

The regular meeting of the Board of Zoning Appeals was held in the Board Auditorium of the Government Center on Wednesday July 12, 2023. The following Board Members were present: Chairman John F. Ribble III; Vice Chairman James R. Hart; Donte Tanner; Roderick Maribojoc; Daniel Aminoff; Rebecca Ballo; and Thomas W. Smith III. Karen L. Day was absent from the meeting.

Chairman Ribble called the meeting to order at 9:05 a.m. He asked if there were any Board Matters to bring before the Board. As there were no Board Matters, he then discussed the policies and procedures of the Board of Zoning Appeals. Chairman Ribble called for the first scheduled case.

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~ ~ ~ July 12, 2023, Scheduled case of:

Joseph P. Clancy, VC-2021-MV-00024 to allow an accessory structure (detached carport) in a front yard (23.0 feet from the front lot line adjacent to Stafford Road) on a lot less than 36,000 sq. ft. in area. Located at 7314 Stafford Rd., Alexandria, 22307 on approx. 21,590 sq. ft. of land zoned R-2 and HD Mount Vernon District. Tax Map 93-3 ((4)) 58. *(Admin moved from 7/13/2022, 10/05/2022, 11/30/2022, 2/1/2023, 3/22/2023, and 5/17/2023)*

Chairman Ribble noted that application VC-2021-MV-00024 had been administratively moved to October 11, 2023.

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~ ~ ~ July 12, 2023, Scheduled case of:

David J. Zimmerman and Denna H. Zimmerman, SP-2021-SP-00143 to permit a detached accessory living unit. Located at 6400 Newman Rd., Clifton, 20124 on approx. 6.93 ac. of land zoned R-C and WS. Springfield District. Tax Map 75-2 ((1)) 4. *(Admin move from 10/5/22, 11/30/2022, 2/8/2023, 3/22/2023, and 5/17/2023)*

Chairman Ribble noted that application SP-2021-SP-00143 had been administratively moved to October 4, 2023.

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~ ~ ~ July 12, 2023, Scheduled case of:

Andreas Brandt, A 2022-PR-014, Appeal of a determination that there are two complete and separate dwelling units contained within the principal structure, and that there is surfaced parking area in the front yard in excess of the maximum 30% permitted, in violation of Zoning Ordinance provisions. Located at 7306 Lee Highway, Falls Church, Virginia 22046, on approx. 10,244 sq. ft. of land zoned R 4, Providence District, Tax Map 50-1 ((9)) 85. *(Admin moved from 1/25/2023, and 3/22/2023, 5/2/2023, and 6/7/2023)*

Chairman Ribble noted that application A 2022-PR-014 had been administratively moved to September 13, 2023.

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~ ~ ~ July 12, 2023, Scheduled case of:

Andrew T Ross, A 2022-PR-006 *(Admin move from 9/14/2022, 11/30/2022, 1/25/2023, 3/29/2023, and 5/17/2023)*

Chairman Ribble noted that application A 2022-PR-006 had been withdrawn.

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~ ~ ~ July 12, 2023, Scheduled case of:

Nandor Szuprics and Erika B. Szuprics, SP-2022-BR-00184 to permit a reduction to the minimum setback requirements based on an error in building location to permit an open deck to remain 4.8 ft. from the rear lot line. Located at 4800 Treasure Ct., Fairfax, 22032 on approx. 2,325 sq. ft. of land zoned R-20. Braddock District. Tax Map 68-2 ((5)) 2136. *(Deferred from and 3/29/2023) (Continued from 6/14/2023)*

Chairman Ribble noted that application SP-2022-BR-00184 had been administratively moved to September 20, 2023. Brent Krasner explained this case was being moved in order to comply with a new state law that went into effect on July 1, 2023 concerning notice requirements for public hearings for land use cases.

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~ ~ ~ July 12, 2023, Scheduled case of:

Dildora Rakhmatullaeva, Ibrokhim Rakhmatullaeva, and Ismoil Rakhmatullaeva, VC-2022-MA-00011 to permit surfaced area for a driveway or vehicle or trailer parking exceeding 25 percent of the front yard. Located at 7821 Ridgewood Dr., Annandale, 22003 on approx. 21,881 sq. ft. of land zoned R-2. Mason District. Tax Map 59-4 ((9)) 89. *(Continued from 3/8/2023, 4/26/2023, 6/7/2023, and 6/28/2023)*

Chairman Ribble noted that application VC-2022-MA-00011 had been administratively moved to July 26, 2023. Brent Krasner confirmed that this case was moving because of the new law concerning notice requirements for land use cases.

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~ ~ ~ July 12, 2023, Scheduled case of:

Roshan R. Patel Tr. and Meredith L. Patel Tr., SP-2022-MV-00197 To permit a reduction of setback requirements to permit: 1.) an addition 25.8 ft. from the front lot line and 6.6 ft. from the southeast side lot line, 2.) a roofed deck (covered porch) 16.2 ft. from the front lot line, and 3.) uncovered stoop and stairs 3.4 ft. from the southeast side lot line. Located at 6105 Vernon Ter., Alexandria, 22307 on approx. 8,400 sq. ft. of land zoned R-4. Mount Vernon District. Tax Map 83-3 ((14)) (4) 17.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Brandon Lesko, Staff Coordinator
- Christine Kelly, Agent for the Applicants
- Trent Sorensen, Contractor for the project

After the hearing where public testimony was presented by Mr. Lesko, Mr. Krasner, Ms. Kelly, and Mr. Sorensen, and with no testimony from the public, Mr. Aminoff moved to approve SP-2022-MV-00197 for the reasons stated in the Resolution. Mr. Tanner seconded the motion, which carried by a vote of 7-0. Ms. Day was absent from the meeting. Mr. Smith voted in his capacity as the alternate board member.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Roshan R. Patel Tr. and Meredith L. Patel Tr., SP-2022-MV-00197 To permit a reduction of setback requirements to permit: 1.) an addition 25.8 ft. from the front lot line and 6.6 ft. from the southeast side lot line, 2.) a roofed deck (covered porch) 16.2 ft. from the front lot line, and 3.) uncovered stoop and stairs 3.4

ft. from the southeast side lot line. Located at 6105 Vernon Ter., Alexandria, 22307 on approx. 8,400 sq. ft. of land zoned R-4. Mount Vernon District. Tax Map 83-3 ((14)) (4) 17. Mr. Aminoff 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 July 12, 2023; and

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

1. The applicants are the owners of the land.
2. The present zoning is R-4.
3. The area of the lot is 8,400 square feet.
4. The applicant has read, understands, and concurs with the proposed development conditions.

WHEREAS, the Board has made the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the standards for the Reduction of Setback Requirements as contained in Sect. 5100.2.D(11)(e) of the Zoning Ordinance, the Board has determined that:

1. The application meets all the submission requirements set forth in Sect. 8101.3
2. A. The resulting gross floor area of the addition to the existing principal structure is not greater than 150 percent of the total gross floor area of the principal structure that existed at the time of the first expansion request. If a portion of the single-family detached dwelling is to be removed, no more than 50 percent of the gross floor area of the existing dwelling at the time of the first yard reduction will be removed;

B. The resulting gross floor area of the existing accessory structure and any addition to it is clearly subordinate in purpose, scale, use and intent to the principal structure on the site.
3. The proposed scale of the development is harmonious with the existing on-site and surrounding off-site development, and the development preserves existing vegetation and significant trees, as determined by the Director, in a manner that is characteristic of surrounding off-site development.
4. The proposal does not adversely impact the use or enjoyment of any adjacent property through the creation of issues related to noise, light, air, safety, erosion, and stormwater runoff.
5. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED**, with the following development conditions:

1. These conditions must be recorded by the applicants among the land records of Fairfax County for this lot prior to the issuance of a building permit for the addition. A copy of the recorded conditions must be provided to the Zoning Permit Review Branch, Department of Planning and Development.
2. This special permit is granted only for the location of the proposed covered front porch, two-story addition, and uncovered stoop and stairs as indicated on the plat titled "Proposed Conditions Plan, Vernon Terrace Lot 17, Block 4, Section 1, Belle Haven" prepared by Taylor Doyle of R.C. Fields and Associates was prepared on March 17, 2023, consisting of multiple sheets, and approved with this application, as qualified by these development conditions.
3. Pursuant to Article 5100.2.D(11)(e) of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the

dwelling that existed at the time of the first expansion (2,964 square feet existing + 4,446 square feet (150%) = 7,410 square feet permitted) regardless of whether such addition complies with the minimum setback requirement or is the subject of a subsequent setback reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single-family dwelling for the purpose of this paragraph will be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum setbacks requirements are permitted without an amendment to this special permit.

