



FAIRFAX
COUNTY

DEPARTMENT OF PLANNING AND ZONING

Zoning Evaluation Division
Special Permit and Variance Branch
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5510

V I R G I N I A

(703) 324-1280

Fax (703) 324-3924

August 21, 1998

Mark N. Stempler
8602 Otis Ct.
Vienna, Virginia 22180

Re: Special Permit Application SPA 73-P-068
Grace Orthodox Presbyterian Church

Dear Mr. Stempler:

At its August 18, 1998 meeting, the Board of Zoning Appeals took action to **APPROVE** the revised plat for the above-referenced application. The final approval date is August 18, 1998. A copy of the Resolution is attached.

This action does not constitute exemption from the various requirements of this County and State. The applicant is responsible for ascertaining if permits are required and for obtaining the necessary permits such as Building Permits, Residential Use Permits and Non-Residential Use Permits. Information concerning building permits may be obtained by calling 222-0801. The Resolution is enclosed.

Sincerely,

Regina Thorn
Regina Thorn, Clerk
Board of Zoning Appeals

Enclosure: As stated

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

GRACE ORTHODOX PRESBYTERIAN CHURCH, SPA 73-P-068 Appl. under Sect(s). 3-103 of the Zoning Ordinance to amend SP 73-P-068 for church and related facilities to permit building addition and increase in land area. Located at 2381 Cedar Ln. on approx. 2.48 ac. of land zoned R-1. Providence District. Tax Map 39-3 ((1)) 31 and a portion of South Park St. which has been vacated and/or abandoned. Ms. Gibb moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on August 4, 1998; and

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

1. The applicant is the owner of the land.
2. The present zoning is R-1.
3. The area of the lot is 2.48 acres.

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

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Sect(s). 3-103 of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

- * 1. This approval is granted to the applicant, Grace Orthodox Presbyterian Church, 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 is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by Bowman Consulting Group, dated November 24, 1997, as revised through August 10, 1998 and approved with this application, as qualified by these development conditions.
3. This Special Permit is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services. Any plan submitted pursuant to this special permit shall be in conformance with the approved Special Permit Amendment Plat and these development conditions.
- *4. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

5. All signs, existing and proposed, shall be in conformance with Article 12 of the Fairfax County Zoning Ordinance. Non-conforming signs shall be removed.
6. Church sanctuary seating shall be limited to a maximum of 200 seats.
7. A minimum of 50 parking spaces shall be provided and maintained. All parking shall be on site, as shown on the Special Permit Amendment Plat.
- *8. Transitional screening shall be modified in favor of that shown on the Special Permit Amendment Plat, except that a minimum of 20 feet of landscaped buffer shall be provided on the south boundary adjacent to residential uses, to the satisfaction of the Urban Forester. Parking configuration shall be redesigned along the south boundary to accommodate the 20 foot wide transitional screening buffer, to the satisfaction of DPW & ES.
9. Barrier requirements shall be waived for the perimeter of the site.
- *10. Right-of-way of forty-five (45) feet, as delineated on the SPA Plat, shall be dedicated to the Board of Supervisors, in fee simple, at time of site plan review or within sixty (60) days upon demand by Fairfax County, whichever is sooner.
11. Street entrances shall be designed and constructed to the satisfaction of the Department of Public Works and Environmental Services and VDOT.
12. Stormwater management for the application site shall be provided to the satisfaction of the Department of Public Works and Environmental Services. If a detention pond is provided, a childproof fence shall be provided around the pond, outside the stormwater management easement.
- *13. The area designated on the Special Permit Amendment Plat as "existing wooded area" shall be restricted in use to permanent open space. No structures or fences shall be added to the area. No clearing or grading shall be permitted in the area. Removal of dead or dying trees shall be permitted. The limits of clearing shall be no greater than depicted on the approved Special Permit Amendment Plat.
14. Prior to clearing and grading, the applicant shall walk the limits of clearing and grading with an Urban Forestry Branch representative. Minor adjustments and revisions to the limits of clearing and grading may be made to the satisfaction of the Urban Forester.
15. Notwithstanding any plat notes or drawings, any and all land disturbing or grade alteration activities shall be in compliance with all current applicable standards and requirements of the Public Facilities Manual, as determined by the Department of Public Works and Environmental Services.

These development conditions incorporate and supercede all previous conditions. This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be

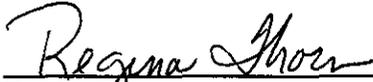
responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval* unless construction has commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional time 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 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.

Mr. Kelley seconded the motion which carried by a vote of 6-0-1. Mr. Pammel abstained from the vote.

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on August 18, 1998. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:



Regina Thorn
Board of Zoning Appeals



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August 12, 1998

Mark N. Stempler
8602 Otis Ct.
Vienna, Virginia 22180

Re: Special Permit Application SPA 73-P-068
Grace Orthodox Presbyterian Church

Dear Mr. Stempler:

At its August 4, 1998 meeting, the Board of Zoning Appeals took action to **APPROVE** the above-referenced application. The Board of Zoning Appeals requested that the applicant provide revised plats reflecting the change in transitional screening along the southern lot line within 30 days of the public hearing. The final approval date of the Resolution will be the date the Revised Plat is approved by the Board of Zoning Appeals.

Sincerely,

Regina Thorn, Clerk
Board of Zoning Appeals

Enclosure: As stated