



County of Fairfax, Virginia

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

March 4, 2009

Inda E. Stagg
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

Re: Special Exception Application SE 2008-SU-026
(Concurrent with Proffered Condition Amendment Application PCA 78-S-063-06)

Dear Ms. Stagg:

At a regular meeting of the Board of Supervisors held on February 23, 2009, the Board approved Special Exception Application SE 2008-SU-026 in the name of The Aerospace Corporation. The subject property is located at 4801 Stonecroft Boulevard on approximately 40.41 acres of land zoned I-3 and WS in the Sully District [Tax Map 44-1 ((4)) 35]. The Board's action permits an increase in building height from 75.0 feet up to a maximum of 165.0 feet pursuant to Section 9-607 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 amendment 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 the special exception shall be in substantial conformance with the approved Special Exception (SE) Plat entitled "GDP/ SE Plat Aerospace Corporation, Westfields, Parcel 35", prepared by Burgess and Niple and others with all sheets revised through December 17, 2008. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The height of the tower buildings shall not exceed a maximum height of 165 feet as shown on the GDP/ SE Plat.
5. Ancillary office shall be defined to consist of only satellite office space for tenants whose primary workspace is not located within the cellar space with a maximum of ten percent (10%) of the total cellar space devoted to such use.

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>

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 for one of the proposed office buildings. 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.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/dms

Cc: Chairman Sharon Bulova
Supervisor Michael Frey, Sully 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 Mooreland, Chief Capital Projects Sections, Dept. of Transportation



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-SU-026

Concurrent with
PCA 78-S-063-06

(Staff will assign)

RECEIVED
 Department of Planning & Zoning

JUN 04 2008

APPLICATION FOR A SPECIAL EXCEPTION

Zoning Evaluation Division

(PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME The Aerospace Corporation
	MAILING ADDRESS c/o Walsh, Colucci, Lubeley, Emrich & Walsh, PC 2200 Clarendon Boulevard, Suite 1300, Arlington, VA 22201
	PHONE HOME () WORK (703) 528-4700
	PHONE MOBILE ()
PROPERTY INFORMATION	PROPERTY ADDRESS 4801 Stonecroft Boulevard
	TAX MAP NO. 44-1 ((4)) 35 SIZE (ACRES/SQ FT) 40.41 acres/1,760,386 sq. ft.
	ZONING DISTRICT I-3/WS MAGISTERIAL DISTRICT Sully
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: N/A
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION 5-307
	PROPOSED USE Increase in Height
AGENT/CONTACT INFORMATION	NAME Martin D. Walsh, Agent, Attorney
	MAILING ADDRESS Walsh, Colucci, Lubeley, Emrich & Walsh, PC 2200 Clarendon Boulevard, Suite 1300 Arlington, VA 22201
	PHONE HOME () WORK (703) 528-4700
	PHONE MOBILE ()
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact c/o Inda Stagg Istagg@arl.thelandlawyers.com
<p>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.</p> <p>Martin D. Walsh, Agent, Attorney</p> <p>TYPE/PRINT NAME OF APPLICANT/AGENT SIGNATURE OF APPLICANT/AGENT</p>	

SE 2008-0164 *IND 7/23/08*

DO NOT WRITE IN THIS SPACE

Date Application accepted: 7/23/08

Virginia Ruffner

Application Fee Paid: \$5,295.00