FAIRFAX COUNTY

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

V I R G I N I A

December 3, 2001

Ms. Lynne J. Strobel
Walsh, Colucci, Stackhouse, Emrich & Lubeley
2200 Clarendon Boulevard
Arlington, Virginia 22201-4700

Re: Interpretation for RZ 1998-SU-057, Timber Ridge, Tax Map 56-2 ((1)) 6: Building Footprints and Setbacks

Dear Ms. Strobel:

This is in response to your letter of November 5, 2001, (attached) requesting an interpretation of the proffers and Conceptual/Final Development Plan (CDP/FDP) approved by the Board of Supervisors' in conjunction with the approval of rezoning RZ 98-SU-057. As I understand it, the question is whether the proposed modifications to the building footprints and setbacks for the affordable dwelling units would be in substantial conformance with the proffers and the CDP/FDP. This determination is based on the plan that is untitled, is prepared by Bowman Consulting Group, and not dated.

On July 12, 1999, the Board of Supervisors' approved rezoning RZ 1998-SU-057 from the I-5 District to the PDH-12 District subject to proffers. RZ 1998-SU-057 was approved for a total of 116 single family attached dwellings on 10.0 acres at a density of 12.29 dwelling units per acre. The Planning Commission approved Final Development Plan FDP 1998-SU-057 on May 19, 1999, subject to the Board's approval of RZ 1998-SU-057. The CDP/FDP shows 14 affordable dwelling units to be constructed at the north end of the development. The CDP/FDP shows setbacks from the northern property line from the west to the east as 66.9 feet, 53.9 feet, 48.7 feet, and 55.6 feet, respectively. The western setback is 69.2 feet and the eastern setback is 59.9 feet.

You have stated that the proposed modification to the affordable dwelling units is the result of working with the Fairfax County Department of Housing and Community Development. The modified footprints are slightly larger and provide bumpouts for eating areas. The resulting northern setbacks from the property line from the west to the east, respectively, are proposed to be as follows: from 66.9 feet to 61.82 feet or a reduction of 5.08 feet, from 53.9 feet to 51.1 feet or a reduction of 2.72 feet, from 48.7 feet to 47.33 feet or a reduction of 1.37 feet, and from 55.6 feet to 51.78 feet or a reduction of 3.82 feet. The western setback has

been increased from 69.2 feet to 69.48 feet or an increase of 0.28 feet. The eastern setback has been increased from 59.9 feet to 61.36 feet or an increase of 1.46 feet. Your letter states that the 33% open space, limits of clearing and grading, tree preservation, landscaping as shown on the approved "Landscape and Lighting Plan," and number of units are unchanged from those approved with the rezoning.

It is my determination that the proposed modifications to the building footprints and setbacks are in substantial conformance with the proffers and the CDP/FDP provided that the landscaping shown on the CDP/FDP is provided. 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 call Lisa Feibelman at (703) 324-1290.

Sincerely,

Barbara A Byron, Director
Zoning Evaluation Division, DPZ

BAB\:n:

Attachments: A/S

cc: Michael Frey, Supervisor, Sully District
Ronald W. Koch, Planning Commissioner, Sully District
Jane W. Gwinn, Zoning Administrator
Michelle Brickner, Director, Site Development Division, DPWES
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
File: RZ 1998-SU-057 and PI 0111 142

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Lynne J. Strobel
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November 5, 2001

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
NOV 5 2001
ZONING EVALUATION DIVISION

BY HAND DELIVERY

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

Re: RZ 1998-SU-057 – Timber Ridge
Interpretation Request

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, which rezoned approximately 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 116 single family attached units at a density of 12.29 dwelling units per acre. The proposed residential community includes 14 affordable dwelling units. The developer of this community requests the ability to slightly increase the size of the affordable dwelling units as shown on the enclosed exhibit prepared by Bowman Consulting Group.

The approved CDP/FDP specifically identifies 14 affordable dwelling units to be constructed as a part of the approved development. The CDP/FDP identifies a setback dimension in six (6) locations in proximity to the affordable dwelling units. To the west, a dimension of 69.2 feet is shown, and to the east, a dimension of 59.9 feet. Four (4) dimensions to the north property line are identified as 66.9 feet, 59.3 feet, 48.7 feet and 55.6 feet. In working with representatives of the Fairfax County Department of Housing Community Development, the developer has refined the building footprint for the affordable dwelling units. As a result, the footprint has a bumpout, and the unit size has been slightly increased. The dimensions to the property lines have also been slightly modified. The exhibit prepared by Bowman Consulting Group includes dimensions to the west and east, which are slightly larger. The new dimensions are 69.48 feet and 61.36 feet, respectively. The four (4) dimensions to the north are now shown as 61.82 feet, 51.18 feet, 47.33 feet and 57.78 feet. Of these four (4) dimensions, one (1) has

increased, and three (3) have decreased. I would note that all decreases are less than 10% and are adjacent to property that is being developed with single family attached homes. 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. The proposed modifications are the result of final design of the affordable dwelling units in conjunction with representatives of the Fairfax County Redevelopment and Housing Authority.

I hereby request your administrative determination that the modifications to the building footprints of the affordable dwelling units as shown on the enclosed exhibit are in substantial conformance with the approved proffers and the CDP/FDP. This request may be 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 modification to the parking requirement is necessary. In addition, the proposal does not adversely impact peripheral yard setbacks, proffered open space or landscaping. As a result, 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, an exhibit prepared by Bowman Consulting Group, and a copy of the originally approved CDP/FDP 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

Lynne J. Strobel

LJS/sa
Enclosures

cc: Rick Dengler
Mike Breun
Martin D. Walsh

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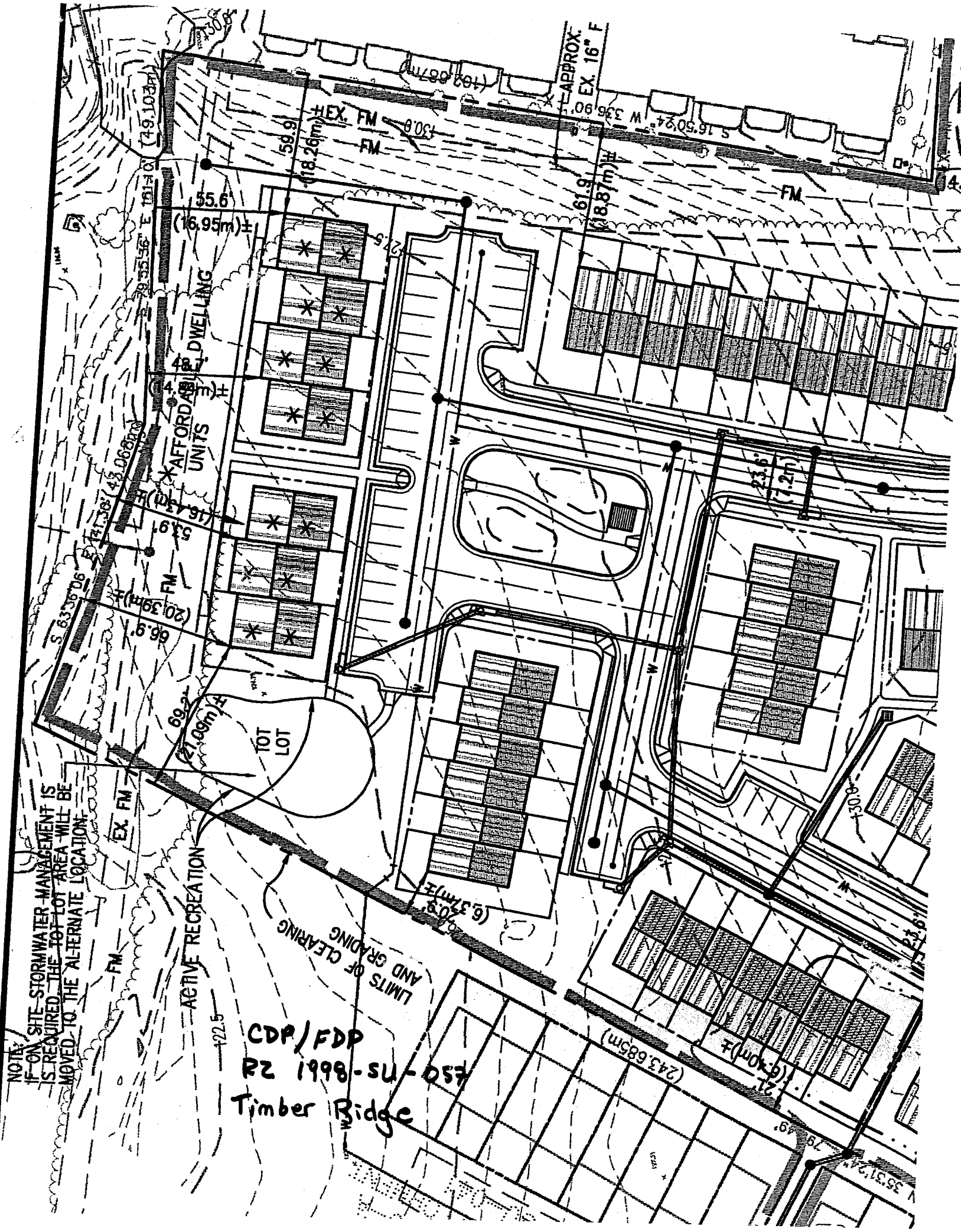
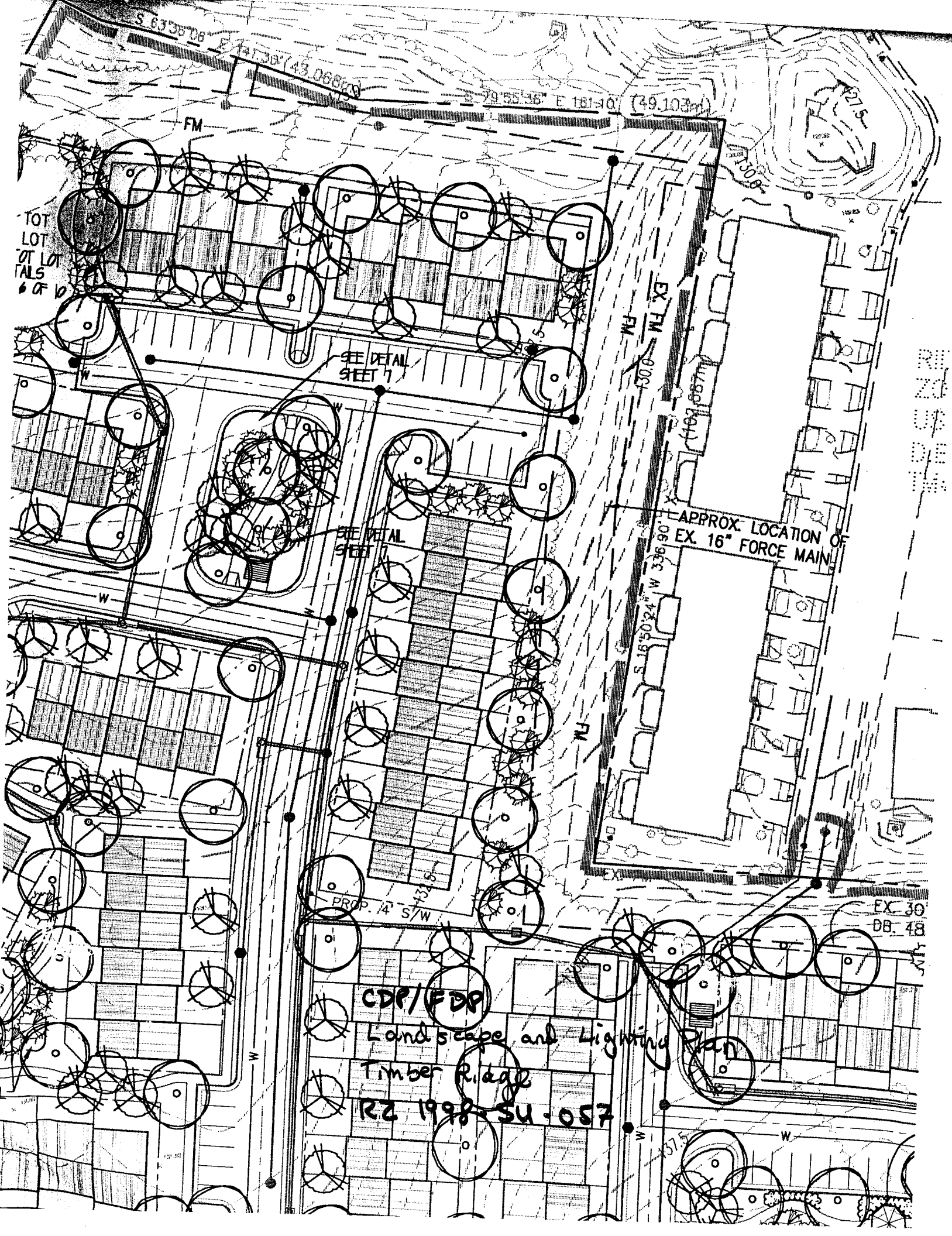
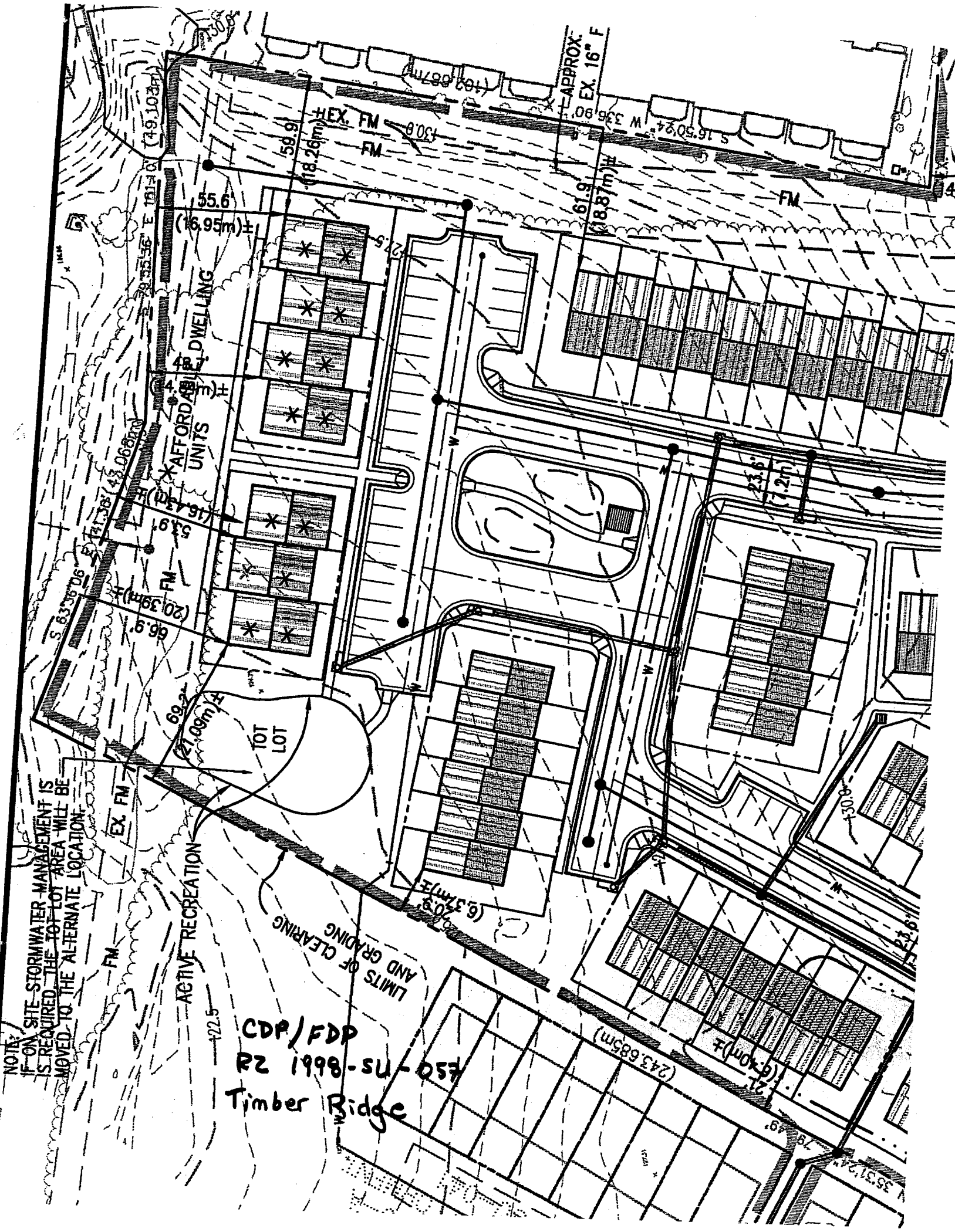

NOTE:
IF ON SITE STORMWATER MANAGEMENT IS REQUIRED, THE TOT LOT AREA WILL BE MOVED TO THE ALTERNATE LOCATION.
EX. FM
FM
APPROX. EX. 16" F
AFFORDABLE DWELLING UNITS
TOT LOT
ACTIVE RECREATION
LIMITS OF CLEARING AND GRADING
55.6' (16.95m)±
48.7' (14.84m)±
53.9' (16.43m)±
66.9' (20.39m)±
69.2' (21.09m)±
59.9' (18.26m)±
61.9' (18.87m)±
23.6' (7.2m)
(243.685m)
(102.687m)
(49.103m)
(6.37m)±
(6.40m)±
CDP/FDP
RZ 1998-SU-057
Timber Ridge


S 63°36'06" E 141.36' (43.068m)
S 79°55'36" E 161.40' (49.103m)
FM
TOT
LOT
TOT LOT
TAILS
6 OF 10
SEE DETAIL
SHEET 7
SEE DETAIL
SHEET 7
EX. FM
FM
APPROX. LOCATION OF
EX. 16" FORCE MAIN
S 16°50'24" W 336.90'
PROP. 4' S/W
EX. 30
DB. 48
CDP/FDP
Landscape and Lighting Plan
Timber Ridge
RZ 1998-SU-057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EX. FM
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LIMITS OF CLEARING
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55.6'
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(102.687m)
(49.103m)
(243.685m)
(6.37m)±
(6.40m)±
APPROX.
EX. 16" F
S 16°50'24" W 336.90'
S 63°36'06" E 161.10'
S 35°31'24" W 79.49'
130.0
122.5
27.5
23.6'
(7.2m)
CDP/FDP
RZ 1998-SU-057
Timber Ridge