

ORDINANCE NO. 3560

AN ORDINANCE to amend and reordain subsection (3) (ROOMING HOUSES AND BOARDINGHOUSES) of subsection (a) (USES PERMITTED), Section 7-6-17 (RA RESIDENCE ZONE), Article B (USE, AREA, ETC., REGULATIONS GENERALLY), Chapter 6 (ZONING), Title 7 (PLANNING AND DEVELOPMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That subsection (3) of subsection (a), Section 7-6-17 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

(3) Rooming houses and boardinghouses, permitted only with a special use permit as specified in sections 7-6-191 to 7-6-195 of this code; provided, however, that no special use permit authorizing a rooming house or boardinghouse which is granted after December 12, 1987, shall continue in effect for more than five years; provided, further, that any rooming house or boardinghouse in existence on December 12, 1987, for which a special use permit has not been granted shall be deemed a nonconforming use and shall be discontinued on or before June 30, 1992, unless it conforms to the requirements of this subsection by obtaining a special use permit which authorizes its continuation; provided, further, (i) that no later than May 1, 1992, the owner or operator of any such nonconforming rooming house or boardinghouse may seek from city council an extension of the date by which it must come into conformity with this subsection by filing with the director of the department of planning and community development a petition which sets forth in detail the reasons why a fair and reasonable return on the investment in such rooming house or boardinghouse made by the petitioner prior to December 12, 1987, cannot be obtained prior to June 30, 1992; (ii) that council shall conduct a public hearing on any such petition, prior to which the director of the department of planning and community development shall provide notice in accordance with the provisions of article P of this chapter; and (iii) that, following the hearing, council may extend the June 30, 1992, date only if it finds that a strict application of the date will deny the petitioner the opportunity to realize a fair and reasonable return on the investment in the nonconforming rooming house or boardinghouse made by the petitioner prior to December 12, 1987, in which case council shall extend the date to a time which it determines will provide such opportunity to the petitioner.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

PATRICIA S. TICER  
Mayor

Final Passage: February 22, 1992