

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

JOSEPH & SARA KOENIG, SP 2015-HM-075 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit a reduction in certain yard requirements to permit construction of an addition such that side yards total 26.0 ft. Located at 1230 Bishopsgate Way, Reston, 20194, on approx. 35,720 sq. ft. of land zoned R-1 (Cluster). Hunter Mill District. Tax Map 12-3 ((7)) (2) 14. 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 September 16, 2015; and

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

1. The applicants are the owners of the land.
2. There is a favorable staff recommendation, and the Board adopts the rationale in the staff report.
3. The applicant has read, understands, and agrees with the proposed development conditions.
4. The lot is pinched off at the middle. The narrow part of the lot is where the house is located. The front yard is the septic drain field, and behind the house is the detached garage. The only place to add the mudroom addition, which is modest, is right at the pinch point where the lot is the narrowest. It is well back from the street, and it should not have any discernible impact on anybody.

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 (620 square feet and 16.2 feet in height), as shown on the plat entitled "Special Permit Plat, Lot 14 Section 2, Ascot, Hunter Mill District, Fairfax County, Virginia,"

prepared by Michael L. Flynn, L.S., on January 20, 2015, as revised on April 22, 2015, 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 (3,840 square feet existing + 5,760 square feet (150%) = 9,600 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 6-0. Mr. Hammack was absent from the meeting.

A Copy Teste:

  
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 Mary D. Padruitt, Deputy Clerk  
 Board of Zoning Appeals

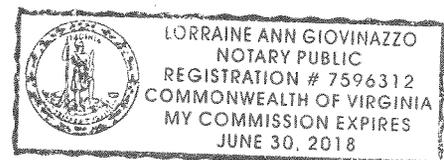
ACKNOWLEDGEMENT

COUNTY OF FAIRFAX  
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of September, 2015.

  
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 Notary Public

My commission expires: 6/30/18



ARCHITECTURAL ELEVATIONS  
SCALE: 1"=5'



FRONT

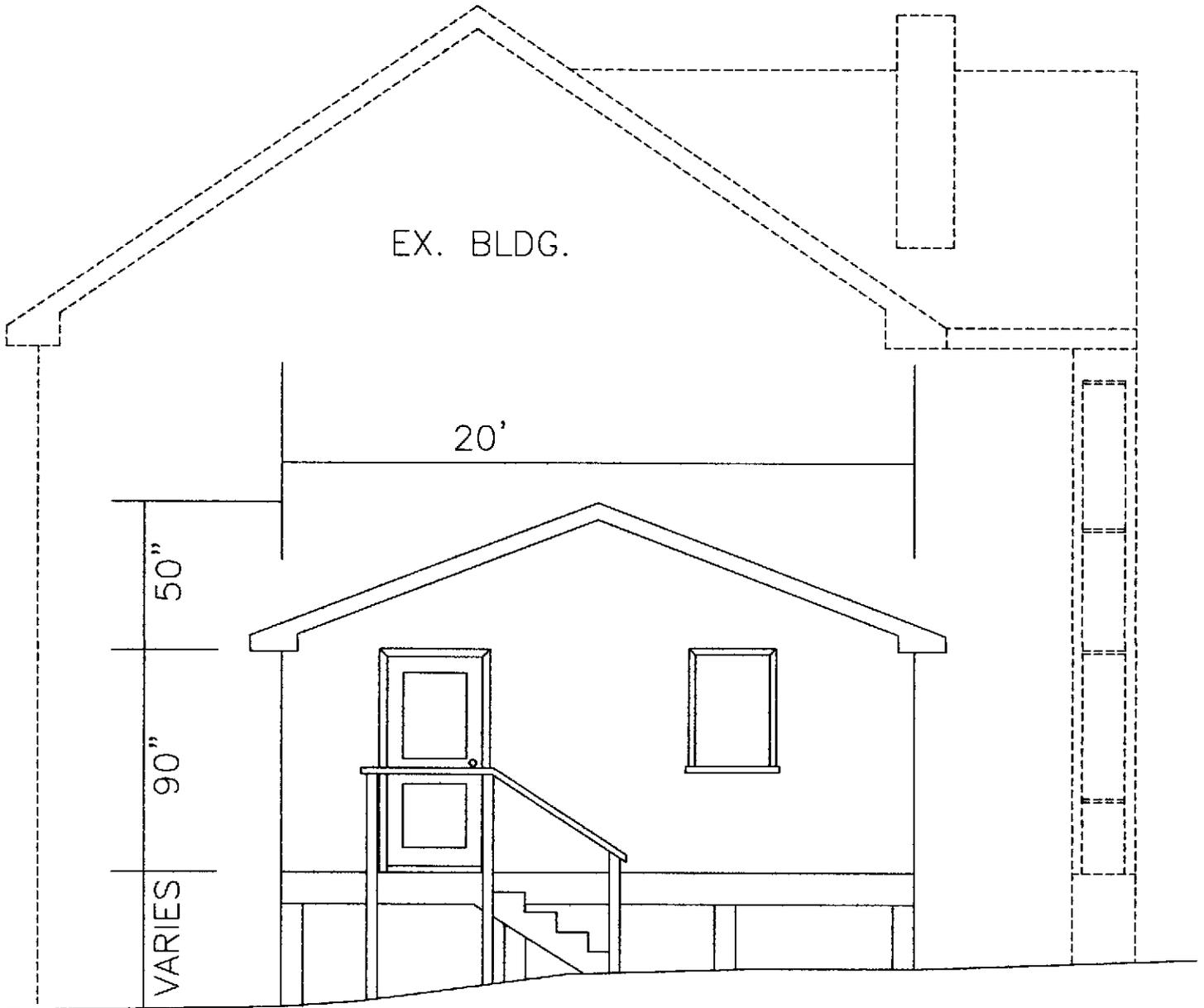
SIDING, TRIM, WINDOWS AND DOORS TO MATCH EXISTING DESIGN

RECEIVED  
Department of Planning & Zoning

APR 27 2015

Zoning Evaluation Division

ARCHITECTURAL ELEVATIONS  
SCALE: 1"=5'



SIDE

SIDING, TRIM, WINDOWS AND DOORS TO MATCH EXISTING DESIGN