



FAIRFAX COUNTY

DEPARTMENT OF PLANNING AND ZONING

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509

(703) 324-1290

Fax (703) 324-3924

V I R G I N I A

April 24, 2003

Michael W. Jones
D.R. Horton
11216 Waples Mill Road
Suite 105
Fairfax, Virginia 22030

Re: Interpretation for Lyndham Hill Subdivision; RZ 2001-MV-018;
Proffer Interpretation PI 0302 028

Dear Mr. Jones:

This is in response to your letter of January 22, 2003, (copy attached) requesting an interpretation of the proffers accepted by the Board of Supervisors in conjunction with the approval of RZ 2001-MV-018. As I understand it, the question is whether or not the proposed architecture and building materials for the rear of Lots 19-22 are in substantial accordance with Proffer #1(c).

Proffer # 1(c) states:

“Rear facades of houses on Lots 19 through 22 shall have a minimum of 50% brick and/or glass.”

You state in your letter that the homes were originally designed to have brick along the bottom portion of the house, which, in combination with the windows, would have met the specifications of this proffer. Review of the proposed development by the Fairfax County Architectural Review Board (ARB) is required for this development because it is located within an Historic Overlay District. You also state in your letter that it was noted by the ARB that the proposed brick portion of the rear facades of these houses would not be visible from Telegraph Road due to the required noise barrier. As an alternative, decorative trim and architectural detail features were approved, and the ARB suggested that since the brick which would not be visible from behind the fence, it could be eliminated.

While the provision of the architectural features recommended by the ARB would not conflict with the proffers, it is my determination that construction of the rear facades of the dwellings on Lots 19-22 with less than 50% brick and/or glass would not be in conformance with the proffers accepted by the Board pursuant to RZ 2001-MV-018. This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator.

Mr. Michael W. Jones

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If you have any questions regarding this interpretation, please feel free to contact Cathy Belgin at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

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Attachments: A/S

cc: Supervisor Hyland, Mount Vernon District

John Byers, Planning Commissioner, Mount Vernon District

John Crouch, Chief, Permit Review Branch, ZAD, DPZ

Michelle Brickner, Director, Office of Site Development Services, DPWES

Angela Rodeheaver, Section Chief for Site Analysis, DOT

Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES

File: RZ 2001-MV-018, PI 0302 028, Imaging

January 22, 2003

Barbara Byron
Director Zoning Evaluation
Fairfax County
12055 Government Center Parkway, #801
Fairfax, VA 22035

RECEIVED
Department of Planning & Zoning
JAN 28 2003
Zoning Evaluation Division

Re: Proffer Clarification
RZ2001-MV-018
Lyndam Hill Subdivision

—By First Class US Mail—
and
—By Fax to (703) 324-3924—

Dear Ms Byron:

D.R. Horton, Inc. is the owner/developer/builder of the above referenced subdivision. In pursuing the various approvals necessary to build homes at Lyndam Hill, a question has arisen that needs your written clarification.

Lyndam Hill sits in the Pohick Church Historic Overlay District, subject to plan review by the Fairfax County Architectural Review Board ("ARB").

As required, we have met twice (to-date) with the ARB regarding our proposed plans and they have been supportive of our site plan and house designs. They have approved all of the houses EXCEPT those on Lots 19-22 which back to Telegraph Road and are subject to two proffers:

Proffer 1(c) states: "Rear facades of houses on Lots 19 through 22 shall have a minimum of 50% brick and/or glass."

Proffer 3(b) states: "In order to reduce exterior noise levels below 65 dBA Ldn, noise attenuation structures such as acoustical fencing, walls, earthen-berms, or a combination thereof shall be provided along the rear of Lots 19-22 as depicted on Sheet 7 of the CDP/FDP . . ."

The express intent of Proffer 1(c) was to make our homes aesthetically pleasing from Telegraph Road and from Pohick Church. We have designed homes that have brick to the water-table and an abundance of beautiful windows - adding-up to more than 50% brick and glass. However, members of the ARB have suggested that our proposed design wastes the impact of the brick - since it will be hidden from the street by the fencing/walls/berms required by Proffer 3(b) and that the design does not give maximum benefit to the community.

Site constraints (that are not subject to change) require that all four of these homes be our "Langley" model.

The ARB has asked us to prepare an alternate rear elevation (similar to that of our "Kensington" model) that will "spice-up" the rears of these houses with architectural detail. The aggregate glass and decorative trim appears to be about half of the vertical surface area of the homes facing Telegraph Road. The ARB members suggested that we eliminate the brick component (which they see as a wasted feature behind the wall). This clearly meets the intent, but perhaps not the letter, of Proffer 1(c).

We respectfully ask that you give ARB the authority to use their professional judgement to establish the level of architectural detail that is most appropriate for the lots along Telegraph Road.

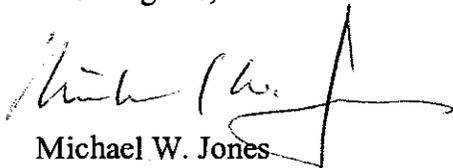
Linda Blank, Staff Coordinator to the ARB, has been very helpful and can provide you with further details and comments of individual ARB members.

Cathy Belgin, Senior Staff Coordinator in your office, has been consulted and felt that the alternative design seemed to be consistent with the intent of the proffer, but she felt that we needed your review and approval before proceeding with the ARB design.

Please acknowledge that acceptance by the ARB of the modified rear elevations for Lots 19 through 22 (and D.R. Horton's subsequent construction thereof) will satisfy Proffer 1(c).

Let us know if there is anything else that you require.

Best Regards,

A handwritten signature in black ink, appearing to read "Michael W. Jones", with a large, stylized flourish extending to the right.

Michael W. Jones
Vice President, Land
Virginia Division

cc: Linda Blank
Cathy Belgin
Frank Lackman