



County of Fairfax, Virginia

July 27, 2016

STAFF REPORT

SPECIAL PERMIT SP 2016-MA-045

MASON DISTRICT

APPLICANT/OWNER: Vijaya P. Doddi

SUBDIVISION: Weyanoke

STREET ADDRESS: 6426 3rd Street, Alexandria, 22312

TAX MAP REFERENCE: 72-3 ((8)) (D) 72A, 73, 74, and 75

LOT SIZE: 9,900 square feet

ZONING DISTRICT: R-2, HC

ZONING ORDINANCE PROVISIONS: 8-914

SPECIAL PERMIT PROPOSAL: To permit a reduction in minimum yard requirements based on an error in building location to allow the dwelling to remain 18.3 feet and a stoop with stairs 12.0 feet from a front lot line and deck (at-grade patio) to remain 3.3 feet from a side lot line.

STAFF RECOMMENDATION:

It should be 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.

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

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

Sharon Williams

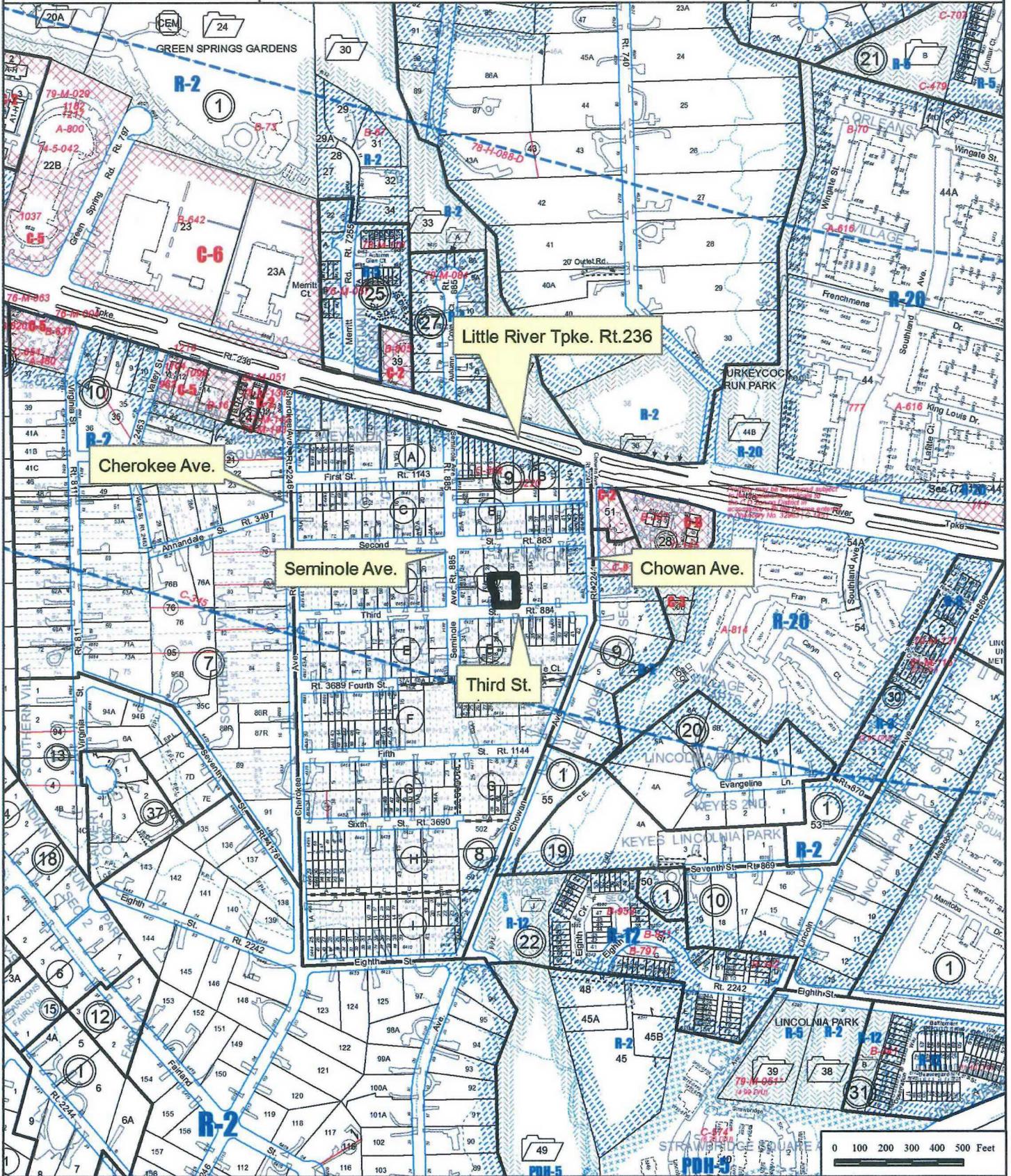
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government 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 2016-MA-045 VIJAYA P. DODDI



NOTES:

1. THE PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
2. THE SURVEY WAS NOT PREPARED FOR CONSTRUCTION PURPOSES (INCLUDING FENCES).
3. THE LOCATION OF FENCES ARE APPROXIMATE AND DO NOT CERTIFY TO OWNERSHIP.
4. THE PROPERTY SHOWN ON THIS PLAT IS LOCATED ON TAX #72-3--((08))(D)-072A AND 073 THRU 75. PROPERTY CORNERS ARE NOT SET.
5. NO KNOWN GRAVE SITE OR BURIAL SITE EXIST ON THE LOT.
6. THE PROPERTY IS SERVED BY PUBLIC WATER AND SANITARY SEWER SYSTEM.
7. THERE ARE NO KNOWN UTILITY EASEMENTS HAVING A WIDTH OF 25 FEET OR MORE ON SITE.
8. THERE ARE NO KNOWN MAJOR UTILITY EASEMENTS ON SITE.
9. NO KNOWN TOXIC OR HAZARDOUS SUBSTANCES EXIST ON SITE.
10. THE PROPOSED DEVELOPMENT CONFORMS TO PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS.
11. NO FLOOD PLAIN, RESOURCE PROTECTION OR MANAGEMENT AREAS EXIST ON SITE.
13. BUILDING PERMIT NO:13410039
14. OUT LOT AREA, 072A=1,650 SF AND AREA LOTS 73-75=8,250 SF.

**TOTAL LOT AREA = 9,900 SF
SETBACK TABLE (R-2) HC**

	REQUIRED	PROVIDED		REMARKS
		BLD WALL	ROOF EAVE	
FRONT	35' (MIN.)	19.5'	18.3'	15.5' WALL 18.0' STEPS
SIDE	15' (MIN)	15.2'	14.0'	6.7' EX.PATIO
REAR	25' (MIN.)	25.4'	24.2'	NOT REQUIRED

PROPERTY OWNER:

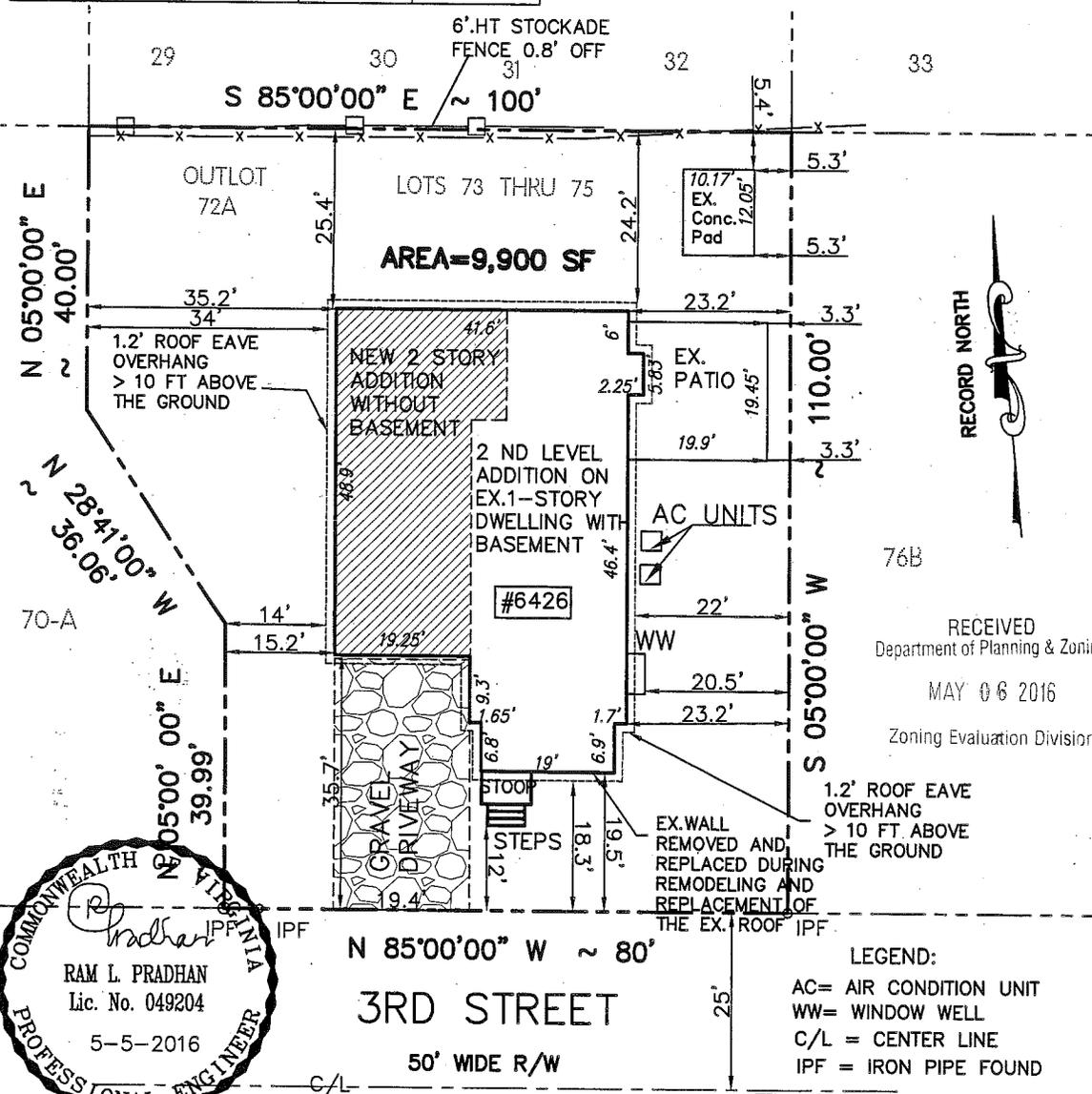
VIJAYA PRASAD DODDI
10450 ARTEMEL LN, GREAT FALLS
VIRGINIA 22046
PHONE: 703-967-6253

