



APPLICATION ACCEPTED: September 18, 2007  
PLANNING COMMISSION: May 1, 2008  
BOARD OF SUPERVISORS: not scheduled

# County of Fairfax, Virginia

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April 16, 2008

## STAFF REPORT

APPLICATION SEA 91-M-018

### MASON DISTRICT

**APPLICANT:** Dong S. and Vo L. Nguyen

**ZONING:** R-2, HC

**PARCELS:** 71-2 ((5)) 9

**ACREAGE:** 41,794 square feet

**FAR:** 0.104

**OPEN SPACE:** 77%

**PLAN MAP:** Residential use at 2-3 dwelling units per acre

**SE CATEGORY:** Category 5; Offices (in a Residential District)

**PROPOSAL:** To amend SE 91-M-018, previously approved for (and developed with) an office use in residential district, to permit site modifications

### STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 91-M-018 subject to the proposed development conditions in Appendix 1.

Staff recommends approval of a modification of the transitional screening and barrier in favor of that shown on the SE Plat.

Staff recommends approval of a waiver of the service drive along Little River Turnpike

*TDS\N:\Nguyen SEA 91-M-018\SEA 91-M-018.doc*

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

Staff recommends approval of a waiver of additional standards for offices in residential districts Paragraph 1B to permit an office use in a new structure.

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

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

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



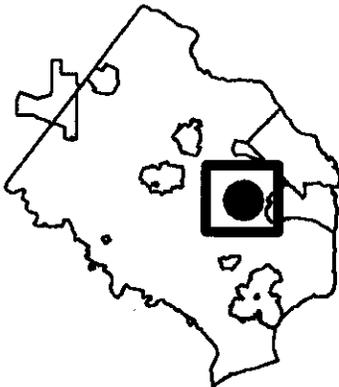
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice.  
For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Exception Amendment

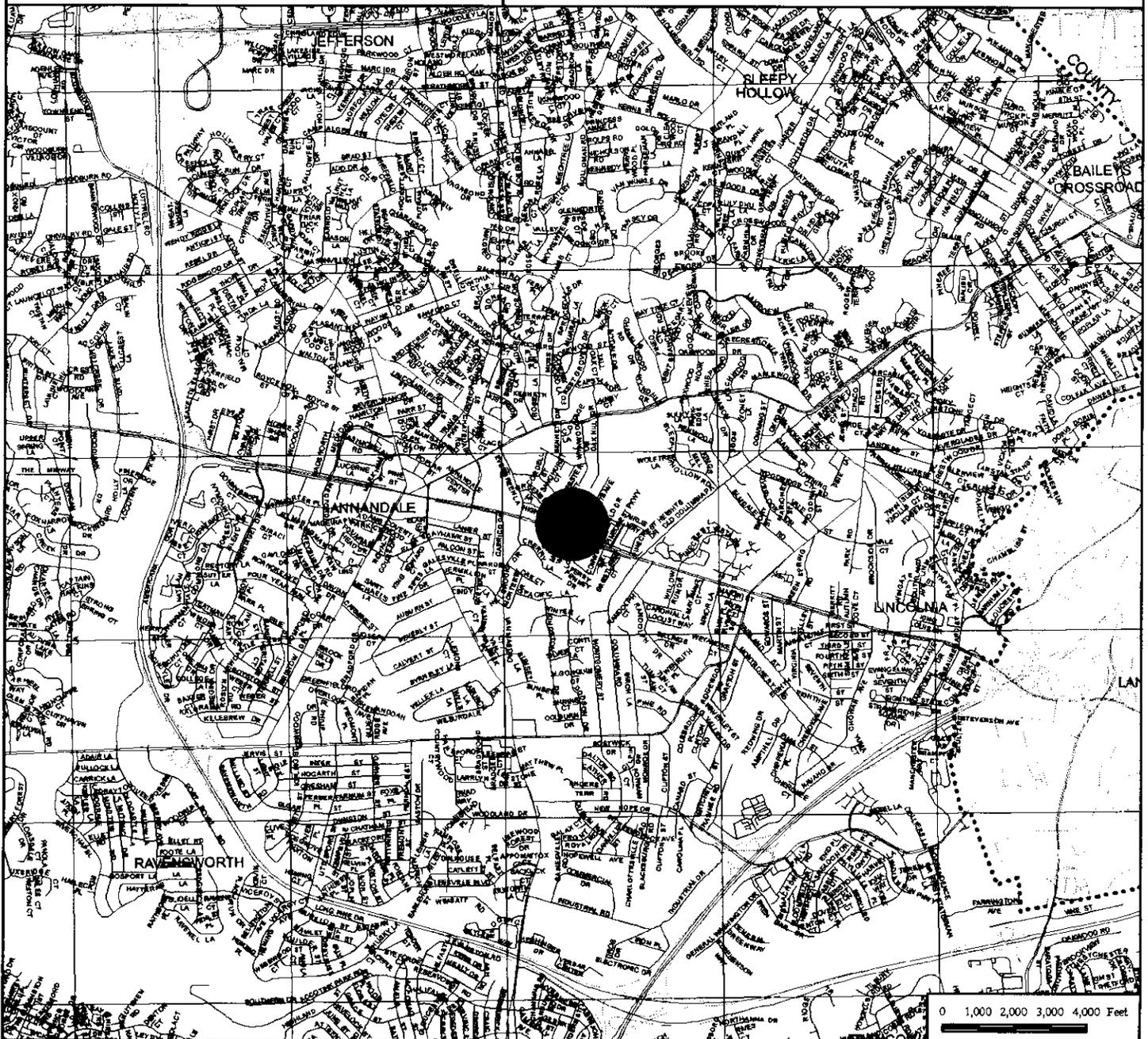
SEA 91-M-018

Applicant:  
Accepted:  
Proposed:

DONG S. AND VO L. NGUYEN  
09/18/2007  
TO AMEND SE 91-M-018 PREVIOUSLY  
APPROVED FOR OFFICE TO PERMIT  
DEMOLITION OF THE EXISTING STRUCTURES  
AND THE CONSTRUCTION OF A NEW BUILDING



Area: 41,794 SF OF LAND; DISTRICT - MASON  
Zoning Dist Sect: 03-0204  
Art 9 Group and Use: 5-17  
Located: 6800 LITTLE RIVER TURNPIKE  
Zoning: R- 2  
Plan Area: 1,  
Overlay Dist: HC  
Map Ref Num: 071-2- /05/ /0009

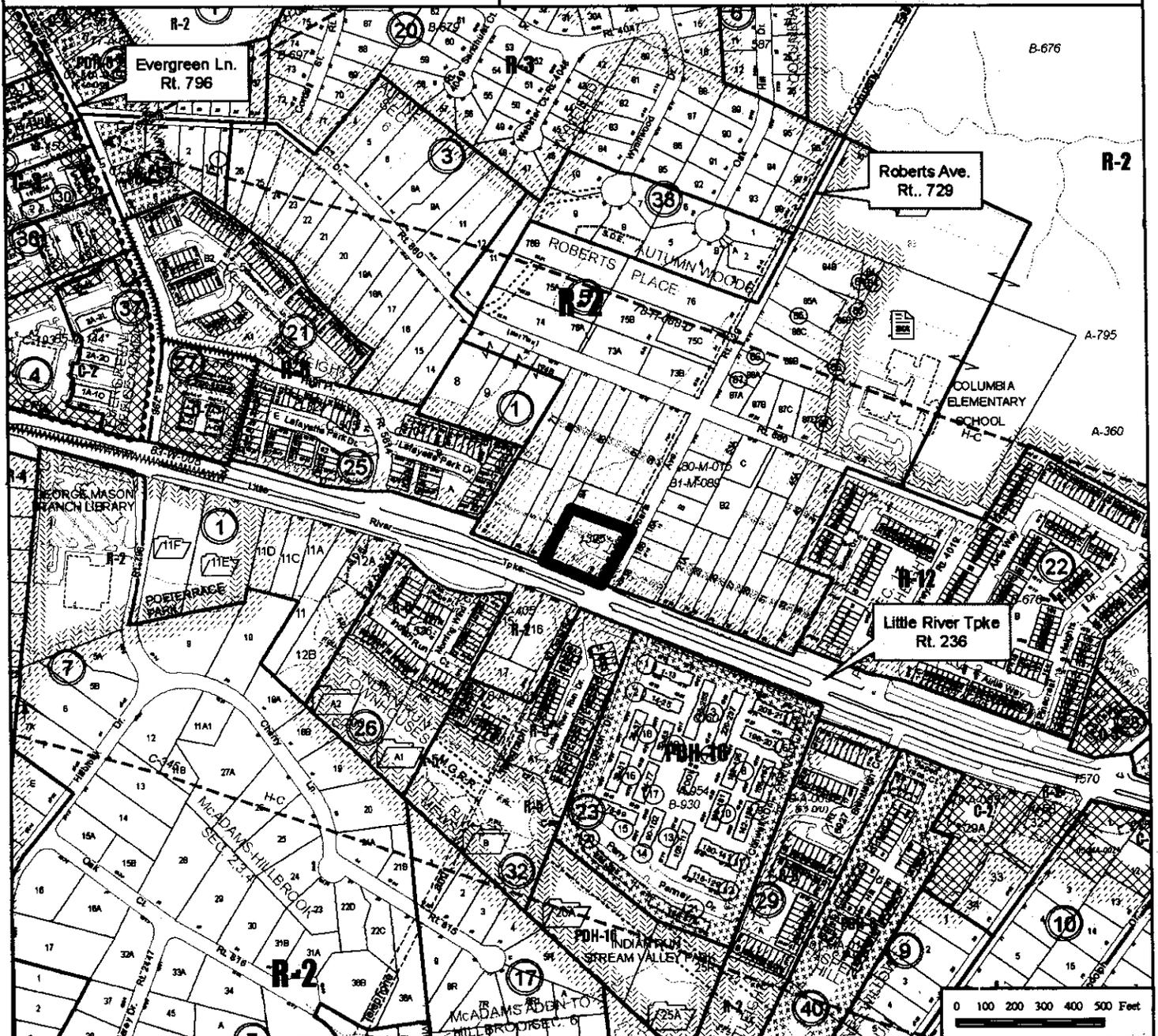
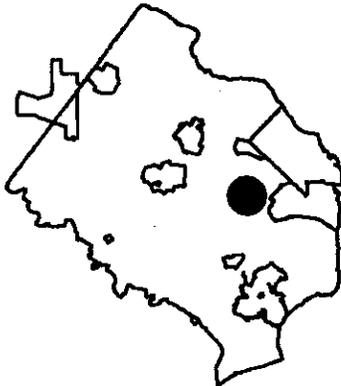


# Special Exception Amendment

SEA 91-M-018

**Applicant:** DONG S. AND VO L. NGUYEN  
**Accepted:** 09/18/2007  
**Proposed:** TO AMEND SE 91-M-018 PREVIOUSLY APPROVED FOR OFFICE TO PERMIT DEMOLITION OF THE EXISTING STRUCTURES AND THE CONSTRUCTION OF A NEW BUILDING

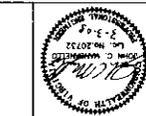
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**Zoning Dist Sect:** 03-0204  
**Art 9 Group and Use:** 5-17  
**Located:** 6800 LITTLE RIVER TURNPIKE  
**Zoning:** R-2  
**Plan Area:** 1,  
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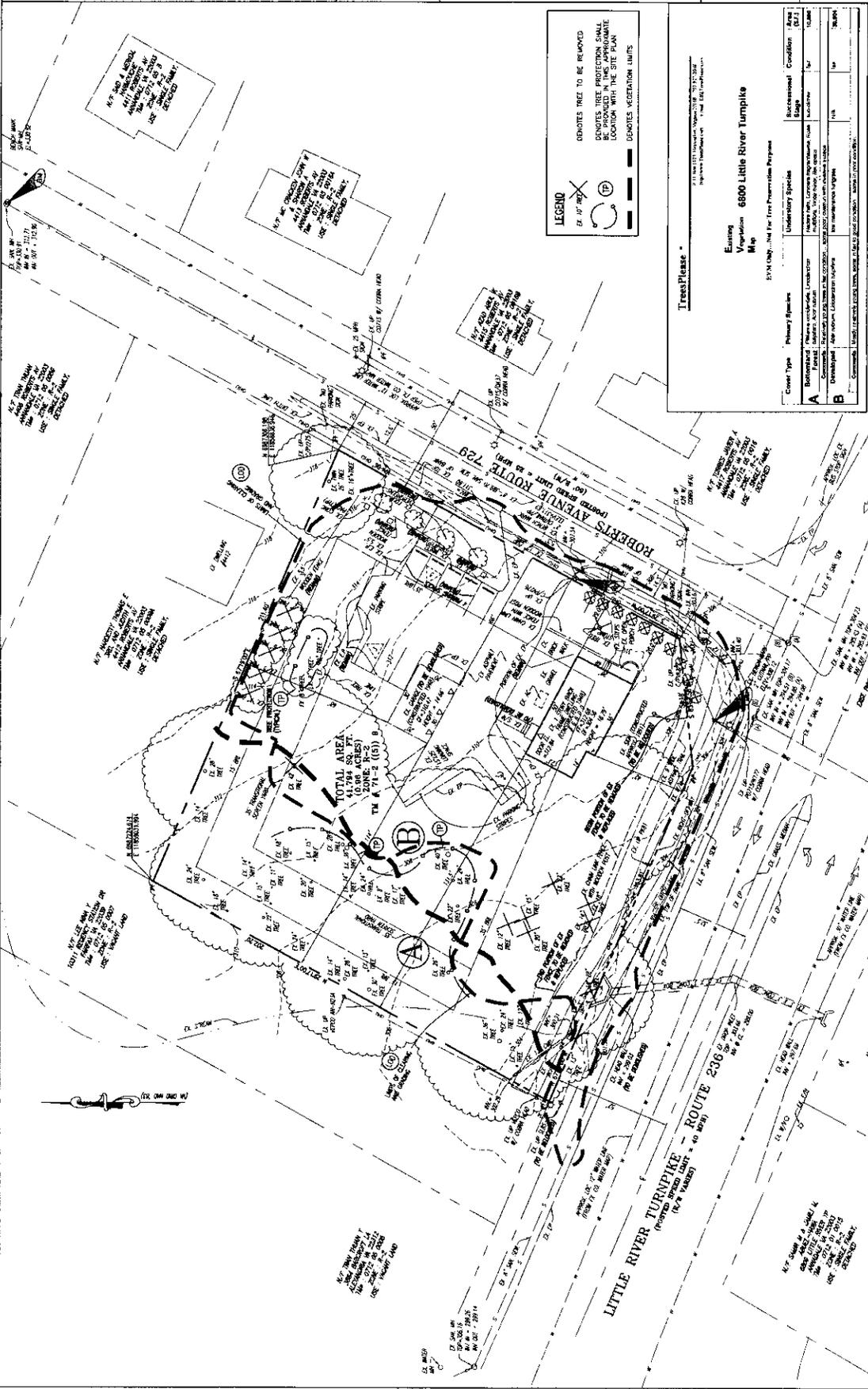


LAND DEVELOPMENT CONSULTANTS, INC.  
 CIVIL ENGINEERING, LAND PLANNING, SURVEYING  
 10805 MAIN STREET, SUITE 700, FAIRFAX, VA 22030  
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STATE OF VIRGINIA  
 DEPARTMENT OF ENVIRONMENTAL QUALITY  
 DIVISION OF LAND USE PLANNING  
 6800 LITTLE RIVER TURNPIKE  
 MASON DISTRICT, FAIRFAX COUNTY, VIRGINIA  
 EXISTING VEGETATION MAP AND  
 SPECIAL EXCEPTION PLAN



PROJECT NO.	14875-SEP
DATE	12/18/2008
SCALE	1" = 50'
SHEET	2 OF 5
REVISIONS	SEE EXISTING CHANGES
APPROVALS	APPROVAL SIGNATURES
DATE	REVISIONS PRIOR TO APPROVAL



**TreeList**

Existing Vegetation Map  
 6800 Little River Turnpike  
 5741 Oak and Pine Tree Preservation Program

Cover Type	Primary Species	Secondary Species	Condition	Area (sq. ft.)
A	Redwood, White oak, Live oak, Chestnut, Hickory, Sycamore, Magnolia, Dogwood, Sweet gum, Laurel, Red maple, Black gum, White pine, Shortleaf pine, Longleaf pine, Loblolly pine, Slash pine, Yellow pine, Shortleaf pine, Longleaf pine, Loblolly pine, Slash pine, Yellow pine	White oak, Live oak, Chestnut, Hickory, Sycamore, Magnolia, Dogwood, Sweet gum, Laurel, Red maple, Black gum, White pine, Shortleaf pine, Longleaf pine, Loblolly pine, Slash pine, Yellow pine	Good	10,000
B	White oak, Live oak, Chestnut, Hickory, Sycamore, Magnolia, Dogwood, Sweet gum, Laurel, Red maple, Black gum, White pine, Shortleaf pine, Longleaf pine, Loblolly pine, Slash pine, Yellow pine	White oak, Live oak, Chestnut, Hickory, Sycamore, Magnolia, Dogwood, Sweet gum, Laurel, Red maple, Black gum, White pine, Shortleaf pine, Longleaf pine, Loblolly pine, Slash pine, Yellow pine	Good	10,000



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 www.landdevelopment.com

LANDSCAPING PLAN  
 SPECIAL EXCEPTION PLAT  
 6800 LITTLE RIVER TURNPIKE  
 MASON DISTRICT, PARKWAY COUNTY, VIRGINIA



DATE	REVISIONS PRIOR TO APPROVAL
12/18/2006	1
12/18/2006	2
12/18/2006	3
12/18/2006	4
12/18/2006	5
12/18/2006	6
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12/18/2006	40

**LANDSCAPE SCHEDULE**

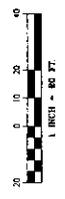
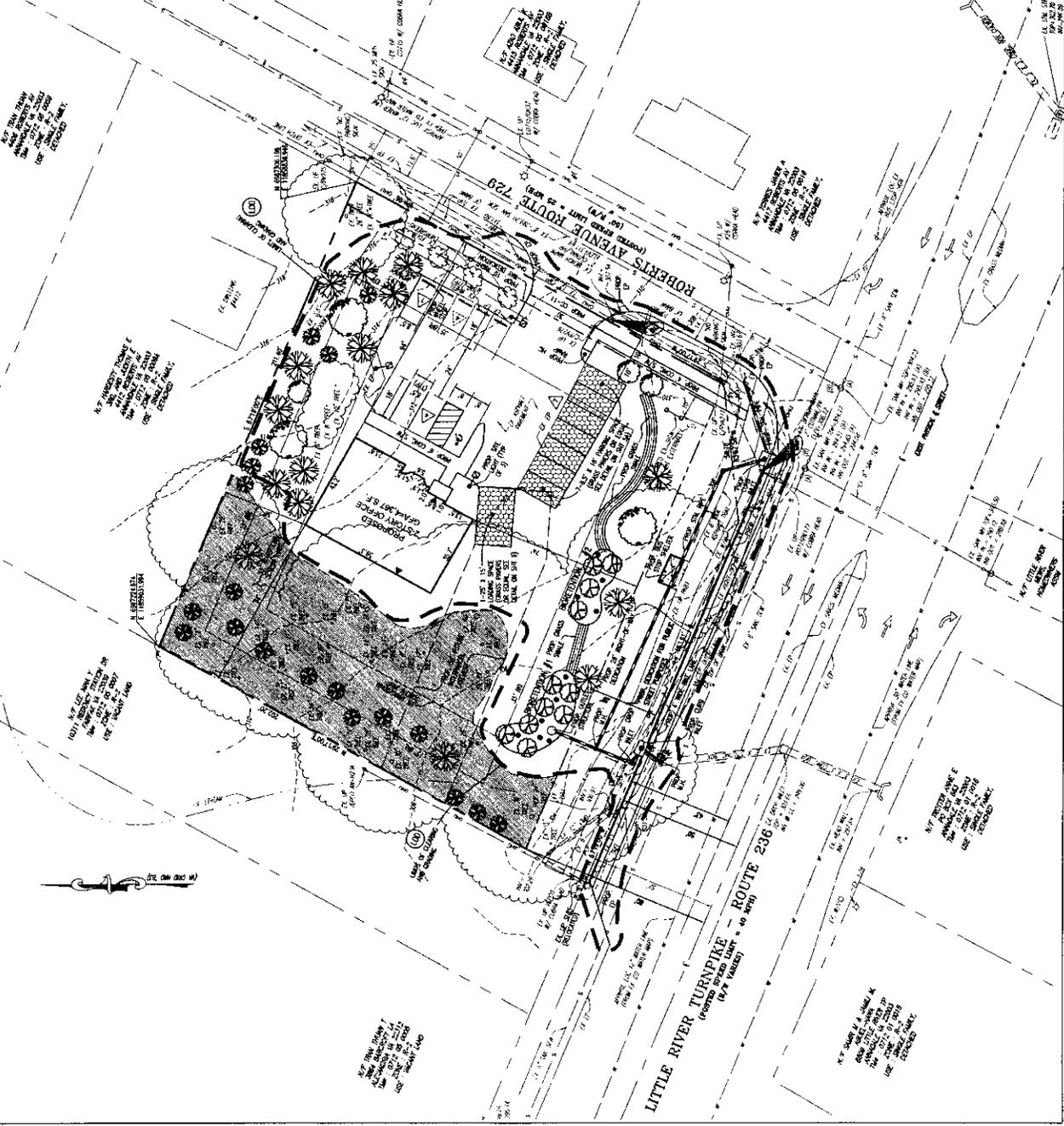
KEY	CATEGORY	SIZE	10 YR. CANOPY (FT QUANTITY)	TOTAL COVER (SQ FT)
1	PROPOSED LARGE DECIDUOUS TREE (8' @ 10' W/WHITE PINK)	12" CAL.	200	3
2	PROPOSED MEDIUM DECIDUOUS TREE (8' @ 10' W/WHITE PINK)	12" CAL.	75	3
3	PROPOSED LARGE EVERGREEN TREE (8' @ 10' W/WHITE PINK)	8" HT.	125	15
4	PROPOSED MEDIUM EVERGREEN TREE (8' @ 10' W/WHITE PINK)	8" HT.	40	19
TOTAL				1,600

**BIORETENTION PLANTING SCHEDULE**

KEY	CATEGORY	SIZE	10 YR. CANOPY (FT QUANTITY)	TOTAL COVER (SQ FT)
1	ORANGE FLAME (RED BUD)	12" CAL.	50	11
2	FRANCOIS AMERICAN (WHITE BUD)	12" CAL.	10	10
TOTAL				500

**TREE COVER REQUIREMENT CALCULATIONS**

- GROSS SITE AREA: 4,794.00 SQ FT
- BUILDING FOOTPRINT: 2,332.49 SQ FT
- ADJUSTED GROSS SITE AREA: 2,461.51 SQ FT
- TREE COVER REQUIRED: 20% = 492.30 SQ FT
- CREDIT FOR TREES PRESERVED: 12,853.00 SQ FT
- TREE COVER PROVIDED: 16,275.51 SQ FT @ 50:1 R
- CREDIT FOR TREES PRESERVED: 16,275.51 SQ FT @ 50:1 R
- NET TREE COVER PROVIDED: 15,783.21 SQ FT







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

**DESCRIPTION OF THE APPLICATION**

The applicant requests approval to amend an existing Special Exception, previously approved to allow offices in a residential district, to permit the removal and replacement of all existing structures to continue the use of offices in a residential district. The following chart shows the differences between the existing approval and the current request.

	<b>Existing</b>	<b>Requested</b>
Use	Office (doctor's office)	Office (doctor's office)
Gross Floor Area (GFA)	3,242 sq ft	4,367 sq ft
Floor Area Ratio (FAR)	0.08	0.104*
Buildings	two (house/office & detached garage)	one (house/office with garage incorporated)
Building Height	1 story (19 feet)	2 stories (35 feet)
Hours of Operation	9:00 am – 6:00 pm	9:00 am – 6:00 pm
Staff	no limitations	6
Parking Spaces	12 (including 3 garage spaces)	16
Stormwater management	none	bioretention facilities & pervious pavers in some parking spaces

\*utilizing density credit for dedication

**Requested Waivers and Modifications:**

Modification of the transitional screening and barrier in favor of that shown on the SE Plat.

Waiver of a service drive along Little River Turnpike

Waiver of additional standards for offices in residential districts Paragraph 1B to permit an office use in a new structure.

Waiver of trash storage area requirements *(to be addressed at site plan)*

Staff's proposed development conditions, the applicant's affidavit, and the applicant's Statement of Justification are set forth in Appendices 1 – 3, respectively.

## LOCATION AND CHARACTER

### Site Description:

The site, which is slightly under one acre in size, is located in the northwest quadrant of the intersection of Little River Turnpike and Roberts Avenue, to the east of the Annandale Community Business Center. The site is developed with an office originally constructed as a residential dwelling in 1948, with a three car detached garage. Access is from Roberts Avenue; a small parking area is located on the north side of the building, along the Roberts Avenue frontage. The remainder of the site is characterized by existing trees and lawn area.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North, East & West	Single Family Detached	R-2	Residential; 2-3 du/ac
South	Single Family Detached Single Family Attached	R-2 R-5	Residential; 4-5 du/ac

## BACKGROUND

- The existing structure was constructed as a residential dwelling in 1948 (per County records)
- Documentation of non-residential use (day care) exists on the site dating back at least to 1966
- Special Permit S-42-76** was approved by the Board of Zoning Appeals (BZA) on May 4, 1976, to permit a real estate office in the existing residential structure for a period of three years. (expired May 4, 1979)
- Special Exception 050-M-79** was approved by the Board of Supervisors (BOS) on September 17, 1979, to permit a real estate office on the site, subject to conditions including a five year limitation, with no renewal.
- SE 85-M-071** was approved by the BOS on January 27, 1986. Conditions included a requirement to apply for and receive a variance of the front yard setback to allow the existing structure to remain 28 feet from the front lot line; no time limitation was imposed. (expired January 27, 1988)
- VC 86-M-038** was approved by the BZA on July 8, 1986, to permit a reduction in the front yard setback for the existing structure. (expired January 27, 1988)
- SE 91-M-018** was approved by the BOS on October 14, 1991, to permit an office use in a residential district. Conditions imposed required another front yard variance to be approved, but no time limit was imposed. See Appendix 4 for conditions and SE Plat.
- VC 92-M-016** was approved by the BZA on April 2, 1992, to permit the existing structure to remain.

**COMPREHENSIVE PLAN PROVISIONS (Appendix 5)**

<b>Plan Area:</b>	Area I
<b>Planning District:</b>	Annandale Planning District
<b>Planning Sector:</b>	Columbia Community Planning Sector (A2)
<b>Plan Map:</b>	Residential, 2-3 du/ac

In the Fairfax County Comprehensive Plan, Area I, 2007 Edition, Annandale Planning District, A-2 Columbia Community Planning Sector, as amended through October 23, 2006, pages 67 through 73, the Plan states:

- "2. Land within the northwest quadrant of the intersection of Route 236 and Roberts Avenue, Parcel 71-2((5))9-15, is appropriate for single-family residential development at 2-3 dwelling units per acre.

The property is developed as a single-family residential structure which has functioned as an office by special permit and subsequently a special exception. Although residential use is preferred, office use may be appropriate if the structure and the lot are maintained so as to retain the residential character of the area and the following conditions are met:

1. The appearance of the structure, site layout, access, lighting, operational characteristics, buffering and screening provided to adjacent residential areas, mitigates any impacts on adjoining residences;
2. Vehicular access is provided to a median break on Route 236."

For additional Plan text, see Appendix 5.

**ANALYSIS****Special Exception Plan (Copy at front of staff report)**

Title of SE Plat:	6800 Little River Turnpike
Prepared By:	Land Development Consultants, Inc.
Original and Revision Dates:	December 18, 2006 as revised through March 3, 2008

The SE Plat consists of six sheets. **Sheet 1** is a title sheet, and includes a vicinity map, a soil map, a sheet index, zoning tabulations and notes, a list of requested waivers and modifications, and an illustration of bulk plane. **Sheet 2** shows the existing conditions and existing vegetation. **Sheet 3** shows the proposed layout (described

below). **Sheet 4** shows the proposed landscape plan and tree cover. **Sheets 5 and 6** include the stormwater management details for the site.

### Buildings

The applicant proposes to remove the existing, one-story residential structure and free standing garage and replace them with a single structure, designed to have a residential character, with an integrated garage. The proposed building would be two stories, with a maximum height of 35 feet (the maximum for a residential structure). The new building would face Roberts Avenue.

The applicant has provided architectural drawings showing a two-story "house" with residential-style details including a double garage, a combination hipped/gabled roof, a bay window, and a double front door. Staff has proposed that these elevations be conditioned as to their general character.

### Parking & Access

Access is proposed to be provided via an improved driveway from Roberts Avenue, in approximately the same location as the existing driveway. Parking would also be located in generally the same area as parking is located today, in front of the new building. Some of the proposed new parking would be located where the existing house/office structure is sited. A loading space would be located on the south (Little River Turnpike) side of the new building. Seven of the car parking spaces and the loading space are proposed to be paved with grasscrete or some similar pervious paver to reduce the amount of impervious surface proposed and to provide a softer, less parking lot-like appearance.

### Operations

Hours of operation currently allowed under SE 91-M-018 are 9 am to 6 pm daily. Because this is a residential area, staff has proposed to further limit hours with this approval to prohibit operations on Sundays. The applicant has indicated that, as operated today, four staff are present on the site at any one time, two doctors and two support staff, although the current SE does not limit the number of staff on-site. Staff has proposed a development condition limiting staff to six on site at any one time to allow for some future flexibility while maintaining control of the operations. The applicant has agreed to these conditions.

### Stormwater Management

The existing site has 8,914 square feet of impervious surface (buildings, pavement, sidewalks). The proposed site will have 9,145 square feet of buildings, pavement and sidewalks, a minimal increase of 951 square feet. The applicant proposes, however, to "pave" seven of the parking spaces and the loading space with grasscrete pavers or some similar material, which will be partially pervious. The grasscrete area totals 1,490 square feet. Although, with proper installation, this could be considered no net

increase in impervious surface (depending on the percent of perviousness of the paver system installed), the applicant has proposed to provide a bio-retention system along the southern property boundary, between the new building and Little River Turnpike. This system consists of two bio-retention basins, planted with trees and other vegetation, connected by two grassed swales and draining to the existing storm drainage system in Little River Turnpike.

#### Transportation Improvements

The SE Plat shows right-of-way dedication along Little River Turnpike to 80 feet from centerline, to accommodate a third eastbound lane, a bike lane, and trail requirements. As noted in the transportation analysis, at this time, staff has requested the dedication but not construction of this short section of road. An existing eight foot wide trail in the right-of-way along Little River Turnpike is shown to remain.

The SE Plat also shows right-of-way dedication along Roberts Avenue to 25 feet from centerline, and construction of a four foot wide sidewalk from Little River Turnpike to the site entrance.

A new bus shelter is shown to be installed on the Little River Turnpike frontage; as noted in the transportation analysis, staff has requested the installation of a pad for the bus stop, and paved connection to the street.

