

file



# County of Fairfax, Virginia

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

November 2, 2011

Jane Kelsey  
Jane Kelsey & Associates, Inc.  
4041 Autumn Court  
Fairfax, VA 22030

RE: Extension of Special Exception ~~SE 2004-DR-004~~ --Shoreh H. Armani  
1580 Chain Bridge Road  
Tax Map Ref: 030-4 ((2)) (6) 46  
Zoning Districts: R-3, CRD & SC

Dear Ms. Kelsey:

As indicated in Ms. McLane's letter to you dated September 27, 2011, an inspection conducted by Leo L. Conrad, Jr. of the Zoning Inspections Branch on September 1, 2011 determined that the use permitted under SE 2004-DR-004 was in violation of certain development conditions. Further, it was noted that any deficiencies must be remedied by November 28, 2011 or the special exception approval would expire. On October 24, 2011, Mr. Conrad conducted a follow up inspection and has determined that all outstanding violations have been corrected and the use is in compliance with the conditions of SE 2004-DR-004. Therefore, as permitted under Condition #4, SE 2004-DR-004 is approved for an additional two (2) year period from July 1, 2011 to July 1, 2013. This determination has been made in my capacity as a duly authorized agent of the Zoning Administrator.

If I can be of any further assistance to you, please do not hesitate to contact me at 703-324-1314.

Sincerely,

Leslie B. Johnson  
Zoning Administrator

cc: John W. Foust, Supervisor, Dranesville District  
Eileen McLane, Zoning Administrator  
Barbara C. Berlin, Director, Zoning Evaluation Division ✓  
Diane Johnson-Quinn, Deputy Zoning Administrator, ZPRB  
Leo L. Conrad, Jr., Zoning Inspections Branch  
Dr. Shoreh H. Armani, Applicant





# County of Fairfax, Virginia

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September 27, 2011

Jane Kelsey  
Jane Kelsey & Associates, Inc.  
4041 Autumn Court  
Fairfax, VA 22030

Re: Special Exception Extension  
SE 2004-DR-004 – Shoreh H. Armani  
1580 Chain Bridge Road  
Tax Map Ref: 30-4 ((2)) (6) 46  
Zoning Districts: R-3, CRD & SC

Dear Ms. Kelsey:

This is in response to your letter dated April 25, 2011 in which you requested a two year extension of the above-referenced special exception as allowed under Condition #4 approved by the Board of Supervisors (Board) on July 12, 2004.

Pursuant to Par. 2 of Sect. 8-012 of the Zoning Ordinance, Senior Zoning Inspector Leo L. Conrad, Jr., conducted an inspection of the premises at 1580 Chain Bridge Road to determine compliance with the development conditions imposed by the Board with their approval of SE 2004-DR-004, to allow an office use in the R-3 District. This inspection revealed that the property is in violation of several of the development conditions. Specifically, the following issues were identified:

1. The lower level of the building was being used as a dwelling unit and was occupied by the office manager and her two children. It is my understanding that the lower level of the property has since been vacated. While the residence for a proprietor or storekeeper and his/her family located in the same building as his/her occupation is a permitted accessory use under the Zoning Ordinance, this use was not part of the Special Exception approval and is therefore not permitted without obtaining a determination from the Zoning Evaluation Division that the use of the lower level as a dwelling for the office manager would be in substantial conformance with the special exception approval or whether an amendment to the special exception would be required. Further, it was noted by Inspector Conrad that the rooms being utilized as bedrooms did not have the proper emergency egress windows, which would have to be addressed if it was determined that the lower level could be utilized as a dwelling for a proprietor or storekeeper.

2. A shed shown to be removed on both the SE Plat and the approved site plan is still on the property. Condition 2 states that the Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception Plat approved with the application. Therefore, the shed is not in conformance with the approved Special Exception.
3. The parking lot light pole is 12 feet in height and not full cut off. Condition 9 limits the parking lot lighting to 7 feet in height and requires conformance with the outdoor lighting standards set forth in Part 9 of Article 14 of the Zoning Ordinance, which requires full cut off lighting fixtures. It is noted that approved site plan also shows the light fixture to be 7 feet in height.
4. The freestanding sign located in the front yard is 1.5 square feet and is 5.42 feet in height. Condition 13 permits a single freestanding sign not more than 1.5 square feet in area and 4 feet in height. Additionally, there is no record of a sign permit being issued for the existing sign. The existing sign may be retained, provided the height of the sign is reduced to 4 feet and a sign permit is obtained.
5. No building permit was found in our records for the addition of the ramp to provide access to the front door of the building. While the addition of an accessibility improvement is permitted and does not require the approval of an amendment to the special exception, the building permit on file only references changes to the front door to provide handicap accessibility and interior renovations to convert the first floor of the dwelling to a medical office. Therefore, building permit approval for the accessible ramp is required.

In accordance with Par. 4 of Sect. 9-012 of the Zoning Ordinance, if it is determined that the use is not in compliance with all conditions and restrictions previously imposed by the Board, the Zoning Administrator shall, depending on the nature of the noncompliance either deny the request for extension or require the remedy of any violation within a specified time. Based on your recent email correspondence, it is my understanding that Dr. Armani is taking steps to address the deficiencies noted above and has already ceased utilizing the lower level as a dwelling unit for her office manager. Therefore, the remaining deficiencies noted in this letter need to be addressed by November 28, 2011, or the special exception approval will expire. Please contact Mr. Leo Conrad at 703-324-4300 to schedule a follow up inspection.

Should you have questions regarding this decision, please contact Leslie Johnson at 703-324-1314.

Sincerely,



Eileen M. McLane  
Zoning Administrator

Jane Kelsey  
September 27, 2011  
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cc: John W. Foust, Supervisor, Dranesville District  
Leslie B. Johnson, Senior Deputy Zoning Administrator  
Barbara C. Berlin, Director, Zoning Evaluation Division  
Diane Johnson-Quinn, Deputy Zoning Administrator, ZPRB ✓  
Leo L. Conrad, Jr., Zoning Inspections Branch  
Dr. Shoreh H. Armani, Applicant

**Jane Kelsey & Associates, Inc.**

Land Use Consultants  
4041 Autumn Court  
Fairfax, VA 22030-5168  
703-385-4687 (Phone)  
703-385-8760 (FAX)  
[jckelse@aol.com](mailto:jckelse@aol.com)

April 25, 2011

President  
Jane Kelsey

Vice-President

Donald E. Lucas

RECEIVED  
Dept. of Planning & Zoning

APR 25 2011  
2011-0772  
Zoning Administration Div.

Ms. Eileen M. McLane  
Zoning Administrator  
12055 Government Center Parkway, Suite 807  
Fairfax, VA 22035

RE: Special Exception SE 2004-DR-004 – Shoreh H. Armani  
1580 Chain Bridge Road, TM Ref: 30-4 ((2)) (6) 46  
Zoning Districts: R-3, CRD & SC

Dear Ms. McLane:

The referenced Special Exception for an office use in a residential district was approved by the Board of Supervisors on July 12, 2004 for a period of seven (7) years with the Zoning Administrator being authorized to permit two year extensions until such time as consolidation and redevelopment occurs within Sub-Unit 3 of the Comprehensive Plan.

No changes have been made in the area of this property and to my knowledge and based upon my research, no changes are proposed at this time. The property is contiguous to an electrical substation to the east, an established and fairly new single family subdivision to the north, an older well established residential subdivision to the west and across Chain Bridge Road, there is open space for a townhouse subdivision.

The Applicant has adhered to the conditions of approval of the Special Exception and will continue to adhere to these conditions. The landscaping that was required is in place and has matured beautifully. The property has gone from being an eyesore in the community to a major asset.

We request that you approve this extension.

Sincerely,



Jane Kelsey

cc: Dr. Shoreh H. Armani  
Mr. Peter Braham, Zoning Evaluation Division, Dept. of Planning & Zoning