



APPLICATION ACCEPTED: January 12, 2010
DATE OF PUBLIC HEARING: March 24, 2010
TIME: 9:00 a.m.

County of Fairfax, Virginia

March 17, 2010

STAFF REPORT

SPECIAL PERMIT APPLICATION No. SP 2010-HM-006

HUNTER MILL DISTRICT

APPLICANT & OWNER: Mehdi Molaei

ZONING: R-5

LOCATION: 8587 Raglan Road

SUBDIVISION: Tysons Townes

ZONING ORDINANCE PROVISION: 8-914

TAX MAP: 29-3 ((19)) 15

LOT SIZE: 2,263 Sq. Ft.

SP PROPOSAL: Reduction to minimum yard requirements based on error in building location to permit an addition to remain 10.4 feet from the 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 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.**

O:\Scaff2\Case Files\Special Permits\SP 2010-HM-006 MEHDI MOLAEI\MOLAEI_COVER.doc

Shannon Caffee

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/



Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

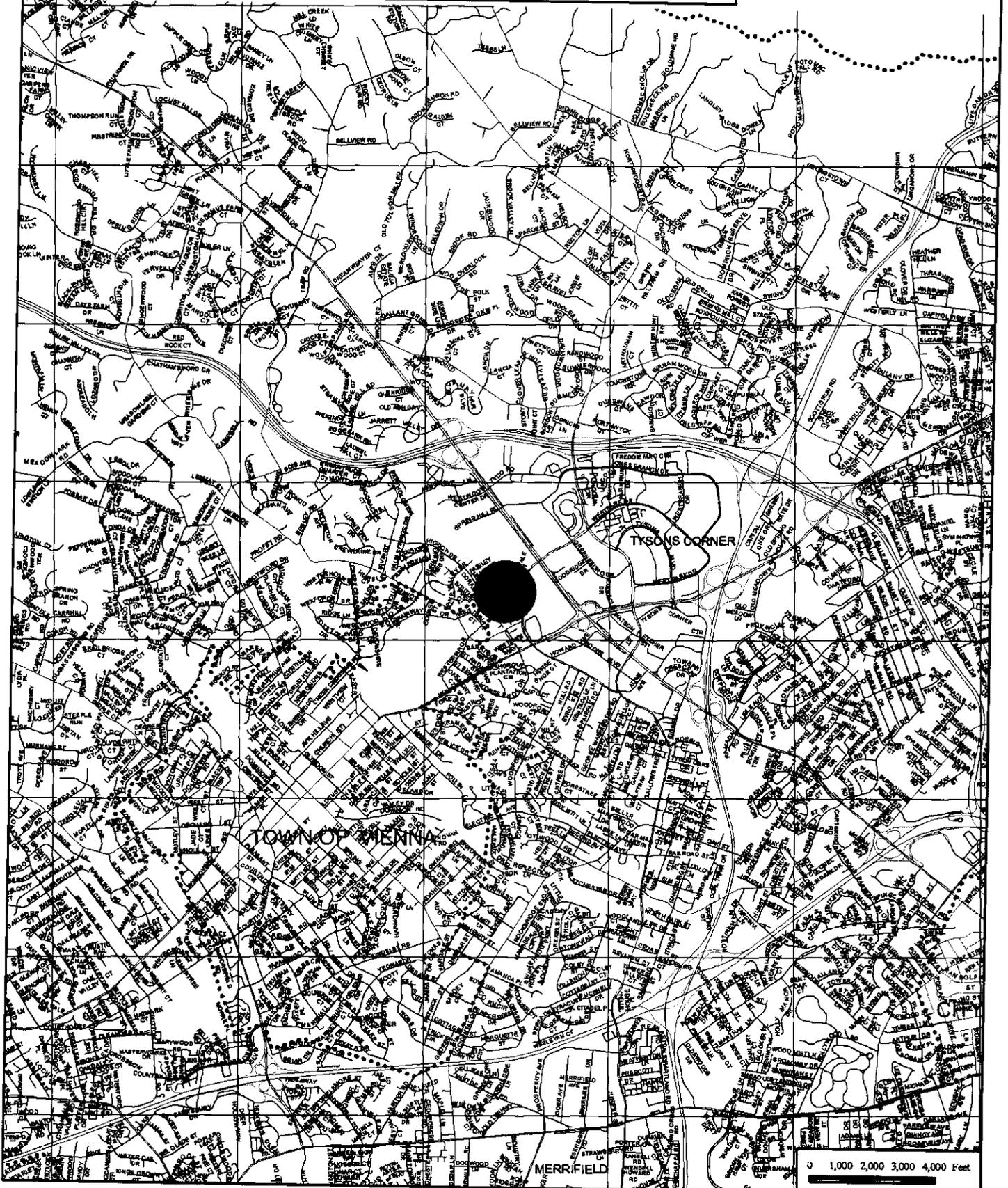


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

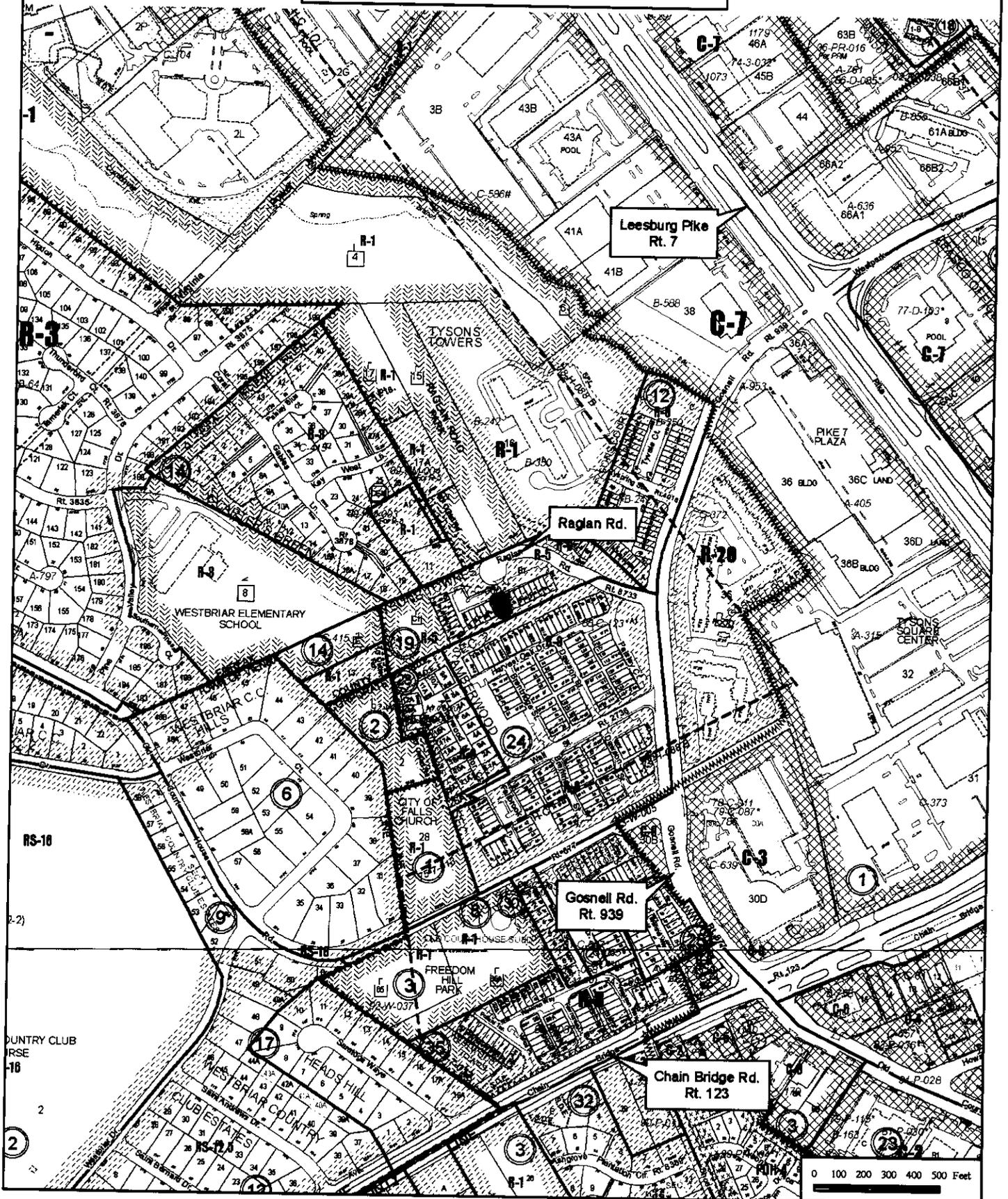
SP 2010-HM-006

MEHDI MOLAEI



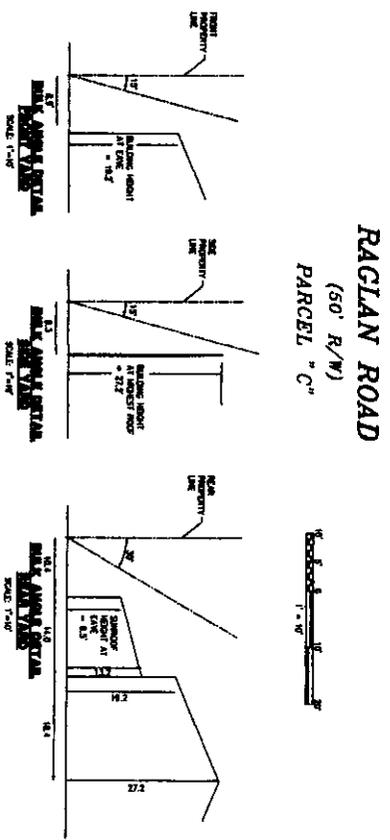
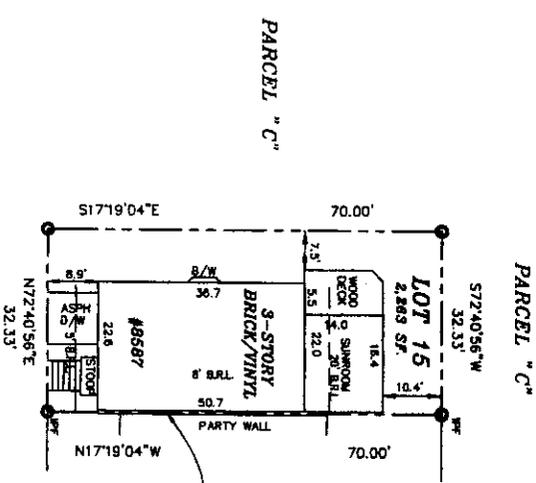
Special Permit SP 2010-HM-006

MEHDI MOLAEI



GENERAL NOTES

1. TAX MAP #: 029-3-19-0015
 2. TOTAL PROPERTY ACREAGE: 2.263 SQFT / 0.0520 AC
 3. ZONE: R-5
- SETBACKS FOR SINGLE FAMILY ATTACHED:
 FRONT: 15' ANGLE OF BULK PLANE, MIN 5'
 SIDE FOR END UNITS: 15' ANGLE OF BULK PLANE, MIN 10'
 REAR: 30' ANGLE OF BULK PLANE, MIN 20'
 MAX. BUILDING HEIGHT: 35'
4. THE HEIGHT AT THE EXISTING SUNROOF(PORCH) IS 11.35' FROM GROUND TO MIDROOF
 5. THE HEIGHT AT THE EXISTING SUNROOF(PORCH) IS 13.2' FROM GROUND TO TOP OF ROOF.
 6. THE HEIGHT OF THE EXISTING SUNROOF(PORCH) IS 9.5' FROM GROUND TO EAVE.
 7. THE HEIGHT AT THE MAIN BUILDING IS 19.2' FROM GROUND TO EAVE.
 8. THE HEIGHT OF THE MAIN BUILDING IS 23.2' FROM GROUND TO MIDROOF AND 27.2' FROM GROUND TO HIGHEST PEAK.
 9. THE HEIGHT OF THE EXISTING DECK IS 1.5'.
 10. NO TITLE REPORT FURNISHED.
 11. THIS PLAT IS NOT TO BE USED FOR THE CONSTRUCTION OF FENCES.
 12. BOUNDARY INFORMATION OBTAINED FROM AVAILABLE RECORDS.
 13. THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF LOT 15. ANY FENCES SHOWN ARE APPROXIMATE.
 14. NO CORNER MARKERS SET.
 15. NO GRAVE SITES HAVE BEEN FOUND.
 16. THE PROPERTY SHOWN HEREON IS SERVED BY FAIRFAX COUNTY WATER AND SEWER.
 17. THERE IS NO UTILITY EASEMENT OVER 25' ON THIS LOT.
 18. THE STRUCTURE WHICH IS IN VIOLATION IS TO BE USED AS A SINGLE-FAMILY ATTACHED TOWNHOUSE RESIDENCE ONLY.
 19. THE NON-COMPLIANCE WAS DONE IN GOOD FAITH THROUGH NO FAULT OF THE PROPERTY OWNER.
 20. THE REDUCTION IN BUILDING SETBACKS DOES NOT IMPAIR THE PURPOSE OF THE ZONING ORDINANCE NOR CREATE AN UNSAFE CONDITION WITH RESPECT TO EITHER PROPERTY OR PUBLIC STREETS.
 21. TO RETROACTIVELY ENFORCE THE MINIMUM YARD RESTRICTIONS UPON THE OWNER WOULD CAUSE UNREASONABLE HARDSHIP FOR THE OWNER.
 22. THE REDUCTION FROM REQUIRED SETBACK LIMITS ON THIS PROPERTY DOES NOT EXCEED THE FLOOR AREA RATIO (FAR) PERMITTED BY THE CURRENT ZONING REGULATION (R-5).
 23. THERE ARE NO HAZARDOUS OR TOXIC SUBSTANCES LOCATED ON THE SITE AS DEFINED BY COMMONWEALTH OF VIRGINIA DEPARTMENT OF WASTE MANAGEMENT OR FEDERAL REGULATIONS.
 24. THE SUBJECT PROPERTY CONFORMS TO ALL APPROPRIATE PROVISIONS AND ORDINANCES EXCEPT FOR THE REAR SETBACK LIMIT DUE TO THE ADDITION OF A SUNROOM AND DECK TO THE REAR OF THE HOUSE. A WAIVER WILL BE SOUGHT FOR THIS VARIANCE.
 25. THE FACADE OF THE EXISTING HOUSE CONSISTS OF A BRICK FRONT AND IS TRADITIONAL MODERN ARCHITECTURE.
 26. EXISTING HOUSE WAS CONSTRUCTED IN 1984.



NOTE: THIS LOT IS LOCATED WITHIN A CLUSTER DEVELOPMENT UNDER ZONING APPLICATION 77-C-060 (TUSONS TOWNES HOMEOWNERS ASSOCIATION, INC.).

	DESIGNED BY: SDE, INC.	8587 RAGLAN ROAD LOT 15	SDE, INC. ENGINEERS • PLANNERS • ARCHITECTS • LANDSCAPE ARCHITECTS • SURVEYORS LEESBURG PIKE, SUITE 305N FALLS CHURCH, VA 22043 PH: (703) 556-0800
DRAWN BY: AA	CHECKED BY: HMT	PLAT	
DATE: 12/09/2008	SCALE: 1" = 10'		
PROJECT/FILE #	SHEET NUMBER		
1 OF 1	1 OF 1		

1



Rear of house from rear yard, photo facing southward.

2



Rear right corner of townhouse, from rear yard.

4



Front right of house. Photo taken from parking lot.

5



Front of house, from front yard/parking lot. Photo facing southward.

6



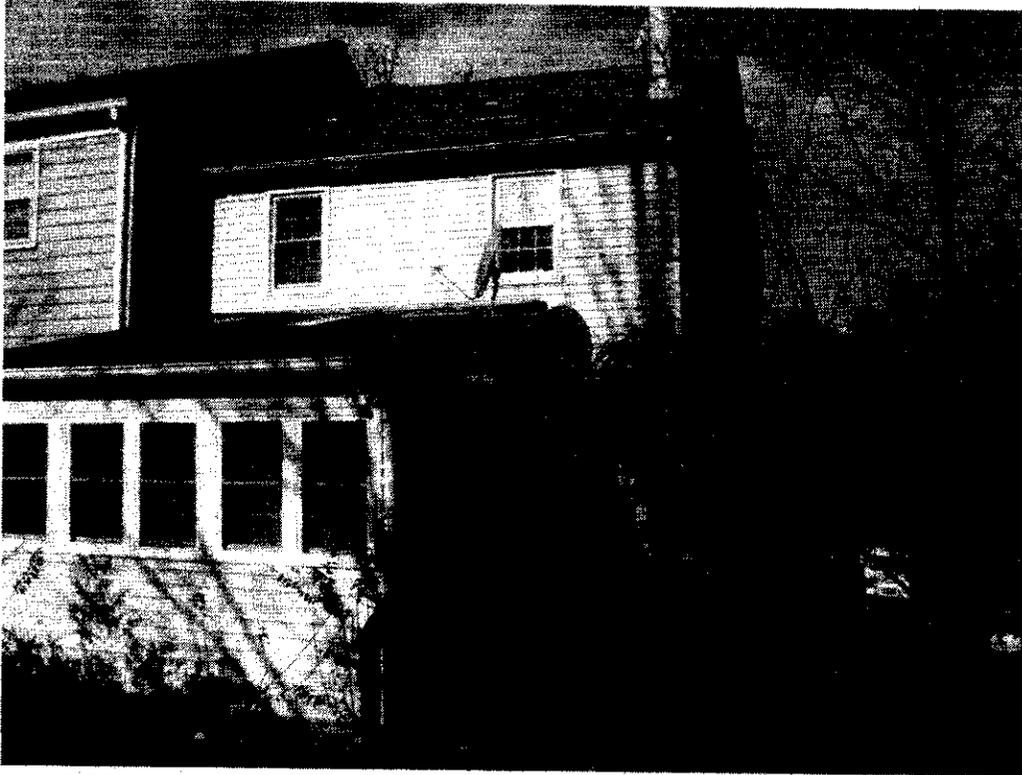
Front left corner of house, from main entrance to parking lot.

7



Side of house, taken from side yard. Photo facing westward.

8



Rear left corner of townhouse, photo taken from rear yard/ common area.

9

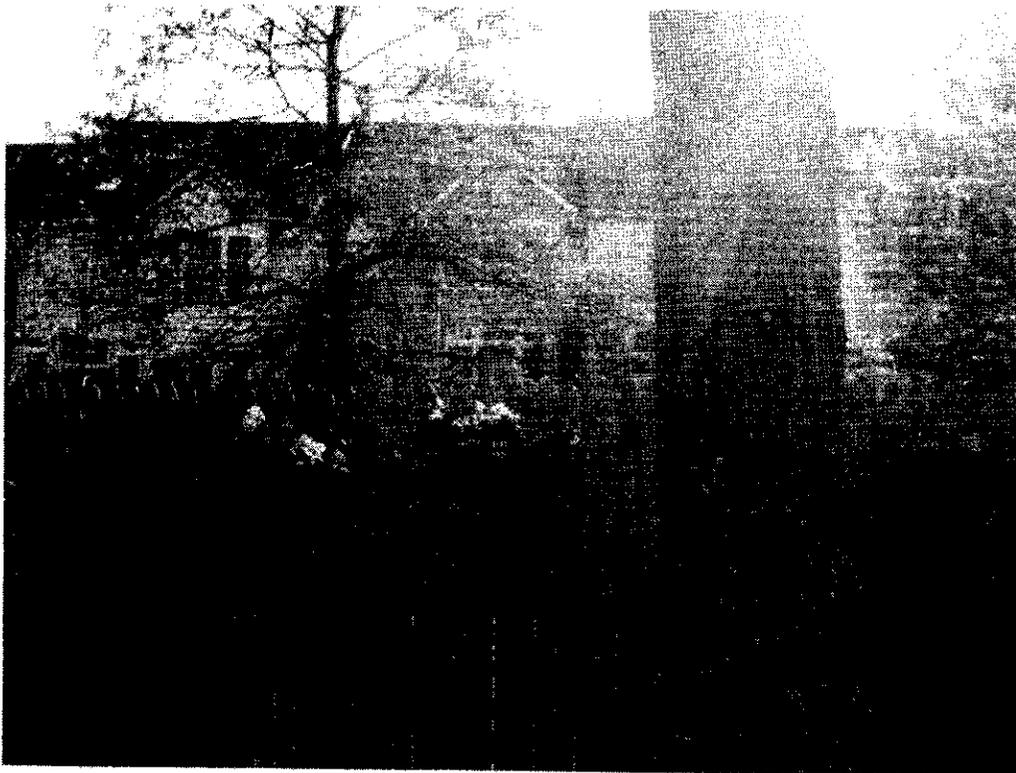


Photo taken from rear yard directly away from house. Photo facing southward.

10



Photo taken diagonally away from rear of house, facing southwest.

12



Photo taken diagonally away from front of house, facing northwest.

13



Photo taken directly away from front of house, facing cul-de-sac of Raglan Road. Photo facing northward.

14



Photo taken diagonally away from front of house, facing northeast.

15

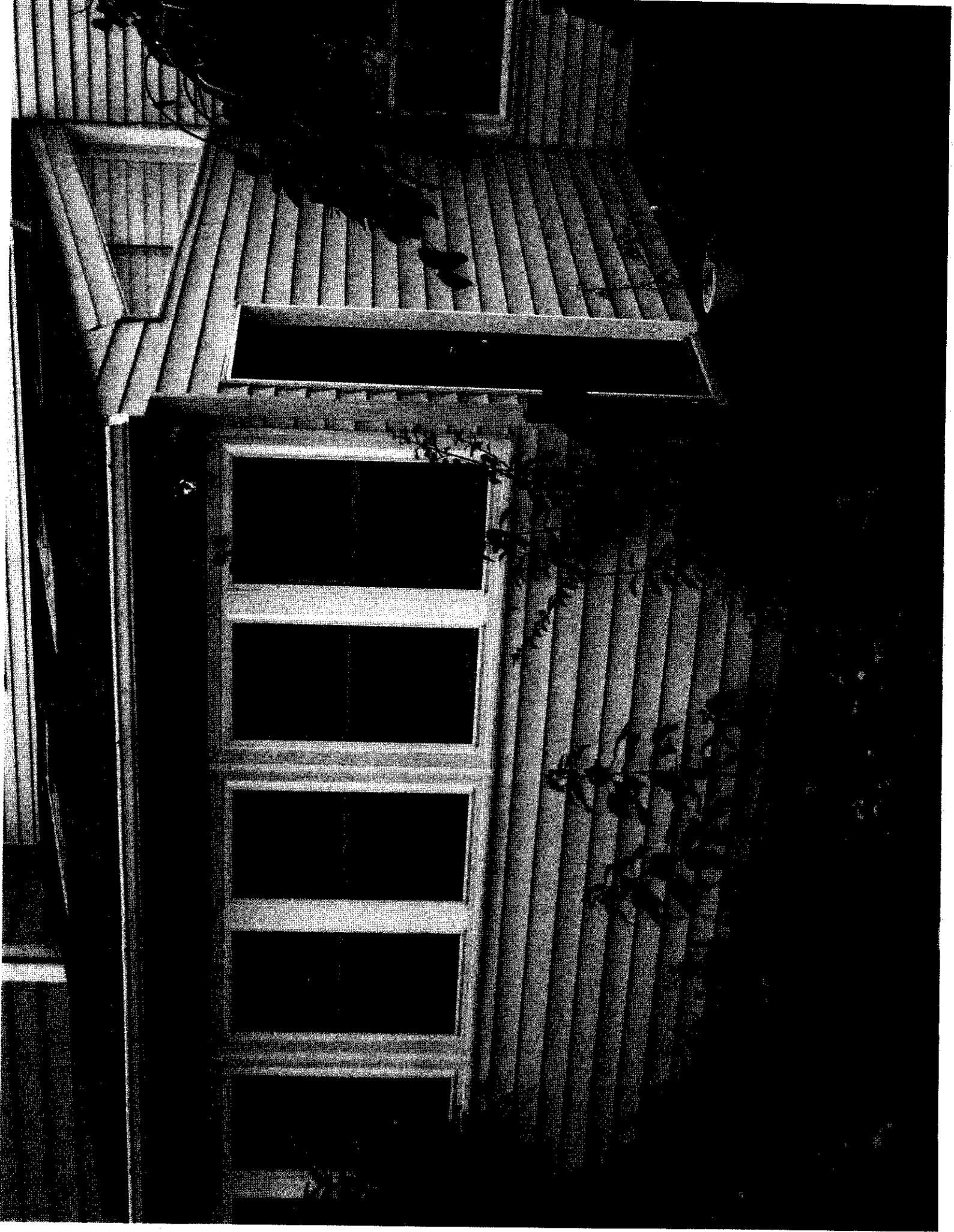


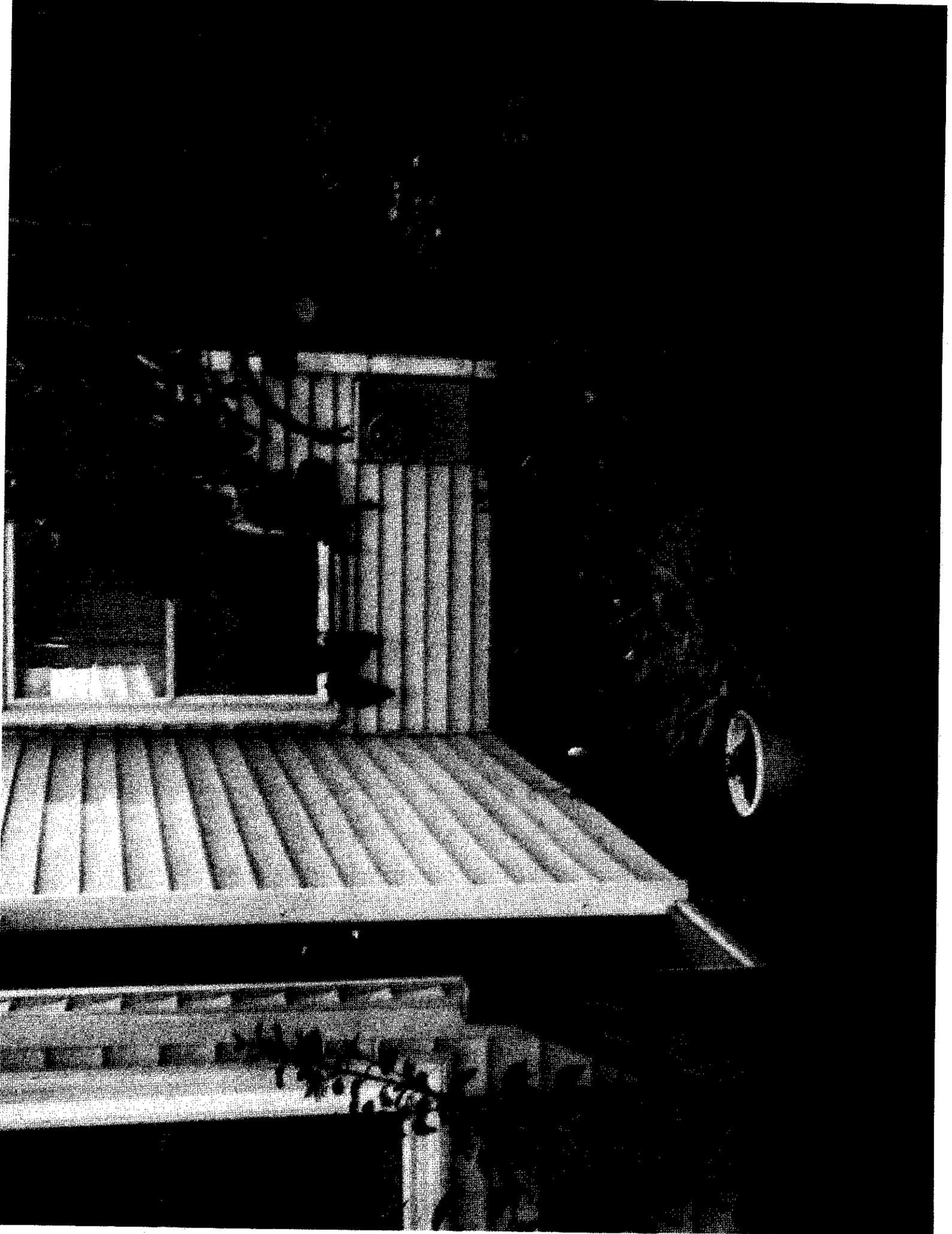
Photo taken directly away from side of house, facing neighboring house. Photo facing eastward.

16

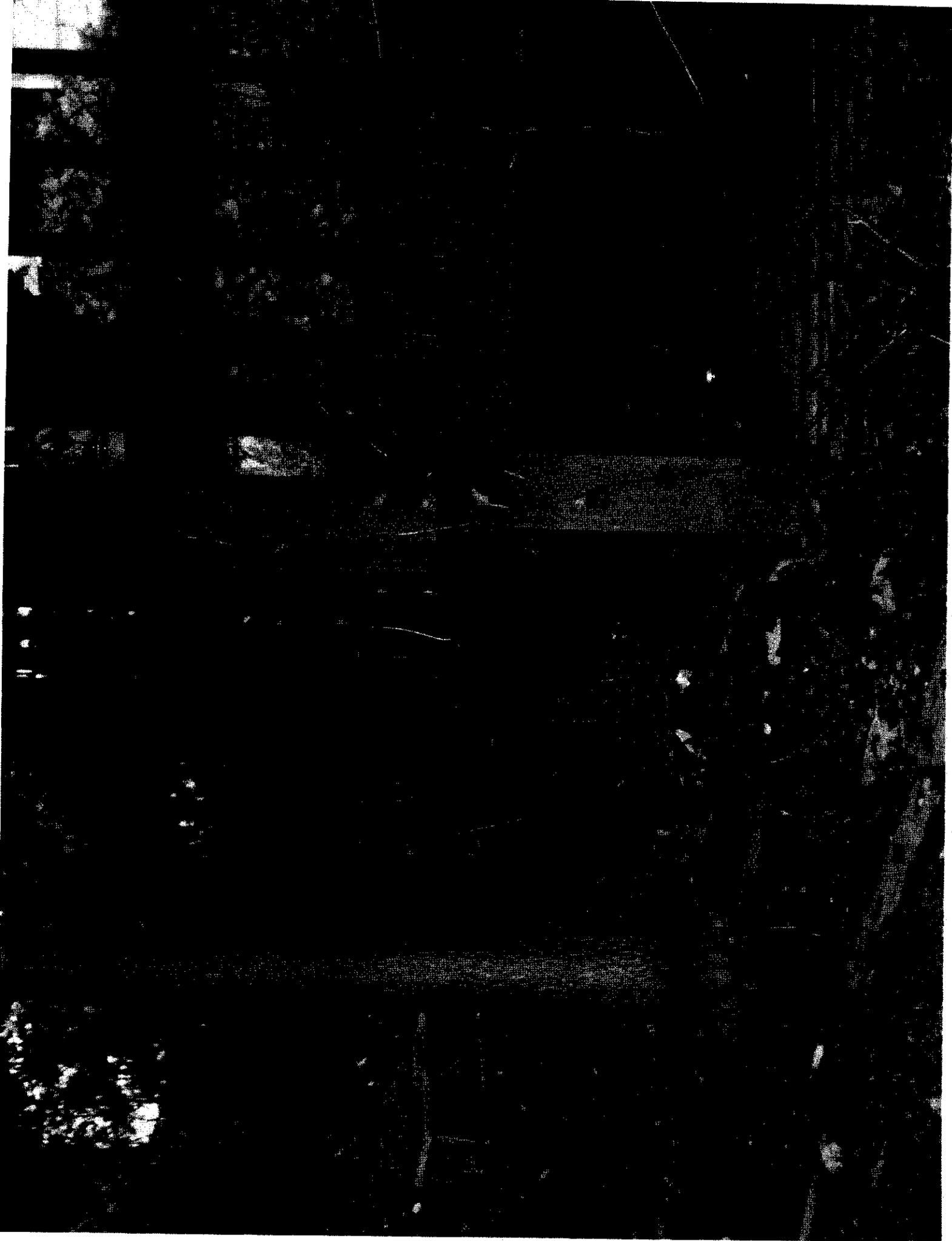


Photo taken diagonally away from rear of house, facing southeast.



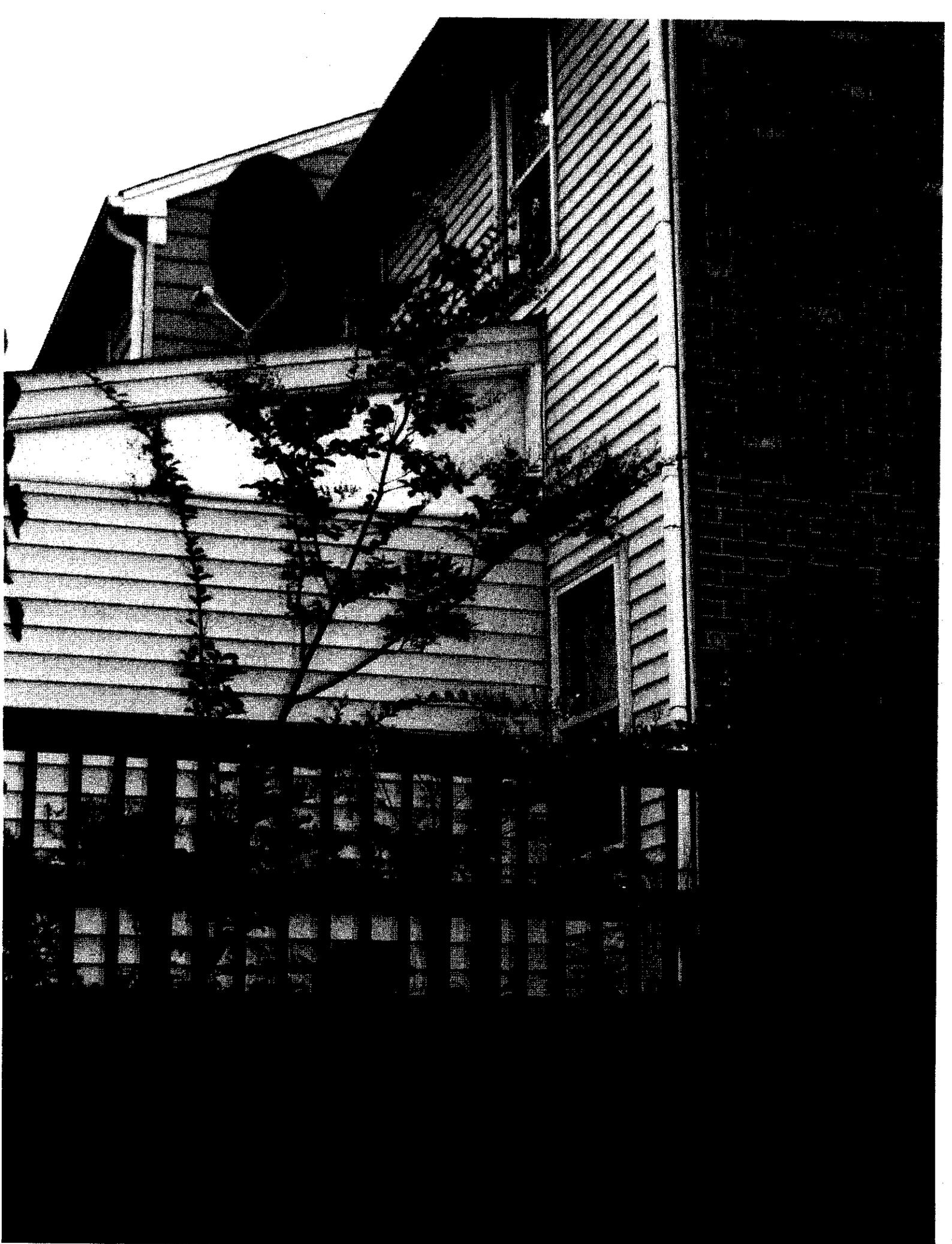












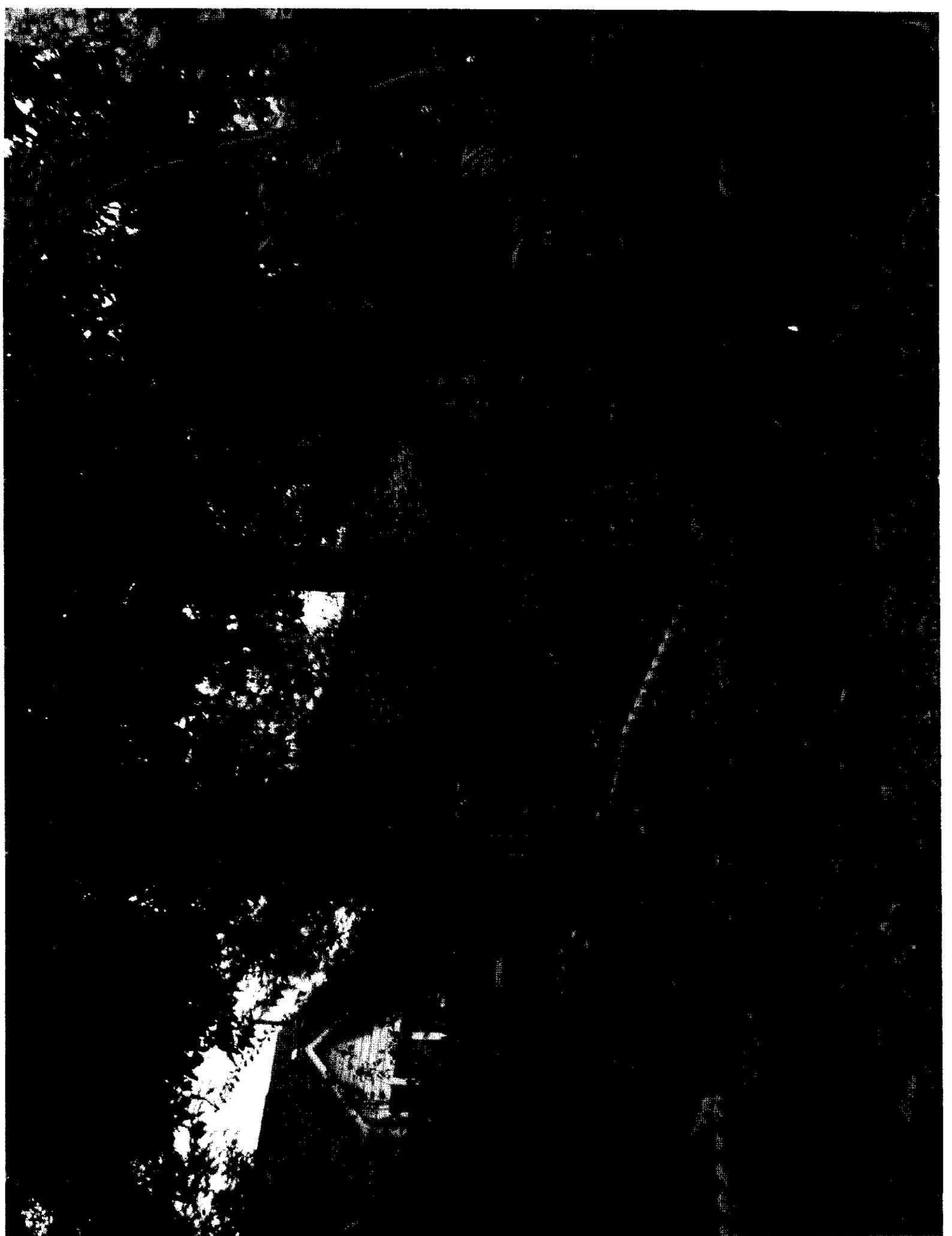




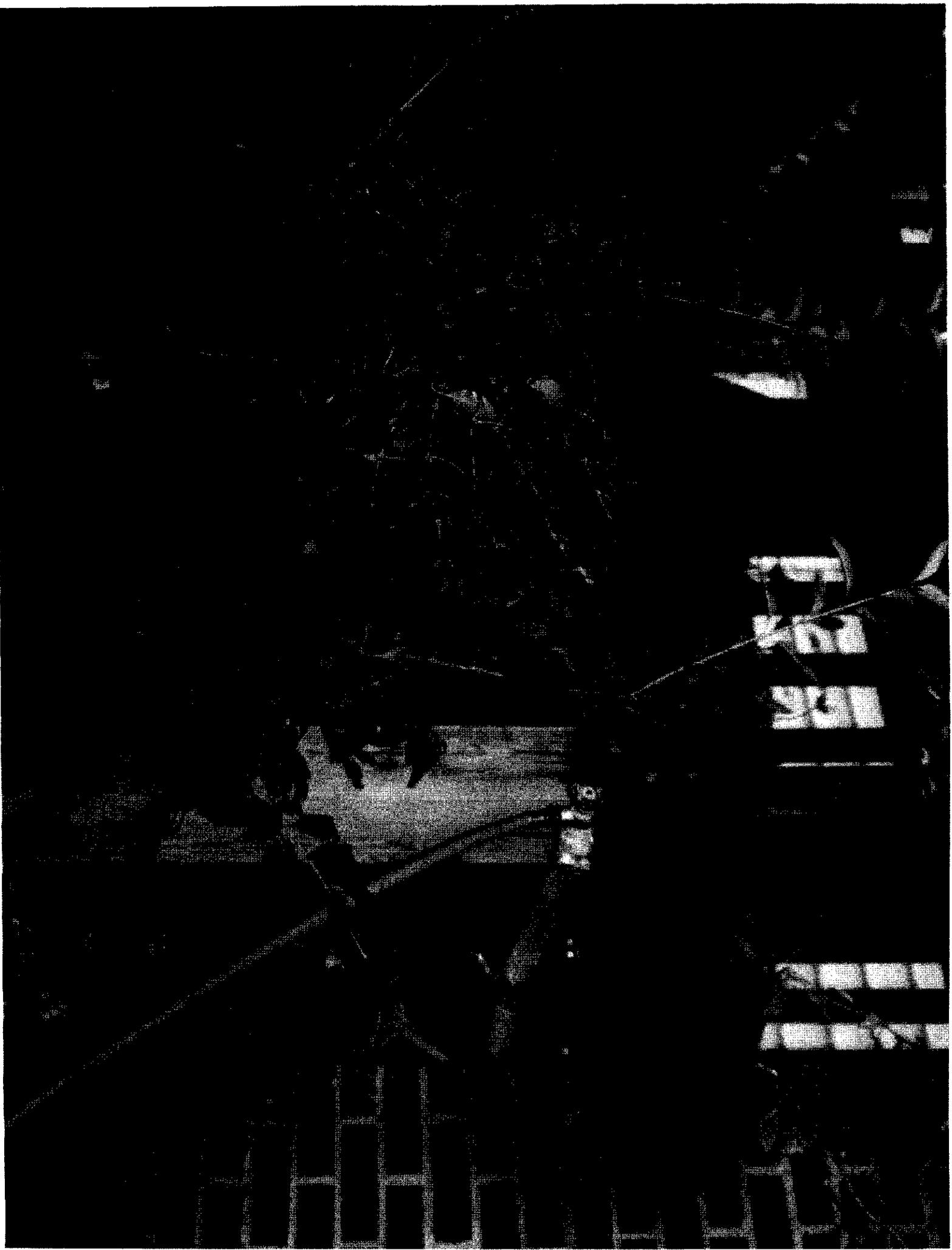












DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit for a reduction of minimum yard requirements based on error in building location to permit a sunroom addition to remain 10.4 feet from the rear lot line.

	Yard	Min. Yard Req.*	Permitted Extension **	Structure Location	Amount of Error	Percent of Error
Special Permit	Rear	20	None	10.4	9.6	48 %

* Minimum side yard requirement per Section 3-507

CHARACTER OF THE AREA

	Zoning	Use
North	R-5 & R-1	Single Family Attached Dwellings & Raglan Road Park
South	R-8	Single Family Attached Dwellings
East	R-5	Single Family Attached Dwellings
West	R-5	Single Family Attached Dwellings

ANALYSIS OF SPECIAL PERMIT APPLICATION

- **Title of SP Plat:** Plat, 8587 Raglan Road, Lot 15
- **Prepared By:** Hamid Moghaven-Tehrani, SDE, Inc. dated December 9, 2009 and signed December 11, 2009
- **Building Permit Required for Sunroom Addition:** Yes
- **Obtained:** No

BACKGROUND

The existing three story single family attached dwelling was constructed in 1984. In 1986, building permit #86010B0390 was issued for the construction of a sundeck 8 feet from the rear lot line. Copies of the approved building permit and the associated plat can be found in Appendix 4.

On June 30, 2008, a Notice of Violation (NOV) and Corrective Work Order was issued

from the Code Enforcement Branch with the Department of Public Works and Environmental Services (DPWES) for the sunroom addition being constructed without obtaining the proper building permits. Another NOV and Corrective Work Order was issued on August 19, 2008, from Code Enforcement Branch, DPWES in order to address the same issue and reiterate that permits must be obtained before further action is taken. A copy of these notices and corrective work orders can be found in Appendix 5.

The Board of Zoning Appeals (BZA) has heard no similar applications in the vicinity of the subject property.

ZONING ORDINANCE REQUIREMENTS (See Appendix 6)

- 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 Appendix 1 of this report, Proposed Development Conditions.

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.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Building Permit
5. Notices of Violation and Corrective Work Orders
6. Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2010-HM-006****March 17, 2010**

1. This special permit is approved for the location of the sunroom addition as shown on the plat prepared by George M. O'Quinn, Dominion Surveyors, Inc. dated March 4, 2009, 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 sunroom addition shall be obtained or the addition shall be removed or brought into compliance with 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): SP 2010-HM-006
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: NOV, 14, 2009
(enter date affidavit is notarized)

I, MEHDI MOLAEI, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant 106467a
 applicant's authorized agent listed in Par. 1(a) below

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)
MEHDI MOLAEI	8587 RAGLAN ROAD VIENNA, VA 22182	APPLICANT/TITLE OWNER

(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 2010-44-006

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

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: NOV. 14, 2009
(enter date affidavit is notarized)

106467a

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 2010-HM-000
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

106467a

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 2010 - HM - 004
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: NOV 14, 2009
(enter date affidavit is notarized)

106467a

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 2010-44-006
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: NOV. 14 2009
(enter date affidavit is notarized)

106467 a

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

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

Subscribed and sworn to before me this 14 day of NOV 2009, in the State/Comm. of VIRGINIA, County/City of Fairfax.

My commission expires: Aug 31 - 2011

[Signature]
Notary Public

RESOM NEGASSI
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES AUG. 31, 2011
COMMISSION # 7038261

SPECIAL PERMIT STATEMENT OF JUSTIFICATION

- A. Type of Operation:**
Existing Single family home
- B. Hours of Operation:**
Not applicable
- C. Estimated Number Of Clients:**
Not applicable
- D. Proposed Number of Employees:**
Not Applicable
- E. Estimated Traffic Impact:**
Not Applicable
- F. Vicinity or General Area to be served:**
Not Applicable
- G. Description of Building:**
Existing end unit 3 story Townhouse with brick veneer in front and the side and sidings on the rear.
- H. All hazardous or Toxic substance used:**
There will be no hazardous or toxic substance use at the premise .
- I.** The existing sunroom with the plastic enclosure was improved by the owner using siding and glass windows as shown on the attached photos. A notice of violation was issued by the County inspector. (See attached letter) due to the zoning setback and lack of permit. A variance plat has been submitted as required by the County. This encroachment has mainly happened unintentionally by the owner not being familiar with the County zoning ordinance requirements and understanding of the difference from the zoning point of view between an enclosed patio with plastic and enclosed patio with glass and siding.

RECEIVED
Department of Planning & Zoning

DEC 11 2009

Zoning Evaluation Division

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 PERMITS SECTION
 19999 MAIN STREET, 4TH FLOOR
 FAIRFAX, VA. 22080 981-3031

BUILDING PERMIT APPLICATION

APPLICATION NO

19

Date

JOB LOCATION

Street 8377 Douglas Rd
 Building _____ Floor _____ Suite _____
 Subdivision _____
 Tenants Name Personal Place

DO NOT WRITE IN THIS SPACE

Permit No. 860010/3039
 Map Reference 29-31197015
 Building Permit No. _____ Control No. _____
 Std. _____ Mag. _____ Plan _____ Census _____

OWNER
 Name Personal Place
 Address (Mailing) 8377 Douglas Rd
 City Virginia State VA Zip 22180
 Telephone 758-5292

CONTRACTOR
 Company Name Russell Contractors
 Master Russell Contractors
 Address 15741 Crab Branch Ave
 City Reston State VA Zip 20190
 Telephone 703-790-1900 License No. _____
 State Contractors License No. 21255 A
 County Business Account No. 46163-3

For Shed on mt shed roof

Model/Use Residential

- 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.
	24	10	240
	X	=	240
	X	=	240
	X	=	240

ROUTING		Date	Approved By:
Health Review			
Site Review		11/16/86	[Signature]
Zoning Review		11/16/86	[Signature]
Sanitation Review			
Building Review		11/16/86	[Signature]
Fire Review			

