



APPLICATION ACCEPTED: August 31, 2015
BOARD OF ZONING APPEALS: December 9, 2015 @ 9:00 a.m.

County of Fairfax, Virginia

December 2, 2015

STAFF REPORT

SPECIAL PERMIT APPLICATION SP 2015-DR-124

DRANESVILLE DISTRICT

APPLICANTS/OWNERS: Ali Alahmed

SUBDIVISION: Pimmit Hills

STREET ADDRESS: 7419 Lisle Avenue, Falls Church, 22043

TAX MAP REFERENCE: 40-1 ((3)) 211

LOT SIZE: 12,912 square feet

ZONING DISTRICT: R-4

ZONING ORDINANCE PROVISIONS: 8-923

SPECIAL PERMIT PROPOSAL: To permit fence greater than 4.0 ft. in height to remain in the front yard of a corner lot.

STAFF RECOMMENDATION: Staff recommends denial of SP 2015-DR-124 for the fence in a front yard. However, if it is the intent of the BZA to approve the application, the BZA should condition its approval by requiring conformance with the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final. The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

Paul S. Yoon

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

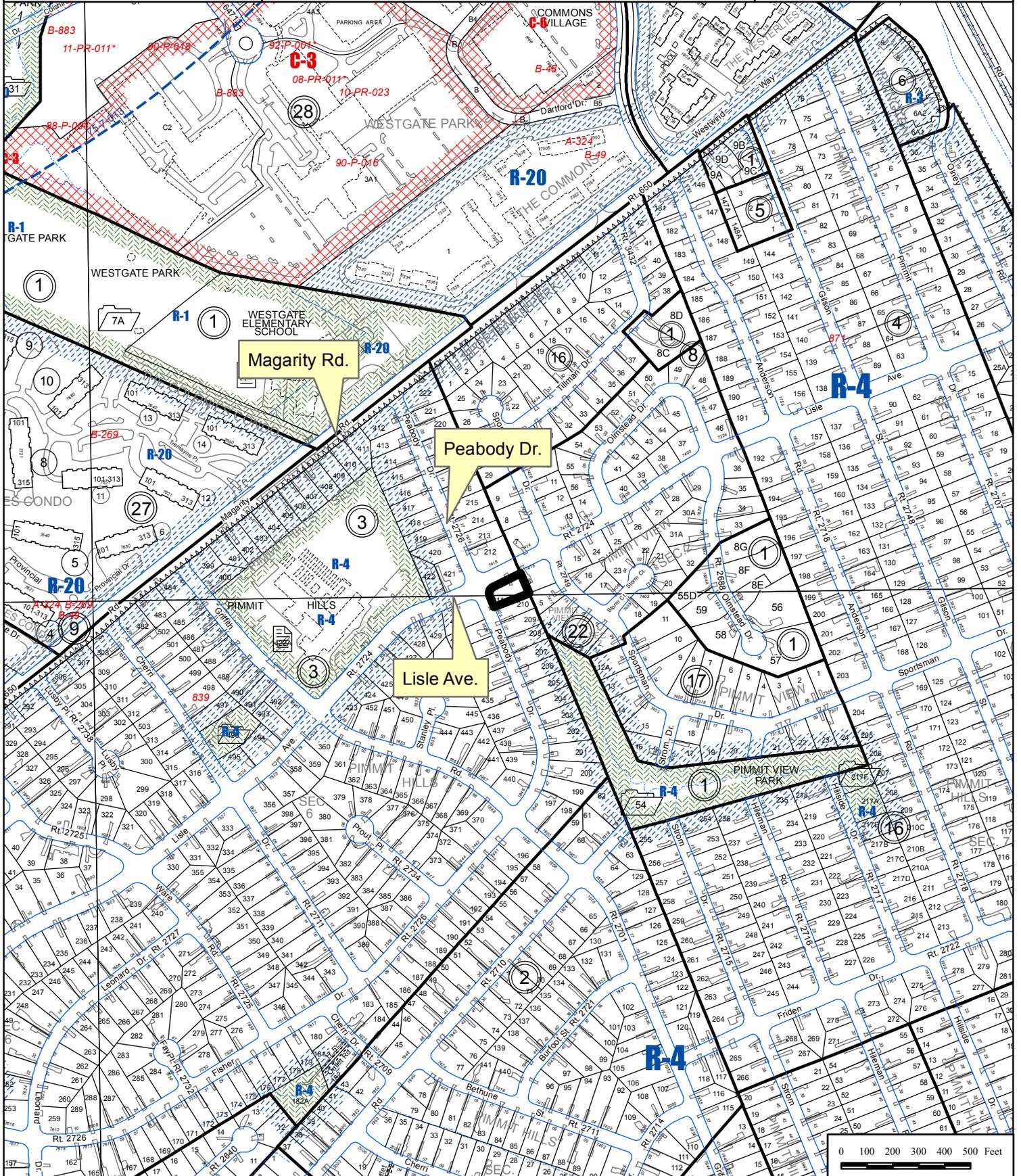
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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

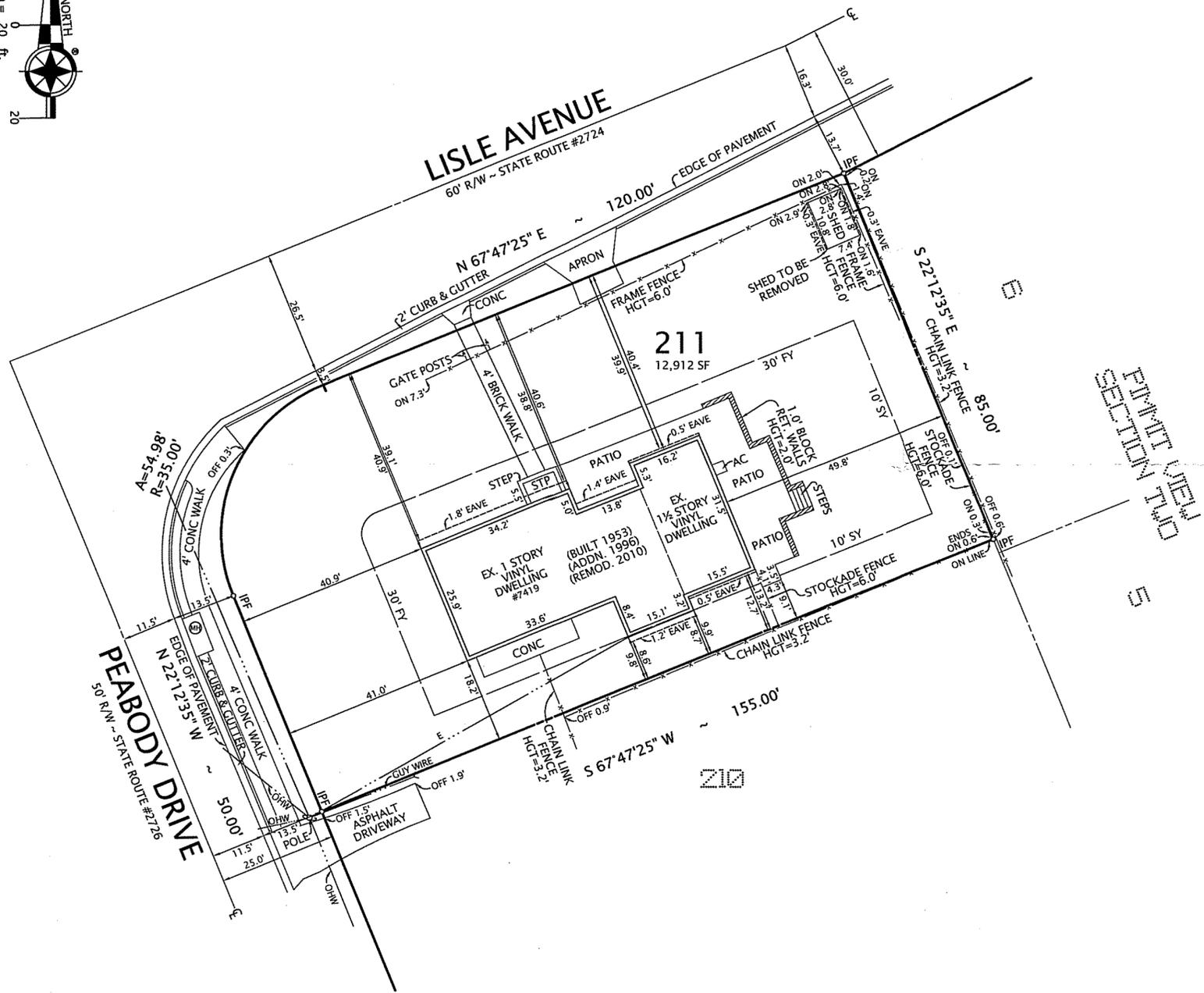
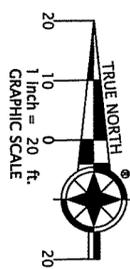


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



Special Permit SP 2015-DR-124 ALI AL-AHMED





- NOTES
- TAX MAP: 40-1-03-0211
 - ZONE: R-4 (RESIDENTIAL 4 DU/AC)
 - LOT AREA: 12,912 SF (0.2964 ACRE)
 - REQUIRED YARDS: (CORNER LOT)
 FRONT: = 30.0 FEET
 SIDE: = 10.0 FEET
 - HEIGHTS:
 DWELLING = 17.8 FEET
 SHED = 08.3 FEET
 WALLS = AS NOTED
 FENCES = AS NOTED
 - THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
 - THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
 - ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING.
 - THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
 - THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
 - AREAS:
 FIRST FLOOR = 1,817 SF
 SECOND FLOOR = 383 SF
 GROSS FLOOR AREA = 2,200 SF
 FLOOR AREA RATIO: GFA (2,200) / LOT AREA (12,912) = 0.170

PLAT
 SHOWING THE IMPROVEMENTS ON
 LOT 211, SECTION SIX
PIMMIT HILLS
 (DEED BOOK 960, PAGE 446)
 FAIRFAX COUNTY, VIRGINIA
 DRANESVILLE DISTRICT
 SCALE: 1" = 20' JUNE 15, 2015
 AUGUST 11, 2015 (REV.)

<p>I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:</p>		<p>CASE NAME: ALI LAHMED NADEJDA NIKIFOROVA</p>
<p>THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD. A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.</p>		<p>8808-H PEAR TREE VILLAGE COURT ALEXANDRIA, VIRGINIA 22309 703-619-6555 FAX: 703-799-6412</p>

COPYRIGHT BY DOMINION SURVEYORS, INC. THE INFORMATION CONTAINED ON THIS DOCUMENT MAY NOT BE COPIED, REPRODUCED OR ALTERED IN ANY FORM WITHOUT PERMISSION IN WRITING FROM THE COPYRIGHT OWNER.

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a fence greater than 4.0 feet in height to remain in a front yard.

A copy of the special permit plat titled, "Plat Showing the Improvements on Lot 211, Section Six, Pimmit Hills, Fairfax County, Virginia, Dranesville District," as prepared by George M. O'Quinn, L.S., on June 15, 2015 and revised on August 11, 2015, is included in the front of the staff report.

A more detailed description of the proposal is provided on page two.

CHARACTER OF THE SITE AND SURROUNDING AREA

The site is developed with a single-story single family detached dwelling. The property is a corner lot with two front yards; one along Lisle Avenue, and another along Peabody Drive. The front of the dwelling is connected to Lisle Avenue via a brick walkway, and an apron with no driveway exists along Lisle Avenue. A patio with 2.0 foot high walls is attached to the eastern side of the dwelling. A 6.0 foot high wood fence is located in the front yard along Lisle Avenue, and a chain link fence 3.2 feet in height encloses the eastern and southern side yards.

The subject property and surrounding properties are zoned R-4 and developed with single family detached dwellings, as depicted below.



BACKGROUND

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1953, and purchased by the applicant in 2010.

- **June 19, 2013** – A complaint was received and dismissed as unfounded by the Department of Code Compliance for grass height in excess of 12 inches (Appendix 4).
- **September 16, 2014** – A Notice of Violation from the Department of Code Compliance was issued for a fence greater than 4.0 feet in height, as well as a shed, in the front yard (Appendix 5). A development condition has been included requiring the applicant to either remove or relocate the shed to a side yard in compliance with the Zoning Ordinance.
- **May 5, 2015** – A Corrective Work Order from the Department of Code Compliance was issued for structures considered unsafe, dilapidated or in disrepair. The case was closed on July 7, 2015 because of the applicant's compliance (Appendix 4).
- **May 18, 2015** – A Corrective Work Order from the Department of Code Compliance was issued for grass height in excess of 12 inches. The case was closed on June 30, 2015 because of the applicant's compliance (Appendix 4).
- **May 21, 2015** – A Notice of Violation from the Department of Code Compliance was issued for outdoor storage in the front yard (Appendix 6). A development condition has been included requiring the applicant to remove any remaining outdoor storage in the front yard.
- **July 22, 2015** – A Notice of Violation from the Department of Public Works was issued for land-disturbing activity in excess of 2,500 square feet without an approved grading/conservation plan (the land disturbance totaled approximately 4,500 square feet). A development condition has been included requiring the applicant to submit all appropriate grading/conservation plans and to obtain all necessary permits, approvals and inspections for building work done on the property.
- **August 11, 2015** – A General District Court summons was issued pertaining to the fence and shed in a front yard as outlined in the September 16, 2014 Notice of Violation and the outdoor storage in a front yard issue outlined in the May 21, 2015 Notice of Violation (Appendix 8).
- **September 16, 2015** – The General District Court dismissed the case, as the applicant indicated their intent to either demolish or relocate the shed in violation, and the applicant had applied for a Special Permit for the fence in violation (Appendix 9).

DESCRIPTION OF THE PROPOSED USE

The applicant is seeking a special permit to allow a fence greater than 4.0 feet in height to remain the front yard of a corner lot. The 6.0 foot high wood frame fence would enclose a portion of the front yard of the property facing Lisle Avenue. According to the applicant, this fence is to provide additional screening and privacy from Lisle Avenue, as well as to address security concerns. The Zoning Ordinance allows a fence up to four feet in height in a front yard by-right; however, with approval of a special permit, an applicant can request a fence up to 6.0 feet in height.

	Structure	Yards	Height Permitted By right	Maximum Height Requested	Modification Requested
Special Permit	Fence	Front	4.0 feet	6.0 feet	2.0 feet

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area II, McLean Planning District
Planning Sector: Pimmit Planning Sector (M2)
Plan Map: Residential, 3-4 du/ac

Zoning Ordinance Requirements

- Sect. 8-006 General Special Permit Standards
- Sect. 8-303 All Group 3 Uses
- Provisions for Increase in Fence and/or Wall Height in Any Front Yard (Sect. 8-923)

This special permit is subject to the sections of the Zoning Ordinance outlined above, a copy of which is included as Appendix 10. Subject to development conditions, this special permit must meet these standards.

General Standards for Special Permit Uses (Sect. 8-006)

Standards 1 and 2 Comprehensive Plan/ Zoning District	The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-4 District permits a fence over 4.0 feet in height in a front yard with special permit approval.
Standard 3 Adjacent Development	No new construction is proposed.

Standard 4 Pedestrian/Vehicular Traffic	No additional traffic is anticipated with the proposed use in the application.
Standard 5 Landscaping/Screening	Landscaping and screening are not applicable to the requested fence.
Standard 6 Open Space	There is no prescribed open space requirement in the R-4 District for individual lots.
Standard 7 Utilities, Drainage, Parking, and Loading	There are no changes to the utilities, drainage or parking serving the property or use.
Standard 8 Signs	No signage is proposed with the application.

Standards for all Group 3 Uses (Sect. 8-303)

Standard 1 Lot Size and Bulk Regulations	The property conforms to the lot size and bulk regulations of the R-4 District. No exterior modifications are proposed with this application.
Standard 2 Performance Standards	The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.
Standard 3 Site Plan	Fences in a front yard are not subject to the provisions of Article 17, Site Plans.

Provisions for Increase in Fence in Any Front Yard (8-923)

Standard 1 Fence Shall Not Exceed 6 feet in Height	The tallest point of the fence does not exceed 6.0 feet in height.
Standard 2 Meet Sight Distance Requirements	The fence does not affect sight distance.
Standard 3 Proposed Fence Height is Warranted	In staff's opinion, the proposed fence height is not warranted, as the fence is located on the front side of the dwelling, and its presence is out of character with other corner lots and properties along Lisle Avenue. Although Lisle Avenue is a through road for Pimmit Hills, it is a low-traffic volume, low-speed road with a posted speed limit of 25 mph. No other properties on Lisle Avenue have a fence in the front yard over 4.0 feet tall.
Standard 4 Fence is in Character with On-site and Off- site Uses	Adjacent properties have fences or landscaping that do not violate front yard requirements. The fence is out of character with the existing fences on adjacent properties, including similar corner lots at the same intersection.

<p>Standard 5 Fence Will Not Adversely Impact Other Properties</p>	 <p>Staff believes the fence adversely impacts the physical character of adjacent properties. If the fence was at a height lower than 4.0 feet in its requested location, it would better blend with surrounding conditions. As shown in the above photograph, adjacent properties do not have similarly situated fences.</p>
<p>Standard 6 BZA May Impose Conditions</p>	<p>Proposed development conditions are included in Appendix 1.</p>
<p>Standard 7 Meet Submission Requirements</p>	<p>A copy of the plat is included in the beginning of this report.</p>
<p>Standard 8 Architectural Depictions Provided</p>	<p>Pictures of the existing fence have been included in Appendix 2.</p>

CONCLUSION

Staff believes that the request is not in conformance with the applicable Zoning Ordinance provisions because the fence is not in character with adjacent properties' fencing and screening, and the fence height is unwarranted.

RECOMMENDATIONS

Staff recommends denial of SP 2015-DR-124 for a fence greater than 4.0 feet in a front yard. However, if it is the intent of the BZA to approve the application, the BZA should condition its approval by requiring conformance with the proposed development conditions contained in Appendix 1.

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 Statement of Justification and Photographs
3. Applicant's Affidavit
4. Notice of Violation/Corrective Work Order History
5. Notice of Violation dated September 16, 2014
6. Notice of Violation dated May 21, 2015
7. Notice of Violation (DPW) dated July 22, 2015
8. General District Court Summons dated August 11, 2015
9. General District Court Dismissal Disposition dated September 16, 2015
10. Applicable Zoning Ordinance Provision

PROPOSED DEVELOPMENT CONDITIONS**SP 2015-DR-124****December 2, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-DR-124 located at Tax Map 40-1 ((3)) 211 to permit a fence greater than 4.0 feet in height in a front yard of a corner lot, under Sect(s). 8-923 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This special permit is approved for the location of a wood fence six feet in height, as shown on the plat in the front yard along Lisle Avenue, titled "Plat Showing the Improvements on Lot 211, Section Six, Pimmit Hills, Fairfax County, Virginia, Dranesville District," as prepared by George M. O'Quinn, L.S., on June 15, 2015 and as revised on August 11, 2015, as submitted with this application. It is not transferrable to other land.
2. The applicant shall either remove or relocate the shed in the front yard in conformance with the Zoning Ordinance within 30 days of the Board of Zoning Appeals decision.
3. The applicant shall remove outdoor storage in the front yard in conformance with the Zoning Ordinance within 30 days of the Board of Zoning Appeals decision.
4. The applicant shall submit all appropriate grading/conservation plans and obtain all necessary permits and inspections for building work done on the property within 90 days of the Board of Zoning Appeals decision.

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

Special Permit Request
7419 Lisle Ave
Falls Church, VA 22043
Tax Map Ref: 0401 03 0211

RECEIVED
Department of Planning & Zoning
NOV 14 2014
Zoning Evaluation Division

Ladies and gentlemen, the honorable board members;

This statement is submitted in justification of our request for a special permit to preserve the fence at its current height of 6 feet at our single family house located at 7419 Lisle Avenue, Falls Church, VA 22043.

We respectfully request that you grant us a special permit to preserve the current 6-ft fence in place for the following reasons:

1. Built in error

When we first saw the house in the summer of 2010, and when we bought it in December of the same year, it was enclosed by a 6-ft high stockade fence (see attached pictures.) Over the next three years, the fence became wobbly and required repairs, and eventually a total replacement. We replaced the fence in the summer of 2014 with the fence of the same exact height, and at the exact location where the old fence stood for the last 40 years. Since that fence was there for many years, we made sure to follow the same line and we told the fence contractor to stick to the same exact line and height. If it was built in error, it was sold to us in that condition. The fence stood there for nearly 40 years, during which several Fairfax Country inspectors stopped by for sure.

Under our ownership, a Fairfax County inspector came out to the property in October of 2011 to inspect an air conditioner system we were installing (permit # 113040245). He did not make any comment whatsoever about the fence at that time, nor did he inform us it was built in error. Although we could have installed the HVAC unit without a county inspection, we insisted on the contractor for an inspection because we are keen on meeting the code.

2. Privacy

One of the things that struck us when we looked at the house before we bought was the measure of privacy it afforded - even though it faces a busy street (Lisle Avenue is a main thoroughfare in Pimmit Hills). What accomplishes this sense of privacy is the presence of a fence screening it from the street and its heavy pedestrian and motor traffic (which will only get heavier as the area develops and as Fairfax County pursues its plans to install a sidewalk on that

side of Lisle Avenue). As you can see from the attached plat, the house is located on a corner lot, doesn't have a backyard and virtually all of its usable land is located in the front yard. The useable section to be precise is the north eastern section of the front-side yard which the fence covers.

As such, we don't have the benefit of a substantial, private piece of land behind the house where our young children can run without fear - something enjoyed by nearly every other child in Pimmit Hills. Certainly, if we knew ahead of time that we cannot have privacy in our front yard, it would have influenced our purchasing decision, and it is quite possible we would have decided against buying this property.

To exacerbate the privacy issue, the house is sited in the valley that's over 4 ft lower than the street it faces, Lisle Ave. Our family room, where we spend most of our time, faces the front yard. If there was no fence, the entire mass of Lisle Avenue's pedestrian traffic would have a direct line of sight into the space where our family spends most of its time due to the difference in elevation. Some of the photos attached were taken at an eye-level from outside the current fence. Even with the fence at 6 feet you can still see part of the living room.

We do not wish to be living in a fishbowl - yet this is exactly what our life would be like without the fence screening out Lisle Avenue. Like every other family, we look forward eating our dinners without the prying eyes of by-passers, and to opening the curtains in the morning and letting the sun in. If the fence is removed, we will be forced to live with our curtains drawn shut 24/7. None of you would accept living like this.

Unfortunately, there is a registered sex offender down the street at 7403 Lisle Avenue who would be able to stare directly into our living room if we remove or reduce this fence. The safety our children is the goal of our lives as it is for every parent.

3. Security.

The owner of this house is a respected professor and consultant in the field of Middle East studies, security and terrorism. His job involves highly sensitive issues that have the potential of making a lot of people unhappy. Currently he is working on a strategy to combat ISIS at the request of several government agencies. His personal security is often at stake, and he routinely receives death threats, which can extend to the entire family. Living in a house that's exposed to the street would only make it worse, causing much stress and anxiety to our family life. As you can see from attached document, he received a recent death threat from a pro-ISIS individual as seen in the attached documents.

The safety threat also concerns our children. As you know, most parents comfortably send their children to play in the backyards – which are fenced by 6-ft high barriers that cannot be jumped over easily. Since our property doesn't have a backyard, the front yard is where our children play. A 4-ft fence can be easily jumped or stepped over by an average adult, which means that we can never let our children play in the front yard without worrying about their safety. Preserving the existing fence protects our children and preserves our sense of parental sanity.

4. Investment.

As you can see from the enclosed pictures, the condition of the front yard at the time when we bought our house was quite poor. It was massively overgrown, scattered with trees and bushes, dotted with rotting wooden walkways, crumbling brick and bamboo infestation. It scored low on both beauty and safety. Since then, we invested over 35 thousand dollars into removing and trimming unwanted trees, grading the bumpy lot surface, installing new stonework patio and walkways, lawn and flower gardens, massively improving the look and safety of the lot for us and our neighborhood.

The previous condition of the yard provided shelter for rodents who were a danger to us and our neighbors as well. Fortunately, our new yard is free of rodents. We felt comfortable investing this considerable sum into our lot because we felt it make it possible for the family to enjoy the outdoors in a safe and comfortable environment. What makes it safe and comfortable - in addition to the expenditure outlined above - is the presence of the fence that creates a private family retreat where our young son can feel safe. Removing the fence would not only expose our private haven to the street traffic; it would make the money spent on transforming the outside a waste.

5. No impact

Finally, and perhaps most importantly, keeping the fence in place affects absolutely no one in any shape, form or fashion. There is no view to block, no sidewalks to cross, and no traffic to interfere with. Reiterating that we did not erect anything new, but rather restored what was there for many, many years, it's clear that keeping the fence at its current height will not infringe on anyone's safety, convenience or interest.

Conclusion

In short, we believe that forcing us to remove the fence (that was there when we bought the house!) would endanger our safety, eliminate all possibilities of private and comfortable family time both inside and outside the house, as well as impose an unfair treatment on our family. For these reasons, we respectfully ask that you allow us to keep it in place due to all the reasons outlined above.



Ali AlAhmed @AliAlAhmed_en · Sep 26 [Search Twitter](#)

One protester reported killed by #Saudi Monarchy Death Squads an hour ago. Updates at hashtag [#اطلاق_رصاص_على_المتظاهرين_بالقطيف](#) @State_DRL

21 2



Ali AlAhmed @AliAlAhmed_en · Sep 28
@GhaithSirawan @State_DRL u can see the terrorist mentality of the #Saudi Monarchy and its supporters here. @StateDeptCT please take notice

1



أبو عمر
@GhaithSirawan

Blocked

@AliAlAhmed_en @State_DRL there's no Asshole mentality more than you and #iran I would love to put a bullet in this F**** head of yours

9:28 AM - 28 Sep 2014



Reply to @GhaithSirawan @State_DRL



Ali AlAhmed @AliAlAhmed_en · Sep 28
@GhaithSirawan @State_DRL but are too afraid to state ur name and photo



Ali AlAhmed @AliAlAhmed_en · Sep 28
@GhaithSirawan @State_DRL but ate still unknown. Prove to us that u know the name of ur father by saying his name.



Ali AlAhmed @AliAlAhmed_en · Sep 28
العرب الحقيقيين يذكرون اسمائهم قبل المباراة. @GhaithSirawan @State_DRL

- H. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.

Hazardous or Toxic Substances. There are no known hazardous or toxic substances. No hazardous materials will be generated, utilized, stored, treated, and/or disposed of onsite.

Als Al Ahmed
Applicant's Signature

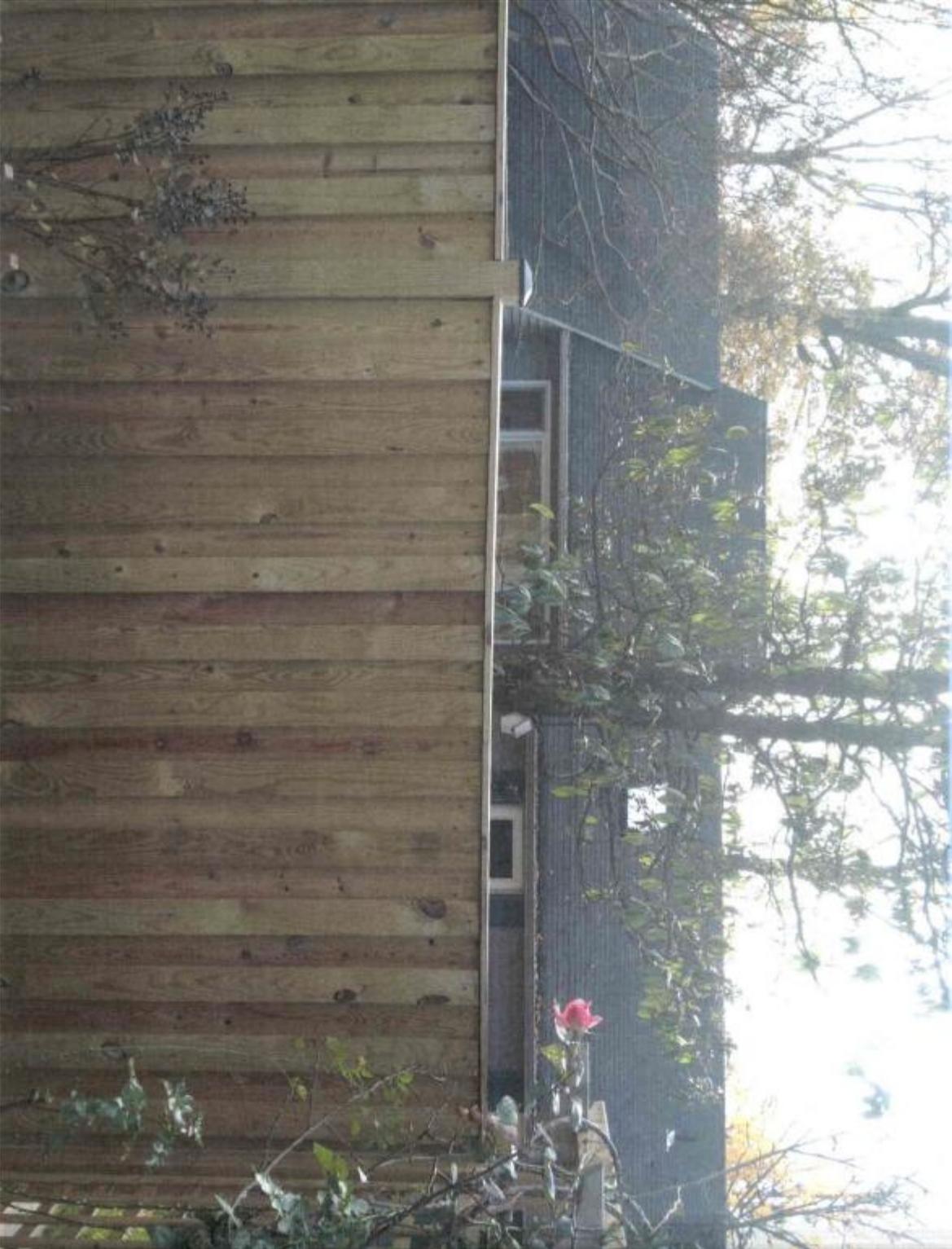
8-20-2015
Date

- I. A statement that the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or, if any waiver, exception or variance is sought by the applicant from such ordinances, regulations, standards and conditions, such shall be specifically noted with the justification for any such modification.

Zoning Ordinance Compliance. The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought, such request has been specifically noted with the justification for such modification.

Als Al Ahmed
Applicant's Signature

8-20-2015
Date





7419





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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/25/2015
(enter date affidavit is notarized)

127422

I, Ali AlAhmed, 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

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)
Ali AlAhmed	7419 LISLE AVE Falls Church, VA 22043	applicant owner
Nadejda Nikiforova	same	Co-owner spouse

(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: 8/25/2016
(enter date affidavit is notarized)

127622

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)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/25/2015 127622
(enter date affidavit is notarized)

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: 8/25/2015
(enter date affidavit is notarized)

127422

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/25/2015
(enter date affidavit is notarized)

127422

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

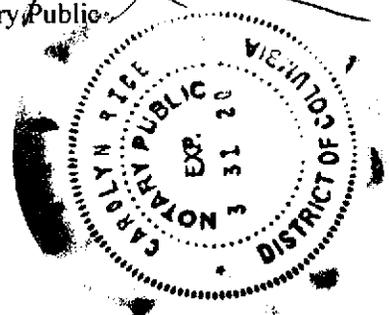
Ali AlAhmed

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

Subscribed and sworn to before me this 25 day of August, 2015, in the State/Comm. of WASHINGTON, County/City of DC.

My commission expires: 3/31/2020

Notary Public





Land Development Information History: FIDO - DCC - Complaint 95855

Complaint Details

Complaint #	95855
Street Address	007419 LISLE AV
Magisterial District	Dranesville
Complaint Description	Grass Height In Excess 12 Inches On Property <= 1/2 Acre
Agency	DCC
Status	Closed
Opened Date	2013-06-19
Closed Date	2013-07-09
Disposition	Unfounded (No Problem Found)
Inspector Assigned	Jared Watson
Notice of Violation and/or Corrective Work Order	Yes
Litigation	No

Land Development Information History: FIDO - DCC - Complaint 116292

Complaint Details

Complaint #	116292
Street Address	007419 LISLE AV
Magisterial District	Dranesville

Appendix 4 – Applicable Notice of Violation and Corrective Work Order History

Complaint Description	Structures Unsafe, Dilapidated Or In Disrepair
Agency	DCC
Status	Closed
Opened Date	2015-05-15
Closed Date	2015-07-07
Disposition	Compliance
Inspector Assigned	Wayne Bass
Notice of Violation and/or Corrective Work Order	Yes
Litigation	No

Land Development Information History: FIDO - DCC - Complaint 116353

Complaint Details

Complaint #	116353
Street Address	007419 LISLE AV
Magisterial District	Dranesville
Complaint Description	Grass Height In Excess 12 Inches On Property <= 1/2 Acre
Agency	DCC
Status	Closed
Opened Date	2015-05-18
Closed Date	2015-06-30
Disposition	Compliance
Inspector Assigned	Robert Kirkendall
Notice of Violation and/or Corrective Work Order	Yes

Appendix 4 – Applicable Notice of Violation and Corrective Work Order History

Litigation

No



County of Fairfax, Virginia

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

NOTICE OF VIOLATION Fairfax County Zoning Ordinance

DATE OF ISSUANCE: September 16, 2014

METHOD OF SERVICE: OFFICE OF THE SHERIFF

LEGAL NOTICE ISSUED TO: Ali Alahmed
ADDRESS: Nadejada Nikiforova
7419 Lisle Avenue
Falls Church, VA 22043

LOCATION OF VIOLATION: 7419 Lisle Avenue
Falls Church, VA 22043-1003

TAX MAP REF: 0401 03 0211

ZONING DISTRICT: R- 4

CASE #: 201406385 **SR #:** 109583

ISSUING INVESTIGATOR: Wayne Bass: (703) 324-1931

POTENTIAL CIVIL PENALTIES UNDER ZONING ORDINANCE

§ 18-903(1):	Zoning Violation	First Offense	Each Subsequent Offense
	§10.104.10	\$200.00	\$500.00
	§10.104.3B	\$200.00	\$500.00
	TOTAL:	\$400.00	\$1,000.00

Dear Responsible Party:

An inspection of the above referenced property on September 15, 2014 revealed the following violations of the Fairfax County Zoning Ordinance:

§ 10-104 (3B) Accessory Fence Exceeding 4' in the Front Yard
§ 2-302 (6) Accessory Use must comply with Article 10:

Department of Code Compliance
12055 Government Center Parkway, Suite 1016
Fairfax, Virginia 22035-5508
Phone 703-324-1300 Fax 703-653-9459 TTY 711
www.fairfaxcounty.gov/code

An inspection has determined the presence of a six (6) foot tall accessory fence in the front yard of this property, which is less than two (2) acres in area. The Fairfax County Zoning Ordinance permits accessory fences in the front yard so long as they are in conformance with Par. 3B of Sect. 10-104 of the Zoning Ordinance, which states:

Except as may be qualified by Sect. 2-505, a fence or wall may be located as follows. Such regulations shall not be deemed to negate the screening requirements of Article 13.

