COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

WILL AND JULIE REYNOLDS, SP 2013-BR-113 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 12.5 ft. from rear lot line. Located at 4600 Tapestry Dr., Fairfax, 22032, on approx. 10,500 sq. ft. of land zoned R-2 (Cluster). Braddock District. Tax Map 68-2 ((8)) 135A. 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 March 19, 2014; and

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

1. The applicants are the owners of the land.
2. The zoning is R-2 Cluster.
3. The area of the lot is 10,500 square feet.
4. The staff recommends approval, and the Board adopts their rationale.
5. The Board is satisfied from the standpoint of any stormwater runoff.
6. The Board notes that the maximum that it could approve is 150 percent of the gross floor area, which means an addition could be 2,979 square feet. This one is only 814.5 square feet.
7. The request is well within the parameters on this.

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 addition (814.5 square feet), as shown on the plat prepared by Larry N. Scartz, Land Surveyor dated January 25, 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 (1,986 square feet existing + 2,979 square feet (150%) = 4,965 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. The accessory structure (jungle gym) shall be removed or relocated within the rear yard to comply with applicable Zoning Ordinance provisions within 90 days of this special permit approval.

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

A Copy Teste:

Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals

ACKNOWLEDGEMENT

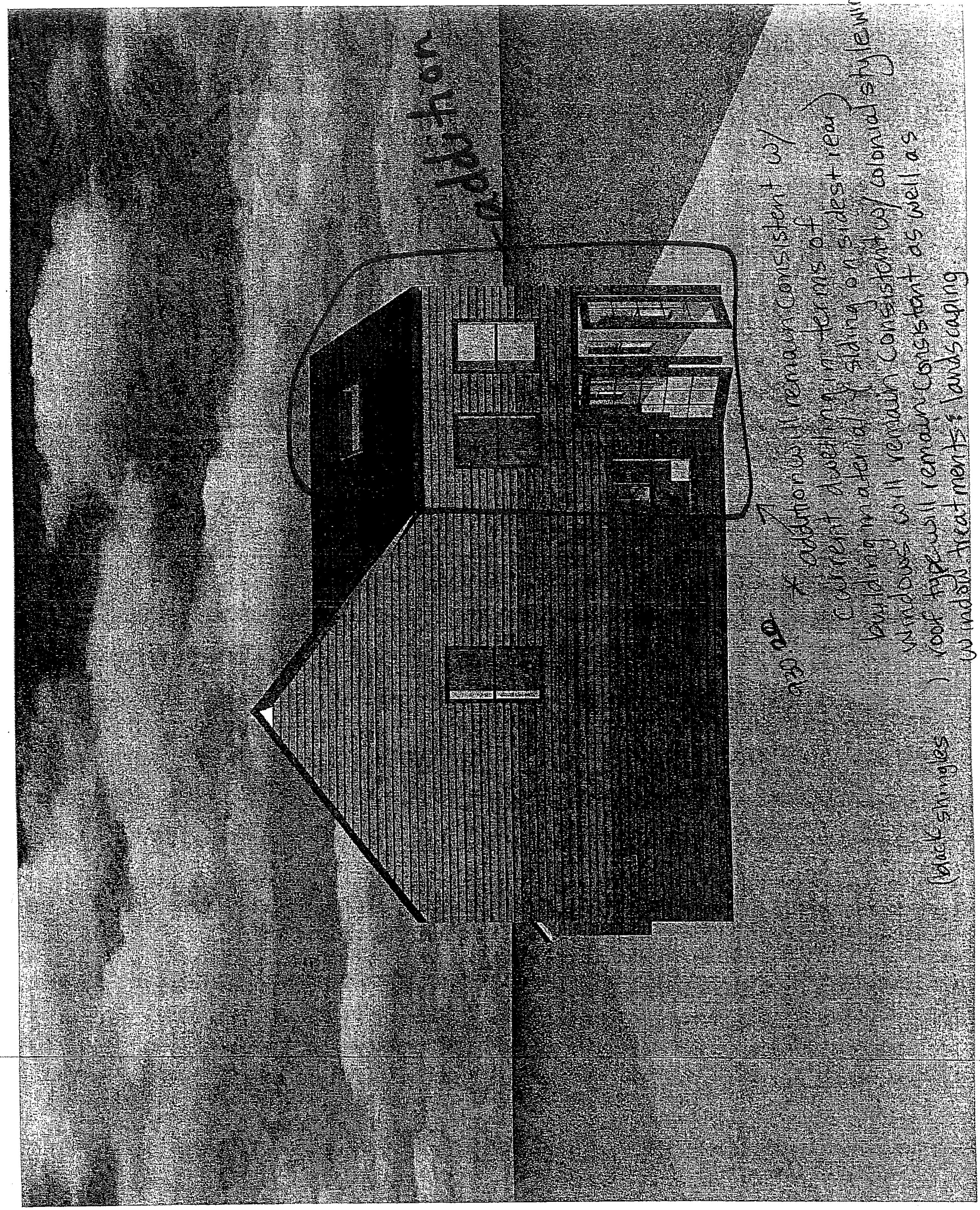
County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 20 day of March, 2014.

