



**APPLICATION ACCEPTED:** February 24, 2015  
**PLANNING COMMISSION:** June 10, 2015  
**BOARD OF SUPERVISORS:** June 23, 2015

## County of Fairfax, Virginia

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**May 26, 2015**

### **STAFF REPORT**

**SEA 2004-DR-004**

### **DRANESVILLE DISTRICT**

**APPLICANT:** Shore Armani, Trustee  
a/k/a Shoreh H. Armani

**ZONING:** R-3, SC, CRD

**LOCATION:** 1580 Chain Bridge Road

**PARCEL(S):** 30-4 ((2)) (6) 46

**ACREAGE:** 19,500 sq. ft.

**FAR:** 0.14

**PLAN MAP:** Residential, 5-8 du/ac

**SE CATEGORY:** Category 5 – Office in a Residential District

**PROPOSAL:** The applicant seeks to continue a previously approved office use in an existing single-family detached dwelling and to add an additional employee who would live in the dwelling for security purposes.

Michael D. Van Atta

## **STAFF RECOMMENDATIONS:**

Staff recommends approval of SEA 2004-DR-004, subject to development conditions consistent with those contained in Appendix 1.

Staff recommends that the following waivers and modifications be approved:

- Modification of the transitional screening yard requirements and barrier requirements per Par. 3 of Sect. 13-304 and Par. 12 of Sect. 13-304 of the Zoning Ordinance to that shown on the Special Exception Amendment (SEA) Plat.
- Waiver of the loading space requirement, pursuant to the provisions of Section 11-202 of the Zoning Ordinance.
- Modification of the travel lane requirement to allow a 15-foot wide travel lane as shown on the SEA Plat.
- Waiver of frontage improvements, including curb and gutter and right-of-way improvements, along Pathfinder Lane.

It should be noted that it is not the intent of staff to recommend that the Board, in imposing any 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 recommendations 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.

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.

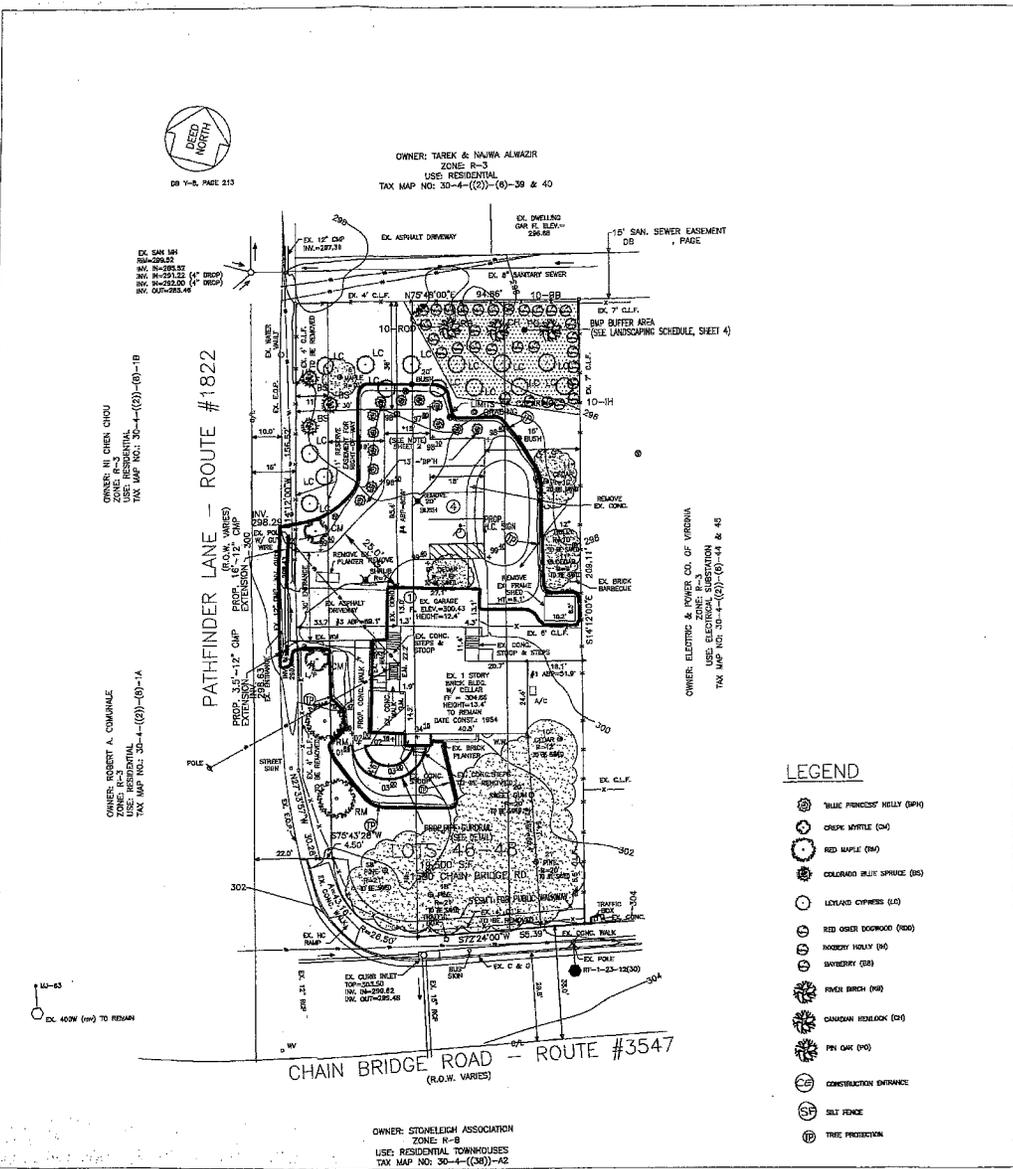
O:\mvanat\Applications\SEA 2004-DR-004 Shore Armani\Staff Report\Staff Report Assembly



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).



THIS PLAN COMPLIES FULLY WITH THE CSBY AMENDMENT THAT WAS ADOPTED ON JULY 7, 2003 AND MADE EFFECTIVE ON NOVEMBER 18, 2003.



- LEGEND**
- WHITE PRINCESS' HILLY (SPH)
  - CREPE MYRTLE (CM)
  - RED MAPLE (RM)
  - COLORADO BLUE SPRUCE (BS)
  - LORLARD CHERRY (LC)
  - RED OAK BUCKWOOD (BO)
  - ROSEBERRY HOLLY (RH)
  - BURNING BUSH (BB)
  - PINK BIRCH (PB)
  - CANADIAN REDBELL (CR)
  - PINK OAK (PO)
  - CONSTRUCTION ENTRANCE
  - SILT FENCE
  - TREE PROTECTION

**GENERAL NOTES:**

1. OWNER / DEVELOPER  
Shorah H. Arman  
1850 Chain Bridge Road  
McLean, VA 22101
2. This Property is shown on Tax Map 30-4-002-08-46, 47, & 48.
3. These lots recorded in Dead Book (Liber) Y-8, Page 213.
4. Total area of this site is 19,500 S.F. or 0.4477 Ac.
5. Total area of the Improvement is 2862 S.F. or 0.065 Ac.
6. This property is located in the Dead Run Watershed.
7. Zoned: R-3
8. Zoning Requirements:  
Min. Area: 10,500 S.F.  
Avg. Area: 11,500 S.F.  
Front Yard: 30'  
Side Yard: 12'  
Rear Yard: 20'
9. Proposed Use: Office - Medical (S.E. 2004-DR-004)
10. Open area 15,275 S.F. or 78.3%.  
11. This plan was prepared without the benefit of a title report and therefore may not indicate all existing encroachments on the property.
12. This property is served by public Water and Sewer System.
13. Boundary and topographic survey shown herein is done by others.
14. This Property is not located within 100-Year Floodplain area.
15. Parking Requirements:  
Required: 3.6 spaces per 1000 S.F. Gross Floor Area  
3.5 / 1000 x 1200 = 4.3 Spaces  
Provided: 5 Spaces (4 Standard, 1 Handicap)
16. All existing and/or proposed on-site above ground utilities shall be placed underground.
17. Disturbed Area = 6,905 S.F.

\* Note: Board has directed the DPW to modify the travel lane requirement to allow 15-foot wide travel lane per special exception approval ( SE 2004-DR-004 )

**ADEQUATE OUTFALL STATEMENT**

The site is currently developed in the residential area. Major part of the property drains from south to northeast corner through sheet flowing. The coefficient for runoff for existing condition is 0.44, and for proposed condition is 0.48. The increase in the discharge for 2 and 10-year storms are 0.1 cfs and 0.13 cfs respectively. It is our professional opinion that an adequate outfall exists for this site, and there will not be any adverse effect on the downstream outfall due to proposed improvement.

**IMPERVIOUS ACREAGE ANALYSIS**

SITE AREA IN ACRES	DEVELOPMENT LEVEL		IMPERVIOUS ACREAGE COMPUTATIONS	
	PRE	POST	PER	POST
COMPOSITE RATIONAL "C" FACTOR	A	A	0.4477	0.4477
FRACTIONAL IMPERVIOUSNESS	C1	C2	3.48	3.48
TOTAL IMPERVIOUSNESS AREA	1.1	1.2	0.289	0.328
INCREASE IN IMPERVIOUS ACRES (A x I2) - (A x I1) = 0.01 AC.	A x I1	A x I2	0.13	0.14

IMPERVIOUS COVER		"C" Runoff Coefficient	
Pre-Dev.	Post-Dev.	Pre-Development	Post-Development
Building	1825	0.0831 x 0.9 + 0.3748 x 0.35	0.4477 = 0.46
Driveway/Walkway	1344		
Total	3169	0.1076 Ac.	0.4477 = 0.48
(4687 x 100% / 19500) = 24.0% > 18.0%		Needs BMP waiver (see enset 5)	
<b>Runoff, Q-10yr. = ACI</b>			
Pre-Development		Post-Development	
Q=0.4477 x 0.46 x 7.27 = 1.50 CFS		Q=0.4477 x 0.48 x 7.27 = 1.56 CFS	
Increase 1.50 - 1.56 = 0.06 CFS			

RECEIVED  
Department of Planning & Zoning  
FEB 18 2015  
Zoning Evaluation Division

SITE PLAN  
SITE #1822

LOT 46-48-BLOCK 6  
WEST McLEAN

LOCATED IN  
DUNESVILLE  
FAIRFAX, VIRGINIA

SHEET NO. 2 OF 7  
FILE NO.

**CIVILAND**  
ENGINEERING & LAND DEVELOPMENT  
P.O. BOX 852008 STEELING, VIRGINIA 20186  
(703) 404-0383 • Fax (703) 404-0443  
info@civiland.com

DESIGN BY: DATE: 11/15/11  
CADD BY: DATE: 11/15/11

## **DESCRIPTION OF THE APPLICATION**

The applicant, Shore Armani, Trustee (a/k/a Shoreh H. Armani), seeks a Special Exception Amendment (SEA) to permit an office use in an existing single-family detached dwelling unit. The proposal seeks to continue use of the property for a medical office, which was previously approved for a period of seven years subject to SE 2004-DR-004. No new development or construction is proposed with this application and the office would continue to operate between the hours of 8:30 a.m. and 5:30 p.m., Monday through Friday. The applicant also requests to add a part-time employee who would live on the premises for security purposes. The maximum number of employees permitted on site would therefore be increased to two employees, which is the only operational change proposed.

A reduced copy of the SEA Plat is included at the front of this report. The proposed development conditions, the letter of approval for SE 2004-DR-004, the applicant's Affidavit, and the Statement of Justification are contained in Appendices 1, 2, 3 and 4, respectively.

### **Waivers and Modifications**

The applicant requests the following waivers and modifications:

- Modification of the transitional screening yard requirements and barrier requirements per Par. 3 of Sect. 13-304 and Par. 12 of Sect. 13-304 of the Zoning Ordinance to that shown on the SEA Plat.
- Waiver of the loading space requirement, pursuant to the provisions of Section 11-202 of the Zoning Ordinance.
- Modification of the travel lane requirement to allow a 15-foot wide travel lane as shown on the SEA Plat; and
- Waiver of frontage improvements, including curb and gutter and right-of-way improvements, along Pathfinder Lane.

## **LOCATION AND CHARACTER**

### **Site Location**

The 19,500 square foot (SF) property that is the subject of the application is located in McLean. The property, located on the northeast corner of the intersection of Chain Bridge Road and Pathfinder Lane, is zoned R-3 and is also located in the Sign Control Overlay District (SC) and the Mclean Community Revitalization District (CRD). The site is developed with a single-family detached residence, which currently houses a medical office. The brick two-story dwelling measures 2,680 SF. In the rear yard, there is a paved driveway with access along Pathfinder Lane. There is existing vegetation along the northern and eastern property boundaries, as well as a few mature trees in the front

yard. There is curb and gutter and a concrete and brick sidewalk along the Chain Bridge Road frontage, but no frontage improvements along the Pathfinder Lane frontage.



Figure 1: Ariel view of site (Source: Fairfax County GIS)

### Surrounding Properties

The property is surrounded by single-family detached dwellings to the north and west, an electric substation to the east, and single-family attached dwellings across Chain Bridge Road to the south.

Direction	Use	Zoning	Plan Map
North	Single-family Detached (West McLean)	R-3	Residential 2-3 du/ac
South	Single-family Attached (Stoneleigh)	R-8	Residential 8-12 du/ac
East	Electric Substation	R-3	Residential 5-8 du/ac
West	Single-family Detached	R-3	Residential 2-3 du/ac

Figure 2: Table of surrounding uses

### BACKGROUND

According to Fairfax County records, the existing structure was constructed in 1954 as a single-family residence on three lots that were platted in 1942. RZ 1998-MD-037 established the boundaries of the McLean Commercial Revitalization District, which apply to the subject site.

On July 12, 2004, the Board of Supervisors approved SE 2004-DR-004 in the name of Shoreh H. Armani, subject to development conditions. The Special Exception approved an office use in an existing single-family detached dwelling. The approval permitted the applicant to use the existing house for seven years as a medical office. Copies of this approval are available with the Zoning Evaluation Division of the Department of Planning and Zoning (DPZ) as well as at the following link:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ZAPSMain.aspx?cde=SE&seq=4041511>.

## COMPREHENSIVE PLAN PROVISIONS

<b>Plan Area:</b>	Area II
<b>Planning District:</b>	McLean Planning District
<b>Planning Sector:</b>	McLean Community Business Center, Subarea #23
<b>Plan Map:</b>	Residential use at 5-8 dwelling units per acre

In the Fairfax County Comprehensive Plan, 2013 Edition, Area II, McLean Planning District, Amended through 10-28-2014, McLean Community Business Center, Pages 20-74, the Plan, as applied to the application area, states the following:

### **C. Buffer Areas**

*The McLean CBC, as a community-serving center, gains much of its prosperity and economic strength from the close interaction of its commercial uses with the surrounding residential areas. The objective of this Plan is to concentrate intensity in the "North and South Villages," and thus maintain lower densities and heights adjacent to the CBC's borders. Any potential adverse impacts are to be mitigated by measures such as buffering and adequate transitional screening and full adherence to the McLean CBC Open Space Design Standards when reviewing new development or redevelopment within the CBC.*

*The buffer areas are equally affected by both the land use direction within the CBC and the need to protect surrounding neighborhoods. Although both commercial and residential are considered appropriate uses at the buffer areas, the recommendations of one use instead of another is primarily based upon its potential impact beyond the CBC boundary. A critical planning issue is the need to prevent encroachment of commercial uses within the CBC into adjacent neighborhoods. Therefore, the proposed treatment for each buffer area responds to the specific conditions of that neighborhood.*

*In order to encourage and facilitate redevelopment in the CBC in accordance with the Comprehensive Plan, special exceptions and special permit uses in Buffer*

*Areas should be limited to interim uses that do not create permanent disincentives to redevelopment. Such uses in Buffer Areas should only be allowed when they are housed in structures with a well maintained, residential appearance; when applicants demonstrate that the proposed use does not create a negative traffic impact upon the adjacent neighborhood; when parking is screened from adjacent properties with landscaping and decorative fences and/or walls; and when existing healthy, mature trees are maintained.*

- 1. The area bounded by Chain Bridge Road, Pathfinder Lane, Buena Vista Avenue, and the rear property lines of land fronting Chain Bridge Road (Subarea 3) should develop in medium density residential townhouses to serve as a buffer between CBC commercial uses and single-family residential uses in West McLean. A base density range of 5-8 dwelling units per acre would be appropriate provided that: complete blocks are consolidated; an innovative layout of townhouses is provided with no direct vehicular access to Chain Bridge Road, streetscape improvements are made according to the McLean Design Standards, including street trees and a landscaped median; building heights are limited to a maximum of 35 feet; appropriate buffering to adjacent single-family residential is provided; five-foot wide sidewalks wrapping to side streets are installed; and, a bus shelter on Chain Bridge Road is provided.*

## **DESCRIPTION OF THE SPECIAL EXCEPTION (SEA) PLAT**

(Copy included at the front of the report)

**Title of SE Plat:** Lot 46-48-Block 6, West McLean

**Prepared By:** Farrang Mojangani

**Original and Revision dates:** October 8, 2001 through November 15, 2004

The SEA Plat consists of 1 sheet.

### ***Proposed Use***

The applicant is requesting a SEA to extend the previously approved office use within the existing single-family detached dwelling with no new development or construction. The hours of operation would remain 8:30 a.m. and 5:30 p.m., Monday through Friday. In addition to the medical practitioner, a part-time employee would live in the basement for security purposes, increasing the maximum number of employees on site to two employees.

### ***Building and Layout***

The site is located at the northeastern corner of the intersection of Chain Bridge Road and Pathfinder Lane. It contains an existing 2,680 SF single-family detached dwelling. The existing dwelling on the site would continue to be utilized as an office, with no

physical changes. The new employee would live in the lower level of the dwelling, which is already set up for residential purposes.

### ***Vehicle Access, Circulation and Parking***

There is an existing asphalt driveway in the rear yard that is accessed from Pathfinder Lane. With the approval of SE 2004-DR-004, the applicant widened the driveway entrance to 30 feet and expanded the driveway to accommodate four parking spaces. A concrete walkway extends from the driveway to the entrance to the dwelling facing Pathfinder Lane, and to the entrance to the dwelling facing Chain Bridge Road. There is also a concrete sidewalk along the Chain Bridge Road frontage that ties into a brick pavement section with a bus stop.

## **ANALYSIS**

### **Land Use Analysis** (Appendix 5)

With the review of SE 2004-DR-004, staff found that the application satisfied the Comprehensive Plan's recommendations. As the applicant does not propose any changes to the existing site and use with the current request, staff continues to find the application to be in harmony with the Comprehensive Plan.

The applicant requests an extension of the Special Exception approval for a period of 15 years. As future market conditions are unknown, staff instead supports a ten-year time limit to the SEA. However, staff proposes administrative approvals by the Zoning Administrator for future time extensions beyond the ten-year period. Development Condition 4 has been revised to reflect this change. Staff also has no issue with the request to add an employee who would live in the basement of the dwelling for security purposes. Section 2-501 of the Zoning Ordinance allows the Board to permit a dwelling unit to be located within the same structure of a business as a part of a Special Exception. The applicant does not need to pursue any building permits to accommodate the security employee who would live in the basement, aside from enlarging the basement bedroom window to allow for emergency egress. A development condition has been proposed to this effect.

### **Transportation Analysis** (Appendix 6)

As stated earlier, the existing asphalt driveway was reconfigured as a part of SE 2004-DR-004 in order to widen the driveway entrance and to provide four parking spaces. In addition, an 11-foot wide section along the Pathfinder Lane frontage was reserved for future right-of-way dedication to accommodate future improvements to Pathfinder Lane, and this commitment would be carried forward with this amendment. Both the Fairfax County Department of Transportation (FCDOT) and the Virginia Department of Transportation (VDOT) reviewed the application and have no issues with the proposal.

### **Urban Forestry Analysis** (Appendix 7)

The Urban Forest Management Division (UFM) of DPWES has reviewed the application and has no issues with the proposal. UFM has no objection to the continuation of the modification of the transitional screening and barrier requirements as approved by the Board of Supervisors with the original Special Exception.

### Environmental Analysis

As there are no proposed site modifications to the existing building, parking lot, or any other physical features, there are no environmental issues with this application. The relevant development conditions approved with SE 2004-DR-004 would be carried forward with the approval of the subject application.

### Office of Community Revitalization (OCR) (Appendix 8)

OCR staff reviewed the application and had no issues with extending the use or adding an additional employee for security purposes. OCR emphasizes that a ten-year time limit is more appropriate than the requested 15 year extension, but has no issues with the administrative extensions beyond the ten-year time limit.

### ZONING ORDINANCE PROVISIONS (Appendix 9)

<b>Bulk Standards (R-3)</b>		
	<b>Required</b>	<b>Provided</b>
Minimum Lot Size	10,500 sf.	19,500 sq. ft.
Minimum Lot Width	Corner lot – 105 feet	87 feet – Chain Bridge Road <sup>1</sup> 215 feet – Pathfinder Lane
Minimum Building Height	60 feet <sup>2</sup>	13.4 feet
Front Yard	40° ABP <sup>3</sup> ≥ 30 feet	64 feet – Chain Bridge Road 33 feet – Pathfinder Lane
Side Yard	35° ABP <sup>3</sup> ≥ 10 feet	18 feet (East)
Rear Yard	35° ABP <sup>3</sup> ≥ 25 feet	95 feet (North)
Floor Area Ratio (FAR)	0.25 maximum allowed	0.14
Open Space	N/A	15,275 sq. ft. (78 percent)
Parking Spaces	4.3 (3.6 per 1,000 sf.)	5 spaces
Loading Spaces	1 space	None <sup>4</sup>

1. This lot was recorded in 1942, prior to the adoption of the current Zoning Ordinance. Pursuant to the provisions of Sect. 2-405, a lot legally recorded that met the requirements of the Zoning Ordinance in effect at the time of recordation

and recorded prior to the adoption of the current Zoning Ordinance may be used for a use permitted in this Zoning Ordinance even though it does not meet the current lot size and/or lot width requirements.

2. This height limitation applies to non-residential uses.
3. ABP – Angle of Bulk Plane
4. The applicant is requesting a waiver pursuant to the provisions of Par. 3 of Sect. 11-202. See the discussion below.

<b>Transitional Screening</b>		
North (Single-family Detached)	Transitional Screening Yard 2 (35 ft.)	36 feet <sup>1</sup>
East (Electric Substation)	None required	18 feet
South (Single-family Attached)	Transitional Screening Yard 2 (35 ft.)	64 feet <sup>1</sup>
West (Single-family Detached)	Transitional Screening Yard 2 (35 ft.)	33 feet <sup>1</sup>
<b>Barrier</b>		
North (Single-family Detached)	Barrier D, E or F <sup>2</sup>	Waiver requested
East (Electric Substation)	None required	N/A
South (Single-family Attached)	Barrier D, E or F <sup>2</sup>	Waiver requested
West (Single-family Detached)	Barrier D, E or F <sup>2</sup>	Waiver requested

1. Modifications have been requested along north, south and western boundaries to allow plantings shown on the SEA Plat to meet this requirement.
2. Barrier D – 42-48 inch chain link fence; Barrier E – 6 foot wall of architectural block or brick; Barrier F – 6 foot tall solid wood fence.

### **Waivers/Modifications:**

Modification of the transitional screening yard requirements and barrier requirements per Par. 3 of Sect. 13-304 and Par. 12 of Sect. 13-304 of the Zoning Ordinance to that shown on the SEA Plat.

The property, while on the edge of the McLean Commercial Revitalization District, is also part of an existing residential neighborhood. Further, the Comprehensive Plan states that where existing dwellings are converted to Special Permit or Special Exception uses, a residential appearance should be retained. If full screening were to be provided, the property would be effectively cut off from the rest of its neighborhood and would have the appearance of a commercial use. At the same time, staff believes the parking area should be appropriately screened from the existing homes across Pathfinder Lane and from the property to the north of the application property. The landscaping shown on the SEA Plat would achieve this goal.

With the previous approval, the applicant removed an existing rusted fence around the site and replaced it with new landscaping to screen the parking area. Staff concurs that

the landscaping is specifically designed to provide an adequate transition between this proposed office in a single-family detached dwelling and the abutting residential uses while retaining a residential character as recommended by the Comprehensive Plan. A modification to permit this landscaping in lieu of the required transitional screening and barriers was approved with the original Special Exception, and staff supports the modification.

Waiver of the loading space requirement, pursuant to the provisions of Section 11-202 of the Zoning Ordinance.

The provisions of Par. 3 allow the Director of the Department of Public Works and Environmental Services (DPWES) to reduce the number of spaces to the extent that other space is provided for the use that is involved. In this instance, given the likely limited number of deliveries for the proposed use, the travel aisle in the parking area can serve this purpose. This waiver was approved with the original Special Exception, and staff supports the waiver.

Modification of the travel lane requirement to allow a 15-foot wide travel lane as shown on the Special Exception Amendment Plat.

The existing right-of-way on Pathfinder Lane does not meet the current standard for a two lane local service street of 52 feet. The right-of-way of Pathfinder Lane adjacent to the property is 15 feet from the centerline. With the review of the previous Special Exception application, staff concluded that a reservation for future dedication of the additional right-of-way is appropriate in order to retain the existing residential character of Pathfinder Lane. The SEA Plat notes that an area 11 feet in depth is reserved as right-of-way for future dedication along Pathfinder Lane. This modification was approved with the original Special Exception, and staff supports the continuation of this modification.

Waiver of frontage improvements, including curb and gutter and right-of-way improvements, along Pathfinder Lane.

As described with the aforementioned modification, the SEA Plat notes an 11-foot wide reservation area for future dedication for future improvements along Pathfinder Lane. This waiver would allow Pathfinder Lane to maintain its residential character. This waiver was approved with the original Special Exception, and staff supports the continuation of this waiver.

## **Special Exception Requirements**

### 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*. The Comprehensive Plan shows the application property to be planned for residential development at a density of 5-8

dwelling units per acre. No physical changes are proposed. Because the existing dwelling will maintain its residential appearance, staff believes that the office will remain compatible with the surrounding neighborhood. In staff's evaluation, the proposed use is in harmony with the recommendations in the Comprehensive Plan.

**General Standard 2** states that *the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations*. An office is permitted in the R-3 District with approval of a Special Exception. It is staff's opinion that the proposal to operate an office in an existing single-family detached dwelling remains consistent with the purpose and intent of the R-3 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 an electric substation and single-family detached houses. The office would continue to serve as a buffer between the more intense residential uses to the south and commercial uses to the east, and the established single-family residences to the north and west. With the approval of the proposed waivers and modifications, screening and landscaping on the subject property is in accordance with the zoning regulations and the proposed use is in harmony with the surrounding community. This standard is satisfied.

**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*. No additional parking is proposed with this application. Neither pedestrian nor vehicular traffic would create a conflict with existing and anticipated traffic in the neighborhood. This standard is satisfied.

**General Standard 5** requires *that landscaping and screening be provided in accordance with the provisions of Article 13*. No physical changes to the site are proposed with the application. Existing plantings approved with the previous Special Exception would not be altered and would continue to be maintained. Therefore, the application meets this standard.

**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-3 Zoning District, which has no open space requirement. There would be no physical changes to the site.

**General Standard 7** requires that *adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading*

*requirements are proposed to be in accordance with the provisions of Article 11.* Adequate utility and drainage facilities exist to serve the proposed office use. The parking area was expanded to accommodate four parking spaces with the previous approval.

**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.* No additional signage is proposed along with this application. A development condition from SE 2004-DR-004, which limits the property to one sign no greater than 1.5 square feet of surface area, would be carried forward with this application.

#### Standards for All Category 5 Uses (Sect. 9-503)

Par. 1 of this section requires that the use comply with the lot size and bulk regulations for the zoning district in which it is located. As noted above, the existing house meets those requirements, noting that the lot width requirement is satisfied based on the provisions of Sect. 2-405. Par. 2 states that the provisions of Article 14, Performance Standards, must be met. It should be noted that the requirements of Part 9 of Article 14, which address outdoor lighting, are included in the proposed development conditions. Finally, Par. 3 states that, before establishment, all uses are subject to the provisions of Article 17, Site Plans. A site plan was approved for the application site after the prior Special Exception approval.

#### Additional Standards for Offices (9-515)

The first standard requires that all such uses be located in a Commercial Revitalization District (CRD). This property is located in a CRD. The second standard requires the house to have been constructed prior to February 26, 1973. As noted above in the Background Section, this dwelling was constructed in 1954. The third and fourth standards are not applicable.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

The application seeks approval of a Special Exception Amendment to continue the use of the single-family detached dwelling as a medical office. There are no proposed site modifications to the existing building, parking lot, or any other features with this application. No operational changes are proposed aside from the addition of a part-time employee to live on site for security purposes. Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proposed Development Conditions contained in Appendix 1 of the Staff Report.

### **Staff Recommendations**

Staff recommends approval of SEA 2004-DR-004, subject to the Proposed Development Conditions contained in Appendix 1.

Staff recommends approval of the following waivers and modifications:

- Modification of the transitional screening yard requirements and barrier requirements per Par. 3 of Sect. 13-304 and Par. 12 of Sect. 13-304 of the Zoning Ordinance to that shown on the SEA Plat.
- Waiver of the loading space requirement, pursuant to the provisions of Section 11-202 of the Zoning Ordinance.
- Modification of the travel lane requirement to allow a 15-foot wide travel lane as shown on the SEA Plat.
- Waiver of frontage improvements, including curb and gutter and right-of-way improvements, along Pathfinder Lane.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any 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 recommendations 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
2. Approval Letter for SE 2004-DR-004
3. Affidavit
4. Statement of Justification
5. Land Use Analysis and Comprehensive Plan Text
6. Transportation Analysis (FCDOT/VDOT)
7. Urban Forest Management Analysis
8. Office of Community Revitalization Analysis
9. Zoning Ordinance Provisions
10. Glossary

**PROPOSED DEVELOPMENT CONDITIONS****SEA 2004-DR-004****May 26, 2015**

If it is the intent of the Board of Supervisors to approve SEA 2004-DR-004 located at 1580 Chain Bridge Road [Tax Map 30-4 ((2)) (6) 46] for an office use in an existing single-family detached dwelling pursuant to Sects 3-304 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These conditions incorporate and supersede all previous conditions. Conditions carried forward from the previous Special Exception approval are denoted with an asterisk (\*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.\*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with the application, as qualified by these development conditions.\*
3. This Special Exception Amendment 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 Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled "Lot 46-48, Block 6, West McLean," prepared by Farrang Mojgani and dated October 8, 2001 as revised through November 15, 2004 and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.\*
4. This Special Exception Amendment shall remain valid for ten years from the date of issuance of a Non-Residential Use Permit (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 applicant to the Zoning Administrator in writing, no later than thirty days prior to the expiration date of the Special Exception Amendment. Based upon an inspection of the Special Exception Amendment 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 Amendment use still satisfies the provisions of the Zoning Ordinance, including the conditions of this Special Exception Amendment. Upon a favorable finding, the Zoning Administrator shall approve the five-year extension of the Special Exception Amendment. 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 Amendment.

5. The hours of operations shall be limited to Monday through Friday, 8:30 a. m. to 5:30 p.m. \*
6. There shall be no more than one medical practitioner at the site. One additional employee of the medical practitioner may be permitted to live at the site for security purposes. The number of employees on site at any one time shall be limited to two.
7. The maximum number of clients shall be thirteen (13) per day. There shall be no more than two clients on-site at any one time; with appointments scheduled at least 20 minutes apart.\*
8. All exterior lighting on the property shall conform to the requirements of Part 9 of Article 14, Outdoor Lighting Standards. Pole lights shall be limited to seven feet in height. All lighting shall be residential in character.\*
9. Notwithstanding the provisions of Article 12, Signs, the on-site signage shall be limited to one free-standing sign no more than 1.5 square feet in size and no more than four feet in height.\*
10. To retain the existing residential character of the building, the exterior appearance of the building shall not be changed; however, this does not preclude routine exterior maintenance or alterations.\*
11. The landscaping shown on the Special Exception Amendment Plat shall be maintained for the office use.
12. The existing vegetation along the northern, southern and eastern property boundaries shall be retained, however plant material determined by the Urban Forestry Division to be a hazard or diseased or dying may be removed. The existing six inch maple tree and 20 foot forsythia bush located within 35 feet of the northern property line shall be preserved.\*
13. Adequate emergency egress shall be provided for at least one of the windows in the lower level bedroom.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

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 him/herself responsible for obtaining the

required Non-Residential Use Permit 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 the use has been established or construction has commenced and been diligently prosecuted. 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.



# FAIRFAX COUNTY

## OFFICE OF THE CLERK BOARD OF SUPERVISORS

12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 • Fax: 703-324-3926 • TTY: 703-324-3903

V I R G I N I A

[www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm](http://www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm)  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)

July 23, 2004

Jane Kelsey  
Jane Kelsey & Associates, Inc.  
4041 Autumn Court  
Fairfax, Virginia 22030

RECEIVED  
Department of Planning & Zoning

JAN 30 2015

RE: Special Exception Application  
Number SE 2004-DR-004

Zoning Evaluation Division

Dear Ms. Kelsey:

At a regular meeting of the Board of Supervisors held on July 12, 2004, the Board approved Special Exception Application Number SE 2004-DR-004 in the name of Shoreh H. Armani located at 1580 Chain Bridge Road (Tax Map 30-4 ((2)) (6) 46) to allow an office use in a residential district pursuant to Section 3-304 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. 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 Lots 46-48, Block 6, West McLean, prepared by Runyon, Dudley, Associates, Inc. and dated January 15, 2004 as revised through May 28, 2004 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.

SE 2004-DR-004

July 23, 2004

- 2 -

4. This Special Exception application shall be valid for a period of seven (7) years from the date of approval. Additional two (2) year extensions of the Special Exception may be granted administratively by the Zoning Administrator until such time as consolidation and redevelopment occurs within Sub-unit 3 in conformance with the Comprehensive Plan, as may be amended. The request for an extension shall be submitted prior to the date of expiration of the previously granted time period.
5. The hours of operations shall be limited to Monday through Friday, 8:30 a. m. to 5:30 p.m.
6. There shall be no more than one medical practitioner at the site. The number of employees on site at any one time shall be limited to one.
7. The maximum number of clients shall be thirteen (13) per day. There shall be no more than two clients on-site at any one time; with appointments scheduled at least 20 minutes apart.
8. The parking lot shown on the Special Exception Plat shall be installed prior to the issuance of a Non-Residential Use Permit for the medical office use.
9. All exterior lighting on the property shall conform to the requirements of Part 9 of Article 14, Outdoor Lighting Standards. Pole lights shall be limited to seven feet in height. Parking area pole lights shall be limited to seven feet in height and shall be turned off by 7:00 p. m. All other exterior lighting shall be residential in style, character and output.
10. If the requested stormwater management waiver is not granted, stormwater management in conformance with the requirements of the Public Facilities Manual shall be provided in a manner that is in substantial conformance with the Special Exception Plat. If the requirements of the PFM cannot be met in a manner that is in substantial conformance with Special Exception Plat, the applicant shall be required to obtain a Special Exception amendment.
11. The existing chain link fence, the vines and other plant material immediately adjacent to and on the chain link fence shall be removed along the southern and western property boundaries. The existing fence along the northern boundary may be removed with the written consent of the owner of the property adjacent and to the north.
12. Subject to the approval of the Director, DPWES, a dustless surface may be used in lieu of asphalt paving, to provide for stormwater infiltration. Further, the requirement to stripe the parking lot may be waived to retain a residential character for the property.

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Department of Planning & Zoning

JAN 30 2015

Zoning Evaluation Division

SE 2004-DR-004

July 23, 2004

- 3 -

13. Notwithstanding the provisions of Article 12, Signs, the on-site signage shall be limited to one free-standing sign no more than 1.5 square feet in size and no more than four feet in height.
14. The existing structure shall not be modified in any manner that is inconsistent with the existing residential character of the building.
15. The landscaping shown on the Special Exception Plat shall be installed prior to the issuance of a Non-Residential Use Permit for the office use. All plant material shall be the size specified on the landscape legend on the Special Exception Plat when planted. The landscape plan shall be reviewed by the Urban Forestry Division.
16. The existing vegetation along the northern, southern and eastern property boundaries shall be retained, however plant material determined by the Urban Forestry Division to be a hazard or diseased or dying may be removed. The existing six inch maple tree and 20 foot forsythia bush located within 35 feet of the northern property line shall be preserved.

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

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. 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 yard requirements and barrier requirements as shown on the Special Exception Plat.**
- **Directed the Director of the Department of Public Works and Environmental Service to:**
  - **Waive the loading space requirement, pursuant to the provisions of Section 11-202.**

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Department of Planning & Zoning

JAN 8 0 2015

Zoning Evaluation Division

SE 2004-DR-004

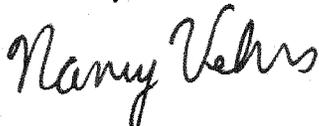
July 23, 2004

- 4 -

- **Modify the travel lane requirement to allow a 15-foot wide travel lane as show on the Special Exception Plat.**
- **Waive the frontage improvements, including curb and gutter and right-of-way improvements, along Pathfinder Lane.**

If you have questions regarding the expiration of this Special Exception or filing a request for additional time, they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Gerald E. Connolly  
Supervisor Joan M. DuBois, Dranesville District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Michael R. Congleton, Deputy Zoning Enforcement Branch  
Leslie B. Johnson, Deputy Zoning Administrator for Zoning Permit Review Branch  
Audrey Clark, Director, BPRD, DPWES  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,  
Charles Strunk, Project Planning Section, Department of Transportation  
Michelle A. Brickner, Director, Site Development Services, DPWES  
DPWES – Bonds & Agreements  
DPWES - Environment & Facilities Review Division  
Department of Highways, VDOT  
Land Acqu. & Planning Div., Park Authority  
District Planning Commissioner  
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools

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Department of Planning & Zoning

JAN 30 2015

Zoning Evaluation Division

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: April 30, 2015  
 (enter date affidavit is notarized)

I, Susan C. Langdon, do hereby state that I am an  
 (enter name of applicant or authorized agent)

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

128602

in Application No.(s): SEA 2004-DR-004  
 (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)
Shore Armani, Trustee, or her successors, of the Shore Armani Revocable Declaration of Trust a/k/a Shoreh H. Armani, dated August 29, 2012	650 Ad Hoc Road Great Falls, VA 22066	Applicant/Title Owner of 30-4 ((2)) (6) 46
Atoosa Amini Avideh Amini	650 Ad Hoc Road Great Falls, VA 22066	Beneficiaries of Trust
Jane Kelsey & Associates, Inc. Jane Kelsey Bruce E. Kelsey Susan C. Langdon	4041 Autumn Court Fairfax, VA 22030	Agents For Applicant

(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 AFFIDAVIT

DATE: April 30, 2015  
(enter date affidavit is notarized)

128602

for Application No. (s): SEA 2004-DR-004  
(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) Jane Kelsey & Associates, Inc.  
4041 Autumn Court  
Fairfax, VA 22030

**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)  
Jane Kelsey

(check if applicable)  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 AFFIDAVIT

DATE: April 30, 2015  
(enter date affidavit is notarized)

128602

for Application No. (s): SEA 2004-DR-004  
(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)  
NA

(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: April 30, 2015  
 (enter date affidavit is notarized)

128602

for Application No. (s): SEA 2004-DR-004  
 (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.

Application No.(s): SEA 2004-DR-004  
(county-assigned application number(s), to be entered by County Staff)

Page Five

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: April 30, 2015  
(enter date affidavit is notarized)

128602

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:

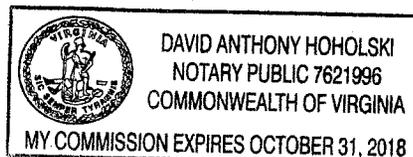
(check one) Susan C. Langdon  
[ ] Applicant [x] Applicant's Authorized Agent

Susan C. Langdon, Agent  
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 30<sup>th</sup> day of April 20 15, in the State/Comm. of Virginia, County/City of Fairfax.

David Anthony Hoholski  
Notary Public

My commission expires: October 31st 2018



**STATEMENT OF JUSTIFICATION**  
**Shore Armani, Trustee**

**Explanation of Proposal**

Dr. Shore Armani, the applicant, currently operates a medical office within a dwelling located at 1580 Chain Bridge Road, Lot 46, in Sub-unit 3 of the McLean Central Business District (CBC). The Board of Supervisors (BOS) approved Special Exception Application SE 2004-DR-002 in the name of the applicant for the office use on July 12, 2004. Based on Comprehensive Plan language for the McLean Central Business District which states in part that special exception and special permit uses in buffer areas should be limited to interim uses that do not create permanent disincentives to redevelopment, the BOS approved Development Condition 4 for the special exception to be valid for a period of seven years from the date of approval, with additional two year extensions as approved by the Zoning Administrator until such time as consolidation and redevelopment takes place within Sub-unit 3 in conformance with the Comprehensive Plan. The seven year time period expired and the applicant has been granted two extensions by the Zoning Administrator, the most recent through July 12, 2015.

The applicant is now submitting a special exception amendment to permit a change in development conditions. Specifically, the applicant requests that Development Condition 4 be amended to permit the special exception to be valid for a period of 15 years with additional two year extensions as approved by the Zoning Administrator.

As of this date, there has been no consolidation of parcels adjacent to, and/or including the applicant's parcel. There has been very limited redevelopment within the Sub-unit. An electrical substation separates Lot 46 from a majority of the other parcels within the Sub-unit, making it less likely Dr. Armani's property will ever be included in a consolidation. Any redevelopment in the surrounding area has been on a lot by lot basis with existing older homes in the neighborhood are being torn down and replaced with much larger homes on individual lots. Given this trend, it's very unlikely that consolidation of land will take place for any large scale redevelopment. For these reasons, the applicant believes the proposed change to Condition 4 is justified.

Additionally, the applicant would like to add another employee (part-time). This employee would live in the lower level of the dwelling to provide security for the premises. The following pages serve as the written statement describing the use in more detail. Outlined is the current operation of the office based on the approved development conditions. Noted in bold is a proposed change to Development Condition 6 in addition to the change to Condition 4 outlined above.

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JAN 30 2015

Zoning Evaluation Division

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Department of Planning & Zoning

JAN 30 2015

Zoning Evaluation Division

### Written Statement

- A. Type of Operation: Medical office (Condition 2)
- B. Hours of Operation: Monday through Friday, 8:30 am to 5:30 pm. (Condition 5)
- C. Number of Clients: Max 13/day, two clients at one time, appointments 20 min. apart. (Condition 7)
- D. Employees: Practitioner and one employee. (Condition 6)

**The applicant would like to add a part time employee who will live on the premises (in the basement.) Therefore the condition would change to permit the practitioner and two employees with one employee living on-site.**

- E. Traffic Impact: The doctor sees one client at a time.  
  
Appointments are scheduled in 20 minute blocks so clients arrive every 20 minutes. Typically there will be one client being seen and one client waiting.
- F. Vicinity Served: Primarily the McLean and Great Falls areas.
- G. Description of Bld.: Residential in appearance. No changes to structure or site are proposed.
- H. There are no know hazardous substances generated, utilized, stored, treated and/or disposed of on the property.
- I. The use conforms to the provisions of all applicable ordinances, regulations and adopted standards. The BOS in their special exception approval modified transitional screening and barrier requirements to permit the vegetation and chain link fence as shown on the special exception plat to meet screening requirements. The Board also waived the loading space requirement, modified the travel lane requirement and waived frontage improvements.

### Sect. 9-006 – Conformance with the General Standards for Special Exception Approval

1. The proposed use is in harmony with the adopted Comprehensive Plan. The property is located in the McLean Community Business Center, Sub-unit 3 (buffer area). The Plan states that special permit and special exception uses should be allowed when they are housed in structures with a well maintained, residential appearance. The structure containing the office use is a dwelling constructed in 1954. The applicant does not propose to change the appearance of the dwelling or property which, except for the small parking area in the northern area of the lot, maintains the appearance of a dwelling – it is one story in height with an attached garage and a well-maintained landscape.
2. The use is in harmony with the general purpose and intent of the R-3 District regulations. All of the bulk regulations of the District are met and the residential character of the lot will not be changed.

## Shore Armani, Trustee Statement

Page 3

3. The use is screened from other residential properties in the surrounding area. Though the BOS modified screening requirements under the original special exception, the vegetation on site is well-maintained and provides an adequate buffer to the residential properties to the north and west. To the east is an electrical substation, directly to the north is a sanitary sewer easement and to the south across Chain Bridge Road is homeowner association property for the Stoneleigh townhouse subdivision.
4. The property is located at the entrance to a subdivision, adjacent to Chain Bridge Road and vehicles generally arrive and leave via Chain Bridge Road. Unless clients live in the surrounding neighborhood, vehicles do not travel through the adjacent subdivision.
5. The site is heavily vegetated to the point where the dwelling is hardly visible from residential lots to the north. Existing vegetation along the lot lines will be used to satisfy transitional screening and barrier requirements.
6. The open space requirement is not applicable.
7. The parking requirement equals 3.6 spaces per 1,000 square feet of gross floor area. The gross floor area of the structure is 1,176 square so the parking requirement is five spaces. Four spaces are provided in the parking area and another space is provided in the garage.
8. A sign permit was obtained for the on-site sign, therefore it meets the requirement of Article 12.

**Sect. 9-503, Standards for all Category 5 Uses**

1. The use complies with the lot size and bulk regulations of the R-3 District.
2. The use complies with applicable performance standards.
3. The use complies with applicable provisions of Article 17.

**Sect. 9-505, Additional Standards for Offices**

- 1a. The use is located within a Community Business Center (McLean) as shown on the adopted Comprehensive Plan.
- 1b. The dwelling was erected in 1954, prior to February 26, 1973.
- 1c. Not applicable
- 1d. Not applicable
2. Not applicable

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 Department of Planning & Zoning  
 JAN 30 2015  
 Zoning Evaluation Division



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** May 08, 2015

**TO:** Barbara C. Berlin, AICP, Director  
Zoning Evaluation Division, DPZ

**FROM:** Pamela G. Nee, Chief *PGN*  
Environment and Development Review Branch, DPZ

**SUBJECT:** Land Use Analysis:  
SEA 2004-DR-004  
Shore Armani

This memorandum, prepared by Bernard Suchicital, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject Special Exception Application (SEA) dated January 30, 2015, as revised through May 22, 2014. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted.

### DESCRIPTION OF THE APPLICATION

The subject application is located at the northeast corner of Chain Bridge Road and Pathfinder Lane, in the Dranesville District on Tax Map 30-4 ((2)) (6) 46, on a 0.44 acre lot. The site is zoned R-3 Residential District, Sign Control Overlay District (SC), and Commercial Revitalization District (CRD). A Special Exception application SE 2004-DR-002 was approved on July 12, 2004 for an existing single-family detached house as a medical office. A time limit of seven years with two-year extensions by the Zoning Administrator, was conditioned for the use, the most recent being July, 2013. The SEA, which effectively seeks an extension of the original SE for 10 years with five year extensions, proposes no new development or construction. The applicant wishes to continue the use exactly as approved in 2004. The applicant also seeks to add a part-time employee who would live in the lower level of the dwelling to provide security for the premises, for a total of two employees on site. The site is zoned R-3 Residential District.

Excellence \* Innovation \* Stewardship  
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Department of Planning and Zoning  
Planning Division  
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Barbara C. Berlin  
SEA 2004-DR-004  
Shore Armani  
Page 2

## **LOCATION AND CHARACTER OF THE AREA**

The application property is bounded by single family residential uses to the north, south, and west, and an electric substation to the east. The application site is within a “buffer area” of the McLean Community Business Center.

## **COMPREHENSIVE PLAN CITATIONS:**

### **Land Use**

Fairfax County Comprehensive Plan, 2013 Edition, Area I, McLean Planning District, as amended through October 28, 2014, McLean Community Business Center, Recommendations, pages 30-31:

#### “Buffer Areas

The McLean CBC, as a community-serving center, gains much of its prosperity and economic strength from the close interaction of its commercial uses with the surrounding residential areas. The objective of this Plan is to concentrate intensity in the “North and South Villages,” and thus maintain lower densities and heights adjacent to the CBC’s Borders. Any potential adverse impacts are to be mitigated by measures such as buffering and adequate transitional screening and full adherence to the McLean CBC Open Space Design Standards when reviewing new development or redevelopment within the CBC.

The buffer areas are equally affected by both the land use direction within the CBC and the need to protect surrounding neighborhoods. Although both commercial and residential are considered appropriate uses at the buffer areas, the recommendations of one use instead of another is primarily based upon its potential impact beyond the CBC boundary. A critical planning issues is the need to prevent encroachment of commercial uses within the CBC into adjacent neighborhoods. Therefore, the proposed treatment for each buffer area responds to the specific conditions of that neighborhood.

In order to encourage and facilitate redevelopment in the CBC in accordance with the Comprehensive Plan, special exceptions and special permit uses in Buffer Areas should be limited to interim uses that do not create permanent disincentives to redevelopment. Such uses in Buffer Areas should only be allowed when they are housed in structures with a well maintained, residential appearance; when applicants demonstrate that the proposed use does not create a negative traffic impact upon the adjacent neighborhood; when parking is screened from adjacent properties with landscaping and decorative fences and/or walls; and when existing healthy, mature trees are maintained.

1. The area bounded by Chain Bridge Road, Pathfinder Lane, Buena Vista Avenue, and the rear property lines of land fronting Chain Bridge Road (Subarea 3) should develop in medium density residential townhouses to serve as a buffer between CBC commercial uses and single-family residential uses in West McLean. A base density range of 5-8 dwelling units

Barbara C. Berlin  
SEA 2004-DR-004  
Shore Armani  
Page 3

per acre would be appropriate provided that: complete blocks are consolidated; an innovative layout of townhouses is provided with no direct vehicular access to Chain Bridge Road, streetscape improvements are made according to the McLean Design Standards, including street trees and a landscaped median; building heights are limited to a maximum of 35 feet; appropriate buffering to adjacent single-family residential is provided; five-foot wide sidewalks wrapping to side streets are installed; and, a bus shelter on Chain Bridge Road is provide.”

Fairfax County Comprehensive Plan, 2013 Edition, Area I, McLean Planning District, as amended through October 28, 2014, McLean CBC Subarea Guidelines, page 40.

“Subarea 3: Chain Bridge Road, Pathfinder Lane, Buena Vista Avenue, rear property line of Chain Bridge Road.

**Guidelines:**

Planning Objectives – Establish medium density residential townhouses as a buffer between CBC commercial uses and single-family residential outside the CBC.

Land Use Objective – Medium residential townhouse at 5-8 du/ac.

Implementation Strategy – Rezone to accommodate medium density residential.

Parking Strategy – As required by Zoning Ordinance.

**Design Objective:**

Public Space Guidelines – East (Buena Vista Avenue): Residential Frontage type L. South (Chain Bridge Road): Public Walkway type E or G (for streetscape only). West (Pathfinder Lane): Residential Frontage type L.

Building Envelope Guidelines – Residential Frontage type L.

Building Relationships – Cluster townhouses with surface parking areas broken by landscaping and varied building forms.

Special Considerations – Provide landscaped buffer when adjoining single-family housing. To achieve 5-8 dwelling units per acre, the property should have innovative layout of townhouses, no direct vehicle entrance on Chain Bridge Road. Maximum 2-stories height, up to 35 feet. Provide bus service. Consolidation of each block is encouraged.”

**COMPREHENSIVE PLAN MAP:** Residential 6-8 dwelling units per acre.

Barbara C. Berlin  
SEA 2004-DR-004  
Shore Armani  
Page 4

## LAND USE ANALYSIS

On July 12, 2004, the Board of Supervisors approved the original Special Exception application SE 2004-DR-002 to permit the office use in a single family detached structure as an interim use for seven years, with additional two year renewals. At the time of the approval, the applicant satisfied Comprehensive Plan's recommendations. The applicant seeks to continue the interim office use with a permit to be valid for 10 years with five year extensions, a change to Development Condition 4. The Plan states that "special exceptions and special permit uses in Buffer Areas should be limited to interim uses that do not create permanent disincentives to redevelopment." Staff does not believe that the extended term limit for the office use will preclude future development in the area. The addition of Development Condition 6, the request for a part-time employee to live on site, will also not preclude redevelopment.

## CONCLUSION

The applicant proposes to retain an existing office use in an existing dwelling, which was approved as a Special Exception in 2004. The applicant is requesting an amendment to Development Condition 4 to permit the SE to be valid for a period of 10 years with additional five year extensions as approved by the Zoning Administrator. Development condition 6 is also added to permit one part-time employee to live in the lower level of the dwelling. Staff believes that the application is in harmony with the Comprehensive Plan.

PGN:BSS

**Vanatta, Michael**

---

**From:** Yang, Ariel  
**Sent:** Wednesday, April 01, 2015 3:32 PM  
**To:** Vanatta, Michael  
**Cc:** Iannetta, Elizabeth A.  
**Subject:** SEA 2004-DR-004 Shore Armani

Hi Mike,

We have no issues on this case.

Thank you,

Ariel Yang, AICP  
Transportation Planning Division  
Fairfax County Department of Transportation  
Email: [ariel.yang@fairfaxcounty.gov](mailto:ariel.yang@fairfaxcounty.gov)  
Phone: 703-877-5600



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF TRANSPORTATION

CHARLES A. KILPATRICK, P.E.  
COMMISSIONER

4975 Alliance Drive  
Fairfax, VA 22030

March 26, 2015

Ms. Barbara Berlin, AICP, Director  
Zoning Evaluation Division  
Fairfax County Department of Planning and Zoning  
12055 Government Center Parkway, Suite 730  
Fairfax, Virginia 22035-5505

Re: Shore Armani, Trustee a/k/a Shoreh H. Armani  
**SEA 2004-DR-004**

Dear Ms. Berlin:

VDOT has reviewed the above referenced plan and has no objection to its approval.

Sincerely,

A handwritten signature in cursive script that reads "Paul J. Kraucunas".

Paul J. Kraucunas, P.E.  
Land Development Program Manager



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** March 24, 2015

**TO:** Michael Van Atta, Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Craig Herwig, Urban Forester III   
Forest Conservation Branch, DPWES

**SUBJECT:** West Mclean Block 6, Lots 46, 47, 4; SEA 2004-DR-004

This review is based on the Special Exception Amendment Application stamped, "Received, Department of Planning and Zoning, January 30, 2015" and the Special Exception Amendment Plat stamped "Received, Department of Planning and Zoning, February 18, 2015."

1. **Comment:** It appears the Applicant is requesting a reaffirmation of the Board of Supervisors approval of a modification to the transitional screening and barrier requirements approved under the original Special Exception, SE 2004-DR-004.

**Recommendation:** Based on a review of the existing landscape and the Special Exception Amendment Plat as well as the fact that the Applicant proposes no changes to the dwelling or site, the existing vegetation continues to meet the intent of transitional screening type I. The Urban Forest Management Division has no objection to the continuation of the modification of the transitional screening and barrier requirements as approved by the Board of Supervisors on the original Special Exception.

Please feel free to contact me if you have any further questions or concerns about this review.

CSH/

UFMDID #: 199823

cc: DPZ File

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: 703-653-9550

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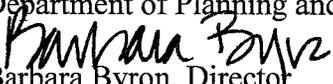


# County of Fairfax, Virginia

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

**DATE:** April 27, 2015

**TO:** Barbara Berlin, Director,  
Zoning Evaluation Division  
Department of Planning and Zoning (DPZ)

**FROM:**   
Barbara Byron, Director  
Office of Community Revitalization (OCR)

**SUBJECT:** SEA 2004-DR-004, Shore Armani, Trustee a/k/a Shoreh H. Armani

The Office of Community Revitalization (OCR) has reviewed the above referenced Special Exception Application (SEA) date stamped as "Received by the Department of Planning and Zoning on January 30, 2015". The subject property is located within the McLean Commercial Revitalization District (CRD).

The applicant seeks to continue the use of a residential structure as a medical office for a period of 17-years (15-years plus two 1-year extensions); no new development or construction is proposed. The applicant also seeks to add a part-time employee who would reside in the lower level of the dwelling to provide security for the premises. This application follows SE 2004-DR-002, approved by the Fairfax County Board of Supervisors (Board) on July 12, 2004, which permitted the applicant to use the existing house for 9-years (7-years plus two 1-year extensions) as a medical office.

The OCR does not object to permitting the continued use of the subject property as a medical office as the use is consistent with the comprehensive plan's guidance to not preclude the redevelopment of the property or create negative traffic impacts, and will house the office use in a structure with a residential appearance; however, the SEA should be limited to a 10-year period, as future market conditions are unknown. A 17-year SEA for an income producing property could disincentivize the redevelopment of the property. The OCR has no objection to adding the part time employee provided adequate parking is available.

cc: Michael Van Atta, Staff Coordinator, DPZ  
OCR File

Office of Community Revitalization  
12055 Government Center Parkway, Suite 1048  
Fairfax, VA 22035  
703-324-9300, TTY 711  
www.fcrevit.org



## FAIRFAX COUNTY ZONING ORDINANCE

**PART 3 3-300 R-3 RESIDENTIAL DISTRICT, THREE DWELLING UNITS/ACRE****3-301 Purpose and Intent**

The R-3 District is established to provide for single family detached dwellings at densities set forth in Sect. 308 below; to provide for affordable dwelling unit developments; to allow other selected uses which are compatible with the low density residential character of the district; and otherwise to implement the stated purpose and intent of this Ordinance.

**3-302 Permitted Uses**

1. Accessory uses and home occupations as permitted by Article 10.
2. Affordable dwelling unit developments.
3. Dwellings, single family detached.
4. Public uses.

**3-303 Special Permit Uses**

For specific Group uses, regulations and standards, refer to Article 8.

1. Group 2 - Interment Uses.
2. Group 3 - Institutional Uses, limited to:
  - A. Churches, chapels, temples, synagogues and other such places of worship
  - B. Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education
  - C. Convents, monasteries, seminaries and nunneries
  - D. Group housekeeping units
  - E. Home child care facilities
3. Group 4 - Community Uses.
4. Group 5 - Commercial Recreation Uses, limited to:
  - A. Commercial swimming pools, tennis courts and similar courts
5. Group 7 - Older Structures, limited to:
  - A. Antique shops

## RESIDENTIAL DISTRICT REGULATIONS

- B. Art and craft galleries
  - C. Rooming houses
  - D. Summer theatres
6. Group 8 - Temporary Uses, limited to:
- A. Carnival, circus, festival, fair, horse show, dog show, steeplechase, music festival, turkey shoot, sale of Christmas trees or other seasonal commodities and other similar activities
  - B. Construction material yards accessory to a construction project
  - C. Contractors' offices and equipment sheds to include trailers accessory and adjacent to an active construction project
  - D. Subdivision and apartment sales and rental offices
  - E. Temporary dwellings or mobile homes
  - F. Temporary farmers' markets
  - G. Temporary mobile and land based telecommunications testing facility
  - H. Temporary portable storage containers
7. Group 9 - Uses Requiring Special Regulation, limited to:
- A. Home professional offices
  - B. Accessory dwelling units

3-304

**Special Exception Uses**

For specific Category uses, regulations and standards, refer to Article 9.

- 1. Category 1 - Light Public Utility Uses.
- 2. Category 3 - Quasi-Public Uses, limited to:
  - A. Alternate uses of public facilities
  - B. Child care centers and nursery schools
  - C. Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education
  - D. Colleges, universities

## FAIRFAX COUNTY ZONING ORDINANCE

- E. Conference centers and retreat houses, operated by a religious or nonprofit organization
  - F. Congregate living facilities
  - G. Cultural centers, museums and similar facilities
  - H. Dormitories, fraternity/sorority houses, rooming/boarding houses, or other residence halls
  - I. Independent living facilities
  - J. Medical care facilities
  - K. Private clubs and public benefit associations
  - L. Private schools of general education
  - M. Private schools of special education
  - N. Quasi-public parks, playgrounds, athletic fields and related facilities
3. Category 4 - Transportation Facilities, limited to:
- A. Electrically-powered regional rail transit facilities
  - B. Regional non-rail transit facilities
4. Category 5 - Commercial and Industrial Uses of Special Impact, limited to:
- A. Commercial off-street parking in Metro Station areas as a temporary use
  - B. Convenience centers
  - C. Funeral chapels
  - D. Golf courses, country clubs
  - E. Marinas, docks and boating facilities, commercial
  - F. Offices
  - G. Plant nurseries
5. Category 6 – Miscellaneous Provisions Requiring Board of Supervisors’ Approval:
- Refer to Article 9, Special Exceptions, Part 6, Miscellaneous Provisions Requiring Board of Supervisors’ Approval, for provisions which may qualify or supplement these district regulations.

## RESIDENTIAL DISTRICT REGULATIONS

**3-305 Use Limitations**

1. No sale of goods or products shall be permitted, except as accessory and incidental to a permitted, special permit or special exception use.
2. All uses shall comply with the performance standards set forth in Article 14.
3. Cluster subdivisions may be permitted in accordance with the provisions of Sect. 9-615 when the cluster subdivision has a minimum district size of two (2) acres or greater but less than three and one-half (3.5) acres, and with the provisions of Sect. 2-421 when the cluster subdivision has a minimum district size of three and one-half (3.5) acres or greater.

**3-306 Lot Size Requirements**

1. Minimum district size for cluster subdivisions:
  - A. Cluster subdivisions containing a minimum district size of two (2) acres or greater but less than three and one-half (3.5) acres shall be subject to special exception approval.
  - B. Cluster subdivisions containing a minimum district size of three and one-half acres (3.5) acres or greater shall be subject to approval by the Director.
2. Average lot area
  - A. Conventional subdivision lot: 11,500 sq. ft.
  - B. Cluster subdivision lot: No Requirement
3. Minimum lot area
  - A. Conventional subdivision lot: 10,500 sq. ft.
  - B. Cluster subdivision lot approved by the Director: 8,500 sq. ft., except that if any portion of a cluster subdivision lot is located within 25 feet of a peripheral boundary of the cluster subdivision and any portion of any lot located outside of the cluster subdivision that is contiguous to that cluster subdivision's peripheral boundary is zoned to a district that permits a maximum density equal to or less than 3 dwelling units per acre and contains a single family detached dwelling or is vacant, then such cluster subdivision lot shall contain a minimum lot area of 10,500 square feet. Notwithstanding the above, when the contiguous development is zoned to the PDH-3 District or to an R-3 District and is developed with and/or approved for a cluster subdivision, all lots within the proposed cluster subdivision shall contain a minimum lot area of 8,500 square feet.
  - C. Cluster subdivision lot approved by special exception: 8,500 sq. ft.
4. Minimum lot width
  - A. Conventional subdivision lot:

## FAIRFAX COUNTY ZONING ORDINANCE

- (1) Interior lot - 80 feet
- (2) Corner lot - 105 feet

B. Except as qualified below, cluster subdivision lot approved by the Director:

- (1) Interior lot - No Requirement
- (2) Corner lot - 80 feet

If any portion of a cluster subdivision lot is located within 25 feet of a peripheral boundary of the cluster subdivision, and any portion of any lot located outside of the cluster subdivision that is contiguous to that peripheral cluster subdivision's boundary is zoned to a district that permits a maximum density equal to or less than 3 dwelling units per acre and contains a single family detached dwelling or is vacant, then such cluster subdivision lot shall contain a minimum lot width of 80 feet for interior lots and 105 feet for corner lots. Notwithstanding the above, when the contiguous development is zoned to the PDH-3 District or to a R-3 District and is developed with and/or approved for a cluster subdivision, all lots within the proposed cluster subdivision shall have no minimum required lot width for interior lots and shall contain a minimum lot width of 80 feet for corner lots.

C. Cluster subdivision lot approved by special exception:

- (1) Interior lot – No Requirement
- (2) Corner lot – 80 feet

**3-307****Bulk Regulations**

- 1. Maximum building height
  - A. Single family dwellings: 35 feet
  - B. All other structures: 60 feet
- 2. Minimum yard requirements
  - A. Single family dwellings
    - (1) Conventional subdivision lot
      - (a) Front yard: 30 feet
      - (b) Side yard: 12 feet
      - (c) Rear yard: 25 feet
    - (2) Cluster subdivision lot

## RESIDENTIAL DISTRICT REGULATIONS

- (a) Front yard: 20 feet
  - (b) Side yard: 8 feet, but a total minimum of 20 feet
  - (c) Rear yard: 25 feet
- B. All other structures
- (1) Front yard: Controlled by a 40° angle of bulk plane, but not less than 30 feet
  - (2) Side yard: Controlled by a 35° angle of bulk plane, but not less than 10 feet
  - (3) Rear yard: Controlled by a 35° angle of bulk plane, but not less than 25 feet
3. Maximum floor area ratio:
- A. 0.25 for uses other than residential or public
  - B. 0.30 for public uses

**3-308****Maximum Density**

- 1. Conventional subdivisions: Three (3) dwelling units per acre.
- 2. Cluster subdivisions:
  - A. Three (3) dwelling units per acre for cluster subdivisions approved by the Director in accordance with Sect. 2-421, or that are the result of proffered rezoning from a district that allows a permitted maximum density of less than three (3) dwelling units per acre.
  - B. Three dwelling units per acre plus one (1) bonus dwelling unit for cluster subdivisions containing a minimum district size of two (2) acres or greater but less than three and one-half (3.5) acres and approved by special exception.

**3-309****Open Space**

In subdivisions approved for cluster development, 25% of the gross area shall be open space.

**3-310****Affordable Dwelling Unit Developments**

Affordable dwelling unit developments may consist of single family detached dwelling units, either in a conventional subdivision or cluster subdivision. Cluster subdivisions shall be subject to the approval of the Director in accordance with Sect. 2-421. In addition, single family attached dwelling units are permitted, provided that no more than forty (40) percent of the total number of dwelling units allowed within the development shall be single family attached

## FAIRFAX COUNTY ZONING ORDINANCE

- (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:
    - (a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and
    - (b) the maximum permitted FAR for the zoning district shall not be exceeded.
- C. For all approved special exception uses, any request for an addition shall require the provision of written notice by the requester in accordance with the following:
- (1) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and
  - (2) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the approved special exception, such modification shall require the approval of an amendment to the special exception in accordance with Sect. 014 below or a new special exception.

#### **9-005 Establishment of Categories**

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

#### **9-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

## SPECIAL EXCEPTIONS

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. 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.
4. 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.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall 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.

9-007

**Conditions and Restrictions**

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

9-008

**Time Limitations, Extensions, Renewals**

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period by the Zoning Administrator; or that it

## FAIRFAX COUNTY ZONING ORDINANCE

R-A District: Limited to uses 19 and 40  
 R-P District: Limited to uses 15, 17, 19, 35, 38, 40 and 42  
 R-C District: Limited to uses 15, 17, 19, 35, 38, 39, 40 and 42  
 R-E, R-1 Districts: Limited to uses 10, 12, 15, 17, 19, 27, 35, 37, 38, 39, 40, 41 and 42  
 R-2 District: Limited to uses 5, 12, 15, 17, 19, 27, 35 and 38  
 R-3, R-4 Districts: Limited to uses 5, 12, 15, 17, 19, 27 and 38  
 R-5, R-8 Districts: Limited to uses 5, 12, 15, 17, 27 and 38  
 R-12, R-16, R-20 Districts: Limited to uses 12, 15, 27 and 38  
 R-30 District: Limited to uses 12, 15, 17, 27 and 38  
 R-MHP District: Limited to uses 12, 15, 27 and 38

PDH District: Limited to uses 11, 27 and 35  
 PDC District: Limited to uses 11, 16 and 27  
 PRC District: Limited to uses 27, 34 and 35

C-1 District: Limited to uses 10, 27 and 38  
 C-2 District: Limited to uses 6, 9, 10, 27 and 38  
 C-3 District: Limited to uses 6, 9, 10, 14, 18, 21, 22, 25, 27 and 38  
 C-4 District: Limited to uses 6, 9, 10, 14, 21, 22, 25, 27 and 38  
 C-5 District: Limited to uses 2, 3, 6, 11, 15, 17, 20, 21, 23, 27, 33, 34, 36, 37, 38, 39 and 41  
 C-6 District: Limited to uses 2, 3, 4, 6, 11, 14, 15, 17, 20, 21, 23, 25, 27, 30, 33, 34, 36, 37, 38, 39 and 43  
 C-7 District: Limited to uses 2, 3, 4, 6, 7, 8, 10, 11, 15, 17, 20, 21, 23, 25, 26, 27, 30, 33, 34, 36, 37, 38, 39 and 43  
 C-8 District: Limited to uses 2, 3, 4, 6, 7, 10, 11, 15, 16, 17, 20, 21, 23, 24, 25, 27, 30, 33, 34, 36, 37, 38, 39 and 43  
 C-9 District: Limited to uses 2, 3, 4, 6, 10, 11, 17, 18, 20, 21, 23, 25, 26, 27, 33, 36, 37 and 43

I-I District: Limited to use 27  
 I-1 District: Limited to uses 27 and 38  
 I-2 District: Limited to uses 9, 14, 15, 18, 22, 27 and 38  
 I-3 District: Limited to uses 3, 6, 9, 14, 15, 16, 18, 21, 22, 25, 26, 27, 29, 37, 38, 39 and kennels (outdoor)  
 I-4 District: Limited to uses 3, 6, 9, 14, 15, 18, 19, 21, 22, 25, 27, 28, 32, 37, 38, 39 and kennels (outdoor)  
 I-5 District: Limited to uses 3, 6, 7, 9, 11, 14, 18, 19, 20, 21, 23, 25, 27, 32, 33, 37, 38, 39 and kennels (outdoor)  
 I-6 District: Limited to uses 3, 6, 7, 11, 13, 18, 19, 20, 21, 23, 27, 31, 33, 37, 38, 39 and kennels (outdoor)

**9-503 Standards for all Category 5 Uses**

In addition to the general standards set forth in Sect. 006 above, all Category 5 special exception uses shall satisfy the following standards:

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.

## SPECIAL EXCEPTIONS

2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

**9-504****Additional Standards for Amusement Arcades**

1. Such a use shall not be located closer than 1000 feet to any school. In addition, except when located under the roof of a shopping center, such a use shall not be located within 100 feet of any adjoining property which is in an R district.
2. Such use shall be established only after approval by the Board of a plan setting forth acceptable rules for the operation of the establishment. Such plan shall specify (a) procedures to preclude gambling and loitering; (b) regulations regarding the use of the establishment by school age children; and (c) procedures for the enforcement of the rules.
3. In addition, the Board shall impose such conditions and restrictions as it may deem necessary to assure that the use will be compatible with and will not adversely impact the adjacent area. Such conditions and restrictions may include, but need not be limited to, the following:
  - A. Hours of operation.
  - B. Number of adult attendants required to be on the premises at all times.
  - C. Size of the establishment and the number of amusement machines.

**9-505****Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts**

1. In all districts where permitted by special exception:
  - A. Such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.
  - B. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.
  - C. The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.

## SPECIAL EXCEPTIONS

how the use can be made to comply with the applicable performance standards in Article 14.

2. The Board may, in approving a special exception for a heavy industrial use, establish additional yard requirements, landscaping and screening and other standards that, in the opinion of the Board, will effect compatibility with the surrounding community.

**9-512 Additional Standards for Hotels, Motels**

1. When located in an I district, such a use shall be an integral design element of a site plan for an industrial building or building complex containing not less than 100,000 square feet of gross floor area.

**9-513 Additional Standards for Marinas, Docks and Boating Facilities, Commercial**

1. The minimum lot size requirement shall be two (2) acres.
2. Except for light poles, no structure used in connection with the use shall be located closer than 100 feet to any nonriparian lot line.
3. No off-street parking or loading space shall be located within fifty (50) feet of any adjoining property which is in an R district.

**9-514 Additional Standards for Mini-Warehousing Establishments**

1. Storage units shall be primarily for dead storage and all storage shall be within a completely enclosed building.
2. Loading docks shall not be permitted.
3. There shall be no incidental parking or storage of trucks and/or moving vans except for purposes of loading and unloading or unless approved as a part of a truck rental establishment.
4. In the PDC and PTC Districts, mini-warehousing establishments may only be permitted in accordance with the provisions of Sect. 6-206 and 6-505, as applicable.

**9-515 Additional Standards for Offices**

1. The following standards shall apply to offices in residential districts:
  - A. Such a use shall be located only within a Community Business Center (CBC) as shown in the adopted comprehensive plan or such other area where such use is specifically designated in the adopted comprehensive plan.
  - B. Such a use shall be permitted only in a single family detached dwelling which was erected prior to February 26, 1973; additions erected subsequently may not be used for such activities.

## FAIRFAX COUNTY ZONING ORDINANCE

- C. Notwithstanding the provisions of Sect. 014 above, offices in residential districts approved prior to January 24, 1977 may be renewed for one five (5) year period under the ordinances in effect at the time the permit/exception was originally granted, provided that the principal user is the same as the one who originally received the special permit or exception. Thereafter, any renewal shall be subject to the provisions of this Ordinance.
- D. Notwithstanding the provisions of Par. A through C above, in the R-30 District, offices shall be subject only to the following standards:
- (1) Such use shall be located only on the lower two (2) floors of the primary building, or in an accessory structure as may be approved by the Board.
  - (2) The aggregate floor area of all non-residential uses, to include offices, shall not exceed fifteen (15) percent of the total gross floor area.
  - (3) Adequate off-street parking shall be provided in accordance with the provisions of Par. 4 of Sect. 11-102.
2. In the C-5, C-6, C-7, C-8 and C-9 Districts, the Board may approve a special exception to allow office uses at a greater percentage of the maximum FAR than that permitted by right. For the purpose of this provision, maximum FAR shall mean the maximum FAR permitted by right, as set forth in the applicable zoning district, or as increased by an approved special exception in accordance with Sect. 618 below.

## 9-516

**Additional Standards for Parking, Commercial Off-Street**

1. In the C-3, I-2 and I-3 Districts, such parking facilities shall be allowed only as an integral design element of a site plan for an office, commercial or industrial building or building complex containing not less than 30,000 square feet of gross floor area.
2. Notwithstanding the bulk regulations of the zoning district in which located, any parking space that is located on the ground and is open to the sky may be located in any required yard but not closer to any front lot line than ten (10) feet, except as may be qualified by the provisions of Article 13.
 

Parking structures and any structure accessory to a commercial parking lot shall be subject to the bulk regulations of the zoning district in which located, except parking structures which are completely underground may be located in any required yard, but not closer than one (1) foot to any lot line.
3. Such parking facilities shall be used solely for the parking of vehicles in operating condition. No motor vehicle repair work except emergency service shall be permitted in association with such a parking facility.
4. Such parking facilities shall be provided with safe and convenient access to a street. If any parking space is located contiguous to a street, the street side thereof shall be curbed, and ingress and egress shall be provided only through driveway openings through the curb of such dimension, location and construction as may be approved by the Director in accordance with the Public Facilities Manual.

## 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		