



APPLICATION ACCEPTED: February 16, 2011
PLANNING COMMISSION: July 7, 2011
BOARD OF SUPERVISORS: July 12, 2011 @ 3:30 pm

County of Fairfax, Virginia

June 22, 2011

CRD

STAFF REPORT

APPLICATION SE 2011-MA-001

MASON DISTRICT

APPLICANT: Homan Solemaninejad

ZONING: R-3, SC, CRD

PARCELS: 51-4 ((02)) (A) 5 and 6

ACREAGE: 20,800 square feet (0.48 acres)

FAR: 0.12 FAR

PLAN MAP: Office use

SE CATEGORY: Category 5 – Offices

PROPOSAL: Approval of a special exception to permit an office use within an existing residential structure in the R-3 Zoning District.

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2011-MA-001, subject to the proposed development conditions contained in Appendix 1.

Miriam Bader

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/



Staff recommends approval of a modification of the transitional screening yard and barrier requirements in favor of that depicted on the SE plat and as conditioned.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, 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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this special exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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.

O:\mbader\SE\Dental Office, SE 2011-MA-001\Staff Report Cover Dental Office2.doc

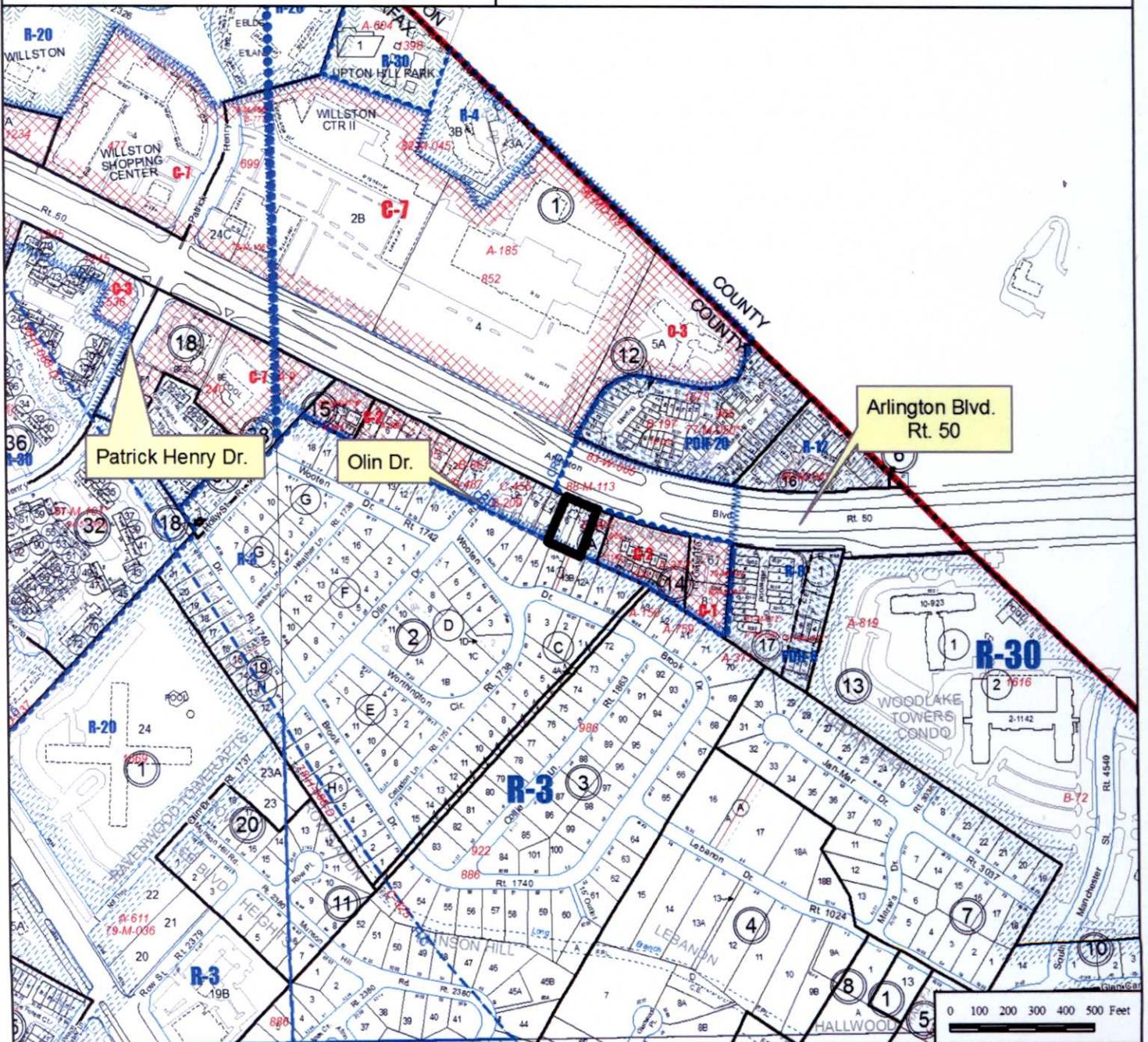


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

SE 2011-MA-001

Applicant: HOMAN SOLEMANINEJAD
Accepted: 02/16/2011
Proposed: DENTAL OFFICE
Area: 20800 SF OF LAND; DISTRICT - MASON
Zoning Dist Sect: 03-0304
Art 9 Group and Use: 5-17
Located: 6065 & 6067 ARLINGTON BOULEVARD
Zoning: R-3
Plan Area: 1
Overlay Dist: CRD SC
Map Ref Num: 051-4 /02/A /0005 /02/A /0006



**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

The applicant, Homan Solemaninejad, is requesting a special exception (SE 2011-MA-001) to allow a Dental Office to operate out of an existing residential building located at 6065 and 6067 Arlington Blvd. The hours of operation are proposed to be 8:00 a.m.-6:00 p.m., Monday through Saturday. The office anticipates 15-20 patients per day and three to five employees.

The proposed development conditions, the Applicant's Affidavit, and the Statement of Justification are contained in Appendices 1 through 3 of this report.

Waivers and Modifications:

Modification of the transitional screening yard and barrier requirements to permit the encroachment of part of the existing parking lot into the transitional screening yard as depicted on the SE Plat.

LOCATION AND CHARACTER

The property is zoned R-3, Residential District, Three Dwelling Units/Acre and Sign Control Overlay District (SC) and lies within the Bailey's Crossroads/Seven Corners Commercial Revitalization District (CRD), just southwest of the Arlington County line. The site is located on the southern side of Arlington Blvd. (Rt. 50) on Tax Maps 51-4((02)) (A) 5 and 6, in the Lee Boulevard Heights Subdivision. The lot is rectangular (approximately 121.5' x 171') or 20,800 square feet. The majority of the property is open and flat, though the property does slope to the rear. There is some vegetation along the side property lines and some fencing. Large individual trees exist in the rear yard.

