

Planning Commission Meeting  
May 22, 2013  
Verbatim Excerpt

SE 2012-MV-019 – SEYED M. FALSAFI

After Close of the Public Hearing

Chairman Murphy: Without objection, the public hearing is closed; recognize Mr. Flanagan.

Commissioner Flanagan: Thank you, Mr. Chairman. This application has been quite contentious in spite of the fact that there's no one here to testify in opposition. I was just informed that the Mount Vernon Council recommended adoption of the – approval of this application unanimously. And so I think that stands as good testimony to the fact that working with staff and - in particular, Mr. Rogers - that we've been able to iron out all of the contentious issues I think that exist here. They – the Mount Vernon Council did, though - - I would like to ask you some of their questions here. The applicant – they asked that, in approving this application, the applicant does no further damage to or filling in of the RPA or flood plain. And it is your understanding that they have agreed to that.

Nicholas Rogers, Zoning Evaluation Division, Department of Planning and Zoning: That's correct.

Commissioner Flanagan: And has the applicant – has the applicant – does not build in the RPA and flood plain when he builds his new home on this property.

Mr. Rogers: Our understanding is that that would also be the case.

Commissioner Flanagan: And that's in the proffers, as I understand it. Right?

Mr. Rogers: The development conditions have been structured – has been structured in such a way so that if the applicant were to demolish the existing structure and build a new dwelling on the site that that dwelling would not be allowed to encroach in either the RPA or the flood plain without coming back before this Board as a Special Exception Amendment.

Commissioner Flanagan: Excellent. The Council also requests that the applicant re-plant and restore the RPA with the required plant material specified by the County. Has the applicant agreed to that?

Mr. Rogers: The applicant has agreed to that. That's a process that would be handled through a water quality impact assessment to be reviewed and approved by Public Works and Environmental Services.

Commissioner Flanagan: And the applicant has agreed to correct issues related to the dock that projects out into the Potomac River.

Mr. Rogers: Again, the applicant would be required to secure approval of a retroactive building permit, also from DPWES, for that pier.

Commissioner Flanagan: Excellent. And also that the County staff will monitor this project every step of the way to include the construction of the new home to ensure that no more missteps are made by the applicant or his contractors.

Mr. Rogers: All I can say on that front is we do have a skilled and experienced inspection staff with DPWES who handles not only the review of those building permits, but also the on-site inspections to ensure that what was approved was built.

Commissioner Flanagan: Well I think with that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2012-MV-019, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 21, 2013.

Commissioners Litzenberger and Sargeant: Seconded by Mr. Litzenberger and Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2012-MV-019, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

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(The motion carried unanimously with Commissioners Hurley and Lawrence absent from the meeting.)

JLC