



County of Fairfax, Virginia

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

June 24, 2010

Mr. Brian J. Winterhalter
Cooley Godward Kronish LLP
One Freedom Square
Reston Town Center
11951 Freedom Drive
Reston, VA 20190-5656

Re: Interpretation for SEA 82-C-101-1, Edlin School,
Tax Map 18 3 ((2)) 5: Building Addition

Dear Mr. Winterhalter:

This is in response to your letter dated April 16, 2010 (attached) requesting an interpretation of the development conditions and the Special Exception Amendment (SEA) Plat approved by the Board of Supervisors (BOS) in conjunction with SEA 82-C-101-1. As I understand it, the question is whether the School's proposed renovation to add 2,872 square feet of floor area as a second-story addition to the existing school building is in substantial conformance with the SEA Plat and approved development conditions. This determination is based on the exhibits attached to your letter. The exhibits consists of a zoning tax map, a front elevation drawing of the school building showing the proposed second-story addition, the approved development conditions for SEA 82-C-101-1, a copy of the approved SEA Plat, and Sheets 1, 2, and 3 of the minor site plan for the proposed addition to the school building entitled "Edlin School, Building Expansion" dated January 14, 2010, and prepared by William H. Gordon Associates, Inc. Copies of relevant exhibits are attached for reference.

SEA 82-C-101-1 was approved by the BOS on April 2, 1984, subject to development conditions. The architectural elevations on Sheet 3 of the SEA Plat depicted a building with varied rooflines which would be constructed in four phases.

You have indicated that the school intends to replace a central portion of the roof of the existing school, which is leaking. You stated that the school wishes to do this by replacing the leaking portion of the roof with a hipped roof which will extend the same roof angle from each side of the building over the central area where the leaking is occurring. In addition to the proposed roof replacement, the school would use the additional floor area created in the second-story area under the new roof for a classroom. The submitted elevation shows the addition includes windows on the second story. The elevation also shows a rear stair addition, also including windows. It is also my understanding that this renovation would require the school to make



associated minor exterior improvements which include a ground-level emergency stairwell exit and additional sidewalk area, which are both required under the Fairfax County Zoning Ordinance and the Virginia Uniform Statewide Building Code. You indicate that the maximum building height would be no greater than 31 feet and the building footprint would not increase beyond that shown on the SEA Plat.

You note and staff has confirmed that the approved Special Exception Amendment (SEA) Plat does not specify a maximum gross floor area (GFA) or a maximum building height. The maximum FAR for the R-E District is 0.15 with a maximum height for single family residential structures of 35 feet. You suggest that, the school's proposed building renovation should be permitted in accordance with Section 9-004 of the Fairfax County Zoning Ordinance, but limited only by the maximum FAR permitted in the zoning district.

It is my determination that the proposed roof replacement, including a second-story addition of 2,872 square feet is in substantial conformance with the SEA Plat and development conditions, provided the maximum building height does not exceed the 35 foot maximum building height noted in the R-E District Zoning Ordinance provisions for single family dwellings, in order to maintain compatibility with the surrounding residential community. Further, in order to maintain conformance with the approved SEA, the gross floor area for the facility cannot extend beyond the building footprint depicted in the SEA Plat nor the maximum FAR of 0.15.

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 Kelli-Mae Goddard-Sobers at (703) 324-1290.

Sincerely,



Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

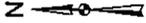
RCC/N:Interpretations\Edlin School.doc

Attachments: A/S

cc: Cathy M. Hudgins, Supervisor, Hunter Mill District
Frank A. de la Fe, Planning Commissioner, Hunter Mill District
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Ken Williams, Plan Control, Land Development Services, DPWES
Jack Weyant, Director, Environmental and Facilities Inspection Division, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, ZED, DPZ
File: SEA 82-C-101-1, SEI 1004 015, Imaging, Reading File



Fairfax County, Virginia

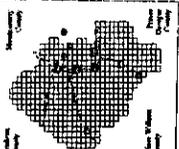


Scale: 1" = 100'

GENERAL NOTES

1. This map is a preliminary map and is subject to change without notice.

2. The map is based on the latest available aerial photography.



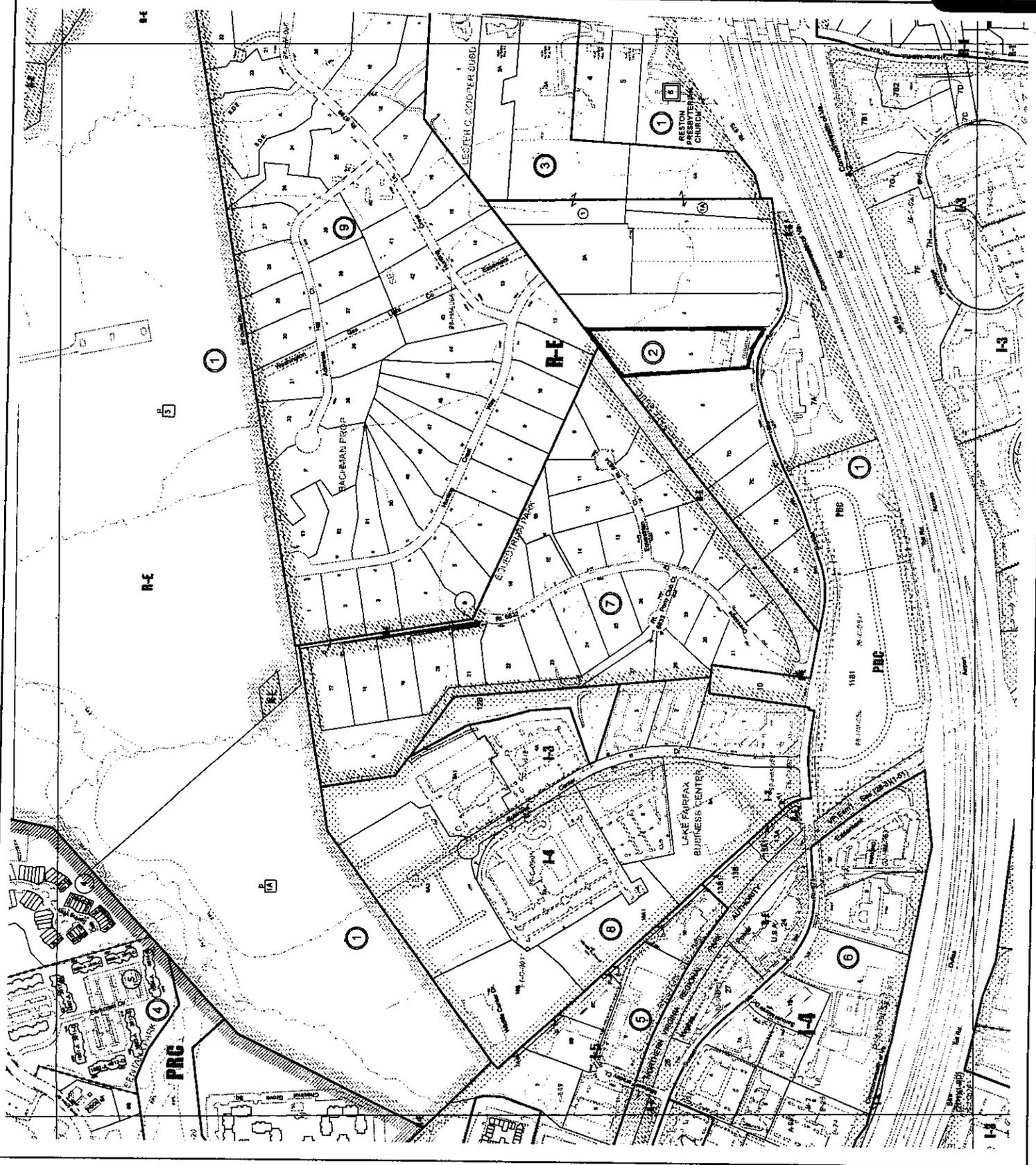
ADMINISTRATIVE INDEX

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17-4	18-3	18-4
26-2	27-1	27-2

SHEET INDEX

PROPERTY MAP ZONING 18-3

EXHIBIT A



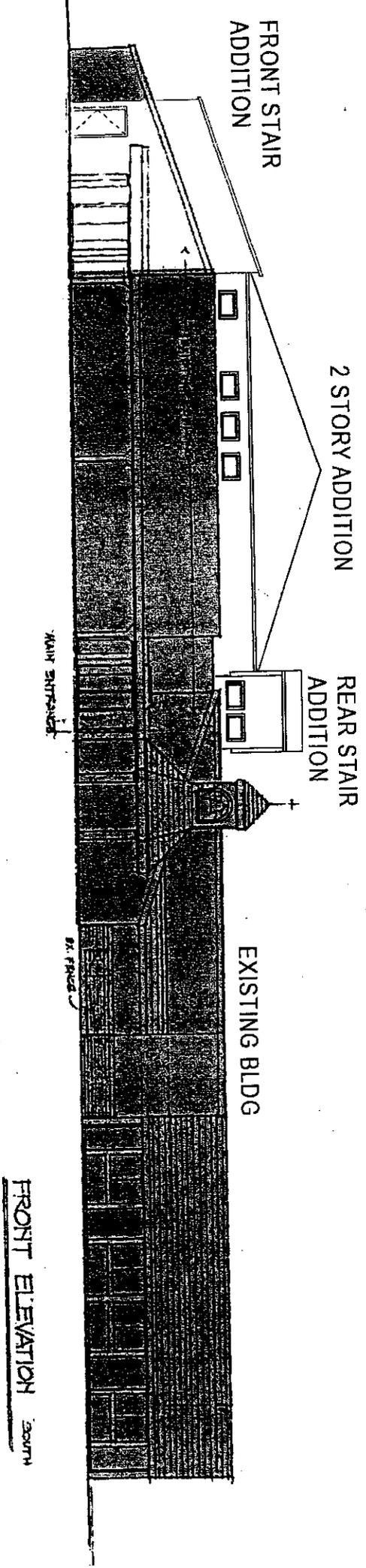


EXHIBIT
B



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030



April 6, 1984

Mr. Ross J. Rogers
1426 Crowell Road
Vienna, Virginia 22180

Re: Special Exception Amendment
Number SEA 82-C-101-1

Dear Mr. Rogers:

At a regular meeting of the Board of Supervisors held on April 2, 1984, the Board approved Special Exception Amendment SEA 82-C-101-1 in the name of Tara School, Incorporated, located at Tax Map 18-5 ((2)) 5 for the expansion of a private school of general education pursuant to Section 3-E04 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 transferrable to other land.
2. This Special Exception is granted only for the purposes, structures and/or uses indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. All plans and permit applications submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat and these conditions.
4. The required transition screening and barrier shall be provided at the time the adjacent properties develop as required in Section 13-108 of the Ordinance except as modified below:
 - o The required transition screen shall be modified to fit the shape of the eastern side yard of Phase III addition and in no case be less than twenty (20) feet in width as shown on the site plan submitted with the application.

EXHIBIT

D

tabbles

SEA 82-C-101-1
April 6, 1984

- o A barrier with a controlled gate shall be placed in the eastern side yard of the building, no less than ten (10) feet south of the exterior entrance to the corridor, and should be built as part of Phase IV.
- 5. This use is subject to the provisions of Chapter 108 of the Fairfax County Code, Noise. Upon development of the adjacent sites the school occupying the site shall take those measures necessary to fulfill the performance standards contained in Chapter 108.
- 6. If Phase IV construction is not begun or diligently pursued within 36 months of the date of the Board of Supervisors action on this application approval of that phase shall automatically expire without notice.
- 7. The enrollment of the Tara School will be limited to 300 students.
- 8. Grading easements will be provided as necessary for the realignment and construction of Sunset Hills Road along the northern edge of the site.

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.

Under Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Exception unless the activity authorized has been established, or unless construction has commenced and is diligently pursued, or unless additional time is approved by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of the approval of this Special Exception. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

SEA 82-C-101-1
April 6, 1984

The Board of Supervisors also modified the required Transition Screen 1, to fit the shape of the eastern side yard of the additions.

If you have any questions concerning this Special Exception, please give me a call.

Very truly yours,

Ethel Wilcox Register, CMC
Ethel Wilcox Register, CMC
Clerk to the Board of Supervisors

EWR/mmg

cc: Mr. Patteson
✓ Mr. Knowlton
Mr. Covington
Mr. Braham
Mr. Ted Austell, III
Executive Assistant to the County Executive