4. The subject addition covered front porch, and stoop and stairs must be generally consistent with the designs as depicted in the architectural elevations and renderings as shown on Attachment 1 to these conditions.
5. Notwithstanding what is shown on the plat, the limits of clearing and grading at the northern corner of the property must adhere to those shown on the approved grading plan (7049-INF-004) to adequately protect tree #231.
6. Prior to the issuance of any building permits for the subject front porch, side addition, or stoop and stairs, the applicant must revise any previously approved plans or permits as necessary in conformance with the approved special permit plat, except as modified by Condition #5 herein.
7. The applicants are responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, liens, judgments, encroachments, or other encumbrances to title affecting the subject property, shown or not shown, on the approved special permit/variance plat, as may be determined by a court of competent jurisdiction. Approval of this application does not abrogate, vacate, interfere with, or invalidate such claims.
8. Pursuant to Article 8100.4.D(6) of the Zoning Ordinance, this special permit automatically expires, without notice, 30 months after the date of approval unless construction has commenced on the covered front porch, two-story addition, and/or stoop and stairs 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.

This approval, contingent upon the above-noted conditions, does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Mr. Tanner seconded the motion, which carried by a vote of 7-0. Ms. Day was absent from the meeting. Mr. Smith voted in his capacity as the alternate board member.

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Vice Chairman Hart moved that the Board recess and enter into Closed Session for consultation with legal counsel and/or briefings by staff members and consultants regarding litigation in Re: February 2, 2022 decision of the Board of Zoning Appeals of Fairfax County, Virginia and Washington Gas Light Company plaintiff versus Christine Chen Zinner et all defendants Consolidated Cases numbers CL 2022-2942 and CL 2022-3061 in the Circuit Court of Fairfax County pursuant to Virginia Code Ann. Sec. 2.2-3711 (A) (7) (LNMB Supp. 2002), and for consultation with legal counsel and/or briefings by staff members regarding legal changes effective July 1, 2023 including Virginia Code section 15.2-2204 pursuant to Virginia Code Ann. Sec. 2.2-3711 (A) (7) (LNMB Supp. 2002). Mr. Tanner seconded the motion, which carried by a vote of 7-0. Ms. Day was absent from the meeting. Mr. Smith voted in his capacity as the alternate board member.

The meeting recessed at 9:31 a.m. and reconvened at 10:18 a.m.

Vice Chairman Hart then moved that the Board of Zoning Appeals certify that, to the best of its knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Closed Session were heard, discussed, or considered by the Board during the Closed Session. Mr. Smith seconded the

motion, which carried by a vote of 7-0. Ms. Day was absent from the meeting. Mr. Smith voted in his capacity as the alternate board member.

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~ ~ ~ July 12, 2023, Scheduled case of:

Elisabeth M. Kyle and Harbor View, LLC, SP-2023-MV-00031 to permit a reduction of setback requirements to permit a roofed deck (covered porch) 43.6 ft. from the front lot line. Located at 10621 Greene Dr., Lorton, 22079 on approx. 22,464 sq. ft. of land zoned R-E. Mount Vernon District. Tax Map 113-4 ((6)) 30.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Brandon McCadden, Senior Staff Coordinator
- Greg Budnik, GJB Engineering, Inc., Agent for the Applicant
- David Kyle, Harbor View, LLC

After the hearing where public testimony was presented by Mr. McCadden, Mr. Budnik, and Mr. Kyle, and with no testimony from the public, Mr. Tanner moved to approve SP-2023-MV-00031 for the reasons stated in the Resolution. Mr. Smith seconded the motion, which carried by a vote of 7-0. Ms. Day was absent from the meeting. Mr. Smith voted in his capacity as the alternate board member.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Elisabeth M. Kyle and Harbor View, LLC, SP-2023-MV-00031 to permit a reduction of setback requirements to permit a roofed deck (covered porch) 43.6 ft. from the front lot line. Located at 10621 Greene Dr., Lorton, 22079 on approx. 22,464 sq. ft. of land zoned R-E. Mount Vernon District. Tax Map 113-4 ((6)) 30. Mr. Tanner 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 July 12, 2023; and

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

1. Harbor View, LLC is the owner of the land.
2. The present zoning is R-E.
3. The area of the lot is 22,464 square feet.
4. The applicant has read, understands, and concurs with the proposed development conditions.

WHEREAS, the Board has made the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the standards for the Reduction of Setback Requirements as contained in Sect. 5100.2.D(11)(e) of the Zoning Ordinance, the Board has determined that:

1. The application meets all the submission requirements set forth in Sect. 8101.3
2. A. The resulting gross floor area of the addition to the existing principal structure is not greater than 150 percent of the total gross floor area of the principal structure that existed at the time of the first expansion request. If a portion of the single-family detached dwelling is to be removed, no more

than 50 percent of the gross floor area of the existing dwelling at the time of the first yard reduction will be removed;

B. The resulting gross floor area of the existing accessory structure and any addition to it is clearly subordinate in purpose, scale, use and intent to the principal structure on the site.

3. The proposed scale of the development is harmonious with the existing on-site and surrounding off-site development, and the development preserves existing vegetation and significant trees, as determined by the Director, in a manner that is characteristic of surrounding off-site development.
4. The proposal does not adversely impact the use or enjoyment of any adjacent property through the creation of issues related to noise, light, air, safety, erosion, and stormwater runoff.
5. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED**, with the following development conditions:

1. This special permit is granted only for the location of the proposed covered front porch as indicated on the plat titled "Plat Showing The Improvements On Lot 30, Harbor View", prepared by George M. O'Quinn of Dominion Surveyors, Inc., dated March 1, 2023, consisting of one sheet, and approved with this application, as qualified by these development conditions.
2. The covered front porch must be generally consistent with the design as depicted in the architectural elevations shown on Attachment 1 to these conditions.
3. The applicant is responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, liens, judgments, encroachments or other encumbrances to title affecting the subject property, shown or not shown, on the approved special permit/variance plat, as may be determined by a court of competent jurisdiction. Approval of this application does not abrogate, vacate, interfere with, or invalidate such claims.
4. Pursuant to Article 8100.4.D (6) of the Zoning Ordinance, this special permit automatically expires, without notice, 30 months after the date of approval unless construction has commenced on the covered front porch 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.

This approval, contingent upon the above-noted conditions, does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Mr. Smith seconded the motion, which carried by a vote of 7-0. Ms. Day was absent from the meeting. Mr. Smith voted in his capacity as the alternate board member.

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~ ~ ~ July 12, 2023, Scheduled case of:

John H. Stevenson and Tracey Stevenson, SP-2023-SP-00010 to permit a reduction in setback requirements to permit an addition 9.4 ft. from the rear lot line and to allow an increase in the percentage of coverage permitted in the minimum rear setback. Located at 10501 Daysailer Dr., Fairfax Station, 22039 on approx. 20,295 sq. ft. of land zoned R-C and WS. Springfield District. Tax Map 87-4 ((3)) 65.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch

- Brandon McCadden, Senior Staff Coordinator
- Audra K. Edwards, Power House Remodeling, LLC, Agent for the Applicants

After the hearing where public testimony was presented by Mr. McCadden and Ms. Edwards, with no testimony from the public, Mr. Smith moved to approve SP-2023-SP-00010 for the reasons stated in the Resolution. Ms. Ballo seconded the motion, which carried by a vote of 7-0. Ms. Day was absent from the meeting. Mr. Smith voted in his capacity as the alternate board member.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

John H. Stevenson and Tracey Stevenson, SP-2023-SP-00010 to permit a reduction in setback requirements to permit an addition 9.4 ft. from the rear lot line and to allow an increase in the percentage of coverage permitted in the minimum rear setback. Located at 10501 Daysailer Dr., Fairfax Station, 22039 on approx. 20,295 sq. ft. of land zoned R-C and WS. Springfield District. Tax Map 87-4 ((3)) 65. 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 July 12, 2023; and

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

1. The applicants are the owners of the land.
2. The present zoning is R-C.
3. The area of the lot is 20,295 square feet.
4. There was a letter of support from a neighboring property owner.
5. Staff recommends approval.
6. This request is reasonable, and there is existing screening.
7. Stormwater detention measures are being proposed and are included in the development conditions.
8. The applicant has read, understands, and concurs with the proposed development conditions.

WHEREAS, the Board has made the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the standards for the Reduction of Setback Requirements as contained in Sect. 5100.2.D(11)(e) of the Zoning Ordinance, the Board has determined that:

1. The application meets all the submission requirements set forth in Sect. 8101.3
2. A. The resulting gross floor area of the addition to the existing principal structure is not greater than 150 percent of the total gross floor area of the principal structure that existed at the time of the first expansion request. If a portion of the single-family detached dwelling is to be removed, no more than 50 percent of the gross floor area of the existing dwelling at the time of the first yard reduction will be removed;

B. The resulting gross floor area of the existing accessory structure and any addition to it is clearly subordinate in purpose, scale, use and intent to the principal structure on the site.
3. The proposed scale of the development is harmonious with the existing on-site and surrounding off-site development, and the development preserves existing vegetation and significant trees, as determined by the Director, in a manner that is characteristic of surrounding off-site development.

4. The proposal does not adversely impact the use or enjoyment of any adjacent property through the creation of issues related to noise, light, air, safety, erosion, and stormwater runoff.
5. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED**, with the following development conditions:

1. These conditions must be recorded by the applicants among the land records of Fairfax County for this lot prior to the issuance of a building permit for the addition. A copy of the recorded conditions must be provided to the Zoning Permit Review Branch, Department of Planning and Development.
2. This special permit is granted only for the location of the proposed rear addition and existing coverage totaling 32.1 percent of the rear setback as indicated on the plat titled "Burke Lake Cluster, Lot 65, Section 2B," prepared by Larry N. Scartz of Scartz Surveys, dated June 6, 2023, consisting of one sheet, and approved with this application, as qualified by these development conditions.
3. Pursuant to Article 5100.2.D(11)(e) of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (2,423 square feet existing + 3,634 square feet (150%) = 6,057 square feet permitted) regardless of whether such addition complies with the minimum setback requirement or is the subject of a subsequent setback reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single-family dwelling for the purpose of this paragraph will be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum setbacks requirements are permitted without an amendment to this special permit.
4. The subject addition must be generally consistent with the design as depicted in the architectural elevations as shown on Attachment 1 to these conditions.
5. Within 180 days of approval by the Board of Zoning Appeals, the applicant must install stormwater management detention measures of a sufficient size and quantity to provide detention for a minimum volume of 37 gallons of water. Prior to installation, the applicant must submit a plan, plat, or drawing (which may be prepared by the applicant) showing the location, quantity, size, and dimensions of the stormwater management detention measures, subject to the review and approval of Land Development Services (LDS). The stormwater management detention measures must be connected to collect runoff from the downspouts of the dwelling, the on-site impervious surfaces, or as approved by LDS. For pre-fabricated systems, manufacturer's product information must be included in the submission. For site-assembled systems, the plans must show the key elements such as inlet configuration, outlet configuration and tank specifications. The stormwater management detention measures must be maintained in proper working condition in conformance with the specifications outlined in Attachment 2 to these conditions and will be subject to periodic inspections by LDS at a minimum interval of once every five years during reasonable hours and upon prior notice.
6. The applicant is responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, liens, judgments, encroachments or other encumbrances to title affecting the subject property, shown or not shown, on the approved variance plat as may be determined by a court of competent jurisdiction. Approval of this application does not abrogate, vacate, interfere with, or invalidate such claims.
7. Pursuant to Article 8100.4.D(6) of the Zoning Ordinance, this special permit for the reduction in setback requirements automatically expires, without notice, 30 months after the date of approval unless construction has commenced on the addition 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.

8. Pursuant to subsection 8100.4.D(6) of the Zoning Ordinance, this special permit for existing coverage totaling 32.1 percent of the minimum required rear setback will take effect upon a vote of approval by the Board of Zoning Appeals.

This approval, contingent upon the above-noted conditions, does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Ms. Ballo seconded the motion, which carried by a vote of 7-0. Ms. Day was absent from the meeting. Mr. Smith voted in his capacity as the alternate board member.

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~ ~ ~ July 12, 2023, After Agenda Item:

Approval of February 1, 2023, February 8, 2023, and February 15, 2023 minutes

Ms. Ballo moved to approve the Minutes. Mr. Smith seconded the motion, which carried by a vote of 6-0-1. Mr. Maribojoc abstained from the vote. Ms. Day was absent from the meeting. Mr. Smith voted in his capacity as the alternate board member.

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~ ~ ~ July 12, 2023, After Agenda Item:

Consideration of Acceptance - Application for Appeal filed by Hazem A. Elariny

- Hazem A. Elariny, Appellant participated by phone.

Mr. Hart moved to Accept-in-Part the Application for Appeal filed by Hazem A. Elariny. The appeal of the Zoning Administrator's May 15, 2023, Notice of Violation pertaining to the Short-Term Lodging (STL) use of property at 612 Rivercrest Drive, McLean was accepted. The appeal of the May 15, 2023, STL permit application denial clarification letter was not accepted. Mr. Tanner seconded the motion, which carried by a vote of 7-0. Ms. Day was absent from the meeting. Mr. Smith voted in his capacity as the alternate board member.

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As there was no other business to come before the Board, the meeting was adjourned at 10:55 a.m.

Minutes by: Mary Padrutt

Approved on: March 20, 2024