



# County of Fairfax, Virginia

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

September 24, 2010

Matt Thomasson, PE  
Greenhorne & O'Mara  
3635 Concorde Parkway, Suite 300  
Chantilly, VA 20151

Re: Interpretation for RZ 92-V-024, Andalusia on the Potomac, Tax Map Parcels 102-2 ((23)) 1-12 and A: Layout Modification

Dear Mr. Thomasson:

This is in response to your letter dated June 15, 2010, requesting an interpretation of the proffers and Conceptual Development Plan (CDP) accepted by the Board of Supervisors and the Final Development Plan (FDP) approved by the Planning Commission in conjunction with the approval of RZ/FDP 92-V-024. As I understand it, your question is whether the proposed modification to lot lines, deletion of one lot, and redistribution of common open space, in order to create larger lots would be in substantial conformance with the proffers and the approved CDP/FDP. This determination is based on your letter; the proffers, the CDP/FDP, and an exhibit consisting of two sheets entitled "Proposed Lot Layout Exhibit," prepared by Greenhorne & O'Mara dated February 2010. Copies of your letter and relevant exhibits are attached.

As I understand it, your client has proposed modifications to the lot lines of Lots 1, 2, and 3 in order to increase the lot sizes. In order to accomplish this, he proposes to expand each of the lots into adjacent areas shown as common open space on the approved CDP/FDP. To compensate for the loss of this common open space, the deletion of previously approved Lot 10 located to the northeast is proposed. As staff has discussed with you, the open space areas located adjacent to Lots 1, 2, and 3 are protected from encroachment by limits of clearing and grading. Proffer 3 states in part that "*The Owner/Applicant of the property shall observe the limits of clearing and grading .....*" In addition the conversion of open space to buildable lots along the southern boundary of the development adjacent to existing single-family residences would adversely impact the relationship of this part of the development to adjacent property.

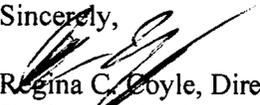
It is my determination that the proposed modifications to lot lines, lot deletion and redistribution of open space, as described in your submission would not be in substantial conformance with the proffers and the CDP/FDP. Such modifications would require the submission of a proffered condition amendment application and its approval by the Board of Supervisors. This determination has been made in my

Matt Thomasson

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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:\Proffer Interpretations PI\Andalusia on the Potomac (RZ 92-V-024) lot lines.doc*

Attachments: A/S

cc: Gerald Hyland, Supervisor, Mount Vernon District  
Earl Flanagan, Planning Commissioner, Mount Vernon 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  
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, DPZ  
File: RZ/FDP 92-V-024, PI 1007 058, Imaging, Reading File



June 15, 2010

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

**RE: Andalusia on the Potomac, TM 102-2 ((23)) Parcels 1 – 12 & A - G (008311-PLR-002-09-1, RZ 92-V-24)**

Dear Madam,

Greenhorne & O'Mara, Inc. is currently under contract with the property owner to provide services for minor adjustment of property lines to the above mentioned subdivision. Our client intends to adjust a few of the lot lines and reduce the number of lots, while maintaining the total amount of open space dedicated.

Attached is an exhibit which shows the existing lot lines per the approved plat as well as a conceptual lot layout exhibit which shows the proposed lot lines. We wish to ensure that our conceptual lot layout is in conformance with the zoning and proffers associated with this property. For your convenience, 3 copies of the proffers, plat, and exhibits have been included.

If you have any questions regarding this matter, please feel free to contact me at (703) 263-1220.

Thank you for your attention to this matter.

Sincerely,  
**Greenhorne & O'Mara, Inc.**

Matt Thomasson, PE  
Project Engineer

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Department of Planning & Zoning  
JUN 21 2010  
Zoning Evaluation Division

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JUN 21 2010

PROFFERS

Zoning Evaluation Division

RZ 92-V-024

November 24, 1992

Pursuant to Va. Code Section 15.1-491.1 et. seq., the Owner/Applicant hereby proffers the following in connection with the rezoning of the application property (Tax Map 102-4 ((1)), Parcels 87 and 90 and Tax Map 102-2 ((1)), Parcels 41, 43, 44 and 45 (hereinafter, the "Property")):

1. Development of the subject property shall be in conformance with the Conceptual/Final Development Plan (CDP/FDP) prepared by William H. Gordon Associates, Inc., dated May 6, 1992 (revised through November 18, 1992), consisting of Sheet 1 (the base CDP/FDP) and Sheet 2 (Tree Save Plan).
2. Andalusia Drive shown on the CDP/FDP shall be constructed to minimum private street standards as set forth in the Public Facilities Manual of Fairfax County with street pavement 16 feet wide in an easement 37 feet wide.
3. The Owner/Applicant of the property shall observe the limits of clearing and grading which shall include a minimum 100-foot wide buffer measured from the mean high tide on the Potomac River landward as shown on the CDP/FDP. Dwelling units on Lots 5, 7, 8 and 9 shall be constructed within the building restriction line shown on the CDP/FDP. Accessory structures (including, but not limited to rear decks, patios and/or swimming pools) may intrude into the buffer area to the extent that the proposed accessory structures meet applicable federal, state and county regulations pertaining to construction in such buffer areas.
4. The Owner/Applicant shall create a "vegetated filter zone" within the areas shown on the CDP/FDP as 100-year flood plain. This filter zone shall be planted with a minimum of three species of native, emergent grasses an/or low shrubs suitable for shoreline location as approved by the Fairfax County Urban Forester. Owner/developer reserves the right to supplement the filter zone with additional plantings, create footpaths to the water's edge, or create docks, boardwalks, or other recreational features permitted by federal, state and local statutes, ordinances or regulations.

RZ 92-V-024

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6. Parcels A, B, C, D, E, and F designated on the CDP/FDP as open space shall be conveyed to the Homeowners Association to be established for the development at the time of recordation of the record plat for the property.
7. The Deed of Dedication, Subdivision and Declaration of Covenants for the property shall contain provisions which subject any proposed accessory buildings, docks or other structures on the Potomac River frontage to review and approval by an Architectural Review Committee of the Homeowners Association for architectural harmony with dwellings and accessory structures in the community.
8. The Owner/Applicant shall contribute Three Hundred Dollars (\$300.00) per dwelling unit to the Homeowners Association for recreational amenities pursuant to Section 6-110 (2) of the Zoning Ordinance of Fairfax County.

9. The dwelling unit constructed on Lot 12 shall be sited not closer than twenty-six feet (26') from the eastern lot line of Lot 5, Wellington Woods.
10. The dwelling units constructed on Lots 1 and 2 shall be sited not closer than twenty-five feet (25') from the northern property lines of each lot.

Houchang Sendi  
Houchang Sendi

Date: 4-21-93

Eloise Sendi  
Eloise Sendi

Date: 4-21-93

David Sendi  
David Sendi

Date: 4-21-93