



# County of Fairfax, Virginia

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

April 24, 2006

Philip G. Yates, Senior Associate  
Dewberry & Davis LLC  
8401 Arlington Boulevard  
Fairfax, VA 22031-4666

Re: Interpretation for SEA 99-P-046, Flint Hill School, Tax Map 47-3 ((1)) 17A: off-site landscaping

Dear Mr. Yates:

This is in response to your letter of April 19, 2006, which replaces the previous letter dated March 20, 2006, requesting an interpretation of the Special Exception Amendment (SEA) Plat and development conditions imposed by the Board of Supervisors with approval of the above application. As I understand it, you are asking if the school has complied with the conditions of Development Condition #40 which states the following:

*"Supplemental evergreen landscaping shall be provided on the Oakton Road side of Lots 13 and 14 in Oakton Ridge Estates. The location, size and area of plantings shall be as determined by UFM in consultation with the owners of said lots, and the total cost of said supplemental landscaping shall not exceed \$7,000."*

This determination is based on your letter, a letter dated April 17, 2006, from Fred and Yolanda Sanchez and Zhen and Jian Chen (owners of Lots 13 and 14) declining the evergreen landscaping required by the development condition, and the development conditions. Copies of your letter and relevant exhibits are attached.

According to your letter, two (2) separate landscape plans for the Oakton Road frontage have been submitted to the owners of Lots 13 and 14 and have been rejected. The April 17, 2006, letter from Sanchez and Chen (owners of Lots 13 and 14) states that they are declining both of the proposed landscaping plans presented to them by the school because they believe that landscaping cannot provide satisfactory screening of the school parking due to the location of a drainage system in the designated area. As I understand it, the owners of Lots 13 and 14 would prefer to have a board-on-board fence along the frontage and intend to continue in private negotiations with the school. As you are aware, under the provisions of the Zoning Ordinance, such a fence can be a maximum of 4 feet in height.

Given the fact that Development Condition #40 specifically requires landscaping to be planted on Lots 13 and 14 and that the owners of both of those lots have rejected two (2) separate landscaping proposals, it is my determination that the school has complied with the development condition.

Philip G. Yates  
Page 2

This determination 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 Mary Ann Godfrey at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director  
Zoning Evaluation Division

*BAB/MAG/O:\mgodfr\SE Interpretations\FlintHillSchool SEA 99-P-046 off-site landscaping interp.doc*

Attachments: A/S

cc: Linda Q. Smyth, Supervisor, Providence District  
Kenneth Lawrence, Planning Commissioner, Providence District  
William E. Shoup, Zoning Administrator, DPZ  
Michelle Brickner, Director, Office of Site Development Services, DPWES  
Angela Rodeheaver, Section Chief for Site Analysis, DOT  
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES  
File: SEA 99-P-046, SEI 0603 018, Imaging, Reading File



# Dewberry

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Fairfax, Virginia 22031-4666

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April 19, 2006

Barbara A. Byron, Director  
Zoning Evaluation Division, DPZ  
12055 Government Ctr Pkwy, 8<sup>th</sup> Floor  
Fairfax, VA 22035

RE: Request for Interpretation  
SEA 99-P-046  
Flint Hill Upper School

*Barbara*  
Dear Ms. Byron:

May this letter serve to replace and supersede the letter we addressed to you dated March 20, 2006 related to the above-referenced subject.

As noted in the March 20, 2006 letter, our request for interpretation concerns the compliance with Development Condition #40 that was approved with the approval of the subject application. Condition #40 reads as follows:

40. Supplemental evergreen landscaping shall be provided on the Oakton Road side of Lots 13 and 14 in Oakton Ridge Estates. The location, size and area of plantings shall be as determined by UFM in consultation with the owners of said lots, and the total cost of said supplemental landscaping shall not exceed \$7,000.

As we previously noted, we have been coordinating with the owners of Lots 13 and 14 of Oakton Ridge Estates on the referenced Development Condition and have furnished them two (2) separate landscape plans for their review and approval.

It is our understanding that, upon their review of the plans and consideration of a storm drainage easement that is located in the designated area, the owners have decided that landscaping will not provide an effective screen and they would prefer to continue to negotiate with representatives of Flint Hill School for an alternate solution.

Given this background, it is our judgment that we have complied with Development Condition #40, and we seek your concurrence with this judgment.

Ms. Barbara A. Byron  
April 19, 2006

Page 2

As this matter is integral to the approval of Minor Site Plan 6330-MSP-001 which is pending in DPW&ES, and since the matter has already taken several weeks to address, we solicit your immediate attention to the request.

Please give me a call if you have any questions or the need for elaboration.

Sincerely,



Philip G. Yates  
Senior Associate

Attachments: A/S

cc: Mike Wing, Office of Supervisor Linda Smyth  
Anne Peterson, Flint Hill School  
Leo Ratchford, Fairfax County Environmental and Site Review Division, DPW&ES  
Mary Ann Godfrey, Fairfax County Zoning Evaluation Division--Planning Division, DPZ  
Chris Champagne, Dewberry  
Janice Cena, Dewberry

April 17, 2006

Ms. Marv Ann Godfrey  
Senior Staff Coordinator  
Zoning Evaluation Division  
County of Fairfax  
Department of Planning and Zoning  
Suite 801  
Fairfax, VA 22036

RE: Landscaping Plan  
Lots 13 & 14 Oakton Ridge Estates

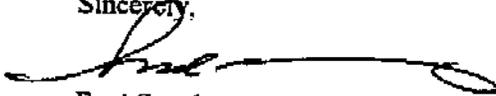
Dear Ms. Godfrey:

May this letter serve for the record that we are the legal owners of Lots 13 & 14, Oakton Ridge Estates. It further serves to acknowledge that we have reviewed the Landscape Plans titled Landscape Details and Notes prepared by Dewberry dated February 6, 2006 and March 8, 2006 that are part of the Minor Site Plan No 6330-MSP-001, Flint Hill Upper School.

After reviewing said plans, which propose supplemental landscaping in our respective lots (Lot 13 & 14) adjacent to Oakton Road and walking the lots to determine feasibility of said plans, we have concluded that the proposed landscaping cannot provide satisfactory screening due to the location of a drainage system in the designated area. We are, therefore, declining the proposal for landscape screening. In lieu of the landscape screening, we agree to accept \$3,500 each, per lot, for a total of \$7,000 from Flint Hill School for the purpose of installing a fence.

Thank you for your assistance in this matter.

Sincerely,



Fred Sanchez

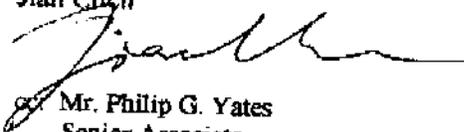


Yolanda Sanchez

Zhen Zhou



Jian Chen



cc Mr. Philip G. Yates  
Senior Associate  
Dewberry & Davis LLC