



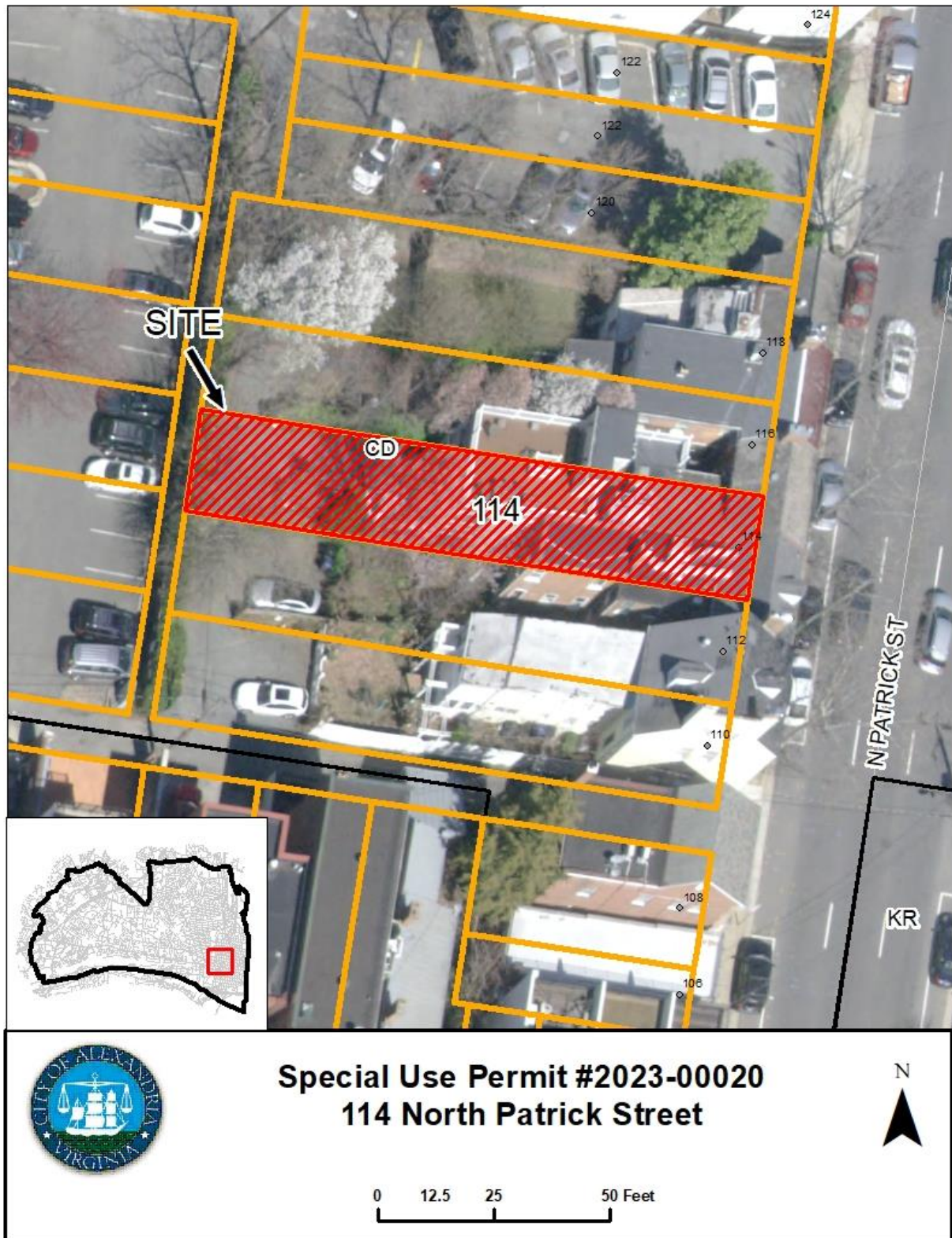
***DOCKET ITEM #2***  
***Special Use Permit #2023-00020***  
***114 North Patrick Street***  
***Parking Reduction with Modifications***

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<b>Application</b>	<b>General Data</b>	
<b>Request:</b> Public hearing and consideration of a request for a parking reduction Special Use Permit with open space, lot frontage and side yard modifications.	<b>Planning Commission Hearing:</b>	May 2, 2023
	<b>City Council Hearing:</b>	May 13, 2023
<b>Address:</b> 114 North Patrick Street	<b>Zone:</b>	CD/Commercial Downtown
<b>Applicants:</b> Jorge and Lorie Nevares	<b>Small Area Plan:</b>	Braddock Road Metro Station

**Staff Recommendation:** APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

**Staff Reviewers:** Sam Shelby, [sam.shelby@alexandriava.gov](mailto:sam.shelby@alexandriava.gov)  
Tony LaColla, AICP, [anthony.lacolla@alexandriava.gov](mailto:anthony.lacolla@alexandriava.gov)



PROJECT LOCATION MAP

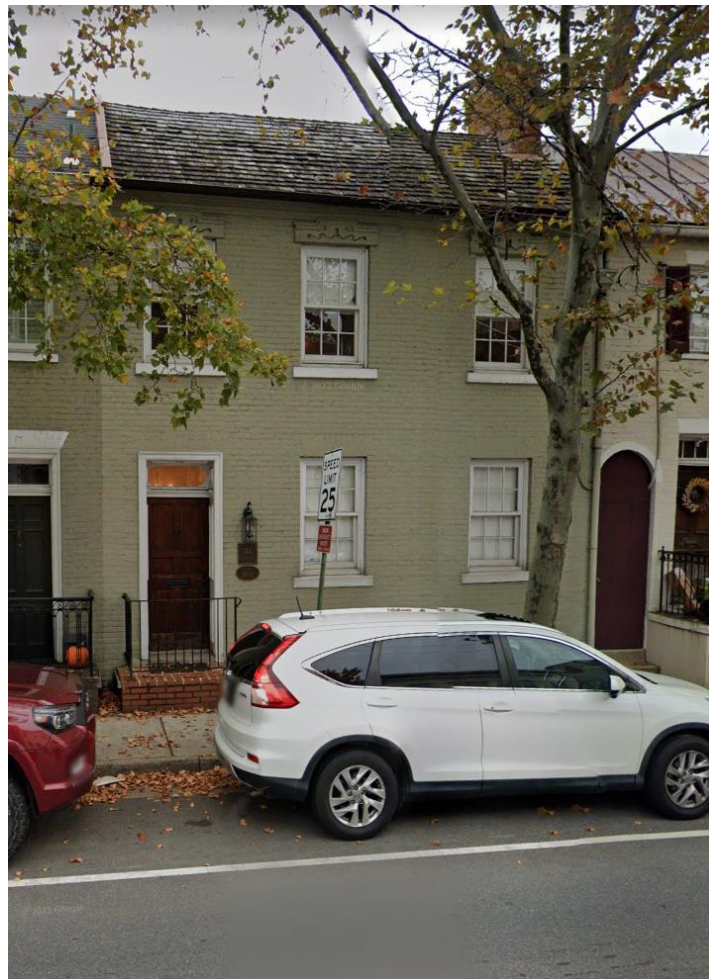
## I. DISCUSSION

The applicants, Jorge and Lorie Nevares, request Special Use Permit (SUP) approval for a parking reduction with open space, lot frontage and side yard modifications for the conversion of an existing commercial building to a dwelling at 114 North Patrick Street.

### SITE DESCRIPTION

The subject property is an interior lot of record with 22.0 feet of frontage along North Patrick Street. The subject property has a lot size of 2,715 square feet. A five-foot wide private alley runs along the subject property's rear lot line. An access easement runs across the subject property's rear yard and measures 13.42 feet in depth.

A commercial building that measures roughly 22.7 by 56.2 feet occupies the subject property. The building shares a party wall with its neighbor to the south at 112 North Patrick Street. It is constructed at the front and south side lot lines and provides no front or south side yard. Figure one, below, shows an image of the subject property.



*Figure 1 - Subject Property*

A mix of commercial and residential uses surround the subject property. It is located within the Parker-Gray Historic District.

### BACKGROUND

Real Estate Assessment records indicate that the existing building was constructed in 1810. Commercial uses have occupied the existing building since at least 2001. The applicants received approval from the Board of Architectural Review on June 27, 2013 to construct a two-story rear addition.

