COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ARTHUR J. MAURER, SP 2012-SU-032 Appl. under Sect(s). 8-918 of the Zoning Ordinance to permit an accessory dwelling unit within an existing dwelling. Located at 13517 Heathrow Ln., Centreville, 20120, on approx. 14,065 sq. ft. of land zoned R-2 (Cluster) and WS. Sully District. Tax Map 54-2 ((6)) 99. (Admin. moved from 7/25/12 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 September 19, 2012; 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-2 cluster, WS.
3. The area of the lot is 14,065 square feet.
4. The staff recommends approval of the application, and its rational 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. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit for the kitchen. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.

2. This approval is granted to the applicant and title owner only, Arthur J. Maurer, and is not transferable without further action of this Board, and is for the location indicated on the application, 13517 Heathrow Lane, (14,065 square feet), and is not transferable to other land.

3. A copy of this special permit SHALL BE POSTED in a conspicuous place in the accessory dwelling unit and made available to all departments of the County of

Fairfax during the hours of operation of the permitted use.

4. The occupants of the principal dwelling and the accessory dwelling unit shall be in accordance with Par. 5 of Sect. 8-918 of the Zoning Ordinance which states in part that one of the dwelling units shall be occupied by a person or persons who qualify as elderly (55 years of age or older) and/or permanently and totally disabled.

5. The accessory dwelling unit shall contain a maximum of approximately 751 square feet, and the layout shall be generally as depicted on the floor plan included as Attachment 1 to these conditions.

6. The accessory dwelling unit shall contain a maximum of two sleeping areas for a maximum of two occupants.

7. All applicable trade permits and final inspections shall be obtained for the kitchen components of the accessory dwelling unit within 120 days of approval of this special permit.

8. Provisions 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 the applicable regulation for building, safety, health and sanitation.

9. 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 Sect. 8-012 of the Zoning Ordinance.

10. If the use of the accessory dwelling unit ceases and/or the property is sold or otherwise conveyed, the accessory dwelling unit shall be converted to a use permitted by the Zoning Ordinance or if the property is sold or conveyed, a special permit amendment may be submitted to permit the continued use of an accessory dwelling unit.

11. All parking shall be provided on site as shown on the special permit plat.

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.

Mr. Smith seconded the motion, which carried by a vote of 4-0. Chairman Ribble, Mr. Hammack and Mr. Beard were absent from the meeting.

A Copy Teste:

John W. Cooper, Deputy Clerk
Board of Zoning Appeals

ACKNOWLEDGEMENT

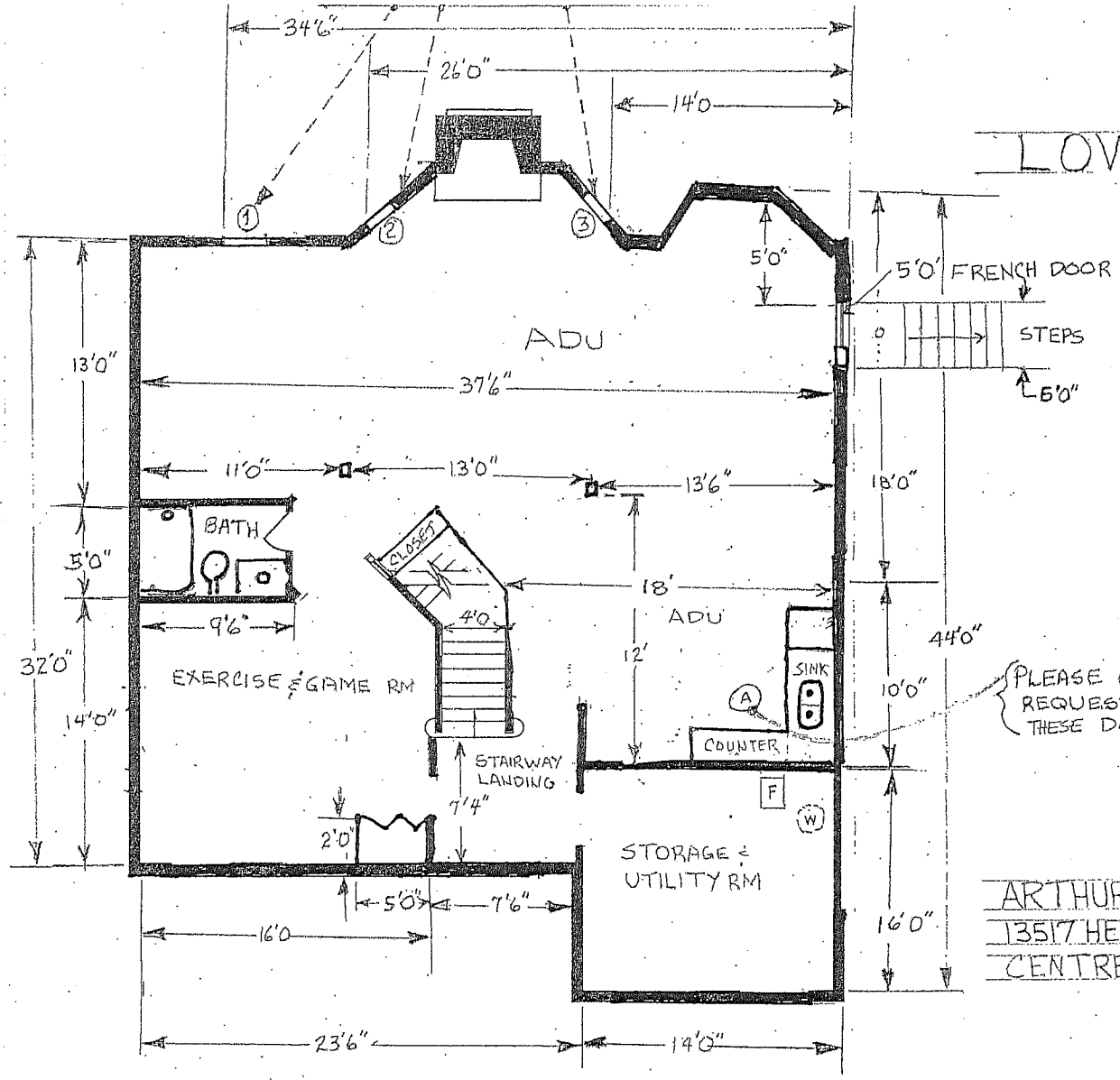
County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 26 day of September, 2012.

Notary Public

Robert Wyatt Harrison
Commonwealth of Virginia
Notary Public
Commission No. 7260104
My Commission Expires 09/30/2013

My commission expires: 9-30-2013



LOWER LEVEL

PLEASE CONSIDER 2ND KITCHEN REQUEST THAT ACCOMPANIES THESE DOCUMENTS. THANKS

ARTHUR J. MAURER
13517 HEATHROW LANE
CENTREVILLE, VA 20120

RECEIVED
Department of Planning & Zoning
MAY 11 2012
Zoning Evalua

ATTACHMENT 1