

RZ / SE APPLICATION RESCHEDULING / DEFERRAL REQUEST FORM

| | | | |
|---|--|---|-----------------|
| DATE: | March 02, 2016 | APPLICATION NUMBER: | PCA 2004-PR-007 |
| STAFF COORDINATOR: | Bob H. Katai bkatai | CURRENT PC DATE: | 4/14/2016 |
| | | CURRENT BOS DATE: | |
| RESCHEDULING, DEFERRAL, WITHDRAWAL & REACTIVATION: | | | |
| <u>WITHDRAWAL</u> | | | |
| REASON FOR DEFERRAL? | APPLICANT REQUEST: (Enter Date & Attach Request Letter) | | |
| | PLANNING COMMISSION MOTION: (Enter Date & Attach PC Action Summary Sheet) | | |
| | AFFIDAVIT ISSUE: (Enter Date & Attach Email from Jo Ellen Groves) | | |
| | ADMINISTRATIVE DEFERRAL BY STAFF: (Enter Date & Attach Correspondence) | | |
| | OTHER: (Enter Date & Attach Correspondence) | | |
| DATE DEFERRAL/WITHDRAWAL/REACTIVATE LETTER RECEIVED BY DPZ: | | 3/2/2016 | |
| APPLICATION ACCEPTANCE DATE: | | 11/4/2015 | |
| IS ZONING CASE EXPEDITED? <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No | | DOES BOS DATE NEED TO BE RESCHEDULED / SCHEDULED? <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No | |
| PREFERRED PC DATE | | PREFERRED BOS DATE | |
| FIRST CHOICE | SECOND CHOICE | | |
| | | | |
| PRE-STAFFING / STAFFING SCHEDULE | | REACTIVATION | |
| EXISTING DATE CHANGE? (CONTACT HARRY) <input type="checkbox"/> Yes / <input type="checkbox"/> No | | IF REACTIVATED? (CONTACT MICHELLE) <input type="checkbox"/> Yes / <input type="checkbox"/> No | |
| | | | |
| FOR USE BY MICHELLE ONLY | | | |
| CONFIRMED BY PC OFFICE: <input type="checkbox"/> Yes / <input type="checkbox"/> No | | | |
| | | | |

Cc:

| | | |
|-----------------|------------------------------------|------------------------------|
| Barbara Berlin | Regina Coyle | Michelle Cabero |
| Kris Abrahamson | Terry Heath | Robert (Harry) Harrison |
| Bill Mayland | Domenic Scavuzzo | Jo Ellen Groves - CAO |
| Cathy Lewis | Debbie Pemberton (Withdrawal only) | Requesting Staff Coordinator |

ATTACH COPY OF APPLICANT'S REQUEST LETTER

From: [Katai, Bobby H.](#)
To: [Amir.A. Azimi](#)
Cc: [Berlin, Barbara C.](#); [Katai, Bobby H.](#)
Subject: RE: Update 8400 Rainbow
Date: Wednesday, March 2, 2016 5:46:17 PM

Mr. Azimi,

As I understand your e-mail, you wish to withdraw the application for PCA 2004-PR-007 and obtain a refund of the application fees. The refund request will be evaluated by the Director of the Zoning Evaluation Division. If approved, a refund check will be sent under separate cover via the United State Postal Service. Regarding the vested rights determinations, the Zoning Administrative Division has informed me that they intend to issue the two determinations in the next several days.

Bob H. Katai
County of Fairfax, Virginia
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035-5505
703-324-7285
bkatai@fairfaxcounty.gov

From: Amir.A. Azimi [mailto:arc.amir@hotmail.com]
Sent: Wednesday, March 2, 2016 9:39 AM
To: Katai, Bobby H.
Subject: RE: Update 8400 Rainbow

Mr Kataii

Per our conversation you May Please make sure that we get our wasted right for both side and you may put the case on indefinite deferral as you Name .

I am sure that as a man with a workman ship Manner you may not be pride of the service your office provided for us and the cost we paid for back and forth same place as we were .

But i will Leave the judgment for your Souls

Sincerely
Amir Azimi

From: Bobby.Katai@fairfaxcounty.gov
To: arc.amir@hotmail.com
CC: Bobby.Katai@fairfaxcounty.gov

Subject: FW: Update 8400 Rainbow
Date: Fri, 26 Feb 2016 21:46:54 +0000

Mr. Azimi,

I haven't heard from you in a while. If Dr. Razi is still interested in withdrawing his application, please copy the below letter that I prepared for your use (It's in large typeface.), sign it, and send it back to me. If Dr. Razi is no longer interested in withdrawing, please contact me as soon as possible so we can amend the application and work out a new schedule. If I don't hear back from you by next Wednesday, March 2, 5:00 p.m., I plan to place the application on administrative indefinite deferral.

Bob H. Katai
County of Fairfax, Virginia
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035-5505
703-324-7285
bkatai@fairfaxcounty.gov

From: Amir [<mailto:arc.amir@hotmail.com>]
Sent: Thursday, February 11, 2016 4:43 PM
To: Katai, Bobby H.
Subject: Update 8400 Rainbow

Mr katai

I am waiting the owner mr Razi respond
When he has already payed county fee/ special plat survey / Architect / structural
engineering/ and permit runner

- 1)He his seating with a bad condition (snow and rain damaging floor and front door)
- 2) they are also very frustrated and tiered of waiting with all your offices confusing massages

I will update you with families final decision by next week .

Sincerely
Amir Azimi

On Feb 10, 2016, at 4:15 PM, Katai, Bobby H. <Bobby.Katai@fairfaxcounty.gov> wrote:

Mr. Azimi,

Below is a withdrawal letter that you can utilize if you wish. Feel free to cut and paste from the letter and send it back to me in a separate e-mail as your withdrawal request.

Bob H. Katai
County of Fairfax, Virginia
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035-5505
703-324-1290
bkatai@fairfaxcounty.gov

February 10, 2016

Barbara Berlin
Director of Zoning Evaluation
Department of Planning and Zoning
12055 Government Center Parkway, Suite 891
Fairfax, VA 22035

Re: PCA 2004-PR-007

Dear Ms. Berlin:

The applicant of the above referenced Proffered Condition Amendment hereby withdraws its application. If possible, please refund the application fee, or any portion thereof.

Sincerely,

Amir A. Azimi

From: Amir [<mailto:arc.amir@hotmail.com>]
Sent: Wednesday, February 10, 2016 3:09 PM
To: Katai, Bobby H.

Subject: 8400 Rainbow

Mr katai

Thank you for your time

I would like to ask a refund for my case
When from beginning it was not clear that what I need
an special permit or preferred

Please let me know how I can get it back and close case

Amir

Sent from an Apple Phone.

On Feb 5, 2016, at 11:56 AM, Amir <arc.amir@hotmail.com> wrote:

Mr katai

Will be happy to shake hand and get a short meeting on feb 10 2:00
pm at your office

Thanks

Amir A. Azimi

Sent from an Apple Phone.

On Feb 5, 2016, at 10:48 AM, Katai, Bobby H.

<Bobby.Katai@fairfaxcounty.gov> wrote:

Mr. Azimi,

Does Wednesday afternoon, February 10, at 2:00 p.m. work
for you? I can meet you at the front counter, Room 801,
and we can go to a conference room from there.

Bob H. Katai
County of Fairfax, Virginia
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035-5505
703-324-1290
bkatai@fairfaxcounty.gov

From: Amir.A. Azimi [<mailto:arc.amir@hotmail.com>]
Sent: Friday, February 5, 2016 8:11 AM
To: Katai, Bobby H.
Subject: Schedule tme request : RZ 2004-pr-007/ 8400
Rainbow vienna

Dear Mr Kataii

You may Please schedule a Short Meeting for next week at your Office

Sincerely
Amir A. Azimi

From: Bobby.Katai@fairfaxcounty.gov
To: arc.amir@hotmail.com
CC: Bobby.Katai@fairfaxcounty.gov
Subject: RE: RZ 2004-pr-007/ 8400 Rainbow vienna
Date: Fri, 5 Feb 2016 00:16:31 +0000
Mr. Azimi,

I empathize with your frustration. There are a number of existing issues with this property that must be resolved before the applications can go forward. We should meet and discuss the processes. For example, you must first exhaust your administrative remedies by obtaining the applicable vested rights determinations from the Zoning Administration Division (ZAD). (You mentioned that you obtained one such determination. It would be helpful for you to bring a copy of that determination to our meeting.) Additionally, at our meeting I can explain the Proffered Condition Amendment (PCA) and Special Permit (SP) processes and why you will be subject to both of them. We can also review the previous rezoning approval regarding the two maples that were required to be retained.

It's important to recognize that when taking action on a PCA, the Board of Supervisors may approve, approve as modified, or deny your application. Likewise, on a SP, the Board of Zoning Appeals may approve, approve with conditions, or deny your application. Again, I can explain the processes and applicable decision criteria when we meet. Please

contact me at 703-324-1290 to schedule an appointment at your convenience.

Bob H. Katai
County of Fairfax, Virginia
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035-5505
703-324-1290
bkatai@fairfaxcounty.gov

From: Amir.A. Azimi [<mailto:arc.amir@hotmail.com>]
Sent: Wednesday, February 3, 2016 6:57 PM
To: Katai, Bobby H.
Subject: RE: RZ 2004-pr-007/ 8400 Rainbow vienna

Mr. Katai

With a thanks for your fast respond .
As a new immigrant with a limited
languish recourse & As an old Urban planner
Architect from Copenhagen Denmark ,
I can understand that we are the same place as we were
a year ago .

1 +2) Per Mrs. Pemberton instruction, I applied for
vested right for both side in 2015 , We got one but not
another , they asked us to go back to Mrs. Pemberton
to explain it .
3) Removal of trees? We do not have any knowledge of
existence of those entity in the property line.
But in Case of missing any thing We can always replant
& Pay the penalty for not being aware of
something like that
4) issue of your office recomanded PCA ?
5) Resubmit of Special permit and possibility of
only a signature requirement ?

Mr Katai, With all respect , want to humbely ask
How would you will act & think if you were in my place
?
Looking forward for your instructions . Thank you

Sincerely
Amir Azimi

From: Bobby.Katai@fairfaxcounty.gov
To: arc.amir@hotmail.com
CC: Bobby.Katai@fairfaxcounty.gov
Subject: RE: RZ 2004-pr-007/ 8400 Rainbow vienna
Date: Wed, 3 Feb 2016 22:20:14 +0000
Hi Mr. Azimi,

My apologies for not contacting you earlier. There are a number of complex issues involved with this application that need to be resolved. These issues include: 1) the intrusion of the existing dwelling into the north side zoning setback; 2) intrusion of the existing dwelling into the front proffered setback; 3) the removal of two maple trees that were located in the front yard and were to be retained; 4) the proposed intrusion into the front proffered setback; and 5) the proposed intrusion into the front zoning setback. I'm trying to see if I can obtain a vested determination to resolve Issues 1 and 2. I'm working with Urban Forestry to determine a replanting plan to address Issue 3. Issue 4 is the subject of the PCA application and I need to discuss potential alternatives with you. Issue 5 will require the filing of a Special Permit. (We have retained your previously filed SP paperwork, so only a signature might be required.) In any case, please call me so we can discuss these matters further. I'm still investigating some of the issues, but I'll explain where we are at this point.

Bob H. Katai
County of Fairfax, Virginia
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035-5505
703-324-1290
bkatai@fairfaxcounty.gov

From: Amir.A. Azimi [<mailto:arc.amir@hotmail.com>]
Sent: Wednesday, February 3, 2016 9:20 AM
To: Katai, Bobby H.

Subject: RZ 2004-pr-007/ 8400 Rainbow vienna

Mr Bob Katai

Polite want to follow up with any progress or timing
schedule for county respond about

RZ 2004-pr-007/8400 Rainbow rd Vienna / a small Front
porch canopy addition

looking forward to hear from you
Thanks for your time when i know you are very busy at
zoning department

Sincerely
Amir Azimi
