

PROPOSED DEVELOPMENT CONDITIONS

SE 2004-MV-001

July 21, 2004

If it is the intent of the Board of Supervisors to approve SE 2004-MV-001 located at 8616 Pohick Road (Tax Map 98-1 ((1)) 21) to permit a telecommunications facility (tree pole and equipment shelter) on the location of a place of worship pursuant to Section 3-104 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 (SE Plat) approved with this application, as qualified by these development conditions.
3. A copy of this Special Exception and the Non-Residential Use Permit (Non-RUP) SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved SE Plat entitled "Chapel Acres Tree pole, 8616 Pohick Road, Springfield, VA 22153, Fairfax County, Mount Vernon Magisterial District," prepared by Clark Nexsen (Gary E. Dickinson), consisting of 3 sheets, dated June 4, 2004, as revised through July 20, 2004, with the Existing Vegetation Map prepared by American Land Development and Engineering, Inc. dated November 6, 2003. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. Prior to the approval of any plans or the issuance of any permits for this Special Exception use, a Special Permit application shall be submitted and shall be approved by the Board of Zoning Appeals to permit the existing church use and proposed telecommunications facility on the subject property of the Calvary Korean Baptist Church. If such a Special Permit is not approved, this Special Exception shall be null and void.
6. Unless waived by the Zoning Administrator, a steady red marker light shall be installed on the monopole and operated at all times. Said light shall be shielded to prevent the downward transmission of light.
7. An 8 foot tall fence shall be installed around the perimeter of the telecommunications compound as shown on the SE Plat.

8. There shall be no outdoor storage of materials, equipment, or vehicles within the wireless compound for the telecommunications facility.
9. Landscaping shall be provided as shown on the SE Plat. A landscape plan shall be submitted concurrent with site plan review and shall be subject to the review and approval of the Urban Forestry Division. Additional landscaping may be provided subject to approval of the Urban Forestry Division.
10. The limits of clearing and grading shall be in substantial conformance with that shown on the Special Exception Plat.
11. There shall be no land disturbance within the tree save area depicted on the SE Plat. All trees shown to be preserved shall be protected by a tree protection fence. Tree protection fencing to consist of four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart shall be erected at the limits of clearing and grading as shown on the SE Plat. All tree protection fencing shall be installed, as approved by the Urban Forester, prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree fences, except super silt fence, shall be performed under the supervision of a certified arborist. Three days prior to the commencement of any clearing, grading, or demolition activities, the Urban Forestry Division shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed.
12. Stormwater Management (SWM) and Best Management Practices (BMP) shall be provided in accordance with the requirements of the Public Facilities Manual (PFM) as determined by the Department of Public Works and Environmental Services (DPWES). If not in substantial conformance with this Special Exception Plat, then a Special Exception Amendment (SEA) may be necessary.
13. No signs shall be permitted on the subject property for the advertisement of the users of the telecommunications facility.
14. Should the need arise to alter the telecommunications monopole, the Applicant shall submit engineering and structural data affirming that said alterations conform to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code.
15. Any component(s) of the telecommunications facility shall be removed within 120 days after such component(s) are no longer in use.
16. The maximum number of antennas shall be 12.
17. The telecommunications tower shall be designed as a tree pole in substantial conformance with the elevation depicted on the SE Plat.
18. The maximum height of the telecommunications tower (tree pole) shall not exceed 125 feet.

19. The appearance of the tree pole shall be maintained by the Applicant in substantial conformance with the elevations shown on the SE Plat.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

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 himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, 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.