



County of Fairfax, Virginia

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

January 29, 2008

Lynne J. Strobel
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

RE: Proffered Condition Amendment Application PCA 93-Y-002-02
(Concurrent with Special Exception Amendment Application SEA 93-Y-005-03)

Dear Ms. Strobel:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on January 28, 2008, approving Proffered Condition Amendment Application PCA 93-Y-002-02 in the name of Van L.L.C. The Board's action amends the proffers for Rezoning Application RZ 93-Y-002, previously approved for commercial development to permit enlargement of existing fast food restaurant with an overall Floor Area Ratio (FAR) of 0.08 and associated modifications to proffers and site design. The subject property is located in the northwest quadrant of the intersection of Centreville Road and Upperridge Drive on approximately 1.36 acres of land zoned C-8, HC, SC, and WS [Tax Map 54-4 ((5)) 1A], in the Sully District and subject to the proffers dated November 28, 2007.

The Board also:

- Waived the service drive requirement.
- Waived the barrier requirement and modified the transitional screening requirement along the Upperridge Drive frontage in favor of the landscaping shown on the Special Exception Amendment plat.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors
NV/dms
Enclosure

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 28th day of January, 2008, the following ordinance was adopted.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 93-Y-002-02
(Concurrent with Special Exception Amendment Application SEA 93-Y-005-03)**

WHEREAS, Van L.L.C., filed in the proper form an application to amend the proffers for RZ 93-Y-002 hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. 15.2-2303(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

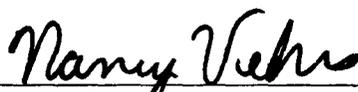
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Sully District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 28th day of January, 2008.



Nancy Vehs
Clerk to the Board of Supervisors