



SPECIAL PERMIT ACCEPTED: November 17, 2015
BOARD OF ZONING APPEALS: February 10, 2016 @ 9:00 a.m.

County of Fairfax, Virginia

February 3, 2016

STAFF REPORT

SPECIAL PERMIT SP 2015-MA-149

MASON DISTRICT

APPLICANT: Javad Noktehdan

OWNERS: Javad Noktehdan
Taghi Noktehdan

SUBDIVISION: Gallows Road

STREET ADDRESS: 7814 Libeau Lane, Annandale, 22003

TAX MAP REFERENCE: 59-2 ((1)) 36

LOT SIZE: 34,282 square feet

ZONING DISTRICT: R-2

ZONING ORDINANCE PROVISIONS: 8-918

SPECIAL PERMIT PROPOSAL: To permit an accessory dwelling unit in an existing dwelling.

STAFF RECOMMENDATION:

Staff recommends approval of SP 2015-MA-149 for an accessory dwelling unit, subject to 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.

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.

Erin M. Haley

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

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

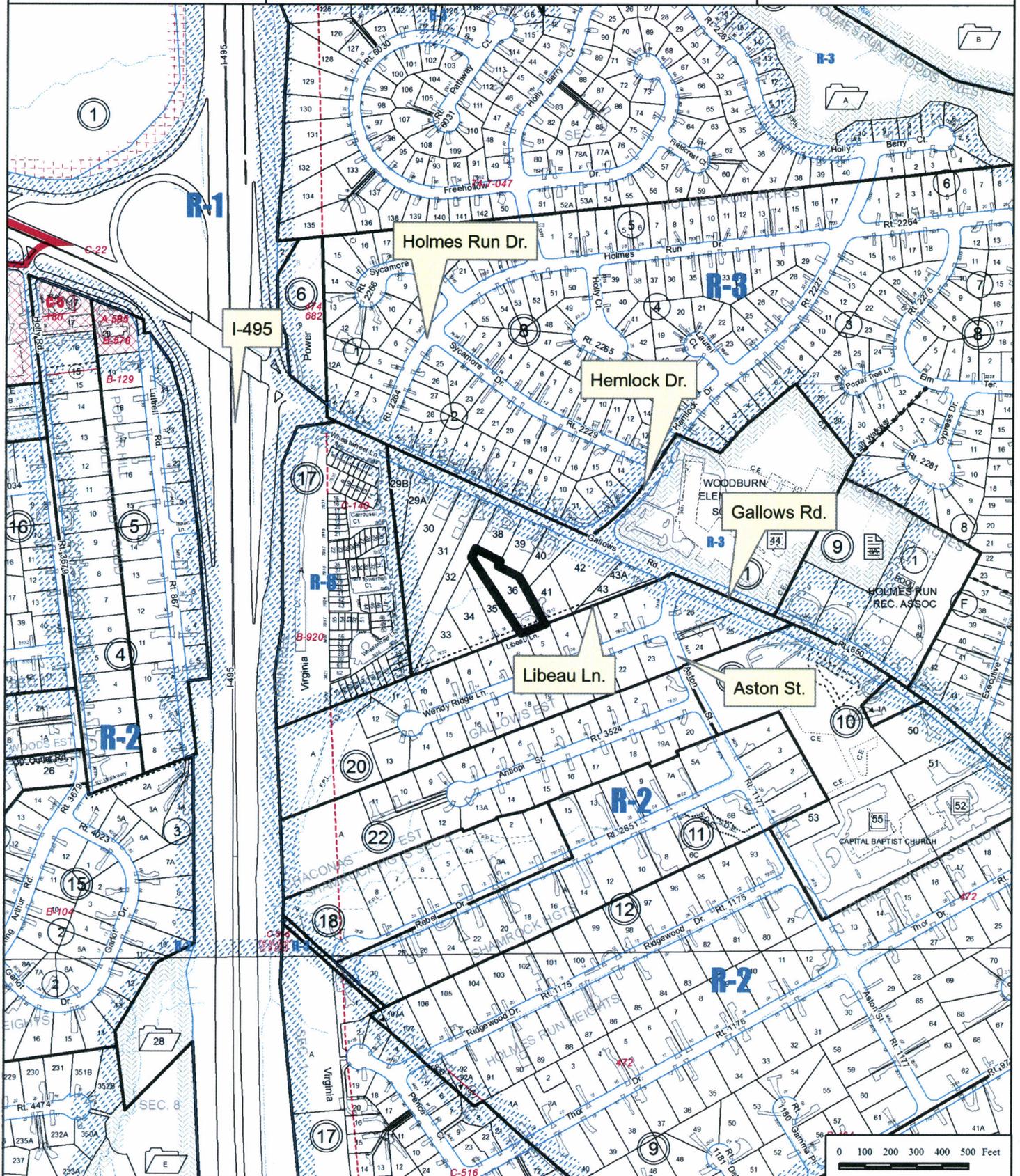
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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



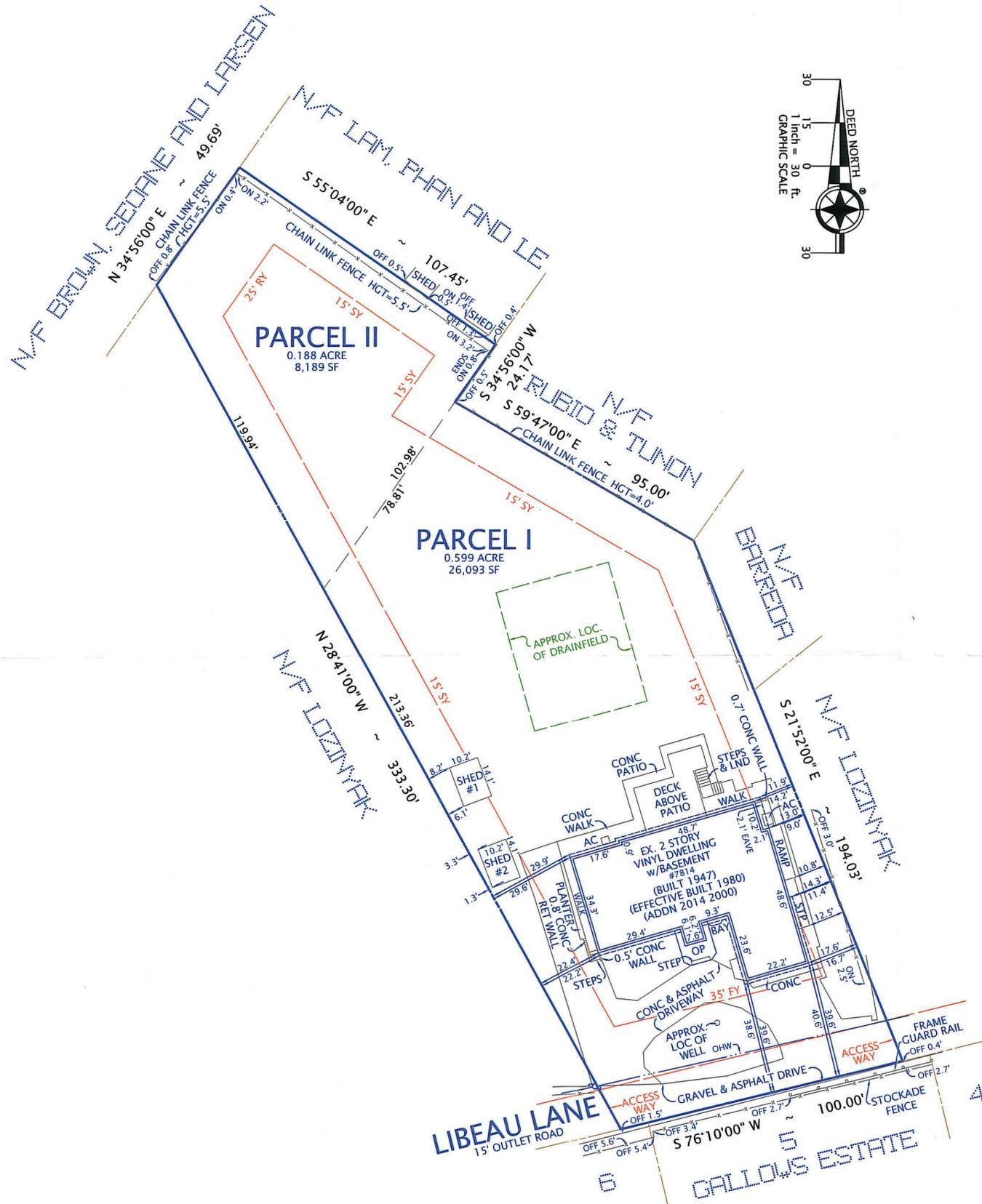
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



Special Permit SP 2015-MA-149 JAVAD NOKTEHDAN



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 Department of Planning & Zoning
 NOV 16 2015
 Zoning Evaluation Division

NOTES

- TAX MAP: 059-2-01-0036
- ZONE: R-2 (RESIDENTIAL 2 DU/AC)
- LOT AREA:

PARCEL I	26,093 SF	0.188 ACRE
PARCEL II	8,189 SF	0.599 ACRE
TOTAL	34,282 SF	0.787 ACRE
- REQUIRED YARDS:

FRONT:	=	35.0 FEET
SIDE:	=	15.0 FEET
REAR:	=	25.0 FEET
- HEIGHTS:

EX. DWELLING	=	21.9 FEET
SHED #1	=	08.0 FEET
SHED #2	=	08.4 FEET
DECK	=	08.0 FEET
FENCES	=	AS SHOWN
- 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.
- OWNER: JAVAD NOKEHDAN & TAGHI NOKEHDAN
 7814 LIBEAU LANE
 ANNANDALE, VA 22003
 (DEED BOOK 5799, PAGE 1160)
- AREAS:

EX. BASEMENT	=	2,374 SF
EX. FIRST FLOOR	=	2,945 SF
EX. SECOND FLOOR	=	1,770 SF
EX. GROSS FLOOR AREA	=	7,089 SF

EX. FLOOR AREA RATIO:
 7,089 SF / 34,282 SF = 0.207
- DWELLING EAVES ARE 1.0' WIDE UNLESS NOTED.
- THE ACCESSORY DWELLING UNIT IS 1,317 SF.
 ADU (1,317) / EX. GFA (7,089) = 0.186
- THERE ARE NO EAVES ON THE SHEDS.
- THIS PROPERTY HAS A SEWAGE DISPOSAL SYSTEM AND A WELL.

PLAT
 SHOWING THE IMPROVEMENTS ON
 THE PROPERTY OF
**JAVAD NOKTEHDAN
 AND TAGHI NOKTEHDAN**

(DEED BOOK 5799, PAGE 1160)
 FAIRFAX COUNTY, VIRGINIA

MASON DISTRICT
 SCALE: 1" = 30'
 JULY 21, 2015
 OCTOBER 13, 2015 (REV)
 OCTOBER 28, 2015 (REV)

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: THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD. A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.		CASE NAME:
		NOKTEHDAN JOHN NOKTEHDAN
		8808-H PEAR TREE VILLAGE COURT ALEXANDRIA, VIRGINIA 22309 703-619-6555 FAX: 703-799-6412

SPECIAL PERMIT REQUEST

The applicants are seeking a special permit to allow an accessory dwelling unit (ADU) in the walkout basement of an existing single family detached dwelling.

A copy of the special permit plat titled, "Plat Showing the Improvements on the Property of Javad Noktehdan and Taghi Noktehdan," prepared by George M. O'Quinn, L.S., dated July 21, 2015, as revised through October 28, 2015, is included in the front of the staff report.

The proposed conditions, the applicant's statement of justification and file photographs, and the affidavit are contained in Appendices 1 through 3, respectively. A more detailed description of the proposal is provided on page two.

CHARACTER OF THE SITE AND SURROUNDING AREA

The 34,282 square foot subject property is developed with a two-story single-family detached dwelling with a full, walkout basement. A large circular concrete and asphalt driveway provides access from Libeau Lane, which is a private pipestem gravel and asphalt driveway 15.0 feet in width that also serves five adjacent lots. The driveway was installed prior to 2002 and is therefore exempt from front yard coverage limitations. A concrete walkway leads from the driveway around each side of the dwelling to a concrete patio at the rear of the house. An elevated deck 8.0 feet in height is located at the rear of the house above the patio. The walkout entrance of the basement is located at the rear of the house under the deck. Two sheds are located in the western portion of the rear yard at a height of 8.0 feet and 8.4 feet. A drainfield is located in the center area of the rear yard. Chain link fence varying in height from 4.0 feet to 5.5 feet runs along the rear and eastern side lot lines

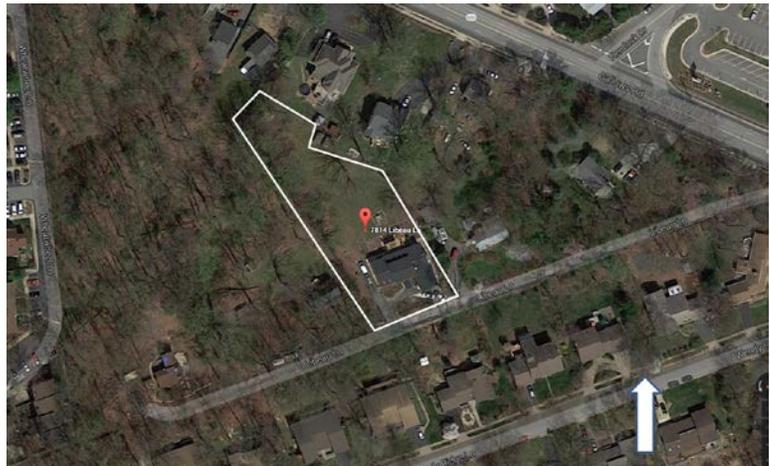


Figure 1: House Location
For illustrative purposes only

The subject property and surrounding properties are zoned R-2 and developed with single-family detached dwellings. The property is located west of Woodburn Elementary School and Gallows Road and east of I-495.

BACKGROUND AND HISTORY

Fairfax County Tax Records indicate that a single family dwelling with a full basement (without a wet bar) was originally constructed in 1947 and was purchased by the property owners in 1983. A one-story garage and a second floor addition with a basement were constructed in 2000 with an approved building permit. The garage was later converted to living space. In 2013, a building permit was issued for a new one-story two car garage to be constructed at the front of the house. The building permit approved the location of the garage at 15.4 feet from the eastern side lot line and 25.4 feet from the front lot line. A setback certification was issued on February 10, 2014 that noted that with the 1.0 foot eave the garage is approximately 14.4 feet from the side lot line and 24.5 feet from the front lot line, which is an unpermitted encroachment since the eaves are less than 10 feet in height. However, since the encroachment does not exceed 10 percent of the minimum required yard, the Zoning Administrator was able to approve an administrative reduction of 0.6 feet of the side yard and 0.5 feet of the front yard. The Setback Certification and Administrative Reduction are included in Appendix 4.

In 2003, a building permit and final inspection were obtained for a deck 8 feet in height with stairs constructed at the rear of the house.

In response to an anonymous complaint that work was being done on the house without permits that related to creating multiple dwellings, an inspection was conducted of the property on November 25, 2014. The inspection revealed three complete and separate dwellings on the property as well as unpermitted alterations to the house. A Notice of Violation was issued on December 3, 2014 (Appendix 5). Aside from the principal dwelling, a second dwelling was located in the basement and a third dwelling was located in the garage. The applicant then filed this special permit application to keep the accessory dwelling unit located in the basement and obtained a building permit for the conversion of the garage to storage and living space as well as to remove the second kitchen in the garage and all related utilities. Final inspections for these alterations were obtained in June, 2015. A development condition has been included requiring all outstanding applicable permits and final inspections for the accessory dwelling unit in the basement to be completed within six months of BZA decision.

All relevant building permit information is included in Appendix 6.

Since the adoption of the current Zoning Ordinance, no similar applications for accessory dwelling units have been heard by the BZA in the surrounding area.

DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of an ADU in the walkout basement of the single family dwelling. The proposed accessory dwelling unit would be 1,317 square feet in size and account for 18.6% of the total gross floor area of the existing structure (7,089 square feet). The proposed accessory dwelling unit would contain two bedrooms, a

family room, a kitchen, and a bathroom as depicted in the floor plan attached to the development conditions (Attachment 1).

The applicant, who is over the age of 55 and therefore meets the relevant Zoning Ordinance provisions, is requesting the ADU to provide a living area for tenants. Ample parking exists in the driveway for the applicant and the tenants. The walkout basement entrance is located at the rear of the house and a paved walkway connects the entrance to the driveway at the front and side of the house.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area I, Annandale Planning District
Planning Sector: Holmes Run Community Planning Sector (A9)
Plan Map: Residential, 1-2 du/ac

Zoning District Standards

Bulk Standards (R-2)		
Standard	Required	Provided
Lot Size	15,000 sf.	34,282 sf.
Lot Width	Interior: 100 feet	100 feet
Building Height	35 feet	Not provided
Front Yard	25 feet to pipestem	24.5 feet*
Side Yard	15 feet	Eastern: 14.4 feet* Western: 22.2 feet
Rear Yard	25 feet	Approx. 245 feet

* Administrative reduction approved February 10, 2014.

Zoning Ordinance Requirements (Appendix 5)

- General Special Permit Standards (Sect. 8-006)
- Group 9 Standards (Sect. 8-903)
- Additional Standards for Accessory Dwelling Units (Sect. 8-918)

General Special Permit Standards (Sect. 8-006)

Standards 1 and 2 <i>Comprehensive Plan/ Zoning District</i>	The Comprehensive Plan recommends residential uses, and the property is developed with a residential use. The Zoning Ordinance allows an ADU with special permit approval.
----------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Standard 3 <i>Adjacent Development</i>	No new exterior construction is proposed, and there would be no exterior evidence of an ADU. Staff believes that this ADU would be harmonious with the surrounding area and would not hinder the use or development of neighboring properties.
Standard 4 <i>Pedestrian/Vehicular Traffic</i>	Staff believes that the proposed use would not significantly impact pedestrian or vehicular traffic.
Standard 5 <i>Landscaping/Screening</i>	The existing home is screened from adjacent properties with mature landscaping.
Standard 6 <i>Open Space</i>	There is no open space requirement for individual lots in the R-2 District.
Standard 7 <i>Utilities, Drainage, Parking and Loading</i>	Existing facilities appear to be adequate to serve the ADU. In addition, staff believes there is sufficient parking to accommodate the proposed use in the large circular driveway.
Standard 8 <i>Signs</i>	No signage is proposed.

Group 9 Standards (Sect. 8-903)

Standard 1 <i>Lot Size and Bulk Regulations</i>	The property was originally built in conformance with the Zoning Ordinance at the time of construction and has since received an administrative reduction from the Zoning Administrator for the location of the recent garage addition and otherwise complies with required lot size and bulk regulations.
Standard 2 <i>Performance Standards</i>	The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.
Standard 3 <i>Site Plan</i>	The structure is not subject to site plan review.

Additional Standards for Accessory Dwelling Units (Sect. 8-918)

Standard 1 <i>Only One ADU per Single Family Detached Dwelling</i>	The application requests approval of one ADU on a property occupied by a single family detached dwelling; this standard is met.
Standard 2 <i>Structure Shall be Located Within Single Family Dwelling</i>	The proposed ADU would be within the existing home, and the entrance would be located at the rear of the house.
Standard 3 <i>GFA Shall Not Exceed 35%</i>	The area of the ADU represents approximately 18.6% of the total GFA. This standard is met.
Standard 4 <i>Max. 2 Bedrooms</i>	The application indicates that the ADU includes two bedrooms. This standard is met.
Standard 5 <i>Occupancy Standards</i>	The applicant, who would reside in the principal unit, owns the property and meets the qualifications of "elderly" as defined by the Zoning Ordinance.

Standard 6 <i>Reasonable Access for a Disabled Person</i>	The ADU would contain uninterrupted access to one entrance.
Standard 7 <i>Sufficient Parking</i>	The property includes ample parking in the driveway.
Standard 8 <i>Will Not Modify or Disrupt Character of Neighborhood</i>	Staff believes that the use of the ADU, as proposed, would not constitute sufficient change to modify or disrupt the predominant character of the neighborhood.
Standard 9 <i>Regulations for Safety, Health, Sanitation</i>	This standard requires any ADU to meet applicable regulations for building, safety, health, and sanitation. A development condition is proposed to this effect.
Standard 10 <i>Recorded</i>	A condition is proposed requiring the approval to be recorded among the Fairfax County land records.
Standard 11 <i>Inspection</i>	A condition is proposed requiring the owner to allow inspections of the property by County personnel during reasonable hours upon prior notice.
Standard 12 <i>Approved for 5 Years</i>	A condition is proposed addressing this standard.
Standard 13 <i>Approval Prior to July 27, 1987</i>	This standard is not applicable.

CONCLUSION / RECOMMENDATION

With the implementation of the proposed development conditions, staff believes that the request is in conformance with the Comprehensive Plan and the applicable Zoning Ordinance provisions.

Staff recommends approval of SP 2015-MA-149 for an accessory dwelling unit subject to 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 applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

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.

APPENDICES

1. Proposed Special Permit Development Conditions
2. Applicant's Statement of Justification and Select Photographs
3. Applicant's Affidavit
4. Setback Certification and Administrative Reduction
5. Notice of Violation
6. Building Permit History
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2015-MA-149****February 3, 2016**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-MA-149 located at Tax Map 59-2 ((1)) 36 to permit an accessory dwelling unit, under Sect. 8-918 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

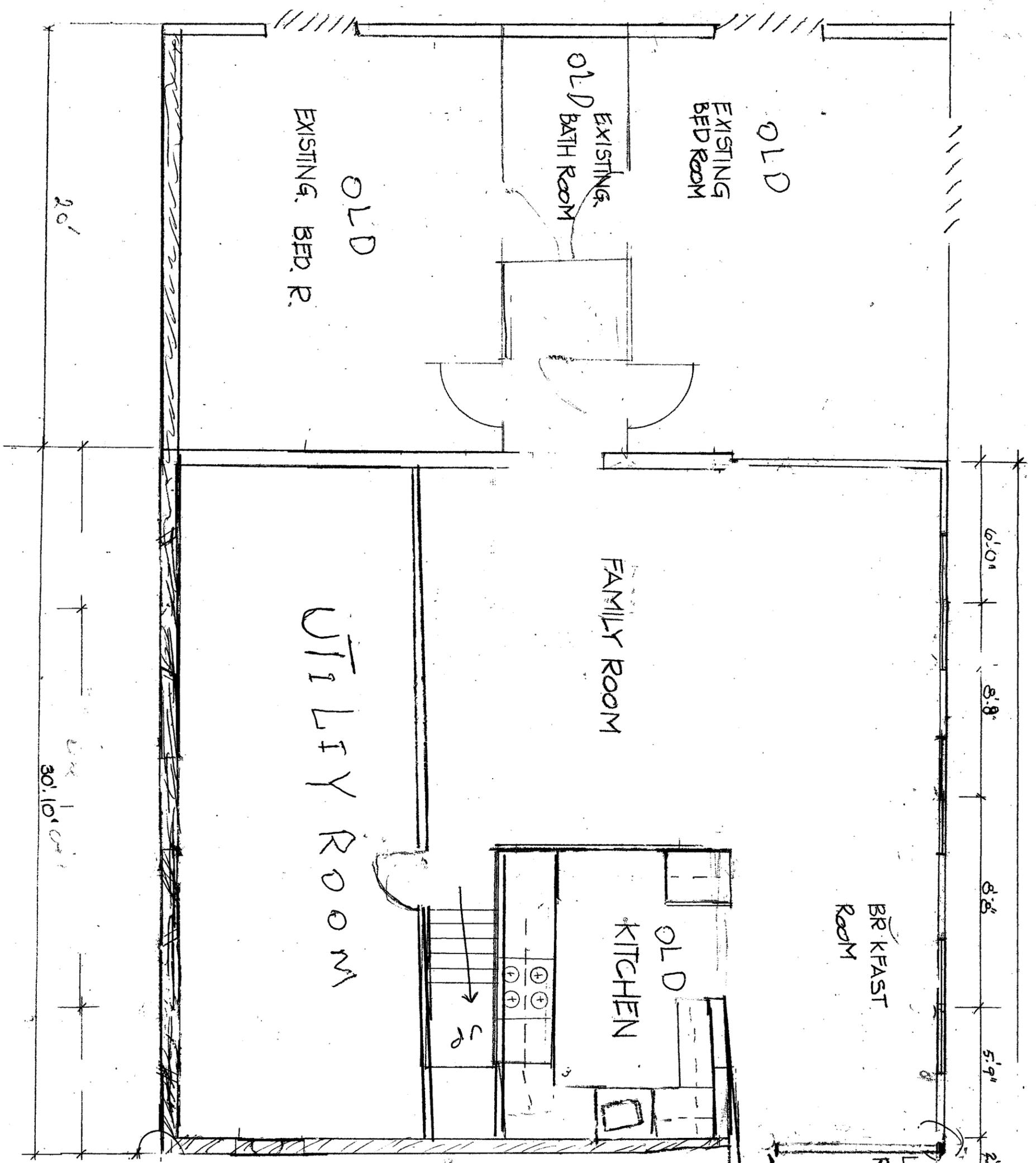
1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit for the kitchen. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This approval is granted to the applicant, Javad Noktehdan, only, and is not transferable without further action of this Board, and is for the location indicated on the application, 7814 Libeau Lane, and is not transferable to other land.
3. This special permit is granted only for the purposes and/or uses indicated on the plat titled, "Plat Showing the Improvements on the Property of Javad Noktehdan and Taghi Noktehdan," prepared by George M. O'Quinn, L.S., dated July 21, 2015, as revised through October 28, 2015, as submitted with this application and is not transferable to other land.
4. A copy of this special permit shall be made available to all departments of the County of Fairfax, upon request.
5. The occupants of the principal dwelling and the accessory dwelling unit shall be in accordance with Par. 5 of Sect. 8-918 of the Zoning Ordinance which states in part that one of the dwelling units shall be occupied by a person or persons who qualify as elderly (55 years of age or older) and/or permanently and totally disabled.
6. The accessory dwelling unit shall contain a maximum of 1,317 square feet, and the layout shall be generally as depicted on the floor plan included as Attachment 1 to these conditions.
7. Provisions shall be made for the inspection of the property by County personnel during reasonable hours upon prior notice and the accessory dwelling unit shall meet the applicable regulation for building, safety, health and sanitation.

8. The accessory dwelling unit shall be approved for a period of five (5) years from the final approval date of the special permit and may be extended for five (5) year periods with prior approval of the Zoning Administrator in accordance with Section 8-012 of the Zoning Ordinance.
9. If the use of the accessory dwelling unit ceases and/or the property is sold or otherwise conveyed, the accessory unit shall be converted to a use permitted by the Zoning Ordinance or if the property is sold or conveyed, a special permit amendment may be submitted to permit the continued use of an accessory dwelling unit.
10. All applicable trade permits and final inspections for the finished basement and second kitchen shall be obtained within six (6) months of BZA approval.

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.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

RECEIVED
Department of Planning & Zoning
JUN 18 2015
Zoning Evaluation Division



MR & MRS NOKTEDAN RE	
SCALE: 1/4" = 1'-0"	APPROVED BY:
DATE: 10-10-99	J. P. KALBASSI
DRAWN	
REVISED	
7814 LIBEAU LANE ANNANDALE	
FLOOR PLAN BASEMENT	

To whom it may concern,

I live at 7814 Libeau Lane Annandale Virginia, 22003. My name is Javad Noktehdan and I bought the above property on July 1983 When I purchased this house, there was a very old kitchen downstairs. I did not have any problems until 6 months ago when a few members of the zoning authority and Fairfax County inspectors came and checked the house and saw that there was a very old kitchen was in the basement. Then they said that according to the Fairfax county zoning law, there is only supposed to be one kitchen per property. But, since this kitchen is very old and it can not be determined when it was built, I can apply for a special permit.

On my own I was very curious to find out when this kitchen was built, so I went to the real estate recording office and got the copies of past owners' deed of this house (as much as the computer allowed me to go back). It was 4 titles from 1978 up to now. I searched on the internet and all the previous owners of the property had passed away except for one person. He lives in the Annandale area. He has Alzheimer's disease according to some of his distant relatives. Since the zoning authority and the Fairfax County inspectors said that this kitchen is very old, and my wife and I are senior citizens, and she is disabled (handicapped) and also the couple that lives downstairs (one has cancer), I would like to get a special permit for the old kitchen, as the zoning authority stated that I could.

Also as a side note, in my lane there is only 4 properties besides mine and one is a vacant lot and another one is empty. Three of these properties belongs to the same person. This individual is eager to sell all his parcels and give me a hard time to sell mine too.

Thank you very much and God bless you.

Javad Noktehdan

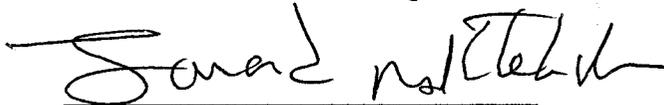
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Department of Planning & Zoning

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Zoning Evaluation Division

- 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.



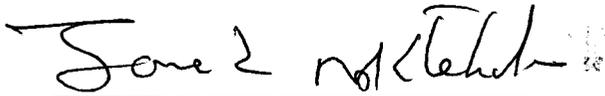
Applicant's Signature



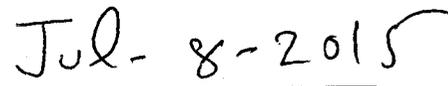
Date

- 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.



Applicant's Signature



Date

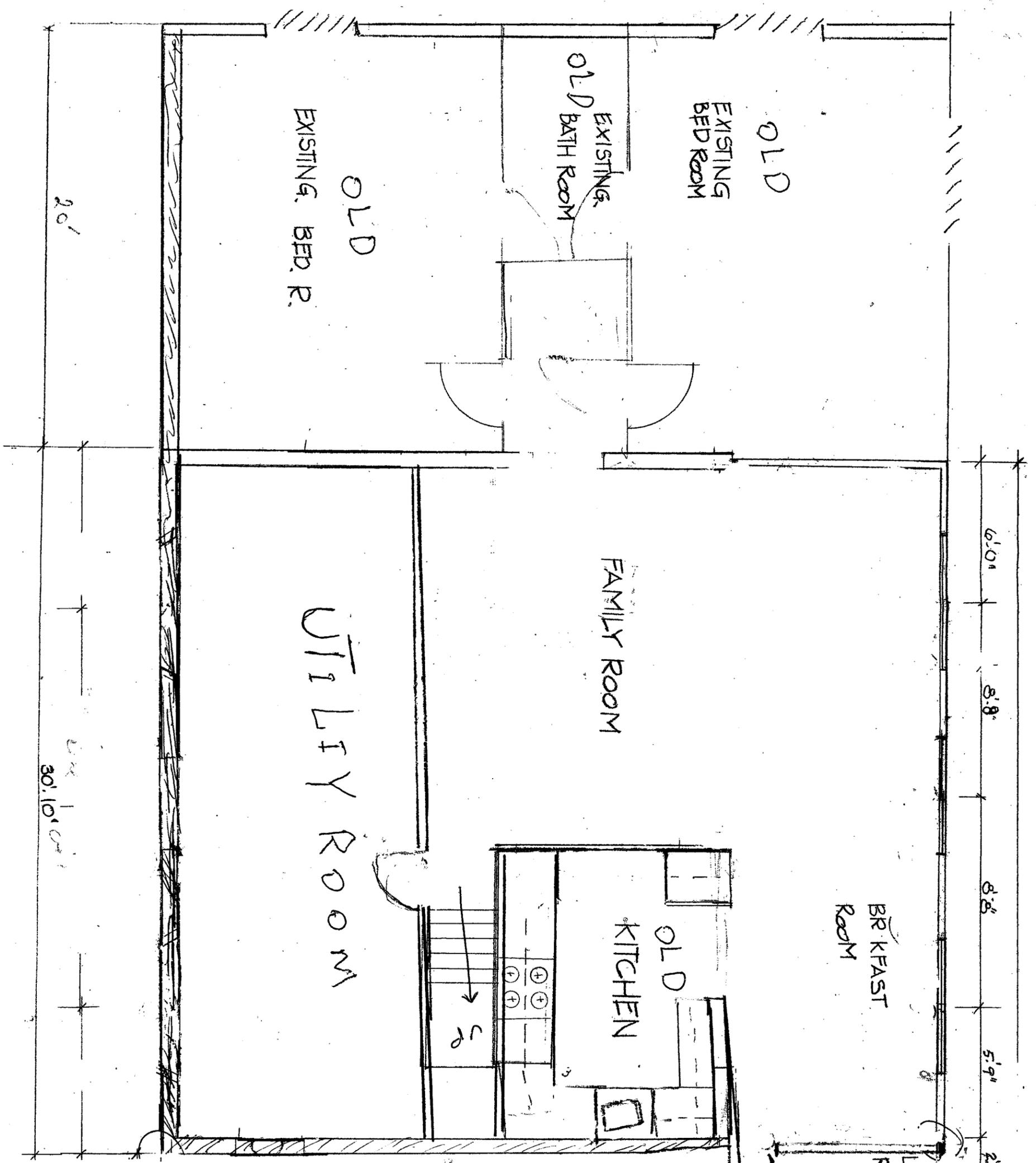
8-918

- 1) The gross floor area of the accessory dwelling unit shall not exceed thirty five (35) percent of the total gross floor area of the principle dwelling unit. When the accessory dwelling unit is located in a free standing accessory structure, the gross floor area of the accessory dwelling unit shall not exceed
· (18.6) percent of the gross floor area of the accessory freestanding structure and the principle dwelling unit.
- 2) The accessory dwelling unit shall contain no more then two (2) bedrooms.
- 3) The occupancy of the accessory dwelling unit and the principle dwelling unit shall be in accordance with the following:
 - One of the dwelling units shall be owner occupied
 - One of the dwelling units shall be occupied by a person or persons who qualify as elderly and/or disabled
 - Any person fifty five (55) years of age or older

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Department of Planning & Zoning

JUL 08 2015

Zoning Evaluation Division



MR & MRS NOKTEDAN RE:
 SCALE: 1/4" = 1'-0" APPROVED BY: J. P. KALBASSI
 DATE: 10-10-99 DRAWN BY: [blank] REVISED BY: [blank]
 7814 LIBEAU LANE ANNANDALE
 FLOOR PLAN BASEMENT

Front of the
HOUSE





DRIVE way To Dow stairs

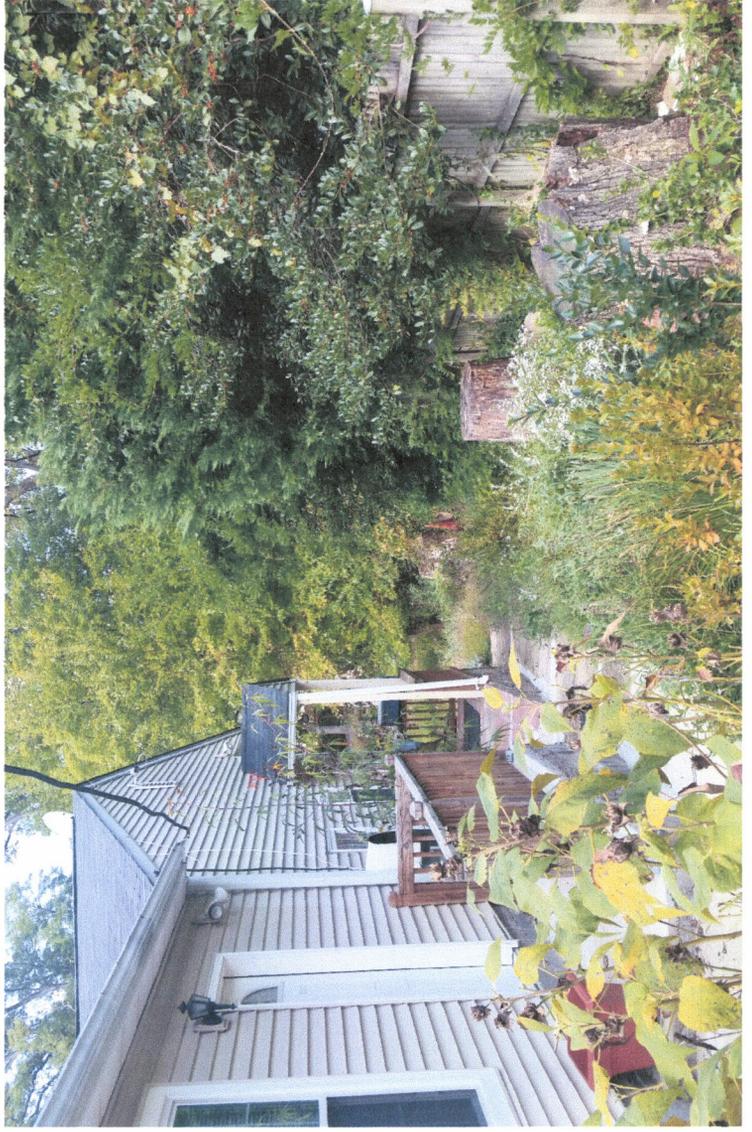


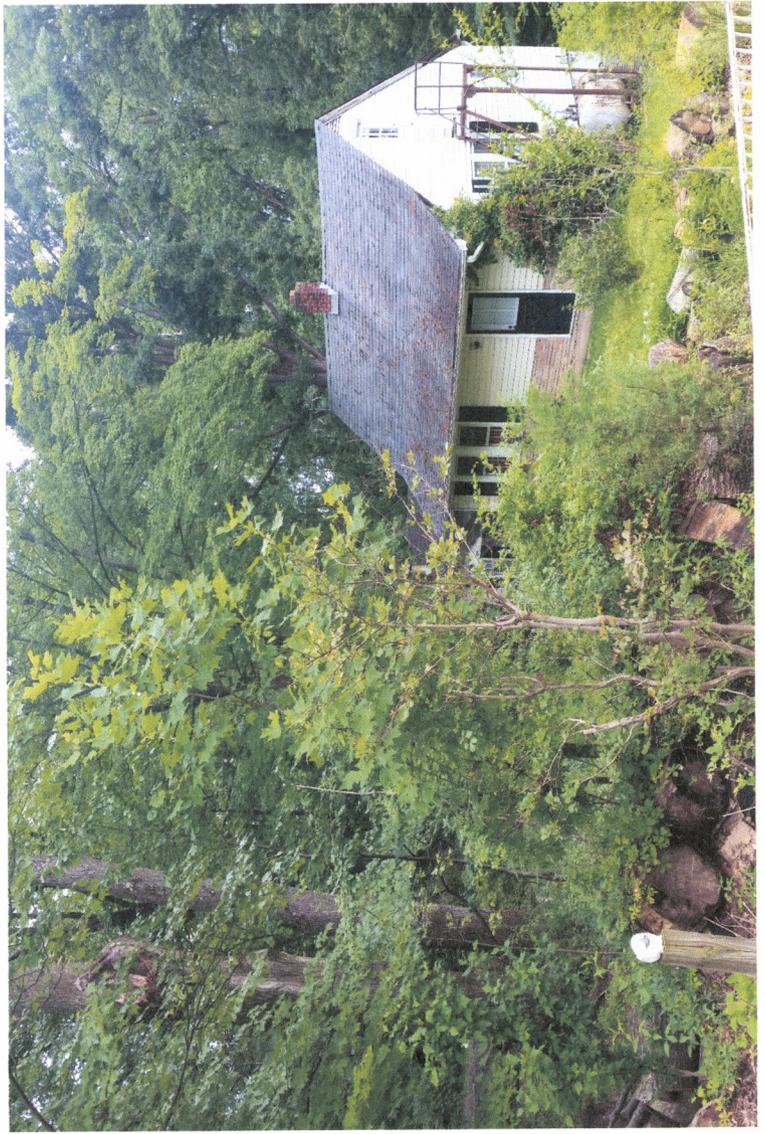
Walkaway To Down Stair

Back of The
House

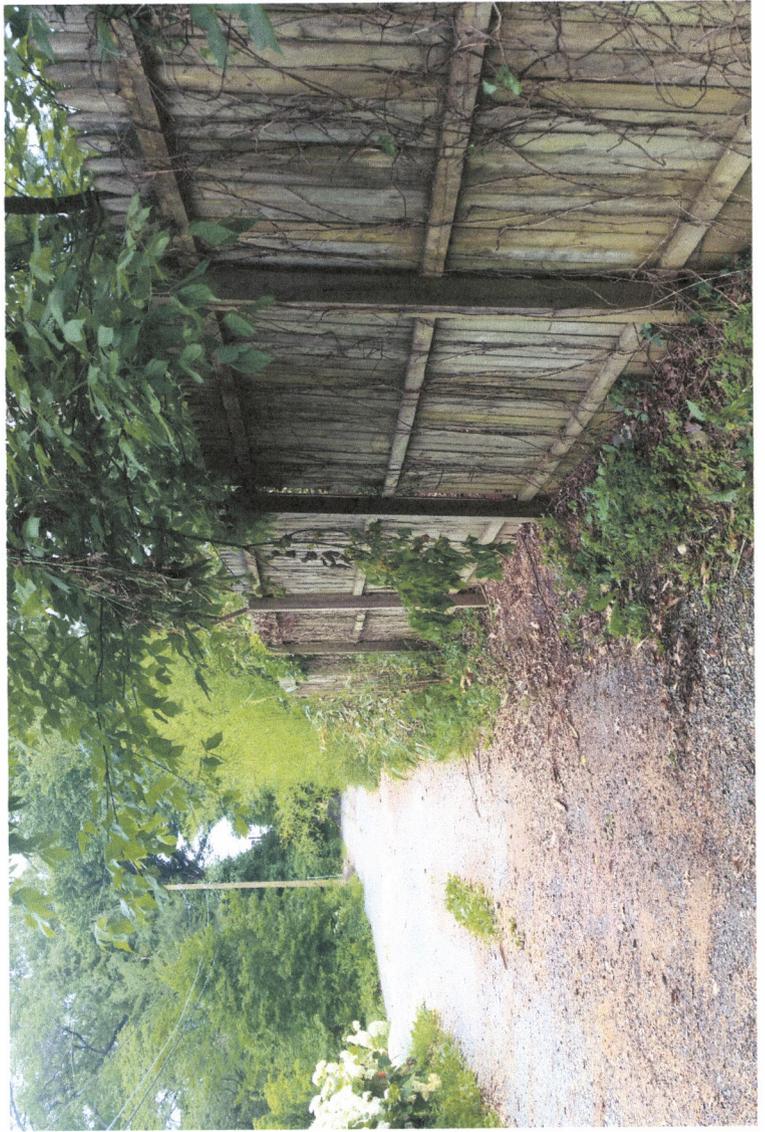


Right side





Right side
Naber



Front of The House
is Fance
No na

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From my House To
Gillows Rd
Libeau Ln



Part of Living Room &
Dinning Room



IMG_1014.JPG

IMG_1013.JPG

Dinning Room



Part of Living Room



Part of Kitchen &
Laundry Room





One of Two Bad
Room



IMG_1011.JPG

Bath Room



From The House Gose
To Gallows Rd

Application No.(s): SP 2015-MA-149
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: AUG-17-2015
(enter date affidavit is notarized)

130237

I, Javaid Noktehdan, 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)
Javaid NOKTEHDAN	7814 Libean LN	Title owner/APPLICANT
Taght NOKTEHDAN	Annandale VA	Title owner

(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)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: AUG-17-2015
(enter date affidavit is notarized)

13037

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)

N/A

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

N/A

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: AUG-17-2015
(enter date affidavit is notarized)

130237

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

N/A

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: AUG-17-2015
(enter date affidavit is notarized)

130237

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: AUG-17-2015 130237
(enter date affidavit is notarized)

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) Javad NOKTEHDAW
 Applicant [] Applicant's Authorized Agent

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

Subscribed and sworn to before me this 17 day of August 2015, in the State/Comm. of Virginia, County/City of Fairfax

Robert Wyatt Harrison
Notary Public

My commission expires: 9-30-2017



[Signature]



County of Fairfax, Virginia

MEMORANDUM

DATE: February 10, 2014

TO: Distribution

FROM:  Brian S. Parsons AICP, Assistant to the Zoning Administrator

RE: Setback Certification & Administrative Reduction
 Application Permit: #132250120
 7814 Libeua Lane
 Gallows Road
 Tax Map Ref.: 59-2 ((1)) 36
 Zoning District: R-2

Attached is the approved setback certification for a one-story garage addition to the existing single family detached dwelling on the referenced property. This property is zoned R-2 District and is located on a pipestem driveway that serves 5 adjacent lots. As such, the property is subject to a minimum 25 foot front yard setback, a minimum 15 foot side yard setback, and a minimum 25 foot rear yard setback. The yards in question are the 25.4 foot front yard and the 15.4 foot right side yard.

Pursuant to Sect. 2-412 of the Zoning Ordinance, roof eaves, which are at least ten (10) feet above finished ground level, may extend three (3) feet into any minimum required yard but not closer than two (2) feet to any lot line. The approved building permit plans show a 1 foot eave on the front and right side of the garage that measure approximately 8 feet above ground level. The setback certification plat shows that the front of the garage is 25.4 feet from the front lot line, and 15.4 feet from the right side lot line. With the 1 foot eave, the garage is approximately 24.5 feet from the front lot line and 14.4 feet from the side lot line, which is not permitted since the eaves are less than 10 feet in height.

However, pursuant to Sect. 2-419 of the Zoning Ordinance, the Zoning Administrator has the authority to reduce the minimum required yard for any building wherein the error does not exceed 10 percent of the measurement involved, was the result of an error in the location of the building subsequent to the issuance of a Building Permit, and/or the noncompliance was done in good faith or through no fault of the property owner. It is noted that the error in building location, in this case, does not exceed 10 percent of the two measurements involved, and the error occurred through no fault of the property owner. The house location plat and the Building Permit application submitted with Building Permit #132250120, issued on August 28, 2013, show that the garage was to have been constructed 25.4 feet from the front lot line and 15.4 feet from the side lot line.

Department of Planning and Zoning
 Zoning Administration Division
 Ordinance Administration Branch
 12055 Government Center Parkway, Suite 807
 Fairfax, Virginia 22035-5505
 Phone 703-324-1314 FAX 703-803-6372
 www.fairfaxcounty.gov/dpz



Mr. Javad Noktehdan
February 10, 2014
Page 2

Therefore, as a duly authorized agent of the Zoning Administrator, I have determined that the requirements for an administrative reduction as set forth in Sect. 2-419 have been met, and a 0.5 foot administrative reduction of the minimum required front yard and a 0.6 foot administrative reduction of the side yard has been granted.

The setback certification plat shows an existing porch located on the right side of the dwelling, approximately 10 feet from the right side lot line. Approved building permit plans show that the porch has been removed and replaced with stoop and steps. Sect. 2-412 of the Zoning Ordinance allows steps and stoops that are no wider than 10 feet to encroach 5 feet into the setback but not closer than 5 feet to the lot line. The stoop and steps comply with this requirement.

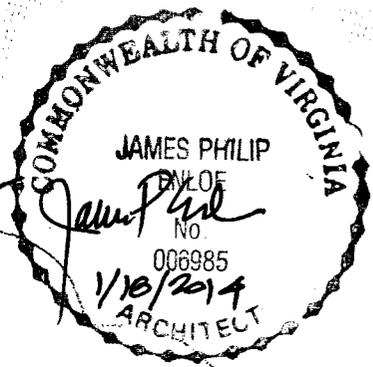
Distribution:

Javad Noktehdan; 7814 Libeua Lane, Annandale, Virginia 22003
(owner/applicant)
Diane Johnson-Quinn, Deputy Zoning Administrator for Zoning Permit Review
Branch
Charles O'Donnell, Residential Inspections Division, DPWES
Jack W. Weyant, Director, Site Development and Inspections Division, DPWES

U. 181 AC.

0.599 AC.

N/I F BEALL



N/I F JENKINS

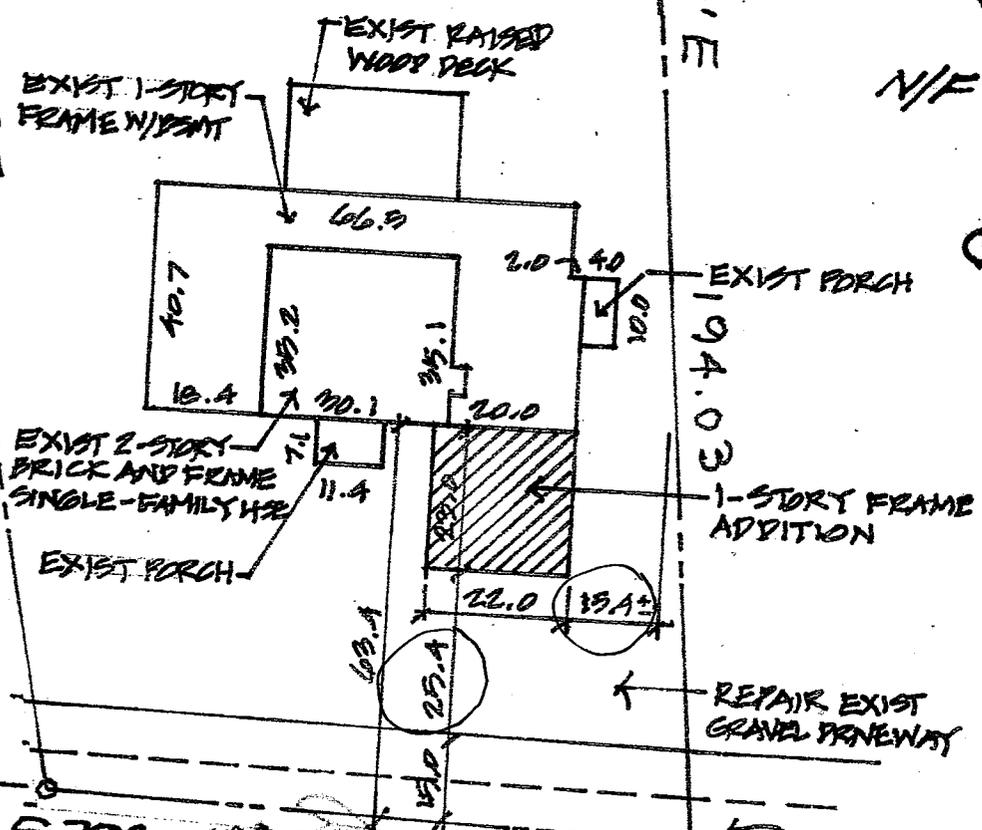
* 1 STY. DWELLING # 7814

333.30' 213.36'

S 21° 52' E

194.03'

GALLOW'S RD.



LIBEAU LANE (PRIVATE STREET) N/I F KELLY

15' OUTLET RD. TO GALLOW'S ROAD OR 525 SF AT

APPROVED for setback cert. [Signature] 02/10/14 Zoning Administrator

A 0.5 foot administrative reduction in the minimum required front yard has been GRANTED per Sect. 2-419 on February 10, 2014 by: [Signature] Brian S. Parsons, Assistant to the Zoning Administrator

A 0.6 foot administrative reduction in the minimum required side yard has been GRANTED per Sect. 2-419 on February 10, 2014 by: [Signature] Brian S. Parsons, Assistant to the Zoning Administrator

NORTH

SHOWING THE PROPERTY NORMAN E. DODD ANNANDALE DISTRICT



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: December 3, 2014

METHOD OF SERVICE: OFFICE OF THE SHERIFF

LEGAL NOTICE ISSUED TO: Javad Noktehdan
ADDRESS: Taghi Noktehdan
7814 Libeau Lane
Annandale, VA 22003

LOCATION OF VIOLATION: 7814 Libeau Lane
Annandale, VA 22003-1422

TAX MAP REF: 0592 01 0036
ZONING DISTRICT: R- 2

CASE #: 201407913 **SR #:** 111848

ISSUING INVESTIGATOR: Nancy Stallings, (703)324-1317

POTENTIAL CIVIL PENALTIES UNDER ZONING ORDINANCE

§ 18-903(1):	Zoning Violation	First Offense	Each Subsequent Offense
	§2.501	\$ 200.00	\$ 500.00
	TOTAL:	\$ 200.00	\$ 500.00

Dear Responsible Party:

An inspection of the above referenced property on November 25, 2014, revealed the following violation of the Fairfax County Zoning Ordinance:

§ 2-501 Limitation on the Number of Dwelling Units on a Lot:

The inspection revealed there are three (3) complete and separate dwellings in this single family dwelling unit on the above-referenced property. Part 3 of Article 20 of the Zoning Ordinance defines a

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

dwelling unit as:

One (1) or more rooms in a residential building or residential portion of a building which are arranged, designed, used, or intended for use as a complete, independent living facility which includes provisions for living, sleeping, eating, cooking and sanitation. Occupancy shall be in accordance with the provisions of Sect. 2-502.

Therefore, the presence of more than one dwelling unit on the above-referenced property is in violation of Sect. 2-501 of the Zoning Ordinance which states, in part:

There shall be not more than one (1) dwelling unit on any one (1) lot, nor shall a dwelling unit be located on the same lot with any other principal building....

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

- Removing, on a permanent basis, all interior door locks that prevent the free and unfettered access to all common living areas or which may separate different levels of the structure; and
 - Removing, on a permanent basis, all but one kitchen located in the dwelling to include: the ovens, microwave, ranges, sinks, cabinets, countertops, refrigerators, and freezers or combinations thereof; all other appliances and accoutrements used or intended for use for cooking or eating, and all plumbing, electrical, and gas connections and piping; and
 - Applying for and obtaining approval from the Fairfax County Building Official (12055 Government Center Parkway, Second Floor, Permit Application Center) for a valid demolition permit for the removal of all electrical circuits, plumbing fixtures and piping and natural gas piping systems which were installed to establish the second kitchen in the dwelling unit at this property, and obtaining a passing final inspection of such demolition work; and
 - Ceasing, on a permanent basis, the use of all but one (1) dwelling unit, on the property, and restoring the structure such that it contains no more than one (1) dwelling unit.
-

Javad Noktehdan
Taghi Noktehdan
December 3, 2014
SR 111848
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).

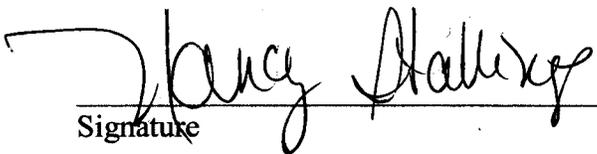
You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, 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)324-1317. For any other questions, contact our main office at (703)324-1300.

LEGAL NOTICE ISSUED BY:



Signature

Nancy Stallings
Code Compliance Investigator
(703)324-1317
Nancy.Stallings@fairfaxcounty.gov

N/F LARSEN
 N 34° 56' E - 49.68
 S 55° 04' E
 107.45

N/F BEASLEY

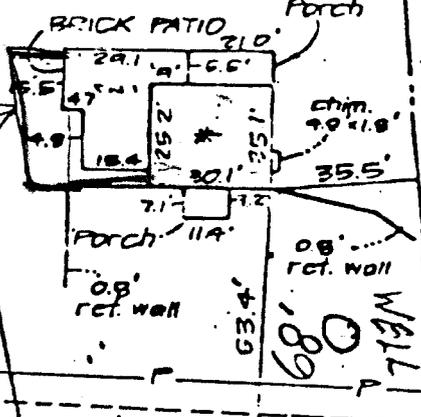
APPROVED
 DIVISION OF
 DESIGN REVIEW
 By: O'Rourke
 Date: 9-27-83

0.188 AC.

TOTAL
 0.787 AC.

0.599 AC.

Septic
 * 1 STY. DWELLING
 # 7814



N/F BERLIN

N/F BEALL

N/F JENKINS

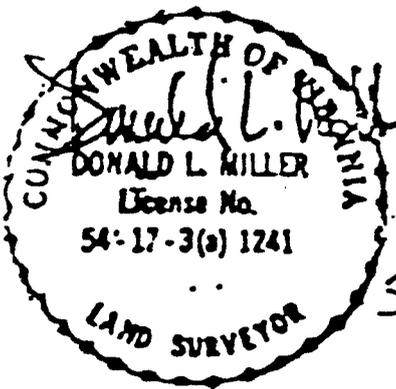
GALLOW'S RD.

19 ft off of
 Property line

Approved for proposed
 location of building as
 shown. Final approval
 subject to wall check.

SEP 27 1983 LIBEAU LANE
 Philip G. Yates (PRIVATE STREET)
 Zoning Administrator N/F KELLY

15' OUTLET RD. TO
 GALLOW'S ROAD
 DB. 535 PG. 46



591-1900

SHOWING THE PROPERTY
NORMAN E. DODD.
 ANNANDALE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

CERTIFIED CORRECT

NO TITLE REPORT FURNISHED

DATE:
 JULY 21, 1978

LONG, RINKER AND BROWN
 Engineering - Surveying - Real Estate
 FAIRFAX, VIRGINIA

SCALE:
 1" = 50'

JT.

JCO 59

BUILDING PERMIT APPLICATION

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 FAIRFAX COUNTY, VIRGINIA
 PERMIT APPLICATION CENTER
 12055 Government Center Parkway, 2nd Floor
 Fairfax, Virginia 22035-5504
 (703) 222-0801

PERMIT # 00004 B0410

FOR INSPECTIONS CALL: (703) 222-0455

DO NOT WRITE IN THIS SPACE - COUNTY USE ONLY

BLANK # 100-0001
 TAX MAP # 152-2-101/10036
 ROUTING _____ DATE _____ APPROVED BY _____

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

JOB LOCATION:
 ADDRESS 7814 LIBEAU LN
 LOT # _____ BUILDING _____
 FLOOR 1 1/2 SUITE _____
 SUBDIVISION Aspen
 TENANT'S NAME _____

OWNER INFORMATION: OWNER TENANT
 NAME Mr. T. NORTON
 ADDRESS 7814 LIBEAU LN
 CITY Annandale STATE VA ZIP 22003
 TELEPHONE 703-690-7883

CONTRACTOR INFORMATION:
 CHECK IF SAME AS OWNER

COMPANY NAME _____
 ADDRESS _____
 CITY _____ STATE _____ ZIP _____
 TELEPHONE _____

LOCAL CONTRACTOR LICENSE # _____
 STATE CONTRACTORS LICENSE # _____
 COUNTY BUSINESS ACCOUNT # _____
 APPLICANT JAYAD. POKHRIAL

DESCRIPTION OF WORK:
Garage Addition w/ Basement
2 - Completion of 2nd Floor rombo
Attic & Use Trusses To Complet 2nd
floor

HOUSE TYPE single family, Attic Typ.
 ESTIMATED COST OF CONSTRUCTION 18,000
 BLDG AREA (SQ FT OF FOOTPRINT) 1792
 USE GROUP OF BUILDING S.F.D.
 TYPE OF CONSTRUCTION Masonry
E Wood
 SEWER SERVICE: PUBLIC SEPTIC OTHER
 WATER SERVICE: PUBLIC WELL OTHER
 OTHER PLEASE SPECIFY _____

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

NONE DESIGNATED: PHONE: _____

CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS:	
# KITCHENS <u>2</u>	EXTER. WALLS _____
# BATHS <u>5</u>	INTER. WALLS _____
# HALF BATHS <u>0</u>	ROOF MATERIAL _____
# BEDROOMS <u>7</u>	FLOOR MATERIAL _____
# OF ROOMS _____	FIN. BASEMENT _____ %
# STORIES <u>1 1/2</u>	HEATING FUEL _____
BUILDING HEIGHT <u>16'</u>	HEATING SYSTEM _____
BUILDING AREA <u>1792</u>	# FIREPLACES <u>1</u>
BASEMENT <u>840</u>	

ZONING	<u>1-4-2000</u>
SITE PERMITS	<u>1-6-2000</u>
SANITATION	
HEALTH DEPT.	<u>1-6-2000</u>
FIRE MARSHAL	
BUILDING REVIEW	<u>4-6-00</u>
LICENSING	<u>1/19/00</u>
ASBESTOS	

FEE \$ 84.29
 FILING FEE \$ _____
 AMOUNT DUE \$ _____

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

APPROVED FOR ISSUANCE OF BUILDING PERMIT
 BY [Signature] DATE 2/24/00

ZONING REVIEW ZONING CLASS R2
 USE [Signature]
 ZONING CASE # _____
 GROSS FLOOR AREA OF TENANT SPACE _____

YARDS: _____ GARAGE: 1 2 3
 FRONT 63+ OPTIONS: YES NO
 L SIDE N/C or indist. REMARKS: no wet bar
 R SIDE 15 (must be)
 REAR 50+

GRADING AND DRAINAGE REVIEW
 SOILS: # 20 A B C
 HISTORICAL DISTRICT _____
 AREA TO BE DISTURBED (TOTAL SQ FT) 1,580
 ADD'L IMPERVIOUS AREA (ADDED SQ FT) 645
 PROFFERS _____
 PLAN # _____ APPR. DATE _____

STAMPS:
EXMATE, DP-WP, FDR, FF
BF, 2500 sq ft
 (See reverse side of application) [Signature]

REMARKS: right rear corner of
Attached Garage must
be moved 1' in two feet
to meet side yard req.
soil Ids are attached
with white & yellow cones of

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

Signature of Owner or Agent [Signature] Date _____

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

HOUSE LOCATION SURVEY

APPROVED
FAIRFAX COUNTY HEALTH DEPARTMENT

1-6-1980
Date
N 34° 56' E - 474.98'
Health Official

N/F BEASLEY

Approved for proposed location of building as shown. Final approval subject to well check.

MAY 1 1984

Philip G. Yates
Zoning Administrator

0.188 AC.

TOTAL 0.787 AC.

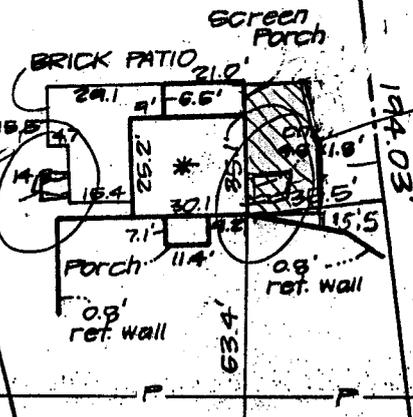
0.599 AC.

* 1 STY. DWELLING # 7814

N/F BERLIN

N/F BEALL

N/F JENKINS
Must be 15 ft.
GALLOW'S RD.



APPROVED
14-2000

TOTAL EARTH DISTURBANCE ON THIS LOT SHALL NOT EXCEED 2500 S.F.

LIBEAU LANE
(PRIVATE STREET)
N/F KELLY

APPROVED
15' OUTLET RD. TO GALLOW'S ROAD
DIVISION OF PG. 46
DESIGN REVIEW

By _____
Date 5-1-84



1 Story w/ Basement
w/ garage & charge roof
1/6/2000
SHOWING THE PROPERTY Structure
NORMAN E. DODD
ANNANDALE DISTRICT
FAIRFAX COUNTY, VIRGINIA

CERTIFIED CORRECT

NO TITLE REPORT FURNISHED

DATE:
JULY 21, 1978

LONG, RINKER AND BROWN
Engineering - Surveying - Land Planning
FAIRFAX, VIRGINIA

SCALE:
1" = 50'

J60-59

BUILDING PERMIT APPLICATION

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES
 PERMIT APPLICATION CENTER

12055 Government Center Parkway, 2nd Floor
 Fairfax, Virginia 22035-5504

Telephone: 703-222-0801

Web site: <http://www.co.fairfax.va.us/dpwes>

PERMIT # 02323B0170

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

DO NOT WRITE IN THIS SPACE - COUNTY USE ONLY

PLAN # W-02-07181

TAX MAP # 059-2-01-0036

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

JOB LOCATION

ADDRESS 7814 Libean Lane
 LOT # 36 BUILDING _____
 FLOOR _____ SUITE _____
 SUBDIVISION Home Road
 TENANT'S NAME _____

OWNER INFORMATION

OWNER TENANT
 NAME MR. JAVAD NOKTEHDAN
 ADDRESS 7814 Libean Lane
 CITY Annandale STATE VA ZIP 22003
 TELEPHONE (703)698-7883

CONTRACTOR INFORMATION

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

APPLICANT

JAVAD NOKTEHDAN

DESCRIPTION OF WORK

Deck w/ Bulit. construction
and specifications are Attached
Bulit Deck Per Plans
Home Road 22 Feet by 16 Feet + steps
 ESTIMATED COST OF CONSTRUCTION 4,900⁰⁰
 BLDG AREA (SQ FT OF FOOTPRINT) _____
 USE GROUP OF BUILDING _____
 TYPE OF CONSTRUCTION _____
 SEWER SERVICE PUBLIC SEPTIC OTHER
 WATER SERVICE PUBLIC WELL OTHER
 OTHER PLEASE SPECIFY _____

DESIGNATED MECHANICS' LIEN AGENT

(Residential Construction Only)

NAME _____
 ADDRESS _____
 NONE DESIGNATED PHONE _____

CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS

# KITCHENS	_____	EXTER. WALLS	_____
# BATHS	_____	INTER. WALLS	_____
# HALF BATHS	_____	ROOF MATERIAL	_____
# BEDROOMS	_____	FLOOR MATERIAL	_____
# OF ROOMS	_____	FIN. BASEMENT	_____ %
# STORIES	_____	HEATING FUEL	_____
BUILDING HEIGHT	<u>8'</u>	HEATING SYSTEM	_____
BUILDING AREA	_____	# FIREPLACES	_____
BASEMENT	_____		

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	<u>11/19/02</u>	<u>[Signature]</u>
SITE PERMITS	<u>11/19/02</u>	<u>[Signature]</u>
HEALTH DEPT.	<u>2/13/03</u>	<u>[Signature]</u>
BUILDING REVIEW	<u>2-13-03</u>	<u>[Signature]</u>
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

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

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

APPROVED FOR ISSUANCE OF BUILDING PERMIT
 (LOG OUT)
 BY [Signature] DATE 2/13/03

ZONING REVIEW ZONING CLASS R2
 USE _____
 ZONING CASE # _____
 GROSS FLOOR AREA OF TENANT SPACE _____
 YARDS: GARAGE 1 2 3
 FRONT [Signature] OPTIONS YES NO
 FRONT _____ REMARKS all deck columns
 L SIDE 29' no hot tub per plan - deck
 R SIDE _____ a built
 REAR 25'

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

STAMPS
[Signature]
 (See reverse side of application) [Signature]

REMARKS Plans attached
Footer 1' from septic must be removed
entirely. ~~Approval~~ Red sign necessary.

(only print 22x12) see health codes &
possibly need approval

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

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

Javad Noktehdan 11-18-02
 Signature of Owner or Agent Date
Javad Noktehdan
 Printed Name and Title
 Signature of contractor is required if owner is listed as the contractor and is not present at time of application

HOUSE LOCATION SURVEY

APPROVED
 FAIRFAX COUNTY HEALTH DEPARTMENT
 Date: 1-6-78
 Health Official: [Signature]

WHAT PROVISIONS ARE REQUIRED IN CONNECTION WITH CEILING AND FLOOR CODES.

