



APPLICATION ACCEPTED: March 5, 2009

BOARD OF ZONING APPEALS: June 2, 2009

TIME: 9:00 a.m.

County of Fairfax, Virginia

May 26, 2009

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2009-SU-015

SULLY DISTRICT

APPLICANT/OWNER: Andrea H. Jung
a/k/a Andrea Hall

SUBDIVISION: Newgate Forest

STREET ADDRESS: 14570 Woodland Ridge Drive

TAX MAP REFERENCE: 65-1 ((2)) 31

LOT SIZE: 11,301 square feet

ZONING DISTRICT: R-2 (Cluster) and WS

ZONING ORDINANCE PROVISIONS: 8-917

SPECIAL PERMIT PROPOSAL: To permit modification to the limitations on the keeping of animals.

A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

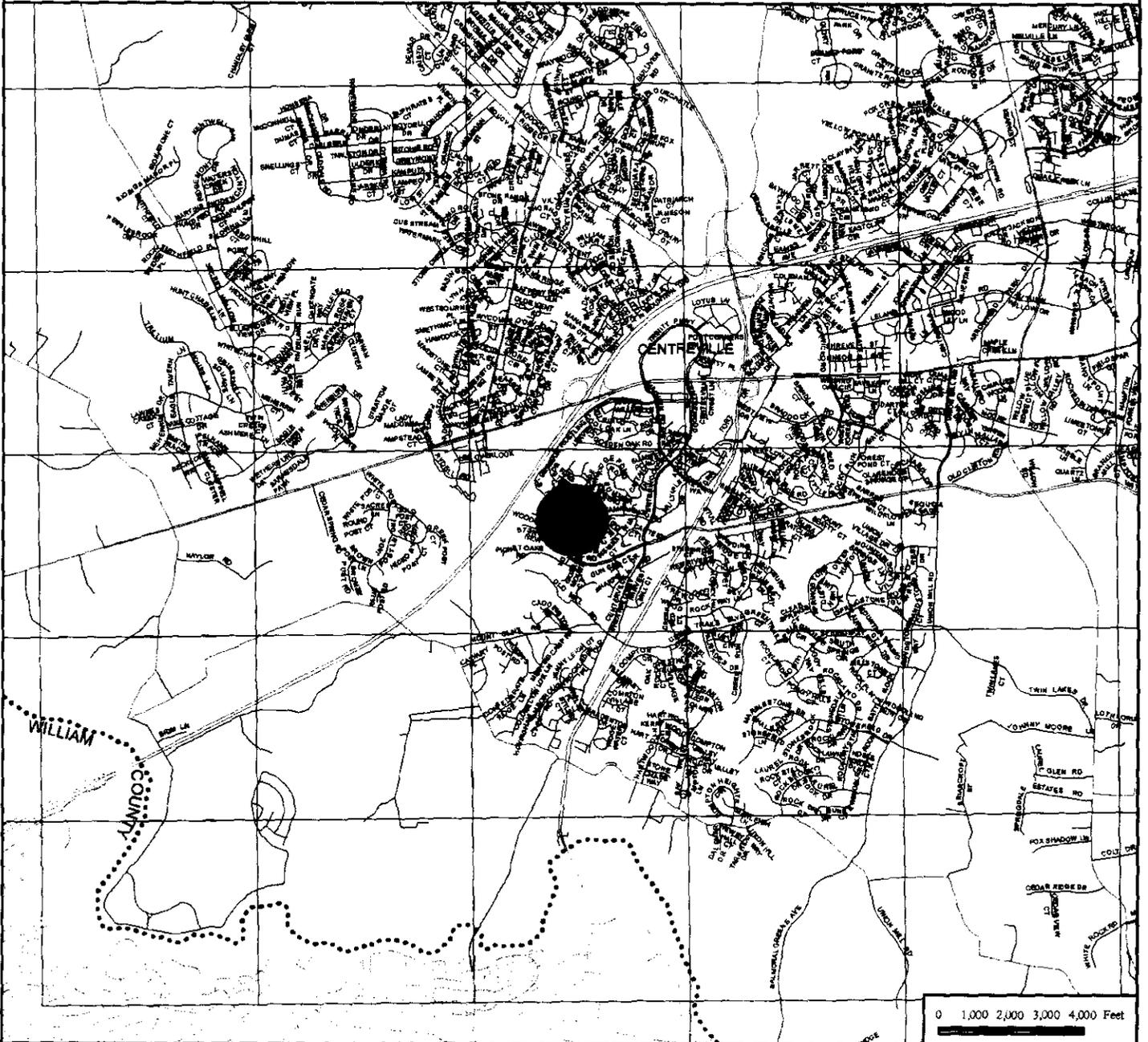
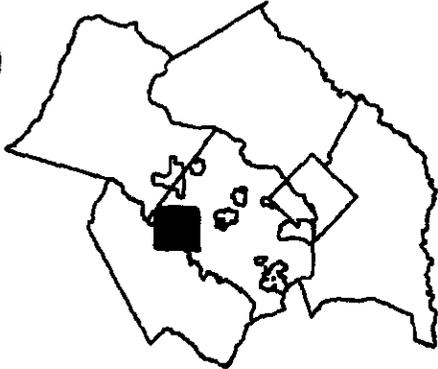
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Deborah Hedrick

Special Permit
SP 2009-SU-015

Applicant: ANDREA JUNG
Accepted: 03/05/2009
Proposed: PERMIT MODIFICATION TO THE LIMITATIONS ON THE KEEPING OF ANIMALS

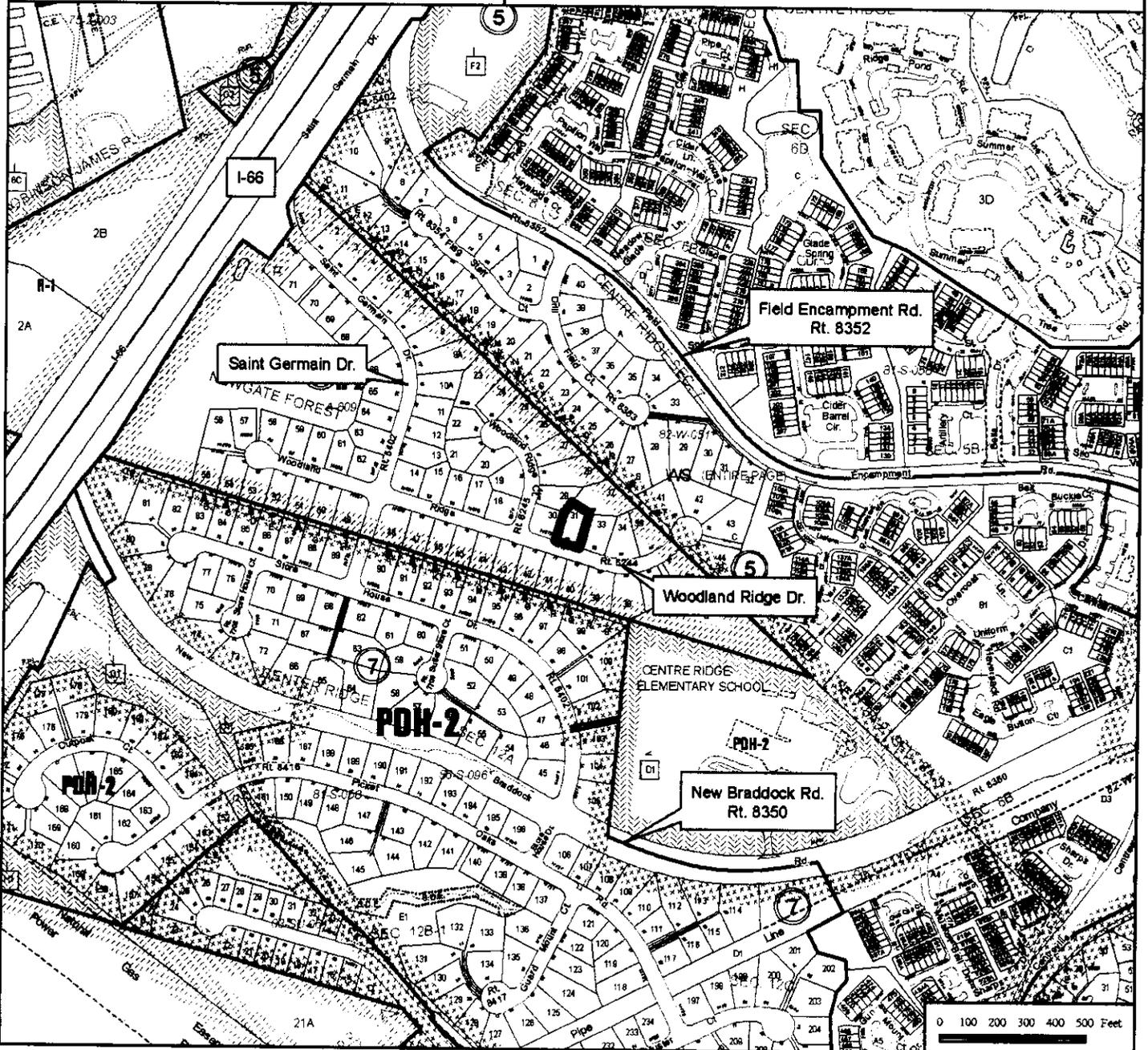
Area: 11,301 SF OF LAND; DISTRICT - SULLY
Zoning Dist Sect: 08-0917
Art 8 Group and Use: 9-16
Located: 14570 WOODLAND RIDGE DRIVE
Zoning: R- 2
Overlay Dist: WS
Map Ref Num: 065-1- /02/ /0031

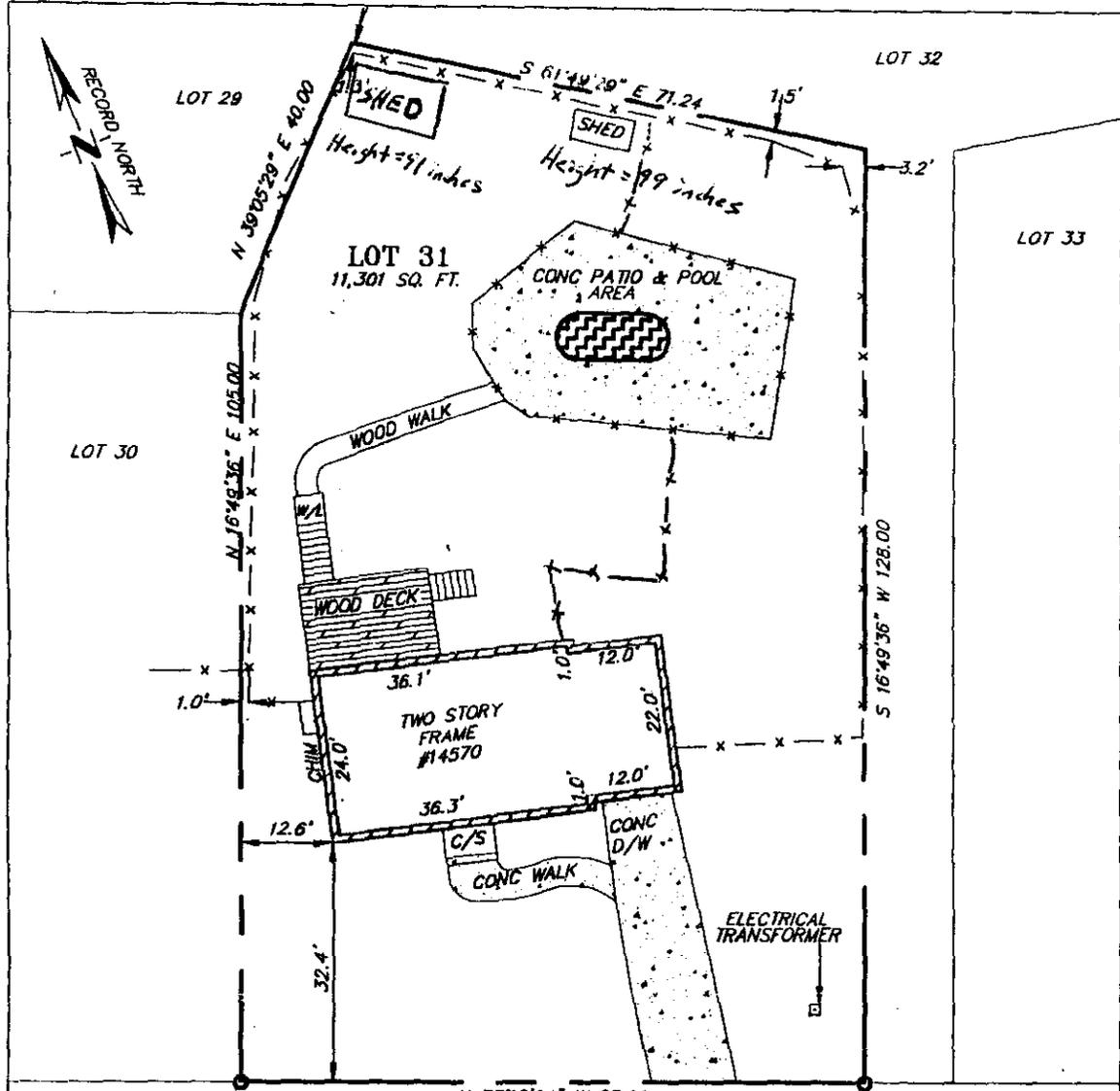
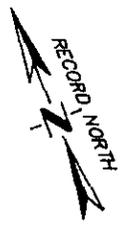


Special Permit
SP 2009-SU-015

Applicant: ANDREA JUNG
Accepted: 03/05/2009
Proposed: PERMIT MODIFICATION TO THE LIMITATIONS ON THE KEEPING OF ANIMALS

Area: 11,301 SF OF LAND; DISTRICT - SULLY
Zoning Dist Sect: 08-0917
Art 8 Group and Use: 9-16
Located: 14570 WOODLAND RIDGE DRIVE
Zoning: R- 2
Overlay Dist: WS
Map Ref Num: 065-1- /02/ /0031





Shed Heights were measured in accordance with 10-103.4. of the Fairfax County Zoning Ordinance

Shed heights are less than 8.5 Feet. Therefore, distance to rear and side yards are not relevant. See 10-104.10.C. of the Fairfax County Zoning Ordinance

Interior Fence = 40 inches

Exterior Fence = 75 inches

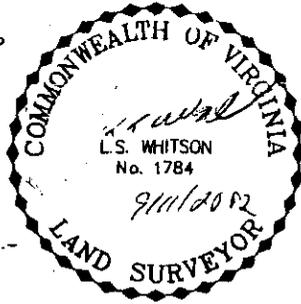
WOODLAND RIDGE DRIVE
50' R/W
N 73°10'24" W 85.00
+/- 105 TO WOODLAND RIDGE COURT

HOUSE LOCATION SURVEY

LOT 31
NEWGATE FOREST
DEED BOOK 4683 PAGE 371
FAIRFAX COUNTY, VIRGINIA
DATE: SEPTEMBER 11, 2002
SCALE: 1" = 20'

LEGEND

- C/S = CONCRETE STOOP
- C/C/S = COVERED CONC. STOOP
- M/S = METAL STOOP
- C/W = CONC. WALK
- S/W = STONE WALK
- W/L = WOOD LANDING
- B/L = BRICK LANDING
- CHIM = CHIMNEY
- OH = OVERHANG
- B/W = BAY WINDOW
- OHW = OVERHEAD WIRE
- A/W = AREA WAY
- R/E = RECESSED ENTRY
- = IRON PIPE FOUND
- x- = FENCE



NOTES

THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY; IT IS A HOUSE LOCATION SURVEY. ANY MONUMENTS SHOWN ON THIS PLAT WERE RECOVERED IN THE FIELD AND DEEMED SUFFICIENT FOR A HOUSE LOCATION SURVEY. THIS PLAT DOES NOT CERTIFY THAT THE LOCATIONS OF THESE MONUMENTS ARE PRECISELY CORRECT. YOUR LENDER REQUIRED A HOUSE LOCATION SURVEY TO VERIFY THE ORIENTATION OF THE HOUSE, LOCATION OF IMPROVEMENTS, AND TO ENSURE THAT THERE ARE NO IMPROPER ENCUMBRANCES UPON THE PROPERTY. IF THE OWNER DESIRES THE PRECISE LOCATION OF CORNERS TO BE MARKED, THEN A BOUNDARY SURVEY MAY BE REQUESTED FOR AN ADDITIONAL FEE. THE LOCATION OF FENCES, DRIVEWAYS, AND OTHER IMPROVEMENTS ARE APPROXIMATE. THIS PLAT DOES NOT DETERMINE THE OWNERSHIP OF FENCES. THIS PLAT IS NOT TO BE USED FOR CONSTRUCTION OF ANY IMPROVEMENTS. THIS PLAT WAS ESTABLISHED BY TAPE AND TRANSIT. NO TITLE REPORT WAS FURNISHED.

