



**APPLICATION ACCEPTED:** April 2, 2012  
**PLANNING COMMISSION:** September 20, 2012  
**BOARD OF SUPERVISORS:** October 16, 2012 @3:30 p.m.

# County of Fairfax, Virginia

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**September 6, 2012**

## **STAFF REPORT**

**APPLICATION RZ 2012-DR-006**

**DRANESVILLE DISTRICT**

**APPLICANT:** Board of Supervisor's Own Motion

**PRESENT ZONING:** PDH-3

**REQUESTED ZONING:** R-1

**PARCELS:** 29-1 ((1)) 33, 33A, 34, 34A, 35, 35A pt, 36, 37, 37A, 38, 39, 40B, 41, and a portion of Gordon Lane and Odrick's Lane

**SITE AREA:** 8.11 acres

**PLAN MAP:** Residential, 2 – 3 du/ac

**PROPOSAL:** To rezone from the PDH-3 District to the R-1 District without proffers.

### **STAFF RECOMMENDATIONS:**

Staff recommends approval of RZ 2012-DR-006.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

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**Megan Brady**

**Department of Planning and Zoning**  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703-324-1290 FAX 703-324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)

Excellence \* Innovation \* Stewardship  
Integrity \* Teamwork \* Public Service



The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

O:\mbrad9\RZ\RZ 2012-DR-006 Board of Supervisors Own Motion\Staff Report\Cover\RZ 2012-DR-006\_Staff Report cover



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Rezoning Application

RZ 2012-DR-006

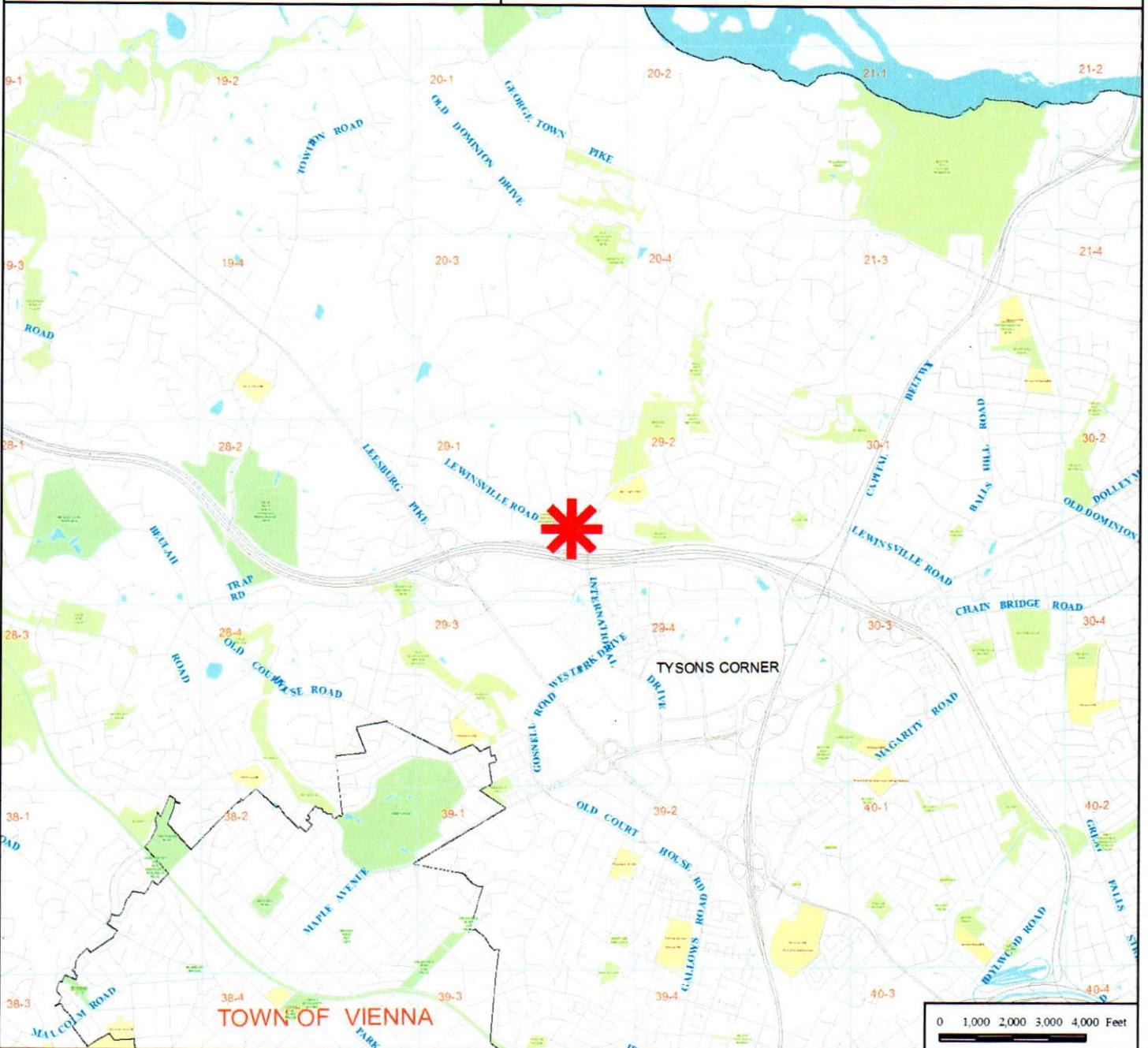


Applicant: BOARD OF SUPERVISOR'S OWN MOTION  
Accepted: 04/02/2012  
Proposed: RESIDENTIAL  
Area: 8.11 AC OF LAND; DISTRICT - DRANESVILLE  
ZIP - 22102

Located: SOUTH SIDE OF LEWINSVILLE ROAD  
APPROXIMATELY 300 FEET WEST OF ITS  
INTERSECTION WITH SPRING HILL ROAD

Zoning: FROM PDH- 3 TO R- 1

Map Ref Num: 029-1- /01/ /0033 /01/ /0033A /01/ /0034  
/01/ /0034A /01/ /0035 /01/ /0035A pt.  
/01/ /0036 /01/ /0037 /01/ /0037A  
/01/ /0038 /01/ /0039 /01/ /0040B  
/01/ /0041



# Rezoning Application

RZ 2012-DR-006

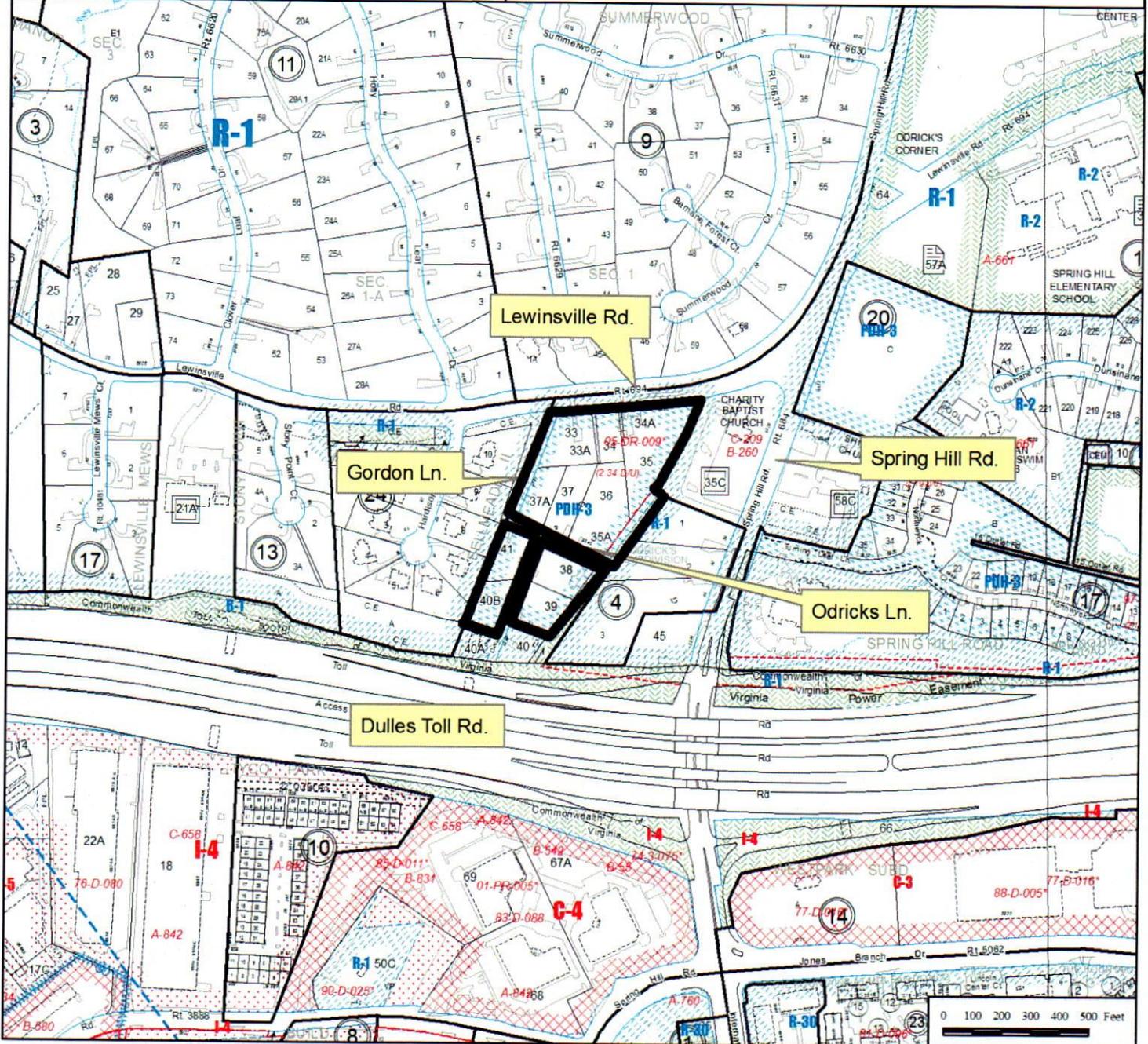


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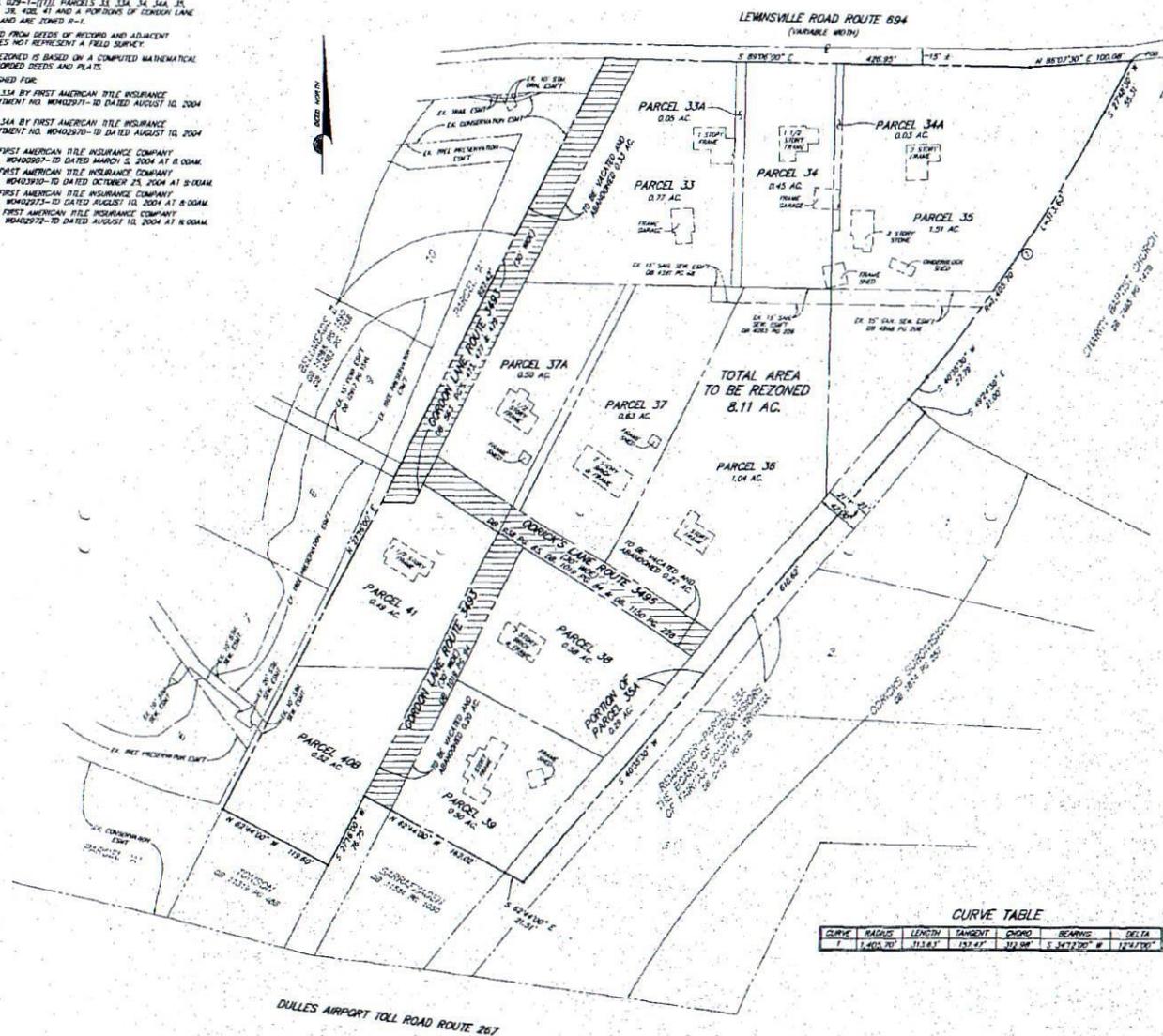
Zoning: FROM PDH- 3 TO R- 1

Map Ref Num: 029-1-/01/ /0033 /01/ /0033A /01/ /0034  
/01/ /0034A /01/ /0035 /01/ /0035A pt.  
/01/ /0036 /01/ /0037 /01/ /0037A  
/01/ /0038 /01/ /0039 /01/ /0040B  
/01/ /0041



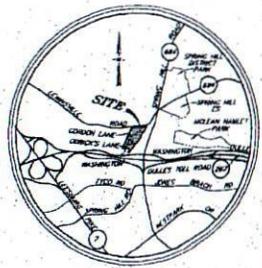
**NOTES**

- 1.) THE PROPERTIES DEPICTED ON THIS PLAN ARE LOCATED ON ASSESSMENT MAP NO. 0294-1-011 PARCELS 33, 34A, 34, 34A, 35, 35A, 36, 37, 37A, 38, 38A, 40E, 41 AND A PORTIONS OF GORDON LANE AND GORDON'S LANE, AND ARE ZONED R-1.
- 2.) THIS PLAN IS COMPILED FROM RECORDS OF RECORD AND ADJACENT INFORMATION AND DOES NOT REPRESENT A FIELD SURVEY.
- 3.) TOTAL AREA TO BE REZONED IS BASED ON A COMPUTED MATHEMATICAL CLOSURE OF THE RECORDED DEEDS AND PLATS.
- 4.) TITLE REPORTS FURNISHED FOR:
  - A.) PARCELS 33 & 34A BY FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. W0402971-10 DATED AUGUST 10, 2004 AT 8:00AM.
  - B.) PARCELS 34 & 34A BY FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. W0402970-10 DATED AUGUST 10, 2004 AT 8:00AM.
  - C.) PARCEL 35 BY FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. W0402972-10 DATED MARCH 5, 2004 AT 8:00AM.
  - D.) PARCEL 36 BY FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. W0403919-10 DATED OCTOBER 24, 2004 AT 8:00AM.
  - E.) PARCEL 37 BY FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. W0402973-10 DATED AUGUST 10, 2004 AT 8:00AM.
  - F.) PARCEL 37A BY FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. W0402972-10 DATED AUGUST 10, 2004 AT 8:00AM.



LEWISVILLE ROAD ROUTE 694  
(VARIABLE WIDTH)

DULLES AIRPORT TOLL ROAD ROUTE 267



VICINITY MAP  
SCALE: 1" = 2,000'

**OWNER AND AREA TABULATION**

PARCEL NO.	ZONING	OWNER	DEED INSTR. / PLAT	AREA (COMPUTED) (SEE NOTE 3)
33	R-1	THOMAS H. GORDON GLORIA LEE GORDON	10884/1029	0.77 AC.
34A	R-1	THOMAS H. GORDON GLORIA LEE GORDON	10884/1024	0.85 AC.
34	R-1	MARY ANNE GASKINS PAULA LYLES	8182/1787	0.43 AC.
34A	R-1	MARY ANNE GASKINS PAULA LYLES	8182/1787	0.63 AC.
35	R-1	THOMAS H. GORDON DEBORAH C. WEARER MARIAN C. JULLIEN	8224/1343	1.31 AC.
PORTION OF 34A	R-1	PART OF 1/2 OF SUBDIVISION OF FAIRMONT COUNTY, VIRGINIA	0-12/240	0.28 AC.
36	R-1	THOMAS H. GORDON GLORIA LEE GORDON	10884/1024	1.04 AC.
37	R-1	JOHN AUGUSTINE SMITH FRANCE LEE SMITH	1483/231	0.61 AC.
37A	R-1	THOMAS H. GORDON GLORIA LEE GORDON	10884/1024	0.50 AC.
38	R-1	CLARENCE A. ROBINSON JR. MAURIE ROBINSON	08491/1200	0.58 AC.
38A	R-1	MAURIE K. ROBINSON CLARENCE A. ROBINSON CLARA DELORAIN JAMES	14023/1290	0.50 AC.
40E	R-1	LEWIS H. BRIDGES	03832/0199	0.52 AC.
41	R-1	LEWIS H. BRIDGES	03832/0199	0.48 AC.
PORTION OF GORDON LANE (TO BE HATCHED AND ABANDONED)	R-1		343/473 343/473 343/473	0.31 AC.
GORDON'S LANE (TO BE HATCHED AND ABANDONED)	R-1		340/82 1782/2728	0.22 AC.
PORTION OF GORDON LANE (TO BE HATCHED AND ABANDONED)	R-1		1038/24	0.20 AC.
TOTAL AREA TO BE REZONED				8.11 AC.

