FAIRFAX COUNTY
VIRGINIA

DEPARTMENT OF PLANNING AND ZONING
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509

(703) 324-1290 Fax (703) 324-3924

May 28, 2003

Sherrie Dalton
6029 Anne Marie Terrace
Centreville, VA 22035

Re: Interpretation for RZ/FDP 1998-SU-043
Centre Village; Deck Design

Dear Ms. Dalton:

This is in response to your letter of April 18, 2003, requesting an interpretation of the Conceptual Development Plan/Final Development Plan (CDP/FDP) and proffers accepted by the Board of Supervisors in conjunction with the approval of RZ/FDP 1998-SU-043. As I understand it, the question is whether the construction of additional deck structures in the same design as that originally constructed by the developer (a four foot high rail enclosure with an additional foot of lattice on the top) would be in substantial conformance with the CDP/FDP and the proffers. This determination is based on your letter, a copy of which is attached for reference.

RZ 1998-SU-043 which was approved by the Board of Supervisors on March 8, 1999, subject to proffers, rezoned 5.77 acres from the R-1 District to the PDH-16 District to allow the development of 72 single family attached units. The CDP/FDP did not show any internal setbacks for the individual lots, nor did any notes, conditions, or proffers restrict the setbacks. An interpretation plan (part of a site plan) for a separate issue (approved August 30, 1999) shows optional extensions on all units that extend to within less than one foot of the rear lot lines.

You have indicated that when the neighborhood was first constructed, the developer constructed "decks" on approximately half of the units which were enclosed by railing a total of 5 feet in height (four feet of railing and one foot of lattice) which is in excess of that allowed pursuant to the Zoning Ordinance definition of a deck (four feet total). Residents now propose to add "decks" of the same design to those units which did not have "decks" constructed by the developer. Given that the proposed structures do not meet the Zoning Ordinance definition of decks, they may be treated in this instance as open additions to the existing units.

It is my determination that the proposed construction of open additions to the existing dwellings, in the same design as those constructed by the original developer, would be in substantial conformance with the CDP/FDP and 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 Tracy Swagler at (703) 324-1290.

Sincerely,

Barbara A. Byron, Director
Zoning Evaluation Division

BAB/*N:\ZED\SWAGLER\INTERPRETATIONS\2003\CENTRE VILLAGE DECKS.DOC*

Attachments: A/S

cc: Michael Frey, Supervisor, Sully District
Ron Koch, Planning Commissioner, Sully District
John Crouch, Deputy Zoning Administrator for Permit Review, DPZ
Michelle Brickner, Director, Office of Site Development Services, DPWES
Angela Rodeheaver, Section Chief for Site Analysis, DOT
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
File: RZ/FDP 1998-SU-043; PI 0304 055; Imaging

6029 Anne Marie Terrace
Centreville, VA 20121
April 18, 2003

Barbara Byron
Director of Zoning Evaluation
12055 Government Center Parkway
Fairfax, VA 22035

Dear Ms. Byron:

My townhouse community, Centre Village (FDP 1998 SU-043), in Centreville has a problem. About half of the 72 townhouses have decks, all of the same design. People who want to put up decks now are being told by Fairfax County that they cannot have the same design as the existing decks.

The HOA Board and the Architectural Review Board voted two years ago that, for uniformity, the existing deck design would be the accepted design for all decks in the community. Because of the unique layout of our community we think it is very important to have the same deck design for each townhouse. There are no backyards—only short driveways and a narrow street between the houses.

I am enclosing pictures of a few of the decks in the neighborhood. These Ryland-built decks are 16 feet wide and eight feet deep. The sides are four feet high with one foot of lattice on top.

When Ryland built the decks in 2000/2001 the design was approved by Fairfax County. Isn't there some way that the same deck plan can be approved now for our neighborhood so the remaining decks to be built will conform with the existing decks?

I have talked to John Crouch, of the Permit Review Branch, many times since last November about this deck situation. He has talked to Jane Gwinn and Kevin Guinaw and has finally told me I should write to you to see if you can help our community. I've also talked to Sharon Komar (she gets the building permits) at Ryland Homes about our community. She said that our deck design was in the approved house plans for Centre Village.

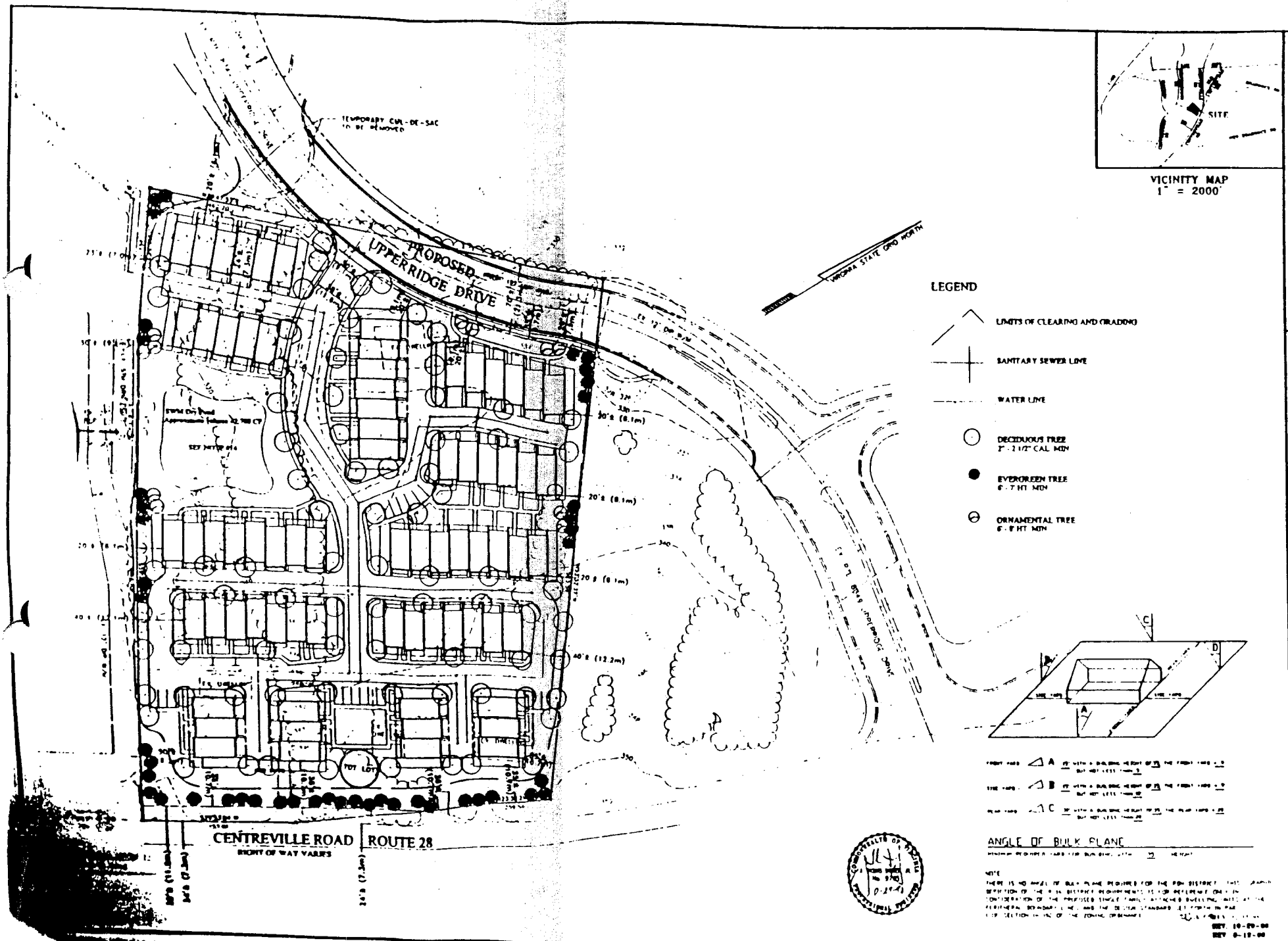
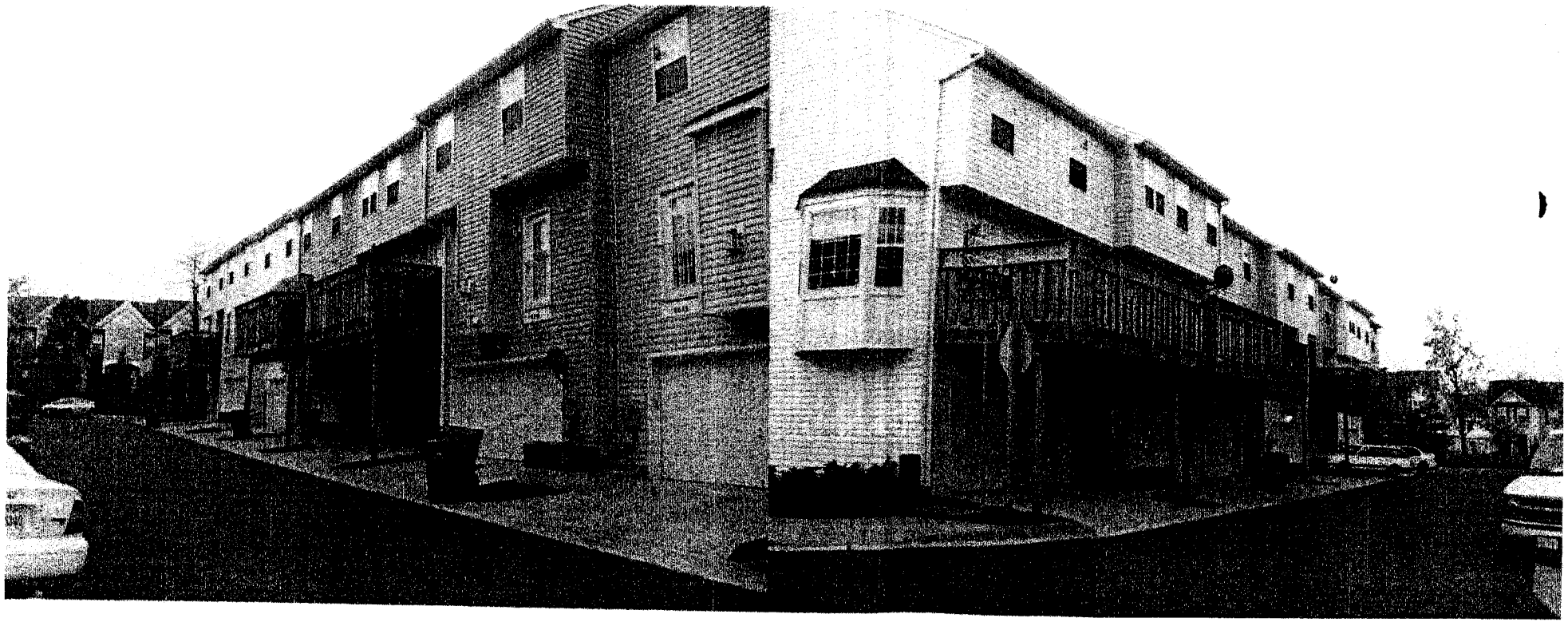
So, again, is there any way we can have the same deck design throughout our neighborhood? I would really appreciate any help you can give our townhouse community. I am on the HOA Board and can usually be reached at home. My phone number is 703-988-0566. Thank you!

Sincerely,

Sherrie Dalton

Sherrie Dalton

Enclosure (1)
cc: John Crouch
Michael Frey


TEMPORARY CUL-DE-SAC TO BE REMOVED
PROPOSED UPPERRIDGE DRIVE
VIRGINIA STATE GRID NORTH
SITE
VICINITY MAP
1" = 2000'
LEGEND
LIMITS OF CLEARING AND GRADING
SANITARY SEWER LINE
WATER LINE
DECIDUOUS TREE
EVERGREEN TREE
ORNAMENTAL TREE
CENTREVILLE ROAD
RIGHT OF WAY VARIES
ROUTE 28
ANGLE OF BULK PLANE
Dewberry & Davis
CONCEPTUAL/FINAL DEVELOPMENT PLAN
RYLAND/ UPPERRIDGE DRIVE PROPERTY

GA