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February 17, 2010

Rachel Hudson
Zoning Administrator
Stafford County
P.O. Box 339
Stafford, VA 22555

**RE: Aquia Pines Hotel Site
Tax Map 21, Parcel 64
Zoning Determination**

Dear Mrs. Hudson:

This letter is in accompaniment to the attached Zoning Administrator's Determination Application for the above referenced, Aquia Pines Hotel site proposed for Tax Map 21, Parcel 64. This letter is prepared on behalf of our client, Mr. Everett Lovell. In addition to the explanation, provided below, we have prepared an Exhibit Plat (copy enclosed) to aid in identifying the subject parcels.

There are two matters presented here for your consideration, and information related to each is provided in this submission. The first issue deals with a proffer to consolidate various parcels of land, and that action's potential effect on future subdivision of the property. The second issue relates to a very small portion of land that appears to have been overlooked in the various rezoning cases, presented below. Following, is a narrative historical summary of the various actions taken with respect to the ultimate Parcel 64.

On June 16, 1981, reference ordinance O81-40 (Exhibit 1, copy attached), the Board of Supervisors reclassified Tax Map 21, Parcel 65 to B-2 without condition.

On or about February 1, 1986, a Boundary Line Adjustment (Exhibit 2, copy attached) was made between Parcel 65 and the adjacent Dalton property.

On April 7, 1987, reference ordinances O87-24 and 25 (Exhibit 3, copies attached), two adjoining parcels of Tax Map 21 Parcel 64 (parcels C and E) were reclassified to B-2 without condition.

On February 2, 1988, reference ordinance O88-16(R) (Exhibit 4, copy attached), the Stafford Board of Supervisors approved a rezoning of the subject parcel to B-2 with a condition that the applicant prepare necessary documents to consolidate this parcel

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with Assessor's Parcel 21-65C (adjoining). According to our research, all the subject parcels described above were consolidated into Parcel 64 (5.13291 acres).

Our client, Mr. Lovell has engaged Sullivan, Donahoe and Ingalls to prepare a final site plan for a hotel site on Parcel 64. Currently, the proposal is to develop a hotel complex on approximately one-half of the subject parcel, leaving the remainder for a future development. We are in the process of preparing a Stormwater Management Concept Plan for the project. It is our client's intent to subdivide the subject parcel in a manner that will coordinate with the final plan of development with respect to the Phase One Hotel project. Financing for the project would be secured on the parcel and improvements associated with the hotel. We are requesting a Zoning Administrator's Determination to verify that the plan to subsequently subdivide Parcel 64 will not be in violation of the previously approved reclassification.

It appears to us that the intent of the condition placed by the Board was to eliminate the small, non-compliant parcels (Parcel C and E) and to rectify the identification of the affected parcels. Preventing our client from subdividing the parcels for encumbrance purposes will create a hardship for him with respect to fully developing the parcel in an economically feasible manner.

We respectfully, request that you make a determination that future subdivision of the parcel in accordance with Stafford County requirements and ordinances will be allowed under the current Zoning Ordinance.

In addition, please note on our Exhibit Plat and Exhibit 2 that a second "Parcel E" (131 s.f.) which was part of the boundary-line adjustment was not rezoned under O81-40, in 1981. It is our interpretation that this small area of land which is now a part of Parcel 64 (5.13291 acres) is still zoned R-1. It is anticipated that this small area will become part of an overall 40' right-of-way dedication along U.S. Route 1 with our Site Plan.

We further respectfully request that you make a determination that this small area of split zoning will not impede our client's plans to develop a hotel on the property.

Sincerely,



Richard H. Furnival, PE
Sullivan, Donahoe & Ingalls, PC

c. Mr. Everett Lovell (w/o enclosures)