



## SUMMER 2018 NEWSLETTER

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### Schedule for 2018

What is planned this year?

- June 16th – Yard Sale
- September- Covenant Inspection
- Board Meetings- 7pm @ Hiddenbrook Clubhouse. See website for dates.

### Board Position Available

We would like to say a big thank-you to Maria Asbill who recently stepped down from her position on the board as she has sold her home and moved out of the area. We appreciate Maria's time and dedication to our community.

Maria's resignation leaves a vacancy on the Board of Directors. If you are interested in joining the Board, please attend our next meeting on July 10<sup>th</sup> to submit your interest. In order to be appointed to the Board, you must be a member in good standing. This means your dues should be paid and there should be no outstanding violations on your property.

### Short-Term Rentals - Possible Zoning Changes Ahead

The following information was taken from the Fairfax County website....

The Fairfax County Board of Supervisors has authorized public hearings for proposed new zoning rules on short-term lodgings, such as those offered through Airbnb, VRBO and Flipkey.

The Fairfax County board will hold its own hearing on June 19<sup>th</sup>.

The county has been working on the new zoning rules over the past year, following a 2017 state law that allows local governments to regulate these kinds of short-term uses. Zoning officials say the proposed rules attempt to strike a balance between allowing these rentals, which are popular in today's sharing economy, and addressing neighborhood concerns.

Except for bed-and breakfasts and hotels, Fairfax's zoning rules currently don't permit homeowners to allow transient occupancy in their homes, yet there are an estimated 1,500 active Airbnb listings in Fairfax County. Transient occupancy — more commonly called short term rentals or lodging — are defined as rentals of fewer than 30 days.

The regulations, if ultimately enacted, wouldn't bar individual homeowners or community associations from prohibiting short-term lodgings, officials say.

### PROPOSED RULES

As proposed, the regulations would only allow property owners or renters to offer their primary residence as short-term lodging. This limitation is to prevent businesses from operating multiple, full-time rentals, like a hotel or motel, in residential neighborhoods.

Guests would be limited to six adults, and the lodgers must all be associated with the same rental contract to prevent multiple rentals of a property at the same time.

To protect neighborhoods, properties may not be rented for events or commercial purposes like parties, weddings or fundraisers.

The proposal also caps the maximum number of nights short-term lodgings may be rented out. The rules would allow for up to 180 calendar days, but zoning officials are recommending a 90-night limit or 25 percent of a year.

The Planning Commission and the board will also consider whether property owners or renters must be present in their home or apartment when it is used as a short-term lodging.

Despite the number of short-term rentals allegedly operating to date, the county has received 54

complaints—or less than 1 percent of the estimated 1,500 Airbnb rentals listed within the county. County officials acknowledge that enforcement could be a challenge even with the new rules, particularly when it comes to the limit on number of nights and guests. The rules include provisions that will help with enforcement, however. For example, short-term operators must get a permit that can be revoked, and properties must be made available for inspection by county code enforcement inspectors upon request.

#### FINANCIAL IMPACT

Short-term lodging operators also must pay transient occupancy taxes. County leaders calculate that these rentals could generate \$428,268 in transit occupancy taxes a year. Of this amount, \$249,823 would go to the county's coffers, and the remaining amount would be used to support tourism and regional transportation as required by state law.

**RULES CREATED WITH EXTENSIVE PUBLIC INPUT**  
Zoning officials engaged in extensive public input to develop the proposed rules. They received more than 7,600 responses to an online survey, held four community meetings across the county and met with individual homeowners and civic groups, tourism professionals, real estate agents and representatives from the short-term lodging and hotel industry.

County staff also participated in a workgroup with other local jurisdictions that are considering or have adopted regulations, including Arlington, Alexandria and Loudoun.

In a separate and future proposal, Fairfax County is also considering whether to create zoning rules for commercially managed apartment buildings that offer short term lodging.

#### **'Considering a Special Building Permit?'**

Fellow Crestbrook Homeowners, are you considering a significant addition to your house? An essential part of the project plan is learning the Fairfax County (FFC) zoning ordinances and permit process. If your plans violate any FFC ordinance just recognize there is a special permit process to work through.

Begin by studying the FFC ordinance web pages and learn the ten step process for getting a special permit. Review

<https://www.fairfaxcounty.gov/planning-zoning/zoning/special-permit-process> for details.

The costs incurred for acquiring a special permit range from an application fee paid upfront, having new plans produced, mail expenses, printing, copy production and about 80 man hours of administrative labor; not to mention you have to take a day to attend a public hearing.

The key lesson to this process is to have perseverance to do what FFC ordinance board expects. You will find several things have to be addressed. The most prominent one is that a back yard offset of 25 feet from the back property line is required. In other words, no wall of any house or addition can be closer than 25 to the back yard property line.

Even though this process is laborious, one will have the documentation in place for clean a sale. Being in compliance is a good thing. See

<https://www.fairfaxcounty.gov/planning-zoning/zoning-ordinance> for more details. You will notice it was updated in March 2018.

#### **Board of Directors**

President	Mark Brabrook
Vice President	Chris O'Donnell
Secretary	Lew Thorp
Treasurer	Rob Garratt
Member at Large	Vacant

#### **Communications**

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