



County of Fairfax, Virginia

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

January 9, 2012

Mr. Russell R. Smith
ADTEK
3251 Old Lee Highway, Suite 405
Fairfax, Virginia 22030

Re: Interpretation for RZ 83-A-105 and SE 116-A-79, Sandy Spring Drive-in Bank,
5250 H Port Royal Road, Tax Map 70-4-10-0012: ATM relocation

Dear Mr. Smith:

This is in response to your letters of November 15, 2011, and November 22, 2011, and email of December 6, 2011 (attached), requesting an interpretation of proffers accepted by the Board of Supervisors in conjunction with the approval of RZ 83-A-105, and of the Special Exception (SE) Plat and development conditions approved by the Board of Supervisors with SE 116-A-79. As I understand it, the question is whether the proposed revised Automated Teller Machine (ATM) location and related site changes would be in substantial conformance with the proffers, SE Plat and development conditions. This determination is based on the plans attached to your letter of November 15, 2011, entitled "Tenant Fit-Out," "Site and Grading Plan," and "Existing Conditions and Demolition Plan," prepared by ADTEK and dated September 30, 2011, November 15, 2011, and November 15, 2011, respectively.

On March 10, 1980, the Board of Supervisors approved SE 116-A-79 in the name of Ravensworth Trust Partnership, for an existing financial institution building to be used as a drive-in bank facility. The approved SE Plat shows three drive-thru lanes.

The bank site is part of the Ravensworth Shopping Center which was constructed in 1965. The property was zoned I-L, which was subsequently converted to I-5 Zoning District with the adoption of the 1978 Zoning Ordinance. With the new ordinance, shopping centers were no longer permitted in the I-5 District, however the existing center was grandfathered. On April 9, 1984, the Board of Supervisors approved RZ 83-A-105, rezoning the shopping center to the C-6 District, subject to proffers, in order to bring the center into conformance with the Zoning Ordinance and to allow an expansion of 2,450 square feet.

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



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The following proffer was included with the rezoning approval.

Landscaping

Parking lot landscaping will be provided at a minimum as shown on the as built plan revised March 9, 1984. Landscaping may be modified so long as it is equal to or better than that indicated on the submitted plan.

You are proposing to relocate an ATM from the outer drive-thru lane to the wall of the bank building next to the existing Night Deposit Box. In order to make the ATM drive-up accessible you propose to modify the concrete pavement adjacent to the building. You also propose to remove the existing pneumatic tube from the first drive-thru lane, and relocate it to the outer lane, so only one bank machine is located in each of the three lanes. The central window on the building will remain a window with no drawer for access. You propose to remove the existing shrubs by the side of the bank and to retain the landscaping in the parking curb island. You have stated that additional landscaping will be installed where possible to compensate for the loss of shrubs.

It is my determination that the proposed revised location of the ATM and related site changes are in substantial conformance with the proffers, SE Plat and development conditions, provided that additional replacement landscaping is installed, as approved by the Urban Forest Management Division, Department of Public Works and Environmental Services (DPWES).

You have indicated that the site changes proposed would require less than 500 square feet of disturbed area and provide an accessibility improvement, which according to the Zoning Administration Division, would meet the requirement of Par. 16. B. of Sect. 17-104. However, a final determination to waive the requirement for a minor site plan must be made by DPWES.

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

Sincerely,



Barbara C. Berlin, AICP, Director
Zoning Evaluation Division, DPZ

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Attachments: A/S

cc: John C. Cook, Supervisor, Braddock District
Ellen J. Hurley, Planning Commissioner, Braddock District
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Ken Williams, Plan Control, Land Development Services, DPWES
Angela Rodeheaver, Section Chief for Site Analysis, DOT
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, ZED, DPZ
File: RZ 83-A-105, SE 116-A-79, PI 1101 121, Imaging, Reading File



3251 Old Lee Highway, Suite 405
Fairfax, Virginia 22030

TEL 703 691 4040
FAX 703 691 4056

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November 15, 2011

Ms. Barbara C. Berlin
Director, Zoning Evaluation Division
County of Fairfax
Department of Planning and Zoning
12055 Government Center Parkway
Suite 801
Fairfax, VA 22035-5500

Phone: (703) 324-1290
E-mail: Barbara.berlin@fairfaxcounty.gov

RE: Sandy Spring Bank Addition, 5250 H Port Royal Road, Springfield, VA 22151
Tax Map 0704-10-0012, Part of Ravensworth Shopping Center
Request for Interpretation
ADTEK Project No. 1179.0002

Dear Director:

This letter is to request that the Zoning Evaluation Division provide an Interpretation that the proposed work at the existing Sandy Spring Bank is in substantial conformance with the conditions of the Rezoning RZ 83-A-105 affecting the property, and allowable by Fairfax County Code.

As indicated on the attached plans, the proposed work will add an Automated Teller Machine (ATM) and Night Deposit Box built into the existing exterior wall of the Bank. In addition, we are proposing to slightly modify the site to add a drive-up access to the new ATM by moving a curb line. The amount of disturbed area will be about 440 square feet.

We believe that provision of the drive-up access to the ATM machine is in the spirit of "Accessibility Improvements", since the drive-up will be accessible to handicapped drivers, who would not even have to get out of their vehicles to use the ATM. We ask that the County will agree that the impact to the site is of such an insignificant size and effect that the proposed modifications be found to be exempt from Site Plan or Minor Site Plan requirements in accordance with Zoning Ordinance Article 17-104.16. We believe that the proposed installation of the ATM and Night Deposit windows and construction of the drive-up access should be permitted in accordance with the following justifications:

1. Rezoning 83-A-105 does not include a proffered Generalized Development Plan (GDP). In fact, records indicate that the GDP submission requirement was waived in the application process. An As-Built Plan was submitted in lieu of the GDP, but was not formally proffered. The As-Built Plan (copy attached) does show the existing drive-through bank, and the general notes do include the Bank in the Useage Breakdown and Parking Requirements tabulations.



3251 Old Lee Highway, Suite 405
Fairfax, Virginia 22030

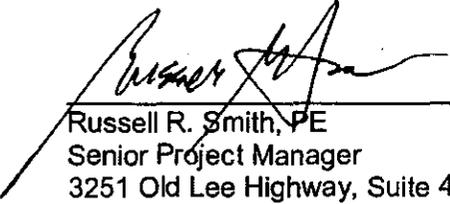
TEL 703 691 4040
FAX 703 691 4056

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2. The brief Proffer Statement approved with RZ 83-A-105 (copy attached) includes no statements regarding or limiting the Bank use.
3. The proposed work will disturb less than 500 square feet of area, which is mostly paved or under canopy overhang in the existing condition. The work will not disturb any public utilities or affect any existing easements. The site is more than adequately served by an existing public storm drainage system.
4. The requested modification is therefore consistent with, and does not materially alter the character of the approved development, including the uses, layout and relationship to adjacent properties.
5. The requested modification is consistent with any proffered or imposed conditions that govern the development of the site, and
6. The requested modification is in accordance with the requirements of the Zoning Ordinance.

Attached please find a check for \$520.00, payable to County of Fairfax, and copies of the approved RZ 83-A-105 Proffers and As-Built Plan, a copy of the proposed Architectural New Work Floor Plan and copies of the Existing Conditions and Demolition Plan and the Site and Grading Plan for the proposed work. Please contact this office if there are any questions or comments. We appreciate your attention and help.

Sincerely,
ADTEK ENGINEERS, INC.



Russell R. Smith, PE
Senior Project Manager
3251 Old Lee Highway, Suite 405
Fairfax, VA 22030
Phone: 703-691-4040

cc: Paul Falkenbury, Samaha Associates, Project Manager
Martin Smith, Civil Director

Attachments:



3251 Old Lee Highway, Suite 405
Fairfax, Virginia 22030

TEL 703 691 4040
FAX 703 691 4056

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November 22, 2011

Ms. Barbara C. Berlin
Director, Zoning Evaluation Division
County of Fairfax
Department of Planning and Zoning
12055 Government Center Parkway
Suite 801
Fairfax, VA 22035-5500

Phone: (703) 324-1290
E-mail: Barbara.berlin@fairfaxcounty.gov

**RE: Sandy Spring Bank Addition, 5250 H Port Royal Road, Springfield, VA 22151
Tax Map 0704-10-0012, Part of Ravensworth Shopping Center
Request for Interpretation – Additional Information
ADTEK Project No. 1179.0002**

Dear Director:

This letter is to supplement our Interpretation Request Letter of November 15, 2011, with some additional information about the existing Sandy Spring Bank.

Through our discussions with the Owner, we have discovered that the tenant in the 5250 H Port Royal Road Bank building, just prior to Sandy Spring Bank, had a drive up ATM located on the outside drive-through aisle. To further clarify our proposed work, we are proposing to relocate the ATM from the outer drive aisle to inside the building, as shown, for security and safety reasons. The existing ATM on the outer drive aisle will be removed. The relocation is proposed so that no employee will have to leave the safety of the building to fill up or maintain the ATM machine. In addition to providing easier accessibility to the ATM machine, the modifications are proposed to protect the health, safety, and welfare of the public.

Therefore, because the existing bank building previously had an ATM machine, we can re-emphasize that the requested modification is consistent with the character of the approved development, including the uses, layout and relationship to adjacent properties.

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Fairfax, Virginia 22030

TEL 703 691 4040
FAX 703 691 4056

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Please consider this additional information while evaluating our original request for an interpretation. Once again, we ask that you please contact this office if there are any questions or comments. We appreciate your attention and help.

Sincerely,
ADTEK ENGINEERS, INC.

A handwritten signature in black ink, appearing to read "Russell R. Smith", is written over a horizontal line.

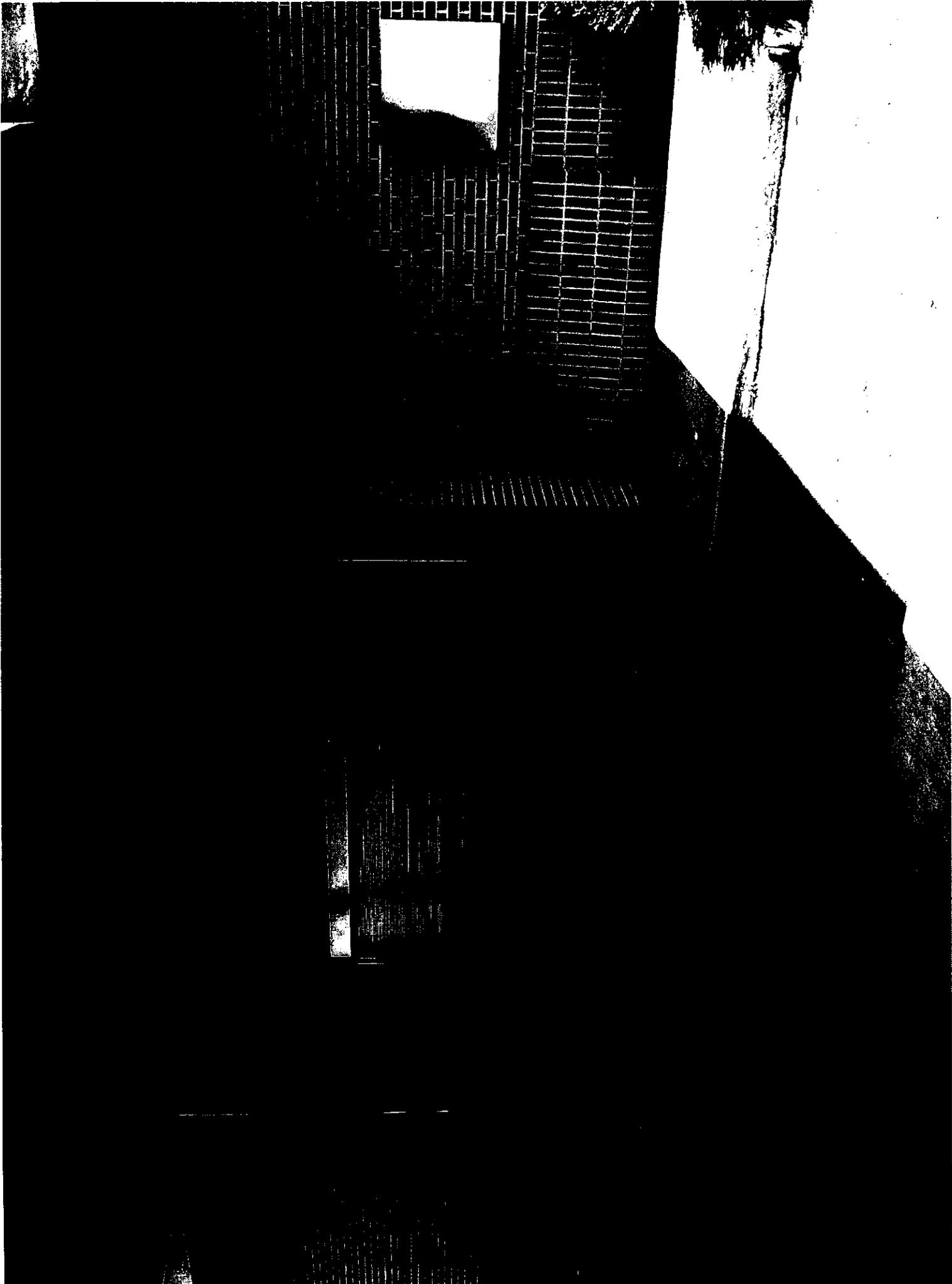
Russell R. Smith, PE
Senior Project Manager
3251 Old Lee Highway, Suite 405
Fairfax, VA 22030
Phone: 703-691-4040

cc: Paul Falkenbury, Samaha Associates, Project Manager
Martin Smith, Civil Director

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Feibelman, Lisa

From: Russ Smith <rsmith@adtekengineers.com>
Sent: Tuesday, December 06, 2011 3:57 PM
To: Feibelman, Lisa
Cc: Paul H. Falkenbury; Amy Mccarty
Subject: Sandy Spring Bank - Another Picture.
Attachments: IMG_0661.jpg

Lisa:

The existing tube in the first lane next to the building will be taken out, and that lane will only be used to access the new ATM in the wall or the adjacent night deposit box.

The existing tube in the second, middle lane, will remain.

The existing ATM in the outer lane was removed by the previous tenant a couple years ago. As you can see, the bollards remain. There was never a tube on the outer lane.

The Bank would like to be able to move the existing tube from the first lane to the old ATM location on the outer lane.

Therefore, no intensification of use. One ATM moves from where it used to be to the wall of the building. One tube moves from the inner lane to the outer lane. The inner lane will not access two devices, it will still access just one device, the relocated ATM. The big central window looking out will just stay a window. There is no drawer under it.

From: Paul H. Falkenbury [mailto:phf@samaha-arch.com]
Sent: Tuesday, December 06, 2011 3:37 PM
To: Russ Smith
Subject:

Paul H. Falkenbury AIA, REFP
Principal



10521 Rosehaven Street, Suite 200
Fairfax, VA 22030
T | 703.691.3311
F | 703.691.3316
www.samaha-arch.com

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