COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

HOWARD GLEASON, SP 2013-SU-110 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 12.7 ft. from rear lot line. Located at 12607 Dusty Wheel Ln., Fairfax, 22033, on approx. 10,572 sq. ft. of land zoned PDH-3 and WS. Sully District. Tax Map 45-2 ((11)) 149. Ms. Theodore 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 applicant is the owner of the land, along with Carolyn M. Gleason.
2. The present zoning is PDH-3 and is also in a watershed protection area.
3. The request to build the screen porch addition is modest in scale. It would utilize the footprint of the existing open wood deck and, therefore, would not impose on neighboring properties.
4. Due to the zoning of the lot, there are smaller minimum required side yards than in a traditional R-3 District.
5. This is located on a corner lot.
6. Given the placement of the home, there is not a large amount of room to expand into the side yards.
7. Based on the drawing submitted by the applicant as reflected in the staff report, the material, size, and scale of the screened porch addition will be compatible with the dwelling. A number of the properties located in the neighborhood have completed similar screened porch additions in terms of size and location, including Lot 146, the property directly north of the applicant's property, which the Board has seen a picture of here at the public hearing.
8. Accordingly, the addition would be harmonious with surrounding offsite uses and structures.
9. The proposed addition is located in a resource protection area.
10. Based on comments as reflected in the staff report from the Department of Public Works and Environmental Services staff, if less than 2,500 square feet of land is disturbed in the RPA, then no grading plan or stormwater management review required.
11. The screened porch addition will only be 176 square feet in area, so it does not meet the special requirements for review.
12. There are no other vegetation or trees impacted by the construction or other resource issues.

13. The staff report determines the request is in conformance with the applicable Zoning Ordinance provisions and recommends approval. The Board agrees with their findings.

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 (176 square feet) as shown on the plat titled, "Plat, Showing the Improvements on Lot 149, Section 3, Century Oak," prepared by George M. O'Quinn, L.S., of Dominion Surveyors Inc., dated August 2, 2013 and as revised through November 5, 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 (4,100 square feet existing + 6,150 square feet (150%) = 10,250 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 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. Smith seconded the motion, which carried by a vote of 7-0.

A Copy Teste:

Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals

ACKNOWLEDGEMENT

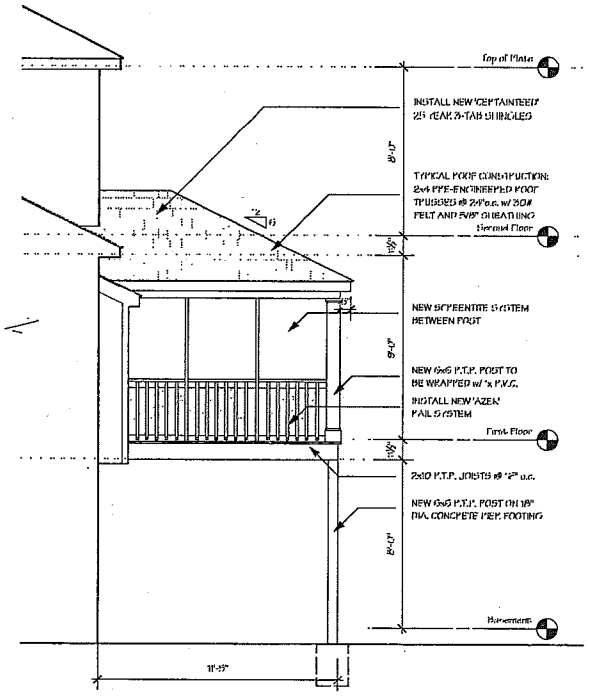
County of Fairfax
Commonwealth of Virginia

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

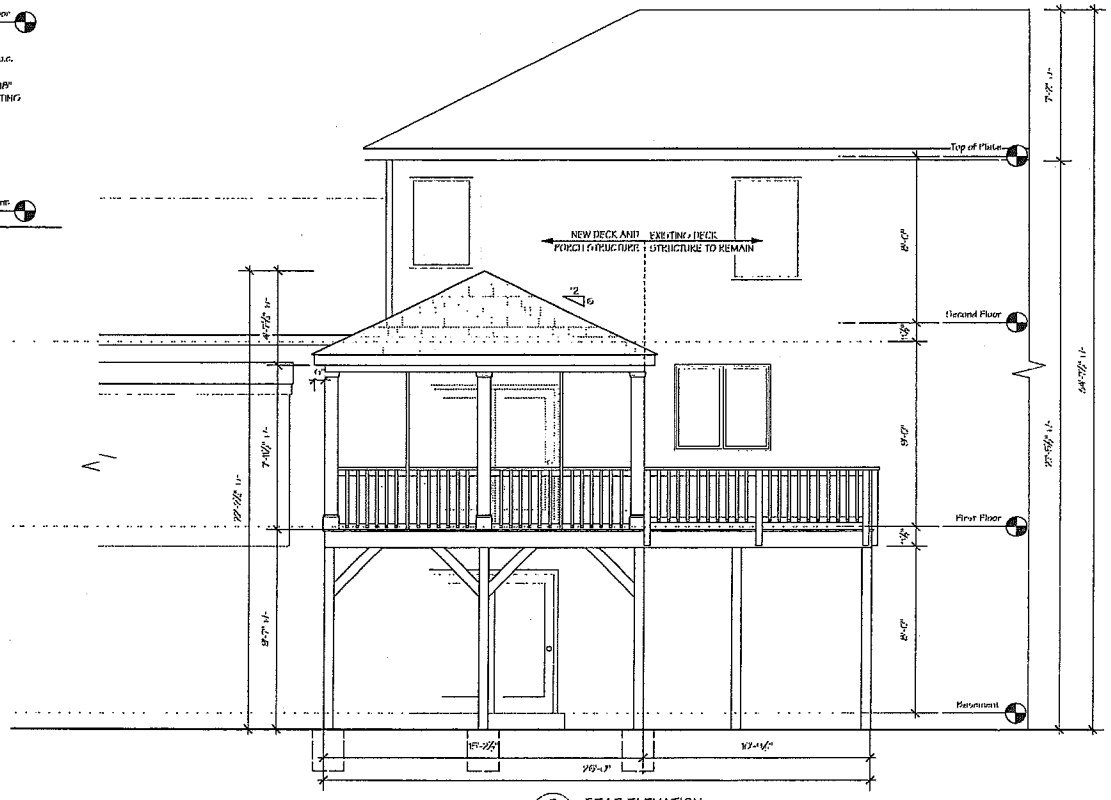
Notary Public

My commission expires: 9-30-2017

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



A/04 RIGHT SIDE ELEVATION
Scale: 1/2" = 1'-0"



B/04 REAR ELEVATION
Scale: 1/2" = 1'-0"

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Proj. Manager: RICH GETTYS

GLEASON RESIDENCE
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FAIRFAX, VA 22033

Drawing Log	Date
CONTRACT MEETING	08/30/12
PERMIT SET	10/15/12
Dimension Elevations	12/6/13

Scale: 1/4" = 1'-0"
Sheet: 03
EXTERIOR EL

ATTACHMENT 1