

**ZONING REGULATIONS: ZONE RS-10**

THE FOLLOWING CURRENT ZONING REGULATIONS, RESTRICTIONS AND/OR REQUIREMENTS ARE AS LISTED IN CHAPTER 19 (ZONING) OF THE CODE OF THE TOWN OF VIENNA, VIRGINIA.

**ARTICLE 7. RS-10, SINGLE-FAMILY DETACHED RESIDENTIAL ZONE REGULATIONS**

**SECTION 10-33: AREA REQUIREMENTS**

- A. LOT AREA: MINIMUM, TEN THOUSAND (10,000) SQUARE FEET.
- B. LOT WIDTH: ALL LOTS SHALL PROVIDE A MINIMUM WIDTH OF FORTY-FIVE (45) FEET AT THE STREET RIGHT-OF-WAY LINE, SIXTY (60) FEET AT THE FRONT BUILDING LINE, AND SEVENTY-FIVE (75) FEET AT THE LOT MIDLIN.
- C. FRONT YARD: THE BUILDING LINE SHALL NOT BE LESS THAN FIFTY (50) FEET MEASURED FROM THE CENTERLINE OF THE STREET, WHEN FRONTING UPON A STREET OF LESS THAN FIFTY (50) FEET IN WIDTH, AND NOT LESS THAN TWENTY-FIVE (25) FEET MEASURED FROM THE STREET LINE FRONTING UPON A STREET OF FIFTY (50) FEET OR MORE IN WIDTH. IN CASE OF A THROUGH LOT, THE BUILDING LINE ON ANY STREET OR STREETS SHALL BE DETERMINED IN THE FORESAID MANNER OR AS HEREIN REQUIRED.
- D. SIDE YARD: MINIMUM, TWELVE (12) FEET IN WIDTH. BUILDINGS OTHER THAN DWELLINGS AND THEIR ACCESSORY BUILDINGS SHALL HAVE A SIDE YARD ON EACH SIDE OF THE BUILDING OF NOT LESS THAN FORTY (40) FEET IN WIDTH. CORNER LOT SHALL HAVE A SIDE YARD ALONG ITS STREET SIDE AT LEAST TWENTY-FIVE (25) FEET IN WIDTH.
- E. REAR YARD: (SAME AS SPECIFIED FOR RS-16 ZONE) MINIMUM, THIRTY-FIVE (35) FEET IN DEPTH. DECKS MAY ENCRUCH INTO A REAR YARD PROVIDED THAT NO DECK MAY CAUSE THE REDUCTION OF ANY REAR YARD TO LESS THAN TWENTY-FIVE (25) FEET IN DEPTH. (AMEND. 10/7/02).
- F. LOT COVERAGE: (SAME AS SPECIFIED FOR RS-16 ZONE) NOT MORE THAN TWENTY-FIVE PERCENT (25%) SHALL BE COVERED BY BUILDINGS, ACCESSORY BUILDINGS, AUTOMOBILE PARKING SPACES AND ACCESS, SPORT COURTS, TENNIS COURTS, PATIOS AND TERRACES. (AMEND.8-19-91).

**SECTION 10-34: HEIGHT LIMIT**

(SAME AS SPECIFIED FOR RS-16 ZONE) MAXIMUM HEIGHT, TWO-AND-ONE-HALF (2 1/2) STORIES, BUT NOT TO EXCEED THIRTY-FIVE (35) FEET.

**ZONING REGULATIONS: ZONE C-1A**

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**ARTICLE 12. C-1A, SPECIAL COMMERCIAL ZONE REGULATIONS**

**SECTION 10-82 AREA REQUIREMENTS (AMEND. 2-28-94)**

- A. FOR BUILDINGS HEREAFTER ERRECTED AND USED EXCLUSIVELY FOR DWELLING PURPOSES, SEE SECTION 10-141.
- B. FRONT YARD: THE FRONT YARD AS DEFINED IN THIS CHAPTER SHALL BE MEASURED FROM THE BUILDING LINE TO THE FRONT PROPERTY LINE AND SHALL BE NOT LESS THAN FIFTEEN (15) FEET. STRUCTURES IN EXISTENCE AT THE TIME OF THE ADOPTION OF THIS AMENDMENT AND WHICH PREVIOUSLY COMPLIED WITH THEN EXISTING FRONT YARD REQUIREMENTS, SHALL NOT HEREAFTER BE DEEMED TO BE NON-COMPLYING SOLELY BY VIRTUE OF THEIR NON-COMPLIANCE WITH THE FRONT YARD REQUIREMENTS OF THIS SECTION. (AMEND. 2/28/94)
- C. ALL NEW STRUCTURES REQUIRING A BUILDING PERMIT UNDERTAKEN SUBSEQUENT TO THE DATE OF ADOPTION OF THIS SECTION AND ALL STRUCTURAL REPAIR, EXPANSION, ADDITION OR CHANGE TO EXISTING STRUCTURES, REQUIRING A BUILDING PERMIT, AND UNDERTAKEN SUBSEQUENT TO THE DATE OF ADOPTION OF THIS SECTION, WHETHER SUCH STRUCTURE BE CONFORMING OR NON-COMPLYING ON THE DATE OF ADOPTION OF THIS SECTION, WHERE SUCH RENOVATION, EXPANSION, ADDITION OR CHANGE MAY REASONABLY BE EXPECTED TO RESULT IN AN INCREASE OF FIFTY PERCENT (50%) MORE IN USABLE FLOOR AREA OF SUCH STRUCTURE SHALL BE REQUIRED TO CONFORM IN EVERY WAY TO THE FRONT YARD REQUIREMENTS OF THIS SECTION AS WELL AS ALL OTHER APPLICABLE PROVISIONS OF THIS CHAPTER. (EMER. 11-1-82; AMEND. 1-3-83)
- D. SIDE YARD: NONE REQUIRED, EXCEPT THAT EACH COMMERCIAL OR INDUSTRIAL BUILDING WITH ANY SIDE WALL CONTAINING WINDOWS OR OTHER OPENINGS WHICH DOES NOT SIDE ON A STREET OR ALLEY, SHALL PROVIDE ALONG SUCH WALL A SIDE YARD OF NOT LESS THAN FIVE FEET (5') AND ONE FOOT (1') ADDITIONAL FOR EACH STORY ABOVE THE FIRST STORY.
- E. REAR YARD: MINIMUM TEN FEET (10').
- F. AT LEAST TWENTY-FIVE (25) PERCENT OF THE FRONT YARD SHALL BE LANDSCAPED.

- 1. LANDSCAPING SHALL BE IN ACCORDANCE WITH A PLAN APPROVED BY THE TOWN COUNCIL AFTER RECEIVING REPORTS AND RECOMMENDATIONS FROM THE PLANNING COMMISSION AND THE BOARD OF ARCHITECTURAL REVIEW. LANDSCAPE MAINTENANCE SHALL BE SUBJECT TO THE PROVISIONS AS SET FORTH IN SECTION 10-173.14.
- 2. AN APPROVED LANDSCAPE PLAN MAY BE REVISED WITH THE APPROVAL OF THE BOARD OF ARCHITECTURAL REVIEW. (NEW 2-28-94)

**SECTION 10-83: HEIGHT LIMIT (AMEND. 4-18-77 EMER; REG. 6-6-77)**

MAXIMUM HEIGHT OF ANY STRUCTURE ERRECTED FOLLOWING THE ADOPTION OF THIS SECTION SHALL BE THREE STORIES ABOVE GROUND LEVEL, BUT NOT TO EXCEED THIRTY-FIVE FEET (35') ABOVE GROUND LEVEL. STRUCTURES IN EXISTENCE AT THE TIME OF THE ADOPTION OF THIS SECTION WILL NOT BE CONSIDERED NON-COMPLYING AS TO THE HEIGHT LIMIT PROVISION. THIS AMENDMENT SHALL NOT AFFECT THE RIGHTS OF ANY PERSONS WHO HAVE FILED, PRIOR TO THE ENACTMENT OF THIS ORDINANCE, PRELIMINARY OR FINAL SITE PLANS FOR THE CONSTRUCTION OF STRUCTURES IN EXCESS OF THE HEIGHT LIMIT PROVIDED BY THIS ORDINANCE ON PROPERTY PRESENTLY ZONED C-1A OR C-2.

**LEGAL DESCRIPTION**

BEGINNING AT A POINT IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF MAPLE AVENUE W, ROUTE #123, A VARIABLE WIDTH RIGHT-OF-WAY, BEING 175 FEET NORTHEASTERLY AS MEASURED ALONG SAID RIGHT-OF-WAY LINE FROM ITS INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF PLEASANT STREET, SAID POINT FURTHER BEING THE NORTHERLYMOST CORNER OF TAVLIC ASSOCIATES, THENCE, DEPARTING SAID TAVLIC ASSOCIATES AND RUNNING WITH SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF MAPLE AVENUE W, N 43° 42' 11" E, A DISTANCE OF 163.43 FEET TO A POINT AT THE WESTERLYMOST CORNER OF VIENNA SHOPPING CENTER LP;

THENCE, DEPARTING MAPLE AVE W, AND RUNNING WITH THE SOUTHWESTERLY LINE OF SAID VIENNA SHOPPING CENTER, S 46° 48' 19" E, A DISTANCE OF 184.60 FEET TO A POINT IN THE NORTHWESTERLY LINE OF FLORENCE A. ROSENBOROUGH;

THENCE, DEPARTING VIENNA SHOPPING CENTER LP AND RUNNING WITH THE NORTHWESTERLY AND SOUTHWESTERLY LINES OF SAID ROSENBOROUGH THE FOLLOWING TWO (2) COURSES:

- 1. S 43° 22' 12" W, A DISTANCE OF 36.01 FEET;
- 2. S 46° 48' 49" E, A DISTANCE OF 41.33 FEET;

THENCE, CONTINUING WITH THE SOUTHWESTERLY LINE OF SAID ROSENBOROUGH AND THE SAME LINE EXTENDED WITH VLADIMIR CERGA AND DIAMANTA RUSU, S 46° 23' 27" E, A DISTANCE OF 224.88 FEET TO A POINT IN THE NORTHWESTERLY LINE OF LOT 4-A, 'STEVENS SUBDIVISION';

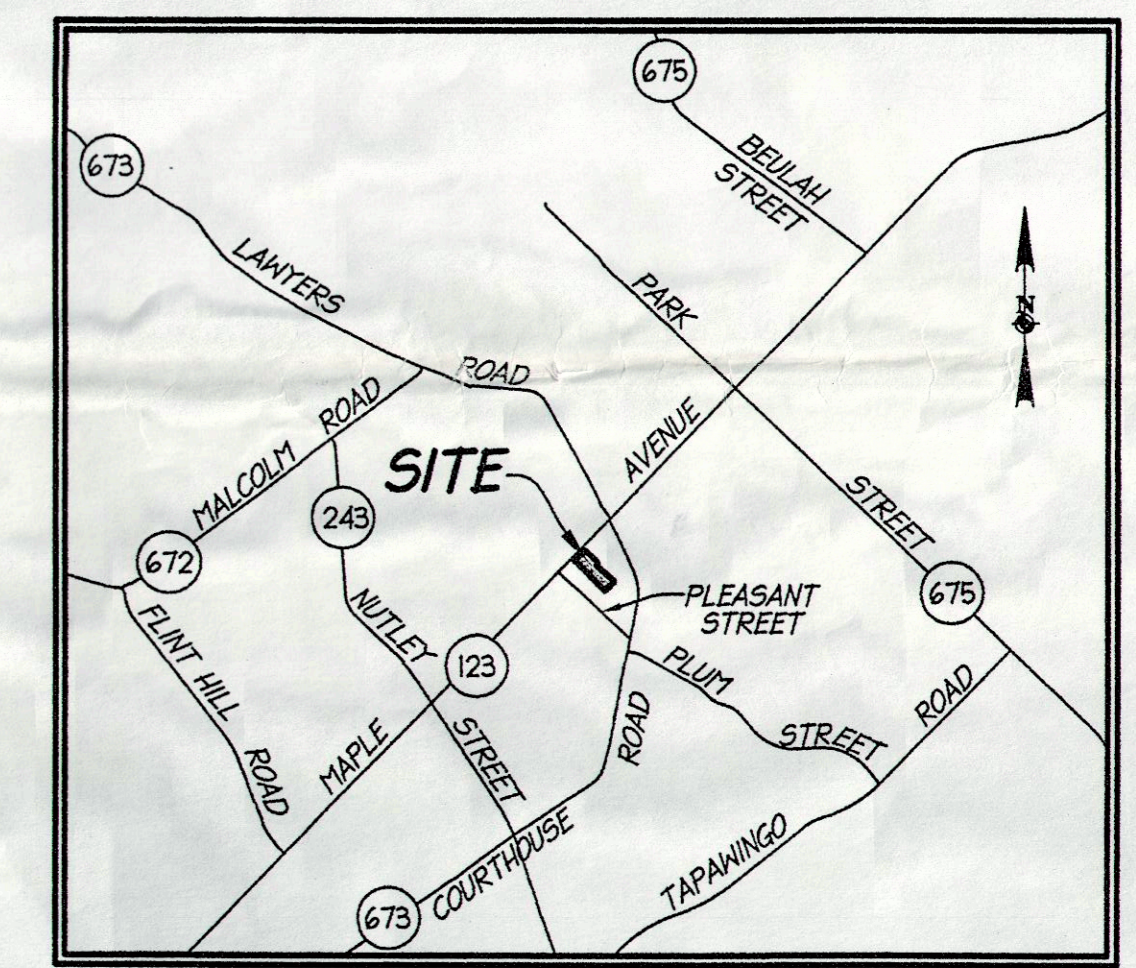
THENCE DEPARTING RUSU AND RUNNING WITH SAID NORTHWESTERLY LINE OF LOT 4-A AND THE SAME LINE EXTENDED WITH LOT 4, 'COMMONWEALTH PARK', S 46° 05' 48" W, A DISTANCE OF 140.13 FEET TO A POINT AT A WESTERLY CORNER OF SAID LOT 4 AND BEING IN THE NORTHEASTERLY LINE OF LOT 3, OF SAID 'COMMONWEALTH PARK';

THENCE, DEPARTING LOT 4 AND RUNNING WITH SAID NORTHEASTERLY LINE OF LOT 3 AND THE SAME LINE EXTENDED WITH LOTS 2 AND 1, N 46° 23' 33" W, A DISTANCE OF 215.65 FEET TO A POINT AT THE NORTHERLYMOST CORNER OF SAID LOT 1, SAID POINT FURTHER BEING IN THE SOUTHEASTERLY LINE OF THE AFOREMENTIONED TAVLIC ASSOCIATES;

THENCE, DEPARTING LOT 1 AND RUNNING WITH THE SOUTHEASTERLY AND NORTHEASTERLY LINES OF SAID TAVLIC ASSOCIATES THE FOLLOWING TWO (2) COURSES:

- 1. N 42° 18' 31" E, A DISTANCE OF 13.07 FEET;
- 2. N 45° 55' 46" W, A DISTANCE OF 229.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 66,444 SQUARE FEET OR 1.5254 ACRES OF LAND, MORE OR LESS



VICINITY MAP

SCALE: 1" = 200'

**Attachment 03**

**NOTES**

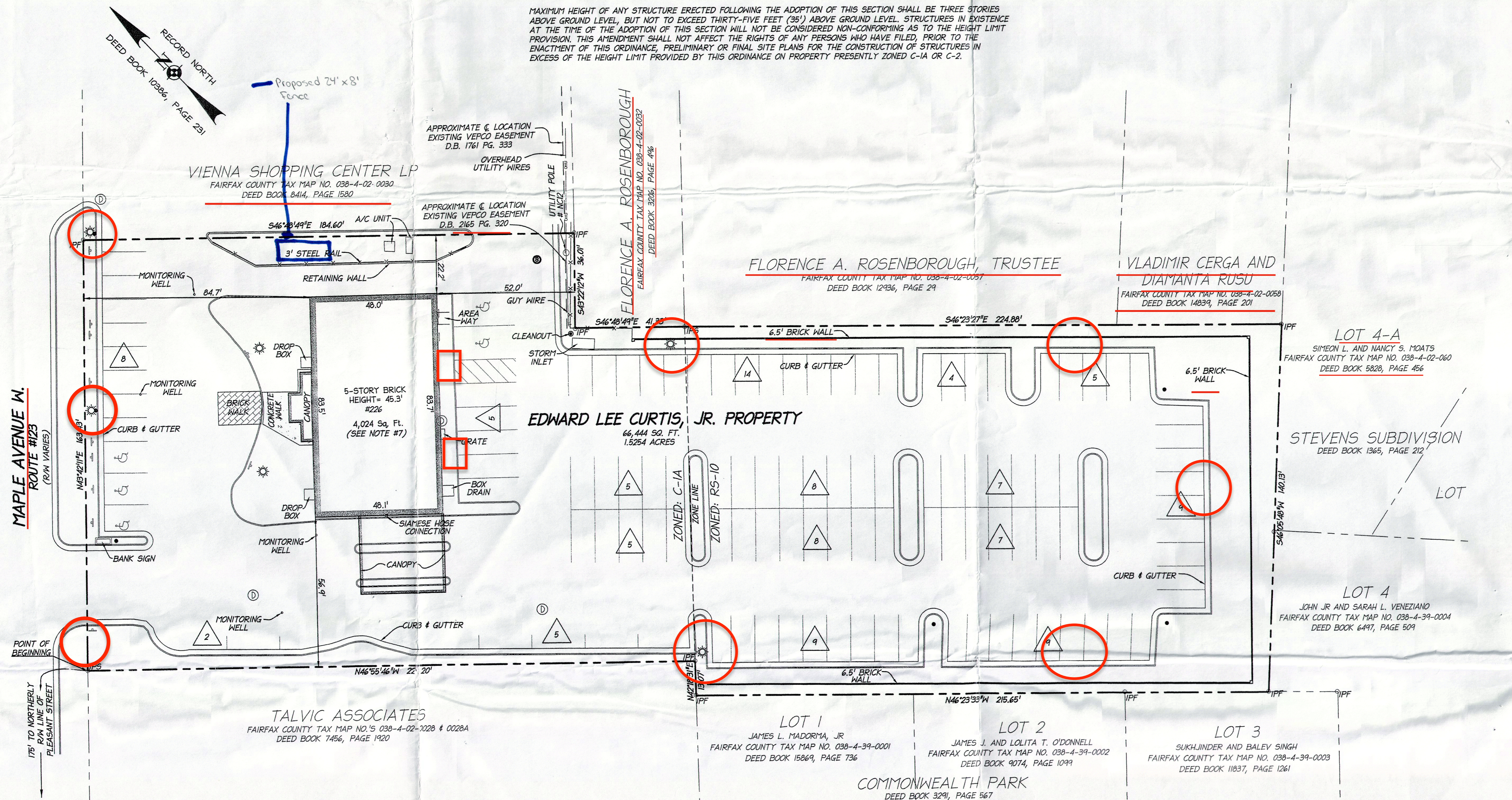
- 1.) THE PROPERTY SHOWN HEREON IS DESIGNATED AS FAIRFAX COUNTY ASSESSMENT MAP NUMBER 038-4-02-0029A AND IS ZONED C-2 AND RS-10.
- 2.) CURRENT OWNER: EDWARD LEE CURTIS, JR. DEED BOOK 10386, PAGE 231
- 3.) TITLE REPORT FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY (COUNTERSIGNED BY WALKER TITLE & ESCROW COMPANY, INC.), COMMITMENT NO. W0403917-TD, EFFECTIVE DATE OCTOBER 30, 2004 AT 8:00 a.m.
- 4.) THE PROPERTY SHOWN HEREON IS LOCATED ON F.E.M.A. MAP COMMUNITY PANEL NUMBER 510053 0001 B, DATED FEBRUARY 3, 1982, ZONE G, AREAS OF MINIMAL FLOODING.
- 5.) THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
- 6.) THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- 7.) BUILDING SQUARE FOOTAGE IS BASED ON EXTERIOR FOOTPRINT MEASUREMENTS OF BUILDING AT GROUND LEVEL.
- 8.) TOTAL AREA = 66,444 SQUARE FEET OR 1.5254 ACRES.
- 9.) THIS BOUNDARY IS BASED ON A CURRENT FIELD SURVEY.

**PARKING TABULATION**

STANDARD PARKING SPACES	110
HANDICAPPED PARKING SPACES	5
TOTAL PARKING SPACES	115

**LEGEND**

- ① SANITARY MANHOLE
- ② STORM MANHOLE
- ☀ LIGHT POLE
- SIGN
- BOLLARD
- ⊕ GUY WIRE ANCHOR
- 6' WOOD FENCE
- # DENOTES NUMBER OF STANDARD PARKING SPACES
- ♿ DENOTES HANDICAPPED PARKING SPACE
- IPF DENOTES IRON PIPE FOUND
- IPS DENOTES IRON PIPE SET
- R/W DENOTES RIGHT-OF-WAY



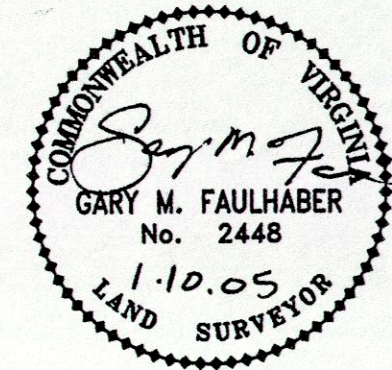
**SURVEYOR'S CERTIFICATE**

I, GARY M. FAULHABER, A DULY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY TO:

- (i) MADISON HOMES, INC., A VIRGINIA CORPORATION,
- (ii) FIRST AMERICAN TITLE INSURANCE COMPANY and
- (iii) WALKER TITLE & ESCROW COMPANY, INC.

THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS", JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS IN 1999, AND INCLUDES ITEMS 1-4, 6, 7(a), 7(b)(1), 8-10, 11(a), 13, 14 AND 16 OF TABLE A THEREOF.

PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS, AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, I FURTHER CERTIFY THAT THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE "MINIMUM ANGLE, DISTANCE, AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS."



**TITLE COMMITMENT EXCEPTION REVIEW**

THE FOLLOWING EASEMENTS AND/OR EXCEPTIONS AS LISTED IN SCHEDULE B - SECTION 2 OF THE TITLE COMMITMENT FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY (COUNTERSIGNED BY WALKER TITLE & ESCROW COMPANY, INC.), COMMITMENT NO. W0403917-TD, EFFECTIVE DATE OCTOBER 30, 2004 AT 8:00 am WERE REVIEWED AND ADDRESSED AS FOLLOWS AS TO THEIR CONNECTION WITH THE PROPERTY SHOWN HEREON AND AS DESCRIBED IN SCHEDULE A OF SAID COMMITMENT:

- ITEM 5: EASEMENT(S) TO COMMONWEALTH OF VIRGINIA RECORDED IN DEED BOOK 1536, PAGE 544. REMARKS: RIGHT OF WAY FOR MAPLE AVENUE ROUTE 123 AS SHOWN ON SURVEY.
- ITEM 6: EASEMENT(S) TO VIRGINIA ELECTRIC AND POWER COMPANY ("VEPCO") RECORDED IN DEED BOOK 1761, PAGE 333. REMARKS: EASEMENT DOES NOT AFFECT, HOWEVER, MAY SERVE THE SUBJECT PROPERTY AND IS SHOWN ON SURVEY.
- ITEM 7: EASEMENT(S) TO VIRGINIA ELECTRIC AND POWER COMPANY ("VEPCO") RECORDED IN DEED BOOK 2165, PAGE 320. REMARKS: EASEMENT DOES NOT AFFECT THE PROPERTY SHOWN HEREON.
- ITEM 8: EASEMENT(S) TO TOWN OF VIENNA RECORDED IN DEED BOOK 5446, PAGE 1275. REMARKS: EASEMENT DOES NOT AFFECT THE PROPERTY SHOWN HEREON.
- ITEM 9: EASEMENT(S) TO TOWN OF VIENNA RECORDED IN DEED BOOK 2841, PAGE 5. REMARKS: STORM SEWER EASEMENT(S) CANNOT BE PLOTTED OR LOCATED FROM RECORDED INFORMATION. DEED CALLS FOR "PLAT ATTACHED HERETO". NO PLAT RECORDED.

