

McLean Citizens Association Resolution
Fairfax County Zoning Ordinance Amendment
Zoning Appeal Fee
October 28, 2010

Whereas, the subject Zoning Ordinance Amendment would lower the filing fee for a zoning appeal application from \$2,455 to an amount advertised between \$500-1,000; and,

Whereas, the appeal fee was raised in July 2009 from \$375 to \$2,455 in order to recover more of the costs incurred by the Department of Planning and Zoning to service these appeals; and,

Whereas, the current fee of \$2,455 represents a cost recovery rate of 75% and fully complies with Section 15.2-2286 of the *Code of Virginia* which permits localities to collect such fees and Section 15.2-2311 which states the fee for filing an appeal shall not exceed the cost of advertising the appeal hearing and reasonable costs; and,

Whereas, county staff recommends the appeal fee be set at \$1,000 which represents a 31% cost recovery rate; and,

Whereas, 90% of the appeals are generated by zoning enforcement actions; and,

Whereas, the appellant who stands to benefit, not the taxpayer, should bear the costs of such county services;

Now, therefore, be it resolved that the McLean Citizens Association opposes the reduction of the zoning appeal application fee and recommends the current fee of \$2,455 be retained.

cc: John Foust, Dranesville Supervisor
Jay Donahue, Dranesville Planning Commissioner
Benjamin Wiles, Staff
Fairfax County Planning Commission
Fairfax County Board of Supervisors