



# FAIRFAX COUNTY

cc: NLEK  
APPLICATION FILED: December 23, 2004  
BOARD OF ZONING APPEALS: March 22, 2005  
MOVED AT APPLICANT'S REQUEST  
TIME: 9:00 a.m.

V I R G I N I A

March 15, 2005

## STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2005-SU-002

### SULLY DISTRICT

**APPLICANT:** Winchester Homes, Inc.  
**ZONING:** R-1, WS  
**LOCATION:** 12861 Sunny Fields Lane  
**SUBDIVISION:** Oak Hill Reserve  
**ZONING ORDINANCE PROVISION:** 3-103  
**TAX MAP:** 35-4 ((25)) 1  
**LOT SIZE:** 37,200 square feet  
**PLAN MAP:** Residential, .5 to 1 du/ac  
**SP PROPOSAL:** Group 8 - To permit a subdivision sales office

The Board of Zoning Appeals' decision does not become final until the day following the next official meeting day of the BZA, but not less than eight (8) days, whichever is the latter, unless the BZA waives this requirement. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

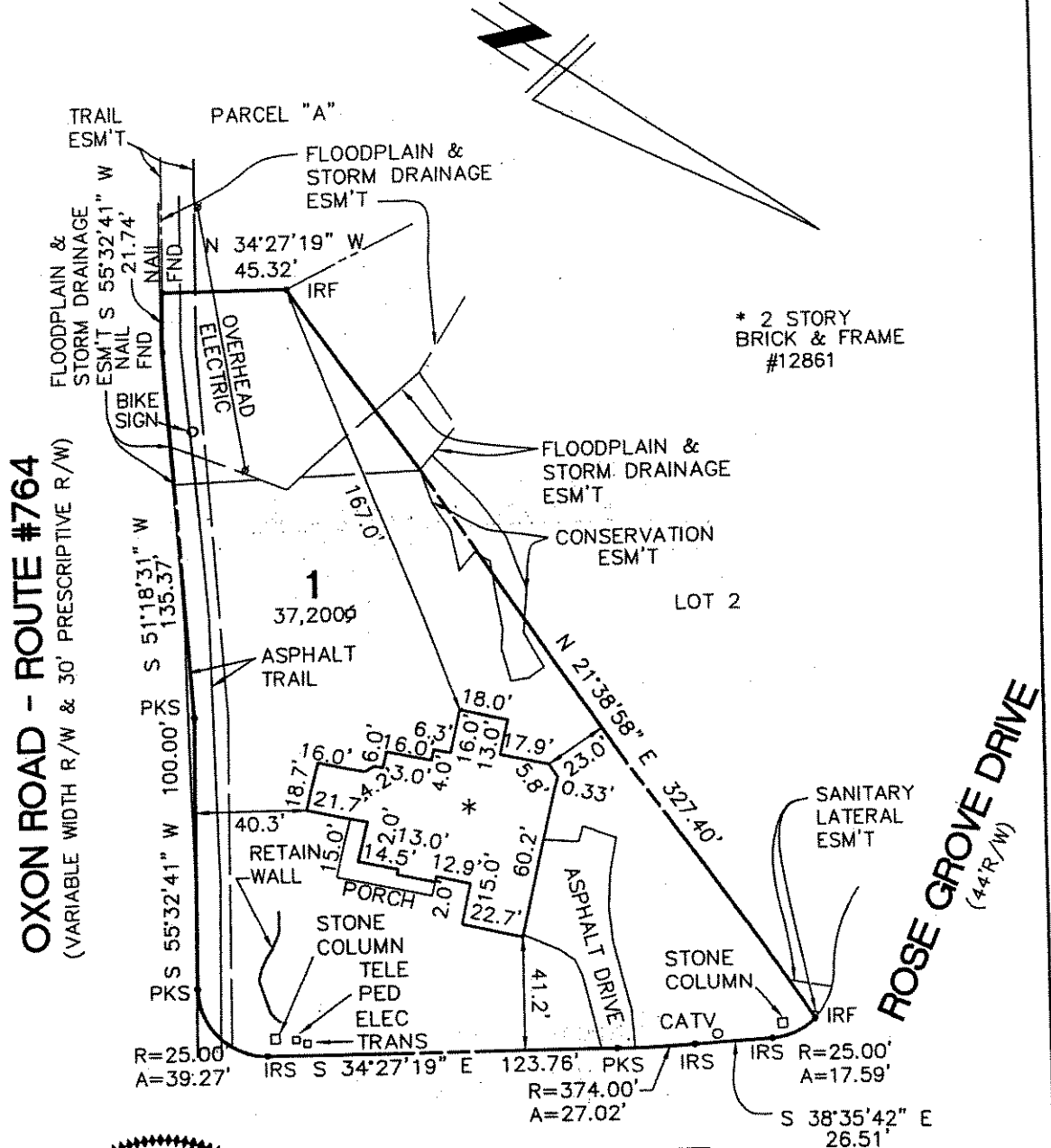
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



American with Disabilities Act (ADA); Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334.

NOTE: ALL EASEMENTS SHOWN HEREON ARE RECORDED IN DB.12635, PG.1662 UNLESS OTHERWISE NOTED.

THIS LOT IS WITHIN ZONE " " PER F.E.M.A. MAP.



**OXON ROAD - ROUTE #764**  
(VARIABLE WIDTH R/W & 30' PRESCRIPTIVE R/W)

**ROSE GROVE DRIVE**  
(44' R/W)

**SUNNY FIELDS LANE**

(52' R/W)

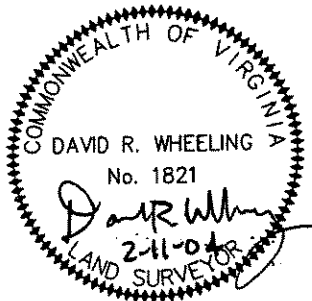
PHYSICAL IMPROVEMENT SURVEY

LOT 1

SECTION 1

**OAK HILL RESERVE**

FAIRFAX COUNTY, VIRGINIA



RECEIVED  
Department of Planning & Zoning

NOV 22 2004

Zoning Evaluation Division



**TARGET SURVEYS, INC.**

8807 SUDLEY ROAD, SUITE 201

MANASSAS, VIRGINIA 20110

TEL: (703)368-8828 FAX: (703)365-7998

FINAL: FEBRUARY 11, 2004

NO TITLE REPORT FURNISHED

SCALE: 1"=50'

DATE: JUNE 21, 2002

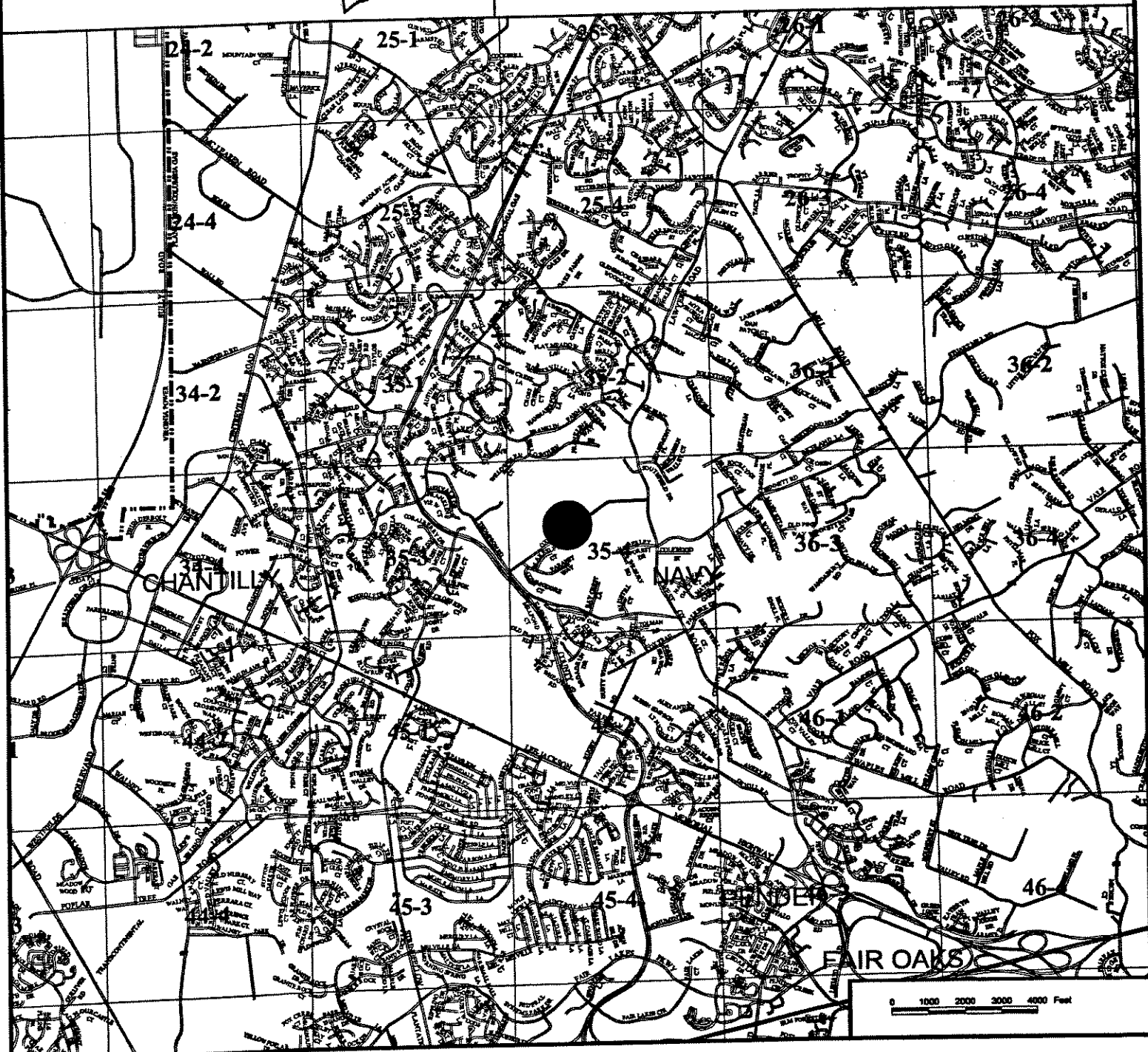
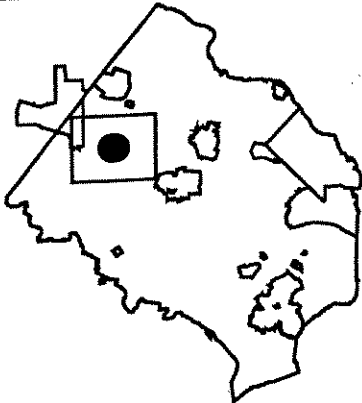
# Special Permit Application

SP 2005-SU-002

Applicant: WINCHESTER HOMES INC.  
Filed: 12/23/2004  
Proposed: SUBDIVISION SALES OFFICE

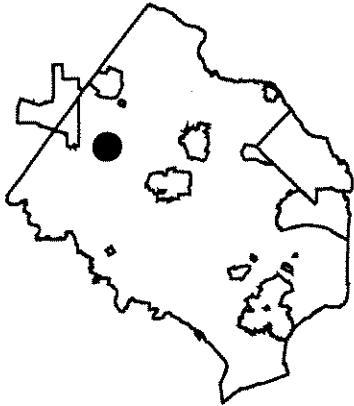
Area: 37,200 SF OF LAND; DISTRICT - SULLY

Zoning Dist Sect: 03-0103  
Art 8 Group and Use: 8-05  
Located: 12861 SUNNY FIELDS LANE  
Zoning: R-1 AND WS  
Overlay Dist:  
Map Ref Num: 035-4- /25/ /0001



# Special Permit Application

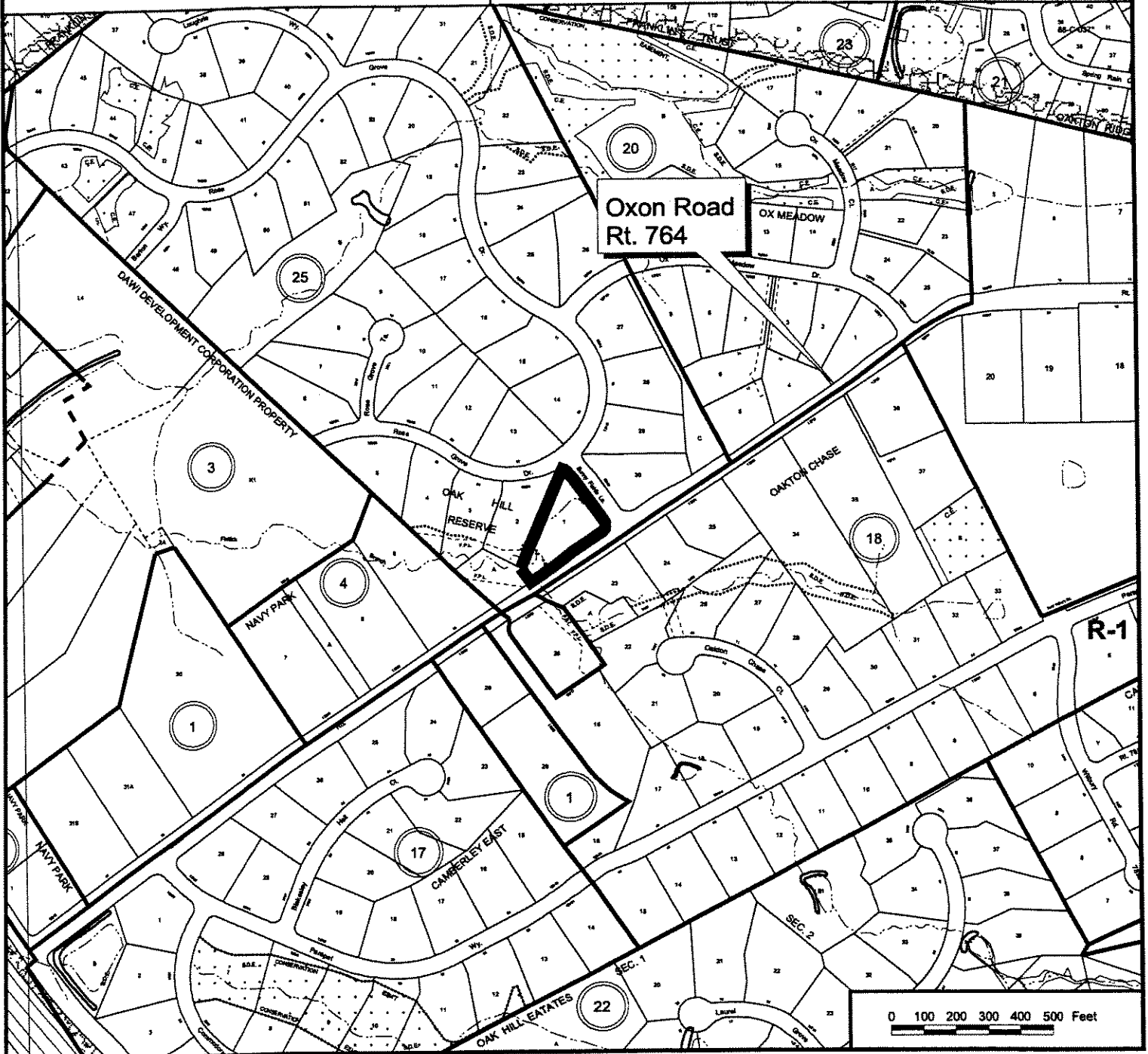
SP 2005-SU-002



Applicant: WINCHESTER HOMES INC.  
Filed: 12/23/2004  
Proposed: SUBDIVISION SALES OFFICE

Area: 37,200 SF OF LAND; DISTRICT - SULLY

Zoning Dist Sect: 03-0103  
Art 8 Group and Use: 8-05  
Located: 12861 SUNNY FIELDS LANE  
Zoning: R-1  
Overlay Dist: WS  
Map Ref Num: 035-4- /25/ /0001



**DESCRIPTION OF THE APPLICATION**

To allow a subdivision sales office within a single family detached model home. The sales office would be used to sell remaining lots in the subdivision and would be open between the hours of 11:00 a.m. to 6:00 p.m., daily. A maximum of two employees would work at the sales office. Approval of the special permit would allow the sales offices to remain open for two additional years, beyond the temporary special permit that initially gave the applicant permission to operate for a period of two years.

**LOCATION AND CHARACTER**

**Existing site Description:** The subject 37,200 square foot, partially wooded lot, is developed with a two-story dwelling with a brick façade and a three car garage. The property is located on the southwest side of the intersection of Sunny Fields Lane and Oxon Road. The house is situated at the broader, northern end of the triangular shaped lot, closer to Sunny Fields Lane. An 80 foot long driveway extends to the house from Sunny Fields Lane. Two parking spaces are located on the driveway next to the dwelling, one of which is designated by a freestanding sign as a handicapped space.

**BACKGROUND**

There are no proffers or development conditions that encumber the property.

On December 5, 2002, a Temporary Special Permit, TSP 2002-202-Y was approved for the subject property to permit the operation of a subdivision sales office in a model home for a period of two years. The TSP expired on December 5, 2004, and the subject application was subsequently filed to allow continued operation of the sales office. A copy of the TSP is included as Appendix 4.

**Surrounding Area Description:**

	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Single Family Detached Dwelling	R-1	Residential, .5-1 du/ac
<b>South</b>	Private Open Space	R-1	Residential, .5-1 du/ac
<b>East</b>	Single Family Detached Dwellings	R-1	Residential, .5-1 du/ac

<b>West</b>	Single Family Detached Dwellings	R-1	Residential, .5-1 du/ac
-------------	-------------------------------------	-----	-------------------------

## COMPREHENSIVE PLAN PROVISIONS

**Plan Area:** Upper Potomac Planning District, Area III  
**Planning Sector:** West Ox Community Planning Sector (UP7)  
**Plan Map:** Residential, .5 to 1 dwelling unit per acre

## ANALYSIS (Copy at front of staff report)

**Title of SP Plat(s):** Physical Improvement Survey, Lot 1, Section 1, Oak Hill Reserve, Fairfax County, Virginia

- **Prepared By:** David R. Wheeling, dated June 21, 2002, as revised through February 11, 2004

## Proposed Use:

The special permit application is for a subdivision sales office to be located within a single family detached model home, for a maximum period of two years or when the last dwelling in the subdivision is sold, whichever occurs first. The sales office would be open from 11:00 a.m. to 6:00 p.m. daily and would be operated with a maximum of two employees. The number of patrons visiting the site would vary from day to day, but would average seven visitors per day, with more on the weekends. Parking is provided by the existing driveway and by off-street parking along the site's frontage on both Sunny Fields Lane and Oxon Road.

It is noted that the sales office is located in the garage that has been converted to an office. In order to ensure adequate off-street parking, a development condition is proposed that would require the office now located in the garage to be converted back to a garage once the sales office ceases operation or when the special permit expires, whichever occurs first. Further, although "popsicle" style paper or cardboard sales signs, located primarily along roadways, are not permitted by ordinance, such signs are still being utilized by some new developments. Therefore, a development condition is proposed to be included that would prohibit the use of these signs and would require the applicant to advise agents and employees involved in the marketing and sales of the homes to adhere to this condition.

## Land Use Analysis

The application property has been designated in the Comprehensive Plan for residential uses at a density of .5 to 1 dwelling units per acre, and the property has been developed in a manner consistent with this designation. The proposed use is in

keeping with the recommendations of the Comprehensive Plan. Therefore, there are no land use issues associated with the application.

**Environmental Analysis**

No environmental issues have been identified with this application.

**Transportation Analysis (Appendix 5)**

The Transportation Analysis indicates that there are no transportation issues associated with the application, provided there is adequate parking. It is generally preferable to have all parking associated with this use off-street. Although the driveway provides several parking spaces, most visitors would probably park on the street so that they will not be blocked into the driveway by another visitor. Additionally, the employees also park on the street, to permit more space for customers. However, given the low level of activity associated with the use and the temporary status of the special permit, staff does not believe that the lack of additional parking is a significant issue.

**Special Permit Requirements (See Appendix 6)**

- General Special Permit Standards (Sect. 8-006)
- Standards and Time Limits for Subdivision and Apartment Sales and Rental Offices (Sect. 8-809)

**Summary of Zoning Ordinance Provisions**

All applicable standards have been satisfied with the proposed development conditions.

**CONCLUSIONS**

Staff concludes that the subject application is in harmony with the Comprehensive Plan and is in conformance with the applicable Zoning Ordinance provisions.

**RECOMMENDATIONS**

Staff recommends approval subject to the Proposed Development Conditions in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, 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 recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

## **APPENDICES**

1. Proposed Development Conditions, SP 2005-SU-002
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Temporary Special Permit TSP 2002-202-Y
5. Transportation Analysis
6. Applicable Zoning Ordinance Provisions



**PROPOSED DEVELOPMENT CONDITIONS****March 15, 2005**

If it is the intent of the Board of Zoning Appeals to approve SP 2005-SU-002 located at Tax Map 35-4 ((25)) 1 for a subdivision sales office, pursuant to Section 3-103 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Winchester Homes, only and is not transferable without further action of this Board, and is for the location indicated on the application, 12861 Sunny Fields Lane, and is not transferable to other land.
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by David R. Wheeling, dated June 21, 2002, revised through February 11, 2004, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The hours of operation for the subdivision sales office shall be limited to a maximum of 11:00 a.m. to 6:00 p.m., daily.
5. The maximum number of employees associated with the subdivision sales offices shall be two on site at any time.
6. This Special Permit shall expire automatically, without notice, on March 30, 2007.
7. If the area being used for the sales office is in the garage, it shall be converted back to garage space upon cessation of the sales office use, or no later than March 30, 2007, whichever occurs first.
8. All signs shall comply with the requirements of Article 12 of the Zoning Ordinance. No temporary signs, including "Popsicle" style paper or cardboard signs, shall be placed on or off-site to assist in the sale of homes in the subdivision. All agents and employees involved in the marketing and sale of the residential units in the subdivision shall be directed to adhere to this condition.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Application No.(s): \_\_\_\_\_  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: November 9, 2004  
 (enter date affidavit is notarized)

I, Neda Lilabi, 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

85748

and that, to the best of my knowledge and belief, the following 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.)

<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)
Winchester Homes Inc.(1) Agents: Alan E. Shapiro Michael C. Karns Neda Lilabi	6905 Rockledge Drive, Suite 800 Bethesda, MD 20817	Applicant/Lessee/Agent for Title Owner
Glenn S. Harshman	15830 Parnell Court Haymarket, VA 20169	Title Owner
Hunton & Williams LLP(4)	1751 Pinnacle Drive, Suite 1700 McLean, VA 22102	Attorneys/Agents for Applicant
John C. McGranahan, Jr. Francis A. McDermott Michael E. Kinney	1751 Pinnacle Drive, Suite 1700 McLean, VA 22102	Attorneys/Agents for Applicant
Elaine O'Flaherty Cox	1751 Pinnacle Drive, Suite 1700 McLean, VA 22102	Planner/Agent for Applicant

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

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

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 1

**Special Permit/Variance Attachment to Par. 1(a)**

DATE: November 9, 2004  
(enter date affidavit is notarized)

85748

**(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.)

**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 **BOLD** above)

Jeannie A. Mathews

1751 Pinnacle Drive, Suite 1700  
McLean, VA 22102

Paralegal/Agent for Applicant

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Special Permit/Variance Attachment to Par. 1(a)" form.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: November 9, 2004  
(enter date affidavit is notarized)

85748

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:

**(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)

(1)Winchester Homes Inc.  
6905 Rockledge Drive, Suite 800  
Bethesda, MD 20817

**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)

Weyerhaeuser Real Estate Company(2)

(check if applicable)  There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance 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.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 1

**Special Permit/Variance Attachment to Par. 1(b)**

DATE: November 9, 2004  
(enter date affidavit is notarized)

85748

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

(2)Weyerhaeuser Real Estate Company  
P. O. Box 2999  
Tacoma, WA 98477-2999

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

Weyerhaeuser Company(3)

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

(3)Weyerhaeuser Company  
P. O. Box 2999  
Tacoma, WA 98477-2999

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

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: November 9, 2004  
(enter date affidavit is notarized)

85748

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)

(4)Hunton & Williams LLP  
1751 Pinnacle Drive, Suite 1700  
McLean, VA 22102

(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)

Benjamin C. Ackerly  
Robert A. Acosta-Lewis  
Richard L. Adams  
Stanislaus Aksman  
Jennifer A. Albert  
Virginia S. Albrecht  
Kenneth J. Alcott  
Joseph B. Alexander, Jr.  
Fernando C. Alonso  
Thomas E. Anderson  
W. Tinley Anderson, III  
W. Christopher Arbery  
Charles G. Ashton  
John B. Ashton  
L. S. Austin  
Gerald L. Baliles  
Ian Phillip Band  
Jeffery R. Banish  
A. Neal Barkus

Haywood A. Barnes  
Jeffrey P. Bast  
Philip M. Battles, III  
R. Mason Bayler, Jr.  
John J. Beardsworth, Jr.  
Lucas Bergkamp  
Mark B. Bierbower  
Jo Ann Biggs  
Stephen R. Blacklocks  
Jerry B. Blackstock  
Russel S. Bogue, III  
William S. Boyd  
Lawrence J. Bracken, II  
James P. Bradley  
William S. Bradley  
David F. Brandley, Jr.  
Arthur D. Brannan  
Emerson V. Briggs  
Craig A. Bromby

A. Todd Brown  
Tyler P. Brown  
F. William Brownell  
Kevin J. Buckley  
Kristy A. Niehaus Bulleit  
Joseph B. Buonanno  
Brian M. Buroker  
Matthew J. Calvert  
Christopher C. Campbell  
Daniel M. Campbell  
Curtis G. Carlson  
Grady K. Carlson  
David M. Carter  
Jean Gordon Carter  
Charles D. Case  
Thomas J. Cawley  
James N. Christman  
R. Noel Clinard  
W. S. Cockerham

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance 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.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 3

**Special Permit/Variance Attachment to Par. 1(c)**

DATE: November 9, 2004  
(enter date affidavit is notarized)

85748

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

(4)Hunton & Williams LLP (Continued)  
1751 Pinnacle Drive, Suite 1700  
McLean, VA 22102

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

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

Herve' Cogels  
Myron D. Cohen  
Cassandra C. Collins  
Stacy M. Colvin  
Joseph P. Congleton  
Cameron N. Cosby  
T. Thomas Cottingham, III  
Ted C. Craig  
Cyane B. Crump  
Jennifer Hinkebein Culotta  
Maria T. Currier  
William D. Dannelly  
Samuel A. Danon  
Barry R. Davidson  
Douglas W. Davis  
Joe A. Davis  
Stephen P. Demm  
Brian Dethrow  
Patrick A. Doody  
Edward L. Douma  
Bradley R. Duncan  
Kevin T. Duncan  
Mark S. Dray  
L. Traywick Duffie  
Robert H. Edwards, Jr.  
W. Jeffery Edwards  
L. Neal Ellis, Jr.  
Frank E. Emory, Jr.  
Juan C. Enjamio  
John D. Epps  
Patricia K. Epps  
Kelly L. Faglioni  
Susan S. Failla  
James E. Farnham  
Kevin L. Fast  
James W. Featherstone, III  
Norman W. Fichthorn  
Andrea Bear Field  
Robert M. Fillmore

Edward S. Finley, Jr.  
Kevin J. Finto  
William M. Flynn  
Lauren E. Freeman  
Ira L. Freilicher  
David R. Fricke  
Edward J. Fuhr  
Douglas M. Garrou  
Richard D. Gary  
Manning Gasch, Jr.  
David F. Geneson  
Andrew A. Gerber  
Neil K. Gilman  
C. Christopher Giragosian  
Timothy S. Goettel  
Peter G. Golden  
Allen C. Goolsby  
L. Raul Grable  
Douglas S. Granger  
Mark E. Grantham  
Patti L. Grant-Wilkinson  
J. William Gray, Jr.  
Anne Gordon Greever  
Robert J. Grey, Jr.  
John Owen Gwathmey  
Miles B. Haberer  
Virginia H. Hackney  
Robert J. Hahn  
Ronald M. Hanson  
Richard L. Harden  
Ray V. Hartwell, III  
Robert W. Hawkins  
Timothy G. Hayes  
Mark S. Hedberg  
Douglas J. Heffner  
Matthew C. Henry  
Alberto M. Hernandez  
Scott Hershman  
George H. Hettrick

Louanna O. Heuhsen  
Thomas Y. Hiner  
Frank A. Hirsch, Jr.  
Scott M. Hobby  
Stuart K. Hoffman  
Robert E. Hogfoss  
Charles F. Hollis, III  
John E. Holloway  
John M. Holloway, III  
George C. Howell, III  
Robert H. Huey  
Donald P. Irwin  
Judith H. Itkin  
Makram B. Jaber  
Lori M. Jarvis  
Matthew D. Jenkins  
Harry M. Johnson, III  
Derek C. Johnston  
James A. Jones, III  
Dan J. Jordanger  
Leslie O. Juan  
Thomas R. Julin  
E. Peter Kane  
Thomas F. Kaufman  
Peter Kavanagh  
Joseph C. Kearfott  
Daniel O. Kennedy  
Douglas W. Kenyon  
Michael C. Kerrigan  
Marie Kidwell  
Sylvia K. Kochler  
Edward B. Koehler  
John T. Konther  
Dana S. Kull  
Christopher Kuner  
David Craig Landin  
Christine E. Larkin  
Andrew W. Lawrence  
Wood W. Lay

(check if applicable)

There is more partnership information and Par. 1(c) is continued further on a  
"Special Permit/Variance Attachment to Par. 1(c)" form.

**Special Permit/Variance Attachment to Par. 1(c)**

DATE: November 9, 2004  
(enter date affidavit is notarized)

85748

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

(4)Hunton & Williams LLP (Continued)  
1751 Pinnacle Drive, Suite 1700  
McLean, VA 22102

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

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

Daniel M. LeBey  
David O. Ledbetter  
Thomas F. Lillard  
Catherine D. Little  
Gregory G. Little  
Michael J. Lockerby  
David C. Lonergan  
Audrey C. Louison  
Carlos E. Loumiet  
David S. Lowman, Jr.  
John A. Lucas  
Kelly D. Ludwick  
Martin T. Lutz  
Harrison D. Maas  
Robert C. MacDonald  
Timothy A. Mack  
C. King Mallory, III  
M. Kelly Malone  
Thomas J. Manley  
Fernando Margarit  
Michael F. Marino, III  
Enrique J. Martin  
Jeffrey N. Martin  
John S. Martin  
Walfrido J. Martinez  
J. Michael Martinez de Andino  
Christopher M. Mason  
Michael P. Massad, Jr.  
Scott H. Matheson  
Richard E. May  
John Gary Maynard, III  
William H. McBride  
Gerald P. McCartin  
Jack E. McClard  
Francis A. McDermott  
Alexander G. McGeoch  
John C. McGranahan, Jr.  
Matthew P. McGuire  
John W. McReynolds

David I. Meyers  
John Miles  
James Forrest Miller  
John B. Miller, Jr.  
Thomas McN. Millhiser  
John E. Moeller  
Jack A. Molenkamp  
Charles R. Monroe, Jr.  
Royce W. Montgomery  
T. Justin Moore, III  
Thurston R. Moore  
Bruce W. Moorhead, Jr.  
Elizabeth Ann Morgan  
Robert J. Muething  
Eric J. Murdock  
Edmond P. Murphy  
J. Andrew Murphy  
Thomas P. Murphy  
David A. Mustone  
James P. Naughton  
Michael Nedzbalá  
Jerry C. Newsome  
Henry V. Nickel  
Lonnie D. Nunley, III  
E. A. Nye, Jr.  
John D. O'Neill, Jr.  
Anna G. Oestereicher  
Brian V. Otero  
Randall S. Parks  
Peter S. Partee  
William S. Patterson  
B. Donovan Picard  
John P. Pinkerton  
R. Dean Pope  
Laurence H. Posorske  
Thomas W. Pounds  
Kurtis A. Powell  
Lewis F. Powell, III  
J. Waverly Pulley, III

Roberto R. Pupo  
Robert T. Quackenboss  
Arnold H. Quint  
William M. Ragland, Jr.  
Gordon F. Rainey, Jr.  
John Jay Range  
Stuart A. Raphael  
Craig V. Rasile  
John M. Ratino  
Robert S. Rausch  
Baker R. Rector  
William M. Richardson  
James M. Rinaca  
Jennings G. Ritter, II  
Kathy E. B. Robb  
Gregory B. Robertson  
Scott L. Robertson  
Kevin J. Rogan  
Robert M. Rolfe  
William L. S. Rowe  
Marguerite R. Ruby  
D. Alan Rudlin  
Mary Nash Rusher  
Vance E. Salter  
Stephen M. Sayers  
Arthur E. Schmalz  
John R. Schneider  
Pauline A. Schneider  
Stephen T. Schreiner  
Robert M. Schulman  
Melvin S. Schulze  
Patricia M. Schwarzschild  
Thomas J. Scott, Jr.  
P. Watson Seaman  
Douglass P. Selby  
James W. Shea  
Michael R. Shebelskie  
Rita A. Sheffey  
Carolyn E. Shellman

(check if applicable)

There is more partnership information and Par. 1(c) is continued further on a  
"Special Permit/Variance Attachment to Par. 1(c)" form.



Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page 3 of 3

**Special Permit/Variance Attachment to Par. 1(c)**

DATE: November 9, 2004  
(enter date affidavit is notarized)

85948

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

(4)Hunton & Williams LLP (Continued)  
1751 Pinnacle Drive, Suite 1700  
McLean, VA 22102

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

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

James E. Shepherd	David B. Weisblat
William P. Silverman	Mark G. Weisshaar
Jo Anne E. Sirgado	Hill B. Wellford, Jr.
Thomas G. Slater, Jr.	David E. Wells
B. Darrell Smelcer	G. Thomas West, Jr.
Caryl Greenberg Smith	Milby A. West
Turner T. Smith, Jr.	Stephen F. White
Steven P. Solow	Laura L. Whiting
Lisa J. Sotto	Jerry E. Whitson
Joseph C. Stanko, Jr.	Paul O. Wickes
Marty Steinberg	Amy McDaniel Williams
Catherine B. Stevens	Robert K. Wise
Gregory N. Stillman	John W. Woods, Jr.
Franklin H. Stone	David C. Wright
C. Randolph Sullivan	David M. Young
Chanmanu Sumawong	William F. Young
Madeleine M. Tan	Leslie B. Zacks
Andrew J. Tapscott	Dennis L. Zakas
Robert M. Tata	Andrew D. Zaron
Rodger L. Tate	Lee B. Zeugin
David H. Taylor	
Michael L. Teague	
John Charles Thomas	
Martin Thomas	
Gary E. Thompson	
Paul M. Thompson	
B. Cary Tolley, III	
Randolph F. Totten	
Guy T. Tripp, III	
Travis E. Vanderpool	
C. Porter Vaughan, III	
Enid L. Veron	
C. L. Wagner, Jr.	
Linda L. Walsh	
William A. Walsh, Jr.	
Robert J. Ward	
Harry J. Warthen, III	
Mark R. Wasem	
Abigail C. Watts-FitzGerald	

(check if applicable)  There is more partnership information and Par. 1(c) is continued further on a  
"Special Permit/Variance Attachment to Par. 1(c)" form.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: November 9, 2004  
(enter date affidavit is notarized)

85748

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 Zoning Appeals, 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.)

NONE

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

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: November 9, 2004  
(enter date affidavit is notarized)

85748

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, 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 \$200 or more, with any of those listed in Par. 1 above.

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

NONE

(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 "Special Permit/Variance 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)

[ ] Applicant

[x] Applicant's Authorized Agent

Neda Lilabi, Agent for Applicant

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

Subscribed and sworn to before me this 9th day of November 2004, in the State/Comm. of Virginia, County/City of Fairfax.

Susan Rudnicki  
Notary Public

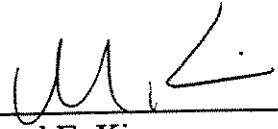
My commission expires: March 31, 2005

November 18, 2004

**Winchester Homes Inc.  
Special Permit Application  
Statement of Justification**

The following statement is provided pursuant to the requirements of Section 8-011 of the Zoning Ordinance:

- A. Type of operation  
This application is to allow an office within an existing model home in the Oak Hill Reserve subdivision. No new construction is proposed.
- B. Hours of operation  
The office will be open Monday through Sunday between the hours of 11:00 a.m. to 6:00 p.m.
- C. Estimated number of Patrons  
The number of patrons in the office from time to time will vary depending upon such factors as time of day, day of week, weather, and market conditions.
- D. Proposed number of employees  
It is anticipated that there will be at least one employee in the office at all times.
- E. Estimate of traffic impact of the proposed use  
The traffic impact will vary depending upon such factors as time of day, day of week, weather, and market conditions.
- F. General area to be served  
The use will serve prospective purchasers of new homes in the Oak Hill Reserve subdivision in the Fair Oaks/Chantilly vicinity.
- G. Description of building façade and architecture  
The model home is a two-story brick and frame colonial-style home with some aluminum siding, comparable with design and construction materials of neighboring residences.
- H. A listing, if known, of all hazardous or toxic substances  
No hazardous materials are present on the site.
- I. Conformity with requirements  
The proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions.

  
\_\_\_\_\_  
Michael E. Kinney  
Attorney/Agent for Applicant



# FAIRFAX COUNTY

DEPARTMENT OF PLANNING AND ZONING  
Zoning Administration Division  
Zoning Permit Review Branch  
12055 Government Center Parkway, Suite 250  
Fairfax, Virginia 22035-5508

V I R G I N I A

(703) 324-1359

Fax (703) 324-2301

December 5, 2002

Mr. Nicholas Kavangh  
Winchester Homes, Inc.  
6905 Rockledge Drive, Suite 800  
Bethesda, Maryland 20817

Re: TSP 2002-202-Y – Sales Office in a Model Home  
Oak Hill Reserve, Sect. 1 (Stonehaven Manor)  
12861 Sunny Fields Lane  
Tax Map Ref: 35-4 ((25)) 1  
Zoning Districts: R-1 & WS  
Sully District

Dear Mr. Kavanagh:

Your temporary special permit to operate a sales office in a model home at the above-referenced location has been granted subject to approval by the following agencies:

Permits Administration	(703) 325-1555
Health Department (Sanitation)	(703) 246-2201

After receiving written approval from these agencies, a Non-Residential Use Permit (Non-RUP) may be issued. That Non-RUP, together with this letter, will serve as your temporary special permit subject to the following conditions:

1. This permit is granted for two years from the date of issuance or until the sale or lease of all dwelling units in the development, whichever occurs first. Any request for a longer period of time shall require special permit approval by the Board of Zoning Appeals. An application must be filed 90 days prior to the expiration of this temporary special permit.
2. The sales office shall be used only for the sale or lease of units at Oak Hill Reserve, Sect. 1 (Stonehaven Manor.) The existing sales trailer must be removed and a Residential Use Permit shall be obtained prior to occupancy of the sales office in the model home.
3. The sales office shall be located in accordance with the attached plat.

Mr. Nicholas Kavanagh

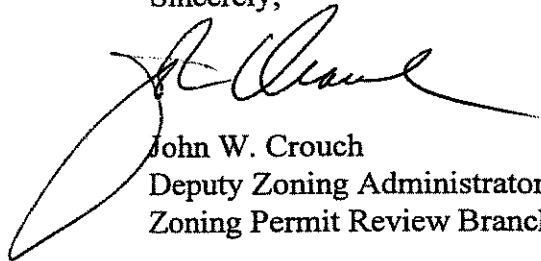
December 5, 2002

Page 2

4. A sales office located in the garage of a model home shall be reconverted within 30 days after the completion of its use. The Zoning Permit Review Branch shall be notified when the sales office closes or relocates.
5. Sufficient off-street parking shall be provided for employees at the site and prospective customers.
6. Signs and lighting must conform with the provisions of Article 12 and Article 14 of the Zoning Ordinance. For further information call the Zoning Enforcement Branch at (703) 324-1300.

Violation of these conditions may result in revocation of this permit.

Sincerely,



John W. Crouch  
Deputy Zoning Administrator for  
Zoning Permit Review Branch

JWC/ww

Attachment A/S

cc: Michael R. Frey, Supervisor, Sully District  
Jane W. Gwinn, Zoning Administrator  
J. Chris Pricci, Supervising Sanitarian Health Department

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

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

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

**FILE:** 3-6 (SP 2005-SU-002)

**SUBJECT:** Transportation Impact

**REFERENCE:** SP 2005-SU-002; Winchester Homes Inc.  
Traffic Zone: 1712  
Land Identification Map: 35-4 ((25)) 1

**DATE:** February 28, 2005

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on a plat made available to this office dated June 21, 2002, and revised through February 11, 2004.

The subject application is a request to allow a subdivision sales office within an existing model home at 12861 Sunny Fields Lane in the Oak Hill Reserve subdivision..

This department does not object to approval of this application provided adequate parking is provided for the subject use.

AKR/LAH/lah

cc: Michelle Brickner, Director, Office of Site Development Services, DPW&ES

**8-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

- 1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
- 2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- 3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- 4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
- 5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
- N/A  6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
- 7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
- 8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.



## 8-808 Standards and Time Limits for Subdivision and Apartment Sales and Rental Offices

1. A temporary special permit may be issued for a period not to exceed two (2) years.
2. Such an office shall be incidental to and located within the recorded subdivision which it serves or on the same lot where the sales project is located.
3. Such an office shall contain no sleeping accommodations unless it is located in a model dwelling unit
4. If located in a permanent structure, such structures shall comply with all of the requirements of this Ordinance, to include the applicable zoning district regulations.
5. Such an office shall continue only until the sale or lease of all dwelling units in the development, but in no event shall the time exceed the limit set forth in Par. 1 above.