



APPLICATION ACCEPTED: October 24, 2007  
BOARD OF ZONING APPEALS: January 15, 2008  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

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January 8, 2008

## STAFF REPORT

### SPECIAL PERMIT APPLICATION SP 2007-LE-122 VARIANCE APPLICATION VC 2007-LE-004

#### LEE DISTRICT

**APPLICANT:** Trustees of Laurel Grove Baptist Church

**ZONING:** R-1

**LOCATION:** 6834 Beulah Street

**ZONING ORDINANCE PROVISION:** 3-103, 3-107; 18-401

**TAX MAP:** 91-1 ((01)) 25

**LOT SIZE:** 20,362 sq feet

**PLAN MAP:** Residential

**SP PROPOSAL:** Reconstruction of a church

**VC PROPOSAL:** Reconstruction of a church 20.0 feet with stairs 14.0 feet from front lot line.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2007-LE-122 with the adoption of proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and

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Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703 324-1290  
FAX 703 324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)

recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Permit

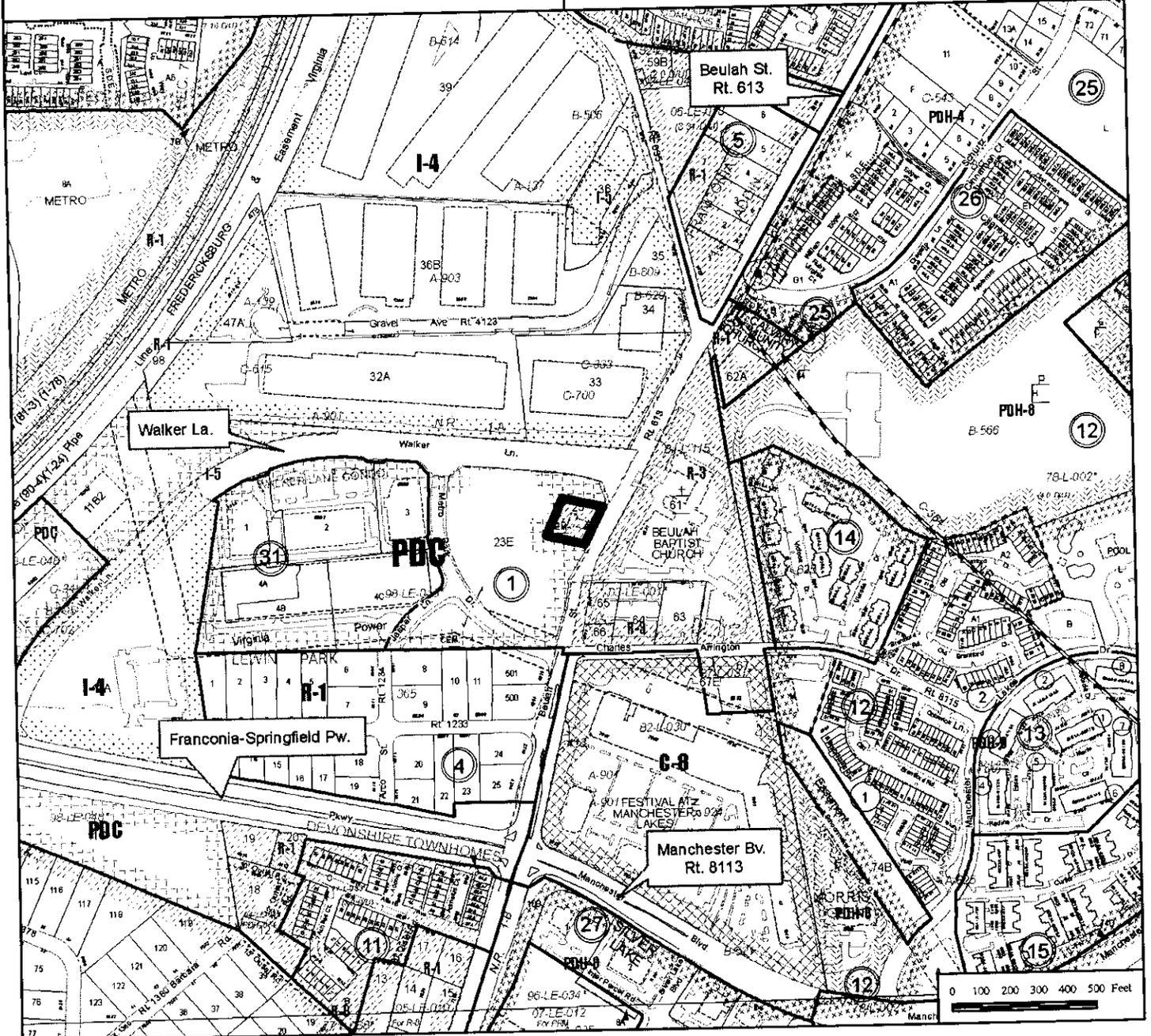
SP 2007-LE-122

Applicant: TRUSTEES OF LAUREL GROVE BAPTIST CHURCH  
 Accepted: 10/24/2007  
 Proposed: RECONSTRUCTION OF A CHURCH  
 Area: 20,362 SF OF LAND; DISTRICT - LEE  
 Zoning Dist Sect: 03-0103  
 Art 8 Group and Use: 3-02  
 Located: 6834 BEULAH STREET  
 Zoning: R- 1  
 Overlay Dist:  
 Map Ref Num: 091-1- /01/ /0025

# Variance Application

VC 2007-LE-004

Applicant: TRUSTEES OF LAUREL GROVE BAPTIST CHURCH  
 Accepted: 10/24/2007  
 Proposed: RECONSTRUCTION OF CHURCH 20.0 FEET WITH STAIRS 14.0 FEET FROM FRONT LOT LINE  
 Area: 20,362 SF OF LAND; DISTRICT - LEE  
 Zoning Dist Sect: 18-0401 03-0107  
 Paragraph: 1 B1  
 Located: 6834 BEULAH STREET  
 Zoning: R- 1  
 Overlay Dist:  
 Map Ref Num: 091-1- /01/ /0025



# Special Permit

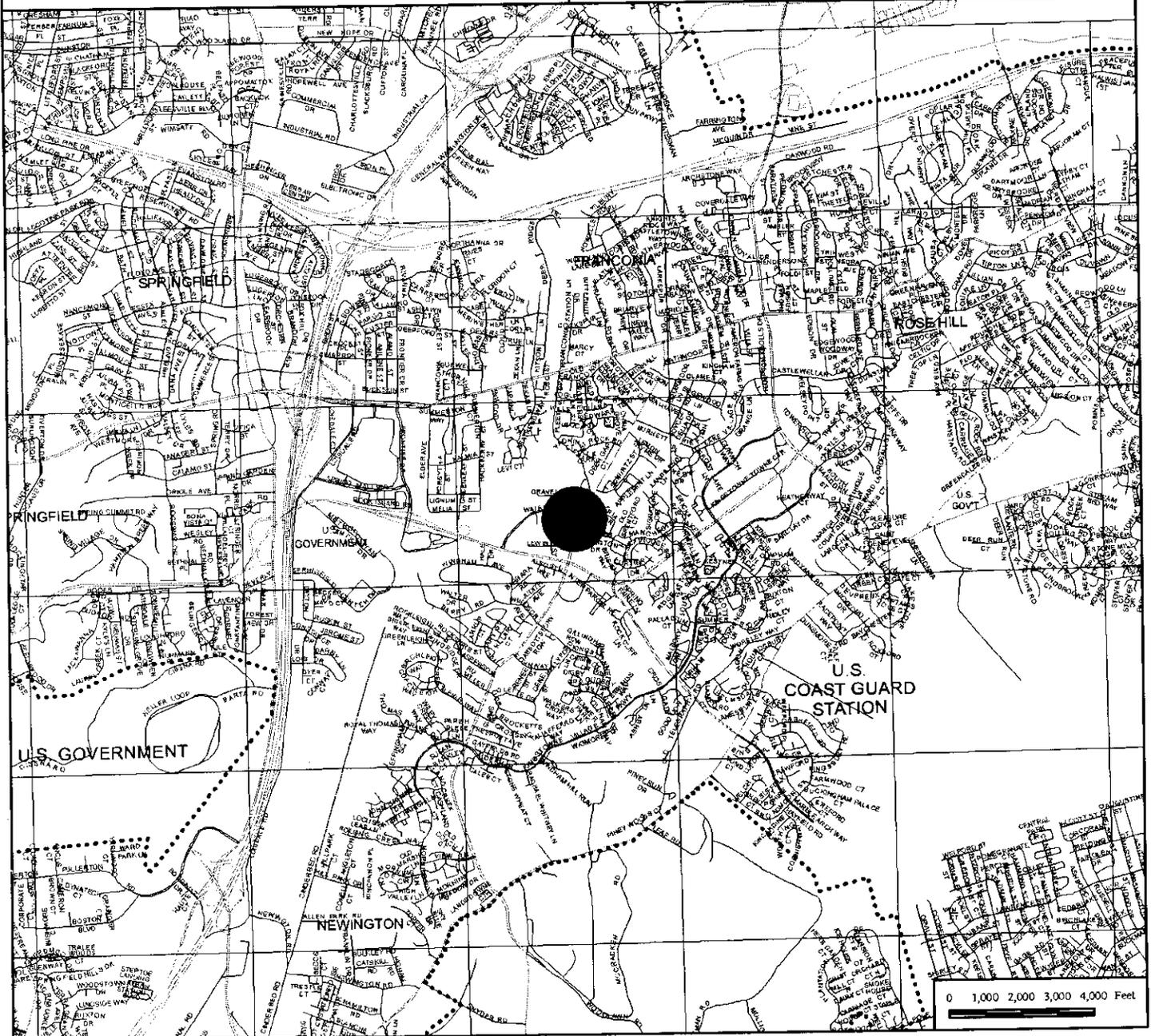
SP 2007-LE-122

Applicant: TRUSTEES OF LAUREL GROVE BAPTIST CHURCH  
Accepted: 10/24/2007  
Proposed: RECONSTRUCTION OF A CHURCH  
Area: 20,362 SF OF LAND; DISTRICT - LEE  
Zoning Dist Sect: 03-0103  
Art 8 Group and Use: 3-02  
Located: 6834 BEULAH STREET  
Zoning: R-1  
Overlay Dist:  
Map Ref Num: 091-1- /01/ /0025

# Variance Application

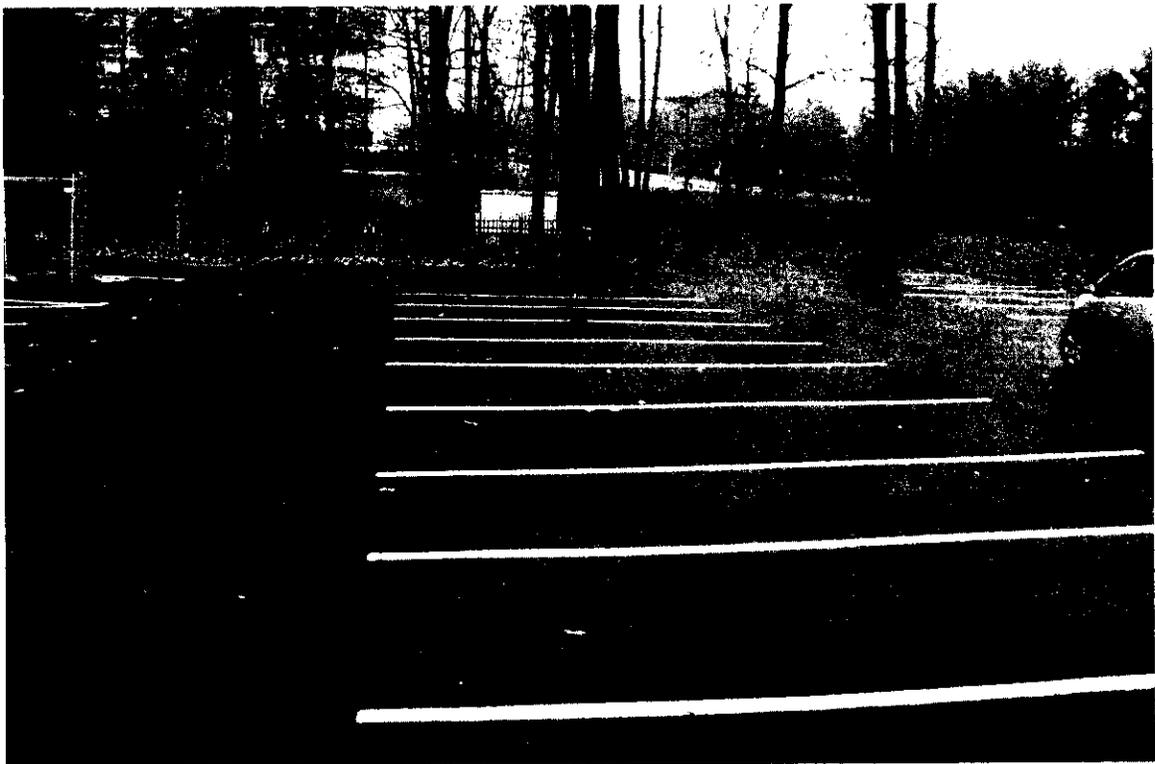
VC 2007-LE-004

Applicant: TRUSTEES OF LAUREL GROVE BAPTIST CHURCH  
Accepted: 10/24/2007  
Proposed: RECONSTRUCTION OF CHURCH 20.0 FEET WITH STAIRS 14.0 FEET FROM FRONT LOT LINE  
Area: 20,362 SF OF LAND; DISTRICT - LEE  
Zoning Dist Sect: 18-0401 03-0107  
Paragraph: 1 B1  
Located: 6834 BEULAH STREET  
Zoning: R-1  
Overlay Dist:  
Map Ref Num: 091-1- /01/ /0025

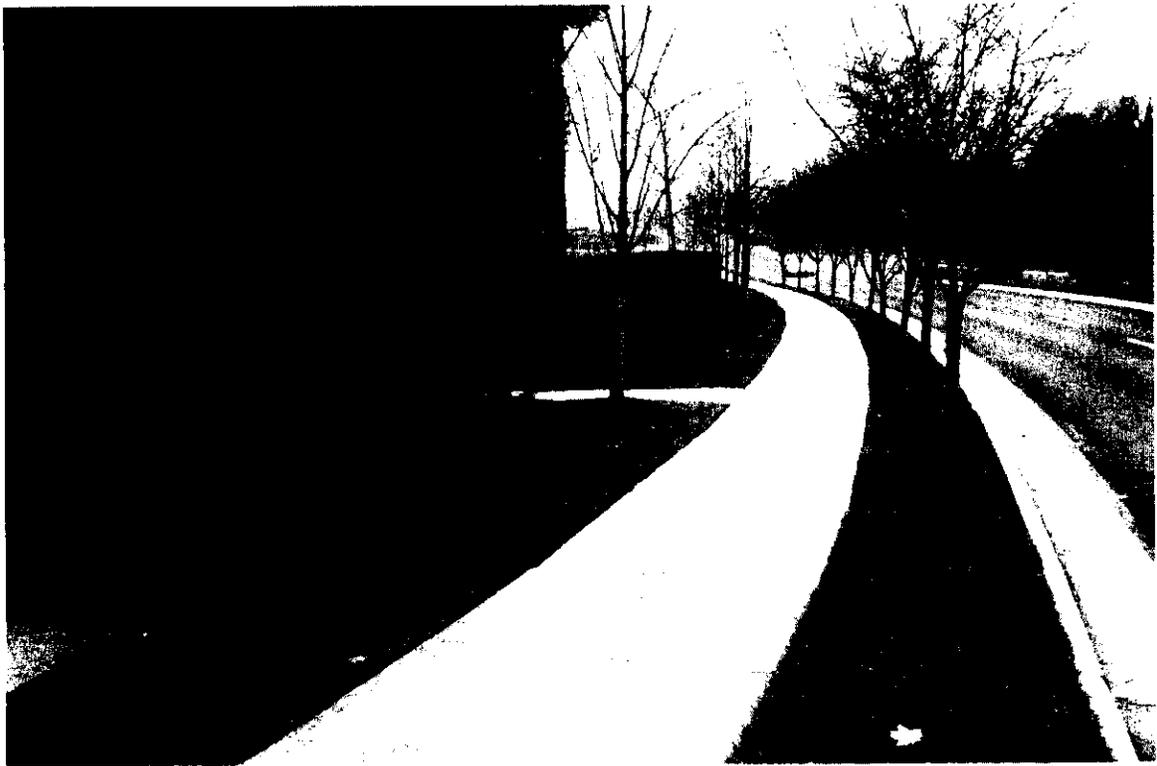


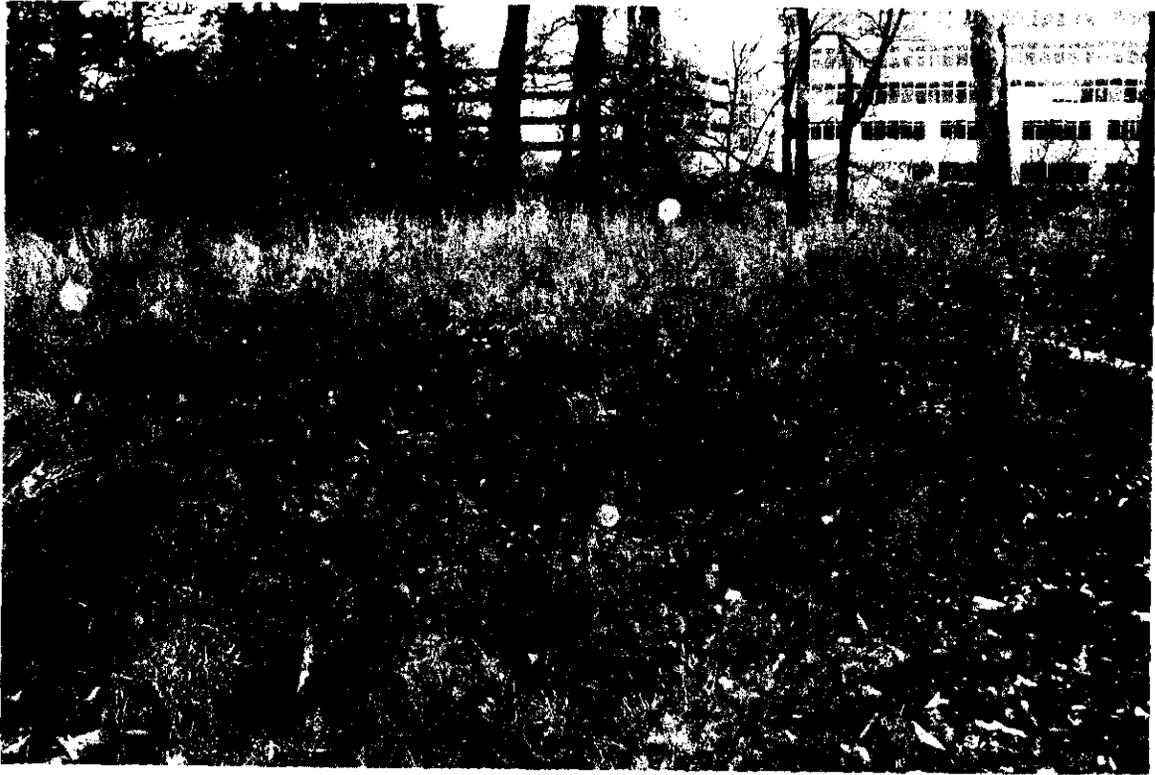












**DESCRIPTION OF THE APPLICATION**

**Special Permit Request:** A request to permit reconstruction of an approximately 1,820 sq feet, 88 seat church.

**Variance Request:** Reconstruction of the church 20.0 feet with stairs 14.0 feet from the front lot line of a zoning district which requires 50° Angle of Bulk Plane (ABP) but not less than 40 feet

**Proposed**

**Size of lot:** 20,362 sq feet

**Parking:** 23 spaces

**FAR:** 0.09

**Number of Seats:** 88

**Gross Floor Area:** approx. 1,820 sq feet

**Waivers and Modifications:**

No modifications of waivers of transitional screening or barriers are necessary, as the subject property is surrounded along all lot lines by non-residential development.

**LOCATION AND CHARACTER**

**Existing Site Description:** The subject property is located near the southwest intersection of Beulah Street and Walker Lane, just north of the Franconia-Springfield Parkway in the Lee District. The site currently contains the remains of the original church building which burned down in 2004, a few trees and shrubs of varying size, a relatively large parking lot containing 23 spaces, and an approximately 3,000 sq feet cemetery in the western portion of the site. A 4.0 feet iron fence surrounds the cemetery area. A 120 sq feet shed is located in the cemetery area. A sign is located along the frontage of the property.

**BACKGROUND**

**Site History:**

The original church building was erected in 1884 and was in continuous use until a fire in 2004. The cause of the fire was electrical and the majority of the building burned down. As shown on the first picture at the front of the staff report, only a portion of the rear "L" of the structure remains.

**Surrounding Area Description:**

<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Parking lot	PDC	Mixed Use
<b>South</b>	Church	PDC	Mixed Use
<b>East</b>	Church	R-3	Residential 2-3 du/ac
<b>West</b>	Office building	PDC	Mixed Use

**COMPREHENSIVE PLAN PROVISIONS**

**Plan Area:** Springfield, Area IV  
**Planning Sector:** Springfield East  
**Plan Map:** Residential, 1-2 du/ac

**ANALYSIS**

**Special Permit Plat (Copy at front of staff report)**

**Title of SP/VC Plat:** Special Permit Amendment Plat/Variance Plat, Laurel Grove Baptist Church  
**Prepared By:** Charles F. Dunlap  
**Dated:** August 30, 2007

**Proposed Use:**

The special permit comprises a request to reconstruct a church in the same location that the original church building stood before it burned down. The site is proposed to be accessed via a driveway from Beulah Street as currently exists. Circulation on site is

proposed to be one-way in a counterclockwise direction around the perimeter of the church, with parking concentrated in the northern section of site. The northernmost row of parking spaces is not on the subject property, as indicated on the Special permit plat, and not implicated in the parking space calculation. This pavement is proposed to be removed in preparation for the expansion of a new parking lot area for the office building located west of the church. The applicant also proposes to remove the sign located along the frontage of the property and the 120 square foot shed located in the cemetery area.

The variance comprises a request to reconstruct the church building 20.0 feet from the front lot line with stairs 14.0 feet from the front lot line in a zoning district which requires a minimum front yard of 40.0 feet. According to staff in the Fairfax County Department of Transportation, Beulah Road was expanded in 1997 and the resulting width of right of way decreased the church's frontage by approximately 6.0 feet.

#### **Urban Forestry Analysis (Appendix 4)**

##### **Issue: Parking lot and peripheral parking lot landscaping requirements**

The proposed reconstruction of the church does not appear to have any impact on existing trees on or adjoining the site, as the site has no existing landscaping. Given the proposed parking lot size of 23 spaces, interior parking lot landscaping and peripheral parking lot landscaping are required under the Zoning Ordinance. A 10.0 feet wide planting strip is provided along Beulah Street, but the 4.0 feet wide side planting strips, which would constitute the peripheral parking lot landscaping along the northern and southern lot lines, are not shown on the special permit plat. As per the Zoning Ordinance, requests for waivers of the parking lot and peripheral parking lot landscaping requirements can only be granted by the Board of Supervisors in conjunction with a rezoning or special exception request. Therefore, parking lot landscaping must be provided.

#### **Resolution**

The applicant has been informed that neither Urban Forestry Management nor the BZA can waive the parking lot or peripheral parking lot landscaping requirements. Though a revised plat has not been submitted as of the printing date of the staff report, the applicant has indicated that they will be reducing the seats in the church from 88 as currently proposed to 76, and reducing the number of parking spaces from 23 spaces to 19, thereby relieving them of parking lot and peripheral lot landscaping requirements for parking lots containing 20 or more parking spaces. The development conditions reflect the reduction to 76 seats and 19 parking spaces. Once a revised plat is provided showing this reduction, this issue will be resolved.

#### **Stormwater Management Analysis (Appendix 5)**

There are no stormwater issues associated with this request.

**Environmental Analysis (Appendix 6)**

**NOTE: Countywide Trails Plan**

According to the Countywide Trails Plan and the Public Facilities Manual, an 8 feet wide Type I (asphalt) trail in a 12 feet trail easement is required on the west side of Beulah Street. If the trail is in a VDOT right of way, the trail should be 10 feet wide. A 5.0 feet wide concrete sidewalk currently exists along the subject property frontage. This issue will be addressed during site plan review.

**ZONING ORDINANCE PROVISIONS**

<b>R-1 DISTRICT REGULATIONS</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>Bulk Regulations R-1</b>		
<b>Lot Size</b>	36,000 sq feet	20,362 sq feet*
<b>Lot Width</b>	140 feet	Approx. 160 feet
<b>Building Height</b>	60 feet	35 feet
<b>Front Yard</b>	50° ABP but not less than 40 feet	20 feet**
<b>Side Yard</b>	45° ABP but not less than 20 feet	30 feet
<b>Rear Yard</b>	45° ABP but not less than 25 feet	60 feet
<b>FAR</b>	0.15	0.09
<b>Parking</b>		
<b>Parking Spaces</b>	22	23

\*Existing condition established prior to Zoning Ordinance requirements.

\*\*Subject of variance request.

## **WAIVERS/MODIFICATIONS REQUESTED**

**Waiver/Modification:** No modifications of waivers of transitional screening or barriers are necessary, as the subject property is surrounded along all lot lines by non-residential development.

## **OTHER ZONING ORDINANCE REQUIREMENTS**

### **Special Permit Requirements (See Appendix 7)**

- General Special Permit Standards (Sect. 8-006)
- Standards for all Group 3 Uses (Sect. 8-303)

## **Summary of Zoning Ordinance Provisions**

Staff believes that the special permit application has satisfied all applicable standards with the adoption of the development conditions outlined below.

## **CONCLUSIONS**

Staff believes that the subject application is in harmony with the Comprehensive Plan and applicable Zoning Ordinance provisions as outlined above with the adoption of the development conditions.

## **RECOMMENDATIONS**

Staff recommends approval of the special permit application with adoption of all Proposed Development Conditions contained in Appendix 1 of the Staff Report.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

**APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Urban Forestry Analysis
5. Stormwater Management Analysis
6. Environmental Analysis
7. Applicable Zoning Ordinance Provisions Checklist

**PROPOSED DEVELOPMENT CONDITIONS****January 8, 2008**

If it is the intent of the Board of Zoning Appeals to approve SP 2007-LE-122 and VC 2007-LE-004, located at Tax Map 91-1 ((01)) 25, pursuant to Section 3-103 and 18-401 of the Fairfax County Zoning Ordinance to permit the reconstruction of a church 20.0 feet with stairs 14.0 feet from the front lot line, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant only, Trustees of Laurel Grove Baptist Church, and is not transferable without further action of this Board, and is for the location indicated on the application, 6834 Beulah Street, 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 Charles F. Dunlap and dated August 30, 2007, 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 Amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) 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. The number of seats in the sanctuary shall not exceed 76.
6. Parking shall be provided as shown on the special permit plat. All parking for the use shall be on site.
7. If lighting is provided it shall be in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. There shall be no uplighting on site, including any sign or the building, and lights shall be turned off when the site is not in use.

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.

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 construction

has commenced and been diligently pursued. The Board of Zoning Appeals may grant additional time 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.

Application No.(s): \_\_\_\_\_  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: October 30, 2006  
 (enter date affidavit is notarized)

I, Peter A. Juanpere, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)       applicant  
                           applicant's authorized agent listed in Par. 1(a) below

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

1(a). 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 foregoing is a **TRUSTEE\***, each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

**(NOTE:** All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Trustees of Laurel Grove Baptist Church*	6834 Beulah Street, Alexandria, VA 22310	Applicant/Title Owner
Intec Group, Inc. Peter A. Juanpere Keith D. Switzer	10201 Lee Highway #470, Fairfax, VA 22030	Agent for Title Owner Agent for Title Owner Agent for Title Owner
* Cassie Ramage-Watson	5619 Norton Road, Alexandria, VA 22303	Trustee for Laurel Grove Baptist Church
* S. J. Muldrow	13737 Moccasin Court, Woodbridge, VA 22193	Trustee for Laurel Grove Baptist Church
* George R. Hughes	7212 Belinger Court, Springfield, VA 22150	Trustee for Laurel Grove Baptist Church
* James C. Pierce	6329 Dunn Court, Springfield, VA 22150	Trustee for Laurel Grove Baptist Church
Walter L. Phillips, Inc. Charles F. Dunlap Jenifer L. Hornback Monica R. Westgate	207 Park Avenue, Falls Church, VA 22046	Agent Agent Agent Agent

(check if applicable)       There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: October 30, 2006  
(enter date affidavit is notarized)

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1(b). 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 10 or less shareholders, a listing of all of the shareholders:

**(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)**

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Intec Group, Inc.  
10201 Lee Highway #470  
Fairfax, VA 22030

**DESCRIPTION OF CORPORATION:** (check one statement)

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

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

Peter A. Juanpere

(check if applicable)  There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders 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 of its partners, 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. 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.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 1

**Special Permit/Variance Attachment to Par. 1(b)**

DATE: October 30, 2006  
(enter date affidavit is notarized)

92534a

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Walter L. Phillips, Inc.  
207 Park Avenue  
Falls Church, VA 22046

**DESCRIPTION OF CORPORATION:** (check one statement)

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

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Jeffrey J. Stuchel  
Brian G. Baillargeon  
Terrance L. Anderson  
Edward L. Johnson

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

**DESCRIPTION OF CORPORATION:** (check one statement)

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

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: October 30, 2006  
(enter date affidavit is notarized)

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1(c). The following constitutes a listing\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

**PARTNERSHIP INFORMATION**

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state, and zip code)  
Does not apply

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

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)  
Does not apply

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders 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 of its partners, 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. 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.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: October 30, 2006  
(enter date affidavit is notarized)

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1(d). One of the following boxes **must** be checked:

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

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, 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 through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on the line below.)  
NONE

(check if applicable)  There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: October 30, 2006  
(enter date affidavit is notarized)

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3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly 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 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 depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on line below.)  
NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

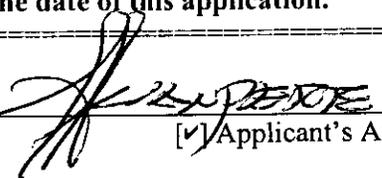
(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, 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 and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

[ ] Applicant



[x] Applicant's Authorized Agent

Peter A. Juanpere, RA, Authorized Agent  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 30th day of October, 2006, in the State/Comm. of Virginia, County/City of Fairfax.

Michelle L. Surtzger  
Notary Public

My commission expires: June 30, 2007



RECEIVED  
Department of Planning & Zoning

SEP 20 2007

September 17, 2007

Zoning Evaluation Division

Zoning Evaluation Division  
Department of Planning and Zoning  
12055 Government Center Pkwy, Suite 801  
Fairfax, VA 22035

**Re: Laurel Grove Baptist Church – Statement of Justification**

To Whom It May Concern:

Please accept the following as a letter of justification for a Special Permit Application. Laurel Grove Baptist Church is the owner of approximately ½ acres in Fairfax County. The property is located on the West side of Beulah Street across from Calvary Road Baptist Church and South of Walker Lane. It is identified among the Fairfax County tax map records 91-1-01-0025, and it is zoned R-1 (Residential 1DU-acre) and is located in the Lee Magisterial District.

The applicant proposes to rebuild their church building on the existing foundations of the original church that burnt. Laurel Grove Baptist Church was established in 1884 prior to any Zoning Ordinances being adopted and has been in continuous use since.

In December of 2004, an unfortunate electrical fire caused the entire building to burn down; also part of their property was taken for the expansion and realignment of Beulah Street.

The cemetery on the property is the final resting place for many of the church's founding members. This cemetery shares part of that original ½ acre, and like the church building is part of Fairfax County's historical fabric.

All the proposed improvements are identified in the tabulations and end notes as shown in the submitted Special Permit Plat. In accordance with the submission requirements, please accept the following information:

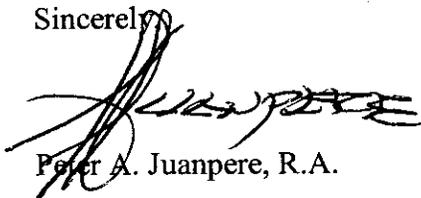
1. The type of operation is a place of worship with a total seating capacity of 88 seats. Accessory uses include Sunday School programs and other uses typically associated within a religious facility.
2. The typical hours of religious services are Sunday from 9:30 a.m. to 12:30 p.m. A special service may be held on religious holidays throughout the year. Administrative hours for the church office personnel are: Mondays & Tuesdays from 9:30 a.m. to 12:30 p.m. and Wednesday, Thursday & Friday from 1:30 p.m. to 4:30 p.m.

3. Laurel Grove Baptist Church is an older established church that has not experienced growth in the last three years. The number of church members today is approximately 60.
4. There are no full-time pastoral staff members at the congregation at the present time.
5. Traffic impacts associated with the use of the subject property each week will vary by time of day and the type of service. The numbers below are based on the projected congregation size of 88. Most trips will occur during off-peak travel hours. Operations will come to the subject property by private vehicles. During the weekdays, there will be an average of 6 vehicle trips per day between the hours of 9:30 a.m. to 12:30 p.m. and 1:30 p.m. to 4:30 p.m. During evening activities, there will be approximately 15 vehicle trips. Maximum trip generation is on Sunday mornings or religious holidays with approximately 40 vehicle trips in the peak direction during the busiest worship service hour. Two vehicle trips are the result of one vehicle entering and exiting the subject property.
6. The vicinity or general area to be served for the use is primarily central Fairfax County including Springfield.
7. The building will be designed to match the architecture of the existing building that burnt down with the same scale massing and architectural character. The construction materials will be a wood frame structure with clabbered siding, shingle roof, with glass windows and a steeple.
8. The applicant is unaware of any hazardous or toxic substances located on the subject property.

The proposed use conforms to the provisions of all the applicable ordinances, regulations, adopted standards and admiral conditions except that a Variance Permit is being requested concurrently with the Special Permit Application for the front yard set-back from Beulah Road to the church façade.

Should you have any questions regarding the above or require additional information, please do not hesitate to give me a call. I would appreciate the acceptance of this application and the scheduling of a public hearing before the Board of Zoning Appeals at your earliest convenience.

Sincerely,



Peter A. Juanpere, R.A.



# County of Fairfax, Virginia

## MEMORANDUM

December 10, 2007

**TO:** Stephen F. Varga, Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Douglas Petersen, Urban Forester III  
Forest Conservation Branch, DPWES

**SUBJECT:** Laurel Grove Baptist Church, SP 2007-LE-122

Urban Forest Management Division (UFMD) staff has reviewed the referenced Special Permit received by our office on November 9, 2007. This is a small site that has no existing trees in the area to be disturbed outside of the existing cemetery. Some off-site trees have previously been disturbed by overflow parking.

The proposed reconstruction of the church does not appear to have any impact on existing trees on or adjoining the site. The site has no existing landscaping. Given the proposed parking lot of 23 spaces, interior parking lot landscaping and peripheral parking lot landscaping would be required by the Zoning Ordinance, Article 13. A ten foot (10') planting strip is provided along Beulah Street, but the four foot (4') side planting strips have not been provided on the plan. No landscaping has been shown on the plan. Requests for waivers of tree cover requirements and the parking lot and peripheral planting requirements have been noted on the plan.

Since UFMD does not have the authority to waive or modify parking lot and peripheral landscaping in a residential zone, the Board would need to address these requests. Given the size of the site and pre-existence of the use, UFMD does not oppose waiving these requirements (approximately eight trees would have been required). However, some trees conceivably could be planted along Beulah Street in the proposed 10' planting strip.

Additionally, a waiver of the tree cover requirements has been shown on the plan. Given the current lack of trees on the site, it is likely that UFMD would agree to a waiver or modification of the 20% requirement. This waiver can be done administratively if it is not addressed in the Special Permit process.

If you have any questions regarding these comments, please contact me at 703-324-1738.

DAP/  
UFMID #: 131864

cc: RA File  
DPZ File

Department of Public Works and Environmental Services  
Land Development Services, Urban Forest Management Division  
12055 Government Center Parkway, Suite 518  
Fairfax, Virginia 22035-5503  
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769  
[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** November 20, 2007

**TO:** Stephen Varga, Staff Coordinator  
Special Permit and Variance Branch  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:**  Jeremiah Stonefield, Chief Stormwater Engineer  
Site Review East, Environmental and Site Review Division  
Department of Public Works and Environmental Services

**SUBJECT:** Special Permit Application Review, SP 2007-LE-122, concurrent with VC 2007-LE-004, Laurel Grove Baptist Church, Special Permit Amendment Plat/ Variance Plat, dated August 36, 2007 (SP Plat), Tax Map #091-1-01-0025 (Site), Lee District

We have reviewed the referenced submission and offer the following comments related to stormwater management:

Chesapeake Bay Preservation Ordinance (CBPO)

There are no mapped Resource Protection Areas on the Property.

Reconstruction of the structures destroyed or damaged by casualty is exempt from the provisions of the CBPO, if the reconstruction is otherwise permitted by law and so long as the structure is in the same location and creates no more impervious area, CBPO 118-5-1(b).

Floodplain Regulations

There are no regulated floodplains on the Property.

Downstream Drainage Complaints

There are no relevant downstream complaints on file along the outfall for this Site.

Stormwater Detention

The applicant has indicated that there will be no net increase in impervious area on the Site and that detention is not required.



Stephen Varga, Special Permit and Variance Branch  
SP 2007-LE-122 and VC 2007-LE-004  
Page 2

Site Outfall

The applicant did not provide a description of the condition of each site outfall downstream to a point where the drainage area is at least 100 times the site area or at least one square mile per ZO 8-011.2J(2)(c).

Please contact me at 4-1720 if you have any questions or require further clarification.

cc: Steve Aitcheson, Director, Stormwater Planning Division, DPWES  
Valerie Tucker, Chief Stormwater Engineer, Site Review East, ESRD, DPWES  
Zoning Application File (25012-ZONA-001-1)



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** December 11, 2007

**TO:** Regina Coyle, Director  
Zoning Evaluation Division, DPZ

**FROM:** Pamela G. Nee, Chief *P.N.*  
Environment and Development Review Branch, DPZ

**SUBJECT:** Environmental Assessment: *SP 2007-LE-122*  
*Laurel Grove Baptist Church*

This memorandum, prepared by Dawn Dhavale, provides an environmental analysis for the proposed development as depicted on the revised special permit plat dated August, 30 2007.

### ENVIRONMENTAL ANALYSIS:

Staff has not identified any environmental issues associated with the proposed development of this property.

### COUNTYWIDE TRAILS PLAN

According to the Countywide Trails Plan and the Public Facilities Manual, an 8 feet wide Type I (asphalt) trail in a 12-foot trail easement is required on the west side of Beulah Street. If the trail is in a VDOT right-of-way, the trail should be 10 feet wide.

*PGN:DMD*

**Department of Planning and Zoning**  
Planning Division  
12055 Government Center Parkway, Suite 730  
Fairfax, Virginia 22035-5509  
Phone 703-324-1380  
Fax 703-324-3056  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)

**8-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

- 1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
- 2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- 3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- 4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
- 5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
- 2/A 6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
- 7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
- 8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

## 18-404 Required Standards for Variances

To grant a variance the BZA shall make specific findings based on the evidence before it that the application satisfies all of the following enumerated requirements:

1. That the subject property was acquired in good faith.
2. That the subject property has at least one of the following characteristics:
  - A. Exceptional narrowness at the time of the effective date of the Ordinance;
  - B. Exceptional shallowness at the time of the effective date of the Ordinance;
  - C. Exceptional size at the time of the effective date of the Ordinance;
  - D. Exceptional shape at the time of the effective date of the Ordinance;
  - E. Exceptional topographic conditions;
  - F. An extraordinary situation or condition of the subject property; or
  - G. An extraordinary situation or condition of the use or development of property immediately adjacent to the subject property.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
4. That the strict application of this Ordinance would produce undue hardship.
5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.
6. That:
  - A. The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict all reasonable use of the subject property, or
  - B. The granting of a variance will alleviate a clearly demonstrable hardship approaching confiscation as distinguished from a special privilege or convenience sought by the applicant.
7. That authorization of the variance will not be of substantial detriment to adjacent property.
8. That the character of the zoning district will not be changed by the granting of the variance.
9. That the variance will be in harmony with the intended spirit and purposes of this Ordinance and will not be contrary to the public interest.

### **8-303 Standards for All Group 3 Uses**

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

- 1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
- 2. All uses shall comply with the performance standards specified for the zoning district in which located.
- 3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.