

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

DAVID & LISA PRZYBYSZ, SP 2014-SU-087 Appl. under Sect(s). 8-917 of the Zoning Ordinance to permit modifications to the limitations on keeping of animals. Located at 5410 Hedgerow Ct., Centreville, 20120 on approx. 8,500 sq. ft. of land zoned R-3 (Cluster). Sully District. Tax Map 54-1 ((10)) (1B) 8. Ms. Theodore 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 30, 2014; and

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

1. The owners of the property are the applicants.
2. The present zoning is R-3 (C).
3. The area of the lot is 8,500 square feet.
4. As the Board heard today from both the staff presentation and from the comments from the applicant, the Vietnamese pig does not make a lot of noise.
5. The pig is on a vegetarian diet so there is not a lot of odor.
6. It is mainly a pet that remains indoors. If it goes outside through the pet door, it is in a fenced yard that has a safety latch that is in the ground.
7. There are a number of conditions that relate to the amount of time that the pig can be outside, and with respect to maintenance of the animal waste.
8. The Board received a number of letters in support of the special permit application. There is a petition which has some concerns with the pet as well, but in total, in balancing these things, there are concerns. This is not a normal pet, but the Board does have the ability under the Zoning Ordinance with proper conditions to allow the pet. It is just one pig, and properly conditioned, it is appropriate to allow approval.
9. Looking under the Ordinance itself by right, if you have a two-acre lot, you can have ten pigs. This is a quarter lot; it is one pig.

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 only, David Przybysz and/or Lisa Przybysz, and is not transferable without further action of this Board, and is only for the location indicated on the application, 5410 Hedgerow Court (8,500 square feet) and is not transferable to other land.
2. The applicants shall make this special permit property available for inspection by County Officials during reasonable hours of the day.
3. This approval shall be for the applicants' existing Vietnamese potbellied pig. If this specific animal dies or is given away, the pig shall not be replaced.
4. The yard used by the pig shall be cleaned of animal debris daily and disposed of in a method approved by the Health Department.
5. At no time shall the pig be left outdoors unattended for continuous periods of time longer than 30 minutes.

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.

Mr. Hart seconded the motion, which carried by a vote of 5-0. Mr. Smith and Mr. Beard were absent from the meeting.

A Copy Teste:



Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals