



APPLICATION ACCEPTED: September 18, 2007
PLANNING COMMISSION: June 12, 2008
BOARD OF SUPERVISORS: not scheduled

County of Fairfax, Virginia

May 28, 2008

STAFF REPORT ADDENDUM I

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: 0.11

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 Attachment 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.

Tracy Strunk

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).

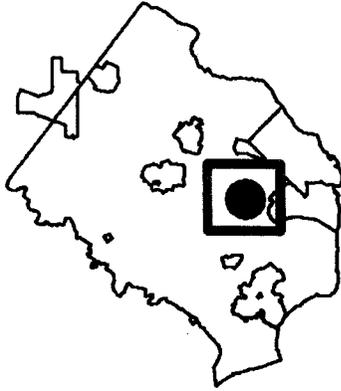
TDS\W:\Nguyen SEA 91-M-018\SEA 91-M-018 Addendum.doc



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

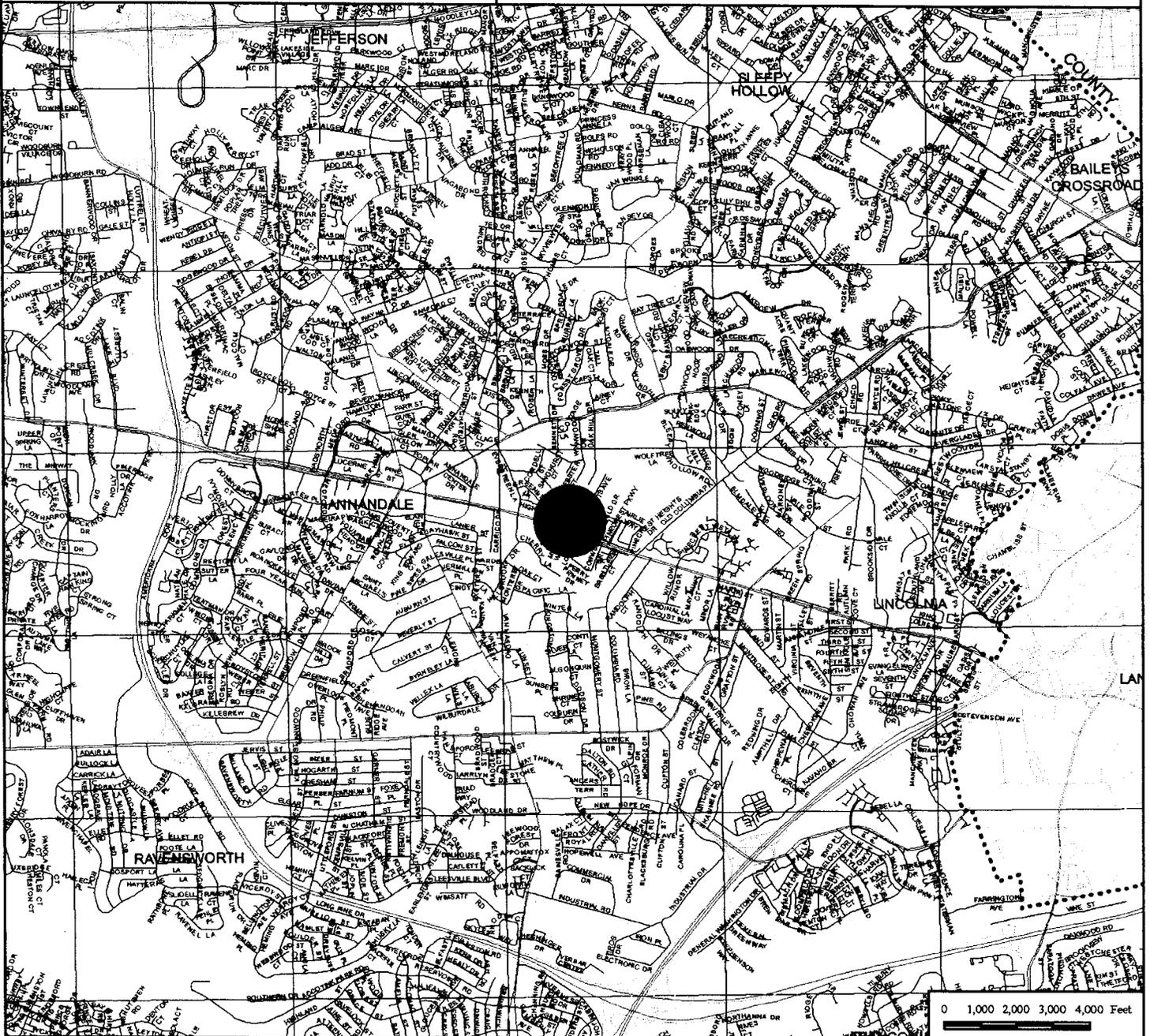
SEA 91-M-018



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

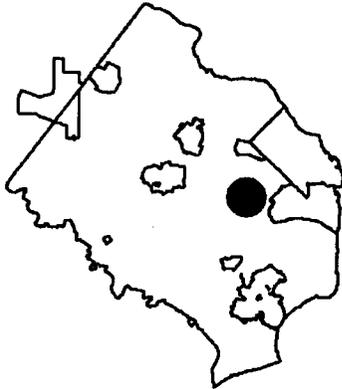
Area: 41,794 SF OF LAND; DISTRICT - MASON
Zoning Dist Sect: 03-0204
Art 9 Group and Use: 5-17
Located: 6800 LITTLE RIVER TURNPIKE
Zoning: R-2
Plan Area: 1,
Overlay Dist: HC
Map Ref Num: 071-2- /05/ /0009



0 1,000 2,000 3,000 4,000 Feet

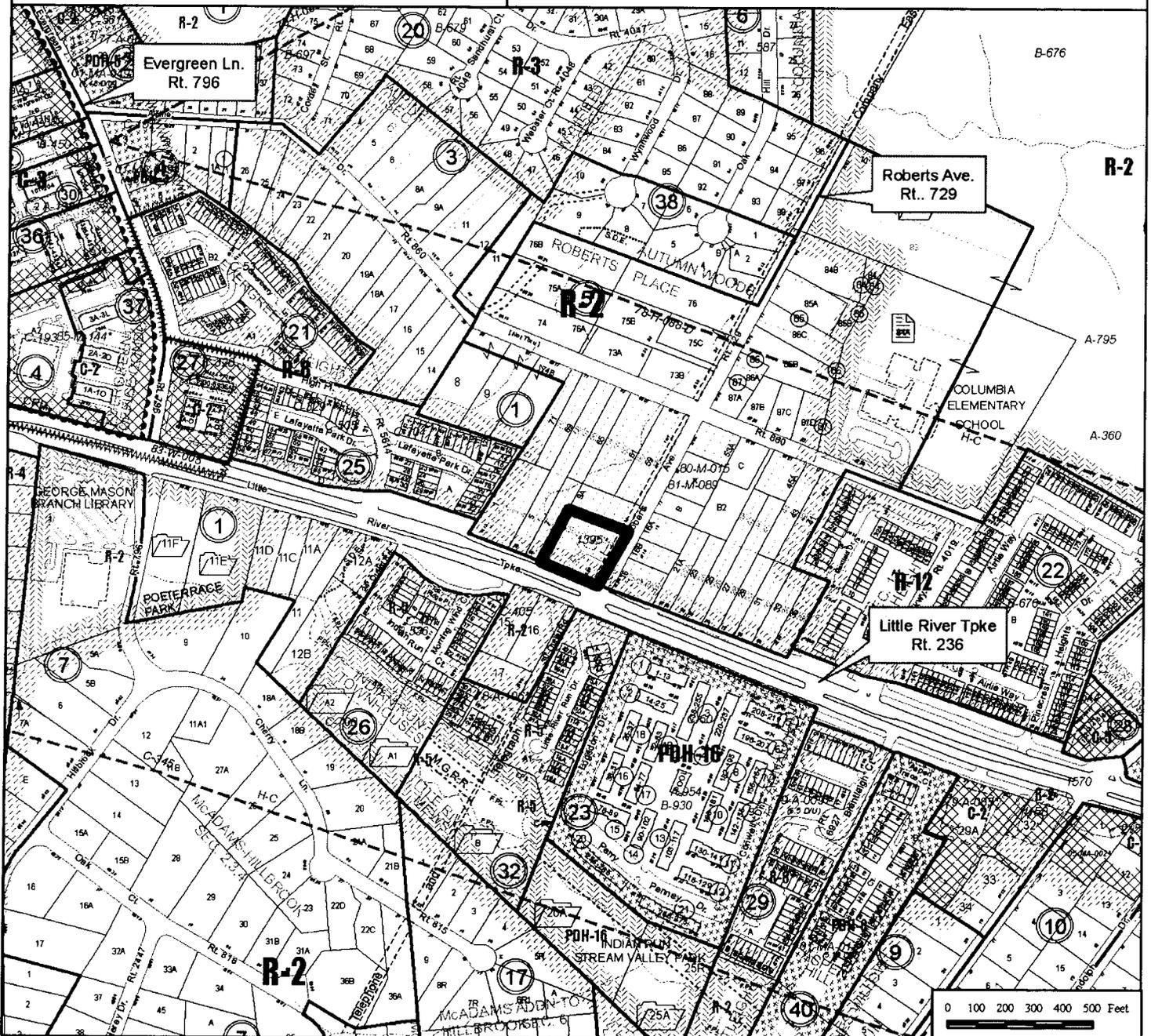
Special Exception Amendment

SEA 91-M-018



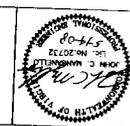
Applicant: DONG S. AND VO L. NGUYEN
Accepted: 09/18/2007
Proposed: TO AMEND SE 91-M-018 PREVIOUSLY APPROVED FOR OFFICE TO PERMIT DEMOLITION OF THE EXISTING STRUCTURES AND THE CONSTRUCTION OF A NEW BUILDING

