



APPLICATION ACCEPTED: May 4, 2009
BOARD OF ZONING APPEALS: August 4, 2009
TIME: 9:00 a.m.

County of Fairfax, Virginia

July 28, 2009

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2009-MA-030

MASON D ISTRICT

APPLICANT/OWNER: Rafael Chavarria

SUBDIVISION: Broyhill Park

STREET ADDRESS: 7218 Carol Lane

TAX MAP REFERENCE: 60-1 ((20)) 89

LOT SIZE: 10,000 square feet

ZONING DISTRICT: R-4

ZONING ORDINANCE PROVISIONS: 8-914

SPECIAL PERMIT PROPOSAL: To permit reduction to minimum yard requirements based on error in building location to permit an accessory storage structure to remain 2.2 feet from side lot line and 3.1 feet from rear lot line.

A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

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

O:\dhedr\Special Permits\8-4 SP 2009-MA-030 Chavarria\SP 2009-MA-030 Chavarria staff report.doc Deborah Hedrick

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/



For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 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.**



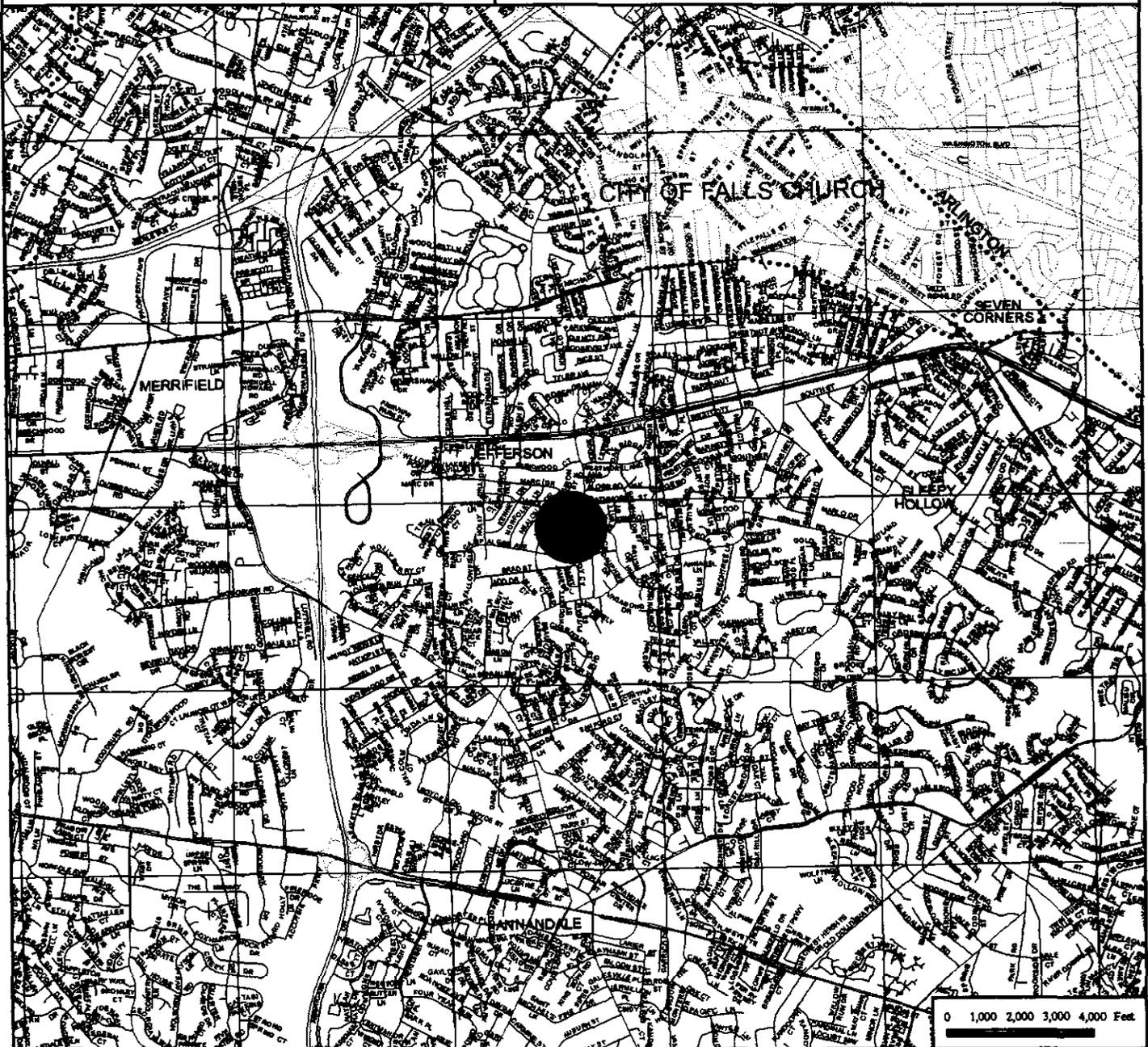
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

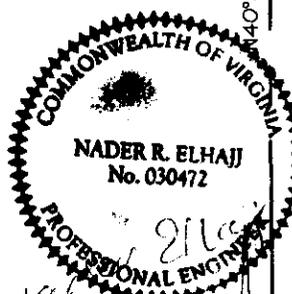
Special Permit
SP 2009-MA-030

Applicant: RAFAEL CHAVARRIA
Accepted: 05/04/2009
Proposed: REDUCTION TO MINIMUM YARD REQUIREMENTS
BASED ON ERROR IN BUILDING LOCATION
TO PERMIT ACCESSORY STORAGE STRUCTURE
TO REMAIN 2.2 FEET FROM SIDE LOT LINE
AND 3.1 FEET FROM REAR LOT LINE



Area: 10,000 SF OF LAND; DISTRICT - MASON
Zoning Dist Sect: 08-0914
Art 8 Group and Use: 9-13
Located: 7218 CAROL LANE
Zoning: R- 4
Overlay Dist:
Map Ref Num: 060-1- /20/ /0089





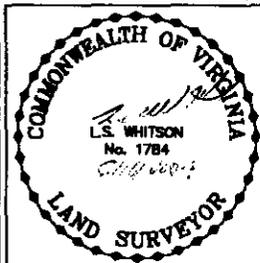
*Not
4/27/09*

+/- 100' TO
SHERRY COURT

CAROL LANE
50' RW

RECEIVED
Department of Planning & Zoning
APR 28 2009
Zoning Evaluation Division

HOUSE LOCATION SURVEY
LOT 89 SECTION SIX
BROYHILL PARK
DEED BOOK 1179 PAGE 359
FAIRFAX COUNTY, VIRGINIA
DATE: JUNE 18, 2004
SCALE: 1" = 20'
DRAFTED BY: JTE



LEGEND

CW = CONC WALK	C/P = CONC PATIO
SW = STONE WALK	R/E = RECESSED ENTRY
WL = WOOD LANDING	CHIM = CHIMNEY
BL = BRICK LANDING	O.H. = OVERHANG
WD = WOOD DECK	B/W = BAY WINDOW
C/S = CONC STOOP	OHW = OVERHEAD WIRE
M/S = METAL STOOP	AW = AREA WAY
C/C/S = COVERED CONC STOOP	● = MONUMENT FOUND
	* = FENCE

NOTES

PURSUANT TO TITLE 54.1-407 OF THE CODE OF VIRGINIA; THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY; IT IS A HOUSE LOCATION SURVEY. ANY MONUMENTS SHOWN ON THIS PLAT WERE RECOVERED IN THE FIELD AND DEEMED SUFFICIENT FOR A HOUSE LOCATION SURVEY. THIS PLAT DOES NOT CERTIFY THAT THE LOCATIONS OF THESE MONUMENTS ARE PRECISELY CORRECT. YOUR LENDER REQUIRED A HOUSE LOCATION SURVEY TO VERIFY THE ORIENTATION OF THE HOUSE, LOCATION OF IMPROVEMENTS, AND TO ENSURE THAT THERE ARE NO IMPROPER ENCUMBRANCES UPON THE PROPERTY. IF THE OWNER DESIRES THE PRECISE LOCATION OF CORNERS TO BE MARKED, THEN A BOUNDARY SURVEY MAY BE REQUESTED FOR AN ADDITIONAL FEE. THE LOCATION OF FENCES, DRIVEWAYS, AND OTHER IMPROVEMENTS ARE APPROXIMATE. THIS PLAT DOES NOT DETERMINE THE OWNERSHIP OF FENCES. THIS PLAT IS NOT TO BE USED FOR THE CONSTRUCTION OF FENCES OR ANY OTHER IMPROVEMENTS. THIS PLAT WAS ESTABLISHED BY TRANSIT AND TAPE. NO TITLE REPORT WAS FURNISHED.

SAM WHITSON LAND SURVEYING, INC.
 11170 LEE HIGHWAY SUITE C
 FAIRFAX, VIRGINIA 22030
 (703)352-9515 FAX: (703)352-9516
 VISIT OUR WEBSITE AT <http://www.samwhitson.com/>

OWNER: VUDHIPAO
BUYER: CHAVARRIA
 W.O. #04-3017 CLIENT #N0405063

7218 CAROL LN.
FALLS CHURCH, VA 22042

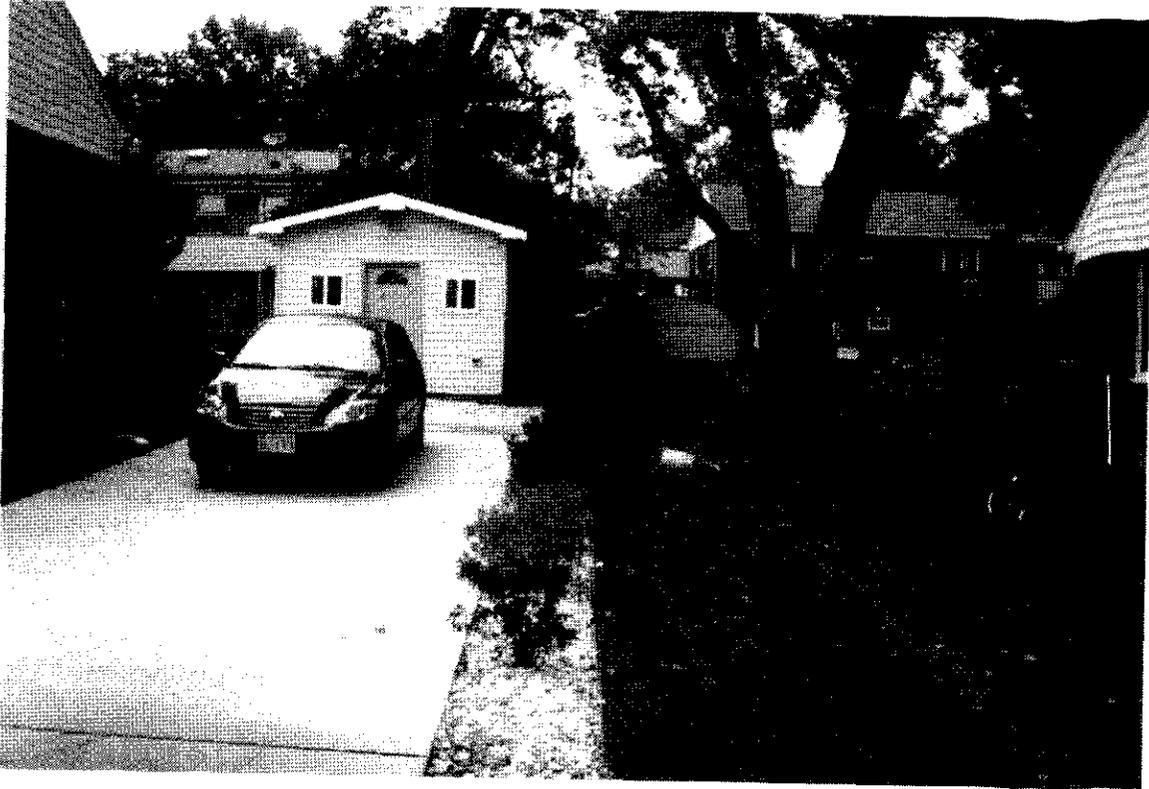


Front of house.

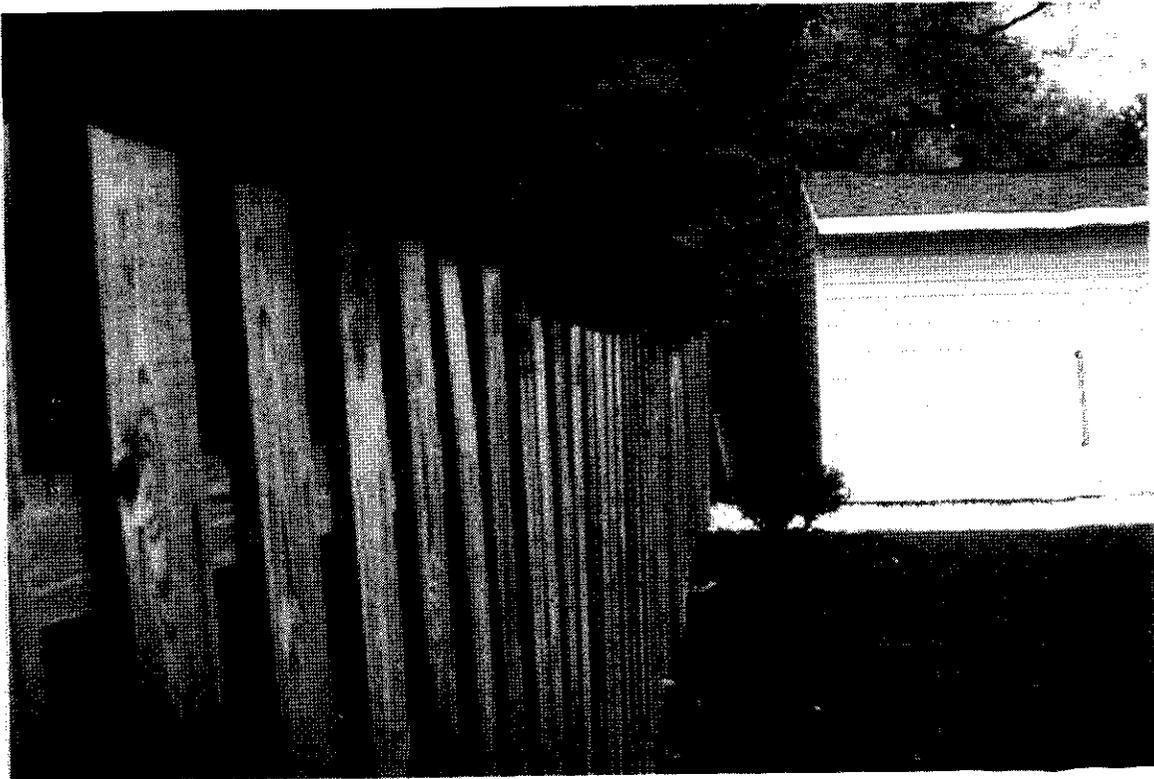


Front of shed in car

7218 CAROL LN
FALLS CHURCH, VA 22042

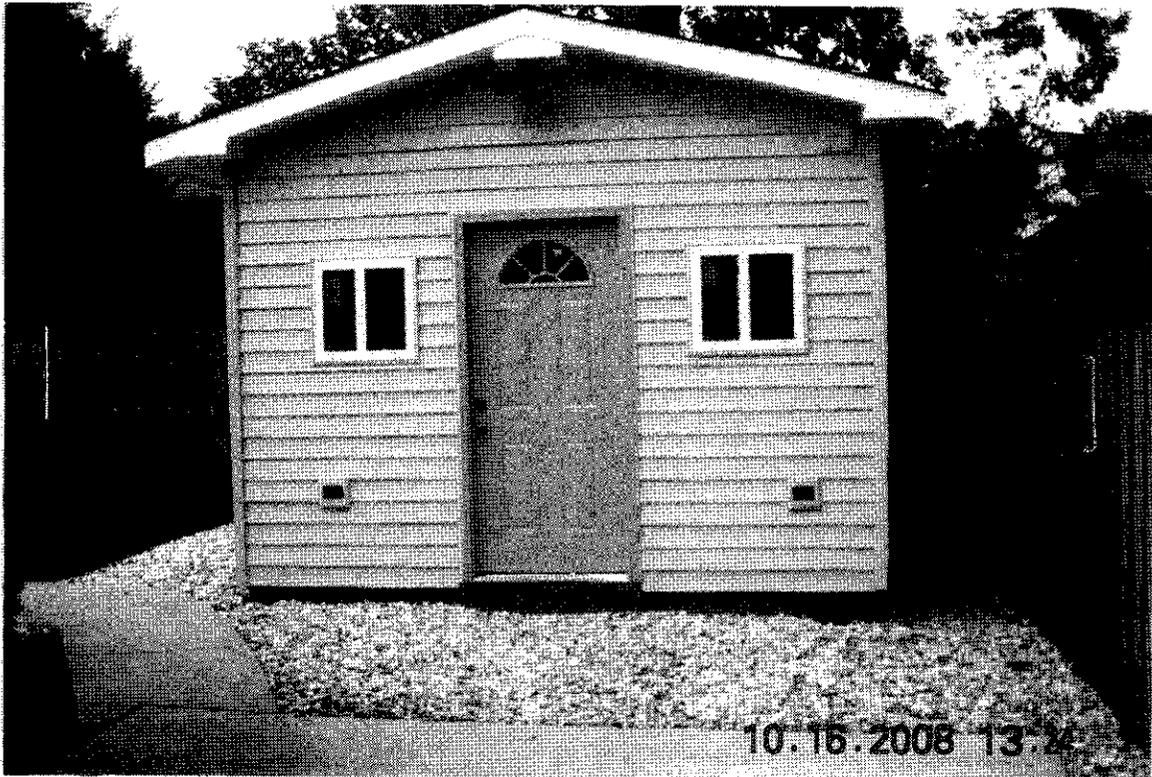


ADDITIONAL PICTURE

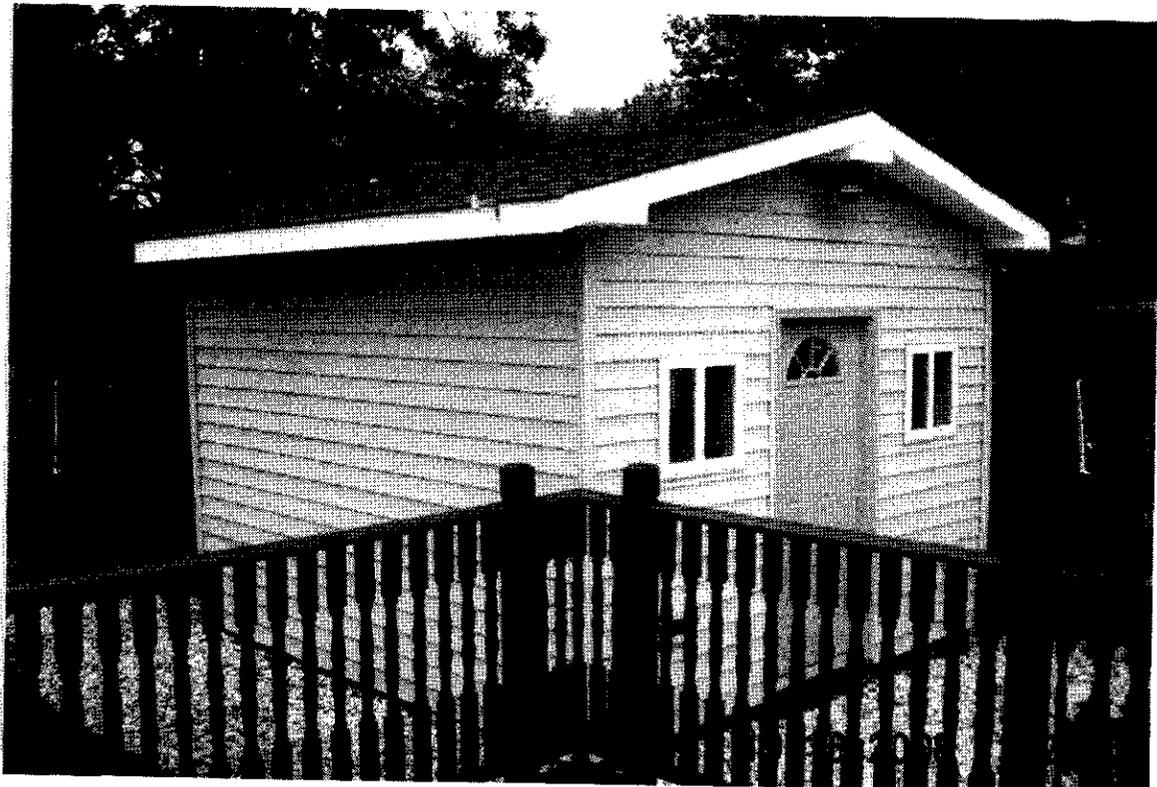


ADDITIONAL PICTURE

7218 CAROL LN.
FALLS CHURCH, VA 22042

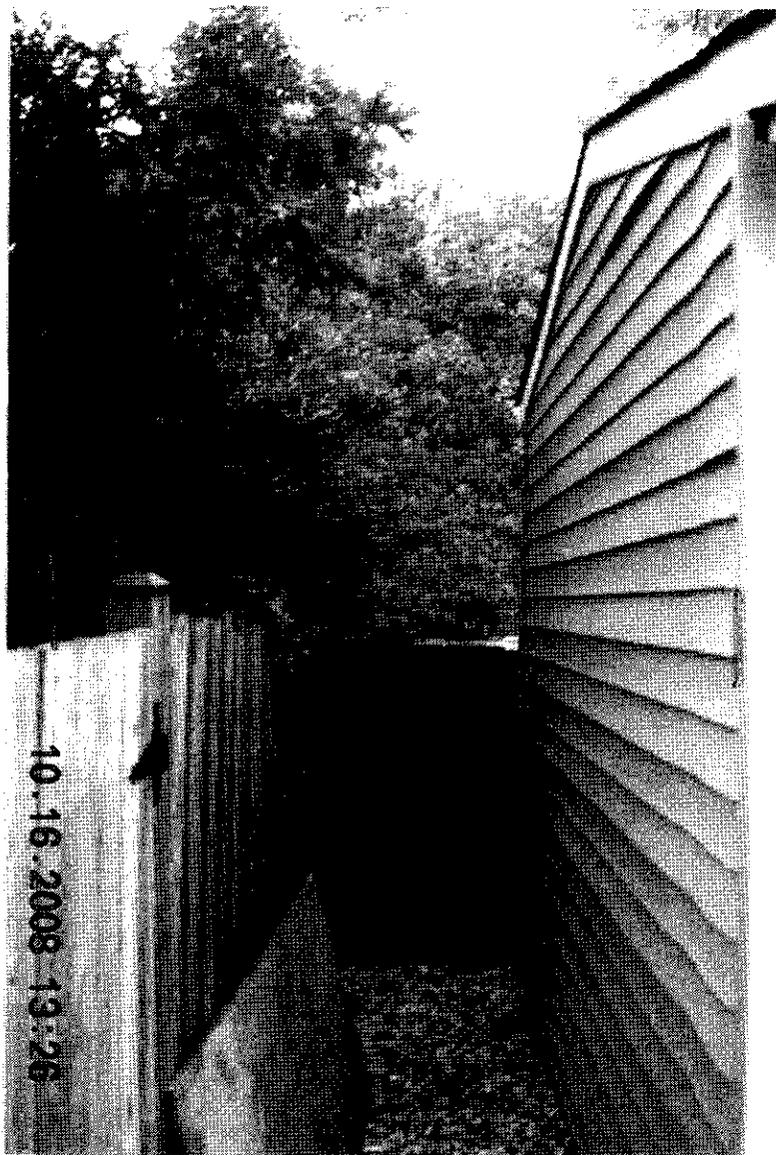


FRONT VIEW



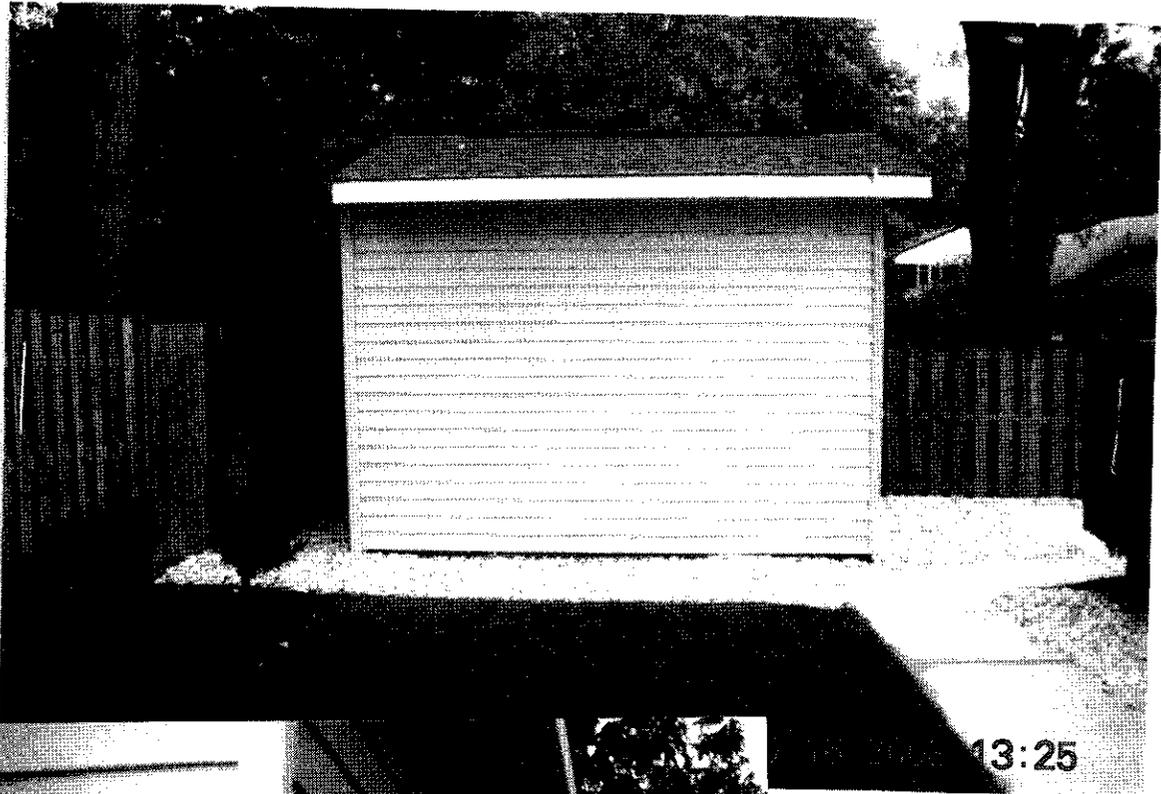
CORNER VIEW

7218 CAROL LN
FALLS CHURCH; VA 22042



ADDITIONAL PICTURE

7218 CAROL LN
FALLS CHURCH, VA 22042



LEFT SIDE VIEW
SHOWING THE REAR
FENCE

RIGHT SIDE VIEW
SHOWING THE SIDE
FENCE

9218 Coal Run
Falls Church, VA 22042



Right side house, picture taken from right side lot.

Department of Planning & Zoning

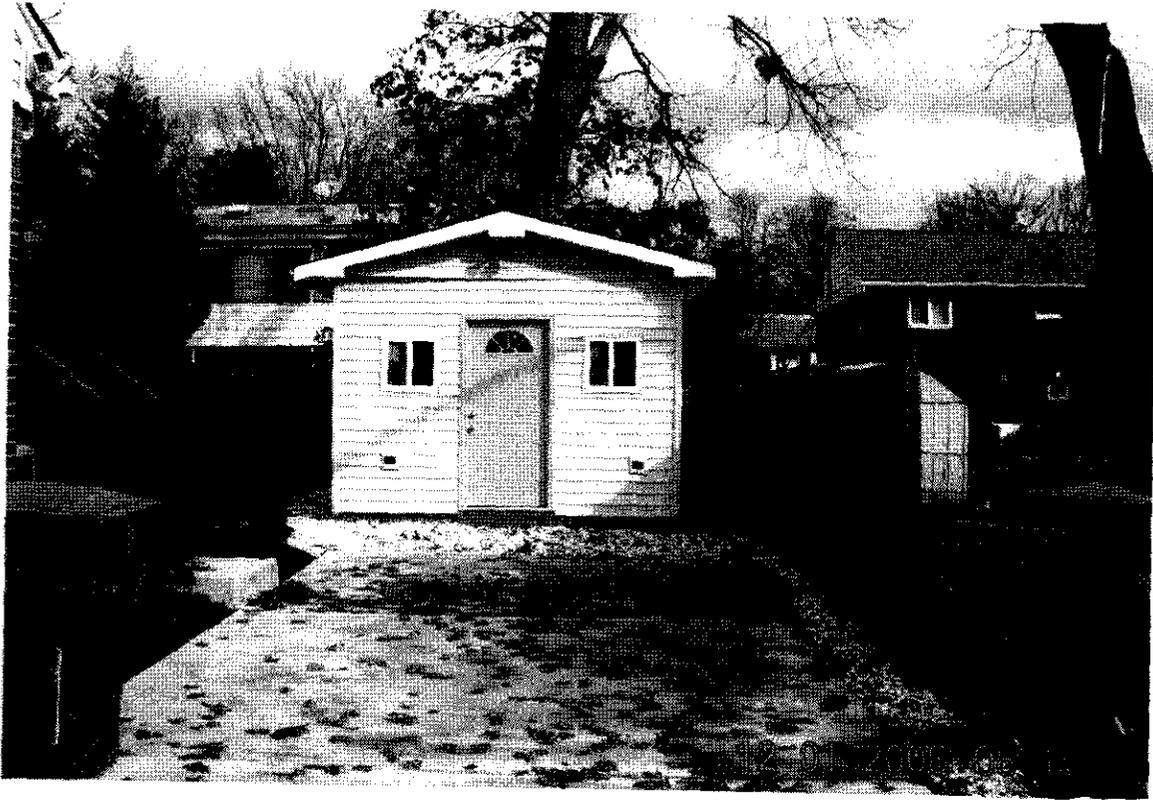
MAR 10 2009

Zoning Evaluation District



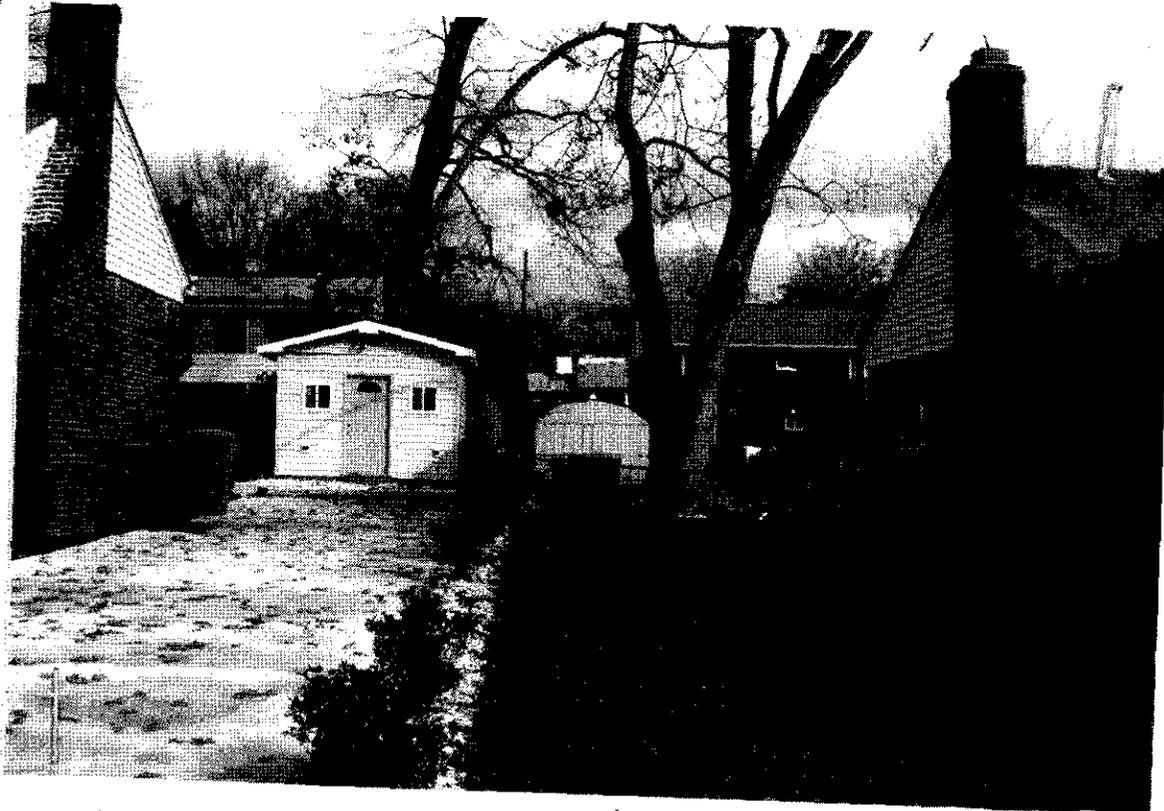
Left side of house, picture taken from left ~~side~~
next door house

7218 Control Ln.
Falls Church, VA 22042



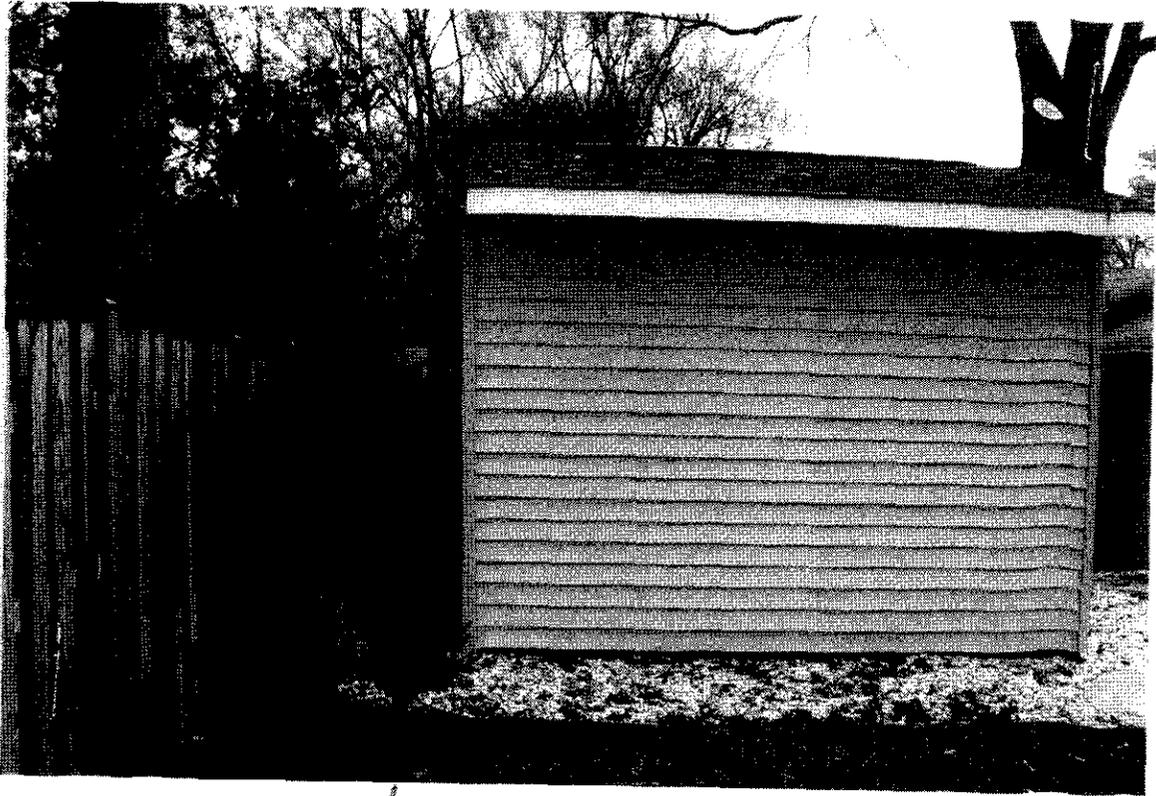
Other view of front sheds

RECEIVED
Department of Planning & Zoning
MAR 10 2009
Zoning Evaluation Division



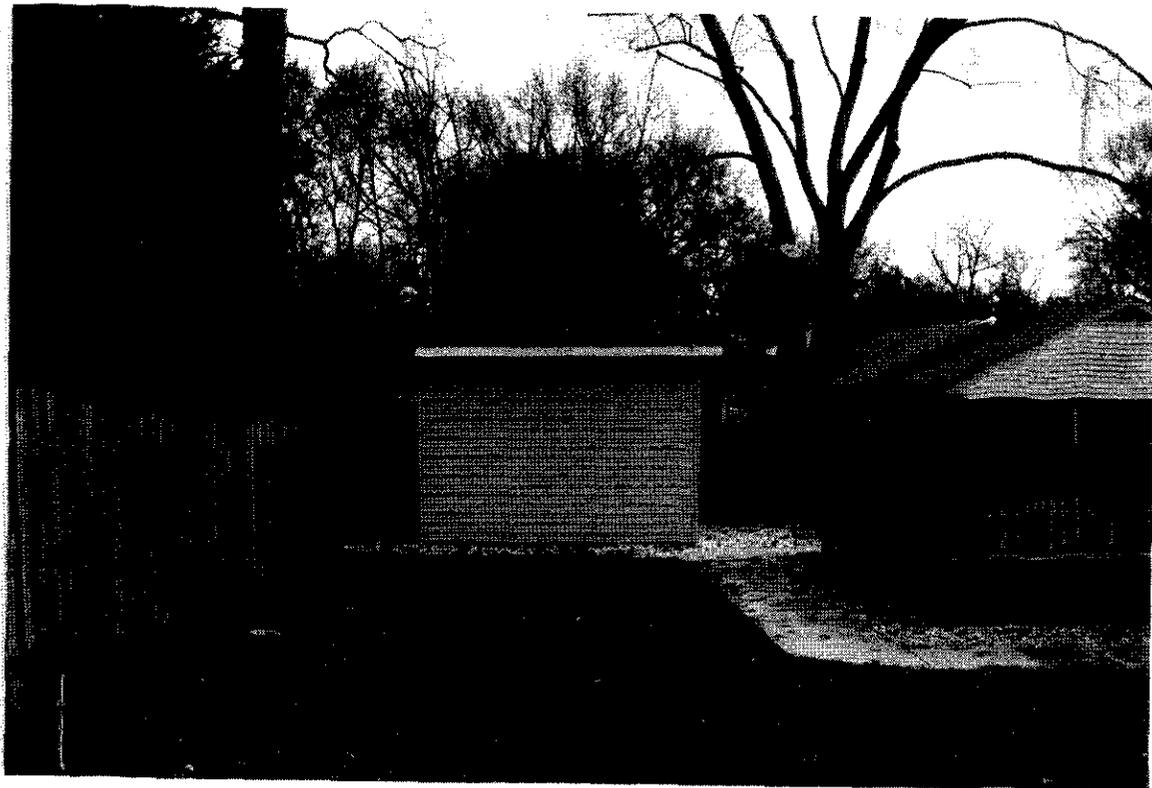
Other views of front sheds

7218 Carol Ln.
Falls Church, VA 22042



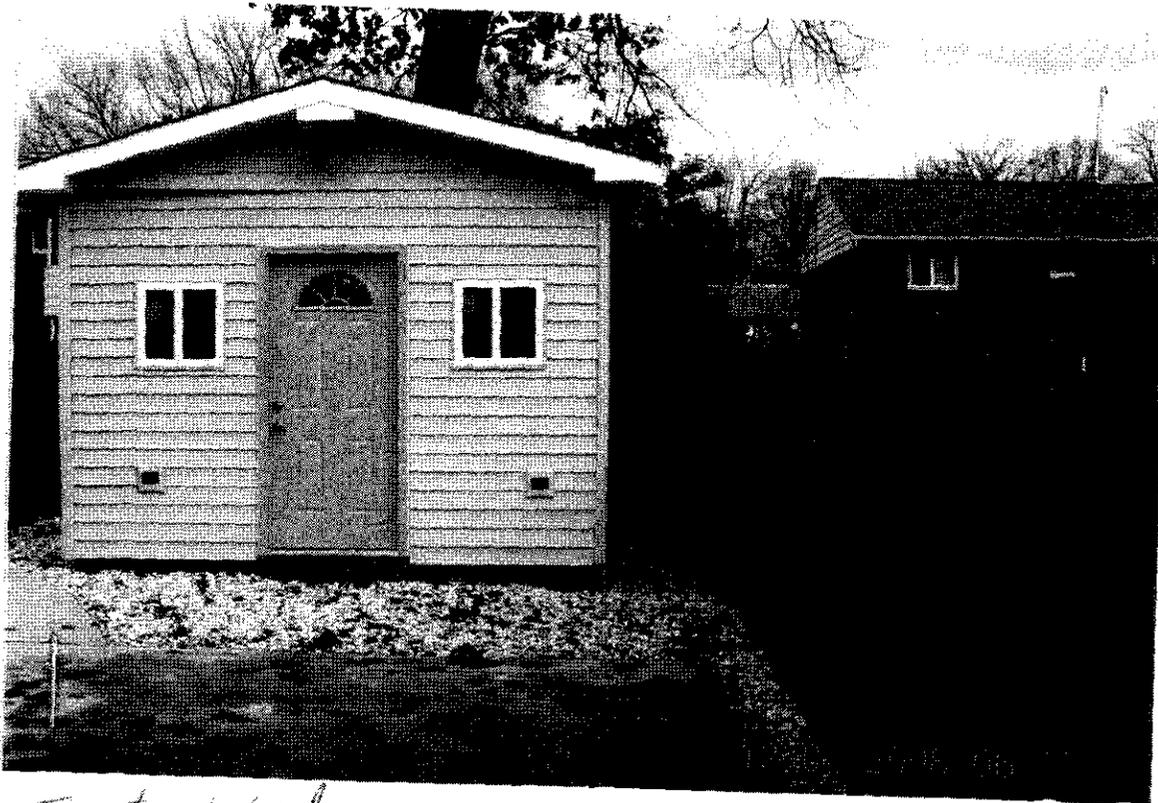
Left side of street.

RECEIVED
Department of Planning & Zoning
MAR 10 2009
Zoning Evaluation Division



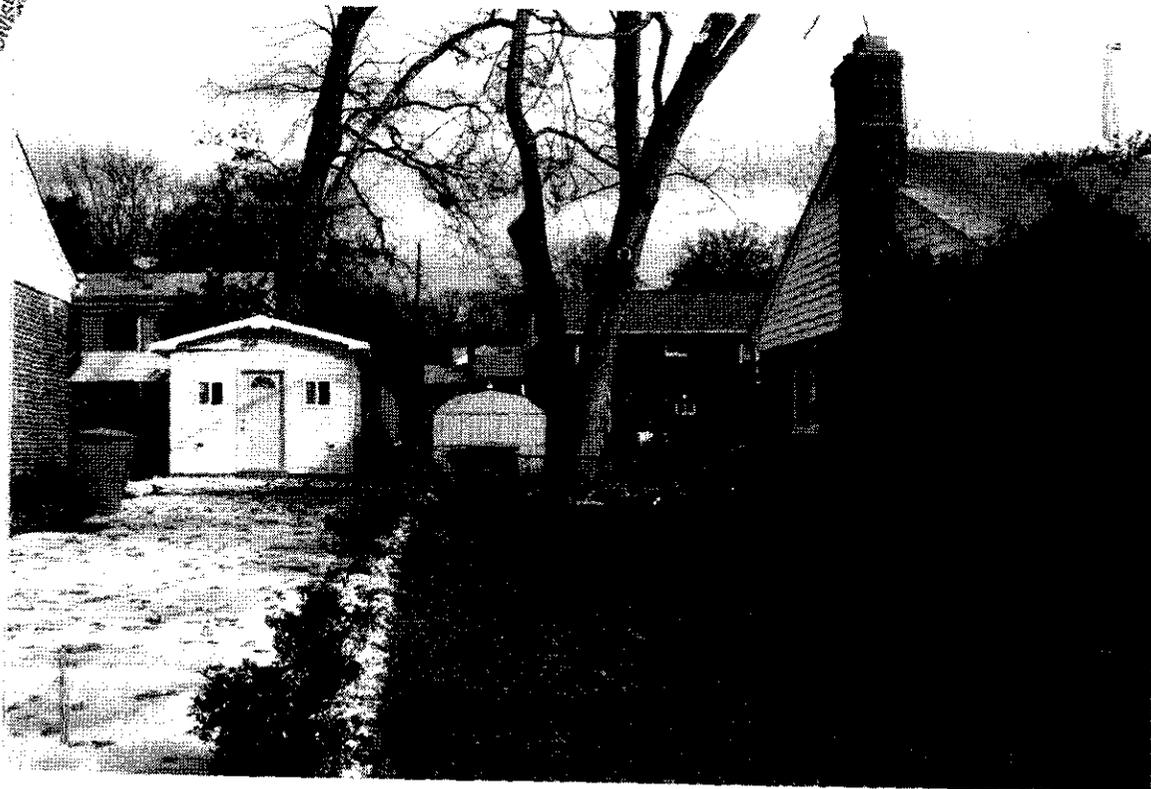
Left side of street and limit with rear lot.

