

PROPOSED DEVELOPMENT CONDITIONS

SE 2004-MV-009

July 6, 2004

If it is the intent of the Board of Supervisors to approve SE 2004-MV-009 located at 6430 Fourteenth Street (Tax Map 93-2 ((8)) (27) 1, 2, 3, 4) 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 Grading Plan for Lots 1, 2, 3, & 4, Block 27, New Alexandria and prepared by Alexandria Surveys International, LLC, which is dated February 6, 2004, as revised through June 24, 2004** and 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. A vegetated buffer, meeting the criteria of CBPO Section 118-3-3(f), and having a minimum area of 555 square feet, shall be provided in the location shown on the SE/VC Plat, in accordance with DPWES requirements.
6. Irrespective of that shown on the SE/VC Plat, the elevation of the lowest part of the lowest floor of the dwelling and attached garage shall be not less than 11.5 feet, (18 inches above the base flood elevation of 10.0 feet). 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.

7. The portion of the dwelling illustrated as an attached garage may instead be converted to living space, provided the elevation of the lowest part of the lowest floor is not less than 11.5 feet, (18 inches above the base flood elevation of 10.0 feet). A detached garage may also be constructed provided the location regulations for accessory structures set forth in Sect. 10-104 of the Zoning Ordinance and the CBPO requirements set forth in Chapter 118 of the County Code are met. If the garage is detached from the principal dwelling, the floor of the accessory structure used solely for parking or storage purposes can be constructed less than the 18 inches above the flood elevation.
8. 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 Forestry Division.
9. No more land shall be disturbed than is necessary to provide for the construction of the single family dwelling, as determined by DPWES.
10. 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.
11. The US Army Corps of Engineers shall be consulted in writing prior to the submission of a grading plan 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.
12. 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.
13. 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.
14. 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.

15. Prior to approval of a grading plan, 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.
16. 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.
17. 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.
18. In the event the variances requested for minimum yard setbacks are not approved by the Board of Zoning Appeals, the minimum required setbacks for the R-3 District shall be provided by shifting the proposed dwelling on the site, as needed.
19. Prior to the issuance of any plan approval, a Water Quality Impact Assessment and demonstration of conformance with the water quality control requirements of the CBPO shall be submitted subject to the review and approval of this DPWES.

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.