PROPOSED DEVELOPMENT CONDITIONS

SEA 2004-MV-001

March 3, 2010

If it is the intent of the Board of Supervisors to approve SEA 2004-MV-001 located at 8616 Pohick Road, Tax Map 98-1 ((1)) 21, previously approved for a telecommunication facility, to permit site modifications pursuant to Sect. 3-104 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These conditions supersede those approved with SE 2004-MV-001, and all previous cases pertinent to this site; conditions carried over from previous approval are marked with an asterix (*). Minor edits have been made to these conditions to conform to current terminology.

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 SEA plat approved with the application, as qualified by these development conditions.*

3. A copy of this Special Exception Amendment 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.*

4. 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 Amendment/ Special Permit Amendment (SEA/SPA) plat entitled "Maverick –Pohick Road Verizon Monopine," prepared by Entrex Communication Services, Inc., and dated June 5, 2009 as revised through February 18, 2010, and these conditions. Minor modifications to the approved special exception amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

5. Unless waived by the Zoning Administrator, a steady red market light shall be installed on the monopole and operated at all times. Said light shall be shielded to prevent the downward transmission of light.*

6. The existing eight foot tall chain link fence shall be maintained around the perimeter of the telecommunications compound as shown on the SEA/SPA plat.

7. There shall be no outdoor storage of materials, equipment, or vehicles within the wireless compound for the telecommunications facility.*

8. All existing vegetation on the property is to be maintained in good condition, including the removal and replacement of all dead, dying and diseased trees, as determined by Urban Forest Management (UFM).

9. Stormwater Management (SWM) and Best Management Practices (BMP) shall be provided in accordance with the requirements of the Public Facilities Manual (PFM) as determined by the Department of Public Works and Environmental Services (DPWES).*

10. No signs shall be permitted on the subject property for the advertisement of the users of the telecommunications facility.*

11. Should the need arise to alter the treepole, the Applicants shall submit engineering and structural data affirming that said alterations conform to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code.*

12. Any component(s) of the telecommunication facility shall be removed within 120 days after such component(s) are no longer in use.*

13. The maximum height of the telecommunications tower (treepole) shall not exceed 125 feet.*

14. The appearance of the treepole shall be maintained by the Applicants in substantial conformance with the elevations shown on the SEA/SPA plat.*

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 Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless 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.