

COUNTY OF FAIRFAX, VIRGINIA
SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ALI AL-AHMED, SP 2015-DR-124 Appl. under Sect(s). 8-923 of the Zoning Ordinance to permit a fence greater than 4.0 ft. in height to remain in the front yard of a corner lot. Located at 7419 Lisle Ave., Falls Church, 22043, on approx. 12,912 ft. of land zoned R-4. Dranesville District. Tax Map 40-1 ((3)) 211. Mr. Hammack 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 December 9, 2015; and

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

1. The applicant is the owner of the property.
2. The fence was a replacement of a prior stockade fence which did not generate a complaint by anyone. It is pulled in at an angle and set off the property line, so it is not right on the sidewalk.
3. Since there is no driveway, there is not a sight distance issue.
4. The applicant has cited privacy and security reasons to justify the higher fence. The Board felt the higher fence is justified for these reasons.
5. The applicant had read, understands, and concurs 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. This special permit is approved for the location of a wood fence six feet in height, as shown on the plat in the front yard along Lisle Avenue, titled "Plat Showing the Improvements on Lot 211, Section Six, Pimmit Hills, Fairfax County, Virginia, Dranesville District," as prepared by George M. O'Quinn, L.S., on June 15, 2015 and as revised on August 11, 2015, as submitted with this application. It is not transferrable to other land.

2. The applicant shall either remove or relocate the shed in the front yard in conformance with the Zoning Ordinance within 30 days of the Board of Zoning Appeals decision.
3. The applicant shall remove outdoor storage in the front yard in conformance with the Zoning Ordinance within 30 days of the Board of Zoning Appeals decision.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Mr. Byers seconded the motion, which carried by a vote of 5-0. Mr. Smith and Ms. Theodore were absent from the meeting.

A Copy Teste:



Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals