



# County of Fairfax, Virginia

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

June 26, 2009

Lisa M. Chiblow  
McGuire Woods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, Virginia 22102

RE: Special Exception Amendment Application SEA 83-S-036  
(Companion to Agricultural and Forestal District Application AF 2008-SP-001)

Dear Ms. Chiblow:

At a regular meeting of the Board of Supervisors held on June 22, 2009, the Board approved Special Exception Amendment Application SEA 83-S-036 in the name of Russell G. Hall. The subject property is located at 12510 Yates Ford Road on approximately 15.84 acres of land zoned R-C and WS in the Springfield District [Tax Map 85-2 ((1)) 38]. The Board's action amends Special Exception Application SE 83-S-036, previously approved for a telecommunications facility to permit reduction in land area and associated modifications to site design and development conditions pursuant to Section 3-C04 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception Amendment is granted for and runs with the land indicated in this application (9,406 sf) 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, 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 Amendment shall be in substantial conformance with the approved Special Exception Plat entitled Media General Cable Clifton Hub Site, prepared by Dewberry & Davis, and dated March 21, 1983, 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. The project shall conform to National Electric and Safety Code Standards and the regulations of the Federal Communications Commission with respect to electromagnetic radiation.

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**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](mailto:clerktothebos@fairfaxcounty.gov)  
<http://www.fairfaxcounty.gov/bosclerk>

5. The tower shall not be lighted or illuminated unless required by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), or the County. A steady marker light shall be installed and operated at all times, unless the Zoning Administrator waives the red marker light requirement upon a determination by the Police Department that such marker light is not necessary for the flight safety of police and emergency helicopters.
6. Except during periods of construction and installation of equipment, there shall be no outdoor storage of materials, equipment, or vehicles within the wireless compound for the telecommunications facility.
7. No signs shall be permitted on the subject property for the advertisement of the users of the telecommunications facility.
8. Any component(s) of the telecommunication facility shall be removed within 120 days after such components are no longer in 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.

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 as evidenced by the issuance of a new Non-RUP 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.

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors  
NV/dms

Cc: Chairman Sharon Bulova  
Supervisor Patrick Herrity, Springfield 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](http://www.fairfaxcounty.gov/dpz/zoning/applications)

**APPLICATION No:** SEA 83-S-036  
 (Staff will assign)

**RECEIVED**  
 Department of Planning & Zoning

**APR 13 2009**

**APPLICATION FOR A SPECIAL EXCEPTION** Zoning Evaluation Division  
 (PLEASE TYPE or PRINT IN BLACK INK)

<b>APPLICANT</b>	<b>NAME</b> Russell G. Hall
	<b>MAILING ADDRESS</b> 12510 Yates Ford Road, Clifton VA 20124
	<b>PHONE HOME</b> ( ) <b>WORK</b> (703 ) 712-5364
	<b>PHONE MOBILE</b> ( )
<b>PROPERTY INFORMATION</b>	<b>PROPERTY ADDRESS</b> 12510 Yates Ford Road, Clifton, VA 20124
	<b>TAX MAP NO.</b> 85-2-((1))-38 <b>SIZE (ACRES/SQ FT)</b> 15.8384
	<b>ZONING DISTRICT</b> R-C,WS Overlay District <b>MAGISTERIAL DISTRICT</b> Springfield
	<b>PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:</b>
<b>SPECIAL EXCEPTION REQUEST INFORMATION</b>	<b>ZONING ORDINANCE SECTION</b> 9-001
	<b>PROPOSED USE</b> Amend SE 83-S-036 previously approved for an existing Microwave Facility including ground tower and telecommunication facility to be reduced in land area.
<b>AGENT/CONTACT INFORMATION</b>	<b>NAME</b> Lisa M. Chiblow / Sheri L. Hoy
	<b>MAILING ADDRESS</b> McGuireWoods LLP 1750 Tysons Boulevard, Suite 1800, McLean, VA 22102-4215
	<b>PHONE HOME</b> ( ) <b>WORK</b> (703 ) 712-5364 / 5384
	<b>PHONE MOBILE</b> ( )
<b>MAILING</b>	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input type="checkbox"/> Agent/Contact
<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>Sheri L. Hoy</p> <p><u>Sheri L. Hoy / Agent</u></p> <p><b>TYPE/PRINT NAME OF APPLICANT/AGENT</b> <b>SIGNATURE OF APPLICANT/AGENT</b></p>	

DO NOT WRITE IN THIS SPACE

Date Application accepted: 4/13/09

*Virginia Ruffner*

Application Fee Paid: \$ na