N/F BEASLEY

SHOW DRAIN AND...
 EXISTING...
 CONNECTED TO...
 SEWER...
 DRAINAGE...
 DRAINAGE...
 DRAINAGE...

0.188 AC.

Approved for proposed location of building as shown. Final approval subject to well check.

MAY 1 1984

Philip G. Yates
 Zoning Administrator

APPROVED SUBJECT TO NOTATIONS SHOWN
 FAIRFAX COUNTY HEALTH DEPARTMENT
 Existing deck adjacent to ST must be removed. Deck support structure to be redesigned.

Date: 2-12-83
 Health Official: [Signature]
 # 7814

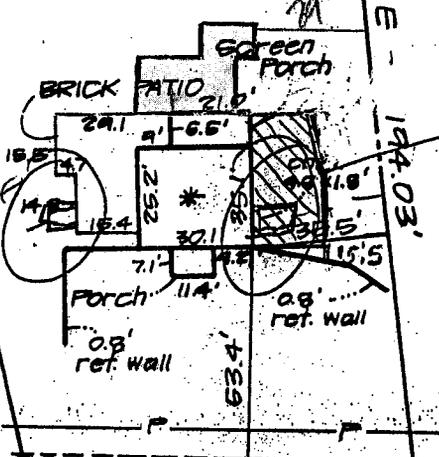
N/F BERLIN

N/F BEALL

N/F JENKINS must be 15 ft.

GALLOWS RD

APPROVED
 1-4-2000
 [Signature]

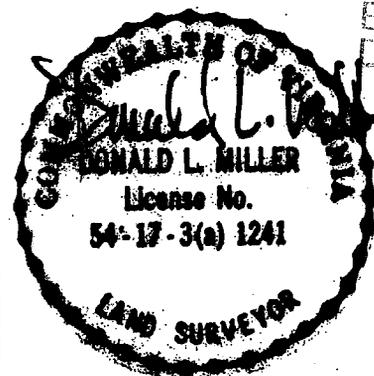


TOTAL EARTH DISTURBANCE ON THIS LOT SHALL NOT EXCEED 2500 S.F.

LIBEAU LANE (PRIVATE STREET)
 N/F KELLY

APPROVED
 15' OUTLET RD TO GALLOWS ROAD
 DESIGN REVIEW

By: [Signature]
 Date: 5-1-84



By: [Signature]
 Date: 1/6/2000
 1 Story w/ Basement
 w/ garage & change roof

SHOWING THE PROPERTY STRUCTURE
NORMAN E. DODD
 ANNANDALE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

CERTIFIED CORRECT NO TITLE REPORT FURNISHED

DATE: JULY 21, 1978

LONG, RINKER AND BROWN
 Engineering - Surveying - Land Planning
 FAIRFAX, VIRGINIA

SCALE: 1" = 50'

J.T.

J60-59

Inspections**Inspection - R FOOTING - FOOTING INSPECTION - 6135839**

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FOOTING	2013-09-11	JIM BASSARAB	N	Passed	NO	

Inspection - R FOOTING - FOOTING INSPECTION - 6125513

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FOOTING	2013-09-06	IRR INSPECTION RECORDS	N	Cancelled	NO	

Inspection - R FOOTING - FOOTING INSPECTION - 6135862

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FOOTING			N	None	NO	Auto Finalization

Inspection - R FOOTING - FOOTING INSPECTION - 6133105

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FOOTING	2013-09-10	JIM BASSARAB	N	Failed	NO	at house footing needs to be as basement depth dig rear pier footing

Inspection - R SLAB - SLAB INSPECTION - 6159670

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R SLAB	2013-10-04	DONALD BOLT	N	Passed	NO	

Inspection - R FRAMING - FRAMING INSPECTION - 6202657

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FRAMING			N	None	NO	Auto Finalization

Inspection - R FRAMING - FRAMING INSPECTION - 6125514

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FRAMING	2013-11-13	GEORGE FORD	N	Passed	NO	ok to install roofing/siding garage doors

Inspection - R INSLATION - INSULATION INSPECTION - 6125515

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R INSLATION			N	None	NO	Auto Finalization

Inspection - R FINAL - FINAL INSPECTION - 6273469

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FINAL	2014-05-15	GEORGE FORD	N	Passed	NO	

Inspection - R FINAL - FINAL INSPECTION - 6125516

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FINAL	2014-02-11	GEORGE FORD	N	Failed	NO	provide gpci protection for all receipts in garage

Reviews**Review - SETBACK - (SETBACK CERTIFICATION REVIEW) - 2257610**

Review Type	Review Date	Reviewer	Started	Status
SETBACK	2014-02-10	BRIAN PARSONS	Y	Approved

Review - BUILDING - (BUILDING REVIEW) - 2255312

Review Type	Review Date	Reviewer	Started	Status
BUILDING	2013-08-28	NORM CARLSON	Y	Approved

Review - HEALTH - (HEALTH REVIEW) - 2252766

Review Type	Review Date	Reviewer	Started	Status
HEALTH	2013-08-13	PAUL SHANNON	Y	Failed

Review - HEALTH - (HEALTH REVIEW) - 2252811

Review Type	Review Date	Reviewer	Started	Status
HEALTH	2013-08-21	PAUL SHANNON	Y	Approved

Review - SITEPERMIT - (SITE PERMITS REVIEW) - 2255311

Review Type	Review Date	Reviewer	Started	Status
SITEPERMIT	2013-08-28	SHERRY SHEPARD	Y	Approved

Review - ZONING - (ZONING REVIEW) - 2255342

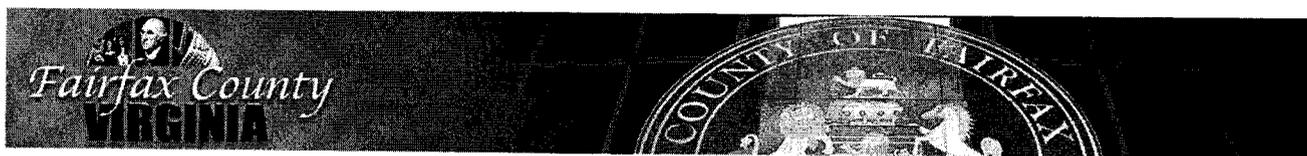
Review Type	Review Date	Reviewer	Started	Status
ZONING	2013-08-28	TONY MOORE	Y	Approved

Review - ZONING - (ZONING REVIEW) - 2255310

Review Type	Review Date	Reviewer	Started	Status
ZONING	2013-08-21	CLAUDIA VILLABONA	Y	Failed

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Land Development Information History: FIDO - PLUMBING R - 132400089

Permit Information

Permit Number:	132400089	Application Date:	
Permit Type:	PLUMBING/GAS RESIDENTIAL	Tax Map:	059-2 ((01)) 0036
Job Address:	007814 LIBEAU LA ANNANDALE , VA 22003-1422	Permit Status:	Final
Location:		Bldg:	Floor: Suite:
Subdivision:		Permit Fee:	
Magisterial District:	MASON		
Subcensus Tract:			
AP (Tenant) Name:			
Work Description:	INSTALL NEW PLUMBING EQUIPMENT FOR NEW ADDITION		
Type of Work:	NEW INSTALLATION		
Building Use:	SFD - SINGLE FAMILY DWELLING		
Standard:	IR09 - IRC 2009		
Plan Number:	W-13-4969		
Parent Permit:			
ISIS Permit:			
Type of Const:			
Use Group:			
Comments:			

Link to FIDO record : [132400089](#)

Owner Information

Owner: NOKTEHDAN JAVAD
 Address: 7814 LIBEAU LN
 City: ANNANDALE State: VA Zip: 22003

Contractor Information

Name: OWNER IS CONTRACTOR
 Address: BPOL License:
 City: State: VA Zip: State License:
 Trade Name: Trade Reg.:

Applicant Information

Applicant:
 Address:
 City: State: Zip:

Other Contact Information

Contact:

Address:

Inspections

City:

State: Zip:

Inspection - R FINAL - FINAL INSPECTION - 6125539

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FINAL	2014-02-11	GEORGE FORD	N	Passed	NO	

Inspection - R PLUMBING - RES PLUMBING CONCEALMENT INSPECTION - 6202640

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R PLUMBING	2013-11-26	DONALD BOLT	N	Passed	NO	

Inspection - R PLUMBING - RES PLUMBING CONCEALMENT INSPECTION - 6125540

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R PLUMBING	2013-11-13	GEORGE FORD	N	Failed	NO	install valves w/ bleeders so pl in garage can be seasonal

Reviews

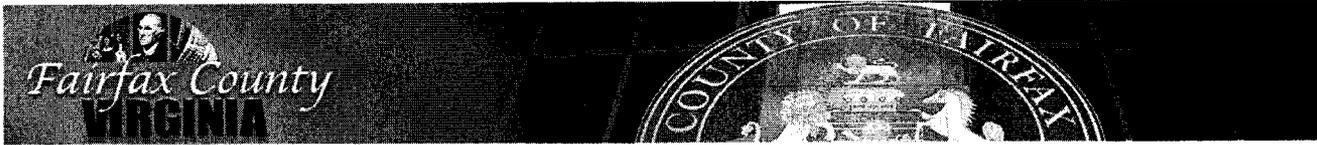
There were no reviews.

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Land Development Information History: FIDO - ELECTRIC R - 132400085

Permit Information

Permit Number:	132400085	Application Date:	
Permit Type:	ELECTRIC RESIDENTIAL	Tax Map:	059-2 ((01)) 0036
Job Address:	007814 LIBEAU LA ANNANDALE , VA 22003-1422	Permit Status:	Finalized
Location:		Bldg:	Floor: Suite:
Subdivision:		Permit Fee:	
Magisterial District:	MASON		
Subcensus Tract:			
AP (Tenant) Name:			
Work Description:	INSTALL NEW ELECTRICAL EQUIPMENT FOR NEW ADDITION//// AMEND TO ADD SUBPANEL		
Type of Work:	NEW INSTALLATION		
Building Use:	SFD - SINGLE FAMILY DWELLING		
Standard:	IR09 - IRC 2009		
Plan Number:	W-13-4969		
Parent Permit:			
ISIS Permit:			
Type of Const:			
Use Group:			
Comments:			

Link to FIDO record : [132400085](#)

Owner Information

Owner: NOKTEHDAN JAVAD
 Address: 7814 LIBEAU LN
 City: ANNANDALE State: VA Zip: 22003

Contractor Information

Name:	OWNER IS CONTRACTOR	BPOL License:	
Address:		State License:	
City:	State: VA Zip:	Trade Reg.:	
Trade Name:			

Applicant Information

Applicant:
 Address:
 City: State: Zip:

Other Contact Information

Contact:

Address:

City:

State: Zip:

Inspections**Inspection - R FINAL - FINAL INSPECTION - 6125537**

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FINAL	2014-02-11	GEORGE FORD	N	Passed	NO	

Inspection - R ELECTRIC - RES ELECTRICAL CONCEALMENT INSPECTION - 6202650

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R ELECTRIC	2013-11-26	DONALD BOLT	N	Passed	NO	

Inspection - R ELECTRIC - RES ELECTRICAL CONCEALMENT INSPECTION - 6125538

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R ELECTRIC	2013-11-13	GEORGE FORD	N	Failed	NO	amend permit to show sub panel/ 2 neutrals in 1 lug not allowed/install grnd bus run all grnds to it neutral can not be bonded to sub panel/ 14ga and 12ga wires mixed on 20a ckts / mount boxes for ext lights etc

Reviews

There were no reviews.

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**Building Permit
 Zoning Review**

*This document does not reflect the final
 Building Permit approval.*

6/17/15 8:32:33AM

Bldg Permit #: **151250030** **RESIDENTIAL ADDITION**

Address: 7814 LIBEAU LA
 ANNANDALE VA 22003-1422
 Bldg: N/A Floor: Suite: N/A

Tax Map: 0592 01 0036

Subdiv: **GALLOWS ROAD** .79

Owner: NOKTEHDAN JAVAD
 7814 LIBEAU LN ANNANDALE VA 22003

Phone Day: (703)609-5367 x **Evening:**

Contractor:
 OWNER IS CONTRACTOR
 (999) 999-9999

Type of Work: ADDITIONAL STORIES

Description of Work: convert garage to storage with full bathroom and remove 2nd kitchen including cap off plumbing and electrical utilities related to 2nd kitchen (201407913 cerc case)

Specific Description of Work:

<u>1 Story Ground</u>	<u>1 Story Crawl</u>	<u>1 Story Bsmt Below</u>	<u>2 Story Ground</u>	<u>2 Story Crawl</u>	<u>2 Story Bsmt below</u>	<u>2nd Story Addn Over Exist Structure</u>
Y	N	N	N	N	N	N

ZPRB Review:

<u>Date</u>		<u>Status</u>
05/19/2015	TMILLE	Failed
Problem Recorded: 5/19/15 Problem Resolved		
Per DCC do not approve. Please see the investigator with the Dept. of Code Compliance for more information - 703-324-1300.		
06/17/2015	AMoor4	Approved
Problem Recorded: 5/19/15 Problem Resolved 6/17/15		
Per DCC do not approve. Please see the investigator with the Dept. of Code Compliance for more information - 703-324-1300. ddc ok to approve see refal in file		

Zoning Detail Review TAB:

Zoning Dist.	Cluster Subdiv	Use	2nd Wet Bar	ADU Kitchen	ADU Subdiv	Proffer	Setback
R-2	N	SFD	N	N	N	N	N

Dimensions:

Structure Dimension	Height	Structure Type
	1.00	

USE GRP R5 **CNST TYPE** VB **BLDGAREA** 420.00

DETAILS COMMENTS:
 approved conversion of garage to storage space per ddc see approval in file

Subdivision: Acreage

Referral to Department of Code Compliance
Herrity Building, 10th F
703-324-1300

RECEIVED
JUN 15 2015
- Keel -

To: Karen McClellan
Operations Manager

Vicky

Date: JUN 12, 2015

From: Tammy Miller- ZPRB

Job Address: 7814 Libeau Lane

Permit #: 151250030

Department of Code Compliance Comments/Review:

FOR
OK to issue permit ~~once~~ demolition
~~of kitchen~~ of kitchen
project has been
existing garage to finished storage
are with full bath

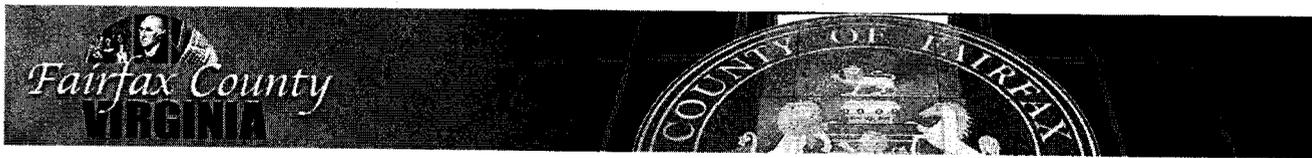
DCC Supervisor approval to review the permit application: *gmc* (please initial)
(This is to clarify that DCC staff are not conducting a ZPRB or PAC review of the permit, only checking to determine that the issuance of the permit either clears the violation or at does not compound the violation.)

DCC Area Supervisor's Name: *Susan Epstein*

DCC Inspectors Phone #: *Daenele* 321-1398

Date of approval/rejection: *6/16/15*

RECEIVED
JUN 15 2015
BY:



Land Development Information History: FIDO - ADDITION R - 151250030

Permit Information

Permit Number:	151250030	Application Date:	
Permit Type:	RESIDENTIAL ADDITION	Tax Map:	059-2 ((01)) 0036
Job Address:	007814 LIBEAU LA ANNANDALE, VA 22003-1422	Permit Status:	Finalized
Location:		Bldg:	Floor: Suite:
Subdivision:		Permit Fee:	
Magisterial District:	MASON		
Subcensus Tract:			
AP (Tenant) Name:			
Work Description:	convert garage to storage with living space full bathroom and remove 2nd kitchen including cap off plumbing and electrical utilities related to 2nd kitchen (201407913 cerc case)		
Type of Work:	ADDITIONAL STORIES		
Building Use:	SFD - SINGLE FAMILY DWELLING		
Standard:	IR09 - IRC 2009		
Plan Number:	W-15-2669		
Parent Permit:			
ISIS Permit:			
Type of Const:	VB		
Use Group:	R5		
Comments:			

Link to FIDO record : [151250030](#)

Owner Information

Owner: NOKTEHDAN
JAVAD
Address: 7814
LIBEAU LN
City: ANNANDALE State: VA
Zip: 22003

Contractor Information

Name: OWNER
IS CONTRACTOR
BPOL License:
State License:

Address:

City:

State: VA

Zip:

Trade Reg.:

Information

Applicant

Trade Name:

Applicant:

Address:

City:

State: Zip:

Other Contact Information

Contact:

Address:

City:

State: Zip:

Inspections**Inspection - R FOOTING - FOOTING INSPECTION - 6776046**

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FOOTING			N	None	NO	Auto Finalization

Inspection - R FRAMING - FRAMING INSPECTION - 6784413

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FRAMING			N	None	NO	Auto Finalization

Inspection - R FRAMING - FRAMING INSPECTION - 6776047

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FRAMING	2015-06-25	GEORGE FORD	N	Cancelled	NO	

Inspection - R INSLATION - INSULATION INSPECTION - 6776048

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R INSLATION			N	None	NO	Auto Finalization

Inspection - R FINAL - FINAL INSPECTION - 6784414

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FINAL	2015-06-25	GEORGE FORD	N	Passed	NO	

Inspection - R FINAL - FINAL INSPECTION - 6776049

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FINAL			N	None	NO	Auto Finalization

Reviews**Review - BUILDING - (BUILDING REVIEW) - 2428171**

Review Type	Review Date	Reviewer	Started	Status
BUILDING	2015-06-18	SHAINA ABNEY	Y	Approved

Review - HEALTH - (HEALTH REVIEW) - 2428168

Review Type	Review Date	Reviewer	Started	Status
HEALTH	2015-05-06	GREGORY GARBER	Y	Approved

Review - ZONING - (ZONING REVIEW) - 2428169

Review Type	Review Date	Reviewer	Started	Status
ZONING	2015-05-19	TAMMY MILLER	Y	Failed

Review - ZONING - (ZONING REVIEW) - 2433681

Review Type	Review Date	Reviewer	Started	Status
ZONING	2015-06-17	TONY MOORE	Y	Approved

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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.

8-918 Additional Standards for Accessory Dwelling Units

As established by the Fairfax County Board of Supervisors' Policy on Accessory Dwelling Units (Appendix 5), the BZA may approve a special permit for the establishment of an accessory dwelling unit with a single family detached dwelling unit but only in accordance with the following conditions:

1. Accessory dwelling units shall only be permitted in association with a single family detached dwelling unit and there shall be no more than one accessory dwelling unit per single family detached dwelling unit.
2. Except on lots two (2) acres or larger, an accessory dwelling unit shall be located within the structure of a single family detached dwelling unit. Any added external entrances for the accessory dwelling unit shall be located on the side or rear of the structure.

On lots two (2) acres or greater in area, an accessory dwelling unit may be located within the structure of a single family detached dwelling unit or within a freestanding accessory structure.
3. The gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the total gross floor area of the principal dwelling unit. When the accessory dwelling unit is located in a freestanding accessory structure, the gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the gross floor area of the accessory freestanding structure and the principal dwelling unit.
4. The accessory dwelling unit shall contain not more than two (2) bedrooms.
5. The occupancy of the accessory dwelling unit and the principal dwelling unit shall be in accordance with the following:
 - A. One of the dwelling units shall be owner occupied.
 - B. One of the dwelling units shall be occupied by a person or persons who qualify as elderly and/or disabled as specified below:
 - (1) Any person fifty-five (55) years of age or over and/or
 - (2) Any person permanently and totally disabled. If the application is made in reference to a person because of permanent and total disability, the application shall be accompanied by a certification by the Social Security

Administration, the Veterans Administration or the Railroad Retirement Board. If such person is not eligible for certification by any of these agencies, there shall be submitted a written declaration signed by two (2) medical doctors licensed to practice medicine, to the effect that such person is permanently and totally disabled. The written statement of at least one of the doctors shall be based upon a physical examination of the person by the doctor. One of the doctors may submit a written statement based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability.

For purposes of this Section, a person shall be considered permanently and totally disabled if such person is certified as required by this Section as unable to engage in any substantial gainful activity by reasons of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of the person's life.

- C. The accessory dwelling unit may be occupied by not more than two (2) persons not necessarily related by blood or marriage. The principal single family dwelling unit may be occupied by not more than one (1) of the following:
 - (1) One (1) family, which consists of one (1) person or two (2) or more persons related by blood or marriage and with any number of natural children, foster children, step children or adopted children.
 - (2) A group of not more than four (4) persons not necessarily related by blood or marriage.
- 6. Any accessory dwelling unit established for occupancy by a disabled person shall provide for reasonable access and mobility as required for the disabled person. The measures for reasonable access and mobility shall be specified in the application for special permit. Generally, reasonable access and mobility for physically disabled persons shall include:
 - A. Uninterrupted access to one (1) entrance; and
 - B. Accessibility and usability of one (1) toilet room.

7. The BZA shall review all existing and/or proposed parking to determine if such parking is sufficient to meet the needs of the principal and accessory dwelling units. If it is determined that such parking is insufficient, the BZA may require the provision of one (1) or more off-street parking spaces. Such parking shall be in addition to the requirements specified in Article 11 for a single family dwelling unit.
8. The BZA shall determine that the proposed accessory dwelling unit together with any other accessory dwelling unit(s) within the area will not constitute sufficient change to modify or disrupt the predominant character of the neighborhood. In no instance shall the approval of a special permit for an accessory dwelling unit be deemed a subdivision of the principal dwelling unit or lot.
9. Any accessory dwelling unit shall meet the applicable regulations for building, safety, health and sanitation.
10. Upon the approval of a special permit, the Clerk to the Board of Zoning Appeals shall cause to be recorded among the land records of Fairfax County a copy of the BZA's approval, including all accompanying conditions. Said resolution shall contain a description of the subject property and shall be indexed in the Grantor Index in the name of the property owners.
11. The owner shall make provisions to allow inspections of the property by County personnel during reasonable hours upon prior notice.
12. Special permits for accessory dwelling units shall be approved for a period not to exceed five (5) years from the date of approval; provided, however, that such special permits may be extended for succeeding five (5) year periods in accordance with the provisions of Sect. 012 above.
13. Notwithstanding Par. 5 of Sect. 9-012, any accessory dwelling unit approved prior to July 27, 1987 and currently valid may be extended in accordance with the provisions of this Section and Sect. 012 above.