



APPLICATION ACCEPTED: March 29, 2013
APPLICATION AMENDED: May 29, 2013
PLANNING COMMISSION: October 3, 2013
BOARD OF ZONING APPEALS: October 9, 2013 @ 9 a.m.
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

September 19, 2013

STAFF REPORT

APPLICATION PCA 86-D-108
(in association with SP 2013-DR-027)

DRANESVILLE DISTRICT

APPLICANT: William Weiss

PRESENT ZONING: R-2 (Residential, 2 dwelling units/acre)

PARCEL: 19-3 ((17)) 23

SITE AREA: 36,000 square feet

PLAN MAP: Residential, 1 – 2 du/ac

PCA Proposal: The applicant seeks approval of a partial Proffered Condition Amendment (PCA) application to amend the proffers associated with RZ 86-D-108.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 86-D-108, subject to the execution of proffers consistent with those contained in Appendix 1.

It should be noted that it is not the intent of the 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.

Megan Duca

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.

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

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.

O:\mbrad9\PCA\PCA 86-D-108 SP 2013-DR-027 William Weiss\Staff Report\Staff Report Assembly00_PCA 86-D-108 and SP 2013-DR-027_Staff report cover.doc



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).



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BOARD OF ZONING APPEALS: October 9, 2013
TIME: 9:00 a.m.

County of Fairfax, Virginia

September 19, 2013

STAFF REPORT

APPLICATION SP 2013-DR-027
(in association with PCA 86-D-108)

DRANESVILLE DISTRICT

APPLICANT: William Weiss

OWNERS: William Weiss and Xin Tao

PRESENT ZONING: R-2 (Residential, 2 dwelling units/acre)

TAX MAP REFERENCE: 19-3 ((17)) 23

SITE AREA: 36,000 square feet

PLAN MAP: Residential, 1 – 2 du/ac

SPECIAL PERMIT PROPOSAL: Accessory Dwelling Unit in proposed dwelling

STAFF RECOMMENDATIONS:

Staff recommends approval of SP 2013-DR-027, subject to the proposed development conditions contained in Appendix 2.

It should be noted that it is not the intent of the staff to recommend that the Board of Zoning Appeals, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

Megan Duca

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

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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. Board of Zoning Appeals meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.

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Proffered Condition Amendment

PCA 86-D-108

Applicant:
Accepted:
Proposed:

WILLIAM WEISS

03/29/2013

AMEND RZ 86-D-108 PREVIOUSLY APPROVED FOR RESIDENTIAL DEVELOPMENT TO PERMIT MODIFICATION OF APPROVED PROFFERS



Area:

36000 SF OF LAND; DISTRICT - DRANESVILLE

Zoning Dist Sect:

Located:

9416 ATWOOD ROAD, VIENNA, VA 22182

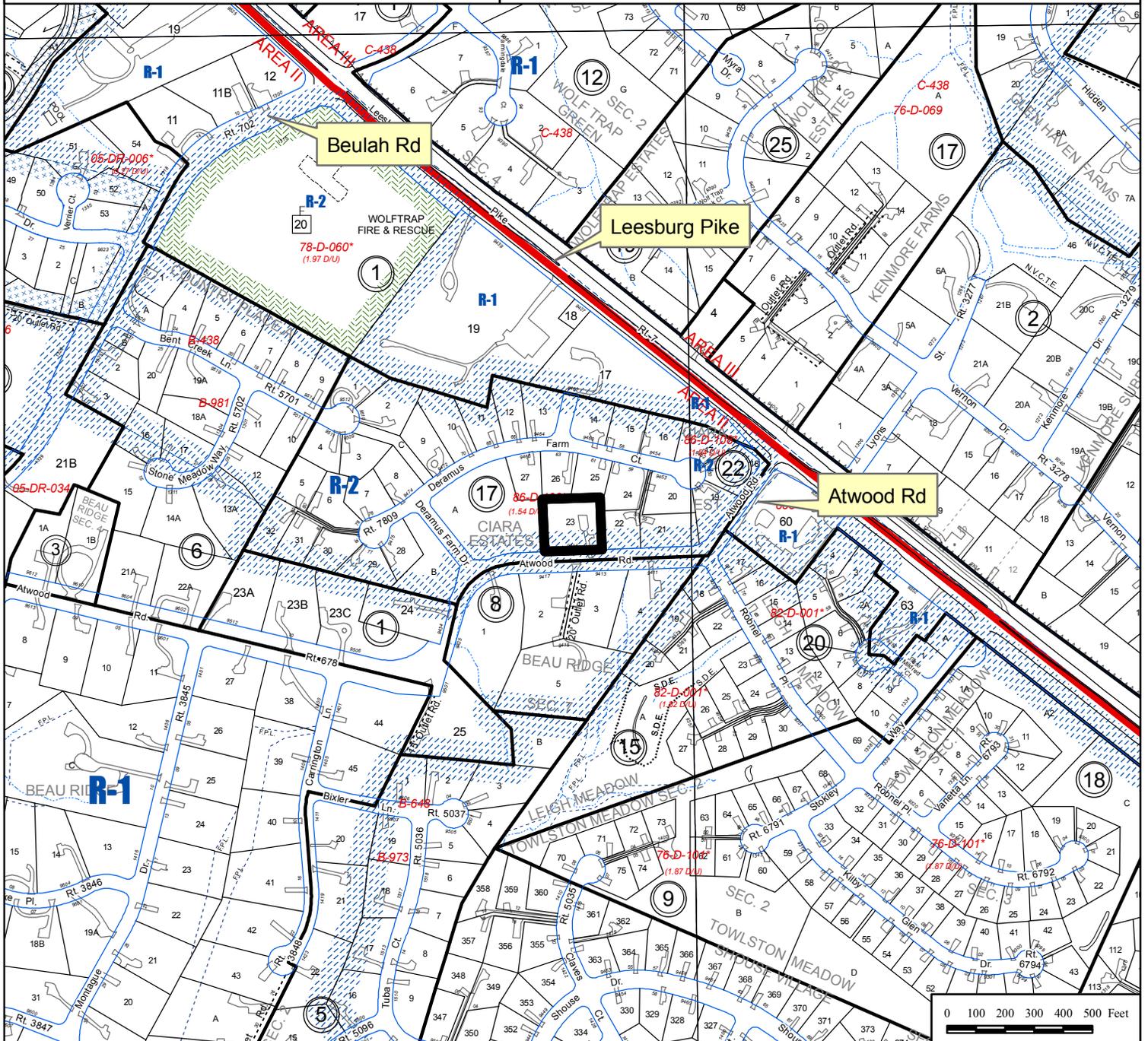
Zoning:

R-2

Overlay Dist:

Map Ref Num:

019-3- /17/ /0023

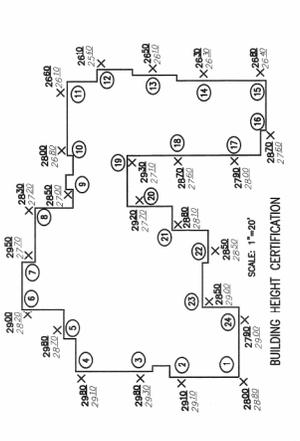


SDE, INC.

GENERALIZED DEVELOPMENT PLAN/SPECIAL PERMIT PLAN
 9416 ATWOOD ROAD
 CIARA ESTATES, LOT 23
 FAIRFAX COUNTY
 MAGISTRAL DISTRICT: BRANESVILLE

GENERAL INFORMATION
 DESIGNED BY: SDE, INC.
 DRAWN BY: B.H.
 CHECKED BY: HANID T., PE
 SCALE: N/A
 DATE: 02/24/2012
 PROJECT/FILE #: 009603-INF-003-2
 SHEET NUMBER: 1 OF 12

POINT	EXISTING ELEVATION	PROPOSED ELEVATION
1	328.80	328.00
2	328.30	328.80
3	328.30	328.80
4	328.30	328.80
5	328.30	328.80
6	328.30	328.80
7	327.20	328.30
8	327.20	328.30
9	327.20	328.30
10	327.20	328.30
11	326.10	326.60
12	326.10	326.60
13	326.10	326.60
14	326.10	326.60
15	326.10	326.60
16	327.60	328.70
17	327.60	328.70
18	327.60	328.70
19	327.10	328.30
20	327.10	328.30
21	326.10	326.60
22	326.10	326.60
23	326.10	326.60
24	327.71	328.32



FRONT ELEVATION
 NOT TO SCALE - LEAVING ARE APPROXIMATE
 BUILDING HEIGHT = 35.54' - 32.71' = 29.83' < 35' (GOOD)
 29.83' < 35' (GOOD)

IMPERVIOUS AREA COMPUTATIONS

IMPERVIOUS C-FACTOR = 0.80
 MEAN CONCENTRATION = 5 MIN
 PANFALL INTENSITY, I₁₀ = 7.27 IN/HR

PRE-DEVELOPMENT POST-DEVELOPMENT

HOUSE	1620	8909
COURTYARD	2095	2439
DRIVEWAY	0	245
PERVIOUS AREA	12,725	6,839
TOTAL LOT AREA	36,000	36,000
TOTAL LOT AREA = 36,000 SF OR 0.826 AC		
TOTAL PERCENTAGE OF IMPERVIOUSNESS = 45.83%		
TOTAL PERCENTAGE OF IMPERVIOUSNESS = 24.78%		

C-FACTOR
 = (0.826 x 0.9) / 0.22 = 3.33
 = (0.826 x 0.9) / 0.22 = 3.33

B-POST-DEVELOPMENT
 = (0.826 x 0.9) / 0.22 = 3.33

PRE-DEVELOPMENT (OVERALL)
 = (0.826 x 0.9) / 0.22 = 3.33

POST-DEVELOPMENT (OVERALL)
 = (0.826 x 0.9) / 0.22 = 3.33

* PER PFM ARTICLE 6, THE PEAK RUNOFF INCREASE IS MANAGED WITHIN THE PROPOSED PERCOLATION TRENCH



SOILS MAP
 2011 OFFICIAL MAP (N.T.S.)

SOIL ID NUMBERS	SOIL SERIES NAME	FOUNDATION SUPPORT	SOIL DRAINAGE	EROSION POTENTIAL	PROBLEM CLASS
10B8, 10B2	WEAVER-GLENDE COMPLEX	GOOD	GOOD	HIGH	WB

IS THE SITE LOCATED WITHIN NATURALLY OCCURRING ASBESTOS SOILS?
 YES NO

WOOD NOTE

- ALL MATERIALS USED SHALL CONFORM TO CURRENT COUNTY AND BOB STANDARDS AND SPECIFICATIONS.
- THE DEVELOPER IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING GRASSES AND UTILITIES WHICH OCCUR AS A RESULT OF PROJECT CONSTRUCTION WITHIN OR CONTIGUOUS TO THE EXISTING RIGHT-OF-WAY.
- OVERLAP OF EXISTING PARALLEL SHALL BE MINIMUM OF 1.25' DEPTH, ANY DISTURBANCE TO EXISTING PARALLEL SHALL BE RESTORED TO ORIGINAL CONDITION.
- ALL DAMAGES TO EXISTING ROAD AS A RESULT OF CONSTRUCTION ACTIVITIES SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/CONTRACTOR AND WILL BE RESTORED TO THE ORIGINAL CONDITION. PARALLEL PATCH FOR UTILITY SERVICE SHALL BE IN ACCORDANCE WITH DOT STANDARDS.
- SEE SHEET 12 FOR ADDITIONAL NOTES REGARDING THE ESTABLISHMENT OF NEW ENTRANCE AND SIGHT DISTANCE AND SAFETY REQUIREMENTS.

EXISTING UTILITY NOTE

THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE LOCATION OF ALL UTILITIES BEFORE COMMENCING WORK AND FOR ANY DAMAGES WHICH OCCUR BY HIS FAILURE TO LOCATE OR PRESERVE UTILITIES OTHER THAN THOSE INDICATED BY MISS UTILITY & MEMBER UTILITY COMPANIES. HE SHALL BE RESPONSIBLE FOR THE NECESSARY AND PROPER STEPS TO PROTECT THE FACILITY AND ASSURE THE CONTINUANCE OF SERVICE.

THE CONTRACTOR IS REQUIRED BY LAW TO NOTIFY MISS UTILITY (1-800-565-7001) AT LEAST 48 HOURS IN ADVANCE OF ANY WORK ON THIS PROJECT.

CBPO NOTES

THIS PLAN SUBMITTALS FULLY WITH AMENDMENT CHAPTER 19 (CHESAPEAKE BAY PRESERVATION PROGRAM) OF THE CODE OF THE COUNTY OF FAIRFAX, EFFECTIVE NOV. 18, 2003.

THIS LOT 19-1-1(17)-23, WAS PREVIOUSLY USED AS 9416 ATWOOD ROAD UNDER ITS PREVIOUS OWNER, DEBRA'S OPERATIVE IN TR. UNTIL 12/29/2010 (UNDER D.B. 16555, P.C. 1383). THIS LOT IS CURRENTLY LISTED AS 9416 ATWOOD ROAD UNDER ITS CURRENT OWNER, WESS WILLIAM (UNDER D.B. 14941, P.C. 135).

OWNER/DEVELOPER INFORMATION

DISTRICT: BRANESVILLE TAX MAP AND PARCEL #: 15-0-0-103333
 NAME: WESS WILLIAM
 ADDRESS: 9416 ATWOOD ROAD NEMVA VA 22102

EROT YARD SURFACING LIMIT

TOTAL AREA IN FRONT YARD = 8,948 SF
 PERCENTAGE OF SURFACED AREA = 15.35%
 ALLOWABLE PERCENTAGE FOR R-2 ZONE = 25%

15.9% < 25% (OK)

WETLANDS CERTIFICATE

TO DETERMINE THE PRESENCE OF WETLANDS, THE PROPOSER HAS OBTAINED FROM THE COUNTY ENGINEER AND DISTRICT ENGINEER A COPY OF THE PROPOSED PERCOLATION TRENCH.

OWNER NAME: WESS WILLIAM
 SIGNATURE: [Signature]
 DATE: 8-2-13

DWELLING SQUARE FOOTAGE - TABULATION

THE PROPOSER HAS OBTAINED FROM THE COUNTY ENGINEER AND DISTRICT ENGINEER A COPY OF THE PROPOSED PERCOLATION TRENCH. THE PROPOSER HAS OBTAINED FROM THE COUNTY ENGINEER AND DISTRICT ENGINEER A COPY OF THE PROPOSED PERCOLATION TRENCH. THE PROPOSER HAS OBTAINED FROM THE COUNTY ENGINEER AND DISTRICT ENGINEER A COPY OF THE PROPOSED PERCOLATION TRENCH.

