



December 31, 2025

SENT BY FIRST CLASS & CERTIFIED MAIL

Jessica Pfeiffer
Walsh, Colucci, Lubeley, & Walsh
4310 Prince William Parkway, Suite 300
Woodbridge, VA 22192

Crown Castle
ATTN: BU 800181 Tax Bill
4017 Washington Road, PMB 353
McMurray, PA 15317

Re: Zoning and Determination Case #ZNR2026-00082
Determination of County Code Part 100
Property Address: 9701 Hornbaker Road **GPIN:** 7494-96-4112; **Acreage:** 5.008
Zoning District: M-2, Light Industrial

To Whom It May Concern:

This is in response to your application submission received on October 6, 2025, requesting a determination for the Property, on behalf of your client (the contract purchaser), in which you wanted to know whether your client, JC IOS Acquisitions, LLC who is the contract purchaser of the property located at 9701 Hornbaker Road, identified by GPIN 7595-96-4112 (the "Property") would be allowed to use the Property for a building materials sales yard, contractor or tradesman shop (limited and/or unlimited), equipment and material storage and outdoor storage (without limitation). You have requested a binding determination that the uses identified in the rezoning application submission documentation associated with the Rezoning are permitted on the Property by-right as "Building materials sales yard, Contractor or tradesman shop (limited and/or unlimited), Equipment and material storage and Outdoor storage (without limitation)", and may remain indefinitely.

Background

On January 25, 1973, the Board of County Supervisors ("BOCS") approved a rezoning (REZ 73-8) of the Property from the A-1, Agricultural zoning district to the M-2, Light Industrial zoning district, pursuant to attached Resolution (Res. 73-28-14). The rezoning predated the adoption of proffer legislation in Virginia. The owner and applicant for the Rezoning was Rockingham Builders, Inc. and the proposed uses were stated in the rezoning application to be "construction office, material storage and equipment maintenance".

Use Determination

This determination is based on the analysis of the relevant sections of the Zoning Ordinance in effect at the time of rezoning and the current Zoning Ordinance, as well as the rezoning

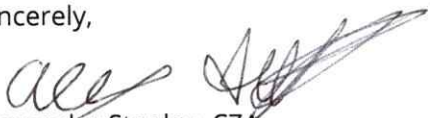
documentation, including the BOCS resolution approving the rezoning of the Property to the M-2, Light Industrial zoning district. It is staff's conclusion that the applicant submitted a rezoning application to request that the BOCS approve the rezoning of the property from the A-1 zoning district to the M-2 zoning district, regardless of the fact that the applicant included specific uses in their submission documentation that **were not** permitted M-2 uses in 1973, nor are such uses permitted uses in the current M-2 zoning district. Furthermore, there is no reference in the BOCS approved rezoning resolution to imply that the BOCS intended to allow any uses not permitted in the M-2 zoning district to be permitted on the Property, as there was no such statement of that intent or specific language included in the attached rezoning approval resolution (Res. 73-28-14).

Therefore, it is determined that Rezoning #73-8 rezoned the Property to the M-2, Light Industrial zoning district, which requires that the use of the Property be in accordance with the M-2 zoning regulations in effect from the date of the rezoning approval in January 1973 to present. Of the identified list of uses in your request letter, only the "contractor or tradesman shop (limited), no trash or refuse removal service" use would be deemed a permitted use of the M-2 zoned Property. However, see Prince William County Zoning Ordinance Section 32-403.20 et. Seq. for the current list of permitted uses and development standards for the M-2 zoning district. Rezoning approval to the applicable zoning district would be required if the property owner wishes to use the property for any such use not listed as permitted in the M-2 zoning district.

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 me at this office. The following paragraph is mandated to be in all determinations rendered by the Zoning Administrator, whether such determination includes the desired outcome.

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 and the appeal application form is available on our web page at the following link: <https://www.pwcva.gov/assets/2021-06/Application%20for%20an%20Appeal.pdf>

Sincerely,


Alexander Stanley, CZA
Principal Planner Zoning Administration

Attachment

Board of County Supervisors Resolution Res. 73-28-14

cc: Joyce Fadeley, Department of Development Services, Land Development Division Chief

January 25, 1973

RES. NO. 73-28-13

RE: SEWER LINES - COLLECTION OF DAMAGES FOR IMPROPER INSTALLATION

BE IT RESOLVED that the Prince William County Board of Supervisors does hereby direct the County Attorney to review the legal means by which the citizens of Prince William County can collect for damages incurred by them due to improper installation of sewer lines by builders and developers throughout the County.

MOTION: COLGAN, MAULLER

VOTE:

AYES: Colgan, Dawson, Doggett, Ferlazzo, Mauller, Winfield.

NAYS: None.

PASS: Turner.

RES. NO. 73-28-14

RE: REZ. 73-8 ROCKINGHAM BUILDERS, INC. - APPROVED

WHEREAS, a public hearing was scheduled on a Zoning Amendment regarding the hereinafter land:

REZ. #73-8 ROCKINGHAM BUILDERS, INC. - A-1 to M-2
(Light Industrial),, 5,000 acres located on the
east side of Rt. 660 (Bethlehem Road) and approx.
2,546 feet north of Rt. 28, Manassas District; and

WHEREAS, notices of said public hearing were published in two newspapers circulated in the County in two consecutive weekly issues, namely, The Journal Messenger and The Potomac News, on January 12, 1973 and January 19, 1973; and

WHEREAS, this item was placed on the agenda of January 25, 1973, and the following action was taken:

NOW THEREFORE BE IT ORDAINED by the Prince William County Board of Supervisors that Rezoning Application #73-8 ROCKINGHAM BUILDERS is approved and the following land is rezoned to M-2:

MANASSAS MAGISTERIAL DISTRICT - 5,000 acres, located on the
east side of Rt. 660 (Bethlehem Road) and approximately 2,546
feet north of Rt. 28, as described by map, metes and bounds in Re-
zoning File #73-8 ROCKINGHAM BUILDERS, INC.

MOTION: DOGGETT, FERLAZZO

VOTE:

AYES: Colgan, Dawson, Doggett, Ferlazzo, Winfield.

NAYS: None.

PASS: Mauller, Turner.

A substitute motion by Mr. Turner, seconded by Mr. Dawson, to approve the requested rezoning, but to include the recommendations of the Planning Department as stipulations, received the following vote:

AYES: Dawson, Turner.

NAYS: Colgan, Doggett, Ferlazzo, Winfield.

ABSENT: Mauller.

DID NOT PASSRES. NO. 73-28-15

RE: EXECUTIVE SESSION - TO DISCUSS LAND ACQUISITION

BE IT RESOLVED that the Prince William County Board of Supervisors does hereby agree to go into Executive Session to discuss land acquisition.

MOTION: DOGGETT, COLGAN

VOTE:

AYES: Colgan, Dawson, Doggett, Ferlazzo, Mauller, Turner, Winfield.

NAYS: None.

RES. NO. 73-28-16

RE: SP 738 "K" MART - APPROVAL OF SEWER CONNECTIONS

BE IT RESOLVED that the Prince William County Board of Supervisors does hereby approve sewer connections for SP 738 "K" MART, Gainesville Magisterial District, when the interim plant is in service and sewer capacity is available.

MOTION: TURNER, FERLAZZO

VOTE:

AYES: Colgan, Dawson, Doggett, Ferlazzo, Turner, Winfield.

NAYS: Mauller.