



FAIRFAX COUNTY

APPLICATION ACCEPTED: November 28, 2007
BOARD OF ZONING APPEALS: April 15, 2008
Moved at Applicant's Request
TIME: 9:00 a.m.

V I R G I N I A

April 8, 2008

STAFF REPORT

SPECIAL PERMIT AMENDMENT APPLICATION NO. SPA 85-C-003-04

HUNTER MILL DISTRICT

APPLICANT: Trustees of the Church of the Good Shepherd
(United Methodist) Lorien Wood

ZONING: R-E

LOCATION: 2351 Hunter Mill Road

ZONING ORDINANCE PROVISIONS: 3-E03

TAX MAP: 37-2 ((1)) 26A

LOT SIZE: 7.16 ac.

F.A.R.: 0.09

PLAN MAP: Residential, .5 to 1.0 dwelling per acre

SP PROPOSAL: To amend SP 85-C-003 previously approved for church and private school of general education to permit increase in enrollment.

STAFF RECOMMENDATION: Staff recommends denial of SPA 85-C-003-04.

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. 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.

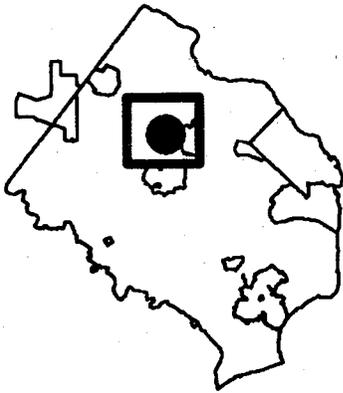
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center 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) 3241334.

Special Permit Amendment

SPA 85-C -003-04



Applicant: TRUSTEES OF THE CHURCH OF THE GOOD SHEPHERD (UNITED METHODIST)/LORIEN WOOD

Accepted: 11/28/2007

Proposed: AMEND SP 85-C-003 PREVIOUSLY APPROVED FOR CHURCH AND PRIVATE SCHOOL OF GENERAL EDUCATION TO PERMIT INCREASE IN ENROLLMENT

Area: 7.16 AC OF LAND; DISTRICT - HUNTER MILL

Zoning Dist Sect: 03-0E03

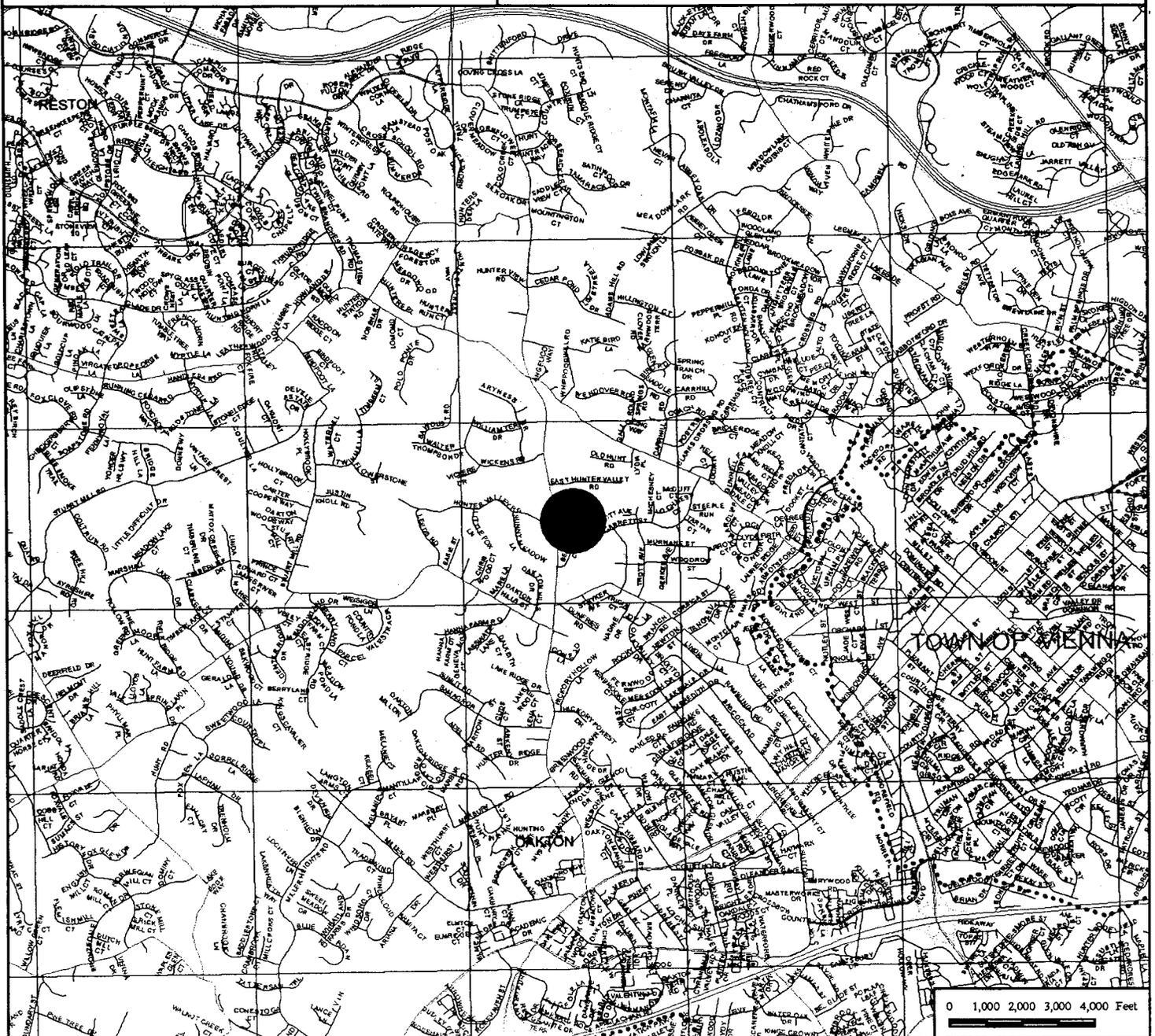
Art 8 Group and Use: 3-10

Located: 2351 HUNTER MILL ROAD

Zoning: R- E

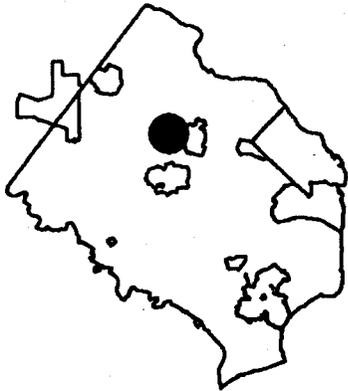
Overlay Dist:

Map Ref Num: 037-2- /01/ /0026A



Special Permit Amendment

SPA 85-C-003-04



Applicant:

TRUSTEES OF THE CHURCH OF THE GOOD SHEPHERD (UNITED METHODIST) LORIEN WOOD

Accepted:

11/28/2007

Proposed:

AMEND SP 85-C-003 PREVIOUSLY APPROVED FOR CHURCH AND PRIVATE SCHOOL OF GENERAL EDUCATION TO PERMIT INCREASE IN ENROLLMENT

Area:

7.16 AC OF LAND; DISTRICT - HUNTER MILL

Zoning Dist Sect: 03-0E03

Art 8 Group and Use: 3-10

Located:

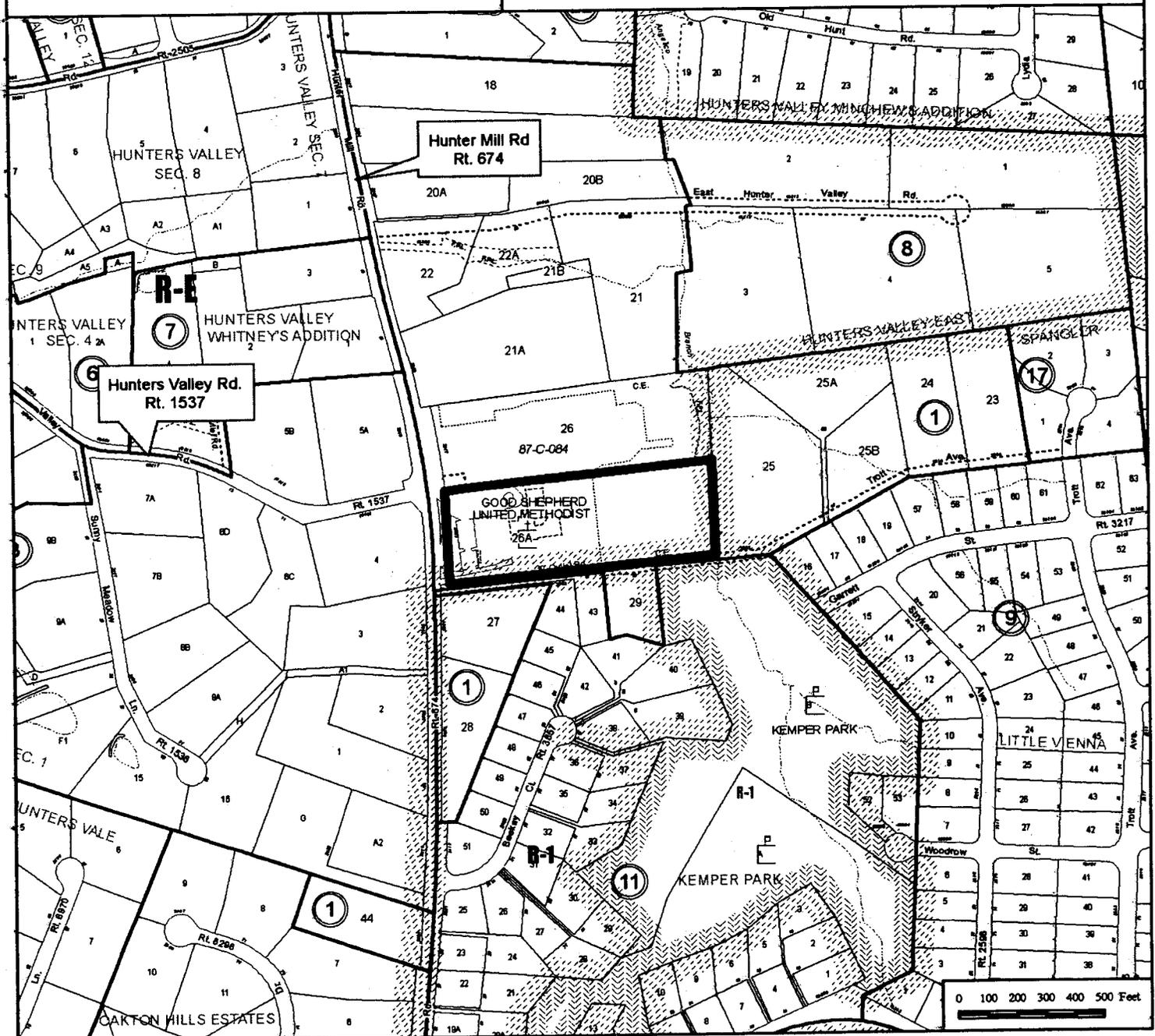
2351 HUNTER MILL ROAD

Zoning:

R- E

Overlay Dist:

Map Ref Num: 037-2- /01/ /0026A



DESCRIPTION OF THE APPLICATION**Special Permit Request:**

The request is to amend SPA 85-C-003 previously approved for church and private school of general education to permit increase in enrollment from a total maximum daily enrollment of 80 students to a total maximum daily enrollment of 96 students. No other changes, additions or construction is proposed.

	<u>Existing/Proposed</u>
Size of property:	7.16 acres
Parking:	140 spaces
Gross Floor Area:	28,079 square ft.
FAR:	0.09
Number of Seats:	400 seats (30 outdoor worship area)
Maximum Daily Enrollment (Private School)	80/96
Employees:	
Church:	6/10
School	
Hours of Operation:	
(Church)	
Sunday services:	7:30 a.m. to 1:30 p.m.
Administrative Offices and Church Building:	8:30 a.m. to 2:30 p.m.
Hours of Operation:	
(School)	8:45 a.m. to 3:00 p.m.

Waiver and Modifications Requested:

A modification of the transitional screening requirements to allow existing vegetation and supplemental landscaping as shown on the special permit plat to satisfy the requirements and a waiver of the barrier requirements along all lot lines is requested.

LOCATION AND CHARACTER

Existing Site Description:

The subject property is located on the east side of Hunter Mill Road, between Vale Road to the south and Lawyers Road, to the north. Trott Avenue abuts the property to the south. The topography of the site is rolling and contains a thick stand of mature hardwoods on the eastern half of the lot.

The site is developed with a 28,079 square foot church building that is separated from Hunter Mill Road by the 140 space parking area. A 25.0 foot-wide planted transitional screening yard is located along the developed portion of the site to the south, adjacent to Trott Avenue. Transitional screening has also been planted along the site's Hunter Mill Road frontage. Two septic drainfields are depicted on the south side of the existing buildings. A recreation area is indicated in the vicinity of one of the drainfields. An outdoor worship area for 30 persons is shown to the east of the church building. The remainder of the eastern half of the site has been preserved as undisturbed open space.

BACKGROUND

The church was constructed in 1971, prior to the Zoning Ordinance requirement for churches in residential areas to have special permit approval. On August 31, 1976, special permit S-175-76 was approved for the subject property to permit a Montessori preschool for 30 children. The special permit was approved with a term limitation and subsequently expired approximately three years later.

On April 16, 1985, the BZA approved special permit SP 85-C-003 to permit a 4,132 square foot building expansion for the church. This resulted in a total building area of 11,907 square feet and the addition of 46 parking spaces to the existing 54 spaces.

On July 11, 1995, the BZA approved special permit amendment SPA 85-C-003 to permit a 16,032 square foot addition to the church, an increase to 140 parking spaces, an increase in sanctuary seating from 300 to 400 and outdoor seating for 30. A right turn deceleration lane was also required as part of this approval. Additionally, the BZA approved Variance VC 95-H-052 to permit part of the addition to be constructed 43.0 feet from the southern front lot line. On March 11, 1997, the applicant submitted a request for an amendment, which was assigned the number SPA 85-C-003-2, to permit deletion of the requirement for a right turn deceleration lane into the site. The application was subsequently withdrawn.

On July 13, 2004, the BZA approved special permit amendment SPA 85-C-003-3 for the church to permit the addition of a private school of general education with a total maximum daily enrollment of 80 students. A copy of the resolution and plat for SPA 85-C-003-3 is included as Appendix 4.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Vacant (Approved with SP for a Place of Worship)	R-E	.5-1 du/ac
South	Single Family Detached Dwellings	R-E	1-2 du/ac
East	Single Family Detached Dwellings	R-E	.5-1 du/ac
West	Single Family Detached Dwellings	R-3	.2-.5 du/ac

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Vienna Planning District, Area II
Planning Sector: Piney Branch Community Planning Sector
Plan Map: Residential .5 to 1 dwelling units per acre

ANALYSIS

Special Permit Plat (Copy at front of staff report)

Title of SP Plat: Special Permit Plat, Church of the Good Shepherd (United Methodist), Hunter Mill District, Fairfax County, Virginia
Prepared By: Land Design Consultants
Dated: February, 1994, as revised through December 14

Proposed Use:

No physical changes are proposed with the current application. The applicant requests approval to amend special permit application SP 85-C-003, previously approved for a church, to increase the enrollment of the private school of general education from a total maximum daily enrollment of 80 students to a total maximum daily enrollment of 96 students and 10 employees. The school would operate between the hours of 8:45 a.m. to 3:30 p.m., Monday through Friday, during the normal school year only. The school will close at 1:00 p.m. on Wednesdays. Also the kindergarten will only operate on Tuesdays, Wednesdays and Fridays. The proposed school will utilize existing space within the church including classrooms, office space, kitchen and fellowship hall and playground and other outdoor open space.

Transportation Analysis (Appendix 5)**Issue:**

Memorandums from both the Fairfax County Department of Transportation (DOT) and the Virginia Department of Transportation (VDOT) state that the applicant should close the existing entrance and align a new entrance with Hunters Valley Road through an existing easement on adjacent Parcel 26. Development Condition Number 12 imposed with the last special permit approval for the subject property, SPA 85-C-003-3, states that public access easements be provided to facilitate the construction of a consolidated entrance with the adjacent property located at Tax Map Number 37-2 ((1)) 26 to the north. The access easement was to be provided in conjunction with the (re)construction of Hunter Mill Road to a four-lane divided facility and/or at such time as Lot 26 redeveloped.

The site entrance is located approximately 65 feet south of Hunters Valley Road. Southbound vehicles turning left into the site interlock with northbound vehicles turning left into Hunters Valley Road. Interlocking left turn movements create unnecessary delays and hazards, and exacerbate traffic flow on both Hunter Mill Road and Hunters Valley Road. In addition, peak hour Hunter Mill Road traffic volumes approximate 800 vehicles in each direction. Left turn lanes are warranted based on the disruption of flow to the existing through movements. The property immediately north of this site, The Zoroastrian Center, has provided an easement which would permit this applicant to realign their entrance opposite Hunters Valley Road. Development conditions associated with Parcel 26 also include the construction of a southbound left turn lane at that location. DOT does not support approval of this application unless the Trustees of Good Shepherd Church commit to construction of the interparcel connection and a new entrance opposite Hunters Valley Road. The conditions associated with parcel 26 then would address the left turn need with development on that parcel. A copy of the conditions and plat approved in conjunction with SP 00-H-026 is included as Appendix 6.

Resolution:

This issue has not been addressed by the applicant.

Land Use Analysis

There are no Land Use issues associated with this application.

Environmental Analysis

There are no Environmental issues associated with this application.

ZONING ORDINANCE PROVISIONS

R-E DISTRICT REGULATIONS	REQUIRED	PROVIDED
Bulk Regulations R-E		
Lot Size	2.0 acres	7.16 acres
Lot Width	225 feet	340 ft. (Hunter Mill Rd.) 917.56 ft. (Trott Avenue)
Building Height	60 feet	60 feet
Front Yard	55° ABP but not less than 50 feet	43 feet (Trott Avenue)* 214 feet (Hunter Mill Rd.)
Side Yard	45° ABP but not less than 20 feet	25 feet
Rear Yard	45° ABP but not less than 25 feet	484 feet
FAR	0.15	0.09
Parking	Church – 100 spaces Private School of General Education – 10 spaces Total: 110 spaces	140 spaces

*Approved by the BZA pursuant to VC 95-H-052

Standard	Required	Provided
Transitional Screening		
North (single family attached dwellings)	T/S 1 -25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	Approx. 0.0 to 25.0 ft. transitional screening*
East (single family attached dwellings)	T/S 1 -25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	400 ft. + existing vegetation
South (single family detached dwellings)	T/S 1 -25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	T/S 1
West (Riverside Rd. - single family detached dwellings)	T/S 1 -25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	T/S 1, approx. 15.0 to 25.0 feet wide
Barrier		
North (single-family detached dwellings)	Barrier D, E or F	None*
South (Single family detached dwellings)	Barrier D, E or F	None*
East (single family detached dwellings)	Barrier D, E or F	None*

Standard	Required	Provided
West (Riverside Rd. - single family detached dwellings)	Barrier D, E or F	None*

WAIVERS/MODIFICATIONS REQUESTED

Waivers and Modifications Requested

Waiver/Modification: A modification of the transitional screening requirements and waiver of barrier requirements is requested along all lot lines to permit existing vegetation and supplemental landscaping, as shown on the special permit plat, to satisfy the requirements. These waivers were previously approved in conjunction with SPA 85-C-003-3.

Basis: Par. 3 of Sec.13-304 states that transitional screening and barrier requirements may be waived or modified where the building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through the combination of architectural and landscaping techniques.

With the approval of SPA 85-C-003-3, transitional screening was modified on all lot lines as depicted on the special permit plat and the barrier requirement was waived along all lot lines. As no additional construction is proposed with this application staff supports the previously approved modification to transitional screening and waiver of barrier requirements.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (See Appendix 7)

- General Special Permit Standards (Sect. 8-006)
- Group 3 Standards (Sect. 8-303)
- Additional Standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship With a Child Care Center, Nursery School or Private School (Sect. 8-308)

Summary of Zoning Ordinance Provisions

General Standard 4 for all special permits requires that the proposed use be such that pedestrian and vehicular traffic in the neighborhood associated with the use not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. As outlined by DOT in their memorandum, at the present time there are approximately 800 vehicle trips per hour in each direction along Hunter Mill Road at the application property. Southbound vehicles turning left into the site interlock with northbound vehicles turning left into Hunters Valley Road. Interlocking left turn movements create

unnecessary delays and hazards, and exacerbate traffic flow on both Hunter Mill Road and Hunters Valley Road. Left turn lanes are already warranted based on the disruption of flow to the existing through movements. These issues cannot be addressed unless the applicant commits to construct the interparcel connection and provide a new entrance opposite Hunters Valley Road. The mechanism for this connection has already been provided on Lot 26.

CONCLUSIONS

Staff concludes that the subject application is not in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions. Staff cannot support approval of this application unless the applicant commits to construct the interparcel connection with parcel 26 and a new entrance opposite Hunters Valley Road.

RECOMMENDATIONS

Staff recommends denial of the subject special permit amendment application.

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.

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.

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.

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Development Conditions and Plat Approved for SPA 85-C-003-03
5. Transportation Analysis
6. Development Conditions and Plat Approved for SP 00-H-026
7. Applicable Zoning Ordinance Provisions Checklist

PROPOSED DEVELOPMENT CONDITIONS**April 8, 2008**

If it is the intent of the Board of Zoning Appeals to approve SPA 85-C-003-4 located at Tax Map 37-2 ((1)) 26A, for an amendment to amend SP 85-C-003 previously approved for a church and private school of general education to permit increase in enrollment pursuant to Section 3-303 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Those conditions carried forward from the previous special permit are marked with an asterisk. Minor edits have been made to these conditions to conform to current terminology. Edits have been underlined.

1. This approval is granted to the applicant only, the Church of the Good Shepherd (United Methodist)/Lorien Wood School, and is not transferable without further action of this Board, and is for the location indicated on the application, 2351 Hunter Mill Road, and is not transferable to other land.*
2. This special permit amendment is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by Land Design Consultants, dated February, 1994, as revised through December 14, 1994, and approved with this application, as qualified by these development conditions.*
3. A copy of this special permit amendment 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, 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. The maximum number of church seats in the main area of worship shall be limited to 400. The maximum number of seats in the outdoor worship area shall be 30.*
6. There shall be no amplification used in the outdoor seating area.*
7. Parking shall be provided as depicted on the special permit plat. All parking shall be on site, notwithstanding however, that approximately five (5) spaces may be removed in conjunction with the construction of an interparcel connection to the north, via Lot 26.*
8. Transitional screening shall be modified along all lot lines to permit existing vegetation to satisfy the requirements, but supplemental plantings shall be maintained along the southern and western lot lines, as depicted on the plat. The barrier requirement shall be waived.*

9. The limits of clearing and grading shall be maintained as shown on the special permit plat and shall be subject to review and approval by the Urban Forestry Division. There shall be no structures except the existing outdoor seating, and no removal of vegetation except for dead or dying trees or shrubs in the area outside the existing limits of clearing and grading.*
10. Any new proposed or replacement lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. Any new outdoor lighting fixtures shall not exceed twelve (12) feet in height, measured from the ground to the highest point of the fixture, shall be of low intensity design and shall utilize full cut-off fixtures which focus directly on the subject property.*
11. The width of the existing entrance shall be provided as determined by the Virginia Department of Transportation (VDOT).*
12. Public access easements, as determined necessary by VDOT and DPWES to facilitate the construction of a consolidated entrance with the adjacent property located at Tax Map Number 37-2 ((1)) 26 to the north, shall be provided prior to issuance of a new Non-Residential Use Permit for an increase in the enrollment.
13. Prior to the issuance of a new Non Residential Use Permit, the applicant shall construct via the existing easement on Tax Map 37-2 ((1)) 26 to the north a combined entrance to Hunter Mill Road that aligns with Hunter Valley Road. If provision of the consolidated entrance necessitates the removal of parking spaces, existing asphalt on the site may be re-stripped to make up for the lost spaces without the approval of an amendment to this special permit. The existing site entrance onto Hunter Mill Road must be closed and landscape plantings shall be provided in that area similar to that provided between the existing parking lot and the lot line abutting Hunter Mill Road.
14. Upon issuance of a Non-Residential Use Permit, the hours of operation for the private school of education shall be limited to 8:45 a.m. to 3:30 p.m., Monday through Friday. The private school of general education will operate during the school year and will not operate during the summer.*
15. Upon issuance of a new Non-Residential Use Permit, the number of students enrolled in the private school of general education shall be limited to a total maximum daily enrollment of ~~80~~ ninety-six (96) children. Upon issuance of a new Non-Residential Use Permit, the number of employees associated with the private school of general education shall be limited to a maximum of ~~six (6)~~ ten (10) at anyone time.*
16. The outdoor play equipment shall be located in the existing cleared area north of the church building. The play equipment shall not be located on a septic field.*
17. The applicant shall obtain a sign permit for the proposed sign for the private school of general education in accordance with the provisions of Article 12 of the Zoning Ordinance. *

These conditions incorporate and supersede all previous 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 construction has commenced and been diligently prosecuted or the use has been established as noted above. The Board of Zoning Appeals may grant additional time to establish the use 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 31, 2007
 (enter date affidavit is notarized)

I, Jeremy B. Root, 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 97438a

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 BOLD above)
Trustees of the Church of the Good Shepherd (United Methodist)	2351 Hunter Mill Road, Vienna, VA 22181	Title Owner/Applicant
Darlene E. Dickerson	Same as above	Trustee, Church of the Good Shepherd
Harold David Thomas	Same as above	Trustee, Church of the Good Shepherd
Daniel L. Whitford	Same as above	Trustee, Church of the Good Shepherd
Theodore R. Kramer, III	Same as above	Trustee, Church of the Good Shepherd
Dennis M. Bair	Same as above	Trustee, Church of the Good Shepherd
Thomas R. Colosi	Same as above	Trustee, Church of the Good Shepherd
Karl F. Heeter	Same as above	Trustee, Church of the Good Shepherd
Terry G. Miller	Same as above	Trustee, Church of the Good Shepherd
David R. Shields	Same as above	Trustee, Church of the Good Shepherd
Lorien Wood (a Virginia non-stock corporation)	2351 Hunter Mill Road, Vienna, VA 22181	Lessee/Applicant

(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.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** 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)

Page 1 of 1

Special Permit/Variance Attachment to Par. 1(a)

DATE: October 31, 2007
(enter date affidavit is notarized)

97438a

(NOTE: All relationships to the application are to 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 BOLD above)
Blankingship & Keith, PC (A Virginia professional corporation) Jeremy B. Root	4020 University Drive, Suite 300, Fairfax, Virginia 22030 Same as above	Attorney/Agent on behalf of Lorien Wood
Sarah E. Hall	Same as above	Attorney/Agent on behalf of Lorien Wood

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: October 31, 2007
(enter date affidavit is notarized)

97438a

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)

Lorien Wood, a Virginia non-stock corporation
2351 Hunter Mill Road, Vienna, VA 22181

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)

NONE. A Virginia non-stock corporation.

(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 31, 2007
(enter date affidavit is notarized)

97438a

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

Blankingship & Keith, PC
4020 University Drive, Suite 300
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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)

A. Hugo Blankingship, Jr.	Peter S. Everett	Wm. Quinton Robinson
John A.C. Keith	David Rust Clarke	John F. Cafferky
William H. Casterline, Jr.	David J. Gogal	William B. Porter
Sarah Elizabeth Hall	Elizabeth Chichester Morrogh	Gifford R. Hampshire
Paul B. Terpak	Robert J. Stoney	William L. Carey, and Mary McGowan

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 31, 2007
(enter date affidavit is notarized)

97438_a

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)

N/A

(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**)

N/A

(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 31, 2007
(enter date affidavit is notarized)

97438a

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 31, 2007
(enter date affidavit is notarized)

97438a

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 Jeremy B. Root Applicant's Authorized Agent

Jeremy B. Root
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 31st day of October 2007, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: 10/31/08

Bridget Ford
Notary Public



A. HUGO BLANKINGSHIP, JR.
JOHN A.C. KEITH
WILLIAM H. CASTERLINE, JR.
SARAH ELIZABETH HALL
PAUL B. TERPAK
PETER S. EVERETT
DAVID RUST CLARKE
DAVID J. GOGAL
ELIZABETH CHICHESTER MORROGH
ROBERT J. STONEY
WM. QUINTON ROBINSON
JOHN F. CAFFERKY
WILLIAM B. PORTER
GIFFORD R. HAMPSHIRE

MARK A. TOWERY, counsel
ANDREA D. GEMIGNANI
JEREMY B. ROOT
CHIDI I. JAMES
DANIEL E. ORTIZ
LEZA CONLIPPE
PETULA C. METZLER
MICHAEL L. CHANG

February 28, 2008

BY EMAIL AND POST

Greg Chase
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509

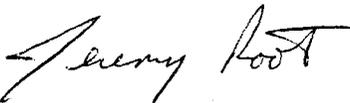
RE: Special Permit Amendment Application – The Church of the Good Shepherd (United Methodist) / Lorien Wood

Dear Mr. Chase:

Per our phone conversation earlier this week, enclosed please find a revised Statement of Justification for the above referenced application. As we discussed, the Applicant has decided to amend the application to reflect a cap of 96 students rather than the 120 students previously requested.

If you have any questions regarding this application, please feel free to contact me. If I am not available, please ask for Sarah Hall, who is also working on this matter.

Sincerely yours,


Jeremy Root

Encl.
cc: Pam Priester (w/encl.)
Sarah E. Hall, Esq. (w/encl.)

RECEIVED
DEPARTMENT OF PLANNING
AND ZONING

MAR 4 2008

SPECIAL PERMIT &
VARIANCE BRANCH

STATEMENT OF JUSTIFICATION

On July 13, 2004, the Board of Zoning Appeals granted to Church of the Good Shepherd and Lorien Wood ("Co-Applicants") Special Permit Amendment No. SPA 85-C-003-03 to permit the addition of a private school of general education to the existing church. The Special Permit limited the maximum enrollment of the school to 80 students and 6 staff members at any one time. On August 11, 2004, Lorien Wood received a Non-Residential Use Permit.

Lorien Wood ("School") opened its doors to 23 students in September 2004. Since then, the School has grown steadily, with the addition of a grade level each year. Starting in 2004 with K- 2nd grade, the School opened in September 2007 with grades K- 5th with approximately 70 students.

The School has extended its lease agreement with Church of the Good Shepherd (the "Church"). During this time, the School plans to increase its enrollment and to offer classes ranging from K-6th grade.

By this application, the School seeks to amend Special Permit Amendment No. SPA 85-C-003-03 to permit 96 students and 10 adult staff members. The increase of students would not involve any construction or modification to the existing Church building.

No change is sought with regard to the School's current hours of operation of 8:45 a.m. to 3:30 p.m., the area to be served, or the architecture of the facility. Based on the School's historic carpooling data, the School estimates that if it reaches its maximum enrollment of 96, the School would generate approximately 34 cars trips in the morning and evening, respectively.

No change is sought with regard to the Church's use of the property as a place of worship. The Church parking lot has 140 painted parking spaces. The sanctuary has 400 seats, while an outdoor worship area (with no sound amplification) seats 30. The proposed use modification will not impact the Church's current membership roll of 570 people (active membership is 299). The Church has eight (8) employees, and is open from 7:30 a.m. to 1:30 p.m. on Sunday, 9:00 a.m. to 4:00 p.m. weekdays, 5:00 p.m. to 9:00 p.m. during weekday evenings for various church and community groups, and 8:00 a.m. to 5:00 p.m. on Saturdays, for various Church activities. The proposed use modification will not increase the existing traffic to and from the Church for Church activities, which are mainly on Sunday mornings. The Church continues to draw from the immediate Oakton area.

No hazardous or toxic substances or hazardous waste or petroleum products are generated, utilized, stored, treated, and/or disposed of onsite by either the Church or School except in full compliance with all applicable laws and regulations.

The proposed use conforms to all applicable ordinances, regulations, adopted standards and applicable conditions except those which were waived or modified in connection with the granting of Special Permit No. SPA-85-C-003-03.

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

THE CHURCH OF GOOD SHEPHERD (UNITED METHODIST)/LORIEN WOOD SCHOOL, SPA 85-C-003-03 Appl. under Sect(s). 3-E03 of the Zoning Ordinance to amend SP 85-C-003 previously approved for church to permit the addition of a private school of general education. Located at 2351 Hunter Mill Rd. on approx. 7.16 ac. of land zoned R-E. Hunter Mill District. Tax Map 37-2 ((1)) 26A. (Decision deferred from 6/29/04 and 7/6/04) Mr. Hart 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 July 13, 2004; and

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

1. The applicant is the owner of the land.
2. The applicant presented testimony showing compliance with the required standards for a special permit.
3. The staff report was favorable.
4. There are no significant physical changes to the site.
5. The traffic situation on Hunter Mill Road is not going to be measurably affected by the introduction of a school.
6. In the context of the other applications on Hunter Mill Road where there has been tremendous opposition, one of the factors in favor of the subject application has been that this application has not been actively opposed by the community.
7. With the resolution discussed at the hearing, the uncertainty about the timing of the easement with the Zoroastrians has been resolved.

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-E03 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, the Church of the Good Shepherd (United Methodist) / Lorien Wood School, and is not transferable without further action of this Board, and is for the location indicated on the application, 2351 Hunter Mill Road, 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 Land Design Consultants, dated February, 1994, as

- revised through December 14, 1994, 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 maximum number of seats for the main area of worship shall be 400. The maximum number of seats in the outdoor worship area shall be 30.
 6. There shall be no amplification used in the outdoor seating area.
 7. Parking shall be provided as shown on the special permit plat. All parking shall be on-site, notwithstanding however, that approximately five (5) spaces may be removed in conjunction with the construction of an interparcel connection to the north, via Lot 26.
 8. Transitional screening shall be modified along all lot lines to permit existing vegetation to satisfy the requirements, but supplemental plantings shall be maintained along the southern and western lot lines, as depicted on the plat. The barrier requirement shall be waived.
 9. The limits of clearing and grading shall be maintained as shown on the special permit plat and shall be subject to review and approval by the Urban Forestry Division. There shall be no structures, except the existing outdoor seating, and no removal of vegetation except for dead or dying trees or shrubs in the area outside the existing limits of clearing and grading.
 10. Any replacement lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance.
 11. The width of the existing entrance shall be provided as determined by the Virginia Department of Transportation (VDOT).
 12. Public access easements, as determined necessary by VDOT and DPWES to facilitate the construction of a consolidated entrance with the adjacent property located at Tax Map Number 37-2 ((1)) 26 to the north, shall be provided in recordable form in conjunction with the (re)construction of Hunter Mill Road to a four-lane divided facility and/or at such time as Lot 26 redevelops, or within 90 days of the approval of this application, whichever comes first.

Construction of the improvements may be by others. If provision of the consolidated entrance necessitates the removal of parking spaces, existing asphalt on the site may be re-stripped to make up for the lost spaces without the approval of an amendment to this special permit. If VDOT determines that the existing entrance onto Hunter Mill Road must be closed, landscape plantings shall be provided in that area similar to that provided between the existing parking lot and the lot line abutting Hunter Mill Road.

13. Upon issuance of a Non-Residential Use Permit, the hours of operation for the private school of education shall be limited to 8:45 a.m. to 3:30 p.m., Monday through Friday. The private school of general education will operate during the school year and will not operate during the summer.
14. Upon issuance of a Non-Residential Use Permit, the number of students enrolled in the private school of general education shall be limited to a total maximum daily enrollment of eighty (80) children.
15. Upon issuance of a Non-Residential Use Permit, the number of employees associated with the private school of general education shall be limited to a maximum of six (6) at any one time.
16. The outdoor play equipment shall be relocated to the existing cleared area north of the church building. The play equipment shall not be located on a septic field.
17. The applicant shall obtain a sign permit for the proposed sign for the private school of general education in accordance with the provisions of Article 12 of the Zoning Ordinance.

These conditions incorporate and supercede all previous 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. The Board of Zoning Appeals may grant additional time to establish the use 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 5-1-1. Mr. Hammack voted against the motion. Ms. Gibb moved to waive the 8-day waiting period. Mr. Hart seconded the motion which carried by a vote of 6-0-1. Mr. Pammel abstained from the votes.

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on July 13, 2004. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:



Kathleen A. Knoth
Clerk to the Board of Zoning Appeals



County of Fairfax, Virginia

MEMORANDUM

DATE: March 21, 2008

TO: Regina Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver
Site Analysis Section
Department of Transportation

FILE: 3-6 (SP 85-C-003)

SUBJECT: Transportation Impact

REFERENCE: SPA 85-C-003-4 Church of the Good Shepherd
Traffic Zone: 1616
Land Identification Map: 37-2 ((1)) 26A

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on the plat made available to this office dated December 14, 1994. The subject application is a request to amend a previously approved application for a private school of general education use to increase the enrollment in the K through 7 grades from 80 to 96 students. The staff would increase from six to ten. **This department recommends denial of the application as now submitted.**

The site entrance is located approximately 65 feet south of Hunters Valley Road. Southbound vehicles turning left into the site interlock with northbound vehicles turning left into Hunters Valley Road. Interlocking left turn movements create unnecessary delays and hazards and exacerbate traffic flow on both Hunter Mill Road and Hunters Valley Road. In addition, peak hour Hunter Mill Road traffic volumes approximate 800 vehicles in each direction. Left turn lanes are warranted based on the disruption of flow to the existing through movements.

The property immediately north of this site [parcel 37-2 ((1)) 26] has provided an easement which would permit this applicant to realign their entrance opposite Hunters Valley Road. Development conditions associated with Parcel 26 also include the construction of a southbound left turn lane at

SPA 85-C-003-4

March 21, 2008

Page 2 of 2

that location. This department can not support approval of this application unless the Trustees of Good Shepherd Church commit to construct the interparcel connection and a new entrance opposite Hunters Valley Road.

The conditions associated with parcel 26 then would address the left turn need with development on that parcel.

AKR/LAH/lah

cc: Michelle Brickner, Director, Office of Site Development Services, DPW&ES

2/26/08



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

DAVID S. EKERN, P.E.
COMMISSIONER

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

January 22, 2008

Ms. Regina Coyle
Director of Zoning Evaluation
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: SPA 85-C-003-4, The Church of the Good Sheperd
Tax Map No.: 37-2 /01/ 0026A

Dear Ms. Coyle:

We have reviewed the referenced special exception application as requested and offer the following comments:

The entrance along Hunter Mill Road should be re located to where it aligns with Hunter Valley Road.

The applicant should address the need to construct a left turn lane along Hunter Mill Road.

If you have any questions, please call me at (703) 383-2063.

Sincerely,

Noreen H. Maloney
Transportation Engineer

cc: Ms. Angela Rodeheaver

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ZOROASTRIAN CENTER AND DARB-E-MEHR OF METROPOLITAN WASHINGTON D.C., SP 00-H-026 Appl. under Sect(s). 3-E03 of the Zoning Ordinance to permit a place of worship, child care center and nursery school. **(THE APPLICANT WITHDREW THE REQUEST FOR THE CHILD CARE CENTER AND NURSERY SCHOOL)**. Located at 2347 Hunter Mill Rd. on approx. 6.81 ac. of land zoned R-E. Hunter Mill District. Tax Map 37-2 ((1)) 26. (MOVED FROM 7/25/00, 8/1/00, and 9/12/00). (Deferred for decision only from 10/17/00 and 12/12/00) Mr. Hart 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 January 16, 2001; and

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

1. The applicants are the owners of the land.

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-E03 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, 2347 Hunter Mill Road (6.8 acres) and is not transferable to other land.
2. This Special Permit is granted only for a place of worship as indicated on the special permit plat prepared by Walter L. Phillips, dated March 20, 2000, as revised through January 8, 2001, 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 the approved Special Permit plat and these development 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 maximum number of seats in the church shall be 120.
6. Sixty-seven (67) parking spaces shall be provided. All parking shall be on site within the designated parking area as shown on the special permit plat. No parking shall be permitted off-site.
7. Existing vegetation shall be used to satisfy the Transitional Screening I requirement along the eastern lot line. Vegetation along the western lot line shall be supplemented as shown on the special permit to meet the transitional screening requirements as determined by the Urban Forestry Branch. The entire northern lot line shall be supplemented as needed with evergreen plantings to obtain the effectiveness of Transitional Screening I as determined by the Urban Forestry Branch. Berms shall also be provided along Hunter Mill Road to enhance the effectiveness of Transitional Screening I. The size, type and location of all berms and vegetation shall be as approved by the Urban Forestry Branch of DPWES. All existing vegetation around the periphery of the site shall be maintained and supplemented as deemed necessary by the Urban Forestry Branch.

The Barrier requirements shall be waived for all lot lines.

8. The limits of clearing and grading shall be as shown on the special permit plat. A grading plan which establishes the limits of clearing and grading necessary to construct the improvements shall be submitted to DPWES, including the Urban Forestry Branch, for review and approval. The extent of clearing and grading of construction shall be the minimum amount feasible as determined by DPWES. Prior to any land disturbing activities for construction, a pre-construction conference shall be held between DPWES and representatives of the applicant to include the construction site superintendent responsible for the on-site construction activities. The purpose of this meeting shall be to discuss and clarify the limits of clearing and grading, areas of tree preservation, and the erosion and sedimentation control plan to be implemented during construction. In no event shall any area on the site be left denuded for a period longer than 14 days except for that portion of the site in which work will be continuous beyond 14 days. All of the site outside the limits of clearing and grading shall remain as perpetually undisturbed open space and if any feature such as the SWM pond is eliminated or reduced in size, the area of that feature shall become part of the perpetually undisturbed open space.
9. A conservation easement shall be recorded over the western portion of Angelico Branch as shown on the special permit plat to match that provided by the Good Shepherd United Methodist Church. The applicant shall record a conservation easement to the benefit of Fairfax County, in the form approved by the Department of Public Works and Environmental Services (DPWES), over the areas located within Environmental Quality Corridors (EQCs), as shown on the submitted special permit plat. The conservation easement shall ensure that areas within the EQC remain in undisturbed open space, and shall prohibit the construction of any structures. The easement shall be approved by the Office of the County Attorney and further specify that undisturbed open space shall be maintained by hand, as needed only to remove dead and dying vegetation, and there shall be no fertilizing or mowing of weeds or grass.

10. At the time of either site plan submission or grading plan submission, whichever occurs first, 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 25 feet on either side of the limits of clearing and grading. The condition analysis shall be prepared by a certified arborist using the eighth 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 with the intention of maintaining the existing vegetation within the tree save area depicted outside the limits of clearing and grading as shown on the special permit in undisturbed open space. The undisturbed open space shall be maintained by hand as needed to remove only undesirable vegetation such as brambles and vines, and there shall be no fertilizing or mowing of weeds or grass within the open space areas. Tree preservation shall be implemented pursuant to the study as approved by the Urban Forestry Branch.
11. Parking lot landscaping shall be provided in accordance with the Public Facilities Manual as determined by the DPWES. Foundation plantings around the church building shall be provided for the purpose of softening the visual impact of the buildings and blend the development in with the adjacent residential subdivision. The type, size and location of these plantings shall be approved by the Urban Forestry Branch and shall depict a combination of flowering and evergreen shrubs and ornamental tree plantings along the perimeters of the parking areas and building foundation landscaping plantings with particular emphasis along the northern lot line.
12. Stormwater Management/ Best Management Practices shall be provided in accordance with the Public Facilities Manual standards for developments in the Water Supply Protection Overlay District as approved by DPWES.
13. Right of way of 45 feet from centerline of Hunter Mill Road shall be dedicated in fee simple to the Board of Supervisors at the time of site plan approval, or upon demand, whichever occurs first. Frontage improvements, including turn lanes as depicted on the plat, shall be constructed consisting of 35 feet of pavement from centerline to face of curb subject to review and approval of VDOT and DPWES. Frontage improvements shall be constructed to VDOT and PFM standards. The additional pavement shall be striped to provide an interim left turn lane into the site.
14. A fifty (50) foot wide Public Access and ingress and egress easement over the portion of the entrance as shown on the revised plat that serves both churches shall be recorded.
15. Evening outdoor activities on the site shall not extend beyond 9:30 p.m. during the weekdays and 10:00 p.m. on the weekends.
16. Church facilities shall only be made available for use by groups or activities, which are sponsored by the church and consistent with its ministry objectives. Large events or festivals, which generate more vehicles than the parking lot can accommodate, shall not be held on the site.

17. Any proposed lighting of the parking areas shall be in accordance with the following:
- The combined height of the light standards and fixture shall not exceed 12 feet and shall be full cut-off lights.
 - The lights shall be of a design, which focuses the light directly onto the subject property.
 - Shields shall be installed, if necessary, to prevent the light from projecting beyond the facility.
 - The lights shall be controlled with an automatic shut-off device, and shall be turned off when the site is not in use.
 - There shall be no up-lighting of any of the proposed buildings. Except for necessary low level security lighting, site and building lighting shall be turned off by 10:30 p.m.
18. The existing dwelling may be used to house a member of the clergy or a caretaker and the garage shall be used for storage only.
19. Irrespective of that shown on the special permit plat, the height of the main portion of the building shall not exceed 26.6 feet and shall be in substantial conformance with the submitted architectural elevations included in Attachment 1 of the development conditions.
20. The use of loudspeakers, music amplification systems, or bull horns shall not be permitted outside the building.
21. A geo-technical engineering study shall be submitted to DPWES for review and approval in accordance with Chapter 107 of the Fairfax County Code as determined necessary by DPWES and shall be implemented as determined by DPWES. If DPWES determines that a potential health risk exists due to naturally occurring asbestos, all construction personnel shall be alerted to the potential health risk and appropriate construction techniques, as determined by DPWES, shall be implemented.
22. Irrespective of that shown and noted (#17) on the special permit plat regarding the proposed location of the septic field, the applicant shall obtain approval from the Fairfax County Health Department for the location of the septic field. Should approval not be obtained for the proposed location of the septic field(s) in substantial conformance with that shown on the special permit plat, this special permit shall become null and void.
23. The architectural design elements shall be in substantial conformance to the submitted conceptual elevations by AFA Architecture PC, dated June 14, 2000, included as Attachment 1 of the development conditions and shall be of neutral colors.
24. All signs on the property shall be provided in accordance with the requirements of Article 12, Signs, of the Zoning Ordinance. If lighting is permitted for the sign, it shall only be as backlighting.

25. There shall be no outdoor open/bon fires on site.

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. The Board of Zoning Appeals may grant additional time to establish the use 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.

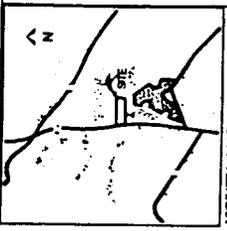
Ms. Gibb seconded the motion which carried by a vote of 4-2-1. Mr. Pammel and Mr. Ribble voted against the motion. Mr. Hammack abstained from the vote.

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on January 24, 2001. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:



Regina Thorn Corbett, Clerk
Board of Zoning Appeals



PARKING TABULATION

TYPE	NO. OF SPACES	NO. OF SPACES REQUIRED
Handicapped	2	2
Visitor	100	100
Employee	10	10
Storage	10	10
Total	122	122

WATER REQUESTED

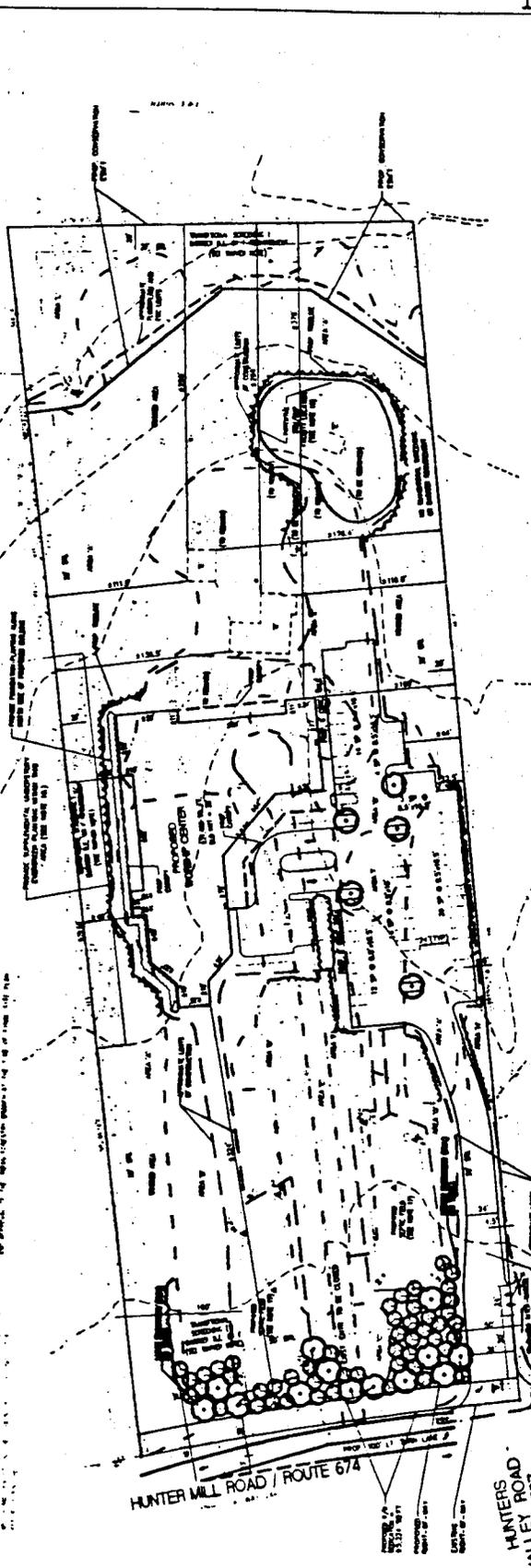
1.0 MGPD

ZONING TABULATION

ZONE	AREA (SQ. FT.)	PERMITTED USES
Office	100,000	Office, Professional, Retail, etc.
Community Center	50,000	Community Center, Church, etc.
Public Use	20,000	Public Use, etc.
Total	170,000	

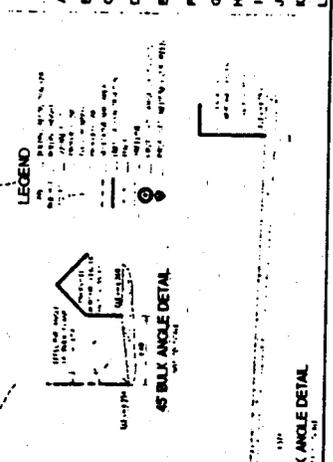
GENERAL NOTES

1. THE PLAT IS FOR THE PROPOSED ZOROASTRIAN CENTER AND IS SUBJECT TO THE APPROVAL OF THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA.
2. THE PLAT IS FOR THE PROPOSED ZOROASTRIAN CENTER AND IS SUBJECT TO THE APPROVAL OF THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA.
3. THE PLAT IS FOR THE PROPOSED ZOROASTRIAN CENTER AND IS SUBJECT TO THE APPROVAL OF THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA.
4. THE PLAT IS FOR THE PROPOSED ZOROASTRIAN CENTER AND IS SUBJECT TO THE APPROVAL OF THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA.
5. THE PLAT IS FOR THE PROPOSED ZOROASTRIAN CENTER AND IS SUBJECT TO THE APPROVAL OF THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA.



EXISTING VEGETATION MAP INFORMATION

GRID	VEGETATION TYPE	AREA (SQ. FT.)
A	Deciduous Forest	100,000
B	Conifer Forest	50,000
C	Open Field	20,000
D	Shrubland	10,000
E	Water	5,000
F	Other	5,000
G	Other	5,000
H	Other	5,000
I	Other	5,000
J	Other	5,000
K	Other	5,000
L	Other	5,000



CURVE TABLE

STATION	CURVE DATA
1+00	100' RADIUS
1+50	150' RADIUS
2+00	200' RADIUS

GRAPHIC SCALE

1" = 100'

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.
- NA 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.
- 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.

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.