



FAIRFAX COUNTY

ZED

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

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October 11, 2002

Gregory A. Riegle, Esquire
McGuire, Woods, LLC
1750 Tysons Boulevard, Suite 1800
McLean, Virginia 22102-4215

RE: Rezoning Application
Number RZ 2002-PR-008

Dear Mr. Riegle:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on September 23, 2002, granting Rezoning Application Number RZ 2002-PR-008 in the name of Christopher Management, Incorporated to rezone certain property in the Providence District from the R-1 District and Highway Corridor Overlay District to the PDH-3, PDH-5 Districts; and Highway Corridor Overlay District, located in the southeast quadrant of the intersection of Interstate 66 and Nutley Street, Tap Map 48-2 ((7)) (33) 1, 2, 3, 7A, 9A, 10; 48-2 ((7)) (34) 1, 3, 5, 9, 11, 14, 16, A, B; 48-2 ((7)) (35) 2, 3, 4; 48-2 ((7)) (36) 1 - 5, 5A, 5B, 9, 36A, 36B, and a portion of public right-of-way for Hideaway Road and Swanee Lane to be vacated and/or abandoned, subject to the proffers dated September 16, 2002, consisting of approximately 23.43 acres.

The Conceptual Development Plan was approved; the Planning Commission having previously approved Final Development Plan FDP 2002-PR-008 on September 19, 2002, subject to the Board's approval of RZ 2002-PR-008.

The Board also:

- **Waived the open space requirement for the PDH District from 31 percent to 23 percent, in accordance with Paragraph 8 of Section 16-401 of the Zoning Ordinance.**

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- **Waived the 600-foot maximum length requirement for a private street.**
- **Waived Section 7-0502.1A of the Public Facilities Manual in order to permit construction of a ditch section street in a subdivision with an average lot size of less than 18,000 square feet**
- **Waived the fence height limitation, in accordance with Paragraph 8, Section 16-401 of the Zoning Ordinance, to permit the proposed wall to be located along the property boundary shared with 48-2 ((7)) (37) 43A to be up to eight feet in height.**

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Katherine K. Hanley
Supervisor Connolly, Providence 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 Acq. & Planning Div., Park Authority
District Planning Commissioner
James Patteson, Director, Facilities Mgmt. Div., DPWES
Barbara J. Lipa, Executive Director, Planning Commission

RECEIVED
Department of Planning & Zoning
OCT 16 2002
Zoning Evaluation Division

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 23rd day of September, 2002, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 2002-PR-008

WHEREAS, Christopher Management, 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 Highway Corridor Overlay District to the PDH-3, PDH-5 Districts, and Highway Corridor 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

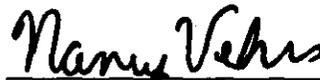
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Providence District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the PDH-3, PDH-5 Districts, and Highway Corridor Overlay District, and said property is subject to the use regulations of said PDH-3, PDH-5 Districts, and Highway Corridor 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

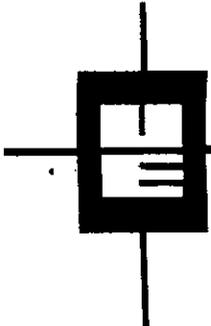
BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcel.

GIVEN under my hand this 23rd day of September, 2002.



Nancy Velts

Clerk to the Board of Supervisors



Urban Engineering & Associates, Inc.

LAFAYETTE BUSINESS CENTER
4200-D TECHNOLOGY COURT, CHANTILLY, VIRGINIA 20151

Telephone: (703) 642-8080
Facsimile: (703) 378-7888

J. EDGAR SEARS, JR., P.E., C.L.S., R.L.A.
Principal
BARRY B. SMITH, P.E.
Principal

ERIC S. SIEGEL, P.E.
Principal
DAVID T. McELHANEY, P.E.
Principal

PHILLIP A. BLEVINS, C.L.S.
Associate
JEFFREY L. GILLILAND, P.E.
Associate
BRIAN A. SEARS, P.E.
Associate

RECEIVED
Department of Planning & Zoning

AUG 14 2002

Zoning Evaluation Division

**Description of Consolidation
of Fairfax County Tax Map No.
48-2-((7)), Block 33, Lots 1, 2, 3, 7A, 9A and 10
48-2-((7)), Block 34, Parcels A, B, 1, 3, 5, 9, 11, 14 and 16
48-2-((7)) , Block 35, Parcels 2 thru 4
48-2-((7)), Block 35, Parcels 1 thru 5, 5A, 5B, 9, and 36A
48-2-((7)), Block 36, Parcel 36B
Providence District
Fairfax County, Virginia**

Beginning at a point on the easterly right of way line of Nutley Street, Virginia State Route # 828, a variable width right of way; said point being the north western most corner to the land of Kenneth E. Krogman as recorded in Deed Book 10766 at Page 1816 among the land records of Fairfax County, Virginia; thence along Nutley Street right of way and also along Interstate 66, a variable width right of way, the following courses and distances;

- N 19°21'55" W 253.24 feet to a point,
- N 82°36'35" W 16.49 feet to a point,
- N 19°20'14" W 94.80 feet to a point,
- N 20°18'33" E 51.94 feet to a point,
- N 39°40'13" E 60.76 feet to a point,
- S 44°05'26" E 31.91 feet to a point,
- S 84°05'36" E 57.99 feet to a point,
- N 19°54'24" E 174.30 feet to a point,
- N 05°54'24" E 30.00 feet to a point,
- S 84°05'36" E 50.00 feet to a point,
- N 53°31'13" E 58.26 feet to a point,

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48-2-((7)), Block 33, Lots 1, 2, 7A, 9A and 10
48-2-((7)), Block 34, Parcels A, B, 1, 3, 5, 9, 11, 14 and 16
48-2-((7)), Block 35, Parcels 2 thru 4
48-2-((7)), Block 35, Parcels 1 thru 5, 5A, 5B, 9, and 36A
Providence District
Fairfax County, Virginia**

N 65°24'39" E 101.95 feet to a point,

N 85°00'36" E 704.52 feet to a point; said point being the north western most corner to the land of James W. Carr and Sylvia C. Crockett as recorded in Deed Book 6529 at Page 1404 among the land records of Fairfax County, Virginia; thence departing the southerly right of way line of Interstate 66 and running with the westerly line of said James W. Carr and Sylvia C. Crockett the following courses and distances;

S 83°45'36" E 25.54 feet to a point,

S 12°08'02" W 20.14 feet to a point,

S 83°38'37" E 15.33 feet to a point,

S 19°52'43" W 210.11 feet to a point on the northerly side of Hideaway Road, Virginia State Route # 827, a variable width right of way; thence

S 19°12'02" W 36.04 feet to a point in said Hideaway road; thence

S 45°03'37" E 65.46 feet to a point; thence

S 44°56'23" W 15.01 feet to a point on the south side of said Hideaway Road; thence

S 45°03'37" E 421.22 feet to a point of curvature; thence

with a tangent curve to the right with an arc length of 39.27',
a radius of 25.00', a chord bearing of S 00°03'37" E, and a chord length of 35.36', to a
point of tangency,

N 44°56'23" E 25.00 feet to a point,

S 45°03'37" E 50.00 feet to a point,

S 44°56'23" W 25.00 feet to a point of curvature,

with a non-tangent curve turning to the right with an arc length of 39.27',
a radius of 25.00', a chord bearing of N 89°56'23" E, and a chord length of 35.36', to a
point of tangency,

**Description of Consolidation
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48-2-((7)), Block 33, Lots 1, 2, 7A, 9A and 10

48-2-((7)), Block 34, Parcels A, B, 1, 3, 5, 9, 11, 14 and 16

48-2-((7)), Block 35, Parcels 2 thru 4

48-2-((7)), Block 35, Parcels 1 thru 5, 5A, 5B, 9, and 36A

Providence District

Fairfax County, Virginia

S 45°03'37" E 175.00 feet to a point; said point being the north western most corner to the land of Brandt and Eva Volker as recorded in Deed Book 2759 at Page 478 among the land records of Fairfax County, Virginia; thence departing Hideaway road and running with the westerly line of said Brandt and Eva Volker the following courses and distances;

S 44°56'23" W 323.10 feet to a point,

S 41°52'07" E 178.82 feet to a point on the northerly line of Briarwood Farm Section 2 Subdivision, as recorded in Deed Book 2103 at Page 500 among the land records of Fairfax County, Virginia; thence running with the northerly line of said Subdivision

S 49°25'22" W 637.15 feet to a point; said point being the south western most corner to the land of George A. and Regina A. Rogers as recorded in Deed Book 11565 at Page 199 among the land record of Fairfax County, Virginia;

N 36°42'38" W 358.66 feet to a point on the southerly side of Suteki Drive; thence

N 36°47'49" W 25.24 feet to a point on the northerly side of said Suteki Drive; thence

N 36°47'49" W 328.05 feet to a point; thence

S 36°05'40" W 92.00 feet to a point; said point being the most easterly corner to the land of William L. and Kathleen A. Ricketts as recorded in deed Book 11180 at Page 372 among the land records of Fairfax County, Virginia; thence running with the easterly line of said William L. and Kathleen A. Ricketts

N 53°54'20" W 170.00 feet to a point of curvature on the southerly right of way line of Swanee Lane, Virginia State Route # 3238, a variable width right of way; thence running with the right of way of said Swanee Lane

with a non-tangent curve turning to the left with an arc length of 74.54 feet, a radius of 50.00 feet, a chord bearing of N 06°36'40" W, and a chord length of 67.82', to a point; thence running through said Swanee Lane

S 36°05'40" W 136.43 feet to a point being the most easterly corner to the land of Thomas R. and Joan D. Atkins as recorded in Deed Book 1555 at Page 221 among the land Records of Fairfax County, Virginia; thence running with the easterly line of said Thomas R. and Joan D. Atkins

N 53°54'20" W 213.83 feet to a point; said point being the most easterly southern corner

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48-2-((7)), Block 35, Parcels 1 thru 5, 5A, 5B, 9, and 36A
Providence District
Fairfax County, Virginia**

to the land of Kenneth E. Krogman as recorded in Deed Book 10766 at Page 1816 among the land records of Fairfax County, Virginia; thence running with the line of said Kenneth E. Krogman

N 16°33'50" W 12.03 feet to a point; thence

S 28°15'10" W 108.63 feet to a point; thence

S 36°05'40" W 164.52 feet to a point; thence

N 19°21'55" W 178.52 feet to the point and place of beginning, having an area of 1,044,934 square feet or 23.98839 acres.

LESS AND EXCEPT the following described parcel of land owned by Jean Francois and Jacqueline M. Ramos as recorded in Deed Book 3654 at Page 738 among the land records of Fairfax County, Virginia, and a 15 feet wide strip of land lying within Topaz Street, which are not a part of this consolidation:

Beginning at a point on the easterly right of way line of Nutley Street, Virginia State Route # 828, a variable width right of way; said point being the north western most corner to the land of Kenneth E. Krogman as recorded in Deed Book 10766 at Page 1816 among the land records of Fairfax County, Virginia; thence along Nutley Street right of way

N 19°21'55" W 253.24 feet to a point on the southerly line of Fairfax County Tax Map No. 48-2-((7)) Block 34; thence departing said right of way and running with the southerly line of said Fairfax County Tax Map No. 48-2-((7)) Block 34

S 82°36'45" E 304.42 feet to a point; said point being the southwest corner to the land of Jean Francois and Jacqueline M. Ramos as recorded in Deed Book 3654 at Page 738 among the land records of Fairfax County, Virginia and being the true point of beginning; thence

N 09°54'04" E 144.71 feet to a point on the Southerly right-of-way of Topaz Street (variable width); thence

N 05°54'24" E 15.00 feet to a point in said Topaz Street; thence

S 84°05'36" E 149.93 feet to a point; thence

S 05°54'24" W 15.00 feet to a point on the Southerly right-of-way of said Topaz

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48-2-((7)), Block 35, Parcels 2 thru 4

48-2-((7)), Block 35, Parcels 1 thru 5, 5A, 5B, 9, and 36A

Providence District

Fairfax County, Virginia

S 09°47'58" W 148.59 feet to a point; thence

N 82°36'36" W 149.97 feet to true point of beginning, having a total area of 24,203 square feet, 0.55562 acres of which 2,249 square feet, 0.05163 acres lie within said Topaz Street.

NET AREA= 1,020,731 SQUARE FEET OR 23.43 ACRES