- A. In any yard on any lot containing not less than two (2) acres located in the R-A through R-1 Districts, a fence or wall not exceeding seven (7) feet in height is permitted.
- B. In any front yard on any lot, a fence or wall not exceeding four (4) feet in height is permitted. However, in that portion of a front yard on a residential corner lot that abuts a major thoroughfare, a solid wood or masonry fence or wall not exceeding eight (8) feet in height, located flush to the ground, may be permitted, provided that:

(1) the driveway entrance to the lot is from a street other than the major thoroughfare and the principal entrance of the dwelling faces a street other than the major thoroughfare, and

(2) the lot is not contiguous to a lot which has its only driveway entrance from the major thoroughfare or service drive adjacent to the major thoroughfare.

The fence shall not extend into the front yard between the dwelling and the street other than the major thoroughfare and shall also be subject to the provisions of Sect. 2-505. In addition, an increase in fence height in the front yard up to six (6) feet may be permitted with the approval of a special permit by the BZA in accordance with Part 9 of Article 8.

Therefore, as this accessory fence exceeds four (4) feet in height in the front yard contrary to the provisions of Par. 3B of Sect. 10-104 of the Zoning Ordinance, you are in violation of Par. 3B of Sect. 10-104 and Par. 6 of Sect. 2-302 of the Zoning Ordinance which states:

No accessory structure or use, as defined in Article 20, shall hereafter be built, moved, remodeled, established, altered or enlarged unless such accessory structure or use complies with the provisions of Par. 1 of Article 10.

You are hereby directed to clear this violation within fifteen (15) days of the date of this Notice. Compliance can be accomplished by:

- Removing the fence from the property in its entirety; or
- Reducing the height of the fence to four feet (4') in the front yard.

As an alternative, you may apply to the Fairfax County Board of Zoning Appeals (BZA) and seek approval of a Special Permit to allow the accessory fence to remain at a height of up to six (6) feet and at its present location. For information and answers to any questions regarding this application process, you may contact the Zoning Evaluation Division at 703-324-1290.

§ 10-104 (10B) Accessory Storage Structure Location

The inspection revealed the presence of an accessory storage structure measuring approximately eight (8) feet tall, nine (9) feet long, and nine (9) feet wide in the front yard of this lot which is 12,912 sq. ft. in area.

The following regulations shall apply to the location of freestanding accessory storage structures:

- A. For purposes of determining height, the height of an accessory storage structure shall be measured from the highest point of the structure.
- B. An accessory storage structure shall not be located (a) in any minimum required front yard on any lot or (b) in any front yard on any lot containing 36,000 square feet or less.
- C. An accessory storage structure which does not exceed eight and one half (8 ½) feet in height may be located in any part of any side yard or rear yard, except as qualified in Sect. 2 505.
- D. An accessory storage structure which exceeds eight and one half (8 ½) feet in height shall not be located in any part of any minimum required side yard.
- E. An accessory storage structure which exceeds eight and one half (8 ½) feet in height shall not be located closer than a distance equal to its height to the rear lot line or located closer than a distance equal to the minimum required side yard to the side lot

line.

F. On a corner lot, the rear lot line of which adjoins a side lot line of a lot to the rear, an accessory storage structure which exceeds eight and one half (8 ½) feet in height shall not be located:

- (1) Nearer to any part of the rear lot line that adjoins the side yard on the lot to the rear than a distance equal to the minimum required side yard on such lot to the rear, or
- (2) Nearer to the side street line than a distance equal to the minimum required front yard on the lot to the rear.

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

- Removing the structure from this lot; or
- Relocating the structure to the side or rear yards.

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the Notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance which can result in court ordered sanctions.

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance which can result in court ordered sanctions or civil penalties. Civil penalties may be ordered in the amount of \$200.00 for each violation of the Zoning Ordinance cited herein for the first violation and \$500.00 for each violation of the Zoning ordinance cited herein for any subsequent violation, in accordance with Zoning Ordinance §18-903(1).

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, a written statement setting forth the decision being appealed, the date of decision, the grounds for the appeal, how the appellant is an aggrieved party, any other information that you may wish to submit and a \$600.00 filing fee. Once an appeal application is accepted, it will be scheduled for public hearing and decision before the BZA. For information regarding an appeal contact:

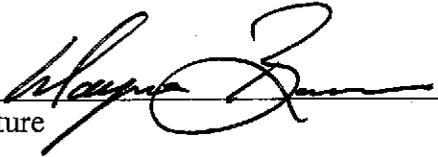
Ali Alahmed
Nadejada Nikiforova
September 16, 2014
SR 109583
Page 5

Zoning Administration Division
12055 Government Center Parkway, Suite 807
Fairfax, Virginia 22035
Office: (703) 324-1314

Information and forms can also be obtained at <http://www.fairfaxcounty.gov/dpz/bza/appeals/>.

If you have questions, would like to schedule an appointment to meet with an investigator, or schedule a follow up inspection, please contact me directly at (703) 324-1931. For any other questions, contact our main office at (703) 324-1300.

LEGAL NOTICE ISSUED BY:



Signature

Wayne Bass
Code Compliance Investigator
(703) 324-1931
wayne.bass@fairfaxcounty.gov



County of Fairfax, Virginia

DCC RETURN COPY

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

NOTICE OF VIOLATION Fairfax County Zoning Ordinance

DATE OF ISSUANCE: May 21, 2015

METHOD OF SERVICE: OFFICE OF THE SHERIFF

LEGAL NOTICE ISSUED TO: Ali Alahmed
ADDRESS: Nadejada Nikiforova
7419 Lisle Avenue
Falls Church, VA 22043

LOCATION OF VIOLATION: 7419 Lisle Avenue
Falls Church, VA 22043-1003

TAX MAP REF: 0401 03 0211

ZONING DISTRICT: R- 4

CASE #: 201406385 **SR #:** 109583

ISSUING INVESTIGATOR: Wayne Bass: (703) 324-1931

POTENTIAL CIVIL PENALTIES UNDER ZONING ORDINANCE

§ 18-903(1):	Zoning Violation	First Offense	Each Subsequent Offense
	§10.102.24	\$200.00	\$500.00
	TOTAL:	\$200.00	\$500.00

Dear Responsible Party:

An inspection of the above referenced property on May 19, 2015 revealed the following violation of the Fairfax County Zoning Ordinance:

§ 10-102 (24) Outdoor Storage
§ 2-302 (6) Accessory Use must comply with Article 10:

An inspection has determined that you are allowing storage in the front yard of the address listed

Department of Code Compliance
12055 Government Center Parkway, Suite 1016
Fairfax, Virginia 22035-5508
Phone 703-324-1300 Fax 703-653-9459 TTY 711
www.fairfaxcounty.gov/code

Ali Alahmed
Nadejada Nikiforova
May 21, 2015
SR 109583
Page 2

above. These items consist of, but are not limited to, the following:

A toilet, shutters, scraps of wood, bed frames, metal railings, a mattress, childrens' toys, a door, windows, and other miscellaneous items.

This outdoor storage:

Exceeds 100 square feet in area, and

Is not located in the rear half of the lot, and

Is not screened from view from the first story window of any neighboring dwelling.

This outdoor storage is violation of Par. 24 of Sect. 10-102 of the Fairfax County Zoning Ordinance that states in part:

Storage, outdoor in R districts, provided such storage is located on the rear half of the lot, is screened from the view from the first story window of any neighboring dwelling, and the total area for such outdoor storage does not occupy more than 100 square feet.

Therefore, you are in violation of Par. 6 of Sect. 2-302 of the Zoning Ordinance that states:

No accessory structure or use, as defined in Article 20, shall hereafter be built, moved, remodeled, established, altered or enlarged unless such accessory structure or use complies with the provisions of Part 1 of Article 10.

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

- Removing all outdoor storage from this lot; or
 - Relocation of the outdoor storage to the rear half of the lot, and
 - ~~Screening it from the view from the first story window of any neighboring dwelling, and~~
 - Limiting it to a total area not exceeding 100 square feet.
-

Ali Alahmed
Nadejada Nikiforova
May 21, 2015
SR 109583
Page 3

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance which can result in court ordered sanctions or civil penalties. Civil penalties may be ordered in the amount of \$200.00 for each violation of the Zoning Ordinance cited herein for the first violation and \$500.00 for each violation of the Zoning ordinance cited herein for any subsequent violation, in accordance with Zoning Ordinance §18-903(1).