IMPERVIOUS AREA CALCULATIONS

EX.HOUSE = 1,361 SF
NEW FOOTPRINT = 1,022 SF
STOOP = 32 SF
STEPS = 16 SF
PATIO = 387+123 = 510 SF
TOTAL = 2,941 SF
% IMP. AREA = 2,941/9,900x100 = 29.71%
GRAVEL DRIVEWAY = 681 SF

GROSS FLOOR AREA COMPUTATIONS

EXISTING GROSS FLOOR AREA = 1,270 SF
NEW ADDITION GROSS FLOOR AREA = 2,747 SF
TOTAL FLOOR AREA = 4,017 SF
FLOOR AREA RATIO = 0.406



COMMONWEALTH OF VIRGINIA
Professional Engineer
RAM L. PRADHAN
Lic. No. 049204
5-5-2016

LEGEND:
AC= AIR CONDITION UNIT
WW= WINDOW WELL
C/L = CENTER LINE
IPF = IRON PIPE FOUND
[Hatched Box] NEW FOOTPRINT ADDITION

SPECIAL PERMIT PLAT

WEYANOKE, OUTLOT 72A
LOTS 73 THRU 75, BLOCK D
6426 3RD STREET, ALEXANDRIA
MASON DISTRICT, VIRGINIA 22312

PREPARED BY
Inova Engineering Consultants, Inc.
25209 LARKS TERRACE
SOUTH RIDING, VIRGINIA 20152
PHONE: (703) 655-3951

SCALE: 1"=20', DATE: APRIL 30, 2016

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a reduction in minimum yard requirements based on an error in building location to allow a dwelling to remain 18.3 feet and a stoop with stairs to remain 12.0 feet from a front lot line and a deck (at-grade patio) to remain 3.3 feet from a side lot line.

Error Location and Reduction Requested

	Structure	Yard	Minimum Yard Required	Existing Location	Existing Reduction	Percentage of Reduction Requested
Special Permit	Dwelling	Front	35.0 feet	18.3 feet	16.7 feet	47.7%
Special Permit	Stoop with stairs	Front	35.0 feet	12.0 feet	23.0 feet	65.7%
Special Permit	Deck	Side	10.0 feet*	3.3 feet	6.7 feet	67.0%

*Sect. 2-412 of the Zoning Ordinance states that any open deck with no part of its floor higher than 4 feet above finished ground level may extend up to 5 feet into the required side yard, but no closer than 5 feet to any side lot line.

A copy of the special permit plat, titled "Special Permit Plat, Weyanoke, Outlot 72A, Lots 73 thru 75, Block D, 6426 3rd Street, Alexandria," prepared by Ram L. Pradhan on April 30, 2016, as revised on May 5, 2016, is included in the front of the staff report. Copies of the proposed development conditions, the statement of justification with select file photographs, and the affidavit are contained in Appendices 1 through 3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

The 9,900 square foot site is developed with a two-story single-family detached dwelling. A gravel driveway extends from 3rd Street. A stoop with stairs extends from the front of the dwelling which provides access to the entrance of the dwelling. A patio extends off of the northeastern corner of the dwelling. There is a small concrete pad located to the north of the patio.

The property is located to the south of Little River Turnpike, west of Chowan Avenue and east of Cherokee Avenue. The subject property and surrounding properties are located in the Highway Corridor Overlay District and are zoned R-2 and developed with single-family detached dwellings.

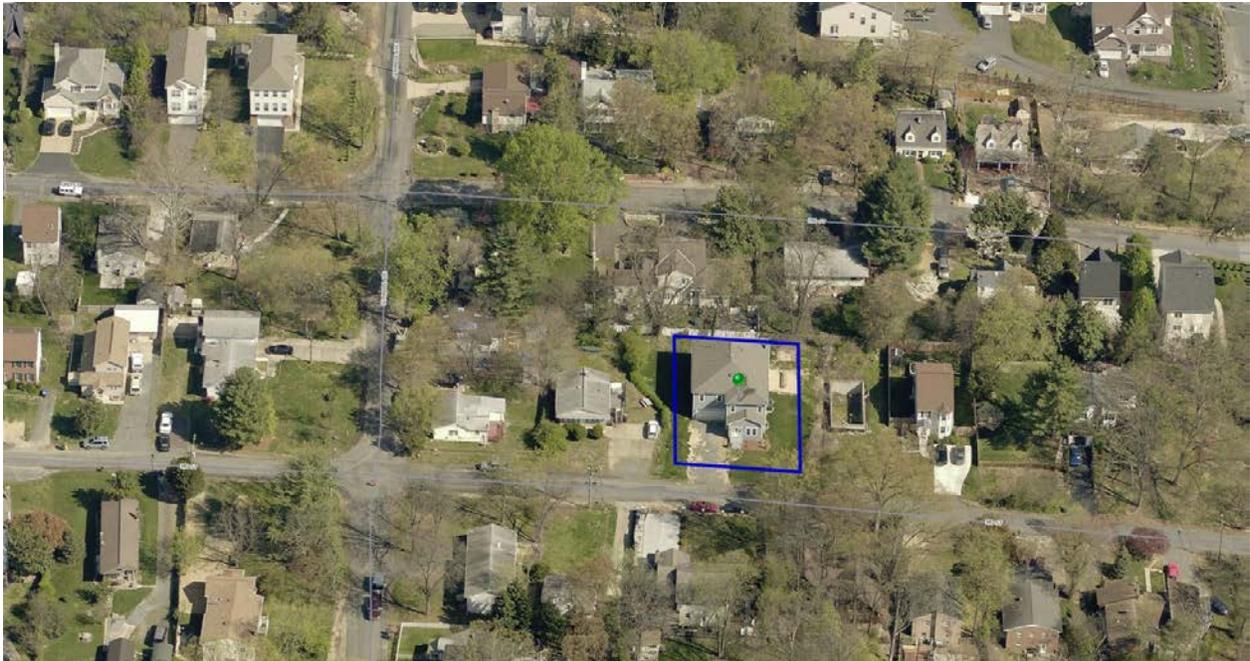


Figure 1: Current Aerial View

BACKGROUND

Fairfax County Tax Records indicate that the applicant purchased the property in 2013 and built a new single family dwelling in 2015.

According to the applicant's statement of justification, the applicant obtained a building permit to build a two-story bump-out addition and to remove and replace the existing roof. The building permit shows that the applicant needed to obtain a setback certification for the front, side, and rear lot lines prior to Residential Use Permit (RUP) issuance or final inspection. The permit also acknowledges that the existing front of the single-family dwelling was to remain unchanged, and therefore, was approved at 19 feet from the front lot line. (Appendix 4)



Figure 2: March 2012 Aerial View showing previous house

In December of 2015, the applicant filed a setback certification request. The setback certification failed because the entire previously existing dwelling was completely rebuilt, along with additional improvements, and the minimum yard requirements would now apply to all new construction, including the enlargement or replacement of existing structures. (Appendix 5)

According to the applicant’s statement of justification, during the construction and renovation of the existing one-story dwelling, the contractor mistakenly replaced the existing front wall with new walls.



Figure 3: Current Dwelling



Figure 4: Previous Dwelling

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area I, Lincolnia Planning District
Planning Sector: Lincolnia Community Planning Sector (L2)
Plan Map: Residential, 1-2 du/ac

Zoning District Standards

Bulk Standards (R-2)			
Standard	Required	Provided	Previous Structure
Lot Size	15,000	9,900 sf ¹	9,900 sf
Lot Width	100 feet	80 feet ¹	80 sf
Building Height	35 feet max.	<35 feet	<35 feet
Front Yard	35 feet	18.3 feet ²	19.8 feet
Side Yard	15 feet	15.2 feet	34.4 feet

Bulk Standards (R-2)			
Standard	Required	Provided	Previous Structure
Rear Yard	25 feet	25.4 feet	25.3 feet

¹Lot undersized but it is a legal buildable lot pursuant to Sect. 2-405 of the Zoning Ordinance. Platted in 1924 and re-subdivided in 1977 (Appendix 6)

²As permitted through the approval of this application

Zoning Ordinance Requirements (Appendix 7)

- Sect. 8-006 General Special Permit Standards
- Sect. 8-903 All Group 9 Uses
- Sect. 8-914 Provisions for Approval of Reduction of the Minimum Yard Requirements Based on an Error in Building Location

CONCLUSION / RECOMMENDATION

Staff does not make recommendations on an error in building location. If it is the intent of the Board of Zoning Appeals to approve this application, staff recommends that the BZA condition its approval on the adoption of the development conditions set forth in Appendix 1.

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 Development Conditions
2. Applicant’s Statement of Justification and Select File Photographs
3. Applicant’s Affidavit
4. Applicable Building Permits
5. Setback Certification Request and Response
6. Applicable Subdivision History
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2016-MA-045****July 27, 2016**

If it is the intent of the Board of Zoning Appeals to approve SP 2016-MA-045 located at Tax Map 72-3 ((8)) (D) 72A, 73, 74, and 75 to permit a reduction in minimum yard requirements based on an error in building location for a dwelling, a stoop with stairs, and a deck (at-grade patio) pursuant to Sect. 8-914 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This special permit is granted only for the dwelling, the stoop with stairs, and the deck indicated on the plat entitled, "Special Permit Plat, Weyanoke, Outlot 72A, Lots 73 thru 75, Block D, 6426 3rd Street, Alexandria," prepared by Ram L. Pradhan on April 30, 2016, as revised on May 5, 2016, and approved with this application, as qualified by these development conditions.
2. The applicants shall obtain all applicable final inspections within six (6) months of BZA approval.

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

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

MAY 04 2016

Zoning Evaluation Division

May 1, 2016.

Deborah Lesko Pemberton
Senior Applications Acceptance Planner
Department Planning and Zoning
Zoning Evaluation Department
12055 Government Center Parkway
Fairfax, Virginia 22035

Re: Special Permit Application for reduction in minimum yard requirements based on Error in Building location under ZO section 8-914

Property Address: 6426 3rd Street, Alexandria, Va 22312
Weyanole, Block D, Lots 73 thru lot 75.
Tax Map: 72-3((08)- (D)-072A and 073
Magisterial District : Mason
Zoning District: R-2, HC
County Plan number: SP 2016-0089

Dear Deborah:

On behalf of our client, we are requesting special permit for retaining the newly added and renovated 2- story dwelling with 2 car garage. The existing house location plat prepared by Nova Surveys dated April 20, 2013 prior to start of renovation and addition works is attached with this application for kind information. Based on survey plat the lot was developed with one story aluminum dwelling partly basement and without garage, shed, patio and gravel driveway from the right. Mr. Vijay Prasad Doddi, current owner bought this property in 02-08-2013. He requested for additions and renovation of the existing dwelling and obtained the building permit no 131410039 from Fairfax County. The building permit was issued for two story bump out addition and remove existing roof and replace on dated 9-26-2013.

During the process of additions and renovation of the existing 1 story old dwelling, the contractor mistakenly teardown of the existing front wall and replaced with new walls. The existing shed on rear right side was also removed from the site and retained concrete pad on site.

There are error in building locations based on locations on the property with reference to current zoning requirements for R-2.

- a. The distance from the front property line to exterior face of the front wall of the dwelling 19.5 feet and steps 12.0 feet.

- b. The exiting patio 19.9' x 19.45' located 3.3 feet from right property line.

This subject property is zoned R-2 and contains 8,250 sf of regular lots (73 thru 75) and 1,650 sf of out lot 72A, totaling 9,900 sf..

The setback requirements 35 feet front, 15 feet side and 25 feet rear and patio must be 5 feet from any property line.

During addition works and remodeling works and replacing of the ex. roofs, contractor found that the front walls were structurally bad conditions. Contractor removed the ex. front walls and replaced with new wall in the same location and distance from the front property line. The ex. walls replacement works were carried out unknowingly and mistakenly in addition to the removal of and replacement of the roofs and 2 story bump out additions per approved building permits and plans.

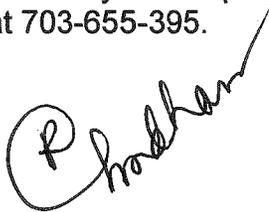
Under zoning ordinance section 8-914 (2), The property has following site conditions:

- A. The error exceeds more than 10 % of the front setback requirement 35 feet. The new wall replaced on the top of existing foundation walls. No further encroachment was done than what was in the existing location measured from the front property line.
- B. This permit is error in building location on the property that exceeds ten (10) percent of the measurement involved.
- C. The noncompliance was done in good faith. The contractor removed and replaced front walls unknowingly and mistakenly. He was not aware of the zoning regulations and consequences for the removal and replacement of the ex. walls encroached into building restriction line.
- D. Since there is only replacement of the front walls, the modification will not impair the purpose and intent of this ordinance.
- E. It will not be detrimental to use and enjoyment of the property in the immediate vicinity. This dwelling meet setbacks requirement from left, right and rear property lines that surrounded this property.
- F. The newly renovated structure will not create unsafe condition with respect to both other property and public street. It enhances beauty of the property and neighborhoods.

G. To force compliance with the minimum yard requirements or location regulations would cause unreasonable hardship upon the owner. Owner has not done any further encroachment in the front than that was in the existing condition.

H. The reduction or modification will not result in an increase in density or floor area ratio from that permitted by applicable zoning district regulations. The dwelling unit remains the same.

We would like to request you for granting a special permit for reduction in minimum yard requirements measured based on error 19.5 feet front wall, steps 12 feet from front property line the ex. patio 3.3 feet from the right property line. As always we appreciate your cooperation and consideration. If you have further questions please call us at 703-655-395.

A handwritten signature in black ink, appearing to read "R Pradhan". The signature is written in a cursive style with a large, circular initial "R" on the left.

Sincerely,

Ram Pradhan, P.E.
25209 Larks Terrace
South Riding, Va 20152
Phone: 703-655-3951





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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

134822

DATE: 5/2/2016
(enter date affidavit is notarized)

I, Vijaya Prasad Doddi, 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)
Vijaya P. Doddi	10450 Artemel Lane, Great Falls, VA 22066	Owner / Applicant
Ram Pradhan	25209 Larks Terrace, South Riding, VA 20152	Agent
INOVA Engineering Consultants	25209 Larks Terrace, South Riding, VA 20152	Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

134822

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/2/2016
(enter date affidavit is notarized)

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)
INOVA Engineering Consultants
25209 Larks Terrace, South Riding, VA 20152

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)

Ram Pradhan

(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.

134822

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/2/2016
(enter date affidavit is notarized)

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

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)
NONE

(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**)
NONE

(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.

134822

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/2/2016
(enter date affidavit is notarized)

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: 5/2/2016
(enter date affidavit is notarized)

134822

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.

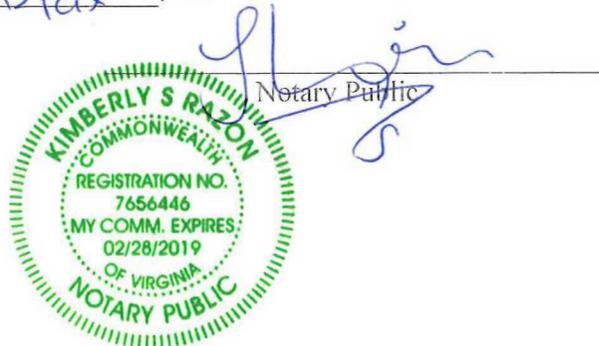
WITNESS the following signature:

(check one) VIJAYA P. DODDI
[x] Applicant [] Applicant's Authorized Agent

VIJAYA P. DODDI, Owner
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 8th day of July, 2016, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: 02/28/2019



Fairfax County Government
12055 Government Center Parkway
Fairfax, VA 22035

**Building Permit
Zoning Review**

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

5/22/13 2:19:42PM

Bldg Permit #:

131410039

NEW SINGLE FAMILY DWELLING

Address: 6426 3Rd St Alexandria VA 22312-1852

Bldg: N/A Floor: Suite: N/A

Subdiv: Weyanoke Lts 73 Thru 75 Blk D

Sub Census: 525.04 **Lot Size:** 8,250.00

Tax Map: 0723 08D 0073

Owner: Doddi Vijaya P

Phone Day: (703)967-6253 x

Evening:

Contractor:

OWNER IS CONTRACTOR
(999) 999-9999

Type of Work:

NEW SINGLE FAMILY DWELLING

Description of Work:

Build two (2) story bump out addition, REMOVE EXISTING ROOF AND REPLACE - New home on existing foundation/addition exceeds 150% of existing square footage. Onwer will occupy during construction.

ZPRB Review:

<u>Date</u>		<u>Status</u>
5/22/13	AMoor4	Failed
<u>Problem Recorded:</u> 5/22/13		<u>Problem Resolved:</u>
needs new plat that has addn drawn on it by the surveyor		
		Incomplete
<u>Problem Recorded:</u> 5/22/13		<u>Problem Resolved:</u>
needs new plat that has addn drawn on it by the surveyor		

DETAILS COMMENTS:

Bldg Permit #: 131410039 **NEW SINGLE FAMILY DWELLING**

Address: 6426 3Rd St Alexandria VA 22312-1852

Bldg: N/A Floor: Suite: N/A

Subdiv: Weyanoke Lts 73 Thru 75 Blk D

Sub Census: 525.04 **Lot Size:** 8,250.00

Tax Map: 0723 08D 0073

Owner: Doddi Vijaya P

Phone Day: (703)967-6253 x

Evening:

Contractor:

OWNER IS CONTRACTOR
 (999) 999-9999

Type of Work: NEW SINGLE FAMILY DWELLING

Description of Work: Build two (2) story bump out addition, REMOVE EXISTING ROOF AND REPLACE - New home on existing foundation/addition exceeds 150% of existing square footage. Onwer will occupy during construction.

ZPRB Review:

Date		Status
------	--	--------

5/22/13	AM00R4	Failed
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Problem Recorded: 5/22/13 **Problem Resolved:** 5/29/13
 needs new plat that has addn drawn on it by the surveyor plat provided

5/29/13	AM00R4	Approved
---------	--------	----------

Problem Recorded: 5/22/13 **Problem Resolved:** 5/24/13
 needs new plat that has addn drawn on it by the surveyor new plat provided

Zoning Detail Review TAB:

Zoning Dist.	Cluster Subdiv	Use	Height	Wet Bar	2nd Kitchen	ADU Subdiv	Proffer	Setback
R-2	N	SFD	21.20	N	N	N	N	Y

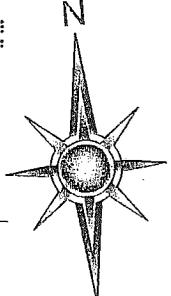
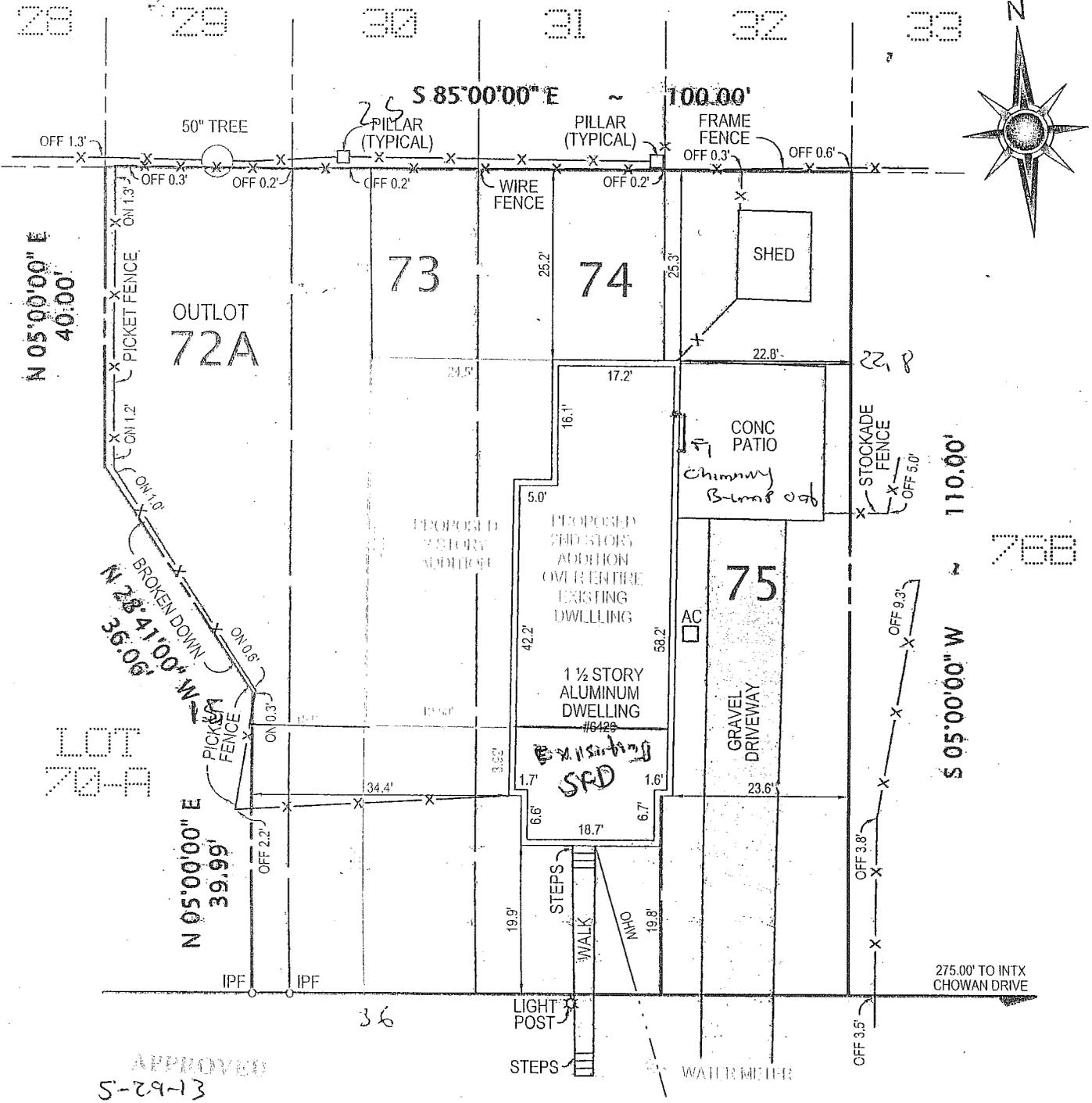
Yard/Setbacks:

Structure	Front (A)	Front (B)	Front (C)	Left	Right	Rear
	36.00	0.00	0.00	15.00	22.80	25.00

DETAILS COMMENTS:

build new sfd on exisiting foundation neds setback cert for front left side and rear lot lines height 21.25' from archs exisiting front of sfd is not being built over and is approved at 19' off front lot line

NOTES: 1. FENCES ARE CHAIN LINK UNLESS NOTED.
 2. TOTAL AREA = 9,900 S.F.



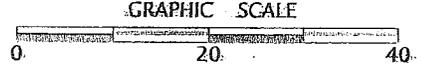
APPROVED
 5-29-13
 Dem
Debi B. Johnson
 Zoning Administrator

N 85°00'00" W ~ 80.00'
3rd STREET
 50' WIDE

PLAT
 SHOWING HOUSE LOCATION ON
 LOTS 73, 74 & 75, BLOCK D
WEYANOKE
 (DEED BOOK J-9, PAGE 85)
 AND OUTLOT 72-A
 RESUBDIVISION OF LOTS 70, 71 & 72, BLOCK D
WEYANOKE
 (DEED BOOK 4654, PAGE 526)
 FAIRFAX COUNTY, VIRGINIA
 MASON DISTRICT
 SCALE: 1" = 20' APRIL 20, 2013

**A SETBACK CERTIFICATION BASED
 ON FIELD SURVEY IS REQUIRED
 PRIOR TO RUP ISSUANCE OR
 FINAL INSPECTION**

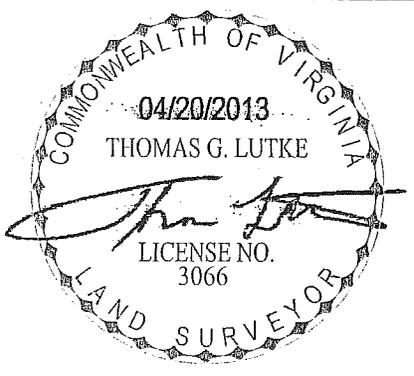
*needed for front
 left side and rear,
 lot line*



COPYRIGHT © NOVA SURVEYS, INC. THE INFORMATION CONTAINED ON THIS DOCUMENT MAY NOT BE COPIED, REPRODUCED OR ALTERED IN ANY FORM WITHOUT PERMISSION. VIOLATING THIS IS THE COPYRIGHT OWNER.

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

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.
 A TITLE REPORT WAS NOT FURNISHED.
 NO CORNER MARKERS SET.



ORDERED BY:
 ERIK GARCIA

6655 ROCKLEIGH WAY
 ALEXANDRIA, VA 22315
 703-688-4038
 FAX: 703-649-6038
 WWW.NOVA-SURVEYS.COM

Alexandria, VA
Date: 5/21/2013

TO WHOMSOEVER IT MAY CONCERN

I, Vijaya P. Doddi owner of 6426 3rd Street, Alexandria, VA hereby state that we or our designated representative live at the above property. We are applying for building permit and also state that we are intending to continue to live at the property during the construction. I request you to consider this matter for the issuance of building permit.

Thanking You
D. Vijaya P. Doddi
(VIJAYA P. DODDI)
Date: 5/21/2013

State of Virginia
County of Fairfax

Acknowledged May 21, 2013 by
Signature, Vijaya P. Doddi

Mildred Ann Acampora

MILDRED ANN ACAMPORA
NOTARY PUBLIC
REGISTRATION # 285586
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
DECEMBER 31, 2013



SETBACK CERTIFICATION REQUEST RECEIVED
 DEC 28 2015
 DIVISION OF ZONING ADMINISTRATION

SETBACK CERTIFICATION REQUEST

FAIRFAX COUNTY RECEIVED
 DEC 04 2015
 DIVISION OF ZONING ADMINISTRATION

DEPARTMENT OF PLANNING & ZONING
 ZONING ADMINISTRATION DIVISION
 12055 Government Center Parkway, Suite 807
 Fairfax, Virginia 22035 703-324-1314

2015-1656

NOTE: Please print all information legibly. Application may be delayed or rejected if unreadable.

Applicant Information:

First Name: VIJAYA	Last Name: DODDI	
Address: 10450 Artemel Ln		
City: Great Falls	State: VA	ZIP Code: 22066
Telephone Number(s): Cell when complete	703-967-6253	Email: vdoddi99@yahoo.com

Property Information:

Address: 6426 3 rd St		
City: Alexandria	State: VA	ZIP Code: 22312
Building Permit #: 131410034		

Waiting to move; please expedite!

FOR OFFICE USE ONLY:

Subdivision: Lots 73, 74, 75 File: Weyanoke Sec. 1 Blks D, E, Folder: Block D		Zoning District(s): R-2		
District Setbacks:	Front: 35'	Left Side: 15'	Right Side: 15'	Rear: 25'
Setbacks for Certification:	Front(s): please see attached	Left Side:	Right Side:	Rear:
Description of Work/Comments: please see attached				
Tax Map: 72-3((8))(D)73		<input type="checkbox"/> Approved <input type="checkbox"/> Approved with comments -- See attached <input checked="" type="checkbox"/> Failed -- See attached		
Reviewer: Matthew Mertz, Assistant to the Zoning Administrator		Date: December 21, 2015		
Signature: Matthew Mertz				

Distribution:

- Applicant
- ✓ Diane Johnson-Quinn, Deputy Zoning Administrator for Zoning Permit Review Branch
- Jack Weyant, Director, Site Development and Inspections Division, DPWES
- Property Owner:

same as above



County of Fairfax, Virginia

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

December 21, 2015

Vijaya Doddi
10450 Artemel Lane
Great Falls, Virginia 22066

RE: Setback Certification: Building Permit No.: 131410039
6426 3rd Street
Weyanoke, Block D, Lots 73, 74 and 75
(File: Weyanoke Sec. 1, Blocks D & E, Folder: Block D)
Tax Map: 72-3 ((8)) (D) 73
Zoning District: R-2

Dear Mr. Doddi:

This letter is in response to your setback certification request received on December 4, 2015 for a single family dwelling on the referenced property. The property is zoned R-2 Residential District and is subject to a minimum 35 foot front yard requirement, a minimum 15 foot side yard requirement, and a minimum 25 foot rear yard requirement. The yards in question are the 19.5 foot front yard and the 15.3 foot left side yard.

Based on review of the approved plat and architectural plans associated with the above-referenced building permit, the proposed improvement consisted of a large addition to the rear of existing dwelling. At the time of zoning approval, staff noticed that the front of the existing dwelling was only located 19.8 feet from the front lot line. However, as the plat and architectural plans showed the proposed addition located outside the minimum 35 foot front yard requirement and the portion of the dwelling located within 35 feet of the front lot line was proposed to remain unchanged, staff was able to approve the building permit. Subsequent to that approval, available online photos taken during construction indicate that, with the possible exception of the basement and foundation, the entire existing dwelling was completely rebuilt, along with the proposed addition improvements. The minimum yard requirements apply to all new construction, including the enlargement or replacement of existing structures. As the setback certification shows the dwelling located 19.5 feet from the front lot line, the dwelling encroaches 15.5 feet into the minimum required 35 foot front yard. The setback certification also shows a stoop and stairs located 12 feet from the front lot line and a side patio located three (3) feet from the right side lot line. Although the open stoop and stairs and the patio can extend five (5) feet into the front and side yard requirements, the open stoop and stairs must still be located 30 feet from the front lot line and the patio must be located ten (10) feet from the side lot line. As such, the stoop and stairs encroach 18 feet and the patio encroaches seven (7) feet into the minimum required yards.

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/

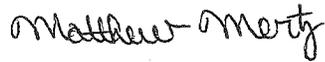


For the reasons stated above, the setback certification has been failed due to the encroachments into the minimum yard requirements. Setback certification approval can be achieved by removing the parts of the dwelling located in the minimum yard requirements noted above, and obtaining an updated setback certification and submitting five (5) original copies to this office. Alternatively, it is possible to pursue Board of Zoning Appeals (BZA) approval of a special permit application for reduction to minimum yard requirements based on error in building location. A special permit requires an application, a filing fee (currently \$910), notification of adjacent property owners and a public hearing before the BZA. For additional information on the special permit process, please contact the Zoning Evaluation Division at 703-324-1290.

Enclosed is a copy of the failed setback certification plat. Your cooperation in resolving the encroachments into the minimum yard requirements is greatly appreciated, as a final inspection cannot be scheduled until a setback certification is approved.

If you have any questions regarding this response, please feel free to contact me at 703-324-1314.

Sincerely,

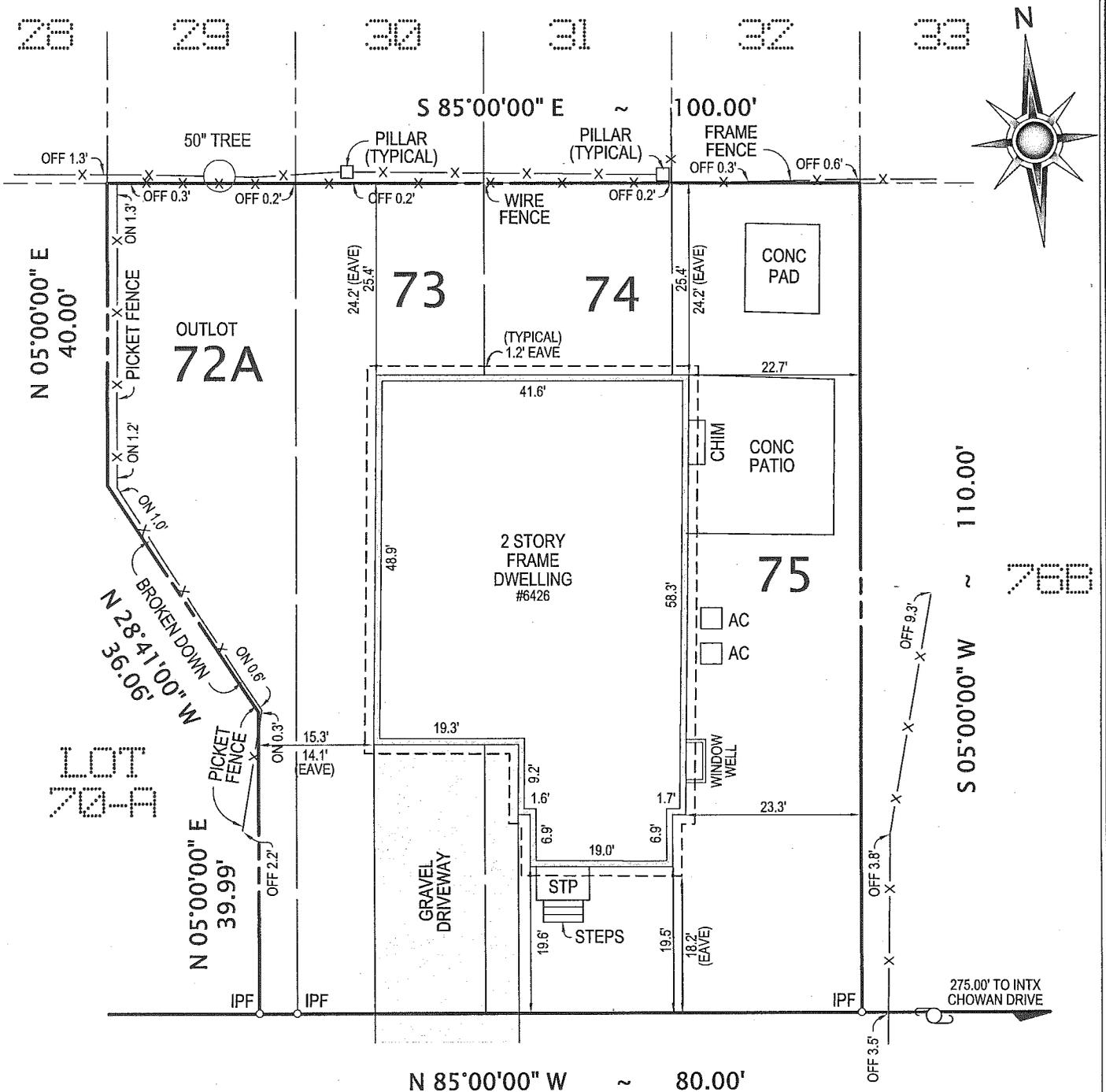


Matthew Mertz
Assistant to the Zoning Administrator

Enclosure

cc: Penelope A. Gross, Supervisor, Mason District
Leslie B. Johnson, Zoning Administrator
Diane E. Johnson-Quinn, Deputy Zoning Administrator, Zoning Permit Review Branch

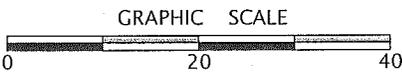
- NOTES: 1. ALL EAVES ARE HIGHER THAN 10 FEET FROM EXISTING GRADE.
 2. FENCES ARE CHAIN LINK UNLESS NOTED.
 3. UTILITIES ARE UNDERGROUND.
 4. TOTAL AREA = 9,900 S.F.



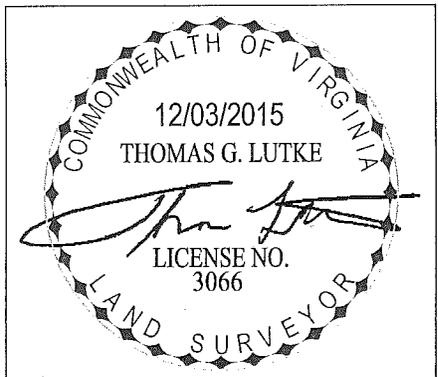
DENIED
 DEC 21 2015
 Setback Certification

3rd STREET
 50' WIDE

PLAT
 SHOWING SETBACK CERTIFICATE ON
 LOTS 73, 74 & 75, BLOCK D
WEYANOKE
 (DEED BOOK J-9, PAGE 85)
 AND OUTLOT 72-A
 RESUBDIVISION OF LOTS 70, 71 & 72, BLOCK D
WEYANOKE
 (DEED BOOK 4654, PAGE 526)
 FAIRFAX COUNTY, VIRGINIA
 MASON DISTRICT
 SCALE: 1" = 20' DECEMBER 3, 2015



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



ORDERED BY:
 ERIK GARCIA

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.
 A TITLE REPORT WAS NOT FURNISHED.
 NO CORNER MARKERS SET.



6655 ROCKLEIGH WAY
 ALEXANDRIA, VA 22315
 703-688-4038
 FAX: 703-649-6038
 WWW.NOVA-SURVEYS.COM

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

In the Clerk's Office of the Circuit Court of Fairfax County, Va., Sep. 5, 1924.

This deed was received, duly authenticated and admitted to record.

Teste:

J. W. Bellard

Clerk.

This Deed of Dedication made this 3 day of September, 1924, by James M. Duncan and Mary V. Duncan, his wife, who constitute the sole and only owners and proprietors of the land hereinafter described:

Witnesseth, That whereas, the said James M. Duncan is the sole owner and proprietor of the land hereinafter mentioned and described, which is by this deed dedicated and sub-divided, and it is the desire of said owner and proprietor to sub-divide said lands into lots and dedicate the same in accordance with the plat hereto attached and made a part hereof, and pursuant to the provisions of Section 5217 of the Code of Virginia, 1919.

Now, Therefore, This Deed of Dedication Witnesseth: That the said James M. Duncan and Mary C. Duncan, his wife, do hereby sub-divide and dedicate the said lands as shown on the plat hereto attached, the same being designated on said plat as "Weyanoke", said tract or parcel of land, as shown on said tract, being formerly a part of the Fountain Beattie farm, and located in Falls Church Magisterial District Fairfax County, Virginia, on the Concrete Road, running from Alexandria to Fairfax and being bounded and described as follows, to-wit:

Beginning at a point in the middle of the Concrete Road running from Alexandria to Fairfax and in the middle point of the arch over Turkey Cock Creek, a point in the boundary line of Fountain Beattie Farm; thence down Turkey Cock Creek eight courses as follows: South 6 1/2 degrees west 49 feet, south 21 1/2 degrees east 379.5 feet, south 1 1/2 degrees east 281.8 feet to the junction with poplar branch, thence continuing south 59 1/2 degrees west 231 feet, south 10 1/2 degrees west 198 feet, south 49 1/2 degrees west 165 feet, south 53 degrees west 445.5 feet, south 9 degrees west 451 feet to a point in the middle of the run, south 84 1/2 degrees east from a stake set on the west bank thereof, and south 9 degrees west 22 feet from the old corner to Lewis in the said Creek; thence leaving the creek north 84 1/2 degrees west 800 feet, north 5 degrees east 2312 feet to another point in the middle of the Concrete Pike above-mentioned; thence along the middle of the said Concrete Pike south 63 7/8 degrees east 210.4 feet, south 70 degrees 6 minutes east 645 feet, south 65 degrees 15 minutes east 478 feet to the point of beginning and containing 56.77 acres, according to a survey of said tract made by S. F. Rixey, Surveyor, on the 1st day of September, 1924, and being the same property that was conveyed to the said J. M. Duncan by Carroll Pierce, Trustee, by deed dated the ___ day of September, 1924, and duly of record among the Land Records of the said County of Fairfax, Virginia.

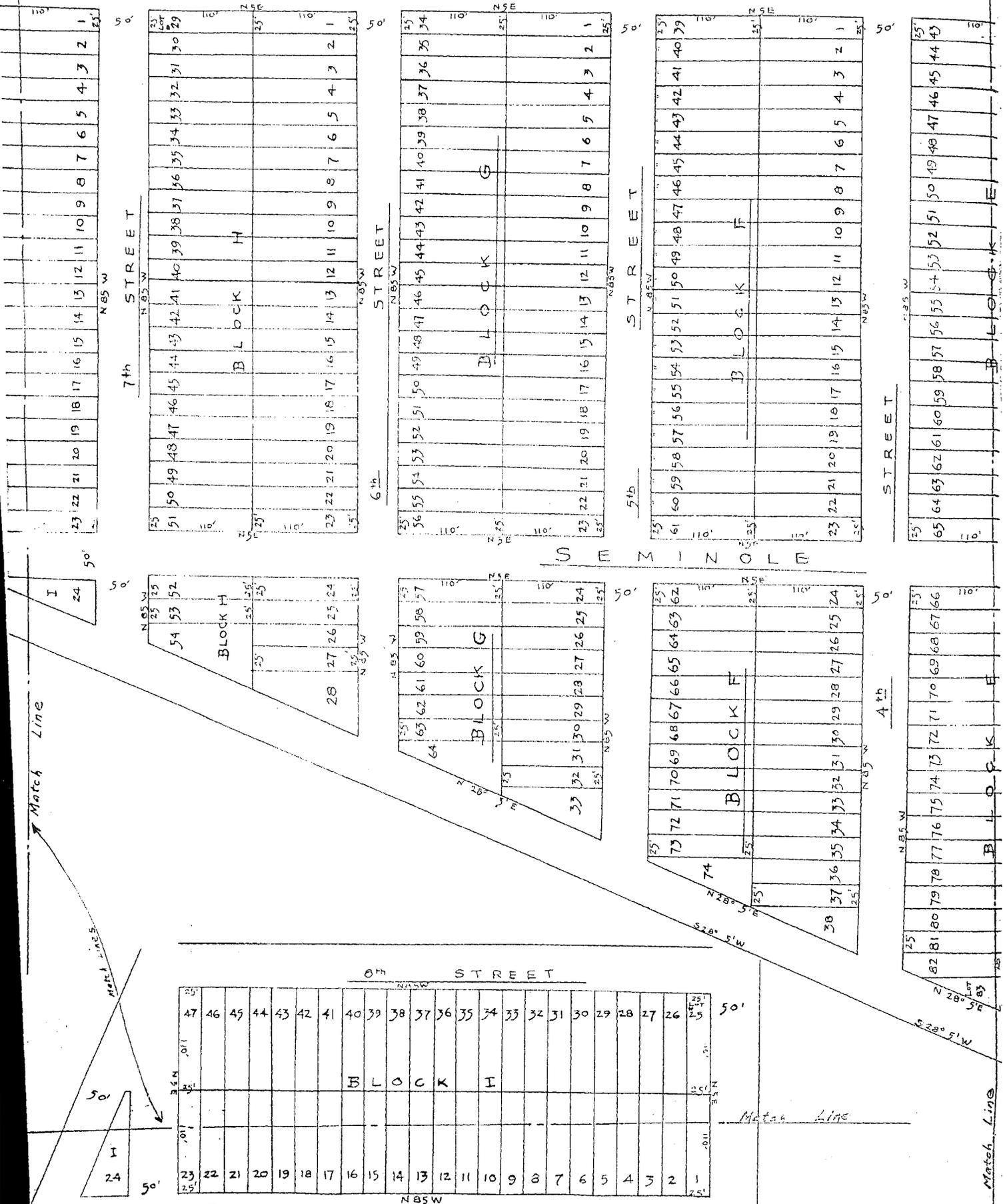
The said Sub-division of the said tract or parcel of land as appears by the plat hereto attached and made a part hereof, is made with the full consent and in accordance with the desire of the undersigned sole owners and proprietors, and the streets shown on the said plat, as indicated thereon, are hereby dedicated as streets in accordance with the provisions of Section 5217 of the Code of Virginia, 1919.

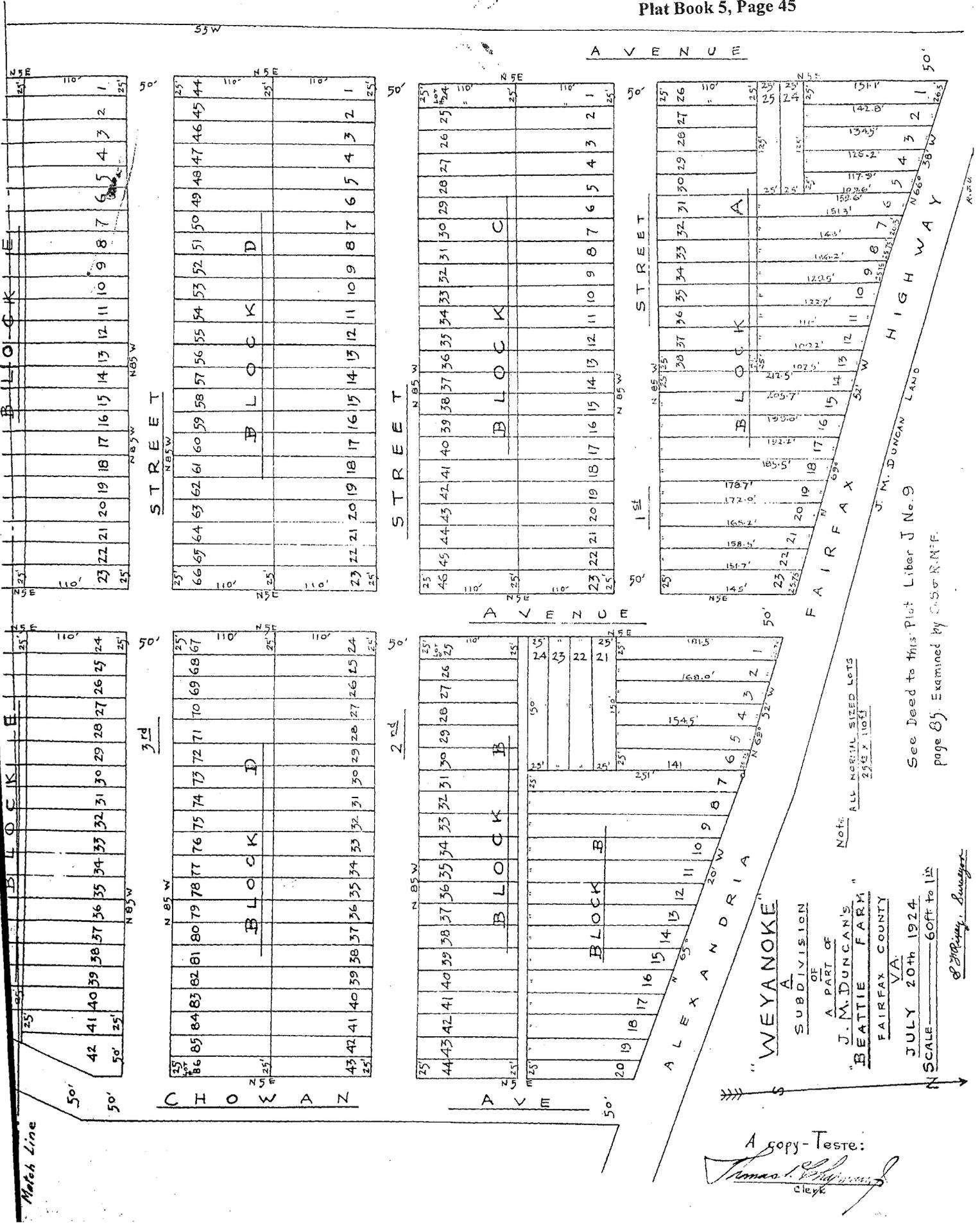
11/15/24
mailed same
as last
See Plat hereto
attached, recorded
in the Clerk's
Page 36-A
Plat being part
in Plat Book 5
Page 44

44

C H E R O K E E

S E M I N O L T





Note: ALL NON-SIZED LOTS
25' x 110'

See Deed to this Plat Liber J No. 9
page 85. Examined by C. S. R. N. F.

"WEYANOKE"
A
SUBDIVISION
OF

J. M. DUNCAN'S
"BEATTIE FARM"
FAIRFAX COUNTY
VA.

JULY 20th 1924
SCALE 60ft to 1in

C. H. Ripley, Surveyor

A copy-Teste:

Thomas P. [Signature]
Clerk

THIS DEED OF RESUBDIVISION AND DEED OF BARGAIN AND SALE made this 12th day of July, 1977, by and between JAMES MANDLY BROWN and MARGARET LOUISE BROWN, his wife, hereinafter referred to as the parties of the first part and WILLIAM L. BROWN and ELIZABETH C. BROWN, his wife, hereinafter referred to as parties of the second part.

W I T N E S S E T H:

WHEREAS, the parties of the first part are the sole owners of Lot 72, Block D, of the Subdivision known as WEYANOKE, as the same appears duly platted, dedicated and recorded among the land records of Fairfax County, Virginia, in Liber J-9 at Page 85; and

WHEREAS, the parties of the second part are the sole owners of Lots 70 and 71, Block D, of the Subdivision known as WEYANOKE, as the same appears duly platted, dedicated and recorded among the land records of Fairfax County, Virginia, in Liber J-9 at Page 85; and

WHEREAS, both parties desire to resubdivide said Lots 70, 71 and 72 into Lots 70-A and 72-A, as shown on a plat prepared by McLaughlin Ghent Associates, Certified Land Surveyors, dated March 17, 1977, which is attached hereto and made a part hereof.

NOW, THEREFORE, in consideration of the premises, both the said parties hereby resubdivide Lots 70, 71 and 72, Block D, of the Subdivision known as WEYANOKE, recorded as aforesaid, into Lots 70-A and 72-A, as shown on a plat prepared by the aforesaid Certified Land Surveyor, dated March 17, 1977, which is attached hereto and made a part hereof, hereby declaring that said resubdivision is made with the free consent and in accordance with the desires of the said owners and is made pursuant to the provisions of the Code of Virginia and the ordinances of the County

Faylan h

of Fairfax, for such cases made and provided, governing the sub-division and platting of land;

AND THIS DEED FURTHER WITNESSETH:

That for and in consideration of the sum of Ten (\$10.00) Dollars, receipt whereof is hereby acknowledged, the parties of the first part do hereby grant and convey to the parties of the second part, as tenants by the entirety with the full common law right of survivorship and with General Warranty and English Covenants of Title, that portion of original Lot 72 which now lies within the bounds of Lot 70-A, as shown on the attached plat.

WITNESS the following signatures and seals:

James Mandly Brown (SEAL)
James Mandly Brown

Margaret Louise Brown (SEAL)
Margaret Louise Brown

William L. Brown (SEAL)
William L. Brown

Elizabeth C. Brown (SEAL)
Elizabeth C. Brown

Tax Paid
Sec 58-54 .75
Sec 58-65.1 .25
Sec 58-54.1 .50
Consideration 500-

STATE OF VIRGINIA)
) To-wit:
CITY OF ALEXANDRIA)

I, the undersigned Notary Public in and for the City and State aforesaid, do hereby certify that JAMES MANDLY BROWN, MARGARET LOUISE BROWN, WILLIAM L. BROWN and ELIZABETH C. BROWN parties to the above Deed of Resubdivision and Deed of Bargain and Sale dated the 12th day of July, 1977, have acknowledged the same before me in my City and State aforesaid.

GIVEN under my hand and seal this 12th day of July, 1977.

My commission expires: November 25, 1979

Eugenia M. Sullivan
Notary Public



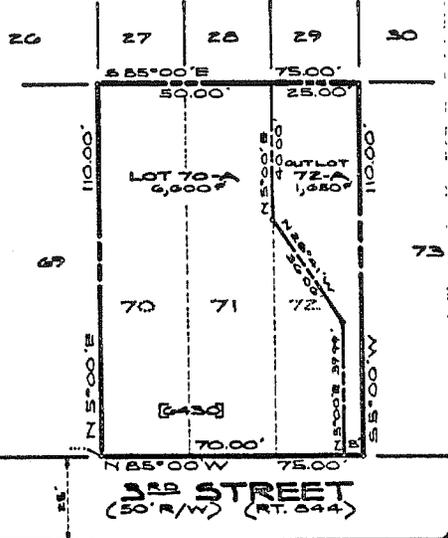
This instrument with certificate annexed, with plat attached admitted to record-Office of Circuit Court Fairfax County, Va. JUL 13 1977 at 11:25am

Teste: James E. Hoffmann Clerk

NOTE:
 THIS RESUBDIVISION CONFORMS TO THE
 ZONING ORDINANCE OF FAIRFAX COUNTY:
W.S. Brown
 ZONING ADMINISTRATOR

RECORD AT BOOK 2142
 PAGE 10

SEMINOLE AVE.
 (RT. 205)



- NOTES:**
- THE PROPERTY DEL. IS LOCATED ON AS. AND IS ZONED RE
 - OWNERS:**
 LOT 70 & 71
 WILLIAM L. BROW
 (O.B. 2808, PG. 25)
 LOT 72
 JAMES MANDL
 (O.B. 437, PG. 42)
 - TOTAL AREA IN

- RESTRICTION**
- NO BUILDING PER WILL BE ISSUED IF THE SAME DOES NOT MEET THE REQUIREMENTS OF THE ZONING ORDINANCE
 - NUMBERS SHOWN DESIGNATED ONLY TO FUTURE REVISIONS TO BE MADE HERE

FINAL PLAT	
RECOMMENDED FOR APPROVAL FAIRFAX COUNTY	
PRELIMINARY ENGINEERING BRANCH CHIEF	
4/28/77 DATE	<i>William L. Brow</i> HIS AGENT
APPROVED FOR	
BOARD OF SUPERVISORS FAIRFAX COUNTY, VIRGINIA	
4-29-77 DATE	<i>D. Strickland</i> Director Environmental Management
APPROVAL VOID IF PLAT IS NOT OFFERED FOR RECORD WITHIN 90 DAYS AFTER DATE THEREOF.	

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 Division of Design Review
 Fairfax, Virginia

All street locations and/or easements shown to the requirements of this office and the necessary agreements or bonds have been received.

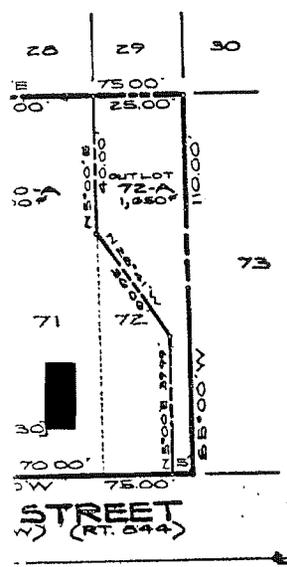
By: *[Signature]* Date: 4/28/77

LOT WE
 (AS ORIGINAL)

MAR. 1977
 M'LAUG SURVEYING

REDIVISION CONFORMS TO THE ORDINANCE OF FAIRFAX COUNTY:

ADMINISTRATOR

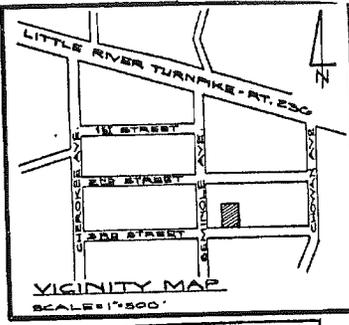


- NOTES:**
- THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED ON ASSESSMENT MAP 72-B AND IS ZONED RE-05.
 - **OWNERS:**
 LOT 70 & 71
 WILLIAM L. BROWN ET UX
 (D.B. 2868, PG. 255)
 LOT 72
 JAMES MANDLY BROWN ET UX
 (D.B. 437, PG. 426)
 - TOTAL AREA IN SUBDIVISION = 8,250^{sq}ft

RESTRICTION

• NO BUILDING PERMIT FOR A DWELLING WILL BE ISSUED FOR OUTLOT 72-A AS THE SAME DOES NOT MEET THE REQUIREMENTS OF THE FAIRFAX COUNTY ZONING ORDINANCE.

• NUMBERS SHOWN THUS [6420] ARE CURRENTLY DESIGNATED HOUSE NUMBERS, ARE SUBJECT TO FUTURE REVISION, AND SHALL NOT BE CONSTRUED TO BE LEGAL DESCRIPTIVE NOMENCLATURE.



APPROVED
 COUNTY OF FAIRFAX
 DIVISION OF DESIGN REVIEW
 SANITARY SECTION

By *W. J. Boyce, Jr.*
 Date *4/15/77*



THIS APPROVAL IS NOT A COMMITMENT TO PROVIDE PUBLIC SANITARY SEWER.

REDIVISION OF LOTS 70, 71 & 72, BLOCK "D"
WEYANOKE

(AS ORIGINALLY RECORDED IN LIBER J-9, PAGE 85)

MASON DISTRICT
 FAIRFAX COUNTY, VA.

MAR. 17, 1977 SCALE 1"=30'

McLAUGHLIN GHENT ASSOCIATES
 SURVEYING - ENGINEERING - LAND PLANNING
 ANNANDALE, VIRGINIA

DATE 4/28/77

355049-2

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-903 Standards for All Group 9 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, or other appropriate submission as determined by the Director.

8-914 Provisions for Approval of Reduction to the Minimum Yard Requirements Based on Error in Building Location

The BZA may approve a special permit to allow a reduction to the minimum yard requirements for any building existing or partially constructed which does not comply with such requirements applicable at the time such building was erected, but only in accordance with the following provisions:

1. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia and such plat shall contain the following information:
 - A. Boundaries of entire property, with bearings and distances of the perimeter property lines and of each zoning district.
 - B. Total area of the property and of each zoning district in square feet or acres.
 - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
 - D. Location of all existing structures, with dimensions, including height of any structure and penthouse, and if known, the construction date(s) of all existing structures.
 - E. All required minimum yards to include front, side and rear, and a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing structures to lot lines.
 - F. Means of ingress and egress to the property from a public street(s).
 - G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).
 - H. If applicable, the location of well and/or septic field.
 - I. For nonresidential uses, a statement setting forth the maximum gross floor area and FAR for all uses.
 - J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
 - K. Seal and signature of professional person certifying the plat.

In addition, the application shall contain a statement of justification explaining how the error in building location occurred and any supportive material such as aerial photographs, Building Permit applications, County assessments records, a copy of the contract to build the structure which is in error, or a statement from a previous owner indicating how the error in building location occurred.

2. The BZA determines that:
 - A. The error exceeds ten (10) percent of the measurement involved, or
 - B. The error is up to ten (10) percent of the measurement involved and such reduction or modification is requested in conjunction with the approval of a special permit for another use or application for a variance on the property, or is in conjunction with another special permit for an error in building location on the property that exceeds ten (10) percent of the measurement involved, and
 - C. The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the relocation of the building subsequent to the issuance of a Building Permit, if such was required, and
 - D. Such reduction or modification will not impair the purpose and intent of this Ordinance, and
 - E. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and
 - F. It will not create an unsafe condition with respect to both other property and public streets, and
 - G. To force compliance with the minimum yard requirements or location regulations would cause unreasonable hardship upon the owner.
 - H. The reduction or modification will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.
3. In granting such a reduction under the provisions of this Section, the BZA shall allow only a reduction necessary to provide reasonable relief and may, as deemed advisable, prescribe such conditions, to include landscaping and screening measures, to assure compliance with the intent of this Ordinance.

4. Upon the granting of a reduction for a particular building in accordance with the provisions of this Section, the same shall be deemed to be a lawful building.
5. The BZA shall have no power to waive or modify the standards necessary for approval as specified in this Section.