

DEVELOPMENT CONDITIONS

SE 2005-LE-028

June 21, 2006

The Board of Supervisors approved SE 2005-LE-028 located at Tax Map 100-1 ((1)) 23A pt., 24 and 25 (7836 and 7908 Telegraph Road) for an independent living facility and a golf course pursuant to Sect. 3-104 of the Fairfax County Zoning Ordinance 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 Piney Run, prepared by Urban Engineering & Associates, Inc. and dated June 30, 2005 as revised through May 26, 2006, 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. At such time as an expansion of the Hilltop Golf Course is expanded, the green for the existing first hole shall be removed or converted to become a recreation facility for the use of the residents and guests only.

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.