

The regular meeting of the Board of Zoning Appeals was held in the Board Auditorium of the Government Center on Wednesday, March 19, 2025. The following Board Members were present; Chairman Karen Day, Vice Chairman Dontee Tanner; Clair McDade; Akida Rouzi; Thomas W. Smith III; Rebecca Ballo; and Danel Aminoff. Triston O'Savio was absent from the meeting

Chairman Day called the meeting to order at 9:02 a.m. She asked if there were any Board Matters to bring before the Board. As there were no Board Matters, she then discussed the policies and procedures of the Board of Zoning Appeals. Chairman Day called for the first scheduled case.

~ ~ ~ March 19, 2025, Scheduled case of:

Tysons II Land Company, LLC.; TYC Development Company, LLC; TYD Development Company, LLLP; TYH Development Company, LLC; and TYF Development Company, LLC, SPA-2016-PR-036-03 to amend SPA-2016-PR-036-02 previously approved for a special event (theatrical circus performance) to permit modifications to development conditions. Located at 8025 Galleria Dr., on approx. 26.06 ac. of land zoned PDC, HC and SC. Providence District. Tax Map 29-4 ((10)) 2D, 2C, 2A2, 5A, 5B, 5C and 3B1.

Chairman Day noted that application SPA-2016-PR-036-03 had been administratively moved to May 14, 2025.

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~ ~ ~ March 19, 2025, Scheduled case of:

Board of Trustees of Rajdhani Mandir, SP 2022-SU-00161 to permit construction of a religious assembly. Located at 4612 Pleasant Valley Rd., Chantilly, 20151 on approx. 9.70 ac. of land zoned R-C and WS. Sully District. Tax Map 33-3 ((1)) 13. (Concurrent with SPA 87-S-012-04).

Chairman Day noted that application SP 2022-SU-00161 had been deferred to April 30, 2025.

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~ ~ ~ March 19, 2025, Scheduled case of:

Board of Trustees of Rajdhani Mandir, SPA-87-S-012-04 to amend SP 87-S-012 previously approved for a religious assembly to allow modifications to site and development conditions. Located at 4525 Pleasant Valley Rd., Chantilly, 20151, on approx. 7.68 ac. of land zoned R-C and WS. Sully District. Tax Map 33-3 ((1)) 5A. (Concurrent with SP 2022-SU-00161).

Chairman Day noted that application SPA-87-S-012-04 had been deferred to April 30, 2025.

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~ ~ ~ March 19, 2025, Scheduled case of:

Weimin Liu and Hong Zhang, Trustees, VC-2024-DR-00017 permit a fence 7.0 ft. in height to remain in the front yard. Located at 8726 Brook Rd. on approx. 1.88 ac. of land zoned R-1. Dranesville District. Tax Map 20-3 ((3)) 11, 12 and 13.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Brandon McCadden, Senior Staff Coordinator
- Mark Friedlander, Attorney for applicant

Testimony was presented by Mr. McCadden, Mr. Krasner, and Mr. Friedlander gave a brief presentation on behalf of the applicant. Ms. Ballo asked a question regarding how unusual the property size is. Chairman Day asked about the levels of traffic surrounding the property. Mr. McCadden answered both questions.

Ms. McDade agreed the property size is larger than typical for the neighborhood. With there being no public speakers for this case, Mr. Aminoff motioned to approve application VC-2024-DR-00017 for the reasons stated in the Resolution. Ms. Rouzi seconded the motion, which carried by a vote of 7-0. Mr. O'Savio was absent from the meeting. Mr. Smith voted in his capacity as the alternat board member.

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COUNTY OF FAIRFAX, VIRGINIA

VARIANCE RESOLUTION OF THE BOARD OF ZONING APPEALS

Weimin Liu and Hong Zhang, Trustees, VC-2024-DR-00017 permit a fence 7.0 ft. in height to remain in the front yard. Located at 8726 Brook Rd. on approx. 1.88 ac. of land zoned R-1. Dranesville District. Tax Map 20-3 ((3)) 11, 12 and 13. 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 March 19, 2025; 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-1.
3. The area of the lot is 1.88 acres of land.
4. The Board adopts the rationale in the staff report.
5. The 7-foot fence posts do make the decision a close call, however most of the posts are set back from the road.
6. The applicant has read, understands, and concurs with the proposed development conditions.

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

- 1) That the strict application of the terms of the Ordinance would unreasonably restrict the utilization of the property, 2) the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the Ordinance, OR 3) the granting of the variance would alleviate a hardship by granting a reasonable modification to property or improvements requested by a person with a disability,

AND

1. That the property interest in the subject property for which the variance is being requested was acquired in good faith, and the applicant did not create any hardship for which relief is sought.
2. That the variance would not result in a substantial detriment to adjacent property or nearby properties in the proximity of that geographical area.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
4. That the granting of the variance would not result in an unpermitted use or a change in the zoning classification.
5. That the relief or remedy sought by the variance application is not available through a special exception or special permit.
6. That the variance would conform with the purposes of the Zoning Ordinance and not be contrary to the public interest.

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

1. This variance is approved for the location of the existing fence (including both the aluminum with stone columns and chain link segments) in the front yard of the subject property indicated on the plat titled, "Variance Plat, Lot 12, Part of Lot 11, and Part of Lot 13, Section 3, Woodside Estates", prepared by Larry N. Scartz of Scartz Surveys, dated July 1, 2024, as revised through January 8, 2025, and is not transferrable to other land.
2. The subject fencing in the front yard must be maintained in good condition at all times or otherwise brought into compliance with the Ordinance.
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 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 subsection 8100.6.B(1) of the Zoning Ordinance, this variance takes effect upon a vote of approval by the Board of Zoning Appeals.

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~ ~ ~ March 19, 2025, Scheduled case of:

Jerord E. Wilson, SP-2023-MV-00079 to permit a reduction in setback requirements based on errors in building location to permit an accessory structure (shed) 5.6 ft. from the southeast side lot line and 4.1 ft. from the rear lot line and a second accessory structure (workshop/studio) 3.9 ft. from the northwestern side lot line and 3.8 ft. from the rear lot line; and to permit an increase in the limitations on coverage of the minimum rear setback. Located at 6923 Quander Rd. on approx. 7,288 sq. ft. of land zoned R-4. Mount Vernon District. Tax Map 93-1 ((23)) (7) 13..

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Brandon McCadden, Senior Staff Coordinator
- Jerord E. Wilson, Applicant
- Timothy Ulate, A to Z Permits
- Thomas Braddock, Investigator

Testimony was presented by Mr. McCadden, Mr. Krasner, and Mr. Wilson. Mr. Wilson answered Board questions regarding his process in building his workshop and location of shed, Ms. Ballo asked questions regarding how Mr. Wilson acquired the knowledge to build his workshop and why. Ms. Ballo asked for clarification on whether Mr. Wilson knew he needed a permit for any construction on his property. Mr. Wilson provided answers to all questions. and there being no public speakers for this case, Ms. Ballo motioned to approve-in part application SP-2023-MV-00079 with amendments to the resolution. Mr. Aminoff seconded the motion, which carried by a vote of 7-0. Mr. O'Savio 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

Jerord E. Wilson, SP-2023-MV-00079 to permit a reduction in setback requirements based on errors in building location to permit an accessory structure (209 square foot shed) 5.6 ft. from the southeast side lot line and 4.1 ft. from the rear lot line and a second accessory structure (362 square foot shed) 3.9 ft. from the

northwestern side lot line and 3.8 ft. from the rear lot line; and to permit an increase in the limitations on coverage of the minimum rear setback. Located at 6923 Quander Rd. on approx. 7,288 sq. ft. of land zoned R-4. Mount Vernon District. Tax Map 93-1 ((23)) (7) 13. Ms. Ballo 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 March 19, 2025; and

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

1. The applicant is the owner of the land.
2. The present zoning is R-4
3. The area of the lot is 7,288 square feet.
4. The Board does not find that the construction of the workshop was done through no fault of the property owner, based on the applicant's testimony.
5. The applicant has read, understands, and concurs with the proposed amendments to the development conditions.

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

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.

AND THAT the applicant has presented testimony indicating compliance with Sects. 5100.2.D(11)(d), Provisions for BZA Authorized Reductions in Setback Requirements Based on an Error in Building Location, the Board has determined:

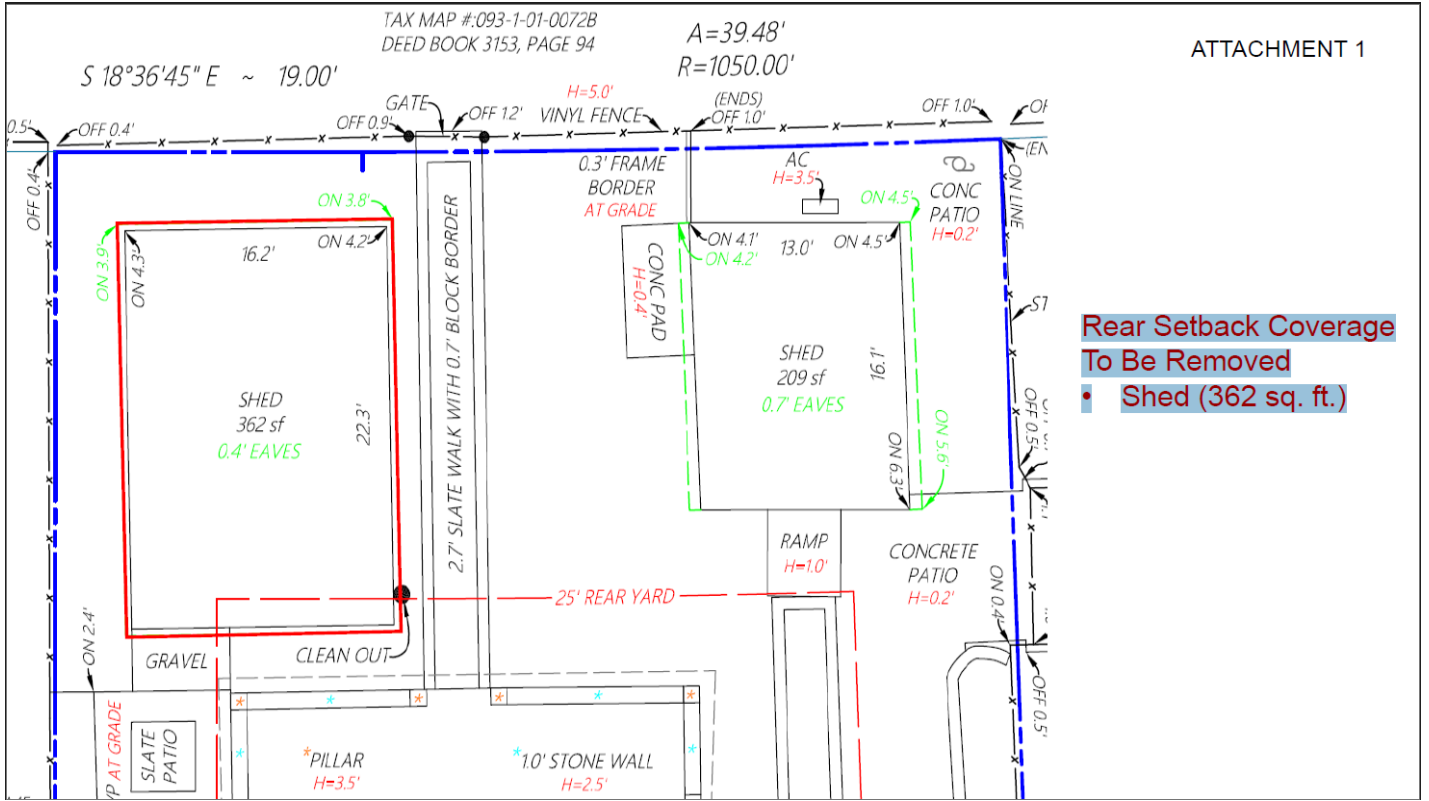
- A. The error exceeds ten percent of the applicable measurement, or
- B. The error is up to ten percent of the applicable measurement and the reduction or modification is requested in conjunction with the approval of another special permit or application for a variance on the property, and

- C. The noncompliance was done through no fault of the property owner, or was the result of an error in the relocation of the building after the issuance of a building permit, if one was required, and
- D. It will not impair the purpose and intent of this Ordinance, and
- E. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and
- F. It will not create an unsafe condition regarding other properties or public streets, and
- G. Compliance with the minimum setback requirements or location regulations would cause the owner unreasonable hardship, and
- H. It will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.

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

1. This special permit is granted-in-part only for the location of the existing 209 square foot shed and proposed rear setback coverage as indicated on the plat titled "Special Permit Plat On Lot 13, Block 7, Section 4, Bucknell Manor," prepared by Guy H. Briggs of Apex Surveys, LLP, dated March 21, 2023 and as revised through August 20, 2024, consisting of one sheet, and approved with this application, as qualified by these development conditions. The location error is denied for the 362 square foot shed.
2. The 209 square foot shed must be maintained in good condition at all times or otherwise brought into compliance with the ordinance.
3. Pursuant to the limitations in Section 4102.7.B of the Ordinance, use, modification, or conversion of the 209 square foot shed into an accessory living unit (ALU) is prohibited.
4. The applicant must obtain all applicable trade permits including, but not limited to, electrical and pass final inspection within 90 days of special permit approval for the 209 square foot shed.
5. The applicant must obtain all applicable trade permits including, but not limited to, framing and electrical, and pass final inspection within 90 days of special permit approval for the roofed patio.
6. Within 120 days of approval of this special permit, the applicant must remove the existing 362 square foot shed as shown in Attachment 1 to these conditions. Additionally, the land where the structure is located must be restored and converted to a natural pervious surface.
7. Within 120 days of approval of this special permit, the applicant must install stormwater management detention measures of a sufficient size and quantity to provide detention for a minimum volume of 126 gallons of water. 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.
8. The existing vinyl fence beyond the rear lot line must be removed or relocated from the adjacent Fairfax County Park Authority owned land within 120 days of special permit approval.
9. 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.
10. Pursuant to subsection 8100.4.D this special permit takes effect upon a vote of approval by the

Board of Zoning Appeals.



ATTACHMENT 2

RAINWATER HARVESTING AND SMALL RESIDENTIAL DETENTION SYSTEMS

MAINTENANCE SPECIFICATIONS

1. Rainwater harvesting and small residential detention system(s), including rain barrels, cisterns, or tanks, and appurtenances (including, without limitation, pre-screening devices, first flush diverters, piping, overflows, pumps, gutters, and downspout diverters) must be privately owned and maintained.
 2. Maintenance records for each stormwater facility must be maintained by the Owner and kept on-site and available to County officials upon request. Drawings of all stormwater facilities must be kept by the Owner.
 3. Rainwater harvesting systems and appurtenances must be maintained in good working condition acceptable to the County at all times. Rainwater harvesting systems and appurtenances must be adequately accessible for inspections and maintenance.
 4. Rainwater harvesting systems and appurtenances must be comprehensively inspected and maintained by the Owner every spring and fall.
 5. Pre-screening devices and first flush diverters, if applicable, must be inspected and cleaned every three (3) months.
 6. Gutters and downspouts must be kept free of leaves and other debris. Sediment buildup in tanks or in contributing drainage area must be removed. For rainwater harvesting system(s) that have roof tops as a contributing drainage area, overhanging vegetation and trees should be cleared. Storage tank lids and access points must be inspected and cleaned. Special attention should be paid to vents and screens on inflow and outflow spigots. Mosquito screens must be patched immediately. Overflow pipes, overflow filter path and secondary runoff reduction practices must be inspected and maintained. Structural integrity of tank, pump, pipes, backflow preventer, bypass or overflow, downspout connections, and electrical system must be inspected. Damaged or defective system components must be repaired or replaced.
 7. Pre-screening devices found to be missing, non-functional, inconsistent with the approved plans, or otherwise damaged must be repaired or re-installed in accordance with the approved plans.
 8. Alterations to the collection area that redirects flow away from the rainwater harvesting system(s) is not permitted without revision to the approved drawings.
 9. Standing water upstream of rainwater harvesting systems is an indicator of clogging. The Owner must eliminate stagnant pools to prevent mosquito proliferation. If the system is determined to be clogged, inspect and perform maintenance as soon as reasonably possible. If routine maintenance does not alleviate clogging, consult with a qualified professional.
 10. Structures must not be placed on the rainwater harvesting system(s) without prior approval of the County.
- For questions regarding Stormwater Facilities please call Fairfax County Maintenance and Stormwater Management Division at 703-877-2800.

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~ ~ ~ March 19, 2025, Scheduled case of:

Adam and Allison Greenhouse, SP-2024-BR-00136 to permit a reduction in setback requirements to permit an addition 16.2 ft. from the rear lot line. Located at 8421 Queen Elizabeth Blvd. on approx. 10,869 sq. ft. of land zoned R-3 (Cluster). Braddock District. Tax Map 70-3 ((5)) 129.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Adriana Santiago, Staff Coordinator
- Adam Greenhouse, Applicant

After the hearing where public testimony was presented by Ms. Santiago, Mr. Krasner, and Ms. Greenhouse, and there being no public speakers for this case, Vice Chairman Tanner moved to approve SP-2024-BR-00136 for the reasons stated in the Resolution. Mr. Smith seconded the motion, which carried by a vote of 7-0. Mr. O'Savio 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

Adam and Allison Greenhouse, SP-2024-BR-00136 to permit a reduction in setback requirements to permit an addition 16.2 ft. from the rear lot line. Located at 8421 Queen Elizabeth Blvd. on approx. 10,869 sq. ft. of land zoned R-3 (Cluster). Braddock District. Tax Map 70-3 ((5)) 129. Vice Chairman 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 March 19, 2025; 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-3 (Cluster).
3. The area of the lot is 10,869 square feet.
4. The Board agrees with the rationale in the staff report.
5. 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;

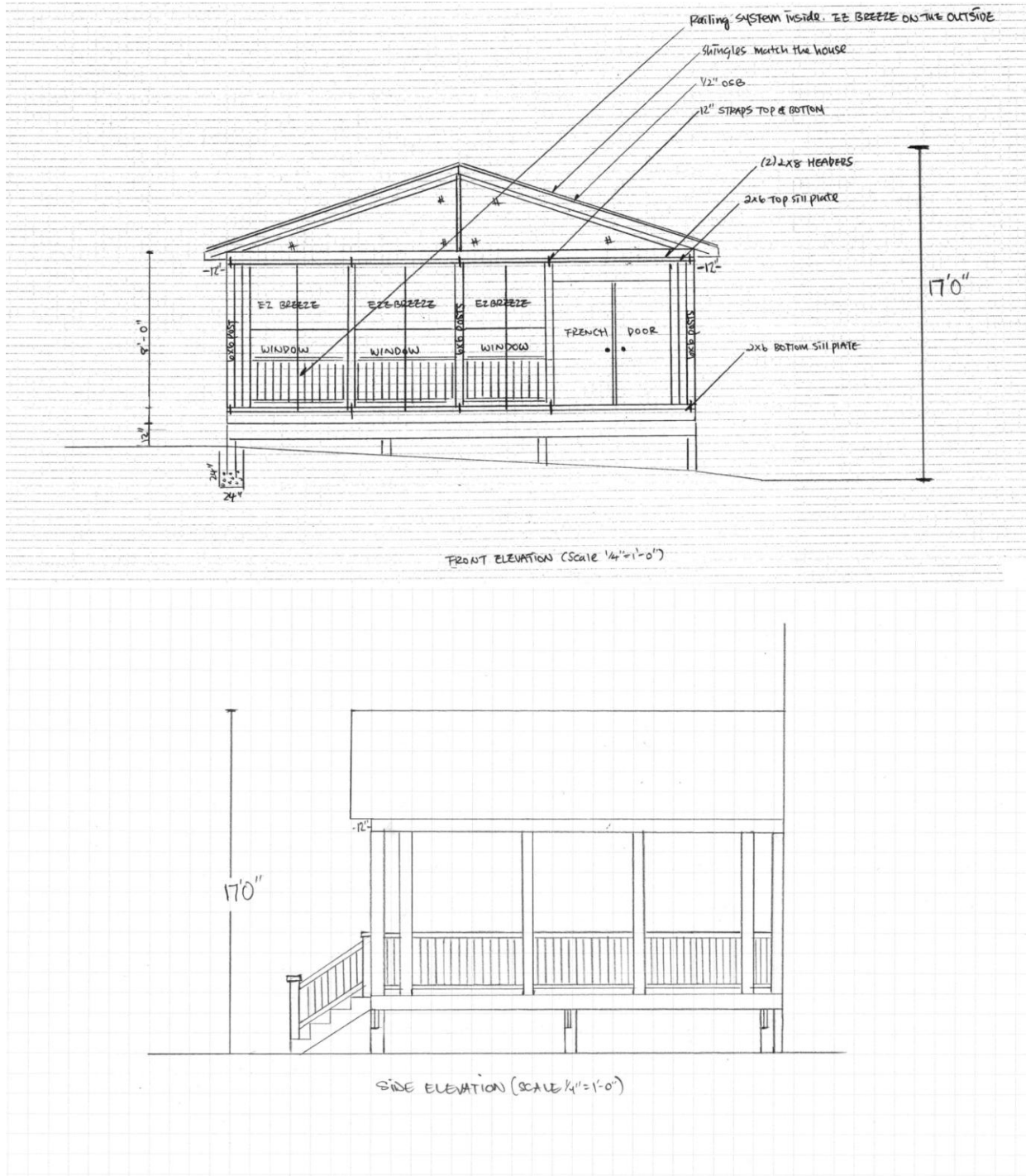
B. The resulting gross floor area of the existing accessory structure and any addition to it is clearly subordinate in purpose, scale, use and intent to the principal structure on the site.

