APPENDIX 1

PROPOSED DEVELOPMENT CONDITIONS

SE 2004-MV-029

November 18, 2004

If it is the intent of the Board of Supervisors to approve SE 2004-MV-029 located at 6418 Thirteenth Street (Tax Map 93-2 ((8)) (26) 21; which includes lots 22 and 23) to allow uses in a floodplain for construction of a single-family detached dwelling pursuant to Sect. 2-904 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 Exception is granted for and runs with the land indicated in this application and is not transferable to other land.

2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.

3. Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception plat **entitled Lots 21, 22, & 23, Block 26, New Alexandria (House Location) and prepared by Rice Associates, P.C., which is dated August 29, 1995, and stamped received by the Department of Planning and Zoning September 8, 2004** and these conditions. In addition, the proposed dwelling shall be in substantial conformance with the elevation drawings provided to staff, except where further noted in these conditions, and which are included as Attachment 1 to these conditions.

4. A Hold Harmless agreement shall be executed with the County for all adverse effects which may arise as a result of the location of the site within a floodplain area, prior to approval of a grading plan.

5. Irrespective of that shown on the SE Plat or the elevation drawings included in Attachment 1, the elevation of the lowest part of the lowest floor of the dwelling shall not be less than 11.5 feet, (18 inches above the base flood elevation of 10.0 feet referenced to NGVD '29). In addition, all mechanical, electrical, and utility equipment shall be at or above the flood level of 10.0 feet. Further, no "crawl space" which is below the flood level of 10.0 feet may be converted into a finished basement or other living space.

6. The dwelling shall not exceed a maximum building height of 35 feet, as required by the Zoning Ordinance.

7. All trees and other indigenous vegetation shall be preserved on the site during the construction process to the maximum extent feasible, as determined by the Urban Forest Management Branch, and shall be maintained.

8. No more land shall be disturbed than is necessary to provide for the construction of the single family dwelling, as determined by DPWES.

9. If deemed necessary by DPWES, a geotechnical report and a grading plan shall be submitted to DPWES for foundation design and earthwork engineering. Plans shall be implemented as required by DPWES.

10. The US Army Corps of Engineers shall be consulted in writing prior to the submission of a grading plan, if required, to determine whether or not any action is required to ensure compliance with § 404 of the Clean Water Act. Any required actions shall be completed prior to grading the site. If any necessary permissions are not granted or the required actions are not completed, this Special Exception shall be null and void.

11. As-built floor elevations for the residence shall be submitted in accordance with Section 3107.12.1 of the Virginia Uniform Statewide Building Code (VUSBC 2000) on a standard FEMA Elevation Certificate prior to approval of the framing inspection.

12. All construction shall be in conformance with the Flood-Resistant Construction Standards of the Virginia Uniform Statewide Building Code (VUSBC 2000). A statement certifying all floodproofing proposed, and indicating its compliance with all County, State, and Federal requirements shall be provided with the Building Permit application. This certification shall be signed, sealed, and indicate the address of the certifying professional and it shall cover all structural, electrical, mechanical, plumbing, water and sanitary facilities connected with the use.

13. Stormwater drainage shall be directed to ditches through the use of pipes, swales, or other devices, as determined by DPWES. All fill areas shall be stabilized, graded, or have drains installed such that normal rainfall will not flow over the filled area onto adjacent properties, as determined by DPWES.

14. Prior to approval of a building permit, it must be demonstrated to DPWES that the proposed construction, including fill, when combined with all other existing, anticipated, and planned development, shall not increase the water surface elevation above the 100-year flood level upstream and downstream.

15. Disclosure of potential flood hazards due to the location of the site within the 100-year floodplain shall be made in writing to any potential home buyers prior to establishment of a sales contract.

