



APPLICATION FILED: May 22, 2007
PLANNING COMMISSION: December 5, 2007
BOARD OF SUPERVISORS: Not yet Scheduled

County of Fairfax, Virginia

November 20, 2007

STAFF REPORT

SPECIAL EXCEPTION APPLICATION SE 2007-SU-012

SULLY DISTRICT

APPLICANT: Patrice E. McGinn

ZONING: R-1

PARCEL(S): 46-1 ((1)) 32

SITE AREA: 2.0 acres

DENSITY: 1.0 du/acre

PLAN MAP: Private Open Space, Residential; .2 - .5 du/ac & Residential: .5 – 1 du/ac.

SE CATEGORY: Category 6: Waiver of the minimum lot width requirement

PROPOSAL: To permit a waiver of the minimum lot width requirement in order to subdivide a 2.0 acre lot zoned R-1, into two lots, with lot widths of 100 ft. and 101 ft.

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2007-MV-017 subject to the proposed Development Conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, 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.

O:\SWILL\SE\SE 2007-SU-012 McGinn\Staff Report\Cover.doc

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/

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.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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.

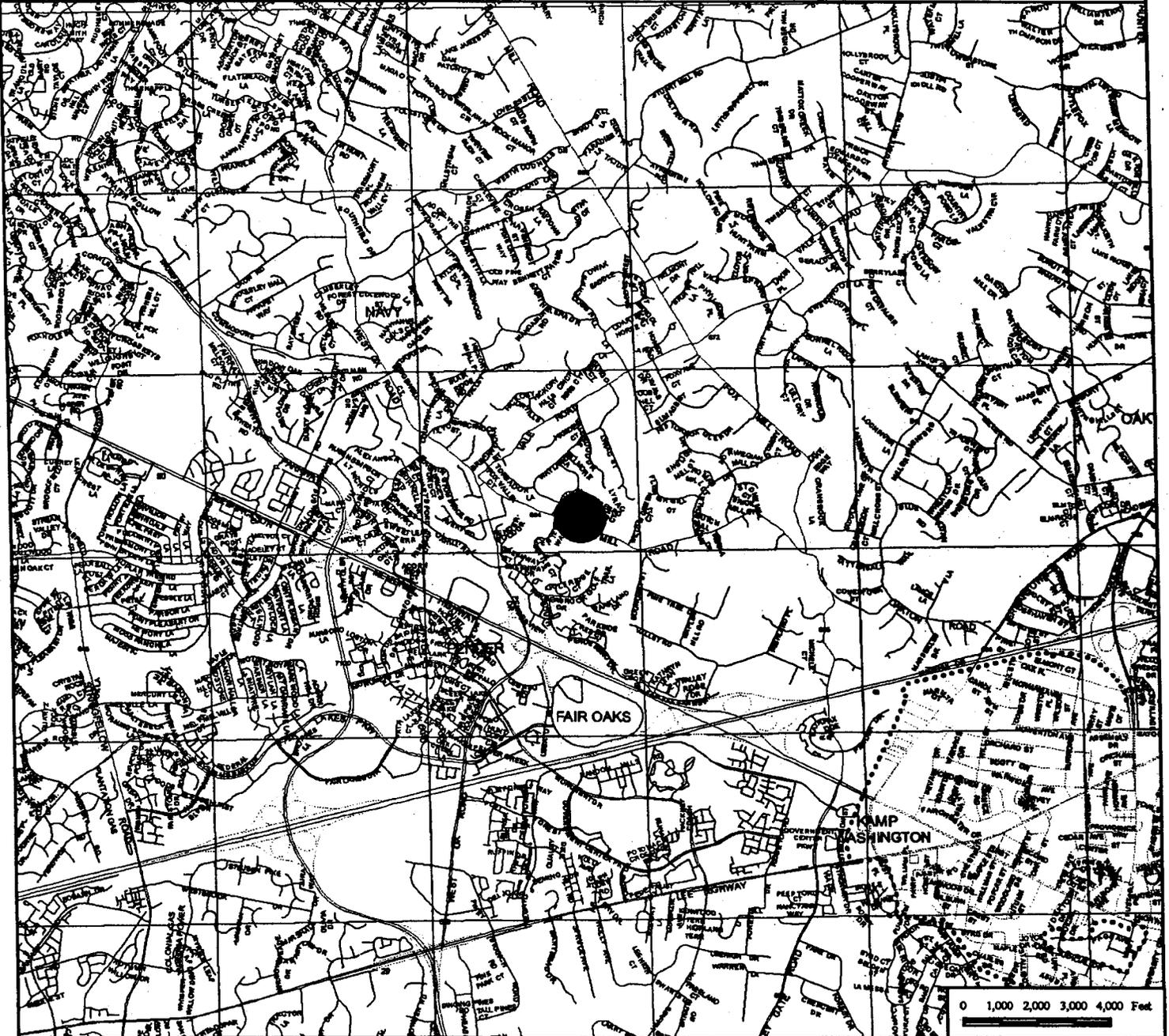
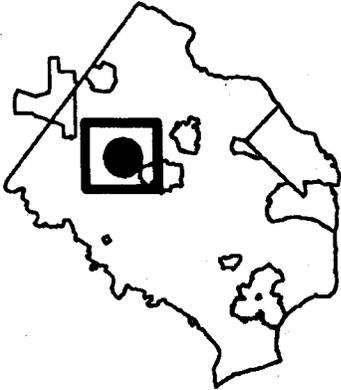


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

SE 2007-SU-012

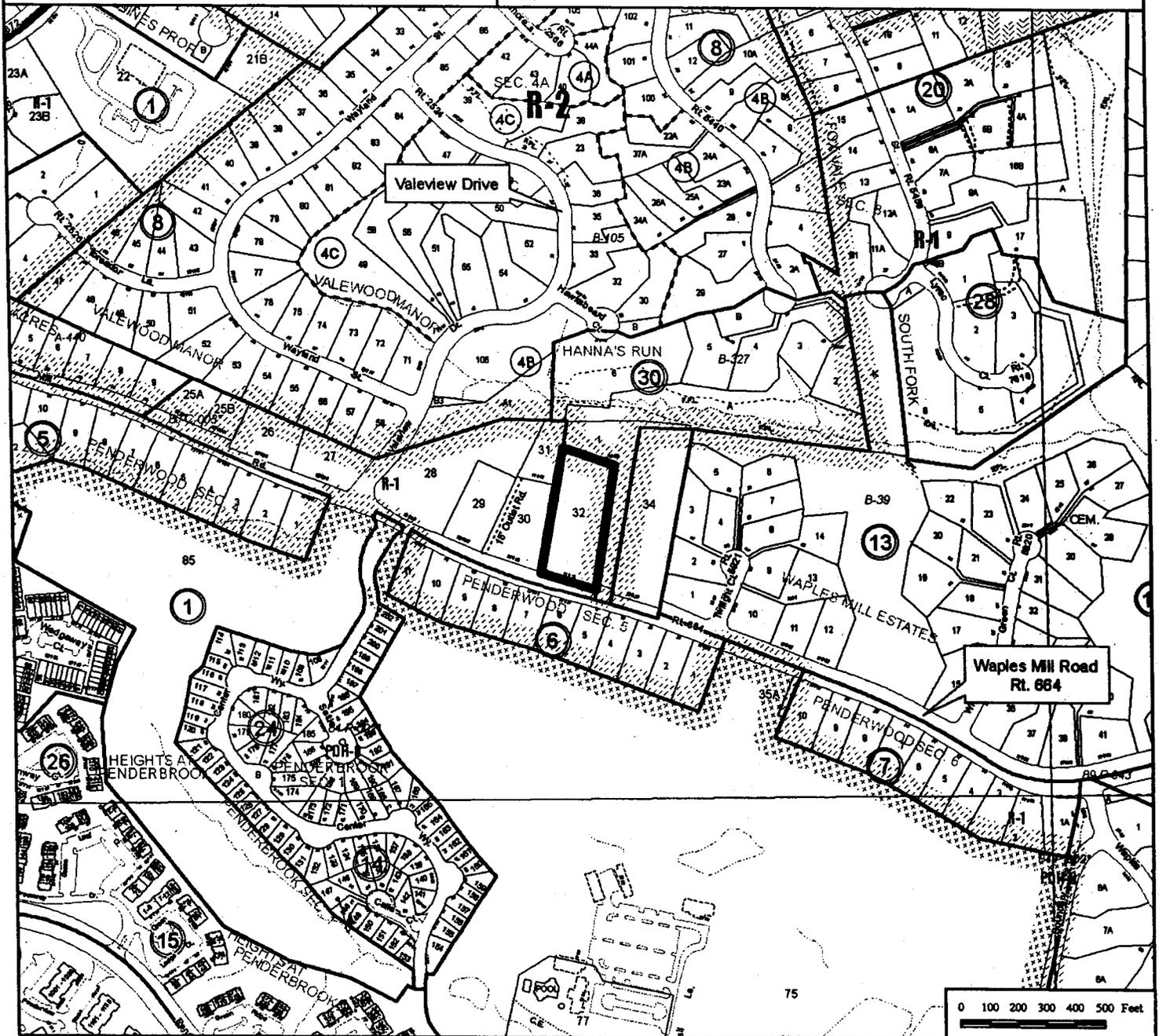
Applicant: PATRICE E. MCGINN
Accepted: 05/22/2007
Proposed: WAIVER OF MINIMUM LOT WIDTH
Area: 2 AC OF LAND; DISTRICT - SULLY
Zoning Dist Sect: 09-0610
Art 9 Group and Use: 6-06
Located: 11928 WAPLES MILL ROAD
Zoning: R-1
Plan Area: 2,
Overlay Dist:
Map Ref Num: 046-1- /01/ /0032



Special Exception

SE 2007-SU-012

Applicant: PATRICE E. MCGINN
Accepted: 05/22/2007
Proposed: WAIVER OF MINIMUM LOT WIDTH
Area: 2 AC OF LAND; DISTRICT - SULLY
Zoning Dist Sect: 09-0610
Art 9 Group and Use: 6-06
Located: 11928 WAPLES MILL ROAD
Zoning: R-1
Plan Area: 2,
Overlay Dist:
Map Ref Num: 046-1- /01/ /0032



11928 WAPLES MILL ROAD

OAKTON, VIRGINIA

SPECIAL EXCEPTION PLAN

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

APRIL 4, 2007
REV. AUGUST 27, 2007
REV. SEPTEMBER 25, 2007
REV. OCTOBER 22, 2007
REV. NOVEMBER 09, 2007

SHEET INDEX

1. COVER SHEET
2. SPECIAL EXCEPTION PLAN
3. EXISTING VEGETATION MAP
4. STORMWATER MANAGEMENT & OUTFALL ANALYSIS
5. STORMWATER MANAGEMENT & OUTFALL ANALYSIS
6. STORMWATER MANAGEMENT & OUTFALL ANALYSIS
7. STORMWATER MANAGEMENT & OUTFALL ANALYSIS
8. ILLUSTRATIVE SITE PLAN

APPLICANT/OWNER/AGENT

MR. PATRICK MCGINN
11928 WAPLES MILL ROAD
OAKTON, VIRGINIA 22080
FAIRFAX COUNTY

ATTORNEY

BACK, HARRIS & MARTIN
870 GREENBERG DRIVE
SUITE 200
MELBURN, VIRGINIA 22081
CONTACT: KENTLE C. MARTIN
(703) 881-2822

ENGINEER/LANDSCAPE ARCHITECT

VEJA, INC.
880 GREENBERG DRIVE
SUITE 200
MELBURN, VIRGINIA 22081
CONTACT: BOB COCHRAN
(703) 947-7882



SOILS MAP
SCALE: 1"=40'

TM NO. 46-1 (00) 0032



VICINITY MAP
SCALE: 1"=40'

TM NO. 46-1 (00) 0032



10/27/2007 2:09:15 PM EDT

PROJECT NO. 08133

DATE: MAY 2007

DESIGNER: WKA

SCALE: AS SHOWN

PROJECT FILE NO. 08133

STORM WATER MANAGEMENT AND OUTFALL ANALYSIS

DEED BOOK 15848 PAGE 1201

SULLY DISTRICT

FAIRFAX COUNTY, VIRGINIA

LOT 32

11928 WAPLES MILL ROAD

WKA REVISIONS

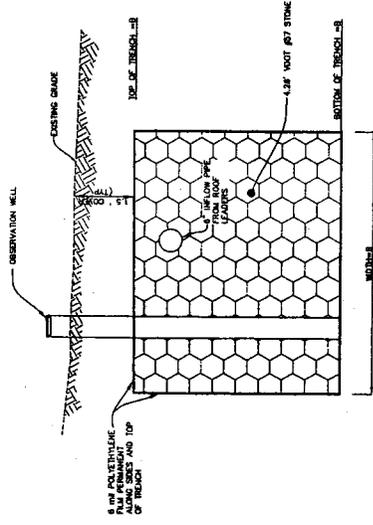
WKA INCORPORATED
4900 BRIDGESIDE DRIVE, SUITE 200 # 2000
FAIRFAX, VA 22031

PHOENIX ENGINEERS & ARCHITECTS, ARCHITECTS & PLANNERS & ENGINEERS
1000 COMMONWEALTH BLVD., SUITE 200
ARLINGTON, VA 22202



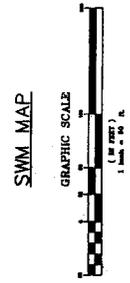
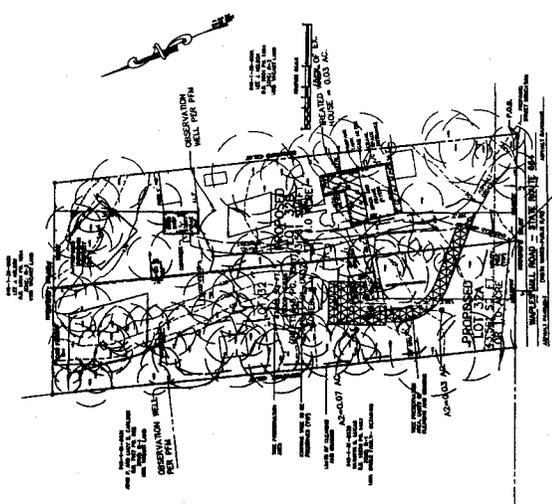
NOTE: ALL SIZES, LOCATIONS, AND NOTING RESULTS SHOWN ON THE INFILTRATION TRENCH CROSS SECTION ARE BASED ON THE DESIGN INFILTRATION RATE OF 0.25 INCH PER HOUR. ACTUAL INFILTRATION RATES AT THE TIME OF TESTING MAY VARY FROM THE DESIGN INFILTRATION RATE. TO DETERMINE THE ACTUAL INFILTRATION RATE, THE SIZES, LOCATIONS, AND NOTING RESULTS SHOWN ON THE TRENCH CROSS SECTION ARE SUBJECT TO CHANGE. THE USE OF CLASS MATERIALS FOR INFILTRATION TRENCH DESIGN.

TRENCH #	SIZE	DATE
1	24" x 24"	10/27/07
2	24" x 24"	10/27/07
3	24" x 24"	10/27/07
4	24" x 24"	10/27/07
5	24" x 24"	10/27/07
6	24" x 24"	10/27/07
7	24" x 24"	10/27/07
8	24" x 24"	10/27/07
9	24" x 24"	10/27/07
10	24" x 24"	10/27/07
11	24" x 24"	10/27/07
12	24" x 24"	10/27/07
13	24" x 24"	10/27/07
14	24" x 24"	10/27/07
15	24" x 24"	10/27/07
16	24" x 24"	10/27/07
17	24" x 24"	10/27/07
18	24" x 24"	10/27/07
19	24" x 24"	10/27/07
20	24" x 24"	10/27/07
21	24" x 24"	10/27/07
22	24" x 24"	10/27/07
23	24" x 24"	10/27/07
24	24" x 24"	10/27/07
25	24" x 24"	10/27/07
26	24" x 24"	10/27/07
27	24" x 24"	10/27/07
28	24" x 24"	10/27/07
29	24" x 24"	10/27/07
30	24" x 24"	10/27/07
31	24" x 24"	10/27/07
32	24" x 24"	10/27/07
33	24" x 24"	10/27/07
34	24" x 24"	10/27/07
35	24" x 24"	10/27/07
36	24" x 24"	10/27/07
37	24" x 24"	10/27/07
38	24" x 24"	10/27/07
39	24" x 24"	10/27/07
40	24" x 24"	10/27/07
41	24" x 24"	10/27/07
42	24" x 24"	10/27/07
43	24" x 24"	10/27/07
44	24" x 24"	10/27/07
45	24" x 24"	10/27/07
46	24" x 24"	10/27/07
47	24" x 24"	10/27/07
48	24" x 24"	10/27/07
49	24" x 24"	10/27/07
50	24" x 24"	10/27/07
51	24" x 24"	10/27/07
52	24" x 24"	10/27/07
53	24" x 24"	10/27/07
54	24" x 24"	10/27/07
55	24" x 24"	10/27/07
56	24" x 24"	10/27/07
57	24" x 24"	10/27/07
58	24" x 24"	10/27/07
59	24" x 24"	10/27/07
60	24" x 24"	10/27/07
61	24" x 24"	10/27/07
62	24" x 24"	10/27/07
63	24" x 24"	10/27/07
64	24" x 24"	10/27/07
65	24" x 24"	10/27/07
66	24" x 24"	10/27/07
67	24" x 24"	10/27/07
68	24" x 24"	10/27/07
69	24" x 24"	10/27/07
70	24" x 24"	10/27/07
71	24" x 24"	10/27/07
72	24" x 24"	10/27/07
73	24" x 24"	10/27/07
74	24" x 24"	10/27/07
75	24" x 24"	10/27/07
76	24" x 24"	10/27/07
77	24" x 24"	10/27/07
78	24" x 24"	10/27/07
79	24" x 24"	10/27/07
80	24" x 24"	10/27/07
81	24" x 24"	10/27/07
82	24" x 24"	10/27/07
83	24" x 24"	10/27/07
84	24" x 24"	10/27/07
85	24" x 24"	10/27/07
86	24" x 24"	10/27/07
87	24" x 24"	10/27/07
88	24" x 24"	10/27/07
89	24" x 24"	10/27/07
90	24" x 24"	10/27/07
91	24" x 24"	10/27/07
92	24" x 24"	10/27/07
93	24" x 24"	10/27/07
94	24" x 24"	10/27/07
95	24" x 24"	10/27/07
96	24" x 24"	10/27/07
97	24" x 24"	10/27/07
98	24" x 24"	10/27/07
99	24" x 24"	10/27/07
100	24" x 24"	10/27/07



CROSS-SECTION PERCOLATION/INFILTRATION TRENCH
NOT TO SCALE

INFILTRATION/PERCOLATION TRENCH CROSS SECTION
NOT TO SCALE



SWM MAP

GRAPHIC SCALE

1" = 10' (AS SHOWN)

INFILTRATION/PERCOLATION TRENCH (LOT32B)

INFILTRATION TRENCH DESIGN - LOT 32B

1. Given the infiltration rate, calculate the design infiltration rate:
 $R = 0.5 \cdot I$

I =	0.62	in/hr
R =	0.022	in/hr

2. Calculate the maximum ponding depth for the infiltration trench:
 $d_{max} = R \cdot T_{max} \cdot V_f$

T _{max} =	48	hr
V _f =	0.4	
d _{max} =	2.6	ft

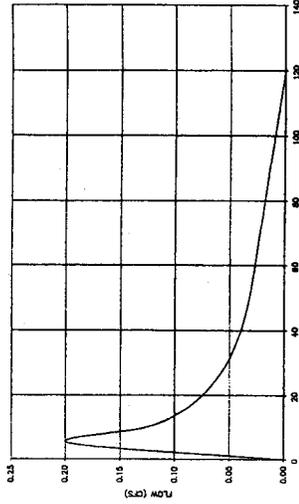
3. Calculate the water quality volume requirements for the trench:
 $VOL_{WQ} = ImpArea \cdot First Flush Depth$

Drainage Area =	0.03	Ac
C-Value =	0.9	
First Flush Depth =	1.0	in
VOL _{WQ} =	106.8	cf

4. Calculate the minimum surface area for the bottom of the infiltration trench:
 $S_{Amin} = VOL_{WQ} / (R \cdot T_{max})$

S _{Amin} =	198	sf
Design Length =	8	ft
Design Width =	15	ft
Design SA =	120	sf
Actual Depth of Trench =	2.3	ft

Event Time (hours)	Hydrograph Inflow (cfs)	Basin Inflow (cfs)	Storage Used (acre-ft)	Elevation Above MSL (feet)	Basin Outflow (cfs)	Basin Total Outflow (cfs)
0.00	0.00	0.00	0.00	426.00	0.00	0.00
0.08	0.20	0.13	0.00	426.37	0.00	0.00
0.17	0.13	0.09	0.00	426.97	0.00	0.00
0.25	0.09	0.07	0.00	427.37	0.00	0.00
0.33	0.07	0.06	0.00	427.65	0.00	0.00
0.42	0.06	0.05	0.00	428.06	0.00	0.00
0.50	0.05	0.05	0.00	428.23	0.00	0.00
0.58	0.04	0.04	0.00	428.38	0.00	0.00
0.67	0.04	0.04	0.01	428.51	0.00	0.00
0.75	0.04	0.03	0.01	428.63	0.00	0.00
0.83	0.03	0.03	0.01	428.72	0.00	0.00
0.92	0.03	0.03	0.01	428.89	0.00	0.00
1.00	0.02	0.02	0.01	428.95	0.00	0.00
1.08	0.02	0.02	0.01	429.00	0.00	0.00
1.17	0.02	0.02	0.01	429.06	0.00	0.00
1.25	0.02	0.02	0.01	429.10	0.00	0.00
1.33	0.01	0.01	0.01	429.12	0.00	0.00
1.42	0.01	0.01	0.01	429.14	0.00	0.00
1.50	0.01	0.01	0.01	429.15	0.00	0.00
1.58	0.01	0.01	0.01	429.17	0.00	0.00
1.75	0.01	0.00	0.01	429.17	0.00	0.00
1.83	0.00	0.00	0.01	429.15	0.00	0.00
1.92	0.00	0.00	0.01	429.15	0.00	0.00



INFILTRATION/PERCOLATION TRENCH (LOT32)

INFILTRATION TRENCH DESIGN - LOT 32

1. Given the infiltration rate, calculate the design infiltration rate:
 $R = 0.5 \cdot I$

I =	0.62	in/hr
R =	0.022	in/hr

2. Calculate the maximum ponding depth for the infiltration trench:
 $d_{max} = R \cdot T_{max} \cdot V_f$

T _{max} =	48	hr
V _f =	0.4	
d _{max} =	2.6	ft

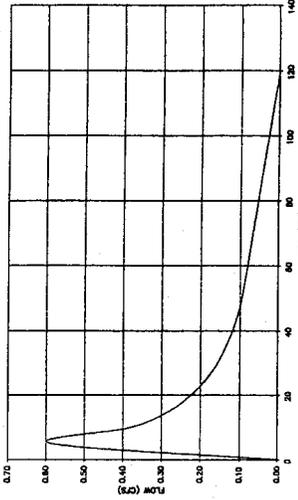
3. Calculate the water quality volume requirements for the trench:
 $VOL_{WQ} = ImpArea \cdot First Flush Depth$

Drainage Area =	0.03	Ac
C-Value =	0.9	
First Flush Depth =	1.0	in
VOL _{WQ} =	106.8	cf

4. Calculate the minimum surface area for the bottom of the infiltration trench:
 $S_{Amin} = VOL_{WQ} / (R \cdot T_{max})$

S _{Amin} =	167	sf
Design Length =	10	ft
Design Width =	16	ft
Design SA =	160	sf
Actual Depth of Trench =	2.6	ft

