County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

March 15, 2007

R.J. Keller, Senior Project Manager
R.C. Fields, Jr. & Associates, P.C.
730 S. Washington Street
Alexandria, VA 22314

Re: Interpretation for SPA 89-V-020, Harvest Assembly Baptist Church, Tax Map 102-1 ((1)) 60A and 61, 101-2 ((1)) 54B: Walkway, Clearing and Grading

Dear Mr. Keller:

This is in response to your letter of June 22, 2006, that was received in this office on June 27, 2006, requesting an interpretation of the development conditions and Special Permit Amendment (SPA) Plat approved by the Board of Zoning Appeals (BZA) with the above-referenced application. As I understand it, there are two related questions, which will be addressed below. The first question is whether an existing stoop and walkway that provide access from the new sanctuary to Fordson Road that were shown on the site plan but not on the SPA plat may remain, even though the walkway cuts through the required transitional screening area along Fordson Road. The second question is whether intrusions into the same transitional screening area in order to complete construction of an addition to the new sanctuary would be in substantial conformance with SPA 89-V-020. These determinations are based on your letter, and submitted Exhibit 1, which shows a portion of the site plan from 2002-2003 with limits of clearing and grading at the property line south and east of the new sanctuary, and Exhibit 2, which is labeled as an excerpt from a minor site plan and shows the proposed limits of clearing and grading for the stoop and walkway. Copies of your letter, the development conditions, and relevant exhibits are attached.

On February 1, 2000, the Board of Zoning Appeals (BZA) approved SPA 89-V-020 to permit an increase in land area, building additions, and site modifications to an existing church. The approved changes allowed the construction of a new sanctuary building along with an increase in seating capacity and on-site parking. As I understand it, even though the stoop and walkway were not shown on the approved SPA Plat, they were later depicted on Site Plan #7984-SP-002 and have been constructed. In 2006, you submitted a minor site plan for an addition to the sanctuary to complete the eastern end of the building in conformance with the approved SPA Plat. You state that the minor site plan has not been approved by DPWES because of the encroachment into the transitional screening yard associated with construction of the addition, including the stoop and walkway to Fordson Road.

The stoop and walkway to Fordson Road are features that were not shown on the SPA Plat. The transitional screening that is shown on the SPA Plat consists of new plantings. Development Condition #7 requires a 25 foot wide transitional screening area along the eastern, western, and southern lot lines. It also requires the preservation of existing trees in the transitional screening south and east of the new sanctuary, subject to the approval of Urban Forest Management (UFM). Your letter states that you are proposing to save and protect all of the existing vegetation in the transitional screening yard during construction of the addition, including those older trees that were preserved and incorporated into the transitional screening.

Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/

It is my determination that intrusions into the transitional screening area that are necessary for construction of the building addition would be in substantial conformance with SPA 89-V-020, provided that all existing vegetation in the transitional screening yard are protected during construction and preserved pursuant to Development Condition #7, subject to UFM approval, and full transitional screening is completed after construction. It is also my determination that the stoop and the walkway through the transitional screening area to Fordson Road from the new sanctuary are not in substantial conformance with the special permit amendment and must be removed and the transitional screening re-planted to conform with the special permit amendment. In order to retain those features on this site, the submission of a special permit amendment application and its approval by the Board of Zoning Appeals would be required.

This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please contact Mary Ann Godfrey at (703) 324-1290.

Sincerely,

Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

BAB/O:\mgodfr\SPInterpretations\HarvestAssemblyBaptistChurch(SPA 89-V-020).doc

Attachments: A/S

cc: Members, Board of Zoning Appeals
Gerald Hyland, Supervisor, Mount Vernon District
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Michelle Brickner, Assistant Director, Land Development Services, DPWES
Michael Knapp, Director, Urban Forest Management, DPWES
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, DPZ
File: SPA 89-V-020, SPI 0702 003

RCFIELDS, JR. & ASSOCIATES
A PROFESSIONAL CORPORATION
LAND SURVEYING • SITE PLANNING • SUBDIVISION DESIGN

730 S. WASHINGTON STREET
ALEXANDRIA, VA 22314
TEL. (703) 549-6422
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7 February 2007

RECEIVED
Department of Planning & Zoning
FEB 07 2007
Zoning Evaluation Division

Ms. Barbara Byron, Director
Department of Planning and Zoning
Suite 801, Herrity Building
12055 Government Center Parkway
Fairfax, Virginia 22035

Attn: Mr. Kevin Guinow, Zoning Administrator

RE: Letter of Determination for the Harvest Assembly Baptist Church
8008 Fordson Road, Alexandria, Virginia
SPA 89-V-020, Tax Map Reference #102-1-001-60A and 61, 101-2-001-54B

Dear Mr. Guinow,

As a follow-up to a request of the reviewing engineer at the Office of Site Development Services (OSDS), DPW&ES and on behalf of our client, The Harvest Assembly Baptist Church, we are requesting a determination on an issue that has arisen during the review of a minor site plan for the above referenced property. This site is covered by a Special Permit Amendment (SPA) that was approved in 2000 for a use that was originally established in 1989. A site plan for this site was approved and the majority of the new sanctuary and site improvements were constructed in 2002-2003 under site plan #7984-SP-002. Though the new sanctuary was constructed under the approved site plan, the entire sanctuary footprint not constructed at that time. The use of the new sanctuary and site improvements were established and the plan closed out by the County as completed in 2004. Late last year we submitted a minor site plan for an addition to the sanctuary (less than 2,000 sq. ft. of additional floor area) that is in conformance with the approved SPA. The minor site plan has been under review since November 6, 2006 and an existing condition was brought to our attention by OSDS that they feel needs clarification.

The concern is that the existing stoop and lead walk that currently serves the sanctuary and located on the southwesterly corner of the building violates the transitional screening yard. The sidewalk and stoop align with a required emergency egress door on the southerly side of the building and the church uses the walkway as an accessible ingress/egress point for their disabled parishioners. This entrance/exit is not the main entrance to the building and is only used sparingly. The primary entrance is on the westerly face of the structure adjacent to the parking lot. The walkway and stoop was depicted on the approved site plan (7984-SP-002) and constructed as part of the site improvement project in 2002-2003. There was no issue brought up at the time this plan was reviewed or constructed.

In addition, the proposed limits of clearing and grading will also encroach on the required screening yard. This encroachment is necessary to facilitate construction and the area is the minimum required to build the addition. This is a relatively small project that proposes only 4,600 sq. ft. of land disturbance and the equipment used will be similar to constructing a single family home. We are

proposing to save and protect all of the existing vegetation in the transitional screening yard. Further, we have provided a note on the Minor Site Plan that requires any vegetation in the transitional screening yard and on-site that is removed or lost due to construction to be replaced.

We are of the opinion that the transitional screening will not be compromised by this minor site plan. Maintaining the existing stoop and access walk will be an appropriate improvement in this area of the site. There will be no change to the architecture of the proposed building. The point of ingress/egress will be unchanged and this revision will not alter the character of the site. Attached are some exhibits that show the existing walk/stoop and the proposed limits of clearing and grading. The first exhibit is from the previously approved site plan and the second from the current minor site plan application.

We appreciate your consideration of this request and look forward to hearing your determination on the minor site plan application. If you have any questions of the site review engineer, please contact Mr. Sulaiman Sahebian of OSDS-DPW&ES at 703-324-1720. We have included attachments for your use that show the existing walk and stoop, as well as, the proposed limits of clearing and grading. If you wish to discuss this change further or if you require additional information please contact this office. We appreciate your attention to this request and look forward to hearing from you.

Sincerely,
R.C. FIELDS JR. & ASSOCIATES, P.C.

R.J. Keller, L.S.
Senior Project Manager

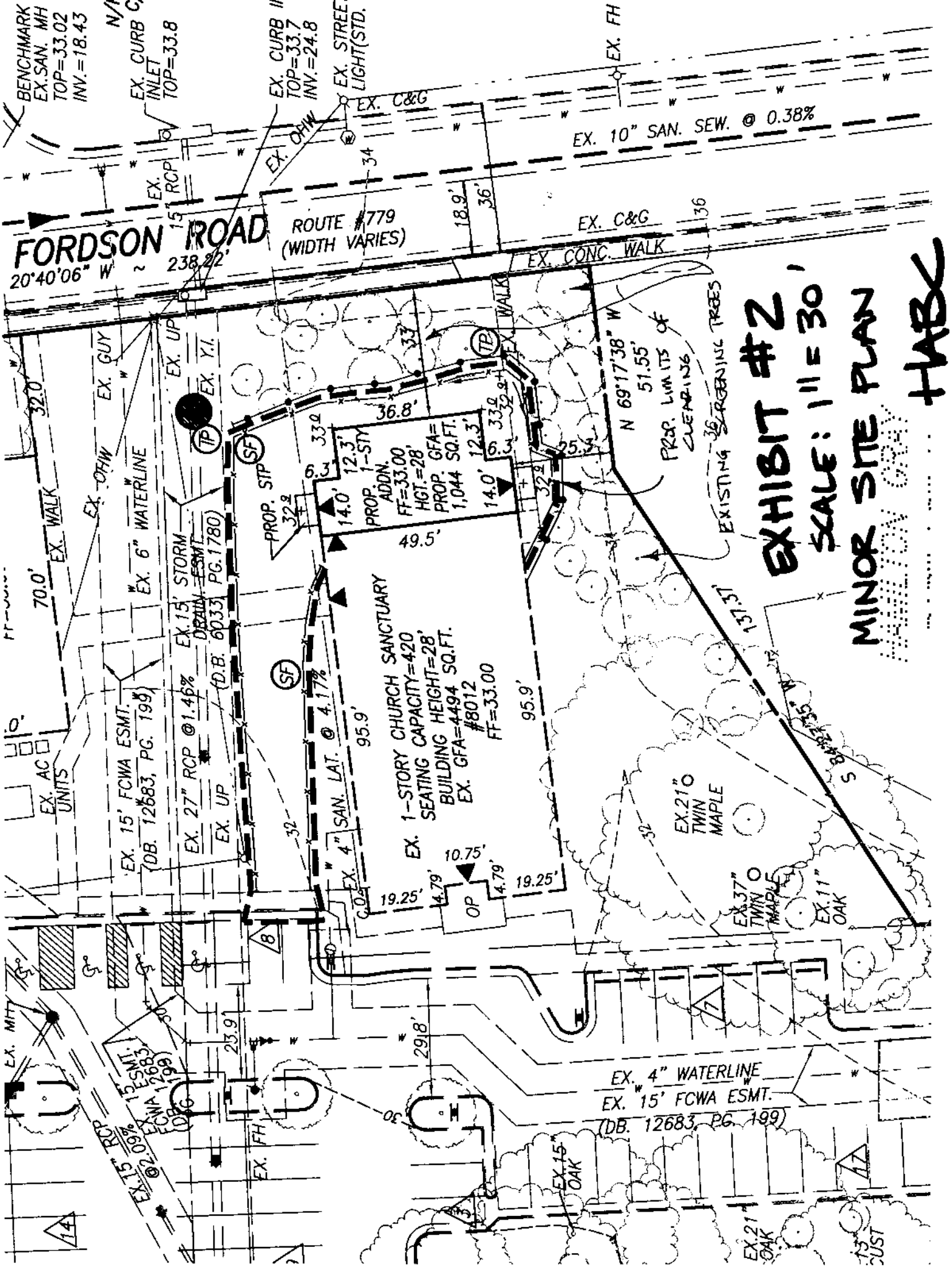
EXHIBIT #2
SCALE: 1" = 30'
MINOR SITE PLAN
HABC
FORDSON ROAD
ROUTE #779
(WIDTH VARIES)
20°40'06" W ~ 238.22'
EX. 10" SAN. SEW. @ 0.38%
EX. C&G
EX. CONC. WALK
EX. WALK
EX. 6" WATERLINE
EX. 15' STORM DRAIN ESMT. (D.B. 6033, PG.1780)
EX. 15' FCWA ESMT. (DB. 12683, PG. 199)
EX. 27" RCP @1.46%
EX. 4" SAN. LAT. @ 4.17%
EX. 1-STORY CHURCH SANCTUARY
SEATING CAPACITY=420
BUILDING HEIGHT=28'
EX. GFA=4494 SQ.FT.
#8012
FF=33.00
PROP. 1-STY ADDN.
FF=33.00
HGT.=28'
PROP. GFA=1,044 SQ.FT.
PROP. STP
N 69°17'38" W
51.55'
PROP. LIMITS OF CLEARING
EXISTING SCREENING TREES
EX. 21" TWIN MAPLE
EX. 37" TWIN MAPLE
EX. 11" OAK
EX. 4" WATERLINE
EX. 15' FCWA ESMT.
(DB. 12683, PG. 199)
EX. 15" RCP @2.09%
EX. 15" OAK
EX. 21" OAK
EX. AC UNITS
EX. GUY
EX. UP
EX. Y.I.
EX. OHW
EX. FH
BENCHMARK EX.SAN. MH TOP=33.02 INV.=18.43
EX. CURB INLET TOP=33.8
EX. CURB TOP=33.7 INV.=24.8
EX. STREET LIGHT(STD.
EX. RCP
70.0'
32.0'
36.8'
49.5'
95.9'
137.37'
19.25'
10.75'
4.79'
23.9'
29.8'
18.9'
36'
25.3'
6.3'
12.3'
14.0'
33.0
32.0
34
36
30
32
8
7
14
17

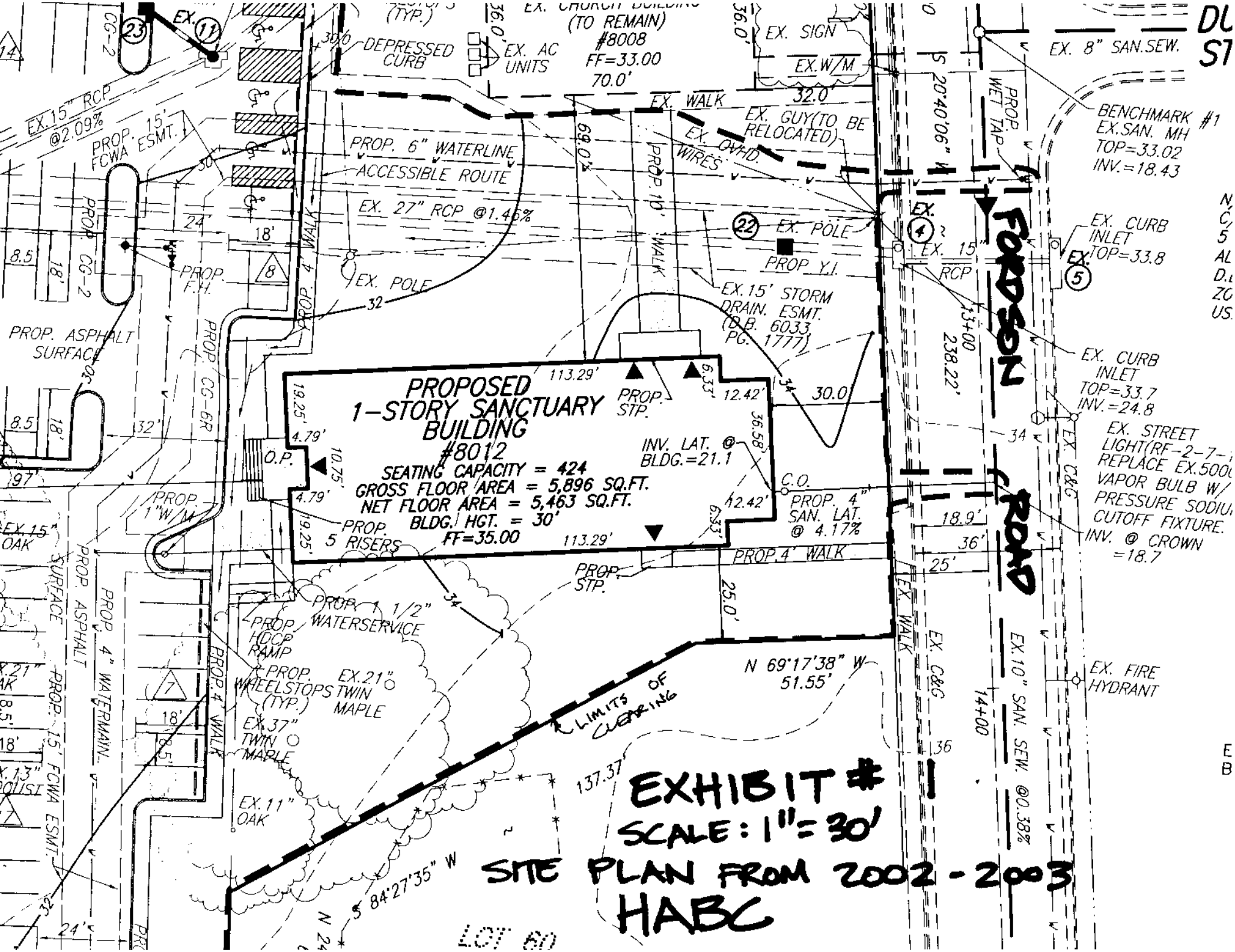

EXHIBIT #1
SCALE: 1" = 30'
SITE PLAN FROM 2002-2003
HABC
PROPOSED
1-STORY SANCTUARY
BUILDING
#8012
SEATING CAPACITY = 424
GROSS FLOOR AREA = 5,896 SQ.FT.
NET FLOOR AREA = 5,463 SQ.FT.
BLDG. HGT. = 30'
FF=35.00
INV. LAT. @ BLDG.=21.1
PROP. 4" SAN. LAT. @ 4.17%
PROP. 5 RISERS
PROP. 4' WALK
PROP. STP.
PROP. 1 1/2" WATERSERVICE
PROP. HDCP RAMP
PROP. WHEELSTOPS (TYP.)
EX. 21" TWIN MAPLE
EX. 37" TWIN MAPLE
EX. 11" OAK
EX. 15" OAK
PROP. ASPHALT SURFACE
PROP. 4" WATERMAIN
PROP. 15' FCWA ESMT.
PROP. 6" WATERLINE
ACCESSIBLE ROUTE
EX. 27" RCP @1.46%
EX. 15" RCP @2.09%
PROP. 15' FCWA ESMT.
PROP. F.H.
PROP. CG-2
PROP. CG-6R
PROP. 4' WALK
PROP. 10' WALK
EX. POLE
PROP. Y.I.
EX. 15' STORM DRAIN. ESMT. (D.B. 6033 PG. 1777)
EX. GUY (TO BE RELOCATED)
EX. OVHD. WIRES
EX. WALK
EX. SIGN
EX. W/M
EX. 8" SAN. SEW.
BENCHMARK #1
EX. SAN. MH
TOP=33.02
INV.=18.43
EX. CURB INLET
TOP=33.8
EX. CURB INLET
TOP=33.7
INV.=24.8
EX. STREET LIGHT (RF-2-7-
REPLACE EX. 500
VAPOR BULB W/
PRESSURE SODIU
CUTOFF FIXTURE.
INV. @ CROWN =18.7
EX. FIRE HYDRANT
EX. 10" SAN. SEW. @0.38%
EX. C&G
EX. 15" RCP
PROP. WET TAP
FORDSON ROAD
N 69°17'38" W
51.55'
S 84°27'35" W
LIMITS OF CLEARING
LOT 60
DEPRESSED CURB
EX. AC UNITS
EX. CHURCH BUILDING (TO REMAIN) #8008
FF=33.00
70.0'

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9:00 A.M. HARVEST ASSEMBLY BAPTIST CHURCH, SPA 89-V-020 Appl. under Sect(s). 3-303 of the Zoning Ordinance to amend SP 89-V-020 for church and related facilities to permit increase in land area, building additions and site modifications. Located at 8008 Fordson Rd. on approx. 2.25 ac of land zoned R-3 and HC. Mt. Vernon District. Tax Map 102-1 ((1)) 60A, 61; 101-2 ((1)) 54B.

Chairman DiGiulian called the applicants to the podium and asked if the affidavit before the Board of Zoning Appeals (BZA) was complete and accurate. Reverend Johnnie L. Abraham, 5308 Harbor Court Drive, Alexandria, Virginia, replied that it was.

