



APPLICATIONS ACCEPTED: February 26, 2014
BOARD OF ZONING APPEALS: May 21, 2014
TIME: 9:00 a.m.

County of Fairfax, Virginia

May 14, 2014

STAFF REPORT

VARIANCE VC 2014-SU-002

SULLY DISTRICT

APPLICANT/OWNER: COPT Stonecroft, LLC

SUBDIVISION: Westfields the International Center at Dulles

STREET ADDRESS: 14757 Conference Center Drive, Chantilly,
20151

TAX MAP REFERENCE: 43-2 ((2)) 3A and 39

LOT SIZE: 64.29 acres

ZONING DISTRICT: I-3, WS

ZONING ORDINANCE PROVISIONS: 18-401

VARIANCE PROPOSAL: To permit a fence greater than 8.0 feet in height.

A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

The approval of this special permit does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**

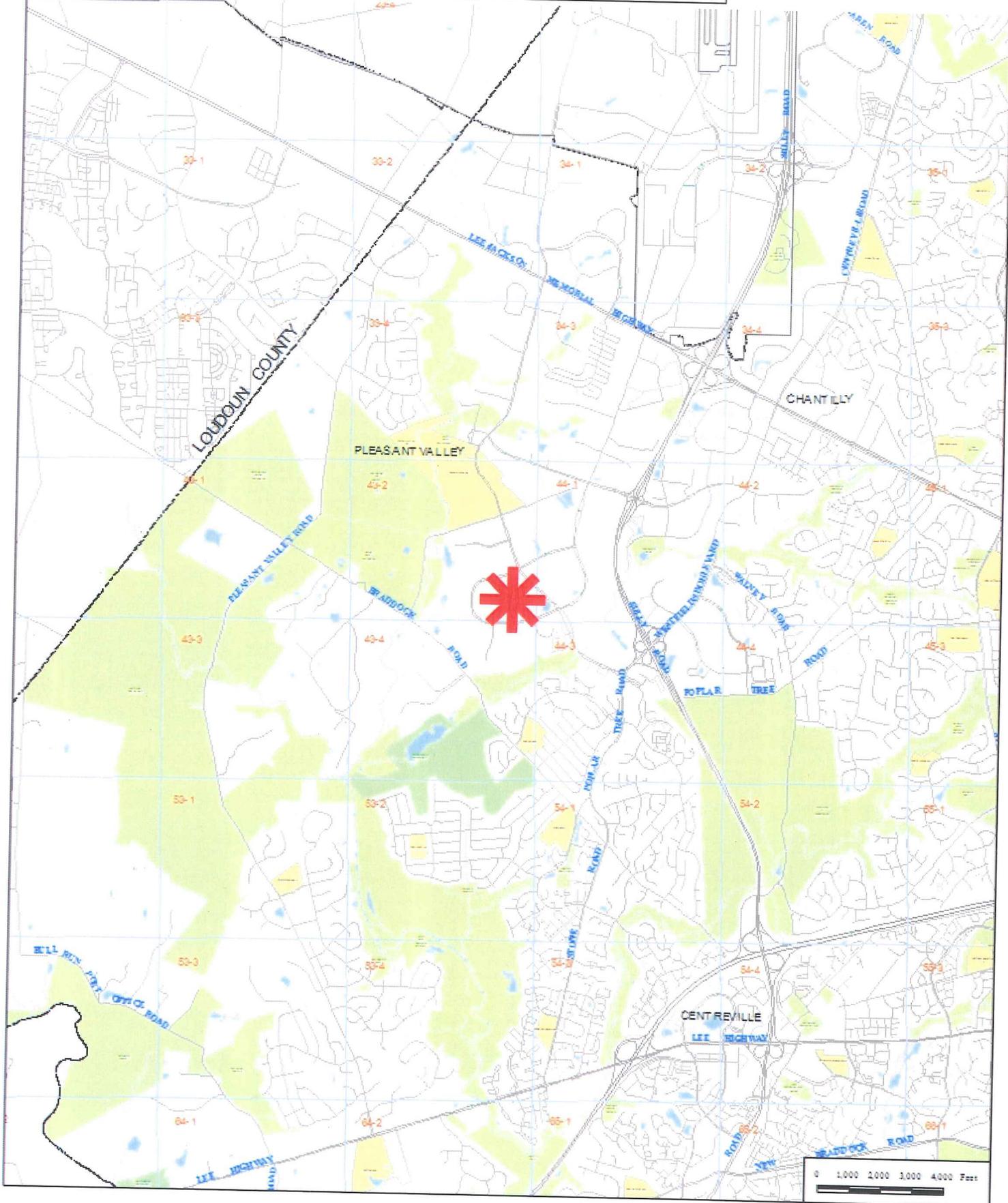


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Variance Application

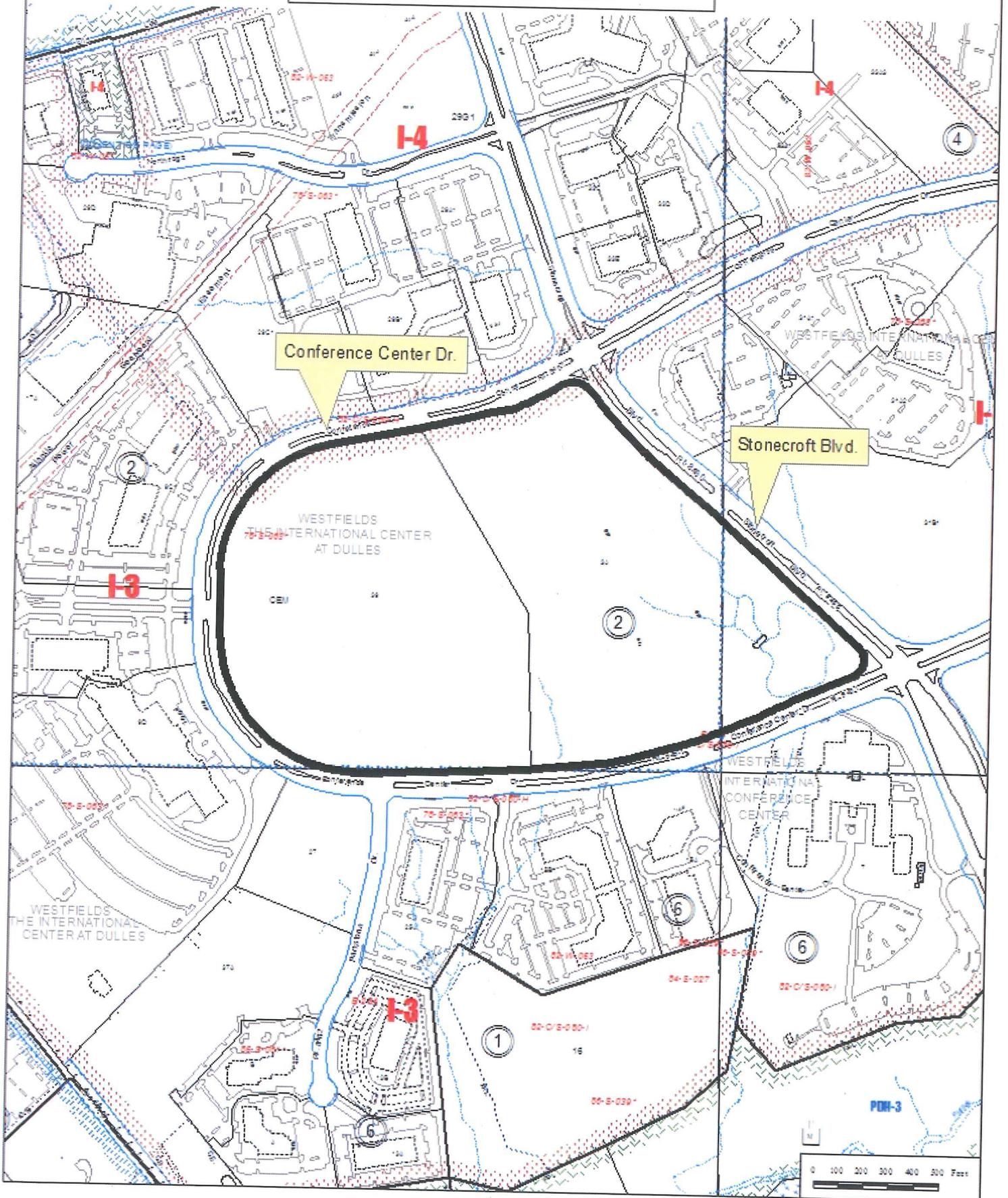
VC 2014-SU-002

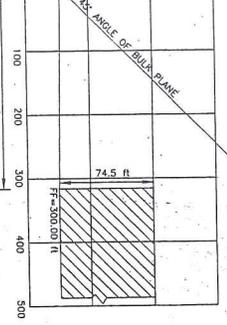
COPT STONECROFT LLC



Variance Application

VC 2014-SU-002
COPT STONECROFT LLC

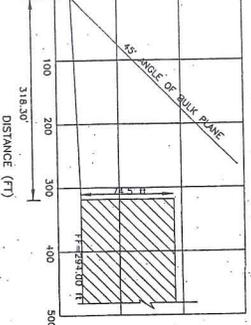




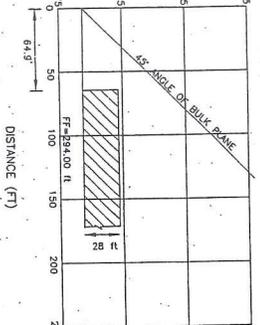
OF BULK PLANE DIAGRAM-BLDG A
NOT TO SCALE



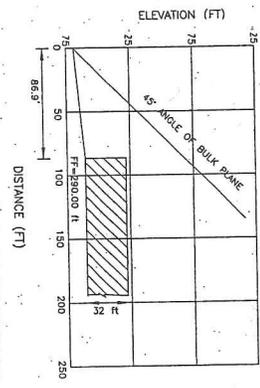
OF BULK PLANE DIAGRAM-BLDG B
NOT TO SCALE



OF BULK PLANE DIAGRAM-BLDG C
NOT TO SCALE



OF BULK PLANE DIAGRAM-GARAGE
NORTHERN CORNER
NOT TO SCALE

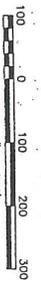
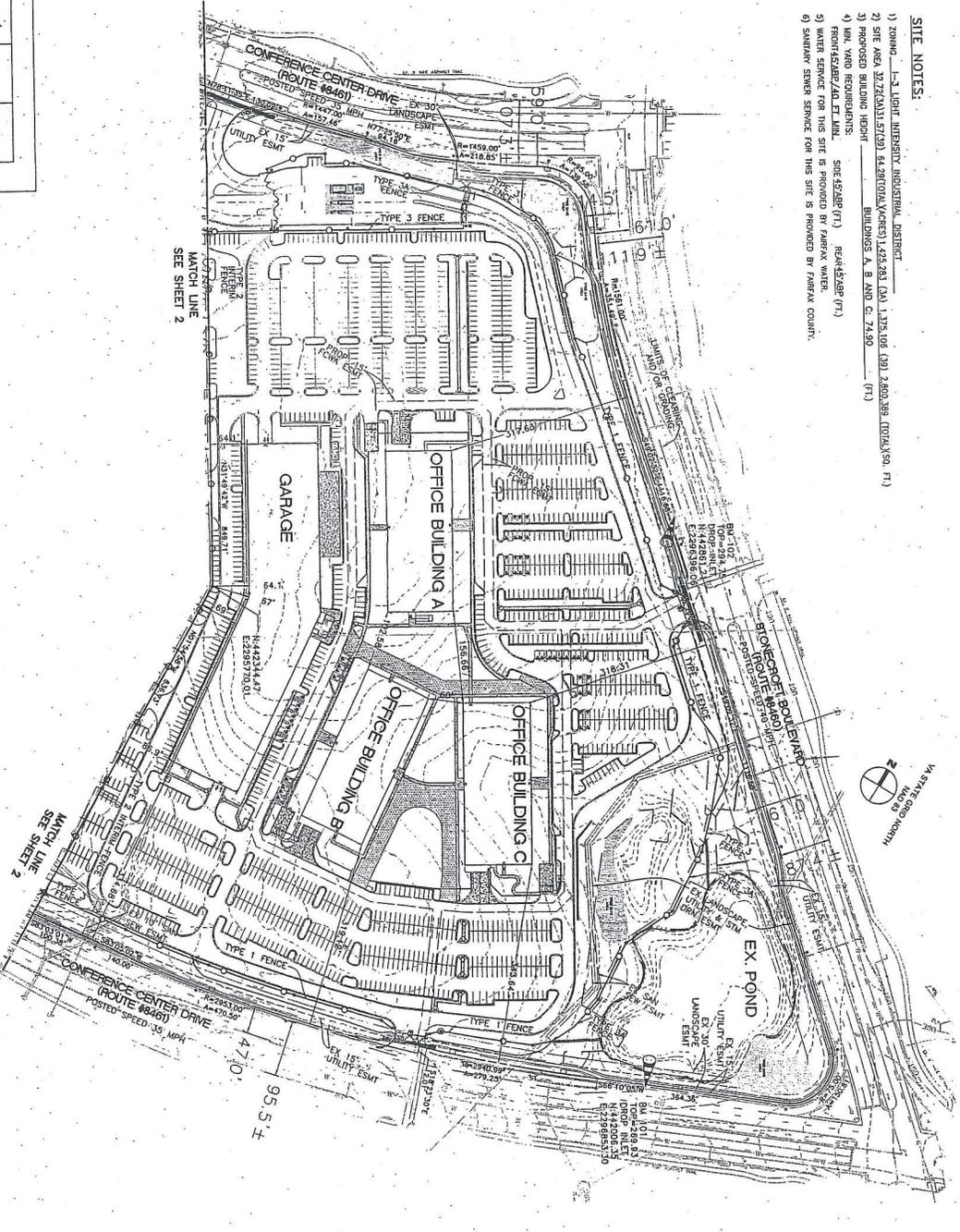


OF BULK PLANE DIAGRAM-GARAGE
SOUTHERN CORNER
NOT TO SCALE

LEGEND

- TYPE 1 ANTICLIMB FENCE
- TYPE 2 ANTI-CURL FENCE
- TYPE 3 K12 DECORATIVE FENCE
- TYPE 4 DECORATIVE FENCE
- TYPE 5 FENCE TRANSITION

- SITE NOTES:**
- 1) ZONING - L-3 LIGHT INDUSTRIAL DISTRICT
 - 2) THE AREA 3272033157(3) 6428(10) (AKA) 125293 (A) 125293 (B) 2809386 (1022A) (50 FT)
 - 3) PROPOSED BUILDING HEIGHT - BUILDINGS A, B AND C, 24.50' (71')
 - 4) MIN. YARD REQUIREMENTS - SEE 5328P (71) - RECHECKER (71)
 - 5) FRONT YARD REQUIREMENTS - SEE 5328P (71) - RECHECKER (71)
 - 6) WATER SERVICE FOR THIS SITE IS PROVIDED BY PARKAX WATER.
 - 7) SANITARY SEWER SERVICE FOR THIS SITE IS PROVIDED BY PARKAX COUNTY.



APR 9 2014
Zoning Evaluation Division

**GEOMETRIC PLAN
SECURITY FENCE VARIANCE PLAT
PARK CENTER
PARCEL 3A AT WESTFIELDS**

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

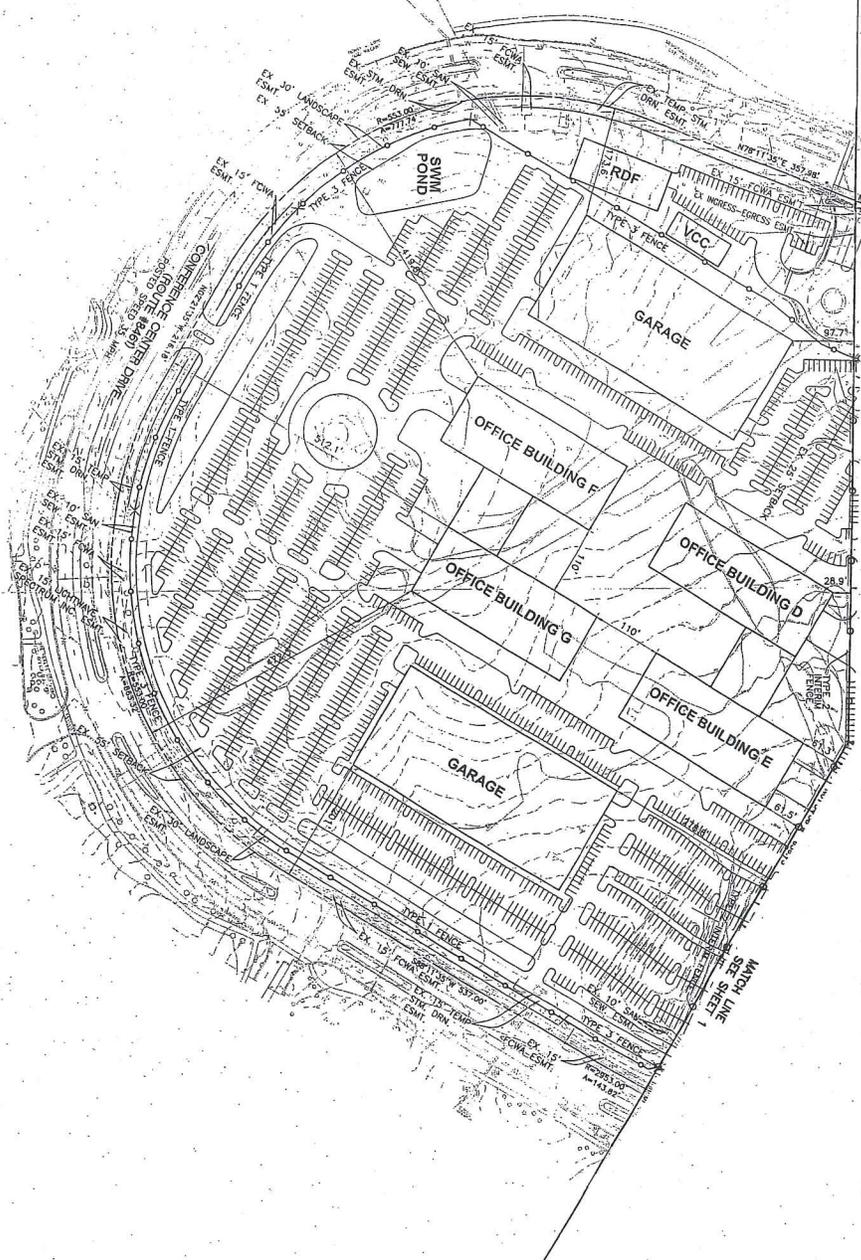
BURGESS & NIPLE
4160 PLEASANT VALLEY ROAD
CHANTILLY, VIRGINIA 20151
PHONE: (703) 631-9630 FAX: (703) 631-6041



NO.	DESCRIPTION	DATE
1	ADDED FENCE TRANSITION POINTS	4-4-2014
REVISIONS		

DATE:	FEB 26, 2014
SCALE:	1"=100'
DESIGNED BY:	EHU
DRAWN BY:	JHG
CHECKED BY:	JHG
APPROVED BY:	PHS/ISA
SHEET:	1 OF 4
DRAWING:	C-84717V

LEGEND	
[Symbol]	ANTI-Climb FENCE
[Symbol]	ANTI-Climb FENCE WITH CABLE
[Symbol]	K-12 DECORATIVE FENCE
[Symbol]	DECORATIVE FENCE
[Symbol]	FENCE TRANSITION



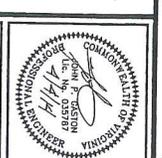
DATE	FEB. 12, 2014
SCALE	1"=100'
DESIGNED BY	FHJ
DRAWN BY	FHJ
CHECKED BY	JPG
APPROVED BY	FRS/LSA
DATE	2 OF 4
PROJECT	C-48474V

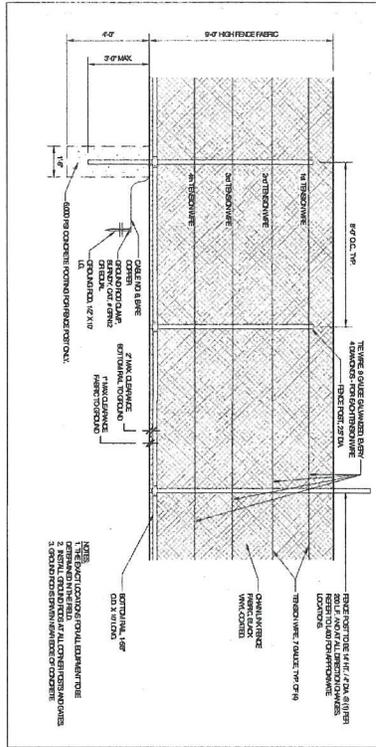
NO.	DESCRIPTION	DATE
1	ADDED FENCE TRANSITION POINTS	4-4-2014
REVISIONS		

GEOMETRIC PLAN
SECURITY FENCE VARIANCE PLAT
PARK CENTER
PARCEL 3A AT WESTFIELDS

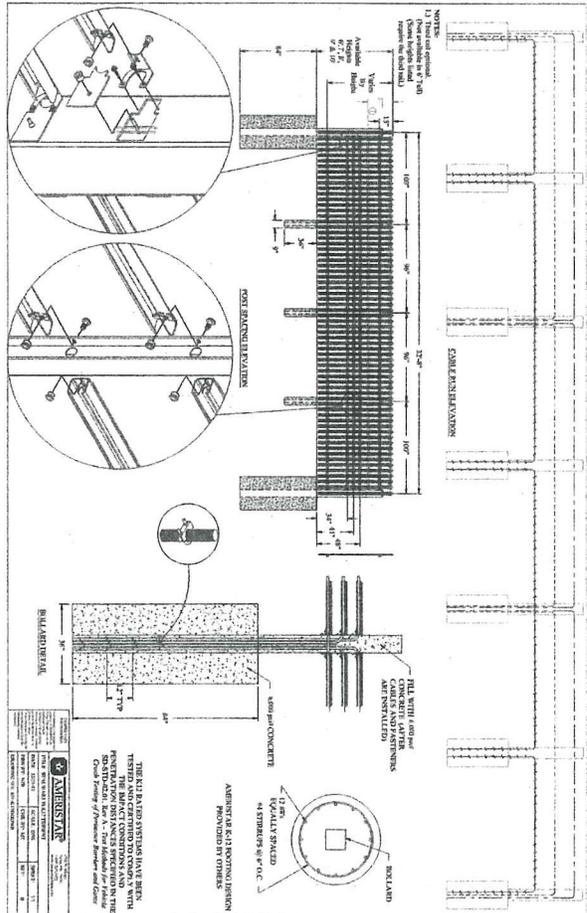
SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

BURGESS & NIPLE
 4160 PLEASANT VALLEY ROAD
 CHANTILLY, VIRGINIA 20151
 PHONE: (703) 631-9630 FAX: (703) 631-6041

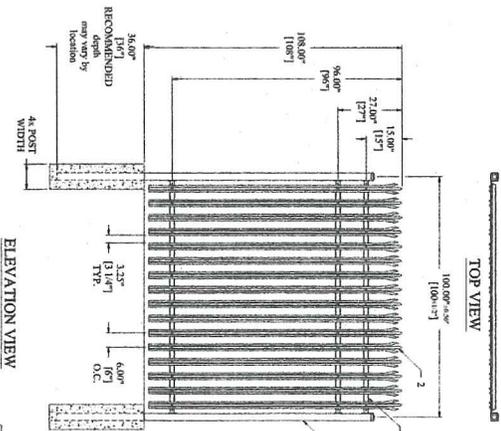




AMESTAR TYPE 1 ANTI-CLIMB FENCE



AMESTAR TYPE 3 K-C2 DECORATIVE FENCE



ELEVATION VIEW



SIDE VIEW

AMESTAR TYPE 3A DECORATIVE FENCE

DATE	DESCRIPTION	BY	CHECKED
02/12/14	REVISED	JPG	FRS/LSA
02/12/14	REVISED	JPG	FRS/LSA
02/12/14	REVISED	JPG	FRS/LSA
02/12/14	REVISED	JPG	FRS/LSA
02/12/14	REVISED	JPG	FRS/LSA
02/12/14	REVISED	JPG	FRS/LSA
02/12/14	REVISED	JPG	FRS/LSA
02/12/14	REVISED	JPG	FRS/LSA
02/12/14	REVISED	JPG	FRS/LSA

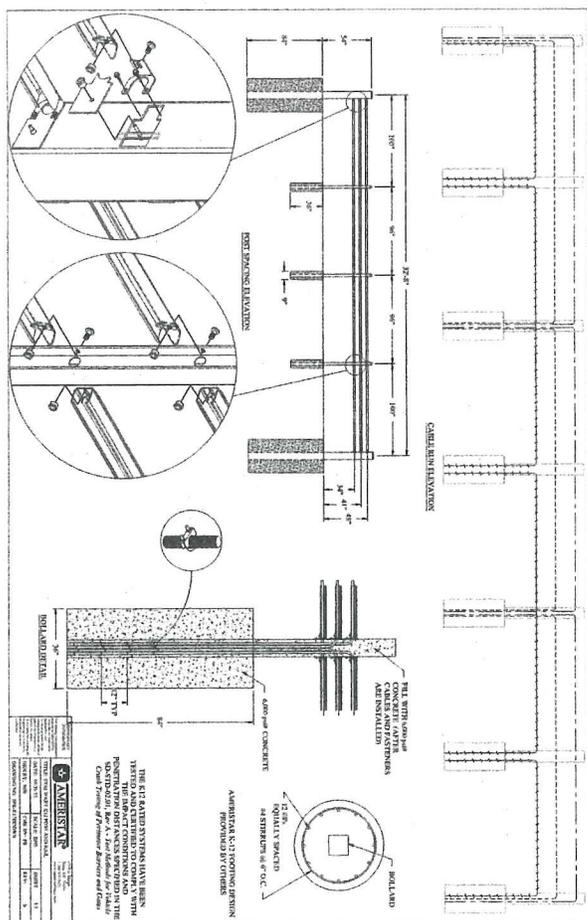
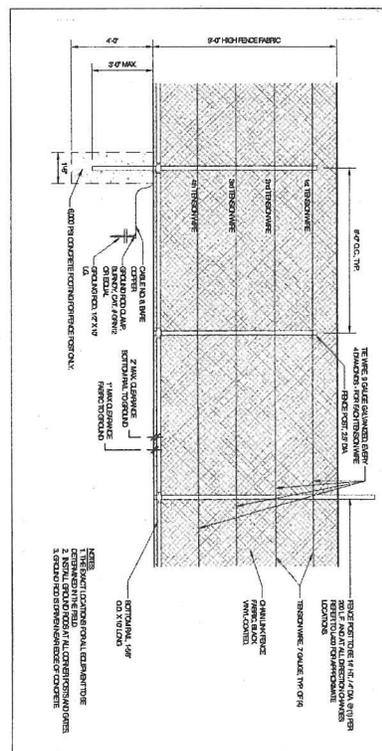
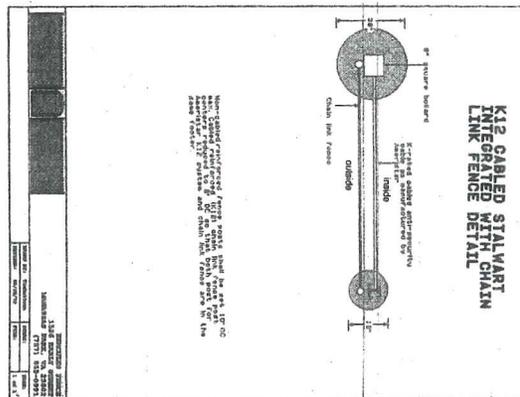
NO.	DESCRIPTION	DATE

**SECURITY DETAILS
SECURITY FENCE VARIANCE PLAT
PARK CENTER
PARCEL 3A AT WESTFIELDS**

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

BURGESS & NIPLE
4180 PLEASANT VALLEY ROAD
CHANTILLY, VIRGINIA 20151
PHONE: (703) 631-9630 FAX: (703) 631-6041





AMESTAR TYPE 2 ANTI-CLIMB K-9 FENCE

NO.	DESCRIPTION	DATE

DATE	FEB. 12, 2014
SCALE	N/A
DESIGNED BY	PKJ
CHECKED BY	PKJ
APPROVED BY	JPG
DRAWN BY	FRS/LSA
REVISION	4 OF 4
DATE	C-48731

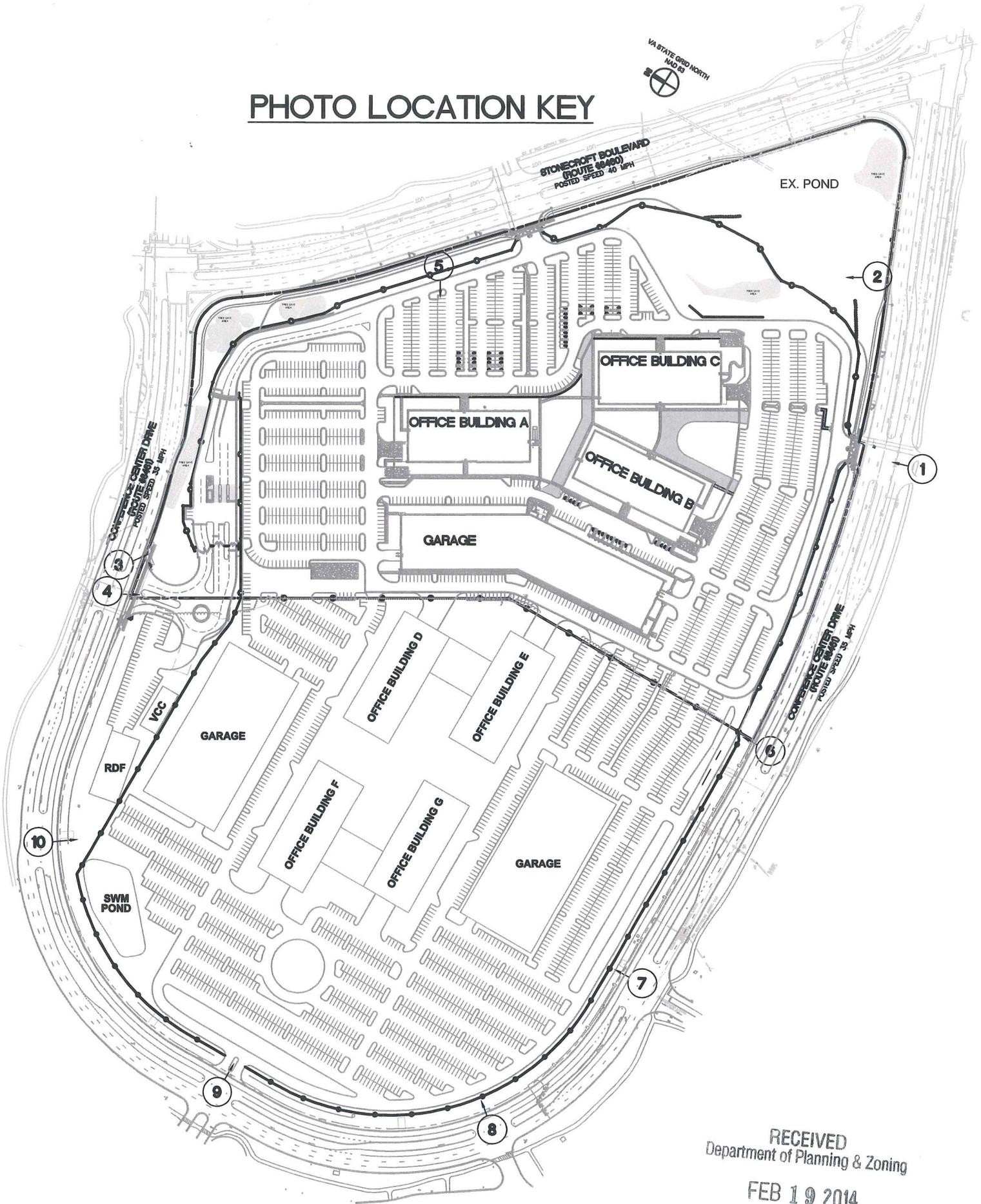
SECURITY DETAILS
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 4160 PLEASANT VALLEY ROAD
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 PHONE: (703) 631-9630 FAX: (703) 631-6041



PHOTO LOCATION KEY



RECEIVED
Department of Planning & Zoning
FEB 19 2014
Zoning Evaluation Division



PHOTO #1



PHOTO #2

RECEIVED
Department of Planning & Zoning

FEB 19 2014

Zoning Evaluation Division



PHOTO #3



PHOTO #4

RECEIVED
Department of Planning & Zoning

FEB 19 2014

Zoning Evaluation Division



PHOTO #5



PHOTO #6

RECEIVED
Department of Planning & Zoning

FEB 19 2014

Zoning Evaluation Division



PHOTO #7



PHOTO #8

RECEIVED
Department of Planning & Zoning
FEB 19 2014
Zoning Evaluation Division



PHOTO #9



PHOTO #10

RECEIVED
Department of Planning & Zoning

FEB 19 2014

Zoning Evaluation Division

VARIANCE REQUEST

The applicant requests approval of a variance to permit a fence greater than 8.0 feet in height.

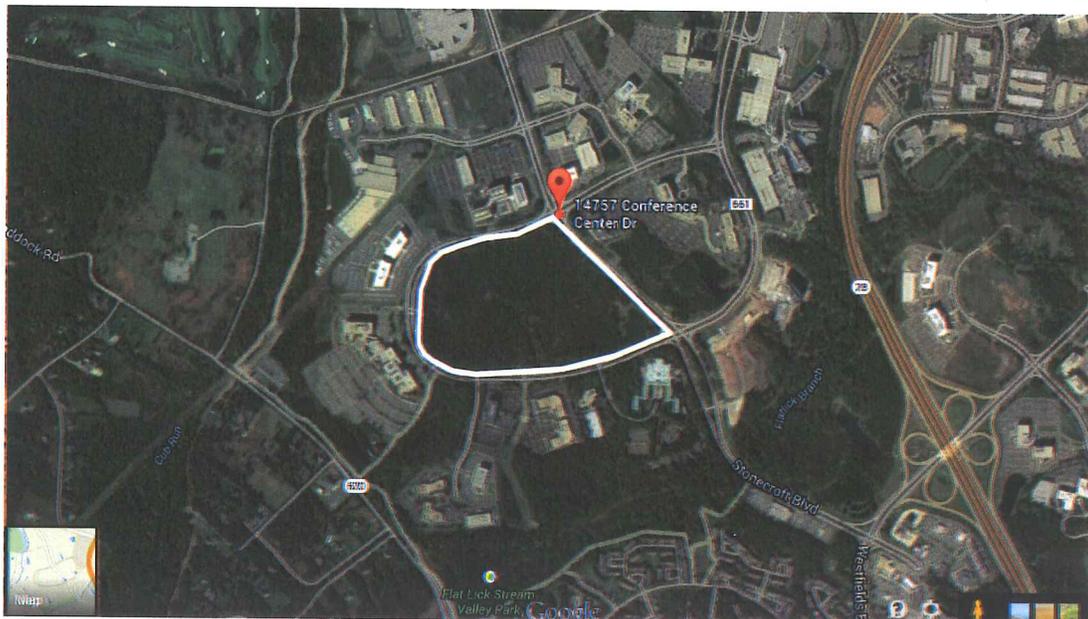
A copy of the plat titled "Geometric Plan, Security Fence Variance Plat, Park Center, Parcel 3A at Westfields," prepared by John P. Gaston, Professional Engineer, of Burgess and Niple, dated February 25, 2014, as revised through April 4, 2014, is included in the front of the staff report.

A more detailed description of the proposal is provided on page two.

CHARACTER OF THE SITE AND SURROUNDING AREA

As depicted in the picture below, the subject parcel and surrounding properties are within the Westfields International Center at Dulles subdivision. The application property is made up of two lots resulting in a total size of 64.29 acres. The subject property is surrounded by Stonecroft Boulevard to the east and Conference Center Drive to the north, west and south. The property is currently vacant land with mature trees and other vegetation. A pond is located in the southeast corner of Lot 3A.

The subject property and properties to the east, west, and south are zoned I-3. To the east of the subject property is vacant land and a low-rise office building. To the south is a hotel, office buildings, and vacant land. To the west are medical office buildings. To the north is vacant land and medical office buildings, zoned I-4.



BACKGROUND

The applicant purchased Lot 3A in 2002 and Lot 39 in 2013. Their proposed project is the development of a secure government-related facility constructed pursuant to the Interagency Security Committee ("ISC") Standards. A United States Government campus and several other companies engaged in government support are located nearby.

Records indicate there have been other applications for variances for fences in the vicinity of the application site that have been heard by the BZA. Please see the attached case history in Appendix 4 for further information.

DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a variance to permit a fence greater than 8.0 feet in height. The proposed fence would be 9.0 feet in height and would surround the perimeter of the subject property. The applicant states that the 9.0 foot fence is to provide the requisite security required by the ISC Standards for a secure government-related facility. The I-3 Zoning District allows a fence of up to 8.0 feet in height to be located in any yard, therefore a variance of 1.0 foot is requested.

Comprehensive Plan Provisions

Plan Area: III

Planning Sector: Bull Run, BR 03 Flatlick

Plan Map: Mixed Use

Zoning Ordinance Requirements

- Sect. 18-404 Required Standards for Variances

This special permit is subject to sections of the Zoning Ordinance as referenced above, a copy of which is included in Appendix 5. Subject to development conditions, the variance must meet these standards.

CONCLUSION

If it is the intent of the BZA to approve this application, staff suggests the BZA condition its approval by requiring conformance with the conditions set forth in Appendix 1 of this report, Proposed Development Conditions.

APPENDICES

1. Proposed Variance Development Conditions
2. Applicants Affidavit
3. Applicants Statement of Justification
4. Similar Case History
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

VC 2014-SU-002

May 14, 2014

1. This variance is approved to permit the fence as shown on the plat "Geometric Plan, Security Fence Variance Plat, Park Center, Parcel 3A at Westfields," prepared by John P. Gaston, Professional Engineer, of Burgess and Niple, dated February 25, 2014, as revised through April 4, 2014, as submitted with this application and is not transferable to other land.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards including requirements for building permits.

Application No.(s): VC 2014-SU-002
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 4, 2014
 (enter date affidavit is notarized)

124082

I, Wayne H. Lingafelter, 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

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)
COPT Stonecroft LLC Agent: Wayne H. Lingafelter	6711 Columbia Gateway Drive, Suite 300, Columbia, MD, 21046	Applicant/Title Owner Tax Map Nos. 043-2-((02))-0003A and 043-2-((02))-0039
Burgess & Niple, Inc Agent: John Gaston	4160 Pleasant Valley Road, Chantilly, VA 20151	Engingeer/Agent
Holland & Knight LLP Agents: Stuart Mendelsohn Michelle A. Rosati David I. Schneider	1600 Tysons Blvd, Suite 700, Tysons Corner, VA 22102	Attorneys/Agent for Title Owner

(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).

Application No.(s): _____

VC 2014-SU-002

(county-assigned application number(s), to be entered by County Staff)

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 4, 2014
(enter date affidavit is notarized)

124082

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)

COPT Stonecroft LLC
6711 Columbia Gateway Drive, Suite 300
Columbia, MD 21046

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)

Corporate Office Properties, L.P.

(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.

Application No.(s): Ve 2014-SU-002
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 1

Special Permit/Variance Attachment to Par. 1(b)

DATE: April 4, 2014
(enter date affidavit is notarized)

124082

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

Corporate Office Properties Trust
Attn. General Counsel
6711 Columbia Gateway Drive, Suite 300
Columbia, Maryland 21046

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)

Corporate Office Properties Trust is a
publicly traded company and no shareholder
owns 10% of the title owner COPT
Stonecroft LLC.

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

Burgess & Niple, Inc.
4160 Pleasant Valley Road
Chantilly, VA 20151

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)

Peggy L. Garrison
Charles J. Zibbel

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

Application No.(s): VC 2014-SU-002
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 4, 2014
(enter date affidavit is notarized)

124082

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)

Corporate Office Properties, L.P.
8815 Centre Park Dr., Suite 400,
Columbia MD 21045

(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**)

Corporate Office Properties Trust, General
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):

VC 2012-SU-002

(county-assigned application number(s), to be entered by County Staff)

Page 1 of 3

Special Permit/Variance Attachment to Par. 1(c)

DATE: April 4, 2014 (enter date affidavit is notarized)

124082

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

Holland & Knight LLP
1600 Tysons Boulevard
Suite 700
Tysons Corner, Virginia 22102

(check if applicable) [x] The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

Michael Abel
Glenn Adams
Alfred B. Adams
Barbara A. Adams
Martin J. Alexander
Rod Anderson
Christopher Angius
Mark I. Aronson
Shenan R. Atcitty
Adam J. August
Chester E. Bacheller
James L. Baker
Philip Baker-Shenk
Gregory Baldwin
Anderson L. Baldy
Stephen Ball
Deborah E. Barnard
Bernard Barton
Leigh-Alexandra Basha
Neal N. Beaton
Meredeth Beers
Rodney H. Bell
David S. Black
Stacy D. Blank
William R. Bloom
Noel R. Boeke
Sanford L. Bohrer
Susan J. Booth
Jeffrey F. Boothe
Christopher Boyett
Robert Bradner
Frederick Braid
Christopher C. Brockman
Malcolm H. Brooks
Henry J. Brothers
John L. Brownlee
Harold Bucholtz
William P. Byrne

Christopher L. Camarra
Brett D. Carroll
Kelly-Ann Cartwright
Jose A. Casal
J. Michael Cavanaugh
James C. Chadwick
Michael Chapman
Doug Clapp
Jeffrey P. Cleven
Jerald S. Cohn
Brian J. Colandreo
Ivan Colao
Charles L. Coleman
Christopher H. Collins
John Compagno
Timothy J. Conner
Peter M. Connolly
Louis T. M. Conti
J. Raul Cosio
Maria T. Currier
Lawrence Curtin
Jesus E. Cuza
John D. Dadakis
Harold T. Daniel
Laurie W. Daniel
Harry S. Dannenberg
Douglas F. Darbut
Jim Davis
Kristin A. DeKuiper
William B. deMeza
Harry R. Detwiler
Josias Dewey
Edward Diaz
Gregory J. Digel
R. David Donoghue
Martin Durkin
Richard O. Duvall
Richard D. Eckhard
Steven M. Elrod

James M. Ervin
Philip T. Evans
Irwin J. Fayne
William K. Fendrick
Richard J. Ferris
Victor P. Filippini
Matthew Fontane
Anthony S. Freedman
Michael J. Frevola
Peter Friedman
Robert Friedman
Michael M. Gaba
George D. Gabel
Andrew R. Gelman
Suzanne E. Gilbert
Steven L. Gillman
Norman M. Glasgow
Rich Gold
Joseph G. Goldstein
Enrique Gomez-Pinzon
Alex Gonzalez
Steven Gordon
William F. Gould
Frederick J. Grady
Robert J. Grammig
George J. Gregores
James S. Groh
Joseph Guay
Richard B. Hadlow
John F. Halula
Lawrence J. Hamilton
Christopher B. Hanback
Theodore F. Hanselman
Peter P. Hargitai
Nancy L. Hengen
Jennifer Hernandez
Alberto M. Hernandez
Jorge L. Hernandez-Toraño
Mitchell E. Herr

(check if applicable) [x] There is more partnership information and Par. 1(c) is continued further on a "Special Permit/Variance Attachment to Par. 1(c)" form.

Application No.(s):

VC 2014-SU-002

(county-assigned application number(s), to be entered by County Staff)

Page 2 of 3

Special Permit/Variance Attachment to Par. 1(c)

DATE: April 4, 2014 (enter date affidavit is notarized)

124082

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

Holland & Knight LLP
1600 Tysons Boulevard
Suite 700
Tysons Corner, Virginia 22102

(check if applicable) [x] The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

Sara C. Heskett
Edward R. Hickey
Robert S. Highsmith
Richard J. Hindlian
Jerome W. Hoffman
John M. Hogan
James Hohenstein
Brian K. Hole
Marilyn J. Holifield
William J. Honan
Dennis Horn
Joseph Hornyak
Richard Hutchison
Paul M. James
Kenneth Jenero
Adolfo E. Jimenez
Jenny L. Johnson
Scott J. Johnson
Charles S. Johnson
Robert W. Jones
David A. Jones
David S. Kahn
Samuel P. Kastner
Gordon P. Katz
Kerry S. Kehoe
Francis Keldermans
Christopher G. Kelly
Paul J. Kiernan
Paul F. Kilmer
Eric W. Kimball
Bradford Kimbro
Thomas J. Kinasz
Tammy Knight
Chris Kolos
Judith Korchin
Edward Koren
Joshua Krumholz
Michael P. Kuppersmith
Robert Labate

Elizabeth Lake
Alejandro Landa Thierry
William R. Lane
Paul Lannon
Ruth L. Lansner
Philip S. Lapatin
Tiffani G. Lee
Marie Lefere
Ralph T. Lepore
Jack A. Levine
Jerome L. Levine
Shari Levitan
Bruce Loring
Fred J. Lotterhos
Leisa Lundy
Dominic C. MacKenzie
Scott R. MacLeod
Ieuan Mahony
James L. Main
J. Allen Maines
Michael Mannix
Michael R. Manthei
Jonathan S. Marcus
Elias Matsakis
D. Bruce May
James Mayer
Juan J. Mayol
Tom McAleavey
Louise McAlpin
C. Grant McCorkhill
James E. McDermott
Brian A. McDowell
Miriam McKendall
Gregory R. Meeder
George Mencio
Stuart Mendelsohn
Mark C. Michalowski
Nicholas G. Milano

Martin P. Miner
Jeffrey Mittleman
John J. Monaghan
Amanda Monchamp
Anita M. Mosner
Stephen B. Moss
Christopher J. Murdoch
William Mutryn
Christopher Myers
Charles Naftalin
La Fonte Nesbitt
Michael B. Newman
Scott B. Newman
Tracy A. Nichols
Kathleen Nilles
Matthew E. Norton
Kathryn W. Oberto
Ronald Oleynik
Boris Otto
Kevin E. Packman
Frederick D. Page
James A. Park
George Pearce
David L. Perry
William Piels
Tamsen Plume
John F. Pritchard
Roberto R. Pupo
Whayne Quin
Richard Redmond
Alan D. Reitzfeld
Christopher J. Reynolds
Frederick Rohn
Bruce S. Ross
Alban Salaman
John J. Sarchio
Tara A. Scanlon
Janis B. Schiff

(check if applicable) [x] There is more partnership information and Par. 1(c) is continued further on a "Special Permit/Variance Attachment to Par. 1(c)" form.

Application No.(s): VC 2014-SU-002
(county-assigned application number(s), to be entered by County Staff)

Page 3 of 3

Special Permit/Variance Attachment to Par. 1(c)

DATE: April 4, 2014
(enter date affidavit is notarized)

124082

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

Holland & Knight LLP
1600 Tysons Boulevard
Suite 700
Tysons Corner, Virginia 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

James E. L. Seay
Lawrence Sellers
Jeffrey R. Seul
Mark Shapiro
Stephen Shapiro
Sean C. Sheely
William B. Sherman
Gerry Sikorski
David C. Silver
David R. Singleton
Jose Sirven
Patrick W. Skelton
David Scott Sloan
Daniel I. Small
James D. Smeallie
Lee B. Smith
Robert H. Smith
Colin J. Smith
Stephen W. Snively
Steven Sonberg
Rodolfo Sorondo
M.J. Spelliscy
M. James Spitzer
Michael Starr
Richard B. Stephens
Andrew W. Stephenson
Jeffrey B. Stern
William M. Stevens
Fred S. Stovall
Charles L. Stutts
Michelle White Suarez
Ben Subin
Nicholas W. Targ
Kenji Tatsugi
Lee Phillip Teichner
Albert F. Tellechea
Jovi Tenev

Marisa C. Terrenzi
John Theberge
Charles W. Tiedemann
Charles D. Tobin
Lisa Tofil
John M. Toriello
Melissa S. Turra
Matthew Vafidis
Steven B. Varick
Joseph H. Varner
H. Barry Vasios
Kenneth M. Vesledahl
Edward W. Vogel
Mark von A. Bergen
Robert W. Vyverberg
Karen Walker
Scott C. Wallace
Robert A. Warram
Eric Wechselblatt
Mel S. Weinberger
Alan M. Weiss
Charles A. Weiss
Michael J. Werner
George Wheeler
Joseph B. Whitebread
David Whitestone
Keith M. Wiener
Richard Williams
William B. Wilson
James Wing
Richard R. Winter
Lawrence J. Wolk
Thomas R. Woodrow
Steven Wright
Douglas R. Wright
Barbara M. Yadley
Richard M. Yanofsky
Leighton D. Yates
Larry Zanger

Don Zarin
Michael J. Zdeb
Hongjun Zhang, Ph.D.
Kevin E. Coventon
Randal R. Craft
Richard A. Crowley
Daniel K. Bean
Lynn K. Cadwalaer
Lynn E. Calkins

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Special Permit/Variance Attachment to Par. 1(c)" form.

Application No.(s): VC 2014-SV-002
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 4, 2014
(enter date affidavit is notarized)

124082

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.

VC 2014-SU-002

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 4, 2014
(enter date affidavit is notarized)

124082

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

[x] Applicant's Authorized Agent *WHT*

Wayne H. Lingafelter, EXEC. V.P.

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

Subscribed and sworn to before me this 4th day of April, 2014, in the State/Comm. of Maryland, County/City of Anne Arundel.

Rebecca Kolker
Notary Public

My commission expires: 3/27/17

REBECCA KOLKER
NOTARY PUBLIC
ANNE ARUNDEL CO., MD
My Commission Expires 3/27/2017

Holland & Knight

1600 Tysons Boulevard, Suite 700 | Tysons Corner, VA 22102 | T 703.720.8600 | F 703.720.8610
Holland & Knight LLP | www.hklaw.com

RECEIVED
Department of Planning & Zoning

FEB 19 2014

Zoning Evaluation Division

Stuart Mendelsohn
(703) 720-8071
stuart.mendelsohn@hklaw.com

January 17, 2014

Ms. Leslie B. Johnson
Zoning Administrator
Zoning Evaluation Division
Fairfax County Department of Planning and
Zoning
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22035

Re: 14757 Conference Center Drive; Tax Map 43-2 ((2)) 3A and 43-2 ((2)) 39
Request for Variance

Dear Ms. Johnson:

The following is submitted as justification and support for the aforementioned variance request.

1. The Subject Property.

The applicant, COPT Stonecroft LLC owns the property located at 14757 Conference Center Drive, Chantilly, Virginia 20151 (the "Subject Property"). The Subject Property is located at Tax Map 43-2 ((2)) 3A and 43-2 ((2)) 39, the lots are of record as of January 11, 1993 and December 29, 1993, respectively. The Subject Property contains 2,800,088 square feet of land and is zoned I-3 (Industrial Light Intensity). The Subject Property is also located in the Westfields Overlay District.

2. Statement of Ownership.

COPT Stonecroft LLC owns the Subject Property. COPT Stonecroft LLC is wholly owned by Corporate Office Properties, L.P. The General Partner of Corporate Office Properties, L.P is Corporate Office Properties Trust, which is a publically traded company.

3. Proposed Construction

The applicant proposes to construct a nine foot tall perimeter fence, as shown on the plat entitled "Security Fence Variance Plat Park Center Parcel 3A at Westfields" dated January 9, 2014 and prepared by Burgess & Niple attached as Exhibit A.

4. The subject property was acquired in good faith.

The owner of the Subject Property acquired the parcels in good faith.

5. Variance Request.

The applicant requests a nine-foot high fence around the perimeter of the property to provide the requisite security needed for a secured government-related facility pursuant to the Interagency Security Committee ("ISC") Standards. The present zoning for this property is I-3 (Industrial Light Intensity) and the total area of the subject property is 2,800,088 sq. ft.

6. The variance will be in harmony with the intended spirit and purposes of this Ordinance and will not be contrary to the public interest

The applicant submits that the requested variance is a visually appropriate and sensitive request keeping with the neighborhood that meets all of the standards for the approval of this variance under Section 18-404 of the Fairfax County Zoning Ordinance. In addition, this request is in harmony with the intended spirit and purpose of the Zoning Ordinance for the I-3 District.

"The I-3 District is established to provide areas for scientific research, development and training, offices, manufacture and assembly of products, and related supply activities. This district is designed to

accommodate a broad spectrum of clean industries operating under high performance standards." *Fairfax County Zoning Ordinance* Part 5-301 "Purpose and Intent". Enabling a secured government-related facility to meet the ISC Standards through the addition of a 9-foot high fence neither frustrates nor impedes the purpose or intent laid out in the zoning ordinance. The public interest is furthered by allowing the required security to protect a secured government-related facility.

7. The Subject Property has an extraordinary situation or condition.

The Subject Property is located near a U.S. Government Campus and is surrounded by and will contain Government Supporting Companies. The Subject Property will be used as a secured government-related facility, which necessitates the fence as a security feature under the ISC Standards.

8. The condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.

The secured nature necessitated under the ISC Standards and location of the Subject Property are not of a general or recurring nature as to make a general amendment to the I-3 zoning category appropriate.

9. The strict application of this Ordinance would produce undue hardship.

The I-3 district limits the height of fences to six feet. By prohibiting a nine-foot high fence, required to provide the necessary security for compliance under the ISC Standards for a secured government-related facility, produces an undue hardship and unreasonable requirement as the owner could not meet this federally mandated security requirement without a variance.

10. Such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.

The secured nature of this facility and the security requirements under the ISC standards is unique and not shared by other properties throughout the I-3 zoning district.

11. The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict all reasonable use of the subject property, and The granting of a variance will alleviate a clearly demonstrable hardship

The I-3 zoning district strives to provide a location, within the county for "research, development and training, offices, manufacture and assembly of products." Given the Subject Property's unique location surrounded by government contractors and government facilities, the Subject Property would have to satisfy the ISC standards to conduct the activities contemplated in the I-3 zoning district in this location. Strict application of the zoning ordinance would unreasonably restrict the applicant to all reasonable use of the subject property because the zoning ordinance does not allow for a fence that would meet the ISC standards required for a secured government-related facility. Granting the variance would allow the Subject Property to meet the remainder of the zoning ordinance requirements while also satisfying the ISC standards.

12. Authorization of the variance will not be of substantial detriment to adjacent property.

The proposed fence does not encroach or infringe on any neighboring properties and does not impose any detriment on any hardship on any neighbors. As shown on the attached Plat, the fence is designed to provide continuous and harmonious appearance with the adjacent properties. The design includes trees, a stone retaining wall and rocks to ensure there is little to no detriment to adjacent properties. Most of the fence will be screened by plantings as shown.

13. The character of the zoning district will not be changed by the granting of the variance.

The character of the zoning district will not be changed by the granting of the variance.

As stated in the zoning ordinance, "[t]he I-3 District is established to provide areas for scientific research, development and training, offices, manufacture and assembly of products, and related supply activities." The allowance of a nine-foot high fence will not change the character of the zoning district. In fact, granting the variance will further the character of the zoning district because the fence is required to perform the secured activities.

Respectfully submitted,

HOLLAND & KNIGHT LLP



Stuart Mendelsohn

SM:slm

18-404 Required Standards for Variances

To grant a variance the BZA shall make specific findings based on the evidence before it that the application satisfies all of the following enumerated requirements:

1. That the subject property was acquired in good faith.
2. That the subject property has at least one of the following characteristics:
 - A. Exceptional narrowness at the time of the effective date of the Ordinance;
 - B. Exceptional shallowness at the time of the effective date of the Ordinance;
 - C. Exceptional size at the time of the effective date of the Ordinance;
 - D. Exceptional shape at the time of the effective date of the Ordinance;
 - E. Exceptional topographic conditions;
 - F. An extraordinary situation or condition of the subject property; or
 - G. An extraordinary situation or condition of the use or development of property immediately adjacent to the subject property.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
4. That the strict application of this Ordinance would produce undue hardship.
5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.
6. That:
 - A. The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict the utilization of the subject property, or

B. The granting of a variance will alleviate a clearly demonstrable hardship as distinguished from a special privilege or convenience sought by the applicant.

7. That authorization of the variance will not be of substantial detriment to adjacent property.
8. That the character of the zoning district will not be changed by the granting of the variance.
9. That the variance will be in harmony with the intended spirit and purposes of this Ordinance and will not be contrary to the public interest.