



County of Fairfax, Virginia

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

November 28, 2006

John L. McBride
Vanderpool, Frostick, & Nishanian, PC
9200 Church St. Suite 400
Manassas, VA 20110

Re: Special Exception Application Number SE 2006-SP-011

Dear McBride:

At a regular meeting of the Board of Supervisors held on November 20, 2006, the Board approved Special Exception Application Number SE 2006-SP-011 in the name of Virginia Electric and Power Company located at 8906 Ox Road on approximately 3.81 acres of land zoned R-1 and WS (Tax Map 106-1 ((1)) 23A pt. and 106-2 ((1)) 47A pt.). The Board's approval deletes 1.35 acres and allows for the maintenance of an electric substation on 2.46 acres of land pursuant to Section 3-104 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. Other by-right Special Exception, or Special Permit uses may be allowed on the site without amending this Special Exception, so long as the proposed use is in substantial conformance with the SE Plat.
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 "Special Exception Plat - Virginia Electric and Power Company (VEPCO)" prepared by Burgess and Niple, consisting of two sheets dated April 20, 2006, with revisions to Sheet 1 dated August 8, 2006 and Sheet 2 dated August 25, 2006, 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 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>

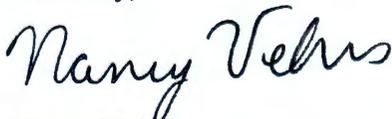
4. Existing healthy vegetation shall be preserved along the common property line between Tax Map Parcel 106-1 ((1)) 23A and Tax Map Parcel 106-2 ((1)) 47A and outside of the "Danger Tree Restriction Area" easement recorded among the Land Records in Deed Book 17084 at page 173, as shown on Sheet 2 of the Special Exception Plat. Prior to the issuance of a Non-RUP, the Applicant or its assigns shall, to the satisfaction of Urban Forest Management, install a mixture of evergreen shrubbery (e.g. inkberry, hybrid holly and arborvitae) among the existing vegetation in a manner which (i) provides an effective year round visual screen between the residential uses proposed on Parcel 23A and the existing substation located upon Parcel 47A, and (ii) does not violate the terms of the "Danger Tree Restriction Area" easement recorded among the Land Records in Deed Book 17084 at page 0173. Said plantings shall be of a type and number approved by Urban Forest Management. Said plantings shall be installed for the purpose of screening views of any single family homes which may be constructed on Parcel 23A.

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, at a minimum, 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.

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/cwb

DEVELOPMENT CONDITIONS

SE 2006-SP-011

September 28, 2006

If it is the intent of the Board of Supervisors to approve SE 2006-SP-011 located to the south of Ox Road, the north of Elk Horn Road, and to the west of Palmer Drive; Tax Map Parcels 106 1 ((1)) 23A pt. and 106-2 ((1)) 47A pt. for the continued use of an existing substation on 2.46 acres pursuant to Sect. 3-104 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which reaffirms all previous conditions except as amended below:

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. Other by-right Special Exception, or Special Permit uses may be allowed on the site without amending this Special Exception, so long as the proposed use is in substantial conformance with the SE Plat.
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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 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, at a minimum, 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.

SPECIAL EXCEPTION PLAT VIRGINIA ELECTRIC AND POWER COMPANY ELECTRIC SUBSTATION

SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA
APRIL, 2006
REVISED JULY, 2006
REVISED AUGUST, 2006

ZONING REQUIREMENTS R-1 DISTRICT

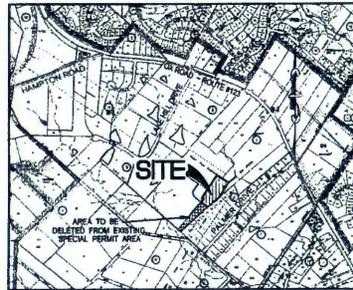
AS APPLICABLE TO CATEGORY 1 SPECIAL EXCEPTION USES:

MAXIMUM BUILDING HEIGHT: NO REQUIREMENT- (NOT APPLICABLE)*
 MINIMUM YARD REQUIREMENTS: NO REQUIREMENT- (NOT APPLICABLE)*
 MAXIMUM FLOOR AREA RATIO: NO REQUIREMENT- (NOT APPLICABLE)*
 OPEN SPACE: NO REQUIREMENT- (NOT APPLICABLE)*

* PER SECTION 9-104-1 OF THE ZONING ORDINANCE

TABULATION

SITE AREA (AREA SUBJECT TO SPECIAL EXCEPTION): 2.46 ACRES
 FOR INFORMATION PURPOSES ONLY:
 AREA OF ORIGINAL SUBSTATION SITE SUBJECT TO SPECIAL PERMIT (SP 4898): 3.81 ACRES
 AREA OF LAND BEING REMOVED FROM THE EXISTING SPECIAL PERMIT
 APPROVAL SITE FOR THE SUBSTATION: 1.35 ACRES



VICINITY MAP
SCALE: 1" = 1,000'

NOTES

1. THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED ON ASSESSMENT MAP NO. 106-2 AS ((1))PART OF PARCEL 47A.
2. ZONE: R-1, RESIDENTIAL DISTRICT AND WATER SUPPLY PROTECTION OVERLAY DISTRICT.
3. EXISTING USE: ELECTRIC SUBSTATION ON 3.81 ACRES.
4. PROPOSED USE: ELECTRIC SUBSTATION ON 2.46 ACRES.
5. NO NEW CONSTRUCTION OR STRUCTURES ARE PROPOSED WITH THIS APPLICATION, THE SOLE PURPOSE OF WHICH IS TO DELETE 1.35 ACRES OF LAND FROM THE SUBSTATION SITE AND THE LAND AREA CURRENTLY SUBJECT TO A SPECIAL PERMIT FOR THE SUBSTATION (SP 4898).
6. OWNER: VIRGINIA ELECTRIC AND POWER COMPANY (AKA: DOMINION VIRGINIA POWER) D.B. 17084, PG. 173
7. APPLICANTS: VIRGINIA ELECTRIC AND POWER COMPANY AND JIMMY CHADBAN
8. TOPOGRAPHIC INFORMATION SHOWN HEREON COMPILED FROM PHOTOGRAMMETRIC MAPPING AND COUNTY SOURCES. PHOTOGRAMMETRIC CONTOUR INTERVAL IS 2 FEET AND IS BASED ON NVD. COUNTY CONTOUR INTERVAL IS 5 FEET.
9. THE BOUNDARY INFORMATION SHOWN HEREON IS TAKEN FROM INFORMATION OF RECORD.
10. NO NEW CONSTRUCTION, IMPROVEMENTS, OR INCREASE IN IMPERVIOUS AREA, ARE BEING PROPOSED WITH THIS APPLICATION, AND STORM WATER DETENTION AND/OR BEST MANAGEMENT PRACTICE FACILITIES WILL NOT BE REQUIRED.
11. SOLID WASTE DISPOSAL IS NOT REQUIRED FOR THIS SITE.
12. THERE ARE NO BURIAL OR GRAVE SITES KNOWN TO EXIST ON THIS PROPERTY.
13. THERE IS NO 100-YEAR FLOOD PLAIN OR ENVIRONMENTAL QUALITY CORRIDOR LOCATED ON THE LAND AREA SUBJECT TO THE SPECIAL EXCEPTION, ALL OF WHICH IS LOCATED WITHIN A RESOURCE MANAGEMENT AREA.
14. WITH THE EXCEPTION OF PRODUCTS AND MATERIALS NORMALLY ASSOCIATED WITH OR USED BY AN ELECTRIC SUBSTATION, NO HAZARDOUS OR TOXIC SUBSTANCES WILL BE GENERATED, UTILIZED, STORED, TREATED AND/OR DISPOSED OF ON THIS SITE.
15. THIS USE DOES NOT REQUIRE WATER OR SANITARY SEWER SERVICES.
16. THE EXISTING SUBSTATION ON THE SITE WAS ORIGINALLY CONSTRUCTED CIRCA 1954, AND IS PROPOSED TO REMAIN.
17. THERE ARE NO PARKING OR LOADING SPACES EXISTING OR PROPOSED ON THIS SITE.

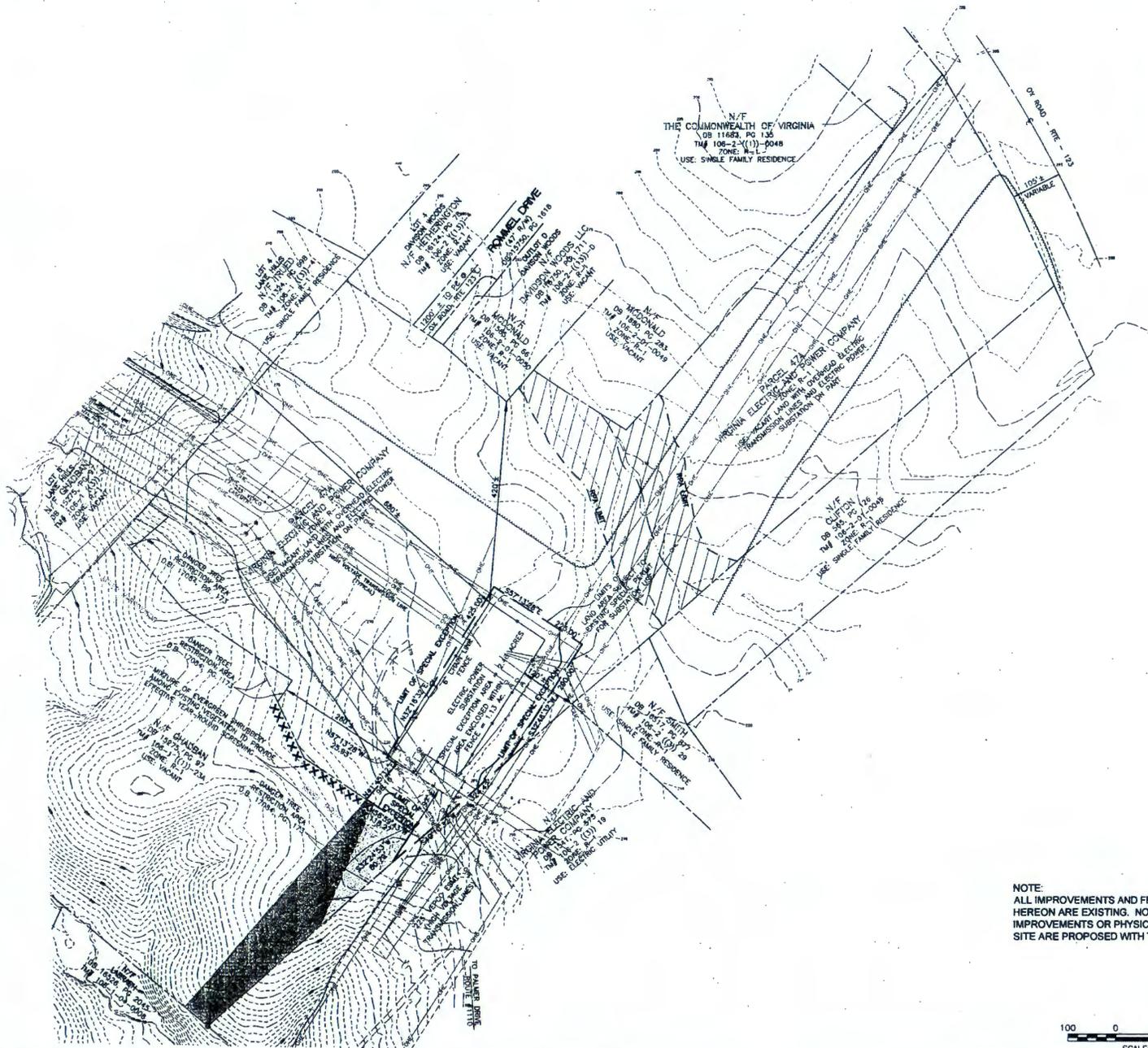
SHEET INDEX

1. COVER SHEET
2. SPECIAL EXCEPTION PLAT



BURGESS & NIPLE
 4160 PLEASANT VALLEY ROAD, SHARPTON, VA 20184-1226
 PH. (703) 631-8630 FAX (703) 631-6641

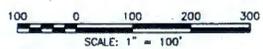
T:\022840\VEPCO\CADD\02-SE-PLAT.DWG



N/F
 THE COMMONWEALTH OF VIRGINIA
 DB 11682, PG 135
 TM# 106-2-V(10)-9048
 ZONE: R-1
 USE: SINGLE FAMILY RESIDENCE



NOTE:
 ALL IMPROVEMENTS AND FEATURES SHOWN
 HEREON ARE EXISTING. NO ADDITIONAL
 IMPROVEMENTS OR PHYSICAL CHANGES TO THIS
 SITE ARE PROPOSED WITH THIS APPLICATION.



BURGESS & NIPLE
 4160 PLEASANT HILL
 FARM
 FAYETTEVILLE, VA 22838
 PHONE: (540) 883-9200 FAX: (540) 883-9000

NO.	DATE	REVISIONS
1	8/25/05	COUNTY COMMENTS
2	8/27/05	COUNTY COMMENTS
3	7/25/05	LAND DANGER TREE RESTRICTION

SPECIAL EXCEPTION PLAT

**VIRGINIA ELECTRIC
 AND POWER COMPANY**
 OF VIRGINIA



DATE: SEPTEMBER, 2005
 SCALE: 1" = 100'
 DESIGN: JLM DRAWN: MPC
 CHECK: WCP CHECK: JLM
 JOB NO.: 024040
 P.R. NO.: 32182
 SHEET 2 OF 2
 FILE NO.: C-4542

Board Agenda Item
November 20, 2006

3:00 p.m.

Public Hearing on SE 2006-SP-011 (Virginia Electric and Power Company; Jimmy H. Ghadban) to Delete 1.35 Acres and Maintain Electric Substation on 2.46 Acres, Located on Approximately 3.81 Acres Zoned R-1 and WS, Springfield District

The application property is located at 8906 Ox Rd. Tax Map 106-1 ((1)) 23A pt. and 106-2 ((1)) 47A pt.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, October 18, 2006, the Planning Commission unanimously voted (Commissioners Alcorn, Byers, Lawrence, Lusk, and Wilson absent from the meeting) to recommend that the Board of Supervisors approve SE 2006-SP-011, subject to the proposed Development Conditions listed in Appendix 1 of the staff report.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Barbara A. Byron, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

William O'Donnell, Staff Coordinator, Zoning Evaluation Division, DPZ



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX
APPLICATION FOR SPECIAL EXCEPTION

PLEASE TYPE
OR PRINT IN BLACK INK
Department of Planning & Zoning

MAR 13 2006

APPLICATION NO. SE 2006-SP-011
(Assigned by Staff)

Zoning Evaluation Division

ZONING ORDINANCE SECTION UNDER WHICH APPLICATION IS FILED: 15-101(2); 9-101; 9-009

PROPOSED USE: To delete unused and vacant land area from an existing VEPCO electric substation site operating under Special Permit No. 4898 since 1951.

NAME OF APPLICANT(S): Virginia Electric and Power Company; Jimmy H. Ghadban

POSTAL ADDRESS OF PROPERTY: 8906 Ox Road, Lorton, Virginia

TAX MAP DESCRIPTION:

Map No.	Double Circle No.	Single Circle No.	Parcel(s)/Lot(s) No.
106-2	01		0047A (pt.)
106-1	01		0023A (pt.)

SUBDIVISION NAME: N/A

TOTAL AREA (AC. OR SQ. FT.): 3.81 acre portion of parcel 23A (12.3684 Ac.), parcel 47A (27 Ac.)

PRESENT ZONING: R-1 WSPD

PROPOSED ZONING IF CONCURRENT WITH BEZONING APPLICATION: N/A

SUPERVISOR DISTRICT: Springfield

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 on the subject property as necessary to process the application.

Virginia Electric and Power Company (parcel 47A) Jimmy H. Ghadban (parcel 23A)
Type or Print Name of Applicant or Agent

C. Blaine Garrett Jimmy H. Ghadban
Signature of Applicant or Agent Real Estate Coordinator, V.P. Facilities Management

10th Floor, P.O. Box 26666 P. O. Box 728
Address

Richmond, VA 23261 Nokesville, VA 20182

Telephone NO. Home Work

Please provide name and telephone number of contact person if different from above.

John L. McBride, Esquire 703-369-4738 jmcbride@vfnlaw.com SE 2006-0014
me 5/14/06

DO NOT WRITE IN THIS SPACE

Date application received: _____ Application Fee Paid: \$5,295.00

Date application accepted: 4-28-06 Virginia Ruffner Form SE (10/89)

Notify