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, a written statement setting forth the decision being appealed, the date of decision, the grounds for the appeal, how the appellant is an aggrieved party, any other information that you may wish to submit and a \$600.00 filing fee. Once an appeal application is accepted, it will be scheduled for public hearing and decision before the BZA. For information regarding an appeal contact:

Zoning Administration Division
12055 Government Center Parkway, Suite 807
Fairfax, Virginia 22035
Office: (703) 324-1314

Information and forms can also be obtained at <http://www.fairfaxcounty.gov/dpz/bza/appeals/>.

If you have questions, would like to schedule an appointment to meet with an investigator, or schedule a follow up inspection, please contact me directly at (703) 324-1931. For any other questions, contact our main office at (703) 324-1300.

LEGAL NOTICE ISSUED BY:

Signature



Wayne Bass
Code Compliance Investigator
(703) 324-1931
wayne.bass@fairfaxcounty.gov

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth.

Not found.

5/21/15 Stacey A. Kincaid, Sheriff
DATE Fairfax County, VA

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth.

Not found.

5/21/15 Stacey A. Kincaid, Sheriff
DATE Fairfax County, VA

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth.

Not found.

SERVING OFFICER _____
for _____

DATE _____

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth.

Not found.

SERVING OFFICER _____
for _____

DATE _____



County of Fairfax, Virginia

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

SHERIFF'S LETTER

NOTICE OF VIOLATION

VIOLATION ISSUED TO: Nadejada Nikiforova
 Ali Alahmed
 7419 Lisle Ave
 Falls Church, VA, 22043 - 1003

LOCATION OF VIOLATION: 7419 Lisle Ave
 Falls Church, VA, 22043 - 1003

COMPLAINT NUMBER: 201406385

MAP REFERENCE: 0401 03 0211

On July 21, 2015, I inspected the above referenced site and found the following violation:

Land-disturbing activity in excess of 2,500 square feet without an approved grading/conservation plan. The land disturbance totaled approximately 4,500 square feet.

This is a violation of Section 104-1-2 of the Fairfax County Code which requires:

No person may engage in land-disturbing activity until he has submitted to the County a conservation plan for the land-disturbing activity and the plan has been reviewed and approved by the Director.

You are directed to correct this violation within (30) days of receipt of this Notice of Violation. No additional land disturbing is permitted until the required corrective action is completed. The following corrective action is required:

1. **Immediately, cease and desist all land disturbing activities.**
2. **Immediately, install erosion and sediment control measures to protect waterways and off-site properties.**
3. **Immediately, seed and/or mulch all denuded areas.**
4. **Submit and obtain the required grading/conservation plan and permit as approved by Fairfax County.**
5. **Correct the violation in accordance with the approved plan and permit.**

Section 104-1-12 (a) Violations, reads as follows: Violators of Section 104-1-2 or 104-1-5 of this Article shall be guilty of a Class 1 misdemeanor.

Section 104-1-12 (h) Civil Penalty, reads as follows: Without limiting the remedies which may be obtained in this Section, any person violating or failing, neglecting or refusing to obey any injunction, mandamus or other remedy obtained pursuant to this Section shall be subject, in the discretion of the court, to a civil penalty not to exceed Two Thousand Dollars (\$2,000.00) for each violation.

Failure to correct the violation within the prescribed time limit may result in further legal action under the applicable state and county codes.

ISSUED BY:

Department of Public Works and Environmental Services
 Land Development Services, Land Disturbance and Post Occupancy Division
 12055 Government Center Parkway, Suite 334
 Fairfax, VA 22035-5503

Phone: 703-324-1523, TTY: 711, Fax: 703-968-2886





County of Fairfax, Virginia

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

Ricky Cook, Senior Engineering Inspector
12055 Government Center Parkway
Fairfax, Virginia 22035-5503
Phone: (703) 324-1576
Email: Ricky.Cook@fairfaxcounty.gov

DATE ISSUED: 7-22-2015

7/22/2015 – Sheriff's letter.

Department of Public Works and Environmental Services
Land Development Services, Land Disturbance and Post Occupancy Division

12055 Government Center Parkway, Suite 334
Fairfax, VA 22035-5503

Phone: 703-324-1523, TTY: 711, Fax: 703-968-2886



SUMMONS FOR ZONING VIOLATION

VA. CODE ANN. § 15.2-2209

601516183
FILE NO.

FAIRFAX COUNTY

General District Court

COURTROOM 2-A, 4110 CHAIN BRIDGE ROAD, FAIRFAX, VIRGINIA 22030

TO ANY AUTHORIZED OFFICER:

You are hereby commanded to summon the Defendant(s) to appear on SEPTEMBER 16 DATE

2015 YEAR at 9:30 a.m. TIME before this Court to contest the alleged violation of

COUNTY ZONING ORDINANCE SECTION	NATURE OF VIOLATION	LOCATION OF VIOLATION	DATE AND TIME OF VIOLATION	AMOUNT OF CIVIL PENALTY
10-104(3)(B); 302(6)	See attached Notice of Violation	See Attached Notice of Violation	Sept. 16, 2014	\$ 200.00
10-104(10)(B)	See attached Notice of Violation	See attached Notice of Violation	Sept. 16, 2014	\$ 200.00
10-102(24); 2-302(6)	See attached Notice of Violation	See attached Notice of Violation	May 21, 2015	\$ 200.00
			SUBTOTAL	\$ 600.00
			COSTS	\$
			TOTAL	\$ 600.00

DATE ISSUED

CLERK

NOTICE: YOU MAY ELECT TO PAY THE CIVIL PENALTY ESTABLISHED FOR THE ABOVE VIOLATION(S) OR YOU MAY ELECT TO STAND TRIAL. SEE INSTRUCTION ON REVERSE.

CASE DISPOSITION

JUDGMENT that Plaintiff(s) recover against named Defendant(s) OTHER

net of any credits with interest; INTEREST RATE AND DATE FROM WHICH INTEREST IS DUE

until paid, and \$ COSTS costs.

ORDERED that Defendant(s) shall abate the violation(s) on or before DATE

JUDGMENT FOR NAMED DEFENDANT OTHER

NON-SUIT DISMISSED

Defendant(s) present? Yes No

DATE ENTERED

JUDGE

TRIAL DATE

RETURN DATE

LESLIE B. JOHNSON, FAIRFAX COUNTY ZONING ADMINISTRATOR PLAINTIFF(S)

V.

ALI ALAHMED AND NADEJADA NIKIFOROVA DEFENDANT(S)

7419 LISLE AVENUE FALLS CHURCH, VA 22043 ADDRESS

SUMMONS FOR ZONING VIOLATION

RECEIPT NO.	DATE FEE RECEIVED
-------------	-------------------

TO DEFENDANT: You are not required to appear; however if you fail to appear, judgment may be entered against you.

CONTESTED CASES: will be heard on return date. will be set for later date, except as noted in par.2, reverse.

Bill of Particulars ORDERED DUE

Grounds of Defense ORDERED DUE

ATTORNEY FOR PLAINTIFF(S) MARC E. GORI, ASSISTANT COUNTY ATTORNEY 12000 GOVERNMENT CENTER PARKWAY, #549 FAIRFAX, VIRGINIA 22035 (703) 324-2421

ATTORNEY FOR DEFENDANT(S)



County of Fairfax, Virginia

DCC RETURN COPY

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

NOTICE OF VIOLATION Fairfax County Zoning Ordinance

DATE OF ISSUANCE: September 16, 2014

METHOD OF SERVICE: OFFICE OF THE SHERIFF

LEGAL NOTICE ISSUED TO: Ali Alahmed
ADDRESS: Nadejada Nikiforova
 7419 Lisle Avenue
 Falls Church, VA 22043

LOCATION OF VIOLATION: 7419 Lisle Avenue
 Falls Church, VA 22043-1003

TAX MAP REF: 0401 03 0211

ZONING DISTRICT: R- 4

CASE #: 201406385 **SR #:** 109583

ISSUING INVESTIGATOR: Wayne Bass: (703) 324-1931

POTENTIAL CIVIL PENALTIES UNDER ZONING ORDINANCE

§ 18-903(1):	Zoning Violation	First Offense	Each Subsequent Offense
	§10.104.10	\$200.00	\$500.00
	§10.104.3B	\$200.00	\$500.00
	TOTAL:	\$400.00	\$1,000.00

Dear Responsible Party:

An inspection of the above referenced property on September 15, 2014 revealed the following violations of the Fairfax County Zoning Ordinance:

- § 10-104 (3B) Accessory Fence Exceeding 4' in the Front Yard
- § 2-302 (6) Accessory Use must comply with Article 10:

Department of Code Compliance
 12055 Government Center Parkway, Suite 1016
 Fairfax, Virginia 22035-5508
 Phone 703-324-1300 Fax 703-653-9459 TTY 711
www.fairfaxcounty.gov/code

An inspection has determined the presence of a six (6) foot tall accessory fence in the front yard of this property, which is less than two (2) acres in area. The Fairfax County Zoning Ordinance permits accessory fences in the front yard so long as they are in conformance with Par. 3B of Sect. 10-104 of the Zoning Ordinance, which states:

Except as may be qualified by Sect. 2-505, a fence or wall may be located as follows. Such regulations shall not be deemed to negate the screening requirements of Article 13.

- A. In any yard on any lot containing not less than two (2) acres located in the R-A through R-1 Districts, a fence or wall not exceeding seven (7) feet in height is permitted.
- B. In any front yard on any lot, a fence or wall not exceeding four (4) feet in height is permitted. However, in that portion of a front yard on a residential corner lot that abuts a major thoroughfare, a solid wood or masonry fence or wall not exceeding eight (8) feet in height, located flush to the ground, may be permitted, provided that:
 - (1) the driveway entrance to the lot is from a street other than the major thoroughfare and the principal entrance of the dwelling faces a street other than the major thoroughfare, and
 - (2) the lot is not contiguous to a lot which has its only driveway entrance from the major thoroughfare or service drive adjacent to the major thoroughfare.

The fence shall not extend into the front yard between the dwelling and the street other than the major thoroughfare and shall also be subject to the provisions of Sect. 2-505. In addition, an increase in fence height in the front yard up to six (6) feet may be permitted with the approval of a special permit by the BZA in accordance with Part 9 of Article 8.

~~Therefore, as this accessory fence exceeds four (4) feet in height in the front yard contrary to the provisions of Par. 3B of Sect. 10-104 of the Zoning Ordinance, you are in violation of Par. 3B of Sect. 10-104 and Par. 6 of Sect. 2-302 of the Zoning Ordinance which states:~~

No accessory structure or use, as defined in Article 20, shall hereafter be built, moved, remodeled, established, altered or enlarged unless such accessory structure or use complies with the provisions of Par. 1 of Article 10.

You are hereby directed to clear this violation within fifteen (15) days of the date of this Notice. Compliance can be accomplished by:

- Removing the fence from the property in its entirety; or
- Reducing the height of the fence to four feet (4') in the front yard.

As an alternative, you may apply to the Fairfax County Board of Zoning Appeals (BZA) and seek approval of a Special Permit to allow the accessory fence to remain at a height of up to six (6) feet and at its present location. For information and answers to any questions regarding this application process, you may contact the Zoning Evaluation Division at 703-324-1290.

§ 10-104 (10B) Accessory Storage Structure Location

The inspection revealed the presence of an accessory storage structure measuring approximately eight (8) feet tall, nine (9) feet long, and nine (9) feet wide in the front yard of this lot which is 12,912 sq. ft. in area.

The following regulations shall apply to the location of freestanding accessory storage structures:

- A. For purposes of determining height, the height of an accessory storage structure shall be measured from the highest point of the structure.
- B. An accessory storage structure shall not be located (a) in any minimum required front yard on any lot or (b) in any front yard on any lot containing 36,000 square feet or less.
- C. An accessory storage structure which does not exceed eight and one half (8 ½) feet in height may be located in any part of any side yard or rear yard, except as qualified in Sect. 2 505.
- D. An accessory storage structure which exceeds eight and one half (8 ½) feet in height shall not be located in any part of any minimum required side yard.
- E. An accessory storage structure which exceeds eight and one half (8 ½) feet in height shall not be located closer than a distance equal to its height to the rear lot line or located closer than a distance equal to the minimum required side yard to the side lot

Ali Alahmed
Nadejada Nikiforova
September 16, 2014
SR 109583
Page 4

line.

F. On a corner lot, the rear lot line of which adjoins a side lot line of a lot to the rear, an accessory storage structure which exceeds eight and one half (8 ½) feet in height shall not be located:

- (1) Nearer to any part of the rear lot line that adjoins the side yard on the lot to the rear than a distance equal to the minimum required side yard on such lot to the rear, or
- (2) Nearer to the side street line than a distance equal to the minimum required front yard on the lot to the rear.

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

- Removing the structure from this lot; or
- Relocating the structure to the side or rear yards.

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the Notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance which can result in court ordered sanctions.

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance which can result in court ordered sanctions or civil penalties. Civil penalties may be ordered in the amount of \$200.00 for each violation of the Zoning Ordinance cited herein for the first violation and \$500.00 for each violation of the Zoning ordinance cited herein for any subsequent violation, in accordance with Zoning Ordinance §18-903(1).

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, a written statement setting forth the decision being appealed, the date of decision, the grounds for the appeal, how the appellant is an aggrieved party, any other information that you may wish to submit and a \$600.00 filing fee. Once an appeal application is accepted, it will be scheduled for public hearing and decision before the BZA. For information regarding an appeal contact:

Ali Alahmed
Nadejada Nikiforova
September 16, 2014
SR 109583
Page 5

Zoning Administration Division
12055 Government Center Parkway, Suite 807
Fairfax, Virginia 22035
Office: (703) 324-1314

Information and forms can also be obtained at <http://www.fairfaxcounty.gov/dpz/bza/appeals/>.

If you have questions, would like to schedule an appointment to meet with an investigator, or schedule a follow up inspection, please contact me directly at (703) 324-1931. For any other questions, contact our main office at (703) 324-1300.

LEGAL NOTICE ISSUED BY:



Signature

Wayne Bass
Code Compliance Investigator
(703) 324-1931
wayne.bass@fairfaxcounty.gov

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth.

Not found.

J. Silver LGR
SERVING OFFICER

9-16-14 DATE

for Stacey A. Kincaid, Sheriff
Fairfax County, VA

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth.

Not found.

J. Silver LGR
SERVING OFFICER

9-16-14 DATE

for Stacey A. Kincaid, Sheriff
Fairfax County, VA

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth.

Not found.

SERVING OFFICER
for _____

DATE _____

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth.

Not found.

SERVING OFFICER
for _____

DATE _____



DCC RETURN COPY

County of Fairfax, Virginia

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

NOTICE OF VIOLATION Fairfax County Zoning Ordinance

DATE OF ISSUANCE: May 21, 2015

METHOD OF SERVICE: OFFICE OF THE SHERIFF

LEGAL NOTICE ISSUED TO: Ali Alahmed
ADDRESS: Nadejada Nikiforova
7419 Lisle Avenue
Falls Church, VA 22043

LOCATION OF VIOLATION: 7419 Lisle Avenue
Falls Church, VA 22043-1003

TAX MAP REF: 0401 03 0211
ZONING DISTRICT: R- 4

CASE #: 201406385 **SR #:** 109583

ISSUING INVESTIGATOR: Wayne Bass: (703) 324-1931

POTENTIAL CIVIL PENALTIES UNDER ZONING ORDINANCE

§ 18-903(1):	Zoning Violation	First Offense	Each Subsequent Offense
	\$10.102.24	\$200.00	\$500.00
	TOTAL:	\$200.00	\$500.00

Dear Responsible Party:

An inspection of the above referenced property on May 19, 2015 revealed the following violation of the Fairfax County Zoning Ordinance:

§ 10-102 (24) Outdoor Storage
§ 2-302 (6) Accessory Use must comply with Article 10:

An inspection has determined that you are allowing storage in the front yard of the address listed

Department of Code Compliance
12055 Government Center Parkway, Suite 1016
Fairfax, Virginia 22035-5508
Phone 703-324-1300 Fax 703-653-9459 TTY 711
www.fairfaxcounty.gov/code

Ali Alahmed
Nadejada Nikiforova
May 21, 2015
SR 109583
Page 2

above. These items consist of, but are not limited to, the following:

A toilet, shutters, scraps of wood, bed frames, metal railings, a mattress, childrens' toys, a door, windows, and other miscellaneous items.

This outdoor storage:

- Exceeds 100 square feet in area, and
- Is not located in the rear half of the lot, and
- Is not screened from view from the first story window of any neighboring dwelling.

This outdoor storage is violation of Par. 24 of Sect. 10-102 of the Fairfax County Zoning Ordinance that states in part:

Storage, outdoor in R districts, provided such storage is located on the rear half of the lot, is screened from the view from the first story window of any neighboring dwelling, and the total area for such outdoor storage does not occupy more than 100 square feet.

Therefore, you are in violation of Par. 6 of Sect. 2-302 of the Zoning Ordinance that states:

No accessory structure or use, as defined in Article 20, shall hereafter be built, moved, remodeled, established, altered or enlarged unless such accessory structure or use complies with the provisions of Part 1 of Article 10.