#### Transitional Screening, Barrier, & Landscaping

The SE Plat shows the limits of clearing and grading protecting the western portion of the site, a depth of approximately 30 to 70 feet. Transitional screening yards of 35 feet in depth are shown along the western and northern boundaries, with a combination of existing and proposed vegetation. As noted, the southern boundary (Little River Turnpike frontage) is shown to be landscaped in conjunction with the proposed bio-retention facility.

#### **Comprehensive Plan and Land Use Analysis (Appendix 5)**

The Comprehensive Plan includes specific language referencing an office use on this parcel (which has been in commercial use since the mid-sixties). Conditions on an office use on the lot include the maintenance of a residential character, mitigation of impacts on surrounding residences, and vehicular access to a median break on Little River Turnpike (essentially requiring access from Roberts Avenue rather than directly onto Little River Turnpike).

The initial submission of this application proposed a long, two-story commercial building facing Little River Turnpike with a large parking lot facing the road fronted by a standard dry pond with no landscaping. This proposal would not have maintained the residential character recommended by the Comprehensive Plan. The applicant has

worked with staff to revise the proposal to provide a new office building that will serve the needs of the applicant while meeting the recommendations of the Plan.

***Issue: Residential Character***

As noted in the Land Use Analysis, the applicant's original proposal would have been much larger than other structures in the area, and would not have been residential in character. Interim submissions proposed a structure with residential features, but of a size that would not be compatible and would have required a significant increase in the parking lot. Not only is a large parking lot not residential in character, the increase in impervious surface would have required a large, non-residential dry pond in the front yard to address stormwater management.

As revised, the applicant has provided a two-story structure of approximately 4,300 square feet that would appear to be a house from the outside. While the parking area is larger than a single family house would have, it is only slightly larger than the existing parking area on the site, and one row of parking spaces is proposed as grasscrete or other porous paver system (as opposed to asphalt) which will reduce both the visual impact and the stormwater repercussions. With the reductions to the size of the structure and the size of the parking lot, the applicant is able to address stormwater with a bio-retention system that will appear to be landscaping, rather than a large dry pond.

With these modifications, staff believes that the proposal is in conformance with the Comprehensive Plan recommendation for an office use with a residential character.

***Issue: Mitigation of Impacts on Surrounding Residences***

Earlier versions of the SE Plat had a larger footprint than the current proposal, and therefore had more extensive impacts on the buffers and existing vegetation. The current proposal includes transitional screening yards of the full, required 35 feet along the north and west sides (against the abutting residential properties). The majority of the existing vegetation in those areas can be maintained. The property will be required to meet the standards in the Zoning Ordinance for lighting and signage, which will limit the impacts on the surrounding properties. As currently proposed, staff believes that the use will not have a negative impact on the surrounding properties.

***Issue: Access to a median break***

The Comprehensive Plan recommends that access be provided to a median break on Little River Turnpike for any office use on the site. The site is at the corner of Roberts Avenue and Little River Turnpike, and the proposal maintains the existing access to Roberts Avenue, which has a median break on Little River Turnpike.

In staff's opinion, the intensity of the proposed use, as now proposed and conditioned, is compatible with a residential neighborhood. With the imposition of the proposed

development conditions, staff finds that proposal is in conformance with the land use recommendations of the Comprehensive Plan.

### **Transportation Analysis (Appendix 6)**

During the review of the application, staff evaluated right of way and construction needs for Little River Turnpike and Roberts Avenue. The SE Plat currently shows appropriate dedication of right of way along both of these frontages. Because of the size and nature of the proposed use, and because the adjacent properties on Little River Turnpike have not been developed with the third lane and bike lane, staff has requested that, in lieu of construction, the applicant provide the dedication (as shown) and escrow funds for future construction. This is reflected in the proposed development conditions.

Pedestrian access is provided by an existing trail along the Little River Turnpike frontage to be maintained, and a new sidewalk along Roberts Avenue from Little River Turnpike to the site entrance. Additionally, staff has requested that the applicant escrow funds for the continuation of this sidewalk, in the future, to the northern property boundary. This is reflected in the proposed development conditions.

The SE Plat shows a bus stop on the Little River Turnpike frontage; however, to address a planned bus stop program countywide, staff has requested that the applicant only construct a concrete pad and paved connection to the face of curb. This is reflected in the proposed development conditions.

### **Environmental Analysis (Appendix 5)**

As noted in the land use section, the applicant has significantly reduced the amount of impervious surface on the site, and increased the amount of existing vegetation to be preserved by the limits of clearing and grading. As now proposed, the application includes low impact development techniques consisting of pervious pavers on a portion of the parking lot, swales, and bio-retention basins (rain gardens). Additionally, staff has proposed a development condition requiring that, if the size of the bio-retention facilities are reduced, those areas will added to the limits of clearing and grading. With these modifications, staff feels that this issue has been adequately addressed.

### **ZONING ORDINANCE PROVISIONS (Appendix 7)**

<b>Bulk Standards (R-2)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	15,000 square feet	41,794 square feet
Lot Width	100 feet	200 feet (Little River Turnpike) 176 feet (Roberts Ave)

<b>Bulk Standards (R-2)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Building Height	60 feet	35 feet
Front Yard	45° ABP, not less than 35 feet (35 feet)	74 feet (Little River Turnpike) 94 feet (Roberts Ave)
Side Yard	40° ABP, not less than 15 feet (29 ft)	36 feet
Rear Yard	40° ABP, not less than 25 feet (29 feet)	74 feet
FAR	0.2	0.104*
Open Space	No requirement	77%
Parking Spaces	16 spaces	16 spaces
<b>Transitional Screening &amp; Barrier</b>		
All sides (R-2)	25 feet Screening	<b>North &amp; West:</b> 35 feet + of existing vegetation plus supplemental planting <b>South:</b> 35 feet + with scattered landscaping <b>East:</b> 10 feet, some evergreens adjacent to parking area
All sides (R-2)	Barrier D, E, or F	no barrier provided except for an existing 5.5 foot high wooden fence at the northeast corner of the site shown to be retained

\* The SE Plat shows an FAR of 0.13; however, that calculation reflects the property size after dedication of right-of-way. The correct FAR should be calculated prior to dedication, as reflected in the chart.

### **Waivers/Modifications**

**Transitional Screening:** The applicant has requested a modification of the transitional screening to allow existing vegetation to be utilized, and as shown on the SE Plat. The northern and western sides of the site are characterized by mature vegetation with understory growth. The southern side of the site includes some mature trees but is more characteristic of lawn area. Except along Roberts Avenue (the eastern frontage) the proposed layout meets the required width for buffers, with existing vegetation to be supplemented along the north and west. To the south, along Little River Turnpike, the SE Plat shows landscaping that is intended more for aesthetics than screening, and also serves as part of the stormwater management bio-retention areas. Staff believes that the requested modifications will not have a negative impact on the surrounding residential properties, and therefore staff supports the requested modification.

**Barrier:** Although no barrier is provided except in the northeastern corner, to the west is vacant property and the heaviest existing vegetation, and to the south is Little River Turnpike. To the north, the existing fence will remain towards the front of the lot (screening the residence to the north from the parking lot, as is the case today) and the rear of the lot is heavily vegetated. Along the front of the lot, the Roberts Avenue

frontage, the existing fence will be maintained to screen the parking lot, and the remainder of the frontage to the south of the entrance is basically landscaped. Staff believes that the modification of the required barrier, in favor of that shown on the SE Plat and as conditioned, will not have a negative impact on the surrounding properties, and staff therefore supports the modification.

**Service Drive:** A service drive is required along the frontage of Little River Turnpike, however, the applicant has carried forward a commitment for an interparcel access to the west in lieu of the service drive. With this commitment, staff does not object to the requested waiver.

### **Other Zoning Ordinance Requirements:**

#### **Special Exception Requirements (Appendix 7)**

General Special Exception Standards (Sect. 9-006)

Category 5 Standards (Sect. 9-503)

Additional Standards for Offices (Sect. 9-515)

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

The General Special Exception Standards require that the proposal be in harmony with the Comprehensive Plan, that there be a finding of no significant negative impacts on surrounding properties, and that safe and adequate vehicular and pedestrian access be provided. As discussed in the land use and transportation analysis sections, staff believes that these standards are addressed with the current proposal, as conditioned.

#### *Category 5 Standards (Sect. 9-503)*

The Category 5 Standards require that the proposed development meet lot size and bulk requirements for the Zoning District, comply with performance standards, and be subject to site plan review. The proposed use meets these standards.

#### *Additional Standards for Offices (Sect. 9-515)*

Paragraph one of the additional standards applies to offices in residential districts, and requires the following:

- A. The use be located in a Community Business District or other area where the use is specifically designated in the Comprehensive Plan

*The Comprehensive Plan language for this parcel specifically calls out office use as an acceptable land use (with conditions, met as noted above)*

- B. The use be permitted only in a single family detached dwelling erected prior to February 26, 1973

*The applicant has requested a modification of this standard. While a new structure is obviously not constructed prior to 1973, the existing structure on the site is in poor condition, and has radon gas issues in the basement, rendering that space unfit for use. The applicant has provided for a structure that is clearly residential in character, in both size and design. Additionally, the Comprehensive Plan text was amended at some point to delete a recommendation for office use "in the existing structure" in favor of the current language recommending a structure and site design with a residential character, indicating that demolition of the existing structure was contemplated. As proposed, staff does not object to the modification of this standard.*

- C. Sub-paragraphs C and D do not apply to this application.

With the imposition of the proposed development conditions, staff believes that these standards have been addressed as discussed

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

All applicable standards have been satisfied with the proposed development conditions.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

The applicant requests approval of a special exception amendment to demolish the existing structures on the site and construct a new building to house the same use, a doctor's office. The proposed building will have a residential character, and at the proposed size, the parking and stormwater facilities will be expanded only minimally beyond that on the site today. The Comprehensive Plan specifically calls out office as an approved use, if the conditions can be met, and in staff's opinion, that is the case. Therefore, staff finds that the proposed use is of a design and intensity that is in conformance with the Comprehensive Plan, and with the imposition of development conditions, staff believes that the request is in conformance with the applicable Zoning Ordinance provisions.

### **Recommendations**

Staff recommends approval of SEA 91-M-018 subject to the proposed development conditions in Appendix 1.

Staff recommends approval of a modification of the transitional screening and barrier in favor of that shown on the SE Plat.

Staff recommends approval of a waiver of the service drive along Little River Turnpike

Staff recommends approval of a waiver of additional standards for offices in residential districts Paragraph 1B to permit an office use in a new structure.

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.

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.

## **APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Conditions & Plat (SE 91-M-018)
5. Plan Citations, Land Use and Environmental Analysis
6. Transportation Analysis
7. Applicable Zoning Ordinance Provisions Checklist
8. Glossary

**PROPOSED DEVELOPMENT CONDITIONS**

**SEA 91-M-018**

**April 16, 2008**

If it is the intent of the Board of Supervisors to approve SEA 91-M-018, located at 6800 Little River Turnpike, Tax Map 71-2 ((5)) 9, previously approved for offices in a residential district, to permit demolition of the existing buildings and new construction, pursuant to Sect. 3-204 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previously approved conditions. Conditions carried forward essentially unchanged from the previous approval are marked with an asterisk (\*):

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application (Offices in a Residential District), as qualified by these development conditions.
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "6800 Little River Turnpike" prepared by Land Development Consultants, Inc., and dated December 18, 2006, as revised through March 3, 2008, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Hours of operation shall be limited to 9 am to 6 pm, Monday through Saturday.
5. A maximum of six (6) staff shall be on-site at any one time.
6. Architecture shall be in general conformance with that shown in Exhibit 1 of these conditions.
7. At the time of site plan approval, or on demand (whichever occurs first) right-of-way along Little River Turnpike and Roberts Avenue, as shown on the SEA Plat, shall be dedicated to the Board of Supervisors in fee simple at no cost. Density credit for such dedication shall be retained by the site.

8. In lieu of construction of the frontage improvements shown on Little River Turnpike, funds shall be escrowed at the time of site plan approval to cover the cost of such improvements in the future.
9. At the time of site plan approval, funds shall be escrowed to cover the cost of extending the sidewalk along Roberts Avenue from the site entrance to the northern boundary.
10. The "bus shelter" shown on the SE Plat shall be constructed as a concrete pad only, for future installation of a shelter by others. A paved connection with the edge of pavement shall also be provided.
11. All signage shall be in conformance with Article 12 of the Zoning Ordinance.
12. All lighting, including streetlights, security lighting, signage lighting and pedestrian or other incidental lighting, shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance. \*
13. Any exterior lighting shall be a maximum of 12 feet in height, as measured from the ground to the top of the fixture.
14. The limits of clearing and grading shall be strictly conformed to, as shown on the SE Plat, subject to allowances specified in these conditions and for the installation of utilities or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown in the SE Plat, they shall be located in the least disruptive manner necessary as determined by Urban Forest Management, DPWES (UFM). A replanting plan shall be developed and implemented, subject to approval by UFM, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.
15. Any trees shown on the SE Plat to be planted outside of the limits of clearing and grading shall only be planted subject to approval by UFM to ensure that such trees are species tolerant of shade, and are planted in areas where space permits.
16. The limits of clearing and grading shall be marked with a continuous line of flagging prior to the walk-through meeting by a certified arborist or landscape architect. During the tree preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with a UFM 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, and such adjustments shall be implemented. Trees that are identified 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.

17. A tree preservation plan shall be submitted concurrent with site plan review. The tree 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 Urban Forest Management (UFM).

The tree preservation plan shall consist of a tree survey that identifies the location, species, size, crown spread and condition rating percentage of all trees with trunks 8 inches in diameter and greater (measured at 4 ½ feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet of the approved limits of clearing and grading. The tree preservation plan shall provide for the preservation of those areas show for tree preservation, those areas outside of the limits of clearing and grading show on the SE Plat and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis rating shall be prepared using method 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 any tree identified to be preserved, such as crown pruning, root pruning, mulching, fertilization, and other as necessary, shall be in included in the plan.

18. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing, in the form of four foot high, 14 gauge welded wire attached to six foot steel posts driven 18 inches into the ground and placed no further than ten feet apart, or super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees. Such fencing shall be erected at the limits of clearing and grading as show on the demolition, and Phase I and II erosion and sediment control sheets, as may be modified by the "root pruning" condition contained herein.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three days prior to the commencement of any clearing, grading, or demolition activities, but subsequent to the installation of the tree protection devices, UFM shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not be installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFM.

19. During any clearing or tree, vegetation, or structure removal on the site, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as conditioned and as approved by UFM. The services of a certified arborist or landscape architect shall be retained to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation conditions and UFM approvals. The monitoring schedule shall be described and detailed in the tree preservation plan, and reviewed and approved by UFM.
20. The applicant shall: a) root prune the roots of trees to be preserved that may be damaged during clearing, demolition, grade changes, utility installation and/or the installation of retaining walls; b) mulch to a minimum depth of 3 inches within the areas to be left undisturbed where soil conditions are poor, lacking leaf litter or prone to soil erosion; and c) then provide tree protection fencing approved by the Urban Forest Management Division (UFM), Fairfax County Department of Public Works and Environmental Services ("DPWES"), where deemed necessary by UFM. The areas that will be root pruned and mulched shall be clearly identified on the Tree Designation Plan. All treatments for such trees and vegetation shall be clearly specified, labeled, and detailed on the erosion and sediment control sheets and demolition plan (if provided) sheets of the site plan submission. The details for these treatments shall be included in the Tree Designation Plan and shall be subject to the review and approved of UFM.

All root pruning and mulching work shall be performed in a manner that protects adjacent trees and vegetation that are required to be preserved and may include, but not be limited to, the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading and/or demolition of structures.
- Root pruning shall not sever or significantly damage structural or compression roots in a manner that may compromise the structural integrity of trees or the ability of the root system to provide anchorage for the above ground portions of the trees.
- Root pruning shall be conducted with the on-site supervision of a certified arborist.
- 14 gauge welded wire tree protection fencing shall be installed immediately after root pruning, and shall be positioned directly in the root pruning trench and backfilled for stability, or just outside the trench within the disturbed area.
- Immediately after the phase II E&S activities are complete, mulch shall be applied at a depth of 3 inches within designated areas without the use of motorized equipment

- Mulch shall consist of wood chips, shredded hardwood and/or pine bark mulch. Hay or straw mulch shall not be used within tree preservation areas.
  - UFM, DPWES shall be informed in writing when all root pruning and tree protection fence installation is complete.
21. A professional with experience in plant appraisal, such as a certified arborist or landscape architect, shall be retained to determine the replacement value of all trees 8 inches in diameter and greater, and 25 feet to either side of the limits of clearing and grading as shown on the SEA Plat for the entire site. These trees and their value shall be identified on the landscape plan at the time of the first submission of the site plan. The replacement value shall take into consideration the age and size of these trees and shall be determined according to the methods contained in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture, subject to review and approval by Urban Forest Management, DPWES.

At the time of site plan approval, the Applicant shall post a cash bond or letter of credit payable to the County of Fairfax to ensure replacement of the designated trees that die or are dying due to normal construction activities permitted on the approved plan. Any trees shown to be preserved on the Tree Preservation Plan that die or are dying due to construction activities NOT permitted on the approved plan shall be replaced with trees of equivalent species and size and the bond monies for said trees shall not be refunded. The terms of the letter of credit shall be subject to approval by the County Attorney. The total amount of the cash bond or letter of credit shall be in the amount of the sum of the assigned replacement values of the designated trees.

If, at the time of final bond release, trees are found to be dead or dying despite adherence to approved construction activities by Urban Forest Management, DPWES, the cash bond or letter of credit shall be used as necessary to plant similar size and species, or species appropriate to the site, in consultation with Urban Forest Management, DPWES, and the developer's certified arborist. The cash bond or letter of credit shall not be used for the removal of the dead/dying trees normally required by the PFM and the Conservation Agreement.

Any funds remaining in the letter of credit or cash bond will be released two years from the date of release of the project's conservation escrow, or sooner, if approved by Urban Forest Management, DPWES.

22. Stormwater management and water quality facilities shall be provided as deemed necessary by DPWES (in conformance with the SE Plat). Any areas shown for such facilities that are not necessary and/or not constructed shall be retained as tree save or replanted, as recommended by UFM.

23. Plantings in the bio-retention facilities shall be coordinated with UFM to ensure viability, species other than those shown on the SE Plat may be utilized as recommended by UFM.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, 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.

Front and rear architectural elevations



**SPECIAL EXCEPTION AFFIDAVIT**

DATE: September 12, 2007  
 (enter date affidavit is notarized)

I, John Manganello, P.E., 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      97459

in Application No.(s): SEA 91-14-018  
 (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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Dong S. Nguyen	8124 Ridge Creek Way, Springfield, VA 22153	Applicant/Owner
Vo L. Nguyen	8124 Ridge Creek Way Springfield, VA 22153	Applicant/Owner
John C. Manganello, PE Land Development Consultants, Inc.	10805 Main St., St 700 Fairfax, VA 22030	Agent/Engineer

(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.

\* 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 12, 2007
(enter date affidavit is notarized)

97459

for Application No. (s): SEA 91-14-018
(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)

Dong S. Nguyen, MD-Sole Proprietorship
8124 Ridge Creek Way,
Springfield, VA 22153

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)

N/A

(check if applicable) [x] 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 12, 2007  
(enter date affidavit is notarized)

97459

for Application No. (s): SEA 91-M-018  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Land Development Consultants, Inc.  
10805 Main Street, St. 700  
Fairfax, VA 22030

**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 C. Manganello, Sole Shareholder

**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 12, 2007  
(enter date affidavit is notarized)

97459

for Application No. (s): SEA 91-M-018  
(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)

N/A

(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 12, 2007  
(enter date affidavit is notarized)

97459

for Application No. (s): SEA 91-M-018  
(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.

Application No.(s): SEA 91-M-018  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: September 12, 2007  
(enter date affidavit is notarized)

07459

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.)

NONE

**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.

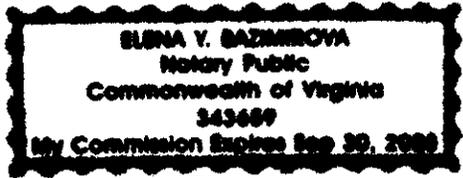
WITNESS the following signature:

(check one)  Applicant  Applicant's Authorized Agent  
John Manganello, P.E.  
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 12 day of September 2007, in the State/Comm. of Virginia, County/City of Fairfax.

Elene Bazmirou  
Notary Public

My commission expires: Sept. 30, 2008



**Statement of Justification****SEA 91-M-018-Nguyen**

6800 Little River Turnpike; Annandale, VA 22003

Tax Map ID: 71-2 ((5)) Lot 9

March 3, 2008

RECEIVED  
Department of Planning & Zoning

MAR 03 2008

Zoning Evaluation Division

Dr. Dong Nguyen and his predecessor, David S. Hoag, have been operating an office at this location under SE 91-M-018 which was approved October 14, 1991. Dr. Nguyen is requesting to raze the existing structure and construct a new structure for the office, with maintaining the appearance in character as the existing neighborhood. A Special Exception Application is requiring in order to amend SE 91-M-018 to permit the demolition of the existing structure and the construction of a new one.

The existing building was constructed as a single family detached dwelling and does not adequately support his medical practice. Dr. Nguyen is requesting to construct a new office on the site that would provide adequate facilities for his current and future medical practice.

The existing and proposed use of this site for an office is in harmony with the adopted Comprehensive Plan. The Comprehensive Plan refers to this property in the A2-Columbia Planning Sector as follows:

*"The property is developed as a single-family residential structure which has functioned as an office by special permit and subsequently a special exception. Although residential use is preferred, office use may be appropriate if the structure and the lot are maintained so as to retain the residential character of the area and the following conditions are met:*

- 1. The appearance of the structure, site layout, access, lighting, operational characteristics, buffering and screening provided to adjacent residential areas, mitigates any impacts on adjoining residences;*
- 2. Vehicular access is provided to a median break on Route 236."*

As stated above, the preferred use is residential; however, the plan also states that office use is appropriate if the structure and the lot retain their residential character. In order to retain "residential character" of the building; the height, shape, size, architecture, and building materials will be typical of a single family detached dwelling. In fact, a single family house architectural shall be used and constructed. Further, in order to retain "residential character" of the lot, the use of curb and gutter shall not be used on-site and a portion of the parking surface shall be grass pavers, and the existing large trees would be retained where possible and supplemented with additional landscaping. The applicant shall also request a modification of the transitional screening and barrier requirements in order to retain the residential character of the lot.

The proposed use is in harmony with the general purpose and intent of the applicable zoning district and regulations. The proposed use conforms to building height, minimum yard/setback, parking, FAR, open space, interior parking lot landscaping, and other R-2 zoning district requirements.

Waivers and/or modifications of transitional screening will be sought in order to allow room for a rain garden design, a Low Impact Development facility, and retain the residential character of the property.

The proposed use is 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. In conformance with the comprehensive plan, the proposed building and site shall be residential in character in order to blend into the surrounding neighborhood.

The special exception plan provides 28' right-of-way dedication along Little River Turnpike Route 236 and 10' right-of-way dedication along Roberts Avenue Route 729. The pedestrian and vehicular traffic associated with the proposed use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood. Vehicular access to Roberts Avenue (Rt.729) and the subject site is provided via the existing median break along Little River Turnpike (Route 236). A six (6') asphalt sidewalk to access property is proposed on Robert Avenue, connecting to existing 8' asphalt trail which was installed by the previous owner on the subject property in compliance with development condition #10 of SE 91-M-018.

Landscaping and screening shall be provided, unless otherwise waived or modified, in accordance with the provisions of Article 13 of the Zoning Ordinance. Per the Zoning Ordinance, since the surrounding uses are single family detached residential, a Type 2 transitional screen in combination with a Type D or F barrier is required. A Type 2 transitional screen consists of 35' of open space planted with one large evergreen tree (40' or greater ultimate height) every 10 linear feet, one medium evergreen tree (20' to 40' ultimate height) every 5 linear feet, and 3) one deciduous tree (50' or greater ultimate height) every 30 linear feet. A Type D barrier consists of a 42" to 48" chain link fence and a Type F barrier is a 6' tall solid wood fence. A waiver of these requirements will be sought along the Southern property line adjacent to Little River Turnpike in order to construct a Low Impact Development facility. Additionally, a modification of the requirements will be sought along the remaining property lines. The applicant shall request that the existing established vegetation be supplemented with additional plantings to meet the intent of the ordinance. The applicant shall also request that the barrier requirement be waived as well in order to retain the residential character of the property and facilitate drainage and the installation of a Low Impact Development facility.

The R-2 district zoning regulations do not require a specific amount or percentage of open space. However, the existing site contains 77% open space and the proposed site as currently shown, will have open space of approximately 96.37%.

The site has, or will have, adequate utility, drainage, and parking facilities to serve the proposed use. The proposed use is "office" and is required to provide a minimum of 3.6 spaces per 1,000 square feet per Article 11 of the Zoning Ordinance. Since the proposed office is 4,367 square feet, 16 spaces must be provided. The special exception plan provides eighteen (15) standard parking spaces and one (1) handicapped space. Article 11 of the Zoning Ordinance also indicates that one loading space is required for the proposed use. This is a low-use doctor's office which does not require bulk shipments of goods and supplies; therefore, regular deliveries are usually made by cars or vans. However, special exception plan provides a 15' X 25' loading space. Adequate drainage will be provided in the form of swales, and sheet flow into a Low Impact Development facility, which will outfall into the existing public drainage system. As part of the design process,

the adequacy of outfall will be analyzed in conformance with Fairfax County requirements. The site is also currently served by public water and sewer.

Proposed signage will conform to provisions of Article 12 of the Zoning Ordinance. The existing sign will be relocated and install at the corner of Roberts Avenue and Little River Turnpike. The sign will meet the requirements of Article 12 of the Zoning Ordinance such as height, setback, and area and will be externally lit. Please see the attached photo showing the sign.

Additional pertinent data in support of this application:

*A. Type of operation:*

The proposed operation will be a medical office (general practice).

*B. Hours of Operation:*

The hours of operation will be as follows:

9:00 a.m. to 5:00 p.m. Monday, Tuesday, and Thursday (Winter)

9:00 a.m. to 6:00 p.m. Monday, Tuesday, and Thursday (Summer)

1:00 p.m. to 5:00 p.m. Wednesday and Friday (Winter)

1:00 p.m. to 6:00 p.m. Wednesday and Friday (Summer)

*C. Estimated Number of patrons/clients/patients/pupils/etc:*

There will be approximately 30 to 40 patients daily.

*D. Proposed number of employees/attendants/teachers/etc:*

There will be approximately 4 employees (including 2 doctors).

*E. Estimate of the traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day:*

There is no anticipated traffic impact due to the proximity of the subject property to Little River Turnpike (Route 236). The expected average daily traffic (ADT) is 96 vehicles per day (VPD) based upon 40 patients and 4 employees. There are expected to be 18 AM trips and 30 PM trips.

*F. Vicinity or general area to be served by the use:*

The proposed operation will serve the residents of Fairfax County and surrounding jurisdictions.

*G. Description of building façade and architecture of proposed new building or additions:*

The building façade and architecture will be a combination of materials and elements that will conform to the architecture found in surrounding single family detached homes such as concrete, brick, block, plank siding, pitched roof, dormers, and a shingle roof.

*H. Listing of all known hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4, and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers:*

There are no known hazardous chemicals associated with the proposed use.

*I. Statement of how proposed use conforms to provisions of all applicable ordinances, regulations, adopted standards, and any applicable conditions; and listing of any waiver, exception, or variance which is sought from such ordinances, regulations, standards, and conditions:*

The following table outlines how the proposed project/use conforms to the zoning ordinance requirements:

Requirement	Existing	Required/Allowed	R.O.W Dedication	Proposed	Deficient
Lot Size	41,794 sf	15,000 sf	6991 sf	34,803sf	
Lot Width	152 ft	125 ft		132 ft	
FAR	0.08	0.20		0.13	
Gross Floor Area	3,242 sf	-		4,367 sf	
Building Height	19 ft	60 ft <sup>1</sup>		35 ft <sup>2</sup>	
Front Yard	28 ft	35 ft <sup>3</sup>		94 ft	
Side Yard	68 ft	15 ft <sup>4</sup>		36 ft	
Rear Yard	114 ft	15 ft <sup>4,5</sup>		74 ft	
Open Space	77% (32,181 sf)	Not Required <sup>6</sup>		96.37% (33,541 sf)	
Parking Spaces	9	16		16	
Loading Spaces	1	1		1	
Interior Parking Lot Landscaping	0%	5%		N/A	
Perimeter Parking Lot Landscaping	None	N/A		N/A	
Transitional Screening & Barrier (North)	No	Type 2 Screen Type D or F Barrier		No	X <sup>8</sup>
Transitional Screening & Barrier (East)	No	Type 2 Screen Type D or F Barrier		No	X <sup>8</sup>
Transitional Screening & Barrier (South)	No	Type 2 Screen Type D or F Barrier		No	X <sup>8</sup>
Transitional Screening & Barrier (West)	No	Type 2 Screen Type D or F Barrier		No	X <sup>8</sup>
Tree Cover	64% (26,747 sf)	20% (8,359 sf)		≥20% (16,275 sf)	
<sup>1</sup> 35' maximum height for single family dwellings (SFD). 60' for all others.					
<sup>2</sup> In order to be consistent with requirements for a SFD, a 35' maximum height is proposed.					
<sup>3</sup> Controlled by an angle of bulk plane of 45°.					
<sup>4</sup> Controlled by an angle of bulk plane of 40°.					
<sup>5</sup> For corner lots zoned R-E thru R-8, the rear yard may be greater than or equal to the required side yard.					
<sup>6</sup> There is no open space requirement for the R-2 residential district.					
<sup>8</sup> A modification/waiver shall be sought in order to utilize the existing trees and augment them with additional plant materials.					

The applicant also requests a waiver of the service drive requirement with this special exception application. This site is located in a residential neighborhood in which there are no existing service drives to connect to. The applicant feels the service drive would provide no useful function while destroying the appearance of a residential use.

The applicant also requests a waiver of the trash storage area for this site. This small medical office is cleaned daily and trash is removed from the premises by the cleaning crew daily. Elimination of the unneeded trash storage area would further promote the appearance of residential character and use. However, an interparcel easement is provided to the western property line.

The applicant also requests a waiver of the requirement that offices located in residential districts shall be located in structures erected prior to February 26, 1973. The office use has been established at this location since 1991, there is no anticipated change in the use other

than erecting a new structure. The comprehensive plan supports this property for office use (with some conditions). Therefore, the continuance of the office use in a new structure is reasonable and, in our opinion, no negative impact on the surrounding neighborhood.

The applicant hereby respectfully requests the following waivers and modifications for the reasons stated previously in this statement of justification:

1. Transitional Screening and Barrier (Zoning Ordinance Section 13-304)
2. Service Drive (Zoning Ordinance Section 17-201.3.A)
3. Trash Storage Area (Zoning Ordinance Section 17-106.16)
4. Additional Requirements for Offices in Residential District (Zoning Ordinance Section 9-515.1.B)



COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX

4100 Chain Bridge Road  
Fairfax, Virginia 22030



October 31, 1991

John B. Connor, Esquire  
Verner, Liipfert, Bernhard,  
McPherson and Hand  
8280 Greensboro Drive - 6th Floor  
McLean, Virginia 22102-3807

Re: Special Exception  
Number SE 91-M-018

Dear Mr. Connor:

At a regular meeting of the Board of Supervisors held on October 14, 1991, the Board approved Special Exception Number SE 91-M-018, in the name of David S. Hoag, located at Tax Map 71-2 ((5)) 9, 10, 11, 12, 13, 14 and 15 to permit an office use in the R-2 Zoning District pursuant to Section 3-204 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to this Special Exception shall be in conformance with the approved Special Exception Plat entitled Roberts Place and prepared by Dove & Associates, which is dated April 12, 1991 and revised through August 5, 1991, and these conditions.
4. The hours of operation shall be limited to 9:00 a.m. to 6:00 p.m., daily.

5. Outside lighting shall be directional and shall not shine directly on any adjacent properties as determined by the Department of Environmental Management (DEM).
6. No change or modification of the exterior of the existing buildings shall be made except for maintenance.
7. Transitional screening and barriers shall be provided as depicted on the Special Exception Plat dated April 12, 1991 as revised through August 5, 1991 and prepared by Dove & Associates subject to the Urban Forestry Branch approval and as modified below:
  - a. Evergreen shrubs with a minimum height of eighteen inches at the time of planting shall be provided along the southern boundary in order to provide a visual break between the subject property and the residences located on the south side of Little River Turnpike.
  - b. A combination of evergreens with a minimum height of six feet and deciduous trees with a minimum caliper of 2.5 inches at the time of planting shall be provided in the area along the northern property boundary between the existing fence and wooded area in order to provide a visual screen for the adjacent residence.
8. The existing sign shall be modified to comply with Article 12 of the Zoning Ordinance except for the locational requirements. When a County or Virginia Department of Transportation (VDOT) project is planned and funded for improvements to Little River Turnpike requiring use of the dedicated right-of-way, the sign shall be relocated pursuant to Article 12 of the Zoning Ordinance.
9. If a variance of the minimum front yard requirements along Little River Turnpike is not approved by the Board of Zoning Appeals prior to Site Plan approval, then approval of the Special Exception shall be null and void.
10. An 8 foot wide, Type I, (asphalt) trail shall be provided within a 12 foot wide easement along the front of the site adjacent to Little River Turnpike as determined by DEM.
11. The site entrance onto Roberts Avenue shall meet VDOT standards subject to VDOT and/or DEM approval.

12. When a County or VDOT project is planned and funded for improvements to Little River Turnpike, right-of-way 100 feet from the centerline of Little River Turnpike shall be dedicated and conveyed in fee simple to the Fairfax County Board of Supervisors. All ancillary easements necessary for the construction of Little River Turnpike shall be provided.
13. A copy of the Special Exception conditions shall be posted in a conspicuous place on the subject property and shall be made available to all departments of the County of Fairfax during hours of permitted use.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Under Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Exception unless the activity authorized has been established, or unless construction has commenced and is diligently pursued, or unless additional time is approved by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of the approval of this Special Exception. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

The Board also:

- o Waived the barrier requirements along the western and southern property line boundaries;
- o Modified the barrier requirements along the northern and eastern boundaries as depicted on the Special Exception Plat;
- o Modified the transitional screening requirements along the north, south, and east boundaries as depicted on the Special Exception Plat and as amended by these development conditions, and along the western boundary in favor of existing vegetation in accordance with Paragraph 3, Section 13-304 of the Zoning Ordinance.
- o Waived the requirement for a service drive along the Little River Turnpike frontage of the site.

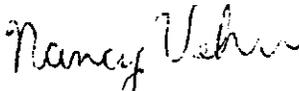
October 31, 1991

-4-

In addition, the Board directed that the Director of the Department of Environmental Management waive the requirement for a Site Plan for Special Exception Application SE 91-M-018.

If you have any questions concerning this Special Exception, please give me a call.

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

cc: Dena M. Siri, Real Estate Dvsn., Assessments  
Melinda M. Artman, Deputy Zoning Administrator  
Frank Jones, Assistant Chief, PPRB, OCP  
Audrey Clark, Chief, Inspection Srvs., BPRD, DEM  
Barbara A. Byron, Director, Zoning Evaluation Dvsn., OCP  
Robert Moore, Trnsprt'n. Planning Dvsn., Office of Transportation  
Kathy Ichter, Trnsprt'n. Road Bond Dvsn., Office of Transportation  
Department of Environmental Management  
A. V. Bailey, Resident Engineer, VDOT  
Land Acq. & Planning Dvsn., Park Authority

RECEIVED  
OFFICE OF COMPREHENSIVE PLANNING

OCT 31 1991

ZONING EVALUATION DIVISION



VICINITY MAP

SCALE: 1"=2,000'

GENERAL NOTES:

1. THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED ON FAIRFAX COUNTY ASSESSMENT MAP NO. 71-2((5)) PARCELS 9, 10, 11, 12, 13, 14 AND 15 AND IS ZONED R-2 AND CONTAINS 41,793 SQ.FT. OR 0.96 ACRES.
2. PROPOSED USE: OFFICE IN AN R ZONE. NO OTHER CHANGES ARE PROPOSED ON THIS PLAN EXCEPT DEDICATION OF RIGHT-OF-WAY ALONG ROUTE 236, RELOCATION OF THE EXISTING SIGN AND LOCATION OF POSSIBLE STORM WATER MANAGEMENT POND.
3. OWNER/DEVELOPER: DAVID S. HOAG, TRUSTEE  
DEED BOOK 5624, PAGE 1740
4. THIS PROPERTY IS SERVICED BY PUBLIC WATER AND SEWER. NO REVISIONS TO THESE SERVICES WILL BE REQUIRED.
5. BOUNDARY INFORMATION IS TAKEN FROM EXISTING RECORDS.
6. TOPOGRAPHIC INFORMATION SHOWN HEREON IS FROM A FIELD RUN SURVEY BY DOVE AND ASSOCIATES, INC.; CONTOUR INTERVAL = 2'; DATUM: U.S.G.S.
7. THERE ARE NO VISIBLE GRAVE SITES NOR DO ANY RECORDS EXIST THAT INDICATE ANY GRAVE SITES ARE LOCATED ON THIS PROPERTY. HOWEVER, IF GRAVE SITES ARE DISCOVERED ONSITE, SAID GRAVE SITES WILL BE PROPERLY IDENTIFIED AND PROTECTED IN ACCORDANCE WITH STATE LAW.
8. A STORM WATER MANAGEMENT WAIVER FOR THIS SITE WILL BE REQUESTED FOR THIS PROPERTY. IF HOWEVER, THIS WAIVER IS DENIED THEN THE LOCATION SHOWN ON THIS PLAT WILL BE UTILIZED.
9. A WAIVER OF ALL SCREENING AND LANDSCAPING REQUIREMENTS IS HEREBY REQUESTED.
10. THE EXISTING SIGN NEXT TO LITTLE RIVER TURNPIKE MEASURES 8.08' HIGH BY 7.33' WIDE AND HAS AN INTERIOR LIGHTING SYSTEM. AT THE TIME OF RIGHT-OF-WAY DEDICATION, SAID SIGN SHALL BE MOVED TO THE PROPOSED LOCATION SHOWN HEREON.
11. THE APPROXIMATE DATES OF CONSTRUCTION OF THE FOLLOWING EXISTING STRUCTURES ARE AS FOLLOWS:  
HOUSE : 1937  
GARAGE: 1937  
FENCE : 1975  
SIGN : 1975
12. THE TRAIL PLAN OF THE COMPREHENSIVE PLAN PROPOSES A BIKE TRAIL ALONG LITTLE RIVER TURNPIKE (ROUTE 236) IN THIS AREA. HOWEVER, THE PLAN SPECIFICALLY STATES THAT IT IS NOT SPECIFIED AS TO WHICH SIDE TO THE STREET THIS TRAIL SHOULD BE ON.
13. WAIVER OF ENTRANCE STANDARDS WILL BE REQUESTED.

ROBERTS PLAT



11350 RANDOM HILLS ROAD  
SUITE 750

DOVE

NORTH

**SITE TABULATIONS:**

MINIMUM LOT SIZE REQUIRED: 18,000 SQ. FT.  
LOT SIZE PROVIDED: 41,793 SQ. FT.

MINIMUM LOT WIDTH REQUIRED: 100 FT.  
LOT SIZE PROVIDED: 202 FT.

**MINIMUM YARD REQUIREMENTS:**

FRONT: CONTROLLED BY A 45° ANGLE OF BULK PLANE B.N.L.T. 35'  
SIDE : CONTROLLED BY A 40° ANGLE OF BULK PLANE B.N.L.T. 15'  
REAR : CONTROLLED BY A 40° ANGLE OF BULK PLANE B.N.L.T. 25'  
PROVIDED:

FRONT: \*25' AND 22'  
SIDE : 130'+ AND 136'+

\*A VARIANCE PLAT IS BEING SUBMITTED FOR THE FRONT SET B REDUCTIONS.

GROSS FLOOR AREA (GFA): 2,055 SQ.FT.  
NET FLOOR AREA (NFA) : 1,644 SQ.FT.  
FLOOR AREA RATIO: MAXIMUM: 0.20  
PROVIDED: 0.05

**PARKING TABULATION:**

REQUIRED: 3.6 SPACES PER 1,000' OF G.F.A. OR 8 SPACES  
PROVIDED: 9 SURFACE PARKING  
3 GARAGE PARKING  
12 SPACES TOTAL

**HANDICAPPED PARKING:**

REQUIRED: 1 SPACE  
PROVIDED: 1 SPACE

MAXIMUM BUILDING HEIGHT: 60'  
EXISTING BUILDING HEIGHTS: OFFICE: 19.33'  
GARAGE: 14.33'

**OTHER EXISTING STRUCTURE HEIGHTS:**

FENCE: 5.67' AVERAGE  
WALL AT EXISTING OPEN PORCH: 5'  
SIGN: 7.33' WIDE X 8.08' HIGH



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** April 4, 2008

**TO:** Regina Coyle, Director  
Zoning Evaluation Division, DPZ

**FROM:** Pamela G. Nee, Chief *P.N.*  
Environment and Development Review Branch, DPZ

**SUBJECT:** SEA 91-M-018, Land Use Analysis Addendum

This addendum is based on staff's review of the special exception plat dated December 18, 2006 as revised through March 3, 2007. The land use analysis dated January 18, 2008 found that the proposed office use did not maintain the residential character of the area, as recommended by the Comprehensive Plan. Since then, the application has been revised to reduce the intensity of the development to 4,367 square feet and the amount of impervious surface. Furthermore, the proposed office building will be designed to appear as a "house" with residential style details such as a double garage, a combination hipped/gabled roof, a bay window, and a double front door. Staff finds the proposed office use, as revised, is in keeping with the residential character of the area and does not raise any land use issues.

**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/](http://www.fairfaxcounty.gov/dpz/)





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** January 18, 2008

**TO:** Regina C. Coyle, Director  
Zoning Evaluation Division, DPZ

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

**SUBJECT:** Comprehensive Plan Land Use Analysis and Environmental Assessment:  
SEA 91-M-018 Nguyen – Doctor's office expansion

This memorandum, prepared by Anna Bentley, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the above referenced Special Exception plat dated December 18, 2006. Applicants submitted an additional exhibit dated December 11, 2007 and a partially updated statement of justification proposing an alternate site layout – differences between this alternative and the original proposal are included where applicable. The extent to which the proposed use, intensity and development plans are consistent with the guidance contained in the Comprehensive Plan is noted.

### DESCRIPTION OF THE APPLICATION

The development proposal would demolish 3,242 sq. ft. of existing structures (dwelling and garage) used as a doctor's office and construct a new building for the same use. The subject property contains approximately 41,794 sq. ft. and is zoned R-2 and Highway Corridor (HC). The proposed structure will be approximately 5,180 sq. ft. in size (7,200 sq. ft. was originally proposed) and is located in the Columbia Community Planning Sector of the Annandale Planning District of the Comprehensive Plan, Area I volume. The applicants are seeking a waiver of transitional screening and barrier requirements, a waiver of the service drive requirement, a waiver of the trash storage area requirement, and a waiver of the requirement that offices located in residential districts be located in structures erected prior to February 26, 1973. The original proposal also requested a waiver of the loading dock requirement.

### LOCATION AND CHARACTER OF THE AREA

The subject property is identified as 6800 Little River Turnpike, tax map 71-2 ((5)) 9, and is located in the Columbia Community Planning Sector of the Annandale Planning District. The proposed development will have frontage on Little River Turnpike (Rt. 236) and Roberts Avenue. The subject property is zoned R-2, residential district 2 dwelling units per acre. The

**Department of Planning and Zoning**  
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property is also located within a Highway Corridor (HC) overlay district. The property is currently developed with a single family detached house, a stand alone garage, and associated surface parking (approx. 9 spaces). Properties to the west, north and east are zoned R-2 and currently developed with residential uses. The property to the south and across Rt. 236 is also zoned R-2 and developed with residential uses. The Plan recommends residential use at 2 to 3 dwelling units per acre for this property, but recognizes that office use may be appropriate subject to a number of conditions.

## COMPREHENSIVE PLAN

### Environmental Plan Guidance

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through December 7, 2007, on page 7-9, the Plan states:

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

Policy k. For new development and redevelopment, apply better site design and low impact development 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 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. . . .
- Where feasible and appropriate, encourage the use of pervious parking surfaces in low-use parking areas.

- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations.”

### **Land Use Plan Guidance**

In the Fairfax County Comprehensive Plan, Area I, 2007 Edition, Annandale Planning District, A-2 Columbia Community Planning Sector, as amended through October 23, 2006, page 68 through 73, the Plan states:

- “2. Land within the northwest quadrant of the intersection of Route 236 and Roberts Avenue, Parcel 71-2((5))9-15, is appropriate for single-family residential development at 2-3 dwelling units per acre.

The property is developed as a single-family residential structure which has functioned as an office by special permit and subsequently a special exception. Although residential use is preferred, office use may be appropriate if the structure and the lot are maintained so as to retain the residential character of the area and the following conditions are met:

1. The appearance of the structure, site layout, access, lighting, operational characteristics, buffering and screening provided to adjacent residential areas, mitigates any impacts on adjoining residences;
2. Vehicular access is provided to a median break on Route 236.”

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Land Use section as amended through March 12, 2007, on page 5-10, the Plan states:

“Objective 8: Fairfax County should encourage a land use pattern that protects, enhances and/or maintains stability in established residential neighborhoods.

Policy a. Protect and enhance existing neighborhoods by ensuring that infill development is of compatible use, and density/intensity, and that adverse impacts on public facility and transportation systems, the environment and the surrounding community will not occur.

Policy b. Discourage commercial development within residential communities unless the commercial uses are of a local serving nature and the intensity and scale is compatible with surrounding residential uses.”

“Objective 14: Fairfax County should seek to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental and other impacts created by potentially incompatible uses....

Policy b. Encourage infill development in established areas that is compatible with existing and/or planned land use and that is at a compatible scale with the surrounding area and that can be supported by adequate public facilities and transportation systems.

Policy c. Achieve compatible transitions between adjoining land uses through the control of height and the use of appropriate buffering and screening....

Policy l: Regulate the amount of noise and light produced by non-residential land uses to minimize impacts on nearby residential properties.”

**COMPREHENSIVE PLAN MAP:** Residential, 2-3 du/ac.

#### **LAND USE ANALYSIS**

The applicants propose demolishing the existing residential structure and garage/shed and replacing them with a 5,180 sq. ft. two-story with basement structure. The existing site FAR is .08; the proposed is .14. The applicant’s proposed SWM/BMP is an approximately 150 ft. by 25 ft. detention pond that would have frontage along Rt. 236. Parking for the proposed structure is provided on-site in the form of a 15 space surface parking lot at the rear of the structure and an additional 4 spaces provided in front of the structure facing Roberts Avenue.

The Comprehensive Plan recommends residential uses for this area; uses adjacent to the subject parcel are single family detached. There are also single family attached residential uses in the area as well as one multi-family residential development to the east and on the other side of Rt. 236. The Plan provides consideration of an exception for the subject parcel for office use only when specific conditions are met. While the applicant has responded to some staff concerns regarding the proposed intensity of use, the submitted proposal still does not explicitly conform to Comprehensive Plan recommendations and conditions, or County Policy to maintain stability in established residential areas.

Specific guidance regarding office use on this parcel has been in the Comprehensive Plan for over 20 years and in that time all office use has been in the existing residential structure. The applicant proposes a new structure that would almost double the intensity of use on the site, thereby possibly doubling the amount of commercial use in this residential area. The 5,180 sq. ft. structure would exceed the size of neighboring single-family homes by anywhere from 40% to 300%. In addition, while the alternate site plan attempts to achieve a more residential site orientation, the amount of paved surface is still not residential in character. The application as submitted is not supported by staff.

While the applicant has reoriented the layout and decreased the proposed intensity of use, staff cannot conclude that the revised proposal is in keeping with the residential character

of the area. To be more in keeping with the residential character of the area, the applicant should further reduce the intensity of the development and the amount of impervious surface. In addition, structural details including bulk, mass, and cross-sections have not yet been provided to demonstrate that the design is compatible with existing residential uses. Additional specific information regarding buffering and screening in relation to adjacent residences would be needed as would stormwater management details affecting visual impact and character.

## **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.

### **Water Quality/Stormwater Management**

#### **Issue:**

The applicant initially proposed an open detention pond that will outfall into existing public drainage. The proposed pond will measure approximately 150 ft. by 25 ft. and will have frontage on Rt. 236; it will be located in a portion of the existing structure's front yard. The applicant's second set of site plans depicts a low impact feature of the same size, but no details have yet been provided.

#### **Resolution:**

Staff has encouraged the applicant to consider alternative mitigation measures that would result in less disturbance than the proposed detention pond. Alternatives include but are not limited to rain gardens, filterra system, underground detention and BMPs. In addition, staff recommends that the limits of clearing and grading be altered to preserve more tree cover than proposed. The site has a high erosion potential and maintaining already rooted trees may help offset runoff concerns.

The applicant should provide an outfall narrative which will be subject to the Department of Public Works and Environmental Services (DPWES)'s review and approval. Furthermore, any final determination regarding stormwater management and best management practice measures for the proposed development will be made by staff in the DPWES.

PGN: AOB



# County of Fairfax, Virginia

## MEMORANDUM

DATE: March 21, 2008

TO: Regina Coyle, Director  
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief  
Site Analysis Section, DOT

FILE: 3-5(RZ 1991-M-018)

SUBJECT: SEA 1991-M-018; Dong S. and Vo L. Nguyen  
Land Identification Map: 71-2-((05))-9

This department has reviewed the special exception amendment plat revised through March 3, 2008. We have the following comments:

- The applicant has provided road frontage improvements for Little River Turnpike. At this time, however, an 80 foot right of way dedication from centerline and escrow towards its future construction will be sufficient to address Fairfax County's Transportation Plan and will not necessitate constructed improvements on behalf of the applicant.
- The applicant should install a concrete pad at the relocated bus stop on the site's Little River Turnpike frontage.
- A sidewalk along Roberts Avenue north of the site's entrance to the property line should be escrowed for its future construction.

AKR/MEC

cc: Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services

**9-006 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.

### **9-503 Standards For All Category 5 Uses**

In addition to the general standards set forth in Sect. 006 above, all Category 5 special exception uses shall satisfy the following standards:

- 1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.
- 2. All uses shall comply with the performance standards specified for the zoning district in which located.
- 3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

## 9-515 Additional Standards for Offices

1. The following standards shall apply to offices in residential districts:
  - A. Such a use shall be located only within a Community Business Center (CBC) as shown in the adopted comprehensive plan or such other area where such use is specifically designated in the adopted comprehensive plan.
  - B. Such a use shall be permitted only in a single family detached dwelling which was erected prior to February 26, 1973; additions erected subsequently may not be used for such activities.
  - C. Notwithstanding the provisions of Sect. 014 above, offices in residential districts approved prior to January 24, 1977 may be renewed for one five (5) year period under the ordinances in effect at the time the permit/exception was originally granted, provided that the principal user is the same as the one who originally received the special permit or exception. Thereafter, any renewal shall be subject to the provisions of this Ordinance.
  - D. Notwithstanding the provisions of Par. A through C above, in the R-30 District, offices shall be subject only to the following standards:
    - (1) Such use shall be located only on the lower two (2) floors of the primary building, or in an accessory structure as may be approved by the Board.
    - (2) The aggregate floor area of all non-residential uses, to include offices, shall not exceed fifteen (15) percent of the total gross floor area.
    - (3) Adequate off-street parking shall be provided in accordance with the provisions of Par. 4 of Sect. 11-102.
2. In the C-5, C-6, C-7, C-8 and C-9 Districts, the Board may approve a special exception to allow office uses at a greater percentage of the maximum FAR than that permitted by right. For the purpose of this provision, maximum FAR shall mean the maximum FAR permitted by right, as set forth in the applicable zoning district, or as increased by an approved special exception in accordance with Sect. 618 below.

### 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		