



County of Fairfax, Virginia

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

February 19, 2010

Ms. Lynne J. Strobel
Walsh, Colucci, Lubeley, Emrich & Walsh, PC
2200 Clarendon Blvd., Thirteenth Floor
Arlington, VA 22201-3359

Re: Interpretation for PCA 2004-SU-028, SE 2004-SU-027, and SEA 2004-SU-027, Penske Automotive Group, Inc., Chantilly Auto Park, Tax Map 33-4 ((1)) 3B: signage

Dear Ms. Strobel:

This is in response to your letters of October 29, 2009, January 27, 2010, February 5, 2010 and e-mails dated November 17 and 19, 2009, requesting an interpretation of the proffers, Generalized Development Plan (GDP), development conditions and Special Exception (SE) Plats accepted and approved by the Board of Supervisors in conjunction with Proffered Condition Amendment PCA 2004-SU-028, Special Exception SE 2004-SU-027, and Special Exception Amendment SEA 2004-SU-027. As I understand it, the question is whether the proposed revised design for the auto park sign would be in substantial conformance with the proffers, the GDP/SE Plat, and development conditions associated with the above-referenced applications. This determination is based on your letter and the exhibit entitled "Proposed Pylon Sign" "Chantilly Auto Park" prepared by Black Corley Owens & Hughes that illustrates the proposed sign with dimensions and dated February 5, 2010. Copies of your letters, e-mails and exhibit are attached.

On February 7, 2005, the Board of Supervisors approved RZ 2004-SU-028, which rezoned, subject to proffers, approximately 26.77 acres from the I-5 District to the C-8 District, and SE 2004-SU-027, subject to development conditions, to permit the development of four (4) vehicle sales, rental and ancillary service establishments and *an increase in sign size and height*. On October 20, 2008, the Board of Supervisors approved PCA 2004-SU-028, subject to proffers dated October 14, 2008, and SEA 2004-SU-027, subject to development conditions, to split the approved vehicle sales, rental and ancillary service establishment to be located on Tax Map 33-4 ((3B)) into two separate establishments and to permit associated modifications to site design with no increase in Floor Area Ratio (FAR).

In your letter of October 29, 2009, you requested to relocate the approved sign but that request has been withdrawn. You also propose to redesign the sign. The proposed design would place two (2) logos side-by-side in lieu of stacking all the identification logos in a single column. You are proposing to have a total of six (6) panels with a base showing the auto park identification panel.

Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/



Ms. Lynn Strobel

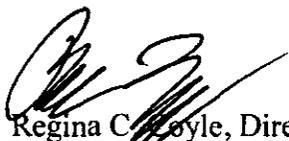
Page 2

The approved Special Exception allows a maximum sign area sign area of 250 square feet. The approved sign shown on the GDP/SE Plat shows a total of 240 square feet. The approved sign has a maximum height of 30' and a maximum width of 9'6". The proposed sign is a maximum height of 26'10" and a maximum width of 11'8". According to the Zoning Administration Division, based upon your submission, the proposed sign area is calculated to be 231 square feet.

It is my determination that the proposed redesign of the sign as depicted on your exhibit is in substantial conformance with the proffers, GDP, SE plat and development conditions.

This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please feel free to contact Lisa Feibelman at (703) 324-1290.

Sincerely,



Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

N:\Interpretations\Rezoning - RZ\Penske sign - Chantilly Auto Park.doc

cc: Michael R. Frey, Supervisor, Sully District
John Litzenberger, Planning Commissioner, Sully District
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Kenneth Williams, Plan Control, Land Development Services, DPWES
Angela Rodeheaver, Section Chief for Site Analysis, DOT
Jack Weyant, Director, Environmental and Facilities Inspection Division, DPWES
Kevin Guinaw, Chief, Special Projects and Applications Acceptance Branch, DPZ
File: RZ/PCA 2004-SU-028, SE/SEA 2004-SU-027, PI 0911 108064, SEI 0911 046,
Imaging, Reading File



**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@arl.thelandlawyers.com

October 29, 2009

Via Hand Delivery

Regina C. Coyle, Director
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

RECEIVED
Department of Planning & Zoning
OCT 29 2009
Zoning Evaluation Division

Re: PCA 2004-SU-028/SEA 2004-SU-027
Fairfax County Tax Map Reference: 33-4 ((1)) 3B (the "Subject Property")
Applicant: Penske Automotive Group, Inc.

