

## COUNTY OF FAIRFAX, VIRGINIA

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

JAMES T. CURRIE, SP 2016-MV-054 Appl. under Sect. 8-922 of the Zoning Ordinance to permit a reduction in certain yard requirements for the construction of an addition 10.5 ft. from a side lot line. Located at 7834 Midday Ln., Alexandria, 22306, on approx. 11,200 sq. ft. of land zoned R-3. Mt. Vernon District. Tax Map 102-1 ((13)) 69. 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 September 14, 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 favorable staff recommendation, and the Board adopts the rationale set forth in the staff report.
3. The applicant has read, understands, and concurs with the proposed development conditions.
4. The applicant has satisfied the six specific standards set forth in the sub-sections of Section 8-922, particularly sub-section 3, which states that the proposed development is in character with existing on-site development in terms of location, height, bulk, and scale; and 4, which states that the proposed development is harmonious with surrounding off-site uses and structures, and does not adversely impact the use or enjoyment of adjacent properties.

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 second-story addition (308 square feet and 21.4 feet in height), as shown on the plat entitled "Plat Showing the Improvements on Lot 69", prepared by George M. O'Quinn on March 21, 2016, 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 (4,542 square feet existing + 6,813 square feet (150%) = 11,355 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 applicant should employ the services of a certified arborist to assess the current health of the eastern red cedar tree on the northwestern corner of the garage and conduct any pruning deemed necessary. If the tree must be removed, the applicant shall replace the existing tree with an eight-foot tall balled and burlapped eastern red cedar.

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. Hart seconded the motion, which carried by a vote of 6-0. Mr. Smith was not present for the vote.

A Copy Teste:

*Mary D. Padrutt*

Mary D. Padrutt, Deputy Clerk  
Board of Zoning Appeals

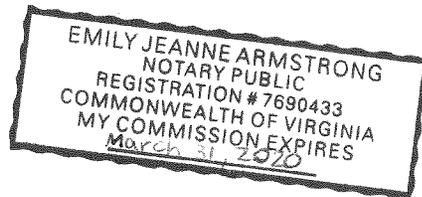
ACKNOWLEDGEMENT

County of Fairfax  
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of September, 2016.

