

## **DEVELOPMENT CONDITIONS**

**November 22, 2005**

If it is the intent of the Board of Zoning Appeals to approve SP 2005-BR-034 located at Tax Map 80-2 ((05)) (1) 7 to permit an accessory dwelling unit under Section 8-918 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicants Donald and Marilyn Costello only and is not transferable without further action of this Board, and is for the location indicated on the application, 7013 Leesville Boulevard (11,234 square feet), and is not transferable to other land.
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by KEA, LLC dated August 23, 2004 and revised through February 26, 2005, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The occupant(s) of the principal dwelling and the accessory dwelling unit shall be in accordance with Paragraph 5 of Section 8-918 of the Zoning Ordinance.
5. The accessory dwelling unit shall contain no more than one (1) bedroom.
6. Parking shall be provided as shown on the special permit plat.
7. Provision 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 applicable regulation for building safety, health and sanitation.
8. 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 (5) year periods with prior approval of the Zoning Administrator in accordance with Section 8-012 of the Zoning Ordinance.
9. Should the property be sold, the only use for the accessory dwelling is that of an accessory dwelling unit with approval of a special permit

amendment in accordance with Section 8-918 of the Fairfax County Zoning Ordinance or another use as permitted by the Zoning Ordinance.

This approval, contingent on the above-dated conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining any required permits to established procedures, and the special permit shall not be valid until this has been accomplished.

Pursuant to Section 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. 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.