

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

PETER H. ROBBINS AND LAURA D. ROBBINS, SP 2015-SU-066 Appl. under Sect(s). 8-907 of the Zoning Ordinance to permit a home professional office. Located at 3237 Navy Dr., Herndon, 20171, on approx. 30,731 sq. ft. of land zoned R-1 (Cluster). Sully District. Tax Map 36-3 ((16)) 20. Mr. Hammack moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on July 15, 2015; and

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

1. The applicants are the owners of the land.
2. There is a favorable staff recommendation.
3. The lot size is 30,731 square feet. It is a larger lot and somewhat secluded.
4. The development conditions, in particular number four and six, mitigate against any real impact on the community.
5. The applicants have read, understand, and concur with the proposed development conditions.

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

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

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

1. This approval is granted to the applicants, Peter H. Robbins and Laura D. Robbins, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 3237 Navy Drive, and is not transferable to other land.
2. This special permit is granted only for the home professional office use indicated on the plat titled, "Special Permit Plat, 3237 Navy Drive – Home Office," by Blake A. Smith, Professional Engineer, dated March 18, 2015, as revised through April 8, 2015, and approved with this application, as qualified by these development conditions.

3. A copy of this Special Permit and the Non-Residential Use Permit shall be posted in a conspicuous place on the property and be made available to all departments of the County of Fairfax during hours of operation of the permitted use.
4. The hours of operation of the home professional office shall be limited to 9:00 a.m. to 6:00 p.m., Monday through Thursday.
5. The dwelling that contains the home professional office shall be the primary residence of the applicant.
6. Appointments shall be scheduled so that there shall be a minimum of fifteen (15) minutes between the end of one appointment and the commencement of the next. The maximum number of patients shall be limited to seven (7) daily.
7. The applicant shall be the sole operator of the home professional office.
8. There shall be no signage associated with the home professional office.
9. All parking associated with the home professional office shall occur in the driveway located on the subject property.
10. The area utilized for the home professional office shall not exceed 600 square feet.

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 take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Mr. Byers seconded the motion, which carried by a vote of 6-0. Ms. Theodore was absent from the meeting.

A Copy Teste:



Mary D. Padrutt, Deputy Clerk
Board of Zoning Appeals