Event Time (hours)	Hydrograph Inflow (cfs)	Basin Inflow (cfs)	Storage Used (acre-ft)	Elevation Above MSL (feet)	Basin Outflow (cfs)	Basin Total Outflow (cfs)
0.00	0.00	0.00	0.00	417.50	0.00	0.00
0.08	0.59	0.38	0.00	417.93	0.01	0.01
0.17	0.38	0.28	0.01	418.64	0.01	0.01
0.25	0.28	0.22	0.01	419.12	0.01	0.01
0.33	0.22	0.19	0.01	419.47	0.01	0.01
0.42	0.19	0.16	0.01	419.76	0.01	0.01
0.50	0.16	0.14	0.01	420.01	0.01	0.01
0.58	0.14	0.12	0.01	420.21	0.01	0.01
0.67	0.12	0.11	0.01	420.39	0.01	0.01
0.75	0.11	0.10	0.01	420.54	0.01	0.01
0.83	0.10	0.09	0.02	420.68	0.01	0.01
0.92	0.09	0.08	0.02	420.81	0.01	0.01
1.00	0.08	0.07	0.02	420.92	0.01	0.01
1.08	0.07	0.07	0.02	421.01	0.01	0.01
1.17	0.07	0.06	0.02	421.10	0.01	0.01
1.25	0.06	0.05	0.02	421.16	0.01	0.01
1.33	0.05	0.05	0.02	421.24	0.01	0.01
1.42	0.05	0.04	0.02	421.30	0.01	0.01
1.50	0.04	0.04	0.02	421.35	0.01	0.01
1.58	0.03	0.03	0.02	421.38	0.01	0.01
1.67	0.03	0.03	0.02	421.41	0.01	0.01
1.75	0.02	0.02	0.02	421.43	0.01	0.01
1.83	0.01	0.01	0.02	421.43	0.01	0.01
1.92	0.01	0.01	0.02	421.43	0.01	0.01



NOTE: THE SIZES OF BOTH TRENCHES TO MEET THE STORAGE AND INFILTRATION REQUIREMENTS ARE BASED ON THE DESIGN INFILTRATION RATE OF 0.022 IN/HR. THE ACTUAL INFILTRATION RATE AT THE TIME OF PEAK FLOODING MAY BE DIFFERENT. THE SIZES OF BOTH TRENCHES ARE SUBJECT TO CHANGE IN THE USE OF S&P MAP FOR THE INFILTRATION TRENCH DESIGN.



NOTE: ALL S&P LOCATIONS AND EXISTING RESULTS SHOWN ON THE S&P MAP ARE SUBJECT TO CHANGE IN THE USE OF S&P MAP FOR THE INFILTRATION TRENCH DESIGN.

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

DESCRIPTION OF THE APPLICATION

This application is a request for a Category 6 Special Exception to permit a waiver of minimum lot width requirement in order to subdivide a 2.0 acre lot zoned R-1, into two lots, with lot widths of 100 ft. and 101 ft. This represents a reduction of 50 feet and 49 feet respectively from the minimum required lot width in the R-1 District. The existing 1 ½ story single-family detached dwelling on the east side of the parcel would remain on proposed lot 32B and a new single-family detached dwelling would be constructed on proposed lot 32A. The resulting density would be 1.0 du/acre.

The applicant's affidavit and statement of justification can be found in Appendices 2-3, respectively.

LOCATION AND CHARACTER

Site Description:

The 2.0 acre subject property is zoned R-1 and is located on the north side of Waples Mill Road surrounded on the north and east by the Hanna's Run Subdivision, on the west by the Pen-Acres Subdivision, and on the south by the Penderwood Subdivision. The existing single-family detached dwelling was constructed in 1935 and an addition to the dwelling was constructed in 2002 pursuant to VC 2001-Y-106. The existing site also contains a detached garage west of the existing dwelling, and a wood shop and shed at the northern portion of the site. An existing asphalt driveway provides access to the dwelling and detached garage from Waples Mill Road, the driveway surface then changes to a gravel surface from the detached garage to the wood shop. The existing shed and detached garage will be removed with the development of the site. The existing wood shop will remain.

Surrounding Area Description:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Vacant (Hanna's Run Subdivision)	R-2	Residential; .5 -1 du/acre
South	Single-family detached (Penderwood Sec. 5)	R-1	Residential; .5-1 du/acre
East	Vacant (Hanna's Run Subdivision)	R-2	Residential; .5-1 du/acre
West	Single-family detached (Pen Acres)	R-1	Residential; .5-1 du/acre
West	Single-family detached (Pen Acres)	R-1	Residential; .5-1 du/acre

BACKGROUND

Records indicate the existing single-family detached dwelling was constructed in 1935

On September 25, 2001, the Board of Zoning Appeals approved VC 2001-Y-106 to permit the construction of an addition 14.2 feet from the side lot line on the subject property.

The addition to the original single-family dwelling was constructed in 2002 pursuant to VC 2001-Y-106. This existing addition will remain with the proposed development.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area II, Fairfax Planning District
Planning Sector:	F4-Fox Lake Community Planning Sector
Plan Map:	Private Open Space, Residential; .2 - .5 du/ac & Residential: .5 – 1 du/ac.

In the Fairfax County Comprehensive Plan, 2007 Edition AREA II Fairfax Planning District, Amended through 9-11-2006 F4-Fox Lake Community Planning Sector Page 52, the Plan states:

The Fox Lake sector is largely developed with many stable residential neighborhoods. Infill development in these neighborhoods should be compatible with existing development in the vicinity in terms of use, type and intensity, in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.

Special Exception Plat (copy at front of staff report)

Title of SE Plat:	11928 Waples Mill Road
Prepared By:	VIKA, Inc.
Original and Revision Dates:	Dated April 4, 2007 as revised through November 9, 2007.

Plat Description:

The submitted materials consist of eight (8) sheets.

11928 Waples Mill Road	
Sheet #	Description of Sheet
1 of 8	Cover sheet, legend, sheet index, vicinity map
2 of 8	Site layout, general notes, site tabulations
3 of 8	Existing vegetation map
4 of 8	Stormwater Management Plan & Outfall Analysis
5 of 8	Stormwater Management Plan & Outfall Analysis
6 of 8	Stormwater Management Plan & Outfall Analysis
7 of 8	Stormwater Management Plan & Outfall Analysis
8 of 8	Illustrative Site Plan

The SE Plat consists of the following features:

Site Layout: The SE Plat depicts two 43,561 square foot lots each consisting of one single-family detached dwelling with a garage. Proposed lot 32B consists of an existing single-family detached dwelling setback 107.3 feet from the Waples Mill Road, which will remain. A proposed garage is shown to be provided on the west side of the existing dwelling, 20 feet from the proposed lot line. A wood shop is located at the northern portion of the proposed lot. Proposed lot 32A consists of a proposed single-family detached dwelling setback 128.5 feet from Waples Mill Road.

Access: The SE Plat indicates that ingress/egress to the subject site will be provided via the existing driveway which provides access from Waples Mill Road. The existing asphalt driveway will be used as a shared driveway onto the subject property. The driveway extension to the existing dwelling on lot 32B will continue to have an asphalt surface. The existing gravel driveway from the existing dwelling on lot 32B to the existing wood shop will remain. The proposed driveway extension from the shared driveway to the proposed dwelling on lot 32A is shown to have a pervious surface.

Parking: Two off-street parking spaces are provided for each of the single-family detached dwellings.

Stormwater Management/Best Management Practices: Proposed infiltration/percolation trenches are shown to be provided on each of the proposed lots. Both facilities are located north of the dwellings on each lot.

Utilities: The existing and proposed dwelling on the subject property will be served by public water. Sanitary sewer will be provided in a proposed drain field

near the northern boundary of lot 32A. An alternate drain field location is shown to be provided near the northern boundary of lot 32B if required.

ANALYSIS

Land Use Analysis

The subject 2.0 acre property is located within the Fox Lake Community Planning Sector. The Comprehensive Plan map shows portions of the site as planned for Private Open Space, Residential use at a density of .2 - .5 du/ac and Residential use at a density of .5 – 1 du/ac. The applicant is requesting a waiver of minimum lot width requirement in order to subdivide a 2.0 acre lot into two lots, with lot widths of 100 ft. and 101 ft. The existing 1 ½ story single-family detached dwelling on the east side of the parcel would remain on proposed lot 32B and a new single-family detached dwelling would be constructed on proposed lot 32A. The resulting density would be 1.0 du/acre. The adjacent properties to the south and west are zoned R-1 and the properties to the north and east are zoned R-2. The lot sizes of the properties to the east and west range from approximately 150 feet to 200 feet and the properties to the south (Penderwood Sec. 5) have average lot widths of approximately 100 feet. Staff believes that the proposed density of 1.0 du/ac is in harmony with the Comprehensive Plan and the character of the surrounding neighborhood.

Environmental Analysis (See Appendix 6)

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the County's remaining natural amenities.

Issue: Existing Vegetation

The subject property is characterized by a dense canopy of deciduous and evergreen vegetation throughout the two acres. The special exception plan provides a detailed tree survey. The application conditions commit to preserving as much of the existing vegetation as possible; however, the existing dwelling and the proposed new dwelling will both be served by septic systems. A significant amount of vegetation will be lost due to the installation of the septic drainfields. The applicant is strongly encouraged to work with the Urban Forest Management Branch to determine appropriate measures for preserving and protecting such trees during construction. All tree preservation areas should be clearly labeled on the development plan as well as on site.

Resolution:

Staff has proposed development conditions in coordination with the applicant, which ensure that a tree preservation plan shall be submitted for review and approval by DPWES as part of the first and all subsequent submissions of the subdivision plan for the subject site. In addition development conditions have been proposed to address adherence to the limits of clearing and grading, the marking of the limits of clearing and grading, and the limiting use of motorized equipment in tree preservation areas to hand-operated equipments such as chainsaws, wheel barrows, rakes and shovels. Any work that requires the use of motorized equipment such as tree transplanting spades, skid loaders, tractors or trucks or any accessory equipment shall not occur unless pre-approved by Urban Forest Management. With the tree preservation shown on the SE Plat and the development conditions proposed in coordination with the applicant, staff believes the applicant has worked to provide significant tree preservation with the proposed development. Therefore this issue has been resolved.

Urban Forest Management Analysis (See Appendix 7)**Issue: Off-site & Co-owned Trees**

Par. 3 of Section 9-610 of the Zoning Ordinance states that it shall be determined that development of the subject lot will not have any deleterious effect on the existing or planned development of adjacent properties. In order to have reasonable expectation that the health of existing off-site and co-owned trees located on the property boundary will be sufficiently protected and will continue to thrive, the following recommendations are provided:

- The trees shown to be located off-site near the property boundary and co-owned trees should be protected by limits of clearing located a minimum of ten (10) feet from the off-site or co-owned tree trunks.
- Special Exception conditions should be adopted which permit minor field adjustments to the location of the limits of clearing and grading to protect individual trees which are located off-site and on the boundary line at time of subdivision plan review and construction, in conjunction with and to the satisfaction of the Urban Forester.
- Special Exception conditions should be adopted to require tree preservation practices such as root pruning and substantial tree protection fencing along the limits of clearing line where significant off-site and co-owned trees are located, to the satisfaction of the Urban Forester.

Resolution:

The Special Exception Plat, dated as received by the Department of Planning and Zoning on November 9, 2007, shows that the proposed limits of clearing and grading are held a minimum of 15 feet from the off-site or co-owned tree trunks, which is five feet greater than the ten foot minimum recommended by Urban Forest Management.

While the applicant has worked with staff to provide tight limits of clearing and grading in order to minimize land disturbance on the subject site and to preserve trees to the fullest potential, Staff has proposed a development condition to permit field adjustments to the location of the limits of clearing and grading to protect individual trees which are located off-site and on the boundary line at time of subdivision plan review and construction, in conjunction with and to the satisfaction of the Urban Forester, to ensure that the limits of clearing shown on the tree preservation plan submitted at the time of subdivision plan review are located a minimum of ten (10) feet from the off-site or co-owned tree trunks.

Further, staff has proposed a development condition to ensure that tree preservation practices such as root pruning and substantial tree protection fencing along the limits of clearing line where significant off-site and co-owned trees are located, to the satisfaction of the Urban Forester.

With the adoption of the proposed development conditions staff believes the issue will be resolved.

Transportation Analysis (See Appendix 8)**Issue: Site Access**

The proposed lot 32A will require an access easement over the part of the existing lot 32 and the existing driveway that is to be shared.

Resolution:

Staff has proposed a development condition to ensure that an access easement is provided over the part of lot 32B and the existing driveway that is to be shared. With the adoption of that development condition, this issue will be resolved.

