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FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
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Fairfax, Virginia 22035-0072

V I R G I N I A

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November 15, 2000

Lynne J. Strobel, Esquire
Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC
2200 Clarendon Boulevard – 13th Floor
Arlington, Virginia 22201-3359

RE: Rezoning Application
Number RZ 2000-SU-009

Dear Ms. Strobel:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on October 16, 2000, granting Rezoning Application Number RZ 2000-SU-009 in the name of MSW, Incorporated, to rezone certain property in the Sully District from the R-1 District and Water Supply Protection Overlay District to the R-8 District and Water Supply Protection Overlay District, subject to the proffers dated September 11, 2000, on subject parcel 56-1 ((1)) 38 and 38A consisting of approximately 2.69 acres.

The Board also waived:

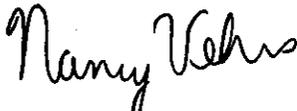
- The minimum district size and waived the requirement for service drive construction along Route 29 in favor of escrowing funds equal to the construction cost.
- The barrier requirement along the south property line and modified the barrier requirement along the western property line.

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(Note: It was stated for the record, by the attorney for the applicant, that the applicant has agreed to provide a fence along a portion of the Dixie Hill Road property and agreed to work out an exact design through the site plan process.)

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Katherine K. Hanley
Supervisor-Sully District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation
Ellen Gallagher, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPW&ES
DPW&ES - Bonds & Agreements
Frank Edwards, Department of Highways - VDOT
Land Acqu. & Planning Div., Park Authority
District Planning Commissioner
Jack Seamon, Director, Facilities Mgmt. Div., DPW&ES
Barbara J. Lippa, Executive Director, Planning Commission

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

NOV 21 2000

ZONING EVALUATION DIVISION

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 16th day of October, 2000, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 2000-SU-009

WHEREAS, MSW, Incorporated filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the R-1 District and Water Supply Protection Overlay District to the R-8 District and Water Supply Protection Overlay 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

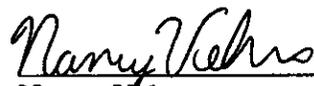
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

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

Be, and hereby is, zoned to the R-8 District and Water Supply Protection Overlay District, and said property is subject to the use regulations of said R-8 District and Water Supply Protection Overlay 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 16th day of October, 2000.



Nancy Vehrs

Clerk to the Board of Supervisors