

The regular meeting of the Board of Zoning Appeals was held in the Board Auditorium of the Government Center on Wednesday September 13, 2023. The following Board Members were present Vice Chairman James R. Hart; Daniel Aminoff; Rebecca Ballo; Karen L. Day; and Thomas W. Smith III. Chairman John F. Ribble III and Donte Tanner were absent from the meeting. There was one vacancy on the Board and Mr. Smith acted in his capacity as the alternate member for the entirety of the meeting.

Vice Chairman Hart called the meeting to order at 9:00 a.m. He asked if there were any Board Matters to bring before the Board. As there were no Board Matters, he then discussed the policies and procedures of the Board of Zoning Appeals. Vice Chairman Hart called for the first scheduled case.

~ ~ ~ September 13, 2023, Scheduled case of:

Karl E. and Kristen Duckworth, A 2022-LE-001 Appeal of a determination that an addition is located 5 feet from the side lot line, which does not meet the side setback requirement of 12 feet, in violation of Zoning Ordinance provisions. Located at 6420 Telegraph Road, Alexandria, Virginia 22310, on approx. 0.42 ac. of land zoned R-3, Lee District, Tax Map 82-3 ((1)) 54A. (Admin moved from 6/29/2022, 11/2/2022, 3/22/2023, and 5/24/2023)

Vice Chairman Hart noted that application A 2022-LE-001 had been administratively moved to December 6, 2023.

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~ ~ ~ September 13, 2023, Scheduled case of:

Newer LLC, A 2020-MV-028 An appeal of a determination that the appellant is operating a kennel that includes outdoor play/exercise areas in the C-6 District, in violation of Zoning Ordinance provisions. Located at 8101 Alban Road, Springfield, VA 22150, 22074 on approx. 72,710 sq. ft. of land zoned C-6, Mount Vernon District. Tax. Map 99-1 (17)) 6. (Admin. moved from 3/31/2021, 5/26/21, 7/14/2021, 10/27/21, and 4/13/22) (Admin. moved to 4/13/22 but meeting canceled for BOS Budget Hearings) (Admin. Moved from 11/2/2022, 2/1/2023, and 6/28/2023)

Vice Chairman Hart noted that application A 2020-MV-028 had been withdrawn by the appellant.

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~ ~ ~ September 13, 2023, Scheduled case of:

Andreas Brandt, A 2022-PR-014, Appeal of a determination that there are two complete and separate dwelling units contained within the principal structure, and that there is surfaced parking area in the front yard in excess of the maximum 30% permitted, in violation of Zoning Ordinance provisions. Located at 7306 Lee Highway, Falls Church, Virginia 22046, on approx. 10,244 sq. ft. of land zoned R 4, Providence District, Tax Map 50-1 ((9)) 85. (Admin moved from 1/25/2023, and 3/22/2023, 5/2/2023, 6/7/2023, and 7/12/2023)

Vice Chairman Hart noted that application A 2022-PR-014 had been withdrawn by the appellant.

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~ ~ ~ September 13, 2023, Scheduled case of:

The Most Reverend Michael F. Burbidge, Bishop of the Catholic Diocese of Arlington, Virginia and his Successors in Office (St. Bernadette Catholic Church and School), SPA-78-S-276-03 amend SP 78-S-276 previously approved for areligious assembly, private school, and child care center to allow for modifications to site and development conditions. Located at 7600 Old Keene Mill Rd., Springfield, 22152 on approx. 24.41 ac. of land zoned R-2, PDH-3. Braddock and Franconia Districts. Tax Map 90-1 ((1)) 1.

Vice Chairman Hart noted that application SPA-78-S-276-03 had been administratively moved to November 15, 2023.

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~ ~ ~ September 13, 2023, Scheduled case of:

Dildora Rakhmatullaeva, Ibrokhim Rakhmatullaeva, and Ismoil Rakhmatullaeva, VC-2022-MA-00011 to permit surfaced area for a driveway or vehicle or trailer parking exceeding 25 percent of the front yard. Located at 7821 Ridgewood Dr., Annandale, 22003 on approx. 21,881 sq. ft. of land zoned R-2. Mason District. Tax Map 59-4 ((9)) 89. (Continued from 3/8/2023, 4/26/2023, 6/7/2023, and 6/28/2023)(Admin moved from 7/12/2023)(Deferred from 7/26/2023) *This hearing is in addition to one previously held on July 26, 2023; anyone who testified in that previous hearing is on record and need not testify again at this new hearing.*

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Brandon McCadden, Senior Staff Coordinator
- Keith Martin, Agent for the Applicants

After the hearing where public testimony was presented by Brandon McCadden and Mr. Martin, with no testimony from the public, Mr. Aminoff moved to deny VC-2022-MA-00011 stating that the criteria for a variance had not been met. Ms. Day seconded the motion. After a discussion between the Board members, the Board did not act on Mr. Aminoff's motion. Mr. Smith then moved to defer VC-2022-MA-00011 to October 11, 2023, at 9:00 a.m. Ms. Day seconded the motion, which carried by a vote of 5-0. Mr. Smith voted in his capacity as the alternate board member.

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~ ~ ~ September 13, 2023, Scheduled case of:

Robin H. Thakur, SP-2023-FR-00033 to permit an addition with roofed deck above 8.1 ft. from the side lot line. Located at 6020 Grayson St., Springfield, 22150 on approx. 10,164 sq. ft. of land zoned R-4. Franconia District. Tax Map 80-3 ((2)) (23) 11.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Brandon Lesko, Staff Coordinator
- Robin H. Thakur, Applicant

After the hearing where public testimony was presented by Mr. Lesko, Mr. Krasner, and Mr. Thakur, with no testimony from the public, Ms. Day moved to approve Robin H. Thakur, SP-2023-FR-00033 for the reasons stated in the Resolution. Mr. Aminoff seconded the motion, which carried by a vote of 5-0.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Robin H. Thakur, SP-2023-FR-00033 to permit an addition with roofed deck above 8.1 ft. from the side lot line. Located at 6020 Grayson St., Springfield, 22150 on approx. 10,164 sq. ft. of land zoned R-4. Franconia District. Tax Map 80-3 ((2)) (23) 11. Ms. Day 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 13, 2023; and

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

1. The applicant is the owner of the land.
2. The present zoning is R-4.
3. The area of the lot is 10,164 square feet.
4. The proposed addition is in the side yard. If it was in the rear yard, it would be by right.
5. The setback requirement is 10 feet. Therefore, it is a minimal encroachment.
6. It is not visible from the street.
7. The applicant has read, understands, and concurs with the proposed development conditions.

WHEREAS, the Board has made the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the standards for the Reduction of Setback Requirements as contained in Sect. 5100.2.D(11)(e) of the Zoning Ordinance, the Board has determined that:

1. The application meets all the submission requirements set forth in Sect. 8101.3
2. A. The resulting gross floor area of the addition to the existing principal structure is not greater than 150 percent of the total gross floor area of the principal structure that existed at the time of the first expansion request. If a portion of the single-family detached dwelling is to be removed, no more than 50 percent of the gross floor area of the existing dwelling at the time of the first yard reduction will be removed;

B. The resulting gross floor area of the existing accessory structure and any addition to it is clearly subordinate in purpose, scale, use and intent to the principal structure on the site.
3. The proposed scale of the development is harmonious with the existing on-site and surrounding off-site development, and the development preserves existing vegetation and significant trees, as determined by the Director, in a manner that is characteristic of surrounding off-site development.
4. The proposal does not adversely impact the use or enjoyment of any adjacent property through the creation of issues related to noise, light, air, safety, erosion, and stormwater runoff.
5. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED**, with the following development conditions:

1. These conditions must be recorded by the applicants among the land records of Fairfax County for this lot prior to the issuance of a building permit for the addition. A copy of the recorded conditions must be provided to the Zoning Permit Review Branch, Department of Planning and Development.
2. This special permit is granted only for the location of the proposed sunroom addition with covered deck above as indicated on the plat titled "Special Permit Plat, Grayson Street Lot 11, Block 23, Section 5" prepared by Larry N. Scartz of Scartz Surveys on May 4th, 2023 consisting of one sheet, and approved with this application, as qualified by these development conditions.
3. Pursuant to Article 5100.2.D(11)(e) 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 (2,082 square feet existing + 3,123 square feet (150%) = 5,205 square feet permitted) regardless of whether such addition complies with the minimum setback requirement or is the subject of a subsequent setback reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of

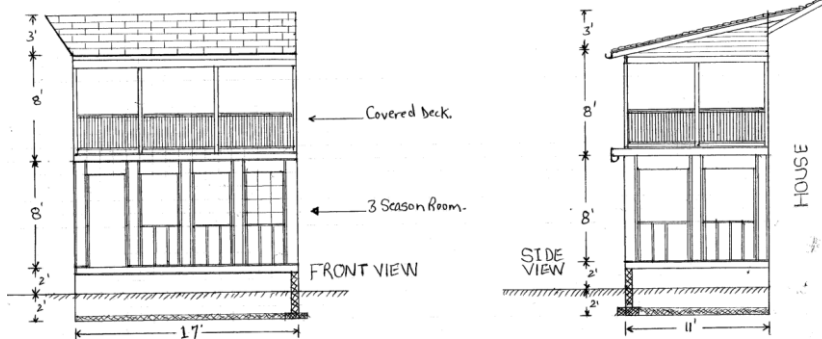
a single-family dwelling for the purpose of this paragraph will be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum setbacks requirements are permitted without an amendment to this special permit.

4. The subject sunroom addition with covered deck above must be generally consistent with the architectural elevations as shown on Attachment 1 to these conditions.
5. The applicants are responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, liens, judgments, encroachments, or other encumbrances to title affecting the subject property, shown or not shown, on the approved special permit/variance plat, as may be determined by a court of competent jurisdiction. Approval of this application does not abrogate, vacate, interfere with, or invalidate such claims.
6. Pursuant to Article 8100.4.D(6) of the Zoning Ordinance, this special permit automatically expires, without notice, 30 months after the date of approval unless construction has commenced on the sunroom addition and covered deck 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. Aminoff seconded the motion, which carried by a vote of 5-0. Chairman Ribble and Mr. Tanner were absent from the meeting.

Mr. Thakur, Roin + Mrs. Reyner, Summer Residence
6020 Grayson, St. SPRINGFIELD, VA 22150

Drawn By: AJ SHADID / Home Engineering
6608 Wren Dr. Springfield, VA 22150



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~ ~ ~ September 13, 2023, Scheduled case of:

Tracy Vaught, SP-2022-PR-00137 to permit an interior accessory living unit with a modification to the on-site parking requirements. Located at 3013 Rosemoor Ln., Fairfax, 22031 on approx. 7,110 sq. ft. of land zoned PDH-2. Providence District. Tax Map 49-3 ((30)) 13.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Philip Isaiah, Staff Coordinator
- Tracy Vaught, Applicant

After the hearing where public testimony was presented by Mr. Isaiah, Mr. Krasner, and Ms. Vaught, with no testimony from the public, Mr. Smith moved to approve SP-2022-PR-00137 for the reasons stated in the Resolution. Ms. Ballo seconded the motion, which carried by a vote of 5-0.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Tracy Vaught, SP-2022-PR-00137 to permit an interior accessory living unit with a modification to the on-site parking requirements. Located at 3013 Rosemoor Ln., Fairfax, 22031 on approx. 7,110 sq. ft. of land zoned PDH-2. Providence District. Tax Map 49-3 ((30)) 13. Mr. Smith 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 13, 2023; and

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

1. The applicant is the owner of the land.
2. The present zoning is PDH-2.
3. The area of the lot is 7,110 square feet.
4. Staff recommends approval, and the Board adopts their rationale.
5. The development conditions address any concerns along with the applicant's testimony and information from staff.
6. There are 3 on-site parking spaces.
7. This special permit will be granted only to the applicant.
8. It is approved for an initial period of two years and then can continue to be renewed. Therefore, there are enough protections in place.
9. The applicant has read, understands, and concurs with the proposed development conditions.

WHEREAS, the Board has made 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. 4102.1.F(2) and the standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED**, with the following development conditions:

1. These conditions must be recorded by the applicant among the land records of Fairfax County for this property. A copy of the recorded conditions must be provided to the Zoning Permit Review Branch, Zoning Administration Division, Department of Planning and Development.
2. This approval is granted to the applicant, Tracy Vaught, only, for the location indicated on the application, and is not transferable to other land or other owners.
3. This special permit is granted only for an interior accessory living unit with a modification to the on-site parking requirement at 3013 Rosemoor Court, Fairfax, at the subject property as identified on the plat titled "*Special Permit Plat, Lot 13, The Retreat at Sycamore Ridge*," prepared by Scartz Surveys, dated November 1, 2022, as submitted with this application, and is not transferable to other land.
4. The accessory living unit is limited to the square footage of the existing basement.
5. The ALU must be built pursuant to an approved building permit and pass final inspection prior to occupancy.
6. Occupancy of the accessory living unit is limited to no more than two persons.

7. The attached garage and driveway must be kept in an condition that permits parking for up to three vehicles on-site at all times.
8. The ALU must contain a working multi-purpose fire extinguisher and smoke and carbon monoxide detectors that are interconnected with the principal dwelling.
9. The accessory living unit is approved for an initial period of two years from the approval date of the special permit and may be extended by the Zoning Administration for screening periods of up to five years.
10. The applicant is responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, liens, judgments, encroachments or other encumbrances to title affecting the subject property, shown or not shown, on the approved special permit plat as may be determined by a court of competent jurisdiction. Approval of this application does not abrogate, vacate, interfere with, or invalidate such claims.
11. Pursuant to Article 8100.4.D (6) of the Zoning Ordinance, this special permit automatically expires, without notice, 30 months after the date of approval unless construction has commenced on the accessory living unit. 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.

Ms. Ballo seconded the motion, which carried by a vote of 5-0.

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Ms. Day assumed the Chair.

Mr. Hart moved that the Board recess and enter into Closed Session for consultation with legal counsel and/or briefings by staff members and consultants regarding litigation in Re: February 2, 2022 decision of the Board of Zoning Appeals of Fairfax County, Virginia, Washington Gas Light Company plaintiff versus Christine Chen Zinner, Consolidated Cases numbers CL 2022-2942 and CL 2022-3061 in the Circuit Court of Fairfax County pursuant to Virginia Code Ann. Sec. 2.2-3711 (A) (7) (LNMB Supp. 2002), and pursuant to that same statute, BZA by-laws. Mr. Smith seconded the motion, which carried by a vote of 5-0. Chairman Ribble and Mr. Tanner were absent from the meeting.

The meeting recessed at 9:59 a.m. and reconvened at 10:24 a.m.

Mr. Hart then moved that the Board of Zoning Appeals certify that, to the best of its knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Closed Session were heard, discussed, or considered by the Board during the Closed Session. Mr. Aminoff seconded the motion, which carried by a vote of 5-0. Chairman Ribble and Mr. Tanner were absent from the meeting.

Mr. Hart then moved that the Board authorize Mr. Crim to take the actions discussed in the Closed Session. Mr. Aminoff seconded the motion, which carried by a vote of 5-0.

Vice Chairman Hart resumed the Chair.

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~ ~ ~ September 13, 2023, Scheduled case of:

Salem G. Shaheen, SP-2023-DR-00017 to permit an increase in wall height in the front yard. Located at 1922 Rhode Island Ave., McLean, 22101 on approx. 10,450 sq. ft. of land zoned R-2. Dranesville District. Tax Map 41-1 ((13)) (5) 7.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Brandon McCadden, Staff Coordinator
- Salem G. Shaheen, Applicant
- Deborah S. Minger, Co-owner of the Property
- Public Speakers
 - Michael Signer, 1920 Rhode Island Ave.
 - Emily Blout, 1920 Rhode Island Ave.
 - Diana Clewett, former owner of 1920 Rhode Island Ave. (phone speaker)

After the hearing where public testimony was presented by Mr. McCadden, Mr. Krasner, Mr. Shaheen, and Ms. Minger, which was then followed by testimony of the above referenced speakers, Ms. Ballo moved to deny SP-2023-DR-00017 for the reasons stated in the Resolution. Mr. Smith seconded the motion, which carried by a vote of 5-0.

Ms. Ballo moved to waive the 12-month waiting period for resubmission of the application. Mr. Aminoff seconded the motion, which carried by a vote of 5-0.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Salem G. Shaheen, SP-2023-DR-00017 to permit an increase in wall height in the front yard. Located at 1922 Rhode Island Ave., McLean, 22101 on approx. 10,450 sq. ft. of land zoned R-2. Dranesville District. Tax Map 41-1 ((13)) (5) 7. Ms. Ballo 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 13, 2023; and

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

1. The applicant and Deborah S. Minger are the owners of the land.
2. The present zoning is R-2.
3. The area of the lot is 10,450 square feet.
4. The Board adopts the findings of facts and the conclusion in the staff report.
5. Looking at all the issues we have in front of us, specifically looking at Standards C, D, and E, we do not find that the application, even with the proposed development conditions, meets these standards.
6. It is a beautiful wall. The Board is not here to adjudicate this matter based solely on the style of the wall, the beauty of the wall, or the aesthetics of the wall.
7. Reasonable arguments are being made that this was constructed in good faith. These things happen very frequently. The Board does not base our final decision on cost.
8. When the Board does allow those special permits, typically, it is for demonstrated issues about safety. For example, if there is a bus stop or very busy street right next to someone's yard with a lot of traffic or a lot of noise or to buffer some other type of noxious use. This is what Standard C specifically speaks to. It speaks about allowing the increase because there is a warrant for it. The Board does not find that based on what has been presented or based on the conditions of the lot or in the neighborhood that there is a warrant for the increase. In fact, portions of it need to be taken down anyway, though done in good faith, because some of it is encroaching into the VDOT right of way.
9. Based on the above, the application does not meet three of the standards, specifically Standard C, D, and E.

WHEREAS, the Board has made the following conclusions of law:

THAT the applicant has not presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 4102.1.F(2) and the standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **DENIED**,

Mr. Smith seconded the motion, which carried by a vote of 5-0.

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~ ~ ~ September 13, 2023, Scheduled case of:

Duane L. Hemphill and Bethany L. Hemphill, VCA-97-D-118 to amend VC-97-D-118 previously approved to permit construction of a dwelling 11.6 ft. from the edge of the existing temporary construction turnaround and storm drainage easement line, to allow an addition 10.8 ft. from the edge of the existing temporary construction turnaround and storm drainage easement line. Located at 1515 Judd Ct., Herndon, 20170 on approx. 38,328 sq. ft. of land zoned R-1. Dranesville District. Tax Map 10-2 (1)) 8.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Kevin McMahan, Staff Coordinator
- Duane L. Hemphill and Bethany L. Hemphill, Applicants

After the hearing where public testimony was presented by Mr. McMahan, Mr. Krasner, Mr. Hemphill, and Ms. Hemphill, with no testimony from the public, Mr. Aminoff moved to approve VCA-97-D-118 for the reasons stated in the Resolution.

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COUNTY OF FAIRFAX, VIRGINIA

VARIANCE RESOLUTION OF THE BOARD OF ZONING APPEALS

Duane L. Hemphill and Bethany L. Hemphill, VCA-97-D-118 to amend VC-97-D-118 previously approved to permit construction of a dwelling 11.6 ft. from the edge of the existing temporary construction turnaround and storm drainage easement line, to allow an addition 10.8 ft. from the edge of the existing temporary construction turnaround and storm drainage easement line. Located at 1515 Judd Ct., Herndon, 20170 on approx. 38,328 sq. ft. of land zoned R-1. Dranesville District. Tax Map 10-2 ((1)) 8. Mr. Aminoff 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 13, 2023; and

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

1. The applicants are the owners of the land.
2. The present zoning is R-1.
3. The area of the lot is 38,328 square feet.
4. This lot has some challenges associated with it. They were able to work through those challenges in the late 1990s and get the house built. The addition being requested will enhance the property and does not change what was previously granted.
5. The applicants have read, understand, and concur with the proposed development conditions.

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

- 1) That the strict application of the terms of the Ordinance would unreasonably restrict the utilization of the property, 2) the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the Ordinance, OR 3) the granting of the variance would alleviate a hardship by granting a reasonable modification to property or improvements requested by a person with a disability,

AND

1. That the property interest in the subject property for which the variance is being requested was acquired in good faith, and the applicant did not create any hardship for which relief is sought.
2. That the variance would not result in a substantial detriment to adjacent property or nearby properties in the proximity of that geographical area.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
4. That the granting of the variance would not result in an unpermitted use or a change in the zoning classification.
5. That the relief or remedy sought by the variance application is not available through a special exception or special permit.
6. That the variance would conform with the purposes of the Zoning Ordinance and not be contrary to the public interest.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED**, with the following development conditions:

1. This variance is approved for the location of the two-story addition as shown on the plat titled, "Variance Plat on the Land of Duane L. & Bethany L. Hemphill," prepared by Guy H. Briggs, Land Surveyor, dated February 27, 2023," and is not transferable to other land.
2. The design of the two-story addition must be generally consistent with the elevations and architectural renderings depicted in Attachment 1 to these development conditions.
3. The applicants are responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, liens, judgments, encroachments or other encumbrances to title affecting the subject property, shown or not shown, on the approved variance plat as may be determined by a court of competent jurisdiction. Approval of this application does not abrogate, vacate, interfere with, or invalidate such claims.
4. Pursuant to subsection 8100.6.B(5) of the Zoning Ordinance, this variance amendment automatically expires, without notice, 30 months after the date of approval unless construction of the addition 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 variance. 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.

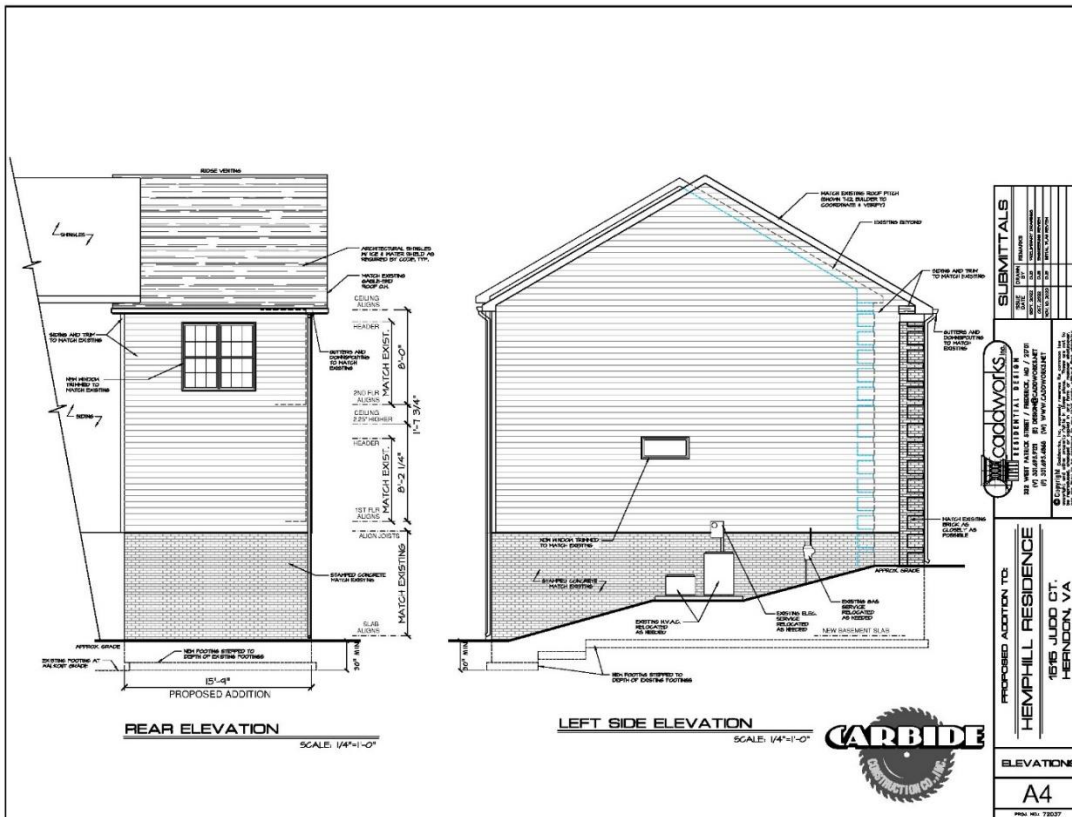
Mr. Smith seconded the motion, which carried by a vote of 5-0.



SUBMITTALS	
NO.	REMARKS
1	BRICK
2	CEILING
3	ROOFING
4	WALLS
5	WINDOWS
6	DOORS
7	PAINT
8	FINISHES
9	MECHANICAL
10	ELECTRICAL
11	PLUMBING
12	HEATING
13	Cooling
14	Other

PROPOSED ADDITION TO
HEMPHILL RESIDENCE
 1616 JUDD CT.
 HERNDON, VA

ELEVATION
A3
 PROJ. NO. 73037



SUBMITTALS	
NO.	REMARKS
1	BRICK
2	CEILING
3	ROOFING
4	WALLS
5	WINDOWS
6	DOORS
7	PAINT
8	FINISHES
9	MECHANICAL
10	ELECTRICAL
11	PLUMBING
12	HEATING
13	Cooling
14	Other

PROPOSED ADDITION TO
HEMPHILL RESIDENCE
 1616 JUDD CT.
 HERNDON, VA

ELEVATIONS
A4
 PROJ. NO. 73037

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The meeting recessed at 11:58 a.m. and reconvened at 12:16 p.m.

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~ ~ ~ September 13, 2023, Scheduled case of:

Mount Vernon Unitarian Church, a Virginia Corporation and the Trustees of the Mount Vernon Unitarian Church, SPA-82-V-069-04 to amend SP-82-V-069 previously approved for a church with a child care center to allow for a change in permittee and the addition of an accessory private school use. Located at 1909 Windmill Ln., Alexandria, 22307, on approx. 7.94 ac. of land zoned R-2. Mount Vernon District. Tax Map 93-3 ((1)) 10B and 93-3 ((18)) A.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Kevin McMahan, Staff Coordinator
- Richard Roesel, Chair of the Board of Trustees of the Mount Vernon Unitarian Church, Agent for the Applicant
- Robin Roberts, Board member of Trustees of the Mount Vernon Unitarian Church, Agent for the Applicant
- Public Speakers
 - Katherine C. Tobin, 825 Arcturus on The Potomac; Alexandria, VA 22308 (phone speaker)
 - Karen Delmonico, 1909 Windmill Lane Alexandria VA 22307
 - Laura Sacher, 2417 Central Ave, Alexandria, VA 22302
 - Brian Yoxall, 1952 Shiver Dr, Alexandria, VA 22307
 - John Speakman, 7412 Burtonwood Dr, Alexandria, VA 22307
 - Linda Bohannon, 1803 Mason Hill Drive, Alexandria, VA 22307
 - David Keegan, 7335 Wickford Drive, Alexandria, VA 22315
 - Pam Koger-Jesup, 2205 Paul Spring Road
 - Glenn Sheffield, 4403 Blyth Pl, Alexandria, VA 22309
 - Douglas MacCleery, 4720 Neptune Drive Alexandria, VA 22309
 - Marion Adams, 1952 Shiver Dr., Alexandria, VA 22307
 - Heather Plank, 5806 N Kings Hwy, Alexandria, VA 22303
 - Thomas Griffin, 1909 Windmill Lane, Alexandria, VA 22307
 - Michael Rioux, 2005 Windmill Lane, Alexandria, VA 22307
 - John Sims, Resident, Mason Hill neighborhood
 - Stephen Burgard, 1904 Mason Hill Drive, Alexandria, VA 22307
 - Chrystal Martin, 2003 Mason Hill Drive, Alexandria, VA 22307
 - Theresa Sims, 1910 Windmill Ln, Alexandria VA, 22307
 - Don Minnis, 7406 Windmill Court, Alexandria, VA 22307
 - Jay Jones, 1705 Mason Hill Dr. Alexandria, VA 22307
 - Shawn Lucas, 1711 Hollinwood Dr. Alexandria, VA 22307
 - Adell Cobel, The Head of Fort Hunt Preschool Board of Directors (phone speaker)
 - Judy Branting, Resident, Mason Hill neighborhood
 - Ann Metcalf, White Oaks Drive neighbor

After the hearing where public testimony was presented by Mr. McMahan, Mr. Krasner, Mr. Roesel, and Mr. Roberts, which was then followed by testimony of the above referenced public speakers, Ms. Day noted that the Board still had some questions concerning the application and moved to defer for new hearing SPA-82-V-069-04 to October 11, 2023, at 9:00 a.m. Mr. Smith seconded the motion, which carried by a vote of 5-0.

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~ ~ ~ September 13, 2023, After Agenda Item:

Approval of March 1, 2023, March 8, 2023, March 15, 2023, and March 22, 2023 Minutes.

No action taken. The approval of the minutes was moved to the September 20, 2023 After Agenda.

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As there was no other business to come before the Board, the meeting was adjourned at 2:57 p.m.

Minutes by: Mary Padrutt

Approved on:

Keisha Strand, Clerk
Board of Zoning Appeals

John F. Ribble III, Chairman
Board of Zoning Appeals