



# County of Fairfax, Virginia

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

September 10, 2007

Inda E. Stagg  
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  
Courthouse Plaza  
2200 Clarendon Boulevard, 13<sup>th</sup> Floor  
Arlington, VA 22201-3359

RE: Rezoning Application RZ 2006-HM-019  
(Concurrent with Proffered Condition Amendment PCA 79-C-037-06)

Dear Ms. Stagg:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on September 10, 2007, granting Rezoning Application RZ 2006-HM-019 in the name of MB Herndon, LLC. The Board's action rezones certain property in the Hunter Mill District from the I-4 District to C-3 District and permits the office development with an overall Floor Area Ratio (FAR) of 1.0. The subject property, [Tax Map 16-3 ((1)) 31A1 and 4N1], is located in the northwest quadrant of the intersection of Sunrise Valley Drive and Dulles Technology Drive on approximately 14.7 acres of land, and is subject to the proffers dated July 10, 2007.

Sincerely,

Nancy Vehrs *NV*  
Clerk to the Board of Supervisors  
NV/dms  
Enclosure

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 10<sup>th</sup> day of September, 2007, the following ordinance was adopted:

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROPOSAL NUMBER RZ 2006-HM-019  
(CONCURRENT WITH PCA 79-C-037-06)**

**WHEREAS**, MB Herndon, LLC, filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the I-4 District to C-3 District, and

**WHEREAS**, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

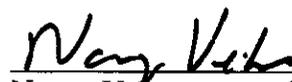
**WHEREAS**, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

**NOW, THEREFORE, BE IT ORDAINED**, that that certain parcel of land situated in the Hunter Mill District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the C-3 District, and said property is subject to the use regulations of said C-3 District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., 15.2-2303(a), which conditions are in addition to the Zoning Ordinance regulations applicable to said parcel, and

**BE IT FURTHER ENACTED**, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcel.

GIVEN under my hand this 10<sup>th</sup> day of September, 2007.

  
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Nancy Veirs  
Clerk to the Board of Supervisors