

PROPOSED DEVELOPMENT CONDITIONS

SEA 83-S-036

June 3, 2009

If it is the intent of the Board of Supervisors to approve SEA 83-S-036 located at 12510 Yates Ford Road (Tax Map Number 85-2 ((1)) 38) to permit a reduction in land area (to 9,406 sf) for the previously approved use as a microwave facility, including a ground supported tower pursuant to Section 3-C04 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval 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.
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.

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 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.

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