



County of Fairfax, Virginia

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

September 28, 2011

Sara V. Mariska
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, VA 22201

RE: Rezoning Application RZ 2011-LE-015

Dear Ms. Mariska:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on September 27, 2011, granting Rezoning Application RZ 2011-LE-015 in the name of Jefferson Development LLC. The Board's action rezones certain property in the Lee District from the R-1 District to the C-6 District and permits a funeral home with an overall Floor Area Ratio (FAR) of 0.14. The subject property is located on the the south side of Castlewellan Drive approximately 250 feet east of its intersection with South Van Dorn St. on approximately 1.77 acres of land [Tax Map 81-4 ((1)) 56A], and is subject to the proffers dated September 9, 2011.

The Board also:

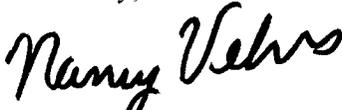
- Modified the transitional screening requirements and waived the barrier requirements along all property boundaries, in favor of maintaining the existing screening with supplemental landscaping provided in accordance with the proffers.
- Modified the interior parking lot landscaping requirement, in favor of maintaining the existing parking lot landscaping shown on the Plat.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>

- Waived the use limitation, as required in Part 5B, Section 4-605, of the Zoning Ordinance, to allow continued use of the existing curb cut.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/ph
Enclosure

Cc: Chairman Sharon Bulova
Supervisor Jeff McKay, Lee District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Barbara Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Thomas Conry, Dept. Manager – GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
District Planning Commissioner
Denise James, Office of Capital Facilities/Fairfax County Public Schools
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

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 27th day of September 2011, the following ordinance was adopted:

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 2011-LE-015**

WHEREAS, Jefferson Development LLC, filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the R-1 District to the C-6 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 Lee District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the C-6 District, and said property is subject to the use regulations of said C-6 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 27th day of September, 2011.



Nancy Vehrs
Clerk to the Board of Supervisors

PROFFERS

Jefferson Development LLC

RZ 2011-LE-015

September 9, 2011

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Jefferson Development LLC, (hereinafter referred to as the "Applicant"), for itself, successors and assigns in RZ 2011-LE-015, filed for property identified as Tax Map 81-4 ((1)) 56A (hereinafter referred to as the "Application Property") hereby proffers that the development of the Application Property shall be in accordance with the following proffers, provided that the Board of Supervisors approves RZ 2011-LE-015. These proffers shall supersede and replace all previously approved proffers and conditions that may be applicable to the Application Property.

1. GENERALIZED DEVELOPMENT PLAN

- a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance, (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the special exception plat ("GDP") consisting of two (2) sheets, prepared by Bengtson, DeBell & Elkin, Ltd., dated September 1997 and revised through December 29, 1997.
- b. Subject to the provisions of Paragraph 5 of Section 18-204 of the Zoning Ordinance, minor modifications to the GDP may be permitted as determined by the Zoning Administrator.

2. USES

- a. The Application Property shall be used as a funeral home. No other uses shall be permitted on the Application Property.
- b. The operations of the funeral home shall exclusively serve patrons of the funeral home on the Application Property.

3. DESIGN

- a. The Applicant shall ensure that the building on the Application Property retains a residential appearance.
- b. The number of seats in the main chapel shall be limited to 200.
- c. There shall be no outdoor vending machines on the Application Property.

- d. Any dumpster on the Application Property shall be placed indoors or within an enclosure constructed of brick or architectural block. Any dumpster enclosure shall include a gate.

4. HOURS OF OPERATION

- a. The funeral home hours of operation shall be limited to the hours between 9:00 a.m. to 9:00 p.m., seven (7) days a week.
- b. Funeral processions shall be limited to the hours between 10:00 a.m. and 3:00 p.m.

5. SIGNS

Any freestanding sign on the Application Property shall conform to the requirements for Type D as specified by the plan associated with the approval of Comprehensive Sign Plan CSP C-448. Signage shall include the word "Memorial" and not use the word "Funeral."

6. LANDSCAPING AND SCREENING

The Applicant shall provide additional landscaping as generally shown on Attachment 1, identified as a Landscape Exhibit prepared by LDC and dated August 2011, subject to review and approval of the Urban Forest Management Division. Landscaping shall be installed no later than six (6) months from the date of approval of this rezoning.

7. STORMWATER MANAGEMENT

The Applicant shall install one (1) rain barrel on the Application Property no later than six (6) months from the date of approval of this rezoning.

8. OUTDOOR STORAGE

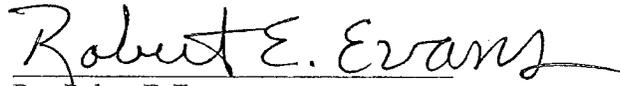
- a. No more than eight (8) vehicles shall be stored on the Application Property.
- b. There shall be no outdoor storage of goods or merchandise on the Application Property.

9. SUCCESSORS AND ASSIGNS

These proffers shall bind and inure to the benefit of the Applicant and its successors or assigns.

APPLICANT/TITLE OWNER OF
TAX MAP 81-4 ((1)) 56A

JEFFERSON DEVELOPMENT LLC

A handwritten signature in black ink that reads "Robert E. Evans". The signature is written in a cursive style with a long horizontal flourish at the end.

By: Robert E. Evans
Its: Managing Member



SPECIAL EXCEPTION PLAT JEFFERSON FUNERAL CHAPELS GREEN PROPERTY

LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

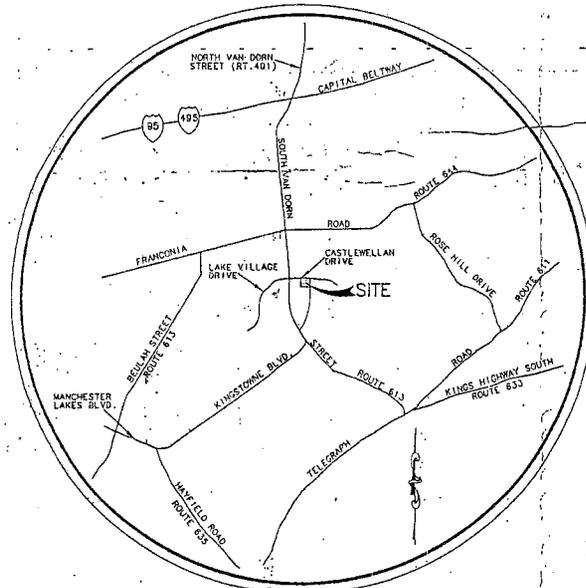
SEPTEMBER, 1997

ZONING REQUIREMENTS R-1 DISTRICT

MINIMUM DISTRICT SIZE: NO REQUIREMENT
 MINIMUM LOT SIZE: 36,000 S.F. [3,344.51 S.M.]
 MINIMUM LOT WIDTH: 150 FEET [45.72] (INTERIOR)
 MAXIMUM BUILDING HEIGHT: 60 FEET [18.29]
 MINIMUM YARD REQUIREMENTS:
 FRONT YARD: 50' ANGLE OF BULK PLANE, NOT < 40 FEET [12.19]
 SIDE YARD: 45' ANGLE OF BULK PLANE, NOT < 20 FEET [6.10]
 REAR YARD: 45' ANGLE OF BULK PLANE, NOT < 25 FEET [7.62]
 MAXIMUM FLOOR AREA RATIO: 0.15
 OPEN SPACE: .20% OF THE GROSS AREA SHALL BE OPEN SPACE.

TABULATIONS:

TOTAL SITE AREA:	1.77 ACRES [0.72 HA]
BUILDING FLOOR AREA:	10,880 S.F. [1,017.28 S.M.]
FLOOR AREA RATIO:	0.142
OPEN SPACE:	0.45 ACRES [25A]
PARKING REQUIRED:	
200 SEATS @ 1 SPACE/4 SEATS:	50 SPACES
2 EMPLOYEES @ 1 SPACE/2 EMPLOYEES:	2 SPACES
2 VEHICLES @ 1 SPACE/VEHICLE:	2 SPACES
TOTAL PARKING REQUIRED:	54 SPACES
PARKING PROVIDED:	77 SPACES



VICINITY MAP
SCALE: 1"=2000' [609.60]

NOTES:

1. THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED ON ASSESSMENT MAP NO. 081-4(11) PART OF 56.
2. PARCEL 56 IS CURRENTLY ZONED R-1.
3. PROPOSED USE: FUNERAL CHAPEL.
4. CONTRACT OWNER/APPLICANT:
APPLICANT:
TIMOTHY P. KAPPA/
PUBLIC COUNTRY CLUBS, INC.
10903 GREAT OAK WAY
COLUMBIA, MD 21044
OWNER:
SOVIDAN BANK
P.O. BOX 267 CC 479
WASHINGTON, DC 20044
DB: 7622 PG. 0115
5. DATUM: USGS; TOPOGRAPHY BASED ON AERIAL SURVEY.
6. SILTATION AND EROSION CONTROLS, IN ACCORDANCE WITH APPLICABLE STANDARDS AND SPECIFICATIONS WILL BE PROVIDED WITH FINAL SITE PLAN.
7. AIR QUALITY PERMIT, IF REQUIRED, SHALL BE OBTAINED PRIOR TO ANY CLEARING AND GRADING OR CONSTRUCTION.
8. STORM WATER MANAGEMENT/BMP REQUIREMENTS APPLICABLE TO THIS SITE ARE TO BE MET BY FOND FACILITIES UNLESS A WAIVER OF DETENTION AND/OR BMP REQUIREMENTS IS GRANTED BY D.C.M.
9. THERE ARE NO BURIAL OR GRAVE SITES KNOWN TO EXIST ON THIS PROPERTY.
10. THE PROPERTY IS TO BE SERVED BY PUBLIC WATER AND SANITARY SEWER FACILITIES. EXISTING FACILITIES ARE LOCATED IN SOUTH VAN DORN STREET AND TO THE SOUTHWEST OF THE SUBJECT PROPERTY.
11. DIMENSIONS AND LIGHTING OF ALL SIGNS SHALL BE PROVIDED WITH FINAL SITE PLAN. ALL SIGNS SHALL BE IN COMPLIANCE WITH ARTICLE 12 OF THE ZONING ORDINANCE.

METRIC NOTE:

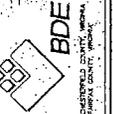
METRIC MEASURE EQUIVALENTS ARE SHOWN IN BRACKETS AND UNLESS OTHERWISE NOTED, ARE EXPRESSED IN METERS.

Application No. SE 97-1-0051, Sheet 1 of 2
 APPROVED BY SP PLAN
 SEE DEV CONDS DATED 11/19/96
 Date of (RCS) (BZA) approval 11/19/96
 Sheet 1 of 2



DATE:	SEPTEMBER 1997
SCALE:	N/A
DESIGNER:	JLM
DRAWN:	JLM
CHECKED:	JLM
CHECKER:	JLM
JOB NO.:	950940
DRAWING NO.:	CT030288001
SHEET:	1 OF 1
FILE NO.:	G-3738
PER COUNTY COMMENTS:	10/06/97
REVISIONS:	DATE

BENGTSON, DeBEL & ELKIN, LTD.
 ENGINEERS & ARCHITECTS
 3800 CHURCHVILLE ROAD, CHURCHVILLE, VIRGINIA 20121
 (703) 831-9020
 OFFICE LOCATIONS:
 * FARMER, VIRGINIA
 * WASHINGTON, D.C.



COVER SHEET
 JEFFERSON FUNERAL CHAPELS
 GREEN PROPERTY
 LEE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

RECEIVED
 DEPARTMENT OF PLANNING
 JAN 6 6 1997
 zoning@fairfaxva.gov