Use Group of Building Residential
 Type of Construction Wood Frame 4D
 Building Area 240
 Estimated Const. Cost 6000
ZONING REVIEW
 Zoning Proffers Building RS
 Zoning Class _____
 Zoning Case # _____
BUILDING CHARACTERISTICS
 Building Height 1'
 Exterior Walls _____
 Interior Walls _____
 Roofing Material _____
 Flooring Material _____
 Heating Fuel _____
 Heating System _____
GRADING AND DRAINAGE REVIEW
 Soils _____
 Historical _____
 Plan # _____
 Retaining Wall _____

YARDS Front NC Left Side 10' Right Side NC Rear 8'

REMARKS TH Sycamore Trees Lot 15
Plot attached

FOR COUNTY USE ONLY:

Date 11/16/86
 Approved for Issuance of Building Permit _____

Fee _____
 Filing Fee _____
 Amount Due 2100

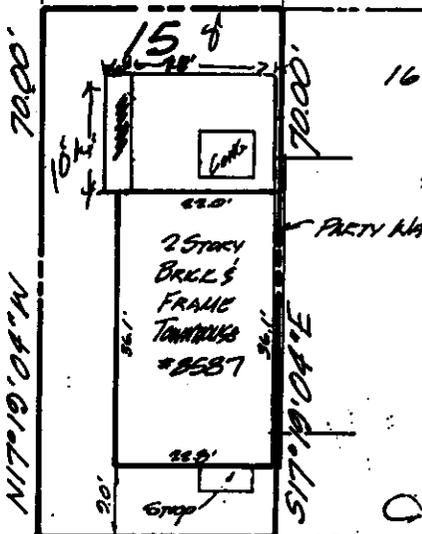
The request for and use of personal information on this form is subject to the provisions of the Privacy Protection Act of 1976 and the Freedom of Information Act.

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.

PARCEL "B"

N72°40'56"E 32.33'

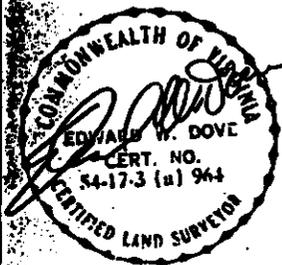
PARCEL "B"



S72°40'56"W 32.53'

PARCEL "B"

RAGLAN ROAD



HOUSE LOCATION SURVEY

LOT 15

TYSONS TOWNES

FAIRFAX COUNTY, VIRGINIA

APPROVED

DIVISION OF DESIGN REVIEW

By AL

Date 1-12-86

DATE: APRIL 23, 1985

SCALE: 1"=20'

JOB NO: 85-01-0365

PURCHASER: PERBZ

SELLER: CHEVY CHASE SAVINGS & LOAN

DOVE & ASSOCIATES

3977 CHAINBRIDGE ROAD
FAIRFAX, VIRGINIA 22030 (703) 385-7414

ENGINEERING
PLANNING
SURVEYING



**LEGAL NOTICE
NOTICE OF VIOLATION**

DATE OF ISSUANCE: August 19, 2008 **COMPLAINT #:** 33388
LEGAL NOTICE ISSUED TO: Molaei Mehdi **LICENSE #:**
ADDRESS: 8587 Raglan Rd
Vienna, Va 22182
PROPERTY OWNER(S): Molaei Mehdi
LOCATION OF VIOLATION: 8587 Raglan Rd
Vienna, Va 22182-2381
TAX MAP NUMBER: 0293 19.0015 **PERMIT #:**

On June 30, 2008, a Corrective Work Order was issued directing you to correct the following item within 10 days of receipt of that order:

a sunroom on rear without the permit(s) required by the 2006 Virginia Uniform Statewide Building Code (VUSBC).

This is a continuing violation of Section of the 2006 Virginia Uniform Statewide Building Code (VUSBC) effective May 1, 2008. This section states:

108.1 When applications are required. Application for a permit shall be made to the building official and a permit shall be obtained prior to the commencement of any of the following activities, except that applications for emergency construction, alterations or equipment replacement shall be submitted by the end of the first working day that follows the day such work commences. In addition, the building official may authorize work to commence pending the receipt of an application or the issuance of a permit.

1. Construction or demolition of a building or structure, including the installation or altering of any equipment regulated by the USBC. For change of occupancy, application for a permit shall be made when a new certificate of occupancy is required under Section 103.3.
2. Movement of a lot line that increases the hazard to or decreases the level of safety of an existing building or structure in comparison to the building code under which such building or structure was constructed.
3. Removal or disturbing of any asbestos containing materials during the construction or demolition of a building or structure, including additions.

NOTICE OF VIOLATION: Pursuant to the VUSBC, Section 115, **Violations**, Section 115.2, **Notice of Violation**, you are directed to correct this defect within 10 days of receipt of this Notice.

Failure to follow this order within the specified time may result in additional enforcement action under the applicable State and County Codes.

RIGHT TO APPEAL THIS NOTICE: As provided by the VUSBC, Section 119.5, **Right of appeal; filing of appeal application**, you have the right to appeal this decision to the Local Board of Building Code Appeals (LBBCA), within thirty (30) calendar days of receipt of this Notice. You may call the Secretary to the BBCA at 703-324-1980 for more information about the appeals process.

LEGAL NOTICE ISSUED BY: Michael Chenault
TITLE: Combination Inspector
Code Enforcement Investigation Team

SIGNATURE: 

NOTICE DELIVERED BY CERTIFIED MAIL NO: 70080500000189689634



County of Fairfax, Virginia

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

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Vienna, Va 22182-2381
TAX MAP NUMBER: 0293 19 0015 **PERMIT #:**

On June 30, 2008, a Corrective Work Order was issued directing you to correct the following item within 10 days of receipt of that order:

a sunroom that has not received the minimum required inspections.

This is a continuing violation of Section 113.0 of the 2006 Virginia Uniform Statewide Building Code (VUSBC) effective May 1, 2008. This section states:

113.3 Minimum inspections. The following minimum inspections shall be conducted by the building official when applicable to the construction or permit:

1. Inspection of footing excavations and reinforcement material for concrete footings prior to the placement of concrete.
2. Inspection of foundation systems during phases of construction necessary to assure compliance with this code.
3. Inspection of preparatory work prior to the placement of concrete.
4. Inspection of structural members and fasteners prior to concealment.
5. Inspection of electrical, mechanical and plumbing materials, equipment and systems prior to concealment.
6. Inspection of energy conservation material prior to concealment.
7. Final inspection.

Department of Public Works and Environmental Services
Land Development Services, Code Enforcement
12055 Government Center Parkway, Suite 210
Fairfax, VA 22035-5500
Phone: 703-324-1937, TTY: 711, Fax: 703-968-2886
www.fairfaxcounty.gov/dpwes

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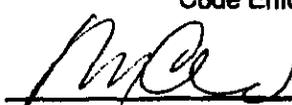


NOTICE DELIVERED BY CERTIFIED MAIL NO: 70073020000249832391

CORRECTIVE WORKORDER: Pursuant to the VUSBC, Section 115, **Violations**, Section 115.2, **Notice of Violation**, you are directed to correct this defect within 10 days of receipt of this Corrective Work Order. **Failure to follow this order within the specified time may result in a Notice of Violation under the applicable State and County Codes.**

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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.