



County of Fairfax, Virginia

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

May 14, 2014

Lynne J. Strobel
Walsh, Colucci, Lubeley & Walsh, P.C.
2200 Clarendon Blvd., 13th Floor
Arlington, VA 22201

Re: Special Exception Application SE 2013-LE-014

Dear Ms. Strobel:

At a regular meeting of the Board of Supervisors held on May 13, 2014, the Board approved Special Exception Application SE 2013-LE-014 in the name of Mohammad Hajimohammad, Trustee, And Flora Hajimohammad, Trustee, of the Hajimohammad Revocable Trust. The subject property is located 5630 South Van Dorn Street, on 31,451 square feet, zoned C-6 in the Lee District [Tax Map 81-2 ((3)) 8A]. The Board's action permits a vehicle sales, rental and ancillary service establishment, waiver of minimum lot size and lot width and waiver of open space requirement, pursuant to Section 4-604, 9-518, 9-610 and 9-612 of the Fairfax County Zoning, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. A copy of the Special Exception conditions and the Non-Residential Use Permit (Non-RUP) shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
3. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>

4. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to the special exception shall be in substantial conformance with the approved Special Exception (SE) Plat entitled "Select Auto Imports," consisting of five sheets, prepared by Tri-Tek Engineering, dated March 19, 2013, as revised through February 25, 2014, and these conditions. Minor modifications to the approved special exception may be permitted as determined by the Zoning Administrator.
5. This Special Exception shall remain valid for five years from the date of issuance of a Non-RUP. Extensions beyond that time may be granted by the Zoning Administrator for two-year increments only if the continuation of the use would not interfere with the Van Dorn Street and Capital Beltway transportation improvements. Any request for such extension shall be submitted by the applicants to the Zoning Administrator in writing.
6. Within 120 days of approval of the Special Exception and prior to the issuance of a Non-RUP, the applicants shall demonstrate through the submission of an approved Virginia Department of Transportation (VDOT) permit to the Fairfax County Department of Transportation (FCDOT) that they have obtained written permission from VDOT to allow the private features within the right-of-way to remain, such as aluminum fencing, columns, stone walls, and gates. A one-time extension of 60 days beyond the 120 days may be granted by the Zoning Administrator if the applicants can demonstrate they have diligently pursued such permission from VDOT. If any or all private features in the right-of-way are not permitted by VDOT, the applicants shall remove these features outside the right-of-way or relocate them on the property as generally shown in Attachment A of these conditions, provided this relocation does not interfere with sight distance. The applicants shall complete removal or relocation within six months of denial of a permit by VDOT. If the applicants remove or relocate the private objects in a manner that is not in substantial conformance with the SE/SP Plat or Attachment A, a Special Exception Amendment and/or a Special Permit Application will be required, as determined by the Zoning Administrator.
7. The applicants shall provide wheel stops for the vehicle storage and display area on the application property along McGuin Drive as generally shown on the SE/SP Plat for the purpose of ensuring that no portion of any vehicle for sale is located or overhanging within the right-of-way. The final location of the wheel stops shall be determined by VDOT and the Department of Public Works and Environmental Services (DPWES) at the time of site plan. The final location of the wheel stops shall allow for adequate circulation on the site, as determined by DPWES at the time of site plan. If the applicants must reconfigure this parking area in a manner that is not in substantial conformance with the SE/SP Plat in order to provide for such adequate circulation, a Special Exception Amendment and/or a Special Permit Amendment will be required, as determined by the Zoning Administrator.
8. Within 90 days of approval of the Special Exception, the applicants shall remove any signs prohibited by the Zoning Ordinance and any signs that have been installed without permit approval. The applicants shall obtain permits for all signs located on

the subject property. The applicants may install up to one building-mounted sign and one freestanding sign in accordance with Article 12 of the Zoning Ordinance prior to the issuance of a Non-RUP.

9. All freestanding signs shall be located in conformance with Section 2-505 of the Zoning Ordinance and shall not conflict with vehicle sight distance.
10. Prior to the issuance of a Non-RUP and if requested by VDOT at the time of site plan, the applicants shall install signs along the McGuin Drive frontage to ensure that vehicles are not parked in this area.
11. Prior to site plan approval, the applicants shall demonstrate that any existing or proposed fences and columns do not interfere with sight distance, as determined by VDOT.
12. The area devoted to vehicle storage and display shall be limited to that area so designated on the SE/SP Plat. Such areas shall not be used for the storage or display of vehicles that are not in operating condition. No parking shall be permitted within the adjacent right-of-way.
13. The applicants shall extend the existing curb and gutter from the intersection of South Van Dorn Street and McGuin Drive to the easternmost entrance along McGuin Drive. The applicants shall upgrade the existing rolled asphalt curb from the easternmost entrance along McGuin Drive to the western property line to meet the standards of the Public Facilities Manual (PFM), as determined by DPWES at the time of site plan.
14. Prior to site plan approval, the applicants shall provide a detailed comparison of existing versus proposed impervious area tabulation/map. The existing impervious area shall be established based on Special Exception SE 87-L-002, which was approved on September 14, 1997. Based on this, stormwater detention requirements and Best Management Practices shall be met pursuant to the Public Facilities Manual, unless waived by DPWES.
15. The applicants shall submit a site plan within 120 days of approval of this application. The applicants shall obtain site plan approval within eight months of the approval of this application. Extensions of up to 90 days may be granted by the Zoning Administrator if the applicants can demonstrate they have diligently pursued site plan approval.
16. All applicable permits and final inspections shall be obtained for the existing building within 120 days of site plan approval.
17. Within 120 days of site plan approval and prior to the issuance of a Non-RUP, the applicants shall remove the portion of the building that encroaches onto the adjacent property to the north.

18. The applicants shall obtain the necessary approvals from the adjacent property owner to the north (Tax map 90-4 ((1)) 24) prior to the removal of the portion of the structure that encroaches onto that property.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, eighteen (18) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted for one of the proposed buildings. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also:

- Modified the minimum lot size and lot width requirements in accordance with Sect. 9-610 of the Zoning Ordinance to permit a 31,451 square foot lot with a width of 82 feet
- Modified the open space requirements in accordance with Sect. 9-612 of the Zoning Ordinance to allow 13.4% open space
- Modified the transitional screening requirements to the south and west and the barrier requirements to the south pursuant to Sect. 13-305 of the Zoning Ordinance in favor of that shown on the SE/SP Plat
- Modified the peripheral parking lot landscaping requirements along the eastern boundary of the property in accordance with Sect. 13-203 of the Zoning Ordinance in favor of that shown on the SE/SP Plat

- Increased the height of the fence, walls, gates, and gate posts to that shown on the SE/SP Plat in accordance with Par. 3.H of Sect. 10-104 of the Zoning Ordinance.