Dear Ms. Coyle:

Please accept this letter as a request for a minor modification to an approved generalized development plan/special exception plat in accordance with Paragraph 5 of Section 18-204 and Paragraph 4 of Section 9-004 of the Fairfax County Zoning Ordinance (the "Zoning Ordinance").

The referenced applications were approved by the Board of Supervisors at its hearing held on October 20, 2008. The partial proffered condition amendment approval was granted subject to proffers dated October 14, 2008, and the special exception amendment was granted subject to development conditions as listed in a letter issued by the Clerk to the Board of Supervisors dated November 24, 2008. As PCA 2004-SU-028 was a partial proffered condition amendment, there are additional proffers that were adopted pursuant to RZ 2004-SU-028 that govern the Subject Property. More specifically, the proffers associated with PCA 2004-SU-028 do not address signage, and the proffer adopted in conjunction with RZ 2004-SU-028 regarding signage remains binding on the Subject Property. Proffer 9 associated with RZ 2004-SU-028 states that the property shall be permitted to install and maintain a sign as depicted on Sheet 7 of 9 of the GDP/SE/PCA Plat and the sign shall be setback not less than twelve (12) feet from the right-of-way line. Further, the proffers associated with RZ 2004-SU-028 reserve to the Applicant the right to determine final building footprints, dimensions, and locations at time of final site plan design, as long as they are in substantial conformance with the GDP/SE/PCA Plat. Development Condition 3 associated with SE 2004-SU-027 provides that minor modifications to the plan may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance. The Applicant is now finalizing the design of the proposed freestanding sign and requests approval of a minor modification to the design and location of the proposed sign.

The approved GDP/SE/PCA Plat associated with RZ 2004-SU-028 shows an approximate location of a site identification sign in the northwest quadrant of the intersection of Stonecroft Boulevard and Stonecroft Center Court. Sheet 7 depicts proposed sign details. The sign is intended to identify multiple automobile dealerships in a manner that will facilitate consumer identification and access. Sheet 7 notes that minor adjustments to final sign design, color, etc., may be approved provided they are in substantial conformance with the details as shown on Sheet 7. A copy of Sheet 7 of the GDP/SE/PCA Plat is enclosed for your convenient reference. To date, the site identification sign has not been installed.

The Applicant is presently constructing two (2) automobile car dealerships on the south side of Stonecroft Center Court. As construction nears completion, the Applicant and two remaining dealerships have discussed the ideal location and design for a site identification sign. A more appropriate location for the sign is the southwest quadrant of the intersection of Stonecroft Boulevard and Stonecroft Center Court. Given that a majority of the traffic to the automobile dealerships will likely be traveling from Route 50, southbound on Stonecroft Boulevard, a sign in the southwest corner of Stonecroft Center Court and Stonecroft Boulevard will more easily identify the automobile dealerships along Stonecroft Center Court and facilitate consumer access. Easy identification creates a safer turning movement from Stonecroft Boulevard onto Stonecroft Center Court. In addition, existing utilities constrain the location of a sign in the northwest quadrant of the intersection. If located in the northwest quadrant, the sign must be located much further to the interior of the property, thereby reducing its visibility to passing motorists.

The Applicant also proposes to reconfigure the sign. On the GDP/SE/PCA Plat approved in conjunction with RZ 2004-SU-028, the sign depicts four (4) identification logos in a single vertical column. The Applicant proposes to place two (2) logos side-by-side in lieu of stacking all identification logos in a single column. The slightly modified configuration will ensure that motorists are able to easily identify the specific dealerships that are located on Stonecroft Center Court as all logos will be at a similar height as opposed to a single column that would potentially lead to easier visibility of some logos rather than others. I have enclosed an exhibit dated October 7, 2009 prepared by Black Corley Owens & Hughes Architects (the "Exhibit") that illustrates both the proposed location of the sign and proposed sign detail. All other sign features, such as height and sign area remain the same. The sign is slightly wider, but with more open area near its base. The base, which includes decorative fieldstone and plantings, is the same as shown on the GDP/SE/PCA Plat. Two illustratives are also enclosed to assist in understanding the relationship, scale and compatibility of the proposed sign to the automobile dealership buildings.

I would appreciate your consideration of the modification described herein and as illustrated on the Exhibit. In accordance with the requirements of Section 18-204 and 9-004 of the Zoning Ordinance, the proposed modification is in response to issues of final layout, design, and engineering. Further, the proposal meets the limitations outlined in the Zoning Ordinance as the modifications do not include the following:

- *A more intensive use than approved by the rezoning and special exception applications.*

There are no changes proposed to the number and type of approved uses, nor the number of freestanding signs.

- *An increase parking requirement.*

As there are no changes proposed to the uses, there is no additional parking requirement.

- *A use other than previously approved.*

The previously approved vehicle sales and service establishments and a single project identification sign will not change.

- *Reduce the effectiveness of approved transitional screening, buffering, landscaping, or open space.*

The minor modification to the sign's location and design will not impact the approved transitional screening, buffering, landscaping, or open space. Landscaping proposed with the sign is not proposed to be modified.

- *Permit changes to the bulk, mass, orientation or location of buildings, which adversely impact the relationship of the development to adjacent properties.*

The proposed modification does not affect any approved structures or buildings.

- *An increase in the amount of clearing and/or grading for a stormwater management facility.*

There are no changes proposed to clearing and grading.

- *The addition of any building or additions to buildings.*

The only modifications proposed are to the site identification sign and not to any buildings.

In consideration of the above, I am asking for your administrative approval of the modification described herein to a single site identification sign as being in substantial conformance with the existing approvals. The Applicant's proposal results in better identification of several automobile dealerships and creates a safer driving environment. The overall intensity of the sign is not increased and the sign's design is in substantial conformance with existing approvals, as well as compatible with existing and proposed buildings. In

October 29, 2009

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accordance with the requirements of the Zoning Ordinance, I have enclosed a check in the amount of \$500.00 payable to Fairfax County that represents the filing fee required for interpretation requests.

Should you have any questions regarding this request, or require additional information, please do not hesitate to give me a call. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.



Lynne J. Strobel

LJS/kae

Enclosure

cc: Nolan Redding (w/encls.)
Martin D. Walsh

{A0177791.DOC / I Coyle ltr re: minor modification 10-29-09 006443 000002}

Feibelman, Lisa

From: Strobel, Lynne J. [lstrobel@arl.thelandlawyers.com]
Sent: Tuesday, November 17, 2009 4:49 PM
To: Feibelman, Lisa; Kiefer, Meaghan
Cc: nredding@penskeautomotive.com; Strobel, Lynne J.
Subject: Pylon Sign

Attachments: Pylon13.pdf



Pylon13.pdf (409
KB)

Lisa and Meaghan,

I have attached a revised elevation for the proposed pylon identification sign at Chantilly Auto Park. I would appreciate the acceptance of this graphic in conjunction with the pending interpretation request. Pursuant to our discussion last week, the sign has been lowered from 30 feet to 26 feet; 10 inches and the open space at the bottom of the sign has been significantly reduced. The name of the auto park has been relocated to the base so that the appearance of the sign is more subtle. I think the modifications address the concerns that were discussed at our meeting.

Please let me know if you have any questions or further suggestions. I appreciate your consideration.

Thanks, Lynne

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Feibelman, Lisa

From: Strobel, Lynne J. [lstrobel@arl.thelandlawyers.com]
Sent: Thursday, November 19, 2009 11:55 AM
To: Feibelman, Lisa
Cc: nredding@penskeautomotive.com; Kiefer, Meaghan; Strobel, Lynne J.
Subject: Chantilly Auto Park
Attachments: ChantillyAutoMall_Pylon.pdf; 0052_001.pdf

Lisa,

I have attached the revised sign graphic with additional dimensions as requested. I believe the dimensions will be helpful to determine proposed sign area. In addition, I have attached portions of Article 12 of the Zoning Ordinance. In accordance with Section 12-105, paragraph 1, I believe that the sign area is limited to the writing at the base, and does not include the base. Further, in Section 12-105, paragraph 4, I believe that the base is NOT an integral background of the display, but functions as a planter and therefore, is excluded from sign area calculations. I will ask the architect to provide a measurement of the sign area at the base.

Please give me a call with any questions.

Thanks, Lynne

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail and delete all copies of the message. Thank you very much.

11/19/2009



Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@arl.thelandlawyers.com

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

January 27, 2010

Via E-Mail

Lisa Feibelman
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: PCA 2004-SU-028/SEA 2004-SU-027
Fairfax County Tax Map Reference: 33-4 ((1)) 3B (the "Subject Property")
Applicant: Penske Automotive Group, Inc.

Dear Ms. Feibelman:

Please accept this letter to supplement the request that was submitted on October 29, 2009 for a minor modification to an approved generalized development plan/special exception plat. This minor modification is submitted in accordance with Paragraph 5 of Section 18-204 and Paragraph 4 of Section 9-004 of the Fairfax County Zoning Ordinance (the "Zoning Ordinance").

The previously submitted request proposed a new location for the site identification sign that was shown on Sheet 7 of the approved GDP/SE/PCA Plat. Based on subsequent meetings and conversations, the Applicant is no longer requesting a relocation of the site identification sign. The sign will be located as shown on the GDP/SE/PCA Plat. The Applicant continues to propose, however, a reconfiguration of the sign. As described in my letter of October 29, 2009, the Applicant is proposing two (2) logos side-by-side in lieu of stacking all identification logos in a single column. This configuration will ensure easier identification of the specific dealerships that are located on Stonecroft Center Court.

I have attached a copy of the most recent exhibit prepared by Black, Corley, Owens & Hughes Architects dated November 18, 2009. This exhibit was previously e-mailed to you on November 19, 2009, and includes all sign dimensions. Pursuant to your request, I have calculated the sign area for the proposed sign, as well as the sign area of the site identification sign shown on the GDP/SE/PCA Plat. Generally, the proposed sign is wider, but is a lower height and comparably sized. The following is a comparison of the two signs:

PHONE 703 528 4700 | FAX 703 525 3197 | WWW.THELANDLAWYERS.COM
COURTHOUSE PLAZA | 2200 CLARENDON BLVD., THIRTEENTH FLOOR | ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 | PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

January 27, 2009

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	<u>Approved Sign</u>	<u>Proposed Sign</u>
Total Sign Height	30.0 feet	26.0 feet 10 inches
Total Height of Sign Panels	19.25 feet	14.87 feet
Total Width of Sign Panels	4.5 feet	9.0 feet
Sign Area of Panels	86.62 sq. ft.	133.83 sq. ft.
Auto Park Identification Panel	41.23 sq. ft.	18.72 sq. ft.
Total Sign Area	127.85 sq. ft.	152.55 sq. ft.

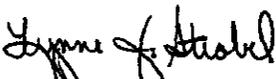
The proposed sign results in 24.7 square feet of additional sign area, however, the visual impact of the sign is lessened. The lower sign height, as well as a relocation of the automobile park identification panel from the top of the sign to the bottom of the sign, reduces visual impact and clutter. Further, the Applicant's proposal is in substantial conformance with the previously approved site identification sign.

The sign measurements have been calculated in accordance with Section 12-105, Paragraphs 1 and 4 of the Zoning Ordinance, a copy of which is attached. In accordance with Paragraph 1, a calculation was made of sign area for all of the sign panels combined, with the auto park identification panel calculated separately. The same calculation was consistently applied to both the approved and proposed sign. In accordance with Paragraph 4, the wall, which on the proposed sign includes the auto park identification panel, is excluded from the calculation of sign area. The auto park identification panel, therefore, is calculated separately for each sign.

Should you have any questions regarding this request, or require additional information, please do not hesitate to give me a call. The remaining information submitted in my previous letter is not modified. As always, I appreciate your assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.



Lynne J. Strebel

LJS/kae

Attachments

cc: Nolan Redding
Meaghan Kiefer
Bryan Smith
Martin D. Walsh

{A0185210.DOC / 1 Feibelman ltr 1-27-10 006443 000002}



Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@arl.thelandlawyers.com

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

February 5, 2010

Via E-Mail

Lisa Feibelman
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: PCA 2004-SU-028/SEA 2004-SU-027
Fairfax County Tax Map Reference: 33-4 ((1)) 3B (the "Subject Property")
Applicant: Penske Automotive Group, Inc.

Dear Ms. Feibelman:

Please accept this letter to modify the calculations for the existing and proposed sign area that were submitted on January 27, 2010 in conjunction with a request for a minor modification to an approved generalized development plan/special exception plat.

In my letter of January 27, 2010, I provided a comparison of the proposed sign to the approved sign. I have had the opportunity to meet with Joe Bakos of the Zoning Enforcement Division to discuss the calculation of the sign area. Mr. Bakos informed me that he would not exclude the pipe columns from the signs, or the spaces between sign panels when calculating the sign area. Using Mr. Bakos' determinations, Mr. Bakos and I analyzed the area of each sign.

