



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151

November 6, 1992

Lynne J. Strobel, Esquire
Walsh, Colucci, Stackhouse,
Emrich and Lubeley, P.C.
2200 Clarendon Boulevard
Thirteenth Floor
Arlington, Virginia 22201

Re: Special Exception
Number SE 92-Y-024
(Concurrent with SEA 84-C-076-4
and PCA 85-C-091-3)

Dear Ms. Strobel:

At a regular meeting of the Board of Supervisors held on October 26, 1992, the Board approved Special Exception Number SE 92-Y-024, in the name of INOVA Hospitals, located at Tax Map 45-2 ((2)) 51-B1 for a child care center pursuant to Section 3-104 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. Any plan submitted pursuant to this Special Exception shall be in conformance with the approved Special Exception Plat, entitled, "Special Exception Plat, Fair Oaks Hospital, Child Care Center", prepared by Dewberry and Davis which is dated May 11, 1992 and revised to October 9, 1992.

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4. Best Management Practices (BMP) facilities, such as, but not limited to, the proposed dry pond or other facilities indicated on the Special Exception Plat, designed to meet the Best Management Practices (BMP) requirements of the Water Supply Protection Overlay District (WSPOD) for runoff from the subject site, shall be provided as determined by the Director, Department of Environmental Management (DEM). These measures may also include contribution to regional pond C-44 as determined by DEM in accordance with the County's pro rata share program for off-site drainage improvements adopted by the Board of supervisors on July 27, 1992.
5. Erosion and sediment control measures shall be implemented during and after construction in accordance with methods recommended by the Virginia Soil and Water Conservation Commission and shall be approved by DEM. These methods shall include but not be limited to redundant siltation fencing that can be designed and maintained to achieve sediment trapping efficiencies of 85%. The intent of these measures is to achieve greater erosion and sediment control than that achieved by the minimum design standards set forth in the Public Facilities Manual and the Virginia Erosion and Sediment Control Handbook as determined by DEM.
6. All existing trees within areas designated for tree preservation shall be preserved. In addition, in order to ensure that as many trees will be preserved as possible outside of the preservation areas, a tree-save plan shall be submitted for review and approval of the Urban Forester at the time of site plan review. In those areas designated for tree preservation, if it is determined to be necessary by the County Urban Forester to lose any trees due to final utility location and engineering design, tree replacement shall be provided for trees lost in disturbed areas as determined by the County Urban Forester.
7. This child care center shall be used exclusively by the children of employees and physicians of Fair Oaks Hospital.
8. The maximum daily enrollment shall be limited to 150 children on-site at any one time and there shall be a maximum of 40 total employees on site at any one time.
9. The hours of operation shall be limited to 6:00 a.m. to 8:00 p.m., Monday through Friday. The operator of the child care center shall not allow children to play in the outdoor play area before 9:00 a.m.
10. The proposed child care center shall have a minimum building setback of 80 feet from Ox Trail and a minimum setback of 30 feet from the shared property line with the adjacent residentially developed parcel (51A1) to the west.

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10. The proposed child care center shall have a minimum building setback of 80 feet from Ox Trail and a minimum setback of 30 feet from the shared property line with the adjacent residentially developed parcel (51A1) to the west.

11. Access to the site shall not be onto the site's frontage on Ox Trail. Access shall be provided only through the adjacent hospital site.
12. Right-of-way up to 56 feet from the centerline of Ox Trail shall be dedicated to the Board of Supervisors, in fee simple, along the entire Ox Trail frontage of the site and all ancillary easements along the Ox Trail frontage of the site shall be conveyed to the Board of Supervisors at the at the time of site plan approval or within 60 days upon demand of DEM or Virginia Department of Transportation (VDOT), whichever first occurs.
13. The proposed child care center shall be designed to be residential in appearance, as conceptually shown on the elevation drawings entitled, "Elevations, Fair Oaks Hospital - Child Care Center, which is dated October 10, 1992, as determined by DEM (Attachment 1). The building material for the exterior of the child care center shall be siding, colors selected for the buildings will be compatible with those in adjoining residential areas, and building features may include, but not be limited to, front porches and pitched roofs, as determined by the Director, DEM.
14. The child care center may be constructed in two phases.
15. The height of the child care center shall not exceed twenty-four (24) feet.
16. A four (4) foot high chain link fence around the proposed storm water detention pond shall be constructed, if required by DEM at the time of site plan approval.
17. The trash dumpster located on site shall be screened with siding compatible with the appearance of the proposed child care center, as determined by DEM.
18. The applicant shall install a minimum of one picnic table on site, as determined by DEM.
19. Parking lot lighting poles shall be a maximum of fifteen (15) feet in height and similar to poles provided on the Fair Oaks Hospital site. Four (4) foot high bollard-type lighting shall be installed to illuminate the proposed sidewalks.
20. The applicant shall coordinate with the owner of the residentially developed parcel (51A1) to trim dead tree limbs from the property. The fence adjacent to Parcel 51A1 as shown on the Special Exception Plat shall be constructed by the applicant prior to the construction of the proposed child care center.

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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.

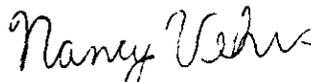
Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional 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.

The Board also:

- Modified the transitional screening requirement in favor of the existing vegetation that is shown on the Special Exception Plat; and
- Waived the barrier requirements along the northern boundary and modified to that shown on the Special Exception Plat on the western boundary of the site.

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 22035-5505.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns
Attachment

cc: John M. Yeatman, Director, Real Estate Dvsn., Assessments
Melinda M. Artman, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, OCP
Audrey Clark, Chief, Inspection Svcs., BPRD, DEM
Barbara A. Byron, Director, Zoning Evaluation Dvsn., OCP
Robert Moore, Trnsprt'n. Planning Dvsn., Office of Transportation
Kathy Ichter, Trnsprt'n. Road Bond Dvsn., Office of Transportation
Department of Environmental Management
A. V. Bailey, Resident Engineer, VDOT
Land Acq. & Planning Dvsn., Park Authority

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