

**PROPOSED DEVELOPMENT CONDITIONS**

**SE 2004-DR-004**

**June 10, 2004**

If it is the intent of the Board of Supervisors to approve SE 2004-DR-004 located at Tax Map 30-4 ((2)) (6) 46 (1580 Chain Bridge Road) to allow an office use in a residential district pursuant to Sect. 3-304 of the Fairfax County Zoning Ordinance, the 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. 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 Special Exception Plat entitled Lots 46-48, Block 6, West McLean, prepared by Runyon, Dudley, Associates, Inc. and dated January 15, 2004 as revised through May 28, 2004 and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. This special exception application shall be valid for a period of five (5) years from the date of approval.
5. The hours of operations shall be limited to Monday through Friday, 8:30 a. m. to 5:30 p. m.
6. There shall be no more than one medical practitioner at the site. The number of employees on site at any one time shall be limited to one.
7. The maximum number of clients shall be thirteen (13) per day. There shall be no more than two clients on-site at any one time; with appointments scheduled at least 20 minutes apart.
8. The parking lot shown on the SE Plat shall be installed prior to the issuance of a Non-Residential Use Permit for the medical office use.

9. A strip of land eleven (11) feet in depth along Pathfinder Lane shall be reserved for future dedication as right-of-way; the dedication of this land for right-of-way in fee simple to the Board of Supervisors shall be made upon demand by the Board of Supervisors or the Virginia Department of Transportation as required as part of a project to widen Pathfinder Lane along this property.
10. All exterior lighting on the property shall conform to the requirements of Part 9 of Article 14, Outdoor Lighting Standards. Pole lights shall be limited to seven feet in height. All lighting shall be residential in character.
11. If the requested stormwater management waiver is not granted, the applicant shall be required to obtain a special exception amendment to determine the manner in which stormwater management is to be addressed.
12. The existing chain link fence, the vines and other plant material immediately adjacent to and on the chain link fence shall be removed along the southern and western property boundaries. The existing fence along the northern boundary may be removed with the written consent of the owner of the property adjacent and to the north.
13. Subject to the approval of the Director, DPWES, a dustless surface may be used in lieu of asphalt paving, to provide for stormwater infiltration. Further, the requirement to stripe the parking lot may be waived to retain a residential character for the property.
14. Notwithstanding the provisions of Article 12, Signs, the on-site signage shall be limited to one free-standing sign no more than 1.5 square feet in size and no more than four feet in height.
15. To retain the existing residential character of the building, the exterior appearance of the building shall not be changed; however this does not preclude routine exterior maintenance or alterations.
16. The landscaping shown on the Special Exception Plat shall be installed prior to the issuance of a Non-Residential Use Permit for the office use. All plant material shall be the size specified on the landscape legend on the SE Plat when planted.
17. The existing vegetation along the northern, southern and eastern property boundaries shall be retained, however plant material determined by the Urban Forestry Division to be a hazard or diseased or dying may be removed. The existing six inch maple tree and 20 foot forsythia bush located within 35 feet of the northern property line shall be preserved.

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 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.