



# County of Fairfax, Virginia

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

November 21, 2012

Jeffrey E. LaBrier  
3622 East Street  
Hyattsville, MD 20785

Re: Special Exception Application SE 2012-PR-007

Dear Mr. LaBrier:

At a regular meeting of the Board of Supervisors held on November 20, 2012, the Board approved Special Exception Application SE 2012-PR-007 in the name of Sterling Jewelers, Inc. D/B/A Jared the Galleria of Jewelry. The subject property is located at 8113 Leesburg Pike on approximately 19,507 square feet of land, zoned C-5, HC and SC in the Providence District [Tax Map 39-2 ((2)) 52]. The Board's action permits waiver of certain sign regulations pursuant to Section 9-620 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans as may be determined by the 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 "Jared at Tysons Corner" prepared by Charles P. Johnson & Associates, Inc. and Ruggles Sign Company, which is dated April 8, 2011 and revised through August 2, 2012 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.

4. The maximum amount of building-mounted sign area shall be 235.81 square feet. Future modifications to the signage depicted on the SE plat may occur without amendment to this SE provided the maximum sign area is not exceeded and the number of signs and sign locations are in substantial conformance with those shown on the SE plat.
5. Prior to the issuance of a sign permit for the proposed sign, the applicant shall demonstrate to the Zoning Administrator that all directional and freestanding signs comply with Article 12 of the Zoning Ordinance.

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 sign permit for the building-mounted sign on the western facade. 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:**

- Reaffirmed the waiver of frontage improvements and dedication of right-of-way along Leesburg Pike, in favor of that shown on the SE plat.

Sincerely,



Catherine A. Chianese  
Clerk to the Board of Supervisors

Cc: Chairman Sharon Bulova  
Supervisor Linda Smyth, Providence District  
Tim Shirocky, Acting 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  
Donald Stephens, Transportation Planning Division  
Ken Williams, Plans & Document Control, ESRD, DPWES  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division  
Planning Commission  
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation