

**SUPPLEMENT NO. 41, 7/21/08 Errata**  
December, 2008

**ZONING ORDINANCE**  
**CHAPTER 112**  
**County of**  
**FAIRFAX, VIRGINIA**  
**Looseleaf Supplement**

This Errata is issued to correct pages in Supplement No. 41 and should be inserted as directed below:

**Remove old pages**

18-5, 18-5  
18-23, 18-24

**Insert new pages**

18-5, 18-6  
18-23, 18-24

Insert this instruction sheet in front of volume.



ADMINISTRATION, AMENDMENTS, VIOLATIONS AND PENALTIES

**18-104 Forms for Appeals and Applications**

All appeals and applications as provided for in this Ordinance shall be submitted in writing on forms prescribed by the responsible official, body or committee and approved by the County Executive. Each appeal or application shall contain that specific information as may be required by the various provisions of this Ordinance.

**18-105 Filing of Applications**

Every application required under the provisions of this Ordinance shall be filed with the Zoning Administrator. No application shall be accepted unless it is in accordance with the applicable provisions of this Ordinance and no application shall be officially on file with the County unless and until the application and all required accompanying submissions, with the exception of a development plan, conceptual development plan or generalized development plan, as otherwise provided for in this Ordinance, are submitted to and accepted by the Zoning Administrator. Upon acceptance, an application shall be transmitted to the officer, body or agency having jurisdiction to act on the same, and such official shall promptly notify the Zoning Administrator of the action taken on the application.

**18-106 Application and Zoning Compliance Letter Fees**

All appeals and applications as provided for in this Ordinance and requests for zoning compliance letters shall be accompanied by a filing fee in the amount to be determined by the following paragraphs unless otherwise waived by the Board for good cause shown; except that no fee shall be required where the applicant is the County of Fairfax or any agency, authority, commission or other body specifically created by the County, State or Federal Government. All fees shall be made payable to the County of Fairfax. Receipts therefore shall be issued in duplicate, one (1) copy of which receipt shall be maintained on file with the Department of Planning and Zoning.

1. Application for a variance, appeal, special permit or special exception:
  - Application for a variance
    - Residential minimum yard variance; maximum fence height variance in residential districts; modification of location regulations or use limitations for residential accessory structures or uses \$ 295
    - All other variances \$ 2645
  - Appeal under Sect. 18-204 and 18-301 \$ 375
  - Application for a:
    - Group 1 special permit \$ 5295
    - Group 2 special permit \$ 5295
    - Group 3 special permit
      - Churches, chapels, temples, synagogues and other such \$ 3565

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places of worship with a child care center, nursery school or private school which has an enrollment of 100 or more students daily	
All other uses	\$ 355
Group 4 special permit	\$ 1320
Group 5 special permit	\$ 5295
Group 6 special permit	\$ 5295
Group 7 special permit	\$ 5295
Group 8 special permit	
Temporary portable storage containers approved by the Zoning Administrator	\$ 0
All uses approved by the Zoning Administrator	\$ 130
Temporary portable storage containers approved by the BZA	\$ 0
All other uses approved by the BZA	\$ 5295
Group 9 special permit	
Open air produce stand	\$ 585
Accessory dwelling unit	
\$ 140	
Modification to minimum yard requirements for R-C lots	\$ 60
Modification to the limitations on the keeping of animals; error in building location; reduction of certain yard requirements on a single family dwelling lot; modification of minimum yard requirements for certain existing structures and uses; certain additions to an existing single family detached dwelling when the existing dwelling extends into a minimum required yard by more than fifty (50) percent and/or is closer than five (5) feet to a lot line; noise barriers on a single residential lot; increase in fence and/or wall height in any front yard on a single family dwelling lot	\$ 295
Reduction of certain yard requirements on all other uses	\$ 2645
increase in fence and/or wall height in any front yard on all other uses	
All other uses	\$ 5295
Application for a:	
Category 1 special exception	\$ 5295
Category 2 special exception	\$ 5295
Category 3 special exception	
Child care centers, nursery schools and private schools which have an enrollment of less than 100 students daily; churches, chapels, temples, synagogues and other such places of worship with a child care center,	\$ 355

## ADMINISTRATION, AMENDMENTS, VIOLATIONS AND PENALTIES

- H. A schedule showing the number of parking spaces provided and the number required by the provisions of Article 11.
- I. Existing topography with a maximum contour interval of two (2) feet and a statement indicating whether it is air survey or field run.
- J. A delineation of those general areas that have scenic assets or natural features deserving of protection and preservation, and a statement of how such will be accomplished.
- K. A statement or visual presentation of how adjacent and neighboring properties shall be protected from any adverse effects prompted by the proposed development, to include vehicular access plans and dimensions of all peripheral yards that will be provided.
- L. A delineation of all existing structures, and an indication of their date of construction if known, and whether they will be retained or demolished.
- M. A statement setting forth the maximum gross floor area and FAR proposed for all uses other than residential.
- N. A statement or presentation setting forth the maximum number of dwelling units proposed, and the density and the open space calculations based on the provisions of Sections 2-308 and 2-309.
- O. A statement of those special amenities that are proposed within the development.
- P. A statement of the public improvements, both on and off-site, that are proposed for dedication and/or construction, and an estimate of the timing of providing such improvements.
- Q. A statement setting forth the proposed approximate development schedule.
- R. Approximate delineation of any floodplain designated by the Federal Emergency Management Agency, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.
- S. Any proposed improvements to the public right(s)-of-way and delineation of the existing centerline of all streets abutting the property, including dimensions from the existing centerline to the edge of the pavement and to the edge of the right-of-way.
- T. A plan showing limits of clearing, proposed landscaping and screening in accordance with Article 13, and a delineation of existing vegetation, to include existing vegetation to be preserved, and when there is 2500 square feet or more of land disturbing activity, an existing vegetation map.

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- U. Approximate delineation of any grave, object or structure marking a place of burial if known, and a statement indicating how the proposed development will impact the burial site.
  - V. A statement which confirms the ownership of the subject property, and the nature of the applicant's interest in same.
11. A statement explaining the relationship of the development to and compliance with the development criteria of the adopted comprehensive plan of the County.
  12. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.
  13. A statement that the proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought by the applicant, such shall be specifically noted with the justification for such modification.

If the proposal includes the request for a waiver of the yard regulations for yards abutting certain principal arterial highways and railroad tracks pursuant to Sect. 2-414, a study showing projected noise impacts, proposed mitigation measures and the effectiveness of such measures shall be submitted.
  14. Any additional information that the applicant may desire to proffer in the consideration of the application.
  15. Where applicable, any other information as may be required by the provisions of Article 7, including the submission of the Archaeological Survey Data Form and a Phase I Archaeological Survey to the Fairfax County Park Authority as may be required pursuant to Sect. 7-210 for applications resulting in 2500 square feet or more of land disturbing activity and where the application property is located wholly or partially within or contiguous to a Historic Overlay District.
  16. If the proposed amendment is for a rezoning to a P district, twenty-three (23) copies of a development plan as provided for in Article 16.
  17. An application fee as provided for in Sect. 106 above.

### **18-203 Generalized Development Plan Regulations**

Generalized development plans as required by Par. 10 of Sect. 202 above shall be subject to the following regulations: