

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

AUDREY REBECCA ANN KOSMAL AKA ANN KOSMAL / GRZEGORZ KRZYSZTOF KOSMAL AKA GRZES KOSMAL, SP 2015-DR-140 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit a reduction of certain yard requirements to permit the construction of an addition 9.1 ft. from a side lot line. Located at 6646 Fisher Ave., Falls Church, 22046, on approx. 10,400 sq. ft. of land zoned R-4. Dranesville District. Tax Map 40-4 ((5)) 89. 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 January 13, 2016; and

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

1. The applicants are the owners of the land.
2. There is a favorable staff recommendation.
3. The applicant has read, understands, and concurs with the proposed development conditions.
4. It is a minimal encroachment.
5. The six sub-sections under 8-922 have been satisfied.

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 front entryway and additional wall, insulation, and cladding (236 square feet and 19.0 feet in height), as shown on the plat entitled "Special Permit Plat Lot 89, Brilyn Park," prepared by Larry Scartz on August 13, 2015, as revised on October 2, 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 (1,378 square feet existing + 2,067 square feet (150%) = 3,445 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 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 and filed with this application.
5. Tree preservation fencing shall be provided along the proposed limits of disturbance to protect trees that may be impacted by the construction of the addition.

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, six months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use 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. Byers seconded the motion, which carried by a vote of 6-0. Mr. Smith was absent was absent from the meeting.

A Copy Teste:



Mary D. Padrutt, Deputy Clerk
Board of Zoning Appeals

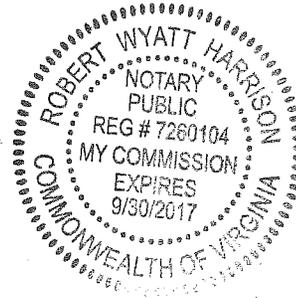
ACKNOWLEDGEMENT

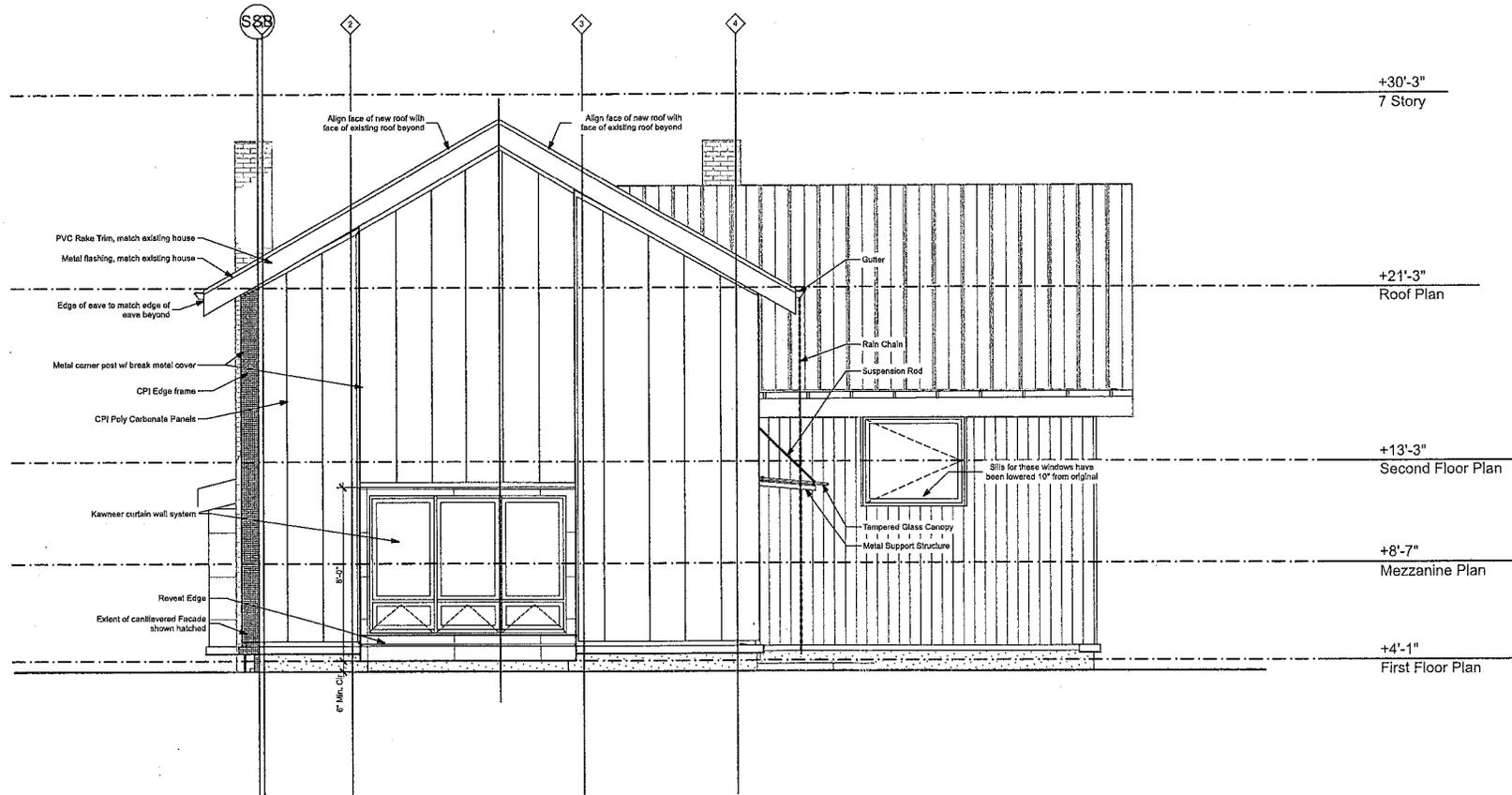
County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 20 day of
January, 2016.

Robert Wyatt Harrison
Notary Public

My commission expires: 9-30-2017





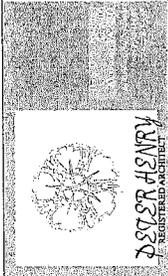
1 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



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Kosmal Addition
6646 Fisher Ave. Falls
Church, VA 22046

SCALE: 3/16" = 1'-0"
DATE: 9/24/15
DRAWN: PGH
REVISIONS:
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Department of Planning & Zoning
OCT 07 2015
Zoning Evaluation Division

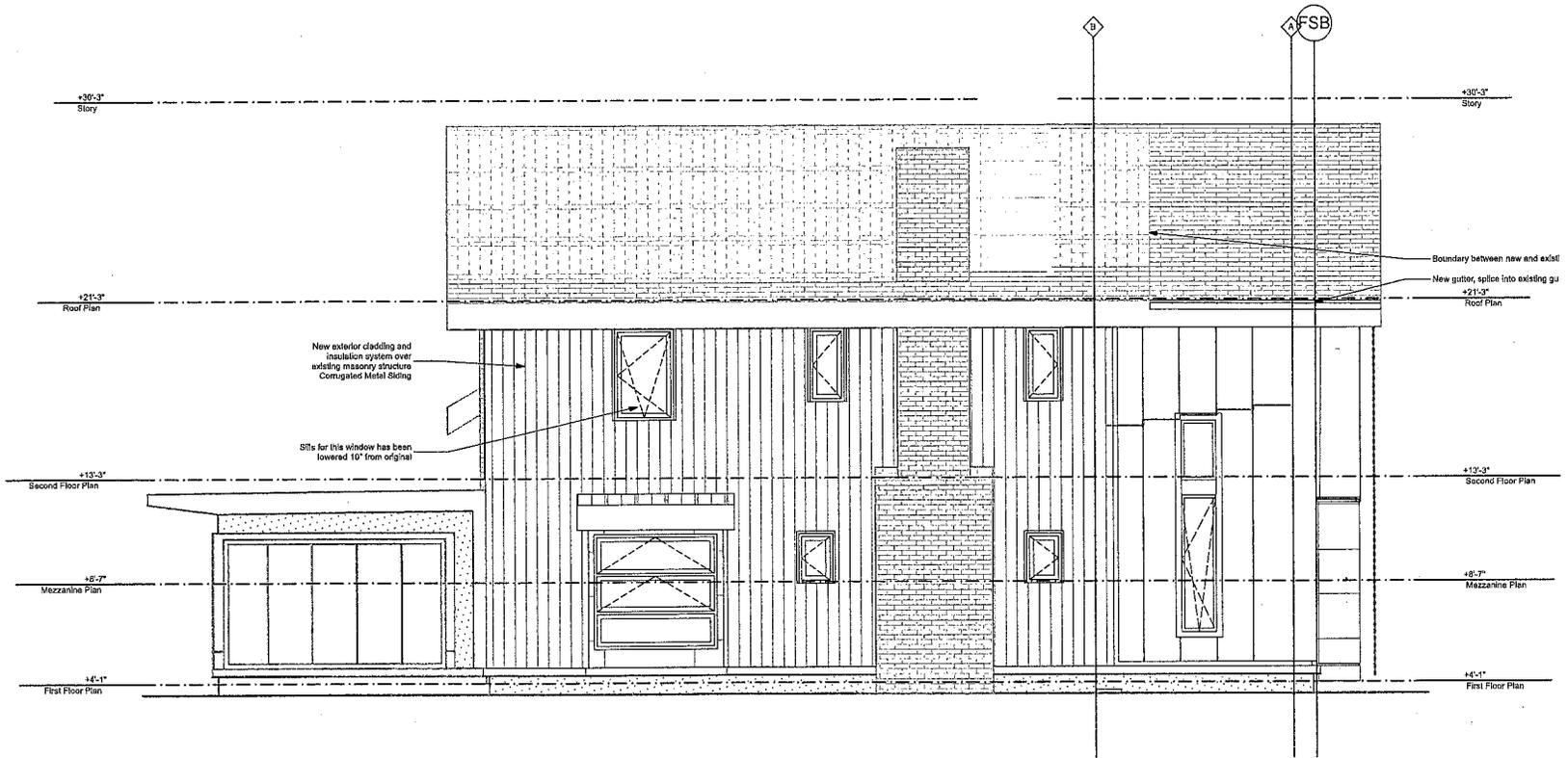
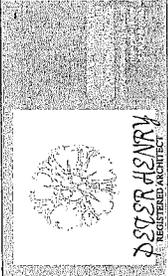
South Elevation
03.5
Design Development
Design Development

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Kosmal Addition
 6646 Fisher Ave. Falls Church, VA 22046

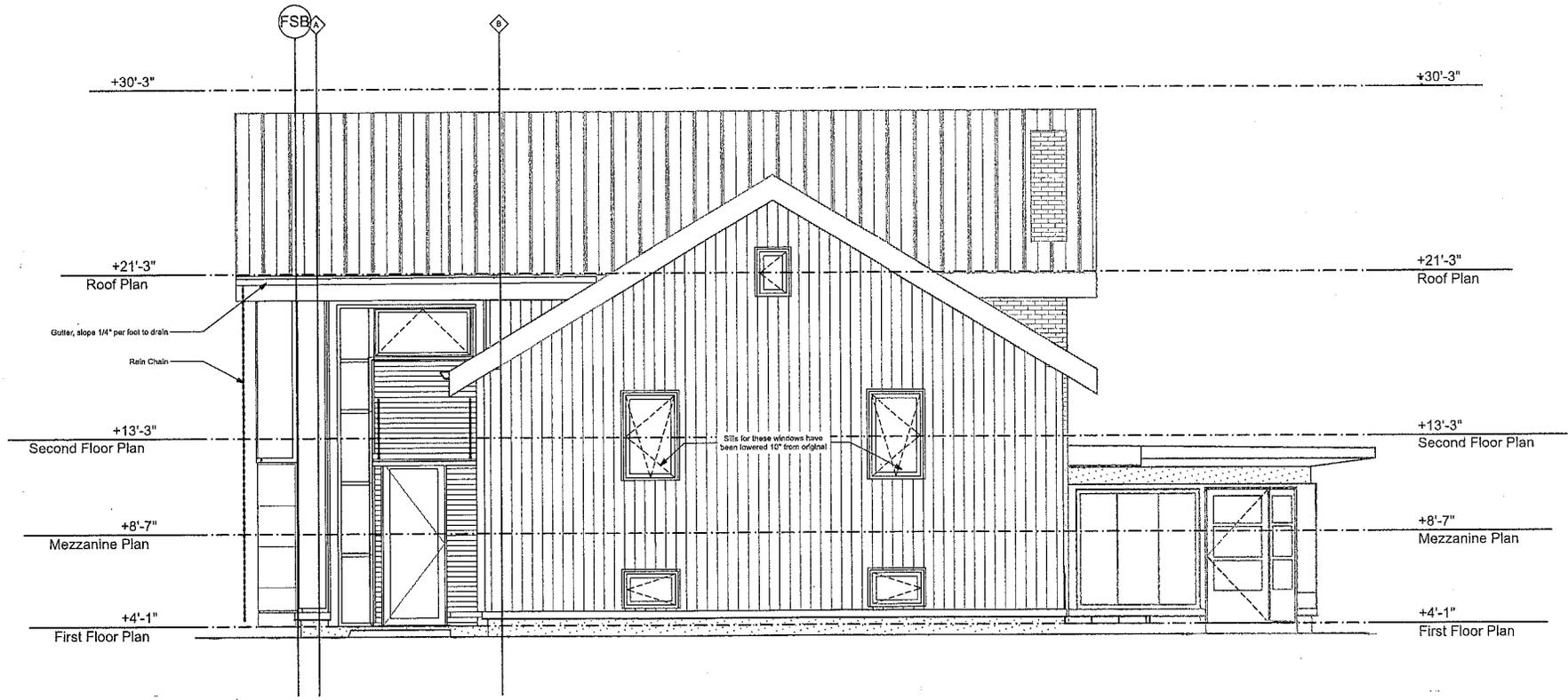
SCALE: 3/16" = 1'-0"
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1 WEST ELEVATION
 SCALE: 3/16" = 1'-0"

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West Elevation
 03.8
 Design Development
 Design Development



1 EAST ELEVATION
SCALE: 3/16" = 1'-0"

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6646 Fisher Ave. Falls Church VA, 22046

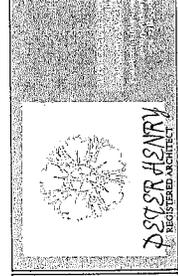
SCALE: 3/16" = 1'-0"

DATE: 9/24/15

DRAWN: PGH

REVISIONS:

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East Elevation
03.6
Design Development
Design Development