

## COUNTY OF FAIRFAX, VIRGINIA

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

HALA GHANNAM, SP 2016-PR-005 Appl. under Sect. 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of an addition 14.3 ft. from a rear lot line. Located at 10462 White Granite Ct., Oakton, 22124, on approx. 2,739 sq. ft. of land zoned R-20. Providence District. Tax Map 47-4 ((12)) 15A. 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 April 13, 2016; and

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

1. The applicant is the owner of the land.
2. There is a staff recommendation for denial, and the reasons given by staff are valid.
3. The size of the proposed addition has been reduced.
4. There is opposition to this particular request, and there is some support.
5. The proposed development is not in character with existing development, in terms of location, height, bulk and scale.
6. The proposed development would negatively impact the use and enjoyment of adjacent properties, with regard to issues, such as noise, light, air, and view.
7. There is no evidence that the proposed structure represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. The applicant can, by right, extend the back of her existing structure by five feet, subject to zoning requirements. This would allow a sunroom, albeit somewhat smaller.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has not 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 **Denied**.

Mr. Beard seconded the motion for discussion, which carried by a vote of 5-1. Mr. Beard voted against the motion. Mr. Byers was not present for the vote.

Mr. Hart moved that the Board waive the 12-month waiting period for application resubmission. Mr. Hammack seconded the motion, which carried by a vote of 6-0. Mr. Byers was not present for the vote.

A Copy Teste:

A handwritten signature in cursive script, appearing to read "Thompson", written over a horizontal line.

Kathleen Thompson, Deputy Clerk  
Board of Zoning Appeals