



APPLICATION ACCEPTED: August 6, 2014  
BOARD OF ZONING APPEALS: October 29, 2014  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

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October 22, 2014

## STAFF REPORT

APPLICATION SP 2014-MV-168

### MOUNT VERNON DISTRICT

**APPLICANT:** Zuleyka A. LeMaitre, Ernie LeMaitre  
**OWNERS:** Zuleyka A. LeMaitre, Ernie LeMaitre  
**LOCATION:** 8061 Paper Birch Drive, Lorton  
**SUBDIVISION:** Laurel Hill  
**PARCEL:** 107-2 ((8)) (F) 42  
**LOT SIZE:** 9,739 square feet  
**ZONING:** PDH-4  
**ZONING ORDINANCE PROVISION:** 8-917  
**PROPOSAL:** To permit a modification to the limitations on the keeping of animals

**STAFF RECOMMENDATIONS:** Staff recommends approval of SP 2014-MV-168 for a modification to the limitations on the keeping of animals, subject to the proposed conditions set forth in Appendix 1.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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Integrity \* Teamwork \* Public Service

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/)



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.

It should be noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290. **Board of Zoning Appeals meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035.**



**Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).**

# Special Permit

SP 2014-MV-168

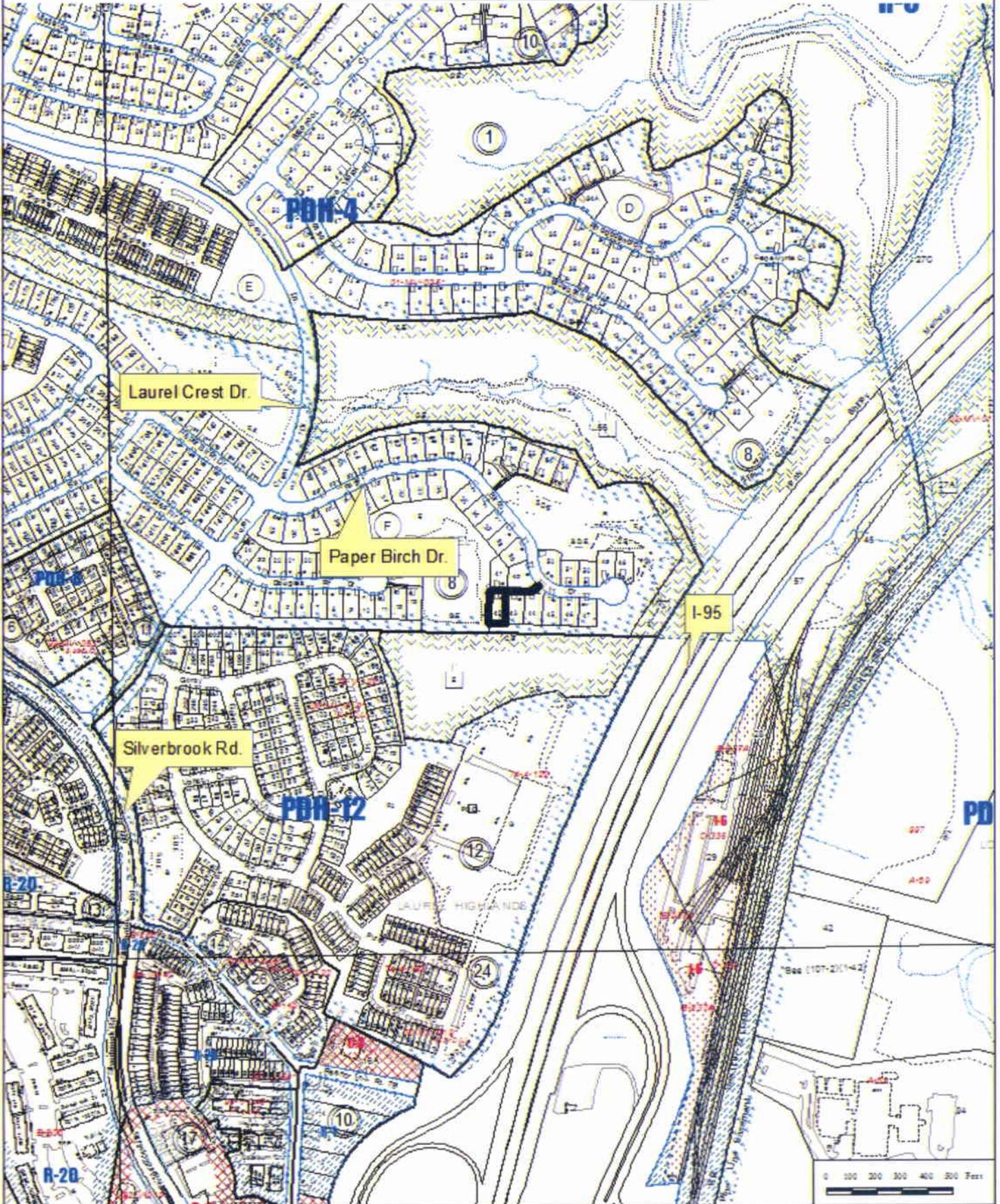
ZULEYKA A. LEMAITRE & ERNIE LEMAITRE



# Special Permit

SP 2014-MV-168

ZULEYKA A. LEMAITRE & ERNIE LEMAITRE





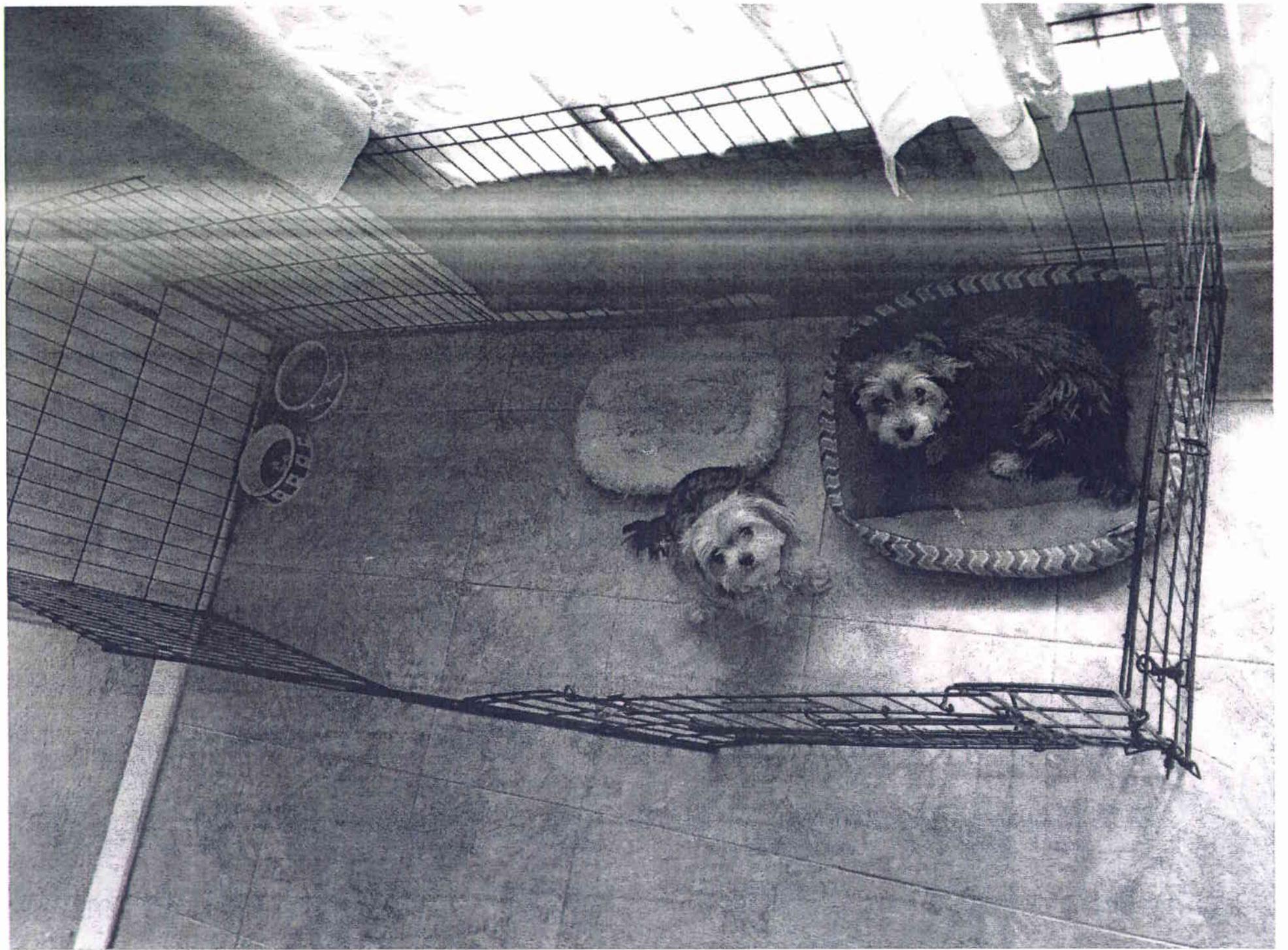








05/05/2014













### SPECIAL PERMIT REQUEST

The applicants request approval of a Special Permit for a modification to the limitations on the keeping of animals in order to keep three dogs on their property of 9,739 square feet. A more detailed description of the proposal is provided below under Description of the Application.

A copy of the Special Permit Plat, titled "House Location Survey Lot 42 Laurel Hill Landbay E, Section 2" prepared by Urban Engineering & Assoc., Inc., dated October 17, 2005, with annotations by the applicant dated August 5, 2014, and photographs are included at the front of this report.

### LOCATION AND CHARACTER

The 9,739-square foot subject property is located on Paper Birch Drive in the Laurel Hill subdivision. The property and immediate vicinity are zoned PDH-4.



Figure 1: Subject Property, Source: Fairfax County GIS, 2013 Imagery

The subject property is located at the end of a pipestem driveway off Paper Birch Drive and is surrounded by single family detached dwellings and open space owned by the Laurel Hill Community Association. The property is developed with a two-story dwelling with brick and vinyl siding and a two-car garage. According to the Department of Tax Administration (DTA), the dwelling contains approximately 3,830 square feet above grade. The property also contains an asphalt driveway and a rear yard with a deck and gazebo.



Figure 2: Subject Property, Source: Fairfax County GIS

## BACKGROUND

The subject property is located in the Laurel Hill South development approved pursuant to RZ/FDP 2001-MV-025 on October 22, 2001. The house was built in 2005 and the applicants purchased the property in 2008. No other requests for modification to the limitations on the keeping of animals have been submitted in the vicinity. Based on a complaint entered April 25, 2014, an inspection by the Department of Code Compliance was conducted on May 5, 2014. A Notice of Violation was not issued. Being made aware of the requirement for a Special Permit to keep three dogs, the applicants submitted the Special Permit application on May 23, 2014.

## DESCRIPTION OF THE APPLICATION

Sect. 2-512 (2) of the Zoning Ordinance permits the keeping of dogs as an accessory use on any lot, except that, counting dogs six months or older in age, in order to have three to four dogs, a minimum lot size of 12,500 square feet is required. Two dogs can be kept on a lot of less than 12,500 square feet. The applicants' property is 9,739 square feet. According to the applicants' Statement of Justification (Appendix 3), they have owned two small dogs for approximately two years. The dogs had two puppies in December 2013. One puppy was stillborn and the applicants decided to keep the surviving puppy, for a total of three dogs. One dog is 13 pounds, one is 6.5 pounds and the puppy was 5 pounds in May.

The dogs primarily stay indoors. The applicants have indicated that the dogs are allowed to go on the rear deck for approximately ten minutes each day, the dogs are walked on leash on the west side of the dwelling, which is the opposite side from the adjacent dwelling, and around the community.

## **ANALYSIS**

### **Comprehensive Plan Provisions**

Plan Area: Area IV, Lower Potomac Planning District,  
Laurel Hill Community Planning Sector  
Plan Map: Residential, 4-5 du/ac  
Text: No specific text

### **Zoning Ordinance Requirements**

The application must meet the standards of the following sections of the Zoning Ordinance, which are included in Appendix 5:

- Sect. 8-006, General Special Permit Standards
- Sect. 8-903, Group 9 Standards
- Sect. 8-917, Limitation on the Keeping of Animals

Subject to development conditions, the Special Permit must meet these standards.

#### **Sect. 8-006, General Special Permit Standards**

The General Standards require the proposed use to be in harmony with the comprehensive plan and the general purpose and intent of the zoning district, not adversely affect the use or development of neighboring properties, not create hazardous pedestrian or vehicular traffic, be served by adequate facilities, and comply with Zoning Ordinance standards for landscaping, open space, parking and signage. In staff's opinion, the proposed modification satisfies these standards.

#### **Sect. 8-903, Group 9 Standards**

The Standards for all Group 9 Uses address lot size and bulk regulations, performance standards and site plan requirements. The subject property meets the applicable performance standards, and lot size and bulk regulations. The proposed modification is not subject to site plan review.

**Sect. 8-917, Limitations on the Keeping of Animals**

8-917 Standards	Provision met?	
	YES	NO
The BZA shall consider the kinds and numbers of animals proposed to be kept, the characteristics, the proposed management techniques, and the location of where the animals will be kept on the lot.	X	
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.		
The proposed use must be harmonious and compatible with the adjacent area.	X	
The application must contain a plat that includes the property lines, the dimensions, height, and distance to lot lines of any existing or proposed structure to be used to keep animals, RPA delineation, and the signature of the person preparing the plat.	X	

**CONCLUSION**

Staff believes that the request for a modification to the limitations on the keeping of animals in order to keep three dogs is in conformance with the applicable Zoning Ordinance provisions with the implementation of the proposed development conditions in Appendix 1.

**RECOMMENDATION**

Staff recommends approval of SP 2014-MV-168 for a modification to the limitations on the keeping of animals, subject to the proposed conditions set forth in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. 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 this application.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

**APPENDICES**

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

## Proposed Development Conditions

### SP 2014-MV-168

October 22, 2014

If it is the intent of the Board of Zoning Appeals to approve SP 2014-MV-168 located at 8061 Paper Birch Drive, Tax Map 107-2 ((8)) (F) 42, for a modification to the limitations on the keeping of animals pursuant to Section 8-917 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This approval is granted to the applicants only, Zuleyka A. LeMaitre and Ernie LeMaitre, and is not transferable without further action of the Board, and is for the location indicated on the application, 8061 Paper Birch Drive, and is not transferable to other land.
2. This Special Permit is granted only for the keeping of three dogs at the location indicated on the plat titled "House Location Survey Lot 42 Laurel Hill Landbay E, Section 2" prepared by Urban Engineering & Assoc., Inc., dated October 17, 2005, with annotations by the applicant dated August 5, 2014, and approved with this application, as qualified by these conditions.
3. This approval is for the applicants' existing three dogs. If any of these specific animals die or are given away, the dogs shall not be replaced, except that two dogs may be kept on the property in accordance with the Zoning Ordinance.
4. A copy of this Special 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.
5. Animal debris shall be cleaned from the yard daily and properly disposed of.
6. Provisions shall be made for the inspection of the property by County personnel during reasonable hours upon prior notice.
7. At no time shall the dogs be left outdoors unattended for continuous periods of time longer than 30 minutes.

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.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this Special Permit shall automatically expire, without notice, six 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.

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

125612

\* DATE: 6/30/2014  
(enter date affidavit is notarized)

I, Zuleyka A. LeMaitre, 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

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 <b>BOLD</b> above)
Ernie LeMaitre	8001 Paper Birch Dr. Lorton, VA 22079	Applicant/ <b>Title owner</b>
Zuleyka A. LeMaitre	8001 Paper Birch Dr. Lorton, VA 22079	Applicant/ <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)

Page Two

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 6/30/2014  
(enter date affidavit is notarized)

125612

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)

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

\* DATE: 6/30/2014  
(enter date affidavit is notarized)

125612

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.

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

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

125612

\*DATE: 6/30/2014  
(enter date affidavit is notarized)

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: 6/30/2014  
(enter date affidavit is notarized)

125612

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

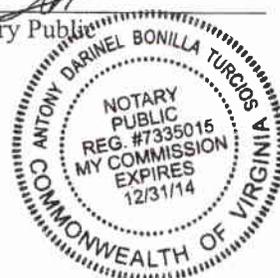
[ ] Applicant's Authorized Agent

Zuleyka A. Le Maitre  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 30 day of June 2014, in the State/Comm. of Virginia, County/City of Prince William.

My commission expires: Dec 31, 2014

[Signature]  
Notary Public



May 20, 2014

To whom it may concern,

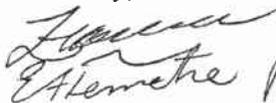
I was notified a few weeks ago that I needed to have a special permit to have 3 dogs if I had less than 12,000 square feet at my property. I was unaware of this. I am applying for a permit to keep my 3<sup>rd</sup> puppy. I have had two dogs for almost 2 years now (Chico-Yorkie terrier 13lbs. and Lola-Maltese/toy yorkie mix who is 6.5 lbs) In December they had two puppies, one was a stillborn and one survived. Mia is now 5 months old and about 5 lbs. Because of their size and weight, she had to nurse for longer than the 8 weeks and moved on to formula. We were going to give her away to a friend but naturally grew attached to the puppy and decided to keep her. She is very attached to the other dogs, naturally one of them being her mother and attached to our family.

We have over 9,300 square feet of land which our home sits on; 3 large floors including a fully complete basement and deck/patio which is gated off. All 3 dogs are indoor dogs and have their own sleeping section in the home. Walked daily, crated individually (see pictures) and have all of their shots up to date. I have lived at my residence (8061 Paper Birch Dr Lorton, VA 22079) for almost 9 years now and the last 3 years since my neighbor has moved in, they have made it a nightmare. With their outrageous accusations stating I have more than 6 dogs and complaining to our HOA that our grass company cannot cut the grass in the afternoon due to their "nap time". I am in the process of filing harassment charges against them.

I have attached the Special Permit package which includes copies of the application, copies of the permit plats, and copy of the zoning map, photographs, written statement, affidavit and a check for the permit application.

Please contact me with any questions you may have. Thank you for your time to this sensitive situation.

Sincerely,

  
Zuleyka and Ernie P.O.A.

Zuleyka and Ernie LeMaitre

8061 Paper Birch Drive Lorton, VA 22079

Home: 703-690-0709

Cell: 703-732-7172

Email: [zuleykabeuvain@hotmail.com](mailto:zuleykabeuvain@hotmail.com)



 5/23/2014

July 9, 2014

To Whom It May Concern:

The 3 dogs will conform to development's provisions of ordinances regulations and adopted standards at all times.

In addition, there are and will be no hazardous or toxic substances set forth by the terms of the Commonwealth of Virginia. This includes no generation, utilization, storage or treatment of disposed substances on site.

Obtaining 3 dogs at my residence will be solely for harmonious and compatible purposes. It will not conflict or cause any issues with the adjacent areas or neighbors.

Thank you,

Zuleyka & Ernie LeMaitre

May 21, 2014

To whom it may concern,

I have lived at 8063 Paper Birch Dr. Lorton VA right next to Zuleyka and Ernie LeMaitre for many years now. Their dogs have never been an issue for us. We have no problems with them pertaining to their animals. We always see Mrs. LeMaitre taking good care of them when she walks them daily.

Thank you,

A handwritten signature in cursive script, appearing to read "Tho Tran".

THO TRAN

RECEIVED  
Department of Planning & Zoning

MAY 23 2014

Zoning Evaluation Division

May 21, 2014

To whom it may concern,

I have lived at 8057 Paper Birch Dr. Lorton VA right next to Zuleyka and Ernie LeMaitre for many years now. We see Mrs. LeMaitre walking her dogs often and we have no issues with the animals at all. They are pleasant neighbors.

Thank you,



FAUSTO MENDEZ

RECEIVED  
Department of Planning & Zoning

MAY 23 2014

Zoning Evaluation Division

## ZONING ORDINANCE PROVISIONS

### 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.