



FAIRFAX
COUNTY

DEPARTMENT OF PLANNING AND ZONING

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

(703) 324-1290

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V I R G I N I A

August 17, 2001

Lynne J. Strobel
Walsh, Colucci, Stackhouse, Emrich & Lubeley
2200 Clarendon Boulevard, Thirteenth Floor
Arlington, VA 22201-3559

Re: Interpretation for RZ 1998-SU-057, Timber Ridge,
Tax Map 56-2 ((1)) 6: Building Layout Modifications, Sunrooms and Bay Windows

Dear Ms. Strobel:

This is in response to your letter of March 26, 2001, and a follow-up letter dated May 30, 2001, and several telephone conversation with the staff, requesting an interpretation of the Final Development Plan (FDP) approved by the Planning Commission and the Conceptual Development Plan and proffers accepted by the Board of Supervisors in conjunction with the approval of RZ 1998-SU-057.

As I understand it, you have several questions, which will be answered separately below. This determination is based on sketches attached to your letter, entitled "Option to provide Sun Room, Ridge Top Road Alternatives" which are undated. Copies of your letter and sketches are attached for reference.

As I understand it, your first question is whether the addition of sunrooms on the back of the townhouse units would be in substantial conformance with the proffers and Conceptual/Final Development Plan (CDP/FDP). In this option, you are proposing to extend the townhouse lots by six (6) inches to the rear of the units in order to provide the sunroom option while maintaining the required 200 square foot privacy yards. However, this proposal would reduce the rear yard setbacks of the units from 11 feet as shown on the CDP/FDP, to 5.5 feet. It is my determination that this proposed sunroom addition option is not in substantial conformance with the CDP/FDP.

Your second question is whether an option that extends the units by 4 feet to the rear would be in substantial conformance with the CDP/FDP. You are proposing to maintain the front yard setbacks, however the rear yard setbacks of 11 feet as shown on the CDP/FDP are reduced to 8 feet. It is my determination that extending the units 4 feet to the rear is not in substantial conformance with the CDP/FDP.

Your third question is whether the alignment of front of all units in a straight line, eliminating the staggered setbacks would be in substantial conformance with the approved CDP/FDP. The typical

Lynne J. Strobel

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layout of townhouse units shown on the CDP/FDP shows a staggered arrangement of units. It is my determination that your proposal to align all units in a straight line, eliminating the staggered arrangement is not in substantial conformance with the CDP/FDP and would be, in most if not in all instances, in violation of the provisions of Article 20 of the Zoning Ordinance.

Your fourth and last question is whether an option to provide two foot box-bay windows from the kitchen of each unit would be in substantial conformance with the approved CDP/FDPA. Sec. 2-412 of the Zoning Ordinance allows bay windows not exceeding ten (10) feet in width, may extend three (3) feet into any minimum required yard, but not closer than five (5) feet to any lot line. It is my determination that your bay window proposal would be in substantial conformance with the CDP/FDP provided it is in accordance with the provisions of Sect 2-412 of the Zoning Ordinance.

These determinations have been made in my capacity as the duly authorized agent of the Zoning Administrator.

You may have the right to appeal this determination within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2301 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, a notice of appeal must be filed with the Clerk to the Board of Supervisors and a notice of appeal and filing fee must be filed with the Zoning Administrator in accordance with Par. 10 of Sect. 18-204 of the Fairfax County Zoning Ordinance. Such notice shall be a written statement specifying the grounds on which aggrieved, the basis for the appeal and a \$210 filing fee. Once an appeal application is accepted, it is scheduled for consideration and decision by the Board of Supervisors.

If you have any questions regarding this interpretation, please feel free to contact Kul Sandhu at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director
Zoning Evaluation Division

BAB\KS\TimberRidgeSunroomsandBaywindows

Attachments: A/S

cc: Elaine McConnell, Supervisor, Springfield District
Peter F. Murphy Jr., Planning Commissioner, Springfield District
Jane W. Gwinn, Zoning Administrator
Michael Congleton, Deputy Zoning Administrator for Zoning Permits Review, DPZ
Michelle Brickner, Director, Office of Site Development Services, DPWES
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
File: RZ/FDP 1998-SU-057, PI 2103 050

WALSH, COLUCCI, STACKHOUSE, EMRICH & LUBELEY

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May 30, 2001

VIA FACSIMILE & U.S. MAIL

Kul Sandhu
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

MAY 31 2001

ZONING EVALUATION DIVISION

Re: RZ 1998-SU-057
Interpretation Request-Sunrooms and Box-Bay Window

Dear Mr. Sandhu:

Please accept this letter to supplement my correspondence of March 26, 2001 and in response to the meeting that was held last Thursday.

The developer of the 116 single-family attached units approved with RZ 1998-SU-057 proposes several options to be constructed in conjunction with each townhome. These options include the following:

- A two-foot box-bay window extension from the kitchen of the unit. The extension will not affect the building footprint as the box bay is cantilevered.
- Two alternatives for a sunroom extension. These alternatives are identified in the previously submitted exhibits as Optional Sunroom A and Optional Sunroom B.
- Two alternatives for an extension of the unit by four feet in the rear. One alternative includes an adjustment to the fronts of the units so that all units are aligned.

As discussed, a minimum privacy yard of two-hundred (200) square feet is provided with all of the above-described alternatives. In response to the meeting last Thursday, I would offer the following specific information:

Available Rear Privacy Yard Areas on Interior Units (jog forward/jog back):

- Optional Sunroom A—248.5 square feet/200 square feet
- Optional Sunroom B—252 square feet/204 square feet
- Four foot extension with fronts of units aligned—324 square feet/324 square feet
- Four foot extension without realignment of unit fronts—228 square feet/does not work with jog back unit

In addition, the engineer has calculated the open space with the proposed options to ensure the provision of 33% open space as shown on the CDP/FDP. The percentage of open space before modifying the rear property line by six inches is approximately 38.92%. Subsequent to extending the rear property line by six inches, the open space is approximately 38.77%. Therefore, each option continues to exceed the 33% open space requirement as shown on the CDP/FDP.

As we discussed, the options described in the interpretation request would apply to all units within the proposed development. All of the options, however, are mutually exclusive and no more than one option could be selected for each townhouse unit.

Should you have any questions regarding the above or require additional information, please do not hesitate to give me a call. I hope that this information assists in the clarification of the pending interpretation request and will allow a response to be provided as soon as possible. All other information in my previous letter remains unchanged except as modified herein. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, STACKHOUSE, EMRICH & LUBELEY, P.C.



Lynne J. Strobel

LJS:cs

cc: Chris Schwindt
Martin D. Walsh

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March 26, 2001

By Hand Delivery

Ms. Barbara Byron, Director
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: RZ 1998-SU-057
Interpretation Request – Sunrooms and Box-Bay Window

Dear Ms. Byron:

Please accept this letter as a request for an interpretation of proffered conditions accepted in conjunction with the approval of RZ 1998-SU-057.

The Fairfax County Board of Supervisors approved RZ 1998-SU-057 on July 12, 1999 approving a rezoning of approximately ten (10) acres from the I-5 District to the PDH-12 District. The rezoning was approved in conjunction with proffers dated May 20, 1999 and a conceptual/final development plan (CDP/FDP). The CDP/FDP illustrates one-hundred-sixteen (116) single-family attached dwelling units at a density of 12.29 dwelling units per acre. The proposed community includes fourteen (14) affordable dwelling units. The developer of the community requests the ability to construct sunrooms at the rear of each single family attached dwelling unit, as shown in the series of attached exhibits prepared by Bowman Consulting Group. Further, the developer proposes to provide an option for a two (2) foot box-bay window extension from the kitchen of each unit. This extension will not affect the building footprint as the box-bay is cantilevered.

The approved CDP/FDP includes a typical lot layout. The typical lot layout identifies a four (4) foot wide sidewalk, a minimum front yard of eight (8) feet and a minimum privacy yard of two hundred (200) square feet. An optional deck was also

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ZONING EVALUATION DIVISION

shown at the rear of the unit. The developer proposes that the optional deck may be replaced with an optional sunroom. The developer has prepared four (4) different alternatives for the sunroom. The following alternatives are proposed:

- Alternative 1 – The rear property line will be extended by six (6) inches, which will allow for the maintenance of the two-hundred (200) square foot rear privacy yard and the eight foot front yard. This will allow for the construction of Optional Sunroom A.
- Alternative 2 - The rear property line will be extended by six (6) inches, which will allow for the maintenance of the two-hundred (200) square foot rear privacy yard and the eight foot front yard. This will allow for the construction of an optional four (4) foot extension to the rear of each unit.
- Alternative 3 - The rear property line will be extended by six (6) inches, which will allow for the maintenance of the two-hundred (200) square foot rear privacy yard and the eight foot front yard. This will allow for the construction of Optional Sunroom B.
- Alternative 4 - The rear property line will be extended by six (6) inches, which will allow for the maintenance of the two-hundred (200) square foot rear privacy yard and the eight foot front yard. The units have also been adjusted so that all fronts of the units are aligned. This would allow for an extension at the rear of the units.

A four (4) foot wide sidewalk will continue to be provided with each option, and all of the proposed residential dwelling units will remain thirty-eight (38) feet deep and twenty-four (24) feet wide. The landscaping shown on the CDP/FDP will be provided; however, the exact location of the plantings may be slightly modified. In addition, the overall open space for the community was identified as 33% on the CDP/FDP, and will not decrease.

The approved proffers include text that allows minor deviations to the approved layout. Specifically, the developer has the flexibility to modify the layout shown on the CDP/FDP as long as the number of units is not increased and the amount of open space, tree preservation, limits of clearing and grading and common open space areas are not decreased. The developer's proposal is within these limitations. In addition, Note 13 on the CDP/FDP states that footprints, sizes and locations of buildings are approximate and may change with final engineering and design. Optional features for each dwelling unit are to be shown on the plans submitted with applications for building permits. The features described herein are optional.

I hereby request your administrative determination that the construction of optional sunrooms on the rear of the single family attached dwelling unit and the box-bay windows in the kitchens as shown on the enclosed exhibits are in substantial conformance with the approved proffers and the CDP/FDP. This request may be

March 26, 2001

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considered a minor modification in accordance with the requirements of Article 16-402 of the Fairfax County Zoning Ordinance. There are no changes proposed to the overall number of approved dwelling units, and therefore, no modifications to the parking required or provided on the site. In addition, the proposal does not impact peripheral yard setbacks, proffered open space, or landscaping. Thus, this request may be considered in substantial conformance with the prior approvals.

Should you have any questions regarding this request or require additional information, please do not hesitate to give me a call. I have enclosed a copy of the approved proffers and exhibits prepared by Bowman Consulting Group for your convenient reference. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, STACKHOUSE, EMRICH & LUBELEY, P.C.