**CURVE TABLE**

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
1	1,400.20'	112.67'	124.47'	212.04'	S 34°22'00" W	124°17'00"



PLAT SHOWING  
PROPOSED PDH-3 ZONE  
**MCLEAN GLEN**  
ORANESVILLE DISTRICT  
FAIRMONT COUNTY, VIRGINIA  
SCALE: 1" = 20' DATED: DECEMBER 8, 2005

**BC Consultants**  
Planners • Engineers • Surveyors • Landscape Architects  
10000 Fair Lakes Circle, Suite 100, Fairfax, VA 22033  
(703)464-8100 (703)464-8100 FAX  
www.bccon.com

DEC 9 8 2005

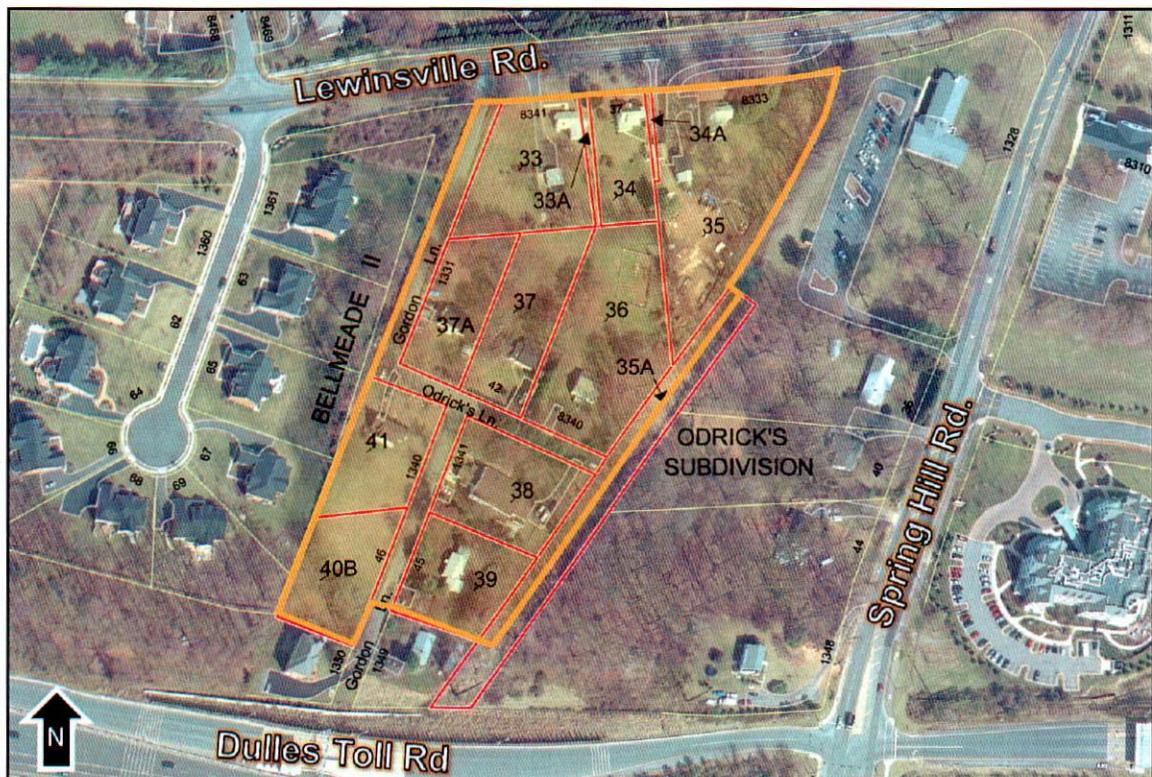
**A GLOSSARY OF TERMS FREQUENTLY  
USED IN STAFF REPORTS WILL BE  
FOUND AT THE BACK OF THIS REPORT**

**DESCRIPTION OF THE APPLICATION**

On June 5, 2006, the Board of Supervisors approved Rezoning application RZ/FDP 2005-DR-009 to rezone 8.11 acres from the R-1 Zoning District to the PDH-3 Zoning District in the name of Winchester Homes to permit the development of 19 single-family detached dwellings. Subsequent to the zoning approval and prior to the vacation of roadways, Winchester Homes did not pursue the project. The properties associated with this 2006 rezoning approval remain subject to the approved Conceptual Development Plan (CDP) / Final Development Plan (FDP), development conditions, and proffers without the prospect for imminent implementation of the approved rezoning. As a result, the current property owners are restricted from making exterior improvements such as building additions, as discussed in the Background section of this report.

Therefore, this Board's Own Motion application has been authorized by the Board of Supervisors to rezone the properties associated with RZ/FDP 2005-DR-009 from the PDH-3 Zoning District back to the R-1 Zoning District without proffers. This application, if approved, would return each of the subject parcels to the development status that existed prior to the 2006 rezoning approval. There are no site or building modifications associated with this application.

**LOCATION AND CHARACTER**



Source: Fairfax County GIS

The 8.11 acre application area, currently zoned PDH-3, is located in the Dranesville Magisterial District approximately 300 feet west of the intersection of Spring Hill Road and Lewinsville Road. The application area includes 13 parcels, portions of Gordon Lane, and Odrick's Lane, as shown in the image above.

The application area is identical to the area of the previously approved rezoning application (RZ/FDP 2005-DR-009). The property is relatively flat and partially forested. Approximately 17 structures exist within the application area, including dwellings, sheds, and garages. All structures are proposed to remain. A portion of the vacant parcel owned by the Board of Supervisors of Fairfax County (Parcel 35A) was included in the 2006 rezoning; this same portion, therefore, is included in the current application.

The image and corresponding text below summarize the zoning district, use, and plan designations for the surrounding parcels.



Source: Bing Maps with additional graphics

<b>North:</b>	Residential (R-1);	Plan: Residential, 1-2 du/ac
<b>Northeast:</b>	Place of Worship (R-1);	Plan: Residential, 2-3 du/ac
<b>Southeast:</b>	Residential (R-1);	Plan: Residential, 2-3 du/ac
<b>South:</b>	Residential (R-1);	Plan: Residential, 2-3 du/ac
<b>West:</b>	Residential (R-1);	Plan: Residential, 1-2 du/ac

## BACKGROUND

On June 5, 2006, the Board of Supervisors approved Rezoning application RZ/FDP 2005-DR-009 to rezone 8.11 acres from the R-1 Zoning District to the PDH-3 Zoning District to permit the development of 19 single-family detached dwellings at a density of 2.34 dwelling units per acre (du/ac). The approved CDP/FDP, illustrated below, depicts the 19 proposed dwellings, a realigned Gordon Lane with sidewalks along each side, right and left turn lanes onto Gordon Lane from Lewinsville Road, and future interparcel access to the east. Appendix 3 contains the approved proffers for this case.



Source: Approved CDP/FDP with additional labels and shading added for clarity

Subsequent to the rezoning and CDP/FDP approval, but prior to the vacation of the roadways, the applicant did not pursue the project. However, the subject properties are now zoned PDH-3 and their use is governed by the proffers, development conditions, and CDP/FDP that were approved with the rezoning. As

a result, the current property owners face numerous development restrictions. For example, the construction of a new dwelling on any of the existing properties would not be in substantial conformance with the approved CDP/FDP proffered pursuant to RZ/FDP 2005-DR-009 and, therefore, would not be permitted. Further, homeowners may not make exterior modifications, such as additions, to existing structures because such modifications would not be in substantial conformance with the approved CDP/FDP.

A proffer interpretation pertaining to this issue was released on June 19, 2009, which determined that Board of Supervisors' approval of a zoning application to modify or delete the existing proffers is required to provide relief from the current proffers, development conditions, and CDP/FDP that govern these properties. Appendix 4 of this report contains a copy of this interpretation letter.

On January 24, 2012, the Board of Supervisors authorized the submission and evaluation of the subject Rezoning application to rezone the 8.11 acre land area from the PDH-3 Zoning District back to the R-1 Zoning District. The Board designated the Fairfax County Department of Planning and Zoning to act on behalf of the Board and directed the Director of the Zoning Evaluation Division to expeditiously process the application.

## COMPREHENSIVE PLAN PROVISIONS

<b>Plan Area:</b>	II
<b>Planning District:</b>	McLean Planning District
<b>Planning Sector:</b>	M6 Spring Hill Community
<b>Plan Map:</b>	Residential, 2 – 3 du/ac
<b>Base Plan Text:</b>	

On pages 125 – 127 of the Fairfax County Comprehensive Plan, 2011 Edition, McLean Planning District, as amended through March 6, 2012, in the M6 Spring Hill Community Planning Sector, it states:

*This sector consists of Low Density Residential Areas and Suburban Neighborhoods as recommended by the Concept for Future Development... The Spring Hill sector is largely developed as stable residential neighborhoods. Infill development in this sector should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14... Vacant land south of Lewinsville Road and east of Gordon Lane is planned for residential use at 2-3 dwelling units per acre. Cluster development is encouraged so that land immediately adjacent to the Dulles Airport Access Road would remain as open space and provide a buffer to the residential area.*

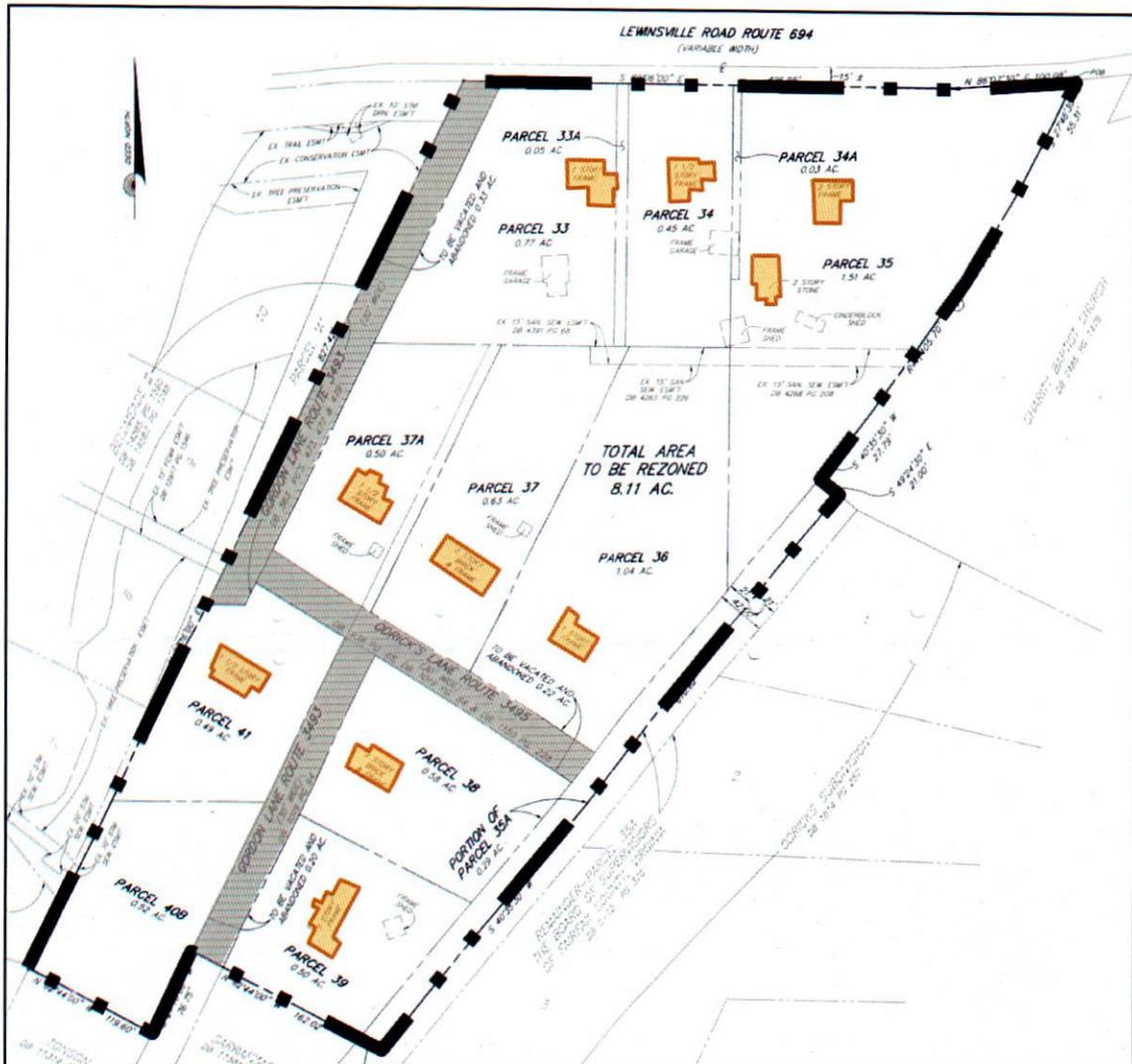
The above-referenced Land Use Objective 8 states that Fairfax County should encourage a land use pattern that protects, enhances, and/or maintains stability in established residential neighborhoods, while Objective 14 indicates that the County should seek to achieve a harmonious and attractive development pattern that minimizes impacts created by potentially incompatible uses. There are no site or building modifications proposed with this application and the majority of the surrounding parcels are zoned R-1 and contain single family detached dwellings; therefore, the proposed R-1 District would maintain stability in the established residential neighborhood and is harmonious with the adjacent residential land uses.

## ANALYSIS

### **Generalized Development Plan (GDP)** (copy at front of staff report)

<b>Title of GDP:</b>	Plat showing proposed PDH-3 Zone McLean Glen
<b>Prepared by:</b>	BC Consultants
<b>Original and Revision Dates:</b>	December 8, 2005
<b>Plat Description:</b>	The Generalized Development Plan (GDP) consists of one sheet.

The submission requirements for the GDP were modified to allow the use of the Certified Plat submitted with RZ/FDP 2005-DR-009. As shown on the illustrated Plat excerpt below, the Plat displays the existing parcel boundaries for each lot included within the application site area and depicts the locations of the existing single family detached dwellings and associated accessory structures. The Plat also provides a chart that contains the following information for each of the application parcels: parcel number, zoning district, owner, deed book and page number, and area. No site or building modifications are proposed with this application.



Source: Certified Plat with additional labels and shading added for clarity

## Land Use Analysis

The Fairfax County Comprehensive Plan recommends development on this site at a density of 2-3 du/ac. The subject application proposes to rezone the properties from the PDH-3 District to the R-1 District without proffers. Approval of the subject application would return each lot to the development status that existed prior to the approval of RZ 2005-DR-009, as further discussed in the Zoning Ordinance Provisions section of this report. The existing density of the application area would be retained. There are no site or building modifications proposed with this application.

The Land Use section of the Fairfax County Policy Plan outlines a set of Residential Development Criteria that staff typically uses to evaluate zoning requests for new residential development. However, because there is no new residential development associated with this application, staff did not perform an analysis of the proposal using the Residential Development Criteria.

### **Environmental Analysis**

There are no environmental issues associated with this application.

### **Health Department Analysis (Appendix 8)**

Staff from the Fairfax County Health Department reviewed the application and stated that there are existing wells on four of the subject properties (Lots 33, 34, 38, and 39). Proper abandonment of these wells under a permit from the Health Department would be required prior to any demolition activities. The subject application does not propose demolition on any of the subject properties; therefore, this requirement is not currently applicable and is provided for information.

### **Transportation Analysis (Appendix 5)**

There are no transportation issues associated with this application.

### **ZONING ORDINANCE PROVISIONS (Appendix 12)**

Many of the parcels included in the subject application did not satisfy all of the current R-1 Zoning District lot size requirements, shown below, at the time when the lots were recorded.

**R-1 Zoning District Lot Size Requirements and Bulk Regulations**

<b>Min. Lot Area</b>	<b>Min. Lot Width</b>	<b>Max Height</b>	<b>Min Yard Req. (SFD)</b>
<b>36,000 sq. ft.</b>	<b>150 ft. (interior) 175 ft. (Corner)</b>	<b>35 ft. (SFD)</b>	<b>F: 40 ft. S: 20 ft. R: 25 ft.</b>

However, Section 2-405 of the Zoning Ordinance states that if a lot was recorded prior to the effective date of the current Zoning Ordinance and met the requirements of the Zoning Ordinance in effect at the time of the recordation, then such lot may be used for any use permitted in the zoning district in which located. If the subject parcels are rezoned back to the R-1 District through the current application, the lots will each assume the development status that existed prior to the approval of the 2006 rezoning. Prior to any expansion of existing structures or placement of new structures on any of the subject properties, each property owner would be required to coordinate with Department of Public Works and Environmental Services (DPWES) and/or Department of Planning and Zoning (DPZ) staff on a case by case basis to obtain the necessary permits and determinations.

There are no transitional screening or barrier requirements associated with this application.

### **Waivers and Modifications**

There are no waivers or modifications associated with this application.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

The applicant's request to rezone the subject property from the PDH-3 Zoning District to the R-1 Zoning District without proffers does not involve any site or building modifications. Staff finds that the application is in harmony with the Comprehensive Plan and conforms to all applicable Zoning Ordinance Provisions, as the subject properties would return to the same development status that existed prior to the approval of the previous rezoning (RZ 2005-DR-009).

### **Recommendation**

Staff recommends approval of RZ 2012-DR-006.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

## **APPENDICES**

1. Rezoning Affidavit
2. Statement of Justification
3. RZ 2005-DR-009 Clerk's Letter and Approved Proffers, Development Conditions, and CDP/FDP
4. June 19, 2009 Interpretation Letter
5. FCDOT Analysis
6. DPWES – Wastewater Planning & Monitoring Division Analysis
7. Fairfax County Fire and Rescue Department Analysis
8. Fairfax County Health Department Analysis
9. Fairfax County Public Schools Analysis
10. Fairfax County Water Authority Analysis
11. Fairfax County Park Authority Analysis
12. Zoning Ordinance Provisions
13. Glossary of Terms

**REZONING AFFIDAVIT**

DATE: JUL 18 2012  
 (enter date affidavit is notarized)

I, Edward L. Long Jr., County Executive, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)             applicant  
                               applicant's authorized agent listed in Par. 1(a) below

116347

in Application No.(s): RZ 2012-DR-006  
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Ana Maria Espino	8341 Lewinsville Road, McLean, VA 22102	Title Owner of TM 029-1((1)) parcels 33 & 33A
Paula Lyles and Mary J. Gaskins	8337 Lewinsville Road, McLean, VA 22102	Title Owners of TM 029-1((1)) parcels 34 & 34A
8333 Lewinsville LLC	c/o Gary W. Weaver 9112 Ridge Lane, Vienna, VA 22182	Title Owner of TM 029-1((1)) parcel 35
Board of Supervisors of Fairfax County, Virginia	12000 Government Center Parkway, Suite 533 Fairfax, VA 22035	Applicant/Title Owner of TM 029-1((1)) parcel 35A pt., and a portion of Gordon Lane and Odricks Lane to be vacated.
Edward L. Long Jr., County Executive	(same)	Agent

(check if applicable)             There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

**Rezoning Attachment to Par. 1(a)**

**JUL 18 2012**

DATE: \_\_\_\_\_  
(enter date affidavit is notarized)

for Application No. (s): RZ 2012-DR-006  
(enter County-assigned application number (s))

116347

**(NOTE):** All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Moon Ha Oh and Jung J. Oh William B. Park and Sue Y. Park	8340 Odricks Lane, McLean, VA 22102	Title Owners of TM 029-1((1)) parcel 36
John Augustus Smith and Francis Lee Smith	8342 Odricks Lane, McLean, VA 22102	Title Owners of TM 029-1((1)) parcel 37
Gloria L. Gordon	1331 Gordon Lane, McLean, VA 22102	Title Owner of TM 029-1((1)) parcel 37A
Clarence A. Robinson, Jr. and Maxine W. Robinson	1341 Gordon Lane, McLean, VA 22102	Title Owners of TM 029-1((1)) parcel 38
Winnie Verdell Robinson Charles E. Robinson Alma Delores Bailey	1345 Gordon Lane, McLean, VA 22102	Title Owners of TM 029-1((1)) parcel 39
Lolita M. Bridges	1340 Gordon Lane, McLean, VA 22102	Title Owner of TM 029-1((1)) parcels 40B and 41
Department of Planning and Zoning Fred R. Seldon, Director, Planning Div./DPZ, Agent Barbara C. Berlin, Director, Zoning Evaluation Div. (ZED)/Agent Regina Coyle, Assistant Director (ZED), Agent Megan A. Brady, (ZED), Agent	12055 Government Center Parkway Fairfax, VA 22035	Agent for Applicant/Title Owner of TM 029-1((1)) parcel 35A pt., and a portion of Gordon Lane and Odricks Lane to be vacated

THIS APPLICATION WAS FILED  
PURSUANT TO A MOTION MADE  
BY THE BOARD OF SUPERVISORS  
OF FAIRFAX COUNTY, VIRGINIA.

(check if applicable)  There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: JUL 18 2012  
(enter date affidavit is notarized)

116347

for Application No. (s): RZ 2012-DR-006  
(enter County-assigned application number(s))

1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, **and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:**

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
8333 Lewinsville LLC  
9112 Ridge Lane  
Vienna, VA 22182

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

Marian G. Miller, Member	Kenneth M. Gordon, Member
Gary W. Weaver, Managing Member	Renee G. O'Neill, Member
Gloria L. Gordon, Member	

**NAMES OF OFFICERS & DIRECTORS:** (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer,** etc.)

(check if applicable)  There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. **In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: JUL 18 2012  
(enter date affidavit is notarized)

116347

for Application No. (s): RZ 2012-DR-006  
(enter County-assigned application number(s))

1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state and zip code)

N/A

(check if applicable)  The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: JUL 18 2012  
(enter date affidavit is notarized)

116347

for Application No. (s): RZ 2012-DR-006  
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on the line below.)

The Board of Supervisors of Fairfax County, Virginia is the title owner of TM 029-1((1)) parcel 35A pt., and a portion of Gordon Lane and Odricks Lane to be vacated, all of which is a part of the application property.

(check if applicable)  There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: JUL 18 2012  
(enter date affidavit is notarized)

116347

for Application No. (s): RZ 2012-DR-006  
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

Within the twelve-month period prior to the public hearing, Gary W. Weaver, Managing Member of 8333 Lewinsville LLC, the Title Owner of TM 029-1((1)) parcel 35, contributed in excess of \$100 to Supervisor John Foust.

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

Edward L. Long Jr.

[ ] Applicant

[X] Applicant's Authorized Agent

Edward L. Long Jr., County Executive

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 18TH day of JULY 20 12, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

Jo Ann Havach  
Notary Public

My commission expires: JULY 31, 2016



Jo Ann Havach  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. #178038  
My Commission Expires  
July 31, 2016

**McLean Glen Rezoning Application: Board's Own Motion***Statement of Justification*

The supplemental statements contained here and the accompanying Board Matter are meant to serve as the Statement of Justification for this application.

- *A statement explaining the relationship of the development to, and compliance with, the development criteria of the adopted Comprehensive Plan of the County.*

The Comprehensive Plan recommends 2-3 dwelling units per acre for the application area. This application proposes to rezone from PDH-3 back to the R-1 in order to retain the density and lot configuration that existed prior to the approval of RZ 2005-PR-009.

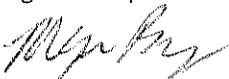
- *A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Commonwealth of Virginia/Department of Waste Management Regulations VR 672-10-1 - Virginia Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.*

There are no known hazardous or toxic substances, based on what was identified with RZ 2005-DR-009.

- *A statement that the proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, modification, exception or variance is sought by the applicant, such shall be specifically noted and the justification for such provided.*

As stated in the attached Board Matter, this application seeks to rezone the parcels that were subject to RZ 2005-DR-009 back to their former R-1 District status without proffers. This would allow the parcels to return to the same development status that existed for each lot prior to the rezoning. This issue has been coordinated with the Zoning Administrator.

Megan Brady



Revised August 3, 2012



703-356-0551  
Fax 703-821-4275  
TTY 711

E-mail: [dranesville@fairfaxcounty.gov](mailto:dranesville@fairfaxcounty.gov)  
Web site: [www.fairfaxcounty.gov/dranesville](http://www.fairfaxcounty.gov/dranesville)

COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX

McLean Governmental Center  
1437 Balls Hill Road  
McLean, VA 22101



JOHN W. FOUST  
DRANESVILLE DISTRICT SUPERVISOR

**BOARD MATTER**  
**Supervisor John Foust**  
**January 24, 2012**

**McLean Glen Rezoning: Board's Own Motion,  
Board Concurrence & Expedited Processing**

**Background:** Madam Chairman, in 2006 the Board of Supervisors approved RZ 2005-DR-009 to rezone 8.11 acres from the R-1 District to the PDH-4 district in the name of Winchester Homes to permit the development of nineteen (19) single-family detached units. This rezoning represented the consolidation of 13 lots and a portion of Gordon's Lane and Odrick's Lane which was intended to be vacated following the zoning approval. Following the zoning approval and prior to the vacation of the roadways Winchester Homes abandoned the project.

For over five years the property owners have been unable to make exterior modifications to the existing structures, such as build decks or additions, because such modifications would not be in substantial conformance with the approved CDP/FDP which has been abandoned by the original developer. In addition, it is practically impossible for the homeowners to market their properties since the individual lots are subject to the consolidated rezoning proffer commitments. Further, the homeowners have been unable to refinance their homes due to the rezoning action that has occurred but has not been pursued.

In consultation with staff from the Department of Planning and Zoning and property owners, it has been determined that the best solution is for the Board to rezone the parcels that were subject to RZ 2005-DR-009 back to their former R-1 District status without proffers. This would allow the parcels to return to the same development status that existed for each lot prior to the rezoning.

**MOTION:** Therefore, I move that the Board of Supervisors:

- Concur in the filing of a portion of Gordon's Lane and Odrick's Lane in the filing of an application to rezone the land area that had been the subject of RZ 2005-DR-009 back to the R-1 District
- Authorize the filing of the zoning application as a Board's Own Motion rezoning application;
- Designate the Department of Planning and Zoning to act on behalf of the Board as its representative to expeditiously file and process this application;
- Authorize and direct the Director of the Zoning Evaluation Division to expeditiously process the zoning application and schedule the necessary public hearings to occur on the earliest possible dates in 2012.

*This motion should not be construed as a favorable recommendation on the application by the Board and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards. This action in no way prejudices the substantive review of the application.*



# County of Fairfax, Virginia

*To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County*

July 12, 2006

Gregory A. Riegle, Esquire  
McGuire Woods, L.L.P.  
1750 Tysons Boulevard, Suite 1800  
McLean, Virginia 2102-4215

RE: Rezoning Application Number RZ 2005-DR-009  
(Amended-Letter only -Tax Map Correction)

Dear Mr. Riegle:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on June 5, 2006, granting Rezoning Application Number RZ 2005-DR-009 in the name of Winchester Homes, Incorporated to rezone certain property in the Dranesville District from R-1 District to the PDH-3 District to permit residential development at a density of 2.34 dwelling units per acre (du/ac), located on the south side of Lewinsville Road approximately 200 feet west of its intersection with Spring Hill Road (Tax Map 29-1 ((1)) 33, 33A, 34, 34A, 35,36, 37, 38, 39, 40B, 41, and portion of Gordon Lane and Odricks Lane public rights-of-way, to be vacated and/or abandoned), subject to the proffers dated May 11, 2006, consisting of approximately 8.11 acres. (Approval enables the vacation and/or abandonment of portions of the public rights-of-way for Gordon Lane and Odricks Lane to proceed under Section 33.1-151 of the *Code of Virginia*.)

The Board also approved the Conceptual Development Plan, subject to the proffers dated May 11, 2006; the Planning Commission having previously approved Final Development Plan Application FDP 2005-DR-009 on May 11, 2006, subject to the development conditions dated May 10, 2006, and subject to the Board's approval of RZ 2005-DR-009.

Office of Clerk to the Board of Supervisors  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903

Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)

<http://www.fairfaxcounty.gov/hosclerk>

RZ 2005-DR-009

July 12, 2006 (Amended Ltr. Only)

- 2 -

In addition, the Board approved a variance of the maximum height limit for walls in side and rear yards to permit an eight-foot tall wall in the side and rear yards of lots 1 and 19 as shown on the Conceptual Development Plan/Final Development Plan.

Sincerely,



Nancy Venrs

Clerk to the Board of Supervisors

NV/ns

cc: Chairman Gerald E. Connolly  
Supervisor Joan M. DuBois, Dranesville District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Leslie B. Johnson, Deputy Zoning Administrator for Zoning Permit Review Branch  
Thomas Conry, Dept. Mgr. – GIS - Mapping/Overlay  
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,  
Charles Strunk, Project Planning Section, Dept. of Transportation  
Ken Williams, Plans & Document Control, ESRD, DPWES  
Department of Highways - VDOT  
Sandy Stallman, Park Planning Branch Mgr., FCPA  
Gordon Goodlett, Development Officer, DHCD/Design Development Div.  
District Planning Commissioner  
Barbara J. Lippa, Executive Director, Planning Commission  
Jose Comayagua, Director, Facilities Management  
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools

RECEIVED  
Department of Planning & Zoning  
JUL 12 2006  
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 5th day of June, 2006, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROPOSAL NUMBER RZ 2005-DR-009

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 to the PDH-3 District (residential development), 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

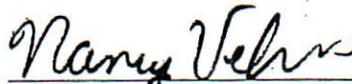
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Dranesville 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 5th day of June, 2006.



Nancy Veirs

Clerk to the Board of Supervisors

# C Consultants

Planners · Engineers · Surveyors · Landscape Architects  
Fairfax · Winchester

December 8, 2005  
McLean Glen  
04092.11  
Page 1 of 3

## DESCRIPTION OF PROPOSED PDH-3 ZONE MCLEAN GLEN DRANESVILLE DISTRICT FAIRFAX COUNTY, VIRGINIA

RECEIVED  
Department of Planning & Zoning  
DEC 09 2005  
Zoning Evaluation Division

Being a consolidation of the following properties: Thomas M. Gordon and Gloria Lee Gordon as recorded in Deed Book 10664 at Pages 1624 and 1626, Deed Book 4105 at Page 208 and Deed Book 10440 at Page 1457; Mary Jane Gaskins and Paula Lyles as recorded in Deed Book 9192 at Page 1282; Thomas M. Gordon, DeLancia G. Weaver and Marian G. Miller as recorded in Deed Book 9274 at Page 1503; a portion of the property of The Board of Supervisors of Fairfax County, Virginia as recorded in Deed Book C-12 at Page 370; Moon Ha Oh, Jung J. Oh, William B. Park and Sue Y. Park as recorded in Deed Book 15413 at Page 192; John Augustus Smith and Francis Lee Smith as recorded in Deed Book 1869 at Page 233; Clarence A. Robinson Jr. and Maxine Robinson as recorded in Deed Book 9490 at Page 1591; Winnie V. Robinson, Charles E. Robinson, and Alma Delores Bailey as recorded in Deed Book 16223 at Page 1960; Lolita M. Bridges as recorded in Deed Book 3652 at Page 199; portions of Gordon Lane, Route 3493, 30 foot wide as recorded in Deed Book 563 at Pages 473, 477 and 479 and Deed Book 1019 at Page 94 to be vacated and abandoned; Odrick's Lane, Route 3495, 30 foot wide as recorded in Deed Book 938 at Page 65, Deed Book 1019 at Page 84 and Deed Book 1150 at Page 228 to be vacated and abandoned; all among the Land Records of Fairfax County, Virginia and being more particularly described as follows:

Beginning at a point on the Southerly right-of-way line of Lewinsville Road, Route 694, variable width, said point being the Northwesterly corner of the property of the Charity Baptist Church as recorded in Deed Book 7485 at Page 1478, thence running with the Northwesterly lines of said Charity Baptist Church the following four (4) courses and distances

- 1) South 27° 48' 30" West 55.31 feet to a point, thence
- 2) 313.63 feet along the arc of a curve deflecting to the right having a radius of 1,405.70 feet and a chord bearing South 34° 12' 00" West 312.98 feet to a point, thence

- 3) South 40° 35' 30" West 27.79 feet to a point thence
- 4) South 49° 24' 30" East 21.00 feet to a point, thence departing the church property and running through the property of The Fairfax County Board of Supervisors, as recorded in Deed Book C-12 at Page 370 the following two (2) courses and distances:
- 5) South 40° 35' 30" West 610.62 feet to a point, thence
- 6) North 62° 44' 00" West 21.51 feet to a point being the Northeasterly corner of Sarrafzadeh as recorded in Deed Book 11584 at Page 1050, thence running with the Northerly line of said Sarrafzadeh and continuing through the right-of-way of Gordon Lane, Route 3493 (30 foot wide) as recorded in Deed Book 1019 at Page 94
- 7) North 62° 44' 00" West 162.02 feet to a point on the Westerly right-of way line of said Gordon Lane Route 3493 thence running with the Westerly right-of-way line of said Gordon Lane Route 3493
- 8) South 27° 16' 00" West 76.75 feet to a point being the Northeasterly corner of Tonson as recorded in Deed Book 11319 at Page 488 thence running with the Northerly line of said Tonson
- 9) North 62° 44' 00" West 119.60 feet to a point on the Easterly line of Parcel 'A', Bellmeade II as recorded in Deed Book 14285 at Page 1590 and Deed Book 14583 at Page 1748, thence running with the Easterly line of said Parcel 'A' and continuing with the aforementioned Southerly right-of-way line of Lewinsville Road
- 10) North 27° 16' 00" East 827.42 feet to a point, thence continuing with the aforementioned Southerly right-of-way line of Lewinsville Road the following two (2) courses and distances:
- 11) South 89° 06' 00" East 426.95 feet to a point, thence
- 12) North 86° 07' 30" East 100.08 feet to the point of beginning, containing 8.11 acres of land more or less.

October 10, 2005

McLean Glen

04092.11

Page 3 of 3

This description is compiled from deeds of record and adjacent information and does not represent a field survey; the total area is based on a computed mathematical closure of the aforesaid.

V:\project\\_2004\04092\Surv\Documents\04092mbd12.doc

WINCHESTER HOMES INC.  
RZ/FDP 2005-DR-009  
PROFFERS

May 11, 2006

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owners and Applicant in this rezoning proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference 29-1-((1))-33, 33A, 34, 34A, 35, 36, 37, 37A, 38, 39, 40B, 41, a portion of 35A, Odrick's Lane (Rte. 3495) to be vacated and/or abandoned, and a portion of Gordon Lane (Rte. 3493) to be vacated and/or abandoned (hereinafter referred to as the "Property") will be in accordance with the following conditions if, and only if, said rezoning request for the PDH-3 District is granted by the Board of Supervisors of Fairfax County, Virginia (the "Board"). In the event said application request is denied or the Board's approval is overturned by a court of competent jurisdiction, these proffers shall be null and void. The Owners and the Applicant ("Applicant"), for themselves, their successors and assigns, agree that these proffers shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board, in accordance with applicable County and State statutory procedures. The proffered conditions are:

**I. GENERAL**

1. Substantial Conformance. Subject to the proffers and the provisions of Article 16 of the Zoning Ordinance, under which minor modifications to an approved final development plan are permitted, the development shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan

(CDP/FDP), containing eight (8) sheets prepared by BC Consultants, dated January 2005, as revised through May 5, 2006.

2. Minor Modifications. Minor modifications from what is shown on the CDP/FDP and these Proffers, which may become occasioned as a part of final architectural and engineering design, may be permitted as determined by the Zoning Administrator in accordance with the provisions set forth in Section 16-403 of the Zoning Ordinance.

3. Lot Yield. The development shall consist of a maximum of nineteen (19) single-family detached units.

4. Establishment of HOA. Prior to record plat approval, the Applicant shall establish a Homeowners Association (HOA) in accordance with Sect. 2-700 of the Zoning Ordinance for the purpose of establishing the necessary residential covenants governing the design and operation of the approved development and to provide a mechanism for ensuring the ability to complete certain maintenance obligations and other provisions noted in these proffer conditions.

5. Escalation. All monetary contributions required by these proffers shall be adjusted upward or downward based on changes to the Marshall and Swift Building Cost Index occurring subsequent to the date of rezoning approval and up to the date of payment.

6. Length of Driveways. All driveways serving the approved residential units shall be a minimum of eighteen feet (18') in length without overhanging into the sidewalk from the inside of the sidewalk to the edge of the entrance to the garage.

7. Architectural Compliance. The architectural design of all units and open space improvements shall be of the same quality, general appearance and style as depicted on the illustrative perspectives, elevations, and sections shown on the CDP/FDP. The predominant materials used on the front exterior facades shall be brick, stone and/or masonry. Such open space improvements shall include the benches and pedestrian paths shown on the CDP/FDP.

8. Garage Conversion. Any conversion of garages that will preclude the parking of vehicles within the garage is prohibited. A covenant setting forth this restriction shall be disclosed in the HOA documents and recorded among the land records of Fairfax County (the "Land Records") in a form approved by the County Attorney prior to the sale of any lots. Prospective purchasers shall be advised of this use restriction, in writing, prior to entering into a contract of sale.

9. Encroachment of Decks and Similar Appurtenances. Decks, bay windows, patios, chimneys, areaways, mechanical equipment and other similar appurtenances may encroach into minimum yards as established on the "lot typical" generally described on the CDP/FDP, as permitted by Section 2-412 and/or Article 10 of the Zoning Ordinance. Further, such appurtenances shall not be included in the measurement of minimum distance between homes, as said minimum distance is stated on the CDP/FDP.

10. Retaining Walls. No retaining walls greater than four feet (4') in height shall be permitted on the Property unless shown and specified to a greater height on the CDP/FDP.

11. Sale of Portion of Parcel 35A. No applications, plans, plats or permits for the development of the Property shall be approved by the Board, its

agents, officials, or employees, except for the possible subdivision of Parcel 35A necessary to convey all or a portion of Parcel 35A, until the Board has approved the conveyance of the portion of Tax Map 29-1-((1))-35A ("Parcel 35A") that is shown on the CDP/FDP as part of the Property (the "Board Property"). In the event the Board does not approve the conveyance to the Applicant of Board Property, any development of the Property under RZ 2005-DR-009 shall require a proffered condition amendment and the Applicant acknowledges and accepts that such amendment may result in a loss of density. The Applicant hereby waives any right to claim or assert a taking or any other cause of action that otherwise may arise out of a Board decision not to convey the Board Property to the Applicant.

## II. TRANSPORTATION

12. Right-of-Way Abandonment or Vacation. No applications, plans, plats or permits for the development of the Property shall be approved by the Board, its agents, officials, or employees, except for the possible subdivision of Parcel 35A necessary to convey all or a portion of Parcel 35A, until the Board has approved the abandonment and/or vacation of the portion of Gordon Lane and the entirety of the Odrick's Lane rights-of-way that is shown on the CDP/FDP as part of the Property, and no action challenging the approval has been filed within thirty (30) days of such approval in a court of competent jurisdiction. In the event the Board does not approve the abandonment and/or vacation, or in the event that the Board's approval is overturned by a court of competent jurisdiction, any development of the Property under RZ 2005-DR-009 shall require a proffered condition amendment and the Applicant acknowledges and accepts that such amendment may result in a loss of density. The Applicant hereby waives any right to claim or assert a taking or any other cause of action that otherwise

may arise out of a Board decision to deny in whole or in part the right-of-way abandonment or vacation.

13. Gordon Lane Improvements. Prior to the issuance of the first building permit on the Property, the Applicant shall construct at no cost to the Board relocated Gordon Lane to an improved two-lane section PFM Category 2 road as shown on the CDP/FDP. For the purpose of obtaining the first building permit, "construct" shall mean open to traffic and generally completed, but for final "top coating" of the road. To ensure continued availability of access to Tax Map Parcels 29-1-((1))-40 and 40A ("Parcels 40 and 40A) to the south, the Applicant shall a grant a temporary public ingress-egress easement to the Board, in a form acceptable to the County Attorney, to be recorded among the Land Records immediately after the vacation and/or abandonment of rights-of-way referred to in Proffer 12. Such temporary public ingress-egress easement and access shall be established in a location on the Property that provides convenient access to Parcels 40 and 40A, as determined by FCDOT, and shall be improved by the Applicant as required by DPWES and FCDOT so as to provide adequate automobile access to Parcels 40 and 40A. The final location of such access shall be determined at subdivision plan, subject to DPWES review and approval. Until the relocated Gordon Lane is constructed and open for traffic, the Applicant shall maintain and remove snow from the temporary public ingress-egress easement. Once relocated Gordon Lane is constructed and open to traffic, such easement shall become null and void. The Applicant shall maintain and remove snow from relocated Gordon Lane until it is accepted into the secondary system of state highways by VDOT. Concurrent with recordation of the record plat and in accordance with the approved subdivision plan, the Applicant shall

dedicate, at no cost to the Board, and in fee simple to the Board, the right-of-way comprising the relocated Gordon Lane, as generally shown on the CDP/FDP.

14. Inter-Parcel Connection to the East. Concurrent with recordation of the record plat and in accordance with the approved subdivision plan, the Applicant shall dedicate right-of-way necessary for the construction of a stub street, including sidewalks, to provide an inter-parcel connection to the parcels to the east of the Property to an improved two-lane section PFM Category 2 road as shown on the CDP/FDP. Any necessary minor modifications to the final location of the inter-parcel connector road shall be determined prior to subdivision plan approval, subject to FCDOT and DPWES review and approval.

Prior to the issuance of the first building permit for any residential unit, the Applicant shall construct the inter-parcel connector road to the eastern property line. For the purpose of obtaining the first building permit, "construct" shall mean open to traffic and generally completed, but for final "top coating" of the road. The Applicant, prior to issuance of the first RUP, shall post a sign near the terminus of said road stating that there will be a potential future public street connection. The location, form and final wording of the sign shall be subject to approval of FCDOT. In order to construct such a road, it may be necessary for the Applicant to obtain the permission and/or easement from an off-site owner(s), based on the final location of the road. The Applicant shall diligently pursue and use good-faith to obtain such easement or permission, provided that any such easement or permission is obtained at no cost to the Applicant, except for the typical administrative fees and costs associated with preparation, approval, and recordation of deeds, plans, plats. The Applicant shall provide documentation of such efforts to DPWES. If written permission is not granted by the appropriate off-site owner

within one (1) month from the first written request by the Applicant, then the Applicant shall construct the road to the extent the road can be constructed on the Property, the public right-of-way and/or an existing public access easement and escrow funds for the remaining, uncompleted portion of the road. In such an event, the Applicant shall be deemed to have satisfied this Proffer.

In the event the parcels to the east of the Property are approved for development by Fairfax County with no inter-parcel connection provided to the Property, then the Applicant shall be permitted to request a vacation of the dedication for the inter-parcel connector road. If the vacation request is granted, then the ownership of such area shall revert to the HOA, and the HOA or the Applicant shall have the right to remove any existing pavement and landscape such area in order to maintain such area as passive open space.

15. Right-of-Way Dedication and Associated Frontage Improvements along Lewinsville Road. At the time of subdivision plat recordation, or upon demand by VDOT or Fairfax County, whichever occurs first, the Applicant shall dedicate, at no cost to Fairfax County and in fee simple to the Board, the right-of-way along the site frontage to Lewinsville Road, as generally shown on the CDP/FDP. Prior to issuance of the first RUP for the approved units, the Applicant shall improve the property frontage along Lewinsville Road. Such improvements shall include a right turn lane from eastbound Lewinsville Road and a left turn lane from westbound Lewinsville Road into the Property, all as generally shown on the CDP/FDP. The final configuration of these improvements shall be determined at subdivision plan review, subject to review and approval by VDOT, FCDOT and DPWES. The Applicant reserves the right to make minor modifications to the turn lane improvements shown on the CDP/FDP based on the

availability of off-site right-of-way, subject to review and approval by VDOT and DPWES. In the event the turn lane improvements shown on the CDP/FDP cannot be accommodated, as determined by VDOT and FCDOT, the Applicant shall be required to obtain a proffered condition amendment to permit any development on the Property.

16. Gordon Lane Turnaround. The Applicant shall construct a turnaround on the Property in the general location of the stormwater management pond near Lot 9, as generally shown on the CDP/FDP, which turnaround shall be designed in accordance with applicable VDOT requirements, including curb and gutter, and shall be subject to review and approval by VDOT and DPWES.

### III. ENVIRONMENTAL

17. Stormwater Management Facilities and Best Management Practices. The Applicant shall implement stormwater management techniques to control the quantity and quality of stormwater runoff from the Property as determined by DPWES. Stormwater management facilities/Best Management Practices (“BMPs”) shall be provided as generally depicted on the CDP/FDP and shall be designed to detain the off-site areas as depicted on the CDP/FDP. Any on-site detention facility shall be landscaped to the maximum extent possible in accordance with the planting policies of the Board of Supervisors. Adequate outfall shall be demonstrated to the satisfaction of DPWES. In addition, subject to approval by DPWES, the Applicant shall also incorporate a bio-retention swale on the Property in the general location shown on the CDP/FDP. The Applicant and DPWES shall determine the final location of said bio-retention swale at the time of subdivision plan. Subject to approval by DPWES, the Applicant further reserves the right to reduce the size of, or potentially eliminate, the southern pond in favor additional landscaped open space.

18. Landscaping. Landscaping shall be provided in substantial conformance with the landscaping concepts shown on the CDP/FDP. All landscaping located on HOA property, including the proposed landscaped buffer on the western edge of the Property, shall be maintained by the HOA. The HOA shall preserve such area as a landscaped buffer. The location and extent of such buffer, along with the associated maintenance and preservation obligations, shall be disclosed to all prospective purchasers in the HOA documents. If, during the process of subdivision plan review, any new landscaping shown on the CDP/FDP cannot be installed in order to locate utility lines, trails, etc., then an area of additional landscaping consisting of trees and/or plant material of a type and size generally consistent with that displaced shall be substituted at an alternate location on the Property, subject to approval by the Urban Forest Management ("UFM"). If it is necessary to install utilities within the limits of clearing shown on the CDP/FDP, they shall be located in the least disruptive manner necessary, as determined by the UFM.

19. Energy Conservation. All homes on the Property shall meet the thermal guidelines of the CABO Model Energy Program for energy-efficient homes, or its equivalent as determined by DPWES, for either gas or electric energy systems as may be applicable.

20. Geotechnical Investigation. If required by DPWES, the Applicant shall submit a geotechnical investigation of the site for the review and approval of DPWES and implement such measures as determined by the investigation, subject to the satisfaction of DPWES.

#### **IV. TREE PRESERVATION**

21. Tree Preservation Plan. The Applicant shall submit a Tree Preservation plan as part of the first and all subsequent subdivision plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of UFM, DPWES. The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees ten inches (10") in diameter and greater, and twenty-five feet (25') to either side of the limits of clearing and grading around the tree preservation area depicted in the northeast corner of the Property on the CDP/FDP, provided that such tree survey shall be limited to trees located on the subject Property. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the *Guide for Plant Appraisal* published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of any tree located on the Property identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

22. Protection of Existing Understory Vegetation and Soil Conditions in Tree Preservation Areas. All tree preservation-related work occurring in or adjacent to tree preservation areas shall be accomplished in a manner that minimizes damage to vegetation to be preserved, including any woody, herbaceous or vine plant species that occurs in the lower canopy environment, and to the existing top soil and leaf litter layers that provide nourishment and protection to that vegetation. Removal of any vegetation, if

any, or soil disturbance in tree preservation areas, including the removal of plant species that may be perceived as noxious or invasive, such as poison ivy, greenbrier, multi-floral rose, etc. shall be subject to the review and approval of UFM, DPWES.

The use of equipment in tree preservation areas will be limited to hand-operated equipment such as chainsaw, wheel barrows, rake and shovels. Any work that requires the use of motorized equipment, such as tree transplanting spades, skid loaders, tractors, trucks, stump-grinders, etc., or any accessory or attachment connected to this type of equipment shall not occur unless pre-approved by UFM, DPWES.

23. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFM, DPWES, representative to determine whether adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading. Any such adjustments shall be implemented, provided they do not result in the loss of any residential lot. Trees that are identified specifically by UFM in writing as dead or dying within the tree preservation area located in the northeast corner of the Property may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions. Applicant shall notify the

Dranesville District Supervisor ten (10) days in advance of the tree preservation walk through meeting.

24. Limits of Clearing and Grading. The Applicant shall conform strictly to the limits of clearing and grading as shown on the CDP/FDP, subject to allowances specified in Proffer 23 above to save trees identified by the UFM, and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they shall be located in the least disruptive manner necessary as determined by UFM, DPWES. A replanting plan shall be developed and implemented, subject to approval by UFM, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

25. Tree Protection Fencing. All trees in the northeast corner of the Property shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four foot (4') high, fourteen (14) gauge welded wire attached to six foot (6') steel posts driven eighteen inches (18") into the ground and placed no further than ten feet (10') apart or, super silt fence, to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, shall be erected at the limits of clearing and grading as shown on the demolition and phase I & II erosion and sediment control sheets, as may be modified by the Proffer pertaining to "Root Pruning" below. All tree protection fencing around the aforementioned tree preservation area shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of

all tree protection fencing shall be performed under the supervision of a certified arborist and UFM, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Two (2) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFM, DPWES and the Dranesville District Supervisor shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFM, DPWES.

26. Root Pruning. The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by UFM, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of eighteen inches (18").
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFM, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

27. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Property, an agent or representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by UFM. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFM approvals. The Dranesville District Supervisor shall be notified of the name and contact information of the Applicant's representative responsible for site monitoring at the tree preservation walk-through meeting.

28. Reforestation Plan. A reforestation plan shall be submitted for: areas disturbed by trail or utility installation; and any areas disturbed for the under-grounding of utilities. This Plan shall be submitted concurrently with the first and all subsequent subdivision plan submissions for review and approval by UFM, DPWES, and shall be implemented as approved. The plan shall propose an appropriate selection of species based on existing and proposed site conditions to restore the area to a native forest cover type. The reforestation plan shall include but not be limited to the following:

- Plant list detailing species, sizes and stock type of trees and other vegetation to be planted;
- Soil treatments if necessary;
- Mulching specifications;
- Methods of installation;
- Maintenance;
- Mortality threshold;
- Monitoring; and

- Replacement schedule.

29. Tree Value Determination. The Applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees ten inches (10") in diameter or greater located within twenty-five feet (25') of the outer edge of the limits of clearing and grading around the tree preservation area in the northeast corner of the Property, as shown on the CDP/FDP. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the site plan. The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest edition of the *Guide for Plan Appraisal* published by the International Society of Arboriculture, subject to review and approval by UFM, DPWES.

30. Tree Bonds. At the time of subdivision plan approval, the Applicant shall both post a cash bond and a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined pursuant to Proffer 29 that die or are dying due to unauthorized construction activities. The letter of credit shall be equal to 50% of the replacement value of the bonded trees. The cash bond shall consist of 33% of the amount of the letter of credit.

At any time prior to final bond release, should any bonded trees die, be removed, or are determined to be dying by UFM due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees shall be of equivalent size, species and/or canopy cover as approved by UFM. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any bonded tree that is dead or dying or improperly removed due to unauthorized activity. This payment shall be determined based on the Trunk Formula

Method and paid to a fund established by the County for furtherance of tree preservation objectives. At the time of approval of the final RUP, the Applicant shall be entitled to request a release of any monies remaining in the cash bond and a reduction in the letter of credit to an amount equal to 20% of the total amounts originally committed. Any funds remaining in the letter of credit or cash bond will be released two (2) years from the date of release of the Applicant's property's conservation escrow, or sooner, if approved by UFM, DPWES.

## V. RECREATION

31. Parks and Recreation. Pursuant to Section 6-409 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall provide the recreational facilities to serve the Application Property. Per Section 6-409, recreational facilities such as tot lots, fitness courses, gazebos, playgrounds, recreational trails, walking paths, excluding any trails required by the Comprehensive Plan, and similar features may be used to fulfill this requirement. At the time of subdivision plan review, the Applicant shall demonstrate that the value of any proposed recreational amenities is equivalent to a minimum of \$955.00 per unit as required by Article 6 of the Zoning Ordinance. In the event it is demonstrated that the proposed facilities do not have sufficient value, the Applicant shall contribute funds in the amount needed to achieve the overall proffered amount of \$955.00 per unit to the Fairfax County Park Authority ("FCPA") for off-site recreational facilities intended to serve the future residents, as determined by FCPA in consultation with the Supervisor for the Dranesville District.

32. Park Authority Contributions: In addition to Proffer 31, the Applicant shall contribute \$50,000 to the Fairfax County Park Authority, prior to the issuance of the first RUP on the Property, for use at the Spring Hill Recreation Center or other off-site

recreational facilities intended to serve the future residents, as determined by FCPA in consultation with the Supervisor for the Dranesville District.

33. Lewinsville Road Trail. Prior to the issuance of the first RUP, the Applicant shall construct an eight foot (8') wide trail along the south side of Lewinsville Road, connecting to the existing trail west of the Property, continuing to the intersection of Lewinsville Road and Spring Hill Road near the northeast corner of Tax Map Parcel 29-1-((1))-35C (hereinafter "Parcel 35C"). The portion of the trail on the Property shall be in the location generally shown on the CDP/FDP. The trail shall be field located at the time of subdivision plan approval to ensure a connection will be made to the existing off-site trail located along Lewinsville Road to the west of the Property, subject to approval by DPWES. If the final location of the trail requires the permission and/or easement from an off-site owner(s), the Applicant shall diligently pursue and use good-faith efforts to obtain such easement or permission, provided that any such easement or permission is obtained at no cost to the Applicant, except for the typical administrative fees and costs associated with preparation, approval, and recordation of deeds, plans, plats and any other nominal fees. The Applicant shall provide documentation of such efforts to DPWES. If written permission is not granted by the appropriate off-site owner within one (1) month from the first written request by the Applicant, then the Applicant shall escrow funds equivalent to that required for construction of the trail in the Dranesville District Walking Fund and be relieved of any further obligation pursuant to this Proffer. Such funds shall be used for future trail construction by others along Lewinsville and/or Spring Hill Road in the vicinity of the Property, as determined by the Dranesville District Supervisor.

34. Spring Hill Road Trail. Prior to the issuance of the first RUP, the Applicant shall construct a five foot (5') wide asphalt trail along the west side of Spring

35. Exterior Noise. In order to achieve compliance with the permitted maximum exterior noise levels of DNL 65 dBA for any outdoor areas for the dwelling units such as rear yards and in accordance with the noise study submitted as part of the rezoning application, a noise barrier shall be constructed along units 1 and 19 in the

## VI. NOISE ATTENUATION

and subject to review and approval by VDOT and DPWES. and final configuration of these improvements shall be determined at subdivision plan and relieved of any further obligation pursuant to this Proffer. The exact location of said trail efforts to DPWES and escrow funds for the future construction of the trail and be subdivision plan approval, the Applicant shall provide written documentation of such any necessary approvals from the Approving Parties prior to the time of receiving such approvals from the Approving Parties. In the event the Applicant is unable to secure plan review, the Applicant shall diligently pursue and make good faith efforts to secure recordation of deeds, plans and plats and any other nominal fees. During subdivision and "Approving Parties"), which approval(s) shall be granted at no cost to the Applicant, except for typical administrative fees and costs associated with preparation, approval and owner(s), utility companies, and/or any governmental agencies (collectively, the necessary for the construction of said trail from the owner of Parcel 35C, other property the Applicant receiving any and all rights-of-way, easements and/or written consent the CDP/FDP. The Applicant's obligation to construct said trail shall be contingent on 35C, to the northern property line of Tax Map Parcel 29-1-((4))-1, as generally shown on and be constructed from such connection south, generally along the frontage of Parcel 35C, in accordance with Proffer 33, near the northeastern corner of Parcel 35C, Hill Road along the frontage of Parcel 35C. Said trail shall connect to the trail

locations shown on the CDP/FDP, prior to issuance of a RUP for these units. The noise wall(s) will be approximately six feet (6') high, with a final height of no more than eight feet (8'), architecturally solid from the ground up, except as necessary in limited locations where drainage must pass under the wall, with no gaps or openings, except for acoustically-solid doors, as may be necessary, and shall be in substantial conformance with the detail contained on the CDP/FDP. The Applicant shall disclose to the purchasers of Lots 1 and 19 that a noise wall will be constructed on their lots to mitigate rear yard noise. Maps depicting the location and height of the noise wall and proximity to the individual units will be provided as part of said disclosure at the time of the contract execution for each such initial sale. If the grading utilized in the submitted noise study changes based on final engineering, then the Applicant shall demonstrate to DPWES and DPZ, prior to subdivision plan approval, that the final grading of the lots and noise wall location and height will achieve the exterior noise level goal.

36. Interior Noise. Prior to subdivision plan approval, the Applicant shall submit an interior noise study for review by DPZ and DPWES. In order to mitigate interior noise to approximately DNL 45dBA, any impacted dwelling unit identified in the noise study shall have the following acoustical attributes: Exterior walls should have a laboratory sound transmission class (STC) rating of at least 39; doors and glazing shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20% of any façade exposed to noise levels of Ldn 65 dBA or above. If glazing constitutes more than 20% of an exposed façade, then the glazing shall have a STC rating of at least 39. All surfaces should be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials (ASTM) to minimize sound transmission. Notwithstanding the foregoing, the Applicant reserves the right, subject to approval by

DPZ and DPWES, as appropriate, to pursue other methods of achieving the indoor noise goal, provided these methods are capable of achieving an indoor DNL no higher than 45 dB, as evidenced by a final analysis, with a methodology approved by DPZ.

## VII. OTHER

37. Temporary Signage. No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or at the Applicant's direction to assist in the initial marketing and sale of homes on the subject Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and/or sale of residential units on the subject Property to adhere to this proffer.

38. School Contribution. A contribution of \$2,368.42 per unit shall be made to the Board designated for capital equipment for schools impacted by the proposed development. The required contribution shall be made at the time of, or prior to, issuance of the first RUP for the approved units.

39. Affordable Dwelling Units. At the time of first building permit issuance, the Applicant shall contribute to the Fairfax County Housing Trust Fund the sum equal to one half of one percent (1/2 %) of the estimated sales price for each house to be constructed. The projected sales price shall be determined by the Applicant in consultation with the Fairfax County Department of Housing and Community Development (HCD) and DPWES.

40. Heritage Resources. Prior to any land disturbing activities on the Property, Applicant shall conduct a Phase I archaeological study on those areas of the Property identified by the Heritage Resources Branch of the Fairfax County Park

Authority ("Heritage Resources") and provide the results of such study to Heritage Resources. The study shall be conducted by a qualified archaeological professional. If the Phase I study concludes that an additional Phase II study of the Property is warranted, the Applicant shall complete said study and provide the results to Heritage Resources; however, submission of the Phase II study to Heritage Resources shall not be a pre-condition of site plan approval. If the Phase II study concludes that additional Phase III evaluation and/or recovery is warranted, the Applicant shall also complete said work in consultation and coordination with Heritage Resources; however, any such Phase III work shall not be a pre-condition of site plan approval.

41. Construction Hours. Construction shall only occur between the hours of 7:00 a.m. until 7:00 p.m. Monday through Friday, 8:00 a.m. until 6:00 p.m. on Saturday and 9:00 a.m. until 6:00 p.m. on Sunday. Construction activities shall not occur on holidays (Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving, Christmas and New Years Day). The construction hours shall be posted on the property. During the development of the site, all contractors shall be informed of the construction hour restrictions.

42. Successors and Assigns. Each reference to "Applicant" in this Proffer Statement shall include within its meaning, and shall be binding upon, Applicant's successor(s) in interest, assigns, and/or developer(s) of the Property or any portion of the Property.

These proffers may be executed in counterparts and the counterparts shall constitute one and the same proffer statement.

WINCHESTER HOMES INC.

(Contract Purchaser of Tax Map Nos. 29-1-((1))-33, 33A,  
34, 34A, 35, 36, 37, 37A, 38, 39, 40B, 41)

By:   
Name: Christopher D. Collins  
Title: Senior Vice President

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GLORIA L. GORDON  
(Title Owner of Tax Map Nos. 29-1-((1))-33, 33A)

Gloria L. Gordon

PAULA C. LYLES  
(Title Owner of Tax Map Nos. 29-1-((1))-34, 34A)

Paula C. Lyles

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THE MAE W. HALL TRUST  
(Title Owner of Tax Map No. 29-1-((1))-35)

By: Marian G. Miller, Trustee.  
Marian G. Miller  
Trustee

THE MAE W. HALL TRUST  
(Title Owner of Tax Map No. 29-1-((1))-35)

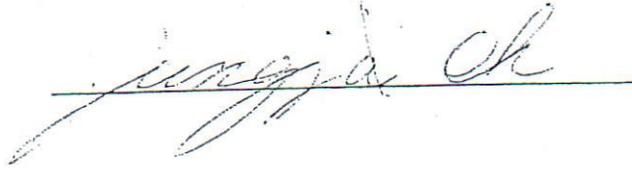
BY: DELANCIA G. WEAVER, TRUSTEE  
*Gary W. Weaver, Agent and Attorney-in-Fact  
for Delancia G. Weaver, Trustee*

BY: Gary W. Weaver, Agent and Attorney-in-Fact  
for DeLancia G. Weaver, Trustee

MOON H. OH  
(Title Owner of Tax Map No. 29-1-((1))-36)

MOON H. OH

JUNG J. OH  
(Title Owner of Tax Map No. 29-1-((1))-36)

A handwritten signature in cursive script, reading "Jung J. Oh", is written over a horizontal line.

WILLIAM B. PARK  
(Title Owner of Tax Map No. 29-1-((1))-36)

William B. Park

SUE Y. PARK  
(Title Owner of Tax Map No. 29-1-((1))-36)



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JOHN AUGUSTUS SMITH  
(Title Owner of Tax Map No. 29-1-((1))-37)

A handwritten signature in cursive script, reading "John Augustus Smith", written over a horizontal line.

GLORIA L. GORDON  
(Title Owner of Tax Map No. 29-1-((1))-37A)

Gloria L. Gordon

CLARENCE A. ROBINSON, JR.  
(Title Owner of Tax Map No. 29-1-((1))-38)

Clarence A. Robinson, Jr.

MAXINE W. ROBINSON  
(Title Owner of Tax Map No. 29-1-((1))-38)

Maxine W. Robinson

WINNIE VERDELL ROBINSON  
(Title Owner of Tax Map No. 29-1-((1))-39)

*Winnie Verdell Robinson*  
*Attorney-in-Fact Charles Emmanuel Robinson*

By: Charles Emmanuel Robinson, Agent and  
Attorney-in-Fact for Winnie Verdell Robinson

CHARLES E. ROBINSON  
(Title Owner of Tax Map No. 29-1-((1))-39)

A handwritten signature in black ink, appearing to read "Charles E. Robinson", with a long horizontal flourish extending to the right.

ALMA D. BAILEY  
(Title Owner of Tax Map No. 29-1-((1))-39)

Alma D Bailey

LOLITA M. BRIDGES  
(Title Owner of Tax Map No. 29-1-((1))-40B, 41)

*Lolita M Bridges*

FAIRFAX COUNTY BOARD OF SUPERVISORS, a  
body corporate and politic  
(Title Owner of Tax Map Nos. 29-1-((1))-35A and Gordon  
Lane, Rte. 3493 and Odrick's Lane, Rte. 3495)

Executed and approved on behalf of the Board of Supervisors of Fairfax County,  
Virginia, by the authority granted by said Board.

Approved as to form: *CEL*

~~\_\_\_\_\_  
Assistant County Attorney~~

By: *AG*

Name: Anthony H. Griffin

Title: County Executive

Active\3493547.36

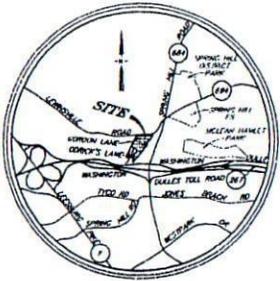
## PROPOSED DEVELOPMENT CONDITIONS

FDP 2005-DR-009

May 10, 2006

If it is the intent of the Planning Commission to approve Final Development Plan Application FDP 2005-DR-009 for residential development located at Tax Map 29-1 ((1)) 33, 33A, 34, 34A, 35, 35A pt., 36, 37, 37A, 38, 39, 40B, 41, Odrick's Lane and a portion of Gordon Lane to be abandoned/vacated, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions:

1. Development of the subject property shall be in substantial conformance, as defined by Section 16-403 of the Zoning Ordinance, with the Final Development Plan entitled "McLean Glen," prepared by BC Consultants, dated January, 2005, as revised through May 5, 2006.
2. Sidewalks along Gordon Lane shall be a minimum of five feet in width.



VICINITY MAP  
SCALE: 1" = 2,000'

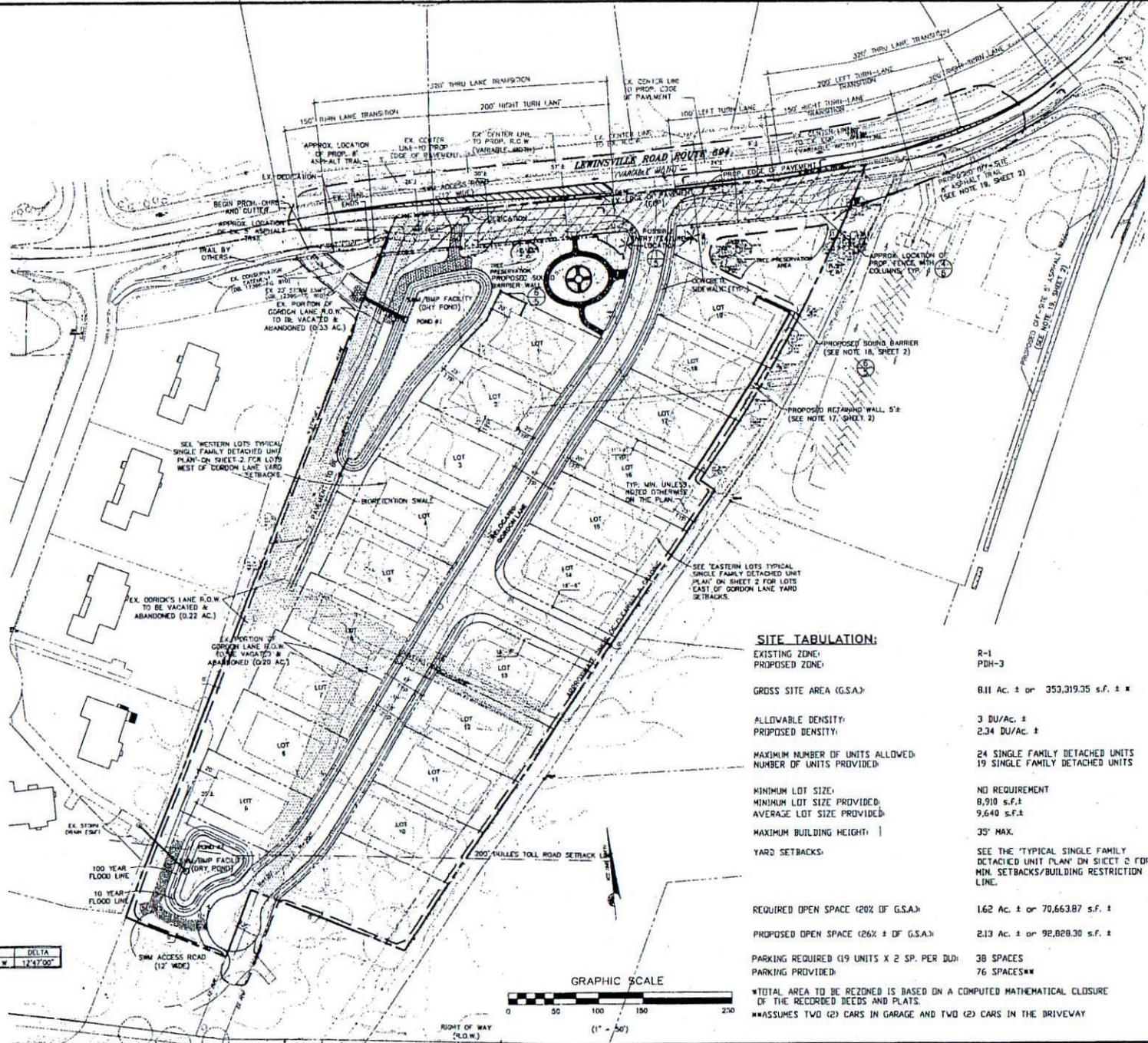
- AREA OF RDV DEDICATION
- EXISTING AREA OF RDV TO BE ABANDONED
- APPROXIMATE LIMITS OF CLEARING & GRADING
- EXISTING TREELINE
- POSSIBLE ENTRY FEATURE LOCATION

LOT SIZE TABLE:

LOT NUMBER	LOT AREA
1	8,910 s.f.±
2	9,290 s.f.±
3	9,780 s.f.±
4	9,990 s.f.±
5	9,440 s.f.±
6	9,510 s.f.±
7	5,440 s.f.±
8	9,090 s.f.±
9	8,980 s.f.±
10	9,180 s.f.±
11	9,410 s.f.±
12	9,630 s.f.±
13	10,500 s.f.±
14	10,850 s.f.±
15	10,470 s.f.±
16	10,410 s.f.±
17	9,210 s.f.±
18	9,250 s.f.±
19	9,970 s.f.±

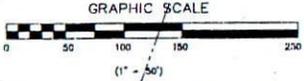
CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
1	1,405.20'	313.63'	192.47'	312.98'	S 341°2'00" W	12°47'00"



**SITE TABULATION:**

EXISTING ZONE:	R-1
PROPOSED ZONE:	PDH-3
GROSS SITE AREA (G.S.A.):	0.11 Ac. ± or 353,319.35 s.f. ±
ALLOWABLE DENSITY:	3 DU/AC. ±
PROPOSED DENSITY:	2.34 DU/AC. ±
MAXIMUM NUMBER OF UNITS ALLOWED:	24 SINGLE FAMILY DETACHED UNITS
NUMBER OF UNITS PROVIDED:	19 SINGLE FAMILY DETACHED UNITS
MINIMUM LOT SIZE:	NO REQUIREMENT
MINIMUM LOT SIZE PROVIDED:	8,910 s.f.±
AVERAGE LOT SIZE PROVIDED:	9,640 s.f.±
MAXIMUM BUILDING HEIGHT:	35' MAX.
YARD SETBACKS:	SEE THE 'TYPICAL SINGLE FAMILY DETACHED UNIT PLAN' ON SHEET 2 FOR MIN. SETBACKS/BUILDING RESTRICTION LINE.
REQUIRED OPEN SPACE (20% OF G.S.A.):	1.62 Ac. ± or 70,663.87 s.f. ±
PROPOSED OPEN SPACE (26% ± OF G.S.A.):	2.13 Ac. ± or 92,828.30 s.f. ±
PARKING REQUIRED (19 UNITS X 2 SP. PER DU):	38 SPACES
PARKING PROVIDED:	76 SPACES**
*TOTAL AREA TO BE REZONED IS BASED ON A COMPUTED MATHEMATICAL CLOSURE OF THE RECORDED DEEDS AND PLATS.	
**ASSUMES TWO (2) CARS IN GARAGE AND TWO (2) CARS IN THE DRIVEWAY	



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CONCEPTUAL/FINAL DEVELOPMENT PLAN

**McLEAN GLEN**  
FAIRFAX COUNTY, VIRGINIA

REVISIONS:  
 REVISION 1: MARCH 11, 2008  
 REVISION 2: MARCH 19, 2008  
 REVISION 3: MARCH 28, 2008  
 REVISION 4: JUNE 8, 2008  
 REVISION 5: AUGUST 3, 2008  
 REVISION 6: OCTOBER 6, 2008  
 REVISION 7: FEBRUARY 16, 2009  
 REVISION 8: FEBRUARY 16, 2009  
 REVISION 9: FEBRUARY 16, 2009

DESIGNED BY: RLM  
 DRAWN BY: CAD  
 CHECKED BY: PLR  
 DATE: JANUARY, 2005  
 SCALE: HOR. 1" = 30' VER. 1" = 10'  
 SHEET 1 OF 6  
 CO. NO. 0000-KK-CO  
 CAD NAME: G4092DFP.DWG  
 LAYOUT: CDPDFP  
 FILE NO. 040921.00

**16-501 CONCEPTUAL DEVELOPMENT PLAN COMMENTS:**

1. A. VICINITY MAP AS SHOWN ON PLAN.
- B. CONTRACT PURCHASER/APPLICANT: WINCHESTER HOMES INC 6905 ROCKLEDGE DRIVE SUITE 800 BETHESDA, MD 20817

**OWNER AND AREA TABULATION**

PARCEL NO	ZONING	OWNER	DEED BOOK/PAGE	AREA (COMPUTED) (SEE NOTE 3)
33	R-1	THOMAS H. GORDON GORDON LEE GORDON	10664/1826	0.77 AC
33A	R-1	THOMAS H. GORDON GORDON LEE GORDON	10664/1826	0.05 AC
34	R-1	MARY JANE GARDNER MAGLA LILES	8136/1182	0.45 AC
34A	R-1	MARY JANE GARDNER MAGLA LILES	8136/1182	0.07 AC
35	R-1	THOMAS H. GORDON DELANOR G. BOWEN MARGIE G. BOWEN	8224/1283	1.81 AC
PORTION OF 35A	R-1	THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY VIRGINIA	C-12/210	0.29 AC
36	R-1	RODOLPH W. SMITH JANE L. SMITH WILLIAM E. SMITH SUE E. SMITH	15413/1812	1.04 AC
37	R-1	JOHN MARGUERITE SMITH FRANCES LEE SMITH	1888/233	0.67 AC
32A	R-1	THOMAS H. GORDON GORDON LEE GORDON	1126/208 10446/1847	0.50 AC
38	R-1	CLARENCE A. ROBINSON JR. MARLENE ROBINSON	02895/1181	0.58 AC
39	R-1	IRVING F. ROBINSON ALAN DELORNE BAILEY CHARLES E. ROBINSON	18223/1180	0.50 AC
40E	R-1	LUCIA M. BRIDGES	03652/1199	0.51 AC
41	R-1	LUCIA M. BRIDGES	03652/1199	0.49 AC
PORTION OF 40B AND 40C (LANE TO BE MOVED AND ABANDONED)	R-1		563/473 563/473	0.51 AC
CONCRETE LANE TO BE MOVED AND ABANDONED	R-1		846/62 1015/294 1150/228	0.22 AC
PORTION OF 40B AND 40C (LANE TO BE MOVED AND ABANDONED)	R-1		1016/294	0.20 AC
<b>TOTAL AREA TO BE REZONED</b>				<b>8.11 AC</b>

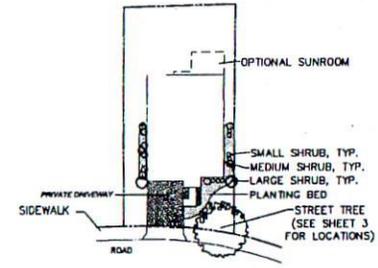
**GENERAL NOTES:**

1. THE PROPERTY DELINEATED ON THIS CONCEPTUAL/FINAL DEVELOPMENT PLAN (CDP/FDP) IS IDENTIFIED ON FAIRFAX COUNTY TAX ASSESSMENT MAP # 29-1--(11), PARCELS 33, 33A, 34, 34A, 35, PORTION OF 35A, 36, 37, 37A, 38, 39, 40B, 41, ALL OF DORICK'S LANE AND A PORTION OF GORDON LANE. EACH PARCEL IS CURRENTLY ZONED R-1.
2. THE TOPOGRAPHY SHOWN HEREON WAS OBTAINED FROM AIR SURVEY CORPORATION (DEC. 2004) USING HIGH FLIGHT AERIAL PHOTOGRAMMETRIC METHODS. THE TOPOGRAPHY IS SHOWN AT A 2 FOOT CONTOUR INTERVAL. BC CONSULTANTS ASSUMES NO RESPONSIBILITY FOR DESIGN OR CONSTRUCTION CHANGES DUE TO INACCURACIES IN TOPOGRAPHIC INFORMATION SHOWN HEREON.
3. THE BOUNDARY INFORMATION SHOWN HEREON IS FROM DEEDS OF RECORD AND ADJACENT INFORMATION AND DOES NOT REPRESENT A FIELD SURVEY.
4. THE PROPERTY SHOWN ON THIS CDP/FDP IS IN THE DRANESVILLE MAGISTERIAL DISTRICT, THE BLUE PLAINS SANITARY SEWER DISTRICT (SCOTT'S RUN E-1 SEWER SUB SHED), AND THE DIFFICULT RUN WATER SHED.
5. THIS DEVELOPMENT IS IN CONFORMANCE WITH THE FAIRFAX COUNTY COMPREHENSIVE PLAN AND WILL CONFORM TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS AND CONDITIONS EXCEPT FOR THE FOLLOWING MODIFICATIONS:
6. ACCORDING TO THE COUNTY WIDE TRAILS PLAN DATED 2001, THERE IS A PEDESTRIAN TRAIL REQUIRED ALONG LEWINSVILLE ROAD, AN 8' WIDE TRAIL WILL BE PROVIDED ALONG LEWINSVILLE ROAD.
7. THE COUNTY OF FAIRFAX IS THE PUBLIC WATER AND SANITARY SEWER SUPPLY AGENCY FOR THIS DEVELOPMENT.
8. STORMWATER MANAGEMENT (SWM) AND BEST MANAGEMENT PRACTICES (BMP) WILL BE PROVIDED IN THE STORMWATER MANAGEMENT PONDS (DRI) ORDINANCES AS APPROVED BY THE FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES. AN INFILTRATION TRENCH MAY BE CONSTRUCTED TO ADDRESS STORMWATER MANGEMENT REQUIREMENTS. SEE PLAN FOR LOCATIONS. REQUIRED SWM/BMP INFORMATION AND CALCULATIONS TO BE SUBMITTED WITH THIS CDP/FDP AS A SEPARATE EXHIBIT.
9. THIS PLAN DOES NOT PURPORT TO SHOW ALL EXISTING UNDERGROUND UTILITIES AND THOSE SHOWN ARE APPROXIMATE. THERE ARE NO KNOWN EXISTING UNDERGROUND UTILITY EASEMENTS HAVING A 25' NOTION MORE ON THE SITE.
10. THIS PLAN DOES NOT SHOW UTILITIES. ALL NECESSARY PUBLIC UTILITIES ARE READILY ACCESSIBLE TO THE SITE AND WILL BE EXTENDED BY THE DEVELOPER OR UTILITY COMPANY. INDIVIDUAL BUILDING UTILITY PLANS AND PROFILES WILL BE SUBMITTED IN THE FUTURE FOR CONSTRUCTION PURPOSES. BC CONSULTANTS, INC. ASSUMES NO RESPONSIBILITY FOR CONSTRUCTION WITH THESE PLANS.
11. THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES ON THIS SITE. IF ANY SUBSTANCES ARE FOUND, THE METHODS FOR DISPOSAL SHALL ADHERE TO COUNTY, STATE OR FEDERAL LAWS.
12. THERE ARE NO KNOWN GRAVES OR PLACES OF BURIAL ON THIS SITE. ALL EXISTING STRUCTURES FOUND ON SITE SHALL BE REMOVED. THEIR DATES OF CONSTRUCTION ARE NOT KNOWN.
13. ANY AND ALL OFF-SITE GRADING, R.O.W., PARKING, ACCESS & UTILITY CROSSING SHALL BE ALLOWED WITH PERMISSION OF ADJACENT OWNERS.
14. ALL PUBLIC STREETS SHALL CONFORM TO FAIRFAX COUNTY AND/OR VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION (VDOT) STANDARDS AND SPECIFICATIONS.
15. IN ACCORDANCE WITH ARTICLE 16, PART 4, SECTION 16-4C3, PARAGRAPH 4, OF THE FAIRFAX COUNTY ZONING ORDINANCE, MINOR MODIFICATIONS TO THE SIZES, DIMENSIONS, FOOTPRINTS AND LOCATIONS OF BUILDINGS, PARKING SPACES, GARAGES, SIDEWALKS, AND UTILITIES MAY OCCUR WITH FINAL ENGINEERING AND DESIGN AS LONG AS THERE IS NO DECREASE IN LANDSCAPING OR OPEN SPACE AT THE PERIPHERY OF THE SITE.
16. THE APPROXIMATE LIMITS OF CLEARING AND GRADING ARE SHOWN ON THE PLAN.
17. THE PLAN DOES NOT ATTEMPT TO SHOW ALL RETAINING WALLS. B.C. CONSULTANTS INC. HAS THE RIGHT TO MAKE ANY CHANGES TO RETAINING WALLS BASED ON FINAL ENGINEERING AND DESIGN.
18. SOUND BARRIER HEIGHT AND LOCATION ARE TO BE DETERMINED WITH FINAL GRADING AND ENGINEERING.
19. PROPOSED OFF-SITE 5' ASPHALT TRAIL TO BE CONSTRUCTED BY APPLICANT. EXACT LOCATION TO BE DETERMINED AT FINAL SITE PLAN.

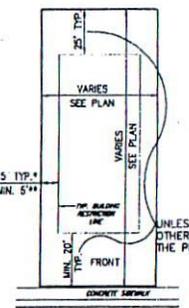
- C. TOPOGRAPHY AS SHOWN ON THE PLAN. SEE GENERAL NOTE 2.
- D. SCALE AND NORTH ARROW AS SHOWN ON THE PLAN.
- E. N/A (SINGLE FAMILY DETACHED DWELLINGS). MAXIMUM BUILDING HEIGHT IS 35'.
- F. PROPOSED CIRCULATION AS SHOWN ON THE PLAN. SEE GENERAL NOTE 6 FOR TRAILS REQUIREMENTS.
- G. MAJOR OPEN SPACE AS SHOWN ON THE PLAN.
- H. N/A
- I. EXISTING AND PROPOSED ROADS AND, REQUIRED DIMENSIONS AS SHOWN ON THE PLAN.
- J. NO 100 YR. FLOOD PLAIN, R.P.A., OR E.Q.C. EXIST ON SITE.
- K. INFORMATION REGARDING VEGETATION AS SHOWN ON THE EXISTING VEGETATION MAP TO BE SUBMITTED WITH THIS CDP/FDP AS A SEPARATE EXHIBIT.
- L. STORMWATER MANAGEMENT AS SHOWN ON THE PLAN. SEE GENERAL NOTE B.
- M. EXISTING UTILITY EASEMENTS AS SHOWN ON THE PLAN OR REFER TO GENERAL NOTE B.
- N. AREAS THAT HAVE SCENIC ASSETS OR NATURAL FEATURES DESERVING OF PROTECTION ON THE PROPERTY SHALL BE CONSIDERED FOR TREE PRESERVATION AND PASSIVE RECREATION DEVELOPMENT.
- O. THERE ARE NO KNOWN GRAVES OR PLACES OF BURIAL ON SITE.
- P. THIS DEVELOPMENT IS IN CONFORMANCE WITH THE FAIRFAX COUNTY COMPREHENSIVE PLAN.
- Q. ALL REQUIRED LANDSCAPE SCREENING IS SHOWN ON THE PLAN.
- R. PERIPHERAL DIMENSIONS ARE AS SHOWN ON THE PLAN. REFER TO THE TYPICAL UNIT PLAN (BELOW RIGHT) FOR ADDITIONAL SETBACK INFORMATION.
- S. ALL EXISTING STRUCTURES ARE TO BE REMOVED.
- T. THE DATES OF CONSTRUCTION OF ALL STRUCTURES ON SITE ARE NOT KNOWN.
- U. N/A
- V. REFER TO THE SITE TABULATIONS FOR PROPOSED NUMBER OF DWELLING UNITS.
- W. REFER TO THE SITE TABULATIONS FOR OPEN SPACE CALCULATIONS.
- X. SEE GENERAL NOTE 5 FOR ORDINANCE CONFORMANCE AND/OR WAIVERS AND MODIFICATIONS.
- Y. AMENITY AREAS ARE AS SHOWN ON THE PLAN.
- Z. DEVELOPMENT SCHEDULE AND PHASING TO BE DETERMINED AS MARKET CONDITIONS ALLOW.
2. SOILS CLASSIFICATION MAP TO BE SUBMITTED WITH THIS PLAN.
3. PUBLIC IMPROVEMENTS, BOTH ON AND OFF-SITE ARE SHOWN ON THE PLAN. TIMING FOR SUCH IMPROVEMENTS WILL DEPEND ON MARKET CONDITIONS.
4. THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES ON SITE. IF ANY SUBSTANCES ARE FOUND, THE METHODS FOR DISPOSAL SHALL ADHERE TO COUNTY, STATE AND/OR FEDERAL LAW.
5. N/A.

**16-502 FINAL DEVELOPMENT PLAN COMMENTS:**

1. A. VICINITY MAP AS SHOWN ON THE PLAN.
- B. PROPERTY LINE INFORMATION AS SHOWN ON THE PLAN.
- C. REFER TO THE SITE TABULATIONS FOR OVERALL SITE AREA.
- D. SCALE AND NORTH ARROW AS SHOWN ON THE PLAN.
- E. EXISTING STREET INFORMATION AS SHOWN ON THE PLAN.
- F. TOPOGRAPHY AS SHOWN ON THE PLAN. SEE GENERAL NOTE 2.
- G. PROPOSED USES AS SHOWN ON THE PLAN.
- H. N/A (SINGLE FAMILY DWELLING). MAXIMUM BUILDING HEIGHT IS 35'.
- I. DISTANCES FROM PROPOSED DEVELOPMENT (LOT LINE) TO THE SITE BOUNDARY ARE SHOWN ON THE PLAN.
- J. N/A
- K. PROPOSED CIRCULATION AS SHOWN ON THE PLAN. REFER TO GENERAL NOTE 6 FOR COMPREHENSIVE PLAN TRAILS INFORMATION.
- L. N/A
- M. OPEN SPACE AND AMENITY AREAS ARE AS SHOWN ON THE PLAN.
- N. INFORMATION REGARDING VEGETATION AS SHOWN ON THE EXISTING VEGETATION MAP TO BE SUBMITTED WITH THIS CDP/FDP AS A SEPARATE EXHIBIT.
- O. THERE ARE NO KNOWN GRAVES OR PLACES OF BURIAL ON SITE.
- P. PROPOSED UTILITIES AS SHOWN ON THE PLAN OR REFER TO GENERAL NOTE 10.
- Q. STORMWATER MANAGEMENT AS SHOWN ON THE PLAN. SEE GENERAL NOTE B.
- R. EXISTING UTILITY EASEMENTS AS SHOWN ON THE PLAN OR REFER TO GENERAL NOTE 9.
- S. NO 100 YR. FLOOD PLAIN, R.P.A. OR E.Q.C. EXIST ON SITE.
- T. DEVELOPMENT SCHEDULE AND PHASING TO BE DETERMINED BY MARKET CONDITIONS.
2. REFER TO THE SITE TABULATIONS.
3. SOILS CLASSIFICATION MAP TO BE SUBMITTED WITH THIS PLAN.
4. ARCHITECTURAL SKETCHES ARE SHOWN ON SHEET 6. SIGNS AND LIGHT FIXTURES ARE SHOWN ON SHEET 5.
5. THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES ON SITE. IF ANY SUBSTANCES ARE FOUND THE METHODS FOR DISPOSAL SHALL ADHERE TO COUNTY, STATE AND/OR FEDERAL LAW.
6. SEE GENERAL NOTE 5 FOR ORDINANCE CONFORMANCE AND/OR WAIVERS AND MODIFICATIONS.
7. N/A
8. N/A.

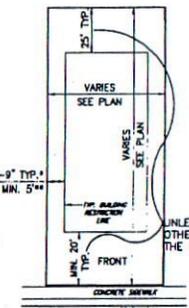


(FOR ILLUSTRATIVE PURPOSES ONLY)  
**TYPICAL SINGLE FAMILY DETACHED UNIT LANDSCAPE PLAN**  
NO SCALE



\* 5' MINIMUM SIDE YARD.  
\*\* HOUSES SHALL BE NO CLOSER THAN 30' APART FOR THE LOTS WEST OF GORDON LANE.

**WESTERN LOTS TYPICAL SINGLE FAMILY DETACHED UNIT PLAN**  
NO SCALE



\* 5' MINIMUM SIDE YARD.  
\*\* HOUSES SHALL BE NO CLOSER THAN 23'-6\"/>

**EASTERN LOTS TYPICAL SINGLE FAMILY DETACHED UNIT PLAN**  
NO SCALE

\* EXTENSIONS INTO THE MINIMUM REAR YARDS SUCH AS DECKS, STOOPS, AND STAIRS, ETC. SHALL COMPLY WITH THE REGULATIONS SET FORTH BY THE FAIRFAX COUNTY ZONING ORDINANCE, ARTICLE 2 SECTION 412.

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GENERAL NOTES AND DETAILS

**McLEAN GLEN**  
MANASSAS AVENUE  
FAIRFAX COUNTY, VIRGINIA

REVISED MARCH 23, 2006  
REVISED MARCH 30, 2006  
REVISED MARCH 9, 2006

DESIGNER: RLM  
DRAFTED BY: CAD  
CHECKED BY: PLR  
DATE: JANUARY, 2006  
SCALE: HOR N/A  
VERT. 1/8\"/>

SHEET 2 OF 6

CO. NO. 0000-XX-00  
CAD NAME: C4092Notes.DWG  
LAYOUT: NOTES  
FILE NO. 04692.01-00

**LEGEND:**

-  LARGE DECIDUOUS TREE
-  ORNAMENTAL TREE
-  LARGE EVERGREEN TREE
-  MEDIUM EVERGREEN TREE
-  10' - 12' LEYLAND CYPRESS
-  LARGE SHRUB
-  MEDIUM SHRUB
-  SMALL SHRUB
-  STREET LIGHT
-  BENCH
-  EX. TREES TO BE SAVED
-  EX. OFF SITE TREES
-  SPECIAL PAVING
-  AQUATIC PLANTINGS
-  PERENNIALS, ORNAMENTAL GRASSES AND/OR SHRUB MASSINGS
-  EXISTING TREELINE
-  LIMITS OF CLEARING & GRADING (UNLESS NOTED OTHERWISE BELOW)

**TREE COVER CALCULATIONS:**

GROSS SITE AREA (G.S.A.)	8.11 Ac. ± or 353,319.35 s.f. ±
ROAD DEDICATION	0.49 Ac. ± or 21,419.10 s.f. ±
ADJUSTED GROSS SITE AREA (AG.S.A.)	7.61 Ac. ± or 331,900.10 s.f. ±
PROPOSED ZONE:	PDH-3
TREE COVER REQUIRED (20.0%)	66,380 s.f. ±
TREE COVER PROVIDED (20.0%)	66,380 s.f. ± MIN.
AREA FROM PRESERVATION	TO BE DETERMINED
AREA FROM PLANTING	TO BE DETERMINED



EXAMPLE OF LEYLAND CYPRESS BUFFER

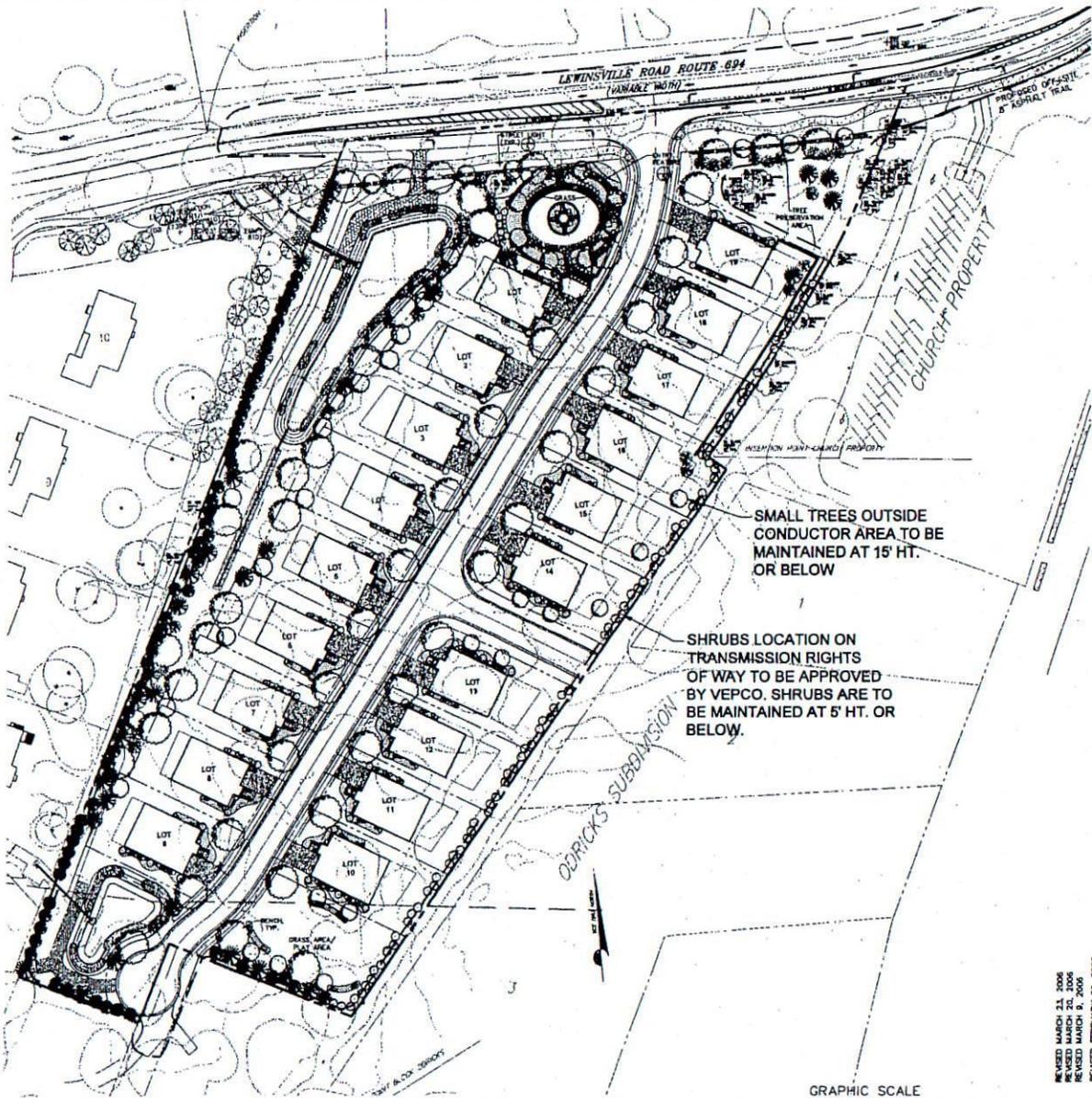
**RECOMMENDED PLANT LIST:**

SHADE TREES	ORNAMENTAL TREES	EVERGREEN TREES
Littleleaf Linden	Eastern Redbud	Holly, Sp.
Red Maple	Flowering Dogwood	Pine, Sp.
Red Oak	Sweetbay Magnolia	Leyland Cypress
London Plane Tree	Yoshino Cherry	Serbian Spruce

SHRUBS	PERENNIALS	AQUATIC PLANTS
Azalea, Sp.	Astible	Arrowhead
Burning Bush	Iris	Narrow Leafed Cattail
Boxwood	Black-eyed Susan	Ornamental Grasses
Butterfly Bush	Coreopsis	Peroovskia
Holly, Sp.	Daylily	Sedum
Hydrangea	Hosta	Purple Coneflower
		Cardinal Flower

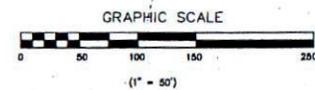
THE IMAGES ON THIS SHEET ARE TO CERTIFY THE QUALITY OF THE PROPOSED DEVELOPMENT AND ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. THE DEVELOPER RESERVES THE RIGHT TO CHANGE THE CONFIGURATION AND THE MATERIALS DEPICTED.



SMALL TREES OUTSIDE CONDUCTOR AREA TO BE MAINTAINED AT 15' HT. OR BELOW

SHRUBS LOCATION ON TRANSMISSION RIGHTS OF WAY TO BE APPROVED BY VEPCO. SHRUBS ARE TO BE MAINTAINED AT 5' HT. OR BELOW.

NOTE: HOUSE FOOTPRINTS ARE APPROXIMATE AND ARE SHOWN HERE FOR ILLUSTRATIVE PURPOSES ONLY.



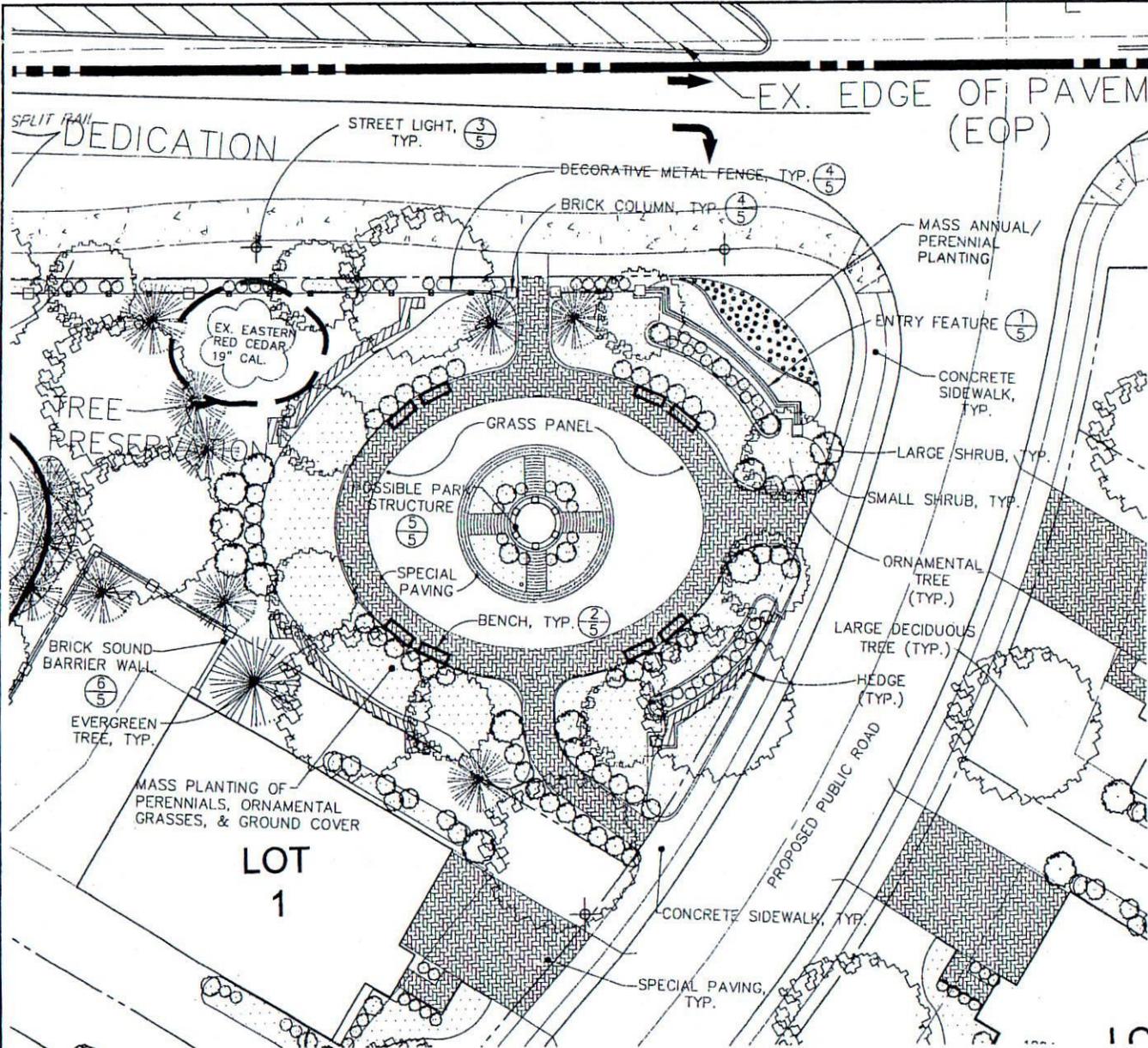
THIS SHEET FOR LANDSCAPING PURPOSES ONLY

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 (703)449-9100 • (703)449-9108 (Fax)  
 www.bcva.com



LANDSCAPE PLAN  
**McLEAN GLEN**  
 FAIRFAX COUNTY, VIRGINIA

REVISED MARCH 23, 2006	BC REVISIONS
REVISED MARCH 23, 2006	DESIGNED BY: RLM
REVISED MARCH 9, 2006	DRAFTED BY: CAD
REVISED FEBRUARY 23, 2006	CHECKED BY: RLM
REVISED JANUARY 31, 2006	DATE: JANUARY, 2005
REVISED FEBRUARY 11, 2006	SCALE: HORIZONTAL
REVISED FEBRUARY 11, 2006	SCALE: VERTICAL
REVISED FEBRUARY 11, 2006	SHEET 3 OF 6
REVISED FEBRUARY 11, 2006	CO. NO. 0000-EX-00
REVISED FEBRUARY 11, 2006	CAD NAME: C4C921nc
REVISED FEBRUARY 11, 2006	LAYOUT: LSC
REVISED FEBRUARY 11, 2006	FILE NO. 04092.01-00



COMMUNITY AMENITY AREA PLAN

SCALE: 1"=10'

THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY

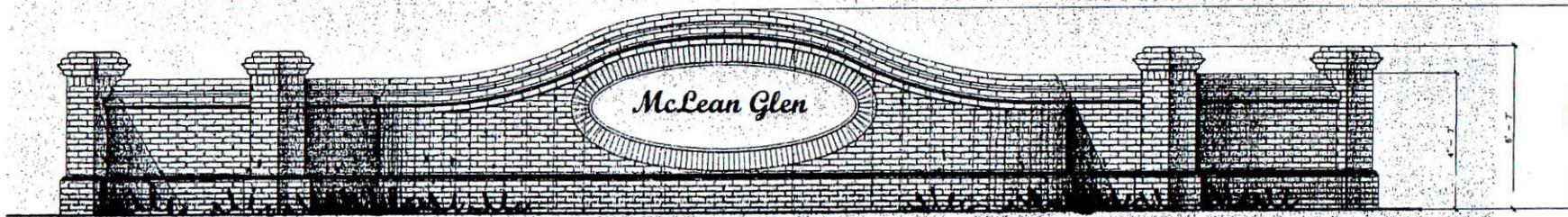
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 (703)441-0100 (local) / (703)441-0108 (fax)  
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COMMUNITY AMENITY AREA PLAN

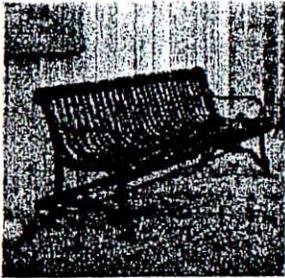
**McLEAN GLEN**  
 MANASSASVILLE UNIVERSITY  
 MANASSAS COUNTY, VIRGINIA

REVISED MARCH 21, 2006	BC REVISIONS
REVISED MARCH 20, 2006	DATE: 3/20/06
REVISED MARCH 8, 2006	DESIGNED BY: RLM
REVISED MARCH 8, 2006	DRAFTED BY: CAD
REVISED AUGUST 3, 2005	CHECKED BY: PLR
REVISED JANUARY 31, 2006	DATE: DECEMBER, 2004
REVISED FEBRUARY 15, 2006	SCALE: NOT AS SHOWN
CONTRACT PURCHASER & APPLICANT:	VERT.
MANASSASVILLE UNIVERSITY	SHEET 4 OF 6
ROAD RECONSTRUCTION	CD. NO. 0000-XX-00
SKATE BOX	CAD NAME: G4092DET.DWG
DE FREDESA, MD 20877	LAYOUT: DET
	FILE NO. 04092.01-00



1  
5 ENTRY FEATURE  
ELEVATION

SCALE: 1/2" = 1'-0"



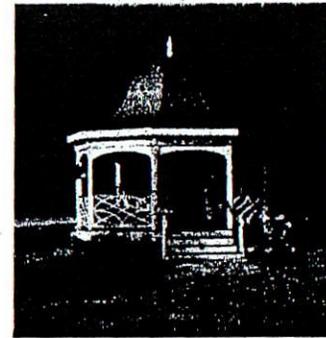
2  
5 BENCH (OR EQUAL)  
PHOTO

NOT TO SCALE



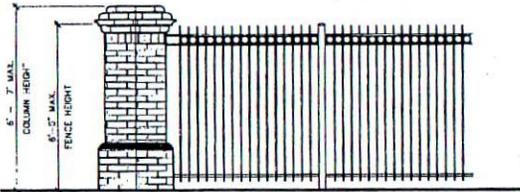
3  
5 STREET LIGHT (OR EQUAL)  
PHOTO

NOT TO SCALE



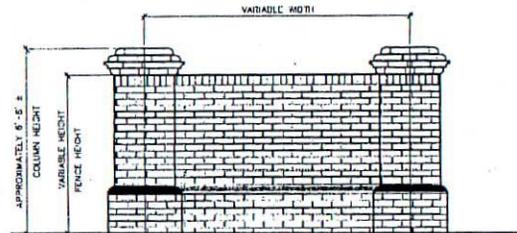
5  
5 PARK STRUCTURE (OR EQUAL)  
PHOTO

NOT TO SCALE



4  
5 BRICK COLUMN WITH DECORATIVE METAL FENCE  
ELEVATION

NOT TO SCALE



6  
5 BRICK SOUND BARRIER WALL  
ELEVATION

NOT TO SCALE

NOTE: SOUND BARRIER HEIGHT AND WIDTH TO BE DETERMINED BY FINAL GRADING

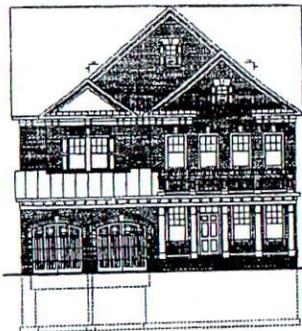
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(703)449-8100 (703)449-8108 (Fax)  
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SITE DETAILS  
**McLEAN GLEN**  
MANEYVILLE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

MARCH 21, 2008	DESIGNED BY: PLM
MARCH 20, 2008	DRAFTED BY: CAD
SEP 15, 2006	CHECKED BY: PLR
JUNE 03, 2005	DATE: JANUARY, 2005
AUGUST 5, 2005	SCALE: HOR N/A
OCTOBER 6, 2005	VERT.
FEBRUARY 14, 2005	
PROJECT PURCHASER & APPLICANT:	
WINCHESTER HOMES INC.	
6905 ROCKLEDGE DRIVE	
BETHESDA, MD 20817	
MARCH 11, 2006	SHEET 5 OF 6
CO. NO. 0000-XX-00	
CAD NAME: G409ZDET2.DWG	
LAYOUT: DET	
FILE NO. 04092 01-00	



ELEVATION 1 (BELFRY)

NOT TO SCALE



ELEVATION 2 (OAKMONT)

NOT TO SCALE



ELEVATION 3 (PINEHURST)

NOT TO SCALE



ELEVATION 4 (INNISBROOK)

NOT TO SCALE



**BC Consultants**  
 Planners - Engineers - Surveyors - Landscape Architects  
 12000 Fair Lakes Circle, Suite 100, Fairfax, VA 22033  
 (703) 448-8100 (Fax)  
 www.bccons.com



ELEVATIONS

**McLEAN GLEN**

BRANKEVILLE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

REVISIONS  
 MARCH 23, 2006  
 MARCH 21, 2006  
 MARCH 20, 2006  
 MARCH 16, 2006  
 MARCH 15, 2006  
 MARCH 14, 2006  
 MARCH 13, 2006  
 MARCH 12, 2006  
 MARCH 11, 2006  
 MARCH 10, 2006  
 MARCH 9, 2006  
 MARCH 8, 2006  
 MARCH 7, 2006  
 MARCH 6, 2006  
 MARCH 5, 2006  
 MARCH 4, 2006  
 MARCH 3, 2006  
 MARCH 2, 2006  
 MARCH 1, 2006

DESIGNED BY: PLM  
 DRAFTED BY: CAD  
 CHECKED BY: PLM  
 DATE: JANUARY, 2005  
 SCALE: 1/8" = 1'-0"  
 SHEET 6 OF 6  
 CD. NO. 0000-XX-00  
 CAD NAME: C4092LEV.DWG  
 LAYOUT: ELEV  
 FILE NO. 04092.01-00

THE IMAGES ON THIS SHEET ARE TO CERTIFY THE QUALITY OF THE PROPOSED DEVELOPMENT AND ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.







# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

June 19, 2009

Pat Gallagher  
Long and Foster Realtors  
150 Elden Street, Suite 130  
Herndon, VA 20170

Re: Interpretation for RZ/FDP 2005-DR-009, Winchester Homes (McLean Glen), Tax Map Parcel 29-1 ((1)) 33: Use of Existing House

Dear Ms. Gallagher,

This is in response to your letter of January 13, 2009, requesting an interpretation of the proffers, the Conceptual Development Plan (CDP)/Final Development Plan (FDP), and the development conditions all approved in conjunction with the approval of RZ/FDP 2005-DR-009. As I understand it, you have been marketing Lot 33, which is developed with one dwelling, and you have asked for determinations of how the property and the dwelling may be used and what limitations are placed upon it by the rezoning. This determination is based on your letter, the Zoning Ordinance, and coordination with the Zoning Administration Division (ZAD). Copies of your letter and relevant exhibits are attached.

On June 5, 2006, the Board of Supervisors approved Rezoning RZ 2005-DR-009, subject to proffers, to rezone the 8.11 acre property from the R-1 District to the PDH-3 District to permit nineteen (19) single-family detached dwellings. The rezoning was a consolidation of 13 parcels of land, and included a portion of Gordon Lane and Odrick's Lane to be vacated and/or abandoned. You have indicated that the developer no longer plans to develop the property and, therefore, did not execute the contracts to purchase the properties included in the consolidation. However, all of those properties are now governed by the proffers, the CDP/FDP, and the development conditions that were approved as part of the rezoning.

As I understand it, Lot 33, which is the subject of your inquiry, is developed with one dwelling and a garage. County tax records show that the house was built in 1944 and was remodeled in 1982. The tax records also show that the property was sold in 2008 to Anna Maria Espino who I understand has also contacted this office with inquiries about the permitted uses and restrictions that are applicable to the property.

The subject property is now zoned PDH-3 and its use is governed by the proffers, the CDP/FDP, and the development conditions that were approved with the rezoning. The zoning of a property runs with the

Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703 324-1290  
FAX 703 324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



land in perpetuity unless it is amended by action of the Board of Supervisors. Therefore, according to Article 20 of the Zoning Ordinance, the existing dwelling on Lot 33 is considered "nonconforming" because it is a building that lawfully existed on the site at the time of the effective date of the Ordinance, but does not conform with the regulations of the zoning district in which it is located. The Zoning District in which the dwelling is located is now PDH-3. The only conforming use for the property would be one unified development that conforms with the approved CDP/FDP. Parcel 33 is shown in the area of the site that is to be developed with a stormwater management facility for the site.

Paragraph 1 of Sect. 15-103 of the Zoning Ordinance, Regulations Controlling Other Non-Conforming Uses, is applicable to this property and states:

*"Any nonconforming use, other than those specified in Sect. 102 above, may be continued but shall not be enlarged or extended, nor shall any structural alteration be made in any building in which such use is conducted, except (a) as may be permitted by the Board in accordance with Sect. 9-619, or (b) as shall be permitted where any modification to an existing nonconforming building or use is to provide an accessibility improvement."*

Section 9-619, referenced above, addresses the circumstances under which the Board of Supervisors may approve a special exception to permit minor modifications to a nonconformity. This Section is not applicable to this property; however, I have attached a copy of the Section for your information.

Both you and the current owner of the property have asked a number of questions regarding the use of the property, which I have listed below and will address in the order presented. The questions are as follows:

1. May the existing dwelling be razed and a new one built?
2. May there be additions to the dwelling?
3. May the garage be converted to additional residential space, perhaps for an apartment?
4. May the house be remodeled or renovated?

Construction of a new dwelling on the property would not be in conformance with the approved PDH-3 Zoning District and, as a nonconforming use, would not be permitted by Par. 1 of Sect. 15-103 cited above. Additions, which are structural alterations, are not permitted by Par. 1 of Sect. 15-103. Similarly, conversion of the garage to occupied space would not be permitted because it would be a structural alteration. In addition, the property is zoned for single-family use which would not permit the addition of dwellings to a developed lot. The dwelling may be maintained and renovated as long as the renovation does not include structural alterations. All repairs necessary to maintain the dwelling and the garage in good condition may be made.

The other Zoning Ordinance provision that is applicable to this property is Paragraph 6 of Sect. 15-103, which states that if a nonconforming single-family detached dwelling is destroyed or damaged by any casualty other than a natural disaster or an act of God it may be reconstructed within two (2) years after the aforesaid destruction or damage so as to occupy the same space that it occupied prior to such destruction or damage to any part thereof.

It is my determination that to obtain relief from the Zoning Ordinance restrictions that apply to the properties that were included in the rezoning, Board of Supervisors' approval of a proffered condition amendment concurrent with a final development plan for an alternative interim site design, or an application to rezone the entire property from the PDH-3 District back to the R-1 District or another zoning district would be required.

This determination has been coordinated with the Zoning Administration Division and has been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation or the application submission procedures, please feel free to contact Mary Ann Godfrey at (703) 324-1290.

Sincerely,



Regina C. Coyle, Director  
Zoning Evaluation Division, DPZ

O:\mgodfr\Proffer Interpretations PI\Winchester Homes (RZ 2005-DR-009) existing house uses.DOC

Attachments: A/S

cc: John Foust, Supervisor, Dranesville District  
Jay Donahue, Planning Commissioner, Dranesville District  
Diane Johnson Quinn, Deputy Zoning Administrator, ZAD, DPZ  
Kenneth Williams, Plan Control, Land Development Services, DPWES  
Angela Rodeheaver, Chief, Site Analysis Section, DOT  
Jack Weyant, Director, Environmental and Facilities Inspection Division, DPWES  
Anna Maria Espino, 8341 Lewinsville Road, McLean, VA 22102  
Kevin J. Guinaw, Chief, Special Projects/Applications Management Branch, DPZ  
File: RZ 2005-DR-009, PI 0901 006, Imaging, Reading File



# County of Fairfax, Virginia

## MEMORANDUM

DATE: May 9, 2012

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division  
Department of Comprehensive Planning

**FROM:** Angela Kadar Rodeheaver, Chief  
Site Analysis Section  
Department of Transportation

**FILE:** 3-4 (RZ 2012-DR-006)

**SUBJECT:** Transportation Impact

**REFERENCE:** RZ 2012-DR-006; McLean Glen Rezoning  
Traffic Zone:1546  
Land Identification Map: 29-1 ((01)) 33, 33A, 34, 34A, 35, 35A pt.,36-39, 40B,  
41 and a portion of Gordon Lane and Odricks Lane

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the plat dated December 8, 2005.

The applicant proposes to rezone from the PDH-3 district back to the R-1 district.

The Board of Supervisors previously approved RZ 2005-DR-009 to rezone 8.11 acres from the R-1 district to the PDH-4 district to permit development of nineteen (19) single-family detached homes. Following the zoning approval the developer abandoned the approved project.

This department has reviewed the subject application and does not object to its approval.

AKR/ak cc: Michele Brickner, Director, Design Review, DPW & ES



## County of Fairfax, Virginia

**MEMORANDUM**

**DATE:** May 8, 2012

**TO:** Meagan Brady  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Gilbert Osei-Kwadwo, P.E.  
Engineering Analysis and Planning Branch

**SUBJECT:** Sanitary Sewer Analysis Report

**REF:** Application No. RZ 2012-DR-006  
Tax Map No. 029-1-((01)) – 33, 33A, 34, 34A, 35, 35A pt., 36, 37,  
37A, 38, 39, 40B, 41

The above referenced zoning application does not have any impact on the use of any sanitary sewer facility.

FAIRFAX COUNTY  
WASTEWATER MANAGEMENT



Quality of Water = Quality of Life

Department of Public Works and Environmental Services  
Wastewater Planning & Monitoring Division  
12000 Government Center Parkway, Suite 358  
Fairfax, VA 22035  
Phone: 703-324-5030, Fax: 703-803-3297  
[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)





## County of Fairfax, Virginia

**MEMORANDUM**

DATE: April 13, 2012

**TO:** Barbara C. Berlin, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Eric Fisher, GIS Analyst III  
Information Technology Section  
Fire and Rescue Department

**SUBJECT:** Fire and Rescue Department Preliminary Analysis of Rezoning Application  
RZ 2012-DR-006

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #429, **Tysons Corner**
2. After construction programmed \_\_\_(n/a)\_\_\_ this property will be serviced by the fire station \_\_\_\_\_(n/a)\_\_\_\_\_





# County of Fairfax, Virginia

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**DATE:** April 16, 2012

**TO:** Megan Brady, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Kevin R. Wastler, EH Supervisor *KRW*  
Technical Review and Information Resources Section  
Fairfax County Health Department

**SUBJECT:** Development Plan Analysis

**REFERENCE:** Application No. RZ 2012-DR-006

After reviewing the application, we have only one comment to be considered. Health Department records indicate that there are existing wells on the following properties which have not been abandoned.

- 8341 Lewinsville Rd, Lot 33
- 8337 Lewinsville Rd, Lot 34
- 1341 Gordon Ln, Lot 38
- 1345 Gordon Ln, Lot 39

Proper abandonment of the wells under a permit from the Health Department will be required prior to a demolition permit being approved for this project. Owners should contact the Health Department for additional information on the abandonment of the wells should this project move forward.





FAIRFAX COUNTY  
PUBLIC SCHOOLS

Department of Facilities and Transportation Services  
Office of Design and Construction Services  
Gatehouse Administration Center, Suite 3500  
8115 Gatehouse Road  
Falls Church, Virginia 22042

April 13, 2012

Barbara C. Berlin, AICP  
Director  
Zoning Evaluation Division  
Fairfax County Department of Planning and Zoning  
12055 Government Center Parkway, Suite 800  
Fairfax, Virginia 22035

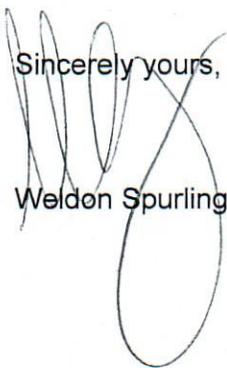
Ladies and Gentlemen:

Re: Below Listed Recently Filed Development Plan Analysis

**RZ 2012-DR-006**

This office has reviewed the subject development plan application, and has no comments with respect to school acquisition.

Sincerely yours,



Weldon Spurling, II, PE

WS/vm

cc: Facilities Planning Services, FCPS, (w/attach.)  
File



FAIRFAX COUNTY WATER AUTHORITY  
8560 Arlington Boulevard, Fairfax, Virginia 22031  
www.fairfaxwater.org

PLANNING & ENGINEERING  
DIVISION

Jamie Bain Hedges, P.E.  
Director  
(703) 289-6325  
Fax (703) 289-6382

April 18, 2012

Ms. Barbara Berlin, Director  
Fairfax County Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5505

Re: RZ 2012-DR-006  
McLean Glen  
Tax Map: 29-1

Dear Ms. Berlin:

The following information is submitted in response to your request for a water service analysis for the above application:

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from existing 12-inch, 8-inch, 6-inch and 3-inch water mains located at the property. See the enclosed water system map.
3. Should this site be re-developed in the future, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Dave Guerra at (703) 289-6343.

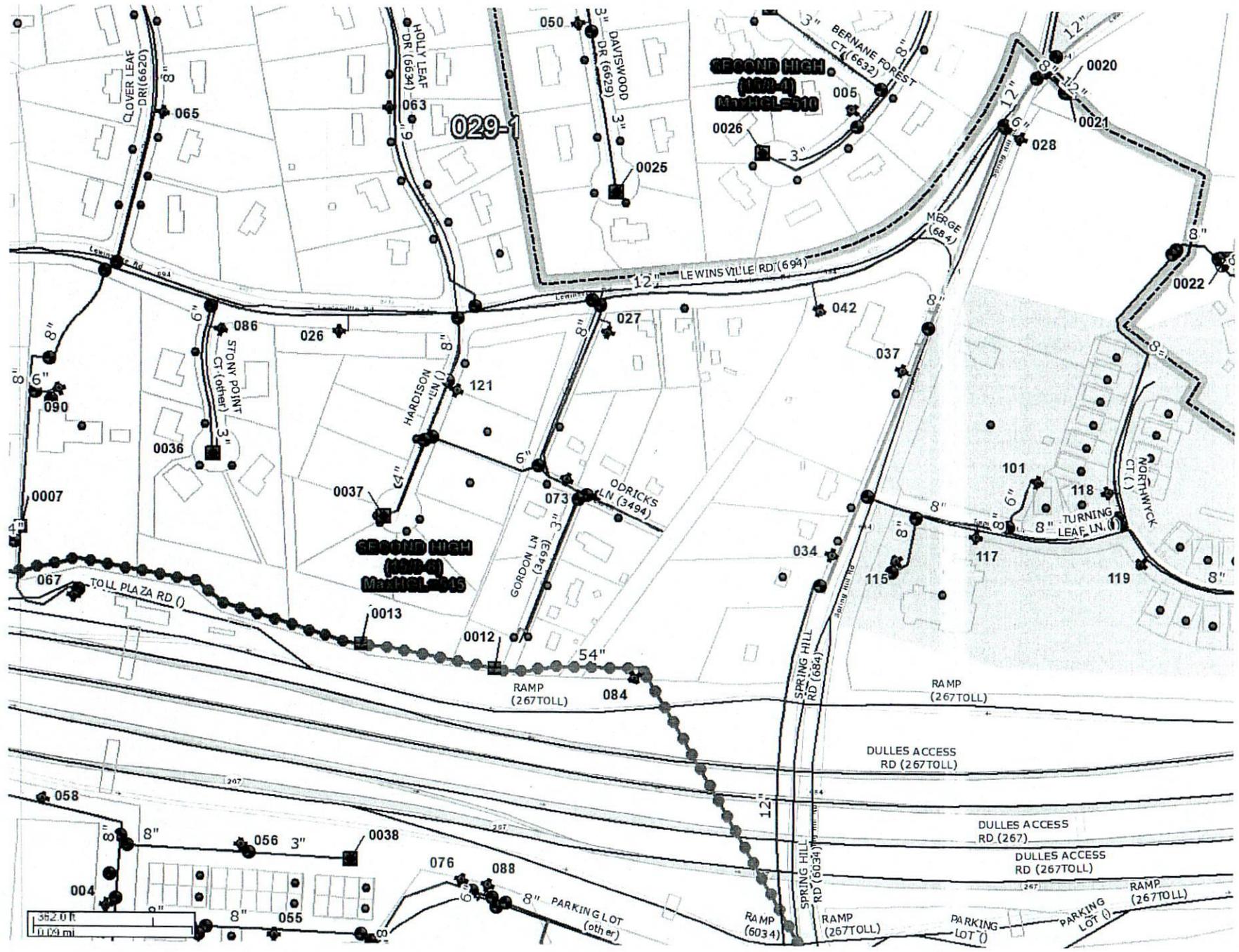
Sincerely,

A handwritten signature in black ink that reads "Traci K. Goldberg". The signature is written in a cursive, flowing style.

Traci K. Goldberg, P.E.  
Manager, Planning Department

Enclosure  
cc: Megan Brady, Supervisor Foust's Office

The information contained on this page is NOT to be construed or used as a "legal description". Fairfax Water does not provide any guaranty of accuracy or completeness regarding the map information. Any errors or omissions should be reported to the Technical Services Branch of the Planning and Engineering Division. In no event will Fairfax Water be liable for any damages, including but not limited to loss of data, lost profits, business interruption, loss of business information or any other pecuniary loss that might arise from the use of this map or information it contains.





## FAIRFAX COUNTY PARK AUTHORITY



## M E M O R A N D U M

**TO:** Barbara Berlin, AICP, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Sandy Stallman, AICP, Manager *ASD for SS*  
Park Planning Branch, PDD

**DATE:** April 24, 2012

**SUBJECT:** RZ 2012-DR-006, McLean Glen Rezoning (BOS Own Motion)  
Tax Map Number: 29-1((1))33, 33A, 34, 34A, 35, 35A -pt,  
36, 37, 37A, 38, 39, 40B, 41

The Park Authority staff has reviewed the above referenced plan. Based on that review, staff has determined that this application bears no adverse impact on the land, resources or service levels of the Park Authority.

FCPA Reviewer: Jay Rauschenbach  
DPZ Coordinator: Megan Brandy

Copy: Cindy Walsh, Director, Resource Management Division  
Chron Binder  
File Copy

## FAIRFAX COUNTY ZONING ORDINANCE

**PART 1 3-100 R-1 RESIDENTIAL DISTRICT, ONE DWELLING UNIT/ACRE****3-101 Purpose and Intent**

The R-1 District is established to provide for single family detached dwellings; to allow other selected uses which are compatible with the low density residential character of the district; and otherwise to implement the stated purpose and intent of this Ordinance.

**3-102 Permitted Uses**

1. Accessory uses and home occupations as permitted by Article 10.
2. Agriculture, as defined in Article 20.
3. Dwellings, single family detached.
4. Public uses.

**3-103 Special Permit Uses**

For specific Group uses, regulations and standards, refer to Article 8.

1. Group 2 - Interment Uses.
2. Group 3 - Institutional Uses.
3. Group 4 - Community Uses.
4. Group 5 - Commercial Recreation Uses, limited to:
  - A. Commercial swimming pools, tennis courts and similar courts
5. Group 6 - Outdoor Recreation Uses.
6. Group 7 - Older Structures.
7. Group 8 - Temporary Uses, limited to:
  - A. Carnival, circus, festival, fair, horse show, dog show, steeplechase, music festival, turkey shoot, sale of Christmas trees or other seasonal commodities and other similar activities
  - B. Construction material yards accessory to a construction project
  - C. Contractors' offices and equipment sheds to include trailers accessory and adjacent to an active construction project
  - D. Subdivision and apartment sales and rental offices

## RESIDENTIAL DISTRICT REGULATIONS

- E. Temporary dwellings or mobile homes
  - F. Temporary farmers' markets
  - G. Temporary mobile and land based telecommunications testing facility
  - H. Temporary portable storage containers
8. Group 9 - Uses Requiring Special Regulation, limited to:
- A. Barbershops or beauty parlors as a home occupation
  - B. Home professional offices
  - C. Sawmilling of timber
  - D. Veterinary hospitals
  - E. Accessory dwelling units

### **3-104 Special Exception Uses**

For specific Category uses, regulations and standards, refer to Article 9.

- 1. Category 1 - Light Public Utility Uses.
- 2. Category 2 - Heavy Public Utility Uses, limited to:
  - A. Electrical generating plants and facilities
  - B. Landfills
  - C. Water purification facilities
- 3. Category 3 - Quasi-Public Uses, limited to:
  - A. Alternate uses of public facilities
  - B. Child care centers and nursery schools
  - C. Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education
  - D. Colleges, universities
  - E. Congregate living facilities
  - F. Cultural centers, museums and similar facilities

## FAIRFAX COUNTY ZONING ORDINANCE

- G. Dormitories, fraternity/sorority houses, rooming/boarding houses, or other residence halls
  - H. Independent living facilities
  - I. Medical care facilities
  - J. Private clubs and public benefit associations
  - K. Private schools of general education
  - L. Private schools of special education
  - M. Quasi-public parks, playgrounds, athletic fields and related facilities
4. Category 4 - Transportation Facilities.
5. Category 5 - Commercial and Industrial Uses of Special Impact, limited to:
- A. Baseball hitting and archery ranges, outdoor
  - B. Bed and breakfasts
  - C. Commercial off-street parking in Metro Station areas as a temporary use
  - D. Establishments for scientific research and development
  - E. Funeral chapels
  - F. Golf courses, country clubs
  - G. Golf driving ranges
  - H. Kennels, animal shelters
  - I. Marinas, docks and boating facilities, commercial
  - J. Miniature golf courses ancillary to golf driving ranges
  - K. Offices
  - L. Plant nurseries
  - M. Veterinary hospitals, but only ancillary to kennels
6. Category 6 – Miscellaneous Provisions Requiring Board of Supervisors’ Approval:

Refer to Article 9, Special Exceptions, Part 6, Miscellaneous Provisions Requiring Board of Supervisors’ Approval, for provisions which may qualify or supplement these district regulations.

## RESIDENTIAL DISTRICT REGULATIONS

### **3-105 Use Limitations**

1. No sale of goods or products shall be permitted, except as accessory and incidental to a permitted, special permit or special exception use.
2. All uses shall comply with the performance standards set forth in Article 14.
3. Cluster subdivisions may be permitted in accordance with the provisions of Sect. 9-615.

### **3-106 Lot Size Requirements**

1. Minimum district size for cluster subdivisions: 10 acres
2. Average lot area: No Requirement
3. Minimum lot area
  - A. Conventional subdivision lot: 36,000 sq. ft.
  - B. Cluster subdivision lot: 25,000 sq. ft.
4. Minimum lot width
  - A. Conventional subdivision lot:
    - (1) Interior lot - 150 feet
    - (2) Corner lot - 175 feet
  - B. Cluster subdivision lot:
    - (1) Interior lot - No Requirement
    - (2) Corner lot - 125 feet
5. The minimum district size requirement presented in Par. 1 above may be waived by the Board in accordance with the provisions of Sect. 9-610.

### **3-107 Bulk Regulations**

1. Maximum building height
  - A. Single family dwellings: 35 feet
  - B. All other structures: 60 feet
2. Minimum yard requirements
  - A. Single family dwellings

FAIRFAX COUNTY ZONING ORDINANCE

- (1) Conventional subdivision lot
  - (a) Front yard: 40 feet
  - (b) Side yard: 20 feet
  - (c) Rear yard: 25 feet
- (2) Cluster subdivision lot
  - (a) Front yard: 30 feet
  - (b) Side yard: 12 feet, but a total minimum of 40 feet
  - (c) Rear yard: 25 feet

B. All other structures

- (1) Front yard: Controlled by a 50° angle of bulk plane, but not less than 40 feet
- (2) Side yard: Controlled by a 45° angle of bulk plane, but not less than 20 feet
- (3) Rear yard: Controlled by a 45° angle of bulk plane, but not less than 25 feet

3. Maximum floor area ratio:

- A. 0.15 for uses other than residential or public
- B. 0.20 for public uses

**3-108 Maximum Density**

- 1. Conventional subdivisions: One (1) dwelling unit per acre.
- 2. Cluster subdivisions: 1.1 dwelling units per acre for cluster subdivisions approved by special exception and one (1) dwelling unit per acre for cluster subdivisions that are the result of a proffered rezoning from a district that allows a permitted maximum density of less than one (1) dwelling unit per acre.

**3-109 Open Space**

In subdivisions approved for cluster development, 30% of the gross area shall be open space.

**3-110 Additional Regulations**

## RESIDENTIAL DISTRICT REGULATIONS

1. Refer to Article 2, General Regulations, for provisions which may qualify or supplement the regulations presented above, including the shape factor limitations contained in Sect. 2-401. The shape factor limitations may be modified by the Board in accordance with the provisions of Sect. 9-626.
2. Refer to Article 11 for off-street parking, loading and private street requirements.
3. Refer to Article 12 for regulations on signs.
4. Refer to Article 13 for landscaping and screening requirements.
5. Refer to Article 17 for uses and developments which are subject to site plan provisions.

## GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

**ABANDONMENT:** Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of-way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

**ACCESSORY DWELLING UNIT (OR APARTMENT):** A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

**AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT:** Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

**AGRICULTURAL AND FORESTAL DISTRICTS:** A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

**BARRIER:** A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

**BEST MANAGEMENT PRACTICES (BMPs):** Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

**BUFFER:** Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

**CHESAPEAKE BAY PRESERVATION ORDINANCE:** Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

**CLUSTER DEVELOPMENT:** Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

**COUNTY 2232 REVIEW PROCESS:** A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

**dBA:** The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

**DENSITY:** Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

**DENSITY BONUS:** An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

**DEVELOPMENT CONDITIONS:** Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

**DEVELOPMENT PLAN:** A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

**EASEMENT:** A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

**ENVIRONMENTAL QUALITY CORRIDORS (EQCs):** An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

**ERODIBLE SOILS:** Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

**FLOODPLAIN:** Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

**FLOOR AREA RATIO (FAR):** An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

**FUNCTIONAL CLASSIFICATION:** A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

**GEOTECHNICAL REVIEW:** An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

**HYDROCARBON RUNOFF:** Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

**IMPERVIOUS SURFACE:** Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

**INFILL:** Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

**INTENSITY:** The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

**Ldn:** Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

**LEVEL OF SERVICE (LOS):** An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

**MARINE CLAY SOILS:** Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

**OPEN SPACE:** That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

**OPEN SPACE EASEMENT:** An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

**P DISTRICT:** A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

**PROFFER:** A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

**PUBLIC FACILITIES MANUAL (PFM):** A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

**RESOURCE MANAGEMENT AREA (RMA):** That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**RESOURCE PROTECTION AREA (RPA):** That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**SITE PLAN:** A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

**SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP):** Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

**STORMWATER MANAGEMENT:** Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

**SUBDIVISION PLAT:** The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

**TRANSPORTATION DEMAND MANAGEMENT (TDM):** Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

**TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS:** This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

**URBAN DESIGN:** An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

**VACATION:** Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

**VARIANCE:** An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

**WETLANDS:** Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

**TIDAL WETLANDS:** Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

**Abbreviations Commonly Used in Staff Reports**

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential-Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		