



FAIRFAX COUNTY

**OFFICE OF THE CLERK
BOARD OF SUPERVISORS**

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V I R G I N I A

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October 21, 2005

Robert A. Lawrence, Esquire
Reed Smith, LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042-4505

RE: Rezoning Application Number RZ 2004-MA-038

Dear Mr. Lawrence:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on October 17, 2005, granting Rezoning Application Number RZ 2004-MA-038 in the name of Moon Sik Park to rezone certain property in the Mason District from C-6 District and Highway Corridor Overlay (HC), Sign Control Overlay (SC) and Commercial Revitalization (CRD) Districts to the C-7 District, HC, SC, and CRD Districts to permit commercial development with an overall Floor Area Ratio (FAR) of 0.70, located on the south side of Little River Turnpike approximately 400 feet east of its intersection with Backlick Road (Tax Map 71-1 ((1)) 115A and 116B), subject to the proffers dated October 7, 2005, consisting of approximately 2.04 acres.

The Board also waived the barrier requirement and modified the transitional screening requirement along the southern property line in favor of the treatment depicted on the Generalized Development Plan and as proffered.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

October 21, 2005

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cc: Chairman Gerald E. Connolly
Supervisor Penelope A. Gross, Mason 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
Michelle Brickner, Deputy Director, DPWES
Marie Langhorne, Plans & Document Control, OSDS, DPWES
Deloris Harris, DPWES
Department of Highways - VDOT
Kirk Holley, Park Planning Branch Mgr., FCPA
Gordon Goodlet, Development Officer, DHCD/Design Development Div.
District Planning Commissioner
Barbara J. Lippa, Executive Director, Planning Commission
Jack Seamon, Acting, Director, Facilities Mgmt. Div., DPWES
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 17th day of October, 2005, the following ordinance was adopted:

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 2004-MA-038**

WHEREAS, Moon Sik Park filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the C-6 District and Highway Corridor Overlay (HC), Sign Control Overlay (SC) and Commercial Revitalization (CRD) Districts the C-7 District, HC, SC, and CRD 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 Mason District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the C-7 District, HC, SC, and CRD Districts, and said property is subject to the use regulations of said C-7 District, HC, SC, and CRD Districts, 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 17th day of October, 2005.



Nancy Vehts

Clerk to the Board of Supervisors



OCT 14 2004

Zoning Evaluation Division

**DESCRIPTION OF THE LAND OF
MOON S. PARK AND HYON B. CHUNG
FAIRFAX COUNTY, VIRGINIA
OCTOBER 5, 2004**

Beginning at a point on the southerly right-of-way of Little River Turnpike, route 236, said point also being the northwest corner of parcel "B-1" of the subdivision of the land of the Kroger Company and Charles M. and Elizabeth M. Fairchild, as duly recorded in deed book 5426 at page 627 among the land records of Fairfax County, Virginia;

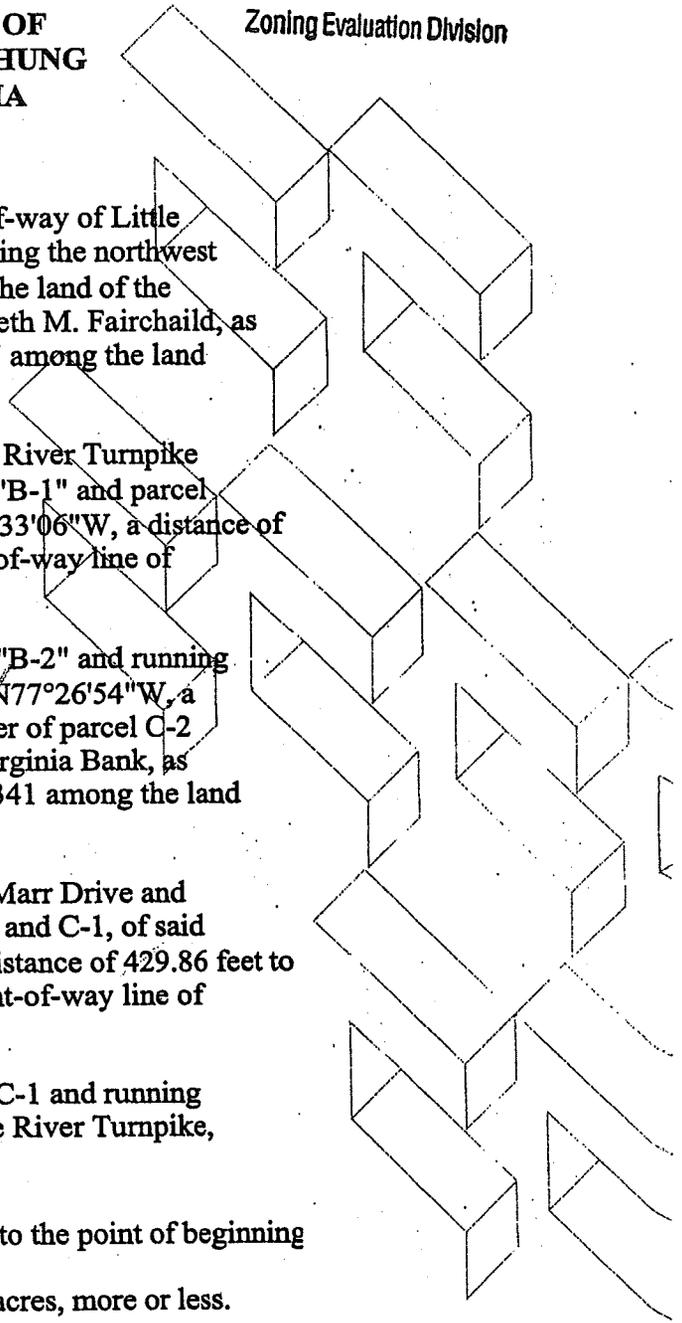
Thence, departing the southerly line of Little River Turnpike and running with the westerly line of parcel "B-1" and parcel "B-2" of said subdivision, respectively, $S12^{\circ}33'06''W$, a distance of 437.13 feet to a point on the northerly right-of-way line of John Marr Drive, route 2948.

Thence departing the westerly line of parcel "B-2" and running with the northerly line of John Marr Drive, $N77^{\circ}26'54''W$, a distance of 205.26 feet to the southeast corner of parcel C-2 of the subdivision of the property of First Virginia Bank, as duly recorded in deed book 13185 at page 1341 among the land records of Fairfax County, Virginia;

Thence departing the northerly line of John Marr Drive and running with the easterly line of parcels C-2 and C-1, of said subdivision, respectively, $N12^{\circ}33'06''E$, a distance of 429.86 feet to a point on the aforementioned southerly right-of-way line of Little River Turnpike;

Thence departing the easterly line of parcel C-1 and running with the southerly right-of-way line of Little River Turnpike, the following two (2) courses:
(1) $S77^{\circ}27'20''E$, a distance of 55.40 feet;
(2) $S80^{\circ}13'19''E$, a distance of 150.03 feet to the point of beginning

Containing 88,788 square feet or 2.0381 acres, more or less.



DEC 4 2005