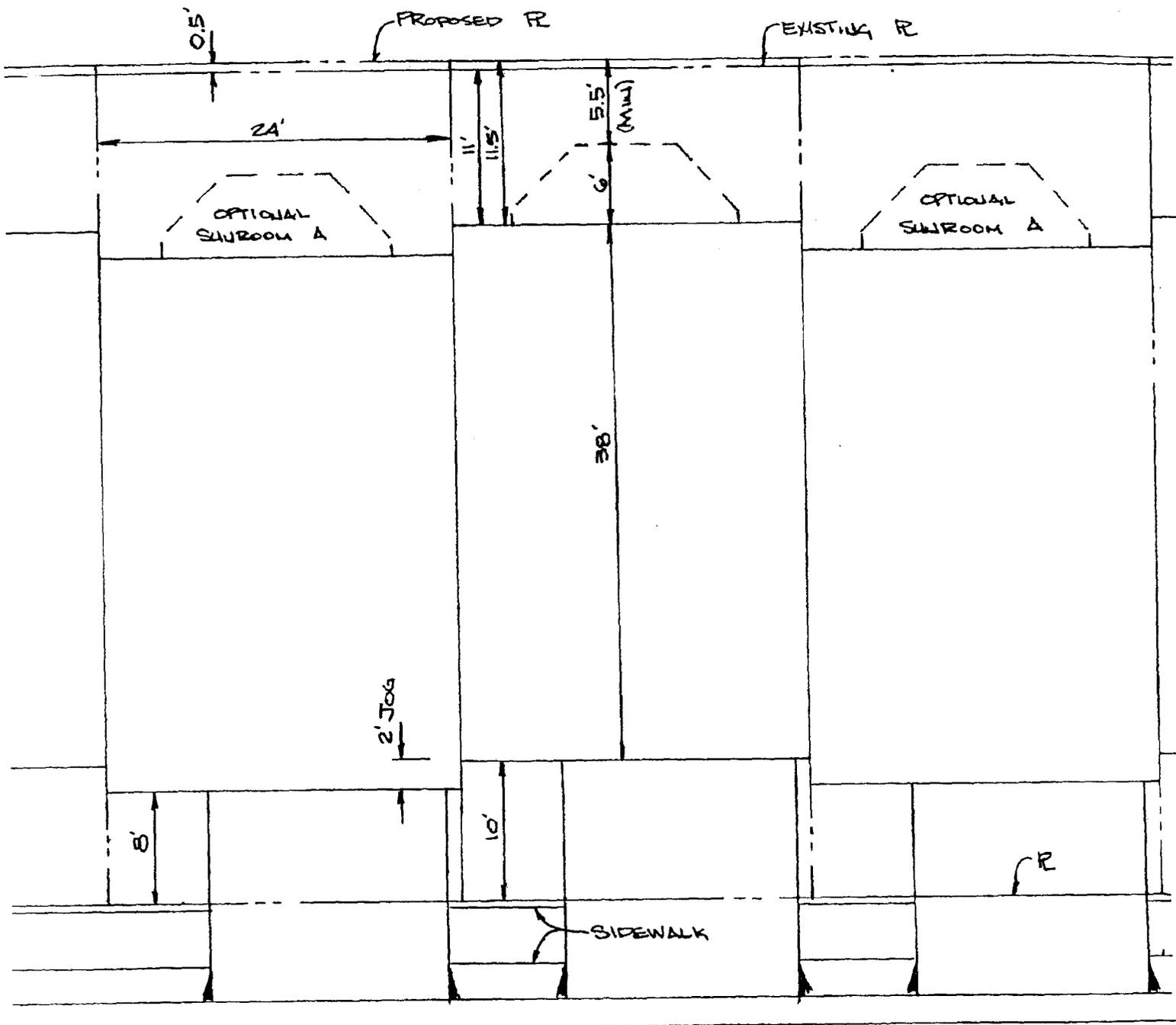


Lynne J. Strobel

LJS:cs

Enclosures

cc: Chris Schwindt
Rick Dengler
Mike Breun
