



APPLICATION ACCEPTED: August 5, 2015  
BOARD OF ZONING APPEALS: November 18, 2015 @ 9:00 a.m.

# County of Fairfax, Virginia

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**November 11, 2015**

**STAFF REPORT**

**SPECIAL PERMIT SP 2015-MA-118**

**MASON DISTRICT**

**APPLICANT:** Jeanne L. Moore  
**OWNER:** Gregory Hutton  
**STREET ADDRESS:** 4011 Arcadia Road, Alexandria, 22312  
**SUBDIVISION:** Parklawn  
**TAX MAP REFERENCE:** 61-3 ((7)) (B) 13  
**LOT SIZE:** 10,639 square feet  
**ZONING DISTRICT:** R-3  
**ZONING ORDINANCE PROVISION:** 8-917  
**SP PROPOSAL:** To permit modification to the limitations on the keeping of animals.

**STAFF RECOMMENDATION:**

Staff recommends denial of SP 2015-MA-118.

However, if it is the intention of the Board of Zoning Appeals to approve SP 2015-MA-118, staff recommends that such approval be conditions upon adoption of the proposed development conditions contained 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 applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

*Erin M. Haley*

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.

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.

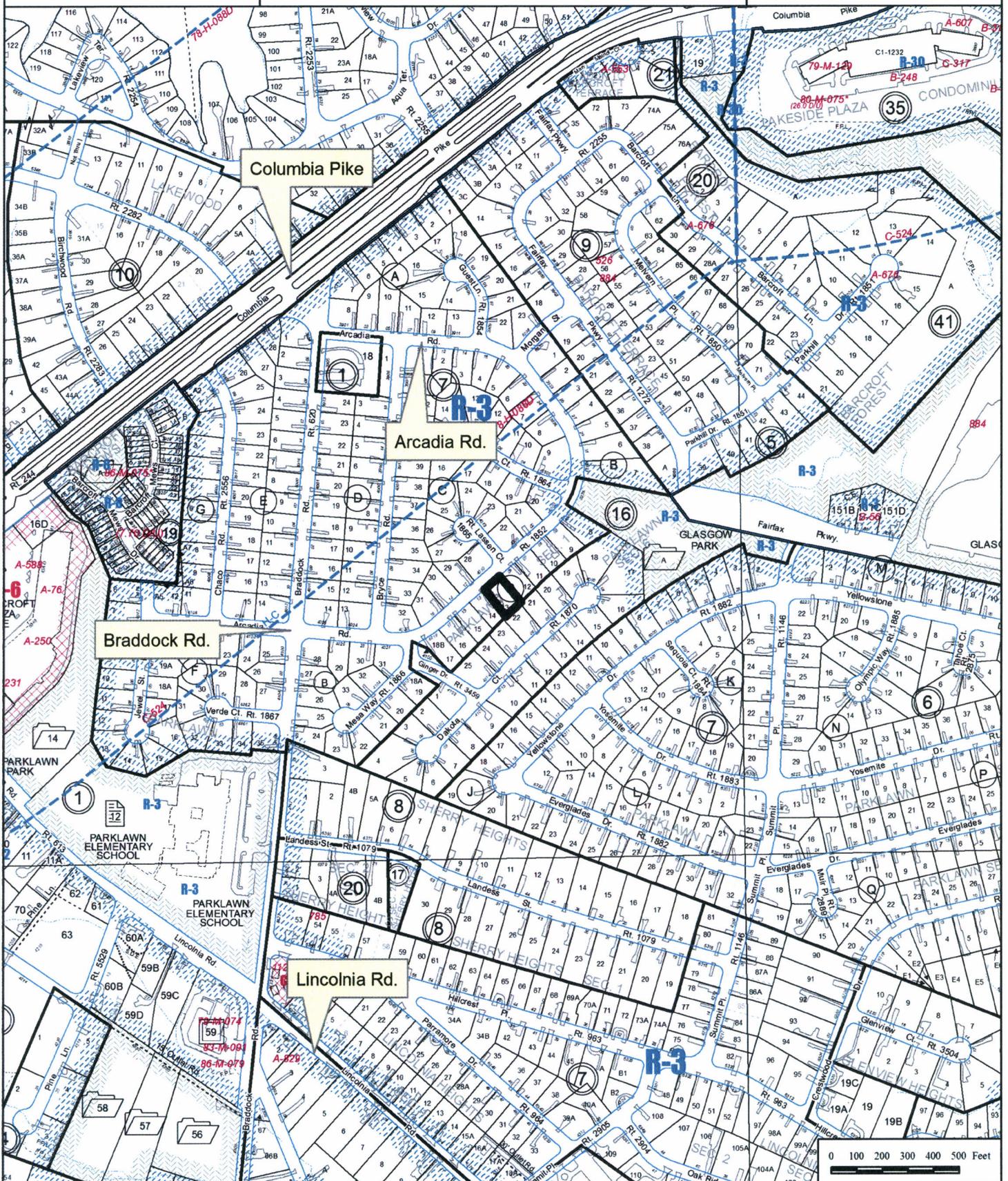
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



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

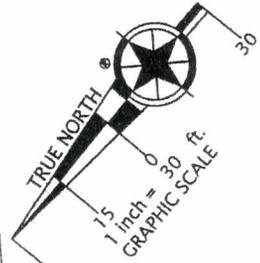


Special Permit  
SP 2015-MA-118  
JEANNE L. MOORE

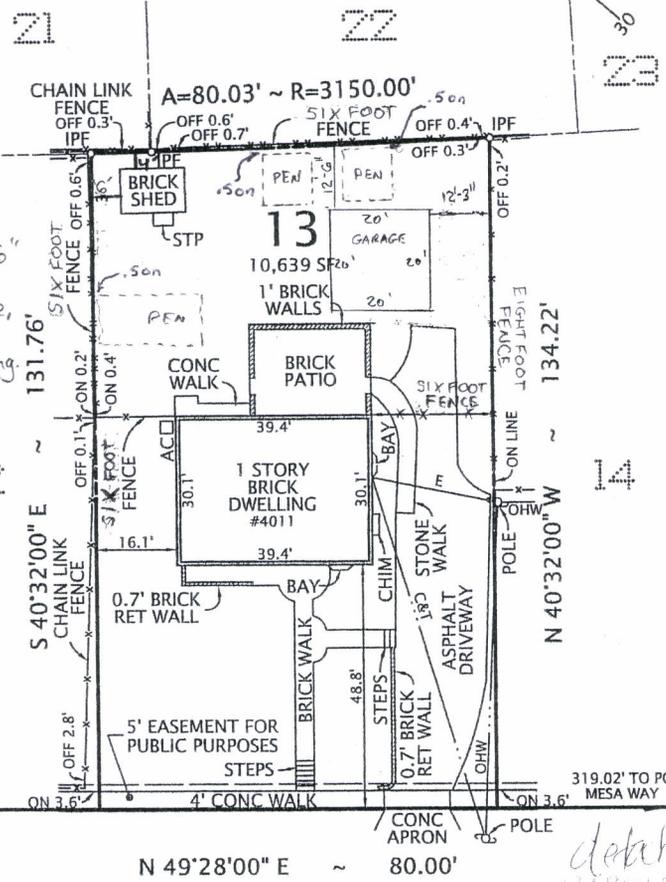


142200193

NOTE: FENCES ARE STOCKADE UNLESS NOTED.



# PARKLAWN SECTION SIX



Garage height: 12'  
Brick Shed height: 8'6"  
Pens are 6' chain link fence on movable frame, with 8' high ridge pole for tarp covering.

plat prepared by:  
Gregory Hutton  
Gregory Hutton  
7/30/2015

**ARCADIA ROAD**  
50' WIDE ~ STATE ROUTE #1852

PLAT  
SHOWING HOUSE LOCATION ON  
LOT 13, BLOCK B, SECTION ONE  
**PARKLAWN VIRGINIA**  
(DEED BOOK 1263, PAGE 137)

FAIRFAX COUNTY, VIRGINIA  
MASON DISTRICT  
SCALE: 1" = 30' APRIL 30, 2012

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Department of Planning & Zoning  
JUL 3 2015  
Zoning Evaluation Division

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.  
A TITLE REPORT WAS NOT FURNISHED.  
NO CORNER MARKERS SET.

COMMONWEALTH OF VIRGINIA  
04/30/2012  
GEORGE M. O'QUINN  
LAND SURVEYOR  
LICENSE NO. 2069  
*George M. O'Quinn*

Ordered by:  
**Monarch**  
TITLE, INC.  
6861 Elm Street  
Suite 100  
McLean, Virginia 22101  
703-852-1730

**DOMINION** Surveyors Inc.  
8808-H PEAR TREE VILLAGE COURT  
ALEXANDRIA, VIRGINIA 22309  
703-619-6555  
FAX: 703-799-6412

## SPECIAL PERMIT REQUEST

The applicant requests approval of a special permit for modification to the limitations on the keeping of animals. The applicant is requesting to keep four dogs on a lot 10,639 square feet in size, whereas only two dogs would be permitted by-right. A lot must have a minimum lot size of 12,500 square feet to keep three to four dogs by-right.

A copy of the special permit plat titled, "Plat, Showing House Location on Lot 13, Block B, Section One, Parklawn Virginia," prepared by George M. O'Quinn, dated April 30, 2012, as revised by Gregory Hutton through July 30, 2015, is included in the front of the staff report.

A more detailed description of the proposal is provided on page two.

A copy of the proposed development conditions, statement of justification with select file photographs, and affidavit are contained in Appendices 1-3, respectively.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The 10,639 square foot lot contains a one-story dwelling, which is accessed by an asphalt driveway on Arcadia Road. A brick walkway leads from the driveway to the front door, and also extends across the front yard with a staircase that leads down to the concrete sidewalk. The rear yard contains a brick patio, concrete walkway, and a detached garage 400 square feet in size and approximately 12 feet in height. A brick shed 8.5 feet in height is located in the southeast corner of the rear yard. Also in the rear yard are three dog pens constructed out of moveable chain link fence 6.0 feet in height, each with a ridge pole 8.0 feet in height that supports a tarp covering. Two of the pens are 100 square feet in size while the third is 200 square feet in size. The rear yard is enclosed by a wooden fence 6 feet in height along three sides and eight feet in height along the northwestern lot line. The portion of fence 8.0 feet in height is located on the neighboring property. The front yard of the lot slopes steeply down from the house to the street while the rear yard is level.



*Figure 1. Lot location*

The subject property and surrounding properties are zoned R-3 and developed with single family detached dwellings.

## **BACKGROUND**

According to Fairfax County Tax Records, the dwelling on the property was constructed in 1955, remodeled in 2010, and the property purchased by the applicant in 2012. The detached garage was constructed in 2014. Building permit information is included in Appendix 4.

Since the adoption of the Zoning Ordinance, the Board of Zoning Appeals has not heard any other special permit requests for the modification on the keeping of animals in the surrounding area.

In response to an anonymous complaint, staff conducted an inspection of the property on May 5, 2015. The complaint stated that the applicant was keeping nine dogs and that the smell was bothersome. The inspection revealed the presence of seven dogs (six German Shepherds and one Chihuahua) on the property. On May 7, 2015, a Notice of Violation (NOV) was issued to the applicant for keeping seven dogs on a property that does not meet the minimum lot size requirements. A copy of the NOV is included as Appendix 5.

## **DESCRIPTION OF THE APPLICATION**

The applicant is requesting approval of a special permit for modification to the limitations on the keeping of animals. The applicant is requesting to keep four German Shepherds on a 10,639 square foot lot. A maximum of two dogs can be kept on a lot of this size; the Zoning Ordinance requires at least 12,500 square feet of land for four dogs to be kept. Though the initial inspection of the property found seven dogs on site, the applicant states that three of the dogs were visiting and the special permit request is only for the keeping of four dogs.

According to staff's research, German Shepherds range in weight from 49 to 88 pounds and are considered to be a large-sized working dog breed. The average life span of a German Shepherd is nine to 13 years. The applicant's four dogs consist of:

- "Storm", 8 years, male
- "Samson" (aka "Gavin"), 3 years, male
- "Montana", 2 years, female
- "Myani", 2 years, female

Upon staff request, the applicant has provided records of current Fairfax County licenses and rabies vaccination records for the dogs. This information is included in Appendix 2.

## ANALYSIS

### Comprehensive Plan Provisions

**Plan Area:** I, Baileys Planning District  
**Planning Sector:** Glasgow Community Planning Sector (B4)  
**Plan Map:** 2-3 dwelling units per acre

### Zoning Ordinance Requirements

- *Sect. 8-006* General Special Permit Standards
- *Sect. 8-903* Group 9 Standards
- *Sect. 8-917* Provisions for Modifications to the Limitations on the Keeping of Animals

This special permit is subject to sections of the Zoning Ordinance as referenced above, a copy of which is included in Appendix 6. Subject to development conditions, the special permit must meet these standards.

### Standards for Modifications to the Limitations on the Keeping of Animals (Sect. 8-917)

**Standard 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.*

*Kinds and Numbers of Animals:* As only two dogs are allowed by-right on a lot of this size, exceeding this number by two is doubling the allowable number. Staff believes that four German Shepherds would be difficult to manage due to the large size of the dogs and the small rear yard, and that keeping this number of dogs will have a negative impact on neighbors within close proximity of this site. Staff notes that the Notice of Violation initially stemmed from an anonymous complaint that the number of dogs being kept on a relatively small lot was creating an unpleasant odor. German Shepherds also have a loud bark that staff noted during a site visit. Staff believes the by-right number of two dogs would be manageable and suitable for the current site and zoning district.

*Proposed Management Techniques:* The applicant states that the dogs spend most of the day in their pens and are let out into the rear yard a couple of times per day, occasionally brought inside one at a time, and are also taken on walks. During inclement weather, they are allowed to stay in the detached garage which has both heating and air conditioning. If development conditions were approved to control the times and conditions under which the dogs were penned and monitored they would be extremely difficult to enforce. Since all four dogs are outside at the same time for most

of the day, staff believes this would have a negative impact on surrounding properties.

At the time of site visit, staff noted that the large dogs were confined to pens; in discussion with the applicant, it was found that the animals spend a large portion of the day confined. Staff is concerned about the health and welfare of these dogs being confined for long periods of time without professional management.

The applicant states that she cleans the backyard of dog waste daily and sprays the high-use areas with diluted Simple Green on a weekly basis. A development condition has been included to require hiring a professional waste removal service to minimize the impact on neighboring properties.

Locations of animals on the lot: The dog pens currently located on the lot are located too close to the lot lines. According to Section 10-104 of the Zoning Ordinance, dog runs for two or fewer dogs shall be subject to location regulations. As part of a special permit application, a request can be made to modify the location requirements for the pens. The applicant requests to keep the pens as shown on the plat. The rear yard is small in size and due to the presence of a detached garage, brick patio, and a shed there is a small amount of open space available. The location of the pens is up against the side and rear lot lines, directly adjacent to neighboring residential properties. Staff believes that this creates an adverse impact on adjacent properties due to the dogs being in the pens a majority of the time. However, due to the small yard, there are few alternative locations for the pens. The open portion on the rear yard is the only area with grass which staff believes is the best area for the dogs to roam when let out of the pens. Should the BZA approve the special permit, a development condition has been included to require their location to remain as shown on the plat.

Impact on Adjacent Properties: As mentioned above, staff believes four dogs would have a negative impact on surrounding properties in regards to noise and odor.

Noise: Staff believes the potential for the four dogs to disrupt and impact adjacent neighbors is much higher than that of two dogs. The dogs are kept outside most of the time and their pens are located very close to adjacent properties in the small rear yard. The amount of noise created by the dogs is doubled when going from two to four dogs.

**Standard 2:** *Such modification may be approved if it is established that the resultant use will be harmonious and compatible with the adjacent area.*

The subject property is 10,639 square feet in size. The minimum lot size to keep four dogs is 12,500 square feet. Though the subject property is less than 2,000 square feet smaller than the minimum require lot size, the rear yard of the property is small in size. The house is set well back from the street with a large front yard. A portion of the front yard is taken up by a slope from the house down to the street further limiting the area of the property usable as open space. The rear yard is encumbered by a brick patio, detached garage, a shed, and the three dog pens. The remaining open area of the yard for the dogs to have recreation space is very small. Staff believes that this small space is not adequate for the keeping of four large dogs and would compound impacts on adjacent properties. No other requests for the modification on the keeping of animals

have been heard on properties in the surrounding area. Staff believes that keeping four German Shepherds on the subject property would not be harmonious or compatible with the adjacent residential uses.

***Standard 3: Submission Requirements***

All submission requirements have been met with acceptance of the application.

**General Standards for Special Permit Uses (Sect. 8-006)**

***Standard 1:*** *The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.*

The Comprehensive Plan recommends residential uses, and the property is currently developed with a residential use. The R-3 District allows a modification to the limitations on the keeping of animals with special permit approval. The proposed use is not in harmony with the Comprehensive Plan as it would disrupt the stable residential character of the neighborhood.

***Standard 2:*** *The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.*

Staff believes that though this use is residential in character, it does not meet the intent of the R-3 Zoning District due to the negative impacts keeping four large dogs would have on surrounding properties.

***Standard 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.*

The rear yard is enclosed by a wood fence but there is no other buffering between the dog pens and adjacent properties to mitigate the noise or odor of the dogs. Due to the small size of the rear yard, there are few alternative locations for the dog pens where the dogs spend a majority of their time. In staff's opinion, the proposed use may hinder or discourage use of neighboring properties or value based on analysis of the kinds and numbers of animals.

***Standard 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.*

No increase in vehicular or pedestrian traffic is expected with this application. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.

**Standard 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.*

There is an existing wood fence that screens the rear yard from the adjacent properties.

**Standard 6:** *Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.*

There is no open space requirement for an R-3 District.

**Standard 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.*

There are no changes to the utilities, drainage, parking or loading of the site.

**Standard 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.*

No signage is proposed or existing.

### **Standards for all Group 3 Uses (Sect. 8-303)**

**Standard 1:** *Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.*

With exception of the dog pens, the lot size and bulk regulations for the subject property are satisfied with the existing development of the property.

**Standard 2:** *All uses shall comply with the performance standards specified for the zoning district in which located.*

The use must comply with the performance standards set forth in Article 14 of the Zoning Ordinance, including noise standards.

**Standard 3:** *Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.*

There is no new construction proposed with this application.

## **CONCLUSION**

Due to the small size of the rear yard and the fact that the dogs spend the majority of their time in pens outside, staff believes that the keeping of four large dogs on a lot of this nature is not in conformance with the Zoning Ordinance. Based on the difficulty in managing four German Shepherds, the history of a complaint and violation on this property, and the potential negative impact on adjacent properties, staff does not the application, and believes that no more than the by-right number of two dogs should be permitted on the property.

## **RECOMMENDATION**

Staff recommends denial of SP 2015-MA-118.

However, if it is the intention of the Board of Zoning Appeals to approve SP 2015-MA-118, staff recommends that such approval be conditions upon adoption of the proposed development conditions contained 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 applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. 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. Applicant's Statement of Justification and Photographs
3. Applicant's Affidavit
4. Building Permit Information
5. Notice of Violation dated May 7, 2015
6. Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2015-MA-118****November 11, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-MA-118 located at Tax Map 61-3 ((7)) (B) 13 to permit 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 applicant only, Jeanne Moore, and is not transferable without further action of this Board, and is only for the location indicated on the application, 4011 Arcadia Road, and is not transferable to other land.
2. This special permit is granted only for the keeping of animals (four dogs) located on the plat titled, "Plat, Showing House Location on Lot 13, Block B, Section One, Parklawn Virginia," prepared by George M. O'Quinn, dated April 30, 2012, as revised by Gregory Hutton through July 30, 2015, and approved with this application, as qualified by these development conditions.
3. 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.
4. This approval shall be for the applicant's existing four 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.
5. On a weekly basis, the yard used by the dogs shall be cleaned of animal debris by a professional service company.
6. At no time shall the dogs be left outdoors unattended for continuous periods of time longer than 30 minutes.
7. All dog pens shall be located as shown on the special permit plat.

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.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six (6) months after the date of approval unless the use is established. The Board of Zoning Appeals may grant additional time to commence construction 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 Justification

I am applying for a Special Permit to modify the limitation on the keeping of animals.

I am requesting an increase from two (2) to four (4) dogs. When not kept inside, the dogs will be kept in the fully-fenced back yard. The fencing is high (at least six feet), with no gaps, so dogs cannot escape.

The address is:

4011 Arcadia Road  
Alexandria VA 22312

[Note: The notice of violation from May 7, 2015 finds that there were seven dogs on the property, but three of the dogs belonged to a visitor. My request is for an increase to four dogs, not seven.]

The four dogs are of the German Shepherd breed. Dogs are kept either in the house, in the garage/workshop (which is heated/air conditioned), or in the fully-fenced back yard.

There are three high-fenced dog pens in the back yard. Two pens are 10'x10' and the third is 10'x20'. When not indoors, the dogs are usually in the pens, except when being supervised.

922.00 Harmonious and compatible with the area: Keeping of pet dogs is a normal practice in this neighborhood, and many people in the neighborhood keep dogs. The area where the dogs are kept is high-fenced so the dogs are not visible, and they cannot escape.

Odor is controlled by daily cleanup of waste, and by weekly spraying of high-use areas with Pine-Sol from a hose-end sprayer.

Noise (barking) is controlled by

- Keeping animals inside, or
- Using electronic anti-barking collars

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Department of Planning & Zoning

JUL 31 2015

Zoning Evaluation Division

- H. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.

Hazardous or Toxic Substances. There are no known hazardous or toxic substances. No hazardous materials will be generated, utilized, stored, treated, and/or disposed of onsite.

Gregory Luton  
Applicant's Signature

July 30, 2015  
Date

- I. A statement that the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or, if any waiver, exception or variance is sought by the applicant from such ordinances, regulations, standards and conditions, such shall be specifically noted with the justification for any such modification.

Zoning Ordinance Compliance. The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought, such request has been specifically noted with the justification for such modification.

Gregory Luton  
Applicant's Signature

July 30, 2015  
Date

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Department of Planning & Zoning

JUL 31 2015

Zoning Evaluation Division

TO: Erin Haley

FAX: 703-324-3924

FROM: Greg Hutton

PHONE: 571-557-2451

RE: 4011 Arcadia Rd. Alexandria

Erin,

Following up on your request, attached are seven pages, with the information about the licensing and rabies vaccinations for the dogs.

A couple of notes:

- 1) In a previous email, I misspelled one of the dogs' names: It's Myani, not Yanni.
- 2) Samson (Sam) used to be named Gavin, and was vaccinated and licensed under that name last year, but it's the same dog that Jeanne has today.

Sincerely,

Greg Hutton 

to follow:

Myani's license

Myani's rabies vaccination

Montana's license

Montana's rabies vaccination

Samson's (aka Gavin, Sam) license

Storm's license

Samson and Storm's rabies vaccinations (one page)

**For Office Use Only:**  
 Registration Number 100211640  
 License Number 33253  
 Rabies Expiration Date 12/22/15  
 Duplicate \_\_\_\_\_  
Original # Issue Date  
 Kennel \_\_\_\_\_  
 Cash  Check 1134

# County of Fairfax, Virginia

Department of Tax Administration (DTA)  
 12000 Government Cntr. Pky., Suite 223, Fairfax, VA 22035  
 703-222-8234; TTY: 703-222-7594

## Dog License

Expires Dec. 31, 2015

**The License Fee is \$10**

**Fee Enclosed: \$ 10**

**Please include a current certificate of rabies vaccination.**

Animal Name Miami  
 Male  Female  Neut/Spay  
 Breed German Shepherd  
 Color Black/Tan  
 Telephone: Work 571-557-2451  
 Home 703-532-9356

<u>Hutton</u>	<u>Gregory</u>	<u>A</u>
<small>Last Name</small>	<small>First Name</small>	<small>Middle Initial</small>
<u>3105 Valley Lane</u>		
<small>No. and Street, PO Box</small>		
<u>Falls Church</u>	<u>VA</u>	<u>22044</u>
<small>City, Town, Post Office</small>	<small>State</small>	<small>Zip Code</small>

Have you ever licensed this dog before  
 in Fairfax County?  Y  N

**LICENSE NOT SUBJECT TO EXCHANGE, TRANSFER, OR REDEMPTION.**  
 County Ordinance (41-1-2-2G) requires that this receipt be carefully preserved by the licensee  
 and presented upon request of the Animal Control officer or other officer.

Valid only if stamped PAID by  
 Department of Tax Administration

COUNTY OF FAIRFAX  
 DEPARTMENT OF TAX ADMINISTRATION

MAR 18 2015

**PAID**  
 PER 2M

**2015 Dog License  
Fairfax County, Virginia  
Expires December 31, 2015**

41

**Owner Name and Address:**

HUTTON GREGORY A  
3105 VALLEY LN

FALLS CHURCH VA 22044-1736

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**Description of Dog:**

Name: MONTANA  
Sex/Status: FEMALE/FERTILE  
Primary Breed: GERMAN SHEPHERD  
Colors: BLACK TAN

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**Registration Information:**

Registration No.: 0000211640  
2015 Dog License No.: 16359  
Previous License No./Document No.: 36624  
Rabies Vaccination No.: 6251370  
Rabies Vaccination Expiration Date: 09/20/2015  
License Fee: \$10.00  
Payment Date: 01/26/2015  
License Printed: 01/27/2015

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Department of Tax Administration (DTA)  
Customer Assistance: 703-222-8234  
TTY: 703-222-7594  
[www.fairfaxcounty.gov/dta](http://www.fairfaxcounty.gov/dta)

Office of Animal Control  
[www.fairfaxcounty.gov/police/animalservices](http://www.fairfaxcounty.gov/police/animalservices)



OFFICIAL VACCINATION CERTIFICATE/Rx

3313- 028107

VetcoClinics.com 1-877-838-7468

First Name (Pet Owner): JEANNE Last Name (Pet Owner): ROBERT CA: CA Store: 1 Date: 1/15

Address: 4011 ARLANDIA ROAD Apt./Suite #:

City: ALEXANDRIA State: VA Zip: 22304 Spouse/Partner's Name:

Phone (No. Returning Client): 571 765 0559 e-mail (IMPORTANT FOR COMMUNICATION):

FOR ARIZONA RESIDENTS ONLY: If you live in Maricopa County and are getting a Senior (65+) License, please provide your DOB for the County:

Pet Name: Montana Sex: M  / F  Spay/Neuter:

Breed: German Shepherd Species:  Canine  Feline

Color: Black/Tan Red DOB: 4/23/14

\*Pregnant?  Y /  N \*On Medications?  Y /  N

Your pet's Lifestyle Assessment. Please check all that apply to your pet. My pet...

1 Has previously experienced a vaccination reaction:  YES  NO

2 Needs annual vaccines:  YES  NO

3 Is exposed to the following:

Mosquitoes  Fleas  Ticks  Wildlife  Children

Groomers  Boarding  Traveling  Hiking

4 Is on a monthly heartworm preventative:  YES  NO

5 Is on a monthly flea/tick preventative:  YES  NO

6 Is microchipped:  YES  NO

7 Any known allergies?  YES  NO

\*STOP\* DO NOT WRITE BELOW THIS LINE \* FOR VETERINARIAN USE ONLY \*

Weight: 56 Lymph N/A Gen App. N/A Skin N/A Eyes N/A Ears N/A Mouth N/A

OK to Vaccinate?  Y /  N

RABIES:  SQ Killed  1 YR  3 YR MFG: BI

Vacc. Name: Rabvac3 Tag #: 195223

Serial #: 1215108A Mfg. Exp. Date: 9/11

Healthy Dog / Healthy Plus / Healthy Puppy	4wk	1yr	\$	Healthy Cat / Healthy Kitten	4wk	1yr	\$
<input checked="" type="radio"/> DHP Parvo Vaccine (Canine 5-in-1 DAZHPPv)		<input checked="" type="checkbox"/>		<input type="radio"/> DHP Parvo Vaccine (Canine 5-in-1 DAZHPPv)			
<input checked="" type="radio"/> Bordetella Vaccine		<input checked="" type="checkbox"/>		<input type="radio"/> Bordetella Vaccine			
<input checked="" type="radio"/> Leptospirosis Vaccine		<input checked="" type="checkbox"/>		<input type="radio"/> Leptospirosis Vaccine			
<input checked="" type="radio"/> Heartworm Test		<input checked="" type="checkbox"/>		<input type="radio"/> Heartworm Test			
<input type="radio"/> 4 DX Test* HW P/N Lyme P/N Ana P/N Erl P/N				<input type="radio"/> 4 DX Test* HW P/N Lyme P/N Ana P/N Erl P/N			
<input type="radio"/> Lyme Vaccine				<input type="radio"/> Lyme Vaccine			
<input type="radio"/> Canine Influenza Vaccine				<input type="radio"/> Canine Influenza Vaccine			
<input type="radio"/> Rattlesnake Vaccine*				<input type="radio"/> Rattlesnake Vaccine*			
<input checked="" type="radio"/> Pyrantel Pamoate (1cc/20#) or (1cc/10#) cc/mls/PO		<input checked="" type="checkbox"/>		<input type="radio"/> Pyrantel Pamoate (1cc/20#) or (1cc/10#) cc/mls/PO			
<input type="radio"/> Tapeworm Dewormer dose /SQ				<input type="radio"/> Tapeworm Dewormer dose /SQ			
<input type="radio"/> Fecal Test				<input type="radio"/> Fecal Test			
<input type="radio"/> Feline 3-in-1 (FVRCP) Vaccine				<input type="radio"/> Feline 3-in-1 (FVRCP) Vaccine			
<input type="radio"/> Feline Leukemia Vaccination				<input type="radio"/> Feline Leukemia Vaccination			
<input type="radio"/> Feline Test				<input type="radio"/> Feline Test			
<input type="radio"/> FeLv P/N FIV P/N HW P/N				<input type="radio"/> FeLv P/N FIV P/N HW P/N			
<input type="radio"/> Other				<input type="radio"/> Other			
<input type="radio"/> Microchip # Place Sticker Here				<input type="radio"/> Microchip # Place Sticker Here			
<b>1 VACCINE TOTAL</b>			<b>\$ 87</b>	<b>1 VACCINE TOTAL</b>			<b>\$ 0</b>

Restricted/Prescription \* For Clinic Sales Only

Trifexis  Heartgard  Sentinel  Revolution (Feline Only)

6 Months  Size/Color Brown Refill  1 **100**

NexGard 6 Months  Size/Color Refill  1

Comfortis 6 Months  Size/Color Refill  1

Other

**2. RESTRICTED/PRESCRIPTION TOTAL** \$ **0**

Comments: ↑ OK!

For Office Use Only:

Registration Number 711640

License Number 33252

Rabies Expiration Date 4/17/15

Duplicate      /      /     

Original # Issue Date

Kennel

Cash  Check 1134

# County of Fairfax, Virginia

Department of Tax Administration (DTA)

12000 Government Cntr. Pky., Suite 223, Fairfax, VA 22035

703-222-8234; TTY: 703-222-7594

**The License Fee is \$10**

**Fee Enclosed: \$ 10**

**Please include a current certificate of rabies vaccination.**

## Dog License

Expires Dec. 31, 2015

Animal Name Gavin

Male  Female  Neut/Spay

Breed German Shepherd

Color Black/Red

Telephone: Work 571-557-2451

Home 703-532-9356

<u>Greg Hutton</u>	<u>Gregory</u>	<u>A</u>
Last Name	First Name	Middle Initial
<u>3105 Valley Lane</u>		
No. and Street, PO Box		
<u>Falls Church</u>	<u>VA</u>	<u>22044</u>
City, Town, Post Office	State	Zip Code

Have you ever licensed this dog before in Fairfax County?  Y  N

**LICENSE NOT SUBJECT TO EXCHANGE, TRANSFER, OR REDEMPTION.**

County Ordinance (41-1-2-2G) requires that this receipt be carefully preserved by the licensee and presented upon request of the Animal Control officer or other officer.

Valid only if stamped PAID by Department of Tax Administration

County of Fairfax  
Department of Tax Administration

DEC 15 2015

PAID  
703-532-9356

**2015 Dog License  
Fairfax County, Virginia  
Expires December 31, 2015**

6

Owner Name and Address:

MOORE JEANNE  
7315 WESTMORE DR  
SPRINGFIELD VA 22150-4264

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Description of Dog:

Name: STORM  
Sex/Status: MALE/FERTILE  
Primary Breed: GERMAN SHEPHERD  
Colors: BLACK BROWN

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Registration Information:

Registration No.: 0000147055  
2015 Dog License No.: 17241  
Previous License No./Document No.: 14742  
Rabies Vaccination No.: 2012 0509  
Rabies Vaccination Expiration Date: 05/30/2015  
License Fee: \$10.00  
Payment Date: 03/09/2015  
License Printed: 03/10/2015

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Department of Tax Administration (DTA)  
Customer Assistance: 703-222-8234  
TTY: 703-222-7594  
[www.fairfaxcounty.gov/dta](http://www.fairfaxcounty.gov/dta)

Office of Animal Control  
[www.fairfaxcounty.gov/police/animalservices](http://www.fairfaxcounty.gov/police/animalservices)



OFFICIAL VACCINATION CERTIFICATE/Rx

3313- 028108

VetcoClinics.com 1-877-838-7468

Owner information section including fields for First Name (SEANNINE), Last Name, Address (4011 ARCADIA), City (ALEXANDRIA), State, Zip, Spouse/Partner's Name, Phone, and Email.

FOR ARIZONA RESIDENTS ONLY: If you live in Maricopa County and are getting a Senior (65+) License, please provide your DOB for the County: N/A

Pet information section for two dogs: Samson (German Shepherd, DOB 10/07) and another German Shepherd (DOB 03/02/2008). Includes sex, spay/neuter status, and lifestyle assessment questions.

\*STOP\* DO NOT WRITE BELOW THIS LINE \* FOR VETERINARIAN USE ONLY

Assessments/Comments section with fields for Lymph, Gen App, Skin, Eyes, Ears, and Mouth for both pets.

OK to Vaccinate? Y / N section for both pets.

Rabies section with fields for Rabvac3, Tag #, and Mfg. Exp. Date.

Main vaccination table with columns for 4wk, 1yr, and \$, listing various vaccines like DHP Parvo, Bordetella, Leptospirosis, Heartworm, and Feline 3-in-1.

1. VACCINE TOTAL section showing a total of \$87.

Restricted/Prescription section for Triflexis, Heartgard, and NexGard with a total of \$100.

2. RESTRICTED/PRESCRIPTION TOTAL section showing a total of \$187.

Comments section for both pets.

## Haley, Erin M.

---

**From:** GREG HUTTON <pmjj20a@prodigy.net>  
**Sent:** Tuesday, October 27, 2015 7:48 AM  
**To:** Haley, Erin M.  
**Subject:** Notes re 2015-SM-118 (4011 Arcadia Rd)

Dear Ms. Haley,

Thank you for visiting 4011 Arcadia Rd. yesterday morning. I hope your visit was able to relieve any concerns about my permit application, and about how Jeanne keeps and cares for her dogs. Most important, you were able to see that the dogs are healthy and happy, with good energy and high spirits.

Here are some notes related to our conversation:

- The dogs do have a grassy area in the back yard to play in.
- Jeanne will switch cleaners from PineSol to Simple Green. As we discussed, the PineSol was used in very diluted concentration, and in an outdoor area where any fumes would quickly dissipate. The PineSol website indicates the product is safe for pet areas. Nevertheless, there is some concern about the product, and there is no problem to change to Simple Green.
- According to <http://pets.thenest.com/big-should-dog-kennel-be-3504.html> , for outdoor pens the ASPCA recommends 75 to 100 square feet for a large dog, and Jeanne's pens are at the top end of that range. The two small pens are each 100 square feet (10' x 10') for one dog each. The large pen is 200 square feet (10' x 20') for two dogs.
- Jeanne lets the dogs out on a regular basis, typically in the evenings, weather permitting, but they cannot be left out for long periods unsupervised, or they will become destructive – digging and chewing. The dogs are allowed in the house from time to time, usually one at a time. In bad weather (very hot, very cold, high winds) they are brought inside, or in the garage, which has heat and air conditioning.
- Jeanne is not engaged in dog breeding. There is no dog breeding on the property.
- A permit allowing the current dogs to age in place would be satisfactory. Jeanne does not wish to add more dogs, nor to exchange current dogs for others. The current dogs, with ages, are:
  - Storm, 8 years
  - Sam (aka "Gavin"), 3 years
  - Montana, 2 years
  - Yanni, 2 years

I think that covers the main points. Please let me know if you have other concerns. I of course am hoping you will be able to recommend in favor of granting the permit, so if there is anything else I can do to strengthen my case, please tell me what additional improvements can be made.

Thank you.

Sincerely,

Greg Hutton

## Haley, Erin M.

---

**From:** GREG HUTTON <pmjj20a@prodigy.net>  
**Sent:** Monday, November 2, 2015 7:45 AM  
**To:** Haley, Erin M.  
**Subject:** Re: Notes re 2015-SM-118 (4011 Arcadia Rd)

Erin,

This morning, I faxed the information to you about the rabies vaccinations and licenses. I asked Jeanne for a blurb about "how this got started," and this is her explanation:

"I got my first German Shepherd Dog when I was just a little girl. I loved the dog so much that I became very interested in the breed, and studied its history and development. I made friends with several breeders, and followed the development of their lines – specifically breeders who were looking to improve the breed, for example to eliminate hip dysplasia from the bloodline. For healthy hips, a German Shepherd should have tall hind legs and a horizontal back – not short hind legs and a sloped back. Right now, I am a year or less away from realizing my dream – getting my own place in the country. Eventually, I would like to go into breeding myself, but I first have to relocate and also go through many other preliminary steps, such as preparing a proper facility, and having the dogs evaluated genetically for defects. I know it is not allowed to do dog breeding in a residential area, and I have no intention of doing that. Until I am able to relocate, my dogs are purely companion dogs."

Please let me know if you need anything else. Thank you!

Greg Hutton

---

**From:** "Haley, Erin M." <Erin.Haley@fairfaxcounty.gov>  
**To:** 'GREG HUTTON' <pmjj20a@prodigy.net>  
**Sent:** Tuesday, October 27, 2015 4:21 PM  
**Subject:** RE: Notes re 2015-SM-118 (4011 Arcadia Rd)

Hello,

Thank you very much for the information. I'm still talking things over with fellow staff but we have just a few more questions.

- 1) Can you please provide us with proof that the dogs all have current rabies vaccinations?
- 2) Can you provide proof that the dogs all have current dog licenses?
- 3) How/when did your keeping of so many dogs get started? For example, are they for show? Just house pets? Etc.

Thank you,  
Erin

Erin M. Haley  
Senior Staff Coordinator  
Fairfax County  
Zoning Evaluation Division

---

**From:** GREG HUTTON [mailto:pmjj20a@prodigy.net]  
**Sent:** Tuesday, October 27, 2015 7:48 AM  
**To:** Haley, Erin M.  
**Subject:** Notes re 2015-SM-118 (4011 Arcadia Rd)

Dear Ms. Haley,

Thank you for visiting 4011 Arcadia Rd. yesterday morning. I hope your visit was able to relieve any concerns about my permit application, and about how Jeanne keeps and cares for her dogs. Most important, you were able to see that the dogs are healthy and happy, with good energy and high spirits.

Here are some notes related to our conversation:

- The dogs do have a grassy area in the back yard to play in.
- Jeanne will switch cleaners from PineSol to Simple Green. As we discussed, the PineSol was used in very diluted concentration, and in an outdoor area where any fumes would quickly dissipate. The PineSol website indicates the product is safe for pet areas. Nevertheless, there is some concern about the product, and there is no problem to change to Simple Green.
- According to <http://pets.thenest.com/big-should-dog-kennel-be-3504.html> , for outdoor pens the ASPCA recommends 75 to 100 square feet for a large dog, and Jeanne's pens are at the top end of that range. The two small pens are each 100 square feet (10' x 10') for one dog each. The large pen is 200 square feet (10' x 20') for two dogs.
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- Jeanne is not engaged in dog breeding. There is no dog breeding on the property.
- A permit allowing the current dogs to age in place would be satisfactory. Jeanne does not wish to add more dogs, nor to exchange current dogs for others. The current dogs, with ages, are:
  - Storm, 8 years
  - Sam (aka "Gavin"), 3 years
  - Montana, 2 years
  - Yanni, 2 years

I think that covers the main points. Please let me know if you have other concerns. I of course am hoping you will be able to recommend in favor of granting the permit, so if there is anything else I can do to strengthen my case, please tell me what additional improvements can be made.

Thank you.

Sincerely,

Greg Hutton

JUN 17 2015

Gregory Hutton – Photographs

Zoning Evaluation Division

You can use this table to follow along with the photos on disk. Or you can view the photos on paper on the subsequent pages.

File name	Description
01 House - long shot	The house at 4011 Arcadia Rd., Alexandria 22312 (center of picture) faces the northwest. This picture is taken from the northwest (corner of Arcadia Rd. and Lassen Ct.), showing the neighboring houses on the left and right (northeast and southwest). (Date of photo: June 6, 2015)
02 House - closer	Closer view of the house, again from the northwest, across Arcadia Road.  The back yard of the property is 100% enclosed by high (6 to 8 foot) fence, so dogs are completely contained. To the left (northeast) of the house, this picture shows the fencing along that portion of the back yard. (Date of photo: June 6, 2015)
03 SW side exterior	On the driveway-side (southwest side) of the house, the back yard is also enclosed by high fence. This view is again from the northwest. (Date of photo: June 6, 2015)
04 SW side interior	Climbing to the top of the driveway and peering over the fence into the back yard, still viewing from the northwest, we can see the neighbor's 8-foot fence on the right (southwest), and the property's back fence (southeast side of the lot). As the picture shows, some of the backyard fencing is part of the property, and some of the fencing is owned by neighbors, but all the fence is connected, so there are no gaps where a dog could escape. (Date of photo: June 6, 2015)
05 Back (SE) fence	To get a better view of the back fence, we go to the far back corner of the lot (northeast corner), and look to the southwest, along the full length of the back fence. Again you can see the southwest neighbor's 8-foot fence at the far side of the lot.  As is visible in this picture, the property's high back fence has a gap at the northeast corner, but this is covered by a low chain-link fence, and by the back (southeast) neighbor's high fence. The chain-link fence runs the full length of the back (southeast) property line, so this property line is double-fenced. (Date of photo: June 6, 2015)
06 NE corner	Viewing from the other direction (viewing from the southwest), here is a view of the northeast corner of the lot, with a fuller view of the gap in the property's high back (southeast side) fence, and the low chain-link fence, and the back (southeast) neighbor's high fence. Starting at the corner, also visible is a bit of the property's high fence on the northeast side of the lot.  The concrete-block wall on the left is the back of the shed. The front of the shed is visible in the next picture. (Date of photo: June 6, 2015)
07 NE side - interior	Here is a view along the northeast side of the lot, showing the high fence along that side. The picture is viewing from the northwest, at the left (northeast) side of the house, from just outside the backyard fence on that side. (Date of photo: June 6, 2015)
08 NE side - exterior	Backing up a bit from the previous picture, this is a view of the left (northeast) side of the house, taken (facing south) from the Arcadia Rd. sidewalk in front of the northeast neighbor's house. Visible on the left is some of the backyard fencing. The chain-link fence on the right is the neighbor's front-yard fence, and is not part of the dog containment strategy. (Date of photo: June 6, 2015)

09 View to the NE	<p>For a different perspective, here are three views of the back yard, all taken from the back door of the house.</p> <p>Top: facing the northeast side</p> <p>This includes a view of the large (10'x20') dog pen, in front of the brick shed.</p> <p>(Date of photo: June 6, 2015)</p>
10 View to the back (NE)	Facing the back (southeast) (Date of photo: June 6, 2015)
11 View to the SW	View to the SW (Date of photo: June 6, 2015)
12 Pen 1	<p>Here are close-up views of the two 10'x10' pens, which are up against the back fence. This is the left-side pen, viewed from the northwest.</p> <p>(Date of photo: June 11, 2015)</p>
13 Pen 2	The right-side pen, viewed from the south-west. (Date of photo: June 11, 2015)
14 Brick Shed	Close-up of the brick shed, viewed from the south-west (Date of photo: June 11, 2015)
15 Garage	Close-up of the garage, viewed from the north-west (Date of photo: October 12, 2014)
16 NE neighbor	<p>Here are some views of the neighboring properties, as viewed from the back yard. There are left and right neighbors (northeast and southwest). The back property line (southeast) is shared by two adjoining lots, the southeast-left neighbor and the southeast-right neighbor.</p> <p>First is the northeast side neighbor.</p> <p>The southwest side neighbor's fence is too high, so it was not possible to get a picture.</p> <p>(Date of photo: June 6, 2015)</p>
17 Back-left (SE) neighbor	The southeast-left back neighbor (Date of photo: June 6, 2015)
18 Back-right (SE) neighbor	The southeast-right back neighbor (Date of photo: June 6, 2015)
19 NE Neighbor – front	<p>Here are some views from Arcadia Road of the neighbors to the left (NE) and right (SW). First, here is the left-side (NE) neighbor. The view is from the south-west.</p> <p>(Date of photo: June 11, 2015)</p>
20 SW Neighbor - front	<p>The right-side (SW) neighbor. The view is from the north-west.</p> <p>(Date of photo: June 11, 2015)</p>
21 Across street – left	<p>Here are views of the neighbors across the street, viewed from the southeast, from the top of the property's driveway. First is the neighbor across the street to the left. (Date of photo: June 15, 2015)</p>
22 Across street - right	<p>The neighbor across the street to the right. At the far right is the intersection of Arcadia Road and Lassen Court. (Date of photo: June 15, 2015)</p>



The house at 4011 Arcadia Rd., Alexandria 22312 (center of picture) faces the northwest. This picture is taken from the northwest (corner of Arcadia Rd. and Lassen Ct.), showing the neighboring houses on the left and right (northeast and southwest).

6/6/2015



Closer view of the house, again from the northwest, across Arcadia Road.

The back yard of the property is 100% enclosed by high (6 to 8 foot) fence, so dogs are completely contained. To the left (northeast) of the house, this picture shows the fencing along that portion of the back yard.

6/6/2015



On the driveway-side (southwest side) of the house, the back yard is also enclosed by high fence. This view is again from the northwest.

6/6/2015



Climbing to the top of the driveway and peering over the fence into the back yard, still viewing from the northwest, we can see the neighbor's 8-foot fence on the right (southwest), and the property's back fence (southeast side of the lot). As the picture shows, some of the backyard fencing is part of the property, and some of the fencing is owned by neighbors, but all the fence is connected, so there are no gaps where a dog could escape.

6/6/2015



To get a better view of the back fence, we go to the far back corner of the lot (northeast corner), and look to the southwest, along the full length of the back fence. Again you can see the southwest neighbor's 8-foot fence at the far side of the lot.

As is visible in this picture, the property's high back fence has a gap at the northeast corner, but this is covered by a low chain-link fence, and by the back (southeast) neighbor's high fence. The chain-link fence runs the full length of the back (southeast) property line, so this property line is double-fenced.

6/6/2015



Viewing from the other direction (viewing from the southwest), here is a view of the northeast corner of the lot, with a fuller view of the gap in the property's high back (southeast side) fence, and the low chain-link fence, and the back (southeast) neighbor's high fence. Starting at the corner, also visible is a bit of the property's high fence on the northeast side of the lot.

The concrete-block wall on the left is the back of the shed. The front of the shed is visible in the next picture.

6/6/2015



Here is a view along the northeast side of the lot, showing the high fence along that side. The picture is viewing from the northwest, at the left (northeast) side of the house, from just outside the backyard fence on that side.

6/6/2015



Backing up a bit from the previous picture, this is a view of the left (northeast) side of the house, taken (facing south) from the Arcadia Rd. sidewalk in front of the northeast neighbor's house. Visible on the left is some of the backyard fencing. The chain-link fence on the right is the neighbor's front-yard fence, and is not part of the dog containment strategy.

6/6/2015



For a different perspective, here are three views of the back yard, all taken from the back door of the house.

Top: facing the northeast side

This includes a view of the large (10'x20') dog pen, in front of the brick shed.

6/6/2015



Facing the back (southeast)

6/6/2015



Facing the southwest side

6/6/2015



Here are close-up views of the two 10'x10' pens, which are up against the back fence. This is the left-side pen, viewed from the northwest.

6/11/2015



The right-side pen, viewed from the southwest.

6/11/2015



Close-up of the brick shed, viewed from the south-west

6/11/2015



Close-up of the garage, viewed from the north-west

10/12/2014



Here are some views of the neighboring properties, as viewed from the back yard. There are left and right neighbors (northeast and southwest). The back property line (southeast) is shared by two adjoining lots, the southeast-left neighbor and the southeast-right neighbor.

First is the northeast side neighbor.

The southwest side neighbor's fence is too high, so it was not possible to get a picture.

6/6/2015



The southeast-left back neighbor

6/6/2015



The southeast-right back neighbor

6/6/2015



Here are some views from Arcadia Road of the neighbors to the left (NE) and right (SW). First, here is the left-side (NE) neighbor. The view is from the south-west.

6/11/2015



The right-side (SW) neighbor. The view is from the north-west.

6/11/2015



Here are views of the neighbors across the street, viewed from the southeast, from the top of the property's driveway. First is the neighbor across the street to the left.

6/15/2015



The neighbor across the street to the right. At the far right is the intersection of Arcadia Road and Lassen Court.

6/15/2015













Application No.(s): SP 2015-VA-118  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 6/15/2015  
 (enter date affidavit is notarized)

130400

I, Gregory Hutton, 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)
Gregory A. Hutton	3105 Valley Ln. Falls Church VA 22044	<b>Agent/Title Owner</b>
Vera A. Kochanowsky	3105 Valley Ln. Falls Church VA 22044	<b>Title Owner</b>
Jeanné L. Moore	4011 Arcadia Rd. Alexandria VA 22312	<b>Applicant/Lessee</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: 6/15/2015 **130400**  
(enter date affidavit is notarized)

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)

- none -

**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: 6/15/2015  
(enter date affidavit is notarized)

130400

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)

- none -

(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)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 6/15/2015  
(enter date affidavit is notarized)

130400

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.

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 6/15/2015  
(enter date affidavit is notarized)

130400

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)

Gregory Hutton  
 Applicant  Applicant's Authorized Agent

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

Subscribed and sworn to before me this 15<sup>th</sup> day of June 2015, in the State/Comm. of Virginia, County/City of Fairfax.

[Signature]  
Notary Public

My commission expires: 12/31/15

[Signature]  
FORM SP/VC-1 Updated (7/1/06)

MUHAMMAD IBRAHIM  
NOTARY PUBLIC 7035299  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES DEC. 31, 2015

PLAT

HOUSE LOCATION SURVEY  
LOT 13 BLOCK B SECTION 1  
**PARKLAWN Virginia**  
MASON MAGISTERIAL DISTRICT  
FAIRFAX COUNTY, VIRGINIA

ARCADIA ROAD  
50' R/W

399.02' TO P.C.  
MESA WAY

N 49° 28' 00" E

50.00'  
S' PUBLIC ESMT. S

80.96'  
+

80.96'  
+

24.33'

16.47'

N 40° 32' 00" W

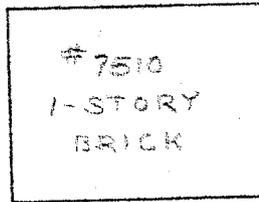
24.15'

16.45'

S 40° 32' 00" E

134.22'

131.76'



13

50.03'

R=3150.00'

*[Signature]*  
DATE MAR 8 - 1956

FILE 450- B- 13	SURVEY RECHECKED DATE:	<i>Cecil J. Cross</i> CECIL J. CROSS CERTIFIED SURVEYOR ALEXANDRIA, VIRGINIA	DATE: JUNE 23, 1955	REFERENCE
	G.S.		SCALE 1"=30'	CASE NO.

**Building Permit  
 Zoning Review**

*This document does not reflect the final  
 Building Permit approval.*

8/8/14 2:41:55PM

Bldg Permit #: **142200193**

**DETACHED STRUCTURE RESIDENTIAL**

**Address:** 4011 ARCADIA RD  
 ALEXANDRIA VA 22312-1006  
 Bldg: N/A Floor: Suite: N/A  
**Tax Map:** 0613 07B 0013  
**Subdiv:** **PARKLAWN LT 13 BLK B SEC 1**  
**Owner:** HUTTON GREGORY A  
 3105 VALLEY LN FALLS CHURCH VA 22044  
**Phone Day:** (703) - x **Evening:**

0,639.00

**Contractor:**

J & F SPECIALTIES INC  
 7418 Jervis Street  
 Springfield, Va 22151-0000  
 (571) 278-2710

**Type of Work:** GARAGE  
**Description of Work:** build one story detached garage

**Specific Description of Work:**

Multi level  
 N

**ZPRB Review:**

**Date:** 08/08/2014 **Status:** RGOOD3 **Approved**

**Zoning Detail Review TAB:**

Zoning Dist.	Cluster Subdiv	Use	Exceeds 30%	SFT	2nd Wet Bar	ADU Kitchen	Subdiv	Proffer	Setback	GA
R-3	N	SFD	N	1,170	N	N	N	N	N	400.00
<b>Yard/Setbacks:</b>					<b>Dimensions:</b>					
<b>Structure</b>	<b>Front (A)</b>	<b>Front (B)</b>	<b>Front (C)</b>	<b>Left</b>	<b>Right</b>	<b>Rear</b>	<b>Structure</b>	<b>Dimension</b>	<b>Height</b>	<b>Structure Type</b>
garage	0.00	0.00	0.00	0.00	12.20	12.50	garage	20x20	12.00	ONE STORY
<b>USE GRP</b>	<b>CNST TYPE</b>		<b>BLDGAREA</b>							
R5	VB		800.00							

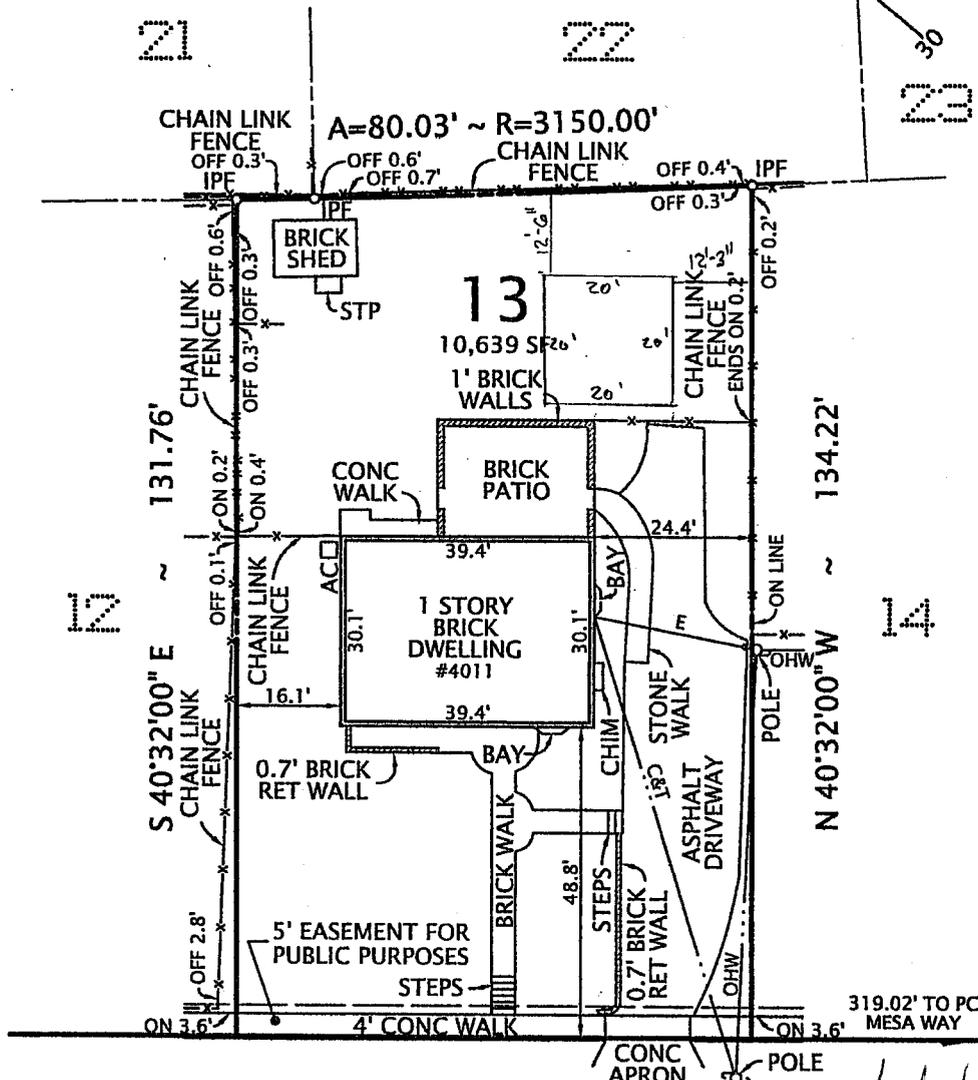
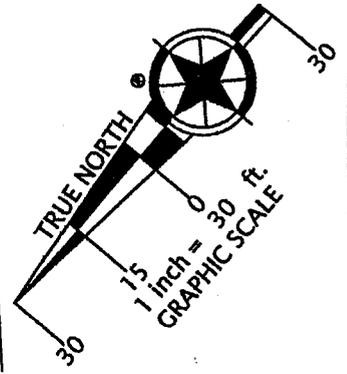
**DETAILS COMMENTS:**



142200193

NOTE: FENCES ARE STOCKADE UNLESS NOTED.

# PARKLAWN SECTION SIX



N 49°28'00" E ~ 80.00'

## ARCADIA ROAD

50' WIDE ~ STATE ROUTE #1852

*detached garage*  
APPROVED  
8-8-14  
*Debra B. Johnson*  
Zoning Administrator

### PLAT SHOWING HOUSE LOCATION ON LOT 13, BLOCK B, SECTION ONE PARKLAWN VIRGINIA

(DEED BOOK 1263, PAGE 137)

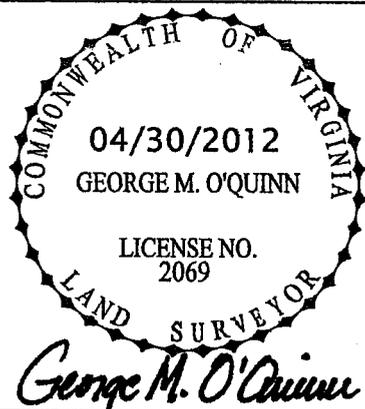
FAIRFAX COUNTY, VIRGINIA  
MASON DISTRICT

SCALE: 1" = 30'      APRIL 30, 2012

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I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.  
A TITLE REPORT WAS NOT FURNISHED.  
NO CORNER MARKERS SET.



Ordered by:  
**Monarch**  
TITLE, INC.  
6861 Elm Street  
Suite 100  
McLean, Virginia 22101  
703-852-1730

**DOMINION** Surveyors Inc.®  
8808-H PEAR TREE VILLAGE COURT  
ALEXANDRIA, VIRGINIA 22309  
703-619-6555  
FAX: 703-799-6412



# County of Fairfax, Virginia

**DCC RETURN COPY**

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County.

## NOTICE OF VIOLATION Fairfax County Zoning Ordinance

**DATE OF ISSUANCE:** May 7, 2015

**METHOD OF SERVICE:** OFFICE OF THE SHERIFF

**LEGAL NOTICE ISSUED TO:** Gregory A. Hutton  
**ADDRESS:** Vena A. Kochanowsky  
 4011 Arcadia Rbad  
 Alexandria, VA 22312

**LOCATION OF VIOLATION:** 4011 Arcadia Road  
 Alexandria, VA 22312-1006

**TAX MAP REF:** 0613 07B 0013

**ZONING DISTRICT:** R- 3

**CASE #:** 201304689 **SR #:** 115439

**ISSUING INVESTIGATOR:** Nancy Stallings, (703)324-1317

### POTENTIAL CIVIL PENALTIES UNDER ZONING ORDINANCE

§ 18-903(1):	Zoning Violation	First Offense	Each Subsequent Offense
	§2.512.2A	\$ 200.00	\$ 500.00
	<b>TOTAL:</b>	<b>\$ 200.00</b>	<b>\$ 500.00</b>

Dear Responsible Party:

An inspection of the above referenced property on May 5, 2015, revealed the following violation of the Fairfax County Zoning Ordinance:

### § 2-512 (2A & B) Keeping of Dogs

An inspection of the above referenced property revealed that you are keeping or allowing the keeping of seven (7) dogs (6 German Shepard and 1 Chihuahua) on the referenced-property. The above-

Department of Code Compliance  
 12055 Government Center Parkway, Suite 1016  
 Fairfax, Virginia 22035-5508  
 Phone 703-324-1300 Fax 703-653-9459 TTY 711  
[www.fairfaxcounty.gov/code](http://www.fairfaxcounty.gov/code)

referenced property contains 10,639 square feet of area. Commonly accepted pets are defined in Part 3 of Article 20 of the Fairfax County Zoning Ordinance as:

Domesticated rabbits; hamsters; ferrets; gerbils; guinea pigs; pet mice and pet rats; turtles; fish; dogs; cats; domestic chickens, ducks and geese under two (2) months old; birds such as canaries, parakeets, doves and parrots; worm/ant farms; non-poisonous spiders; chameleons and similar lizards; and non-poisonous snakes. The BZA may allow other pets to be kept as commonly accepted pets in accordance with the provisions of Part 9 of Article 8.

Additionally, Par. 2A & B of Sect. 2-512 of the Fairfax County Zoning Ordinance provides:

**Limitations on the Keeping of Animals**

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.

Gregory A. Hutton  
Vena A. Kochanowsky  
May 7, 2015  
SR 115439  
Page 3

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.

Therefore, the keeping of seven (7) dogs on this lot, which contains 10,639 of square feet of land, is a violation of Par. 2A & B of Sect. 2-512 of the Zoning Ordinance as outlined above.

**You are hereby directed to clear this violation within thirty (30) days after the date of this Notice.** Compliance must be accomplished by:

- Reducing the number of dogs located at this dwelling to no more than two (2).

---

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance which can result in court ordered sanctions or civil penalties. Civil penalties may be ordered in the amount of \$200.00 for each violation of the Zoning Ordinance cited herein for the first violation and \$500.00 for each violation of the Zoning ordinance cited herein for any subsequent violation, in accordance with Zoning Ordinance §18-903(1).

**You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days.** Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, a written statement setting forth the decision being appealed, the date of decision, the grounds for the appeal, how the appellant is an aggrieved party, any other information that you may wish to submit and a \$600.00 filing fee. Once an appeal application is accepted, it will be scheduled for public hearing and decision before the BZA. For information regarding an appeal contact:

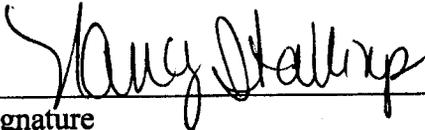
Zoning Administration Division  
12055 Government Center Parkway, Suite 807  
Fairfax, Virginia 22035  
Office: (703)324-1314

Information and forms can also be obtained at <http://www.fairfaxcounty.gov/dpz/bza/appeals/>.

Gregory A. Hutton  
Vena A. Kochanowsky  
May 7, 2015  
SR 115439  
Page 4

If you have questions, would like to schedule an appointment to meet with an investigator, or schedule a follow up inspection, please contact me directly at (703)324-1317. For any other questions, contact our main office at (703)324-1300.

LEGAL NOTICE ISSUED BY:



Signature

Nancy Stallings  
Code Compliance Investigator  
(703)324-1317  
Nancy.Stallings@fairfaxcounty.gov

PERSONAL SERVICE \_\_\_\_\_

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

\_\_\_\_\_

\_\_\_\_\_

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth.

Not found.

\_\_\_\_\_

5-11-15 *A Silver / 696*  
SERVING OFFICER  
Stacey A. Kincaid, Sheriff

DATE

PERSONAL SERVICE \_\_\_\_\_

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

\_\_\_\_\_

\_\_\_\_\_

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth.

Not found.

\_\_\_\_\_

5-11-15 *A Silver / 696*  
SERVING OFFICER  
Stacey A. Kincaid, Sheriff

DATE  
Fairfax County, VA

PERSONAL SERVICE \_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth.

Not found.

\_\_\_\_\_

SERVING OFFICER  
for \_\_\_\_\_

DATE

PERSONAL SERVICE \_\_\_\_\_

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
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\_\_\_\_\_

\_\_\_\_\_

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth.

Not found.

\_\_\_\_\_

SERVING OFFICER  
for \_\_\_\_\_

DATE

**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.

<b><i>Number of Dogs</i></b>	<b><i>Minimum Lot Size</i></b>
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 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 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.