



**STAFFORD COUNTY CHESAPEAKE BAY BOARD**  
**FEBRUARY 24, 2025, MEETING PACKET**



## STAFFORD COUNTY CHESAPEAKE BAY BOARD

### Agenda

Monday, February 24, 2025 at 6:00 pm  
Board Chambers of the George L. Gordon, Jr. Government Center

A. Call to Order

B. Roll Call of Members

*Determination of a Quorum*

C. Approval of Meeting Minutes – January 27, 2025

D. New Business

Public Hearing: AP25156176 – A Chesapeake Bay Special Exception Application (Resolution CBB25-01) for Mr. and Mrs. Robert Stanford, applicants, requesting a special exception under Sec. 27B-14 of the Stafford County Chesapeake Bay Preservation Area Ordinance (Chapter 27B) from the requirements of Sec. 27B-7 "Development Conditions" in order to construct a concrete walkway and patio with pavilion within a portion of the Chesapeake Bay Resource Protection Area (CRPA) buffer located along Lake Carroll on Tax Map Parcel 58A-4-89.

Public Hearing: AP24156090 – A Chesapeake Bay Special Exception Application (Resolution CBB25-03) for Mr. John Moore (trustee), applicant, requesting a special exception under Sec. 27B-14 of the Stafford County Chesapeake Bay Preservation Area Ordinance (Chapter 27B) from the requirements of Sec. 27B-7 "Development Conditions" in order to construct a single family residence and drainfield within a portion of the Chesapeake Bay Resource Protection Area (CRPA) buffer located along Accokeek Creek on Tax Map Parcel 49C-2-1-8A, 49C-2-2-9, and 49C-2-2-15.

E. Old Business

F. Chairman's Report

G. Staff Report

H. Adjournment



## STAFFORD COUNTY CHESAPEAKE BAY BOARD

### Roll Call

Monday, February 24, 2025, at 6:00 pm  
Board Chambers of the George L. Gordon, Jr. Government  
Center

CTO: \_\_\_\_\_ p.m.

| <u>Members:</u>   | Present | Absent |
|-------------------|---------|--------|
| Sue Henderson     | _____   | _____  |
| Mary Rust         | _____   | _____  |
| Benjamin Rudasill | _____   | _____  |
| Anthony Pineau    | _____   | _____  |
| Dan Adams         | _____   | _____  |
| Robert Hayden     | _____   | _____  |
| Zachary Martinez  | _____   | _____  |

| <u>Staff:</u> | Present |
|---------------|---------|
| Joe Fiorello  | _____   |
| Emily Torrey  | _____   |
| _____         | _____   |
| _____         | _____   |
| _____         | _____   |
| _____         | _____   |

Adjourn: \_\_\_\_\_ p.m.

**CHESAPEAKE BAY BOARD**

**JANUARY 27, 2025, DRAFT MEETING MINUTES**





## STAFFORD COUNTY CHESAPEAKE BAY BOARD

### Meeting Minutes

Monday, January 27, 2025 at 6:30 p.m.

Board Chambers | George L. Gordon Government Center

#### A. Call to Order

The meeting was called to order at 6:31 p.m. by Paul Santay

#### B. Roll Call

Members Present: Sue Henderson, Mary Rust, Benjamin Rudasill, Anthony Pineau and Dan Adams

Members Absent: Robert Hayden, Zachary Martinez

Staff Present: Paul Santay, Chief Director of Community Development; Joe Fiorello, Environmental Planner; and Vicki Sowers, Comm. Dev. Business Finance Manager

#### C. Determination of a Quorum

A quorum was established with 5 of the 7 members present.

#### D. Election of Officers

##### ➤ Election of a Chairman

Mr. Santay called for the election of officers, starting with the nomination for the chair position. Ms. Henderson nominated Mr. Pineau, which was seconded by Mr. Rudasill.

Mr. Pineau was unanimously elected as the Chair.

##### ➤ Election of a Vice-Chairman

Mr. Santay handed the meeting over to Mr. Pineau who asked for nominations for the Vice Chair position. Mr. Rudasill nominated Ms. Henderson, and Ms. Rust seconded the nomination. Ms. Henderson was elected as the Vice Chair unanimously.

#### E. Approval of Meeting Minutes

Ms. Henderson made a motion to approve the December 16, 2024 Chesapeake Bay Board minutes. Ms. Rust seconded. The minutes were unanimously approved.

#### F. New Business

None



G. Old Business

Sue Henderson inquired about the status of the in-lieu fees discussion and asked if it should be noted as Old Business? Mr. Hayden, being assigned as an alternate member by the Board of Supervisors, was not present. Ms. Rust asked if staff knew or received his pending report on the topic. Mr. Fiorello advised that he had not received anything from him to report on for the meeting but could hold a place in Old Business if needed. Ms. Henderson explained that the Board assigned the investigatory task to Mr. Hayden to report back, and it should remain on old business. Ms. Henderson questioned the process for which he would be able to present the report now that Mr. Hayden is considered an alternate member. Ms. Henderson requested that Mr. Hayden be invited to the next meeting to present. Mr. Santay said he would confirm if he can present as an alternate member or as a public presentation. Mr. Pineau questioned when the next meeting would be in case months go by. Mr. Fiorello confirmed that there are two pending applications so it is likely that the next meeting will be in February. Mr. Santay also explained that meetings are scheduled for the 3<sup>rd</sup> Monday of every month and if there is nothing on the agenda, they get cancelled, however, the Chairman can request a meeting even if there are no items on the agenda. Mr. Pineau questioned a change that has occurred over the last year where meetings are cancelled by staff instead of contacting the Chair to make the decision whether to have a meeting or not. Mr. Santay said this is something that can be addressed in the revised By-Laws to specifically explain how and when meetings can be cancelled.

Ms. Henderson requested to make two motions:

1. Motion to have an organizational meeting for all three Boards in February. Mr. Pineau agreed (seconded). Ms. Rust stated that it is important to get pending feedback from Mr. Hayden. Ms. Henderson also emphasized the importance of the meeting, especially with By-Laws changes and discussions. Mr. Rudasill asked if the By-Laws revisions would be ready by the next meeting. Mr. Santay said they would be ready from the County Attorney's office in draft form. He suggested that everyone review them ahead of time when they come out in the agenda, so all is prepared for the discussion. Questions and comments would then be taken back to the County Attorney and an official vote would take place in March.
2. Ms. Henderson requested that the Chair contact both alternates to request that they be present at the meeting in February. She explained, not just to present the in-lieu



information, but to also be present in discussions regarding procedures and alternates. Mr. Pineau agreed and advised that he would do that.

#### H. Chairman's Report

Mr. Pineau brought up the Board of Supervisors' upcoming agenda item regarding the appeal to the recent Chesapeake Bay Board decision. Mr. Santay suggested that any discussion for this meeting involve procedures such as who can attend and not to have discussions regarding subjective matters about the appeal itself. Discussion ensued as to how and what information will be presented during the appeal. Mr. Santay said it would be helpful if Board members could be present at the appeal meeting. As the Chair of the Board during the time the application was presented, Ms. Henderson explained that she was told to be at the Board meeting for the appeal and invited other Board members to also be present. Ms. Henderson requested a copy of what is being presented to the Board of Supervisors to be sent to the Chesapeake Bay Board as well. Mr. Santay said he would check to make sure the packet can be sent to them prior to going out to the public. Mr. Fiorello brought up the issue of the number of members that can gather at one time or is it considered a public meeting? Mr. Santay said he will find out how many members can be present. He suggested that at the least, Ms. Henderson and Mr. Pineau be present as Chairs and he would find out if additional members can be present. He reiterated the rules regarding gatherings which can include emails and text messages to get together to discuss issues. He said "So I would definitely encourage you as board members to not have those conversations in email or text message or anything like that too, because that would be could be deemed a public notice, and technically, anytime you meet or discuss an item virtually through email and make a decision that could be deemed an action without having an officially called meeting or quorum." Mr. Santay explained that a seven-member Board limit was three people but now that it is a five member Board, the gather limit is two.

Ms. Henderson also brought up the issue of district representation with the Board going to five members. She requested that this be addressed in the revised by-laws. Mr. Santay restated that there are seven appointed members but two are alternates and do not have a vote.

Mr. Pineau asked to know as soon as possible who and how many board members are allowed to be at the Board of Supervisors' meeting regarding the appeal. Mr. Santay assured that he



would email the County Attorney's office first thing the next morning to get clarification. Ms. Henderson questioned whether a general public notice could be sent out (and is there time) advising that the board would be gathering which would cover any legal requirements of such. Mr. Santay questioned the legality and following of Robert's Rules to be able to give such a general public notification. Mr. Santay again advised that he would get more clarification from County Attorney first thing in the AM.

I. Staff Report

Mr. Santay reminded the board of the updated Wetlands Ordinance that took effect in February of last year. He explained that the main change involved how funds are collected through civic penalties and civil charges. They can be administered through shoreline capital projects or the purchasing of credits for the Title Mitigation Bank. He said he is looking forward to Mr. Hayden's presentation regarding the in-lieu fees and also advised that it is up to the Board of Supervisors to control the purse; to deem what projects qualify. He recommended that once it is discussed and if this Board has recommendations for how the money should be appropriated that the Chair reach out and communicate those recommendations to Mr. Diggs, Chairman of the Board of Supervisors.

Mr. Pineau asked staff if there is any recommendation other than speaking to their Board of Supervisors regarding the membership appointments/alternate changes. Mr. Santay advised that other boards request conversations with their supervisor but there is no other avenue procedurally. Ms. Rust stated that Mr. Hayden has been an extremely valuable member of this Board and questioned the change to an alternate status. Ms. Henderson asked for clarification regarding the change from seven members to five members and two alternates. She said that the board had been abiding by its by-laws but when investigated, it was found that the Virginia State Statute says it should be five and two? Mr. Santay explained that the statute states that the Board can be seven OR five, but the decision as to which will be adhered to is determined by the local Board of Supervisors. He said upon further investigation the County Attorney's office cannot find any documentation as to when these Boards were established as seven member Boards. They were originally created as five-member Boards. Ms. Henderson asked who votes on the By-Laws. Mr. Santay explained that it is not the Board of Supervisors, it is the individual Board (Wetlands/Chesapeake Bay, etc.) that vote to accept their own by-laws.



Mr. Pineau corrected a comment that was made in the Wetlands Board meeting regarding Mr. Martinez's attendance stating that he was present at the December meeting.

J. Adjournment

With no further business to discuss, Mr. Rudasill made a motion to adjourn. The motion was seconded by Ms. Rust. The Chesapeake Bay Board meeting adjourned at 7:03pm.

**NEW BUISNESS:**

**SE25156176**

**STANFORD PAVILION, PATIO, WALKWAY**

**& OUTDOOR FIREPLACE**

**CRPA SPECIAL EXCEPTION**



February 24, 2025

MEMORANDUM TO: Stafford County Chesapeake Bay Board

FROM: Joseph Fiorello  
Environmental Planner

SUBJECT: **AP# 25156176; Special Exception Application Staff Report;  
CBB25-01; Stanford Pavilion, Patio, Walkway and Fireplace**

ATTACHMENTS:

|                                               |                                         |
|-----------------------------------------------|-----------------------------------------|
| 1. Special Exception Application & WQIA       | 5. Pavilion Details                     |
| 2. Site Location Map                          | 6. Adjacent Property Owner Notification |
| 3. CRPA Location Map                          | 7. Proposed Resolutions                 |
| 4. Patio, Walkway & Outdoor Fireplace Details | 8. Power Point Presentation             |

ISSUE:

The applicant requests permission to construct a pavilion overtop the “after-the fact” construction of a cement/stone patio, walkway, and outdoor fireplace (AP25156176). The total impact to the landward 50 feet of the Chesapeake Bay Resource Protection Area (CRPA) buffer is 840 square feet. Other development within the CRPA was done by others prior to the Stanford’s purchase of the property in December 2018.

BACKGROUND:

The property is located on Tax Map Parcel 58A-4-89 within the George Washington Election District. The property is zoned R1 and contains a single-family residential structure. Based on aerial photography, a cement patio, cement walkway, and outdoor fireplace were constructed between 2020 and 2021 without an approved building permit or approval from the Chesapeake Bay Board for the construction within the landward 50 feet of the CRPA. In August of 2024 the applicant submitted a building permit (RC243008487) for a pavilion to be installed overtop the cement patio and outdoor fireplace. The applicant was informed at that time that they were in violation of the Chesapeake Bay ordinance and building permit requirements. Subsequently, the applicant filed for the building permit for the cement patio and outdoor fireplace in October 2024 (RC243009599) and submitted a special exception application requesting the approval of the



pavilion, cement/stone patio, cement walkway, and outdoor fireplace from the Chesapeake Bay Board (SE25156176).

### **PROPOSED CRPA IMPACTS and MITIGATION:**

The proposed pavilion, cement patio, walkway, and fireplace amount to 840 sq. ft. of impact to the landward 50 feet of the CRPA. When the cement/stone patio, cement walkway, and outdoor fireplace were installed no woody vegetation was removed since the impact area was lawn at the time.

To compensate for the area of impact, the applicant proposes to plant 1 canopy tree (crepe myrtle), 2 understory trees (flowering dogwood) and 4 shrubs (azaleas) within the property. The applicant indicated they have also planted 10 plus shrubs within the property adjacent to Lake Carroll and are requesting credit for these plantings.

### **ROLE OF THE BOARD:**

The board may decide to grant, grant in modified form, or deny a Special Exception application. A decision requires a weighing and balancing of all beneficial and detrimental factors relevant to a proposal, leading to a permit decision that reflects the outcome of that balancing process, known as a public interest review. The local Chesapeake Bay Board has the power to modify an application so that the approved permit meets the purpose of the Chesapeake Bay Act. In making this determination, the local Chesapeake Bay Board must:

1. Review the request for a special exception and the water quality impact assessment;
2. Find that the Wetlands Joint Permit Application meets the 4 criteria of the Group II living shoreline guidance.
3. Hear the testimony of any person in support of or in opposition to the permit;
4. Find that granting the special exception will not confer upon the applicant's any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;
5. Find that the special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
6. Find that the special exception request is the minimum necessary to afford relief;
7. Find that the special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare,





- and is not of substantial detriment to water quality; and
8. Find that reasonable and appropriate conditions are imposed which will prevent the special exception request from causing a degradation of water quality.

If any of the criteria above are not met, the board shall deny the application.

#### **ALTERNATIVES:**

The following alternatives are available to the Board:

1. Adopt proposed Resolution CBB25-01 which approves the request for constructing a pavilion, cement/stone patio, cement walkway, and outdoor fireplace, and replanting.
2. Adopt proposed Resolution CBB25-02 which denies the request.
3. Revise and adopt proposed Resolution CBB25-01
4. Take no action currently and defer the application to the next meeting. (Applicant must be present for action to be taken by the Board)

#### **STAFF FINDINGS**

- The proposed construction of a pavilion, cement/stone patio, cement walkway, and outdoor fireplace do not qualify for an administrative waiver because the pavilion, cement/stone patio, cement walkway, and outdoor fireplace are considered accessory structures. Thus, a Chesapeake Bay Special Exception hearing and approval is required.
- The proposed plantings of 1 canopy tree, 2 understory trees, and 4 shrubs mitigate for 400 sq. ft. of CRPA impact which is in accordance with Appendix D of the Riparian Buffers Modification and Mitigation Manual. The remaining 440 sq. ft. is proposed to be compensated by the credit of having planted 10 plus shrubs along the slope of the adjacent parcel.

**ATTACHMENT 1**  
**SE25156176**  
**SPECIAL EXCEPTION APPLICATION**  
**& WQIA**



## County of Stafford

Department of Planning and Zoning  
1300 Courthouse Rd  
PO Box 339  
Stafford, VA 22555-0339  
Phone (540) 658-8668  
Fax: (540) 658-6824  
Metro (703) 690-8222

## Application Receipt

Printed On 01/31/25

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|     |          |          |            |
|-----|----------|----------|------------|
| AP# | 25156176 | STANFORD | CBBSPEXCEP |
|-----|----------|----------|------------|

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|        |               |          |
|--------|---------------|----------|
| Parcel | -58A--4----89 | Location |
|--------|---------------|----------|

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### Owner

121 LAKE SHORE DR  
FREDERICKSBURG, VA 22405-3121

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### Applicant

121 LAKE SHORE DR  
FREDERICKSBURG, VA 22405-3121

Phone: (540)840-1405

Email: RSTANFORD@ZENITHAVIATION.COM

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|      |                            |                         |                |
|------|----------------------------|-------------------------|----------------|
| Fees | CBB Special Exception Base | 3262*100-0000-313.03-80 | \$600.00       |
|      | TECHNOLOGY SERVICE FEE     | 1212*100-0000-313.03-63 | \$16.50        |
|      |                            |                         | <hr/> \$616.50 |

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### Comments

**PAID**

JAN 31 2025

check #47015

Vanessa Rodgers  
Paid By

01/31/2025  
Date

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Signature

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Date



STAFFORD COUNTY  
DEPARTMENT OF PLANNING AND ZONING  
1300 Courthouse Road, Stafford VA 22554  
Phone: 540-658-8668 Fax: 540-658-6824  
[www.staffordcountyva.gov](http://www.staffordcountyva.gov)

## CHESAPEAKE BAY BOARD SPECIAL EXCEPTION APPLICATION PACKET

- The following items are included within this packet:
  1. Pre-Application Conference Sheet
  2. Chesapeake Bay Board Application Question and Answers
  3. Stafford County Code Section 27B-14
  4. Application
  5. Owners Consent Form
  6. Water Quality Impact Assessment Form & Stafford County Code Section 27B-10
- Please be advised that applicants are required to schedule a pre-application meeting with the Environmental Planning staff prior to submitting their application. The applicant would then need to schedule a second meeting to officially submit their application. ***Failure to comply with the application requirements, including providing all of the required information, may result in the matter being delayed until such time as all requirements have been fulfilled.*** Appointments may be scheduled by calling the office of Planning and Zoning at 540-658-8668.
- If an application is withdrawn prior to the first public hearing, fifty (50) percent of the amount of the application fee may be refunded to the applicant.

Fees are as follows: ***Individual Residential \$600.00 per Special exception***  
***Other \$1,375.00 per Special exception***

**A 2.75% technology fee will be assessed and collected on the total fees.**
- The Chesapeake Bay Board meets the third Monday of every month. Due to required public notice, complete applications must be received by the third Monday one month prior to the scheduled meeting.



STAFFORD COUNTY  
DEPARTMENT OF PLANNING AND ZONING

1300 Courthouse Road, Stafford VA 22554

Phone: 540-658-8668 Fax: 540-658-6824

[www.staffordcountyva.gov](http://www.staffordcountyva.gov)

Pre-Application Conference – Checklist (to be completed by staff)

Pre-application conference date:

Owner and/or applicant:

Application for: *Special Exception* COMMERCIAL ☐ RESIDENTIAL ☒

The following information must be submitted with the completed application and fee:

Completed Application

Owner's Consent form (*Provide if applicant is not the owner of the property.*)

Site Plans(including wetlands and CRPA buffer)

A Major Water Quality Impact Assessment

Other:

Applications must be completed and returned no later than \_\_\_\_\_ in order to be heard at the meeting scheduled for Feb 24, 2025 Meetings are held at 7:00 p.m. in the Board of Supervisor's Chambers and you or a representative must be present.

NOTE: This form must be submitted with the completed application, affidavit, all of the above and fee of \$ 616.50.

  
Staff Member Signature



STAFFORD COUNTY  
DEPARTMENT OF PLANNING AND ZONING

**CBB SPECIAL EXCEPTION APPLICATION**

1. **What is a special exception?** – A reasonable deviation from those provisions in the Chesapeake Bay Protection Area (CBPA) ordinance in cases where a development proposal cannot meet the regulatory requirements due to a unique set of circumstances and conditions. Such a need for a special exception would not be shared generally by other properties, and provided such special exception is not contrary to the intended spirit and purpose of Chapter 27B.
2. **Who can grant a special exception to the Chesapeake Bay Protection Area (CBPA) ordinance?** – The Chesapeake Bay Board has the authority to grant special exceptions in cases where strict application of the CBPA Ordinance would result in unnecessary hardship for the property owner.
3. **What is the Chesapeake Bay Board** – The CBB is a five-member board comprised of the Wetlands Board. The Wetlands Board/CBB members are at-large County residents appointed by the Board of Supervisors. The CBB will hear and consider requests for special exceptions to the Stafford County CBPA Ordinance.
4. **What is the basis for a special exception to the CBPA ordinance?** – The CBB must make the following five findings in order to approve a request for a special exception, as set forth in Section 27B-14(d):
  - Granting the special exception will not confer upon the applicant(s) any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;
  - The special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels;
  - The special exception request is the minimum necessary to afford relief;
  - The special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
  - Reasonable and appropriate conditions are imposed which will prevent the special exception request from causing a degradation of water quality.
5. **What is a water quality impact assessment?** The exception process is intended to identify the minimum relief necessary to permit the proposed use. To assist in this determination, a Water Quality Impact Assessment (WQIA) which meets the requirements found in Section 27B-10 is to be used in evaluating the site of the proposed exception, the potential effects of the exception, and for identifying mitigation measures that are appropriate to counteract those effects.

6. **What is the application process?** – Special exception applications must be filed with the Department of Planning and Zoning.
- A pre-application conference is held between the applicant and a staff member from the Planning and Zoning Department. A solution may be discovered without the need for a special exception.
  - A complete special exception application with original signatures, all associated materials and the application fee by the established deadline.
  - The Department of Planning and Zoning will advertise the special exception request as a notice of public hearing once a week for two consecutive weeks prior to the hearing date in the local newspaper. The notice will specify the date, time and place of the hearing so persons affected may appear and present their views. In addition, the Planning and Zoning Department will notify adjacent property owners of the requested special exception and hearing date.
  - A member of the Planning and Zoning Department will prepare a staff report that will accompany the special exception application and both will be forwarded to the members of the CBB for their review before the meeting date.
  - At the public hearing the CBB will approve, deny or defer the special exception request until a later date after hearing the applicant and all interested parties.
7. **How long does a typical special exception process take?** – The average special exception process is approximately four weeks from submission of a complete application to action.
8. **What if I want to appeal the decision of the CBB?** – Any one aggrieved by a decision of the CBB has thirty (30) days to appeal the decision to the Stafford County Board of Supervisors.



## CHESAPEAKE BAY PRESERVATION AREA ORDINANCE

### Sec. 27B-14. - Special exceptions.

- (a) The board shall be comprised of all of the members of the county's wetlands board.
- (b) A request for a special exception to the requirements of section 27B-7 and subsection 27B-8(b) of this chapter shall be made in writing to the board. The request shall identify the impacts of the proposed exception on water quality and on lands within the CRPA through the performance of a water quality impact assessment which complies with the provisions of section 27B-10 of this chapter.
- (c) No later than sixty (60) days after receipt of a complete special exception request, the board shall hold a public hearing on the request. The board shall hold a public hearing in accordance with Code of Virginia § 15.2-2204, except that only one hearing shall be required. The board shall cause notice of the hearing to be published at least once a week for two (2) weeks prior to such hearing in a newspaper of general circulation in this county. When giving any notice to the owner(s), their agent(s), or the occupant(s) of abutting property and property immediately across the street or road from the property affected, the notice shall be given by first-class mail to the last known address as shown on the current real estate tax assessment book or records. The board shall mail these notices not less than twenty (20) days prior to the date set for the hearing.
- (d) The board shall review the request for a special exception and the water quality impact assessment. The board may grant the special exception, with such conditions and safeguards as deemed necessary to further the purpose and intent of this chapter, if the board finds:
  - (1) Granting the special exception will not confer upon the applicant(s) any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;
  - (2) The special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
  - (3) The special exception request is the minimum necessary to afford relief;
  - (4) The special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
  - (5) Reasonable and appropriate conditions are imposed which will prevent the special exception request from causing a degradation of water quality.
- (e) The board shall make its determination within thirty (30) days of the public hearing. If the board fails to act within that time, the application shall be deemed approved.
- (f) If the board denies the special exception, the board shall provide the applicant(s) with the board's written decision, including its rationale.



STAFFORD COUNTY  
Department of Planning and Zoning



CHESAPEAKE BAY BOARD  
SPECIAL EXCEPTION APPLICATION

RECEIVED BUT NOT OFFICIALLY SUBMITTED  
DATE: \_\_\_\_\_ INITIALS: \_\_\_\_\_

OFFICIALLY SUBMITTED

DATE: \_\_\_\_\_ INITIALS: \_\_\_\_\_

TYPE OF APPLICATION

INDIVIDUAL RESIDENTIAL ☒ OTHER ☐

APPLICATION NUMBER \_\_\_\_\_

APPLICANT INFORMATION

NAME Amy Stanford

STREET ADDRESS 121 Lake Shore Dr.

CITY Fredericksburg STATE VA ZIP 22405

PHONE \_\_\_\_\_ CELL \_\_\_\_\_ FAX \_\_\_\_\_  
EMAIL (ableasing50@gmail.com), minfordr28@gmail.com

OWNER INFORMATION (If different from the Applicant)

NAME Robert F. Stanford

ADDRESS 121 Lake Shore Dr. CITY Fredericksburg STATE VA ZIP 22405

PHONE NUMBER 540-840-1405 CELL \_\_\_\_\_ FAX NUMBER \_\_\_\_\_

EMAIL ADDRESS rstanford@zenithaviation.com

PROPERTY INFORMATION

TAX MAP 58A-4-89 SECTION 39020 PARCEL LOT# \_\_\_\_\_ LOT SIZE 0.5610

SUBDIVISION Acquile Heights ZONING DISTRICT B1

EXISTING USE \_\_\_\_\_ PROPOSED USE \_\_\_\_\_

COMPREHENSIVE PLAN DESIGNATION \_\_\_\_\_ MAGISTERIAL DISTRICT \_\_\_\_\_

FOR OFFICE USE ONLY

APPLICATION APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_

RESOLUTION # \_\_\_\_\_ APPLICATION # \_\_\_\_\_

FEES PAID: ☐ YES ☐ NO

## GENERAL INFORMATION

- ❖ What code section of the Chesapeake Bay Protection Area ordinance is the applicant seeking relief from as a result of a special exception?

Chapter 27B, Section 27B-7 which pertains to Development Conditions  
and 27B-11 Non Conforming uses within the RPA

- ❖ Are there any special zoning conditions applicable to the property (including a conditional use permit, special exception, variance, development proffers, vesting determination)? ☐ Yes ☒ No

If yes, please specify \_\_\_\_\_

- ❖ Is the subject property located within a flood district? ☐ Yes ☒ No

If yes, please specify which one \_\_\_\_\_

- ❖ County Water & Sewer? ☒ Private Well & Septic? ☐

## SPECIAL EXCEPTION JUSTIFICATION

Please provide a statement of justification for the requested special exception. Be aware that the Board must make the following five findings in order to approve a request for a special exception, as set forth in Section 27B-14(d):

- (1) Granting the special exception will not confer upon the applicant(s) any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;
- (2) The special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
- (3) The special exception request is the minimum necessary to afford relief;
- (4) The special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
- (5) Reasonable and appropriate conditions are imposed which will prevent the special exception request from causing a degradation of water quality.

The reason for the concrete pad and pavilion is for entertainment purposes. We had an open vista just outside of our home and porch.

Plants & trees that we will plant are dogwoods and a red maple and azalea bushes. We will also plant a canopy tree such as a crepe myrtles. In addition, there are already 14 azalea bushes and a dogwood tree in that area.

\* On the map, we planted hydrangea bushes as shown with blue dots. We also planted a St. Johns wort perennial shrub.

There also is a large oak tree.





2024









# Owner's Consent Form

I/We, the Owner(s) of the property listed below, hereby grant permission for the

Applicant, Stanford to seek a

Special Exception Application as requested in the

Chesapeake Bay Board application relating to property located at \_\_\_\_\_

121 Lake Shore Drive On Assessor's

Parcel's 58A-4-87

1-27-25

Date

Amy Stanford

Signature

Amy Stanford

Printed Name

~Notary~

SUBSCRIBED & SWORN TO Before me this 27 day of January, 2025

Annette M. Hyder

Notary Public

My Commission Expires: \_\_\_\_\_





## STAFFORD COUNTY DEPARTMENT OF PLANNING AND ZONING

### WATER QUALITY IMPACT ASSESSMENT

*A scaled site drawing, which shows the following, must be attached to this water quality impact assessment:*

1. Location of the components of the RPA, including the 100-foot buffer area;
2. Location and nature of any proposed encroachment into the buffer area, including, type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; sewage disposal systems or reserve drainfield sites; and wells.
3. Type and location of proposed best management practices to mitigate the proposed encroachment;
4. Location of existing vegetation onsite, including the number, type of trees, caliper and other vegetation to be removed in the buffer to accommodate the encroachment or modification; and
5. Type, size, and location of replacement vegetation.

#### Site Conditions (of site and adjacent lands):

Existing Topography: Level - Slope Hydrology: \_\_\_\_\_  
Soils Map Unit/Name: \_\_\_\_\_ % Slope: 10 Geology: \_\_\_\_\_  
Fill Material (source and composition): Stone  
Total Amount of Disturbed Area (ft<sup>2</sup>): 840 Total Amount of Cleared Area (ft<sup>2</sup>): 840  
Estimation of Pre and Post Development Pollutant Loads: 0  
Other: \_\_\_\_\_

#### Existing Vegetation:

Total Underbrush / Grass Removed (ft<sup>2</sup>): 840 Types: Grass  
Number of Healthy Trees Removed: 0 Types: \_\_\_\_\_  
Number of Trees Limbed or Pruned: 0 Types: \_\_\_\_\_  
Number of Dead/Dying/Diseased Trees Removed: 0 Types: \_\_\_\_\_  
Other: \_\_\_\_\_

#### Proposed Landscaping / Vegetation Mitigation Measures (App. D, CBLAD Buffer Modification Manual)

Number of New Canopy Trees Proposed: 1 Types: Crape myrtle  
Number of New Understory Trees Proposed: 2 Types: Dogwood  
Number of New Shrubs Proposed: 4 Types: azalea  
Other: 2 existing retaining walls.



**Proposed Erosion and Sedimentation Control Practices:**

- ☐ Silt Fencing    ☐ Temporary Construction Entrance    ☐ Straw Bale Barrier(s)  
☐ Inlet Protection    ☐ Temporary/Permanent Seeding Mulching  
☐ Tree Protection Sediment Trap  
☒ Other: completed

**Proposed Best Management Practices:**

- ☐ Dry Well(s)    ☐ Infiltration Trench(es)    ☒ Vegetated Filter Strip(s)    ☐ Grass Swale(s)  
Other: \_\_\_\_\_

BMP design dimensions: \_\_\_\_\_

**Wastewater (Septic) Element (if needed):**

Attach legible, clean copy of Health Department Approval Information- to include calculations and dimensions.

Description of potential impacts of the proposed wastewater systems including any proposed mitigation measures for the impacts:

N/A



## **CHESAPEAKE BAY PRESERVATION AREA ORDINANCE**

### **Sec. 27B-10. - Water quality impact assessment.**

- (a) Purpose and intent. The purpose of the water quality impact assessment is to:
  - (1) Identify the impacts of proposed land disturbance, development, or redevelopment on water quality and lands within the county;
  - (2) Provide for administrative relief from the terms of this chapter when warranted and in accordance with the requirements contained herein; and
  - (3) Specify mitigation which will address water quality protection.
- (b) When required. A water quality impact assessment is required for:
  - (1) Any proposed land disturbance, development, or redevelopment within a CRPA, including any buffer area encroachment;
  - (2) Any land disturbance, development, or redevelopment in a LRMA as deemed necessary by the administrator due to the unique characteristics of the site or intensity of the proposed development. When requested by the applicant proposing to construct a single-family residence in the CRPA, the administrator shall perform a water quality impact assessment;
  - (3) The water quality impact assessment shall not be required prior to submission of a site plan or application for a single-family residence building permit; and
  - (4) There shall be two (2) levels of water quality impact assessments: a minor assessment and a major assessment.
- (c) Minor water quality impact assessment. A minor water quality impact assessment pertains only to land disturbance, development or redevelopment within CRPAs which causes no more than five thousand (5,000) square feet of land disturbance and requires any encroachment into the landward fifty (50) feet of the one hundred-foot buffer area. A minor assessment must demonstrate through acceptable calculations that the remaining buffer and necessary BMPs will result in removal of no less than seventy-five (75) percent of sediments and forty (40) percent of nutrients from post-development stormwater runoff. A minor assessment shall include a site drawing to scale which shows the following:
  - (1) Location of the components of the CRPA, including the one hundred-foot buffer area;
  - (2) Location and nature of the proposed encroachment into the buffer area, including: type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; and sewage disposal systems or reserve drain field sites;
  - (3) Type and location of proposed BMPs to mitigate the proposed encroachment;
  - (4) Location of existing on-site vegetation, including the number and type of trees and other vegetation to be removed in the buffer area to accommodate the encroachment or modification; and

- (5) A re-vegetation plan that supplements the existing buffer area vegetation in a manner that provides for pollutant removal, erosion and runoff control.
- (d) Major water quality impact assessment. A major water quality impact assessment shall be required for any land disturbance, development or redevelopment which exceeds five thousand (5,000) square feet of land disturbance within CRPAs and requires any encroachment into the landward fifty (50) feet of the one hundred-foot buffer area, or disturbs any portion of the seaward fifty (50) feet of the one hundred-foot buffer area or any other components of an CRPA, or is located in an LRMA and is deemed necessary by the administrator. The information required in this section shall be considered a minimum, unless the administrator determines that some of the elements are unnecessary due to the scope and nature of the proposed use and development of land.

A water quality impact assessment shall not be required for commercial or industrial uses that disturb less than twenty thousand (20,000) square feet of land or individual single-family lots, located within the LRMA and outside the CRPA. The following elements shall be included in the preparation and submission of a major water quality assessment:

- (1) All of the information required in a minor water quality impact statement, as specified in subsection 27B-10(c) of this chapter;
- (2) A hydrogeological element which shall:
  - a. Describe the existing topography, soils, hydrology, and geology of the site and adjacent lands;
  - b. Describe the impacts of the proposed development on topography, soils, hydrology and geology on the site and adjacent lands; and
  - c. Indicate the following:
    1. Disturbance or destruction of wetlands in CRPAs and justification for such action;
    2. Disruptions or reductions in the supply of water to wetlands, streams, lakes, rivers, or other water bodies;
    3. Disruptions to existing hydrology, including wetland and stream circulation patterns;
    4. Description of proposed fill material;
    5. Location of dredge material and location of dumping area for such material;
    6. Estimation of pre-development and post-development pollutant loads in runoff;
    7. Estimation of percent increase in impervious surface on-site and types of surfacing materials used;
    8. Percent of the site to be cleared for the project;
    9. Anticipated duration and phasing schedule of construction project;
    10. List of all requisite permits from all applicable agencies necessary to develop project; and
    11. Descriptions of the proposed mitigation measures for the potential hydrogeological impacts. Potential mitigation measures may include, but are not limited to:
      - (i) Proposed erosion and sediment control concepts. Concepts may include minimizing the extent of the cleared area, perimeter controls, reduction of runoff velocities, measures to stabilize disturbed areas, and schedule and personnel for site inspection;
      - (ii) Proposed stormwater management system; and
      - (iii) Minimizing excavation and fill.
- (3) A landscape element for areas within CBPAs that:

- a. Identifies the general location of all significant onsite plant material. Where there are groups of trees, stands may be outlined;
- b. Describes the impacts the development or use will have on the existing vegetation. Information shall include:
  - 1. General limits of any clearing, based on all anticipated improvements including buildings, drives and utilities;
  - 2. Clear delineation of all trees which will be removed; and
  - 3. General description of any plant material to be disturbed or removed.
- c. Describes the potential measures for mitigation. Possible mitigation measures may include, but are not limited to:
  - 1. Replanting schedule for vegetation removed for construction, including a list of possible planting materials to be used;
  - 2. Demonstration that the design of the plan will preserve any significant vegetation on the site to the greatest extent possible; and
  - 3. Demonstration that indigenous plants are to be used to the greatest extent possible.

(4) A wastewater element, where applicable, that:

- a. Includes calculations and locations of anticipated drainfield or wastewater irrigation areas;
- b. Provides justification for sewer line locations in CBPAs, where applicable, and describes construction techniques and standards;
- c. Addresses any proposed on-site collection and treatment systems, their treatment levels, and impacts on receiving watercourses; and
- d. Describes the potential impacts of the proposed wastewater systems, including the proposed mitigation measures for these impacts.

(5) Identification of the existing characteristics and conditions of sensitive lands included as components of CRPAs, as defined in this chapter.

(6) A general identification of the natural processes and ecological relationships inherent in the site, and an assessment of the impact of the proposed use and development of land on these processes and relationships.

(e) Submission and review requirements.

- (1) One paper copy and one digital copy of all site drawings and other applicable information as required by subsections (c) and (d) of this section shall be submitted to the administrative authority for review.
- (2) All information required in this section shall be certified as complete and accurate by a professional practicing in his field of competence.
- (3) A major or minor water quality impact assessment shall be prepared and submitted to and reviewed by the administrative authority in conjunction with plan submission.
- (4) As part of any major water quality impact assessment submittal, the administrator may require review by DEQ Water Division-Office of Local Government Programs staff. Upon receipt of a major water quality impact assessment, the administrator will determine if such review is warranted and may request DEQ staff to review the assessment and respond with written comments. Comments by DEQ staff will be incorporated into the final review by the administrator, provided that such comments are provided by DEQ staff within ninety (90) days of the date of the administrator's request.

(f) Evaluation procedure.

- (1) Upon the completed review of a minor water quality impact assessment, the administrator will determine if any proposed modification or reduction to the buffer area is consistent with the provisions of this chapter and make a finding based upon the following criteria:
  - a. The justification for the proposed encroachment and the ability to place improvements elsewhere on the site to avoid disturbance of the buffer area;
  - b. Minimization of impervious surface;
  - c. The extent to which proposed BMPs achieve the requisite reductions in pollutant loadings;
  - d. The extent which the development proposal meets the purpose and intent of this chapter; and
  - e. The cumulative impacts (degradation) on water quality of the proposed development, when considered in relation to other existing and proposed development in the vicinity.
- (2) Upon the completed review of a major water quality impact assessment, the administrator will determine if the proposed development is consistent with the purpose and intent of this chapter and make a finding based upon the following criteria:
  - a. Within any CRPA, the proposed development is water-dependent;
  - b. The disturbance of any wetlands in CRPAs will be minimized;
  - c. The development will not result in significant disruption of the hydrology of the site;
  - d. The development will not result in significant degradation to aquatic vegetation or life;
  - e. The development will not result in unnecessary destruction of plant materials on-site;
  - f. Proposed erosion and sediment control concepts are adequate to achieve the reductions in erosion and prevent off-site sedimentation;
  - g. Proposed stormwater management concepts are adequate to control the stormwater runoff to achieve water quality control in accordance with county Code chapter 21.5;
  - h. Proposed revegetation of disturbed areas will provide adequate erosion and sediment control benefits;
  - i. The design and location of any proposed drainfield will be in accordance of this chapter;
  - j. The development, as proposed, is consistent with the purpose and intent of this chapter; and
  - k. The cumulative impact of the proposed development, when considered in relation to other development in the vicinity, both existing and proposed, will not result in a significant degradation of water quality.
- (3) The administrator shall require additional information where it is determined that potential impacts have not been adequately addressed. The administrator may require additional mitigation measures based on the criteria listed in subsections (f)(2)a. and (f)(2)b. of this section.
- (4) The administrator shall find the proposal to be inconsistent with the purpose and intent of this chapter when the impacts created by the proposal cannot be mitigated. Evaluation of the impacts will be made by the administrator based on the criteria listed in subsections (f)(1) and (f)(2) of this section.

**ATTACHMENT 2**  
**SITE LOCATION MAP**

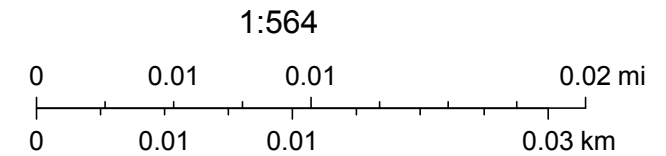


2024 Aerial (Tx Map #58A-4-89 (CBB25-01))



2/4/2025, 10:37:55 AM

- |                           |                       |                          |
|---------------------------|-----------------------|--------------------------|
| Points of Interest        | Community Facilities  | VA Primary               |
| Trails                    | Public Schools        | US Route (Business)      |
| Stafford Regional Airport | Structures            | US Route                 |
| Stafford Hospital         | Quantico Roads        | Interstate Ramps         |
| Train Stations            | Secondary Minor       | Interstate               |
| Libraries                 | Secondary             | Parcels                  |
| County Administration     | Secondary Major       | Supervisor Districts     |
|                           | VA Primary (Business) | Parks & Community Places |
- |                           |
|---------------------------|
| MCB Quantico              |
| Neighboring Jurisdictions |
| Stafford County           |
- 2024 Aerials
- |               |
|---------------|
| Red: Band_1   |
| Green: Band_2 |
| Blue: Band_3  |



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, Spotsylvania County GIS, Stafford County GIS Department, VGIN, © OpenStreetMap, Microsoft, Esri,



**ATTACHMENT 3**  
**CRPA LOCATION MAP**

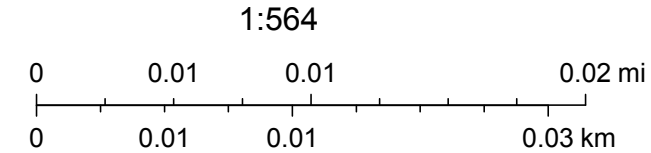


2024 Aerial with CRPA (Tx Map #58A-4-89 (CBB25-01))



2/5/2025, 3:21:00 PM

- |                           |                       |                      |                           |
|---------------------------|-----------------------|----------------------|---------------------------|
| Points of Interest        | Public Schools        | US Route (Business)  | Resource Protection (RPA) |
| Trails                    | Structures            | US Route             | Urban Services Area       |
| Stafford Regional Airport | Quantico Roads        | Interstate Ramps     | Contours 10' - South      |
| Stafford Hospital         | Secondary Minor       | Interstate           | Contours 2' - South       |
| Train Stations            | Secondary             | Parcels              | Contours 10' - Mid        |
| Libraries                 | Secondary Major       | Supervisor Districts | Contours 2' - Mid         |
| County Administration     | VA Primary (Business) | Comp Plan Land Use   | Contours 10' - North      |
| Community Facilities      | VA Primary            | Suburban             | Contours 2' - North       |



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, Spotsylvania County GIS, Stafford County GIS Department, VGIN, © OpenStreetMap, Microsoft, Esri,



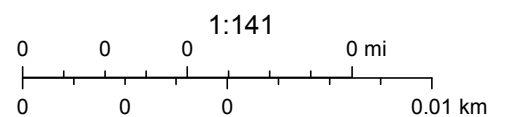
**ATTACHMENT 4**  
**PATIO, WALKWAY & OUTDOOR**  
**FIREPLACE DETAILS**

# Patio, Walkway, and Outdoor Fireplace Details



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- |                           |                       |                 |
|---------------------------|-----------------------|-----------------|
| Points of Interest        | County Administration | Secondary Major |
| Trails                    | Community Facilities  |                 |
| Stafford Regional Airport | Public Schools        |                 |
| Stafford Hospital         | Structures            |                 |
| Train Stations            | Quantico Roads        |                 |
| Libraries                 | Secondary Minor       |                 |
|                           | Secondary             |                 |



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, Spotsylvania County GIS, Stafford County GIS Department, VGIN, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph,

Data from the Stafford County GIS Office

Esri Community Maps Contributors, Spotsylvania County GIS, Stafford County GIS Department, VGIN, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/





**County of Stafford**  
**Department of Public Works**  
**Building Division**

**Reviewed for Code Compliance**  
Subject to Corrections Noted on Plans and Field Inspection  
By: **Hillary McAlister**

*Hillary McAlister*

Date: 01-02-2025  
Permit: 3009599-BUILDING

# ICC-ES Evaluation Report

ESR-2316

Reissued October 2023

This report also contains:

- LABC Supplement

Subject to renewal October 2024

- CBC Supplement

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|                                                                                                          |                                                        |                                                                                                                                                                                                                                         |                                                                                     |
|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <p><b>DIVISION: 10 00 00 — SPECIALTIES</b></p> <p><b>Section: 10 31 00 — Manufactured Fireplaces</b></p> | <p><b>REPORT HOLDER: EARTHCORE INDUSTRIES, LLC</b></p> | <p><b>EVALUATION SUBJECT: ISOKERN STANDARD MODELS 36-INCH, 42-INCH AND 46-INCH FIREPLACE AND DM CHIMNEY SYSTEMS; ISOKERN MAGNUM FIREPLACE SERIES MODELS 28, 36, 42, 48, 60 AND 72; ISOKERN FIREPLACE WITH FIRE-LITE APPLICATION</b></p> |  |
|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|

## 1.0 EVALUATION SCOPE

Compliance with the following codes:

- 2021, 2018, 2015, 2012, 2009 and 2006 [International Building Code® \(IBC\)](#)
- 2021, 2018, 2015, 2012, 2009 and 2006 [International Residential Code® \(IRC\)](#)
- 2021, 2018, 2015, 2012, 2009 and 2006 [International Mechanical Code® \(IMC\)](#)

For evaluation for compliance with codes adopted by [Los Angeles Department of Building and Safety \(LADBS\)](#), see [ESR-2316 LABC and LARC Supplement](#).

Properties evaluated:

- Fire resistance
- Seismic resistance

## 2.0 USES

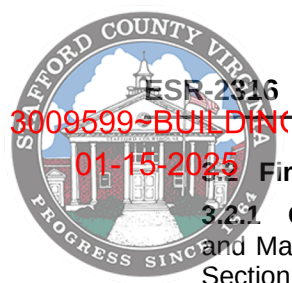
The Isokern fireplaces are wood-burning that are constructed in the field using prefabricated cementitious blocks.

## 3.0 DESCRIPTION

**3.1 Solid-fuel-burning Fireplaces: Isokern Standard Models 36-Inch, 42-Inch, and 46-Inch with DM Chimney; and Magnum Fireplace Series Models 28, 36, 42, 48, 60 and 72 with DM54 Chimney:**

Isokern fireplaces and DM54 chimney systems are modular refractory units designed for field assembly. The units consist of interlocking precast parts that are fitted together in the field using a premixed mortar called Earthcore mortar, supplied with the units, to form a solid-fuel-burning fireplace and chimney system. The refractory parts are manufactured using a proprietary mixture of volcanic pumice aggregate and aluminate cement. The firebox, smoke dome and chimney outer casing are manufactured with medium-density material, and the flue liner with high-density material. High-temperature refractory firebricks, a minimum of 1<sup>1</sup>/<sub>8</sub> inches (28.6 mm) thick, are provided to line the interior of the firebox. The firebox is available in sizes noted in [Table 2](#). See [Figures 1](#) through [3](#) for further details.





### Fire-Lite Systems:

**3.2.1 General:** The Fire-Lite systems consist of Standard Models 36-inch, 42-inch, and 46-inch fireplaces and Magnum Series Models 28-inch, 36-inch, 42-inch 48-inch, 60-inch and 72-inch fireplaces, described in Section 3.1, and a factory-built chimney. All conditions of fireplace manufacture and installation noted in Section 3.1 apply, except as noted in Section 3.2.2.

**3.2.2 Factory-built Chimney:** A listed and labeled factory-built chimney is used with the fireplaces, subject to the following requirements:

1. The factory-built chimney is listed by an approved agency for compliance with the requirements of UL 103 for continuous use at 1000°F (537°C) and intermittent use at 1700°F (927°C).
2. The factory-built chimney is for use only with an open combustion chamber and must be marked "Residential Type and Building Heating Appliance Chimney."
3. The chimney is either solid-pack insulated, a combination of insulation and air space, or noninsulated, completely thermal siphoning, double-wall air-cooled.
4. Listed chimney liners conforming to the 1700°F (927°C) requirements of UL 1777, ULC S635, or ULC S640 may be used.
5. Chimneys and chimney liners must be installed and terminated in accordance with the manufacturer's installation instructions and under the terms of the manufacturer's listing for use with open-faced, masonry fireplaces.
6. A minimum 2-inch (51 mm) clearance to combustible construction and 3-inch (76 mm) clearance to insulation is maintained.

As an alternative, a listed and labeled I Earthcore Industries, LLC ECO factory-built chimney may be used with the fireplaces based on UL 127 testing, subject to the following requirements:

1. The factory-built chimney must be installed and terminated in accordance with the report holder's installation instructions and under the terms of the report holder's listing for the fireplaces.
2. A minimum 2-inch (51 mm) clearance to combustible construction and insulation is maintained.

### 3.3 Fireplaces installed with Factory-built Chimney in Seismic Design Categories C, D, E and F:

The firebox units, described in this report, may be used in conjunction with factory-built chimneys listed and labeled as complying with UL103, and must be used with one in Seismic Design Categories C, D, E, and F. The factory-built chimneys must comply with Type HT requirements of UL 103 and be marked "Type HT" and "Residential Type and Building Heating Appliances." As an alternative, a listed and labeled Earthcore Industries, LLC ECO factory-built chimney may be used with the fireplaces. The chimneys are limited to a maximum height of 80 feet (24380 mm) and a minimum height of 14 feet (4270 mm); except that where offsets are used, the minimum height is 17 feet (5180 mm). The maximum number of offsets is two.

### 3.4 Grout and Mortar:

Grout used in construction of the fireplace unit is Quickcrete Concrete Mix #1001, 4000 psi concrete mix or equivalent. Mortar used with the fireplace unit is Earthcore mortar.

## 4.0 DESIGN AND INSTALLATION

### 4.1 General:

The fireplaces must be installed in accordance with this report, the manufacturer's instructions, and the applicable code. A copy of the manufacturer's published instructions must be available at the jobsite at all times during installation. The fireplaces are not recognized for use with doors.

Combustion air must be provided in accordance with IBC Section 2111.14 or IRC Section R1006.1, as applicable, and the manufacturer's published installation instructions.

### 4.2 Design:

Installation is limited to Seismic Design Categories A and B, except that when installation is in accordance with Section 4.3 of this report, the fireplaces may be installed in Seismic Design Categories C, D, E and F, provided the seismic design factors are limited to the values noted in [Table 1](#). The seismic design must be in accordance with Sections 15.3.2 (1) and 13.3, 13.4, 13.5 and 13.6 of ASCE 7. Fireplace systems used in Seismic Design Categories C, D, E, and F are limited to those incorporating listed and labeled factory-built chimneys.



Structural design calculations and construction plans prepared by a licensed design professional are required to determine the requirements for the fireplace foundation and anchorage of the fireplace to the foundation.

When installation is on wood floor construction, the licensed design professional must determine the requirements for support and anchorage for the combined gravity and seismic loading. The applicability of the seismic design parameters in [Table 1](#), for Seismic Design Categories C, D, E and F, must be verified with due consideration of the flexibility of anchorage and supports. In addition, the calculated long-term deflection of the wood members supporting the fireplace must not exceed the values shown in IBC Table 1604.3 for floor members. Under the IRC, an engineered design must be provided in accordance with IRC Section R301.1.3.

#### 4.3 Installation:

**4.3.1 General:** A noncombustible foundation, adequate to support all required loads, is necessary and must be approved by the building inspector. Fire-Lite systems may be installed on combustible systems. For combustible supporting systems, installation of a 3-inch-thick (76 mm) Earthcore base plate is required before placement of the firebox hearth components. The Fire-Lite system firebox is assembled following the manufacturer's published instructions. For Seismic Design Categories C, D, E and F, anchorage of the fireplace unit to the foundation or supporting floor must be designed as described in Section 4.2. Units are assembled on the foundation by installing the base plate, firebox wall sections, damper assembly, and smoke dome. Earthcore Mortar is mixed with water until smooth and without dry spots and is then poured into the supplied Earthcore application bag and applied to one adjoining component face of each joint. A 1/2-inch-wide (12.7 mm) line of mortar is applied 1/2 inch (12.7 mm) from all edges of the face with two longitudinal lines between. Mortar must be exposed at the joints when components are joined, and the excess must be smoothed out. The firebox hearth, side walls and back wall are then lined with approved refractory bricks a minimum of 1 1/8 inches (28.6 mm) thick, except for the Magnum Models 60 and 72, which require minimum 4-inch-thick (101.6 mm) approved refractory bricks, complying with ASTM C27 or ASTM C1261, at the side walls using a refractory mortar, complying with ASTM C199, recommended by Earthcore Industries, LLC.

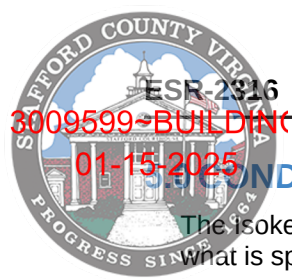
**4.3.2 Clearances:** Minimum clearance from the fireplace opening to side walls is 26 inches (660 mm). Sheathing and trim must be kept at least 8 inches (203 mm) from the opening. Combustible mantles must be at least 14 inches (356 mm) above the opening. A noncombustible hearth extension is necessary and must extend a minimum of 20 inches (508 mm) in front and 12 inches (305 mm) beyond each side of the fireplace opening.

For the Magnum Series Models 60 and 72, minimum clearance from the fireplace opening to side walls is 48 inches (305 mm). Sheathing and trim must be kept at least 9 inches (228 mm) from the opening. Combustible mantles must be at least 24 inches (610 mm) above the opening. A noncombustible hearth extension is necessary and must extend a minimum of 30 inches (762 mm) in front of and 12 inches (305 mm) beyond each side of the fireplace opening.

**4.3.3 DM54 Chimney Systems:** The DM54 chimney system must be supported from the top plate of the smoke dome. The chimney is assembled starting with a 6-inch-high (152 mm) liner that offsets the joints in the octagonal inner Earthcore liner from those in the square outer chimney casing. The mortar mix is applied in all joints as previously described. The outer chimney blocks have provisions for installation of reinforcing bars. Chimneys may include offsets with a maximum horizontal distance of 6 feet (1829 mm) which is 24 offset blocks in sequence. The offset blocks are supplied by Earthcore Industries, LLC. The fourth and sixth offset blocks and every third block thereafter must be supported by a concrete block support wall. Where required by the code official, details of the support wall construction must be provided.

The portion of the chimney exposed to the exterior must be covered with weather protection material such as exterior plaster or brick veneer, in accordance with the applicable code. Terminations must comply with IBC Section 2113.9 and IRC Section R1003.9. Where required by the code official, an approved spark arrester complying with 2021, 2018, 2015, 2012 IBC Section 2113.9.2, 2009 and 2006 IBC Section 2113.9.1 or IRC R1003.9.2, as applicable, must be used. Under the 2021, 2018, 2015, 2012 IBC and IRC, a chimney cap must be installed in accordance with IBC Section 2113.9.1 or IRC Section R1003.9.1, as applicable.

For installations with vertical chimneys, the fireplace and chimney may be installed with zero clearance to combustibles, except that the Magnum series units require a minimum 1 1/2-inch (38 mm) clearance on the sides and back of the firebox and smoke chamber. When offset blocks are used, the system must be installed with minimum 1 1/2-inch (38 mm) clearance on the sides and back of the firebox and smoke chamber, and with zero clearance on the top; the chimney is installed at zero clearance to combustibles. Except as noted in this section for clearances to combustibles, chimney fireblocking must be in accordance with IBC Section 2113.20 and IRC Section R1003.19, as applicable.



## CONDITIONS OF USE:

The Isokern fireplaces and chimney systems described in this report comply with, or are suitable alternatives to what is specified in, those codes listed in Section 1.0 of this report, subject to the following conditions:

- 5.1 The fireplaces must be installed in accordance with this report, the manufacturer's published installation instructions and the applicable code. In the event of a conflict between this report and the manufacturer's instructions, this report governs.
- 5.2 Structural design and calculations from a registered design professional must be provided to the code official to justify the supporting structure for all applicable loads, including gravity, wind and earthquake loading, and applicable load combinations per IBC Section 1605.
- 5.3 An analysis shall be provided to the code official establishing that the seismic conditions for the installation site do not exceed the specified seismic limitations.
- 5.4 The fireplaces must not be installed with doors.
- 5.5 Compliance with the fireplace air leakage provisions found in 2021, 2018 and 2015 *International Energy Conservation Code*® (IECC) Section R402.4.2; 2012 *International Energy Conservation Code*® (IECC) Section R402.4.2 and Table R402.4.1.1; 2021, 2018 and 2015 *International Energy Conservation Code*® (IECC) Section R402.4.2; 2012 IRC Section N1102.4.2 and Table N1102.4.1.1; 2009 IECC Section 402.4.3; and 2009 IRC Section N1102.4.3, are outside the scope of this report.
- 5.6 Under the 2021 and 2018 IRC and 2021 and 2018 IMC, where factory-built chimneys pass through insulated assemblies, an insulation shield complying with 2021 and 2018 IRC Section R1005.8 or 2021 and 2018 IMC Section 805.7, as applicable, must be installed.
- 5.7 Under the 2021 IRC Section R101.13, fireplace accessories must comply with UL 907 as being listed and labelled fireplace accessories and be installed in with the conditions of the listing, the manufacturer's installation instructions and the report holder's installation instructions.
- 5.8 The wood-fired fireplaces are manufactured in Chesapeake, Virginia, under a quality control program with inspections by ICC-ES.

## 6.0 EVIDENCE SUBMITTED

Data in accordance with the [ICC-ES Acceptance Criteria for Field-constructed Fireplace Systems Using Prefabricated Blocks \(AC375\)](#), dated February 2012 (editorially revised July 2021).

## 7.0 IDENTIFICATION

- 7.1 Product labeling shall include the name of the report holder or listee, and the ICC-ES mark of conformity. The listing or evaluation report number (ICC-ES ESR-2316) may be used in lieu of the mark of conformity. The components of the fireplace and chimney are supplied to the jobsite on shrink-wrapped pallets bearing a label with the Earthcore Industries, LLC, name, and address; the product name; the address of the manufacturing plant and the evaluation report number (ESR-2316). A permanent label must be attached to the fireplace, bearing the Earthcore Industries, LLC, name; the product name; the manufacturing location; the date of manufacture and the serial number; the clearances to combustibles; other information required by UL 127 for wood-fired fireplaces; and the evaluation report number (ESR-2316).
- 7.2 The report holder's contact information is the following:

**EARTHCORE INDUSTRIES, LLC**  
**6899 PHILLIPS INDUSTRIAL BOULEVARD**  
**JACKSONVILLE, FLORIDA 32256**  
**(904) 363-3417**  
[www.earthcore.com](http://www.earthcore.com)  
[www.isokern.net](http://www.isokern.net)

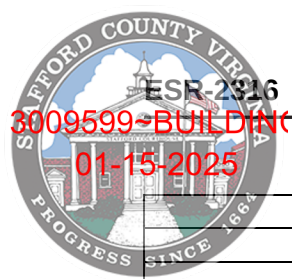


TABLE 1—SEISMIC DESIGN FACTORS FOR SEISMIC DESIGN CATEGORIES C, D, E AND F

| FACTOR                                                                                                                                                                    | VALUE                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| Amplification Factor, $\alpha_p$                                                                                                                                          | 1.0                          |
| Component response modification factor, $R_p$                                                                                                                             | 3.0                          |
| Z/h factor, where Z is the height in structure of point of attachment with respect to the base;<br>and h is the average roof height of structure with respect to the base | 0.65                         |
| Spectral response acceleration parameter, $S_{Ds}$                                                                                                                        | 2.0                          |
| Weight, $W_p$ (lbs)                                                                                                                                                       | See <a href="#">Figure 1</a> |
| Fundamental period of fireplace unit, $T_s$                                                                                                                               | 0.35                         |

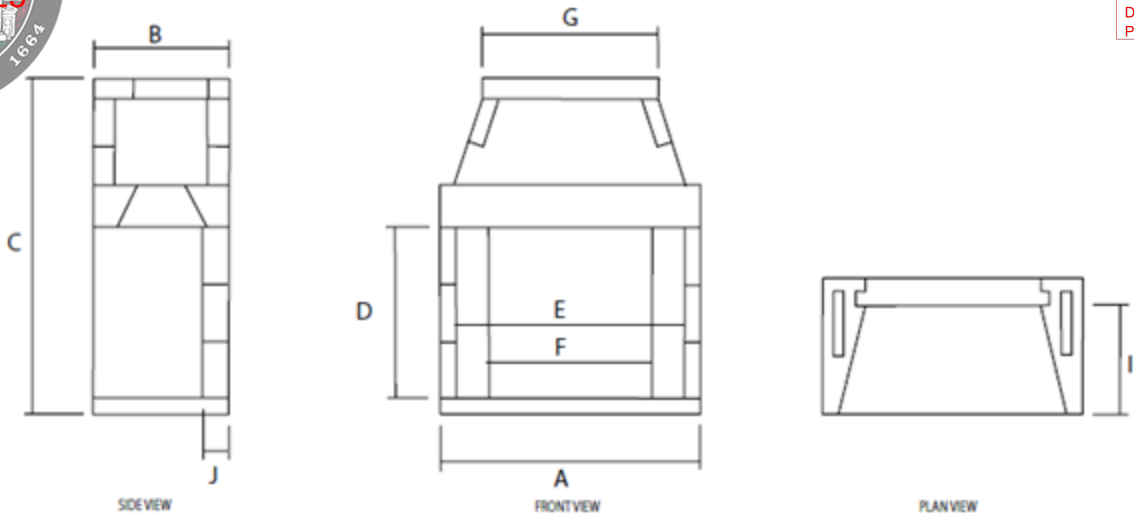
For SI: 1 foot = 305 mm; 1lb = 4.45 N.

TABLE 2—ISOKERN FIREPLACE DIMENSIONS

| MODEL    | OVERALL SIZE<br>(inches)       |                                |                                | FIREBOX<br>OPENING SIZE<br>(inches),<br>Width x Height | HEARTH<br>EXTENSION SIZE<br>(inches),<br>Width x Depth | CHIMNEY<br>MINIMUM SIZE<br>(inches),<br>I.D. | INSTALLED HEIGHT,<br>FIREPLACE AND CHIMNEY<br>DM SYSTEM<br>(feet) |         |
|----------|--------------------------------|--------------------------------|--------------------------------|--------------------------------------------------------|--------------------------------------------------------|----------------------------------------------|-------------------------------------------------------------------|---------|
|          | Width                          | Depth                          | Height                         |                                                        |                                                        |                                              | Minimum                                                           | Maximum |
| 36-Inch  | 43                             | 25 <sup>1</sup> / <sub>4</sub> | 63 <sup>1</sup> / <sub>4</sub> | 37 x 32                                                | 58 x 20                                                | 12 <sup>3</sup> / <sub>4</sub>               | 18                                                                | 80      |
| 42-Inch  | 49                             | 25 <sup>1</sup> / <sub>4</sub> | 63 <sup>1</sup> / <sub>4</sub> | 42 x 32                                                | 64 x 20                                                | 12 <sup>3</sup> / <sub>4</sub>               | 18                                                                | 80      |
| 46-Inch  | 53                             | 25 <sup>1</sup> / <sub>4</sub> | 63 <sup>1</sup> / <sub>4</sub> | 47 x 32                                                | 68 x 20                                                | 12 <sup>3</sup> / <sub>4</sub>               | 18                                                                | 80      |
| Mag - 28 | 35 <sup>1</sup> / <sub>2</sub> | 28                             | 60 <sup>1</sup> / <sub>4</sub> | 31 x 28 <sup>1</sup> / <sub>2</sub>                    | 57 <sup>1</sup> / <sub>2</sub> x 20                    | 12                                           | 18                                                                | 80      |
| Mag - 36 | 43                             | 28                             | 69 <sup>3</sup> / <sub>4</sub> | 38 <sup>1</sup> / <sub>2</sub> x 38                    | 60 <sup>1</sup> / <sub>2</sub> x 20                    | 12 <sup>3</sup> / <sub>4</sub>               | 18                                                                | 80      |
| Mag - 42 | 48 <sup>1</sup> / <sub>2</sub> | 28                             | 69 <sup>3</sup> / <sub>4</sub> | 44 <sup>1</sup> / <sub>2</sub> x 38                    | 6 <sup>1</sup> / <sub>2</sub> x 20                     | 12 <sup>3</sup> / <sub>4</sub>               | 18                                                                | 80      |
| Mag - 48 | 53                             | 28                             | 69 <sup>3</sup> / <sub>4</sub> | 48 <sup>1</sup> / <sub>2</sub> x 38                    | 70 <sup>1</sup> / <sub>2</sub> x 20                    | 12 <sup>3</sup> / <sub>4</sub>               | 18                                                                | 80      |
| Mag - 60 | 73 <sup>1</sup> / <sub>2</sub> | 28                             | 85 <sup>3</sup> / <sub>4</sub> | 69 <sup>1</sup> / <sub>2</sub> x 38                    | 91 x 33                                                | 12 <sup>3</sup> / <sub>4</sub>               | 18                                                                | 80      |
| Mag - 72 | 85 <sup>1</sup> / <sub>2</sub> | 28                             | 85 <sup>3</sup> / <sub>4</sub> | 81 <sup>1</sup> / <sub>4</sub> x 38                    | 101 <sup>1</sup> / <sub>4</sub> x 33                   | 12 <sup>3</sup> / <sub>4</sub>               | 18                                                                | 80      |

For SI: 1 foot = 305 mm; 1lb = 4.45 N.





| MODEL | A   | B       | C <sup>1</sup> | D       | E       | F       | G   | I       | J  | MINIMUM FRAMING <sup>1</sup> | WEIGHT   |
|-------|-----|---------|----------------|---------|---------|---------|-----|---------|----|------------------------------|----------|
| 36    | 43" | 25 1/4" | 63 1/4"        | 31 1/2" | 36 1/8" | 27 1/4" | 33" | 20 1/4" | 5" | (46"W)x(65"H)x(26 3/4"D)     | 1205 lbs |
| 42    | 49" | 25 1/4" | 63 1/4"        | 31 1/2" | 43 1/8" | 33 1/4" | 33" | 20 1/4" | 5" | (52"W)x(65"H)x(26 3/4"D)     | 1325 lbs |
| 46    | 53" | 25 1/4" | 63 1/4"        | 31 1/2" | 47 1/8" | 37 1/4" | 43" | 20 1/4" | 5" | (56"W)x(65"H)x(26 3/4"D)     | 1450 lbs |

Top Plate - Medium

| Part No. | Model | Qty |
|----------|-------|-----|
| M77      | 36    | 1   |
| M77      | 42    | 1   |

Top Plate - Large

| Part No. | Model | Qty |
|----------|-------|-----|
| M81      | 46    | 1   |

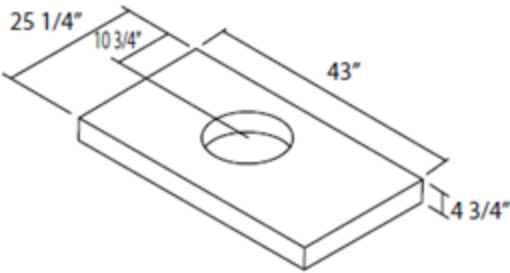
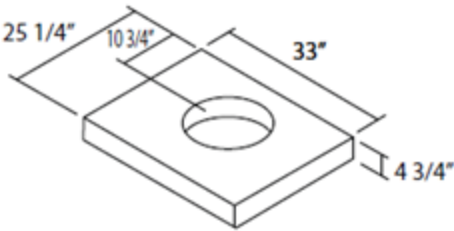


FIGURE 1—STANDARD SERIES DIMENSIONS



2. 0.500

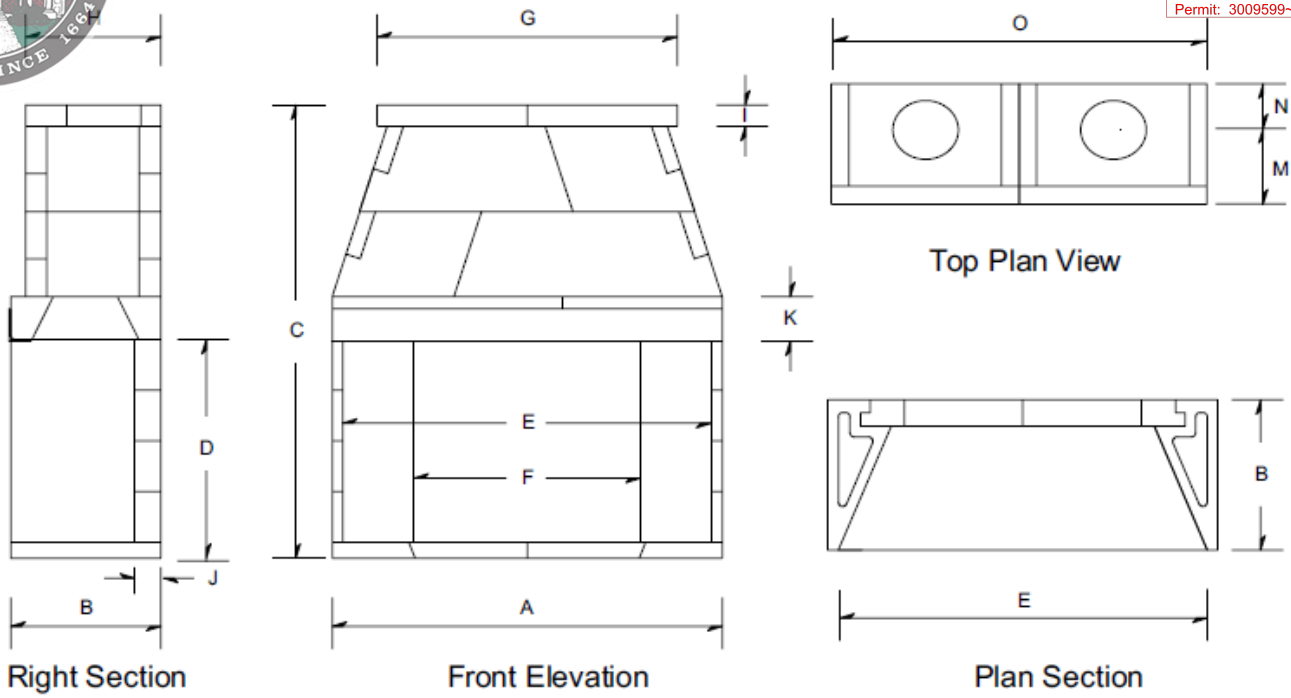
Anthony A. M...

Date: 01-02-2025



\* 28" Model comes with three (3) sidewalls





| Model | A       | B   | C       | D   | E       | F       | G       | H       | I      | J  | K  | M       | N   | O       |
|-------|---------|-----|---------|-----|---------|---------|---------|---------|--------|----|----|---------|-----|---------|
| 60"   | 73 1/2" | 28" | 85 3/4" | 41" | 69"     | 57 1/4" | 55 1/2" | 25 1/4" | 4 3/4" | 5" | 8" | 14 1/4" | 11" | 55 1/2" |
| 72"   | 85 1/2" | 28" | 85 3/4" | 41" | 81 1/4" | 69 3/4" | 65 1/2" | 25 1/4" | 4 3/4" | 5" | 8" | 14 1/4" | 11" | 65 1/2" |

| Minimum Framing                 | Weight    |
|---------------------------------|-----------|
| 76 1/2" W x 87 1/2" H x 29 1/2" | 2500 lbs. |
| 88 1/2" W x 87 1/2" H x 29 1/2" | 2900 lbs. |

| Part No.: | Fireplace Size: | Quantity: |
|-----------|-----------------|-----------|
| M77       | 60"W            | 2         |
| M77       | 72"W            | 2         |

TOP PLATE

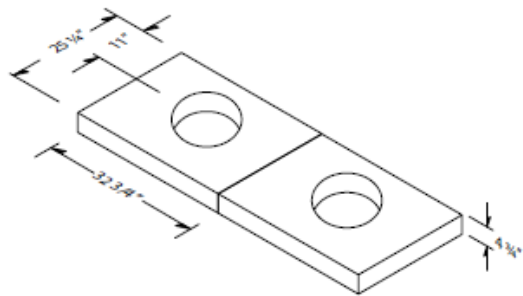
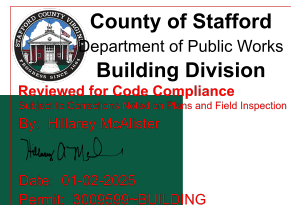


FIGURE 3—MAGNUM 60 AND 72 SERIES DIMENSIONS



## ICC-ES Evaluation Report

## ESR-2316 LABC and LARC Supplement

Reissued October 2023

This report is subject to renewal October 2024.

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A Subsidiary of the International Code Council®

DIVISION: 10 00 00—SPECIALTIES

Section: 10 31 00—Manufactured Fireplaces

REPORT HOLDER:

EARTHCORE INDUSTRIES, LLC

EVALUATION SUBJECT:

ISOKERN STANDARD MODELS 36-INCH, 42-INCH AND 46-INCH FIREPLACE AND DM CHIMNEY SYSTEMS; ISOKERN MAGNUM FIREPLACE SERIES MODELS 28, 36, 42, 48, 60 AND 72; ISOKERN FIREPLACE WITH FIRE-LITE APPLICATION

### 1.0 REPORT PURPOSE AND SCOPE

#### Purpose:

The purpose of this evaluation report supplement is to indicate that Isokern fireplaces, described in ICC-ES evaluation report [ESR-2316](#), have also been evaluated for compliance with the codes noted below as adopted by the Los Angeles Department of Building and Safety (LADBS).

#### Applicable code editions:

- 2020 *City of Los Angeles Building Code* (LABC)
- 2020 *City of Los Angeles Residential Code* (LARC)

### 2.0 CONCLUSIONS

The Isokern fireplaces, described in Sections 2.0 through 7.0 of the evaluation report [ESR-2316](#), comply with the LABC Chapters 13 and 28 and LARC Section R1004 (with the exception of LARC Section R1004.1.1), and are subjected to the conditions of use described in this supplement.

### 3.0 CONDITIONS OF USE

The Isokern fireplaces described in this evaluation report supplement must comply with all of the following conditions:

- All applicable sections in the evaluation report [ESR-2316](#).
- The design, installation, conditions of use and identification of the fireplaces are in accordance with the 2018 *International Building Code*® (IBC) and 2018 *International Residential Code*® (IRC) provisions noted in the evaluation report [ESR-2316](#).
- The design, installation and inspection are in accordance with additional requirements of LABC Chapters 16 and 17, as applicable.
- The Isokern fireplaces must not be installed in locations in which closable doors are required by the 2019 California Energy Code or the 2020 Los Angeles City Green Building Code.
- When required by the 2019 California Energy Code (CEC), the fireplaces must be installed with the combustible air intake specified in the evaluation report [ESR-2316](#).
- The exterior air supply system to the fireplaces must comply with the requirements noted in 2020 LABC Section 2111.14.1 or 2020 LARC Section R1006, as applicable.
- The installation of the Isokern fireplaces is limited to base floor and seismic parameters noted in Table 1 of the evaluation report [ESR-2316](#).
- The Isokern fireplaces installations in new or existing construction must conform to the provisions of South Coast Air Quality Management District Rule 445.

ICC-ES Evaluation Reports are not to be construed as representing aesthetics or any other attributes not specifically addressed, nor are they to be construed as an endorsement of the subject of the report or a recommendation for its use. There is no warranty by ICC Evaluation Service, LLC, express or implied, as to any finding or other matter in this report, or as to any product covered by the report.

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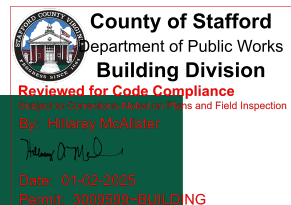






ern fireplaces must be installed in accordance with the manufacturer's published installation instructions, the 2020 LABC or 2020 LARC, and the evaluation report [ESR-2316](#). A copy of the manufacturer's published installation instructions must be available at the jobsite.

This supplement expires concurrently with the evaluation report, reissued October 2023.



## ICC-ES Evaluation Report

## ESR-2316 CBC, CRC and CEC Supplement

Reissued October 2023

This report is subject to renewal October 2024.

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A Subsidiary of the International Code Council®

**DIVISION: 10 00 00—SPECIALTIES**

**Section: 10 31 00—Manufactured Fireplaces**

**REPORT HOLDER:**

**EARTHCORE INDUSTRIES, LLC**

**EVALUATION SUBJECT:**

**ISOKERN STANDARD MODELS 36-INCH, 42-INCH AND 46-INCH FIREPLACE AND DM CHIMNEY SYSTEMS; ISOKERN MAGNUM FIREPLACE SERIES MODELS 28, 36, 42, 48, 60 AND 72; ISOKERN FIREPLACE WITH FIRE-LITE APPLICATION**

### 1.0 REPORT PURPOSE AND SCOPE

#### Purpose:

The purpose of this evaluation report supplement is to indicate that Isokern wood-burning fireplaces, described in ICC-ES evaluation report ESR-2316, have also been evaluated for compliance with the code(s) noted below.

#### Applicable code editions:

- 2019 *California Building Code* (CBC)

For evaluation of applicable chapters adopted by the California Office of Statewide Health Planning and Development (OSHPD) AKA: California Department of Health Care Access and Information (HCAI) and the Division of State Architect (DSA), see Sections 2.1.1 and 2.1.2 below.

- 2019 *California Residential Code* (CRC)
- 2019 *California Energy Code* (CEC)

### 2.0 CONCLUSIONS

#### 2.1 CBC:

The Isokern wood-burning fireplaces, described in Sections 2.0 through 7.0 of the evaluation report ESR-2316, comply with CBC Chapters 13 and 28, provided the design and installation are in accordance with the 2018 *International Building Code*® (IBC) provisions noted in the evaluation report and the additional requirements of CBC Chapters 13 and 28, as applicable.

**2.1.1 OSHPD:** The applicable OSHPD Sections and Chapters of the CBC are beyond the scope of this supplement.

**2.1.2 DSA:** The applicable DSA Sections and Chapters of the CBC are beyond the scope of this supplement.

#### 2.2 CRC:

The Isokern wood-burning fireplaces, described in Sections 2.0 through 7.0 of the evaluation report ESR-2316, comply with the CRC, provided the design and installation are in accordance with the 2018 *International Residential Code*® (IRC) provisions noted in the evaluation report and the additional requirements of CRC Parts IV, V and VI, as applicable.

#### 2.3 CEC:

The Isokern wood-burning fireplaces, described in Sections 2.0 through 7.0 of the evaluation report ESR-2316, comply with the CEC, provided the design and installation are in accordance with the evaluation report ESR-2316 and the additional requirements of CEC Sections 110.1 and 110.5, as applicable.

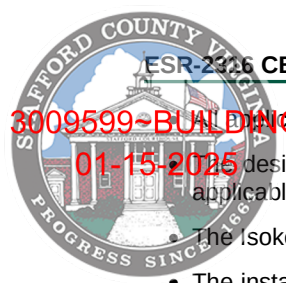
### 3.0 CONDITIONS OF USE

The Isokern wood-burning fireplaces, described in this evaluation report supplement must comply with all of the following conditions:

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3009599-BUILDING  
01-15-2025  
Applicable sections in the evaluation report ESR-2316.

- design, installation and inspection are in accordance with additional requirements of CBC Chapters 16 and 17, as applicable.
- The Isokern wood-burning fireplaces are approved for use with solid wood logs or manufactured logs.
  - The installation of the Isokern wood-burning fireplaces is limited to base floor and seismic parameters noted in Table 1 of the evaluation report ESR-2316.
  - When required by the California Energy Code (CEC), the combustible air intake must be as specified in the evaluation report ESR-2316.
  - The exterior air supply system to the fireplaces must comply with the requirements noted in 2019 CBC Section 2111.14.1 or 2019 CRC Section R1006, as applicable.
  - The Isokern wood-burning fireplaces must be installed in accordance with the manufacturer's published installation instructions, the 2019 CBC or 2019 CRC, and the evaluation report ESR-2316. A copy of the manufacturer's published installation instructions must be available at the jobsite.

This supplement expires concurrently with the evaluation report, reissued October 2023.





**County of Stafford**  
Department of Public Works  
**Building Division**

**Reviewed for Code Compliance**  
Subject to Corrections Noted on Plans and Field Inspection

By: **Hillarey McAlister**

*Hillarey McAlister*

Date: 01-02-2025

Permit: 3009599-BUILDING





**County of Stafford**  
**Department of Public Works**  
**Building Division**

**Reviewed for Code Compliance**  
Subject to Corrections Noted on Plans and Field Inspection

**By: Hillary McAlister**

**Date: 01-02-2025**

**Permit: 3009599~BUILDING**







**County of Stafford**  
Department of Public Works  
**Building Division**

**Reviewed for Code Compliance**  
Subject to Corrections Noted on Plans and Field Inspection

By: **Hillarey McAlister**

*Hillarey McAlister*

Date: 01-02-2025  
Permit: 3009599~BUILDING





## SHORT FORM CONTRACT

Date: October 17, 2024

Proposal Number 10565

To:

Mr. Dave Arnold  
Green Acres Landscaping  
12424 James Madison Pkwy (Rt. 301)  
King George, VA 22485  
[greenacreslandscapingkg@gmail.com](mailto:greenacreslandscapingkg@gmail.com)

Re:

121 Lake Shore Drive  
GPIN: 58A-4-89  
Post Concealment – Slab & Outdoor  
Fireplace  
Stafford County, VA

Items

Fee

### Service Task Item (Phase 700 item 640)

The contractor submits relevant project documentation, including plans, permits, and construction photos. A Virginia-licensed engineer reviews the submitted information and determines, based on the provided documentation, if a site visit is necessary. If required, the engineer conducts a site visit. Photos are taken to document the fireplace's condition and installation.

The engineer inspects the fireplace for signs of structural defects, failures, or instability. The inspection complies with applicable codes (Stafford County IWR website). The engineer prepares a comprehensive report summarizing the findings. The report will include applicable codes and regulations, any identified issues or concerns, potential recommendations for addressing issues, and photos from construction and the site visit.

If the fireplace meets all applicable codes and standards, the engineer issues a completion letter confirming that the project follows Virginia regulations.

Dave Arnold is responsible for coordinating the inspection with the engineer. The inspection will be scheduled as soon as possible. The agreement stipulates that the inspection and report will be completed by the week ending October 18, 2024.

\$300.00  
Lump Sum

Yuri J. Chandler  
Principal Engineer

Seen and Agreed

Date



## HOURLY RATES

| <u>General</u>        | <u>Hourly Rate</u> | <u>Engineering</u>       | <u>Hourly Rate</u> |
|-----------------------|--------------------|--------------------------|--------------------|
| Administrative        | \$75.00            | Engineering Technician   | \$90.00            |
| Intern                | \$75.00            | Environmental Scientist  | \$90.00            |
| CAD Technician        | \$90.00            | Plan Reviewer            | \$125.00           |
| Senior CAD Technician | \$115.00           | Project Engineer/Planner | \$135.00           |
| Project Manager       | \$165.00           | Lead Engineer/Planner    | \$150.00           |
| Assistant Director    | \$175.00           | Senior Engineer/Planner  | \$175.00           |
| Director              | \$225.00           | <u>Surveying</u>         |                    |
| President/EVP         | \$240.00           | Survey Crew              | \$155.00           |
|                       |                    | Field Operations Manager | \$165.00           |

### Geotechnical Services

| <u>Field Services</u>                            | <u>Hourly Rate</u> |
|--------------------------------------------------|--------------------|
| Construction Services Technician                 | \$55.00            |
| Project Administrator                            | \$70.00            |
| Geotechnical Technician                          | \$70.00            |
| Foundations/Concrete/Masonry Special Inspections | \$80.00            |
| Lead Inspector/QC                                | \$80.00            |
| EIFS Inspector                                   | \$95.00            |
| Structural Inspector                             | \$115.00           |
| Project Engineer (Site/Office)                   | \$125.00           |
| Principal Engineer (Site/Office)                 | \$195.00           |

| <u>Laboratory Services</u>                         | <u>Unit Rate</u> |
|----------------------------------------------------|------------------|
| Compressive strength testing of concrete cylinders | \$16.00          |
| Compressive strength testing of Grout Prism        | \$20.00          |
| Standard Proctor ASTM D-698                        | \$195.00         |
| Modified Proctor ASTM D-1557                       | \$245.00         |
| Moisture Content test                              | \$10.00          |
| Atterberg Limits Tests                             | \$85.00          |
| Washed Sieve Analyses                              | \$85.00          |
| CBR Tests                                          | \$650.00         |
| Density Tests on Fireproofing Materials            | \$75.00          |
| Nuclear Gauge Rental                               | \$45.00          |

Mileage: current IRS Rate + 10%

Prints and / or scans will be billed at \$0.45 per square foot.

*Work will be invoiced monthly, as work progresses. All jurisdictional and agency review fees, deed preparation, title work, and release of other consultant work will be the responsibility of the Client. Our "General Conditions of Service" are an integral part of our proposal and are attached.*

*PROPRIETARY STATEMENT: This document and the information disclosed within are confidential and the proprietary property of Legacy Engineering. Any disclosure to a third party in whole or in part is expressly prohibited without the prior written permission of Legacy Engineering.*

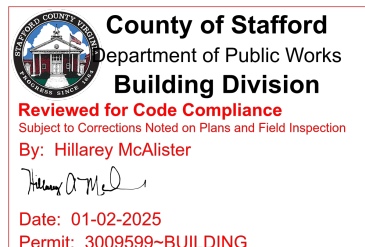
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CONSTRUCTION MATERIALS TESTING AND INSPECTION





LEGACY  
ENGINEERING



October 17, 2024

Mr. Dave Arnold  
Green Acres Landscaping  
12424 James Madison Pkwy (Rt. 301)  
King George, VA 22485

Re: Post Concealment – Concrete Slab (Patio) & Outdoor Fireplace  
121 Lake Shore Drive  
Stafford County, VA  
Building Permit No.: **RC243009599**

Dear Mr. Arnold:

This letter is a report detailing the post-concealment inspection conducted for the outdoor patio (concrete slab-on-grade) and concrete masonry precast outdoor fireplace at the 121 Lake Shore Drive property. Mr. Dave Arnold of Green Acres scheduled the inspection.

Based on a thorough review of the provided photographs and documentation, the project was found to be in compliance with typical construction means and methods, applicable codes, and standards for construction. The condition and installation of the outdoor fireplace and slab-on-grade were well-documented, and no observable signs of compromised structural integrity, defects, or failures were found. This is a testament to the quality of work done.

Furthermore, a review of the project documentation revealed that the work was generally completed following the Virginia Uniform Statewide Building Code (VUSBC).

### Specific Findings and Recommendations:

#### 1. Outdoor Patio (Slab-on-Grade)

- **Drainage:** The concrete patio was placed on a minimum of 4 inches of open-graded aggregate (VDOT No. 57 Stone).
- **Reinforcement:** The reinforcement was observed to be supported on masonry bricks. Although they should be metal or a similar strength material, they will not compromise the structural integrity of the concrete slab. The rebar reinforcement was observed to be evenly spaced and installed instead of WWF or fibers. Using rebar is acceptable for typical slab-on-grade structures constructed in the same manner. Ensure that all joints between the patio slabs are properly sealed to prevent moisture penetration and potential future damage.



## 2. Outdoor Fireplace:

- **Chimney Inspection:** The fireplace base was constructed on the Concrete Masonry Unit (CMU) masonry block atop the concrete slab-on-grade patio. The cells or the CMU were observed to be hollow and do not require backfill with grout.
- **Fireplace Walls:** The fireplace's walls were constructed of Fire-rated solid CMU. They show no signs of improper materials and are installed using conventional construction methods. A recommendation: If the fireplace does not have a liner, consider installing one to improve efficiency and safety. A liner can help prevent creosote buildup and reduce the risk of fireplace fires.

### Conclusion:

Overall, the outdoor patio and fireplace appear to have been constructed in a manner that generally complies with the VUSBC. However, the above recommendations should be considered but are not required to ensure the project's long-term durability and safety.

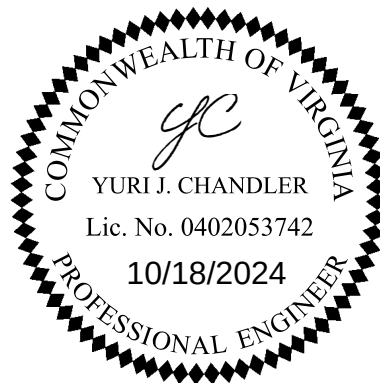
Please do not hesitate to contact me with any questions or require further information.

Sincerely,

Yuri Chandler, P.E.

Digitally signed  
by Yuri  
Chandler, P.E.  
Date:  
2024.10.18  
08:40:30-04'00'

Yuri J. Chandler, P.E.  
Principal Engineer



## Isokern Chimney Design

This analysis ensures the Isokern chimney system is designed to safely and efficiently meet structural, fire safety, and seismic requirements while complying with applicable codes. It addresses load support, clearances, and material performance, following the manufacturer's guidelines and standards from the IBC, IRC, and IMC. Calculations include structural anchorage, seismic design parameters, and compliance with fire-resistant construction practices. This document uses ICC-ES Evaluation Report ESR-2316 to design the Isokern Chimney. Wind speed were taken from ICC Basic Design Wind Speed Digital Codes.

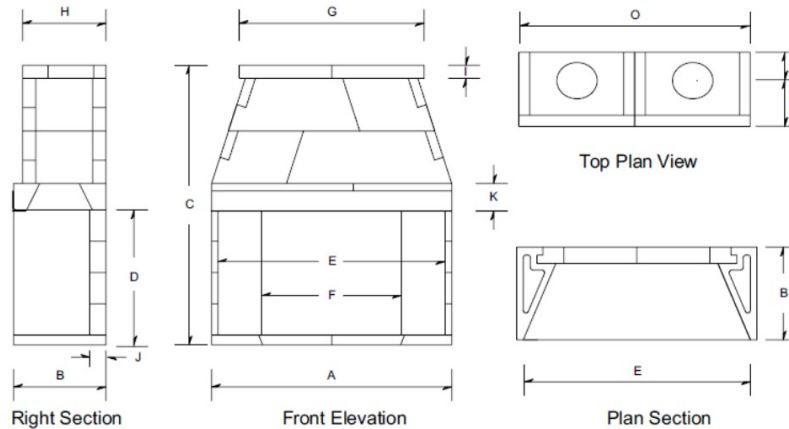


Fig.1 Standard Isokern Chimney Layout

### Geometry:

$$H := 7 \text{ ft}$$

Chimney Height from the base to the top

$$W := 6 \text{ ft}$$

Width of the slab

$$L := 3.5 \text{ ft}$$

Length of the slab

$$\gamma := 100 \frac{\text{lb}}{\text{ft}^3}$$

Density for Isokern material

$$V := L \cdot W \cdot H = 147 \text{ ft}^3$$

Volume of the Chimney

$$DL := V \cdot \gamma = (1.47 \cdot 10^4) \text{ lb}$$

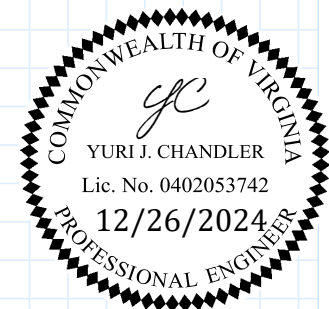
Weight of the chimney

### Wind Load Calculation:

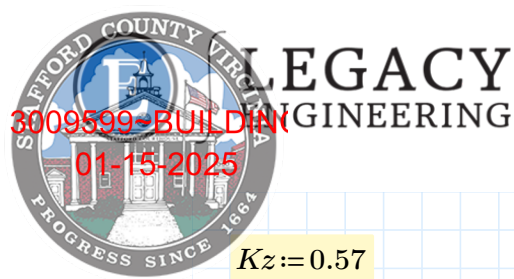
$$V := 115$$

Wind Velocity (mph)

Digitally signed by  
Yuri Chandler, P.E.  
Date: 2024.12.26  
14:53:18-05'00'

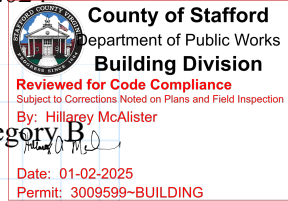






Project:  
Designer: Sara Rojas, EIT  
Date: 12/12/2024

Legacy Project #:  
Checker: Yuri J. Chandler, P.E.  
Date: 12/13/2024



$$K_z := 0.57$$

Wind coefficient from Table 14 Exposure Category B  
(Urban and suburban area)

$$C_p := 1$$

Wind coefficient from Table 14 Exposure Category B  
(Urban and suburban area)

$$C_f := 0.85$$

Ice exposure coefficient from Table 15 (Regions  
subject to moderate icing effects)

$$q_h := 0.00256 K_z \cdot V^2 \cdot 1 \frac{lb}{ft^2} = 19.298 \frac{lb}{ft^2} \text{ Design Wind Pressure (Table 17 or eq. 26.10-1)}$$

$$a := H \cdot W = 42 ft^2$$

Projected Area Exposed to Wind

$$WL := q_h \cdot C_p \cdot a = 810.513 lb$$

Total Lateral Force

### Seismic Load (Base Shear):

$$SDS := 0.4$$

Spectral Response Acceleration for a Seismic Design  
Category B

$$R := 2$$

Response modification factor

$$I := 1$$

Importance factor

$$U := 1$$

Load factor

$$\phi := 1$$

Strength reduction factor

Digitally signed by  
Yuri Chandler, P.E.  
Date: 2024.12.26  
14:53:18-05'00'

$$C_s := \frac{SDS}{R \cdot I} = 0.2$$

Seismic response coefficient

$$Q := DL + WL = (1.551 \cdot 10^4) lb$$

Total Seismic Load

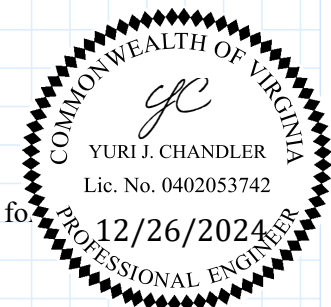
$$f := C_s \cdot Q = (3.102 \cdot 10^3) lb$$

Base Shear

$$F := \phi \cdot R \cdot U \cdot Q = (3.102 \cdot 10^4) lb$$

Maximum allowable seismic force

The maximum allowable seismic force for the chimney is greater than the calculated base shear. This means that the chimney has sufficient capacity to resist seismic forces within the parameters given



641 Prince Edward Street, Fredericksburg, VA 22401

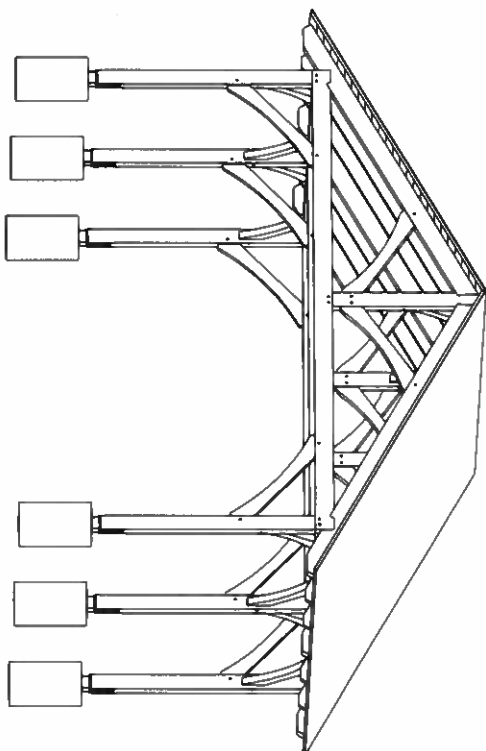
• Fredericksburg, VA • Spotsylvania, VA • Richmond, VA • legacy-eng.com  
Civil engineering | Environmental | Surveying | Geotechnical Engineering | Planning |  
Construction materials Testing and Inspection

**ATTACHMENT 5**  
**PAVILION DETAILS**

**CODE & LOAD INFORMATION:**

- GROUND SNOW = 25 PSF, DESIGN ROOF SNOW LOAD 25 PSF
- MINIMUM ROOF LIVE LOAD = 20 PSF
- ULTIMATE WIND SPEED = 115 MPH, EXPOSURE B
- FROST LINE DEPTH = PER LOCAL CODE
- SEISMIC DESIGN - CATEGORY B
- ASSUMED TYPE 4 BEARING SOIL, 2000 PSF ALLOWABLE CAPACITY PER. 2018 IRC, TABLE R401.4.1

ALL CONSTRUCTION SHALL COMPLY WITH THE REQUIREMENTS OF ANY AND ALL APPLICABLE STATE, COUNTY AND LOCAL BUILDING CODES OR REGULATIONS INCLUDING BUT NOT LIMITED TO THE FOLLOWING: VIRGINIA CONSTRUCTION CODE 2021



View: 3D-VIEW  
Scale: NONE

**GENERAL NOTES: 20' x 24' Custom Kingston Timber Frame Pavilion**

1. ALL TIMBERS ARE DESIGNED IN ACCORDANCE WITH THE 2018 EDITION OF THE NDS USING ALLOWABLE STRESS METHOD.
2. USE #1 DOUGLAS FIR (S4S) FOR ALL PRIMARY FRAME MEMBERS.
3. PROVIDE TRADITIONAL MORTISE AND TENON JOINERY USING 1" DIAMETER PEGS TO CONNECT ALL FRAME MEMBERS UNLESS NOTED OTHERWISE.
4. TIMBER SCREWS TO BE 3/8" GRK RUGGED STRUCTURAL SCREW OR 3/8" U2 CONSTRUCTION SCREW
5. BUILDER MUST VERIFY ALL DIMENSIONS AND ACCURACY BEFORE CONSTRUCTION.
6. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
7. ANY WOOD IN CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED WOOD,
8. FOUNDATION & SITE PLAN BY OTHERS.

