County of Fairfax, Virginia
Planning Commission Meeting
September 24, 2026
Planning Commission Action

SE-2023-DR-00036 – LAURA WINFIELD BERKEBILE AND JULIA HELENA EUGENIA BERKEBILE FAZIO
(Dranesville District)

PLANNING COMMISSION RECOMMENDATIONS:
On September 24, 2026, the Planning Commission voted 6-4 (Commissioners Cortina, Bennett, Wang, and Paul Thomas voted in opposition. Commissioners Sargeant and Clarke were absent from the meeting) to recommend to the Board of Supervisors approval of SE-2023-DR-00036, subject to the proposed development conditions dated September 10, 2026, as contained in the Staff Report.

ATTACHED DOCUMENTS:
Proposed Development Conditions dated September 10, 2026

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APPENDIX 2

PROPOSED DEVELOPMENT CONDITIONS

SE 2023-DR-00036

September 10, 2026

If it is the intent of the Board of Supervisors to approve SE-20234-DR-00036 at Tax Map 31-1 ((4)) (5) 12A for a use in the floodplain to permit a new single-family detached dwelling, pursuant to Sect. 5105.4 of the Fairfax County Zoning Ordinance, staff recommends that the Board of Supervisors condition its approval by requiring conformance with the following development conditions.

1. This Special Exception (SE) is granted for and runs with the land indicated in this application and is not transferable to other land.

2. This SE is granted only for the purpose(s), structure(s), and or use(s) indicated on the SE Plat, as qualified by these development conditions.

3. Any site plan submitted pursuant to this SE must be in substantial conformance with the approved SE Plat entitled “Brookhaven LT 12A BLK 5” prepared by Demarr Engineering, LLC, consisting of 15 sheets dated July 10, 2026, and these conditions. Minor modifications may be permitted pursuant to Section 8100.5 of the Zoning Ordinance.

4. Prior to the approval of a grading plan, site plan, or minor site plan, as determined by LDS, a Hold Harmless agreement will be executed with the County for any adverse effects resulting from the location of the site within a floodplain area.

5. Disclosure of potential flood hazards (for the 10- and 100-year events) due to the location of the site within the 100-year floodplain must be made in writing to any potential home buyers prior to entering into a contract of sale. This disclosure must also be included in the land records.

6. The Environmental Quality Corridor (EQC) boundary must be delineated and appropriately labeled on any grading plan, site plan, or minor site plan. Only those encroachments shown on the approved plans may be permitted. Vegetation within the EQC must be restored and maintained through removal of invasive species and incorporation of native plantings, as approved by the Forest Conservation (FCON). The applicant must monitor the revegetated areas for a period of five (5) years from installation to ensure a survival rate of at least 60% of all planted material.

7. The lowest part of the lowest floor (i.e. the bottom of the floor joists) of the proposed single-family attached dwelling must be at least 18 inches above the

100-year flood elevation. No basement is permitted. The floor elevation of any crawl space must be no lower than the surrounding exterior grade.

8. All construction must be in conformance with the requirements for Flood-Resistant Construction of the most recent edition of the Virginia Uniform Statewide Building Code. A statement certifying all floodproofing proposed, and indicating its compliance with all County, State, and Federal requirements must be provided with the Building Permit application. This certification must be signed, sealed, and indicate the address of the certifying professional and it must cover all structural, electrical, mechanical, plumbing, water and sanitary facilities connected with the use.

9. Prior to any additional land disturbing activity, it must be demonstrated to LDS that all necessary federal, state, and county approvals have been obtained.

10. Erosion and sediment control measures must be installed at all stages of construction, as determined by Land Development Services (LDS). A “super silt fence” must be installed along the lower clearing and grading limits for the site. As may be deemed necessary by LDS, controls must be designed to achieve greater erosion and sediment control than that achieved by the minimum design standards set forth in the Public Facilities Manual and the Virginia Erosion and Sediment Control Handbook.

11. Prior to approval of the framing inspection, a certified as-built floor elevation must be submitted on a FEMA Elevation Certificate to be filed with the Residential Inspections Division, LDS, in accordance with minimum federal requirements and the Virginia Uniform Statewide Building Code in effect at the time the building permit is issued. In addition, at the time of the framing inspection, it must be demonstrated to LDS that the elevation of the lowest part of the lowest floor of the dwelling proposed on the property must be at least 18 inches above the base flood elevation, in accordance with Zoning Ordinance subsection 5105.3.A(9)(b) , and the inspection record must include a signed or initialed statement of concurrence by the inspector.

12. A “Finished Construction” Elevation Certificate must be submitted to the Residential Inspections Division, LDS prior to issuance of a Residential Use Permit (RUP) for the subject dwelling.

13. All mechanical, electrical, and utility equipment must be located at or above the flood level.

14. There must be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., within the floodplain.

15. The applicant must conform to the Invasive Species Management Narrative on the approved SE Plat. The applicant must monitor the managed areas for a period of five (5)] years on a quarterly basis upon substantial completion of the development. Written reports must be submitted to FCON and SDID site inspector detailing each treatment and/or monitoring visit.

16. A tree preservation plan must be submitted as part of the first and all subsequent infill grading plan submissions. The preservation plan must be prepared by a professional with experience in the preparation of tree preservation plans, such as a Certified Arborist or Registered Consulting Arborist, and must be subject to the review and approval of FCON,LDS.

17. The tree preservation plan must consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 12 inches in diameter and greater within 25 feet within the undisturbed area and 10 feet of the limits of clearing and grading in the disturbed area shown on the SE Plat. The tree preservation plan must provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SE Plat, and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings must be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, must be included in the plan.

18. The applicant must conform strictly to the limits of clearing and grading as shown on the Special Exception Plat, subject to allowances specified in these development conditions and for the installation of utilities as determined necessary by the Director of LDS, as described herein. If it is determined necessary to install utilities in areas protected by the limits of clearing and grading as shown on the Special Exception Plat, they must be located in the least disruptive manner necessary as determined by FCON. A replanting plan must be developed and implemented, subject to approval by FCON for any areas protected by the limits of clearing and grading that must be disturbed for such utilities.

19. All trees shown to be preserved on the tree preservation plan must be protected by tree protection fence. Tree protection fencing in the form of four foot high, 14 gauge welded wire attached to six foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees

must be erected at the limits of clearing and grading as shown on the SE Plat, as may be modified by the Root Pruning condition below.

20. All tree protection fencing must be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing must be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, FCON must be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities will occur until the fencing is installed correctly, as determined by FCON, LDS.

21. The applicant must root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments must be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the submitted plan. The details for these treatments must be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

    A. Root pruning must be done with a trencher or vibratory plow to a depth of 18 inches.

    B. Root pruning must take place prior to any clearing and grading, or demolition of structures.

    C. Root pruning must be conducted with the supervision of a certified arborist.

22. An FCON representative must be informed when all root pruning and tree protection fence installation is complete.

23. During any clearing or tree/vegetation/structure removal on the subject property, a representative of the applicant must be present to monitor the process and ensure that the activities are conducted per these conditions. The applicant must retain the services of a Certified Arborist or Registered Consulting Arborist to monitor all construction and demolition work adjacent to any vegetation to be preserved and tree preservation efforts in order to ensure conformance with all tree preservation conditions. The monitoring schedule must be described and detailed in the Landscaping and Tree Preservation Plan and reviewed and approved by FCON.

24. Grading plans submitted for the development must include a landscape plan that demonstrates conformance with the 10-year tree canopy requirement as part of the first and all subsequent site plan submissions. Tree species and planting sites may be subject to revision as reviewed by FCON.

25. Prior to installation of plants to meet requirements of the approved landscape plan, the contractor/developer must coordinate a pre-installation meeting on site with the landscape contractor and a representative of the FCON. Any proposed changes to the location of planting, size of trees/shrubs, and any proposed plant substitutions for species specified on the approved plan must be reviewed at this time and must be approved prior to planting. The installation of plants not specified on the approved plan, and not previously approved by FCON may require submission of a revision to the landscape plan or removal and replacement with approved material, prior to bond release. FCON must be contacted a minimum of three days prior to the meeting on site.

26. The applicant must seek certification for the development from one of the following programs and must notify the Environmental Branch of DPD of the program selection at time of site plan submission.

    A. EarthCraft. Certification in accordance with the EarthCraft House Program as demonstrated through documentation provided to LDS and DPD prior to the issuance of the residential use permit (RUP) for each dwelling unit. If certification is still in process at time of RUP issuance, the applicant must provide documentation from the EarthCraft project manager demonstrating that the project has been registered, completed final inspection, and has met the requirements to attain EarthCraft Certification prior to RUP issuance for each dwelling unit. The applicant must provide documentation to LDS and DPD demonstrating that certification for the Proposed Development has been attained prior to final bond release.

    B. NGBS. Certification in accordance with the most current version of National Green Building Standard (NGBS), as demonstrated through documentation submitted to LDS and DPD from a home energy rater certified through Home Innovation Research Labs that demonstrates that the dwelling unit has attained the certification prior to the issuance of the RUP for each dwelling.

    C. The applicant may utilize an equivalent alternative program selected in consultation with and approved by the Environmental Branch of DPD prior to the site plan approval

27. The applicant must install a 220-volt outlet in the garage to accommodate a Level 2 electric vehicle charging system.

28. Pursuant to the Zoning Ordinance, this SE will automatically expire, without notice, thirty-six (36) months after the date of approval, unless, at a minimum, construction has commenced and been diligently prosecuted as evidenced by the issuance of an approval for a grading plan. The Board of Supervisors may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board of Supervisors.

This approval, contingent on the above noted conditions, must not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.