

## **PROFFER STATEMENT**

**RZ 2000-BR-013**

**September 19, 2000**

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950, as amended, subject to the Board of Supervisors approving a Proffered Condition Amendment and Rezoning to the C-2/R-1 District for Tax Map 56-2 ((1)) 47A, the Fairfax County Employees Credit Union, Inc. (the "Applicant") for itself, its successors and assigns, hereby proffers that the development of the Subject Property (the "Property") shall be subject to the following terms and conditions which shall supersede all other proffers which have been accepted for the property :

### **GENERALIZED DEVELOPMENT PLAN**

1. Except as otherwise provided below, the Property shall be developed in substantial conformance with the General Development Plan (the "GDP") prepared by Tri-Tek Engineering, dated February 22, 2000, as revised through August 23, 2000. It is noted that the architectural elevations attached as Exhibit 1 of these proffers are for illustrative purposes; however, the building will be in general conformance with those elevations.
2. Minor modifications to the approved development plan may be permitted pursuant to the provisions of Section 18-204 of the Zoning Ordinance at the time of site plan approval to accommodate sound engineering/ architectural and design practices as may be determined by the Department of Public Works and Environmental Services (DPWES).
3. The use of the portion of the property zoned C-2 shall be limited to a office/drive-in bank. The use of the portion of the property zoned R-1 shall be limited to parking for the office/drive-in bank subject to approval of the concurrently filed special exception amendment.

### **SCREENING/BUFFERING**

4. Along the entire eastern lot line and that portion of the western lot line which abuts Parcel 49, transitional screening and buffers shall be provided , as modified in accordance with Par. 4 of Sect. 13-304 of the Zoning Ordinance, and as depicted on the GDP. Preservation of existing vegetation may be used to fulfill this requirement as may be acceptable to the County Urban Forester. The row of cedar trees along the eastern periphery shall be preserved, if determined appropriate by the Urban Forester. The requirement for supplemental plantings may be reduced depending on the extent to which existing vegetation may be preserved. The masonry walls proposed within the transitional screening yards shall meander through the landscape yards in order to provide landscaping on both sides of the walls, as determined by DPWES. At the time of site plan review, the location and/or spacing of the required plantings

may be adjusted from that required by Article 13 to accommodate tree preservation efforts or easements and similar encumbrances. The requirements of this proffer shall fulfill the applicable requirements for transitional screening.

5. The applicant shall provide landscaping within the parking areas and around the foundation of the building. At a minimum, said landscaping shall be of the density generally represented on the GDP, and shall include landscaping at entrances to the building and along all sides of the building foundation, and shall include an appropriate mixture of plantings as generally shown on the GDP provided that specific species and densities of plantings shall be approved by the Urban Forester at the time of site plan approval. Deciduous trees installed on site shall have a minimum caliper of 2.5 inches and all evergreen trees installed on site shall have a minimum height of seven (7) feet at planting, as determined by the Urban Forester.

#### **ARCHITECTURE/DESIGN**

6. Design and architecture of the approved building shall be generally as depicted on the GDP and Exhibit 1 of these proffers. Final design and architecture shall be identified at the time of site plan approval and shall be administratively reviewed and administratively approved by the Planning Commission for the purpose of ensuring the presence of appropriate landscaping, an architecture appropriate to the area, and appropriate incorporation of design elements in keeping with the Fairfax Center Area. Design elements such as exterior and entry way lighting, landscaping, and use of appropriate materials to finish the exterior of the structure, which have the qualities and characteristics of the illustrative concept presented in Exhibit 1 of these Proffers, with the lighting fixtures shown on Sheet 3 of the GDP, and with the landscaping shown on Sheet 3 of the GDP shall be honored in the final design.

The side and rear facades of the drive-in bank shall contain materials that are generally the same as those used on the front facade of the building. A parapet wall shall be provided to the extent necessary to screen roof equipment from views at ground level.

7. Any freestanding signage on the property shall consist of "monument type" signage constructed of material(s) compatible with the exterior treatment of the approved drive-in bank. The size shall be consistent with the requirements of the Zoning Ordinance. There shall be no "pole" mounted signs on the property. There shall be no signs having flashing, moving, or oscillating elements. All signage shall be in conformance with Article 12 of the Zoning Ordinance.

#### **TRANSPORTATION**

8. The applicant shall dedicate right-of-way along the site's frontage to Route 29, as shown on the GDP. This dedication shall be in fee simple to the Board of Supervisors on demand or

at the time of site plan approval whichever comes first. The applicant shall also convey necessary construction easements along the site's frontage as determined by VDOT and DPWES.

9. The applicant shall construct the service drive, improvements to Route 29, and the entrance to the site from Route 29 in the configuration shown on the GDP, in accordance with the requirements of the Public Facilities Manual ("PFM") as determined by DPWES.
10. At the time of site plan approval the applicant shall make an appropriate monetary contribution to the Fairfax Center Road Fund in conformance with the procedural guidelines in place at the time of site plan approval.

## ENVIRONMENT

11. In accordance with proffers accepted pursuant to RZ 95-B-014, Stormwater Management Facilities have been designed and constructed off-site (on Parcel 51A) to Best Management Practice standards in accordance with Fairfax County requirements or as otherwise may have been approved by DPWES subject to compliance with the requirements of the Water Supply Protection Overlay District (WSPOD).

If so approved by DPWES, the applicant reserves the right to utilize off-site stormwater management facilities to satisfy such requirements, provided such facilities are in place and operational at the time the subject property is developed. In the event such off-site facilities are used to fulfill applicable stormwater management requirements, it shall be demonstrated to the satisfaction of DPWES that the off-site facility proposed to be used has a design and capacity to manage runoff from the subject Property in accordance with the applicable Provisions of the Water Supply Protection Overlay District.

12. At the time of site plan review, the applicant shall prepare a tree preservation plan for review and approval by the Urban Forester. The tree preservation plan shall be prepared with the intention of preserving the maximum amount of existing vegetation possible, in accordance with accepted landscaping practices as determined by the Urban Forester, along the eastern lot line and in the landscaped median located in the parking area. Tree preservation may be used to fulfill requirements Article 13 for screening and landscaping.
13. If DPWES, in coordination with the Air Quality and Chemical Hazards Section the Health Department and with the Soil Science Office, determines that a potential health risk exists caused by the presence of rock containing asbestos on the site, the developer shall:
  - a. Take appropriate measures as determined by the health department to alert all construction personnel as to the potential health risk.

- b. Commit to appropriate construction techniques as determined by DPWES, in coordination with the Air Pollution Control Division and with the Soil Science office, to minimize this risk. Such techniques may include, but are not limited to, dust suppression measures during all blasting and drilling activities, covered transportation of removed material presenting this risk and appropriate disposal.

14. If required by DPWES and in accordance with the provisions of the PFM, the Applicant shall submit a geotechnical study of the Application Property to the Geotechnical Review Board and shall incorporate appropriate engineering practices as recommended by the Geotechnical Review Board and DPWES and to the design to alleviate potential structural problems.

The Applicant shall obtain a Phase I Environmental report with regard to any underground/abandoned tanks and, if recommended, by Fairfax County or State authorities, test the area for contamination. The applicant agrees to remove all underground tanks and remove contaminated soils, if any, in accordance with Fairfax County guidelines.

The Applicant shall file with Fairfax County a copy of any final report required by county, state or federal requirements regarding the disposal of the underground tanks and the presence and elimination of any contaminated soil.

15. In order to achieve a maximum interior noise level of approximately 50 DBA Ldn, the building, if it is determined at the time of site plan approval to be located between the 70-75 DBA Ldn highway noise impact contours (the area generally extending 215 feet south from the front lot line), shall have the following acoustical attributes:

- a. Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39.
- b. Doors and windows shall have a laboratory STC rating of at least 28. If windows function as walls they shall have the same laboratory STC rating as walls.
- c. Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

Subject to review and approval by DPWES, alternative equivalent methods may be used upon submission of refined acoustical analysis at the time of site plan approval.

#### **LIGHTING**

16. To prevent lighting from adversely impacting residential uses, building lighting shall be shielded in a manner which prevents light spillage above the six (6) foot high masonry wall. Any lighting on the approved building shall be directed away from residentially planned or

developed land.

17. The lighting of the drive-through lanes and the area of the dumpster shall be the minimum amount necessary to ensure security of the area as determined at the time of site plan review. Said lighting shall be "directional" and shall be aimed downward and away from the southern, eastern, or western lot lines.
18. All parking lot lighting fixtures shall be equipped with "cut-off" luminaries. The fixtures shall generally be designed in accordance with the illustrative concepts shown on the GDP. The lighting plan for the parking area shall be designed to direct light away from the property boundaries. The maximum height of all parking lot lights shall not exceed twelve (12) feet. In addition, lighting for the site shall not exceed an average horizontal illumination level of 3.0 footcandles (fc) on the site and shall meet the Zoning Ordinance standard that glare shall not cause illumination in R Districts in excess of .5 fc.

#### **HOURS OF OPERATION**

19. The operational hours of the bank lobby and drive-through lanes shall be limited to 7:30 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. There will be an ATM which is available for use twenty-four (24) hours a day, everyday.
20. Deliveries and trash pick up shall be confined to the hours of 8:00 a.m. to 6:00 p.m.

#### **BLASTING**

21. If blasting is required, and before any blasting occurs on the Application property, the developer will ensure that the Fairfax County Fire Marshal has reviewed the blasting plans and all safety recommendations of the Fire Marshal, including, without limitation, the use of blasting mats shall be implemented. In addition the Applicant or its successors shall:
  - a. Retain a professional consultant to perform a pre-blast survey of each house or residential building, to the extent that any of these structures are located within two hundred fifty (250) feet of the blast site.
  - b. Require his consultant to request access to houses, buildings, or swimming pools that are located within the said two-hundred-fifty (250) foot range, if permitted by the owner, to determine the pre-blast conditions of these structures. The Applicant's consultants will be required to give adequate notice of the scheduling of the pre-blast survey.
  - c. Require his consultant to place seismographic instruments prior to blasting to

monitor the shock waves. The Applicant shall provide seismographic monitoring records to County agencies upon their request.

- d. Notify residences within 250 feet of the blast site, ten (10) days prior to blasting. The Applicant shall place a sign at the vehicular entrance to the residents' neighborhoods notifying residents of blasting.
- e. Upon receipt of a claim of actual damage resulting from said blasting, the Applicant shall cause his consultant to respond within five (5) days by meeting at the site of the alleged damage to confer with the property owner.
- f. The Applicant will require blasting subcontractors to maintain necessary liability insurance to cover the costs of repairing any damages to structures which are directly attributable to the blasting activity.

#### **GENERAL**

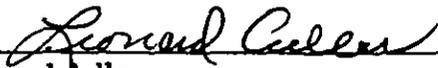
- 22. There shall be no loudspeakers which project amplified sound beyond the property line.
- 23. Interparcel access shall be provided to Parcel 50, if such access is requested by the owner of this property, in the area indicated on the GDP. Such access shall be constructed by others and shall be constructed in such a manner as to minimize disruption of the travel aisle. Interparcel access shall be permitted via the travel aisle, and a public access easement shall be located along this interparcel access.

#### **PARKING**

- 24. All parking shall meet the provisions of Article 11 of the Zoning Ordinance.
- 25. There shall be no charge for parking spaces on the subject property.
- 26. The parking spaces shall be used solely for the parking of vehicles in operating condition. No motor vehicle repair work except emergency service shall be permitted.

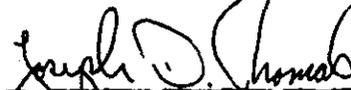
[SIGNATURES BEGIN ON NEXT PAGE]

Title Owner of Tax Map 56-2 ((1)) 47A

  
\_\_\_\_\_  
Leonard Adler

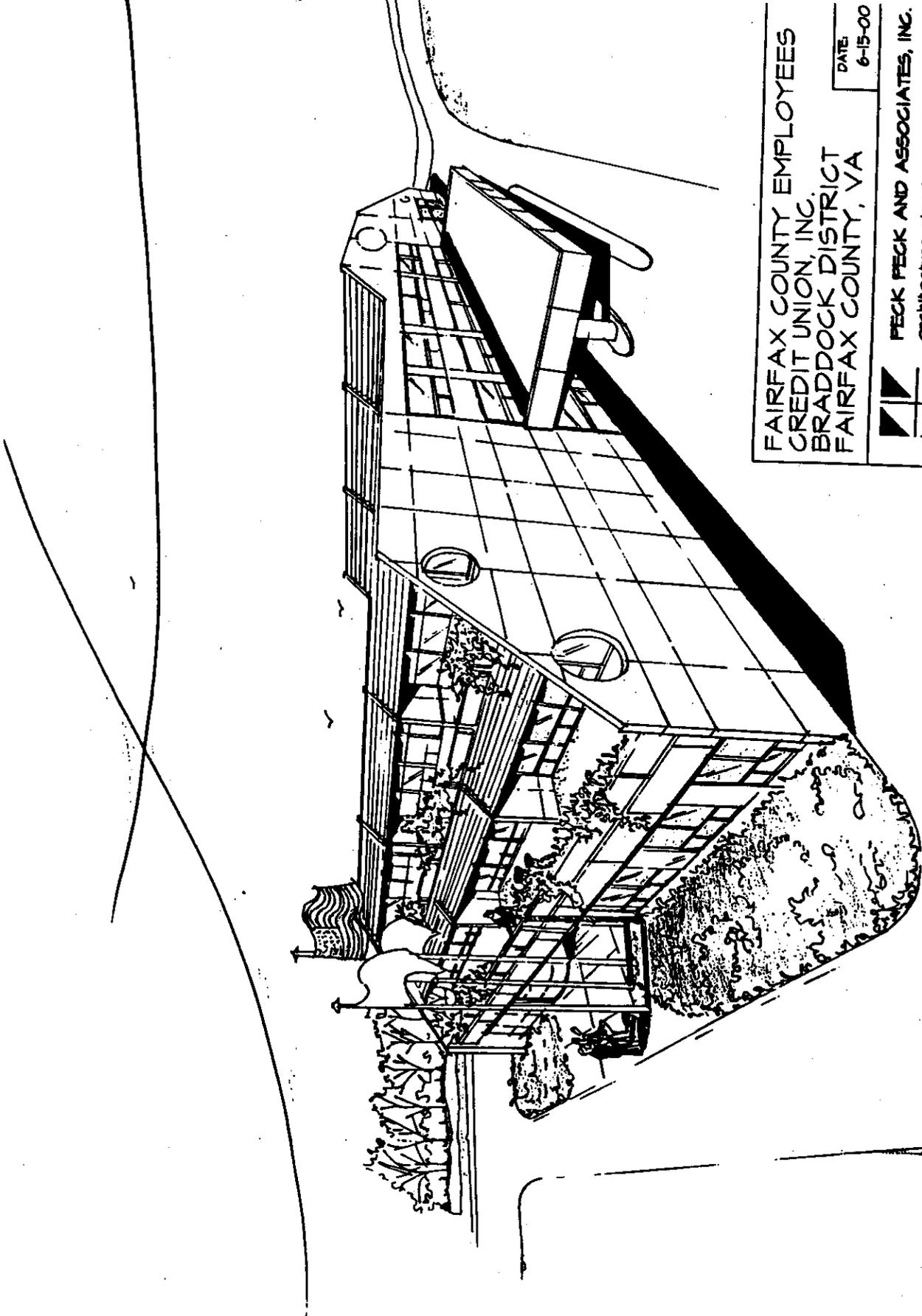
[SIGNATURES CONTINUE ON NEXT PAGE]

Fairfax County Employees Credit Union, Inc.

A handwritten signature in cursive script, appearing to read "Joseph D. Thomas", written over a horizontal line.

By: Joseph D. Thomas  
Its: President

[SIGNATURES END]



FAIRFAX COUNTY EMPLOYEES  
CREDIT UNION, INC.  
BRADDOCK DISTRICT  
FAIRFAX COUNTY, VA

DATE:  
6-15-00



PECK PECK AND ASSOCIATES, INC.  
architecture planning graphics interiors  
2250 OLD BRIDGE ROAD NOOKGREENE, VIRGINIA 22090-9232



## PROPOSED DEVELOPMENT CONDITIONS

SE 00-B-015

September 20, 2000

If it is the intent of the Board of Supervisors to approve SE 00-B-015 located at Tax Map 56-2 ((1)) 47-AP (11307 Lee Highway) for a bank with three drive-through windows pursuant to Sect. 4-204 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Department of Public Works and Environmental Services (DPW&ES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Fairfax County Employees Credit Union" and prepared by Tri-Tek Engineering which is dated February 22, 2000, as revised through August 23, 2000, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A minimum of two (2) tellers shall staff the drive-thru windows at all times when more than one drive-thru lane is in service.
5. No more than one of the drive-thru lanes shall be an ATM.
6. The 27 parking spaces located along the western property line shall be signed "For Employee Parking Only."

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required

**PROPOSED DEVELOPMENT CONDITIONS****SEA 95-B-018****September 20, 2000**

If it is the intent of the Board of Supervisors to approve SEA 95-B-018 located at Tax Map 56-2 ((1)) 47-AP (11307 Lee Highway) previously approved to permit parking in a residential district in order to reconfigure the proposed parking lot pursuant to Sect. 9-609 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions. (These conditions supersede all previous conditions. Those conditions marked with an asterisk (\*) are brought forward from the previous special exception.)

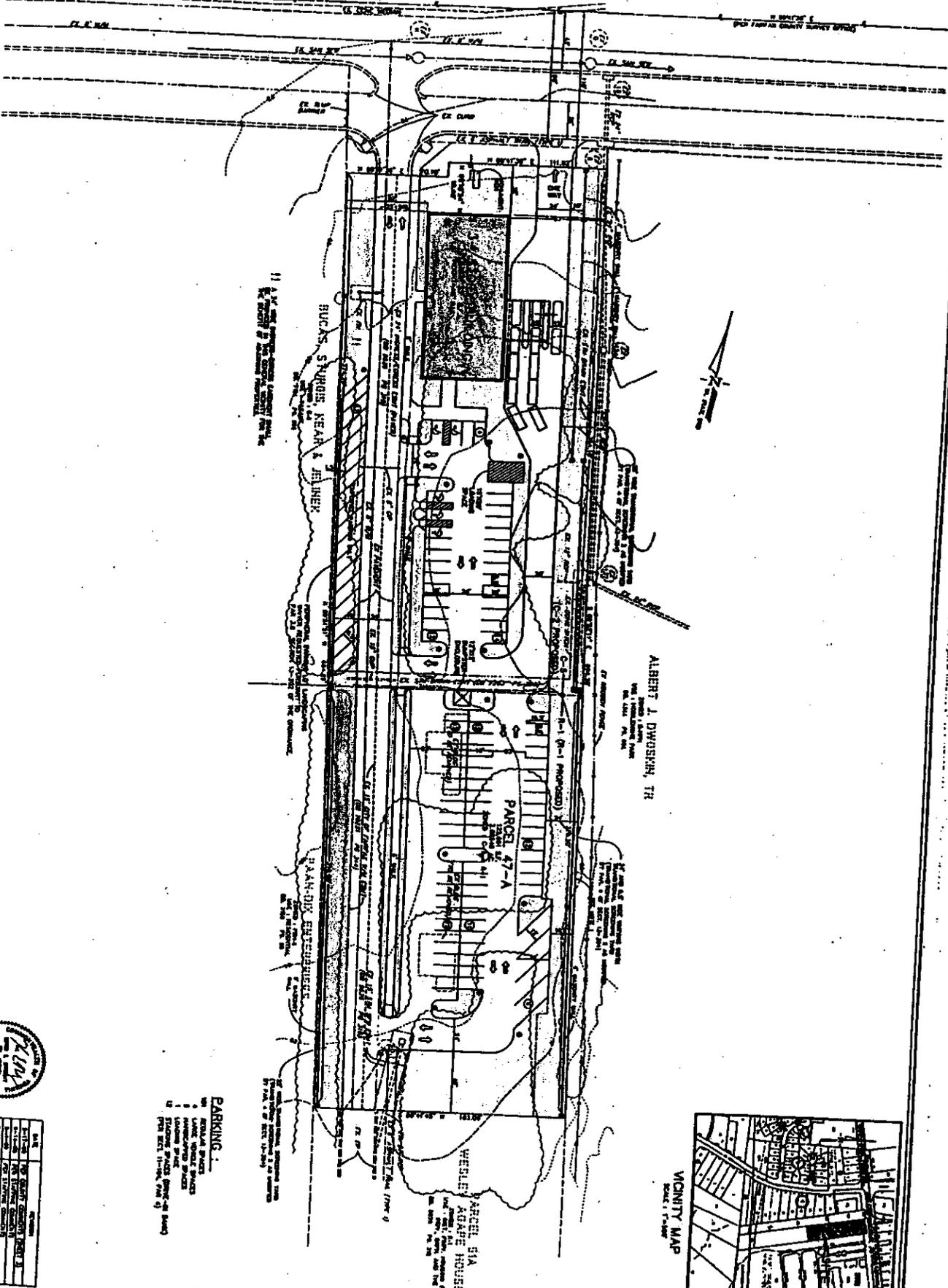
1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.\*
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.\*
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Fairfax County Employees Credit Union" and prepared by Tri-Tek Engineering which is dated February 22, 2000, as revised through August 23, 2000 and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The parking lot shall not be lighted at any time other than during the lobby hours of the bank, except for necessary security lighting (as specified in the proffers for RZ 2000-BR-013), as determined by DPWES.
5. There shall be no after lobby hours parking for the walk-up ATM on the R-1 zoned parcel.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required

LEE HIGHWAY - ROUTE #29  
(1/2 MILES)



11. 1/2 MILE FROM THE INTERSECTION OF LEE HIGHWAY AND THE PROPERTY OF THE COUNTY OF FAIRFAX, VIRGINIA.

ALBERT J. DWOSKIN, TR  
11111 LEE HIGHWAY  
FAIRFAX COUNTY, VA 22030



- PARKING:**
- 1. 10' x 20' SPACES
  - 2. 10' x 15' SPACES
  - 3. 10' x 10' SPACES
  - 4. 10' x 10' SPACES
  - 5. 10' x 10' SPACES
  - 6. 10' x 10' SPACES
  - 7. 10' x 10' SPACES
  - 8. 10' x 10' SPACES
  - 9. 10' x 10' SPACES
  - 10. 10' x 10' SPACES



NO.	DATE	DESCRIPTION
1	11/15/88	PRELIMINARY PLAN
2	12/15/88	FINAL PLAN
3	01/15/89	AS BUILT
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215	09/15/06	AS BUILT
216	10/15/06	AS BUILT
217	11/15/06	AS BUILT
218	12/15/06	AS BUILT
219	01/15/07	AS BUILT
220	02/15/07	AS BUILT
221	03/15/07	AS BUILT
222	04/15/07	AS BUILT
223	05/15/07	AS BUILT
224	06/15/07	AS BUILT
225	07/15/07	AS BUILT
226	08/15/07	AS BUILT
227	09/15/07	AS BUILT
228	10/15/07	AS BUILT
229	11/15/07	AS BUILT
230	12/15/07	AS BUILT
231	01/15/08	AS BUILT
232	02/15/08	AS BUILT
233	03/15/08	AS BUILT
234	04/15/08	AS BUILT
235	05/15/08	AS BUILT
236	06/15/08	AS BUILT
237	07/15/08	AS BUILT
238	08/15/08	AS BUILT
239	09/15/08	AS BUILT
240	10/15/08	AS BUILT
241	11/15/08	AS BUILT
242	12/15/08	AS BUILT
243	01/15/09	AS BUILT
244	02/15/09	AS BUILT
245	03/15/09	AS BUILT
246	04/15/09	AS BUILT
247	05/15/09	AS BUILT
248	06/15/09	AS BUILT
249	07/15/09	AS BUILT
250	08/15/09	AS BUILT
251	09/15/09	AS BUILT
252	10/15/09	AS BUILT
253	11/15/09	AS BUILT
254	12/15/09	AS BUILT
255	01/15/10	AS BUILT
256	02/15/10	AS BUILT
257	03/15/10	AS BUILT
258	04/15/10	AS BUILT
259	05/15/10	AS BUILT
260	06/15/10	AS BUILT
261	07/15/10	AS BUILT
262	08/15/10	AS BUILT
263	09/15/10	AS BUILT
264	10/15/10	AS BUILT
265	11/15/10	AS BUILT
266	12/15/10	AS BUILT
267	01/15/11	AS BUILT
268	02/15/11	AS BUILT
269	03/15/11	AS BUILT
270	04/15/11	AS BUILT
271	05/15/11	AS BUILT
272	06/15/11	AS BUILT
273	07/15/11	AS BUILT
274	08/15/11	AS BUILT
275	09/15/11	AS BUILT
276	10/15/11	AS BUILT
277	11/15/11	AS BUILT
278	12/15/11	AS BUILT
279	01/15/12	AS BUILT
280	02/15/12	AS BUILT
281	03/15/12	AS BUILT
282	04/15/12	AS BUILT
283	05/15/12	AS BUILT
284	06/15/12	AS BUILT
285	07/15/12	AS BUILT
286	08/15/12	AS BUILT
287	09/15/12	AS BUILT
288	10/15/12	AS BUILT
289	11/15/12	AS BUILT
290	12/15/12	AS BUILT
291	01/15/13	AS BUILT
292	02/15/13	AS BUILT
293	03/15/13	AS BUILT
294	04/15/13	AS BUILT
295	05/15/13	AS BUILT
296	06/15/13	AS BUILT
297	07/15/13	AS BUILT
298	08/15/13	AS BUILT
299	09/15/13	AS BUILT
300	10/15/13	AS BUILT
301	11/15/13	AS BUILT
302		

F A I R F A X C O U N T Y

BOARD OF SUPERVISORS ACTION  
ZONING MAP AMENDMENT  
DATE OF ACTION 10/16/00

APPLICATION NUMBER: RZ            B-013                            BRADDOCK            DISTRICT

APPLICANT: FAIRFAX COUNTY EMPLOYEES CREDIT UNION

STAFF: ABRAHAMSON

APPLICATION DATA

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EXISTING ZONING AND ACREAGE

ZONING:    C- 5            R- 1  
ACRES:        1.59            1.30

PROPOSED:

ACTION:

  C- 2            R- 1  
    1.59            1.30

  C- 2            R- 1  
    1.59            1.30

TOTAL ACRES

TOTAL ACRES

2.89

2.89

MAP NUMBERS

056-2- /01/ /0047-A  
056-2- /01/ /0047-A

REMARKS: