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FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
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V I R G I N I A

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Email: clerktothebos@fairfaxcounty.gov

December 22, 2004

Jane Kelsey
Jane Kelsey & Associates, Inc.
4041 Autumn Court
Fairfax Virginia 22030

RE: Rezoning Application Number RZ 2003-MV-059

Dear Ms. Kelsey:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on December 6, 2004, granting Rezoning Application Number RZ 2003-MV-059 in the name of Anastasios and Anna Grypeos to rezone certain property in the Mount Vernon District from C-8, R-3 Districts, CRD (Commercial Revitalization) and HC (Highway Corridor Overlay) Districts to the PRM (Planned Residential Mixed-Use), CRD and HC Districts, located east of Richmond Highway, south of East Lee Avenue and north of Preston Avenue (Tax Map 93-1 ((18)) (D) 117, 126, 130 pt. and 138), consisting of approximately 1.23 acres, subject to the proffers dated November 8, 2004, and subject to the conceptual development plan conditions dated December 6, 2004.

The Planning Commission previously approved Final Development Plan Application FDP 2003-MV-059 on July 21, 2004, subject to the development conditions dated July 15, 2004, subject to the Board's approval of RZ 2003-MV-059.

The Board also:

- **Waived the minimum district size of two acres for the PRM District.**
- **Waived the service drive requirement along Richmond Highway.**
- **Modified the transitional screening along the southeastern property line to that shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP).**

RZ 2003-MV-059
December 22, 2004

- 2 -

- **Waived the peripheral parking lot landscaping and transitional screening requirements along the southwestern property line.**
- **Waived the limitation on fence height, per Paragraph 8 of Section 16-401, in order to permit the proposed wall on Preston Avenue to be seven feet in height.**
- **Waived Section 6-0303.8 of the Public Facilities Manual requirements to permit underground detention facilities in a multifamily residential development, subject to development conditions recommended by the Department of Public Works and Environmental Services.**
- **Modified the Richmond Highway CRD streetscape requirements on Richmond Highway, East Lee Avenue, and Preston Avenue to that shown on the CDP/FDP.**
- **Modified the front setbacks along Richmond Highway and Preston Avenue to that shown on the CDP/FDP, per Section 9-622 of the Zoning Ordinance.**

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

RECEIVED
Department of Planning & Zoning
DEC 27 2004
Zoning Evaluation Division

RZ 2003-MV-059
December 22, 2004

- 3 -

cc: Chairman Gerald E. Connolly
Supervisor Gerald W. Hyland, Mount Vernon District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Leslie B. Johnson, Deputy Zoning Administrator for Zoning Permit Review Branch
Thomas Conry, Dept. Mgr. – GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,
Charles Strunk, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPWES
Marie Langhorne, Plans & Document Control, OSDS, DPWES
Deloris Harris, DPWES
Department of Highways - VDOT
Kirk Holley, Park Planning branch Mgr., FCPA
District Planning Commissioner
Barbara J. Lipka, Executive Director, Planning Commission
James Patteson, Director, Facilities Mgmt. Div., DPWES
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools

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 6th day of December, 2004, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 2003-MV-059

WHEREAS, Anastasios and Anna Grypeos filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the C-8, R-3 Districts, CRD (Commercial Revitalization) and HC (Highway Corridor Overlay) Districts to the PRM (Planned Residential Mixed-Use), CRD and HC Districts, 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

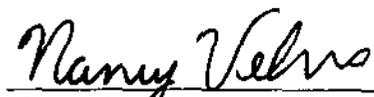
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

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

Be, and hereby is, zoned to the PRM, CRD, and HC Districts, and said property is subject to the use regulations of said PRM, CRD, and HC Districts, 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 6th day of December, 2004.



Nancy Veirs
Clerk to the Board of Supervisors