



APPLICATION ACCEPTED: April 9, 2009  
BOARD OF ZONING APPEALS: June 30, 2009  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

June 23, 2009

## STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2009-SP-021

SPRINGFIELD DISTRICT

**APPLICANT:** Michale Sponaugle  
**OWNERS:** Michale and Nicole Sponaugle  
**SUBDIVISION:** Hunter Village  
**STREET ADDRESS:** 7752 Shootingstar Drive  
**TAX MAP REFERENCE:** 89-2 ((13)) 65  
**LOT SIZE:** 2,676 square feet  
**ZONING DISTRICT:** PDH-3  
**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).

O:\Scaff2\Case Files\Special Permits\SP 2009-SP-021 SPONAUGLE\Sponaugle\_draft.doc

Shannon Caffee

Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703-324-1290 FAX 703-324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



# Special Permit

SP 2009-SP-021

Applicant: MICHALE SPONAUGLE  
Accepted: 04/09/2009  
Proposed: MODIFICATION TO THE LIMITATIONS ON THE KEEPING OF ANIMALS

Area: 2,676 SF OF LAND; DISTRICT - SPRINGFIELD

Zoning Dist Sect: 08-0917

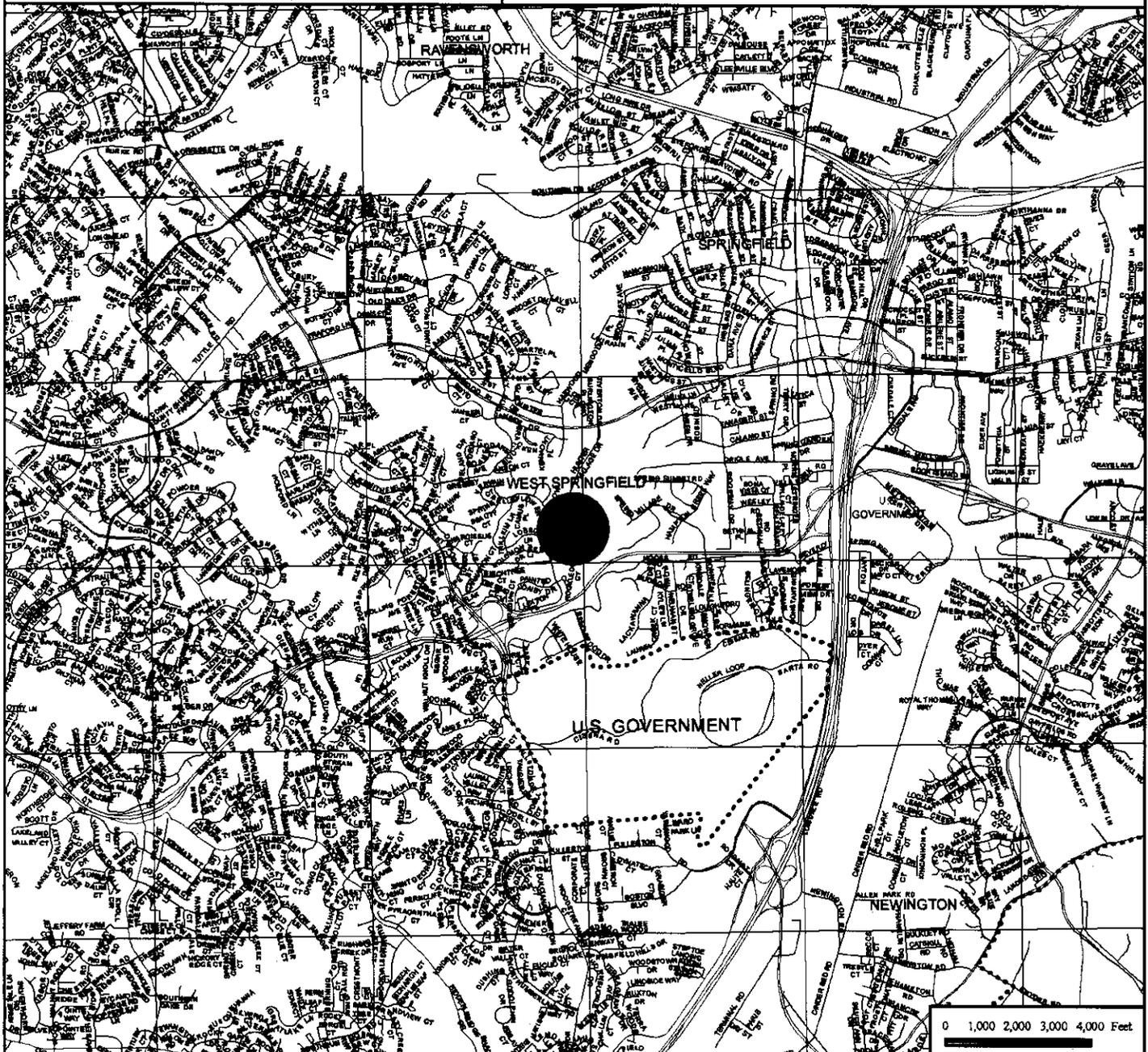
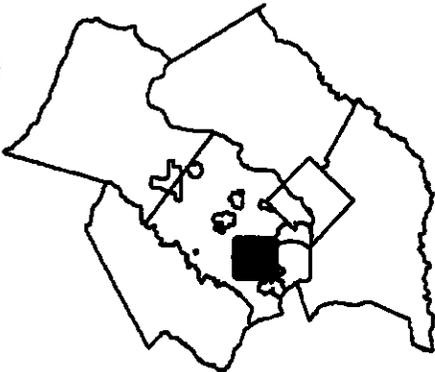
Art 8 Group and Use: 9-16

Located: 7752 SHOOTINGSTAR DRIVE

Zoning: PDH- 3

Overlay Dist:

Map Ref Num: 089-2- /13/ /0065

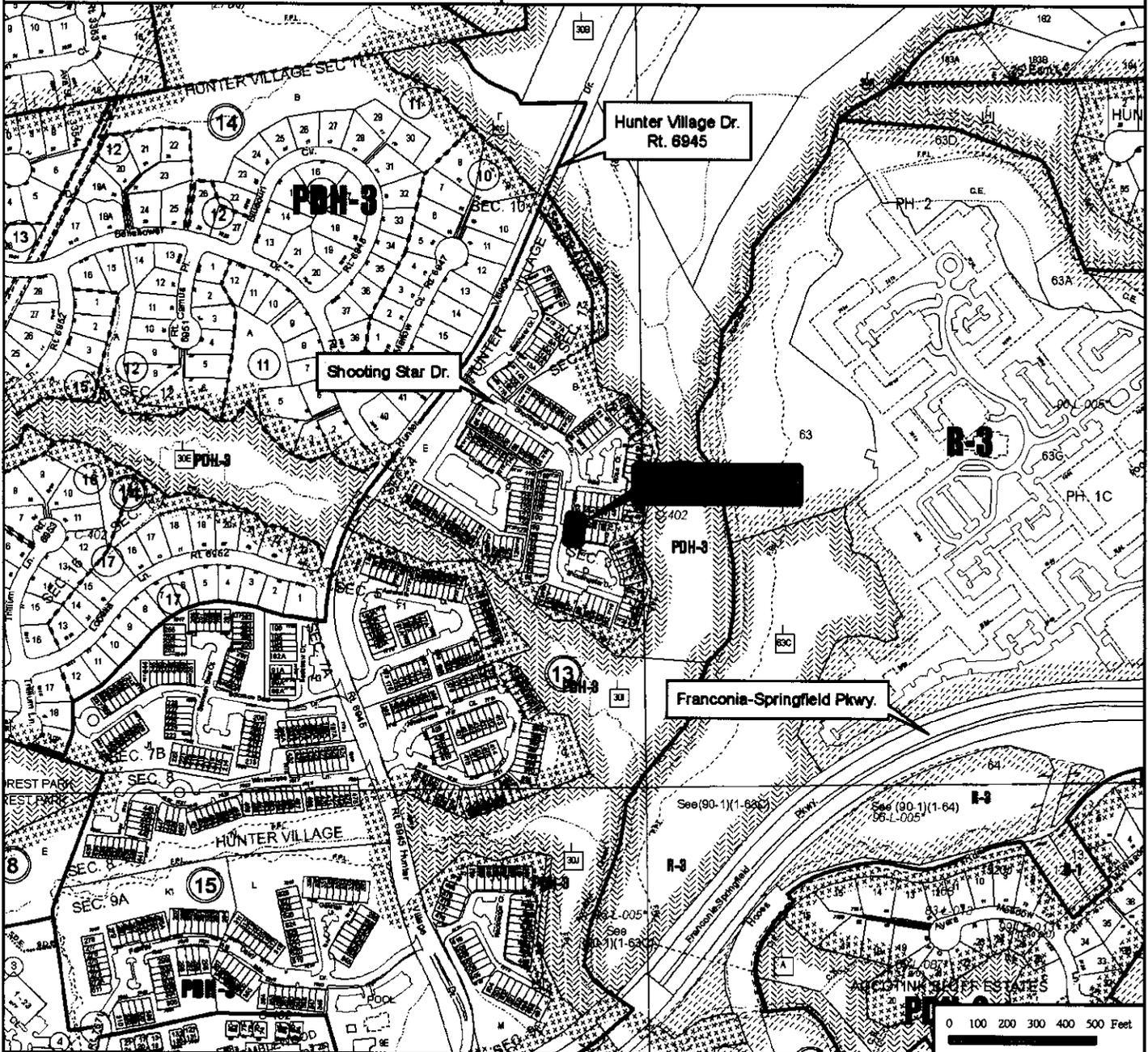


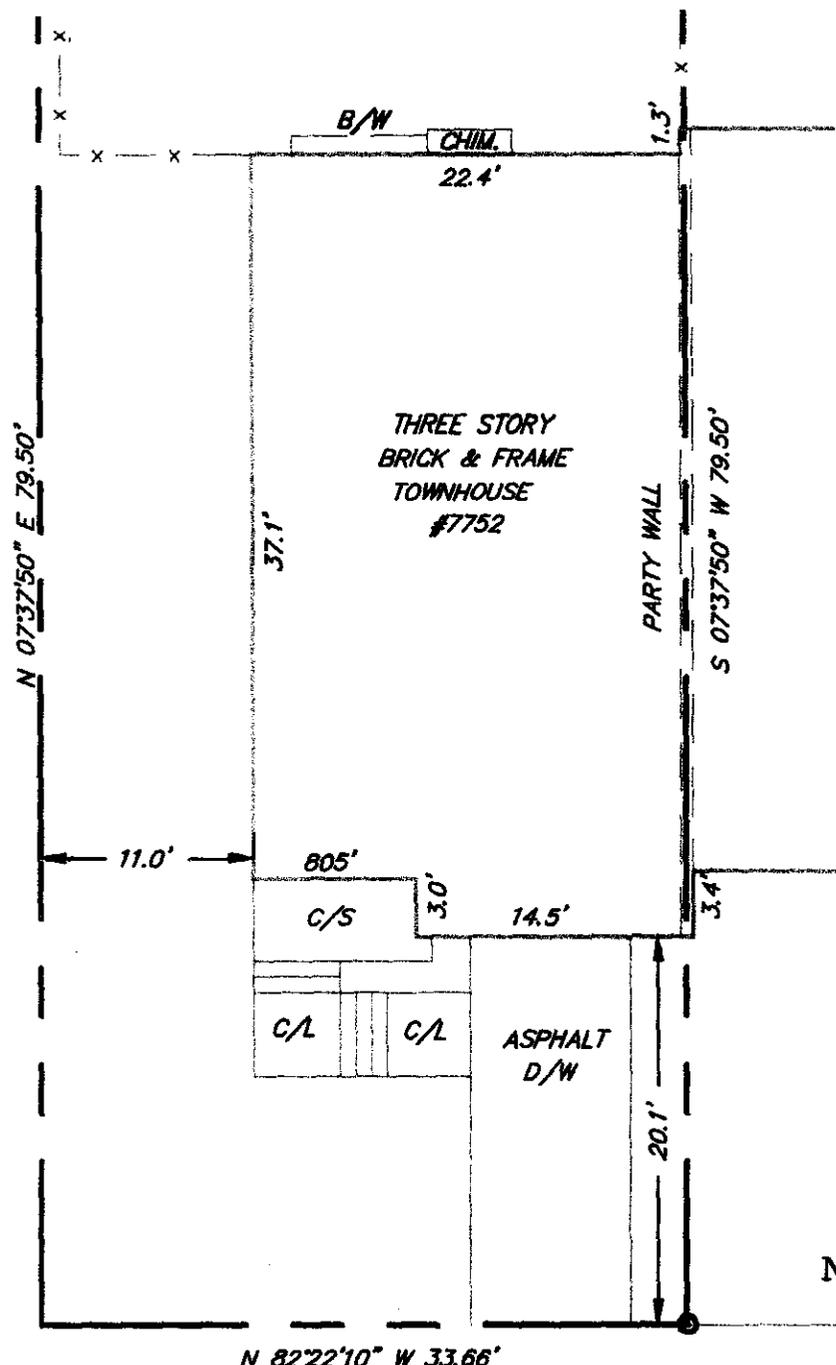
**Special Permit**  
**SP 2009-SP-021**

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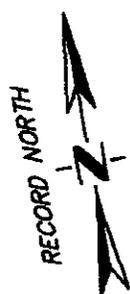
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Overlay Dist:  
Map Ref Num: 089-2- /13/ /0065





**LEGEND**

- A/W = AREA WAY
- CHIM. = CHIMNEY
- B/W = BAY OR BOX WINDOW
- O.H. = OVERHANG
- C/S = CONCRETE STOOP
- = IRON PIPE FOUND
- M/S = METAL STOOP
- W/S = WOOD STOOP
- C/L = CONCRETE LANDING
- C/C/S = COVERED CONCRETE STOOP



**NOTES:**

THIS IS NOT A BOUNDARY SURVEY. CORNER MONUMENTATION THAT MEETS THE STANDARDS FOR A BOUNDARY SURVEY IS NOT INCLUDED WITH A HOUSE LOCATION SURVEY.

IF CORNER MONUMENTATION IS DESIRED THEN A BOUNDARY SURVEY MUST BE REQUESTED BY THE OWNER FOR AN ADDITIONAL FEE.

LOCATION OF DRIVEWAYS AND FENCES ARE APPROXIMATE. THIS SURVEY DOES NOT DETERMINE THE OWNERSHIP OF FENCES. THIS PLAT IS NOT TO BE USED FOR CONSTRUCTION OF FENCES.

THIS SURVEY WAS ESTABLISHED BY TRANSIT AND TAPE AND UNLESS OTHERWISE SHOWN THERE ARE NO ENCROACHMENTS. NO TITLE REPORT WAS FURNISHED.

**SHOOTINGSTAR DRIVE**  
(PRIVATE STREET)

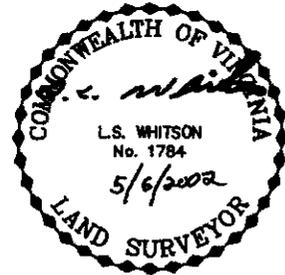
*The height of the fence is 6 feet.*

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

**OWNER: NAVARRO**  
**BUYER: SPONAUGLE**  
 W.O. #02-1932 CLIENT # B02A061

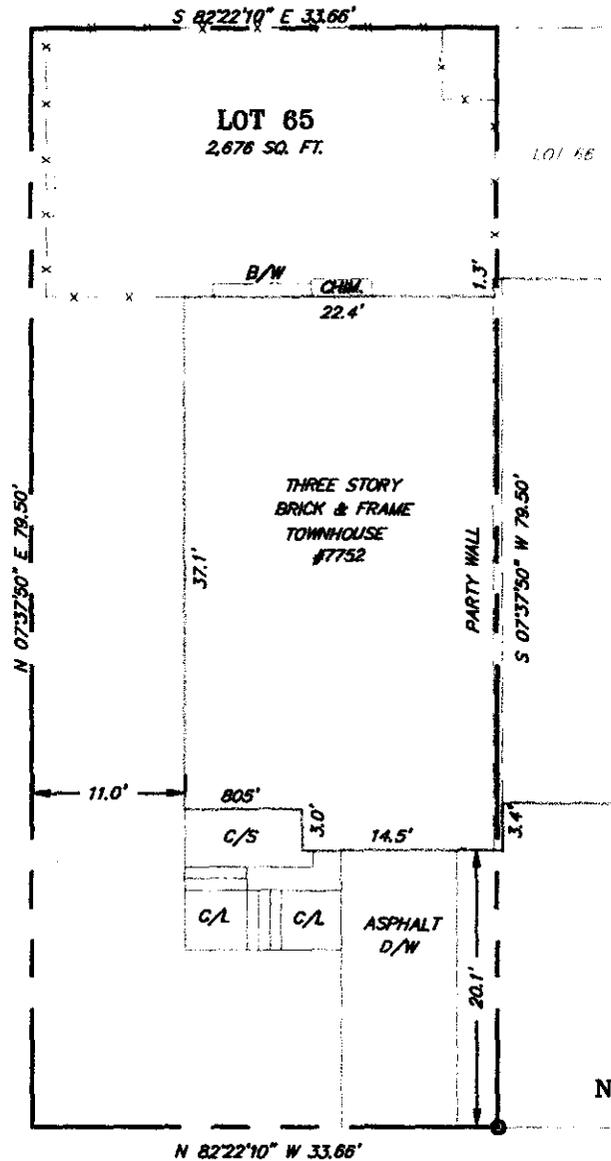
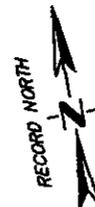
*Michelle A. Spornung MARCH 28, 2009*

HOUSE LOCATION SURVEY  
**LOT 65 SECTION 3**  
**HUNTER VILLAGE**  
 DEED BOOK 5789 PAGE 364  
 FAIRFAX COUNTY, VIRGINIA  
 DATE: MAY 6, 2002  
 SCALE: 1" = 10'



