

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

TRUSTEES OF THE LIGHTHOUSE BAPTIST CHURCH, SPA 2004-LE-053 Appl. under Sect(s). 3-203 of the Zoning Ordinance to amend SP 2004-LE-053 previously approved for church to permit the addition of a private school of general education (**THE REQUEST FOR A PRIVATE SCHOOL OF GENERAL EDUCATION WAS WITHDRAWN BY THE APPLICANT**), site modifications and building addition. Located at 5901 Wilton Rd., Alexandria, 22310, on approx. 2.0 ac. of land zoned R-2. Lee District. Tax Map 82-4 ((1)) 4C. (Admin. moved from 11/7/12 and 12/5/12 at appl. req.) (Deferred from 1/16/13 at appl. req.) (Admin. moved from 3/6/13 due to inclement weather.) (Decision deferred from 4/24/13) Mr. Smith 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 July 24, 2013; 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-2.
3. The area of the lot is two acres.
4. A lot of time was spent reviewing this at the public hearing.
5. Country staff has made a detailed staff report analyzing the different elements of this application and recommended approval even with the initially proposed private school of general education.
6. There have been concerns about transportation issues.
7. There was an analysis from the Department of Transportation on that, and they effectively did not have an objection as originally proposed.
8. The applicant has certainly listened to a lot of the community concerns and mitigated the impact by removing the private school of general education.
9. The parking is adequate on the site.
10. There will be no change in the number of seats, 150 seats.
11. The applicant has also presented a shared parking agreement with the Fairfax County School Board dated June 24, 2013, which is addressed in the development conditions not as a requirement.
12. The requirement is that all parking be provided on site, but that off-site parking may take place at the Wilton Woods Administrative Center if permitted by the County Public School System, which as of right now it is.
13. There is a termination provision on 30 days' notice.
14. There have been questions about stormwater, and there will be the addition of the infiltration trench and the additional required approvals associated with the site plan.
15. Many of the issues have been addressed and have been mitigated by the modification to the proposal.

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 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, Trustees of the Lighthouse Baptist Church, only and is not transferable without further action of this Board, and is for the location indicated on the application, 5901 Wilton Road (2.0 acres), and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit amendment plat prepared by CV, Inc. dated December 2011, revised and signed through February 14, 2013, and date stamped received, Department of Planning and Zoning, July 8, 2013, approved with this application, as qualified by these development conditions.
3. A copy of this special permit 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 use.
4. 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 (DPWES). Any plan submitted pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. There shall be a maximum of 150 seats in the sanctuary of the church.
6. Parking shall be provided on site as shown on the special permit amendment plat. All parking shall be on-site except that parking for the church may take place at the Wilton Woods Administrative Center if permitted by the Fairfax County public school system.
7. The limits of clearing and grading shall be no greater than as shown on the special permit amendment plat.

8. A Tree Preservation Plan and Narrative shall be submitted as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist and shall be subject to the review and approval of the Forest Conservation Branch, DPWES.
9. Stormwater Management (SWM) and Best Management Practices (BMPs) shall be provided as shown on the special permit amendment plat as approved by DPWES.
10. The transitional screening requirement shall be modified as shown on the special permit amendment plat and as outlined in Condition 11.
11. At the time of site plan review, a landscape plan shall be submitted to DPWES. The landscape plan shall be in conformance with the special permit amendment plat and shall be subject to review and approval by the Forest Conservation Branch. Regardless of that shown on the plat, supplemental landscaping shall be installed to meet transitional screening and tree cover requirements as determined necessary by the Forest Conservation Branch.
12. Foundation plantings shall be installed and maintained around the existing church and proposed classroom building to soften and screen the visual impact of the buildings.
13. The barrier requirement shall be waived and modified as shown on the special permit amendment plat.
14. Any new lighting, or replacement lighting installed on the subject property shall be provided in accordance with the Performance Standards contained in Part 9 of Article 14 of the Zoning Ordinance.
15. All signs on the subject property shall be provided in accordance with Article 12 of the Zoning Ordinance.
16. The exterior appearance of the classroom building shall include a brick façade and be in substantial conformance with the illustration as depicted in an Attachment 1 to these 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.

