

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

TIM BURNS & HEEYUNG BURNS, SP 2015-DR-070 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit a reduction in minimum yard requirements to permit construction of an addition 9.1 ft. from a side lot line and 34.2 ft. from a front lot line. Located at 8021 Falstaff Rd., McLean, 22102, on approx. 15,044 sq. ft. of land zoned R-2. Dranesville District. Tax Map 29-2 ((3)) 342. 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 September 16, 2015; and

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

1. The applicants are the owners of the land.
2. This is simply infilling something that was a carport.
3. This enhances the property value and the properties around it.
4. The applicant has read, understands, and concurs with the proposed development conditions as modified.

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 (386 square feet, 12.0 feet in height, 9.1 feet from the northern side lot line, and 34.2 feet from the front lot line), as shown on the special permit plat titled, "Special Permit Plat, Lot 342, Section Two, McLean Hamlet," prepared by Joseph W. Bronder, L.S., dated February 11, 2015, as revised through April 14, 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 (2,712 square feet existing + 4,068 square feet (150%) = 6,780 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 (brick) 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. Hart seconded the motion, which carried by a vote of 6-0. Mr. Hammack was absent from the meeting.

A Copy Teste:

Mary D. Padrutt
 Mary D. Padrutt, Deputy Clerk
 Board of Zoning Appeals

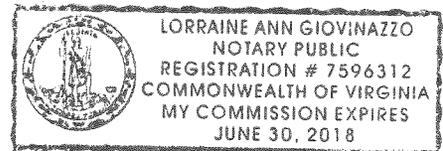
ACKNOWLEDGEMENT

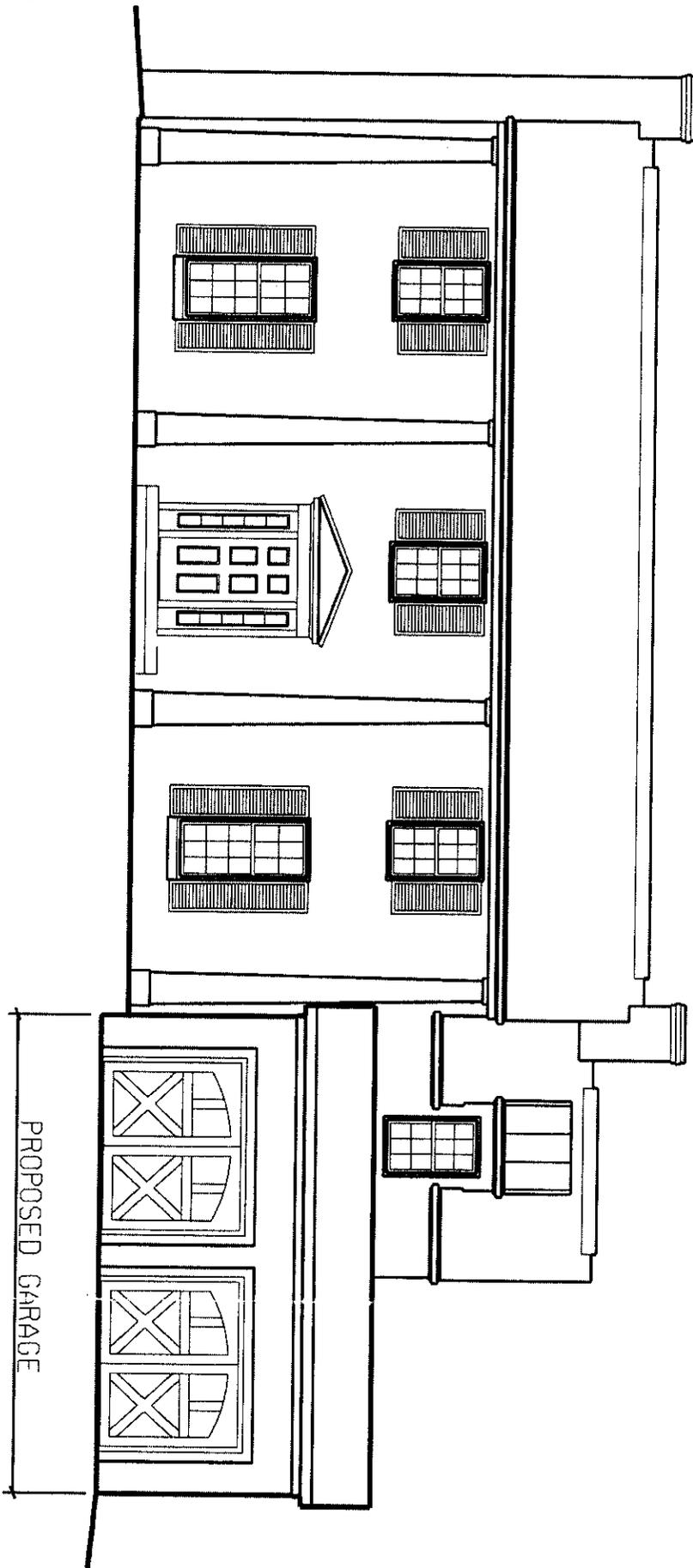
COUNTY OF FAIRFAX
COMMONWEALTH OF VIRGINIA

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

Lorraine Ann Giovinazzo
 Notary Public

My commission expires: 6/30/18



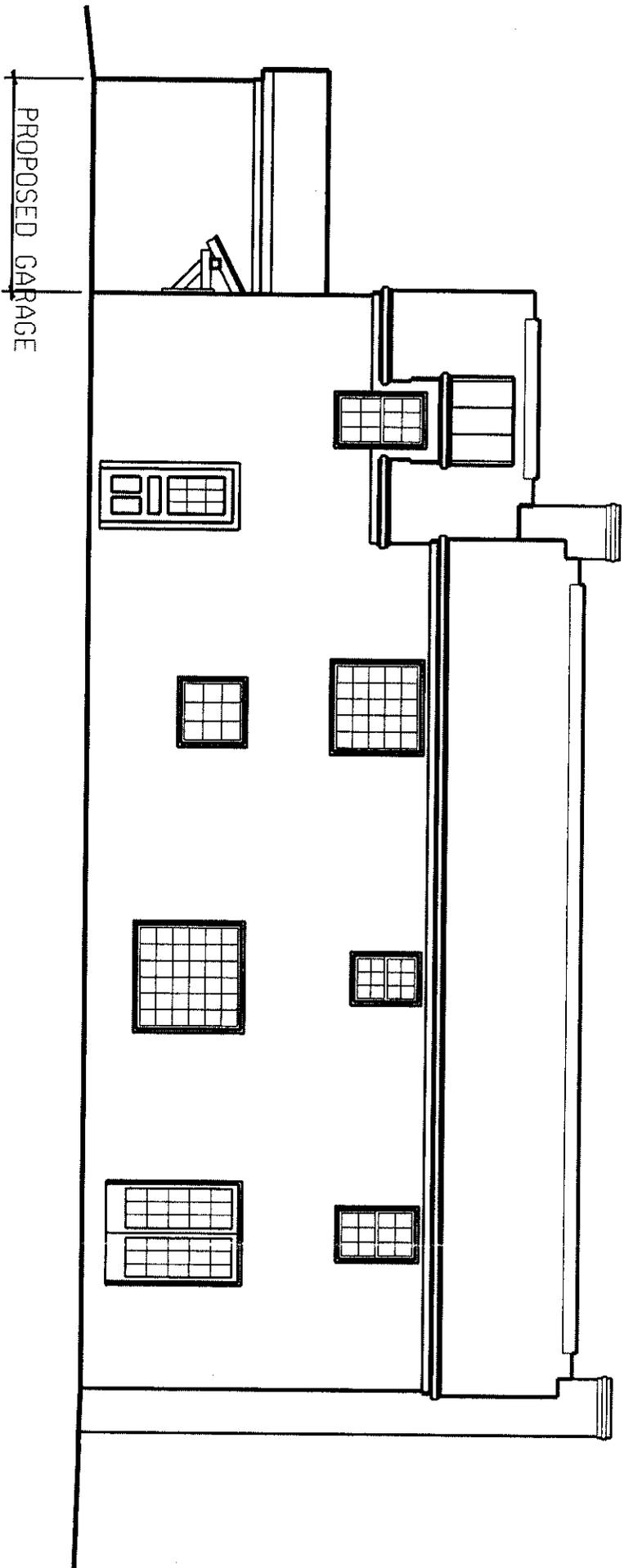


FRONT ELEVATION

PROPOSED GARAGE

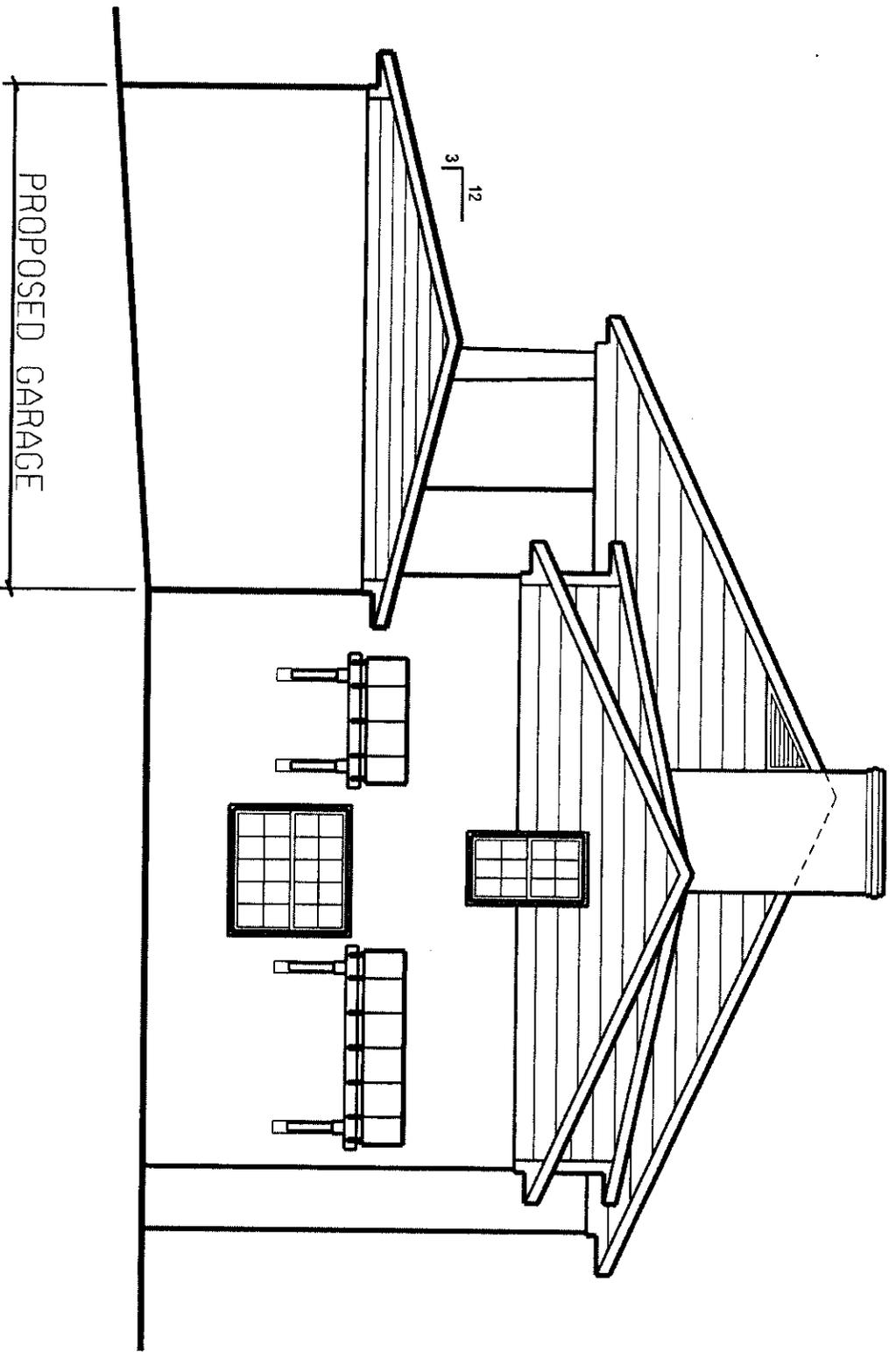
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REAR ELEVATION

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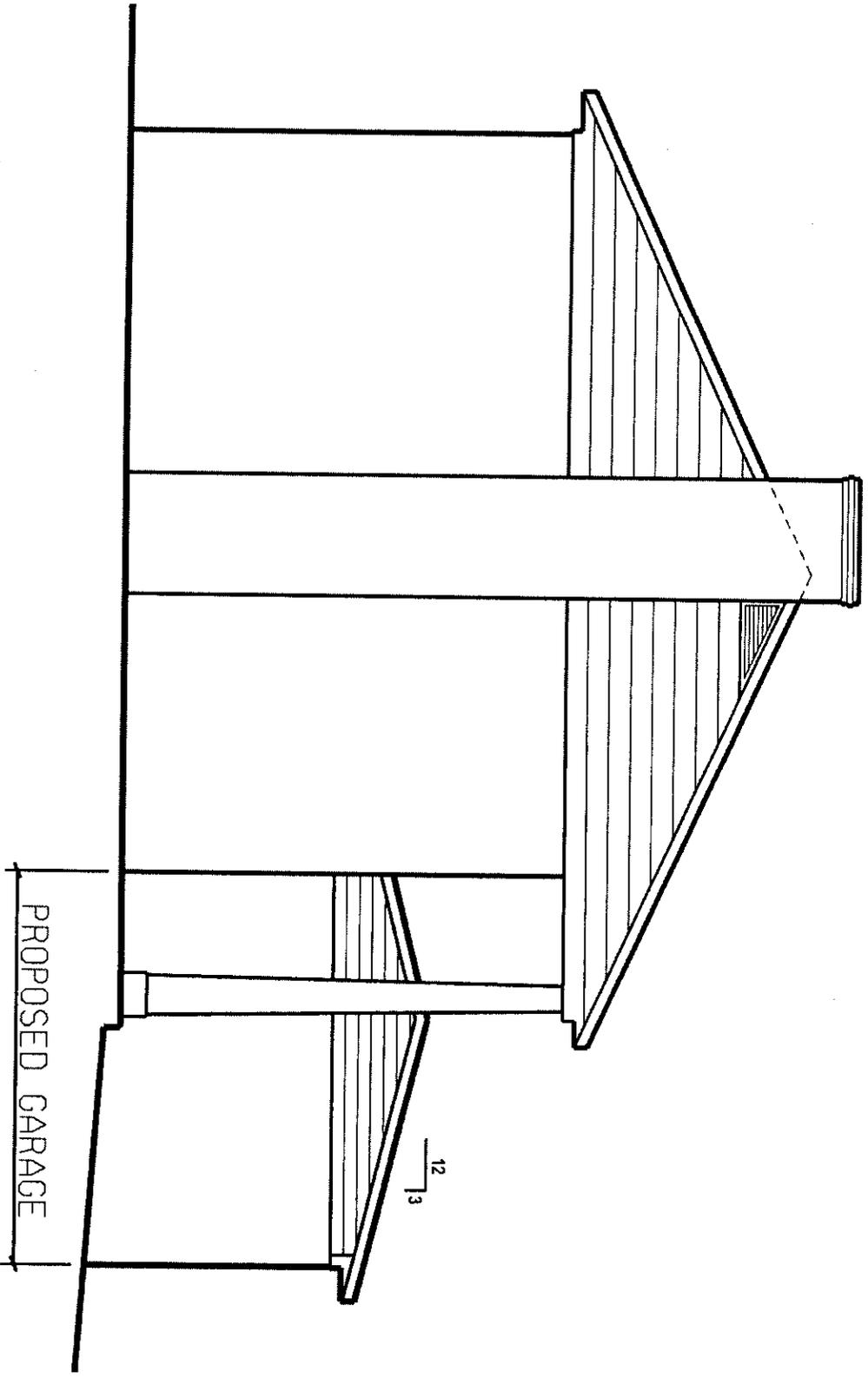


