

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

NINA SELVAGGI, SP 2014-DR-210 Appl. under Sect(s). 8-917 of the Zoning Ordinance to permit modification to the limitations on the keeping of animals. Located at 6727 Haycock Rd., Falls Church, 22043, on approx. 13,185 sq. ft. of land zoned R-4. Dranesville District. Tax Map 40-4 ((17)) 5. 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 January 7, 2015; and

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

1. The applicant is the owner of the land.
2. Normally the Board supports the keeping of the animals, but in this case, it seems like there is a history of difficulty in maintaining the animals in a proper way so as to not have adverse impacts on adjacent property owners.
3. In particular, Sect. 8-917, Subparagraph 1, requires that there will be no adverse impact on adjacent property owners or emission of noise and/or odor detrimental to other property in the area.
4. As much as the Board would like to support the application for seven animals, having heard the testimony of the neighbors who came to the meeting and having read the staff report and seeing the history, the Board cannot find that the standard has been met.
5. The Board has a staff recommendation of denial, although the Board does not adopt their reasons for the denial.
6. The applicant has not shown the ability to not have a detrimental impact on adjacent property owners.

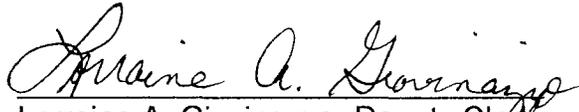
AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has not 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 **DENIED**.

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

A Copy Teste:

A handwritten signature in cursive script that reads "Lorraine A. Giovinazzo". The signature is written in black ink and is positioned above the printed name.

Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals