



Exception Review Committee Public Hearing

August 4, 2021

Resource Protection Area (RPA)

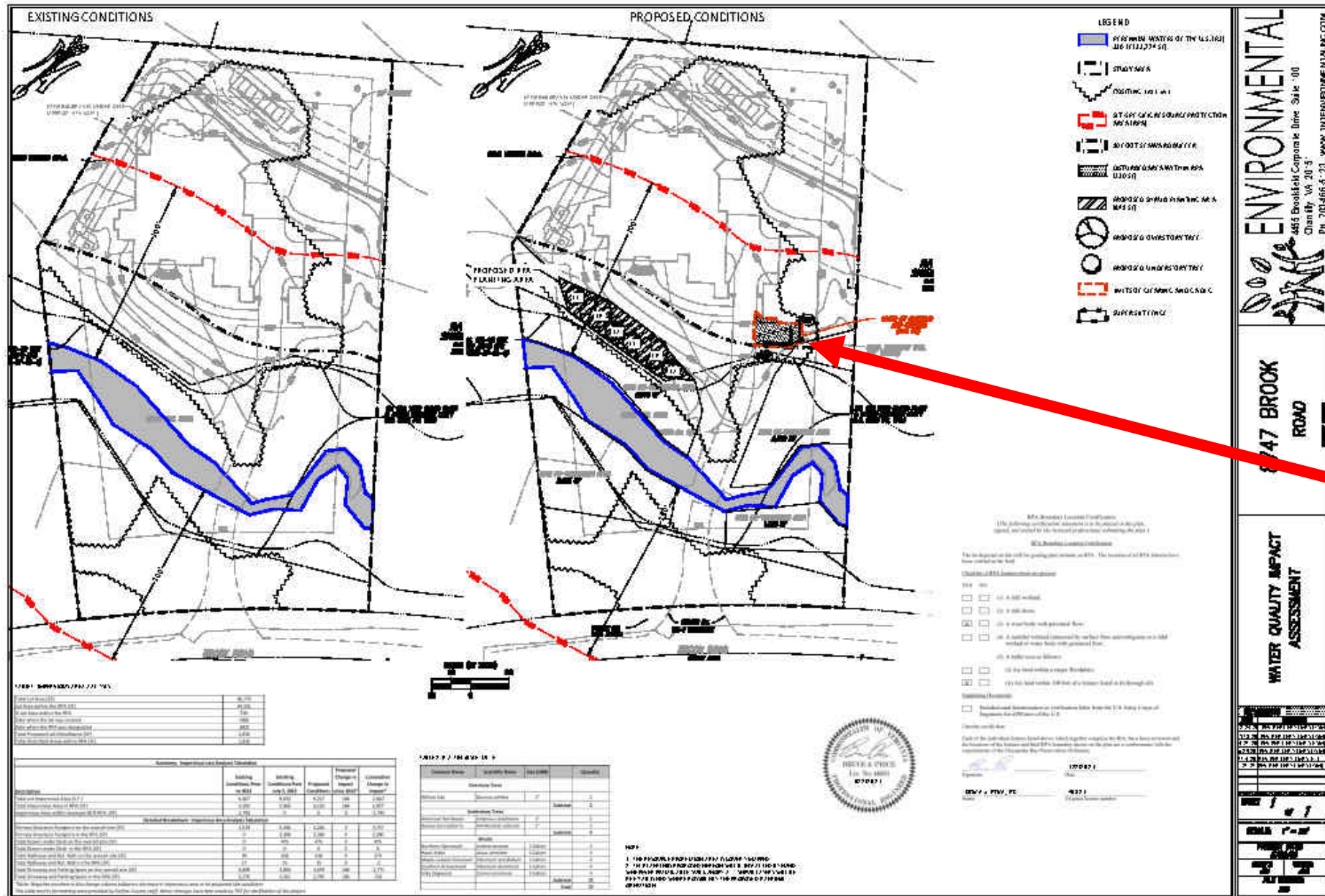
**Encroachment Exception # 3276-WRPA-003-1 &
Water Quality Impact Assessment # 3276-WQ-004-4**

8747 Brook Road, McLean

Summary

- Applicant requests new driveway turnaround (see slide 4)
- Creates 184 sq. ft. of additional impervious area
- Creates 330 sq. ft. land disturbance
- Applicant proposes additional plantings
- 2012 Exception for new home with guest house (see slide 3)
- Since 2012 Exception, deck with gravel added beneath (see slide 3)

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Turnaround request

Applicant – Statement in Support

- 5 Minutes

Statements – Interested Parties

- Supporting Statements
- Opposing Statements

Position of the Director (Staff)

Finding 118-6-6.a

- The newly requested exception is not the minimum necessary to afford relief.
- The previously approved uses within the RPA were requested at the discretion of the owners; and
- Therefore, were the minimum necessary to afford relief.

Position of the Director (Staff)

Finding 118-6-6.b

- It is staff's opinion that the exception for a driveway itself would not confer a special privilege.
- However, if approved, the "serial exception" nature of this request is itself a special privilege.

Position of the Director (Staff)

Finding 118-6-6.c

- Pre-2012 Impervious Area in RPA = 3,293 sq. ft.
- New House Impervious Area in RPA = 5,966 sq. ft.
 - Added 475 sq. ft. impervious area under the deck (not within the RPA).
- Proposed turnaround = 184 sq. ft imp. area in RPA.
- Recommend calculating the mitigation based on pre-2012 land use and proposed land use.

Position of the Director (Staff)

Finding 118-6-6.d

- The applicant is opting for more impervious area as a self-created situation instead of seeking an alternative solution. For example, the applicant may consider meeting their stated goal of turnaround access for delivery vehicles by raising or razing the archway which separates the existing driveway from the existing turnaround.

Position of the Director (Staff)

Finding 118-6-6.e

It is the opinion of staff that the water quality computations should be revised and based on:

- the pre- (before the new house) and,
- post- land use for the entire parcel.

The computations used in the first exception are based on the land use for the entire parcel and this application.

Position of the Director (Staff)

Finding 118-6-6.f/118-6-9

- The water quality computations should be **based on the entire lot** and **include the additional impervious area added to the lot after approval of the first exception.**
- Staff's opinion is that the calculations provided do not demonstrate the water quality benefit.

Position of the Director (Staff)

Staff recommends **denial** of the RPA encroachment exception request #3276-WRPA-003-1 and the Water Quality Impact Assessment #3276-WQ-004-4.

Position of the Director (Staff)

- For proposed conditions, see [Attachment A](#) of the Staff Report.

Applicant Rebuttal

- 3 Minutes

Sub Rebuttal

- 2 Minutes

Discussion of Woodside Estates

- Questions/Comments