



RZ APPLICATION INITIATED: January 5, 2010
PLANNING COMMISSION: May 27, 2010
BOARD OF SUPERVISORS: June 8, 2010
@ 3:30 pm

County of Fairfax, Virginia

May 12, 2010

STAFF REPORT

Rezoning: RZ 2010-SU-001

Comprehensive Plan Amendment: S10-III-BR1

SULLY DISTRICT

BOARD OF SUPERVISORS' OWN MOTION

EXISTING ZONING:	R-1, HD
PROPOSED ZONING:	R-1
PARCEL:	54-4 ((2)) 13
ACREAGE:	1.73 acres
PLAN MAP:	Residential use; 1-2 du/ac
PROPOSAL:	Remove the Centreville Historic Overlay District from the subject property (no change to underlying zoning)

STAFF RECOMMENDATIONS:

Staff recommends approval of Comprehensive Plan Amendment S10-III-BR1.

Staff recommends approval of RZ 2010-SU-001.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that,

Tracy Strunk

Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/



should this application be approved, such approval does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application

It should be noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290 TTY 711 (Virginia Relay Center).

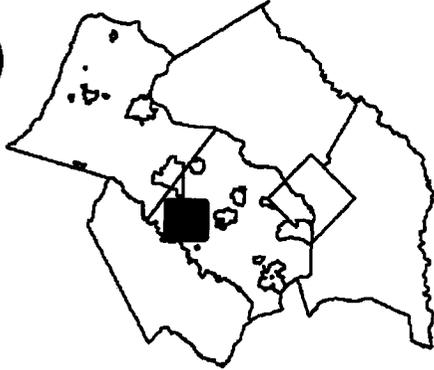
O:\tswag\CHOD II RZ 2010-su-001\RZ 2010-SU-001 plan amend.doc



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice.
For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

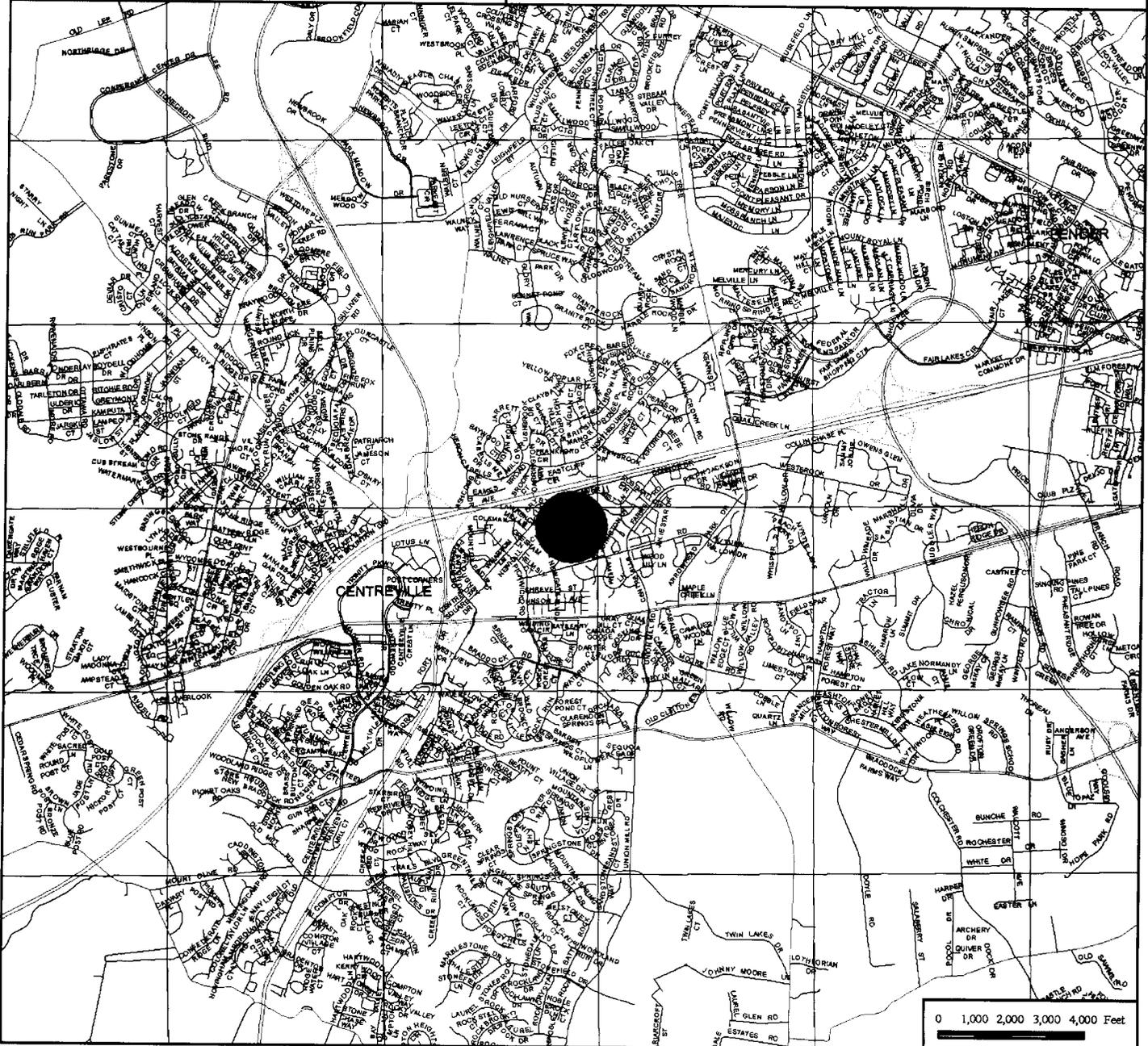
Rezoning Application

RZ 2010-SU-001



Applicant: BOARD OF SUPERVISOR S OWN MOTION
Accepted: 01/05/2010
Proposed: RESIDENTIAL
Area: 1.73 AC OF LAND; DISTRICT - SULLY
Zoning Dist Sect:
Located: NORTH SIDE OF LEE HIGHWAY WEST SIDE OF
SUMMIT STREET AND EAST SIDE OF SULLY ROAD

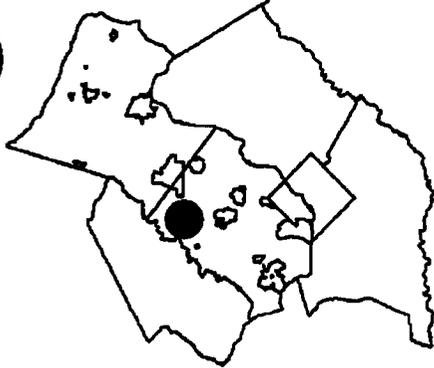
Zoning: FROM R- 1 TO R- 1
Overlay Dist: HD
Map Ref Num: 054-4 /02/ /0013



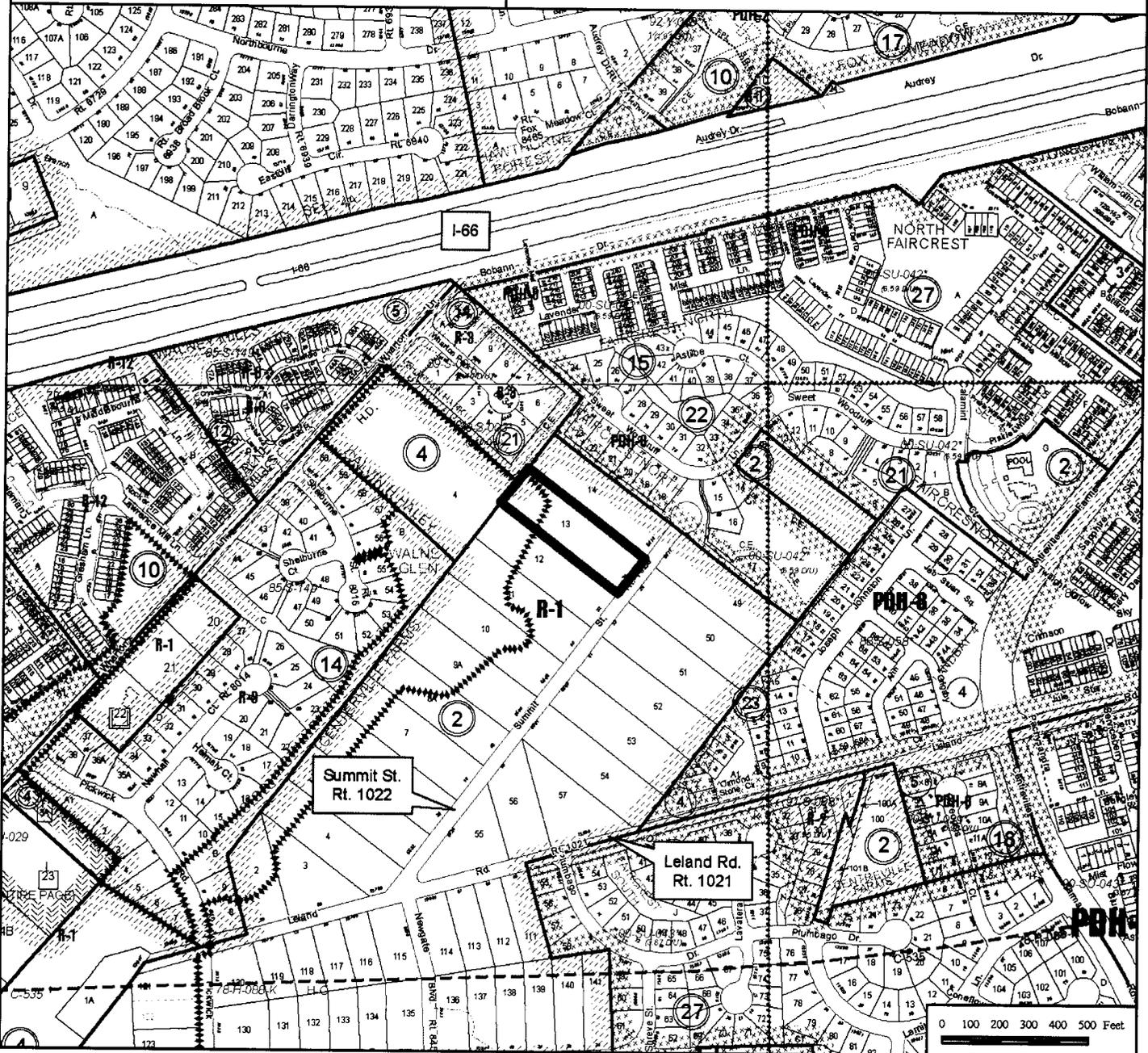
Rezoning Application

RZ 2010-SU-001

Applicant: BOARD OF SUPERVISOR S OWN MOTION
Accepted: 01/05/2010
Proposed: RESIDENTIAL
Area: 1.73 AC OF LAND; DISTRICT - SULLY
Zoning Dist Sect:
Located: NORTH SIDE OF LEE HIGHWAY WEST SIDE OF
SUMMIT STREET AND EAST SIDE OF SULLY ROAD



Zoning: FROM R- 1 TO R- 1
Overlay Dist: HD
Map Ref Num: 054-4- /02/ /0013



**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS CAN BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

Comprehensive Plan Amendment S10-III-BR1: The proposed changes would remove 0.41 acre of Parcel 54-4 ((2)) 13 from the Centreville Historic Overlay District (CHOD) by modifying the map showing the CHOD (to change the boundary) and modifying the Plan language to reflect the reduction in acreage within the overlay district. Additional minor editorial changes to this section of text are also proposed. (See Appendix 2)

Rezoning RZ 2010-SU-001: The proposal would amend the Centreville Historic Overlay District (CHOD) to delete the overlay district from the subject parcel only [Tax Map 54-4 ((2)) 13]. No change is proposed to the underlying zoning of the subject parcel, which will remain R-1.

LOCATION AND CHARACTER

The subject property is located on the north side of Summit Street, generally south of I-66 and north of Route 29. The property is located in a residential neighborhood of single family detached homes on either side of Summit Street. The majority of the parcels along the north side of the street abut publically owned property that contains the Covered Way and associated Apex Fort. The majority of the parcels along the north side of the street, including the application property, are partially located in the CHOD.

BACKGROUND

On February 26, 2007, the Board of Supervisors approved the expansion of the Centreville Historic Overlay District, adopted Comprehensive Plan Amendments ST04-III-BR1 and S05-III-BR1 which amended the Plan to reflect the historic district expansion and issues related to the Centreville Historic Overlay District, and approved the Board's Own Motion RZ 2006-SU-030 which expanded the zoning overlay district. Included in the expanded overlay district was a 0.41 acre portion of the subject property, Tax Map 54-4 ((2)) 13.

ANALYSIS

The subject property, Tax Map 54-4 ((2)) 13, was included in the expanded CHOD because it was identified as being within the 50 foot buffer area surrounding the man-made earthworks creating the Apex Fort and the associated structures. Subsequent to the approvals, additional information has been reviewed indicating that the man-made landforms were less extensive, and that the landforms that impacted this particular property were natural, not man-made. Therefore, staff believes it is appropriate to remove reference in the Comprehensive Plan indicating that the man-made landforms impact this parcel, and amend the CHOD to remove this parcel.

Plan Amendment:

As detailed in Appendix 2, the proposed changes would:

- Exclude Parcel 54-4 ((2)) 13 from the Centreville Historic Overlay District,
- Modify the map showing the district,
- Modify Plan language to reflect the reduction in acreage identified within the overlay district, and
- Make minor editorial changes to correct factual information (the land unit designation).

The Comprehensive Plan would retain the current recommendations for use and density in Land Unit F of Centreville Farms in the Centreville Area and Suburban Center (which includes the subject property).

Rezoning:

The rezoning would simply remove the overlay district from the application property only. The underlying zoning would remain R-1.

CONCLUSIONS AND RECOMMENDATIONS**Staff Conclusions**

Staff believes that it is appropriate to amend the Comprehensive Plan and the Zoning Map to remove the application property [Tax Map Parcel 54-4 ((2)) 13] from the Centreville Historic Overlay District.

Recommendations

Staff recommends approval of Comprehensive Plan Amendment S10-III-BR1.

Staff recommends approval of RZ 2010-SU-001.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that, should this application be approved, such approval does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Board Motion
2. Comprehensive Plan Amendment S10-III-BR1
3. Affidavit

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to invite coach Tim Vigotsky and the members of the Westfield golf team to appear before the Board on January 12, 2010, for recognition of this outstanding accomplishment. Without objection, it was so ordered.

68. **BOARD'S OWN MOTION – CENTREVILLE HISTORIC OVERLAY DISTRICT (SULLY DISTRICT)** (5:45 p.m.)

- (R) Supervisor Frey said that a Resolution has been prepared to authorize a Board's own motion rezoning to remove one of the parcels from the expanded Centreville Historic Overlay District [Tax Map 54-4((2)) parcel 13] owned by Michael and Doris Judge.

Therefore, Supervisor Frey moved:

- Adoption of the Resolution to initiate a Board's own motion rezoning for the property located at 5424 Summit Street, Centreville, Virginia [Tax Map 54-4((2)) parcel 13] to rezone such property from the R-1 and Historic Overlay Districts to the R-1 District.
- That the Board authorize the advertisement of a public hearing to be held before the Board regarding the rezoning of Tax Map 54-4((2)) parcel 13 to lift the designation of Historic Overlay designation on this parcel.

Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Hyland being absent.

69. **VIRGINIA WAR MEMORIAL** (5:46 p.m.)

Supervisor Gross said that at the recent Virginia Association of Counties annual meeting, she had occasion to visit with staff of the Virginia War Memorial, which is located in Richmond. Originally authorized to commemorate the heroes of World War II, the memorial was expanded to include Korean War dead when it was constructed in 1955. An addition was dedicated in 1981 to honor those Virginians killed in Vietnam, and in 1996, the names of Virginians killed in the Persian Gulf were added. The memorial is open every day of the year.

Last week's observance of Veterans Day, coupled with the tragic shootings at Fort Hood, Texas, was a reminder that freedom is not free, and a number of County residents are among the fallen honored at the Virginia War Memorial. She distributed to Board Members a list of County residents who have fallen. On behalf of the Board, Supervisor Gross honored and thanked them for their sacrifice.



PROPOSED COMPREHENSIVE PLAN AMENDMENT

APPENDIX 2

ITEM: S10-III-BR1
May 13, 2010

GENERAL LOCATION: North side of Summit Road near intersection of Route 28 and Route 29 in Centreville

SUPERVISOR DISTRICT: Sully

PLANNING AREA: III

PLANNING DISTRICT: Bull Run

SUB-DISTRICT DESIGNATION: Centreville Area and Suburban Center; Centreville Farms Area, Land Unit F

PARCEL LOCATION: 54-4 ((2)) 13

For additional information about this amendment call (703) 324-1380.

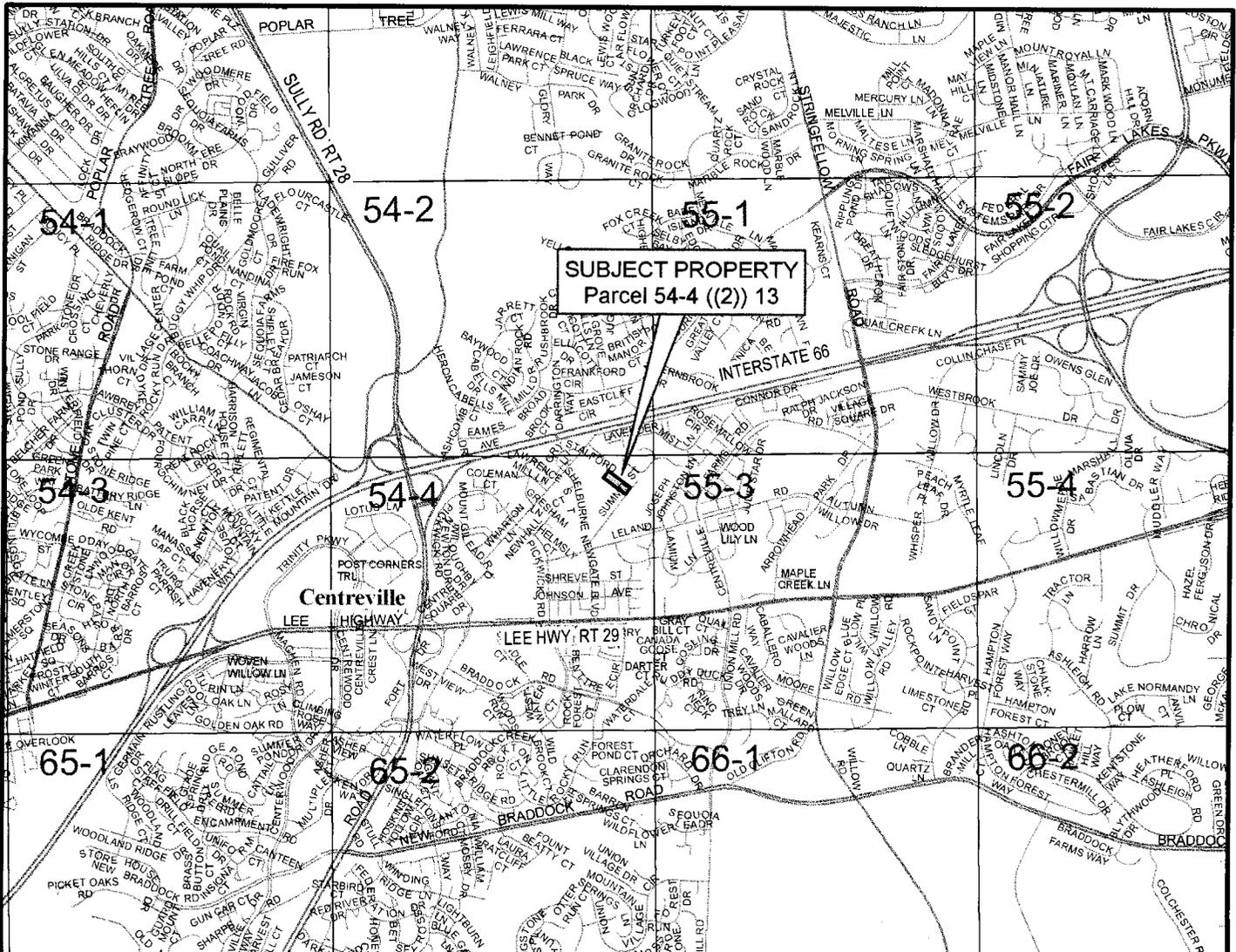
PLANNING COMMISSION PUBLIC HEARING: Thursday, May 27, 2010 @ 8:15 P.M.

BOARD OF SUPERVISORS PUBLIC HEARING: Tuesday, June 8, 2010 @ 3:30 P.M.

PLANNING STAFF DOES RECOMMEND THIS ITEM FOR PLAN AMENDMENT



Reasonable accommodation is available upon 7 days advance notice. For additional information about accommodation call (703) 324-1334.



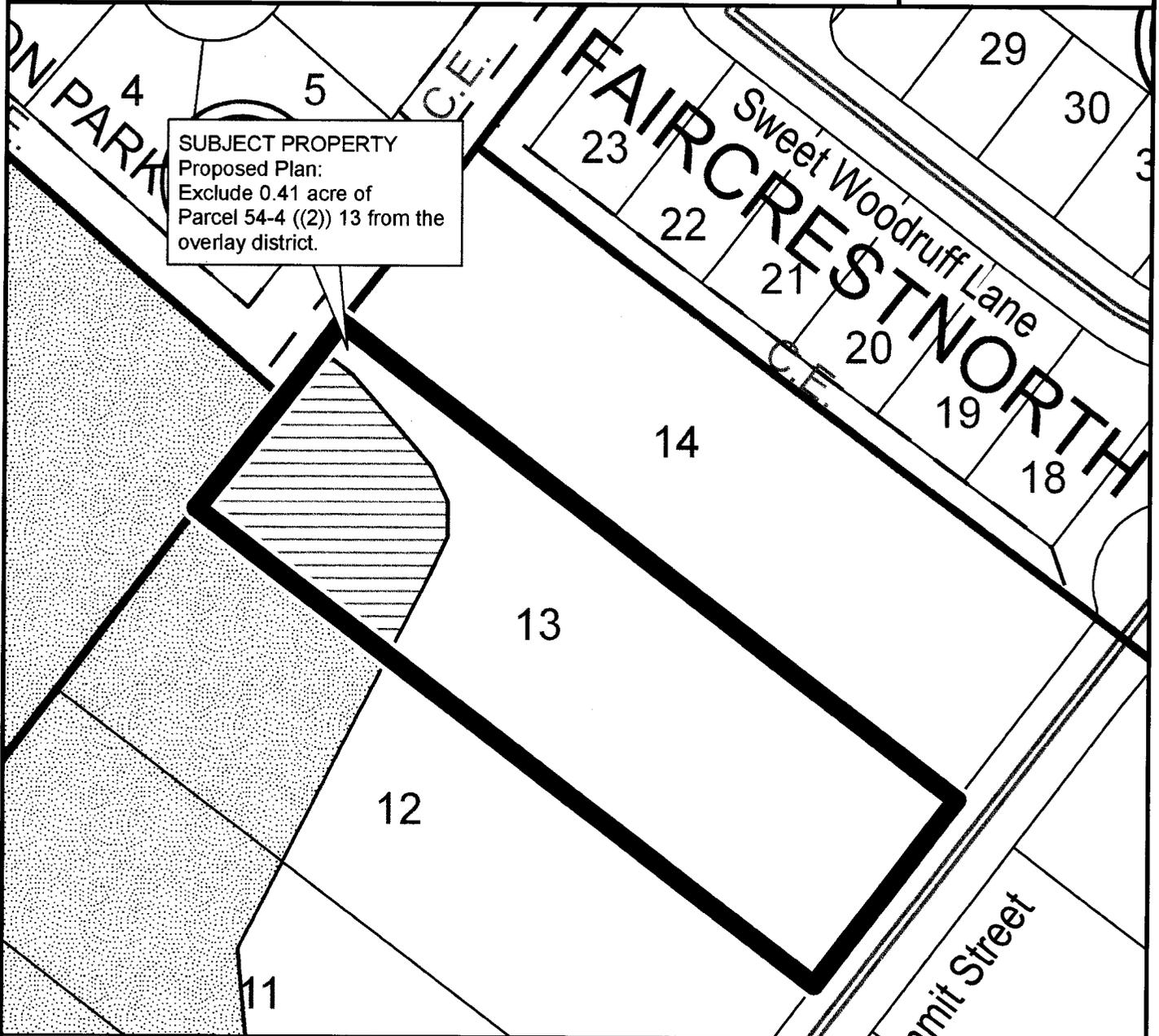
3000 FEET

PREPARED BY THE DEPARTMENT OF PLANNING AND ZONING USING FAIRFAX COUNTY GIS



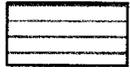
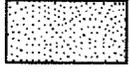
CURRENT PLAN AND PROPOSED PLAN CHANGE
PARCEL LOCATION MAP SHOWING CURRENT PLAN AND
PROPOSED CHANGE FOR SUBJECT PROPERTY

ITEM: S10-III-BR1
May 13, 2010



SUBJECT PROPERTY
Proposed Plan:
Exclude 0.41 acre of
Parcel 54-4 ((2)) 13 from the
overlay district.

Legend

-  Subject Property - Parcel 54-4 ((2)) 13
-  Portion of Centreville Historic Overlay District in 54-4 ((2)) 13
-  Centreville Historic Overlay District outside of 54-4 ((2)) 13

100 FEET

PREPARED BY THE DEPARTMENT OF PLANNING AND ZONING USING FAIRFAX COUNTY GIS
PARCEL INFORMATION CURRENT TO MARCH 2010

STAFF REPORT FOR REVISION TO THE CENTREVILLE HISTORIC OVERLAY
DISTRICT: PLAN AMENDMENT S10-III-BR1

Background

On February 26, 2007, the Board of Supervisors approved the expansion of the Centreville Historic Overlay District and adopted Comprehensive Plan Amendments ST04-III-BR1 and S05-III-BR1 which amended the Plan to reflect the historic district expansion and issues related to the Centreville Historic Overlay District. Included in the expanded overlay district was a portion of the property located at 5424 Summit Street, Tax Map 54-4 ((2)) 13.

On November 16, 2009, the Board of Supervisors initiated a Board's Own Motion to remove the property located at 5424 Summit Street, Tax Map 54-4 ((2)) 13 from the Centreville Historic Overlay District. On March 23, 2010, the Board authorized a Plan Amendment to remove the parcel from the Centreville Historic Overlay District.

Analysis and Summary of Proposed Amendment

The proposed changes would exclude Parcel 54-4 ((2)) 13 from the Centreville Historic Overlay District and make editorial changes. The 0.41 acre of parcel 54-4 ((2)) 13 currently within the Centreville Historic Overlay District would be removed from the overlay district. The map showing the district would be modified. Plan language would be changed to reflect the reduction in acreage identified within the overlay district for the preservation of Civil War earthworks and fortifications and a transition area. Editorial changes would be made to correct factual information.

Recommendation

Staff recommends the Comprehensive Plan be modified as shown below. Text proposed to be added is shown as underlined and text proposed to be deleted is shown with a ~~strikethrough~~.

MODIFY: Pages 37 through 38 of the 2007 Edition, Area III, Bull Run Planning District, amended through 3-9-2010, Centreville Area and Suburban Center, as follows:

Land Unit F

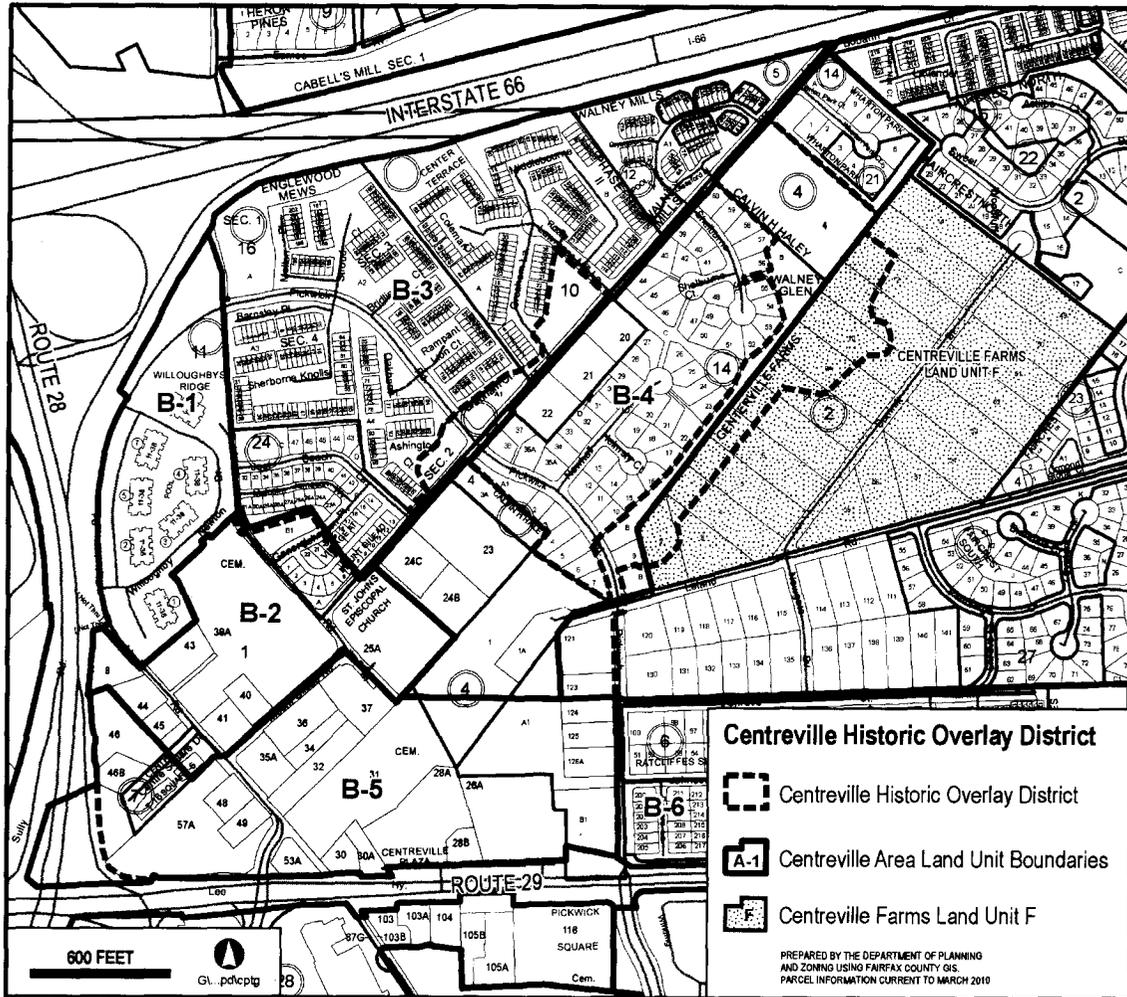
Land Unit F is planned for 1 du/ac at the baseline. There are significant civil war earthworks and fortifications on portions of some of the parcels within Land Unit F as well as on Parcel 54-4((4))4. In order to foster preservation of these civil war sites, Land Unit F may be considered for residential use at a density up to 3 du/ac provided the conditions of the Centreville Historic Overlay District are met. In addition, the high end of the density range should be achieved through the following conditions:

- Full consolidation of all the parcels in Land Unit F and Parcel 54-4((4))4 which is in Land Unit B4 of the Centreville Area and Suburban Center.
- The provision of access to both Wharton Lane and Leland Road.
- The preservation of Civil War earthworks and fortifications and a transition area, which comprises a minimum of 5.79 ~~6.2~~ acres. These earthworks and fortifications are on parcels 54-4((2))2-12 ~~13~~ and 54-4((14))B (located in Land Unit B-4 of the Centreville Area and Suburban Center ~~Historic Overlay District~~). Additional preservation outside the 5.79 ~~6.2~~ acres may be required. Any development proposal should be sensitive to the civil war earthworks and fortifications and the future park.
- The provision of a mix of attached and detached single-family housing in order to provide a better design and more internal usable open space.
- Architectural design that is compatible with the district.
- The provision of affordable housing, which is integrated into the proposed development in a manner that is compatible with the historic district. The affordable housing should not be distinguished from the rest of the development.

If full consolidation is not achieved, residential use at a density of 1-2 du/ac may be considered, based on logical parcel consolidation of at least 28 acres of Land Unit F and the inclusion of parcel 54-4((4))4. The development should also meet the conditions stated above. It is recognized that the consolidation of the complete 5.79 ~~6.2~~ acres of earthworks may not be possible without full consolidation. In the event that this partial consolidation should occur, the maximum extent of preservation of historic resources within the district should be achieved within the consolidation and the guidelines of the districts should be followed. Redevelopment of the remaining parcels above 1 du/ac will be considered based on the extent to which compatible design integration and preservation of the earthworks and fortifications is achieved.

REPLACE

FIGURE: Fairfax County Comprehensive Plan, 2007 Edition, Area III, Bull Run Planning District as amended through 3-9-2010; Figure 9, "Centreville Historic Overlay District Map," page 23, with the following graphic that excludes Parcel 54-4 ((2))13 from the Centreville Historic Overlay District



REZONING AFFIDAVIT

DATE: 4/6/10
 (enter date affidavit is notarized)

I, Anthony H. Griffin, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below **107161a**

in Application No.(s): RZ 2010-SU-001
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
THIS APPLICATION WAS MADE PURSUANT TO A MOTION BY THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA.		
Anthony H. Griffin, Co. Executive	12000 Government Center Parkway Suite 551 Fairfax, VA 22035	Agent for the Board of Supervisors of Fairfax County, Virginia
Kristen A. Abrahamson Tracy D. Strunk	Dept. of Planning and Zoning 12055 Government Center Parkway, Ste. 801 Fairfax, VA 22035	Agents for the Board of Supervisors of Fairfax County, Virginia

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Rezoning Attachment to Par. 1(a)

DATE: 4/6/10
(enter date affidavit is notarized)

107161a

for Application No. (s): RZ 2010-SU-001
(enter County-assigned application number (s))

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Michael C. Judge	5424 Summit Street Centreville, VA 20120	Title Owner of TM 054-4((2)) parcel 13
Doris Y. Judge	5424 Summit Street Centreville, VA 20120	Title Owner of TM 054-4((2)) parcel 13
Friedlander, Friedlander & Earman, P.C.	1364 Beverly Road, Suite 201 McLean, VA 22101	Attorney/Agent for Title Owners
Mark P. Friedlander, Jr.	1364 Beverly Road, Suite 201 McLean, VA 22101	Attorney/Agent for Title Owners

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: 4/6/10
(enter date affidavit is notarized)

107161a

for Application No. (s): RZ 2010-SU-001
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, **and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:**

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Friedlander, Friedlander & Earman, P.C.
1364 Beverly Road, Suite 201
McLean, VA 22101

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

Mark P. Friedlander, Jr.
Jerome P. Friedlander, II
Susan Friedlander Earman

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer,** etc.)

N/A

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: 4/6/10
(enter date affidavit is notarized)

107161a

for Application No. (s): RZ 2010-SU-001
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

N/A

(check if applicable) [] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: 4/6/10
(enter date affidavit is notarized)

107161a

for Application No. (s): RZ 2010-SU-001
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: 4/6/10
(enter date affidavit is notarized)

107161a

for Application No. (s): RZ 2010-SU-001
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

Anthony H. Griffin

(check one)

[] Applicant

[X] Applicant's Authorized Agent

Anthony H. Griffin, County Executive
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 6TH day of APRIL 20 10, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

JoAnn Havach
Notary Public



My commission expires: JULY 31, 2012

NOTARY REGISTRATION NUMBER: #178038

4