

## COUNTY OF FAIRFAX, VIRGINIA

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

DANIEL I. OJEIFOH, SP 2011-MV-082 Appl. under Sect(s). 8-907 of the Zoning Ordinance to permit a home professional office. Located at 2708 Beacon Hill Rd., Alexandria, 22306, on approx. 21,028 sq. ft. of land zoned R-4 and HC. Mt. Vernon District. Tax Map 93-1 ((1)) 79. Ms. Gibb 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 November 30, 2011; and

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

1. The applicant is the owner of the property.
2. The staff has recommended approval, and the Board adopts the staff's rationale in the staff report.
3. The home is located in an area that is near other commercial-type uses and quite near Richmond Highway.

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 only, Daniel I. Ojeifoh, and is not transferable without further action of this Board, and is for the location indicated on the application, 2708 Beacon Hill Road, and is not transferable to other land.
2. This special permit is granted only for the purposes, structures and/or uses, as indicated on the special permit plat prepared by Dominion Surveyors Inc., dated August 23, 2011 as revised through November 7, 2011, 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. This special permit is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.

5. The dwelling that contains the home professional office shall be the primary residence of the applicant.
6. The maximum number of employees shall be limited to four on-site at any one time, including the applicant.
7. The maximum hours of operation of the home professional office shall be limited to 10:00 a.m. to 9:00 p.m., Monday through Saturday, from January 15<sup>th</sup> through May 1<sup>st</sup> and 10:00 a.m. to 5:00 p.m. during the remainder of the year.
8. There shall be a maximum of 20 clients/families on site per day, and appointments shall be scheduled so that there is a maximum of 20 clients/families visiting the site during the hours of operation during the main tax season of January 15<sup>th</sup> through May 1<sup>st</sup>. Appointments shall be scheduled so that parking shall be available at all times for expected clients. During the remaining year, there shall be no more than 5 clients/families per day for the occasional consultation and/or tax extension filing.
9. All parking shall be on-site within the asphalt driveway depicted on the special permit plat.
10. The area utilized for the home professional office shall not exceed the basement/cellar space of the single-family dwelling, approximately 850 square feet in size, and one room, approximately 10 x 12 feet in size, located on the first floor of the dwelling. The layout shall be in conformance with the floor plans included as Attachment 1 to these conditions.
11. A staggered row of evergreen trees, a minimum of 6 feet in height at time of planting, spaced 10 to 12 feet on center, shall be planted along the rear property line to screen the use from the adjoining residential neighborhood.
12. Evergreen shrubs shall be planted along the perimeter of the newly constructed asphalt driveway to soften the appearance of the driveway and help shield headlights.
13. Prior to any clients coming to the site, the applicant shall call the Zoning Inspections Branch of the Department of Planning and Zoning to verify that Conditions 10, 11 and 12 as outlined above have been implemented.
14. A single easel style yard sign associated with the home professional office, size and location as permitted under Article 12 of the Zoning Ordinance, shall be permitted on site during the tax preparation season of January 15<sup>th</sup> through May 1<sup>st</sup> only. The sign shall not exceed six square feet in area and a height of four feet, and shall not be located closer than 10 feet to any lot line.

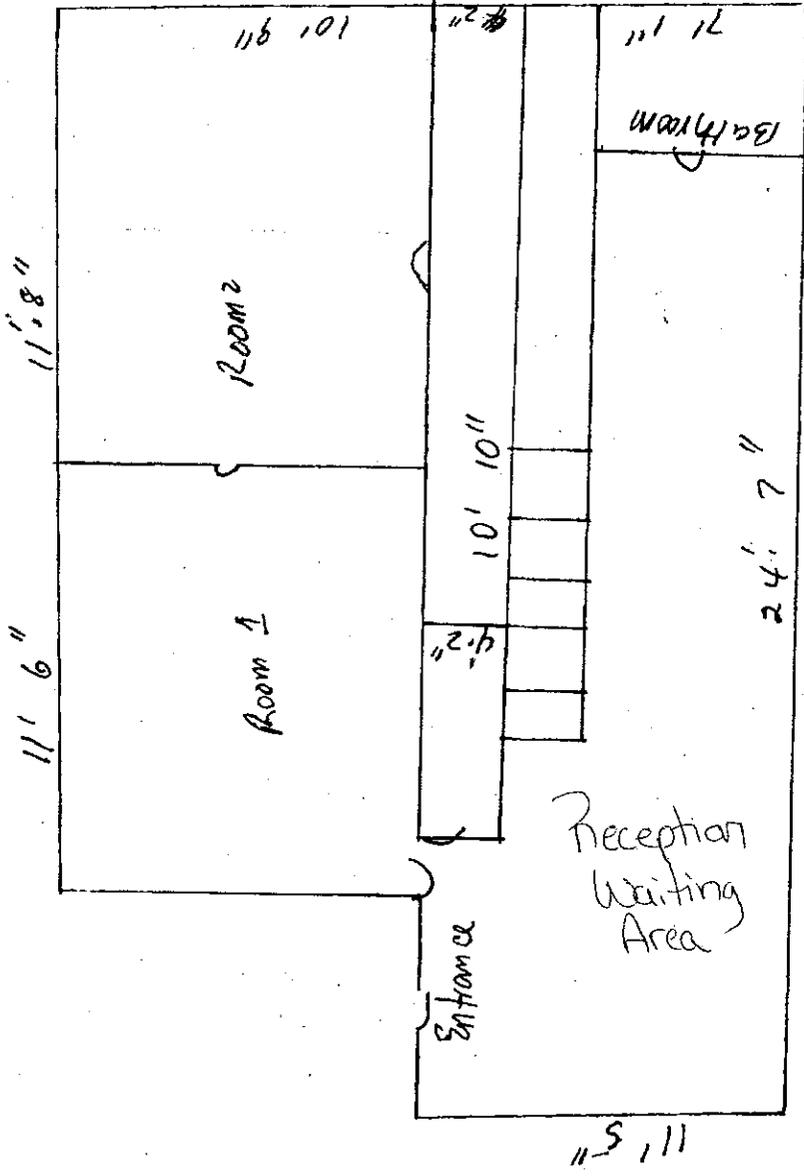
This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for establishing the use as outlined above, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect. 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 as

outlined above. 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.

Mr. Smith seconded the motion, which carried by a vote of 5-0. Mr. Byers and Mr. Hammack were absent from the meeting.

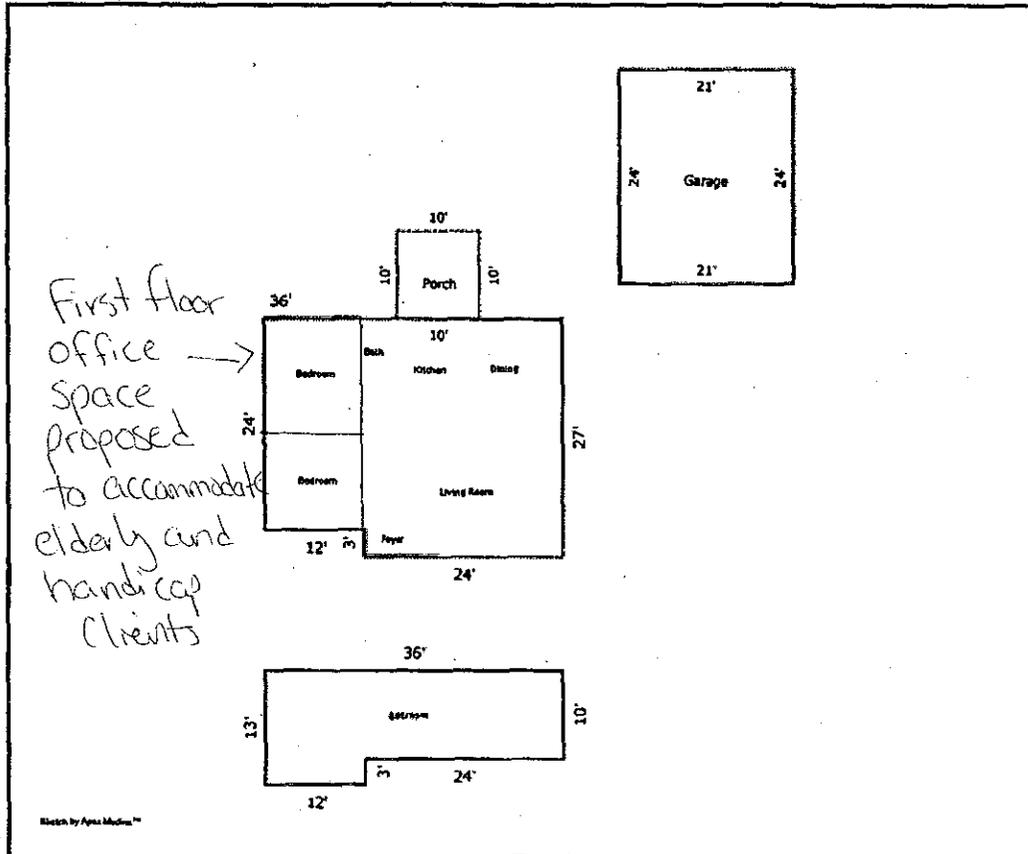
Home Professional Office  
Space located within  
basement/cellar space



Total space excluding bathroom & utility rooms  
is approximately 586.94 sq ft -

### Building Sketch

Borrower/Client	Daniel J O'Leary				
Property Address	2706 Beacon Hill Rd				
City	Alexandria	County	Fairfax	State	VA
Zip Code	22306-1612				
Lender	American Bank/Appraised-oft				



Comments:

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GLA1	First Floor	936.0	936.0
GLA2	Second Floor	396.0	396.0
GAR	Garage	504.0	504.0
P/P	Porch	100.0	100.0

LIVING AREA BREAKDOWN		
	Breakdown	Subtotals
First Floor		
	24.0 x 36.0	064.0
	3.0 x 24.0	72.0
Second Floor		
	10.0 x 36.0	360.0
	3.0 x 12.0	36.0

Net LIVABLE Area (rounded) 1332      4 Items (rounded) 1332