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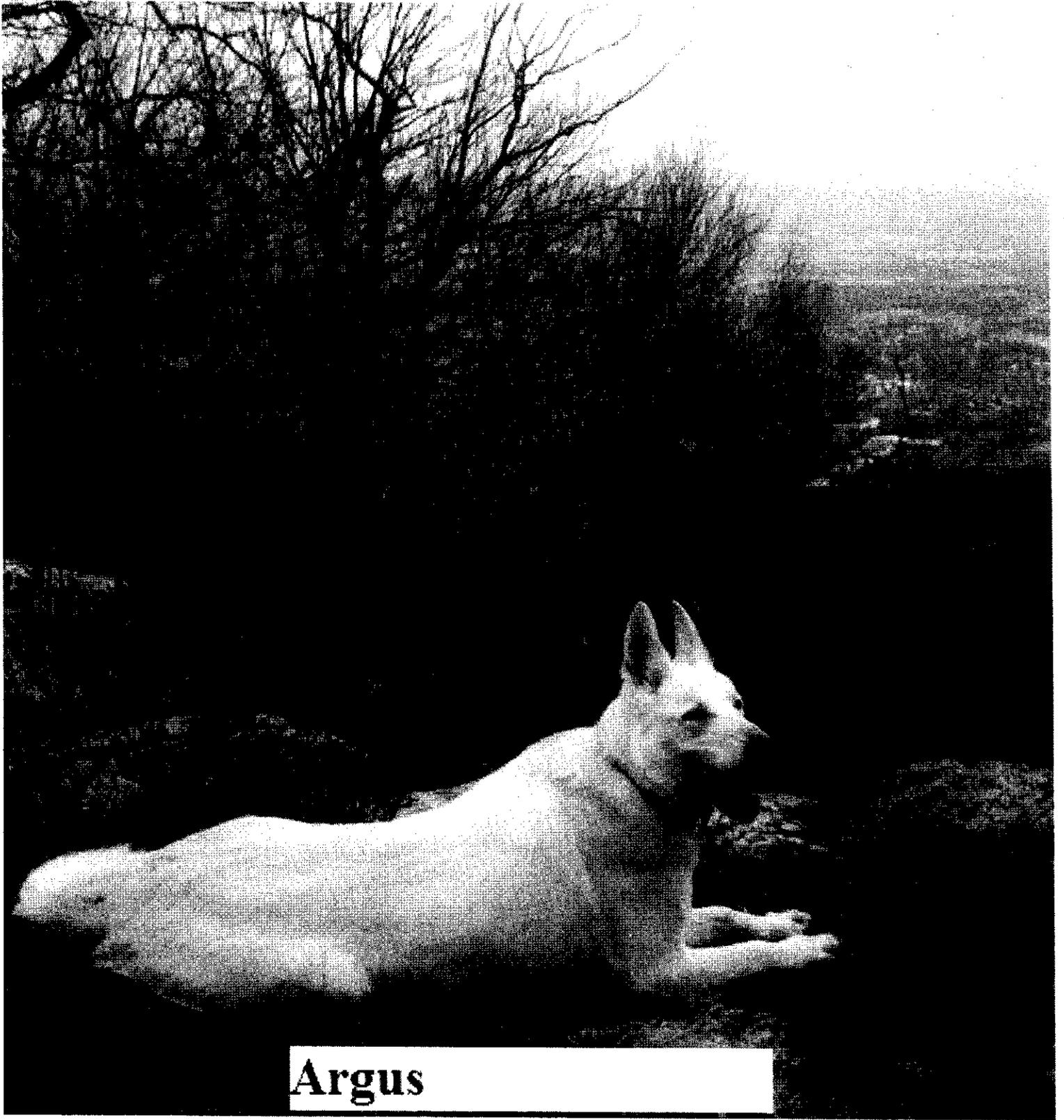
**OWNER: NAVARRO**

**BUYER: SPONAUGLE**

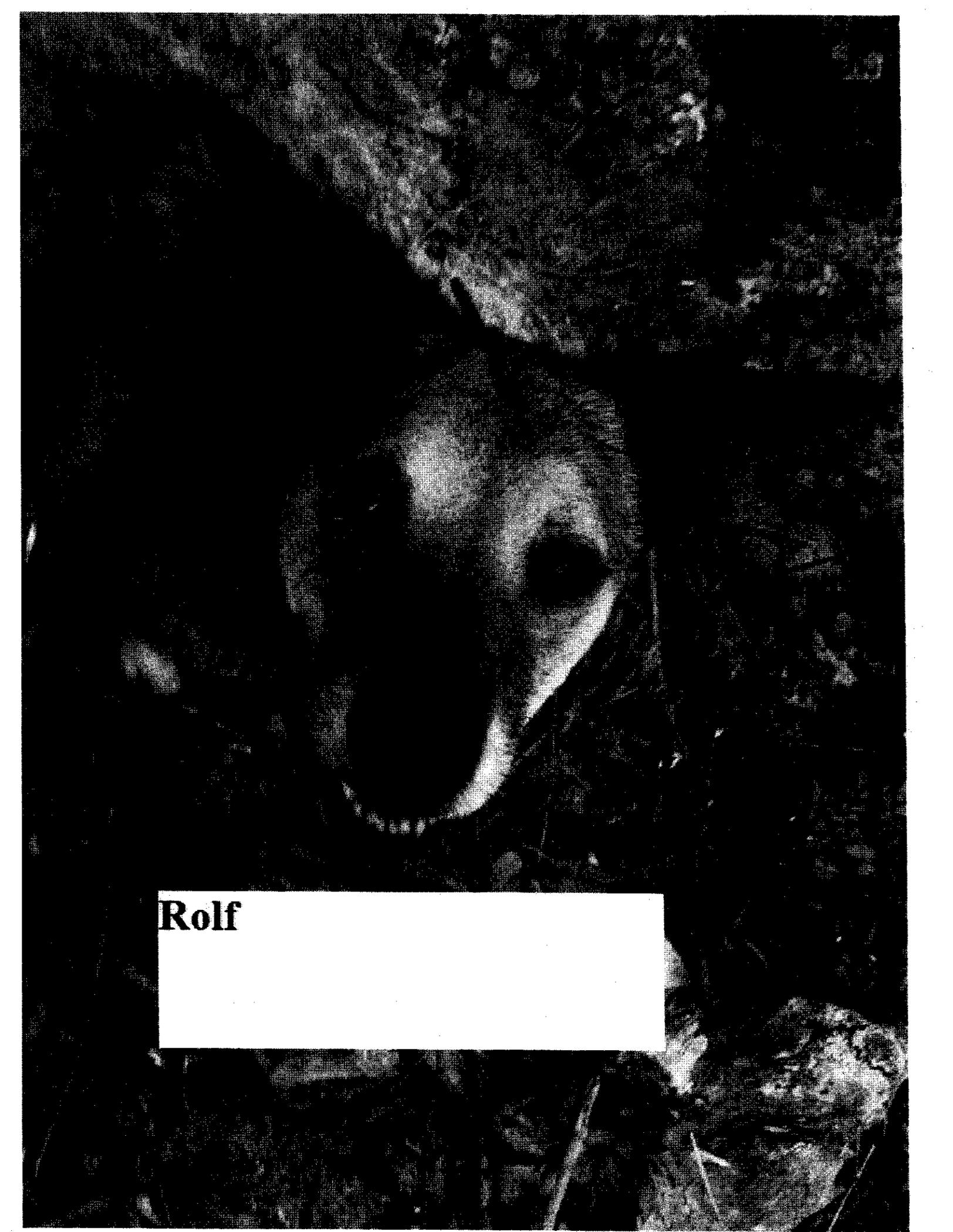
W.O. #02-1992

CLIENT # B02A061

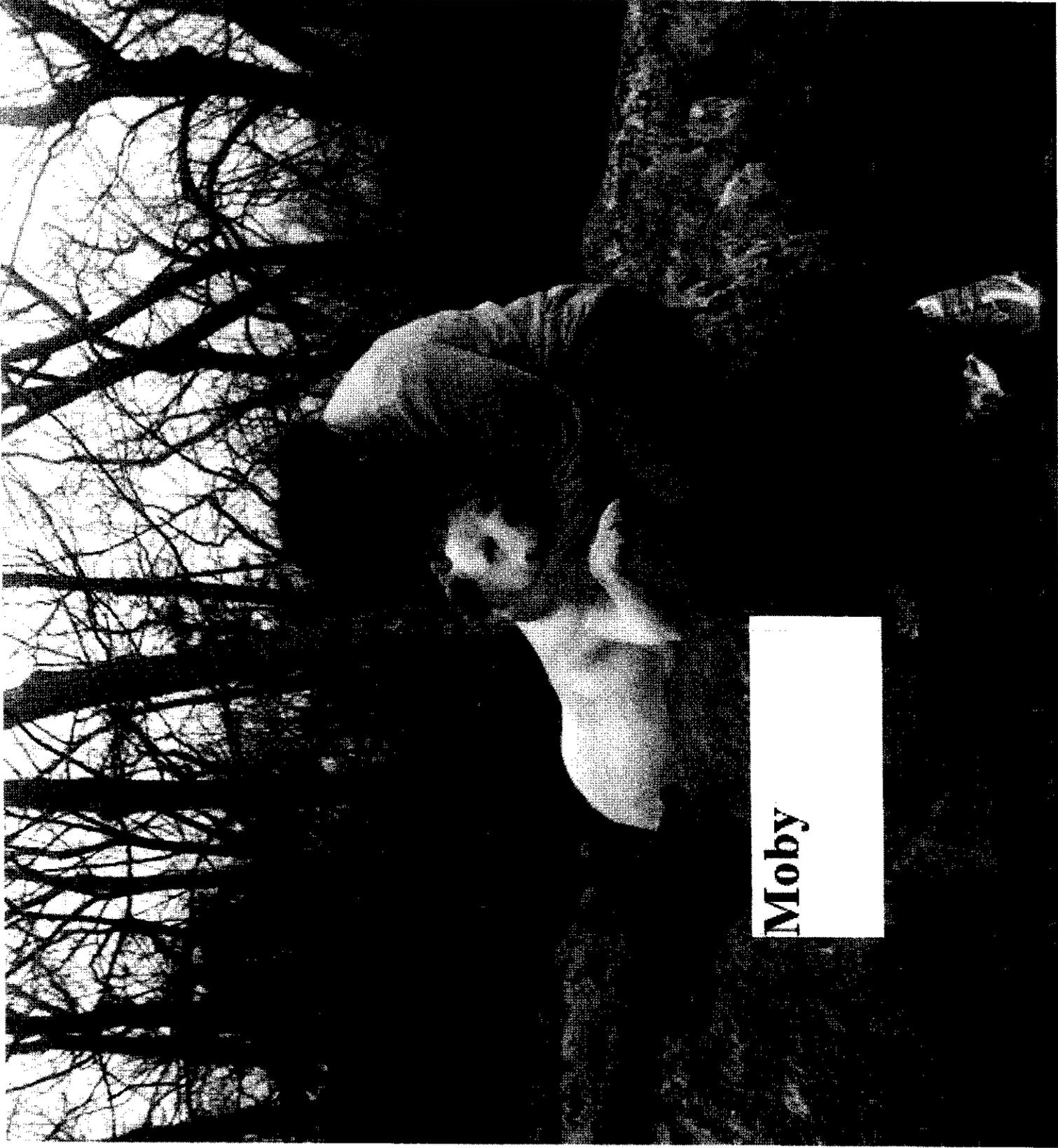
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 Department of Planning & Zoning  
 FEB 19 2009  
 Zoning Evaluation Division



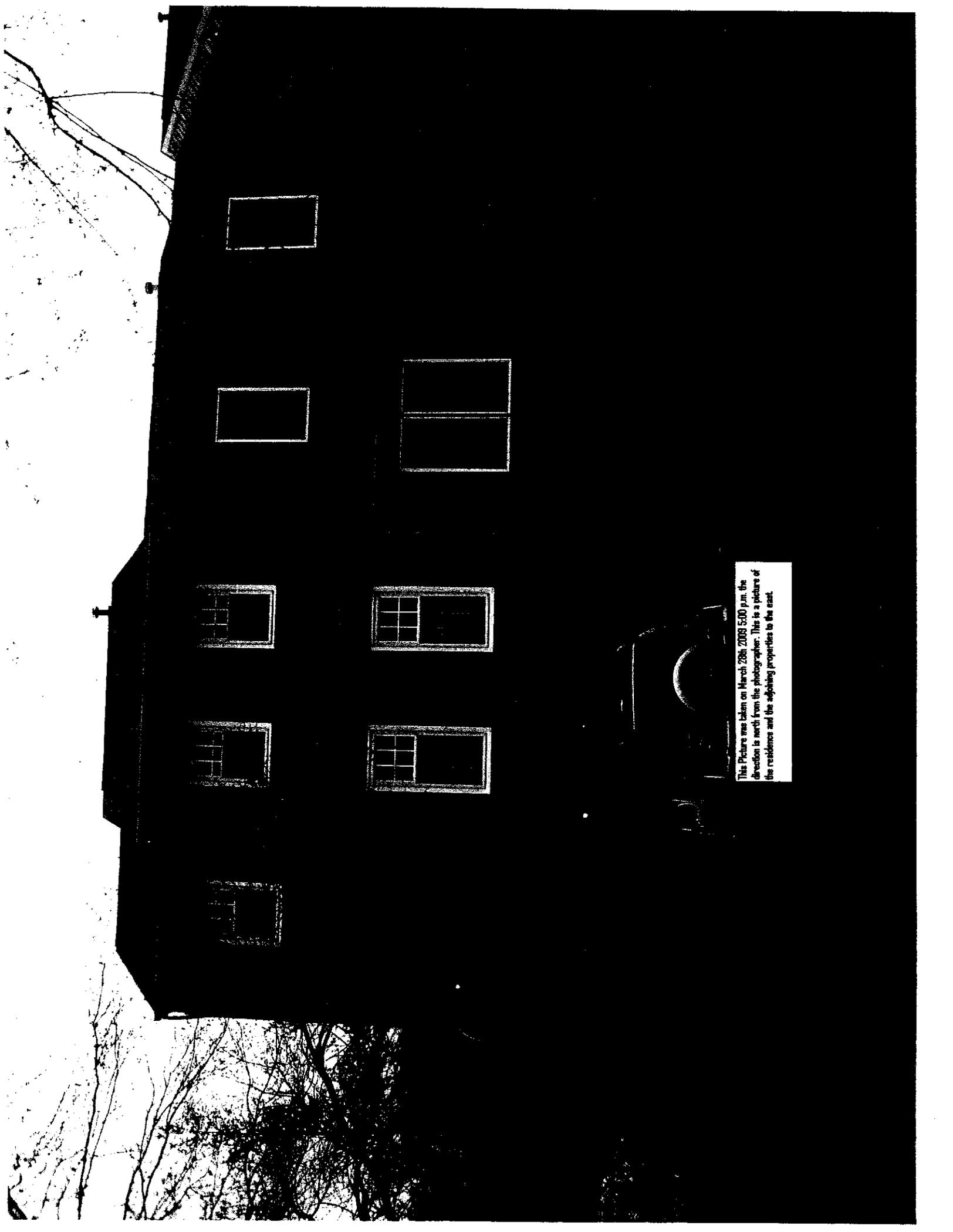
**Argus**



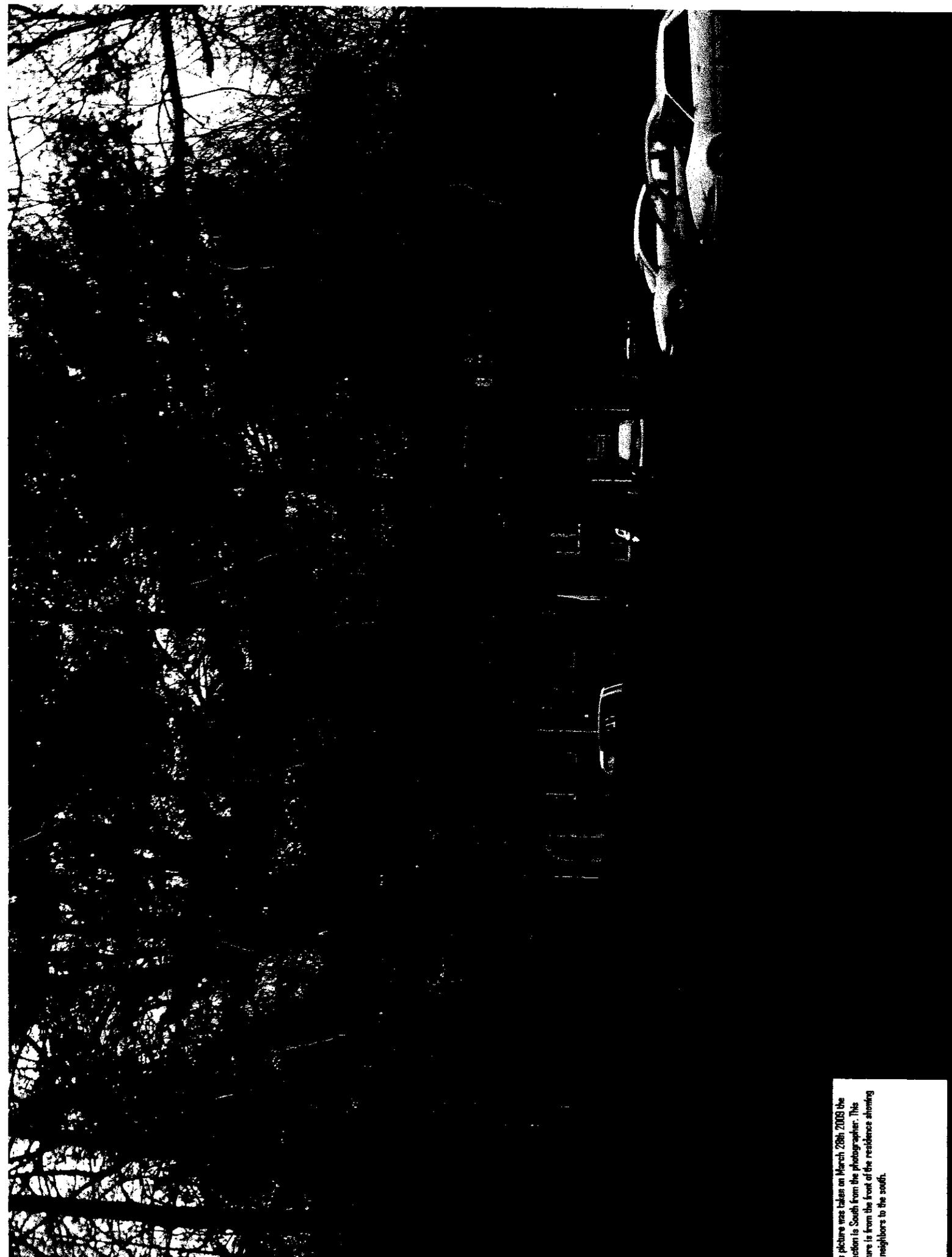
**Rolf**



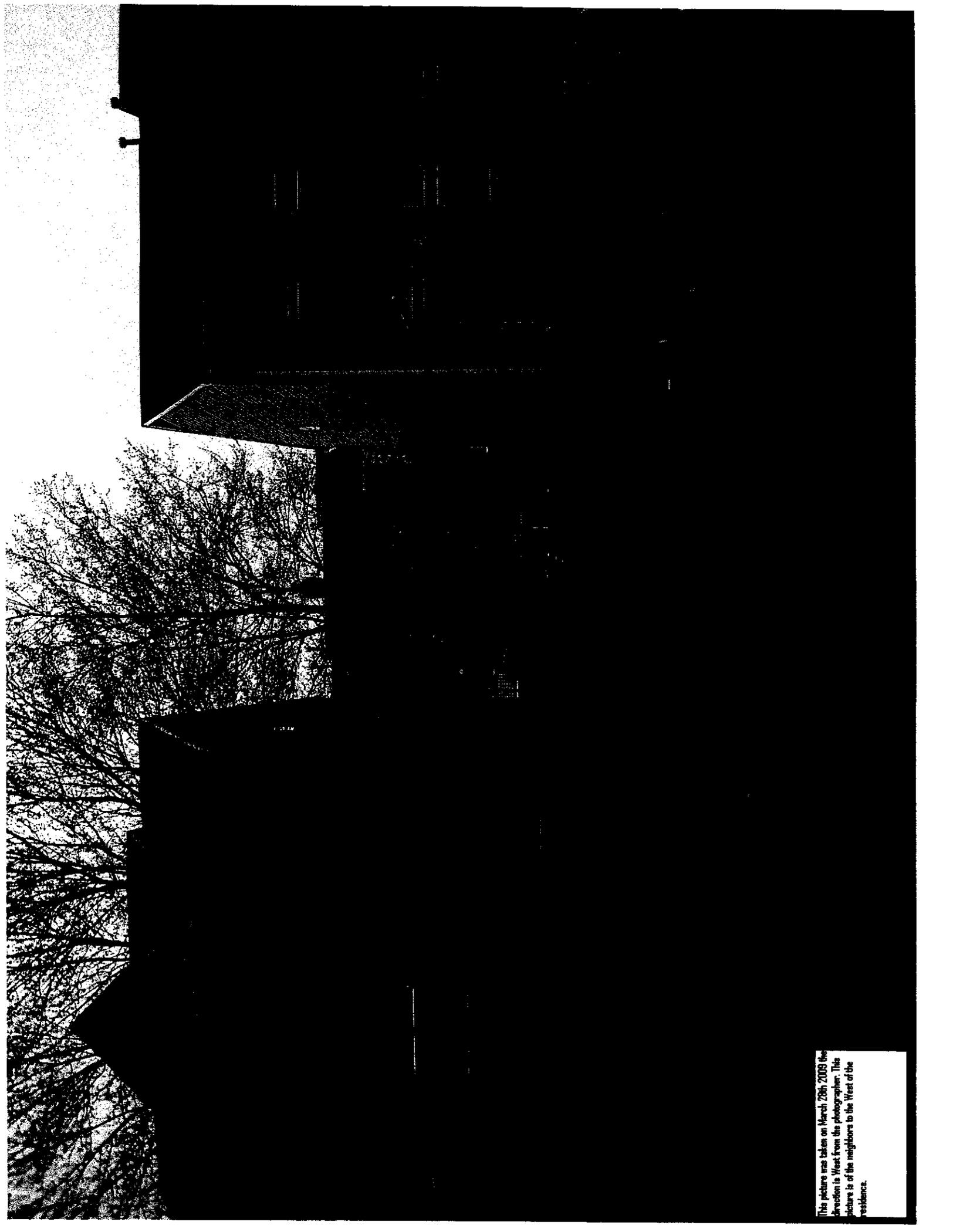
**Moby**



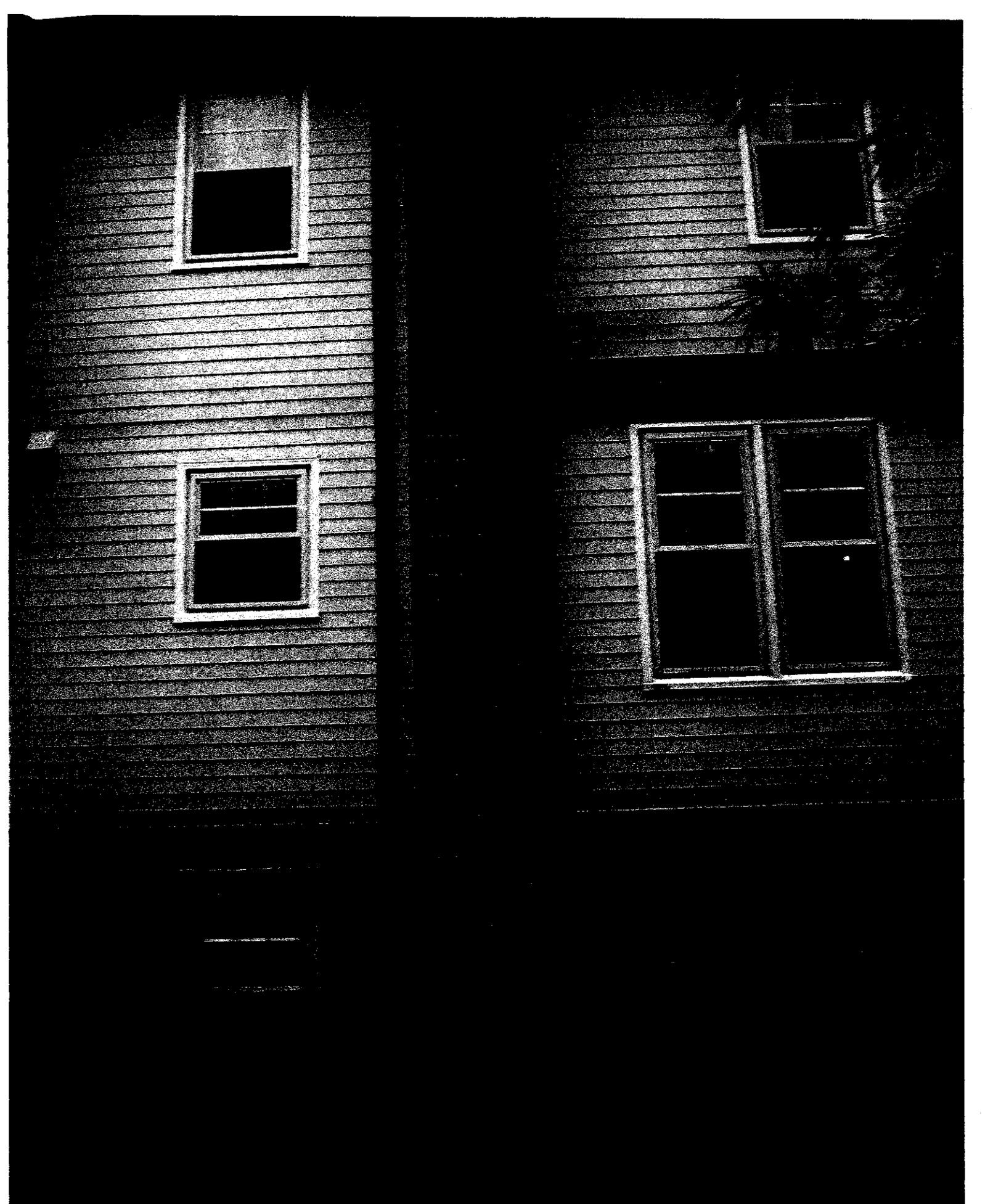
This Picture was taken on March 28th 2009 5:00 p.m. the direction is north from the photographer. This is a picture of the residences and the adjoining properties to the east.



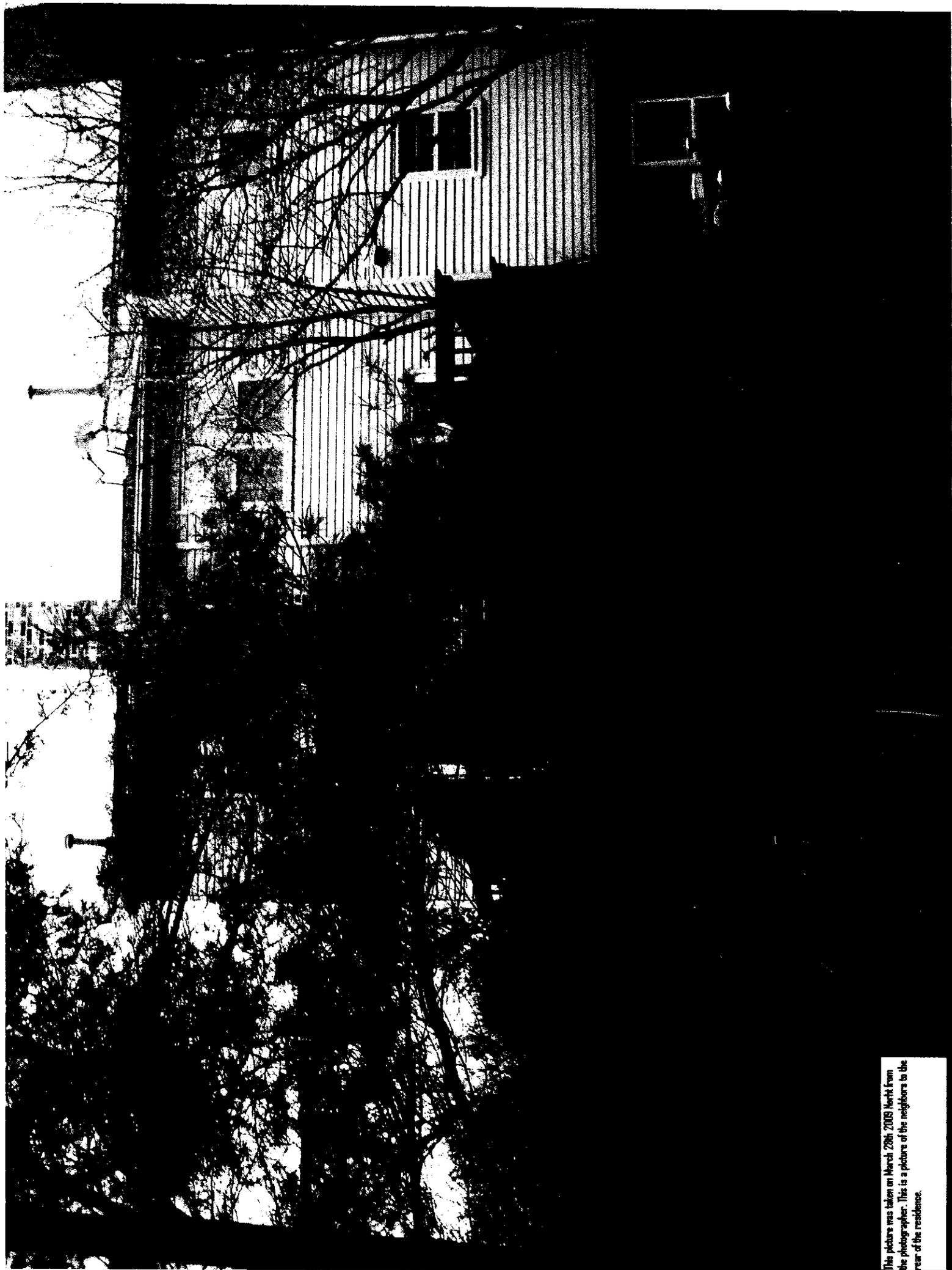
This picture was taken on March 28th, 2008 the direction is South from the photographer. This picture is from the front of the residence showing the neighbors to the south.



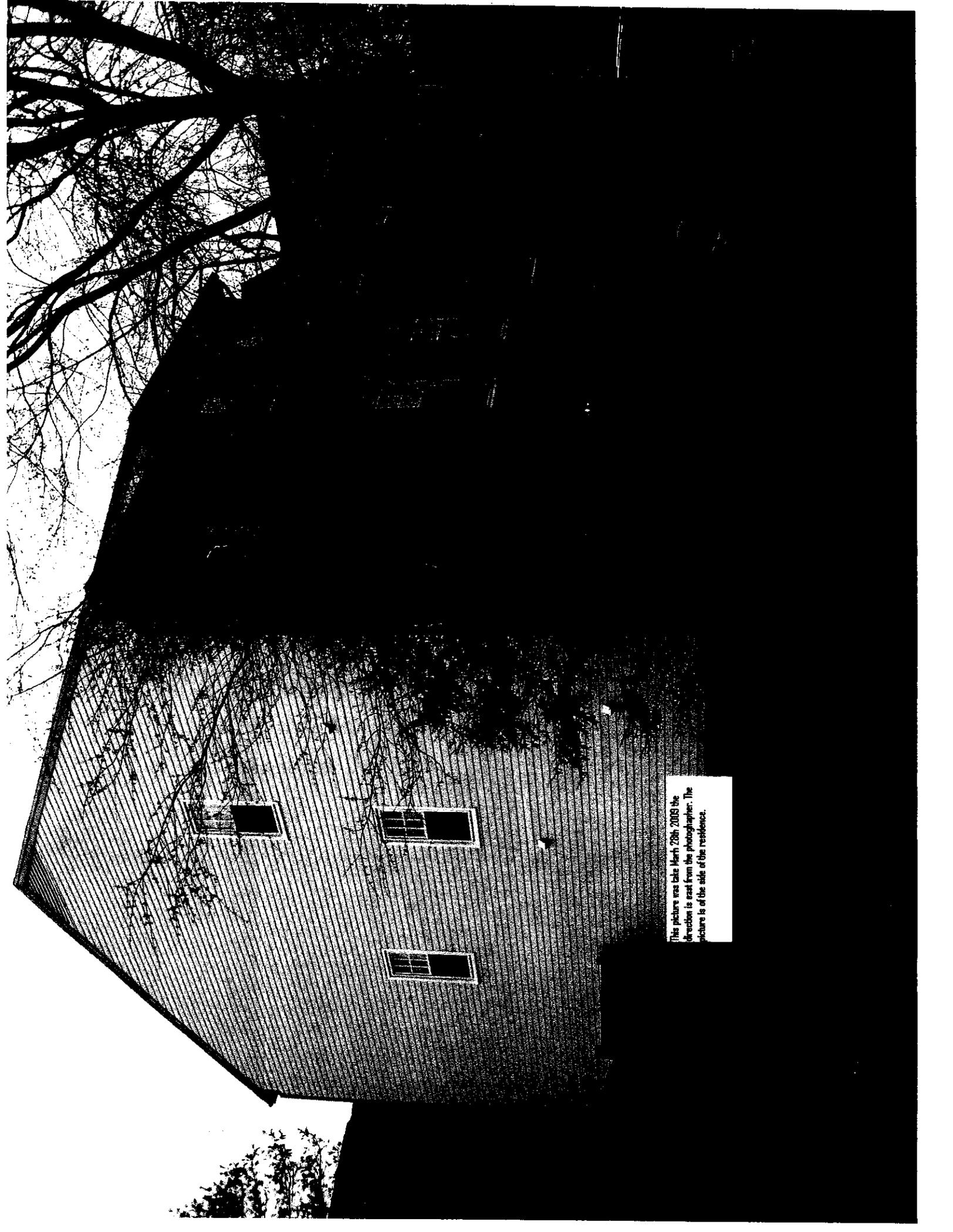
This picture was taken on March 28th 2008 the direction is West from the photographer. This picture is of the neighbors to the West of the residence.



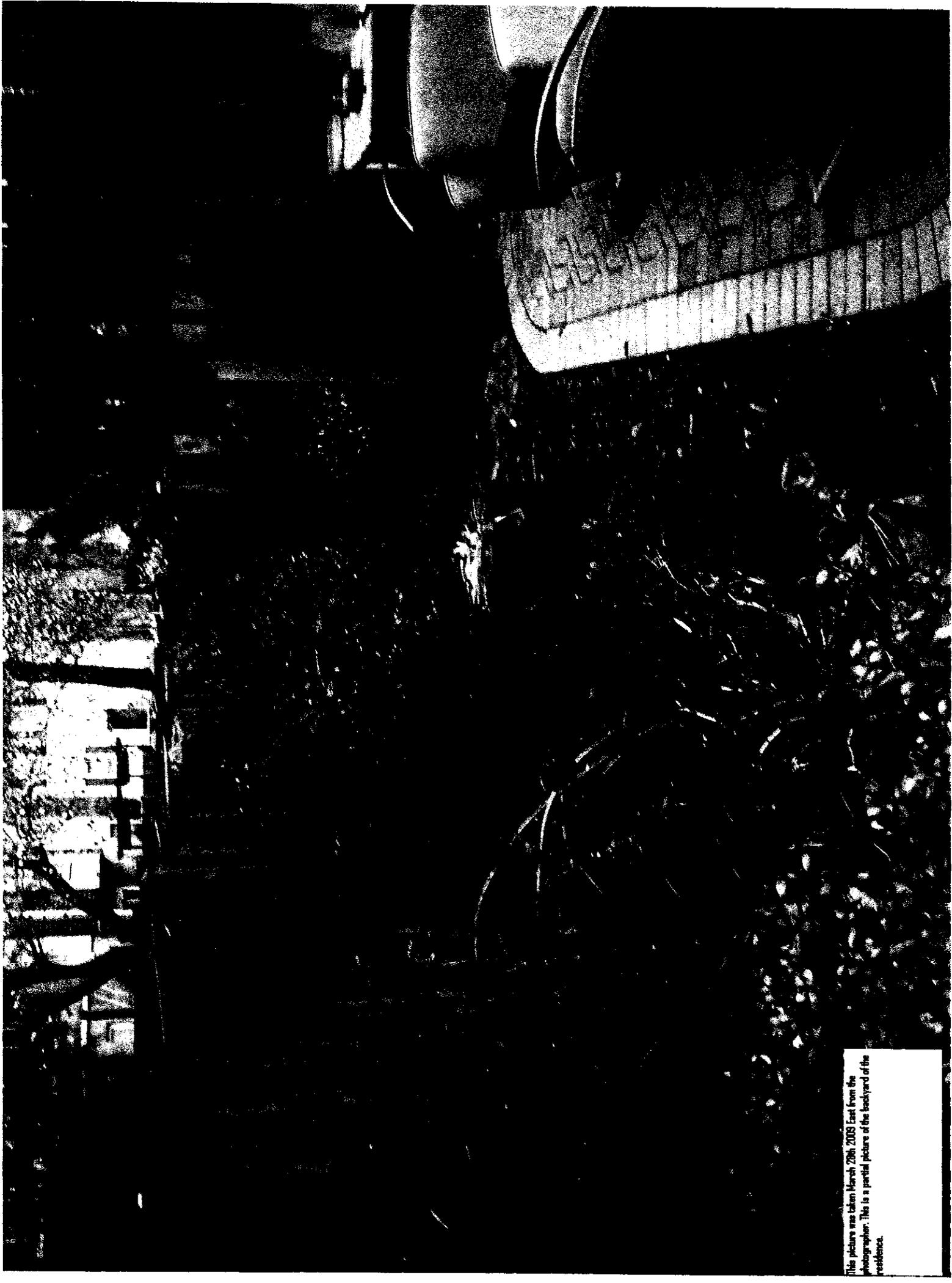
This picture was taken March 28th 2003 the direction is South from the photographer. This is a picture of the rear of the residence.



This picture was taken on March 28th 2009 North from the photographer. This is a picture of the neighbors to the rear of the residence.



This picture was take March 20th, 2008 the direction is east from the photographer. The picture is of the side of the residence.



This picture was taken March 28th 2005 East from the photographer. This is a partial picture of the backyard of the residence.

**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 three (3) 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 2,676 square feet and is developed with a single family attached dwelling within the Hunter Village subdivision. The townhouse is an end unit dwelling and there is a 6 foot high fence in the side and rear yard.

**Surrounding Area Description**

	<b>Zoning</b>	<b>Use</b>
<b>North</b>	PDH-3	Single Family Attached Dwellings
<b>East</b>	PDH-3	Single Family Attached Dwellings
<b>South</b>	PDH-3	Single Family Attached Dwellings
<b>West</b>	PDH-3	Single Family Attached Dwellings

**ANALYSIS**

**Special Permit Plat (Copy at front of staff report)**

**Title of SP Plat:** House Location Survey, Lot 65 Section 3, Hunter Village

**Prepared By:** L.S. Whitson, Sam Whitson, L.S. Land Surveying, dated May 6, 2002, noted by Michale Sponaugle, March 28, 2009

**Proposal:**

The applicant wishes to keep up to three (3) dogs, ages 9 months to 5 years old, on a residential lot containing 2,676 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 currently owns two adult dogs; Rolf is a 5 year old mixed breed and Argos is a white German Shepherd also 5 years old. The applicant now wishes to adopt a 9-month old mixed breed named Moby. The applicant states that the two existing dogs are kept indoors

while he is away at work and are taken out on walks at least 3 times a day. They are supervised when they are outside in the fenced rear yard of the property. This practice will continue if the third dog is permitted. Photographs and the plat show that the yard is equipped with a 6 foot privacy fence along the exterior of the side and rear yards.

#### **ZONING ORDINANCE REQUIREMENTS (Appendix 4)**

- 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 is 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.

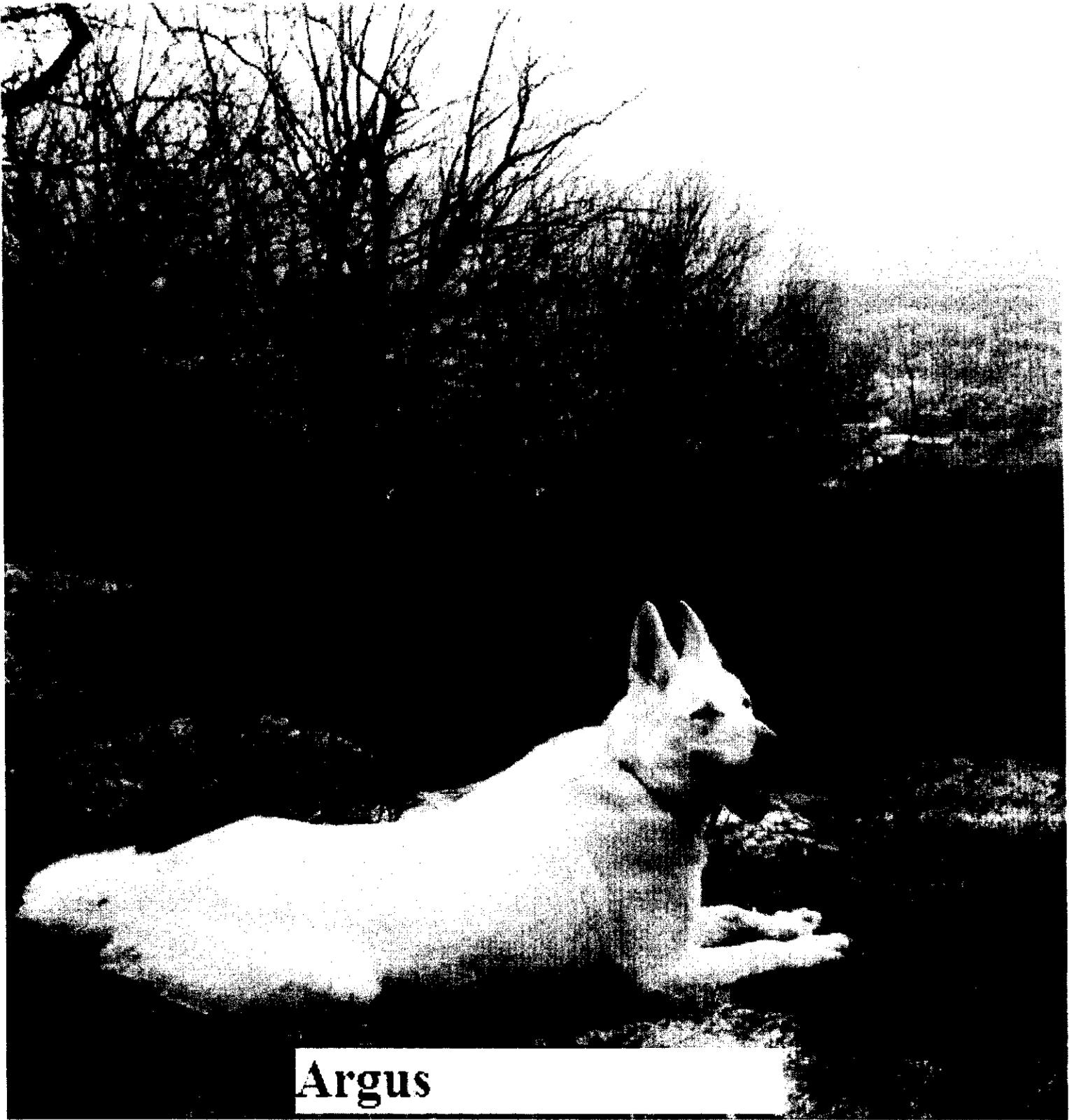
#### **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Applicable Zoning Ordinance Provisions

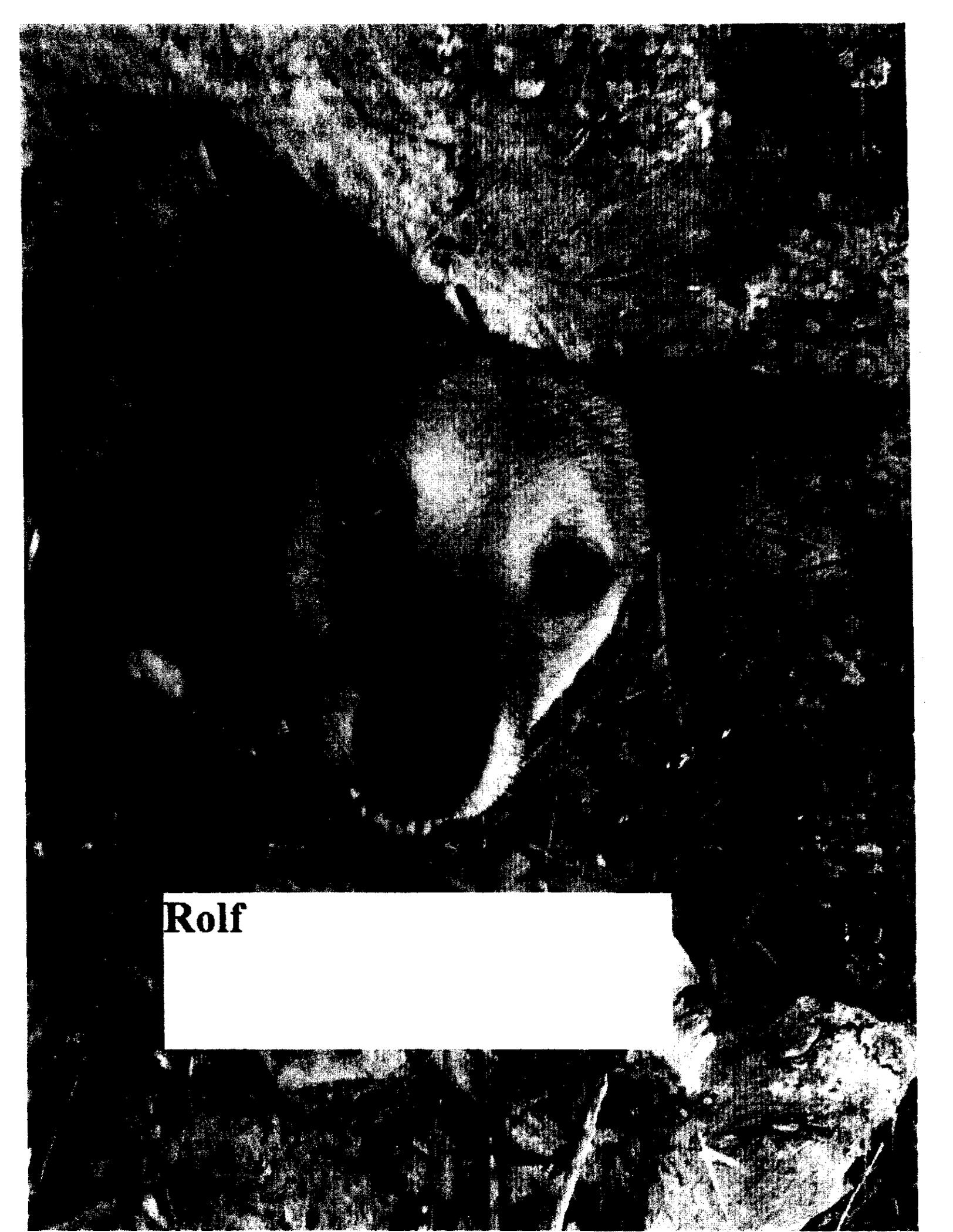
**PROPOSED DEVELOPMENT CONDITIONS****SP 2009-SP-021****June 23, 2009**

1. This approval is granted to the applicant only, Michale Sponaugle, and is not transferable without further action of this Board, and is for the location indicated on the application, 7752 Shootingstar Drive (2,676 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. This approval shall be for the applicant's three (3) dogs as shown in the attached photos. If any of these specific animals pass away or are given away, the dogs shall not be replaced, except that two (2) dogs may be kept on the property in accordance with the Zoning Ordinance.
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.

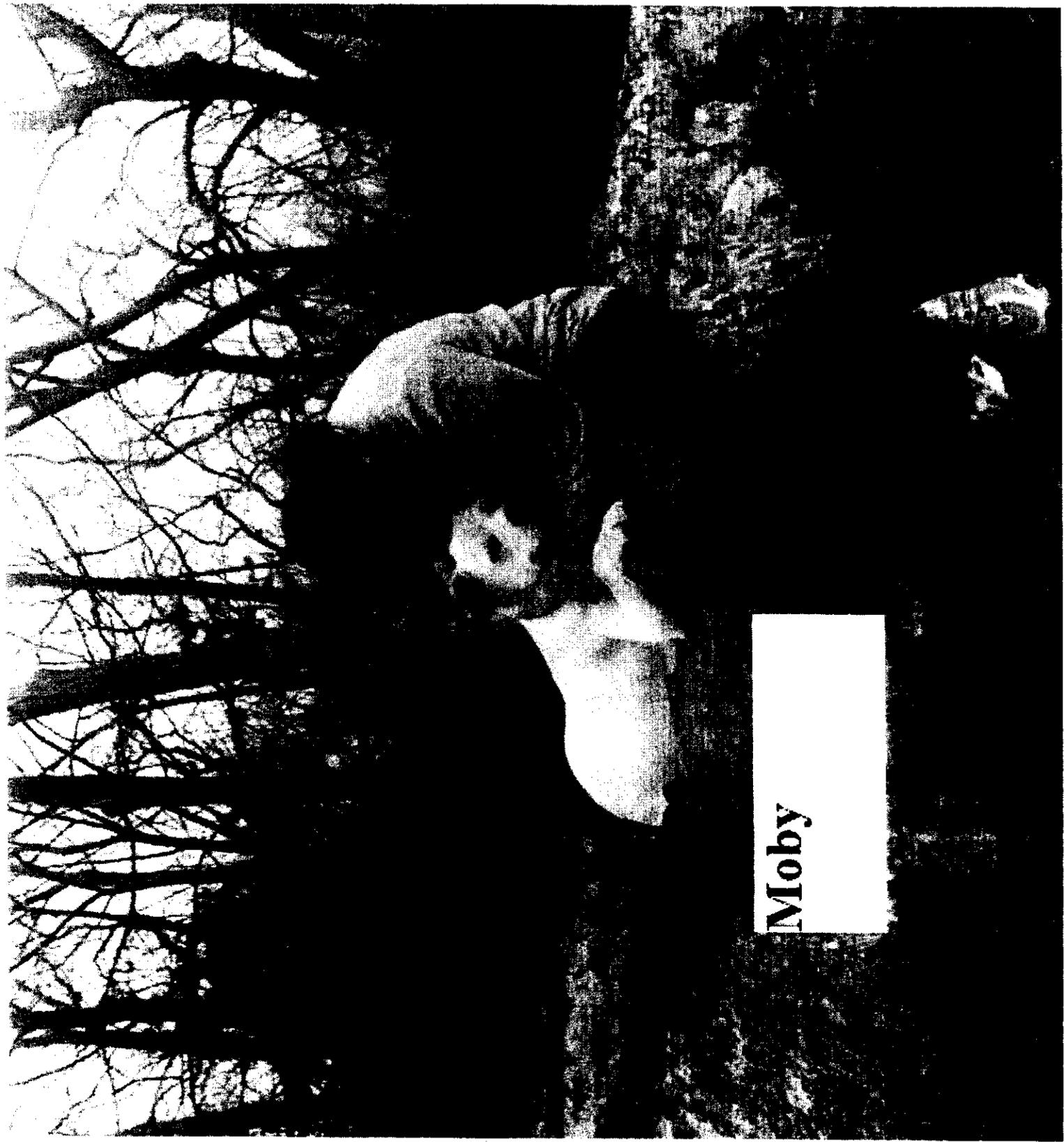
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.



**Argus**



**Rolf**



**Moby**

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 17 March 2009  
 (enter date affidavit is notarized)

I, Michale A. Sponaugle, 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      103788a

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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Michale A. Sponaugle	7752 Shootingstar Drive, Springfield, VA 22152	<b>Applicant/Title Owner</b>
Nicole V. Sponaugle	7752 Shootingstar Drive, Springfield, VA 22152	<b>Title Owner</b>

(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: 17 March 2009  
(enter date affidavit is notarized)

103788a

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**

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

**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)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 17 March 2009  
(enter date affidavit is notarized)

103788a

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**

**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)

(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.*

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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.

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 17 March 2009  
(enter date affidavit is notarized)

103788u

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)

[Signature]  
 Applicant [ ] Applicant's Authorized Agent

Michelle A. Sarravalle  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 17<sup>th</sup> day of March, 2009, in the State/Comm. of Virginia, County/City of Fairfax.

[Signature]  
Notary Public

My commission expires: 08-31-2009

**STEVE JAMES SCHINDELHOLZ**  
Notary Public 364902  
Commonwealth of Virginia  
My Commission Expires 8/31/09

RECEIVED  
Department of Planning & Zoning

APR 01 2009

Zoning Evaluation Division

Special Permit Application by

Michale Sponaugle  
7752 Shootingstar Drive  
Springfield VA 22152

I am petitioning the Board of Zoning Appeals for approval to own up to three dogs.

My wife and I currently own two adult dogs that we adopted from local rescue organizations in 2004. Rolf is a mixed breed, 5 years old, and Argos is a white German Shepherd, also 5 years old. Since 2005, my wife and I have been volunteering with the Mid-Atlantic German Shepherd Rescue which serves the DC metro area. Over the last 4 years, we have fostered 21 dogs all of whom have found their permanent homes. Thus, we have first-hand experience with the additional responsibilities and work that owning multiple dogs entails. Both of our current dogs have completed obedience training, are well-adjusted and healthy dogs, and are neutered.

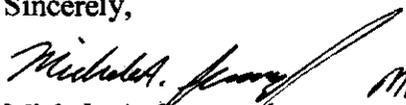
Our backyard is not used to exercise our dogs. We provide them with discipline and exercise by walking them at least 3 times a day. A dog walker comes by Monday through Friday and takes them for a walk during lunch time. Our dogs are kept indoors and go into the backyard only for toilet duties. They are not left unattended in the yard and are usually not more than 5 minutes out back. We are conscientious about cleaning up after our dogs, picking up their waste during our walks and cleaning our backyard daily.

Our dogs are kept indoors at all times, except for walks and toilet duty. We are not planning or proposing any outdoor structures to keep our dogs. Our dogs are neutered so are not intended for breeding purposes. The entire time that we have owned and fostered dogs, there has been no adverse impact on any adjacent properties nor have there been any complaints with regard to odor or noise. As the enclosed petition signed by our neighbors illustrates, the presence of our dogs – be they foster dogs or our own – has been harmonious and compatible with our neighborhood.

We would like to adopt our current foster dog, a 9-month old mixed breed named Moby. Moby came to us from a shelter where he was scheduled to be euthanized due to overcrowding. We have been fostering Moby for almost 4 months. He has adjusted so well to our home that we would like to make him a permanent member of our family.

We appreciate your consideration of our application.

Sincerely,

  
Michale A. Sponaugle

MARCH 28, 2009

Special Permit Application by

Michale & Nicole Sponaugle  
7752 Shootingstar Drive  
Springfield VA 22152

We are petitioning the Board of Zoning Appeals for approval to own up to three dogs.

We currently own two adult dogs that we adopted from local rescue organizations in 2004. Since 2005, my wife and I have been volunteering with the Mid-Atlantic German Shepherd Rescue which serves the DC metro area. Over the last 4 years, we have fostered 21 dogs all of whom have found their permanent homes. Thus, we have first-hand experience with the additional responsibilities and work that owning multiple dogs entails. Both of our current dogs have completed obedience training, are well-adjusted and healthy dogs, and are neutered.

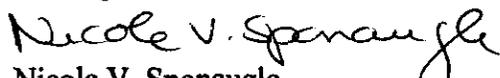
Our backyard is not used to exercise our dogs. We provide them with discipline and exercise by walking them at least 3 times a day. A dog walker comes by Monday through Friday and takes them for a walk during lunch time. Our dogs are kept indoors and go into the backyard for toilet duties. They are not left unattended in the yard and are usually not more than 5 minutes out back. We are conscientious about cleaning up after our dogs, picking up their waste during our walks and cleaning our backyard daily.

We would like to adopt our current foster dog, an 8-month old GSD/Husky mix named Moby. Moby came to us from a shelter where he was scheduled to be euthanized due to overcrowding. We have been fostering Moby for almost two months. He has adjusted so well to our home that we would like to make him a permanent member of our family.

We appreciate your consideration of our application.

Sincerely,

  
Michale A. Sponaugle

  
Nicole V. Sponaugle

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Department of Planning & Zoning  
FEB 19 2009  
Zoning Evaluation Division

The following neighbors do not object to Mr. and Mrs. Michale A. Sponaugle's application for a Special Permit for Modification to the Limitation on the Keeping of Animals. They understand the following:

Mr. and Mrs. Sponaugle are petitioning the Fairfax County Board of Zoning Appeals for the ability to own up to 3 dogs.

Name William Coleman  
Sara L. Coleman

There is no more conscientious pet owner than the Sponaugles. They always take excellent care of their dogs while being outstanding neighbors and citizens. Plus, Moby is one cute and fun dog.

Sara Coleman

① Address 7713 Shootingstar Drive  
Springfield, VA 22152

Signature \_\_\_\_\_

Name RICHARD BECK

② Address 7711 Shootingstar Drive  
Springfield, VA 22152

Signature Richard Beck

Name MARY ANN HENRY

③ Address 7750 Shootingstar Drive  
Springfield, VA 22152

Signature Mary Ann Henry 

Name Servando Lopez

④ Address 7746 Shootingstar Drive  
Springfield, VA 22152

Signature Servando Lopez

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Department of Planning & Zoning  
FEB 19 2009  
Zoning Evaluation Division

Name \_\_\_\_\_

⑤ Address 7744 Shootingstar Drive  
Springfield, VA 22152

*unable to  
contact in person*

Signature \_\_\_\_\_

Name MARK T. DEULIN

⑥ Address 7742 Shootingstar Drive  
Springfield, VA 22152

Signature Mark T. Deulin

Name Robert J. [Signature]

⑦ Address 7736 Shootingstar Drive  
Springfield, VA 22152

Signature \_\_\_\_\_

Name \_\_\_\_\_

⑧ Address 7734 Shootingstar Drive  
Springfield, VA 22152

Signature John J. Melcar

Name John A. Swellin

⑨ Address 7732 Shootingstar Drive  
Springfield, VA 22152

Signature \_\_\_\_\_

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Department of Planning & Zoning  
FEB 19 2009  
Zoning Evaluation Division

Name \_\_\_\_\_

Address 7736 Shootingstar Drive

Springfield, VA 22152

Signature \_\_\_\_\_

*duplicate address*

Name Starry Allton

⑩ Address 7704 Shootingstar Drive

Springfield, VA 22152

Signature [Handwritten Signature]

Name Julie Pannell

⑪ Address 7702 Shootingstar Drive

Springfield, VA 22152

Signature Julie Pannell

Name Kathryn Savelli

⑫ Address 7700 Shootingstar Drive

Springfield, VA 22152

Signature Kathryn Savelli

*we love moby, he is a great asset to our neighborhood!*

Name \_\_\_\_\_

⑬ Address 7715 Shootingstar Drive

Springfield, VA 22152

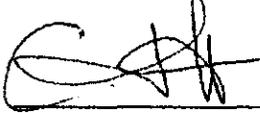
Signature \_\_\_\_\_

*unable to contact in person*

Name Chris Tantararak

⑭ Address 7717 Shootingstar Drive

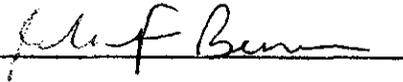
Springfield, VA 22152

Signature 

Name \_\_\_\_\_

⑮ Address 7719 Shootingstar Drive

Springfield, VA 22152

Signature 

*unable to  
contact in  
person*

Name Rebecca Benn

⑯ Address 6828 Wild Rose Court

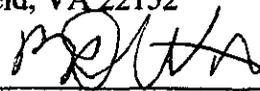
Springfield, VA 22152

Signature \_\_\_\_\_

Name Robert DeVito

⑰ Address 6830 Wild Rose Court

Springfield, VA 22152

Signature 

**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.

<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

- 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 41.1 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 41.1 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.