



County of Fairfax, Virginia

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

August 30, 2010

Lynne J. Strobel
Walsh Colucci Lubeley Emrich & Walsh PC
2200 Clarendon Boulevard, Thirteenth Floor
Arlington, VA 22201-3359

Re: Interpretation for SE 2003-LE-036, Rose Hill Park, Tax Map Parcel 82-3 ((18)) 46, 47, 48, 53, and 54; 92-1 ((7)) 1-8, 27-45, 55-63; 92-1 ((8)) 1-18: Elevations

Dear Ms Strobel:

This is in response to your letters dated May 24, 2010 and August 12, 2010, requesting an interpretation of the development conditions and Special Exception (SE) Plat approved by the Board of Supervisors in conjunction with the approval of SE 2003-LE-036 to permit a cluster subdivision. As I understand it, your question is whether the proposed elevations are in substantial conformance with the development conditions and the SE Plat. This determination is based on your letters; a copy of Sheet 5 of the approved SE Plat that shows the approved elevations; two color sheets of architectural drawings of each of the proposed models that were received in this office on August 13, 2010; and, the development conditions. Copies of your letter and relevant exhibits are attached.

Your letter states that Stanley Martin Homes, which is now the owner and developer of the subject property is finalizing its architectural plans in anticipation of the commencement of construction. You have submitted a total of six (6) proposed elevations for which a determination of substantial conformance is requested.

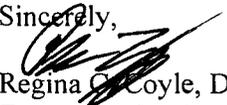
Development Condition 24 states the following: *Facades of the units and the design of the entrance feature shall be in substantial conformance with those shown on the Special Exception Plat. The proposed entrance feature must meet the requirements of Article 12.* The elevations shown on Sheet 5 of the SE Plat show two uphill designs and two downhill designs, based on topography. All of the elevations show two-story dwellings with two-car front-load garages. The design of all of the units is characterized by hipped and hipped gable roofs, articulated facades, large mullioned windows, floor to ceiling windows, keystone lintels, arched dormers, separate garage doors with arched window detailing, significant architectural detailing around windows, prominent entrances with wide stairways, and balconies.

The three proposed uphill elevations show two units with gable roofs and gabled dormers and one unit with a hip roof and gable, separate garage doors with a row of windows and arched detailing on one of the models, widened bay windows on two of the units, and wider stairways leading to the entrance door than originally proposed. The garages are located under the first floor of the uphill units. The three proposed downhill elevations show two units with gable roofs and gabled dormers and one with a hip roof and gable, keystone lintels above windows, separate garage doors with windows, one set of garage doors with arched detailing above, mullioned windows, front porches and balconies on two units and a balcony on the third unit, and articulated facades.

It is my understanding that you have committed to building fifteen (15), or approximately one third of the dwellings, with the hip roofs to be consistent with the proposed elevations.

Based on the above, it is my determination that the proposed elevations are in substantial conformance with the development conditions and the SE plat provided that a minimum of one third of the dwellings are built with hip roofs. 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 Mary Ann Godfrey at (703) 324-1290.

Sincerely,


Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

RCC/MAG/H:\SE Interpretations\Rose Hill Park (SE 2003-LE-036) elevations.doc

Attachments: A/S

cc: Jeff McKay, Supervisor, Lee District
James Thomas Migliaccio, Planning Commissioner, Lee District
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Kenneth Williams, Office of Land Development Services, DPWES
Angela Rodeheaver, Section Chief for Site Analysis, DOT
Jack Weyant, Director, Environmental and Facilities Inspection Division, DPWES
Audrey Clark, Director, Building Plan Review Division, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, DPZ
File: SE 2003-LE-036, SEI 1005 023, Imaging, Reading File



Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@arl.thelandlawyers.com

**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

August 12, 2010

RECEIVED
Department of Planning & Zoning
AUG 13 2010
Zoning Evaluation Division

Via E-mail and Scheduled Express

Mary Ann Godfrey
Zoning Evaluation Division
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: Request for Interpretation-Rose Hill Park
SE 2003-LE-036
Applicant: Stanley Martin Homes

Dear Ms. Godfrey:

Thank you for the opportunity to review your concerns regarding the request for an interpretation of architectural elevations that was submitted on May 24, 2010. The original request filed for the referenced subdivision included two (2) colored exhibits, each illustrating three (3) home elevations. One exhibit illustrated those residential dwellings designated as uphill units, and the second exhibit illustrated those residential dwellings designated as downhill units. The Applicant has modified each elevation and I have enclosed three copies of two (2) new colored exhibits for your consideration. The enclosed exhibits replace and supercede the prior submission.

The design of each home elevation has been modified to more closely resemble the elevations included on sheet 5 of the Special Exception Plat (the "SE Plat") that was accepted with the referenced application. As we discussed at our meeting, some features of the elevations included on the SE Plat were not realistic for construction purposes. For example, the steep pitch of the hip roof shown on the SE Plat exceeds the height limitations of the Zoning Ordinance. The Applicant, however, has been able to incorporate architectural features that address each of your concerns. As shown on the enclosed exhibits, the elevations include the following:

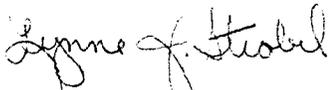
- Both the downhill units and the uphill units include an elevation with a hip roof in addition to the gable roof. The modified hip roof is similar to the elevations on the SE Plat, but conforms to Zoning Ordinance requirements.
- Several of the front façades include second story porches and a roof extension over the garage doors.

- The bay windows on the uphill units have been widened to enhance the appearance of windows on each façade.
- The staircases on the uphill units have been widened to create a more significant entry to each home.
- All uphill units have two (2) garage doors in lieu of a wider single garage door.
- Arched elements have been included over the garage doors where appropriate to complement the architectural design.

The remainder of the information included in my previously submitted letter remains the same. I would appreciate your consideration of the revised architectural elevations that illustrate the homes that the Applicant proposes to construct. The Applicant's modifications to the proposed architecture have resulted in elevations that are in substantial conformance to those included with the previously approved SE Plat. Should you have any questions regarding the enclosed, or require additional information, please do not hesitate to contact me. As this interpretation request has been pending for a number of weeks, I would appreciate a response at your earliest convenience. As always, I appreciate your cooperation and assistance.

Very truly yours,

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



Lynne J. Strobel

LJS/kae

Enclosures

cc: Christopher Spahr
Stuart Ginsberg
Kevin Manahan
Martin D. Walsh

{A0200377.DOC / 1 Interpretation Ltr 8-12-10 000452 000071}

MAY 24 2010

Zoning Evaluation Division



WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

Lynne J. Strobel
(703) 528-4700 Ext. 18
lstrobel@arl.thelandlawyers.com

May 24, 2010

Via Hand Delivery

Regina C. Coyle, Director
Zoning Evaluation Division
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: Request for Interpretation – Rose Hill Park
SE 2003-LE-036
Applicant: Stanley Martin Homes

Dear Ms. Coyle:

Please accept this letter as a request for an interpretation of a previously approved special exception in accordance with Paragraph 4.A. of Section 9-004 of the Fairfax County Zoning Ordinance (the “Ordinance”).

The referenced special exception application was approved by the Board of Supervisors at its hearing held on June 21, 2004. The approval permits development of property identified among the tax assessment records as 82-3 ((18)) 46, 47, 48, 53 and 54; 92-1 ((7)) 1-8, 27-45, 55-63; 92-1 ((8)) 1-18 and portions of public right-of-way to be vacated (the “Subject Property”) as a cluster development. The approval was granted subject to thirty-seven (37) conditions that are listed in the enclosed letter issued by Nancy Vehrs, Clerk to the Board of Supervisors. The development conditions require that development be in substantial conformance with the approved special exception plat entitled “Special Exception Plat Rose Hill Park” prepared by Christopher Consultants, dated September 15, 2003 and revised through April 22, 2004 (the “SE Plat”). Further, development condition 24 requires that the facades of the units be in substantial conformance with those shown on the SE Plat.

