



APPLICATION ACCEPTED: January 23, 2014  
PLANNING COMMISSION: July 10, 2014  
BOARD OF SUPERVISORS: July 29, 2014 @3:30 p.m.

# County of Fairfax, Virginia

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June 24, 2014

## STAFF REPORT

APPLICATION SE 2014-MA-003

MASON DISTRICT

**APPLICANT:** Kenneth Fisher

**ZONING:** R-2, HC

**PARCEL:** 61-3 ((13)) 224

**ACREAGE:** 0.32 acres (13,830 sf.)

**FAR:** 0.20

**PLAN MAP:** Residential @ 2-3 d.u./ac.

**SE CATEGORY:** Category 3 – Congregate Living Facility

**PROPOSAL:** The applicant requests approval of a special exception to permit a congregate living facility for a maximum of 15 residents and one staff.

### STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2014-MA-003, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a waiver of the transitional screening and barrier requirements along the northern, western, and eastern property boundaries in favor of the existing wood fence shown on the SE Plat.

**Brent Krasner, AICP**

Staff recommends a waiver of the trail requirement along Columbia Pike in favor of the existing sidewalk along the service drive.

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.

It should be further 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.

The approval of this special exception 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 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:\bkrasner\ZED\Applications\Special Exceptions\Kenneth Fisher (womens shelter) SE 2014-MA-003\Report\SE 2014-MA-003\_Ken Fisher\_Staff\_Report\_Cover.doc



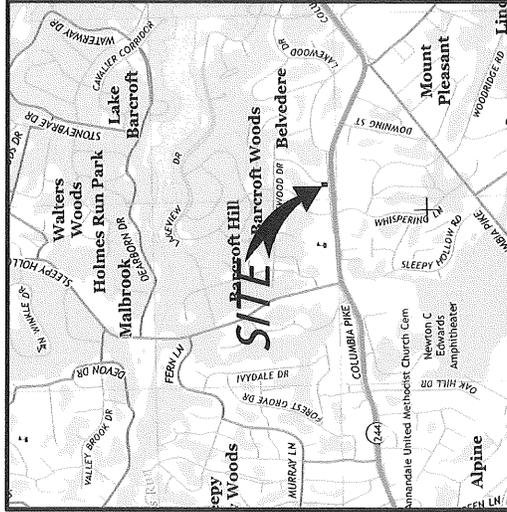
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



# SPECIAL EXCEPTION PLAT

# CONGREGATE LIVING FACILITY

MASON DISTRICT  
FAIRFAX COUNTY



VICINITY MAP  
SCALE: 1"=1000'  
GRAPHIC SCALE

### SHEET INDEX

1. COVER SHEET
2. PRELIMINARY PLAT



**COVER SHEET**

**CONGREGATE LIVING FACILITY**

MASON DISTRICT  
FAIRFAX COUNTY, VA

**JZ Engineers, Inc.**  
1022 LAUREL CENTER  
SUITE 200  
DUMMRIES, VIRGINIA 22025  
703.241.1500 (office)  
703.241.1500 (cell)  
www.jzengineers.com

PLAT #	DATE	CONTOUR INT.	SCALE:	PLAN DATE	SHEET
					1
					OF
					2

NO.	DATE	DESCRIPTION	REVISIONS

**NOTICE REQUIRED**  
CONTRACTOR SHALL NOTIFY UTILITIES WHO MAINTAIN UNDERGROUND UTILITIES AT LEAST 14 DAYS PRIOR TO ANY EXCAVATION WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.

**CONTACT THESE UTILITIES AT**  
811

**FOR THESE UTILITIES**  
GULFSTREAM ENERGY SERVICES, INC.  
GULFSTREAM ENERGY SERVICES, INC.  
GULFSTREAM ENERGY SERVICES, INC.  
GULFSTREAM ENERGY SERVICES, INC.  
GULFSTREAM ENERGY SERVICES, INC.

**CONTACT THESE UTILITIES**  
EMERGENCY DIAL 911  
POLICE - FIRE - RESCUE

### GENERAL NOTES:

1. THE SUBJECT PROPERTY, SHOWING HEREON IS ZONED R-2. ALL APPLICABLE ORDINANCES UNDER THE FAIRFAX COUNTY ZONING ORDINANCE, SUBJECT TO THE CASE ARE FOUND IN THE LEGAL DESCRIPTION LISTED BELOW.
2. THE APPLICABLE ZONING ORDINANCE IS SUBJECT TO THE CASE ARE FOUND IN THE LEGAL DESCRIPTION LISTED BELOW.
3. THE APPLICABLE ZONING ORDINANCE IS SUBJECT TO THE CASE ARE FOUND IN THE LEGAL DESCRIPTION LISTED BELOW.
4. TOPOGRAPHIC INFORMATION SHOWN HEREON WAS OBTAINED FROM FAIRFAX COUNTY GIS. THE CONTOUR INTERVAL EQUALS TWO (2) FEET ON A VERTICAL DATUM HANG BE.
5. NO EXISTING STRUCTURE ON THE SUBJECT PROPERTY ARE TO BE REMOVED.
6. ADJACENT WETLANDS DO NOT EXIST WITHIN THE SITE. ALL JURISDICTIONAL WATERS AND WETLANDS, ALONG WITH ALL ADJACENT WETLANDS DO NOT EXIST WITHIN THE SITE. ALL JURISDICTIONAL WATERS AND WETLANDS, ALONG WITH ALL ADJACENT WETLANDS DO NOT EXIST WITHIN THE SITE. ALL JURISDICTIONAL WATERS AND WETLANDS, ALONG WITH ALL ADJACENT WETLANDS DO NOT EXIST WITHIN THE SITE.
7. THE PROPERTY IS SLOPED BY GRADE, WATER AND SEWER, NO WELL OR SEPTIC FIELD IS REQUIRED ON SITE.
8. THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES ON THE SITE AND THERE IS NO PROPOSED FUEL STORAGE FOR THE SITE.
9. LAND RETENTION IS LESS THAN 10% AND THEREFORE DOES NOT REQUIRE A STORM WATER MANAGEMENT PLAN.
10. THE PROPOSED STRUCTURE IS LOCATED ON THE PROPERTY.
11. THERE ARE NO ADJACENT WETLANDS OR WETLANDS ON THE PROPERTY.
12. THE PROPOSED STRUCTURE IS LOCATED ON THE PROPERTY.
13. THE PROPOSED STRUCTURE IS LOCATED ON THE PROPERTY.
14. THE PROPOSED STRUCTURE IS LOCATED ON THE PROPERTY.
15. THE PROPOSED STRUCTURE IS LOCATED ON THE PROPERTY.
16. THE PROPOSED STRUCTURE IS LOCATED ON THE PROPERTY.

RECEIVED  
Department of Planning & Zoning  
MAY 30 2014  
Zoning Evaluation Division



**A GLOSSARY OF TERMS FREQUENTLY  
USED IN STAFF REPORTS WILL BE  
FOUND AT THE BACK OF THIS REPORT**

**DESCRIPTION OF THE APPLICATION**

**SE 2014-MA-003**

The applicant, Kenneth Fisher, President of the Board of Bethany House of Northern Virginia, Inc., seeks a Special Exception, pursuant to Par. 3.F of Sect. 3-204, to allow a congregate living facility in a detached residential structure on Larchwood Road in Falls Church. The facility would house female victims of domestic violence and their minor children on a temporary basis. The applicant also intends to construct a 1,346 square feet addition to the house that would increase capacity to a total of 15 residents and expand the on-site parking to six spaces. One full-time staff member resides in the house at all times. The facility operates 24 hours a day, seven days per week; however the residents are expected to leave the house for work or school during the day. A reduced copy of the Special Exception plat is included at the front of this report. The proposed development conditions, the Applicant's Affidavit, and the Statement of Justification are contained in Appendices 1, 2 and 3, respectively.

**Waivers and Modifications:**

Waiver of the transitional screening and barrier requirements along the northern, western, and eastern property boundaries in favor of the existing wood fence shown on the SE Plat.

Waiver of the trail requirement along Columbia Pike in favor of the existing sidewalk along the service drive.

**LOCATION AND CHARACTER**

**Location:**

The 13,830 sf. lot is located on the west side of Larchwood Road just north of Columbia Pike in the Barcroft area of Mason District.

**Site Description:**

The property is developed with a single family detached house that dates to the mid-1950s. The rear yard is fenced and there is currently a single width driveway and garage that can accommodate three cars. The typical single family dwelling is practically indistinguishable from the houses that surround it.



**Figure 1: Aerial View of Site**

**Surrounding Area Description:**

The site abuts single family residential dwellings to the north and west. Additional single-family residences are located across Larchwood Road to the east. The Mason District Governmental Center and police station are across Columbia Pike to the south. A summary of the surrounding uses, zoning, and comprehensive plan recommendations is provided in the following table:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	SFD Residential	R-2	Residential @ 2-3 units/ac.
South	Mason Govt. Center	R-2	Public Facilities
East	SFD Residential	R-2	Residential @ 2-3 units/ac
West	SFD Residential	R-2	Residential @ 2-3 units/ac

## BACKGROUND

There are no prior zoning applications on file for the subject property. The house dates to the 1950s. The Bethany House organization has owned and utilized the property as a group home since the early 1990s.

## COMPREHENSIVE PLAN PROVISIONS

<b>Plan Area:</b>	I
<b>Planning District:</b>	Baileys
<b>Planning Sector:</b>	B-5; Barcroft
<b>Plan Map:</b>	Residential at 2-3 du/ac.
<b>Plan Text:</b>	

The Comprehensive Plan does not include specific recommendations for the application property. The Comprehensive Plan's discussion of future development in the Barcroft planning sector recommends that it continue as a stable suburban neighborhood. Infill development should be of a compatible type, use, and intensity with existing development.

## SE PLAT ANALYSIS

### Special Exception Plat (SE Plat)

(Copy at front of report)

<b>Title of SE Plat:</b>	"Special Exception Plat congregate living facility"
<b>Prepared By:</b>	J2 Engineers, Inc.
<b>Original and Revision Dates:</b>	December 23, 2013; revised May 30, 2014
<b>Number of Sheets:</b>	2

### Description of SE Plat:

#### *Proposed Layout*

The applicant's Special Exception Plat shows the existing single family detached dwelling in the center of the lot, oriented towards Larchwood Road. A single width driveway provides access to Larchwood Road. The proposed 1,346 sf. two-story addition would be located on the northern side of the house and would add three additional bedrooms (for a total of seven) and expand the existing attached garage

to accommodate two additional cars. The driveway would also be widened to provide up to four additional parking spaces for a total of six on-site spaces. An existing board-on-board fence around the side (rear) yard will be retained.

### ***Vehicle Access and Parking***

The property currently accommodates three cars (one in the garage and two on the driveway). As part of this application the driveway will be expanded to accommodate four cars. An additional garage bay is also being added which will yield a total of 6 spaces on-site. The parking tabulations on Sheet 2 of the SE Plat show the proposal meets the ordinance requirement for congregate living facilities. The 15 residents and one employee generate the need for six spaces (at 1 space/ 3 residents and 1 space/employee). As the driveway and garage will provide a total of six spaces, the plan conforms to the ordinance requirement.

### ***Landscaping***

Given the single family residential appearance of the structure and the desire to blend in with the surrounding neighborhood, modifications of the screening and other planting requirements are requested. These are discussed in greater detail in the Urban Forestry analysis and waivers sections, below.

### ***Architecture***

Front building elevations that show the proposed addition were submitted separately to staff, and appear in Figure 2. They show that the house will be expanded to the north in order to provide an additional attached garage bay and three additional bedrooms on the main and upper levels. The addition maintains the existing gabled roofline, fenestration pattern, and brick and siding-clad front façade. The overall appearance is in keeping with the residential character of the structure and neighborhood. (Figure 2). It should be noted that the addition meets all zoning and bulk standards for the R-2 district and would be a by-right conforming project if the house was being used as a single family residence. In addition, the expanded driveway falls below the 30% front yard coverage limit specified in the Zoning Ordinance.

### ***Stormwater Management***

As the proposed building addition is disturbing less than 2,500 sf. of area, the application is exempt from the stormwater management provisions of the PFM.



**Figure 2 – Proposed Front Elevation**

## **STAFF ANALYSIS**

### **Land Use Analysis**

#### *Comprehensive Plan Conformance*

While the Comprehensive Plan does not include site-specific recommendations for the application property, any development in the Bailey's planning sector should be consistent with a suburban neighborhood and of a compatible type, use, and intensity with existing development. Congregate living facilities are a permitted special exception use in the R-2 zoning district and the FAR is in conformance with the Zoning Ordinance. The structure will continue to resemble a typical single-family home and will be virtually indistinguishable from the surrounding neighborhood.

#### **Transportation Analysis** (Appendix 4)

The applicant has addressed all transportation issues raised by FCDOT staff, which included providing adequate parking, as well ADA access to the house. VDOT recommends a sidewalk on Larchwood Road; however, other properties on Larchwood do not have a sidewalk facilities. The residents can utilize the sidewalk along the service drive in order to reach the bus stops east and west of this site.

### Urban Forest Management (Appendix 5)

The Urban Forest Management Branch of DPWES reviewed the application and provided comments related to tree preservation and transitional screening. With the latest revisions to the SE Plat, the applicant has addressed staff's key issues. The following summarizes those concerns:

#### *Transitional Screening/Barrier Modifications*

The applicant is requesting waivers and modifications of the transitional screening and barrier requirements in order to more seamlessly blend in with the surrounding single-family residences; however, the formal request and justification was not included with the plans. The most recent revision to the SE Plat now includes the proper waiver and modification requests. Complete analysis of the waiver request and staff's recommendation is provided in the waivers and modifications section of this report.

#### *Tree Preservation Commitments*

Staff recommends development conditions that will ensure best practices for tree preservation and maintenance. Development conditions are proposed to this effect, and require the review and approval of the Urban Forester during the minor site plan process.

## ZONING ORDINANCE PROVISIONS

The chart below compares the required bulk standards of the R-2 zoning district with the proposed development:

Bulk Standards (R-2)		
Standard	Required	Provided
Lot Size	15,000 sf.	13,830sf. <sup>1</sup>
Lot Width	125 feet	150 feet
Building Height	35 feet max.	30 feet
Front Yard (corner lot)	35 feet	40.0 feet and 40.6 feet
Side Yard	15 feet	22.3 feet
FAR	0.20	0.20
Parking Spaces	6	6

<sup>1</sup>. The subject parcel was created prior to the advent of the 1978 Zoning Ordinance; therefore, although the parcel does not meet the Ordinance requirements, it is grandfathered as a legal, buildable lot under the provisions of Sect. 2-405.

As shown in the chart above, the proposal conforms to the minimum bulk regulations for the R-2 District, except as noted.

**Waivers/Modifications:**

Waiver of the transitional screening requirements along the northern, western, and eastern property boundaries in favor of the existing wood fence shown on the SE Plat.

Par. 1 of Sec. 13-302 of the Zoning Ordinance requires a 35 foot wide, Type II transitional screen along the northern, western, and eastern property lines between the proposed use and the adjacent single family detached dwellings. The applicant requests a waiver of this requirement pursuant to Sec. 13-305. The applicant desires that the facility blend unobtrusively with the surrounding neighborhood. Providing a 35-foot landscaped buffer, which would look markedly different from the yards of nearby properties, would have the unintended effect of drawing increased attention to the property. It is staff's opinion that the existing board-on-board fence provides adequate separation from the adjacent properties. Lastly, given the single-family residential appearance of the existing structure and the proposed addition, visual screening is unnecessary. Staff recommends approval of the waiver request.

Modification of the barrier requirements along the northern, western, and eastern property lines in favor of the existing wood fence shown on the SE Plat.

Sect. 13-304 of the Zoning Ordinance requires a Type D, E or F barrier where a congregate care facility abuts detached dwellings. The existing 6-foot tall board on board fence runs along a portion of the side yards to the north, west, and east of the house, but does not cover the entire property boundary. It is staff's opinion that the current extent of the fence is adequate and recommends approval of the modification.

Waiver of the trail requirement along Columbia Pike in favor of the existing sidewalk along the service drive.

The Comprehensive Plan calls for a paved trail along the main portion of Columbia Pike. However, staff feels that the existing sidewalk along the Columbia Pike service drive is adequate for the residents of the facility to reach the Bus stop along Columbia Pike. Accordingly, staff recommends approval of the waiver.

**Special Exception Requirements (Appendix 6)**

General Special Exception Standards (Sect. 9-006)

**General Standard 1** states *that the proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.* As discussed in the land use analysis section, the facility resembles and functions like a single-family home. Accordingly, the proposed use is in harmony with the recommendations of the Comprehensive Plan for the Barcroft sector.

**General Standard 2** states that *the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.* A congregate care facility is permitted in a R-2 zone. Through residential architectural design and with the adoption of the proposed development conditions, it is staff's opinion that the proposal is consistent with the purpose and intent of the R-2 District, which calls for such uses to be compatible with the low-density residential character of the area.

**General Standard 3** requires that 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.* The property is adjacent to single family detached houses to the north, east and west. The Mason Governmental Center and police station are located across Columbia Pike to the south. As discussed above, the facility does and will continue to resemble a single family detached dwelling. The house is of a similar style and scale as the surrounding residences. Based on these factors, it is staff's opinion that this standard has been met.

**General Standard 4** states that *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.* Access to the site will continue be from the residential-style (non-commercial) driveway on Larchwood Road. The driveway will be enlarged to accommodate four cars plus two more in the garage. The use generates very little traffic as there is only one staff person, and many of the residents utilize public transportation. Additional parking is available off the adjacent service drive and there is a bus stop on both sides of Columbia Pike at the Mason Governmental Center. It is staff's opinion that the traffic associated with the facility will not create a hazard or conflict with existing traffic the neighborhood.

**General Standard 5** requires *that landscaping and screening be provided in accordance with the provisions of Article 13.* The applicant has requested waivers and modifications to the screening and barrier requirements in Article 13. Given the residential character of the facility (see additional discussion see above) staff is satisfied that purpose and intent of the zoning ordinance will be met without providing traditional landscape screening.

**General Standard 6** requires that *open space be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.* The site is within the R-2 Zoning District, which has no formal open space requirement.

**General Standard 7** requires that *adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided*. Parking requirements are proposed to be in accordance with the provisions of Article 11. The plan meets or exceeds the standards for parking spaces. The project is exempt from stormwater regulations. All other utilities appear adequate to serve the project.

**General Standard 8** requires that *signs be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance*. As the facility desires to be as inconspicuous as possible, no signage is proposed.

Standards for all Category 3 uses (Sect. 9-304)

**Standard 1** for Category 3 Uses relates to public uses and is not applicable to the subject application.

**Standard 2** for Category 3 Uses states that *all uses shall comply with the lot size requirements specified for the zoning district in which it is located*. The minimum lot size in the R-2 district is 15,000 sf. The subject property measures only 13,830 sf; as such, this standard is technically not met. However, the parcel is a legal non-conforming lot that was subdivided in the 1940s, well before the adoption of the current Zoning Ordinance in 1978. In addition, the structure meets all applicable yard and bulk standards. Based on this, it is staff's opinion that the use is appropriately sized for the subject parcel and meets the intent of this standard.

**Standard 3** for Category 3 uses states *that all uses shall comply with the bulk regulations of the zoning district in which located*. The proposal complies with all bulk standards of the R-2 district including FAR, yard setbacks, and building height.

**Standard 4** for Category 3 uses states that *all uses shall comply with the performance standards specified for the zoning district in which located*. No formal performance standards for the proposed use are applicable in the R-2 District. The proposal meets the parking space requirements.

**Standard 5** for Category 3 Uses states that *before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans*. A development condition is proposed to this effect; a minor site plan will be submitted pending Board approval of the SE request.

Additional Standards for Congregate Living Facilities (9-307)

**Standard 1** states that *Congregate living facilities located in a building, which but for its institutional use would be a single detached dwelling, shall comply with the applicable single family detached minimum yard requirements of the zoning district*

*in which located.* The house and the proposed addition conform to all yard requirements for the R-2 District. As such, this standard is satisfied.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

The application seeks approval of a special exception to allow a congregate living facility in a R-2 district on Larchwood Road. The facility would serve victims of domestic violence and contain up to 15 residents and one live-in staff member in a single-family house. The applicant is proposing a building addition that would add three additional bedrooms and one garage bay with two parking spaces. With few exceptions, the facility will appear and function similar to a typical single family house and will be of a comparable size and style to adjacent residences. The proposed development conditions contain logical restrictions and safeguards to ensure that the facility is operated in a manner consistent with what is presented in the current application and mitigates possible adverse effects on the surrounding neighborhood.

Therefore, it is staff's opinion that with the adoption of the proposed development conditions, the application to permit a congregate facility is in harmony with the Comprehensive Plan and Zoning Ordinance.

### **Staff Recommendations**

Staff recommends approval of SE 2014-MA-003, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a waiver of the transitional screening and barrier requirements along the northern, western, and eastern property boundaries in favor of the existing wood fence shown on the SE Plat.

Staff recommends a waiver of the trail requirement along Columbia Pike in favor of the existing sidewalk along the service drive.

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

The approval of this special exception amendment 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.

**APPENDICES**

1. Proposed Development Conditions SE 2014-MA-003
2. Affidavit for SE 2014-MA-003
3. Statement of Justification
4. Transportation Analysis (FCDOT/VDOT)
5. Urban Forest Management Analysis
6. Zoning Ordinance Provisions
7. Glossary

**PROPOSED DEVELOPMENT CONDITIONS**

**SE 2014-MA-003**

**Kenneth H. Fisher**

**June 24, 2014**

If it is the intent of the Board of Supervisors to approve SE 2014-MA-003 located at 3918 Larchwood Road (Tax Map 61-3 ((13)) 224) for use as a congregate living facility pursuant to Sect. 3-204 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval 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, as qualified by these development conditions.
3. A copy of this Special Exception and the Non-Residential Use Permit shall be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, 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 Congregate Living Facility, prepared by J2 Engineers, Inc., dated December 23, 2013, revised through May 30, 2014, consisting of two sheets and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.
5. Upon the issuance of the Non-RUP for this Special Exception, the maximum daily resident population shall be limited to fifteen (15) persons inclusive of minor children and the total number of resident staff persons or employees shall be limited to one (1) at any one time.
6. There shall be no administrative, business, or general intake functions conducted at the subject facility, which would be inconsistent with the definition of a congregate living facility as defined in Article 20 of the Zoning Ordinance.
7. The four driveway and two garage parking spaces shall be kept available for vehicles at all times and shall not be used for any type of materials storage.

8. An ADA accessible pathway shall be provided from the facility to Larchwood Road.
9. The proposed use shall be in conformance with all applicable Performance Standards in Article 14 of the Zoning Ordinance.
10. A. Tree Preservation: The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site or minor site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of UFMD.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees located within the tree save area living or dead with trunks 12 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) and 25 feet outside of the proposed limits of clearing, in the undisturbed area and within 10 feet of the proposed limits of clearing in the area to be disturbed. All trees inventoried shall be tagged in the field so they can be easily identified. If permission is not allowed from the offsite property owner to tag trees, it shall be noted on the tree preservation plan by providing written documentation between the applicant and the offsite property owner. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of disturbance shown on the SE Plat and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0507 and 12-0509. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, compost tea, Cambistat, radial mulching, notes and details for asphalt removal around trees, and others as necessary, shall be included in the plan.”

B. Limits of Clearing and Grading: The Applicant shall conform strictly to the limits of clearing and grading as shown on the SE Plat, 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 SE Plat, 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.

C. 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" condition below.

D. Root Pruning: The Applicant shall root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. 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 - 24 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 or Registered Consulting Arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

E. Native Species Landscaping: All landscaping provided shall be native to the middle Atlantic region to the extent feasible as determined by UFMD. In addition, the quality and quantity of landscaping provided shall be in substantial conformance with the SE Plat, and consist primarily of native species as reviewed and approved by UFMD.

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 responsible for obtaining the required Non-Residential Use Permit (Non-RUP) through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless a new (Non-RUP) has been issued to reflect this special exception amendment. 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 Amendment. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: June 3, 2014  
 (enter date affidavit is notarized)

I, Lynne J. Strobel, attorney/agent, do hereby state that I am an  
 (enter name of applicant or authorized agent)

12446 a

(check one)             applicant  
                               applicant's authorized agent listed in Par. 1(a) below

in Application No.(s): SE 2014-MA-003  
 (enter County-assigned application number(s), e.g. SE 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 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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Kenneth H. Fisher	6121 Lincolnia Road Alexandria, VA 22312	Applicant/Agent for Title Owner
Bethany House of Northern Virginia, Inc. Agent: Catherine J. Hassinger	6121 Lincolnia Road Alexandria, VA 22312	Title Owner of Tax Map 61-3 ((13)) 224
J2 Engineers, Inc. Agent: John K. Mossgrove	4080 Lafayette Center Drive, #330 Chantilly, VA 20151	Engineers/Agent

(check if applicable)             There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception 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: June 3, 2014  
 (enter date affidavit is notarized)

124146a

for Application No. (s): SE 2014-MA-003  
 (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 <b>BOLD</b> above)
Walsh, Colucci, Lubeley & Walsh, P.C.  Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard • Jonathan D. Puvak (former) • Andrew A. Painter • Matthew J. Allman Elizabeth D. Baker Inda E. Stagg Elizabeth A. Nicholson	2200 Clarendon Boulevard Suite 1300 Arlington, Virginia 22201	Attorneys/Planners/Agent  Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 3, 2014
(enter date affidavit is notarized)

124146a

for Application No. (s): SE 2014-MA-003
(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:

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code) Bethany House of Northern Virginia, Inc.
6121 Lincolnia Road
Alexandria, VA 22312

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)

A not-for-profit organization with no shareholders.

(check if applicable) [X] There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit 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: June 3, 2014  
(enter date affidavit is notarized)

124146a

for Application No. (s): SE 2014-MA-003  
(enter County-assigned application number (s))

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

J2 Engineers, Inc.  
4080 Lafayette Center Drive, #330  
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)

Jeffrey L. Gilliland  
James C. Bishoff

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

Walsh, Colucci, Lubeley & Walsh, P.C.  
2200 Clarendon Boulevard, Suite 1300  
Arlington, Virginia 22201

**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)

David J. Bomgardner, E. Andrew Burcher,	Michael D. Lubeley, J. Randall Minchew,
Thomas J. Colucci, Michael J. Coughlin,	G. Evan Pritchard, M. Catharine Puskar,
Peter M. Dolan, Jr., Jay du Von, William A.	John E. Rinaldi, Kathleen H. Smith,
Fogarty, John H. Foote, H. Mark Goetzman,	Lynne J. Strobel, Garth M. Wainman,
Bryan H. Guidash, Michael J. Kalish,	Nan E. Walsh, Martin D. Walsh

(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 AFFIDAVIT

DATE: June 3, 2014
(enter date affidavit is notarized)

124146a

for Application No. (s): SE 2014-MA-003
(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, and number, street, city, state, and zip code)
None

(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 Exception Affidavit 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 3, 2014  
(enter date affidavit is notarized)

124146a

for Application No. (s): SE 2014-MA-003  
(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 "Special Exception Attachment to Par. 2" form.

**SPECIAL EXCEPTION AFFIDAVIT**

1241469

DATE: June 3, 2014  
(enter date affidavit is notarized)

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 "Special Exception 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.

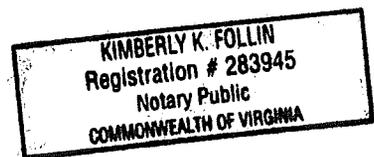
WITNESS the following signature:

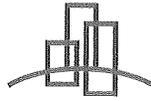
(check one) [ ] Applicant [x] Applicant's Authorized Agent  
Lynne J. Strobel  
Lynne J. Strobel, attorney/agent  
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 3 day of June 2014, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin  
Notary Public

My commission expires: 11/30/2015





Lynne J. Strobel  
(703) 528-4800, Ext. 5418  
[lstrobel@arl.thelandlawyers.com](mailto:lstrobel@arl.thelandlawyers.com)

**WALSH COLUCCI  
LUBELEY & WALSH PC**

RECEIVED  
Department of Planning & Zoning  
JUN 20 2014  
Zoning Evaluation Division

**REVISED**  
June 20, 2014

**Via Hand Delivery**

Barbara C. Berlin, Director  
Zoning Evaluation Division  
Fairfax County Department of Planning & Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

Re: Proposed Special Exception Application  
Fairfax County Tax Map Reference: 61-3 ((13)) 224  
Applicant: Kenneth H. Fisher

Dear Ms. Berlin:

Please accept the following as a statement of justification for a special exception application to permit a congregate living facility.

The Applicant serves on the Board of Bethany House of Northern Virginia, Inc. ("Bethany House"). Bethany House is the owner of approximately 15,000 square feet located in the Mason Magisterial District, and identified among the Fairfax County tax map records as 61-3 ((13)) 224 (the "Subject Property"). Located at the intersection of Columbia Pike and Larchwood Road, the Subject Property is part of a residential subdivision and currently improved with a single family detached dwelling. The Subject Property is zoned to the R-2 District, as defined by the Fairfax County Zoning Ordinance (the "Zoning Ordinance").

The Applicant proposes a congregate living facility within the existing single family home located on the Subject Property to serve up to 15 residents. The existing dwelling has four (4) bedrooms and could serve up to nine (9) residents at one time. The Applicant proposes interior renovations and an addition of approximately 1,346 square feet to the existing dwelling that will increase the number of bedrooms to seven (7) and allow Bethany House to serve up to 15 residents, some of whom will be children. A staff member will be present on the Subject Property 24 hours per day. The total amount of square footage of the home upon completion of the improvements is 2,766 square feet, or a .2 FAR, which is permitted in the R-2 District.

ATTORNEYS AT LAW

703 528 4700 # WWW.THELANDLAWYERS.COM  
2200 CLARENDON BLVD. # SUITE 1300 # ARLINGTON, VA 22201-3359

LOUDOUN 703 737 3633 # WOODBRIDGE 703 680 4664

The Subject Property will continue to be served by Larchwood Road and parking will be provided in the driveway and a proposed garage. The Applicant does not anticipate full use of the required number of parking spaces. The residents do not typically have vehicles and rely on public transportation to get to work. The Subject Property is located along a WMATA major bus route and a Fairfax County commuter bus route which facilitates use of public transit. The Applicant proposes six (6) parking spaces on the Subject Property to serve the staff and residents in accordance with Zoning Ordinance requirements. In order to provide security for the residents a wood fence will be retained around a portion of the side and rear yards of the Subject Property. The fencing does not detract from the residential appearance of the home. The proposed improvements will result in minimal disturbance of the Subject Property. All of the existing mature trees on the Subject Property will be preserved.

The Subject Property is located within the Baileys Planning District of the Barcroft Community Planning Sector (B5) within the Area I Comprehensive Plan (the "Plan"). The Plan does not include any specific land use recommendations for the Subject Property, but states that the predominately residential character of the neighborhood should be maintained. As congregate living facilities are permitted within residential districts with the approval of a special exception, the use is considered to be compatible with residential development. Given the nature of the use and the residential character of the Applicant's proposal, the special exception amendment is in harmony with the recommendations of the Plan.

In accordance with the Zoning Ordinance requirements of Section 9-011 and Section 9-307, please accept the following information regarding the Applicant's proposal.

- The type of operation will be a congregate living facility. Bethany House serves women and children who are victims of domestic violence.
- The residence will be operated twenty-four (24) hours a day and will have the same appearance and daily activities of any home. Residents typically work outside the home, Monday through Friday.
- The anticipated number of residents is 15.
- Bethany House has three (3) employees that work with the residents, but not all of these staff members will be present at one time. In addition, residents often meet with these employees off-site at Bethany House's office. The Applicant's staff includes an on-site manager who will reside at the home.
- The total number of vehicle trips to the Subject Property will be approximately ten (10) per day. As noted above, many residents utilize public transportation. The peak hour of traffic generation in the morning is 7:30 a.m. to 8:30 a.m. when approximately one (1) or two (2) vehicles leave the Subject Property. The peak hour of traffic generation in the evening is 5:00 p.m. to 6:00 p.m. when

approximately one (1) or two (2) vehicles return to the Subject Property. The remaining vehicular trips are generated during the day by staff visits.

- The congregate living facility will primarily serve residents of Fairfax County.
- The existing home with the proposed addition will retain the appearance of a single family detached dwelling and will contain a total of approximately 2,766 gross square feet. The Applicant anticipates that building materials will primarily be siding and will include a peaked shingle roof to maintain the home's residential character and to be compatible with existing improvements.
- The Applicant is not aware any hazardous or toxic substances located on the Subject Property.
- The proposed development complies with all adopted standards, ordinances, and regulations except for a request to modify the transitional screening and barrier requirements along all boundaries in accordance with Paragraph 6 of Section 13-305 of the Zoning Ordinance. The Applicant requests the modification in favor of existing conditions. The proposed improvements on the Subject Property will result in the continued appearance of a single-family detached home. In addition, the use of the Subject Property will continue to be residential. Therefore, the appearance and use of the Subject Property is similar to adjacent properties as required by Paragraph 6 of Section 13-305. Lastly, the Subject Property is zoned to the same R-2 District as adjacent properties.
- As required by Section 9-307 of the Zoning Ordinance, the proposed facility complies with the minimum yard requirements of the R-2 District. The dwelling has a minimum side yard setback of 15 feet and a minimum front yard setback of 35 feet.

Bethany House is a private, non-profit organization that provides confidential safe housing to women and children who are the victims of domestic violence. Since 1979, Bethany House has served residents of Fairfax County. The availability of housing opportunities for domestic violence victims is limited and the proposed special exception will allow Bethany House to serve its existing residents and to slightly increase its housing capacity. The proposed improvements, including interior renovations, will improve the living conditions of the residents, ensuring a stable and welcoming environment.

Should you have any questions regarding the above, or require additional information, please do not hesitate to contact me. I would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience.

As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.

  
Lynne J. Strobel

LJS:kae

cc: Catherine Hassinger  
John K. Mossgrove

{A0613018.DOCX / 1 Revised Statement of Justification - 06.20.14 000820 000002}



## County of Fairfax, Virginia

**MEMORANDUM****DATE:** April 22, 2014

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division, Department of Planning & Zoning

**FROM:** Michael A. Davis, Chief   
Site Analysis Section, Department of Transportation

**FILE:** SE 2014-MA-003

**SUBJECT:** SE 2014-MA-003 Kenneth Fisher (Bethany House Women's Shelter)  
3918 Larchwood Road, Falls Church, VA 22041  
Tax Map: 061-3 ((13)) 224

This Department has reviewed the subject application and Special Exception Plat dated August 15, 2013 and revised through March 25, 2014, and offers the following comments:

- All parking to be on-site. Garage parking to be used to meet parking requirements and should not be used as living space.
- The Applicant should provide ADA accessible paths for access to the facility.

MAD/RP



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive  
Fairfax, VA 22030

April 18, 2014

CHARLES A. KILPATRICK, P.E.  
COMMISSIONER

**To:** Ms. Barbara Berlin  
Director, Zoning Evaluation Division

**From:** Kevin Nelson  
Virginia Department of Transportation – Land Development Section

**Subject:** SE 2014-MA-003 Kenneth H. Fisher  
Tax Map # 61-3((13))0224

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the above plan submitted on February 10, 2014, and received on February 27, 2014. The following comments are offered and remain the same as the last submittal:

1. The entrance should be modified to meet the current VDOT CG-9D standard since it needs to be modified for the future use.
2. Sidewalk should be provided across the site frontage on Larchwood Road. Users of this facility are likely to use the bus stops a block away on Columbia Pike.

If you have any questions, please call me.

cc: Ms. Angela Rodeheaver

fairfaxspex2014-MA-003se1KennethHFisher4-18-14BB



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** June 10, 2014

**TO:** Brent Krasner, Senior Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Nicholas J. Drunasky, Urban Forester II  
Forest Conservation Branch, UFMD

**SUBJECT:** Congregate Living Facility (3918 Larchwood Road), SE 2014-MA-003

This review is based upon the Special Exception SE 2014-MA-003 application. The application is stamped as "Received Department of Planning & Zoning May 30, 2014." A site visit was conducted on February 27, 2014 as part of the review for this application.

The site consists of a residential house and lot within the Barcroft Hills Subdivision. Landscaping consists of foundation shrubs on two sides of the house, a hedgerow of Photinias along a portion of the property line behind the house, and several large deciduous shade trees.

1. **Comment:** With this submission, the limits of clearing and grading have been pulled in, but one of the large pin oaks is located within five feet of the proposed limits of clearing and grading and another one is within one foot of them, which will likely cause negative impacts to both of these trees and may require their removal at a later date.

**Recommendation:** If the limits of clearing and grading cannot be brought in any more, it is recommended that either ¾ inch plywood, alternamats, or 12 inches of mulch or wood chips be laid down within for areas where the limits of clearing and grading are within the drip line of these two pin oaks that are to remain, which will help reduce soil compaction and aid in their preservation as stated in the justification letter.

2. **Comment:** No landscaping is currently proposed, but is required to be provided for the transitional screening and may also be required in order to meet the 10-year canopy cover requirement for the site.

**Recommendation:** A landscape schedule should be provided that details the type of plant provided, species, quantity, size, nursery stock, and 10-year canopy credit provided (eg. one, category IV, 2 inch caliper, ball and burlap, 200 sq. ft. of canopy) on the SE Plat.

3. **Comment:** It appears that shrubs and trees, which the proposed limits of clearing and grading are impacting over 40% of their critical root zones are being claimed towards meeting the 10-year canopy requirement for the site, which is not allowed.

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: 711, Fax: 703-803-7769  
[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)



**Recommendation:** Areas of existing canopy that is being afforded 10-year canopy coverage shall be clearly depicted with a key and symbol and the areas called out to clarify which trees are being used in the tabulations. This tabulation cannot use shrubs or trees (pin oak in the backyard) where 40% or more of their critical root zones are being impacted by the proposed limits of clearing and grading.

4. **Comment:** Given the nature of tree cover on this site, several development conditions will be instrumental in assuring adequate tree preservation and protection throughout the development process.

**Recommendation:** UFMD feels that the following development condition language is necessary to ensure effective tree preservation:

Tree Preservation: “The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site or minor site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of UFMD.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees located within the tree save area living or dead with trunks 12 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) and 25 feet outside of the proposed limits of clearing, in the undisturbed area and within 10 feet of the proposed limits of clearing in the area to be disturbed. All trees inventoried shall be tagged in the field so they can be easily identified. If permission is not allowed from the offsite property owner to tag trees, it shall be noted on the tree preservation plan by providing written documentation between the applicant and the offsite property owner. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of disturbance shown on the SE Plat and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0507 and 12-0509. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, compost tea, Cambistat, radial mulching, notes and details for asphalt removal around trees, and others as necessary, shall be included in the plan.”

Limits of Clearing and Grading: “The Applicant shall conform strictly to the limits of clearing and grading as shown on the SE Plat, 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 SE Plat, 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” condition below.

Root Pruning: “The Applicant shall root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. 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 - 24 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 or Registered Consulting Arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.”

Native Species Landscaping: “All landscaping provided shall be native to the middle Atlantic region to the extent feasible as determined by UFMD. In addition, the quality and quantity of landscaping provided shall be in substantial conformance with the SE Plat, and consist primarily of native species as reviewed and approved by UFMD.”

If you have any questions, please feel free to contact me at 703-324-1770.

NJD/

UFMDID #: 188600

cc: DPZ File

## SPECIAL EXCEPTIONS

2 or more bedrooms

100%

The result of this calculation for each size dwelling unit shall then be divided by twelve (12), then multiplied by twenty-five (25) percent and rounded to the nearest whole number to establish the maximum rent for the unit, which may or may not include utilities, at the developer's option. Resident care provider units shall not be subject to this calculation.

Initial lease terms shall be for not less than six (6) months and not more than one (1) year. Renewal terms may be on a month-to-month or other time basis, but shall not be longer than one (1) year for each renewal period.

- B. The owner or manager shall monitor the income level of tenants at the time of initiation and renewal of any lease term and shall establish that any live-in aide or resident care provider continues to meet the applicable requirements of this Section. The results of such monitoring shall be provided to the Zoning Administrator on an annual basis to assure on-going compliance with the tenancy and income limits. Such report shall include the dwelling unit number/address, date of lease renewal, term of lease renewal, and tenant's income. Should a tenant become over-qualified with regard to income at any time during a lease term, such tenant shall vacate the unit at the end of the lease term in effect at the time of such over-qualification or within nine (9) months of such over-qualification, whichever time period is longer.
- C. Prior to the issuance of the first Residential Use Permit for any unit in the independent living facility, the owner shall record a covenant, on a form provided and approved by the Fairfax County Department of Housing and Community Development, to address at a minimum the income limitations; rental price restrictions; the perpetuity of such controls; and any other relevant limits that are imposed by the Board.
- D. Such independent living facilities for low income residents shall not be subject to Part 8 of Article 2 of the Zoning Ordinance, the ADU Program, nor shall they be subject to the Board's policy for Workforce Dwelling Units.

**9-307****Additional Standards for Congregate Living Facilities**

1. Congregate living facilities located in a building, which but for its institutional use would be a single detached dwelling, shall comply with the applicable single family detached minimum yard requirements of the zoning district in which located. Such facilities located in any other structure shall be located no closer than 45 feet to any street line or closer than 100 feet to any lot line which abuts an R-1 through R-4 District.

**9-308****Additional Standards for Medical Care Facilities**

1. In its development of a recommendation and report as required by Par. 3 of Sect. 303 above, the Health Care Advisory Board shall, in addition to information from the applicant, solicit information and comment from such providers and consumers of health services, or organizations representing such providers or consumers and health planning organizations, as may seem appropriate, provided that neither said Board nor the Board of

## APPENDIX 7

### 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		