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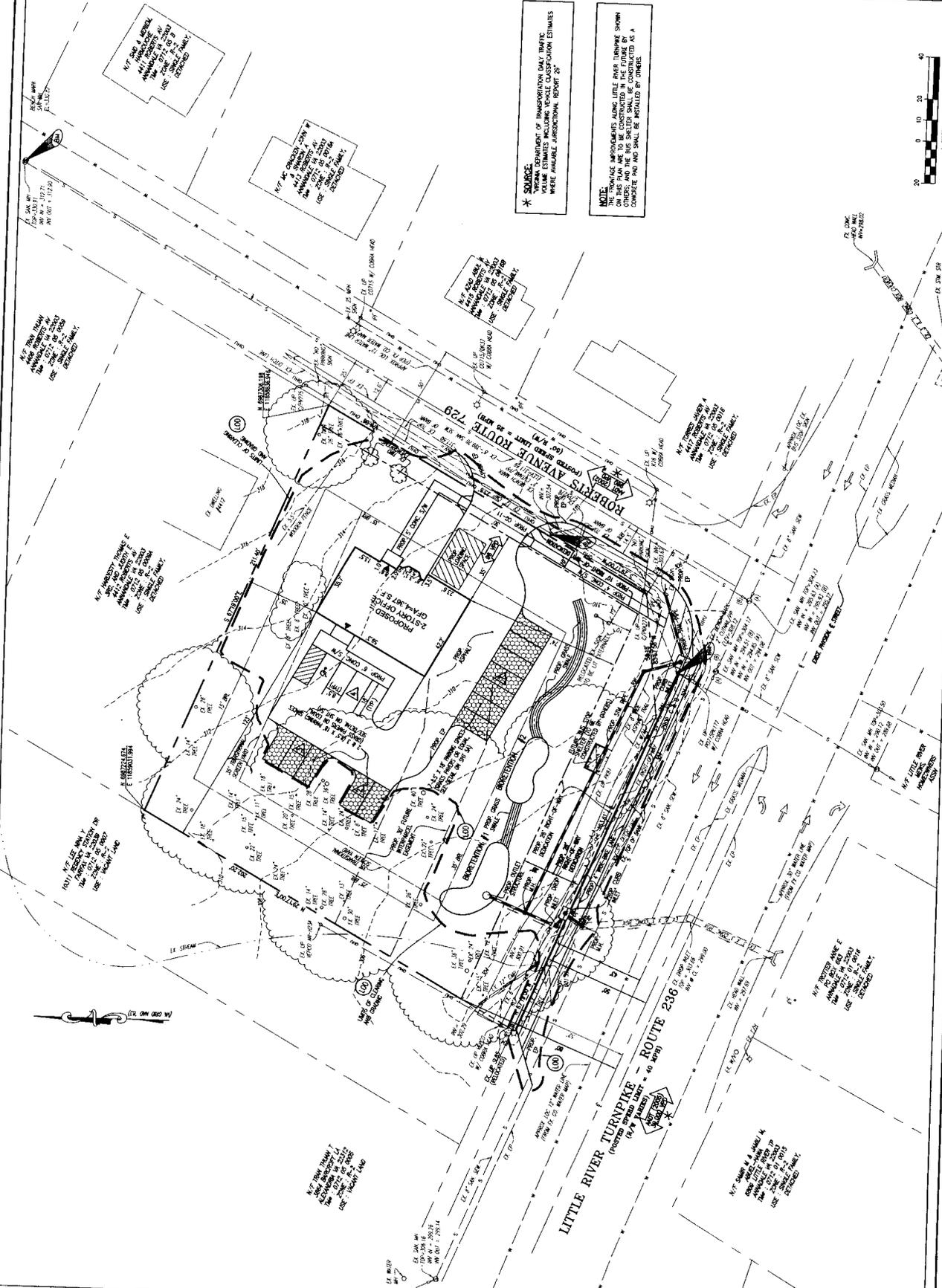
LAND DEVELOPMENT CONSULTANTS, INC.
 CIVIL ENGINEERING - LAND PLANNING - SURVEYING
 10000 MAIN STREET, SUITE 700, FAIRFAX, VA 22030
 PH: 703.681.8800 FAX: 703.279.7951
 www.landdevelopment.com mail@landdevelopment.com

PROPOSED CONDITIONS PLAN
 SPECIAL EXCEPTION PLAT
 6800 LITTLE RIVER TURNPIKE
 MASON DISTRICT, FAIRFAX COUNTY, VIRGINIA



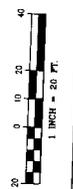
NO.	DATE	REVISIONS PRIOR TO APPROVAL
1	08/15/08	SET COMMENTS
2	08/15/08	SITE LAYOUT CHANGE
3	08/15/08	APPLICANT ACCEPTANCE

DATE: 12/16/08
 SCALE: 1" = 20'
 SHEET: 3 OF 8



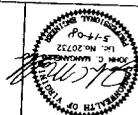
*** SOURCE:**
 VIRGINIA DEPARTMENT OF TRANSPORTATION DAILY TRAFFIC
 VOLUME ESTIMATES INCLUDING VEHICLE CLASSIFICATION ESTIMATES
 WERE OBTAINED FROM A PROFESSIONAL REPORT BY

NOTE:
 THE TRAFFIC IMPACT ANALYSIS AND TRAFFIC VOLUME DATA SHOWN
 ON THIS PLAN ARE TO BE CONSTRUCTED IN THE FUTURE BY THE
 OWNER AND SHALL BE PROVIDED TO THE APPLICANT AS A
 SEPARATE AND SHALL BE PROVIDED BY OTHERS.



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



DATE	REVISIONS FROM TO APPROVAL
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LANDSCAPE SCHEDULE

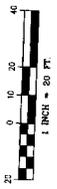
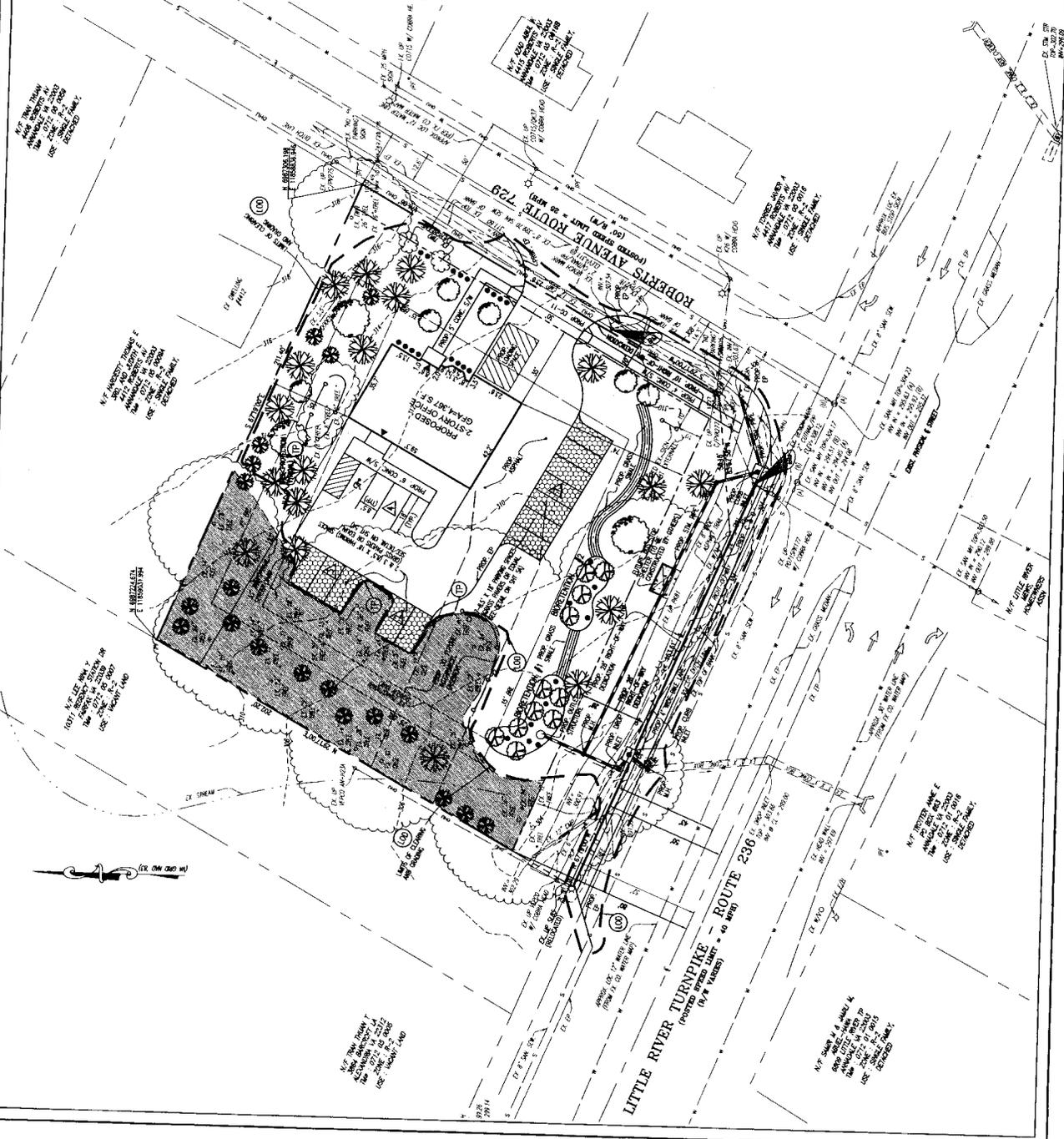
KEY	CATEGORY	SIZE	10 YR. COMPY (SQ) QUANTITY	TOTAL COVER (SF)
(Symbol)	PROPOSED LARGE DECIDUOUS TREE (8' 50' ULTIMATE HEIGHT)	2" CAL.	200	1
(Symbol)	PROPOSED SMALL DECIDUOUS TREE (12' 20' ULTIMATE HEIGHT)	1" CAL.	75	6
(Symbol)	PROPOSED LARGE DECIDUOUS TREE (8' 30' ULTIMATE HEIGHT)	6" FT.	123	17
(Symbol)	PROPOSED MEDIUM EVERGREEN TREE (12' 40' ULTIMATE HEIGHT)	6" FT.	40	19
(Symbol)	SHRUBS	18"-24"	17	760
TOTAL				1335

BIORETENTION PLANTING SCHEDULE

KEY	CATEGORY	SIZE	10 YR. COMPY (SQ) QUANTITY	TOTAL COVER (SF)
(Symbol)	OVERSIZE BIRCH (RED BARK) AND FRANKLIN AMERICAN (WHITE ASH)	2" CAL.	50	11
(Symbol)	SHRUBS	18"-24"	10	550
TOTAL				560

TREE COVER REQUIREMENT CALCULATIONS

GROSS SITE AREA: 41,994 SF
 - LAND DEDICATION: 2,531 SF
 - BUILDING FOOTPRINT AREA: 32,472 SF
 - TREE COVER REQUIRED: 20%
 - CREDIT FOR TREES PRESERVED: 11,924 SF
 - CREDIT FOR TREES PROPOSED: 4,485 SF
 - TREE COVER PROVIDED: 16,409 SF OR 50.5 %
 - AREA OF EXISTING TREES TO REMAIN: 1,000 SF
 - TOTAL TREE COVER PROVIDED: 17,409 SF



BACKGROUND

As laid out in the staff report dated April 16, 2008, the applicant has requested approval to amend an existing Special Exception, previously approved to allow offices in a residential district. The amendment would permit the removal of an existing residential structure and free standing garage and the construction of a new, residential style, structure. No change was proposed to the use (offices in a residential district). As noted in the staff report, staff did recommend approval of the application with the conditions laid out in Appendix 1 of that staff report.

DISCUSSION

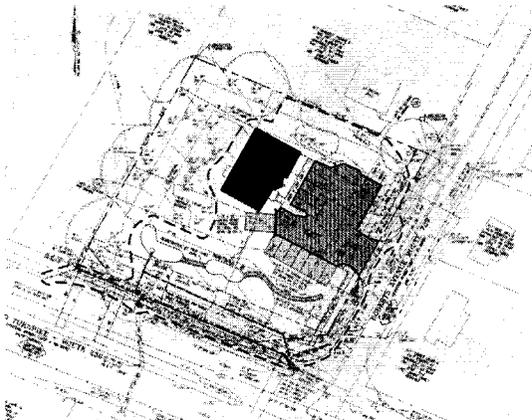
Since publication of the staff report, the applicant has continued to meet with citizen groups. As a result of those meetings, the applicant has proposed a redesign of the site to address some of the citizen issues. A revised SE Plat, now dated December 18, 2006 as revised through May 14, 2008, may be found at the front of this report. The major change was to move the proposed structure closer to Roberts Avenue so the face of the building will be aligned with the other residential structures on the street. As a result of this change, some of the parking has been moved to the rear of the building.

No changes are proposed to the point of access, right of way dedication, stormwater management facilities, site operations or requested waivers and modifications. The following discussion addresses the proposed changes to the SE Plat.

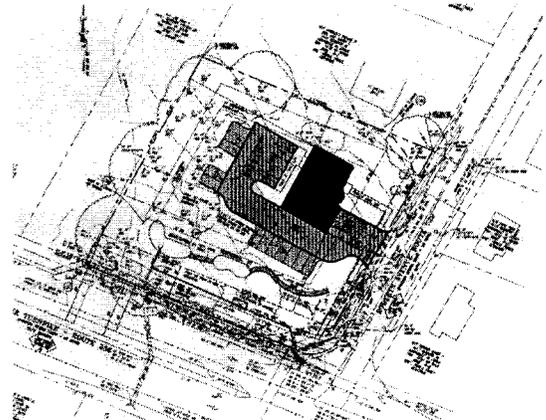
Building Location

As noted, the revised SE Plat shows the proposed structure closer to Roberts Avenue (35 foot setback) than the previous submission (94 foot setback). No changes are proposed to the architecture, which is still conditioned to be in general conformance with that shown in the attachments to the development conditions (two-stories with a maximum height of 35 feet). This modification will bring the structure in-line with the other structures on the street. The following graphics compare the previously proposed layout (as discussed in the original staff report) with the current proposal.

Previous Proposal



Current Proposal



Parking

With the relocation of the building, the parking lot is also proposed to be moved to the rear of the building. One loading space is proposed to remain in the front, and a driveway will be provided along the side of the building to reach the parking in the rear. In the previous plan, seven parking spaces along the south side of the parking lot (closest to Little River Turnpike) and the loading space were shown to be paved with pervious pavers. In the revised plan, the seven parking spaces remain in pervious pavers, as well as five additional spaces in the rear. The loading space has been relocated in front of the "garage" and as such is not proposed to be pervious. As a result, significantly less pavement is provided in the front yard than was previously proposed.

