

DEVELOPMENT CONDITIONS
As Approved by the Board of Supervisors

SE 2006-MA-027

April 9, 2007

If it is the intent of the Board of Supervisors to approve SE 2006-MA-027 located at 8106 Accotink Drive, Tax Map 59-4 ((2)) 45, for uses in a floodplain, pursuant to Sect. 2-904 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. Disclosure of potential flood hazards due to the location of the site within the 100-year floodplain and of the restrictions included in these conditions shall be recorded in the Land Records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recordation shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
3. 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.
4. Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Lot 45 Section 1A Mill Creek Park" prepared by RC Fields Jr., and Associates, and dated November 13, 2006 as revised through January 11, 2007, 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.
5. This Special Exception shall not be valid unless and until the pending Resource Protection Area Waiver (#6843-WRPA-005-1) is approved and the Exception Conditions are incorporated into this Special Exception by reference. (See Attachment A),
6. The limits of clearing and grading shown on the SE Plat shall be strictly honored during the construction of the single family dwelling, with the exception of the installation of the buffer and removal of the concrete pad as shown on the SE Plat and as conditioned herein. Super-silt fence shall be provided along the limits of clearing and grading shown on the SE Plat for the duration of the land disturbing activity and until the disturbed area is completely stabilized as determined by DPWES.
7. There shall be no additional encroachment into or disturbance of floodplain and/or the combined RPA/EQC beyond that shown on the SE Plat as conditioned. This prohibition shall include grading and additional structures including fences.

8. A reforestation plan for the forested buffer shown on the SE Plat shall be submitted for review and approval by Urban Forest Management (UFM) prior to approval of the grading plan, and shall be implemented as approved. The reforestation plan shall propose an appropriate selection of species based on existing and proposed site conditions. The reforestation plan shall include, but not be limited to, the following:
 - o plant list detailing numbers, species, sizes and stock type of trees and other vegetation to be planted, consistent with or the equivalent of that shown on the SE Plat, with native plants utilized to the degree practicable;
 - o planting of groundcover and/or wetland seed mix in combination with the other plantings as determined by UFM and where site conditions warrant;
 - o soil treatments or amendments if necessary as determined by UFM;
 - o mulching specifications;
 - o methods of installation, with the limitation that mechanical equipment, except for hand-operated equipment such as chainsaws, shall be prohibited and vegetation shall be installed using wheelbarrows, rakes and shovels; and
 - o maintenance and monitoring.
9. The forested buffer area shall be planted prior to the issuance of a Residential Use Permit. There shall be no removal of vegetation shown to be retained or installed in this buffer area or on the north side of Accotink Creek, except for dead or dying or invasive vegetation as determined by Urban Forest Management.
10. Stormwater drainage shall be directed to Accotink Creek through the use of pipes, swales, or other methods, as determine by DPWES. All fill areas shall be stabilized, graded, or have drains installed such that normal rainfall will not flow over the filled area onto adjacent properties, as determined by DPWES.
11. All construction shall be in conformance with the Flood-Resistant Construction Standards of the Virginia Uniform Statewide Building Code (VUSBC 2000). A statement certifying all flood-proofing proposed, and indicating its compliance with all County, State and Federal requirements, shall be provided with the Building Permit application. This certification shall be signed and sealed, and shall indicate the address of the certifying professional, and shall cover all structural, electrical, mechanical, plumbing, water and sanitary facilities connected with the use.
12. As-built floor elevations shall be submitted to DPWES in accordance with the VUSBC 2000 on a standard Federal Emergency Management Agency (FEMA) Elevation Certificate prior to approval of the framing inspection; the Elevation Certificate shall show compliance with the approved special exception.
13. A grading plan in accordance with Chapter 104, the Erosion and Sediment Control Ordinance, shall be submitted for approval by DPWES. Plans shall be implemented as required by DPWES.
14. The elevation of the ground surrounding the dwelling shall be between 249.1 feet and 251 feet for a distance of 15 feet from the structure.

15. The proposed development, including fill, shall not increase the water surface elevation above the 100-year flood level upstream and downstream, as calculated in accordance with the provisions of the Public Facilities Manual, and as approved by DPWES.
16. If required by DPWES, the US Army Corps of Engineers shall be consulted in writing at the time of submission of the grading plan to determine whether or not any action is required to ensure compliance with §404 of the Clean Water Act. Any required actions shall be completed prior to grading the site.
17. Prior to approval of a grading plan, a Hold Harmless agreement in a form satisfactory to the County Attorney shall be executed with the County for all adverse effect which may arise as a result of the location of the site within a floodplain area.
18. The proposed garage shall have a door (or doors) that is not larger than a two-car garage door for vehicles, which shall not preclude the installation of a standard access door.
19. LID and better site design planning techniques shall be implemented on the site to reduce the possible hydrologic impact. These techniques shall include but are not limited to the following:
 - Porous pavers, such as UNI Eco-Stone or an approved equivalent as determined by DPWES, shall be utilized for the outer edge of the proposed driveway. This border shall have a minimum width of 1 foot. This porous paver border shall not be required for that portion of the driveway within the VDOT right-of-way.
 - Grass swales and vegetated buffer strips as shown on the SE Plat; and
 - Installation of rain barrels as shown on the SE Plat.

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 Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless a new building permit has been obtained. 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.