



**APPLICATION ACCEPTED:** August 14, 2012  
**DATE OF PUBLIC HEARING:** October 31, 2012  
**TIME:** 9:00 a.m.

# County of Fairfax, Virginia

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October 24, 2012

## STAFF REPORT

### SPECIAL PERMIT APPLICATION NO. SP 2012-LE-049

#### LEE DISTRICT

**APPLICANT:** Anthony E. Soria

**OWNERS:** Anthony E. Soria  
Francisca L. Jarma

**LOCATION:** 6316 Alamo Street, Springfield, 22150

**SUBDIVISION:** Springfield Estates

**TAX MAP:** 80-4 ((5)) (4) 20

**LOT SIZE:** 9,240 square feet

**ZONING:** R-4 and HC

**ZONING ORDINANCE PROVISION:** 8-914

**SPECIAL PERMIT PROPOSAL:** To permit reduction of minimum yard requirements based on error in building location to permit addition to remain 4.0 feet from a side lot line.

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

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

*O:\dhedri\Special Permits\10-31 SP 2012-LE-049 Soria (error)\SP 2012-LE-049 Soria staff report.docx*

*Deborah Hedrick*

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.**

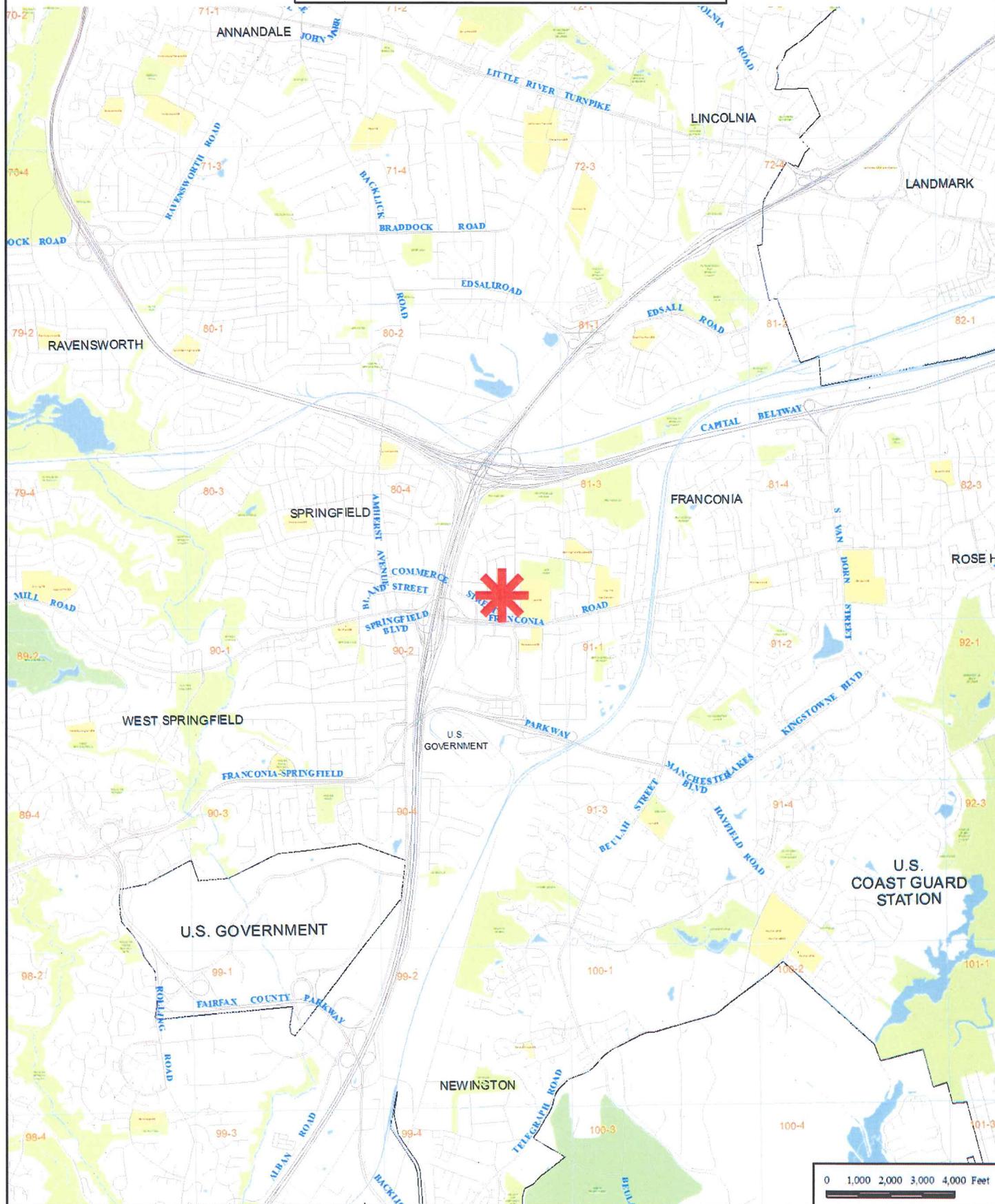


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

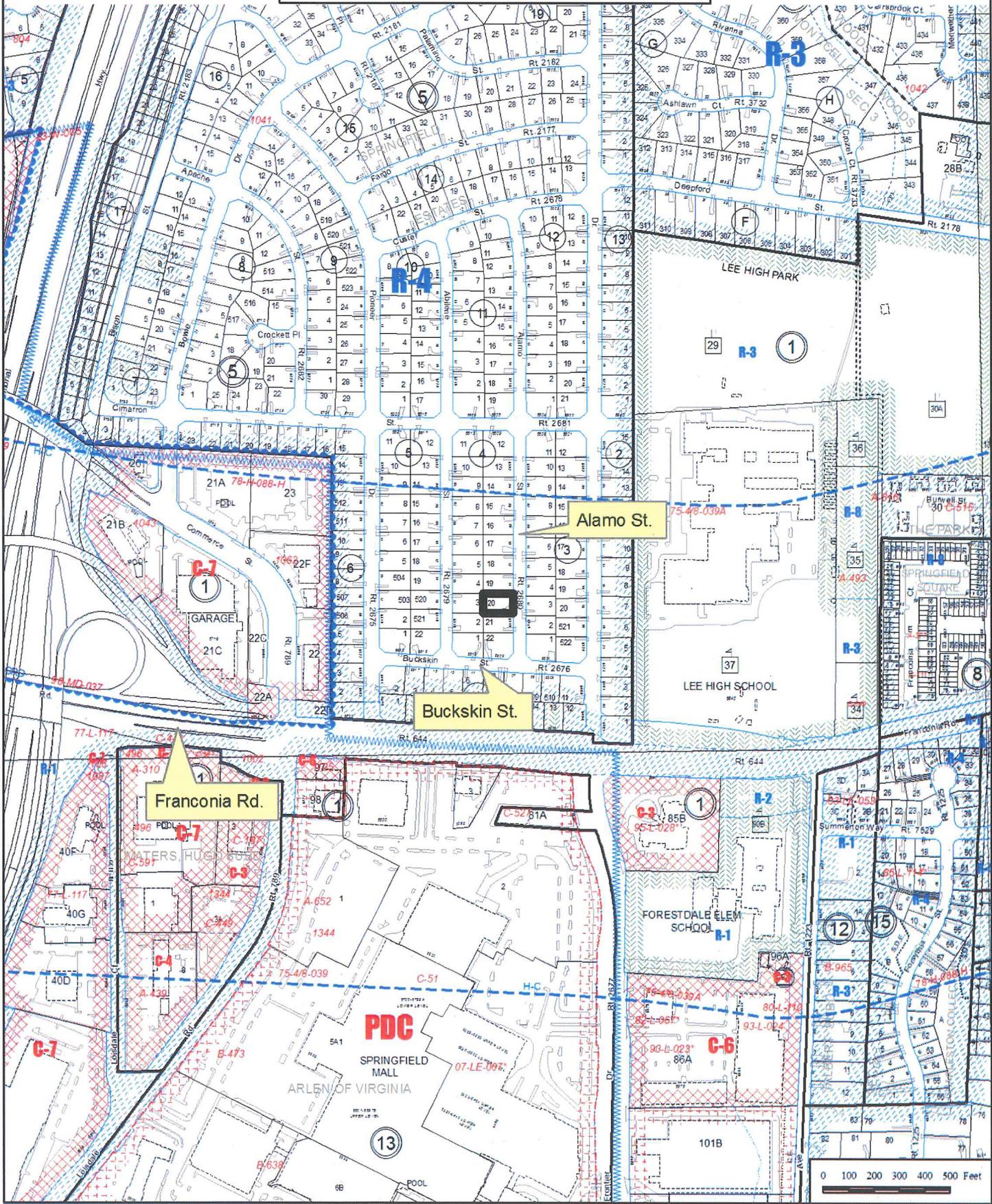
# Special Permit

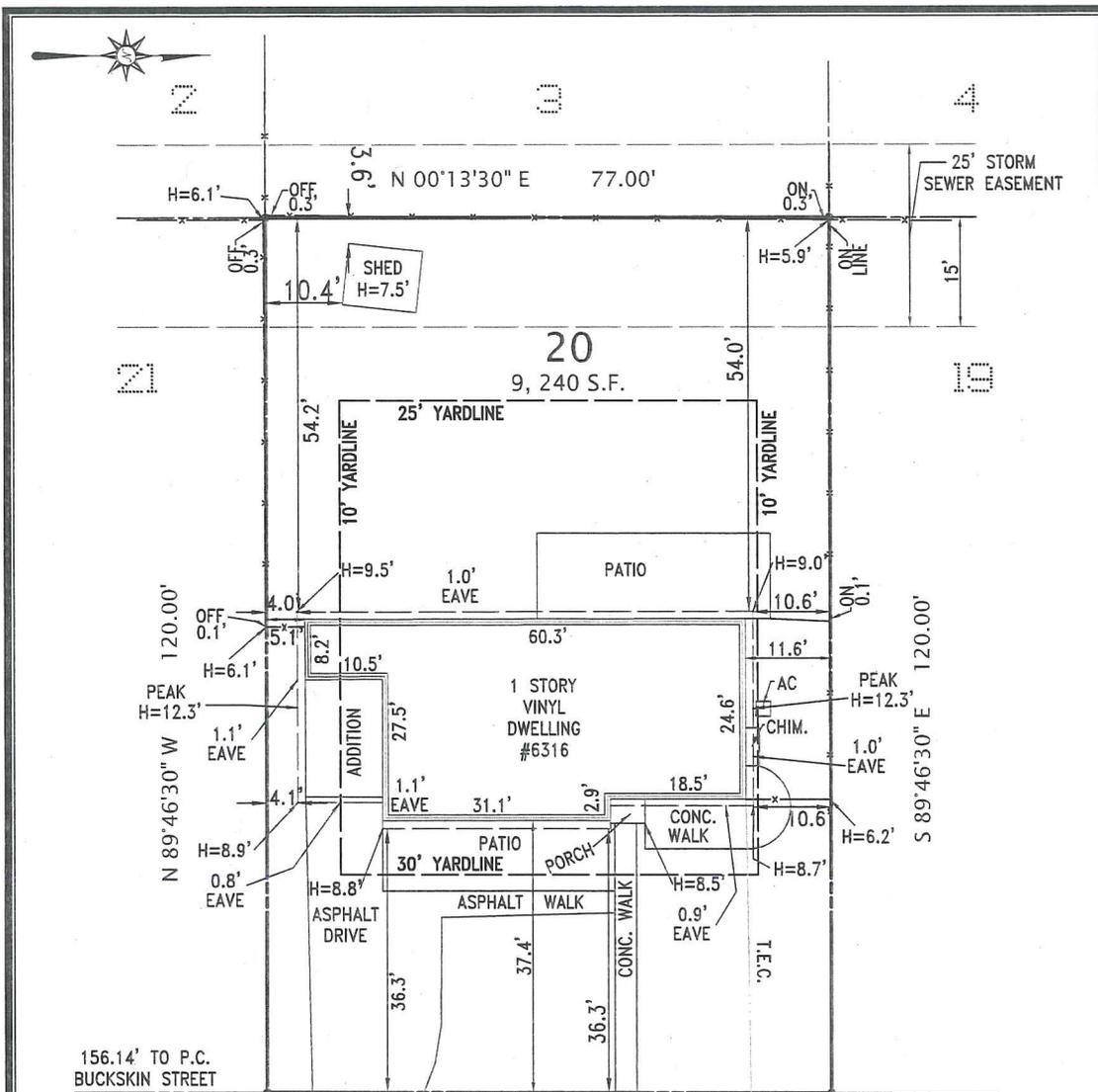
SP 2012-LE-049

ANTHONY SORIA



# Special Permit SP 2012-LE-049 ANTHONY SORIA





**ALAMO STREET**  
50' R/W

RECEIVED  
Department of Planning & Zoning  
SEP 17 2012  
Zoning Evaluation Division

PLAT  
SHOWING SPECIAL PERMIT PLAT ON  
LOT 20 BLOCK 4 SECTION 1  
**SPRINGFIELD ESTATES**  
FAIRFAX COUNTY, VIRGINIA

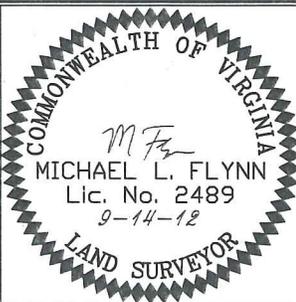
NOTE:  
PURPOSE: REQUEST FOR SIDE YARD REDUCTION  
ZONE: R-4  
THIS SITE HAS PUBLIC SEWER AND WATER.  
WELL AND SEPTIC DO NOT EXIST ON THIS LOT.

SCALE: 1" = 20' APRIL 06, 2012  
REVISED: AUGUST 1, 2012

CASE NAME:

BOB PARKER

GRAPHIC SCALE



BY PROVISIONS OF THE VIRGINIA CODE: NO CORNER MARKERS SET.  
BOUNDARY SURVEY NOT PERFORMED.  
PLAT SUBJECT TO RESTRICTIONS OF RECORD, TITLE REPORT NOT FURNISHED.

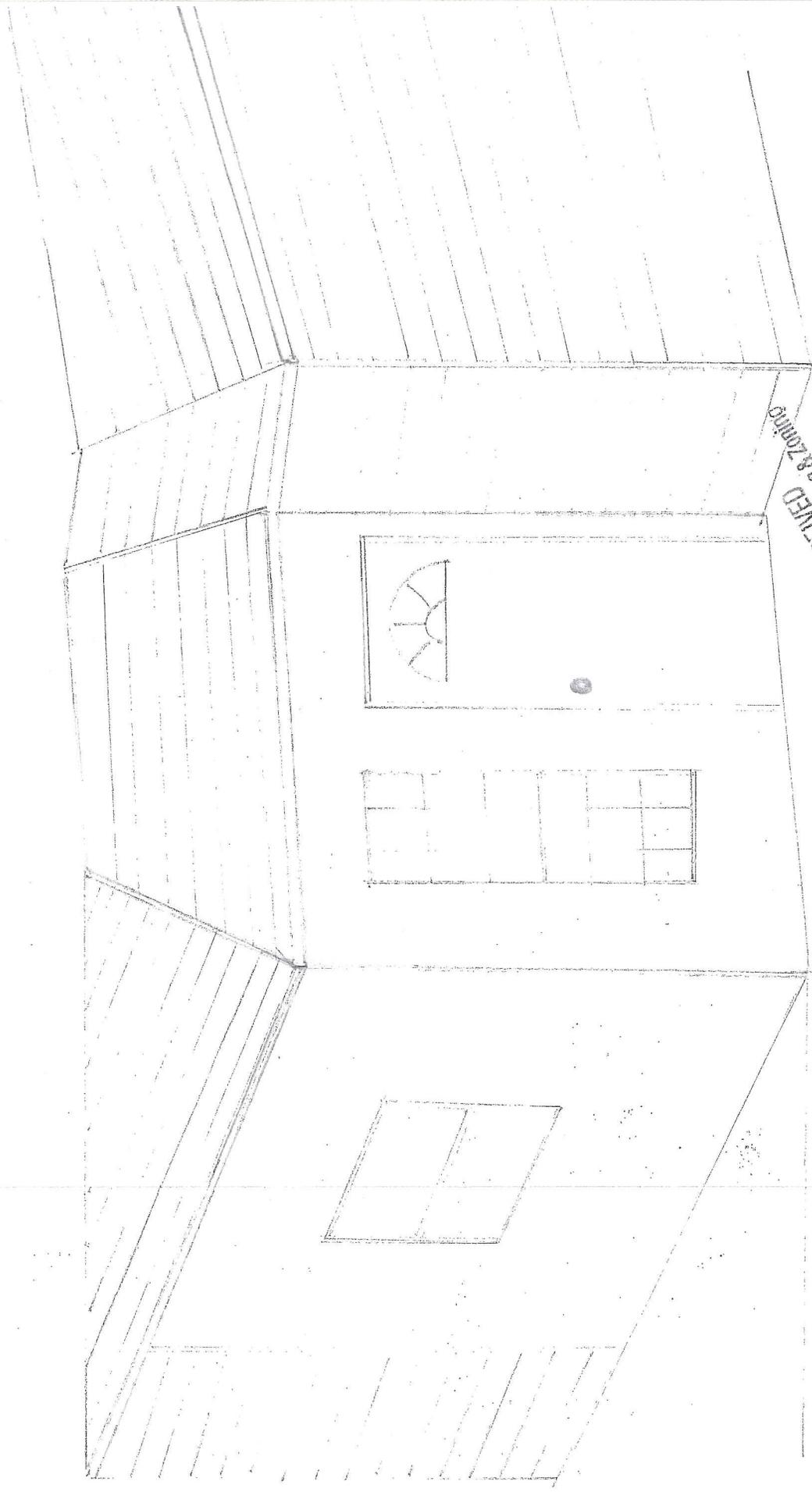
I HEREBY CERTIFY THAT THE POSITIONS  
OF ALL THE EXISTING IMPROVEMENTS  
HAVE BEEN CAREFULLY ESTABLISHED BY  
A CURRENT FIELD SURVEY, AND UNLESS  
OTHERWISE SHOWN, THERE ARE NO  
VISIBLE ENCROACHMENTS.

REQUESTED BY:

BOB PARKER

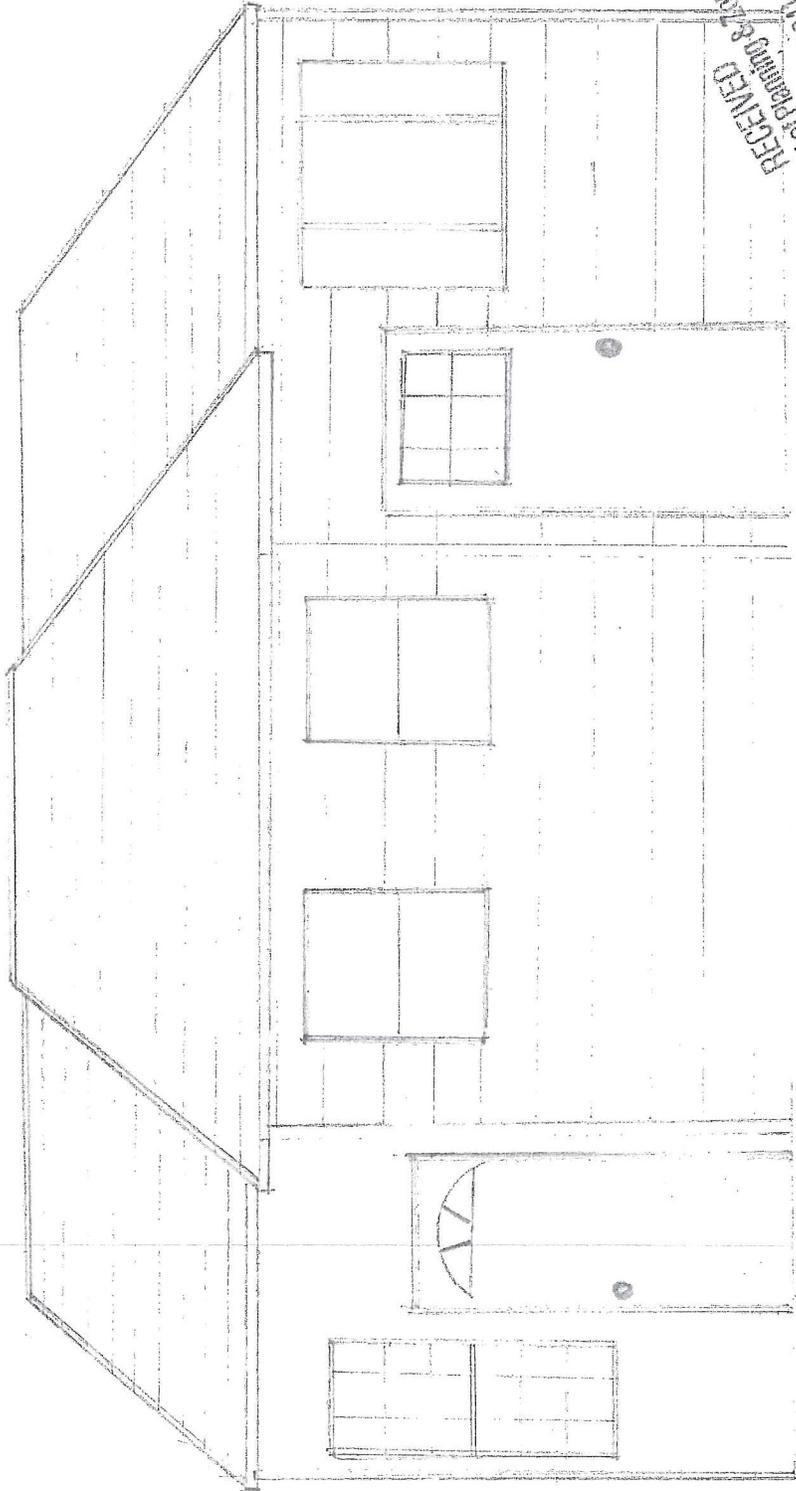
**ALEXANDRIA SURVEYS, LLC**

3949 PENDER DRIVE, STE #105 FAIRFAX, VIRGINIA 22030  
TEL. NO. 703-660-6615 FAX NO. 703-768-7764



RECEIVED  
Department of Planning & Zoning  
APR 13 2011  
Zoning Evaluation Division

RECEIVED  
Department of Planning & Zoning  
APR 13 2011  
Zoning Evaluation Division



10.5"

⊙ CLOSET

DOORS

WINDOW

19.4"

RECEIVED  
Department of Planning & Zoning  
APR 13 2011  
Zoning Evaluation Division

WINDOW  
2.6

CARPORT

DOOR  
3.0

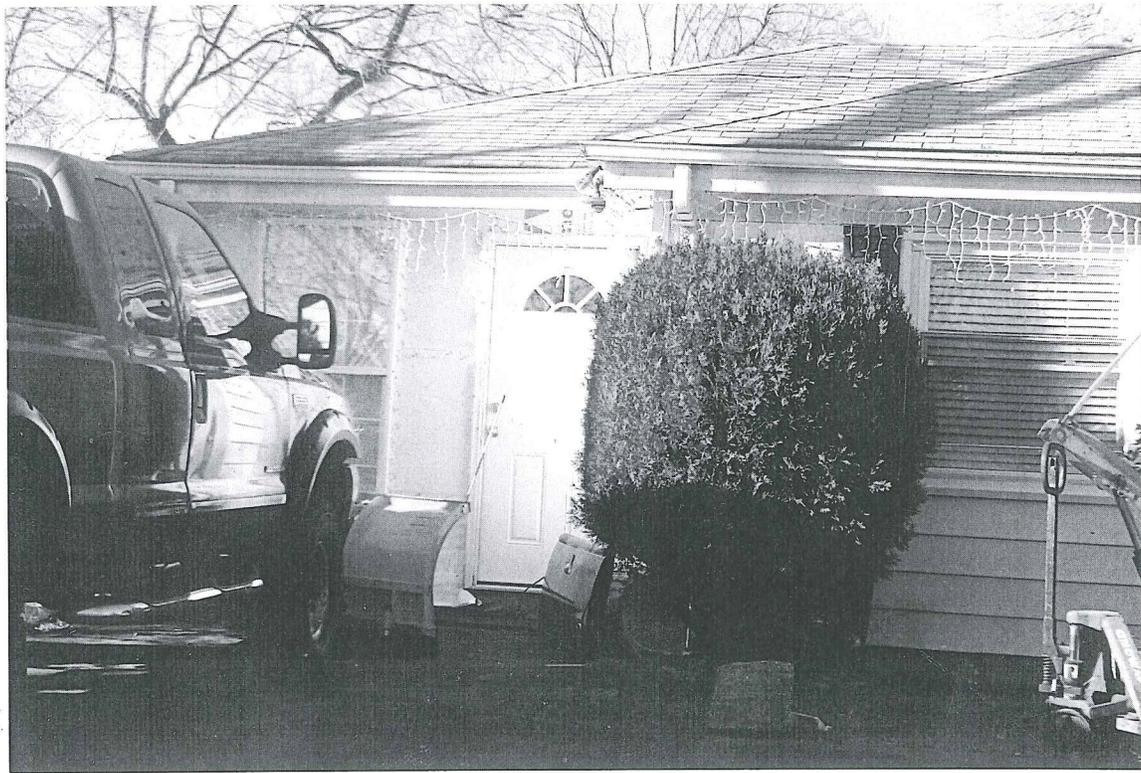
- ⊙ OUKET
- ⊙ LIGHT
- ⊙ SWICHT

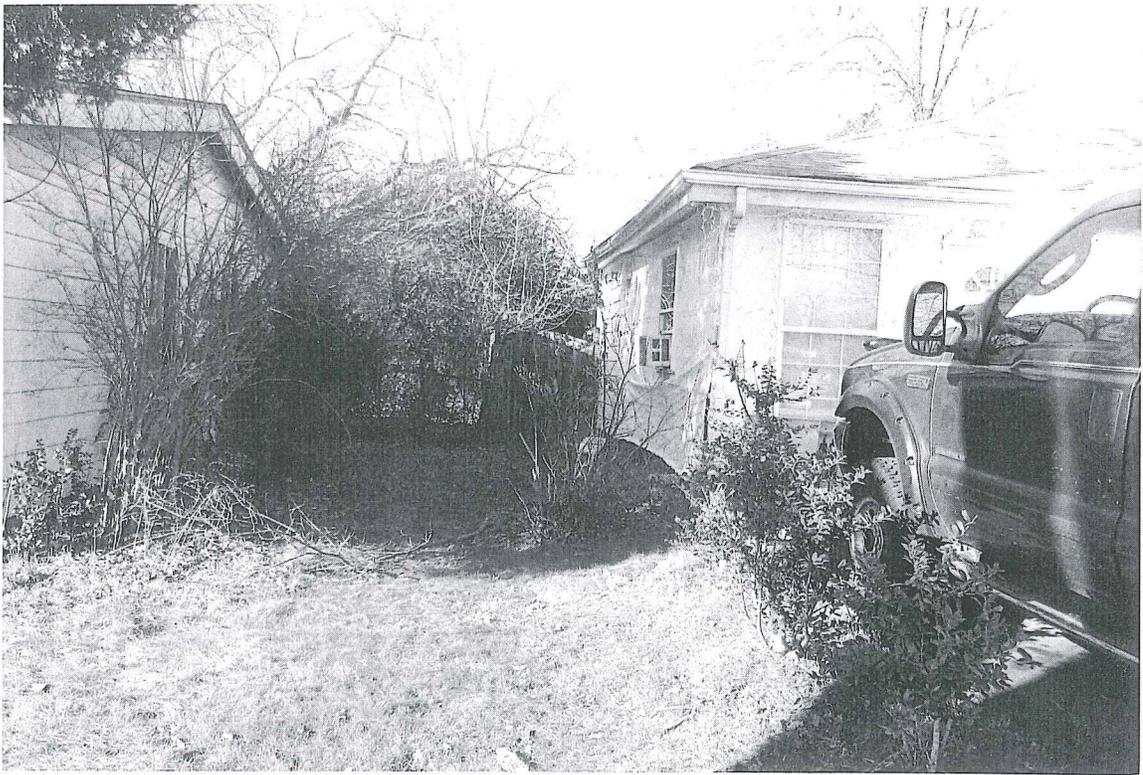
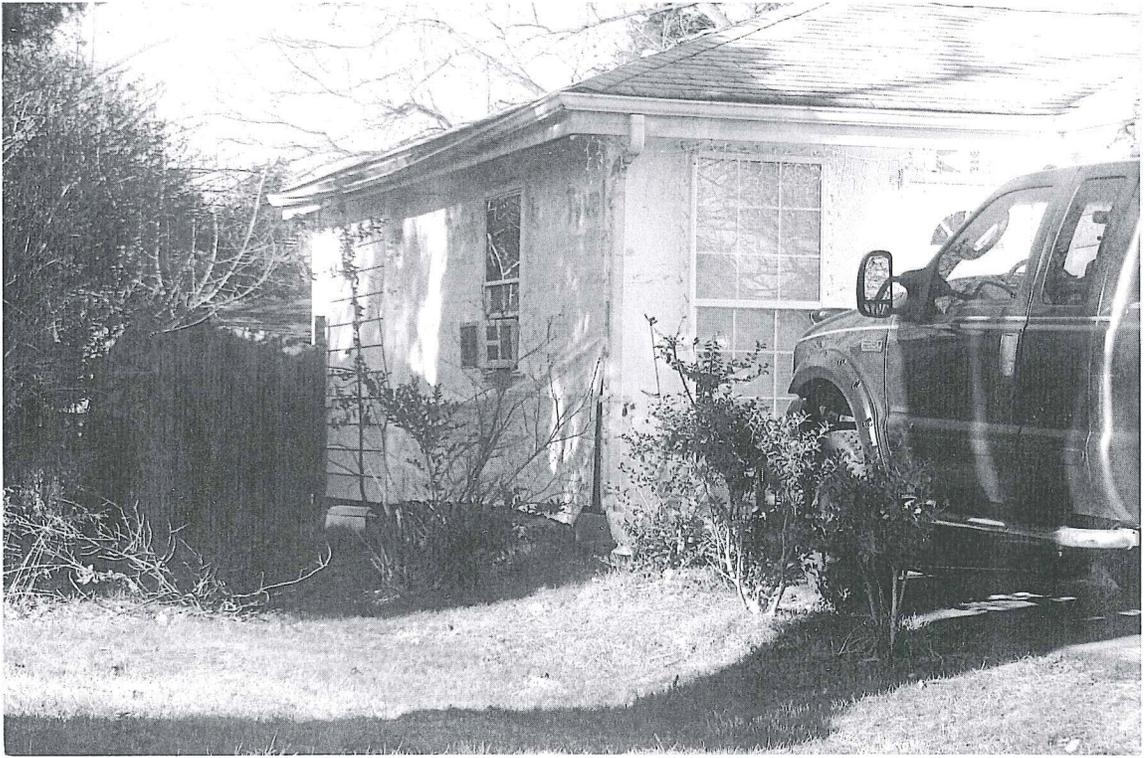
6316 ALAMOST

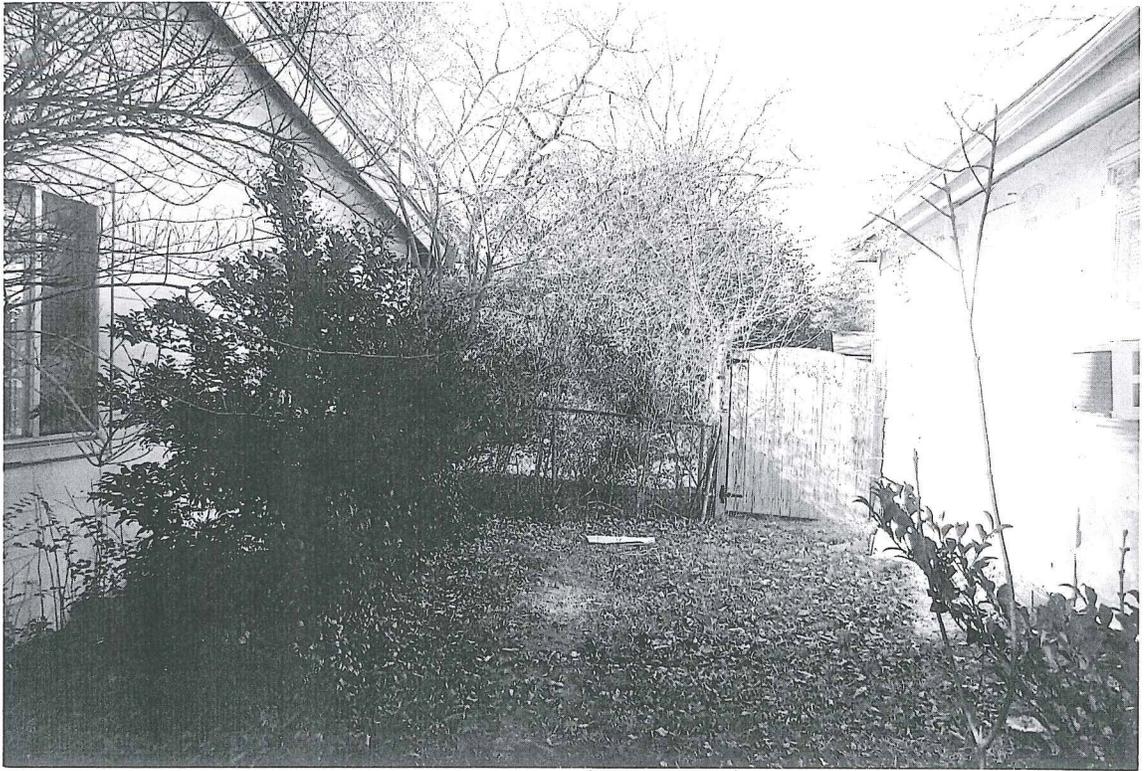
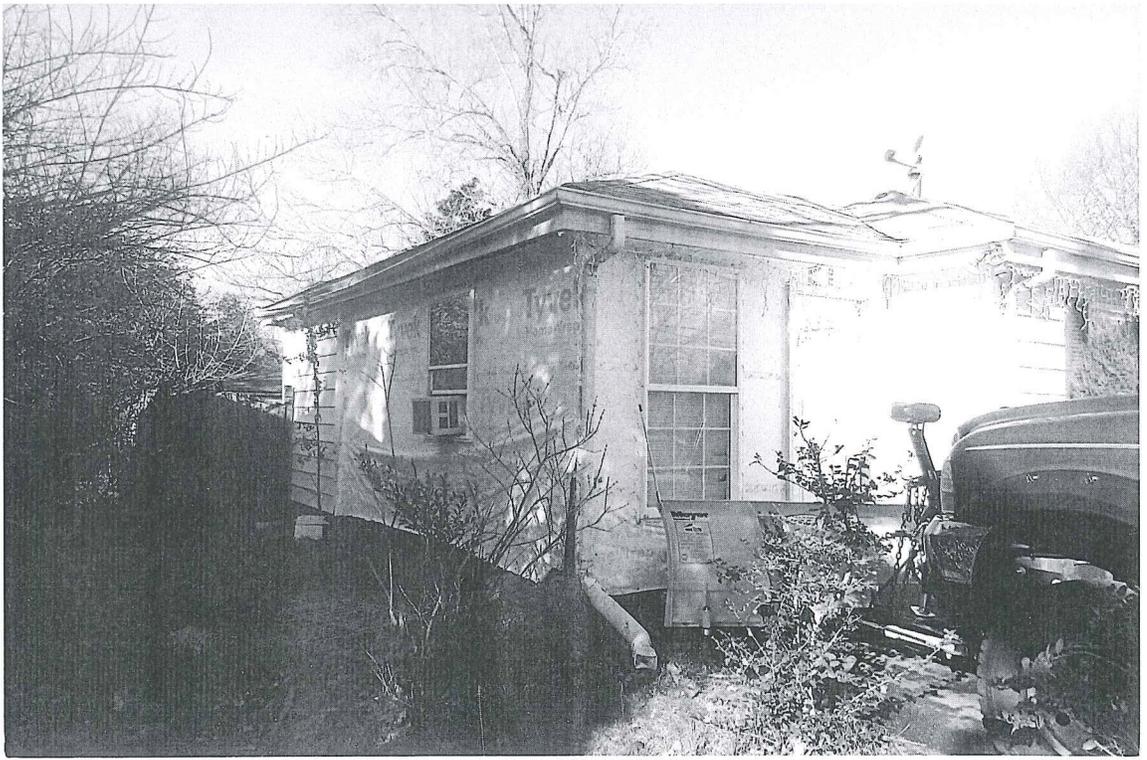
SPRINGFIELD VA 22150

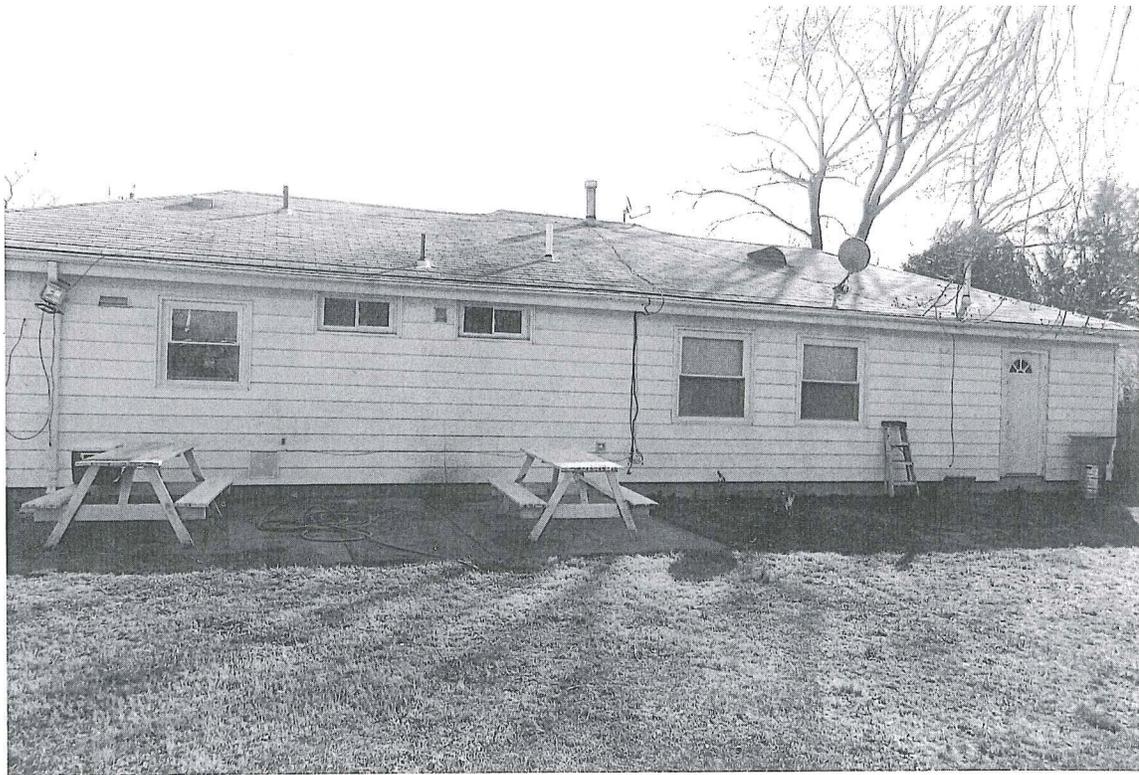
SORIA ANTHONY E

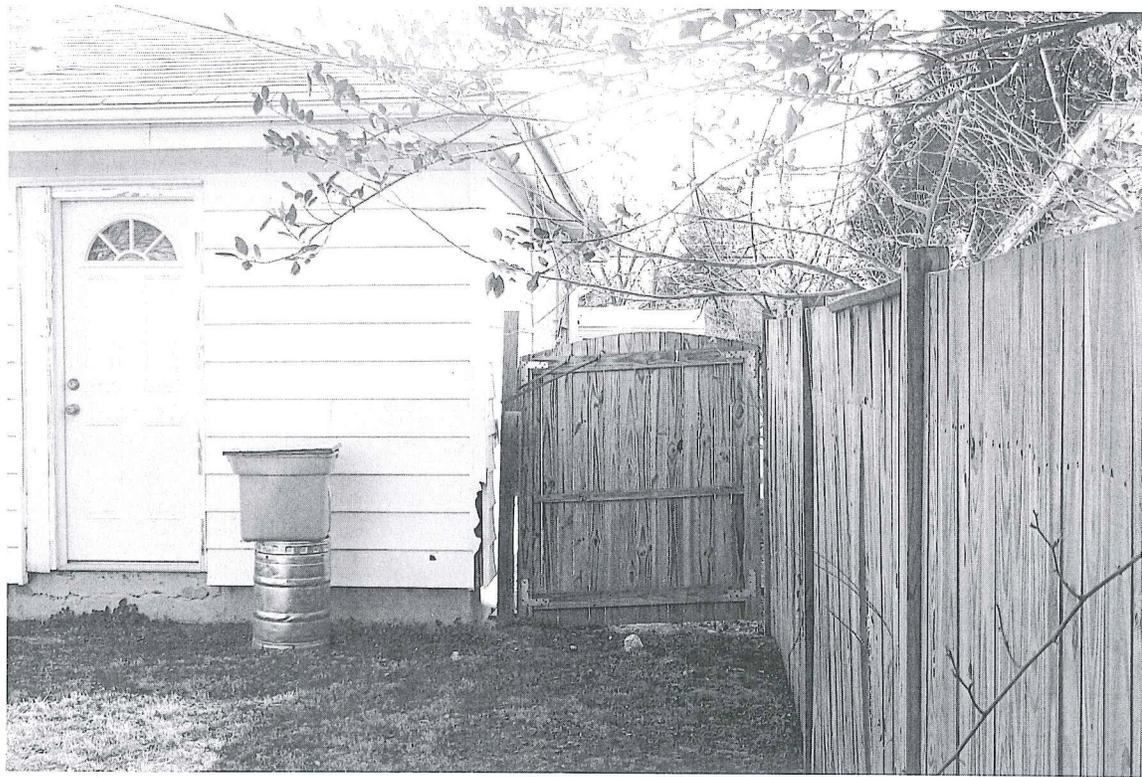
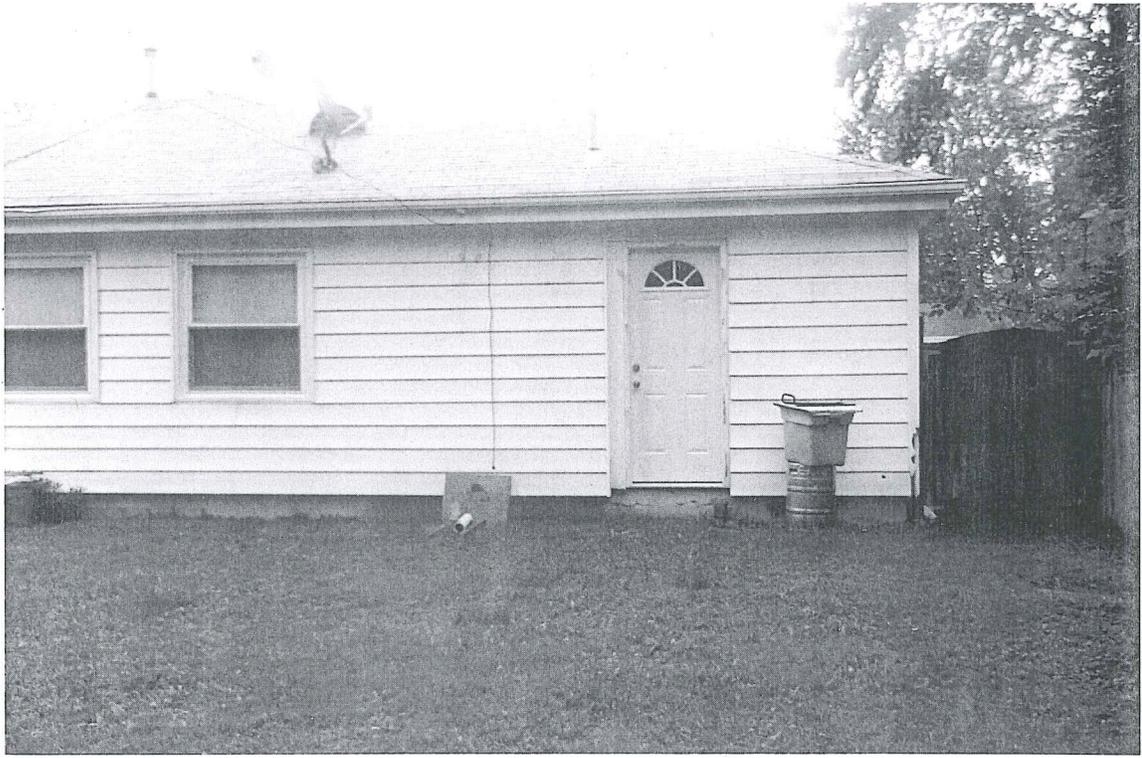
SCALE = N/S

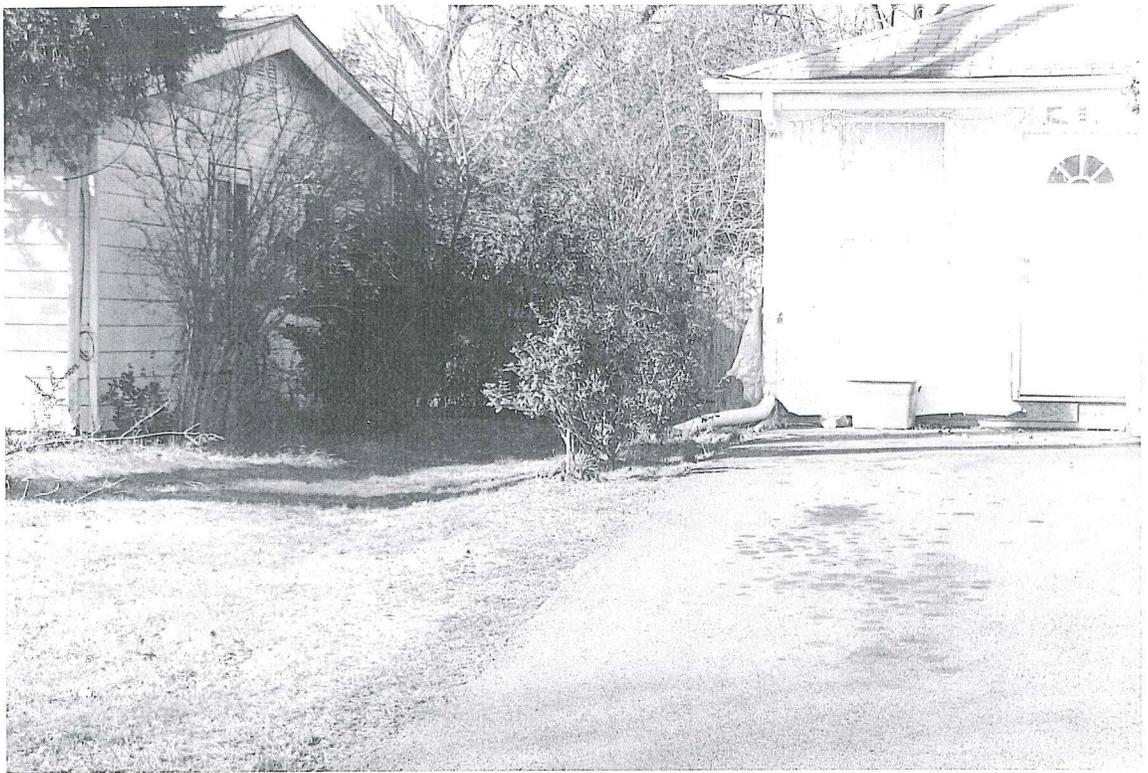
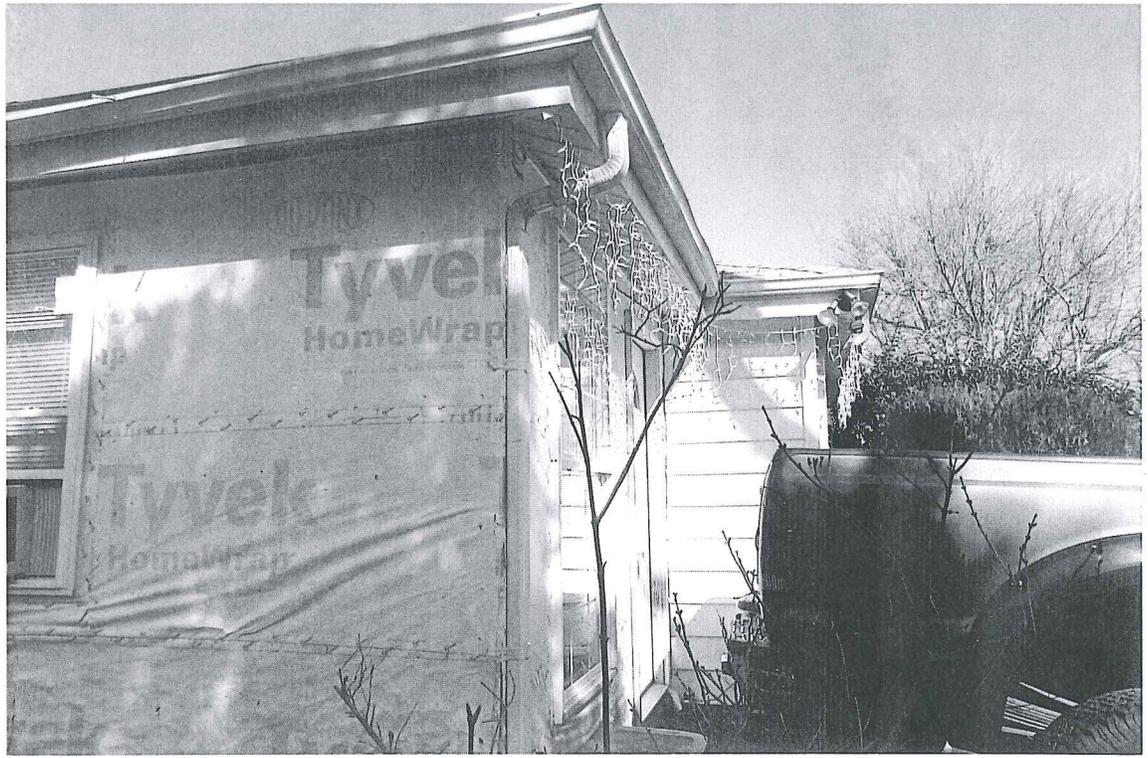


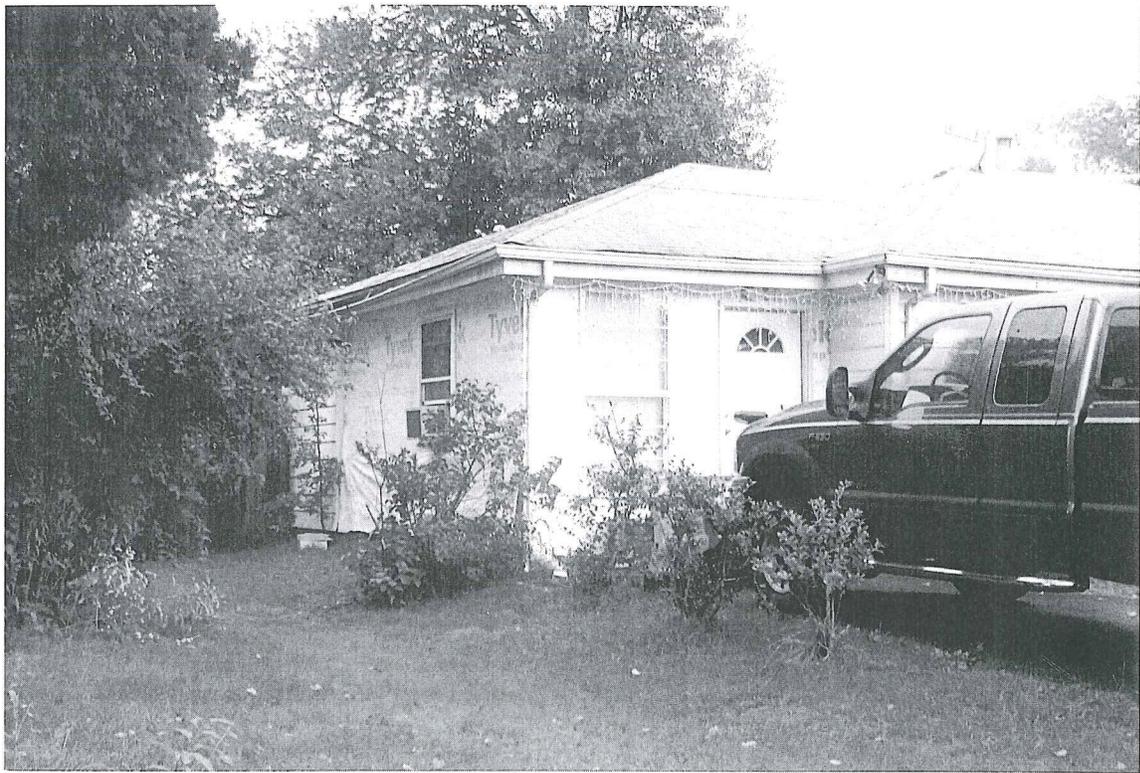
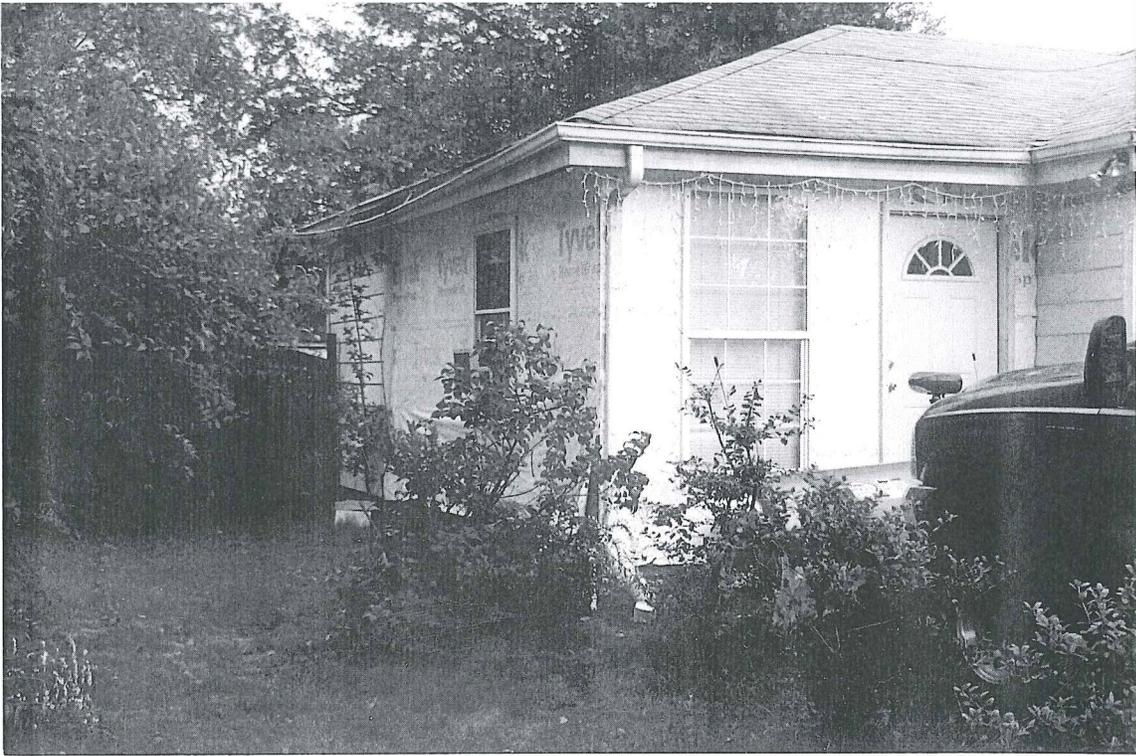














**DESCRIPTION OF THE APPLICATION**

The applicant is requesting approval of a special permit to permit reduction of minimum yard requirements based on error in building location to allow an addition, specifically, the enclosure of a carport, to remain 4.0 feet to its eave from the southern side lot line.

	<b>Structure</b>	<b>Yard</b>	<b>Min. Yard Req.*</b>	<b>Structure Location</b>	<b>Amount of Error</b>	<b>Percent of Error</b>
<b>Special Permit</b>	<b>Addition</b>	Side	10.0 feet	4.0 feet	6.0 feet	60%

