



Land Development News

Technical Memorandum

Subject: Adjoining Property Owners Notification for Soil
(Geotechnical) Report Submissions

Date: October 19, 2009 **No.:** 09-13

Summary: Adjoining property owners are required to be notified of the submission of geotechnical reports when the Director deems that the proposed grading or construction may adversely impact adjacent properties. If notification of the adjoining property owners is required, the geotechnical report may be approved “as noted” on condition that the submitting engineer/owner notifies the adjoining property owners. Proof of notification must be provided to the County prior to approval of any related construction plans.

Effective Date: Immediately.

Background: Section 107-1-2(b) of Chapter 107 (Problem Soils) of the County Code requires that when the Director deems that proposed construction or grading located in problem soil or other areas, where a geotechnical report was required, may adversely impact adjacent properties as a result of the proposed grading and/or construction methods including, but not limited to, blasting and dynamic compaction, the geotechnical report must be accompanied by written proof of notification of five adjoining property owners or all adjoining property owners if there are less than five. This section also requires that the form of the notices be approved by the Director.

Policy: The determination that notification of the adjoining property owners is required will be made following review of the submitted geotechnical report. If notification of the adjoining property owners is required, the geotechnical report may be approved “as noted” on condition that the submitting engineer/owner notifies the adjoining property owners. This will allow the geotechnical recommendations to be incorporated into construction plans and the plans to be submitted to the County for review pending completion of the notification. The notification requirement must be met prior to approval of any related construction plans. The notification shall be made in accordance with the following requirements:

- Notices shall be sent by certified mail, return receipt requested, to the last known address of the owner(s) as shown in the current County Real Estate Assessment records. Notices shall be sent after submission of the geotechnical report to the Plan and Document Control Section and a County identification number has been assigned.
- All written notices shall include: 1) the tax map reference number; 2) the street address of the parcel; 3) the County identification number and name of the report; 4) a project narrative that includes a brief description of the proposed grading or construction methods that may impact adjacent properties; 5) a vicinity map showing the location of the project (County Property Map preferred); and 6) a statement that the notice is being sent because the proposed grading or construction methods may impact adjacent

Department of Public Works and Environmental Services
Land Development Services

12055 Government Center Parkway, Suite 444
Fairfax, VA 22035-5504

Phone: 703-324-1780, 703-324-1980 TTY: 711 Fax: 703-324-3908
www.fairfaxcounty.gov/dpwes



properties and that the submitted geotechnical report can be reviewed at the Environmental and Site Review Division (ESRD), Suite 535, 5th Floor of the “Herrity Building” located at 12055 Government Center Parkway, Fairfax, VA 22035; telephone (703) 324-1720.

- Although the Problem Soils ordinance requires that notices only be sent to 5 adjoining property owners, all adjoining property owners should be notified. In addition, the Director may request notification of utility companies with facilities on the adjacent properties.
- Copies of the notification letters, along with proof of notifications, should be submitted to the Plan and Document Control Section, 5th Floor of the “Herrity Building” located at 12055 Government Center Parkway, Fairfax, VA 22035; telephone (703) 324-1730. Proof of notifications shall consist of the original (white) Certified Mail Receipt completed by the U.S. Postal Service.

If you have any questions, please contact a Geotechnical Engineer with the Stormwater and Geotechnical Section, Environmental and Site Review Division, at **703-324-1720, TTY 711**.

Approved by:

James W. Patteson, P.E.
Director, Land Development Services
Department of Public Works and
Environmental Services