



County of Fairfax, Virginia

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

August 8, 2008

Kenneth D. Ellis, PE
Director of Engineering
William H. Gordon Associates, Inc.
4501 Daly Drive, Suite 200
Chantilly, VA 20151

Re: Interpretation for SP 2007-LE-122 and VC 2007-LE-004, Trustees of Laurel Grove Baptist Church, 6834 Beulah Street, Tax Map 91-1 ((1)) 25: Building Addition

Dear Mr. Ellis:

This is in response to your letter of June 17, 2008, requesting an interpretation of the combined Special Permit (SP) and Variance (VC) Plat and development conditions approved by the Board of Supervisors in conjunction with the approvals of SP 2007-LE-122 and VC 2007-LE-004. As I understand it, your question is whether the proposed 500 square foot addition, which would be constructed over a portion of the first floor, would be in substantial conformance with the above-referenced approvals. This determination is based on your letter and attached Exhibits 1 and 2 entitled "Sketch Plan" and "Bulk Plane Angles," respectively, dated June 15, 2008, and prepared by WHGA, Inc... Copies of your letter and relevant documents are attached.

Your letter states that the original church was constructed in 1884 and burned down in 2004 and has not been reconstructed. On January 15, 2008, the Board of Zoning Appeals (BZA) approved SP 2007-LE-122 and VC 2007-LE-004, each subject to development conditions, to permit reconstruction of the church as shown on the SP/VC Plat. The approved SP/VC Plat shows that the approvals permitted reconstruction of the approximately 1,820 square foot church with 76 seats on the existing foundation, with no increase in impervious area and no other on-site improvements except for re-striping of the parking lot. The tabulations on the SP/VC Plat show an approved FAR of 0.09 and a maximum building height of 25 feet. As I understand it, you are proposing to add 500 square feet in a second story addition which would increase the FAR from 0.09 to 0.11 and the building height from 25 feet to 35 feet. You contend that both changes would meet the bulk regulations of the R-1 District and are, therefore, within the guidelines of a minor modification.

Your letter references Paragraph 4B of Sect. 8-004 of the Ordinance, which contains the guidelines for minor modifications for approved special permits for places of worship and places of worship with a child care center, nursery school or private school of general education. Paragraph 4B. (7) (a) states in part the following: "...*minor additions to buildings may be permitted, provided that:*

- (a) *the sum total of all structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area;..*"

Based on the above, the proposed addition of 500 square feet may be permitted as a minor modification; however, as I understand it, the proposed addition would increase the building height from 25 feet to 35 feet, which would add bulk above the approved height.

Paragraph 4B. (5) of Sect. 8-004 states that modifications shall in no event "*Permit changes to bulk, mass, orientation or location which adversely impact the relationship of the development or part thereof to adjacent property.*"

As such, it is my determination that the proposed building addition described above and in your submission is not in substantial conformance with SP 2007-LE-122 and VC 2007-LE-004. This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please feel free to contact Mary Ann Godfrey at (703) 324-1290.

Sincerely,



Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

RCC/MAG/N:\SP Interpretations\Laurel Grove Baptist Church (SP 2007-LE-122 & VC 2007-LE-004) addition.doc

cc: Jeffrey McKay, Supervisor, Lee District
Rodney Lusk, Planning Commissioner, Lee District
Diane Johnson Quinn, Deputy Zoning Administrator, DPZ
Kenneth Williams, Plan Control, Office of Land Development Services, DPWES
Angela Rodeheaver, Section Chief for Site Analysis, DOT
Assad Ayoubi, Acting Director, Environmental and Facilities Inspection Division, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Acceptance Branch, DPZ
File: SP 2007-LE-122, VC 2007-LE-004, SPI 0806 025, VCI 0806 004, Imaging, Reading



William H. Gordon Associates, Inc.
4501 Daly Drive, Suite 200
Chantilly, VA 20151
703-263-1900 Phone
703-263-0766 Fax

June 17, 2008

RECEIVED
Department of Planning & Zoning

Regina Coyle
Director, Zoning Evaluation Division
12055 Government Center Parkway, Suite 800
Fairfax, Virginia 22035

JUN 18 2008

Zoning Evaluation Division

Subject: Interpretation Request; SP 2007-LE-122, VC 2007-LE-004

Dear Ms. Coyle,

This letter is to seek an interpretation to reconstruct an existing church within the original building footprint with a slight increase in gross square feet on the second level while still remaining under the permitted floor area ratio for the site.

I. BACKGROUND

The original church was erected in 1884 and was in continuous use until a fire in 2004. On January 15th, 2008, the Board of Zoning Appeals of Fairfax County approved a Special Permit Application (SPA) and Variance Application for the subject property located on Tax Map 91-1 ((01))25 and address being 6834 Beulah Street. The site comprises of 20,363 SF of lot area in the R-1 Zoning District and the recent SPA approval allows the applicant to reconstruct the church with 76 seats and approximately 1,800 square feet in gross floor area (GSF), or a 0.09 FAR.

II. INTERPRETATION REQUEST

The interpretation request concerns building a second floor over the approved building footprint. The proposed second floor uses will be comprised of meeting rooms and internal offices that will add approximately 500 square feet to the approved building GSF for a total of approximately 2,300 square feet. (See attached Exhibit 1) The increase in GSF will bring the subject property's FAR to 0.11 which is still under the permitted GSF of 0.15 in the R-1 Residential District. The proposed second floor will increase the height of the church by approximately 10 feet for a maximum height of 35 feet, which is the maximum permitted height in the R-1 Residential District.

The increase in GSF will not increase the parking requirement for the church as this use's requirement is based on the number of seats, which will remain at 76 seats per the approved SPA. The front yard, side yard, and rear yard bulk plane angles are in compliance with the permitted bulk plane angles for the R-1 Residential District. (See attached Exhibit 2)

The proposed increase in square footage is within the guidelines of an allowable minor modification per the Zoning Ordinance, Article 8, Special Permits, Paragraph 004, Status of Special Permits:

B. For approved special permits for places of worship and places of worship with a child care center, nursery school or private school of general or special education, the modifications shall, in no event:

- (1) Permit an expansion of the hours of operation from that approved pursuant to the special permit; or **(no change)**
- (2) Permit an increase in the number of seats, parking spaces or students, if applicable, which exceeds more than ten (10) percent of the amount approved pursuant to the special permit; or **(no change)**
- (3) Permit uses other than those approved pursuant to the special permit, except that accessory uses in accordance with this paragraph may be permitted; or **(no change)**
- (4) Reduce the effectiveness of approved transitional screening, buffering, and landscaping or open space; or **(no change)**
- (5) Permit changes to bulk, mass, orientation or location which adversely impact the relationship of the development or part thereof to adjacent property; or **(changes do not adversely affect adjacent properties and meet bulk plane angles, see attached Exhibit 2)**
- (6) Result in an increase in the amount of clearing and/or grading for a stormwater management facility, including any clearing and/or grading associated with spillways, inlets, outfall pipes or maintenance roads, that reduces non-stormwater management open space, tree save and/or landscaping area on the lot; or **(no change)**
- (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:
 - (a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and **(The applicant proposed to increase the gross square feet by 500 square feet, see attached Exhibit 1)**
 - (b) the maximum permitted FAR for the zoning district shall not be exceeded. **(The FAR will increase from 0.09 to 0.11, the permitted FAR for the R-1 Residential District is 0.15)**

Thank you for your consideration of this request. Please call me (263-1900) if you have any questions, or if I may provide you with additional information. Your prompt attention to this matter is appreciated.

Respectfully Submitted,

Sincerely,



Kenneth D. Ellis, PE
Director of Engineering
WILLIAM H. GORDON ASSOCIATES, INC.

Attachments

cc: Reverend Edward Young, Sr.

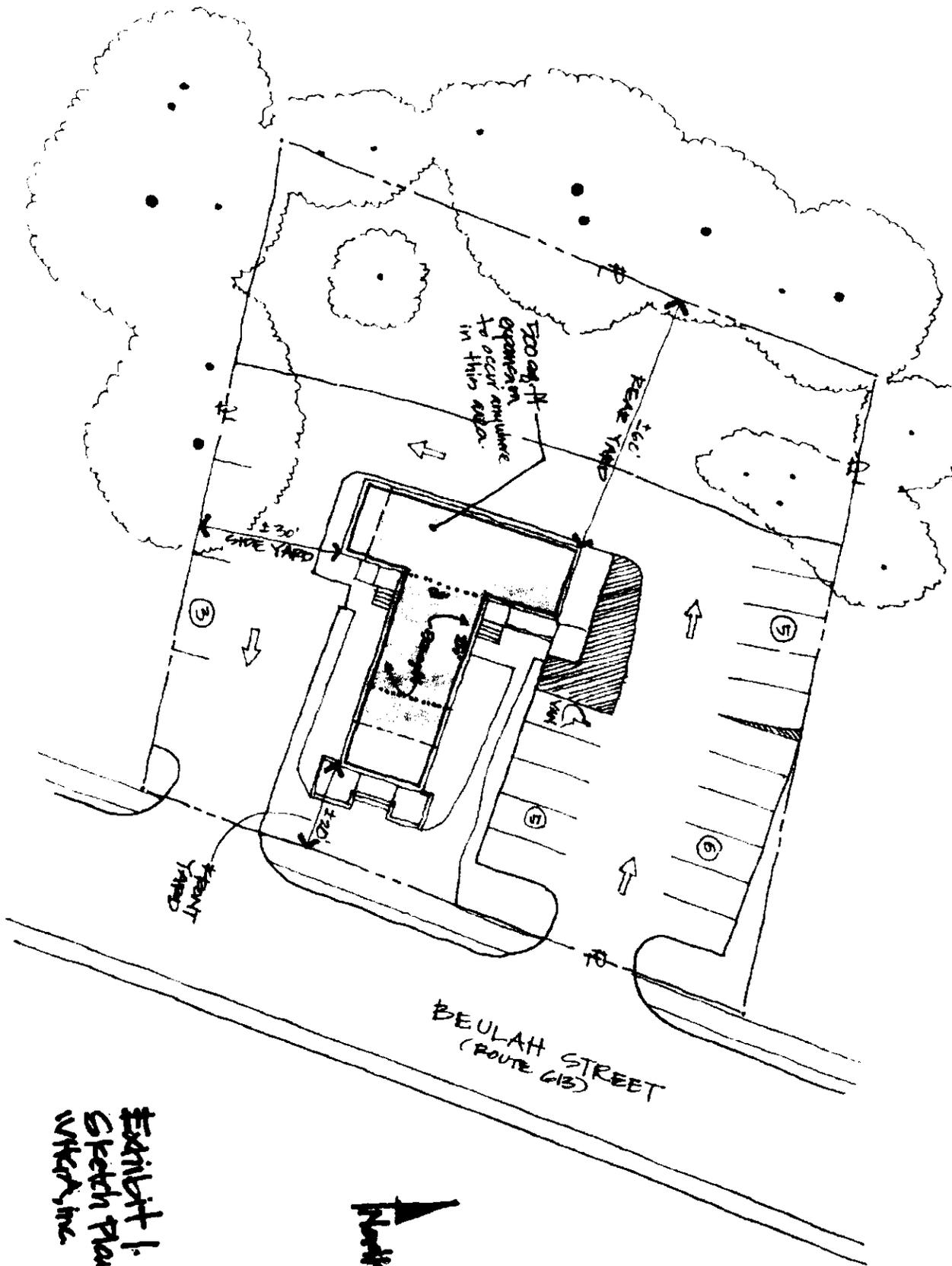
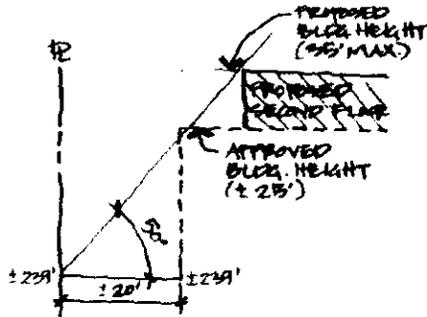
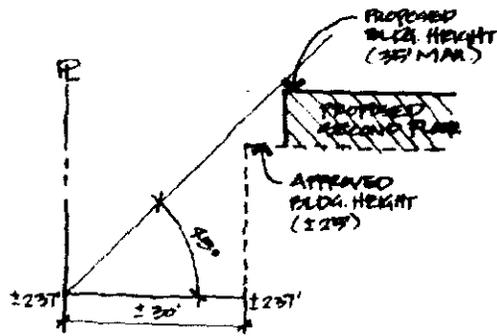


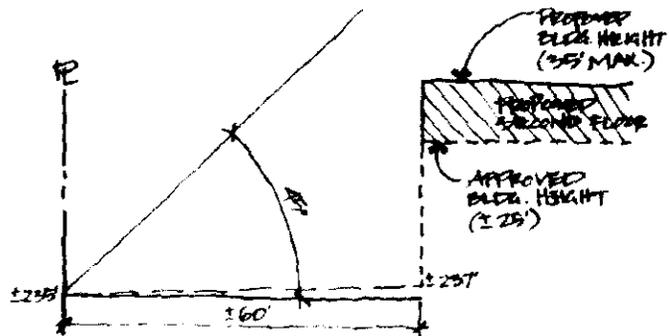
Exhibit 1.
 Sketch Plan. 1"=20'
 WKA, Inc. 6-5-08



FRONT YARD - BEULAH STREET
ANGLE OF BULK PLANE



SIDE YARD
ANGLE OF BULK PLANE



REAR YARD
ANGLE OF BULK PLANE

Exhibit 2
Bulk Plane Angles
IVHGA, inc. 6.15.08