

FAMILY or CAREGIVER SUITE PERMIT FILING INSTRUCTIONS

ARLINGTON COUNTY ZONING ORDINANCE (ACZO) §12.9.8



FILING INSTRUCTIONS

Applications for a Family or Caregiver Suite Permit may be submitted to the Zoning Division (2100 Clarendon Boulevard, Suite 1000, Arlington, Virginia, 22201) weekdays, between 8:00 am and 4:00 pm. Staff review is typically completed within 30 days of receipt of a completed application and supporting documents.

All applicants must submit two (2) sets of the following materials (1-4). These materials are available for download online or in hard copy at the above address.

1. Family or Caregiver Suite Permit Application
2. Floor plans of the proposed Family or Caregiver Suite showing its relationship to the existing main dwelling, to scale
3. Written Statement identifying the person providing care (for Caregiver Suites only)
4. Declaration of Covenants (to be submitted prior to the issuance of a building permit)

(NOTE: The maximum permitted size for floor plans is 11" x 17". Larger sizes will not be accepted).

Once complete, applicants must bring all of the above materials to the Zoning Division for review. A filing fee (see [Fee Schedule](#)) made payable to the Treasurer of Arlington County should be submitted at this time.

For more detailed information on the approval process for an accessory dwelling, please proceed to page 2.

FAMILY or CAREGIVER SUITE PERMIT APPROVAL PROCESS

ARLINGTON COUNTY ZONING ORDINANCE (ACZO) §12.9.8



APPROVAL PROCESS

Family and Caregiver Suites are permitted as an accessory use in all single-family residential zoning districts (i.e. R-20, R-10, R-10T, R-8, R-6, R-5, R15-30T, and R2-7). They are approved administratively by the Zoning Administrator, provided the proposed suite meets the criteria established in [Arlington County Zoning Ordinance \(ACZO\) §12.9.8](#). These criteria address the design, operation, and occupancy of the suite.

Design Criteria:

1. The suite contains no more than two (2) room plus a bathroom and an efficiency kitchen
2. The gross floor area of the suite must not exceed the lesser of either 750 sq. ft. or 35% of the combined gross floor area of the suite and the main dwelling
3. The suite must have interior access to the main dwelling
4. The suite must be designed to function as an integral part of the main dwelling but it may allow the occupants to live independently of the occupant(s) of the main dwelling
5. The dwelling in which the suite is located may only have one (1) main entrance. No new entrance is permitted on the same side of the structure as the existing main entrance of the dwelling.
6. A floor plan of the suite which also identifies its relationship with the main dwelling must be filed with the Zoning Administrator

Operational Criteria:

1. There may only be one (1) Family or Caregiver Suite in any dwelling
2. Family and Caregiver Suites are not permitted in a dwelling which contains an Accessory Dwelling as allowed under ACZO §12.9.2
3. There shall be only one address for the property
4. The suite shall not have separate utility service (i.e. electric and water meters)
5. The property owner must record a covenant on the property identifying the suite use and the restrictions imposed by the zoning ordinance

Occupancy Criteria:

1. The suite may be occupied by either:
 - a. No more than two (2) persons who are related by blood or marriage to the principal occupant(s) of the main dwelling; OR
 - b. No more than two (2) persons who may be unrelated to the principal occupant(s) of the main dwelling, at least one (1) of whom provides care for either: one (1) or more children of the principal occupant(s) of the main dwelling; or one (1) or more elders or persons with disabilities who occupy the main dwelling.
2. For Caregiver Suites, a written statement must be filed with the Zoning Administrator identifying the person providing care, the type of care being provided (i.e. child, elder, disabled person).

FAMILY or CAREGIVER SUITE PERMIT APPLICATION

ARLINGTON COUNTY ZONING ORDINANCE (ACZO) §12.9.8

Department of Community Planning, Housing & Development – Zoning Division
2100 Clarendon Boulevard, Suite 1000, Arlington, Virginia 22201
building.arlingtonva.us | contactzoning@arlingtonva.us
Phone (703) 228-3883 | Fax (703) 228-3896



FAMILY or CAREGIVER SUITE INFORMATION

Address

Zip Code

Real Property Code (RPC) #

Zoning District

(NOTE: Family or Caregiver suites are only permitted on lots in the **R-20, R-10, R-8, R-6, R-5, R-10T, R15-30T, and R2-7** districts).

SELECT WHICH TYPE OF SUITE

Family Suite

Caregiver Suite

APPLICANT/PROPERTY OWNER INFORMATION

Full Name (First, Last)

Phone Number

E-Mail Address

SUBMISSION CHECKLIST

- Floor Plan(s) [no larger than 11" by 17"]
- Written Statement identifying persons providing care (Caregiver Suites only)
- Declaration of Covenants

Signature of Applicant/Property Owner

Date

FOR STAFF USE ONLY

Approved

Denied

Date Approved/Denied: _____

Approved/Denied by: _____

**ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE CONDITIONS
FOR FAMILY OR CAREGIVER SUITES
CONDITIONS**

1. Family or Caregiver Suites may comprise no more than two (2) rooms plus a bathroom and a kitchen, designed, arranged, intended, and used by:
 - No more than two (2) persons that are related by blood or marriage to the principal occupant of the dwelling (i.e. Family Suite); OR
 - No more than two (2) persons unrelated to the principal occupant of the dwelling, at least one (1) of whom provides care for care for one (1) or more children of the principal occupant of the dwelling or one (1) or more elder(s) or persons with disabilities who occupy the main dwelling (i.e. Caregiver Suite).
2. There may only be one (1) family or caregiver suite in the dwelling.
3. Family or caregiver suites are not permitted in a dwelling which contains an Accessory Dwelling.
4. The dwelling shall have only one main entrance and no new entrance shall be permitted on the same side of the structure as the existing main entrance to the dwelling.
5. The gross floor area of the suite will not exceed either 750 sq. ft. nor 35% of the combined gross floor area of the main building and family/caregiver suite.
6. The suite will be designed to function as an integral part of the main dwelling although occupants may live independently of each other.
7. The suite will have access to the rest of the dwelling.
8. A floor plan of the suite that identifies the suite's relationship with the rest of the dwelling shall be filed with the Zoning Administrator.
9. There shall only be one address for the property.
10. The suite will not have separate utility service.
11. A covenant shall be recorded on the property containing the family or caregiver suite which identifies the suite's use and the restrictions imposed by ACZO §12.9.8.
12. For Caregiver Suites, a written statement must be filed with the Zoning Administrator identifying the unrelated person(s) providing care and the type of care being provided.

CERTIFICATION

By signing below, I acknowledge that I am the bona fide owner of the premises identified above; I have read and understand the above conditions; and I can and will comply with each condition without exception. I consent to the use of e-mail for communication with the Zoning Administrator and/or their designee concerning my Family or Caregiver Suite. I further certify all the information is complete and correct to the best of my knowledge and belief.

Applicant/Property Owner Signature

Date

FAMILY or CAREGIVER SUITE RECORD



FAMILY or CAREGIVER SUITE INFORMATION

FAMILY SUITE

CAREGIVER SUITE

Address

Applicant/Property Owner

Zoning District

PHYSICAL DATA

GFA of Main Dwelling (SF): _____

GFA of Suite (SF): _____

Year Main Dwelling Built: _____

PLAN REVIEW CRITERIA

1. Is there a floor plan filed with the Zoning Administrator?

Yes No

Date Filed

2. Does the floor plan show the suite's relation to the main dwelling? Yes No

3. Does the Suite have no more than two rooms plus a bathroom and kitchen? Yes No

4. What is the gross floor area (GFA) of the suite? _____

5. Does the GFA of the suite exceed 750 sq. ft.? Yes No

6. Does the GFA of the suite exceed 35% of the whole dwelling? Yes No

(NOTE: GFA of accessory dwelling shall not exceed 35% of the combined floor area of the main and accessory dwelling, up to maximum of 750 sq. ft.

7. Has a Building Permit been issued for the suite?

Yes No

Permit # Date Issued

DECLARATION OF COVENANTS

8. Has a Declaration of Covenants been submitted/recorded for the family/caregiver suite? Yes No

Date Recorded

*Date Recorded Copy Received
by Zoning Administrator*

WRITTEN STATEMENT (FOR CARGIVER SUITES ONLY)

10. Has a Written Statement identifying any unrelated suite occupant and the type of care provided been submitted?

Yes No

DECLARATION OF COVENANTS



THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made this

_____ day of _____, 20 ____ by and between _____ hereinafter known as "Declarant" and ARLINGTON COUNTY, VIRGINIA, by and through Arlova Vonhm, its Zoning Administrator.

WHEREAS, the Declarant is the sole owner of certain real property located at

_____ in Arlington County, Virginia known as:

Lot _____, Block _____, Subdivision _____ as the same is duly dedicated, platted, and recorded in Deed Book _____ at Page _____, among the land records of Arlington County, Virginia.

WHEREAS, the Declarant desires to construct on aforesaid property a Family/Caregiver Suite as defined in the Arlington County Zoning Ordinance (ACZO),

WHEREAS, in order to construct and use said family/caregiver suite on the aforesaid property, it is necessary to comply with certain zoning requirements and amendments thereto relating to family and caregiver suites adopted by the Arlington County Board on November 27, 2017 as ACZO §12.9.8.

NOW THEREFORE, Declarant, for and in consideration of the premises and the covenants contained herein does hereby agree to construct said family/caregiver suite, to be used, held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, and conditions hereinafter set forth, which are for the purpose of protecting the value and desirability of the premises and shall run with the real property and be binding on all parties having any right, title, or interest in the described property or any part thereof, their successors and assigns, and shall inure to the benefit of each owner thereof.

Article I

In the construction of a Family/ Caregiver Suite within the dwelling on the above premises, it shall consist of not more than two (2) rooms plus a bathroom and "efficiency" kitchen that are designed, arranged, used, or intended for occupancy by either (a) not more than two (2) persons who are related

by blood or marriage to the principal occupants of the dwelling or (b) not more than two (2) persons who may be unrelated to the principal occupant of the dwelling, at least one (1) of whom provides care for one or more children of the principal occupant of the dwelling or care for or assistance to one (1) or more elders or person(s) with disabilities who are occupant(s) of the main dwelling. The suite shall be designed so that it can function as an integral part of the dwelling, although the occupants may live independently of each other.

Article II

In constructing this family/ caregiver suite, in order to meet zoning requirements for all family suites in all "R" Districts, not including "RA" Districts, subject to approval by the Zoning Administrator, the Declarant hereby covenants that the following conditions are binding on the declarant, his successors, and assigns:

- (1) Not more than one (1) family/ caregiver suite shall be permitted in the dwelling.
- (2) The gross floor area of the suite shall exceed neither seven hundred fifty (750) square feet nor 35 (%) percent of the combined gross floor area of the main dwelling and the family or caregiver suite.
- (3) The suite shall have interior access to the rest of the dwelling.
- (4) The suite shall not have separate utility service (i.e., electric meter and water meter).
- (5) A floor plan of the suite that also identifies its relationship to the rest of the dwelling shall be filed with the Zoning Administrator.
- (6) The property owner shall record a covenant on the property which identifies the suite use and the restrictions imposed by the zoning ordinance.
- (7) The dwelling in which the suite is located shall have only one (1) main entrance and no new entrance shall be permitted on the same side of the structure as the existing main entrance of the dwelling.
- (8) There shall only be one (1) address for the property
- (9) A family/caregiver suite shall not be permitted in a dwelling in which an accessory dwelling is located.
- (10) A written statement identifying the person who will provide the care and the kind of care that will be given must be filed in the office of the Zoning Administrator as to an unrelated resident of the family/caregiver suite

IN WITNESS WHEREOF the following signatures and seals:

STATE OF VIRGINIA
COUNTY OF ARLINGTON

Subscribed and sworn before me this this _____ day of _____, 20_____.

Notary: _____

My Commission expires: _____

APPROVED: _____
Arlova Vonhm, Zoning Administrator
Arlington County, Virginia

WRITTEN STATEMENT

For Unrelated Caregiver(s)



I, _____, certify that I am the owner of the property located at _____ (known as the "Property") located in Arlington, Virginia. Pursuant to Arlington County Zoning Ordinance (ACZO) §12.9.8, I make the following statement:

The Caregiver Suite located at the above-referenced Property will be occupied by the following person(s) who is not related to me by blood or marriage:

(1) _____
Full Name

(2) _____
Full Name

One or more of the above-referenced persons will be providing care for the following:

- One or more children related to an occupant of the Property
- One or more elderly persons occupying the Property
- One or more disabled persons occupying the Property

Signature of Owner

Printed Name of Owner