

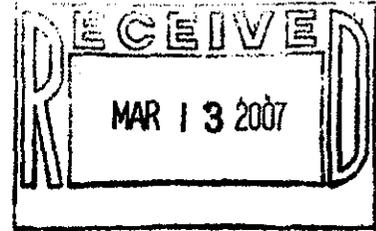


County of Fairfax, Virginia

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

March 9, 2007

Hunton & Williams PC
Francis McDermott
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102



RE: Rezoning Application Number RZ 2003-SU-035 (concurrent with SE 2003-SU-023)
(Amended Letter and Ordinance)

Dear Mr. McDermott:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on January 22, 2007, granting Rezoning Application Number RZ 2003-SU-035 in the name of Sully East LC. The Board's action rezones certain property in the Sully District from I-3, I-5, HD, and WS Districts to the PDC, PDH-16, HD, and WS Districts. Tax Map 34-2 ((1)) 1A, 2, 3A, 10A, 27, 33 pt., and 35, plus approximately 1.5467 acres of Barnsfield Road right-of-way to be vacated and/or abandoned. The subject property is located north and south of Barnsfield Road, west of Centreville Road and east of Sully Road on approximately 77.74 acres of land. Approval of these applications may enable the vacation and/or abandonment of portions of the public rights-of-way for Barnsfield Road to proceed under Section 15.2272 (2) and/or Section 33.1-151 of the *Code of Virginia*. Rezoning Application RZ 2003-SU-035 is subject to the proffers dated January 4, 2007.

The Board also:

- Approved Special Exception Application SE 2003-SU-023 subject to the development conditions dated January 10, 2007.
- Modified the loading space requirement for multifamily residential uses to one space per multifamily building.
- Modified the barrier requirement along the Centreville Road frontage and the southern boundary of the property in favor of the 3 to 6 foot high undulating, landscaped berm shown on Sheet 12 of the Conceptual Development Plan/Final Development Plan (CDP/FDP).
- Modified the transitional screening requirements between PDH-16 and PDC uses within a single development in favor of the landscape treatment shown on the CDP/FDP.

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

- Modified the 25-foot transitional screening yard requirement along the southern property line (in areas where fire access lanes are required), in favor of the detailed landscape treatment shown on the CDP/FDP.
- Waived the privacy yard fencing requirement for front-loaded single-family attached residential uses, in favor of that shown on the CDP/FDP.
- Modified the Public Facilities Manual (PFM) requirement for a minimum 8-foot width for tree planting strips to permit lesser widths with the use of structural soils.
- Approved a waiver to permit private streets in excess of 600 linear feet to that shown on the CDP/FDP.
- Waived the PFM requirement to permit a wet pond in a residential area.

The Conceptual Development Plan was approved; the Planning Commission having previously approved Final Development Plan Application FDP 2003-SU-035 on January 10, 2007 subject to the Board's approval of RZ 2003-SU-035.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/cwb

Cc: Chairman Gerald E. Connolly
Supervisor Michael Frey, Sully District
Janet Coldsmith, Director, Real Estate Division. Dept. of Tax Administration
Barbara A. Byron, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Thomas Conry, Dept. Manager. – GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation
Audrey Clark, Director – Building Plan Review, DPWES
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Barbara J. Lippa, Executive Director, Planning Commission
Jose Comayagua, Director, Facilities Management
Gary Chevalier, Office of Capital Facilities/Fairfax County Public Schools

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 22nd day of January, 2007, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 2003-SU-035

WHEREAS, Sully East LC filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the I-3, I-5, HD and WS Districts to the PDC, PDH-16, HD and WS Districts, 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

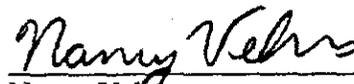
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

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

Be, and hereby is, zoned to the PDC, PDH-16, HD, and WS Districts , and said property is subject to the use regulations of said Sully 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 22nd day of January, 2007.



Nancy Velts
Clerk to the Board of Supervisors