

**COUNTY OF FAIRFAX, VIRGINIA**

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

CAROL H. NYCE & CHRISTOPHER W. NYCE, SP 2014-PR-144 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit addition 7.8 ft. from side lot line. Located at 8236 Winder St., Vienna, 22180, on approx. 11,218 sq. ft. of land zoned R-3. Providence District. Tax Map 39-3 ((16)) 351. 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 October 8, 2014; and

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

1. The applicants are the owners of the land.
2. Staff recommends approval.
3. The applicants intend to remove an existing screened porch and replace it with a slightly larger screened porch.
4. It will not present any kind of problem within the community.
5. The Board has determined that the applicants have satisfied the requirements set forth in the six paragraphs under Sect. 8-922, in particular Number 4 that the proposed development is harmonious with the surrounding off-site uses and structures in terms of location and Number 5 that the proposed development does not adversely impact the use or enjoyment of adjacent property.

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 addition (312 square feet in size, 14.8 feet in height), as shown on the plat titled, "Special Permit Plat, Lot 351, Section 2, Stonewall Manor," prepared by Larry N. Scartz, Land Surveyor, dated April 11, 2014, as revised through July 11, 2014, 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 (1,380 square feet existing + 2,070 square feet (150%) = 3,450 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 requirements shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
5. The frame shed shown on the plat attached to the application shall be brought into conformance with the setback requirements set forth in the Zoning Ordinance and shall be removed or relocated from the storm sewer easement upon the request of the appropriate easement holder.

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. Byers seconded the motion, which carried by a vote of 5-0. Ms. Theodore was not present for the vote. Mr. Smith was absent from the meeting.

A Copy Teste:

Mary D. Padruitt

Mary D. Padruitt, Deputy Clerk  
Board of Zoning Appeals

ACKNOWLEDGEMENT

County of Fairfax  
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of  
October, 2014.

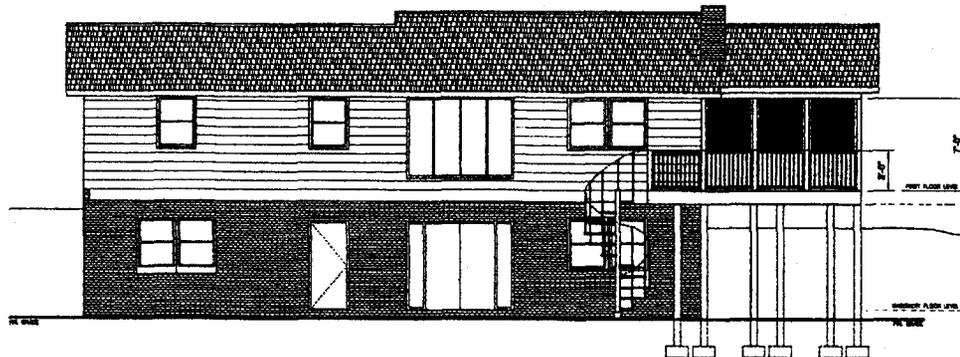
Lorraine Ann Giovinazzo

Notary Public

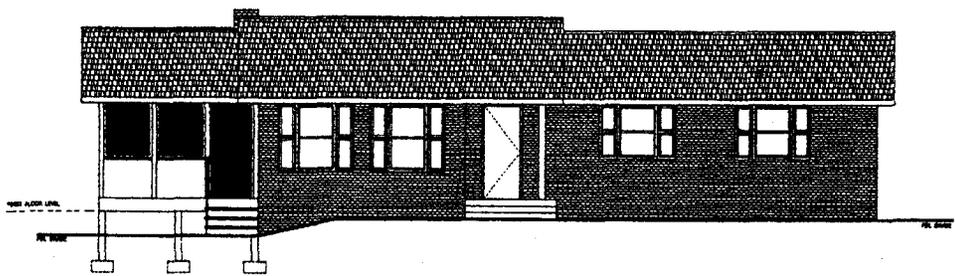
My commission expires: 6/30/18



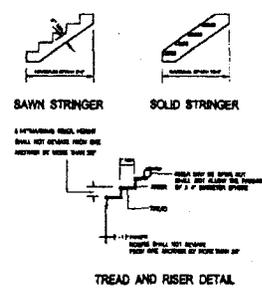
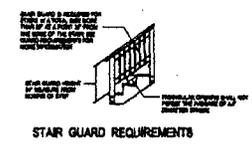




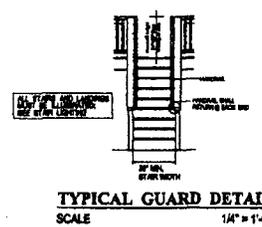
**PROPOSED  
REAR ELEVATION**  
SCALE 1/4" = 1'-0"



**PROPOSED  
FRONT ELEVATION**  
SCALE 1/4" = 1'-0"



- STAR NOTES:**
- HEADROOM SHALL MEET-R011.0.2
  - RISER HEIGHT SHALL MEET-R011.0.1.1
  - TREAD DEPTH SHALL MEET-R011.0.3.2
  - LANDING SHALL MEET-R011.0.4
  - WINDING UPERS SHALL MEET-R011.0.4.1
  - WINDING DSLS SHALL MEET-R011.0.3
  - GUARDRAILS SHALL MEET-R012.2

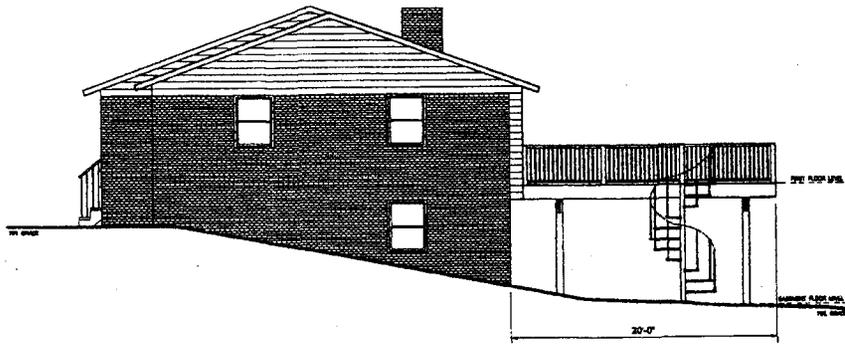


INICE RESIDENCE  
1000 W. 10TH ST.  
MILWAUKEE, WI 53233

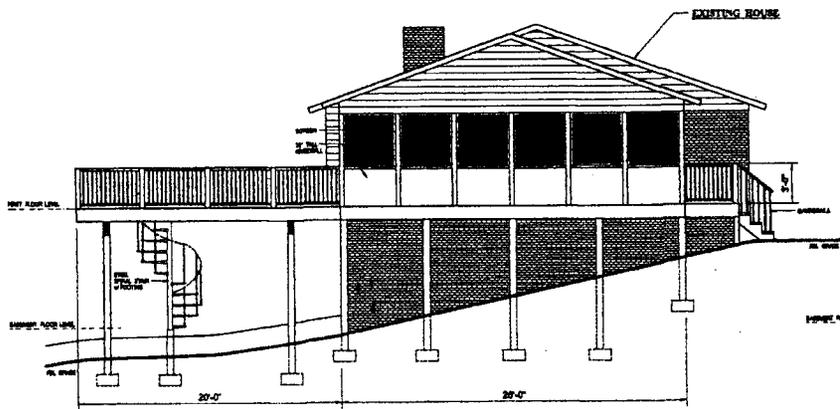
SCALE  
1/4" = 1'-0"

E Z CAD DESIGNS  
4075 BIRCH LAKE  
GREENSBORO, NC 27409  
(919) 301-2288

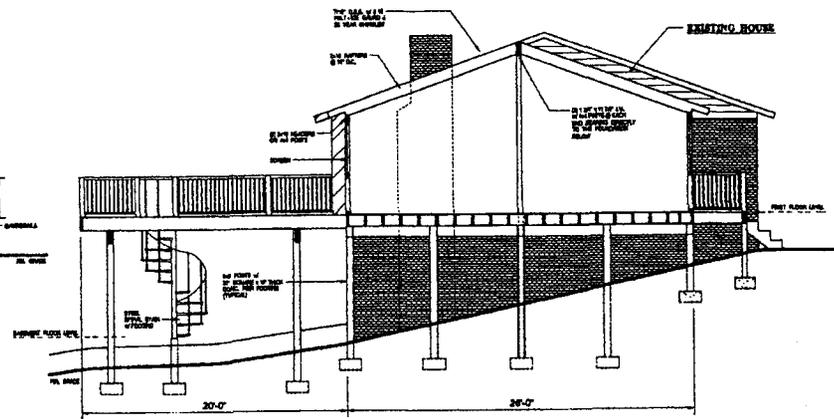
PREPARED BY:  
SCHUYLER AHRENS  
CONSULTANT



**PROPOSED  
LEFT SIDE ELEVATION**  
SCALE 1/4" = 1'-0"



**PROPOSED  
RIGHT SIDE ELEVATION**  
SCALE 1/4" = 1'-0"



**PROPOSED  
CROSS SECTION**  
SCALE 1/4" = 1'-0"