



County of Fairfax, Virginia

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

May 17, 2012

Roger K. Bohr, Project Designer
R.C. Fields, Jr. and Associates, P.C.
730 S. Washington Street
Alexandria, VA 22314

Re: Interpretation for SEA 98-V-042, Belle Haven Country Club
Tax Map 083-4 ((1)) 0005: Outdoor Service Bar

Dear Mr. Bohr:

This is in response to your letter of April 10, 2012 requesting an interpretation of the development conditions and Special Permit Amendment (SPA) Plat approved by the Board of Zoning Appeals (BZA) with the above referenced application. As I understand it, the question is whether the proposed addition of a 160 square foot service area between the existing pool and athletic areas would be in substantial conformance with SPA 82-V-093-5. This determination is based on your April 10, 2012 letter; a drawing of the existing facility with the proposed addition, and an aerial photo showing the location of the proposed addition, both undated and prepared by the requestor. Copies of your letter, exhibits and the development conditions are attached.

Staff research of the request has found that SPA 82-V-093-5 no longer governs the Belle Haven Country Club. In 2001, the Zoning Ordinance was amended to change golf courses and country clubs to Special Exception uses approved by the Board of Supervisors. In 1999, SE 98-V-042 was approved to allow fill in a floodplain. In December, 2002, SEA 98-V-042 was approved to include the country club and golf course, and to allow additional fill and other site modifications. The development conditions of the previous approvals were superseded by the conditions approved in SEA 98-V-042.

As I understand it, you are proposing to construct an outdoor wooden service bar and storage cabinet for patrons using the athletic facility and pool. The proposed addition will measure 160 square feet in area and will be covered, when permits, with a temporary canopy. The approved Gross Floor Area (GFA) for the site is 145,207 square feet. There will be no increase in the number of memberships, no increase in the parking requirement, and no trees will be removed to accommodate the proposed addition.

Sect. 9-004 of the Zoning Ordinance states that minor modifications to an approved special exception may be permitted when it is determined by the Zoning Administrator that such are in substantial conformance with the approved special exception.

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
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Belle Haven Country Club
Page 2

It is my determination that the proposed addition of an outdoor service/bar area and storage cabinet described above are in substantial conformance with SEA 98-V-042, provided that the external materials used for the addition are consistent with those used on the existing structure. 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 contact Rebecca Horner at (703) 324-1290.

Sincerely,

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

O:\rhomer\Action Assignments\Belle Haven CC\Belle Haven CC Minor Modification Letter.doc

Attachments: A/S

cc: Gerald W. Hyland, Supervisor, Mount Vernon District
Earl Flannagan, Planning Commissioner, Mount Vernon District
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Ken Williams, Plan Control, Land Development Services, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, ZED, DPZ
File: SPA 82-V-093-5, SPI 1204 009, Imaging, Reading

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April 10, 2012

Ms. Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning
8th Floor, Herrity Building (Suite 801)
12055 Government Center Parkway
Fairfax, Virginia 22035

RECEIVED
Department of Planning & Zoning

APR 16 2012

Zoning Evaluation Division

**Re: Interpretation Request for Belle Haven Country Club
6023 Fort Hunt Road
Tax Map #83-4-01-0005
SPA 82-V-093-05**

Dear Ms. Coyle:

On behalf of our client, Belle Haven Country Club (BHCC), we are writing to request an interpretation on the approved Special Permit for the above referenced project. This Special Permit (SPA 82-V-093-05) was approved by the Board of Supervisors (BOS) on September 29, 1998. The site is currently in use as a private country club with on site amenities. These amenities include a club house, fitness center, pool, tennis courts etc. BHCC has a license to serve alcohol on the premises with outdoor dining. Currently alcoholic beverages are served in the Club House and Athletic Facility and consumed on the premises by the members of the private club. The club is planning on constructing an outdoor wooden service bar and storage cabinet for it's patrons that is between the Athletic Facility and the pool. The service bar will be used to serve alcoholic beverages as well as non-alcoholic drinks and food items to club members. The members will approach the bar and request drinks from the staff in the same manner as they approach the existing food service area within the Club House and Athletic Facility. The proposed service bar will be located under a temporary canopy and shall only be used when weather permits. The bar / service area dimensions are roughly 16' x 10' and shall be immediately adjacent to the existing building. See attached sketch. The installation of the service bar and storage cabinet will not require any land disturbance. There is no proposed change to any rules or conditions which regulate operating hours or the terms in which food and alcohol can be served on the site. BHCC shall comply with all applicable Health Department and Virginia Alcoholic Control Board regulations as they apply.

