

DP



# FAIRFAX COUNTY

OFFICE OF THE CLERK  
BOARD OF SUPERVISORS  
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March 30, 2001

Francis A. McDermott, Esquire  
Hunton and Williams  
1751 Pinnacle Drive – Suite 1700  
McLean, Virginia 22102

RE: Rezoning Application Number RZ 2000-SU-042  
(Concurrent with RZ 2000-SU-043 and RZ 2000-SU-029)

Dear Mr. McDermott:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on March 5, 2001, granting Rezoning Application Number RZ 2000-SU-042 in the name of Winchester Homes, Incorporated, to rezone certain property in the Sully District from the R-1 District and Water Supply Protection Overlay District to the PDH-8 District and Water Supply Protection Overlay District, on subject parcels 54-2 ((2)) 6, 7; 54-4 ((2)) 15 - 18, 47, 48; 55-1 ((2)) 19 - 23, 38 - 43; 55-3 ((2)) 44, 45, 65 - 69 and portions of Summit St. and Lamb St. public right-of-way to be vacated and/or abandoned (to proceed under Section 15.2-2272(1) of the Code of Virginia), consisting of approximately 46.92 acres, subject to the proffers dated March 2, 2001, and the Conceptual Development Plan Conditions dated March 5, 2001, with a minor amendment in condition number one:

The last sentence should read:

**"This minimum building setback restriction shall be disclosed in the Homeowners Association documents."**

The Board also:

- **Waived of the 200-foot setback requirement of residential structures located adjacent to an interstate highway pursuant to Section 2-414 of the Zoning Ordinance.**

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- **Waived of the 200 square foot privacy yard for single family attached units pursuant to paragraph 2 of Section 6-107 of the Zoning Ordinance for the "Mews" townhouse units which are proposed with an alternative development plan depicted on sheet 17 of the Conceptual Development Plan/Final Development Plan.**
- **Modified the transitional screening and barrier requirements along the portion of the northwest property boundaries adjacent to Tax Map 54-4((2)) 5.**
- **Waived of the 600-foot maximum length requirement of private streets.**

In addition, it was stated for the record that the applicant is also proposing construction of the wet pond within the development to meet the BMP requirements of the WSPOD District and will need waivers of the Public Facility Manual to provide for a wet pond in a residential neighborhood. While Board policy is to discourage wet ponds in residential areas, unless regional in nature, this pond is designed to be an amenity for the development and the applicant has indicated that it is the only way BMPs can be met. The applicant must demonstrate, to the satisfaction of the Department of Public Works and Environmental Services (DPWES), that there are no other reasonable options to meet the BMPs available, given the proposed design of the development. If they can meet the standards as designed by the DPWES, there would be no objection by the Board as part of this motion.

The Planning Commission previously approved Final Development Plan FDP 2000-SU-042 on March 1, 2001, subject to the Board's approval of RZ 2000-SU-042 and the Conceptual Development Plan.

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

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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  
Charles Strunk, Project Planning Section, Dept. of Transportation  
Michelle Brickner, Deputy Director, DPWES  
DPWES - Bonds & Agreements  
Frank Edwards, Department of Highways - VDOT  
Land Acqu. & Planning Div., Park Authority  
District Planning Commissioner  
James Patteson, Director, Facilities Mgmt. Div., DPWES  
Barbara J. Lippa, Executive Director, Planning Commission

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 5<sup>th</sup> day of March, 2001, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROPOSAL NUMBER RZ 2000-SU-042  
(CONCURRENT WITH RZ 2000-SU-043 AND RZ 2000-SU-029)

WHEREAS, Winchester Homes, 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 PDH-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 PDH-8 District and Water Supply Protection Overlay District , and said property is subject to the use regulations of said PDH-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 5th day of March, 2001.

  
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Nancy Veirs

Clerk to the Board of Supervisors