



County of Fairfax, Virginia

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

May 6, 2010

Phil Yates
Dewberry & Davis LLC
8401 Arlington Boulevard
Fairfax, VA 22031-4666

Re: Interpretation for SEA 83-D-030-8, Tax Map 20-1 ((1)) 14; 20-2 ((1)) 1: Storage Shed

Dear Mr. Yates:

This is in response to your letters of March 25, 2010, and April 14, 2010, requesting an interpretation of the Special Exception Amendment (SEA) Plat and development conditions approved by the Board of Supervisors in conjunction with the approval of SEA 83-D-030-08. As I understand it, the question is whether the proposed 260 square foot storage shed is in substantial conformance with the SEA Plat and development conditions. This determination is based on your letters and an interpretation graphic entitled "The Madeira School," prepared by Dewberry & Davis LLC., dated March 2010.

As I understand it, a storage shed comprising 260 square feet in area is proposed in the middle of the paddock areas depicted on the submitted interpretation graphic for food storage purposes. Your letters state that the storage shed will have a maximum height of 12 feet, and be located approximately 327 feet from Georgetown Pike. You also noted in your letters that the 376 acre Madeira School is approved for 523,158 square feet of gross floor area, and that the addition of the proposed storage shed would result in an increase of 0.497% of the approved gross floor area for the entire site.

It is my determination that the proposed storage shed is in substantial conformance with the SEA Plat and the development conditions associated with SEA 83-D-030-08, provided the surrounding paddock areas and the subject storage shed are delineated on all future plans for the project site.

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 contact Christopher M. DeManche at (703) 324-1290.

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
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Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

Sincerely,



Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

RCC/O:\cdeman\Interpretations\Madeira School\Madeira School.doc

Attachments: A/S

cc: John W. Foust, Supervisor, Dranesville District
Jay P. Donahue, Planning Commissioner, Dranesville District
Diane Johnson-Quinn, Deputy Zoning Administrator, DPZ
Ken Williams, Plan Control, Office of Land Development Services, DPWES
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
Audrey Clark, Director, Building Plan Review Division, DPWES
Jack Weyant, Director, Environmental and Facilities Inspection Division, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, DPZ
File: SEA 83-D-030-08, SEI 1003 005 Imaging, Reading File



3401 Arlington Boulevard
Fairfax, Virginia 22031-4666

703 849 0100 • 703 849 0118 fax
www.dewberry.com

March 25, 2010

RECEIVED
Department of Planning & Zoning

MAR 26 2010

Regina C. Coyle, Director
Zoning Evaluation Division, DPZ
12055 Government Center Parkway, 8th Floor
Fairfax VA 22035

Zoning Evaluation Division

RE: Request for Interpretation
The Maderia School
SEA 83-D-030-08

Regina
Dear Ms. Coyle:

May this letter and enclosed graphic (3 copies) serve as a Request for Interpretation related to the above-referenced application that was approved by the Board of Supervisors on January 12, 2009.

The request concerns the addition of a 260 square foot storage shed in the middle of the paddock areas that are being regraded and redefined in accordance with Note 18 that is affixed to the Special Exception Amendment Plat. For your convenience, Note 18 reads as follows:

18. The applicant reserves the right to grade and maintain the paddock areas as well as the multi-purpose athletic fields as required.

The proposed storage shed will be used for food storage for the horses. It will have a maximum building height of 12 feet, and will be deemed an accessory structure. It will be located 327 feet from Georgetown Pike.

I would note that there is a total of 523,158 square feet of gross floor area approved on the 376 acre Maderia School Campus. This represents a FAR 0.0319. A 0.15 FAR is permitted in the applicable R-E District. The proposed 260 square feet of additional gross floor area represents an increase of .0497% of the approved gross floor area (260 SF ÷ 523,158 SF). Such an increase is substantially less than the one (1) percent addition that is prescribed by the provision set forth in Par. 4A (7) (b) of Sect. 9-004 of the Zoning Ordinance.

It is our judgment that the proposed addition of the small 260 square foot shed is a minor modification that is approvable in accordance with the provisions set forth in Par. 4 of Sect 9-004 of the Zoning Ordinance. To support our judgment, we note that the proposed modification will not:

1. Change the amount of land area, permit a more intensive use, expand the hours of operation, increase the number of seats, students or employees from that approved pursuant to the special exception; or
2. Result in an increased parking requirement beyond that approved pursuant to the special exception; or
3. Permit uses other than those approved pursuant to the special exception; or
4. Reduce the effectiveness of approved transitional screening, buffering, landscaping or open space. To this point, it is noted that 85±% or over 336 acres of open space are provided on the subject site of the approved private school of general education. A 260 square foot reduction in open space to accommodate the proposed storage shed will not be discernable.
5. Permit changes to the bulk, mass, orientation or location which adversely impact the relationship of the development or part thereof to adjacent property; or
6. Result in an increase in the amount of clearing and/or grading for a stormwater management facility; or
7. Include the addition of any building or additions to buildings beyond those approved pursuant to the special exception with the exception of the proposed accessory structure that will be clearly subordinate to the approved use and, as noted above, will not exceed the one (1) percent of the approved gross floor area shown on the approved special exception plat as is prescribed by Par. 4A (7) (b) of Sect 9-004 of the Zoning Ordinance.

A check in the amount of \$500 is enclosed to cover the requisite filing fee for this request. I trust that I have adequately presented the request, but should you have any questions or the need for elaboration, please let me know. A response at your early convenience will be appreciated.

Sincerely,



Philip G. Yates
Senior Associate

Enclosures: A/S

cc: Glen Faunce
Greg McLanghlin
Braughn Taylor



8401 Arlington Boulevard
Fairfax, Virginia 22031-4666

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E-mailed and Mailed

April 14, 2010

RECEIVED
Department of Planning & Zoning

APR 16 2010

Christopher DeManche
Zoning Evaluation Division, DPZ
12055 Government Center Parkway, 8th Floor
Fairfax VA 22035

Zoning Evaluation Division

RE: Request for Interpretation
The Madeira School
SEA 83-D-030-08

Chris

Dear Mr. DeManche:

Your email of earlier today really catches me off guard. Of the numerous Requests for Interpretation that I have been involved with over the years, the subject Request for Madeira School is one that, in my judgment, is completely reasonable and approvable in accordance with the provisions set forth in Par. 4 of Sect. 9-004 of the Zoning Ordinance. As a matter of fact, I had some question in judgment as to whether indeed the filing of the Request was necessary for a proposed 10' x 26' storage shed on a 376 acre site.

I do appreciate your observation that we are representing the proposed redefined paddock areas on the Interpretation Graphic and they are not represented on the approved SEA Plat. I would note, however, that the fenced paddock areas have never been represented on the SEA Plats for the school over the years – yet, as evidenced by the attached aerial view and following website link <http://www.bing.com/maps/?v=2&cp=qqtr068jxn6p&scene=45251411&lv=1&stv=b> there are existing fenced paddock areas in this area of the Campus today. In hindsight, maybe we erred in representing the proposed redefined paddock areas on our Interpretation Graphic? I don't think we were obligated to do so, but since we were filing a rough grading plan to address longstanding erosion problems in this area of the Campus, we saw no problem with the representation of the proposed redefined, fenced paddock areas as the representation gave some sense for the location of the proposed storage shed.

Given this background information, we do not agree with your assessment that we are dealing with "new paddock areas (that) constitute improvements to the site." The improvements that are proposed are in strict accord with Note 18 that is affixed to the SEA Plat, which, to repeat, reads as follows:

Mr. DeManche
April 14, 2010

Page 2

18. The applicant reserves the right to grade and maintain the paddock areas as well as the multi-purpose athletic fields as required.

Lastly, in response to your question about the location of the proposed shed, I would note that its proposed location has been given due consideration, and it is in a location of existing paddock areas that are being redefined.

I trust this response will adequately respond to your concern, but should you have additional questions, please let me know. Your timely response to our Request for Interpretation will be appreciated.

Sincerely,



Philip G. Yates
Senior Associate

Enclosures: A/S

cc: Glen Faunce
Braughn Taylor
Greg McLaughlin
Regina Coyle