### PROPOSAL

The applicants request a parking reduction SUP with open space, lot frontage and side yard modifications to convert the existing building to a dwelling. Based on the proposed configuration, the Zoning Ordinance would classify it as one-half of a semi-detached two-family dwelling.

The applicants plan to replace the building's roof and repair the chimney. Inside, the applicants plan to install a kitchen and renovate an existing bathroom. The applicants would remove an off-street parking area which currently occupies most of the rear yard and replace it with two non-tandem, compact off-street parking spaces. The spaces would continue to be accessed from the private alley to the rear. The site plan showing the proposed compact parking spaces can be found in figure two, below.



*Figure 2 - Proposed Site Configuration*

## PARKING

Zoning Ordinance 8-200(A)(1) would require two off-street parking spaces for the proposed residential use. Section 8-200(D)(1) requires off-street parking spaces to be no less than 18.5 feet in length by nine feet in width, however, section 8-100(A)(4) allows a reduction of these dimensions with SUP approval. The applicant proposes two compact off-street parking spaces each measuring 16 feet in length by eight feet in width. The existing parking area provides non-required off-street parking spaces. The subject property is located within the Central Business District. Section 8-300(B) exempts the subject property's existing commercial use from providing off-street parking.

## ZONING

The subject property is zoned CD/Commercial Downtown which permits two-family dwellings. Section 4-505(2)(b) would require a lot developed with one-half of a semi-detached two-family dwelling to provide a minimum lot frontage of 25 feet. The subject property provides 22 feet of frontage. Section 4-506(A)(2)(b)(1) would require a five-foot side yard along the subject property's south. The existing building does not provide a south side yard. Section 4-506(E)(1) would require a dwelling to provide 35 percent or 950 square feet of its lot area as open space. The lot currently provides no open space but with the applicants' proposal, 620 square feet of open space would be provided. The following table provides a summary of all zoning regulations as they pertain to the subject property.

*Table 1 – Zoning Analysis*

	<b>Required/Permitted</b>	<b>Existing</b>	<b>Proposed</b>
<b>Lot Size</b>	1,245 Sq. Ft.	2,715 Sq. Ft.	No change
<b>Lot Frontage*</b>	25 Ft.	22 Ft.	No change
<b>Front Yard</b>	0 Ft.	0 Ft.	No change
<b>Side Yard (South)*</b>	5 Ft.	0 Ft.	No change
<b>Rear Yard</b>	23.3 Ft.	57.2 Ft.	No change
<b>Maximum Floor Area</b>	4,073 Sq. Ft. 1.50 Floor Area Ratio (FAR)	2,948 Sq. Ft. 1.10 FAR	No change
<b>Maximum Height</b>	35 Ft.	23.3 Ft.	No change
<b>Open Space*</b>	950 Sq. Ft. (35% of lot area)	0 Sq. Ft.	620 Sq. Ft. (23% of lot area)

\*Modifications requested

The proposal would comply with all zoning requirements besides lot frontage, side yard and open space. The applicants have requested modifications from these requirements pursuant to section 11-416. Analysis follows in a later section of this report.

## MASTER PLAN DESIGNATION

The Braddock Road Metro Station Small Area Plan (SAP) designates the subject property and its immediate surroundings for residential and low-intensity commercial uses. The proposed residential use would be consistent with the SAP.

## **II. STAFF ANALYSIS**

Staff supports the applicants' proposal. The requested parking reduction SUP is technical in nature, as the subject property would still provide two off-street parking spaces. The modifications requested are necessary for use of the subject property as a dwelling. Overall, the applicants' requests would result in a reasonable and compatible use of the subject property that would have no impacts to the surrounding neighborhood. Further analysis follows.

### PARKING REDUCTION

The subject property's constrained rear yard makes it infeasible to provide two standard-sized parking spaces without further reducing the lot's open space. An easement that dates to at least 1930 runs across the rear of the property. The easement is 13.42 feet wide and is used for vehicular access to the surrounding properties along North Patrick and Henry Streets. This area cannot be used for parking nor counted as open space for the subject property. Because the applicants would still provide two off-street parking spaces, there would be no impact to the surrounding neighborhood. Further, the subject property is located within the City's downtown core with robust access to quality transit and walkable neighborhood-serving retail and amenities.

### OPEN SPACE MODIFICATION

Even if the applicants requested a full parking reduction and provided no off-street parking, the subject property could not meet the residential open space requirement. As such, the modification is necessary for residential use of the property. The applicants' proposal increases the subject property's ground level open space from 0 to 620 square feet. The existing building also contains a 506-square-foot rooftop deck. Although the CD zone does not permit rooftop areas to meet its open space requirement, the subject property's rooftop would function as open space for residents of the proposed dwelling. If this area could count toward the CD zone's open space requirement, the subject property would exceed the minimum open space requirement by 176 square feet.

### LOT FRONTAGE AND SIDE YARD MODIFICATIONS

The applicant's requested lot frontage and side yard modifications are necessary for residential use of the property. It would not be feasible for the applicant to widen the lot to meet the 25-foot lot frontage requirement. The existing building would have to be demolished to provide the five-foot side yard. Although the proposal would be classified as a two-family dwelling, the building functions more like a townhouse dwelling since it is located on a narrow lot and does not provide side yards. If the subject property could be classified as a townhouse dwelling, it would exceed the CD zone's lot frontage requirement (18 feet) by four feet. The CD zone does not require side yards for interior townhouses.

### CONCLUSION

Staff supports the applicants' request for a parking reduction with modifications. Providing two-standard parking spaces on the subject property would be infeasible. The applicant's proposed compact spaces would meet the technical requirement for two-off street parking spaces and would have no parking impacts on the surrounding neighborhood. The requested modifications are necessary for residential use of the property. Subject to the conditions contained in Section III of this report, staff recommends approval of the Special Use Permit.

### III. RECOMMENDED CONDITIONS

Staff recommends *approval* subject to compliance with all applicable codes and ordinances and the following conditions:

1. Configuration of the subject property shall be consistent with the site survey submitted on February 16, 2023 to the satisfaction of the Director of Planning and Zoning. (P&Z)
2. Exterior alterations will require Board of Architectural Review (BAR) review and approval. (P&Z)

STAFF: Tony LaColla, AICP, Division Chief, Land Use Services  
Sam Shelby, Principal Planner

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Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

#### IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

##### Transportation & Environmental Services:

F-1 Evaluate the need to upgrade windows to reduce noise for new residential use. (T&ES)

R-1 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)

R-2 If fireplaces are utilized, the Applicant is required to install gas fireplaces to reduce air pollution and odors. Animal screens must be installed on chimneys. (T&ES)

##### Code Enforcement:

R-1 Building permit required for change of use.

##### Fire:

No comments or concerns.

##### Recreation, Parks & Cultural Activities:

No comments received

##### Police Department:

No comments received

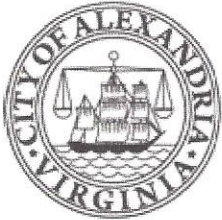
##### Historic Alexandria:

R-1 The applicant/developer shall call Alexandria Archaeology immediately (703.746.4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.\*

R-2 The applicant/developer shall not allow any metal detection to be conducted on the property, or allow independent parties to collect or excavate artifacts or features, unless authorized by Alexandria Archaeology.\*

R-3 The statements in archaeology conditions above marked with an asterisk “\*” shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements.

F-1 According to Historic Alexandria, Virginia, Street by Street by Ethelyn Cox, Francis Poston purchased the lot in 1802 and by 1815 it was described as “one tenement and a lot of ground.” There is the potential for archaeological resources to be present that could provide insight into domestic activities in early Alexandria.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # \_\_\_\_\_

PROPERTY LOCATION: 14 North Patrick Street, Alexandria, VA 22314

TAX MAP REFERENCE: 064.03-07-18 ZONE: CD

APPLICANT:

Name: Jorge and Lorie Nevares

Address: 114 North Patrick Street, Alexandria, VA 22314

PROPOSED USE: a parking reduction for a residential dwelling.

