

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

JOHN P. TERRY, TRUSTEE, SP 2015-DR-131 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit a reduction in certain yard requirements to permit the construction of an addition 7.2 ft. from a side lot line, and 25.2 ft. from a front lot line. Located at 6705 Hazel Ln., McLean, 22101, on approx. 10,767 sq. ft. of land zoned R-3. Dranesville District. Tax Map 30-4 ((28)) (3) 3. Mr. Beard 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 January 6, 2016; and

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

1. The applicant is the owner of the land.
2. The lot size is 10,767 square feet.
3. The present zoning is R-3.
4. Staff has recommended approval.
5. This is a de minimis change in the architecture of the house, which is basically converting the carport to an enclosed garage, with an increase in square footage under 200 square feet.
6. The applicant has 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. 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 (389 square feet) of the addition as shown on the special permit plat titled, "Special Permit Plat showing Improvements on Lot 3, Section 1, Block 3, West Grass Ridge," prepared by

Thomas G. Lutke, L.S., of NoVA Surveys, dated September 15, 2015, received on September 16, 2015, as submitted with this application and is not transferable to other land.

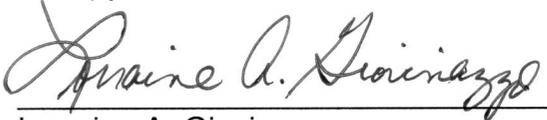
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing proposed structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (4,263 square feet existing + 6,394 square feet (150%) = 10,657 square feet permitted) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single family dwelling for the purpose of this paragraph shall be deemed to include the floor area of any attached garage. 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 design and materials of the existing house as depicted in the rendering shown on Attachment 1 to these conditions.
5. The applicant shall install tree protection fencing adjacent to the area of construction prior to commencing site work, and maintain tree protection fencing over the duration of construction.

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 7-0.

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 14th day of January, 2015.

Rachael A. Locke
Notary Public

My commission expires: 6/30/2019



ATTACHMENT 1: Architectural Rendering for Proposed Garage Addition

