



County of Fairfax, Virginia

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

May 2, 2012

Lisa Chiblow
McGuire Woods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

RE: Special Exception Amendment Application SEA 94-D-019

Dear Ms. Chiblow:

At a regular meeting of the Board of Supervisors held on May 1, 2012, the Board approved Special Exception Amendment Application SEA 94-D-019 in the name of Capitol One, National Association. The subject property is located at 1439 Chain Bridge Road on approximately 18,275 square feet of land zoned C-8 and CRD, HC and SC in the Dranesville District [Tax Map 30-2 ((9)) 67]. The Board's action amends Special Exception Application SE 94-D-019 previously approved for a drive-in financial institution to permit modifications and waivers in a CRD and modifications to development conditions pursuant to Sections 4-804, 7-607 and 9-622 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous development conditions; conditions carried forward unchanged from previous approvals are marked with an asterisk (*):

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land. *
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions. *
3. This Special Exception Amendment is subject to the provision of Article 17, Site Plans as may be determined by the Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled "Chevy Chase Bank-McLean" prepared by Patton Harris Rust & Associates, PC, which is dated March 11, 1994 and revised through July 26, 1994 and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

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

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4. Landscaping and sidewalk treatments shall be provided as generally shown on the Special Exception Plat, subject to review and approval of the Urban Forestry Management Division of the Department of Public Works and Environmental Services.
5. Hours of operation of the bank shall not exceed 8:00 a.m. to 7:00 p.m. Monday through Friday, and 8:00 a.m. to 3:00 p.m. on Saturdays.
6. Drive-through service shall be limited to one Automatic Teller Machine (ATM) in each drive-through lane and teller service using a pneumatic tube assembly on the eastern drive-through lane. The drive-through ATMs shall be operational 24 hours per day, 7 days per week.
7. At all times when the drive-through ATMs are operational, both of the machines shall be open to provide adequate vehicle stacking. *
8. The bank shall be a traditional design constructed with brick façade treatment and a covered portico with columns at the entrance. *
9. Irrespective of the stacking spaces shown on the Special Exception Plat, the applicant shall provide a total of 10 stacking spaces for the drive-through lanes, designating 5 spaces per lane. The drive aisle in front of the employee parking spaces may be used to accommodate one additional stacking space per drive-through lane.
10. The applicant shall reserve the easternmost two spaces at the end of each parking row for employee parking. Customer parking shall be limited to the remaining 18 spaces in the parking lot. The applicant shall clearly identify the employee parking spaces with signs, striping, or another acceptable manner, within 90 days of the Board of Supervisors' action on this Special Exception Amendment.

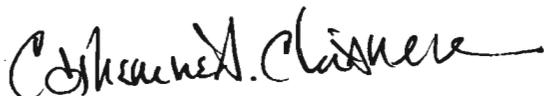
This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established 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, at a minimum, the use has been established or construction has commenced and been diligently prosecuted as evidenced by the issuance of a Non-Residential Use Permit for the use. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also:

- Approved the following waivers and modifications in favor of that shown on the SE Plat:
 - Modified the minimum lot size requirement to permit a lot of 18,275 square feet.
 - Modified the minimum lot width requirement to permit a width of 160 feet.
 - Waived the loading space requirement.
- Reaffirmed approval of the following waivers and modifications associated with the previously approved Special Exception in favor of that shown of the SE Plat:
 - Modified the front yard requirement to permit a front yard of 19 feet along Chain Bridge Road.
 - Modified the transitional screening requirement and a waiver of the barrier requirement to the south.

Sincerely,



Catherine A. Chianese
Clerk to the Board of Supervisors

Cc: Chairman Sharon Bulova
Supervisor John Foust, Dranesville District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation