



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

June 29, 2009

TO: All Architects, Attorneys, Builders, Developers, Engineers and Zoning Applicants

SUBJECT: New Fee for Deferrals of Public Hearings Resulting from Affidavit Errors

ISSUE: Implementation of new fee for deferrals of public hearings before the Board of Supervisors and the Planning Commission resulting from errors on affidavits occurring after public notice has been given

BACKGROUND: On June 22, 2009, the Board of Supervisors adopted a new zoning fee effective July 1, 2009 for “Public hearing deferrals after public notice has been given and which are related solely to affidavit errors”. Typical affidavit errors include disclosures, omissions, and failures to reaffirm in accordance with the *Reaffirmation of Affidavit Policy* adopted by the Board of Supervisors and the Planning Commission. The fee applies to hearings both before the Board of Supervisors and the Planning Commission; it does not apply to hearings before the Board of Zoning Appeals. The adopted fee is \$250 plus the actual cost of advertising, not to exceed \$1000 for any single deferral. .

PROCEDURES: Effective July 1, 2009, the following procedures will be employed for public hearings which have been deferred after public notice has been given and which result solely from affidavit errors:

1. The Zoning Evaluation Division (ZED), upon a deferral as described above, will send a notification letter to the applicant or the designated agent. The letter will include the new public hearing date and a request for payment in the form of a check in a specific fee amount (\$250 plus the actual cost of advertising) payable to the County of Fairfax.
2. When a deferral fee is applicable, staff will inform the Board of Supervisors and/or the Planning Commission at the time of the public hearing whether or not the fee has been paid. The Board of Supervisors and/or the Planning Commission may elect to delay the public hearing or the decision on an application until the fee has been paid. If the fee has not been paid prior to decision by the Board of Supervisors, ZED will send a second letter to the applicant requesting such payment.

3. The fee will be assessed each time an application is deferred based on affidavit errors. Multiple fees may result from multiple deferrals of the same application(s).

If you have any questions or need additional information, please contact the Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1290, TTY 711.

Thank you for your cooperation.

Regina C. Coyle, Director
Zoning Evaluation Division, DPZ