

DEVELOPMENT CONDITIONS

SE 00-M-022

November 13, 2000

If it is the intent of the Board of Supervisors to approve SE 00-M-022 located at 4007 Annandale Road (Tax Map 60-3 ((14)) 4) for a cluster subdivision pursuant to Sect. 9-615 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 Chapter 101 of the County Code, Subdivision Provisions. Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "The McNallan Property", prepared by Planning & Development Services, Inc. and dated February 8, 2000, as revised through October 13, 2000, 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. Limits of clearing and grading consistent with that reflected on the SE plat shall be observed during construction, subject to the necessary installation of utilities as determined by DPWES. The limits of clearing and grading shall be designated on the subdivision plat and subject to review and approval by the Urban Forestry Branch. Prior to the pre-construction meeting, the applicant shall walk the limits of clearing and grading with an Urban Forestry Branch representative and the applicant's certified arborist to determine where minor adjustments to the clearing limits can be made, if necessary and where practical, to protect preservation areas and property line trees, without reducing the size of a house, requiring the installation of retaining walls greater than two (2) feet in height, adversely affecting surface drainage and/or precluding the installation of site utilities on an efficient basis. The limits of clearing and grading shall be flagged prior to construction.
5. All areas identified as open space on the Special Exception Plat shall remain undisturbed subject to the installation of necessary utilities and the

fencing, walls, earthen berms or combination thereof shall be provided for those outdoor recreation areas, including rear yards, that are unshielded by topography or built structures. If acoustical fencing or walls are used, they shall be architecturally solid from the ground up with no gaps or openings. All fences must meet Zoning Ordinance height restrictions. The applicant may pursue other methods of mitigating highway noise if it can be demonstrated, through an independent noise study for review and approval of DPWES, that these methods will be effective in reducing exterior noise levels to DNL 65 dBA or less.

17. No lot shall have direct access to Annandale Road.
18. Signage shall be permitted in accordance with Article 12 of the Zoning Ordinance.

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 subdivision has been recorded among the land records of Fairfax County. 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.