



APPLICATION ACCEPTED: May 2, 2011
DATE OF PUBLIC HEARING: June 29, 2011
TIME: 9:00 a.m.

County of Fairfax, Virginia

June 22, 2011

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2011-PR-036

PROVIDENCE DISTRICT

APPLICANT/OWNER: Northrop Grumman Systems Corporation
LOCATION: 2980 Fairview Park Drive, Falls Church
TAX MAP: 49-4((13))13
LOT SIZE: 6.44 acres
ZONING: PDC
ZONING ORDINANCE PROVISION: 8-923
SPECIAL PERMIT PROPOSAL: To permit construction of a fence greater than 4.0 feet in height in the front yards of a corner lot.

A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

The approval of this special permit 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.

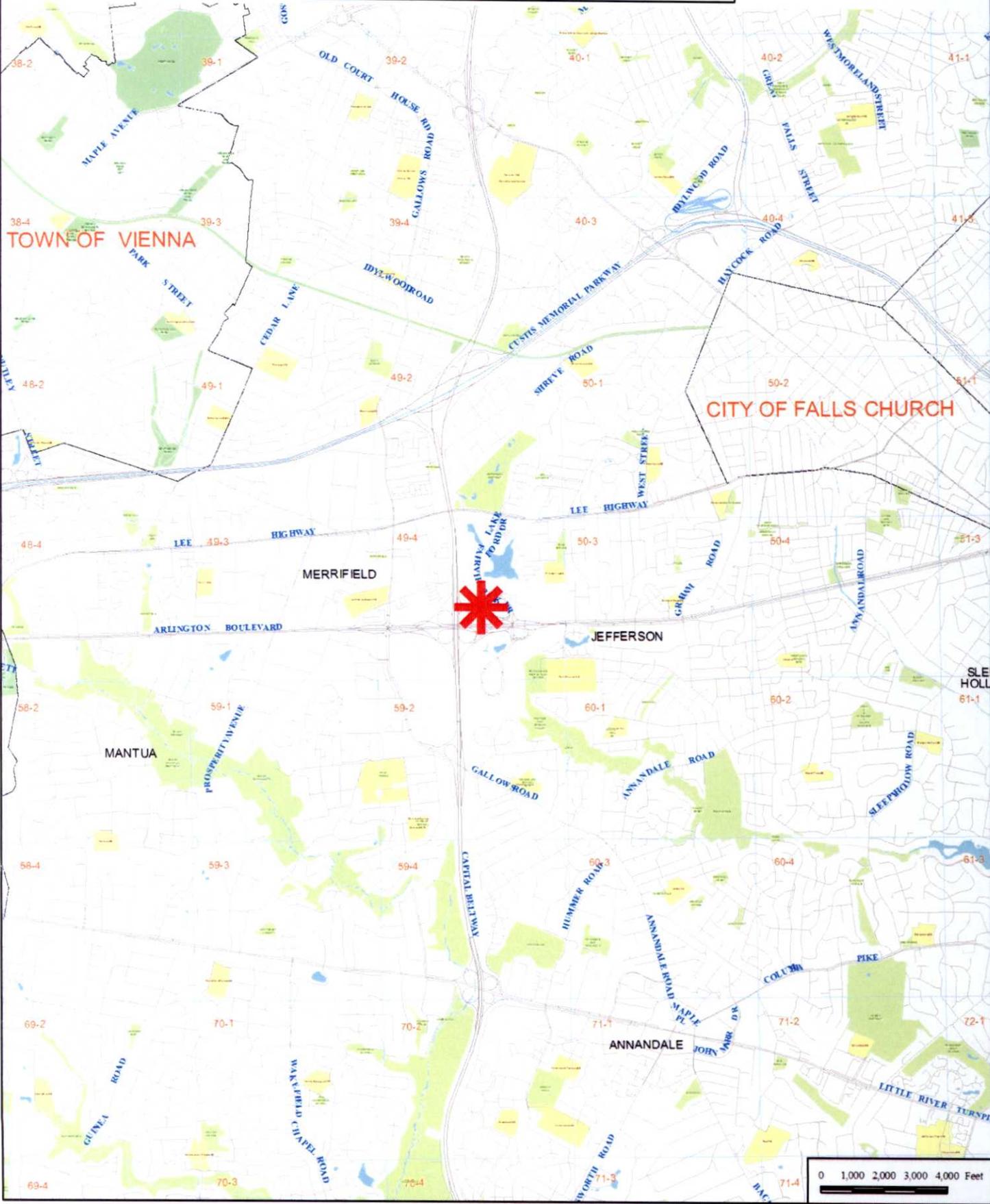
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



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).

Susan Langdon

Special Permit
SP 2011-PR-036
NORTHROP GRUMMAN SYSTEMS CORPORATION



0 1,000 2,000 3,000 4,000 Feet

2980 FAIRVIEW PARK

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

SPECIAL PERMIT PLAT

PLAN NUMBER: SP 2011-0040

FEBRUARY 14, 2011

APRIL 25, 2011

APPLICANT/OWNER

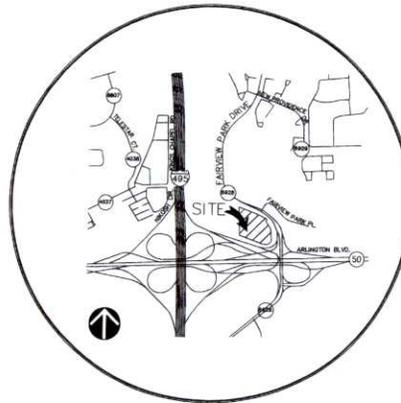
NORTHROP GRUMMAN SYSTEMS CORP.
1840 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067
CONTACT: MATT WILLIAMS
(310) 553-6262

ATTORNEY

SEYFARTH SHAW LLP.
975 F. STREET NW
WASHINGTON, D.C. 20004
CONTACT: CHRISTA DOMMERS
(202) 828-3521

ENGINEER/LANDSCAPE ARCHITECT

VIKA INC.
8180 GREENSBORO DRIVE, SUITE 200
MCLEAN, VIRGINIA 22102
CONTACT: ED IGNACIO, P.E. & BRYNE RILEY
(703) 442-7800



VICINITY MAP

SCALE: 1"=100'

TM NO. 49-4-(13)-13

SHEET INDEX

1. COVER SHEET
2. NOTES AND TABULATIONS
3. EXISTING CONDITIONS PLAN
4. SPECIAL PERMIT PLAN
5. EXISTING EASEMENT PLAN
6. SITE PHOTOGRAPHS



JOB NUMBER 625V
SHEET 1

FAIRVIEW PARK DRIVE (SR 6928)
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)



GRAPHIC SCALE



NO.	DESCRIPTION	REVISION	APPROVED	DATE

REVISION APPROVED BY:
DIVISION OF DESIGN REVIEW

CURVE TABLE						
Curve No.	Radius	Length	Tangent	Ch Brg	Ch Dist.	Delta
C1	645.96'	22.58'	11.29'	S64°36'44"E	22.58'	2°00'09"
C2	22.00'	10.18'	5.15'	S78°47'26"E	10.12'	21°36'09"
C3	545.00'	167.50'	84.42'	S59°11'33"E	166.94'	17°36'33"
C4	70.00'	94.43'	55.97'	S36°06'33"W	87.43'	77°17'31"
C5	220.00'	125.70'	64.63'	N88°52'34"W	124.00'	32°44'26"

VIVA
 PROFESSIONAL LANDSCAPE ARCHITECTS
 1000 W. UNIVERSITY BLVD., SUITE 200
 FAYETTEVILLE, NC 27034
 (704) 782-1800 FAX (704) 782-2790
 VIVA.LVA.COM

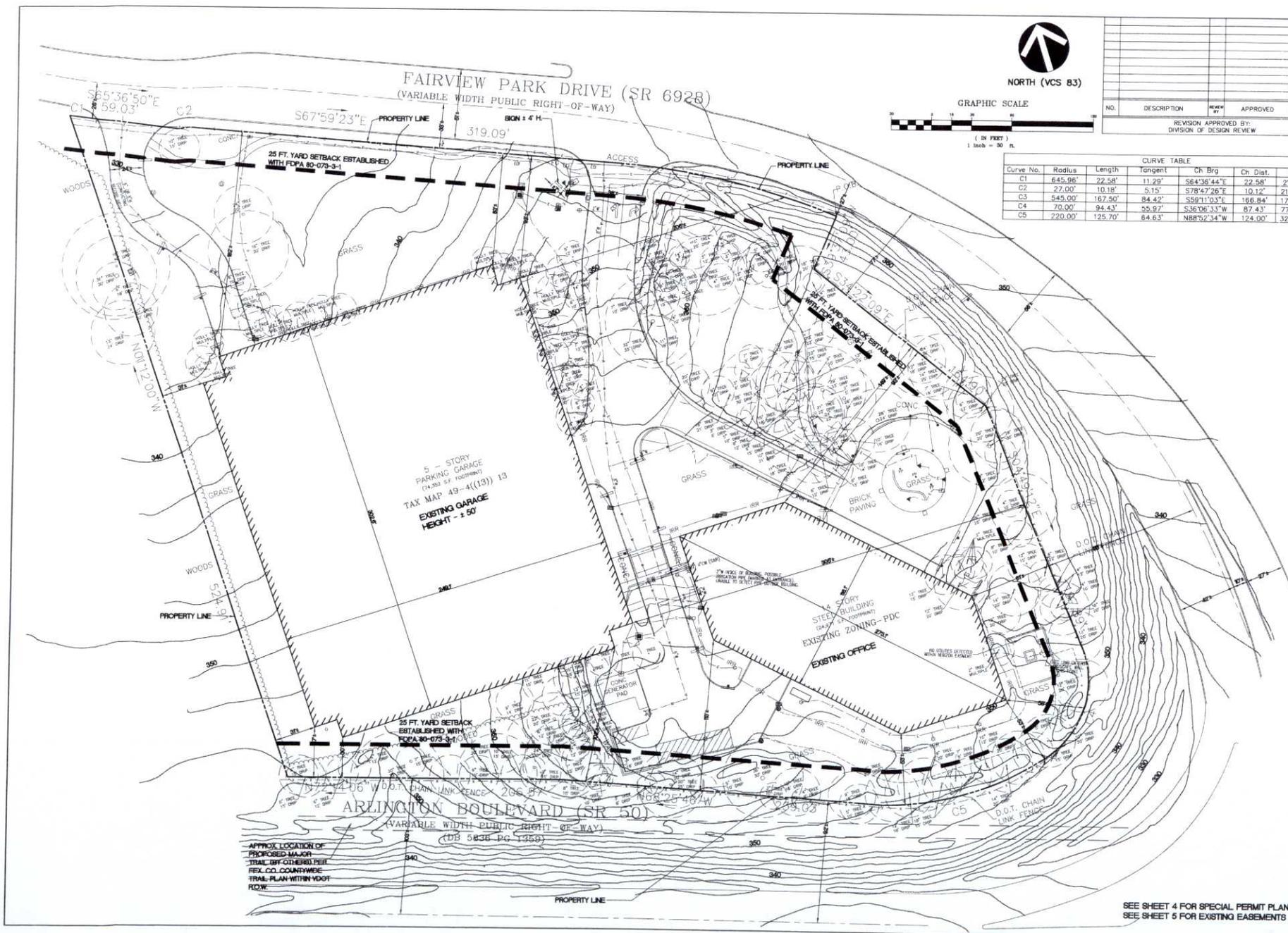
2980 FAIRVIEW PARK
PARCEL 13
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

