



# FAIRFAX COUNTY

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BOARD OF SUPERVISORS**  
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V I R G I N I A

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August 11, 2004

John H. Thillmann  
Landmark Property Development, LLC  
5252 Cherokee Avenue, Suite 303  
Alexandria, Virginia 22312

RE: Rezoning Application Number RZ 2003-DR-058  
(Chesapeake Bay Exception # 026338)

Dear Mr. Thillman:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on July 26, 2004, granting Rezoning Application Number RZ 2003-DR-058 in the name of Landmark Property Development to rezone certain property in the Dranesville District from the R-1 District to the PDH-2 District, to permit residential development at a density of 1.67 dwelling units per acre (du/ac), located north of the terminus of Winterwood Place and south of the terminus of Fantasia Drive, Tax Map 10-4 ((1)) 1, 2A and 2B, subject to the proffers dated July 15, 2004, consisting of approximately 11.99 acres.

The Conceptual Development Plan was approved; the Planning Commission previously approved Final Development Plan FDP 2003-DR-058, subject to the Final Development Condition dated July 14, 2004, and subject to the Board's approval of RZ 2003-DR-058.

**The Board also:**

- **Waived the maximum 600-foot private street length requirement.**
- **Modified the trail requirement to delete the construction of the stream valley trail south of Young Avenue in accordance with the Conceptual Development Plan/Final Development Plan (CDP/FDP).**

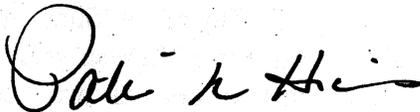
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The applicant requested an exception to the criteria and requirements of the Chesapeake Bay Preservation Ordinance under Section 118-6-9, General Resource Protection Area Encroachment Exception, to permit encroachment into the Resource Protection Area for the development of storm water management facility, maintenance access road, storm sewer outfalls, trails, and associated clearing, grading, and restoration. The Board made the finding that the requested exception is the minimum necessary to afford relief. Granting the exception with conditions will not confer upon the applicant any special privileges that are denied to other property owners who are similarly situated. The exception as conditioned is in harmony with the purpose and intent of the Chesapeake Bay Preservation Ordinance and is not a substantial detriment to water quality. The exception is not based on conditions or circumstances that are self-created or self-imposed. Reasonable and appropriate conditions will be imposed that will prevent the allowed activity from causing a degradation of water quality and water quality benefits resulting from the proposed improvement exceeds the associated water quality detriments.

**Therefore, the Board approved Chesapeake Bay Exception Number 026338, to permit encroachment into the Resource Protection Area as depicted on the CDP/FDP, subject to the development conditions dated June 29, 2004.**

Sincerely,



Patti M. Hicks  
Deputy Clerk to the Board of Supervisors

PMH/ns

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 26th day of July, 2004, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROPOSAL NUMBER RZ 2003-DR-058

WHEREAS, Landmark Property Development, LLC 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-2 District, and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

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

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

Be, and hereby is, zoned to the PDH-2 District, and said property is subject to the use regulations of said PDH-2 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 26th day July, 2004.



Patti M. Hicks

Deputy Clerk to the Board of Supervisors

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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  
Michael R. Congleton, Deputy Zoning Enforcement Branch  
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  
Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES  
Department of Highways - VDOT  
Irish Granfield, Land Acqu. & Planning Div., Park Authority  
District Planning Commissioner  
James Patteson, Director, Facilities Mgmt. Div., DPWES  
Barbara J. Lippa, Executive Director, Planning Commission  
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools

RECEIVED  
Department of Planning & Zoning  
AUG 16 2004  
Zoning Evaluation Division