



SE APPLICATION FILED: December 20, 2005  
PLANNING COMMISSION: May 3, 2006  
BOARD OF SUPERVISORS: Not yet Scheduled

# County of Fairfax, Virginia

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April 19, 2006

## STAFF REPORT

APPLICATIONS SE 2005-SP-033  
and 2232-S05-12  
(In association with SPA 67-S-519-2)

### SPRINGFIELD DISTRICT

**APPLICANT:** West Village, Inc./New Cingular Wireless PCS , LLC

**ZONING:** R-2

**LOCATION:** 7008 Elkton Drive

**PARCEL(S):** 89-4 ((5)) A

**ACREAGE:** 2.59 acres

**FAR:** .035

**OPEN SPACE:** 66%

**PLAN MAP:** Residential, .1-.2 du/ac

**SE CATEGORY:** Category 1, Use 8: Mobile and Land Based  
Telecommunication Facilities

**PROPOSAL:** The applicant seeks to permit the construction of a 120-foot tall candelabra-style monopole with 12 antennae and a related 2,250 square-foot equipment cabinet.

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## **STAFF RECOMMENDATIONS:**

Staff recommends that the Planning Commission find that the construction of the telecommunications facility proposed under 2232-S05-12 satisfies the criteria of location, character, and extent as specified in Section 15.2-2232 of the *Code of Virginia*, and therefore is substantially in accord with the provisions of the Comprehensive Plan.

Staff recommends approval of SE 2005-SP-033, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a waiver of the Transitional Screening 3 requirements, as shown on the SE plat.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290 or TTY 711 (Virginia Relay Center).





SE APPLICATION FILED: December 20, 2005  
BOARD OF ZONING APPEALS: May 9, 2006  
TIME: 9:00 am

# County of Fairfax, Virginia

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April 19, 2006

## STAFF REPORT

### SPECIAL PERMIT APPLICATION SPA 67-S-519-02

(in association with SE 2005-SP-033 and 2232-S05-12)

### SPRINGFIELD DISTRICT

<b>APPLICANT:</b>	West Village, Inc./New Cingular Wireless PCS , LLC
<b>ZONING:</b>	R-2
<b>LOCATION:</b>	7008 Elkton Drive
<b>ZONING ORDINANCE PROVISION:</b>	8-403
<b>TAX MAP PARCEL:</b>	89-4 ((5)) A
<b>LOT SIZE:</b>	2.59 acres
<b>FAR:</b>	.035
<b>PLAN MAP:</b>	Residential, .1-.2 du/ac
<b>SPA PROPOSAL:</b>	Amend SPA 67-S-519-1, previously approved for a recreation facility, to permit the construction of a 120-foot tall monopole with 12 antennae and a related 2,250 square-foot equipment cabinet.

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Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703 324-1290  
FAX 703 324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)

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## **STAFF RECOMMENDATION:**

Staff recommends approval of SPA 67-S-519-2, subject to the development conditions contained in Appendix 2.

It should be noted that it is not the intent of staff to recommend that the Board of Zoning Appeals, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision is made.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**A GLOSSARY OF TERMS FREQUENTLY  
USED IN STAFF REPORTS MAY BE  
FOUND AT THE BACK OF THIS REPORT**

**DESCRIPTION OF THE APPLICATIONS**

**2232-S05- Proposal:**

The Applicant, Village West, Inc./New Cingular Wireless PCS, LLC, has filed an application for review by the Planning Commission to determine whether the construction of a 120-foot tall monopole with 12 antennae and a related equipment cabinet satisfies the criteria of location, character and extent pursuant to Section 15.2-2232 of the Code of Virginia; and, therefore, may be determined to be substantially in accordance with the Comprehensive Plan.

**SE 2005-SP-015 Proposal:**

The Applicant seeks a Category 1 Special Exception to permit the construction of a telecommunications facility consisting of a 120-foot tall monopole in the candelabra (i.e. "lightpole") design style with 12 antennae and a related 2,250 square-foot equipment cabinet.

**SPA 67-S-519-2 Proposal:**

The applicant seeks to amend SPA 67-S-519-1, previously approved for a community swimming pool (Springvale Village West Community Pool), to permit the construction of a 120-foot tall candelabra monopole with 12 antennae and a related 2,250 square-foot equipment cabinet.

**Waivers and Modifications:**

Modification of the Transitional Screening 3 requirement along all site boundaries in favor of existing vegetation due to the monopole's proposed location immediately adjacent to heavily wooded Fairfax County Park Authority property and approximately 260 feet from the nearest dwelling unit.

**LOCATION AND CHARACTER**

**Site Description:**

The 2.59-acre subject property, zoned R-2, is located at 7008 Elkton Drive, approximate one-half mile southwest of Rolling Road (Route 638) and one-half mile north of the Fairfax County Parkway (Route 7100). The site is accessed via a 12-foot driveway extending from the Elkton Drive cul-de-sac. The property is occupied by Village West Community Pool, and is developed with a large

swimming pool, a smaller children's pool, a pool house, pavilion, and surface parking lot.

### **Surrounding Area Description:**

As shown in the table below, the subject property is bounded by single-family residential dwellings on its northern and eastern sides, and by Pohick Stream Valley Park, owned by the Fairfax County Park Authority, on its southern and western sides.

<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	SFD	R-2C	Residential, .1-.2 du/a
<b>South</b>	Park land	R-2	Public Parks
<b>East</b>	SFD	R-2C	Residential, .1-.2 du/a
<b>West</b>	Park land	R-2	Public Parks

## **BACKGROUND**

On February 14, 1967, the Board of Zoning Appeals approved special permit application S-519-67 to permit the establishment of a recreation facility. On June 5, 1984, the Board of Zoning Appeals approved special permit amendment SPA 67-S-519-1 to permit the construction of a pavilion to provide a shelter for patrons. A copy of the plat and development conditions are contained in Appendix 5.

## **COMPREHENSIVE PLAN PROVISIONS**

<b>Plan Area:</b>	Pohick Planning District, Area III
<b>Planning Sector:</b>	P2 Main Branch Community Planning Sector
<b>Plan Map:</b>	Residential, .1-.2 du/a
<b>Plan Text:</b>	Fairfax County Comprehensive Plan, Area III, Pohick Planning District, p. 27.

There are no site specific recommendations for the subject property. Under the general Land Use Recommendations section the Plan states:

"The Main Branch Community Planning Sector is largely developed as stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity in accordance with the guidance provided

by the Policy Plan... Further infill development in the vicinity of Pohick Creek tributaries should be compatible with adjacent residential development as well as provide a balance between the built and natural environments."

## ANALYSIS

**Special Exception (SE)/Special Permit Amendment (SPA) Plat** (copy provided at front of staff report)

**Title of SE/SPA Plat:** Cingular Wireless Springvale/Village #1486 West Community Pool

**Prepared by:** Clark-Nexsen

**Date:** August 5, 2004 with revisions through March 10, 2006

### Plat Description

The combined SE/SPA Plat consists of eight (8) sheets. Sheet T01, the Title Sheet, contains site information, a location map, a drawing index, driving directions, a project description, and project contact information. Sheet C01, the Site Plan, contains setback information for the proposed equipment shelter and monopole tower; general notes; and a site plan. As shown, no changes are being made to the site except for the installation of the monopole and the necessary equipment cabinets. The proposed telecommunications facility would be located adjacent to the southern property boundary, which borders Fairfax County Park Authority property. The 120-foot monopole would be located approximately 21 feet from the southern property boundary, 185 feet from the western property boundary, 221 feet from the northern property boundary at Elkton Drive, and 392 feet from the eastern property boundary. As previously stated, the monopole would be 260 feet from the most proximate dwelling unit. The 11.5 x 20 foot equipment shelter would be located just east of the monopole, approximately 20 feet from the southern property boundary.

Sheet C02 is the Enlarged Site Plan. The plan depicts a proposed eight-foot board-on-board fence encircling the 2,250 square-foot telecommunications facility compound. A 3-foot high and 10-inch thick retaining wall is proposed for the northern boundary of the facility area. The proposed antennae are shown to be mounted on the monopole at a height of 118 feet. The monopole would accommodate a maximum of 48 antennae (A development condition limiting the number of antennae has been included.) Two areas measuring 10 feet x 20 feet within the confines of the fenced facility are designated as potential equipment shelter sites for future wireless service tenants. Finally, the plan depicts a proposed 8-foot wide by 8-foot high "utility board" and 55-inch by 53-inch cabinet.

Sheet C03 is the Soils Map. Sheet C02 depicts the Telecom Light Pole Elevation and Details. The equipment shelter is shown to be 10 feet high. At a height of 90 feet on the 120-foot monopole (just above the existing tree line) a GPS is proposed for installation. Details of a typical antenna and how it will be mounted have also been provided.

Sheet C05 provides Fence Details. As previously stated, the telecommunications facility will be surrounded by an eight-foot board-on-board fence. The fence will be composed of treated lumber topped with 1 foot high barbed wire fencing. (The Zoning Administrator has determined that monopole facilities may be considered "other industrial uses" as described in Section 10-103, 5.A.; and that barbed wire strands on the uppermost portion of the fence are, therefore, permissible in the zoning district.) The proposed fence will have a gated entrance and will maintain a minimum clearance of 3 feet from the face of all equipment. Sheet C06 provides Bulk Plan Elevations. Sheet A01, the Shelter Elevations, provides elevations for the equipment cabinets.

#### **Land Use/2232 Review Analysis (Appendix 4)**

Va. Code Sec. 15.2-2232, as amended, requires the Planning Commission to determine whether the general location, character, and extent of the proposed facility, as amended, are substantially in accord with the adopted Comprehensive Plan.

#### **Location**

As noted in the Special Exception and Special Permit Amendment applications, the owners of the subject property consent to Cingular filing the subject 2232 application, thereby confirming the availability of the site for the use. The proposed location, directly adjacent to the heavily-wooded Pohick Stream Valley Park, is consistent with Plan guidelines to locate new structures on property that provides the greatest opportunity to conceal the facilities and minimize their visual impact on surrounding areas. In addition, as space on the proposed monopole for two additional wireless providers has been included, the proposal meets Plan guidelines to locate facilities operated by different service providers on single sites and/or structures whenever appropriate.

#### **Character**

The proposal meets Plan guidelines to design, site and/or landscape facilities to minimize impacts on the character of the property and surrounding areas. The proposed monopole will be located immediately adjacent to Pohick Stream Valley Park, which provides a significant buffer to the adjacent properties to the south, east and west. The existing vegetation contiguous to the proposed location is approximately 60 to 70 feet in height. Based on observations during a simulated balloon test, the visual impact of the monopole's height on these adjacent

properties will be substantially minimized due to the significance of the wooded buffer and the topography of the area. The proposal also meets Plan guidelines to mitigate the visual impact of proposed structures by locating the facility near mature vegetation. Additionally, the location on the southern boundary of the site minimizes the impact of the facility on the community pool, as the monopole's placement at the edge of the site will not interfere with pool, clubhouse or pavilion activities. The monopole will have a candelabra design, with the antennae enclosed within cylindrical shells. This design will disguise the antennae and provide a "light pole" appearance that will appear compatible with the nonresidential use of the property.

### **Extent**

Cingular states that the proposed 120-foot height of the monopole, which is consistent with the typical height of monopoles, is the minimum height necessary to provide adequate service within this area. As stated on page 6 of Appendix 4, staff believes that this height meets the Plan guidelines to ensure that proposed monopoles be no taller than that necessary to achieve service area requirements. The applicant states that the facility will only require routine maintenance and will not result in significant traffic impacts, further limiting the impact of the proposed facility on the surrounding area.

Staff concludes that the subject proposal by Village West, Inc./New Cingular Wireless PCS, LLC, as amended, to construct a telecommunications facility located at 7008 Elkton Drive, Springfield, satisfies the criteria of location, character, and extent as specified in Va. Code Sec. 15.2-2232. Staff therefore recommends that the Planning Commission find application 2232-S05-12, as amended, substantially in accord with the provisions of the adopted Comprehensive Plan.

### **Environmental Analysis (Appendix 6)**

No environmental issues have been identified with this request.

### **Transportation Analysis (Appendix 7)**

No transportation issues have been identified with this request.

### **Department of Information Technology Analysis (Appendix 8)**

The memorandum from the Emergency Communications Branch of the Department of Information Technology states that the proposed monopole meets or exceeds Federal Communications Commission standards for emission exposure levels at ground level within 2000 feet of the monopole. Therefore, the facility poses no harm to the County or its citizens.

## ZONING ORDINANCE PROVISIONS

### Waivers and Modifications

The applicant is requesting a modification of the Transitional Screening 3 requirement along all site boundaries in favor of existing vegetation. Staff supports this request due to the monopole's proposed location immediately adjacent to heavily wooded Fairfax County Park Authority property, and its location approximately 260 feet from the nearest dwelling.

### Special Exception Requirements – Monopole (Appendix 9)

#### General Special Exception Standards (Sect. 9-006)

General Standards 1 and 2 require that the proposed use be in harmony with the adopted Comprehensive Plan and with the general purpose and intent of the applicable zoning district regulations. The proposed use meets the general guidelines of the Comprehensive Plan for mobile and land-based telecommunications services (see Appendix 4, pp. 3); and the purpose and intent of the R-2 Zoning District, which allows uses that are compatible with the low-density residential character of the District. Therefore, both of these criteria have been satisfied.

General Standards 3 and 4 require that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan; and that pedestrian and vehicular traffic associated with such use not be hazardous or conflict with existing and anticipated traffic in the neighborhood. The proposed use is harmonious with neighboring properties and will not create any traffic impacts.

General Standard 5 requires that landscaping and screening be in accordance with the provisions of Article 13. The applicant has asked for a modification of Type 3 Transitional Screening requirements, as noted above, which staff supports.

General Standards 6, 7 and 8 require that open space, adequate utility, drainage, signage, parking and loading spaces to be regulated in accordance with the Zoning Ordinance; however, the Board of Supervisors may impose stricter requirements for a given use than those set forth in this Ordinance. Due to the nature of this use, no such impacts are expected.

### Category 1 Standards (Sect. 9-104)

Standard 1 states that Category 1 special exception uses shall not have to comply with the lot size requirements or the bulk regulations set forth for the zoning district in which located. Since the proposed special exception is a Category 1, it does not have to comply with lot size requirements or the bulk regulations of the R-2 zoning district.

Standard 2 states that no land or building in any district other than the I-5 and I-6 District shall be used for the storage of materials or equipment, or for the repair or servicing of vehicles or equipment, or the parking of vehicles except those needed by employees connected with the operation of the immediate facility. The subject property is zoned R-2; no storage or maintenance facilities are proposed. Therefore, this standard has been satisfied.

Standard 3 requires that if the proposed location of a Category 1 use is in an R District, there shall be a finding that there is no alternative site available for such use in a C or I district within 500 feet of the proposed location; except that in the case of electric transformer stations and telecommunication central offices, there shall be a finding that there is no alternative site available in a C or I district within a distance of one (1) mile, unless there is a substantial showing that it is impossible for satisfactory service to be rendered from an available location in such C or I district. The applicant has stated that attempts were made to find alternative sites for this use but that they were ultimately unsuccessful due to the fact that there are no existing structures in the vicinity of the site that are feasible for collocation. The Green Spring Village apartment building was investigated as a potential location for the facility; however, the property owner was not interested in entering into a lease agreement. These findings are summarized in the Applicant's Statement of Justification and in the Land Use/2232 Analysis Memorandum. Staff concurs with the applicant's findings.

Standard 4 states that all uses, before establishment, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

### Additional Standards for Mobile and Land Based Telecommunication Facilities (Sect. 9-105)

Standard 1 requires that, except for antennae completely enclosed within a structure, all antennae and their supporting mounts shall be of a material or color that closely matches and blends with the structure on which they are mounted. The applicant has stated that the antennae will be a grey galvanized steel color, and will be compatible with the structure they are to be located on. Therefore, this standard has been satisfied.

Standard 2 requires that, except for a flag mounted on a flagpole as permitted under the provisions of Par. 2 of Sect. 12-203, no commercial advertising or signs shall be allowed on any monopole, tower, antenna, antenna support structure, or related equipment cabinet or structure. The applicant has not proposed any advertising or signs on the telecommunications tower or equipment shelter. Therefore, this standard has been satisfied.

Standard 3 requires that if any additions, changes or modifications are to be made to monopoles or towers, the Director shall have the authority to require proof, through the submission of engineering and structural data that the addition, change, or modifications conform to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code. A development condition has been included requiring this proof. Therefore, this standard has been satisfied

Standard 4 requires that no signals, lights or illumination shall be permitted on an antenna unless required by the Federal Communication Commission, the Federal Aviation Administration or the County, provided, however, that on all antenna structures which exceed 100 feet in height, a steady red marker light shall be installed and operated at all times. All such lights shall be shielded to prevent the downward transmission of light. (The Zoning Administrator may waive the red marker light requirement upon a determination by the Police Department that such a marker light is not necessary for the safety of police and emergency helicopter operations.) The proposed telecommunications facility includes a 120-foot tall pole. A development condition has been included requiring that a steady red marker light be installed unless waived by the Zoning Administrator. Therefore, this standard has been satisfied.

Standard 5 states that all antennae and related equipment cabinets or structures shall be removed within 120 days after such antennae or related equipment cabinets or structures are no longer in use. A development condition requiring conformance with this standard has been included; therefore this standard has been satisfied.

### **Summary of Zoning Ordinance Provisions**

Staff believes that the subject application has satisfied all applicable Special Exception standards with the adoption of the development conditions contained in Appendix 1.

### **Special Permit Requirements (Appendix 9)**

As stated, the site was previously approved for a recreation facility. Apart from the monopole and its associated equipment cabinets, no other changes to the existing facility are being proposed.

- Special Permit General Standards (Sect. 8-006)
- Group 4 Standards (Sect. 8-403)

### **Summary of Zoning Ordinance Provisions**

Staff believes that the subject application has satisfied all applicable Special Permit standards with the adoption of the development conditions contained in Appendix 2.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Conclusions**

Staff concludes that the subject Special Exception proposal by Village West, Inc./New Cingular Wireless PCS, LLC to construct a 120-foot tall transmission pole with 12 antennae and a related 2,250 square foot equipment cabinet located at 7008 Elkton Drive satisfies the criteria of location, character and extent pursuant to Section 15.2-2232 of the Code of Virginia; and is, therefore, in substantial conformance with the Comprehensive Plan.

Staff further concludes that the subject proposal is in conformance with the applicable Zoning Ordinance provisions.

Staff also concludes that the Special Permit Amendment proposal is in harmony with the Comprehensive Plan and applicable Zoning Ordinance provisions, subject to the adoption of the proposed development conditions contained in Appendix 2.

### **Recommendations**

Staff recommends that the Planning Commission find that the facility proposed under 2232-S05-12 satisfies the criteria of location, character and extent as specified in Section 15.2-2232 of the Code of Virginia and, therefore, is substantially in compliance with the provisions of the Comprehensive Plan.

Staff recommends approval of SE 2005-SP-033 subject to development conditions in Appendix 1.

Staff also recommends the approval of SPA 67-S-519-02 subject to the development conditions contained in Appendix 2 of this staff report.

It should be noted that it is not the intent of Staff to recommend that the Board of Supervisors or the Board of Zoning Appeals, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. It should be further

noted that the content of this report reflects the analysis and recommendations of Staff, and does not reflect the position of the Board of Supervisors or the Board of Zoning Appeals.

## **APPENDICES**

1. Proposed Development Conditions for SE 2005-SP-033
2. Proposed Development Conditions for SPA 67-S-519-02
3. Affidavit
4. Land Use/2232 Review Analysis, including Applicant's Statement of Justification
5. SPA 67-S-519-1 Plat and Development Conditions
6. Environmental Analysis
7. Transportation Analysis
8. Department of Information Technology Analysis
9. Applicable Zoning Ordinance Provisions
10. Glossary of Terms

## **PROPOSED DEVELOPMENT CONDITIONS**

### **SE 2005-SP-033**

**April 19, 2006**

If it is the intent of the Board of Supervisors to approve SE 2005-SP-033 located a Tax Map 89-4 ((5)) A to permit a land-based telecommunications facility (monopole designed as a light pole and related shelter/cabinets) pursuant to Section 3-304 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 the application, as qualified by these development conditions. The owner or designee may apply for a Special Exception Amendment (SEA) without applying for a Special Permit Application (SPA) provided that the SEA is not deemed to impact the SPA.
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 Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved SE Plat entitled, "Cingular Wireless Springdale/Village #1486 West Community Pool" prepared by Clark-Nexsen, consisting of eight (8) sheets, dated August 5, 2004 as revised through March 10, 2006. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Section 9-004 of the Zoning Ordinance.
4. The monopole shall be designed to resemble a light pole in substantial conformance with the elevation depicted on Sheets C02 and C04 of the Special Exception Plat and may be referenced to as a "telecom light pole."
5. The monopole (telecom light pole) shall be limited to a maximum height of one hundred and twenty (120) feet. The number of antennae shall be limited to a maximum of forty-eight (48). In addition, the compound may include equipment shelters, cabinets, electrical panels, telephone panels and other improvements necessary for the operation of the telecommunications facility. Equipment shelters/cabinets shall have a maximum height of ten (10) feet and shall be located within a 2,250 square-foot telecommunications compound as shown on the SE Plat. The monopole (telecom light pole) and all associated equipment shelters/cabinets shall be enclosed by an eight (8) foot tall wood fence as shown on the SE Plat.

6. The monopole (telecom light pole) shall not be lighted or illuminated unless required by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), or the County. A steady marker light shall be installed and operated at all times, unless the Zoning Administrator waives the red marker light requirement upon a determination by the Police Department that such marker light is not necessary for the flight safety of police and emergency helicopters.
7. In order to ensure conformance with applicable safety standards, the Fairfax County Department of Information Technology (DIT) shall have the option to conduct monitoring of radiation emissions as deemed necessary. In the event that the monitoring indicates that the radiation levels exceed the amounts deemed appropriate by the applicable standards, any and all necessary actions determined necessary and approved by DIT shall be taken immediately to comply with accepted standards and agreements and to reduce radiation emissions to the applicable standards.
8. The monopole (telecom light pole) and accessory facility shall be subject to periodic inspections by DPWES. If any additions, changes or modifications are to be made to the monopole or its related facilities, the Director shall have the authority to require proof, through the submission of engineering and structural data, that the addition, change or modification conforms to all structural and all other requirements of the Virginia Uniform Statewide Building Code. In the event that the results of any monitoring indicate alterations or damage exists to the approved equipment or structures in excess of the extent deemed acceptable by applicable codes and standards, immediate action shall be taken as deemed necessary and as approved by DPWES and DIT, to comply with the applicable codes and agreements.
9. Available space on the monopole (telecom light pole) and for equipment structures shall be made available for lease for telecommunications purposes to other telecommunications operators, including but not limited to Fairfax County, subject to reasonable industry-standard lease terms and fair market rent.
10. The monopole (telecom light pole) and related equipment structures shall be dismantled upon the discontinuation of the telecommunications facility on the subject property.
11. There shall be no outdoor storage of materials, equipment, or vehicles within the telecommunications facility compound.
12. No signs shall be permitted on the subject property for the advertisement of the users of the telecommunications facility.

13. Should the need arise to alter the monopole from that shown on the SE Plat, prior to making alterations, the applicant shall submit engineering and structural data to DPWES affirming that said alterations conform to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code.
14. Any component(s) of the telecommunications facility shall be removed within one hundred and twenty (120) days after such component(s) are no longer in use.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by the 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 nonresidential use permit (non-RUP) 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, the special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless at least one of the uses 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.

## PROPOSED DEVELOPMENT CONDITIONS

### SPA 67-S-519-02

April 19, 2006

If it is the intent of the Board of Zoning Appeals to approve SPA 67-S-519-02, located at Tax Map 89-4 ((5)) A previously approved for a community swimming pool to permit site modifications pursuant to Section 3-203 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Those conditions carried forward from the previous special permit are marked with an asterisk (\*). Minor changes are underlined.

1. This approval is granted to the applicant only, West Village, Inc./New Cingular Wireless PCS, LLC, and is not transferable without further action of this Board, and is for the location indicated on the application, 7008 Elkton Dr. (2.59 acres), and is not transferable to other land. \*
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by Clark-Nexsen, dated August 4, 2005 as amended through March 10, 2006, approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit and the Non-Residential Use Permit 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 Permit Amendment 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 permit shall be in substantial conformance with these conditions and the approved Special Permit Plat. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. There shall be fifty-one (51) parking spaces provided on-site.\*
6. The barrier requirement shall be modified, provided the existing fences are retained.\*
7. The transitional screening requirement may be modified provided that the existing vegetation is retained and supplemental plantings similar to existing plantings shall be maintained along the screen fence north of the swimming pool, as determined by Urban Forest Management of DPWES.\*
8. All lighting shall be directed on-site.\*

9. The hours of operation shall be 11:30 a.m. to 9 p.m., daily.\*
10. After hour parties for the swimming pool shall be governed by the following:
  - Limited to six (6) per season.
  - Limited to Friday, Saturday and pre-holiday evenings.
  - Shall not extend beyond 12:00 midnight.
  - Shall request at least ten (10) days in advance and receive prior written permission from the Zoning Administrator for each individual party or activity.
  - Request shall be approved for only one (1) such party at a time and such requests shall be approved only after the successful conclusion of a previous after hours party.

These development conditions incorporate and supersede all previous development conditions. 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 Non-Residential Use Permit through established procedures, and the special permit shall not be valid until this has been accomplished.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently pursued. The Board of Zoning Appeals may grant additional time 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 permit. 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.