County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

January 16, 2006

Tim Kirchner, Property manager
Northern Virginia Management
4306 Evergreen Lane, Suite 101
Annandale, VA 22003

Re: Interpretation for RZ/FDP 1997-PR-016, Arden Oaks Homeowners Association
Tax Map 39-4 ((11)) A, 2, 3, 39-4 ((1)) 73-75 and 76A: Tot Lot Removal

Dear Mr. Kirchner:

This is in response to your letter of December 5, 2005, requesting an interpretation of the Conceptual/Final Development Plan (CDP/FDP), proffers accepted by the Board of Supervisors in conjunction with the approval of RZ 1997-PR-016, and the development conditions approved by the Planning Commission pursuant to FDP 1997-PR-016. As I understand it, the question is whether the removal of an existing tot lot would be in substantial conformance with the CDP/FDP, proffers and development conditions. This determination is based on your letter a copy of which is attached for reference.

The Arden Oaks Homeowners Association proposes to remove an existing tot lot and replace it with landscaped open space. Proffer 3a states: "Prior to the issuance of the first RUP, Applicant shall construct recreational areas including a tot lot, benches, a 4-foot high wooden fence and trails as shown on the CDP/FDP." Additionally, Proffer 3b states: "At time of site plan approval, Applicant shall contribute funds which equal the difference, if any, between $955.00 per unit and the cost of improvements outlined in Paragraph 3.a. and to the Fairfax County Park Authority for recreational improvements to a nearby park." The provision of this contribution is a Zoning Ordinance requirement for residential rezonings to a PDH District.

It is my determination that the removal of the tot lot would not be in substantial conformance with the proffers, the CDP/FDP and development conditions. In order to remove the tot lot, approval of Proffered Condition Amendment by the Board of Supervisors and a Final Development Plan Amendment by the Planning Commission would be required. In addition, since credit was given for the cost of tot lot in the execution of Proffer 3b, an amount equal to such credit will be required to be contributed to the Park Authority for off-site recreational improvements. This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this matter, please feel free to contact Kul Sandhu at (703) 324-1290.

Sincerely,

Barbara A. Byron, Director
Zoning Evaluation Division

BAB\O:\ksandh\INTERPRE\ Arden Oaks, RZ/FDP 1997-PR-016

cc: Linda Q. Smyth, Supervisor, Providence District
Kenneth A. Lawrence, Planning Commissioner, Providence District
Leslie B. Johnson, Deputy Zoning Administrator for Zoning Permits Review Branch, DPZ
Michelle Brickner, Assistant Director, Land Development Services, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, DPZ
File: RZ/FDP 1997-PR-016, PI 0512 194, Imaging, Reading File

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/

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Department of Planning & Zoning
DEC 1 2 2005
Zoning Evaluation Division

December 5, 2005

Department of Planning and Zoning
Attention: Barbara Byron, Director of Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

Dear Ms. Byron:

We are the professional management company for the Arden Oaks Homeowners Association, a 34 unit single family homeowners association in Dunn Loring, VA. The community is located at 2200-2217 Harithy Drive and 8009-8025 Wolftrap Road. The reference number given to us by the Zoning Evaluation Division is RZ 1997-PR-016.

The Arden Oaks Community Board of Directors would like to remove a small tot lot on the common area of the Association's property. They would like to convert the area to open landscaped space consistent with the rest of the common areas in the community. Enclosed are several community maps showing exactly where the tot lot is located on the community's common area.

There is only one tot lot in this community and it was installed when the community was built in 2000. The tot lot only has a few pieces of playground equipment surrounded by a fence with a mulched base. Because it is used so infrequently, a cost analysis was completed showing that the maintenance of the tot lot was far greater than the cost to maintain a landscaped open area. The Arden Oaks Board of Directors then conducted a survey of all of the community homeowners on this matter. An overwhelming majority of the homeowners are in favor of removing the tot lot.

The Arden Oaks Association will also take full responsibility to remove the tot lot equipment and fence surrounding the tot lot. Bladerunner's Landscaping service is the landscaping contractor for the community and will work with the Association to landscape the area.

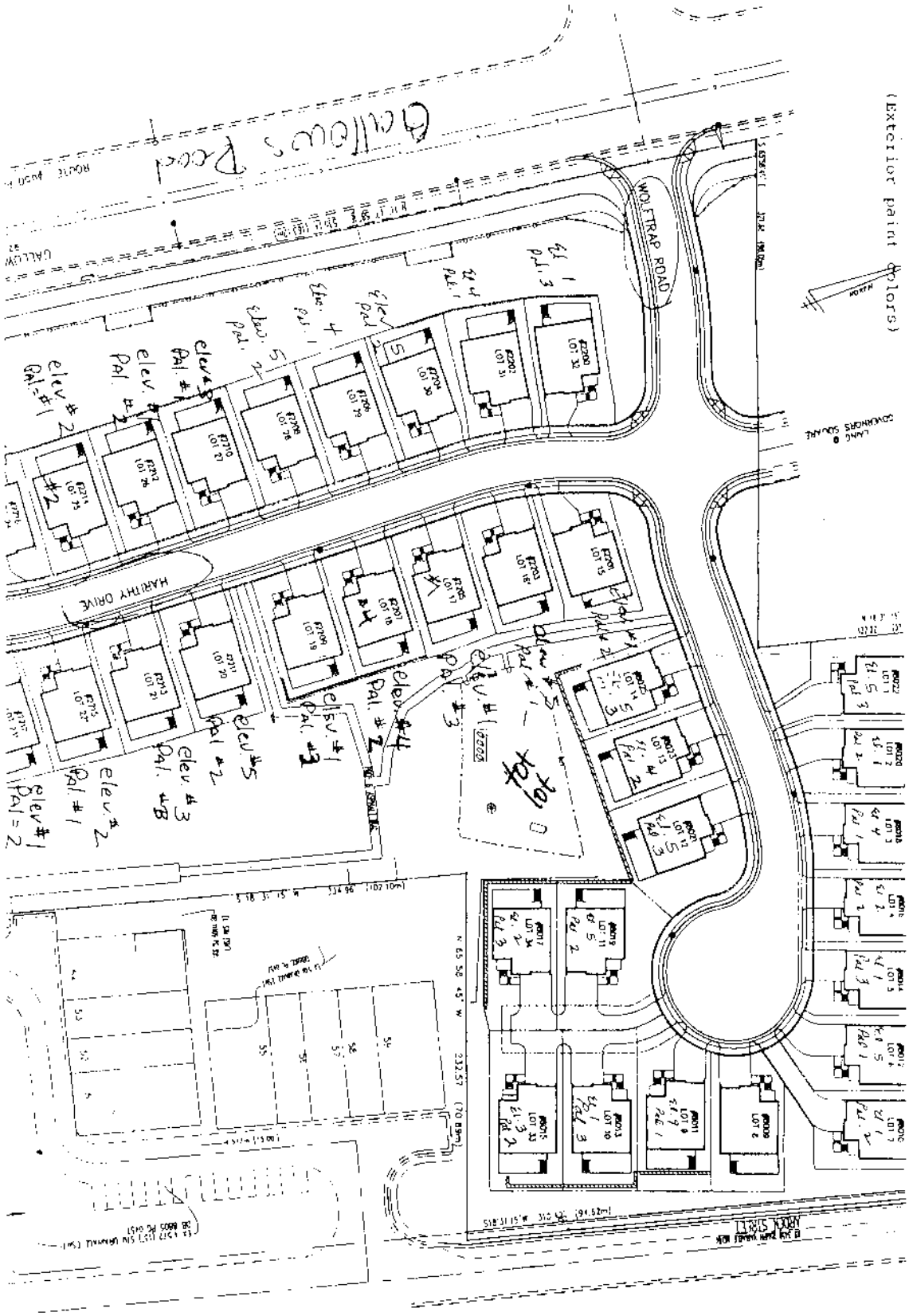
Please let us know if approval is even necessary. We had placed numerous phone calls to various Fairfax County agencies to find the best way to approach this issue. We were finally directed to you. Our office can be reached at (703) 941-9002. Our other contact information is listed below.

Thank you in advance for your assistance.

Sincerely,

Tim Kirchner, Property Manager
Arden Oaks Homeowners Association

4306 EVERGREEN LANE SUITE 101 ANNANDALE VIRGINIA 22003
(703) 941-9002 FAX (703) 941-9005
EMAIL NVMANAGEMENT@EROLS.COM



LAYOUT

ARDEN OAKS

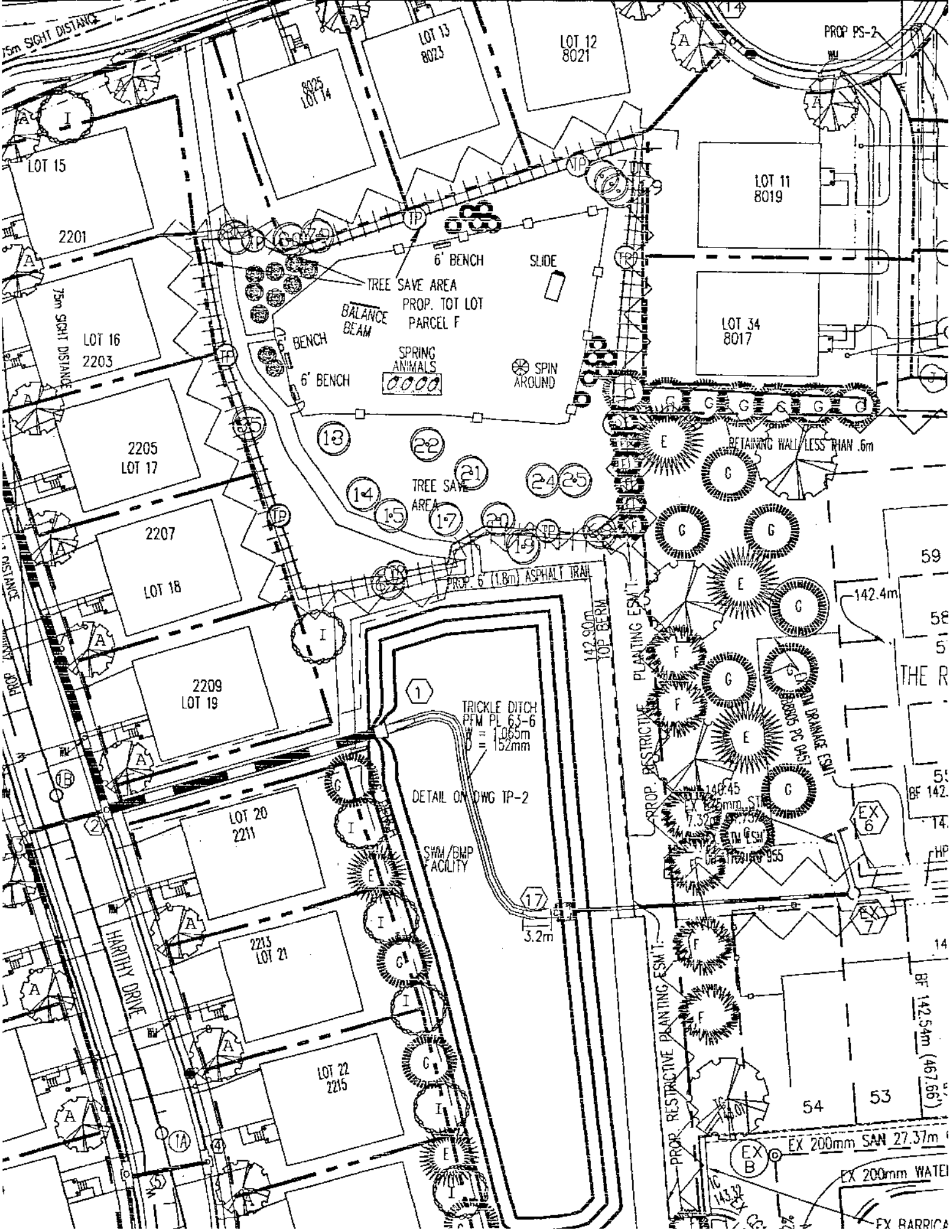
PROVIDENCE DISTRICT

REVISION APPROVED BY

	DESCRIPTION	DATE	BY	APPROVED	DATE

DAVID K. OLIVER NO. 01715

WALTER L. PHILLIPS
INCORPORATED
CIVIL ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCH
107 PARK AVENUE FALLS CHURCH VIRGINIA 22046



75m SIGHT DISTANCE
LOT 13
8023
LOT 12
8021
PROP PS-2
8025
LOT 14
LOT 15
2201
LOT 11
8019
6' BENCH
SLIDE
TREE SAVE AREA
PROP. TOT LOT
PARCEL F
BALANCE
BEAM
LOT 16
2203
6' BENCH
SPRING
ANIMALS
SPIN
AROUND
LOT 34
8017
2205
LOT 17
TREE SAVE
AREA
RETAINING WALL LESS THAN .6m
2207
LOT 18
PROP. 6' (1.8m) ASPHALT TRAIL
142.90m
TOP BERM
PLANTING ESM'T.
142.4m
2209
LOT 19
TRICKLE DITCH
PFM PL 63-6
W = 1.065m
D = 152mm
DETAIL ON DWG TP-2
PROP. RESTRICTIVE
EX 8805 PG 0457
LOT 20
2211
SWM/BMP
FACILITY
3.2m
HARITHY DRIVE
2213
LOT 21
LOT 22
2215
PROP. RESTRICTIVE PLANTING ESM'T.
BF 142.54m (467.66')
EX 200mm SAN 27.37m
EX 200mm WATE
EX BARRICA