*Emily Jeanne Armstrong*  
\_\_\_\_\_  
Notary Public

My commission expires: March 31, 2020



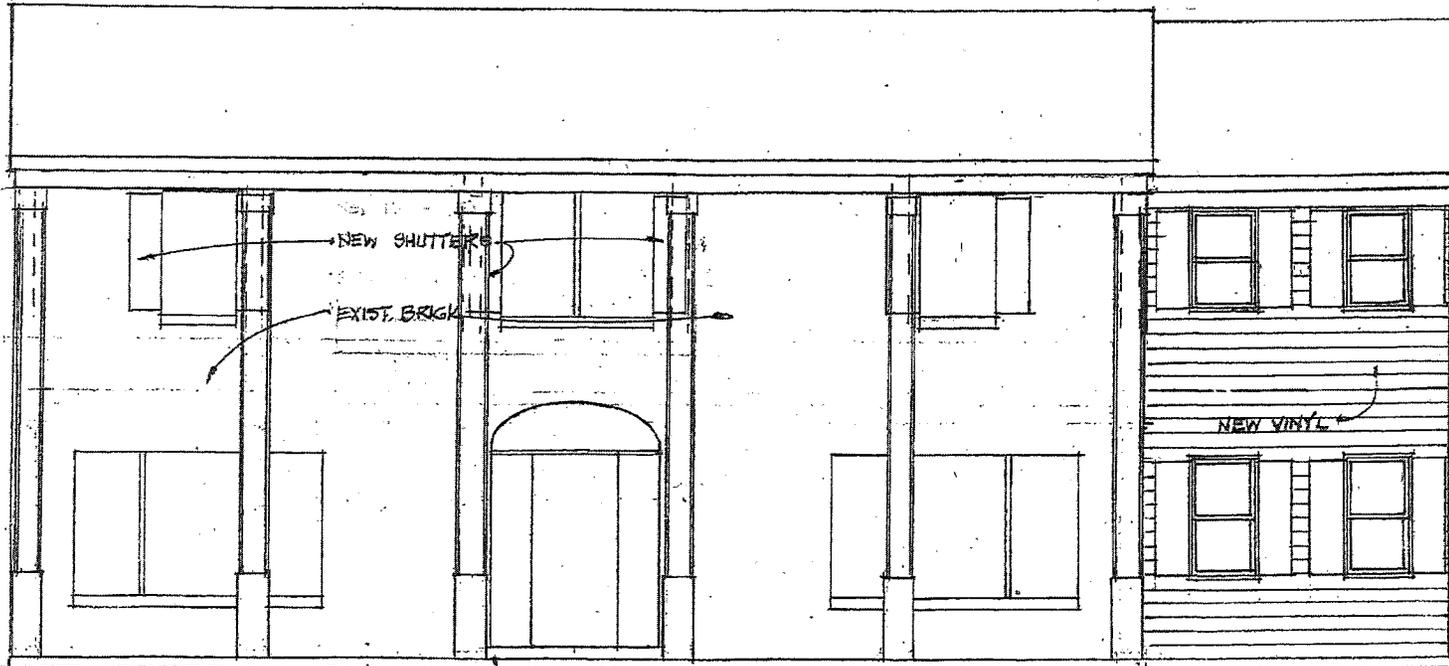


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Zoning Evaluation Division

Encl. 1



FRONT ELEVATION

SCALE 1/4" = 1'-0"

**Addition and Remodeling to Currie Residence**  
**7834 Midday Lane, Alexandria, VA 22306**

Thomas Custom Builders  
703-447-9080

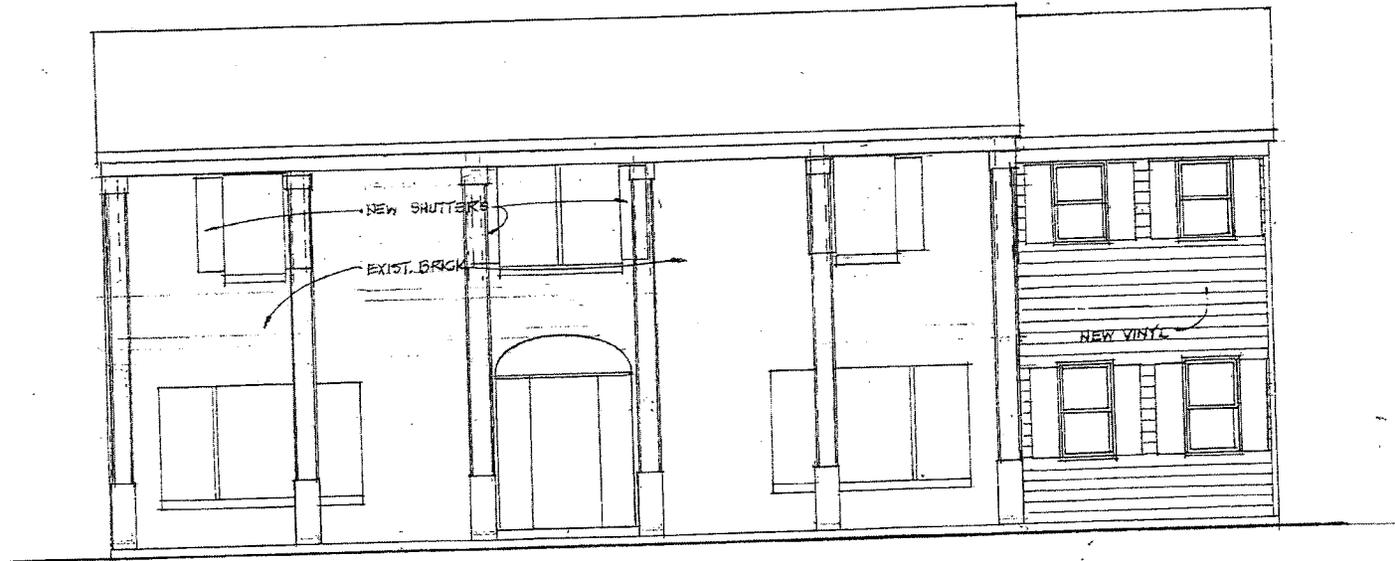
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Encl. 1

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

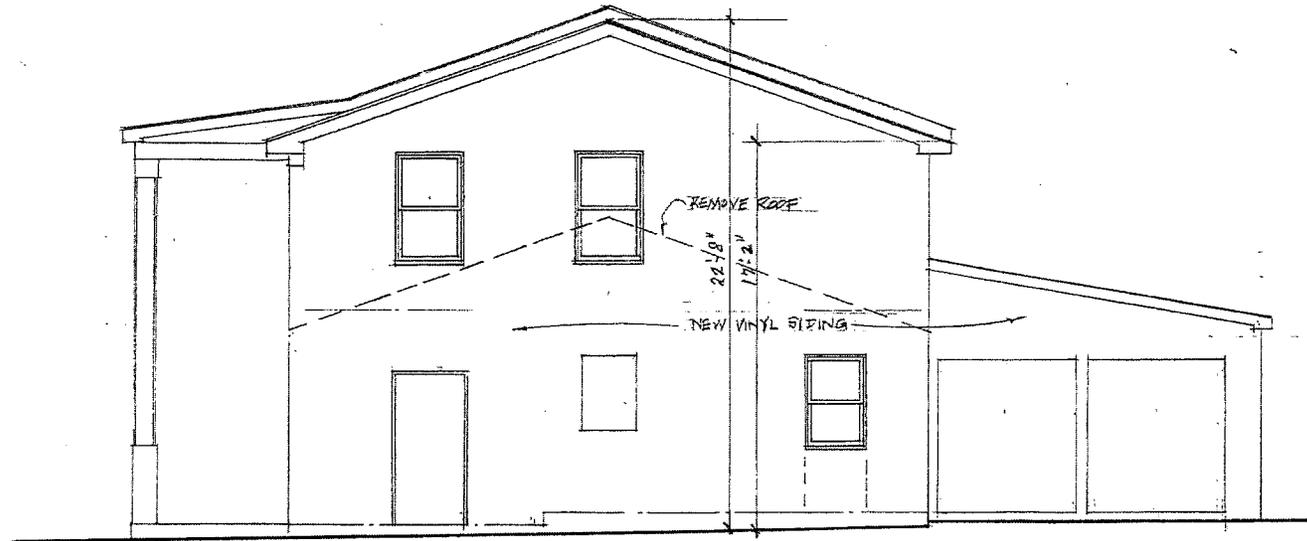
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**Addition and Remodeling to Currie Residence**  
**7834 Midday Lane, Alexandria, VA 22306**

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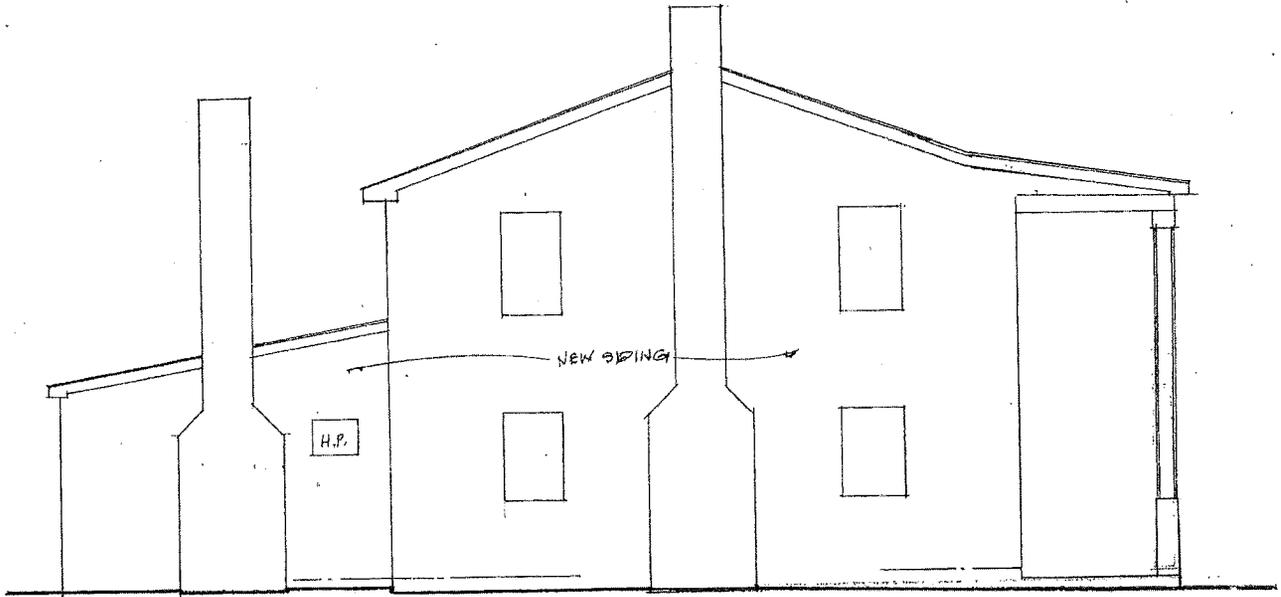


RIGHT SIDE ELEVATION  
SCALE 1/4" = 1'-0"

Excel. R-2

**Addition and Remodeling to Currie Residence**  
**7834 Midday Lane, Alexandria, VA 22306**  
Thomas Custom Builders  
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Sheet 11 of 2

Enroll. F. 3



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

**Addition and Remodeling to Currie Residence**  
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Sheet 6 of 8

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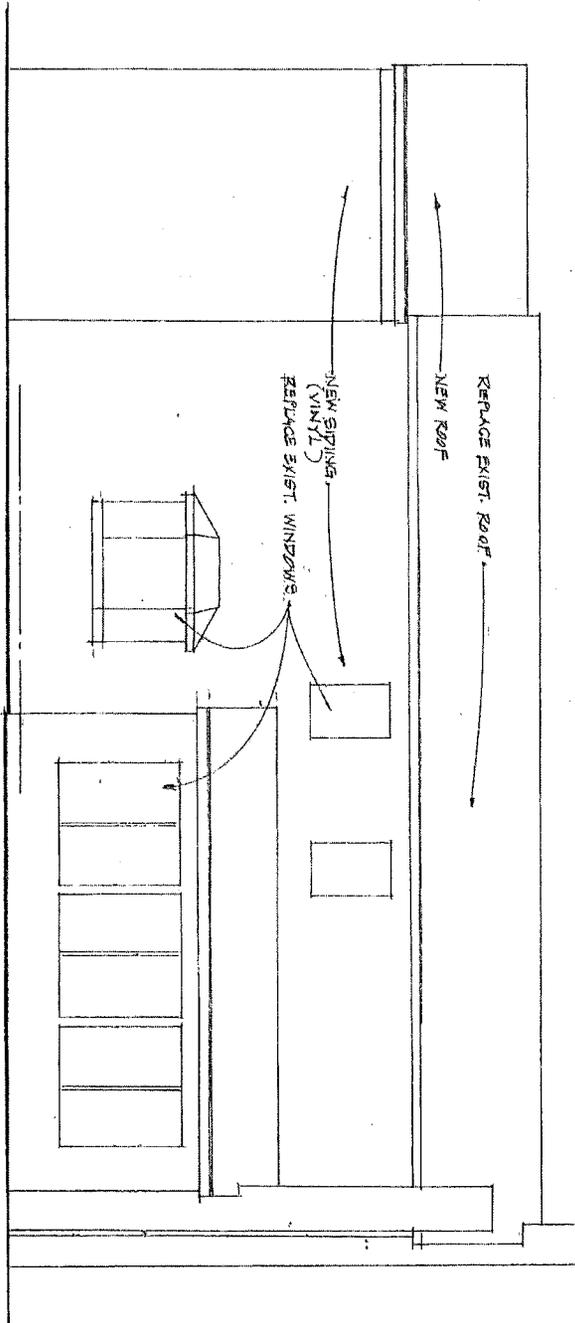
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2nd fl. R-4



REAR ELEVATION

SCALE 1/4" = 1'-0"

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