



**CHESAPEAKE BAY PRESERVATION ORDINANCE  
 WAIVER/EXEMPTION/EXCEPTION REQUEST FORM**  
 (Requests that do not require a Public Hearing)

ASSOC PLAN #: \_\_\_\_\_ EXCEPTION/WAIVER # \_\_\_\_\_  
 PROJECT NAME: \_\_\_\_\_ DISTRICT: \_\_\_\_\_  
 TAX MAP AND PARCEL#: \_\_\_\_\_  
 OWNER/DEVELOPER/APPLICANT/AGENT/ENGINEER: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

CHECK APPROP SECTION	COUNTY CODE REFERENCE	WAIVER/EXEMPTION/EXCEPTION FILED UNDER
	118-3-2(f)(5)	<b>Waiver – BMPs (general) [primarily for site and subdivision plans]</b> <b>\$690 Review Fee</b>
	118-3-2(f)(7)	<b>Waiver – BMPs (size or location constraints) [For single lot grading plans]</b> <b>\$160 Review Fee per lot</b>
	118-3-2(f)(8)	<b>Exemption – Maintenance, alteration, use or improvement to an existing structure or use. \$0 Review Fee</b>
	118-5-3(a)	<b>Exemption – Water wells, site amenities for passive recreation, historic preservation, and archeological activities. \$0 Review Fee</b>
	118-5-4(a)	<b>Exception – Loss of buildable area in RPA</b> for Lots recorded prior to October 1, 1989, where encroachment does not extend into the seaward 50' of the RPA buffer area. <b>\$160 Review Fee per Lot + \$340 Review Fee for WQIA</b>
	118-5-4(b)	<b>Exception – Loss of buildable area in RPA</b> for Lots recorded between October 1, 1989 and November 17, 2003 where encroachment does not extend into the seaward 50' of the RPA buffer area. <b>\$160 Review Fee per Lot + \$340 Review Fee for WQIA</b>
	118-5-5(a)	<b>Exception – Waive performance criteria for minor additions in RPA</b> (Does not include accessory structures or uses.) to houses that were established (i.e. RUP issued) prior to July 1, 1993. <b>\$160 Review Fee per Lot + \$340 Review Fee for WQIA</b>
	118-5-5(b)	<b>Exception – Waive performance criteria for minor additions in RPA</b> (Does not include accessory structures or uses.) to houses that were established i.e. (RUP issued) between July 1, 1993 and November 17, 2003. <b>\$160 Review Fee per Lot + \$340 Review Fee for WQIA</b>

LETTER OF JUSTIFICATION ATTACHED

Address how approval of the proposed request:

- i) Is the minimum necessary to afford relief.
- ii) Will not confer upon the applicant any special privileges that are denied by the Chesapeake Bay Preservation Ordinance (CBPO) to other property owners who are subject to the CBPO provisions and who are similarly situated.
- iii) Is in harmony with the purpose and intent of the CBPO and is not of substantial detriment to water quality.
- iv) Is not based upon conditions or circumstances that are self-created or self-imposed.
- v) Will implement reasonable and appropriate conditions that will prevent the activity from causing a degradation of water quality.

WATER QUALITY IMPACT ASSESSMENT (WQIA) ATTACHED - Required for all exception requests under § 118-5-4 and § 118-5-5. Include WQIA in letter of justification or plan.

Include all of the following elements:

- i) Display the boundaries of the RPA.
- ii) Display and describe the location and nature of the proposed encroachment into and/or impacts to the RPA, including any clearing, grading, impervious surfaces, structures, utilities, and sewage disposal systems.
- iii) Provide justification for the proposed encroachment into and/or impacts to the RPA.
- iv) Describe the extent and nature of any proposed disturbance or disruption of wetlands.
- v) Display and discuss the type and location of proposed best management practices to mitigate the proposed RPA encroachment and/or adverse impacts.
- vi) Demonstrate the extent to which the proposed activity will comply with all applicable performance criteria of the Chesapeake Bay Preservation Ordinance.

APPLICANT/AGENT SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**Submit two (2) copies of Form, Letter of Justification and plan (s) for all above Requests**

SUBMIT TO: COUNTY OF FAIRFAX  
 PLAN AND DOCUMENT CONTROL  
 LAND DEVELOPMENT SERVICES, DPWES  
 12055 GOVERNMENT CENTER PARKWAY, SUITE 506  
 FAIRFAX, VA 22035-5503