



County of Fairfax, Virginia

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

LED

March 31, 2006

Timothy S. Sampson, Esquire
Walsh, Colucci, Lubeley, Emrich & Terpak, PC
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201-3359

Re: Special Exception Amendment Application Number SEA 82-P-032-05
(Concurrent with RZ 2003-PR-022)

Dear Mr. Sampson:

At a regular meeting of the Board of Supervisors held on March 27, 2006, the Board approved Special Exception Amendment Application Number SEA 82-P-032-05 in the name of Pulte Home Corporation, located at 2900 Nutley Street (Tax Map 48-1 ((1)) 90A and 90B [formerly known as 48-1((1)) 90, 91B, 96, 97, 100A; 48-1 ((6)) 7A, 8B; 48-2 ((1)) 4, 4A; 48-2 ((24)) 38A]; 48-2((1)) 1; 48-3 ((4)) 28) to permit a reduction in land area and associated site modifications pursuant to Sections 3-104, 6-105, 6-405 and 9-401 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions. These development conditions shall be in addition to the previously approved development conditions for SEA 82-P-032-2, SEA 82-P-032-3 and SEA 82-P-032-4 which shall remain in full force and effect.

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 Amendment Plat (SEA Plat) approved with this application, as qualified by these development conditions.
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved SEA Plat entitled "WMATA Fairfax/Vienna/GMU Station," prepared by Dewberry and Davis, LLC, and dated November 18, 2005, *as revised through March 7, 2006*. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

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cc: Chairman Gerald E. Connolly
Supervisor Linda Q. Smyth, Providence District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Admin.
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Leslie B. Johnson, Deputy Zoning Administrator/Zoning Permit Review
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.
Charles Strunk, Project Planning Section, Dept. of Transportation
Audrey Clark, Director - Building Plan Review DPWES
Michelle A. Brickner, Director, Deputy Director, DPWES
Ken Williams, Plans & Document Control, ESRD, DPWES
Deloris Harris, DPWES
Department of Highways - VDOT
Sandy Stallman, Park Planning Branch Mgr., FCPA
Gordon Goodlett, Development Officer, DHCD/Design Development Div.
Providence District Planning Commissioner
Barbara J. Lippa, Executive Director, Planning Commission
Jose Comayagua, Director, Facilities Management
Gary Chevalier, Office of Capital Facilities/Ffx. Cnty. Public Schools

RECEIVED
Department of Planning & Zoning
MAY 30 2006
Zoning Evaluation Division

PROPOSED DEVELOPMENT CONDITIONS

SEA 82-P-032-5

March 24, 2006

If it is the intent of the Board of Supervisors to approve SEA 82-P-032-5 located at 2900 Nutley Street (Tax Map 48-1 ((1)) 90A and 90B [formerly known as 48-1((1)) 90, 91B, 96, 97, 100A; 48-1 ((6)) 7A, 8B; 48-2 ((1)) 4, 4A; 48-2 ((24)) 38A]; 48-2((1)) 1; 48-3 ((4)) 28 to permit a reduction in land area and associated site modifications pursuant to Section 3-104, 6-105, 6-405 and 9-401 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions shall be in addition to the previously approved development conditions for SEA 82-P-032-2, SEA 82-P-032-3 and SEA 82-P-032-4 which shall remain in full force and effect.

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 Amendment Plat (SEA Plat) approved with this application, as qualified by these development conditions.
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved SEA Plat entitled "WMATA Fairfax/Vienna/GMU Station," prepared by Dewberry and Davis, LLC, and dated November 18, 2005, as revised through March 7, 2006. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Upon demand by Fairfax County and/or the Virginia Department of Transportation (VDOT), WMATA shall provide any and all easements necessary to accommodate the installation of pedestrian signals at the intersection of Virginia Center Boulevard and Centerboro Drive.

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.