



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

Mark D. Crain
9114 Industry Drive
Manassas Park, VA 20111

Re: Special Exception Application SE 2013-MV-011

Dear Mr. Crain:

At a regular meeting of the Board of Supervisors held on May 13, 2014, the Board approved Special Exception Application SE 2013-MV-011 in the name of Kimberly B. and Kelly P. Campbell and the accompanying Resource Protection Area Encroachment Exception #5203-WRPA-010-2 and Water Quality Impact Assessment #5203-WQ-019-2. The subject property is located at 11727 River Drive, on 1.56 acres of land, zoned R-E in the Mount Vernon District [Tax Map 122-2 ((2)) 7]. The Board's action permits uses in a flood plain, pursuant to Section 2-904 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. 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. Notwithstanding the structures and uses indicated on the Special Exception Plat, the applicants may disturb land, demolish existing structures, and/or construct improvements outside of the 100-year floodplain and Resource Protection Area (RPA) without submitting a Special Exception (SE) application as long as the applicants comply with all applicable local, state and federal ordinances. However, the applicants may not allow any new structures or impervious areas to extend into the RPA without submitting and obtaining the approval of a Special Exception Amendment and an RPA Exception.

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>

3. This Special Exception is subject to the provisions of Article 17, Site Plans as may be determined by the Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled "Special Exception Plan Hallowing Point River Estates Lot 7 – Section One" prepared by Harold A. Logan Associates P.C., which is dated December 31, 2012, as revised through February 28, 2014, and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Prior to the approval of a grading plan, site plan, or minor site plan, a Hold Harmless agreement shall be executed with Fairfax County for any adverse effects resulting from the location of the site within a floodplain area.
5. The final location and species of the proposed plantings shall be subject to the review and approval of the Urban Forest Management Division (UFMD) at the time of grading plan review. The applicants shall incorporate measures to support the long term maturity of any new landscaping, subject to the review and approval of UFMD. Landscaping in the RPA shall be installed within 90 days of grading plan approval unless the UFMD determines a later planting date is necessary to ensure the health of the landscaping.
6. The applicants shall incorporate appropriate engineering practices to address slope stabilization issues as recommended by the Geotechnical Review Board (GRB) and DPWES. The applicants shall achieve a factor of safety of not less than 1.25 for the entire area of the slope, as determined by DPWES in consultation with the GRB.
7. Within 60 days of approval of the SE, the applicants shall submit a grading plan to DPWES. The applicants shall obtain grading plan approval within 180 days of approval of the SE.
8. Within 60 days of approval of the SE, the applicants shall obtain all required permits for the existing dock. Extensions of up to 60 days may be granted by the Zoning Administrator if the applicants can demonstrate they have diligently pursued permit approvals.
9. The applicants must demonstrate to DPWES that all necessary federal, state, and county approvals have been obtained prior to any additional land disturbing activity.
10. Prior to grading plan approval, the applicants shall delineate the limits of the 100-year floodplain and record a floodplain easement, subject to review and approval by DPWES.

11. Concurrent with the first submission of any grading plan, site plan, or minor site plan, the applicants shall submit an additional copy of the plan to the Fairfax County FEMA Floodplain Administrator (Stormwater Planning Division) to determine whether the base flood elevation or limits of the floodplain in any Special Flood Hazard Area (SFHA) depicted on the County's Flood Insurance Rate Map (FIRM) would be altered as a result of any new construction, substantial improvements, or other development shown on the plan, including fill. If the County FEMA Floodplain Administrator determines that the base flood elevation or limits of the floodplain would be altered, the applicants shall submit technical or scientific data to FEMA for a Letter of Map Revision. If the projected increase in the base flood elevation is greater than one foot, the applicants shall also obtain approval of a Conditional Letter of Map Revision from the Federal Insurance Administrator prior to the approval of any construction. If the applicants are required to submit either a Letter of Map Revision and/or Conditional Letter of Map Revision as outlined above, the applicants shall submit a copy of the approval letter from FEMA to the Department of Planning and Zoning (DPZ).
12. The final location of the detached garage shall be subject to review and approval by the Fairfax County Health Department at the time of grading plan review.
13. Within 60 days of approval of the Special Exception the applicants shall provide all necessary information to DPWES in order to determine if the disturbance to the adjacent Hallowing Point Association property (HOA property) requires the approval of a WRPA, WQIA, SE, grading plan or other plans or permits. If it is determined that additional permits are needed for the grading on the HOA property, then the applicants shall work with the HOA to submit the proper applications within 90 days of such determination.
14. The limits of clearing and grading shown on the Plat shall be strictly observed and enforced and all existing vegetation shown as to be preserved on the SE Plat shall be preserved. Any encroachment into, and/or disturbance of, the RPA not shown on the approved Plat will be considered a violation of the Chesapeake Bay Preservation Ordinance (CBPO) and is subject to the penalties of the CBPO Article 9.
15. Within 30 days of the Special Exception's approval, the applicant shall submit an agreement or suitable documents to the County Attorney's office for review and approval. The agreement or suitable documents shall be recorded prior to grading plan approval. The agreement shall notify future owners of Tax Map 122-2 ((2)) 7 that the land is subject to an approved Special Exception (SE 2013-MV-011).
16. Any replanting or maintenance of landscaping shown on the approved grading plan shall be in accordance with the Chesapeake Bay Preservation Ordinance (Chapter 118 of the Fairfax County Code).

This approval, contingent on the above noted conditions, shall not relieve the applicants from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicants shall be themselves responsible for obtaining the required 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, twelve (12) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted as evidenced by the issuance of an approval for a grading plan, site plan, or minor site plan. 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.

Sincerely,



Catherine A. Chianese
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova
Supervisor Gerry Hyland, Mount Vernon 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



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: SE 2013-MV-011
 (Staff will assign)

RECEIVED
 Department of Planning & Zoning
 JAN 02 2013

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

APPLICANT	NAME Kimberly B. & Kelly P. Campbell
	MAILING ADDRESS 11727 River Drive Mason Neck, Va 22079
	PHONE HOME () WORK ()
	PHONE MOBILE (703) 623-3307
PROPERTY INFORMATION	PROPERTY ADDRESS 11727 River Drive Mason Neck, VA 22079
	TAX MAP NO. 122-2 ((02)) 0007 SIZE (ACRES/SQ FT) 68133 sf (1.56 acres)
	ZONING DISTRICT R-E MAGISTERIAL DISTRICT Mt Vernon
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: N/A
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION 2-904 to allow use in a floodplain including a shoreline revetment, fill & accessory structures
	PROPOSED USE Construct a shoreline revetment, fill and walk/patios in the floodplain/RPA
AGENT/CONTACT INFORMATION	NAME Mark D. Crain
	MAILING ADDRESS 9114 Industry Drive Manassas Park, VA 20111
	PHONE HOME () WORK (703) 330-1988
	PHONE MOBILE ()
MAILING	Send all correspondence to (check one): <input checked="" 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>Mark D. Crain</p> <p><u>Mark D. Crain</u> <u>Mark D. Crain</u></p> <p>TYPE/PRINT NAME OF APPLICANT/AGENT SIGNATURE OF APPLICANT/AGENT</p>	

DO NOT WRITE IN THIS SPACE

Date Application accepted: 7/2/13

Application Fee Paid: \$ 16,375.00

Virginia Ruffouse 2013-0005 7/2/13
 605

SE 2013-MV-011

Zoning Application Closeout Summary Report

Printed: 5/19/2014

General Information

APPLICANT: KIMBERLY-B. & KELLY P. CAMPBELL
DECISION DATE: 05/13/2014
CRD: NO
HEARING BODY: BOS
ACTION: APPROVE
STAFF COORDINATOR: MEGAN BRADY
SUPERVISOR DISTRICT: MOUNT VERNON

DECISION SUMMARY:

ON MAY 13, 2014, THE BOARD OF SUPERVISORS APPROVED SE 2013-MV-011 ON A MOTION BY SUPERVISOR HYLAND SUBJECT TO DEVELOPMENT CONDITIONS DATED MAY 12, 2014.

APPLICATION DESCRIPTION:

USES IN A FLOODPLAIN

Zoning Information

Existing Zoning		Proposed Zoning		Approved Zoning	
DISTRICT	AREA	DISTRICT	AREA	DISTRICT	AREA
				R- E	1.56 ACRES

Tax Map Numbers

1222 ((02)) ()0007

Approved Land Uses

Zoning District: R- E

LAND USE	DU'S	RES LAND AREA	ADU'S	WDU'S	GFA	FAR	NRES LAND AREA
FLOODPLAIN		1.56 ACRES					
TOTALS		1.56 ACRES					

Approved Development Conditions

DEVELOPMENT CONDITION STATEMENT DATE: 05-12-2014

<u>DEVELOPMENT CONDITION</u>	<u>DUE</u>	<u>TRIG #</u>	<u>TRIG EVENT</u>	<u>CONTRIB</u>	<u>EXPIR DTE</u>
FLOODPLAIN - OTHER	01-01-0001	0	SITE PLAN	0	01-01-0001
OTHER - LAND USE	01-01-0001	0	SITE PLAN	0	01-01-0001
OTHER - GENERAL	01-01-0001	0	N/A	0	01-01-0001
DISCLOSURE - LAND USE	06-13-2014	0	DATE	0	01-01-0001
CONDITION - DEVELOPMENT PLAN	01-01-0001	0	N/A	0	01-01-0001
HEALTH DEPARTMENT APPROVAL REQUIRED	01-01-0001	0	SITE PLAN	0	01-01-0001
GRADING PLAN REQUIRED	07-13-2014	0	DATE	0	01-01-0001
LIMITS OF CLEARING AND GRADING	01-01-0001	0	N/A	0	01-01-0001
APPROVED FOR LOCATION/STRUCTURE/USES ETC ON PLATS	01-01-0001	0	N/A	0	01-01-0001
LANDSCAPING - ENVIRONMENT	01-01-0001	0	SITE PLAN	0	01-01-0001
SOILS STUDY	01-01-0001	0	N/A	0	01-01-0001
ADDITIONAL APPLICATION APPROVAL REQ (PCA,SE,SP,VC,ETC)	07-13-2014	0	DATE	0	01-01-0001
PERMITS SHALL BE OBTAINED	07-13-2014	0	DATE	0	01-01-0001