



Building Code Appeal Request

PROJECT INFORMATION

Project Name: _____
Project Address: _____
Permit or case number: _____ Tax map number: _____

APPLICANT INFORMATION

Applicant Name: _____ ☐ Owner ☐ Owner's agent
Address: _____
City: _____ State: _____ ZIP: _____
Phone: _____ Email: _____

OWNER INFORMATION

☐ See applicant information

Owner Name: _____
Address: _____
City: _____ State: _____ ZIP: _____
Phone: _____ Email: _____

APPEAL INFORMATION

Appealing decision made on the date of by ☐ Building Official ☐ Fire Official ☐ Property Maintenance Official
rendered on the following date: _____
Code(s) (IBC, IMC, IPMC, etc.) and year-edition: _____
Section(s): _____

REQUEST/SOLUTION

Describe the code or design deficiency and practical difficulty in complying with the code provision:

Please return the completed form and any supporting documentation to the address or email below. A \$216.32 fee is required at the time of submittal. This total fee includes a base fee of \$208.00 plus a 4% technology surcharge. The application will not be further processed until this fee has been collected.

Chairman, Fairfax County Board of Building Code Appeals
12055 Government Center Parkway, Suite 334
Fairfax, VA 22035-5504
Attention: Secretary to the Board
buildingofficial@fairfaxcounty.gov

Updated July 2019



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 Virginia Construction Code

DATE OF ISSUANCE: May 15, 2020

METHOD OF SERVICE: CERTIFIED MAIL # 7019 1120 0001 2427 6708

LEGAL NOTICE ISSUED TO: Sidney Tobias Harris or his heirs
ADDRESS: PO Box 220271
Chantilly, VA 20153

LOCATION OF VIOLATION: 5615 Hope Park Road
Fairfax, VA 22030-6321

TAX MAP REF: 0671 01 0072

CASE #: 201900211 **SR#:** 170161

ISSUING INVESTIGATOR: Gary M. Wallace, (703) 324-9324

Based on a March 2, 2020, inspection, County staff discovered the construction of a building with a chimney and deck on the northern section of the above referenced property and another large structure built on the south-west section of the property without required permit(s), inspections, and approvals. Permits, inspections, and final approvals are required for all such structures. See Virginia Construction Code, Part I of the Virginia Uniform Statewide Building Code (USBC), 2015 Edition, effective September 4, 2018, *Sections 108.1 When applications are required, 113.3 Minimum inspections, 113.8 Final inspection, and Section 116.1 Certificates of Occupancy, General; when to be issued.* The permits that may be required include, but are not limited to, building, electrical, mechanical, plumbing, demolition, and small appliance.

A Stop Work Order was issued on March 5, 2020 ordering the immediate cessation of these violations. Staff confirmed through research on April 28, 2020; however, that the violations remain.

Order: Under the USBC provisions cited above, you are directed to apply for and obtain the required permit(s), inspections, and approvals for the construction of the structures described above or their demolition within **30 calendar days** from the date you receive this notice.

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

You must contact Investigator Gary M. Wallace at (703) 324-9324, TTY 711 to schedule a pre-application meeting before submitting permit application documents. This meeting is intended to ensure all cited violations are addressed in your permit application and/or construction documents. Your permit application will not be accepted by the Permit Application Center without this review from the Department of Code Compliance.

Please be aware that:

- A copy of this Notice must remain as part of your construction documents.
- A floor plan identifying all cited violations is required to receive the DCC stamp by your investigator prior to submission where it is to remain as part of your construction.
- For e-plans. You must email all your permit documents to your investigator to verify that all the cited violations are addressed prior to submitting online.
- A stop work hold has been placed on your address preventing any permits documents from being submitted, and it can only be removed with approval from your DCC investigator.

Once all required permits are issued, call 703-631-5101, TTY 711 to schedule all building inspections related to this matter. Please reference Case 201900211. This notice must be available for County field staff throughout the inspection process. Failure to call for the required inspections within 30 days may result in the initiation of the legal process

Note:

- When work described above involves construction of an addition or an accessory structure, a certified plat must be submitted along with a building permit application to the Permit Application Center. This plat must indicate the location, dimensions, and height of all existing and proposed structures as well as indicated distance to the respective lot lines. This plat must be prepared, sealed and signed by a professional licensed with the state of Virginia to do so. *Permit application must be made at:*

Permit Application Center
The Herrity Building
12055 Government Center Parkway, 2nd Floor
Fairfax, Virginia 22035
Telephone: 703-222-0801

- If the unpermitted work described above involves the removal of unpermitted features (including appliances, plumbing/gas fixtures), a demolition permit will be required. Be advised

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that any zoning ordinance violations contained in a separate Notice of Violation must also be corrected prior to or in conjunction with the issuance of a demolition permit.

- If you have received a Zoning Notice of Violation, contact the investigator from the Department of Code Compliance at (703) 324-1300, TTY 711 who issued the Notice before applying for your permit. When applying for your permit, a copy of this notice must remain as part of your permit documents.

You are directed to notify Gary M. Wallace in writing or by telephone at 12055 Government Center Parkway, Suite 1016 Fairfax, VA 22035, (703) 324-9324 within three (3) working days from the date you receive this Order.

RIGHT TO APPEAL THIS NOTICE: Per **USBC Sect. 119.5 Right of appeal; filing appeal application**, any person aggrieved by this application of the code may appeal to the Local Board of Building Code Appeals (LBBCA), which is the Fairfax County Board of Building and Fire Prevention Code Appeals. The request for an appeal must be submitted in writing within 30 calendar days of receipt of the decision being appealed along with a \$208 fee. Failure to timely appeal constitutes acceptance of the Code Official's decision.

You may call the secretary of the LBBCA for more information about the appeals process, and/or appeal application forms:

Secretary to the Fairfax County Local Board of Building Code Appeals
Attention:
Secretary to the Fairfax County Local Board of Building Code Appeals
Land Development Services
12055 Government Center Parkway, Suite 334
Fairfax, Va. 22035-5504
Telephone: (703) 324-5175, TTY 711

Information and forms can also be obtained at: <https://www.fairfaxcounty.gov/landdevelopment/code-interpretations-modifications-and-appeals>.

Investigators may not accept any payments, including those associated with fines and fees.

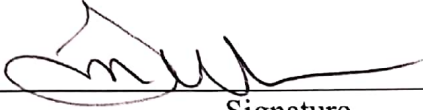
If you have any questions, would like to schedule an appointment to meet with me, or to schedule a site visit, please contact me directly at (703) 324-9324 or the main office at (703) 324-1300.

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Notice Issued By:



Signature

Gary M. Wallace

(703) 324-9324

Gary.Wallace@fairfaxcounty.gov

Master Combination Inspector

Technical Assistant to the Building Official

Code Compliance Investigator III

Department of Code Compliance

CC: Case File

Jim Canter, Inspections Branch Chief



Please type or
Print in Black Ink

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX
APPLICATION FOR APPEAL

APPLICATION NO. _____
(Assigned by Staff)

NAME OF APPELLANT: SIDNEY HARRIS _____

NATURE OF THE APPEAL:

ALL STRUCTURES LOCATED ON THE PREMISES IN QUESTION, ARE WITHIN THE CODE OF COMPLIANCE GUIDELINES.

THE STOP WORK ORDERS ISSUED REFERENCES A COMPLETELY DIFFERENT PROPERTY, THAN THE ONE LISTED

IN THE NOTICE OF VIOLATION

DATE OF ORDER, REQUIREMENT, DECISION, DETERMINATION OR NOTICE OF VIOLATION WHICH
IS SUBJECT TO THE APPEAL MAY 15, 2020 _____

HOW IS THE APPELLANT AN AGGRIEVED PERSON?:
OWNER _____

IF APPEAL RELATES TO A SPECIFIC PROPERTY, PROVIDE THE FOLLOWING INFORMATION:

POSTAL ADDRESS OF PROPERTY: 5615 HOPE PARK ROAD _____

TAX MAP DESCRIPTION: 0671 01 0072 _____

SIDNEY HARRIS _____

Type or Print Name of Appellant or Agent

Signature of Appellant or Agent

PO BOX 220271 CHANTILLY, VA 20153

Address

202-425-4718

Telephone No: Home

Work

Cell

Please type or print name, address, and phone number of contact person if different from above:

DO NOT WRITE IN THIS SPACE

Subdivision Name: _____

Total Area (Acres/Square Feet): _____

Present Zoning: _____

Supervisor District: _____

Date application received: _____ Application Fee Paid: \$ _____

Date application accepted: _____