



APPLICATION ACCEPTED: November 1, 2011
PLANNING COMMISSION: February 23, 2012
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

February 9, 2012

STAFF REPORT

APPLICATIONS SE 2011-MV-012

MOUNT VERNON DISTRICT

APPLICANT: Redpath Development, LLC

PRESENT ZONING: R-3 (Residential, Three Dwelling Units per Acre)

PARCEL: 93-2 ((8)) (27) 13

SITE AREA: 14,000 Square Feet

DENSITY: 3.0 dwelling units/acre

PLAN MAP: Residential; 2-3 dwelling units per acre

SE REQUEST: To allow fill within the 100-year floodplain for the construction of a new single-family detached dwelling.

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2011-MV-012, subject to the proposed development conditions contained in Appendix 1.

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 standard.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

St.Clair Williams

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/



The approval of this application does not interfere with, abrogate or annul any easements, 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.

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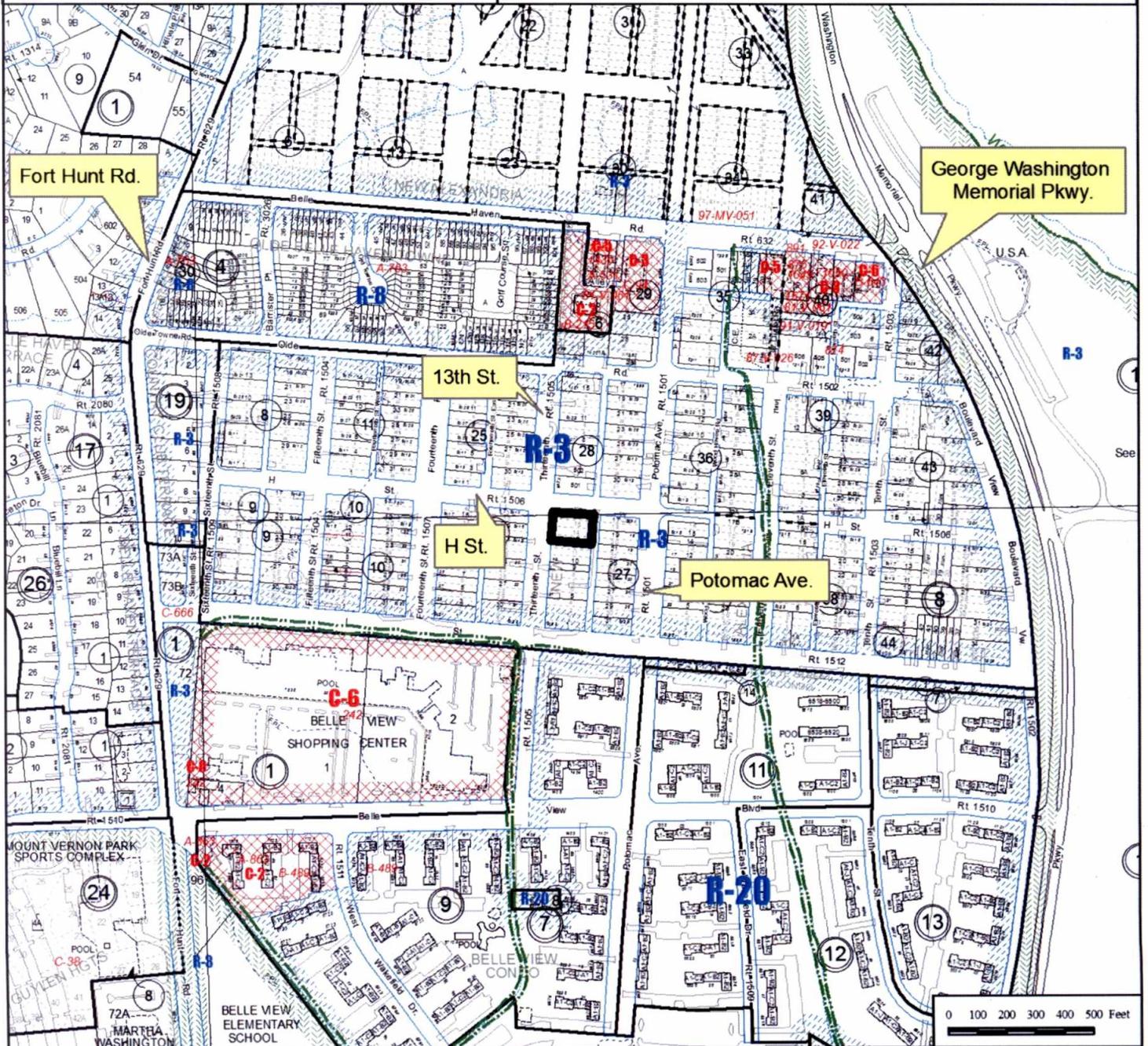
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

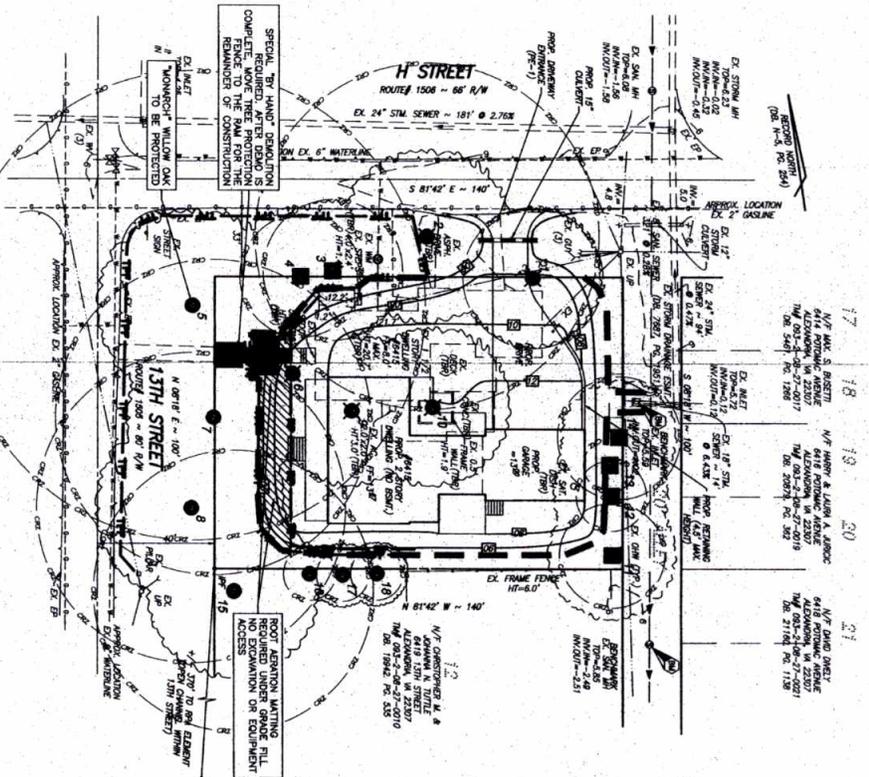
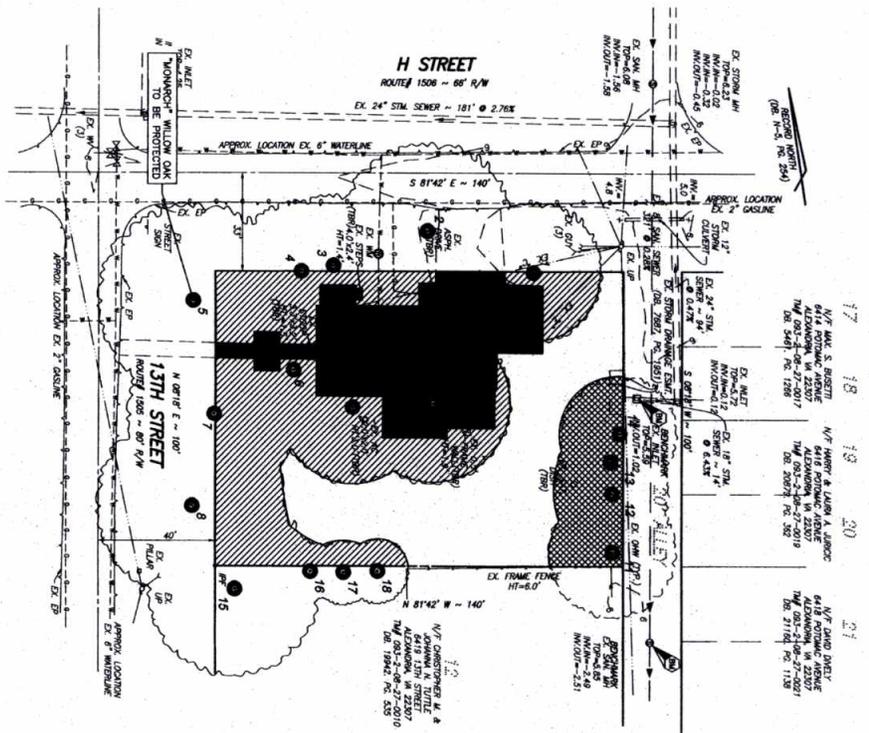
Special Exception

SE 2011-MV-012

Applicant: REDPATH DEVELOPMENT LLC
Accepted: 11/01/2011
Proposed: USES IN A FLOODPLAIN
Area: 14000 SF OF LAND;
DISTRICT - MOUNT VERNON

Zoning Dist Sect: 02-0904
Art 9 Group and Use: 6-2
Located: 6415 13TH STREET, ALEXANDRIA 22307
Zoning: R-3
Plan Area: 4
Map Ref Num: 093-2- /08/27/0013





EX. LEGEND

KEY	SOILS TYPE	PLANTING SPECIES	CONNECTION	RESURFACING STRIPES	AREA	CONNECTION
[Pattern]	PERFORATED LAND	N/A	N/A	N/A	5504 SOFT	EXISTING PERFORATED LAND
[Pattern]	MAINTENANCE	WILLOW OAK	N/A	N/A	5242 SOFT	EXISTING PERFORATED LAND
[Pattern]	MAINTENANCE	HALLSBURY JUNE	N/A	N/A	5242 SOFT	EXISTING PERFORATED LAND
[Pattern]	MAINTENANCE	MAINTENANCE	N/A	N/A	5242 SOFT	EXISTING PERFORATED LAND
[Pattern]	MAINTENANCE	MAINTENANCE	N/A	N/A	5242 SOFT	EXISTING PERFORATED LAND
[Pattern]	MAINTENANCE	MAINTENANCE	N/A	N/A	5242 SOFT	EXISTING PERFORATED LAND
[Pattern]	MAINTENANCE	MAINTENANCE	N/A	N/A	5242 SOFT	EXISTING PERFORATED LAND
[Pattern]	MAINTENANCE	MAINTENANCE	N/A	N/A	5242 SOFT	EXISTING PERFORATED LAND
[Pattern]	MAINTENANCE	MAINTENANCE	N/A	N/A	5242 SOFT	EXISTING PERFORATED LAND
[Pattern]	MAINTENANCE	MAINTENANCE	N/A	N/A	5242 SOFT	EXISTING PERFORATED LAND

LEGEND

- EXISTING TREE WITH CRITICAL ROOT ZONE (CRZ) TO REMAIN
- EXISTING TREE TO BE REMOVED BY AGREEMENT (SEE SPECIFICATIONS)
- PROPOSED TREE PROTECTION FENCE (SEE DETAIL & SPECIFICATIONS)
- PROPOSED HOOT PERMING (SEE DETAIL & SPECIFICATIONS)
- PROPOSED SPECIAL 'BY HAND' DEMOLITION (SEE SPECIFICATIONS)
- PROPOSED HOOT RESTRICTION MARKING (SEE DETAIL & SPECIFICATIONS)



DATE: 1-1-18 DRAWN BY: JXO CHECKED BY: JXO TPI1	6415 13TH STREET FAIRFAX COUNTY ALEXANDRIA, VIRGINIA	 Local Development Solutions 2124 West Ridge Dr. Suite 100, Chantilly, VA 20151 Office: (703) 741-0200 • Fax: (703) 741-0100 National: (877) 218-7200	
	TREE PRESERVATION PLAN		

THIS PLAN IS FOR THE PROPOSED PURPOSES ONLY AND NOT FOR CONSTRUCTION. THE PROPRIETOR'S SOLE RESPONSIBILITY IS TO VERIFY THE ACCURACY OF ALL INFORMATION PROVIDED TO THE ENGINEER. THE ENGINEER'S SOLE RESPONSIBILITY IS TO VERIFY THE ACCURACY OF ALL INFORMATION PROVIDED TO THE PROPRIETOR.

DESCRIPTION OF THE APPLICATION

The applicant, Redpath Development, LLC, requests approval of Special Exception Application SE 2011-MV-012 to allow the construction of a new single family detached dwelling on a 14,000 square foot (SF) lot located within a 100-year floodplain. The subject property is also located within a Resource Protection Area (RPA). The existing single-family detached dwelling on the site, constructed in 1939, would be demolished prior to construction of the new dwelling.

The applicant's affidavit, and statement of justification are contained in Appendices 2 and 3 respectively.

LOCATION AND CHARACTER



The site is located in the southeast quadrant of the intersection of H Street and 13th Street in the Belle Haven Community. The site is a 14,000 square foot lot zoned R-3. The property is located completely within a RPA and 100-year floodplain and is currently vacant.



North: Residential (R-3) Plan: Residential

West: Residential (R-3) Plan: Residential

East: Residential (R-3); Plan: Residential

South: Residential (R-3) Plan: Residential;

BACKGROUND

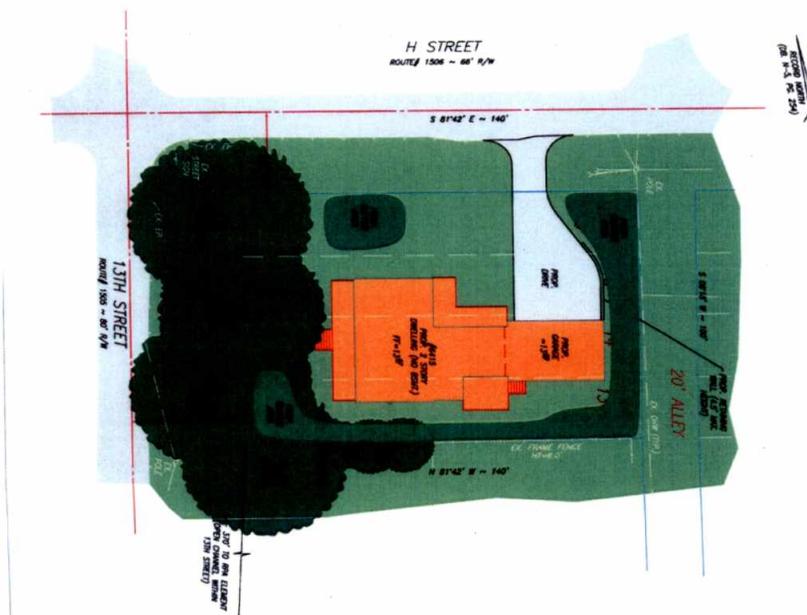
The existing single family dwelling located on the subject property was constructed in 1939. As previously stated, the property is currently vacant.

No previous zoning applications have been filed for the subject property.

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

The analysis is based on the proposed development conditions and submitted Special Exception Plat titled "Lots 13-16, Block 27, New Alexandria" prepared by RC Fields, Jr. and Associates, dated August 2, 2011, as revised through January 30, 2012.

Proposed layout shown on the SE Plat



Site Layout: The SE Plat depicts a 14,000 square foot lot consisting of one two-story single-family detached dwelling with a garage. Two thousand and four hundred square feet of buffer area is shown to be provided across a majority of the eastern and southern boundaries of the site. Additional buffer areas are located at the northwestern portion of the site. The buffer areas are provided to meet the water quality control requirements of the Public Facilities Manual (PFM). A two-car garage is shown at the northern portion of the house, with the driveway access provided from the western boundary of the site.

Access: The SE Plat indicates that ingress/egress to the subject site will be provided via a proposed driveway with access from H Street.

Parking: Two off-street parking spaces are provided in the proposed garage of the single-family detached dwelling. There is area for additional off-street parking in the proposed driveway.

Floodplain and RPA: The Potomac River traverses in a north-south direction approximately one half mile east of this property. The subject site is located entirely within the 100-year floodplain, and a Resource Protection Area (RPA) as defined by the County's Chesapeake Bay Preservation Ordinance (CBPO). A loss of buildable area exception, to allow encroachment into the RPA and a Water Quality Impact Assessment (WQIA) to demonstrate compliance with water quality control requirements shall be submitted to DPWES for review and approval prior to the approval of a grading plan for the subject property. Final action on these requests will not occur until after the Board of Supervisors completes action on this SE application.

Best Management Practices: Landscaped buffer areas are depicted on the SE Plat to meet the anticipated conditions associated with the review of the WQIA by DPWES.

Utilities: The proposed dwelling will be served by public sewer and water. Proposed utilities will be placed underground.

COMPREHENSIVE PLAN PROVISIONS (Appendix 4)

In the Fairfax County Comprehensive Plan, 2011 Edition, Mount Vernon Planning District, Amended through June 21, 2011, MV3-Belle Haven Community Planning Sector, Land Unit Recommendations, Land Unit D, and Land Unit E, Sub unit E1, the Plan States:

The Belle Haven sector is largely depicted as stable residential neighborhoods. Infill development in this sector should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14. There is no site specific language regarding the subject site in the Comprehensive Plan.

ANALYSIS

Land Use Analysis

Use & Intensity

The Belle Haven community planning sector is largely developed as stable residential neighborhoods. The site is not subject to site specific Comprehensive Plan text; however the Comprehensive Plan Map shows the site designated for residential development at a density of 2-3 dwelling units per acre. All of the properties surrounding the subject site are zoned R-3 and developed with single-family detached dwellings. The proposed use is in harmony with the surrounding neighborhood. There are no land use issues associated with this application.

Environmental Analysis (Appendix 4)

Resource Protection Area (RPA)

The Chesapeake Bay Preservation Ordinance identifies areas within the County where land uses are restricted or water quality measures must be provided. The most restrictive areas are within the Resource Protection Areas (RPAs). With few exceptions, development in these areas is restricted to water wells, recreation, infrastructure improvements, water-dependent activities and redevelopment of permitted uses.

The subject site is completely located within a resource protection area (RPA) with connectivity to Pohick Bay. The Chesapeake Bay Preservation Ordinance allows the redevelopment or continuation of permitted uses within the RPA. The subject lot was established in an area predating a number of regulatory and Policy Plan recommendations, including establishment of the RPA and floodplain controls. Given these circumstances, the reconstruction of the existing single family detached dwelling on the subject site may be deemed appropriate.

Tree Preservation

Fairfax County Urban Forest Management Division (UFMD) staff noted that the SE Plat does not include a tree preservation plan, tree survey, or tree canopy calculations, which are required with zoning applications. In addition, an Existing Vegetation Map was not included with the SE Plat. A brief description of the existing vegetation was provided by the applicant; however, UFMD staff determined that is insufficient. UFMD staff recommended that the applicant submit the materials identified above, in order to allow staff to determine if the tree canopy and preservation standards are being met with this application.

The applicant has revised the SEA Plat to provide an Existing Vegetation Map and a tree preservation plan which provides the tree canopy calculations for the subject site. The tree canopy calculations provided on Sheet 4 of the SE Plat show that the tree canopy requirements for the site will be met. Therefore, this issue has been resolved.

UFMD staff also noted that there is an existing 60-inch diameter willow oak tree which appears to be in good health along the western boundary of the site, and that measures should be taken to ensure that tree and others are adequately protected, where possible. Staff has proposed a development condition addressing the tree preservation measures to be provided with the proposed development.

The applicant has also committed to provide only understory trees in areas adjacent to existing mature trees to avoid harming the existing trees.

Stormwater (Appendix 5)

The subject property is located within the Accotink Creek watershed and completely within a floodplain and RPA. A narrative description of the site's outfall has been provided. A demonstration of adequate outfall meeting Public Facilities Manual (PFM) requirements will be required at grading plan submission (PFM 6-0203 & 6-0204.1).

The narrative indicates that the majority of stormwater generated by the development will be piped from the downspouts of the proposed dwelling to an existing storm sewer within the 20-foot wide alley to the east of the site, resulting in a reduction of the overland flow runoff to less than that generated by existing conditions.

The applicant will request a waiver of stormwater management requirements at the time of grading plan review, according to PFM Section 6-301.3 which states "Detention facilities must be provided in all storm drainage plans proposed for development in the County submitted for review and approval unless waived by the Director." The applicant is basing the waiver on the site being located within the floodplain for Accotink Creek, and does not propose any stormwater detention BMP facilities. DPWES staff has indicated that a waiver is likely to be granted, however; the final determination on the waiver request will be made by DPWES during grading plan review.

Chesapeake Bay Preservation Ordinance (CBPO)

The proposed dwelling is within a Resource Protection Area as defined by the CBPO; therefore a Loss of Buildable Area Exception is required for encroachment into the RPA. The applicant also must demonstrate compliance with the performance criteria of the CBPO, including submitting a Water Quality Impact Assessment (WQIA) and meeting water quality control requirements.

Note # 29 on the SE Plat states that a Loss of Buildable Area Exception and Water Quality Impact assessment shall be submitted after approval of the subject SE application. Additionally staff has proposed a development condition to ensure that a Loss of Buildable Area Exception and WQIA are submitted to DPWES for review and approval prior to approval of a grading plan for the proposed development. Therefore this issue has been addressed.

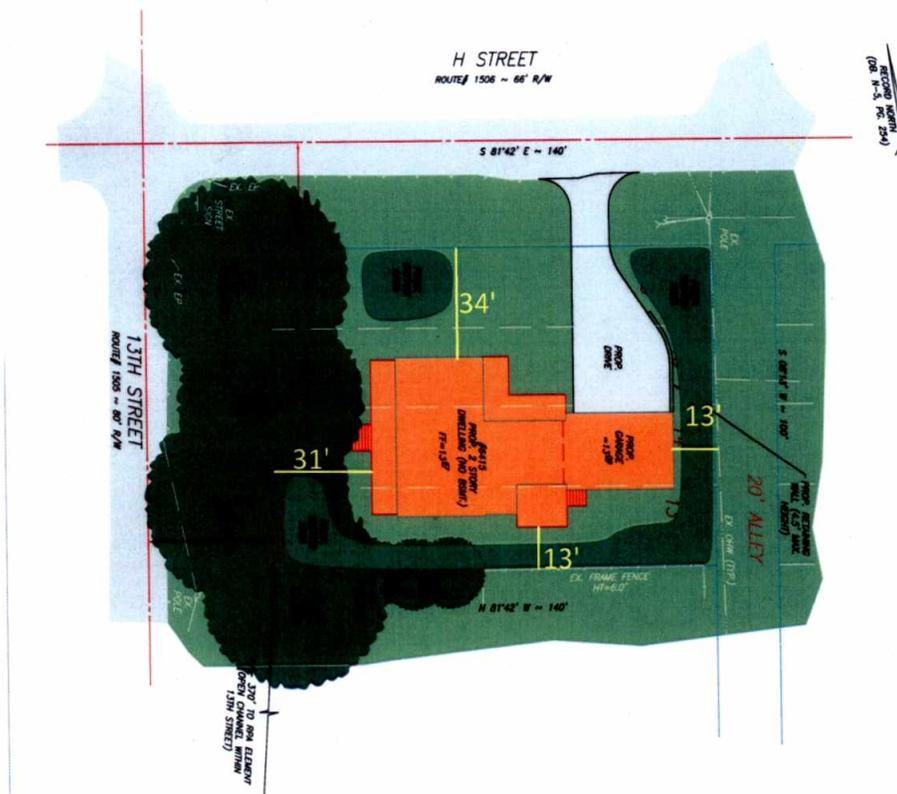
Transportation Analysis (Appendix 6)

Fairfax County Department of Transportation (FCDOT) staff has reviewed the subject application and raised no issues regarding the proposed development on the site.

ZONING ORDINANCE PROVISIONS (see Appendix 7)

Bulk Standards

The proposed development is in compliance with the Zoning Ordinance standards for lot size, lot width, building height and yard setbacks, as well as the parking standards. There are no transitional screening requirements, as all of the abutting properties are developed with single family detached dwellings.



Other Zoning Ordinance Requirements

Special Exception Requirements (Appendix 7)

9-006 General Standards

The following special exception standards apply to this application:

General Standard 1 states that the proposed use at the specified location shall be in harmony with the adopted comprehensive plan. As previously discussed, the subject lot was established in an area predating a number of regulatory and Policy Plan

recommendations including guidance on the RPA and floodplain. Given these circumstances, the development of a single family detached dwelling on the subject site may be deemed appropriate. To be consistent with the Comprehensive Plan's objectives to protect water quality, the application proposes additional plantings on-site and provides 2,400 sq. ft. of buffer along the eastern and southern boundaries of the site, as well as in the northwestern portion of the site for water quality purposes. With these provisions, staff believes this standard has been met.

General Standard 2 states that the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations. The application proposes to develop the site with a single-family detached dwelling in accordance with the bulk standards for the R-3 District. Staff believes that this standard has been met.

General Standard 3 states that 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. General Standard 3 states that 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. As stated previously, all abutting properties are zoned R-3 and developed with single-family detached dwellings. The proposed development will not adversely affect the use or development of neighboring properties. Therefore, this standard has been satisfied.

General Standard 4 states that 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. The proposed application would not create any significant additional impacts on the surrounding public street system. Staff finds that this standard has been satisfied.

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 provisions of Article 13. There are no screening requirements associated with the application, as all abutting properties are zoned R-3 and developed with single-family detached dwellings. Quality vegetation on site should be protected to the extent possible. A development condition has been proposed, ensuring that the grading plan shall state that, to the extent possible, stable vegetation on the site shall be protected and maintained in the floodplain. Therefore, this standard has been met.

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. This standard is not applicable, as this is an infill lot of an established subdivision.

General Standard 7 states that adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. The site contains an existing dwelling, which will be demolished with the proposed development, and is currently vacant. There is no proposed stormwater management facility associated with this application, as there are no water quantity control requirements associated

with construction of a single-family dwelling not associated with a subdivision because it is within the RPA and subject to the Chesapeake Bay Preservation Ordinance (CBPO). As a requirement to allow encroachment into the RPA, a loss of buildable area exception will be submitted to DPWES for review and approval prior to approval of a grading plan for the proposed development. The proposed dwelling will be served by public sewer and water. Proposed utilities will be placed underground. Two off-street parking spaces are provided in the proposed garage of the single-family detached dwelling. There is area for additional off-street parking in the proposed driveway.

General Standard 8 states that 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. This standard is not applicable as there are no signs proposed with this application.

9-606 Provisions for Uses in a Floodplain

The following special exception standards apply to this application, which seeks to construct a single-family detached dwelling within the 100-year floodplain:

2-905 Use Limitations

All permitted uses and all special exception uses in a floodplain shall be subject to the following provisions:

1. *Except as may be permitted by Par. 6 and 7 of Sect. 903 above, any new construction, substantial improvements, or other development, including fill, when combined with all other existing, anticipated and planned development, shall not increase the water surface elevation above the 100-year flood level upstream and downstream, calculated in accordance with the provisions of the Public Facilities Manual.*

Staff has proposed a development condition to ensure that the applicant shall demonstrate to DPWES that the proposed disturbance, when combined with all other existing, anticipated, and planned development, shall not increase the water surface elevation above the 100-year flood level upstream and downstream, prior to approval of the grading plan. With implementation of this development condition, this standard will be met.

2. *Except as may be permitted by Par. 8 of Sect. 903 above, the lowest elevation of the lowest floor of any proposed dwelling shall be eighteen (18) inches or greater above the water-surface elevation of the 100-year flood level calculated in accordance with the provisions of the Public Facilities Manual.*

Staff has proposed a development condition to ensure that the elevation of the lowest part of the lowest floor of dwelling proposed on the property shall be not less than 18 inches above the base flood elevation. With implementation of this development condition, this standard will be met.

3. *All uses shall be subject to the provisions of Par. 1 of Sect. 602 above.*

Par. 1 of Sect. 2-602 states that there shall be no filling change of contours, or establishment of any use in the floodplain except as may be permitted by the provisions of Par. 1 of Sect. 2-601 or by Part 9 of Article 2. The General Notes on the SE Plat indicate that development of the site will require a geotechnical engineering study in accordance with the Fairfax County Code and the Geotechnical guidelines of the Public Facilities Manual (PFM). Staff has proposed a development condition to reiterate that note and to ensure that the geotechnical study will be submitted prior to grading plan approval. With these provisions, this standard will be met.

4. *No structure or substantial improvement to any existing structure shall be allowed unless adequate floodproofing as defined in the Public Facilities Manual is provided.*

Note #18 on the SE Plat states that the site will comply with all state and federal waterproofing requirements. With this commitment by the applicant, this standard has been met.

5. *To the extent possible, stable vegetation shall be protected and maintained in the floodplain.*

The tree cover on the site is in generally good condition. The tree cover is scattered throughout the site and most of the trees on-site will be removed during development. However, the applicant proposes to provide 2,400 sq. ft. of buffer area on the site for water quality purposes. With these provisions, staff believes that this standard has been met.

6. *There shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., in a floodplain.*

Staff has proposed a development condition stating that there shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., within the floodplain. With implementation of this development condition, this standard will be met.

7. *For uses other than those enumerated in Par. 2 and 3 of Sect. 903 above, the applicant shall demonstrate to the satisfaction of the approving authority the extent to which:*

- A. *There are no other feasible options available to achieve the proposed use; and*

As, stated previously, this lot was established in an area predating a number of regulatory and Policy Plan recommendations including guidance on the RPA and floodplain. Given these circumstances, the development of a single family detached dwelling on the subject site may be deemed appropriate.

B. The proposal is the least disruptive option to the floodplain; and

Staff believes that the applicant's proposal which includes the establishment of buffer areas is the least disruptive option to the floodplain.

C. The proposal meets the environmental goals and objectives of the adopted comprehensive plan for the subject property.

To be consistent with the Comprehensive Plan's objectives to protect water quality through compliance with the CBPO and to reduce potential flood hazard impacts, the applicant proposes additional plantings on-site and provides 2,400 sq. ft. of buffer area on the site for water quality purposes. With these provisions, staff believes this standard has been met.

8. Nothing herein shall be deemed to prohibit the refurbishing, refinishing, repair, reconstruction or other such improvements of the structure for an existing use provided such improvements are done in conformance with the Virginia Uniform Statewide Building Code and Article 15 of this Ordinance.

A development condition is proposed which requires conformance with the Virginia Uniform Statewide Building Code and all required codes and regulations; therefore, this standard would be satisfied.

9. Nothing herein shall be deemed to preclude public uses and public improvements performed by or at the direction of the County.

Not applicable.

10. Notwithstanding the minimum yard requirements specified by Sect. 415 above, dwellings and additions thereto proposed for location in a floodplain may be permitted subject to the provisions of this Part and Chapter 118 of The Code.

This is not applicable as the subject site is located entirely within the 100-year floodplain.

11. All uses and activities shall be subject to the provisions of Chapter 118 of The Code.

The subject site is located entirely within the Resource Protection Area (RPA) as defined by the County's Chesapeake Bay Preservation Ordinance (CBPO). As discussed previously in this report, a Loss of Buildable Area Exception, which is required for encroachment into the RPA and a WQIA to demonstrate compliance with the performance criteria of the CBPO, will be required prior to the approval of a grading plan. Therefore staff believes that at the time of approval of the Loss of Buildable Area Exception and WQIA, this standard will be met.

12. *When as-built floor elevations are required by federal regulations or the Virginia Uniform Statewide Building Code for any structure, such elevations shall be submitted to the County on a standard Federal Emergency Management Agency (FEMA) Elevation Certificate prior to approval of the final inspection....*

With the implementation of the proposed development conditions, this standard will be met.

Summary of Zoning Ordinance Provisions

As noted above, staff believes that the applicable standards have been satisfied.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff believes the proposal is in conformance with the Comprehensive Plan guidelines for the subject property and the applicable Zoning Ordinance standards.

Recommendations

Staff recommends approval of SE 2011-MV-012, subject to the proposed development conditions contained in Appendix 1.

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 recommendations of staff; it does not reflect the position of the Board of Supervisors.

The approval of this application does not interfere with, abrogate or annul any easements, 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. Comprehensive Plan Citations
5. Stormwater Management Analysis
6. Urban Forest Management Division Analysis
7. Transportation Analysis
8. Applicable Zoning Ordinance Standards
9. Glossary

PROPOSED DEVELOPMENT CONDITIONS**SE 2011-MV-012****February 9, 2012**

If it is the intent of the Board of Supervisors to approve SE 2011-MV-012 located at 6415 13th Street, Tax Map 93-2 ((8)) (27) 13 to permit construction of a single-family detached dwelling requiring fill in the floodplain, pursuant to Sect. 2-904 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval 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. Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved SE plat entitled Special Exception Plat, Lots 13-16 Block 27, New Alexandria, prepared by R C Fields, Jr. & Associates, which is dated August 2, 2011, and revised through January 30, 2012, containing five sheets, and these conditions.
4. A Hold Harmless agreement shall be executed with the County for all adverse effects which may arise as a result of the location of the site within a floodplain area, prior to approval of a grading plan.
5. Stable vegetation on the site shall be protected and maintained in the floodplain, to the extent possible, as determined by UFM, DPWES.
6. No more land shall be disturbed than is necessary to construct the single-family detached dwelling, the accessory structures and provide the vegetated buffer areas as shown on the SE Plat.
7. The vegetated buffer areas shall be established following construction of the single-family detached dwelling and plantings within the vegetated buffer areas shall be provided, as determined by UFM, DPWES. Once established the vegetated buffer areas shall remain undisturbed. There shall be no fences, structures, or other land disturbance activities permitted except for the removal of dead, dying or diseased trees. If a waiver of Best Management Practices is not granted by DPWES, water quality control requirements shall be provided as determined by DPWES.
8. A geotechnical report shall be submitted to DPWES prior to grading plan approval. Plans shall be implemented as required by DPWES.

9. The applicant shall obtain a written determination from the US Army Corps of Engineers prior to the submission of a grading plan as to whether any action is required by the applicant to ensure compliance with § 404 of the Clean Water Act. Any required actions shall be completed prior to grading the site. If any necessary permissions are not granted or the required actions are not completed, this Special Exception shall be null and void.
10. The applicant shall demonstrate to DPWES prior to approval of a grading plan, that the proposed disturbance, when combined with all other existing, anticipated, and planned development, shall not increase the water surface elevation above the 100-year flood level upstream and downstream.
11. The applicant shall submit certified as-built floor elevations prior to approval of the framing inspection, on a FEMA Certificate to be filed with the Residential Inspections Division, DPWES, in accordance with minimum federal requirements and the Virginia Uniform Statewide Building Code in effect at the time the building permit is issued. In addition, at the time of the framing inspection the applicant shall demonstrate to DPWES that the elevation of the lowest part of the lowest floor of the dwelling proposed on the property shall be at least 18 inches above the base flood elevation, in accordance with Par. 2 of Sect. 2-905 of the Zoning Ordinance, and the inspection record shall include a signed or initialed statement of concurrence by the inspector.
12. Disclosure of potential flood hazards due to the location of the site within the 100-year floodplain shall be made in writing to any potential home buyers prior to execution of a sales contract.
13. There shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., within the floodplain.
14. All mechanical, electrical, and utility equipment shall be located at or above the flood level.
15. Erosion and sediment control measures shall be installed at all stages of construction, as determined by DPWES. A "super silt fence" shall be installed along the lower clearing and grading limits for the site. If deemed necessary by DPWES, controls shall be designed 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.
16. Stormwater drainage shall be directed to ditches through the use of pipes, swales, or other devices, as determined by DPWES. All fill areas shall be stabilized, graded, or have drains installed such that normal rainfall will not flow over the filled area onto adjacent properties, as determined by DPWES.

17. The applicant shall record in the land records of the County of Fairfax that this property's development was approved pursuant to this Special Exception application and that the vegetated buffers shown on the SE plat are required in order to provide for treatment of the property's stormwater runoff and must be maintained in perpetuity, and the SE plat and these conditions shall be attached. Disclosure that the vegetated buffers are required in order to provide for treatment of the property's stormwater runoff and must be maintained in perpetuity shall be made in writing in the sales brochures and sales contract for the subject property.
18. The limits of clearing and grading as shown on the SE plat shall be clearly marked and fenced to protect the trees outside those limits. Tree protection fencing shall be erected using 4-foot high, 14-gauge welded wire fencing attached to 6-foot steel posts driven 18 inches into the ground on 10-foot centers. Orange plastic fencing that is 4-feet high may be used in lieu of the wire fencing.
19. All tree-protection fencing shall be installed prior to any clearing and grading activities and shall be done under the supervision of a certified arborist and accomplished in a manner that does not harm any existing vegetation that is to be preserved. After the fencing is installed and at least 3 days prior to any ground disturbing activity, Urban Forest Management, DPWES and the District Supervisor shall be notified and given the opportunity to inspect the site to ensure all tree protection fencing is properly installed. No grading or construction activity shall occur until the required fencing is correctly completed as determined by DPWES.
20. A Loss of Buildable Area Exception shall be submitted to DPWES for review and approval prior to approval of a demolition permit for the existing dwelling.
21. A Water Quality Impact Assessment shall be submitted to DPWES for review and approval prior to approval of a demolition permit for the existing dwelling.
22. Tree Preservation
 - a. The limits of clearing and grading shall be strictly adhered to during and after construction. Special attention shall be paid to any demolition, clearing and grading associated with the proposed new septic field and lateral to ensure that there is no encroachment into the RPA/EQC. Prior to any demolition, clearing and grading on the site, the limits of clearing and grading shall be fenced and flagged, as determined appropriate by Urban Forest Management, DPWES, to protect existing vegetation which is to be preserved, both on and off-site, and to prevent intrusions into tree save areas. Clearing and grading limits around the border of the proposed septic field and sewer lateral shall be adjusted, as recommended by the Urban Forest Management, to minimize damage and/or removal of trees in that area.

- b. Minor field adjustments shall be permitted to the location of the limits of clearing and grading to protect individual trees which are located off-site and on the boundary line at time of grading plan review and construction, in conjunction with and to the satisfaction of the Urban Forest Management, DPWES. However all trees shown to be located off-site near the property boundary and co-owned trees shall be protected by adjusted limits of clearing located a minimum of ten (10) feet from the off-site or co-owned tree trunks.
- c. The limits of clearing and grading shall be marked with a continuous line of flagging prior to the demolition and/or pre-construction meeting. Before or during the pre-construction meeting, the limits of clearing and grading shall be walked by the Owner, and a representative of the Owner, who is a certified arborist or landscape architect, with an Urban Forest Management, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified specifically by Urban Forest Management in writing as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees and associated understory vegetation and soil conditions.
- d. A tree preservation plan shall be prepared and submitted for the review and approval of DPWES and the Urban Forester's office as part of the first and all subsequent submissions of the grading plan. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of the Urban Forest Management, DPWES.
- e. The tree preservation plan shall consist of a final tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 12 inches in diameter and greater, and 20 feet to either side of the limits of clearing and grading shown on the SE Plat for the entire site. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SE Plat, and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of trees identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

- f. At the time of grading plan approval, the Applicants shall post cash, bond, or letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees that are designated to be saved that die or are dying due to normal construction activities permitted on the approved plan. Provided, however, notwithstanding anything to the contrary in these development conditions, the amount of the cash, bond, letter of credit regarding the trees referred to in these development conditions shall not exceed \$10,000. Any trees shown to be preserved on the Tree Preservation Plan that die or are dying due to construction activities shall be replaced with trees of a species and size acceptable to the Urban Forest Management, DPWES, and reasonably ensured of surviving. The total amount of cash, bond, or letter of credit shall be in the amount of the sum of the assigned replacement values of the designated trees. These preservation measures shall not apply to trees otherwise protected by these development conditions that die or begin to die as a result of factors not related to the Applicant's construction activities.

If, at the time of final bond release, trees are found to be dead or dying despite adherence to approved construction activities by the Urban Forest Management, DPWES, the cash, bond, or letter of credit shall be used as necessary to plant replacement trees of a size and species appropriate to the site, in consultation with the Urban Forest Management, DPWES, and the Applicants' certified arborist. The cash, bond, or letter of credit shall not be used for the removal of the dead/dying trees normally required by the Public Facilities Manual (PFM) and the Conservation Agreement. Any funds remaining in the cash, bond, or letter of credit will be released two years from the date of release of the Applicants' property's conservation escrow, or sooner, if approved by Urban Forest Management, DPWES.

- g. The use of motorized equipment in tree preservation areas will be limited to hand-operated equipment such as chainsaws, wheel barrows, rake and shovels. Any work that requires the use of motorized equipment, such as tree transplanting spades, skid loaders, tractors, trucks, stump-grinders, etc., or any accessory or attachment connected to this type of equipment shall not occur unless pre-approved by Urban Forest Management, DPWES.
- h. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing (four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart, or other measures as approved by Urban Forest Management, DPWES) shall be erected at the limits of clearing and grading as shown on the demolition, and Phase I and II erosion and sediment control sheets, as may be modified by Urban Forest Management.

- i. All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fence types shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three days prior to the commencement of any clearing, grading, or demolition activities, but subsequent to the installation of the tree protection devices, Urban Forest Management, DPWES and the District Supervisor shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by Urban Forest Management, DPWES.

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, 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 12/7/11
 (enter date affidavit is notarized)

I, Robert Weinig, 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

114017

in Application No.(s): SE 2011-MV-012
 (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)
Redpath Development, LLC	7000 Coventry Road Alexandria, VA 22306	Applicant/Title Owner
Joseph O. Carmichael	7000 Coventry Road Alexandria, VA 22306	Agent
Robert A. Weinig	730 S. Washington Street Alexandria, VA 22314	Agent/Engineer
Paul A. Wilder	730 S. Washington Street Alexandria, VA 22314	Agent/Engineer
Ronald J. Keller	730 S. Washington Street Alexandria, VA 22314	Agent/Engineer
R.C.Fields&Assoc., P.C.	730 S. Washington Street Alexandria, VA 22314	Agent/Engineer

(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: 12/7/11
(enter date affidavit is notarized)

114017

for Application No. (s): SE: 2011-MV-012
(enter County-assigned application number(s))

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)

Redpath Development, LLC
7000 Coventry Road
Alexandria, VA 22306

DESCRIPTION OF CORPORATION: (check one statement)

- [x] 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)

Joseph O Carmichael - Managing Memeber
Hugh D. Carmichael
Christopher J. Carmichael
Thomas W. Monroe
Hugh D. Carmichael III - Managing Member

(check if applicable) [x] 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 Attachment to Par. 1(b)

DATE: 12/7/11
(enter date affidavit is notarized)

114017

for Application No. (s): SE 2011-MV-012
(enter County-assigned application number (s))

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

R.C. Fields Jr. & Associates, P.C.
730 S. Washington Street
Alexandria, VA 22314

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)

Robert C. Fields, Jr.

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 Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 12/7/11
(enter date affidavit is notarized)

114017

for Application No. (s): SE 2011-MV-012
(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: 12/7/11
(enter date affidavit is notarized)

114017

for Application No. (s): SE 2011-MV-012
(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:

[X] 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 RW

(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: 12/7/11
(enter date affidavit is notarized)

114017

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 *RW*

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.

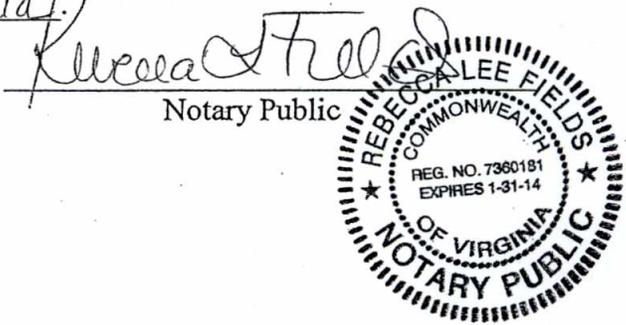
4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, 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: *Robert Weinig*
(check one) [] Applicant Applicant's Authorized Agent

Robert A. Weinig
(type or print first name, middle initial, last name, and & title of signee)

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

My commission expires: 01/31/2014



2 August 2011

Fairfax County Board of Zoning Appeals
12055 Government Center Parkway
Suite #801
Fairfax, VA 22035RECEIVED
Department of Planning & Zoning

AUG 11 2011

Zoning Evaluation Division

SPECIAL EXCEPTION STATEMENT of JUSTIFICATION**TM# 093-2-08-27-0013****#6415 13th Street
Alexandria, VA 22307**

I, Robert Weinig; agent for Redpath Development, LLC, am requesting a Special Exception (section 9-011) to allow for fill in the floodplain for the construction of a single-family dwelling on the property located at 6415 13th Street, in Alexandria, Virginia. The site consist of four existing lots within the New Alexandria subdivision located on the southeast corner of H and 13th Streets in the Mount Vernon District of Fairfax County and is in the R-3 zoning district.

A single family dwelling which was constructed in 1939 is present on the site, along with a driveway, deck and walkways. It is the intention of the applicant to remove all of the existing improvements and construct a new single family dwelling and driveway on this site. The existing and proposed use for the site is residential, and all adjacent properties are used for or zoned as residential. The proposed dwelling will be designed in an architectural style similar to surrounding properties, and this site is expected to have approximately 10 vehicle trips per day.

The subject site is located completely within a Resource Protection Area (RPA) and the 100-year Floodplain (elev. 11.0). In order prevent flooding in major storm events, the proposed elevation for the garage is 13.00 and a floor elevation of 13.50 is proposed for the main living area. These elevations are at least 18" above the 100-Year Floodplain and comply with Fairfax County's minimum floor elevation requirements within the 100-Year Floodplain. No basement or habitable space below the 100-Year Floodplain is proposed with this special exception plan.

The proposed fill on this site (approximately 1,300 cubic yards) is for access to the proposed garage and dwelling. To reach the proposed garage from the H-Street right-of-way via a driveway will require the majority of fill on the site. In addition, the fill for the proposed driveway will also allow for access to a covered porch and entrance to the dwelling (facing H-Street), minimizing overall fill on the site by concentrating the fill in one area. The fill around the dwelling will also allow steps from the covered porch facing 13th Street to stay outside the minimum required yard and contribute to ensuring the dwelling blends with the look of other houses in the neighborhood. The fill that is proposed is the minimum necessary to provide reasonable access to the house and garage and are consistent with other dwellings that have been proposed through the special exception process in the New Alexandria neighborhood.

There are no known hazardous or toxic substances to be generated, utilized, stored, treated or disposed of on-site. The proposed use of this site conforms to all applicable ordinances, regulations and adopted standards.

A Water Quality Impact Assessment and exception for requirements of the Chesapeake Bay Preservation Ordinance (loss of buildable area in RPA, [section 118-5-4] & water quality control

modification [section 118-3-2(f)(7)] shall be requested after approval of this Special Exception. These exception requests are not based on conditions or circumstances that are self-created or self-imposed. The proposed plantings shown on the special exception plat are in regards to the future Resource Protection Area (RPA) Exception Request, Water Quality Impact Assessment (WQIA) and Water Quality Control Modification. There is no fill associated with these planting areas. Indeed, they are proposed to be on existing grade and are purposely placed on the lower portions of the lots to treat runoff before leaving the site. These plantings are shown as a courtesy to reflect how the final site layout will appear.

We are of the opinion that since the entire site is within the 100-Year Floodplain, that the fill proposed is the minimum necessary to allow access to the garage from the street and will mesh with the look of other dwellings in the neighborhood, the granting of this exception will not confer any special privileges that are denied to other property owners who are similarly situated.

I thank you in advance for your consideration of this Special Exception and will gladly answer any additional questions you may have.

Sincerely,


Robert Weinig (agent)

8/2/11
Date

MV3 BELLE HAVEN COMMUNITY PLANNING SECTOR

CHARACTER

While significant commercial uses exist along the Richmond Highway Corridor, the predominant land use in this sector is residential. The Belle Haven Sector has a cross-section of housing. Single-family homes in stable neighborhoods comprise the majority of residential development. Townhouses are located at the intersection of Richmond Highway and Fort Hunt Road and at the intersection of Fort Hunt Road and Belle Haven Road. Two apartment and condominium complexes are located in the Richmond Highway area. One mobile home park, located along Shields Avenue near Richmond Highway has approximately 90 units. Richmond Highway, the George Washington Memorial Parkway, and Fort Hunt Road are major roadways in this planning sector.

This sector contains a large segment of open space land along the George Washington Memorial Parkway. The Belle Haven Country Club utilizes approximately 120 acres for recreational facilities that include an 18-hole golf course, tennis courts, a driving range, and a swimming pool. The Potomac River bounds the sector on the east.

Dating back to the 17th century, this sector is the location of one of the County's earliest settlements. The sector includes Fort Willard Circle, which was part of the Civil War-era defenses of Washington and is now a County-owned park. Fort Willard Circle is a significant heritage resource listed in the Fairfax County Inventory of Historic Sites. A list and map of heritage resources are included in the Mount Vernon Planning District Overview section, Figures 4 and 5. Additional historic sites in this sector are also included in the inventory.

New Alexandria/Riverview Community Improvement Area

On May 18, 1987, the Board of Supervisors adopted the New Alexandria/Riverview Community Improvement Plan to upgrade and preserve this neighborhood by installing curbs and gutters, and making sidewalk, road, and storm drainage improvements. Homeowners participated in the design of improvements and shared in the cost. The area is generally bounded by Fort Hunt Road on the west, Olde Towne Road and Belle Haven Road on the north, Boulevard View on the east and I Street on the south.

CONCEPT FOR FUTURE DEVELOPMENT

The Concept depicts the western portions of this sector as the Penn Daw/North Gateway, and Beacon/Groveton Community Business Centers. The remainder of the sector is recommended as Suburban Neighborhoods.

RECOMMENDATIONS

Land Use

The Belle Haven sector is largely developed as stable residential neighborhoods. Infill development in this sector should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.

Richmond Highway Corridor Area

Recommendations and policies for the Richmond Highway Corridor are provided in the Richmond Highway Corridor section of the Plan which addresses land use issues and recommendations for the entire corridor. Recommendations are given in a north to south orientation and include the designated Community Business Centers and Suburban Neighborhood Areas between these centers. Community Business Centers in Sector MV3 include the eastern portions of North Gateway, Penn Daw and Beacon/Groveton.

Outside Richmond Highway Corridor

Figure 41 indicates the geographic location of land use recommendations for this sector. Where recommendations are not shown on the General Locator Map, it is so noted.

1. Infill development in Belle Haven Estates and on Parcels 93-1((1))71B and 71C and 83-3((32))A is planned for residential use at 3-4 dwelling units per acre. A maximum of six clustered home sites, with access from Princeton Drive or Cygnet Drive, should be developed on these parcels.
2. Parcels located on the west side of Quander Road next to West Potomac High School (Tax Map 93-1((1))46A-53) are planned for public facilities use as an addition to the West Potomac High School.
3. The area between Belle Haven Road and Olde Towne Road, east of Potomac Avenue is planned for residential development at 3-4 dwelling units per acre with the exception of lots fronting on Belle Haven Road east of 11th Street which are planned for office use at .30 FAR with maximum building heights of 35 feet. These office uses should be well-buffered and screened from existing and planned residential uses located on the north side of Olde Towne Road. In any development proposal, adequate storm drainage outfall, which will require major construction and is consistent with the County's policy regarding development within flood-prone areas, should be provided.
4. Any new development having visual impact upon the George Washington Parkway should be compatible with the historic and scenic character of the Parkway. New development within a quarter-mile of the Parkway should be low-density, detached single family residential dwellings and no additional non-residential uses should be permitted, nor any expansion to or intensification of existing non-residential uses should be permitted, in order to preserve the unique scenic character of this parkway. Areas that are outside of the quarter-mile boundary, but still have a visual impact on the Parkway, should mitigate the visual impact to the extent possible through use of techniques such as vegetated buffering along the Parkway. [Not shown]

Transportation

Transportation recommendations for this sector are shown on Figures 42, 43, 44 and 45. In some instances, site-specific transportation recommendations are included in the land use recommendations section. The figures show access orientation, circulation plans, interchange impact areas and generalized locations of proposed transit facilities. The recommendations contained in the Area Plan text and maps, the Policy Plan and Transportation Plan map, policies and requirements in the Public Facilities Manual, the Zoning Ordinance, and other standards will be utilized in the evaluation of development proposals.



County of Fairfax, Virginia

MEMORANDUM

DATE: November 28, 2011

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer *BF*
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Special Exception Application #SE 2011-MV-012, Redpath Development – 6415 13th Street, Special Exception Plat dated 2 August 2011, LDS Project #9792-ZONA-001-1, Tax Map #93-2-08-27-0013, Mount Vernon District

We have reviewed the subject application and offer the following stormwater management comments.

The applicant has not provided a Stormwater Information Sheet (LTI 06-06).

Chesapeake Bay Preservation Ordinance (CBPO)

The entire property is within the Resource Protection Area (RPA). An approved encroachment exception will be required. The proposed work is likely to qualify for an administrative approval under the Loss of Buildable Area provisions of the CBPO, §118-5-4(a). An approved Water Quality Impact Assessment will also be required before a grading plan can be approved (CBPO 118-4-4).

Water quality controls, or an approved waiver, are required for this development (PFM 6-0401.2A). No controls are located on the plat. The types of controls allowed on single-family lots use infiltration techniques. The soils on the lot are rated as poorly suited for infiltration. A waiver of the water quality control requirements is likely to be approved.

Floodplain

The entire property is within a major floodplain. A special exception for both the proposed new use and the proposed fill is required.

The application should include a written statement providing detail on any existing or anticipated problems of flooding or erosion both upstream and downstream of the property (ZO 2-904 paragraph B(1)).



St. Clair Williams, Staff Coordinator

Special Exception Application #SE 2011-MV-012, Redpath Development – 6415 13th Street

November 28, 2011

Page 3 of 3

Standard 13 – A development condition should require the construction of the dwelling shall be subject to the requirements of the Virginia Uniform Statewide Building Code.

Standard 14 – A development condition should require the storage of any recreational vehicle on this site to be limited to a 180-day period, or be fully licensed and ready for highway use, or meet the requirements of the Virginia Uniform Statewide Building Code for anchoring and elevation of manufactured homes.

Standard 15 – A development condition should require all necessary permits be received from those governmental agencies from which approval is required by federal or state law prior to approval of a grading plan.

Standard 16 – A development condition should require the improvements to not cause an increase the base flood elevation of the Special Flood Hazard Area as depicted on the county's Flood Insurance Rate Map. The proposed fill and dwelling are not likely to cause the base flood elevation to increase.

Standard 17 – Not applicable.

Downstream Drainage Complaints

There are numerous downstream drainage complaints on file.

Stormwater Detention

Stormwater detention is not a requirement for infill grading plans.

Site Outfall

An outfall narrative has been provided. The narrative states that the outfall is adequate, however, the number of downstream drainage complaints may indicate that portions of the downstream system are inadequate. The current plan increases the amount of impervious area on the site. This application must demonstrate that there is no adverse impact to lower lying properties, does not aggravate any existing problem, and does not cause a new drainage problem (PFM 6-0202.6B), as mentioned in Standard 3, above.

Please contact me at 703-324-1720 if you require additional information.

BF/

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, SDID, DPWES
Zoning Application File



County of Fairfax, Virginia

MEMORANDUM

December 28, 2011

TO: St Clair Williams, Senior Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Jessica Strother, Urban Forester II
Forest Conservation Section, UFMD, DPWES

SUBJECT: SE 2011-MV-012, New Alexandria, Lots 13-16

RE: Comments and Recommendations

This review is based on the Special Exception Plat, (SE Plat) stamped as received by the Department of Planning and Zoning on August 11, 2011. A site visit was conducted the week of November 14, 2011. This site contains a number of high quality hardwood trees and high quality off-site trees immediately adjacent.

- 1. Comment:** There was no tree preservation plan, tree survey, or canopy calculations included with the Plat. This is a standard requirement for zoning cases, and must be provided. Based on the residential type use, a tree preservation target deviation may be appropriate for the property.

Recommendation: The SE Plat should be revised to include this information.

- 2. Comment:** The Existing Vegetation Map has not been provided and instead a brief description, that is insufficient. There are large diameter trees on the Applicant's property as well as immediately off-site and adjacent

Recommendation: Provide the noted information.

- 3. Comment:** There is a monarch 60 inch diameter willow oak that appears to be in good health and appears to be in the right-of-way, 8 feet from the western boundary property line. This tree's canopy extends a ways over the subject property. The Applicant should commit to preserving this (off-site) tree with careful on site construction work, tree protection fencing and a pre-construction meeting with Urban Forest Management Division prior to future grading plan start-up construction.

Recommendation: The SE Plat should be revised to accurately show the extent of the willow oak's canopy. The Applicant should commit to a development condition addressing tree protection, a preconstruction meeting with UFMD and preservation for the willow oak and other trees, where it is possible.



4. **Comment:** The proposed RPA water quality/BMP plantings should be revised to not conflict with existing mature trees to be preserved.

Recommendation: Evaluate the use of only understory trees where planting areas are adjacent to mature existing trees.





County of Fairfax, Virginia

MEMORANDUM

DATE: December 30, 2011

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

FROM: Angela Kadar Rodeheaver, Chief *MAD for AKR*
Site Analysis Section
Department of Transportation

SUBJECT: Transportation Impact

REFERENCE: SE 2011-MV-012; Redpath Development LLC
Land Identification Map: 93-2((8))(27)0013

Transmitted herewith are the comments of the Department of Transportation with respect to the referenced application. These comments are based on the informational packet made available to this department on November 16, 2011.

The proposed application requesting a Special Exception to allow for fill in a floodplain for the construction of a single family dwelling would not create any significant additional impacts on the surrounding public street system. However, applicant should acquire required driveway entrance permits from the Virginia Department of Transportation (VDOT) to ensure compliance of VDOT's Road Design Manual. Other than the noted comment, this department would not object to the approval of the subject application.

AKR/mdd

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:

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.

PART 9 2-900 FLOODPLAIN REGULATIONS

2-901 Purpose and Intent

In furtherance of the zoning powers, purposes and jurisdictions provided for by Sections 15.2-2280, 15.2-2283 and 15.2-2284, Code of Virginia, 1950, as amended, these regulations are created to provide for safety from flood and other dangers; to protect against loss of life, health, or property from flood or other dangers; and to preserve and protect floodplains in as natural a state as possible for the preservation of wildlife habitats, for the maintenance of the natural integrity and function of the streams, for the protection of water quality, and for the promotion of a zone for ground water recharge.

2-905 Use Limitations

All permitted uses and all special exception uses in a floodplain shall be subject to the following provisions:

1. Except as may be permitted by Par. 6 and 7 of Sect. 903 above, any new construction, substantial improvements, or other development, including fill, when combined with all other existing, anticipated and planned development, shall not increase the water surface elevation above the 100-year flood level upstream and downstream, calculated in accordance with the provisions of the Public Facilities Manual.
2. Except as may be permitted by Par. 8 of Sect. 903 above, the lowest elevation of the lowest floor of any proposed dwelling shall be eighteen (18) inches or greater above the water-surface elevation of the 100-year flood level calculated in accordance with the provisions of the Public Facilities Manual.
3. All uses shall be subject to the provisions of Par. 1 of Sect. 602 above.
4. No structure or substantial improvement to any existing structure shall be allowed unless adequate flood proofing as defined in the Public Facilities Manual is provided.
5. To the extent possible, stable vegetation shall be protected and maintained in the floodplain.
6. There shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., in a floodplain.
7. For uses other than those enumerated in Par. 2 and 3 of Sect. 903 above, the applicant shall demonstrate to the satisfaction of the approving authority the extent to which:
 - A. There are no other feasible options available to achieve the proposed use; and
 - B. The proposal is the least disruptive option to the floodplain; and

C. The proposal meets the environmental goals and objectives of the adopted comprehensive plan for the subject property.

8. Nothing herein shall be deemed to prohibit the refurbishing, refinishing, repair, reconstruction or other such improvements of the structure for an existing use provided such improvements are done in conformance with the Virginia Uniform Statewide Building Code and Article 15 of this Ordinance.
9. Nothing herein shall be deemed to preclude public uses and public improvements performed by or at the direction of the County.
10. Notwithstanding the minimum yard requirements specified by Sect. 415 above, dwellings and additions thereto proposed for location in a floodplain may be permitted subject to the provisions of this Part and Chapter 118 of The Code.
11. All uses and activities shall be subject to the provisions of Chapter 118 of The Code.
12. When as-built floor elevations are required by federal regulations or the Virginia Uniform Statewide Building Code for any structure, such elevations shall be submitted to the County on a standard Federal Emergency Management Agency (FEMA) Elevation Certificate prior to approval of the final inspection. If a non-residential building is being floodproofed, then a FEMA Floodproofing Certificate shall be completed in addition to the Elevation Certificate. In the case of special exception uses, the Elevation Certificate shall show compliance with the approved special exception elevations.

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		