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

- Removing all outdoor storage from this lot; or
 - Relocation of the outdoor storage to the rear half of the lot, and
 - Screening it from the view from the first story window of any neighboring dwelling, and
 - Limiting it to a total area not exceeding 100 square feet.
-

Ali Alahmed
Nadejada Nikiforova
May 21, 2015
SR 109583
Page 3

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance which can result in court ordered sanctions or civil penalties. Civil penalties may be ordered in the amount of \$200.00 for each violation of the Zoning Ordinance cited herein for the first violation and \$500.00 for each violation of the Zoning ordinance cited herein for any subsequent violation, in accordance with Zoning Ordinance §18-903(1).

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, a written statement setting forth the decision being appealed, the date of decision, the grounds for the appeal, how the appellant is an aggrieved party, any other information that you may wish to submit and a \$600.00 filing fee. Once an appeal application is accepted, it will be scheduled for public hearing and decision before the BZA. For information regarding an appeal contact:

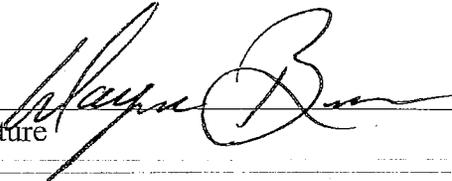
Zoning Administration Division
12055 Government Center Parkway, Suite 807
Fairfax, Virginia 22035
Office: (703) 324-1314

Information and forms can also be obtained at <http://www.fairfaxcounty.gov/dpz/bza/appeals/>.

If you have questions, would like to schedule an appointment to meet with an investigator, or schedule a follow up inspection, please contact me directly at (703) 324-1931. For any other questions, contact our main office at (703) 324-1300.

LEGAL NOTICE ISSUED BY:

Signature



Wayne Bass
Code Compliance Investigator
(703) 324-1931
wayne.bass@fairfaxcounty.gov

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth

Not found.

5/21/15 Stacey A. Kincaid, Sheriff
DATE Serving Officer for _____
Fairfax County, VA

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth

Not found.

5/21/15 Stacey A. Kincaid, Sheriff
DATE Serving Officer for _____
Fairfax County, VA

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth

Not found.

DATE _____
SERVING OFFICER _____
for _____

PERSONAL SERVICE

Being unable to make personal service a copy was delivered in the following manner:

- Delivered to a person found in charge of usual place of business or employment during business hours and giving information of its purport.
- Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode or party named above after giving information its purport. List name, age of recipient, and relation of recipient to party named above.

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above (Other authorized recipient not found).

Served on a Secretary of the Commonwealth

Not found.

DATE _____
SERVING OFFICER _____
for _____

**AFFIDAVIT – DEFAULT JUDGMENT
SERVICEMEMBERS CIVIL RELIEF ACT**

Commonwealth of Virginia VA. CODE § 8.01-15.2

Case No. _____

September 16, 2015 9:30 am

RETURN DATE AND TIME

Fairfax County
CITY OR COUNTY

Circuit Court General District Court
 Juvenile and Domestic Relations District Court

Leslie B. Johnson, Fairfax County Zoning Admin.

v./In re:

All Alahmed and Nadejada Nikiforova

I, Marc E. Gori, the undersigned affiant, states the following under oath:

PRINT NAME

The defendant/respondent is in military service. is not in military service.

The following facts support the statement above:

On August 11, 2015, counsel for the Plaintiff inquired about the military status of the Defendants with the Defense Manpower Data Center at 4800 Mark Center, Suite 04E25, Arlington, Virginia 22350. The Defense Manpower Data Center verified on August 11, 2015 that it does not possess any information indicating that the Defendants are in military service as referenced herein. The Defense Manpower Data Center is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System database.

The affiant is unable to determine whether or not the defendant/respondent is in military service.

Pursuant to 50 U.S.C. app. § 521, if the court is unable to determine whether the defendant/respondent is in military service based upon the affiant's statement, the court, before entering judgment, may require the plaintiff/petitioner to file a bond in an amount approved by the court.

8/11/15
DATE

[Signature]
AFFIANT'S SIGNATURE

The above-named affiant personally appeared this day before the undersigned, and upon duly being sworn, made oath that the facts stated in this affidavit are true to the best of his or her knowledge, information and belief.

DATE

CLERK DEPUTY CLERK MAGISTRATE JUDGE INTAKE OFFICER

FOR NOTARY PUBLIC'S USE ONLY
State of Virginia County of Fairfax
Acknowledged, subscribed and sworn to before me this August 11, 2015 day of August, 2015
255810 NOTARY REGISTRATION NUMBER REG # 255810 COMMISSION EXPIRES 4/30/2016
DERORAH LYNN HAMMER NOTARY PUBLIC COMMONWEALTH OF VIRGINIA
NOTARY PUBLIC (My commission expires: 4/30/2016)

NOTICE REGARDING APPOINTMENT OF COUNSEL TO REPRESENT ABSENT SERVICEMEMBER:
Where appointment of counsel is required pursuant to 50 U.S.C. app. § 521 or § 522, the court may assess attorneys' fees and costs against any party, as the court deems appropriate, and shall direct in its order which of the parties to the case shall pay such fees and costs, except the Commonwealth unless it is the party that obtains the judgment.

FOR COURT USE ONLY:

ORDER OF APPOINTMENT OF COUNSEL

I find that appointment of counsel is required pursuant to 50 U.S.C. app. § 521 or § 522 and therefore, I appoint the lawyer indicated below to represent the absent servicemember named as defendant/respondent above.

NAME, ADDRESS OF COURT APPOINTED LAWYER

NEXT HEARING DATE AND TIME

DATE

JUDGE

STAY OF PROCEEDINGS

I find that a stay of proceedings is required pursuant to 50 U.S.C. app. § 521 and, therefore, such a stay, for a minimum period of 90 days, is ordered until _____

NEXT HEARING DATE AND TIME

DATE

JUDGE



**Status Report
Pursuant to Servicemembers Civil Relief Act**

Last Name: ALAHMED

First Name: ALI

Middle Name:

Active Duty Status As Of: Aug-11-2015

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Mary M. Snavelly-Dixon

Mary M. Snavelly-Dixon, Director
 Department of Defense - Manpower Data Center
 4800 Mark Center Drive, Suite 04E25
 Arlington, VA 22350

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenseink.mil" URL: <http://www.defenseink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 521(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

Certificate ID: GBS2Q344B166W60



**Status Report
Pursuant to Servicemembers Civil Relief Act**

Last Name: NIKIFOROVA

First Name: NADEJADA

Middle Name:

Active Duty Status As Of: Aug-11-2015

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Mary M. Snavelly-Dixon

Mary M. Snavelly-Dixon, Director
 Department of Defense - Manpower Data Center
 4800 Mark Center Drive, Suite 04E25
 Arlington, VA 22350

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 521(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

Certificate ID: AB1843E441B6040

Fairfax County General District Court



Civil Case Details

Fairfax County General

- Name Search
- Case Number Search
- Hearing Date Search
- Service/Process Search

- Name Search
- Case Number Search
- Hearing Date Search
- Service/Process Search

Case Information

Case Number : GV15016183-00	Filed Date : 08/11/2015
Case Type : Zoning Violation	Debt Type :

Plaintiff Information

Name	DBA/TA	Address	Judgment	Attorney
FX CO ZONING ADMINISTRATOR			Dismissed	GORI, M

Defendant Information

Name	DBA/TA	Address	Judgment	Attorney
ALAHMED, ALI		FALLS CHURCH, VA 22043	Dismissed	NONE
NIKIFOROVA, NADEJADA		FALLS CHURCH, VA 22043	Dismissed	NONE

Hearing Information

Date	Time	Result	Hearing Type	Courtroom
09/16/2015	09:30 AM	Continued	Motion	2A
09/16/2015	09:30 AM	Other	Civil Hearing	2A

Service/Process

Reports

Judgment Information

Judgment : Case Dismissed	Costs :	Attorney Fees :
Principal Amount :	Other Amount :	Interest Award :
Possession :	Writ Issued Date :	Homestead Exemption Waived :
Is Judgment Satisfied :	Date Satisfaction Filed :	Other Awarded :

**Further Case
Information :**

Garnishment Information

Appeal Information

**Appeal
Date :**

**Appealed
By :**

[Back to Search Results](#)

[Home](#) | [Virginia's Court System](#) | [Online Services](#) | [Case Status and Information](#) | [Court Administration](#) | [Directories](#) |

[Forms](#) | [Judicial Branch Agencies](#) | [Programs](#)

Build #: 5.2.2.4

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, or
 - B. The error is up to ten (10) percent of the measurement involved and such reduction or modification is requested in conjunction with the approval of a special permit for another use or application for a variance on the property, or is in conjunction with another special permit for an error in building location on the property that exceeds ten (10) percent of the measurement involved, and
 - C. 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
 - D. Such reduction or modification will not impair the purpose and intent of this Ordinance, and
 - E. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and
 - F. It will not create an unsafe condition with respect to both other property and public streets, and
 - G. To force compliance with the minimum yard requirements or location regulations would cause unreasonable hardship upon the owner.
 - H. The reduction or modification 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.