



# County of Fairfax, Virginia

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

December 7, 2011

Frank W. Stearns  
Donohue and Stearns, PLC  
201 Royal Street SE, Suite E  
Leesburg, VA 20175

RE: Special Exception Application SE 2011-LE-005  
(Concurrent with Proffered Condition Amendment Applications PCA 82-L-083-02,  
PCA 81-L-093-03 and PCA 83-L-074)

Dear Mr. Stearns:

At a regular meeting of the Board of Supervisors held on December 6, 2011, the Board held a public hearing on Special Exception Application SE 2011-LE-005 in the name of Cellco Partnership D/B/A Verizon Wireless and New Cingular Wireless PCS, LLC D/B/A AT&T Mobility. The subject property is located at 5716 South Van Dorn Street, on approximately 3.14 acres of land, zoned C-8 in the Lee District [Tax Map 81-2 ((1)) 12B; 81-2 ((3)) 1 and 2]. The Board's action permits an increase in building height from 80 feet up to a maximum of 98 feet, pursuant to Section 9-607 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 may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Verizon Wireless along with AT&T Mobility," prepared by Morris and Ritchie Associates, Inc., and dated January 12, 2010, as revised through September 6, 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.

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Office of the Clerk to the Board of Supervisors  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)  
<http://www.fairfaxcounty.gov/bosclerk>

4. A copy of the Special Exception SHALL BE POSTED in a conspicuous place on the property along with the Non-Residential Use Permit of the use and shall be made available to all Department of the County of Fairfax during hours of operation of the permitted use.
5. An eight foot high solid wood or otherwise architecturally solid fence shall be installed and properly maintained around the generators as shown on the SE Plat.
6. The screens for the telecommunication facilities shall be designed to have a color substantially similar to the color of the penthouse.
7. Prior to the installation of the proposed telecommunication facilities all existing antennas that exceed 98 feet in height shall be removed.
8. Notwithstanding the depictions and descriptions on the SE Plat, the telecommunication antennas on the building rooftop may be modified or increased in number and size if they continue to be shielded from the ground by the screening shown on the SE plat. Furthermore, the addition of flush mounted antennas, equipment or modifications of the existing unscreened antennas may be approved by the Zoning Administrator in accordance with Par. 4 of Sect. 9-004 of the Zoning Ordinance. The provision of additional areas for unscreened antennas not reflected on the SE Plat that are not flush mounted should be considered a modification of the SE Plat and require an amendment. The provision of additional areas for screening for antennas not reflected on the SE Plat should be considered a modification and require an amendment.
9. Notwithstanding the above, any future telecommunication facility shall be subject to Section 15.2-2232 of the Code of Virginia.

This approval, contingent on the above noted conditions, shall not relieve the applicants from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicants shall be themselves 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.

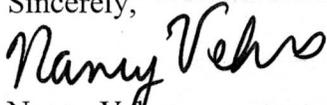
Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with

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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.

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors  
NV/ph

Cc: Chairman Sharon Bulova  
Supervisor Jeff McKay, Lee District  
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration  
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Angela K. Rodeheaver, Section Chief, Transportation Planning Division  
Ken Williams, Plans & Document Control, ESRD, DPWES  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
District Planning Commissioner  
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation