

## COUNTY OF FAIRFAX, VIRGINIA

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

BRITTANY L. VO, DDS, SPA 80-D-035-04 Appl. under Sect(s). 8-907 of the Zoning Ordinance to amend SP 80-D-035 previously approved for home professional office to permit a change in permittee. Located at 1300 Beulah Rd. on approx. 35,247 sq. ft. of land zoned R-1. Dranesville District. Tax Map 19-3 ((1)) 12. (Withdrawn, subsequently reactivated) (Deferred from 2/24/10 at appl. req.) (Admin. moved from 3/10/10 at appl. req.) Mr. Byers 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 April 14, 2010; 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-1.
3. The area of the lot is 35,247 square feet.
4. Staff recommends approval.
5. The rationale of staff is adopted.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

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

1. This approval is granted to the applicant, Brittany L. Vo, DDS, only and is not transferable without further action of this Board, and is for the location indicated on the application, 1300 Beulah Road (35,247 square feet) and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s), as indicated on the special permit plat prepared by Dominion Surveys Inc., dated August 8, 2010, approved with this application, as qualified by these development conditions.
3. A copy of this special permit and the Non-Residential Use 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 maximum number of employees including the applicant shall be four (4). The applicant shall be the only dentist operating from this property.

5. The hours of operation shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturday and occasional emergencies.
6. There shall be twelve (12) parking spaces, including two garage spaces. All parking shall be on-site as shown on the plat.
7. The home professional office shall occupy no more than 1,200 square feet of the dwelling.
8. The existing vegetation on-site shall be maintained; any dead or dying plants shall be replaced.
9. The dwelling that contains the home professional office shall be the primary residence of the applicant.
10. Upon demand by the Virginia Department of Transportation (VDOT) or Fairfax County, additional right-of-way and ancillary easements, where necessary, along the Leesburg Pike frontage of the site shall be dedicated to the Board of Supervisors in fee simple, consistent with that shown on the attachment to these conditions.

These conditions incorporate and supersede all previous conditions. This approval, contingent on the above-noted 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 the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

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

SPA 80-D-035-03  
VDOT Project 00007-029-128, PE 102

