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COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

MEMORANDUM

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**DATE:** December 8, 2006

**TO:** Diane Ryburn, Director of Parks, Recreation and Community Services

**THROUGH:** Melinda Artman, Zoning Administrator *MA*

**FROM:** Mark Stultz, Deputy Zoning Administrator *MS*

**SUBJECT:** Round Hill Aquatic Facility; Proffers 41a and 41b for ZMAP-1989-0004 (ZCOR-2006-0192)

This memorandum serves as an official zoning determination. The purpose of the memorandum is to confirm that the construction of the Round Hill Aquatic Facility ("the facility"), as shown in the set of drawings dated July 13, 2006, prepared by Northeast Aquatic Design, ("the drawings") and submitted by Kevin B. Rogers of Oak Hill Properties L.L.C. (the Applicant) on July 28, 2006, will satisfy the requirements for a swimming pool and community center as specified in Proffers 41a and 41b ("the Proffers") approved with Zoning Map Amendment (ZMAP) 1989-0004.

This memorandum also confirms that the general location and layout of the facility and associated parking as shown on the plan entitled "Site Schematic, Round Hill Aquatic Center, Loudoun County Virginia", prepared by Christopher Consultants and dated October, 2006 ("Site Schematic"), is acceptable to the County. It is understood that adjustments to the location and layout of the facility and parking may be necessary in order to satisfy the requirements of the Zoning Ordinance, Facilities Standards Manual and the Statewide Building Code. In addition, it is understood that the number of parking spaces shown on the Site Schematic is adequate. Furthermore, it is understood that the County can support an FSM waiver to allow the parking to use a gravel surface, with the exception of the handicapped spaces.

This memorandum also confirms that the Proffers require that the improvements be "implemented" by the 800<sup>th</sup> zoning permit. Implemented has been determined to mean that the site plan and the bond documents for the facility must be approved prior to the issuance of the 800th zoning permit for residential units; and an occupancy permit for the facility must be issued prior to the issuance of 950th zoning permit for residential units.

It is noted that this determination does not address or approve any of the waivers and allowances that are listed on Page 1 of the drawings. Each of these items will be addressed during the site plan review process. However, these items were discussed at a meeting held on July 11, 2006. A summary of the discussion is summarized in a Memorandum dated August 3, 2006 (enclosed). The Director of Building and Development has seen the August 3, 2006 Memorandum and

agrees with Staff's comments regarding the waivers and allowances – as stated in his Memorandum dated November 9, 2006 (enclosed).

This determination applies solely to the referenced properties and is not binding upon the County, the Zoning Administrator or any other official with respect to any other property.

Please be advised that any person aggrieved, or any officer, department or agency of Loudoun County affected by an order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the provisions of the Zoning Ordinance may appeal said decision within thirty (30) days to the Board of Supervisors in strict accordance with Section 15.2-2301 of the Code of Virginia. This decision is final and unappealable if not appealed within 30 days.

Please contact me at 703-777-0397 if I can provide any additional information or assistance regarding the above matter.

Attachment:

Drawings dated July 13, 2006, Round Hill Aquatic Facility  
Site Schematic, Round Hill Aquatic Center, Loudoun County Virginia, dated October 2006  
Memorandum dated August 3, 2006, summarizing the meeting held on July 11, 2006  
Memorandum dated November 9, 2006, from the Director of Building and Development

cc: Kevin B. Rogers, Oak Hill Properties, L.L.C.  
Jim Burton, Blue Ridge District Supervisor  
Candice L. deButts, Deputy County Administrator  
Melinda M. Artman, Zoning Administrator  
Gary Clare, Chief Engineer  
Mark Stultz, Deputy Zoning Administrator  
Susan Glass, Proffer Manager, Zoning Administration  
Ben Tompkins, Reed Smith  
Frank Etro, Mayor, Town of Round Hill  
Round Hill Homeowners' Association