



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

December 17, 2002

Michael G. Bruen, P. E.
Bowman Consulting
14020 Thunderbolt Place, Suite 300
Chantilly, Virginia 20151

Re: Limits of Clearing and Grading, Land Bay E, Laurel Hill South; RZ 2001-MV-025-025

Dear Mr. Bruen:

This is in response to your letter of March 18, 2002, and the follow-up letter dated September 3, 2002, which included a copy of a letter dated August 29, 2002, from Edward F. Kowalski of Zimar & Associates, Inc. In those letters, you requested an interpretation of the limits of clearing and grading in the town house portion of Land Bay E of the Laurel Hill South development, as approved by the Board of Supervisors pursuant to RZ 2001-MV-025 and by the Planning Commission pursuant to FDPA 2001-MV-025. As I understand it, the question is whether the limits of clearing and grading can be revised along a portion of the northern boundary of the Laurel Hill Greenway so as to eliminate the need for high retaining walls in that area. This interpretation is based on the aforementioned letters, and the plan attached to your letter of September 3, 2002, received in this office on September 4, 2002. A copy of the above referenced letters and plan are attached to this letter.

Based upon the limited area that is affected and upon the evaluation of the existing vegetation by Zimar & Associates, Inc., as well as upon the safety issue associated with eliminating these retaining walls, it is my determination that the proposal is in substantial conformance with the proffered rezoning and the final development plan, provided that the additional area of disturbance is revegetated to reestablish the natural wooded habitat to the maximum extent feasible as required by the Urban Forestry Division. This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator.

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

Sincerely,

Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

cc: Gerry Hyland, Supervisor, Mt. Vernon District
John Byers, Planning Commissioner, Mt. Vernon District
Michelle Brickner, Director, Office of Site Development Services, DPWES
John Crouch, Chief, Zoning Permit Review Branch, ZAD, DPZ
Jessica Strouther, Urban Forestry Division, DPWES
Gursharan Sidhu, OSDS, DPWES
Bonds and Agreements Branch, Office of Site Development Services, DPWES
File: RZ 2001-MV-025; FDPA 2001-MV-025; PI 0203037

Bowman CONSULTING

September 3, 2002

Mr. Peter Braham
Fairfax County
Department of Comprehensive Planning
12054 Government Center Parkway
Fairfax, Virginia 22035

RECEIVED
Department of Planning & Zoning

SEP 04 2002

Zoning Evaluation Division

**Re: Laurel Hill South
Interpretation Request to Adjust Clearing Limits
Additional Information**

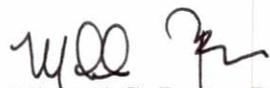
Dear Peter:

I am writing to provide additional information and revise the specific area where adjustment to the clearing limits is requested on the above referenced project. Attached is a report from the arborist which details the quality of trees in the areas adjacent to the Landbay E limits of clearing and grading. Also attached is a plan which shows the FDP limits of clearing and the requested adjusted limits of clearing.

Adjustment to the limits of clearing will allow the slope to be graded and eliminate the 5-12 foot wall behind units 69-93. Elimination of this wall will provide better access to the open space area and eliminate safety issues created by a wall of this height. Tree areas C and D will not be disturbed and only minimal disturbance to area B will occur.

Thank you for your time in evaluating this request. Please feel free to call me if you have any questions or desire any additional information.

Sincerely,
BOWMAN CONSULTING GROUP, LTD.



Michael G. Bruen, P.E.
Principal

MBG/bb

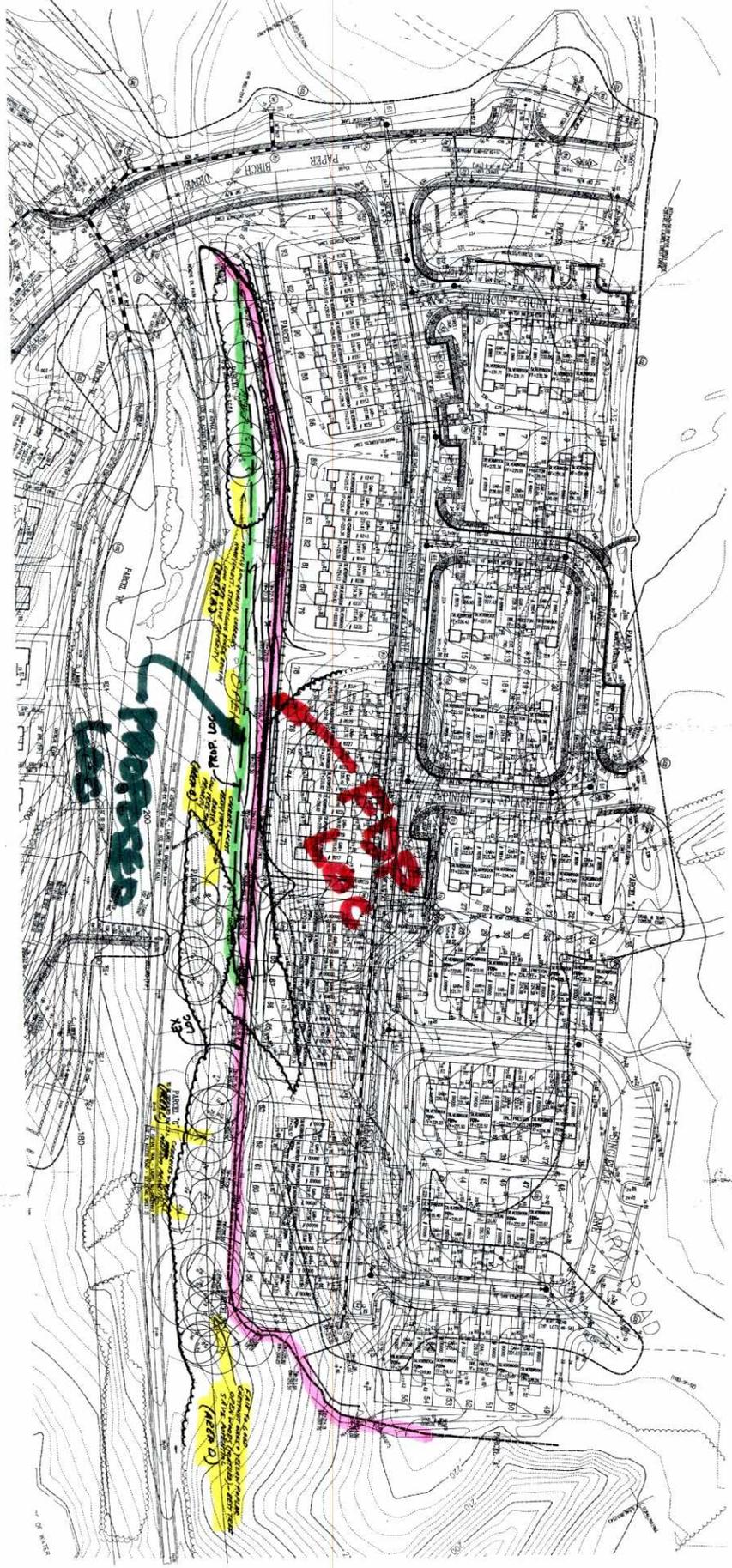
Attachment

cc: Greg May – Pulte Home Corporation
Inda Stagg – Walsh, Colucci, Stackhouse, Emrich, & Lubeley, P.C.
Chris Myers – Urban Engineering

J:\ADMIN\Bruen\LAUREL HILL\Clearing Limits Adjust-Peter Braham.doc

TREE DATA

NO.	TRUNK DIA.	TYPE	SP. C.
1	14"	DM	30
2	14"	DM	30
3	14"	DM	30
4	14"	DM	30
5	12"	DM	25
6	12"	DM	25
7	12"	DM	25
8	12"	DM	25
9	12"	DM	25
10	12"	DM	25
11	12"	DM	25
12	12"	DM	25
13	12"	DM	25
14	12"	DM	25
15	14"	DM	40
16	14"	DM	40
17	14"	DM	40
18	14"	DM	40
19	14"	DM	40
20	12"	DM	25
21	12"	DM	25
22	12"	DM	25
23	12"	DM	25
24	12"	DM	25
25	12"	DM	25
26	12"	DM	25
27	12"	DM	25
28	12"	DM	25
29	12"	DM	25
30	12"	DM	25
31	12"	DM	25
32	12"	DM	25
33	12"	DM	25
34	12"	DM	25
35	12"	DM	25
36	12"	DM	25
37	12"	DM	25
38	12"	DM	25





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V I R G I N I A

November 1, 2002

Inda E. Staff, Land Use Coordinator
Walsh, Colucci, Stackhouse, Emrich & Lubeley
2200 Clarendon Boulevard, Thirteenth Floor
Arlington, Virginia 22201-3359

Re: Interpretation for RZ/FDP 2001-MV-025, Laurel Hill South: Side Yard Requirements for Single Family Detached Dwelling Units

Dear Ms. Stagg:

This letter is a follow-up to our meetings on October 22, 2002 and October 25, 2002 regarding Proffer Number 4 and the proffered combined Conceptual/Final Development Plan (CDP/FDP) accepted by the Board of Supervisors in conjunction with the approval of RZ/FDP 2001-MV-025 and the FDP associated with the subsequent approval of FDPA 2001-MV-025 by the Planning Commission. As discussed at the meeting, the issue pertains to the minimum side yard requirements.

Proffer Number 4 states in part, "All single family detached units shall maintain. . . a side yard setback of five (5) feet." The details on Sheet 14 of the CDP/FDP, entitled Lot Details/Lot Landscape/House Elevations, include Typical Lot Details for the single family detached lots of various lot widths: eighty-five (85) feet, seventy (70) feet, sixty (60) feet and forty (40) feet. A "5'+/- Side Yard (Min.)" is specified for the 40 foot wide lots thereby setting a minimum separation between dwelling units of ten (10) feet; a "6' Min. Side Yard" is specified for the 60 foot wide lots, with a minimum separation between dwelling units of twelve (12) feet; a "7' Min. Side Yard" is specified for a 70 foot wide lots, with a minimum separation between dwelling units of fourteen (14) feet; and, a "7' Min. Side Yard" is specified for the 85 foot wide lots with a minimum separation between dwelling units of fourteen (14) feet. Each land bay generally has lots of the following minimum widths: Land Bay A includes lots that are typically sixty feet wide; Land Bay C includes lots that are typically seventy feet wide; Land Bay D includes eighty-five foot wide lots; and Land Bay F includes lots that are typically seventy feet wide. With the approval of FDPA 2001-MV-025, Land Bay E includes single family detached lots that are typically sixty feet wide and a detail for the sixty foot wide lots that specifies a six (6) foot wide side yard. However, Note 21 states:

The minimum side yard of the single family detached units will vary. However, it shall be no less than five (5) feet as stated in the proffers.

It is my determination that:

- the single family detached lots that are sixty (60) feet wide (the detached lots within Land Bays A and F) should have side yards that are a minimum of six (6) feet wide, however, a smaller side yard that is no less than five feet may be utilized, provided that the distance between houses is no less than twelve feet;
- the single family detached lots that are seventy (70) feet wide (the detached lots within Land Bay C) should have side yards that are a minimum of seven (7) feet wide, however, a smaller side yard that is no less than five feet may be utilized, provided that the distance between houses is no less than fourteen feet;
- the single family detached lots that are eighty-five (85) feet wide (the detached lots within Land Bay D) should have side yards that are a minimum of seven (7) feet wide, however, a smaller side yard that is no less than five feet may be utilized provided that the distance between houses is no less than fourteen feet;
- and, the single family detached lots in Land Bay E shall have a minimum side yard of five (5) feet pursuant to Note 21.

Further, it is my determination that the features identified as permitted extensions into minimum required yards in Sect. 2-412 of the Zoning Ordinance are allowed in the side yards subject to the limitations established by the Zoning Ordinance.

This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please feel free to contact Peter Braham at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

BAB/N:\ZED\BRAHAM\WPDOCS\ACTION\LAUREL HILL - SIDE YARDS.DOC

cc: Gerry Hyland, Supervisor, Mount Vernon District
John Byers, Planning Commissioner, Mount Vernon District
Michelle Brickner, Director, Site Development Division, DPWES
Bruce Nassimbeni, Chief, Site Review Branch, Site Development Division, DPWES
John Crouch, Chief, Zoning Permit Branch, ZAD, DPZ
Bonds and Agreements Branch, Office of Site Development Services, DPWES
File: RZ/FDP 2001-MV-025, FDPA 2001-MV-025



Limar & Associates, Inc.

Arboriculture • Forestry • Consulting
10105 Residency Road, Suite 207 • Manassas, Virginia 20110
Tel (703) 331-3731 • Fax (703) 331-1359

August 29, 2002

Mr. Mike Bruen
Bowman Consulting Group
14020 Thunderbolt Place
Chantilly, VA 20151

RE: Trees at Laurel Hill South

Dear Mike:

On August 29, 2002 I reviewed the vegetation at the Laurel Hill site pertaining to the retaining walls and adjusted limits of clearing as we previously discussed. Going by the recent survey information I looked at each tree that was identified and the condition of the surrounding vegetation. Enclosed is a spreadsheet with revised tree data. The Tree # on the spreadsheet matches the survey REF #. I also assigned each tree a condition rating based on health. Please note the discrepancies in species identification.

I have separated each section into Area A, B, C, and D with regards to species composition and quality. Descriptions area as follows:

AREA A:

This is a small wooded area that contains black cherry, honeylocust, ailanthus, very heavy grapevines and poison ivy. These are trees that grew in after this area had been cleared, probably within 20 years. They are low quality species that are short lived and undesirable in a landscape setting. Tree # 1 is a willow oak located along the existing trail that will not be impacted by the revised limits of clearing. All other trees in this area should have a low priority for preservation due to species and health.

AREA B:

As with Area A, these trees are pioneer species that seeded in after clearing. Almost all are in poor to very poor condition with heavy, strangling vines. With the exception of Trees 15 and 16, they should have a low priority as candidates for preservation. Trees 8 and 11 would probably be impacted by fill on the root zone, but they are in fair to poor condition as it is. They are also species that will not contribute much to the landscape. The remaining trees do not look like they will be impacted.

“We can see the forest and the trees.”

AREA C:

Trees in this area are of better quality than A or B. The red maples are a more desirable species than the black cherries. The best trees in this section are located in or across the existing ditch from the proposed LOC. Impacts from construction will be minimal because the roots of these trees are confined to the trail side of the ditch. Also, as in Areas A and B, these trees appear to have seeded in after disturbance less than twenty years ago. A medium priority for tree preservation was assigned. I do feel that these trees can be preserved if protected during construction.

AREA D:

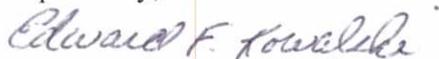
This area contains oak and poplar and has the best candidates for preservation. Most of the trees are in fair to good condition and do not have the brush and heavy vines of the other sections. A retaining wall may be desirable in this area to protect this group.

It seems to me like a retaining wall to preserve those areas of low quality vegetation is difficult to justify. Trees that are deformed by vines, poor landscape species, and in poor health will never become features in the landscape. They may become future liabilities. It makes more sense improve these areas by new plantings of better quality species.

I have enclosed photos from the site with a description of where they were taken. I apologize for the quality of them, and I do not know if they will be helpful.

Please call if you would like to discuss or have questions. Thank you.

Respectfully,



Edward F. Kowalski, ISA Certified Arborist MA-0461

Tree #	Species	Size	Condition	Problems	Status	Activities						Comments
						Root Prune	Mulch	Fertilize	Prune	Treat Pests	Cable	
1	willow oak	13	70									
2	black cherry	16	50	large deadwood, thin crown, heavy vines								
3	black cherry	11/10	40	declining, poor								
4	black cherry	13	50	large deadwood, heavy vines								
5	honeylocust	11	30									
6	black cherry	13	40	large deadwood, heavy vines								
	black cherry	12	50	heavy vines								
	black locust	15	58	trunk decay, large deadwood								
9	black cherry	14	55	large deadwood, heavy vines								
10	black locust	13/13	55	root damage, large deadwood, heavy vines								
11	black cherry	15	55	large deadwood, heavy vines								
12	black cherry	15	60	root damage, trunk wound at 6', large deadwood, heavy vines								
13	black cherry	13	45	excessive lean, large deadwood, root damage, heavy vines								
14	water oak	10/8	55	stressed, thin crown, small deadwood, heavy vines								
15	white oak	12	60	excessive lean, root damage, large deadwood, heavy vines								
16	white oak	14	60	excessive lean, root damage, large deadwood, heavy vines								
	black cherry	21/15	58	large deadwood, heavy vines								
	red maple	15	60	large deadwood								
19	red maple	15/15	65	weak codominant union at 1', large deadwood								
20	red oak	13	65	broken limbs								
21	red maple	13/6/6	70	thin crown, heavy vines								
22	black cherry	13	60									
23	yellow-poplar	11	65	excessive lean, heavy vines								
24	black cherry	12	50									
25	cottonwood	11	65									
26	red oak	12	70	weak codominant union at 1', large deadwood								

Tree #	Species	Size	Condition	Problems	Status	Activities					Comments	
						Root Prune	Mulch	Fertilize	Prune	Treat Pests		Cable
		DBH (in.)										
27	chestnut oak	16/14	58	triple, weak codominant union's								
28	yellow-poplar	20/16/16	70	suppressed								
29	red oak	11	63	minor basal decay, 10" lead dead, stressed								
30	red oak	14/10	63	weak codominant union, minor trunk decay								
	yellow-poplar	17/15	63									
	yellow-poplar	14	70	small cavity at base								
33	yellow-poplar	15	64									
34	chestnut oak	14	65									
35	blackgum	12	55	suppressed, previously lost top, heavy vines								
36	red oak	17/14	63	large deadwood, thin crown, 14" lead suppressed								



March 18, 2002

Ms. Barbara Byron
Fairfax County
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

**Re: Laurel Hill South – Land Bay E
Proffer Interpretation Request
FDPA 2001-MV-025**

Dear Ms. Byron:

Please accept this letter as a request for an interpretation of proffered conditions accepted in conjunction with the approval of FDPA 2001-MV-025.

The Fairfax County Board of Supervisors approved FDPA 2001-MV-025 on March 21, 2002. The PCA was approved in conjunction with a final development plan amendment (FDPA). The FDPA illustrates a limit of clearing line along the Greenway trail on the Pulte Homes property. The developer of the community requests the ability to adjust the limits of clearing and grading as shown on the attached exhibit.

The justification for this request is the topographic conditions which exist on the property. In lieu of modifying the limits of clearing, as shown on the attached exhibit, substantial wall construction would be required along the limits shown on the approved FDPA. These walls will isolate access by the future community to the open space areas, and be a maintenance issue for the future Homeowners Association. The additional clearing will be on property owned by Pulte Homes Corporation and will have minimal impact to the existing trees. During the rezoning process, the county staff and the applicant walked the site and identified desirable tree save areas. No impact on these desirable tree save areas depicted on the FDPA is proposed.

The approved proffers and FDPA include text that allows modifications to the approved layout. Specifically the Applicant has the flexibility to make modifications to the FDPA when necessitated by sound engineering. The developer's proposal is within these limitations.

I hereby request your administrative determination that the adjusted limits of clearing are in substantial conformance with the approved proffers and the FDPA. This request may be considered a minor modification in accordance with the requirements of Article 16-402 of the Fairfax County Zoning Ordinance. There are no changes proposed to the overall number, type, or location of approved dwelling units, and no modifications to the parking, peripheral yard setbacks, proffered total open space, or reduction of landscape plantings. Therefore, this request may be considered in substantial conformance with the prior approvals.

Should you have any questions regarding this request or require additional information, please do not hesitate to call me. I have enclosed a copy of the approved proffers and an exhibit showing the revised clearing limits. Thank you for your time in evaluating this request.

Sincerely,
BOWMAN CONSULTING GROUP, LTD.



Michael G. Bruen, P.E.
Principal

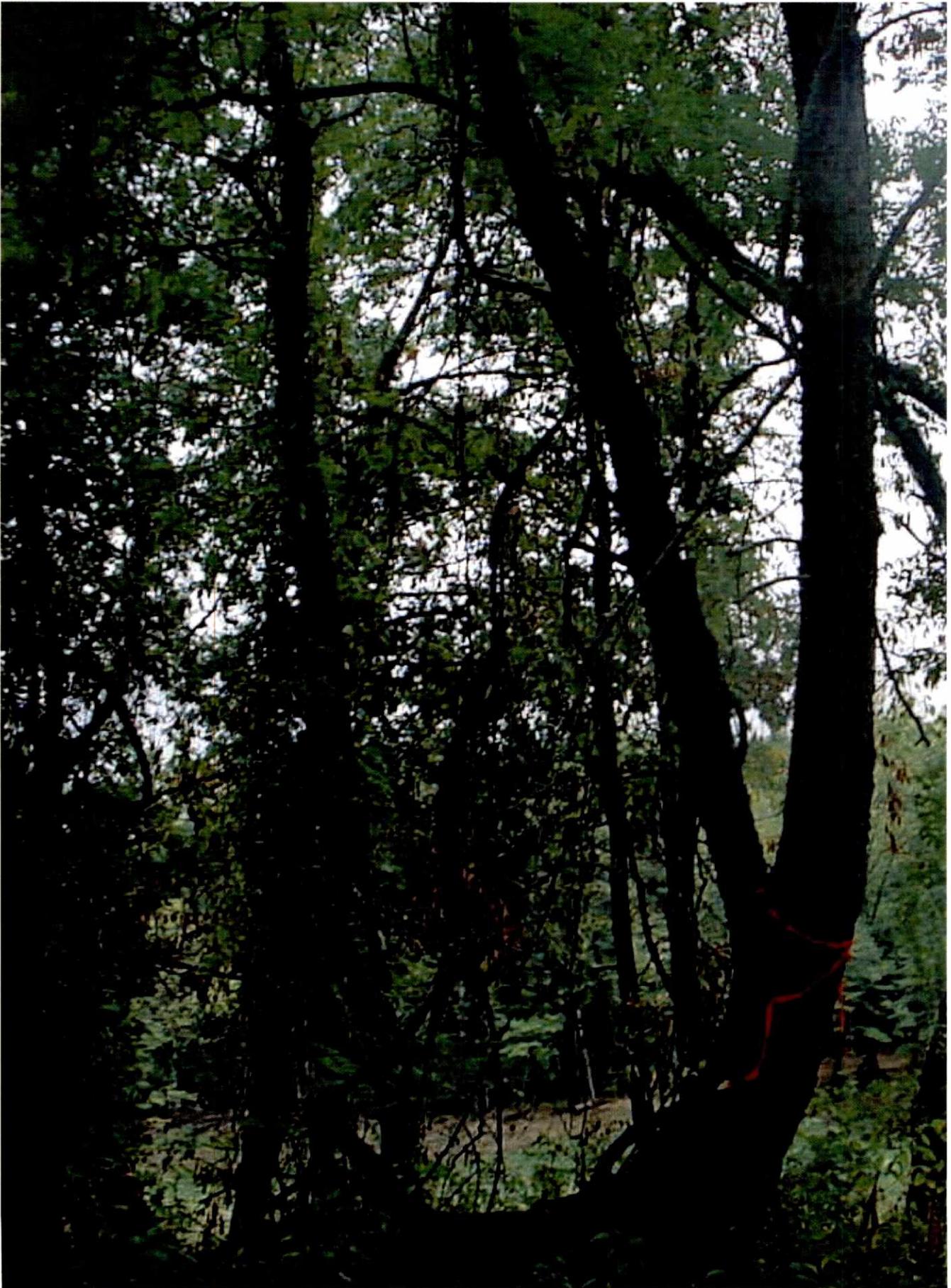
MGB/bb

Enclosures





AREA B: Trees 8-11 - note poor form



*AREA B: Looking south from LOC to trail.
Trees 12-13. Note vines & brush*



AREA B: Looking east along LOC parallel to trail. Trees 12-15. Note brush



AREA B: west along LOC parallel to trail.
Trees # - #
14-16



*AREAC: Looking west along LOC to tree 17-21
LESS vines & brush*



AREA C: Looking east along LOC to trees 22-25



AREA D: Looking south from LOC to trail
Trees 32-36



*AREA D : Looking SSW from LOC to trail
Trees 29-30*



*AREA D: Looking SW from LOC to trail
Trees 26-28*



*AREA A: from LOC to trail
Tree 2 & 3. Note brush*



*BLURRED
AREA A: Looking west into woods.
Trees 4-7. Poor form + vines*