

# McLEAN CITIZENS ASSOCIATION

## Resolution regarding Spring Hill Farm Development

January 5, 2005

**Whereas**, Spring Hill Farm is a parcel of approximately 25 acres fronting on Spring Hill Road in McLean, Virginia; and

**Whereas**, the rear of the parcel contains a segment of the Bull Neck Run stream valley which has 100 foot resource protection area (RPA) buffers along each side of the stream; and

**Whereas**, Yeonas & Ellis LLC, the developer, has applied for an exception to the Chesapeake Bay Protection Ordinance to allow creation of a dry pond stormwater management facility within the 100 foot RPA buffer; and

**Whereas**, the Chesapeake Bay Preservation Area Designation and Management Regulations regarding exceptions (**9 VAC 10-20-150, C. Exceptions**) states:

“1. Exceptions to the requirements of 9 VAC 10-20-120 and 9 VAC 10-20-130 may be granted, provided 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 by this Part IV [Land Use and Development Performance Criteria] to other property owners who are subject to its provisions and who are similarly situated;
- c. The exception is in harmony with the intent and purpose of this Part IV 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 are imposed, as warranted, that will prevent the allowed activity from causing a degradation of water quality;
- f. Other findings, as appropriate and required by the local government, are met.”; and

[continued overleaf]

**Whereas,** the Fairfax County Chesapeake Bay Protection Ordinance (Chapter 118, Code of Fairfax County) in **Article 6. Exceptions, Section 118-6-6. Required Findings,** repeats the requirements given above; and

**Whereas,** there is ample room and suitable topography on the Spring Hill Farm site to locate such an adequate stormwater management facility outside the RPA buffer without reducing the number of home sites that could be located on the parcel or otherwise significantly impacting the development potential of the site; and

**Whereas,** the arguments advanced by the developer for such an exception do not meet the State and County requirements, as referenced above; now therefore

**Be it resolved,** that the McLean Citizens Association strongly opposes the proposed unnecessary encroachment on the RPA of this fragile stream valley for such a purpose and strongly recommends that the application for exception be denied.