GENERAL NOTES

- TAX MAP # 15-1-1(17)-23
- TOTAL PROPERTY ADDRESS: 36,000 SF OR 0.826 AC
- TOTAL DISTURBED AREA: 26,000 SF OR 0.6 AC
- WATERSEED FOR SUBJECT PROPERTY: DIFFICULT RUN
- ZONE: R-2 CLUSTER
- SETBACKS: FRONT: 25' SIDE: 5' REAR: 5' TOTAL MINIMUM OF 24'
- NO TITLE REPORT HAS BEEN FURNISHED TO THIS FIRM, THEREFORE THIS PLAN DOES NOT REPRESENT TO IDENTIFY OR SHOW ALL POSSIBLE EASMENTS OR ENCUMBRANCES.
- ALL CONSTRUCTION SHALL CONFORM TO FAIRFAX COUNTY AND VIRGINIA DEPARTMENT OF TRANSPORTATION STANDARDS AND SPECIFICATIONS WHERE APPLICABLE.
- PROFFERED OR CONDITIONED SITE: YES NO
- WATER SUPPLY: PUBLIC PRIVATE
- SEWER SERVICE: PUBLIC PRIVATE
- BOUNDARY BR: PUBLIC RECORD: 11/20/10
- TOPO BR: SDE, INC.
- TOPO DATUM: U.S.G.S. AND CONTIGUOUS INTERVAL Z.
- CONSTRUCTION LOCATED WITHIN:
 - SLOPES OVER 15%: YES NO
 - FLAT: YES NO
 - OVERLAY DISTRICT: YES NO
 - METALS: YES NO
- ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL CONFORM TO THE LATEST EDITION OF THE "NATIONAL EROSION AND SEDIMENT CONTROL HANDBOOK" AND AS ADOPTED BY FAIRFAX COUNTY CODE 104-1-8.
- TO THE BEST OF OUR KNOWLEDGE THERE ARE NO KNOWN GRAVE SITES ON THIS PROPERTY.
- APPLIES TO THIS PROJECT: YES NO
- APPLIES TO THIS PROJECT: YES NO
- SEPARATE BUILDING PERMIT REQUIRED FOR RETAINING WALLS 2.0 FEET AND HIGHER.
- FOR SLOPES 3:1 OR GREATER PERMANENT GROUND STABILIZATION COVER PER FAIRFAX COUNTY PFM SECTION 6-1504.4 SHALL BE PROVIDED TO PREVENT EROSION OF THE EXISTING GRASS AREAS OF ALL GRADED AREAS OF THE LOT.
- CONTRACTOR TO STAKE OUT THE PROPERTY LINE WHERE CLEARING AND GRADING LIMITS ARE CONCURRENT OR ADJACENT TO THE PROPERTY LINE.
- CONTRACTOR TO PROVIDE NO OBSTACLE OR CONFINED OFF-ROAD PROPERTIES AND CONNECTIONS ARE PROVIDED BY THIS DEVELOPMENT UNLESS IT IS DEEMED NECESSARY.
- CONTRACTOR TO MAINTAIN POSITIVE SURFACE FLOW AWAY FROM BUILDING IN ACCORDANCE WITH BUILDING CODE.
- CONTRACTOR SHALL VERIFY ALL GRADES WITHIN PROJECT SITE PRIOR TO CONSTRUCTION AND SHALL IMMEDIATELY NOTIFY DESIGN ENGINEER OF ANY DISCREPANCIES BETWEEN FIELD MEASUREMENTS AND ELEVATIONS ON THIS PLAN.
- NO SUBSURFACE INVESTIGATION HAS BEEN MADE BY THIS COMPANY FOR THE PROPOSED DEVELOPMENT.
- CONTRACTOR SHALL MAINTAIN TEMPORARY TREE PROTECTION AROUND EXISTING TREES AND TAKE CARE DURING CONSTRUCTION AND GRADING ACTIVITIES. NO EXISTING TREES ARE TO BE REMOVED DURING CONSTRUCTION IF POSSIBLE. IF IT IS NECESSARY FOR TREE REMOVAL, CONTRACTOR SHALL PROVIDE MEASURES TO PROTECT THE ROOT SYSTEM FROM DAMAGE.
- NO HAZARDOUS OR TOXIC SUBSTANCES WILL BE GENERATED, UTILIZED, STORED, REHELD, OR DISPOSED OF NOR HAVE BEEN OBSERVED ON THE SUBJECT PROPERTY.
- THE PROPOSED DEVELOPMENT COMPLIES WITH ALL PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ACCEPTED STANDARDS.

OWNER/DEVELOPER INFORMATION

DISTRICT: BRANESVILLE TAX MAP AND PARCEL #: 15-0-0-103333
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 ADDRESS: 9416 ATWOOD ROAD NEMVA VA 22102

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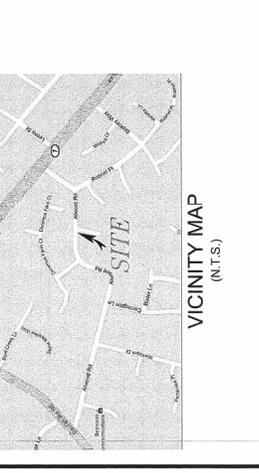
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VICINITY MAP
 (N.T.S.)

ENGINEERS, PLANNERS, ARCHITECTS, LANDSCAPE ARCHITECTS, SURVEYORS
 777 LEESBURG PIKE, SUITE 305N
 FALLS CHURCH, VA 22043 PH: (703) 556-0800

GENERALIZED DEVELOPMENT PLAN/SPECIAL PERMIT PLAN
 CIARA ESTATES, LOT 23
 FAIRFAX COUNTY
 MAGISTRAL DISTRICT: DRAINWAYS

DEMOLITION AND
 EROSION &
 SEDIMENTATION
 CONTROL PLAN

DESIGNED BY: SDE, INC.
 DRAWN BY: B.H.
 CHECKED BY: H.M.I., P.E.
 SCALE: 1"=10'
 DATE: 02/24/2012
 PROJECT/FILE # 090603-INF-003-2
 SHEET NUMBER 8 OF 12

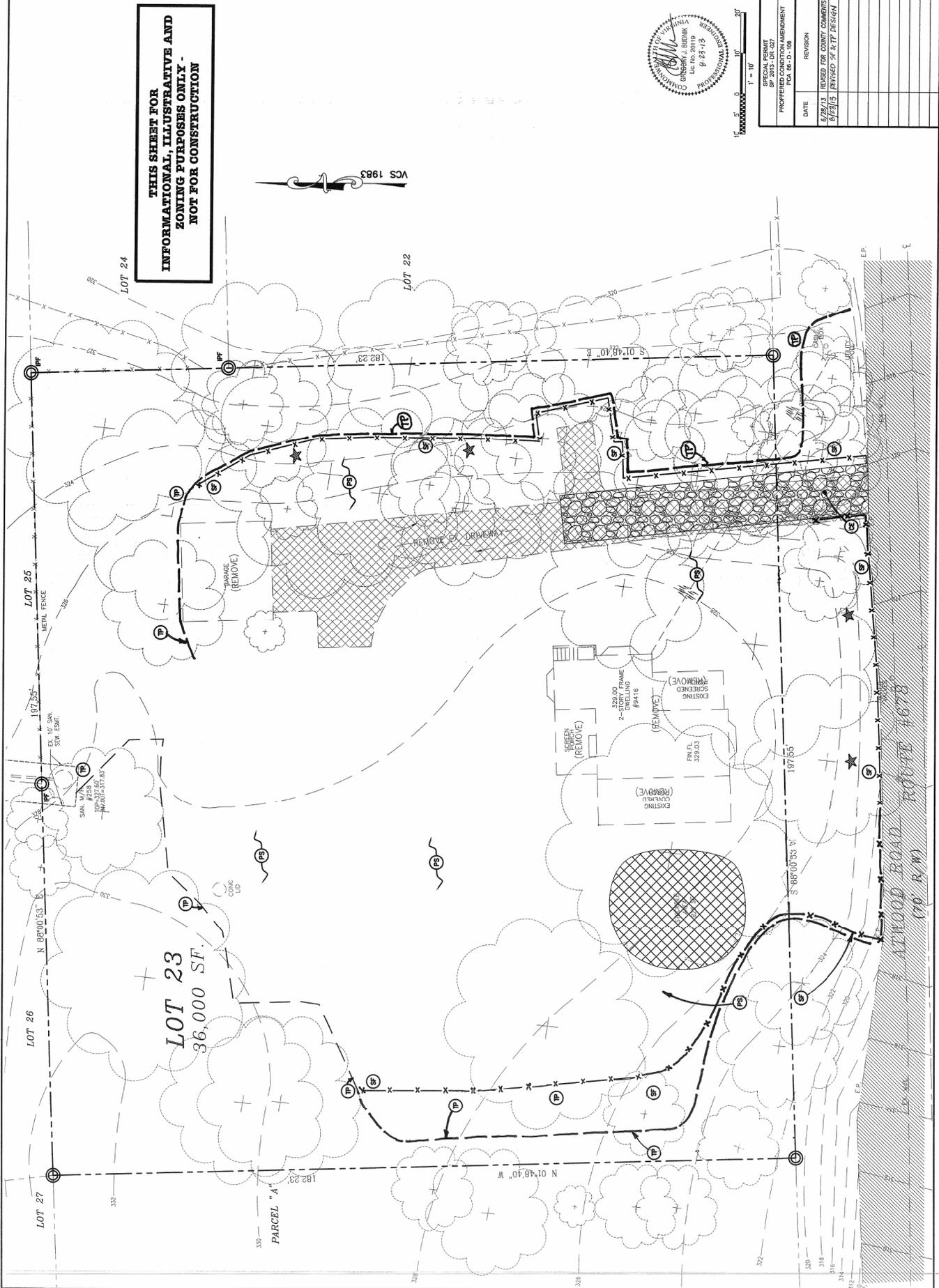
SDE, INC.

**THIS SHEET FOR
 INFORMATIONAL, ILLUSTRATIVE AND
 ZONING PURPOSES ONLY -
 NOT FOR CONSTRUCTION**



1" = 10'
 0 10 20 30 40 50 60 70 80 90 100

DATE	REVISION
8/28/13	REVISED FOR COUNTY COMMENTS
8/27/13	REVISED FOR CITY DESIGN

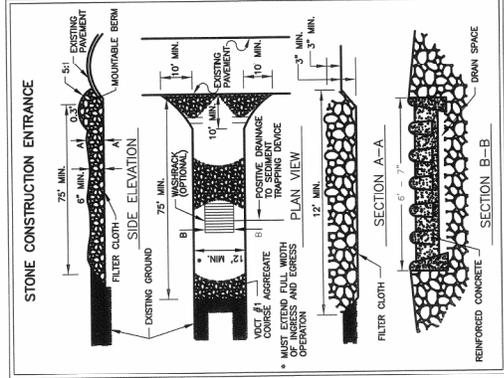


SDF, INC.

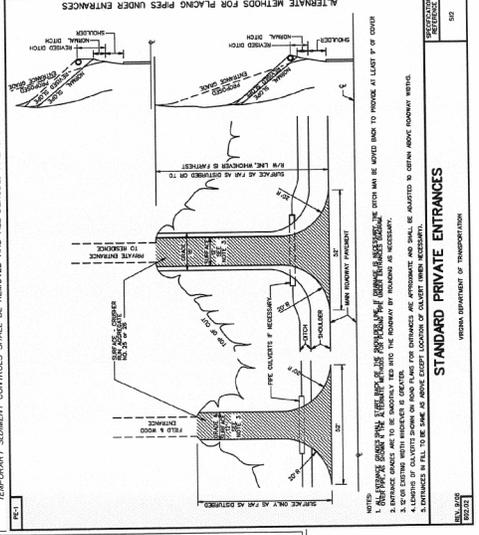
E&S CONTROL AND DETAILS



DESIGNED BY: SDF, INC.
 DRAWN BY: B.H.
 CHECKED BY: HAMID T. PE
 SCALE: N/A
 DATE: 02/24/2012
 PROJECT/FILE #: 0996C3-INF-003-2
 SHEET NUMBER: 4 OF 12



GENERAL LAND CONSERVATION NOTES
 1. NO DISTURBED AREA WHICH IS NOT ACTIVELY BEING WORKED SHALL REMAIN DENuded FOR MORE THAN 14 CALENDAR DAYS UNLESS OTHERWISE AUTHORIZED BY THE DIRECTOR.
 2. ALL EAS CONTROL MEASURES APPROVED WITH THE PHASE I EAS CONTROL PLAN SHALL BE PLACED AS THE FIRST STEP IN GRADING.
 3. ALL STORM AND SANITARY SEWER LINES NOT IN STREETS SHALL BE SEEDED AND MACHED WITHIN 14 DAYS AFTER BACKFILL. NO MORE THAN 100 (100) YD SHALL BE OPEN FOR ANY ONE TIME.
 4. ELECTRIC POWER LINES AFTER BACKFILL, SUPPLY STRUCTURES SHALL BE COMPLETED, SEEDED AND MACHED FOR TEMPORARY VEGETATIVE COVER IMMEDIATELY (AS SOON AS POSSIBLE BUT NO LATER THAN 48 HR) AFTER COMPLETION OF GRADING. STRAW OR HAY MULCH IS REQUIRED. ALL SOIL STOCKPILES SHALL BE SEEDED AND MACHED WITHIN 14 DAYS. ALL SHALL BE PROTECTED BY SEDIMENT TRAPS.
 5. ALL TEMPORARY DRAINAGE DITCHES, DIVERSIONS AND SEDIMENT CONTROL DAMS SHALL BE SEEDED AND MACHED FOR TEMPORARY VEGETATIVE COVER IMMEDIATELY (AS SOON AS POSSIBLE BUT NO LATER THAN 48 HR) AFTER COMPLETION OF GRADING. STRAW OR HAY MULCH IS REQUIRED. ALL SOIL STOCKPILES SHALL BE SEEDED AND MACHED WITHIN 14 DAYS. ALL SHALL BE PROTECTED BY SEDIMENT TRAPS.
 6. DRAINAGE AND MACHED AND MACHED DURING CONSTRUCTION PROGRESS AS REQUIRED.
 7. ANY DISTURBED AREA NOT COVERED BY § 11-006.1 AND NOT PAVED, SODED OR BUILT UPON BY NOVEMBER 1, OR DISTURBED AFTER THAT DATE, SHALL BE MACHED IMMEDIATELY WITH HAY OR STRAW MULCH AT THE RATE OF 2 TONS/ACRE (4483 KG/HA) AND OVER-SEED BY APRIL 15.
 8. AT THE COMPLETION OF ANY PROJECT, CONSTRUCTION AND PRIOR TO BAND RELEASE, ALL TEMPORARY SEDIMENT CONTROLS SHALL BE REMOVED AND ALL DENuded AREAS SHALL BE STABILIZED.



FAIRFAX COUNTY PRIORITY RATING FORM FOR EAS CONTROL

PROJECT NAME: 9416 ATWOOD ROAD PROJECT NUMBER: 0996C3-INF-003-2
 DATE: 02/27/2012

Exemption Between the site Owner and any Downstreamer, Wet Pond, Wetland, Inland or other Land Disturbed Environmentally Sensitive by this District:

Rating: 0
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 1
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 2
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 3
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 4
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 5
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 6
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 7
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 8
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 9
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 10
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 11
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 12
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 13
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 14
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 15
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 16
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 17
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 18
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 19
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 20
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 21
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 22
 a. > 60%
 b. 50-60%
 c. 40-50%
 d. < 40%
 e. < 30%
 f. < 20%
 g. < 10%
 h. < 5%
 i. < 1%
 j. < 0%

Rating: 23
 a. > 60%
 b. 50-60%
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Rating: 75
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ADEQUATE OUTFALL NARRATIVE

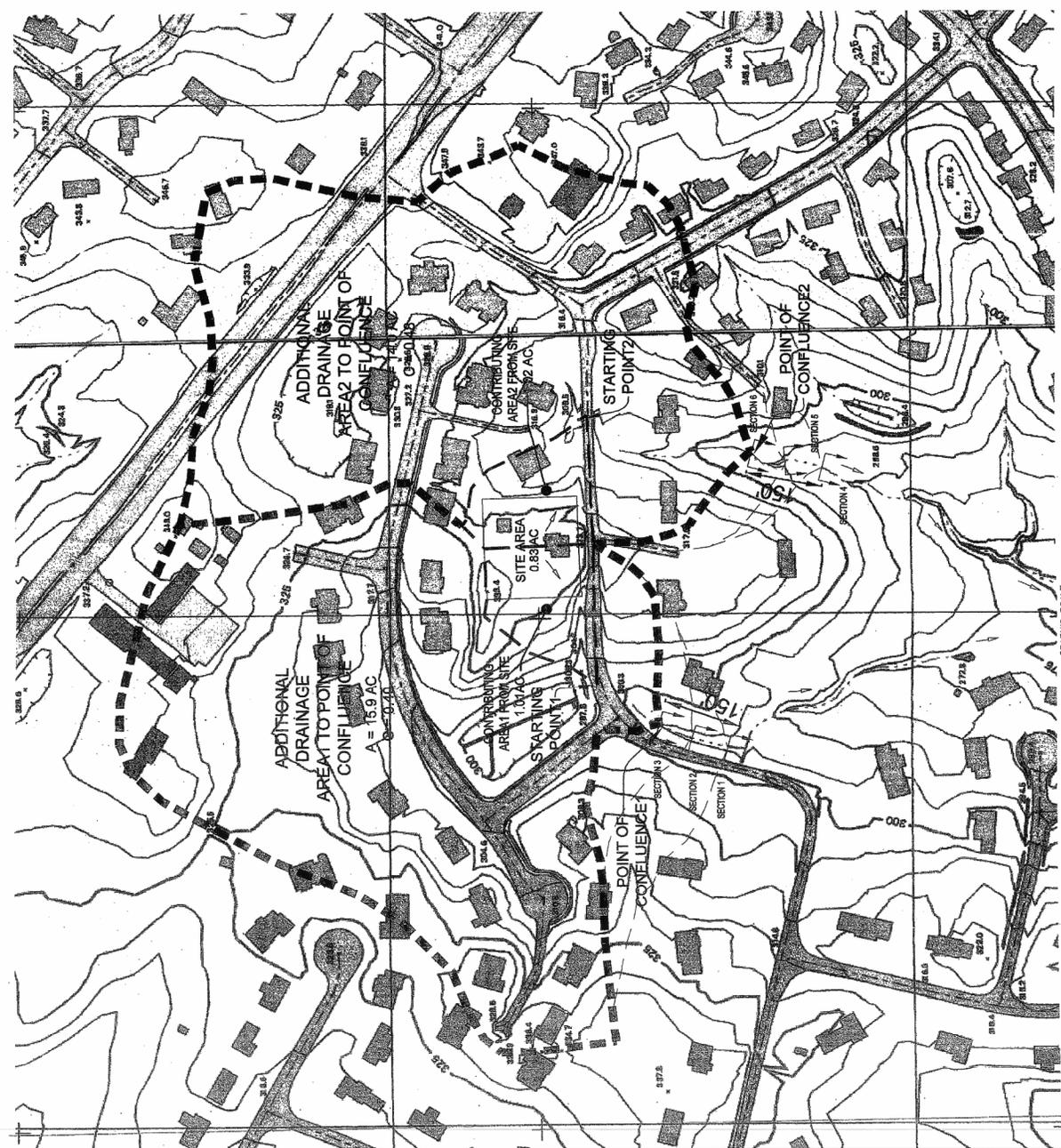
THE TOTAL SITE AREA IS 885 ACRES, IS LOCATED ALONG A DRAINAGE DIVIDE, AND DOES NOT HAVE A LARGE OFF-SITE AREA FLOWING INTO THE PROJECT WITH THE WESTERN HALF FLOWING TO THE SOUTHWEST AND THE EASTERN HALF FLOWING TO THE SOUTHWEST. THESE FLOWS DO NOT COMBINE TO INCREASE THE OUTFALL ANALYSIS IMPACTS. THERE WILL BE TWO POINTS OF CONFLUENCE.

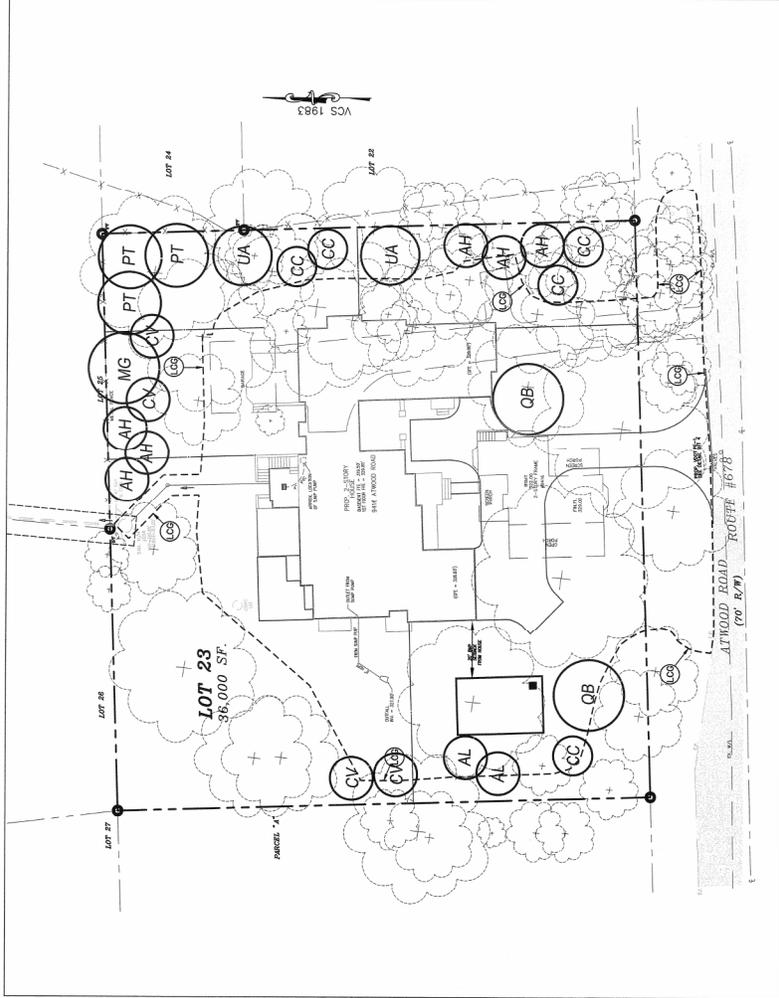
THE POINT OF CONFLUENCE IS IN AN ABOVE GROUND DRAINAGE KITCH TO THE SOUTHWEST OF THE LOT. AT THIS POINT, THERE IS AN OFF-SITE AREA WHICH IS MORE THAN 50% OF THE CONTRIBUTING SITE AREA (55% IS 461.1 AC). THE CONTRIBUTING AREA FROM THE SITE IS 15.9 AC. THERE IS AN ADDITIONAL DRAINAGE AREA OF 15.9 AC. COMPARED WITH THE CONTRIBUTING AREA OF 15.9 AC. HOWEVER, IT IS IN THIS DIRECTION THAT A NEW DRAINAGE AREA WILL BE ADDED AT ALL ADVANCEMENT STAGES OF THE DISTURBED AREA IN ORDER TO MINIMIZE IMPACTS TO THE DRAINAGE DIVIDE. THE DRAINAGE DIVIDE WILL BE MAINTAINED AND THAT THERE WILL BE NO LEAKING OR ADVERSE IMPACT DOWNSTREAM.

DRAINAGE AREAS TO CROSS SECTIONS

SECTION	DRAIN AREA (AC)	W ² FACTOR	TO (MIN)	(IN/HR)	Q10 (CFS)
#1	15.9	0.40	5	7.27	46.11
#2	15.9	0.40	5	7.27	51.8
#3	15.9	0.40	5	7.27	56.0
#4	15.9	0.40	5	7.27	52.3
#5	15.7	0.48	5	7.27	54.8
#6	15.1	0.48	5	7.27	52.1

**THIS SHEET FOR
 INFORMATIONAL, ILLUSTRATIVE AND
 ZONING PURPOSES ONLY -
 NOT FOR CONSTRUCTION**





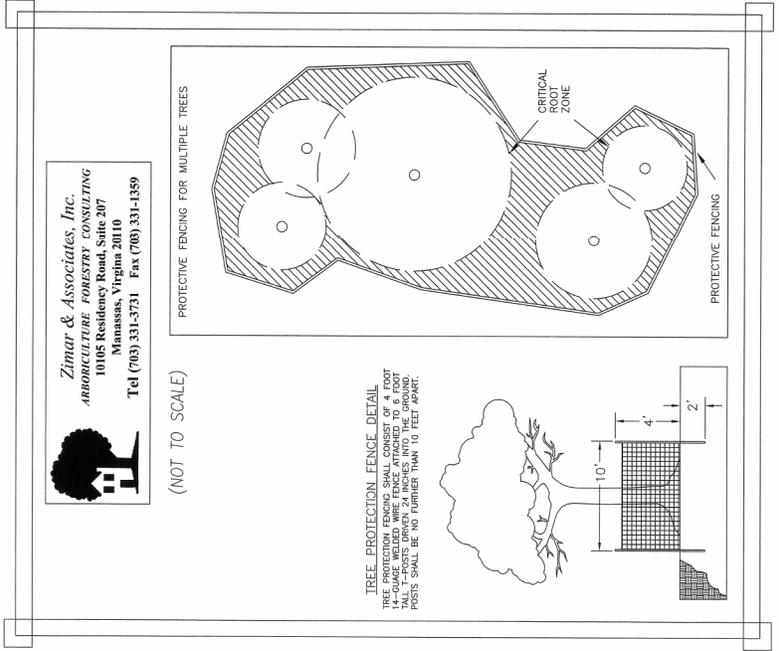
LANDSCAPING PLAN
 SCALE: 1" = 20'

KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPEC	COVERAGE (SQ. FT.)	REMARKS
PT	Pinus taeda	Loblolly pine	3	3-8.8 FT.	100 SF	FULL
AH	Ilex opaca	American Holly	6	7 FT.	600 SF	SHARED / FULL
MG	Magnolia grandiflora	Southern Magnolia	1	10' FT.	250 SF	FULL
AL	Alemnifoliar lewis	Allegheny Serviceberry	2	3-8.8 FT.	100 SF	
CV	Chionanthus virginicus	Fringetree	4	7" CAL.	400 SF	
OB	Quercus bicolor	Swamp White Oak	2	8-8.8 FT.	100 SF	
CC	Cercis canadensis	Eastern Redbud	5	7" CAL.	500 SF	
UA	Ulmus americana	American Elm	2	8-8.8 FT.	500 SF	Butch elm resistant
TREE COVERAGE TOTAL = 3,350 SF						
TREE COVERAGE TOTAL WITH MULTIPLIERS = 4,375 SF						

DATE	REVISION
6/29/13	REVISED FOR COUNTY COMMENTS
8/2/13	REVISED FOR ADDITIONAL TREES
	PROPOSED SUPPLEMENTARY TREES



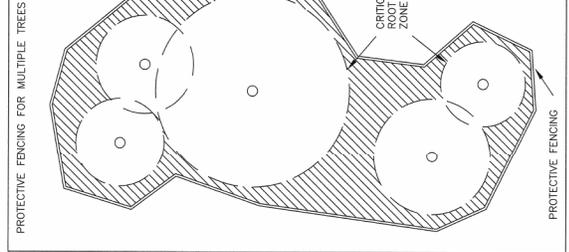
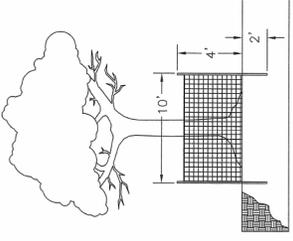
PREPARED FOR ZONING COMPLIANCE
 CONSTRUCTION OF THIS PLAN IS NOT FOR CONSTRUCTION

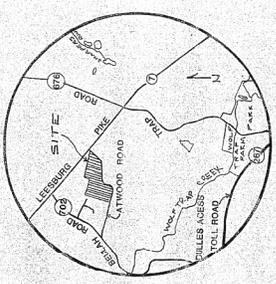


Zimar & Associates, Inc.
 ARBORCULTURE FORESTRY CONSULTING
 10105 Residency Road, Suite 207
 Manassas, Virginia 20108
 Tel (703) 331-3731 Fax (703) 331-1389

(NOT TO SCALE)

TREE PROTECTION FENCE DETAIL
 THE TREE PROTECTION FENCE SHALL BE 4" HIGH WITH 1/4" GAUGE WELDED WIRE FENCE ATTACHED TO 6 FOOT POSTS. POSTS SHALL BE NO FURTHER THAN 10 FEET APART.





VICINITY MAP
1-2000

PROPERTY: 17-11-001
and map #17-1-001, Parcel 01.

BOUNDARY

LOT AREAS

17	19,336
18	23,053
19	19,889
20	22,250
21	36,000
22	18,138
23	18,236
24	18,236
25	18,236
26	18,236
27	17,693
28	18,236
29	17,693
30	18,444
31	18,444
32	20,888

SITE DATA

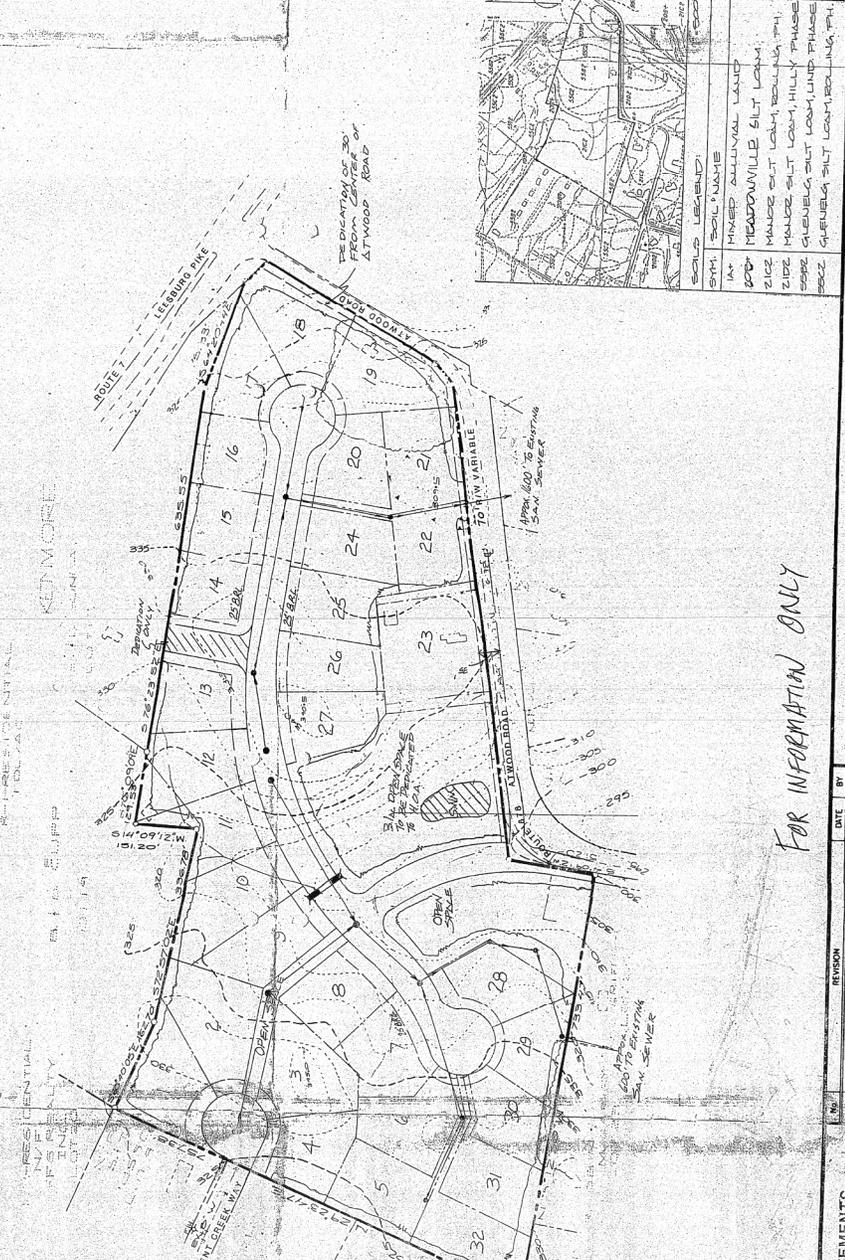
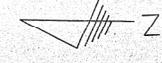
EXISTING ZONING: R-1 CLUSTER
 PROPOSED ZONING: R-1 CLUSTER
 TOTAL SITE AREA: 207 AC.
 OPEN SPACE REQUIRED: 37 AC.(R-1)
 TOTAL NO. LOTS ALLOWED: 37 AC.(R-1)
 TOTAL NO. LOTS PROPOSED: 32
 NO. DENSITY: 0.15/AC.
 AVERAGE LOT SIZE: 20,000 S.F.
 AVERAGE LOT SIZE: 20,000 S.F.

LEGEND

SANITARY SEWER
 STORM SEWER
 EXISTING VEGETATION
 APPROX. LIMITS OF POSSIBLE S.W.M. DETENTION AND/OR RETENTION AREA
 APPX. LIMITS OF CLEARING AND GRADING

PRINTED
 JUN 9 1987
 GREENHORNE & O'MARA, INC.
 ARCHITECTS

DESIGN	SCALE	1" = 100'
DRAWN	N/A	
CHECKED		
DATE		
TIPCO - RICHARDS 1 PARTNERSHIP		
J.C. RICHARDS		
ATWOOD ROAD PROPERTY		
DRANESVILLE DISTRICT FAIRFAX COUNTY, VA		
SHEET 12A OF 12		



FOR INFORMATION ONLY

GREENHORNE & O'MARA, INC.
 11211 WAPLES MILL ROAD, FAIRFAX, VIRGINIA 22030
 (703) 385-9800

DATE BY

REVISION

DATE BY

REVISION

APPROVED: 06/22/87
 APPROVED DEVELOPMENT PLAN
 DATE: 7/20/87
 OF 1

SEE PROFFER STATEMENT AND STATEMENTS
 W/IN REQUIRED PURSUANT TO SECTION 16-302
 WHICH WILL BE SUBMITTED SEPARATELY

22 86 D-108

DESCRIPTION OF THE APPLICATION

The applicant seeks approval of a partial Proffered Condition Amendment (PCA) application to amend the proffers approved with RZ 86-D-108. On July 20, 1987, the Board of Supervisors approved RZ 86-D-108 to rezone approximately 20.69 acres from the R-1 District to the R-2 District at a density of 1.54 dwelling units per acre (du/ac). The subject property is a 36,000 square foot lot that was included in this rezoning. The approved proffers for this rezoning restrict the limits of clearing and grading and state that the trees on the current application property (Lot 23) will be preserved. The applicant requests to amend these previously approved proffers to permit the removal of the existing dwelling on the property and the construction of a new single family detached dwelling, which will necessitate the removal of trees and modifications to the limits of clearing and grading. The applicant also requests approval of a special permit for an accessory dwelling unit to be located within the proposed dwelling.

The draft proffers, proposed development conditions, statement of justification, rezoning affidavit, and special permit affidavit are contained in Appendices 1 – 5, respectively.

LOCATION AND CHARACTER

The subject property is situated within the Ciara Estates subdivision. Two structures currently exist on the parcel: a vacant single family detached dwelling that faces Atwood Road and a detached garage in the northeast corner of the property. Preliminary research by the Department of Planning and Zoning indicates that the existing dwelling was likely constructed in the 1890s. A driveway that traverses the eastern side of the dwelling and terminates at the detached garage currently provides access to the property from Atwood Road. The site contains approximately 25,916 square feet of existing tree canopy.

The image to the right illustrates the general character of the surrounding development.



Source: Fairfax County Pictometry

The properties to the north, east, and west are part of the Ciara Estates subdivision and are zoned R-2 Cluster, while the parcels to the south across Atwood Road are zoned R-1. The surrounding properties to the north, east, and south contain single family detached dwellings that range in size from approximately 2,242 square feet to 5,132 square feet (excluding garages and additions) according to Department of Tax Administration (DTA) records. The parcel to the west is an outlot within the Ciara Estates subdivision that contains a stormwater management dry pond. The surrounding parcels are planned for residential use at a density of 1 – 2 du/ac.

BACKGROUND

On July 20, 1987, the Board of Supervisors approved RZ 86-D-108 to rezone approximately 20.69 acres from the R-1 District to the R-2 District at a density of 1.54 du/ac. The subject property (Lot 23) was part of this rezoning. Proffer 4 states, "The trees located within proposed Lot 23 will be preserved." In addition, Proffer 5 stipulates that the limits of clearing and grading shown on the development plan will be preserved in an undisturbed natural state unless otherwise approved by the Director of the Department of Environmental Management (now the Department of Public Works and Environmental Services). The subject property was shown outside of the limits of clearing and grading on the approved development plan. The staff report for this rezoning did not discuss the preservation or maintenance of the existing structure and only noted that the large trees in the vicinity of the existing house should be preserved, if possible. The proffers and development plan are provided in Appendix 6.

On March 9, 2012, the Department of Public Works and Environmental Services (DPWES) approved an Infill Lot grading plan (009601-INF-001-2) on the subject property for the construction of a new dwelling on the property.

On April 10, 2012, the Department of Planning and Zoning's Zoning Evaluation Division received the current special permit (SP) application for the proposed accessory dwelling unit on the subject property. During the review of this application, staff noted that the proffers approved with RZ 86-D-108 call for the preservation of the trees on the subject property and the preservation of the limits of clearing and grading shown on the development plan and that a PCA application was required.

On June 15, 2012, the Department of Code Compliance issued a Notice of Violation to the property owners regarding various violations of the Virginia Maintenance Code (VMC) for the existing structures on the application property. The letter stated that all vacant structures and premises shall be maintained in a clean, safe, secure and sanitary condition so as not to cause a blighting problem or adversely affect the public health or safety. The property owners were instructed to correct the violations within 30 days of receipt of the notice by repairing, replacing, or removing the dwelling and accessory structure to be in substantial conformance with the Virginia Maintenance Code. According to Department of Code Compliance records, the Notice of Violation was served via Sheriff's Letter on June 18, 2012, and the Notice that was sent by Certified Mail was returned to sender. A subsequent inspection by a Code Compliance investigator on September 19, 2012, indicated that the violations were ongoing.

On September 25, 2012, the Department of Planning and Zoning's Zoning Evaluation Division received the current Proffered Condition Amendment (PCA) application on the subject property.

On October 3, 2012, the Department of Code Compliance issued a letter to the property owners stating that their property at 9416 Atwood Road was referred to their office as being in a deteriorated state and having a blighting influence on the surrounding area. This letter stated that a task force including the Health Department, the Department of Public Works and Environmental Services, the Fire and Rescue Department, and the Police Department would be assessing the condition of the property in order to determine if it meets the following Fairfax County guidelines for blighted properties and is within the statutory definition of blight: it has been vacant and/or boarded up for at least one year; it has been the subject of documented complaints; it is no longer being maintained for useful occupancy; and, it is dilapidated or lacks normal maintenance and upkeep. The letter further stated that failure to remove the blight or submit an acceptable plan to abate blighted conditions will result in the preparation of a plan by the County for the demolition, acquisition, or repair of the structure and asked the property owner to contact the office within 30 days from the date of the letter to discuss ways to improve the condition of the property.

On October 3, 2012, the Department of Code Compliance also issued a Notice of Unsafe Structure to the property owners of the application property. This letter stated that an inspection on October 1, 2012, revealed that the existing structure was determined to be in violation of VMC 105.1 for unsafe structures and directed the owners to address the defects.

On December 18, 2012, the Department of Code Compliance Blight Abatement Program issued an additional letter to the property owners stating that a review of the property determined that the structures on the property in their current state pose a potential safety hazard and blight on the surrounding community and need to either be removed or repaired with the appropriate permits and inspections. This letter stated that it was determined that the property was within the statutory definition of blight and that it met the Fairfax County guidelines for blighted properties described above. The letter also noted that failure to remove the blight or submit an acceptable plan to abate blighted conditions will result in the preparation of a plan by the County for the demolition, acquisition or repair of the structures.

On January 14, 2013, the applicant responded to the Department of Code Compliance Blight Abatement Program with a letter that stated the owners' intent to remove the existing dwelling and construct a new dwelling and that the proffer regarding the preservation of the trees on the subject property resulted in them being unable to remove structures on the property until the proffer was amended.

Special Permit Applications in the Vicinity of Subject Property

On May 23, 2012, the BZA approved a special permit for an accessory dwelling unit at 9459 Deramus Farm Court (SP 2012-DR-010). This parcel is to the northeast of the subject property within the Ciara Estates subdivision.

COMPREHENSIVE PLAN PROVISIONS

The subject property is located within the McLean Planning District and the Wolf Trap Community Planning Sector. The Comprehensive Plan Map calls for 1 – 2 du/ac on the subject property. Fairfax County Comprehensive Plan, 2011 Edition, Area II Plan, McLean Planning District, Amended through June 19, 2012, M7- Wolf Trap Community Planning Sector, Land Use Recommendations, on Page 132 states: “Low-density residential development at 1-2 dwelling units per acre is planned for the area east of Beulah Road.” Staff finds that the proposal is in conformance with the recommendation of the Comprehensive Plan. The complete Comprehensive Plan text can be found at the following link: <http://www.fairfaxcounty.gov/dpz/comprehensiveplan/area2/mclean.pdf>.

DESCRIPTION OF THE GENERALIZED DEVELOPMENT PLAN (GDP) AND SPECIAL PERMIT (SP) PLAT

The GDP / SP Plat titled “9416 Atwood Road,” prepared by SDE, Inc. and GJB Engineering, Inc. consisting of 13 sheets dated February 24, 2012 as revised through August 2, 2013 and August 23, 2013, is reviewed below.

Site Layout

The GDP / SP Plat depicts the 36,000 square foot lot improved with a single family detached dwelling that contains approximately 7,526 square feet of above grade living area. The proposed dwelling is approximately 30 feet in height and is centrally located on the lot. The existing dwelling, detached garage, and driveway will be removed to accommodate the construction of the new dwelling and associated driveway. The proposed dwelling features a two car garage near the southwestern corner of the dwelling and a one car garage near the southeastern corner. A courtyard is shown at the front of the dwelling, while a patio and wood deck are shown at the rear of the dwelling. Best Management Practice (BMP) requirements will be provided by a percolation trench that is located to the southwest of the proposed dwelling.

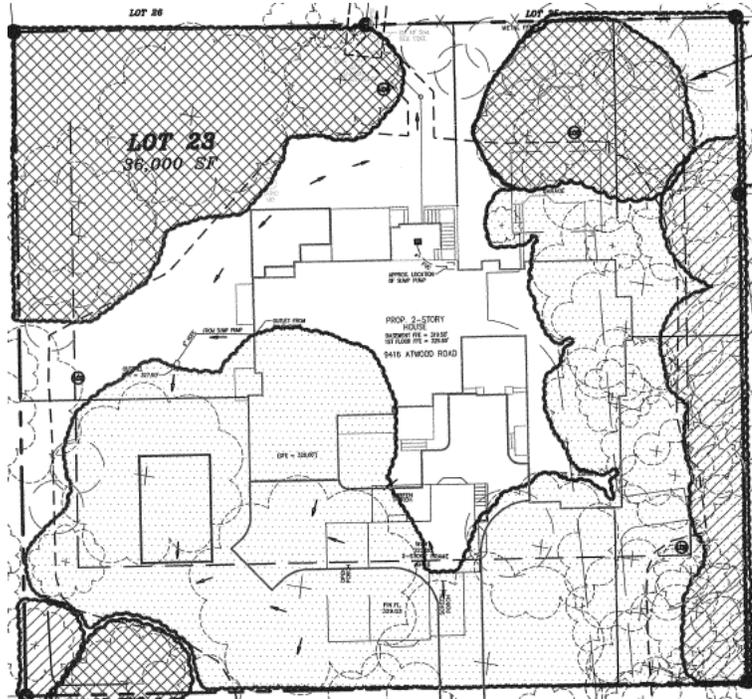
Vehicular Access and Parking

A new driveway off of Atwood Road to the west of the existing driveway will provide vehicular access to the dwelling. The proposed two-car garage will serve the principal dwelling, while the one-car garage will provide parking for the accessory dwelling unit. Additional parking is available on the site within the driveway.

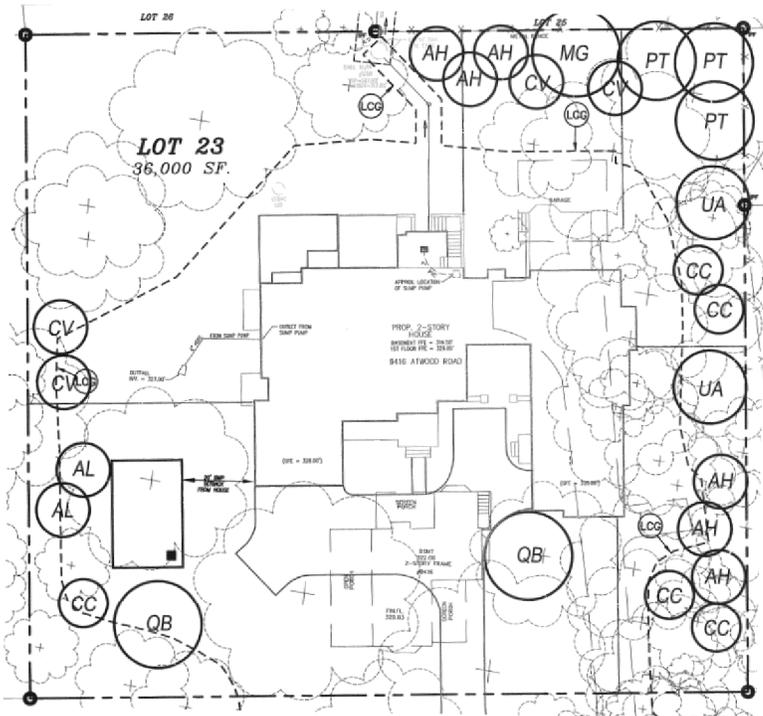
Tree Preservation and Plantings

The tree preservation plan depicts 38 existing trees on the property for a total of 25,916 square feet of pre-development existing tree canopy. The primary species of trees on the property are Ash, Black Locust, Black Walnut, and Red Maple. The applicant intends to remove 19 trees on the property to accommodate the proposed development, as well as

six additional trees within the VDOT right of way. The remaining 19 trees on the property will remain for a total of approximately 9,300 square feet of existing canopy to be preserved. The trees proposed for preservation are primarily located in the northwest corner of the property and along the eastern property line. The dark hatched area in the image to the right represents existing canopy to be preserved. The tree canopy preservation target is 7,775 square feet; therefore, the applicant has exceeded this target with the preservation of 9,300 square feet of existing tree canopy.



The 10-year tree canopy requirement for this site as outlined in the Public Facilities Manual (PFM) is 30% of the site area (approximately 10,800 square feet). The applicant will meet the majority of this requirement (approximately 9,300 square feet) through the preservation of existing tree canopy. The remainder of the tree canopy requirement will be met through tree plantings. Specifically, the GDP / SP Plat depicts 25 proposed trees that will be planted along the eastern and western property lines and in the northeast corner of the property. In addition, two trees of an oak variety will be planted in the front yard. The total 10-year tree canopy required is 10,800 square feet and the applicant has provided approximately 13,676 square feet of total canopy through preservation and new tree plantings.



Accessory Dwelling Unit

The accessory dwelling unit is proposed to be located on the ground floor of the eastern side of the proposed dwelling. The applicant intends to reside in the principal dwelling. The accessory dwelling unit would be inhabited by the applicant's mother-in-law and father-in-law, who are ages 73 and 77.

The principal dwelling unit consists of 6,148 square feet of living area, exclusive of the unfinished cellar and garages. The accessory dwelling unit contains an additional 1,378 square feet, which represents approximately 18.3% of the total area of the dwelling (7,526 square feet). As illustrated in the floorplan contained in Appendix 2, the accessory dwelling unit consists of a bedroom, bathroom, kitchenette, dining room, and living room. A one-car garage is attached to the accessory dwelling unit. Access is provided by a door on the western side of the accessory dwelling unit, as well as through the attached garage. Adequate parking for both the primary residence and the accessory dwelling unit exists in the proposed driveway, which can accommodate in excess of four vehicles.

ANALYSIS

Urban Forestry Analysis (Appendix 7)

Tree Preservation

The applicant's initial proposal preserved approximately 7,600 square feet of tree canopy on the subject property. Staff acknowledged that a large number of trees on the property are not in good condition and are considered undesirable species; however, staff believed that the proffer regarding the preservation of trees warranted the preservation of additional desirable trees if possible. Staff noted that the 38-inch diameter Red Maple and the 26-inch diameter Hickory are the most desirable trees in terms of species, health and structural condition; however, the locations of the trees adjacent to the existing structure create considerable difficulties for preservation. Staff from the Urban Forest Management Division (UFMD) determined that due to the proximity of the existing structure, these trees will likely sustain considerable damage during the demolition of the existing structure and are not likely to survive in a healthy, structurally sound condition due to the proposed construction activities. In addition, the Red Maple is located in the vicinity of the proposed driveway. Limited sight distance on the site from Atwood Road hinders the ability to preserve the Red Maple and still provide for a driveway that demonstrates adequate sight distance. Therefore, staff recognized that alternative site designs may not lead to the preservation of these two trees.

Recognizing these potential constraints in preserving these two trees, staff identified additional trees that could instead be considered candidates for preservation. Staff noted that the initial location of the proposed BMP facility would have required the removal of three trees in the vicinity of the trench near the southwest corner of the site. Therefore, staff requested that the applicant shift the infiltration facility to the north to preserve these

trees. After performing soil testing to verify that the soil conditions could allow such a shift, the applicant relocated the facility. Consequently, the revised GDP / SP Plat now preserves these three trees. While the proposed trench location still results in the removal of two trees, these two trees were proposed to be removed in the initial submission as well due to their poor health (a Black Cherry with a condition rating of 30% and a Red Maple with internal decay) and were not identified as candidates for preservation by UFMD. The most recent submission also now preserves two additional trees in the vicinity of the existing garage that staff identified as candidates for preservation. Overall, the applicant increased the area of preserved tree canopy from 7,600 square feet to approximately 9,300 square feet with the current submission. Staff from UFMD did not identify any additional candidates for preservation and determined that given the proposed site improvements and the required demolition of the existing structures, the preservation of additional trees that meet the tree condition standards of the PFM (12-0403) is unlikely.

Tree Plantings

Given that the proposed development will still result in the removal of 19 existing trees on the property and six trees within the VDOT right-of-way, staff requested that the applicant provide a significant number of tree plantings beyond the minimum 10-year tree canopy requirements to supplement the existing vegetation to be preserved to attempt to meet the intent of the previously approved tree preservation proffer. The applicant's initial submission proposed five new trees for a total of 1,425 square feet of plantings. Staff identified opportunities for additional tree plantings and requested that the applicant increase the number of proposed trees. The current GDP / SP Plat depicts 25 trees to be planted for a total of 4,375 square feet of proposed canopy. Staff also encouraged the applicant to commit to planting trees larger than the Zoning Ordinance's minimum height requirement of five feet at the time of planting (Sect. 13-104). The applicant's current proffers commit to a minimum size of two inches in caliper for deciduous trees and a minimum height of eight feet for evergreen trees at the time of planting.

Environmental Analysis (Appendices 8 and 9)

Impervious Surface

The demolition of the existing dwelling, detached garage, and gravel driveway and the construction of the proposed dwelling and driveway will result in approximately 8,839 square feet of impervious area on the site. The Policy Plan notes that one practice to be considered in potentially minimizing the impacts that new development and redevelopment projects may have on the County's streams is to minimize the amount of impervious surface created; therefore, staff strongly encouraged the applicant to reduce the impervious surface proposed on the property by reducing the footprint of the dwelling or driveway, particularly if it would result in additional tree preservation. The applicant responded by reducing the width of the proposed driveway from approximately 20 feet to 12 feet and removing a small section of the driveway near the front of the dwelling. Although the applicant simultaneously added pavement near the proposed two car garage, the overall area of impervious surface was reduced by approximately 116 square feet between the initial submission and the current proposal. Staff believes that the

applicant should attempt to further reduce the size of the driveway in an attempt to further reduce the overall amount of impervious surface on the site; however, staff recognizes that further reduction of the driveway surface will not result in additional tree preservation. In addition, a reduction in the footprint of the dwelling may not preserve any additional trees identified by the Urban Forest Management Division (UFMD) as strong candidates for preservation, as the existing Hickory and Red Maple trees in the vicinity of the dwelling could sustain considerable damage during the demolition of the existing structure as previously discussed.

Stormwater

The stormwater detention requirement for non-bonded lot grading plans is not required if the site's outfall is shown to be adequate; however, stormwater quality controls are required for this development. The applicant is proposing a percolation trench to meet this Best Management Practices (BMP) requirement. The applicant's initial submission showed a proposed trench with berms and a 20 foot by 2 foot gravel area. The drainage area that would be routed to the trench was shown as approximately 0.399 acres of the 0.83 acre site. Staff encouraged the applicant to consider more natural techniques, such as rain gardens or interspersed landscape corridors, and to design such facilities to capture a larger area of the site. To address staff's comments, the applicant removed the previously proposed berms around the facility and slightly expanded the area of the site that would be treated by the BMP facility by capturing a small additional area to the rear of the dwelling. While staff believes that other low impact development (LID) facilities may be more natural-looking and aesthetically appealing than the proposed facility, staff acknowledges that the proposed trench is one of the most efficient BMP options that is available in terms of phosphorus removal efficiency and that an alternative stormwater facility will not result in the preservation of additional desirable trees.

Green Building

In support of the County's Green Building Policy, the applicant is encouraged to provide a commitment to demonstrate that the new dwelling will be constructed to attain certification from the Earthcraft House Program, Energy Star Qualified Homes or 2012 National Green Building Standard (NGBS) using the Energy Star Qualified Homes path for energy performance. The applicant's draft proffers commit to achieving qualification in accordance with Energy Star for Homes, as demonstrated by the submission of documentation to the Department of Planning and Zoning prior to the issuance of the Residential Use Permit (RUP) for the dwelling.

Transportation Analysis (Appendix 10)

Staff from the Fairfax County Department of Transportation (FCDOT) and the Virginia Department of Transportation (VDOT) reviewed the application and commented that the proposed driveway must meet sight distance requirements. The applicant's revised GDP provides the requested information to verify that adequate sight distance will be provided. In addition, the applicant's proffers commit to meeting the current requirements of VDOT with the proposed driveway entrance. There are no outstanding transportation issues.

Fairfax County Park Authority (FCPA) and Heritage Resources Analysis (Appendices 11 and 12)

The Planning Division of the Department of Planning and Zoning and the Fairfax County Park Authority reviewed the application for heritage and cultural resources. The subject property has not been included in any known heritage resource study and is not listed in *The Fairfax County Inventory of Historic Site*. cursory research indicates that the single family dwelling may have been constructed in the 1890s and was extensively altered at the front and east façade likely in the mid-to-late 1930s. Staff's review of the property indicates that it has a moderate to high potential to contain historic sites. Therefore, staff from both the Department of Planning and Zoning and the Fairfax County Park Authority requested that the applicant commit to conducting a Phase I archaeological survey. Staff from the Department of Planning and Zoning also determined that the property merits a heritage resources study to be completed by documenting the existing conditions of the property prior to any ground disturbing activity. The applicant's draft proffers commit to conducting a Phase I archeological survey and documenting the existing conditions of the property prior to any land disturbing activity as requested by staff.

ZONING ORDINANCE PROVISIONS (Appendix 13)

The proposed dwelling meets the bulk requirements of the R-2 District for a cluster subdivision. The application must also satisfy all applicable Zoning Ordinance standards for Accessory Dwelling Units, which includes the General Special Permit Standards (Sect. 8-006), Standards for All Group 9 Uses (Sect. 8-903), and Additional Standards for Accessory Dwelling Units (Sect. 8-918). Subject to the proposed development conditions, staff finds that the special permit meets these standards.

CONCLUSIONS AND RECOMMENDATIONS**Staff Conclusions**

Staff finds that the applicant's request to amend the proffers approved with RZ 86-D-108 to permit the demolition of the existing structures and the construction of a new dwelling with an accessory dwelling unit does not adversely affect the previously approved development. Staff believes that the existing vegetation to be preserved and the proposed plantings will allow for the eventual establishment of desirable tree canopy throughout the site. Staff finds that the application is in harmony with the Comprehensive Plan and conforms to all applicable Zoning Ordinance Provisions.

Recommendation

Staff recommends approval of PCA 86-D-108, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends that the Board of Zoning Appeals approve SP 2013-DR-027, subject to the proposed development conditions contained in Appendix 2.

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. 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.

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 or the Board of Zoning Appeals.

APPENDICES

1. Proffers for PCA 86-D-108
2. Proposed Development Conditions for SP 2013-DR-027
3. Statement of Justifications
4. Rezoning Affidavit
5. Special Permit Affidavit
6. RZ 86-D-108 Proffers and GDP
7. Urban Forestry Analysis
8. DPWES – Site Development and Inspections Division Analysis
9. DPZ – Environmental Assessment
10. FCDOT Analysis
11. Fairfax County Park Authority Analysis
12. DPZ – Heritage Resources Analysis
13. Applicable Zoning Ordinance Provisions
14. Glossary

9416 Atwood Road (Ciara Estates Lot 23)**PCA 86-D-108****PROFFER STATEMENT****September 13, 2013**

Pursuant to Section 15.2-2303 (A) of The Code of Virginia, as amended, and subject to the Board of Supervisors approval of PCA 86-D-108 for Property located at Tax Map 19-3-((17))-23 and to Section 18-204 of the Fairfax County Zoning Ordinance, William Weiss (“the Applicant”), for himself and its successors and assigns, hereby affirms the previous proffers applicable to the Subject Property, RZ 86-D-108, which will remain in full force and effect, except as amended as follows:

Proffers 1, 4, 5, and 8 shall be replaced with the following proffers:

1. Development Plan

1a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (“the Ordinance”), development of the portion of the Application Property identified on the Fairfax County Tax Map as 19-3 ((17)) Lot 23 shall be in substantial conformance with the Generalized Development Plan (“GDP”) entitled “9416 Atwood Road” containing thirteen (13) sheets and prepared jointly by SDE, Inc. and GJB Engineering, Inc., dated February 24, 2012, as revised through August 23, 2013.

1b. Pursuant to Paragraph 2 of Section 18-204 of the Ordinance, minor modifications from the GDP may be permitted as determined by the Zoning Administrator. These modifications may include, but are not limited to, the locations of utilities and landscaping, grading, drainage design, minor adjustment of property lines, and the general location, type and size of the dwelling on the property lot, provided that the minimum building setbacks outlined on the GDP are honored and the limits of clearing and grading are adhered to.

4. and 5. Arboreal Design and Construction Practices

- a) **Tree Preservation Plan:** The applicant shall submit a Tree Preservation plan as part of the first and all subsequent grading plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a Certified Arborist or Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division (UFMD), DPWES.

The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 10 inches in diameter and greater within 25 feet of the undisturbed area and within 10 feet of the limits of clearing and grading in the disturbed area shown on the GDP 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 GDP 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 any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

- b) **Tree Preservation Walk-Through:** The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's Certified Arborist or Registered Consulting Arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made, if any, 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 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 adjacent trees and associated understory vegetation and soil conditions.
- c) **Limits of Clearing and Grading:** The Applicant shall conform strictly to the limits of clearing and grading as shown on the GDP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the GDP, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

- d) **Tree Preservation Fencing:** All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence as determined by UFMD, DPWES. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure 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 the UFMD, DPWES.

- e) **Root Pruning:** The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffered conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the submitted plan. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
 - Root pruning shall take place prior to any clearing and grading, or demolition of structures.
 - Root pruning shall be conducted with the supervision of a certified arborist.
 - An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.
- f) **Site Monitoring:** During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as per specific proffered

conditions and as approved by the UFMD. The Applicant shall retain the services of a Certified Arborist or Registered Consulting Arborist to monitor all construction and demolition work adjacent to any vegetation to be preserved and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

- g) **Demolition of Existing Structures:** All tree protection measures shall be in place and verified by the project arborist prior to any demolition activity. The demolition of all existing features and structures within areas protected by the limits of clearing and grading shown on the GDP shall be done by hand without heavy equipment and conducted in a manner that does not impact individual trees and or groups of trees that are to be preserved as reviewed and approved by UFMD, DPWES.

Landscaping: The Applicant shall provide landscaping on the Application Property as generally shown on Sheet 11 of the GDP, subject to the approval by UFMD. Deciduous trees shall be a minimum of two (2) inches in caliper and evergreen trees a minimum of eight (8) feet in height at time of planting.

8. Green Building

Energy Star Qualification. The dwelling unit shall be constructed to achieve qualification in accordance with ENERGY STAR® for Homes. Such qualification will be demonstrated by the submission of documentation to the Environment and Development Review Branch of DPZ from a home energy rater certified through the Residential Energy Services Network (RESNET) program which shows that the dwelling unit has attained the ENERGY STAR® for Homes qualification prior to the issuance of the RUP for the dwelling.

The following proffers shall be added with the current application:

9. Archaeological Study

Prior to any land disturbing activities on the Application property, the Applicant shall conduct a Phase I archaeological study of the Application Property, and provide the results of such study to the Resource Management Division of the Fairfax County Park Authority. If deemed necessary by the Resource Management Division, the Applicant shall conduct a Phase II archaeological study on only those areas of the Application Property identified for further study by the Resource Management Division. The studies shall be conducted by a qualified archaeological professional approved by the Resource Management Division and shall be reviewed and approved by the Resource Management Division.

10. Property Documentation: Late 19th, early 20th Century House and Cultural Landscape

Prior to land disturbing activities on the Application property and within 60 days of the approval of this Application, the Applicant shall permit, subject to execution of appropriate hold harmless and indemnification agreements by those performing services to the Applicant, photographic and dimensioned location map documentation of the existing house and cultural landscape identified on the Application. The existing house identified on the Proffered Condition Amendment/Special Permit application constructed in the late 19th, early 20th century and its cultural landscape shall be photographed and documented prior to any land disturbing activity by an individual(s) who meets, at a minimum, The Secretary of the Interior's professional qualification standards for history, architectural history, or historic architecture in accordance with 48 FR 44716, Sept. 1983 (http://www.cr.nps.gov/local-law/Prof_Qual_83.htm) or, at the client's discretion, appropriately qualified students of an accredited university or college, under the guidance of a professor or instructor qualified. Photographic recordation shall be done to a standard as required for determination of National Register eligibility, Virginia Department of Historic Resources (VDHR) Preliminary Information Form, however no filing for such eligibility shall be made. The number and angle of views shall be coordinated with the Department of Planning and Zoning (DPZ) prior to the taking of the photographs and completed photographs shall be approved by DPZ within the 60 day period, before which demolition of the structure may not be performed. Once such photographic and dimensioned location map documentation is approved by DPZ within the aforementioned 60 day period, the Applicant shall ensure submission of all photographs, in commonly accepted digital photographic format, and related dimensioned location map of the property to the Virginia Room of the Fairfax County Public Library and to DPZ and provide the applicant and DPZ written documentation that required documentation has been submitted to the Virginia Room prior to issuance of a Residential Use Permit for the single family dwelling shown on the Generalized Development Plan. Photographic documentation of the interior of the structure shall be permitted only after the County Building Inspector performs an inspection of the structure and makes a written determination of the acceptable safety of the structure for such interior access for photographic documentation.

11. Best Management Practices

11a. Best Management Practices shall be provided in accordance with the Public Facilities Manual and the Chesapeake Bay Preservation Ordinance as determined by the Department of Public Works & Environmental Services (DPW&ES).

11b. Infiltration devices shall be privately maintained and a private maintenance agreement for the devices/facilities shall be provided prior to the final approval of the grading plan.

12. Stormwater Management

The Applicant shall demonstrate, as part of the overlot infill grading plan, using the methodology outlined in Article 6 of the current edition of the Public Facilities Manual, the adequacy of the drainage outfall from the site.

13. Driveway and Entrance Design

The Applicant reserves the right to modify the final design of the driveway to the dwelling to optimize onsite vehicular movement for the purposes of improving the safe ingress and egress to public road, subject to approval by DPWES and the following: adequate sight distance as approved by the Virginia Department of Transportation is provided, the impervious area of the site as represented on the GDP is not increased, and no additional trees are removed beyond those shown as to be removed on the GDP as a result of such final design modification.

The Applicant's proposed driveway entrance on Atwood Road shall meet the current requirements of the Virginia Department of Transportation and the Applicant shall apply for and obtain a new VDOT Entrance Permit for the entrance prior to commencing construction activities on the site. The proposed entrance shall be constructed as early in the sequence of construction as reasonably possible so that use of the existing driveway entrance is limited to the shortest period of time reasonably possible during construction. During such time as the existing entrance is used, the Applicant's contractors shall employ appropriate safety measures (flagmen, signage, etc.) to best insure the safety of the vehicular traffic on Atwood Road as well as that vehicular traffic entering and exiting the construction site.

APPLICANT/TITLE OWNER OF TM 19-3 ((17)) 23 _____

By: _____
William A. Weiss

TITLE OWNER OF TM 19-3 ((17)) 23 _____

By: _____
Xin Tao

PROPOSED DEVELOPMENT CONDITIONS**SP 2013-DR-027****September 19, 2013**

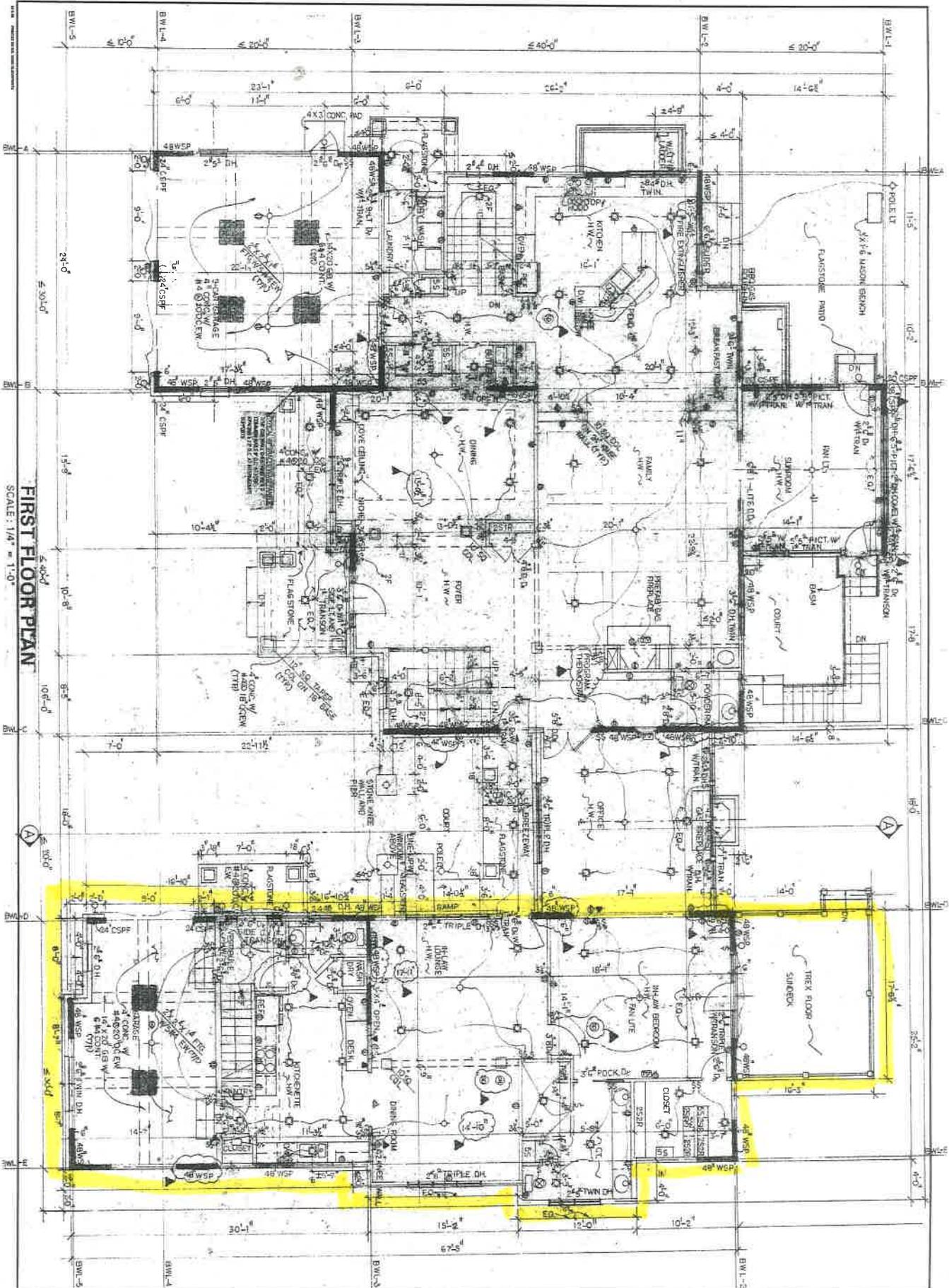
If it is the intent of the Board of Zoning Appeals to approve SP 2013-DR-027 located at Tax Map 19-3 ((17)) 23 to permit an accessory dwelling unit under Sect. 8-918 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit for the kitchen. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This approval is granted to the applicant only, William Weiss and/or Xin Tao, and is not transferable without further action of this Board, and is for the location indicated on the application, 9416 Atwood Road (36,000 square feet), and is not transferable to other land.
3. This special permit is granted only for the purposes, structures and/or uses indicated on the plat prepared by SDE, Inc. and GJB Engineering, Inc., titled "9416 Atwood Road," dated February 24, 2012 as revised through August 2, 2013 and August 23, 2013 as submitted with this application and is not transferable to other land.
4. A copy of this special permit **SHALL BE POSTED in a conspicuous place in the accessory dwelling unit** and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
5. The occupants of the principal dwelling and the accessory dwelling unit shall be in accordance with Par. 5 of Sect. 8-918 of the Zoning Ordinance which states in part that one of the dwelling units shall be occupied by a person or persons who qualify as elderly (55 years of age or older) and/or permanently and totally disabled.
6. The accessory dwelling unit shall contain a maximum of 1,378 square feet, and the layout shall be generally as depicted on the floor plan included as Attachment 1 to these conditions.
7. All applicable building permits and final inspections shall be obtained for kitchen components in the accessory dwelling unit.

8. Provisions shall be made for the inspection of the property by County personnel during reasonable hours upon prior notice and the accessory dwelling unit shall meet the applicable regulation for building, safety, health and sanitation.
9. The accessory dwelling unit shall be approved for a period of five (5) years from the final approval date of the special permit and may be extended for five (5) year periods with prior approval of the Zoning Administrator in accordance with Section 8-012 of the Zoning Ordinance.
10. If the use of the accessory dwelling unit ceases and/or the property is sold or otherwise conveyed, the accessory unit shall be converted to a use permitted by the Zoning Ordinance or if the property is sold or conveyed, a special permit amendment may be submitted to permit the continued use of an accessory dwelling unit.
11. All parking shall be provided on site as shown on the special permit plat.

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.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, twelve (30) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. 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.



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

Accessories = Dwelling =

Weiss - Tao Residence

YE T CONSTRUCTION, Inc. DESIGN/BUILD www.ytconstruction.com (o)301-983-9128

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SUBURBAN DEVELOPMENT ENGINEERING

ENGINEERS • PLANNERS • LANDSCAPE ARCHITECTS • SURVEYORS

STATEMENT OF JUSTIFICATION

The purpose of this application is to remove the restriction stated on proffer conditions #1, 4, and 5 set forth with GDP Rezoning Application # RZ-86-D-108 in order to remove the existing trees on existing lot 23 of Clara Estates Subdivision for construction of a new house. Conditions # 1, 4, and 5 prohibits removing of any trees within the said lot. The existing house on lot 23 which was exited at the time of Clara Estates Subdivision creation back in 1989 is in a very poor condition and is not consider being safe for living. The existing trees surrounding the existing house have grown aggressively and their root system has damaged the foundation of the house posing danger to the structure. In order to remove the existing house and build a new house, the existing trees to be removed and the land to be cleared. A full set of plan is being submitted with this application to fulfill the county requirements.


HANI D. TEHRANI, P.E.

9/19/2012

RECEIVED
Department of Planning & Zoning

SEP 25 2012

Zoning Evaluation Division



SUBURBAN DEVELOPMENT ENGINEERING

ENGINEERS • PLANNERS • LANDSCAPE ARCHITECTS • SURVEYORS

STATEMENT OF DEVELOPMENT RELATIONSHIP

The existing house on lot 23 is in a very poor condition and is not safe for living. The property owner is willing to replace the existing house with a new one. Proffer conditions # 1, 4, and 5 does not allow him to remove the existing trees and/or clear more than what is shown on the approved GDP # RZ-86-D-108.

The proposed development confirms to the provisions of all applicable ordinances, regulations, and adopted standards.

The new development will be specifically within lot 23 and will in compliance with the Fairfax County Zoning Ordinance in general. It will also be in compliance with section 18-204-6 of the Zoning Ordinance as the new development and the amendment (a) would not adversely affect the use of the property subject to the proffered conditions, (b) would not inhibit, adversely affect, or preclude in any manner the fulfillment of the proffered conditions applicable to the area not incorporated into the amendment application, (c) would not adversely affect the vehicular and pedestrian circulations, connectivity, landscape and streetscape applicable to the area not incorporated into the amendment application, and (d) would not increase the overall approved density/intensity for development.

RECEIVED
Department of Planning & Zoning

SEP 25 2012

Zoning Evaluation Division

April 9, 2012

Re: Special permit Statement of Justification- 9416 Atwood Road Vienna VA 22182

To Whom It May Concern:

I would like to request a special permit for an in law suite on a property that we are going to construct. The address is 9416 Atwood Road Vienna VA 22182. Please see the responses to the Special Permit Statement of Justification below:

- A. Type of Operation – This is for an in-law suite for my parent in laws (Xikan Tao & Ruihua Tu). Their are currently 75 & 72 years of age.
- B. Hours of operation – this is not a business.
- C. Estimated number of people – two people. Xikan Tao & Ruihua Tu.
- D. Proposed Number of employees – Zero. Because they are living beside us we won't need additional help for them.
- E. Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day. – Xikan Tao does drive, but I would only expect him to leave the property on average of once per day. I don't believe there will be any traffic impact from the in-law suite.
- F. Vicinity or general area to be served by the use – This is a residential in-law suite to be located on the property of 9416 Atwood Road Vienna VA 22182. I expect that it will only be used residentially for Xikan Tao and Ruihua Tu
- G. Description of building façade and architecture of proposed new building or addition. Please review the plans that were submitted. This is new construction, and the in-law suite will be directly attached to our property. From the street nobody will notice the division between the living spaces
- H. Listing of all hazardous materials – None
- I. This is a residential property with an attached in-law suite. The only variance I would request is to have a kitchen in the front of the in-law suite. This way my in-laws could live and cook comfortably.

Please call me with any questions at 703-282-3328 or email me at will@pinehillsdc.com

With regards,



William Weiss

RECEIVED
Department of Planning & Zoning
APR 09 2012
Zoning Evaluation Division

March 5, 2013

Re: Statements addressing 8-918 Standards, Items 1-12 for 9416 Atwood Road Vienna VA 22182

To Whom It May Concern:

The following addresses 8-918 standards, items 1-12. For reference I've attached a copy of the list with this statement

- **Items 1 & 2** – There is only one Accessory dwelling unit which is located within the structure of the single family dwelling. The in-law suite does include one side entrance.
- **Item 3** - The square footage of the main residence is ~~6148~~ square feet. The square footage of the in-law suite is ~~1378~~ square feet, which is ~~183~~% of the total square footage of the property
- **Item 4** – The accessory dwelling unit contains 1 bedroom
- **Item 5** –
 - A. The proposed use of property at 9416 Atwood Road Vienna VA 22182 is for a primary residence for my family. My family consists of my wife, Xin Tao, and our 2 children.
 - B. Neither of her parents are presently disabled.
 - C. The in-law is for my wife's parents, Ruihua Tu & Xikan Tao, who are 73 & 77 respectively.
- **Item 6** – N/A – Nobody is currently is disabled.
- **Items 7 through 13** – I am willing to comply with items 7 – 13.

Please let me know if you have any additional questions.

With regards,



William Weiss
703-282-3328
will@pinehillsc.com

RECEIVED
Department of Planning & Zoning
MAR 08 2013
Zoning Evaluation Division

March 5, 2013

Re: Remaining submission requirements for 9416 Atwood Road Vienna VA 22182

To Whom It May Concern:

Provide percentage of basement that is above grade:

- The basement for our property is entirely below grade (or 0 percent).

Provide a floor plan of the basement for the accessory dwelling unit:

- There isn't a basement for the accessory dwelling unit, which is why there isn't a floor plan included. The accessory dwelling unit will have a crawl space instead.

With regards,

William Weiss
703-282-3328
will@pinehillsc.com

REZONING AFFIDAVIT

DATE: August 30, 2013
 (enter date affidavit is notarized)

I, William A. Weiss, 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 *120513a*

in Application No.(s): PCA 86-D-108
 (enter County-assigned application number(s), e.g. RZ 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 must 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)
William A. Weiss Xin Tao	12989 Azalea Woods Way, Herndon, VA 20171 (same)	Applicant / Title Owner Title Owner
Y L T Construction, Inc.	9909 Chapel Road, Potomac, MD 20854	Agent
Chun-Tai Tseng	(same)	Agent
GJB Engineering, Inc.	8309 Telegraph Road, Lorton, VA 22079	Agent
Gregory J. Budnik	(same)	Agent
Zimar & Associates, Inc.	10105 Residency Road, Unit 207, Manassas, VA 20110	Agent
Donald E. Zimar	(same)	Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning 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).

Rezoning Attachment to Par. 1(a)

DATE: August 30, 2013
 (enter date affidavit is notarized)

120513a

for Application No. (s): PCA 86-D-108
 (enter County-assigned application number (s))

(NOTE): All relationships to the application 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)
Planning & Development Services, Inc.	10012 Island Fog Court, Bristow, VA 20136	Agent
Paul R. Jeannin, Jr.	(same)	Agent
Suburban Development Engineering, Inc.	7777 Leesburg Pike, Suite 305N, Falls Church, VA 22043	Agent
Hamayon Ibrahim	(same)	Former Agent
Hamid Moghavemi-Tehrani	(same)	Agent

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: August 30, 2013
(enter date affidavit is notarized)

120513a

for Application No. (s): PCA 86-D-108
(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, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Suburban Development Engineering, Inc.
7777 Leesburg Pike, Suite 305N
Falls Church, VA 22043

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)

Hamid Moghavemi-Tehrani
Farid Ranjber
Zubair Ranjber

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)

(check if applicable) [X] There is more corporation information and Par. 1(b) is continued on a "Rezoning 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.

Rezoning Attachment to Par. 1(b)

DATE: August 30, 2013
(enter date affidavit is notarized)

120513a

for Application No. (s): PCA 86-D-108
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Y L T Construction, Inc.
9909 Chapel Road
Potomac, MD 20854

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 SHAREHOLDER: (enter first name, middle initial, and last name)
Chun-Tai Tseng

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
GJB Engineering, Inc.
8309 Telegraph Road
Lorton VA 22079

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)
Gregory J. Budnik

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Gregory J. Budnik, President
Brian F. Cleary, Vice President

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

DATE: August 30, 2013
(enter date affidavit is notarized)

120513a

for Application No. (s): PCA 86-D-108
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Zimar & Associates, Inc.
10105 Residency Road
Unit 207
Manassas, VA 20110

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 SHAREHOLDER: (enter first name, middle initial, and last name)
Donald E. Zimar

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Planning & Development Services, Inc.
10012 Island Fog Court
Bristow, VA 20136

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)
Paul R. Jeannin, Jr.

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: August 30, 2013
(enter date affidavit is notarized)

120513a

for Application No. (s): PCA 86-D-108
(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, number, street, city, state and zip code)

N/A

(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 "Rezoning 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.

REZONING AFFIDAVIT

DATE: August 30, 2013
(enter date affidavit is notarized)

120513a

for Application No. (s): PCA 86-D-108
(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:

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

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: August 30, 2013
(enter date affidavit is notarized)

120513a

for Application No. (s): PCA 86-D-108
(enter County-assigned application number(s))

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

(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 "Rezoning 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:

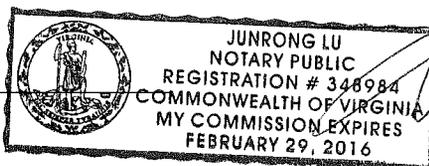


(check one) Applicant Applicant's Authorized Agent

William A. Weiss
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 30 day of August 2013, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: _____



Notary Public

Application No.(s): SP 2013-DR-027
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: August 30, 2013
 (enter date affidavit is notarized)

I, William A. Weiss, 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 1158120

and that, to the best of my knowledge and belief, the following 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 must 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)
William A. Weiss Xin Tao	12989 Azalea Woods Way, Herndon, VA 20171 (same)	Applicant / Title Owner Title Owner
Y L T Construction, Inc.	9909 Chapel Road, Potomac, MD 20854	Agent
Chun-Tai Tseng	(same)	Agent
GJB Engineering, Inc.	8309 Telegraph Road, Lorton, VA 22079	Agent
Gregory J. Budnik	(same)	Agent
Zimar & Associates, Inc.	10105 Residency Road, Unit 207, Manassas, VA 20110	Agent
Donald E. Zimar	(same)	AGent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance 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 Attachment to Par. 1(a)

DATE: August 30, 2013
(enter date affidavit is notarized)

1158126

for Application No. (s): SP 2013-DR-027
(enter County-assigned application number (s))

(NOTE: All relationships to the application 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)
Planning & Development Services, Inc.	10012 Island Fog Court, Bristow, VA 20136	Agent
Paul R. Jeannin, Jr.	(same)	Agent
Suburban Development Engineering, Inc.	7777 Leesburg Pike, Suite 305N, Falls Church, VA 22043	Agent
Hamayon Ibrahim	(same)	Former Agent
Hamid Moghavemi-Tehrani	(same)	Agent

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Special Exception Attachment to Par. 1(a)" form.

Application No.(s): SP 2013 - DR - 027
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: August 30, 2013
(enter date affidavit is notarized)

1158126

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, number, street, city, state, and zip code)
Suburban Development Engineering, Inc.
7777 Leesburg Pike, Suite 305N
Falls Church, VA 22043

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 SHAREHOLDERS: (enter first name, middle initial, and last name)

Hamid Moghavemi-Tehrani
Farid Ranjber
Zubair Ranjber

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance 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: August 30, 2013
(enter date affidavit is notarized)

1158126

for Application No. (s): SP 2013-DR-027
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Y L T Construction, Inc.
9909 Chapel Road
Potomac, MD 20854

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)
Chun-Tai Tseng

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
GJB Engineering, Inc.
8309 Telegraph Road
Lorton, VA 22079

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)
Gregory J. Budnik

(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 Attachment to Par. 1(b)

DATE: August 30, 2013
(enter date affidavit is notarized)

1158126

for Application No. (s): SP 2013-DR-027
(enter County-assigned application number (s))

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

Zimar & Associates, Inc.
10105 Residency Road
Unit 207
Manassas, VA 20110

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)

Donald E. Zimar

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

Planning & Development Services, Inc.
10012 Island Fog Court
Bristow, VA 20136

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)

Paul R. Jeannin, Jr.

(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.

Application No.(s): SP 2013 - DR-027
(county-assigned application number(s), to be entered by County Staff)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: AUGUST 30, 2013
(enter date affidavit is notarized)

1158126

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, number, street, city, state, and zip code)

N/A

(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 Permit/Variance 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.

Application No.(s): SP 2013-DR-027
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: AUGUST 30, 2013
(enter date affidavit is notarized)

1158126

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:

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 Zoning Appeals, 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

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): SP 2013-DR-027
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: August 30, 2013
(enter date affidavit is notarized)

1158126

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, 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.)

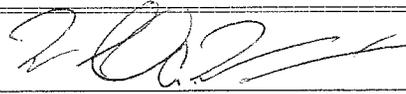
None

(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 Permit/Variance 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:



(check one)

Applicant

Applicant's Authorized Agent

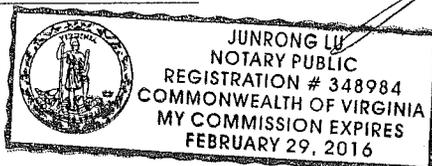
William A. Weiss

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 30 day of August 2013, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: _____

Notary Public



Rezoning 86-D-108
Tipco-Richards I Partnership
June 25, 1987

P R O F F E R S

Pursuant to Section 15.1-491(a) of the 1950 Code of Virginia, as amended, the undersigned proffer the following conditions provided the property is rezoned to the R-2 District:

1. Development of the subject property shall be in substantial conformance with the Generalized Development Plan, prepared by Greenhorne & O'Mara, P.C., dated May 29, 1987.
2. The applicant will dedicate right-of-way 30 feet from centerline along the Atwood Road frontage of the subject property, together with temporary grading and construction easements adjacent thereto for the future widening of Atwood Road.
3. The applicant will provide a geotechnical study with regard to the soils on the site, if required and approved by DEM.
4. The trees located within proposed Lot 23 will be preserved.
5. The limits of clearing and grading shown on the development plan shall be preserved in an undisturbed natural state, except, if, in the opinion of the Director of DEM, should engineering practice require intrusion into this area for purposes of providing utilities, stormwater detention facilities, siltation and erosion devices, and such other improvements with prior approval by Fairfax County, applicant may install such facilities as determined by DEM during construction in a "perpendicular" fashion within the limits of clearing area. In the event said construction disturbs existing vegetation within the "limits of clearing" area, the developer shall replace said vegetation with similar vegetation, to the satisfaction of the Director of the Department of Environmental Management.
6. The following noise attenuation measures shall be provided:
 - a. In areas located within 180 feet of the centerline of Route 7 that experience noise levels of 70-75 dBA Ldn, the applicant will construct the proposed

dwelling units utilizing the following measures to mitigate the impact of highway noise:

- (1) Construction materials and techniques known to have physical properties or characteristics suitable to achieve a sound transmission classification (STC) of 45 for exterior walls; and
- (2) Windows either double-glazed or fitted with storm windows.
- (3) Doors shall be constructed to have physical characteristics suitable to achieve a sound transmission classification (STC) of 45.

b. In areas located within 390 feet of the centerline of Route 7 that experience noise levels of 65-70 dBA Ldn, the applicant shall construct the proposed dwelling units utilizing the following measures to mitigate the impact of highway noise:

- (1) Construction materials and techniques known to have physical properties or characteristics suitable to achieve an STC of 39 for exterior walls; and
- (2) Windows shall be double-glazed or fitted with storm windows.
- (3) Doors shall be constructed to have physical characteristics suitable to achieve a sound transmission classification (STC) of 39.

c. In the alternative, the developer may have a refined acoustical analysis performed in coordination with the County Planning Staff to determine which units/buildings may have sufficient shielding to permit a reduction in the mitigation measures prescribed above subject to approval by the Department of Environmental Management.

7. At the time of site plan approval, the developer shall contribute \$12,000 to Fairfax County for the construction of a right turn lane on Beulah Road at its intersection with Route 7, for right turn movements onto Route 7 eastbound.

8. To meet energy conservation concerns, the builder will meet the "basic requirements" of the Virginia Home Builders - E-7 Program in the construction of all units.

These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.

H. Houston DeRamus
H. HOUSTON DeRAMUS, TRUSTEE

Catherine W. DeRamus
CATHERINE W. DeRAMUS, TRUSTEE

ETTA L. PAULETTE

TIPCO-RICHARDS I PARTNERSHIP

BY James C. Richards



County of Fairfax, Virginia

MEMORANDUM

DATE: May 2, 2013

TO: Megan Brady, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Craig Herwig, Urban Forester II *CH*
Forest Conservation Branch, DPWES

SUBJECT: Clara Estates, Lot 23-Atwood Road PCA 86-D-108

RE: Request for assistance dated April 10, 2013

This review is based on the Generalized Development Plan stamped "Received, Department of Planning and Zoning, January 29, 2013 and the Rezoning Application stamped "Received, Department of Planning and Zoning, February 4, 2013.

- 1. Comment:** An existing vegetation map (EVM) to include information about the general composition, health and extent of existing vegetation has not been provided. In addition, a 26-inch diameter hickory has not been identified as existing vegetation on the site.

Recommendation: Provide an EVM that depicts the location of any cover types identified in PFM Table 12.2 and one that meets the requirements of Zoning Ordinance Chapter 112, Article 20 and PFM 12-0506. The EVM submitted with the GDP must accurately delineate all cover types, and include all required elements of the Zoning Ordinance and the Public Facilities Manual.

- 2. Comment:** It is unclear how the Applicant proposes to meet the tree preservation target and 10-year canopy requirements. (see comment 4)

Recommendation: Information included in the EVM should be utilized to provide a Tree Preservation Target level in accordance with PFM 12-0508. Tree preservation Target Calculations should be provided as shown in Table 12.3. In addition, 10-year tree canopy calculations in accordance with PFM 12-0511 and PFM Table 12.10 should be provided on the GDP demonstrating how Article 13, 10-year canopy requirements will be met.



3. **Comment:** There are two significant trees on this site that could be considered for preservation. Tree #14, identified on the tree inventory as a 38-inch diameter red maple tree located at the southeast corner of the existing structure and characterized as in good condition (85% condition rating) and a 26-inch diameter hickory tree, not identified on the existing inventory, located at the northwest corner of the existing structure. Based on a visual inspection during a recent site visit, the hickory tree also appears to be in good condition.

Recommendation: The 38-inch diameter red maple and the 26-inch diameter hickory, are the most desirable trees in terms of species, health and structural condition, however, the location of the trees, adjacent to the existing structure, create considerable difficulties for preservation. Due to the proximity of the existing structure, these trees would likely sustain considerable damage to during the demolition of the existing structure. These trees are not likely to survive in a healthy, structurally sound condition as a result of the demolition of the existing structure and proposed construction activities.

4. **Comment:** The Applicant appears to be claiming a 1.25 multiplier for all trees proposed for preservation. A 1.25 multiplier has been claimed for several trees to meet the Tree Preservation Target and 10-year canopy requirements that do not meet the health, species and condition standards.

Recommendation: The following trees have been identified as species that cause problems after preservation, or are subject to health-threatening levels of disease or pests and will receive no credit toward meeting the Tree Preservation Target and 10-year canopy requirements: black locust, ash, mulberry, boxelder and trees identified as in poor condition (condition rating of 40% or less).

5. **Comment:** There appear to be opportunities to plant additional high quality, native vegetation on this site to supplement the existing vegetation.

Recommendation: The Urban Forest Management Division recommends planting additional deciduous and evergreen trees to supplement existing vegetation proposed for preservation. They may include, but are not limited to the following native trees: **Evergreen Trees-** Eastern redcedar, American holly, Southern magnolia, dark green American arborvitae, and Atlantic whitecedar. **Deciduous Trees-** white oak, red oak, American beech, hickory, black gum, river birch, sourwood, sweetbay magnolia, flowering dogwood, and redbud.

6. **Comment:** Given the nature of the tree cover on and adjacent to the site and depending on the ultimate development configuration provided, several proffers will be instrumental in assuring adequate tree preservation and landscaping throughout the development process.



Recommendation: Recommend the following proffers to ensure effective tree preservation and landscaping:

Tree Preservation: “The applicant shall submit a Tree Preservation plan as part of the first and all subsequent site plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a Certified Arborist or Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.”

The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 10 inches in diameter and greater within 25 feet of the undisturbed area and within 10 feet of the limits of clearing and grading in the disturbed area shown on the GDP 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 GDP 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 any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.”

Tree Preservation Walk-Through. “The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant’s Certified Arborist or Registered Consulting Arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made, if any, 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 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 adjacent trees and associated understory vegetation and soil conditions.”

Limits of Clearing and Grading. “The Applicant shall conform strictly to the limits of clearing and grading as shown on the GDP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the GDP, they shall be located in the least disruptive manner necessary as



determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.”

Tree Preservation Fencing: “All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the “Root Pruning” proffer below.”

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure 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 the UFMD, DPWES.”

Root Pruning. “The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffered conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the submitted plan. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.”

Site Monitoring. “During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as per specific proffered conditions and as approved by the UFMD. The Applicant shall retain the services of a Certified Arborist or Registered Consulting Arborist to monitor all construction and demolition work adjacent to any vegetation to be preserved and tree preservation efforts in order to



Clara Estates Lot 23, Atwood Road
PCA 86-D-108
May 2, 2013
Page 5 of 5

ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.”

Demolition of Existing Structures. “All tree protection measures shall be in place and verified by the project arborist prior to any demolition activity. The demolition of all existing features and structures within areas protected by the limits of clearing and grading shown on the GDP shall be done by hand without heavy equipment and conducted in a manner that does not impact individual trees and or groups of trees that are to be preserved as reviewed and approved by UFMD, DPWES.”

Landscaping. “The Applicant shall provide landscaping on the Application Property as generally shown on sheet #10, Landscaping Plan, of the GDP, subject to review and approval by the Urban Forest Management Division. Deciduous trees shall be a minimum of three (3) inches in caliper and evergreen trees shall be a minimum of eight (8) feet in height at time of planting.”

Please feel free to contact me at 703-324-1770 if you have any questions or concerns.

CSH/

UFMDID #: 180400

cc: DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: July 9, 2013

TO: Megan Brady, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Craig Herwig, Urban Forester III *CSH*
Forest Conservation Branch, DPWES

SUBJECT: Clara Estates, Lot 23-Atwood Road PCA 86-D-108/SP 2013-DR-027

RE: Request for assistance dated July 1, 2013

This review is based on the most recently submitted Generalized Development Plan/Special Permit Plat stamped "Received, Department of Planning and Zoning, July 1, 2013."

- 1. Comment:** The applicant has identified 5 additional trees to be preserved. Three of the trees identified for preservation (trees #19 & #21 are located on site, tree #18 is located in the VDOT row) are the result of the relocation of the infiltration trench. Two trees are identified for preservation (trees #36 & #38) are the result of special demolition practices for the garage.

Recommendation: Given the current configuration of the proposed home, associated driveway and infiltration trench, as well as the required demolition of the existing structures, the preservation of additional trees that meet the standards of PFM 12-0403 is unlikely.

- 2. Comment:** While it is understood that the tree preservation target and 10-year tree canopy requirements have been met for this site, there appear to be opportunities to plant additional trees.

Recommendation: Additional trees can be planted on the eastern portion of this site. The three proposed category III American holly trees can be grouped and the four category II eastern redbud trees can be planted closer to the home. This would provide space for approximately 2 category IV trees or three category III trees. Category IV trees could include white oak, American beech, and Dutch elm resistant American elm trees. Category III trees to consider planting are black gum, river birch, and yellowwood. There also appears to be space to plant 1 category IV tree or 3 category II trees southwest of the proposed home.

Please feel free to contact me if you have any questions or concerns.

CSH/
UFMDID #: 180400

cc: DPZ File

Department of Public Works and Environmental Services
Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes





County of Fairfax, Virginia

MEMORANDUM

DATE: August 13, 2013

TO: Megan Duca, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Craig Herwig, Urban Forester II *CSH*
Forest Conservation Branch, DPWES

SUBJECT: Clara Estates, Lot 23-Atwood Road, PCA 86-D-108

This review is based on the most recently submitted Generalized Development Plan/Special Permit Plat stamped, "Received, Department of Planning and Zoning August 5, 2013."

- 1. Comment:** Tree protection fence is not shown or identified at the southeast portion of the site, adjacent to the existing driveway on the Demolition and Erosion & Sediment Control plan sheet.

Recommendation: The Applicant should commit to installing all tree protection measures as shown on the tree preservation plan prior to the demolition of the existing structures.

- 2. Comment:** The tree planting calculations presented on Table 12.12 are unclear. The Plant List on the Landscaping Plan indicates 3,550 sq. ft. of canopy cover and a total of 4,375 sq. ft. of canopy cover when the multipliers are applied. The tree planting calculations shown on Table 12.12 do not correspond to the figures shown on the Plant List.

Recommendation: The Applicant should adjust the tree planting calculations on Table 12.12 to correspond with the figures shown on the Plant List.

Please feel free to contact me at 703-324-1770 if you have any questions regarding this review.

CSH/

UFMDID #: 180400

cc: DPZ File

Department of Public Works and Environmental Services
Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes





County of Fairfax, Virginia

MEMORANDUM

DATE: July 1, 2013

TO: Megan Brady, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Aileen M. Santiago, Senior Engineer III *ASg*
Site Development and Inspection Division (SDID)
North Branch
Department of Public Works and Environmental Services

SUBJECT: Special Permit Application SP 2013-DR-027, PCA 86-D-108; # 9416 Atwood Road; Dated July 1, 2013; Tax Map Numbers 019-3-17-0023; LDS # 7216-ZONA-002-1, Dranesville District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There are no Resource Protection Areas on the site.

Floodplain

There are no regulated floodplains on the site.

Downstream Drainage Complaints

There are no unresolved downstream drainage complaints on file.

Stormwater Detention

The stormwater detention requirement for non-bonded lot grading plans is met if the site's outfall is shown to be adequate.

Stormwater Quantity Control

Water quality controls are required for this development (PFM 6-0401.2A). An infiltration trench design to receive one inch per impervious acreage is depicted on the plan, however the infiltration system must be located 20 feet (horizontal distance) from the foundations of buildings. Proposed infiltration facility is located approximately 10 feet from the garage foundation.

A private maintenance agreement for the infiltration facility will be required prior to final



Megan Brady, Staff Coordinator
SP 2013-DR-027; # 9416 Atwood Road
Page 2 of 2

approval of the construction plan.

Adequate outfall

An adequate outfall narrative has been provided in accordance with PFM 06-0203 and PFM 06-0203.

Please contact me at 703-324-1464 if you require additional information.

AS/

cc: Don Demetrius, Chief, Watershed Projects Evaluation Branch, SPD, DPWES
Fred Rose, Chief, Watershed Planning & Assessment Branch, SPD, DPWES
Shahab Baig, Chief, North Branch, SDID, DPWES
Greg McLaughlin, Senior Engineer III, North Branch, SDID, DPWES



County of Fairfax, Virginia

MEMORANDUM

DATE: July 2, 2013

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief *PN*
Environment and Development Review Branch, DPZ

SUBJECT: ENVIRONMENTAL ASSESSMENT for: PCA 86-D-108
Weiss

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject rezoning application for this property and the revised Generalized Development Plan (GDP) dated February 24, 2012. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

The Fairfax County Comprehensive Plan, Policy Plan, 2011 Edition, Environment section as amended through July 27, 2010, page 7-9 states:

“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .

- Policy j. Regulate land use activities to protect surface and groundwater resources. . . .
- Policy k. For new development and redevelopment, apply better site design and low impact design (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:
- Minimize the amount of impervious surface created.
 - Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.
 - Where feasible, convey drainage from impervious areas into pervious areas. . . .
 - Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements. . . .
 - Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
 - Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements. . . .
 - Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements.”

The Fairfax County Comprehensive Plan, Policy Plan, 2011 Edition, Environment section as amended through July 27, 2010, page 10 states:

“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance....”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 18, the Plan states:

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way....”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 19, the Plan states:

“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development.
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*).
- Optimization of energy performance of structures/energy-efficient design.
- Use of renewable energy resources.
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products.
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies.

- Reuse of existing building materials for redevelopment projects.
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris.
- Use of recycled and rapidly renewable building materials.
- Use of building materials and products that originate from nearby sources.
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR® rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs. . . .”

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Currently one old home exists on the 36,000 square foot property and this application seeks to remove the existing home and replace it with a new home. The subject property is governed by a 1987 proffer which states, “The trees located within proposed Parcel 17 will be preserved.” The applicant is seeking to remove this restriction.

Particular emphasis is given to opportunities provided by this application to conserve the County's remaining natural amenities.

Water Quality Protection:

The 36,000 square foot property is situated in the Difficult Run watershed. In order to meet a 40% phosphorous removal requirement for this development the engineer for the applicant

proposes an infiltration trench surrounded by a berm on the southwestern corner of the subject property. This proposed facility will capture approximately 40% of the runoff from the site.

As an alternative, the applicant is encouraged to consider good site design techniques which intersperse landscaped corridors, planting areas and rain gardens strategically throughout the property, as opposed to constructing one infiltration trench in one corner of the lot. Installation of rain gardens and other features could prove more attractive than the infiltration trench which is currently proposed. More importantly such site design could effectively filter more runoff from the property. Such a site design technique would also be more effective in preserving downstream receiving waters.

The outfall narrative indicates that the subject property is affected by drainage divides which disperse runoff from the property in more than one direction. In the opinion of the consulting engineer, the downstream receiving channels will adequately handle the runoff generated by this home. The adequacy of stormwater management/best management practice (SWM/BMP) facilities and outfall will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

On May 24, 2011, the Virginia Soil and Water Conservation Board adopted Final Stormwater Regulations, which became effective September 13, 2011. The regulations require all local governments in Virginia to adopt and enforce new stormwater management requirements; these new requirements must be effective on July 1, 2014. Staff from the Department of Public Works and Environmental Services is pursuing the development of a stormwater management ordinance in order to implement this state mandate, and it is anticipated that this ordinance will become effective on the July 1, 2014 deadline. The applicant will be required to comply with these new requirements for any subject development activities for which the applicant has not, prior to July 1, 2014, obtained VSMP permit coverage under the Virginia Stormwater Management Program General Permit for Discharges of Stormwater from Construction Activities. The proposed development will not be grandfathered from the new ordinance as a result of approval of this zoning application. While all details regarding the new stormwater management ordinance are not known at this time, the general water quality control and water quantity control parameters are included in the Virginia Stormwater Management Program Permit Regulations found at VAC50-60-10 et seq. of the Virginia Administrative Code. The applicant should, therefore, be encouraged strongly to design the proposed stormwater management system consistent with both existing and anticipated stormwater management requirements.

Impervious Surface: The existing home, garage, and driveway consist of 4,225 square feet of impervious surface. The current application involving a much larger home and related uses would result in a significant increase in total impervious surface to 8,955 square feet. In addition, the proposed limits of clearing and grading shown on Sheet 2 of the generalized development plan depict significant lot clearing and grading in order to build the proposed home. As an alternative to what is proposed, the applicant is encouraged to consider site design which utilizes the existing landscape and topography; constricts the construction footprint and reduces the impervious surface. By interspersing landscaping corridors and rain gardens for infiltration to capture stormwater runoff from this new development, this redevelopment would represent an

enhancement to water quality and would simultaneously protect downstream receiving waters which is the intent of the new Stormwater Ordinance which will be effective July 1, 2014.

Tree Preservation and Limits of Clearing and Grading: The subject property is characterized by significant existing vegetation. However, some of the vegetation is in poor health. Given the fact that this application is seeking a proffer condition amendment which specifically identifies tree preservation on the subject property, this applicant should provide a justification as to why this condition cannot be met. Alternatively if the condition is untenable or impractical, then the applicant should provide a substitution to tree preservation which could be met, such as tree restoration. The applicant is encouraged to work with the Urban Forestry Management Division (UFMD) of DPWES in order to augment the proposed landscaping plan for this new home in order to protect the existing individual healthy trees and to sensitively incorporate tree restoration into a landscape plan. Such an effort would demonstrate good faith with the intent of addressing the spirit and the intent of the proffer for which the application is seeking a modification.

Green Building Certification: In support of the County's Green Building Policy, the applicant is encouraged to provide a commitment to demonstrate that this new home will be constructed to attain certification from Earthcraft House Program, Energy Star Qualified Homes or 2012 National Green Building Standard (NGBS) using the Energy Star Qualified Homes path for energy performance. Appropriate documentation should be provided to the Environment and Development Review Branch prior to the issuance of a residential use permit (RUP) for the home.

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan Map does not depict any trails adjacent to the subject property.

PGN: MAW



County of Fairfax, Virginia

MEMORANDUM

DATE: August 15, 2013

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

FILE: 3-4 (RZ 86-D-108)
3-6 (SP 2013-DR-027)

SUBJECT: Transportation Impact

REFERENCE: PCA 86-D-108/SP 2013-DR-027, William Weiss
Traffic Zone: 1421
Land Identification Map: 19-3 ((17)) 23

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated February 24, 2012, and revised through August 2, 2013. The applicant proposes to remove an existing dwelling and some trees on the site, and then construct a new, larger dwelling with an accessory dwelling unit.

All transportation issues with this application have been resolved.

AKR/LAH/lah



FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

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

FROM: Sandy Stallman, AICP, Manager
Park Planning Branch, PDD 

DATE: May 13, 2013

SUBJECT: PCA 86-D-108 w/ SP 2013-DR-027, William Weiss
Tax Map Number: 19-3((17)) 23

BACKGROUND

The Park Authority staff has reviewed the proposed Proffer Condition Amendment dated September 19, 2012, for the above referenced application. The Proffer Condition Amendment / Special Exception shows the removal of a single family house and all the existing vegetation from a 1.3-acre lot which was previously proffered to preserve the vegetation.

COMPREHENSIVE PLAN GUIDANCE

The County Comprehensive Plan includes both general and specific guidance regarding parks and resources. The Policy Plan describes the need to mitigate adverse impacts to park and recreation facilities caused by growth and development; it also offers a variety of ways to offset those impacts, including contributions, land dedication, development of facilities, and others (Parks and Recreation, Objective 6, p.8). Resource protection is addressed in multiple objectives, focusing on protection, preservation, and sustainability of resources (Parks and Recreation Objectives 2 and 5, p.5-7).

The Heritage Resources sub-section of the Wolf Trap Community Planning Sector recommendations in the Area II Plan describe the importance of archaeological resources stating specifically that: "Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found. In those areas where significant heritage resources have been recorded, an effort should be made to preserve them. If preservation is not feasible, then, in accordance with countywide objectives and policies as cited in the Heritage Resources section of the Policy Plan, the threatened resource should be thoroughly recorded and in the case of archaeological resources, the artifacts recovered." (Area II, Fairfax County Comprehensive Plan, McLean Planning District, Amended through 4-9-2013, M7- Wolf Trap Community Planning Sector, Heritage Resources, pp. 134).

ANALYSIS AND RECOMMENDATIONS

Cultural Resources Impact:

Park Authority staff has conducted a review for this application, which indicates that the parcel has a moderate to high potential to contain historic sites. The existing house itself appears on 1937 historic imagery of the county. Therefore, staff requests that the parcel undergo a Phase I archaeological survey (including documentation of any structures 50 or more years of age), to determine presence or absence of sites. If significant sites are found, they are recommended to undergo Phase II archaeological testing, to determine eligibility for inclusion into the National Register of Historic Places. If any sites are found eligible, avoidance, or Phase III data recovery is recommended.

At the completion of any cultural resource studies, The Park Authority requests that the applicant provide one copy of the archaeology report as well as field notes, photographs and artifacts to the Park Authority's Resource Management Division (Attention: Liz Crowell) within 30 days of completion of the study.

SUMMARY OF RECOMMENDATIONS

This section summarizes the recommendations included in the preceding analysis section.

- Conduct a Phase I archaeological study

Please note the Park Authority would like to review and comment on proffers and/or development conditions as well as future applications for this site related to park and recreation issues. We request that draft and final proffers and/or development conditions be submitted to the assigned reviewer noted below for review and comment prior to completion of the staff report and prior to final Board of Supervisors approval.

FCPA Reviewer: Andy Galusha
DPZ Coordinator: Megan Brady

Copy: Cindy Walsh, Director, Resource Management Division
Liz Crowell, Manager, Cultural Resource Management & Protection Section
Chron Binder
File Copy

cc:

Pamela G. Nee, Department of Planning and Zoning (DPZ)

Mary Ann Welton, DPZ

Marianne Gardner, DPZ

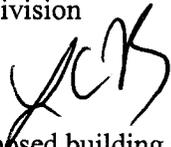


County of Fairfax, Virginia

MEMORANDUM

DATE: 12 June 2013

TO: Megan Brady, Staff Coordinator, Zoning Evaluation Division

FROM: Linda Cornish Blank, Historic Preservation Planner 

SUBJECT: PCA 86-D-108, SP 2013-DR-027; William Weiss, proposed building demolition and new construction, 9416 Atwood Rd., Tax Map parcel #19-3 ((17)) 23

Planning Location: Fairfax County Comprehensive Plan, 2011 Edition, Area II; McLean Planning District; Amended through 4-9-2013, Overview, p. 8 M7-Wolf Trap Community Planning Sector, p. 134

Heritage Resources p. 8

“The McLean Planning District contains both known and potential heritage resources. A list of those heritage resources included in Fairfax County's Inventory of Historic Sites is shown on Figure 4, The Inventory is open-ended and continues to grow. . . .

Numerous known and potential heritage resources reflect the prehistory and history of the McLean Planning District. . . . Historic resources have been identified throughout the District, and potential historic resources may be located in open spaces and within developed areas.”

Heritage Resources p. 134

“Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found. In those areas where significant heritage resources have been recorded, an effort should be made to preserve them. If preservation is not feasible, then, in accordance with countywide objectives and policies as cited in the Heritage Resources section of the Policy Plan, the threatened resource should be thoroughly recorded and in the case of archaeological resources, the artifacts recovered.”

Heritage Resource Comment:

Background: The subject property has not been included in any known heritage resource study and is not listed in *The Fairfax County Inventory of Historic Sites*. cursory research indicates that the single family dwelling may have been constructed in the 1890s and was possibly in the ownership of a prominent local family, the Walters. Field observation yielded information that the dwelling was extensively altered at the front, east façade with the addition of a full-height Colonial Revival portico recalling that of Mount Vernon. This significant alteration likely occurred in the mid-to-late 1930s. At that time, the Colonial Revival style was fashionable and the prominent restoration architect Walter M. Macomber was involved in similar renovations throughout Northern Virginia; a notable example being Oak Hill in the Annandale area. The cultural landscape is also worthy of note including the mature boxwoods lining pathways.

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 Planning Division
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Heritage Resources countywide objectives and policies are stipulated in the Policy Plan section of the Fairfax County Comprehensive Plan. Included are the following:

Objective 1: Identify heritage resources representing all time periods and in all areas of the County.

Policy a. Identify heritage resources well in advance of potential damage or destruction.

Policy b. Conduct systematic County-wide field surveys to locate and document unrecorded heritage resources and to update information on resources identified in past surveys.

Because there is no known heritage resources field survey which included this property, this property has not been documented and is an unrecorded heritage resource.

Findings:

1. This property merits a heritage resources study to be completed prior to any ground disturbance activity. The applicant has expressed willingness for such a study to be undertaken. Staff attempted, without success, to enlist a university documentation class to undertake this project. Staff saw this project as a public education opportunity as endorsed in the Heritage Resources section of the Policy Plan.
2. The applicant is to be commended for his willingness to allow for and engage in a heritage resources study to be completed prior to any ground disturbance activity.

Heritage Resource recommendation:

1. The existing conditions of the Application Property at tax map Tax Map #19-3 ((17)) 23 be documented by a heritage resources study prior to any land disturbing activity by an individual(s) who meets, at a minimum, The Secretary of the Interior's professional qualification standards for history, architectural history, or historic architecture in accordance with 48 FR 44716, Sept. 1983 (http://www.cr.nps.gov/local-law/Prof_Qual_83.htm). The study would include: 1) photographic recordation for the purpose of recording and documenting the current conditions of the standing structures, including architectural details, and the cultural landscape of the property; and 2) a dimensioned sketch plan location map documenting the existing house and cultural landscape.

The dimensioned sketch plan map, based upon the demolition erosion & sediment control plan and existing vegetation map for this application, would identify elements of the existing dwelling and show the location of the photographic angle of views and for identifying each photograph. The number and angle of photographic views and dimensioned sketch plan map be coordinated with the Department of Planning and Zoning (DPZ) Historic Preservation planner prior to taking of the photographs. Photographic recordation should be done to a standard as required for determination of National Register eligibility, Virginia Department of Historic Resources (VDHR) Preliminary Information Form, however no filing for such eligibility is expected. All photographs and dimensioned sketch plan location map be submitted to the Virginia Room of the Fairfax County Public Library and to the Fairfax County Department of Planning and Zoning (DPZ) Historic Preservation planner. The applicant is to provide written documentation to DPZ that required documentation has been submitted to the Virginia Room.

2. Concur with the Cultural Resource and Protection Branch of the Fairfax County Park Authority comment on this application that a Phase I archaeological study be conducted.

ARTICLE 8**SPECIAL PERMITS****8-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit 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 group or use, the BZA 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 BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-903 Standards For All Group 9 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, or other appropriate submission as determined by the Director.

8-918 Additional Standards for Accessory Dwelling Units

As established by the Fairfax County Board of Supervisors' Policy on Accessory Dwelling Units (Appendix 5), the BZA may approve a special permit for the establishment of an accessory dwelling unit with a single family detached dwelling unit but only in accordance with the following conditions:

1. Accessory dwelling units shall only be permitted in association with a single family detached dwelling unit and there shall be no more than one accessory dwelling unit per single family detached dwelling unit.
2. Except on lots two (2) acres or larger, an accessory dwelling unit shall be located within the structure of a single family detached dwelling unit. Any added external entrances for the accessory dwelling unit shall be located on the side or rear of the structure.
On lots two (2) acres or greater in area, an accessory dwelling unit may be located within the structure of a single family detached dwelling unit or within a freestanding accessory structure.
3. The gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the total gross floor area of the principal dwelling unit. When the accessory dwelling unit is located in a freestanding accessory structure, the gross floor area of the accessory dwelling unit shall not exceed thirty-five (35) percent of the gross floor area of the accessory freestanding structure and the principal dwelling unit.
4. The accessory dwelling unit shall contain not more than two (2) bedrooms.

5. The occupancy of the accessory dwelling unit and the principal dwelling unit shall be in accordance with the following:

A. One of the dwelling units shall be owner occupied.

B. One of the dwelling units shall be occupied by a person or persons who qualify as elderly and/or disabled as specified below:

(1) Any person fifty-five (55) years of age or over and/or

(2) Any person permanently and totally disabled. If the application is made in reference to a person because of permanent and total disability, the application shall be accompanied by a certification by the Social Security Administration, the Veterans Administration or the Railroad Retirement Board. If such person is not eligible for certification by any of these agencies, there shall be submitted a written declaration signed by two (2) medical doctors licensed to practice medicine, to the effect that such person is permanently and totally disabled. The written statement of at least one of the doctors shall be based upon a physical examination of the person by the doctor. One of the doctors may submit a written statement based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability.

For purposes of this Section, a person shall be considered permanently and totally disabled if such person is certified as required by this Section as unable to engage in any substantial gainful activity by reasons of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of the person's life.

C. The accessory dwelling unit may be occupied by not more than two (2) persons not necessarily related by blood or marriage. The principal single family dwelling unit may be occupied by not more than one (1) of the following:

(1) One (1) family, which consists of one (1) person or two (2) or more persons related by blood or marriage and with any number of natural children, foster children, step children or adopted children.

- (2) A group of not more than four (4) persons not necessarily related by blood or marriage.
6. Any accessory dwelling unit established for occupancy by a disabled person shall provide for reasonable access and mobility as required for the disabled person. The measures for reasonable access and mobility shall be specified in the application for special permit. Generally, reasonable access and mobility for physically disabled persons shall include:
 - A. Uninterrupted access to one (1) entrance; and
 - B. Accessibility and usability of one (1) toilet room.
7. The BZA shall review all existing and/or proposed parking to determine if such parking is sufficient to meet the needs of the principal and accessory dwelling units. If it is determined that such parking is insufficient, the BZA may require the provision of one (1) or more off-street parking spaces. Such parking shall be in addition to the requirements specified in Article 11 for a single family dwelling unit.
8. The BZA shall determine that the proposed accessory dwelling unit together with any other accessory dwelling unit(s) within the area will not constitute sufficient change to modify or disrupt the predominant character of the neighborhood. In no instance shall the approval of a special permit for an accessory dwelling unit be deemed a subdivision of the principal dwelling unit or lot.
9. Any accessory dwelling unit shall meet the applicable regulations for building, safety, health and sanitation.
10. Upon the approval of a special permit, the Clerk to the Board of Zoning Appeals shall cause to be recorded among the land records of Fairfax County a copy of the BZA's approval, including all accompanying conditions. Said resolution shall contain a description of the subject property and shall be indexed in the Grantor Index in the name of the property owners.
11. The owner shall make provisions to allow inspections of the property by County personnel during reasonable hours upon prior notice.
12. Special permits for accessory dwelling units shall be approved for a period not to exceed five (5) years from the date of approval; provided, however, that such special permits may be extended for succeeding five (5) year periods in accordance with the provisions of Sect. 012 above.

13. Notwithstanding Par. 5 of Sect. 9-012, any accessory dwelling unit approved prior to July 27, 1987 and currently valid may be extended in accordance with the provisions of this Section and Sect. 012 above.

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		