\*Minimum Yard Requirement per Section 3-407

**CHARACTER OF THE AREA**

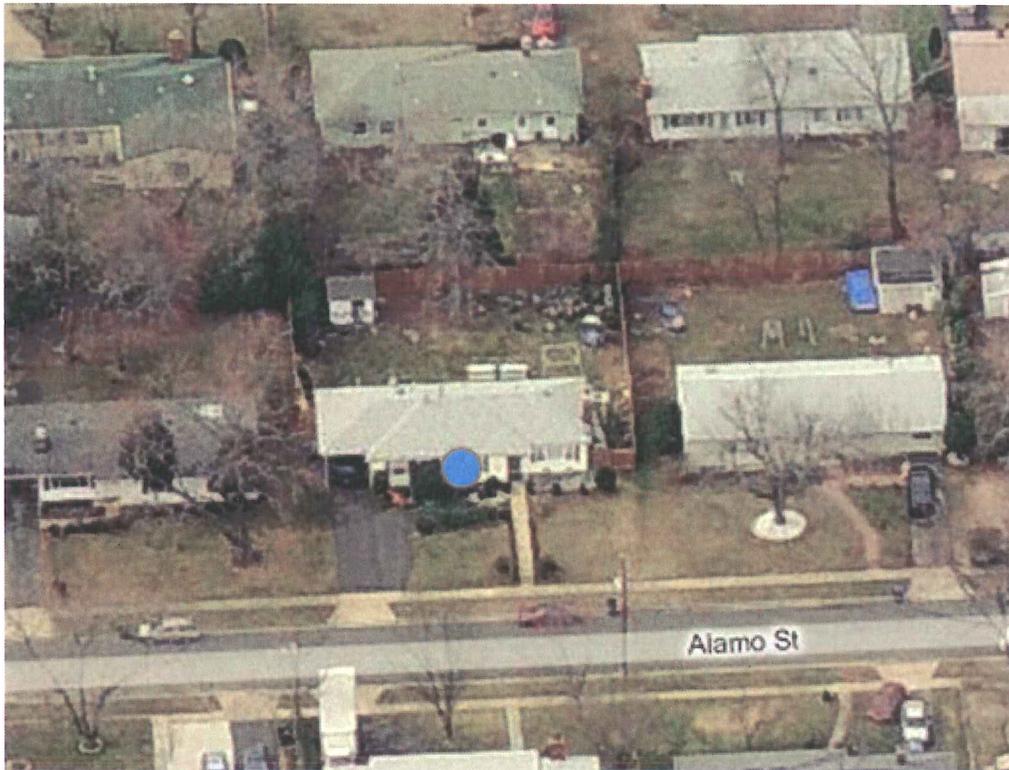
	<b>Zoning</b>	<b>Use</b>
<b>North</b>	R-4 and HC	Single Family Detached Dwellings
<b>South</b>	R-4 and HC	Single Family Detached Dwellings
<b>East</b>	R-4 and HC	Single Family Detached Dwellings
<b>West</b>	R-4 and HC	Single Family Detached Dwellings

**EXISTING SITE DESCRIPTION**

The 9,240 square foot lot is developed with a one-story, single-family detached dwelling, which was constructed at the time with an open carport, in 1956. The site is accessed via an asphalt driveway which terminates at the dwelling. A 7.5 foot high shed is located within a 25 foot storm sewer easement along the rear lot line. There is some existing mature vegetation located throughout the property consisting of a variety of trees and shrubs.

**BACKGROUND**

On January 11, 2011, the applicant/owners were issued a Corrective Work Order (CWO) under the Virginia Uniform Statement Building Code and a Zoning Ordinance Notice of Violation (NOV) upon an inspection of the property on December 1, 2010, which revealed the enclosure of a carport to make a habitable room without the issuance of the required permits and inspections. A copy of the NOV and CWO are included as Appendix 4.



***Aerial taken from Bing Maps – image of open carport prior to enclosure***

It is noted that the applicant has also constructed a shed within the rear yard, which has been placed within a 25 foot storm sewer easement. Staff contacted the Department of Public Works and Environmental Services (DPWES) Maintenance Stormwater Management Division to determine if the structure is permitted to remain in this location. DPWES informed staff that the structure must be removed from within the easement; therefore, staff has included a development condition to address this issue.



A copy of the submitted special permit plat titled "Plat, Showing Special Permit Plat on Lot 20, Block 4, Section 1, Springfield Estates" prepared by Alexandria Surveys, LLC, dated April 6, 2012, as revised through August 1, 2012, sealed on September 14, 2012, is included at the front of the staff report.

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

- Special Permit SP 2011-LE-064 was approved October 5, 2011 for Tax Map 80-4 ((5)) (8) 2, at 6735 Bowie Drive, to permit reduction to minimum yard requirements based on error in building location to permit addition to remain 4.0 feet from a side lot line, awning 2.7 feet from a side lot line and accessory storage structure to remain 0.0 feet from a side lot line and 5.0 feet from a rear lot line.
- Special Permit SP 2003-LE-039 was approved May 4, 2004 for Tax Map 80-4 ((5)) (10) 508, at 6607 Buckskin Street, to permit reduction to minimum yard requirements based on error in building location to permit addition to remain 5.0 feet with eave 4.0 feet from a side lot line.
- Variance VC 2003-LE-015 was approved April 16, 2003 for Tax Map 80-4 ((5)) (9) 520, at 6202 Pioneer Drive, to permit construction of addition 8.0 feet from a side lot line.
- Special Permit SP 01-L-037 was approved on March 29, 2002 for Tax Map 80-4 ((5)) (9) 17, at 6116 Pioneer Drive, to permit reduction to the minimum yard requirements based on error in building location to permit addition to remain 4.8 feet from side lot line and accessory dwelling unit.
- Variance VC 96-L-071 was approved on June 25, 1996 for Tax Map 80-4 ((5)) (5) 6, at 6311 Pioneer Drive, to permit construction of addition 5.5 feet from a side lot line.
- Special Permit SP 91-L-055 was approved on December 3, 1991 for Tax Map 80-4 ((5)) (6) 8, at 6314 Pioneer Drive, to permit reduction to minimum yard requirement based on error in building location to allow dwelling to remain 5.47 feet from a side lot line and accessory dwelling unit.
- Variance VC 83-L-021 was approved on May 3, 1983 for Tax Map 80-4 ((5)) (19) 7, at 6024 Trailside Drive, to allow construction of addition to dwelling 6.1 feet from a side lot line.

## 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, the special permit must meet these standards.

## **CONCLUSION**

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

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

## **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Notice of Violation and Corrective Work Order
5. Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS**

**SP 2012-LE-049**

**October 24, 2012**

1. This special permit is approved only for the location of an addition (carport enclosure) as shown on the plat prepared by Alexandria Surveys, LLC, dated April 6, 2012, as revised through August 1, 2012, sealed on September 14, 2012, submitted with this application and is not transferable to other land.
2. All applicable permits and final inspections shall be obtained for the addition within 180 days of approval of this special permit.
3. Notwithstanding what is shown on the special permit plat, the "shed" located within the 25 foot storm sewer easement shall be removed from the property or relocated outside of the easement to a permitted location within 90 days of approval of this special permit.

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

Application No.(s): SP 2012-LE-049  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 8-27-12  
 (enter date affidavit is notarized)

I, Anthony E. Soria, 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 111705a

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)
Anthony E. Soria	6316 Alamo St. Springfield VA 22150	Applicant/Title Owner
Francisca L. Jarmon	6316 Alamo St. Springfield VA 22150	Applicant/Title Owner
Robert H. Parker	3187 Reedsborough Ct Fairfax VA 22031	Agent
Johnny Valiz	1333 S. Buchanan St Arlington VA 22204	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):

SP 2012-LE-049

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

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8-27-12  
(enter date affidavit is notarized)

111.705a

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)

N/A

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

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): SP 2012-LE-049  
(county-assigned application number(s), to be entered by County Staff)

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 8-27-12  
(enter date affidavit is notarized)

111705a

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)

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): SP 2012-LE-049  
(county-assigned application number(s), to be entered by County Staff)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 8-27-12  
(enter date affidavit is notarized)

111705 u

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

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

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

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

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

None.

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

Application No.(s): SP 2012-LE-049  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 8-27-12  
(enter date affidavit is notarized)

111705a

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)

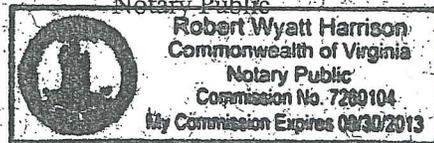
Applicant

[ ] Applicant's Authorized Agent

Anthony E. Soria, Applicant/Title Owner  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 27 day of August, 2012, in the State/Comm. of Virginia, County/City of Fairfax

My commission expires: 9-30-2013



June 13, 2012

Virginia Ruffner, Planner III  
Application Acceptance Section, ZED  
Department of Planning and Zoning  
County of Fairfax, Virginia  
12055 Government Center Parkway, Suite 801  
Fairfax, VA 22035-5509

RECEIVED  
Department of Planning & Zoning  
JUN 18 2012  
Zoning Evaluation Division

Re: Special Permit Application – Anthony Soria

Dear Ms. Ruffner:

With regard to the property and file listed below please accept this additional documentation.

Owner/Property: Anthony Soria  
6316 Alamo Street  
Springfield, VA 22150

File: SP 2011-0102

Summary:

This submission request is to grant permission for enclosure of carport attached to home where existing carport is 4.0' off the south/side boundary of the property. Enclosure has been partially completed by owner.

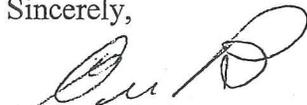
Item 5.0: Statement of Proposed Use

The enclosure will be used as part of the existing dwelling space. The enclosure exceeds the 10% measurement standard of 8-914 as side set-back is to be 10'. The enclosure will be 4.0' on southwest/rear corner and 4.1' on the southeast/front corner as measured from the eave to the property line. This 4.0' set-back exceeds the minimum 10' requirement by more than 10%.

Item 912.00: Statement of how the error occurred

The current owner purchased the property with the rear portion of the carport enclosed for storage. In addition, the owner saw a number of adjacent and other homes on the block where the entire carport was enclosed and understood that full enclosure was acceptable. The owner began the complete enclosure of the carport in error. The owner wishes to gain permission and permits to complete enclosure of the carport.

Sincerely,



Anthony Soria

FAIRFAX COUNTY

APPLICATION FOR A SPECIAL PERMIT

ANTHONY SORIA

6316 ALAMO ST, SPRINGFIELD VA 22150

TAX MAP NO. 0804 05040020

ZONING ORDINANCE SECTION 8-914

PROPOSED USE: TO PERMIT DWELLING TO REMAIN 5.1 FEET FROM SIDE LOT LINE.

OWNER WISHES TO ENCLOSE EXISTING CARPORT WHERE REAR OF CARPORT IS PART OF ORIGINAL STRUCTURE. REAR ENCLOSURE & CARPORT ARE SET 5.1 FEET FROM SIDE LOT LINE

- A. THE NEW ENCLOSURE WILL NOT EXCEED TEN (10) PERCENT OF THE LOT (9,240  $\text{sq ft}$ )
- B. THE NONCOMPLIANCE IS IN GOOD FAITH, NO FAULT OF THE PROPERTY OWNER AND WAS PART OF THE ORIGINAL STRUCTURE AS BUILT.
- C. THE REDUCTION DOES NOT IMPAIR THE PURPOSE AND INTENT OF THE ORDINANCE
- D. THE ENCLOSURE WILL NOT BE DETRIMENTAL TO THE USE & ENJOYMENT OF OTHER PROPERTY IN THE VICINITY.
- E. THE ENCLOSURE WILL NOT CREATE AN UNSAFE CONDITION WITH RESPECT TO BOTH OTHER PROPERTY NOR PUBLIC STREETS.
- F. TO FORCE COMPLIANCE WITH THE MINIMUM YARD REQUIREMENTS WOULD CAUSE UNREASONABLE HARDSHIP UPON THE OWNER.
- G. THE PROPOSED ENCLOSURE WILL NOT RESULT IN AN INCREASE IN DENSITY OR FLOOR AREA RATIO FROM THAT PERMITTED BY APPLICABLE ZONING DISTRICT REGULATIONS.

HAZARDOUS/TOXIC SUBSTANCES:

THE PROPERTY NOR PROPOSED USE POSES NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES PROBLEMS IN ACCORDANCE WITH FEDERAL CODE TITLE 40.

**SPECIAL PERMIT REQUEST & JUSTIFICATION**

**Anthony E. Soria and Fransisca L. Jarman  
6316 Alamo St, Springfield, VA 22150**

**Reference the attached plat. Request special permit to enclose existing carport to allow storage in a protected area. No changes in existing exterior dimensions, setbacks, or roof-line are required.**

**This enclosure is justified on the basis that no encroachment or impingement onto restricted space is required. The construction required is non-commercial and is located in a residential area where all the residences are single-family homes of similar kind and quality.**

**There will be no impact on traffic.**

**Surfaces will be covered in vinyl siding to conform with other similar enclosed carports which exist in the surrounding neighborhood.**

**No other variance from those granted in the neighborhood are required**

*I. OWNER OF HOUSE  
6316 ALAMO ST. SPRINGFIELD VA 22150*



**RECEIVED  
Department of Planning & Zoning  
APR 13 2011  
Zoning Evaluation Division**



# County of Fairfax, Virginia

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

## CORRECTIVE WORK ORDER Virginia Uniform Statewide Building Code

**DATE OF ISSUANCE:** January 11, 2011

**METHOD OF SERVICE:** OFFICE OF THE SHERIFF

**LEGAL NOTICE ISSUED TO:** Soria Anthony E  
Fransisca L Jarman

**ADDRESS:** 6316 Alamo St  
Springfield, VA 22150

**LOCATION OF VIOLATION:** 6316 Alamo St  
Springfield, VA 22150-1609

**TAX MAP REF:** 0804 05040020

**CASE #:** 201006368 **SR#:** 65444

In accordance with Part I of the Virginia Uniform Statewide Building Code (USBC) - 2006 Edition effective May 1, 2008, an inspection on December 01, 2010, revealed a violation or violations as listed below at the referenced location. The cited violation(s) must be corrected within 0 calendar days from receipt of this notice unless otherwise indicated.

**Explanation:** On December 01, 2010, County staff inspected the cited premises and discovered that the enclosure of the carport to make a habitable room was completed without the issuance of the required permit or permits and without required inspections.

**Order:** Pursuant to **Section 108.1 When applications are required**, and **Section 113.3 Minimum Inspections**, of the USBC, 2006 edition, you are hereby directed to apply for and obtain the required permit or permits and required inspections for the habitable room at the above cited address.

**Corrective Action Required:**

Department of Public Works and Environmental Services  
Land Development Services, County Building Official  
12055 Government Center Parkway, Suite 444  
Fairfax, VA 22035

Phone: 703-324-1780, 703-324-1980 TTY: 711, Fax: 703-324-1847  
[www.fairfaxcounty.gov/dpwes/lds](http://www.fairfaxcounty.gov/dpwes/lds)

1. Apply for and obtain all necessary County permits for the work described above within 30 calendar days from the date you receive this Order, or obtain a County permit to demolish the work described above within the same timeframe.
2. Schedule and pass the required County inspection(s) for the work described above within 30 calendar days from the date you are issued the required permit or permits for construction or demolition.
3. Contact me at (703)324-9329 within the timeframe established to confirm the violation(s) have been abated.
4. Call (703) 222-0455 to schedule all building inspections related to this matter. Please reference CASE #: 201006368.

You are directed to notify Ricky Antonowics by return correspondence to 12055 Government Center Parkway, Suite 1016 Fairfax, VA 22035 or telephone call to (703)324-9329 within three (3) working days from the date you receive this Order, of your election to accept or reject the terms of this Order. Failure to do so shall result in the immediate issuance of a Notice of Violation and the initiation of legal action to bring the above referenced property into compliance with the USBC.

Be advised that any Zoning Ordinance violations contained in a separate Notice of Violation must also be corrected prior to or in conjunction with the issuance of a Building Permit. If removal of unpermitted features (including appliances, cabinets and plumbing fixtures) is required, a separate demolition permit will be required for this work. **If you have received a Zoning Notice of Violation, contact the inspector from the Department of Code Compliance at (703) 324-1300 who issued the Notice before coming to the Herrity Building to obtain your permit. When coming to obtain your permit, bring this notice with you.**

If you have any questions, would like to schedule an appointment to meet with me, or to schedule a site visit, please contact me directly at (703)324-9329 or the main office at (703) 324-1300.

Notice Issued By: Ricky Antonowics  
Technical Assistant to the Building Official  
Department of Code Compliance

Signature:



CC: Case File  
L. Ray Pylant, Building Official



# County of Fairfax, Virginia

Return Copy

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

## NOTICE OF VIOLATION Virginia Uniform Statewide Building Code

**DATE OF ISSUANCE:** July 28, 2011  
**METHOD OF SERVICE:** OFFICE OF THE SHERIFF  
**LEGAL NOTICE ISSUED TO:** Anthony E. Soria  
**ADDRESS:** 6316 Alamo St  
Springfield, VA 22150  
**TAX MAP REF:** 0804 05040020  
**LOCATION OF VIOLATION:** 6316 Alamo St  
Springfield, VA 22150-1609

**CASE #:** 201006368 **SR#:** 65444

You were issued a Corrective Work Order on December 1, 2010 for violations of the Virginia Uniform Statewide Building Code (USBC) 2006 Edition, effective May 1, 2008. Staff confirmed on July 28, 2011 that the violations itemized below remain.

**Explanation:** On December 01, 2010 County staff inspected the above referenced premises and discovered that the enclosure of the carport to make a habitable room was completed without the issuance of a Building Permit, inspections, or approvals.

**Order:** Pursuant to *Section 108.1 When applications are required*, and *Section 113.3 Minimum Inspections*, of the USBC, 2009 Edition, effective March 1, 2011, you are hereby directed to apply for and obtain the required permits and inspections for the above described work at the above referenced address or demolition of same.

### Corrective Action Required:

1. Apply for and obtain all necessary County Permits for the work described above within 30 calendar days from the date you receive this Notice, or obtain a County permit to demolish the work described above within the same timeframe.
2. Schedule and pass the required County inspection(s) for the work described above within 30 calendar days from the date you received this notice.

Department of Code Compliance  
12055 Government Center Parkway, Suite 1016  
Fairfax, Virginia 22035-5508  
Phone 703-324-1300 FAX 703-324-9346  
[www.fairfaxcounty.gov/code](http://www.fairfaxcounty.gov/code)

3. Contact me at (703) 324-9329 within the timeframe established to confirm the violation(s) has/have been abated.
4. Call (703) 222-0455 to schedule all inspections related to this matter. Please reference CASE #: 201006368.

You have the right to appeal this decision within 30 days to the Fairfax County Board of Building and Fire Prevention Code Appeals. Appeal application forms may be obtained by contacting:

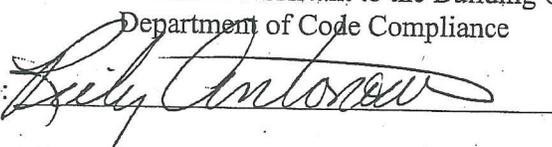
Fairfax County Board of Building and Fire Prevention Code Appeals  
Attention: ...  
Secretary to the Fairfax County Board of Building and Fire Prevention Code Appeals  
Office of Building Code Services  
Department of Public Works and Environmental Services  
12055 Government Center Parkway  
Fairfax, Va. 22035-5504  
Telephone: (703) 324-1780

Failure to submit an application for appeal within the time limit established shall constitute acceptance of the code official's decision. Failure to correct these defects within the time limits specified shall result in enforcement action being taken under the applicable State and County Codes.

Be advised that any Zoning Ordinance violations contained in a separate Notice of Violation must also be corrected prior to or in conjunction with the issuance of a Building Permit. If removal of unpermitted features (including appliances, cabinets and plumbing fixtures) is required, a separate demolition permit will be required for this work. **If you have received a Zoning Notice of Violation, contact the Zoning inspector at (703) 324-1300 who issued the Notice before coming to the Herrity Building to obtain your permit. When coming to obtain your permit, bring this notice with you.**

If you have any questions, would like to schedule an appointment to meet with me, or schedule a site visit, please contact me directly at (703) 324-9329 or the main office at (703) 324-1300.

Notice Issued By: Ricky Antonowics  
Technical Assistant to the Building Official  
Department of Code Compliance

Signature: 

CC: Case File  
Michelle Brickner, Building Official  
Debra McMahan, Permit Application Center  
Paul Lynch, Director, Inspections Division

### **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.