PRINCE WILLIAM COUNTY

Department of Development Services
Zoning Administration Division

October 30, 2026

SENT BY FIRST CLASS & CERTIFIED MAIL

Mr. Joseph Jacobs
ESC GEMSTONE LC
1335 Beverly Road, Suite 240
McLean, VA 22101

RE: Zoning Determination/Interpretation of Zoning Ordinance Section 32-306.12.5
#ZNR2026-00013
Property Address: 14399 Gemstone Drive; GPIN 8391-58-8836; Acreage 2.7 acres
Property Address: 14398 Gemstone Drive; GPIN 8391-58-5160; Acreage 1.5 acres
(Request for Rear Yard Setback Reduction for the following Gemstone Townhouses: Lots 5, 7, 8, 9, 10, to be Offset by the Rear Yard Setback Increase for the following Gemstone Townhouses: Lots 1, 6, 22, 23, 24)
Lot 5: 14380 Silverton Place;
Lot 7: 14389 Silverton Place;
Lot 8: 14391 Silverton Place;
Lot 9: 14393 Silverton Place;
Lot 10: 14395 Silverton Place;
Lot 1: 14372 Silverton Place;
Lot 6: 14387 Silverton Place;
Lot 22: 1613 Palmas Court;
Lot 23: 1615 Palmas Court; and
Lot 24: 1617 Palmas Court

Dear Mr. Jacobs:

I am writing in response to your submission received on July 30, 2025, with supplemental information submitted on October 22, 2026 requesting a zoning determination/interpretation. Specifically, your inquiry relates to requesting modifications (reduction) of the required rear yard setbacks for the above referenced lots in the Gemstone Townhouses subdivision (SDR2025-00024, plan pending). The subject property contains approximately 4.2 acres zoned R-6, Suburban Residential. The development standards for a development utilizing PMR housing types is specified in Section 32-306.12 of the Zoning Ordinance. For the Gemstone Townhouses subdivision, you are proposing to develop townhouses utilizing the PMR housing type of "Townhouse". The required rear yard setback for the townhouse units is twenty (20) feet.

Your request letter states that some of the rear yard units will require that access be provided via a 5-foot walkway, and because the property is in an infill location with oddly configured property lines and contains a 100-year flood plain, that in order to comply with County requirements to have each rear yard accessible

by a five-foot walkway, certain lots will need to have a reduction in the minimum rear yard setback of twenty (20) feet. The impacted five rear yards will need reductions of less than 20 percent, in addition there will be an increase in the rear yard setback to Lots 1, 6, 22, 23 and 24, so that the cumulative subdivision rear yards will not be reduced.

Specifically, you are requesting a modification to the required minimum rear yard setback for Lots 5, 7, 8, 9 and 10 (PMR housing type of "Townhouse"). Section 32-306.12.5 of the Zoning Ordinance reads as follows:

> *"The Zoning Administrator may approve modifications in any of the minimum development standards provided in this section, other than relating to required side setbacks. No standard shall be reduced by more than twenty (20) percent of the required minimum and the minimum standards for the housing unit type shall collectively be met or exceeded in the area where the modification is proposed."*

In effect, any modification that permits a reduction in a development standard has to be offset by a commensurate increase in the same standard on a property within the vicinity. The proposed reduction to the rear yard setback on the identified five lots is an allowed reduction of less than 20%, as long as a commensurate increase in the rear yard setback is met on another five lots within the vicinity. To offset the decrease in the rear yard setback distance for Lots 5, 7, 8, 9 and 10 (a 2 foot reduction from 20 feet to 18 feet for Lot 5; and a 3 foot reduction from 20 feet to 17 feet for Lots 7-10), you have provided a graphic (Attachment A) showing the proposed rear setback for Lots 1, 6, 22, 23 and 24 that will be increased from the twenty (20) foot minimum setback distance to a 2 foot increase in rear yard setback from 20 feet to 22 for Lot 24; and a 3 foot increase in rear yard setback from 20 feet to 23 feet for Lots 1, 6, 22 and 23). As reflected on Attachment A, the proposed offset from reduction in the rear yard setback for the identified five lots (Lots 5, 7, 8, 9 and 10) with the increase of rear yard setback for the identified five lots (Lots 1, 6, 22, 23 and 24) can be approved for modification, subject to the following:

THE ATTACHED GRAPHIC (ATTACHMENT A), REFLECTING LOTS 5, 7, 8, 9, 10 (WITH REDUCED REAR YARD SETBACKS) AND LOTS 1, 6, 22, 23, 24 (WITH INCREASED REAR YARD SETBACKS), IS ATTACHED TO THIS DETERMINATION LETTER BECAUSE THIS DETERMINATION IS CONTINGENT UPON THE LOT GRADING PLANS FOR ALL 10 LOTS BEING SUBMITTED AND OR/REVISED TO REFLECT THE MODIFIED AND PERMANENT REAR YARD SETBACK DISTANCES SPECIFIED ON THE ATTACHED GRAPHICS ACCORDINGLY (See table at the bottom left of exhibit for the conditioned rear yard setback distances for each of the identified 10 lots). THE CERTIFIED HOUSE LOCATION SURVEYS/PLATS FOR THESE TEN LOTS MUST CLEARLY REFLECT THESE APPROVED REAR YARD SETBACK MODIFICATIONS TO ALERT ALL FUTURE PROPERTY OWNERS OF THESE MODIFIED PERMANENT MINIMUM REAR YARD SETBACK REQUIREMENTS, THIS SHALL INCLUDE A NOTE BEING ADDED BY THE ENGINEER/SURVEYOR PLACED VERY NEAR THE REAR YARD ON THE CERTIFIED HOUSE LOCATION SURVEY/PLAT FOR EACH OF THE TEN LOTS TO MAKE CLEAR THESE REAR YARD SETBACKS CANNOT BE FURTHER ADJUSTED.

This determination is based on regulations that are in effect on the date of this letter, which are subject to change. Should you have any questions, please feel free to contact this office. State law mandates the following paragraph to be included in all determinations rendered by the Zoning Administrator.

The Zoning Ordinance allows that anyone aggrieved by a zoning determination of the Zoning Administrator may appeal the decision to the Board of Zoning Appeals. An appeal must be filed within

thirty (30) days of receipt of this letter. The Board of Zoning Appeals will schedule and advertise a public hearing to consider an appeal within 90 days of the filing. The determination contained within this letter shall be final if an appeal is not filed within 30 days of receipt of this letter. The application fee for the appeal will be in accordance with the fee schedule in effect at the time of filing the appeal application, currently $986.90. Additional information regarding the filing of an appeal may be obtained at (703) 792-3340 or by email to zoningadministration@pwcva.gov. The appeal form and fee schedule is available on our web page at the following link: https://www.pwcva.gov/assets/2021 06/Application%20for%20an%20Appeal.pdf

Should you have additional concerns relating this issue, feel free to contact me at 703-792-6839.

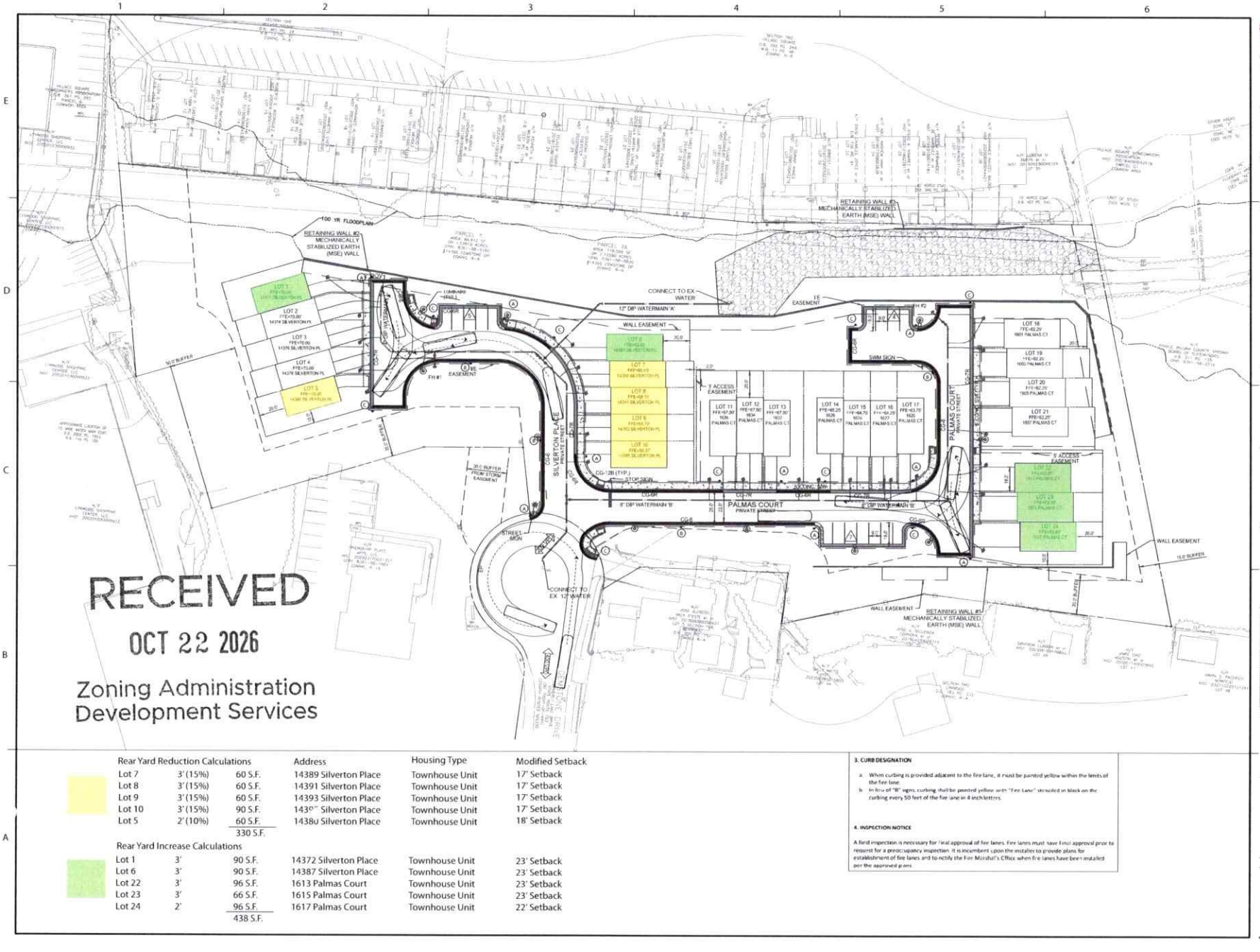
Sincerely,

Lisa Fink-Butler, CZA, CTM
Zoning Administrator

Attachment A: Conditioned Graphic for Lots 1, 5, 6, 7, 8, 9, 10, 22, 23, and 24
(Date Stamped "RECEIVED OCT 22 2026 Zoning Administration Development Services)

cc: Joyce Fadeley, Development Services Land Development Division Chief
Madan Mohan, Environmental Services Division Chief

ATTACHMENT A



RECEIVED
OCT 22 2026
Zoning Administration
Development Services

Rear Yard Reduction Calculations			Address	Housing Type	Modified Setback
Lot 7	3' (15%)	60 S.F.	14389 Silverton Place	Townhouse Unit	17' Setback
Lot 8	3' (15%)	60 S.F.	14391 Silverton Place	Townhouse Unit	17' Setback
Lot 9	3' (15%)	60 S.F.	14393 Silverton Place	Townhouse Unit	17' Setback
Lot 10	3' (15%)	90 S.F.	1430 Silverton Place	Townhouse Unit	17' Setback
Lot 5	2' (10%)	60 S.F.	1438u Silverton Place	Townhouse Unit	18' Setback
		330 S.F.			

Rear Yard Increase Calculations					
Lot 1	3'	90 S.F.	14372 Silverton Place	Townhouse Unit	23' Setback
Lot 6	3'	90 S.F.	14387 Silverton Place	Townhouse Unit	23' Setback
Lot 22	3'	96 S.F.	1613 Palmas Court	Townhouse Unit	23' Setback
Lot 23	3'	66 S.F.	1615 Palmas Court	Townhouse Unit	23' Setback
Lot 24	2'	96 S.F.	1617 Palmas Court	Townhouse Unit	22' Setback
		438 S.F.			

3. CURB DESIGNATION

a. When curbing is provided adjacent to the fire lane, it must be painted yellow within the limits of the fire lane.
b. In lieu of "R" signs, curbing shall be painted yellow with "Fire Lane" stenciled in black on the curbing every 50 feet of the fire lane in 4 inch letters.

4. INSPECTION NOTICE

A field inspection is necessary for final approval of fire lanes. Fire lanes must have final approval prior to request for a preoccupancy inspection. It is incumbent upon the installer to provide plans for establishment of fire lanes and to notify the Fire Marshal's Office when fire lanes have been installed per the approved plans.

Dewberry

Dewberry Engineers Inc.

GEMSTONE TOWNHOMES
PRINCE WILLIAM COUNTY, VIRGINIA

SEAL
COMMONWEALTH OF VIRGINIA
CODY A. PENNETT
Lic. No. 042550
06/05/2026
PROFESSIONAL ENGINEER

KEY PLAN

SCALE
SCALE IN FEET
1" = 30'
1 INCH
NORTH
VCS-83

No.	DATE	BY	Description

REVISIONS

DRAWN BY: FAH
APPROVED BY: CAP
CHECKED BY: CAP
DATE: DEC 2024

TITLE
FIRE LANE PLAN AND TURNING MOVEMENTS

PROJECT NO: SDR2025-00024 502

5
SHEET NO OF 52

P:\PROJECTS\SDR2402 Gemstone\CAD\CIVIL-SITE\Sheets\5 - FIRE LANE & MISC. DETAILS.dwg
Tue, May 20, 2025 - 8:50:48am