

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

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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.