

# LOUDOUN COUNTY LAND DEVELOPMENT APPLICATION

- (1) This application form must be filled out in its entirety.
- (2) An incomplete application form will result in rejection of the application prior to checklist review.
- (3) If additional space is needed to complete any section of this application, attach a separate sheet containing all the required information and refer to such where appropriate on the form.
- (4) Do not write in shaded areas.
- (5) See attached Instructions for completing the Land Development Application.

**PLEASE PRINT IN INK OR USE TYPEWRITER**

<b>TYPE OF APPLICATION ZMAP</b> _____ 1972 Zoning Ordinance _____ 1993 Zoning Ordinance <input checked="" type="checkbox"/> Revised 1993 Zoning Ordinance	Application Number Assigned _____ Fee Amount Paid _____ Receipt Number _____ Date of Official Acceptance _____																												
<b>Calculations of Bond (CPAP, CPAP REVISION, REST, STPL, STPR &amp; STMP)</b>																													
<b>Total Number of Cross-Sections (FPAL Type II &amp; FPST)</b>																													
<b>Estimated Square Feet of Land Disturbance (SPEX)</b>																													
<b>Project Name:</b> Townes at East Gate	<b>Subdivision Name (if different from project name):</b>  <b>Subdivision Section:</b> <b>Lot Numbers:</b>																												
<b>Description of Proposed Project: (Must be completed)</b> Purpose of application is to amend proffer related to Route 50/Poland Road intersection improvement from original ZMAP 2002-0022. No other changes to project.																													
<b>Number and Types of Proposed Lots</b>  Residential _____ Non-residential _____ Conservancy _____ Open Space _____ Other (Specify type) _____	<b>PROPOSED RESIDENTIAL UNITS (This section is to be completed for all residential applications).</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Total Units</th> <th>Quantity Affordable</th> <th>Quantity Elderly</th> </tr> </thead> <tbody> <tr> <td>Detached</td> <td style="text-align: center;">57</td> <td></td> <td></td> </tr> <tr> <td>Semi-detached</td> <td style="text-align: center;">0</td> <td></td> <td></td> </tr> <tr> <td>Townhouse</td> <td style="text-align: center;">267</td> <td style="text-align: center;">21</td> <td></td> </tr> <tr> <td>Multi-family</td> <td style="text-align: center;">0</td> <td></td> <td></td> </tr> <tr> <td>Other (specify)</td> <td style="text-align: center;">0</td> <td></td> <td></td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: center;"><b>324</b></td> <td style="text-align: center;"><b>21</b></td> <td style="text-align: center;"><b>0</b></td> </tr> </tbody> </table>		Total Units	Quantity Affordable	Quantity Elderly	Detached	57			Semi-detached	0			Townhouse	267	21		Multi-family	0			Other (specify)	0			<b>Total</b>	<b>324</b>	<b>21</b>	<b>0</b>
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Other (specify)	0																												
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<b>PROPOSED NON-RESIDENTIAL SQUARE FOOTAGE</b> This section must be completed for all non-residential applications and non-residential components of residential applications. Describe the type (s) in the appropriated category and the total square footage for the category:																													
<b>Category</b>	<b>Description of Use</b>	<b>Square Footage</b>																											
Ag-Residential																													
Sales & Service																													
Office																													
Industrial																													
Gov't., Utilities & Public Service																													
Recreation & Special Interests																													
Transportation & Communications																													
Education & Training																													
Other (specify)																													
<b>Total Square Footage</b>																													
<b>PROJECT LOCATION</b>																													
<b>Property Address:</b> No address	<b>Property Location:</b> East side of Poland Road/Tall Cedars Pkwy. Intersection.	<b>Adjacent Roads</b> Poland Road/Tall Cedars Pkwy.																											
<b>ELECTION DISTRICT(S)</b>	Dulles																												
<b>PROPERTY TAXMAP, ACREAGE AND ZONING INFORMATION</b>																													
<b>Tax Map Number(s) or Pin Number Reference(s)</b>	<b>Zoning District(s)</b>	<b>Acres</b>	<b>Zoning Status</b>																										
TM 107, Parcel 40 PIN 129-10-4864	PDH6	51.67	Existing PDH6 Proposed PDH6																										

**SURROUNDING LAND USES AND ZONING**

*List all surrounding land uses and zoning districts adjacent to the property, including those across roads.*

LAND USE		ZONING
NORTH	Church	CLI
SOUTH	Agriculture	R-1
EAST	Vacant	CLI
WEST	Residential, Vacant	R1, R3, CR-1, CLI

**APPLICANT(S)**

Company Name	Pulte Homes	Company Name	
Name of Person & Title	Gary Leygraaf V.P. – Land Development	Name of Person & Title	
Mailing Address	10600 Arrowhead Dr., Ste. 225	Mailing Address	
City, State, Zip Code	Fairfax, VA 22030	City, State, Zip Code	
Daytime Telephone	(703) 277-7461	Daytime Telephone	
E-mail Address	Gary.Leygraaf@Centex.com	E-mail Address	
Correspondent?	Yes <input checked="" type="checkbox"/> No	Correspondent?	Yes <input type="checkbox"/> No

**PROPERTY OWNER(S)**

Company Name	Pulte Homes	Company Name	
Name of Person & Title	Gary Leygraaf V.P. – Land Development	Name of Person & Title	
Mailing Address	10600 Arrowhead Dr., Ste. 225	Mailing Address	
City, State, Zip Code	Fairfax, VA 22030	City, State, Zip Code	
Daytime Telephone	(703) 277-7461	Daytime Telephone	
E-mail Address	Gary.Leygraaf@Centex.com	E-mail Address	
Correspondent?	Yes <input checked="" type="checkbox"/> No	Correspondent?	Yes <input type="checkbox"/> No

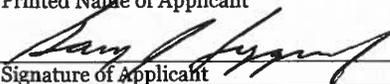
**REPRESENTATIVE(S)**

Company Name	christopher consultants, ltd.	Company Name	Pulte Homes
Name of Person & Title	Louis Canonico, P.E. Regional Vice President	Name of Person & Title	Jeff Edelman Land Project Manager
Mailing Address	20110 Ashbrook Pl., Ste. 160	Mailing Address	10600 Arrowhead Dr., Ste. 225
City, State, Zip Code	Ashburn, VA 20147	City, State, Zip Code	Fairfax, VA 22030
Daytime Telephone	571-209-5950	Daytime Telephone	(703) 359-7495
E-mail Address	loucanonico@ccl-eng.com	E-mail Address	jeff.edelman@centex.com
Correspondent?	Yes <input checked="" type="checkbox"/> No	Correspondent?	Yes <input checked="" type="checkbox"/> No

**CERTIFICATIONS**

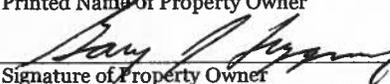
**APPLICANT(S):**

The information provided is accurate to the best of my knowledge. I acknowledge that any percolation tests, topographic studies, or other requirements of the Health Official, Director of Building and Development, or Zoning Administrator will be carried out at my expense. I understand that the County may deny, approve, or conditionally approve that for which I am applying. I certify that all property corners have been clearly staked and flagged.

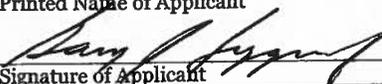
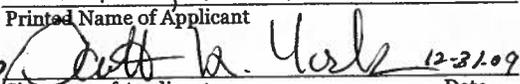
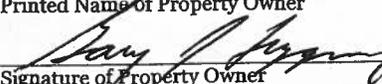
Gary J. Leygraaf Printed Name of Applicant			
 Signature of Applicant	12/3/09 Date		

**PROPERTY OWNER(S) (to be signed by all property owners):**

I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Department of Building and Development and/or Planning and other authorized government agents to enter the property and make such investigations and tests as they deem necessary.

Gary J. Leygraaf Printed Name of Property Owner			
 Signature of Property Owner	12/3/09 Date		

March 2, 2009

SURROUNDING LAND USES AND ZONING			
List all surrounding land uses and zoning districts adjacent to the property, including those across roads.			
LAND USE		ZONING	
NORTH	Church	CLI	
SOUTH	Agriculture	R-1	
EAST	Vacant	CLI	
WEST	Residential, Vacant	R1, R3, CR-1, CLI	
APPLICANT(S)			
Company Name	Pulte Homes	Company Name	Loudoun County Board of Supervisors
Name of Person & Title	Gary Leygraaf V.P. - Land Development	Name of Person & Title	Scott York, Chairman
Mailing Address	10600 Arrowhead Dr., Ste. 225	Mailing Address	1 Harrison St, SE 5th Floor
City, State, Zip Code	Fairfax, VA 22030	City, State, Zip Code	Leesburg, VA 20177-1000
Daytime Telephone	(703) 277-7461	Daytime Telephone	
E-mail Address	Gary.Leygraaf@Centex.com	E-mail Address	
Correspondent?	Yes <input checked="" type="checkbox"/> No	Correspondent?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
PROPERTY OWNER(S)			
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Company Name	christopher consultants, ltd.	Company Name	Pulte Homes
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Correspondent?	Yes <input checked="" type="checkbox"/> No	Correspondent?	Yes <input checked="" type="checkbox"/> No
CERTIFICATIONS			
<b>APPLICANT(S):</b> The information provided is accurate to the best of my knowledge. I acknowledge that any percolation tests, topographic studies, or other requirements of the Health Official, Director of Building and Development, or Zoning Administrator will be carried out at my expense. I understand that the County may deny, approve, or conditionally approve that for which I am applying. I certify that all property corners have been clearly staked and flagged.			
Gary J. Leygraaf Printed Name of Applicant		Scott York, Chairman Loudoun Co. BOS Printed Name of Applicant	
 Signature of Applicant		 Signature of Applicant	
12/3/09 Date		12-31-09 Date	
<b>PROPERTY OWNER(S)</b> (to be signed by all property owners): I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Department of Building and Development and/or Planning and other authorized government agents to enter the property and make such investigations and tests as they deem necessary.			
Gary J. Leygraaf Printed Name of Property Owner		Printed Name of Property Owner	
 Signature of Property Owner		Signature of Property Owner	
12/3/09 Date		Date	

March 2, 2009

Fee Waiver



Loudoun County, Virginia

[www.loudoun.gov](http://www.loudoun.gov)

Office of the County Administrator

1 Harrison Street, S.E., 5th Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 777-0200 • Fax (703) 777-0325

At a business meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Government Center, Board of Supervisors' Meeting Room, 1 Harrison St., S.E., Leesburg, Virginia, on Tuesday, December 1, 2009 at 9:00 a.m.

IN RE: BOARD MEMBER INITIATIVE: ZCPA FOR TOWNES AT EAST GATE PROFFERS (ZMAP 2002-0022)

Mr. Miller moved that the Board of Supervisors direct staff to process a ZCPA for the Townes of East Gate road improvement proffers so that the County receives a cash equivalent contribution for road construction being undertaken by VDOT.

Mr. Miller further moved that this ZCPA will not change the number of units previously approved.

Mr. Miller further moved that staff use the resolution in Attachment 1 as guidance in reviewing this ZCPA.

Seconded by Mrs. Kurtz.

Voting on the Motion: Supervisors Buckley, Burk, Burton, Delgaudio, Kurtz, McGimsey, Miller and Waters – Yes; None – No; and Chairman York – Absent for the Vote.

A COPY TESTE:

DEPUTY CLERK FOR THE LOUDOUN  
COUNTY BOARD OF SUPERVISORS  
(10-ZCPA for Townes at East Gate Proffers – ZCPA 2002-0022)



**LOUDOUN COUNTY BOARD OF SUPERVISORS  
ACTION ITEM  
BOARD MEMBER INITIATIVE**

**Item # 10**

**SUBJECT: BOARD MEMBER INITIATIVE- TOWNES OF EAST GATE PROFFER  
AMENDMENT (ZMAP 2002-0022)**

**INITIATED BY:** Supervisor Stevens Miller

**ELECTION DISTRICT:** Dulles

**CRITICAL ACTION DATE:** December 1, 2009

**RECOMMENDATION:** Supervisor Miller is recommending that the Board of Supervisors initiate an amendment to the Townes of East Gate proffers regarding a cash contribution in lieu of improvements at the intersection of Poland Road and Rt. 50.

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**BACKGROUND:**

Pulte Homes Corporation submitted PRAP 2009-0060 on August 25, 2009 requesting a change to road improvement proffers for the Townes of East Gate, ZMAP 2002-0022. Townes of East Gate was approved on October 18, 2005 for 57 single family detached units and 267 single family attached units. The property is located on 56.4 acres on the south side of Rt. 50, east of Poland Rd.

The proffers for the above zoning case state that before an occupancy permit may be issued, the road improvement proffers associated with this application require:

1. Two long left-turn lanes from westbound Route 50 to southbound Poland Road.
2. Poland Road from Route 50 to approximately 250' south of the existing commercial entrance to PIN 128-40-8530-000, to be constructed or bonded for construction to a four lane configuration.

These improvements have now been funded by VDOT and therefore will not be constructed by the applicant. In lieu of constructing these road improvements, the applicant would provide a cash equivalent contribution to the County to fulfill the intent of the original proffer prior to being issued an occupancy permit.

In a related and similar action, on June 2, 2009, the Board of Supervisors approved a ZCPA for East Gate One (ZMAP 2004-0020) and East Gate Three (ZMAP 2005-0003) to allow for a monetary contribution to be made in lieu of Rt. 50 improvements that were subsequently funded by VDOT. This appropriation was initiated by the Board and no fees were charged to the applicant.

The Townes of East Gate proffers also anticipated structural and timing adjustments to the existing traffic signal at the Route 50/Poland Road intersection as determined by the County and/or VDOT, so as to accommodate these improvements. It is expected the proffer amendment review will address any implications with respect to signal modification and that the equivalent value will be included in the applicants cash contribution.

**ISSUES:**

1. A cash equivalency for the road improvements will need to be analyzed and determined.
2. The review of the proffer amendment will also need to address the timing of the VDOT project based on the project timelines provided by VDOT.

**DRAFT MOTION:**

1. "I move that the Board of Supervisors direct staff to process a ZCPA for the Townes of East Gate road improvement proffers so that the County receives a cash equivalent contribution for road construction being undertaken by VDOT. I further move that this ZCPA will not change the number of units previously approved. I further move that staff use the resolution in Attachment 1 as guidance in reviewing this ZCPA." or
2. I move an alternative motion.

**ATTACHMENTS:**

- #1 – Resolution of Intent to Initiate a ZCPA for Townes of East Gate
- #2 – Correspondence from Christopher Consultants

**Staff Contact(s):** Valerie Suzdak, Staff Aide to Supervisor Stevens Miller

Item # 10 - Attachment 1

**Resolution of Intent to Initiate a Zoning Concept Plan Amendment for Townes of East Gate (ZMAP 2002-0022)  
December 1, 2009**

WHEREAS, the Board of Supervisors approved the proffer statement for Townes of East Gate (ZMAP 2002-0022) on October 18, 2005; and

WHEREAS, ZMAP 2002-0022 contained proffers which require the construction of Route 50 improvements at the intersection with Poland Road; and

WHEREAS, according to the proffer no occupancy permits may be issued without the road improvements; and

WHEREAS, subsequent to the approval of the above rezoning, VDOT has funded the projects that would include the proffered improvements; and

WHEREAS, the applicant would like provide an equivalent monetary contribution to the County in lieu of constructing proffered improvements; and

WHEREAS, a ZCPA application will allow for and require a review by staff to determine the value of said proffers; and

WHEREAS, this ZCPA will not change the number of approved units or approved concept plan; and

WHEREAS, the VDOT project will provide necessary connections to the Route 50/Poland Road intersection and the improvements will benefit the community; and

NOW THEREFORE be it resolved that the Loudoun County Board of Supervisors initiate an amendment to the proffers for the Townes of East Gate property such that a monetary contribution be provided, equivalent to the value of road improvements for the Route 50 and Poland Road intersection.

**(Board Member Initiative ZCPA for Townes of East Gate ZMAP 2002-0022)**

Item #10-Attachment 2



**christopher consultants**  
engineering - surveying - land planning

November 18, 2009

Mr. Charles Yudd  
Division Manager – Land Use Review  
Loudoun County Department of Planning  
1 Harrison Street, S.E., 3<sup>rd</sup> Floor  
Leesburg, VA 20177

RE: Townes of East Gate  
Proffered Transportation Improvements

Dear Mr. Yudd:

The owner and developer of the Townes of East Gate project is proffered to do intersection improvements at the intersection of Rt. 50 and Poland Rd. The Townes of East Gate was rezoned with the rezoning application number ZMAP 2000-0000. Pursuant to the proffer commitment, the developer moved forward and prepared detailed design plans for the proffered improvements. Those plans were approved and the applicant obtained a VDOT permit to perform the work. While this was occurring, the VDOT project to widen Rt 50 from Rt 28 to Poland Rd. moved forward. VDOT determined that their project would conflict with the improvements approved on the developer's construction plans and revoked the developer's permit.

In order to avoid the conflict and in order to allow the most effective use of scarce transportation improvement funds, the developer is requesting that their proffer to improve the Rt. 50/Poland Rd. intersection be amended so as to allow them to make a cash contribution to the County in lieu of the physical improvements to Rt. 50. The developer would still improve Poland Rd. at Rt. 50 to the same standard as originally proffered. The VDOT project will improve Rt. 50 at Poland Rd. to a standard equivalent to the improvements as originally proffered by the developer. The cash equivalent will result in a contribution of approximately \$400,000 to the County. It will be available to be used for other regional road improvements in the Dulles South area. The cash contribution will be made prior to the issuance of any occupancy permits on the project.

I trust this letter provides you with the information you requested. Clearly, this proffer amendment will be a major benefit to the County in that it will still get the originally proffered Rt. 50 improvements, and in addition, significant funds to be used for much needed road improvements. We very much appreciate your support and assistance in moving this item forward.

Very truly yours,

Louis Canonico, P.E.  
Regional Vice President

LC/dml

christopher consultants, ltd.  
20110 ashbrook place  
ashburn, virginia 20147

voice 571 209.5950  
fax 571 209.5951  
web site www.christopherconsultants.com



**christopher consultants**  
 engineering - surveying - land planning

20110 ashbrook place, suite 160  
 ashburn, virginia 20147  
 voice 571.209.5950  
 fax 571.209.5951  
 www.christopherconsultants.com

**LETTER OF TRANSMITTAL**

TO: Loudoun County  
 Department of Planning  
 1 Harrison Street, S.E.  
 Leesburg, VA 20177  
 Attn: Ginni Van Horn

DATE: 12/29/2009 PROJECT NO: 01-23-29.00

PROJECT: Townes of East Gate Proffer Amendment



WE ARE SENDING (X) HEREWITH

( ) UNDER SEPARATE COVER

SENT VIA ( ) REGULAR MAIL ( ) FEDERAL EXPRESS ( ) YOUR MESSENGER

( ) PRIORITY MAIL ( X ) OUR MESSENGER ( ) \_\_\_\_\_

NO. COPIES	DWG. NO.	DWG. DATE	DESCRIPTION / TITLE	PRINT	MYLAR	OTHER
7	LC-3000		Zoning Plan Set – Vicinity Map, Existing Conditions, Rezoning Plat, Concept Plan, Info Tab, Phasing Plan, Modifications	X		
7			Proffer Package			X
7			Public Improvement Bond			X
7			Statement of Justification			X

**REMARKS:**

RECEIVED BY: \_\_\_\_\_

COPY TO: \_\_\_\_\_

BY: dml \_\_\_\_\_

(for) Louis Canonico, P.E. - RVP



**christopher consultants**  
 engineering · surveying · land planning

20110 ashbrook place, suite 160  
 ashburn, virginia 20147  
 voice 571.209.5950  
 fax 571.209.5951  
 www.christopherconsultants.com

**LETTER OF TRANSMITTAL**

TO: Loudoun County  
Department of Building and Development  
1 Harrison Street, S.E.  
Leesburg, VA 20177



DATE: 12/11/2009 PROJECT NO: 01-23-29.00

PROJECT: Townes of East Gate Proffer Amendment – Initial Checklist Review

WE ARE SENDING (X) HERewith

( ) UNDER SEPARATE COVER

SENT VIA ( ) REGULAR MAIL ( ) FEDERAL EXPRESS ( ) YOUR MESSENGER

( ) PRIORITY MAIL ( X ) OUR MESSENGER ( ) \_\_\_\_\_

NO. COPIES	DWG. NO.	DWG. DATE	DESCRIPTION / TITLE	PRINT	MYLAR	OTHER
1			LDA with Signature Authority			X
1			Tax Receipt			X
1			Land Use Certificate			X
1			Disclosure Statement			X
1			Board Fee Waiver Motion			X
1			Record of Pre-Application			X
1			Statement of Justification			X
1			Zoning Plan Set – Vicinity Map, Existing Conditions, Rezoning Plat, Concept Plan, Info Tab, Phasing Plan, Modifications	X		
1			Traffic Study E-mail Waiver			X
1			Set of Mailing Labels			X
1			Checklist w/Merrithew Letter			X

**REMARKS:**

RECEIVED BY: \_\_\_\_\_

COPY TO: \_\_\_\_\_

BY: dml

(for) Louis Canonico, P.E. - RVP

## ZMAP

### ZONING MAP AMENDMENT APPLICATION Planned Development Districts and Non-Planned Development Districts

#### Checklist of Minimum Requirements

Loudoun County Zoning Ordinance Section 6-1203(A):

**Pre-Application Conference.** Prior to filing an application, an applicant shall meet with the Director of Planning and discuss his intentions with regard to a given application and questions regarding the procedures or substantive requirements of this Ordinance. In connection with all such conferences, the Zoning Administrator shall be consulted as appropriate. A request for a pre-application conference shall be made in writing to the Director of Planning and shall be accompanied by sketch maps of the site, a description of the existing environmental, topographical and structural features on the site, the proposed project or use, graphics that illustrate the scale, location and design of any buildings or structures to the extent known, and a list of the issues to be discussed at the conference. No matters discussed at said meeting shall be binding on either the applicant or the County. The Director of Planning shall respond to each written request for a pre-application conference within fifteen (15) calendar days. If a pre-application conference is not scheduled within thirty (30) calendar days of a request for such conference, then the applicant may request a waiver of the conference. The Planning Director may waive the pre-application conference requirement in cases where the Director finds such a waiver is not detrimental to the applicant or the County.

The current submission fee is:

Residential	\$35,605.00 for the first 200 acres + \$180.00 per acre thereafter
Non-Residential	\$27,720.00 for the first 200 acres + \$140.00 per acre thereafter
Rezoning to PD-RV	\$35,605.00 for the first 200 acres + \$180.00 per acre for each acre over 200 contained in the village center (total acreage minus the acreage contained in conservancy lots)

See Section 6-1211(E) of the 1993 Zoning Ordinance for matters that will be considered by the Planning Commission.

LOUDOUN COUNTY DEPARTMENT OF PLANNING

1 Harrison Street, S.E., 3<sup>rd</sup> Floor, P.O. Box 7000, Leesburg, VA 20177 Local (703)777-0246

MINIMUM SUBMISSION REQUIREMENTS FOR ZONING MAP AMENDMENT APPLICATION

Application Number \_\_\_\_\_

TO BE COMPLETED BY THE APPLICANT

Project Name: Townes of East Gate - Proffer Amendment

Proposed Use: SFD and SFA residential use

Project Location: east side Poland Rd + Tall Cedars  
Pkwy. Intersection

Tax Map #(s): TM 107

Parcel #(s): 40

Parcel Owner(s): Pulte Homes Corp

Telephone No.: 703-359-7495

Applicant/Authorized Agent: Jeff Edelman

Telephone No.: 703-359-7495

Engineer/Surveyor: Carl Canonica

Telephone No.: 571-209-5950

Attorney: N/A

Telephone No.: \_\_\_\_\_

Signature of Person Completing Checklist: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*\*\*

TO BE COMPLETED BY THE PLANNING OFFICE PERSONNEL

Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_

Reviewed by: \_\_\_\_\_ Date Accepted/Not Accepted: \_\_\_\_\_

Reason(s) For Not Accepting: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MCPI Number(s): \_\_\_\_\_

A. APPLICANT RESPONSIBILITIES. The applicant must complete all of the information contained in this checklist, or present written approval for any deviation therefrom. Written approval from the designated department for any deviation from mandatory requirements must be obtained prior to application submission.

Where proposed project information is requested in this checklist for adjacent property to the proposal, this information may be limited to projects on file with the County or with an adjacent incorporated town or surrounding jurisdiction.

All plats or plans submitted with this application shall be folded to a size of approximately 8½" x 11" with the title block visible.

If the application is judged incomplete, the staff will identify in writing the deficiencies that must be corrected. The application will not be accepted for processing. The fee and materials will be returned to the applicant.

All required forms are available in the Department of Planning.

Approved Deviations:

(see attached letter signed by  
John Merrithew + Bd of Supervisors'  
motion waiving fee)

A letter signed by the applicant and by the owner of the property granting the right of entry upon the property to the Zoning Administrator, law enforcement agents, and County inspectors for the purpose of inspecting, and bringing law enforcement to the property, during the term of any permit which may be issued is required.

B. <u>LAND DEVELOPMENT APPLICATION FORM</u> . Submit a completed land development application form, including the following:	SUBMITTED		
	YES	NO	N/A
1. Applicant's name and address and ownership interest in the subject property.	✓		
2. The name and address, and signed written consent of all those having an ownership interest, if different than the applicant filing the application.	✓		
3. The names and addresses of all consultants representing the applicant with respect to the proposed development plan.	✓		
4. The tax map identification number; MCPI number. <sup>1</sup>	✓		
C. <u>CERTIFICATE OF PAYMENT OF TAXES</u> . Provide a certificate verifying that real estate taxes have been paid for all property included in the application. (A certificate of payment of taxes is available from the Treasurer's Office.)	✓		
D. <u>USE VALUE ASSESSMENT PROGRAM</u> . Provide a statement which identifies any parcel(s) currently subject to the County's Use Value Assessment that are included as part of this application. (A Land Use certificate is available from the Department of Financial Services.)	✓		

1. Information available from the Office of Mapping
2. Information available from the Department of Building and Development
3. Information available from the Clerk of the Circuit Court
4. Information available from the Department of Planning

	SUBMITTED			
	YES	NO	N/A	
E. <u>DISCLOSURE OF REAL PARTIES IN INTEREST</u> . Provide completed disclosure form(s).	✓			
F. <u>FEES</u> . Provide a check made payable to the County of Loudoun.	Waived	(Board Motion)		
G. <u>RECORD OF PRE-APPLICATION CONFERENCE</u> . Provide a copy of the documentation provided at the Conference. <sup>4</sup>	✓			
H. <u>STATEMENT OF JUSTIFICATION</u> . Provide 22 copies of a written Statement of Justification including the following:	✓			
1. A Project Summary detailing the following:	↓			
a. The present and proposed zoning classification <sup>2</sup> and use of the subject property and adjacent land. If an existing or proposed zoning district line does not follow roads, waterways, or property lines, a metes and bounds description of the district boundary is required.				
b. The planned use designation of the property and adjacent land as contained in the Comprehensive Plan <sup>4</sup> and taxing district, <sup>1</sup> if applicable.				
2. A written statement describing the proposed development's compliance with the environmental, cultural, land use, economic and fiscal, and design goals and policies of the Comprehensive Plan.				
3. Address the matters for consideration contained in Section 6-1211(E) of the Zoning Ordinance. <sup>1</sup>		✓		
I. <u>VICINITY MAP</u> . Provide 22 copies of a map labeled "Vicinity Map" at a scale of 1" = 1000', 8½" x 11" in size with approximate Virginia coordinate grid information with the proposal's property centered on the map. <sup>1</sup> Include the following information on the map:		✓		
1. Approximate location of arterial and collector streets and any local streets connecting to the proposed project and street names or numbers; major streams or rivers; the Potomac River; the W&OD trail. <sup>1</sup>				
2. Project boundaries and all existing lot boundaries (as shown on the County parcel maps) within the project and surrounding the project within the vicinity map area. <sup>1</sup>				
3. Jurisdictional boundaries. <sup>1</sup> (if applicable)				
4. Existing development of the subject property and the use and development of all land within 200 feet thereof. <sup>1</sup>				

1. Information available from the Office of Mapping
2. Information available from the Department of Building and Development
3. Information available from the Clerk of the Circuit Court
4. Information available from the Department of Planning

	SUBMITTED		
	YES	NO	N/A
J. <u>EXISTING CONDITIONS</u> . Provide 22 copies of an existing conditions plat at a scale of 1"=200' (or other appropriate scale as approved by the Director of Planning), including the following:	✓		
1. <u>Rezoning Plat</u> . A survey showing property and zoning boundary lines, metes and bounds, property acreage and acreage of area to be rezoned, if different, scale and north arrow, utility transmission lines and public rights-of-way crossing and adjacent to the subject property. <sup>1</sup>	✓		
2. Topography at contours not more than five (5) feet. (The Director may request a 2-foot contour.) <sup>1</sup>	↓		
3. Steep slopes. <sup>1</sup>			
4. Water courses, drainage ways, ponds, wetlands, lakes and bodies of water. <sup>1</sup>			
5. The location and general description of vegetation and existing tree cover including:			
a. A description of type and extent of tree cover that identifies canopy, understory growth and other flora.			
b. An inventory of evergreen trees with calipers of 14 inches or larger and deciduous trees with calipers of 22 inches or larger (measured 4.5 feet above the ground).			
c. Endangered species habitat. <sup>5</sup>			
6. The delineation of major and minor floodplain, where applicable. Use and identify the source as the floodplain map of Loudoun County. <sup>1</sup>			
7. Soils as shown on the Loudoun County Soil Survey, <sup>1</sup> including hydric soils groups.			
8. Location of arterial and collector streets and any local streets crossing, connecting, or adjacent to the proposed project with street names or numbers.			
9. A delineation of existing structures, and an indication of their date of construction, as determined by record search and visual survey, and whether it is planned that they be retained or demolished. The applicant must also conduct a survey of historic architecture, known and potential historic and archaeological sites to determine whether the proposed development will impact those resources as preservation or mitigation of the resources may be required.	✓		

1. Information available from the Office of Mapping  
2. Information available from the Department of Building and Development  
3. Information available from the Clerk of the Circuit Court  
4. Information available from the Department of Planning  
5. Information available from the State Department of Natural Resources

	SUBMITTED		
	YES	NO	N/A
10. Approximate delineation of any known grave, object, or structure marking a place of burial, as determined by record search and visual survey.	✓		
11. Features such as roads, stonewalls, fences, structures, and other prominent features as shown on the County PCT maps. <sup>1</sup>	↓		
12. Limits of overlay districts on the property. (HCC, AI, FOD, MDOD). <sup>1 OR 2</sup>			
13. Identification of any Federal or State permits or conditions that directly limit development on the subject property.			
14. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Commonwealth of Virginia Department of Waste Management.		✓	
K. <u>CONCEPT PLAN</u> . Provide 22 copies of a Concept Development Plan. The Plan shall include a title block identifying the project, owner, tax map and MCPI numbers, election district, plan date and revision dates. The Plan shall be at a scale of one inch to 200 feet or other appropriate scale as approved by the Director of Planning [at least one (1) set shall be at a scale of one inch to 200 feet]. The plat shall depict or describe the following features of the development:	✓		
1. A land use plan map with a description of the type, location, and nature of land use and building type within each area of the development; the acreage and proposed density and lot requirements of each subarea or land bay; and the existing and proposed zoning district boundary lines.	↓		
a. For residential districts (non-PDH): a plan that shows the potential lot layout for single family detached units that includes setback lines and streets; for single family attached units: a plan that shows lot layout, setbacks, travelways and the required parking; for multi-family units: the footprint of buildings to reflect the proposed FAR, setback lines, and the required parking and travelways.			
b. For non-residential districts (non-PDH), a footprint of buildings reflecting the proposed FAR, setback lines, and the required parking and travelways.			
c. Adjacent roadway, sidewalks, pedestrian and bicycle trails information.			

1. Information available from the Office of Mapping  
 2. Information available from the Department of Building and Development  
 3. Information available from the Clerk of the Circuit Court  
 4. Information available from the Department of Planning

	SUBMITTED		
	YES	NO	N/A
d. Existing and proposed abutting roads and their right-of-way widths.	✓		
e. Existing nonresidential access points, existing and proposed roadway intersections and median breaks.	✓		
f. Major roads identified in the County Transportation Plan and roads identified in the current Loudoun County/VDOT six-year plan.	✓		
2. A proposed traffic circulation map that illustrates both external and internal traffic ways, including existing and proposed rights-of-way, travel lanes, major pedestrian and bike paths and trails, school bus stops/shelters, park and ride lots, and other transit or multi-modal related facilities, and other transportation improvements.	✓		
3. A land use map that overlays the proposed land use and transportation elements over the existing conditions information submitted under Item J. <i>(NOTE: Intended to show the changes in topography, drainage, water features, trees and vegetation, etc., anticipated as a result of the proposed development. And to also show the measures proposed to protect or enhance the above features as well as known or potential historic features or structures, archaeological sites or cultural resources as part of the development process.)</i>	✓		
4. The proposed plan for all major sanitary sewer improvements and a general description of the means of providing water service; the approximate location and estimated size of all proposed stormwater management facilities and a statement as to the type of facility proposed.	✓		
5. A description and the general location of all proposed community and public facilities (schools, fire protection, libraries, parks and similar services).	✓		
6. For adjacent property within 200 feet including property across the road from project:	✓		
a. Approved and proposed projects or subdivision names, lot lines, section and lot numbers <sup>1</sup> and zoning. <sup>2</sup>	✓		
b. Existing and proposed land uses at time of submission; lots; existing structures within 200' of the proposed project. <sup>1</sup>	✓		
c. Adjacent open space easements, park and recreation land.	✓		
7. A delineation and description of the open space areas.	✓		

1. Information available from the Office of Mapping
2. Information available from the Department of Building and Development
3. Information available from the Clerk of the Circuit Court
4. Information available from the Department of Planning

	SUBMITTED		
	YES	NO	N/A
8. A statement of those special amenities that are proposed within the development (i.e. community center, park or pool; natural areas to be preserved and incorporated into the design, etc.).	✓		
9. A statement identifying easements and restrictive covenants relating to the establishment of common open space or service facility within the planned development, <sup>2</sup> and the establishment and activation of any entity that is to be responsible for the management and maintenance of any public or private common open space or service facility.	✓		
10. The Concept Development Plan shall include a note indicating the applicant's obligation to establish any separate entity to maintain open space or service facilities prior to approval of the first record plat in the proposed development in a form approved by the County.	✓		
11. Applicant's name and signature.	✓		
12. If requested by the Planning Director the applicant shall provide:	N/A		
a. A minimum of two cross-sections on each land bay in the proposed development where a grade change of 3 feet or more is proposed or where buildings are proposed. The cross-sections shall illustrate existing and proposed topography, height and density of vegetation and the dimensions of proposed buildings.			
b. For projects adjacent to existing residentially zoned or used property, three-dimensional sketches providing a "bird's eye" (45°) view and at least two eye-level perspectives (30°) of the project illustrating the relationship between the proposed development and the surrounding community.			
NOTE: The cross sections and/or sketches shall be provided no later than the applicant's response to the initial agency comments (referrals).	N/A		
L. <u>ELEVATIONS</u> . If requested by the Planning Director, the applicant shall provide front, side, and rear elevations of all non-residential buildings proposed as part of the development where they abut residentially occupied property.	N/A		
M. <u>INFORMATION TABULATION</u> . Provide a tabulation of the following information on the concept development plan:	✓		
1. The maximum total number of dwelling units proposed by type of structure, by subarea or land bay if applicable.	✓		

1. Information available from the Office of Mapping
2. Information available from the Department of Building and Development
3. Information available from the Clerk of the Circuit Court
4. Information available from the Department of Planning

	SUBMITTED		
	YES	NO	N/A
2. The maximum total square feet of building floor area proposed for nonresidential uses by type of use, by sub-area or land bay if applicable.	✓		
3. The total land area, expressed in acres and as a percent of the total development area, proposed to be devoted to residential and non-residential uses; land area devoted to passive open space, active recreation, parking, etc.	✓		
4. The minimum lot requirements for each proposed use, if different than the minimum lot requirements specified in the Zoning Ordinance for the district in which the lot is to be located. <sup>2</sup>	✓		
5. A schedule showing the number of parking spaces provided and the number required by the provisions of Sections 5-1100. <sup>2</sup>	✓		
N. <u>PHASING PLAN</u> . If the development is proposed for construction in phases during a period extending beyond a single construction season, a proposed phasing plan shall be submitted stating the proportion of the total public and private open space and public improvements and the proportion of each type of proposed use to be provided or constructed during each such stage and overall chronology of development to be followed from stage to stage.	✓		
O. <u>TRAFFIC STUDY</u> . Provide 6 copies of a traffic analysis indicating the relationship of the proposed development to traffic, road and transit use and plans according to FSM Section 4-200B.	WAIVED SEE E-MAIL		
P. <u>MODIFICATIONS</u> . (For Planned Development Rezoning only). A statement identifying each of the planned development regulations or other applicable provisions of this Ordinance that the applicant proposes to be modified as part of the Concept Development Plan and the justification therefore.	✓		
Q. <u>COMMUNITY MEETINGS</u> . The applicant must submit a list or schedule of meetings between the applicant and the surrounding communities either held or scheduled to be held.	NONE Planned		
R. <u>MAILING LABELS</u> . The applicant must submit two (2) sets of pre-printed address/ mailing labels with addresses of all adjacent property owners.	✓		

1. Information available from the Office of Mapping
2. Information available from the Department of Building and Development
3. Information available from the Clerk of the Circuit Court
4. Information available from the Department of Planning

CERTIFICATION OF APPLICATION SUBMISSION.

I hereby certify that the above stated information is included in the attached zoning map amendment application and accompanying materials.

APPLICANT SIGNATURE 

DATE 12/10/09

**PULTE HOME CORPORATION**

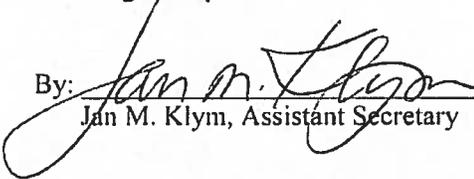
**CERTIFICATE OF INCUMBENCY**

I, the undersigned officer of PULTE HOME CORPORATION, a corporation duly organized and existing under the laws of the State of Michigan ("the Corporation"), hereby certify that I have access to the records and minutes of the proceedings of the Board of Directors of the Corporation, and that as of November 12, 2009 each of the following individuals were duly acting Mid-Atlantic Division employees of the Corporation, each such individual holding the title set forth following such individual's name.

<u>Name</u>	<u>Title</u>
Lewis Birnbaum	Division President
Brian Kunec	Division Vice President Finance
Gary Leygraff	Division Vice President Land Development
Lance Gunn	Division Vice President Sales
Rob Corbin	Division Vice President Construction Operations
John Halak	Division Director Purchasing

IN WITNESS WHEREOF, I have hereunto signed my name on behalf of the Corporation on November 12, 2009.

PULTE HOME CORPORATION,  
a Michigan corporation

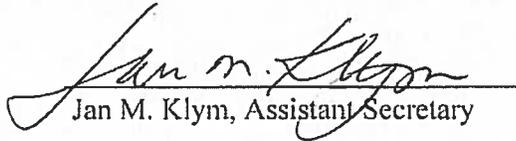
By:   
Jan M. Klym, Assistant Secretary



**CERTIFIED RESOLUTIONS  
OF THE BOARD OF DIRECTORS OF  
PULTE HOME CORPORATION**

I, Jan M. Klym, hereby certify that I am a duly elected and acting Assistant Secretary of PULTE HOME CORPORATION, a corporation authorized and existing under the laws of the State of Michigan; that attached is a true copy of the resolutions adopted by the Board of Directors of the Corporation at a special meeting duly called and held on August 19, 2009, in accordance with the provisions of Section 521 of the Michigan Business Corporation Act; and that such resolutions have not been rescinded or modified, and do not contravene any provisions of the Articles of Incorporation or Bylaws of said corporation.

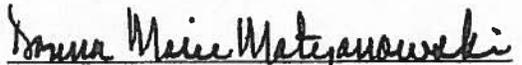
IN WITNESS WHEREOF, I have here unto set my hand this 19th day of August, 2009.

  
Jan M. Klym, Assistant Secretary

STATE OF MICHIGAN     )  
  )  
COUNTY OF OAKLAND    )

On August 19, 2009, before me, Donna Marie Matyanowski, a Notary Public in and for said State, personally appeared Jan M. Klym, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

  
Donna Marie Matyanowski, Notary Public  
Oakland County, Michigan  
My Commission Expires: 05/25/2013

**PULTE HOME CORPORATION**  
**SIGNING POWER RESOLUTIONS**

**A. DEFINITIONS.**

As used in these resolutions:

“signing power” means the power and authority to execute and deliver an agreement, instrument or other document.

“General Signing Power” means signing power relating to the ordinary course of business of PULTE HOME CORPORATION (the “Company”) generally, without restriction to a particular Division or project, both in the Company’s own capacity and in any instances where it is the managing partner or managing member of a joint venture (the “Partnership”).

“Division Specific Signing Power” means signing power relating only to the ordinary course of business of a Division over which the officer, manager, or employee in question has management responsibility, both in the Company’s own capacity and as managing partner or managing member of the Partnership.

**B. PURPOSE.**

The purpose of these resolutions is to establish the signing power of certain employees of the Company, both in the Company’s own capacity and as managing partner or managing member of the Partnership. Copies of these resolutions may be delivered to title companies and other parties who require evidence of the signing power of an employee. No employee of the Company may subdelegate his or her signing power except as expressly provided in these resolutions by use of the words: “Persons designated in writing by . . .”.

**C. RESOLUTIONS.**

RESOLVED, that the following officers, managers, or employees of the Company shall have the General Signing Power or the Division Specific Signing Power , as indicated in the charts below:

**Development of Real Property**

- I. General Development. Applications, tentative and final subdivision plats and maps, development agreements, land development agreements, amenity contractor agreements and all other documents that are relevant or incident to the development of real property in which the Company or the Partnership has any interest, other than documents contemplated in part VI below:

<i>General Signing Power</i>	<i>Division Specific Signing Power</i>
Chairman of the Board	Area President
Chief Executive Officer	Area VP Finance
President	Division President
Executive Vice President	Division VP/Director Finance
Senior Vice President	Division VP/Director of Land Development/Acquisition
Vice President	

House Construction Agreements. Contractor agreements, construction agreements, contracts, purchase orders, pricing schedules, scopes of work and all other documents that are relevant or incident to the construction of residential homes and amenities thereto in which the Company or the Partnership has any interest, other than documents contemplated in the paragraph immediately above this one:

<i>General Signing Power</i>	<i>Division Specific Signing Power</i>
Chairman of the Board	Area President
Chief Executive Officer	Area VP Finance
President	Area VP Construction Operations
Executive Vice President	Area Purchasing Director
Senior Vice President	Division President
Vice President	Division VP/Director Finance
	Division VP/Director of Construction Operations
	Division Purchasing Director/Manager

**Storm Water Management**

- II. Notices of intent, notices of termination, storm water pollution prevention plans, reports, certifications or other documentation that is relevant or incident to storm water management and erosion control in the development of real property and/or construction of homes in which the Company or the Partnership has any interest.

<i>General Signing Power</i>	<i>Division Specific Signing Power</i>
Chairman of the Board	Area President
Chief Executive Officer	Area VP Finance
President	Division President
Executive Vice President	Division VP/Director Finance
Senior Vice President	Division VP/Director of Land Development/Acquisition
Vice President	Division Storm Water Compliance Representative

**Sale and Closing of Residential Homes or Lots**

- III. Contracts for the sale of residential homes or lots to consumers (not to another business).

<i>General Signing Power</i>	<i>Division Specific Signing Power</i>
Chairman of the Board	Area President
Chief Executive Officer	Area VP Finance
President	Division President
Executive Vice President	Division VP/Director Finance
Senior Vice President	Division Controller
Vice President	Division VP of Sales
	General Sales Manager
	Escrow Manager/Closing Coordinator

- IV. Deeds of conveyance and all other documents that are relevant or incident to the sale and closing of residential homes or lots to consumers (not to another business).

<i>General Signing Power</i>	<i>Division Specific Signing Power</i>
Chairman of the Board	Area President
Chief Executive Officer	Area VP Finance
President	Division President
Executive Vice President	Division VP/Director Finance
Senior Vice President	Division Controller
Vice President	Division VP of Sales
	General Sales Manager
	Escrow Manager / Closing Coordinator

**Closing of the Purchase and Sale of Real Property**

- V. Contracts, deeds and all other closing documents for the purchase or sale of real property (other than the sale and closing of residential homes or lots to consumers).

<i>General Signing Power</i>	<i>Division Specific Signing Power</i>
Chairman of the Board	Area President
Chief Executive Officer	Area VP Finance
President	Area VP Land
Executive Vice President	Division President
Senior Vice President and General Counsel	Division VP/Director of Finance
Person designated by resolution of the Board of Directors	Division VP of Land Development/Acquisition

## Real Property Financing and Land Banking Transactions

VI. Documents related to any of the following real property financings and land banking transactions:

- a. Traditional Financing. Loan agreements, security agreements, promissory notes, deeds of trust and all other documents that are relevant or incident to the financing of the purchase and/or development of real property, other than documents contemplated in Special Tax District Financing, Guarantees and Environmental Indemnities and Land Banking Transactions.
- b. Special Taxing District Financing. Loan agreements, security agreements, promissory notes, deeds of trust and all other documents under which the Company or the Partnership is a party that are relevant or incident to a Special Taxing District Financing (defined below), other than documents contemplated in Guarantees and Environmental Indemnities.

“Special Taxing District Financing” means a financing through the issuance of bonds by a community development district, community facilities district, municipal utility district, county or municipal improvement district, tax incremental district or other similar special purpose unit of local government.

NOTE: Only the officers listed below and Division Presidents may approve which employees of the Company or the Partnership may become officers or Board members of a district or local government that has or plans to obtain financing for the direct or indirect benefit of the Company or the Partnership. Once elected or appointed to such a district or local government, the rules governing approval and signing authority of such district or local government (and not this Resolution) shall determine whether the employees may execute documents on behalf of the district or local government.

- c. Guarantees and Environmental Indemnities. Guarantees of payment or performance of the obligations of another entity (whether in the form of a payment guaranty, indemnity or other document), maintenance or remarketing guarantees and environmental indemnities in connection with development financing.
- d. Land Banking Transactions. Assignments of contracts to purchase real property, options to purchase real property, development agreements and other documents evidencing arrangements with an intermediary, such as a land banker, to purchase or develop real property.

<i>General Signing Power</i>	<i>Division Specific Signing Power</i>
Chairman of the Board	
Chief Executive Officer	
President	
Vice President and Treasurer	
Executive Vice President	

**Licenses**

- VII. Documents necessary to obtain licenses and department of real estate public reports or similar documents in California and other states (such as, without limitation, Arizona and Nevada).

<i>General Signing Power</i>	<i>Division Specific Signing Power</i>
Chairman of the Board	Area President
Chief Executive Officer	Area VP Finance
President	Division President
Executive Vice President	Division VP/Director of Finance
Senior Vice President	Division VP/Director Sales
Vice President	Division VP of Construction Operations

**CC&Rs**

VIII. Restrictive covenants, conditions, restrictions, easements and other similar rights or restrictions, commonly known as CC&Rs, affecting real property or improvements on real property, and documents relating to CC&Rs, such as the organizational documents for the related homeowners' or property owners' association.

<i>General Signing Power</i>	<i>Division Specific Signing Power</i>
Chairman of the Board	Area President
Chief Executive Officer	Area VP Finance
President	Division President
Executive Vice President	Division VP/Director Finance
Senior Vice President	Division VP/Director Land Acquisition/Development
Vice President	

RESOLVED FURTHER, that all lawful acts specifically described in the immediately preceding resolution, undertaken prior to the adoption of these resolutions, in the Company's own capacity or as managing partner or managing member of the Partnership, are hereby ratified, confirmed and adopted by the Company.

RESOLVED FURTHER, that any Signing Power Resolutions or Powers of Attorney and Grants of Agency previously issued or adopted by the Company are hereby terminated, revoked and superseded in their entirety by these resolutions.

Effective as of August 19, 2009.

\* \* \* \* \*



November 20, 2009

Mr. John Merrithew  
Chief of Land Use Review  
Loudoun County  
Department of Planning  
1 Harrison Street, S.E.  
Leesburg, VA 20177

RE: Townes of East Gate  
Proffer Amendment

Dear John:

As you know, we had a pre-application meeting relating to filing a proffer amendment on the Townes of East Gate, ZMAP-2002-0022. As we discussed, this proffer amendment is necessitated due to VDOT's Route 50 widening project and the applicant's proffered offsite regional road construction. No changes are being made to the Concept Plan or any other proffer requirements related to the project.

That being the case, we would respectfully request the County waive certain requirements related to the ZMAP checklist. We would ask that you waive the following items:

- J. Existing Conditions (We will submit the original Existing Conditions Plan)
- K. Concept Plan (We will submit the approved Concept Plan)
- L. Elevations
- M. Information Tabulation (We will submit original Information Tabulation)
- N. Phasing Plan (We will submit approved plan)
- O. Traffic Study
- P. Modifications (We will submit approved modifications)
- Q. Community Meeting

It is our intent to submit a revised proffer statement with the initial submission of the application.

Mr. John Merrithew  
September 23, 2009  
Page 2

If you find these waivers acceptable, please sign a copy of this letter on the signature line provided below. We will then include a copy of this letter with our submission package. Thank you for your assistance in this matter. If you have any questions or wish to discuss this matter further, please feel free to contact me.

Very truly yours,



Louis Canonico, P.E.  
Regional Vice President

LC/dml

c: Mr. Jon Lindgren – Pulte Homes  
Mr. Scott Plein – Equinox Investments  
Mr. Ken Griffin – Equinox Investments

Lou: The Department agrees with the proposed waivers with one and possibly two exceptions. The traffic study cannot be waived so please contact George Phillips regarding the scope of the study. The concept plan, if it is proffered again with this application, will have to be updated with the proper dates and signatures. Nothing precludes staff from requesting the waived information later in the process should it be needed during our review. Feel free to contact me if you have questions.



John Merrithew  
Chief of Land Use Review

11-23-09  
Date



PAID RECEIPT

Account: 107/////////40/ Pin: 128104864000
Parcel Desc/Acres: PLEASANT VALLEY 54.01
Owner as of Jan 1, 2009: PULTE HOME CORPORATION
Mortgage Info:

Include Account Number on Your Check: 107/////////40/

FAX 571-209-5951

PULTE HOME CORPORATION
10600 ARROWHEAD DR STE 225
FAIRFAX, VA 22030-7306

Checks Payable to: County of Loudoun

Mail to: H. Roger Zurn, Jr.
Treasurer of Loudoun County
P.O. Box 347
Leesburg, VA 20178-0347

County of Loudoun Real Property Tax Bill - Second Half

Table with columns for Tax Year, Supplement, District, Tax Relief, Improvement, Land Value, Land Use, Taxable Assessment, Land Use Program, Tax Amount (a), 10% Late Penalty, Interest Due, Collection Fee, Total Paid (b). Includes interest rate information and contact details for the County Assessor and Commissioner of Revenue.

Keep this portion for your records. Your cancelled check is your receipt. Detach this portion and mail with your payment.

RE TAX

PAID RECEIPT

Account: 107/////////40/ Pin: 128104864000
Tax Year: 2009 Half: 2 District: 1 Supp:
Parcel Desc/Acres: PLEASANT VALLEY 54.01
Taxable Assessment: \$19,614,000 Land Use: NO
Owner as of Jan 1, 2009: PULTE HOME CORPORATION
Mortgage Info:

Printed: 2009-12-11 3119

DEC 5 TAX \$122,097.15
TAX PAID \$122,097.15

PULTE HOME CORPORATION
10600 ARROWHEAD DR STE 225
FAIRFAX, VA 22030-7306

Total Amount Due: \$0.00

Checks Payable to: County of Loudoun
H. Roger Zurn, Jr., Treasurer of Loudoun County
P.O. Box 347, Leesburg, VA 20178-0347

LC RD 12810486400000200921 00 00000000 000000 120709 0000000000 N



## Loudoun County, Virginia

[www.loudoun.gov](http://www.loudoun.gov)

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The Office of the County Assessor

1 Harrison Street, SE, 5<sup>th</sup> Floor, P.O. Box 7000, Leesburg, VA 20177-7000

703.777.0267 • Fax 703.771.5234

### LAND USE CERTIFICATE

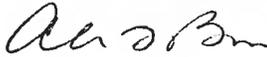
Date: 12/02/2009

The following property, \_\_\_\_\_, is **IN** the Land Use Program.  
Tax Map/PIN Number

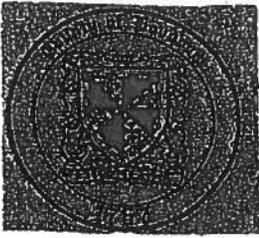
\_\_\_\_\_  
Signature

Alison L. Burns, Land Use Coordinator

The following property, 128-10-4864-000, is **NOT IN** the Land Use Program.  
Tax Map/PIN Number

  
\_\_\_\_\_  
Signature

Alison L. Burns, Land Use Coordinator



Loudoun County, Virginia

Department of Planning

1 Harrison Street, S.E., 3<sup>rd</sup> Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 777-0246 • Fax (703) 777-0441

### RECORD OF PRE-APPLICATION CONFERENCE

<b>PRE-APPLICATION CASE NUMBER/NAME/CASE TYPE</b>	PRAP 2009-0060 Pulte Homes Corporation Amend Proffers	ZMAP
<b>DATE OF CONFERENCE</b>		08/25/09 11:00am

### ATTENDANCE LISTING

NAME	AFFILIATION
SCOTT C. PLEW	CONSULTANT / EQUINOX INC
KEN GRIFFIN	EQUINOX INVESTMENTS, LLC
Lou Canonicco	christopher consultants, Ltd.
William Hersh	BLD-Environmental Review Team
LOU MOSURAK	OF. OF TRANSPORTATION SERVICES
Jon Lindgren	Pulte Homes
Theresa Skiba	BLD - Zoning

I verify that a pre-application conference on the above-referenced proposal has been conducted in accordance with Article VI of the Loudoun County Zoning Ordinance. No matters discussed shall be binding on either the applicant or the County. A copy of this form shall be submitted by the applicant with the official application for checklist review. A summary of issues discussed is not required to be submitted with the official application.

Director, Department of Planning or Designee:

*[Signature]*

Date:

*August 25, 2009*

Application Fee: \$ 26,230.00

SPEX & CMPT.

**LOUDOUN COUNTY**  
**DISCLOSURES OF REAL PARTIES IN INTEREST**  
**AND LAND USE PROCEEDINGS**

**A. INTRODUCTION**

Under the mandatory provisions of Va. Code Ann. § 15.2-2287.1, each member of the Board of Supervisors, Planning Commission, and the Board of Zoning Appeals must make a full public disclosure of any business or financial relationship (including gifts or donations received as described in this Affidavit) that the member has or has had with the applicant, title owner, contract purchaser, or lessee of the land or their agent within twelve months prior to a hearing. This Code Section is specifically applicable only to Loudoun County.

In addition, pursuant to Va. Code Ann. § 15.2-2289, the Board of Supervisors for Loudoun County had previously adopted an ordinance requiring the submission of a completed Disclosure of Real Parties in Interest Form. See 1993 Revised Zoning Ordinance, Section 6-403(A).

The Loudoun County Board of Supervisors has directed County Staff to prepare land use affidavit forms to be used with rezoning, special exception, and variance applications, and reaffirmation procedures for affidavits. **The "Affidavit" and "Reaffirmation of Affidavit" forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.**

With the submission of any such zoning application, you are required to submit an Affidavit. Prior to a public hearing, you will be required to reaffirm your Affidavit in accordance with the reaffirmation procedures.

**B. INSTRUCTIONS**

1. Fill out the Affidavit and file with Application.
2. All listings which include PARTNERSHIPS, CORPORATIONS, or TRUSTS, must include the names of beneficiaries, broken down successively until: (a) only individual persons are listed or (b) the listing is a corporation having more than 100 shareholders that 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 its partners (general and limited), 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.
3. **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.

4. Prior to each and every public hearing on a Zoning Map Amendment, Zoning Concept Plan Amendment, Zoning Ordinance Modification, Special Exception, Commission Permit, Certificate of Appropriateness or Variance, and prior to Board action, the Applicant shall review the affidavit and provide any changed or supplemental information including business or financial relationships of the type described above, that arise on or after the date of this application. A "Reaffirmation of Affidavit" form is available for your use online at: [http://inetdocs.loudoun.gov/planning/docs/documentsandfor\\_/index.htm](http://inetdocs.loudoun.gov/planning/docs/documentsandfor_/index.htm)
5. As used in these forms "real parties in interest" shall include all sole or joint property owners, parties who have legal interest in the protection of the property such as a trustee or executor, parties who have an equitable or beneficial interest in the property, such as beneficiaries of a trust, and, in the case of corporations, all stockholders, officers, and directors. Pursuant to Va. Code Ann. § 15.2-2289, the requirement of listing names of stockholders, officers, and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders.
6. In the case of a condominium, the requirements shall apply only to the title owner, contract purchaser, or lessee if they own 10% or more of the units in the condominium.

I, Louis Canonico, do hereby state that I am an

Applicant

Applicant's Authorized Agent listed in Section C.1. below

in Application Number(s): ZMAP 2009-

and that to the best of my knowledge and belief, the following information is true:

**C. DISCLOSURES: REAL PARTIES IN INTEREST AND LAND USE PROCEEDINGS**

**1. REAL PARTIES IN INTEREST**

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 forgoing is a **TRUSTEE\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all AGENTS of any of the foregoing.

All relationships to the persons or entities listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together (ex. Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc.) For a multiple parcel application, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

<i>PIN</i>	<i>NAME (First, M.I., Last)</i>	<i>ADDRESS (Street, City, State, Zip Code)</i>	<i>RELATIONSHIP (Listed in bold above)</i>
128-10-4864	Pulte Homes Corp.	10600 Arrowhead Dr., Ste. 225, Fairfax, VA 22030	Title Owner
	christopher consultants, ltd.	20110 Ashbrook Pl., Ste. 160, Ashburn, VA 20147	Agent

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

There are additional Real Parties in Interest. See Attachment to Paragraph C-1.

**2. CORPORATION INFORMATION** (see also Instructions, Paragraph B.3 above)

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 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

**Name and Address of Corporation:** (complete name, street address, city, state, zip code)

Pulte Homes Corp., 10600 Arrowhead Dr., Ste. 225, Fairfax, VA 22030

**Description of Corporation:**

There are 100 or fewer shareholders and all shareholders are listed below.

There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

There are more than 500 shareholders and stock is traded on a national or local stock exchange.

**Names of Shareholders:**

<i>SHAREHOLDER NAME (First, M.I., Last)</i>	<i>SHAREHOLDER NAME (First, M.I., Last)</i>

**Names of Officers and Directors:**

<i>NAME (First, M.I., Last)</i>	<i>Title (e.g. President, Treasurer)</i>

Check if applicable:

There is additional Corporation Information. See Attachment to Paragraph C-2.

**2. CORPORATION INFORMATION** (see also Instructions, Paragraph B.3 above)

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 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

**Name and Address of Corporation:** (complete name, street address, city, state, zip code)

christopher consultants, ltd., 9900 Main Street, 4<sup>th</sup> Floor, Fairfax, VA 22031

**Description of Corporation:**

There are 100 or fewer shareholders and all shareholders are listed below.

There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

There are more than 500 shareholders and stock is traded on a national or local stock exchange.

**Names of Shareholders:**

<i>SHAREHOLDER NAME (First, M.I., Last)</i>	<i>SHAREHOLDER NAME (First, M.I., Last)</i>
Christopher W. Brown	
William R. Goldsmith, Jr.	
Louis (nmi) Canonico	
William R. Zink	
Ruth R. Fields	

**Names of Officers and Directors:**

<i>NAME (First, M.I., Last)</i>	<i>Title (e.g. President, Treasurer)</i>
Christopher W. Brown	President
William R. Goldsmith, Jr.	Exec. V.P./Secretary
Louis (nmi) Canonico	Vice President
William R. Zink	Vice President
Ruth R. Fields	Treasurer

Check if applicable:

There is additional Corporation Information. See Attachment to Paragraph C-2.

**3. PARTNERSHIP INFORMATION**

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

**Partnership name and address:** (complete name, street address, city, state, zip)

\_\_\_\_\_

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

**Names and titles of the Partners:**

<i>NAME</i> <i>(First, M.I., Last)</i>	<i>Title</i> <i>(e.g. General Partner, Limited Partner, etc)</i>

Check if applicable:

\_\_\_ Additional Partnership information attached. *See Attachment to Paragraph C-3.*

**4. ADDITIONAL INFORMATION**

a. One of the following options **must** be checked:

In addition to the names listed in paragraphs C. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, or 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 C. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:

Additional information attached. *See Attachment to Paragraph C-4(a).*

b. That no member of the Loudoun County Board of Supervisors, Planning Commission, Board of Zoning Appeals 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 though an interest in a partnership owning such land, or as beneficiary of a trust owning such land.

**EXCEPT AS FOLLOWS: (If none, so state).**

Check if applicable:

Additional information attached. *See Attachment to Paragraph C-4(b).*

c. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household, either individually, 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 (as defined in the Instructions at Paragraph B.3) 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 customer or depositor relationship with a retail establishment, public utility, or bank), including receipt of any gift or donation having a value of \$100 or more, singularly or in the aggregate, with or from any of those persons or entities listed above.

**EXCEPT AS FOLLOWS: (If none, so state).**

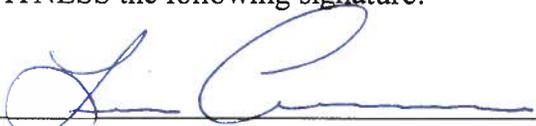
Check if applicable:

Additional information attached. *See Attachment to Paragraph C-4(c).*

**D. COMPLETENESS**

That the information contained in this affidavit is complete, that all partnerships, corporations (as defined in Instructions, Paragraph B.3), 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 hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including any gifts or business or financial relationships of the type described in Section C above, that arise or occur on or after the date of this Application.

WITNESS the following signature:

  
\_\_\_\_\_

check one: [ ] Applicant or [ x ] Applicant's Authorized Agent

Louis (nmi) Canonico, Vice President

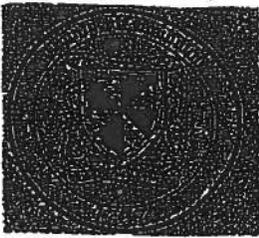
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 4<sup>th</sup> day of December, 209, in the State/Commonwealth of Virginia, in the County/City of Loudoun.

Mindy Redd  
\_\_\_\_\_ Notary Public

My Commission Expires: July 31, 2010

Embossed Hereon Is My  
Commonwealth of Virginia Notary Public Seal  
My Commission Expires July 31, 2010  
**MINDY REDD**



Loudoun County, Virginia

Department of Planning

1 Harrison Street, S.E., 3<sup>rd</sup> Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 777-0246 • Fax (703) 777-0441

**SYNOPSIS OF PRE-APPLICATION CONFERENCE ISSUES DISCUSSED**

<b>PRE-APPLICATION CASE NUMBER/NAME/CASE TYPE</b>	PRAP 2009-0060 <span style="float: right;">ZMAP</span>
<b>DATE OF CONFERENCE</b>	Pulte Homes Corporation Amend Proffers <span style="float: right;">08/25/09 11:00am</span>

**1. ISSUES RAISED BY THE APPLICANT**

*Modify proffers for ZMAP 2002-0022 calling for improvements to RT50/Bland Rd intersection.  
 Proffer: calls for improvement prior to permits for split.  
 Would like to use same proffer language used with previous East Gate ZMAP's. Value estimated at several hundred thousand dollars.*

**2. COMPREHENSIVE PLANNING ISSUES DISCUSSED**

*No issues.*

3. ZONING ISSUES DISCUSSED \_\_\_ 1972. \_\_\_ 1993  Revised 1993 Zoning Ordinance

Recommend use same zoning language as Eastgate zone.  
Will need to ensure Roland Rd can handle traffic if housing  
occurs before VDOT project.

4. TRANSPORTATION ISSUES DISCUSSED

Roland planned for 4-lanes and will curve to Defender Rd.  
(long range). Need to coordinate with VDOT project re proper  
transition on Roland Rd (lane configuration). VDOT to improve  
to back of returns. Will need to change concept plan - shows  
intersection improvements by applicant. May be change to  
zoning language.

To scope traffic study, contact George Phillips, Office of Transportation Services 703-737-8624.

5. OTHER ISSUES DISCUSSED

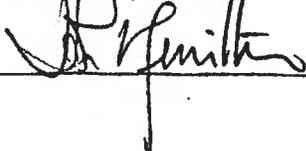
VDOT shows one or 50 west bound left turn lane. Applicant's  
traffic study shows need for two lanes. Coordination  
with VDOT.

ERT - Plan now encourages energy efficient housing  
design.

6. REVIEW AND PROCESSING PROCEDURES DISCUSSED

Two public hearings. No change to other components.  
Applicant to pursue Board initiation of the application.

Conference Coordinator:



Date:

8.25.09

TOWNES AT EAST GATE  
PROFFER AMENDMENT  
PROPERTY ADJOINERS  
11/24/2009

MOUNTAIN VIEW HATCHERY LLC  
25587 POLAND RD  
CHANTILLY VA20152-1923

PIN: 129-49-4638-000  
Tax Map Number: 107/////////4/

TALL CEDAR ESTATES COMMUNITY ASSOCCN  
5510 CHEROKEE AVE STE 300  
ALEXANDRIA VA22312-2320

PIN: 128-19-9144-000  
Tax Map Number: 106/C/1/////////A/

CORDER, RYAN & MYONG CHANG J/T  
25528 POLAND RD  
CHANTILLY VA20152-1922

PIN: 128-20-1733-000  
Tax Map Number: 107/////////41/

TALL CEDAR ESTATES COMMUNITY ASSOCCN  
5510 CHEROKEE AVE STE 300  
ALEXANDRIA VA22312-2320

PIN: 128-19-8288-000  
Tax Map Number: 106/C/1/////////B/

TALL CEDAR ESTATES COMMUNITY ASSOCCN  
5510 CHEROKEE AVE STE 300  
ALEXANDRIA VA22312-2320

PIN: 128-29-8327-000  
Tax Map Number: 106/C/1/////////C/

FAY, MICHAEL  
25453 POLAND RD  
CHANTILLY VA20152-1921

PIN: 128-29-8741-000  
Tax Map Number: 107/////////2/

DANDIBHOTLA, SRINIVAS ET UX R/S  
25439 POLAND RD  
CHANTILLY VA20152-1921

PIN: 128-20-0456-000  
Tax Map Number: 107/////////1/

LOUDOUN TALL CEDARS & LOUDOUN-KLINE  
c/o OAK RIDGE INC  
PO BOX 1748  
LEESBURG VA20177

PIN: 128-28-9249-000  
Tax Map Number: 106/////////59/

BASTEN, PATRICK & VALARIE R/S  
25399 POLAND RD  
CHANTILLY VA20152-1919

PIN: 128-20-1589-000  
Tax Map Number: 107///6////1/

GAMBOA, JUAN C & CARLA GAMBOA T/C  
25395 POLAND RD  
CHANTILLY VA20152-1919

PIN: 128-30-2105-000  
Tax Map Number: 107///6////2/

SAVOY WOODS ESTATES HMOWNRS ASSOCCN  
c/o TMG TITLE CO LLC  
8221 OLD COURTHOUSE RD #320  
VIENNA VA22182

PIN: 128-39-5556-000  
Tax Map Number: 102///3////A/

 CHANTILLY PRESBYTERIAN CHURCH  
c/o H WATT & J BROGAN TRUSTEES  
14080 SULLYFIELD CIR  
CHANTILLY VA20151

PIN: 128-30-7826-000  
Tax Map Number: 102///4////23D

HILL, ARLEAN INEZ & ARLAAN MCKAY JT  
1605 PEBBLE BEACH DR  
MITCHELLVILLE MD20721-2375

PIN: 097-35-4183-000  
Tax Map Number: 107//13//144/



EAST GATE PARTNERS II LLC  
c/o ATAPCO PROPERTIES INC  
10 E BALTIMORE ST STE 1501  
BALTIMORE MD21202

PIN: 097-15-9769-000  
Tax Map Number: 107//13//11/



VESTA PROPERTY LLC  
1295 DIFFICULT RUN CT  
VIENNA VA22182-1400

PIN: 097-26-2159-000  
Tax Map Number: 107//13//47A

RIDINGS AT BLUE SPRING HOA  
10600 ARROWHEAD DR STE 225  
FAIRFAX VA22030-7306

PIN: 097-15-2611-000  
Tax Map Number: 107/A4//11/

RIDINGS AT BLUE SPRING HOA  
10600 ARROWHEAD DR STE 225  
FAIRFAX VA22030-7306

PIN: 097-15-4206-000  
Tax Map Number: 107/A3//H2/

POLACHEK, RALPH R & EILEEN O R/S  
25588 POLAND RD  
CHANTILLY VA20152-1922

PIN: 129-40-6069-000  
Tax Map Number: 107//13//40A

RIDINGS AT BLUE SPRING HOA  
10600 ARROWHEAD DR STE 225  
FAIRFAX VA22030-7306

PIN: 129-40-9112-000  
Tax Map Number: 107/A3//G1/