



County of Fairfax, Virginia

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

March 16, 2007

John E. Cowles
JCE Real Estate Management/Development
5350 Shawnee Road, Suite 310
Alexandria, VA 22312

Re: Proffer Interpretation for RZ 2002-MV-022, Rolling Oaks LLC,
Tax Map 98-4 ((1)) 18 & 98-4 ((3)) 11 pt.: Architectural Elevations

Dear Mr. Cowles:

This is in response to your original letter dated September 15, 2006, and your supplemental letter dated November 8, 2006, requesting an interpretation of the proffers and Conceptual Development Plan/Final Development Plan (CDP/FDP) accepted by the Board of Supervisors in conjunction with the approval of the above-referenced application. As I understand it, the question is whether the attached building elevations for proposed Unit Types B, B III and C are in substantial conformance with the proffers and the CDP/FDP. This determination is based on your original letter with a copy of Proffer #8 and Exhibit A; a copy of the full-size elevation sheets showing front, side and rear elevations for Unit Types B and C, prepared by Devereaux & Associates, Sheet B-4 dated December 14, 1998, and Sheets C4 & C5 dated December 1, 1997; and a reduced copy of the CDP/FDP prepared by BC Consultants dated April, 2003. Also attached is the supplemental letter with the attached revised full-size elevations prepared by Devereaux & Associates, stamped as received November 8, 2006, with signed revision notations dated November 8, 2006, and two 11-inch x 17-inch elevation sheets titled, "Right Side Elevation Unit B" and "Left Side Elevation Unit B." Copies of your letters with the relevant documents are attached.

Previous interpretations, issued on April 8, 2005, April 13, 2005, and June 17, 2005, determined that elevations for Unit Types F, F II, O and P were in substantial conformance with the zoning. The current elevations submitted with this request propose additional Unit Types B and C to provide buyers with an additional choice of exterior elevations associated with optional floor plans. Your original letter and proposed elevations provided basic information and illustrations for the proposed exterior design elements. Your supplemental letter and revised elevations confirm the use of brick materials for the unit types and provides architectural elements for the side elevations. According to your letters and additional information provided by you, as stated in a telephone conversation with staff on February 28, 2007, the exterior elevations provided with Unit Types B and C reflect optional floor plans, resulting in a combination of the front entry with the front gable and elimination of a roof line. Previously, the front entry and gable were

John E. Cowles
Page 2

separate elements and there were two distinct roof lines. Unit Type B III is also included as an optional floor plan and utilizes the same exterior elevation as Unit Type B. In addition, you stated that the arched architectural elements above the garage doors, as shown on the proffered Exhibit A, will be maintained, irrespective of that shown on the revised elevation illustrations.

It is my determination that the revised elevations with notations dated November 8, 2006, submitted with the supplemental letter dated November 8, 2006, and with the commitment to the arched architectural elements over the garage doors per your telephone conversation on February 28, 2007, are in substantial conformance with the proffers. 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 Carrie Lee at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

HAB/CDLVZED/CLEE01/ACTION ASSIGNMENTS/INTERPRETATIONS/PI ROLLING OAKS_ELEVATIONS.DOC

Attachments: A/S

cc: Gerald W. Hyland, Supervisor, Mt. Vernon District
Earl L. Flanagan, Planning Commissioner, Mt. Vernon District
Diane Johnson-Quinn, Deputy Zoning Administrator, ZPRB, ZAD, DPZ
Michelle Brickner, Assistant Director, Land Development Services, DPWES
Audrey Clark, Director, Building Plan Review Division, DPWES
Angela Rodcheaver, Section Chief for Site Analysis, DOT
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
Kevin J. Guinaw, Chief, Special Projects/Applications Management Branch, ZED, DPZ
File: ZC RZ 2002-MV-022, PI 0609 142, Imaging, Reading File



Real Estate
Management
Development

Telephone: 703/658-6073 5350 Shawnee Road • Suite 310 • Alexandria, Virginia 22312
Facsimile: 703/658-1873

September 15, 2006

VIA HAND DELIVERY

Barbara Byron, Division Director
Fairfax County Planning & Zoning Division
12055 Government Center Parkway, 8th Floor
Fairfax, Virginia 22035

RECEIVED
Department of Planning & Zoning

SEP 21 2006

**RE: Rolling Oaks Subdivision
RZ 2002-MV-022
Proffer #8a.**

Zoning Evaluation Division

Dear Ms. Byron:

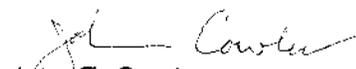
Pursuant to the above referenced rezoning which was approved by the County Board of Supervisors subject to proffers and an approved Conceptual Development Plan/Final Development Plan, please find enclosed a package of materials intended to satisfy Proffer 8a. as it relates to two additional house types proposed for construction at Rolling Oaks. The materials include:

1. A copy of the relevant proffer text 8a. which requires the Applicant to present final architecture of the houses to the Department of Planning & Zoning for a determination of conformance with conceptual elevations attached to the proffers as Exhibit A;
2. A copy of the elevation sheets showing front, side and rear elevations for house types B III and C.
3. A copy of the overall grading plan sheet approved as a part of the site plan for Rolling Oaks subdivision.

By prior approval, house types F II, O and P were reviewed and approved by Fairfax County Planning & Zoning Division. These houses have been constructed upon Lots 1-4 and remain available within the community. Based upon deteriorated market conditions, we are trying offer two additional house types on a presale basis which will allow us to broaden our product offering and price range. The site is developed with base paving in place to serve the 16 lots within the subdivision. Houses on Lots 1-4 have been constructed and the house on Lot 1, a Type P, has been completed and decorated as a model home. The timely review and approval of the architectural elevations enclosed will help with our sales program for the community and enable us to offer a broader price range to the public.

Many thanks for your timely review of this matter.

Sincerely,


John E. Cowles
JEC/b
278-10

6. AFFORDABLE HOUSING -

At the time of final subdivision plat approval, the Applicant shall contribute to the Fairfax County Housing Trust Fund the sum equal to one-half percent ($\frac{1}{2}\%$) of the estimated sales price of each house to be built on an approved lot to assist Fairfax County's low and moderate income housing goals. The estimated sales price shall be determined by the Applicant in consultation with the staff of the Fairfax County Department of Housing and Community Development (HCD). The timing and amount of this contribution may be modified at the Applicant's sole option in compliance with the adoption of a future amendment to the formula and/or timing as adopted by the Board of Supervisors.

7. NOISE ATTENUATION -

- a. The Applicant shall conduct a refined acoustical analysis to determine the area of the Application Property having noise impacts from Rolling Road traffic exceeding 65 dBA Ldn, measured from the centerline of Rolling Road as it is proposed to be widened to four lanes (the "Noise Impact Area"). Such analysis shall be based on traffic projections for the year 2020 and shall consider the topographic changes that would result from the widening of Rolling Road from two to four lanes as described in Proffer # 2 above. Such analysis shall be reviewed and approved by DPWES and DPZ prior to subdivision plan approval.
- b. Applicant shall achieve an interior noise level of approximately 45 dBA Ldn in all units located within the Noise Impact Area
- c. If necessary to reduce exterior noise levels in rear/side yard recreational areas to 65 dBA Ldn or less within the Noise Impact Area, a wooden fence and/or berm in accordance with Zoning Ordinance regulations shall be provided. Any such fencing shall be architecturally solid, flush with the ground, with no gaps or openings. Any such walls may be constructed to a maximum height of 8 feet.
- d. Nothing herein shall be construed to restrict or otherwise limit the use of balconies, patios or decks on residential units.

8. DESIGN -

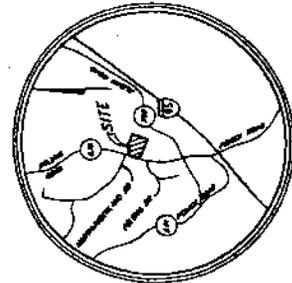
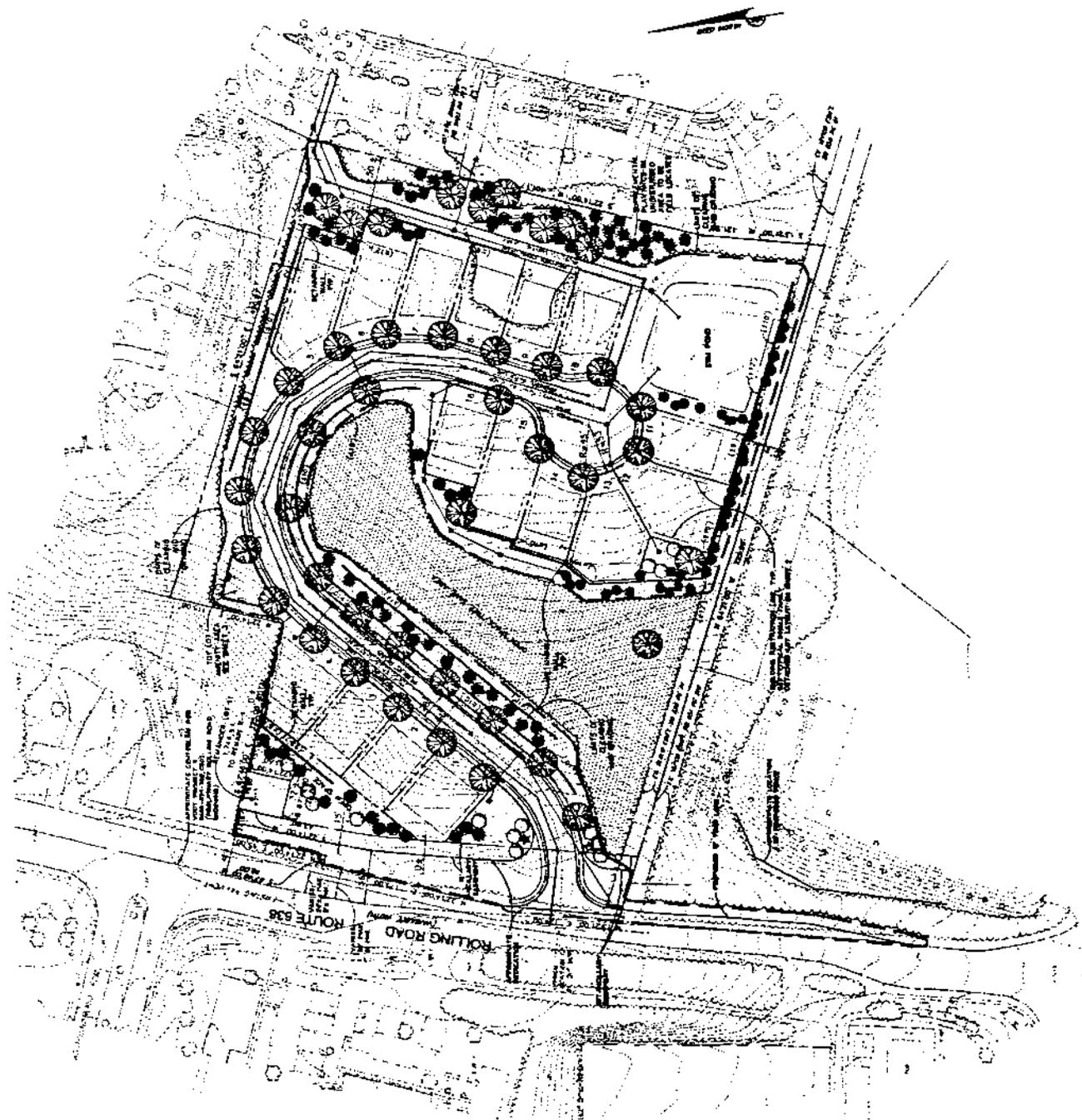
- a. As initially constructed, the proposed houses will include architectural elements consistent with those elements depicted on the conceptual elevations attached hereto as Exhibit A. The Applicant agrees that the front façade of each of the houses will be primarily brick, with the exception of roof gables, trim, architectural details, windows and other such features. The Applicant agrees that rear facades and side facades on end units shall utilize a combination of building materials and/or architectural elements or ornamentation such as shutters to provide architectural variety. Rear facades of houses on Lots 1-4 shall contain a minimum of 20% brick. Furthermore, the Applicant agrees that windows on side facades shall not be located directly opposite to windows on the side facade of an

adjacent house. The Applicant shall present the final architecture of the houses to the Department of Planning and Zoning for a determination of conformance with this proffer before issuance of building permits for the houses.

- b. Residential dwellings constructed on the Application Property shall meet thermal guidelines of the CABO Model Energy Program for energy-efficient homes or its equivalent, as determined by the DPWES, for either electric or gas energy systems as applicable.
- c. Retaining walls shall be covered with a brick, stone and/or decorative masonry veneer of comparable or better quality to that shown on the CDP/FDP. The retaining walls may be terraced and if so the area between each terrace shall be landscaped. Handrails and/or guardrails at the top of the retaining walls shall be provided as required by DPWES. Anticipated heights of the retaining walls are as shown on the CDP/FDP. Retaining wall sizes and locations may be subject to change upon final engineering. Individual retaining walls, shall not exceed a height of 13 feet.
- d. Each residential dwelling shall have a minimum rear yard of twenty (20) feet and a minimum front yard of eighteen (18) feet. A minimum distance of ten (10) feet shall be provided between residential dwellings, exclusive of Zoning Ordinance extensions permitted in Article 2 for bay windows, chimneys, and similar features.
- e. If street lights are required, the Applicant shall include full cut-off fixtures and shall be directed downward to minimize off-site glare to adjacent existing residential uses, subject to approval by VDOT, Dominion Power, and/or DPWES. If such fixtures are not so approved, the Applicant shall provide street lighting as required by the Public Facilities Manual.
- f. A minimum of 1 of the 16 approved dwelling units shall be designed with a first floor configuration offering exterior access, either directly outside or through a garage, without steps, to a full bathroom and at least one room suitable for occupancy as a bedroom. In that dwelling, doors and hallways provided in such areas shall be constructed pursuant to the width requirements of the Americans with Disabilities Act and such ground floor bathroom shall be constructed with wall supports to allow for the future installation of grab bars.
- g. The Applicant shall submit a geotechnical engineering study for review and approval by DPWES prior to final subdivision plan approval, and the recommendations of the study shall be implemented as required by DPWES.

9. HOMEOWNERS ASSOCIATION

- a. The Applicant shall establish a homeowners association ("HOA") for the proposed development to own, manage and maintain the open space identified on the CDP/FDP and all other community owned land and improvements including,



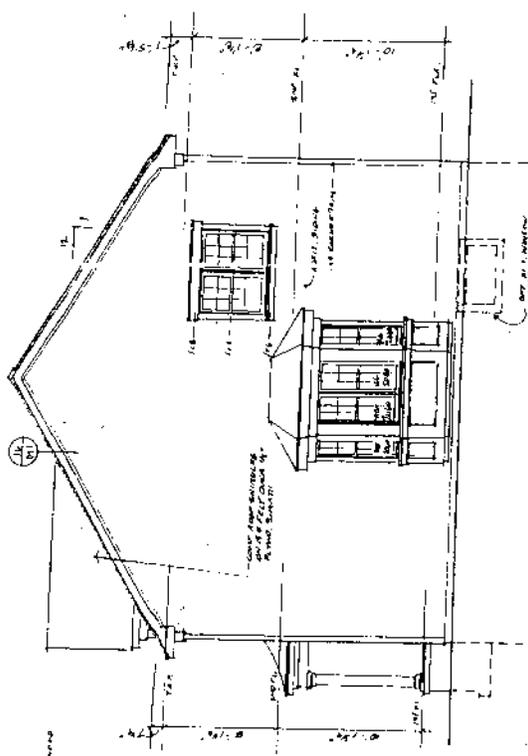
VICINITY MAP
 SCALE: 1" = 2000'

- SITE LABELATION**
- THICK LINE = EXISTING LOT
 - THIN LINE = PROPOSED LOT
 - THICK LINE WITH DASHES = EXISTING DRIVE
 - THIN LINE WITH DASHES = PROPOSED DRIVE
 - THICK LINE WITH DASHES AND ARROWS = EXISTING DRIVE WITH TRAFFIC DIRECTION
 - THIN LINE WITH DASHES AND ARROWS = PROPOSED DRIVE WITH TRAFFIC DIRECTION
 - THICK LINE WITH DASHES AND ARROWS AND CIRCLES = EXISTING DRIVE WITH TRAFFIC DIRECTION AND STOP SIGN
 - THIN LINE WITH DASHES AND ARROWS AND CIRCLES = PROPOSED DRIVE WITH TRAFFIC DIRECTION AND STOP SIGN
 - THICK LINE WITH DASHES AND ARROWS AND CIRCLES AND STARS = EXISTING DRIVE WITH TRAFFIC DIRECTION, STOP SIGN, AND TRAFFIC SIGNAL
 - THIN LINE WITH DASHES AND ARROWS AND CIRCLES AND STARS = PROPOSED DRIVE WITH TRAFFIC DIRECTION, STOP SIGN, AND TRAFFIC SIGNAL
 - THICK LINE WITH DASHES AND ARROWS AND CIRCLES AND STARS AND TRIANGLES = EXISTING DRIVE WITH TRAFFIC DIRECTION, STOP SIGN, TRAFFIC SIGNAL, AND TRAFFIC LIGHT
 - THIN LINE WITH DASHES AND ARROWS AND CIRCLES AND STARS AND TRIANGLES = PROPOSED DRIVE WITH TRAFFIC DIRECTION, STOP SIGN, TRAFFIC SIGNAL, AND TRAFFIC LIGHT

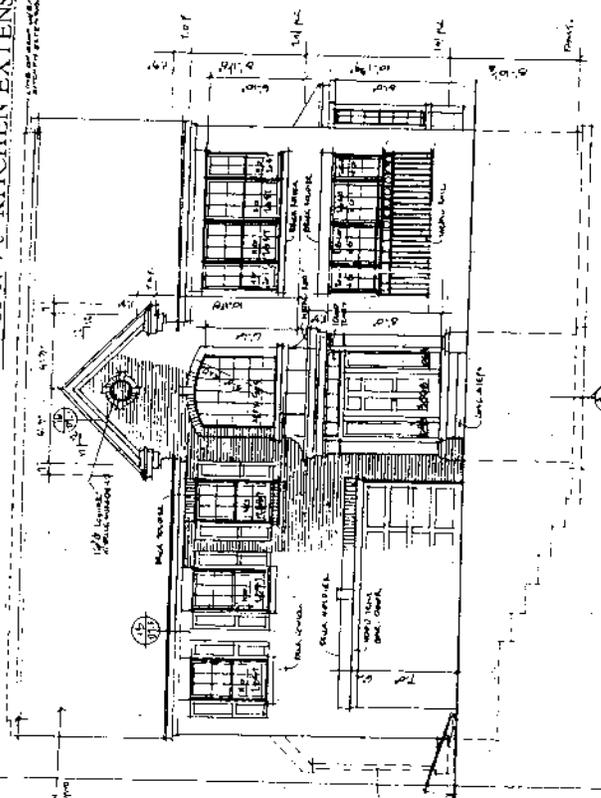
- LANDSCAPE LABELING**
- CIRCLE WITH TREE SYMBOL = TREE
 - CIRCLE WITH BUSH SYMBOL = BUSH
 - CIRCLE WITH SHRUB SYMBOL = SHRUB
 - CIRCLE WITH GRASS SYMBOL = GRASS
 - CIRCLE WITH SAND SYMBOL = SAND
 - CIRCLE WITH WATER SYMBOL = WATER
 - CIRCLE WITH ROCK SYMBOL = ROCK
 - CIRCLE WITH LIGHTNING BOLT SYMBOL = LIGHTNING BOLT
 - CIRCLE WITH STAR SYMBOL = STAR
 - CIRCLE WITH DASHES SYMBOL = DASHES
 - CIRCLE WITH DASHES AND ARROWS SYMBOL = DASHES AND ARROWS
 - CIRCLE WITH DASHES AND ARROWS AND TRIANGLE SYMBOL = DASHES AND ARROWS AND TRIANGLE
 - CIRCLE WITH DASHES AND ARROWS AND TRIANGLE AND STAR SYMBOL = DASHES AND ARROWS AND TRIANGLE AND STAR

NOT TO SCALE UNLESS OTHERWISE NOTED
 ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED

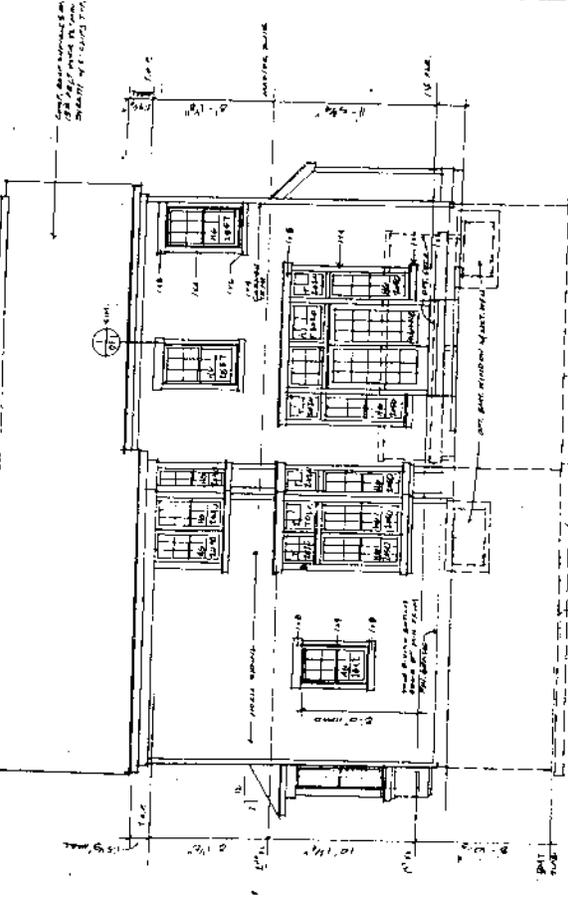
Rec'd 9-15-06
letter



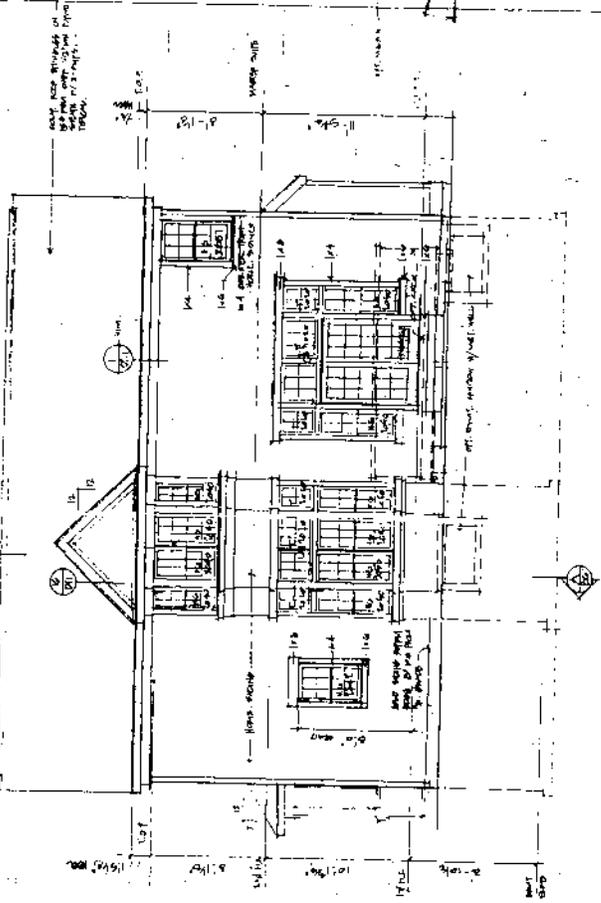
SIDE ELEVATION UNIT B
W/ OPT. 2'-0" KITCHEN EXTENSION



FRONT ELEVATION UNIT B



REAR ELEVATION UNIT B
W/ OPT. 2'-0" KITCHEN EXT.

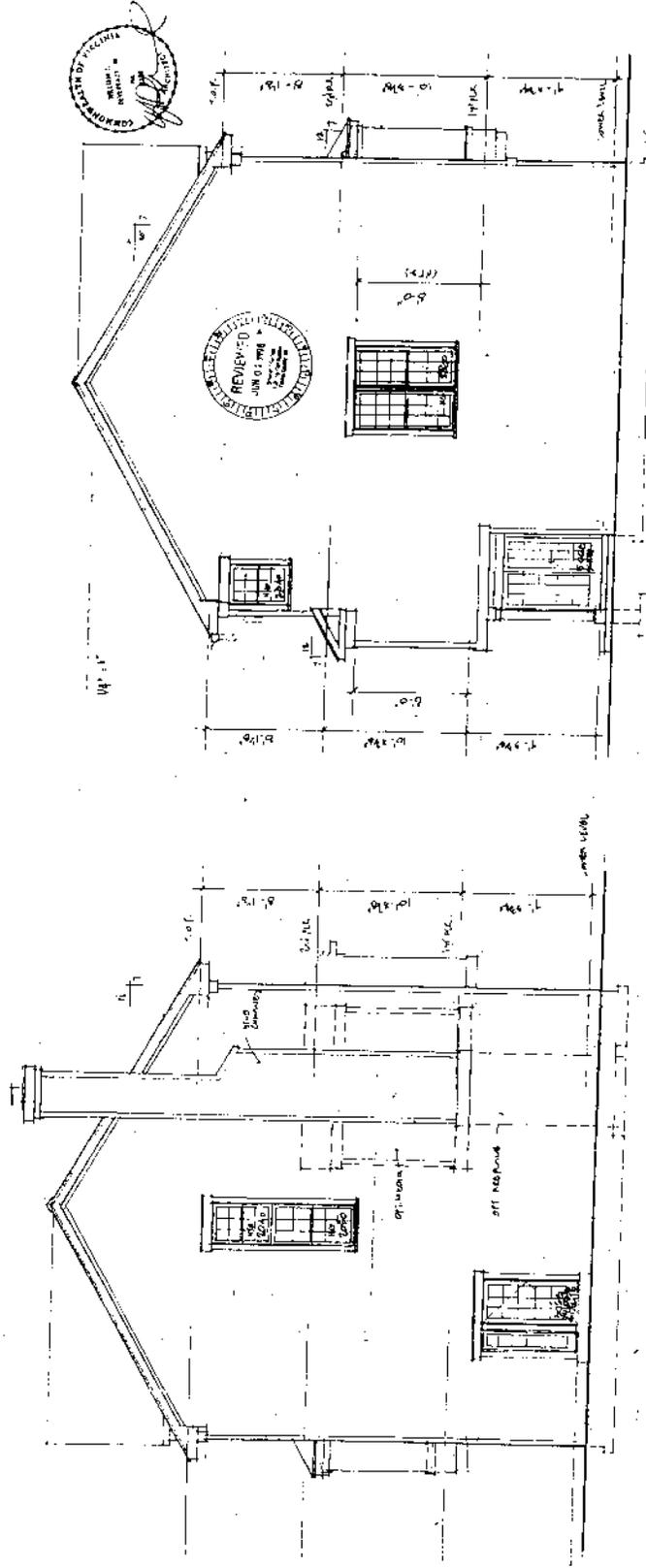


REAR ELEVATION UNIT B

Devin & Associates

CEDAR LAKES HOME FAIRFAX VIRGINIA

US 221 221A 221B 221C 221D 221E 221F 221G 221H 221I 221J 221K 221L 221M 221N 221O 221P 221Q 221R 221S 221T 221U 221V 221W 221X 221Y 221Z



Rec'd 9-15-06
Letter

RIGHT SIDE ELEVATION - UNIT C 1/4" = 1'-0"

LEFT SIDE ELEVATION - UNIT C 1/4" = 1'-0"



Real Estate
Management
Development

Telephone: 703/658-6073 5350 Shawnee Road • Suite 310 • Alexandria, Virginia 22312
Facsimile: 703/658-1873

November 8, 2006

VIA HAND DELIVERY

Carrie Lee, Planner
Fairfax County Zoning Evaluation Division
12055 Government Center Parkway
Fairfax, Virginia 22035

**RE: Rolling Oaks Subdivision
RZ 2002-MV-022
Proffer #8A**

Dear Carrie:

Pursuant to our telecon of yesterday, please be advised of the following:

1. Per the front elevation, the material shown on the plan is brick and includes brick rowlock and soldier courses which are called out on the plan. The rear and side elevations are horizontal siding which is also called out on each of the sheets. The floored bay window shown on the side elevation of Unit B is a standard feature which provides architectural relief in conformance with the proffer.
2. The front elevation Unit C shall be in brick as shown on the plan enclosed which also calls out brick rowlock and brick surround at the reverse gable louver. The side and rear elevations are horizontal siding. The side elevations shown include standard windows for architectural relief and the standard chimney housing the family room fireplace.
3. All of the windows on side and rear elevations include wide trim boards to accent windows. These include the use of 1x4, 1x6 and 1x8 trim boards.

Upon your review of the enclosed information, should you have questions or comments, please contact me. We are trying to offer these two additional house types on a presale basis which will allow us to broaden our product offering and price range at Rolling Oaks.

Many thanks for your timely review of this matter.

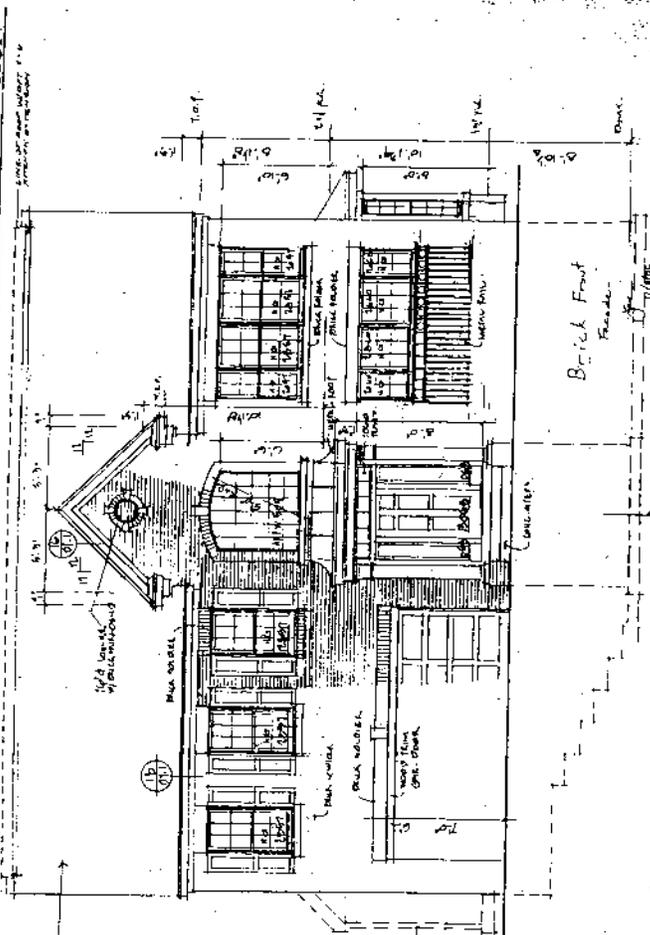
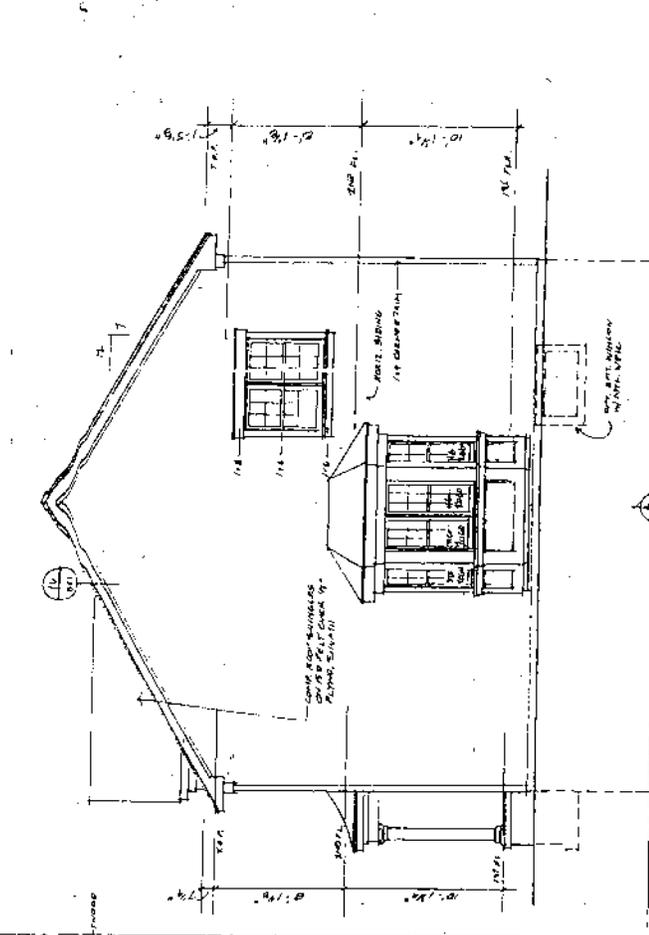
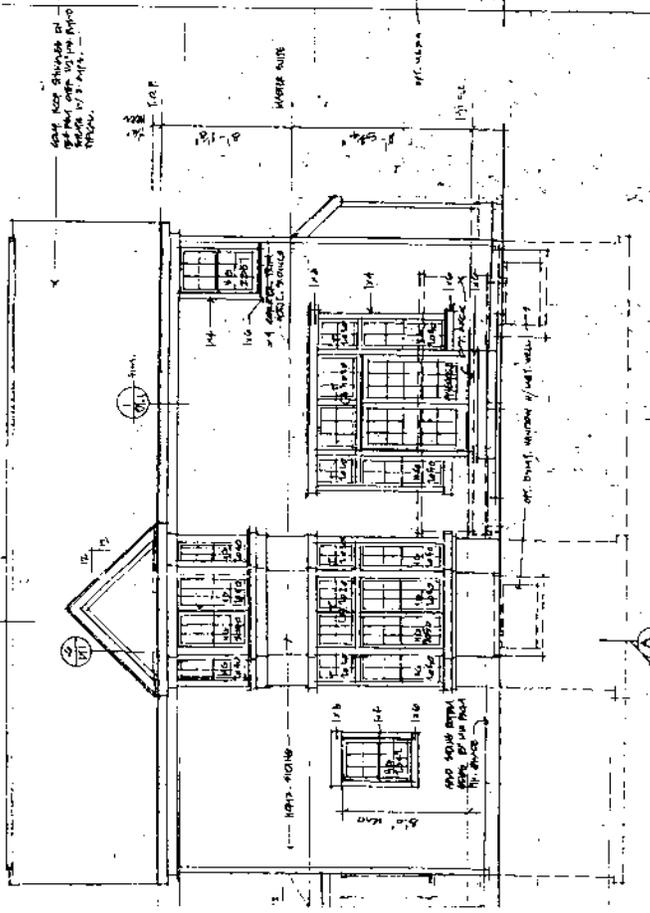
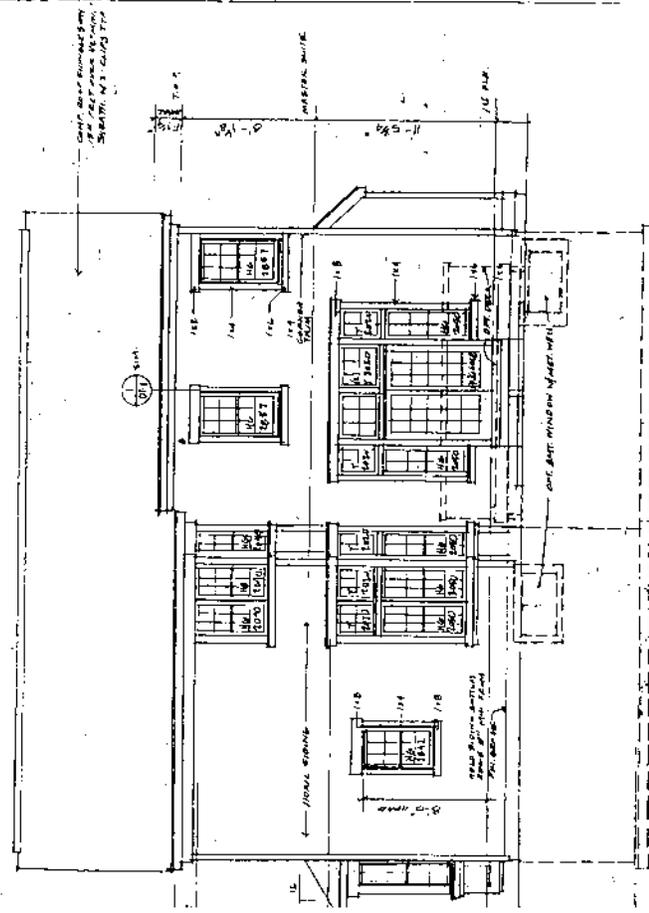
Sincerely,

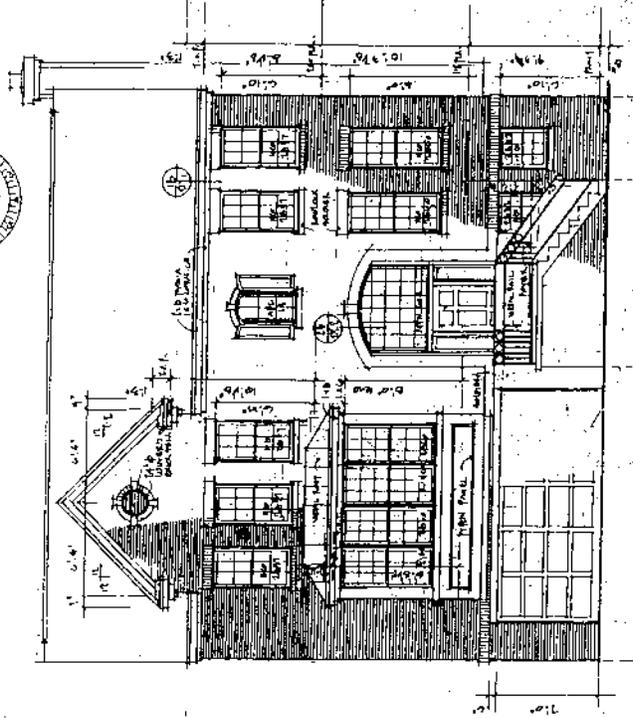
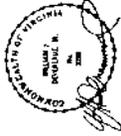

John E. Cowles

JEC/lb

285-40

RECEIVED
Department of Planning & Zoning
NOV 08 2006
Zoning Evaluation Division

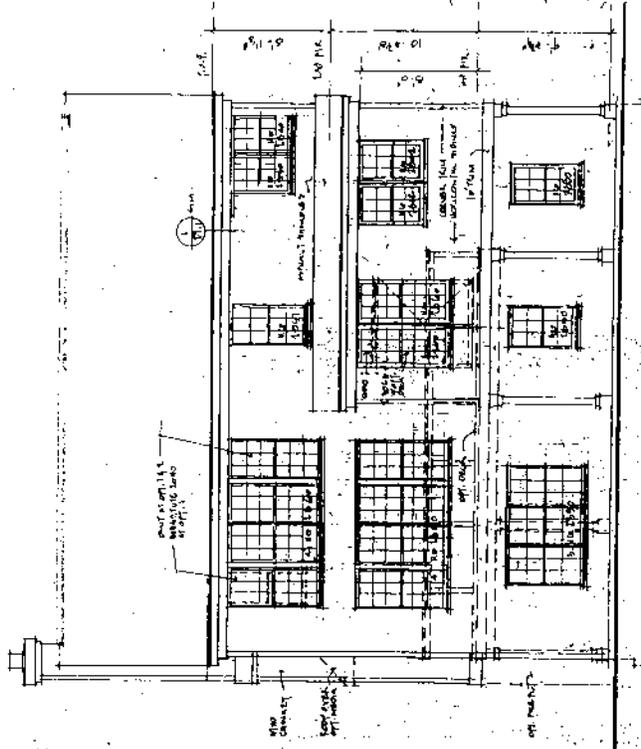




Rev

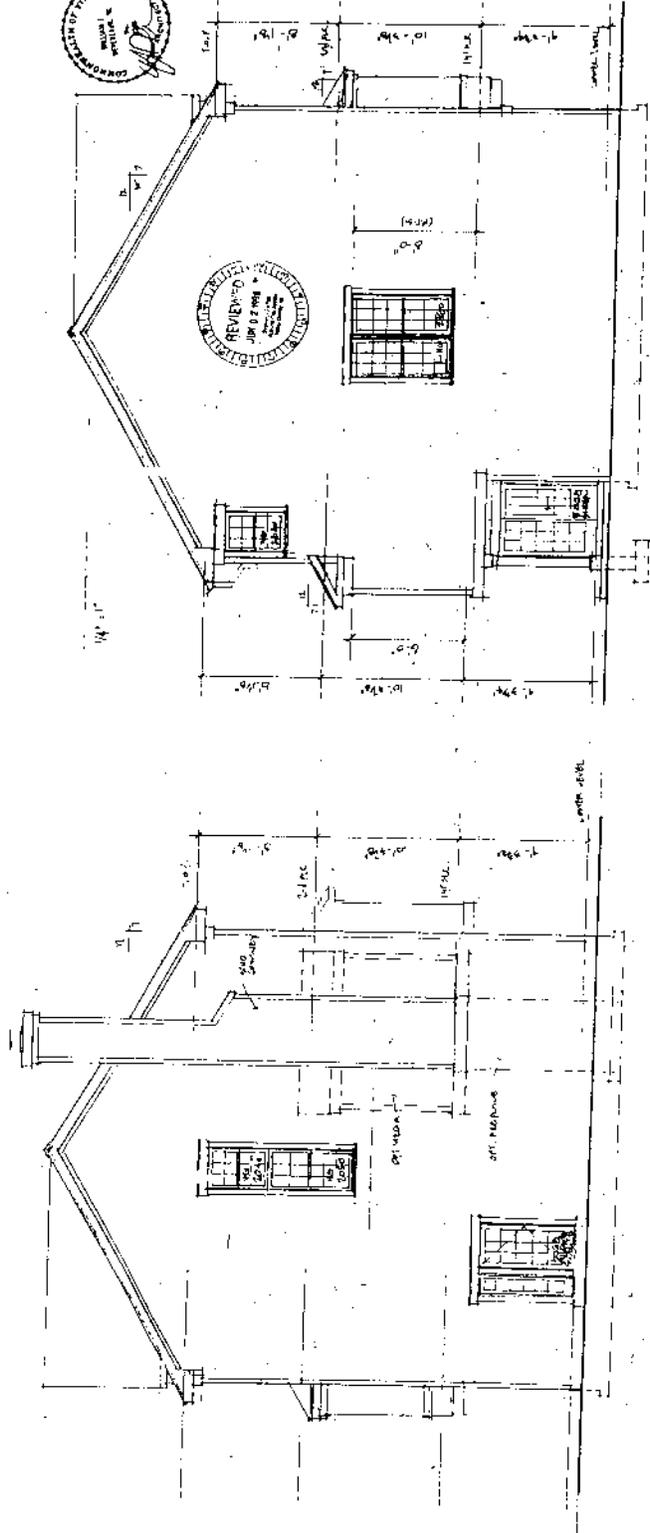
Brick Front

FRONT ELEVATION - UNIT C



REAR ELEVATION - UNIT C

NO.	DATE
1	1911
2	1911
3	1911
4	1911
5	1911
6	1911
7	1911
8	1911
9	1911
10	1911



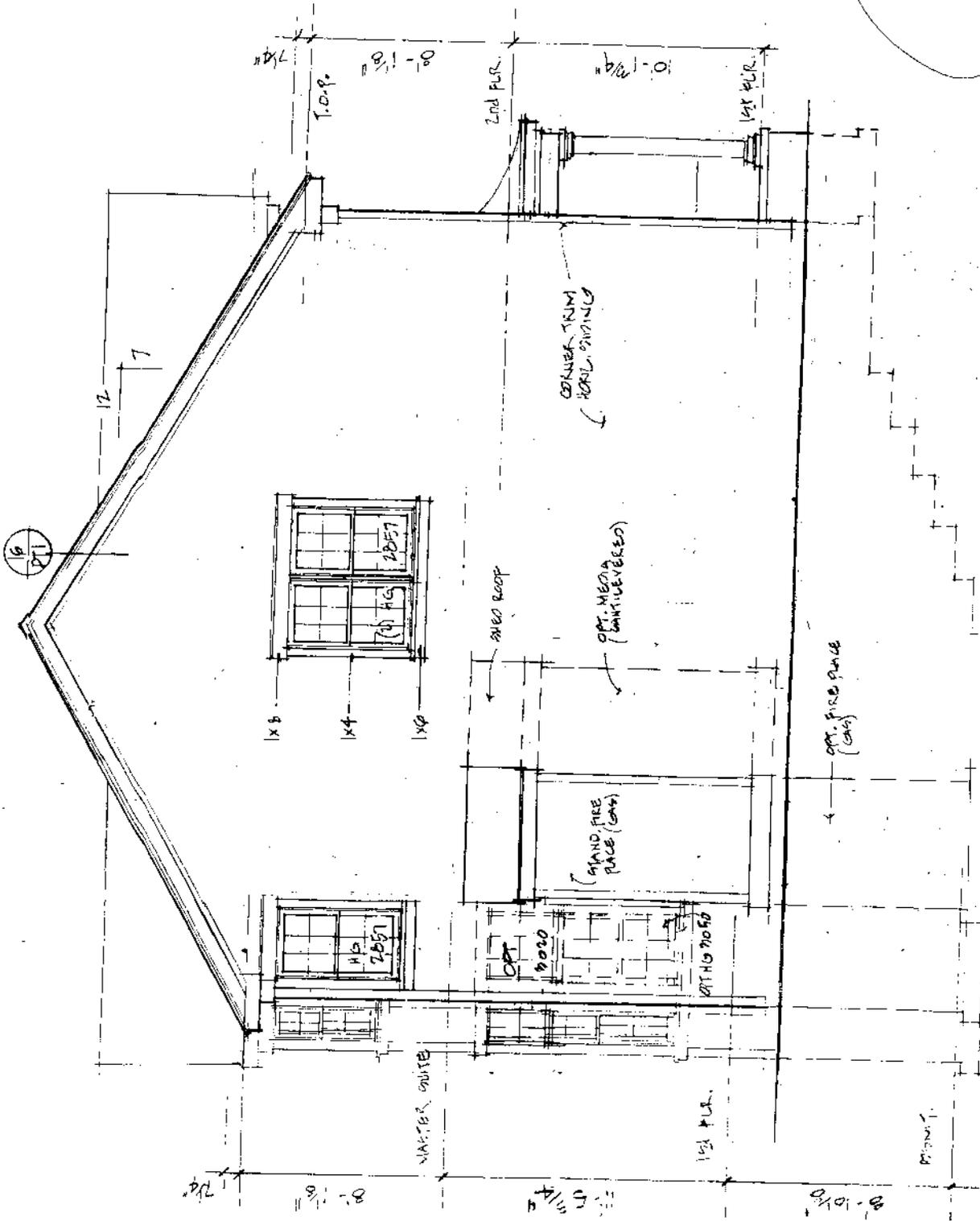
REV

LEFT SIDE ELEVATION - UNIT C

RIGHT SIDE ELEVATION - UNIT C

11.19.17
11.19.17
11.19.17
11.19.17
11.19.17
11.19.17
11.19.17
11.19.17
11.19.17
11.19.17

RECEIVED
Department of Planning & Zoning
NOV 01 09 AM
Zoning Evaluation Unit



Left Side Elevation - Unit B