Martin D. Walsh

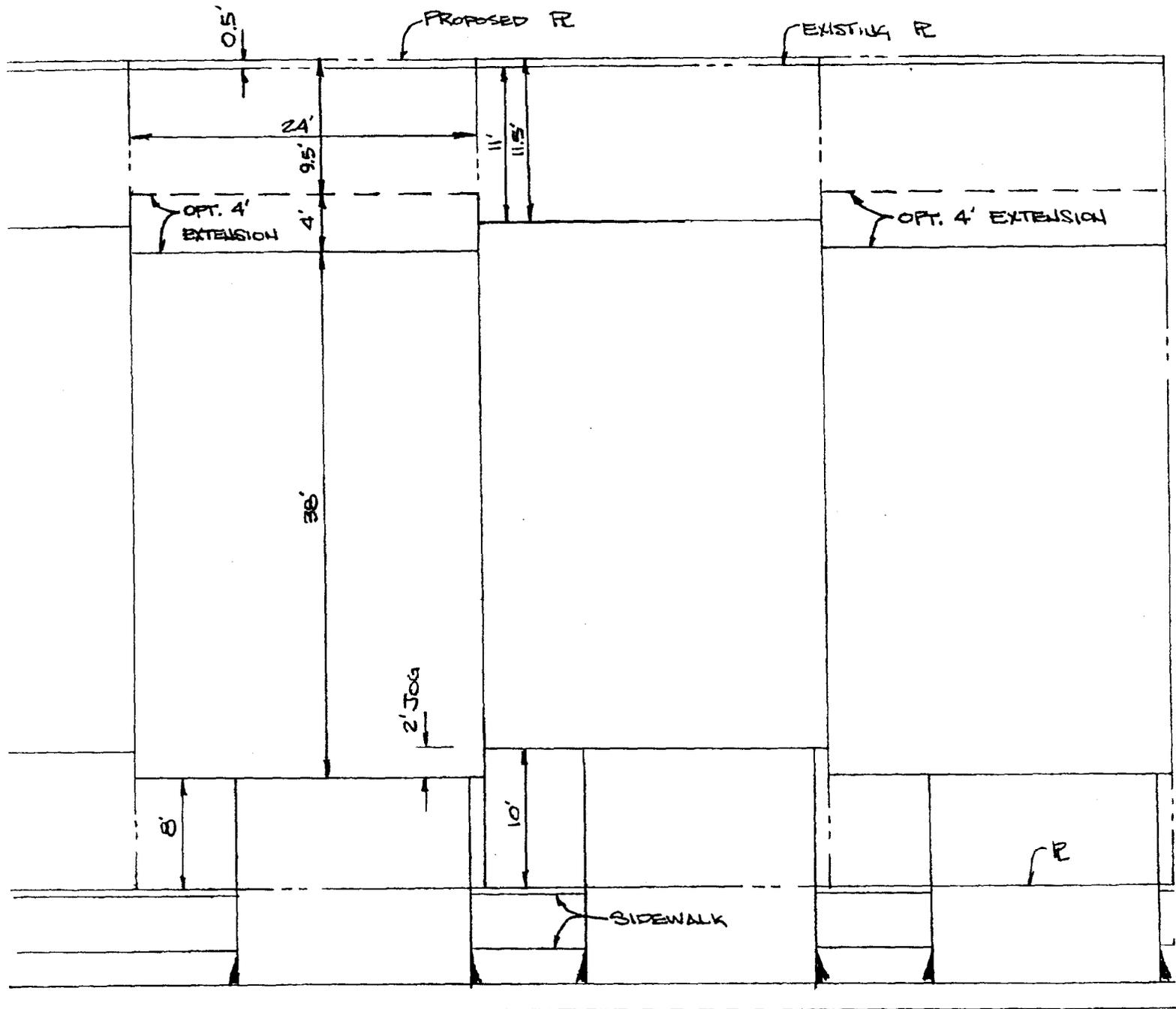


OPTION TO PROVIDE SUNROOM A

2-30-00

RIDGE TOP ROAD
(SCALE: 1"=10')

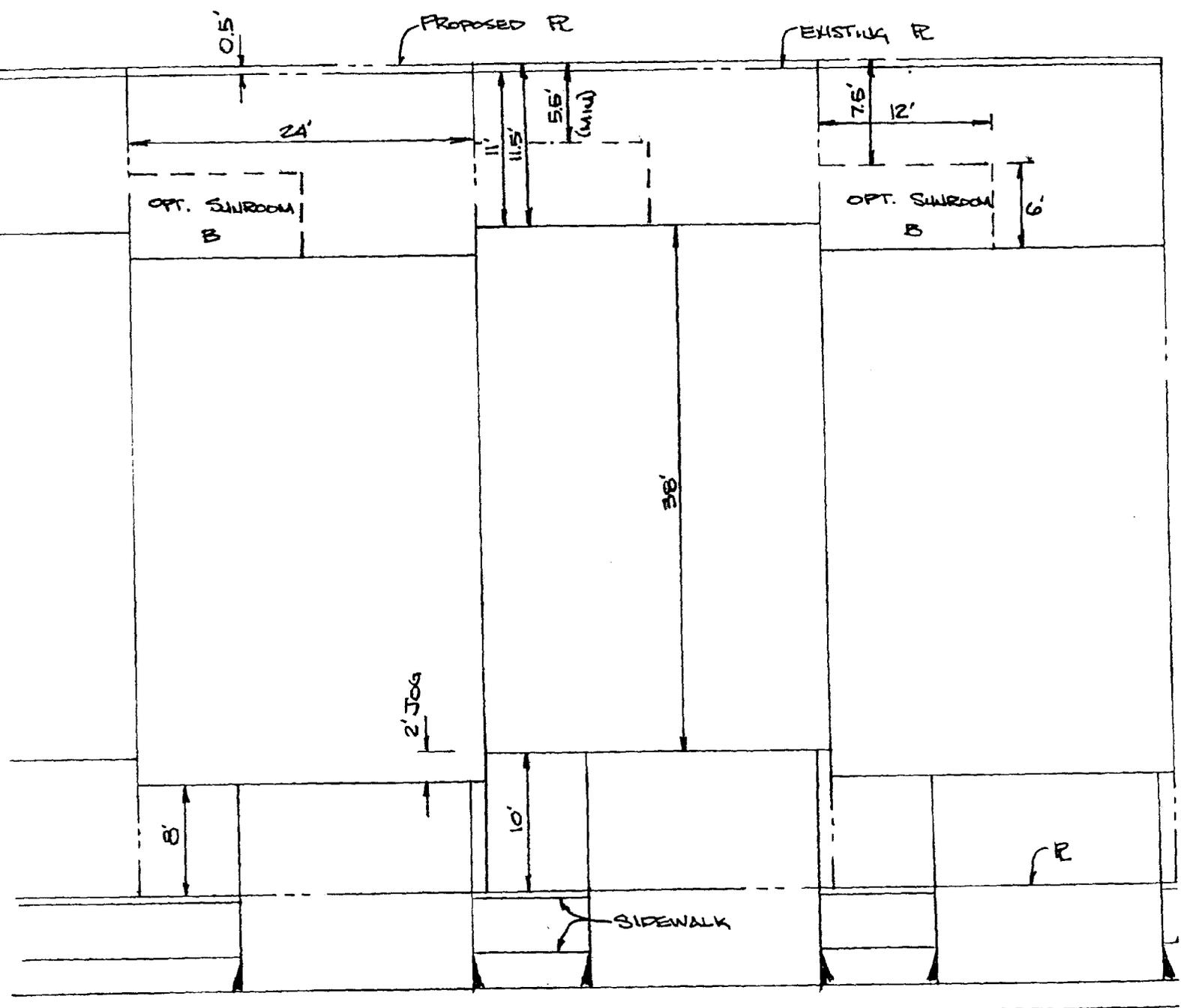
ALTERNATIVE 1



OPTION TO PROVIDE 4' EXTENSION

RIDGE TOP ROAD
(SCALE: 1"=10')

ALTERNATIVE 2

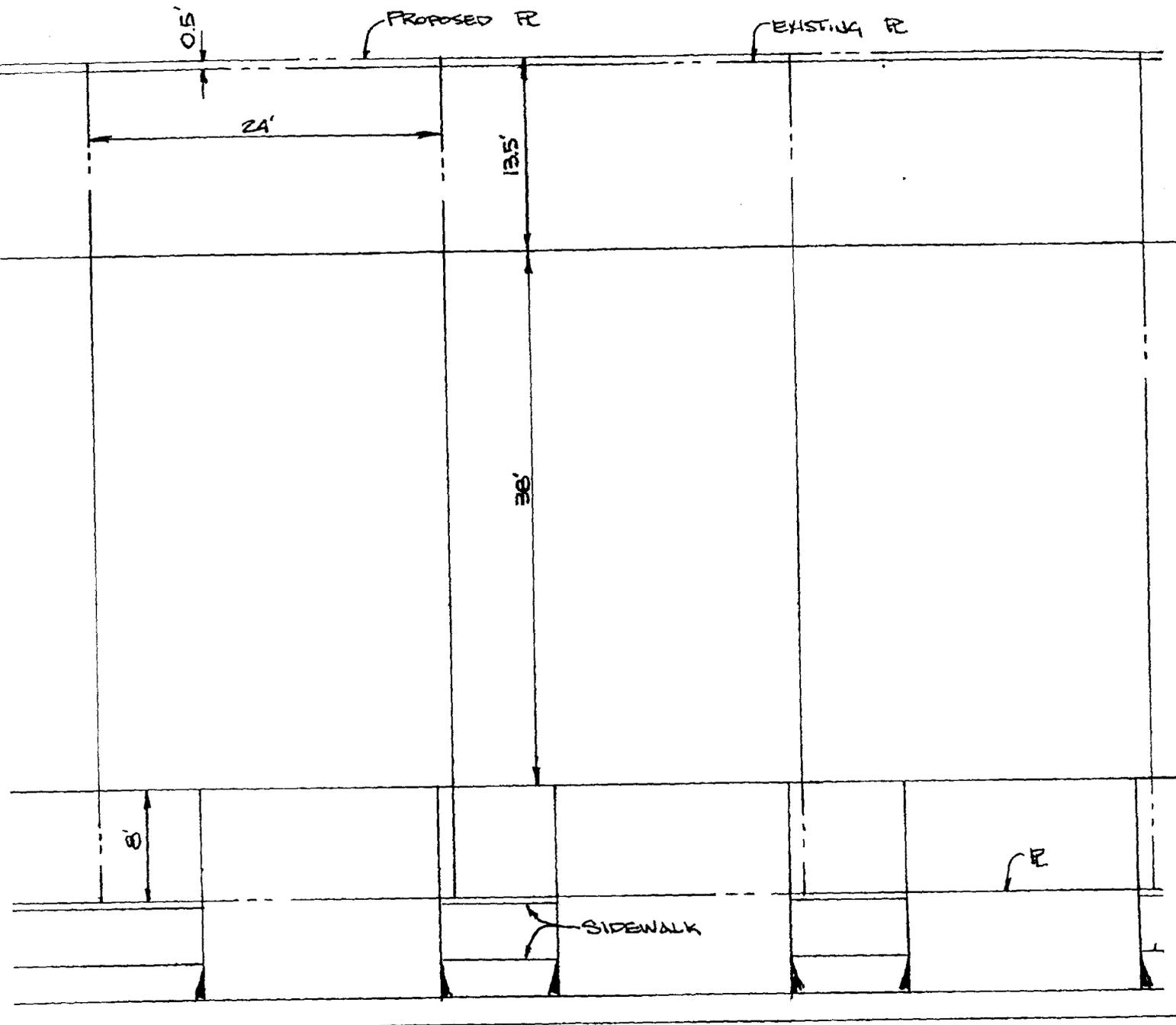


OPTION TO PROVIDE SUNROOM B

2.2.1.1

RIDGE TOP ROAD
(SCALE: 1"=10')

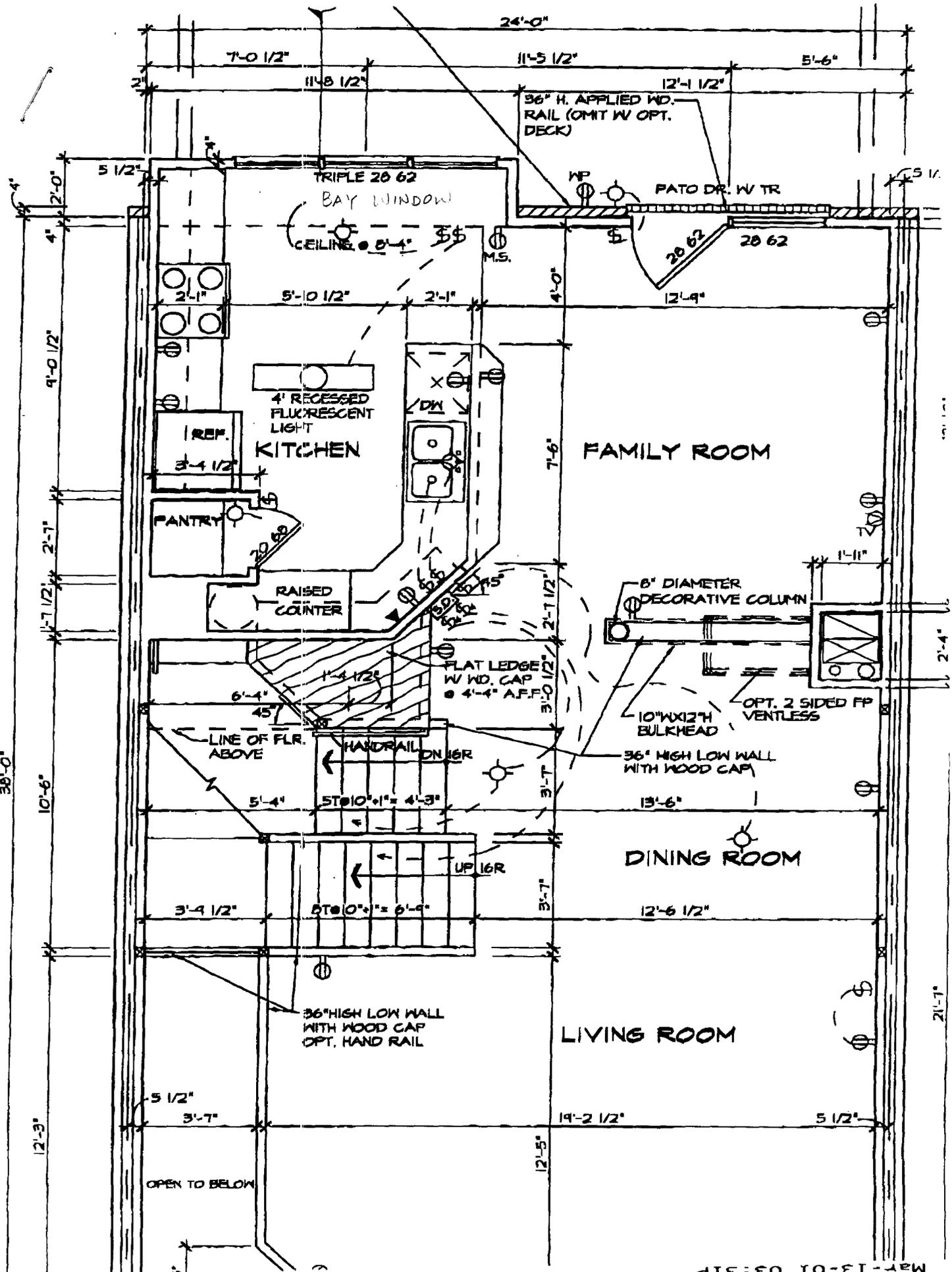
ALTERNATIVE 3



OPTION TO PROVIDE FLUSH UNITS (NO OFFSET JOGS)

RIDGE TOP ROAD
(SCALE: 1"=10')

ALTERNATIVE 4



MAY-13-01 03:31P