



FAIRFAX COUNTY

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OFFICE OF THE CLERK
BOARD OF SUPERVISORS
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Fairfax, Virginia 22035-0072

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November 30, 2001

Bruce M. Machanic
6412 Wood Haven Road
Alexandria, Virginia 22307

RE: Special Exception Amendment Application
Number SEA 95-V-072

Dear Mr. Machanic:

At a regular meeting of the Board of Supervisors held on November 19, 2001, the Board approved Special Exception Amendment Application Number SEA 95-V-072 in the name of Bruce M. Machanic, located at 6412 Wood Haven Road (Tax Map 83-4 ((2)) (36) 31, 32, 32A) previously approved for uses in floodplain, to permit a building addition and an increase in land area pursuant to Section 2-904 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions. These conditions incorporate and supersede all previously approved development conditions on the property. Previously approved conditions and those slightly modified 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. Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception plat entitled **Special Exception Plat, Lot 31, 32 & 32A Block 36 and prepared by R. C. Fields, Jr. and Associates, which is dated April, 2001** and these conditions.

- * 4. Development Conditions approved with SEA 95-V-072 shall be printed in their entirety on any and all building/development plans submitted for review and approval by the Department of Public Works and Environmental Services (DPWES).
- * 5. 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. This agreement shall be approved by the County Attorney and shall be recorded among the County land records prior to the issuance of a building permit for the proposed addition.
- * 6. Prior to the issuance of a Building Permit, approval shall be obtained from the Director of DPWES for an exception to allow for uses in a Resource Protection Area (RPA) as defined by Chapter 118 of the Fairfax County Code, the Chesapeake Bay Preservation Ordinance. If the exception is not granted, this Special Exception Amendment shall be null and void.
- 7. The lowest elevation of the lowest floor of the dwelling shall be not less than 11.5 feet, 18 inches above the base flood elevation of 10.0 feet.
- 8. Trees and indigenous vegetation shall be preserved on the site during the construction process to the maximum extent feasible, as determined by the Urban Forester.
- 9. No more land shall be disturbed than is necessary to provide for the construction of the addition to the dwelling, and the limits of clearing and grading shown on the Special Exception Amendment Plat shall be maintained.
- 10. If deemed necessary by DPWES, a geotechnical report and a grading plan shall be submitted to DPWES for foundation design and earthwork engineering. Plans shall be implemented as required by DPWES.
- 11. The US Army Corps of Engineers shall be consulted in writing prior to the submission of a grading plan to determine whether or not any action is required 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 Amendment shall be null and void.
- * 12. As-built floor elevations for the residence shall be submitted in accordance with Section 3107.12.1 of the Virginia Uniform Statewide Building Code (VUSBC 1977) on a standard FEMA Elevation Certificate prior to approval of the framing inspection.

- * 13. All construction shall be in conformance with Section 3107.0 Flood-Resistant Construction of the Virginia Uniform Statewide Building Code (VUSBC 1977). A statement certifying all floodproofing proposed, and indicating its compliance with all County, State, and Federal requirements shall be provided with the Building Permit application. This certification shall be signed, sealed, and indicate the address of the certifying professional and it shall cover all structural, electrical, mechanical, plumbing, water and sanitary facilities connected with the use.
- * 14. Erosion and sediment control measures shall be installed at all stages of construction. A double-tiered silt fence (a minimum of 4 feet apart) or "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.
- * 15. Stormwater drainage shall be directed to ditches through the use of pipes, swales, or other devices, as determined by DPWES. Any fill area shall be stabilized, graded, or have drains installed such that normal rainfall will not flow over the filled area onto adjacent properties.
- * 16. 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 establishment of a sales contract.
- 17. Prior to the issuance of a Building Permit, an administrative variance shall be obtained from the County by the applicant for the side yard setback to the north of the dwelling which is 11.7 feet, rather than the required 12 feet minimum. The applicant must request an administrative reduction in minimum yard requirements based on error in building location, Zoning Ordinance Section 2-419. If the variance is not obtained, this Special Exception Amendment shall be null and void.

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 all required permits and inspections through established procedures.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless final inspections for the addition have been conducted or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use

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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 Amendment. 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.

If you have questions regarding the expiration of this Special Exception Amendment or filing a request for additional time they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Katherine K. Hanley
Supervisor - Mount Vernon District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
John Crouch, Assistant Chief, PPRB, DPZ
Audrey Clark, Director, BPRD, DPWES
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Robert Moore, Trnsprt'n. Planning Div., Department of Transportation
Charles Strunk, Project Planning Section, Department of Transportation
Michelle A. Brickner, Director, Site Development Services, DPWES
DPWES - Bonds & Agreements
Department of Highways, VDOT
Land Acq. & Planning Div., Park Authority
District Planning Commissioner

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