- ☒ THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- ☒ THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.
- ☒ THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- ☒ THE UNDERSIGNED, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Jorge Nevares

Print Name of Applicant or Agent

3806 North Ridgeview Road

Mailing/Street Address

Arlingtonm VA 22207

City and State

Zip Code

Signature

02/16/2023

Date

703-216-0645

Telephone #

Fax #

nevarespr@gmail.com

Email address

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 114 North Patrick St., Alexandria. VA 22314, I hereby  
(Property Address)  
grant the applicant authorization to apply for the special use permit use as  
(use)  
described in this application.

Name: Jorge Nevares

Phone 703-216-0645

Please Print

Address: 3806 N. Ridgeview Rd., Arlington, VA  
22207

Email: nevarespr@gmail.com

Signature: 

Date: 02/16/2023

- 1.** Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

☒ Required floor plan and plot/site plan attached.

☐ Requesting a waiver. See attached written request.

- 2.** The applicant is the (check one):

☒ Owner

☐ Contract Purchaser

☒ Lessee or

☐ Other: \_\_\_\_\_ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent.

Sole ownership

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OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Jorge & Lorie Nevares	114 N. Patrick St., Alexandria, VA 22313	100%
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 114 North Patrick Street, Alexandria, VA 22314 (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Jorge & Lorie Nevares	114 North Patrick Street, Alexandria, VA 22314	100%
2.		
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose **any** business or financial relationship, as defined by [Section 11-350 of the Zoning Ordinance](#), existing at the time of this application, or within the12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. Jorge Nevares	None	
2. Lorie Nevares	None	
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant’s authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

02/16/2023

Date

Jorge Nevares

Printed Name



Signature

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

[ ] **Yes.** Provide proof of current City business license

[ ] **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

**NARRATIVE DESCRIPTION**

**3.** The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

Jorge and Lorie Nevares are converting the building (townhouse) from an office to a residential dwelling, and propose to provide two compact off-street parking spaces - which requires a parking reduction.

As part of the parking reduction, we are also requesting modifications from the open space, lot frontage and side yard requirements.

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\_\_\_\_\_

USE CHARACTERISTICS

4. The proposed special use permit request is for (check one):
- ☒ a new use requiring a special use permit,
  - ☐ an expansion or change to an existing use without a special use permit,
  - ☐ an expansion or change to an existing use with a special use permit,
  - ☐ other. Please describe: \_\_\_\_\_

5. Please describe the capacity of the proposed use:

- A. How many patrons, clients, pupils and other such users do you expect?  
Specify time period (i.e., day, hour, or shift).  
Not applicable.
- B. How many employees, staff and other personnel do you expect?  
Specify time period (i.e., day, hour, or shift).  
Not applicable.

6. Please describe the proposed hours and days of operation of the proposed use:

Day:	Hours:
<u>Not applicable,</u>	

7. Please describe any potential noise emanating from the proposed use.

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.  
Normal noise level.
- B. How will the noise be controlled?  
Not applicable.

8. Describe any potential odors emanating from the proposed use and plans to control them:

No odors will be emanating.

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9. Please provide information regarding trash and litter generated by the use.

A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)  
Regular trash such as tissues, paper towels, food wrappers and cans and bottles.

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B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

Approximately 84 pounds per week.

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C. How often will trash be collected?

Weekly.

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D. How will you prevent littering on the property, streets and nearby properties?

Cleaning and landscaping staff will on a weekly basis maintain the exterior grounds.

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10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

[ ] Yes.                      [✓] No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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**11.** Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

[ ] Yes.            [✓] No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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**12.** What methods are proposed to ensure the safety of nearby residents, employees and patrons?  
Not applicable.

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**ALCOHOL SALES**

**13.** A. Will the proposed use include the sale of beer, wine, or mixed drinks?

[ ] Yes            [ ] No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.  
Not applicable.

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PARKING AND ACCESS REQUIREMENTS

14. A. How many parking spaces of each type are provided for the proposed use:

Standard spaces

2

Compact spaces

Handicapped accessible spaces.

Other.

Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A

Does the application meet the requirement?

☐ Yes

☐ No

B. Where is required parking located? (check one)

☒ on-site

☐ off-site

If the required parking will be located off-site, where will it be located?

PLEASE NOTE: Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

☒ Parking reduction requested; see attached supplemental form

15. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are available for the use? Not applicable

Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200

Does the application meet the requirement?

☐ Yes

☐ No

B. Where are off-street loading facilities located? Not applicable.

\_\_\_\_\_

C. During what hours of the day do you expect loading/unloading operations to occur?  
Not applicable.

\_\_\_\_\_

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
Not applicable.

\_\_\_\_\_

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?  
Street access is properly adequate.

\_\_\_\_\_

**SITE CHARACTERISTICS**

17. Will the proposed uses be located in an existing building? ☒ Yes ☐ No

Do you propose to construct an addition to the building? ☐ Yes ☒ No

How large will the addition be? \_\_\_\_\_ square feet.

18. What will the total area occupied by the proposed use be?

2771.34 sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = \_\_\_\_\_sq. ft. (total)

19. The proposed use is located in: *(check one)*

☐ a stand alone building

☐ a house located in a residential zone

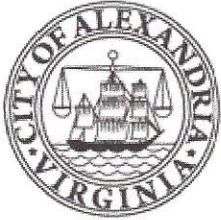
☐ a warehouse

☐ a shopping center. Please provide name of the center: \_\_\_\_\_

☐ an office building. Please provide name of the building: \_\_\_\_\_

☒ other. Please describe: Townhouse

**End of Application**



## Department of Planning & Zoning Special Use Permit Application Checklist

### Supplemental application for the following uses:

- ☐ Automobile Oriented
- ☒ Parking Reduction
- ☐ Signs
- ☐ Substandard Lot
- ☐ Lot modifications requested with SUP use

### Interior Floor Plan

- ☐ Include labels to indicate the use of the space (doors, windows, seats, tables, counters, equipment)

### If Applicable

- ☐ Plan for outdoor uses

### Contextual site image

- ☒ Show subject site, on-site parking area, surrounding buildings, cross streets



## APPLICATION - SUPPLEMENTAL

### PARKING REDUCTION

**Supplemental information to be completed by applicants requesting special use permit approval of a reduction in the required parking pursuant to section 8-100(A)(4) or (5).**

**1. Describe the requested parking reduction.** (e.g. number of spaces, stacked parking, size, off-site location)

Reducing from 4 current parking spaces, and requesting two compact parking spaces 8.0' by 16.0'.

**2. Provide a statement of justification for the proposed parking reduction.**

Modification to convert to residential.

**3. Why is it not feasible to provide the required parking?**

It is feasible to provide the required parking but it will further reduce the open space available on the lot.

**4. Will the proposed reduction reduce the number of available parking spaces below the number of existing parking spaces?**

☒ Yes. ☐ No.

5. If the requested reduction is for more than five parking spaces, the applicant must submit a **Parking Management Plan** which identifies the location and number of parking spaces both on-site and off-site, the availability of on-street parking, any proposed methods of mitigating negative affects of the parking reduction.

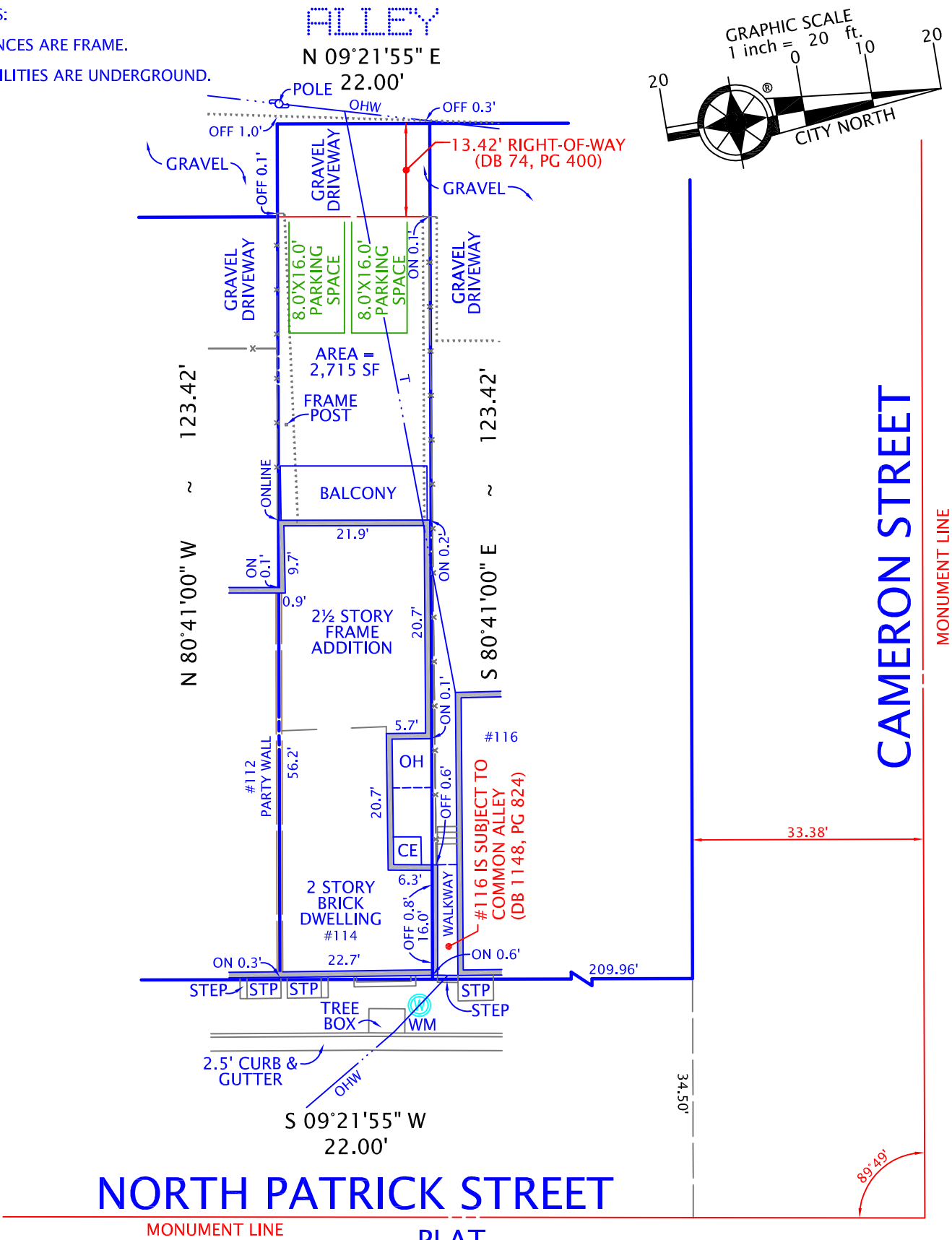
6. The applicant must also demonstrate that the reduction in parking will not have a negative impact on the surrounding neighborhood.

Parking reduction will not have an impact on the neighborhood because we are still providing two off-street parking spaces,

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NOTES:

- 1. FENCES ARE FRAME.
- 2. UTILITIES ARE UNDERGROUND.



NORTH PATRICK STREET

MONUMENT LINE

PLAT

SHOWING HOUSE LOCATION ON  
THE PROPERTY LOCATED AT

#114 NORTH PATRICK STREET

(INSTRUMENT #070014791)

CITY OF ALEXANDRIA, VIRGINIA

SCALE: 1" = 20'

DECEMBER 11, 2014 (FINAL)

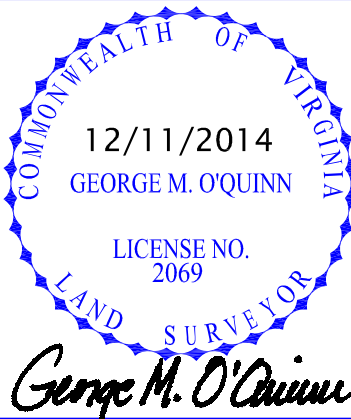
JANUARY 30, 2023 (PARKING SPACES)

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:

JORGE NEVARES



DOMINION

Surveyors  
Inc.®

8808-H PEAR TREE VILLAGE COURT  
ALEXANDRIA, VIRGINIA 22309  
703-619-6555  
FAX: 703-799-6412