



APPLICATION ACCEPTED: July 23, 2008
DATE OF PUBLIC HEARING: September 30, 2008
TIME: 9:00 a.m.

County of Fairfax, Virginia

September 23, 2008

STAFF REPORT

SPECIAL PERMIT APPLICATION No. SP 2008-MA-072

MASON DISTRICT

APPLICANTS & OWNERS: Ahmed Garma and Kadija Noury

ZONING: R-2

LOCATION: 6384 Lakeview Drive

SUBDIVISION: Lake Barcroft

ZONING ORDINANCE PROVISION: 8-914

TAX MAP: 61-3 ((14)) 135

LOT SIZE: 11,200 Sq. Ft.

SP PROPOSAL: Reduction to minimum yard requirements based on error in building location to permit addition to remain 9.2 feet from side lot line.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

O:\Scaff2\Case Files\9-30-08 BZA\SP 2008-MA-072 GARMA

Shannon Caffee

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



The approval of this special permit does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**

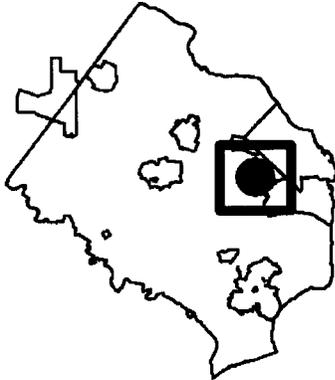


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

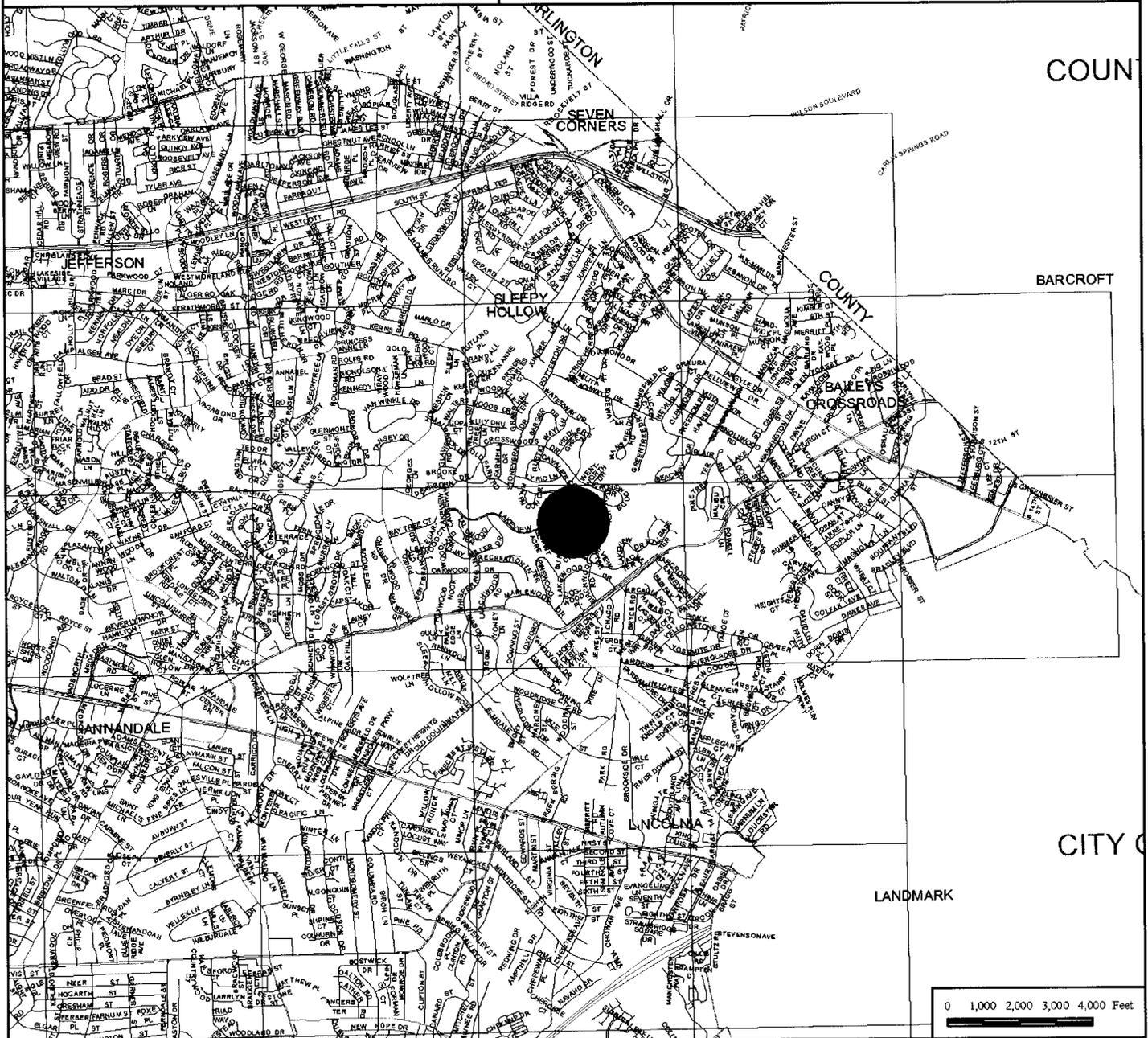
Special Permit

SP 2008-MA-072

Applicant: AHMED GARMA AND KADIJA NOURY
Accepted: 07/23/2008
Proposed: REDUCTION TO MINIMUM YARD REQUIREMENTS
BASED ON ERROR IN BUILDING LOCATION
TO PERMIT ADDITION TO REMAIN 9.2 FEET
FROM SIDE LOT LINE AND ROOFED DECK TO
REMAIN 31.6 FEET FROM FRONT LOT LINE



Area: 11,200 SF OF LAND; DISTRICT - MASON
Zoning Dist Sect: 08-0914
Art 8 Group and Use: 9-13
Located: 6384 LAKEVIEW DRIVE
Zoning: R-2
Overlay Dist:
Map Ref Num: 061-3- /14/ /0135

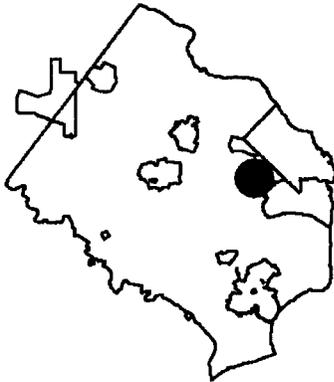


Special Permit

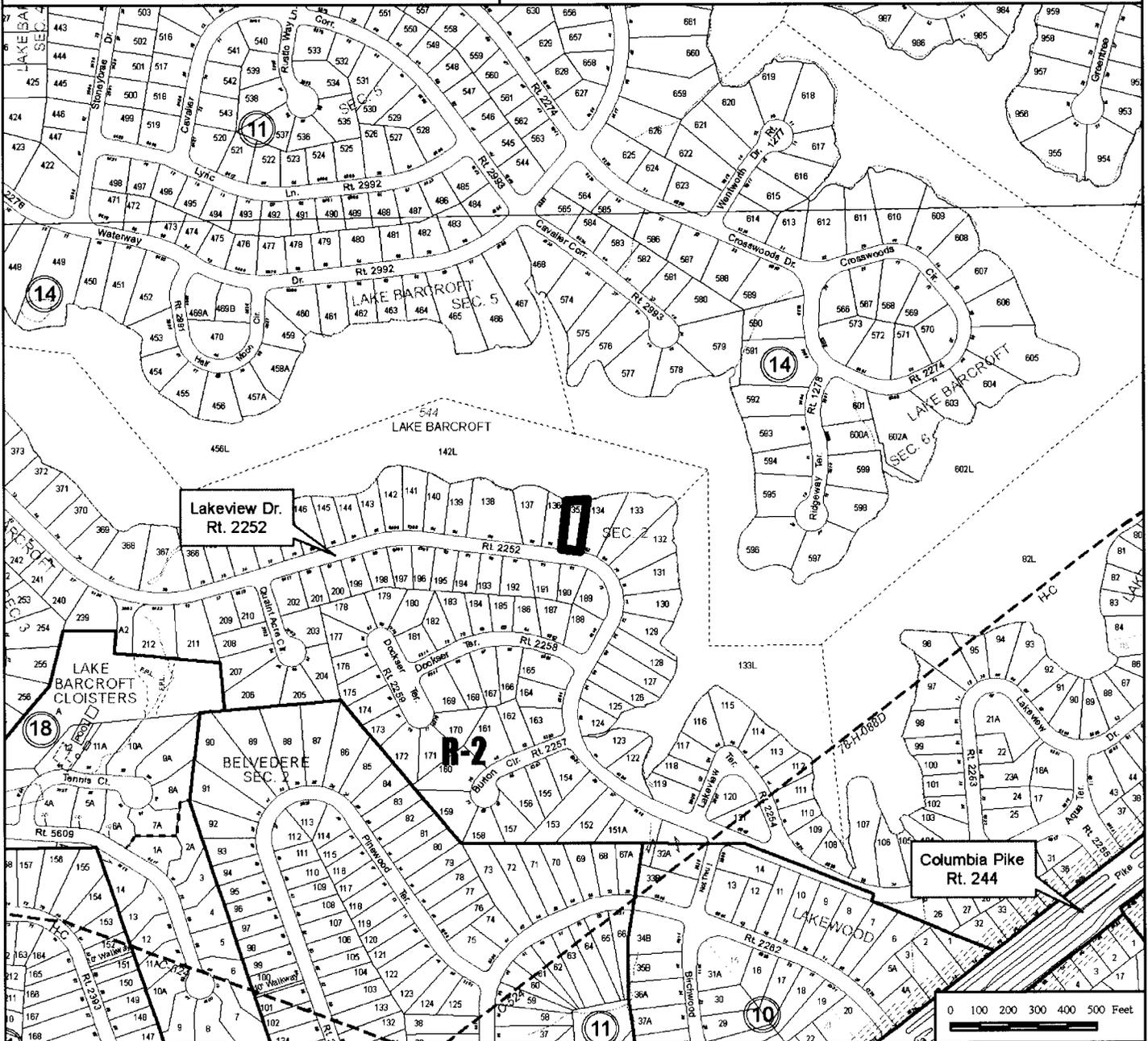
SP 2008-MA-072

Applicant:
Accepted:
Proposed:

AHMED GARMA AND KADIJA NOURY
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Property
Review

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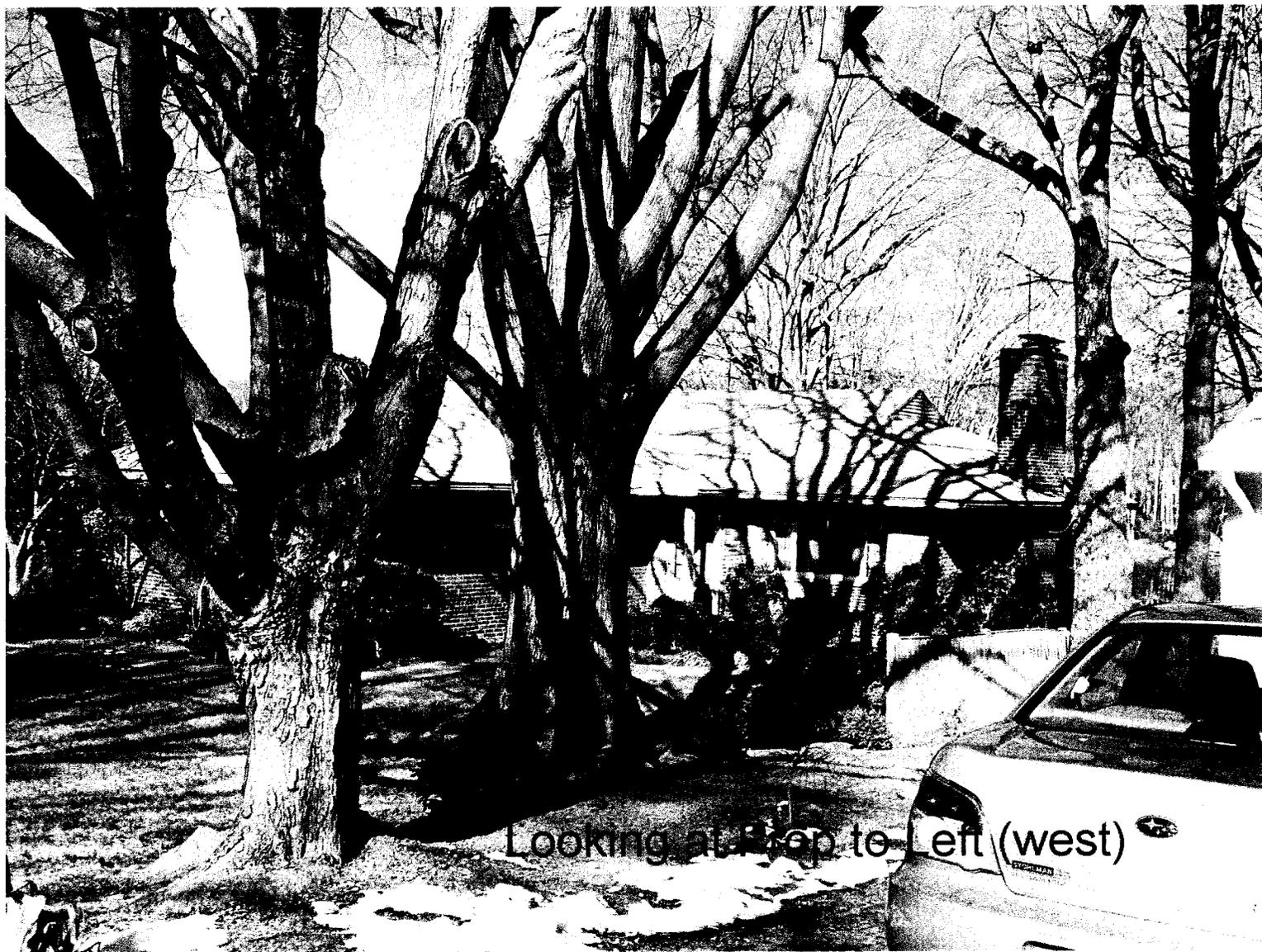
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Zoning Evaluation Division



Looking at Prop to Left (west)

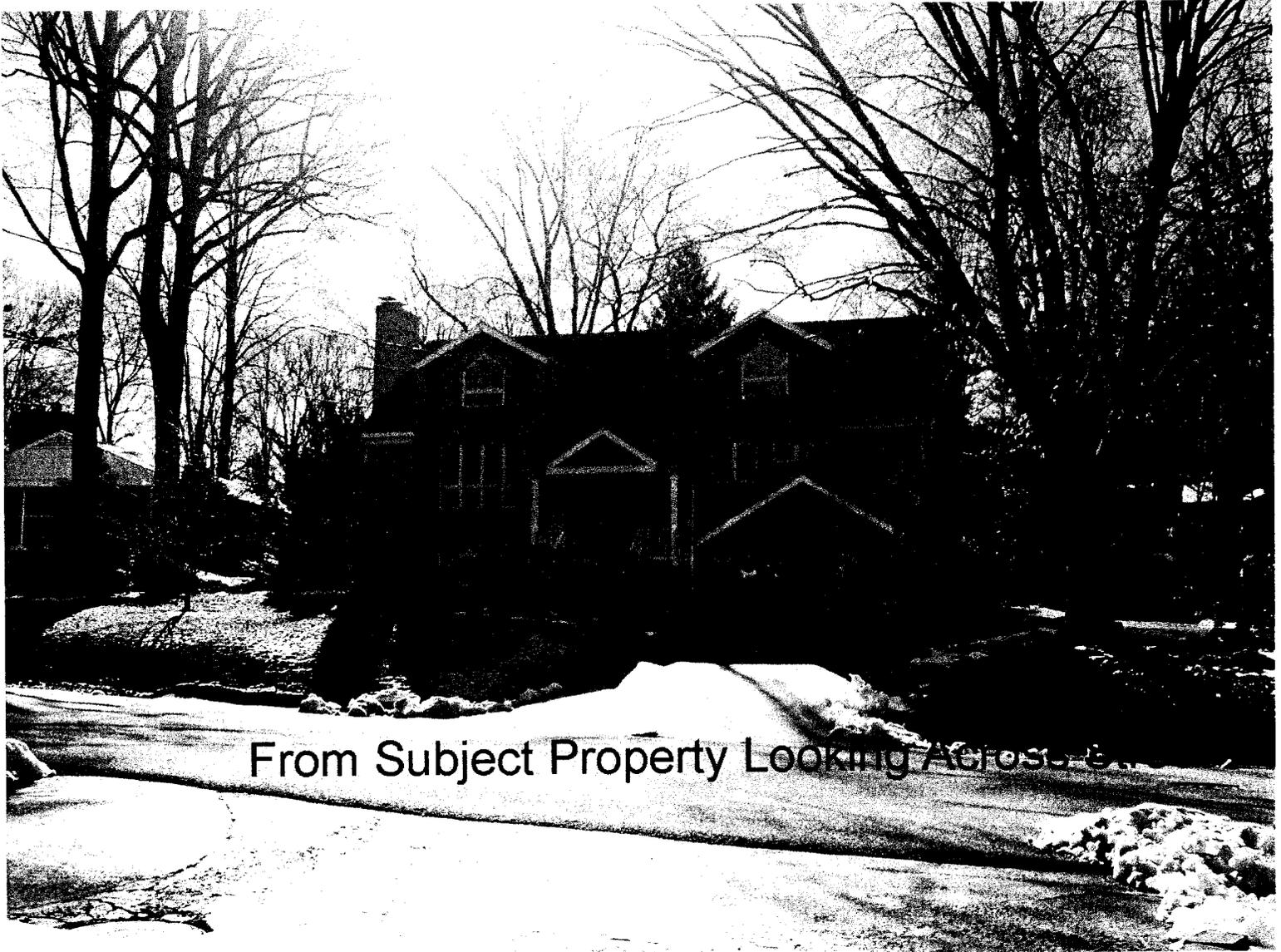
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MAY 27 2008

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From Subject Property Looking Across

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Zoning Evaluation Division



DESCRIPTION OF THE APPLICATION

The applicant seeks approval of a special permit for an error in building location to permit an enclosed carport to remain 9.2 feet from the side lot line.

	Yard	Min. Yard Req.*	Permitted Extension **	Min. Allowed	Structure Location	Amount of Error	Percent of Error
Special Permit	Side	15 ft.	None	15 ft.	9.2 ft.	5.8 ft.	34.6 %

* Minimum yard requirement per Section 3-207

CHARACTER OF THE AREA

	Zoning	Use
North	R-2	Lake Barcroft
South	R-2	Single Family Detached Dwellings
East	R-2	Single Family Detached Dwellings
West	R-2	Single Family Detached Dwellings

ANALYSIS OF SPECIAL PERMIT APPLICATION

- **Title of SP Plat:** Special Permit Plat Showing Improvements on Lot 135, Section 2, Lake Barcroft
- **Prepared By:** Andrew L. Westerman, Alexandria Surveys International, LLC dated May 9, 2008, signed through July 16, 2008.
- **Building Permit Required for Carport Enclosure:** Yes
- **Obtained:** No
- **Location Error Made By:** Applicants/Owners

BACKGROUND

Based on the building permit history and real estate records, the existing single family

detached home was constructed in 1955. The carport was constructed along with the original home in 1955.

On March 22, 1955, variance #7134 was granted to permit single family detached dwelling and carport closer to side lot line than allowed by the ordinance by a modification of six inches. The dwelling and carport were then permitted to be 14.4 inches from the side lot line. A copy of the minutes for this variance approval is contained in Appendix 4. Since the special permit plat depicted the western portion of the house 14.3 feet to the side property line, an administrative reduction for an error in building location less than ten percent was granted by the Zoning Permit Review Branch, DPZ.

Notwithstanding the notices for the special permit application, the front covered stoop, located 31.6 feet to the front lot line, requires approval of an administrative reduction from the Zoning Administrator since the error does not exceed ten percent. Therefore, copies of the special permit plat have been submitted for review to the Zoning Permit Review Branch, DPZ.

According to the Statement of Justification, around 1984 a second story was added to the principle structure and due to the fact that the carport was set into the house, a knee wall and more support columns were needed to support the second story. Therefore, those modifications were added and then windows and a door were subsequently added.

In terms of the Resource Protection Area (RPA), since the carport and home were built prior to the establishment of the 1993 RPA line, the enclosure of the carport will pose no hardships per comments from Stormwater Planning Division, DPWES. The covered stoop is located outside the RPA and therefore not an issue.

Staff has no record of when the existing deck (depicted on the special permit plat on the rear of the existing dwelling) was constructed since there are no building permits on file. The deck is 14.4 feet from the eastern side lot line and therefore also in need of an administrative reduction for an error in building location less than ten percent. However, since the structure depicted is constructed within a Sanitary Sewer Easement, the administrative reduction needed was denied by the Zoning Administration Division. Therefore, the deck must still be brought into compliance with the zoning ordinance and will be conditioned as such per the Proposed Development Conditions contained in Appendix 1 of the staff report.

The Board of Zoning Appeals (BZA) heard the following applications in the neighborhood:

- Variance VC 84-V-012, granted on April 24, 1984, on Tax Map Number 102-3 ((10)) (6) 8, on 8628 Buckboard Drive, zoned R-3, south of the subject property to permit freestanding car shelter 3.9 feet from side lot line.

ZONING ORDINANCE REQUIREMENTS (See Appendix 5)

- General Special Permit Standards (Sect. 8-006)
- Group 9 Standards (Sect. 8-903)
- Provisions for Approval of Reduction of the Minimum Yard Requirements Based on an Error in Building Location (Sect. 8-914)

CONCLUSION

If it is the intent of the BZA to approve this application, the BZA should condition its approval by requiring conformance with the conditions set forth in Appendices 1&2 of this report, Proposed Development Conditions.

The approval of this special permit/variance does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

APPENDICES

1. Proposed Development Conditions for Special Permit
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Variance Minutes
5. Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

SP 2008-MV-060

September 23, 2008

1. This special permit is approved for the location of an existing addition (enclosed carport) shown on the plat prepared by Andrew L. Westerman, Alexandria Surveys International, LLC, dated May 9, 2008 signed through July 16, 2008 submitted with this application and is not transferable to other land.
2. Within 120 days of approval of this application, building permits and final inspections for the enclosed carport, covered porch and deck shall be diligently pursued and obtained or they shall be removed or brought into compliance with the Zoning Ordinance Requirements.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Application No.(s): _____
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JANUARY 24, 2008
 (enter date affidavit is notarized)

I, Jane Kelsey, Jane Kelsey & Associates, Inc., Agent, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

100245

and that, to the best of my knowledge and belief, the following is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Ahmed Garma	6384 Lakeview Drive Falls Church, VA 22041	Applicant/Title Owner
Kadija Noury	6384 Lakeview Drive Falls Church, VA 22041	Applicant/Title Owner
Jane Kelsey & Associates, Inc. Agents: Jane Kelsey Donald E. Lucas	4041 Autumn Court Fairfax, VA 22030-5168 " "	Agent for Applicants Agent for Applicants Agent for Applicants

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

When the Applicants purchased the property, the carport existed with columns and knee wall. There was no garage door and no garage door is proposed. **See enclosed photo showing the real estate advertisement for the property at Attachment 5, Exhibit D.** The openings where the windows and rear door have been placed are readily visible.

The front door of the dwelling and the carport was open to the elements. Windows and the rear door to the carport were installed and a contractor was hired to construct a front porch or portico to provide some protection from the elements during inclement weather.

C. The carport has existed since the construction of the original home by the developer of Lake Barcroft subdivision in 1955. Please see a copy of the original house location/BZA approved plat referred to above.

The Board of Zoning Appeals approved a variance to permit the dwelling to remain 4 inches too close to the side property line in 1955 because of an error made by the original builder of the house. See copy of BZA approved plat.

D. Neither the enclosure of the carport nor the front portico/porch will be detrimental to the use and enjoyment of other property in the immediate vicinity.

The side of the adjacent dwelling faces the enclosed carport. There is a six (6) foot fence between the carport and the property line and the carport itself is barely visible from this location.

The dwelling on the adjacent lot is also set back further from the street than the subject dwelling. The Applicant's front portico/porch is not visible from that dwelling. The porch aesthetically adds to the dwelling, thus provides a more pleasing view of the dwelling from the street. The design of the porch is in character with the house.

E. The enclosed carport and/or the portico/porch does not create unsafe conditions with respect to other property or the public streets.

F. To force compliance with the minimum yard requirements would cause unreasonable hardship upon the owners. The second floor of the home is partially over the carport. To remove the carport entirely would severely alter the looks of the house and could have a detrimental affect on the structural integrity of the dwelling. To just remove the windows so that it is as it was in 2006 would cause the house to appear incomplete. As stated above, the house was totally renovated in 1984 and a copy of the site plan for that renovation is enclosed. We could not find a copy of the architectural plans in the County files. It is noted that the previous Zoning Ordinance permitted carports to have a knee wall.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: January 24 2008
(enter date affidavit is notarized)

100245

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

N/A

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: January 24, 2008
(enter date affidavit is notarized)

100245

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

None.

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: January 24, 2008
(enter date affidavit is notarized)

100245

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

James R. Hart is a member of the Fairfax County Planning Commission and the Fairfax County Board of Zoning Appeals. James R. Hart and his law firm, Hart & Horan, PC, represented two clients in a litigation matter; however, said clients are not parties to this application. Mr. Hart's clients hired Jane Kelsey of Jane Kelsey & Associates, Inc., as a consultant on the same litigation matter, and Jane Kelsey and Jane Kelsey & Associates, Inc., are listed as agents for the applicants in Par. 1(a) of this affidavit. Ms. Kelsey was also an expert witness in the case.

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

Applicant

Jane Kelsey

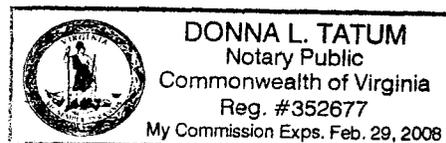
Applicant's Authorized Agent

Jane Kelsey, President, Jane Kelsey & Associates, Inc.
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 24 day of January, 2008, in the State/Comm. of Virginia, County/City of Fairfax.

Donna L. Tatum
Notary Public

My commission expires: Feb 29, 2008



JUSTIFICATION
FOR ERROR IN BUILDING LOCATION

RECEIVED
Department of Planning & Zoning
MAY 27 2008
Zoning Evaluation Division

Applicants: **Mr. Ahmed Garma and Ms. Khadija Noury, his wife.**
Property Location: 6384 Lakeview Drive, Falls Church, VA 22041.
Tax Map Reference: 61-3((14))135, Lake Barcroft Subdivision, Section 2

Background:

The dwelling subject to this Special Permit application is located at 6384 Lakeview Drive. It backs up to and is contiguous to Lake Barcroft. It was constructed in 1955 as a single story brick rambler. The carport was placed approximately 6 feet into the house and extended 5.5 feet past the front of the house. This is a unique design in that most carports are placed along side of the house and not set into the house. At the time it was constructed it was discovered that the attached carport extended "about 4 inches" into the side yard setback. At its March 22, 1955 meeting, the Fairfax County Board of Zoning Appeals (BZA) granted a variance to permit the dwelling and carport to remain closer to the side lot line than allowed by the Zoning Ordinance. It is noted that the Zoning Ordinance in effect in 1955 did not define a carport. A copy of the BZA Minutes and Approved Plat is at **Attachment No. 5, Exhibits A and B.**

Some thirty (30) years later in 1984, a second story was added. **A copy of the plats for that addition are attached at Attachment 5, Exhibit C.** The second story extended out over a portion of the carport (approximately 6 feet) and was cantilevered out over the front wall of the original house approximately 5 feet. At that time, brick columns were added to the front and side of the house to support the weight of a portion of the second floor that was cantilevered out over the original wall and carport. One column was placed on either side the carport. Two columns were in the middle span to the right of the carport facing the house and a fifth one was placed at the far right corner. A sixth column was placed at the left rear corner of the carport and a brick knee wall was built to connect these three columns. Windows were subsequently added above this knee wall and a door was added at the rear of the carport between a column and an original corner of the house.

Amendments to previous editions of the Zoning Ordinance have provided that carports and open porches could extend 5 feet into a side yard. A porch was allowed to have screen wire.

Par. 1 of Section 8-914, Provisions for Approval of Reduction to the Minimum Yard Requirement Based on Error in Building Location

- A. The error exceeds 10 percent of the measurements involved.
- B. The noncompliance was done in good faith and was through no fault of the property owners.

When the Applicants purchased the property, the carport existed with columns and knee wall. There was no garage door and no garage door is proposed. **See enclosed photo showing the real estate advertisement for the property at Attachment 5, Exhibit D.** The openings where the windows and rear door have been placed are readily visible.

The front door of the dwelling and the carport was open to the elements. Windows and the rear door to the carport were installed and a contractor was hired to construct a front porch or portico to provide some protection from the elements during inclement weather.

C. The carport has existed since the construction of the original home by the developer of Lake Barcroft subdivision in 1955. Please see a copy of the original house location/BZA approved plat referred to above.

The Board of Zoning Appeals approved a variance to permit the dwelling to remain 4 inches too close to the side property line in 1955 because of an error made by the original builder of the house. See copy of BZA approved plat.

D. Neither the enclosure of the carport nor the front portico/porch will be detrimental to the use and enjoyment of other property in the immediate vicinity.

The side of the adjacent dwelling faces the enclosed carport. There is a six (6) foot fence between the carport and the property line and the carport itself is barely visible from this location.

The dwelling on the adjacent lot is also set back further from the street than the subject dwelling. The Applicant's front portico/porch is not visible from that dwelling. The porch aesthetically adds to the dwelling, thus provides a more pleasing view of the dwelling from the street. The design of the porch is in character with the house.

E. The enclosed carport and/or the portico/porch does not create unsafe conditions with respect to other property or the public streets.

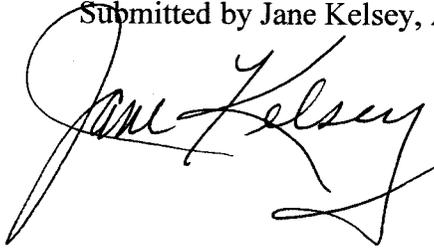
F. To force compliance with the minimum yard requirements would cause unreasonable hardship upon the owners. The second floor of the home is partially over the carport. To remove the carport entirely would severely alter the looks of the house and could have a detrimental affect on the structural integrity of the dwelling. To just remove the windows so that it is as it was in 2006 would cause the house to appear incomplete. As stated above, the house was totally renovated in 1984 and a copy of the site plan for that renovation is enclosed. We could not find a copy of the architectural plans in the County files. It is noted that the previous Zoning Ordinance permitted carports to have a knee wall.

Justification - Garma and Noury Property

G. The reduction of the minimum yard requirements to permit the enclosed carport and the front portico/porch to remain will not increase the density or floor area ratio from that permitted by the applicable zoning district regulations.

We believe that this application meets all of the provisions of the Zoning Ordinance and respectfully request that the application be approved.

Submitted by Jane Kelsey, Agent for the Applicants

A handwritten signature in black ink, appearing to read "Jane Kelsey". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

#7134
March 22, 1955

Lot 135

A. Glenn Bryan, to permit dwelling and carport closer to side lot line than allowed by the Ordinance, Lot 135, Section 2, Lake Barcroft, Mason District. (Suburban Residence)

A. Glenn Bryan. Mr. Calvin Burns represented the applicant. This house was located incorrectly on the property, Mr. Burns said, and the builder did not realize it until the man next door suggested that the building appeared to be too close to his line. They checked the location again, and found that he was right. The building was very slightly in violation, about 4 inches. They have allowed 2 inches extra for masonry. There are homes already built on Lots 134 and 136 - joining lots.

This lot has a rough topography, Mr. Burns said - the sewer line has been put in on the lower part of the lot in order to give sufficient fall to tie in. There were no objections from the area.

Mr. Haar moved to grant the application because this is only a 6 inch violation and the topography of these lots is quite irregular and this appears to have been an honest mistake and does not affect joining property adversely. Seconded, Judge Hamel. Carried, unanimously.

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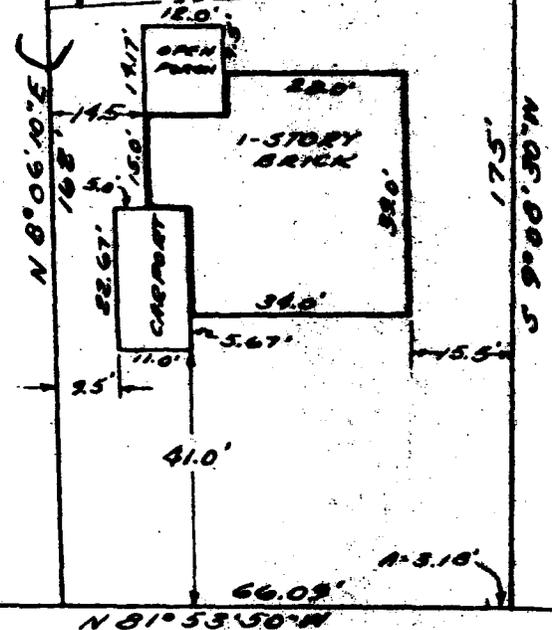
AH 1, E.A. B

LAKE BARCROFT



LOT 135
11,200 sq

10' SAN. SEWER EASEMENT



LAKEVIEW DR.
(50' WIDE)

THIS APPLICATION APPROVED BY
ACTION OF THE BOARD OF ZONING APPEALS
ON MAR 22 1955

Date
J. F. Schumann, Jr. M

PLAT

SHOWING HOUSE LOCATION ON
**LOT 135 - SECTION 2
LAKE BARCROFT**

FAIRFAX COUNTY, VIRGINIA
SCALE: 1" = 30' MARCH 3, 1955
B. CALVIN BURNS - CERTIFIED LAND SURVEYOR
ARLINGTON COUNTY, VIRGINIA

CERTIFIED CORRECT: *B. Calvin Burns*

**BUILDING
 PERMIT APPLICATION**

APPLICATION NO **HH5, EXH. C.**

Date 19

JOB LOCATION

Street 6387 LAKEVIEW DR.
 Building _____ Floor _____ Suite _____
 Subdivision _____
 Tenants Name JOHN J. KELLY

DO NOT WRITE IN THIS SPACE

Permit No. **8427080190**
 Map Reference 061-3-14-013
 Building Permit No. _____ Control No. _____
 Std. _____ Mag. _____ Plan _____ Census _____

OWNER

Name JOHN J. KELLY
 Address (Mailing) 6387 LAKEVIEW DR.
 City FAIRFAX State VA Zip 22031
 Telephone 703-266-9512

CONTRACTOR

Company Name ANTHONY E. ...
 Master _____
 Address 1701 ...
 City ... State MD Zip _____
 Telephone 773-1052 License No. _____
 State Contractors License No. 21-4...
 County Business Account No. 127

For 2ND FLOOR ADDITION ABOVE
THE EXISTING RESIDENT
3 BED ROOM, 2 BATHROOM,
1 DEN.

ROUTING

Description	Date	Approved By:
Health Review		
Site Review	<u>1/4/00</u>	<u>[Signature]</u>
Zoning Review	<u>01/26/00</u>	<u>[Signature]</u>
Sanitation Review		
Building Review	<u>1/1/00</u>	<u>[Signature]</u>
Fire Review		

Model/Use

- Sewage: Public Community Septic Tank None
 WATER: Public Individual Well None
 N-New D-Demolish
 R-Alter or Repair M-Move
 A-Add To O-Other

REMARKS:

BUILDING DESCRIPTION	QUANTITY
# Units	_____
# Stories	_____
# Rooms	_____
# Bedrooms	_____
# To be Added	_____
# Baths	_____
# Half Baths	_____
# Kitchens	_____
# Fireplaces	_____
Basement	_____
% Basements to Finish	_____

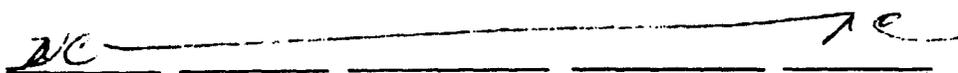
Use Group of Building _____
 Type of Construction _____
 Building Area 1700
 Estimated Const. Cost 111,000

ZONING REVIEW
 Zoning Proffers Building _____
 Zoning Class RE-WSOP R-2
 Zoning Case # _____

BUILDING CHARACTERISTICS
 Building Height _____
 Exterior Walls _____
 Interior Walls _____
 Roofing Material _____
 Flooring Material _____
 Heating Fuel _____
 Heating System _____

GRADING AND DRAINAGE REVIEW
 Soils _____
 Historical _____
 Plan # _____
 Retaining Wall _____

YARDS Front Left Side Right Side Rear



REMARKS

2nd Floor addition - Single Family
Dwelling Only
Lake Barcroft
Lot 135 Sec 2

FOR COUNTY USE ONLY:

Date 1/1/00 By [Signature]
 Approved for Issuance of Building Permit

Fee _____
 Filing Fee 700
 Amount Due _____

The request for and use of personal information on this form is subject to the provisions of the Privacy Protection Act of 1976 and the Freedom of Information Act.

I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that if a permit is issued the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations including private building restrictions, if any, which relate to the property. He/She and the company or organization named and represented herein is duly registered or exempt from registration in accord with the provisions of Chapter 7 of the Code of Virginia.

Signature of Owner or Agent

Date

Notary Signature

Date

BUILDING
PERMIT APPLICATION

APPLICATION NO

19
Date W-93-03224

JOB LOCATION
Street 6384 LAKEVIEW DR
Building _____ Floor _____ Suite _____
Subdivision _____
Tenants Name _____

DO NOT WRITE IN THIS SPACE
Permit No. 93139B0810
Map Reference 01-3-14-0135
Building Permit No. _____ Control No. _____
Std. _____ Mag. _____ Plan _____ Census _____

OWNER

Name Rob + Jo Ellen McCormack
Address (Mailing) 6384 LAKEVIEW DR
City Falls Church State VA Zip 22041
Telephone _____

CONTRACTOR

Company Name _____
Master OWNER
Address _____
City _____ State _____ Zip _____
Telephone _____ License No. _____
State Contractors License No. _____
County Business Account No. _____

For REMOVAL OF NON-LOAD
DURING PARTITION WALL

ROUTING

	Date	Approved By:
Health Review		
Site Review	5-17	NR/DKM
Zoning Review	5-19	93 jr
Sanitation Review		
Building Review	5/19/93	N.Z. / M
Fire Review		
LOGOUT		

Model/Use _____

Sewage: Public Community Septic Tank None

WATER: Public Individual Well None

- N-New D-Demolish
 R-Alter or Repair M-Move
 A-Add To O-Other

REMARKS:

BUILDING DESCRIPTION QUANTITY

- # Units _____
Stories _____
Rooms _____
Bedrooms _____
To be Added _____
Baths _____
Half Baths _____
Kitchens _____
Fireplaces _____
Basement _____
% Basements to Finish _____

BUILDING DIMENSIONS			
No. Stories	Width	Depth	Sq. Ft.
	X	=	
	X	=	
	X	=	
	X	=	

Use Group of Building R4
Type of Construction SB(89)

Building Area _____
Estimated Const. Cost 700

ZONING REVIEW
Zoning Proffers Building _____
Zoning Class R2
Zoning Case # _____

BUILDING CHARACTERISTICS
Building Height _____
Exterior Walls _____
Interior Walls _____
Roofing Material _____
Flooring Material _____
Heating Fuel _____
Heating System _____

GRADING AND DRAINAGE REVIEW
Soils _____
Historical _____
Plan # _____
Retaining Wall _____

YARDS Front Front Left Side Right Side Rear

Demo only

REMARKS

Lake Barcroft Sec 2 of 135

FOR COUNTY USE ONLY:

Date 5-19-93 By GB
Approved for Issuance of Building Permit

Fee _____
Filing Fee _____
Amount Due 516

The request for and use of personal information on this form is subject to the provisions of the Privacy Protection Act of 1976 and the Freedom of Information Act. My Commission Expires August 31, 1994

I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that if a permit is issued the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations including private building restrictions, if any, which relate to the property. He/She and the company or organization named and represented herein is duly registered or exempt from registration in accord with the provisions of Chapter 7 of the Code of Virginia.

Signature of Owner or Agent Rob McCormack Date 5-15-93 Notary Signature [Signature] Date 5/15/93

AHS, EXH C

COUNTY OF FAIRFAX, VIRGINIA
OFFICE OF BUILDING INSPECTOR

Building Permit No. 11447

32

APPLICATION FOR PERMIT TO BUILD

Art. 116

Fairfax, Va., Feb. 23rd, 1955

TO THE BUILDING INSPECTOR:

The undersigned hereby applies for a permit to build according to the following specifications:

1. State how many buildings to be erected ONE DWELLING (Full Bent.)
2. Material BRICK & CINDER BLK.
3. Name of Owner A. GLEN BYRAN Phone _____
Address ALEX, VA.
4. Name of Designer W.L. MAYNE Phone _____
Address ALEX, VA.
5. Name of Contractor W.C. WARD Phone KL. 9-5959
Address ROUTE 428 ALEX, VA.
6. Location: Lot No. 2 Block 428 Section 2 Subdivision LAKE BARBOUR ESTATE
Name (NO.) of Street LAKEVIEW DR.

I hereby certify that the property described above is listed in the name of

Mag. Dist. Mason #1

Deed Book Reference

Barbour Estate
John W. Barbour
Supervisor of Assessments

7. Size of building: No. of feet front 40; No. feet rear 40; No. feet deep 39; No. stories in height D.M.E.; No. rooms 6; Cubic contents of bldg. _____ cu. ft. Estimated cost 17,000
8. Zoning: Use of building ONE FAMILY RESIDENCE No. of families or housekeeping units ONE; No. kitchens _____; Size of lot: Width 66 ft., Depth 170 ft., Area 11,200; Height of building (to highest point of roof) _____ ft. Setback from property line: Front 40 ft., Rear 70 ft., Side 15 ft. Zone Suburban 21
9. Check system to be used: (a) Sewage Disposal by: Public Sewer , Community System _____, Septic tank _____, Pit privy _____ (b) Water Supply: Public System , Individual well _____
10. What will the building be erected on? (Solid or filled land) SOLID
Finished outside grade to cellar floor _____ ft. First floor is _____ ft. above curb grade.
11. Material of foundation CONCRETE Thickness and material of external walls:
Cellar or basement CONCRETE 8" + 12"; 1st story BRICK + CINDER BLK. 8"
2nd story _____; 3rd story _____
4th story _____; 5th story _____
Thickness of other walls _____; 1st story _____
2nd story _____; 3rd story _____
4th story _____; 5th story _____
12. What will be the material of the front? BRICK
13. Will the roof be flat, pitch, or mansard? PITCH
14. Roofing material ASPHALT
15. What will be the means of access to the roof? SCUTTLE
16. How is the building heated? GAS FORCED AIR
17. Will the lower story be used for business purposes of any kind? NO

I certify that I have the authority to make this information given is correct, and that the building shall conform to the County Health Regulations and Zoning Ordinances, and private deed restrictions which are imposed on the property.

Edward
owner or authorized agent

Box 928 ALEX, VA.

Fire-proof _____	Non-fireproof _____
Total sq. ft. _____	Fee <u>25.00</u>
Pay't Order No. _____	
Date received _____	
Approved by Building Inspector	
<i>John W. Barbour</i>	
Telephone _____	

Date _____

AH 5, Exh C

Approved for proposed location of building as shown. Final approval subject to well check.

SEP 26 1984

Orville G. Yates
Zoning Administrator

APPROVED
THE OFFICE

136

LAKE BARCROFT

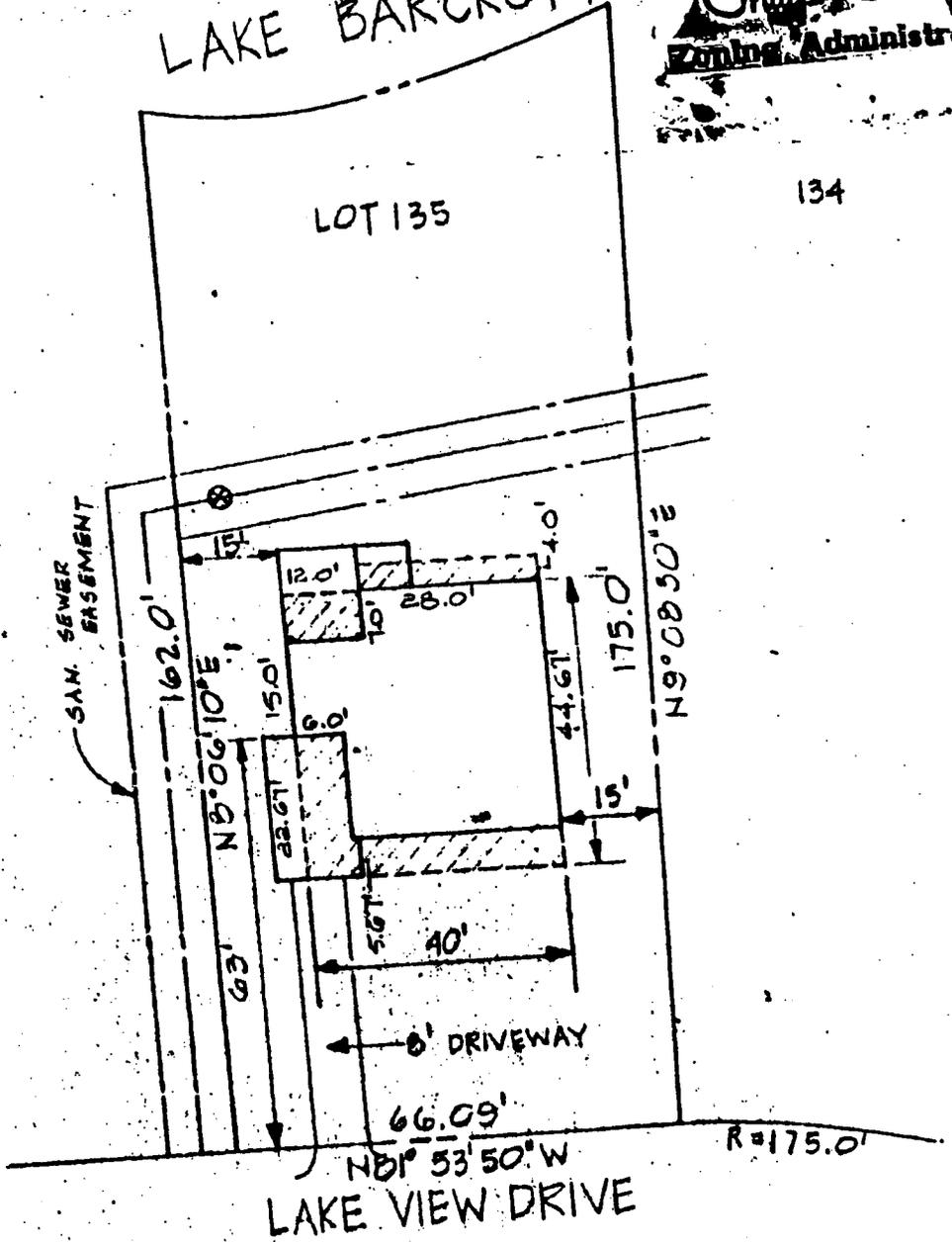
LOT 135

134

UNLESS AN
ON JOB SITE

IT SUBJECT
TION.

234 R3429/20/24
1878



SITE PLAN

HHS, EXH 12

Presented By:

Nan Brent & Karen Freije Long & Foster

6299 Leesburg Pike
Falls Church, Va. 22042
Office: 703-534-9660
Email: nan.brent@longandfoster.com



6384 Lakeview Drive
Falls Church, Va. 22041



Bob Nielsen
703-573-2600 ext 2193
Email: bob.nielsen@prosperitymortgage.com



#7134
March 22, 1955

A. Glenn Bryan, to permit dwelling and carport closer to side lot line than allowed by the Ordinance, Lot 135, Section 2, Lake Barcroft, Mason District. (Suburban Residence)

A. Glenn Bryan. Mr. Calvin Burns represented the applicant. This house was located incorrectly on the property, Mr. Burns said, and the builder did not realize it until the man next door suggested that the building appeared to be too close to his line. They checked the location again, and found that he was right. The building was very slightly in violation, about 4 inches. They have allowed 2 inches extra for masonry. There are homes already built on Lots 134 and 136 - joining lots.

This lot has a rough topography, Mr. Burns said - the sewer line has been put in on the lower part of the lot in order to give sufficient fall to tie in. There were no objections from the area.

Mr. Haar moved to grant the application because this is only a 6 inch violation and the topography of these lots is quite irregular and this appears to have been an honest mistake and does not affect joining property adversely. Seconded, Judge Hamel. Carried, unanimously.

//

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-903 Standards for all Group 9 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located.

3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, or other appropriate submission as determined by the Director.

8-914 Provisions for Approval of Reduction to the Minimum Yard Requirements Based on Error in Building Location

The BZA may approve a special permit to allow a reduction to the minimum yard requirements for any building existing or partially constructed which does not comply with such requirements applicable at the time such building was erected, but only in accordance with the following provisions:

1. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia and such plat shall contain the following information:
 - A. Boundaries of entire property, with bearings and distances of the perimeter property lines and of each zoning district.
 - B. Total area of the property and of each zoning district in square feet or acres.
 - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
 - D. Location of all existing structures, with dimensions, including height of any structure and penthouse, and if known, the construction date(s) of all existing structures.
 - E. All required minimum yards to include front, side and rear, and a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing structures to lot lines.
 - F. Means of ingress and egress to the property from a public street(s).
 - G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).
 - H. If applicable, the location of well and/or septic field.
 - I. For nonresidential uses, a statement setting forth the maximum gross floor area and FAR for all uses.

- J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
- K. Seal and signature of professional person certifying the plat.

In addition, the application shall contain a statement of justification explaining how the error in building location occurred and any supportive material such as aerial photographs, Building Permit applications, County assessments records, a copy of the contract to build the structure which is in error, or a statement from a previous owner indicating how the error in building location occurred.

- 2. The BZA determines that:
 - A. The error exceeds ten (10) percent of the measurement involved, and
 - B. The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the relocation of the building subsequent to the issuance of a Building Permit, if such was required, and
 - C. Such reduction will not impair the purpose and intent of this Ordinance, and
 - D. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and
 - E. It will not create an unsafe condition with respect to both other property and public streets, and
 - F. To force compliance with the minimum yard requirements would cause unreasonable hardship upon the owner.
 - G. The reduction will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.
- 3. In granting such a reduction under the provisions of this Section, the BZA shall allow only a reduction necessary to provide reasonable relief and may, as deemed advisable, prescribe such conditions, to include landscaping and screening measures, to assure compliance with the intent of this Ordinance.
- 4. Upon the granting of a reduction for a particular building in accordance with the provisions of this Section, the same shall be deemed to be a lawful building.
- 5. The BZA shall have no power to waive or modify the standards necessary for approval as specified in this Section.