We are requesting an interpretation if the installation and use of the service bar is in accordance with the approved Special Permit for the site as it is simply an extension of the existing food service area (with bar) that is located within the Club House.

If you or any member of your review staff have any questions or require any additional information, please do not hesitate to contact us. We greatly appreciate your earliest attention to this interpretation request and look forward to hearing from you.

160 #

Sincerely,
R.C. Fields, Jr. & Associates, P.C.

A handwritten signature in black ink, appearing to read 'Roger K. Bohr', enclosed within a large, loopy oval scribble.

Roger K. Bohr
Project Designer

FORT HUNT ROAD

EX. PARKING AREA

EX. PARKING AREA

EX. ATHLETIC FACILITY

PROP. SERVICE BAR

EX. POOL

EX. TENNIS

EX. TENNIS

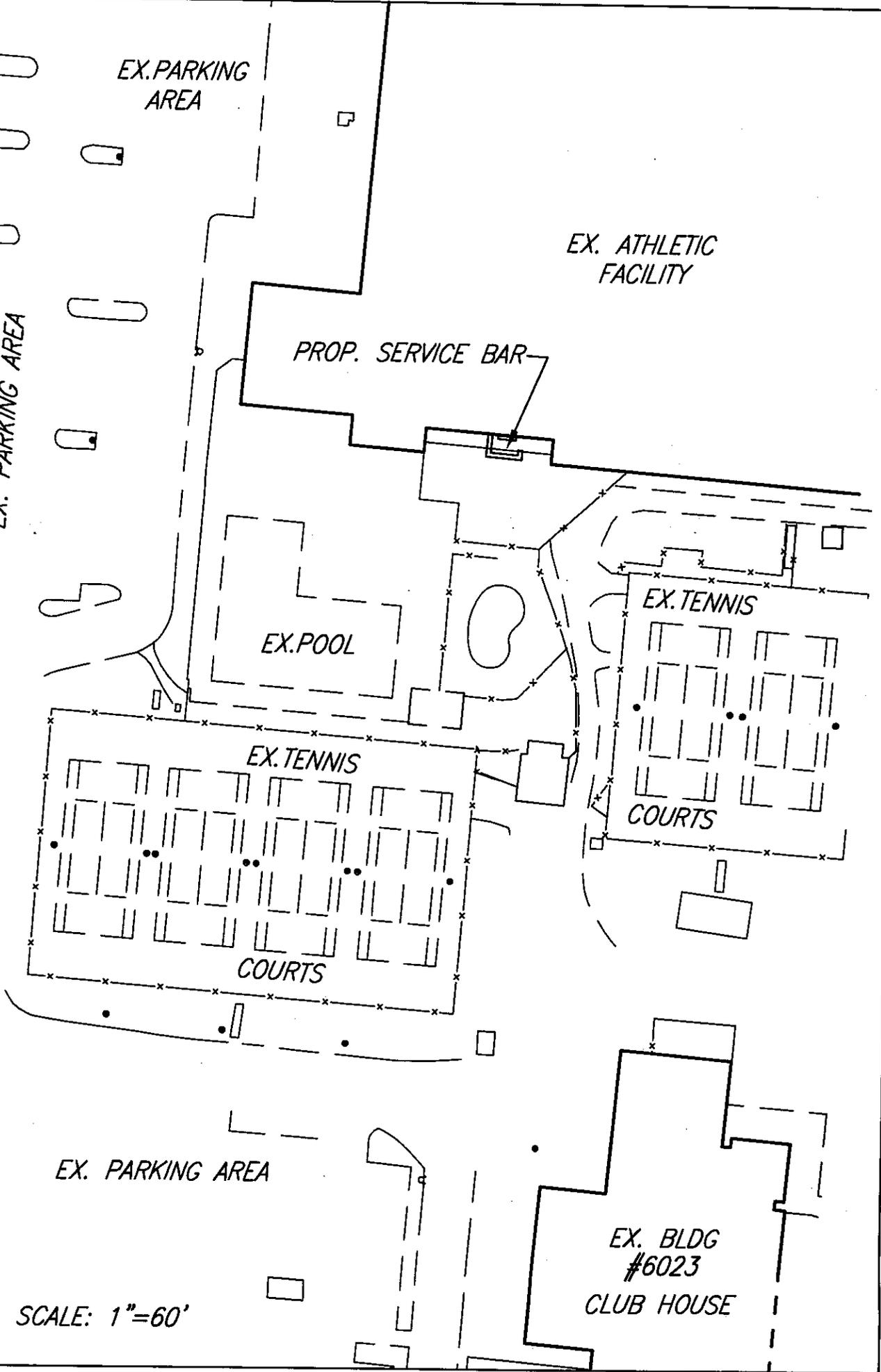
COURTS

COURTS

EX. PARKING AREA

EX. BLDG
#6023
CLUB HOUSE

SCALE: 1"=60'





Bird's eye view of area where service bar is to be installed.



FAIRFAX COUNTY

2ED
OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151
FAX: 703-324-3926
TTY: 703-324-3903

December 6, 2002

Jane Kelsey
Jane Kelsey & Associates, Inc.
4041 Autumn Court
Fairfax, Virginia 22030

RE: Special Exception Amendment Application
Number SEA 98-V-042

Dear Ms. Kelsey:

At a regular meeting of the Board of Supervisors held on November 18, 2002, the Board approved Special Exception Amendment Application Number SEA 98-V-042 in the name of Belle Haven Country Club, Incorporated, 6023 Fort Hunt Road, (Tax Map 83-4 ((1)) 5; 83-4 ((2)) (6) 1-29; 83-4 ((2)) (14) 1-32; 83-4 ((2)) (22) 1-19; 83-4 ((2)) (30) 1-4; 11-30; 83-4 ((2)) (33) 1-15, A; 83-4 ((2)) (41) 3-11, 14-19; 83-4 ((2)) (5) 1-32, B; 83-4 ((2)) (13) 1-30; 83-4 ((2)) (21) 1-5; 83-4 ((2)) (23) 1-30; 83-4 ((2)) (31) 1-32; 83-4 ((2)) (34) 1-30) previously approved for uses in a floodplain, pursuant to Section 2-904 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions. These conditions supersede those approved with SE 98-V-042 and SPA 82-V-093-5.

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with the application, as qualified by these development conditions.
3. A copy of this Special Exception Amendment and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

4. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled Special Exception Amendment Plat, Belle Haven Country Club and prepared by Burgess and Niple, which is dated February, 2002 as revised through September 24, 2002, and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.
5. The proposed development may occur in phases, however entrance improvements shall be constructed as or with the initial phase of development.
6. The applicant shall develop a wetland monitoring plan in coordination with the Virginia Institute of Marine Science and subject to the approval of DPWES. This plan shall be completed prior to site plan approval for the proposed entrance improvements. Water sampling shall occur, and shall be reported to the Virginia Institute of Marine Science, the Wetlands Board, the Northern Virginia Soil and Water Conservation District and DPWES, at least once annually and include testing for total suspended solids, total nitrogen, total phosphorus and acidity (pH). The sampling location shall be at the outfall from the pond between golf holes #12 and #18. If unsafe levels of any chemicals are discovered, appropriate corrective actions shall be promptly taken and monitoring shall continue weekly until safe levels, as defined in the Soil and Water Quality Conservation Plan (SWQCP) are established.
7. The applicant shall amend the existing integrated pest management and water quality monitoring program so as to develop and implement a more comprehensive Soil and Water Quality Conservation Plan (SWQCP) to limit chemical applications and to protect water quality in order to comply with the Chesapeake Bay Preservation Ordinance. This plan shall provide for annual review, and adjustments to management activities that demonstrate intent to reduce total chemical use over time. This plan shall be reviewed and approved by the Northern Virginia Soil and Water Conservation District of the Department of Extension and Continuing Education, the Department of Planning and Zoning (DPZ), and DPWES prior to site plan or rough grading approval, whichever occurs first, of the proposed entrance improvements. A copy of the pesticide management program and records of all chemical applications shall be kept on site at all times. Records shall be made available to county staff and the general public for viewing on demand.
8. Prior to site plan approval for the proposed entrance improvements, a Hold Harmless agreement in a form approved by the County Attorney shall be executed with the County for all adverse effects which may arise as a result of the location of facilities within a floodplain area.

9. The applicant shall comply with all applicable provisions of Chapter 118 of the Fairfax County Code, the Chesapeake Bay Preservation Ordinance, as determined by DPWES.
10. If deemed necessary by DPWES, a geotechnical report shall be submitted to DPWES for foundation design and earthwork engineering. Plans shall be implemented as required by DPWES.
11. The US Army Corps of Engineers shall be consulted prior to the approval of a grading plan to determine whether or not any action is required to ensure compliance with § 404 of the Clean Water Act. The applicant shall document such compliance to the satisfaction of DPWES.
12. All construction shall be in conformance with Section 3107.0 Flood-Resistant Construction of the Virginia Uniform Statewide Building Code (VUSBC 1977). A statement certifying all floodproofing proposed, and indicating its compliance with all County, State, and Federal requirements shall be provided with the Building Permit application. This certification shall be signed, sealed, and indicate the address of the certifying professional and it shall cover all structural, electrical, mechanical, plumbing, water and sanitary facilities connected with the use.
13. Erosion and sediment control measures shall be installed at all stages of construction. A "super silt fence" shall be installed along the lower clearing and grading limits for the site, as well as along all RPA boundaries, and shall remain for the duration of land disturbing activity or until it is determined by DPWES that the area is stabilized. The super silt fencing may be required at more than one location, but in no event will two parallel fences be required. If deemed necessary by DPWES, controls shall be designed to achieve greater erosion and sediment control than that achieved by the minimum design standards set forth in the Public Facilities Manual and the Virginia Erosion and Sediment Control Handbook.
14. Stormwater drainage shall be directed to ditches through the use of pipes, swales, or other devices, as determined by DPWES. Any fill area shall be stabilized, graded, or have drains installed such that normal rainfall will not flow over the filled area onto adjacent properties.
15. There shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 115.4 and 261.30 et seq., within the floodplain. Prior to issuance of a Non-Residential Use Permit (Non-RUP) for proposed entrance improvements, the existing underground fuel tanks shall be moved out of the floodplain/RPA.
16. The hours of operation of the country club and golf course shall be limited to 8:00 a.m. to 11:00 p.m., daily.

17. The total numbers of county club members shall be limited to 630.
18. Parking shall be provided as shown on the Special Exception Amendment Plat. No off-street parking shall be permitted on Fort Hunt Road or the adjacent side streets.
19. Landscaping shall be provided as shown on the Special Exception Amendment Plat. A landscape plan shall be submitted concurrent with site plan review and shall provide for numbers and sizes of trees and plantings consistent with that shown on the Special Exception Amendment Plat and shall be subject to review and approval of the Urban Forester. The row of trees existing along Fort Hunt Road shall be preserved, as reviewed and approved by the Urban Forester, except where removal is required for the proposed road access.

A double row of evergreen trees shall be provided along Fort Hunt Road between Huntington Avenue and Woodmont Road; this area shall be supplemented with shrubs, as determined by the Urban Forester. The requirement to plant a double row of evergreen trees may be modified by the Urban Forester in the event that the construction of the right-turn lane into the site on Fort Hunt Road does not permit a full double row.

Dead, dying or diseased trees and invasive plant material shall be removed along the site's Fort Hunt Road frontage, subject to VDOT approval for such removal in the right-of-way. For beautification purposes, additional shrubs, trees and grasses shall be replanted on the Club property and in the right-of-way between the Club's existing entrance and Belle Haven Road in areas deemed appropriate and as approved by the Urban Forester and VDOT in coordination with the Club's arborist.

20. Evergreen trees and other landscaping shall be maintained and replaced as necessary.
21. The limits of clearing and grading shall be strictly adhered to.
22. All trees shown to be preserved shall be protected by a tree protection fence. Tree protection fencing to consist of four foot high, orange plastic fence attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 6 feet apart shall be erected at the limits of clearing and grading as shown on the plat and phase I & II erosion and sediment control sheets for the trees located along Fort Hunt Road. All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fence, except super silt fence, shall be performed under the supervision of a certified arborist. Three days prior to the commencement of any clearing, grading, or demolition activities, the Urban Forestry Division shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed.

23. Lighting on the subject property shall utilize fully cut-off luminaries to ensure that light is not projected above the horizontal plane. Fully cut-off street lighting fixtures shall be provided to the maximum extent feasible as may be available through the applicable public utility company for the purpose of lighting the State rights-of-way. All parking lot lighting shall utilize fully cut-off fixtures. Uplighting for design elements such as signs, landscaping or architectural illumination shall not be permitted. Security lighting, such as "wall packs", lighting for pedestrian paths and other common areas, shall also be shielded and directed downward. The height of any parking lot lighting fixtures shall not exceed twenty (20) feet.
24. If a waiver of stormwater management/BMPs is not approved, stormwater management and BMP facilities shall be configured and constructed to the satisfaction of DPWES, and shall be located outside the limits of the RPA/Floodplain in a location that is in substantial conformance with the Special Exception Amendment Plat. If such facilities are not found to be in substantial conformance with the Special Exception Amendment Plat, an amendment to the Special Exception Amendment will be required.
25. Notwithstanding that which is shown on the Special Exception Amendment Plat, the southernmost entrance shall be gated and used only for emergency vehicles. The entrance located approximately 150 feet north of the southernmost entrance shall be closed.
26. Concurrent with proposed entrance improvements, a northbound right turn lane shall be constructed at the proposed Huntington Avenue entrance within the existing right-of-way, subject to VDOT approval.
27. Concurrent with the proposed entrance improvements, a four-foot wide asphalt trail shall be provided along the east side of Fort Hunt Road from Belle Haven Road to Huntington Avenue as follows: A four-foot wide asphalt trail will be provided with a two foot separation from the travel lane, except where substantial fill would be required, as determined by DPWES, in which case the existing shoulder can be used or the trail can abut the existing curb. In these areas where the existing shoulder would be used for the trail, the width of the travel lanes for Fort Hunt Road shall be reduced to 11 feet per lane, with the striping section for the whole roadway adjusted accordingly, and the existing shoulder will be converted to a four-foot wide asphalt trail, delineated with diamond shapes and border striping, and separated by two-foot painted shoulder and appropriate chevrons. Additional asphalt will be provided as required to achieve the above-described trail and roadway section. Approximately 600 feet of five-foot high, black vinyl coated chain link fence will be provided along the eastern edge of the trail at the higher roadway elevations between Edgehill Road and the Club entrance.

If neither of the above is approved by the Board of Supervisors, VDOT and/or DPWES as outlined above, then the trail requirement shall be waived provided the applicant

escrows, at the time of site plan approval for entrance improvements, the estimated cost, not to exceed \$180,000, of constructing the trail on the east side of Fort Hunt Road, as described above, for future trail improvements on Fort Hunt Road.

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 himself responsible for obtaining the required permits through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception Amendment. 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.

The Board also:

- **Modified the transitional screening and barrier requirements along the eastern, western, and southern lot lines**
- **Modified the trail requirement, as set forth in these development conditions.**
- **Waived frontage improvements on Fort Hunt Road in favor of that shown in the Special Exception Amendment Plat as qualified by these development conditions.**

If you have questions regarding the expiration of this Special Exception Amendment or filing a request for additional time they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns