

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

PHILIP J. BANKS, TR, SP 2016-PR-041 Appl. under Sect(s). 2-502, 3-103, and 8-301 of the Zoning Ordinance to permit a group housekeeping unit. Located at 2840 Hunter Rd., Fairfax, 22031, on approx. 36,750 sq. ft. of land zoned R-1. Providence District. Tax Map 48-2 ((7)) (44) B1. Mr. Hart 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 September 14, 2016; and

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

1. The applicant is the owner of the land.
2. The lot is almost an acre in size, and the house is sufficiently set back from the street. Therefore, given the configuration of this property, there would not be a significant negative impact on approving this use for a limited duration and phasing it out in one year.
3. The applicant has reviewed and will abide by 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 applicant, Phillip J. Banks, only, is not transferable without further action of the Board, is for the location indicated on the application, 2840 Hunter Road, and is not transferable to other land.
2. This special permit is granted only for the group housekeeping unit at the dwelling indicated on the plat entitled, "Plat Showing the Improvements on Lot 107A and 107B, Section 5, Huntington" prepared by George M. O'Quinn, L.S., dated September 2, 2014, and approved with this application, as qualified by these development conditions.

3. A copy of this Special Permit shall be made available to all departments of the County of Fairfax upon request.
4. This approval is granted for one year from the date of approval or until residential occupancy is reduced to a maximum of four unrelated persons, whichever is sooner. After one year from the date of approval, this special permit shall expire and be null and void.
5. The driveway shall be kept open and available for residents' vehicles at all times.
6. No unpermitted improvements to the home, to include bedrooms, bathrooms, basement rooms, or decks, shall be utilized by the tenants of the group housekeeping unit until such improvements have received all required building permits and passed all required final inspections.

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.

Ms. Theodore seconded the motion, which carried by a vote of 5-1-1. Mr. Byers voted against the motion. Mr. Beard abstained from the vote.

A Copy Teste:



Mary D. Padrutt, Deputy Clerk
Board of Zoning Appeals