

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ROGER L. DEAN, SP 2016-SU-028 Appl. under Sect. 8-913 of the Zoning Ordinance to permit modification to the minimum yard requirements for certain R-C lots to permit construction of a deck with steps to be located 9.7 ft. from a side lot line. Located at 15237 Louis Mill Dr., Chantilly, 20151, on approx. 10,640 sq. ft. of land zoned R-C, WS. Sully District. Tax Map 33-4 ((2)) 203. 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 June 22, 2016; and

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

1. The applicant is the owners of the land.
2. The applicant has read, understands, and concurs with the proposed development conditions.
3. There is a favorable Staff recommendation, and the Board adopts Staff's rationale.
4. This is a replacement of an existing structure with a minor enlargement, which will improve safety and upgrade the entrance to the house.
5. The proposed changes will not be detrimental to other properties in the neighborhood.

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 deck, as shown on the plat entitled "House Location, Lot 203, Section 3, Pleasant Valley," prepared by Leslie C. Schuermann on February 12, 1985, as revised by the applicant on March 20, 2016, as submitted with this application and is not transferable to other land.

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, thirty (30) months after the date of approval unless construction has commenced and been diligently prosecuted. 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 7-0.

A Copy Teste:

Emily J. Armstrong

Emily J. Armstrong, Deputy Clerk
Board of Zoning Appeals

ACKNOWLEDGEMENT

County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 30th day of
June, 2016.

Lorraine A. Giovinazzo

Notary Public

My commission expires: 6/30/16

