



# County of Fairfax, Virginia

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

June 26, 2009

Durward and Tarry Faries  
3901 Centerview Drive, Suite L  
Chantilly, Virginia 20151

RE: Agricultural and Forestal District Renewal Application AR 91-D-004-02 (Dranesville District)

Dear Mr. Faries:

Agricultural and Forestal District Renewal Application AR 91-D-004-02, in the name of Durward and Tarry Faries, meeting all of the criteria and provisions pursuant to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal Districts), Appendix F, and additional environmental provisions, was renewed by ordinance by the Board of Supervisors at a regular meeting held on June 22, 2009, as the Orchard Spring Nursery Local Agricultural and Forestal District, subject to the attached ordinance provisions dated May 26, 2009. The subject property is located at 8407 and 8501 Georgetown Pike and 8548 and 8570 Old Dominion Drive on approximately 33.74 acres of land zoned R-E in the Dranesville District, [Tax Map 20-1 ((1)) 33Z, 34Z, 35Z, 36Z, 58Z, and 77Z].

Sincerely,

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

cc: Chairman Sharon Bulova  
Supervisor John Foust, Dranesville District  
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration  
Regina Coyle, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, DPZ  
Angela Rodeheaver, Section Chief, Transportation Planning Division, DOT  
Ellen Gallagher, Capital Projects and Operations, Department of Transportation  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division  
District Planning Commissioner  
Barbara J. Lippa, Executive Director, Planning Commission  
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

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

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Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)  
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F-39. Orchard Spring Nursery Local Agricultural and Forestal District  
(AR 91-D-004-02)

(a) The following parcel of land situated in the Dranesville District, and more particularly described herein, is hereby included in the Orchard Spring Nursery Local Agricultural and Forestal District:

Owners	Fairfax County Tax Map Parcel Number	Acreage
Durward and Tarry Faries	20-1 ((1)) 33Z	2.95
	20-1 ((1)) 34Z	0.34
	20-1 ((1)) 35Z	21.28
	20-1 ((1)) 36Z	1.20
	20-1 ((1)) 58Z	2.97
	20-1 ((1)) 77Z	5.00
	<hr/>	

(b) The Orchard Spring Nursery Local Agricultural and Forestal District is established effective June 22, 2009, pursuant to Chapter 44, Title 15.2 of the Code of Virginia and Chapter 115 of the Fairfax County Code and is therefore subject to the provisions of those Chapters and the following provisions:

- (1) That no parcel included within the district shall be developed to a more intensive use than its existing use at the time of adoption of the ordinance establishing such district for eight years from the date of adoption of such ordinance. This provision shall not be construed to restrict expansion of or improvements to the agricultural or forestal use of the land, or to prevent the construction of one (1) additional house within the district, where otherwise permitted by applicable law, for either an owner, a member of an owner's family, or for a tenant who farms the land.
- (2) That no parcel added to an already established district shall be developed to a more intensive use than its existing use at the time of addition to the district for eight years from the date of adoption of the original ordinance.
- (3) That land used in agricultural and forestal production within the agricultural and forestal district of local significance shall qualify for an agricultural and forestal value assessment on such land pursuant to Chapter 4, Article 19 of the Fairfax County Code and to Section 58.1-3230 et seq. of the Code of Virginia, if the requirements for such assessment contained therein are satisfied.
- (4) That the district shall be reviewed by the Board of Supervisors at the end of the eight-year period and it may, by ordinance renew the district or a modification thereof for another eight-year period. No owner(s) of land shall be included in any agricultural and forestal district of local significance without such owner's written approval.

- (5) The applicants shall implement and abide by the recommendations of the Soil and Water Conservation Plan dated April 9, 2009, for the life of the Orchard Spring Nursery Local Agricultural and Forestal District. The Soil and Water Conservation Plan may be updated from time to time as determined necessary by the Northern Virginia Soil and Water Conservation District.
- (6) The applicants shall implement and abide by the recommendations of the Forest Management Plan dated April 28, 2009, for the life of the Orchard Spring Nursery Local Agricultural and Forestal District. The Forest Management Plan may be updated from time to time as determined necessary by the State Forester. If the applicants choose to harvest the timber on the lands within the Orchard Spring Nursery Agricultural and Forestal District, such harvesting shall be in coordination with the State Forester so that special techniques designed to protect water quality may be utilized.
- (7) Those areas delineated as Environmental Quality Corridors (EQCs) shall be left undisturbed, with the exception of selective thinning operations performed to enhance existing vegetation and the removal of dead, dying and diseased vegetation in accordance with the Forest Management Plan and as approved by the Urban Forester. The boundaries of the EQC shall be the permanent limits of clearing and grading for the life of the Orchard Spring Nursery Local Agricultural and Forestal District (see Attachment A).
- (8) The establishment and continuation of this district depends upon the continuing legality and enforceability of each of the terms and conditions stated in this ordinance. This district may, at the discretion of the Board of Supervisors, be subject to reconsideration and may be terminated if warranted in the discretion of the Board of Supervisors upon determination by a court or any declaration or enactment by the General Assembly that renders any provisions illegal or unenforceable. The reconsideration shall be in accordance with procedures established by the Board of Supervisors and communicated to the property owner(s) to demonstrate that the determination by a court or the declaration or enactment by the General Assembly does not apply to the conditions of this district.

ADOPTION OF AN AMENDMENT TO  
APPENDIX F  
OF THE 1976 CODE OF THE COUNTY OF FAIRFAX, VIRGINIA

*At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, June 22, 2009, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted an amendment regarding Appendix F of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following, to-wit:*

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FAIRFAX  
COUNTY, VIRGINIA:

*That Appendix F is amended as follows:*

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(AR 91-D-004-02)

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Total:		33.74

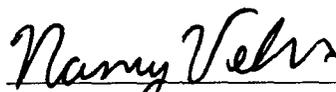
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*This amendment shall become effective upon adoption.*

*GIVEN under my hand this 22<sup>nd</sup> day of June, 2009.*



NANCY VEHR

Clerk to the Board of Supervisors