

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

JOHN A. LEARY III AND SARAH A. STEIERMAN, SP 2015-MV-111 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit a reduction of certain yard requirements to permit construction of an addition 8.7 ft. from a side lot line. Located at 8700 Yardley Dr., Alexandria, 22308, on approx. 14,679 sq. ft. of land zoned R-3. Mt. Vernon District. Tax Map 111-1 ((13)) 16, B, and C. Mr. Smith 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 October 21, 2015; and

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

1. The applicants are the owners of the land.
2. The property is zoned R-3.
3. It is a pretty modest addition that is going to continue with the same location as the existing carport, with the same roof line.
4. There are a number of similar cases in the neighborhood, so it would be consistent with the neighborhood.
5. Materials will be used consistent with the existing house.
6. It will not have any adverse impact, will be consistent with the location, height, scale, and existing structure on the lot, and will be in harmony with the surrounding neighborhood.
7. Staff has recommended approval, and the Board adopts their rationale.
8. The applicants have read, understand, and concur with the proposed Development Conditions.

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 applicants 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.

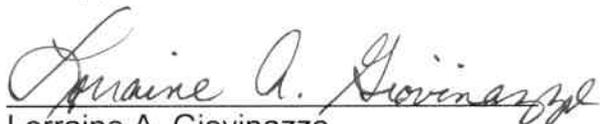
2. This special permit is approved for the location and size of the addition (222 square feet), as shown on the plat entitled "Plat Showing the Improvements on Lot 16, Outlot 'B' and Outlot 'C,' Hessick and Sharp's Addition to Riverside Park," prepared by George M. O'Quinn, L.S., on February 23, 2015, 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 (2,212 square feet existing + 3,318 square feet (150%) = 5,530 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. Prior to commencement of and during the construction process, the applicants shall install tree protection fencing to protect the two off-site oak trees located to the north of the proposed addition from construction activities in accordance with the Urban Forest Management Division (UFMD) requirements. The location of the tree protection fencing shall be determined in consultation with UFMD.
5. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions, and the existing house.

This approval, contingent upon the above-noted conditions, shall not relieve the applicants 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. Beard seconded the motion, which carried by a vote of 5-0. Ms. Theodore and Mr. Byers were absent from the meeting.

A Copy Teste:



Lorraine A. Giovinazzo

Clerk to the Board of Zoning Appeals

ACKNOWLEDGEMENT

County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 26th day of October, 2015.

Rachael A. Locke
Notary Public

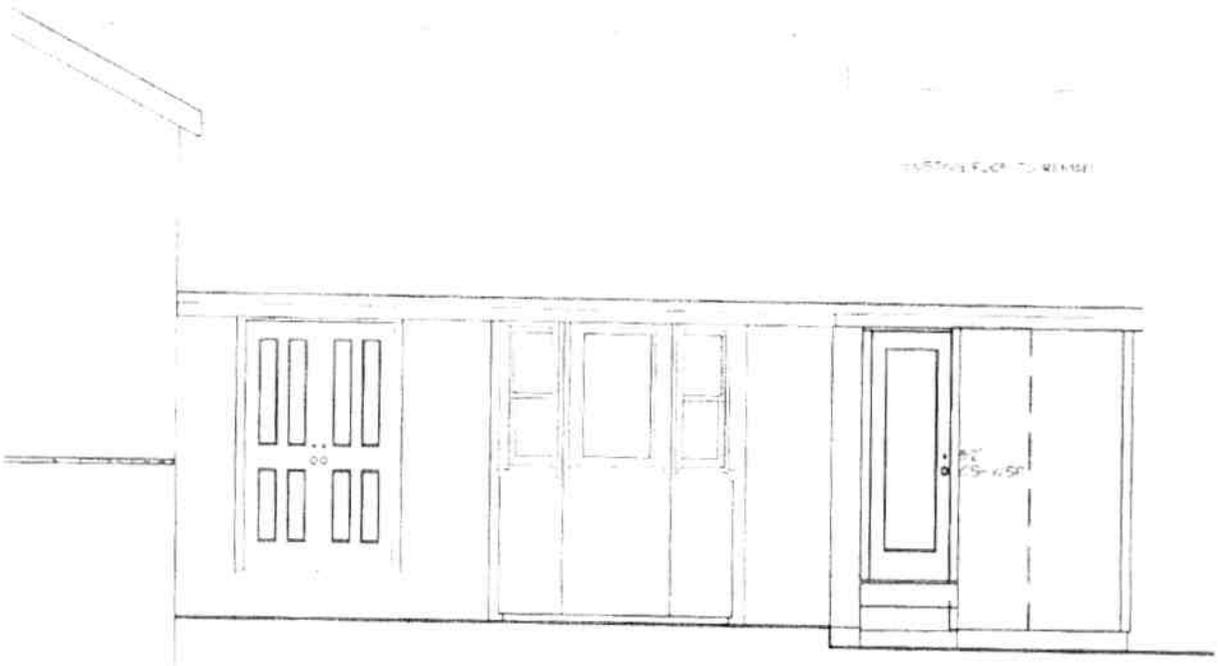
My commission expires: 6/30/2019



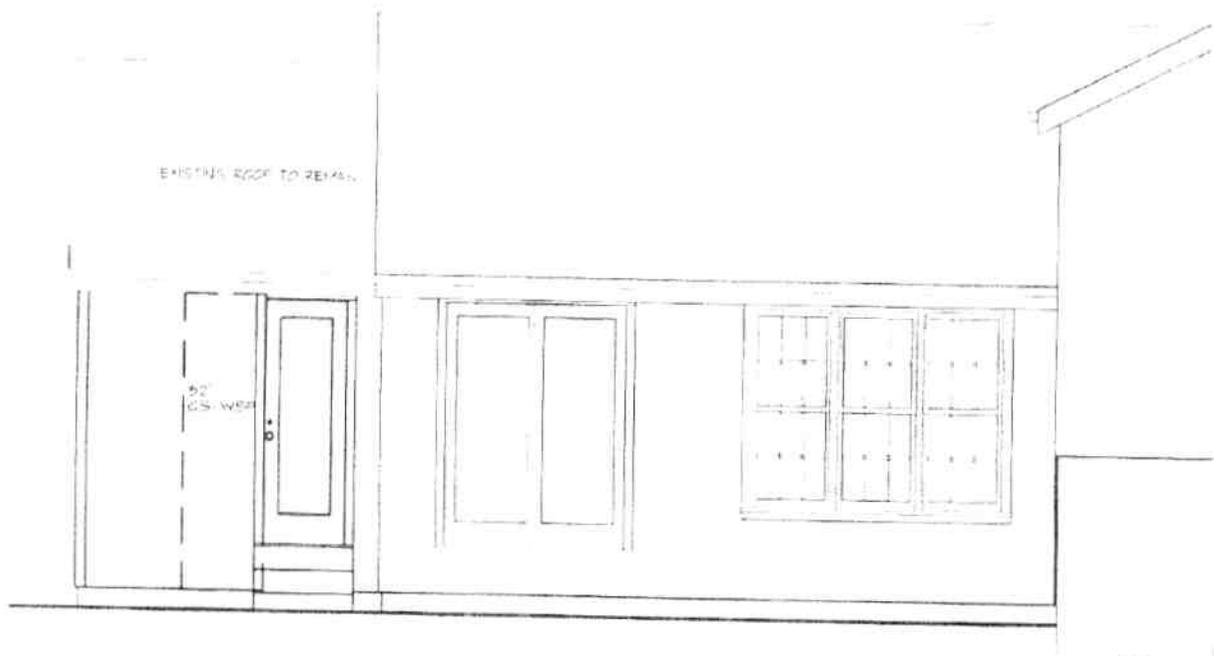


RIGHT ELEVATION

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Zachary Construction, Inc.
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FRONT ELEVATION



REAR ELEVATION

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