Sincerely,

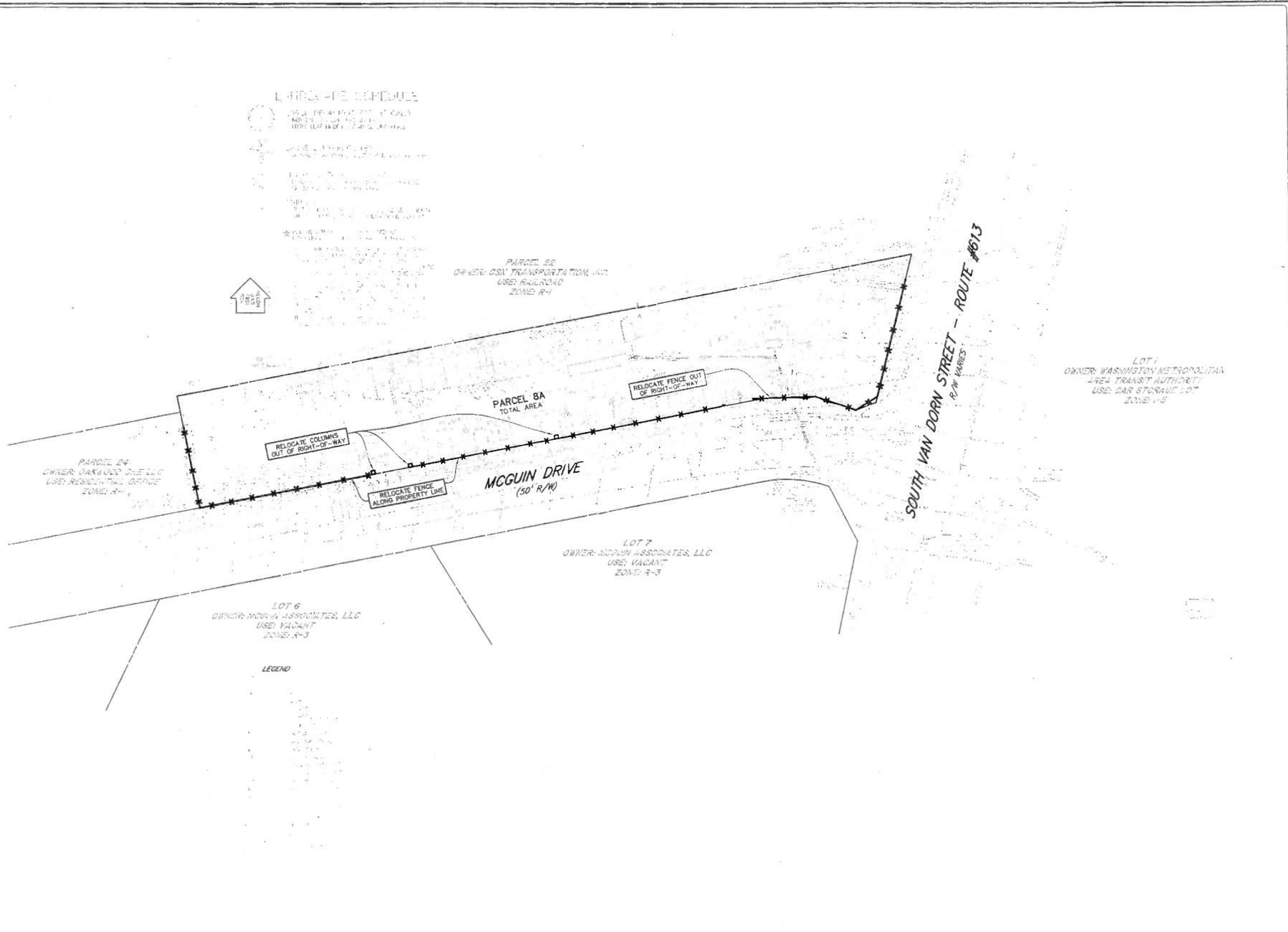


Catherine A. Chianese
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova
Supervisor Jeffrey McKay, Lee District
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Thomas Conry, Dept. Manager, GIS, Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Transportation Planning Division
Donald Stephens, Transportation Planning Division
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Jill Cooper, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

LANDSCAPE SCHEDULE

- 1. ALL PLANTING SHALL BE INSTALLED BY THE CONTRACTOR AND MAINTAINED THROUGHOUT THE TERM OF THE CONTRACT.
- 2. PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE SCHEDULE AND THE LANDSCAPE PLAN.
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info@tritekinc.com



SELECT AUTO IMPORTS
LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

**EXHIBIT
RELOCATED
IMPROVEMENTS OUT OF
RIGHT-OF-WAY**

DATE	REVISION

PLN. JOB SCALE: 1"=20'
PLOT DATE: 02.23.14
C0: M50 SHEET 1 OF 1



COUNTY OF FAIRFAX
 Department of Planning and Zoning
 Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035 (703) 324-1290, TTY 711
 www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: SE2013-LE-014
Amended (Staff will assign)
associated RECEIVED
 Department of Planning & Zoning
 2013-LE-002
 JAN 13 2014

APPLICATION FOR A SPECIAL EXCEPTION Zoning Evaluation Division
 (PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME Mohammad Hajimohammad, Trustee and Flora Hajimohammad, Trustee of the Hajimohammad Revocable Trust	
	MAILING ADDRESS c/o Walsh, Colucci, Lubeley & Walsh, P.C. 2200 Clarendon Boulevard, Suite 1300 Arlington, Virginia 22201	
	PHONE HOME ()	WORK (703) 528-4700
	PHONE MOBILE ()	
PROPERTY INFORMATION	PROPERTY ADDRESS 5630 South Van Dorn Street Alexandria, Virginia 22310	
	TAX MAP NO. 81-2 ((3)) 8A	SIZE (ACRES/SQ FT) Approximately 31,451 sq. ft.
	ZONING DISTRICT C-6	MAGISTERIAL DISTRICT Lee
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: N/A	
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION 4-604, 9-502, 9-518, 9-610, 9-612	
	PROPOSED USE Vehicle Sale, Rental and Ancillary Service Establishment and a waiver of minimum lot size, lot width, and open space requirements.	
AGENT/CONTACT INFORMATION	NAME Lynne J. Strobel, attorney/agent	
	MAILING ADDRESS Walsh, Colucci, Lubeley & Walsh, P.C. 2200 Clarendon Boulevard, Suite 1300 Arlington, Virginia 22201	
	PHONE HOME ()	WORK (703) 528-4700
	PHONE MOBILE ()	
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact	
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>Lynne J. Strobel, attorney/agent</p> <p>TYPE/PRINT NAME OF APPLICANT/AGENT <u>Lynne J. Strobel</u> SIGNATURE OF APPLICANT/AGENT</p>		

DO NOT WRITE IN THIS SPACE

Date Application accepted: 1/14/14 Application Fee Paid: \$ n/a
Virginia Ruffin

SE 2013-LE-014

Zoning Application Closeout Summary Report

Printed: 5/19/2014

General Information

APPLICANT: MOHAMMAD HAJIMOHAMMAD, TRUSTEE AND FLORA HAJIMOHAMMAD, TRUSTEE OF THE HAJIMOHAMMAD REVOCABLE TR

DECISION DATE: 05/13/2014

CRD: NO

HEARING BODY: BOS

ACTION: APPROVE

STAFF COORDINATOR: MEGAN BRADY

SUPERVISOR DISTRICT: LEE

DECISION SUMMARY:

ON MAY 13, 2014, THE BOARD UNANIMOUSLY APPROVED SE 2013-LE-014 ON A MOTION BY SUPERVISOR MCKAY SUBJECT TO DEVELOPMENT CONDITIONS DATED APRIL 18, 2014.

APPLICATION DESCRIPTION:

VEHICLE SALES, RENTAL AND ANCILLARY SERVICE ESTABLISHMENT, WAIVER OF THE MINIMUM LOT SIZE, LOT WIDTH AND OPENSOURCE REQUIREMENTS

Zoning Information

Existing Zoning		Proposed Zoning		Approved Zoning	
DISTRICT	AREA	DISTRICT	AREA	DISTRICT	AREA
				C-6	31,451.00 SQ FEET

Tax Map Numbers

0812 ((03)) ()0008 A

Approved Land Uses

Zoning District: C-6

LAND USE	DU'S	RES.LAND.AREA	ADU'S	W.DU'S	GFA	FAR	NRES.LAND.AREA	SQ FEET
VEH/SALE/A W/LOT/SIZE					2,430	0.08	31,451.00	
TOTALS					2,430	0.08	31,451.00	

5/19/2014

Approved Waivers/Modifications

MODIFY FENCE HEIGHT REQUIREMENT
 WAIVE MINIMUM LOT AREA/WIDTH
 MODIFY OPEN SPACE
 MODIFY BARRIER REQUIREMENT
 MDDIFY PERIPHERAL PARKING LOT LANDSCAPING
 MODIFY TRANSITIONAL SCREENING REQUIREMENT

Approved Development Conditions

DEVELOPMENT CONDITION STATEMENT DATE: 04-18-2014

<u>DEVELOPMENT CONDITION</u>	<u>DUE</u>	<u>TRIG #</u>	<u>TRIG EVENT</u>	<u>CONTRIB</u>	<u>EXPIR DTE</u>
OTHER - TRANSPORTATION	01-01-0001	0	N/A	0	01-01-0001
FRONTAGE IMPROVEMENTS	01-01-0001	0	SITE PLAN	0	01-01-0001
EASEMENTS - LAND USE	01-01-0001	0	N/A	0	01-01-0001
SITE PLANS	09-13-2014	0	DATE	0	01-01-0001
SUBJECT TO SITE PLANS / SUBDIVISION PLATS	01-01-0001	0	N/A	0	01-01-0001
INTERIM USE OF RIGHT-OF-WAY	09-13-2014	0	NON-RUP	0	01-01-0001
PERMITS SHALL BE OBTAINED	09-13-2014	0	DATE	0	01-01-0001
SIGNAGE	08-13-2014	0	DATE	0	01-01-0001
SWM / BEST MANAGEMENT PRACTICES (BMP)	01-01-0001	0	SITE PLAN	0	01-01-0001
COPY SHALL BE POSTED	01-01-0001	0	N/A	0	01-01-0001
TERM LIMITATION	01-01-0001	0	N/A	0	01-01-0001
CONDITION - DEVELOPMENT PLAN	01-01-0001	0	N/A	0	01-01-0001
SIGNAGE - TRANSPORTATION	01-01-0001	0	NON-RUP	0	01-01-0001
OTHER - GENERAL	01-01-0001	0	N/A	0	01-01-0001
EXISTING STRUCTURES (DEMOLISH / REPLACE)	09-13-2014	0	NON-RUP	0	01-01-0001
OTHER - TRANSPORTATION	01-01-0001	0	SITE PLAN	0	01-01-0001

5/19/2014