



# County of Fairfax, Virginia

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

SEP 22 2012

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

Subject: 8747 Brook Road, Tax Map # 020-3-03-0016-A, Dranesville District

Reference: Resource Protection Area (RPA) Encroachment Exception # 3276-WRPA-002-1 and  
Water Quality Impact Assessment (WQIA) # 3276-WQ-002-1

Dear Ms. Strobel:

Enclosed you will find a copy of a Resolution adopted by the Exception Review Committee (ERC) at their regular meeting held on October 3, 2012, approving the referenced RPA Encroachment Exception and WQIA, under Section 118-6-9 of the Chesapeake Bay Preservation Ordinance (CBPO), to permit encroachment into approximately 10,000 square feet of the RPA for the construction of a single family dwelling and supporting facilities at the subject property.

Please be advised that the decision of the ERC may be appealed to the Board of Supervisors in accordance with Article 8 of the CBPO within 30 days from the date of the Resolution. Construction of the referenced project may not commence until all required plans and permits, including but not limited to, a grading plan and building permit are approved and appropriate performance bonds and conservation deposits have been made.

If you have any questions or need additional information, please contact Sharad Regmi Senior Engineer III, Site Development and Inspections Division (SDID), at 703-324-1720.

Sincerely,

Shahab Baig  
Clerk to the ERC

MSB/mk

Enclosure

cc: Anne Kanter, Chairman, ERC  
Diane Johnson-Quinn, Branch Chief, Zoning Permit Review, Department of Planning and Zoning  
Shahab Baig, Chief Site Review Engineer, SDID, LDS, DPWES  
Greg McLaughlin, Senior Engineer III, SDID, LDS, DPWES  
Sharad Regmi, SDID, LDS, DPWES  
Exception File

Department of Public Works and Environmental Services  
Land Development Services, Site Development and Inspections Division  
12055 Government Center Parkway, Suite 535  
Fairfax, Virginia 22035-5503  
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359



COUNTY OF FARIFAX  
EXCEPTION RESOLUTION OF THE EXCEPTION REVIEW COMMITTEE

Daphne and Yashvanth Edwin, 3276-WRPA-002-1, under Section 118-6-9 of the Chesapeake Bay Preservation Ordinance (CBPO), and 3276-WQ-002-1, 8747 Brook Road, Tax map # 020-3-03-0016-A, to construct portion of a dwelling, lead walk, septic tank, pump chamber, forcemain, and driveway within 1993 RPA. Dranesville District. At a regular meeting of the Exception Review Committee on October 3, 2012, Mr. Crandall moved that the Exception Review Committee adopt the following resolution:

WHEREAS, the Committee has made the findings that:

- a) The requested exception is the minimum necessary to afford relief;
- b) Granting the exception will not confer upon the applicant any special privileges that are denied to other property owners who are similarly situated;
- c) The exception, as conditioned, is in harmony with the purpose and intent of the CBPO and is not of substantial detriment to water quality;
- d) The exception request is not based upon conditions or circumstances that are self-created or self-imposed;
- e) Reasonable and appropriate conditions will be imposed that will prevent the allowed activity from causing a degradation of water quality; and
- f) The water quality benefits resulting from the proposed improvements, as conditioned, exceed the associated water quality detriments.

Now, therefore, be it resolved that the Exception Review Committee APPROVE Exception Request 3276-WRPA-002-1 under Section 118-6-9 of the CBPO and 3276-WQ-002-1 to construct portion of a dwelling, lead walk, septic tank, pump chamber, forcemain, and driveway within 1993 RPA, subject to the following conditions:

1. This RPA Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This RPA Exception is granted only for the purposes, structures and/or uses indicated on the Plat approved with the application, as qualified by these development conditions.
3. Any plan submitted pursuant to this RPA Exception shall be in substantial conformance with the approved plat entitled "RPA Exhibit, Lot 16A, Section 3, Woodside Estates" prepared by Land Design Consultant (LDC), dated September 18, 2012 and these conditions.
4. In order that the project is in harmony with the purpose and intent of the CBPO, does not have a substantial detriment to water quality, and meets the additional performance criteria for RPAs, vegetated buffer area(s) shall be established in within the RPA on the lot and shall be of a combined area of at least 10,000 square feet. The planting shall be supplemental to the existing vegetation to meet the CBPO 118-3-3(f) density. The size, species, density and locations shall be consistent with the planting requirements of CBPO Section 118-3-3(f), or a

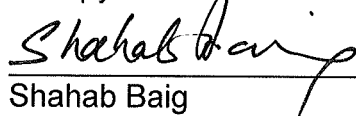
vegetation plan that is equally effective in retarding runoff, preventing erosion, and filtering non-point source pollution from runoff, as determined by the Department of Public Works and Environmental Services (DPWES). The vegetation shall be randomly placed to achieve a relatively even spacing throughout the buffer. Notwithstanding any statements on the Plat and in the Water Quality Impact Assessment, the size, species, density and locations of the trees, shrubs and groundcover will be subject to approval of the Director of the DPWES.

5. In order that the disturbed area within the RPA is the minimum necessary to afford relief for the proposed construction, indigenous vegetation shall be preserved to the maximum extent possible, and the limits of clearing and grading must be clearly shown on the grading plan and include adequate access and areas for stockpiles (which shall be located outside the RPA), and will be subject to approval by the DPWES. The limits of clearing and grading shown on the Plat must be strictly observed and enforced. Any encroachment into, and/or disturbance of, the RPA not shown on the approved Plat will be considered a violation of the CBPO and is subject to the penalties of the CBPO Article 9.
6. In order that the proposed construction activity does not degrade water quality, adequate erosion and sediment control measures, including, but not limited to, super-silt fence, shall be employed during construction within the RPA, and shall remain in place, and be properly maintained, for the duration of the land disturbing activity within the RPA until such time that the disturbed area is completely stabilized as determined by the Environmental and Facilities Inspections Division site inspector.
7. There should be pervicus previous paving on the driveway approximately 60 feet from the front of the guest house and in the courtyard between the two structures.
8. This RPA Exception shall automatically expire, without notice, 24 months after the date of approval, unless the necessary plans and permits have been approved and construction of the improvements as depicted on the Plat have commenced and are diligently pursued.

This approval, contingent on the above noted conditions, does not relieve the applicant from compliance with the provisions of any applicable Federal, State or County ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the approval of any required plans and permits through established procedures, and this RPA Exception shall not be valid until this has been accomplished.

Mr. Kirby seconded the motion which carried by a vote of 8-2.

A Copy Teste:



Shahab Baig  
Clerk to the Exception Review Comittee