SIDE ELEVATION

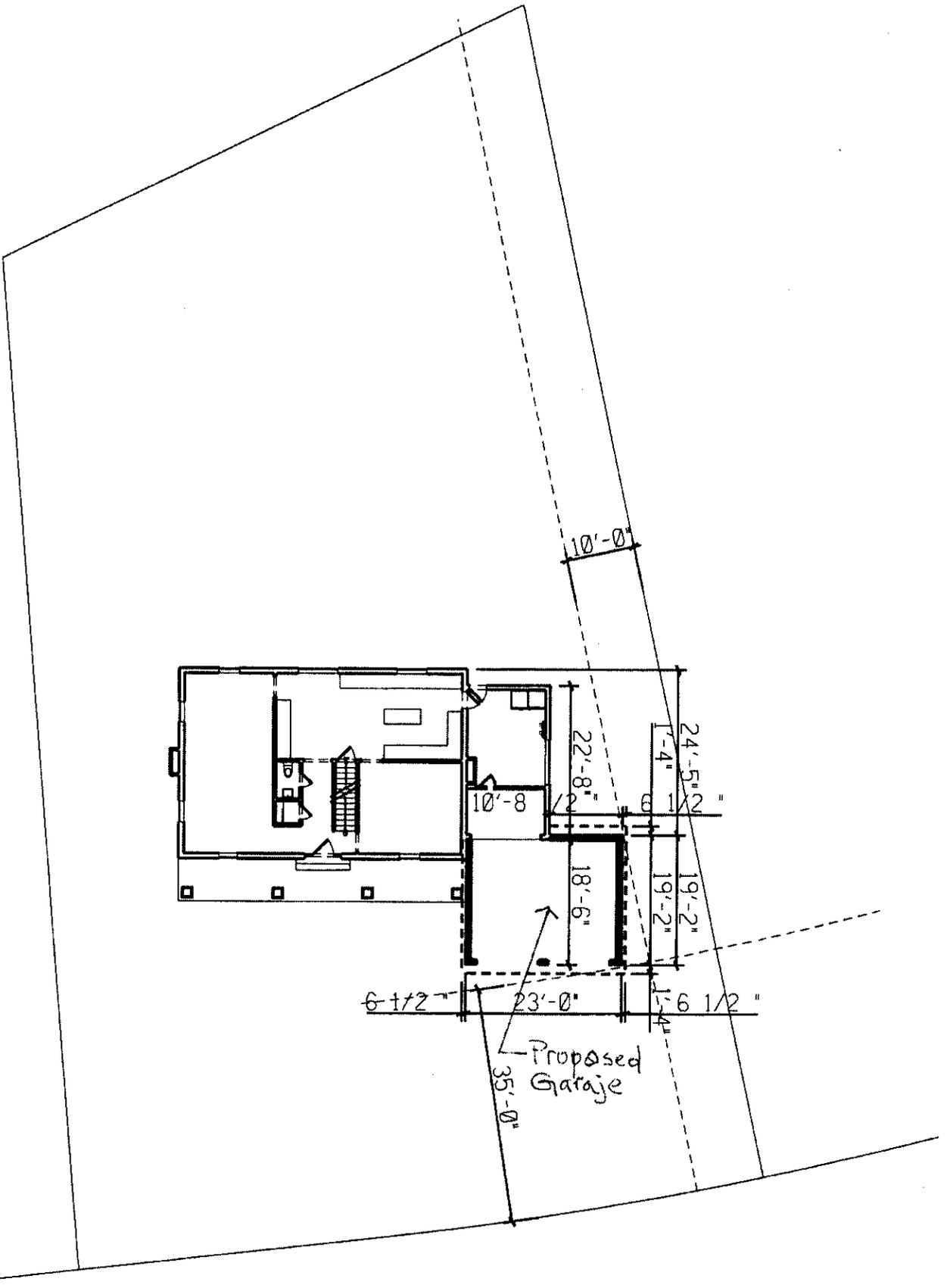
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Zoning Evaluation Division



SIDE ELEVATION



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