EXISTING CONDITIONS
PLAN



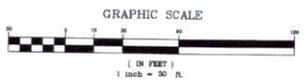
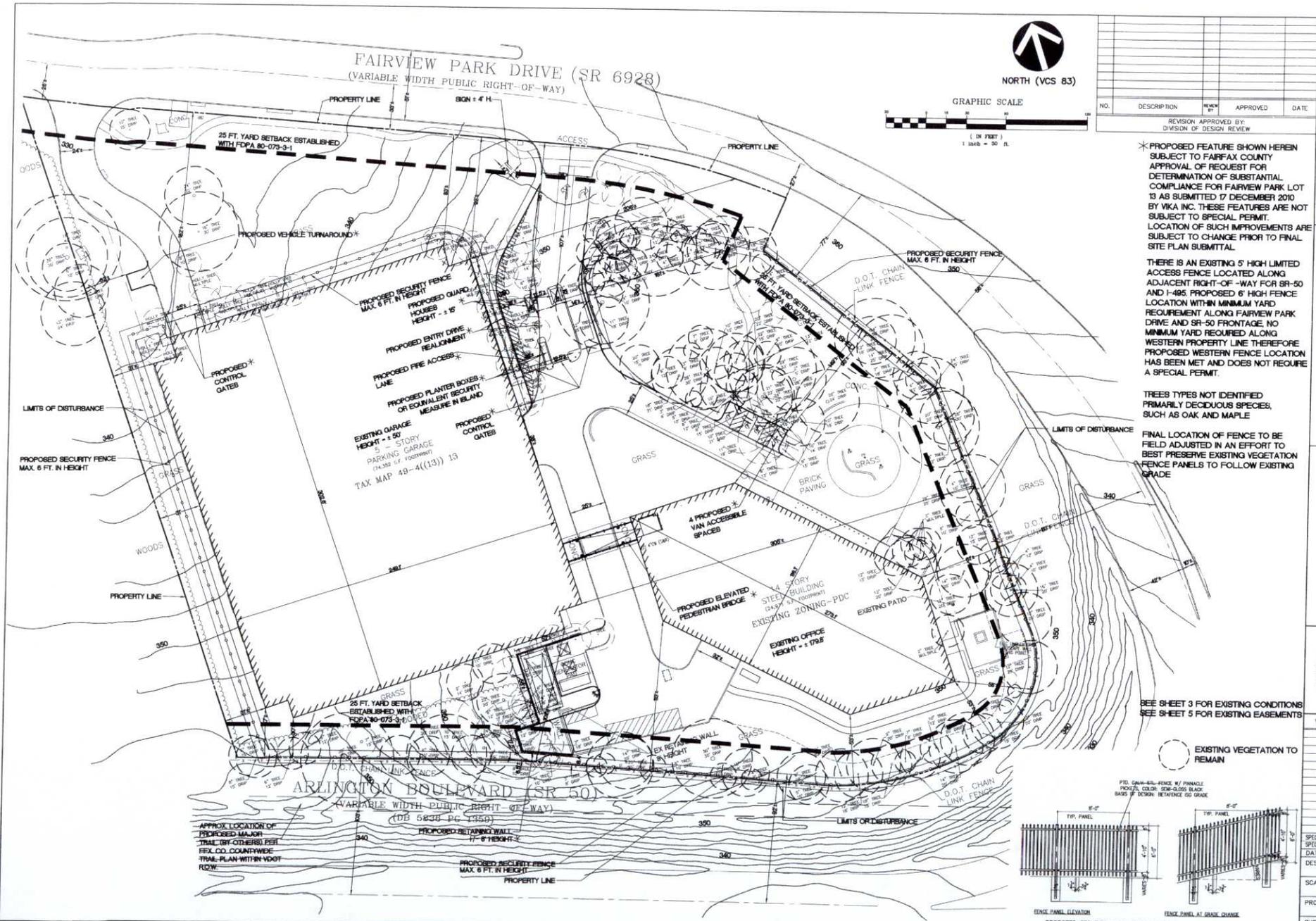
VIVA REVISIONS

SPECIAL PERMIT 4/25/11
 SPECIAL PERMIT 2/14/11
 DATE: FEB. 14, 2011
 DES. E.J. DWN. BOR.
 SCALE: 1" = 30'
 PROJECT/TITLE NO. 6125V
 SHEET NO. 3



APPROX. LOCATION OF
 PROPOSED MAJOR
 STAKE OFF CENTER PER
 REG. CO. COUNTYWIDE
 TRAIL PLAN WITH VDOT
 ROW

SEE SHEET 4 FOR SPECIAL PERMIT PLAN
 SEE SHEET 5 FOR EXISTING EASEMENTS



NO.	DESCRIPTION	REVIEW BY	APPROVED	DATE
REVISION APPROVED BY: DIVISION OF DESIGN REVIEW				

* PROPOSED FEATURE SHOWN HEREIN SUBJECT TO FAIRFAX COUNTY APPROVAL OF REQUEST FOR DETERMINATION OF SUBSTANTIAL COMPLIANCE FOR FAIRVIEW PARK LOT 13 AS SUBMITTED 17 DECEMBER 2010 BY VIKI INC. THESE FEATURES ARE NOT SUBJECT TO SPECIAL PERMIT. LOCATION OF SUCH IMPROVEMENTS ARE SUBJECT TO CHANGE PRIOR TO FINAL SITE PLAN SUBMITTAL.

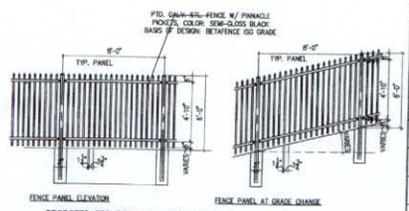
THERE IS AN EXISTING 5' HIGH LIMITED ACCESS FENCE LOCATED ALONG ADJACENT RIGHT-OF-WAY FOR SR-50 AND I-485. PROPOSED 6' HIGH FENCE LOCATION WITH MINIMUM YARD REQUIREMENT ALONG FAIRVIEW PARK DRIVE AND SR-50 FRONTAGE. NO MINIMUM YARD REQUIRED ALONG WESTERN PROPERTY LINE THEREFORE PROPOSED WESTERN FENCE LOCATION HAS BEEN MET AND DOES NOT REQUIRE A SPECIAL PERMIT.

TREES TYPES NOT IDENTIFIED PRIMARILY DECIDUOUS SPECIES, SUCH AS OAK AND MAPLE

FINAL LOCATION OF FENCE TO BE FIELD ADJUSTED IN AN EFFORT TO BEST PRESERVE EXISTING VEGETATION FENCE PANELS TO FOLLOW EXISTING GRADE

SEE SHEET 3 FOR EXISTING CONDITIONS
SEE SHEET 5 FOR EXISTING EASEMENTS

EXISTING VEGETATION TO REMAIN



VIKA
INCORPORATED
10000 WILSON ROAD
FARMINGTON, VA 22031
TEL: 703-823-7700
FAX: 703-823-7701
WWW.VIKAINC.COM

2980 FAIRVIEW PARK
PARCEL 13
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

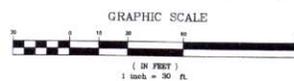
SPECIAL PERMIT PLAN

EDMUND J. SWANSON
Lic. No. 33679
4/8/11
PROFESSIONAL ENGINEER
VIRGINIA

VIKA REVISIONS

SPECIAL PERMIT 4/25/11
SPECIAL PERMIT 2/14/11
DATE: FEB. 14, 2011
DES. E.J. DWN. BOR
SCALE: 1"=30'
PROJECT/FILE NO. 8125V
SHEET NO. 4

FAIRVIEW PARK DRIVE (SR 6928)
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)



NO.	DESCRIPTION	REVISION BY	APPROVED	DATE
REVISION APPROVED BY: DIVISION OF DESIGN REVIEW				

VIVA
INCORPORATED
7703 HALEY ROAD, SUITE 100
FALLS CHURCH, VA 22024
TEL: 703-942-1800 FAX: 703-942-2287
WWW.VIVAINC.COM

2980 FAIRVIEW PARK
PARCEL 13
PROVINCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

EXISTING EASEMENT
PLAN



VIVA REVISIONS

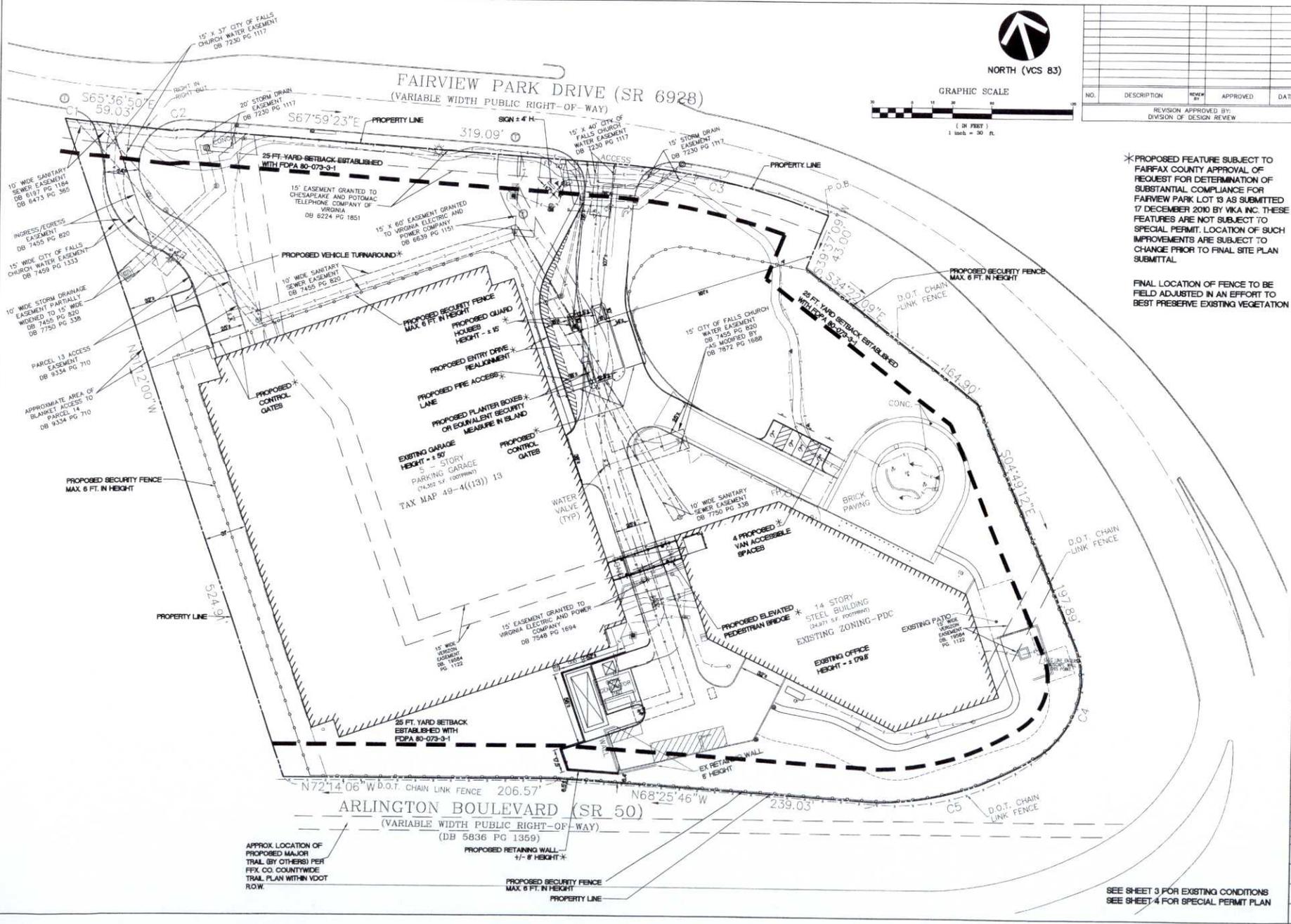
NO.	DESCRIPTION	DATE

APPROX. LOCATION OF PROPOSED MAJOR TRAIL (BY OTHERS) PER FFX CO. COUNTYWIDE TRAIL PLAN WITHIN VDOT ROW

SEE SHEET 3 FOR EXISTING CONDITIONS
SEE SHEET 4 FOR SPECIAL PERMIT PLAN

SCALE: 1"=30'

PROJECT/FILE NO. 6125V
SHEET NO. 5



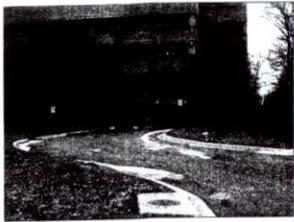


FIGURE 1



FIGURE 2



FIGURE 3



FIGURE 4



FIGURE 5



FIGURE 6

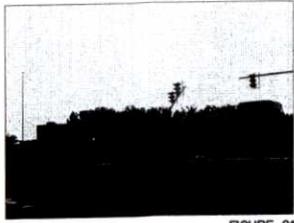


FIGURE 7

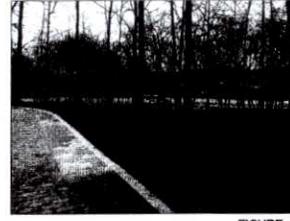
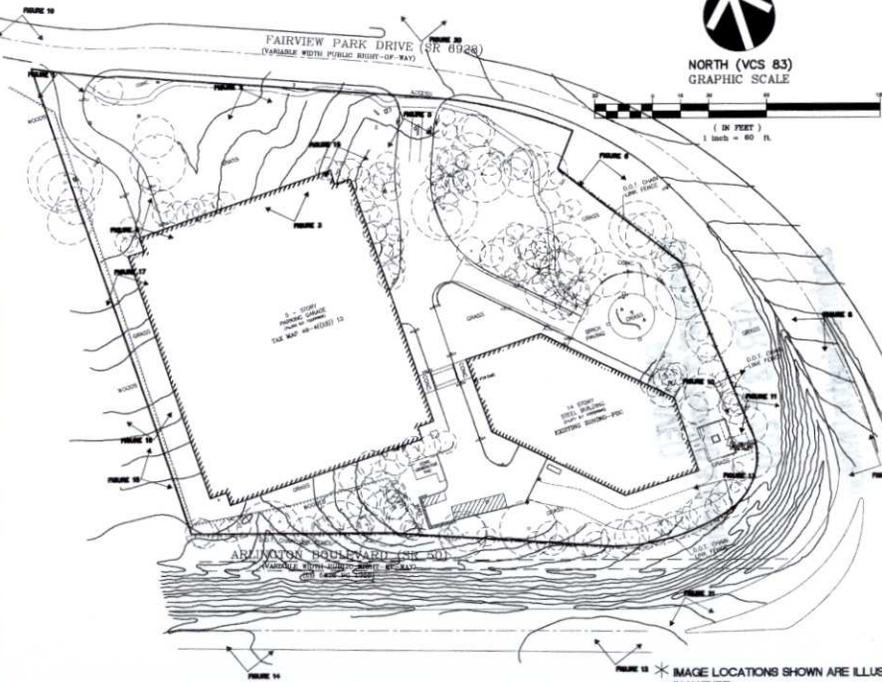


FIGURE 7



FIGURE 8



FIGURE 9



FIGURE 9



FIGURE 10



FIGURE 11



FIGURE 11



FIGURE 12



FIGURE 13



FIGURE 14



FIGURE 15



FIGURE 16



FIGURE 17



FIGURE 18

VIVA
 VIVIANUS ■ LANDSCAPE ARCHITECTS ■ LULU FOR ■ PERI SERVICES
 400 WESTBANK DRIVE ■ SUITE 100 ■ FAY, VIRGINIA 23103
 (703) 442-1800 ■ FAX (703) 442-2387
 WELLES, VA ■ GERMANY, VA, US

2980 FAIRVIEW PARK
PARCEL 13
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

IMAGE DISPLAY

PROFESSIONAL ENGINEER
 JAMES J. JONES
 LICENSE NO. 33579
 4/6/11
 VIVA REVISIONS

SPECIAL PERMIT 4/25/11
 SPECIAL PERMIT 3/14/11
 DATE: FEB. 14, 2011
 DES. E.A. DWN. BDR
 SCALE:
 PROJECT/FILE NO. 6125V
 SHEET NO. 6

P:\Planning\Projects\0125V\0125V\0125V.dwg 4/9/2011 8:00:18 AM EDT

DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit for construction of a 6 foot high security fence along a commercial site's frontage on Route 50 (Arlington Boulevard) and Fairview Park Drive. Sheet 4 of the special permit plat, dated through April 25, 2011, prepared by VIKA Inc. states that the fence will be field adjusted in an effort to best preserve vegetation and follow exiting grades.

	Structure	Yard	Height Permitted By right	Maximum Height Requested	Modification Requested
Special Permit	Fence	Front	4.0 feet	6.0 feet	2.0 feet

CHARACTER OF THE AREA

	Zoning	Use
North	PDC	Commercial
South	PDC	Commercial
East	I-3	Commercial
West	PDC	Vacant

SITE DESCRIPTION AND BACKGROUND

The subject property is developed with a 14-story office building with a gross floor area of 327,500 square feet for office uses and 5,000 square feet for retail uses, and a 5-level parking garage constructed in 1990. The 6.44 acre site is located in the northwest quadrant of the intersection of Route 50, I-495 and Fairview Park Drive. The topography of the site rises sharply from Route 50 and gradually from Fairview Park Drive. An upland hardwood forest surrounds the office building and parking garage with mature landscaping including evergreen trees planted around the buildings.

The property was zoned to the PDC District under RZ 80-P-072 and FDPA 80-P-3-1. The FDPA established a minimum building setback of 25 feet from the property lines adjacent to Route 50 and Fairview Park Drive. There are no proffers that prohibit the construction of a fence on the site.

The statement of justification included with the application states on page 1 that the proposed fence is not within the site distance triangle for the intersection of Route 50 and Fairview Park Drive, although the special permit plat does not depict the site distance triangle. Staff drew the site distance calculations on a special permit plat and verified that the site distance triangle is well outside the property line for the subject site.

Records indicate there were no other similar applications for properties in the vicinity of the application site heard by the BZA.

ZONING ORDINANCE REQUIREMENTS (See Appendix 4)

- General Special Permit Standards (Sect. 8-006)
- Group 9 Standards (Sect. 8-903)
- Provisions for Increase in Fence and/or Wall Height in Any Front Yard (Sect. 8-923)

CONCLUSION

If it is the intent of the BZA to approve this application, staff suggests the BZA condition its approval by requiring conformance with the conditions set forth in Appendix 1 of this report, Proposed Development Conditions.

The approval of this special permit 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. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

SP 2011-PR-036

June 22, 2011

1. This special permit is approved for the general location and maximum height of the fence shown on the plat prepared by VIKA Inc., dated February 14, 2011, revised through April 24, 2011, as submitted with this application and is not transferable to other land. The location of the fence may be field adjusted to preserve existing vegetation and follow existing topography within the subject property.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time 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 permit. 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.

Application No.(s): _____
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April __, 2011
 (enter date affidavit is notarized)

I, A.J. Paz, Corporate Director of Real Estate, 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 111123a

and that, to the best of my knowledge and belief, the following 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 must 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)
Northrop Grumman Systems Corporation	1840 Century Park East Los Angeles, California 90067-2199	Applicant/Title Owner
Authorized Agent: A.J. Paz, Corporate Director of Real Estate		

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance 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).

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 11, 2011
(enter date affidavit is notarized)

111123

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, number, street, city, state, and zip code)

Northrop Grumman Systems Corporation
1840 Century Park East
Los Angeles, California 90067-2199

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)

Northrop Grumman Corporation

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance 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.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 1

Special Permit/Variance Attachment to Par. 1(b)

DATE: April, 2011
(enter date affidavit is notarized)

11123

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

Northrop Grumman Corporation
1840 Century Park East
Los Angeles, California 90067-2199

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

State Street Bank and Trust Company, 444 South Flower St., Ste. 4500, Los Angeles, CA 90071, is the sole shareholder owing more than 10% of any class of stock issued by the corporation. State Street Bank and	Trust Company owns 3.56% of the corporation in its own name, and 7.13% of the corporation as Trustee of the Northrop Grumman Corporation employee savings plan.
---	---

NAME & ADDRESS OF CORPORATION: (enter complete name, 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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April __, 2011
(enter date affidavit is notarized)

11123

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, number, street, city, state, and zip code)

None.

(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 Permit/Variance 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.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April, 2011
(enter date affidavit is notarized)

111123

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 Zoning Appeals, 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 Permit/Variance Attachment to Par. 2" form.

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April, 2011
(enter date affidavit is notarized)

11123

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, 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 Permit/Variance 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

[x] Applicant's Authorized Agent

A.J. Paz, Corporate Director of Real Estate

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 7th day of April, 2011, in the State/Comm. of Fairfax, County/City of Virginia.

My commission expires: 07/31/2012

Notary Public



NORTHROP GRUMMAN

Northrop Grumman Systems Corporation
1840 Century Park East
Los Angeles, CA. 90067

April 19, 2011

RECEIVED
Department of Planning & Zoning

APR 27 2011

Zoning Evaluation Division

Ms. Barbara Berlin
Director
Fairfax County Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway
8th Floor, Suite 801
Fairfax, VA 22035

RE: Special Permit (Fence Height Increase)
Tax Map #49-4 ((13)) 13 (the "Subject Property")
Applicant: Northrop Grumman Systems Corporation (the "Applicant")
VIKA #V6125V

Dear Ms. Berlin:

Please accept the following as a revised Statement of Justification for a special permit on property identified among the Fairfax County Tax Map records as 49-4 ((13)) 13. The purpose of the special permit request is to allow for an increase in fence height from four (4) feet to six (6) feet in the front yard of the Subject Property in accordance with the provisions of Section 8-923 of the Zoning Ordinance. Section 8-923 provides that the Board of Zoning Appeals (BZA) may approve a special permit to allow an increase in fence height in any front yard, subject to the following:

- Standard 1:** The maximum fence height shall not exceed six (6) feet in height and such fence shall not be eligible for an increase in fence height pursuant to Paragraph 3I of Section 10-104.
- Discussion:** The fence height increase requested is six (6) feet in height. The fence is not eligible to be increased to six (6) feet in height pursuant to Paragraph 3I of Section 10-104 because Section 10-104 applies to existing fences, and the subject fence is a proposed fence.
- Standard 2:** The fence shall meet the sight distance requirements contained in Section 2-505 of the Zoning Ordinance.
- Discussion:** Section 2-505 relates to the use limitations on corner lots due to sight distance obstructions with an intersection sight distance triangle. The proposed fence is not within the sight distance triangle for the intersection of Route 50 and Fairview Park Drive. The proposed six (6) foot fence is located behind the VDOT right-of-way fence for Route 50, which is approximately 80 feet from the curb line of the ramp from Fairview Park Drive onto westbound Route 50, and is elevated approximately 14 feet above the intersection.
- Standard 3:** The BZA shall determine that the proposed fence height increase is warranted based upon such factors to include, but not limited to, the orientation and location

of the principal structures on the lot, presence of multiple front yards, and concerns related to safety and/or noise.

Discussion: It is noted that the purpose of this fence is to comply with the security requirements of the Applicant. The Subject Property is a corner lot fronting on both Route 50 and Fairview Park Drive and approximately 1,050 linear feet of the frontage has an existing five (5) foot VDOT limited access fence. The proposed six (6) foot security fence will be located behind the VDOT fence all along this frontage. Along the remaining frontage, comprising approximately 500 linear feet along Fairview Park Drive, the proposed six (6) foot security fence will be located partially within the required front yard of the Subject Property for a portion of the distance, but in no event less than 40± feet from the existing right-of-way / property line. The security fence will then continue around the exterior of the existing parking structure.

Standard 4: The BZA shall determine that the proposed fence height increase will be in character with existing on-site development and will be harmonious with the surrounding off-site uses and structures in terms of location, height, scale, bulk and any historic designations.

Discussion: The Subject Property currently is developed with a 14-story office building with a 5-level parking structure. The surrounding off-site development contiguous with the property is as follows:

- North: Parcel 74A, zoned PDC, is developed with a 14-story office building and a 5-level parking garage. The existing office building is located approximately 250 feet north of Fairview Park Drive's northern right-of-way line and approximately 350 feet away from the proposed six (6) foot security fence.
- South: The interchange ramps for the intersection of Route 50 / I-495 and Fairview Park Drive.
- West: Parcel 73 is undeveloped and wooded at this time.
- East: Fairview Park Drive.

It is noted there are no surrounding properties with a historic designation.

Standard 5: The BZA shall determine that the proposed fence height shall not adversely impact the use and/or enjoyment of properties in the immediate vicinity.

Discussion: Given that a significant portion of the roadway frontage of the Subject Property has an existing five (5) foot tall VDOT limited access fence, the BZA should conclude that the proposed six (6) foot security fence will not adversely impact the use or enjoyment of properties in the area.

Standard 6: The BZA may impose such conditions as it deems necessary to satisfy the criteria of Section 8-923 of the Zoning Ordinance, including but not limited to the imposition of landscaping or fence design requirements.

Discussion: The final location of the security fence will be field adjusted in the Applicant's discretion to minimize the impact on existing vegetation located along the proposed fence line. In addition, the security fence will follow the existing topography so as not to exceed six (6) feet in height from the ground elevation. The design and material of the security fence will satisfy the requirements of the

Applicant, but is at this time intended to be constructed as a metal picket fence, as shown in the drawings attached to the application. Any changes to the design or physical composition of the fence material will meet or exceed these standards.

Additional Site Information

The Subject Property is located at 2980 Fairview Park Drive (Route 6928) in the northwest quadrant of the interchange for Route 50 (Arlington Boulevard), I-495 and Fairview Park Drive. The Subject Property is 6.4400 acres (280,526 SF), zoned PDC under FDPA-80-P-073-3-1, RZ-80-P-072 with proffers, and developed by site plan in accordance with FDPA 80-P-073-3-1, FDPA 80-P-073-3-2 and FDPA 80-P-073-3-3. The FDPA established a minimum building setback of 25 feet from the property line adjacent to Route 50 and Fairview Park Drive, a 14-story building height and a 5.5 level parking structure and a maximum building gross floor area of 327,500 of office and 5,000 SF of retail. The existing office building is 14-stories high (179.8 feet), and the parking structure is 5 levels high (50 feet), based on the approved as-built site plan. The gross floor area of the as-built office building is 331,770 SF (based on the approved as-built site plan) with 24,500 SF of cellar, yielding a floor area ratio (FAR) of 1.11827, based on the approved as-built site plan. Based on the foregoing, the FDPA requirements related to gross floor area, FAR, building height and yard setbacks have been satisfied.

Offices over 125,000 SF require 2.6 spaces per 1,000 GSF of floor area. The subject building (including the cellar) would require 927 spaces. Therefore, the parking requirement of the Zoning Ordinance has been satisfied.

Based on the Comprehensive Plan, the Subject Property is located in the Merrifield Suburban Center of Area 1, in Land Sub-Unit I-1. The Subject Property satisfies the area wide land use recommendations of the Comprehensive Plan and complies with the specific Land Sub-Unit recommendations.

Conclusion

To the best of the Applicant's knowledge, and based upon the February 15, 2011 interpretation letter from the Zoning Evaluation Division (see attached #1), the Subject Property, including existing and proposed uses, conforms to all applicable provisions of the Zoning Ordinance, regulations, and other adopted standards of the County. The existing office building is served by public sewer and water. To the best of the Applicant's knowledge, there are no known hazardous or toxic substances on the site. To the best of the Applicant's knowledge, there are no grave or burial sites located on the site.

The Applicant requests that the BZA allow an increased fence height from four (4) feet to six (6) feet along the limited access VDOT fence line adjacent to Route 50 and Fairview Park Drive, and along the property frontage on Fairview Park Drive, as more fully depicted on the Special Permit Plat and as otherwise described in this letter.

The proposed fence is not eligible for a height increase under Paragraph 3I of Section 10-104, and the proposed fence will not impede the sight distance requirements of Section 2-505. The proposed fence is for security purposes. The proposed fence is in character with the existing site development and will be harmonious with the surrounding off-site uses. The proposed fence will not impact the use or enjoyment of other properties in the immediate vicinity. The proposed

Ms. Barbara Berlin

April 19, 2011

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fence will follow the existing topography and will not exceed six (6) feet in height above the ground elevation at its base at any given point, and it will be constructed in such a manner as to have the minimum impact possible on the existing vegetation. The proposed fence will be field adjusted in the Applicant's discretion in order to follow the existing topography and as may be otherwise necessary to minimize the impact of the proposed fence on existing vegetation.

Finally, the location of the proposed fence shall be subject to an amendment to the minor site plan amendment currently pending approval by the County. The proposed fence will conform to the limits of construction which are currently being shown on said plan.

Should you have any questions regarding the above information, or require any clarifications, please do not hesitate to contact me.

Sincerely,

Northrop Grumman Systems Corporation

A handwritten signature in blue ink, appearing to be 'A.J. Paz', with a large, stylized flourish at the end.

By: A.J. Paz
Corporate Director of Real Estate

Attachments

Barbara Berlin letter dated February 15th, 2011

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8-006 General Standards

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

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 group or use, the BZA 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 BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-903 Standards For All Group 9 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, or other appropriate submission as determined by the Director.

8-923 Provisions for Increase in Fence and/or Wall Height in Any Front Yard

The BZA may approve a special permit to allow an increase in fence and/or wall height in any front yard subject to all of the following:

1. The maximum fence and/or wall height shall not exceed six (6) feet and such fence and/or wall shall not be eligible for an increase in fence and/or wall height pursuant to Par. 3I of Sect. 10-104.
2. The fence and/or wall shall meet the sight distance requirements contained in Sect. 2-505.
3. The BZA shall determine that the proposed fence and/or wall height increase is warranted based upon such factors to include, but not limited to, the orientation and location of the principal structure on the lot, the orientation and location of nearby off-site structures, topography of the lot, presence of multiple front yards, and concerns related to safety and/or noise.
4. The BZA shall determine that the proposed fence and/or wall height increase will be in character with the existing on-site development and will be harmonious with the surrounding off-site uses and structures in terms of location, height, bulk, scale and any historic designations.
5. The BZA shall determine that the proposed fence and/or wall height increase shall not adversely impact the use and/or enjoyment of other properties in the immediate vicinity.
6. The BZA may impose such conditions as it deems necessary to satisfy these criteria, including but not limited to imposition of landscaping or fence and/or wall design requirements.
7. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by fifteen (15) copies of a plat and such plat shall be presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat. Such plat shall be drawn to a designated scale of not less than one inch equals fifty feet (1" = 50'), unless a smaller scale is required to accommodate the development. Such plat shall be certified by a professional engineer, land surveyor, architect, or landscape architect licensed by the State of Virginia. Such plat shall contain the following information:
 - A. Boundaries of entire property, with bearings and distances of the perimeter property lines, and of each zoning district.

- B. Total area of the property and of each zoning district in square feet or acres.
 - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
 - D. The location, dimension and height of any building or structure, to include existing or proposed fences and/or walls.
 - E. All required minimum yards to include front, side and rear, a graphic depiction of the angle of bulk plane, if applicable, and the distances from all existing structures to lot lines.
 - F. Means of ingress and egress to the property from a public street(s).
 - G. For nonresidential uses, the location of parking spaces, indicating minimum distance from the nearest property line(s).
 - H. If applicable, the location of a well and/or septic field.
 - I. If applicable, existing gross floor area and floor area ratio.
 - J. Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
 - K. The location, type and height of any existing and proposed landscaping and screening.
 - L. Approximate delineation of any floodplain designated by the Federal Insurance Administration, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.
 - M. Seal and signature of professional person certifying the plat.
8. Architectural depictions of the proposed fence and/or wall to include height, building materials and any associated landscaping shall be provided.