



APPLICATION ACCEPTED: May 18, 2011
DATE OF PUBLIC HEARING: July 27, 2011
TIME: 9:00 a.m.

County of Fairfax, Virginia

July 20, 2011

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2011-SU-044

SULLY DISTRICT

APPLICANT: Lawrence F. Kamba

OWNERS: Lawrence F. Kamba
Patricia M. Kamba

LOCATION: 13412 Melville Lane

SUBDIVISION: Poplar Tree Estates

TAX MAP: 45-3 ((3)) 448

LOT SIZE: 11,152 square feet

ZONING: PDH-2, WS

ZONING ORDINANCE PROVISION: 8-914

SPECIAL PERMIT PROPOSAL: To permit a reduction to minimum yard requirements based on error in building location to permit an addition to a single-family detached dwelling to remain 5.9 feet from the side lot line and such that side yards total 14.7 feet.

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.

O:\bcho00\SP\Jul 20 - SP 2011-SU-044 (Kamba)\staff_report.doc

Brenda J Cho

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

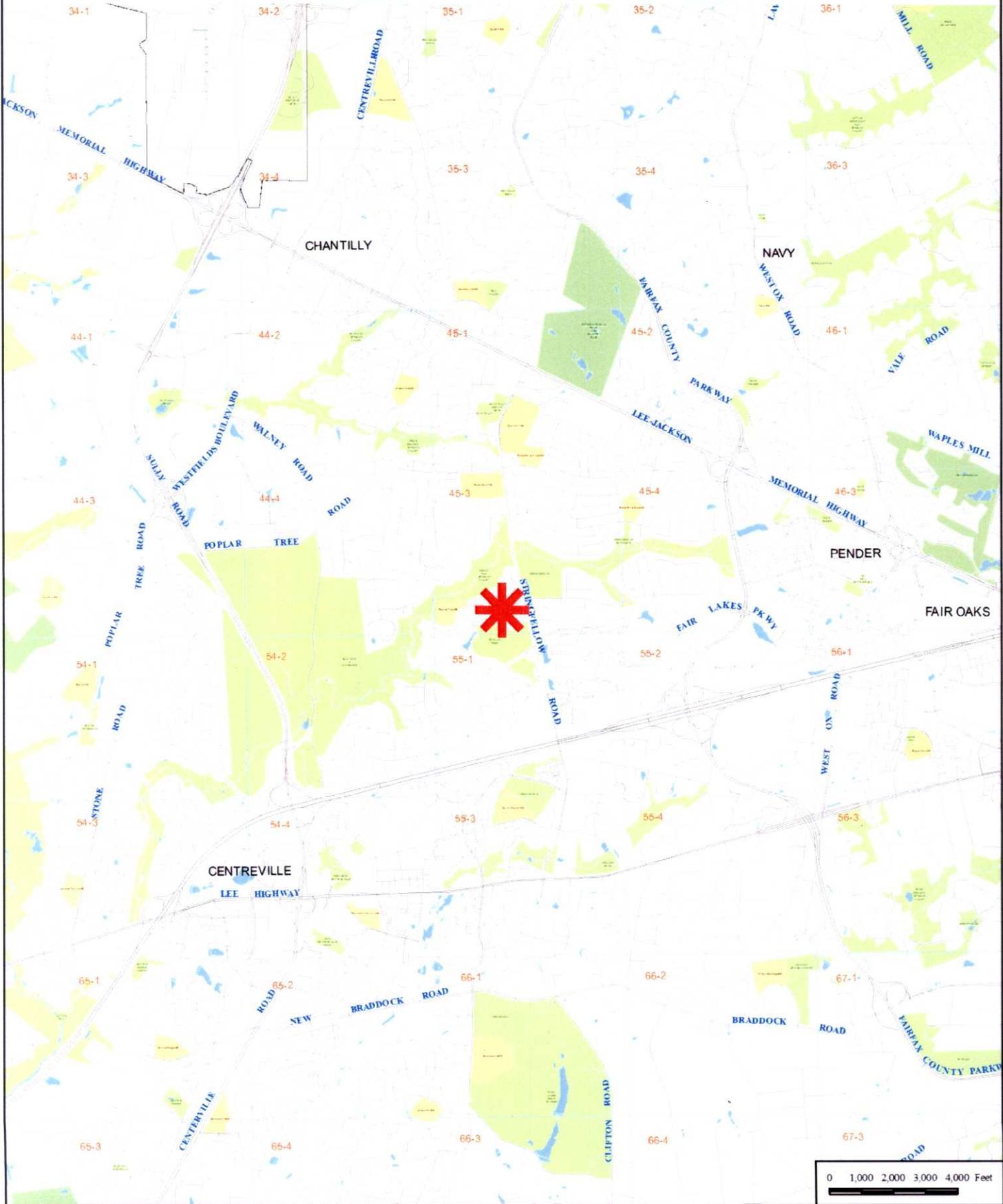


For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center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

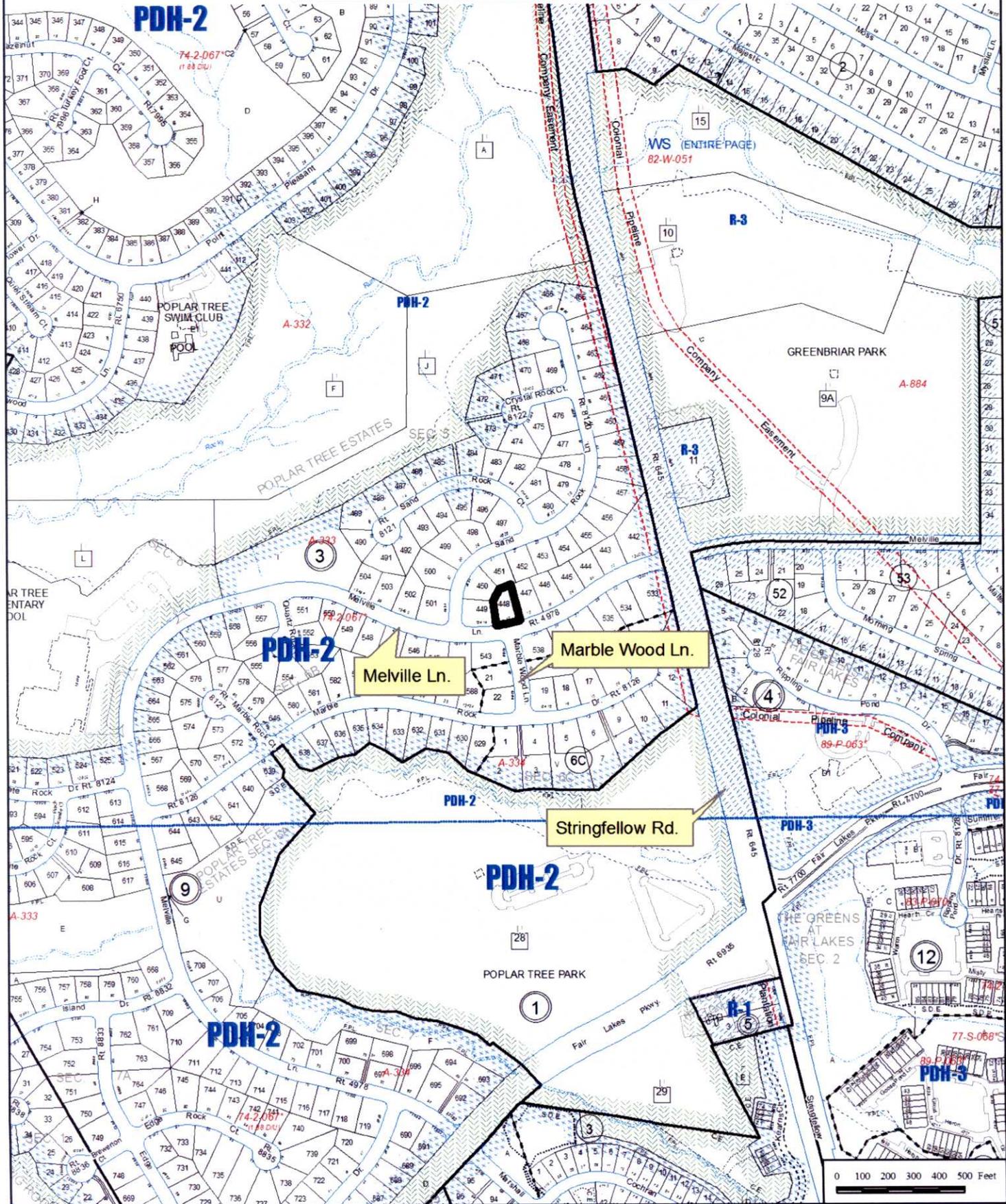


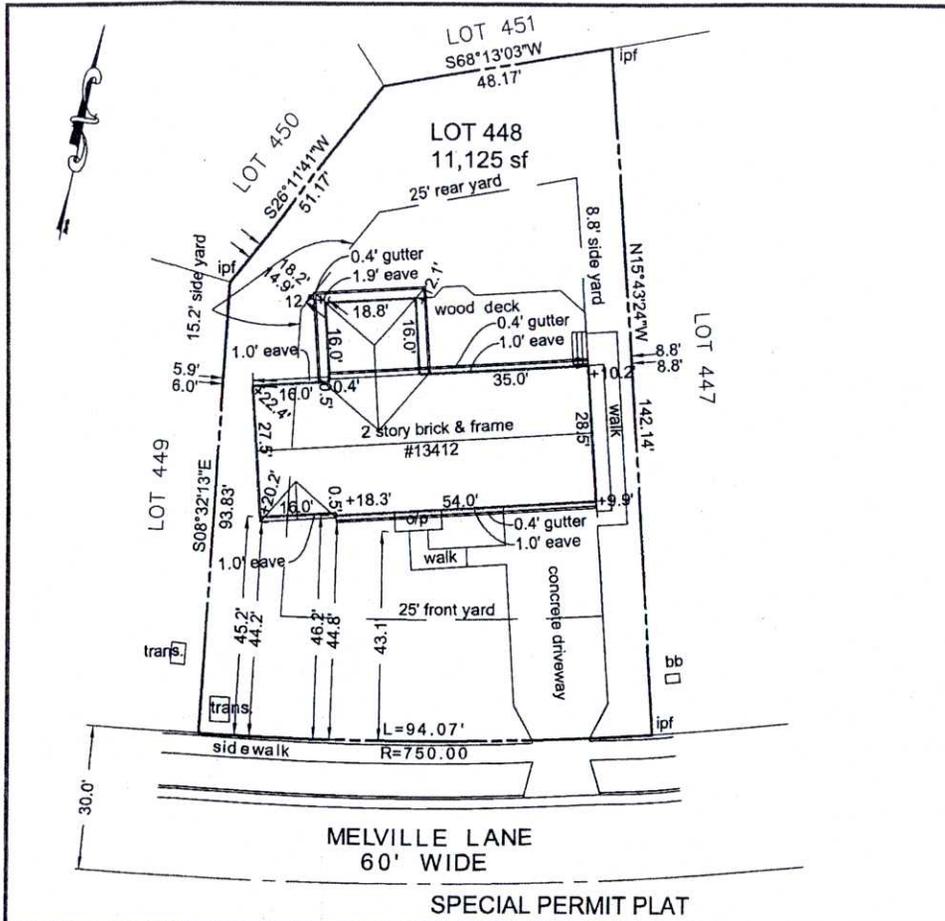
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit
SP 2011-SU-044
LAWRENCE F. KAMBA



Special Permit
SP 2011-SU-044
LAWRENCE F. KAMBA

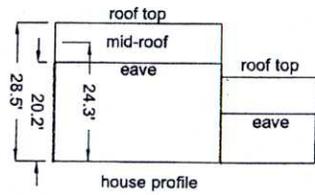




1. The property shown here on is located on Fairfax County tax map no. 045-3-03-0448 and is zoned PDH-2. Setbacks shown are that of R-2 cluster.
2. This property is serviced by public sewer, gas and water.
3. The gross floor area is 5,133 sf (including garage area and basement). Floor /area ratio of 0.46.
4. There are no easement 25' or larger in width on this property, or major underground easements.
5. There is no flood plain or resource protection area in the vicinity of this site.
6. There are no burial sites apparent on the property.
7. Proposed use is residential.
8. Building height is 24.3'.

op 4' x 10' open porch
 bb broadband
 cl centerline
 ipf iron pipe found
 + indicates building height ground to eave
 eoh eave overhang
 c/s concrete stoop

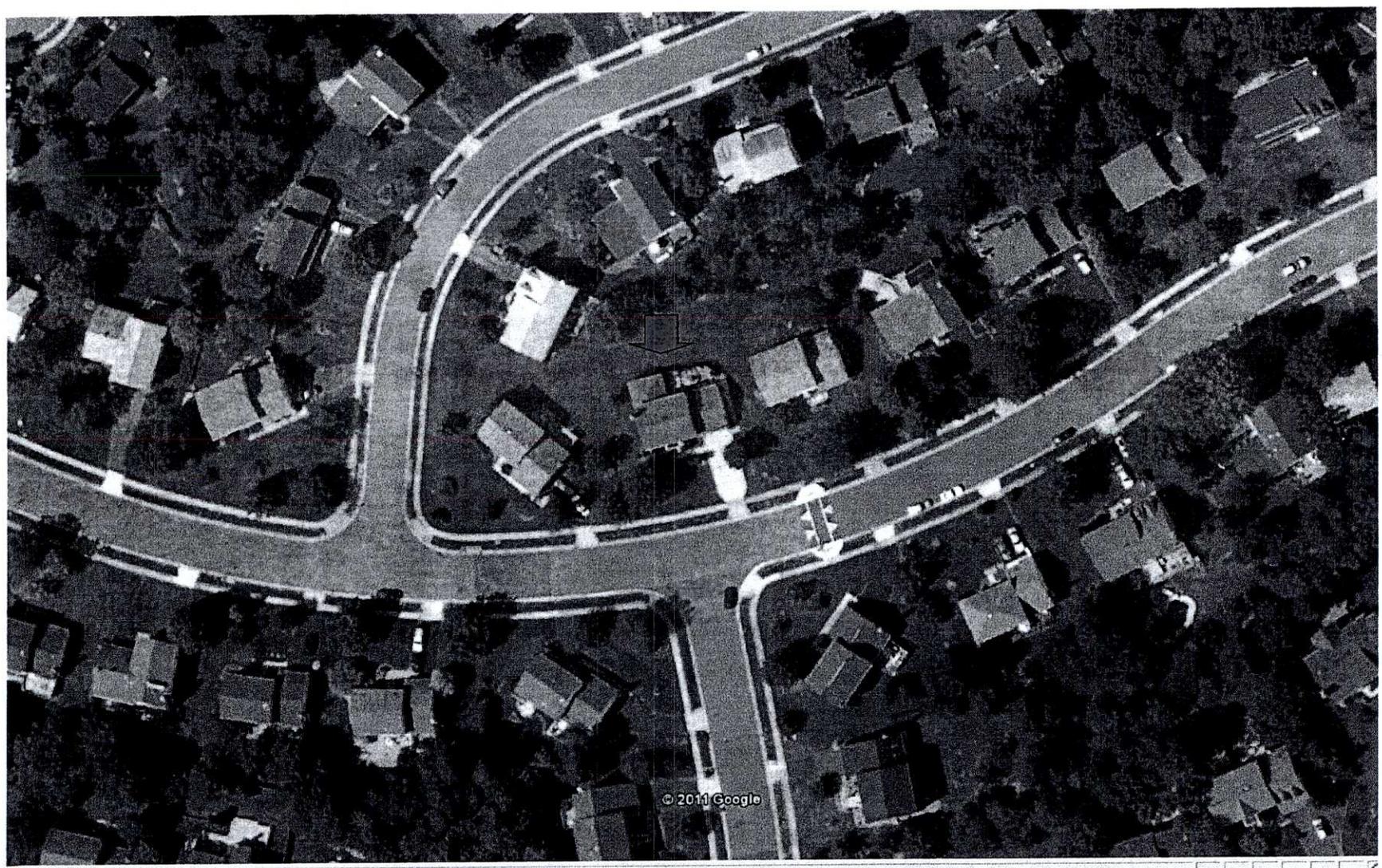
OWNERS:
 Lawrence F. Kamba and Patricia M. Kamba
 13412 Melville Lane
 Chantilly, Virginia 20151
 db 6475, pg 1924



/Kamba	HOUSE LOCATION SURVEY JOB #: 11-0003
	<p>LOT 448, SECTION 5</p> <p>POPLAR TREE ESTATES</p> <p>SULLY DISTRICT</p> <p>FAIRFAX COUNTY, VIRGINIA</p>
	<p>APRIL 11, 2011 SCALE: 1"=25'</p>
	<p>APEX SURVEYS 7720 VICEROY STREET 703 866-1236</p> <p>SPRINGFIELD, VIRGINIA 22151</p>

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13412 Melville Lane



Application Property

Figure A1. Views from Melville Lane

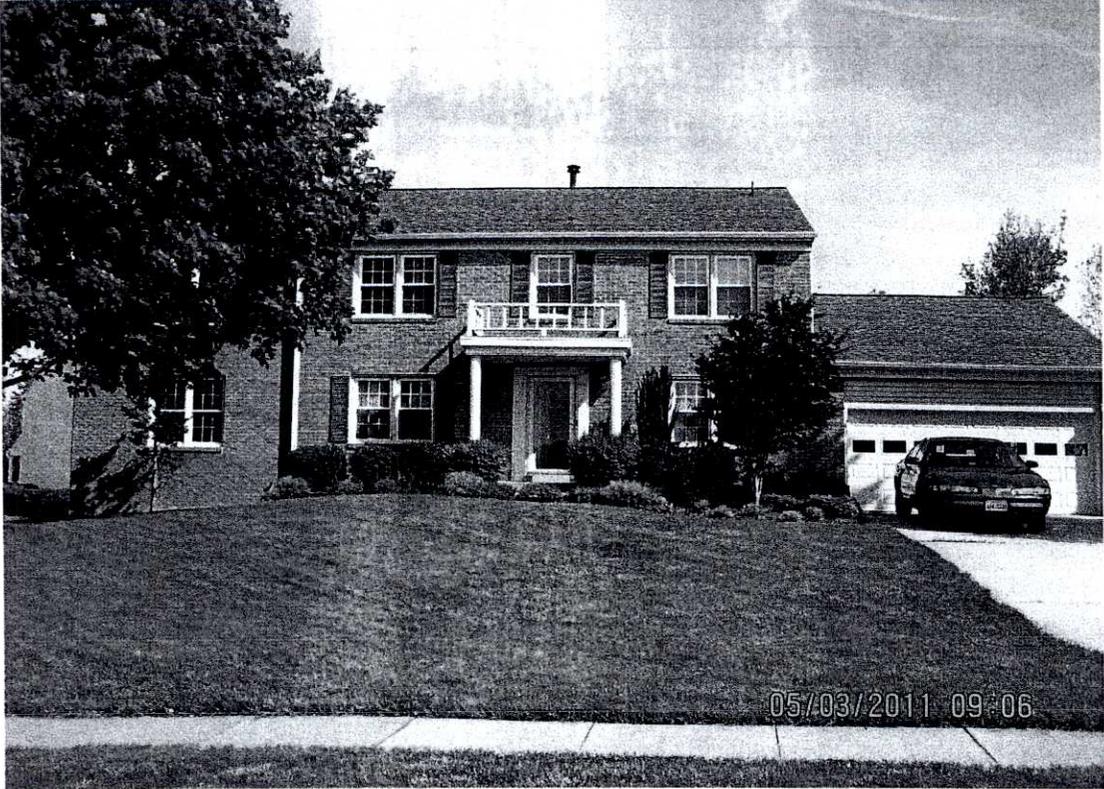


Figure A2. View from 4700 Marblewood Lane



Figure A3. View from 13411 Melville Lane



Figure A4. View from rear yard 4631 Sand Rock Lane



Application Property –
Figure A5 View from backyard 4633 Sand Rock Lane

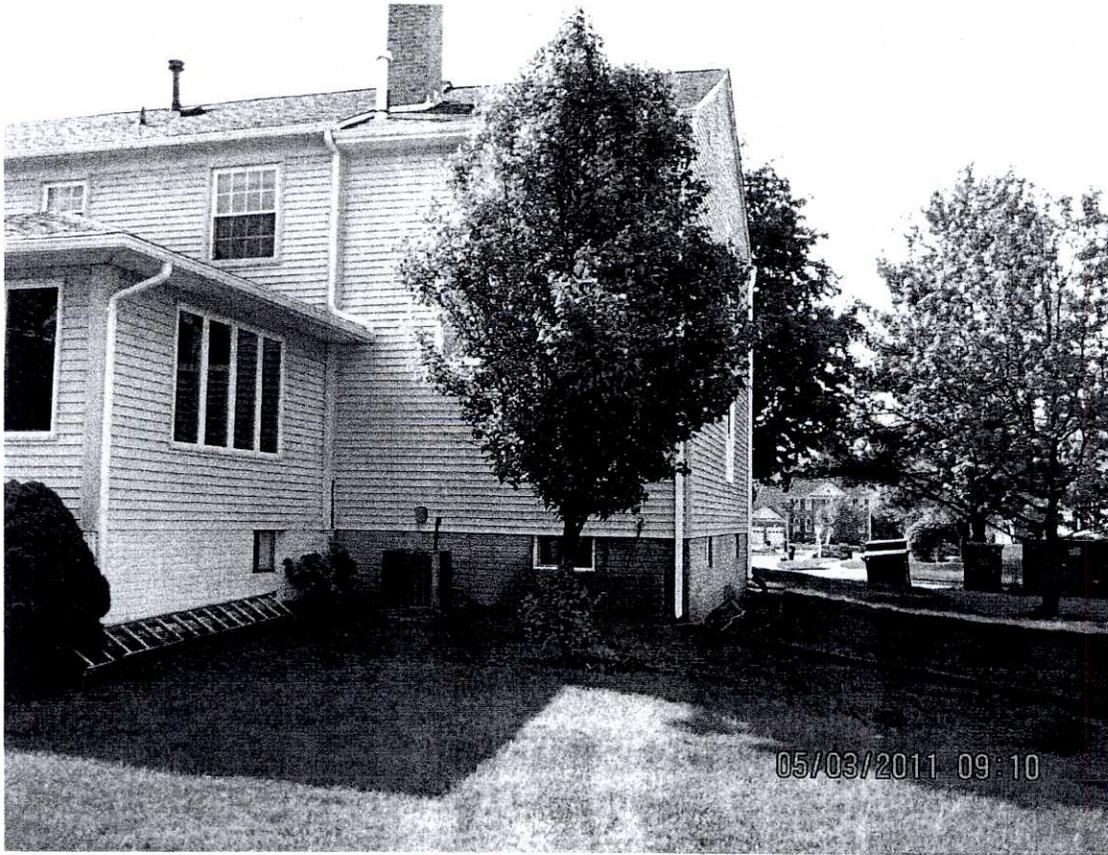
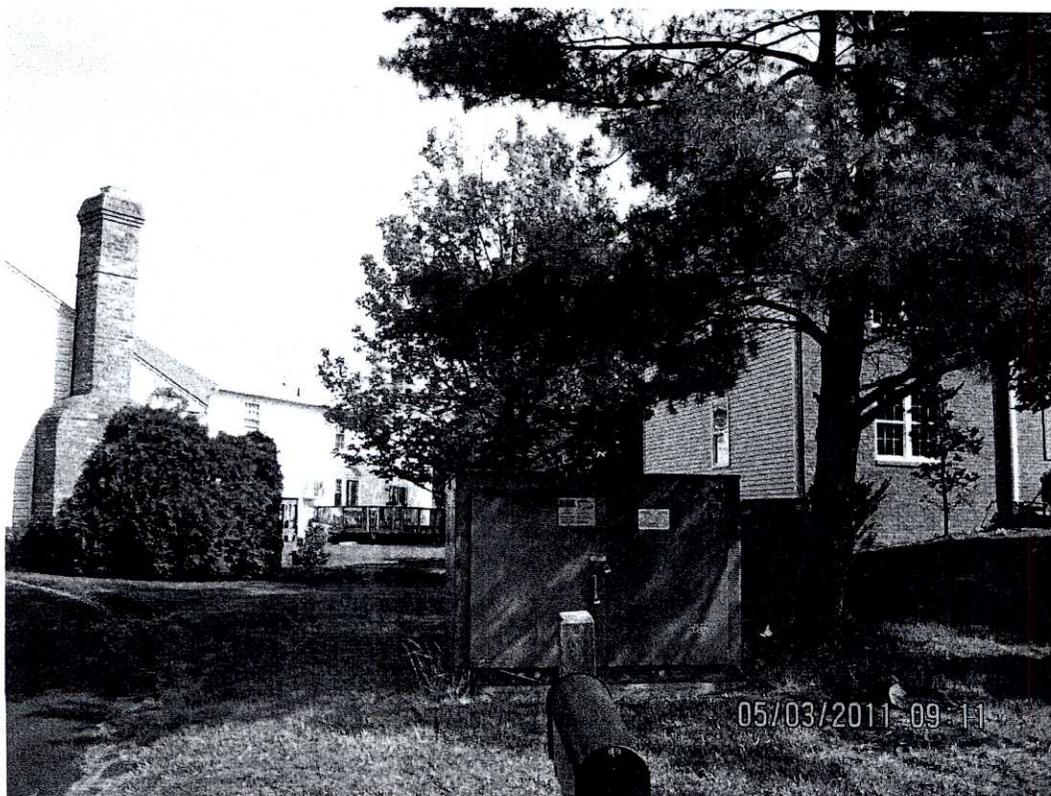


Figure A6. View from Property line between 13414 and 13412 Melville lane



Abutting Properties:

Figure B1. Views towards 13411 Melville Lane

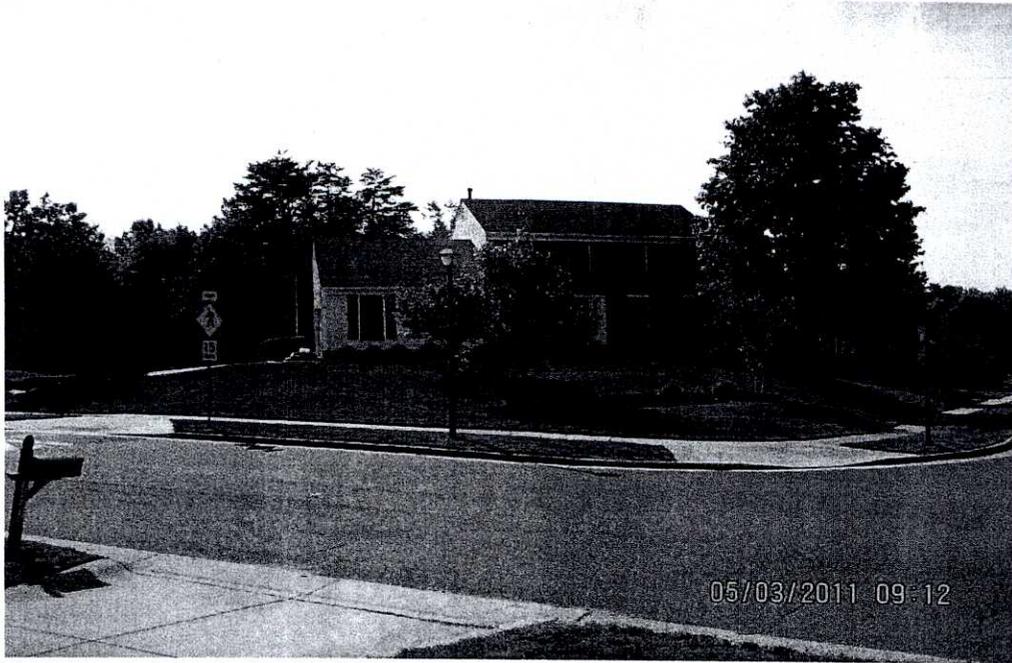
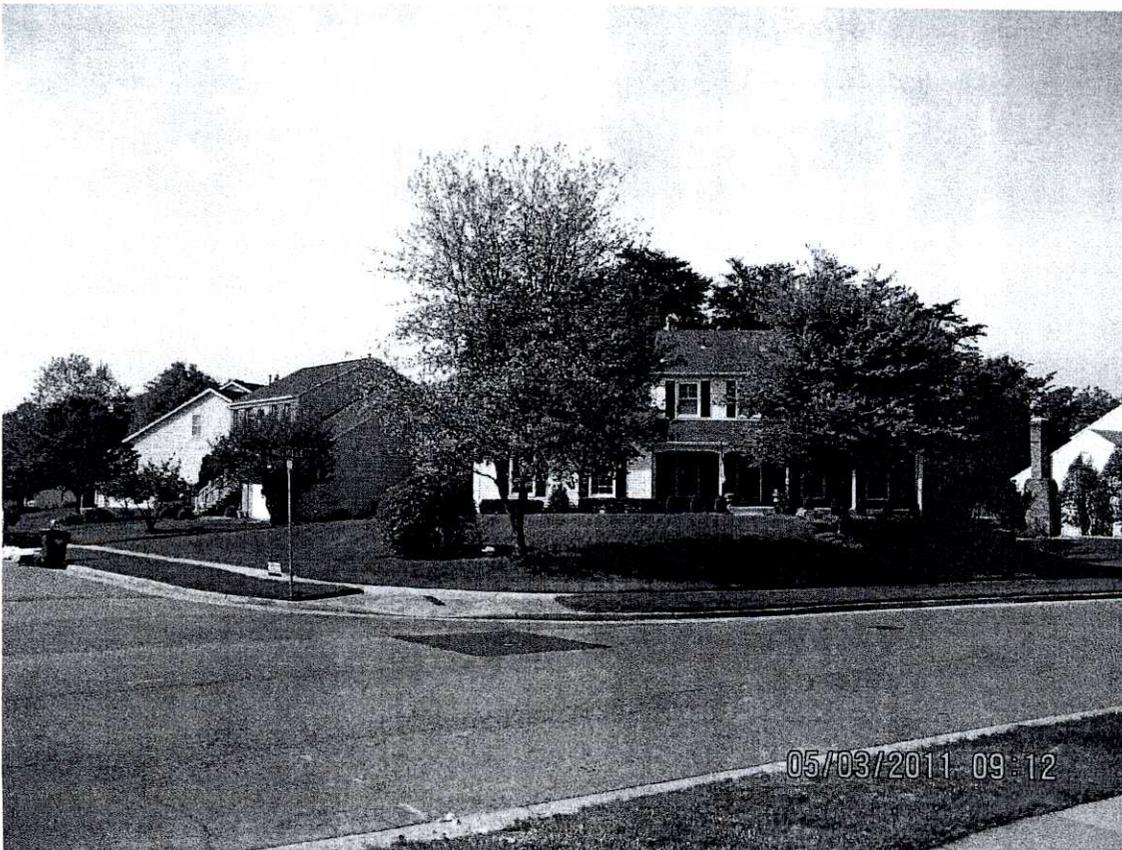


Figure B2. View toward 4700 Marble Wood Lane



Abutting Properties:

Figure B3. Views towards 13414 Melville Lane



Figure B4. View towards 4631 and 4633 Sand Rock Lane



Abutting Properties:

Figure B5. Views between 13410 & 13412 Melville Lane

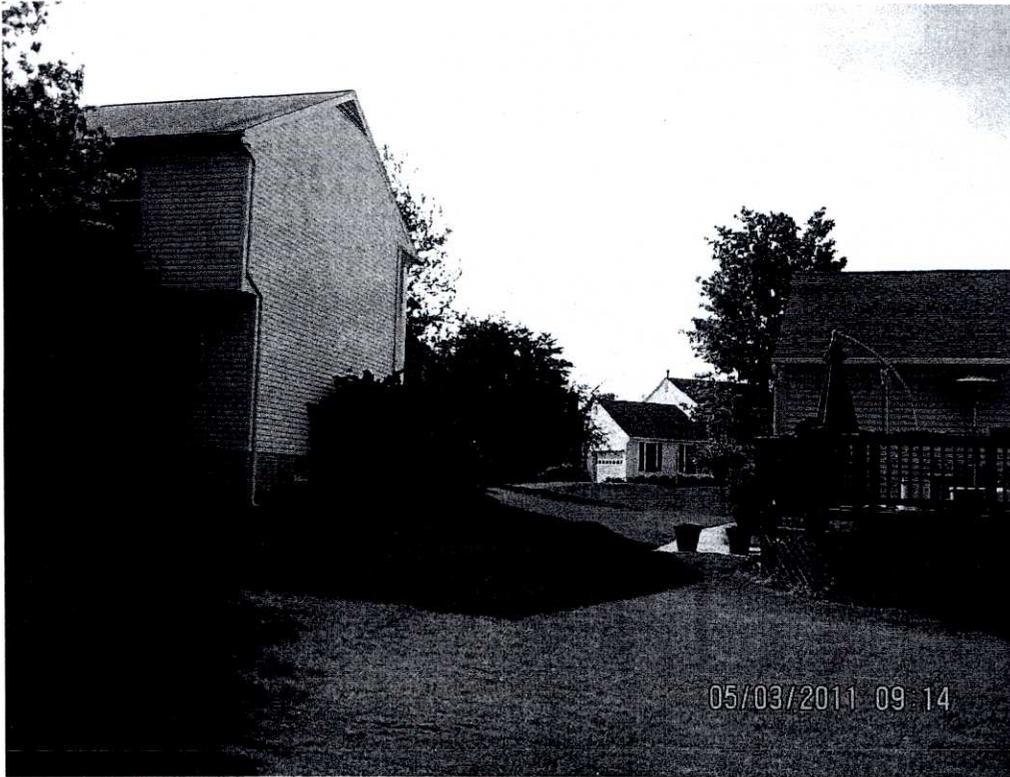


Figure B6. View towards 13410 Melville Lane from 4633 Sand Rock Lane

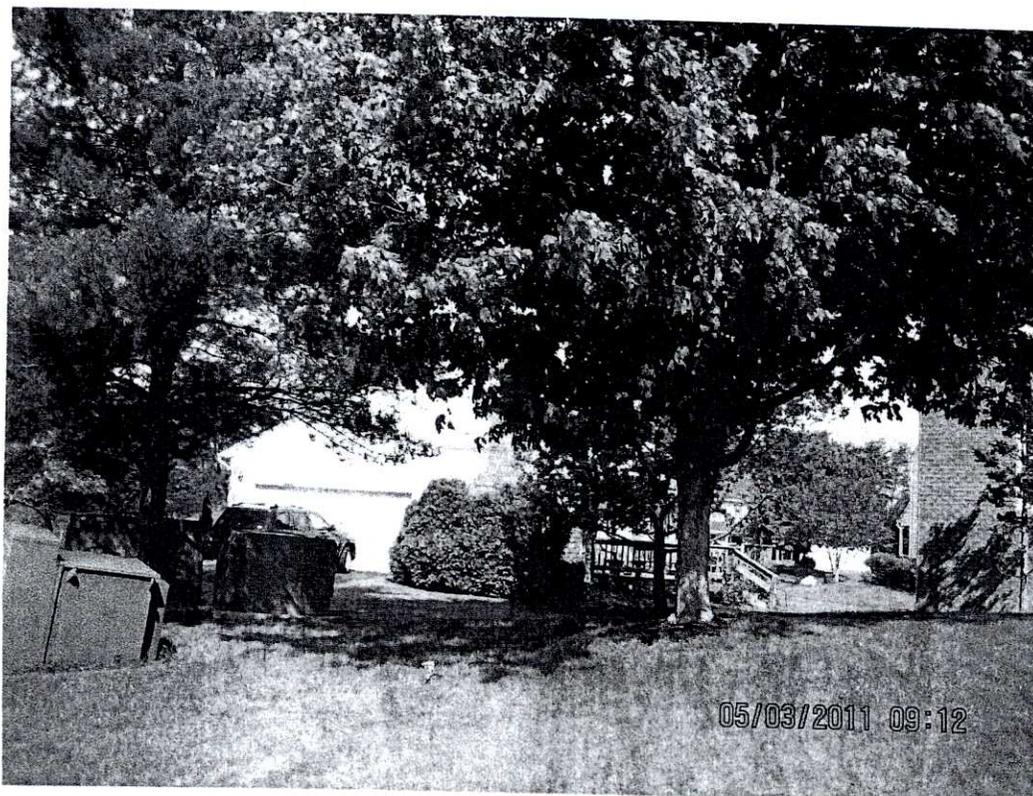


MISC VIEWS

View between 13412 (Applicant) and 13414 Melville Lane



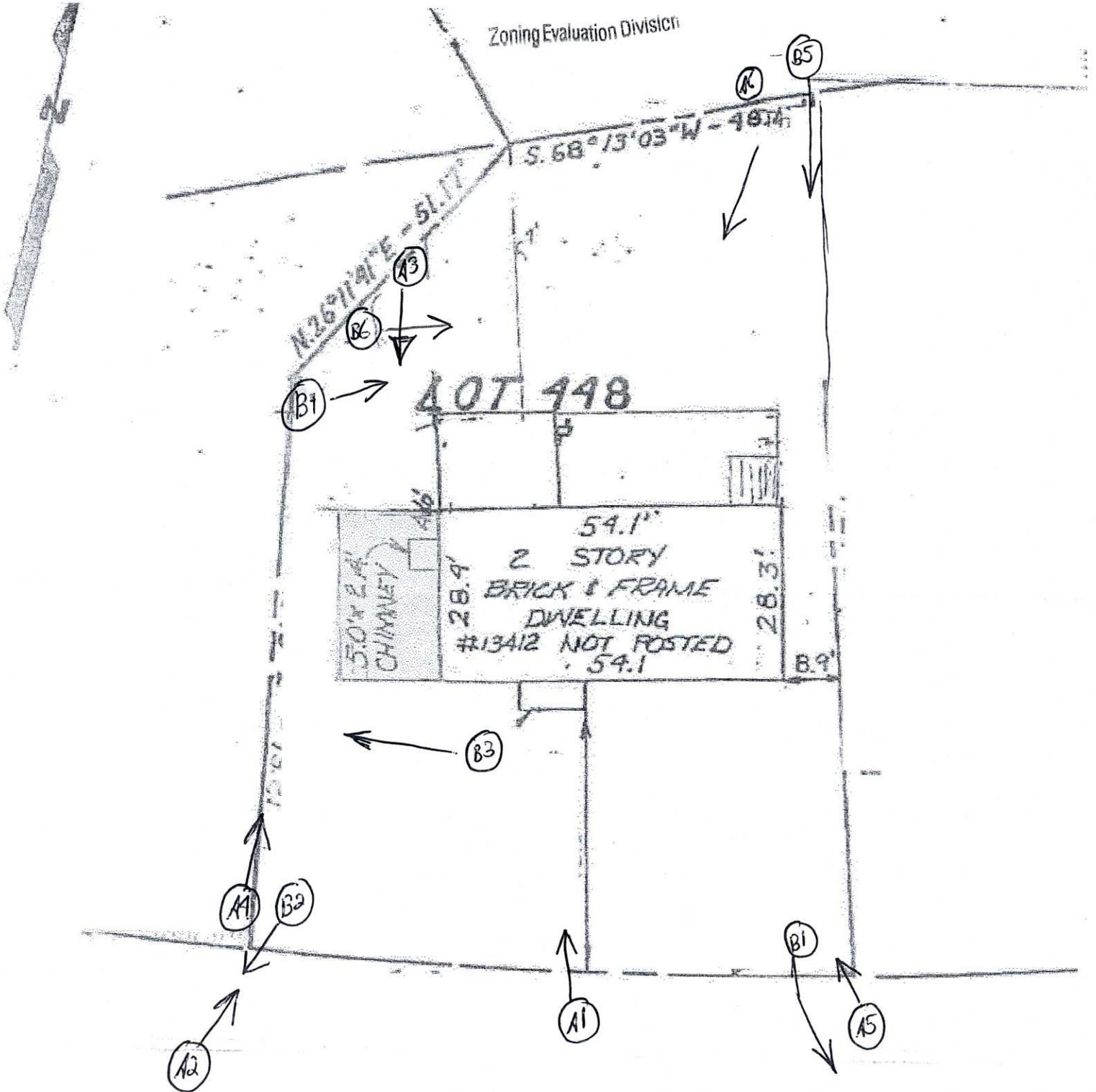
View from front Applicant property towards 13414 Melville Lane



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APR 18 2011

Zoning Evaluation Division



Names, Address & Phone numbers to Photo Legend

NOWELL LESLEY K
(703) 378-0111)

13410 MELVILLE LN

Owner

Name
Mailing Address
Book
Page

NOWELL LESLEY K,
13410 MELVILLE LN CHANTILLY VA 20151
19489
1380

KAMBA LAWRENCE F
703 961 9648

13412 MELVILLE LN

Owner

Name
Mailing Address
Book
Page

KAMBA LAWRENCE F, AND PATRICIA M
13412 MELVILLE LN CHANTILLY VA 20151
06475
1924

WILTBERGER RITA M
703 727 0343

13414 MELVILLE LN

Owner

Name
Mailing Address
Book
Page

WILTBERGER RITA M,
13414 MELVILLE LN CHANTILLY VA 20151
13822
1638

WONG RONALD STEVEN
703 830 2223
(John Alderman – Son in law)
Owner

4633 SAND ROCK LN

Name
Mailing Address
Book
Page

WONG RONALD STEVEN,
PO BOX 3619 MURRELLS INLET SC 29576 2677
19501
0600

PLUMB C PAUL
703 378 7118

4631 SAND ROCK LN

Owner

Name	PLUMB C PAUL, PLUMB GLADYS
Mailing Address	4631 SAND ROCK LN CHANTILLY VA 20151
Book	08467
Page	0361

ZANDBERGEN KEITH
703 272 3024

13411 MELVILLE LN

Owner

Name	ZANDBERGEN KEITH,
Mailing Address	13411 MELVILLE LN CHANTILLY VA 20151
Book	20898
Page	0759

MEEHAN JOHN P
703 595 8634

4700 MARBLE WOOD LN

Owner

Name	MEEHAN JOHN P,
Mailing Address	4700 MARBLE WOOD LN CHANTILLY VA 20151
Book	20681
Page	1292

Application Property
Figure A1. Views from Melville Lane

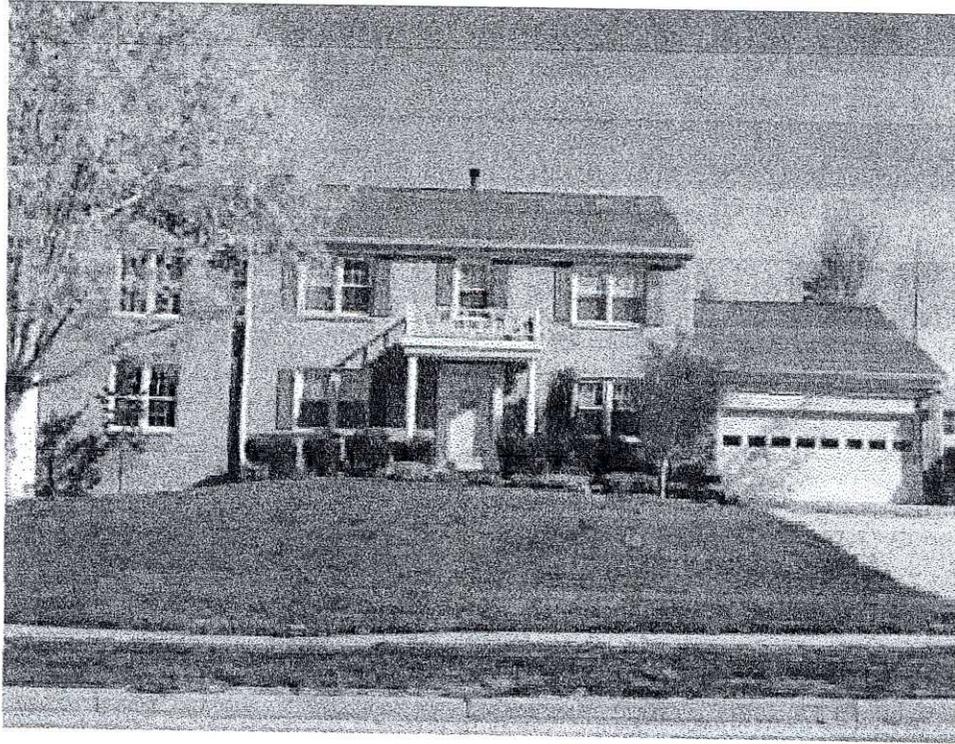
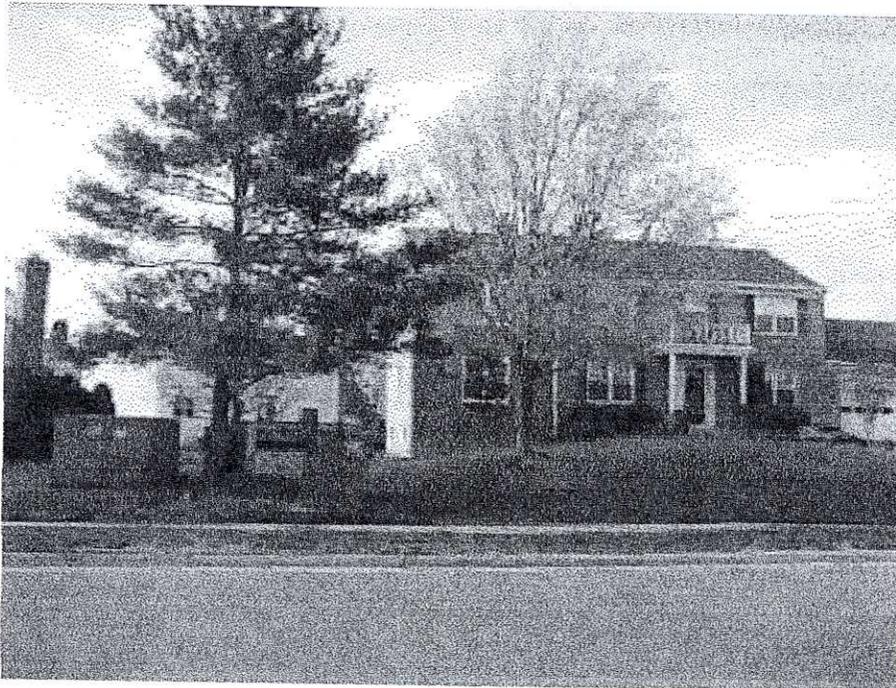


Figure A2. View from 4700 Marblewood Lane.



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Application Property –
Figure A3. View from 13411 Melville Lane

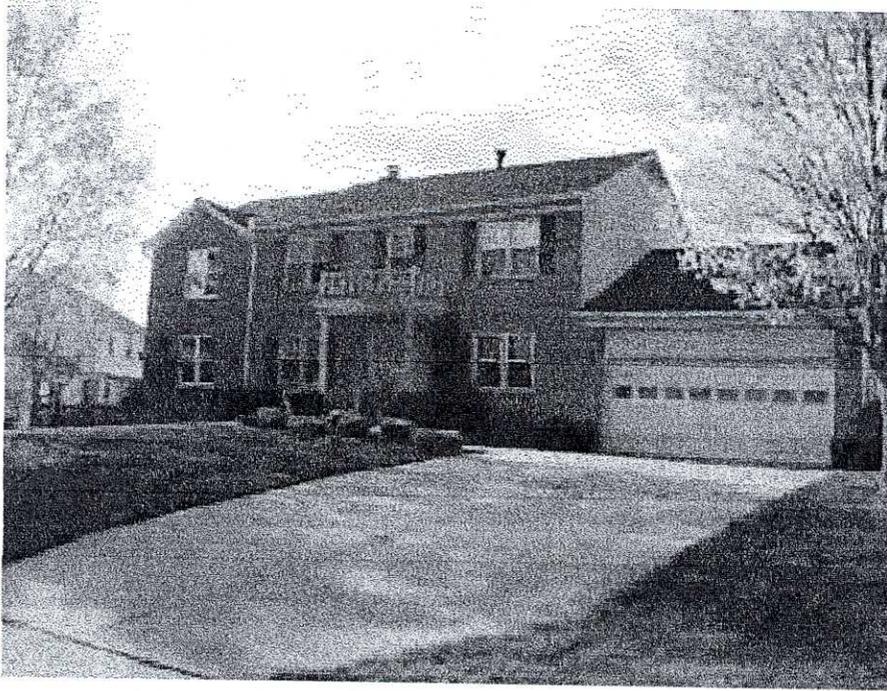
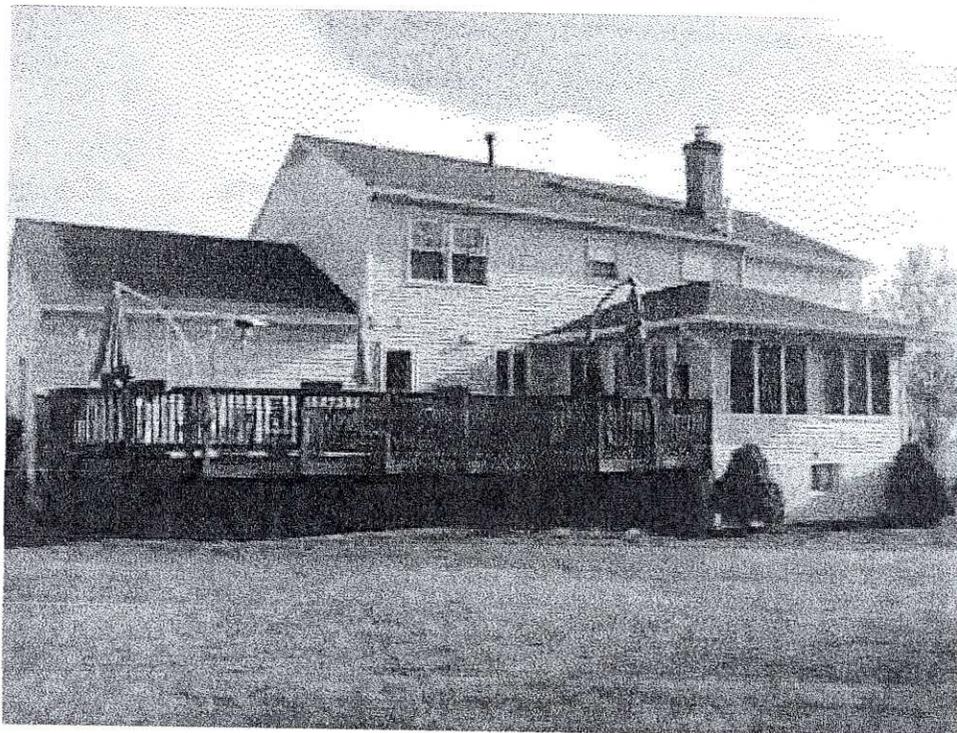


Figure A4. View from rear yard 4631 Sand Rock Lane



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Application Property –
Figure A5 View from yard 4633 Sand Rock Lane

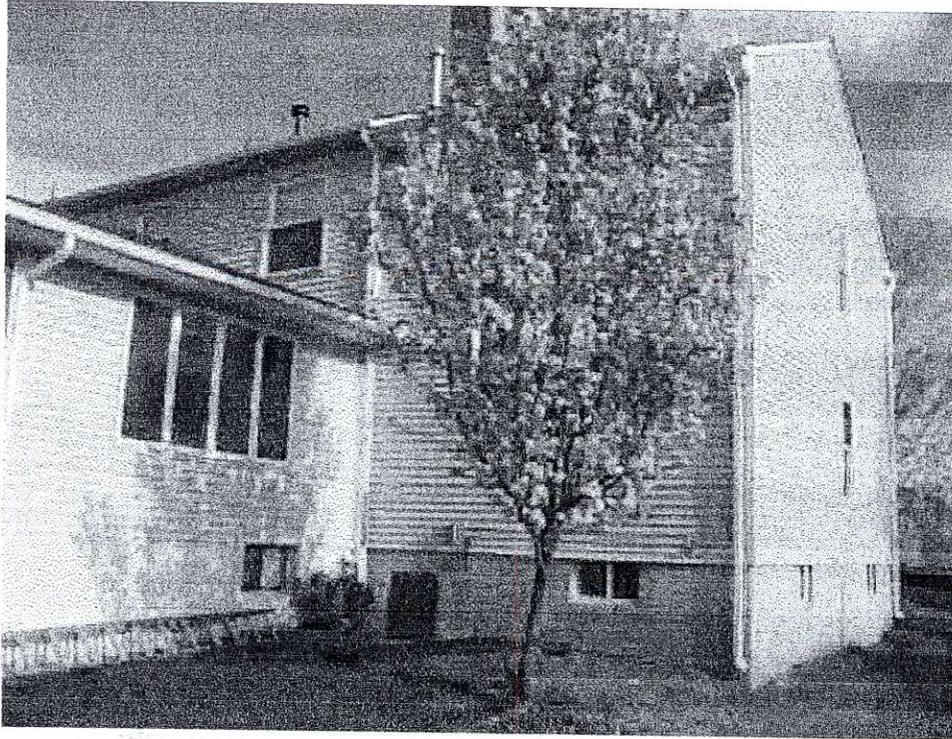
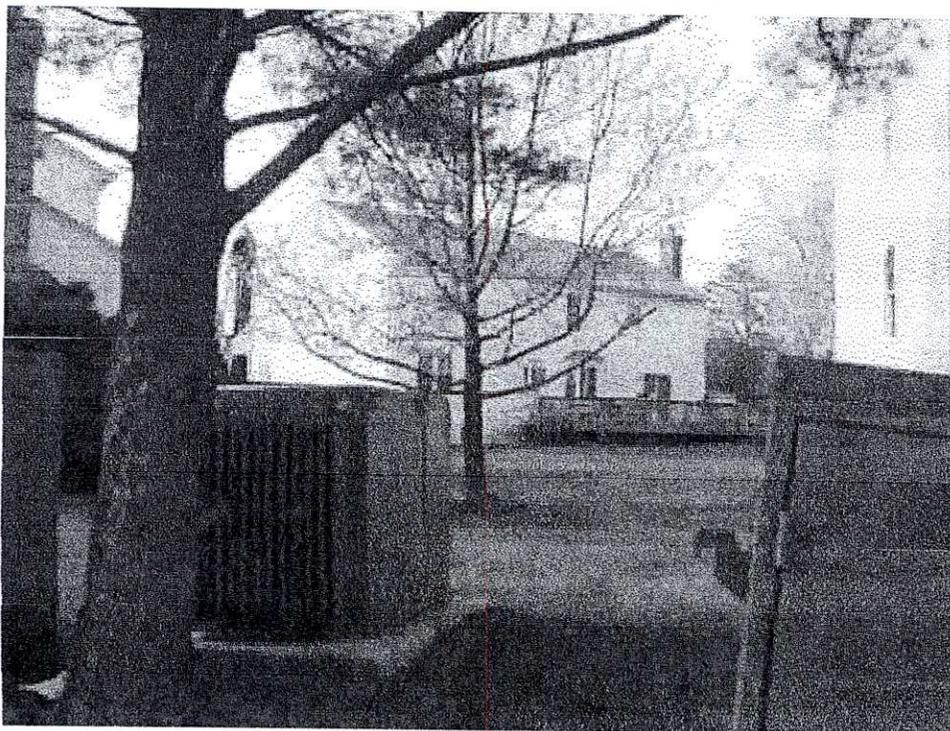


Figure A6. View from Property line between 13414 and 13412 Melville lane



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APR 18 2011

Zoning Evaluation Division

Abutting Properties:
Figure B1. Views towards 13411 Melville Lane

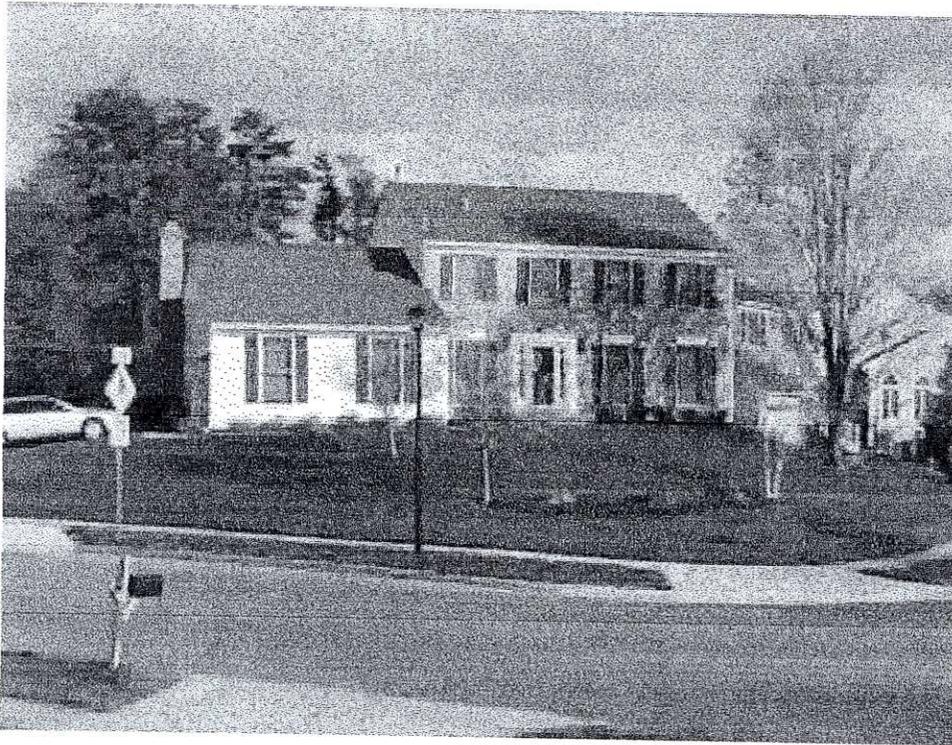
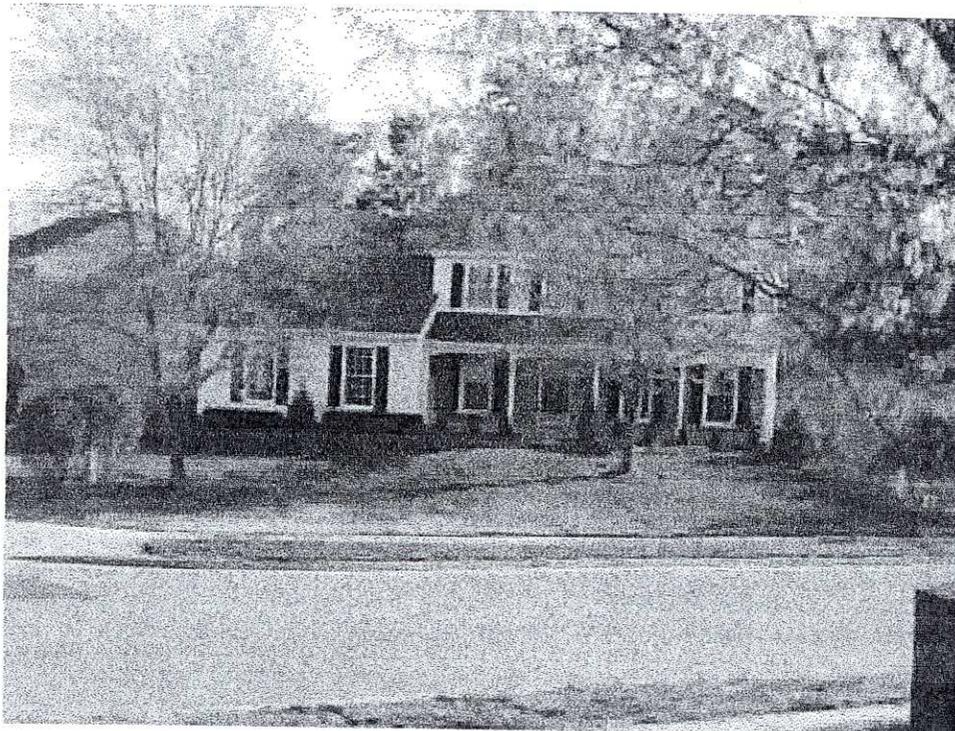


Figure B2. View toward 4700 Marble Wood Lane



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Abutting Properties:

Figure B3. Views towards 13414 Melville Lane

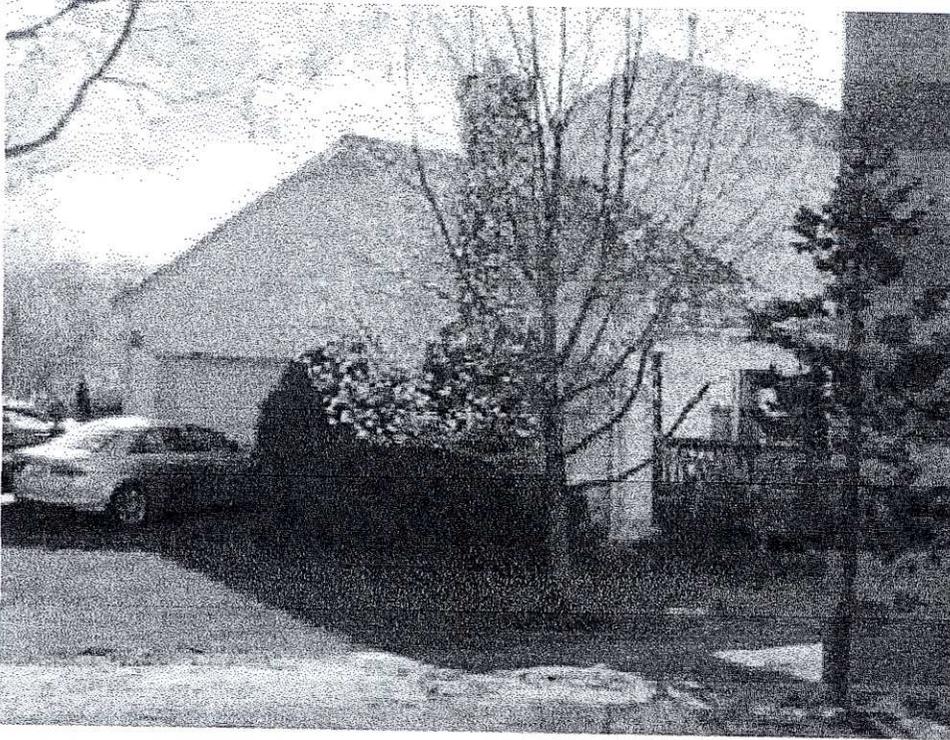
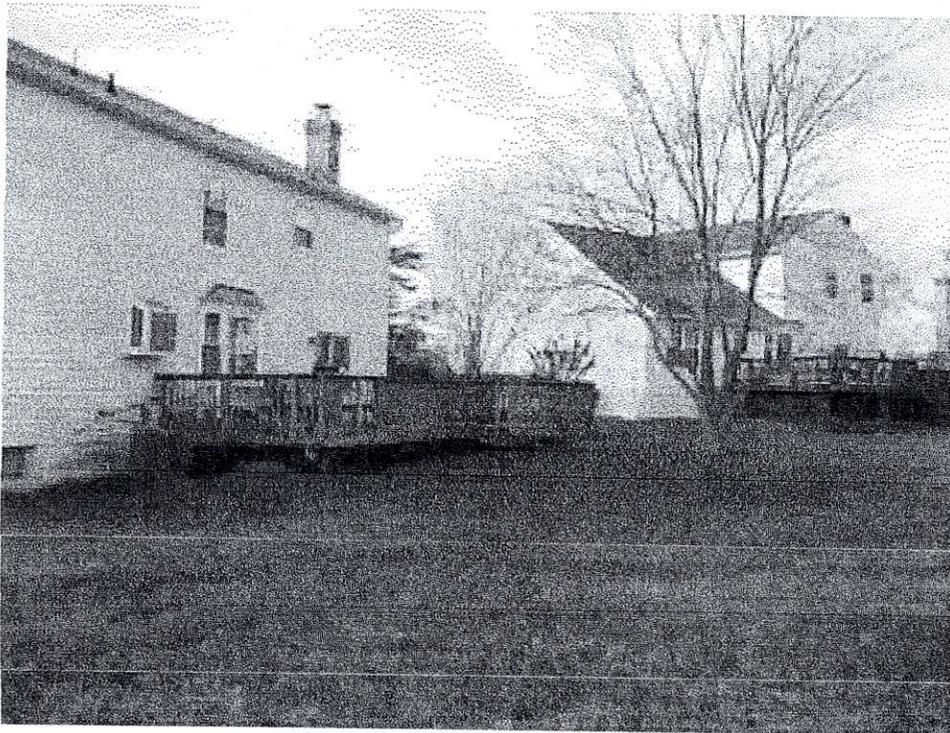


Figure B4. View towards 4631 and 4633 Sand Rock Lane



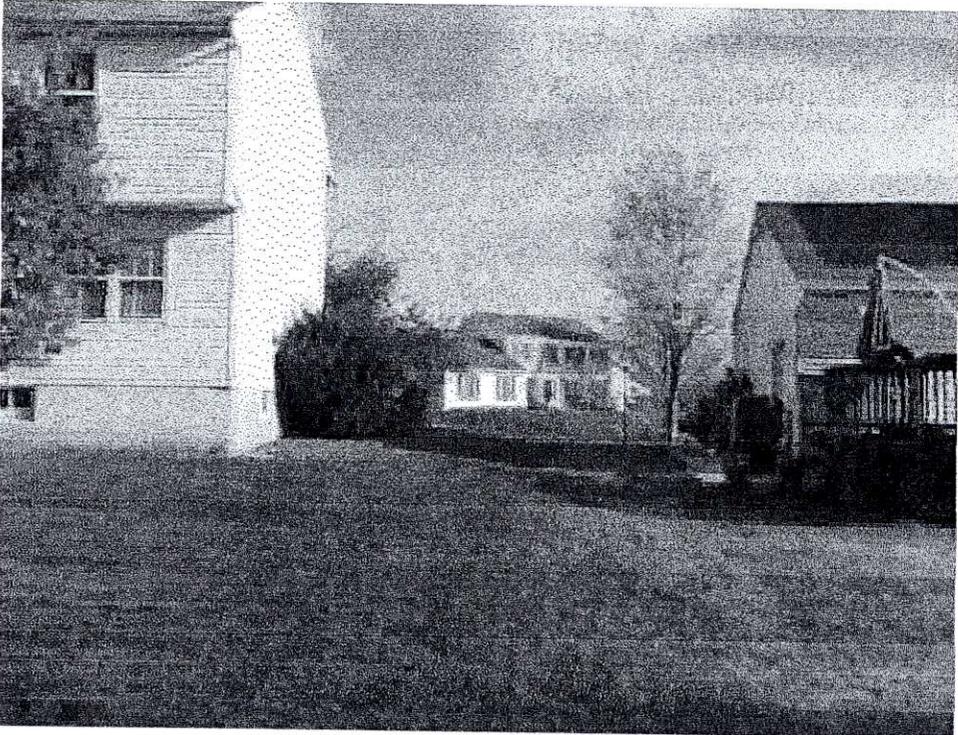
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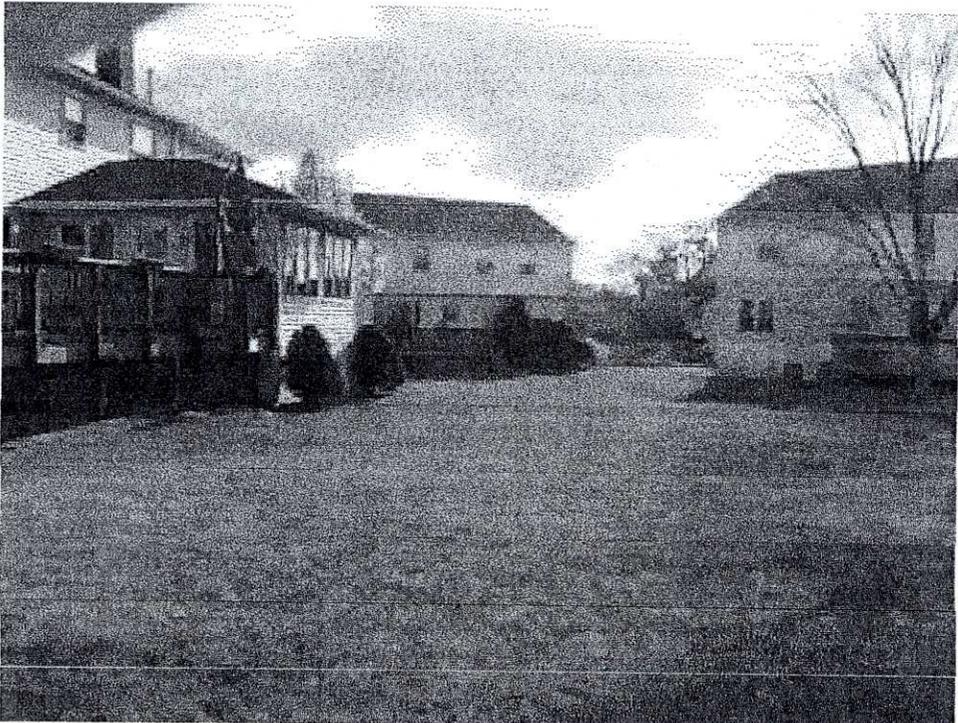
Abutting Properties:

Figure B5. Views between 13410 & 13412 Melville Lane



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APR 18 2017
Zoning Evaluation Division

Figure B6. View towards 13414 Melville Lane and 4633 Sand Rock Lane



DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit for an error in building location to permit a two-story addition to a single family detached dwelling to remain. The addition measures 880 square feet in area, 28 feet in height and is on the left (west) side of the house. The request is for the addition to remain 5.9 feet from the side lot line with total side yards of 14.7 feet.

	Structure	Yard	Min. Yard Req.*	Structure Location	Amount of Error	Percent of Error
Special Permit	Addition	Side	8.0 feet	5.9 feet	2.1 feet	26%
Special Permit	Addition	Total Side Yards	24.0 feet	14.7 feet	9.3 feet	39%

* The PDH-2 District does not have minimum required yard setbacks, but generally conforms to the provisions of the most similar conventional zoning district, which would be the R-2 Cluster. The minimum required side yard in the R-2 Cluster is 8 feet, but total side yards must equal 24 feet.

EXISTING SITE DESCRIPTION

The subject site, which measures 11,152 square feet in area, is developed with a two (2) story brick and frame single family detached dwelling. The site is zoned PDH-2, and the house was constructed in 1981. An enclosed sunroom addition at the rear of the house was completed in 1993. There is an open wood deck at the rear of the house as well. A concrete driveway off Melville Drive is located in front via Melville Drive.

The new two story addition, which measures approximately 16 feet by 27.5 feet, is located on the left (west) side of the house. The roof ridge and height of the addition are approximately the same height as the existing dwelling. Two bedrooms and two bathrooms are located in the addition, and the materials and color match the principal structure.

CHARACTER OF THE AREA

	Zoning	Use
North	PDH-2	Single Family Detached Dwelling
South	PDH-2	Single Family Detached Dwelling
East	PDH-2	Single Family Detached Dwelling
West	PDH-2	Single Family Detached Dwelling

BACKGROUND

A building permit, dated April 24, 2010, was issued for the addition, which was for a two story addition with two bedrooms, two bathrooms and an unfinished basement. The building permit noted that there was a nine (9) foot side yard setback on the left (west) side with the proposed 16 foot wide addition. The calculations were based on a certified house location survey dated July 13, 1981. As part of the permit's issuance, a setback certification was required prior to the Residential Use Permit (RUP) issuance or final inspection. A setback certification plat, dated January 20, 2011, was submitted for review.

On February 16, 2011, the setback certification letter was issued, which noted that the certification failed due to the lack of compliance with the minimum side yard requirement. A special permit application was recommended as a remedy to the certification failure. A copy of the letter is included as Appendix 4.

Following adoption of the current Ordinance, the BZA heard the following similar special permit and variance application in the vicinity of the application parcel:

- Variance VC 95-Y-137 was approved on March 13, 1996 for Tax Map 45-3 ((3)) 200, zoned PDH-2 at 13445 Point Pleasant Drive, to permit construction of additions 8.8 feet from each side lot line such that side yards total 17.6 feet.

ZONING ORDINANCE REQUIREMENTS

- 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)

This special permit is subject to Sects. 8-006, 8-903 and 8-914 of the Zoning Ordinance as referenced above, a copy of which is included in Appendix 5. Subject to development conditions, this special permit must meet these standards.

CONCLUSION

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

The approval of this 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. Setback Certification Letter Dated February 16, 2011
5. Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

SP 2011-SU-044

July 20, 2011

1. This special permit is approved for the location and size of the two-story addition, as shown on the plat prepared by Apex Surveys, dated and signed April 11, 2011, as submitted with this application and is not transferable to other land.
2. All applicable permits and final inspections for the addition shall be diligently pursued and obtained within six months of final approval of this application.

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 16, 2011
 (enter date affidavit is notarized)

I, Lawrence F. Kamba, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant 111740
 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)
Lawrence F. Kamba	13412 Melville Lane Chantilly, Va 20151	Applicant / <i>Title Owner</i>
Patricia M. Kamba	13412 Melville Lane Chantilly, Va 20151	Applicant / <i>Title Owner</i>

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

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 16, 2011
(enter date affidavit is notarized)

111740

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

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 16, 2011
(enter date affidavit is notarized)

111740

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 16, 2011
(enter date affidavit is notarized)

111740

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

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

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

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

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

NONE

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 16, 2011
(enter date affidavit is notarized)

111740

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:

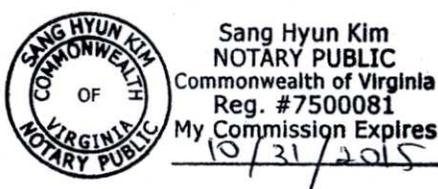
(check one) Applicant Lawrence F. Kamra Applicant's Authorized Agent

LAURENCE F. KAMRA
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 16th day of April 2011, in the State/Comm. of Virginia, County/City of Fairfax.

Sang Hyun Kim
Notary Public

My commission expires: 10/31/2015



RECEIVED
Department of Planning & Zoning
MAY 05 2011
Zoning Evaluation Division

May 5, 2011

Memorandum To: Fairfax County Board of Zoning

From: Lawrence and Patricia Kamba
13412 Melville Lane
Chantilly, Va. 20151

Subject: Statement – How Building Error occurred to
Family Residence – Item 912.00

The error that placed my new structure too close to my property line appears to have occurred due to a less-than-accurate original plat.

I visited the Board of Zoning in mid-2010 to request guidance on how wide an addition I might be able to add to my existing residence. They were very helpful and, using the original plat, calculated 26' from the closest part of my home to the property line in question (attachment a.) The individual who was helping me took my plat, compared it with the one on record, amended it to reflect an addition, colored it yellow and said that was all I would need when applying for a permit (attachment b). At that time I was informed that my setback limitation was 8' based on an R 3 type conversion and I could construct an addition nearly 18' wide.

I elected to request a permit for a 16'4" wide structure, leaving approximately 10' to the property line in an attempt to preclude any setback issues (attachment c). When I applied for my permit in Sept 2010 I was informed that my specific setback was 9' therefore, we shrunk the structure width an additional 4" to exactly 16', to be even safer (attachment d –Apex survey.)

I would have never anticipated that the legal plat provided when I purchased my home in 1986, and the one on record at the County office, would have been that inaccurate.

I apologize for any inconvenience and seek favorable consideration for my request of a Special Variance.

Sincerely,
Lawrence Kamba



ATT A.

FOOTINGS AND PIERS MUST BE PLACED ON COMPETENT MATERIAL

The Fairfax County Soil Survey indicates that plastic clay subsoils may occur on this property. Foundation footings for any structures must extend below any zone of plastic clay to firm underlying weathered or hard bedrock. Foundation subgrades should be inspected by the building inspector to insure this requirement.



LOT 450

LOT 447 DEWELL & ORANGE SOILS GROUPS

LOT 449

LOT 447

DEM

Division of Inspection Services
Approved for

Supron
lee

By _____
Date 9-15-92

LOT 448

54.1'
2 STORY
BRICK & FRAME
DWELLING
#13412 NOT POSTED
54.1'

10.0' x 4.0'
PORCH

5.0' x 2.4'
CHIMNEY

115.19' FEET TO SAND ROCK LANE
Office of Building

Code Services
Approved for

Open
By _____
Date 5/2/93

MELVILLE LANE

FOOTINGS AND PIERS MUST BE PLACED ON COMPETENT MATERIAL

APPROVED

9-15-92

James W. Quinn / Bon

Zoning Administrator

FINAL APPROVAL

James W. Quinn
Zoning Administrator

NOTES:

- 1) THE POSITION OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN ESTABLISHED BY TRANSIT-TAPE SURVEY.
- 2) THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

LOT 448 HOUSE LOCATION SURVEY

POPLAR TREE ESTATES

SECTION FIVE

SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE: 1"=30' JULY 13, 1981

PATTON, HARRIS, RUST & ASSOCIATES

PROFESSIONAL CORPORATION
ENGINEERING - SURVEYING - PLANNING

APPROVED

James W. Quinn
Zoning Administrator



ATT B

LOT 447 DELL & ORANGE SOILS GROUPS



LOT 450

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LOT 449

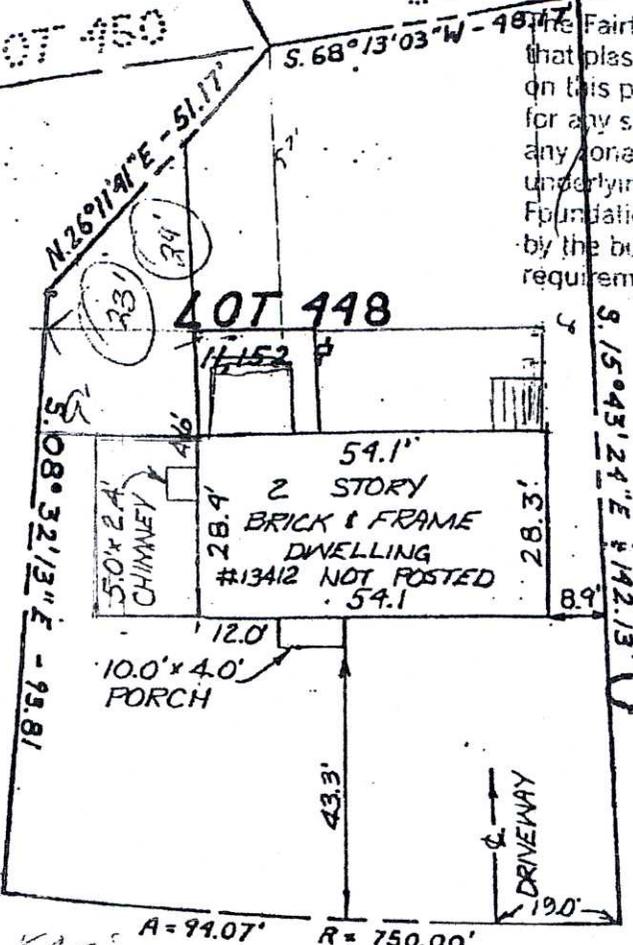
LOT 447

DEM

Division of Inspection Services
Approved for

Suzanne

BY *CC*
Date 9-15-92



APPROVED

9-15-92

W. G. ...
Zoning Administrator

115.19' FEET TO SAND ROCK LANE

City of ...
Approved for

Open ...
Date 5/2/93

MELVILLE LANE

FINAL APPROVAL

NOTES:

- 1) THE POSITION OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN ESTABLISHED BY TRANSIT-TAPE SURVEY.
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LOT 448 HOUSE LOCATION SURVEY
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SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: 1"=30' JULY 13, 1981

PATTON, HARRIS, RUST & ASSOCIATES
PROFESSIONAL CORPORATION
ENGINEERING - SURVEYING - PLANNING
FAIRFAX, VIRGINIA



Att C

102500019

BUILDING PERMIT APPLICATION

FAIRFAX COUNTY GOVERNMENT
PERMIT APPLICATION CENTER
12055 Government Center Parkway, 2nd Floor
Fairfax, Virginia 22035-5504
Telephone: 703-222-0801
Web site: <http://www.fairfaxcounty.gov/dpwes>

PERMIT #

FOR INSPECTIONS CALL 703-222-0455 (see back for more information)
OR VISIT US ON THE WEB AT
http://www.fairfaxcounty.gov/isisnet/inspection_sched.asp

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY	
PLAN #	
TAX MAP #	

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING		
SITE PERMITS		
HEALTH DEPT.		
BUILDING REVIEW		
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE	\$	
FILING FEE	\$	
AMOUNT DUE	= \$	

BUILDING PLAN REVIEW	
REVIEWER	# OF HOURS
REVISION FEES \$	
FIRE MARSHAL FEES \$	
FIXTURE UNITS	PLAN LOC: J <input type="checkbox"/> R <input type="checkbox"/>

APPROVED FOR ISSUANCE OF BUILDING PERMIT	
(LOG OUT)	
BY	DATE

ZONING REVIEW	
USE	
ZONING DISTRICT	HISTORICAL DISTRICT
ZONING CASE #	
GROSS FLOOR AREA OF TENANT SPACE	

YARDS:	GARAGE	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
FRONT	OPTIONS	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
FRONT	REMARKS			
L SIDE				
R SIDE				
REAR				

REMARKS

A SETBACK CERTIFICATION BASED ON FIELD SURVEY IS REQUIRED PRIOR TO RUP ISSUANCE OR FINAL INSPECTION

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

JOB LOCATION

ADDRESS 13412 MEVILLE LANE CHANTILLY
 LOT # 448 BUILDING _____
 FLOOR _____ SUITE _____
 SUBDIVISION Poplar Tree Estates Sec 5
 TENANT'S NAME LAURENCE KAMBA
 EMAIL LKAMBA@hotmail.com
 CONTACT ID _____

OWNER INFORMATION

OWNER TENANT

NAME LAURENCE KAMBA
 ADDRESS 13412 MEVILLE LN
 CITY CHANTILLY STATE VA ZIP 20151
 TELEPHONE 703 585 7253
 EMAIL LKAMBA@hotmail.com
 CONTACT ID _____

CONTRACTOR INFORMATION

SAME AS OWNER

CONTRACTORS MUST PROVIDE THE FOLLOWING:
 COMPANY NAME _____
 ADDRESS _____
 CITY _____ STATE _____ ZIP _____
 TELEPHONE _____
 EMAIL _____
 STATE CONTRACTORS LICENSE # _____
 COUNTY BPOL # _____
 CONTACT ID _____

APPLICANT

NAME LAURENCE KAMBA
 ADDRESS 13412 MEVILLE LN
 CITY CHANTILLY STATE VA ZIP 20151
 TELEPHONE 703 585 7253
 EMAIL LKAMBA@hotmail.com
 CONTACT ID _____

DESCRIPTION OF WORK

2 STORY ADDITION w/ RISENIEP
2nd floor
17' x 10'

HOUSE TYPE FRAME
 ESTIMATED COST OF CONSTRUCTION 125,000
 USE GROUP OF BUILDING RESIDENTIAL
 TYPE OF CONSTRUCTION FRAME

DESIGNATED MECHANICS' LIEN AGENT

(Residential Construction Only)
 NAME _____
 ADDRESS _____

Fairfax County, Virginia
Department of Public Works and Environmental Services
Permit Application Center
12055 Government Center Parkway
Fairfax, Virginia 22035-5504

MULTIPLE WORK PERMIT

Permit Number: 102500019

Issue Date: 09/24/2010

Tax Map ID: 045-3 / 03 / 0448

Job Address: 13412 Melville La
Chantilly, VA20151-2462

Plan No: R-10-1741

Tenant Name:

Issued To:

Contractor:

PATRICIA M KAMBA LAWRENCE F
13412 Melville Ln
Chantilly, Va 20151
(703)585-7253

OWNER IS CONTRACTOR

Structure: SINGLE FAMILY DWELLING

Code: (USBC 2006): IRC 2006

GROUP: R5

Type of Construction: VB

HAS PERMISSION, ACCORDING TO APPROVED PLANS, APPLICATION AND RESTRICTIONS OF RECORD TO: BUILD 2 STORY ADDITION FOR 2 BEDROOMS AND BATHROOMS WITH UNFINISHED BASEMENT AND INTERIOR ALTERATIONS FOR EXISTING 2ND FLOOR BEDROOM FOR NEW BATHROOM

Site Related Approval Conditions and Alerts

- Backfill on walls must be non-expansive free draining material, adequately sloped to prevent ponding of water around the structure.
- Damp Proofing/WaterProofing is required in accordance with Building Codes.
- Engineered foundation Design Required.
- Iredell & Orange Soils Groups: The Fairfax County Soil Survey indicates that plastic clay subsoils may occur on this property. Foundation footings for any structures must extend below any zone of plastic clay to firm underlying weathered or hard bedrock. Foundation subgrades should be inspected by the building inspector to insure this requirement.
- Required - Interior and Exterior perimeter foundation drains connected through foundation/outleted to daylight - show drain and outlet details on plans.
- Footings and Piers must be placed on competent material.
- Undercut plastic clays at least 2 feet below floor slabs.
- Total earth disturbance on this lot shall not exceed 2500 sq. ft. - Earth disturbance in excess of 2500 shall constitute a violation and require the submission of a grading plan.
- Physical demarcation of the limits of disturbance prior to commencing construction, through the use of silt fence, snow fence, tree protection or a comparable material is required.

Property line setback verification required at framing inspection. Failure to comply may result in non-issuance of Residential Use Permit or Final Inspection.

Note to Property Owner: In accordance with Chapter 102 of the Code of the County of Fairfax, the property address must be displayed on the property in such a manner as to be visible from the public right of way. A copy of the building permit shall be posted on the construction site for public inspection until the work is completed.

Prior to beginning construction, contact your Homeowners' Association regarding any restrictive covenants governing property improvements. Sometimes, covenants may be more restrictive than the Fairfax County Code. Furthermore, requirements of covenants are not addressed by the issuance of your building permit.

The permittee is required to notify all utilities before commencing any underground construction and must receive the proper clearances from the utilities as prescribed in the Code of the County of Fairfax. (Miss Utility - 1-800-257-7777)

BUILDING OFFICIAL



To Schedule an Inspection:

Internet - www.fairfaxcounty.gov/fido
Call Center - 703-222-0455

AIRS - 703-222-2474

TTY, VA Relay - 711

P
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M
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T

RECEIVED
Department of Planning & Zoning

APR 18 2011

Zoning Evaluation Division

April 15, 2011

Memorandum To: Fairfax County Board of Zoning

From: Lawrence and Patricia Kamba
13412 Melville Lane
Chantilly, Va. 20151

Subject: Statement of Proposed use, addition to Family
Residence

- A. The addition constructed to my existing residence was initiated to accommodate my aging family. A ground floor bedroom and bath has become a necessity and is the driving force for the home expansion.
- B. N/A
- C. N/A
- D. N/A
- E. N/A
- F. N/A
- G. The addition is of the same design, materials and color of the existing home; brick veneer front, asphalt shingle roof and vinyl siding.
- H. N/A
- I. The design, materials and placement of the addition has been approved and accepted by the Poplar Tree Home Owners association as being in compliance and meeting all HOA requirements. A variance is being sought because following issuance of applicable permits and initial construction, the Set Back Survey revealed a discrepancy in the original Plat. This discrepancy places the left rear-quarter of the structure less than the minimum distance required from the property line.

Sincerely 
Patricia and Lawrence Kamba



County of Fairfax, Virginia

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

February 16, 2011

Mr. Lawrence Kamba
13412 Melville Lane
Chantilly, Virginia 20151

Re: Setback Certification – Building Permit #102500019
13412 Melville Lane
Poplar Tree Estates, Section 5, Lot 448
Tax Map Ref: 45-3 ((3)) 448
Zoning District: PDH-2



Dear Mr. Kamba:

This letter is in response to your request for approval of the setback certification for the addition to the existing single family detached dwelling pursuant to Building Permit #102500019. The property is zoned PDH-2 District, pursuant to the Board of Supervisors approval of Rezoning Application RZ 74-2-067, which was approved on May 24, 1976 with proffers. The yard in question is the left (western) side yard. The proffers and the Final Development Plan (FDP) which was approved by the Planning Commission on June 3, 1976 do not include specific limitations for the minimum required yards. Subsequent to the initial construction of the dwelling, pursuant to Par. 6 of Sect. 16-403 of the Zoning Ordinance, any alteration to a single family dwelling unit shall be governed by the regulations of that R zoning district which most closely characterizes the given development, as determined by the Zoning Administrator. In this instance, the Zoning Administrator has deemed Poplar Tree Estates, Section 5 to be most similar to the R-2 cluster district, which results in a minimum required side yard of 8 feet for any one side yard, with a minimum required total of 24 feet for both side yards combined. In addition, eaves may be permitted to extend up to 3 feet into a minimum required yard, provided they are located a minimum of 10 feet in height from the ground.

The setback certification plat shows a left (western) side yard of 5.9 feet, and a total for both side yards of 14.7 feet (the existing right (eastern) side yard is 8.8 feet.) This does not meet the minimum yard requirement. Therefore, the setback certification has been failed. A copy of the plat is enclosed. In order to receive approval of the setback certification for the addition as constructed, approval by the Board of Zoning Appeals (BZA) of a Special Permit, for an error in building location, or for a reduction of the minimum required yard could be sought. Additional standards, which are basis for evaluation of the Special Permit request, are included for each of the Special Permit types. All special permits require the submission of an application, plat and fee; notification of adjacent property owners; and a public hearing before the BZA. For more information regarding the Special Permit process please contact the Zoning Evaluation Division at 703- 324-1290.

ZONING ORDINANCE PROVISIONS

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.