



County of Fairfax, Virginia

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

February 4, 2011

Mr. John Kelly
DMS Sign Connection, Inc.
102 Lookout Avenue
Mt. Airy, MD 21771

Re: Interpretation for SE 2008-DR-003, Chevy Chase Bank Tax Map 30-2 ((5)) 6, 9, and 10: Signage

Dear Mr. Kelly:

This is in response to your letter of September 8, 2010 (attached), requesting an interpretation of the Special Exception (SE) Plat and development conditions approved by the Board of Supervisors in conjunction with SE 2008-DR-003. As I understand it, the question is whether the installation of a 15 square foot (SF) internally illuminated Capital One Bank sign on the northern facade of the remote ATM drive-through structure would be in substantial conformance with the SE Plat and development conditions. This determination is based on your letter and submitted exhibits which consist of the following: three photographs of the existing bank and ATM drive-through structure; a photograph of the ATM drive-through structure with the proposed 15 SF sign superimposed on the northern facade of the structure; a graphic illustration of the existing site layout and the locations of the existing bank signs and the proposed ATM sign; and a graphic illustration of the proposed sign details.

SE 2008-DR-003 was approved by the Board of Supervisors, subject to development conditions, on July 21, 2008, for a drive-in financial institution, waivers and modifications in a Commercial Redevelopment District, and a waiver of certain sign regulations to permit increased sign area. On January 29, 2010, a determination was issued that proposed building elevations for Capital One Bank, revised from those shown for Chevy Chase Bank, were in substantial conformance with the approved special exception. In that determination, verification was provided that the overall sign area limits would be met but no sign details, colors or locations were addressed.

You indicate that Capital One Bank now proposes to install a 15 SF internally illuminated sign on the northern facade of the remote ATM drive-through structure located on the site. You state that you would be utilizing 105 SF of sign area on the main bank building (3 sides x 35 SF), and 15 SF on the ATM drive-through structure for a total of 120 SF, which is within the 124 SF of sign area approved in the Special Exception. You also state that the sign would be of the same construction as the three building signs and that it would be unlit from 9:00 pm to 7:00 am daily. According to the photographs submitted, additional sign area is also proposed above each of the two ATM facilities on the building and the outside of the remote ATM structure.

SE Development Condition 6 limits the total sign area, design, color and operating hours for signs on the property as follows. "The total amount of building-mounted signage shall be limited to a maximum of 124 square feet (SF) and shall be in substantial conformance with that shown on the elevations. No more than one sign, 35 SF in size, shall be permitted on each side of the proposed building and no sign shall

Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/



Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

Mr. John Kelly

Page Two

be permitted on the southern side of the building. These signs shall consist of individual letters of internally lit red plastic. The building-mounted signage on the northern facade of the building and the ATM structure shall be unlit from 9:00 pm to 7:00 am daily." The staff report also references the potential for a sign to be located on the remote ATM structure.

The proposed sign on the remote ATM structure could be considered in substantial conformance with the SE Plat and development conditions, provided that the total allowable sign area (124 square feet) is not exceeded, and provided that the design (individual letters) and color (internally lit red plastic) specifications of the Development Condition 6 are met. However, based upon the submitted photographs and graphics, the design and color specifications are not met for the existing signs, and, based upon a site inspection by Zoning Enforcement, the sign area utilized for the two signs above the ATMs would not leave sufficient sign area remaining for the proposed additional sign on the ATM structure. Therefore it is my determination that the proposed addition of a sign on the remote ATM structure would not be in substantial conformance with the SE Plat and development conditions. In order to allow the proposed sign, and the design and color of the existing signs illustrated, the submission of an amendment to SE 2008-DR-003 and its approval by the Board of Supervisors would be required.

This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator and only addresses the issues discussed herein. If you have any questions regarding this interpretation, please feel free to contact Kelli-Mae Goddard-Sobers at (703) 324-1290.

Sincerely,



Barbara C. Berlin, AICP
Director, Zoning Evaluation Division, DPZ

BCB/N:\Interpretations\Capital One.doc

Attachments: A/S

cc: John W. Foust, Supervisor, Dranesville District
Jay Donahue, Planning Commissioner, Dranesville District
Regina C. Coyle, Assistant Director, Zoning Evaluation Division, DPZ
Eileen McLane, Zoning Administrator
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: SE 2008-DR-003, SEI 1009 034 Imaging, Reading File

September 8, 2010

Regina C. Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

RE: Request for Interpretation
SE 2008-DR-003
Chevy Chase Bank (now Capital One Bank), Dolley Madison Boulevard

Dear Ms. Coyle:

On behalf of Capital One Bank we request your interpretation regarding signage allowed at Capital One Bank on Dolley Madison Boulevard in Fairfax, VA.

On July 21, 2008, the Board approved Special Exception Application SE 2008-DR-003 in the name of Chevy Chase Bank for a drive-through bank on Dolley Madison Boulevard in McLean. In March, 2009, Capital One Bank acquired Chevy Chase Bank; and in a letter to counsel on January 29, 2010, you approved certain modifications to the exterior of the building, as well as allowing the signs to be changed from Chevy Chase Bank to Capital One Bank. Thank you.

We respectfully request an interpretation to Development Condition #6 to the approved special exception, which provides:

The total amount of building-mounted signage shall be limited to a maximum of 124 square feet (SF) and shall be in substantial conformance with that shown on the elevations. No more than one sign, 35 SF in size, shall be permitted on each side of the proposed building and no sign shall be permitted on the southern side of the building. These signs shall consist of individual letters of internally illuminated red plastic. The building-mounted signage on the northern facade of the building and the ATM structure shall be unlit from 9:00 pm to 7:00 am daily.

RECEIVED
Department of Planning & Zoning

Our interpretation of this Development Condition regarding signage is that we are limited as follows:

- Maximum allowed square footage of signs is 124 SF
- No one sign can be larger than 35 SF
- No sign is allowed on the southern side of the building
- The sign on the main building and any signs on the ATM structure must be unlit from 9:00 pm to 7:00 am daily

As a result of this interpretation it is our intention to apply for a permit to install an internally illuminated Capital One Bank sign on the northern facade of the ATM drive thru structure, to be unlit from 9:00 pm to 7:00 am daily. This sign would be of the same construction as the (3) approved building signs; however, it would be only 15 SF. With this sign installed, we would be utilizing 105 SF on the main building (3 x 35), and 15 SF on the ATM drive thru structure for a total of 120 SF. This would be within the 124 SF approved in the Special Exception. Since Development Condition #6 does not specifically deny or approve this sign, we thought it best to seek a formal interpretation from you regarding this condition.

Section 9-004(4) of the Zoning Ordinance permits minor modifications to an approved special exception if the modifications are in substantial conformance with the approved special exception and are in response to issues of design. Since the special exception did not specifically limit the quantity of signs at the location, merely which sides of the main building could have signs, we respectfully request that we be allowed to utilize the remaining 19 SF allowed to install a sign on the ATM structure as depicted in the attached rendering. We therefore request your written interpretation that this request is in substantial conformance with the approved special exception, and will be allowed.

Thank you.

Sincerely,



John Kelly
DMS Sign Connection, Inc.

cc: Robert Korman
Adrian Williams



Existing Conditions – Distance View



INDIVIDUALLY MOUNTED INTERNALLY ILLUMINATED CHANNEL LETTERS.
FOR COLORS AND DIMENSIONS SEE PAGES 1 & 11

Side F
15 sq.ft.

SignConnection
102 Lockhart Ave.
Mt. Airy, Maryland
301-831-7530
info@dma-signs.com

DRAWING #
BR-EX-0098-111207-12

DESCRIPTION
Capital One Bank, Dolley Madison

START DATE
11/12/07

REVISION
10/18/10

SCALE
N/A

DESIGNER

APPROVAL OR COMMENTS

STATUS

FINAL

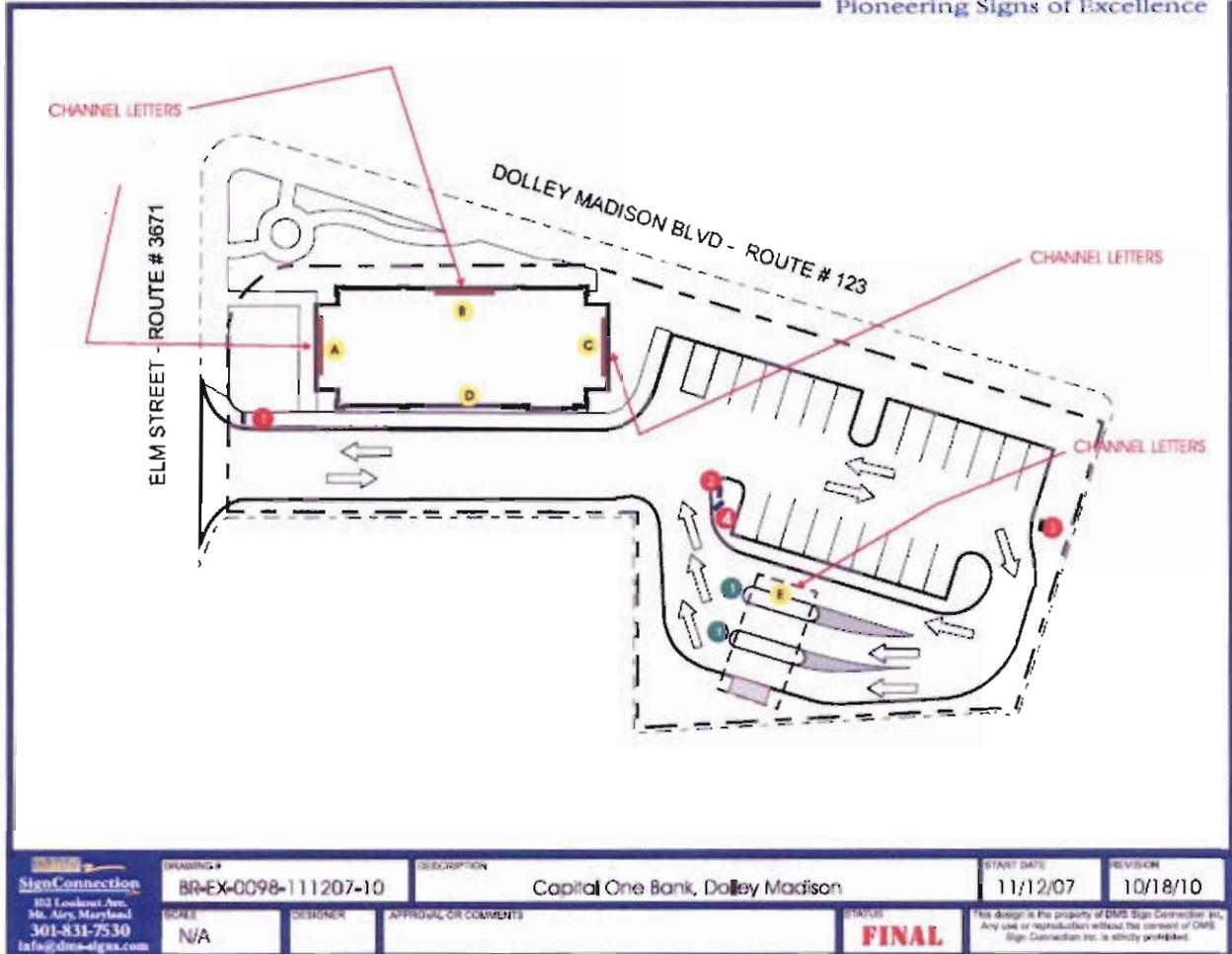
This design is the property of DMA Sign Connection Inc.
Any use or reproduction without the consent of DMA
Sign Connection Inc. is strictly prohibited.

Capital One Bank – Proposed Sign Rendering



Existing Conditions



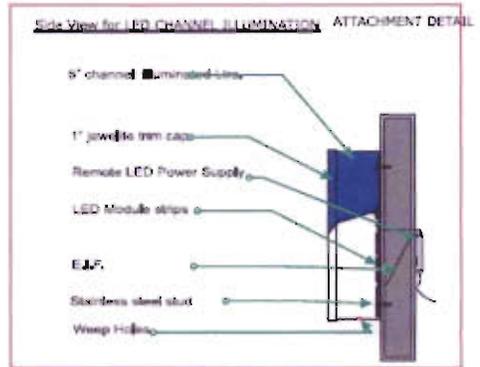


 102 Lookout Ave. Mt. Airy, Maryland 301-831-7530 info@dm-sig.com	DRAWING #	DESCRIPTION	START DATE	REVISION
	BR-EX-0098-111207-10	Capital One Bank, Dolley Madison	11/12/07	10/18/10
SCALE	DESIGNER	APPROVAL OR COMMENTS	STATUS	
N/A			FINAL	
This design is the property of DMS Sign Connection Inc. Any use or reproduction without the consent of DMS Sign Connection Inc. is strictly prohibited.				

Capital One Bank – Site Layout



- 1. 3/16" PLEX
- 2. WHITE L.E.D. LIGHTING
- 3. .063 ALUMINUM LETTER - PAINTED BLUE
5" DEEP (SIDE AND BACK)
- 4. 120 VOLT LEAD-IN
- 5. REMOTE POWER SUPPLY
- 6. 1" TRIMCAP BLUE
- 7. E.J.F.



15 sq.ft.

<p>103 Lookout Ave. Mt. Airy, Maryland 301-831-7530 info@sign-signs.com</p>	<p>DRAWING # BR-EX-0098-111207-11</p>	<p>DESCRIPTION Capital One Bank, Dolley Madison</p>	<p>START DATE 11/12/07</p>	<p>REVISION 10/18/10</p>
	<p>SCALE N/A</p>	<p>DESIGNER</p>	<p>APPROVAL OR COMMENTS</p>	<p>STATUS FINAL</p>

Capital One Bank – Proposed Sign Details