

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

CATHLEEN E. LAWRENCE, SP 2014-DR-244 Appl. under Sect(s). 8-918 of the Zoning Ordinance to permit an accessory dwelling unit. Located at 680 Potomac River Rd., McLean, 22102, on approx. 41,345 sq. ft. of land zoned R-E. Dranesville District. Tax Map 21-1 ((3)) 21. Ms. Theodore 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 February 25, 2015; and

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

1. The owner of the property is the applicant.
2. The present zoning is R-3.
3. The area of the lot is 41,345 square feet.
4. Staff recommends approval, and the Board adopts their rationale.
5. With respect to the location of the proposed addition, as reflected in the staff report, there is significant screening from vegetation along the property line, so that should address any impacts on adjacent property.
6. In looking at the plat, the Board notes that there was an error in building location with the house. A condition will be added to seek an administrative determination with respect to that.
7. The applicant's agent has stated his agreement with the proposed development conditions, including the modification to seek an administrative determination.

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. This special permit is approved for the location of the accessory dwelling unit, as shown on the special permit plat, titled "Special Permit Plat on Lot 21, Section Two, Potomac Overlook," prepared by Timothy J. Farrell, L.S., dated October 8, 2014, and revised through November 10, 2014.

2. This approval is granted to the applicant only, Catherine Lawrence, and is not transferable without further action of this Board, and is for the location indicated on the application, 680 Potomac River Road, and is not transferable to other land.
3. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to final inspection. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
4. The occupants of the principal dwelling 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 1,157 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 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 structure 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.
9. If necessary, the applicant shall seek an administrative determination regarding the error in building location of the home within twelve (12) months.

This approval, contingent on 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 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. Smith seconded the motion, which carried by a vote of 6-0. Mr. Byers was absent from the meeting.

A Copy Teste:

Suzanne Frazier
Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals

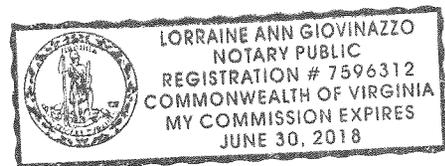
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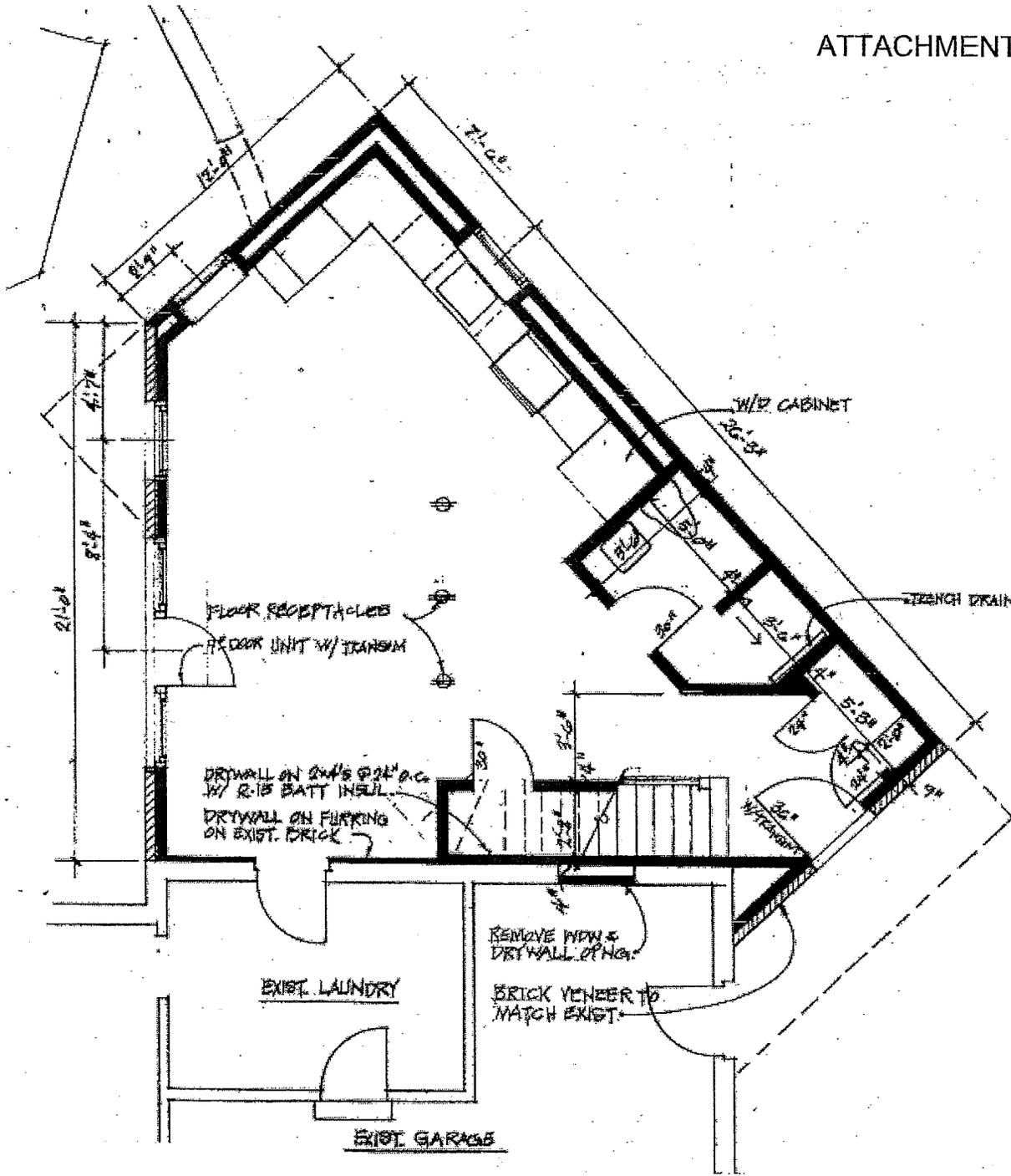
COUNTY OF FAIRFAX
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 9th day of March, 2015.

Lorraine Ann Giovinazzo
Notary Public

My commission expires: 6/30/18





FIRST FLOOR
 SCALE 1/4" = 1'-0" 

PRELIM
 12/5/14

<p>Addition to 680 Potomac River Rd. McLean, VA 22102</p>	<p>Thomas Custom Builders 9058 Euclid Avenue Manassas, VA 20110 703-794-8778</p>	<p>Robert C. Bymes Architect 25 W. Myrtle Street Alexandria, VA 22301 703-683-1011</p>	<p>Date: Sheet of 10</p>
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Sheet 2 of	Date:	Robert C. Bynes Architect 25 W. Myrtle Street Alexandria, VA 22301 703-683-1011	Thomas Custom Builders 9058 Euclid Avenue Manassas, VA 20110 703-794-8778	Addition to 680 Potomac River Rd. McLean, VA 22102
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12/5

SECOND FLOOR
SCALE 1/4" = 1'-0"

