

PROPOSED EXCEPTION CONDITIONS**#3218-WRPA-025-1 and #3218-WQ-005-1****May 23, 2013**

If it is the intent of the Exception Review Committee to approve 3218-WRPA-025-1 and 3218-WQ-005-1 to allow encroachment in the Resource Protection Area (RPA) located at 1166 Orlo Drive (Tax Map 020-3-21-0067) pursuant to Section 118-6-8(b) of the Fairfax County Chesapeake Bay Preservation Ordinance (CBPO), staff recommends that the Exception Review Committee condition the approval by requiring conformance with the following development 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 or plat submitted pursuant to this RPA Exception shall be in substantial conformance with the approved Plat titled "House Location Plat 1166 Orlo Drive, McLean, VA 22102; WOODLEA MILL, SECTION 2" prepared by CAS Engineering signed and sealed December 13, 2012; and Water Quality Impact Assessment plan, sheet 1 prepared by Lila Fendrick Landscape Architecture & Garden Design dated April 11, 2013 to show proposed outdoor chimney structure (Plat) and these exception 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 the disturbed areas within the RPA on the lot and shall be of an area of at least 1,358 square feet. 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 (WQIA), 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 or plat and include adequate access and areas for stockpiles, 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, a super-silt fence, in lieu of the double row of regular silt fence proposed, 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.
7. 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 and Plan 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.