SAM WHITSON, L.S./LAND SURVEYING
11170 LEE HIGHWAY SUITE C
FAIRFAX, VIRGINIA 22030
(703)352-9515 FAX: (703)352-9516

OWNER: NEDVED
BUYER: JUNG
W.O. #02-5149 CLIENT #C2-361

Amcho Jung
2/12/09



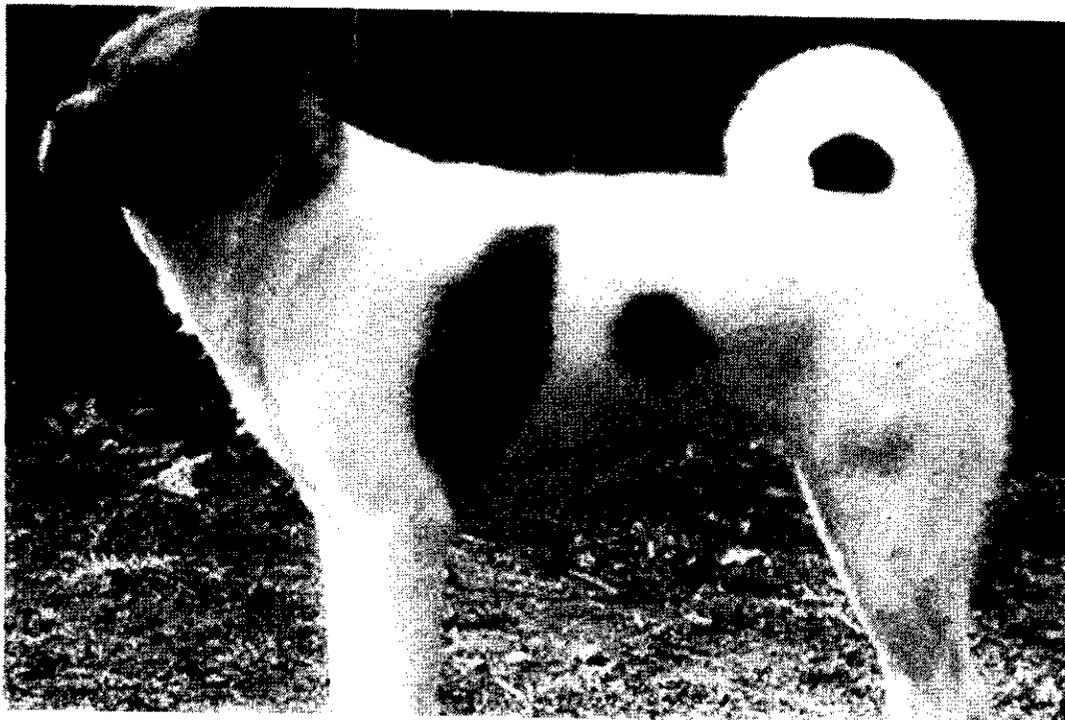
Shepherd Mix (40 lbs)



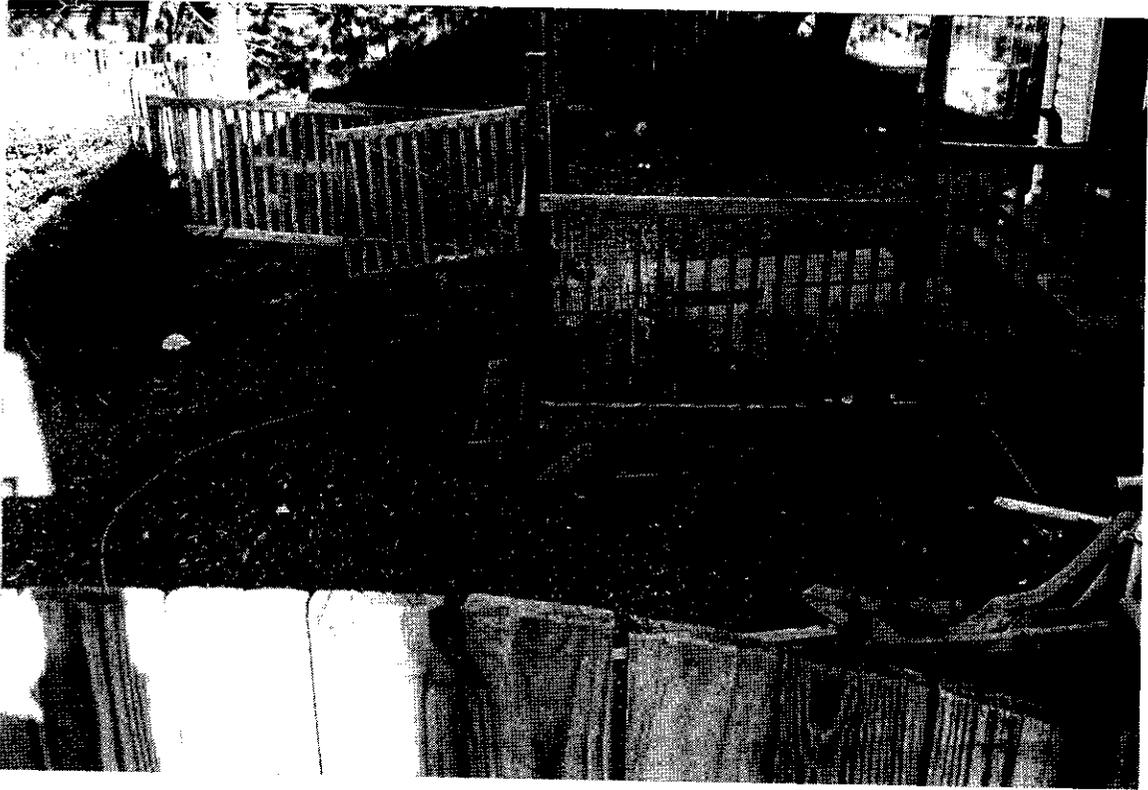
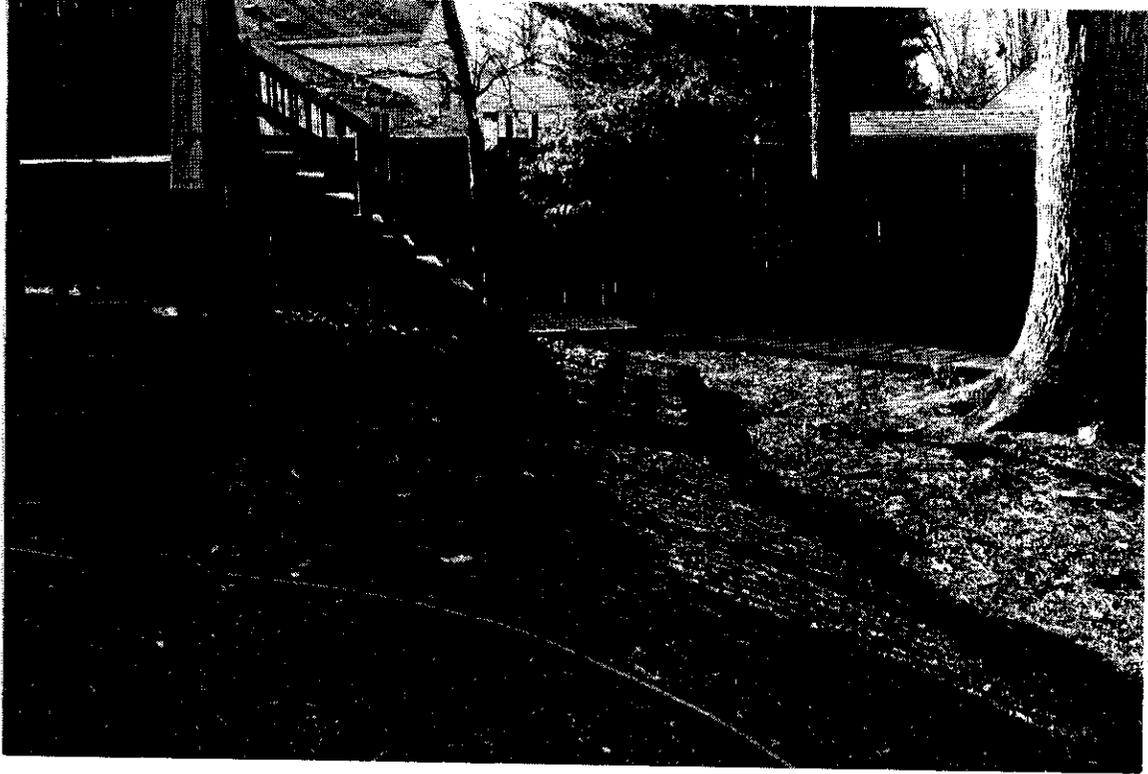
(Beagle mix 30lbs)



Mastiff (90 pounds)

