



FAIRFAX COUNTY

DEPARTMENT OF PLANNING AND ZONING

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

(703) 324-1290 TTY 711 (Virginia Relay Center) Fax (703) 324-3924

V I R G I N I A

August 9, 2004

RB Thomas, Jr. P.E.
R C Fields, Jr. Associates
718 Jefferson Street, Alexandria, VA 22314

Re: Interpretation for RZ 2001-SU-055, Compton-Berry Subdivision
Tax Map 65-1 ((1)) 39: Limits of Clearing and Grading

Dear Mr. Jones

This is in response to your letter of April 13, 2004, requesting an interpretation of the Generalized Development Plan (GDP) and the proffers accepted by the Board of Supervisors in conjunction with the approval of RZ 2001-SU-055. As I understand it, your question is whether clearing of vegetation within Parcel A for the construction of a drainage system would be in conformance with the GDP and the proffers. This determination is based on the plan attached to your letter, entitled "Landscape Plan, Compton-Berry Property," which is dated July 2003, and prepared by Thomas Engineering and Surveying, Ltd. Copies of the letter and a reduction of the plan are attached for reference.

The proffered GDP delineates Parcel A as Conservation Open Space (Tree Save Area). Additionally Proffer 3 in part states, "The area, designated as Parcel "A" on the GDP, shall be conveyed to the homeowners' association at the time of subdivision of the property and shall remain undisturbed." You propose to place an underground storm sewer pipe across Parcel A which will result in disturbance and removing some of the existing vegetation. You have stated that Parcel A is covered with mature bamboo with some hardwoods and cedars. You contend that bamboo is considered grass and the disturbance will be minimal. Both the proffered GDP and Proffer 3 are clear in preserving Parcel A as undisturbed open space to be placed in a conservation easement.

It is my determination that the proposed disturbance and clearing of vegetation for the construction of a storm sewer on Parcel A would not be in conformance with GDP and the proffers. This determination has been reviewed with Office of Site Development Services, DPWES and has been made in my capacity as the duly authorized agent of the Zoning Administrator.

If you have any questions regarding this interpretation, please feel free to contact Kul Sandhu at (703) 324-1290.

Sincerely,

Barbara A. Byron, Director
Zoning Evaluation Division

BABKSCompton-Berry Property, Clearing within ParcelA.doc

Attachment: A/S

cc: Michael R. Frey, Supervisor, Sully District
Ronald W. Koch, Planning Commissioner, Sully District
Michelle Brickner, Director, Office of Site Development Services, DPWES
Craig Carinci, Director, Environmental Facilities Inspection Division, DPWES
Leslie B. Johnson, Deputy Zoning Administrator, Permits Review Branch, DPZ
File: RZ 2001-SU-055, PI-0404 043, Imaging, Reading File

RBT Engineering, Inc.
9401 East Street
Manassas, Virginia 20110
703-368-1188

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Department of Planning & Zoning

APR 15 2004

Zoning Evaluation Division

April 13, 2004

Barbara Byron, Division Director
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

RE: Compton-Berry Subdivision
REZ 2001-SU-055 and 8783-SD-04-1

Dear Ms. Byron,

During the course of the subdivision design and plan review we have encountered a condition that requires your evaluation. The property referenced above was recently rezoned to allow a five lot subdivision. The owner proffered to leave a small parcel undisturbed and was shown as Parcel A containing 12,703 SF. The approved GDP referred to the parcel as Conservation Open Space (Save Tree Area) and Notes 14, 15 and 16 would be applicable to the parcel.

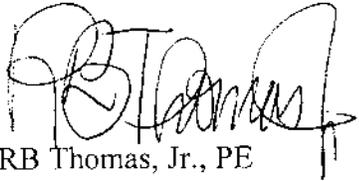
This Firm was not involved with the project until engaged to prepare the subdivision plan. Once the property was surveyed and topographic information obtained, it was learned that a drainage ditch existed on Parcel A being an outfall for a 30 inch culvert on VDOT's Route 28 right of way. Furthermore, we have also learned that a major portion of the parcel does not have existing tree cover but rather has a dense cover of mature bamboo which according to your Urban Forrester is not trees but considered a grass.

We have proposed to place the drainage in a closed system across Parcel A which will result in the creation of an easement, construction land disturbance and removal of some of the bamboo. We therefore have been requested to get your review and approval of our subdivision plan since there is some variation to what was shown on the approved GDP. This issue arose when our first submission plan showed the storm sewer extending through a Tree Save Area. However, that may be a mute point if bamboo is a grass. We have revised the Landscape Plan (Sheet 10) to

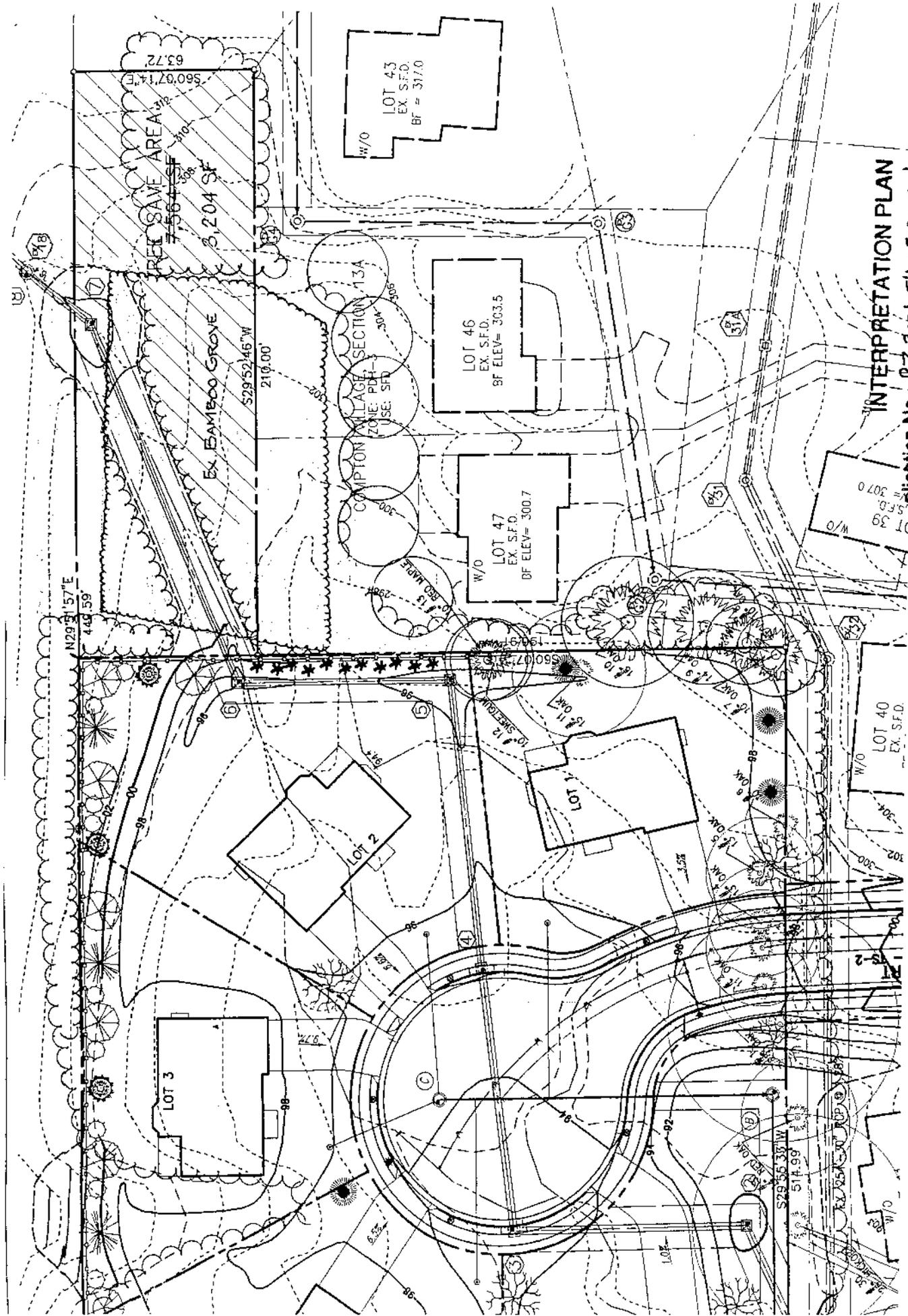
show the existing tree line and area covered by the bamboo. We have also revised the Tree Canopy calculation to reflect the existing conditions. We are now only taking credit for 3,204 SF of tree preservation area on Parcel A. That area consists of 19 mixed hardwoods and cedars and is the only area of the parcel with trees. We will not be disturbing any trees to construct the storm sewer system, only bamboo.

We would appreciate your favorable review of this request.

Yours truly,

A handwritten signature in black ink, appearing to read "RB Thomas, Jr.", with a stylized flourish at the end.

RB Thomas, Jr., PE



INTERPRETATION PLAN

Application No. RZ 2001-34-055 Staff K.S.
 Control No. PI 0404 043

Approved: YES IN PART (circle one)
 RESPONSE LETTER DATED 8/9/04

of