The existing structure consists of two single-family residential structures that have been connected and which contain 2440 square feet of gross floor area; two separate front entrances remain.

An associated parking lot located to the southwest of the building contains 10 parking spaces. A handicapped designated parking space is located to the northeast of the building in a former driveway. Access is through a service road off of Arlington Boulevard.

Properties to both sides of the subject property consist of residential structures that have been converted to office uses.

The chart below provides the land use, zoning and current plan for surrounding properties.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Townhouses	PDH-20	Res. 12-16 du/ac
South	Single Family Detached	R-3	Res. 2-3 du/ac
East	Office ¹	R-3	Office
West	Office ²	R-3	Office

¹On May 7, 1984, the Board of Supervisors approved SE 84-M-018 which was a request to establish an office use within a residential zoning district.

²On July 24, 1989, the Board of Supervisors approved SE 89-M-043 which was a request to establish an office use within a residential zoning district.

BACKGROUND

A single story building was constructed in 1939 and a two story addition was added in 1959 under building Permit #25816. For zoning purposes, the property is considered one lot because building permit #25816 consolidated the two record lots into one, thereby allowing the structures to straddle a common property line. Under the R-3 District regulations, only one dwelling may exist on the properties.

On January 9, 1995, the Board of Supervisors approved SE 94-M-034 to permit an office in a residential district. Since the office was never established as such, this Special Exception has expired and is no longer applicable to the property (Appendix 5).

On May 5, 1995, the Board of Zoning Appeals approved VC 95-M-008 to permit the existing building to remain 5.2 feet from the side lot line and 20.9 feet from the front lot line (Appendix 4).

On October 22, 2004, RZ 2004-MA-034 was filed by The Millennium Lotus, LLC. to rezone the property from R-3 to C-2 in order to develop a three-story, 10,000 square foot office building with a height of 40 feet and a floor area ratio (FAR) of 0.48. This case was dismissed on January 14, 2009.

COMPREHENSIVE PLAN PROVISIONS (Appendix 6)

Plan Area: Area I
Planning Sector: Seven Corners Community Business Center
Plan Map: Office

Fairfax County Comprehensive Plan, 2011 Edition, Area I, Baileys Planning District, as amended through 7-27-2010, Seven Corners Community Business Center, Land Unit B, p. 124.

The site specific recommendations for Sub-Unit B-4 states:

"To provide a transition in land use intensity between Arlington Boulevard and the Lee Boulevard Heights subdivision to the south...Parcels 51-4 ((2)) (B) 1-7, 51-4 ((2)) (A) 4-9, and 51-4 ((1)) 6 and 8 are planned for office use up to .25 FAR, with retention of existing residential structures encouraged to form a transition zone... In addition, development proposals should improve the area's storm water drainage and traffic circulation. These parcels are designated as a gateway location."

ANALYSIS**Special Exception Plat (SE Plat)** (Copy at front of staff report)

Title of SE Plat: Lots 5 and 6, Lee Boulevard Heights, Mason District, Fairfax, VA

Prepared By: Cervantes and Associates, P.C.

Dated: June 1, 2011

Description of SE Plat:

The following features are depicted on the one page plat:

- Two former residential structures which have been converted into a 2,440 sq. ft. office structure (overall FAR of 0.12).
- Entrance into the site is via a service road that parallels Route 50.
- A secondary entrance point to access a handicapped accessible parking space is also provided off the Service Road at the northeast corner of the property.
- The driveway entrance located near the western boundary is currently 12.5 feet wide. Based on the VDOT recommendation (Appendix 8), the applicant is proposing to construct a standard commercial entrance by widening the ingress/egress to 24 feet, as shown on the SE Plat.

- A total of 11 parking spaces, which includes 10 parking spaces located along the southwestern boundary and one handicapped accessible parking space located at the northeastern corner of the site.
- An area reserved for potential stormwater management in the rear yard, just to the east of the parking lot, should this be required.
- The applicant is proposing to erect a conforming three foot by three foot (nine square-foot) illuminated sign on the property in front of the structure to identify the dental clinic. The top of the sign will not exceed 4.5 feet from the ground. The location of the sign is shown on the SE Plat.
- The construction of a five foot wide sidewalk along the entire front of the property as recommended by Staff.
- An existing six foot high wood fence along the eastern property line is proposed to remain.
- An existing four foot high chain link fence along the western property line is proposed to remain.
- The existing paved parking lot encroaches about 27 feet into the western end of the transitional screening yard.
- There is a sanitary sewer easement that encroaches 12 feet along the entire southern boundary of the site.
- The SE plat shows a six-foot high solid wood fence along the southern edge of the parking area with a gate and a six-foot tall dense evergreen hedge between the fence and the boundary of the sanitary sewer easement at the south end of the parking lot to mitigate the impact of the existing parking lot into the transitional screening yard as specified in Sect. 13-305.4 of the Zoning Ordinance.
- A landscape detail is shown on the SE plat. It indicates that the evergreen hedge to the east of the gate will be composed of a mixture of 25 Inkberry, Cherry Laurel and Burkwood Vibrunum planted 3.3 feet on center. The hedge to the west of the gate will be composed of three Cherry Laurels and three Inkberrys.
- The transitional screening yard will include three English Hollies, three Southern Magnolias, and six Japanese Cryptomeria.
- An existing 27 inch dbh Red Maple will be preserved in the transitional screening yard.
- Existing 22 inch dbh and 18 inch dbh trees located in the rear yard will also be preserved. The types of trees were not identified on the SE Plat.



No external physical changes are proposed to the existing structure. The current structure has boarded windows (some broken) and is posted by the Zoning Enforcement Office as "unfit for habitation." The applicant proposes to renovate and repair the structure so that it will conform to all codes and will upgrade the façade of the structure. The applicant will seek to use LEED standards where possible, for the renovation. All construction work executed for this project will comply with ADA standards.

Land Use/Comprehensive Plan Analysis (Appendix 6)

The proposed use and intensity are in harmony with the Comprehensive Plan recommendations for the site. No issues were identified. The applicant is proposing to retain the existing residential structure as recommended in the Comprehensive Plan in order to form a transition zone between the commercial uses along Arlington Boulevard and the single-family detached residences located along the rear property line. In addition, the applicant is proposing to meet all stormwater management and traffic circulation requirements as recommended in the Comprehensive Plan.

Office of Community Revitalization and Reinvestment (OCRR)

(Appendix 7)

Issue: Since the applicant is proposing to convert a former residential structure for a commercial use, care should be taken to comply with all applicable regulations, including the Americans with Disabilities Act (ADA). Parking should be located behind the principle structure, and a sidewalk should be provided along the front of the property to enhance pedestrian connectivity.

Resolution: The applicant's Statement of Justification states that the applicant will comply with ADA requirements. In addition, the SE Plat indicates that parking will be behind the principal structure and a five foot wide sidewalk is proposed along the front of the property; Staff believes these issues are addressed.

Both the Office of Community Revitalization and the Baileys Crossroads Revitalization Corporation identified the following issue:

Issue: The applicant needs to provide appropriate buffering along the rear yard to mitigate impacts to the abutting single family detached residences. This issue was also identified by the Urban Forester. See the Urban Forest Management Analysis below.

Urban Forest Management Analysis (Appendix 8)

Issue: The applicant should provide a 35 foot transitional screening yard (Transitional Screening 2) along the southern portion of the site adjacent to the single family detached residences to satisfy Sect 13-303.3B of the Zoning Ordinance. And the applicant should provide a barrier fence type D, E or F to satisfy Sect.13-304.4 (D-F) of the Zoning Ordinance. However, planting in the transitional screening yard is constrained by a sanitary sewer easement that parallels the entire southern boundary line for a width of twelve feet. In addition, the parking lot encroaches 27 feet into the western end of the transitional screening yard. This only leaves a screening width of about eight feet at the end of the parking lot for a length of 38 feet.

Resolution: Staff recommends that a modification of the transitional screening yard and barrier requirements be granted to permit the encroachment of part of the existing parking lot into the transitional screening yard as depicted on the SE Plat. In addition, Staff recommends a six-foot tall, dense, evergreen hedge and a six-foot high, solid wood fence along the southern edge of the parking area with a gate to allow for maintenance of the hedge.

The SE Plat indicates the applicant's response. The SE Plat depicts erecting the recommended fence, gate, hedge and plantings. The applicant proposes to preserve all the existing, significant trees. In order to ensure that an appropriate transitional screening yard and barrier fence are provided, a formal landscape plan will need to be reviewed and approved by Urban Forest Management (UFM) during the Site Plan Review Process. Staff has included a development condition

which addresses this requirement and emphasizes the owner's responsibility in maintaining the transitional screening landscaping on the property.

Transportation Analysis (Appendix 9)

No significant issues were identified by the Fairfax County Department of Transportation (FCDOT). A Chapter 527 TIA has not been warranted. The Virginia Department of Transportation (VDOT) had the following issues:

Issue: The existing driveway does not meet VDOT's commercial standards.

Resolution: The SE Plat indicates that the throat and entrance of the driveway will be widened to meet VDOT's commercial standards. The final design of the proposed driveway will need to be reviewed and approved by VDOT during the Site Plan Review process.

Issue: Pedestrian facilities should be provided across the site frontage to tie in with the improvements to the east.

Resolution: The SE Plat shows that a five foot wide concrete sidewalk is proposed across the frontage and will tie into the existing four foot wide concrete sidewalk to the east.

Stormwater Management Analysis

Issue: The applicant is not proposing any land disturbance except to add a sidewalk, landscaping and to widen the driveway from 12.5 feet to 24 feet for a depth of 30 feet, so that it will meet the VDOT commercial standard. Since the resulting area of disturbance is anticipated to be greater than 250 square feet but less than 2500 square feet, the applicant will need to go through at least a minor site plan review process. In addition, a paved parking lot for ten spaces currently exists on site. No records could be found to indicate that this paved parking lot went through the formal site plan review process. Therefore, the Department of Public Works and Environmental Services may determine that this application will need to go through a full site plan review process and not just a minor site plan review process; if a full site plan is required, the applicant will need to provide stormwater detention or obtain a waiver.

Resolution: The SE Plat shows an area reserved for potential stormwater management on site. If a waiver of stormwater detention is not granted, the applicant will need to provide the appropriate stormwater management facilities in substantial conformance with the Special Exception Plat or may be required to submit a Special Exception Amendment.

ZONING ORDINANCE PROVISIONS (Appendix 10)

The chart below compares the required bulk standards and the proposed improvements for the proposed dentist office in the R-3 District.

Bulk Standards (R-3 Zoning)		
Standard	Required	Provided
Lot Size	10,500 square feet	20,800 square feet
Lot Width	80 feet	119 feet
Building Height	60 feet	31.3 feet
Front Yard	40° ABP, but not less than 30 ft.	20.9 feet (Variance granted 5-5-95, VC 95-M-008)
Side Yard	35° ABP, not less than 10 feet	5.2 feet (Variance granted 5-5-95, VC 95-M-008)
Rear Yard	35° ABP, not less than 25 feet	106 feet
FAR	0.25	0.12
Parking Spaces	9	11
Transitional Screening and Barrier Requirements		
Direction	Required	Provided
South (Residential)	TS 2 (35 feet screening) ¹ Barrier D, E, or F ²	Modification requested-see below

¹Transitional Screening 2 shall consist of an unbroken strip of open space a minimum of thirty-five (35) feet wide and planted with all of the following:

- (1) A mixture of large and medium evergreen trees that achieves a minimum ten (10) year tree canopy of seventy-five (75) percent or greater;
- (2) A mixture of trees consisting of at least seventy (70) percent evergreen trees, and consisting of no more than thirty-five (35) percent of any single species of evergreen or deciduous tree; and
- (3) A mixture of predominately medium evergreen shrubs at a rate of three (3) shrubs for every ten (10) linear feet for the length of the transition yard area. The shrubs shall generally be located away from the barrier and staggered along the outer boundary of the transition yard.

²Barrier D shall consist of a 42-48 inch chain link fence and may be required by the Director to have inserts in the fence fabric, to be coated, or to be supplemented by trees and/or shrubs. Barrier E shall consist of a 6 foot wall, brick or architectural block faced on the side facing the existing use and may be required to be so faced on both sides as determined by the Director. Barrier F shall consist of a 6 foot high solid wood or otherwise architecturally solid fence.

Transitional Screening Modification:

The applicant has requested a modification of the transitional screening yard and barrier requirements to permit the encroachment of part of the existing parking lot into the transitional screening yard and to acknowledge the existence of a sanitary sewer easement along the rear property line that further constrains the screening yard and placement of the barrier fence. The SE Plat indicates that the applicant is proposing to erect a six-foot high, solid wood fence along the southern edge of the parking area and a six-foot tall, dense evergreen hedge between the fence and the boundary of the sanitary sewer easement. In addition, the applicant proposes to meet the transitional screening yard and barrier requirements where possible, and will keep all existing vegetation. See Urban Forest Management Analysis for details. Staff recommends approval of a modification of the transitional screening yard and barrier requirements in favor of that depicted on the SE plat and as conditioned.

Other Zoning Ordinance Requirements:**Special Exception Requirements (Appendix 10)**

General Special Exception Standards (Sect. 9-006)

Category 5 Standards (Sect. 9-503)

Additional Standards for Offices (Sect. 9-515)

General Special Exception Standards (Sect. 9-006)

General Standard 1 requires that the proposed use at the specified location be in harmony with the adopted Comprehensive Plan. As stated in the Land Use Analysis, staff believes the proposal is in general harmony with the Plan.

