

## COUNTY OF FAIRFAX, VIRGINIA

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

RICHARD L. BERRY III AND ILANA BERRY, SP 2016-SP-025 Appl. under Sect. 8-918 of the Zoning Ordinance to permit an accessory dwelling unit. Located at 10410 Dominion Valley Dr., Fairfax Station, 22039, on approx. 5.0 ac. of land zoned R-C, WS. Springfield District. Tax Map 96-4 ((3)) 14. Mr. Hart 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 29, 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, and the Board adopts the rationale in the staff report.
3. This is a large lot, and the proposed accessory dwelling unit (ADU) is subordinate.
4. The ADU fits in with the character of the neighborhood.
5. Any potential impacts from the use are satisfactorily mitigated.
6. The applicant has read, understands, and concurs with the proposed development conditions as modified.

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 for the kitchenette. 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 granted to the applicants, Richard L. Berry and Ilana Berry, only, and is not transferable without further action of this Board, and is for the location indicated on the application, 10410 Dominion Valley Drive, as depicted on sheets 2 and 3 of 13 of the drawings submitted with the application by Dominion Surveyors, Inc., dated August 3, 2015, and is not transferable to other land.

3. A copy of this special permit shall be made available to all departments of the County of Fairfax upon request.
4. The occupants of the principal dwelling unit and the accessory dwelling unit shall be in accordance with Par. 5 of Sect. 8-918 of the Zoning Ordinance, which states, in part, that one of the dwelling units shall be occupied by a person or persons who qualify as elderly (55 years of age or older) and/or permanently and totally disabled.
5. The accessory dwelling unit shall contain a maximum of 579 square feet, and the layout shall be generally as depicted on the floor plan included as attachment 1 to these conditions.
6. Provisions shall be made for the inspection of the property by County personnel during reasonable hours upon prior notice, and the accessory dwelling unit shall meet the applicable regulation for building, safety, health, and sanitation.
7. The accessory dwelling unit shall be approved for a period of five (5) years from the final approval date of the special permit and may be extended for five-year periods with prior approval of the Zoning Administrator in accordance with Section 8-012 of the Zoning Ordinance.
8. If the use of the accessory dwelling unit ceases and/or the property is sold or otherwise conveyed, the accessory unit shall be converted to a use permitted by the Zoning Ordinance, or if the property is sold or conveyed, a special permit amendment may be submitted to permit the continued use of an accessory dwelling unit.

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 take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Mr. Smith seconded the motion, which carried by a vote of 6-0. Ms. Theodore was absent from the meeting.

A Copy Teste:



Mary D. Padruitt, Deputy Clerk  
Board of Zoning Appeals

ACKNOWLEDGEMENT

County of Fairfax  
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 6 day of

July, 2016.

Robert Wyatt Harrison  
Notary Public

My commission expires: 9-30-2017



### DOOR SCHEDULE

SYMBOL	LOCATION	SIZE	STYLE	FINISHING	UPDATES
1	Garage	4'-0" x 1'-0"	OVERCAST	PAINT GLASS	0/1
2	Entry	3'-0" x 6'-0"	SHIELD INSIDE		0/1
3	Garage	4'-0" x 6'-0"	SHIELD INSIDE		0/1
4	Apartment Hall	4'-0" x 6'-0"	SHIELD INSIDE		0/1
5	Apartment Hall	3'-0" x 6'-0"	SHIELD INSIDE		0/1
6	Apartment Hall	3'-0" x 6'-0"	SHIELD INSIDE		0/1
7	Apartment Hall	3'-0" x 6'-0"	SHIELD INSIDE		0/1
8	Apartment Hall	3'-0" x 6'-0"	SHIELD INSIDE		0/1
9	Apartment Hall	3'-0" x 6'-0"	SHIELD INSIDE		0/1
10	Apartment Hall	3'-0" x 6'-0"	SHIELD INSIDE		0/1

ALL INTERIOR DOORS TO BE 5/8" (16) PINE HOLLOW CORE 2000'S ULTRA-SPIN FINISH

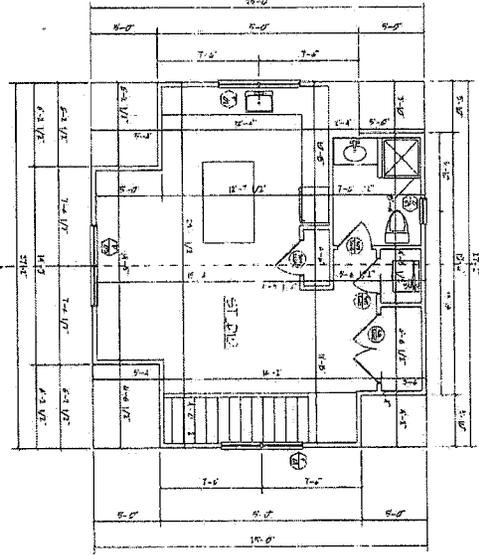
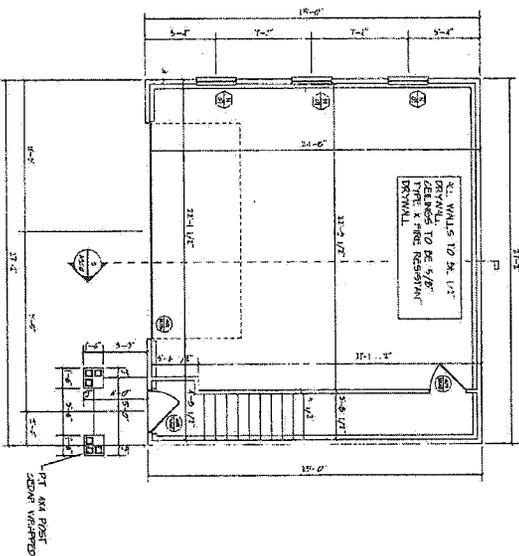
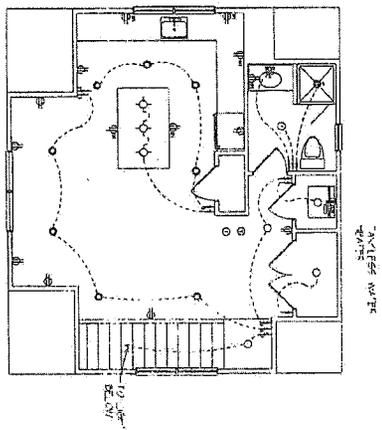
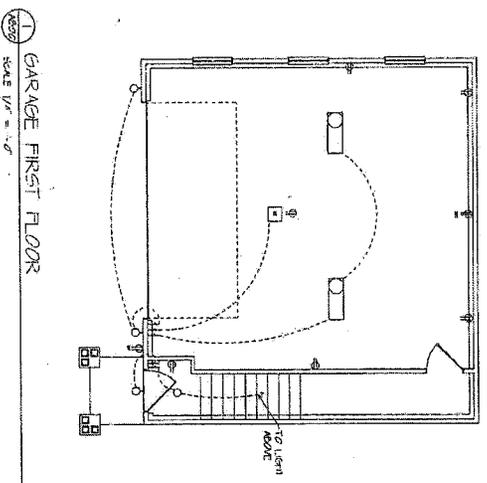
### WINDOW SCHEDULE

SYMBOL	LOCATION	SIZE (W x H)	STYLE	FINISHING	UPDATES
1	Garage	10'-0" x 6'-0"	DOUBLE		0/1
2	Garage	10'-0" x 6'-0"	DOUBLE		0/1
3	Garage	10'-0" x 6'-0"	DOUBLE		0/1
4	Garage	10'-0" x 6'-0"	DOUBLE		0/1
5	Garage	10'-0" x 6'-0"	DOUBLE		0/1
6	Garage	10'-0" x 6'-0"	DOUBLE		0/1
7	Garage	10'-0" x 6'-0"	DOUBLE		0/1
8	Garage	10'-0" x 6'-0"	DOUBLE		0/1
9	Garage	10'-0" x 6'-0"	DOUBLE		0/1
10	Garage	10'-0" x 6'-0"	DOUBLE		0/1

ALL WINDOWS 2000'S FOR LUMINANCE SHIELD 10" SHIELD 10" WINDOWS - 10" PINE HOLLOW CORE 2000'S ULTRA-SPIN FINISH

### FINISH SCHEDULE

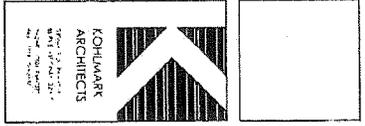
1	WALLS	PAINT
2	CEILING	PAINT
3	FLOOR	PAINT
4	DOORS	PAINT
5	WINDOWS	PAINT
6	TRIM	PAINT
7	STAIRS	PAINT
8	BATH	PAINT
9	KITCHEN	PAINT
10	HALL	PAINT
11	REAR PORCH	PAINT
12	FRONT PORCH	PAINT
13	LANDSCAPE	PAINT
14	EXTERIOR	PAINT



DATE	REVISIONS

BERRY RESIDENCE  
LOT 14 DOMINION VALLEY DRIVE  
FAIRFAX STATION, VIRGINIA

GARAGE



**A800**  
NOT FOR CONSTRUCTION