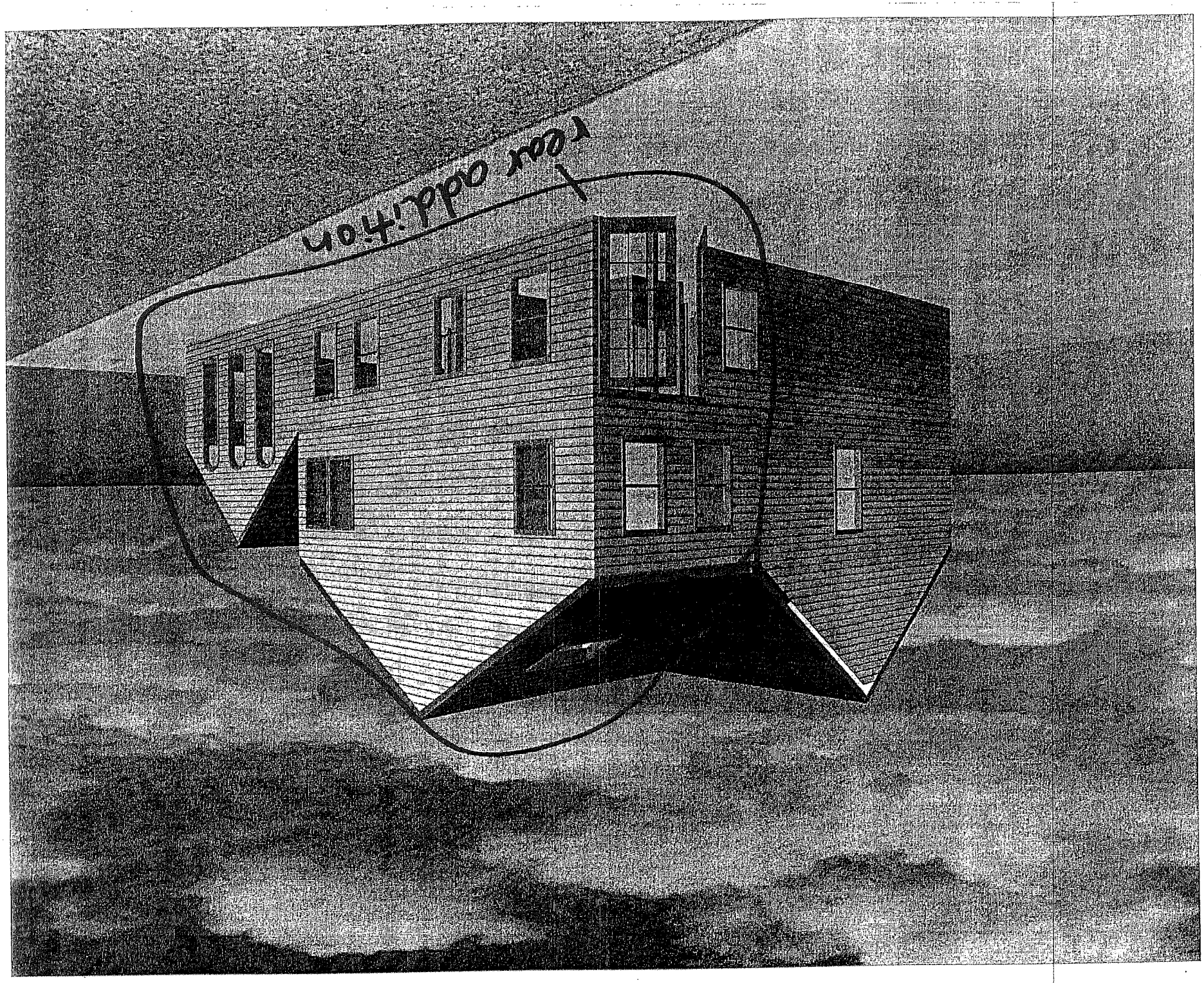
Notary Public

My commission expires: 9-30-2017

ROBERT WYATT HARRISON
NOTARY PUBLIC
REG # 7260104
MY COMMISSION EXPIRES 9/30/2017
COMMONWEALTH OF VIRGINIA


addition
* addition will remain consistent w/
current dwelling in terms of
building material (siding on sides + rear)
windows will remain consistent w/ colonial style windows
(black shingles) roof type will remain consistant as well as
window treatments & landscaping.

END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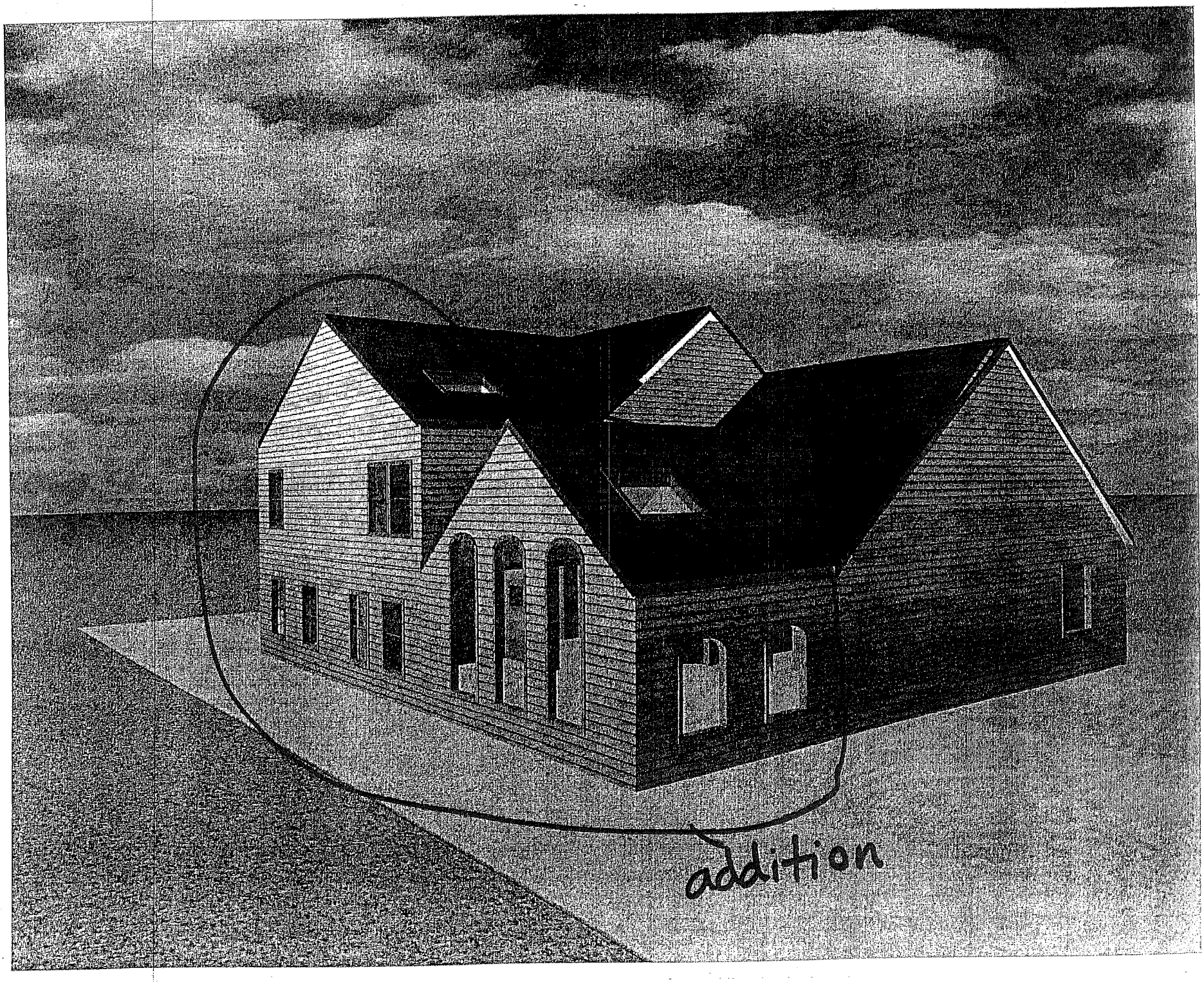
addition