



APPLICATION ACCEPTED: January 3, 2011  
BOARD OF ZONING APPEALS: April 20, 2011  
MOVED AT APPLICANTS REQUEST  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

April 13, 2011

## STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SPA 80-V-089

### MOUNT VERNON DISTRICT

**APPLICANT:** Trustees of the Mount Vernon Methodist Church and New Cingular Wireless PCS, LLC, d.b.a. AT&T Mobility

**ZONING:** R-4

**LOCATION:** 2006 Belle View Boulevard

**ZONING ORDINANCE PROVISION:** 3-403

**TAX MAP:** 93-1 ((1)) 70 and 93-1 ((25)) (4) 14

**LOT SIZE:** 4.46 acres

**SP PROPOSAL:** To amend SP 80-V-089, previously approved for a church with child care center and telecommunication facility to permit additions to the telecommunication facility.

**STAFF RECOMMENDATION:** Staff recommends denial of SPA 80-V-089. However, if it is the intent of the Board of Zoning Appeals to approve SPA 80-V-089, staff recommends that such approval be subject to the 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.

O:\SMCKN\SPA\MOUNT VERNON METHODIST & NEW CINGULAR SPA 68S-939\STAFF REPORT\Staff Report Mt Vernon\_New Cingular.doc  
Shelby Johnson

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 703-324-1280, 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).

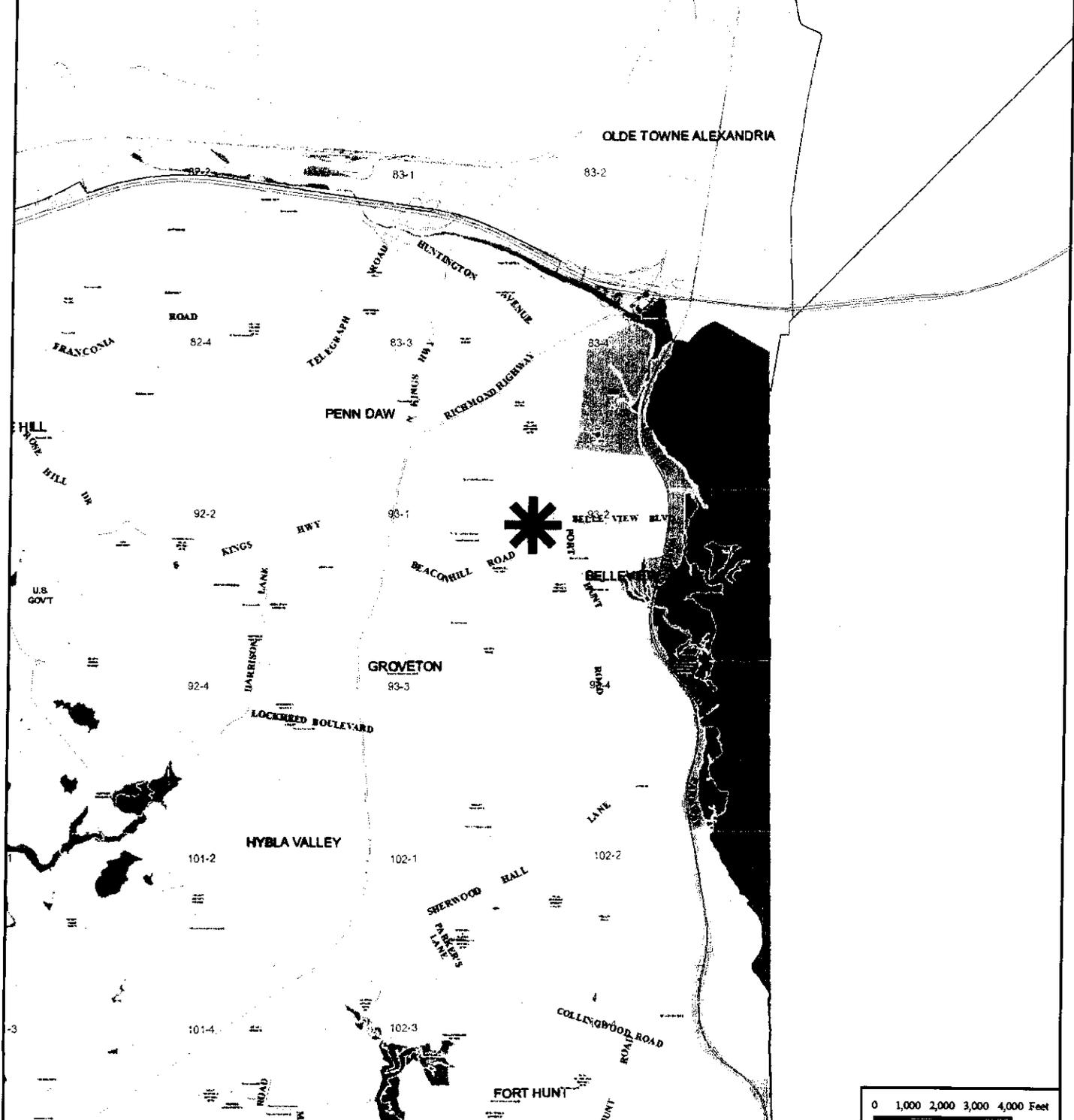
# Special Permit Amendment

SPA 80-V -089

TRUSTEES OF THE MOUNT VERNON METHODIST  
CHURCH AND NEW CINGULAR WIRELESS PCS,  
LLC D.B.A. AT&T MOB

CITY OF ALEXANDRIA

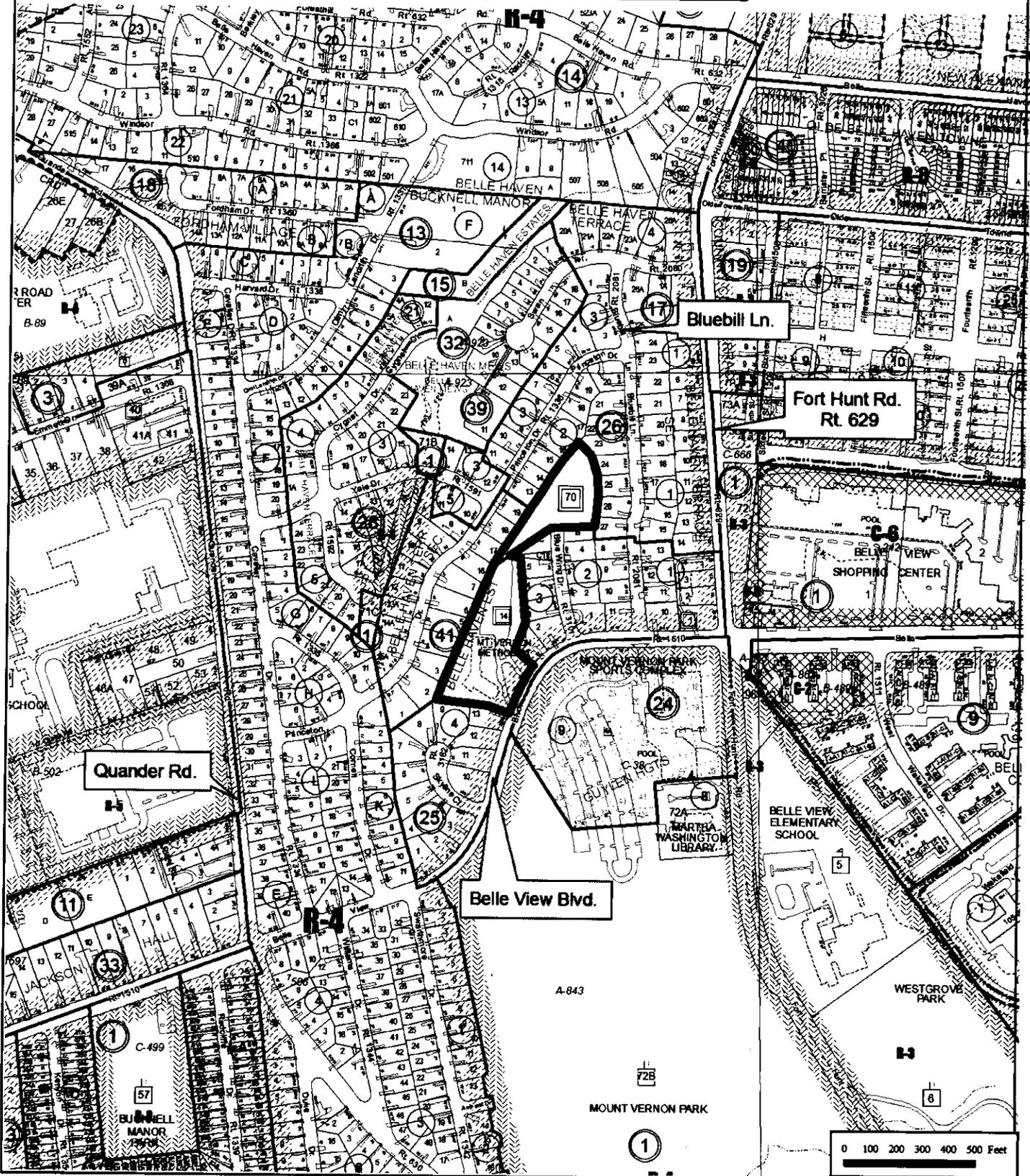
OLDE TOWNE ALEXANDRIA



# Special Permit Amendment

SPA 80-V-089

TRUSTEES OF THE MOUNT VERNON METHODIST  
CHURCH AND NEW CINGULAR WIRELESS PCS,  
LLC D.B.A. AT&T MOB



**PROJECT INFORMATION**

SCOPE OF WORK:  
 INSTALLATION OF WIRELESS COMMUNICATIONS EQUIPMENT IN THE STEEPLE OF AN EXISTING BUILDING. SITE IS AN UNLICENSED TELECOMMUNICATIONS FACILITY.

SITE ADDRESS:  
 2006 BELLE VIEW BLVD.  
 ALEXANDRIA, VA 22307

LATITUDE:  
 N 38° 46' 29.0280"

LONGITUDE:  
 W - 77° 03' 51.9633"

GROUND ELEVATION:  
 80' ASL

APPROXIMATE:  
 PARCEL COUNTY, VA

OWNER:  
 0-1 (RESIDENTIAL) 4.00(AC)

TAX ID NO.:  
 0931-25040014

PARCEL SIZE (CHURCH):  
 2.80 ACRES

PARCEL SIZE (FRASERBOND):  
 1.864 ACRES

DEED REF.:  
 DEED 1787, PG. 173

COMBINED PARCEL ACROSS: 4.66 ACRES

PROPERTY OWNER:  
 MT. VERNON METHODIST CHURCH

OWNER ADDRESS:  
 2006 BELLE VIEW BLVD.  
 ALEXANDRIA, VA 22307

EXISTING USE:  
 TELECOMMUNICATIONS / CHURCH

PROPOSED USE:  
 TELECOMMUNICATIONS / CHURCH

NAME OF APPLICANT:  
 NEW CINGULAR WIRELESS PCS, LLC

**UTILITY INFORMATION**

POWER:  
 TELCO:  
 (410) 845-2200  
 (410) 811-5601

**DRAWING INDEX**

REV	DESCRIPTION
1	TITLE SHEET
2	SITE PLAN
3	ZONING DATA
4	PROPOSED EQUIPMENT LOCATION PLAN
5	PROPOSED EQUIPMENT LAYOUT PLAN
6	SOUTH-EAST ELEVATION AND FENCE DETAILS
7	SUB FOUNDATION AND DETAILS
8	TREE PROTECTION DETAILS
9	CIVIL MAPS AND NOTES
10	ORDNANCE DATA & SETBACK GRAPHIC
11	EROSION CONTROL DETAILS
12	EROSION CONTROL DETAILS AND NOTES
13	LANDSCAPE PLAN

**NOTES**

SEE COMPANION PACKAGE FOR GENERIC DETAILS  
 DOCUMENT NO. 24789-437-A3-EF-00001 (LATEST REVISION)

**SPECIAL PERMIT**  
 NEW CINGULAR WIRELESS PCS, LLC



**BELLE HAVEN\_MT. VERNON METHODIST CHURCH**  
 10062876\_1584

**APPLICABLE BUILDING CODES AND STANDARDS**

SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY (HAVING JURISDICTION) FOR THE LOCALITY. THE EDITION OF THE ADOPTED CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.

**BUILDING CODE:**  
 INTERNATIONAL BUILDING CODE (IBC 2006)

**ELECTRICAL CODE:**  
 NATIONAL ELECTRICAL CODE (NEC 2008)

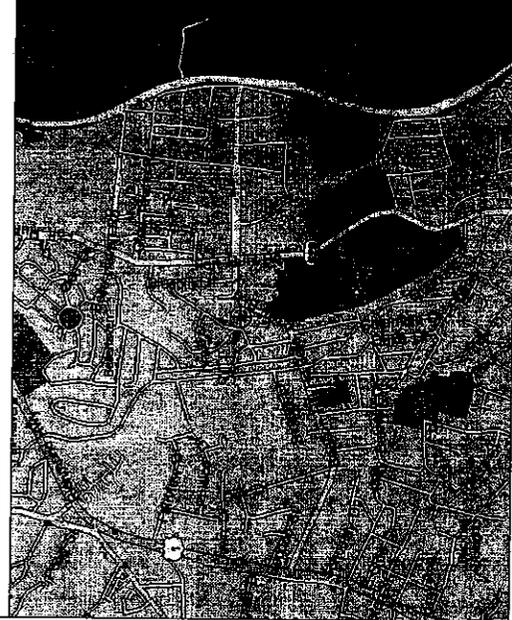
SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS:  
 AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE  
 AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL CONSTRUCTION, ASD, THIRD EDITION  
 TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-F, STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWER AND ANTENNA SUPPORT STRUCTURES  
 TIA 407, COMMERCIAL BUILDING CONSTRUCTION AND BUILDING REQUIREMENTS FOR TELECOMMUNICATIONS  
 INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM  
 IEEE 1100 (1996), RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRONIC EQUIPMENT  
 IEEE 625-41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS FOR LOCALITY CATEGORY "C" AND "HIGH SYSTEM EXPOSURE"

TELEPHONE 68-1273, GENERAL INSTALLATION REQUIREMENTS  
 TELEVISION 68-1903, COAXIAL CABLE CONNECTIONS  
 ANSI T1.311, FOR TELECOM - DC POWER SYSTEMS - TELECOM ENVIRONMENTAL PROTECTION

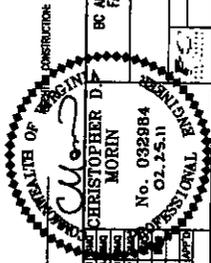
FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHOD OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVE REQUIREMENT SHALL GOVERN, WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.

DATE CONSTRUCTION: \_\_\_\_\_

SCALE: 1"=2000'



**SPECIAL PERMIT**  
 BELLE HAVEN\_MOUNT VERNON METHODIST CHURCH  
 10127916\_3771  
 2006 BELLE VIEW BLVD.  
 ALEXANDRIA, VA 22307



NO.	DATE	BY	REVISIONS
1	02.25.11	CHRISTOPHER D. MORAN	ISSUANCE

NO.	DATE	BY	REVISIONS
1	02.25.11	CHRISTOPHER D. MORAN	ISSUANCE

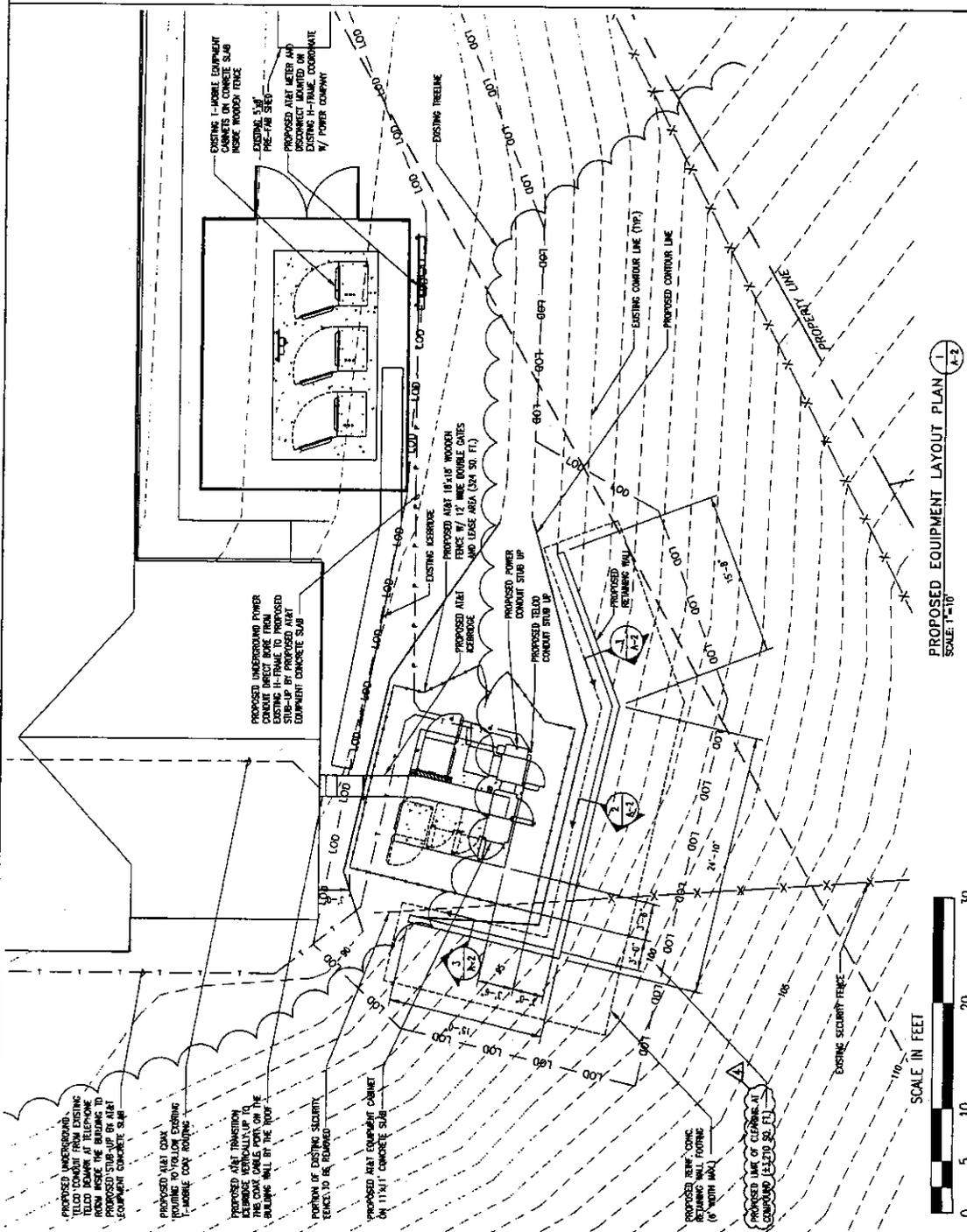
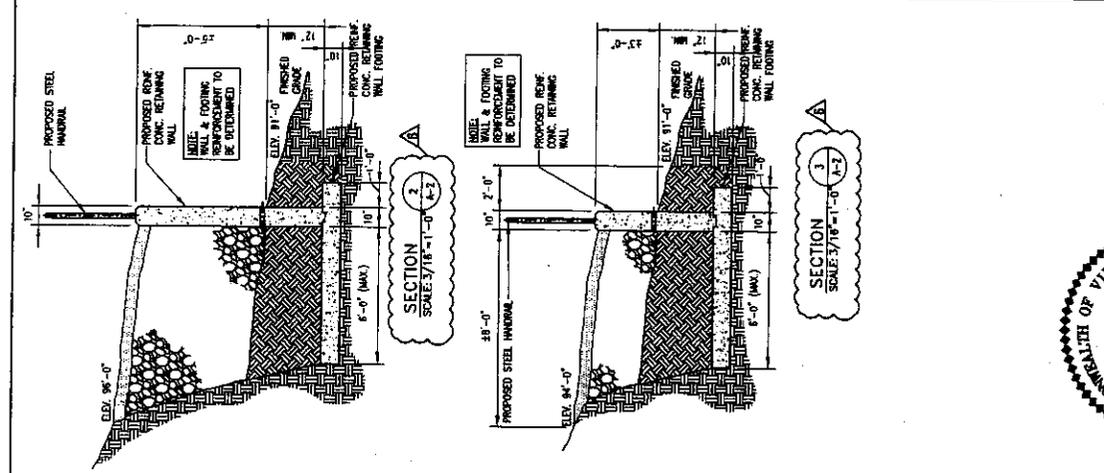
TITLE SHEET  
 DRAWING NUMBER: 10062876-1-1  
 SHEET: 6











**at&t**  
730 SHAWNEE DR  
MANASSAS, VA 20108

**BC**  
architects  
e.n.g. | n.e.e.r.s.

**SPECIAL PERMIT**  
BELLE HAVEN MOUNT VERNON METHODIST CHURCH  
10127918\_3771  
2008 BELLE NEW BLVD.  
ALEXANDRIA, VA 22307

NO. FALLS CHURCH, VA  
10127918\_3771  
TEL: (703) 671-4800  
FAX: (703) 671-4800

**PROPOSED EQUIPMENT LAYOUT PLAN**  
SCALE: 1/4" = 1'-0"

SCALE IN FEET: 0 5 10 20 30

NO.	DATE	REVISIONS	DESIGNED BY	CHECKED BY	DRAWN	DATE
1	02-25-11	ISSUE FOR PERMIT				
2	02-25-11	REVISED PER PLAN				
3	02-25-11	REVISED PER PLAN				
4	02-25-11	REVISED PER PLAN				
5	02-25-11	REVISED PER PLAN				

BC ARCHITECTS ENGINEERS  
FALLS CHURCH, VA

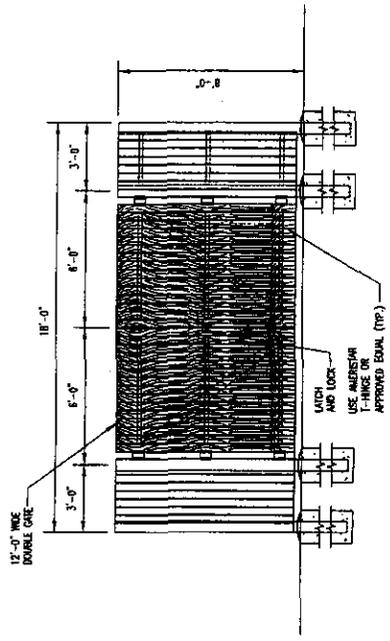
CHRISTOPHER D. MORIN  
No. 092984  
02.25.11  
PROFESSIONAL

PROPOSED EQUIPMENT LAYOUT PLAN

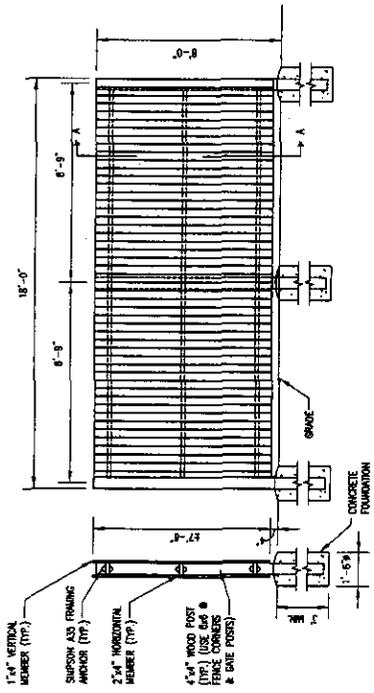
SCALE: 1/4" = 1'-0"

10052876-A-2

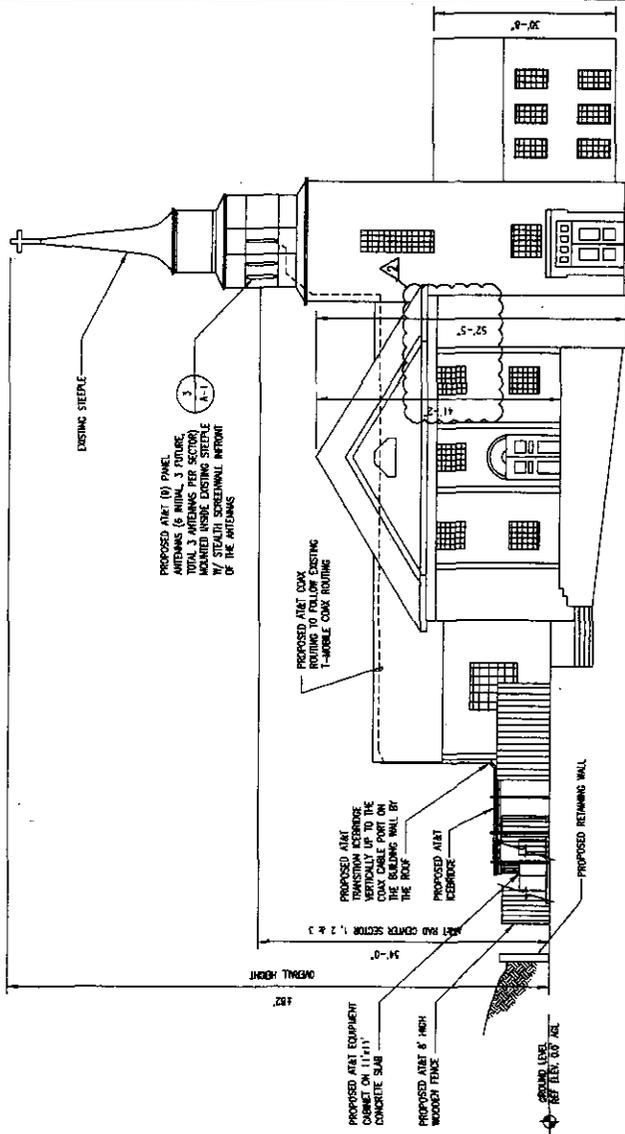
- NOTES:
1. ALL LUMBER SHALL BE PRESSURE TREATED.
  2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
  3. ALL 1/4" VERTICAL DIMENSIONS AT EACH CORNER.



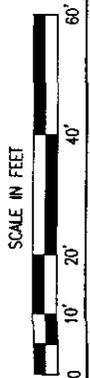
GATE ELEVATION  
SCALE: 3/8"=1'-0" 2/4/26



FENCE SECTION DETAIL  
SCALE: 3/8"=1'-0" 11/17  
SCALE: 3/8"=1'-0" 2/4/26

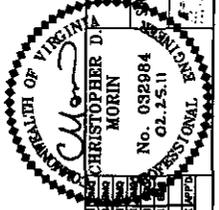


SOUTHEAST ELEVATION  
SCALE: 1"=20'



5840 COLLIER PARK DRIVE, SUITE 100  
FALLS CHURCH, VA 22041-5906  
TEL: (703) 911-4200  
FAX: (703) 911-4200

**SPECIAL PERMIT**  
**BELLE HAVEN MOUNT VERNON METHODIST CHURCH**  
10127916\_3771  
2008 BELLE NEW BLVD.  
ALEXANDRIA, VA 22307

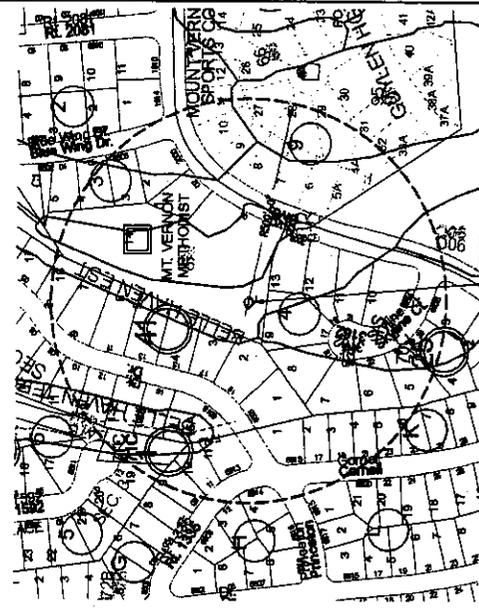


NO.	DATE	BY	FOR APPROVAL	REVISIONS	DESIGNED	CHECKED	DRAWN	DATE
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3	08-24-11	DR	DR	3	DR	DR	DR	08-24-11
4	08-24-11	DR	DR	4	DR	DR	DR	08-24-11
5	08-24-11	DR	DR	5	DR	DR	DR	08-24-11
6	08-24-11	DR	DR	6	DR	DR	DR	08-24-11

BC ARCHITECTS ENGINEERS  
FALLS CHURCH, VA  
CHRISTOPHER D. MORIN  
No. 0529264  
SOUTHEAST ELEVATION AND GATE DETAILS  
02.15.11  
PROFESSIONAL  
DRAWING NUMBER  
10082876-A-3  
REV 6







PROPOSED ALERT 15'x18'x12' HIGH  
WOOD FENCED COMPOUND

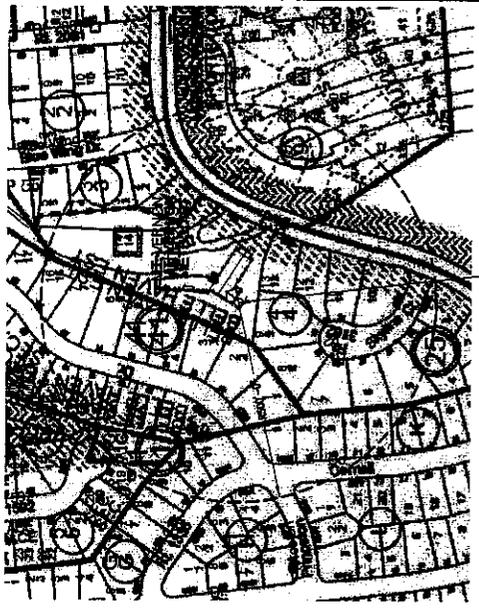
SOILS MAP  
SCALE: 1"=300' @ 11"x17"  
SCALE: 1"=150' @ 24"x36"



TRUE NORTH

**LEGEND**

- (49) GRIET MILL-MAWPEAKE COMPLEX, 2 TO 7 PERCENT SLOPES
- (47B) GRIET MILL-WOODSTOWN COMPLEX, 2 TO 7 PERCENT SLOPES
- (66) KINGSTONE SANDY CLAY LOAM, 0 TO 45 PERCENT SLOPES
- (70C) KINGSTONE-SASSAFRAS COMPLEX, 7 TO 15 PERCENT SLOPES
- (71C) KINGSTONE-SASSAFRAS-MARIUSSO COMPLEX, 7 TO 15 PERCENT
- (71D) KINGSTONE-SASSAFRAS-MARIUSSO COMPLEX, 15 TO 25 PERCENT
- (72B) KINGSTONE-SASSAFRAS-MARIUSSO COMPLEX, 15 TO 20 PERCENT
- (78) MAWPEAKE SUT LOAM, 2 TO 7 PERCENT SLOPES
- (9C) SASSAFRAS SANDY LOAM, 7 TO 15 PERCENT SLOPES
- (B1C) SASSAFRAS-MARIUSSO COMPLEX, 7 TO 15 PERCENT SLOPES
- (91D) SASSAFRAS-MARIUSSO COMPLEX, 15 TO 25 PERCENT SLOPES
- (92B) SASSAFRAS-MARIUSSO COMPLEX, 2 TO 7 PERCENT SLOPES
- (95) URBAN LAD
- (98) URBAN LAND-GRIET MILL



PROPOSED ALERT 10'-18'x12' HIGH  
WOODEN FENCE 3/4" X 12" WIDE DOUBLE  
GATES AND LEASE AREA (254 SQ. FT.)

ZONING MAP -- FROM SECTION SHEET 40-2  
SCALE: 1"=300' @ 11"x17"  
SCALE: 1"=150' @ 24"x36"



TRUE NORTH

- NOTES:**
1. NO IMPROVEMENTS TO THE PUBLIC RIGHTS OF WAY.
  2. THE PROPERTY IS SERVED BY PUBLIC WATER AND SEPTIC.
  3. THERE IS NO PROPOSED STORM WATER MANAGEMENT FACILITIES.
  4. NO TREES WILL BE REMOVED.

- ZONING AND SITE LABELATIONS:**
- 1. SITE AREA: 171,054 SQ. (2.89 AC)
  - 2. EXISTING USE: CHURCH AND TELECOMMUNICATIONS FACILITY
  - 3. PROPOSED USE: CHURCH AND TELECOMMUNICATIONS FACILITY
  - 4. EXIST BUILDING AREA: 13,282.8 SF
  - 5. PROPOSED BUILDING AREA: N/A

**BC**  
architects  
engineers

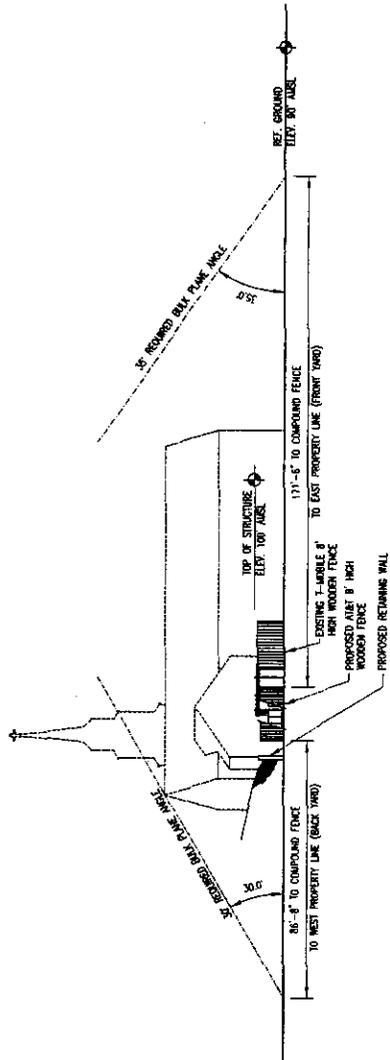
**SPECIAL PERMIT**  
BELLE HAVEN MOUNT VERNON METHODIST CHURCH  
10127916\_3771  
2006 BELLE VUE BLVD.  
ALEXANDRIA, VA 22307

**at&t**  
1000 MARKET ST.  
ANNAPOLIS, MD 21403

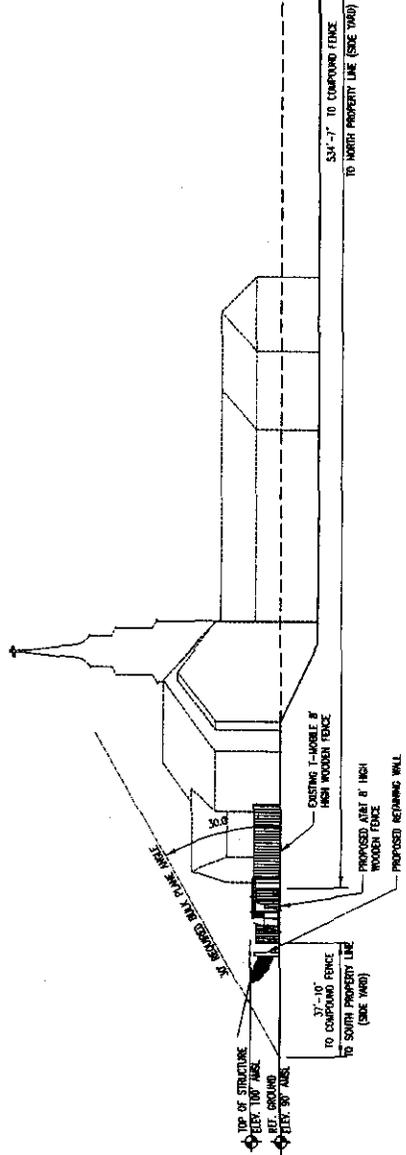
NO.	DATE	REVISIONS	BY	CHKD	APP'D
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2	08-25-11	COUNTY COMMENTS			
3	12-22-10	COUNTY COMMENTS			
4	09-28-10	COUNTY COMMENTS			
5	08-04-10	COUNTY COMMENTS			
6	08-04-10	COUNTY COMMENTS			
7	08-04-10	COUNTY COMMENTS			
8	08-04-10	COUNTY COMMENTS			
9	08-04-10	COUNTY COMMENTS			
10	08-04-10	COUNTY COMMENTS			

**SEAL OF PROFESSIONAL ENGINEER**  
CHRISTOPHER D. MORIN  
No. 032984  
02.15.11  
EXPIRES 02/15/12

BC ARCHITECTS ENGINEERS  
FALLS CHURCH, VA  
CIVIL MAPS AND NOTES  
DRAWING NUMBER: 10062876-A-6  
REV: 6



SOUTH ELEVATION  
SCALE: 1"=40' @ 11'x17"  
SCALE: 1"=20' @ 24'x36"



EAST ELEVATION  
SCALE: 1"=40' @ 11'x17"  
SCALE: 1"=20' @ 24'x36"

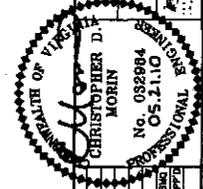


565 COLLIER AVE, SUITE 101  
FALLS CHURCH, VA 22031-3008  
PHONE (703) 671-6300  
FAX (703) 671-6300

**SPECIAL PERMIT**  
**BELLE HAVEN MOUNT VERNON METHODIST CHURCH**  
10127916.3771  
2006 BELLE VIEW BLVD.  
ALEXANDRIA, VA 22307



NO.	DATE	BY	CHKD	DESC	SCALE	REVISIONS
1	05.21.10	CHRISTOPHER D. MORIN		PRELIMINARY SPECIAL PERMIT	AS SHOWN	1
2				REVISIONS		2

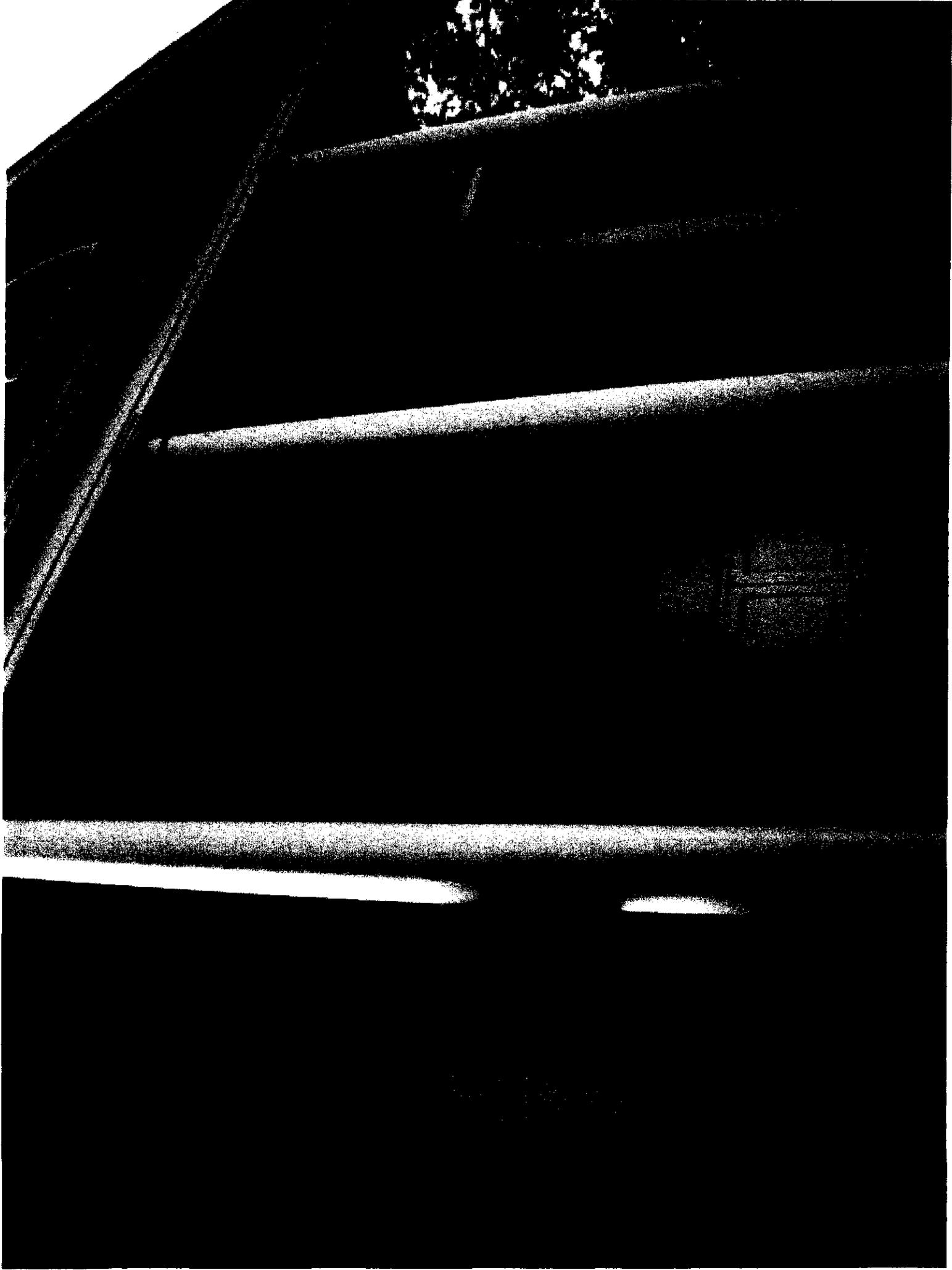


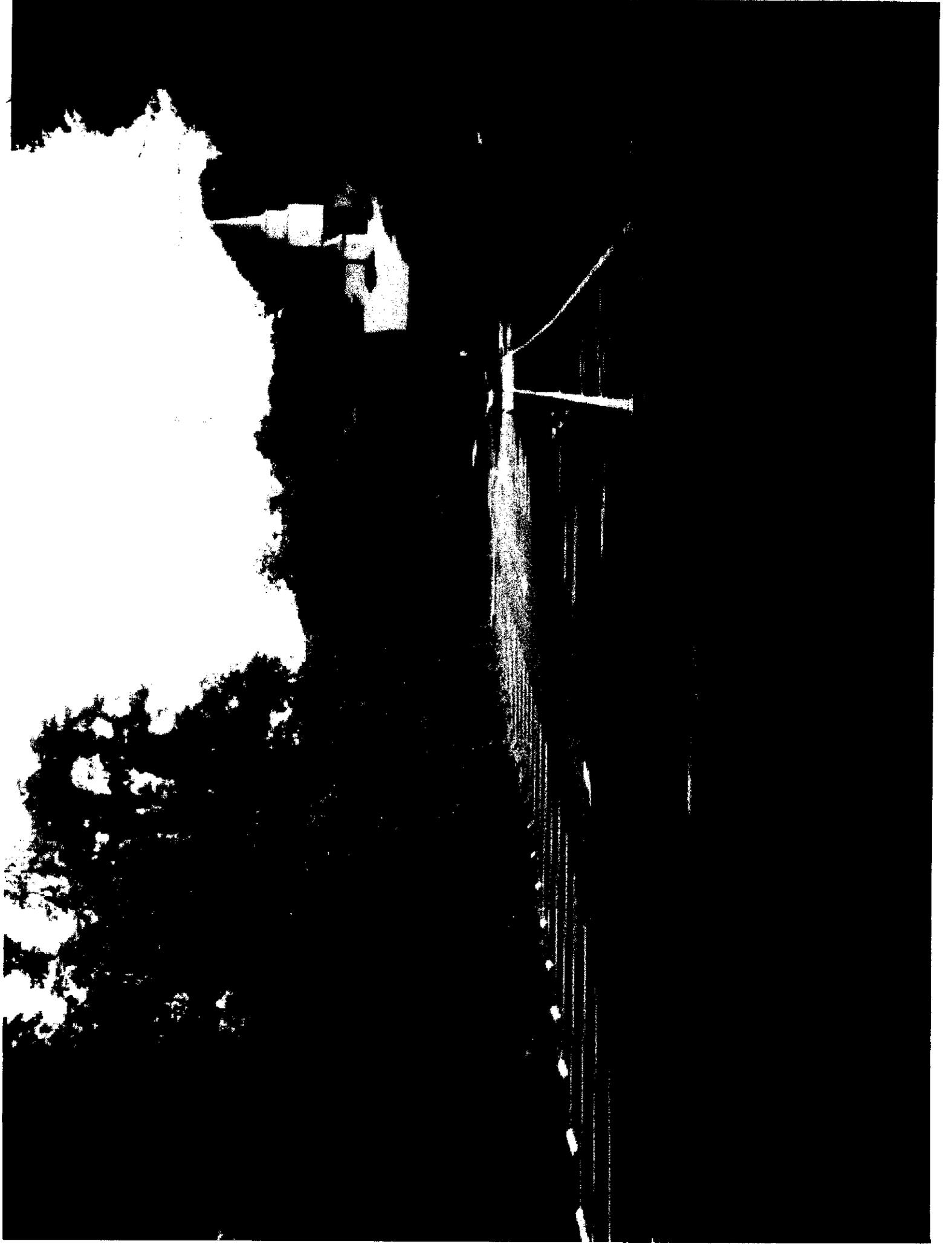
BC ARCHITECTS ENGINEERS  
FALLS CHURCH, VA  
ORDINANCE DATA & SETBACK GRAPHIC  
DRAWING NUMBER  
10062876-A-7  
REV  
0





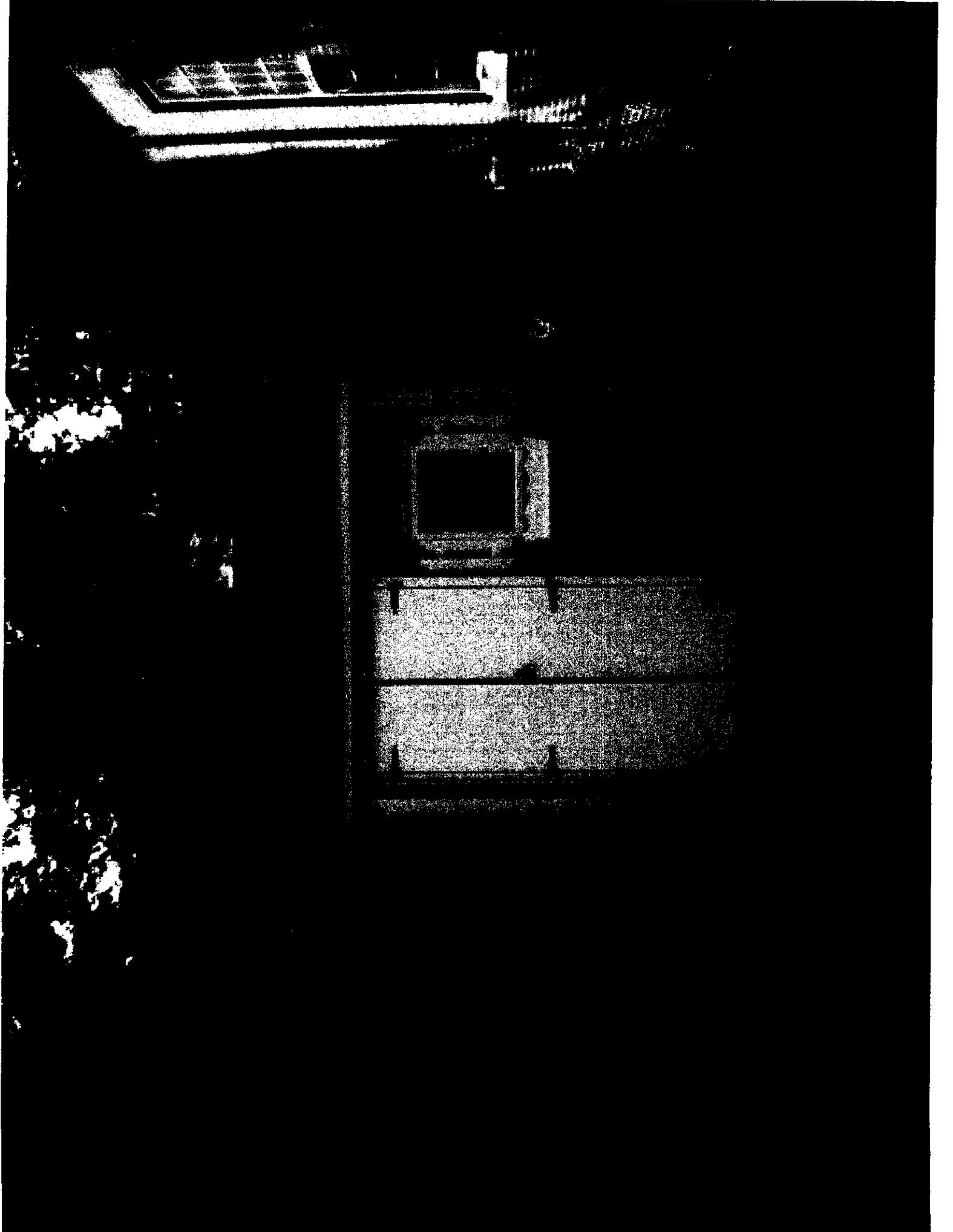




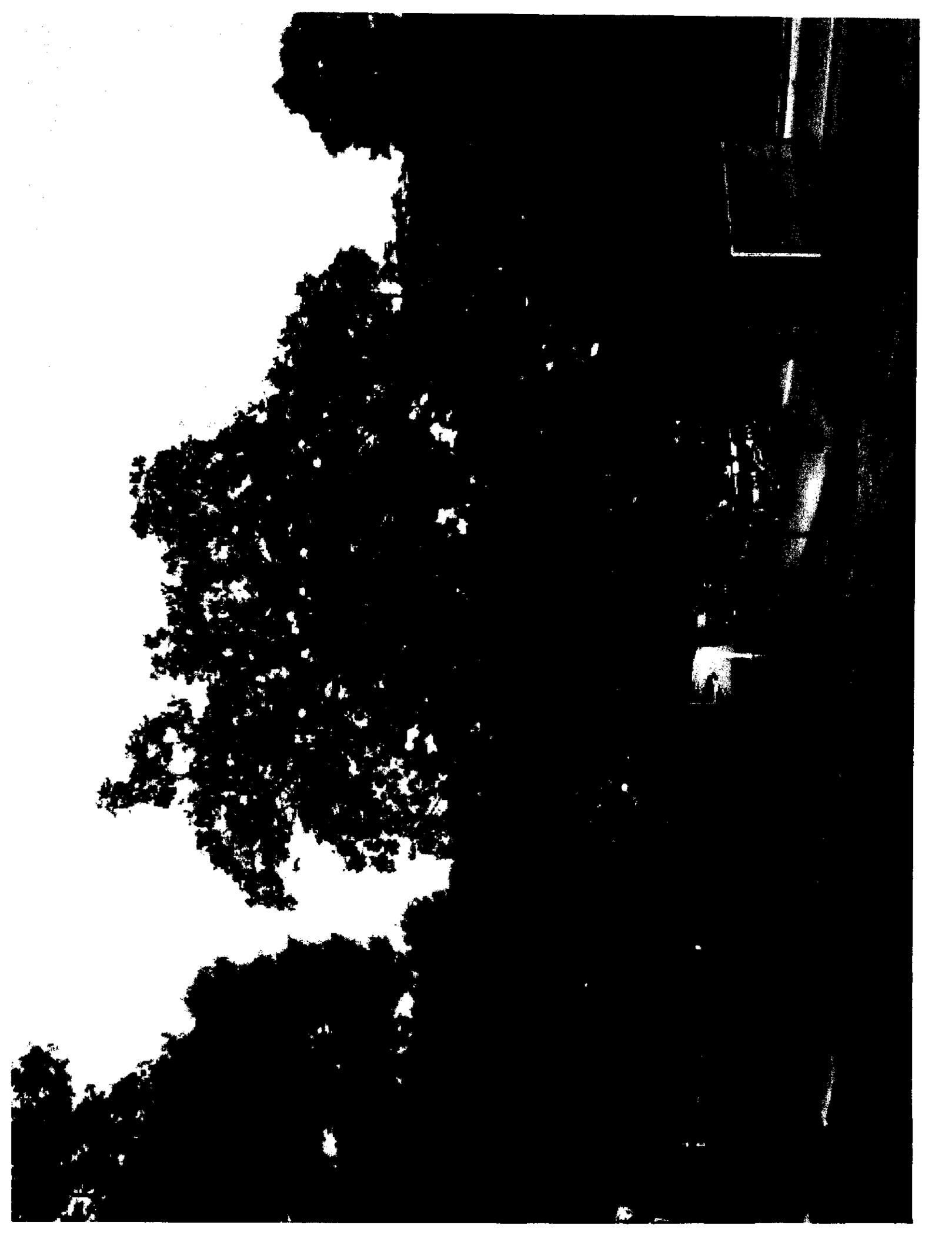














100















Belle Haven  
Existing View  
Facing South











2009 6 9

background



## DESCRIPTION OF THE APPLICATION

The applicant seeks approval of a special permit amendment to SP 80-V-089, previously approved for a place of worship with child care and telecommunications facility to permit additions to the telecommunication facility. Additional panel antennas are proposed to be placed in the existing church steeple and a second telecommunications facility (ground equipment compound) is proposed to be placed on the property.

### Existing and/or Approved Under SP 80-V-089

<b>Size:</b>	2.799 acres
<b>FAR:</b>	0.12
<b>Number of Seats:</b>	276 seats
<b>Worship Services:</b>	Commence at 8:30 a.m., Sunday
<b>Child Care Center:</b>	90 students
<b>Hours of Operation:</b>	9:00 a.m. to 3:00 p.m., Five days a week
<b>Parking:</b>	84 spaces

## LOCATION AND CHARACTER

### Existing Site Description

The application site is located on the western side of Belle View Boulevard, northwest of Mount Vernon Park Sports Complex at Belle View Road and Fort Hunt Road and is currently zoned R-4. The 4.46-acre site consists of two lots and is developed with a place of worship (church building) on Lot 14 and a playground on Lot 70. The church's entrance is accessed from Belle View Road and parking is provided via 84 surface parking spaces located north of the church building. The southern and western sides of the lot are steeply sloped. The tops of these embankments are situated approximately 100 to 120 feet above the church and are densely vegetated. The subject property is bounded by single family detached dwellings which are also zoned R-4 to the north, east, south and west. Mount Vernon Park and the Mount Vernon Park Sports Complex are also east of this site. Mature vegetation surrounds the northern and western lot lines and a portion of the eastern and southern lot lines. An existing shed that is located along the southeastern portion of the property encroaches into the southern transitional screening yard and is proposed to remain in this area.

**Character of the Area**

<b>Direction</b>	<b>Zoning</b>	<b>Use</b>
<b>North</b>	R-4	Single-Family Dwellings
<b>South</b>	R-4	Single Family Dwellings
<b>East</b>	R-4	Single Family Dwellings; Mount Vernon Park and Sports Complex
<b>West</b>	R-4	Single Family Dwellings

**BACKGROUND****Site History:**

On September 10, 1968, the Board of Zoning Appeals (BZA) approved Special Permit S-939-68 to permit a church and the operation of a kindergarten in the church building for a maximum of 60 children, ages 4 and 5 years old from 9:00 a.m. to 12:00 p.m., five days a week. The church had been in operation since 1955, prior to the site plan ordinance.

On October 28, 1980, the BZA approved S-80-V-089 to amend S-939-68 to permit an increase in the number of students from 60 to 90; change in age of students to four months through five years and change the hours of operation to 9:00 a.m. to 3:00 p.m. Copies of these approved Resolutions are included as Appendix 4 to this staff report.

On October 6, 2006, the Planning Commission voted to approve consent agenda item FS-V06-52 for T-Mobile Northeast, LLC to install three panel antennas within the 91-foot church steeple at Mount Vernon Methodist Church. On September 28, 2006, the installation of an equipment compound containing three associated equipment cabinets were permitted on the church site in substantial conformance with S 80-V-089.

On June 2, 2010, the Planning Commission voted to approve consent agenda item FS-V10-13 for New Cingular Wireless PCS, LLC to install nine panel antennas in an existing steeple at Mount Vernon Methodist Church, along with four new equipment cabinets. The latter approval is the basis for this special permit amendment. Copies of these verbatim excerpts from the Commission's action on these consent agenda items are included as Appendix 5 to the staff report.

**COMPREHENSIVE PLAN PROVISIONS**

**Plan Area:** Area IV  
**Planning Sector:** Mount Vernon Planning District  
MV3 Belle Haven Community Planning Sector  
**Plan Map:** Residential; 3-4 du/ac

**ANALYSIS OF SPECIAL PERMIT APPLICATION**

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

**Title of SPA Plat:** Special Permit Belle Haven\_Mount Vernon Methodist Church

**Prepared By:** BC Architects Engineers, dated June 24, 2010, as revised through February 24, 2011, signed by Christopher D. Morin, P.E. on February 25, 2011

**Proposed Use:**

The applicant proposes to construct an unmanned ground equipment compound for a telecommunications facility on the church site, measuring approximately 324 square feet in area on an 11 ft. x 11 ft. concrete slab, to house seven equipment cabinets. The compound is proposed to be located on an embankment along the southwestern portion of the property, near the rear of the church building. The compound will be enclosed by an 8-foot high board-on-board wood fence. Due to the steep grade in the topography, the applicant proposes to construct a 6-foot high retaining wall with a steel handrail around the perimeter of the compound. An existing pre-fab shed on the property measuring 40 square feet in area (5.0 ft. x 8.0 ft.) is proposed to remain in the grassy area in front of the existing telecommunication ground equipment compound. Supplemental landscaping consisting of six shrubs is proposed along the southwestern perimeter of the proposed compound. Twelve evergreen trees are proposed to be planted along the southern property line near the top of the slope. All previous approvals regarding the church are still applicable and are not proposed to be changed with this application.

**Land Use and Environmental Analyses** (See Appendix 6)

The subject proposal does meet the Comprehensive Plan Feature Shown Guidelines for telecommunications uses found under Objective 44 on pages 39-42 of the Public Facilities Section of the Policy Plan. However, the proposed placement of the compound location along the steep embankments on the southern and western lot lines requires a significant amount of land disturbance.

**Issue: Land Disturbance**

The applicant proposes to disturb 3,210 square feet of land to accommodate an equipment compound measuring 324 square feet in area. When the area of land disturbance exceeds 2,500 square feet in area, Stormwater Management (SWM) and Best Management Practices (BMP) requirements are triggered. While a waiver for stormwater detention is likely to be granted, the applicant must still provide water quality measures. The applicant proposes to provide BMP via either a bio-retention filter or an infiltration trench. To accommodate BMPs, another 2,370 square feet of land disturbance is proposed. In total, 5,580 feet of land disturbance, tree removal and a retaining wall are proposed to accommodate a compound measuring 324 square feet in area. Staff believes that this is an excessive amount of land disturbance when the applicant could utilize existing impervious surfaces on the property.

The applicant has elected not to seek alternative locations on the property. Therefore, this issue remains unresolved.

**WAIVERS/MODIFICATIONS REQUESTED****Waiver/Modification**

The applicant requests a modification of the transitional screening requirements along all property lines in favor of existing vegetation with some supplemental planting along the southeastern property line.

Staff believes the modification is appropriate in most areas because of the steep slope with supplemental planting as approved by the Urban Forest Management Division.

The applicant seeks a modification of the barriers requirement along the southern lot line in favor of the existing vegetation. Staff believes that this is appropriate only with the additional recommended plantings given the steep slope along this lot line.

**ZONING ORDINANCE REQUIREMENTS (See Appendix 6)**

- General Special Permit Standards (Sect. 8-006)
- Group 3 Standards (Sects. 8-303)

**Summary of Zoning Ordinance Provisions**

*General Standard 3 requires that 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.* As previously discussed, the applicant has identified the amount of land disturbance on the special permit amendment plat as an ultimate area of 5,580 square feet to accommodate an equipment compound measuring 324 square feet in area. In an effort to limit the amount of land disturbance, staff has consistently requested that the applicant relocate the proposed compound to existing pervious areas on the site to minimize the amount of land disturbance. As such, staff concludes that the application does not satisfy General Standard 3 of the Zoning Ordinance.

## **CONCLUSIONS**

The proposed location of the equipment compound is not appropriate considering the amount of land disturbance required to construct the facility considering that there are alternative locations on this site. Staff does not believe that all applicable standards have been satisfied, specifically General Standard 3 as outlined in the previous section.

## **RECOMMENDATIONS**

Staff recommends denial of SPA 80-V-089 as submitted. However, if it is the intent of the Board of Zoning Appeals to approve SPA 80-V-089, staff recommends that such approval be subject to the 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 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. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Resolutions for SP 80-V-089
5. Planning Commission Verbatim Excerpts
6. Environmental Analysis
7. Urban Forest Management Analysis
8. Stormwater Management Analysis
9. Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SPA 80-V-089****April 13, 2011**

If it is the intent of the Board of Zoning Appeals to approve SPA 80-V-089 located at Tax Map Number 93-1 ((1)) 70 and 93-1 ((25)) (4) 14 (2006 Belle View Boulevard) to amend SP 80-V-089 previously approved for a church with child care center and telecommunication facility to permit additions to the telecommunication facility pursuant to 3-403 of the Fairfax County Zoning Ordinance, staff recommends the Board condition the approval by requiring conformance with the following development conditions. Those conditions carried forward from the previous special permits are marked with an asterisk (\*). Edits have been underlined.

1. This approval is granted to the applicant only, Trustees of the Mount Vernon Methodist Church and New Cingular Wireless PCS, LLC, d.b.a. AT&T Mobility, and is not transferable without further action of this Board, and is for the location indicated on the application 2006 Belle View Boulevard, and is not transferable to other land.\*
2. This special permit amendment is granted only for the purpose(s), structure(s), and/or use(s) as indicated on the Special Permit Amendment (SPA) Plat titled Special Permit Belle Haven Mount Vernon Methodist Church, prepared by BC Architects Engineers, dated June 24, 2010, as revised through February 24, 2011, signed by Christopher D. Morin, P.E. on February 25, 2011 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 (Non-RUP) 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 uses.\*
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 amendment shall be in substantial conformance with these conditions. Minor modifications to the approved special permit amendment may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.\*
5. Landscaping and screening may be required in accordance with Article 13 of the Zoning Ordinance as determined by the Urban Forest Management Division (UFMD), Department of Public Works and Environmental Services (DPWES).
6. The maximum number of seats in the sanctuary shall be 276.

7. The maximum number of students shall be 90; ages 4 months through 5 years.\*
8. The hours of operation for the child care center shall be 9:00 a.m. through 3:00 p.m., Monday through Friday.\*
9. Parking shall be provided as shown on the special permit amendment plat. All parking for the uses shall be on site.
10. The barrier requirement shall be waived along all property lines.
11. Transitional screening shall be modified along the northern, eastern and western lot lines to permit existing vegetation to meet screening requirements. Plant material shall be provided along the southern lot line as depicted on sheet L-1 of the special permit amendment plat. Additional vegetation shall be provided along the southern lot line as determined necessary by the Urban Forest Management Division to meet the requirements of the transitional screening ordinance.
12. Interior parking lot landscaping shall be provided and maintained as shown on the SPA Plat.
13. Stormwater Management (SWM) and Best Management Practices (BMPs) shall be provided as determined necessary by DPWES.
14. All antennas and related equipment cabinets or structures shall be removed within 120 days after such antennas or related equipment cabinets or structures are no longer in use.

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

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined 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**

**DEC 07 2010**

DATE: \_\_\_\_\_  
 (enter date affidavit is notarized)

I, James R. Michal, 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 108696d

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)
New Cingular Wireless PCS, LLC, d.b.a. AT&T Mobility	7150 Standard Dr., Hanover, MD, 21076	Co-Applicant/Lessee
Trustees of the Mount Vernon Methodist Church	2006 Belle View Blvd., Alexandria, VA 22307	Co-Applicant/Title Owner/Lessor
J. Kevin Batchelor	2006 Belle View Blvd., Alexandria, VA 22307	Agent/Trustee
Barry D. Colvert	2006 Belle View Blvd., Alexandria, VA 22307	Agent/Trustee
Katherine L. Ripley	2006 Belle View Blvd., Alexandria, VA 22307	Agent/Trustee
Sue Mundstuk	2006 Belle View Blvd., Alexandria, VA 22307	Agent/Trustee
James R. Preston	2006 Belle View Blvd., Alexandria, VA 22307	Agent/Trustee
Sandra M. Rohrstaff	2006 Belle View Blvd., Alexandria, VA 22307	Agent/Trustee
Silvin A. Chiariza	2006 Belle View Blvd., Alexandria, VA 22307	Agent/Trustee
James R. Michal, Esq.	1120 20th St., NW Suite 300, Washington, DC 20036	Attorney/Agent for Lessee
Nelson Figueroa-Vélez	1120 20th St., NW Suite 300, Washington, DC 20036	Agent for Lessee
Jackson & Campbell, PC	1120 20th St., NW Suite 300, Washington, DC 20036	Attorney/Agent for Lessee

(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):

SPA

(county-assigned application number(s), to be entered by County Staff)

Page Two

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: DEC 07 2010  
(enter date affidavit is notarized)

108696d

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)

New Cingular Wireless PCS, LLC, d.b.a. AT&T Mobility  
7150 Standard Dr., Hanover, MD 21076

**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)

Cingular Wireless II, LLC

(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): SPA  
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 13

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

DATE: DEC 07 2010  
(enter date affidavit is notarized)

108696d

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

Cingular Wireless II, LLC  
5565 Glenridge Connector  
Atlanta, GA 30342

**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)

Cingular Wireless, LLC  
New Cingular Wireless Services, Inc.

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

New Cingular Wireless Services, Inc.  
5565 Glenridge Connector  
Atlanta, GA 30342

**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)

Cingular Wireless, LLC

(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): SPA  
(county-assigned application number(s), to be entered by County Staff)

Page 2 of 13

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

DATE: DEC 07 2010  
(enter date affidavit is notarized)

108696d

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

Cingular Wireless, LLC  
5565 Glenridge Connector  
Atlanta, GA 30342

**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)

SBC Long Distance, Inc. ✓  
 SBC Alloy Holdings, Inc. ✓  
 Cingular Wireless, Corporation ✓  
 BLS Cingular Holdings, LLC ✓  
 Bell South Mobile Data, Inc. ✓

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

SBC Long Distance, Inc.  
175 East Houston St.  
San Antonio, TX 78205

**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)

SBC Telecom, Inc.

(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): SPA  
(county-assigned application number(s), to be entered by County Staff) Page 3 of 13

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

DATE: DEC 07 2010 108696d  
(enter date affidavit is notarized)

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
SBC Telecom, Inc.  
175 East Houston St.  
San Antonio, TX 78205

**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)  
SBC Teleholdings, Inc.

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
SBC Teleholdings, Inc.  
175 East Houston St.  
San Antonio, TX 78205

**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)  
SBC Communications, Inc.

(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): SPA  
(county-assigned application number(s), to be entered by County Staff) Page 4 of 13

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

DATE: DEC 07 2010  
(enter date affidavit is notarized) 108696d

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
SBC Communications, Inc.  
175 East Houston St.  
San Antonio, TX 78205

**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)

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
SBC Alloy Holdings, Inc.  
175 East Houston St.  
San Antonio, TX 78205

**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)

SBC Teleholdings, Inc.	✓	Southern New England	✓	SBC Management Services, LP
New Southwestern Bell Mobile Systems, Inc.	✓	Telecommunications Corporation	✓	
AWACS, Inc.	✓	New SBC Wireless, Inc.	✓	
		Pacific Telesis Group	✓	
		SBC Services, Inc.	✓	

(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): SPA  
(county-assigned application number(s), to be entered by County Staff)

Page 5 of 13

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

DATE: DEC 07 2010  
(enter date affidavit is notarized)

108696d

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

New Southwestern Bell Mobile Systems, Inc.  
175 East Houston St.  
San Antonio, TX 78205

**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)

SBC Communications, Inc.

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

Bell South Mobile Data, Inc.  
115 Peachtree Street, NE  
Atlanta, GA 30309

**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)

Bell South Mobile Systems, Inc.

(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): SPA  
(county-assigned application number(s), to be entered by County Staff)

Page 6 of 13

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

DATE: DEC 07 2010  
(enter date affidavit is notarized)

108696d

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
AWACS, Inc.  
175 East Houston St.  
San Antonio, TX 78205

**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)  
SBC Communications, Inc.

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Southern New England Telecommunications Corporation  
175 East Houston St.  
San Antonio, TX 78205

**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)  
SBC Communications, Inc.

(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): SPA  
(county-assigned application number(s), to be entered by County Staff)

Page 7 of 13

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

DATE: DEC 07 2010  
(enter date affidavit is notarized)

108696d

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
New SBC Wireless, Inc.  
175 East Houston St.  
San Antonio, TX 78205

**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)  
SBC Communications, Inc.

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Pacific Telesis Group  
175 East Houston St.  
San Antonio, TX 78205

**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)  
SBC Communications, Inc.

(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): SPA  
(county-assigned application number(s), to be entered by County Staff) Page 8 of 13

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

DATE: DEC 07 2010 108696d  
(enter date affidavit is notarized)

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

SBC Services, Inc.  
175 East Houston St.  
San Antonio, TX 78205

**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)

SBC Communications, Inc.

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

Cingular Wireless Corporation  
5565 Glenridge Connector  
Atlanta, GA 30342

**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)

SBC Communications, Inc.  
Bell South Corporation

(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): SPA  
(county-assigned application number(s), to be entered by County Staff) Page 9 of 13

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

DATE: DEC 07 2010 108696d  
(enter date affidavit is notarized)

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

Bell South Corporation  
1155 Peachtree Street, NE  
Atlanta, GA 30309

**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)

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

BLS Cingular Holdings, LLC  
5565 Glenridge Connector  
Atlanta, GA 30342

**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)

AB Cellular Holding, LLC  
Wireless Telecommunications Investment  
Company, LLC

(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): SPA -  
(county-assigned application number(s), to be entered by County Staff) Page 10 of 13

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

DATE: DEC 07 2010 108696d  
(enter date affidavit is notarized)

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
AB Cellular Holding, LLC  
5565 Glenridge Connector  
Atlanta, GA 30342

**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)  
Bell South Mobile Data, Inc.  
RAM Broadcasting Corporation

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Wireless Telecommunications Investment Company, LLC  
1155 Peachtree Street, NE  
Atlanta, GA 30309

**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)  
Bell South Mobile Data, Inc.

(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): SPA  
(county-assigned application number(s), to be entered by County Staff)

Page 11 of 13

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

DATE: DEC 07 2010  
(enter date affidavit is notarized)

108696d

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

Bell South Mobile Systems, Inc.  
1155 Peachtree Street, NE  
Atlanta, GA 30309

**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)

Bell South Corporation

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

RAM Broadcasting Corporation  
1155 Peachtree Street, NE  
Atlanta, GA 30309

**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)

Bell South Mobile Data, Inc.

(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): SPA  
(county-assigned application number(s), to be entered by County Staff)

Page 12 of 13

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

DATE: DEC 07 2010  
(enter date affidavit is notarized)

108696d

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**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
SBC-MSI, LLC  
175 East Houston Street  
San Antonio, TX 78205

**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)  
Southwestern Bell Texas Holdings, Inc.

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**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Southwestern Bell Texas Holdings, Inc.  
175 East Houston Street  
San Antonio, TX 78205

**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)  
SBC Communications, Inc.

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(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)

Page 13 of 13

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

DATE: DEC 07 2010  
(enter date affidavit is notarized)

108696d

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

Jackson & Campbell, PC  
1120 20th Street NW  
South Tower, Suite 300  
Washington, DC 20036

**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)

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**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)

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(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): SPA  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: DEC 07 2010  
(enter date affidavit is notarized)

108696d

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)  
SBC Management Services, L.P.  
175 East Houston St., San Antonio, TX 78205

(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**)

- SBC-MSI, LLC  
General Partner ✓
- Southwestern Bell Texas Holdings, Inc.  
Limited Partner ✓

(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): SPA  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: DEC 07 2010  
(enter date affidavit is notarized)

108696d

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): SPA  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: DEC 07 2010  
(enter date affidavit is notarized)

108696a

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:

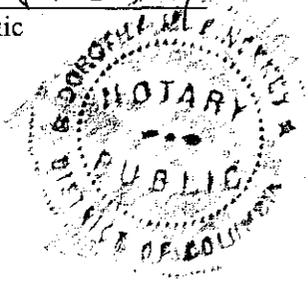
James R. Michal, Authorized Agent  
 Applicant  Applicant's Authorized Agent

James R. Michal, Authorized Agent  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 7 day of December, 2010, in the State/Comm. of District of Columbia, County/City of Washington.

Janet M. [Signature]  
Notary Public

My commission expires: March 14, 2014



Planning & Zoning  
 MAR 01 2011  
 Zoning Evaluation Division

**EXHIBIT A**

**STATEMENT OF JUSTIFICATION IN SUPPORT OF APPLICATION FOR  
 SPECIAL PERMIT AMENDMENT**

**Applicant(s):** New Cingular Wireless PCS, LLC, d.ba. AT&T  
 Mobility & Trustees of the Mount Vernon  
 Methodist Church

**Site Name:** Belle Haven

**Property Address:** 2006 Belle View Blvd., Alexandria VA 22307  
 (Fairfax County)

**District:** Mount Vernon

**Parcel Id Nos.:** 0931 25040014 & 0931-01-0070

**Zoning Classification:** R-4

**Property Owner:** Trustees of the Mount Vernon Methodist  
 Church

Applicants, Trustees of the Mount Vernon Methodist Church ("Owner") and New Cingular Wireless PCS, LLC, d.b.a. AT&T Mobility ("AT&T"), together known as "Applicants" request a Special Permit Amendment to allow the construction and operation of a wireless telecommunication facility consisting of placing 9 panel antennas (6 present, 3 future) at a 54' RAD center, below T-Mobile's existing panel antennas, within the existing steeple at the Mount Vernon Methodist Church and, related ground equipment to be located within a 18'x 18' leased area. The ground equipment will be surrounded by a 8' board on board fence.

The proposed development conforms to all applicable ordinances, regulations and adopted standards, or if any waiver, exception or variance is sought by Applicants, such shall be specifically noted with the justification for such. There are no known hazardous or toxic substances as set forth in Title 40 Code of Federal Regulations parts 116.4, 304.4 and 355.

The following statement of justification is submitted in support of the Applicants' aforementioned requests. An application for review pursuant to Section 15.2.2232 was submitted under separate cover. Applicants submit that the proposed wireless facility is in accord with the Fairfax County Zoning Ordinance and the Comprehensive Plan as to location, character and extent.

CURRENT IMPROVEMENTS ON AND DESCRIPTION OF SUBJECT PROPERTY

The subject properties are composed of approximately 4.46 acres and are zoned R-4. They adjoin properties that are also zoned R-4.

The Property is owned by Trustees of the Mount Vernon Methodist Church. AT&T entered into a lease agreement with Owner, pursuant to which AT&T will install and operate a wireless telecommunications facility on the Property. The Property Owner has authorized AT&T to seek all required County authorizations. A copy of AT&T's Special Permit affidavit, which list in detail information related to ownership and other interest in the Property is attached hereto.

The subject property is improved with a church and related parking spaces. Access to the property is via a access drive off of Belle View Blvd., which is connected to the existing parking lot on the property. A copy of site drawings/plat is attached hereto. Photographs of the Property, attached hereto provide further information about the Property. Finally, a copy of a recent County Zoning Map is enclosed herein and depicts the location of the subject property and neighborhood.

***The Church offers religious services and religious education every Sunday starting at 8:30 am. In addition, the Church other religious events varying in time during the week and counts with 84 parking spaces. The Church also counts with a pre-school which operates 5 days a week from 8:00 am to 3:00 pm with approximately 90 children between the ages of 4 months up to 5 years. The pre-school counts with 2 full time employees and 3 part time employees. See S-939-68, attached hereto. The Church counts with 400 members, (276 seats in total).***

Finally, a copy of a recent County Zoning Map is enclosed herein and depicts the location of the subject property and neighborhood.

#### DESCRIPTION OF THE PROPOSED TELECOMMUNICATIONS SITE

Applicant requests a Special Permit for the installation of 9 panel antennas (6 present, 3 future) antennas and location of related ground equipment. Access to the Site will be via the existing access drive on the subject property.

AT&T will install up to 9 antennae within the steeple at a 54' RAD center. AT&T's antennae measure approximately 6'x2'x1' or less. AT&T will also install 7 (4 initially) equipment cabinets measuring 82"(h) x 60".5 (w) x 31"(d) or less.

The installation proposed by AT&T will not interfere with radio, television or telephone reception and the emissions will comply with all applicable EPA and FCC emission requirements. Furthermore, neither the antennae nor the related equipment will produce any noise, fumes, dust, odors, lights, glare or vibrations.

## NEED FOR THE WIRELESS TELECOMMUNICATIONS FACILITY

As FCC licensees, AT&T is committed to providing seamless telecommunications service to their users. The proposed Site will assist in the creation of a seamless, state-of-the-art all-digital wireless network. This requires the installation of a network of telecommunications antenna and equipment facilities so as to allow each facility to transmit and receive radio signals within a strictly limited radio frequency range to each wireless user in the vicinity of the facility. Moreover, each facility must be able to pass the user's signal to an adjacent facility as each user travels out of the coverage area and into an adjacent coverage area. Each facility is capable of covering only a limited area, generally determined by the height of the antennas, the local topography and terrain, as well as obstructions.

To achieve the desired coverage and capacity within the intended geographical area, each antenna facility must be strategically located so as to ensure maximum coverage and a minimum overlap with each other facility. Because of the low power of the system, the antennae are effective only within a limited geographic area. Thus, each facility site is subject to technical and geographical constraints in order to provide reliable and efficient service. The proposed facility is necessary to AT&T's coverage objectives in the area. Moreover, the proposed height of the antennas allows placement of antennae at a sufficient height so as to permit radio signals to clear any obstructions such as trees, buildings, or other structures while simultaneously providing coverage to the intended area.

Radio frequency coverage maps depicting AT&T's coverage in the area presently and the improvement anticipated after installation of the panel antennas are enclosed with this application. As demonstrated by these maps, AT&T's objective of this site is to provide seamless coverage on Belle View, Fort Hunt Road and Mount Vernon Memorial Hwy in Alexandria, VA. These roads provide access to Route 1 and I-95 which are major roads of commuting to Washington D.C. The site will enhance the overlapping coverage among Fort Farnsworth, Popkins Lane and Beacon Hill sites for better handoff and furthermore the coverage will be beneficial to commuters as well as to residential and commercial entities in the area. Furthermore, the proposed site was chosen for its particular suitability to the site, including its location, satisfaction of AT&T's coverage objectives, and the nature of the existing use of the property. Installation of AT&T's antennae on the proposed installation will satisfy this objective, providing wireless telecommunications coverage to AT&T's clients in the area.

Since one of the primary benefits of the wireless communication system is the ability to communicate to and from any location, a network of facilities that provide seamless coverage is essential. The location and design of each facility in the network is therefore critical to the overall functioning of the entire network. Without a facility at or near this location, AT&T will be unable to provide reliable coverage to its users in the area.

#### APPLICABLE LEGAL STANDARDS

Section 704 of the 1996 Telecommunications Act requires that State and local governments "(I) shall not unreasonably discriminate among providers of functionally equivalent [wireless telecommunications] services; and (II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services." Accordingly, local governments cannot prohibit, either by law or by action, wireless telecommunications facilities. Regulations cannot have the effect of prohibiting wireless facilities, even though it may purport to allow such facilities. Moreover, local governments must undertake to consider all wireless telecommunications zoning requests on an equal basis.

The Fairfax County Zoning Ordinance, Section 9-101 designates wireless telecommunications facilities as Category 1, Light Public Utility Uses and Sections 9-102 and 304 allow the installation of such facilities on the subject property, via approval of a special permit. The granting of applicant's request will, therefore, be in harmony with the spirit and intent of the Zoning Regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Applicant addresses each section of the Fairfax County Zoning Ordinance and Comprehensive Plan applicable to its Special Permit application below. The Fairfax County regulations are stated in boldface; Applicant's responses immediately follow.

#### **COMPLIANCE WITH THE APPLICABLE SECTIONS OF THE ZONING ORDINANCE REGULATIONS**

##### I. SECTION 8-006 GENERAL STANDARDS [APPLICABLE TO SPECIAL PERMITS]

**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:**

**General Standard 1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.**

*Applicants' Response: There will be no changes to the existing SP except for the installation of 9 panel antennas (6 present, 3 future) antennas hidden within the proposed steeple of the structure and the addition of related ground equipment.*

**General Standard 2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.**

*Applicants' Response: The proposed use is located in an R-4 zone. The expressed purpose and intent of the R-4 District is, inter alia, to provide for single family detached dwellings at densities set forth in Sect. 408 below; to provide for affordable dwelling unit developments; to allow other selected uses which are compatible with the low density residential character of the district; and otherwise to implement the stated purpose and intent of this Ordinance. The subject site is used as a community church. As demonstrated by the drawings, site photographs and photo simulations, due to its location the proposed use will have no visual impact on the adjoining properties. As further demonstrated below, Applicant's proposed use is in compliance with each of the aforementioned sections of the Zoning Ordinance. It is, therefore, in compliance with General Standard 2 stated above.*

**General Standard 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.**

*Applicants' Response: As explained in detail throughout this Justification Statement, the proposed use is in harmony with the letter, intent, and spirit of the Comprehensive Plan, the general and specific requirements related to Special Permits, and the general purposes of the Zoning Ordinance. Thus, the proposed use is in harmony with the general purpose and intent of the applicable zoning district regulations.*

**General Standard 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.**

*Applicants' Response: The proposed wireless facility will be unmanned with 1 or 2 monthly maintenance visits hence, the proposed use shall not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.*

**General Standard 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.**

*Applicants' Response: Applicant discusses at length below the existing conditions of the Property and adjacent properties, and the nature of the proposed Site in support of their request for a waiver of the landscape requirements of Article 13, should the Board determine that the existing conditions do not satisfy the aforementioned Article.*

**General Standard 6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.**

*Applicants' Response: Not applicable.*

**General Standard 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.**

*Applicants' Response: The proposed facility will be unmanned with few maintenance visits per year. There is no need, therefore, for parking and loading provisions. The facility requires utilities to the extent telephone land lines and electrical power is required for the operation and maintenance of its facility. Applicant will ensure that the required utilities are adequately provided.*

**General Standard 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.**

*Applicants' Response: Applicant does not intend to place any signs on its facility.*

II. SECTION 9-104: STANDARDS FOR ALL CATEGORY 1 USES (THE WIRELESS TELECOMMUNICATIONS FACILITY)

**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.**

*Applicants' Response: See response to General Standard 1 as applicable to Special Permits above.*

**2. All uses shall comply with the performance standards specified for the zoning district in which located.**

*Applicants' Response: See response to General Standard 1 as applicable to Special Permits above.*

**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.**

*Applicants' Response: See response to General Standard 1 as applicable to Special Permits above.*

VI. SECTION 1-200 – GENERAL PURPOSES OF THE COUNTY ZONING ORDINANCE

**According to this Section, the Zoning Ordinance is intended to promote the health, safety and general welfare of the public and to implement the adopted Comprehensive Plan for the orderly and controlled development of the County. To accomplish these ends, the Zoning Ordinance is designed to give reasonable consideration to each of the following purposes, where applicable:**

**1. to create and maintain conditions under which people and their environment can exist in a productive and enjoyable harmony while fulfilling the social, economic and other requirements of present and future generations;**

*Applicants' Response: See response to General Standard 1 above.*

**2. to facilitate the creation of a convenient, attractive and harmonious community; to provide for adequate light, air, convenience of access and safety from fire, flood, crime and other dangers; and to reduce or prevent congestion in the public streets;**

*Applicants' Response: See response to General Standard 1 above.*

**3. to provide for County growth that is consonant with the efficient and economic use of public funds and environmental quality;**

*Applicants' Response: See response to General Standard 1 above.*

**4. to recognize the needs of agriculture, housing, industry and business in the County's future growth;**

*Applicants' Response: The proposed installation promotes the needs of agriculture, housing, industry and business because it will be equipped with adequate wireless telecommunication services. It is, therefore, in furtherance of the County's above-referenced purpose to approve the proposed facility.*

**5. to promote the creation and expansion of land uses that will be developed with adequate highway, utility, health, education and recreational facilities;**

*Applicants' Response: The proposed installation of 9 panel antennas (6 present, 3 future) antennas by AT&T, will allow the subscribers to the services and emergency response personnel to have seamless coverage. The ability to have seamless coverage promotes the expansion of land use equipped with adequate wireless telecommunication services. It is, therefore, in furtherance of the County's above-referenced purpose to approve the proposed facility.*

**6. to provide residential areas with healthy surroundings for family life;**

*Applicants' Response: See response to General Standard 1 above.*

**7. to protect against destruction of or encroachment upon historic areas;**

*Applicants' Response: AT&T will not destroy or encroach upon historic areas.*

**8. to encourage economic development activities that provide desirable employment and a broad tax base;**

*Applicants' Response: See response to General Purpose 4 above.*

**9. to promote the conservation of natural resources;**

*Applicants' Response: See response to General Standard 1 above.*

**10. to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forestation, scenic vistas, and other similar areas and to ensure that development in such areas is self controlled;**

*Applicants' Response: See response to General Standard 1 above.*

**11. to protect against the following: overcrowding of land; undue intensity of noise; air and water pollution; undue density**

**of population in relation to community facilities existing or available; obstruction of light and air; danger and congestion in travel and transportation; and loss of life, health, or property from fire, flood, panic or other dangers;**

*Applicants' Response: See response to General Standard 1 above.*

**12. to promote the creation and preservation of housing of such type, size and cost suitable for meeting the current and future needs of the County as well as a reasonable proportion of the current and future needs of the planning district in the form of safe, sanitary dwelling units;**

*Applicants' Response: See response to General Standard 1 above.*

**13. to encourage innovative and desirable approaches to designed development; and to promote the distinctive sense of urban suburban and exurban places as well as the sense of community within the County;**

*Applicants' Response: See response to General Standard 1 above.*

**14. to protect, not inconsistent with State water quality standards, surface water and ground water as defined by Sect. 62.1-255 of the code of Virginia;**

*Applicants' Response: See response to General Standard 1 above.*

**15. to accomplish all other objectives and exercise all other powers set forth in Article 7, Chapter 22, Title 15.2 of the Code of Virginia**

*Applicants' Response: See response to General Standard 1 above.*

**COMPLIANCE WITH THE APPLICABLE OBJECTIVES OF  
THE FAIRFAX COUNTY COMPREHENSIVE PLAN, 2007 ed.**

**MOBILE AND LAND-BASED TELECOMMUNICATIONS SERVICES:**

Mobile and land-based telecommunication services provide for the wireless transmission of voice and data and include cellular and personal communications services (PCS), paging and wireless internet services and mobile radio. These services operate from wireless networks that are dependent on antenna devices and related equipment to transmit from a sender to one or more receivers. Such services are viewed as public utility service providers that benefit the community and its economic growth and vitality. The objectives and policies set forth in this section provide guidance on siting and design issues and are used in evaluating land use applications.

They should not be interpreted as superseding or amending any requirements of the Zoning Ordinance or other local, state and Federal laws pertaining to these issues.

## **GENERAL GUIDELINES**

**Objective 42: In order to provide for the mobile and land based telecommunication network for wireless telecommunication systems licensed by the Federal Communications Commission, and in order to achieve opportunities for the collocation of related facilities and the reduction of their visual impact, locate the network's necessary support facilities which include antennas, monopoles, lattice towers and equipment buildings in accordance with the following policies.**

**Policy a. Avoid the construction of new structures by locating mobile and land- based telecommunication facilities on available existing structures such as building rooftops, telecommunication and broadcast poles and towers, electrical utility poles and towers, and water storage facilities when the telecommunication facilities can be placed inconspicuously to blend with such existing structures. (See Figures 8, 9, 10.)**

*Applicant's Response: As evidenced by the Site Acquisition Statement attached hereto, there are no existing structures or facilities in the vicinity of the proposed Site which could be used for collocation purposes. The proposed installation of 9 panel antennas (6 present, 3 future) antennas by AT&T within the existing steeple below T-Mobile's antennas, is in response to a growing need in the area. Thus, the proposed site is in compliance with the above policy.*

**Policy b. Locate new structures that are required to support telecommunication antennas on properties that provide the greatest opportunity to conceal the telecommunication facilities and minimize their visual impact on surrounding areas.**

*Applicant's Response: The proposed installation of 9 panel antennas (6 present, 3 future) antennas by AT&T within the existing steeple below T-Mobile's antennas, and its placement on the community-used property are factors that demonstrate the applicant's compliance with the above policy. The Site will have no visual impact on the subject and adjacent properties. Thus, the proposed site is in compliance with the above policy.*

**Policy c. Subject to the availability and feasibility of a public site, when multiple sites have equal opportunity to minimize impacts,**

**consider public lands as the preferred location for new structures.**

*Applicant's Response: As demonstrated by the RF maps submitted, the statements proffered, and the drawings submitted, the Property is particularly suitable to the installation of the Site because placement of the monopole on the Property satisfies applicant's coverage objectives and possibly those of two additional carriers. Furthermore, the Property is of a substantial size, thereby allowing for generous setbacks from the road, existing structures, property lines, and dwellings. Adherence to the above policy is, therefore, achieved by the reduction of visual impact of the proposed Site.*

**Policy d. Locate mobile and land based telecommunication facilities on public property only after a lease agreement between the County, or related board or authority, and service provider has been established.**

*Applicant's Response: Not applicable.*

**Policy e. Locate mobile and land-based telecommunication facilities operated by different service providers on single sites and/or structures whenever appropriate. Locate single-use structures on a property when a collocation structure for multiple service providers is not desirable or feasible due to site limitations or visual impact concerns.**

*Applicant's Response: As evidenced by the Site Plans attached hereto, the proposed installation is within an existing steeple. Thus, the objectives noted in the above policy are fully satisfied by this application.*

**Policy f. Ensure that the height of towers and monopoles has the least visual impact and is no greater than required to achieve service area requirements and potential collocation, when visually appropriate.**

*Applicant's Response: As demonstrated by the RF maps and the Radio Frequency Engineer and Site Acquisition statements, AT&T's coverage objectives are satisfied by the proposed installation.*

**Policy g. Ensure that the use of public property by mobile and land based telecommunication facilities does not interfere with the existing or planned operational requirements of the public use.**

*Applicant's Response: Not applicable.*

**Policy h. Design, site and/or landscape mobile and land-based telecommunication facilities to minimize impacts on the character of the property and surrounding areas. Demonstrate the appropriateness of the design through facility schematics and plans which detail the type, location, height, and material of the proposed structures and their relationship to other structures on the property and surrounding areas.**

*Applicant's Response: The proposed installation of 9 panel antennas (6 present, 3 future) antennas by AT&T within the existing steeple below T-Mobile's antennas and its placement on community used property are factors that demonstrate the applicant's compliance with the above policy. Enclosed hereto are photographs of the site and site drawings that depict the conditions on the property and the Site's minimal visual impact on neighboring properties. Thus, the proposed Site is in compliance with the above policy.*

**Policy i. Demonstrate that the selected site for a new monopole and tower provides the least visual impact on residential areas and the public way. Analyze the potential impacts from other vantage points in the area to illustrate that the selected site provides the best opportunity to minimize the visual impact of the proposed facility.**

*Applicant's Response: The proposed installation of 9 panel antennas (6 present, 3 future) antennas by AT&T within the existing steeple below T-Mobile's antennas and its placement on community-used property are factors that demonstrate the applicant's compliance with the above policy.*

**Policy j. Mitigate the visual impact of proposed telecommunication structures, and their antennas and ancillary equipment, using effective design options appropriate to the site such as:**

- locating facilities near to or within areas of mature vegetation and trees which effectively screen or provide an appropriate setting for the proposed structure or which, when viewed in context, considering perspective views, relative topography and other factors, mitigate their visual presence and prominence;
- blending facilities with an existing pattern of tall structures;
- obscuring or blocking the views of facilities with other existing structures, vegetation, treecover, or topographic features to the maximum extent feasible;
- increasing the height of or replacing existing structures to reduce the need for another structure when such height

**increases or structure replacements are appropriate to the site and the surrounding area.**

*Applicant's Response: As discussed in detail above, applicant's proposal conforms with each of the recommendations noted in the above policy.*

**Policy k. Locate telecommunication facilities to ensure the protection of historically significant landscapes. The views of and vistas from architecturally and/or historically significant structures should not be impaired or diminished by the placement of telecommunication facilities.**

*Applicant's Response: Applicant is not aware of any adverse impact on historically significant properties in the area by the installation of the proposed Site.*

**Policy l. Site proposed facilities to avoid areas of environmental sensitivity.**

*Applicant's Response: Applicant is not aware of any adverse impact on environmentally significant areas in the area by the installation of the proposed Site.*

**Policy m. Site proposed facilities to allow for future expansion and maintain levels of screening to accommodate expansion.**

*Applicant's Response: The proposed installation of 9 panel antennas (6 present, 3 future) antennas by AT&T within the existing steeple below T-Mobile's antennas. Thus, the intent of the above policy is maintained by the installation.*

**Policy n. Design and site proposed facilities to preserve areas necessary for future right-of-way dedication and ancillary easements for construction of road improvements.**

*Applicant's Response: The Site is unlikely to encroach or hinder any future road improvements. Thus, applicants proffer that the above policy is not applicable in this instance.*

**Policy o. Locate and construct antennas used for purposes other than mobile and land-based telecommunication services in accordance with the same guidelines established in this "Mobile and Land-Based Telecommunications Services" section.**

*Applicant's Response: Not applicable. Applicant proposes to install antennae for wireless telecommunications services.*

**Objective 43: Design telecommunication facilities to mitigate their visual presence and prominence, particularly when located in residential areas, by concealing their intended purpose in a way that is consistent with the character of the surrounding area. (See Figures 11 and 12.)**

**Policy a. Disguise and camouflage the appearance of telecommunication facilities so as to resemble other man-made structures and natural features (such as flagpoles, bell towers, and trees) that are typically found in a similar context and belong to the setting where placed;**

*Applicant's Response: The proposed installation of 9 panel antennas (6 present, 3 future) antennas by AT&T within the existing steeple below T-Mobile's antennas, the size of the Property, and the location of the Site, offers no likelihood of an adverse visual impact. Thus, the proposal meets the intent and spirit of above policy.*

**Policy b. Design telecommunications facilities that are disguised and camouflaged to be of a bulk, mass and height typical of and similar to the feature selected;**

*Applicant's Response: The proposed installation of 9 panel antennas (6 present, 3 future) antennas by AT&T within the existing steeple below T-Mobile's antennas is hidden from plain view by being located within the existing steeple.*

**Policy c. Use appropriately other new and existing structures and vegetation of comparable form and style to establish a grouping that complements a camouflaged telecommunication facility and supports its design, location and appearance.**

*Applicant's Response: As stated above, the proposed facility will produce no visual impact with the installation of 9 panel antennas (6 present, 3 future) antennas within the existing steeple.*

CONCLUSION:

The growing utilization of wireless technology cannot be doubted. Wireless communication not only facilitates economic growth but is also invaluable in providing emergency and other service to the users. In light of the foregoing the applicant, respectfully requests approval of its application for Special Permit to accommodate the proposed telecommunications facility, as described herein. Applicant's request is in compliance with the Fairfax County Comprehensive Plan and Fairfax County Zoning Ordinance. Granting applicant's request will, therefore, be appropriate and in the best interest of Fairfax County and the communities it represents.

*Bette Bowen*

## COUNTY OF FAIRFAX, VIRGINIA

## SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Mr. DiGiulian made the following motion:

WHEREAS, Application No. S-80-V-089 by WEEKDAY SCHOOL, AT VERNON UNITED METHODIST CHURCH, under Section 3-403 of the Fairfax County Zoning Ordinance to amend the Ordinance for school and child care center to permit increase in number of students from 60 to 90; change ages to four months through five years and change hours of operation to 9:00 A.M. to 3:00 P.M. on property located at 2001 Belmont Boulevard, tax map reference 93-1((25))(4)14, County of Fairfax, Virginia has been properly filed in accordance with all applicable requirements; and

WHEREAS, following proper notice to the public and a public hearing by the Board of Zoning Appeals held on October 28, 1980; and

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

1. That the owner of the subject property is the applicant.
2. That the present zoning is R-4.
3. That the area of the lot is 2.799 acres.
4. That compliance with the Site Plan Ordinance is required.

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

THAT the applicant has presented testimony indicating compliance with Standards for Special Permit Uses in R Districts as contained in Section 8-006 of the Zoning Ordinance, and

NOW, THEREFORE, BE IT RESOLVED that the subject application is GRANTED 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 and is not transferable to other land.
2. This special permit shall expire eighteen months from this date unless operation has started and is diligently pursued or unless renewed by action of this Board prior to any expiration. A request for an extension shall be filed in writing thirty (30) days before the expiration date and the permit shall remain valid until the request for extension is acted upon by the BZA.
3. This approval is granted for the buildings and uses indicated on the plans submitted with this application. Any additional structures of any kind, changes in use, additional uses, or changes in the plans approved by this Board (other than minor engineering details) whether or not these additional uses or changes require a Special Permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes (other than minor engineering details) without this Board's approval, shall constitute a violation of the conditions of this Special Permit.
4. This granting does not constitute an exemption from the legal and procedural requirements of this County and State. THIS SPECIAL PERMIT IS NOT VALID UNTIL A NON-RESIDENTIAL USE PERMIT IS OBTAINED.
5. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place of 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.
6. Landscaping and screening may be required in accordance with Article 13 of the Zoning Ordinance at the discretion of the Director of Environmental Management.
7. The maximum number of students shall be 90; ages 4 months through 5 years.
8. The hours of operation shall be 9 A.M. through 3 P.M., five days a week.

Mr. Yaremchuk seconded the motion.

The motion passed by a vote of 5 to 0.

A COPY TESTE

*Sandra R. Hink*  
Clerk, Board of Zoning Appeals

12:30 P.M. WEEKDAY SCHOOL, MT. VERNON UNITED METHODIST CHURCH - S-80-V-089

STAFF FINDINGS OF FACT

- |                    |                                    |
|--------------------|------------------------------------|
| 1. Property Owner: | Mt. Vernon United Methodist Church |
| 2. Present Zoning: | R-4                                |
| 3. Lot Area:       | 121,924 square feet                |
| 4. District:       | Mt. Vernon                         |

ZONING COMMENTS

The applicants property is located on Belle View Boulevard approximately 1,000 feet northeast of Quander Road. The applicants are amending their Special Permit (S-939-68) to permit an increase in number of students from 60 to 90, ages 4 months through 5 years and change their hours of operation to 9:00 A.M. through 3:00 P.M., five days a week. Their present permit limited the hours from 9:00 A.M. to 12:00 noon five days a week, and the ages of their children to 4 and 5 years old. This facility has been operated in a satisfactory manner in the past.

Attachments: Previous Resolution  
Health Department Letter  
Pertinent Ordinance Section

would have to remain an open screened porch.

In the application of Louise Walsh, application under Section 30-6.6 of the Ordinance to permit erection of open porch 20.7 ft. from rear property line, Lot 2, Sec. 4, Piney Run, 6068 Piney Run Drive, Lee District, Mr. Smith moved that the application be approved as applied for. It has been brought out that the septic field is in the front of the house and this was the reason for placing the house so far back on the lot. There is an existing 6 ft. porch which the applicant proposes to enlarge to a 12' x 17' porch and this appears to be a reasonable request. All other provisions of the Ordinance pertaining to this application shall be met. Seconded, Mr. Barnes. Carried unanimously.

//

DONALD A. VAN MATRE, application under Section 30-6.6 of the Ordinance, to permit erection of carport 2.6 ft. from side property line, Lot 37, Sec. 1, Canterbury Woods, 5117 Southhampton Drive, Annandale District, (R-12.5), Map No. 70-3 ((5)) 37, V-936-68

Mr. Van Matre stated that he wished to extend his driveway and place a carport on the side of his house. The neighbors immediately adjacent to him have carports and four other houses on this portion of Southhampton also have carports. He is the second owner of the house which was built in 1963. He purchased it in 1968 (January).

Mr. Van Matre's house was built without a carport because obviously there was not enough room for one, Mrs. Henderson said. Perhaps it would be advisable to see how many carports are existing in Section I of Canterbury Woods and see if this would be a special privilege to the applicant to grant this one.

This lot is restricted by an easement along the side and in the rear, Mr. Van Matre added.

No opposition.

Mr. Smith moved to defer to September 24 for decision only and ask the Zoning Office to make a field survey to acquire additional information with relation to carports in Section I of this subdivision and to see how many other houses are affected by the flood plain and sewer easements. Also, have any variances been granted for carports in Canterbury Woods? Seconded, Mr. Barnes. Carried unanimously.

//

HARRY L. BURKA AND ALBERT KAPLAN, application under Section 30-6.6 of the Ordinance, to permit erection of auto body shop to be built up to rear property line, Lot A, John B. O'Shaughnessy Est. on Seminary Road, Mason District, (C-G), Map No. 61-2 ((1)) pt. 99, V-937-68

Mr. N. David Daumit, architect, and Mr. Kaplan were present but could not present the Board with proof that two adjacent property owners were notified, therefore the application was deferred to September 24 for additional information (new plats) and proof that two adjoining property owners were notified, and showing parking spaces in relation to the operation; all of the parking spaces that have been allotted to Gill.

//

MT. VERNON UNITED METHODIST CHURCH, application under Section 30-7.2.6.1.3 of the Ordinance, to permit operation of kindergarten in church building, maximum 60 children, ages 4 and 5 years old, hrs. of operation 9 a.m. to 12 noon, 5 days a week, 2006 Belle View Blvd., Mt. Vernon District, (R-10), Map No. 93-1 ((25)) (4) 14, S-939-68

Mrs. Minix stated that she has just taken over the operation. The school has been operating for 13 years unaware that they needed a use permit. They have had five year olds only and would like to add four year olds. They would operate from 9 a.m.

September 10, 1968

MT. VERNON UNITED METHODIST CHURCH - Ctd.

to 12 noon, five days a week. No meals will be served. This is not limited to church members but it would be under church sponsorship. She is a salaried teacher in charge of weekday kindergarten. This is a non-profit organization. The property has been inspected by the Fire Marshal and they will comply with all Health and Fire requirements. No transportation will be furnished by the school. The Health Department has approved them for sixty children.

No opposition.

If the church has been operating for 13 years, Mr. Knowlton said, he would amend the staff report as that would put it prior to site plan ordinance.

1955

In the application of Mt. Vernon United Methodist Church, application under Section 30-7.2.6.1.3 of the Ordinance, 2006 Belle View Boulevard, Mt. Vernon District, Mr. Smith moved that the application be approved for a maximum number of 60 students at any one time, ages 4 and 5 years old, hours of operation 9 a.m. to 12 noon, five days a week. The school has been in operation for thirteen years and they were unaware that they needed a use permit. Since this was in existence prior to the Ordinance, he would hope that they would not be processed under site plan requirements. Seconded, Mr. Barnes. Carried unanimously.

//

ZINN, INC., application under Section 30-7.2.6.1.1 of the Ordinance, to permit erection and operation of community swimming pool, bath house and other recreational facilities: Strathmeade Square, Providence District, (R-T), Map No. 59-1 ((13)) 21B-34C, S-941-68

Mr. Griffin Garnett did not have his letters of notification as he had not been notified that this was necessary, he said.

(The letter was sent to Mr. DeLuca, maker of the application, since Mr. Garnett's name did not appear.)

The Board deferred the application to October 8 for proper notification.

//

DEFERRED CASES:

JAMES E. HOOPER, application under Section 30-6.6 of the Ordinance, to permit erection of an office building 31 ft. from Chestnut St., 7121 Leesburg Pike, Providence District, (CDM), Map No. 40-3 ((1)) 103, V-896-68

Mr. Hooper showed a rendering of the proposed building containing office space. The present office building contains 25,000 sq. ft. and is completely leased at the present time. They have had many requests for more office space in the same area, mostly from tenants who wish to expand their office space. They have met with the Falls Hill Citizens Association concerning development of the area and they were concerned about two things -- storm water and traffic flow. The engineer has prepared a study of the site and has determined that they will need a storm sewer drainage picking up the water from the site, piping it down to a low point on Chestnut Street, then requiring an easement on Jones' or Reed's property, discharging it through an open tract of ground in the direction of Shreve Road. Not only would this take care of the water from this site but would solve the drainage problem which they have at the present time. As to traffic flow, their site presently calls for an exit to Chestnut Street. They have a service drive in front of the property along Leesburg Pike that can handle the traffic both on the property and exiting. Since they own the property on the opposite side, they plan to always maintain an access from this site over to Shreve Road. This directs traffic onto Route 7 by way of...



## County of Fairfax, Virginia

## MEMORANDUM

June 3, 2010

**TO:** David Marshall, Assistant Director  
Planning Division  
Department of Planning and Zoning

**FROM:** Barbara J. Lippa, Executive Director *BJL*  
Planning Commission Office

**SUBJECT:** Planning Commission Action Pursuant to Sect. 15.2-2232, *Code of Virginia*,  
FS-V10-13 – “Feature Shown” Consent Item for New Cingular Wireless PCS,  
LLC, 2006 Belle View Blvd., Mount Vernon District

For your records, on Wednesday, June 2, 2010, the Planning Commission voted unanimously (Commissioner Murphy absent from the meeting) to approve consent agenda item FS-V10-13 for New Cingular Wireless PCS, LLC to install nine panel antennas in an existing steeple at Mt. Vernon Methodist Church, along with four new cabinets, located at 2006 Belle View Blvd., (Tax Map 93-1 ((25)) (4) 14), as meeting all administrative review guidelines for a telecommunications application.

Attached is a copy of the verbatim excerpts from the Commission’s action on this consent agenda item. Please let me know if you need anything else.

Attachment (a/s)

cc: Gerry Hyland, Supervisor, Mount Vernon District  
Earl Flanagan, Commissioner, Mount Vernon District  
Connie Maier, Planner, Planning Division, DPZ  
Diane Johnson-Quinn, Chief, Zoning Permit Branch, ZAD, DPZ  
Jim Michael, Esq., Agent for New Cingular Wireless PCS, LLC  
June 2, 2010 Date File  
O-3 (h) file



Planning Commission Meeting  
June 2, 2010  
Verbatim Excerpt

FS-P09-189 - CLEARWIRE, 7900 Westside Drive, 4000 Oak View Boulevard  
2232A-D04-7-1 - VERIZON WIRELESS, Route 193 at Colonial Farm Road

During Commission Matters

Vice Chairman Alcorn: WITHOUT OBJECTION, THE CONSENT AGENDA ITEMS ARE APPROVED.

//

(The motion carried unanimously with Commissioner Murphy absent from the meeting.)

KAD



# County of Fairfax, Virginia

## MEMORANDUM

DATE: February 23, 2011

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division, DPZ

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

**SUBJECT:** Environmental Assessment: SPA 80-V-089  
New Cingular Wireless and Trustees of Mt. Vernon Methodist Church

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed development based on the revised Special Permit Plan (SPA) dated December 21, 2010. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

### COMPREHENSIVE PLAN CITATIONS:

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 18, the Plan states:

**“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.”**

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.”

## ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

**Background:** The applicant proposes the construction and operation of a wireless telecommunications facility (6 present and 3 future panel antennas) within the church steeple and the construction of an 18' x 18' leased compound area surrounded by an 8' board-on-board fence to be located on an embankment west of the existing church.

**Tree Preservation/Restoration:** The 4.46-acre site developed with church and related facilities is comprised of a U-shaped grouping of structures surrounded by the west side by a steeply sloping, densely vegetated embankment, the top of which is situated approximately 100'-120' above the church. As currently proposed the placement of the 18'x18' compound will result in significant land disturbance into this currently undisturbed steep slope situated immediately adjacent to the church. The applicant is strongly encouraged to consider placing the proposed compound on existing impervious surface. Location of the panel antennas within the church steeple does not raise any issues. However, from an environmental perspective, the proposed location of the equipment compound is not ideal because it will result in land disturbance, tree removal and construction of a retaining wall that could be avoided if it were sited on existing impervious surface somewhere else on the subject property.

PGN: MAW

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

**TO:** Shelby Johnson, Staff Coordinator  
Zoning Evaluation Division, DPZ

**DATE:** February 9, 2011

**FROM:** Jessica Strother, Urban Forester II  
Forest Conservation Section, UFMD, DPWES

**SUBJECT:** AT&T-Cingular Wireless- Mount Vernon Methodist Church  
SPA-80-V-089

**RE:** Your Request received on January 25, 2011

This review is based on the Special Permit Amendment (SPA) stamped as received by the Department of Planning and Zoning on December 27, 2010. Previous applications have been submitted and were preliminarily commented on in the past 1-2 years.

**Site Description:** The subject property is heavily forested around two-thirds of the perimeter of the property. The remaining third consists of the frontage area with driveways and sidewalks.

The affected portion of the site which will contain the equipment cabinet and fencing is in the far southwestern corner, off that corner of the church building. This area has a very steep slope that contains early successional vegetation such as maple, black cherry and some young and older oak species. The base of the slope close to the church building is unforested. Portions of this area in the direction and close to Belle View Boulevard contain no vegetation.

1. **Comment:** An Existing Vegetation Map and the tree canopy-tree preservation target calculations have not been provided. This information is required and should be provided.

**Recommendation:** The SPA needs to be revised to provide this information.

2. **Comment:** The SPA references limits of disturbance for a proposed retaining wall and for the equipment cabinet. Clearing and grading will be needed to accomplish the installation of the retaining wall and cabinet. Additionally, a cursory survey of trees that will be removed should be provided.

**Recommendation:** The SPA should be revised to reference "limits of clearing and grading" instead of limits of disturbance. A cursory tree inventory of those trees removed for grading and the retaining wall should be provided.

Comments and Recommendations

AT&T-Cingular Wireless, Mount Vernon Methodist Church

SPA-80-V-089

Page 2

3. **Comment:** Transitional screening 3 (50 foot wide yard for light public utility) is required for cell towers adjacent to single family detached. Supplemental evergreen plantings should be provided to buffer the equipment cabinet and portions of the church steeple. A screening modification for the requirement should be requested due to existing conditions.

The following observations are made regarding adjacent property owners views of the proposal:

- The residence at 2008 Belle View Boulevard will have a ground level view of the equipment cabinet. The residences at 6617 and 6618 Skyline Court and numerous residences on Princeton Drive have had a steeple level view for some years.

**Recommendation:** The SPA should be revisited to provide effective evergreen screening trees adjacent to the equipment cabinet, as well as at the top of the slope adjacent to existing residential properties. The 6 proposed trees on the SPA Plat is insufficient.



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** March 7, 2011

**TO:** Shelby Johnson, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** *DK* Durga Kharel, Site Review Engineer  
Environmental and Site Review Division  
Department of Public Works and Environmental Services

**SUBJECT:** Special Permit Ammendemnt Application #SPA 80-V-089, Mount Vernon Methodist Church & New Cingular Wireless Special Permit Ammendemnt Plat dated February 25, 2011, LDS Project #4047-ZONA-001-2, Tax Map #093-1-25-04-0014 & 093-1-01-0070, Mount Vernon District

We have reviewed the subject application and offer the following stormwater management comments.

### Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site.

Water quality control is proposed with provision of either a bio-retention filter or infiltration trench based on the infiltration test results. Approximate size and location is shown on the plat. The infiltration facility shall be designed per PFM requirements. The water quality BMPs shall be privately maintained and a private maintenance agreement will be required prior to the approval of the final construction plan.

### Floodplain

There are no regulated floodplains on the property.

### Downstream Drainage Complaints

There are no downstream drainage complaints on file.

### Stormwater Detention

Stormwater detention is required, if not waived (PFM 6-0301.3). A SWM narrative is provided stating that a waiver will be requested.

Department of Public Works and Environmental Services  
Land Development Services, Environmental and Site Review Division  
12055 Government Center Parkway, Suite 535  
Fairfax, Virginia 22035-5503  
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359



Shelby Johnson, Staff Coordinator  
Special Permit Ammendemnt Application #SPA 80-V-089,  
Mount Vernon Methodist Church & New Cingular Wireless  
March 7, 2011  
Page 2 of 2

Site Outfall

An outfall narrative has been provided.

Please contact me at 703-324-1720 if you require additional information.

BF/

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES  
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES  
Zoning Application File

**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.
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.