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 applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions must be provided to the Zoning Permits Section, Department of Planning and Development.
2. This special permit is approved only for the location of the rear addition as shown on the special permit plat, entitled "*Special Permit Plat on Lot 129, Section 3, Canterbury Woods,*" prepared by Apex Surveys, LLP and dated September 4, 2024, as submitted with this application and is not transferable to other land.
3. Pursuant to Par. 6 of Sect. 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 (2,028 square feet existing + 3,042 square feet (150%) = 5,070 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 setback requirements will be permitted without an amendment to this special permit.
4. The addition must be generally consistent with the architectural elevations as shown in Attachment 1 to these conditions.
5. In order to be in compliance with the Zoning Ordinance, the applicant must remove the shed from the property within 180 days of special permit approval.
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 special permit 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 Sect. 8100.4.D(6) of the Zoning Ordinance, this special permit will automatically expire, without notice, 36 months after the date of approval unless construction has commenced on the rear screen porch 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.

ATTACHMENT 1



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~ ~ ~ March 19, 2025, Scheduled case of:

Christen M. Kerr, MD, PC and Christen M. Kerr, TR, SP-2024-DR-00129 to permit a home-based business (psychiatry practice). Located at 829 Whann Ave. on approx. 1.53 ac. of land zoned R-1. Dranesville District. Tax Map 21-4 ((4)) 24.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Philip Isaiah, Staff Coordinator
- Christen M. Kerr, MD, PC, Applicant

After the hearing where public testimony was presented by Mr. Isaiah, Mr. Krasner, and Ms. Kerr, and there being no public speakers for this case, Ms. Rouzi suggested an amendment to development condition #4 regarding the number of patients seen daily. Ms. Kerr MD agreed to the changes. The Board agreed this was a straightforward application. Ms. Rouzi moved to approve SP-2024-DR-00129 for the reasons stated in the Resolution. Mr. Tanner seconded the motion, which carried by a vote of 7-0. Mr. O'Savio 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

Christen M. Kerr, MD, PC and Christen M. Kerr, TR, SP-2024-DR-00129 to permit a home-based business (psychiatry practice). Located at 829 Whann Ave. on approx. 1.53 ac. of land zoned R-1. Dranesville District. Tax Map 21-4 ((4)) 24. Ms. Rouzi 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 March 19, 2025; and

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

1. The owner of the property is the applicant.
2. The present zoning is R-1.
3. The area of the lot is 1.53 acres
4. The Board does not foresee adverse impacts to neighbors.
5. The applicant has read, understands, and concurs with the proposed development conditions, as amended to permit 3 clients per day

WHEREAS, the Board has made 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. 4102.1.F(2) and the standards for this use as contained in the Zoning Ordinance.

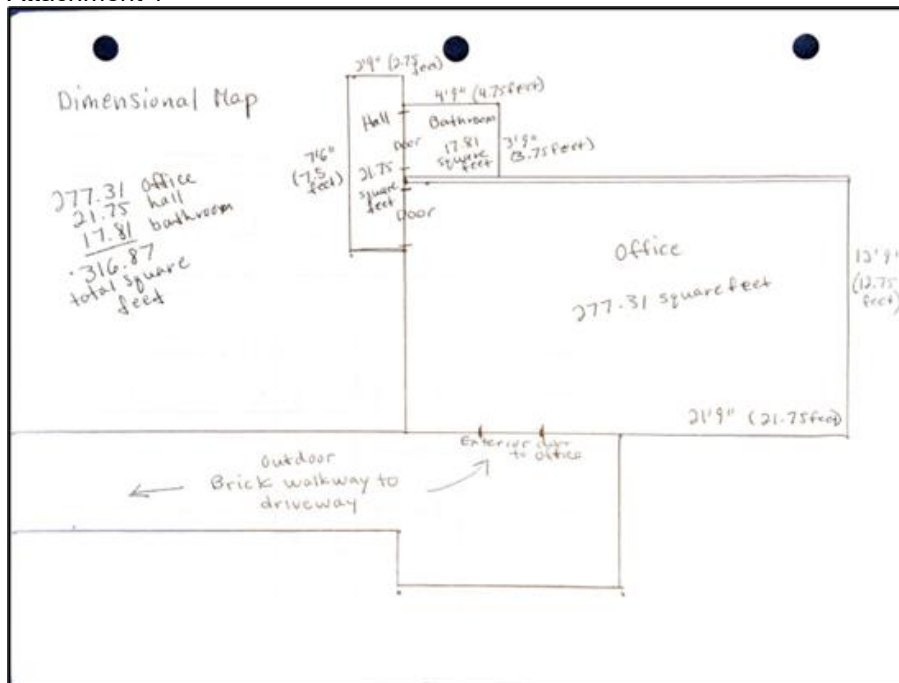
NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED**, with the following development conditions:

1. This approval is granted to the applicant only, Christen M. Kerr, MD, PC and Christen M. Kerr, TR, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 829 Whann Ave, Mclean 22101, and is not transferable to other land. Upon termination of the applicant's residency at the subject property, this special permit approval becomes null and void.
2. This special permit is granted only for the home-based business (psychiatry practice) at the property as indicated on the plat titled, "*Special Permit Plat Showing Lot 24, Langley Forest*" prepared by Delashmutt Associates, Limited, dated August 16, 2024 and revised December 3, 2024, and approved with this application, as qualified by these development conditions.
3. The hours of operation of the home-based business are limited to 9:00am to 2:00pm, Monday through

Friday.

4. The maximum number of on-site client appointments is limited to three (3) per day.
5. Appointments must be scheduled so there is a minimum of fifteen (15) minutes between the end of one appointment and the commencement of the next.
6. The applicant must leave a minimum of one parking space in the driveway open for client use during the hours of operation of the home based business. All client parking must be on-site in the applicant's private driveway.
7. The dwelling that contains the home-based business must be the primary residence of the applicant.
8. The applicant must be the sole operator of the home-based business, no on-site employees are allowed.
9. There must be no exterior signage associated with the home-based business.
10. The area of the dwelling devoted to the home-based business must not exceed 400 square feet and be generally as depicted on the floor plan provided in Attachment 1 to these conditions.
11. 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.
12. Pursuant to Sect. 8100.4.D(6) this special permit will take effect upon a vote of approval by the Board of Zoning Appeals.

Attachment 1



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~ ~ ~ March 19, 2025, After Agenda Item:

Approval of January 15, 2025; January 29, 2025; February 05, 2025; and February 26, 2025 Minutes.

Vice Chairman Tanner moved to approve the Minutes. Mr. Smith seconded the motion, which carried by a vote of 7-0. Mr. O'Savio was absent from the meeting. Mr. Smith voted in his capacity as the alternate board member.

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~ ~ ~ March 19, 2025, After Agenda Items:

Chairman Day advised the board members to review the Informational Items, which included the following:.

1. Memorandum from ZAD regarding the timing of publishing appeal application staff reports.
2. Request for deferral for Michael Bruce, ZAPL-2024-DR-00022, from Lynne J. Strobel.
3. Recently filed appeal application ZAPL-2025-DR-00002 from Tafti Enterprise LLC, scheduled for public hearing on June 4, 2025.

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As there was no other business to come before the Board, the meeting was adjourned at 10:31 A.M.

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Minutes by: Stephanie Martinez Lopez

Approved: September 10, 2025