Sheet 5 of the SE Plat includes two (2) elevations each of uphill dwelling units and downhill dwelling units. These elevations are labeled “For Illustrative Purposes Only.” All of the proposed units are single family detached homes. These unit types were selected to conform to the topography of the Subject Property that includes steep grades. Specific building materials were not identified. The development conditions permit minor modifications to the special exception as permitted by the Ordinance. The Applicant, Stanley Martin Homes, as the owner and developer of the Subject Property, is finalizing its architectural plans in anticipation of commencement of construction. The Applicant wishes to confirm that its proposed architectural plans are in substantial conformance with the elevations shown on the SE Plat.

The Applicant has designed three (3) uphill dwelling units and three downhill dwelling units. I have attached architectural elevations to illustrate the homes that the Applicant proposes to construct on the Subject Property. Each home will have a two (2) car front loaded garage and exterior finishes comparable to the elevations shown on the SE Plat. The only difference is the type of roof. The SE Plat illustrates a hip roof, and the Applicant proposes a gable roof. The roof type does not change the height of the homes or the way that height is measured in accordance with the Ordinance. Further, the visual massing of the roof is not different from that that was shown on the SE Plat. Lastly, the label on the SE Plat beneath each elevation provides flexibility with final design.

I would appreciate your evaluation of the architectural elevations as illustrated on the enclosed and confirmation of their conformance with the approval. In addition to being in substantial conformance with the SE Plat, the proposal meets the standards of Paragraphs 4.A. of Section 9-004 of the Ordinance as follows:

- A change in land area or a more intensive use than the approved special exception is not proposed. The land area and the number of proposed dwelling units is unchanged and the property will continue to be developed with forty-five (45) single-family detached homes.
- There is no increase in the parking requirement. As the number of homes has remained the same, no additional parking is required or provided.
- A use other than that approved pursuant to the special exception is not contemplated. The property will continue to be developed residentially.
- There will be no reduction in the effectiveness of approved transitional screening, buffering, landscaping or open space. The peripheral setbacks to the property line have remained unchanged and all landscaping and open space as shown on the SE Plat will continue to be provided without modification.
- The bulk, mass, orientation or locations of buildings will not be modified and consequently there will be no adverse impacts on the relationship of the development to adjacent properties. The proposal described herein does not affect the height or mass of the dwelling units. The building footprints have not increased and the subdivision layout is the same as represented on the SE Plat.
- There are no modifications proposed to stormwater management and consequently no modifications to the limits of clearing and grading as shown on the SE Plat.
- No additional buildings are proposed as the approved number of homes is unchanged.

May 24, 2010

Page 3

In consideration of the above, I am asking for your confirmation that the proposed architectural elevations are in substantial conformance with the approved SE Plat. 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 check payable to Fairfax County in the amount of \$500.00 as required by the Ordinance for interpretations of approved applications. A response at your earliest convenience would be greatly appreciated. As always, I appreciate your cooperation and assistance.