Issue: Right-of-Way Dedication

The Transportation Analysis for this application had determined that right-of-way should be dedicated from the centerline of Waples mill Road across the site's Waples Mill Road frontage to match that of the adjacent property to the east.

Resolution:

The SE Plat now shows a proposed right-of-way dedication from the centerline of Waples Mill Road across the subject site's Waples Mill Road frontage matching that of the adjacent property to the east; therefore this issue has been resolved.

Stormwater Management Analysis (See Appendix 9)**Issue: Stormwater Management Requirements.**

The Environmental and Site Review Division of the Department of Public Works (DPWES) has reviewed the application and it generally meets the stormwater management requirements. A Public Facilities Manual (PFM) Modification request pursuant to section 6-0303-9 of the PFM will be required to be approved by the Director of Public Works prior to final subdivision approval to locate Stormwater management facilities on individual residential lots. These facilities shall be privately maintained.

Resolution:

The use of low impact development (LID) techniques, as deemed appropriate is encouraged in the Comprehensive Plan guidance. As discussed previously, the applicant intends to apply for a modification of PFM requirements to allow a bioretention/LID facility on individual lots as shown on the SE Plat, subject to the approval of the Department of Public Works and Environmental Services (DPWES). If DPWES does not approve these waivers, or if the installation of the SWM/BMP facilities per the PFM is not in substantial conformance with the SE plat, the applicant may be required to apply for a Special Exception Amendment (SEA) to provide the required facilities. The final determination of any water quantity and water quality waivers and/or facilities will be made by DPWES during subdivision plan review.

Issue: Adequate Outfall

Outfall capacity will need to be justified by providing cross-section and flow capacities at critical locations.

Resolution:

The applicant must provide an adequate outfall analysis in conformance with Section 16-502 of the Zoning Ordinance prior to subdivision plan approval. Any final determination regarding adequate outfall for the site will be made by staff in the Department of Public Works and Environmental Services (DPWES).

ZONING ORDINANCE PROVISIONS (See Appendix 10)

Bulk Standards (R-1 Zoning)			
Standard	Required	Proposed Lot 32 A	Proposed Lot 32 B
Min. Lot Area	36,000 sq. ft.	43,561 sq. ft.	43,561 sq. ft.
Lot Width	150 ft.	100 ft.	101 ft.
Building Height	35 ft.	35 ft.(Proposed Bldg.)	27 ft. (Existing Bldg.)
Front Yard	40 ft.	128 ft.	107 ft.
Side Yard	20 ft.	20 ft.	14.2 ft.*
Rear Yard	25 ft.		
Density	1.0 du/ac	1.0 du/ac	1.0 du/ac
Open Space	n/a	n/a	n/a
Parking Spaces	2 spaces/unit = 4	2 spaces/unit = 4	2 spaces/unit = 4

* Variance (VC 2001-Y-106) previously approved to permit construction of an addition 14.2 ft. from the side lot line.

OTHER ZONING ORDINANCE REQUIREMENTS:**Special Exception Requirements** (See Appendix 10)General Standards (Sect. 9-006)

Par. 1 requires that the proposed use be in harmony with the Comprehensive Plan. As described in the Land Use Analysis section, the resulting density of the proposed development of the subject site would be 1.0 du/acre. Staff believes that the proposed density of 1.0 du/ac is in harmony with the Comprehensive Plan and the character of the surrounding neighborhood. Therefore, this Standard has been met.

Par. 2 requires that the proposed use be in harmony with the purpose and intent of the applicable zoning district regulations. The application satisfies all applicable Zoning Ordinance provisions other than the lot width requirement. As discussed in the background section a Variance request was approved in 2001 to permit construction of an addition to the existing single-family dwelling 14.2 feet from the side lot line. The addition has been constructed and there are no changes proposed to that structure; therefore this standard has been met.

Par. 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with applicable zoning district regulations and the adopted Comprehensive Plan. It further states that the location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. There are no screening

requirements associated with the application, as all abutting properties are zoned R-3 and developed with single-family detached dwellings. The existing dwelling is approximately 27 ft. in height and the maximum height proposed for all dwelling on the subject site is 35 feet which in accordance with the Zoning Ordinance provisions for the R-1 District. The adjacent properties to the south and west are zoned R-1 and the properties to the north and east are zoned R-2. The lot sizes of the properties to the east and west range from approximately 150 feet to 200 feet and the properties to the south (Penderwood Sec. 5) have average lot widths of approximately 100 feet. Staff believes the proposed application will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. Therefore this standard has been met.

Par. 4 states that the proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. The proposed application would not create any significant additional impacts on the surrounding public street system. As previously discussed, The SE Plat shows a proposed right-of-way dedication from the centerline of Waples Mill Road across the subject site's Waples Mill Road frontage matching that of the adjacent property to the east as requested by the Fairfax County Dept. of Transportation; therefore staff finds that this standard has been satisfied.

Par. 5 states that in addition to the standards which may be set forth in this Article for a particular category or use, the Board may require landscaping and screening in accordance with the provisions of Article 13. There are no screening requirements associated with the application, as the abutting properties to the north and east are zoned R-2 and vacant, and the abutting properties to the south and west are zoned R-1 and developed with single-family detached dwellings. The tree cover requirement in the R-1 District is 20%. The Urban Forest Management review of the application has determined that the tree cover requirement for each proposed lot is being met with this application. Therefore, this standard has been met.

Par. 6 states that open space should be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. This standard is not applicable, as there is no requirement for open space in the R-1 District for conventional subdivisions.

Par. 7 states that adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. As discussed previously, the applicant intends to apply for a modification of PFM requirements to allow bioretention/LID facilities on individual lots as shown on the SE Plat to meet the SWM/BMP requirements for each lot, subject to the approval of the Department of Public Works and Environmental Services (DPWES). If DPWES does not approve these waivers, or if the installation of the SWM/BMP facilities per the PFM is not in substantial conformance with the SE plat, the applicant may be required to apply for a Special Exception Amendment (SEA) to provide the

required facilities. The final determination of any water quantity and water quality waivers and/or facilities will be made by DPWES during subdivision plan review. Two off-street parking spaces are provided for each of the single-family detached dwellings shown on the SE Plat. Therefore with the adoption of the proposed development conditions, this standard will be met.

Par. 8 states that signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance. This standard is not applicable as there are no signs proposed with this application.

Provisions for Waiving Minimum Lot Size Requirements (Sect. 9-610)

The Board may approve, either in conjunction with the approval of a rezoning or as a special exception, the waiving of the minimum district size and/or lot width requirement for an R District, except for all cluster subdivisions, the minimum lot area and/or lot width requirements for a C district or the minimum district size requirement for the C-9 District, and the minimum district size, lot area and/or lot width requirements for an I district, but only in accordance with the following:

Par. 1 states that such lot has not been reduced in width or area since the effective date of this Ordinance to a width or area less than required by this Ordinance. The subject property has not been reduced in width or area since the effective date of the Zoning Ordinance; therefore this standard has been met.

Par. 2 states that the applicant shall demonstrate that the waiver results in a development that preserves existing vegetation, topography, historic resources and/or other environmental features; provides for reduced impervious surface; maintains or improves stormwater management systems; and/or similar demonstrable impact. As discussed previously, the subject property is characterized by a dense canopy of deciduous and evergreen vegetation throughout the two acres. The special exception plat provides a detailed tree survey. The application proposes to preserve as much of the existing vegetation as possible. Staff has proposed development conditions in consultation with the applicant, which ensure that a tree preservation plan shall be submitted for review and approval by DPWES as part of the first and all subsequent submissions of the subdivision plan for the subject site. In addition development conditions have been proposed to address adherence to the limits of clearing and grading, the marking of the limits of clearing and grading, and the limiting use of motorized equipment in tree preservation areas to hand-operated equipments such as chainsaws, wheel barrows, rakes and shovels. Any work that requires the use of motorized equipment such as tree transplanting spades, skid loaders, tractors or trucks or any accessory equipment shall not occur unless pre-approved by Urban Forest management. With the tree preservation shown on the SE Plat and the development conditions proposed in coordination with the applicant, staff believes the applicant has worked to provide significant tree preservation with the proposed development. The application provides for

reduced impervious surface by proposing a shared driveway onto the subject site as opposed to two separate driveway entrances, and the driveway serving the proposed single-family dwelling on lot 32A is shown to have a pervious surface from where it extends from the shared driveway (on-site) to the proposed dwelling. With the provisions shown on the SE Plat and the adoption of the proposed development conditions, staff believes this standard will be met.

Par. 3 states that it shall be demonstrated that development of the subject lot will not have any deleterious effect on the existing or planned development of adjacent properties or on area roadways. As discussed previously, the Special Exception Plat shows that the proposed limits of clearing and grading are held a minimum of 15 feet from any off-site or co-owned trees, which is five feet greater than the ten foot minimum recommended by Urban Forest Management to have reasonable expectation that the health of existing off-site and co-owned trees located on the property boundary will be sufficiently protected and will continue to thrive. However in order to allow for some flexibility due to any modification required at subdivision plan review, staff has proposed a development condition to permit field adjustments to the location of the limits of clearing and grading to protect individual trees which are located off-site and on the boundary line at time of subdivision plan review and construction, in conjunction with and to the satisfaction of the Urban Forester, to ensure that the adjusted limits of clearing is located a minimum of ten (10) feet from the off-site or co-owned tree trunks as recommended by UFM. Staff has also proposed a development condition to ensure that tree preservation practices such as root pruning and substantial tree protection fencing along the limits of clearing line where significant off-site and co-owned trees are located, to the satisfaction of the Urban Forest Management.

The proposed application would not create any significant additional impacts on the surrounding public street system. As previously discussed, The SE Plat shows a proposed right-of-way dedication from the centerline of Waples Mill Road across the subject site's Waples Mill Road frontage matching that of the adjacent property to the east as requested by the Fairfax County Dept. of Transportation; therefore staff finds that with the adoption of the proposed development conditions, this standard will be satisfied.

Par. 4 states that such waiver shall be approved only if the remaining provisions of this Ordinance can be satisfied. As discussed previously, the application satisfies all applicable Zoning Ordinance provisions other than the lot width requirement. As discussed in the background section a Variance request was approved in 2001 to permit construction of an addition to the existing single-family dwelling 14.2 feet from the side lot line. The addition has been constructed and there are no changes proposed to that structure; therefore this standard has been met.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

As previously discussed, this application is a request for a Category 6 Special Exception to permit a waiver of minimum lot width requirement in order to subdivide a 2.0 acre lot zoned R-1, into two lots, with lot widths of 100 ft. and 101 ft. The existing 1 ½ story single-family detached dwelling on the east side of the parcel would remain on proposed lot 32B and a new single-family detached dwelling would be constructed on proposed lot 32A. The resulting density would be 1.0 du/acre. Staff believes that the application is in harmony with the land use recommendations of the Comprehensive Plan and is in conformance with the applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends approval of SE 2007-SU-012 subject to the proposed Development Conditions contained in Appendix 1.

It should be noted that it is not the intent of 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 recommendations of staff; it does not reflect the position of the Board of Supervisors.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Clerk's Letter & Previously Approved Development Conditions (VC 2001-Y-106)
5. Comprehensive Plan Citations
6. Environmental Analysis
7. Urban Forest Management Analysis
8. Transportation Analysis
9. Stormwater Management/Best management Practices Analysis
10. Zoning Ordinance Provisions
11. Glossary of Terms

DEVELOPMENT CONDITIONS

SE 2007-SU-012

November 20, 2007

If it is the intent of the Board of Supervisors to approve SE 2007-SU-012 located at 11928 Waples Mill Road, Tax Map 46-1 ((1)) 32 to permit a waiver of minimum lot width requirement, pursuant to Sect. 9-610 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 approved with the application, as qualified by these development conditions.
3. Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved SE plat entitled **Special Exception Plat, 11928 Waples Mill Road, prepared by VIKA, Inc., which is dated April 4, 2007, and revised through November 9, 2007** and these conditions.
4. **Landscaping & Tree Preservation**
 - a. The limits of clearing and grading shall be strictly adhered to throughout demolition and new construction. Special attention shall be paid to any demolition, clearing and grading associated with the proposed new septic field and lateral to ensure that there is no encroachment into the RPA/EQC. Prior to any demolition, clearing and grading on the site, the limits of clearing and grading shall be fenced and flagged, as determined appropriate by Urban Forest Management, DPWES, to protect existing vegetation which is to be preserved, both on and off-site, and to prevent intrusions into tree save areas. Clearing and grading limits around the border of the proposed septic field and sewer lateral shall be adjusted, as recommended by the Urban Forest Management, to minimize damage and/or removal of trees in that area.
 - b. Minor field adjustments shall be permitted to the location of the limits of clearing and grading to protect individual trees which are located off-site and on the boundary line at time of subdivision plan review and construction, in conjunction with and to the satisfaction of the Urban Forest Management, DPWES. However all trees shown to be located off-site near the property boundary and co-owned trees shall be

protected by adjusted limits of clearing located a minimum of ten (10) feet from the off-site or co-owned tree trunks.

- c. The limits of clearing and grading shall be marked with a continuous line of flagging prior to the demolition and/or pre-construction meeting. Before or during the pre-construction meeting, the limits of clearing and grading shall be walked by a representative of the Owner, who is a certified arborist or landscape architect, with an Urban Forest Management, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified specifically by Urban Forest Management in writing as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees and associated understory vegetation and soil conditions.
- d. A tree preservation plan shall be prepared and submitted for the review and approval of DPWES and the Urban Forester's office as part of the first and all subsequent submissions of the subdivision plan. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of the Urban Forest Management, DPWES.
- e. The tree preservation plan shall consist of a final tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 12 inches in diameter and greater, and 20 feet to either side of the limits of clearing and grading shown on the SE Plat for the entire site. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SE Plat, and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of trees identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

- f. At the time of subdivision plan approval, the Applicants shall post cash, bond, or letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees that are designated to be saved that die or are dying due to normal construction activities permitted on the approved plan. Provided, however, notwithstanding anything to the contrary in these development conditions, the amount of the cash, bond, letter of credit regarding the three trees referred to in these development conditions shall not exceed \$10,000. The calculations of the amount of the cash, bond, or letter of credit for other trees shall be in addition to the \$10,000. Any trees shown to be preserved on the Tree Preservation Plan that die or are dying due to construction activities shall be replaced with trees of a species and size acceptable to the Urban Forest Management, DPWES, and reasonably ensured of surviving. The total amount of cash, bond, or letter of credit shall be in the amount of the sum of the assigned replacement values of the designated trees. These preservation measures shall not apply to trees otherwise protected by these development conditions that die or begin to die as a result of factors not related to the Applicant's construction activities.

If, at the time of final bond release, trees are found to be dead or dying despite adherence to approved construction activities by the Urban Forest Management, DPWES, the cash, bond, or letter of credit shall be used as necessary to plant replacement trees of a size and species appropriate to the site, in consultation with the Urban Forest Management, DPWES, and the Applicants' certified arborist. The cash, bond, or letter of credit shall not to be used for the removal of the dead/dying trees normally required by the Public Facilities Manual (PFM) and the Conservation Agreement. Any funds remaining in the cash, bond, or letter of credit will be released two years from the date of release of the Applicants' property's conservation escrow, or sooner, if approved by Urban Forest Management, DPWES.

- g. All tree preservation-related work occurring in or adjacent to tree preservation areas shall be accomplished in a manner that minimizes damage to vegetation to be preserved including any woody, herbaceous or vine plant species that occurs in the lower canopy environment, and to the existing top soil and leaf litter layers that provide nourishment and protection to that vegetation. Any removal of any vegetation or soil disturbance in tree preservation areas including the removal of plant species that may be perceived as noxious or invasive, such as poison ivy, greenbrier, multi-floral rose, etc. shall be subject to the review and approval of Urban Forest Management, DPWES. The use of motorized equipment in tree preservation areas will be limited to hand-operated equipment such as chainsaws, wheel barrows, rake and shovels. Any work that requires the use of

with the SE Plat cannot be provided, then a Special Exception Amendment (SEA) shall be filed to provide water quantity and quality control measures in accordance with the PFM as determined by DPWES.

9. Prior to record plat approval, the necessary residential covenants shall be established governing the maintenance of the infiltration/percolation trenches and shared driveway on the proposed lots as shown on the SE Plat. Residential covenants shall be recorded which disclose to the existing and all subsequent property owners the maintenance obligations of the infiltration/percolation trenches and shared driveway.
10. An Outfall Narrative shall be provided in accordance with Article 9 of the Zoning Ordinance to DPWES for review and approval at the time of Subdivision plan review.

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 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 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 13, 2007
 (enter date affidavit is notarized)

I, Keith C. Martin, Agent, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 960886

in Application No.(s): SE 2007-SU-012
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Patrice E. McGinn	11928 Waples Mill Road Oakton, VA 22124	Applicant/Title Owner
Sack Harris & Martin, P.C. Keith C. Martin Alice G. Haase Wanda S. Suder	8270 Greensboro Drive Suite 810 McLean, VA 22102	Attorneys/Agents Attorneys/Agents Planner/Agent
VIKA, Inc. Robert R. Cochran	8180 Greensboro Drive McLean, VA 22102	Engineers/Agents Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 13, 2007
(enter date affidavit is notarized)

960880

for Application No. (s): SE 2007-SU-012
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code) Sack Harris & Martin, P.C.
8270 Greensboro Drive, Suite 810
McLean, Virginia 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

James M. Sack
Robert A. Harris, IV
Keith C. Martin

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Special Exception Attachment to Par. 1(b)

DATE: September 13, 2007
(enter date affidavit is notarized)

960 886

for Application No. (s): SE 2007-SU-012
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

VIKA Incorporated
8180 Greensboro Drive, Suite 200
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

John F. Amatetti	Harry L. Jenkins
Charles A. Irish, Jr.	Mark G. Morelock
Robert R. Cochran	Jeffrey B. Amateau
	Kyle U. Oliver

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 13, 2007
(enter date affidavit is notarized)

9608845

for Application No. (s): SE 2007-SU-012
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

(check if applicable) [] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 13, 2007
(enter date affidavit is notarized)

960884

for Application No. (s): SE 2007-SU-012
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

None.

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 13, 2007
(enter date affidavit is notarized)

960886

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

Sack Harris & Martin held a fundraiser for Connolly for Chairman, the value of which exceeded \$100.
Sack Harris & Martin plans to hold a fundraiser for Friends of Joan DuBois the value of which will exceed \$100.

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

[] Applicant

[x] Applicant's Authorized Agent

Keith C. Martin, Agent

(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 13th day of September 20 07, in the State/Comm. of Virginia, County/City of Fairfax

Notary Public

My commission expires: 12-31-09



SACK HARRIS & MARTIN, P.C.

ATTORNEYS AT LAW

SUITE 810
8270 GREENSBORO DRIVE
MCLEAN, VIRGINIA 22102
TELEPHONE (703) 883-0102
FACSIMILE (703) 883-0108

RECEIVED
Department of Planning & Zoning

APR 06 2007

Zoning Evaluation Division

April 3, 2007

Ms. Barbara A. Byron
Department of Planning and Zoning
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22035

Re: Special Exception for Waiving Minimum Lot Width
Tax Map 46-1((1))32
11928 Waples Mill Road
Applicant: Patrice McGinn

Dear Ms. Byron:

The following is submitted as a statement of justification for the above referenced Special Exception for waiving minimum lot width. The Application Property is 2.0 acres in size and is located on the north side of Waples Mill Road in the Sully District. The Applicant and title owner, Patrice McGinn desires to subdivide the parcel into two (2) one acre lots each having a lot width of 100 feet. The existing house is situated on the east side of the parcel and would be located on proposed lot 32B. A new house is proposed on future lot 32.

It is submitted that this application meets the criteria set forth in Article 9-610 as follows:

1. The lot has not been reduced in width or area since the effective date of the Zoning Ordinance.
2. The waiver results in a development that preserves existing vegetation.
3. The development will not have any deleterious effect on the existing development of adjacent properties or on area roadways.
4. All remaining provisions of the Ordinance are satisfied.

SACK HARRIS & MARTIN, P.C.

Ms. Barbara A. Byron
April 3, 2007
Page 2 of 2

It is further submitted that the application is in conformance with the recommendations of the Comprehensive Plan. The Comprehensive Plan recommends residential development at a density of one unit per acre. The resulting density of the subdivision is one unit per acre.

Very truly yours,

SACK HARRIS & MARTIN, P.C.

A handwritten signature in black ink, appearing to read 'Keith C. Martin', is written over the printed name below.

Keith C. Martin

cc: Patrice McGinn

VARIANCE APPLICATION

VC 01-Y-106

VC 01-Y-106
FILED 06/16/01

BRANDT, J. ALLEN
TO PERMIT CONSTRUCTION OF ADDITION 14.2 FEET
FROM SIDE LOT LINE
ZONING DIST SECTION: 18-0401 03-0107
PARAGRAPH: 02-A
2.00 ACRES OF LAND; DISTRICT - SULLY
LOCATED: 11928 WAPLES MILL ROAD
ZONED R-1
OVERLAY DISTRICT(S):
TAX MAP 046-1- /01/ /0032-



VARIANCE APPLICATION

VC 01-Y-106

VC 01-Y-106

FILED 06/16/01

BRANDT, J. ALLEN

TO PERMIT CONSTRUCTION OF ADDITION 14.2 FEET
FROM SIDE LOT LINE

ZONING DIST SECTION: 18-0401 03-0107

PARAGRAPH: 02-A

2.00 ACRES OF LAND; DISTRICT - SULLY

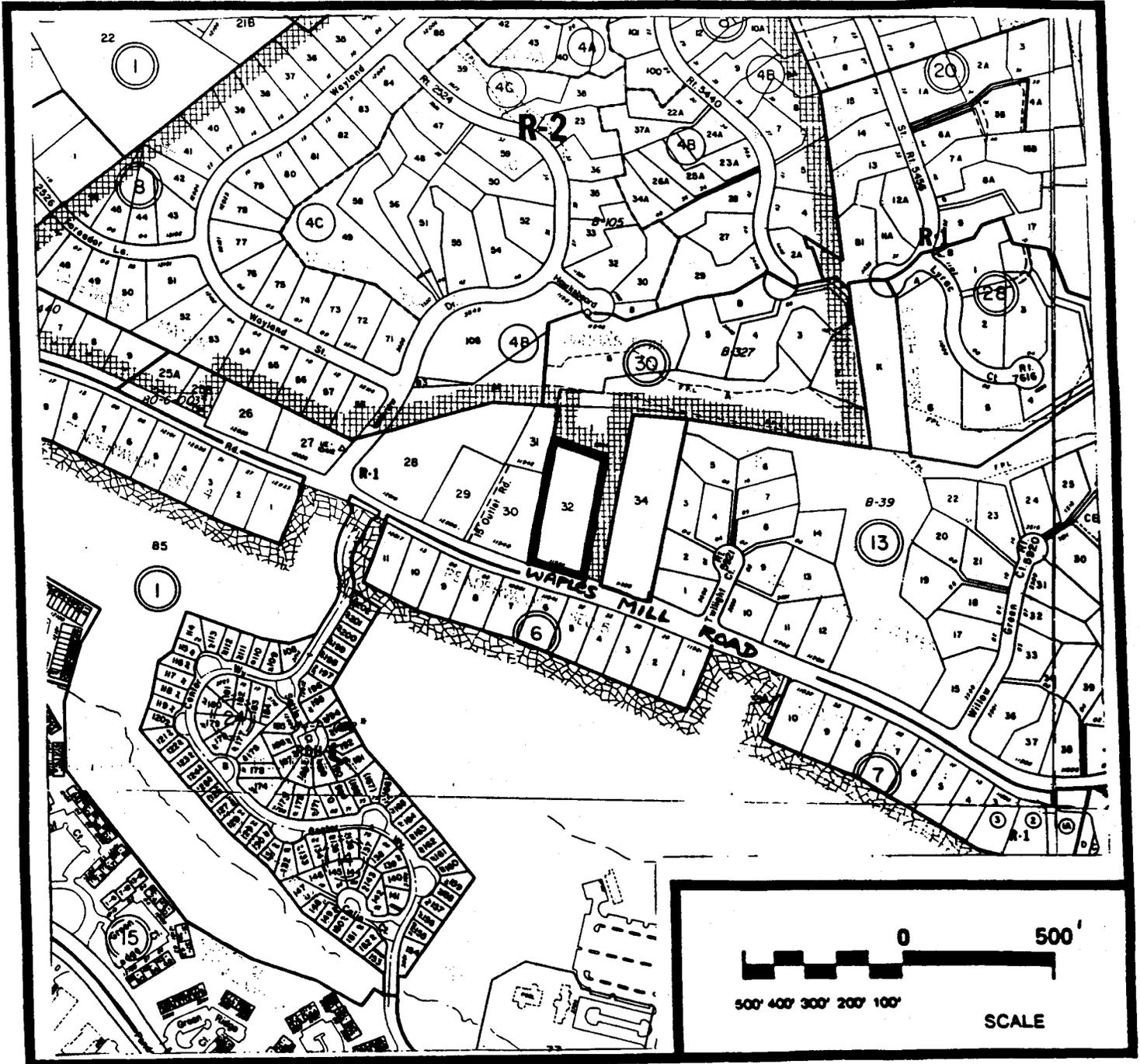
LOCATED: 11928 WAPLES MILL ROAD

ZONED R-1

OVERLAY DISTRICT(S):

TAX MAP

046-1- /01/ /0032-



LOT 31

LOT 30

S 65°18'50" E 201.00'
WOOD FENCE

LOT 32
87,122.11 SQ. FT.
2.00 ACRES
ZONING: R-1

N 18°00'45" E 438.40'

S 18°00'45" W 438.40'

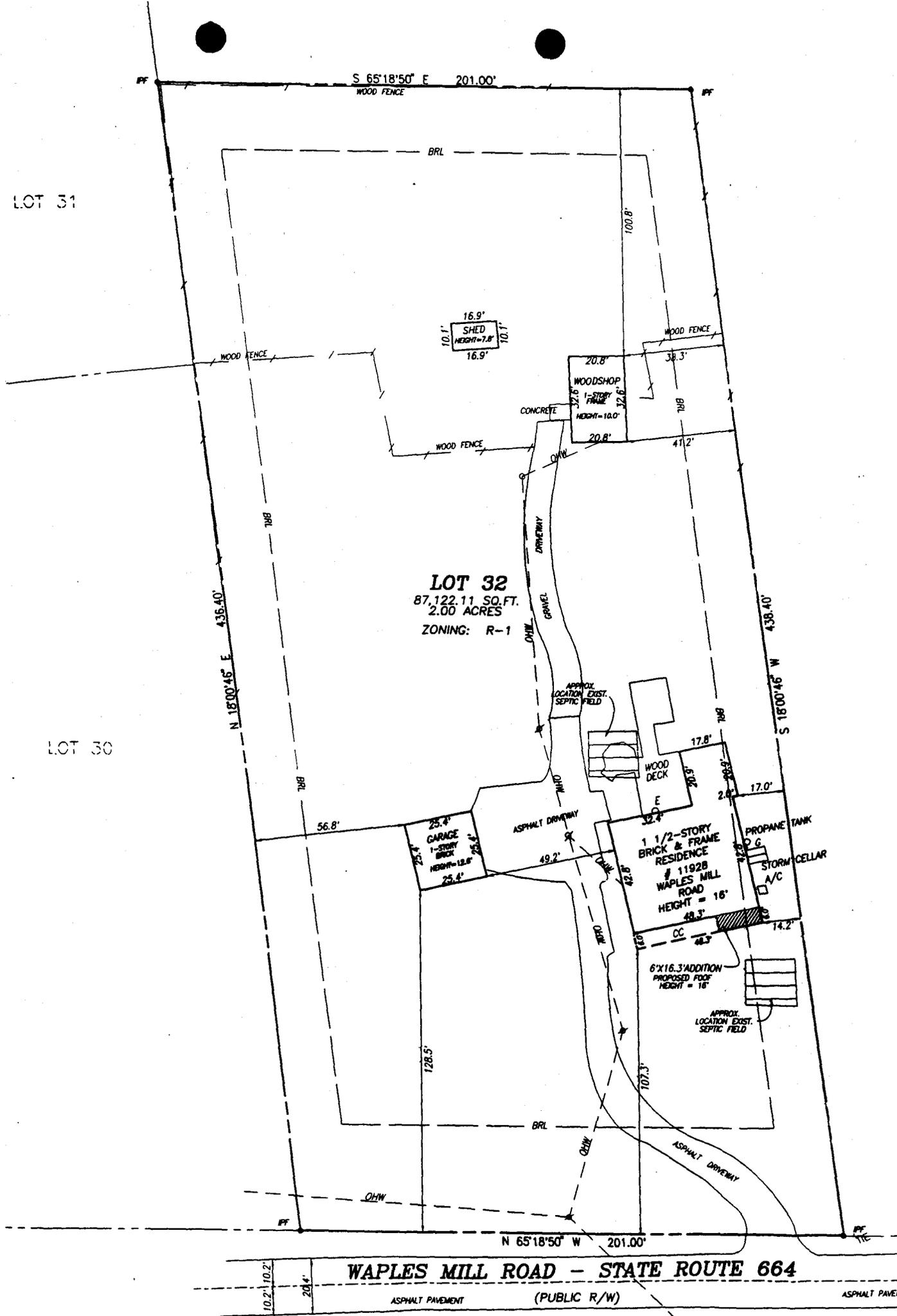
N 65°18'50" W 201.00'

WAPLES MILL ROAD - STATE ROUTE 664

ASPHALT PAVEMENT

(PUBLIC R/W)

ASPHALT PAVEMENT





**FAIRFAX
COUNTY**

DEPARTMENT OF PLANNING AND ZONING
Zoning Evaluation Division
Special Permit and Variance Branch
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5510

(703) 324-1280

Fax (703) 324-3924

V I R G I N I A

October 3, 2001

J. Allen Brandt
11928 Waples Mill Road
Oakton, Virginia 22124

Re: Variance Application VC 01-Y-106
J. Allen Brandt

Dear Mr. Brandt:

At its September 25, 2001 meeting, the Board of Zoning Appeals took action to **APPROVE** the above-referenced application. The final approval date is October 3, 2001. A copy of the Resolution is attached.

This action does not constitute exemption from the various requirements of this County and State. The applicant is responsible for ascertaining if permits are required and for obtaining the necessary permits such as Building Permits, Residential Use Permits and Non-Residential Use Permits. Information concerning building permits may be obtained by calling 222-0801.

Sincerely,


Judith A. Gobbi, Deputy Clerk
Board of Zoning Appeals

Enclosure: As stated

COUNTY OF FAIRFAX, VIRGINIA

VARIANCE RESOLUTION OF THE BOARD OF ZONING APPEALS

J. ALLEN BRANDT, VC 01-Y-106 Appl. under Sect(s). 18-401 of the Zoning Ordinance to permit construction of addition 14.2 ft. from side lot line. Located at 11928 Waples Mill Rd. on approx. 2.0 ac. of land zoned R-1. Sully District. Tax Map 46-1 ((1)) 32. (Moved at applicants request from 9/11/01). Mr. Hammack moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on September 25, 2001; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The applicant presented testimony indicating compliance with the prescribed standards for the granting of a variance.
3. This is an exceptional situation as this is an older house, constructed in 1935, and plats indicate that the entire side of the house is in violation of the current setback line.
4. The applicant would enclose only a corner of the dwelling and some of the porch, neither which would be a further encroachment than what already exists.
5. This is a reasonable request and would not change the character of the neighborhood.

This application meets all of the following Required Standards for Variances in Section 18-404 of the Zoning Ordinance:

1. That the subject property was acquired in good faith.
2. That the subject property has at least one of the following characteristics:
 - A. Exceptional narrowness at the time of the effective date of the Ordinance;
 - B. Exceptional shallowness at the time of the effective date of the Ordinance;
 - C. Exceptional size at the time of the effective date of the Ordinance;
 - D. Exceptional shape at the time of the effective date of the Ordinance;
 - E. Exceptional topographic conditions;
 - F. An extraordinary situation or condition of the subject property, or
 - G. An extraordinary situation or condition of the use or development of property immediately adjacent to the subject property.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
4. That the strict application of this Ordinance would produce undue hardship.
5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.

6. That:

A. The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict all reasonable use of the subject property, or

B. The granting of a variance will alleviate a clearly demonstrable hardship approaching confiscation as distinguished from a special privilege or convenience sought by the applicant.

7. That authorization of the variance will not be of substantial detriment to adjacent property.

8. That the character of the zoning district will not be changed by the granting of the variance.

9. That the variance will be in harmony with the intended spirit and purpose of this Ordinance and will not be contrary to the public interest.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has satisfied the Board that physical conditions as listed above exist which under a strict interpretation of the Zoning Ordinance would result in practical difficulty or unnecessary hardship that would deprive the user of all reasonable use of the land and/or buildings involved.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This variance is approved for the location of the addition shown on the plat prepared by Karie L. Colburn, dated May 25, 2001, as revised through June 12, 2001, submitted with this application and is not transferable to other land.
2. A Building Permit shall be obtained prior to any construction and approval of final inspections shall be obtained.
3. The addition shall be architecturally compatible with the existing dwelling.

Pursuant to Sect. 18-407 of the Zoning Ordinance, this variance shall automatically expire, without notice, thirty (30) months after the date of approval* unless construction has commenced and has been diligently prosecuted. 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 variance. 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.

Mr. Pammel seconded the motion which carried by 5-0. Mr. Ribble was not present for the vote and Ms. Gibb was absent from the meeting.

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on October 3, 2001. This date shall be deemed to be the final approval date of this variance.

A Copy Teste:



Judith A. Gobbi, Deputy Clerk
Board of Zoning Appeals

F4 FOX LAKE COMMUNITY PLANNING SECTOR

CHARACTER

This sector is located adjacent to the northwest boundary of Fairfax City and is bounded generally by West Ox Road, Vale Road, Hunter Mill Road and Route 123.

This sector is almost entirely within the Difficult Run watershed. Most of the sector is developed as low density residential use at a typical density of less than one unit per acre. A sizable portion of this sector is open space. Subdivisions are located throughout the sector except in the general area between Oakton Road and the Fairfax Center area portion of the sector and west and northwest of Jermantown Road where there is vacant land and single-family dwellings on large lots.

Two townhouse cluster subdivisions, Oak Marr Courts and Oakborough Square, have been developed near the intersections of Jermantown Road, Miller Road and Route 123 at a density of 3-4 dwelling units per acre. The Penderbrook planned development is located in the western part of the sector, partly in the Fairfax Center Area. Penderbrook is developed at an overall density of about 7 dwelling units per acre, with both single-family detached and attached units. A golf course is incorporated into this development to serve the general area. The golf course is to be preserved either as an operating golf course or as passive open space in perpetuity should the privately owned golf course operations cease.

Fairfax Farms is a low density subdivision located close to the intersection of Route 50 and I-66 in the sensitive headwaters of the Difficult Run. The subdivision is almost completely in the Fairfax Center area. Fairfax Farms is developed on lots generally ranging from 1 acre to 3 acres in size. Fairfax Farms is similar to existing large lot residential development found in the Difficult Run area north of Waples Mill Road and is subject to the same environmental constraints.

Due to the low density of residential and commercial development in this sector, it is one of the areas of highest potential for surviving prehistoric and historic resources. Although few heritage resource surveys have been conducted in this sector, those that have been done have produced evidence of important resources from both time periods. Of particular interest are Squirrel Hill, also known as the Old Kitchen House, a clapboard house (c. 1706) near Wayland Street; the Waples and Fox Milling complex, which is an archaeological site at the intersection of Waples and Fox Mill Roads, and reported prehistoric resources dating to at least 7000 B.C. along the southern and eastern boundaries of the sector.

Hunter Mill Plaza is a neighborhood-serving shopping center located at the intersection of Hunter Mill Road, Miller Road and Route 123. The Waples Elementary School has been constructed on Waples Mill Road next to Waples Mill Estates and will open in September 1991.

CONCEPT FOR FUTURE DEVELOPMENT

The Concept for Future Development recommends that almost the entire sector remain as a Low Density Residential Area. There is a narrow area along Miller Road and Route 123 that the Concept for Future Development recommends as part of a Suburban Neighborhood due to its higher residential densities.

RECOMMENDATIONS

Land Use

The Fox Lake sector is largely developed with many stable residential neighborhoods. Infill development in these neighborhoods should be compatible with existing development in the vicinity in terms of use, type and intensity, in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.

Figure 24 indicates the geographic locations of land use recommendations for this sector. Where recommendations are not shown on the General Locator Map, it is so noted.

1. It is appropriate that land in the Low Density Residential Area associated with the Difficult Run watershed be developed with residential use at a density of .1-.2, .2-.5 and .5-1 dwelling unit per acre as shown on the Plan map, except for Valewood Manor, which is developed at a density of 1-2 dwelling units per acre. This will help maintain the large lot residential character of the area that has been established. These areas are largely outside the approved sewer service area and should remain so to maintain the area in its current condition.

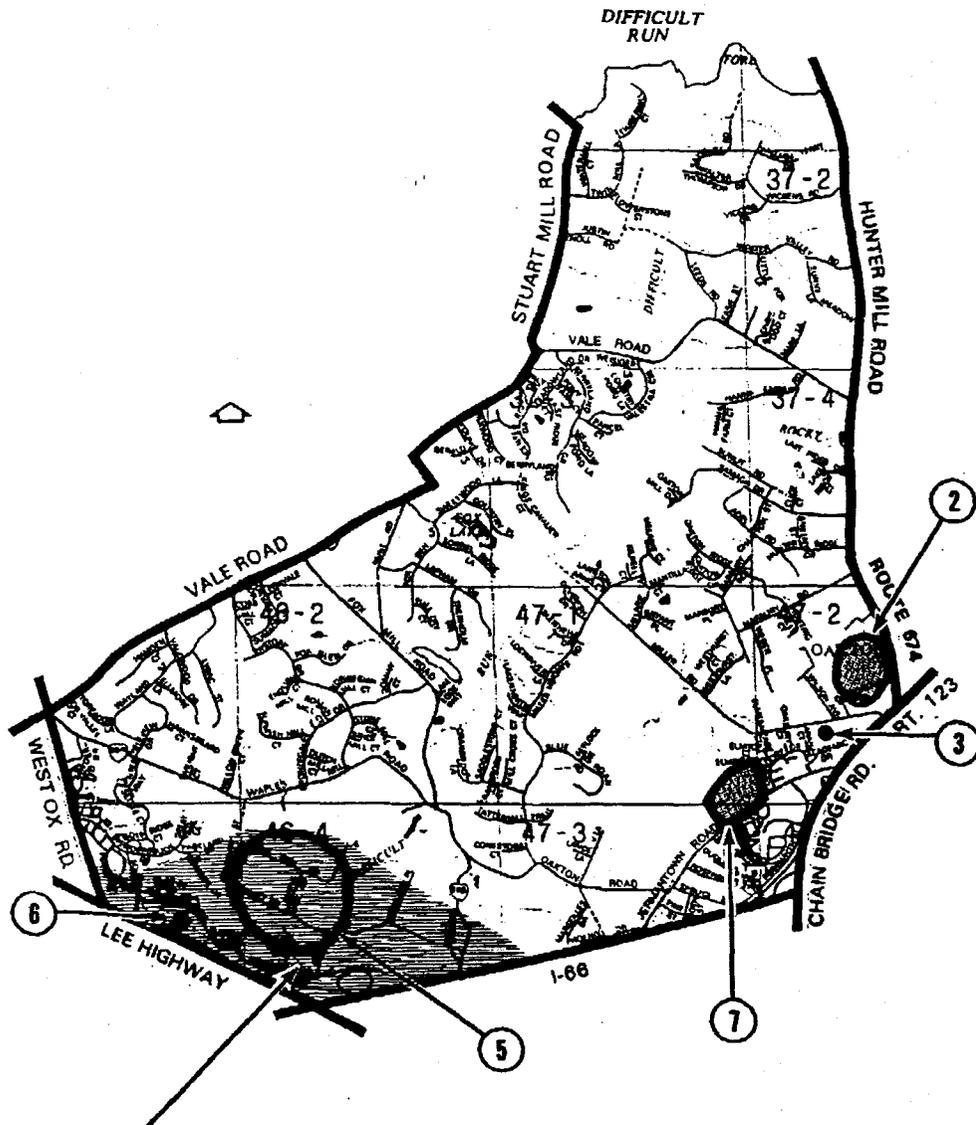
The Guidelines for Cluster Development contained in the Policy Plan should be strictly adhered to in this area, especially the guideline that no cluster development should be considered when the primary purpose of the clustering is to maximize density on the site.

Because of the configuration of several planned density ranges on the Plan map for this area, when a site has more than one planned density range assigned, the appropriate overall density and average lot size should be determined by placing strong emphasis on achieving compatibility with existing development in the vicinity. [Not shown]

2. The area east of Oakborough Square, north of Hunter Mill Plaza and west of Hunter Mill Road (i.e., (Tax Map 47-2 ((1))19, 20, 21, 22, 24, 25 and pt. 27E) is planned for residential use at .5-1 dwelling units per acre.

As an option, with full consolidation the entire area (Tax Map 47-2((1))19, 20, 21, 22, 24, 25 and pt. 27E) may develop with residential use at a density of 3-4 dwelling units per acre with development limited to a maximum of 58 units total, including any units provided for by the Affordable Dwelling Unit Program. Development can occur only if the area can be served by gravity-flow sewer without expansion of the sewer service area, and if the following conditions are met:

- Development should consist of single-family residential use which could include a mixture of single-family detached and single-family attached, with single-family detached housing to be located adjacent to the existing low density residential area to the north.



Fairfax Center Area
See the *Fairfax Center Area Portion of the Area III Plan* for additional Plan guidance.

LAND USE RECOMMENDATIONS
GENERAL LOCATOR MAP

FIGURE 24

- A minimum 25 foot landscaped buffer area should be provided on the northwest side of the subject property between the new small lot single-family detached housing and the adjacent existing low density residential area. Within this buffer area, mature trees should be preserved and supplemental plantings provided in order to provide effective screening to the adjacent area.
- At a minimum, a 15 foot buffer area should be provided on the western side of the subject property adjacent to the Oakborough Square Townhouses. In order to preserve mature trees, portions of the buffer area may need to be substantially wider.
- At a minimum, a 7 foot solid barrier wall should be provided along the southern edge of the subject property adjacent to the existing office structure, with no residential structure closer than 25 feet to this property line. In addition, a 10 foot landscaped buffer area should be provided along the entire southern boundary of the subject property.
- Any adverse traffic impacts which are coincident with development of this property should be mitigated through transportation improvements. Any improvements to Hunter Mill Road should be designed in a manner that preserves the 200-year old oak tree on the east side of Hunter Mill Road north of Route 124. Improvements should, at a minimum, include dedication of right-of-way for Hunter Mill Road, the provision of right and left turn lanes into the site, the provision of a southbound turn lane into the Oakton Shopping Center site, and provision of "right turn only" entrances on Hunter Mill Road except for the primary access.
- The primary access to Hunter Mill Road should be designed to align with the primary access for the existing Oakton Shopping Center and if warranted, a contribution towards signalization and a crosswalk should be provided. Internal circulation should be designed in a manner which avoids potential cut-through traffic between Hunter Mill Road and Miller Road.
- Transitional screening should be provided between the future right-of-way for Hunter Mill Road and the proposed development. This transitional screening should, at a minimum, include screening walls and shrubs, with shade trees (to include oak trees) along the sidewalk/trail.
- Pedestrian walkways (sidewalks and trails) connecting all portions of the development to Hunter Mill Road, Miller Road and the Oakborough Square Park should be provided. In making the connection to Oakborough Square Park, the walkway(s) should be designed to remove only a minimum number of trees. In addition to the internal pedestrian system, trails should be provided along the Hunter Mill Road and Miller Road periphery of the property.
- Pedestrian access should be provided to existing commercial areas to the south and east of the subject property.

Land for library and/or park uses should be dedicated as part of this residential option.

3. The Flint Hill Preparatory School should maintain a character that is compatible with existing and planned development in the vicinity.
4. Commercial development in this sector should be limited to those areas designated for commercial use on the Plan map. Existing commercial uses should not be intensified, except minimally for modernization or beautification. Additional landscaping and buffering between commercial and adjacent residential land is strongly encouraged with carefully designed pedestrian connections created to adjacent residential areas where this is appropriate. [Not shown]
5. The Fairfax Farms subdivision should be retained as a low density residential area. Residential development at a density of .1-.2, .5-1 and 1-2 dwelling units per acre is appropriate as outlined in the recommendations for Land Unit C within the Fairfax Center area text (see Area III Plan). Redevelopment to higher densities or intensities should not occur. Infill of vacant lots in the subdivision and in adjacent areas should be compatible with existing development in terms of use, intensity and dwelling unit type.
6. The Penderbrook Golf Course is an amenity incorporated into the Penderbrook subdivision as an area-wide public amenity. The golf course should be preserved, either as an operating golf course or as passive green space in perpetuity should the privately-owned operations cease. The development policies that apply to this subdivision and golf course are contained in the Area III Plan, Land Unit B of the Fairfax Center area.
7. The area north of Jermantown Road between Oakton Elementary School on the east and Oak Marr Park on the west is planned for residential development at 3-4 dwelling units per acre except for the northern portion of the tract with frontage along the south side of Miller Road which is planned for residential development at .5-1 dwelling unit per acre to be compatible with the existing large-lot, single-family houses along Miller Road. The area planned for residential development at .5-1 dwelling unit per acre should extend to a minimum depth of 300 feet south of Miller Road. Lots should, at a minimum, be one acre in size, with no provision for clustering in view of the existing pattern of residential development along Miller Road. In addition, these lots should not be served by public sewer. To achieve the upper end of the .5-1 dwelling unit per acre density range, maximum advantage should be taken of the existing vegetation and topography and the development should result in minimal disruption to environmental features. If the area should develop as a part of a planned unit development, the density restrictions for this northern part, as described above, should still be maintained.



County of Fairfax, Virginia

MEMORANDUM

DATE: November 6, 2007

TO: Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief
Environment and Development Review, DPZ

SUBJECT: ENVIRONMENTAL ASSESSMENT for: SE 2007-SU-012
Patrice E. McGinn

This memorandum, prepared by Mary Ann Welton, AICP, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed development as depicted on the revised special exception plan dated October 22, 2007. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

The Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through November 15, 2004, pages 5 and 6 states:

“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .

Department of Planning and Zoning
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035-5509
Phone 703-324-1380
Fax 703-324-3056
www.fairfaxcounty.gov/dpz/

Policy j. Regulate land use activities to protect surface and groundwater resources. . . .

Policy k. For new development and redevelopment, apply better site design and low impact design (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.
- Where feasible, convey drainage from impervious areas into pervious areas. . . .
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements. . . .
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements."

The Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through November 15, 2004, page 7, states:

“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance, as applied

to Chesapeake Bay Preservation Areas adopted by the Board of Supervisors”

The Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through November 15, 2004, page 14, states:

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.”

Environmental Analysis

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the County’s remaining natural amenities.

The 2 acre subject property is located on the north side of Waples Mill Road surrounded on the north and west by the Valewood Manor Subdivision, on the east by Waples Mill Estates and on the south by the Penderwood Subdivision. This application requests approval to reduce the minimum lot width to allow this single, two-acre subject property to be subdivided into two lots in the R-1 Zoning District for an overall density of 1.00 dwelling unit per acre.

Stormwater Management/Water Quality Protection: The subject property falls within the Difficult Run watershed as well as with the County’s Chesapeake Bay Preservation Area. An unnamed tributary of Difficult Run traverses in an east-west direction immediately north of the subject property. The site slopes gently from a high area of approximately 430’ above sea level on the southern portion adjacent to Waples Mill Road to a low of 410’ on the north adjacent to the stream valley. This application proposes to install stormwater infiltration facilities to meet water quality and quantity requirements for the two lot subdivision.

Adequate Outfall: The outfall narrative indicates that stormwater runoff from the property flows to the stream valley north of the subject property and then follows an easterly path. The consulting engineer has provided a detailed description of the drainage for the subject property and in his opinion the outfall for the proposed development is adequate. The adequacy of any proposed SWM/BMP measures and outfall will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

Existing Vegetation: The subject property is characterized by a dense canopy of deciduous and evergreen vegetation throughout the subject property. The special exception plan provides a detailed tree survey. The application conditions commit to preserving as much of the existing vegetation as possible; however, the existing dwelling and the proposed new dwelling will both be served by septic systems. A significant amount of vegetation will be lost due to the installation of the septic drainfields.

The applicant is strongly encouraged to work with the Urban Forestry Management Branch to determine appropriate measures for preserving and protecting such trees during construction. All tree preservation areas should be clearly labeled on the development plan as well as on site during construction.

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan map does not depict any trails immediately adjacent to the subject property.

PGN: MAW



County of Fairfax, Virginia

MEMORANDUM

November 5, 2007

TO: St. Clair Williams, Staff Coordinator

FROM: Phyllis Wilson, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: 11928 Waples Mill Road, SE 2007-SU-012

An inspection of the subject site has been completed. Any and all of the forested areas marked as "A" on the Existing Vegetation Map (EVM) include a wide variety of healthy native trees and are worthy of preservation. There are also numerous mature and healthy trees located on neighboring property whose root systems may significantly encroach into the subject Special Exception parcel.

The provisions for waiving minimum lot size requirements contained in Fairfax County Zoning Ordinance Section 9-610, Par. 2, state that it shall be demonstrated that development of the subject lot will not have any deleterious effect on the existing or planned development of adjacent properties. In order to have reasonable expectation that the health of existing off-site and co-owned trees located on the property boundary will be sufficiently protected and will continue to thrive, the following recommendations are offered:

- The trees shown to be located off-site near the property boundary and co-owned trees should be protected by adjusted limits of clearing located a minimum of ten (10) feet from the off-site or co-owned tree trunks. The Special Exception Plat, dated as received by the Department of Planning and Zoning on October 22, 2007, shows that the proposed structures and drainfield are held a minimum of 15 feet from the adjoining property boundary. Subsequent plans submitted for any phase of construction should honor this buffer area.
- Special Exception conditions should be adopted which permit minor field adjustments to the location of the limits of clearing and grading to protect individual trees which are located off-site and on the boundary line at time of site plan review and construction, in conjunction with and to the satisfaction of the Urban Forester.
- Special Exception conditions should be adopted to require tree preservation practices such as root pruning and substantial tree protection fencing along the limits of clearing line where significant off-site and co-owned trees are located, to the satisfaction of the Urban Forester.

UFMID #: 126906

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes



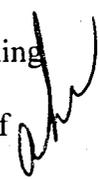


County of Fairfax, Virginia

MEMORANDUM

DATE: July 15, 2007

TO: Regina Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver, Chief 
Site Analysis Section
Department of Transportation

FILE: 3-5 (SE 2007-SU-012)

SUBJECT: Transportation Impact

REFERENCE: SE 2007-SU-012; Patrice E. McGinn
Traffic Zone: 1692
Land Identification Map: 46-1 ((1)) 32

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated April 4, 2007. The applicant wishes to subdivide a two acre parcel into two one-acre lots with each having a lot width of 100 feet, which requires a waiver of the minimum lot width requirement.. The proposed new lot 32A will share part of the driveway and the access to Waples Mill Road with the existing lot 32B.

- The new lot 32A will require an access easement over the part of existing lot 32B and the existing driveway that is to be shared.
- Right-of-way should be dedicated from the centerline of Waples Mill Road across the site frontage to match that of the adjacent property to the east.

AKR/LAH/lah

cc: Michelle Brickner, Director, Office of Site Development Services, DPW&ES



County of Fairfax, Virginia

MEMORANDUM

OCT 26 2007

DATE:

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Qayyum Khan, Chief Stormwater Engineer 
Environmental and Site Review Division West
Department of Public Works and Environmental Services

SUBJECT: Special Exception Application SE 2007-SU-012, Patrice E. McGinn
Property, October 22, 2007, LDS Project #24907-ZONA-001-3, Tax Map
#046-1-01-0032 (Property), Sully District, Cub Run Watershed

We have reviewed the plan and it generally meets the stormwater management requirements.

A Public Facilities Manual Modification request (PFM 6-0303-9) will require to be approved by the Director prior to final subdivision plan approval to locate stormwater management facilities on individual residential lots. These facilities shall be privately maintained. Outfall capacity will need to be justified by providing cross-sections and flow capacities at critical locations.

If further assistance is desired, please contact me at 703-324-1720.

QK/mw

cc: Steve Aitcheson, Director, Stormwater Planning Division, DPWES
Zoning Application File (24907-ZONA-001-2)



FAIRFAX COUNTY ZONING ORDINANCE

PART 1 3-100 R-1 RESIDENTIAL DISTRICT, ONE DWELLING UNIT/ACRE**3-101 Purpose and Intent**

The R-1 District is established to provide, for single family detached dwellings; to allow other selected uses which are compatible with the low density residential character of the district; and otherwise to implement the stated purpose and intent of this Ordinance.

3-102 Permitted Uses

1. Accessory uses and home occupations as permitted by Article 10.
2. Agriculture, as defined in Article 20.
3. Dwellings, single family detached.
4. Public uses.

3-103 Special Permit Uses

For specific Group uses, regulations and standards, refer to Article 8.

1. Group 2 - Interment Uses.
2. Group 3 - Institutional Uses.
3. Group 4 - Community Uses.
4. Group 5 - Commercial Recreation Uses, limited to:
 - A. Commercial swimming pools, tennis courts and similar courts
5. Group 6 - Outdoor Recreation Uses.
6. Group 7 - Older Structures.
7. Group 8 - Temporary Uses, limited to:
 - A. Carnival, circus, festival, fair, horse show, dog show, steeplechase, music festival, turkey shoot, sale of Christmas trees or other seasonal commodities and other similar activities
 - B. Construction material yards accessory to a construction project
 - C. Contractors' offices and equipment sheds to include trailers accessory and adjacent to an active construction project
 - D. Subdivision and apartment sales and rental offices

RESIDENTIAL DISTRICT REGULATIONS

- E. Temporary dwellings or mobile homes
 - F. Temporary farmers' markets
 - G. Temporary mobile and land based telecommunications testing facility
 - H. Temporary portable storage containers
8. Group 9 - Uses Requiring Special Regulation, limited to:
- A. Barbershops or beauty parlors as a home occupation
 - B. Home professional offices
 - C. Sawmilling of timber
 - D. Veterinary hospitals
 - E. Accessory dwelling units

3-104

Special Exception Uses

For specific Category uses, regulations and standards, refer to Article 9.

- 1. Category 1 - Light Public Utility Uses.
- 2. Category 2 - Heavy Public Utility Uses, limited to:
 - A. Electrical generating plants and facilities
 - B. Landfills
 - C. Water purification facilities
- 3. Category 3 - Quasi-Public Uses, limited to:
 - A. Alternate uses of public facilities
 - B. Child care centers and nursery schools
 - C. Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education
 - D. Colleges, universities
 - E. Congregate living facilities
 - F. Cultural centers, museums and similar facilities

FAIRFAX COUNTY ZONING ORDINANCE

- G. Dormitories, fraternity/sorority houses, rooming/boarding houses, or other residence halls
 - H. Independent living facilities
 - I. Medical care facilities
 - J. Private clubs and public benefit associations
 - K. Private schools of general education
 - L. Private schools of special education
 - M. Quasi-public parks, playgrounds, athletic fields and related facilities
4. Category 4 - Transportation Facilities.
5. Category 5 - Commercial and Industrial Uses of Special Impact, limited to:
- A. Baseball hitting and archery ranges, outdoor
 - B. Bed and breakfasts
 - C. Commercial off-street parking in Metro Station areas as a temporary use
 - D. Establishments for scientific research and development
 - E. Funeral chapels
 - F. Golf courses, country clubs
 - G. Golf driving ranges
 - H. Kennels, animal shelters
 - I. Marinas, docks and boating facilities, commercial
 - J. Miniature golf courses ancillary to golf driving ranges
 - K. Offices
 - L. Plant nurseries
 - M. Veterinary hospitals, but only ancillary to kennels
6. Category 6 – Miscellaneous Provisions Requiring Board of Supervisors’ Approval:
- Refer to Article 9, Special Exceptions, Part 6, Miscellaneous Provisions Requiring Board of Supervisors’ Approval, for provisions which may qualify or supplement these district regulations.

RESIDENTIAL DISTRICT REGULATIONS

3-105 Use Limitations

1. No sale of goods or products shall be permitted, except as accessory and incidental to a permitted, special permit or special exception use.
2. All uses shall comply with the performance standards set forth in Article 14.
3. Cluster subdivisions may be permitted in accordance with the provisions of Sect. 9-615.

3-106 Lot Size Requirements

1. Minimum district size for cluster subdivisions: 10 acres
2. Average lot area: No Requirement
3. Minimum lot area
 - A. Conventional subdivision lot: 36,000 sq. ft.
 - B. Cluster subdivision lot: 25,000 sq. ft.
4. Minimum lot width
 - A. Conventional subdivision lot:
 - (1) Interior lot - 150 feet
 - (2) Corner lot - 175 feet
 - B. Cluster subdivision lot:
 - (1) Interior lot - No Requirement
 - (2) Corner lot - 125 feet
5. The minimum district size requirement presented in Par. 1 above may be waived by the Board in accordance with the provisions of Sect. 9-610.

3-107 Bulk Regulations

1. Maximum building height
 - A. Single family dwellings: 35 feet
 - B. All other structures: 60 feet
2. Minimum yard requirements
 - A. Single family dwellings

FAIRFAX COUNTY ZONING ORDINANCE

- (1) Conventional subdivision lot
 - (a) Front yard: 40 feet
 - (b) Side yard: 20 feet
 - (c) Rear yard: 25 feet
- (2) Cluster subdivision lot
 - (a) Front yard: 30 feet
 - (b) Side yard: 12 feet, but a total minimum of 40 feet
 - (c) Rear yard: 25 feet

B. All other structures

- (1) Front yard: Controlled by a 50° angle of bulk plane, but not less than 40 feet
- (2) Side yard: Controlled by a 45° angle of bulk plane, but not less than 20 feet
- (3) Rear yard: Controlled by a 45° angle of bulk plane, but not less than 25 feet

3. Maximum floor area ratio:

- A. 0.15 for uses other than residential or public
- B. 0.20 for public uses

3-108 Maximum Density

- 1. Conventional subdivisions: One (1) dwelling unit per acre.
- 2. Cluster subdivisions: 1.1 dwelling units per acre for cluster subdivisions approved by special exception and one (1) dwelling unit per acre for cluster subdivisions that are the result of a proffered rezoning from a district that allows a permitted maximum density of less than one (1) dwelling unit per acre.

3-109 Open Space

In subdivisions approved for cluster development, 30% of the gross area shall be open space.

3-110 Additional Regulations

RESIDENTIAL DISTRICT REGULATIONS

1. Refer to Article 2, General Regulations, for provisions which may qualify or supplement the regulations presented above, including the shape factor limitations contained in Sect. 2-401. The shape factor limitations may be modified by the Board in accordance with the provisions of Sect. 9-626.
2. Refer to Article 11 for off-street parking, loading and private street requirements.
3. Refer to Article 12 for regulations on signs.
4. Refer to Article 13 for landscaping and screening requirements.
5. Refer to Article 17 for uses and developments which are subject to site plan provisions.

General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

9-610 Provisions for Waiving Minimum Lot Size Requirements

The Board may approve, either in conjunction with the approval of a rezoning or as a special exception, the waiving of the minimum district size and/or lot width requirement for an R District, except for all cluster subdivisions, the minimum lot area and/or lot width requirements for a C district or the minimum district size requirement for the C-9 District, and the minimum district size, lot area and/or lot width requirements for an I district, but only in accordance with the following:

1. Such lot has not been reduced in width or area since the effective date of this Ordinance to a width or area less than required by this Ordinance.
2. The applicant shall demonstrate that the waiver results in a development that preserves existing vegetation, topography, historic resources and/or other environmental features; provides for reduced impervious surface; maintains or improves stormwater management systems; and/or similar demonstrable impact.
3. It shall be demonstrated that development of the subject lot will not have any deleterious effect on the existing or planned development of adjacent properties or on area roadways.
4. Such waiver shall be approved only if the remaining provisions of this Ordinance can be satisfied.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dba: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		