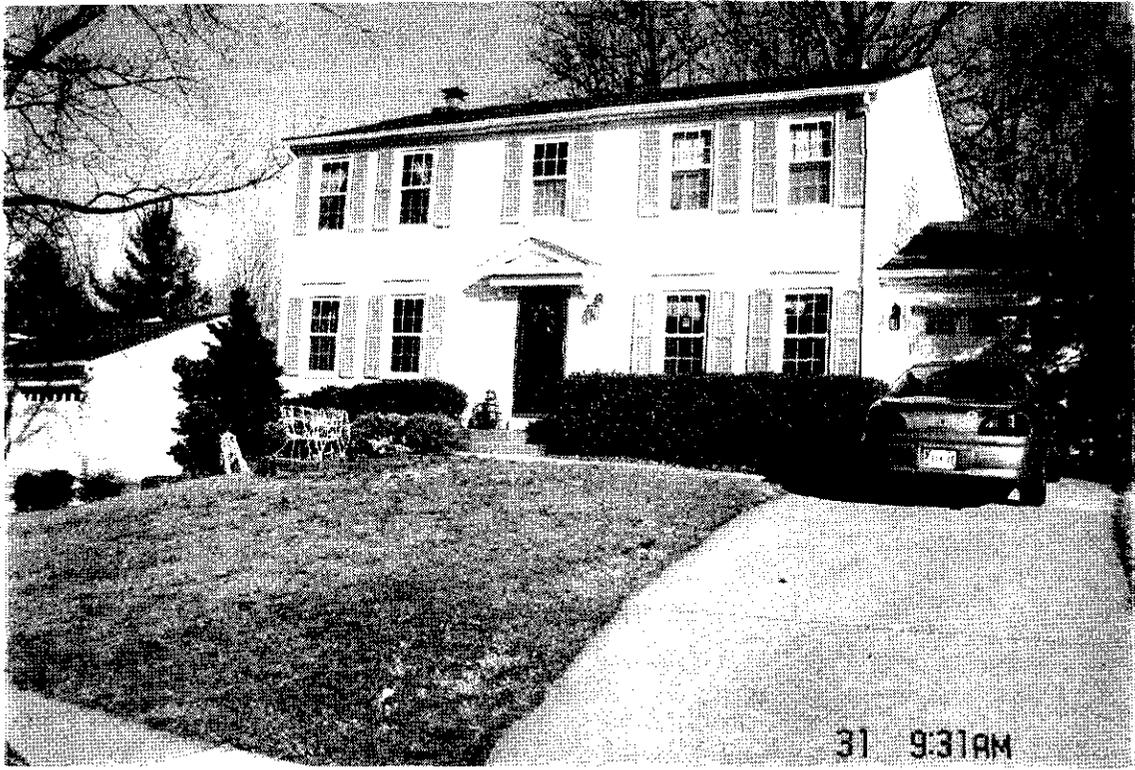


Akita (55 pounds)













DESCRIPTION OF THE APPLICATION

The applicant is requesting a special permit to permit modification to the limitations on the keeping of animals to permit the keeping of four (4) adult dogs. Section 2-512, Paragraph 2A of the Zoning Ordinance requires a residential lot of 12,500 square feet or more to keep up to four dogs. The keeping of two dogs would be permitted by-right on the applicant's property.

LOCATION AND CHARACTER

Site Description

The subject property consists of 11,301 square feet and is developed with a detached dwelling within the Newgate Forest subdivision. As depicted on the special permit plat located at the front of the staff report, and in review of the photographs submitted with the application, the entire sides and rear of the property are equipped with a privacy fence measuring 6 ¼ feet in height. The lot has mature trees scattered throughout the rear yard. There are two (2) existing sheds located along the rear lot line, as well as a swimming pool and deck area. The dwelling is situated toward the front of the lot, providing a large fenced rear yard.

Surrounding Area Description

	Zoning	Use
North	R-2 and WS	Single Family Detached Dwellings
East	R-2 and WS	Single Family Detached Dwellings
South	R-2 and WS	Single Family Detached Dwellings
West	R-2 and WS	Single Family Detached Dwellings

BACKGROUND

On November 20, 2007, the applicant received a Notice of Violation (NOV) for the keeping of too many dogs. A copy of the NOV is included as Appendix 4 of this staff report.

ANALYSIS

Special Permit Plat (Copy at front of staff report)

Title of SP Plat: House Location Survey, Lot 31

Prepared By: Sam Whitson, L.S./Land Surveying, dated September 11, 2002,
noted by Andrea Jung, February 6, 2009

Proposed Use:

The applicant wishes to keep up to four (4) adult dogs over 6 months in age on a residential lot containing 11,301 square feet. A lot consisting of a minimum of 12,500 square feet is required for the keeping of three to four dogs. The applicant states that the dogs are kept indoors while she is away at work and are supervised when they are outside in the fenced rear yard of the property.

As noted in the applicants' statement of justification, the dogs are equipped with a barker breaker device while inside the home. She currently owns four (4) dogs ranging in age from 8 to 15 years old and ranging in weight from 30 to 90 pounds. Photographs show that the yard is equipped with a 6 foot privacy fence along the exterior of the side and rear yards as well as a 4 foot high fence within the interior of the yard. When the dogs are outside, they are kept to the right side of the fenced yard, within the 4 foot fenced area, which runs parallel to a pipestem driveway for adjacent Lot 32.

The applicant has explained to staff that she would also like the ability to continue as a volunteer for different local rescue groups. She wishes to be permitted to always have up to four (4) dogs on her property at any given time, even in the event that any of the existing dogs should die or are given away.

ZONING ORDINANCE REQUIREMENTS (Appendix 5)

- Limitations on the Keeping of Animals (Sect. 2-512)
- General Special Permit Standards (Sect. 8-006)
- Group 9 Standards (Sect. 8-903)
- Provisions for Modifications to the Limitations on the Keeping of Animals (Sect. 8-917)

Paragraph 1 of Sect. 8-917 states that the BZA shall consider the kinds and number of animals proposed to be kept, the characteristics thereof, the proposed management techniques, and the location that such animals shall be kept on the lot. The BZA may impose conditions as may be necessary to ensure that there will be no adverse impact on adjacent property and no emission of noise and/or odor shall be detrimental to other property in the area.

Development conditions have been included in Appendix 1 that address the issues related to the keeping of animals on this site.

CONCLUSION

If it is the intent of the BZA to approve this application, staff suggests the BZA condition its approval by requiring conformance with the conditions set forth in Appendix 1 of this report, Proposed Development Conditions.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Notice of Violation dated November 20, 2007
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2009-SU-015****May 26, 2009**

1. This approval is granted to the applicant only, Andrea H. Jung, a/k/a Andrea Hall, and is not transferable without further action of this Board, and is for the location indicated on the application, 14570 Woodland Ridge Drive (11,301 square feet) and is not transferable to other land.
2. The applicant shall make this special permit property available for inspection to County officials during reasonable hours of the day.
3. The applicant shall have the ability to maintain up to four (4) dogs on the property at any given time.
4. The yard area where the dogs are kept shall be cleaned of dog waste every day, in a method which prevents odors from reaching adjacent properties, and in a method approved by the Health Department.
5. At no time shall the dogs be left outdoors unattended for continuous periods of longer than 30 minutes.

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.

Application No.(s): _____
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 12-15-08
 (enter date affidavit is notarized)

I, Stephen Scavuzzo, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

102753 a

and that, to the best of my knowledge and belief, the following is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Andrea H. Jung	14750 Woodland Ridge Drive Centreville VA 20120	Applicant/Title Owner
Stephen Scavuzzo Esq	8200 Greensboro Drive Suite 900 McLean VA 22102	Attorney/Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 12-15-08
(enter date affidavit is notarized)

102753a

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION Unincorporated Sole Proprietorship

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Stephen Scauzza Esq
8200 Greensboro Drive
Suite 900
McLean VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 12-15-08
(enter date affidavit is notarized)

102753a

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION (Not Applicable)

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

No Partners

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 12-15-08
(enter date affidavit is notarized)

102753~

1(d). One of the following boxes must be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 12-15-08
(enter date affidavit is notarized)

102753a

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one) [] Applicant Applicant's Authorized Agent

Stephen D. Scavuzzo

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 15th day of December 2008, in the State/Comm. of Virginia, County/City of Fairfax.

Jolene M. Irwin
Notary Public

My commission expires: December 31, 2011



April 10, 2009

To Whom It May Concern,

I would like to apply to have 4 dogs at my residence (pictures attached and weights and ages are written on the back of the pictures). I am a volunteer for different local rescue groups such as the Washington Humane Society, Akita Rescue, and a local rescue in Louisiana from the Katrina disaster. Part of my involvement with these organizations has included fostering animals until permanent homes are found. As such I would to be able to continue to foster and to be able to keep 4 dogs at my residence until such a time as they pass away or are adopted.

Thank you for your consideration.

Andrea Hall

RECEIVED
Department of Planning & Zoning

APR 21 2009

Zoning Evaluation Division

FEB 23 2009

Zoning Evaluation Division

921.01 --

15 year old black and tan beagle mix
12 year old black and tan shepherd mix
10 year old brindle mastiff mix
8 year old brown and white akita

921.02

The animals will be housed indoors inside the house at all times. A barker breaker device will be used inside the home. They will be let outside for bathroom and play time on the right side of the fence.

921.03

We have a 75" (6') high privacy fence around the back of the property for privacy and noise. As mentioned, indoors, a barker breaker device will be used inside the home. An additional 46" internal fence around the right side of the property will be used to keep the dogs to the right of the yard. The right side of the yard (the majority of it) runs parallel to a long driveway (no direct neighboring houses on the side). This will help eliminate noise. In addition, the animals will only be let out while supervised, a doggie day walker will be hired for mid-day dog walks. As mentioned they will spend the majority of their time indoors. The yard will be pooper scooped 3 times a day and the waste will be disposed of using Doogie Dooley (an eco friendly waste disposal system). As mentioned pooper scooping will occur 3 times a day therefore curbing any smell.



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

November 20, 2007

FAIRFAX COUNTY
RECEIVED
NOV 21 2007
DIVISION OF ZONING ADMINISTRATION

NOTICE OF VIOLATION

Certified Mail
Return Receipt Requested
Receipt # 7099 3400 0007 087 3247

Andrea H. Jung
 14570 Woodland Ridge Drive
 Centreville, Virginia 20121

Re: 14570 Woodland Ridge Drive, Centreville, Virginia
 Subdivision: Newgate Forest, Lot 31
 Tax Map Ref.: 65-1 ((2)) 31
 Zoning District: R-2
 Development Type: Cluster

A zoning inspection of the above-referenced property, on November 19, 2007, revealed that you are keeping three dogs over the age of 6 months on a lot containing 11,301 square feet.

Therefore, you are in violation of Par. 2A of Sect. 2-512 of the Fairfax County Zoning Ordinance which limits the keeping of dogs as follows:

- 2. The keeping of dogs, except a kennel as permitted by the provisions of Part 6 of Article 8, shall be allowed as an accessory use on any lot in accordance with the following:
 - A. The number of dogs permitted shall be in accordance with the following schedule, except that, in determining the number of dogs allowed, only those dogs six (6) months or older in age shall be counted.

<i>Number of Dogs</i>	<i>Minimum Lot Size</i>
1 to 2	No requirement
3 to 4	12,500 square feet
5 to 6	20,000 square feet
7 or more	25,000 square feet plus 5,000 square feet for each additional dog above 7

Andrea H. Jung
November 20, 2007
Page 2

You are, hereby, directed to clear these violations within thirty (30) days of receipt of this Notice. Compliance can be accomplished by the following procedures:

- Reducing the number of dogs kept on the property to two dogs or,
- Making application and ultimately obtaining the Board of Zoning Appeals (BZA) approval of a Group 9 Special Permit for a modification of the limitations on the keeping of animals.

Should you choose to seek compliance by pursuing the approval of the BZA of a Group 9 Special Permit; you may call 703-324-1290 for more information.

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, written statement setting forth the decision being appealed, date of decision, the grounds for the appeal, how the appellant is an aggrieved party, and any other information you may wish to submit and a \$375.00 filing fee. Once an appeal application is accepted, it is scheduled for public hearing and decision before the BZA.

Failure to comply, with this Notice, shall result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance.

Should you have any questions regarding this notice or need additional information, please do not hesitate to contact me at (703) 324-1391 or (703) 324-1300.

Sincerely,



Bruce Miller
Property Maintenance/Zoning Enforcement Inspector

BM/bm

2-512 Limitations on the Keeping of Animals

1. The keeping of commonly accepted pets shall be allowed as an accessory use on any lot, provided such pets are for personal use and enjoyment, and not for any commercial purpose. Dogs shall be subject to the provisions of Par. 2 below.
2. The keeping of dogs, except a kennel as permitted by the provisions of Part 6 of Article 8, shall be allowed as an accessory use on any lot in accordance with the following:

- A. The number of dogs permitted shall be in accordance with the following schedule, except that, in determining the number of dogs allowed, only those dogs six (6) months or older in age shall be counted.

Number of Dogs	Minimum Lot Size
1 to 2	No requirement
3 to 4	12,500 square feet
5 to 6	20,000 square feet
7 or more	25,000 square feet plus 5,000 square feet for each additional dog above 7

- B. Notwithstanding the above, dogs in numbers greater than those set forth above may be kept on a lot when it can be demonstrated that:
 - (1) Such dogs were kept on the lot prior to October 11, 1977 and have continued to be kept on such lot; or
 - (2) Three (3) dogs were kept on a lot of less than 12,500 square feet in size, or five (5) dogs were kept on a lot of 12,500 to 19,999 square feet in size, prior to February 25, 1985.

The provisions of this Paragraph B shall apply only to existing dogs when evidence is submitted which specifically identifies each animal and documents that such animal was present on the lot in accordance with the applicable time frames set forth above.

Nothing in this Ordinance shall be construed to determine the type of license required for dogs under the provisions of Chapter 41 of The Code.

3. The keeping of livestock or domestic fowl shall be allowed as an accessory use on any lot of two (2) acres or more in size. The

keeping of such livestock or domestic fowl shall be in accordance with the following:

- A. The number of livestock kept on a given lot shall not exceed the ratio of one (1) animal unit per one (1) acre, with an animal unit identified as follows:

2 head of cattle	= 1 animal unit
5 sheep	= 1 animal unit
3 horses	= 1 animal unit
5 swine	= 1 animal unit
5 goats	= 1 animal unit
5 llamas	= 1 animal unit
5 alpacas	= 1 animal unit

Horses shall include ponies, mules, burros and donkeys. In determining the number of livestock permitted, only horses six (6) months or older in age and cattle, sheep, goats, and swine one (1) year or older in age shall be counted. In addition, in determining the number of livestock permitted, combinations of animals are allowed, provided that the ratio of one (1) animal unit per one (1) acre is maintained.

- B. The number of domestic fowl kept on a given lot shall not exceed the ratio of one (1) bird unit per one (1) acre, with a bird unit identified as follows:

32 chickens	= 1 bird unit
16 ducks	= 1 bird unit
8 turkeys	= 1 bird unit
8 geese	= 1 bird unit

In determining the number of domestic fowl permitted, only fowl six (6) months or older in age shall be counted.

4. The keeping of honeybees in four (4) beehives or less shall be allowed as an accessory use on any lot. On any lot of 10,000 square feet in size or larger, more than four (4) beehives may be kept, provided there is an additional lot area of 2500 square feet for each hive. In all instances, there shall be one (1) adequate and accessible water source provided on site and located within fifty (50) feet of the beehive(s). In addition, if the landing platform of a hive faces and is within ten (10) feet of any lot line, there shall be a flight path barrier, consisting of a fence, structure or plantings not less than six (6) feet in height, located in front of the hive.

5. The keeping of racing, homing, or exhibition (fancy) pigeons shall be allowed as an accessory use on any lot 10,000 square feet or more in size.
6. All accessory structures associated with the keeping or housing of animals shall be located in accordance with the provisions of Part 1 of Article 10.
7. The BZA may approve a special permit to modify the provisions of Paragraphs 1 through 6 above, but only in accordance with Part 9 of Article 8; provided, however, that a kennel, animal shelter or riding or boarding stable shall be subject to the provisions of Part 6 of Article 8.
8. The keeping of wild, exotic, or vicious animals shall not be allowed except as may be permitted by Chapter 41 of The Code.

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-903 Standards For All Group 9 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, or other appropriate submission as determined by the Director.

8-917 Provisions for Modifications to the Limitations on the Keeping of Animals

The BZA may approve a special permit to allow the keeping of animals that are not commonly accepted pets, to allow the keeping of animals in numbers greater and/or on lots smaller than permitted by Sect. 2-512, or to allow modifications to the location regulations of Par. 9 of Sect. 10-104, but only in accordance with the following:

1. In reviewing an application, the BZA shall consider the kinds and numbers of animals proposed to be kept, the characteristics thereof, the proposed management techniques, and the location that such animals will be kept on the lot. The BZA may impose such conditions, to include screening and minimum yards, as may be necessary to ensure that there will be no adverse impact on adjacent property and no emission of noise and/or odor detrimental to other property in the area.
2. Such modification may be approved if it is established that the resultant use will be harmonious and compatible with the adjacent area.
3. Notwithstanding the requirements set forth in Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plat, which may be prepared by the applicant and shall contain the following information:
 - A. The dimensions of the lot or parcel, the boundary lines thereof, and the area of land contained therein.
 - B. The dimensions, height and distance to all lot lines of any existing or proposed building, structure or addition where such animals are to be kept.
 - C. The delineation of any Resource Protection Area and Resource Management Area.
 - D. The signature and certification number, if applicable, of the person preparing the plat.