

## DEVELOPMENT CONDITIONS

SE 2009-PR-021

February 22, 2010

If it is the intent of the Board of Supervisors to approve SE 2009-PR-021 located on Tax Map 49-2((01)) 93 on the north side of Lee Highway (Route 29) to permit a Vehicle Light Service Establishment use pursuant to Sect. 4-604 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval 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 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.
4. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to the special exception amendment shall be in substantial conformance with the approved Special Exception (SE) Plat entitled "Merrifield Auto Care Service", prepared by Christopher Consultants, dated June 29, 2009 as revised through November 30, 2009, 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.
5. The hours of operation shall be limited to 6:00 AM to 7:30 PM, seven days a week.
6. The total number of employees shall be limited to a maximum of 6 at any one time.
7. All vehicles so parked must display a current State license plate and if licensed in the State of Virginia, must display a current Virginia registration and safety inspection sticker or one which is not expired for more than thirty (30) days. No more than ten (10) \* vehicles that are in the process of repair, awaiting parts, or awaiting pick-up may be stored

on the property for more than 72 hours, not including those that are inside the building on lifts, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. If there are any vehicles that require more time to repair beyond 72 hours, arrangements will be made for those vehicles to be relocated to an appropriately zoned property and shall be removed from the subject premises.

8. The three (3) feet of Right of Way reservation shown to the north of the service drive on GDP/ SE Plat shall be dedicated in fee simple to the Board of Supervisors within sixty (60) days upon request of Fairfax County.
9. Adequate turning radii along the access point from the service drive shall be demonstrated as determined by VDOT prior to site plan approval. Any landscaping determined to impact the turning radii shall be replaced with an appropriate size or relocated elsewhere on the site with equal size and quality, as determined by UFM.

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, at a minimum, the use has been established or construction has commenced and been diligently prosecuted for one of the proposed 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.