



APPLICATION FILED: September 30, 2005  
PLANNING COMMISSION: April 27, 2006 (Public Hearing), June 14, 2006 (Decision Only)  
BOARD OF SUPERVISORS: June 26, 2006 @3:00 P.M.

## County of Fairfax, Virginia

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### Staff Report Addendum June 14, 2006

#### APPLICATION SEA 2002-MV-028 and Resource Protection Area (RPA) Encroachment Request #15043-WRPA-002-1

#### MOUNT VERNON DISTRICT

**APPLICANTS:** Scott A. and Phyllis P. Crabtree

**ZONING:** R-2

**PARCEL(S):** 102-2 ((1)) 35A

**ACREAGE:** 58,484 square feet (1.34 acres)

**PLAN MAP:** Residential; 2-3 du/ac

**SE CATEGORY:** Category 6; Uses in a Floodplain

**PROPOSAL:** Amendment to SE 2002-MV-028 previously approved to permit construction of a single-family detached home on a residential lot within a 100 year floodplain to permit site modifications and changes to the development conditions.

#### STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 2002-MV-028 subject to the proposed development conditions contained in Attachment 1.

Staff also recommends approval of Resource Protection (RPA) Encroachment Request #15043-WRPA-002-1 subject to the approval of SEA 2002-MV-028 and the imposition of the proposed development conditions dated April 4, 2006 contained in the Resource Protection (RPA) Encroachment Staff Report included as Appendix 7 of the staff report.

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Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703 324-1290  
FAX 703 324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

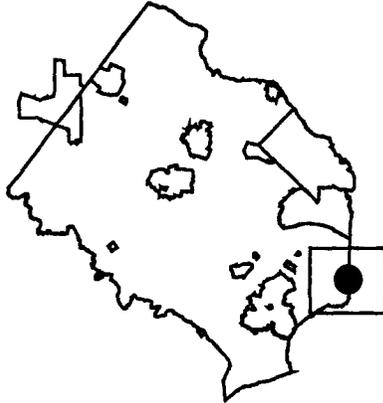
For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice.  
For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Exception Amendment

## SEA 2002-MV-028



Applicant: SCOTT A. AND PHYLLIS P. CRABTREE  
Accepted: 09/30/2005  
Proposed: AMEND SE 2002-MV-028 PREVIOUSLY APPROVED FOR RESIDENTIAL USE IN A FLOODPLAIN TO PERMIT A CHANGE IN DEVELOPMENT CONDITIONS

Area: 1.34 AC OF LAND; DISTRICT - MOUNT VERNON

Zoning Dist Sect: 02-0904

Art 9 Group and Use: 6-2

Located: 8019 EAST BOULEVARD DRIVE

Zoning: R-2 Plan Area: 4

Overlay Dist:

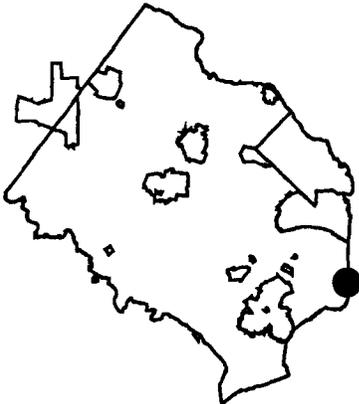
Map Ref Num: 102-2- /01/ /0035A



0 1000 2000 3000 4000 Feet

# Special Exception Amendment

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Accepted: 09/30/2005  
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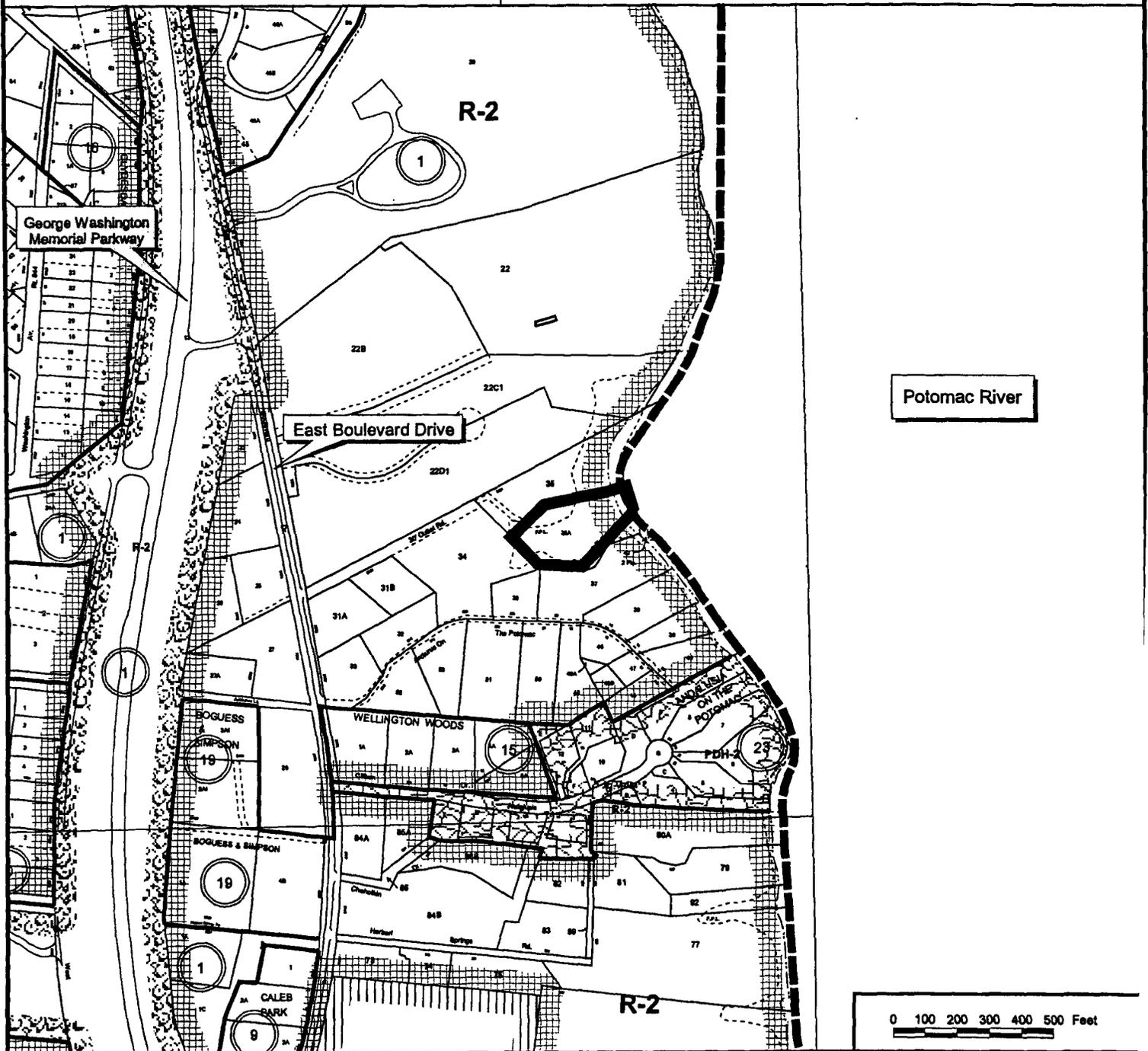
Art 9 Group and Use: 6-2

Located: 8019 EAST BOULEVARD DRIVE

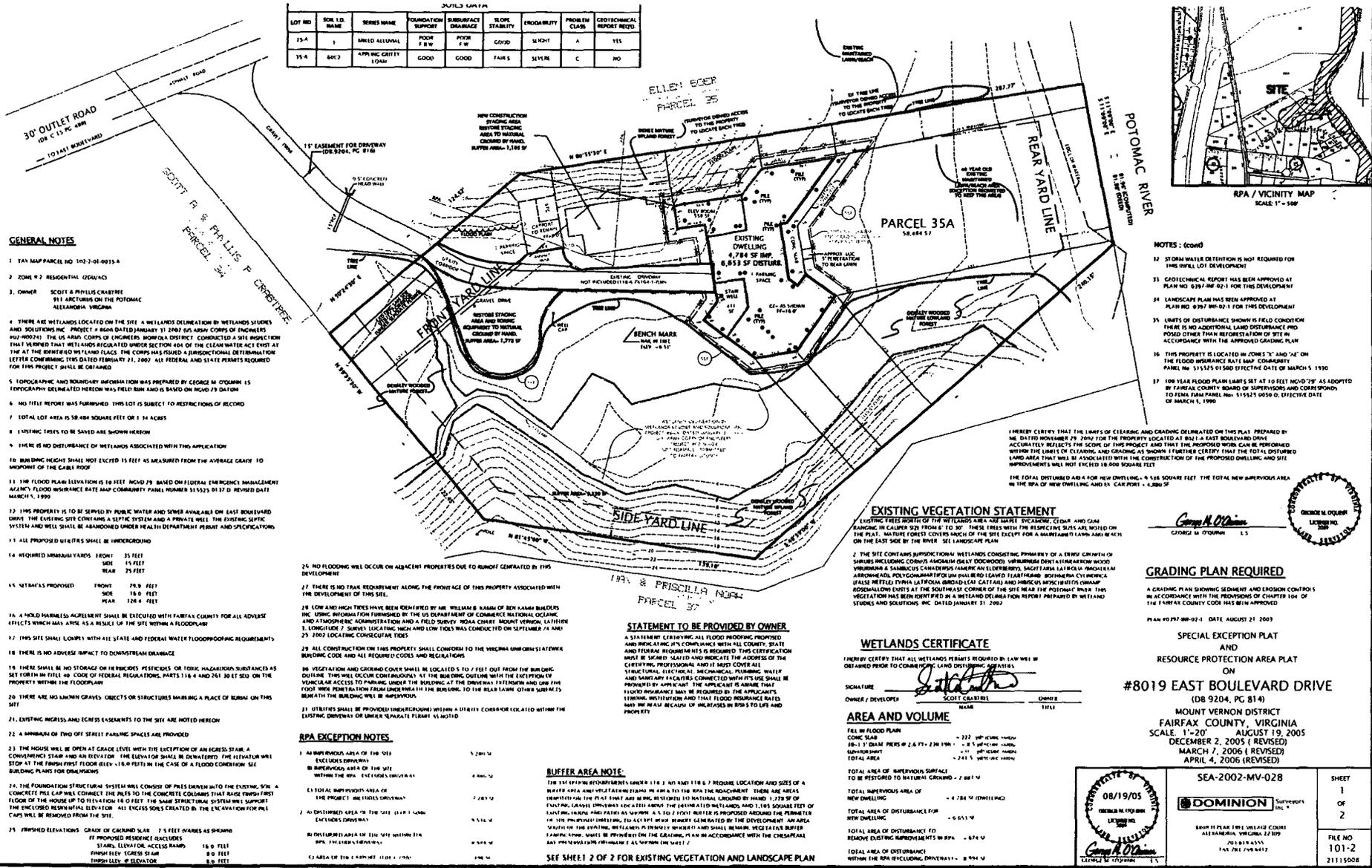
Zoning: R-2 Plan Area: 4

Overlay Dist:

Map Ref Num: 102-2- /01/ /0035A



LOT NO.	SOIL ID.	SERIES NAME	FOUNDATION SUPPORT	FOUNDATION DRAINAGE	FLOOR FINISH	FLOOR STABILITY	PROBABILITY	PROBLEM CLASS	GEOTECHNICAL REPORT NEEDED
35A	1	MILED ALLUVIAL	POOR F.W.	POOR F.W.	GOOD	SLIGHT	A	YES	
35A	6012	SPRING CREEK LOAM	GOOD	GOOD	FAIR S.	SEVERE	C	NO	



**GENERAL NOTES**

1. TAN MAP PARCEL NO. 102-2-01-0013-A
2. ZONE R-7 RESIDENTIAL (ZONING)
3. OWNER: SCOTT & PRISCILLA CRISTOFER, 911 ARCHBURN ON THE POTOMAC, ALEXANDRIA, VIRGINIA
4. THERE ARE WETLANDS LOCATED ON THE SITE. A WETLANDS DELINEATION BY WETLANDS STUDIES AND SOLUTIONS, INC. PROJECT # 08-001 DATED JANUARY 31, 2007, HAS BEEN PROVIDED TO THE APPLICANT. THE WETLANDS STUDIES AND SOLUTIONS, INC. PROJECT # 08-001 DATED JANUARY 31, 2007, HAS BEEN PROVIDED TO THE APPLICANT. THE WETLANDS STUDIES AND SOLUTIONS, INC. PROJECT # 08-001 DATED JANUARY 31, 2007, HAS BEEN PROVIDED TO THE APPLICANT.
5. TOPOGRAPHIC AND BOUNDARY INFORMATION WAS PREPARED BY GEORGE M. O'DONNAN, P.E. TOPOGRAPHY DELINEATED HEREON WAS FIELD RUN AND IS BASED ON NAVD 83 DATUM.
6. NO FIELD REPORT WAS FURNISHED. THIS LOT IS SUBJECT TO RESTRICTIONS OF RECORD.
7. TOTAL LOT AREA IS 58,484 SQUARE FEET OR 1.34 ACRES.
8. EXISTING TREES TO BE SAVED ARE SHOWN HEREON.
9. THERE IS NO DISTURBANCE OF WETLANDS ASSOCIATED WITH THIS APPLICATION.
10. BUILDING HEIGHT SHALL NOT EXCEED 15 FEET AS MEASURED FROM THE AVERAGE GRADE TO THE TOP OF THE CARLINE ROOF.
11. THE FLOOD PLAIN ELEVATION IS 18 FEET. NEAD 79, BASED ON FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 51525 0137 D, REVISED DATE MARCH 1, 1999.
12. THIS PROPERTY IS TO BE SERVED BY PUBLIC WATER AND SEWER AVAILABLE ON EAST BOULEVARD DRIVE. THE EXISTING SITE CONTAINS A SEPTIC SYSTEM AND A PRIVATE WELL. THE EXISTING SEPTIC SYSTEM AND WELL SHALL BE ABANDONED UNDER HEALTH DEPARTMENT PERMIT AND SPECIFICATIONS.
13. ALL PROPOSED UTILITIES SHALL BE UNDERGROUND.
14. HIGHWAY ADJACENT YARDS: FRONT 25 FEET, SIDE 15 FEET, REAR 25 FEET.
15. SETBACKS PROPOSED: FRONT 75.0 FEET, SIDE 18.0 FEET, REAR 128.4 FEET.
16. A HOLD HARMLESS AGREEMENT SHALL BE EXECUTED WITH FAIRFAX COUNTY FOR ALL ADVERSE EFFECTS WHICH MAY ARISE AS A RESULT OF THE SITE WITHIN A FLOODPLAIN.
17. THIS SITE SHALL COMPLY WITH ALL STATE AND FEDERAL WATER FLOODPROOFING REQUIREMENTS.
18. THERE IS NO ADVERSE IMPACT TO DOWNSTREAM DRAINAGE.
19. THERE SHALL BE NO STORAGE OF HAZARDOUS OR TOXIC, HAZARDOUS SUBSTANCES AS SET FORTH IN TITLE 18 CODE OF FEDERAL REGULATIONS, PARTS 118.4 AND 261.30 SET ON THE PROPERTY WITHIN THE FLOODPLAIN.
20. THERE ARE NO KNOWN GRAVEL OBSTACLES OR STRUCTURES MARKING A PLACE OF BURIAL ON THIS SITE.
21. EXISTING INGRESS AND EGRESS EASEMENTS TO THE SITE ARE NOTED HEREON.
22. A MINIMUM OF TWO SEPARATE PARKING SPACES ARE PROVIDED.
23. THE HOUSE WILL BE OPEN AT GRADE LEVEL WITH THE EXCEPTION OF AN EGRESS STAIR. A CONCRETE STAIR AND AN EGRESS TO THE ELEVATOR SHALL BE DETAILERED. THE ELEVATOR WILL STOP AT THE FINISH FIRST FLOOR ELEVATION IN THE CASE OF A FLOOD CONDITION. SEE BUILDING PLANS FOR DETAILS.
24. THE FOUNDATION STRUCTURAL SYSTEM WILL CONSIST OF PILES DRIVEN INTO THE EXISTING 5% A CONCRETE PILE CAP WILL CONNECT THE PILES TO THE CONCRETE COLUMNS THAT RAISE THE FIRST FLOOR OF THE HOUSE UP TO 18 FEET. THE SAME STRUCTURAL SYSTEM WILL SUPPORT THE ENCLOSED RESIDENTIAL ELEVATOR. ALL EXCESS SOILS CREATED BY THE ENCAVATION FOR PILE CAPS WILL BE REMOVED FROM THE SITE.
25. FINISHED ELEVATIONS: GRADE OF GROUND SLAB 7.5 FEET FINISH AS SHOWN, FINISHED RESIDENCE ENCLAVES STAIRS, ELEVATOR, ACCESS RAMPS 18.0 FEET, FINISH ELEV. EGRESS STAIR 8.0 FEET, FINISH ELEV. @ ELEVATOR 8.0 FEET.

**RPA EXCEPTION NOTES**

1. IMPROVED AREA OF THE 100 YEAR FLOODPLAIN (EXCLUDES DRIVEWAYS) 5,200.00
2. IMPROVED AREA OF THE 500 YEAR FLOODPLAIN (EXCLUDES DRIVEWAYS) 4,400.00
3. TOTAL IMPROVED AREA OF THE 100 YEAR FLOODPLAIN (EXCLUDES DRIVEWAYS) 7,200.00
4. UNIMPROVED AREA OF THE 100 YEAR FLOODPLAIN (EXCLUDES DRIVEWAYS) 5,116.00
5. UNIMPROVED AREA OF THE 500 YEAR FLOODPLAIN (EXCLUDES DRIVEWAYS) 4,316.00
6. AREA OF THE 2 YEAR AND 100 YEAR FLOODPLAIN (EXCLUDES DRIVEWAYS) 8,916.00

**BUFFER AREA NOTE**

THE 100 YEAR FLOODPLAIN IS LOCATED 118.4' FROM THE 100 YEAR FLOODPLAIN. THERE ARE NO OTHER AREAS OR PLACES WHERE THE 100 YEAR FLOODPLAIN IS LOCATED. THERE ARE NO OTHER AREAS OR PLACES WHERE THE 100 YEAR FLOODPLAIN IS LOCATED. THERE ARE NO OTHER AREAS OR PLACES WHERE THE 100 YEAR FLOODPLAIN IS LOCATED.

SEE SHEET 2 OF 2 FOR EXISTING VEGETATION AND LANDSCAPE PLAN

**STATEMENT TO BE PROVIDED BY OWNER**

A STATEMENT CERTIFYING ALL FLOOD PROOFING PROVIDED AND INDICATING ITS COMPLIANCE WITH ALL COUNTY, STATE AND FEDERAL REQUIREMENTS IS REQUIRED. THIS CERTIFICATION MUST BE SIGNED, DATED AND NOTARIZED BY THE APPLICANT OR THE APPLICANT'S PROFESSIONAL AND MUST COVER ALL STRUCTURAL, ELECTRICAL, MECHANICAL, PLUMBING, HEATING AND SANITARY FACILITIES CONNECTED WITH THIS USE. THIS STATEMENT SHALL BE PROVIDED TO THE APPLICANT'S SIGNATURE, DATE AND TITLE. FLOOD INSURANCE MAY BE REQUIRED BY THE APPLICANT'S SIGNATURE, DATE AND TITLE. FLOOD INSURANCE MAY BE REQUIRED BY THE APPLICANT'S SIGNATURE, DATE AND TITLE.

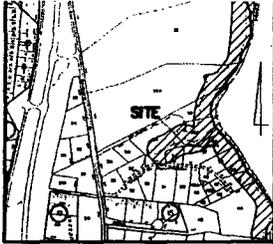
**WETLANDS CERTIFICATE**

I HEREBY CERTIFY THAT ALL WETLANDS REPORTS REQUIRED BY LAW HAVE BEEN OBTAINED PRIOR TO COMMENCING THIS DEVELOPMENT. I HEREBY CERTIFY THAT ALL WETLANDS REPORTS REQUIRED BY LAW HAVE BEEN OBTAINED PRIOR TO COMMENCING THIS DEVELOPMENT.

SIGNATURE: *[Signature]*  
OWNER / DEVELOPER: SCOTT CRISTOFER, NAME: O'DONNAN, TITLE: P.E.

**AREA AND VOLUME**

FEET IN FLOODPLAIN	222.00	100% IMPROVED
CONIC SLAB	8.00	100% IMPROVED
FRONT 1' DEEP PILES @ 2.4 FT x 2.4 FT	8.00	100% IMPROVED
CONCRETE	241.00	100% IMPROVED
TOTAL AREA	580.00	
TOTAL AREA OF WATERVOLUME SURFACE TO BE RESTORED TO NATURAL GROUND	7,200.00	
TOTAL IMPROVED AREA OF NEW DWELLING	4,784.00	100% IMPROVED
TOTAL AREA OF DISTURBANCE FOR NEW DWELLING	6,553.00	
TOTAL AREA OF DISTURBANCE TO FLOOD IMPROVEMENTS IN RPA	674.00	
TOTAL AREA OF DISTURBANCE WITHIN THE RPA INCLUDING DRIVEWAYS	8,916.00	



RPA / VICINITY MAP SCALE: 1" = 100'

- NOTES (cont)**
12. STORM WATER DETENTION IS NOT REQUIRED FOR THIS FIELD DEVELOPMENT.
  13. GEOTECHNICAL REPORT HAS BEEN APPROVED AT PLAN NO. 0397-00-02-1 FOR THIS DEVELOPMENT.
  14. LANDSCAPE PLAN HAS BEEN APPROVED AT PLAN NO. 0397-00-02-1 FOR THIS DEVELOPMENT.
  15. LIMITS OF DISTURBANCE SHOWN IN FIELD CONDITION. THERE IS NO ADDITIONAL LAND DISTURBANCE PROPOSED OTHER THAN REFORESTATION OF SITE IN ACCORDANCE WITH THE APPROVED GRADING PLAN.
  16. THIS PROPERTY IS LOCATED IN ZONE "X" AND "AL" ON THE FLOOD HURRICANE RISK MAP, COMMUNITY PANEL NO. 51525 0137 D, EFFECTIVE DATE OF MARCH 1, 1999.
  17. 100 YEAR FLOOD PLAIN LIMITS SET AT 18 FEET MVD-79 AS ADOPED BY FAIRFAX COUNTY BOARD OF SUPERVISORS AND CORRESPOND TO FEMA FIRM PANEL NO. 51525 0137 D, EFFECTIVE DATE OF MARCH 1, 1999.

I HEREBY CERTIFY THAT THE LIMITS OF CLEARING AND GRADING DELINEATED ON THIS PLAN PREPARED BY ME, DATED NOVEMBER 29, 2006, FOR THE PROPERTY LOCATED AT 8019 EAST BOULEVARD DRIVE ACCURATELY REFLECTS THE SCOPE OF THE PROJECT AND THAT THE PROPOSED WORK CAN BE PERFORMED WITHIN THE LIMITS OF CLEARING AND GRADING AS SHOWN. I FURTHER CERTIFY THAT THE TOTAL DISTURBED LAND AREA THAT WILL BE ASSOCIATED WITH THE CONSTRUCTION OF THE PROPOSED DWELLING AND SITE IMPROVEMENTS WILL NOT EXCEED 18,000 SQUARE FEET. THE TOTAL DISTURBED AREA FOR NEW DWELLING, 4,784 SQUARE FEET, TOTAL NEW IMPROVED AREA IN THE RPA OF NEW DWELLING AND CONCRETE, 4,800 SF.

*[Signature]*  
GEORGE M. O'DONNAN, P.E.

**GRADING PLAN REQUIRED**

A GRADING PLAN SHOWING ELEVATIONS AND EROSION CONTROL IS IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 104 OF THE FAIRFAX COUNTY CODE IS REQUIRED.

PLAN NO. 0397-00-02-1, DATE: AUGUST 21, 2003

**SPECIAL EXCEPTION PLAT AND RESOURCE PROTECTION AREA PLAT ON #8019 EAST BOULEVARD DRIVE (DB 9204, PG. 814) MOUNT VERNON DISTRICT FAIRFAX COUNTY, VIRGINIA SCALE: 1"=20' AUGUST 19, 2005 DECEMBER 2, 2005 (REVISED) MARCH 4, 2006 (REVISED) APRIL 2, 2006 (REVISED)**



