



County of Fairfax, Virginia

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

September 15, 2009

Frank W. Stearns
Venable LLP
8010 Towers Crescent Drive, Suite 300
Vienna, Virginia 22182

RE: Special Exception Amendment Application SEA 2005-SP-033

Dear Mr. Stearns:

At a regular meeting of the Board of Supervisors held on September 14, 2009, the Board approved Special Exception Amendment Application SEA 2005-SP-033 in the name of Washington DC SMSA Ltd. Partnership D/B/A Verizon Wireless. The subject property is located at 7008 Elkton Drive on approximately 2.59 acres of land zoned R-2 in the Springfield District [Tax Map 89-4 ((5)) A]. The Board's action amends Special Exception Application SE 2005-SP-033, previously approved for a telecommunications facility to permit site modifications and modifications to development conditions pursuant to Section 3-204 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions, which supersede all previously approved conditions for the subject property. Previously approved conditions 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, 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 "Verizon Wireless – Barkers Crossroads," prepared by Morris & Ritchie Associates, Inc., and dated October 10, 2007 as revised through July 24, 2009, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance. *

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>

4. The monopole shall be in substantial conformance with the elevations in the SE Plat, and shall be limited to a maximum height of 120 feet. *
5. The monopole and all associated equipment shelters/cabinets shall be enclosed by and eight foot tall wood fence, as shown on the SEA Plat. The telecommunications compound may include equipment shelters, cabinets, electrical panels, telephone panels and other improvements necessary for the operation of the telecommunications facility. Equipment shelters/cabinets shall have a maximum height of eleven feet and shall be located within the 2,250 square foot telecommunications compound as shown on the SEA Plat. *
6. The monopole shall not be lighted or illuminated unless required by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), or the County. A steady maker 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. *
7. In order to ensure conformance with applicable safety standards, the Fairfax County Department of Information Technology (DIT) shall have the option to conduct monitoring of radiation emissions as deemed necessary. In the event that the monitoring indicates that the radiation levels exceed the amounts deemed appropriate by the applicable standards, any and all necessary actions determined necessary and approved by DIT shall be taken immediately to comply with accepted standards and agreements and to reduce radiation emissions to the applicable standards. *
8. The monopole and accessory facility shall be subject to periodic inspections by DPWES. If any additions, changes or modifications are to be made to the monopole or its related facilities, the Director shall have the authority to require proof, through the submission of engineering and structural data, that the addition, change or modification conforms to all structural and all other requirements of the Virginia Uniform Statewide Building Code. In the event that the results of any monitoring indicate alterations or damage exists to the approved equipment or structures in excess of the extent deemed acceptable by applicable codes and standards, immediate action shall be taken as deemed necessary and as approved by DPWES and DIT, to comply with the applicable codes and agreements. *
9. Available space on the monopole and within the equipment compound shall be made available for lease for telecommunications purposes to other telecommunications operators, including but not limited to Fairfax

County, subject to reasonable industry standard lease terms and fair market rent. *

10. The monopole and related equipment structures shall be dismantled upon the discontinuation of the telecommunications facility on the subject property. *
11. There shall be no outdoor storage of materials, equipment, or vehicles within the telecommunications facility compound. *
12. No signs shall be permitted on the subject property for the advertisement of the telecommunications facility. *
13. Should the need arise to alter the monopole from that shown on the SE Plat, prior to making such alterations, the applicant shall submit engineering and structural data to DPWES affirming that said alterations conform to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code. *
14. Any component(s) of the telecommunications facility shall be removed within 120 days after such component(s) are no longer in use. *
15. A copy of the development conditions shall be posted in a conspicuous place on the property of the use and shall be made available to all departments of Fairfax County during the hours of operation of the permitted 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, 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.

The Board also:

- Reaffirmed the previously approved modification of transitional screening, in favor of existing screening, as shown on the SE Plat.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/ph

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
Karyn Moreland, 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: SEA 2005-SP-033
 (Concurrent with (Staff will assign)
 SPA 67-S-519-03 RECEIVED
 Department of Planning & Zoning

JAN 08 2009

APPLICATION FOR A SPECIAL EXCEPTION

Zoning Evaluation Division

(PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME Washington DC SMSA Limited Partnership d/b/a Verizon Wireless
	MAILING ADDRESS 9000 Junction Drive, Annapolis Junction, MD 20701
	PHONE HOME (N/A) WORK (301) 512-2000
	PHONE MOBILE (N/A)
PROPERTY INFORMATION	PROPERTY ADDRESS 7008 Elkton Drive
	TAX MAP NO. 89-4 ((5)) A SIZE (ACRES/SQ FT) 2.59 acres
	ZONING DISTRICT R-2 MAGISTERIAL DISTRICT SPRINGFIELD
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: N/A
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION Section 9-101 Category 1 Section 9-014
	PROPOSED USE Amend SE 2005-SP-033 to add Antenna and Equipment Structure to an existing an approved Telecommunication Facility.
AGENT/CONTACT INFORMATION	NAME Frank W. Stearns
	MAILING ADDRESS Venable LLP, 8010 Towers Crescent Drive, Suite 300, Vienna, VA 22182
	PHONE HOME (N/A) WORK (703) 760-1956
	PHONE MOBILE (N/A)
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> 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.

Frank W. Stearns, Esq.

TYPE/PRINT NAME OF APPLICANT/AGENT

SIGNATURE OF APPLICANT/AGENT

DO NOT WRITE IN THIS SPACE

Date Application accepted: 3/27/09

Application Fee Paid: \$5,295.00

SEA 2009-0008

Virginia Ruffin

und 3/27/09