

## PROPOSED DEVELOPMENT CONDITIONS

SE 2014-MV-071

April 17, 2015

If it is the intent of the Board of Supervisors to approve SE 2014-MV-071, located at 6415 Fifteenth Street, Tax Map 93-2 ((8)) (10) 12, for uses in a floodplain pursuant to Sect. 2-904 and 9-606 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval 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. Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat titled "Special Exception Plat Part of Lot 11, Lot 12 and Lot 13 Block 10 New Alexandria" prepared by Alterra Surveys, Inc., dated March 9, 2014, as revised through October 23, 2014, 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. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
5. Prior to the approval of a building permit for the addition, a Hold Harmless agreement shall be executed with Fairfax County for any adverse effects resulting from the location of the site within a floodplain area.
6. Prior to approval of the final building inspection for the addition, all fencing shall be modified to provide a four to six-inch space between the ground and the bottom of the fence so as to not impede the surface flow of water. In addition, the fencing shall be relocated as necessary onto the subject property.
7. All mechanical, electrical, and utility equipment shall be located at or above the flood level.
8. Prior to approval of the framing inspection, as-built floor elevations shall be submitted on a FEMA Certificate to be filed with the Residential Inspections Division, DPWES, in accordance with minimum federal requirements and the

Virginia Uniform Statewide Building Code in effect at the time the building permit is issued. In addition, at the time of the framing inspection, the applicant shall demonstrate to DPWES that the elevation of the lowest part of the lowest floor of the addition proposed on the property shall be at least 18 inches above the base flood elevation, in accordance with Par. 2 of Sect. 2-905 of the Zoning Ordinance, and the inspection record shall include a signed or initialed statement of concurrence by the inspector.

9. The crawl space shall not be converted to a finished basement or any living space.
10. Permeable/perforated doors and foundation vents to the crawl space shall be provided as shown in attached Sheet F1, titled "Maglaughlin Residence Proposed Addition Project" prepared by Case, dated March 3, 2015, in accordance with the Public Facilities Manual.
11. The proposed limits of the work area as shown on the Special Exception Plat shall be strictly adhered to. The limits of clearing and grading shall be clearly marked and fenced to protect the off-site trees outside those limits. No work activities, stock piles, construction materials or other construction related materials shall be allowed outside the limits of work area. Any encroachment into, and/or disturbance of, the Resource Protection Area (RPA) not shown on the approved Plat will be considered a violation of the Chesapeake Bay Preservation Ordinance (CBPO) and is subject to the penalties of the CBPO Article 9.
12. Erosion and sediment control measures shall be installed at all stages of construction, as determined by DPWES. If deemed necessary by DPWES, controls shall be designed to achieve greater erosion and sediment control than that achieved by the minimum design standards set forth in the Public Facilities Manual and the Virginia Erosion and Sediment Control Handbook.
13. Within twelve months of Special Exception approval, two Category I evergreen trees, such as American arborvitae (*Thuja occidentalis* 'Nigra') or Nellie Stevens' holly (*Ilex* x Nellie Stevens'), shall be planted along the southern property line and away from the overhead wires. The trees shall be eight feet tall at planting.
14. Within twelve months of Special Exception approval, the two existing holly trees that will be removed by the construction will be replaced with two 6 to 7-foot tall American holly trees or two other Category II evergreen or deciduous trees.
15. Any replanting or maintenance of landscaping shall be in accordance with the Chesapeake Bay Preservation Ordinance (Chapter 118 of the Fairfax County Code).
16. There shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., within the floodplain.

17. Prior to approval of the final building inspection for the addition, the Applicant shall install appropriate waterproofing techniques to the front door and the vents to the existing crawl space in order to protect the existing dwelling from flood damage. Such techniques may include but shall not be limited to weather stripping and window well covers. This condition shall not require replacement of the existing front door.

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 themselves responsible for obtaining the required 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.