



County of Fairfax, Virginia

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

June 24, 2015

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

RECEIVED
Department of Planning & Zoning

AUG 13 2015
Zoning Evaluation Division

RE: Special Exception Amendment Application SEA 2005-LE-028
(Concurrent with Re Rezoning Application RZ 2014-LE-010 and Special Exception Amendment Application SEA 2005-LE-027-02)

Dear Ms. Strobel:

At a regular meeting of the Board of Supervisors on June 23, 2015, the Board approved Special Exception Amendment Application SEA 2005-LE-028 in the name of Piney Run Elm Investments LC. The subject property is located at 7906, 7908, 7912, and 7836 Telegraph Road, on approximately 47.40 acres of land zoned R-1 and NR in the Lee District [Tax Map 100-1 ((1)) 9B pt., 19, 20, 23A, 24, and 25]. The Board's action amends Special Exception Application SE 2005-LE-028 previously approved for an independent living facility to permit an increase in land area and associated modifications to site design and development conditions. Previously approved conditions or those with minor modifications are marked 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 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 Generalized Development Plan/Special Exception Plat entitled Elm Street Development Piney Run, prepared by Dewberry Consultants, LLC and dated March 5, 2014 as revised through May 15, 2015, 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.

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

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

4. Sidewalks lining the private streets that terminate at the open space shall be extended as trails that connect to the trail system proposed within the open space unless such extensions cannot be accommodated due to abrupt changes in grade between the streets and the open space.
5. All on-street parking spaces shall comply with minimum Public Facility Manual (PFM) dimensions. Compliance with this provision shall be verified at site plan review.
6. The minimum dimensions of all individual garage and front load driveway parking spaces shall comply with the minimum dimensions contained in Table 7.7 of Sect. 7-0802.2 Universal Size Car Spaces of the PFM for a 90-degree angle, head-in parking space. Compliance with this provision shall be verified at site plan and/or building permit review.
7. The existing pedestrian bridge over Tributary A that is to be retained shall be repaired to provide a safe walking environment to the satisfaction of DPWES prior to the issuance of the first Residential Use Permit (RUP).
8. The site plan(s) for the independent living development shall comply with the conditions of approval of Water Quality Impact Assessment Request #7239-WQ-002-1 and Resource Protection Area Encroachment Exception Request #7239-WRPA-004-1.

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:

- Approved Water Quality Impact Assessment Request #7239-WQ-002-1 and Resource Protection Area Encroachment Exception Request #7239-WRPA-004-1,

subject to the proposed development conditions contained in Exhibit A of Appendix 15 of the staff report dated May 27, 2015.

- Reconfirmed the modification of the age limitations contained in Par. 1 of Section 9-306 of the Zoning Ordinance to 55 years of age in lieu of 62 years of age.

Sincerely,



Catherine A. Chianese
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova
Supervisor Jeffrey McKay, Lee District
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Michael Davis, Section Chief, Transportation, Planning Division
Donald Stephens, Department of Transportation
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Jill Cooper, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation



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

APPLICATION No: SEA 2005-LE-028

concurrent w/ RZ 2014-LE-010
 (Staff will assign)
RECEIVED
 Department of Planning & Zoning
 SEA 2005-LE-027-02.

DEC 23 2013

Zoning Evaluation Division

APPLICATION FOR A SPECIAL EXCEPTION

(PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME Piney Run Elm Investments, LC	
	MAILING ADDRESS c/o Walsh Colucci Lubeley Emrich & Walsh P.C. 2200 Clarend Boulevard, Suite 1300 Arlington, Virginia 22201	
	PHONE HOME () WORK (703) 528-4700	
	PHONE MOBILE ()	
PROPERTY INFORMATION	PROPERTY ADDRESS 7906, 7908, and 7836 Telegraph Road Alexandria, Virginia 22315	
	TAX MAP NO. 100-1 ((1)) 20, 23A, 24, and 25	SIZE (ACRES/SQ FT) 44.41 acres
	ZONING DISTRICT R-1	MAGISTERIAL DISTRICT Lee
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: N/A	
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION 9-304, 9-306	
	PROPOSED USE Amendment to a previously approved special exception (SE 2005-LE-028) for independent living to increase land area.	
AGENT/CONTACT INFORMATION	NAME Lynne J. Strobel, Attorney/Agent	
	MAILING ADDRESS Walsh Colucci Lubeley Emrich & Walsh P.C. 2200 Clarendon Boulevard, Suite 1300 Arlington, Virginia 22201	
	PHONE HOME () WORK (703) 528-4700	
	PHONE MOBILE ()	
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact	
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>Lynne J. Strobel, Agent</p> <p><u>Lynne J. Strobel</u> TYPE/PRINT NAME OF APPLICANT/AGENT SIGNATURE OF APPLICANT/AGENT</p>		

DO NOT WRITE IN THIS SPACE

Date Application accepted: March 25, 2014

Application Fee Paid: \$ 16,375.00

Virginia Ruffner
 SEA 2013-0371 ^{14pc} 3/25/14