General Standard 2 requires that the proposed use be in conformance with the general purpose and intent of the applicable zoning district regulations. The R-3 District permits an office use as a special exception use. The subject property is designed to be compatible with the adjacent residentially zoned land. The applicant is proposing to locate in an existing residential structure. The neighboring properties along this street are also offices that operate out of existing residential structures. In addition, the applicant proposes to erect a six-foot high, solid wood fence; plant a six-foot tall, dense evergreen hedge and retain all the existing significant trees on site. Supplementing the existing landscaping should help maintain and enhance the residential character of the area.

General Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive

plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. It is staff's opinion that the proposal for adaptive re-use of an existing residential structure, coupled with the proposed landscaping will not hinder the existing use or future re-development of adjacent parcels. In addition, if required, the applicant proposes to provide storm management facilities and landscaping to ensure that the neighboring properties will not be adversely affected by storm water runoff from the parking lot.

General Standard 4 requires that the proposed use be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. Access for the site is provided from a Service Road that runs parallel to Arlington Boulevard (Route 50). The applicant is proposing to construct a five foot wide sidewalk across the frontage of the lot. This sidewalk will tie in to an existing sidewalk to the east of the property. In addition, the applicant is proposing to improve the existing driveway to a commercial standard. Staff feels that these proposed improvements will enhance the pedestrian and vehicular traffic situation in the area.

General Standard 5 states that, in addition to the standards which may be set forth in this Article for a particular category or use, the Board may require landscaping and screening in accordance with the provision of Article 13. A landscape plan will be required by the proposed development conditions.

General Standard 6 states that open space should be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. The R-3 Zoning District has an open space requirement only for cluster developments; this standard is not applicable.

General Standard 7 requires that adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11. The ordinance requires that nine off-street parking spaces be provided. The applicant is providing 11 off-street parking spaces. Also, the applicant has provided a stormwater management area should it be required. Therefore, this standard is met.

General Standard 8 requires that signs shall be regulated by the provisions of Article 12; however, the Board may impose stricter requirements for a given use than those set forth in this Ordinance. The applicant is proposing to erect a three foot by three foot monument sign that will be indirectly illuminated. It will not exceed a height of 4.5 feet tall. With the proposed condition, limiting signage as specified, staff believes that the proposed signage is appropriate.

Category 5 Standards (Sect. 9-503)

The Category 5 Standards require that the proposed development meet lot size and bulk requirements for the Zoning District, comply with performance standards, and be subject to site plan review. The proposed use meets these standards. While a full site plan review may not be required, at a minimum a landscape plan, a tree coverage plan, limits of clearing and grading and a storm water detention plan shall be provided to Urban Forest Management and DPWES prior to the issuance of a building permit.

Additional Standards for Offices (Sect. 9-515)

The additional standards state that offices in residential districts are only permitted within a Central Business District as depicted in the Comprehensive Plan or such other area where such use is specifically designated in the adopted Comprehensive Plan. Furthermore, such uses shall only be permitted in a single family detached dwelling which was erected prior to February 26, 1973.

According to the Comprehensive Plan, the site is located in the Seven Corners Central Business District and Commercial Revitalization District (CRD). In addition, the proposed office will be located in a single family detached dwelling that was built in 1939. Thus, this standard has been met.

Overlay District Requirements

The application is located in the Commercial Revitalization District and the Sign Control Overlay Districts. The Commercial Revitalization District, as specified in Sect. 9-622 (Appendix 10), allows provisions for modifications/waivers/increases and uses in this district. The applicant is not asking for any modifications, waivers, or increases that are referenced in this section in this application. A variance was previously granted for a front and side yard setback for an existing building on May 5, 1995 (Appendix 4).

All signage associated with the proposed use is required to conform to the requirements of the sign control overlay district and the sign regulations, as outlined in Article 12 of the Zoning Ordinance. Specifically, Sect. 12-208 2. M., states that the applicant is permitted one freestanding sign not to exceed six square feet in area nor a height of four feet. In addition, the sign shall not be located closer than 10 feet to any lot line. Also, illumination shall be white and not colored and shall conform with the performance standards for outdoor lighting as set forth in Part 9 of Article 14 of the Zoning Ordinance. With the proposed development condition, staff believes that the proposed signage is appropriate for this use and location.

Summary of Zoning Ordinance Provisions

All applicable standards have been satisfied with the proposed development conditions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

With the adoption of the proposed development conditions, staff finds the proposed office is in general harmony with the Comprehensive Plan and in conformance with all applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends approval of SE 2011-MA-001, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a modification of the transitional screening yard and barrier requirement in favor of that depicted on the SE Plat and as conditioned.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, 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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this special exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Variance Resolution
5. Previously Approved Development Conditions (now expired)
6. Land Use/Comprehensive Plan Analysis
7. Office of Community Revitalization and Reinvestment Analysis
8. Urban Forest Management Analysis
9. Transportation Analysis
10. Applicable Zoning Ordinance Provisions
11. Glossary

PROPOSED DEVELOPMENT CONDITIONS

SE 2011-MA-001

June 22, 2011

If it is the intent of the Board of Supervisors to approve SE 2011-MA-001 located at 6065 and 6067 Arlington Blvd., Tax Maps 51-4((02)) (A) 5 and 6, for an office in the Commercial Revitalization District pursuant to Sect. 3-304 of the Fairfax County Zoning Ordinance, then staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previous conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. A copy of this Special Exception 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.
3. 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.
4. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to the special exception shall be in substantial conformance with the approved Special Exception (SE) Plat, entitled, "Lots 5 and 6, Lee Boulevard Heights, Mason District, Fairfax, VA", prepared by Cervantes and Associates, P.C., dated June 1, 2011, 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.
5. The maximum number of employees on-site at any one time shall be five.
6. The maximum hours of operation shall be from 8:00 a.m. to 6:00 p.m., Monday-Saturday.
7. One monument sign which conforms to Section 12 of the Zoning Ordinance may be provided in the location indicated on the Special Exception Plat (the northern portion of the property in front of the building).
8. The driveway entrance shall be widened to meet commercial standards as indicated on the SE Plat, subject to final approval by the Virginia Department of Transportation (VDOT).

9. Off-street parking spaces shall be provided as shown on the SE Plat to Public Facilities Manual standards.
10. A six-foot high, solid wood fence (with a gate) shall be provided along the southern edge of the parking area. A landscape plan in substantial conformance with that depicted on the SE Plat shall be provided as part of the site plan submission and shall be reviewed and approved by the Urban Forest Management Division, DPWES. The landscaping and barrier shall be maintained as specified in Sect. 13-106 of the Zoning Ordinance.
11. If a waiver of stormwater management is not granted by the Department of Public Works and Environmental Services (DPWES), stormwater management shall be provided to the satisfaction of DPWES at the time of site plan approval. An area has been designated for stormwater management on the SE Plat (identified as "stormwater management if required"), if required stormwater management facilities can not be provided in substantial conformance with the SE Plat, the applicant may be required to submit a Special Exception Amendment.

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 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, 30 months after the date of approval unless, at a minimum, 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 5-26-11
 (enter date affidavit is notarized)

I, Homan Solemaninejad, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 111/52 a

in Application No.(s): SE 2011-MA-001
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Homan Solemaninejad	P.O.Box 7186, Arlington, Va.22207	Owner, Applicant
Shiva Y. Kermanshi	P.O.Box 7186, Arlington, Va.22207	Owner
Robert J. Kearney Architect	11703 Newbridge Court Reston, Va. 20191	Agent for Applicant Architect

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: 5-26-11
(enter date affidavit is notarized)

for Application No. (s): SE 2011-11A-001
(enter County-assigned application number(s))

11152a

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 5-26-11
(enter date affidavit is notarized)

111152a

for Application No. (s): SE 2011-MA-001
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 5-26-11
(enter date affidavit is notarized)

111152a

for Application No. (s): SE 2011-MA-001
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE:** If answer is none, enter "NONE" on the line below.)

None

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 5/26/11
(enter date affidavit is notarized)

11152a

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

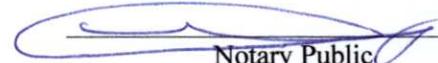
4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

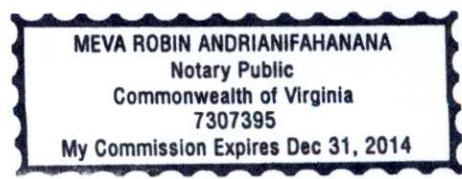
(check one) Applicant Applicant's Authorized Agent

Homan Solemaninejad owner
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 26th day of May, 20 11, in the State/Comm. of Virginia, County/City of Fairfax.


Notary Public

My commission expires: 12.31.2014



**ROBERT KEARNEY
ARCHITECT**

April 20, 2011 ADDENDUM #1 TO:

Subject: Zoning/Planning Modification Efforts; Design and Project Alignment
6065-6067 Arlington Boulevard – Lee Blvd. Heights; County of Fairfax, Virginia.

• **SPECIAL EXCEPTION STATEMENT OF JUSTIFICATION**

- A. Type of operation(s)
Dental Office.
- B. Hours of operation.
9:00am to 6:00pm
- C. Estimated number of patrons/clients/patients/pupils, etc.
15 – 20 patients per day
- D. Proposed number of employees/attendants/teachers/etc.
3 to 5 employees
- E. Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day.
15 to 20 trips per day. (Limited to immediate area, and with equally distributed time occurrence thru the course of the Business day).
- F. Vicinity or general area to be served by the use.
The immediate area of the Seven Corners area.
- G. Description of building façade and architecture of proposed new building or additions.
No new buildings or additions being constructed.
- H. A listing, if known of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Va. Dept. of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.
NA (NOT APPLICABLE). None of the above, as stated in item H, applies to this property usage. A statement of how the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or, if any waiver, exception or variances is sought by applicant from such ordinances, regulations, standards and conditions, such shall be specifically noted with the justification for any such modification.

It is the applicant's responsibility to show that the proposed use complies with all Zoning Ordinance requirements related to the use, including how the proposed special exception is in conformance with the general standards and the specific category standards, as well as any additional standards for the particular special exception use.

As a part of R-3 Residential District, Three Dwelling Units/Acre (per Part 3; 3-300; current Fairfax County Zoning Ordinance; and per Item 3-304 – Special Exception Uses: Category 3 – Quasi Public Uses, limited to: J. Medical care facilities.

This is an existing facility that has a history of being used previously for non-residential purposes and is within an area of existing residential buildings currently being used as offices.

ADDENDUM#1: (The following items to modify original submission relative to work effort.)

ITEM A: The applicant will seek to use LEED standards for the renovation

ITEM B: All construction work executed for this project will utilize approved ADA/ANSI standards for all new and/or modified work; including: millwork, access, equipment, etc.

VARIANCE RESOLUTION OF THE BOARD OF ZONING APPEALS

In Variance Application VC 95-M-008 by HOWARD & HOWARD, under Section 18-401 of the Zoning Ordinance to permit building to remain 5.2 feet from side lot line and 20.9 feet from front lot line, on property located at 6065 Arlington Boulevard, Tax Map Reference 51-4((2))(A)5 & 6, Mr. Pammel moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on April 27, 1995; and

WHEREAS, the Board has made the following findings of fact:

1. The applicants are the owners of the land.
2. The present zoning is R-3.
3. The area of the lot is 20,800 square feet.
4. The applicant is in compliance with the standards for granting a variance.
5. The structures are located closer to the lot line than they were when originally built because of an additional acquisition of right-of-way.
6. To require conformance with the Ordinance would cause a severe hardship on the applicant.

This application meets all of the following Required Standards for Variances in Section 18-404 of the Zoning Ordinance:

1. That the subject property was acquired in good faith.
2. That the subject property has at least one of the following characteristics:
 - A. Exceptional narrowness at the time of the effective date of the Ordinance;
 - B. Exceptional shallowness at the time of the effective date of the Ordinance;
 - C. Exceptional size at the time of the effective date of the Ordinance;
 - D. Exceptional shape at the time of the effective date of the Ordinance;
 - E. Exceptional topographic conditions;
 - F. An extraordinary situation or condition of the subject property, or
 - G. An extraordinary situation or condition of the use or development of property immediately adjacent to the subject property.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
4. That the strict application of this Ordinance would produce undue hardship.
5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.
6. That:
 - A. The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict all reasonable use of the subject property, or
 - B. The granting of a variance will alleviate a clearly demonstrable hardship approaching confiscation as distinguished from a special privilege or convenience sought by the applicant.

7. That authorization of the variance will not be of substantial detriment to adjacent property.
8. That the character of the zoning district will not be changed by the granting of the variance.
9. That the variance will be in harmony with the intended spirit and purpose of this Ordinance and will not be contrary to the public interest.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has satisfied the Board that physical conditions as listed above exist which under a strict interpretation of the Zoning Ordinance would result in practical difficulty or unnecessary hardship that would deprive the user of all reasonable use of the land and/or buildings involved.

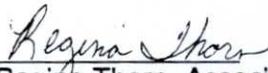
NOW, THEREFORE, BE IT RESOLVED that the subject application is **GRANTED** with the following limitations:

1. This variance is approved for the location of the specific addition shown on the plat prepared by Cervantes and Associates, P.C., dated March 31, 1994, revised September 9, 1994 through November 28, 1994, submitted with this application and is not transferable to other land.

Mr. Hammack seconded the motion which carried by a vote of 4-0 with Chairman DiGiulian and Mr. Kelley absent from the meeting.

This decision was officially filed in the office of the Board of Zoning Appeals and became final on May 5, 1995. This date shall be deemed to be the final approval date of this variance.

A Copy Teste:


Regina Thorn, Associate Clerk
Board of Zoning Appeals



FAIRFAX COUNTY

APPENDIX 5

OFFICE OF THE CLERK
BOARD OF SUPERVISORS

12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 Fax: 703-324-3926

V I R G I N I A

January 18, 1995

Ms. Colline Silvera
Howard and Howard
641 G Street S.W.
Washington, DC 20024

RE: Special Exception
Number SE 94-M-034

Dear Ms. Silvera:

At a regular meeting of the Board of Supervisors held on January 9, 1995, the Board approved Special Exception Number SE 94-M-034 in the name of Howard and Howard, located at Tax Map 51-4 ((2)) (A) 5 and 6, to allow office in a residential district pursuant to Section 3-304 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 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. This Special Exception is subject to the provisions of Article 17, Site Plans as determined by the Department of Environmental Management. Any plan submitted pursuant to this Special Exception shall be in conformance with the approved Special Exception Plat, entitled, "Lots 5 and 6 Lee Boulevard Heights", prepared by Cervantes and Associates, P.C., dated March 31, 1994 and revised through September 9, 1994.

2.

4. The only permitted use shall be office.
5. The maximum number of employees on-site at any one time shall be ten.
6. The maximum daily hours of operation shall be from 9:00 a.m. to 6:00 p.m.
7. All signage shall meet the requirements of Article 12 of the Zoning Ordinance, which includes the obtaining of all necessary sign permits.
8. The driveway entrance shall be modified, as necessary, to be acceptable to the Virginia Department of Transportation and/or the Department of Environmental Management (VDOT and/or DEM).
9. The parking spaces and travel aisle shall meet the geometrics and standards of Section 7-0802 of the Public Facilities Manual as determined by DEM.
10. A minimum of a 35 foot wide transitional screening yard shall be provided along the entire southern boundary. Up to a maximum of two parking spaces shown on the Special Exception Plat may be eliminated in order to have sufficient area for the provision of the 35 foot wide transitional screening yard. The transitional screening yard shall be landscaped with a variety of evergreen trees and shrubs which provide an effective year round screen as determined by the Urban Forester. A six foot tall board on board wood fence shall be provided along the southern boundary in a location to be approved by the Urban Forester.
11. If a front and side yard variance is not granted by the Board of Zoning Appeals, this Special Exception shall be null and void.

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.

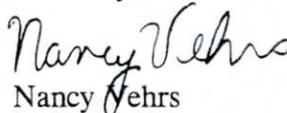
January 18, 1995

3.

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.

If you have questions regarding the expiration of this Special Exception or filing a request for additional time they should be directed to the Zoning Evaluation Division of the Office of Comprehensive Planning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs

Clerk to the Board of Supervisors

NV/ns

cc: John M. Yeatman, Director, Real Estate Dvs., Assessments
Melinda M. Artman, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, OCP
Audrey Clark, Chief, Inspection Svcs., BPRB, DEM
Barbara A. Byron, Director, Zoning Evaluation Dvsn., OCP
Robert Moore, Trnsprt'n. Planning Dvs., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Y. Ho Chang, Resident Engineer, VDOT
Land Acq. & Planning Dvs., Park Authority



County of Fairfax, Virginia

APPENDIX 6

MEMORANDUM

DATE: May 20, 2011

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief *PGN*
Environment and Development Review Branch, DPZ

SUBJECT: Land Use Analysis: SE 2011-MA-001
Solemaninejad

The memorandum, prepared by Bernard Suchicital, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the development plan dated February 15, 2011. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

DESCRIPTION OF THE APPLICATION

The applicant, Homan Solemaninejad, is requesting a special exception of the property to permit a dental office to be located on an R-3 zoned parcel, within a Commercial Revitalization District (CRD). The subject property contains approximately 0.48 acre in size. The proposed use would continue existing as a non-residential use, allowing for the up to five employees on site, and approximately 20 patients per day. The existing structure, and parking areas will remain largely as they are today with modifications that include a new sidewalk along the street frontage and enhance landscaping and buffering in the rear of the property.

LOCATION AND CHARACTER OF THE AREA

The property is located on the south side of Arlington Boulevard, just west of the Arlington County line. Properties to the east, west and south are zoned R-3; properties north of Arlington Boulevard are zoned PDH-20. The Target plaza and the commercial strip of Seven Corners is located to the west, within walking distance of the subject parcels.

COMPREHENSIVE PLAN CITATIONS:

Land Use

Fairfax County Comprehensive Plan, 2011 Edition, Area I, Baileys Planning District as amended through July 27, 2010, Seven Corners Community Business Center, Land Unit Recommendations, page 124:

“Sub-Unit B-4

To provide a transition in land use intensity between Arlington Boulevard and the Lee Boulevard Heights subdivision to the south, Parcels 51-4((15))1-21 are planned for townhouse office use up to .35 FAR, well buffered from the residential uses to the south. Parcels 51-4((2))(B)1-7, 51-4((2))(A)4-9, and 51-4((1))6 and 8 are planned for office use up to .25 FAR, with retention of the existing residential structures encouraged to form a transition zone. As an option, this area may be considered for redevelopment with townhouse office uses up to .35 FAR if logical consolidation of parcels is achieved and designed in a manner compatible with the surrounding neighborhood by the development being residential in appearance, building height being limited to 40 feet, and providing a 35 foot buffer adjacent to single-family residences, which includes a solid wall and effective landscaping. In addition, development proposals should improve the area’s storm water drainage and traffic circulation. These parcels are designated as a gateway location.”

COMPREHENSIVE PLAN MAP: Office

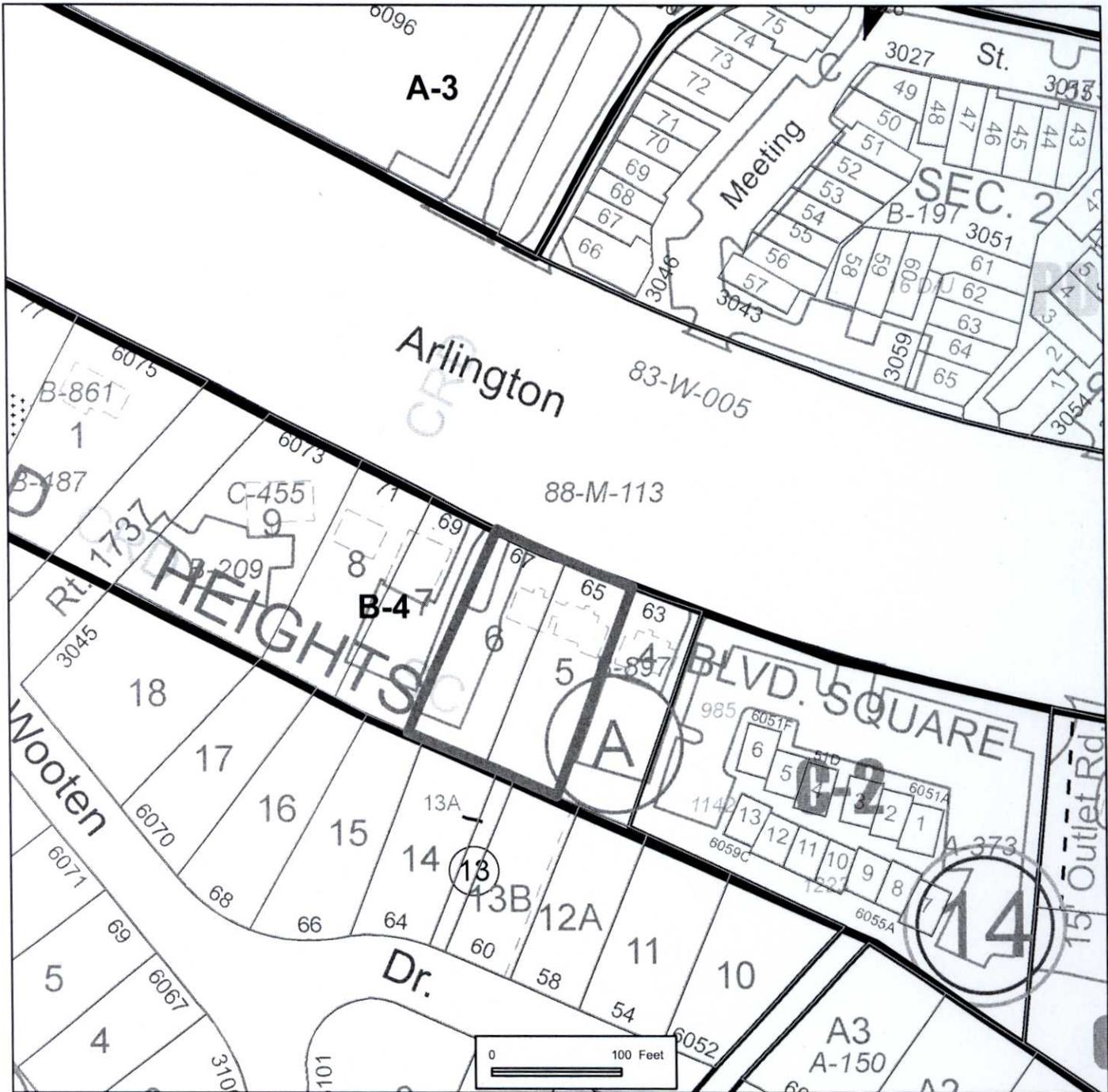
LAND USE ANALYSIS

The adopted Plan text for the site supports the continued use of the property as office with retention of the existing residential structure. The proposed dental office will provide for an appropriate transition from the commercial and retail strip of Seven Corners and Arlington Boulevard, to the adjacent single-family residential neighborhood. The Plan further recommends that the residential character is maintained and effective landscaping is to be incorporated into a 35-foot buffer from existing residences. Consistent with this Plan guidance, the applicant has proposed a development that will leave the site and structures mostly unchanged, with minor upgrades such as interior renovations, addition of a five-foot sidewalk, landscaping and parking enhancements. The existing and planned surrounding uses are residential in nature. Staff feels that the proposed development is in harmony with the land use recommendations of the Comprehensive Plan.

PGN: BSS

Environmental Assessment Map

SE 2011-MA-001 Solemaninejad TM 51-4 ((2)) A-5, 6



Study Area Assessment:

Asbestos: 0.00 Acres
 Hydric Soils: 0.00 Acres
 Slopes >= 15%: 0.00 Acres
 RPA: 0.00 Acres

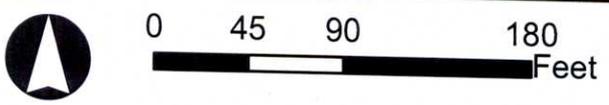
Notes:

Prepared by the Fairfax County Department of Planning and Zoning, using Fairfax County GIS
 The features here are generalized and therefore approximate.
 Information provided is partial in nature - do not assume that a feature not shown, does not exist.
 This information has not been verified and should not be used in place of site specific environmental studies.

Legend

- Slopes >= 15%
- Hydric Soils
- Asbestos Soils
- Streams
- Resource Protection Areas

SE 2011-MA-001 Solemaninejad TM 51-4 ((2)) A-5, 6



2011-MA-001
51-4((2))A-5, 6
emaninejad



Arlington Blvd

Arlington Blvd

Arlington Blvd

← Arlington Blvd ←

Arlington Blvd

50



County of Fairfax, Virginia

MEMORANDUM

DATE: April 11, 2011

TO: Barbara Berlin, Director,
Zoning Evaluation Division
Department of Planning & Zoning

FROM: *Barbara A. Byron*
Barbara A. Byron, Director
Office of Community Revitalization and Reinvestment

SUBJECT: Dental Office / Homan Solemaninejad – Comments on SEA 2011-MA-001

The Office of Community Revitalization and Reinvestment (OCRR) has reviewed the above referenced Special Exception application marked "Received" by the Department of Planning and Zoning on November 8, 2010. Plat drawings with the most current revisions are dated January 27, 2011.

The applicant is requesting a special exception to allow for the operation of a dental office at 6065-6067 Arlington Boulevard. Approval is required to permit a medical facility within the R-3 Residential District. The application is located within the Seven Corners Commercial Revitalization District. Modifications to the existing structure are not indicated.

OCRR Comments:

The applicant proposes to utilize a residential structure as a small dental office. The property currently faces Arlington Boulevard, and other small businesses also line the street in this area. As such, a professional medical office is appropriate for the location. However, because a residential area is located immediately behind the site, appropriate screening and landscaping should be provided to buffer those adjacent residential uses.

Because the applicant proposes to utilize a former residential structure for a commercial use, care should be taken to comply with all applicable regulations, including the Americans with Disabilities Act (ADA). Parking should be located behind the principle structure, and a sidewalk should be provided along the front of the property to enhance pedestrian connectivity. The improvements will help support a successful and accessible business.

CC: Miriam Bader, Staff Coordinator, DPZ/ZED
OCRR File



Office of Community Revitalization and Reinvestment
12055 Government Center Parkway, Suite 1048
Fairfax, VA 22035
703-324-9300, TTY 711
www.fcrrvit.org



County of Fairfax, Virginia

MEMORANDUM

June 6, 2011

TO: Miriam H. Bader AICP, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Hugh Whitehead, Urban Forester II *HUN*
Forest Conservation Branch, DPWES

SUBJECT: Lee Boulevard Heights, Section 1, Block A, Lots 5 & 6
SE 2011-MA-001

I have reviewed the above referenced Special Exception Plat dated June 1, 2011; and draft development conditions dated June 22, 2011. Forest Conservation Branch staff has no further comments regarding this case, at this time.

If there are any questions or concerns, please contact me at (703)324-1770.

HCW/
UFMID #: 159260

cc: RA File
DPZ File





County of Fairfax, Virginia

APPENDIX 9

MEMORANDUM

DATE: May 20, 2011

TO: Regina Coyle
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver
Site Analysis Section
Department of Transportation

FILE: 3-5 (SE 2011-MA-001)

SUBJECT: Transportation Impact

REFERENCE: SE 2011-MA-001 Homan Solemaninejad
Traffic Zone: 1424
Land Identification Map: 51-4 ((2)) (A) 5, 6

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on the plat made available to this office dated October 1, 2010. The applicant proposes to operate a dental office open from 9:00 a.m. to 6:00 p.m. daily in existing buildings. There will be 3 to 5 employees. The applicant is also providing a 5-foot sidewalk across the frontage of the site.

This department has no transportation issues with this application.

AKR/LAH/lah

Fairfax County Department of Transportation

4050 Legato Road, Suite 400

Fairfax, VA 22033-2895

Phone: (703) 877-5600 TTY: 711

Fax: (703) 877 5723

www.fairfaxcounty.gov/fcdot





COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
COMMISSIONER

4975 Alliance Drive
Fairfax, VA 22030
March 11, 2011

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Kevin Nelson
Virginia Department of Transportation – Land Development Section

Subject: SE 2011-MA-001 Homan Solemaninejad
Tax Map # 51-4((02))(A)0005 & 6

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the above plan submitted on March 1, 2011, and received March 4, 2011. The following comments are offered:

1. A standard commercial entrance is required for the site.
2. Pedestrian facilities should be provided across the site frontage to tie to the improvements to the east.
3. Adequate sight distance for the entrance shall be demonstrated.
4. Proper curb and gutter should be provided along both sides of the service drive to discourage illegal parking.

If you have any questions, please call me.

cc: Ms. Angela Rodeheaver
fairfaxspex2011-MA-001se1Solemaninejad3-11-11BB

FAIRFAX COUNTY ZONING ORDINANCE

- (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:
 - (a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and
 - (b) the maximum permitted FAR for the zoning district shall not be exceeded.
- C. For all approved special exception uses, any request for an addition shall require the provision of written notice by the requester in accordance with the following:
- (1) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and
 - (2) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the approved special exception, such modification shall require the approval of an amendment to the special exception in accordance with Sect. 014 below or a new special exception.

9-005 Establishment of Categories

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

SPECIAL EXCEPTIONS

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

9-007

Conditions and Restrictions

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

9-008

Time Limitations, Extensions, Renewals

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period by the Zoning Administrator; or that it

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how the use can be made to comply with the applicable performance standards in Article 14.

2. The Board may, in approving a special exception for a heavy industrial use, establish additional yard requirements, landscaping and screening and other standards that, in the opinion of the Board, will effect compatibility with the surrounding community.

9-512 Additional Standards for Hotels, Motels

1. When located in an I district, such a use shall be an integral design element of a site plan for an industrial building or building complex containing not less than 100,000 square feet of gross floor area.

9-513 Additional Standards for Marinas, Docks and Boating Facilities, Commercial

1. The minimum lot size requirement shall be two (2) acres.
2. Except for light poles, no structure used in connection with the use shall be located closer than 100 feet to any nonriparian lot line.
3. No off-street parking or loading space shall be located within fifty (50) feet of any adjoining property which is in an R district.

9-514 Additional Standards for Mini-Warehousing Establishments

1. Storage units shall be primarily for dead storage and all storage shall be within a completely enclosed building.
2. Loading docks shall not be permitted.
3. There shall be no incidental parking or storage of trucks and/or moving vans except for purposes of loading and unloading or unless approved as a part of a truck rental establishment.
4. In the PDC and PTC Districts, mini-warehousing establishments may only be permitted in accordance with the provisions of Sect. 6-206 and 6-505, as applicable.

9-515 Additional Standards for Offices

1. The following standards shall apply to offices in residential districts:
 - A. Such a use shall be located only within a Community Business Center (CBC) as shown in the adopted comprehensive plan or such other area where such use is specifically designated in the adopted comprehensive plan.
 - B. Such a use shall be permitted only in a single family detached dwelling which was erected prior to February 26, 1973; additions erected subsequently may not be used for such activities.

SPECIAL EXCEPTIONS

- C. Notwithstanding the provisions of Sect. 014 above, offices in residential districts approved prior to January 24, 1977 may be renewed for one five (5) year period under the ordinances in effect at the time the permit/exception was originally granted, provided that the principal user is the same as the one who originally received the special permit or exception. Thereafter, any renewal shall be subject to the provisions of this Ordinance.
- D. Notwithstanding the provisions of Par. A through C above, in the R-30 District, offices shall be subject only to the following standards:
 - (1) Such use shall be located only on the lower two (2) floors of the primary building, or in an accessory structure as may be approved by the Board.
 - (2) The aggregate floor area of all non-residential uses, to include offices, shall not exceed fifteen (15) percent of the total gross floor area.
 - (3) Adequate off-street parking shall be provided in accordance with the provisions of Par. 4 of Sect. 11-102.
- 2. In the C-5, C-6, C-7, C-8 and C-9 Districts, the Board may approve a special exception to allow office uses at a greater percentage of the maximum FAR than that permitted by right. For the purpose of this provision, maximum FAR shall mean the maximum FAR permitted by right, as set forth in the applicable zoning district, or as increased by an approved special exception in accordance with Sect. 618 below.

9-516

Additional Standards for Parking, Commercial Off-Street

- 1. In the C-3, I-2 and I-3 Districts, such parking facilities shall be allowed only as an integral design element of a site plan for an office, commercial or industrial building or building complex containing not less than 30,000 square feet of gross floor area.
- 2. Notwithstanding the bulk regulations of the zoning district in which located, any parking space that is located on the ground and is open to the sky may be located in any required yard but not closer to any front lot line than ten (10) feet, except as may be qualified by the provisions of Article 13.

Parking structures and any structure accessory to a commercial parking lot shall be subject to the bulk regulations of the zoning district in which located, except parking structures which are completely underground may be located in any required yard, but not closer than one (1) foot to any lot line.
- 3. Such parking facilities shall be used solely for the parking of vehicles in operating condition. No motor vehicle repair work except emergency service shall be permitted in association with such a parking facility.
- 4. Such parking facilities shall be provided with safe and convenient access to a street. If any parking space is located contiguous to a street, the street side thereof shall be curbed, and ingress and egress shall be provided only through driveway openings through the curb of such dimension, location and construction as may be approved by the Director in accordance with the Public Facilities Manual.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBa: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBa value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		