

DEVELOPMENT CONDITIONS

SEA 99-D-043

Adopted by the Board of Supervisors on October 19, 2010

The Board of Supervisors approved SEA 99-D-043 located at 1089 Liberty Meeting Court, Tax Map 6-4 ((1)) 66B, 70A and 6-4 ((14)) A, previously approved for a telecommunications facility, to permit site modifications pursuant to Sect. 3-104 of the Fairfax County Zoning Ordinance by requiring conformance with the following development conditions. These conditions supersede those approved with SE 99-D-043; conditions carried over from the previous approval are marked with an asterisk (*). (Minor edits have been made to these conditions to conform to current terminology)

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception 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. Other by-right special permit and/or special exception uses may be permitted on the Application Property without the approval of a Special Exception Amendment if such uses do not affect this Special Exception.*
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 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 Amendment/ Special Permit Amendment Plat entitled "Cricket/Verizon/Dranesville United Methodist Church Special Exception Amendment/Special Permit Amendment Plat," consisting of seventeen sheets, prepared by Entrex Communication Services, Inc., and dated May 19, 2009 as revised through July 1, 2010, and Sheets R-1 thru R-6, consisting of six sheets, prepared by Dewberry & Davis LLC, and dated June 24, 2009 as revised through November 10, 2009; which depict site modifications approved under SEA 83-D-022-04, approved by the Board of Zoning Appeals on January 13, 2010, 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.

1. The telecommunications facility shall be designed as a bell tower in substantial conformance with the Special Exception Amendment/Special Permit Amendment (SEA/SPA) Plat.*
2. The maximum height of the bell tower/telecommunications facility shall be 120 feet. The maximum width of each face shall be 10 feet.*
3. Subject to FAA approval, the bell tower/telecommunications facility shall be gray, brown or white in color and have a non-reflective finish. No lighting of the bell tower/telecommunications facility shall be permitted unless required by the FAA or the Fairfax County Police Department.*
4. The existing dwelling unit to be used as the equipment building for the telecommunications facility shall retain a residential character as determined by DPWES.*
5. Prior to the issuance of the Non-RUP, the proposed supplemental plantings as depicted on Sheet Z-7 of the SEA/SPA Plat shall be provided. All existing vegetation on the property is to be maintained in good condition, including the removal and replacement of all dead, dying and diseased materials, as determined by Urban Forest Management (UFM).
6. The seven foot high board on board fence at the base of the bell tower/telecommunications facility shall remain and be maintained as depicted on the SEA/SPA Plat.
7. No signs shall be permitted for the advertisement of the users of the telecommunications facility.*
8. There shall be no outdoor storage of materials or equipment or the repair of vehicles for the telecommunications facility.*
9. If a speaker system is utilized to broadcast the sound of bells the system must comply with the noise regulations of Chapter 108 of the Code of Virginia. The playing of music shall be prohibited between the hours of 6:00 p.m. and 7:00 a.m.*

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 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 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.