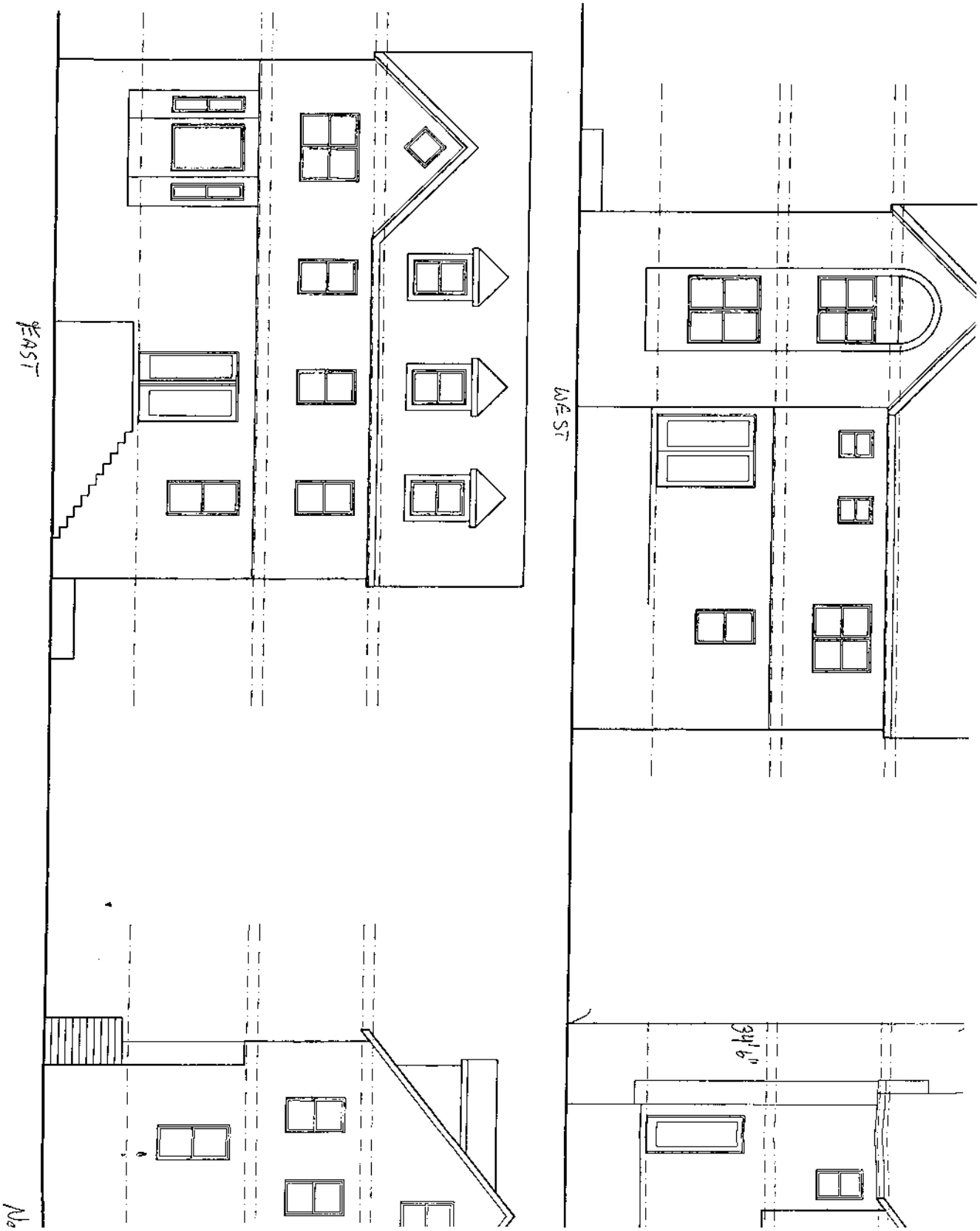
16. There shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., below the flood level.

17. Irrespective of that shown on the SE Plat, the front entry steps shall meet the bulk regulations of the R-3 District and the Permitted Extensions Into Minimum Required Yards as permitted in Section 2-412 of the Zoning Ordinance.

18. Irrespective of that shown on the SE Plat, the screened-in porch located on the north side of the dwelling shall be removed.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.


WEST
34'6"

EAST
No

7'6"
10'
34'6"
10'
4'6"
2'6"
EXISTING 1ST FLOOR
4'6" TO BOTTOM 1ST FLOOR
7.03 PER FEMA SURVEY OF EXISTING 1ST FLOOR
11'6" ABOVE BFE
GRADE
4'
SOUTH
NORTH