



APPLICATION ACCEPTED: May 31, 2010
BOARD OF ZONING APPEALS: July 28, 2010
TIME: 9:00 a.m.

County of Fairfax, Virginia

July 21, 2010

STAFF REPORT

VARIANCE APPLICATION NO. VC 2010-MA-003

MASON DISTRICT

APPLICANT/OWNERS: Jean-Phillippe Krukowicz and Benedicte A. Krukowicz

SUBDIVISION: Indian Spring

STREET ADDRESS: 6532 Spring Valley Drive

TAX MAP REFERENCE: 71-4 ((7)) 68

LOT SIZE: 27,961 square feet

ZONING DISTRICT: R-2

ZONING ORDINANCE PROVISIONS: 18-401 and 11-102

VARIANCE PROPOSAL: To permit greater than 25 percent front yard coverage.

STAFF RECOMMENDATION:

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicants/owners from compliance with the 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:\SMCKN\VC\VC 2010-MA-003 Krukowicz\Staff Report Krukowicz.doc

Shelby Johnson

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.

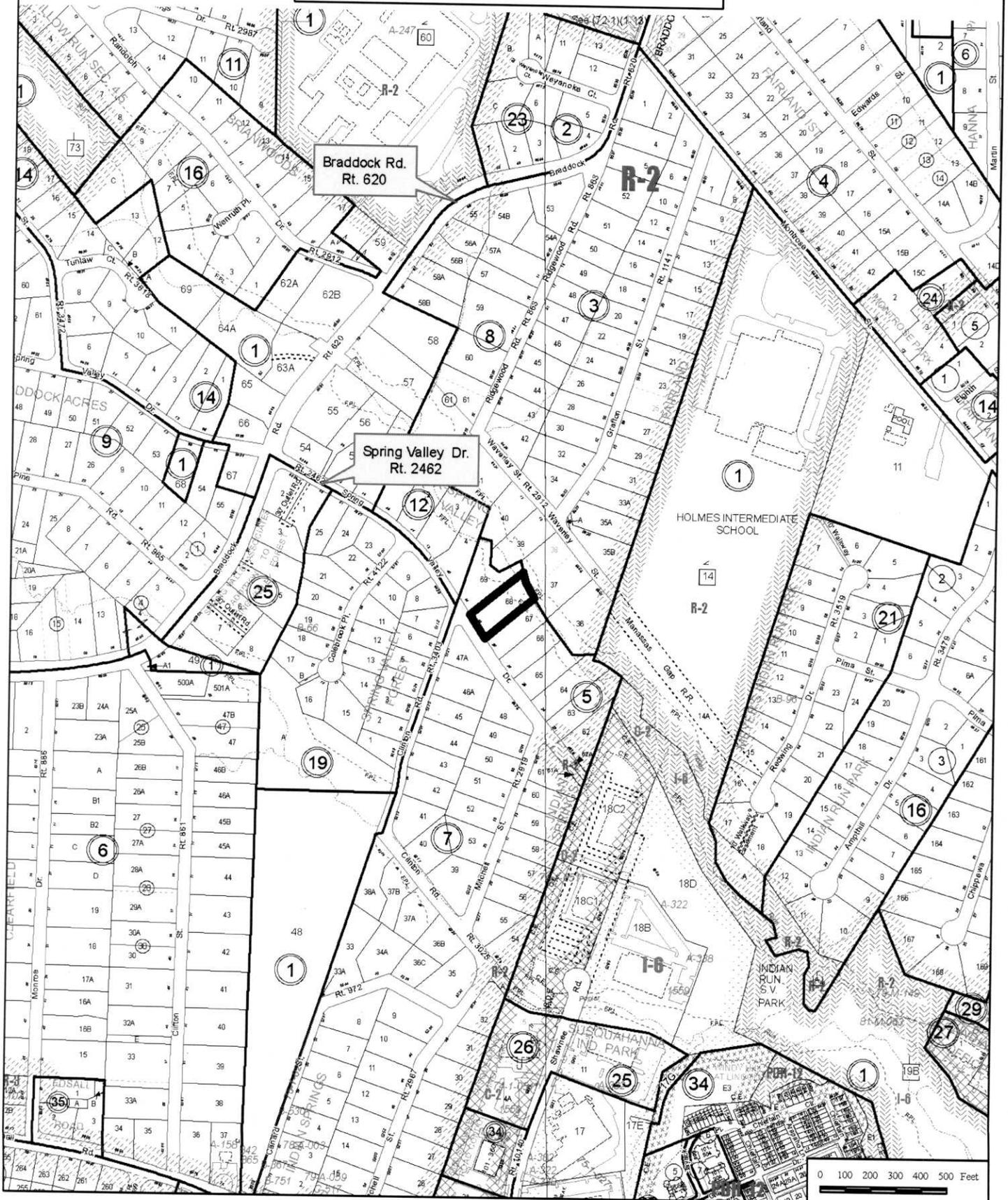
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



Variance Application

VC 2010-MA-003

JEAN-PHILIPPE KRUKOWICZ
AND BENEDICTE A. KRUKOWICZ



GROSS FLOOR AREA TABULATION

EXISTING DWELLING = 3,558 S.F. GFA
 EXISTING SHED = 99 S.F. GFA

FRONT YARD SURFACE AREA

CONCRETE DRIVEWAY = 2,016 S.F. = 32.2%
 AREA OF FRONT YARD = 6,261 S.F.



FAIRLAND SUBDIVISION

TR
 TREE

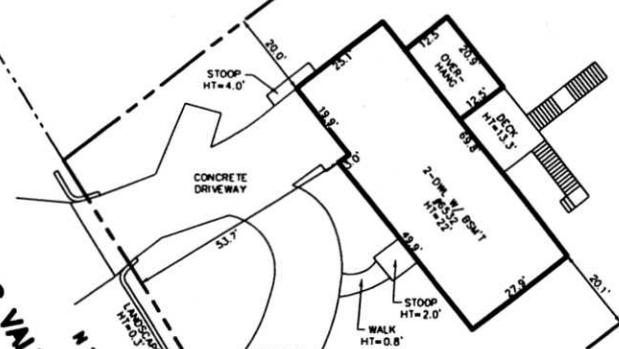
LOT 69

SAN. MH

LOT 68

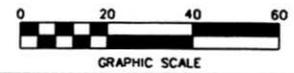
LOT 67

SPRING VALLEY DRIVE - RTE. 2462
 (50' WDC)

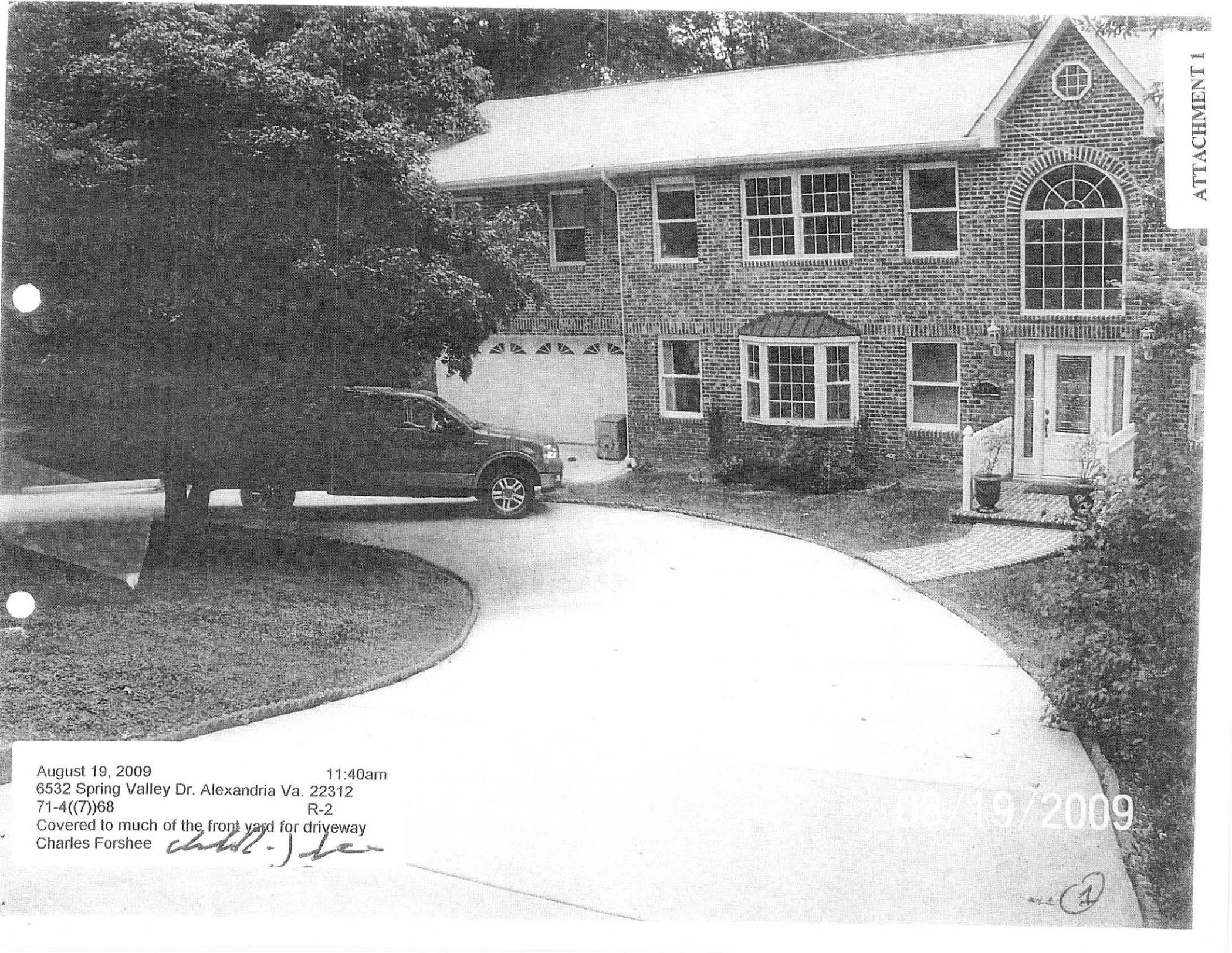


NOTES

1. TAX MAP - 071-4-07-0068
2. ZONED - R-2
3. LOT AREA = 27,961 S.F.
4. NO TITLE REPORT FURNISHED
5. MINIMUM YARD REQUIREMENTS
 FRONT YARD = 35'
 SIDE YARD = 15'
 REAR YARD = 25'
6. THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
7. NO GRAVE, OBJECT OR STRUCTURE MARKING A PLACE OF BURIAL WAS OBSERVED DURING FIELD INSPECTION.
8. THERE ARE NO KNOWN EASEMENTS 25' OR GREATER IN WIDTH ON THIS LOT.



