County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

March 19, 2009

Christy J. Richardson
3190 Fairview Park Drive, Suite 300
Falls Church, Virginia 22042

Re: Special Exception Application SE 2008-MA-020

Dear Ms. Richardson:

At a regular meeting of the Board of Supervisors held on February 23, 2009, the Board approved Special Exception Application SE 2008-MA-020 in the name of Woodlake Towers Condominium Unit Owners. The subject property is located at 6001 Arlington Boulevard (Units 13A and 13B) on approximately 1,407 square feet of land zoned R-30 in the Mason District [Tax Map 51-4 ((13)) (1) 13A and 13B]. The Board's action permits offices pursuant to Section 3-3004 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. Other by-right, special permit and/or special exception uses may be permitted on the Application Property without the approval of a Special Exception Amendment if such uses do not affect this Special Exception.

3. This Special Exception 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 conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

4. All existing vegetation on the property is to be maintained in good condition and replaced as necessary throughout the life of the site.

5. Hours of operation shall be limited to 9:00 am to 6:00 pm, Monday through Friday.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035
Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
http://www.fairfaxcounty.gov/bosclerk

6. A maximum of fifteen employees shall be on-site at any one time between the two units.

7. Prior to the issuance of Non-Residential Use Permits (Non-Rups) for Units T-13A and T- 13B, the applicant shall install a clear and contiguous pedestrian path from the existing bus shelter along Arlington Boulevard to the site entrance traffic circle, as approved by DPWES in consultation with Fairfax County Department of Transportation.

8. Prior to the issuance of Non-Residential Use Permits (Non-Rups) for Units T-13A and T-13B, all necessary building permits shall be obtained for the conversion of the units from residential to commercial purposes.

9. Prior to the issuance of Non-Residential Use Permits (Non-Rups) for Units T-13A and T-13B, the applicant will revise the parking tabulation sheet on file with the County to reflect the usage of the subject units as office.

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 the use has been established or construction has commenced and been diligently prosecuted as evidenced by the conversion of at least one of the two residential units to office use. 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.

The Board also:

- Modified the transitional screening requirement in favor of the existing onsite landscaping.

- Waived the barrier requirement in favor of the existing onsite landscaping.

Sincerely,

Nancy Vehrs

Nancy Vehrs
Clerk to the Board of Supervisors
NV/dms

Cc: Chairman Sharon Bulova
Supervisor Penelope Gross, Mason District
Janet Coldsmith, Director, Real Estate Division. Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Barbara J. Lippa, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

Amended

COUNTY OF FAIRFAX
Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035 (703) 324-1290, TTY 711
www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: SE 2008-MA-020
(Staff will assign)

RECEIVED
Department of Planning & Zoning
JAN 06 2009
Zoning Evaluation Division

APPLICATION FOR A SPECIAL EXCEPTION

(PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	**NAME** Woodlake Towers Condominium Unit Owners Association
	MAILING ADDRESS 3100 S. Manchester Street Falls Church, VA 22044
	PHONE HOME ( ) **WORK (** 703 **)** 931-2900
	PHONE MOBILE ( )
PROPERTY INFORMATION	**PROPERTY ADDRESS** Units 13A and 13B 6001 Arlington Boulevard Falls Church, VA 22044
	TAX MAP NO. 0514 13010013A and 0514 13010013B **SIZE (ACRES/SQ FT)** 1,407 square feet
	ZONING DISTRICT R-30 **MAGISTERIAL DISTRICT** Mason
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: N/A
SPECIAL EXCEPTION REQUEST INFORMATION	**ZONING ORDINANCE SECTION** 9-515 (Additional Standards for Offices)
	PROPOSED USE Office Space
AGENT/CONTACT INFORMATION	**NAME** Christy J. Richardson, Esq.
	MAILING ADDRESS Whiteford, Taylor & Preston LLP 3190 Fairview Park Drive, Ste 300 Falls Church, VA 22042
	PHONE HOME ( ) **WORK (**703 **)** 280-9272
	PHONE MOBILE ( )
MAILING	**Send all correspondence to (check one):** ☐ **Applicant –or-** ☑ **Agent/Contact**

The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.

Christy J. Richardson, Esq.
TYPE/PRINT NAME OF APPLICANT/AGENT

Christy J. Richardson, Esq.
SIGNATURE OF APPLICANT/AGENT

DO NOT WRITE IN THIS SPACE

Date Application accepted: 2/2/09 Virginia Ruffner Application Fee Paid: $ n/a

AUTHORIZATION TO ACT AS REPRESENTATIVE

Woodlake Towers Condominium Unit Owners Association ("Applicant"), a Virginia condominium unit owners association, by its President, Michael Kastre, authorizes Raymond J. Diaz, Esq., Christy J. Richardson, Esq. and the law firm of Whiteford, Taylor & Preston LLP, located at 3190 Fairview Park Drive, Suite 300, Falls Church, VA 22042 (address) and (703) 280-9260 (telephone) to act in its behalf in all matters pertaining to the special exception application for the Applicant, located at 3100 S. Manchester Street, Falls Church, VA 22044.

This authorization to act as representative grants the authority to the agent named above to request and examine confidential records, discuss any appeal, and to agree to and sign a binding stipulation agreement with the Fairfax County Department of Planning and Zoning regarding the special exception application assessment for the above described property.

MICHAEL F. KASTRE
(print name)

1-29-09
Date

Michael J. Kastre
President

)
) ss:
)

I, Amelia S. Pinsalon, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that on this 29th day of January, 2009 before me, the subscriber, personally appeared Michael Kastre, known to me (or satisfactorily proven) to be the President of Woodlake Towers Condominium Unit Owners Association, a Virginia condominium unit owners association, and acknowledged that he executed the aforegoing instrument for the purposes therein contained, and, in my presence, signed and sealed the same, and further certified that he is duly authorized to make this acknowledgment on behalf of said corporation.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Commissioned as: Amelia S. Aghamiri

ASP Pinsalon
Notary Public

My Commission Expires: 10/31/2009

AMELIA S. AGHAMIRI
NOTARY PUBLIC
REG # 355745
COMMISSION EXPIRES 10/31/09
COMMONWEALTH OF VIRGINIA

228767

WOODLAKE TOWERS CONDOMINIUM UNIT OWNERS ASSOCIATION
GENERAL RESOLUTION
SPECIAL EXCEPTION AGENT AUTHORIZATION

(Relating to the Authorized Use of Public Computer Systems within the Association)

WHEREAS, Article 3, Section 3.1 of the Bylaws assigns the Board of Directors with all of the powers and duties necessary for the administration of the affairs of the Unit Owners Association and further states that the Board may do all such acts and things as are not by the Condominium Act, the Declaration or by the Bylaws required to be exercised and done by the Unit Owners Association;

WHEREAS, the Association has applied to Fairfax County Department of Planning and Zoning for a Special Exception for Units T-13A and T-13B; and

WHEREAS, the Board wishes to appoint an authorized agent to act on its behalf in reference to its application for Special Exception (no. SE 2008-MA-020).

NOW THEREFORE, be it resolved that:

1. The Association hereby authorizes and empowers Raymond J. Diaz, Christy J. Richardson and the law firm Whiteford, Taylor & Preston L.L.P., to serve as its authorized agent to act in its behalf in all matters pertaining to the Special Exception application.

2. The President of the Association is hereby authorized and directed, on behalf of the Association, to execute and deliver an Agent Authorization Form in connection with the Association's application for a Special Exception.

The Effective Date of this Resolution is February 10, 2009.

Woodlake Towers Condominium Unit Owners Association
an unincorporated condominium association

By: Michael J. Kastre
Michael Kastre, President

By: Ray Norman
Ray Norman, Secretary

SECRETARY'S ATTESTATION

I, Ray Norman, being the duly elected Secretary of Woodlake Towers Condominium Unit Owners Association, hereby attest that the foregoing was assented to by a 6-3 vote of the Members of the Association's Board of Directors, at a duly-called meeting with a quorum, on the tenth day of February, 2009.

By: Ray Norman, Secretary

Commonwealth of Virginia)
COUNTY OF Fairfax) ss:
_____)

I, Amelia S. Punsalan, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that on this 12th day of February, 2009 before me, the subscriber, personally appeared **Michael Kastre**, known to me (or satisfactorily proven) to be the President of Woodlake Towers Condominium Unit Owners Association, a Virginia condominium unit owners association, and acknowledged that he executed the aforegoing instrument for the purposes therein contained, and, in my presence, signed and sealed the same, and further certified that he is duly authorized to make this acknowledgment on behalf of said corporation.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Commissioned as: Amelia S. Aghamiri

AS Punsalan

Notary Public

(Seal)

AMELIA S. AGHAMIRI NOTARY PUBLIC REG # 355745 COMMISSION EXPIRES 10/31/09 COMMONWEALTH OF VIRGINIA

My Commission Expires:

Commonwealth of Virginia)
COUNTY OF Fairfax) ss:
_____)

I, Amelia S. Punsalan, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that on this 12th day of February, 2009 before me, the subscriber, personally appeared **Ray Norman**, known to me (or satisfactorily proven) to be the Secretary of Woodlake Towers Condominium Unit Owners Association, a Virginia condominium unit owners association, and acknowledged that he executed the aforegoing instrument for the purposes therein contained, and, in my presence, signed and sealed the same, and further certified that he is duly authorized to make this acknowledgment on behalf of said corporation.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Commissioned as: Amelia S. Aghamiri

AS Punsalan

Notary Public

AMELIA S. AGHAMIRI NOTARY PUBLIC REG # 355745 COMMISSION EXPIRES 10/31/09 COMMONWEALTH OF VIRGINIA

My Commission Expires: