

VILLAGE WEST, INC./NEW CINGULAR WIRELESS PCS, LLC, SPA 67-S-519-02

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), structure(s) 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.