With regard to the approved sign, Mr. Bakos calculated two (2) sign areas separately; the first area being the top of the sign and the second area being the panels. The top of the sign measures 4.3 feet by 9.5 feet for a total of 41 square feet. The remainder of the sign is based on the height, excluding the planter, and the total width. The height of the sign, exclusive of the planter and the sign at the top, is 22.08 feet and is 9 feet wide. Therefore, this portion of the sign is 199 square feet. When the two sign areas of the approved sign are added together, the result is a total sign area of 240 square feet.

The Applicant has agreed to remove the lettering "Chantilly Auto Park" from the base of the proposed sign. Applying the same method of calculation to the proposed sign, the entire base is excluded from the sign area calculation. The height of the sign area is 19.83 feet and is 11.66 feet wide. This results in a total sign area of 231 square feet. Based upon the calculations that I have reviewed with Mr. Bakos, the proposed sign area is 9 square feet less than the approved sign area, and therefore, the Applicant's proposal is in substantial conformance with the previously approved site identification sign.

PHONE 703 528 4700 | FAX 703 525 3197 | WWW.THELANDLAWYERS.COM
COURTHOUSE PLAZA | 2200 CLARENDON BLVD., THIRTEENTH FLOOR | ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 | PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

February 5, 2010

Page 2

Should you have any questions regarding the sign area calculations, or require additional information, please do not hesitate to contact me. The remaining information submitted in my letter of October 29, 2009 is not modified. I have enclosed a revised graphic prepared by Black, Corely, Owens and Hughes to illustrate the proposed sign as discussed with Mr. Bakos.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.

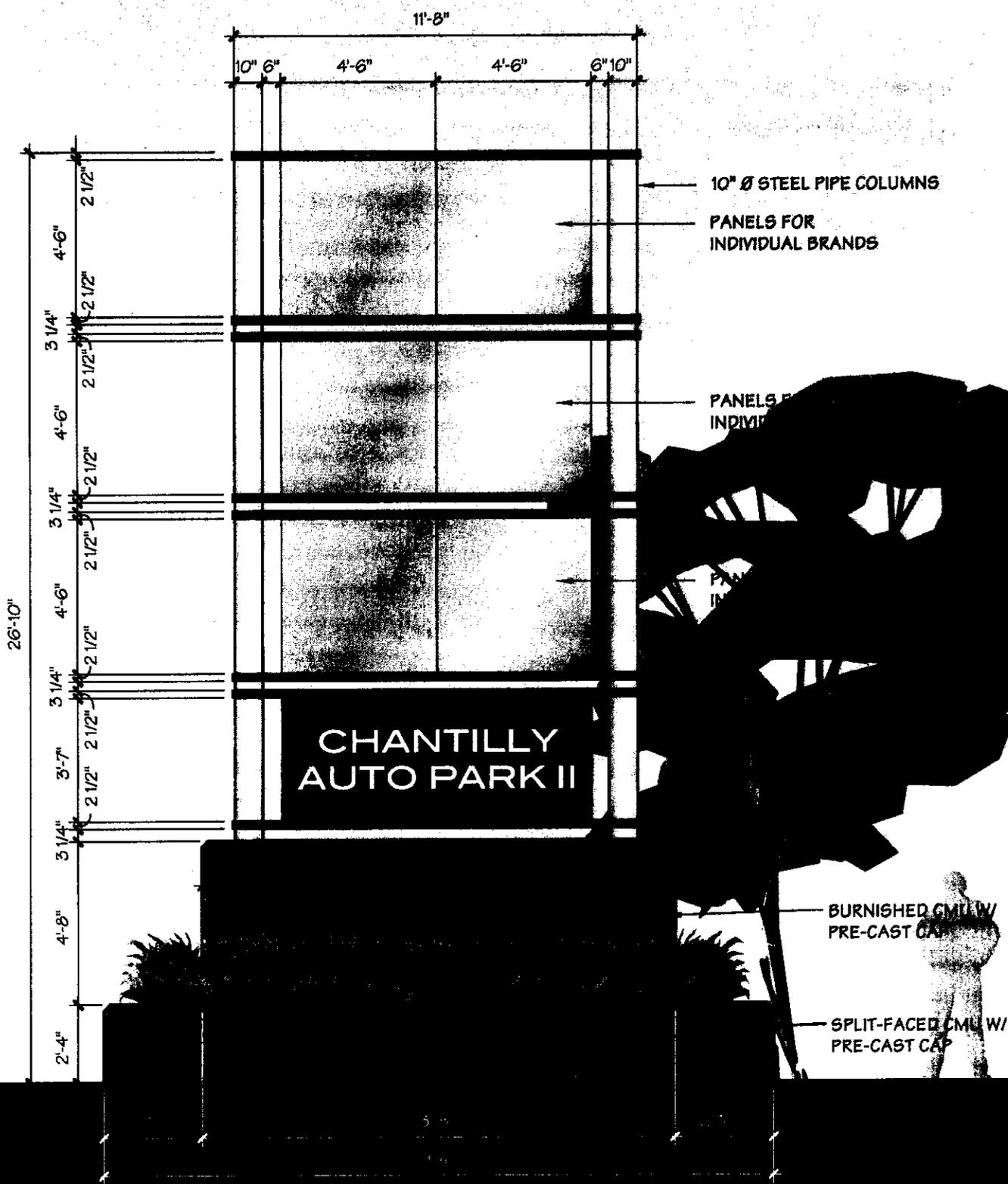

Lynne J. Strobel

LJS/kae

Enclosures

cc: Joe Bakos
Nolan Redding
Meaghan Kiefer
Bryan Smith
Martin D. Walsh

{A0186004.DOC / 1 Feibelman ltr 2-5-10 006443 000002}



PROPOSED PYLON SIGN

SCALE : 1/4" = 1'-0"

<p>Chantilly Auto Park Chantilly, VA</p>	<p>Black, Corley, Owens & Hughes 219 W. South St. Benton, AR 72015 501.315.7686 501.315.0487fax</p>	<p>Sheet: SUP 17</p>	<p>Date: 2.5.10</p>
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Feb. 17, 2010 Sign Area Review Notes
By Joseph Bakos, Chief Zoning Inspector

57

Sign Height = 26' 10"

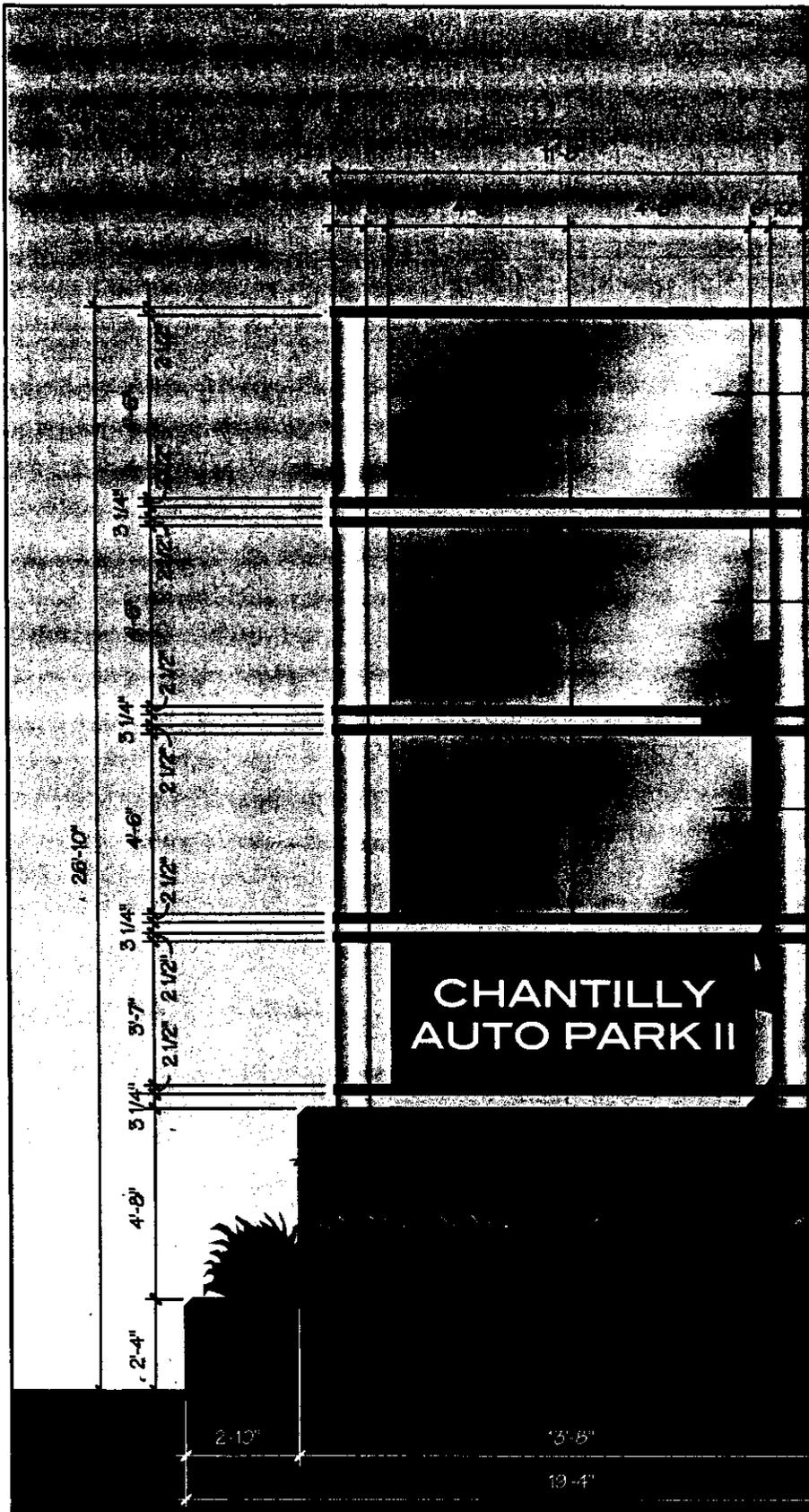
(The masonry base of the sign is included in Height but not in sign area calculation.)

Sign Area = 231 sq. ft.

19' 10" X 11' 8"
 19.83333 x 11.66666 =
 231.38887 Sq Ft

Area of a side is not relevant in this case as the side of the sign is believed to be no greater than 10" in depth per Par. 3C(1) of Sect. 12-105

Note:
 The location of sign was not discussed. Location should be a minimum of 5' from the property line. Sign (including base) should not block lateral vision of the motoring public. ZO provisions that address location requirements Par. 5 of Sect. 12-203 and Sect. 2-505.



PROPOSED PYLON SIGN

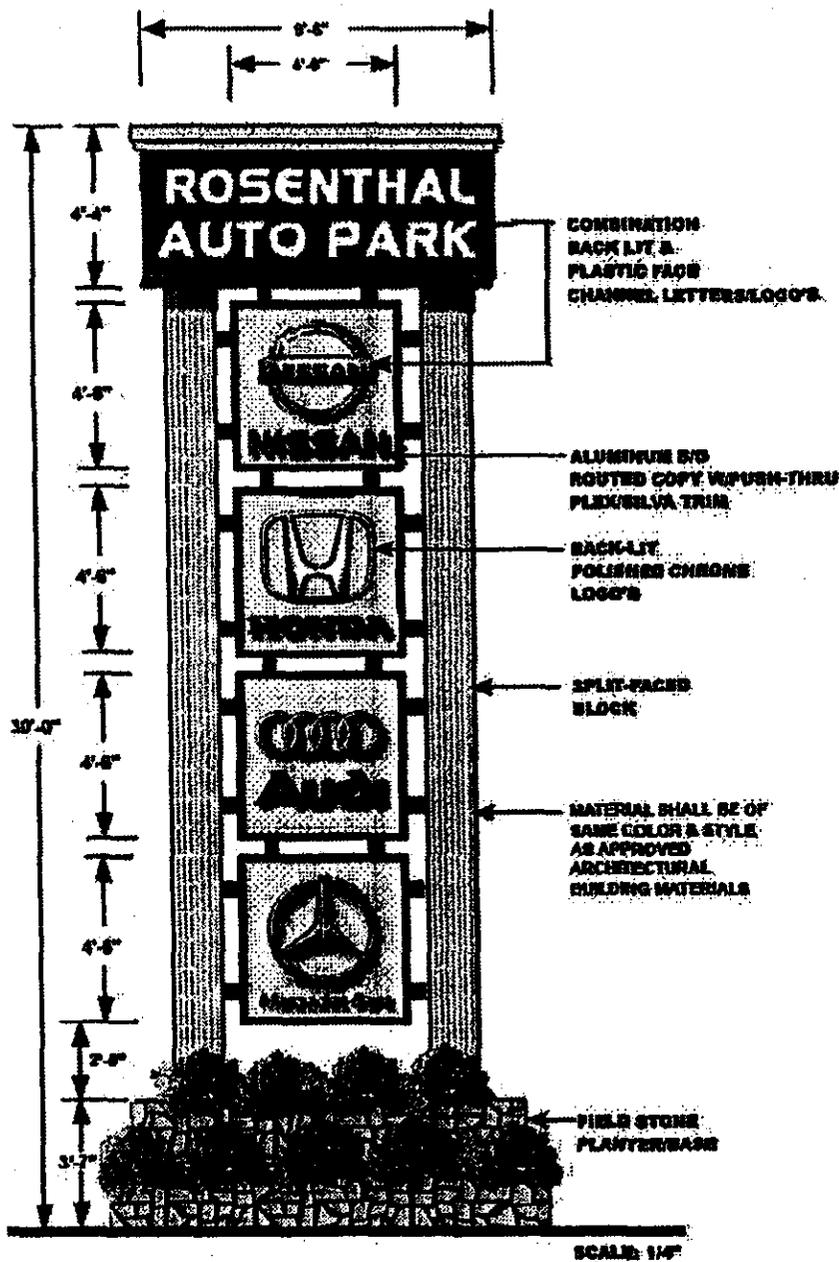
SCALE : 1/4" = 1'-0"

Chantilly Auto Park
 Chantilly, VA

Black, Corley, Owens & Hughes
 219 W. South St. Benton, AR 72015
 501.315.7686 501.315.0487fax

Sheet:
SUP 17

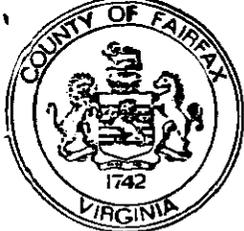
Date:
2.5.10



SIGN DETAIL

NOTE: MINOR ADJUSTMENTS TO FINAL SIGN DESIGN, COLOR, ETC. MAY BE APPROVED AS LONG AS IN SUBSTANTIAL CONFORMANCE WITH THESE DETAILS.

From SHEET 7 of 9 GDP/SE/PCA PLAT



FAIRFAX COUNTY

^{LED}
OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 • Fax: 703-324-3926 • TTY: 703-324-3903

V I R G I N I A
February 16, 2005

www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm
Email: clerktothebos@fairfaxcounty.gov

Thomas D. Fleury
West*Group Management LLC
1600 Anderson Road
McLean, Virginia 22102

Re: Special Exception Application Number SE 2004-SU-027
(Concurrent with RZ 2004-SU-028 and PCA 1999-SU-018)

Dear Mr. Fleury:

At a regular meeting of the Board of Supervisors held on February 7, 2005, the Board approved Special Exception Application Number SE 2004-SU-027 in the name of West*Group Properties, LLC located on the west side of Stonecroft Boulevard approximately 1,500 feet south of Lee Jackson Memorial Highway and north and south of Stonecroft Court (Tax Map 33-4 ((1)) 3B, and 3G) to permit vehicle sale, rental and ancillary service establishments and an increase in sign size and height pursuant to Sections 4-804 and 9-620 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. A copy of this Special Exception and the Non-Residential Use Permit (Non- RUP) SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
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 entitled Stonecroft Business Park, prepared by VIKI, Inc., which is dated April 28, 2004, as revised through January 5, 2005, 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.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any otherwise applicable ordinances, regulations, or adopted standards. The applicant shall be itself responsible for obtaining the required Non-Residential Use Permits through established procedures, and this Special Exception shall not be valid until all such required Non-RUPs have been obtained.

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 has been duly prosecuted. The Board of Supervisors may grant additional time to establish the uses 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.

If you have questions regarding the expiration of this Special Exception or filing a request for additional time, they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/ns

cc: Chairman Gerald E. Connolly
Supervisor Michael R. Frey, Sully District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Leslie B. Johnson, Deputy Zoning Administrator for Zoning Permit Review Branch
Audrey Clark, Director, BPRD, DPWES
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,
Charles Strunk, Project Planning Section, Department of Transportation
Michelle A. Brickner, Director, Site Development Services, DPWES
Marie Langhorne, Plans & Document Control, OSDS, DPWES
Deloris Harris, DPWES - Environment & Facilities Review Division
Department of Highways, VDOT
Kirk Holley, Park Planning Branch Mgr., FCPA
District Planning Commissioner
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools