

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

JOHN G. CULBERTSON, SP 2015-MV-117 Appl. under Sect(s). 8-918 of the Zoning Ordinance to permit an accessory dwelling unit. Located at 7805 Accotink Pl., Alexandria, 22308, on approx. 21,875 sq. ft. of land zoned R-2. Mt. Vernon District. Tax Map 102-2 ((9)) 2. 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 November 18, 2015; and

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

1. The applicant is the owner of the property.
2. The staff recommends approval.
3. This is only a renewal of an existing special permit that was allowed to inadvertently lapse.
4. The applicant has read, understands, and agrees to 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. These conditions shall be recorded by the applicants among the land records of Fairfax County for this lot prior to the inspection to establish the use. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This approval is granted to the applicant, John G. Culbertson, only, and is not transferable without further action by the Board of Zoning Appeals, and is for the location indicated on the application, 7805 Accotink Place, and is not transferable to other land.

3. This special permit is granted only for the purpose of an accessory dwelling unit, as indicated on the Special Permit Plat entitled "Physical Improvements Survey, Lot 2, Section 2, Tauxemont," prepared by Scartz Surveys, dated March 24, 2015, as submitted with this application and is not transferable to other land.
4. A copy of this special permit shall be made available to all departments of the County of Fairfax upon request.
5. The occupants of the principal dwelling and the accessory dwelling unit shall be in accordance with Par. 5 of Sect. 8-918 of the Zoning Ordinance, which states in part that the accessory dwelling unit may be occupied by not more than two persons not necessarily related by blood or marriage.
6. The accessory dwelling unit shall consist of a maximum of 833 square feet of gross floor area and shall generally conform to the floor plan depicted in Attachment 1.
7. Provisions shall be made for the inspection of the property by County personnel during reasonable hours upon prior notice and the accessory dwelling unit shall meet the applicable regulation for building, safety, health and sanitation.
8. The accessory dwelling unit shall be approved for a period of five (5) years from the date of the special permit approval and may be extended for succeeding five (5) year periods with prior approval of the Zoning Administrator in accordance with Sect. 8-012 of the Zoning Ordinance.
9. If the use of the accessory dwelling unit ceases and/or the property is sold or otherwise conveyed, the accessory unit shall be converted to a use permitted by the Zoning Ordinance or if the property is sold or conveyed, a special permit amendment may be submitted to permit the continued use of an accessory dwelling unit.

This approval, contingent on the above-noted conditions, shall not relieve the applicants 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, thirty months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required

Mr. Smith seconded the motion, which carried by a vote of 6-0. Mr. Beard was absent from the meeting.

A Copy Teste:

Suzanne Frazier  
Suzanne Frazier, Deputy Clerk  
Board of Zoning Appeals

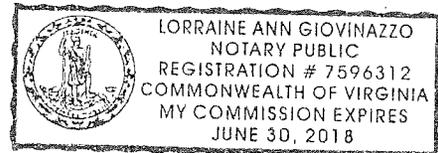
ACKNOWLEDGEMENT

COUNTY OF FAIRFAX  
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of December, 2015.

Lorraine A. Giovinazzo  
Notary Public

My commission expires: 6/30/18



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LESS THAN  
4247 5537

ATTACHMENT 1

RECEIVED  
Department of Planning & Zoning

APR 03 2015

Zoning Evaluation Division

Culbertson SUP application As-built ADU floor plan

