



County of Fairfax, Virginia

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

May 13, 2008

Doug Richards
Outside Living Scapes
60 Orleans Drive
Sheperdstown, WV 25443

Re: Interpretation for RZ 74-2-113 and DPA 74-2-113-5, Sunrise of Reston,
Tax Map 17-1 ((1)) 14F: Gazebos

Dear Mr. Richards:

This is in response to your letter of October 19, 2007, (attached) requesting an interpretation of the Conceptual Development Plan (CDP) and proffers accepted by the Board of Supervisors in conjunction with the approval of RZ 74-2-113, and the Development Plan Amendment (DPA) and development conditions approved in conjunction with DPA 74-2-113-5. As I understand it, the question is whether the addition of two gazebos to the property would be in substantial conformance with the above referenced approvals. This determination is based on the attachments to your letter including a building permit for the gazebos, illustrated examples of the proposed gazebos, and a plat showing the site layout and proposed location, entitled "Site Geometry Plan," and prepared by Urban Engineering & Associates, Inc., which is annotated with the proposed gazebo locations.

RZ 74-2-113 was approved with proffers by the Board of Supervisors on May 10, 1976, to rezone approximately 73 acres of land inclusive of the subject property to the PRC District. DPA 74-2-113-5 was approved by the Board of Supervisors on December 16, 1985, for the subject property, to consolidate nursing home and housing for the elderly projects into an assisted living facility, with subsequent administrative Conceptual Plan review and approval by the Planning Commission on July 17, 1997.

You are proposing to place two gazebos on the property. The first is to be located to the rear of the building, in an area currently shown as a "terrace" area. You state that the gazebo will displace a planting bed, which will be reconfigured and relocated around the gazebo. This gazebo would be 16'x 16'. The second gazebo is proposed at the southeastern corner of the property, adjacent to Fountain Drive, and proposed to be set back from the road approximately 50 feet at its nearest point. This gazebo would be located in the landscaped area within a circular portion of the sidewalk, and would be 20'x 20'. The approved Development Plan indicates that this portion of the property is outside the limits of disturbance; however the sidewalk shown has already been constructed in this area in accordance with the approved PRC Plan 007842-PRC-004-1 and Site Plan, and is not located within the tree save area.

Department of Planning and Zoning

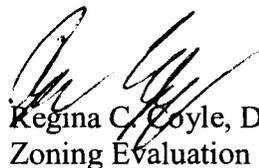
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/

Mr. Doug Richards
Page 2

You have stated to that installation of this gazebo would not disturb any trees, that no grading would be required, and only installation of the footings would disturb any land.

It is my determination that the proposed gazebos as described in your submitted materials and in the locations you have designated on the interpretation plat would be in substantial conformance with the approved Development Plan, proffers, and development conditions, provided that no trees are disturbed and subject to Urban Forest Management review. 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 Cathy Belgin at (703) 324-1290.

Sincerely,



Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

RCC/O:\CBELGIN\PI CP 86-C-121-13 RESTON STUDY CENTER.DOC

Attachments: A/S

cc: Catherine M. Hudgins, Supervisor, Hunter Mill District
Frank A. de la Fe, Planning Commissioner, Hunter Mill District
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Ken Williams, Plan Control, Land Development Services, DPWES
Angela Rodeheaver, 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: RZ 74-2-113, DPA 74-2-113-5, PI 0711 124, Imaging, Reading File

60 Orleans Drive
Shepherdstown, WV 25443

October 19, 2007

Regina Coyle
Department of Planning & Zoning
County of Fairfax
12055 Government Center Pkwy., Suite 801
Fairfax, Virginia 22035-5505

RECEIVED
Department of Planning & Zoning

NOV 07 2007

Zoning Evaluation Division

Dear Regina Coyle:

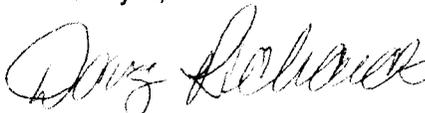
Subject: Gazebo's for Sunrise Assisted Living, Reston, VA

After meeting with several people at Fairfax County Permit and Planning & Zoning office, it was suggested to us that we needed to request an Interpretation.

We are currently working with Sunrise Assisted Living, 1778 Fountain Drive, Reston, VA, 22090. They are looking to erect two gazebos for the residents. We have applied for a permit (Q-07-6927) and started the process when we were asked to provide a few items. One of which was a site plan showing the location of the gazebos. We pulled a copy from the County files, made a copy and marked the locations (Copy attached). After presenting this site plan we were told that an original was needed with an original seal and signature. In order to provide this the cost would be around \$50,000.00. This was much too costly for just two gazebos. We then started asking questions at the county. We have found out that gazebos are looked at as accessories not as a building or deck. So, this gives us some leeway. This is when we were instructed to submit this letter of interpretation to you.

I am looking for some clarification of what is needed to proceed from here. And is the interpretation that the gazebos can be erected at this location. I have included several items with this letter. I hope I have included everything that could help you make an interpretation. Any questions please call me at 571-643-1766.

Thank you,



Doug Richards
Outside Living Scapes

Enclosures (7)

Amplified

BUILDING PERMIT APPLICATION

**FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES
PERMIT APPLICATION CENTER**

12055 Government Center Parkway, 2nd Floor Telephone: 703-222-0801
Fairfax, Virginia 22035-5504 Web site: www.fairfaxcounty.gov/dpwes

PERMIT # 72420069
FOR INSPECTIONS CALL 703-222-0455 (see back for more information)

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY
PLAN # Q-07-6927
TAX MAP # 0171010016

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN
(PLEASE PRINT OR TYPE)

JOB LOCATION
ADDRESS 1778 FOUNTAIN DR
LOT # _____ BUILDING _____
FLOOR _____ SUITE _____
SUBDIVISION _____
TENANT'S NAME SUNRISE ASSISTED LIVING

OWNER INFORMATION OWNER TENANT
NAME SUNRISE ASSISTED LIVING
ADDRESS 1778 FOUNTAIN DR
CITY RESTON STATE VA ZIP 22090
TELEPHONE 703-785 8067

CONTRACTOR INFORMATION SAME AS OWNER
CONTRACTORS MUST PROVIDE THE FOLLOWING: #279073
COMPANY NAME HOME + LEISURE INC
ADDRESS 8527 PHOENIX DR.
CITY MANASSAS STATE VA ZIP 20110
TELEPHONE 703-392-5152
STATE CONTRACTORS LICENSE # 2701039681 A
COUNTY BPOL # 000-18-4582

APPLICANT FRANK JACOBBERGER
DARRYL RICHARDS ID# AC3074876

DESCRIPTION OF WORK
BUILD 16'x16' GARAGE
BUILD 20'x20' GARAGE

HOUSE TYPE
ESTIMATED COST OF CONSTRUCTION \$20,000
BLDG AREA (SQ FT OF FOOTPRINT) 650sqft
USE GROUP OF BUILDING _____
TYPE OF CONSTRUCTION _____
SEWER SERVICE PUBLIC SEPTIC OTHER
WATER SERVICE PUBLIC WELL OTHER
OTHER PLEASE SPECIFY _____

DESIGNATED MECHANICS' LIEN AGENT
(Residential Construction Only)
NAME _____
ADDRESS _____
NONE DESIGNATED PHONE _____

CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS

# KITCHENS	EXTER. WALLS
# BATHS	INTER. WALLS
# HALF BATHS	ROOF MATERIAL
# BEDROOMS	FLOOR MATERIAL
# OF ROOMS	FIN. BASEMENT
# STORIES	HEATING FUEL
BUILDING HEIGHT	HEATING SYSTEM
BUILDING AREA	# FIREPLACES
BASEMENT	

ROUTING	DATE	APPROVED BY
LICENSING	<u>8/30/07</u>	<u>MJD</u>
ZONING		
SITE PERMITS		
HEALTH DEPT.		
BUILDING REVIEW		
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE \$ _____
FILING FEE - \$ _____
AMOUNT DUE = \$ 95.76

BUILDING PLAN REVIEW
REVIEWER _____ # OF HOURS _____
REVISION FEES \$ _____
FIRE MARSHAL FEES \$ _____
FIXTURE UNITS _____ PLAN LOC: J R C

APPROVED FOR ISSUANCE OF BUILDING PERMIT (LOG OUT)
BY _____ DATE _____

ZONING REVIEW
USE _____
ZONING DISTRICT _____ HISTORICAL DISTRICT _____
ZONING CASE # _____
GROSS FLOOR AREA OF TENANT SPACE _____

YARDS:	GARAGE	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
FRONT	OPTIONS	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
FRONT	REMARKS			
L SIDE				
R SIDE				
REAR				

GRADING AND DRAINAGE REVIEW
SOILS # _____ A B C
AREA TO BE DISTURBED (TOTAL SQ FT THIS PERMIT) _____
IMPERVIOUS AREA (TOTAL SQ FT THIS PERMIT) _____
PLAN # 7812-SP-057 DATE _____

STAMPS

(See reverse side of application)

REMARKS

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have

NOTARIZATION (if required)
State or territory or district of _____

2007

BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE
COUNTY OF FAIRFAX, DEPARTMENT OF TAX ADMINISTRATION (DTA)

2007

PHONE: 703-222-8234 TTY: 703-222-7594 WEBSITE: www.fairfaxcounty.gov/dta

HOME & LEISURE, INC
BACKYARD AMERICA
8527 PHOENIX DR
MANASSAS VA 20110-0000

Notice: This is your 2007 Business, Professional and Occupational License (BPOL). The bottom-half is perforated to allow you to tear off and post this license in your establishment. Please note, if your check is not honored by the bank, this license shall be invalid.

2007 LICENSE INFORMATION

ACCOUNT #:	BPOL 000-18-4582	LICENSE PERIOD:	01/01/2007 -03/01/2008
ORDINANCE CODE:	47224-01	LICENSE BASIS:	\$283.617
S.I.C.:	1799	LICENSE RATE:	\$.11 per \$100
LOCATION:	THROUGHOUT COUNTY	FED. I.D. OR E.I.N.:	54-1565286
CLASSIFICATION:	CONTRACTOR & CONTRACTING	LICENSE NUMBER:	0749359
DATE PAYMENT RECEIVED:	04/30/2007	INSTALLMENT(S):	

For any questions concerning this license, please call 703-222-8234 between the hours of 8:00 a.m. and 4:30 p.m. Monday - Friday (Hearing impaired persons may call TTY: 703-222-7594), or send us an e-mail through our website, www.fairfaxcounty.gov/dta.

As with all taxes, our goal is to administer the BPOL tax fairly and in accordance with State and County Codes. Our staff strives to provide professional assistance and quality customer service. Please let us know if we are not meeting your needs. Your satisfaction is important to us and your comments are always welcome.

Norman A. Graves, Director
Personal Property and Business License
Division, Department of Tax Administration
*HOME + LEISURE APPLICANT # 279073
ID. BILL MORRIS # AC3074876*

CC: Kevin C. Greenlief, Director
Department of Tax Administration

**FAIRFAX COUNTY DEPARTMENT OF TAX ADMINISTRATION
2007 BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE
(BPOL) FOR ORDINANCE 47224-01 : CONTRACTOR & CONTRACTING**

THIS LICENSE HAS BEEN ISSUED BY THE FAIRFAX COUNTY DEPARTMENT OF TAX ADMINISTRATION (DTA) AND IS GRANTED TO:

0749359

HOME & LEISURE, INC
BACKYARD AMERICA
8527 PHOENIX DR
MANASSAS VA 20110-0000

THIS LICENSE IS VALID THRU
MARCH 1, 2008
Dept. Tax Administration, Suite 223
12000 Government Center Parkway
Fairfax, Va. 22035, Phone: 703-222-8234
Website: www.fairfaxcounty.gov/dta



DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
COMMONWEALTH OF VIRGINIA

3600 West Broad Street, Richmond, VA 23230
Telephone: 1 (804) 367-8500

EXPIRES ON
01-31-2008

NUMBER
2701 039681A

BOARD FOR CONTRACTORS
CLASS A CONTRACTORS LICENSE

HOME & LEISURE INC.
BACKYARD AMERICA
8527-8529 PHOENIX DRIVE

MANASSAS VA 20110



Louise F. Ware

Louise F. Ware, Director

***CLASSIFICATIONS* BLD ELE**

ALTERATION OF THIS DOCUMENT, USE AFTER EXPIRATION, OR USE BY PERSONS OR FIRMS OTHER THAN THOSE NAMED MAY RESULT IN CRIMINAL PROSECUTION UNDER THE CODE OF VIRGINIA

