

## COUNTY OF FAIRFAX, VIRGINIA

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

RANDY H. HADIJSKI, SP 2015-LE-082 Appl. under Sect(s). 8-914 and 8-922 of the Zoning Ordinance to permit a reduction in the minimum yard requirements based on an error in building location to permit an accessory storage structure to remain 1.3 ft. from a rear lot line and 1.6 ft. from a side lot line; and to permit a reduction in certain yard requirements to permit construction of an addition 11.3 ft. from a side lot line. Located at 4522 Apple Tree Dr., Alexandria, 22310, on approx. 14,565 sq. ft. of land zoned R-3. Lee District. Tax Map 82-3 ((13)) 48. (Concurrent with VC 2015-LE-004.) 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 4, 2015; and

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

1. The applicant is the owner of the land.
2. With respect to the addition, there is a favorable staff recommendation, and the Board adopts the rationale in the staff report. This is an older home from the 1950 s with very limited storage. The carport is already there. The enclosure of the carport does not create a significant negative impact on anybody, and in fact it would help with concealment of outdoor storage. They will be using it for living space, but it will be more attractive enclosed then open.
3. The shed is too tall and too prominent. This shed has windows at both levels emphasizing the height. The applicant's justification for retaining the shed would fit more easily with a mistake in building location then it would with a variance.
4. The Board does not support the error request for the shed.
5. The applicant has read, understands, and agrees with the proposed development conditions for the addition.

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 with respect to the addition.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED-IN-PART** 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 location and size of the addition (enclosed carport, 303 square feet, 13.0 feet in height, 11.3 feet from the eastern side lot line) as indicated on the plat titled, "Special Permit Plat, Showing Improvements On, Lot 48, Section 2, Rose Hill," by Thomas G. Lutke, Land Surveyor, of NoVA Surveys, dated May 21, 2014, as submitted with this application and is not transferable to other land. The error in building location request for the shed is denied.
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 (1,022 square feet existing + 1,533 square feet (150%) = 2,555 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 as shown on Attachment 1 to these conditions. The materials used in constructing the addition should be architecturally compatible with the existing dwelling.

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 take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Mr. Beard seconded the motion, which carried by a vote of 4-0. Ms. Theodore was not present for the vote. Mr. Byers and Mr. Smith were absent from the meeting.

A Copy Teste:

*Mary D. Padrutt*

Mary D. Padrutt, Deputy Clerk  
Board of Zoning Appeals

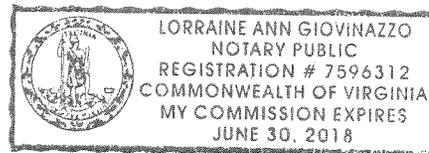
ACKNOWLEDGEMENT

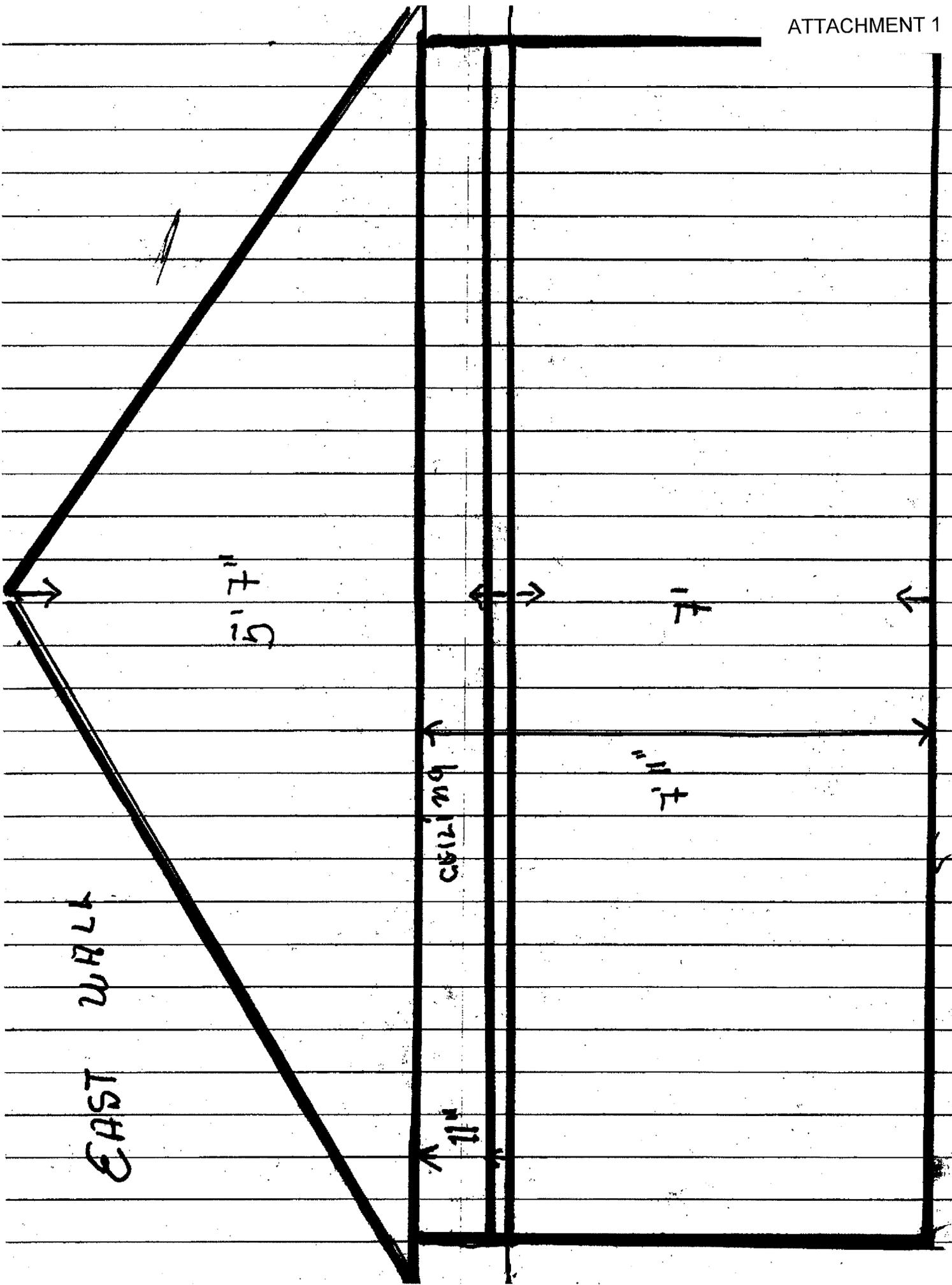
County of Fairfax  
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of  
November, 2015.

*Lorraine A. Giovinazzo*  
Notary Public

My commission expires: 6/30/18





EAST WALL

building

5'7"

11'

11'7"

Window

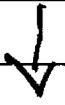
73" x 49"

SOUTH

12' 8"

WALL

2x6 x 16" CENTER



EAST

WALL

20' 6 3/4"

2x4 x 16" CENTER

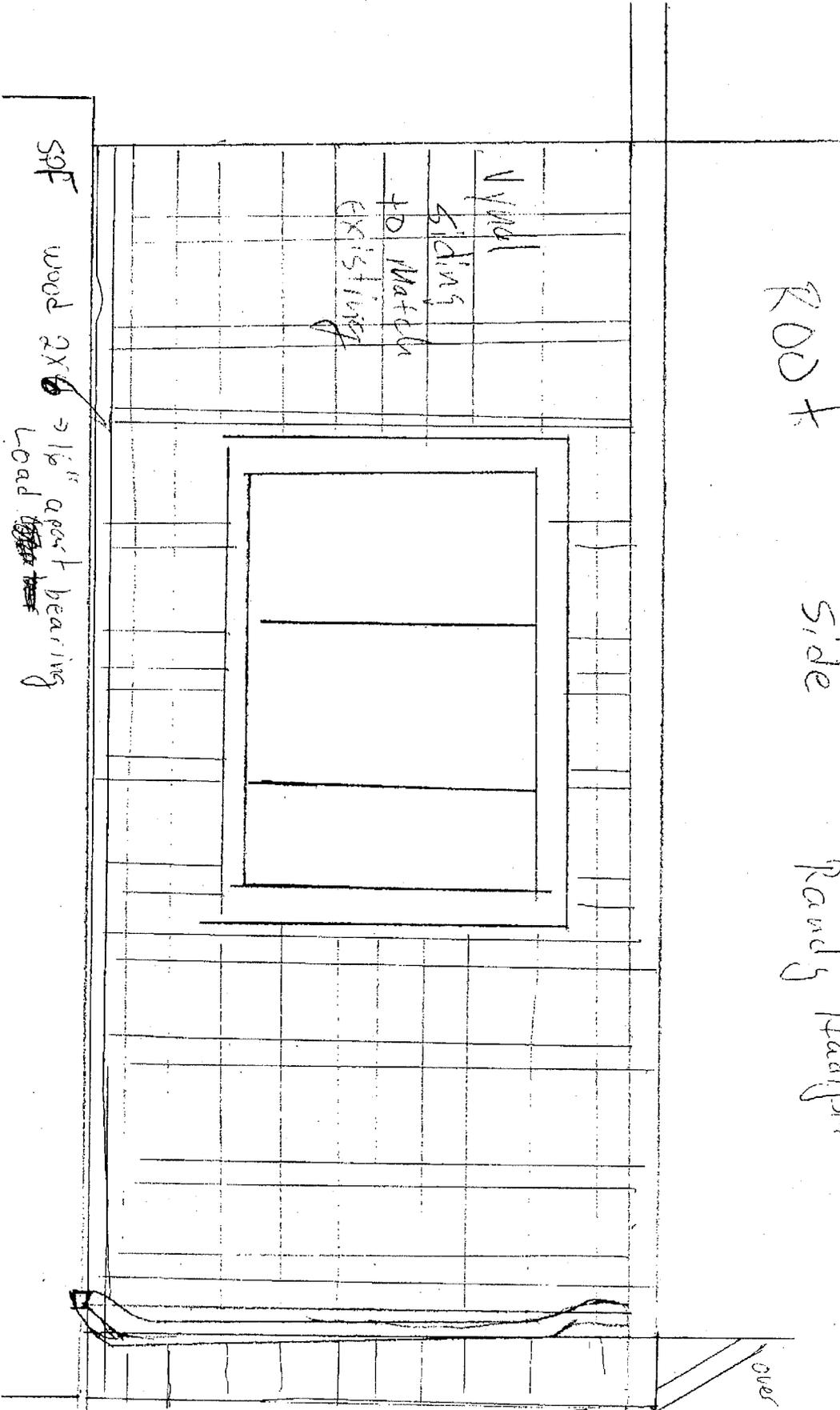
Existing Door removed  
Create Caser  
Opening

Existing Door removed

30" Door

EXISTING  
STORAGE





ROOF

Front Street Side

4522 Apple tree Drive  
Alexandria, VA 22310  
Randy Hadjiski

vinyl siding to match existing

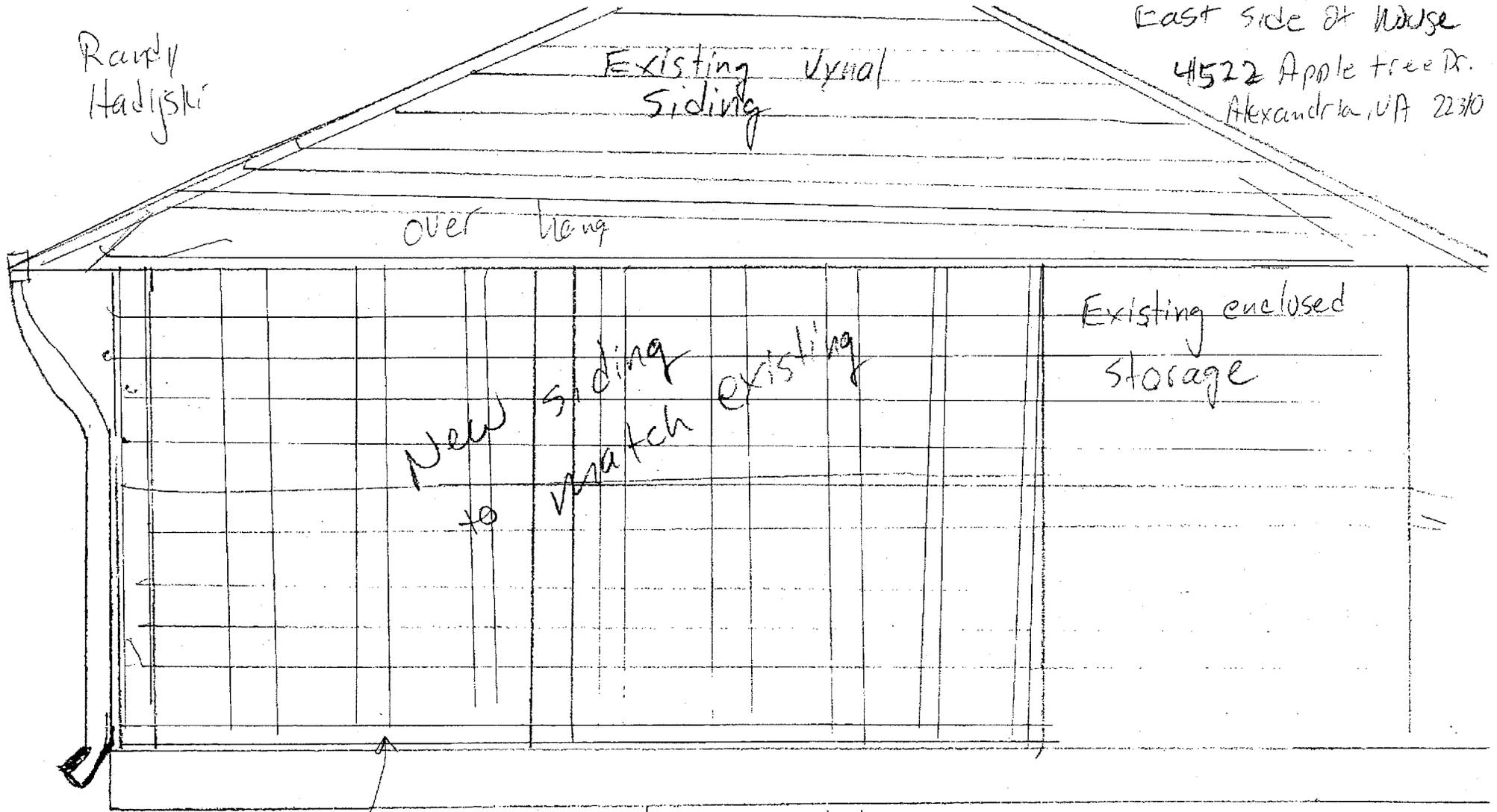
vinyl siding to match existing

SPF wood 2x8 1/2" apart bearing Load

overhang

Randy  
Hadiski

East side of house  
4522 Apple tree Dr.  
Alexandria, VA 22310



overhang

Existing vinyl  
Siding

New siding  
to match existing

Existing enclosed  
storage

SPF wood 2x4 → 16" apart Not load bearing