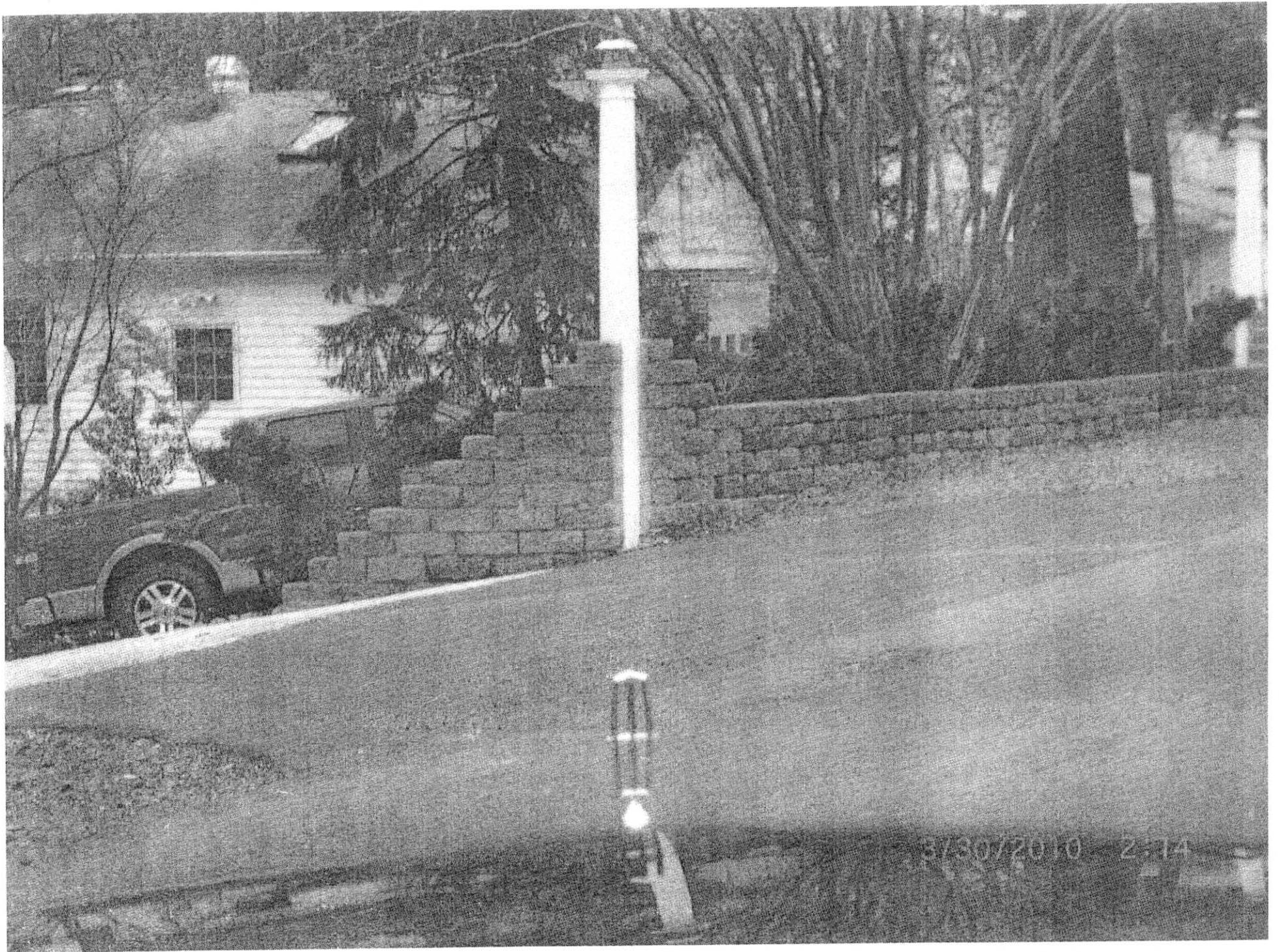
VARIANCE PLAT
LOT 68
INDIAN SPRING
 MASON DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 SCALE - 1" = 20' - APRIL 29, 2010
DRILLIAN ASSOCIATES, P.C.
 LAND SURVEYORS
 7000-D NEWINGTON ROAD
 LORTON, VIRGINIA 22079
 703-339-7449



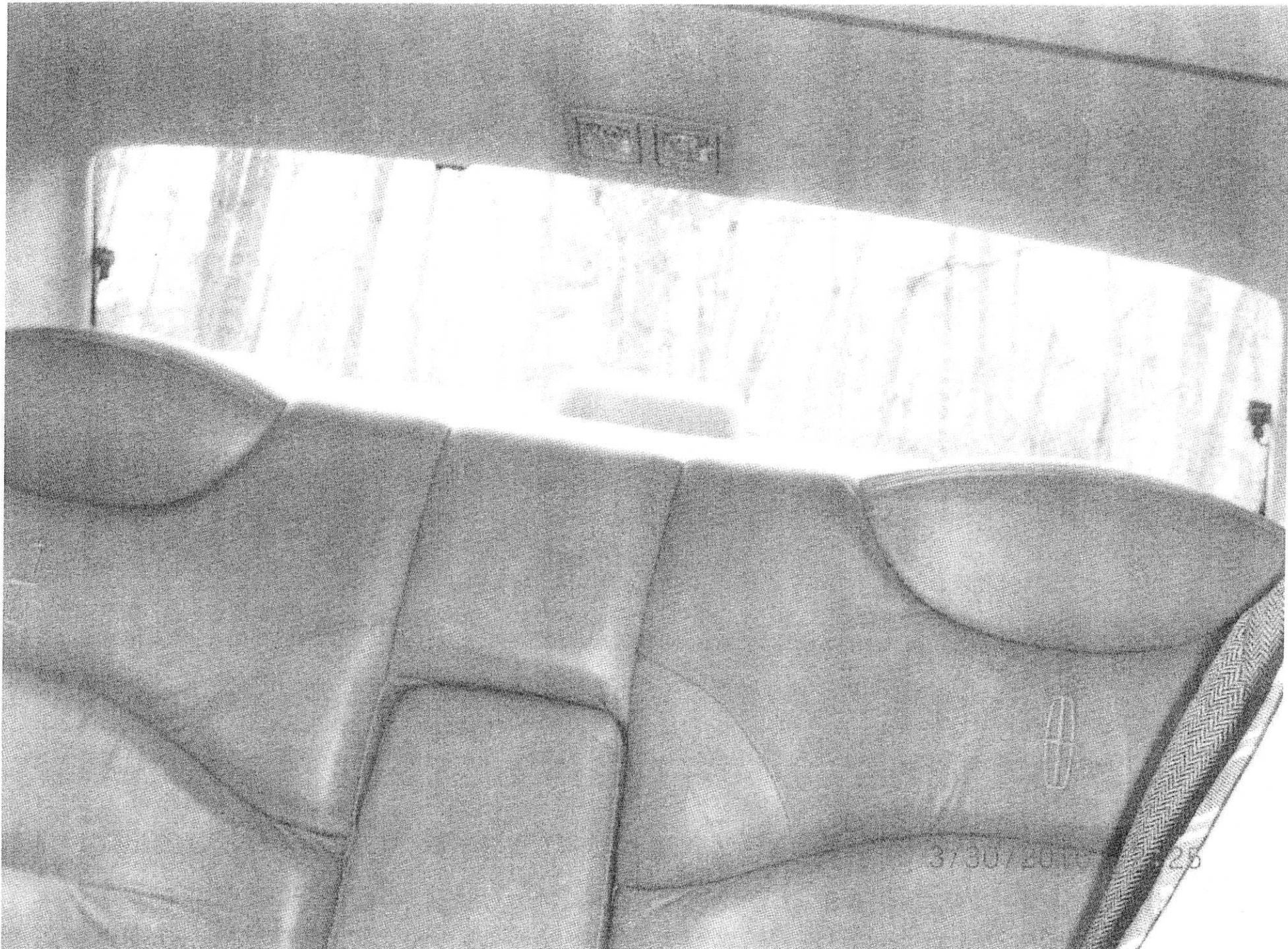
August 19, 2009 11:40am
6532 Spring Valley Dr. Alexandria Va. 22312
71-4((7))68 R-2
Covered to much of the front yard for driveway
Charles Forshee *Charles Forshee*

08/19/2009

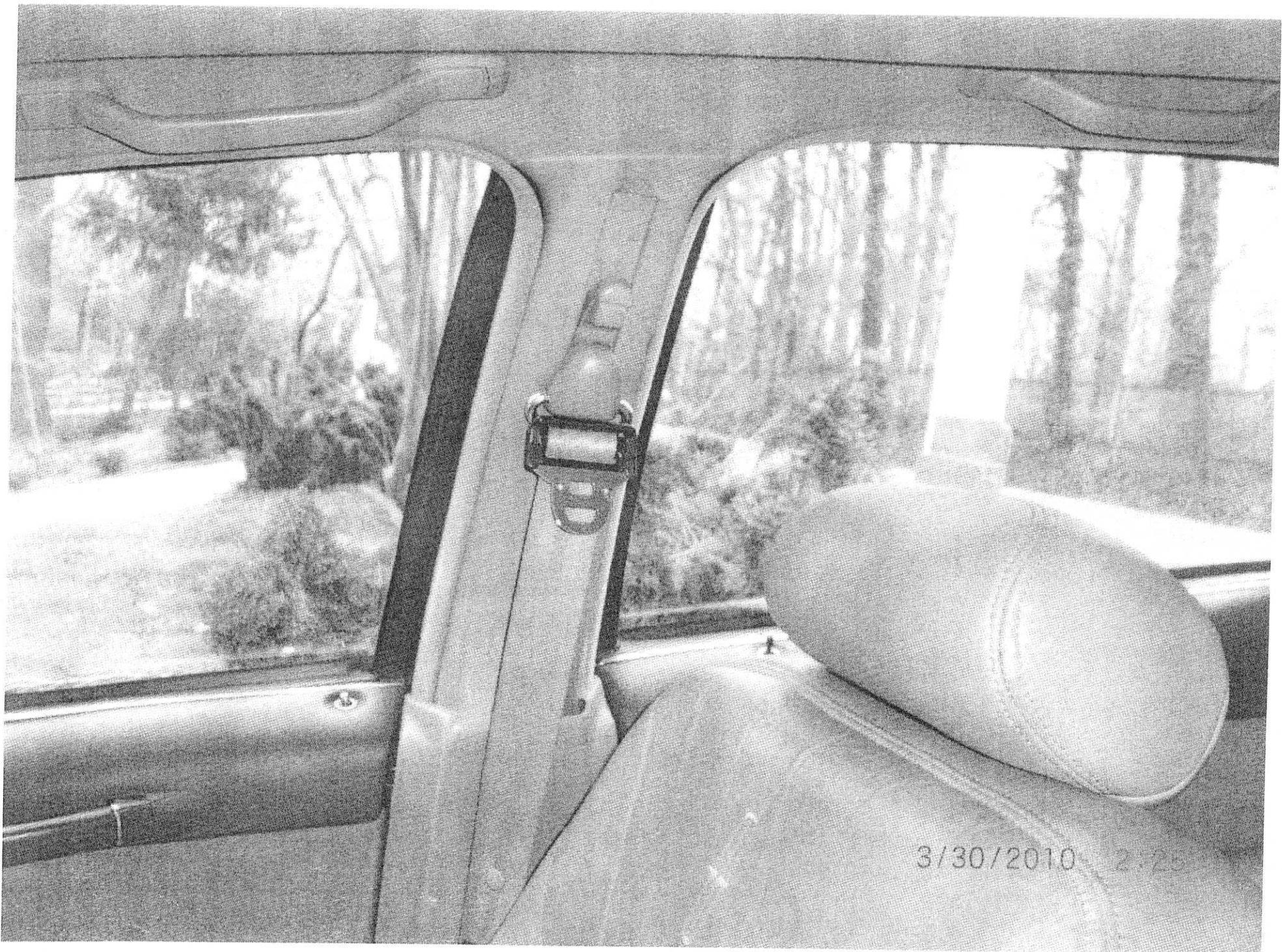
(1)







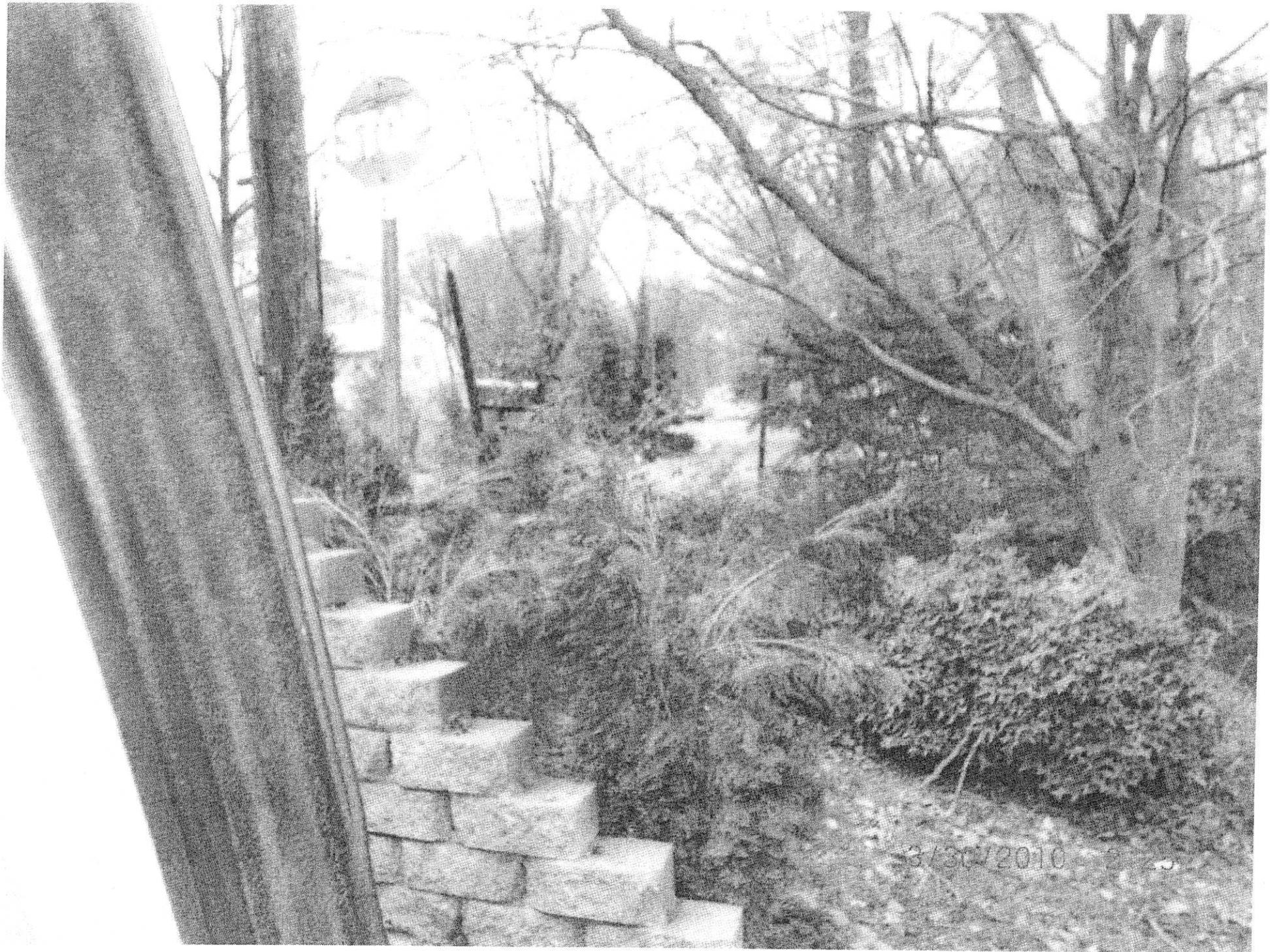
3730/3075 25



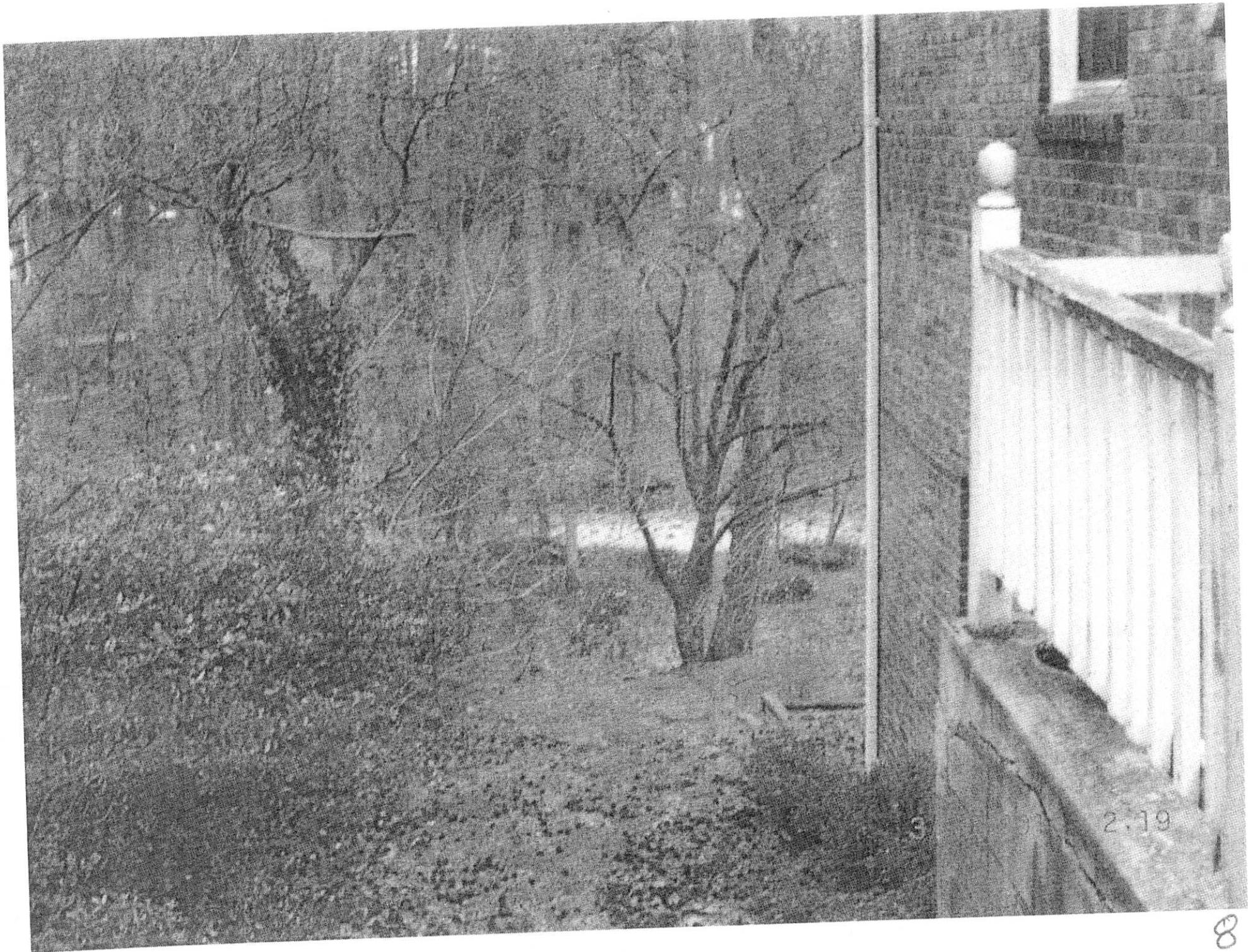
3/30/2010 2:25







7-A











3/30/2010 2:19



3/30/2010 2:19



3/30/2016 8:16











DESCRIPTION OF THE APPLICATION

The applicant is requesting a variance to permit greater than twenty-five (25) percent front yard coverage. Section 11-102, Paragraph 8 of the Zoning Ordinance states that in the R-1 and R-2 Districts no more than 25 percent of any front yard shall be surfaced area for a driveway or vehicle/trailer parking area. The front yard surface area (concrete driveway) on this site measures 2,016 square feet or 32.2 percent of the front yard area (6,261 square feet).

EXISTING SITE DESCRIPTION

Zoned to the R-2 Zoning District, the application property is located in the Indian Spring Subdivision on the north side of Spring Valley Drive, east of its intersection with Clinton Road and west of Mitchell Street. The 27,961 square-foot property is currently developed with a two-story, brick and vinyl, single-family detached dwelling. County records indicate the original dwelling was constructed in 1965 as a one-story brick rancher. Building permits were approved in 1999, 2002 and 2003 for second floor additions, including a sunroom addition and a raised deck, 13 feet in height which is located at the rear of the dwelling. Copies of these permits are included as Appendix 4 of the staff report. The existing dwelling measures 5,558 square feet in area and is 22.0 feet in height. Access to the site is provided from Spring Valley Drive via two curb cuts to an existing circular concrete driveway in the front yard. The northern-most entrance appears to be part of the original driveway that terminated at the attached two-car garage. A brick paver walkway extends from the loop of the driveway to the dwelling's existing front entrance. There is an existing 10.5-foot high shed located in the back yard along the southeastern portion of the property, 5.5 feet from the southern side lot line; a brick patio, measuring 1.9 feet in height is located west of the shed. Pictures submitted by the applicant depict a masonry retaining wall adjacent to the property's western lot line, several landscape walls along the property's frontage ranging in height from 0.3 feet to 3.5 feet in height and several tiers of wooden retaining walls at the rear of the property. The topography of the property slopes downward from Spring Valley Drive to the rear yard. There are several mature trees and shrubs located along the periphery of the property. The site is surrounded by single-family detached homes on all lot lines.

CHARACTER OF THE AREA

	Zoning	Use
North	R-2	Single family detached dwellings
South	R-2	Single family detached dwellings
East	R-2	Single family detached dwellings; Holmes Intermediate School

	Zoning	Use
West	R-2	Single family detached dwellings

BACKGROUND

The Board of Zoning Appeals (BZA) has not heard any similar special permit and variance applications in the vicinity of the application parcel.

On June 23, 2009, a Notice of Violation, found in Appendix 5 of this report, was issued to the applicants for violating Par. 8 of Sect. 11-102 of the Fairfax County Zoning Ordinance where the surface coverage of the front yard exceeds 25 percent.

SPEICAL PERMIT PLAT (Copy at front of staff report)

- **Title of Plat:** Variance Plat, Lot 68, Indian Spring
- **Prepared by:** Joseph W. Bronder, Land Surveyor, DiGiulian Associates, P.C.
- **Dated:** April 29, 2010, and signed May 3, 2010

The plat depicts the existing 5,558 square foot dwelling with attached overhang and deck, the 2,016 square foot driveway, a 1.9 foot tall detached patio and a 99 square foot, 10.5 foot tall shed. Since the shed is greater than 8.5 feet in height, it must be located at least 15 feet (the minimum required side yard) from the side lot line. A development condition has been included requiring the shed to be brought into compliance with the Zoning Ordinance.

ZONING ORDINANCE REQUIREMENTS

Applicable bulk regulation(s) and additional location regulations are set forth on Page 1.

The application must meet all of the following standards, copies of which are attached as Appendix 6:

- Sect. 11-102 Off-Street Parking
- Sect. 18-404 Required Standards for Variances

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.

APPENDICES

1. Proposed Variance Development Conditions
2. Applicant's Affidavits
3. Applicant's Statement of Justification
4. Building Permits
5. Notice of Violation
6. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

VC 2010-MA-003

July 21, 2010

1. This variance is approved for the maximum size of the driveway in the front yard as shown on the plat prepared by Joseph W. Bronder, Land Surveyor, DiGiulian Associates, P.C., dated April 29, 2010 and signed May 3, 2010, as submitted with this application and is not transferable to other land.
2. Within 120 days of approval of this special permit, the 10.5 foot high shed shall be removed, moved or reduced in height to meet the requirements as outlined in Sect. 10-104 of the Zoning Ordinance.

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 including requirements for building permits.

Application No.(s): VC 2010-MA-003
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 26, 2010
 (enter date affidavit is notarized)

I, Richard F. Boddie, 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 108056 &

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)
Jean-Phillippe Krukowicz Benedicte A Krukowicz	6532 Spring Valley Drive, Alexandria VA 22312	Applicant/Title Owner Applicant/Title Owner
J Michael Slocum, Esq Richard F. Boddie, Esq. Slocum & Boddie, PC	6225 Brandon Avenue, Ste 310 Springfield VA 22150	Attorney/Agent Attorney/Agent Attorney/Agent
W. Steven Paleos, Esq.	609 Wyngate Drive P.O. Box 161 Frederick MD 21705-0161	Attorney/Agent

(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): VC 2010-MA-003
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 26, 2010
(enter date affidavit is notarized)

10805615

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)

Slocum & Boddie, PC
6225 Brandon Ave #310 Springfield VA 22150

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)

J. Michael Slocum
Richard F. Boddie

(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): VC 2010-MA-003
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 26, 2010
(enter date affidavit is notarized)

10805615

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)
N/A

(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): VC 2010-MA-003
(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 26, 2010
(enter date affidavit is notarized)

1080566

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): VC 2010-MA-003
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 26, 2010
(enter date affidavit is notarized)

1080568

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

Richard F. Boddie, Authorized Agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 26th day of April, 2010, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: 9/20/2013

Lori M. Strahl
Notary Public



R 08 2010

Zoning Evaluation Division

WRITTEN STATEMENT OF JUSTIFICATION

This Variance Application concerns a single family residence located in an R-2 Zoning District, having a street address of 6532 Spring Valley Drive, Alexandria, Virginia 22312 ("subject property"). The subject property has a surfaced, circular driveway exceeding 25 percent of the front yard. **Exhibit 4, Photo 1 (EXH 4, P 1)**

The front yard slopes sharply down from Spring Valley Drive to the Applicants' house and the attached garage. **EXH 4, P 2 & 3** Absent a circular driveway, the Applicants would be required to either back out of their driveway or back into it. Given the sharp slope there is insufficient visibility to permit safe ingress and egress from the subject property. **EXH 4, P 5, 6 and 7.**

The Applicants, Jean-Philippe Krukowicz and his wife Benedicte A. Krukowicz were served with a Notice of Violation requiring them to reduce the excess driveway area and restore the front yard area with ground cover or appeal within 30 days.

The Applicants failed to appeal within the 30 day time frame and a suit for declaratory judgment and injunctive relief was filed in the Circuit Court of Fairfax County. On March 12, 2010, the Applicants entered into an agreed Order with the Honorable Eileen M. McLane, Fairfax County Zoning Administrator, requiring them to seek a variance allowing them to maintain existing driveway.

1. The subject property was acquired in good faith.

The Applicant purchased the subject property on October 20, 2006. The circular driveway was already in place at that time and the Applicant had no reason to believe that the circular driveway would not be in compliance with the zoning ordinances.

A plat located in his closing file shows a "NEW WOOD DECK," "NEW WALKWAY," and "NEW DRIVEWAY." The "NEW DRIVEWAY" is depicted as an extension of the "DRIVEWAY" creating the circular driveway that is the subject of this Application.

That drawing also contains a stamp stating "DPW&ES Office of Building Code Services Approved for", followed by legible and illegible handwriting dated October 22, 2003. The legible handwriting states "Build open Deck & add 2nd Floor." The illegible handwriting cannot be read. The plat also shows the stamped approval of "William E. Shoup, Zoning Administrator, also dated October 22, 2003.

See **EXH 2**

Upon examination of the street file, it is apparent that the predecessor owner had added the driveway on the plat, labeled it "NEW DRIVEWAY", but sought approval for only the deck and the second story addition. Nevertheless, a review of the street file, to determine whether an application for approval of an improvement to the property, is not within the normal examination of the public records on a consumer transaction.

Given the circumstances, it is fair to say that the Applicant acted in good faith in acquiring the subject property.

2 D. Exceptional topographical conditions.

The subject property fronts on Spring Valley Drive and is situated on the southeast side of the intersection of Spring Valley Drive and Clinton Street. The driveway entrance and the driveway exit slope sharply down to the house and garage. **EXH 4, P 2 & 3** That steep slope continues from the back of the house, across an area in excess of 16,875 square feet to a small stream named Indian Run. **EXH 2**

The slope and surface area available are depicted in **EXH 4, P 8**, looking down the north east side of house; **EXH 4, P 9** looking up hill towards the north west and directly at the rear of the house; **EXH 4, P 10** looking up hill from below terraced walkway on the south west side of house; and **EXH 4, P 11** looking up hill beyond terraced walkway on that same side.

3. Not reasonably susceptible to general regulation.

The circumstances presented in this application are so site specific that general regulation would not be reasonable. The slope, the location of trees and shrubbery, the orientation of the lot relative to the road and the narrow frontage relative to the depth of the lot all combine to create an ingress and egress hazard absent a circular driveway. Addressing the combination of all those variables in a general regulation would be impracticable.

4. The strict application of the Ordinance would produce an undue hardship.

The Applicants were completely innocent. They did not undertake construction without a permit and, under Virginia law, were in their rights to presume that their predecessor in interest had adhered to the law when the addition of the circular portion of the driveway was first built.

Absent the variance, the Applicants would be forced to create a hazard to themselves and others every time they left their property. **EXH 4, P 4** is the view through the rear window of a sedan as it is backing 180 degrees away from the garage immediately before entering Spring Valley Drive. The road cannot be seen from that view point.

When the driver swivels 135 degrees to the left in order to view the roadway from the rear driver side window, the driver cannot see any possible traffic on Spring Valley Drive beyond the Spring Valley Drive, Clinton Street intersection. **EXH 4, P 6** As shown in many of the pictures foliage blocks much of the view to and from the driveway.

Similarly, when swiveling 135 degrees to the right in order to view the roadway from the front and rear passenger windows to see traffic from the east the driver's view is obstructed by foliage. **EXH 4, P 5 & 7**

In contrast, as demonstrated by **EXH 4, P 12 & 13**, forward egress from the south west exit permits an unobstructed view and a safe exit.

5. Such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.

The adjacent property, 6530 Spring Valley Drive, can be seen more easily from the road and egress appears much less hazardous. **EXH 4, P 14** The property adjacent to the subject property on the North East side of the subject property, has a driveway which curves along the side of the property and the paved area that may be available for a turn around cannot be viewed without entering that property.

6. The strict application of the Zoning Ordinance would unreasonably restrict all reasonable use of the subject property and would alleviate a demonstrable hardship approaching confiscation.

The strict application of the zoning ordinance would prohibit safe egress from the property. Absent the variance, the Applicant would have to demolish that portion of the driveway that permits safe ingress and egress from the subject property. As a consequence, use of the remaining driveway would be so limited as to approach confiscation.

7. The authorization of the variance would not be of substantial detriment to the adjacent property.

The circular driveway cannot be seen from 6540 Spring Valley Drive **EXH 4, P 15**, and is substantially screened from the perspective of 6530 Spring Valley Road. **EXH 4, P 16.**

8. The character of the zoning district will not be changed by the granting of the variance.

The character of the zoning district would not be changed by permitting the circular driveway to exist. It fits in with the nature of the neighborhood and is not easily visible from the road or the neighbors' properties. Furthermore, a house further down the street, at 6548 Spring Valley Drive, has a circular driveway. **EXH 4, P 17 & 18**

9. The variance will be in harmony with the intended spirit and purpose of the Ordinance and would not be contrary to the public interest.

The variance is in harmony with the spirit and purpose of the Ordinance. It is believed that the Zoning Ordinance §10-102(15), which contains the 25% limitation, was

enacted for aesthetic purposes. From an aesthetic point of view, it is an attractive feature, blends in with the character of the neighborhood and is similar in appearance to the circular driveway in use at a nearby home on the same street. Given the slope involved, the foliage on Spring Valley Drive, there is sufficient surrounding foliage that the ratio of paved to surfaced area that is visible from the street and the neighboring property.

Furthermore, as shown by photos of the rear of the lot, the ratio of the hard surfaced area compared to the overall area of the lot provides a substantial amount of natural surface area.

BUILDING PERMIT APPLICATION

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES
 PERMIT APPLICATION CENTER
 12055 Government Center Parkway, 2nd Floor
 Fairfax, Virginia 22035-9504 Telephone: 703-222-0801
 Web site: http://www.co.fairfax.va.us/dpwes

PERMIT # 0329480590
 FOR INSPECTIONS CALL 703-222-0455 (see back for more information)

APPENDIX 4

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN
 (PLEASE PRINT OR TYPE)

JOB LOCATION
 ADDRESS 6532 SPRINGS VALLEY DR
 LOT # 68 BUILDING _____
 FLOOR _____ SUITE _____
 SUBDIVISION INDIAN SPRINGS
 TENANT'S NAME _____

OWNER INFORMATION OWNER TENANT
 NAME HEWAN SEIFU
 ADDRESS 6532 SPRINGS VALLEY DR
 CITY ALEXANDRIA STATE VA ZIP 22312
 TELEPHONE 703 926 9712

CONTRACTOR INFORMATION SAME AS OWNER
 CONTRACTORS MUST PROVIDE THE FOLLOWING:
 COMPANY NAME _____
 ADDRESS _____
 CITY _____ STATE _____ ZIP _____
 TELEPHONE _____
 STATE CONTRACTORS LICENSE # _____
 COUNTY BPOL # _____

APPLICANT
MCHINNER LONG NGUYEN

DESCRIPTION OF WORK
add second floor and deck
24x68 16x13

HOUSE TYPE Single Family Home
 ESTIMATED COST OF CONSTRUCTION 113,500
 BLDG AREA (SQ FT OF FOOTPRINT) _____
 USE GROUP OF BUILDING _____
 TYPE OF CONSTRUCTION 2/3
 SEWER SERVICE PUBLIC SEPTIC OTHER
 WATER SERVICE PUBLIC WELL OTHER
 OTHER PLEASE SPECIFY _____

DESIGNATED MECHANICS' LIEN AGENT
 (Residential Construction Only)
 NAME _____
 ADDRESS _____
 NONE DESIGNATED PHONE _____

CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS

# KITCHENS	EXTER. WALLS	_____
# BATHS	INTER. WALLS	_____
# HALF BATHS	ROOF MATERIAL	_____
# BEDROOMS	FLOOR MATERIAL	_____
# OF ROOMS	FIN. BASEMENT	_____ %
# STORIES	HEATING FUEL	_____
BUILDING HEIGHT	HEATING SYSTEM	_____
BUILDING AREA	# FIREPLACES	_____
BASEMENT		_____

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY
 PLAN # R-03-01325
 TAX MAP # 071-1-1071 10068

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	<u>10-22-03</u>	<u>ASV</u>
SITE PERMITS	<u>10-22-03</u>	<u>ASV</u>
HEALTH DEPT		
BUILDING REVIEW	<u>12/13/03</u>	<u>ASV</u>
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE \$ 137.80
 FILING FEE - \$ _____
 AMOUNT DUE = \$ 275.61

BUILDING PLAN REVIEW
 REVIEWER ASV # OF HOURS _____
 REVISION FEES \$ _____
 FIRE MARSHAL FEES \$ _____
 FIXTURE UNITS _____ PLAN LOC: J R

APPROVED FOR ISSUANCE OF BUILDING PERMIT
 (LOG OUT)
 BY JK DATE 12/13/03

ZONING REVIEW
 USE SFD-65
 ZONING DISTRICT R-2 HISTORICAL DISTRICT _____
 ZONING CASE # _____
 GROSS FLOOR AREA OF TENANT SPACE _____
 YARDS: GARAGE 1 2 3
 FRONT OPTIONS YES NO
 FRONT NC REMARKS adding 2nd floor
 L SIDE 20' to existing house
 R SIDE 20' plus 16x13 deck on
 REAR 100+ rear of house, plat

GRADING AND DRAINAGE REVIEW attached
 SOILS # _____ A B C
 AREA TO BE DISTURBED (TOTAL SQ FT THIS PERMIT) _____
 IMPERVIOUS AREA (TOTAL SQ FT THIS PERMIT) _____
 PLAN # _____ APPR. DATE _____

STAMPS
 (See reverse side of application)

REMARKS No changes to setbacks
OK per DV
No cash disturbance

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

NOTARIZATION (if required)
 State (or territory or district) of _____
 County (or city) of _____, to wit: I, _____
 Notary Public in the State and County aforesaid, do certify that

Signature of Owner or Agent MCHINNER LONG NGUYEN Date 10/21/03
 Printed Name and Title _____
 (Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

whose name is signed to this application, appeared before me in the State and County aforesaid and executed this affidavit.
 Given under my hand this _____ day of _____, 20____ My
 commission expires the _____ day of _____, 20____
 (Notary Signature)

BUILDING PERMIT APPLICATION

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES
 PERMIT APPLICATION CENTER
 12055 Government Center Parkway, 2nd Floor
 Fairfax, Virginia 22035-5504
 Telephone: 703-222-0801
 Web site: http://www.co.fairfax.va.us/dpwec

PERMIT # 02206 B1190
 FOR INSPECTIONS CALL 703-222-0455 (see back for more information)

DO NOT WRITE IN THIS SPACE - COUNTY USE ONLY
 PLAN # W-02-04676
 TAX MAP # 071-4-107/266

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN
 (PLEASE PRINT OR TYPE)

JOB LOCATION
 ADDRESS 6532 Spring Valley Drive
 LOT # 68 BUILDING Alex, Va. 22312
 FLOOR _____ SUITE 22312
 SUBDIVISION Indian Spans
 TENANT'S NAME _____

OWNER INFORMATION OWNER TENANT
 NAME Newton Se. Fu
 ADDRESS 6532 Spring Valley Drive
 CITY Alex STATE Va ZIP 22312
 TELEPHONE 703-801-4343

CONTRACTOR INFORMATION SAME AS OWNER
 CONTRACTORS MUST PROVIDE THE FOLLOWING:
 COMPANY NAME American Investments Real Estate
 ADDRESS 1121 Arlington Blvd #118
 CITY 22209 STATE _____ ZIP _____
 TELEPHONE 703-403-6117
 STATE CONTRACTORS LICENSE # 2705-0565704
 COUNTY BPOL # 27-3002

APPLICANT
Alex Matthews

DESCRIPTION OF WORK
2nd story Addition

HOUSE TYPE Single Family
 ESTIMATED COST OF CONSTRUCTION 32,000
 BLDG AREA (SQ FT OF FOOTPRINT) _____
 USE GROUP OF BUILDING _____
 TYPE OF CONSTRUCTION R4
 SEWER SERVICE PUBLIC SEPTIC OTHER
 WATER SERVICE PUBLIC WELL OTHER
 OTHER PLEASE SPECIFY _____

DESIGNATED MECHANICS' LIEN AGENT
 (Residential Construction Only)
 NAME _____
 ADDRESS _____
 NONE DESIGNATED PHONE _____

CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS.

# KITCHENS	_____	EXTER. WALLS	_____
# BATHS	_____	INTER. WALLS	_____
# HALF BATHS	_____	ROOF MATERIAL	_____
# BEDROOMS	_____	FLOOR MATERIAL	_____
# OF ROOMS	_____	FIN. BASEMENT	_____ %
# STORIES	_____	HEATING FUEL	_____
BUILDING HEIGHT	_____	HEATING SYSTEM	_____
BUILDING AREA	_____	# FIREPLACES	_____
BASEMENT	_____		

ROUTING	DATE	APPROVED BY
LICENSING	<u>7/25/02</u>	<u>W</u>
ZONING	<u>8/2/02</u>	<u>SS</u>
SITE PERMITS	<u>8/2/02</u>	<u>W</u>
HEALTH DEPT.		
BUILDING REVIEW	<u>8.2.02</u>	<u>W</u>
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE \$ _____
 FILING FEE - \$ _____
 AMOUNT DUE = \$ 480.00 281.20

BUILDING PLAN REVIEW
 REVIEWER SFG # OF HOURS _____
 REVISION FEES \$ _____
 FIRE MARSHAL FEES \$ _____
 FIXTURE UNITS _____ PLAN LOC: J R

APPROVED FOR ISSUANCE OF BUILDING PERMIT
 (LOG OUT)
 BY W DATE 08/20/02

ZONING REVIEW _____ ZONING CLASS R2
 USE SFD
 ZONING CASE # _____

GROSS FLOOR AREA OF TENANT SPACE _____
 YARDS: _____ GARAGE 1 2 3
 FRONT 60.55 OPTIONS YES NO
 FRONT _____ REMARKS _____
 L SIDE 18' 2nd story add'n
 R SIDE 16.5' no window no 2nd kitchen
 REAR 100+ Brick facade

GRADING AND DRAINAGE REVIEW
 SOILS # _____ A B C
 HISTORICAL DISTRICT _____
 AREA TO BE DISTURBED (TOTAL SQ FT) _____
 ADD'L IMPERVIOUS AREA (ADDED SQ FT) _____
 PLAN # _____ APPR. DATE _____

STAMPS
 (See reverse side of application)

REMARKS
Plat attached
no earth Disturbance

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Alex Matthews 7/26/02
 Signature of Owner or Agent Date

Alex Matthews, President
 Printed Name and Title

(Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

NOTARIZATION (if required)
 State (or territory or district) of _____
 County (or city) of _____, to wit:
 I, _____
 a Notary Public in the State and County aforesaid, do certify that _____
 whose name is signed to this application, appeared before me in the State and County aforesaid and executed this affidavit.
 Given under my hand this _____ day of _____, 20____.
 My commission expires the _____ day of _____, 20____.

 (Notary Signature)



FAIRLAND SUBDIVISION

DPW&ES
Office of Building
Code Services
Approved for

2nd STORY PADDLE IN
INDIAN RUN
Date 8/2/02
NO GRAPH DISTURB.

LOT 68
27,961 SQ. FT.

LOT 69

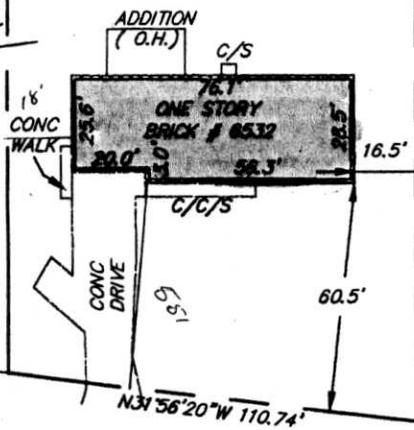
LOT 67

APPROVED

8/2/02
Zoning Administrator

N51°28'00"E 269.39'

S51°28'00"W 248.31'



50' +/- TO
CANARD STREET

SPRING VALLEY DRIVE
50' R/W

HOUSE LOCATION SURVEY
LOT 68
INDIAN SPRINGS
DEED BOOK 574 PAGE 517
FAIRFAX COUNTY, VIRGINIA
DATE: JULY 12, 2002
SCALE: 1" = 40'

LEGEND

- A/W = AREA WAY
- CHIM. = CHIMNEY
- B/W = BAY OR BOX WINDOW
- O.H. = OVERHANG
- C/S = CONCRETE STOOP
- = IRON PIPE FOUND
- M/S = METAL STOOP
- W/S = WOOD STOOP
- C/L = CONCRETE LANDING
- C/C/S = COVERED CONCRETE STOOP



NOTES:

THIS IS NOT A BOUNDARY SURVEY. CORNER MONUMENTATION THAT MEETS THE STANDARDS FOR A BOUNDARY SURVEY IS NOT INCLUDED WITH A HOUSE LOCATION SURVEY.

IF CORNER MONUMENTATION IS DESIRED THEN A BOUNDARY SURVEY MUST BE REQUESTED BY THE OWNER FOR AN ADDITIONAL FEE.

LOCATION OF DRIVEWAYS AND FENCES ARE APPROXIMATE. THIS SURVEY DOES NOT DETERMINE THE OWNERSHIP OF FENCES. THIS PLAT IS NOT TO BE USED FOR CONSTRUCTION OF FENCES.

THIS SURVEY WAS ESTABLISHED BY TRANSIT AND TAPE AND UNLESS OTHERWISE SHOWN THERE ARE NO ENCROACHMENTS. NO TITLE REPORT WAS FURNISHED.

SAM WHITSON, L.S./LAND SURVEYING
11170 LEE HIGHWAY SUITE C
FAIRFAX, VIRGINIA 22030
(703)352-9515 FAX: (703)352-9516

OWNER: SHIROMA

BUYER: SEIFU

W.O. #02-3798

CLIENT # 07020009

BUILDING PERMIT APPLICATION

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 FAIRFAX COUNTY, VIRGINIA
 PERMIT APPLICATION CENTER
 12055 Government Center Parkway, 2nd Floor
 Fairfax, Virginia 22035-3504
 (703) 222-0801

PERMIT # 9910930580

FOR INSPECTIONS CALL: (703) 222-0455

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN
 (PLEASE PRINT OR TYPE)

JOB LOCATION:
 ADDRESS 632 Spring Valley Dr
 LOT # 68 BUILDING _____
 FLOOR _____ SITE Spring Valley
 SUBDIVISION Spring Valley
 TENANT'S NAME Talk Migrants

OWNER INFORMATION: OWNER TENANT
 NAME Paul L. Miyamoto
 ADDRESS 632 Spring Valley Dr
 CITY Alex STATE VA ZIP 22020
 TELEPHONE 703 354-2117

CONTRACTOR INFORMATION:
 CHECK IF SAME AS OWNER
 COMPANY NAME Kalish Novak
 ADDRESS 632 Spring Valley Dr
 CITY Alex STATE VA ZIP 22020
 TELEPHONE 703 354-2117
 LOCAL CONTRACTOR LICENSE # _____
 STATE CONTRACTORS LICENSE # _____
 COUNTY BUSINESS ACCOUNT # _____
 APPLICANT _____

DESCRIPTION OF WORK
Build Addn on Second Floor
See attached drawing
12x20x2

HOUSE TYPE Brick Ranch
 ESTIMATED COST OF CONSTRUCTION 20,000
 BLDG AREA (SQ FT OF FOOTPRINT) 240
 USE GROUP OF BUILDING _____
 TYPE OF CONSTRUCTION Brick - Veneer

SEWER SERVICE: PUBLIC SEPTIC OTHER
 WATER SERVICE: PUBLIC WELL OTHER
 OTHER PLEASE SPECIFY _____

DESIGNATED MECHANICS' LIEN AGENT:
 (Residential Construction Only)
 NAME: _____
 ADDRESS: _____

NONE DESIGNATED: PHONE: _____

CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS:

# KITCHENS	EXTER. WALLS	_____
# BATHS	INTER. WALLS	_____
# HALF BATHS	ROOF MATERIAL	_____
# BEDROOMS	FLOOR MATERIAL	_____
# OF ROOMS	FIN. BASEMENT	_____ %
# STORIES	HEATING FUEL	_____
BUILDING HEIGHT <u>36</u>	HEATING SYSTEM	_____
BUILDING AREA	# FIREPLACES	_____
BASEMENT		_____

DO NOT WRITE IN THIS SPACE - COUNTY USE ONLY

PLAN # W99-044251-10065
 TAX MAP 992-3-105-10065

ROLLING	DATE	APPROVED BY:
ZONING	<u>7/20/99</u>	<u>JK</u>
SITE PERMITS	<u>4/29/99</u>	<u>JHE</u>
SANITATION		
HEALTH DEPT		
FIRE MARSHAL		
BUILDING REVIEW		
LICENSING		
ASBESTOS		
<u>Log out</u>		

FEE \$ _____
 FILING FEE \$ _____
 AMOUNT DUE \$ 56.00

BUILDING PLAN REVIEW
 REVIEWER _____ # OF HOURS _____
 REVISION FEES \$ _____
 FIRE MARSHAL FEES \$ _____
 FIXTURE UNITS _____ PLAN LOC: J R

APPROVED FOR ISSUANCE OF BUILDING PERMIT
 BY _____ DATE _____

ZONING REVIEW: ZONING CLASS R-2
 USE SFD-65
 ZONING CASE # _____
 GROSS FLOOR AREA OF TENANT SPACE _____

YARDS: FRONT _____ REAR 15'
 GARAGE: 1 2 3
 OPTIONS: YES NO

REMARKS:
BSW ADD 20x12
x2 on second floor

GRADING AND DRAINAGE REVIEW
 SOILS GI A B C w/5' fill
 HISTORICAL DISTRICT _____
 AREA TO BE DISTURBED (TOTAL SQ FT) _____
 ADD'L IMPERVIOUS AREA (ADDED SQ FT) _____
 PROFFERS _____
 PLAN # _____ APPR. DATE _____

STAMPS: EDR, FT, PEI

ALL CONSTRUCTION INVOLVING PROBLEM SOILS MUST BE PERFORMED UNDER THE FULL TIME INSPECTION OF A GEOTECHNICAL ENGINEER. PFM 4-0402

(See reverse side of application)

REMARKS:
(Plots attached)
Soils ID attached to white & yellow copies

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Signature of Owner or Agent Paul L. Miyamoto Date 19 Apr 99

Notary Signature _____ Date _____
 (Notarisation required if owner not present at time of application)

Stephen A. Cromer
40707 John Mosby Highway
Aldie, VA 20105
Telephone/Fax 703-327-3835


STEPHEN A. CROMER
VA CPSS#3401-000004
Expires 06-30-1999

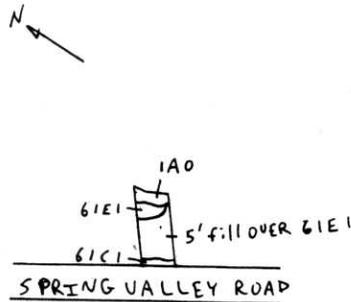
**Soil Evaluation for Construction of
Additions & or Accessory Structures
in an Unmapped Soils Area**

Requested by: Paul T. Miyamoto
Proposed Use: Residential
Location: 6532 Spring Valley Road, Alexandria, VA 22312
Evaluation By: Stephen A. Cromer VA CPSS#3401-000004

Map No(s): 71-4 /07/ 0068
Date: 4/26/99

SOIL MAP

Coastal Plain Physiographic Province



SCALE: 1" = 500'

Map Legend

Soil Map symbol: 1A0, 61C1, 61E1, 5' fill over 61E1
Soil Number: 1, 61
Slope: A, C, E
Erosion: 0, 1

Slope Symbols

A: 0-2% slopes
B: 2-7% slopes
C: 7-15% slopes
D: 15-25% slopes
E: 25% and greater

Erosion Symbols

+: Soil Accumulation
0: No Erosion
1: Slight Erosion
2: Moderate Erosion
3: Severe Erosion

SOIL MAP SYMBOL	SOIL SERIES NAME	SLOPE RANGE %	PROBLEM CLASS	ESTIMATED % OF SITE
Soil Map Number	Soil Series Name	Slope range in Percent	A, B, or C	Estimated percent Of Each Soil Type
1A0	Mixed Alluvium	0-2%	A	20%
61C1	Loamy and Gravelly sediments	7-15%	A	10%
61E1	Loamy and Gravelly sediments	25+%	A	20%
5' fill over 61E1	Loamy and Gravelly sediments	25+%	A	50%
TOTAL:				100%

POTENTIAL SOIL PROBLEMS	YES/NO	SOIL NO(S)
Slope instability	YES	61
Marginal to Low Bearing Capacity	YES	61
High Seasonal Water Table	YES	1
High Shrink-Swell Clays	NO	
Poor Surface Drainage	NO	
Shallow Depth to Bedrock	NO	
High Erodibility	YES	61
Flood Plain (Alluvial)	YES	1
Poor Septic Field Potential	YES	1, 61
Hydric Soils Potential Wetlands	YES	1

GEOTECHNICAL REQUIREMENTS

Development of this site in **(1) Mixed Alluvial** soil will require a geotechnical study, in accordance with Chapter 107 (Problem Soils) of the Fairfax County Code and Geotechnical Guidelines for the Public Facilities Manual to address major soil problems related to **(1) Mixed Alluvial**.

Development of this site in **(61) Loamy and Gravelly Sediments** soil will require a geotechnical study, in accordance with Chapter 107 (Problem Soils) of the Fairfax County Code and Geotechnical Guidelines for the Public Facilities Manual to address major soil problems related to **(61) Loamy and Gravelly Sediments**.

Development of this site in **5 feet of fill over (61) Loamy and Gravelly Sediments** soil (area of proposed deck) will require a geotechnical study, in accordance with Chapter 107 (Problem Soils) of the Fairfax County Code and Geotechnical Guidelines for the Public Facilities Manual to address major soil problems related to the fill and **(61) Loamy and Gravelly Sediments**.

DESCRIPTION OF SOIL CHARACTERISTICS

(1) Mixed Alluvial

This channel-dissected soil complex occurs in floodplains and drainageways, and is susceptible to flooding. Soil materials range from soft organic silts and clays to dense gravel-sand-silt-clay alluvium. The seasonal high water table varies from 0 to 2.5 feet below the surface. Depth to hard bedrock ranges from 3 to 30 feet. Permeability is variable. Soil strength may be poor because of soft soil and seasonal saturation. Septic drainfields and infiltration trenches are poorly suited because of wetness and flooding potential. Stream bank erosion within these soils may result in undercutting of embankments on adjacent properties. Hydric soils, which may include nontidal wetlands occur within this unit.

(61) Loamy and Gravelly Sediments

This soil unit is located primarily on steep hillsides in the Coastal Plain. Soil Materials include "bank run" gravels and sands mixed with layers of silts and clays. Layers of plastic clays may be found in areas where Marine Clays occur. The areas of this soil that are located west of I-95 are generally stable except for a few isolated areas of clays in terrace remnants that overlie weathered granite. Areas east of I-95, especially in proximity to mapped areas of Marine Clay, should be analyzed for foundation support and slope stability. Permeability, high water table and drainage conditions are variable. Suitability for urban and residential use is site-specific, depending on actual soil conditions.

NOTE:

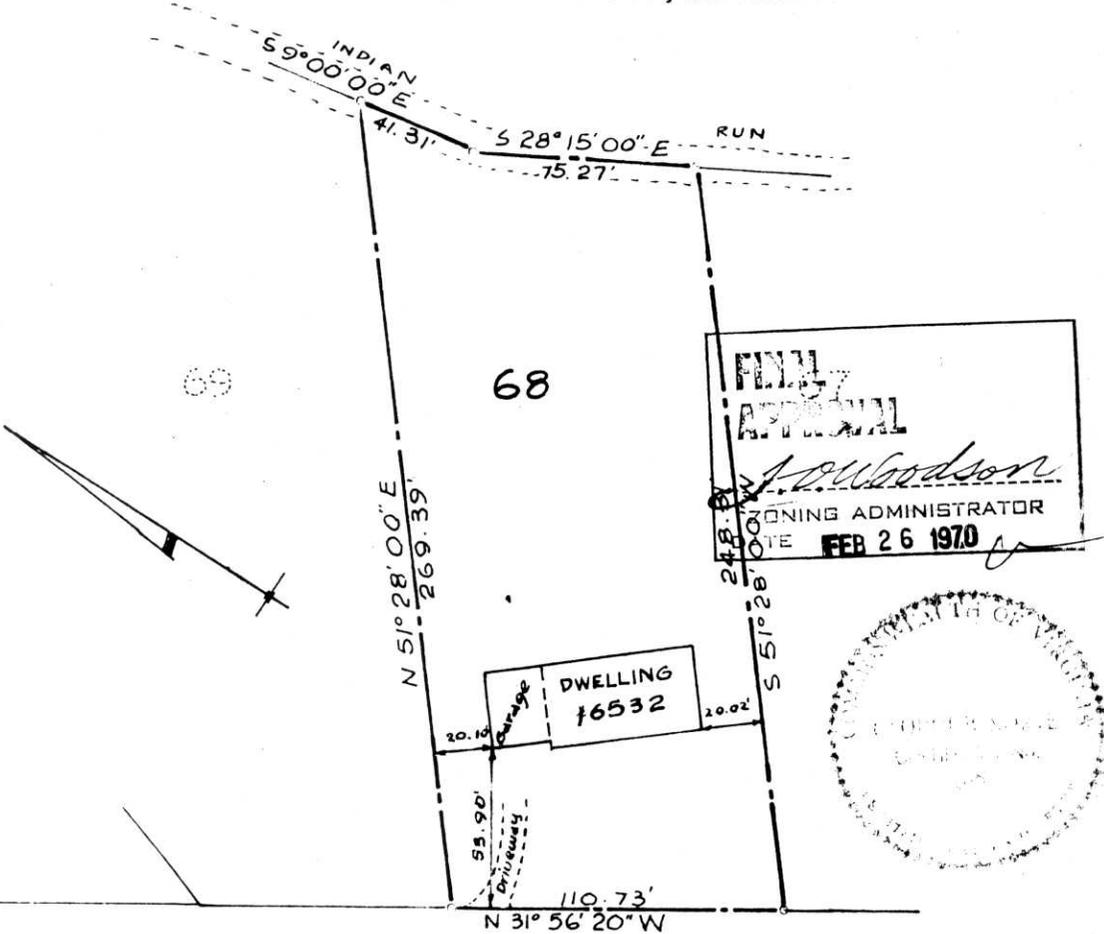
This report and the accompanying soil map are based on a site investigation of the property. Soil Characteristics, descriptions, and potential problems are based on the site conditions at the time of the investigation. Any disturbance that drastically alters the original site conditions may affect the interpretations of this report.

HOUSE LOCATION SURVEY

LOT 68

INDIAN SPRING

FAIRFAX COUNTY, VIRGINIA



FINAL APPROVAL
J. Woodson
 ZONING ADMINISTRATOR
 DATE **FEB 26 1970**



SPRING VALLEY DRIVE

CLINTON STREET

I HEREBY CERTIFY THAT THE POSITION OF ALL THE EXISTING IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAS BEEN CAREFULLY ESTABLISHED BY A TRANSIT-TAPE SURVEY AND THAT UNLESS OTHERWISE SHOWN, THERE ARE NO ENCROACHMENTS.

JOB NO. K-65 118	<i>George B. Korte</i>	DATE: MAY 26 1965
	GEORGE B. KORTE CERTIFIED LAND SURVEYOR	SCALE: 1" = 50'

COUNTY OF FAIRFAX, VIRGINIA
Office of the Zoning Administrator

No. D-17935

CERTIFICATE OF OCCUPANCY

This Certificate Shall be Conspicuously Posted At All Times In Any Establishment. This does not Apply to Dwellings.

Fairfax, Virginia June 30-1966

Permission is hereby granted to Paul J. Miyamoto
to use the _____ floor of the building located on
Lot 68, Block _____, Section _____
Subdivision Indian Springs
Premises 6532 Spring Valley Drive for the
following purposes: ONE FAMILY DWELLING

This Certificate does not take the place of any license required by law, nor does it authorize the use of boilers, motors, machinery, or any signs. Any change in the use or occupancy of this building or land shall require a new certificate.

Zone R-0.5

J. O. Woodson
Zoning Administrator

By: L. Taylor

FORM ZA

COUNTY OF FAIRFAX, VIRGINIA
OFFICE OF THE ZONING ADMINISTRATOR

APPLICATION FOR CERTIFICATE OF OCCUPANCY

FOR USE IN CONNECTION WITH A NEW BUILDING OR FOR CHANGE IN THE

EXTERIOR OUTLINE OF AN EXISTING BUILDING

(WRITE WITH INK)

DATE 5-3-65

Name of Proposed Occupant or Trade Name

Applicant Paul T. Miyamoto

Premises number 2025 Channel Pl - ANNANDALE, Va

Lot number 68 Block _____ Section _____

Subdivision or

Acreage Description INDIAN Springs

To be used as ONE Family Dwelling

Last used as New

Non Conforming Use _____

Material of Building _____

No. of stories high 1

Which floor do you propose to use: _____

Owner of Building (or agent)
OWNER

Address _____

TO BE FILLED IN BY CLERK	
ZONE	<u>Re-0.5</u>
HEIGHT	<u>1</u>
FIRE ZONE	_____
BUILDING PERMIT NO.	<u>P-27579</u>
DATE	<u>5-3-65</u>
INITIALS	<u>PT</u>
<u>6532 Valley Drive</u>	

This Application Constitutes A Written Request For a Certificate of Occupancy Upon Compliance By the Applicant With Provisions of Section 30-20 (d) of the Code.

It is understood that the Certificate of Occupancy does not take the place of any license that may be required by law, and also that it does not confer the right to erect or maintain any kind of signs.

Zoning Section
No. <u>D-17935</u>
Issued <u>apt</u>
Date <u>6-27-66</u>

Signature of Proposed Occupant or

Applicant William J. Duvell

Address 6513 Brookside Dr.
Alexandria Va

Telephone number 724-7454

MAP REFERENCE			
PLAT NUMBER	ADD. BLDG. OR PARCEL OR LOT	BLK. NO.	SEC. NO.
714	7	68	

COUNTY OF FAIRFAX, VIRGINIA

OFFICE OF THE BUILDING INSPECTOR

Application for Building Permit

CENSUS TRACT NO.	C-8167
DATE	19 2-25-79
PERMIT NO.	

To: BUILD Alter or Repair Add to Demolish Move

JOB LOCATION	DIRECTIONS Route #236 To Braddock Rd (#220) Street: <u>SPRING VALLEY DR.</u> Lot No. <u>68</u> Subdivision <u>INDIAN SPRINGS</u> Block Section	DESCRIPTION For: Residential <input checked="" type="checkbox"/> Institutional <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> No. of Bldgs. <u>1</u> Type <u>DWELLING</u> No. of Units <u>1</u> Est. Const. Cost <u>\$25,000.00</u> No. of Kitchens <u>1</u> No. of Stories <u>1</u> No. of Baths <u>3</u> Ht. of Building <u>24'-0"</u> Ft. No. of Rooms <u>8</u> Total Area <u>1900 s.f.</u> (Exclude Kit. & Bath) Basement <input checked="" type="checkbox"/> Slab <input type="checkbox"/> Crawl <input type="checkbox"/> FILL <input type="checkbox"/> Soil <input checked="" type="checkbox"/> SOLID
	OWNER Name <u>PAUL T. MIYAMOTO</u> Address <u>2025 CHANEL PLACE</u> City <u>ANNANDALE, VA. 941-4015</u> Tel. No.	
CONTRACTOR	Name <u>PAUL T. MIYAMOTO</u> Address City State Reg. No.	HEAT: Gas <input type="checkbox"/> Oil <input checked="" type="checkbox"/> Hot Air <input checked="" type="checkbox"/> Hot Water <input type="checkbox"/> Boiler <input checked="" type="checkbox"/> Air Conditioner <input checked="" type="checkbox"/> Sprinkler <input type="checkbox"/> ROOF: Flat <input type="checkbox"/> Pitch <input checked="" type="checkbox"/> Shed <input type="checkbox"/> SEWAGE: Public <input checked="" type="checkbox"/> Community <input type="checkbox"/> Septic Tank <input type="checkbox"/> Pit Privy <input type="checkbox"/> None <input type="checkbox"/> WATER: Public <input checked="" type="checkbox"/> Individual Well <input type="checkbox"/> None <input type="checkbox"/> Remarks:

EAST ON #236 TO BRADDOCK RD (#220) LEFT TO SPRING VALLEY DR.
PLANS AROUND HOUSE & PORCH TO EFFECT APPROPRIATE
DEPOSITION OF ALL DRAINAGE
INJECT AIR SECURITY ST. DASH

I hereby certify that I have the authority to make this application, that the information given is correct, and that the use and construction shall conform to the County Health Regulations, the Building and Zoning Ordinances, and private deed restrictions, if any, which are imposed on the property.

744-7454 Phone No. 4-5-65 Date William J. Duval Signature of Owner or Auth. Agent

PLAN APPROVAL	Use Group of Building <u>L-3</u> Area of Bldg. <u>5432</u> @ <u>.007</u> per Sq. Ft. \$ <u>38.02</u>
	Type of Construction <u>4-B</u> Area of Bldg. @ _____ per Sq. Ft. \$ _____
	Fire District _____ Total Each Bldg. \$ _____
	Date Checked <u>5-5-78</u> By <u>A.E.B.</u> TOTAL FEE \$ <u>38.01</u>
	Approved by Building Inspector <u>Charlton Wood</u>

ROUTING	OFFICE	Rm. No.	DATE	APPROVAL	REMARKS
<input checked="" type="checkbox"/>	Land Office	112	5-3-78	RJM	
<input checked="" type="checkbox"/>	Zoning Administrator	210	5-3-78	PT	
<input checked="" type="checkbox"/>	Health Officer	Rt. 237			Health and Welfare Bldg. on Rt. 237
<input checked="" type="checkbox"/>	Sanitary Engineer	Bsmt	5-3-78	JAC	
<input checked="" type="checkbox"/>	Finance Office	120			
<input checked="" type="checkbox"/>	Building Inspector	203			Return to secure Bldg. Permit

Street Change 2-8-5-65 JAC

Supervisor of Assessments

Property is listed in name of BENJAMIN HARRISON RAYON

Magisterial District MASON Deed Book Reference 1226-223

Authorization John W. Ferguson

ZONING	Subdivision <u>INDIAN SPRINGS</u> Lot No. <u>68</u> Block _____ Section _____ Zone <u>R-1</u>
	No. Acres or Sq. Ft. _____
	Street Address _____
	LOT SIZE: Front _____ Right Side _____ Left Side _____ Rear _____
	Use of Bldg. <u>Dwelling + Garage</u> after Alteration _____ No. Families <u>one</u>
	Set Back: Front <u>5'-2"</u> Rt. Side <u>20'</u> Left Side <u>20'</u> Rear <u>25'</u> Authorization _____



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: June 23, 2009

SHERIFF'S LETTER

CASE #: 200901725 SR#: 48900

SERVE: Jean-Philippe Krukowicz
Benedicte A. Krukowicz
6532 Spring Valley Drive
Alexandria, Virginia 22312



LOCATION OF VIOLATION 6532 Spring Valley Drive
Alexandria, Virginia 22312-2131
Indian Springs; Lot 68
Tax Map #: 0714 07 0068
Zoning District: R-2

Dear Property Owners:

An inspection of the above referenced property on June 09, 2009 revealed the following violations of the Fairfax County Zoning Ordinance.

§ 11-102 (8) Paving In the Front Yard

The inspection revealed that you have paved or caused to be paved approximately 2107 square feet of the front yard of the above described property. A driveway is a permitted accessory use on this property, per Par. 15 of Sect. 10-102 of the Fairfax County Zoning Ordinance. However, surface coverage, consisting of asphalt, concrete, or gravel in any front yard is limited in the R-2 District to 25% of the front yard or in this case approximately 1554 square feet. The property owner needs to remove **553 square feet of driveway/parking area** in the front yard.

Therefore, the excessive paving on this property is in violation of Par. 8 of Sect. 11-102 of the Fairfax County Zoning Ordinance that states, in part:



...For single family detached dwellings on lots containing 36,000 square feet or less in the R-1, R-2, R-3, and R-4 Districts, all parking for vehicles or trailers in a front yard shall be on a surfaced area; provided, however, that this shall not be deemed to preclude temporary parking on an unsurfaced area in a front yard for a period not to exceed forty-eight (48) hours for loading, unloading, cleaning, or repair of vehicles or trailers. In addition, in the R-1 and R-2 Districts, no more than twenty-five (25) percent of any front yard and in the R-3 and R-4 Districts, no more than thirty (30) percent of any front yard shall be surfaced area for a driveway or vehicle/trailer parking area; provided, however, that these limitations may be exceeded for a surfaced area that is:

- A. Directly contiguous with and providing primary access, to two side-by-side parking spaces, as long as the surfaced area is not more than twenty-five (25) feet long and eighteen (18) feet wide; and
- B. On a lot which has its primary access, from a major thoroughfare and consists of two side-by-side parking spaces, and a vehicular turn-around area as long as the surfaced area is not more than twenty-five (25) feet long, eighteen (18) feet wide, and the turn-around area does not exceed 150 square feet; or
- C. Provided as an accessibility improvement as approved by the Zoning Administrator.

Surfaced area shall include: asphalt, poured or precast concrete, brick, stone, gravel, or any other impervious surface, or grasscrete or other similar pervious surface. On a pipe stem lot, the surfaced area within the pipe stem driveway shall not be included in this limitation.

Except as may be qualified elsewhere in this Ordinance, parking structures and carports shall be subject to the minimum yard requirements applicable in the zoning district in which located; except parking structures that are completely underground may be located in any required yard, but not closer than one (1) foot to any lot line.

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

- Reducing the excess driveway area, on this property, so that there is no more than 25% surface area coverage of the front yard, and
- Restoring the front yard area where the driveway is to be reduced with ground cover to prevent erosion and sediment loss.

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. Note: On July 1, 2009 the filing fee will increase to \$2455.00. Once an appeal application is accepted, it will be scheduled for public hearing and decision before the BZA.

Should you have any questions or need additional information, please do not hesitate to contact me at (703)324-1348 or 703-324-1300.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles D. Forshee".

Charles D. Forshee
Property Maintenance/ Zoning Inspector

CDF/

11-102 General Provisions

1. All required off-street parking spaces shall be located on the same lot as the structure or use to which they are accessory or on a lot contiguous thereto which has the same zoning classification, and is either under the same ownership, or is subject to agreements or arrangements satisfactory to the Director that will ensure the permanent availability of such spaces.

Provided, however, where there are practical difficulties or if the public safety and/or public convenience would be better served by the location other than on the same lot or on a contiguous lot with the use to which it is accessory, the Board, acting upon a specific request, may authorize such alternative location subject to conditions it deems appropriate and the following:

- A. Such required space shall be subject to agreements or arrangements satisfactory to the Board that will ensure the permanent availability of such spaces, and
- B. The applicant shall demonstrate to the Board's satisfaction that such required space shall be generally located within 500 feet walking distance of a building entrance to the use that such space serves or such space will be provided off-site with access via a valet or shuttle service subject to agreements or arrangements approved by the Board which will ensure the operation of such service and that there will not be any adverse impacts on the site of the parking spaces or the adjacent area, or
- C. Such required space shall be accommodated in accordance with the provisions of Par. 6 below.

In a Commercial Revitalization District, the Director may approve an alternative location in accordance with the above and the provisions of the Commercial Revitalization District.

2. When provided as an accessibility improvement, accessible off-street parking spaces and related access aisles and accessible routes shall be in accordance with the provisions of the VUSBC and the Public Facilities Manual. The number of accessible parking spaces shall be included in the required number of parking spaces. Each such accessible parking space shall be designated as reserved for persons with disabilities by an above grade sign in conformance with the design and content specifications of the Public Facilities Manual.
3. No off-street parking facilities for a structure or use permitted only in a C or I district shall be located in an R district except upon approval as a special exception by the Board as provided in Part 6 of Article 9.
4. Off-street parking spaces may serve two (2) or more uses; however, in such case, the total number of such spaces must equal the sum of the spaces required for each separate use except:

- A. As may be permitted under Paragraphs 5, 22, 26 and 27 below and Par. 3 of Sect. 106 below; or
- B. That the Board may, subject to conditions it deems appropriate, reduce the total number of parking spaces required by the strict application of this Part when the applicant has demonstrated to the Board's satisfaction that fewer spaces than those required by this Part will adequately serve two (2) or more uses by reason of the hourly parking accumulation characteristics of such uses and such reduction will not adversely affect the site or the adjacent area.

Notwithstanding the above, required off-street parking spaces and their appurtenant aisles and driveways which are not fully utilized during the weekday may be used for a public commuter park-and-ride lot when such lot is established and operated in accordance with a public commuter park-and-ride lot agreement approved by the Board.

In addition, for a use where the minimum number of required parking spaces is provided on site in accordance with this Part, but additional off-site parking may be desired, the Director may, subject to conditions the Director deems appropriate, approve the use of a portion of an adjacent site's required parking spaces, when the applicant has demonstrated to the Director's satisfaction that the use of such spaces on the adjacent site will not adversely affect such site or the adjacent area by reason of the hourly parking accumulation characteristics of such uses.

- 5. Within the area in proximity to a mass transit station, which station either exists or is programmed for completion within the same time frame as the completion of the subject development, or along a corridor served by a mass transit facility, which facility is conveniently accessible to the proposed use and offers a regular scheduled service, the Board may, subject to conditions it deems appropriate, reduce the number of off-street parking spaces otherwise required by the strict application of the provisions of this Part. Such reduction may be approved when the applicant has demonstrated to the Board's satisfaction that the spaces proposed to be eliminated are unnecessary based on the projected reduction in the parking demand resulting from the proximity of the transit station or mass transit facility and such reduction in parking spaces will not adversely affect the site or the adjacent area.
- 6. Within areas designated as Community Business Centers on the adopted comprehensive plan, the Board may waive the requirement that all required off-street parking spaces be located on the same lot or on a contiguous lot as set forth in Par. 1 above, provided the following conditions are met:
 - A. The developer shall apply to the Director stating the circumstances which make it impracticable to meet the requirements of this Part, and
 - B. The developer shall agree to pay to the County a sum for each space so eliminated, such sum to be set by the Board in an annually adopted schedule, and

- C. The County has plans for the erection of a public parking facility in the immediate area of the request, and
 - D. The County has provided for the development of such parking, at a time and in a quantity sufficient to meet the needs of the applicant's proposed use.
7. All required off-street parking spaces and their appurtenant aisles and driveways shall be deemed to be required space on the lot on which the same are situated and shall not be encroached upon or reduced in any manner except upon approval by the Board in accordance with the provisions of this Ordinance, or except upon approval by the Director in any of the following circumstances. This provision shall not be deemed to negate pipestem lots otherwise allowed under the provisions of Sect. 2-406.
- A. Such space may be reduced by the amount to which other space, conforming to the provisions of this Ordinance, is provided for the use that is involved, or
 - B. Such space may be reduced by an amount which is justified by a reduction in the need for such space by reason of a reduction in the size or change in the nature of the use to which such is appurtenant, or
 - C. Such space may be reduced by reason of the provision of conveniently available parking space in a parking lot established by a public authority for which the developer has made payment in accordance with the provisions of Par. 6 above, or
 - D. Such space may be reduced for an existing structure or use to provide an accessibility improvement.
8. Except as may be qualified elsewhere in this Ordinance, off-street parking spaces that are located on the ground and are open to the sky may be located in any required yard but not closer than ten (10) feet to any front lot line, unless modified by the Board or BZA pursuant to Part 2 of Article 13; except that this ten (10) foot minimum distance shall not be required between parking spaces provided for single family attached dwellings in parking bays and the front lot lines of single family detached dwelling unit lots and shall not apply to parking spaces provided for and on the same lot with single family detached or attached dwellings, provided such space shall not encroach into any sidewalk or trail.

For single family detached dwellings on lots containing 36,000 square feet or less in the R-1, R-2, R-3 and R-4 Districts, all parking for vehicles or trailers in a front yard shall be on a surfaced area, provided, however, that this shall not be deemed to preclude temporary parking on an unsurfaced area in a front yard for a period not to exceed forty-eight (48) hours for loading, unloading, cleaning or repair of vehicles or trailers. In addition, in the R-1 and R-2 Districts, no more than twenty-five (25) percent of any front yard and in the R-3 and R-4 Districts, no more than thirty (30) percent of any front yard shall be surfaced area for a driveway or vehicle/trailer parking area; provided, however, that these limitations may be exceeded for a surfaced area that is:

- A. Directly contiguous with, and providing primary access to, two (2) side-by-side parking spaces as long as the surfaced area is not more than twenty-five (25) feet long and eighteen (18) feet wide;
- B. On a lot which has its primary access from a major thoroughfare and consists of two (2) side-by-side parking spaces and a vehicular turn-around area as long as the surfaced area is not more than twenty-five (25) feet long and eighteen (18) feet wide and the turn-around area does not exceed 150 square feet; or
- C. Provided as an accessibility improvement as approved by the Zoning Administrator.

Surfaced area shall include asphalt, poured or precast concrete, brick, stone, gravel, or any other impervious surface, or grasscrete or other similar pervious surface. On a pipestem lot, the surfaced area within the pipestem driveway shall not be included in this limitation.

Except as may be qualified elsewhere in this Ordinance, parking structures and carports shall be subject to the minimum yard requirements applicable in the zoning district in which located; except parking structures that are completely underground may be located in any required yard, but not closer than one (1) foot to any lot line.

- 9. All off-street parking facilities shall be used solely for the parking of vehicles in operating condition by patrons, occupants or employees of the use to which such parking is accessory.

18-401 Initiation

A property owner, tenant, government official, department, board, bureau or condominium, in accordance with the provisions of Sect. 2-518, may apply to the BZA for a variance of the strict application of the terms of this Ordinance; provided, however, application shall be made to the Board of Supervisors for a special exception pursuant to those provisions set forth in Part 6 of Article 9.

18-404 Required Standards for Variances

To grant a variance the BZA shall make specific findings based on the evidence before it that the application satisfies all of the following enumerated requirements:

- 1. That the subject property was acquired in good faith.
- 2. That the subject property has at least one of the following characteristics:
 - A. Exceptional narrowness at the time of the effective date of the Ordinance;
 - B. Exceptional shallowness at the time of the effective date of the Ordinance;

- C. Exceptional size at the time of the effective date of the Ordinance;
 - D. Exceptional shape at the time of the effective date of the Ordinance;
 - E. Exceptional topographic conditions;
 - F. An extraordinary situation or condition of the subject property; or
 - G. An extraordinary situation or condition of the use or development of property immediately adjacent to the subject property.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
 4. That the strict application of this Ordinance would produce undue hardship.
 5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.
 6. That:
 - A. The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict the utilization of the subject property, or
 - B. The granting of a variance will alleviate a clearly demonstrable hardship as distinguished from a special privilege or convenience sought by the applicant.
 7. That authorization of the variance will not be of substantial detriment to adjacent property.
 8. That the character of the zoning district will not be changed by the granting of the variance.
 9. That the variance will be in harmony with the intended spirit and purposes of this Ordinance and will not be contrary to the public interest.