



APPLICATION FILED: February 28, 2006  
PLANNING COMMISSION: July 20, 2006  
BOARD OF SUPERVISORS: Not yet scheduled

# County of Fairfax, Virginia

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July 6, 2006

## STAFF REPORT

APPLICATION PCA 2004-PR-024

PROVIDENCE DISTRICT

**APPLICANT:** William D. Giery

**PRESENT ZONING:** R-3

**REQUESTED ZONING:** R-3

**PARCEL(S):** 39-1 ((9)) 39

**ACREAGE:** 1.3 acres

**DU/AC:** 1.53 du/ac

**PLAN MAP:** Residential; 3-4 du/ac

**PROPOSAL:** Amend RZ 2004-PR-024 previously approved for residential development, to permit modifications to the approved proffers.

### STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 2004-PR-024 subject to the execution of proffers consistent with those contained in Appendix 1.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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It should be noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



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**A GLOSSARY OF TERMS FREQUENTLY  
USED IN STAFF REPORTS WILL BE  
FOUND AT THE BACK OF THIS REPORT**

**DESCRIPTION OF THE APPLICATION**

**Proposal:**

The applicant, William D. Giery, is requesting to amend the proffers previously approved for the subject site with RZ 2004-PR-024, to permit a modification of the approved proffers, in order to construct 2 single-family detached dwellings, for a density of 1.53 du/ac. The existing dwelling and accessory structures on the property would be removed.

The applicant seeks an amendment of the previously approved GDP and proffers as follows:

- Change proffer #9 from two (2) car, front loading garages to allow three (3) car, side loading garages.
- Change proffer #10 from pervious driveways to asphalt driveways.
- Change the minimum rear setback from 155 feet to 110 feet.
- Reconfiguration of the tree save area, in order to use the existing driveway on the application property for access to lot 2 in lieu of the driveway shown on the previously approved GDP.
- Provide an additional BMP facility in the eastern portion of property.

The applicant's draft proffers, affidavit, and Statement of Justification are contained in Appendices 1-3, respectively.

**LOCATION AND CHARACTER**

**Site Description:**

The subject property consists of a 1.30 acre parcel, located on the western side of George Washington Road, approximately 1,400 feet north of the intersection with Wolftrap Road. The property is currently developed with a single-family detached dwelling and accessory structures, which would be removed with this proposal.

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Single-family Detached Residential (Madrillon Manors)	PDH-4	Residential; 3-4 du/ac
<b>South</b>	Single-family Detached Residential	R-4	Residential; 3-4 du/ac
<b>East</b>	Single-family Detached Residential (Madrillon Farms)	R-1	Residential; 3-4 du/ac
<b>West</b>	Single-family Detached Residential (Lord Fairfax Manors)	R-4	Residential; 3-4 du/ac

## **BACKGROUND**

### **Site History:**

The property contains a single-family detached dwelling, constructed in 1941, and various accessory structures.

On September 12, 2005, the Board of Supervisors approved RZ 2004-PR-024 subject to proffers dated July 26, 2005, to rezone 1.3 acres from R-1 to R-3 to permit construction of 2 single-family detached dwellings at a density of 1.53 du/ac. The approved proffers and a reduction of the approved GDP are included as Appendix # 4.

## **COMPREHENSIVE PLAN PROVISIONS**

<b>Plan Area:</b>	II
<b>Planning District:</b>	Vienna Planning District
<b>Planning Sector:</b>	Spring Lake Community Planning Sector (V3)
<b>Plan Map:</b>	Residential; 3-4 du/ac
<b>Plan Text:</b>	

In the Fairfax County Comprehensive Plan, Area II Volume, 2003 Edition, Vienna Planning District, as amended through May 19, 2003, Spring Lake Community Planning Sector (V3), Page 52, the Plan states:

- “3. The area located between the western boundary of the Madrillon Farms subdivision (including the subdivision), Wolftrap Road, the Kilmer School, the Merry Oaks subdivision and commercial/institutional property on the south side of Old Courthouse Road is a largely

undeveloped area that is located between stable residential areas to the south and west, and the Tysons Corner Urban Center. Notable archaeological sites in any development proposal should be preserved. Townhouse development at 8-12 dwelling units per acre is planned for the northeast section of this area in accordance with the Plan map. The remaining portion of this area is planned for 3-4 dwelling units per acre in accordance with the Plan map. As an option, residential development up to 5 dwelling units per acre may be considered if the following conditions are met:

- Substantial consolidation of the area, including all properties bounding on the area planned for 8-12 dwelling units per acre;
- Provision of both townhouse and single-family detached units. Townhouse units should be located adjacent to the area planned for 8-12 dwelling units per acre. The peripheral areas should be developed as single-family detached units that will be compatible with existing uses planned at 2-3 and 3-4 dwelling units per acre; and
- Provision of usable open space and recreation facilities, and an integrated pedestrian circulation system throughout the development.”

## ANALYSIS

### **Generalized Development Plan (GDP)** (Copy at front of staff report)

<b>Title of GDP:</b>	Generalized Development Plan, Madrillon Farms, Lot 39
<b>Prepared By:</b>	Charles P. Johnson & Associates, Inc.
<b>Original and Revision Dates:</b>	February 28, 2006; as revised through June 23, 2006 and received by the Dept. of Planning and Zoning on June 26, 2006.

The GDP consists of six (6) sheets:

- **Sheet 1 of 6:** includes a soils map and table, site data and tabulations, general notes, and vicinity map.
- **Sheet 2 of 6:** includes the Generalized Development Plan showing the proposed site layout.
- **Sheet 3 of 6:** includes the Landscape Plan and Tree Cover calculations.
- **Sheet 4 of 6:** includes the BMP calculations and previously approved Water Quality Control and Stormwater Detention waivers.

- **Sheet 5 of 6:** illustrates the existing conditions on the site.
- **Sheet 6 of 6:** is the existing vegetation map.

The applicant's proposal includes the following features:

- Two (2) single-family detached dwellings are proposed, for a density of approximately 1.53 du/ac. The proposed lots would be 28,168 square feet. The previously approved rezoning proposed the same density with lots that were 28,162 square feet.
- The proposed lots include 90 foot front yards, 20 foot minimum side yards along the site perimeter, and over 100 foot minimum rear yards. The minimum rear yard setback for the previously approved application was 155 feet (lot 2); with this application the proposed minimum rear yard setback is 110 feet.
- The dwellings would include 3-car, side loading garages, and approximately 90' long driveways, to accommodate parking. The previously approved application provided 2-car, front loading garages with a 70' long driveway to lot 1 and an 85' long driveway to lot 2.
- Reconfiguration of the tree save area, in order to use the existing driveway on the application property for access to lot 2 in lieu of the driveway shown on the approved GDP.
- Right-of-way dedication and construction of frontage improvements, to include curb and gutter, is proposed along George Washington Road, and sidewalks are proposed to be constructed along the entire George Washington Road frontage. The right-of-way dedication and construction proposal remains the same as previously approved.

### **Land Use Analysis**

The subject property is planned for residential use at 3-4 du/ac. As an option, the text states that residential development up to 5 dwelling units per acre may be considered with the satisfaction of certain conditions; however the applicant is not pursuing this density option. The proposed density of 1.53 du/ac falls below the planned use and density recommendations of the Comprehensive Plan. No land use issues have been identified in conjunction with this application. Issues related to the Residential Development Criteria, environment, and public facilities were addressed at the time of the approval of RZ 2004-PR-024.

### **Transportation Analysis**

No transportation issues have been raised with this application.

**Stormwater Management Analysis** (Appendix 6)**Chesapeake Bay Preservation Ordinance (CBPO)****Issue:** Water Quality

Subsequent to the approval of the original rezoning, a waiver of water quality control requirements was approved, with conditions on December 5, 2005, by DPWES. If the conditions of the site change, a new waiver request that reflects the revised plan may be required as determined by DPWES.

**Issue:** Stormwater Detention

Subsequent to the approval of the original rezoning, a waiver of on-site detention was approved, with conditions on December 8, 2005, by Valerie Tucker, Chief Stormwater Engineer, DPWES. If the conditions of the site change, a new waiver request that reflects the revised plan may be required as determined by DPWES.

**Issue:** Proposed BMP Facility

The proposed tree save area restricts any significant re-grading of the site to direct surface flow to the newly proposed additional BMP. Therefore the benefits from the additional BMP will be limited, at best.

**Resolution:**

The changes proposed with this amendment request do not require any additional BMP facilities. The two BMP facilities previously approved with RZ 2004-PR-024, will meet the BMP requirements for the site. The applicant has proposed an additional BMP at the front of the site to alleviate any drainage issues. As the proposed facility is above and beyond the requirements for the site, staff does not have an issue with the additional facility.

**Urban Forest Management Analysis** (Appendix 7)**Issue:** Tree Preservation

There is a 22-inch diameter red maple tree located to the northeast of the existing house. The area under the drip line of this tree was disturbed, graded, and scraped resulting in possible root damage. This tree appears to be in fair condition and should be considered for preservation with proper tree preservation measures. The proposed limits of clearing and grading located to the north of the driveway for lot 2 will provide minimal preservation for the existing 24-inch diameter pin oak tree proposed for preservation. The limits of clearing and

grading adjacent to the 26-inch diameter white oak tree should be moved out at least 10-feet to the east, of the drip line of this tree, to provide adequate protection. There is a 30-inch diameter maple tree located to the southeast of the existing house. This tree is multi-stemmed with a broken top hanging in the canopy. This tree is in poor condition and is considered an elevated risk, and will be a liability if left on the site.

**Resolution:**

The limits of clearing and grading adjacent to the 26-inch diameter white oak tree have been moved out approximately 10-feet to the east, to provide increased protection. The 22-inch diameter red maple tree located to the northeast of the existing house is shown to be preserved on the GDP associated with this application. Staff recommends that the 30-inch diameter maple tree to the southeast of the existing house should be removed from the site. Tree preservation measures were approved with the proffers previously approved with RZ 2004-PR-024 and the proffers addressing those tree preservation measures are proposed to remain in full force and effect with this application.

**ZONING ORDINANCE PROVISIONS** (Appendix 8)

**Maximum Density/Bulk Regulations**

<b>Standard</b>	<b>Required</b>	<b>Provided</b>
<b>Bulk Standards</b>	(R-3)	
Average Lot Size	11,500 sq. ft. min.	28,162 sq. ft. each
Lot Size	10,500 sq. ft. min.	28,162 sq. ft. each
Lot Width	80 ft. min. (interior)	95 ft. each
Building Height	35 ft. max.	35 ft. max.
Front Yard	30 ft. min.	90 ft. min.
Side Yard	12 ft. min.	14 ft. min.
Rear Yard	25 ft. min.	110 ft. min.
Open Space	no requirement	n/a

<b>Standard</b>	<b>Required</b>	<b>Provided</b>
<b>Parking</b>		
Parking Spaces	2 spaces per unit	3 garage spaces + driveway
<b>Transitional Screening</b>		
Single-Family Detached Residential (all peripheries)	no requirement	n/a
<b>Barrier</b>		
Single-Family Detached Residential (all peripheries)	no requirement	n/a

The maximum density permitted in the R-3 District is 3 du/ac. With the original rezoning of the property per RZ 2004-PR-024 from R-1 to R-3, the proposed development of 2 single-family detached units was at a density of 1.53 du/ac. That remains the same with the current application.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

Staff believes that the subject application is in conformance with the Comprehensive Plan requirements and the applicable Zoning Ordinance provisions.

### **Recommendations**

Staff recommends approval of PCA 2004-PR-024, subject to the execution of proffers consistent with those contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

## **APPENDICES**

1. Draft Proffers
2. Affidavit
3. Statement of Justification
4. Previously Approved Proffers, GDP & Clerk's Letter (RZ 2004-PR-024)
5. Transportation Analysis
6. Stormwater Management Analysis
7. Urban Forest Management Analysis
8. Zoning Ordinance Provisions
9. Glossary

**Proffer Statement  
PCA 2004-PR-024  
September 11, 2006**

Pursuant to Section 15.2-2303A, Code of Virginia, 1950 as amended, William D Giery (hereinafter referred to as the "Applicant" for the owners, themselves, successors and assigns in Proffered Condition Amendment PCA 2004-PR-024, filed for the property identified as Tax Map 39-1 ((9)) 39 (hereinafter referred to as the "Application Property") agrees to the following proffers subject to the Board of Supervisors approval of Proffered Condition Amendment(PCA) 2004-PR-024, wherefore the applicant hereby reaffirms the previous proffers accepted by the Board of Supervisors ( the "previous Proffers"). In the event this application is denied, these revised proffers shall immediately be null and void and the Previous Proffers shall remain in full force and effect. In the event this application is approved, all of the previous proffers remain in full force and effect except as hereby amended.

**1. Generalized Development Plan**

Development of property that is subject to this amendment (the "Application Property") will be in substantial conformance with the plan entitled "Generalized Development Plan (GDP), Madrillon Farms Lot 39" consisting of Six sheets prepared by Charles P Johnson Associates, Inc. and dated February 28, 2006 as revised through June 23, 2006.

**9. Building Materials**

Building Facades shall be limited to brick, stone and cement type siding. The proposed dwellings shall include courtyard three car garages. Furthermore the proposed dwellings shall be a maximum height of 35 feet with above grade square footage between 4000 square feet to 6000 square feet. The proposed dwellings shall meet the minimum setbacks as shown on the GDP. A minimum setback of 20 feet shall be provided along the southerly boundary of proposed lot 1. The final building design may include decks.

**10. Pavers and driveways**

The applicant shall provide either permeable paver driveways without vegetative swales or asphalt driveways with vegetative swales along the side of the driveways.

**By:**

**Name: William D Giery  
Title: Owner**