

**Resolution of the Braddock District Land Use and Environment Committee
to Uphold the Decision by the Exception Review Committee and
DENY the Project to Build at 4104 Woodlark Drive, Annandale, VA**

March 19, 2019

Resolution No. 2019-01

WHEREAS the Braddock District Land Use and Environment Committee was established in 2012 by Supervisor John Cook to review applications for proposed land use changes and their related environmental impacts in the Braddock District, and to make recommendations to the Braddock District Planning Commissioner and Braddock District Supervisor.

WHEREAS the property in question is in a flood plain and Resource Protected Area (RPA), which is a special designation, as part of the Chesapeake Bay Preservation Ordinance, to protect environmentally fragile areas near water from being harmed by development.

WHEREAS the Fairfax County Comprehensive Plan, 2017 Edition Policy Plan on the Environment, Chesapeake Bay Preservation Ordinance states, “The Chesapeake Bay waters have been degraded significantly by many sources of pollution, including nonpoint source pollution from land uses and development. While nonpoint source pollution from an individual property may not be substantial, cumulative negative impacts of pollution from developed and developing properties, as well as from agricultural lands, have been significant.”

WHEREAS the Fairfax County, Virginia Environmental Quality Advisory Council 2018 Annual Report on the Environment states a “highlighted priority recommendation for the county’s policies and ordinances that protect stream valley lands and other environmental assets should remain unchanged or be enhanced when possible,” and “Fairfax County considers the protection, restoration and enhancement of environmental quality through the sustainable management of its water resources to be one of its highest priorities.”

WHEREAS the applicants for the 4104 Woodlark Drive development have requested an exception to the Chesapeake Bay Preservation Ordinance, even though it was known at the time of purchase that the property was in a protected area, as well as flood plain, the builders believed they could build closer to the road, although this is not permitted according to the Fairfax Hills Home Association covenants which were upheld by a Circuit County Judge.

WHEREAS the project at 4104 Woodlark Drive has been publicly presented to the Chesapeake Bay Preservation Ordinance Exception Review Committee (ERC) three times, and in each iteration of the project there continued to be numerous problems with the proposal, including errors in calculations, plans that require huge amounts of fill in the RPA, and no assurances that the construction of a house on that lot would not lead to the degradation of water quality.

WHEREAS the developers of this project have been given ample opportunities to produce a plan that minimizes the encroachment upon the RPA and they have not provided a suitable alternative proposal.

WHEREAS after considerable careful and thoughtful deliberation, the ERC unanimously voted to deny a special exception at the last presentation on December 12, 2018.

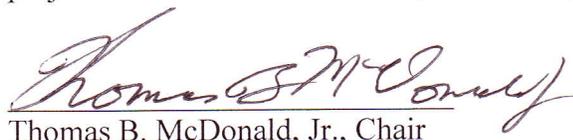
WHEREAS a denial of this application does not prevent the applicant from preparing a more appropriate plan and resubmitting it to the staff and the ERC for consideration in the future.

WHEREAS all the taxpayers of Fairfax County are paying a high price for stream restoration projects to restore our impaired streams, especially Accotink Creek into which the tributary in this RPA flows.

WHEREAS making exceptions to approve development in Resource Protected Areas continues to add to downstream silt and sedimentation problems and is not environmentally or fiscally responsible, to wit Lake Accotink and its continued need for dredging to de-silt.

WHEREAS Fairfax County has committed to meet regulatory requirements to protect both local and Chesapeake Bay water quality.

NOW, THEREFORE, BE IT RESOLVED, on this 19th day of March 2019, that the Braddock District Land Use and Environment Committee, with a unanimous voice, strongly urges the Board of Supervisors to uphold the decision by the Exception Review Committee and DENY the project at 4104 Woodlark Drive, Annandale, VA.


Thomas B. McDonald, Jr., Chair


Date signed

Cary Adams
George Becerra
Beverly Boschert
Debbie Brown
Michael Dreher
Kevin Filbey
Amy Gould
Jill Hilliard
Diane Hoffman
Jeanne Kadet
John Rephlo