



APPLICATION ACCEPTED: October 24, 2013
BOARD OF ZONING APPEALS: May 21, 2014*
*Moved at the applicant's request, deferred for notices
TIME: 9:00 a.m.

County of Fairfax, Virginia

May 14, 2014

STAFF REPORT

**SPECIAL PERMIT SP 2013-PR-091
CONCURRENT WITH VARIANCE VC 2014-PR-001**

PROVIDENCE DISTRICT

APPLICANTS & OWNERS: Trustees of Flint Hill Cemetery Association

SUBDIVISION: Providence

STREET ADDRESS: 2845 Chain Bridge Road, Vienna, 22181

TAX MAP REFERENCE: 47-2 ((01)) 121B, 118 and 126B

LOT SIZE: 4.46 acres

ZONING DISTRICT: R-2

ZONING ORDINANCE PROVISIONS: 3-203 & 18-401

SP PROPOSAL: To permit an existing cemetery to add land area and columbarium.

VC PROPOSAL: To permit burial of human remains up to 10 ft. from lot line, and up to 3 ft. from the side lot line.

STAFF RECOMMENDATION: Staff recommends approval of SP 2013-PR-091 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. A copy of the BZA's Resolution setting forth this decision will be mailed within five 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.**



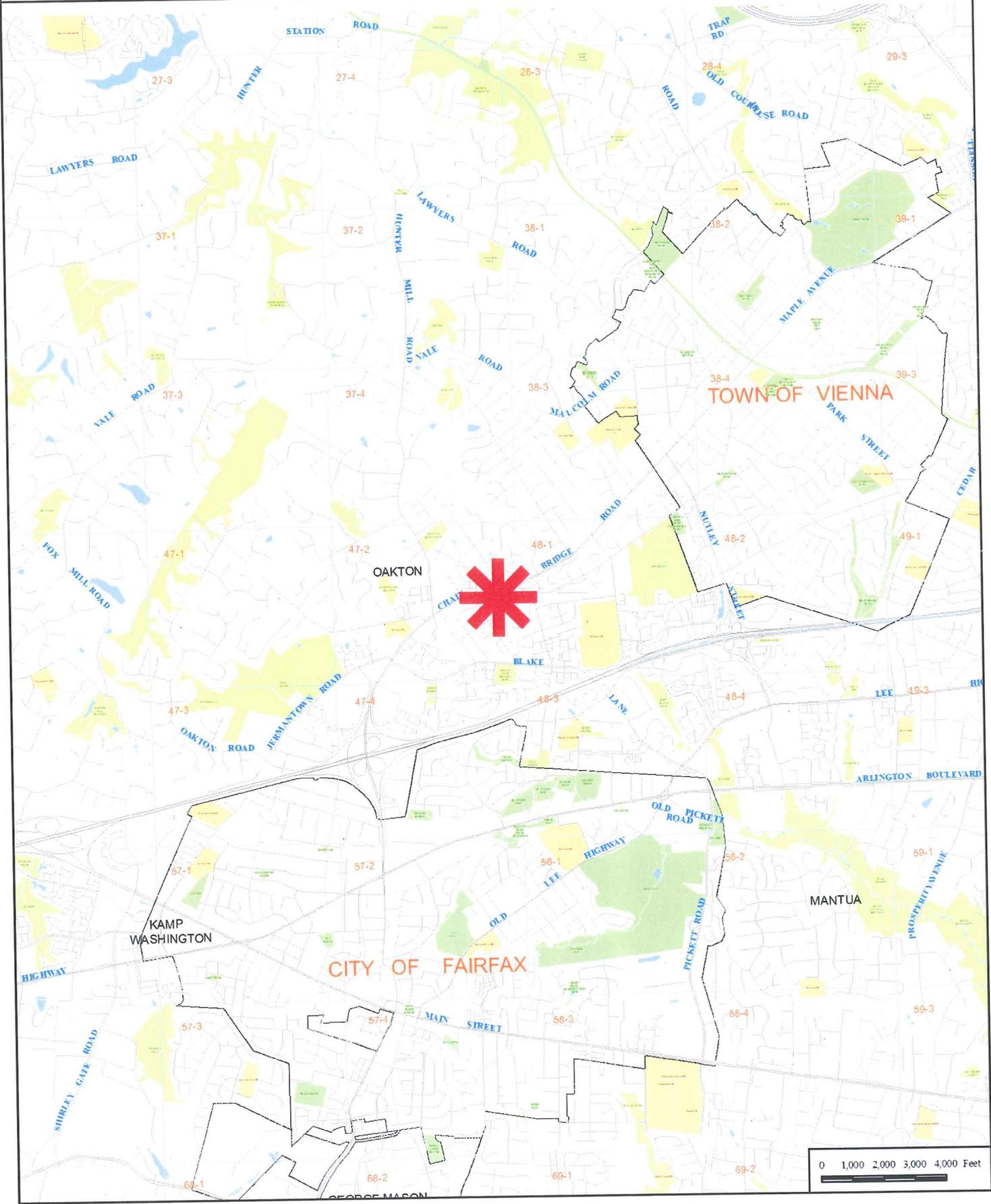
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit SP 2013-PR-091

TRUSTEES OF FLINT HILL CEMETERY ASSOCIATION

Variance Application VC 2014-PR-001

TRUSTEES OF FLINT HILL CEMETERY ASSOCIATION

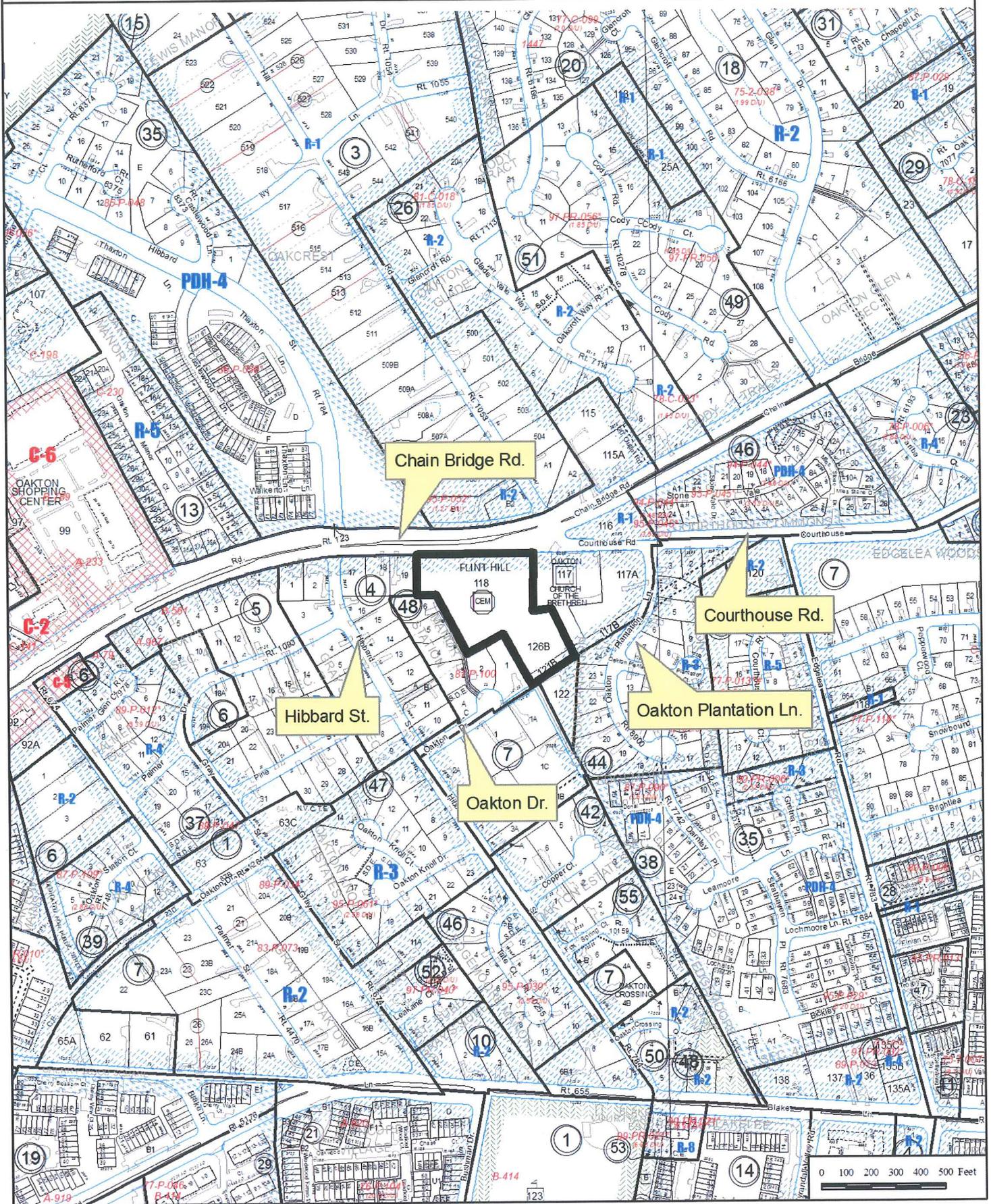


Special Permit SP 2013-PR-091

TRUSTEES OF FLINT HILL CEMETERY ASSOCIATION

Variance Application VC 2014-PR-001

TRUSTEES OF FLINT HILL CEMETERY ASSOCIATION



425



#76



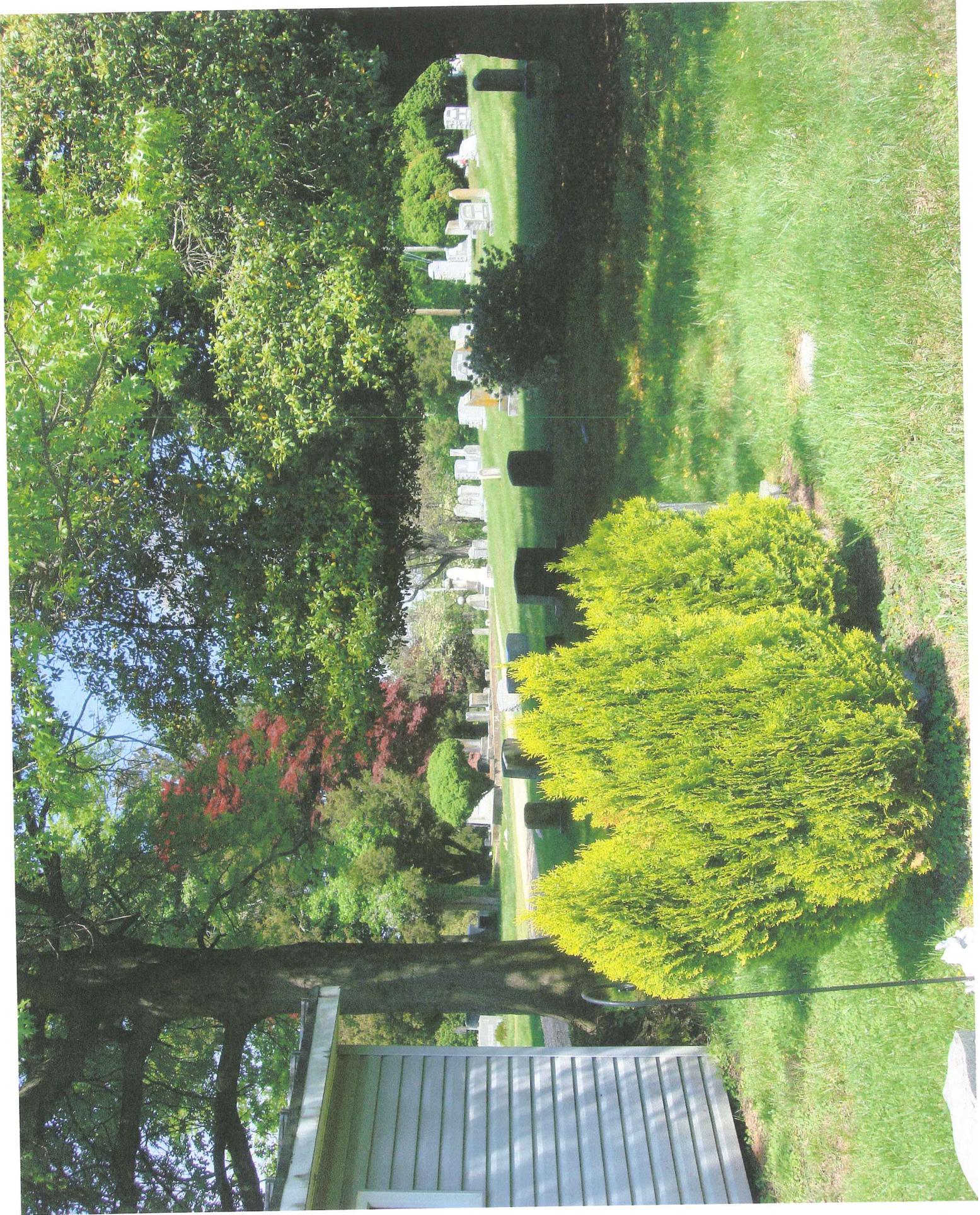
#31



#74



473





PL: #

127#



#67



#61



858



DEVELOPED HUSBAND
JAMES T. BRADLEY, JR.
APRIL 24, 1935
APRIL 27, 1992

The Honorable
WILLIAM G. HYLAND
JANUARY 18, 1929
MARCH 25, 2008

HELEN E.
DIED
AUGUST 19, 2008

JACK
JOHN ALBERT
KOLBUSH
NOVEMBER 7, 2000
MARCH 3, 2006

LANKFORD
BENJAMIN W. JR.
MAY 13, 1924
EUGENIE W.
JAN 14, 1925
OCT 28, 2000

MARY MCCLANE
SCADRON
MARCH 1, 1915
MAY 26, 1995

LEEDY
DONALD V.
DEC 15, 1922
APR 15, 1995

DIGGS

BRADLEY

BRADLEY

BRADLEY

BRADLEY

BRADLEY

BRADLEY

BRADLEY

DAVID
LE
JUNE

ND V.
D
31, 1995

#53



15#



#39



#36



#35





#16

11 #



87#



#3





B2#

SPECIAL PERMIT REQUEST

The applicant requests an amendment to their previously approved special permit to add land area to an existing cemetery and to build a new columbarium.

VARIANCE REQUEST

The applicant requests a variance from the standards for all Group 2 Special Permit Uses that require all burial sites to be located no closer than 50 feet to any street line. The applicant shows burial sites to be located ten feet from the southern lot line, which was determined to be a street line; therefore a variance of 40 feet is requested. The applicant also requests a variance from the standards for all Group 2 Special Permits to allow burial sites no closer than three feet from the side lot line. The standards for all Group 2 Special Permits require setbacks equal to the side yard requirement in accordance with the bulk standards for the underlying zoning district, which is 15 feet; therefore a variance of 12 feet is requested.

A copy of the special permit/variance plat titled "Flint Hill Cemetery, Special Permit Amendment and Variance Plat" prepared by Christopher Consultants, dated August 28, 2013 as revised though March 26, 2014 (sealed April 16, 2014) is included at the front of the staff report.

CHARACTER OF THE SITE AND SURROUNDING AREA

The Flint Hill Cemetery is located on the south side of Chain Bridge Road, west of Courthouse Road. The Church of the Brethren is located to the east of the subject property. Residentially zoned single family dwellings are located to the north, south and west. The cemetery has been in existence since approximately 1850; it is believed that 2,700 remains are located on site, with programed space for 300 more burial sites. The site contains an existing 10 foot x 20 foot shed, an entrance monument sign and a World War II monument sign. Internal gravel access roads exist throughout the cemetery. A number of mature trees are located throughout the property, as shown on the aerial photograph below and on the special permit plat.



BACKGROUND

The cemetery was established in approximately 1850. In 1954, the Board of Zoning Appeals (BZA) approved SP 5894 to allow expansion of the cemetery by 1.5 acres in an area southwest of the adjacent church. A copy of the approved special permit is included as Appendix 6. Flint Hill Cemetery Association has owned and operated the cemetery since 1975.

On November 18, 1994, the Flint Hill Cemetery Association submitted a request for a determination by the Zoning Administrator regarding a land swap with an adjacent land owner who was submitting a subdivision for approval to develop residential lots, exchanging a portion of the cemetery's lot 121B to be used for the subdivision, for a small strip of land that had been a portion of lot 126, (now identified as lot 126B on the tax map records) to be used for the cemetery. Lot 121B had previously been acquired by the Flint Hill Cemetery Association on September 12, 1980, and tax map records indicate that the parcel was an outlot constituting a portion of the Arlington/Fairfax railroad right-of-way that is now abandoned. In a response letter dated December 15, 1994, from Mr. Robert J. Bosco, Assistant to the Zoning Administrator, it was determined that the proposed subdivision and land swap could be permitted provided that the cemetery interment area remains within the limits established by the approval of Special Permit SP 5894, and that an amendment to the special permit would be required to allow burials within the outlot. The determination that an amendment to the special permit was required was reiterated by letter dated July 14, 1998. A copy of the correspondence regarding the cemetery is included in Appendix 6.

DESCRIPTION OF THE SPECIAL PERMIT REQUEST

The applicant requests an amendment to their special permit to add land area to accommodate future burials, and to construct a columbarium over an existing internal driveway approximately 52.3 feet from the western lot line. The columbarium structure is proposed to be 4.0 feet in height and constructed with stone and a masonry base. An alternate site for locating the columbarium is shown as Area A on the special permit plat, which may be used if final engineering determines that the alternate location will result in lowering the effective height of the columbarium.

The cemetery is currently approved over the area that constitutes lot 118 on the Tax Map. The applicant requests expansion of the cemetery onto lots 126B and 121B to accommodate approximately 85 new full body burials. Burial sites are proposed to be located as close as 10 feet to the southern lot line of lot 121B, which is designated a street yard. Burial sites are also shown to be no closer than three feet to the western property line of lot 126B. The changes to the cemetery are proposed to be done in two phases; with the expansion of the cemetery to be done in the first phase, followed by the construction of the columbarium. However, both phases may be accomplished concurrently if funding permits.

The cemetery is open daily during daylight hours and experiences approximately 10 to 15 visitors on an average day. Memorial services are generally held between 8:30 a.m. and 6:00 p.m. Attendance at memorial services can range from a small group up to 200 people. There are no parking facilities; however parking for memorial services

occurs on the internal driveways or in the parking lot of the adjacent Oakton Church of the Brethren.

DESCRIPTION OF VARIANCE REQUEST

Var. 2, Sect. 8-203: Modification of the bulk regulations of the zoning district in which located, but in no instance shall an interment in any facility for the disposal of the dead be made within fifty (50) feet of a street line.

The applicant requests a variance from the Standards for all Group 2 Uses to permit the burial of human remains as close as 10 feet from the southern lot line, which the Zoning Administrator has determined to be a street line, and to permit the burial of human remains up to 3 feet from the side lot line. The applicant indicates that meeting the required setback is a hardship to the cemetery since the cemetery is historic and remaining land area is limited. The required setback from a street line is 50 feet, and the required side yard setback for the western property line is 15 feet. The applicant states that the two remaining expansion areas are narrow, being only 40 feet and 12 feet wide respectively, so that strict application of the Ordinance would result in the inability to use the parcels at all. The full statement of justification offered by the applicant is included in Appendix 5.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Upper Potomac Planning District; Area III
Planning Sector: Reston Community Planning Sector (UP4)
Plan Map: Residential Planned Community

ANALYSIS

Historic Preservation Analysis (Appendix 7)

The subject property is documented as the Flint Hill Cemetery in the *Cemeteries of Fairfax County, Virginia, a report to the Board of Supervisors*, by Brian Conley, 1994. Mr. Conley's recordation indicates that the cemetery was established in 1853, and the Flint Hill Cemetery Association was formed in 1875 to administer the cemetery and maintain burial records.

A civil war interpretive sign is posted at the northeast pedestrian entrance to the cemetery, and the cemetery is included in the Virginia Civil War Trails program. At least 26 Civil War soldiers are buried at Flint Hill, including four of the Confederate John S. Mosby's Partisan Rangers. The property appears to meet the criteria of eligibility for listing in the County's Inventory of Historic Sites.

Heritage Resource Staff comments identified concerns that placing the proposed columbarium along and adjacent to the historic grave markers might impact the character of the cemetery and disrupt the viewshed, since traditionally, columbaria by nature and design appear as massive and heavy memorial structures. The staff comments originally recommended that the applicant consider placement of the columbarium at the rear of the property on lot 121B.

In response to these concerns, the applicant indicated that placing the columbarium at the rear of the property would exacerbate the need for approval of a variance by placing substantial structures in addition to gravesites within a setback from a street line.

Working in conjunction with Heritage Resource staff, the applicant proposed elevations for the columbarium that reduced the scale of the structures. An illustrative design was submitted showing how the columbarium would be aligned with existing grave markers along with the height relationship between the markers and the new structure. In staff's evaluation, the design is simple with the use of three material types and colors that are appropriate to the cultural landscape. The proposed development conditions incorporate these elevations to ensure that the historic character of the viewshed is preserved to the maximum extent possible.

Staff also recommends that the height and scale of the columbarium could be further reduced if alternative grading and drainage for the site are investigated. A development condition is included that would allow for minor adjustments to the location and limits of clearing and grading at the time of site plan review for the area of the gravel road where the columbarium will be placed, for the purpose of reducing the overall height and mass of the structures. The adjustment would be subject to the review and approval of the Department of Public Works and Environmental Services and Heritage Resource staff. With the adoption of the proposed development conditions, all issues pertaining to heritage resources will be met.

Finally, staff suggests that the Flint Hill Cemetery Association, as the longstanding stewards of the interment facility, consider nominating the Flint Hill Cemetery to the Fairfax County Inventory of Historic Sites. Staff notes that if found eligible, this honorific listing would officially recognize the importance of the historic cemetery in the Comprehensive Plan.

Urban Forestry Analysis (Appendix 8)

The site is required to provide tree canopy in accordance with the Tree Conservation Ordinance, which for uses in the R-2 district amounts to 30% of the site. The applicant has depicted areas within the site designated to be preserved as shown on the special permit plat. Tree preservation resulting in tree canopy coverage of 11.15% is proposed, and a modification of the tree canopy coverage requirements is requested to reduce the requirement from 30% to 10%. The applicant states that the existing cemetery use is of a similar nature to that of dedicated public schools, playing fields, other non-wooded active recreation areas and other facilities and uses of a similar nature. Staff believes that with the preservation of the trees shown on the special permit plat, the modification request is justified.

Transportation Analysis (Appendix 9)

A review by the Fairfax County Department of Transportation and the Virginia Department of Transportation determined that there is no change to the existing access points for the cemetery and no significant increase in traffic due to the proposed amendments.

Storm Water Analysis (Appendix 10)

The analysis of storm water impacts of the proposed addition of the columbarium showed that although the area of construction proposed for the columbarium is less than 2,500 square feet in area, which is less than the exemption threshold to meet stormwater quality requirements, a work zone perimeter of 10 feet must be factored in to accurately depict the limits of disturbance. With the addition of the 10 foot work zone perimeter, the limits of disturbance exceed 2,500 square feet, and the applicant must provide water quality controls as well as erosion and sedimentation control measures.

In response to these comments, the applicant has incorporated the 10 foot wide work zone around the perimeter of the proposed columbarium, and has provided a stormwater information sheet on Sheet 5 of the special permit plat. Preliminary facility details are provided on Sheet 6 of the plat to demonstrate compliance with stormwater management and best management practices (BMPs). The applicant has requested a waiver of the stormwater detention and BMP requirements, stating that the proposed construction will not generate any appreciable impervious surface or additional runoff and will not result in concentrated flows from the site.

The stormwater management review noted that there are no significant downstream drainage complaints on file, however, adjacent property owners have complained to zoning staff regarding storm water accumulation on Oakton Drive. The review suggests that care be taken to assure that any site discharge will not result in exacerbating any existing conditions.

In response to this comment, the applicant states that the pipestem driveways and adjacent areas offsite where drainage backup occurs in the street have unnecessary low points that do not have an opportunity to drain, causing the flooding concerns noted. The applicant goes on to state that the site is generally composed of managed turf areas with some manicured landscaping and gravel driveways. The proposed construction of the columbarium would not change the general character or the land coverage of the cemetery and, therefore, also proposes no adverse impacts to the downstream properties.

It is staff's position that the proposed development is subject to the stormwater management requirements of the Public Facilities Manual, and may also be subject to the requirements of the new stormwater ordinance. As such, this issue will be addressed at the time of site plan review.

ZONING ORDINANCE PROVISIONS

STANDARD	REQUIRED	PROVIDED
Transitional Screening		
North (Residential)	TS 1(unbroken open space, 25 feet in width, planted with mixed evergreens)	Existing vegetation as shown.

STANDARD	REQUIRED	PROVIDED
Transitional Screening		
South (Residential)	TS 1 (unbroken open space, 25 feet in width, planted with mixed evergreens)	Existing vegetation as shown on plat
East (Residential)	TS 1	Existing vegetation as shown on plat
West (Residential)	TS 1	Existing vegetation as shown on plat
Barrier		
North (Residential)	TA 1	None
South (Residential)	D, E or F	Proposed 6 foot board on board fence
East (Place of Worship)	TS 1	None
West (Residential)	D, E or F	Existing stockade fencing

Modification to Transitional Screening and Barriers

Transitional Screening Type 1 and Barrier D, E or F are required along all property lines, and specifically the western and southern property lines where the expansion of the cemetery is proposed. The transitional screening requirement is an unbroken strip of open space 25 feet in width planted with mixed evergreens. A barrier is also required along the expansion areas. The applicant requests a modification to the transitional screening requirements to allow existing vegetation to remain along the southern property line, supplemented with five evergreen trees in combination with a 6 foot high wood stockade fence. The applicant states that they have coordinated the proposed modification with the adjacent neighbor and the barrier fence will be located to avoid damage to existing mature trees. A waiver of the transitional screening requirements is requested along the western property line in favor of the existing wooden fence located on the adjacent property. The applicant states that the waiver of the transitional screening requirements is necessary due to the narrow width of the expansion areas, rendering them unusable without the modification and waiver.

A waiver of the transitional screening and barrier requirements is requested along all other property lines in favor of the existing vegetation. Staff believes that the requested modifications and waiver are warranted since the cemetery is a longstanding historic site that provides for viewsheds that are supported by the existing vegetation on the site.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit and Variance Requirements (See Appendix 11)

- General Special Permit Standards (Sect. 8-006)
- Group 2 Standards (Sect. 8-203)

- Additional Standards for Internment Uses (Sect. 8-204)
- Variance Standards (Sect 18-404)

Summary of Zoning Ordinance Provisions

If it is the intention of the Board of Zoning Appeals to approve the requested variance in accordance with the standards outlined in Section 18-404 of the Zoning Ordinance, all applicable standards for SP 2013-PR-091 and VC 2014-PR-001 will be satisfied with the adoption of the proposed development conditions.

CONCLUSIONS

The applicant has worked closely with staff to develop a proposed columbarium design that minimizes visual impacts within the existing cemetery. The proposed columbarium has been reduced in height in order to preserve the existing view sheds, which are considered culturally significant. Staff believes the request for the special permit provides for the remaining growth needs of the cemetery while minimizing any impacts to the cultural landscape and viewshed of the cemetery.

RECOMMENDATIONS

Staff recommends approval of SP 2013-PR-091 subject to the Proposed Development Conditions contained in Appendix 1.

If it is the intention of the Board of Zoning Appeals to approve Variance VC 2014-PR-001, staff recommends that such approval be subject to the Proposed Development Conditions contained in Appendix 2.

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.

APPENDICES

1. Proposed Special Permit Development Conditions
2. Proposed Variance Development Conditions
3. Applicant's Affidavits
4. Applicant's Statement of Justification for Special Permit
5. Applicants Statement of Justification for Variance
6. Special Permit 5894 and Interpretations
7. Land Use and Environment Analysis
8. Urban Forestry Analysis
9. Transportation Analysis

10. Stormwater Management Analysis

11. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

May 14, 2014

SP 2013-PR-091

If it is the intent of the Board of Zoning Appeals to approve SP 2013-PR-091 located at Tax Map 47-2 ((01)) 118, 121B & 126B for a cemetery, pursuant to Section 8-201 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Trustees of Flint Hill Cemetery, and is for the location indicated on the application, 2845 Chain Bridge Road (4.47 acres), 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 Christopher Consultants, dated August 28, 2013 as revised through March 28, 2014 (sealed April 16, 2014) and approved with this application, as qualified by these development conditions. The granting of this approval shall include existing features such as benches, decorative walls or statuary. Installation of subsequent features may be approved by the Zoning Administrator provided that such feature does not conflict with any of the adopted development conditions or the provisions of the Zoning Ordinance.
3. 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 department of the County of Fairfax during the hours of operation of the permitted use.
4. Hours of operation shall be limited to daylight hours, seven days a week.
5. Parking shall be limited to the gravel driveways shown on the plat. No parking shall be allowed off-site except through shared parking through prior agreement with the adjacent church.
6. The area where the columbarium shall be located is shown on the SP plat and identified as Limits of Disturbance and Area A. The overall dimensions of the columbarium shall not exceed those shown on the SP plat: 192 feet X 5 feet and the number of free-standing sections shall not exceed four. The location of the columbarium structure may be adjusted at the time of site plan to include a location within Area A subject to the review and approval of the Department of Public Works and Environmental Services (DPWES) and the Heritage Resource staff of the Department of Planning and Zoning. Adjustment of the columbarium location shall be to allow flexibility for

placement of the structure along the existing gravel drive, thereby minimizing disturbance to adjacent vegetation, and to the cultural landscape by reducing the effective height of the structure. The relocation shall also optimize the siting among the existing grave stones by allowing up to four free-standing sections and to provide for drainage options given the driveway's existing change in slope.

7. Tree planting and landscaping shall be provided and maintained as shown on the special permit plat, however, tree canopy shall not less be than 10% of the overall site area.
8. Permanent stockpiling of dirt is not permitted. All excess dirt shall be removed from individual gravesites within 14 days of interment.
9. The burial of human remains shall be permitted as shown on the special permit plat.
10. Burials of human remains shall not be closer than three feet to the southwestern side lot line of Lot 126B, and 10 feet from the southern lot line, as shown on the special permit plat.
11. The columbarium shall be consistent with the architectural renderings in Attachment 1, however, the final design of the columbarium may be modified subject to the review and approval of the Heritage Resource staff of the Department of Planning and Zoning, so long as the height is not exceeded, the materials are generally consistent and the placement of the columbarium is within the limits of disturbance shown on the special permit plat, as qualified by Condition 6.

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, sixty (60) months after the date of approval unless construction has commenced and been diligently pursued. Establishment of Phase One shall establish the use as approved pursuant to this special permit. 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.

PROPOSED DEVELOPMENT CONDITIONS

VC 2014-PR-001

May 14, 2014

1. This variance is approved for a variance of the setback along the southern and western lot lines for the burial of human remains as shown on the plat prepared by Christopher Consultants, dated August 28, 2013 as revised though March 28, 2014, (sealed April 16, 2014) as submitted with this application and is not transferable to other land.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards including requirements for building permits.

SP 2013-PR-091

Application No.(s): _____
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 14, 2013
 (enter date affidavit is notarized)

I, David G. Farmer, Trustee, 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

122356

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 BOLD above)
Trustees of Flint Hill Cemetery Cemetery Association	2845 Chain Bridge Rd., Vienna, VA 22181	Applicant/Title Owner of Tax Map Nos. 047-2-((1)) parcels 121B, 118, 126B.
David G. Farmer	5811 Brunswick Street, Springfield, VA 22150	Trustee, President
Stephen D. Lisse	8602 Cherry Drive., Fairfax, VA 22031	Trustee, Vice President
Anne G. Stuntz	2596 Chain Bridge Road, Vienna, VA 22181	Trustee, Secretary & Treasurer
M. Jane Seeman	600 Blackstone Terrace, NW, Vienna, VA 22180	Trustee
Marilyn L. Aceto	117 Cherry Circle, SW, Vienna, VA 22180	Trustee
James G. Lewis, Jr.	1911 Buckthorn Lane, Reston, VA 20191	Trustee
Ann E. Rinker	10090 Oakton Terrace Road, Oakton, VA 22124	Trustee
David G. Farmer, Trustee	5811 Brunswick Street, Springfield, VA 22150	Agent

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

Page 1 of 1

Special Permit/Variance Attachment to Par. 1(a)

DATE: September 14, 2013
(enter date affidavit is notarized)

122356

(NOTE: All relationships to the application are to 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 BOLD above)
Jane Kelsey & Associates, Inc. Jane Kelsey, Agent	4041 Autumn Court, Fairfax, VA 22030	Agent/Advisor for Applicant
Christopher Consultants, Ltd. Brenda Barger, Agent	9900 Main Street, Ste. 400, Fairfax, VA 22031	Agent/Engineer for Applicant
LeMay Erickson Willcox Architects, pc William N. Roseberry, Agent	1250 Roger Bacon Drive, Ste. 16, Reston, VA 20190	Agent/Architect for Applicant

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Special Permit/Variance Attachment to Par. 1(a)" form.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 14, 2013
(enter date affidavit is notarized)

122356

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)

Jane Kelsey & Associates, Inc
4041 Autumn Court
Fairfax, VA 22030

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)

Jane Kelsey

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

Page 1 of 1

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

DATE: September 14, 2013
(enter date affidavit is notarized)

122356

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

Christopher Consultants, Ltd.
9900 Autumn Court
Fairfax, VA 22031

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)

Christopher W. Brown	Jeffrey S. Smith
William R. Goldsmith, Jr.	Ruth R. Field
Louis Canonico	
William R. Zink	
Michael S. Kitchen	

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

LeMay Erickson Willcox Architects, pc
1250 Roger Bacon Drive, Ste. 16
Reston, VA 20190

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)

Paul R. Erickson
Jared D. Willcox
William N. Roseberry

(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 Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 14, 2013
(enter date affidavit is notarized)

122356

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)

(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**)

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 14, 2013
(enter date affidavit is notarized)

122356

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 14, 2013
(enter date affidavit is notarized)

122356

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: David G Farmer, Trustee
(check one) [] Applicant [x] Applicant's Authorized Agent

David G. Farmer, Trustee
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 14th day of September 2013, in the State/Comm. of VA, County/City of Fairfax.

John Nguyen
Notary Public

My commission expires: 07/31/2017



John Nguyen
Notary Public
Commonwealth of Virginia
ID #756688
My Commission Expires
July 31, 2017

Application No.(s): VC 2014-PR-001
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 14, 2013 122357
 (enter date affidavit is notarized)

I, David G. Farmer, Trustee, 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

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 BOLD above)
Trustees of Flint Hill Cemetery Cemetery Association	2845 Chain Bridge Rd., Vienna, VA 22181	Applicant/Title Owner of Tax Map Nos. 047-2-((1)) parcels 121B, 118, 126B.
David G. Farmer	5811 Brunswick Street, Springfield, VA 22150	Trustee, President
Stephen D. Lisse	8602 Cherry Drive., Fairfax, VA 22031	Trustee, Vice President
Anne G. Stuntz	2596 Chain Bridge Road, Vienna, VA 22181	Trustee, Secretary & Treasurer
M. Jane Seeman	600 Blackstone Terrace, NW, Vienna, VA 22180	Trustee
Marilyn L. Aceto	117 Cherry Circle, SW, Vienna, VA 22180	Trustee
James G. Lewis, Jr.	1911 Buckthorn Lane, Reston, VA 20191	Trustee
Ann E. Rinker	10090 Oakton Terrace Road, Oakton, VA 22124	Trustee
David G. Farmer, Trustee	5811 Brunswick Street, Springfield, VA 22150	Agent

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

Page 1 of 1

Special Permit/Variance Attachment to Par. 1(a)

DATE: September 14, 2013
(enter date affidavit is notarized)

122357

(NOTE: All relationships to the application are to 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 BOLD above)
Jane Kelsey & Associates, Inc. Jane Kelsey, Agent	4041 Autumn Court, Fairfax, VA 22030	Agent/Advisor for Applicant
Christopher Consultants, Ltd. Brenda Barger, Agent	9900 Main Street, Ste. 400, Fairfax, VA 22031	Agent/Engineer for Applicant
LeMay Erickson Willcox Architects, pc William N. Roseberry, Agent	1250 Roger Bacon Drive, Ste. 16, Reston, VA 20190	Agent/Architect for Applicant

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Special Permit/Variance Attachment to Par. 1(a)" form.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 14, 2013
(enter date affidavit is notarized)

122357

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)

Jane Kelsey & Associates, Inc
4041 Autumn Court
Fairfax, VA 22030

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)

Jane Kelsey

(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): _____
(county-assigned application number(s), to be entered by County Staff) Page 1 of 1

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

DATE: September 14, 2013
(enter date affidavit is notarized)

122357

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

Christopher Consultants, Ltd.
9900 Autumn Court
Fairfax, VA 22031

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)

Christopher W. Brown	Jeffrey S. Smith
William R. Goldsmith, Jr.	Ruth R. Field
Louis Canonico	
William R. Zink	
Michael S. Kitchen	

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

LeMay Erickson Willcox Architects, pc
1250 Roger Bacon Drive, Ste. 16
Reston, VA 20190

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)

Paul R. Erickson
Jared D. Willcox
William N. Roseberry

(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 Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 14, 2013
(enter date affidavit is notarized)

122357

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)

(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**)

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 14, 2013
(enter date affidavit is notarized)

122357

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 14, 2013
(enter date affidavit is notarized)

122357

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:

David G Farmer, Trustee

(check one)

[] Applicant

[x] Applicant's Authorized Agent

David G. Farmer, Trustee

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 14th day of September 20 13, in the State/Comm. of VA, County/City of Fairfax.

John Nguyen
Notary Public

My commission expires: 07/31/2017



John Nguyen
Notary Public
Commonwealth of Virginia
ID #7659668
My Commission Expires
July 31, 2017

**Flint Hill Cemetery Association
Special Permit Amendment Application
SP 2013-PR-091
Statement of Justification to
Add Land Area and Allow Columbaria within the Existing Cemetery
May 9, 2014**

The Flint Hill Cemetery Association (FHCA), owner of the cemetery property described in Fairfax County Records as Tax Map Parcels 0472 01 0118, 0472 01 121B and 0472 01 126B, requests a special permit amendment (SPA) to allow: the addition of land area for the burial of human remains on Parcels 0472 01 121B and 0472 01 126B as well as placement of columbaria on Parcel 0472 01 0118.

The FHCA is a nonprofit association that has owned and operated Flint Hill Cemetery in Oakton, Virginia, since its official organization in 1875, although burials occurred as early as 1852.

We respectfully request the amendment of Special Permit SP 5894 approved by the Board of Zoning Appeals (BZA) on December 14, 1954, to ensure the ability of FHCA to continue to maintain the existing cemetery by allowing future burials within. Since the primary source of operating funds is from the sale of burial space, rejection of this SPA request jeopardizes the continued operation and maintenance of the cemetery. The Special Permit amendment (the first request) is required to allow burial of human remains on Parcels 0472 01 121B and 0472 01 126B, which were acquired by the FHCA after the issuance of SP 5894.

The second request is to add columbaria in the approximate center of the site. (Page 3 of the Special Permit and Variance Plat identifies sections within the cemetery.) The plat shows the planned columbaria along an existing driveway in Section B on Parcel 0118. The columbaria is planned to consist of three (3) to four (4) freestanding sections of stonewall with niches for cremains. The design takes into account the layout of the section of the cemetery in which the columbaria is planned, and the height is intended to complement many of the tombstones nearby. The sections of stonewall collectively will occupy up to 460 square feet and the height of the columbarium conforms with the height as shown on the architectural rendering on the special permit plat sheet 4. All columbaria structures will remain within the 192' x 5' footprint shown on the plat, but we may shift the location of the structures along the driveway within Area A as shown on Exhibit A to accommodate final engineering considerations to maximize the aesthetics of the cemetery. The configuration of the structures will remain within a 460 square foot area as aforementioned. Steps to lower the total height of the structures

will be investigated as final engineering work is done. However, no guarantee can be made that the structure can be lowered while maintaining the planned volume of burial niches, so we respectfully request approval of the current layout, design, and location should no viable option exist to lower the columbaria, while giving us the flexibility to shift the structures should we determine that it is possible to lower the height. We also respectfully request a sixty (60) month limitation on the commencement of columbarium construction due to the need for additional fundraising, whereas there should be no time limit for the in-ground burials.

FHCA proposes to execute the expansion onto Parcels 0121B and 0126B in Phase 1 first, then commence with the construction of the columbarium in Phase 2. However, we reserve the right to implement Phase 1 and Phase 2 concurrently.

The FHCA is managed by a group of unpaid volunteers including a Board of Trustees who are appointed by the Fairfax County Circuit Court. FHCA's volunteers manage the burials, maintenance, and coordinate and manage sales of lots within the cemetery for the benefit of the community and the citizens of Fairfax County. The FHCA is comprised of lot owners who hold burial rights for human remains.

Flint Hill Cemetery is open daily during daylight hours, and no changes to this schedule is planned. On an average day, 10 to 15 visitors may access the cemetery. Memorial services are generally held between the hours of 8:30 a.m. and 6:00 p.m. Attendance at memorial services varies widely from a handful of persons to a couple hundred. However, families usually ride together. The area identified on the plat to be added to the existing cemetery would accommodate up to approximately 100 additional full body burials (the cemetery currently holds the remains of approximately 2,700 individuals with space already sold for another 300 people). The FHCA has no employees. Volunteers coordinate cemetery activities as required. Vendors that provide services to FHCA, such as mowing or tree removal, only have three or four maximum staff onsite when they are performing their work and a maximum of two to three vehicles. Since no changes to the intensity or scale of the existing cemetery use is proposed, there will be minimal additional impact on traffic.

Currently, there is only one small structure on Parcel 0472 01 0118. The structure is a 10' x 20' shed as shown on page 3 of the Special Permit and Variance Plat in Section D of the cemetery. At this time, the Applicant is unaware of any known hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355, hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations, or petroleum products as defined in Title 40, Code of Federal Regulations Part 280 that will be generated, utilized, stored, treated

and/or disposed of on the property. There are no storage tanks or containers currently present and none are planned.

Flint Hill Cemetery is in compliance with the provisions set forth in Chapter 3 of Title 57 of the Code of Virginia. All uses comply with lot size and bulk regulations. In no instance will proposed burials come closer than 50 feet from a street line. The planned columbaria will be located more than 50 feet from the lot line as shown on the plat filed with this application, and is more than 50 feet from the street line.

The proposed use under this application is consistent with the use of the cemetery in the adjoining lots since 1852. This request is in harmony with the adopted comprehensive plan. The Flint Hill Cemetery is contiguous to a small cemetery on the property of the Oakton Church of the Brethren. There are no fences or visual demarcations between these two cemeteries. The church and Flint Hill Cemetery have always had a good relationship. The proposed use is in harmony with the general purpose and intent of Zoning District R-2. The proposed use will not adversely affect the use or development of neighboring properties since this application request is only a small expansion of an existing use. No buildings will be erected on Parcels 0121B and 0126B. Only memorials that are consistent with those already present in the section of the cemetery adjacent to the parcel under this application will be permitted. The proposed use will not change vehicular or pedestrian traffic patterns.

Vegetation already exists along the rear lot line of Parcel 0121B separating the cemetery from the adjacent lot. The owner of Parcel 0472 01 0122 (the property on the backyard line of Parcel 0121B) has requested a fence, in similar style and height as existing fences in the cemetery, be erected within the transitional buffer in lieu of additional vegetation. Modifications to the transitional screening and barrier requirements are requested to allow the combination of a fence and the existing 10' planted area adjacent to Parcel 0122 (the neighbor's lot) and to permit the existing vegetation and fences to satisfy transitional screening and barrier requirements along all other lot lines, including Parcel 0472 01 0126B. The location of the fence between the cemetery property line and the neighbor's lot (Parcel 0122) will be located between the proposed burials and the existing vegetation in order to maximize preservation of the existing trees within the buffer. Slight modification of the fence location may be required around the existing trees located along the buffer edge. Trees with a caliper size of 8" or larger are currently shown as part of the special permit amendment plat and will be avoided with the fence installation. The boards in the fence will be arranged so that it will not be possible to see through it from an angle. We respectfully request approval to erect said fence and allow the existing vegetation and proposed fence to satisfy transitional screening requirements as requested by the contiguous and most affected

neighbor (Parcel 0122); and the existing fence along Parcel 126B to satisfy transitional screen requirements, thereby effectuating a transitional screening and barrier modification and waiver in accordance with ZO 13-305.2 due to the amount of usable lot area on both Parcels. Rejection of this request to modify and waive transitional screen and barrier requirements would cause both Parcels 121B and 126B to be unusable and amount to confiscation.

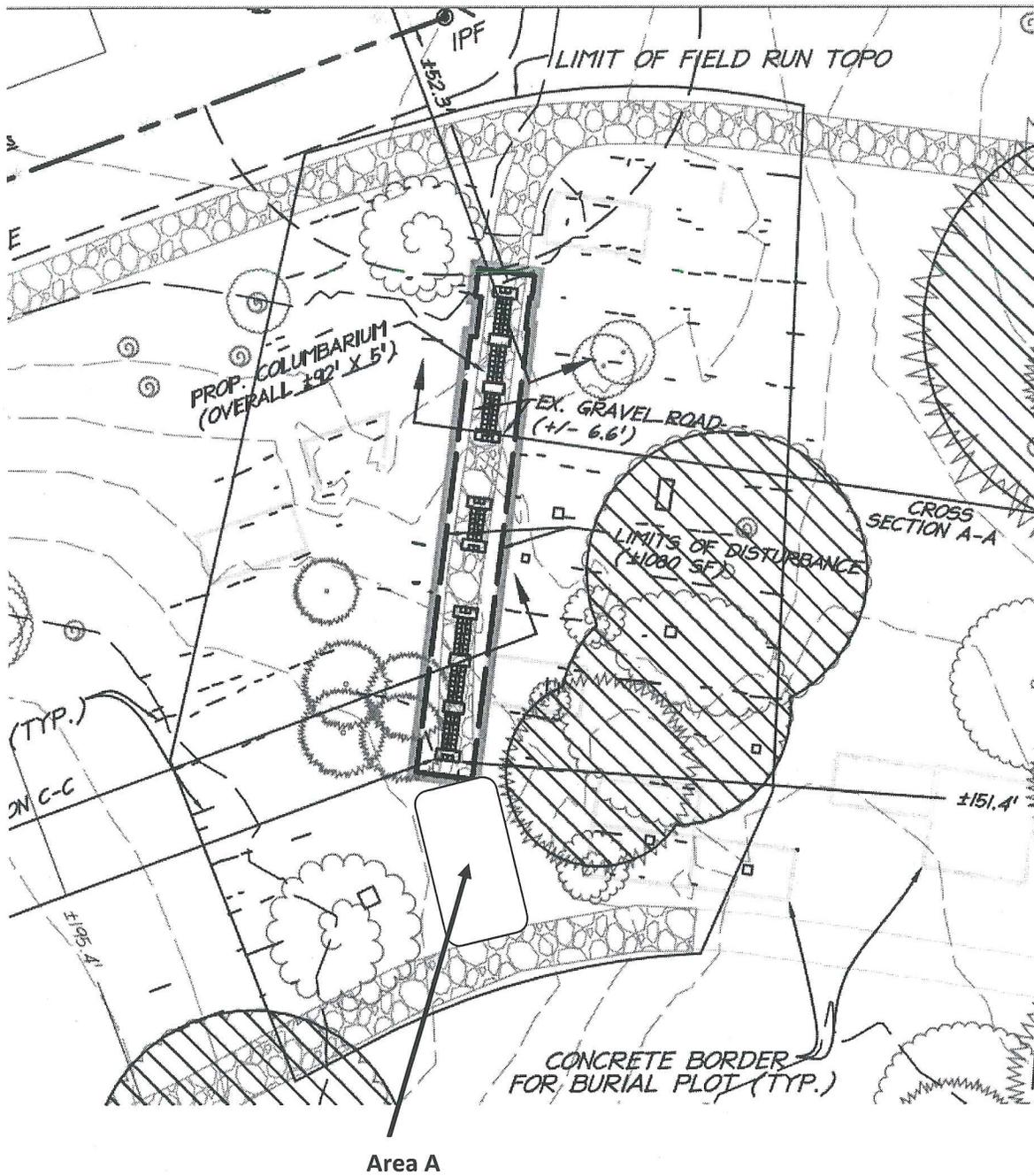
In addition, we request to modify the 30% tree cover requirement of PFM 12-0510.1 to 10% as a cemetery use is of a similar nature to that of dedicated public schools, playing fields, and other non-wooded active recreation areas and other facilities and uses of a similar nature as provided by VA State Code Section 15.2-961.1H.

More than 25% of the cemetery, including Parcels 0121B and 0126B, is open space and will remain so. There are no changes in utility, drainage, parking, loading and other facilities planned since there is no change in what the cemetery does and the volume of vehicular and pedestrian traffic as a result of this application. No changes are planned for the cemetery signage which has been in place since the 1960s and is located along the Chain Bridge Road frontage. Excess dirt as a result of in ground burials will continue to be hauled off and disposed of properly by the certified gravedigger. Parking can continue to be accommodated on the long driveways throughout the cemetery. In addition, the Oakton Church of the Brethren currently allows cemetery visitors to use their parking lot.

For the columbaria, all permits, including a site plan, if required, will be obtained prior to land disturbance as required under the Zoning Ordinance Article 17. The land disturbance for the columbaria and the fence along Parcel 0121B collectively will be less than 2,500 square feet, as shown on the attached Special Permit plat and will not require a site plan approval. No crematory is planned for Flint Hill Cemetery. A copy of the previously approved Special Permit 5894 is attached.

###

Flint Hill Cemetery Association
Exhibit A
Special Permit Amendment Application
SP 2013-PR-091



**Flint Hill Cemetery Association
Variance Application
VC 2014-PR-001
Statement of Justification to Modify Rear and Side Yard Requirements
March 12, 2014**

The Trustees of Flint Hill Cemetery Association (FHCA) acquired the land in good faith identified on Tax Map. No 0472 01 0121B on 12 September 1980. The transaction is recorded in Deed Book 5471 at Page 1765. FHCA also owns Parcel 0472 01 0126B. Both properties are adjacent to Tax Map No. 0472 01 0118, where FHCA is a cemetery under Special Permit SP 5894. The land was envisioned for future burial when it was acquired as extensions of the Parcel 118 since they were adjacent to the relatively new section of the existing cemetery.

Parcels 121B and 126B are of exceptional narrowness for cemetery purposes. Parcel 121B is only 40 feet wide and Parcel 126B is only 12 feet wide. The narrowness of the lots, given Section 3-207.2.A (1) b and c requiring a 25 foot backyard and a 15 foot sideyard, renders Parcels 121B and 126B virtually unusable for cemetery purposes unless a Variance is permitted.

The condition and situation of the subject property and the intended use is not so general or recurring a nature as to require a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance because the use is for cemetery purposes. Further, the FHCA does not own any additional land for any expansion to the cemetery to which such a request would be made in the future.

The strict application of Section 3-207.2.A (1) b and c, requiring a 25 foot backyard and 15 foot sideyard, will severely limit FHCA's cemetery operations and maintenance in the future. The FHCA is a nonprofit association that has owned and operated Flint Hill Cemetery since its official organization in 1875, although the land was used for burial purposes as early as 1852. The Flint Hill Cemetery is operated exclusively for the benefit of member lot owners who hold such lots solely for the burial of human remains. It serves a need of the community at large since the number of cemeteries in Fairfax County and land areas large enough for cemeteries is very limited.

The FHCA endeavors to ensure the long term financial independence and sustainability of the cemetery, and our desire is to prevent the cemetery from becoming a burden to the community and the taxpayers of Fairfax County. The granting of this Variance will result in additional operating funds that will be used to maintain the cemetery. Undue hardship is avoided by the approval of our Variance application. The strict application of Section 3-207.2.A (1) b and c would unreasonably restrict the expansion of the cemetery, thereby significantly reducing the operating funds available for future maintenance and weakening the viability for the long term sustainability of the cemetery. Granting this Variance application clearly alleviates the hardship aforementioned, and is not a special privilege or a request being made by FHCA for the sake of convenience. We have no other land on which to bury. Parcels 121B and 126B are the only land where we can plan future burials beyond the small number of burial sites available on land covered by Special Permit SP 5894.

The authorization of this Variance will not be of substantial detriment to adjacent property because the burial of human remains is consistent with activities taking place on the adjoining Parcel 118. No structures will be erected on Parcels 121B or 126B; only grave markers will be placed that are consistent in style and size that are present on Parcel 118. The contiguous owner and the property owner who could be affected by allowing burial up to 10' from the shared property line of 121B has no objection and has requested a fence in lieu of enriched vegetation. We respectfully request approval to modify the rear yard requirement to 10'. As stated in our Justification for the Special Permit Amendment, we have agreed to the contiguous owner's request to erect a fence within the 10' buffer. In addition, we request the reduction of the setback requirement along the side lot line of Parcel 126B to three (3) feet (noting that burials in Parcel 118 historically extend to the lot line, but we are not requesting extension to the lot line on Parcel 126B). The adjoining neighbor to Parcel 126B likewise has no objection to this request.

The character of the Zoning District will remain the same. The Variance will be in harmony with the intended spirit and purposes of this Ordinance because we will maintain vegetation within the 10 foot screening area in coordination with the neighbor. From a visual perspective, the public will not notice anything different since it would appear that the land is reserved for burials due to its location; it will seem quite natural.

###

COUNTY OF FAIRFAX
Fairfax, Virginia

December 29, 1954

Office of the
Planning Commission and
Zoning Administration

Flint Hill Cemetery Association

This letter will confirm the decision of the Fairfax County
Board of Zoning Appeals on Tuesday, December 14, 1954,

(granting) (~~denying~~) (~~deferring~~) your application to

~~permit extension of cemetery in rear of Church of the Brethern~~
~~Granted subject to certified plats to be filed with the Zoning~~
~~Office, property located immediately in the rear of present~~
~~Flint Hill Cemetery.~~

* Construction (operation) must start within six (6) (12) months
from the date of this hearing, otherwise this approval is no
longer valid. Permit will be issued if you fill out the
necessary papers in this office.

Yours truly,

H. F. Schumann, Jr.
Zoning Administrator.

* If your application is denied, this does not apply.

9

#5894

COUNTY OF FAIRFAX

APPLICATION FOR EXCEPTION OR VARIANCE TO ZONING ORDINANCE

November 15, 1954

To the BOARD OF ZONING APPEALS:

I, Flint Hill Cemetery Association Contract the undersigned owner of

Lot _____ Block _____ Subdivision,

Located in Providence District, on

(near) on #123 in the rear of present Flint Hill Cemetery

hereby apply for an Exception to or Variance from Section _____,

Subsection _____ of the Zoning Ordinance of Fairfax County

to permit (State fully the purpose of the application)

extension of cemetery in rear of Church of the Brethren

Stop at Mr. Blake's home when fasting

11:45

Flint Hill Cemetery Assoc. By Ronald Blake, Proprietor

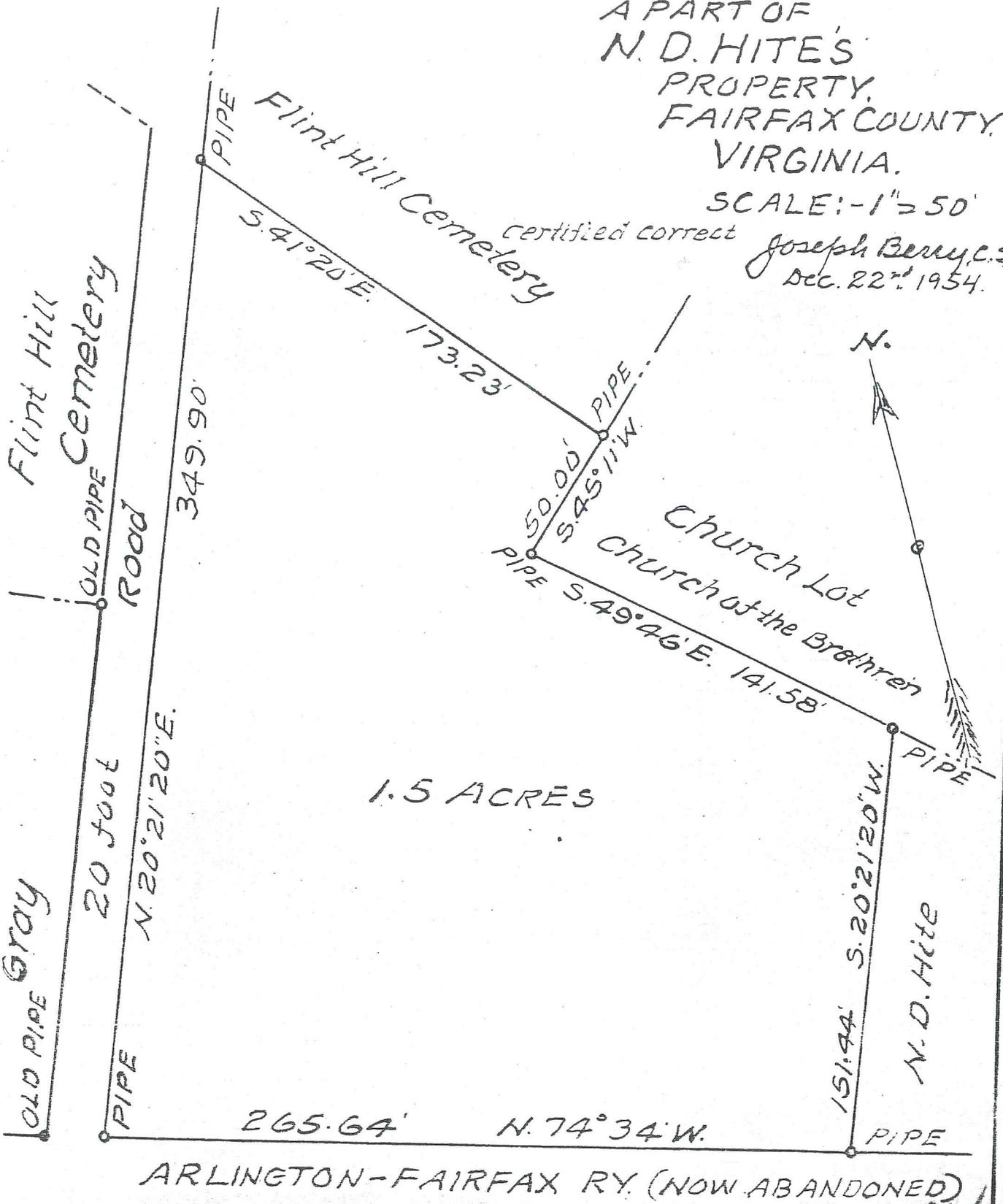
Fairfax Va

CR 3-1629 Address

A PART OF
N. D. HITE'S
PROPERTY,
FAIRFAX COUNTY,
VIRGINIA.

SCALE: - 1" = 50'

certified correct
Joseph Berry, C.S.
Dec. 22nd 1954.



unanimously .

//

8- Samuel V. Merrick, to permit erection of carport closer to street line than allowed by the Ordinance, Lot 83, Section 5, Hollin Hills, (1305 Popkins Lane), Mt. Vernon District. (Suburban Res.)

Since this is the same type of variance asked, the same motion was made by Mr. JB Smith and seconded by Mr. Haar that this case also be deferred until the 28th to view the property.

Carried, unanimously.

//

9- Flint Hill Cemetery Association, to permit extension of cemetery in rear of the Church of the Brethern, located on #123 immediately in the rear of the present Flint Hill Cemetery, providence District. (Rural Res.)

Mr. ~~Roland~~^{Ray} Blake, Pres. of this Association represented the applicant. This is a very old cemetery, Mr. Blake said, started in about 1840 and which has been added to from time to time. This is a community proposition - no profit involved. Mr. Blake said it was his understanding that an established cemetery could extend itself with permission of this Board even to the point of condemnation if necessary. In this case they do not consider this necessary and have contracted to buy additional property. They know of no objections from surrounding property owners. There are no setback restrictions.

Judge Hamel moved to grant the application because there appears to be no objection and such a use would not adversely affect the use of adjoining property and this is merely the extension of an existing cemetery. It is also required that certified plats be presented and filed in the Zoning office. Seconded, JB Smith. Carried, unanimously.



FAIRFAX COUNTY

OFFICE OF COMPREHENSIVE PLANNING
ZONING ADMINISTRATION DIVISION
Ordinance Administration Branch
12055 Government Center Parkway, Suite 800
Fairfax, Virginia 22035-5508

V I R G I N I A

(703) 324-1314

Fax (703) 324-3924

December 15, 1994

Mr. Mayo S. Stuntz, President
Flint Hill Cemetery Association
2845 Chain Bridge Road
P.O. Box 214
Oakton, Virginia 22124

RE: Flint Hill Cemetery
Tax Map Ref: 47-2 ((1))118, 121B, 119B
Zoning District: R-2

Dear Mr. Stuntz:

This is in response to your letter of November 18, 1994 to Jane W. Gwinn, Zoning Administrator, and will also serve as a follow-up to our meeting of November 14, 1994.

A review of our records has shown that on December 14, 1954 the Board of Zoning Appeals (BZA) approved Special Permit 5894 permitting the expansion of the existing Flint Hill Cemetery by the addition of 1.5 acres of land on the parcel identified today as lot 118.

It is my understanding that you are seeking to negotiate a land swap with the owner of lot 119B. As stated in your letter, the Association desires to convey a small portion of land from Lot 121B to Lot 119B, and in exchange, the owners of Lot 119B would convey approximately an equal amount of land to the Association which would be incorporated into Lot 118.

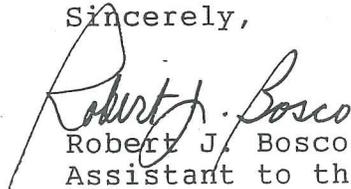
Based on applicable regulations, this proposed subdivision would be permitted provided that the cemetery area remains within the limits established by the approval of SP 5894 on lot 118. An amendment to the current special permit would be necessary before the cemetery use could expand onto the land area added to lot 118. It is suggested that the land area acquired from lot 119B be recorded as an outlot and that a note be added to the subdivision plat submitted for approval which specifically states that the cemetery use is not expanding beyond the limits established with the approval of SP 5894 on lot 118 and that any future expansion of the cemetery use on the new outlot would require approval of a special permit amendment by the BZA. I would further note that the existing

Mr. Stuntz
December 15, 1994
Page 2

lot 121B is being reduced in lot size and would become an outlot, and therefore would lose any accrued rights for further development as a buildable lot as provided by Sect. 2-405 of the Zoning Ordinance.

I hope this response fully addresses your questions. If you have additional questions please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Robert J. Bosco". The signature is written in dark ink and is positioned above the typed name and title.

Robert J. Bosco
Assistant to the Zoning Administrator

RJB/sph

cc: Katherine K. Hanley, Supervisor
Providence District
Jane W. Gwinn, Zoning Administrator
Melinda Artman, Deputy Zoning Administrator
for Zoning Permit Review Branch
Bruce Nassimbeni, Chief, Site Review Branch, DEM



FAIRFAX COUNTY

OFFICE OF COMPREHENSIVE PLANNING
ZONING ADMINISTRATION DIVISION
Ordinance Administration Branch
12055 Government Center Parkway, Suite 800
Fairfax, Virginia 22035-5508

V I R G I N I A

(703) 324-1314

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Flint Hill Cemetery Association
2845 Chain Bridge Road
P.O. Box 214
Oakton, Virginia 22124

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Zoning District: R-2

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A review of our records has shown that on December 14, 1954 the Board of Zoning Appeals (BZA) approved Special Permit 5894 permitting the expansion of the existing Flint Hill Cemetery by the addition of 1.5 acres of land on the parcel identified today as lot 118.

It is my understanding that you are seeking to negotiate a land swap with the owner of lot 119B. As stated in your letter, the Association desires to convey a small portion of land from Lot 121B to Lot 119B, and in exchange, the owners of Lot 119B would convey approximately an equal amount of land to the Association which would be incorporated into Lot 118.

Based on applicable regulations, this proposed subdivision would be permitted provided that the cemetery area remains within the limits established by the approval of SP 5894 on lot 118. An amendment to the current special permit would be necessary before the cemetery use could expand onto the land area added to lot 118. It is suggested that the land area acquired from lot 119B be recorded as an outlot and that a note be added to the subdivision plat submitted for approval which specifically states that the cemetery use is not expanding beyond the limits established with the approval of SP 5894 on lot 118 and that any future expansion of the cemetery use on the new outlot would require approval of a special permit amendment by the BZA. I would further note that the existing

Mr. Stuntz
December 15, 1994
Page 2

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I hope this response fully addresses your questions. If you have additional questions please do not hesitate to contact me.

Sincerely,



Robert J. Bosco

Robert J. Bosco
Assistant to the Zoning Administrator

RJB/sph

cc: Katherine K. Hanley, Supervisor
Providence District
Jane W. Gwinn, Zoning Administrator
Melinda Artman, Deputy Zoning Administrator
for Zoning Permit Review Branch
Bruce Nassimbeni, Chief, Site Review Branch, DEM



FAIRFAX COUNTY

DEPARTMENT OF PLANNING AND ZONING

Zoning Administration Division
Ordinance Administration Branch
12055 Government Center Parkway, Suite 800
Fairfax, Virginia 22035-5508

V I R G I N I A

(703) 324-1314

Fax (703) 324-3924

July 14, 1998

Matthew T. Carbone
2911 Hibbard Street
Vienna, Virginia 22181

RE: Flint Hill Cemetery
2845 Chain Bridge Road
Tax Map Ref: 47-2 ((1)) 118, 121B, 126B
Zoning District: R-2



Dear Mr. Carbone:

This is in response to your June 10, 1998 letter to Zoning Enforcement in which you requested a determination regarding the Flint Hill Cemetery Association's ability to establish burial plots on the referenced Lot 126B.

Our records indicate that a plat of subdivision entitled "Subdivision Plat of the Lands of Matthew T. Carbone and Jerry L. Carbone IRA Rollover Account and Flint Hill Cemetery Association" was approved May 24, 1995 and recorded in Deed Book 9498, Page 152 and, in part, conveyed Outlot "A" (also known as Lot 126B) to the Flint Hill Cemetery Association. A copy of the subdivision plat is attached. Note # 8 on this plat states that "The cemetery use is not expanding beyond the limits established with the approval of SP 5894 on Lot 118 and that future expansion of the cemetery use on Outlot "A" would require approval of a special permit amendment." This note is consistent with a determination letter from this office, dated December 15, 1994, to Mr. Mayo S. Stuntz, Flint Hill Cemetery Association President, regarding the possible addition of land area to the Flint Hill Cemetery. Attached is a copy of the December 15, 1994 letter as well as Mr. Stuntz's requesting letter.

Based on the above, Flint Hill Cemetery is not permitted to expand its use beyond the limits of Lot 118 without approval of an amendment to Special Permit SP 5894, under which it is currently operating. As such, the cemetery is presently not permitted to locate burial plots on Lot 126B and, via copy of this letter, the Flint Hill Cemetery Association will be reminded of this limitation.

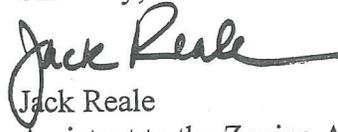
Matthew T. Carbone

July 14, 1998

Page 2

I trust this adequately responds to your request. If you have any additional questions, please feel free to contact me at (703) 324-1314.

Sincerely,



Jack Reale

Assistant to the Zoning Administrator

JR/

Attachments: A/S

cc: Robert B. Dix, Jr., Supervisor
Hunter Mill District
Eileen M. McLane, Deputy Zoning Administrator
for Ordinance Administration Branch
Michael R. Congleton, Deputy Zoning Administrator
for Zoning Permit Review Branch
Erik Skinner, Senior Zoning Inspector
Mayo S. Stuntz, Flint Hill Cemetery Association

2911 Hibbard Street
Vienna, Virginia
June 10, 1998

Fairfax County
Office of Zoning Enforcement
12055 Government Center Parkway
Fairfax, Virginia 22035



Re: 47-2 126 & 126B

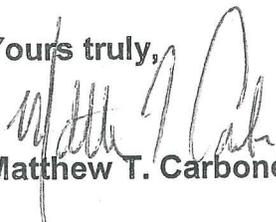
Gentlemen

The Flint Hill Cemetery has acquired a parcel 12' in width(Parcel 126B) adjoining parcel 126 (2911 Hibbard Street). I understand that this parcel is not grand fathered under the original cemetery parcel and that no interments can occur within this area since it represents the required buffer between a cemetery and a residentially zoned property. The parcel in question actually retains an R-2 classification.

I have recently observed that the cemetery has been staking out additional plots and I want to be sure that the parcel in question is not included in any additional burial sites.

Your investigation into this matter and response will be deeply appreciated.

Yours truly,



Matthew T. Carbone

Certified # Z 453 591 656

cc: Andrew Bury Esq.



County of Fairfax, Virginia

MEMORANDUM

DATE: 5 February 2014

TO: Rebecca Horner, Staff Coordinator, Zoning Evaluation Division

FROM: Linda Cornish Blank, Historic Preservation Planner *LCB*

CC: Pam Nee, Branch Chief, Environment & Development Review
Mary Ann Welton, Environmental Planner

SUBJECT: SP 2013-PR-091, Trustees of Flint Hill Cemetery Association; Flint Hill Cemetery, 2845 Chain Bridge Road, Oakton/Vienna; Request to add land area for burial of human remains and allow columbaria within existing cemetery; parcel tax map #s 047-2 ((1)) 118, 121B & 126B.

Planning Location: Fairfax County Comprehensive Plan, 2013 Edition, Area II, Fairfax Planning District; Amended through 4-9-2013, Overview, pp. 9, 12-13; F3 Mosby Woods Community Planning Sector, Heritage Resources, p. 46.

Fairfax Planning District, Overview:

“Heritage Resources

The Fairfax Planning District contains both known and potential heritage resources. . . . The Inventory is open-ended and continues to grow. . . .

Large portions of the Fairfax Planning District have not been surveyed to determine the presence or absence of heritage resources. These areas should be examined before development is committed and appropriate action taken to record, preserve and/or recover significant heritage resources. . . .

The County Inventory of Historic Sites includes properties which meet certain eligibility criteria and are officially designated by the County's History Commission. In addition to historic, architectural or archaeological significance, property that serves as a focus of community identity and pride may also be recognized. The benefits of designation include public recognition of the structure's significance and enhanced support for preservation. . . .

Prior to any zoning action, the Department of Planning and Zoning should be consulted as to what architectural surveys are necessary to document any on-site cultural resources. . . . “

F3 Mosby Woods Community Planning Sector, Heritage Resources:

“Heritage Resources

. . . Efforts should be made to identify and preserve significant heritage resources in this sector. Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found. . . . “

Heritage Resource Review:

The subject property is not included within the boundaries of a Fairfax County Historic Overlay District, nor listed in the Fairfax County Inventory of Historic Sites or the National Register of Historic Places. The subject property is documented as the Flint Hill Cemetery in the *Cemeteries of Fairfax County, Virginia, A report to the Board of Supervisors*, Brian A. Conley, 1994. Mr. Conley's recordation indicates that the cemetery was established in 1853 and the Flint Hill Cemetery Association formed in 1875 to administer the cemetery with burial records maintained by the association. As indicated in the application submission materials, there is a Civil War interpretive sign at the northeast pedestrian entrance; the cemetery is included in the Virginia Civil War Trails program. At least 26 Civil War soldiers are buried at Flint Hill, including four of Confederate John S. Mosby's Partisan Rangers. It is not known if this property has ever been evaluated for listing in the County's Inventory of Historic Sites. The property appears to meet the criteria of eligibility for listing in the County's Inventory of Historic Sites.

Heritage Resource Staff comment:

1. Staff recognizes the volunteer work of the Trustees of Flint Hill Cemetery Association to protect and preserve the property while it continues to meet and serve community needs. Staff commends the applicant for on-going stewardship of this community heritage resource. Mr. Mayo Stuntz, founding member of the Fairfax Landmarks Preservation Committee (1965), which became the Fairfax County History Commission, served as president of the Association from 1958 – 2009.
2. Construction of a columbarium is appropriate for the continuing internment in this historic cemetery as is the expansion of the cemetery. However, staff has concern that placing the columbarium in the proposed location among and adjacent to the historic grave markers will impact the character of the cemetery and disrupt the viewshed. Traditionally, columbaria by nature and design appear as massive and heavy memorial structures. For the greatest protection of the cultural landscape and the integrity of the historic cemetery, Staff believes that the preferred location of the columbarium would have been at the rear of the property; shown on the SP plat as 047-2 ((1)) 121B. This would allow for reserving the proposed columbarium area for traditional internments. It would also protect the existing character while providing continuum into the future.
3. Staff suggested to the applicant that consideration be given to placing the columbarium at the rear of the property. The applicant indicated that this had been investigated but site and zoning constraints required reducing the size of the columbarium as to make it untenable for the Association. Staff acknowledges that the Trustees have a fiduciary responsibility to protect the property for the long term and that reducing the size of the columbarium, which would be required to locate it at the rear of the property, could jeopardize this protection.
4. Due to the constraints and responsibility cited above, the columbarium would be located among and adjacent to the historic grave markers. Staff believes that the design and siting needs to be carefully considered so the structure will appear as a harmonious continuance of internment. There needs to be appropriate placement so it doesn't appear "plopped" in the midst of the markers. The proposed 4' wide columbarium would be located within a 6.6' wide gravel driveway. The structure needs to be as light in mass and scale as possible because it will alter the viewshed across the cemetery.

5. The applicant shares many of staff concerns and has responded to them. The columbarium has been lowered 4' in height. Illustratives were submitted showing how the columbarium would be aligned with existing grave markers along with the height relationship between the markers and the new structure. The design remains simple with the use of three material types and colors. A simple design, limited number of materials and subdued colors are appropriate to this cultural landscape.
6. The driveway where the columbarium is proposed is a few inches below grade of the area where the markers sit. This should be used to the advantage of the historic cemetery so as to help minimize the effect of the columbarium's height, mass and overall effect on the cultural landscape. The gravel drive is also longer in length than the proposed structure. This may provide an opportunity to further reduce the structure's mass by breaking it up into smaller sections.

Heritage Resource Staff recommendation:

1. Staff finds the proposed location of the columbarium acceptable given the site constraints and the Association's responsibility cited above. However, Staff believes that the impact of the columbarium on the cultural landscape and viewshed may be able to be further mitigated and strongly recommends that alternative engineering solutions be investigated. The height may be lowered another 4"-6" if the driveway is appropriately graded and under drainage used. Staff recommends that alternative grading and drainage be investigated by the engineers. Staff understands that these alternatives may be somewhat of a challenge. However, given the historic significance of this site and the on-going stewardship of the Association, finding the best design solution to incorporate the columbarium into the cemetery is highly desirable deserves every consideration.
2. Staff recommends that both the limits of clearing and grading as originally proposed on the SP plat and the area, also along the gravel drive, as shown on the applicant's Exhibit A be approved as placement alternative areas for the columbarium. This would allow for flexibility pending engineering investigation cited above, adjustment for the relationship between existing markers and the new structure, avoidance of tree roots adjacent to the drive, and potential further reduction of the structure's mass by breaking it into smaller sections over a larger area so as to best provide for the protection of the character and integrity of the historic property.
3. Staff recommends that a development condition be included to provide for placement options for the columbarium and that these two options for the limits of clearing and grading be as originally shown on the SP plat and on the applicant's Exhibit A. The intent of the condition is to provide for the best protection of the character and integrity of the historic property by eliminating constraints for the placement of the columbarium with no increase to the square footage of the proposed columbarium.
4. Staff recommends that the Trustees of Flint Hill Cemetery Association nominate the Flint Hill Cemetery to The Fairfax County Inventory of Historic Sites. If found eligible, this honorific listing would officially recognize the importance of this historic cemetery in the county's Comprehensive Plan.

Cline, Julie B.

From: Nelson, Todd
Sent: Thursday, April 03, 2014 1:07 PM
To: Cline, Julie B.
Subject: Flint Hill Cemetery; SPA 2013-PR-091

Julie,

The following comment/recommendation is based on a review of the revised SPA/Variance for the Flint Hill Cemetery dated "Received, Department of Planning and Zoning, March 28, 2014."

- To avoid conflicts between the proposed 6' tall board-on-board fence and existing trees located along the rear property boundary within Parcel 121B, development condition language should be obtained similar to the following: "The 6' tall board-on-board fence along the rear property boundary within Parcel 121B shall be field located by the Urban Forest Management Division and the Applicant's certified arborist to avoid conflicts with existing trees and vegetation to be preserved."

Please contact me should you have any questions or concerns.

Todd

*Todd Nelson, Urban Forester II
Urban Forest Management, Forest Conservation Branch
Department of Public Works and Environmental Service
703.324.1770
703.803.7769 fax*



County of Fairfax, Virginia

MEMORANDUM

DATE: March 10, 2014

TO: Julie Cline, Manager
Zoning Evaluation Division, DPZ

FROM: Todd Nelson, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: Flint Hill Cemetery Association; SPA 2013-PR-091

RE: Request for assistance dated March 5, 2014

This review is based upon the Special Permit Amendment (SPA) 2013-PR-091 stamped "Received, Department of Planning and Zoning, January 15, 2014."

General Comment: Urban Forest management Division (UFMD) comments and recommendations on the previously submitted SPA were provided to DPZ in the memo dated December 10, 2013. Several comments and recommendations contained in the memo were not adequately addressed and are similar to several of the following comments and recommendations.

- 1. Comment:** It appears the Applicant is requesting a modification of the transitional screening and barrier requirements for the southern property boundary of parcel 121B as stated in note 13 on sheet 1 of the SPA. A modification request with a site specific justification in accordance with ZO 13-305 does not appear to be included in this application.

Recommendation: Transitional screening type I and an associated barrier in accordance with ZO 13-303.3A should be provided against the southern property boundary of parcel 121B and transitional screening calculations demonstrating how the transitional screening requirements of ZO 13-303.3A are being met should also be provided as part of the SPA. Landscaping should be provided in accordance with the calculations as part of the SPA. If the Applicant wishes to pursue a modification of the transitional screening and barrier requirements for the southern property boundary of parcel 121B, a modification request with a detailed site specific justification in accordance with ZO 13-305 should be provided as part of the SPA.

- 2. Comment:** Transitional screening type I and associated barrier, required along the property line shared with parcel 126B are not shown or identified.

Department of Public Works and Environmental Services
Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes



Recommendation: Transitional screening type I and an associated barrier in accordance with ZO 13-303.3A should be provided against the western property boundary of parcel 126B and transitional screening calculations demonstrating how the transitional screening requirements of ZO 13-303.3A are being met should also be provided as part of the SPA. Landscaping should be provided in accordance with the calculations as part of the SPA. If the Applicant wishes to pursue a modification of the transitional screening and barrier requirements for the southern property boundary of parcel 126B, a modification request with a detailed site specific justification in accordance with ZO 13-305 should be provided as part of the SPA.

- 3. Comment:** In the Statement of Justification dated October 17, 2013, the Applicant states the location of the fence between the cemetery property line and Parcel 122 will be adjusted in order to preserve existing trees that are worthy of saving however, the fence location will not be known until a tree survey has been completed. It is unclear why a tree survey has not been included as part of this SPA.

Recommendation: A tree survey for the property line between the cemetery and Parcel 122 should be provided and the proposed fence location should be clearly shown to meander between the existing trees along this property line as part of the SPA.

Please contact me at 703-324-1770 should you have any questions.

TLN/
UFMDID #: 186482

cc: DPZ File



County of Fairfax, Virginia

MEMORANDUM

December 10, 2013

TO: Rebecca Horner, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Todd Nelson, Urban Forester II
Forest Conservation Branch, DPWES 

SUBJECT: Flint Hill Cemetery Association; SP 2013-PR-091

RE: Request for assistance dated November 13, 2013

This review is based upon the Special Permit Amendment (SPA) 2013-PR-091 stamped "Received, Department of Planning and Zoning, October 17, 2013."

- 1. Comment:** Preliminary tree canopy calculations have been provided however, they do not appear to be in conformance with the Tree Conservation Ordinance, the 10% tree canopy requirement is incorrect, and it is unclear how the 10-year tree canopy requirements for this site will be met.

Recommendation: The 10-year tree canopy requirement for R-2 is 30%. Preliminary 10-year tree canopy calculations in accordance with PFM 12-0511 and PFM Table 12.10 should be provided as part of the SPA demonstrating how the 30% 10-year tree canopy requirement for this site will be met.

- 2. Comment:** It appears the Applicant is requesting a modification of the transitional screening and barrier requirements for the southern property boundary of parcel 121B as stated in note 13 on sheet 1 of the SPA. A modification request with a site specific justification in accordance with ZO 13-305 does not appear to be included in this application.

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with a detailed site specific justification in accordance with ZO 13-305 should be provided as part of the SPA.

- 3. Comment:** Transitional screening type I and associated barrier, required along the property line shared with parcel 126B are not shown or identified.

Recommendation: Transitional screening type I and an associated barrier in accordance with ZO 13-303.3A should be provided against the western property boundary of parcel 126B and transitional screening calculations demonstrating how the transitional screening requirements of ZO 13-303.3A are being met should also be provided as part of the SPA. Landscaping should be provided in accordance with the calculations as part of the SPA. If the Applicant wishes to pursue a modification of the transitional screening and barrier requirements for the southern property boundary of parcel 126B, a modification request with a detailed site specific justification in accordance with ZO 13-305 should be provided as part of the SPA.

- 4. Comment:** In the Statement of Justification the Applicant states the location of the fence between the cemetery property line and Parcel 122 will be adjusted in order to preserve existing trees that are worthy of saving however, the fence location will not be known until a tree survey has been completed. It is unclear why a tree survey has not been included as part of this SPA.

Recommendation: A tree survey for the property line between the cemetery and Parcel 122 should be provided and the proposed fence location should be clearly shown to meander between the existing trees along this property line as part of the SPA.

- 5. Comment:** It is unclear how the proposed columbaria will be screened from the single family detached dwellings located on the adjacent properties. There is minimal existing vegetation located on the Application property between the columbaria and adjacent properties and there appears to be an opportunity to provide landscaping to screen the columbaria.

Recommendation: A single row of evergreen trees, measuring six feet in height at planting, should be provided around the columbaria to screen it from the various single family detached dwellings located on the adjacent properties.

Please contact me at 703-324-1770 should you have any questions.

TLN/
UFMDID #: 186482

cc: DPZ File

Horner, Rebecca D.

From: Kraucunas, Paul J. (VDOT), P.E. <Paul.Kraucunas@VDOT.Virginia.gov>
Sent: Friday, November 08, 2013 8:39 AM
To: Horner, Rebecca D.
Subject: SP 2013-PR-091, Trustees of Flint Hill Cemetery

Hi Rebecca,
VDOT has no objection to the approval of this application
Thank you for providing the opportunity to review and comment,
Paul



County of Fairfax, Virginia

MEMORANDUM

DATE: April 4, 2014

TO: Julie B. Cline, Branch Chief
Zoning Evaluation Division
Department of Planning and Zoning

FROM: William J. Veon, Jr., Senior Engineer III (Stormwater)
Central Branch, Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Special Permit Application No.: SP 2013-PR-091
Flint Hill Cemetery Association
Special Permit Amendment Plat (dated January 15, 2014)
LDS Project No.: 007721-ZONA-001-1
Tax Map No.: 047-2-01-0118, 047-2-01-0121B & 047-2-01-0126B
Providence District

The subject application has been reviewed and the following stormwater management comments are offered at this time:

The applicant has not provided a Stormwater Information Sheet (LTI 06-06).

Chesapeake Bay Preservation Ordinance (CBPO)

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

Water quality controls are required for this proposed site (PFM 6-0401). Although the submitted plat and other documentation indicate the total proposed land disturbance will be about 2230 sq. ft. (which would exempt the site from water quality requirements), the actual disturbance for the proposed construction will be greater than the 2500 sq. ft. exemption threshold. Per LTI 09-05 (copy attached) a work zone width of 10' along the perimeter of a structure must be included in the determination of land disturbance. Although this LTI was originally developed for residential sites, the concept has customarily been applied to all sites. Adding a 10' work zone perimeter around the proposed 92' x 5' columbarium construction area alone results in a land disturbance area of more than 2500 sq. ft. So, water quality controls, as well as erosion & sedimentation control, will need to be addressed.

No SWM/BMP computations or other preliminary facility details have been included with the current submittal. Therefore a preliminary determination of compliance for BMPs cannot be made.

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



Floodplains

There are no regulated floodplains on the property/site.

Downstream Drainage Complaints

There are no significant, contemporary downstream drainage complaints on file. However, adjacent property owners have reportedly spoken to County Zoning staff to express concern with current and future drainage from the site – especially with regard to stormwater accumulation on Oakton Drive. Therefore, care must be taken to ensure site discharge onto offsite properties is not increased, and does not exacerbate any existing problems.

Stormwater Detention

Stormwater detention is required, if not waived (PFM 6-0301.3). No SWM/BMP computations or other preliminary facility details have been included with the current submittal. Therefore a preliminary determination of compliance for SWM cannot be made.

Site Outfall

A preliminary Outfall Narrative has not been provided. Therefore a preliminary determination of compliance for Adequate Outfall cannot be made.

Stormwater Planning

This site is located in the Accotink Creek Watershed and the Mainstem 1 Watershed Management Area (although a portion of the site may actually be located in the Difficult Run Watershed). There is a future County stormwater pond retrofit project, as well as a BMP/LID project proposed for the Mainstem 1 tributary channel segment that ultimately receives the stormwater from the subject site. However, the applicant's proposed project should have little to no impact on these future County projects that are located at some distance downstream.

Dam Breach

The property is not located within a dam breach inundation zone.

Miscellaneous

There are no other significant issues apparent at this time.

The preceding comments are based on the 2011 version of the Fairfax County Public Facilities Manual (PFM). However, a new stormwater ordinance and updates to the PFM's stormwater requirements were adopted by the County's Board of Supervisors on January 28, 2014. The effective date of implementation of these new regulations is scheduled for July 1, 2014, but is subject to possible change pending the outcome of the review of the regulations by the State's Department of Environmental Quality. The site plan for this application may be required to conform to the updated PFM and the new ordinance.

Julie B. Cline, Branch Chief
Special Permit Application No.: SP 2013-PR-091
April 4, 2014
Page 3 of 3

Please contact me at 703-324-1648 or William.Veon@fairfaxcounty.gov, if you have any questions or require additional information.

WJV/

cc: Don Demetrius, Chief, Watershed Projects Evaluation Branch, SPD, DPWES
Fred Rose, Chief, Watershed Planning & Assessment Branch, SPD, DPWES
Durga Kharel, Chief, Central Branch, SDID, DPWES
Hani Fawaz, Senior Engineer III, Central Branch, SDID, DPWES
Zoning Application File



County of Fairfax, Virginia

MEMORANDUM

DATE: April 30, 2014

TO: Julie B. Cline, Branch Chief
Zoning Evaluation Division
Department of Planning and Zoning

FROM: William J. Veon, Jr., Senior Engineer III (Stormwater)
Central Branch, Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Special Permit Application No.: SP 2013-PR-091
Flint Hill Cemetery Association
Special Permit Amendment Plat (**REVISED-dated April 16, 2014**)
LDS Project No.: 007721-ZONA-001-1
Tax Map No.: 047-2-01-0118, 047-2-01-0121B & 047-2-01-0126B
Providence District

The responses to previous stormwater management comments have been reviewed and the following clarifications are offered at this time:

Comment 1. The applicant has not provided a Stormwater Information Sheet (LTI 06-06).

Response: A completed Stormwater Information Sheet is attached for your review on sheet 5 as part of this submission set.

Clarification: none

2. Chesapeake Bay Preservation Ordinance (CBPO)

Comment 2a. There is no Resource Protection Area (RPA) on this site.

Response: We acknowledge this confirmation that there is no Resource Protection Area on the subject property.

Clarification: none

Comment 2b. Water quality controls are required for this proposed site (PFM 6-0401). Although the submitted plat and other documentation indicate the total proposed land disturbance will be about 2230 sq. ft. (which would exempt the site from water quality requirements), the actual

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disturbance for the proposed construction will be greater than the 2500 sq. ft. exemption threshold. Per LTI 09-05 (copy attached) a work zone width of 10' along the perimeter of a structure must be included in the determination of land disturbance. Although this LTI was originally developed for residential sites, the concept has customarily been applied to all sites. Adding a 10' work zone perimeter around the proposed 92' x 5' columbarium construction area alone results in a land disturbance area of more than 2500 sq. ft. So, water quality controls, as well as erosion & sedimentation control, will need to be addressed.

Response: The limits of disturbance are now shown as required, per the Letter to Industry #09-05, as a 10' offset from the columbarium. As stated on sheet 2, the site specific limits of disturbance shall be identified through final engineering & there is no disturbance proposed to any existing interments adjacent to the proposed columbarium.

Clarification: The 10' work zone disturbance may also be applicable around the proposed fence work. However, as stated, site specific limits shall be identified through final engineering.

Comment 2c. No SWM/BMP computations or other preliminary facility details have been included with the current submittal. Therefore a preliminary determination of compliance for BMPs cannot be made.

Response: Computations are provided on sheet 6 showing that there is no increase in impervious area. A waiver of the BMP requirements is requested with a site specific justification on sheet 6.

Clarification: A BMP Waiver may be requested, and should be formally submitted and approved before the final engineering/site plan is submitted. (The BMP Waiver process is separate from the Zoning process.) If the BMP requirement is waived for the site, please note that a vegetated buffer area equal to the disturbed area and consistent with CBPO 118-3-3(f) will be required, at a minimum, as mitigation.

Comment 3. Floodplains - There are no regulated floodplains on the property/site

Response: We acknowledge this confirmation that there are no regulated floodplains on the subject property.

Clarification: none

Comment 4. Downstream Drainage Complaints - There are no significant, contemporary downstream drainage complaints on file. However, adjacent property owners have reportedly spoken to County Zoning staff to express concern with current and future drainage from the site

– especially with regard to stormwater accumulation on Oakton Drive. Therefore, care must be taken to ensure site discharge onto offsite properties is not increased, and does not exacerbate any existing problems.

Response: We are in receipt of the drainage concerns noted by the adjacent property owner. A memo was sent to the Fairfax County Department of Planning & Zoning on March 13, 2014, addressing these drainage concerns. It was noted as our professional opinion that the pipestem and adjacent areas are relatively flat with unnecessary low points that do not have an opportunity to drain causing the flooding concerns noted by Mr. Myers. As detailed through the stormwater management computations and narrative, the site is generally composed of managed turf areas with some manicured landscaping and gravel driveways. The proposed Special Permit application does not propose to change the general character or the land coverage of the cemetery and, therefore, also proposes no adverse impacts to the downstream properties.

Clarification: none

Comment 5. Stormwater Detention - Stormwater detention is required, if not waived (PFM 6-0301.3). No SWM/BMP computations or other preliminary facility details have been included with the current submittal. Therefore a preliminary determination of compliance for SWM cannot be made.

Response: Computations are provided on sheet 6 showing that there is no increase in impervious area. In compliance with LTI 21-88, the following statement is provided on sheet 1, "There is no increase in impervious area proposed. Therefore, there will be no increase in runoff from the subject property and no stormwater detention is required." In compliance with the 2014 Stormwater Management Ordinance code (124-4-4E), no further water quantity controls are required if all runoff from the site is sheet flow and there is no increased volume of sheet flow.

Clarification: The Preliminary Stormwater Management Narrative indicates the proposed project will not increase the site's pre-project impervious surface, so a stormwater detention facility will not be required if this outcome is maintained for the final engineering/site plan.

Comment 6. Site Outfall - A preliminary Outfall Narrative has not been provided. Therefore a preliminary determination of compliance for Adequate Outfall cannot be made.

Response: A preliminary outfall narrative is provided on sheet 6. The site generally drains to two separate outfalls, 1) north past Chain Bridge Road and through the Oakcrest and Oakton Glade subdivisions and 2) south through Manor Station and other residential

subdivisions. The extent of review where the drainage area exceeds 100 times the area of that portion of the property is within the Rocky Branch floodplain for the north outfall and at Kingsbridge Road for the south outfall.

Clarification: The Preliminary Outfall Narrative indicates the proposed project will not increase the site's pre-project impervious surface, and will not alter the existing sheetflow outfalls for the site. If this outcome is maintained for the final engineering/site plan, it appears the post-project site should have adequate outfall.

Comment 7. Stormwater Planning - This site is located in the Accotink Creek Watershed and the Mainstem 1 Watershed Management Area (although a portion of the site may actually be located in the Difficult Run Watershed). There is a future County stormwater pond retrofit project, as well as a BMP/LID project proposed for the Mainstem 1 tributary channel segment that ultimately receives the stormwater from the subject site. However, the applicant's proposed project should have little to no impact on these future County projects that are located at some distance downstream.

Response: We acknowledge this confirmation that there is project proposes no impact on the future County projects.

Clarification: none

Comment 8. Dam Breach - The property is not located within a dam breach inundation zone.

Response: We acknowledge this confirmation that the subject property is not located within a dam breach inundation zone.

Clarification: none

Comment 9. Miscellaneous - There are no other significant issues apparent at this time.

Response: We acknowledge this confirmation that there are no significant issues apparent on the subject property.

Clarification: none

Comment 10. The preceding comments are based on the 2011 version of the Fairfax County Public Facilities Manual (PFM). However, a new stormwater ordinance and updates to the PFM's stormwater requirements were adopted by the County's Board of Supervisors on January 28, 2014. The effective date of implementation of these new regulations is scheduled for July 1, 2014, but is subject to possible change pending the outcome of the review of the regulations by

Julie B. Cline, Branch Chief
Special Permit Application No.: SP 2013-PR-091 (REVISED 4/16/2014)
April 30, 2014
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the State's Department of Environmental Quality. The site plan for this application may be required to conform to the updated PFM and the new ordinance.

Response: We acknowledge that there a new stormwater ordinance was recently adopted and scheduled to be effective as of July 1, 2014. As such, we have the referenced both the current and new stormwater management regulations to address all concerns.

Clarification: none

Please contact me at 703-324-1648 or William.Veon@fairfaxcounty.gov, if you have any questions or require additional information.

WJV/

cc: Don Demetrius, Chief, Watershed Projects Evaluation Branch, SPD, DPWES
Fred Rose, Chief, Watershed Planning & Assessment Branch, SPD, DPWES
Durga Kharel, Chief, Central Branch, SDID, DPWES
Hani Fawaz, Senior Engineer III, Central Branch, SDID, 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.

8-203 Standards for all Group 2 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 2 special permit uses shall satisfy the following standards:

1. All uses shall comply with the provisions set forth in Chapter 3 of Title 57 of the Code of Virginia.
2. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, but in no instance shall an interment in any facility for the disposal of the dead be made within fifty (50) feet of a street line.
3. All uses shall comply with the performance standards specified for the zoning district in which located.
4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

8-204 Additional Standards for Columbariums, Mausoleums and Crematories

1. No columbarium or mausoleum shall be located closer than 50 feet to any lot line.
2. No crematory shall be located closer than 250 feet to any lot line.
3. Crematories shall meet all applicable federal, state and local emission control standards for incinerators.

18-404**Required Standards for Variances**

To grant a variance the BZA shall make specific findings based on the evidence before it that the application satisfies all of the following enumerated requirements:

1. That the subject property was acquired in good faith.
2. That the subject property has at least one of the following characteristics:
 - A. Exceptional narrowness at the time of the effective date of the Ordinance;
 - B. Exceptional shallowness at the time of the effective date of the Ordinance;
 - C. Exceptional size at the time of the effective date of the Ordinance;
 - D. Exceptional shape at the time of the effective date of the Ordinance;
 - E. Exceptional topographic conditions;
 - F. An extraordinary situation or condition of the subject property; or
 - G. An extraordinary situation or condition of the use or development of property immediately adjacent to the subject property.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
4. That the strict application of this Ordinance would produce undue hardship.
5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.
6. That:
 - A. The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict the utilization of the subject property, or

B. The granting of a variance will alleviate a clearly demonstrable hardship as distinguished from a special privilege or convenience sought by the applicant.

7. That authorization of the variance will not be of substantial detriment to adjacent property.
8. That the character of the zoning district will not be changed by the granting of the variance.
9. That the variance will be in harmony with the intended spirit and purposes of this Ordinance and will not be contrary to the public interest.