



# County of Fairfax, Virginia

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

January 14, 2015

Lynne J. Strobel  
Walsh, Colucci, Lubeley & Walsh, P.C.  
2200 Clarendon Boulevard, Suite 1300  
Arlington, VA 22201

RECEIVED  
Department of Planning & Zoning

APR 16 2015

Zoning Evaluation Division

Re: Special Exception Application SE 2014-DR-043

Dear Ms. Strobel:

At a regular meeting of the Board of Supervisors held on January 13, 2015, the Board approved Special Exception Application SE 2014-DR-043 in the name of Mark Dennis McFadden, Trustee/Lynne Marian McFadden, Trustee. The subject property is located at 1470 Ingleside Avenue, on approximately 9,375 square feet of land, zoned R-3, SC, HC, and CRD in the Dranesville District [Tax Map 30-2 ((7)) (1) 8]. The Board's action permits an office and waivers and modifications in a CRD, pursuant to Section 3-304 and 9-622 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This approval is granted to Mark Dennis McFadden, Trustee, and Lynne Marian McFadden, Trustee (the "Applicants"), and is not transferable, other than to an entity the Applicants solely own or control, without further action of this Board, and is for the location indicated on the Application (as defined below), 1470 Ingleside Avenue, McLean, Virginia (the "Property").
2. This Special Exception is granted only for the purpose(s), structure(s) and or use(s) indicated on the special exception plat prepared by Harold A. Logan Associates, P.C. dated April 30, 2008, as revised through November 11, 2008 (the "SE Plat"), which shall be limited to a non-franchised, satellite real estate office. The Applicants will strictly comply with the purpose and use of the Property shown on the SE Plat and be limited to all provisions of the written Statement of Proposed Use contained within the Application for Special Exception, dated May 23, 2014 (the "Application"). The Applicants shall abide by applicable laws and ordinances at all times, including, but not limited to, Fairfax County zoning regulations.
3. A copy of this Special Exception and the Non-Residential Use Permit (Non-RUP) shall be posted in a conspicuous place on the property of the use and made available to all Fairfax County departments during the hours of operation of the permitted use.

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

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

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 general conformance with the approved Special Exception Plat, prepared by Harold A. Logan Associates, P.C. and dated April 30, 2008, as revised through November 11, 2008.
5. This Special Exception shall remain valid for ten years from the date of issuance of a Non-RUP. Extensions beyond that time may be granted by the Zoning Administrator for five-year increments. Any request for such extension shall be submitted by the applicants to the Zoning Administrator in writing, no later than thirty days prior to the expiration date of the Special Exception. Based upon an inspection of the Special Exception use and a review of the applicant's record of compliance with conditions and restrictions imposed by the Board in this approval, the Zoning Administrator shall make a determination on whether the Special Exception use still satisfies the provisions of the Zoning Ordinance, including the conditions of this Special Exception. Upon a favorable finding, the Zoning Administrator shall approve the extension of the Special Exception. If it is determined that the use is not in compliance with all conditions and restrictions imposed by the Board of Supervisors, the Zoning Administrator shall take immediate action per the provisions of Paragraph 4 of Sect. 9-012 of the Zoning Ordinance, which may include a determination that results in the expiration of the Special Exception.
6. The Property shall be maintained and kept free of debris and litter at all times. Routine maintenance shall include, but not be limited to, exterior structure and landscaping upkeep.
7. All parking shall be on site and shall be provided as depicted on the SE Plat within 30 days of issuance of the Non-RUP. No additional paved area(s) shall be added to the Property beyond the outlined dimensions of Exhibit A. Parking for the site shall only occur on the driveway, up to three (3) cars maximum.
8. Lighting shall be provided pursuant to existing light fixtures or replacements thereof that are consistent with the style of a residential structure. No additional lighting shall be permitted on the subject site except for low-impact lighting for the parking area.
9. The regular hours of operation for the office shall be limited to 10:00 a.m. to 6:00 p.m., Monday through Friday. The property shall not be occupied on a regular basis by more than two (2) employees at any time.
10. One sign no greater than 1.5 square feet of surface area shall be permitted on the subject site and shall be residential in design style and character. The sign shall not be lighted.

January 14, 2015

11. An additional seven (7) feet of right-of-way along Ingleside Avenue shall be dedicated and conveyed in fee simple to the Board of Supervisors upon demand by Fairfax County.

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 shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, 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. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

**The Board also:**

- Modified the transitional screening requirements along the western property line in favor of the existing landscaping as shown on the SE Plat
- Modified the barrier requirements to the north and west in favor of the existing barriers as shown on the SE Plat
- Modified the front yard requirements in a CRD to permit setbacks of 25.8 feet and 25.3 feet along Ingleside Avenue and Meadowbrook Avenue, respectively
- Approved a reduction of the parking requirements in a CRD to permit three parking spaces instead of four
- Waived the trail construction requirements along Ingleside Avenue and Meadowbrook Avenue in favor of the dedication of seven feet of right-of-way along Ingleside Avenue

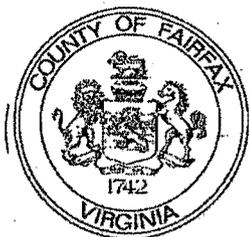
Sincerely,



Catherine A. Chianese  
Clerk to the Board of Supervisors

January 14, 2015

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



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

APPLICATION No: SE 2014-DR-043  
 (Staff will assign)

REVISED RECEIVED  
 Department of Planning & Zoning

NOV 13 2014

**APPLICATION FOR A SPECIAL EXCEPTION**

Zoning Evaluation Division

(PLEASE TYPE or PRINT IN BLACK INK)

<b>APPLICANT</b>	<b>NAME</b> Mark Dennis McFadden, Trustee Lynne Marian McFadden, Trustee	
	<b>MAILING ADDRESS</b> 1470 Ingleside Avenue, McLean, Virginia 22102	
	<b>PHONE HOME</b> ( )	<b>WORK</b> (703 ) 216-1337
	<b>PHONE MOBILE</b> ( )	
<b>PROPERTY INFORMATION</b>	<b>PROPERTY ADDRESS</b> 1470 Ingleside Avenue, McLean, Virginia 22102	
	<b>TAX MAP NO.</b> 30-2 ((7)) (1) 8	<b>SIZE (ACRES/SQ FT)</b> Approximately 9,375 sq. ft.
	<b>ZONING DISTRICT</b> R-3, SC, HC, CRD	<b>MAGISTERIAL DISTRICT</b> Dranesville
	<b>PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:</b> N/A	
	<b>ZONING ORDINANCE SECTION</b> 9-515, 3-304 (4)(f), 9-622	
<b>SPECIAL EXCEPTION REQUEST INFORMATION</b>	<b>PROPOSED USE</b> To permit a home office as well as waivers and modifications in a CRD	
<b>AGENT/CONTACT INFORMATION</b>	<b>NAME</b> Lynne J. Strobel, attorney/agent	
	<b>MAILING ADDRESS</b> Walsh, Colucci, Lubeley & Walsh, P.C. 2200 Clarendon Blvd. Suite 1300, Arlington, Virginia 22201	
	<b>PHONE NUMBER HOME</b>	<b>WORK</b> 703-528-4700
	<b>PHONE NUMBER MOBILE</b>	
<b>MAILING</b>	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact	
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>Lynne J. Strobel, attorney/agent</p> <p><b>TYPE/PRINT NAME OF APPLICANT/AGENT</b> <u>Lynne J. Strobel</u> <b>SIGNATURE OF APPLICANT/AGENT</b></p>		

DO NOT WRITE IN THIS SPACE

Date application accepted: \_\_\_\_\_

Application Fee Paid: \$ \_\_\_\_\_

**SE 2014-DR-043**  
**Zoning Application Closeout Summary Report**

Printed: 3/4/2015

**General Information**

**APPLICANT:** MARK DENNIS MCFADDEN, TRUSTEE / LYNNE MARIAN MCFADDEN, TRUSTEE  
**DECISION DATE:** 01/13/2015  
**CRD:** YES  
**HEARING BODY:** BOS  
**SUPERVISOR DISTRICT:**  
**ACTION:** APPROVE  
**STAFF COORD:** MICHAEL VAN ATTA  
**DECISION SUMMARY:**

ON JANUARY 13, 2015, THE BOARD UNANIMOUSLY APPROVED SE2014-DR-043 ON A MOATION BY SUPERVISOR FOUST SUBJECT TO DEVELOPMENT CONDITIONS DATED DECEMBER 17, 2014.

**Zoning Information**

Existing Zoning		Proposed Zoning		Approved Zoning	
<u>DISTRICT</u>	<u>AREA</u>	<u>DISTRICT</u>	<u>AREA</u>	<u>DISTRICT</u>	<u>AREA</u>
				R-3	9,375.00 SQ FEE

**Tax Map Numbers**

030-2- /07/01/0008-

**Approved Land Uses**

**Zoning District: R-3**

APPROVED RESIDENTIAL DEVELOPMENT				APPROVED NON-RESIDENTIAL DEVELOPMENT		
<u>LAND USE</u>	<u>DWELLING</u> UNITS	<u>LAND AREA</u>	<u>NO. OF</u> ADU'S	<u>GFA</u>	<u>LAND AREA</u>	<u>FAR</u>
OFFC/GENRL				1,031 SQ FEET	9,375.00 SQ FEET	0.11
TOTAL					9,375.00 SQ FEET	

**Approved Waivers/Modifications**

- WAIVE TRAIL REQUIREMENT
- MODIFY PROVISIONS FOR PARKING IN R DISTRICT
- MODIFY BARRIER REQUIREMENT
- WAIVE FRONT YARD SETBACK PER CRD
- MODIFY TRANSITIONAL SCREENING REQUIREMENT

---

**Approved Development Conditions**DEVELOPMENT CONDITION STATEMENT DATE: 12-17-2014

---

<u>DEVELOPMENT CONDITION</u>	<u>DUE</u>	<u>TRIG #</u>	<u>TRIG EVENT</u>	<u>CONTRIB</u>	<u>EXPIR DTE</u>
PARKING	01-01-0001	0	N/A	0	01-01-0001
OTHER - GENERAL	01-01-0001	0	N/A	0	01-01-0001
LIGHTING/GLARE	01-01-0001	0	N/A	0	01-01-0001
RIGHT OF WAY - DEDICATION	01-01-0001	0	N/A	0	01-01-0001
EXPIRES IN NUMBER MONTHS / YEARS UNLESS IMPLEMENTED	01-01-0001	0	N/A	0	01-01-0001
APPROVED FOR LOCATION/STRUCTURE/USES ETC ON PLAT	01-01-0001	0	N/A	0	01-01-0001
SUBJECT TO SITE PLANS / SUBDIVISION PLATS	01-01-0001	0	N/A	0	01-01-0001
HOURS OF OPERATION	01-01-0001	0	N/A	0	01-01-0001
SIGNAGE	01-01-0001	0	N/A	0	01-01-0001
LITTER/DEBRIS REMOVED DAILY	01-01-0001	0	N/A	0	01-01-0001
COPY SHALL BE POSTED	01-01-0001	0	N/A	0	01-01-0001