Bus Shelter

The previous conditions included a requirement that a facilities for a proposed bus stop be constructed by the applicant in the form of a concrete pad for a shelter and a connection to the street. Since publication of that report, the proposed bus stop has been programmed under separate funding, so the conditions in this report remove the requirement for such construction.

Transitional Screening, Barrier, & Landscaping

The revised SE Plat maintains basically the same limits of clearing and grading, with the only significant change being the intrusion of five new parking spaces into what was previously protected in the western portion of the site. These new spaces do not result in the removal of any additional trees. In addition to this change, the northeast corner of the site, the previous plan showed a 5.5 foot high wooden fence screening the parking area. A portion of this fence (along the northern boundary) will be retained as a screen to the adjacent residential lot. The portion of the fence along Roberts Avenue, however, will be removed in favor of landscaping. As there is no longer a parking lot proposed in the front of the structure, this landscaping will have a more residential appearance than the solid fence.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

While staff felt that the previous plan did retain a residential character, the proposed revisions also retain the recommended residential character and enhance the residential appearance. Indeed, the relocation of the parking from the front to the rear of the building and the location of the building in line with other houses on the street will create a more residential character than the previous proposal. The trade-off for the increased residential character is a slight increase in impervious surface. Staff

believes that this slight increase is not significant, and will be addressed by the applicant's proposed low-impact development techniques.

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.

ATTACHMENTS

1. Proposed Development Conditions
2. Affidavit
3. Land Use and Environmental Analysis Addendum

PROPOSED DEVELOPMENT CONDITIONS

SEA 91-M-018

~~April 16~~ May 28, 2008*Changes shown in blackline from the original staff report*

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~~ May 14, 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.~~
- 11.10. All signage shall be in conformance with Article 12 of the Zoning Ordinance. No building-mounted signage shall be permitted; the proposed free standing sign shall be a monument-style sign.
- 12.11. 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. *
- 13.12. Any exterior lighting shall be a maximum of 12 feet in height, as measured from the ground to the top of the fixture.
- 14.13. 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.
- 15.14. 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.
- 16.15. 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.

17.16. 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.

18.17. 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.

19.18. 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.

20.19. 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.

21.20. 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.

22.21. 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.

23:22. 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: February 21, 2008
 (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 a

in Application No.(s): SEA 91-M-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.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
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 "
Tommy Nguyen NVP Homes, LLC	4213 Pine Lane Alexandria, VA 22312	Agent/Contractor "

(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: February 21, 2008
(enter date affidavit is notarized)

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for Application No. (s): SEA 91-M-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: February 21, 2008

(enter date affidavit is notarized)

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

(enter County-assigned application number (s))

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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
ph: 703-591-5800

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 Attachment to Par. 1(b)

DATE: February 21, 2008
(enter date affidavit is notarized)

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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)

NVP Homes, LLC
4213 Pine Lane
Alexandria, VA 22312
ph: 703-906-1789

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)

Tommy Nguyen, 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: February 21, 2008
(enter date affidavit is notarized)

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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: February 21, 2008
(enter date affidavit is notarized)

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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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 21, 2008
(enter date affidavit is notarized)

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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

[x] Applicant's Authorized Agent

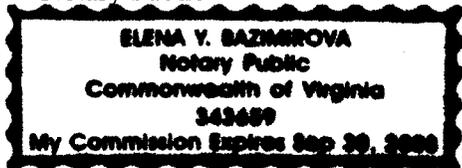
John Manganello

John Manganello, P.E.
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 21 day of February 20 08, in the State/Comm. of Virginia, County/City of Fairfax.

Elena Bazimirova
Notary Public

My commission expires: September 30, 2008





County of Fairfax, Virginia

MEMORANDUM

DATE: May 22, 2008

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

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

This addendum is based on staff's review of the special exception plat dated December 18, 2006 as revised through May 14, 2008. The land use analysis addendum dated April 4, 2008 concluded that the proposed office use based upon the special exception plat as revised through March 3, 2008, is in keeping with the residential character of the area and does not raise any land use issues. Since then, the application has been further revised to shift the building closer to Roberts Avenue so that the building is aligned with the front setback of the existing house to the east. Parking spaces directly in the front of the office building have also been relocated to the back of the building. These most recent changes enhance the proposed office's visual compatibility with surrounding residential uses.

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/