7218 Cabot Ln -
Falls Church, VA 22042



Front of shed

RECEIVED
Department of Planning & Zoning
MAR 10 2009
Planning Evaluation Division



Front of shed and limit with right side view low level

DESCRIPTION OF THE APPLICATION

To permit reduction to minimum yard requirements based on error in building location to permit an accessory storage structure, a shed measuring 10.5 feet in height, to remain 2.2 feet from the southern side lot line and 3.1 feet from the rear lot line.

Description of Special Permits

	Structure	Yard	Minimum Yard Required*	Structure Location	Amount of Error	Percent of Error
Special Permit	Shed	Side	10.0 feet	2.2 feet	7.8 feet	78%
Special Permit	Shed	Rear	10.5 feet	3.1 feet	7.4 feet	70%

*Minimum yard requirement per Section 10-104

ANALYSIS OF THE APPLICATION

- **Title of Plat:** House Location Survey, Lot 89, Section Six, Broyhill Park
- **Prepared by:** Sam Whitson Land Surveying, Inc., dated June 16, 2004, as signed by Nader R. Elhaji on April 27, 2009
- **Building Permit required:** No building permits required for the accessory storage structure since it is only 144 square feet in size. However, the applicant has indicated that the structure has electricity; therefore, an electrical permit shall be obtained. County records indicate that building permits were not obtained for the existing deck.
- **Error Made by:** Applicant.

CHARACTER OF THE AREA

	Zoning	Use
North	R-4	Single Family Detached Dwellings
East	R-4	Single Family Detached Dwellings
South	R-4	Single Family Detached Dwellings
West	R-4	Single Family Detached Dwellings

EXISTING SITE DESCRIPTION

The site is currently zoned R-4 and contains a single family detached dwelling constructed in 1954. The site contains an existing driveway from Carol Lane that terminates at the rear of the dwelling. A paver walkway leads from the driveway around an existing deck in the rear yard. County records indicate that building permits were not obtained for the deck.

BACKGROUND

On September 27, 2008, a Notice of Violation (NOV) was issued to the applicant, which is attached as Appendix 4.

Records indicate there were no other similar applications for properties in the vicinity of the application site heard by the BZA.

ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (See Appendix 5)

- General Special Permit Standards (Sect. 8-006)
- Group 9 Standards (Sect. 8-903)
- Provision for Approval of Reduction to 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, staff suggests the BZA condition its approval by requiring conformance with the conditions set forth in Appendix 1 of this report, Proposed Development Conditions.

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Notice of Violation dated September 27, 2008
5. Applicable Special Permit Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

SP 2009-MA-030

July 28, 2009

1. This special permit is approved for the location of the accessory storage structure (shed) as shown on the plat prepared by Sam Whitson Land Surveying, Inc., dated June 16, 2004, as signed by Nader R. Elhajj on April 27, 2009, as submitted with this application and is not transferable to other land.
2. The applicant shall obtain a building permit and final inspection for the existing deck, within 120 days of approval of this special permit, in accordance with the provisions set forth in Part 6, of Article 18, Building Permits, of the Zoning Ordinance.
3. Electrical permits shall be obtained for the accessory storage structure within 120 days of approval or this special permit shall be null & void.

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):

SP 2009-MA-030

(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 26, 2009
(enter date affidavit is notarized)

I, Jaime Miranda, 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

102568e

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)
Jaime Miranda	3105 Fox Mill Rd. Oakton, VA 22124	Agent
Rafael Chavarria	7218 Carol Ln. Falls Church, VA 22042	Title owner / Applicant

(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).

Application No.(s): SP 2009-MA-030
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 26, 2009
(enter date affidavit is notarized)

1025684

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

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

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" 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):

SP 2009-MA-030

(county-assigned application number(s), to be entered by County Staff)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 26, 2009
(enter date affidavit is notarized)

1025686

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)

(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):

SP 2009-MA-030

(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 26, 2009
(enter date affidavit is notarized)

1025686

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.

Application No.(s): SP 2009-MA-030
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 26, 2009 1025688
(enter date affidavit is notarized)

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.)

None

(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

Applicant's Authorized Agent

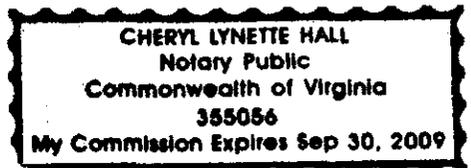
Jaime Miranda

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 26 day of May 2009, in the State/Comm. of Virginia, County/City of Fairfax.

Cheryl Foddrell
Notary Public

My commission expires: Sept 30, 2009



SPECIAL PERMIT APPLICATION

The reason for this special Permit is keep the existing shed according specifications of Fairfax County inspector Ms. Peggy Delean (copy attached)

The shed is used to store garden tools and other stuff that can not be stored in house because of available space.

The existing shed has good looking appearance and is absolutely not affecting the three neighbors where the corner is. All the area is clean and well maintained. There are a parking area in front and custom garden on side.

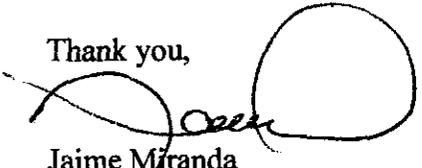
Is thru that the structure of shed exceeds 8 ½ ' but that is not affecting the other properties because is protected by a wood fence and there are not construction close except other shed in the opposite lot.

Take out the roof will destroy not only the nice looking elevation, also the snow accumulation can destroy the complete shed because of the heavy weight.

Is not possible relocate the shed because there are not enough space in front.

Following the suggestion of Ms. Peggy Delean, we beg the committee to consider this petition to keep the existing shed.

Thank you,



Jaime Miranda

Applicant and Authorized Agent
(703) 675-1603

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Department of Planning & Zoning

OCT 23 2008

Zoning Evaluation Division

STATEMENTS

STATEMENT ITEM 5.07

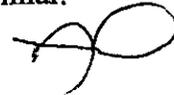
The property located at 7218 Carol Ln. Falls Church, Virginia 22042, is more than 20 years old construction with basement and one story frame.

The facade is showing bricks in all perimeters and is in the center of lot. The shed that is object of this application is made on site with a looking of small house with siding and shingles roof with dimensions 12'x 12' and 10' height.



STATEMENT ITEM 5.08

There are not any toxic or hazardous substance and none storage tanks or similar.



STATEMENT ITEM 5.09

The shed already built is according county codes except the height that should be 8' maximum instead the 10' that is now. (inspection report)



STATEMENT ITEM 911.05

The main house dimensions area; Front 45.1 ft.; rear 45.1 ft. ; left side 26.3 ft.; right side 26.3 ft. Is located at 58.5 ft from limit with Carol Ln. (front); 21.5 ft. from rear limit; 18.5 ft. from left side limit and 16.4 ft from right side limit. The height average elevation is 17 ft.

The shed object of this application is 12 ft. x 12 ft. and 10.5 ft. height elevation and is located in the right rear of lot separate from rear limit 3.1 ft. and from the right side 2.8 ft.



STATEMENT 911.08

There are not any septic tank.

There are not any well.



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Zoning Evaluation Division

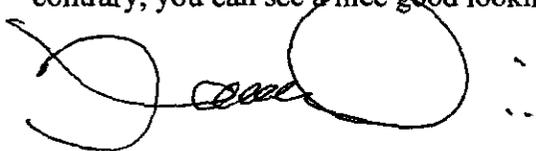
STATEMENT ITEM 911.10

There are not any utility easements in the lot. 

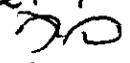
STATEMENT ITEM 912.0

The owner with the intention to buy pre-manufactured shed from Home Depot made a previous consult by telephone to Fairfax County and received the minimum dimensions from next door limits, the answer was referent with the limits, also they told him that permit was not necessary. He took the option to build himself (no contractor was necessary) taking care about the limits but he did not know about the minimum height until County Inspector let him know the error. So, the construction was done in good faith and at this time we are trying to regularize the problem.

There are not any unsafe condition with respect the other properties and streets, on the contrary, you can see a nice good looking and clean elevation from the street.



A: Yes exceeds 10% we are 3.1 ft from rear & 2.2 ft. from side instead 10.5 rear & 10.0 side

B: Yes was done in 

C: No, will not impair the purpose of ordinance.

D: Will not detriment to the use and enjoyment of other property.

F: will not cause unreasonable hardship upon the owner.

G: The reduction will not result an increase in density.



RECEIVED
Department of Planning & Zoning

APR 28 2009

Zoning Evaluation Division

DATE	
REVISION	
BY	
CHECKED	
DATE	

AS BUILT SHED
 7218 CAROL LA
 FALLS CHURCH VA
 RAFAEL CHAVARRIA

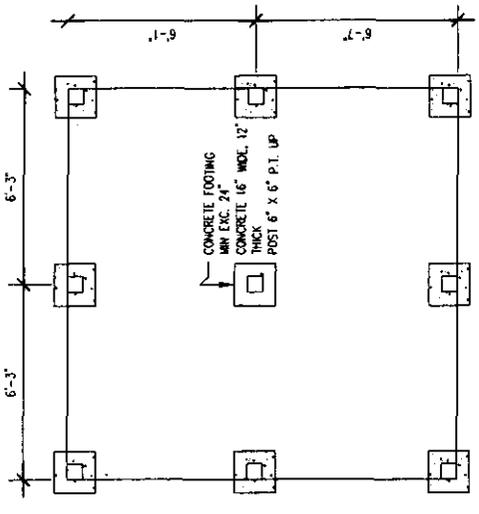
ADMAT INC.
 CAD DESIGN
 ROLANDO GUTIERREZ (703) 487-4888

DESIGNED BY
 ROLANDO GUTIERREZ
 2501 DE JARVIS DR
 FALLS CHURCH, VA 22034
 (703) 487-4888

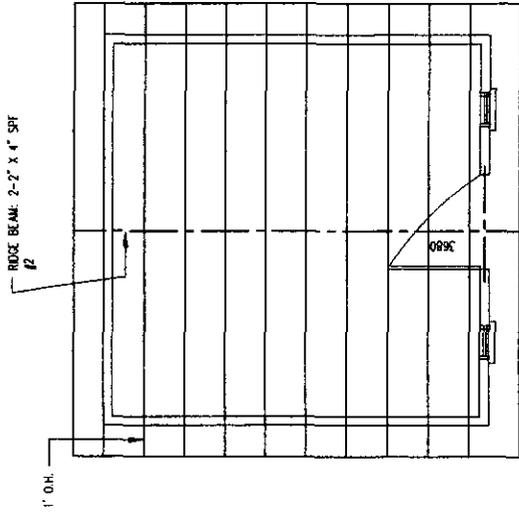
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AS BUILT SHED

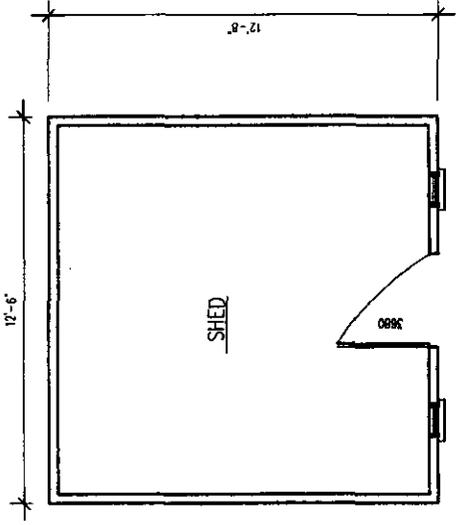
SHEET
 1 OF 2
A-1



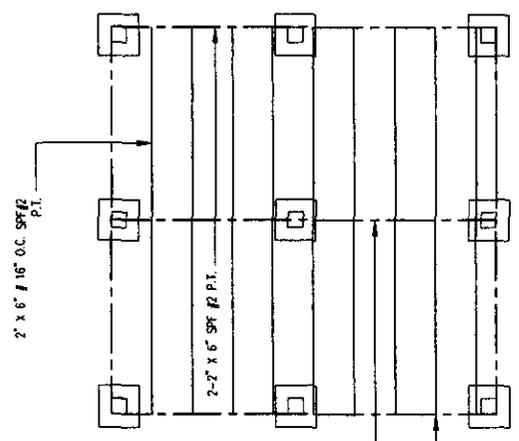
FOUNDATION PLAN



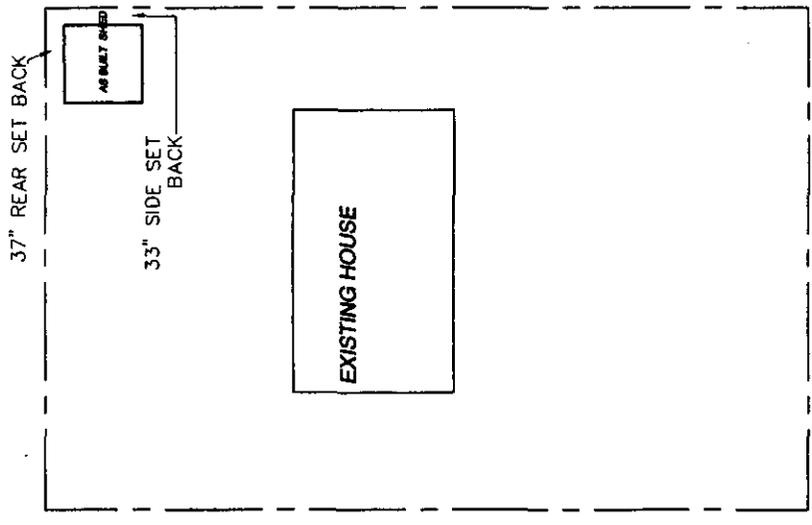
CEILING JOIST AND RAFTERS: 2" X 4" # 16" O.C. SPF #2
 FRAMING CEILING PLAN
 HEADERS: 2-2" X 6" SPF #2



FLOOR PLAN



ALL WOOD IS P.T. SPF #2
 FRAMING FLOOR PLAN



PROJECT LOCATION

DATE	DESCRIPTION	BY

AS BUILT SHED
 RAFAEL CHAVARRIA
 7218 CAROL LA
 FALLS CHURCH VA

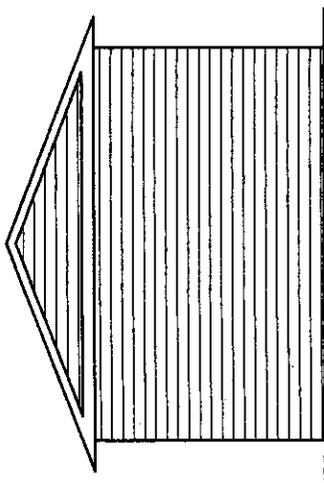
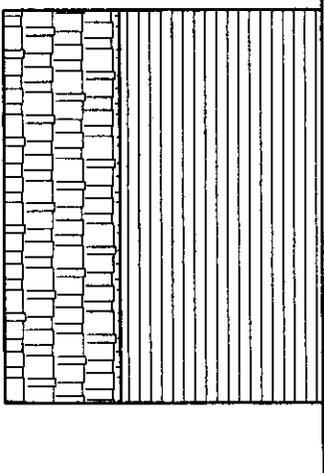
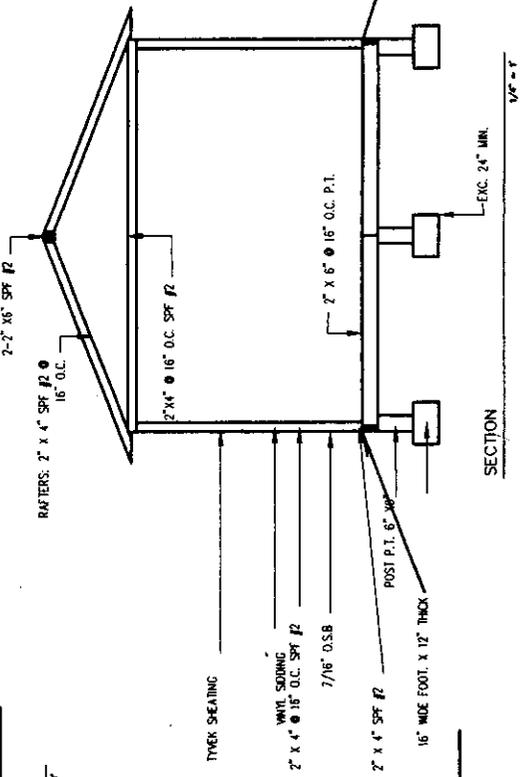
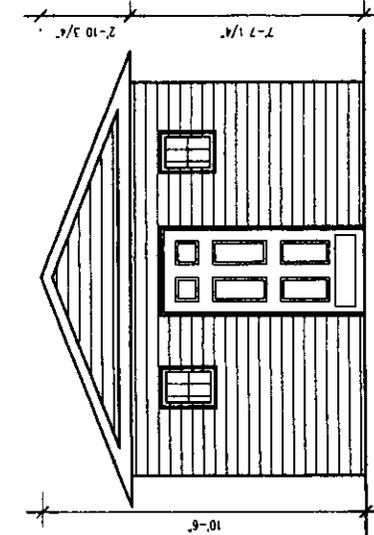
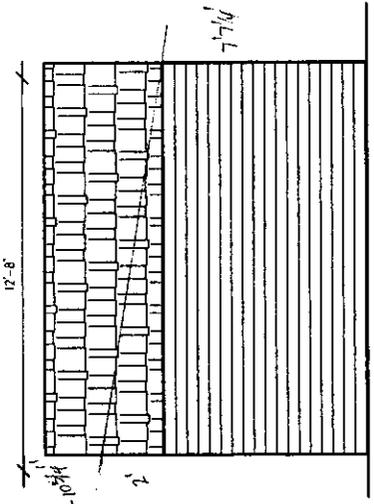
ADMAT INC.
 CAD DESIGN
 ROLANDO BUTRERIZ
 (813) 487-1888

REVISIONS
 ROLANDO BUTRERIZ
 4510 DE JAVIER DR
 SPANISH LA BRUSH

DATE: 07/11/2011
 TIME: 10:58 AM
 USER: ROLANDO BUTRERIZ

AS BUILT SHED

SHEET
 FLOOR
 A-2





County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County.

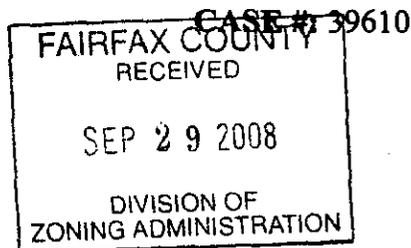
NOTICE OF VIOLATION

DATE OF ISSUANCE: September 27, 2008

SHERIFF'S LETTER

SERVE: Rafael S. Chavarria
7218 Carol Lane
Falls Church, VA 22042

LOCATION OF VIOLATION 7218 Carol Lane
Falls Church, VA 22042-3744
Tax Map #: 0601 20 0089
Zoning District: R-4



Dear Property Owner:

An inspection of the above referenced property on September 22, 2008 revealed the following violations of the Fairfax County Zoning Ordinance.

- § 10-104 (10E) Accessory Storage Structure Location
- § 2-302 (6) Accessory Use must comply with Article 10:

The presence of an accessory storage structure which measured approximately 10'5" in height, is approximately 145.2 square feet in area and is located approximately 2'6" and approximately 3'1" respectively from the side and rear lot lines.

The Fairfax County Zoning Ordinance permits accessory storage structures to be located in minimum required yards; however, if the structure exceeds eight and one-half (8½) feet in height, it must be located on the lot so as to comply with Par. 10E of Sect. 10-104 of the Zoning Ordinance which states:

An accessory storage structure which exceeds eight and one-half (8 ½) feet in height shall not be located closer than a distance equal to its height to the rear lot line or located closer than a distance equal to the minimum required side yard to the side lot line.



The minimum required side yard distance in the R- 4 District is 10 feet as detailed in Par. 2 of Sect. 3-407 of the Zoning Ordinance.

Therefore, as this accessory storage structure exceeds eight and one-half (8 ½) feet in height and is not located in accordance with the provisions of Par. 10E of Sect. 10-104 above, it is in violation of Par 6. of Sect. 2-302 of the Zoning Ordinance which states:

No accessory structure or use, as defined in Article 20, shall hereafter be built, moved, remodeled, established, altered or enlarged unless such accessory structure or use complies with the provisions of Par.1 of Article 10.

You are hereby directed to clear this violation within **thirty (30) days** of the date of this Notice. Compliance can be accomplished by:

- Removing the storage structure from the property in its entirety; or
- Reducing the height of the structure to eight and one-half (8 ½) feet or less to allow it to remain at its present location; or
- Relocating the structure to a distance from the rear and side lot lines in accordance with Par. 10E of Sect. 10-104 of the Zoning Ordinance as outlined above.

As an alternative you may apply to the Fairfax County Board of Zoning Appeals (BZA) and actively pursue and ultimately obtain approval of a Group 9 Special Permit for an error in building location to allow the accessory storage structure to remain at its present height and at its present location. For information and answers to any questions regarding this application process, you may contact the Zoning Evaluation Division at 703-324-1290.

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the Notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance.

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, a written statement setting forth the decision being appealed, the date of decision, the grounds for the appeal, how the appellant is an aggrieved party and any other information that you may wish to submit and a \$375.00 filing fee. Once an appeal application is accepted, it will be scheduled for public hearing and decision before the BZA.

Rafael S. Chavarria
September 27, 2008
Page 3

Should you have any questions or need additional information, please do not hesitate to contact me at (703)324-1330 or (703) 324-1300.

Sincerely,

A handwritten signature in cursive script that reads "Peggy Delean". The signature is fluid and written in black ink.

Peggy Delean
Property Maintenance/Senior Zoning Inspector

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.

PART 6 18-600 BUILDING PERMITS

18-601 Permit Required for Erection of Buildings and Structures

The erection of all buildings and all structures, as well as additions, deletions and modifications thereto, shall be subject to the provisions of Chapter 61 of The Code, Buildings. No building or structure which is required to have a Building Permit pursuant to Chapter 61 of The Code shall be erected until a Building Permit application has been approved by the Zoning Administrator.

18-602 Application for a Permit

Applications for a Building Permit shall be on forms provided by the County and shall be approved by the Zoning Administrator prior to issuance. An application shall be accompanied by one of the following:

1. An approved site plan, when the building or structure is required to be shown on a site plan that has been approved under the provisions of Article 17 of this Ordinance, and an approved agreement and security package required pursuant to Sect. 17-112 to ensure completion of the physical improvements as shown on the approved site plan, including any revisions thereto, or such plans and agreements as may be required by the Director for the approval of a partial Building Permit pursuant to the Virginia Uniform Statewide Building Code, or
2. When the building or structure does not require site plan approval, four (4) copies of a plat certified by a land surveyor, engineer, landscape architect or architect authorized by the State to practice as such, except that plats submitted for additions to an existing single family detached or attached dwelling or accessory structures related to an existing single family detached or attached dwelling may be prepared by other than a land surveyor, engineer, landscape architect or architect. Each such plat shall indicate the following information:
 - A. The dimensions of the lot or parcel, the lot lines thereof, and the area of land contained therein.
 - B. Delineation of any major underground utility easements and the location of any water, storm and sanitary sewer easements and all conveyances and easements dedicated or to be dedicated to Fairfax County, the State of Virginia and the Virginia Department of Transportation.
 - C. The location, dimensions and height of any building, structure or addition, whether existing or proposed. In addition, for decks, the height of the finished floor above finished ground level and for

accessory structures, the height of the highest point of the structure from finished ground level.

- D. The distance from all property lines to the proposed building, structure or addition, shown to the nearest one-tenth of a foot.
 - E. The proposed elevation of the first floor level and of the lowest floor level of any proposed new building. Such elevations shall not be required for additions unless the proposed elevation of the lowest floor level of such addition is below the lowest floor elevation of the structure to which it is added.
 - F. The existing and intended use of each building or structure or part thereof, including the number of dwelling units within a dwelling.
 - G. The location and configuration of any existing or proposed off-street parking space(s), the number of spaces proposed to be provided, and information as to the proposed surfacing of such areas.
 - H. The signature and certification number, if applicable, of the person preparing the plat.
 - I. Delineation of any Resource Protection Area and Resource Management Area.
 - J. Such other information with regard to the lot, existing and proposed buildings, and existing and proposed uses thereof and such other information with regard to contiguous lots as may be prescribed by resolution of the Planning Commission and approved by the County Executive as being necessary to the proper enforcement of the provisions of this Ordinance.
 - K. When the Building Permit application is for a new single family detached dwelling, a statement, where applicable, that the lot is subject to the affordable dwelling unit development zoning district regulations.
3. Where applicable, any other information as may be required by the provisions of Article 7.

18-603 Limitations on Approval of Building Permits

- 1. No Building Permit shall be issued for the erection of any building or structure on a lot or addition or modification to a building or structure that is in violation of any of the provisions of Chapter 101, Chapter 116 or Chapter 118 of The Code, this Ordinance, all other applicable laws

and ordinances, any proffered conditions, or any development conditions of any approved rezoning, special permit, special exception or variance. Appeals of decisions made pursuant to Chapter 118 of The Code which are appealable shall be processed in accordance with Article 8 of Chapter 118.

2. If required by Chapter 104 of The Code, no Building Permit shall be issued for any structure until a Conservation Plan has been approved by the Director in accordance with the provisions of Chapter 104 and the Public Facilities Manual.
3. No Building Permit shall be issued for the erection of any building or structure subject to site plan approval as required by the provisions of Article 17 except in strict conformance with such approved site plan and approval of any required agreements under Sect. 17-112. However, buildings or structures exempt from site plan approval in accordance with Sect. 17-104 shall be approved in accordance with the provisions of Sect. 602 above, and partial Building Permits shall be approved in accordance with the Virginia Uniform Statewide Building Code and no such partial Building Permit approval shall guarantee the approval of a site plan or subsequent Building Permits.
4. Approval of any Building Permit shall not be deemed to authorize construction within any recorded easement to which the Board of Supervisors or the County of Fairfax is a party.
5. No Building Permit shall be issued for the erection of any building or structure within any major underground utility easement except in conformance with Sect. 2-515.

18-604 Enforcement of Performance Standards

In the enforcement of the performance standards set forth in Article 14, before a Building Permit is issued, the Zoning Administrator may require evidence that the applicant is able to conform to such performance standards. Whereas enforcement shall be the responsibility of the County, where a violation has been established, the Zoning Administrator may:

1. Require the applicant to submit, at the expense of the applicant, reports or the certified results of tests with respect to any current or proposed operation of the use that is involved in relation to conformity to such standards, which reports or test shall be made by a laboratory or other agency of recognized competence.
2. Refer the application to the BZA for a determination of whether or not any operation of the use that is involved conforms to such standards as may call for a conclusion of judgment rather than the application of specified measurement.