Julie Schilling, Senior Staff Coordinator, made staff's presentation as contained in the staff report. The applicant requested a special permit amendment to allow an increase in land area and the construction of a new sanctuary building along with an increase in seating capacity and on-site parking. Ms. Schilling stated that a new access driveway would also be developed to serve the church. Ms. Schilling stated that staff recommended approval of the application subject to the development conditions contained in the staff report.

Reverend Abraham presented the special permit amendment request as outlined in the statement of justification submitted with the application. Reverend Abraham stated that the church had an increase in its membership and therefore, the expansion was necessary to accommodate worship classes, storage space, and a study. Reverend Abraham stated that he had the support of the New Gum Springs Civic Center and the local Board of Supervisors member.

Chairman DiGiulian called for speakers.

Clinton Moore, 8348 Rockham Drive, Alexandria, Virginia, came to the podium to speak in support of the application. Mr. Moore stated that the current facilities did not meet the requirements of the membership and asked the Board to approve the application.

Dan Moon, 8002 Fordson Road, Alexandria, Virginia; Eric Wilder, 3115 Douglas Street, Alexandria, Virginia and Ron Chase, 2908 W. Street, President of the Gum Springs Historical Society, came to the podium to speak in opposition of the application.

The following were their concerns: The church expansion was not in the best interest of the community; a small church was acceptable but not the expansions proposed; the property adjacent to the church should be used for single family homes; the church had assured Mr. Moon that there would be no further expansion of the church when the application was approved in 1989; traffic and safety were concerns with the new entrance onto Douglas Street; the proposed development would degrade the nature of the neighborhood on Douglas Street; the proposal would not maintain the character and history of Gum Springs as stated in the Conservation Plan.

There were no further speakers and Chairman DiGiulian closed the public hearing.

Reverend Abraham came to the podium to rebut the opposition and stated that he had not told anyone that the church would not consider future expansions. He also showed the Board a letter of support from the Gum Spring Civic Association, supporting the proposed expansion, and asked for the Board's approval.

Mr. Ribble moved to approve SPA 89-V-020 for the reasons noted in the Resolution subject to the Development Conditions contained in the staff report dated January 25, 2000.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

HARVEST ASSEMBLY BAPTIST CHURCH, SPA 89-V-020 Appl. under Sect(s). 3-303 of the Zoning Ordinance to amend SP 89-V-020 for church and related facilities to permit increase in land area, building additions and site modifications. Located at 8008 Fordson Rd. on approx. 2.25 ac. of land zoned R-3 and HC. Mt. Vernon District. Tax Map 102-1 ((1)) 60A, 61; 101-2 ((1)) 54B. Mr. Ribble moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on February 1, 2000; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The application has been supported by the Planning Commission and the Board of Supervisor member for that area.
3. The staff has reviewed the application closely.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Sect(s). 3-303 of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application, 8008 Fordson Road (2.25 acres), and is not transferable to other land.

2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by Ronald J. Keller, Land Surveyor, dated October 25, 1999, as revised through January 3, 2000 and approved with this application, as qualified by these development conditions.

3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

4. This Special Permit is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.

5. A maximum of 111 parking spaces shall be provided as shown on the approved special permit plat. All parking shall be on-site in the locations shown. The four parallel spaces shown across from the entrance to the church building shall be marked on-site as reserved for the pastor and church staff only. In the event that a stormwater detention facility is required to be constructed on the optional layout as shown on the special permit plat, the seating capacity of the church shall be limited to 424 seats with a minimum of 106 parking spaces.

6. The seating capacity of the church shall be limited to 444 seats, except as qualified in Development Condition 5.

7. Transitional screening shall be provided as follows:

   - Transitional screening 1 shall continue to be provided along the northern lot line. The plantings in these screening yards shall be Type 1 Transitional Screening in addition to an evergreen hedge at least 4 feet in planted height, the purpose of which shall be to block headlight glare.

   - Transitional Screening Type 1 with a minimum width of 25 feet shall be provided along the eastern, western and southern lot lines, as shown on the special permit plat, subject to the review and approval of the Urban Forestry Branch of DPWES. At the time of the site plan submission, a tree preservation plan shall be provided for review and approval by the Urban Forestry Branch. The tree preservation plan shall include a tree survey which describes the location, species, size, accurate dripline, and condition of all trees 12 inches in diameter and greater within the transitional screening yards and within proposed parking lot islands. The condition analysis shall be prepared by a certified arborist using the most current edition of "The Guide for Plant Appraisal." Specific tree preservation activities shall be reflected in the tree preservation plans, including methods to be implemented to ensure preservation. The plan shall be developed and implemented with the intention of maintaining the existing mature trees within the transitional screening yards and within parking lot islands where feasible, subject to the determination of DPWES.

- The existing sidewalk shall be allowed to remain in the transitional screening yard along the eastern lot line. The barrier requirements shall be waived along all lot lines.

- Parking lot landscaping shall be provided in accordance with Article 13 of the Zoning Ordinance.

8. The total height of all structures on the site shall not exceed 30 feet.

9. All signs shall conform to the provisions of Article 12 of the Zoning Ordinance.

10. The church sanctuary shall be constructed in general conformance with the conceptual elevation contained in Attachment A.

11. The use of loudspeakers shall not be permitted outside the building.

12. Any outdoor lighting of the site shall be in accordance with the following:

    - The combined height of the light standards and fixtures shall not exceed 12 feet,

    - The lights shall be focused downward directly on the subject property,

    - Full cutoff fixtures with shields shall be installed to prevent the light from projecting beyond the property,

    - The lights shall be controlled with an automatic shut-off device, and shall be turned off when the site is not in use.

    - Up-lighting of buildings or signs shall not be permitted on the site.

These development conditions incorporate and supersede all previous development conditions. This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval* unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Ms. Gibb seconded the motion which carried by a vote of 6-0. Mr. Kelley was absent from the meeting.

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on February 9, 2000. This date shall be deemed to be the final approval date of this special permit.

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