Drafter is not liable for any errors that may appear on drawings. While every effort has been made in the preparation of this plan to avoid mistakes the drafter cannot guarantee against human error. Drawings are sole property of Pequea and cannot be copied or reproduced without written permission. All calculations and member sizing are suggestions and are not engineered unless plans have engineer's seal.



**Glyn R. Boone, P.E.**  
Myer Hill Enterprises LLC  
444 Myer Ter • Leola, PA 17540  
www.myerhill.com  
VA PER 21529 - VA COAM 0407007536



**GLYN R. BOONE**  
Lic. No. 21529

Boone@myerhill.com CN-Glyn  
Boone Consulting, L.L.C.  
S. Potomac, MD 20686-0400  
2024.07.21 10:06:26-04:00

Architect:

Designer: Austin Emerick

Drafted & Manufactured by:

**PEQUEA**

www.pequea.net

Contractor:

**Abby Construction Co. - Tracey Y Halsey**

3525 Lafayette Blvd. #100  
Fredericksburg VA 22401

Engineer:

Revised: 7/29/24  
Revised:  
Revised:

Project no.:

LCB-388

Date:

07.12.2024

Page:

1 OF 10

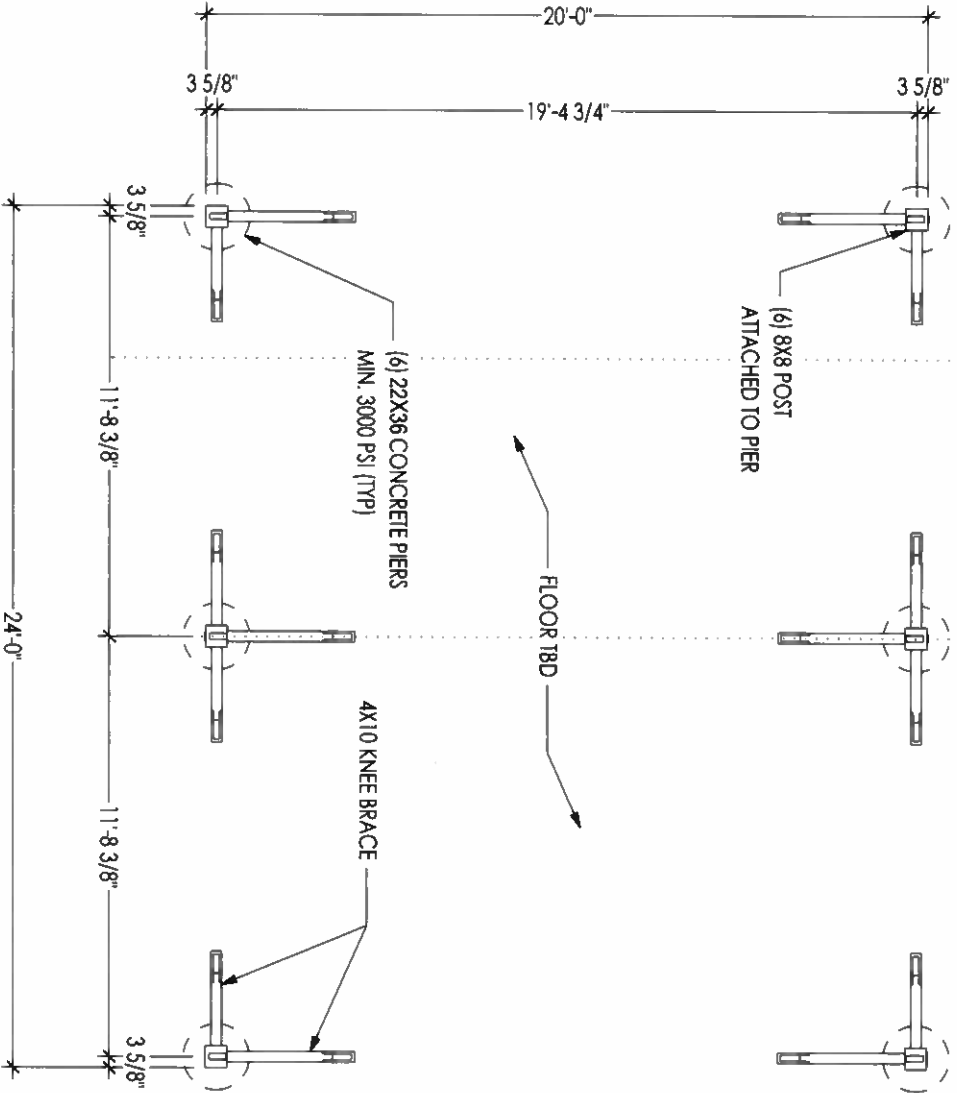
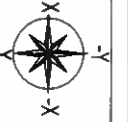
Project Name:

20' x 24' Custom Kingston Timber Frame Pavilion

Customer:

**Amy and Bob Stanford**  
121 Lake Shore Dr.  
Fredericksburg VA 22405





View: Foundation & Post Layout  
Scale: 3/16" = 1'-0"

Architect: Austin Emerick  
Designer: Austin Emerick  
Drafted & Manufactured by:

PEQUEA

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Contractor: Abby Construction Co. - Tracey Y Halsey  
3525 Lafayette Blvd. #100  
Fredericksburg VA 22401

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Revised: 7/29/24  
Revised:

Project no.:

LCB-388

Date:

07.12.2024

Page:

2 OF 10

Project Name:

20' x 24' Custom Kingston Timber Frame Pavilion

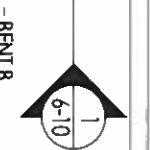
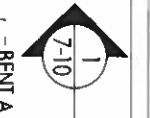
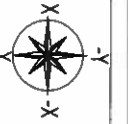
Customer:

Amy and Bob Stanford

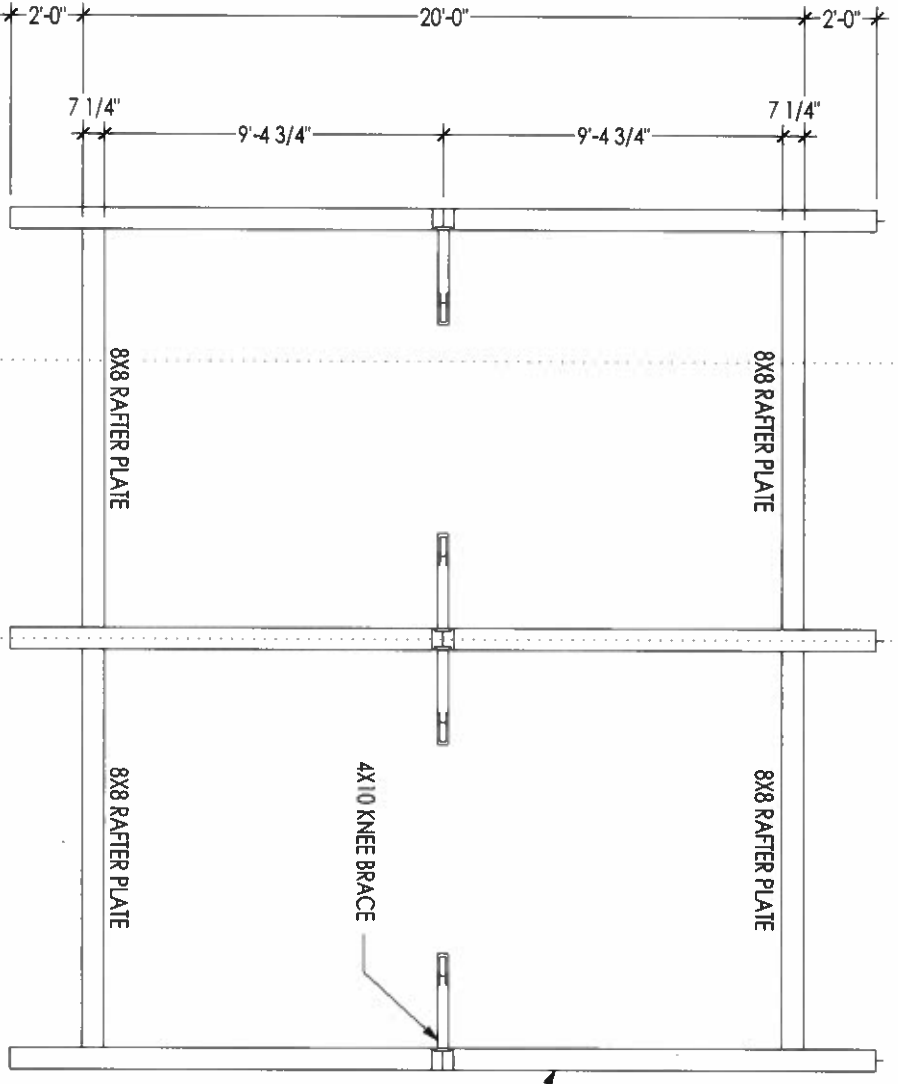
121 Lake Shore Dr.  
Fredericksburg VA 22405

E-glyrboone@myerhill.com  
CN-Glyn Boone, O-Myer Hill  
Consulting, L.L.P.  
S-Pennsylvania, C-US  
2024.07.31 16:06:1604'00"





View: Plate & Truss Layout  
Scale: 3/16" = 1'-0"

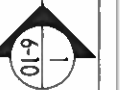
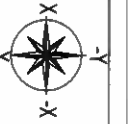


Architect: Austin Emerick  
Designer: Austin Emerick  
Drafted & Manufactured by: PEQUEA  
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Contractor: Abby Construction Co. - Tracey Y Halsey  
3525 Lafayette Blvd. #100  
Fredericksburg VA 22401  
Engineer: Revised: 7/29/24  
Revised: 7/29/24  
Page: 3 OF 10

Project no.: LCB-388  
Date: 07.12.2024  
Project Name: 20' x 24' Custom Kingston Timber Frame Pavilion  
Customer: Amy and Bob Stanford  
121 Lake Shore Dr.  
Fredericksburg VA 22405  
E-glynboone@myerhill.com  
Boone, Glyn Hill Consulting  
Lafayette, St. Petersburg, FL 33607



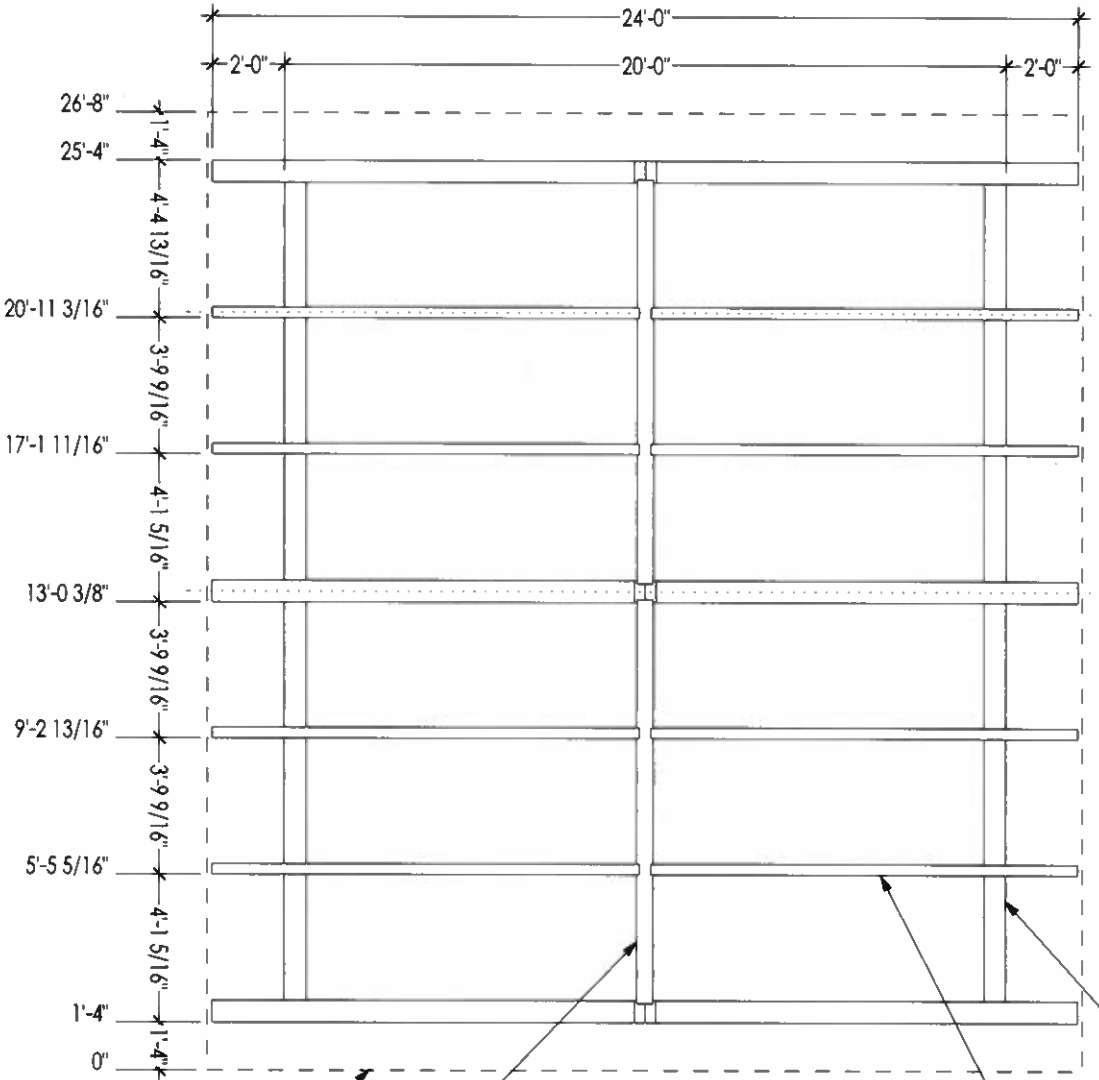


TRUSS ATTACHED TO 8X8  
RAFTER PLATE W/ (4) 3/8" X  
10" TIMBER RSS SCREWS (2)  
@ ea. END (TYP)

4X8 COMMON RAFTERS  
ATTACHED TO RIDGE W/ (1)  
3/8"X10" TIMBER SCREW AND  
TO RAFTER PLATE W/ (1)  
3/8"X10" TIMBER SCREW (TYP)

6X12 RIDGE ATTACHED TO  
KING POST W/ (2) 3/8"X10"  
TIMBER SCREWS @ ea.  
END (TYP)

ROOF DECKING EDGE



View: Rafter Layout  
Scale: 3/16" = 1'-0"

Architect:

Designer: Austin Emerick  
Drafted & Manufactured by:

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Contractor:

Abby Construction Co. - Tracey Y Halsey

3525 Lafayette Blvd. #100  
Fredericksburg VA 22401

Engineer:

Revised: 7/29/24  
Revised: 7/29/24

Project no.:

LCB-388

Date:

07.12.2024

Page:

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Project Name:

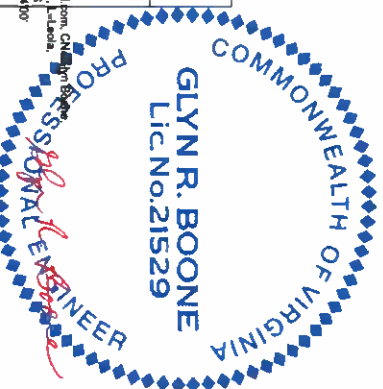
20' x 24' Custom Kingston Timber Frame Pavilion

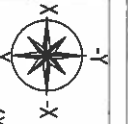
Customer:

Amy and Bob Stanford

121 Lake Shore Dr.  
Fredericksburg VA 22405

Engineered by: Hill  
Civil Engineering, Inc.  
2024.07.31 16:09:04-0400





6X12 RIDGE ATTACHED TO KING  
POST W/ (2) 3/8"x8" TIMBER  
SCREWS @ ea. END (TYP)

7 1/4"

11'-1 1/8"

7 1/4"

11'-1 1/8"

7 1/4"

TOP OF RIDGE BEAM +15'-11 3/16"

4X8 COMMON RAFTERS

ATTACHED TO RIDGE W/ (1)

3/8"x10" TIMBER SCREW AND TO

RAFTER PLATE W/ (1) 3/8"x10"

TIMBER SCREW (TYP)

8X8 RAFTER PLATE

TOP OF RAFTER PLATE +9'-7 1/4"

4X10 KNEE BRACE

8X8 POST

GRADE

2'-7 5/8"

6'-4 3/8"

9'-0"

View: -Y'  
Scale: 3/16" = 1'-0"

Architect:

Designer: Austin Emerick  
Drafted & Manufactured by:

PEQUEA

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Contractor:

Abby Construction Co. - Tracey Y Halsey

3525 Lafayette Blvd. #100  
Fredericksburg VA 22401

Engineer:

Revised: 7/29/24  
Revised:  
Revised:

Project no.:

LCB-388

Date:

07.12.2024

Page:

5 OF 10

Project Name:

20' x 24' Custom Kingston Timber Frame Pavilion

Customer:

Amy and Bob Stanford

121 Lake Shore Dr.  
Fredericksburg VA 22405

EugeneBoone@mytel.com  
Boone, G. Myer Hill Consulting, LLC  
2024.07.31 16:05:58 -4700

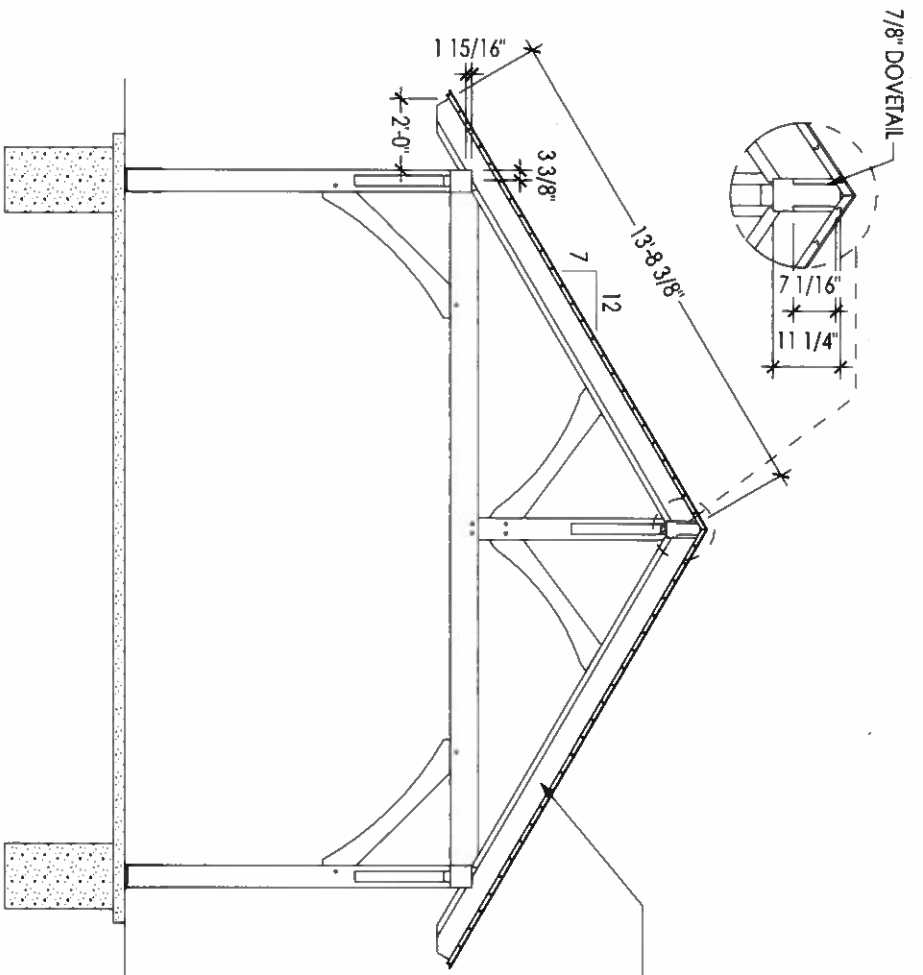
GLYN R. BOONE  
Lic No. 21529

COMMONWEALTH OF VIRGINIA

PROFESSIONAL ENGINEER







4X8 COMMON RAFTERS  
ATTACHED TO RIDGE W/ (1)  
3/8"X10" TIMBER SCREW AND  
TO RAFTER PLATE W/ (1)  
3/8"X10" TIMBER SCREW (TYP)

Section: Rafter  
Scale: 3/16" = 1'-0"

Architect:  
Designer: Austin Emerick  
Drafted & Manufactured by:

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Contractor:  
**Abby Construction Co. - Tracey Y Halsey**  
3525 Lafayette Blvd. #100  
Fredericksburg VA 22401

Engineer:

Revised: 7/29/24  
Revised:

Project no.:

LCB-388

Date:

07.12.2024

Page:

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Project Name:

20' x 24' Custom Kingston Timber Frame Pavilion

Customer:

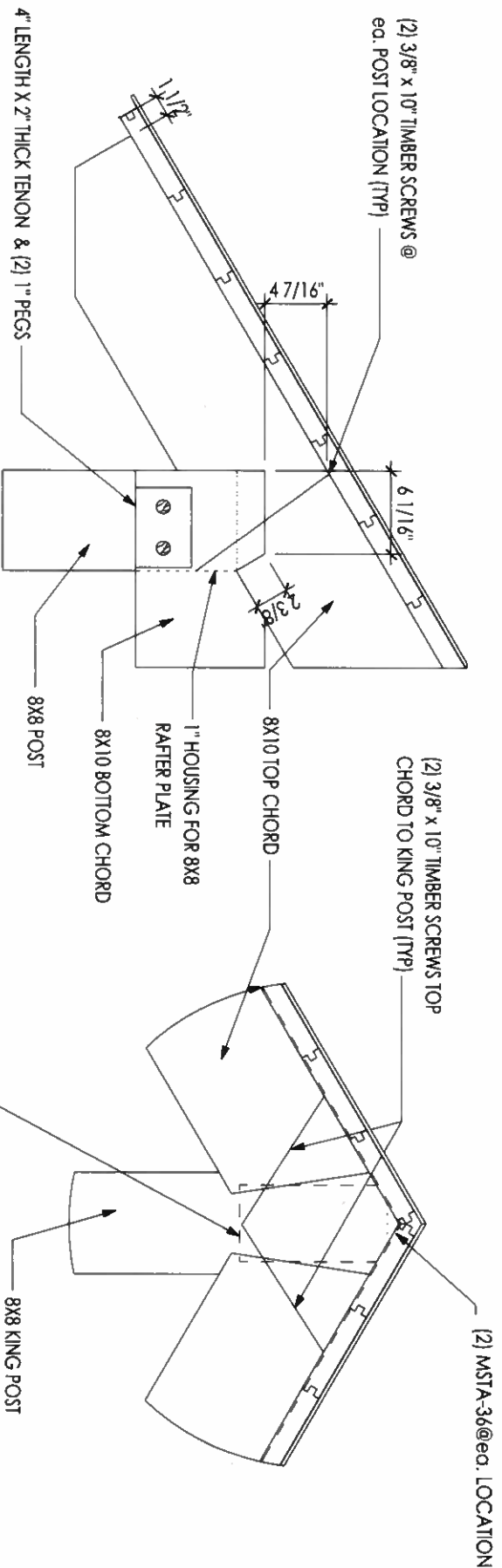
**Amy and Bob Stanford**  
121 Lake Shore Dr.  
Fredericksburg VA 22405

E-glynboone@myvermont.com  
CN-Glyn Boone, O-Master HM  
Consulting, L-L-able  
S-Pennsylvania, C-US  
2024.07.31 16:05:43-0400

GLYN R. BOONE  
Lic No. 21529

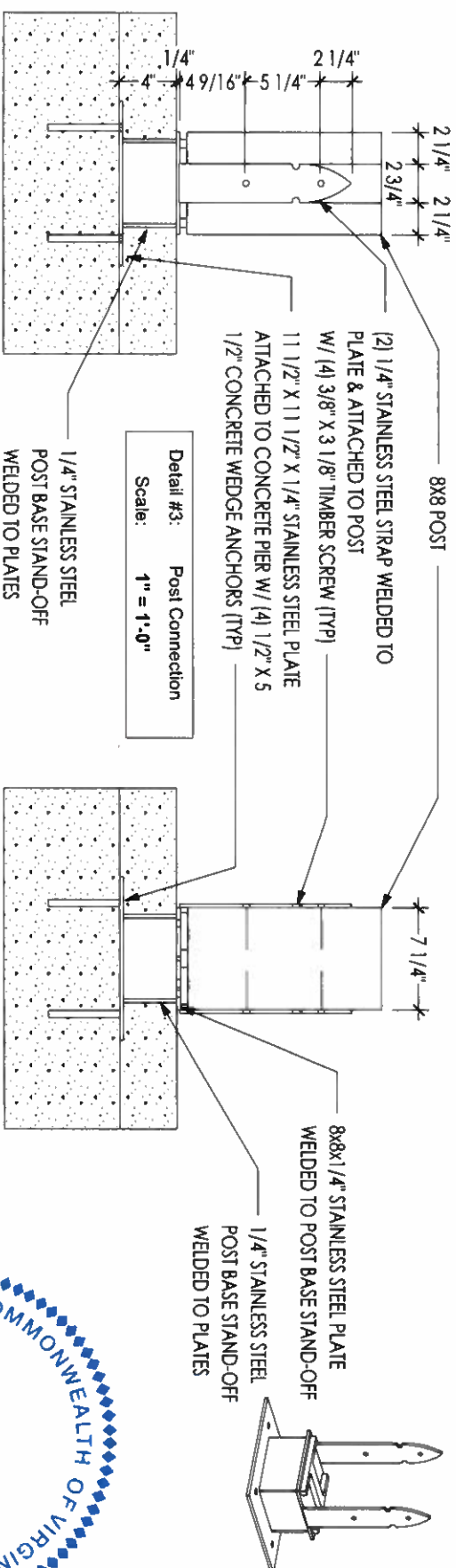
COMMONWEALTH OF VIRGINIA

REGISTERED PROFESSIONAL ENGINEER



Detail #1: 1 - Top Chord to Bottom Chord  
Scale: 1" = 1'-0"

Detail #2: Top Chord to King post  
Scale: 1" = 1'-0"



Detail #3: Post Connection  
Scale: 1" = 1'-0"

Detail #4: Post Connection  
Scale: 1" = 1'-0"

Architect:  
Designer: Austin Emerick  
Drafted & Manufactured by:

Contractor:  
**Abby Construction Co. - Tracey Y Halsey**  
3525 Lafayette Blvd. #100  
Fredericksburg VA 22401

Project no.:  
LCB-388  
Date: 07.12.2024

Project Name:  
20' x 24' Custom Kingston Timber Frame Pavilion

Customer:  
**Amy and Bob Stanford**  
121 Lake Shore Dr.  
Fredericksburg VA 22405

**PEQUEA**

www.pequea.net

Engineer:

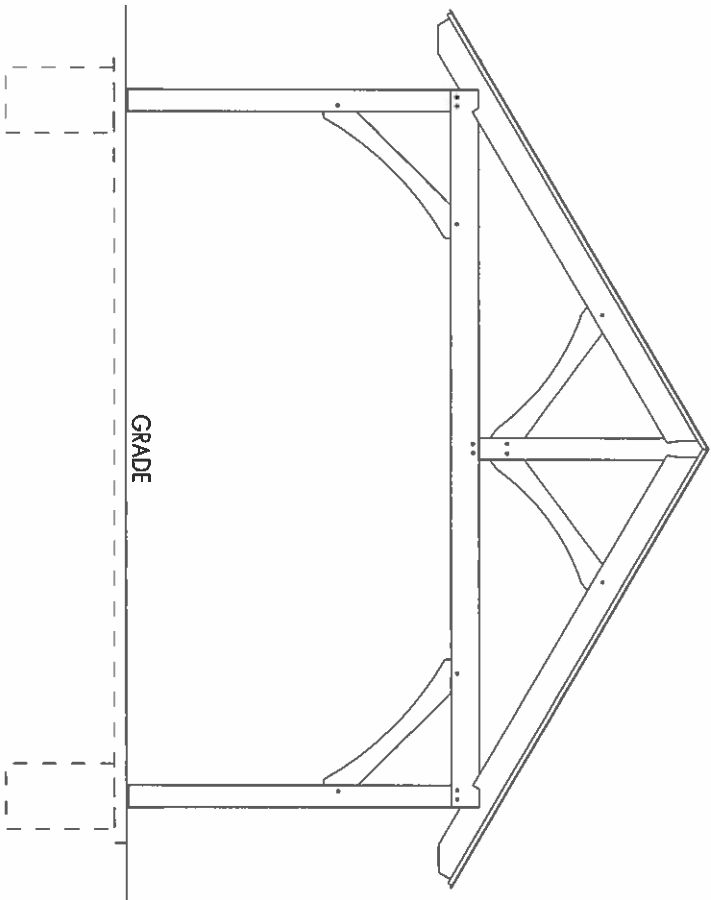
Revised: 7/29/24  
Revised:

Page:

8 OF 10

E-glynnboone@myhill.com  
Glynn R. Boone, Owner  
Consulting, L.L.C. - S. Pennsylvania  
C-115  
2024.07.31 16:05:36-04'00'





Note: OPPOSITE VIEW IS THE SAME

View: X  
Scale: 3/16" = 1'-0"

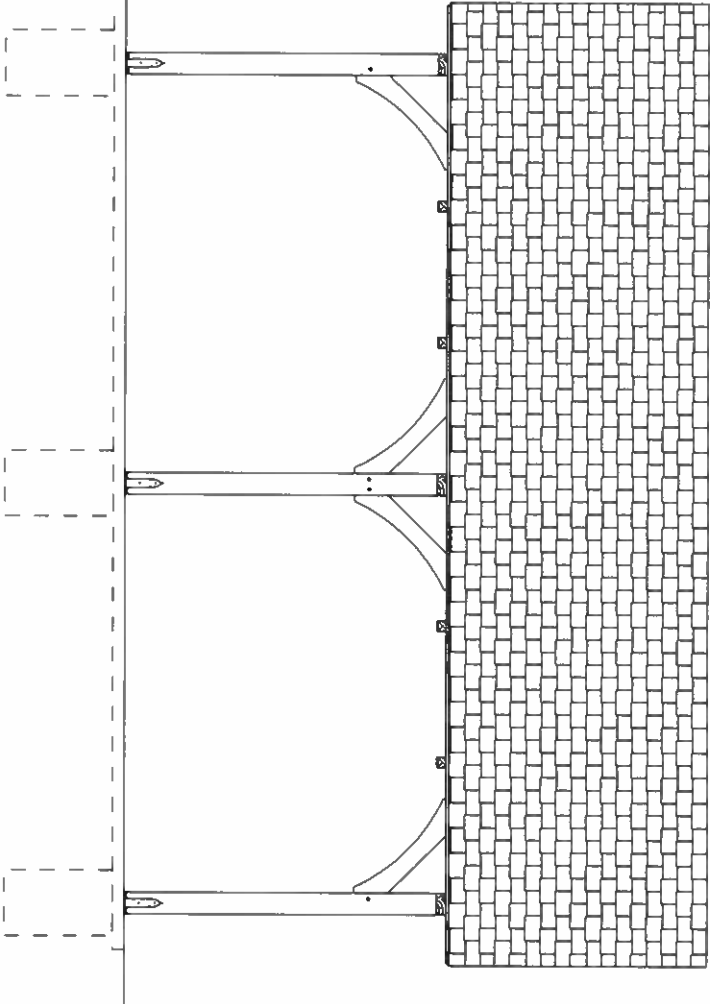
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| Architect:<br>Designer: Austin Emerick<br>Drafted & Manufactured by: | Contractor:<br><b>Abby Construction Co. - Tracey Y Halsey</b><br>3525 Lafayette Blvd. #100<br>Fredericksburg VA 22401 | Project no.:<br>LCB-388                 | Project Name:<br>20' x 24' Custom Kingston Timber Frame Pavilion                                                                                                                                     |
| <b>PEQUEA</b><br>www.pequea.net                                      | Engineer:<br>Revised: 7/29/24<br>Revised:                                                                             | Date:<br>07.12.2024<br>Page:<br>9 OF 10 | Customer:<br><b>Amy and Bob Stanford</b><br>121 Lake Shore Dr.<br>Fredericksburg VA 22405<br>E: glynboone@myhill.com<br>Bobby O-Murphy Hill County, Va<br>Lic. No. 21529<br>2024.07.31 16:05:20 0400 |





+16'-1 5/8" APPROX. HEIGHT

± 0" GRADE



Note: OPOSITE VIEW IS THE SAME

View: Y  
Scale: 3/16" = 1'-0"

Architect: Austin Emerick  
Designer: Austin Emerick  
Drafted & Manufactured by:

Contractor: **Abby Construction Co. - Tracey Y Halsey**  
3525 Lafayette Blvd. #100  
Fredericksburg VA 22401

Project no.: LCB-388  
Date: 07.12.2024

Project Name: 20' x 24' Custom Kingston Timber Frame Pavilion  
Customer: **Amy and Bob Stanford**  
121 Lake Shore Dr.  
Fredericksburg VA 22405

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Engineer:

Revised: 7/29/24  
Revised:

Page:

10 OF 10

E-glynboone@myhillgroup.com  
CN-Glyn Boone, C-Myer Hill  
Consulting, L.L.C.  
S. Pennsylvania, CLUS  
2024.07.31 16:09:21-04:00



**ATTACHMENT 6**  
**ADJACENT PROPERTY OWNERS' NOTIFICATION**

## Adjacent Property Owners

LAKE CARROLL LTD  
214 LAKE SHORE DR  
FREDERICKSBURG VA 22405-3117

KELLY KEVIN O &  
119 LAKE SHORE DR  
FREDERICKSBURG VA 22405-3121

WIEDEL KEVIN B & PATRICIA U DOOD  
123 LAKE SHORE DRIVE  
FREDERICKSBURG VA 22405-3121



February 1, 2025

**NOTICE OF PUBLIC HEARING**

Subject: ***25156176; Stafford Count Chesapeake Bay Board Application, CBB25-01; Mr. and Mrs. Stanford Residence; Tax Map Parcel No. 58A-4-89; within the George Washington Election District***

The Stafford County Chesapeake Bay Board will hold a public hearing on Monday, February 24, 2025, beginning at 6:00 p.m. or as soon thereafter as the matter may be heard, in the George L. Gordon, Jr., Government Center, 1300 Courthouse Road. The hearing will consider the request of Mr. and Mrs. Stanford for a Stafford County Chesapeake Bay Board Special Exception on Tax Map Parcel No. *TM -58A-4-89*. The purpose of the request is to construct a pavilion over an “after-the-fact” concrete patio and fireplace constructed within the Chesapeake Bay Resource Protection Area (CRPA) buffer. The placement of a cement patio, fireplace and pavilion within the Chesapeake Bay Resource Protection Area (CRPA) on this lot requires a Special Exception application approval by the Stafford County Chesapeake Bay Board. All interested parties are invited to appear at the above designated time and place and state their views. Persons requiring special accommodations to facilitate participation in the above matter are encouraged to contact the Department of Development Services at least five days prior to the meeting.

The public hearing may be continued or adjourned. A copy of the application and other related materials are on file in the Department of Development Services located at 2128 Richmond Highway, Suite 201, Stafford, Virginia 22554, and may be examined Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m.

If you have any questions or concerns regarding this matter, please contact Joseph Fiorello at (540) 658-8689.

Sincerely,

Joseph Fiorello, PWS, CPWD, CA  
Environmental Planner

JPF:EAT: PS



**ATTACHMENT 7**  
**SE25156176 RESOLUTIONS**

CHEAPEAKE BAY BOARD  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

SPECIAL EXCEPTION RESOLUTION

At a regular meeting of the Stafford County Chesapeake Bay Board held in the Board of Supervisors Chambers, Stafford County Administration Center, Stafford, Virginia, on the 24<sup>th</sup> day of February 2025:

| <u>MEMBERS:</u>   | <u>VOTE:</u> |
|-------------------|--------------|
| Sue Henderson     | _____        |
| Mary Rust         | _____        |
| Anthony Pineau    | _____        |
| Benjamin Rudasill | _____        |
| Dan Adams         | _____        |
| Robert Hayden     | _____        |
| Zachary Martinez  | _____        |

On the motion of \_\_\_\_, seconded by \_\_\_\_, which carried by a vote of \_\_\_\_ to \_\_\_\_, the following was adopted:

A RESOLUTION WHICH APPROVES AN APPLICATION FOR A SPECIAL EXCEPTION PURSUANT TO COUNTY CODE SECTION 27B-14 ENTITLED "SPECIAL EXCEPTIONS" TO ALLOW DISTURBANCE OF A CRITICAL RESOURCE PROTECTION AREA (CRPA) FOR THE CONSTRUCTION OF A PAVILION, PATIO, WALKWAY AND FIREPLACE ON TAX MAP PARCEL 58A-4-89, GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the Stafford County Chesapeake Bay Board received application 25156176 from Mrs. Amy Stanford to allow the continued use of a walkway, cement patio, and outdoor fireplace constructed within the landward 50 feet of the Chesapeake Bay Resource Protection Area buffer without proper approvals; and to allow the construction of a pavilion overtop the cement patio; and

WHEREAS, the Stafford County Chesapeake Bay Board has authority under County Code Section 27B-14 to issue an exception for land disturbance activities in a CRPA; and

WHEREAS, Mrs. Amy Stanford has applied for an exception to County Code Section 27B-7, entitled "Development Conditions"; and

WHEREAS, the Stafford County Chesapeake Bay Board has given proper notice of a public hearing as required by the Code of Virginia (1950), as amended, and the Stafford County Code; and

WHEREAS, the Stafford County Chesapeake Bay Board after due consideration of the facts of the application and testimony at the public hearing finds the following;

- (1) Granting the special exception will not confer upon the applicant(s) any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;

- (2) The special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
- (3) The special exception request is the minimum necessary to afford relief;
- (4) The special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
- (5) Reasonable and appropriate conditions can be imposed which will prevent the special exception request from causing a degradation of water quality; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Chesapeake Bay Board on this the 24<sup>th</sup> day of February 2025, that exceptions to County Code Section 27B-7, entitled "Development conditions" pursuant to application 25156176 be and it hereby is approved with the following conditions:

- 1. The limits of the CRPA buffer encroachments shall be as shown in Attachment 4 and 5 of the staff report (RC243009599 and RC243008487).
- 2. Mitigation for the encroachment into the CRPA must be consistent with the minor water quality impact assessment presented in the special exception application (Attachment 1 of the Staff Report).
- 3. The applicant is to ensure the required plantings survive and are in good health in perpetuity. If any of the plantings die, they are to be replaced in kind.
- 4. This resolution, CBB25-01, for the pavilion, cement patio, walkway, and fireplace on Tax Map 58A-4-89 is valid for 1 year and will expire February 25, 2026. All fieldwork and stabilization of the CRPA impact area as depicted in RC243009599 and RC243008487 must be completed before the expiration date.

---

Andy Pineau  
Chesapeake Bay Board Chairman

JPF:ET

CHEAPEAKE BAY BOARD  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

SPECIAL EXCEPTION RESOLUTION

At a regular meeting of the Stafford County Chesapeake Bay Board held in the Board of Supervisors Chambers, Stafford County Administration Center, Stafford, Virginia, on the 24<sup>th</sup> day of February 2025:

| <u>MEMBERS:</u>   | <u>VOTE:</u> |
|-------------------|--------------|
| Sue Henderson     | _____        |
| Mary Rust         | _____        |
| Anthony Pineau    | _____        |
| Benjamin Rudasill | _____        |
| Dan Adams         | _____        |
| Robert Hayden     | _____        |
| Zachary Martinez  | _____        |

On the motion of \_\_, seconded by \_\_, which carried by a vote of \_\_ to \_\_, the following was adopted:

A RESOLUTION WHICH DENIES AN APPLICATION FOR A SPECIAL EXCEPTION PURSUANT TO COUNTY CODE SECTION 27B-14 ENTITLED "SPECIAL EXCEPTIONS" TO ALLOW DISTURBANCE OF A CRITICAL RESOURCE PROTECTION AREA (CRPA) FOR THE CONSTRUCTION OF A PAVILION, PATIO, WALKWAY AND FIREPLACE ON TAX MAP PARCEL 58A-4-89, GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the Stafford County Chesapeake Bay Board received application 25156176 from Mrs. Amy Stanford to allow the continued use of a walkway, cement patio, and outdoor fireplace constructed within the landward 50 feet of the Chesapeake Bay Resource Protection Area buffer without proper approvals; and to allow the construction of a pavilion overtop the cement patio; and

WHEREAS, the Stafford County Chesapeake Bay Board has authority under County Code Section 27B-14 to issue an exception for land disturbance activities in a CRPA; and

WHEREAS, Mrs. Amy Stanford has applied for an exception to County Code Section 27B-7, entitled "Development conditions"; and

WHEREAS, the Stafford County Chesapeake Bay Board has given proper notice of a public hearing as required by the Code of Virginia (1950), as amended, and the Stafford County Code; and

WHEREAS, the Stafford County Chesapeake Bay Board after due consideration of the facts of the application and testimony at the public hearing finds one or more of the following to be true:

- (1) Granting the special exception will confer upon the applicant(s) special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;



- (2) The special exception request is based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
- (3) The special exception request is not the minimum necessary to afford relief;
- (4) The special exception request will not be consistent with the purpose and intent of this chapter, injurious to the neighborhood or otherwise detrimental to the public welfare, and is of substantial detriment to water quality; and
- (5) Reasonable and appropriate conditions cannot be imposed which will prevent the special exception request from causing a degradation of water quality.

WHEREAS, the applicant is required to remove the walkway, patio, and fireplace from the RPA; restore the area to previous conditions and denied the placement of the pavilion within the RPA

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Chesapeake Bay Board on this the 24<sup>th</sup> day of February 2025, that exceptions to County Code Section 27B-7, entitled "Development conditions", pursuant to application 25156176 be and it hereby is denied.

---

Andy Pineau  
Chesapeake Bay Board Chairman

JPF:ET

**ATTACHMENT 8**  
**SE25156176 POWERPOINT**



# Chesapeake Bay Board

## February 24, 2025

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Stafford County Government

# Agenda

- Call to Order
- Roll Call
- Determination of a Quorum
- Approval of Meeting Minutes
  - January 27, 2025
- Public Hearing
- CBB25-01 – AP25156176 – Mrs. Stanford Pavilion/Patio
- CBB25-03 – AP24156090 – Mr. Moore Residential



# Chapter 27B: Section 27B-14 – Special Exceptions

- (a) In deciding whether to grant, grant in modified form or deny a special exception application, the board shall review the request for a special exception and the water quality impact assessment. The board may grant the special exception, with such conditions and safeguards as deemed necessary to further the purpose and intent of this chapter, if the board finds:
  - 1) Granting the special exception will not confer upon the applicant(s) any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;
  - 2) The special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
  - 3) The special exception request is the minimum necessary to afford relief;
  - 4) The special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
  - 5) Reasonable and appropriate conditions are imposed which will prevent the special exception request from causing a degradation of water quality.
- (b) If the board denies the special exception, the board shall provide the applicant(s) with the board's written decision, including its rationale.

# CBB25-01 – AP25156176 – Stanford Walkway, Patio, Fireplace, & Pavilion

- Description:
  - A request to impact 840 sq. ft. of CRPA for the construction of pavilion overtop of an unpermitted concrete patio, walkway, and fireplace.
- Tax Map Parcel No:
  - 58A-4-89
- Election District:
  - George Washington



# Background

- Current Condition:

The property is located on Tax Map Parcel 58A-4-89 within the George Washington Election District. The property is zoned R1 and contains a single-family residential structure. Based on aerial photography, a cement patio, cement walkway, and outdoor fireplace were constructed between 2020 and 2021 without an approved building permit or approval from the Chesapeake Bay Board for the construction within the landward 50 feet of the CRPA. In August of 2024 the applicant submitted a building permit (RC243008487) for a pavilion to be installed ovetop the cement patio and outdoor fireplace. The applicant was informed at that time that they were in violation of the Chesapeake Bay ordinance and building permit requirements. Subsequently, the applicant filed for the building permit for the cement patio and outdoor fireplace in October 2024 (RC243009599) and submitted a special exception application requesting the approval of the pavilion, cement/stone patio, cement walkway, and outdoor fireplace from the Chesapeake Bay Board (SE25156176).

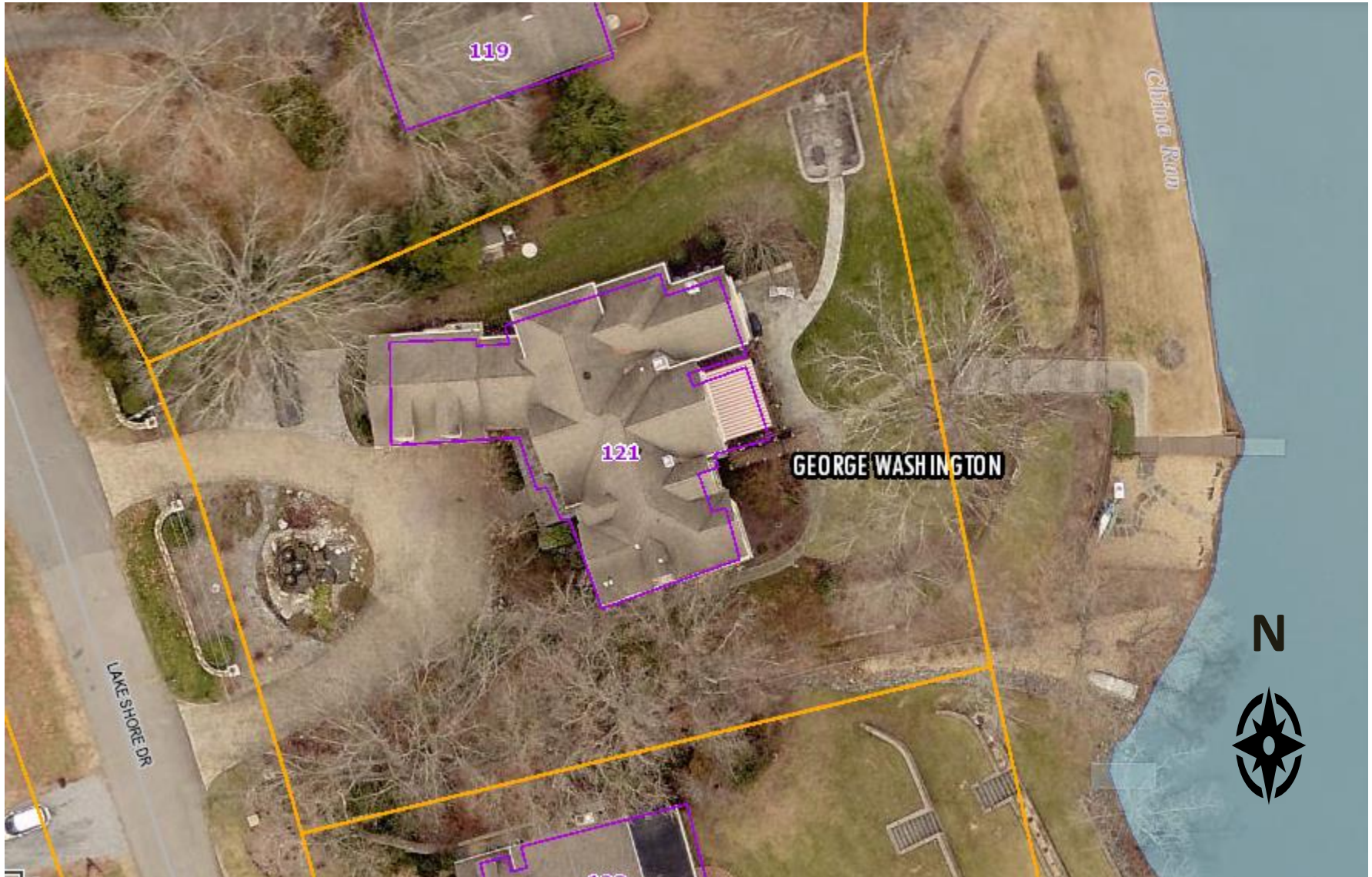
- Proposed Condition:

The applicant requests permission to construct a pavilion ovetop the “after-the fact” construction of a cement/stone patio, walkway, and outdoor fireplace (AP25156176). The total impact to the landward 50 feet of the Chesapeake Bay Resource Protection Area (CRPA) buffer is 840 square feet. Other development within the CRPA was done by others prior to the Stanford’s purchase of the property in December 2018. To compensate for the area of impact, the applicant proposes to plant 1 canopy tree (crepe myrtle), 2 understory trees (flowering dogwood) and 4 shrubs (azaleas) within the property. The applicant indicated they have also planted 10 plus shrubs within the property adjacent to Lake Carroll and are requesting credit for these plantings.

- Mr. and Mrs. Stanford are requesting approval of their Special Exception request to keep the walkway, patio, and fireplace in its current location within the RPA and construct a pavilion ovetop. The are also requesting the Board consider the mitigation described above as compensation for the impact to the CRPA.



# Tax Map Location – 58A-4-89 (121 Lake Shore Dr.)

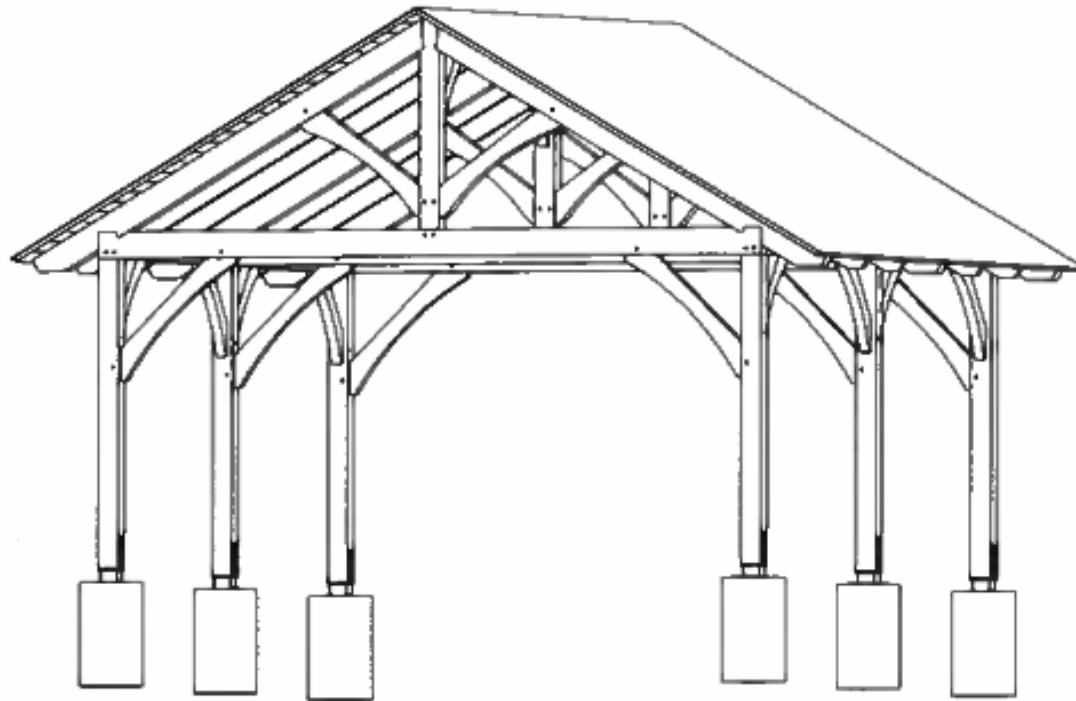




# Constructed Patio, Walkway & Fireplace



# Proposed Pavilion



# Proposed Landscaping Mitigation



# Staff Observations

- A special exception approval is required for the constructed patio, walkway, and fireplace and proposed pavilion within the CRPA.
- If the Stanford's request for Special Exception is denied, they will have to remove all structures from the RPA within their property.
- The proposed mitigation of 1 canopy tree, 2 understory trees and three shrubs is in accordance with Chapter 27B of Stafford County Code and Appendix D of the Riparian Buffers Modification and Mitigation Manual.



**NEW BUISNESS:**

**SE24156090**

**JOHN MOORE RESIDENCE**

**CRPA SPECIAL EXCEPTION**



February 24, 2025

MEMORANDUM TO: Stafford County Chesapeake Bay Board

FROM: Joseph Fiorello  
Environmental Planner

SUBJECT: **AP# 24156090; Special Exception Application Staff Report;  
CBB25-03; Moore Residential**

ATTACHMENTS:

|                                         |                                         |
|-----------------------------------------|-----------------------------------------|
| 1. Special Exception Application & WQIA | 5. Site Plan                            |
| 2. Site Location Map                    | 6. Adjacent Property Owner Notification |
| 3. County GIS CRPA Buffer               | 7. Proposed Resolutions                 |
| 4. Jan. 2025 Wetland & CRPA Delineation | 8. Power Point Presentation             |

**ISSUE:**

The applicant requests permission to construct a single-family residence on 4 consolidated lots with a portion of the residential structure and drainfield within the landward 50 feet of the Chesapeake Resource Protection Area (CRPA) buffer.

**BACKGROUND:**

The property is located on tax map parcels 49C-2-2-9, 49C-2-2-15, and 49C-2-1-8A (Attachment 1). There are four lots involved, two of the lots have the same parcel number 49C-2-2-9. County GIS indicates the presence of a CRPA on/near the four lots (Attachment 3). A wetlands delineation and Chesapeake Bay Compliance Study was conducted on the lots in January 2025 (Attachment 4) and the presence of a CRPA was confirmed and mapping was updated. All four 4 lots were platted prior to Stafford County adopting the Chesapeake Bay ordinance in 1989. All four lots are not buildable on their own either because of the presence of wetlands; a Chesapeake Bay Resource Protection Area (CRPA) buffer; or inability to have enough room outside of the CRPA for a house and drainfield on one single lot without consolidation. The applicant proposes to consolidate the 4 lots to build one 4,300 sq. ft. single-family home. In doing so the newly formed lot will not qualify for Section 27B-8(b)(5)b, since a new platted lot would be created. Secondly, a portion of the proposed drainfield needs to be placed within the landward 50 feet of the CRPA prompting the



need for the approval of a Special Exception request by the Stafford County Chesapeake Bay Board. Please see Attachment 5 for site plan details.

### **PROPOSED CRPA IMPACTS and MITIGATION:**

The proposed residential construction of a 4,300 sq. ft. home and drainfield on these consolidated lots would result in a 3,190 sq. ft. of permanent impact to the CRPA. The applicant proposes to mitigate the impact by planting 8 “planting units”; each unit equating to 1 canopy tree, two understory trees, and 3 shrubs as outlined in the Appendix D of the Riparian Buffers Modification & Mitigation Guidance Manual. Please see attached site plan for details.

### **ROLE OF THE BOARD:**

The board may decide to grant, grant in modified form, or deny a Special Exception application. A decision requires a weighing and balancing of all beneficial and detrimental factors relevant to a proposal, leading to a permit decision that reflects the outcome of that balancing process, known as a public interest review. The local Chesapeake Bay Board has the power to modify an application so that the approved permit meets the purpose of the Chesapeake Bay Act. In making this determination, the local Chesapeake Bay Board must:

1. Review the request for a special exception and the water quality impact assessment;
2. Find that the Wetlands Joint Permit Application meets the 4 criteria of the Group II living shoreline guidance.
3. Hear the testimony of any person in support of or in opposition to the permit;
4. Find that granting the special exception will not confer upon the applicant’s any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;
5. Find that the special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
6. Find that the special exception request is the minimum necessary to afford relief;
7. Find that the special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
8. Find that reasonable and appropriate conditions are imposed which will prevent the special exception request from causing a degradation of water quality.

If any of the criteria above are not met, the board shall deny the application.

### **ALTERNATIVES:**



The following alternatives are available to the Board:

1. Adopt proposed Resolution CBB25-03 which approves the request for constructing a single-family residence and replanting within the CRPA.
2. Adopt proposed Resolution CBB25-04 which denies the request.
3. Revise and adopt proposed Resolution CBB25-03
4. Take no action currently and defer the application to the next meeting. (Applicant must be present for action to be taken by the Board)

### **STAFF FINDINGS**

- The proposed construction of a single-family residence and drainfield do not qualify for an administrative waiver because once the lots are consolidated, they will not be eligible for 27B-8(b)(5)b and the drainfield cannot be placed within the CRPA at all. Thus, a Chesapeake Bay Special Exception hearing and approval is required.
- The proposed plantings of 8 canopy trees, 16 understory trees, and 24 shrubs are appropriate mitigation for 3,190 sq. ft. of CRPA impact. The proposed mitigation is in accordance with Appendix D of the Riparian Buffers Modification and Mitigation Manual.



**ATTACHMENT 1**  
**SE24156090**  
**SPECIAL EXCEPTION APPLICATION**  
**& WQIA**



## County of Stafford

Department of Planning and Zoning

1300 Courthouse Rd

PO Box 339

Stafford, VA 22555-0339

Phone (540) 658-8668

Fax: (540) 658-6824

Metro (703) 690-8222

## Application Receipt

Printed On 12/18/24

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|     |          |                  |            |
|-----|----------|------------------|------------|
| AP# | 24156090 | 47 DOBE POINT RD | CBBSPEXCEP |
|-----|----------|------------------|------------|

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|        |               |          |                                                                           |
|--------|---------------|----------|---------------------------------------------------------------------------|
| Parcel | -49C--2-2---9 | Location | TM -49C--2-2---9 & -49C--2-1---8A<br>47 DOBE POINT RD, STAFFORD, VA 22554 |
|--------|---------------|----------|---------------------------------------------------------------------------|

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|       |                                                |
|-------|------------------------------------------------|
| Owner | 3800 DELASHMUTT DR<br>HAYMARKET, VA 20169-1820 |
|-------|------------------------------------------------|

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|           |                                                |                                                |
|-----------|------------------------------------------------|------------------------------------------------|
| Applicant | 3800 DELASHMUTT DR<br>HAYMARKET, VA 20169-1820 | Phone: (703)303-4845<br>Email: JCMOORE@AOL.COM |
|-----------|------------------------------------------------|------------------------------------------------|

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|      |                            |                         |                |
|------|----------------------------|-------------------------|----------------|
| Fees | CBB Special Exception Base | 3262*100-0000-313.03-80 | \$600.00       |
|      | TECHNOLOGY SERVICE FEE     | 1212*100-0000-313.03-63 | \$16.50        |
|      |                            |                         | <hr/> \$616.50 |

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Comments

PAID DEC 18 PAID

Paid By

Date

Signature

Date



STAFFORD COUNTY  
DEPARTMENT OF PLANNING AND ZONING  
1300 Courthouse Road, Stafford VA 22554  
Phone: 540-658-8668 Fax: 540-658-6824  
[www.staffordcountyva.gov](http://www.staffordcountyva.gov)

## CHESAPEAKE BAY BOARD SPECIAL EXCEPTION APPLICATION PACKET

- The following items are included within this packet:
  1. Pre-Application Conference Sheet
  2. Chesapeake Bay Board Application Question and Answers
  3. Stafford County Code Section 27B-14
  4. Application
  5. Owners Consent Form
  6. Water Quality Impact Assessment Form & Stafford County Code Section 27B-10
- Please be advised that applicants are required to schedule a pre-application meeting with the Environmental Planning staff prior to submitting their application. The applicant would then need to schedule a second meeting to officially submit their application. ***Failure to comply with the application requirements, including providing all of the required information, may result in the matter being delayed until such time as all requirements have been fulfilled.*** Appointments may be scheduled by calling the office of Planning and Zoning at 540-658-8668.
- If an application is withdrawn prior to the first public hearing, fifty (50) percent of the amount of the application fee may be refunded to the applicant.

Fees are as follows: ***Individual Residential \$600.00 per Special exception***  
***Other \$1,375.00 per Special exception***

**A 2.75% technology fee will be assessed and collected on the total fees.**
- The Chesapeake Bay Board meets the third Monday of every month. Due to required public notice, complete applications must be received by the third Monday one month prior to the scheduled meeting.



STAFFORD COUNTY  
DEPARTMENT OF PLANNING AND ZONING  
1300 Courthouse Road, Stafford VA 22554  
Phone: 540-658-8668 Fax: 540-658-6824  
[www.staffordcountyva.gov](http://www.staffordcountyva.gov)

Pre-Application Conference – Checklist (to be completed by staff)

|                                                                                                                                                                                                                                                                       |                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| Pre-application conference date:                                                                                                                                                                                                                                      |                                                                                        |
| Owner and/or applicant:                                                                                                                                                                                                                                               |                                                                                        |
| Application for: <i>Special Exception</i> COMMERCIAL <input type="checkbox"/> RESIDENTIAL <input checked="" type="checkbox"/>                                                                                                                                         |                                                                                        |
| The following information must be submitted with the completed application and fee:                                                                                                                                                                                   |                                                                                        |
|                                                                                                                                                                                                                                                                       | Completed Application                                                                  |
|                                                                                                                                                                                                                                                                       | Owner's Consent form ( <i>Provide if applicant is not the owner of the property.</i> ) |
|                                                                                                                                                                                                                                                                       | Site Plans(including wetlands and CRPA buffer)                                         |
|                                                                                                                                                                                                                                                                       | A Major Water Quality Impact Assessment                                                |
|                                                                                                                                                                                                                                                                       | Other:                                                                                 |
| Applications must be completed and returned no later than <u>Dec. 31, 2024</u> in order to be heard at the meeting scheduled for <u>Feb. 2025</u> . Meetings are held at 7:00 p.m. in the Board of Supervisor's Chambers and you or a representative must be present. |                                                                                        |
| NOTE: This form must be submitted with the completed application, affidavit, all of the above and fee of \$_____.                                                                                                                                                     |                                                                                        |

  
Staff Member Signature





**STAFFORD COUNTY  
DEPARTMENT OF PLANNING AND ZONING**

**CBB SPECIAL EXCEPTION APPLICATION**

1. **What is a special exception?** – A reasonable deviation from those provisions in the Chesapeake Bay Protection Area (CBPA) ordinance in cases where a development proposal cannot meet the regulatory requirements due to a unique set of circumstances and conditions. Such a need for a special exception would not be shared generally by other properties, and provided such special exception is not contrary to the intended spirit and purpose of Chapter 27B.
2. **Who can grant a special exception to the Chesapeake Bay Protection Area (CBPA) ordinance?** – The Chesapeake Bay Board has the authority to grant special exceptions in cases where strict application of the CBPA Ordinance would result in unnecessary hardship for the property owner.
3. **What is the Chesapeake Bay Board** – The CBB is a five-member board comprised of the Wetlands Board. The Wetlands Board/CBB members are at-large County residents appointed by the Board of Supervisors. The CBB will hear and consider requests for special exceptions to the Stafford County CBPA Ordinance.
4. **What is the basis for a special exception to the CBPA ordinance?** – The CBB must make the following five findings in order to approve a request for a special exception, as set forth in Section 27B-14(d):
  - Granting the special exception will not confer upon the applicant(s) any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;
  - The special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels;
  - The special exception request is the minimum necessary to afford relief;
  - The special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
  - Reasonable and appropriate conditions are imposed which will prevent the special exception request from causing a degradation of water quality.
5. **What is a water quality impact assessment?** The exception process is intended to identify the minimum relief necessary to permit the proposed use. To assist in this determination, a Water Quality Impact Assessment (WQIA) which meets the requirements found in Section 27B-10 is to be used in evaluating the site of the proposed exception, the potential effects of the exception, and for identifying mitigation measures that are appropriate to counteract those effects.

6. **What is the application process?** – Special exception applications must be filed with the Department of Planning and Zoning.
- A pre-application conference is held between the applicant and a staff member from the Planning and Zoning Department. A solution may be discovered without the need for a special exception.
  - A complete special exception application with original signatures, all associated materials and the application fee by the established deadline.
  - The Department of Planning and Zoning will advertise the special exception request as a notice of public hearing once a week for two consecutive weeks prior to the hearing date in the local newspaper. The notice will specify the date, time and place of the hearing so persons affected may appear and present their views. In addition, the Planning and Zoning Department will notify adjacent property owners of the requested special exception and hearing date.
  - A member of the Planning and Zoning Department will prepare a staff report that will accompany the special exception application and both will be forwarded to the members of the CBB for their review before the meeting date.
  - At the public hearing the CBB will approve, deny or defer the special exception request until a later date after hearing the applicant and all interested parties.
7. **How long does a typical special exception process take?** – The average special exception process is approximately four weeks from submission of a complete application to action.
8. **What if I want to appeal the decision of the CBB?** – Any one aggrieved by a decision of the CBB has thirty (30) days to appeal the decision to the Stafford County Board of Supervisors.



## CHESAPEAKE BAY PRESERVATION AREA ORDINANCE

### Sec. 27B-14. - Special exceptions.

- (a) The board shall be comprised of all of the members of the county's wetlands board.
- (b) A request for a special exception to the requirements of [section 27B-7](#) and subsection [27B-8\(b\)](#) of this chapter shall be made in writing to the board. The request shall identify the impacts of the proposed exception on water quality and on lands within the CRPA through the performance of a water quality impact assessment which complies with the provisions of [section 27B-10](#) of this chapter.
- (c) No later than sixty (60) days after receipt of a complete special exception request, the board shall hold a public hearing on the request. The board shall hold a public hearing in accordance with Code of Virginia § 15.2-2204, except that only one hearing shall be required. The board shall cause notice of the hearing to be published at least once a week for two (2) weeks prior to such hearing in a newspaper of general circulation in this county. When giving any notice to the owner(s), their agent(s), or the occupant(s) of abutting property and property immediately across the street or road from the property affected, the notice shall be given by first-class mail to the last known address as shown on the current real estate tax assessment book or records. The board shall mail these notices not less than twenty (20) days prior to the date set for the hearing.
- (d) The board shall review the request for a special exception and the water quality impact assessment. The board may grant the special exception, with such conditions and safeguards as deemed necessary to further the purpose and intent of this chapter, if the board finds:
  - (1) Granting the special exception will not confer upon the applicant(s) any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;
  - (2) The special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
  - (3) The special exception request is the minimum necessary to afford relief;
  - (4) The special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
  - (5) Reasonable and appropriate conditions are imposed which will prevent the special exception request from causing a degradation of water quality.
- (e) The board shall make its determination within thirty (30) days of the public hearing. If the board fails to act within that time, the application shall be deemed approved.
- (f) If the board denies the special exception, the board shall provide the applicant(s) with the board's written decision, including its rationale.

STAFFORD COUNTY  
Department of Planning and Zoning

CHESAPEAKE BAY BOARD  
SPECIAL EXCEPTION APPLICATION



RECEIVED BUT NOT OFFICIALLY SUBMITTED  
DATE \_\_\_\_\_ INITIALS \_\_\_\_\_

OFFICIALLY SUBMITTED

DATE: 12/18/24 INITIALS: WLR

TYPE OF APPLICATION

INDIVIDUAL RESIDENTIAL ☐

OTHER ☐

24156090

APPLICATION NUMBER

APPLICANT INFORMATION

Aaronai Homes

NAME

4016 Plank Road Unit A

STREET ADDRESS

Fredericksburg VA 22407

CITY

STATE

ZIP

540-379-2835

PHONE

CELL

FAX

EMAIL

OWNER INFORMATION (If different from the Applicant)

John Moore

NAME

3800 Delashmutt Dr Haymarket VA 20169

ADDRESS

CITY

STATE

ZIP

703-303-4845

PHONE NUMBER

CELL

FAX NUMBER

JCMOORE @ aol.com

EMAIL ADDRESS

PROPERTY INFORMATION

TM 49C-2-2-9,15 & 49c-2-1-8A

1.5577 Acres

TAX MAP

SECTION

PARCEL/LOT #

LOT SIZE

A-2

SUBDIVISION

ZONING DISTRICT

EXISTING USE

PROPOSED USE

Aquia

COMPREHENSIVE PLAN DESIGNATION

MAGISTERIAL DISTRICT

FOR OFFICE USE ONLY

APPLICATION APPROVED BY

DATE

RESOLUTION #

APPLICATION #

FEES PAID:

☐ YES

☐ NO



## GENERAL INFORMATION

- ❖ What code section of the Chesapeake Bay Protection Area ordinance is the applicant seeking relief from as a result of a special exception?

Chapter 27B, Section \_\_\_\_\_ which pertains to encroachment of  
a structure and drain field into the RPA.

- ❖ Are there any special zoning conditions applicable to the property (including a conditional use permit, special exception, variance, development proffers, vesting determination)? ☐ Yes ☒ No

If yes, please specify \_\_\_\_\_

- ❖ Is the subject property located within a flood district? ☒ Yes ☐ No

If yes, please specify which one Zone "AE"

- ❖ County Water & Sewer? ☐ Private Well & Septic? ☒

## SPECIAL EXCEPTION JUSTIFICATION

Please provide a statement of justification for the requested special exception. Be aware that the Board must make the following five findings in order to approve a request for a special exception, as set forth in Section 27B-14(d):

- (1) Granting the special exception will not confer upon the applicant(s) any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;
- (2) The special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
- (3) The special exception request is the minimum necessary to afford relief;
- (4) The special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
- (5) Reasonable and appropriate conditions are imposed which will prevent the special exception request from causing a degradation of water quality.

The applicant/owner is applying for this special exemption for the reasons below:

1. The drain field as shown on the site plan and as located by Glen McClelleny of M&M Soils, encroaches into the RPA.

2. The house, due to the location of the <sup>perimeter</sup> drain field and the reserved drain field will only fit on the lot as shown on the attached site plan.

**AUTHORIZATION**

- ❖ *The undersigns declares that the above statements and those contained in any exhibits transmitted to the Chesapeake Bay Board are true.*
- ❖ *The applicant or a representative for the applicant must attend the meeting.*

Joseph P. ...  
Owner/Applicant's Signature (Circle One)

11/26/24  
Date

- ❖ Was an Owner's Consent form provided? ☒ Yes ☐ No ☐ Not Required

## Owner's Consent Form

I/We, the Owner(s) of the property listed below, hereby grant permission for the

Applicant, Aaronal Homes Inc. to seek a  
special exception as requested in the

Chesapeake Bay Board application relating to property located at \_\_\_\_\_

47 Dabelfaint Rd Stafford, Va On Assessor's

Parcel's TM 49C-2-2-9, 15 + 49C-2-1-8A

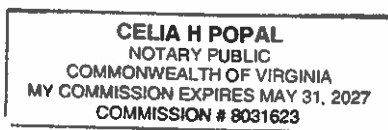
11/27/2024  
Date

John C. Moore  
Signature

John C. Moore  
Printed Name

~Notary~

SUBSCRIBED & SWORN TO Before me this 27 day of November, 2024



Celia H Popal  
Notary Public

My Commission Expires: 5/31/2027



## STAFFORD COUNTY DEPARTMENT OF PLANNING AND ZONING

### WATER QUALITY IMPACT ASSESSMENT

*A scaled site drawing, which shows the following, must be attached to this water quality impact assessment:*

1. Location of the components of the RPA, including the 100-foot buffer area;
2. Location and nature of any proposed encroachment into the buffer area, including, type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; sewage disposal systems or reserve drainfield sites; and wells.
3. Type and location of proposed best management practices to mitigate the proposed encroachment;
4. Location of existing vegetation onsite, including the number, type of trees, caliper and other vegetation to be removed in the buffer to accommodate the encroachment or modification; and
5. Type, size, and location of replacement vegetation.

#### Site Conditions (of site and adjacent lands):

Existing Topography: Gradual slope from road to water Hydrology: \_\_\_\_\_  
Soils Map Unit/Name: CrB=C & AwD=B % Slope: 7%+/- Geology: \_\_\_\_\_  
Fill Material (source and composition): \_\_\_\_\_  
Total Amount of Disturbed Area (ft<sup>2</sup>): 23,850 s.f. Total Amount of Cleared Area(ft<sup>2</sup>): 23,850 s.f.  
Estimation of Pre and Post Development Pollutant Loads: 0.22 lbs/acre/yr - 0.22 lbs/acre/yr  
Other: \_\_\_\_\_

#### Existing Vegetation:

Total Underbrush / Grass Removed (ft<sup>2</sup>): 7,468 s.f. Types: \_\_\_\_\_  
Number of Healthy Trees Removed: 0 Types: \_\_\_\_\_  
Number of Trees Limbed or Pruned: 0 Types: \_\_\_\_\_  
Number of Dead/Dying/Diseased Trees Removed: 0 Types: \_\_\_\_\_  
Other: \_\_\_\_\_

#### Proposed Landscaping / Vegetation Mitigation Measures (App. D, CBLAD Buffer Modification Manual)

Number of New Canopy Trees Proposed: 8 Types: River Birch & Eastern Red Cedar  
Number of New Understory Trees Proposed: 16 Types: Eastern Redbud, Flowering Dogwood, Smooth Sumac  
Number of New Shrubs Proposed: 24 Types: Plumegrass, Broad-leaved Cattail, Fern  
Other: \_\_\_\_\_



**Proposed Erosion and Sedimentation Control Practices:**

- ☒ Silt Fencing      ☒ Temporary Construction Entrance      ☐ Straw Bale Barrier(s)  
☐ Inlet Protection      ☒ Temporary/Permanent Seeding Mulching  
☐ Tree Protection Sediment Trap  
☐ Other: \_\_\_\_\_

**Proposed Best Management Practices:**

- ☐ Dry Well(s)      ☐ Infiltration Trench(es)      ☐ Vegetated Filter Strip(s)      ☐ Grass Swale(s)  
Other: \_\_\_\_\_

BMP design dimensions: \_\_\_\_\_

**Wastewater (Septic) Element (if needed):**

Attach legible, clean copy of Health Department Approval Information- to include calculations and dimensions.

Description of potential impacts of the proposed wastewater systems including any proposed mitigation measures for the impacts:

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## **CHESAPEAKE BAY PRESERVATION AREA ORDINANCE**

### **Sec. 27B-10. - Water quality impact assessment.**

- (a) Purpose and intent. The purpose of the water quality impact assessment is to:
- (1) Identify the impacts of proposed land disturbance, development, or redevelopment on water quality and lands within the county;
  - (2) Provide for administrative relief from the terms of this chapter when warranted and in accordance with the requirements contained herein; and
  - (3) Specify mitigation which will address water quality protection.
- (b) When required. A water quality impact assessment is required for:
- (1) Any proposed land disturbance, development, or redevelopment within a CRPA, including any buffer area encroachment;
  - (2) Any land disturbance, development, or redevelopment in a LRMA as deemed necessary by the administrator due to the unique characteristics of the site or intensity of the proposed development. When requested by the applicant proposing to construct a single-family residence in the CRPA, the administrator shall perform a water quality impact assessment;
  - (3) The water quality impact assessment shall not be required prior to submission of a site plan or application for a single-family residence building permit; and
  - (4) There shall be two (2) levels of water quality impact assessments: a minor assessment and a major assessment.
- (c) Minor water quality impact assessment. A minor water quality impact assessment pertains only to land disturbance, development or redevelopment within CRPAs which causes no more than five thousand (5,000) square feet of land disturbance and requires any encroachment into the landward fifty (50) feet of the one hundred-foot buffer area. A minor assessment must demonstrate through acceptable calculations that the remaining buffer and necessary BMPs will result in removal of no less than seventy-five (75) percent of sediments and forty (40) percent of nutrients from post-development stormwater runoff. A minor assessment shall include a site drawing to scale which shows the following:
- (1) Location of the components of the CRPA, including the one hundred-foot buffer area;
  - (2) Location and nature of the proposed encroachment into the buffer area, including: type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; and sewage disposal systems or reserve drain field sites;
  - (3) Type and location of proposed BMPs to mitigate the proposed encroachment;
  - (4) Location of existing on-site vegetation, including the number and type of trees and other vegetation to be removed in the buffer area to accommodate the encroachment or modification; and

- (5) A re-vegetation plan that supplements the existing buffer area vegetation in a manner that provides for pollutant removal, erosion and runoff control.
- (d) Major water quality impact assessment. A major water quality impact assessment shall be required for any land disturbance, development or redevelopment which exceeds five thousand (5,000) square feet of land disturbance within CRPAs and requires any encroachment into the landward fifty (50) feet of the one hundred-foot buffer area, or disturbs any portion of the seaward fifty (50) feet of the one hundred-foot buffer area or any other components of an CRPA, or is located in an LRMA and is deemed necessary by the administrator. The information required in this section shall be considered a minimum, unless the administrator determines that some of the elements are unnecessary due to the scope and nature of the proposed use and development of land.

A water quality impact assessment shall not be required for commercial or industrial uses that disturb less than twenty thousand (20,000) square feet of land or individual single-family lots, located within the LRMA and outside the CRPA. The following elements shall be included in the preparation and submission of a major water quality assessment:

- (1) All of the information required in a minor water quality impact statement, as specified in subsection 27B-10(c) of this chapter;
- (2) A hydrogeological element which shall:
  - a. Describe the existing topography, soils, hydrology, and geology of the site and adjacent lands;
  - b. Describe the impacts of the proposed development on topography, soils, hydrology and geology on the site and adjacent lands; and
  - c. Indicate the following:
    1. Disturbance or destruction of wetlands in CRPAs and justification for such action;
    2. Disruptions or reductions in the supply of water to wetlands, streams, lakes, rivers, or other water bodies;
    3. Disruptions to existing hydrology, including wetland and stream circulation patterns;
    4. Description of proposed fill material;
    5. Location of dredge material and location of dumping area for such material;
    6. Estimation of pre-development and post-development pollutant loads in runoff;
    7. Estimation of percent increase in impervious surface on-site and types of surfacing materials used;
    8. Percent of the site to be cleared for the project;
    9. Anticipated duration and phasing schedule of construction project;
    10. List of all requisite permits from all applicable agencies necessary to develop project; and
    11. Descriptions of the proposed mitigation measures for the potential hydrogeological impacts. Potential mitigation measures may include, but are not limited to:
      - (i) Proposed erosion and sediment control concepts. Concepts may include minimizing the extent of the cleared area, perimeter controls, reduction of runoff velocities, measures to stabilize disturbed areas, and schedule and personnel for site inspection;
      - (ii) Proposed stormwater management system; and
      - (iii) Minimizing excavation and fill.
- (3) A landscape element for areas within CBPA's that:

- a. Identifies the general location of all significant onsite plant material. Where there are groups of trees, stands may be outlined;
- b. Describes the impacts the development or use will have on the existing vegetation. Information shall include:
  - 1. General limits of any clearing, based on all anticipated improvements including buildings, drives and utilities;
  - 2. Clear delineation of all trees which will be removed; and
  - 3. General description of any plant material to be disturbed or removed.
- c. Describes the potential measures for mitigation. Possible mitigation measures may include, but are not limited to:
  - 1. Replanting schedule for vegetation removed for construction, including a list of possible planting materials to be used;
  - 2. Demonstration that the design of the plan will preserve any significant vegetation on the site to the greatest extent possible; and
  - 3. Demonstration that indigenous plants are to be used to the greatest extent possible.

(4) A wastewater element, where applicable, that:

- a. Includes calculations and locations of anticipated drainfield or wastewater irrigation areas;
- b. Provides justification for sewer line locations in CBPAs, where applicable, and describes construction techniques and standards;
- c. Addresses any proposed on-site collection and treatment systems, their treatment levels, and impacts on receiving watercourses; and
- d. Describes the potential impacts of the proposed wastewater systems, including the proposed mitigation measures for these impacts.

(5) Identification of the existing characteristics and conditions of sensitive lands included as components of CRPAs, as defined in this chapter.

(6) A general identification of the natural processes and ecological relationships inherent in the site, and an assessment of the impact of the proposed use and development of land on these processes and relationships.

(e) Submission and review requirements.

- (1) One paper copy and one digital copy of all site drawings and other applicable information as required by subsections (c) and (d) of this section shall be submitted to the administrative authority for review.
- (2) All information required in this section shall be certified as complete and accurate by a professional practicing in his field of competence.
- (3) A major or minor water quality impact assessment shall be prepared and submitted to and reviewed by the administrative authority in conjunction with plan submission.
- (4) As part of any major water quality impact assessment submittal, the administrator may require review by DEQ Water Division-Office of Local Government Programs staff. Upon receipt of a major water quality impact assessment, the administrator will determine if such review is warranted and may request DEQ staff to review the assessment and respond with written comments. Comments by DEQ staff will be incorporated into the final review by the administrator, provided that such comments are provided by DEQ staff within ninety (90) days of the date of the administrator's request.

(f) Evaluation procedure.

- (1) Upon the completed review of a minor water quality impact assessment, the administrator will determine if any proposed modification or reduction to the buffer area is consistent with the provisions of this chapter and make a finding based upon the following criteria:
  - a. The justification for the proposed encroachment and the ability to place improvements elsewhere on the site to avoid disturbance of the buffer area;
  - b. Minimization of impervious surface;
  - c. The extent to which proposed BMPs achieve the requisite reductions in pollutant loadings;
  - d. The extent which the development proposal meets the purpose and intent of this chapter; and
  - e. The cumulative impacts (degradation) on water quality of the proposed development, when considered in relation to other existing and proposed development in the vicinity.
- (2) Upon the completed review of a major water quality impact assessment, the administrator will determine if the proposed development is consistent with the purpose and intent of this chapter and make a finding based upon the following criteria:
  - a. Within any CRPA, the proposed development is water-dependent;
  - b. The disturbance of any wetlands in CRPAs will be minimized;
  - c. The development will not result in significant disruption of the hydrology of the site;
  - d. The development will not result in significant degradation to aquatic vegetation or life;
  - e. The development will not result in unnecessary destruction of plant materials on-site;
  - f. Proposed erosion and sediment control concepts are adequate to achieve the reductions in erosion and prevent off-site sedimentation;
  - g. Proposed stormwater management concepts are adequate to control the stormwater runoff to achieve water quality control in accordance with county Code chapter 21.5;
  - h. Proposed revegetation of disturbed areas will provide adequate erosion and sediment control benefits;
  - i. The design and location of any proposed drainfield will be in accordance of this chapter;
  - j. The development, as proposed, is consistent with the purpose and intent of this chapter; and
  - k. The cumulative impact of the proposed development, when considered in relation to other development in the vicinity, both existing and proposed, will not result in a significant degradation of water quality.
- (3) The administrator shall require additional information where it is determined that potential impacts have not been adequately addressed. The administrator may require additional mitigation measures based on the criteria listed in subsections (f)(2)a. and (f)(2)b. of this section.
- (4) The administrator shall find the proposal to be inconsistent with the purpose and intent of this chapter when the impacts created by the proposal cannot be mitigated. Evaluation of the impacts will be made by the administrator based on the criteria listed in subsections (f)(1) and (f)(2) of this section.



**ATTACHMENT 2**  
**SITE LOCATION MAP**

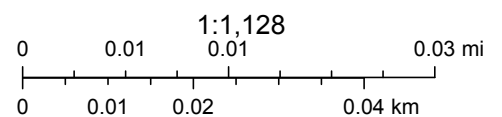


# 47 Dobe Point (TM: 49-2-2-9, 15, and 49C-2-1-8A)



2/11/2025, 12:07:17 PM

- |  |                           |  |                       |  |                 |
|--|---------------------------|--|-----------------------|--|-----------------|
|  | Points of Interest        |  | County Administration |  | Secondary Major |
|  | Trails                    |  | Community Facilities  |  |                 |
|  | Stafford Regional Airport |  | Public Schools        |  |                 |
|  | Stafford Hospital         |  | Structures            |  |                 |
|  | Train Stations            |  | Quantico Roads        |  |                 |
|  | Libraries                 |  | Secondary Minor       |  |                 |
|  |                           |  | Secondary             |  |                 |



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, Stafford County GIS Department, VGIN, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,

Data from the Stafford County GIS Office

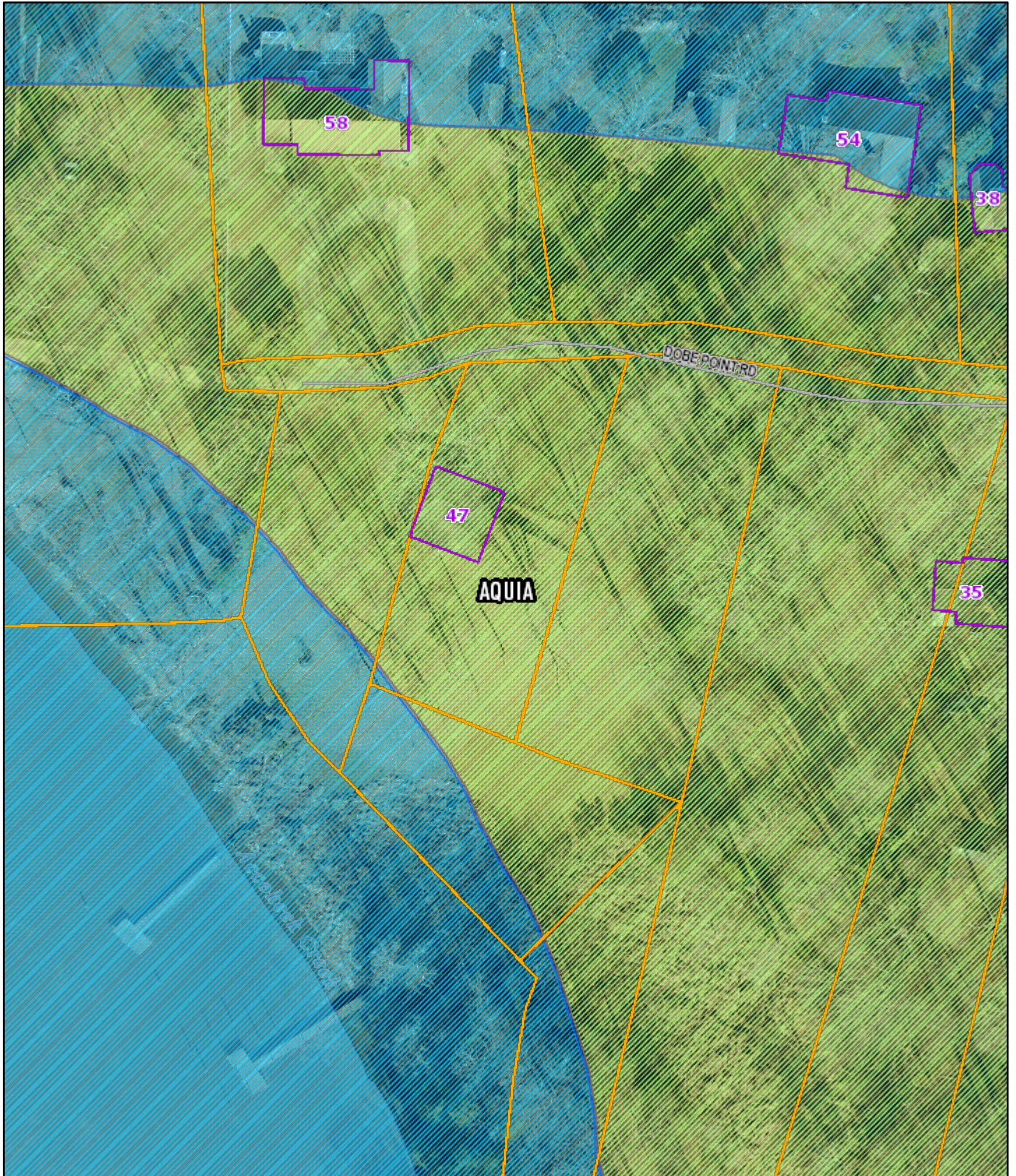
Esri Community Maps Contributors, Stafford County GIS Department, VGIN, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS,



**ATTACHMENT 3**  
**COUNTY GIS CRPA BUFFER**  
**LOCATION MAP**

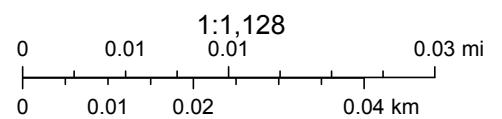


# 47 Dobe Point (TM: 49-2-2-9, 15, and 49C-2-1-8A)



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- |  |                           |  |                       |  |                 |
|--|---------------------------|--|-----------------------|--|-----------------|
|  | Points of Interest        |  | County Administration |  | Secondary Major |
|  | Trails                    |  | Community Facilities  |  |                 |
|  | Stafford Regional Airport |  | Public Schools        |  |                 |
|  | Stafford Hospital         |  | Structures            |  |                 |
|  | Train Stations            |  | Quantico Roads        |  |                 |
|  | Libraries                 |  | Secondary Minor       |  |                 |
|  |                           |  | Secondary             |  |                 |



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, Stafford County GIS Department, VGIN, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,

Data from the Stafford County GIS Office

Esri Community Maps Contributors, Stafford County GIS Department, VGIN, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS,



**ATTACHMENT 4**  
**JANUARY 2025 WETLAND & CRPA**  
**DELIENATION DOCUMENTATION**





**M & M Soil Consultants, Inc.**

P.O. Box 7004  
Fredericksburg, VA 22404  
540-373-3414

135 Randolph Street  
Mineral, VA 23117  
540-872-2572

January 23, 2025

Hank Osleger  
Aaronal Homes  
25 Butler Road  
Fredericksburg, VA 22405

Dear Mr. Osleger:

This letter is regarding 47 Dobie Point Drive, near Indian Point, Stafford County, Virginia. Our firm conducted field evaluations on this lot on May 15, 2024 and January 10, 2025. The purpose of these evaluations was to flag the wetland boundary and produce Wetland Determination Data Forms. The wetlands delineated are adjacent to the marsh, which borders Accokeek Creek. A sample plot was taken in both the uplands and wetlands near the wetland boundary and they are attached.

If anyone would like to meet onsite, or if you have any other questions regarding this property or if there is anything else we can do for you, please do not hesitate to contact us at the above address or phone number.

Sincerely,

Glen E. McClenny, LPSS #3401-000374, OSE #1940-001138

# WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: 47 DOBIE POINT ROAD City/County: STAFFORD Sampling Date: 1/10/2025  
 Applicant/Owner: AARONAL HOMES State: VA Sampling Point: #1  
 Investigator(s): Glen E. McCleary Section, Township, Range: \_\_\_\_\_  
 Landform (hillslope, terrace, etc.): Toeslope Local relief (concave, convex, none): Convex Slope (%): 2  
 Subregion (LRR or MLRA): \_\_\_\_\_ Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name: AURA-GALESTOWN-SASSAFRAS COMPLEX NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No \_\_\_\_\_ (If no, explain in Remarks.)  
 Are Vegetation \_\_\_\_\_, Soil \_\_\_\_\_, or Hydrology \_\_\_\_\_ significantly disturbed? Are "Normal Circumstances" present? Yes X No \_\_\_\_\_  
 Are Vegetation \_\_\_\_\_, Soil \_\_\_\_\_, or Hydrology \_\_\_\_\_ naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

|                                 |                       |                                          |                       |
|---------------------------------|-----------------------|------------------------------------------|-----------------------|
| Hydrophytic Vegetation Present? | Yes <u>X</u> No _____ | Is the Sampled Area<br>within a Wetland? | Yes _____ No <u>X</u> |
| Hydric Soil Present?            | Yes _____ No <u>X</u> |                                          |                       |
| Wetland Hydrology Present?      | Yes _____ No <u>X</u> |                                          |                       |
| Remarks:                        |                       |                                          |                       |

## HYDROLOGY

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Wetland Hydrology Indicators:</b><br>Primary Indicators (minimum of one is required; check all that apply)                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Secondary Indicators (minimum of two required)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| <input type="checkbox"/> Surface Water (A1)<br><input type="checkbox"/> High Water Table (A2)<br><input type="checkbox"/> Saturation (A3)<br><input type="checkbox"/> Water Marks (B1)<br><input type="checkbox"/> Sediment Deposits (B2)<br><input type="checkbox"/> Drift Deposits (B3)<br><input type="checkbox"/> Algal Mat or Crust (B4)<br><input type="checkbox"/> Iron Deposits (B5)<br><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)<br><input type="checkbox"/> Water-Stained Leaves (B9) | <input type="checkbox"/> Aquatic Fauna (B13)<br><input type="checkbox"/> Marl Deposits (B15) (LRR U)<br><input type="checkbox"/> Hydrogen Sulfide Odor (C1)<br><input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)<br><input type="checkbox"/> Presence of Reduced Iron (C4)<br><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)<br><input type="checkbox"/> Thin Muck Surface (C7)<br><input type="checkbox"/> Other (Explain in Remarks) | <input type="checkbox"/> Surface Soil Cracks (B6)<br><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)<br><input type="checkbox"/> Drainage Patterns (B10)<br><input type="checkbox"/> Moss Trim Lines (B16)<br><input type="checkbox"/> Dry-Season Water Table (C2)<br><input type="checkbox"/> Crayfish Burrows (C8)<br><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)<br><input type="checkbox"/> Geomorphic Position (D2)<br><input type="checkbox"/> Shallow Aquitard (D3)<br><input type="checkbox"/> FAC-Neutral Test (D5)<br><input type="checkbox"/> Sphagnum moss (D8) (LRR T, U) |  |
| <b>Field Observations:</b><br>Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____<br>Water Table Present? Yes <u>X</u> No _____ Depth (inches): <u>5"</u><br>Saturation Present? Yes <u>X</u> No _____ Depth (inches): <u>20"</u><br>(includes capillary fringe)                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Wetland Hydrology Present? Yes _____ No <u>X</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |
| Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| Remarks:<br><div style="font-size: 2em; font-family: cursive;">6" SNOW COVER PRESENT</div>                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: #1

| Tree Stratum (Plot size: <u>30'x30'</u> ) | Absolute % Cover | Dominant Species? | Indicator Status |
|-------------------------------------------|------------------|-------------------|------------------|
| 1. <u>Diospyros Virginiana</u>            | <u>7</u>         | <u>Y</u>          | <u>FAC</u>       |
| 2. _____                                  | _____            | _____             | _____            |
| 3. _____                                  | _____            | _____             | _____            |
| 4. _____                                  | _____            | _____             | _____            |
| 5. _____                                  | _____            | _____             | _____            |
| 6. _____                                  | _____            | _____             | _____            |
| 7. _____                                  | _____            | _____             | _____            |
| 8. _____                                  | _____            | _____             | _____            |

\_\_\_\_\_ = Total Cover  
50% of total cover: 3.5 20% of total cover: 1.4

| Sapling/Shrub Stratum (Plot size: <u>15'x15'</u> ) | Absolute % Cover | Dominant Species? | Indicator Status |
|----------------------------------------------------|------------------|-------------------|------------------|
| 1. <u>Prunus serotina</u>                          | <u>5</u>         | <u>Y</u>          | <u>FAC</u>       |
| 2. _____                                           | _____            | _____             | _____            |
| 3. _____                                           | _____            | _____             | _____            |
| 4. _____                                           | _____            | _____             | _____            |
| 5. _____                                           | _____            | _____             | _____            |
| 6. _____                                           | _____            | _____             | _____            |
| 7. _____                                           | _____            | _____             | _____            |
| 8. _____                                           | _____            | _____             | _____            |

\_\_\_\_\_ = Total Cover  
50% of total cover: 2.5 20% of total cover: 1

| Herb Stratum (Plot size: <u>3'x3'</u> ) | Absolute % Cover | Dominant Species? | Indicator Status |
|-----------------------------------------|------------------|-------------------|------------------|
| 1. <u>Phytolacca americana</u>          | <u>3</u>         | <u>Y</u>          | <u>FAC</u>       |
| 2. _____                                | _____            | _____             | _____            |
| 3. _____                                | _____            | _____             | _____            |
| 4. _____                                | _____            | _____             | _____            |
| 5. _____                                | _____            | _____             | _____            |
| 6. _____                                | _____            | _____             | _____            |
| 7. _____                                | _____            | _____             | _____            |
| 8. _____                                | _____            | _____             | _____            |
| 9. _____                                | _____            | _____             | _____            |
| 10. _____                               | _____            | _____             | _____            |
| 11. _____                               | _____            | _____             | _____            |
| 12. _____                               | _____            | _____             | _____            |

\_\_\_\_\_ = Total Cover  
50% of total cover: 1.5 20% of total cover: .6

| Woody Vine Stratum (Plot size: <u>5'x5'</u> ) | Absolute % Cover | Dominant Species? | Indicator Status |
|-----------------------------------------------|------------------|-------------------|------------------|
| 1. <u>Lonicera japonica</u>                   | <u>3</u>         | <u>Y</u>          | <u>FAC</u>       |
| 2. _____                                      | _____            | _____             | _____            |
| 3. _____                                      | _____            | _____             | _____            |
| 4. _____                                      | _____            | _____             | _____            |
| 5. _____                                      | _____            | _____             | _____            |

\_\_\_\_\_ = Total Cover  
50% of total cover: 1.5 20% of total cover: .6

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)  
Total Number of Dominant Species Across All Strata: 4 (B)  
Percent of Dominant Species That Are OBL, FACW, or FAC: 75 (A/B)

**Prevalence Index worksheet:**

|                                |                     |
|--------------------------------|---------------------|
| Total % Cover of:              | Multiply by:        |
| OBL species _____              | x 1 = _____         |
| FACW species _____             | x 2 = _____         |
| FAC species _____              | x 3 = _____         |
| FACU species _____             | x 4 = _____         |
| UPL species _____              | x 5 = _____         |
| Column Totals: _____           | (A) _____ (B) _____ |
| Prevalence Index = B/A = _____ |                     |

**Hydrophytic Vegetation Indicators:**

- \_\_\_ 1 - Rapid Test for Hydrophytic Vegetation  
\_\_\_ 2 - Dominance Test is >50%  
\_\_\_ 3 - Prevalence Index is ≤3.0<sup>1</sup>  
\_\_\_ Problematic Hydrophytic Vegetation<sup>1</sup> (Explain)

<sup>1</sup>Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Definitions of Four Vegetation Strata:**

**Tree** – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

**Sapling/Shrub** – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

**Herb** – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

**Woody vine** – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present?

Yes X No \_\_\_\_\_

Remarks: (If observed, list morphological adaptations below).

6" SNOW COVER PRESENT

## SOIL

Sampling Point: #1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

| Depth<br>(inches) | Matrix        |    | Redox Features |    |                   |                  | Texture | Remarks                                                |
|-------------------|---------------|----|----------------|----|-------------------|------------------|---------|--------------------------------------------------------|
|                   | Color (moist) | %  | Color (moist)  | %  | Type <sup>1</sup> | Loc <sup>2</sup> |         |                                                        |
| A 0-5             | 10YR4/3       |    |                |    |                   |                  | Sil     | FRITABLE                                               |
| BA 5-18           | 10YR4/4       | 60 | 10YR4/2        | 30 | D                 | PL               | Hy Lam  | FRITABLE, WITH<br>T. SYR5B IRON<br>ACCUMULATIONS (10%) |
|                   |               |    |                |    |                   |                  |         |                                                        |
|                   |               |    |                |    |                   |                  |         |                                                        |
|                   |               |    |                |    |                   |                  |         |                                                        |
|                   |               |    |                |    |                   |                  |         |                                                        |
|                   |               |    |                |    |                   |                  |         |                                                        |
|                   |               |    |                |    |                   |                  |         |                                                        |
|                   |               |    |                |    |                   |                  |         |                                                        |

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.<sup>2</sup>Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- |                                                                |                                                                                     |
|----------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <input type="checkbox"/> Histosol (A1)                         | <input type="checkbox"/> Polyvalue Below Surface (S8) (LRR S, T, U)                 |
| <input type="checkbox"/> Histic Epipedon (A2)                  | <input type="checkbox"/> Thin Dark Surface (S9) (LRR S, T, U)                       |
| <input type="checkbox"/> Black Histic (A3)                     | <input type="checkbox"/> Loamy Mucky Mineral (F1) (LRR O)                           |
| <input type="checkbox"/> Hydrogen Sulfide (A4)                 | <input type="checkbox"/> Loamy Gleyed Matrix (F2)                                   |
| <input type="checkbox"/> Stratified Layers (A5)                | <input type="checkbox"/> Depleted Matrix (F3)                                       |
| <input type="checkbox"/> Organic Bodies (A6) (LRR P, T, U)     | <input type="checkbox"/> Redox Dark Surface (F6)                                    |
| <input type="checkbox"/> 5 cm Mucky Mineral (A7) (LRR P, T, U) | <input type="checkbox"/> Depleted Dark Surface (F7)                                 |
| <input type="checkbox"/> Muck Presence (A8) (LRR U)            | <input type="checkbox"/> Redox Depressions (F8)                                     |
| <input type="checkbox"/> 1 cm Muck (A9) (LRR P, T)             | <input type="checkbox"/> Marl (F10) (LRR U)                                         |
| <input type="checkbox"/> Depleted Below Dark Surface (A11)     | <input type="checkbox"/> Depleted Ochric (F11) (MLRA 151)                           |
| <input type="checkbox"/> Thick Dark Surface (A12)              | <input type="checkbox"/> Iron-Manganese Masses (F12) (LRR O, P, T)                  |
| <input type="checkbox"/> Coast Prairie Redox (A16) (MLRA 150A) | <input type="checkbox"/> Umbric Surface (F13) (LRR P, T, U)                         |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) (LRR O, S)   | <input type="checkbox"/> Delta Ochric (F17) (MLRA 151)                              |
| <input type="checkbox"/> Sandy Gleyed Matrix (S4)              | <input type="checkbox"/> Reduced Vertic (F18) (MLRA 150A, 150B)                     |
| <input type="checkbox"/> Sandy Redox (S5)                      | <input type="checkbox"/> Piedmont Floodplain Soils (F19) (MLRA 149A)                |
| <input type="checkbox"/> Stripped Matrix (S6)                  | <input type="checkbox"/> Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D) |
| <input type="checkbox"/> Dark Surface (S7) (LRR P, S, T, U)    |                                                                                     |

Indicators for Problematic Hydric Soils<sup>3</sup>:

- |                                                                         |
|-------------------------------------------------------------------------|
| <input type="checkbox"/> 1 cm Muck (A9) (LRR O)                         |
| <input type="checkbox"/> 2 cm Muck (A10) (LRR S)                        |
| <input type="checkbox"/> Reduced Vertic (F18) (outside MLRA 150A,B)     |
| <input type="checkbox"/> Piedmont Floodplain Soils (F19) (LRR P, S, T)  |
| <input type="checkbox"/> Anomalous Bright Loamy Soils (F20) (MLRA 153B) |
| <input type="checkbox"/> Red Parent Material (TF2)                      |
| <input type="checkbox"/> Very Shallow Dark Surface (TF12)               |
| <input type="checkbox"/> Other (Explain in Remarks)                     |

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: NONE

Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes \_\_\_\_\_ No X

Remarks:



SAMPLE PLOT #1





# WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: 47 DOBIE POINT ROAD City/County: STAFFORD Sampling Date: 1/10/2025  
 Applicant/Owner: ARONAL HUNES State: VA Sampling Point: #2  
 Investigator(s): Alan E. McClellany Section, Township, Range: \_\_\_\_\_  
 Landform (hillslope, terrace, etc.): Floodplain Local relief (concave, convex, none): none Slope (%): 6-1  
 Subregion (LRR or MLRA): \_\_\_\_\_ Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name: AUDA-Galesburg-SASSAFRAS NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No \_\_\_\_\_ (If no, explain in Remarks.)  
 Are Vegetation \_\_\_\_\_, Soil \_\_\_\_\_, or Hydrology \_\_\_\_\_ significantly disturbed? Are "Normal Circumstances" present? Yes X No \_\_\_\_\_  
 Are Vegetation \_\_\_\_\_, Soil \_\_\_\_\_, or Hydrology \_\_\_\_\_ naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

|                                 |                       |                                          |                       |
|---------------------------------|-----------------------|------------------------------------------|-----------------------|
| Hydrophytic Vegetation Present? | Yes <u>X</u> No _____ | Is the Sampled Area<br>within a Wetland? | Yes <u>X</u> No _____ |
| Hydric Soil Present?            | Yes <u>X</u> No _____ |                                          |                       |
| Wetland Hydrology Present?      | Yes <u>X</u> No _____ |                                          |                       |
| Remarks:                        |                       |                                          |                       |

## HYDROLOGY

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Wetland Hydrology Indicators:</b><br>Primary Indicators (minimum of one is required; check all that apply)<br><input type="checkbox"/> Surface Water (A1)<br><input checked="" type="checkbox"/> High Water Table (A2)<br><input type="checkbox"/> Saturation (A3)<br><input type="checkbox"/> Water Marks (B1)<br><input type="checkbox"/> Sediment Deposits (B2)<br><input type="checkbox"/> Drift Deposits (B3)<br><input type="checkbox"/> Algal Mat or Crust (B4)<br><input type="checkbox"/> Iron Deposits (B5)<br><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)<br><input type="checkbox"/> Water-Stained Leaves (B9)<br><input type="checkbox"/> Aquatic Fauna (B13)<br><input checked="" type="checkbox"/> Marl Deposits (B15) (LRR U)<br><input checked="" type="checkbox"/> Hydrogen Sulfide Odor (C1)<br><input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)<br><input type="checkbox"/> Presence of Reduced Iron (C4)<br><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)<br><input type="checkbox"/> Thin Muck Surface (C7)<br><input type="checkbox"/> Other (Explain in Remarks) |  | <b>Secondary Indicators (minimum of two required)</b><br><input type="checkbox"/> Surface Soil Cracks (B6)<br><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)<br><input checked="" type="checkbox"/> Drainage Patterns (B10)<br><input type="checkbox"/> Moss Trim Lines (B16)<br><input type="checkbox"/> Dry-Season Water Table (C2)<br><input type="checkbox"/> Crayfish Burrows (C8)<br><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)<br><input type="checkbox"/> Geomorphic Position (D2)<br><input type="checkbox"/> Shallow Aquitard (D3)<br><input type="checkbox"/> FAC-Neutral Test (D5)<br><input type="checkbox"/> Sphagnum moss (D8) (LRR T, U) |  |
| <b>Field Observations:</b><br>Surface Water Present? Yes <u>X</u> No _____ Depth (inches): _____<br>Water Table Present? Yes <u>X</u> No _____ Depth (inches): <u>3</u><br>Saturation Present? Yes <u>X</u> No _____ Depth (inches): <u>10</u><br>(includes capillary fringe)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  | Wetland Hydrology Present? Yes <u>X</u> No _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
| Remarks:<br><p style="text-align: center;"><i>Hydrogen sulfide odor PRESENT @ 18"</i><br/> <i>PLOT near edge of MARSH ADJACENT to ALCOCK Creek</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: **#2**

| Tree Stratum (Plot size: _____) | Absolute<br>% Cover | Dominant<br>Species? | Indicator<br>Status |
|---------------------------------|---------------------|----------------------|---------------------|
| 1. _____                        | _____               | _____                | _____               |
| 2. _____                        | _____               | _____                | _____               |
| 3. _____                        | _____               | _____                | _____               |
| 4. _____                        | _____               | _____                | _____               |
| 5. _____                        | _____               | _____                | _____               |
| 6. _____                        | _____               | _____                | _____               |
| 7. _____                        | _____               | _____                | _____               |
| 8. _____                        | _____               | _____                | _____               |

\_\_\_\_\_ = Total Cover

50% of total cover: \_\_\_\_\_ 20% of total cover: \_\_\_\_\_

| Sapling/Shrub Stratum (Plot size: <b>15'x15'</b> ) | Absolute<br>% Cover | Dominant<br>Species? | Indicator<br>Status |
|----------------------------------------------------|---------------------|----------------------|---------------------|
| 1. <b>unidentified #1</b>                          | <b>12</b>           | <b>Y</b>             | <b>?</b>            |
| 2. _____                                           | _____               | _____                | _____               |
| 3. _____                                           | _____               | _____                | _____               |
| 4. _____                                           | _____               | _____                | _____               |
| 5. _____                                           | _____               | _____                | _____               |
| 6. _____                                           | _____               | _____                | _____               |
| 7. _____                                           | _____               | _____                | _____               |
| 8. _____                                           | _____               | _____                | _____               |

**12** = Total Cover

50% of total cover: **6** 20% of total cover: **1.2**

| Herb Stratum (Plot size: <b>3x3'</b> ) | Absolute<br>% Cover | Dominant<br>Species? | Indicator<br>Status |
|----------------------------------------|---------------------|----------------------|---------------------|
| 1. <b>Juncus effusus</b>               | <b>10</b>           | <b>Y</b>             | <b>OBL</b>          |
| 2. <b>Peltandra virginica</b>          | <b>2</b>            | <b>N</b>             | <b>OBL</b>          |
| 3. _____                               | _____               | _____                | _____               |
| 4. _____                               | _____               | _____                | _____               |
| 5. _____                               | _____               | _____                | _____               |
| 6. _____                               | _____               | _____                | _____               |
| 7. _____                               | _____               | _____                | _____               |
| 8. _____                               | _____               | _____                | _____               |
| 9. _____                               | _____               | _____                | _____               |
| 10. _____                              | _____               | _____                | _____               |
| 11. _____                              | _____               | _____                | _____               |
| 12. _____                              | _____               | _____                | _____               |

**12** = Total Cover

50% of total cover: **6** 20% of total cover: **2.4**

| Woody Vine Stratum (Plot size: <b>5'x5'</b> ) | Absolute<br>% Cover | Dominant<br>Species? | Indicator<br>Status |
|-----------------------------------------------|---------------------|----------------------|---------------------|
| 1. <b>Lonchocarpus japonica</b>               | <b>4</b>            | <b>Y</b>             | <b>FAC</b>          |
| 2. _____                                      | _____               | _____                | _____               |
| 3. _____                                      | _____               | _____                | _____               |
| 4. _____                                      | _____               | _____                | _____               |
| 5. _____                                      | _____               | _____                | _____               |

**4** = Total Cover

50% of total cover: **2** 20% of total cover: **.8**

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC: **2** (A)  
 Total Number of Dominant Species Across All Strata: **2** (B)  
 Percent of Dominant Species That Are OBL, FACW, or FAC: **100** (A/B)

**Prevalence Index worksheet:**

|                                |              |
|--------------------------------|--------------|
| Total % Cover of:              | Multiply by: |
| OBL species _____              | x 1 = _____  |
| FACW species _____             | x 2 = _____  |
| FAC species _____              | x 3 = _____  |
| FACU species _____             | x 4 = _____  |
| UPL species _____              | x 5 = _____  |
| Column Totals: _____ (A)       | _____ (B)    |
| Prevalence Index = B/A = _____ |              |

**Hydrophytic Vegetation Indicators:**

- \_\_\_ 1 - Rapid Test for Hydrophytic Vegetation
- \_\_\_ 2 - Dominance Test is >50%
- \_\_\_ 3 - Prevalence Index is  $\leq 3.0^1$
- \_\_\_ Problematic Hydrophytic Vegetation<sup>1</sup> (Explain)

<sup>1</sup>Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Definitions of Four Vegetation Strata:**

**Tree** – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

**Sapling/Shrub** – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

**Herb** – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

**Woody vine** – All woody vines greater than 3.28 ft in height.

Hydrophytic  
Vegetation  
Present?

Yes **X** No \_\_\_\_\_

Remarks: (If observed, list morphological adaptations below).

**6" snow cover present**

## SOIL

Sampling Point: #2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

| Depth<br>(inches) | Matrix        |    | Redox Features |    |                   |                  | Texture         | Remarks           |
|-------------------|---------------|----|----------------|----|-------------------|------------------|-----------------|-------------------|
|                   | Color (moist) | %  | Color (moist)  | %  | Type <sup>1</sup> | Loc <sup>2</sup> |                 |                   |
| 0-3               | 10YR2/3       |    |                |    |                   |                  | Silt loam       | FRABLE            |
| 3-9               | 10YR4/2       | 70 | 7.5YR5/2B      | 20 | C                 | RM               | Clay            | Firm              |
| 9-14              | 10YR4/4       | 60 | 10YR6/2        | 30 | D                 | PL               | Heavy silt loam | FRABLE            |
| 14-18             | 10YR6/2       | 60 | 7.5YR5/2B      | 30 | C                 | RM               | Clay            | Fin               |
| 18-24             | NSI           |    |                |    |                   |                  | Loam            | FRABLE, saturated |

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.<sup>2</sup>Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)  
☐ Histic Epipedon (A2)  
☐ Black Histic (A3)  
☒ Hydrogen Sulfide (A4)  
☒ Stratified Layers (A5)  
☐ Organic Bodies (A6) (LRR P, T, U)  
☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)  
☐ Muck Presence (A8) (LRR U)  
☐ 1 cm Muck (A9) (LRR P, T)  
☐ Depleted Below Dark Surface (A11)  
☐ Thick Dark Surface (A12)  
☐ Coast Prairie Redox (A16) (MLRA 150A)  
☐ Sandy Mucky Mineral (S1) (LRR O, S)  
☐ Sandy Gleyed Matrix (S4)  
☐ Sandy Redox (S5)  
☐ Stripped Matrix (S6)  
☐ Dark Surface (S7) (LRR P, S, T, U)

- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)  
☐ Thin Dark Surface (S9) (LRR S, T, U)  
☐ Loamy Mucky Mineral (F1) (LRR O)  
☒ Loamy Gleyed Matrix (F2)  
☐ Depleted Matrix (F3)  
☐ Redox Dark Surface (F6)  
☐ Depleted Dark Surface (F7)  
☐ Redox Depressions (F8)  
☐ Marl (F10) (LRR U)  
☐ Depleted Ochric (F11) (MLRA 151)  
☐ Iron-Manganese Masses (F12) (LRR O, P, T)  
☐ Umbric Surface (F13) (LRR P, T, U)  
☐ Delta Ochric (F17) (MLRA 151)  
☐ Reduced Vertic (F18) (MLRA 150A, 150B)  
☐ Piedmont Floodplain Soils (F19) (MLRA 149A)  
☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils<sup>3</sup>:

- ☐ 1 cm Muck (A9) (LRR O)  
☐ 2 cm Muck (A10) (LRR S)  
☐ Reduced Vertic (F18) (outside MLRA 150A,B)  
☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)  
☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B)  
☐ Red Parent Material (TF2)  
☐ Very Shallow Dark Surface (TF12)  
☐ Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

 Type: CLAY  
 Depth (inches): 3"
Hydric Soil Present? Yes X No     

Remarks:



SAMPLE PLOT #2

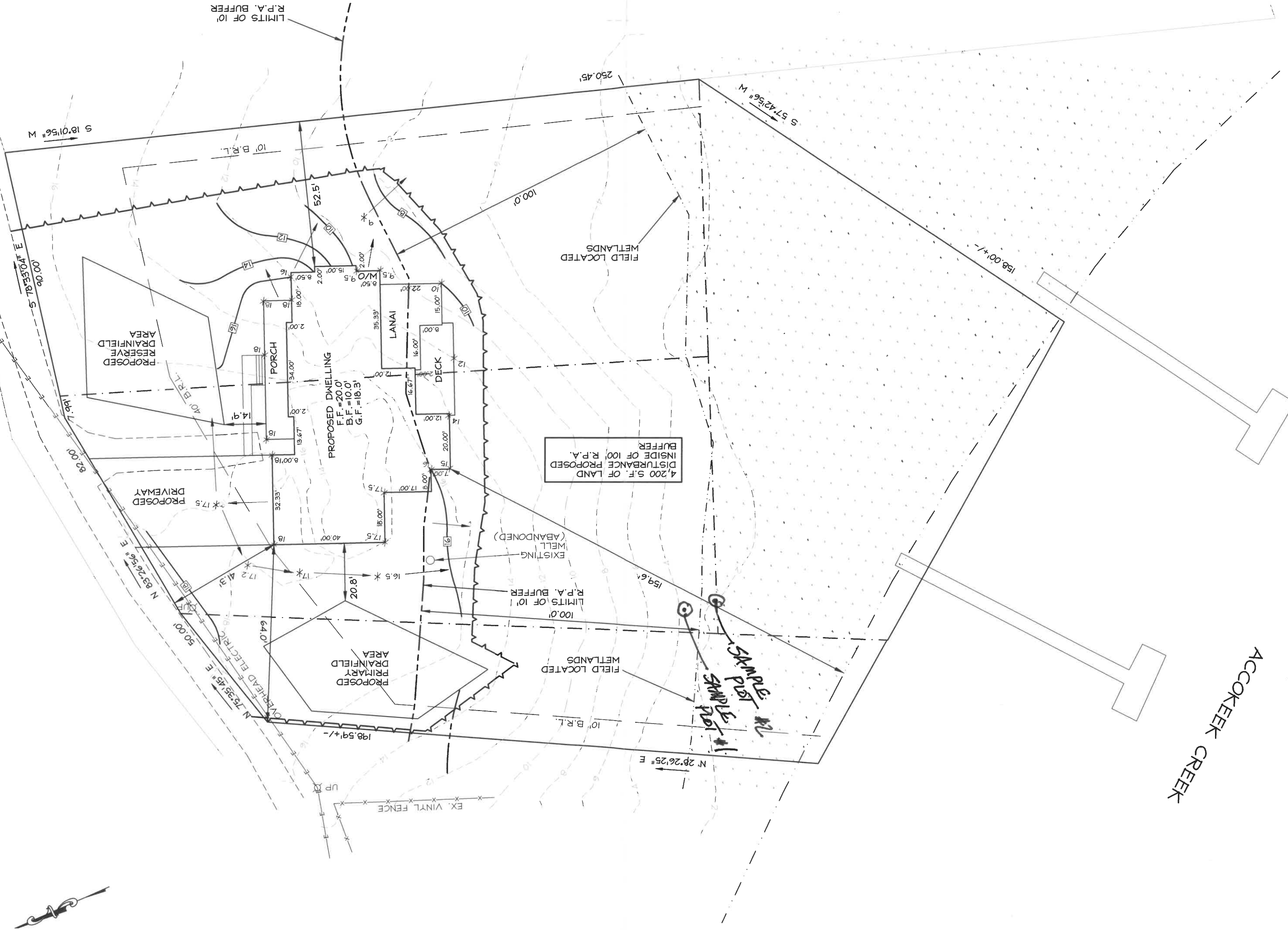




DOBE POINT ROAD

(20' OUTLET ROAD PER D.B. 337 PG. 741)

ACCOKEEK CREEK



**ATTACHMENT 5**  
**SITE PLAN**

SH: 1 OF 3



MITIGATION CALCULATIONS:

BASED UPON DEQ VEGETATIVE REPLACEMENT STANDARDS, APPENDIX D, FOR 1/4 AC. OR LESS, FOR EVERY 400 SF. YOU PROVIDE THE FOLLOWING:

ONE(1) CANOPY TREE @ 1 1/2"-2" CALIPER OR LARGE EVERGREEN @ 6'

TWO(2) UNDERSTORY TREES @ 3/4"-1 1/2" CALIPER OR EVERGREEN @ 4'  
OR ONE(1) UNDERSTORY TREE & TWO(2) LARGE SHRUBS @ 3-4'

THREE(3) SMALL SHRUBS OR WOODY GROUNDCOVER @ 15-18"

REQUIRED:

3,190 S.F. (LAND DISTURBANCE INSIDE BUFFER AREA) / 400 S.F. = 7.98 -> ROUND UP = 8 UNITS REQUIRED.

PROVIDED:

EIGHT(8) CANOPY TREE @ 1 1/2"-2" CALIPER OR LARGE EVERGREEN @ 6'

SIXTEEN(16) UNDERSTORY TREES @ 3/4"-1 1/2" CALIPER OR EVERGREEN @ 4'  
OR EIGHT(8) UNDERSTORY TREE & SIXTEEN(16) LARGE SHRUBS @ 3-4'

TWENTY FOUR(24) SMALL SHRUBS OR WOODY GROUNDCOVER @ 15-18"

LEGEND:

- = CANOPY TREE
- = UNDERSTORY TREE
- = SMALL SHRUB

PLANTING SCHEDULE:

|                   | COMMON NAME          | SCIENTIFIC NAME       |
|-------------------|----------------------|-----------------------|
| CANOPY TREES:     | RIVER BIRCH          | BETULA NIGRA          |
|                   | EASTERN RED CEDAR    | JUNIPERUS VIRGINIANA  |
| UNDERSTORY TREES: | EASTERN REDBUD       | CERCIS CANADENSIS     |
|                   | FLOWERING DOGWOOD    | CORNUS FLORIDA        |
|                   | SMOOTH SUMAC         | RHUS GLABRA           |
| SMALL SHRUBS:     | PLUMEGRASS           | SACCHARUM GIGANTEUM   |
|                   | BROAD-LEAVED CATTAIL | TYPHA LATIFOLIA       |
|                   | MARSH FERN           | THELYPTERIS PALUSTRIS |

Appendix D: Vegetative Replacement Standards

RESTORATION / ESTABLISHMENT TABLE A

Definitions:

Canopy tree: a tree that reaches 35 feet in height or larger when mature

Understory tree: a tree that matures to a height of 12 feet to 35'

Large shrub: a shrub that reaches 10 feet of height or greater at maturity

Small shrub: a woody plant that can reach up to 10 feet of height at maturity

1/4 acre or less of buffer

Up to 10,890 square feet or less

For every 400 square-foot unit (20'x20') or fraction thereof plant:

one (1) canopy tree @ 1 1/2" - 2" caliper or large evergreen @ 6'

two (2) understory trees @ 3/4" - 1 1/2" caliper or evergreen @ 4'

or one (1) understory tree and two (2) large shrubs @ 3'-4'

three (3) small shrubs or woody groundcover @ 15" - 18"

Example:

A 100-foot wide lot x 100-foot wide buffer is 10,000 square feet.

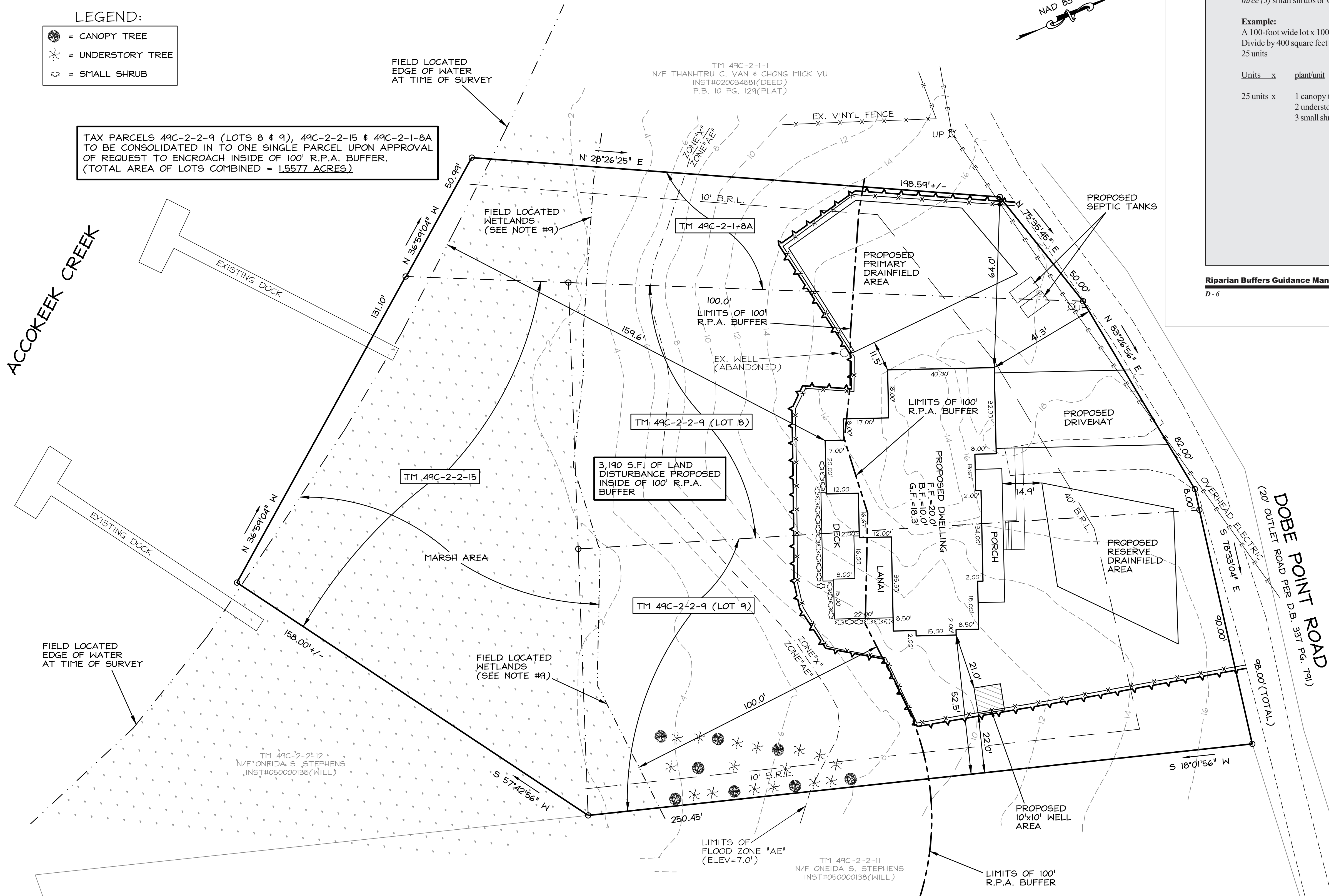
Divide by 400 square feet (20'x20' unit) to get:

25 units

| Units    | x | plant/unit         | Number of plants    |
|----------|---|--------------------|---------------------|
| 25 units | x | 1 canopy tree      | 25 canopy trees     |
|          |   | 2 understory trees | 50 understory trees |
|          |   | 3 small shrubs     | 75 small shrubs     |
|          |   |                    | 150 plants          |

Riparian Buffers Guidance Manual

D-6



TAX PARCELS 49C-2-2-9, 15 &  
TAX PARCEL 49C-2-1-8A  
AQUA DISTRICT  
STAFFORD COUNTY, VIRGINIA  
SITE PLAN (VEGETATIVE MITIGATION)

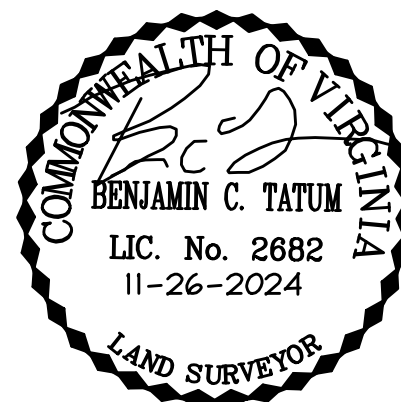
DESIGNED: CSS  
DRAWN: CSS  
CHECKED: BCT

DATE: 11-26-2024

SCALE: 1" = 20'

JN: 24177

SH: 2 OF 3





Site Summary

|                          |      |
|--------------------------|------|
| Total Rainfall (in):     | 43   |
| Total Disturbed Acreage: | 0.57 |

Update Summary Sheet

Print Preview

Print

Site Land Cover Summary

Pre-ReDevelopment Land Cover (acres)

|                          | A soils | B Soils | C Soils | D Soils | Totals | % of Total |
|--------------------------|---------|---------|---------|---------|--------|------------|
| Forest/Open (acres)      | 0.00    | 0.78    | 0.30    | 0.00    | 1.08   | 69         |
| Managed Turf (acres)     | 0.00    | 0.00    | 0.46    | 0.00    | 0.46   | 29         |
| Impervious Cover (acres) | 0.00    | 0.00    | 0.02    | 0.00    | 0.02   | 1          |
|                          |         |         |         |         | 1.56   | 100        |

Post-ReDevelopment Land Cover (acres)

|                          | A soils | B Soils | C Soils | D Soils | Totals | % of Total |
|--------------------------|---------|---------|---------|---------|--------|------------|
| Forest/Open (acres)      | 0.00    | 0.78    | 0.23    | 0.00    | 1.01   | 65         |
| Managed Turf (acres)     | 0.00    | 0.00    | 0.38    | 0.00    | 0.38   | 24         |
| Impervious Cover (acres) | 0.00    | 0.00    | 0.17    | 0.00    | 0.17   | 11         |
|                          |         |         |         |         | 1.56   | 100        |

\* Forest/Open Space areas must be protected in accordance with the Virginia Runoff Reduction Method

Site Tv and Land Cover Nutrient Loads

|                                     | Final Post-Development<br>(Post-ReDevelopment<br>& New Impervious) | Post-<br>ReDevelopment | Post-<br>Development<br>(New Impervious) | Adjusted Pre-<br>ReDevelopment |
|-------------------------------------|--------------------------------------------------------------------|------------------------|------------------------------------------|--------------------------------|
| Site Rv                             | 0.18                                                               | 0.10                   | 0.95                                     | 0.10                           |
| Treatment Volume (ft <sup>3</sup> ) | 1,008                                                              | 491                    | 517                                      | 491                            |
| TP Load (lb/yr)                     | 0.63                                                               | 0.31                   | 0.33                                     | 0.31                           |

Baseline TP Load (lb/yr): 0.5781\* \*Reduction below new development load limitation not required

| Pre-<br>ReDevelopment<br>TP Load per acre<br>(lb/acre/yr) | Final Post-<br>Development TP Load<br>per acre<br>(lb/acre/yr) | Post-ReDevelopment<br>TP Load per acre<br>(lb/acre/yr) |
|-----------------------------------------------------------|----------------------------------------------------------------|--------------------------------------------------------|
| 0.22                                                      | 0.41                                                           | 0.22                                                   |

|                                          |       |       |      |
|------------------------------------------|-------|-------|------|
| Total TP Load Reduction Required (lb/yr) | -0.01 | -0.27 | 0.26 |
|------------------------------------------|-------|-------|------|

|                 | Final Post-Development Load<br>(Post-ReDevelopment & New Impervious) | Pre-<br>ReDevelopment |
|-----------------|----------------------------------------------------------------------|-----------------------|
| TN Load (lb/yr) | 4.53                                                                 | 2.54                  |

Site Compliance Summary

|                                                              |     |                                                                                                                                                                                                                                                                       |
|--------------------------------------------------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Maximum % Reduction Required Below<br>Pre-ReDevelopment Load | 10% | * Note: % Reduction will reduce post-development TP load to less than or equal to baseline load of 0.58 lb/yr (0.41 lb/ac/yr)<br>[Required reduction for Post-ReDev. = Post-ReDev TP load - baseline load of 0.5781 lb/yr], baseline load = site area x 0.41 lb/ac/yr |
|--------------------------------------------------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                  |      |
|--------------------------------------------------|------|
| Total Runoff Volume Reduction (ft <sup>3</sup> ) | 0    |
| Total TP Load Reduction Achieved (lb/yr)         | 0.00 |
| Total TN Load Reduction Achieved (lb/yr)         | 0.00 |
| Remaining Post Development TP Load (lb/yr)       | 0.63 |
| Remaining TP Load Reduction (lb/yr) Required     | 0.00 |

\*Reduction below new development load limitation not required

\*\* TARGET TP REDUCTION EXCEEDED BY 0.01 LB/YEAR \*\*

Drainage Area Summary

|                          | D.A. A | D.A. B | D.A. C | D.A. D | D.A. E | Total |
|--------------------------|--------|--------|--------|--------|--------|-------|
| Forest/Open (acres)      | 1.01   | 0.00   | 0.00   | 0.00   | 0.00   | 1.01  |
| Managed Turf (acres)     | 0.38   | 0.00   | 0.00   | 0.00   | 0.00   | 0.38  |
| Impervious Cover (acres) | 0.17   | 0.00   | 0.00   | 0.00   | 0.00   | 0.17  |
| Total Area (acres)       | 1.56   | 0.00   | 0.00   | 0.00   | 0.00   | 1.56  |

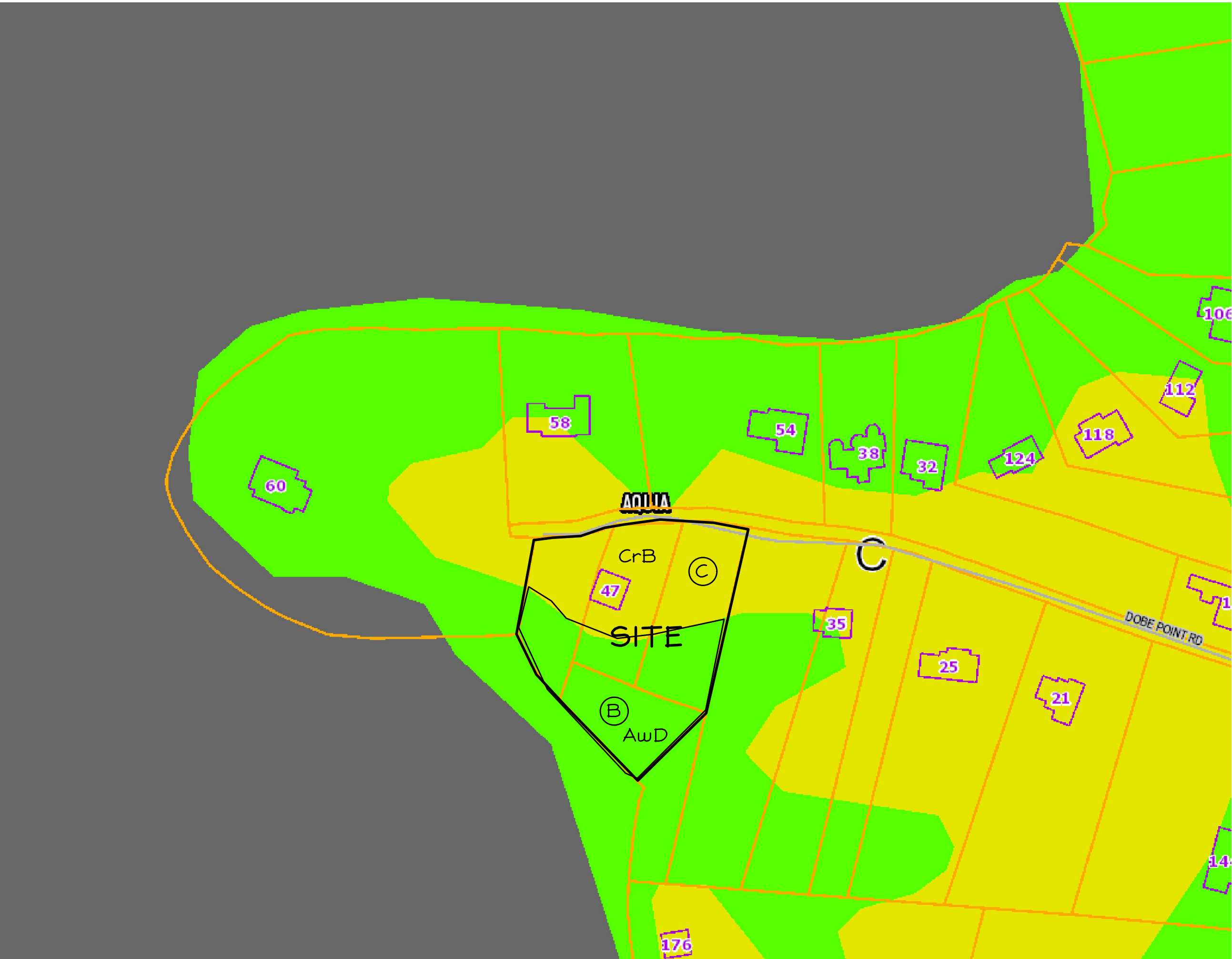
Drainage Area Compliance Summary

|                         | D.A. A | D.A. B | D.A. C | D.A. D | D.A. E | Total |
|-------------------------|--------|--------|--------|--------|--------|-------|
| TP Load Reduced (lb/yr) | 0.00   | 0.00   | 0.00   | 0.00   | 0.00   | 0.00  |
| TN Load Reduced (lb/yr) | 0.00   | 0.00   | 0.00   | 0.00   | 0.00   | 0.00  |

Drainage Area A Summary

Land Cover Summary

|                          | A Soils | B Soils | C Soils | D Soils | Total | % of Total |
|--------------------------|---------|---------|---------|---------|-------|------------|
| Forest/Open (acres)      | 0.00    | 0.78    | 0.23    | 0.00    | 1.01  | 65         |
| Managed Turf (acres)     | 0.00    | 0.00    | 0.38    | 0.00    | 0.38  | 24         |
| Impervious Cover (acres) | 0.00    | 0.00    | 0.17    | 0.00    | 0.17  | 11         |
|                          |         |         |         |         | 1.56  |            |



SOIL MAP (NTS)

SOIL MAP LEGEND

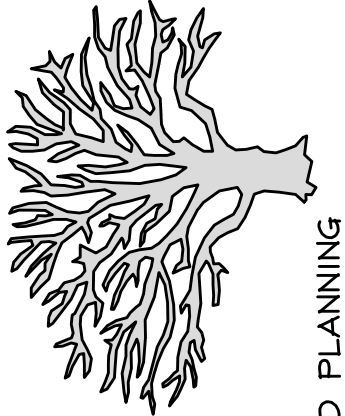
| MAP SYMBOL | SOIL NAME                 | SLOPE % | HYDROLOGIC SOIL GROUP |
|------------|---------------------------|---------|-----------------------|
| CrB        | CRAVEN LOAM               | 2-6%    | C                     |
| AwwD       | AURA-GALVESTOWN-SASSAFRAS | 6-15%   | B                     |

DEQ NOTES:

- AREA OF DISTURBANCE = 0.548 ACRES
- WATER QUALITY:  
THE STORMWATER QUALITY WAS ANALYZED USING THE ENTIRE SITE AREA = 1.5577 ACRES BASED ON THE PROPOSED LAND USES AND SOIL TYPES, THE WATER QUALITY REQUIREMENTS WERE MET WITHOUT PROVIDING ANY STORMWATER QUALITY CONTROLS.  
(SEE VRRM WORKSHEET ON THIS PAGE).  
  
WATER QUANTITY:  
STREAM CHANNEL ADEQUACY AND FLOOD PROTECTION REQUIREMENTS ARE MET (SEE NOTE 4 BELOW).
- THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) WILL BE SUBMITTED TO STAFFORD COUNTY AND KEPT ON-SITE DURING CONSTRUCTION.
- STORMWATER LEAVES THE DISTURBED AREA UNDER SHEET FLOW CONDITIONS AND THERE ARE NO CHANNEL EROSION OR FLOODING ISSUES.
- A SWM MAINTENANCE AGREEMENT IS NOT NEEDED.
- WATERSHED: PL58 -> POTOMAC RIVER – ACCOKEEK CREEK.
- PER THE DEQ RRM SPREADSHEET, FOREST/OPEN SPACE MUST BE PROTECTED IN ACCORDANCE WITH THE VIRGINIA RRM METHOD. IN THE EVENT THAT LIMITS OF CLEARING AND/OR LAND COVER ARE CHANGED FROM THOSE SHOWN ON THE SUBDIVISION CONSTRUCTION PLAN, THE LOT OWNER IS RESPONSIBLE TO ENSURE THAT THE NEW LIMITS ARE COMPLIANT TO DEQ REGULATIONS.



REVISIONS:



THE BENCHMARK GROUP  
"LAND DEVELOPMENT CONSULTANTS"

5321 WHELAN WAY, PARTLOW, VA 22534  
540-785-3118  
BMARKGROUP@AOL.COM

SURVEYING \* ENGINEERING \* LAND PLANNING

TAX PARCELS 49C-2-2-9,15  
TAX PARCEL 49C-2-1-8A  
AQUA DISTRICT  
STAFFORD COUNTY, VIRGINIA

STORMWATER MANAGEMENT

|                  |               |                 |
|------------------|---------------|-----------------|
| DESIGNED:<br>CSS | DRAWN:<br>CSS | CHECKED:<br>BCT |
|------------------|---------------|-----------------|

DATE: 11-26-2024

SCALE: 1" = 20'

JN: 24177

SH: 3 OF 3



**ATTACHMENT 6**  
**ADJACENT PROPERTY OWNERS' NOTIFICATION**

Adjacent Property Owners

VAN THANHTRUC C & CUONG MICK VU  
60 DOBE POINT ROAD  
STAFFORD VA 22554-5826

STEPHENS ONEIDA S  
125 WOODLAND RD  
FREDERICKSBURG VA 22401-5270

TORTORICH PHILIP TRUSTEE  
58 DOBE POINT RD  
STAFFORD VA 22554-5826

GALLAGHER JANE C  
54 DOBE POINT ROAD  
STAFFORD VA 22554-5826

MOORE JOHN TRUSTEE  
3800 DELASHMUTT DR  
HAYMARKET VA 20169-1820

**Aaron G. "Hank" Osleger**  
Aaronal Homes  
*Professional Builder/Founder*  
[hank@aaronalhomes.com](mailto:hank@aaronalhomes.com)



February 1, 2025

**NOTICE OF PUBLIC HEARING**

Subject: ***24156090; Stafford Count Chesapeake Bay Board Application, CBB25-03; Mr. John Moore Residence; Tax Map Parcel No. 49C-2-2-9, et. al.; within the Aquia Election District***

The Stafford County Chesapeake Bay Board will hold a public hearing on Monday, February 24, 2025, beginning at 6:00 p.m. or as soon thereafter as the matter may be heard, in the George L. Gordon, Jr., Government Center, 1300 Courthouse Road. The hearing will consider the request of Mr. John Moore for a Stafford County Chesapeake Bay Board Special Exception on Tax Map Parcel No. *TM -49C-2-2-9; 49C-2-1-8A; and 49C-2-2-15*. The purpose of the request is to construct a single-family residence on the consolidation of 4 pre-Chesapeake Bay ordinance lots. Unfortunately, the limited lot space requires a portion of the septic drain field to be located within the Chesapeake Bay Resource Protection Area (CRPA) prompting the need for a Special Exception application approval by the Stafford County Chesapeake Bay Board. Additionally, the consolidation of the 4 lots results in ineligibility for previsions granted under Chapter 27B-8(b)(5)b. All interested parties are invited to appear at the above designated time and place and state their views. Persons requiring special accommodations to facilitate participation in the above matter are encouraged to contact the Department of Development Services at least five days prior to the meeting.

The public hearing may be continued or adjourned. A copy of the application and other related materials are on file in the Department of Development Services located at 2128 Richmond Highway, Suite 201, Stafford, Virginia 22554, and may be examined Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m.

If you have any questions or concerns regarding this matter, please contact Joseph Fiorello at (540) 658-8689.

Sincerely,

Joseph Fiorello, PWS, CPWD, CA  
Environmental Planner

JPF:EAT: PS



**ATTACHMENT 7**  
**SE24156090 RESOLUTIONS**

CHEAPEAKE BAY BOARD  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

SPECIAL EXCEPTION RESOLUTION

At a regular meeting of the Stafford County Chesapeake Bay Board held in the Board of Supervisors Chambers, Stafford County Administration Center, Stafford, Virginia, on the 24<sup>th</sup> day of February 2025:

| <u>MEMBERS:</u>   | <u>VOTE:</u> |
|-------------------|--------------|
| Sue Henderson     | _____        |
| Mary Rust         | _____        |
| Anthony Pineau    | _____        |
| Benjamin Rudasill | _____        |
| Dan Adams         | _____        |
| Robert Hayden     | _____        |
| Zachary Martinez  | _____        |

On the motion of \_\_\_\_, seconded by \_\_\_\_, which carried by a vote of \_\_\_\_ to \_\_\_\_, the following was adopted:

A RESOLUTION WHICH APPROVES AN APPLICATION FOR A SPECIAL EXCEPTION PURSUANT TO COUNTY CODE SECTION 27B-14 ENTITLED "SPECIAL EXCEPTIONS" TO ALLOW DISTURBANCE OF A CRITICAL RESOURCE PROTECTION AREA (CRPA) FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENSE ON TAX MAP PARCELS 49C-2-1-8A, 49C-2-2-9, AND 49C-2-2-15 WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS the Stafford County Chesapeake Bay Board received application 24156090 from Mr. John Moore to allow the construction of a single-family residence and septic drainfield within the landward 50 feet of the Chesapeake Bay Resource Protection Area buffer; and

WHEREAS, the Stafford County Chesapeake Bay Board has authority under County Code Section 27B-14 to issue an exception for land disturbance activities in a CRPA; and

WHEREAS, Mr. John Moore has applied for an exception to County Code Section 27B-7, entitled "Development Conditions"; and

WHEREAS, the Stafford County Chesapeake Bay Board has given proper notice of a public hearing as required by the Code of Virginia (1950), as amended, and the Stafford County Code; and

WHEREAS, the Stafford County Chesapeake Bay Board after due consideration of the facts of the application and testimony at the public hearing finds the following;

- (1) Granting the special exception will not confer upon the applicant(s) any special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;

- (2) The special exception request is not based on any conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
- (3) The special exception request is the minimum necessary to afford relief;
- (4) The special exception request will be consistent with the purpose and intent of this chapter, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and
- (5) Reasonable and appropriate conditions can be imposed which will prevent the special exception request from causing a degradation of water quality; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Chesapeake Bay Board on this the 24<sup>th</sup> day of February 2025, that exceptions to County Code Section 27B-7, entitled "Development conditions" pursuant to application 24156090 be and it hereby is approved with the following conditions:

- 1. The limits of the CRPA buffer encroachments shall be as shown in Attachment 5 of the staff report.
- 2. Mitigation for the encroachment into the CRPA must be consistent with the minor water quality impact assessment presented in the special exception application and the proposed site plan (Attachment 1 and 5 of the Staff Report).
- 3. The applicant is to ensure the required plantings survive and are in good health in perpetuity. If any of the plantings die, they are to be replaced in kind.
- 4. This resolution, CBB25-03, for the construction of a single-family residence on Tax Map Parcels 49C-2-1-8A, 49C-2-2-9, and 49C-2-2-15 is valid for 1 year and will expire February 25, 2026. All fieldwork and stabilization of the CRPA impact area as depicted in Attachment 5 of the staff report must be completed before the expiration date.

---

Andy Pineau  
Chesapeake Bay Board Chairman

JPF:ET

CHEAPEAKE BAY BOARD  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

SPECIAL EXCEPTION RESOLUTION

At a regular meeting of the Stafford County Chesapeake Bay Board held in the Board of Supervisors Chambers, Stafford County Administration Center, Stafford, Virginia, on the 24<sup>th</sup> day of February 2025:

| <u>MEMBERS:</u>   | <u>VOTE:</u> |
|-------------------|--------------|
| Sue Henderson     | _____        |
| Mary Rust         | _____        |
| Anthony Pineau    | _____        |
| Benjamin Rudasill | _____        |
| Dan Adams         | _____        |
| Robert Hayden     | _____        |
| Zachary Martinez  | _____        |

On the motion of \_\_, seconded by \_\_, which carried by a vote of \_\_ to \_\_, the following was adopted:

A RESOLUTION WHICH DENIES AN APPLICATION FOR A SPECIAL EXCEPTION PURSUANT TO COUNTY CODE SECTION 27B-14 ENTITLED "SPECIAL EXCEPTIONS" TO ALLOW DISTURBANCE OF A CRITICAL RESOURCE PROTECTION AREA (CRPA) FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENSE ON TAX MAP PARCELS 49C-2-1-8A, 49C-2-2-9, AND 49C-2-2-15 WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS the Stafford County Chesapeake Bay Board received application 24156090 from Mr. John Moore to allow the construction of a single-family residence and septic drainfield within the landward 50 feet of the Chesapeake Bay Resource Protection Area buffer; and

WHEREAS, the Stafford County Chesapeake Bay Board has authority under County Code Section 27B-14 to issue an exception for land disturbance activities in a CRPA; and

WHEREAS, Mr. John Moore has applied for an exception to County Code Section 27B-7, entitled "Development Conditions"; and

WHEREAS, the Stafford County Chesapeake Bay Board has given proper notice of a public hearing as required by the Code of Virginia (1950), as amended, and the Stafford County Code; and

WHEREAS, the Stafford County Chesapeake Bay Board after due consideration of the facts of the application and testimony at the public hearing finds one or more of the following to be true:

- (1) Granting the special exception will confer upon the applicant(s) special privileges denied by this chapter to other property owners who are subject to its provisions and who are similarly situated;



- (2) The special exception request is based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;
- (3) The special exception request is not the minimum necessary to afford relief;
- (4) The special exception request will not be consistent with the purpose and intent of this chapter, injurious to the neighborhood or otherwise detrimental to the public welfare, and is of substantial detriment to water quality; and
- (5) Reasonable and appropriate conditions cannot be imposed which will prevent the special exception request from causing a degradation of water quality.

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Chesapeake Bay Board on this the 24<sup>th</sup> day of February 2025, that exceptions to County Code Section 27B-7, entitled "Development conditions", pursuant to application 24156090 be and it hereby is denied.

---

Andy Pineau  
Chesapeake Bay Board Chairman

JPF:ET

**ATTACHMENT 8**  
**SE24156090 POWERPOINT**

# CBB25-03 – AP24156090 – Moore Residence

- Description:
  - A request to impact 3,190 sq. ft. of CRPA for the construction of a single-family home and drainfield within the landward 50 feet of the CRPA.
- Tax Map Parcel No:
  - 49C-2-2-9, 49C-2-2-15, and 49C-2-1-8A
- Election District:
  - Aquia



# Background

- Current Condition:

The property is located on tax map parcels 49C-2-2-9, 49C-2-2-15, and 49C-2-1-8A (Attachment 1). There are four lots involved, two of the lots have the same parcel number 49C-2-2-9. County GIS indicates the presence of a CRPA on/near the four lots. A wetlands delineation and Chesapeake Bay Compliance Study was conducted on the lots in January 2025 and the presence of a CRPA was confirmed and mapping was updated. All four 4 lots were platted prior to Stafford County adopting the Chesapeake Bay ordinance in 1989. All four lots are not buildable on their own either because of the presence of wetlands; a Chesapeake Bay Resource Protection Area (CRPA) buffer; or inability to have enough room outside of the CRPA for a house and drainfield on one single lot without consolidation.

- Proposed Condition:

The applicant proposes to consolidate the 4 lots to build one 4,300 sq. ft. single-family home. In doing so the newly formed lot will not qualify for Section 27B-8(b)(5)b, since a new platted lot would be created. Secondly, a portion of the proposed drainfield needs to be placed within the landward 50 feet of the CRPA prompting the need for the approval of a Special Exception request by the Stafford County Chesapeake Bay Board. Please see Attachment 5 for site plan details. . The applicant proposes to mitigate the impact by planting 8 “planting units”; each unit equating to 1 canopy tree, two understory trees, and 3 shrubs as outlined in the Appendix D of the Riparian Buffers Modification & Mitigation Guidance Manual.

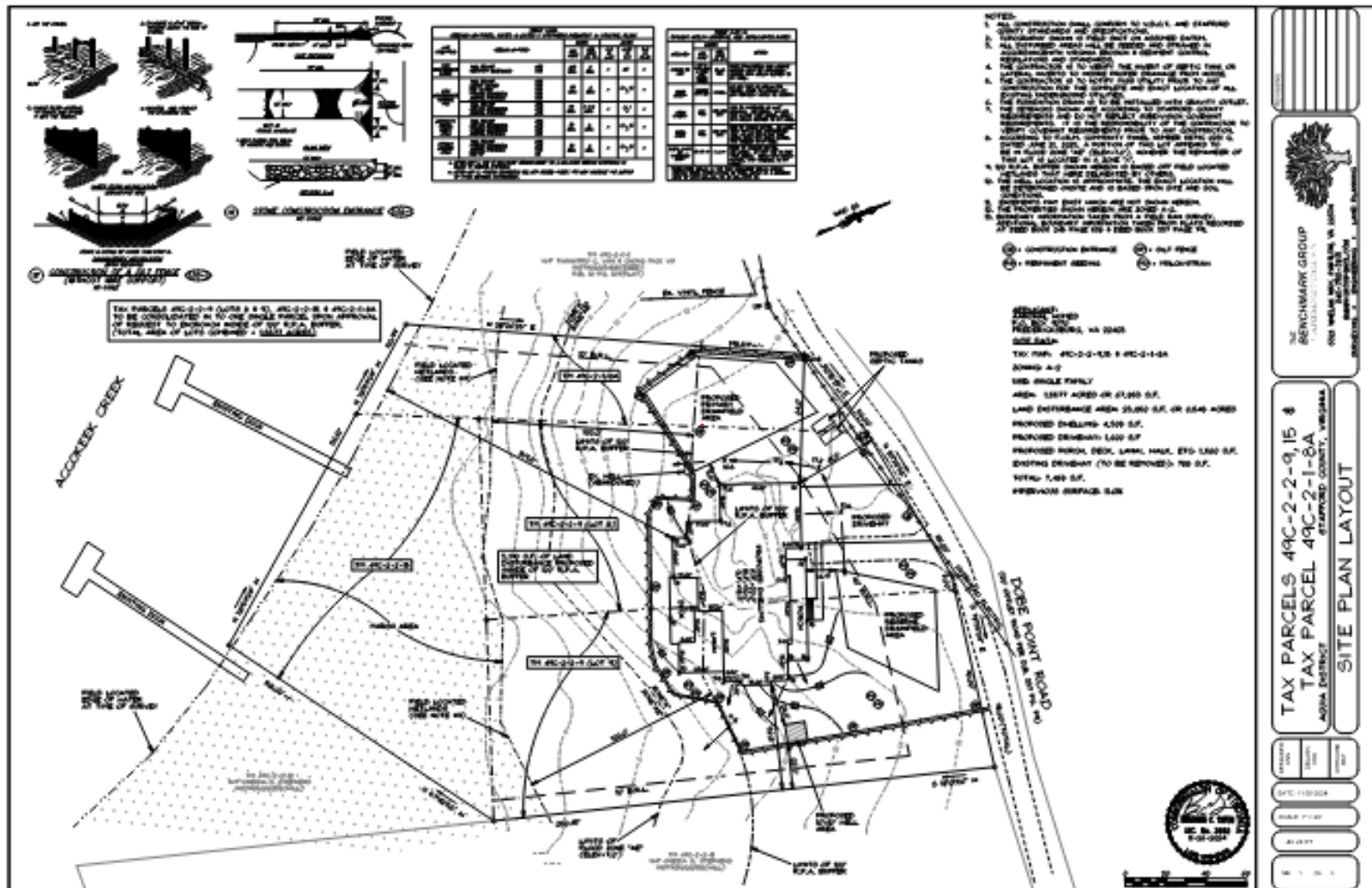
- Mr. Moore is requesting approval of his request for Special Exception to construct a residence on these consolidated lots and ask that the Board consider the mitigation described above as compensation for the impact to the CRPA.



# Tax Map Location – 49C-2-2-9, 49C-2-2-15, and 49C-2-1-8A (47 Dobe Point Road)

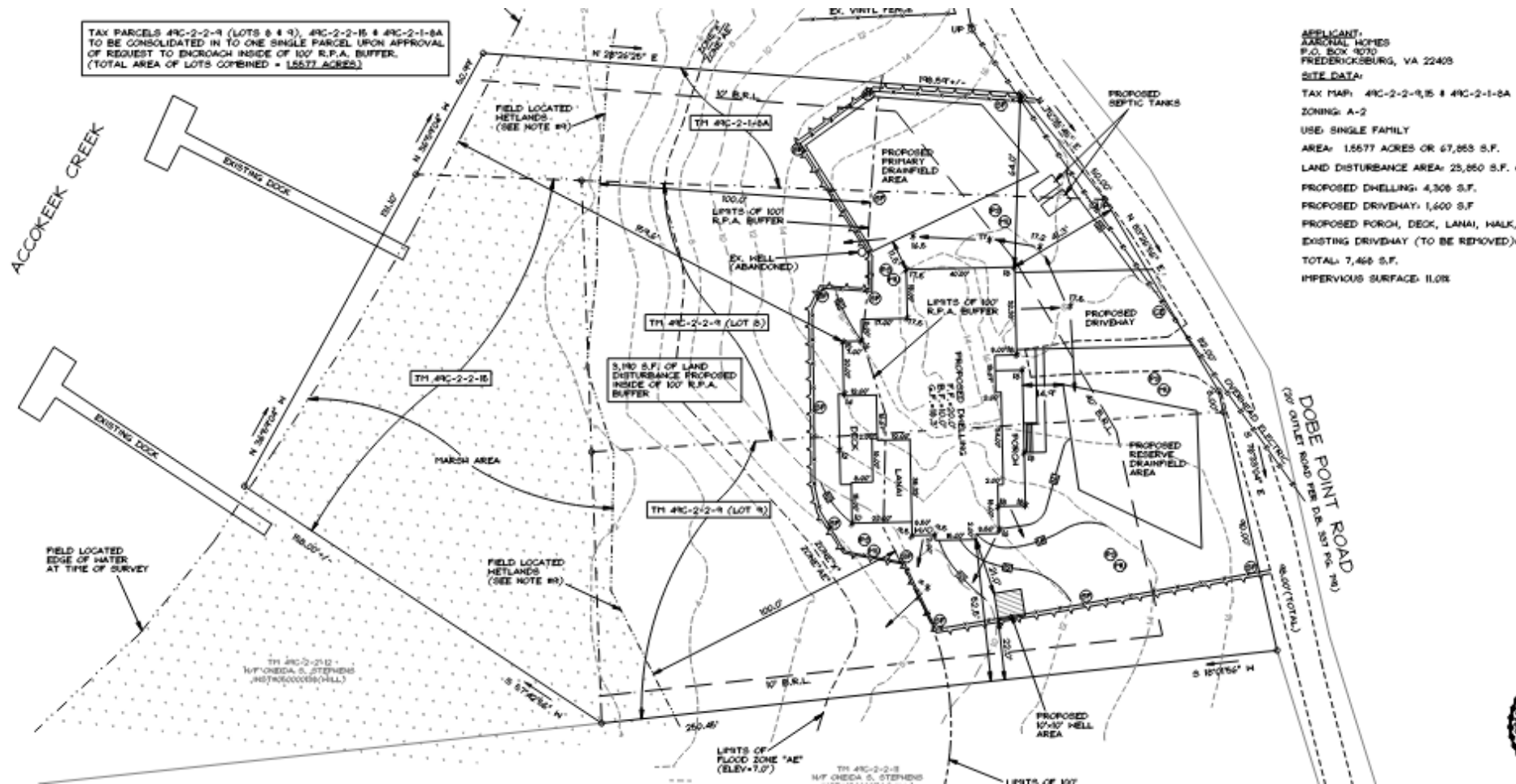


# Proposed Moore Residence Site Plan

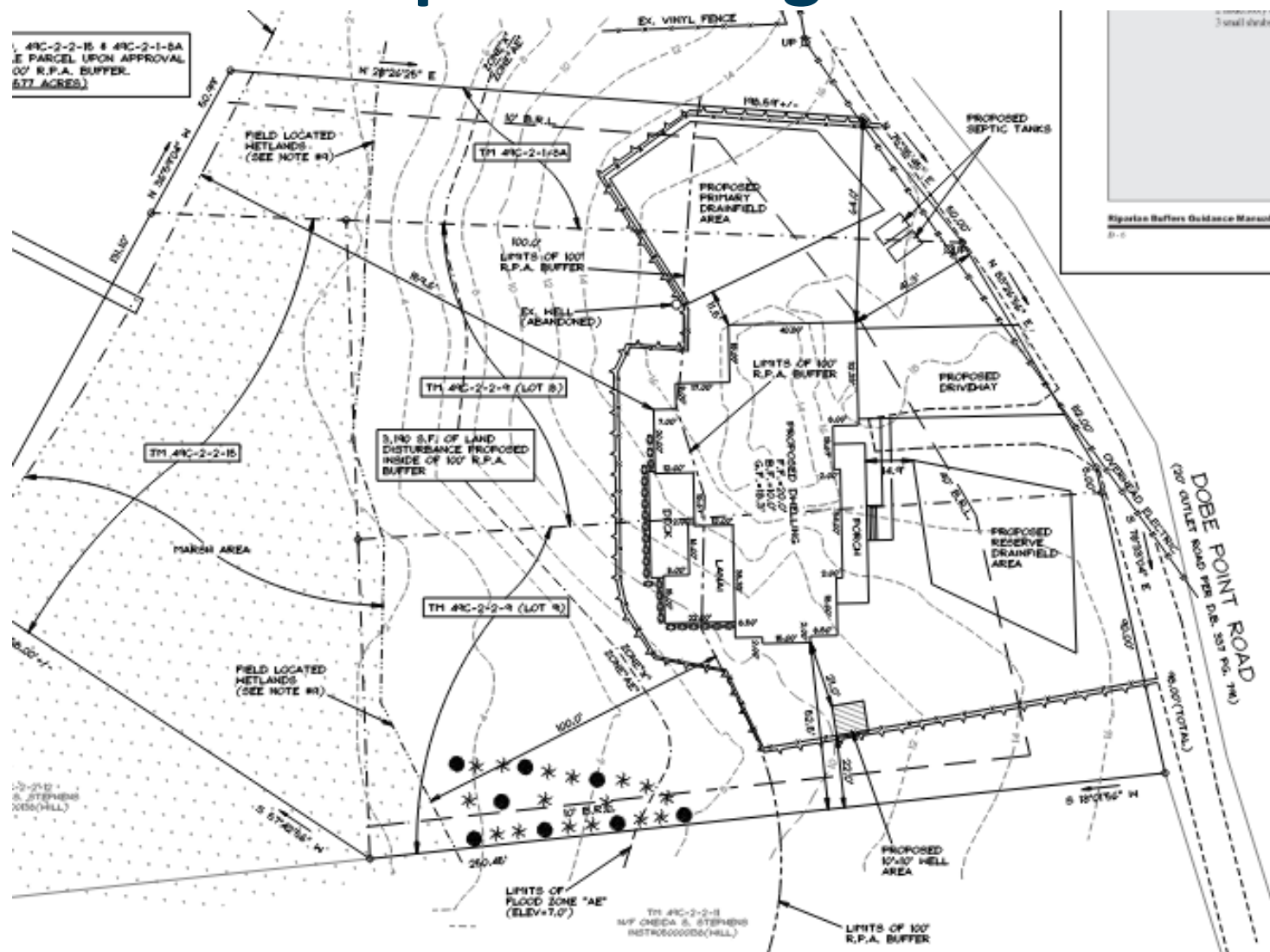




# Proposed Moore Residence Site Plan



# Proposed Mitigation





# Staff Observations

- A special exception approval is required for the construction of a single-family residence and drainfield within the CRPA.
- The proposed mitigation of 8 planting units is in accordance with Chapter 27B of Stafford County Code and Appendix D of the Riparian Buffers Modification and Mitigation Manual.