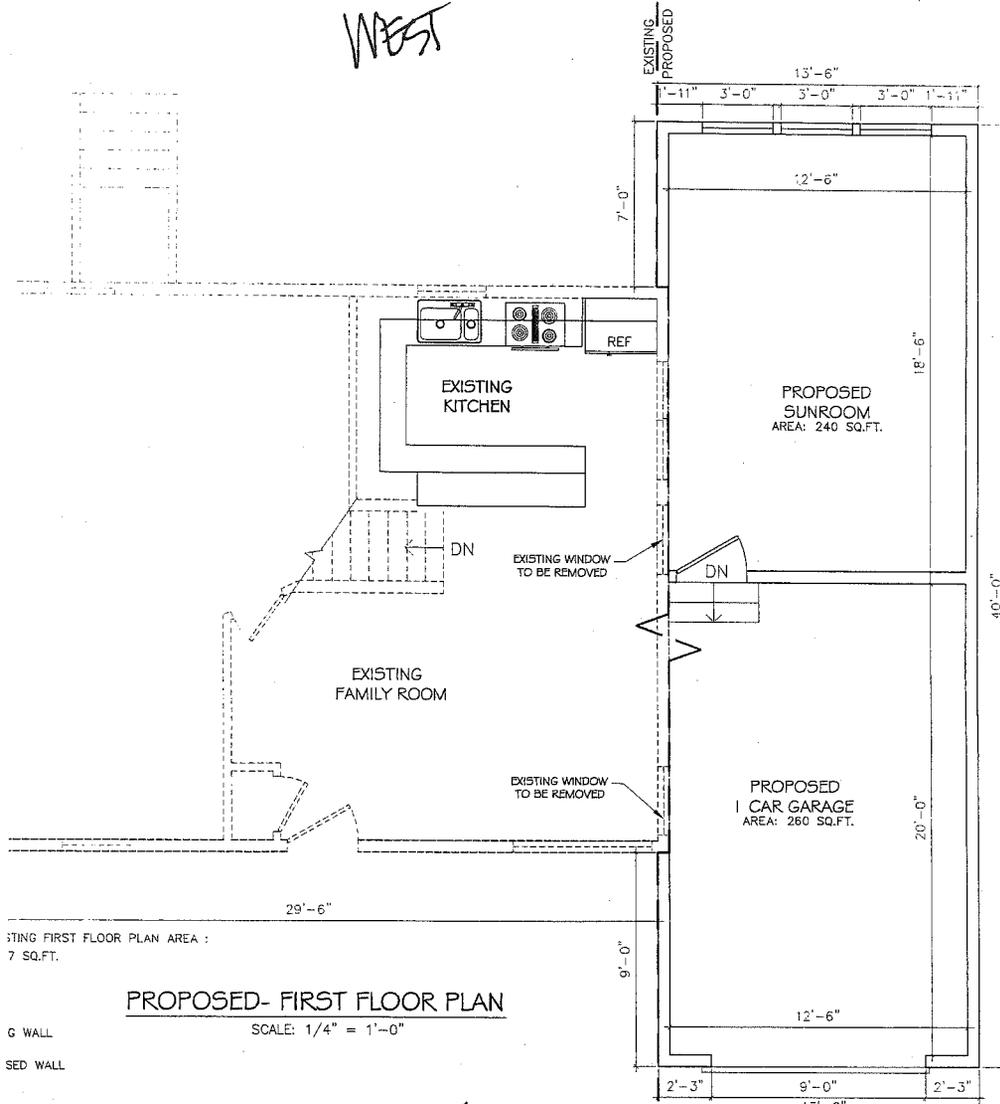
PROPOSED- SECOND FLOOR PLAN

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

- EXISTING WALL
- ___ PROPOSED WALL

EAST

WEST



EXISTING FIRST FLOOR PLAN AREA :
777 SQ.FT.

PROPOSED- FIRST FLOOR PLAN

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

6 WALL

7 WALL

EAST