

October 1, 2024

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED],

As you have likely heard, on Friday, September 27, 2024, a Circuit Court judge overturned the EHO (Expanded Housing Options) Zoning Amendments passed by the County Board in March 2023. The judge ruled that the EHO Amendments were void ab initio (as if they had never existed) and enjoined the County from issuing further permits or continuing to approve EHOs.

As a result, the County must void all EHO permits and halt all associated review processes. If you have a previously approved EHO permit, it is now void, or simply put, no longer exists. Furthermore, we cannot take any further actions and/or process any other permits (demo, building, trades, etc.) related to your EHO development. If you have an EHO permit application currently under review, besides voiding the permit, staff will take no further actions in that process.

If you have already begun active construction activity for your project, we will be reaching out to you separately with additional information.

We are very disappointed in this ruling and understand the frustration and disruption it has caused you. The County Board is considering appealing, but that does not change our inability to move forward with any EHO development review or approval. We also cannot refund permit fees for review work that staff has completed. Staff is currently working to determine all the impacts of this ruling and answer questions we know you will have. At this time, the Court has not entered a final order on this matter. The deadline for entry is October 25, 2024. Until the final order is entered, the County cannot provide additional comments. We will share updated information as we know it, including the status of an appeal, on the County's website. If you have immediate questions not addressed in this letter, please send them to Erika Moore at ehmoore@arlingtonva.us.

Sincerely,



Samia Byrd
Director

Property Owner: [REDACTED]