(SEE REVERSE SIDE FOR NAME AND/OR ADDRESS CHANGE)

(POCKET CARD)

(DETACH HERE)

COMMONWEALTH OF VIRGINIA

BOARD FOR CONTRACTORS - CLASS A
CONTRACTOR LICENSE - CLASSIFICATIONS: BLD
ELE

NUMBER: 2701 039681A EXPIRES: 01-31-2008

HOME & LEISURE INC.
BACKYARD AMERICA
8527-8529 PHOENIX DRIVE



MANASSAS VA 20110
ALTERATION OF THIS DOCUMENT, USE AFTER EXPIRATION, OR USE BY PERSONS OR FIRMS OTHER THAN THOSE NAMED MAY RESULT IN CRIMINAL PROSECUTION UNDER THE CODE OF VIRGINIA

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
3600 West Broad Street, Richmond, Virginia 23230

Builder's Info & Examples

- Page: 1 Contact info for company who is pulling permits and constructing Gazebo's.
- Page: 3 & 4 Examples of Gazebo's (May not reflect actual options.)

SHIPPING BASKET CHECK OUT

BACKYARD AMERICA

DECKS GAZEBOS RAILINGS SCREENED PORCHES LIGHTING AWNINGS FENCES PERGOLAS & ARBORS

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- **We have put all of our product information on our website and do not have catalogs or brochures to mail out.** If the information you are looking for cannot be found on the site, please call or e-mail us and we will get you the information you need.
- **We do not sell plans** for any of our products and are unable to respond to requests for such.
- **AOL Users/Users with Spam Blockers:** Please make sure that you can receive e-mail from e-mail addresses other than those you send a message to. All messages sent to the addresses shown below will be responded to with a different e-mail address.

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Questions about products, availability, or specials.
questions@backyardamerica.com

Existing customers with questions about their current orders.
customerservice@backyardamerica.com

Questions or comments specifically about our website.
webmaster@backyardamerica.com

Phone

Local: 703.392.5152

Fax: 703.257.5346

Toll Free Order Line: 877.489.8064

Mail

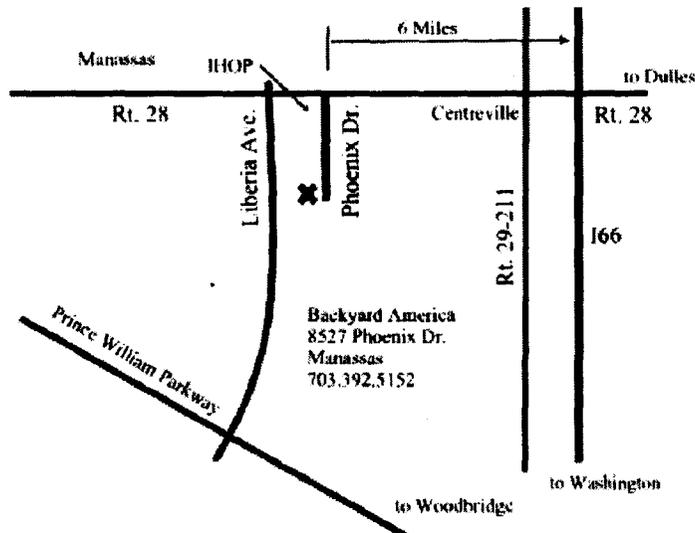
Backyard America
8527 Phoenix Drive
Manassas, VA 20110

CONTACT: BILL MORRIS

Offices & Production Facilities

Our Production Facilities and Corporate offices are located in Manassas, Virginia. Please visit us when you have a chance.

PL 1



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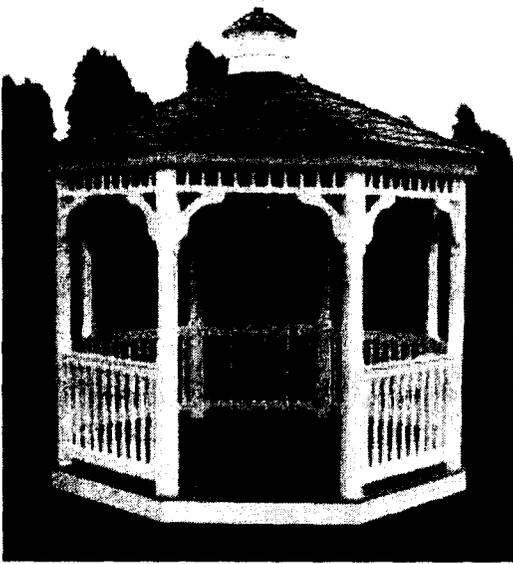


OUTDOOR LIGHTING Info

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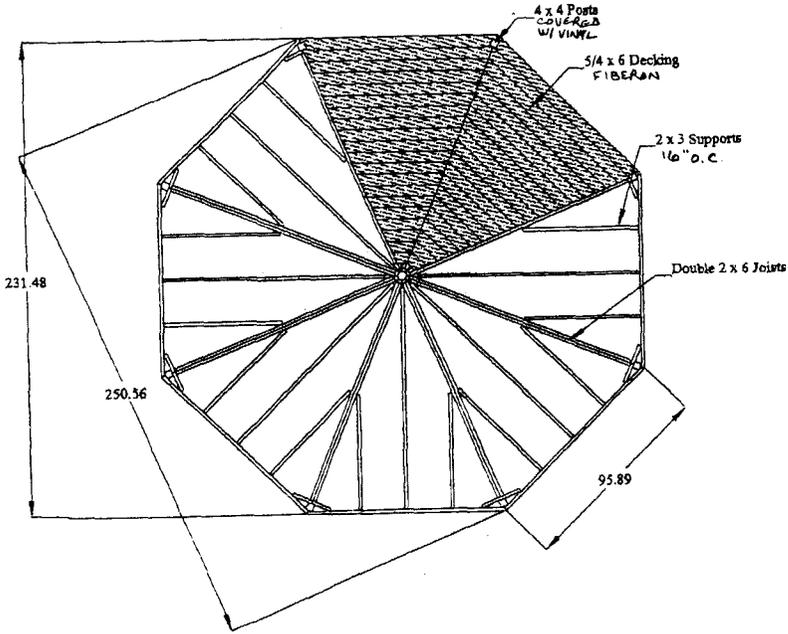


PICTURE: A
LOCATION OF GAZEBO 20'0"

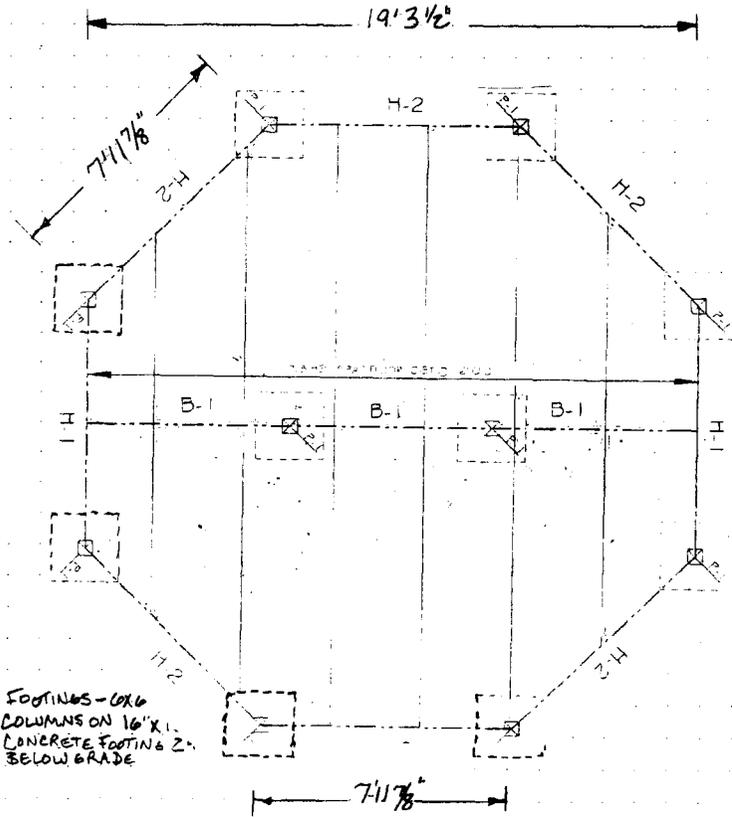


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20' OCTAGON GAZEBO KIT FLOOR PLAN



20' OCTAGON GAZEBO SUB-FRAME



SCALE: 1/4" = 1'-0"

ALL DIMENSIONS ARE APPROXIMATE

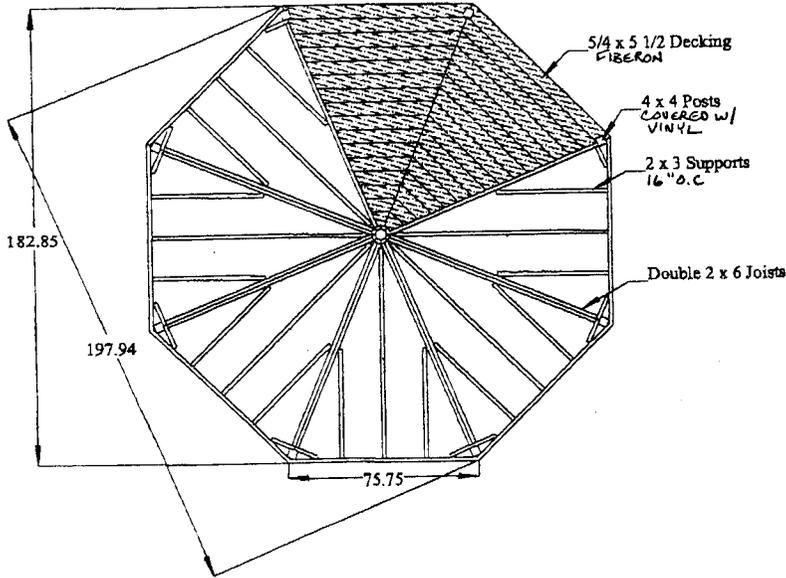
BUILDER: _____
 CUSTOMER: _____
 CUSTOMER: _____

703-392-5155

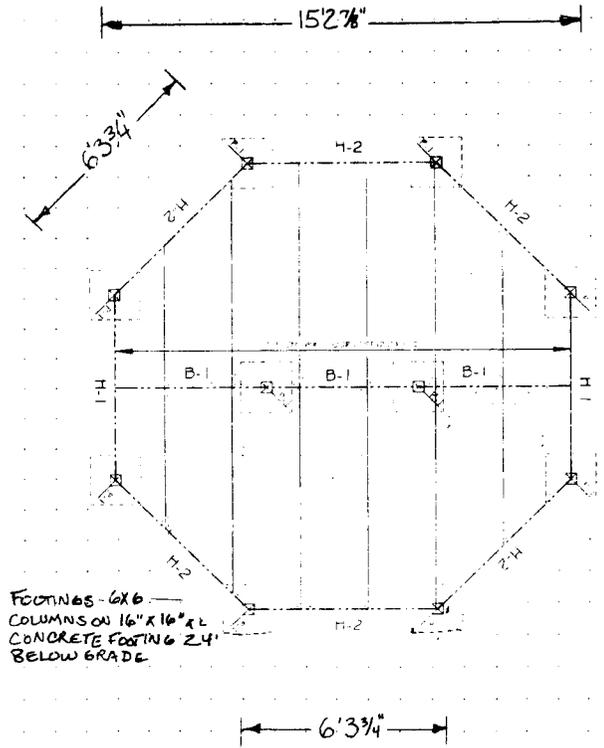
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16' OCTAGON GAZEBO KIT FLOOR PLAN



16' OCTAGON GAZEBO SUB-FRAME



FOOTINGS - 6x6
COLUMNS ON 16\"/>

BUILDER: _____
CUSTOMER: _____
CUSTOMER: _____

703-392-516

www.backyardama

SCALE: 1/4" = 1'-0"

ALL DIMENSIONS ARE APPROXIMATE

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