



FAIRFAX COUNTY

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**OFFICE OF THE CLERK
BOARD OF SUPERVISORS**
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A
February 14, 2003

Telephone: 703-324-3151
FAX: 703-324-3926
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Gregory A. Riegler, Esquire
McGuire, Woods, LLC
1750 Tysons Boulevard, Suite 1800
McLean, Virginia 22102-4215

RE: Rezoning Application
Number RZ 2001-LE-024

Dear Mr. Riegler:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on January 6, 2003, granting Rezoning Application Number RZ 2001-LE-024 in the name of Equity Homes, LP, to rezone certain property in the Lee District from the R-1 District to the PDH-3 District, located in the triangle formed by the intersection of Old Telegraph Road and Telegraph Road (Tax Map 100-1 ((2)) 1 - 3; 100-1 ((4)) 1; 100-1 ((9)) A, 1 and 2, subject to the proffers dated September 23, 2002, consisting of approximately 6.14 acres.

The Board also approved the Conceptual Development Plan; the Planning Commission having previously approved Final Development Plan FDP 2001-LE-024 on September 19, 2002, subject to the Development Conditions dated July 3, 2002 and subject to the Board's approval of RZ 2001-LE-024.

In addition, the Board:

- **Waived the fence height requirements to permit the proposed wall along Telegraph Road to be up to eight feet in height.**
- **Modified the trail along Old Telegraph Road as shown on the CDP/FDP.**

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

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NV/ns

cc: Chairman Katherine K. Hanley
Supervisor Kauffman, Lee District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Enforcement Branch
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,
Charles Strunk, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPWES
Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES
Frank Edwards, Department of Highways - VDOT
Land Acqu. & Planning Div., Park Authority
District Planning Commissioner
James Patteson, Director, Facilities Mgmt. Div., DPWES
Barbara J. Lipa, 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 6th day of January, 2003, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 2001-LE-024

WHEREAS, Equity Homes, L.P. 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 PDH-3 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

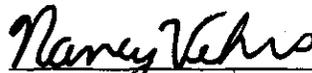
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

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 PDH-3 District, and said property is subject to the use regulations of said PDH-3 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 6th day of January, 2003.



Nancy Vohrs

Clerk to the Board of Supervisors