Very truly yours,

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



Lynne J. Strobel

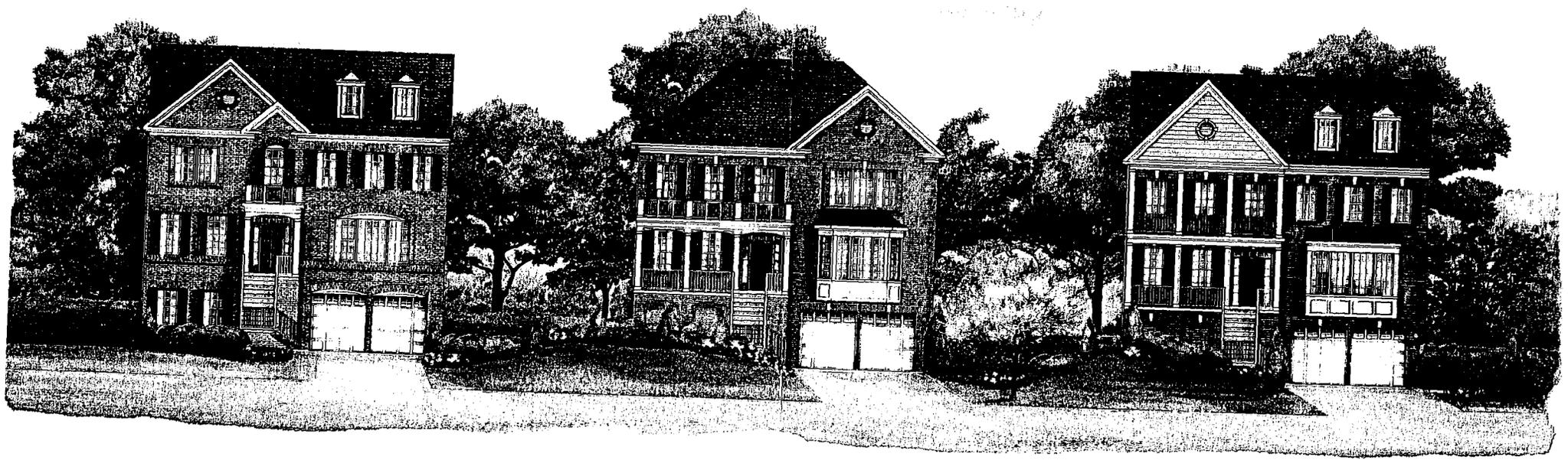
LJS/kae

Enclosures

cc: Christopher Spahr
Martin D. Walsh

{A0193701.DOC / 1 Coyle ltr re: interpretation 5-24-10 000157 004268}

INTERPRETATION PLAN
Application No. 2005 SE-050 Staff MHE
Control No. SE1 1005 023
Approved: YES NO IN PART (circle one)
SEE RESPONSE LETTER DATED 8-30-10
Page 2 of 2



August 13 2010

INTERPRETATION PLAN

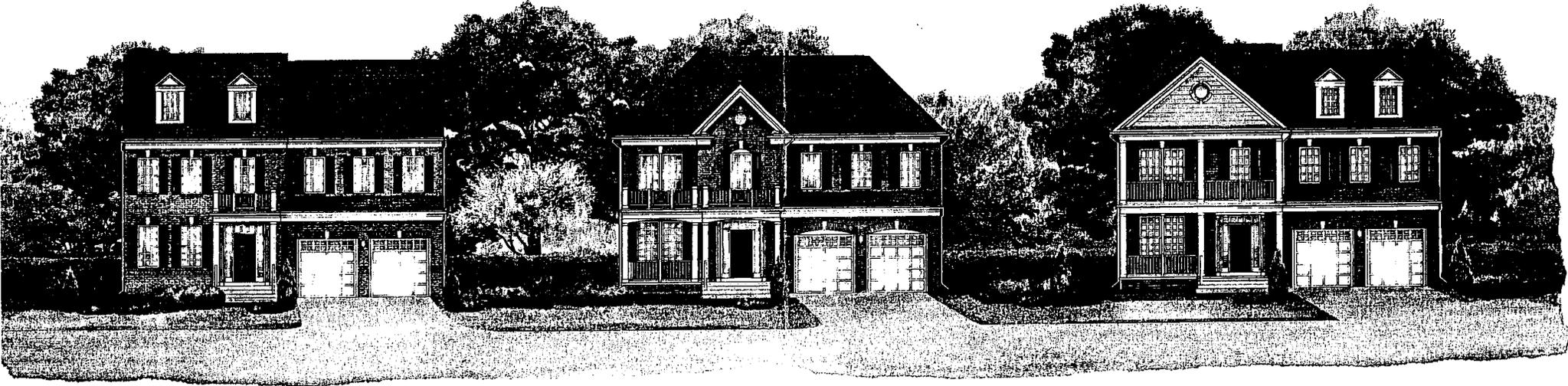
Application No. ^{SE}2003-LE-⁰²⁸ Staff HAG

Control No. SE1 1005 125

Approved: YES NO IN PART (circle one)

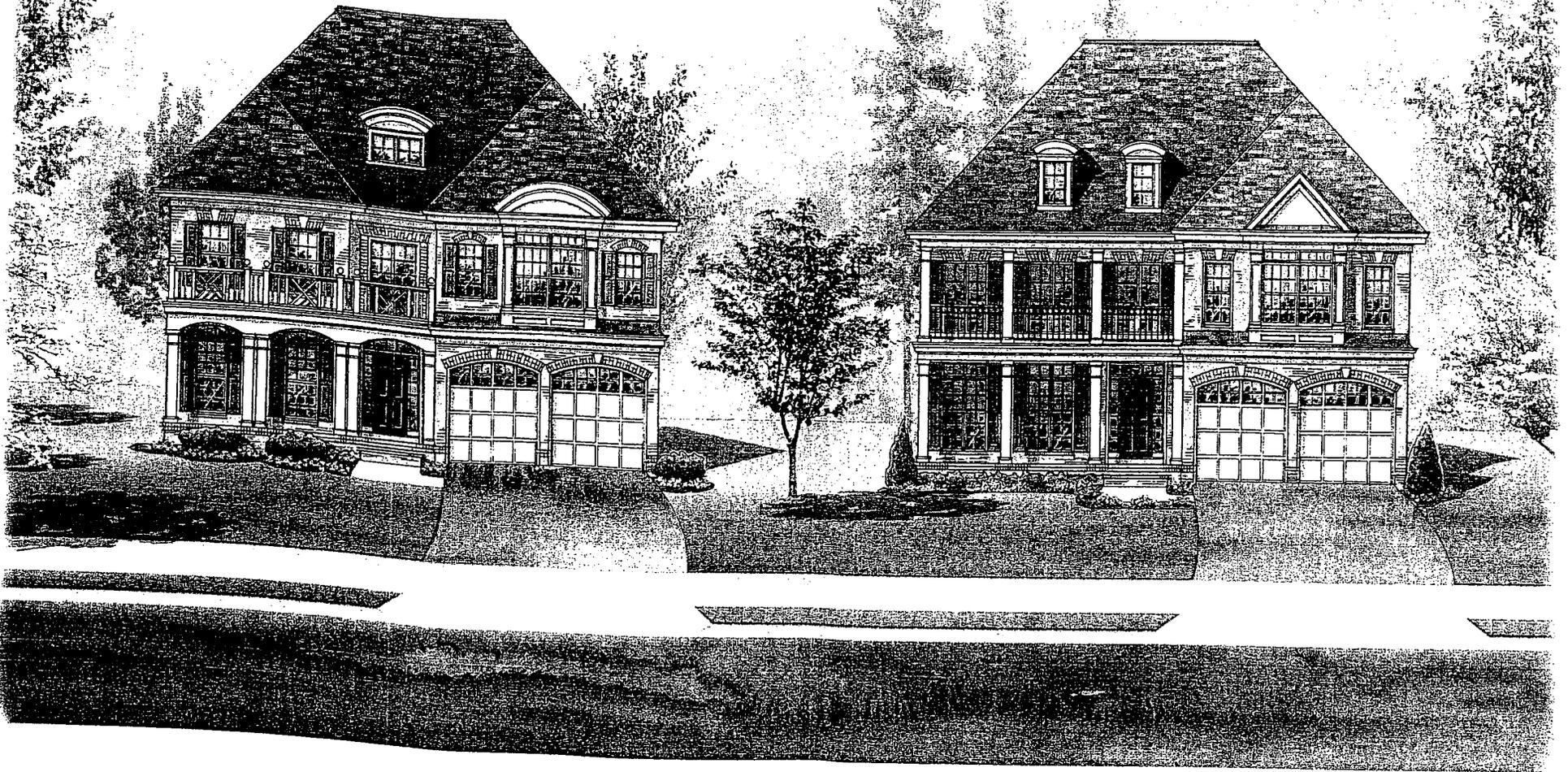
SEE RESPONSE LETTER DATED 8-30-10

Page 1 of 2



RECEIVED
Department of Planning & Zoning
AUG 13 2010
Zoning Evaluation Division

1 of 2



*approved per
SE 2003-LE-036*

ROSE HILL PARK
TYPICAL CONCEPT ELEVATIONS-DOWNHILL UNITS
FOR ILLUSTRATIVE PURPOSES ONLY