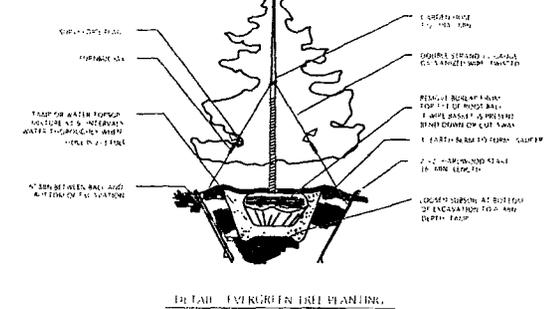
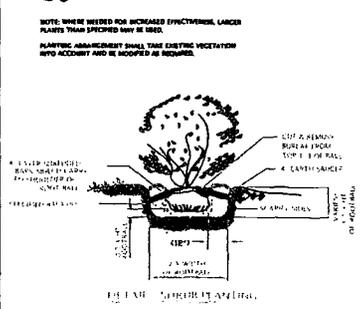
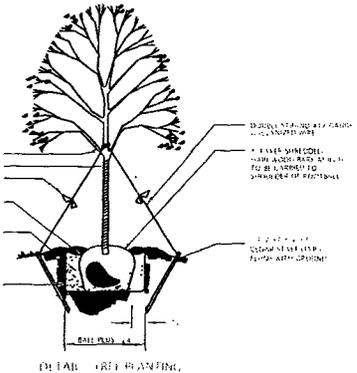
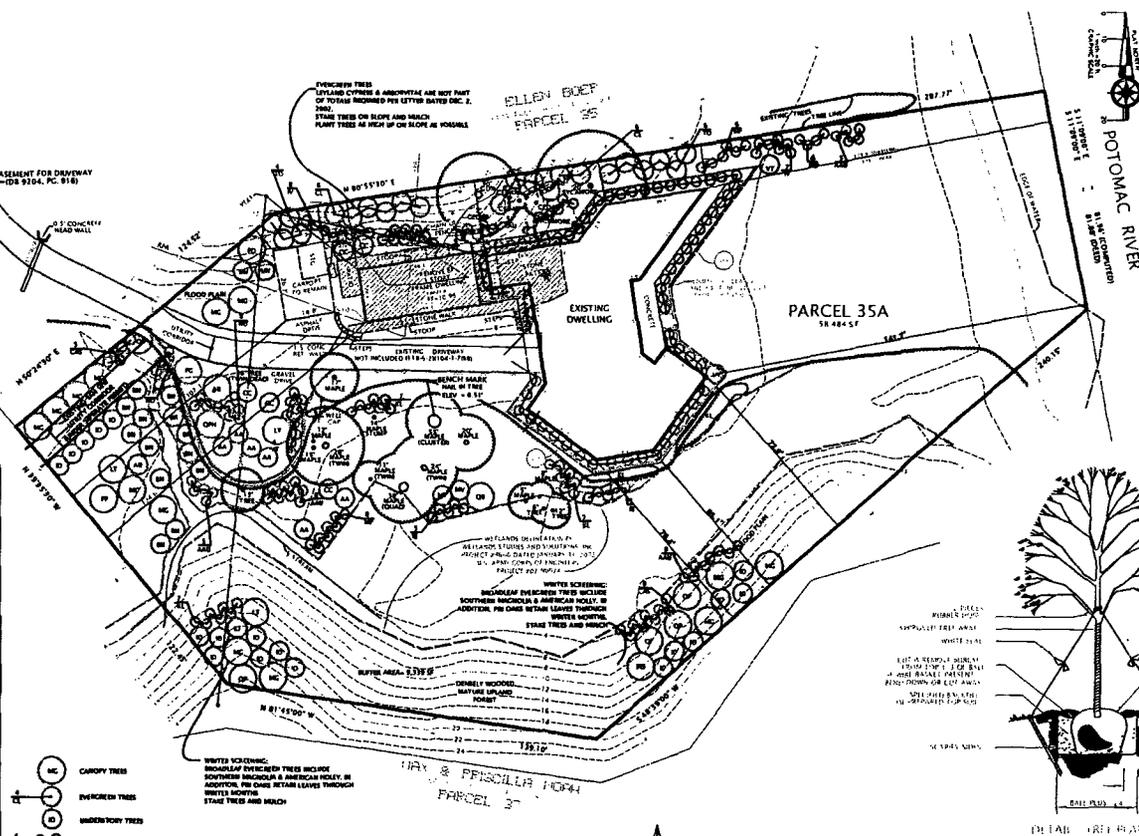
SEA-2002-MV-028  
DOMINION SURVEYORS  
701814555  
745 262 749427

SHEET 1 OF 2  
FILE NO. 101-2 21115008

**TREE COVER CALCULATIONS**

1. TOTAL SITE AREA	58,484 SF
2. AREA OF FLOODPLAIN	48,920 SF
3. ADJUSTED SITE AREA	10,454 SF
4. *REQUIRED PERCENT (10.15 %)	1,070 SF
5. - TREE COVER REQUIRED	2,093 SF
6. EXISTING TREE COVER AREA (4.1 %)	23,399 SF (21.4%)
7. TREE COVER TO BE PROVIDED BY PLANTING TREES	11,250 SF
8. - TREE COVER PROVIDED	46,749 SF
9. EXCESS TREE COVER	44,656 SF

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	CALIPER	HEIGHT	TREE COVER CREDIT	COND.	REMARKS
<b>CANOPY TREES</b>						6,000 SF		
AR	ACER RUBRUM	RED MAPLE	3	2"	5'-8"	200 SF	BAB	
FC	FAGUS GRANDIFLORA	AMERICAN BEECH	1	2"	5'-8"	200 SF	BAB	KEEPS LEAVES IN WINTER
FP	FRAXINUS PENNSYLVANICA	GREEN ASH	1	2"	5'-8"	200 SF	BAB	
LT	LIRIODENDRON FLORIDANA	TULIP POPLAR	1	2"	5'-8"	200 SF	BAB	
MG	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	13	2"	5'-8"	200 SF	BAB	EVERGREEN
OP	QUERCUS PALUSTRIS	PIN OAK	5	2"	5'-8"	200 SF	BAB	KEEPS LEAVES IN WINTER
PD	PLATANUS OCCIDENTALIS	SYCAMORE	2	2"	5'-8"	200 SF	BAB	
QB	QUERCUS BOREALIS	NORTHERN RED OAK	1	2"	5'-8"	200 SF	BAB	
QPH	QUERCUS PHellos	YELLOW OAK	1	2"	5'-8"	200 SF	BAB	
<b>UNDERSTORY TREES</b>						1,450 SF		
AA	AMELANCHIER ALBOEA	DOHNEY SERVICE BERRY	6	2"	5'-8"	100 SF	BAB	
BN	BETULA NIGRA	EVER BIRCH	13	2"	4'-8"	100 SF	BAB	
CT	CORNUS FLORIDA	AMERICAN HORNBUSH	4	2"	5'-8"	100 SF	BAB	
HO	ILEX	AMERICAN HOLLY	13	2"	5'-8"	50 SF	BAB	EVERGREEN
MA	MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA	1	2"	5'-8"	150 SF	BAB	
<b>SHRUBS</b>								
AAU	ARBORETUM	RED CHERRYBERRY	11			42 CONT		
BI	BURNING	WINTERGREEN BARBERRY	10			42 CONT		
CAS	CORNUS ALBA	SWEET GUM	14			42 CONT		RED STEMS IN WINTER
IV	VERTICILLATA	WINTERBERRY	15			42 CONT		
LI	LALAMA	MOUNTAIN LAUREL	21			42 CONT		
MY	MYRTICA PENNSYLVANICA	NORTHERN BAYBERRY	20			42 CONT		
PI	PRUNUS LANCEOLATA	CHERRY LAUREL	64			42 CONT		
VI	VIBURNUM	AMERICAN CHAMBER BUSH	20			42 CONT		
WD	WINDMILL	WINDMILL	19			42 CONT		
<b>EVERGREEN TREES</b>						1,200 SF		
LI	LIPTA	LEVEANT LIPARTIS	17			100 SF	BAB	EVERGREEN
LI	LIPTA	LEVEANT LIPARTIS	10			50 SF	BAB	EVERGREEN



LANDSCAPE PLAN ON  
 #8019 EAST BOULEVARD DRIVE  
 (DB 9204, PG 814)  
 MOUNT VERNON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA  
 SCALE: 1"=20' AUGUST 19, 2005  
 DECEMBER 2, 2005 (REVISED)  
 MARCH 7, 2006 (REVISED)  
 APRIL 4, 2006 (REVISED)

	SEA-2002-MV-028	SHEET 2 OF 2
		FILE NO 101-2 21115008

8019 EAST BOULEVARD DRIVE  
 ALEXANDRIA, VIRGINIA 22309  
 703-619-6555  
 FAX 703-759-8412

## **DISCUSSION**

At the Planning commission public hearing on SEA 2002-MV-028 on April 27, 2006 it was determined that several development conditions imposed pursuant to the approval of SE 2002-MV-028 had been addressed and were no longer needed. These included previous proposed development condition number 5 which required the recordation of an ingress egress access easement across Tax Map 102-2 ((1)) 35. This easement has been acquired and verified by the applicant. Previous proposed development condition number 19 which would make the Special Exception null and void if the necessary easements to extend sanitary sewer to the site were not acquired. This easement has also been acquired and verified by the applicant. Therefore previous proposed development conditions 5 and 19 have been deleted.

Several other development conditions were modified as noted in the underlined text in the Revised Proposed Development Conditions dated June 14, 2006 (Attachment 1). These modifications included a modification of development condition number 6 to clarify the method of measurement of used to determine floor elevations, NGVD (National Geodetic Vertical Datum) 1929, a standard for elevation measurement established by the U.S. Geological Service.

At the request of the Planning Commission an additional development condition, number 23 was also added which required all of the driveway that is in the RPA shall be constructed of pervious materials such as pervious asphalt.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

With the imposition of the proposed development conditions dated June, 14, 2006 contained in Attachment 1, staff concludes that the subject application is in harmony with the Comprehensive Plan and is in conformance with the applicable Zoning Ordinance provisions.

### **Recommendations**

Staff recommends approval of SE 2002-MV-028 subject to the Proposed Development Conditions contained in Attachment 1.

Staff further recommends that the Board of Supervisors approve Resource

Protection (RPA) Encroachment Request #15043-WRPA-002-1 subject to the approval of SEA 2002-MV-028 and the imposition of the proposed development conditions found as Attachment A contained in Appendix 7.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

#### ATTACHMENTS

1. Revised Proposed Development Conditions dated June 14, 2006

## REVISED PROPOSED DEVELOPMENT CONDITIONS

SEA 2002-MV-028

June 14, 2006

If it is the intent of the Board of Supervisors to approve SEA 2002-MV-028 located at 8019 East Boulevard (Tax Map 102-2 ((1)) 35A) to allow uses in a floodplain pursuant to Sect. 2-904 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions incorporate and supersede all previous development conditions. Those conditions carried forward from the previous special permit and special exception are marked with an asterisk (\*). Minor edits have been made to conform to current standards.

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.\*
3. Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception plat **entitled Special Exception Plat, and prepared by Dominion Surveys, Inc., which is dated August 19, 2005 and revised to April 4, 2006**, and these conditions.
4. A Hold Harmless agreement shall be executed with the County for all adverse effects which may arise as a result of the location of the house and appurtenant structures within a floodplain area. \*
5. ~~If not already done, prior to approval of any plan or permit, the applicant shall demonstrate to the satisfaction of DPWES the right to access the property through a recorded ingress-egress easement across Tax Map 102-2 ((1)) 35.~~\*
- 6-5. The limits of clearing and grading, as shown on the SEA Plat shall be strictly adhered to and no disturbance shall be permitted beyond those limits except for revegetation. \*

- 7.6. The dwelling shall be constructed on pilings, as shown on the SEA Plat and shall be elevated eleven (11) feet above grade level shall be set at an elevation of sixteen (16) feet from the top of the first floor (NGVD 1929). The amount of fill permitted shall not exceed a maximum of 241.5 cubic yards. Prior to issuance of a building permit, a grading plan shall be submitted to DPWES for approval. Trees and indigenous vegetation within the limits of clearing and grading shall be preserved on the site during the construction process to the maximum extent feasible as determined by the UFM, DPWES.
- 8.7. If deemed necessary by DPWES, a geotechnical report shall be submitted to DPWES for foundation design and earthwork engineering. Plans shall be implemented as required by DPWES.\*
- 9.8. The applicant shall notify the US Army Corps of Engineers prior to the approval of a grading plan to ensure compliance with § 404 of the Clean Water Act. Any required wetlands permit shall be obtained prior to commencement of land disturbing activity. \*
- 10.9. As-built floor elevations for the residence shall be submitted in accordance with Section 3107.12.1 of the Virginia Uniform Statewide Building Code (VUSBC 1977) on a standard FEMA Elevation Certificate prior to approval of the framing inspection. \*
- 14.10. All construction shall be in conformance with Section 3107.0 Flood-Resistant Construction of the Virginia Uniform Statewide Building Code (VUSBC 1977). A statement certifying all floodproofing proposed, and indicating its compliance with all County, State, and Federal requirements shall be provided with the Building Permit application. This certification shall be signed, sealed, and indicate the address of the certifying professional and it shall cover all structural, electrical, mechanical, plumbing, water and sanitary facilities connected with the use. \*
- 12.11. Erosion and sediment control measures shall be installed at all stages of construction. A "super silt fence" shall be installed and maintained along the clearing and grading limits and all tree preservation areas for the site and shall remain in place in an acceptable functional condition for the duration of land disturbing activity or until it is determined by DPWES that the area is stabilized. If deemed necessary by DPWES, controls shall be designed to achieve greater erosion and sediment control than that achieved by the minimum design standards set forth in the Public

Facilities Manual and the current Virginia Erosion and Sediment Control Handbook. \*

- 43.12. Stormwater drainage shall be directed to ditches through the use of pipes, swales, or other devices, as determined by DPWES. Any fill area shall be stabilized, graded, or have drains installed such that normal rainfall will not flow over unprotected fill area onto adjacent properties. \*
- 44.13. Disclosure of potential flood hazards due to the location of the site within the 100-year floodplain shall be made in writing to any potential home buyers prior to entering into a contract of sale. \*
- 45.14. All building supplies and construction equipment shall be located and stored only within the area designated as disturbed area on the SEA Plat.\*
- 46.15. The existing gravel turnaround located south of the existing driveway shall be removed and restored to a vegetated state, as depicted on the SEA Plat and as determined by DPWES. \*
- 47.16. The dwelling shall be limited to a maximum height of 35.0 feet. \*
- 48.17. An area equal in size to the disturbed area within the RPA shall be restored between the dwelling and the Potomac River, as defined by UFM, DPWES, and such area shall be planted with native plant species as determined by the Urban Forest Management Branch. The applicant shall provide plantings under and around the dwelling, as shown on the SEA Plat. No clearing, other than for dead or dying plants, shall be permitted between the dwelling and the Potomac River.\*
- ~~49. In the event the applicant is unable to obtain the necessary easements to extend sanitary sewer to the property, this Special Exception shall become null and void.\*~~
- 20.18. The existing carport shown to remain on the SEA Plat shall be removed and the underlying ground shall be restored and planted with native plant species as determined by the UFM, DPWES.
- 24.19. The area shown on the SEA Plat as an "existing Lawn Beach Area" in the rear yard adjacent to the Potomac River shall be planted with a mixture of overstory trees, understory trees, scrubs and groundcovers in accordance with the Chesapeake Bay Protection Preservation Ordinance to provide mitigation for the increase in impervious surface and additional intrusion into the RPA . Specific locations of individual plants shall be determined UFM, DPWES.

- 22.20. To the extent possible, stable vegetation in the floodplain shall be protected and maintained as determined by UFM, DPWES.
- 23.21. There shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., within the floodplain.
- 24.22. All mechanical, electrical, and utility equipment shall be at or above the flood level.
23. All of the driveway that is in the RPA shall be constructed of pervious materials such as pervious asphalt.

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 Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Sect. 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.