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 pursued. 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

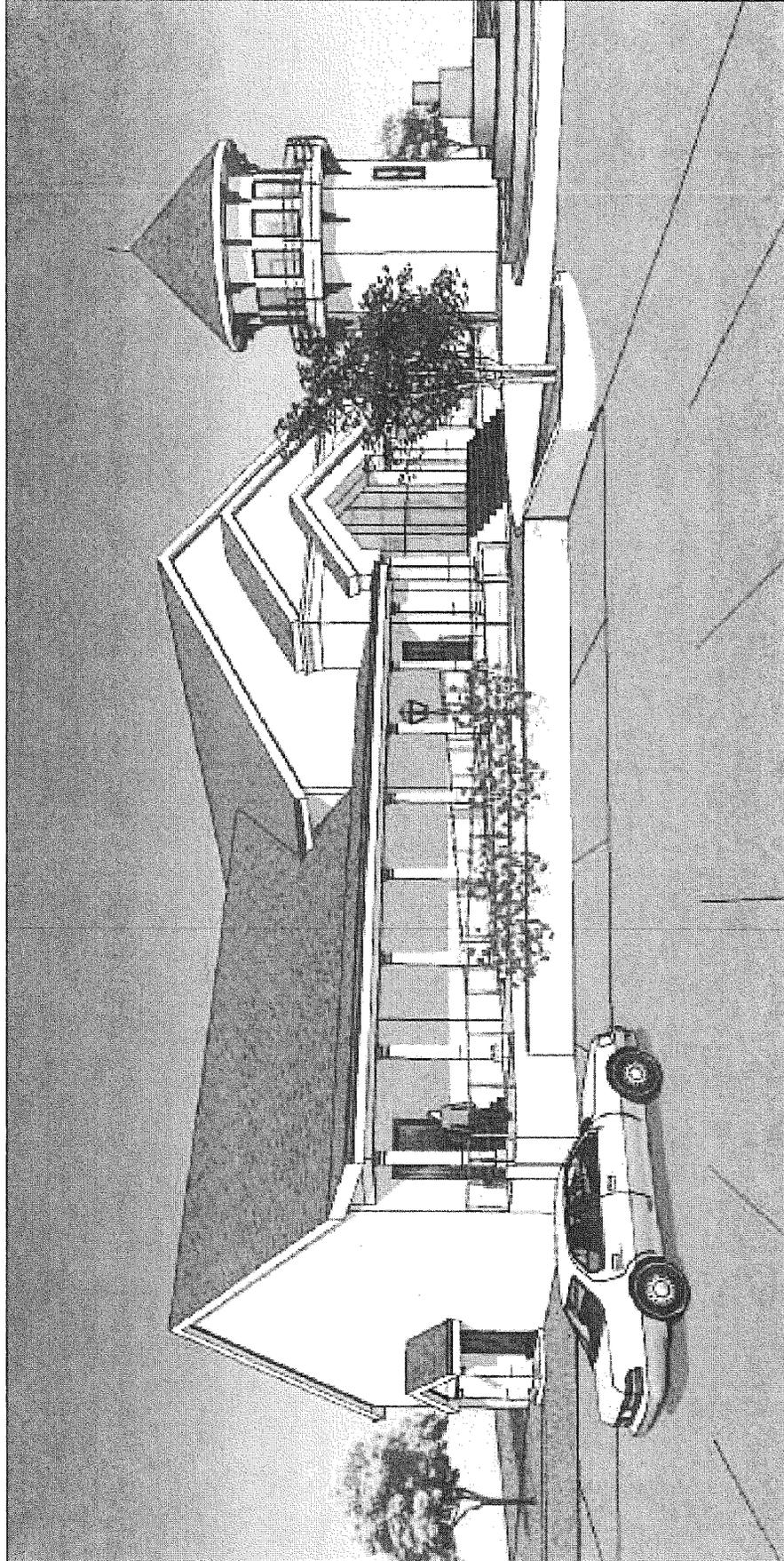
must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Hart seconded the motion, which carried by a vote of 5-0. Ms. Gibb and Mr. Hammack were absent from the meeting.

A Copy Teste:



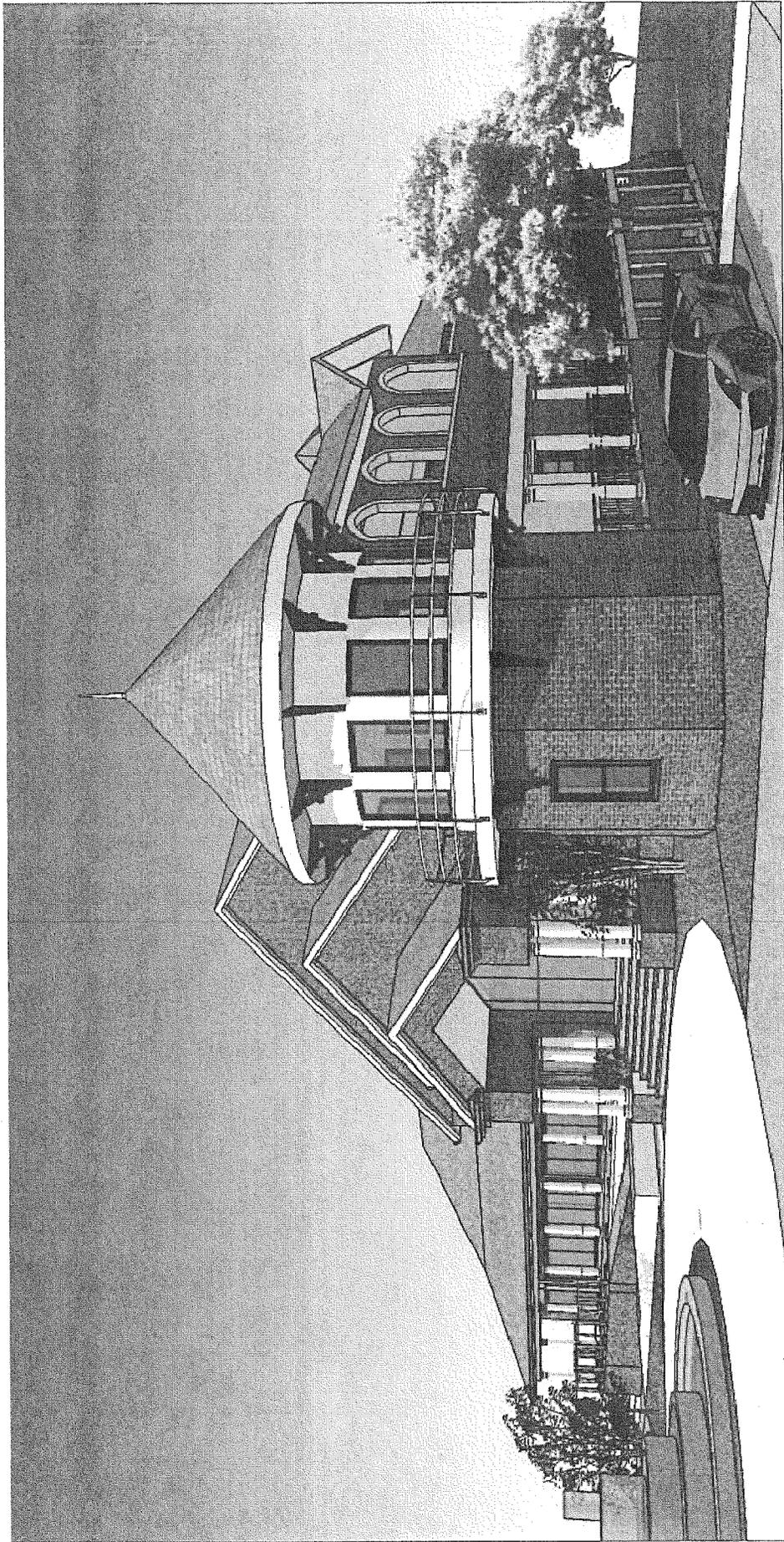
Kathleen A. Knoth
Clerk to the Board of Zoning Appeals



LIGHTHOUSE BAPTIST CHURCH
WILTON RD. COR., FRANCONIA RD.,
FAIRFAX, VIRGINIA

jsm
Tel. Nos.

ARCHITECTS
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