

## **MINIMUM REQUIRED REAR YARD COVERAGE**

**Issue:** On lots containing single family detached dwellings, the Zoning Ordinance limits coverage of the minimum required rear yard area (which does not necessarily constitute the entire rear yard) with accessory uses and structures to a maximum of 30%. It has become increasingly common to have more hardscaping features and other outdoor amenities in rear yards, such as patios, pool decking, and other features, which may not all require building permits for construction, and therefore residents may not be aware of this restriction. Additionally, smaller lots such as those in Planned Development (“P”) Districts and corner lots which have smaller minimum required rear yards face additional challenges in satisfying this requirement while maintaining reasonable use of the rear yard. This amendment would provide property owners increased flexibility and a means of requesting relief.

### **Proposed Amendment:**

The proposed amendment would increase the permitted by-right maximum percentage of minimum required rear yard coverage from 30% to 40% (*or as high as 50%*) for R districts;

Allow a higher percentage of rear yard coverage in P districts from 30% to 50% (*or as high as 60%*) and would exempt P district lots smaller than 5,000 sf.;

Create a new special permit to request an increase in the maximum coverage of the minimum required rear yard to as high as 60% for R districts and 75% for P Districts, which would have a filing fee of \$910 (*the same filing fee as many other residential special permits,*) and a calculation of the percentage of the minimum required rear yard coverage would be required on all special permit applications involving a single family detached dwelling;

Additionally, the amendment seeks to clarify what constitutes rear yard coverage and to remove the 100 SF limitation for a child’s play house, so playhouses would be regulated the same as other accessory structures.

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**Timing:** Public outreach has been in progress, and the Board of Supervisors authorized advertisement of the amendment on March 20, 2018. The Planning Commission will hold its public hearing on April 18, 2018 at 7:30 p.m. The Board of Supervisors’ public hearing is scheduled for May 15, 2018 at 4:00 p.m.

**Additional Information:** Zoning Administration currently maintains a ListServ for interested parties to receive information about pending Zoning Ordinance Amendments. You may self-register for this ListServ at: <http://www.fairfaxcounty.gov/email/lists/> by selecting “Zoning Ordinance Amendments–Proposed” under the heading “Land Use & Development.”

Additionally, the Zoning Administration Division posts staff reports and other documentation, public hearing dates, and other information for pending Zoning Ordinance Amendments here: <http://www.fairfaxcounty.gov/dpz/zoningordinance/proposed/>