Chairman Ribble called the applicants to the podium.

The Chairman directed the clerk to administer the oath to the participants in the hearing, who swore or affirmed that their testimony would be the truth, and the public hearing was opened.

The participants in the hearing were as follows:
- Brent Krasner, Chief, Special Permit and Variance Branch
- Heath Eddy, Senior Staff Coordinator
- John and Lona Saccomando, 12115 Sangsters Court, Clifton, Virginia, Applicants

Mr. Saccomando reaffirmed the affidavit.

Mr. Eddy made staff’s presentation. Staff recommended approval of SP 2018-SP-055, subject to the proposed development conditions.

Mr. Saccomando had nothing to add to the special permit request as outlined in the statement of justification submitted with the application.

As there were no speakers, Chairman Ribble closed the public hearing.

Mr. Smith moved to approve SP 2018-SP-055 for the reasons stated in the Resolution.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

JOHN & LONA SACCOMANDO, SP 2018-SP-055 Appl. Under Sect. 8-918 of the Zoning Ordinance to permit an accessory dwelling unit. Located at 12115 Sangsters Ct., Clifton, 20124 on approx. 5.00 ac. of land zoned R-C and WS. Springfield District. Tax Map 76-3 ((12)) 10. (Admin. moved from 9/12/18 at appl. req.)

Mr. Smith 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 26, 2018; and

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

1. The applicants are the owners of the land.
2. The applicants have read, understand, and concur with the proposed development conditions.
3. The present zoning is R-C.
4. The area of the lot is 5 acres.
5. There is a favorable staff recommendation.
6. This is a large lot.
7. There are no changes to the exterior of the house, so this will not have a negative impact on neighbors

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 must be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit for the kitchen. 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 applicants and title owners only, John and Lona Saccomando, and is not transferable without further action of the Board, and is for the location indicated on the application, 12115 Sangsters Court, and is not transferable to other land.

3. This special permit is granted only for the purposes, structures, and/or uses indicated on the plat entitled “House Location Survey Lot 10 Sangsters Station,” prepared by Richard D. Townsend, L.S., of Schools & Townsend, P.C., dated June 4, 2018, and approved with this application, as qualified by these development conditions.

4. The occupants of the principal dwelling and the accessory dwelling unit must be in accordance with Par. 5 of Sect. 8-918 of the Zoning Ordinance which states in part that one of the dwelling units shall be occupied by a person or persons who qualify as elderly (55 years of age or older) and/or permanently or totally disabled.

5. The accessory dwelling unit shall contain a maximum of 1,606 square feet, and the layout shall be generally as depicted on the floor plan included as Attachment 1 to these conditions.

6. 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.

7. The accessory dwelling unit shall be approved for a period of five (5) years from the final approval date of the special permit and may be extended for five (5) years periods with prior approval of the Zoning Administrator in accordance with Sect. 8-012 of the Zoning Ordinance.

8. If the use of the accessory dwelling unit ceases and/or the property is sold or otherwise conveyed, the accessory dwelling 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 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 automatically expire, without notice, 30 months after the date of approval unless construction has commenced on the second kitchen and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction 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. Beard seconded the motion, which carried by a vote of 7-0.
ATTACHMENT 1: Layout of Accessory Dwelling Unit

John & Lena Saccamando
12115 Sangsters Court
Clifton, VA 20124

Basement Layout

The gross floor area of the Accessory Dwelling Unit (ADU) is indicated by the colored areas and is 1,606 square feet (sf).

The floor area of each zone is indicated in the floor-plan in sf.

Total gross floor area of the principal dwelling unit = 7,853 sf.

The gross floor area of the ADU = 20% of the total gross floor area of the principal dwelling unit.

RECEIVED:
Department of Planning & Zoning
MAY 1, 2018
Zoning Evaluation Division

Room Sketcher