



APPLICATION ACCEPTED: August 22, 2014
DATE OF PUBLIC HEARING: November 19, 2014
TIME: 9:00 a.m.

County of Fairfax, Virginia

November 12, 2014

STAFF REPORT

SPECIAL PERMIT APPLICATION SPA 75-L-239-02

MASON DISTRICT

APPLICANTS: Early Steps Bilingual Preschool Inc. /
Springfield Christian Church

OWNERS: Springfield Christian Church

STREET ADDRESS: 5407 Backlick Road, Springfield, 22151

TAX MAP REFERENCE: 80-2 ((1)) 04

LOT SIZE: 3.48 acres

ZONING DISTRICT: R-2, HC

ZONING ORDINANCE PROVISION: 3-203

SP PROPOSAL: To amend SPA 75-L-239-1 and SPA 79-L-013-1 previously approved for a place of worship and child care center to permit change in permittee.

STAFF RECOMMENDATION: Staff recommends approval of SPA 75-L-239-02 subject to approval of 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.

Casey V. Gresham

A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

The approval of this special permit does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 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.**

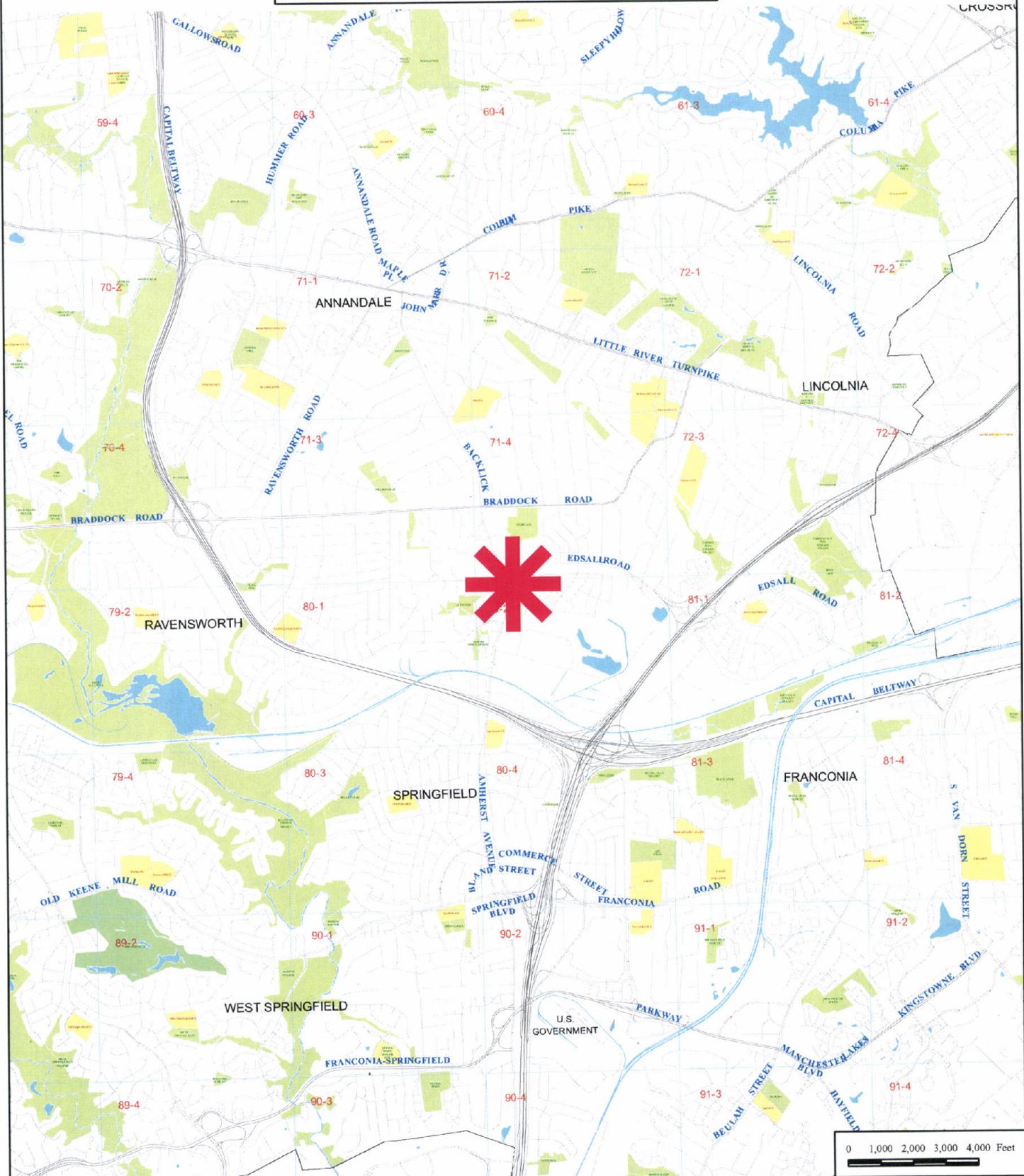


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit Amendment

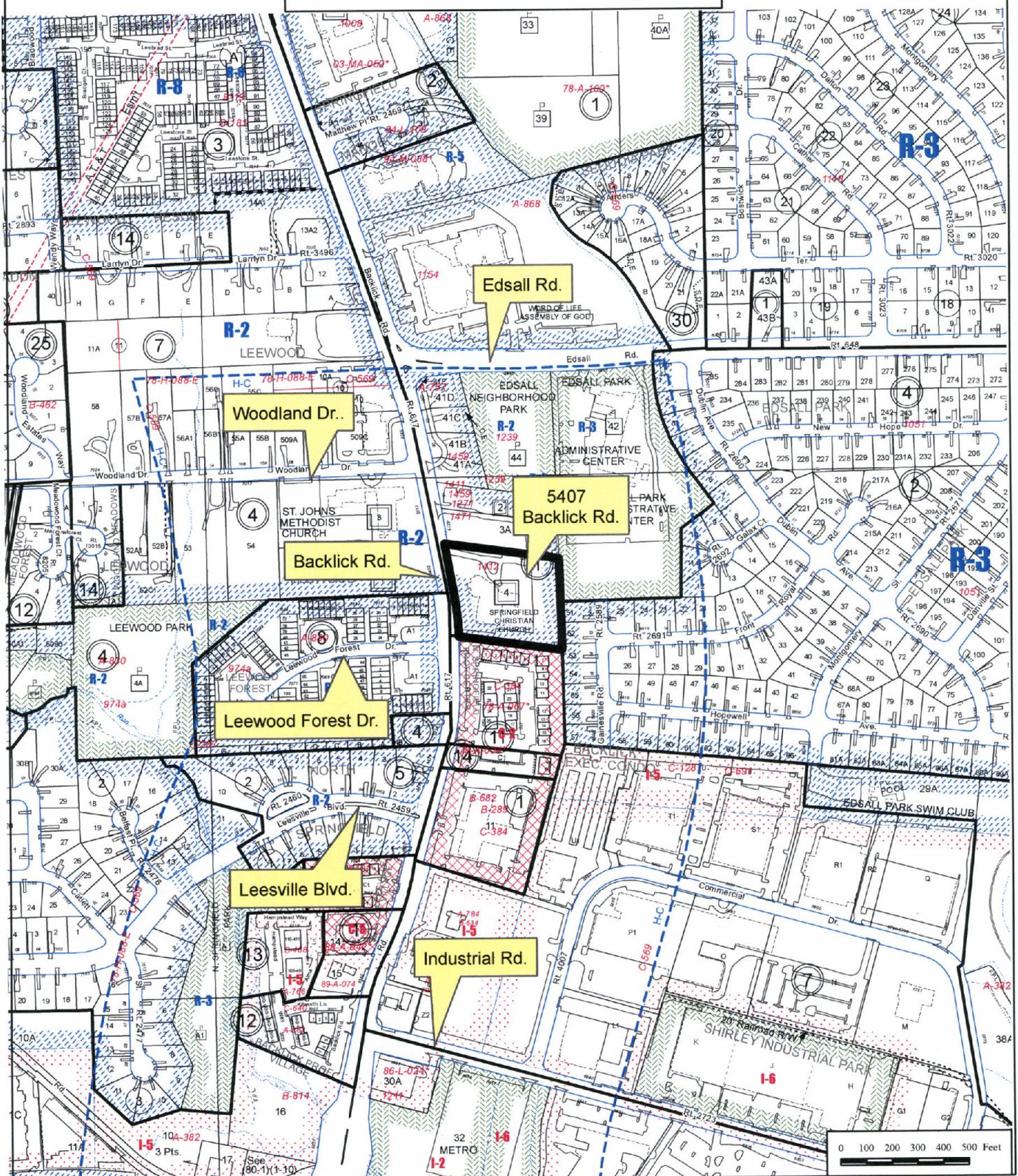
SPA 75-L-239-02

EARLY STEPS BILINGUAL PRESCHOOL
SPRINGFIELD INC. / SPRINGFIELD
CHRISTIAN CHURCH



Special Permit Amendment

SPA 75-L-239-02
EARLY STEPS BILINGUAL PRESCHOOL
SPRINGFIELD INC. / SPRINGFIELD
CHRISTIAN CHURCH



ZONING DATA

ADDRESS: 5200 BACKLICK ROAD
 TAX ASSESSMENT MAP: 60-2(1) 4
 DISTRICT: BIRMINGHAM
 ZONE: RE-05
 USE: SCHOOLS, COMMERCIAL, ADMINISTRATIVE
 LOT SIZE: 1.47 ACRES OF ACTUAL DIMENSIONS
 LOT COVERAGE ATTACHED: 70% - 105,810 SQ. FT.
 EXIST. LOT COVERAGE: 9,281 SQ. FT.
 HIGH SCHOOL: 100% OF ACTUAL DIMENSIONS
 ADMINISTRATIVE: 100% OF ACTUAL DIMENSIONS
 TOTAL LOT COVERAGE: 11,125 SQ. FT.
 BUILDING FOOTPRINT: 50,480 SQ. FT.
 FRONT YARD: 25 FEET
 REAR YARD: 25 FEET
 BUILDING HEIGHT: 45' MAXIMUM
 FLOOR AREA: 19,740 SQ. FT.
 OFF-STREET PARKING: 120
 EXIST. SIDEWALK: 120
 SIDEWALK: 120
 MIN. ADDITIONAL CLASSROOM: 120
 (100% OF 1.19 ACRES)
 195 EXISTING CAR SPACES ARE PROVIDED
 (100% OF 1.19 ACRES)
 NOTE: SEE EXISTING PLANS AT FILE # 11-106-03 FOR EXISTING DIMENSIONS.

NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH BIRMINGHAM CITY ORDINANCES.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF BIRMINGHAM.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF BIRMINGHAM.
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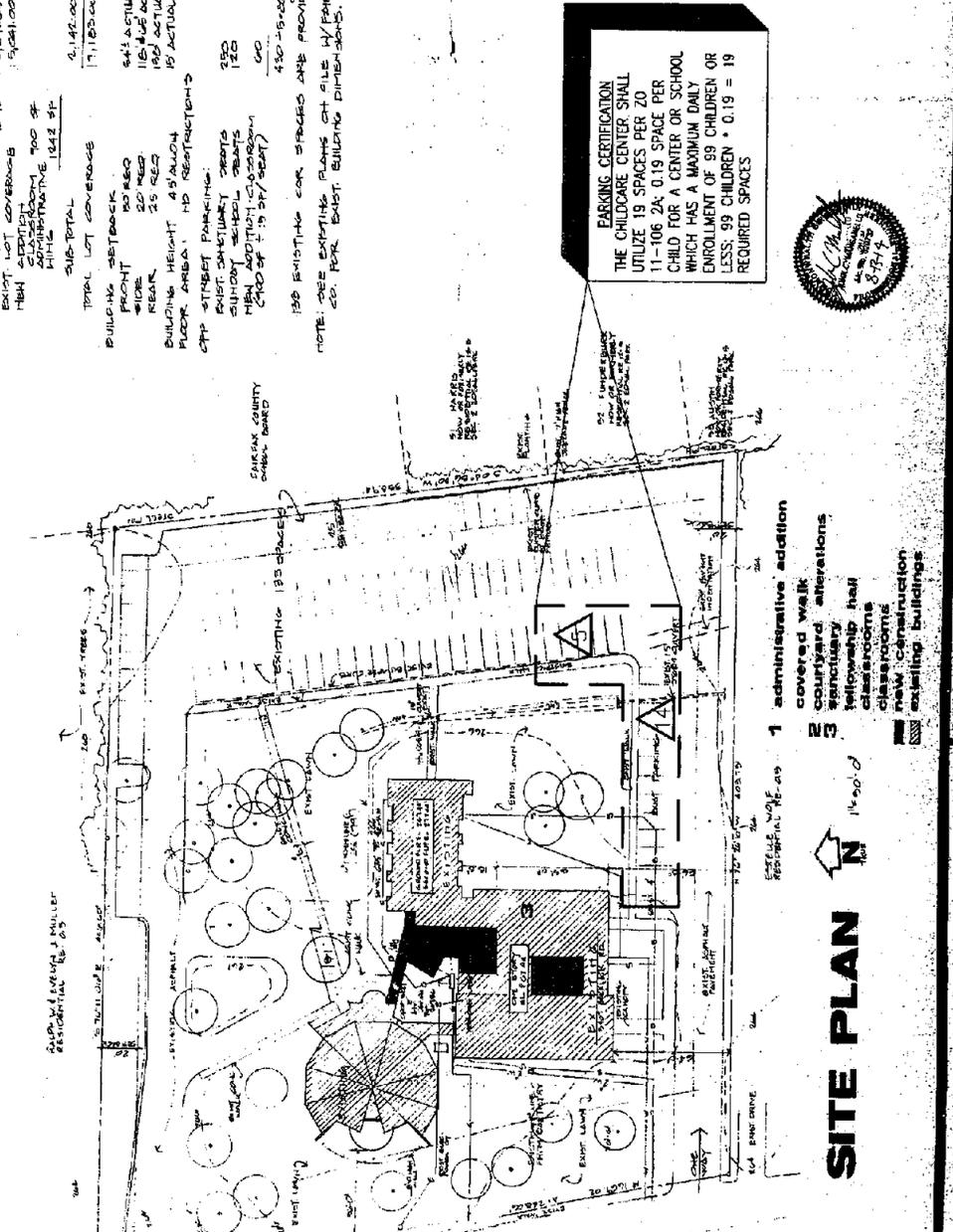
- A-1 SITE PLAN
- A-2 FOUNDATION & FRAMING PLAN
- A-3 FLOOR PLAN & CLOSET PLAN
- A-4 ADMIN. - ELEVATIONS & SECTIONS
- A-5 FELLOWSHIP ELEVATIONS & SECTIONS
- A-6 WALL SECTIONS
- A-7 ROOF PLAN & DETAILS
- A-8 SCHEDULES & DETAILS
- A-9 MECHANICAL
- A-10 ELECTRICAL

800.900
 Birmingham, Alabama
 205.928.1234
 JERRY FULTON DESIGN



PARKING CERTIFICATION

THE CHILD CARE CENTER SHALL UTILIZE 19 SPACES PER 20 CHILDREN FOR A CENTER OR SCHOOL WHICH HAS A MAXIMUM DAILY ENROLLMENT OF 99 CHILDREN OR LESS: 99 CHILDREN * 0.19 = 19 REQUIRED SPACES



NO.	DESCRIPTION	DATE	BY
1	ADMINISTRATIVE ADDITION		
2	COURTYARD ALTERATIONS		
3	FELLOWSHIP HALL ALTERATIONS		
4	CLASSROOMS		
5	NEW CONSTRUCTION		
6	EXISTING BUILDINGS		

Administrative/Educational Addition
 5200 BACKLICK ROAD
 BIRMINGHAM, ALABAMA 35202



3
 East Winneat: Duke, Inc.
 1000 1/2 1st Avenue North
 Birmingham, Alabama 35202

Administrative/Educational Addition
 5200 BACKLICK ROAD
 BIRMINGHAM, ALABAMA 35202

Backlick Road, Front side.



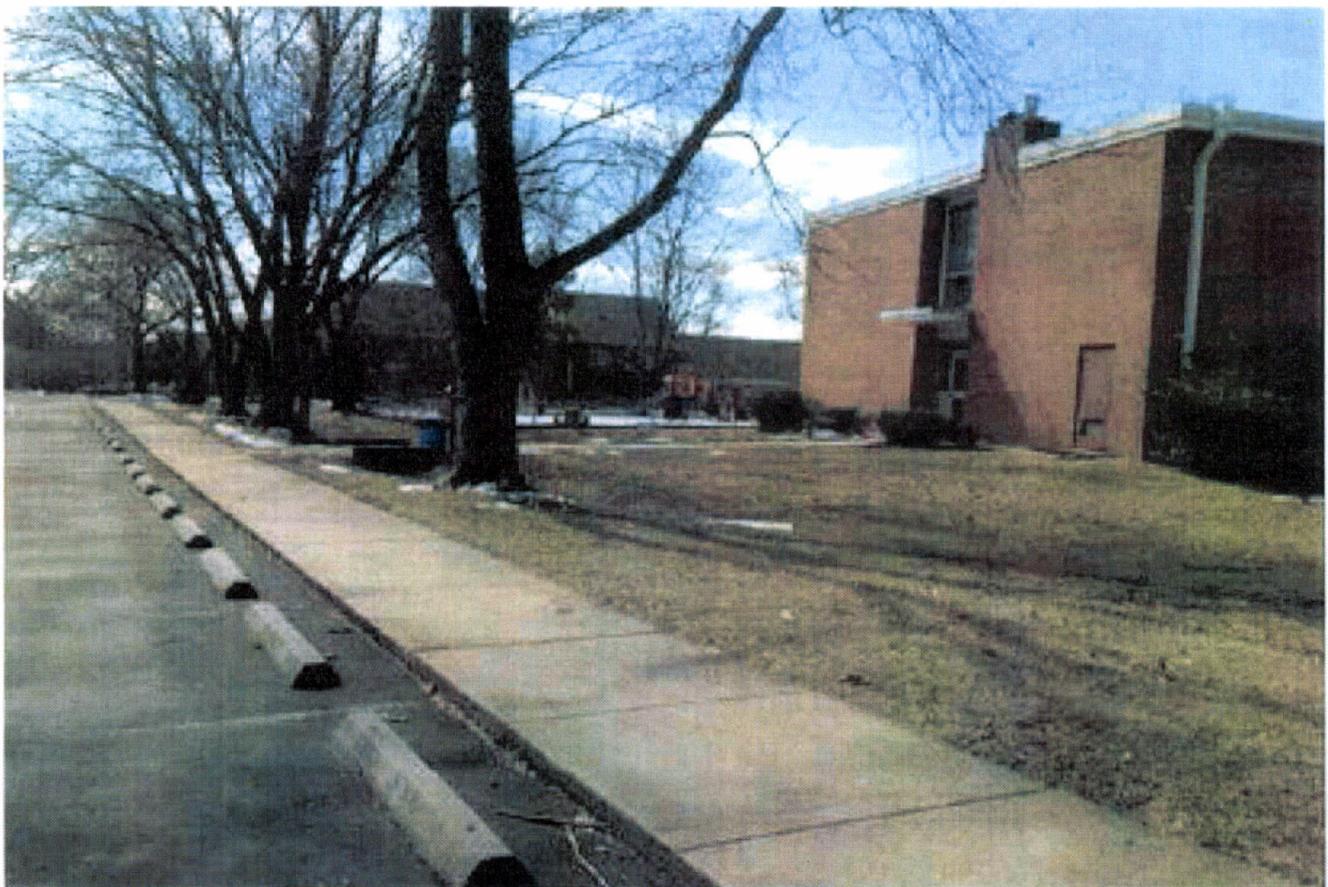
Back side of the parking lot.

Left side of parking lot.



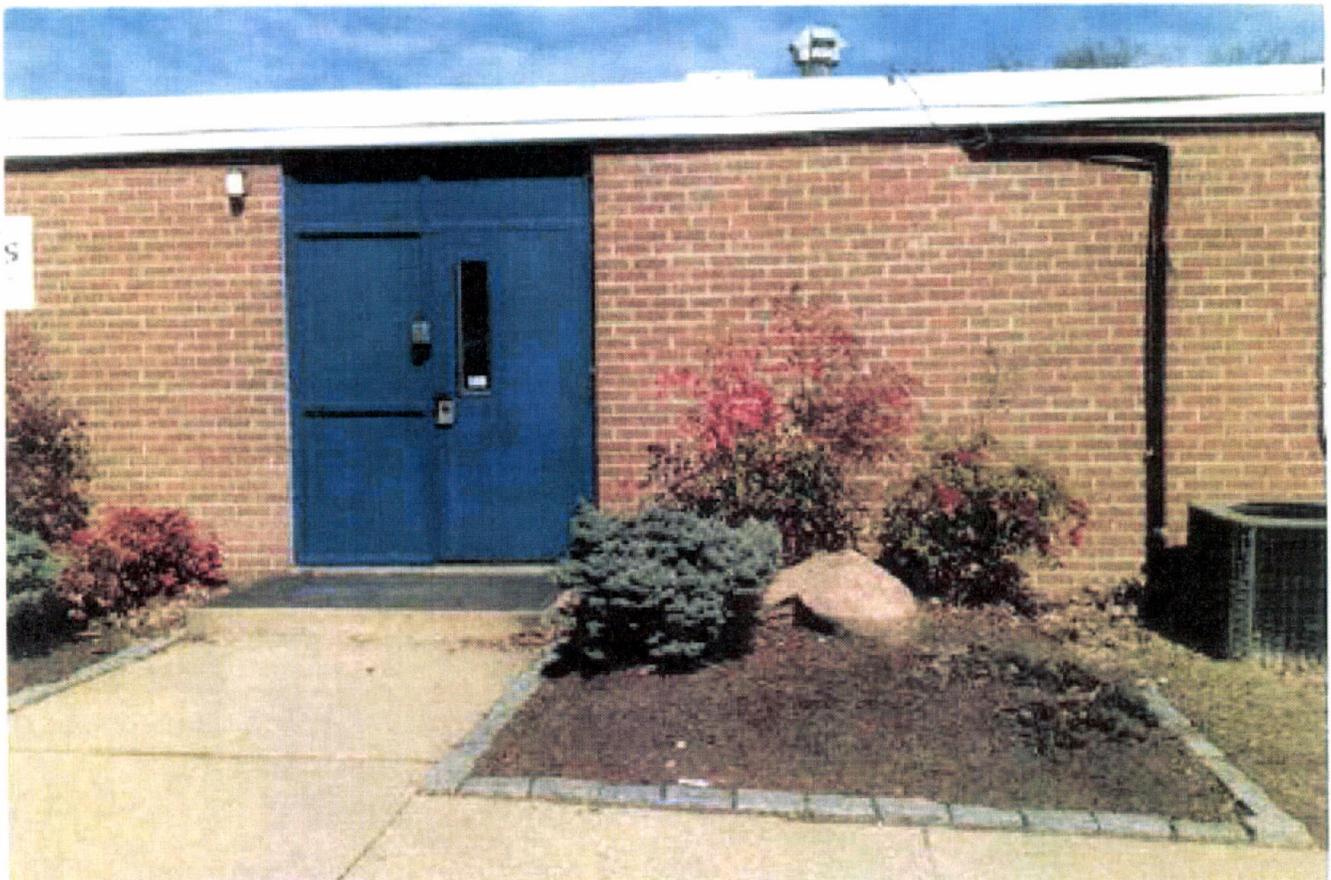
Left exit of church building.

Back parking of church.



Side parking lot of building.

Back parking lot of church.



Left entrance to the preschool.

Right entrance of church.



Right side entrance, close to playground.

Back parking view.



Back parking view.

Playground, back right side of building.



Playground, back right side of building.

Playground, right side.



Right side parking of church.

Forrest area, left side of the church.



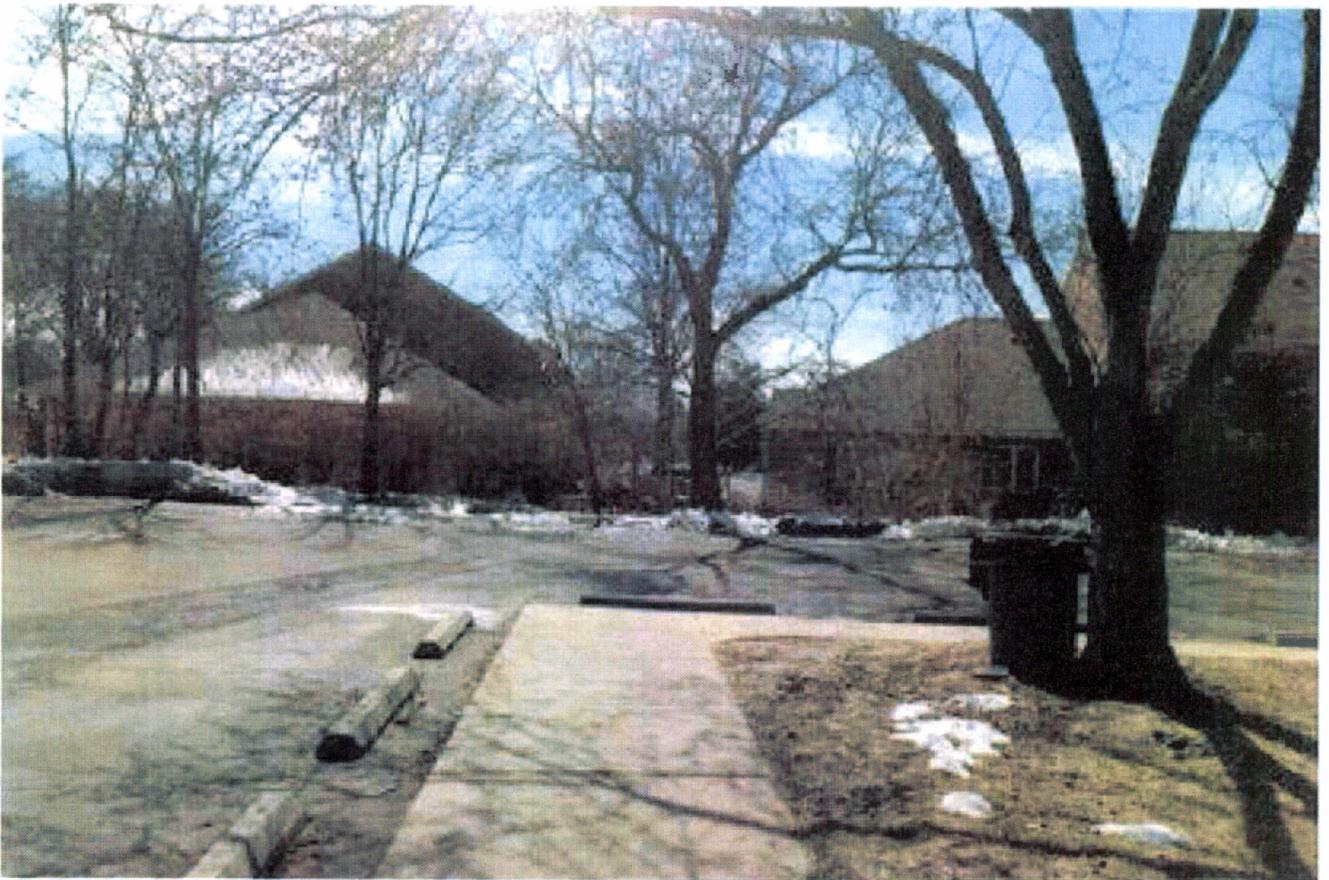
Right side entrance of church.

Forrest area in front of church.



Left exit, coming from Backlick Road.

Left exit pathway of church.



Right side entrance.

Back parking.



Back parking.

Back left-side.



Left exit.

Left side, side street.



Left-side exit.

DESCRIPTION OF THE APPLICATION

The applicant requests approval of a special permit amendment to amend SPA 75-L-239-1 for a change in permittee from The Springs to Early Steps Bilingual Preschool Springfield Inc. and Springfield Christian Church.

A copy of the special permit plat depicting the structures on site, entitled "Administrative/Educational Addition, Springfield Christian Church," prepared by John C. Manganello, P.E. of Blair, Winesett-Duke, Inc., dated September 17, 1975 and revised through August 13, 2014, is included at the front of the staff report.

A more detailed description of the proposal is provided on page two.

CHARACTER OF THE SITE AND SURROUNDING AREA

The 3.48 acre site is located on the northeastern side of Backlick Road, just south of its intersection with Edsall Road. The application property contains an existing church and child care center / preschool, which is accessed by an asphalt road from Backlick Road. The sanctuary is located on the northwestern portion of the site, and it is a two-story white block and brick building. The Education Wing is located on the eastern side of the property, and it is a two-story brick building. Finally, the Montessori Wing is located in southernmost building, which is also a white brick veneer building. The total square footage of the buildings on-site is approximately 22,502 square feet, and the Montessori School comprises approximately 5,526 square feet of the buildings. Parking surrounds the entirety of the application property, and mature landscaping is present throughout the site.



Figure 1. Lot location

The zoning and uses surrounding the subject property are as follows:

	Zoning	Use
North	R-2	Edsall Park Subdivision
East	R-3	Edsall Neighborhood Park
South	C-2	North Springfield Center
West	R-3	North Springfield Subdivision

BACKGROUND

According to Fairfax County Tax Records, the church was constructed in 1964, and the addition was constructed in 1973. The following table provides an overview of the previous special permit applications obtained for this site. The child care center is currently operating under SPA 79-L-013-1, while the church is operating under SPA 75-L-239. Copies of the resolutions approved in conjunction with SPA 79-L-013-1 and SPA 75-L-239 are included in Appendix 4.

Date	Action	Use	BZA Action
8/6/1963	SP 17880	To permit a Montessori school with a maximum of 44 children, three days per week, for the Spring Mar Pre-School Cooperative.	Approved
10/8/1963	SPA 17880	To allow the Montessori school to operate five days a week.	Approved
08/2/1966	S-395-66	Permit change in permittee (Thomas B. Kerester) for Montessori school.	Approved
12/8/1970	SPA S-395-66	Permit increase in enrollment to 105 children.	Approved
6/12/1974	S-56-74	Permit an increase in school enrollment to 119 children for a maximum of three years and change of permittee to the Springs Inc.	Approved

Date	Action	Use	BZA Action
12/17/1975	S-239-75 (SP 75-L-239)	Permit construction of a church addition for the church offices and one large classroom.	Approved
4/17/1979	S-13-79 (S-57-79)	Permit a three year extension of a private school of general education and modification of development conditions. (Please note that staff has examined the record and determined that two special permit numbers were apparently assigned to the same application. This discrepancy was corrected in 1984 with the subsequent amendment.)	Approved
8/7/1984	SPA 79-L-013-1	Amend S-13-79 for private school of general education by changing to a nursery school/child care center for a maximum of 99 children. Also amended to change the hours of operation and to permit continuation without term.	Approved
6/23/1987	SPA 75-L-239-1	Amend S-239-75 for a church and related facilities to permit building additions.	Approved.

DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit amendment for a change in permittee from The Springs to Early Steps Bilingual Preschool Springfield Inc. and Springfield Christian Church. To provide for clarification in the administration of the special permits, SPA 75-L-239 and SPA 79-L-013-1 were combined under one special permit only for the church and child care center/nursery school. Under SPA 75-L-239-02, there are no exterior modifications or modification of development conditions proposed; the only change in this application is to combine the two special permits into one, and to change the permittee to include both Early Steps Bilingual Preschool Springfield Inc. and Springfield Christian Church.

The applicant's justification states that the educational building would be used as a full service child care center and preschool, which would operate on a normal school year schedule from 7:30 a.m. to 6:00 p.m. The child care center was previously approved for these operational hours and for a maximum of 99 children, which the applicant proposes to adhere to. The parents would continue to transport the students to and from the child care, and there would be no increase of traffic from this use.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area I, Annandale Planning District
Planning Sector: Edsall Community Planning Sector (A4)
Plan Map: Residential uses at 2-3 dwelling units / acre (du/ac)

Zoning Ordinance Requirements

- *Sect. 8-006* General Special Permit Standards
- *Sect. 8-503* Standards for All Group 3 Uses

This special permit is subject to the sections of the Zoning Ordinance outlined above, a copy of which is included as Appendix 5. Subject to development conditions, this special permit must meet these standards.

CONCLUSION

The request in this special permit is only for a change of permittee. The child care use has operated contiguously without violation since the last approval and conforms to the development conditions previously outlined in SPA 79-L-013-1. There are no changes proposed to the church use except for the administrative change to combine both uses and the applicable development conditions under one special permit number in SPA 75-L-239-02.

Staff believes that the request is in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proposed Development Conditions contained in Appendix 1 of the staff report.

RECOMMENDATION

Staff recommends approval of SPA 75-L-239-02 for the change in permittee with adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report. It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicants/owners 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.

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.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Resolution Approved in Conjunction with SPA 75-L-239 and SPA 79-L-013-1
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SPA 75-L-239-02****November 12, 2014**

If it is the intent of the Board of Zoning Appeals to approve SPA 75-L-239-02 located on property described as Tax Map 80-2 ((1)) 04 to amend SPA 75-L-239-1 and SPA 79-L-013-1 previously approved for a place of worship and child care center to permit a change in permittee pursuant to Section 8-501 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Previously approved development conditions have been carried forward and marked with an asterisk (*). Minor changes in wording have been underlined.

The following conditions originated from SPA 75-L-239-1 and SPA 79-L-013-1:

1. This approval is granted to the applicant only, Early Steps Bilingual Preschool Springfield Inc. and Springfield Christian Church, and is not transferable without further action of this Board, is for the location indicated on the application and is not transferable to other land.
2. This special permit is granted for the buildings and uses indicated on the plat submitted with this application, except as qualified below. Any additional structures of any kind, changes in use, additional uses, or changes in the plans approved by this Board, other than minor engineering details, whether or not these additional uses or changes require a Special Permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes, other than minor engineering details, without this Board's approval, shall constitute a violation of the conditions of this Special Permit.*
3. A copy of this special permit and the new Non-Residential Use Permit **SHALL BE POSTED** in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the house of operation of the permitted use.*
4. This use shall be subject to the provisions of Article 17, Site Plans.*
5. The maximum daily hours of operation for the child care/ preschool use shall be from 7:30 a.m. until 6:00 p.m., Monday through Friday.*
6. There shall be a maximum daily enrollment of ninety-nine (99) children for the child care/preschool use.*
7. A "one-way, exit only" sign shall be posted at the northern curb cut.*

8. The Transitional Screening 1 requirement shall be modified to retain the existing vegetation. The barrier requirement shall be modified to retain the existing fence.*
9. There shall be a maximum of 416 seats in the church sanctuary.*
10. The number of parking spaces shall remain unchanged at 127. Handicapped parking spaces shall be provided and labeled in accordance with all applicable Codes. All parking shall be on site.*
11. A modification of the transitional screening requirement is approved such that the existing vegetation is adequate on the full adjacent property lines.*
12. The height of the steeple shall be no higher than forty (40) feet.*
13. The exterior of the building additions shall be similar to the existing church in color, architectural style, and materials and shall be approved by the Department of Environmental Management prior to building permit approval.*
14. A Right-of-way of not more than 45 feet from the existing center line of Backlick Road to the extent necessary for planned road improvements shall be dedicated for public street purposes and shall convey to the Board of Supervisors or VDOT in fee simple upon sixty (60) days notice from these parties.*
15. Temporary grading and construction easements shall be provided to facilitate the improvements to Backlick Road.*

These conditions incorporate and supersede all previous conditions.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months (6) months after the date of approval unless a new Non-Residential Use Permit (Non-RUP) has been obtained. The Board of Zoning Appeals may grant additional time to obtain a Non-RUP 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.

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/15/2014
 (enter date affidavit is notarized)

I, Ana E. Cespedes, do hereby state that _____
 (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: 125354

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 this 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 for each 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 (enter applicable relationships listed in BOLD print)
Springfield Christian Church Trustees/Agents: Hal Young- Board Vice Chair Jeff Joyce- Senior Trustee Miriam Rodriguez- Trustee Scott Meriman- Trustee	5407 Backlick Road, Springfield, VA 22151 4912 Grafton Street, Alexandria, VA 22312 9359 Amaryllis Ave, Manassas, VA 20110 3401 Park Hill Place, Fairfax, VA 22030 8304 Old Tree Court, Springfield, VA 22153	Applicant/ Title Owner Lessor
Early Steps Bilingual Preschool Springfield Inc. Agents: Paola Obando Ana E. Cespedes	5407 Backlick Road, Springfield, VA 22151 4488 Andy Court, Woodbridge, VA 22193 7120 Vellex Lane, Annandale, VA 22033	Applicant Lessee Agents

(check if applicable) There are more relationships to be listed and Part 1(a) shall be continued on a "Special Permit/Variance Attachment to Part 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 (name of each beneficiary).

Carb

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

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/5/2014
(enter date affidavit is notarized)

125354

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)

Early Steps Bilingual Preschool Springfield Inc.
5407 Backlick Road, Springfield, VA 22151

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)

Ana E. Cespedes - Director
Samuel Cespedes- Assistant Director

(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)

: Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8/15/2014
(enter date affidavit is notarized)

125354

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 number to indicate 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: 8/15/2014
(enter date affidavit is notarized)

125354

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 individual or 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: 8/15/2014
(enter date affidavit is notarized)

125354

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:

(check one)

Ana E. Cespedes

Applicant

Applicant's Authorized Agent

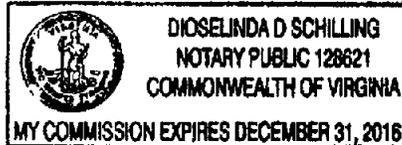
Ana E. Cespedes

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

Subscribed and sworn to before me this 5th day of August 2014, in the State/Comm. of Virginia, County/City of Arlington.

Dioselinda D. Schilling
Notary Public

My commission expires: 12/31/2016



CAB

WRITTEN STATEMENT OF JUSTIFICATION

Zoning Evaluation Division
Fairfax County Department of Planning & Zoning
12055 Government Center PKWY
Fairfax, VA 22035

RECEIVED
Department of Planning & Zoning
APR 23 2014
Zoning Evaluation Division

RE: Early Steps Bilingual Preschool Springfield Inc.
SPA 79-L-013-1—Special Permit Application: Preschool/Licensed CDC
Tax Map: 80-2((1))4 Zoning Ordinance Provision Section 3-203

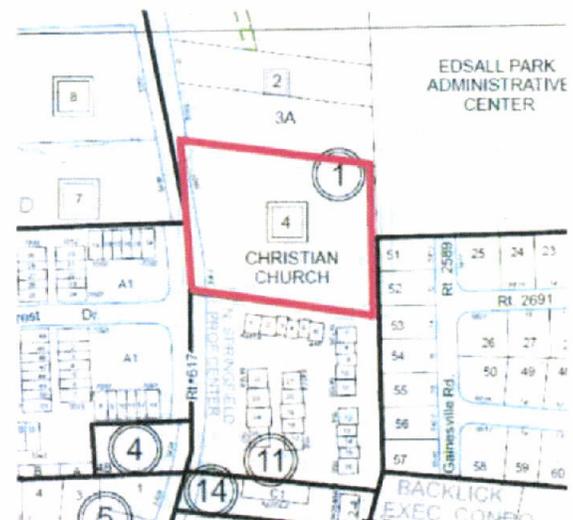
To whom it may concern,

This letter serves as a statement of justification for an application seeking a special permit from an existing preschool "The Springs: Montessori School" SPA 79-L-013-1 (as reference). We, Early Steps Bilingual Preschool Springfield Inc., have taken over the lease provided and owned by the Trustees of Springfield Christian Church.

Property Description

The 3.48 acre is located at 5407 Backlick Road Springfield Virginia 22151 District R-2 in the Lee District of Fairfax. It is on the NE side of Backlick Road (Route 617), approximately 400 feet from its intersection with Edsall Road (Route 648) in the Springfield Magisterial District of Fairfax County. The property has been developed. It is owned by the Trustees of the Springfield Christian Church. The Property is square in shape and is bordered by:

- Edsall Park Subdivision to the East (Zoned R-3)
- N. Springfield Subdivision to the West (Zoned R-3)
- Edsall Neighborhood Park to the North (Zoned R-2)
- North Springfield Center to the South (Zoned C-2)



WRITTEN STATEMENT OF JUSTIFICATION

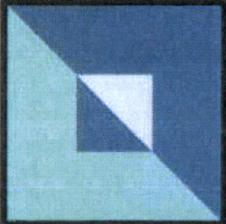
Zoning History *See Attachments

- A. **Type of Operation:** The Educational building will be used as a full service Child Care Center Preschool. The school follows the county's regular school year. Children are serviced with age appropriate education and care. They are engaged in a number of activities during the day (indoor and outdoor) and serviced breakfast, snacks and lunch. We will follow our established curriculum already set at our first location in Arlington VA.
- B. **Hours of Operation:** Monday - Friday 7:30 a.m. - 6 p.m.
- C. **Estimated number of patrons/clients/pupils/etc.:** 99 max capacity
- D. **Proposed number of employees/attendants/teachers/etc.:** 22 employees (Teachers, teacher assistants, cleaning/cooking and administration)
- E. **Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day.:** Expect minimal impact due to the fact that we will continue to serve the same amount of children as the previous permit holders. There will be no increase. (attached you will find the TIA report from 1984)
- F. **Vicinity or general area to be served by the use:** Eastern Fairfax County including Braddock, Springfield and Lee Districts, but not limited to those areas.
- G. **Description of building façade and architecture of proposed new building additions:**
- | | |
|----------------------------|--|
| Approximate building size: | 19,363 SF - estimated building footprint on site |
| | 22,502 SF - estimated gross area of all floors |
| Approximate lot size: | 33.5 acres |
| Structure: | CMU bearing walls with brick veneer, wood roof/framing |
- H. There are no know hazards or toxic substances to be used/stored on existing onsite.
- I. To the best of our knowledge and belief, the proposed plans comply with all ordinances, regulations, adopted standards and applicable conditions. The existing approved transitional screening and barrier modifications is requested with the application and is justified as it was previously approved and no existing conditions or proposed conditions impact it's approval.

****Transportation Analysis Impact:** No change proposed.

****Storm Water Management:** No change proposed.

****We are taking over a preschool space at this location with a Special Permit and we will conduct no structural changes. We will not increase alumni or decrease and we will not change the parking lot nor playground or surrounding areas. We will keep the exact same hours. The only change will be ownership of the lease.**



Early Steps Bilingual Preschool Springfield Inc.
5407 Backlick Rd. Springfield VA

RECEIVED
Department of Planning & Zoning
APR 23 2014
Zoning Evaluation Division

Zoning Administrator
County of Fairfax
Office of Comprehensive Planning
Zoning of Administration Division
The Fairfax Building
10555 Main Street
Fairfax, Virginia 22030

To whom it may concern,

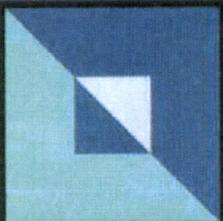
Submitted herein is the application of EARLY STEPS BILINGUAL PRESCHOOL SPRINGFIELD INC.; to apply for an amendment to the Special Use Permit. The current permit granted to the school is not expired, all we want to do is re submit a special permit to change it from the current holders "THE SPRINGS" to Early Steps Bilingual Preschool Springfield Inc. I would like the hours to remain the same from 7:30am –6:00pm.

Early Steps Bilingual Preschool is an establish preschool in Arlington VA and is currently expanding after having 7 years of great business and entrepreneurial spirit. The Springfield Christian Church , 5407 Backlick Rd. Springfield, VA is located on the east side of Backlick Rd. about 400 ft. south of its junction with Edsall Rd. in the lee District.

In general, the school follows the county's regular school year; we will have a preschool curriculum for children ages 2-6 years old, 22 personal between teachers, assistants, administration and kitchen staff.

The school will operate as a full service (capacity previously granted to "The Springs" was 99 children) preschool for children of age 2-6.

Children will be transported to and from school by parents. Approximately all students will arrive between 7:30am - 9am and will leave at staggered times between 3:30pm –6pm.



Early Steps Bilingual Preschool Springfield Inc.

5407 Backlick Rd. Springfield VA

My name is Ana E. Cespedes I am an early child care educator with a BA in Early Education and 26 years plus experience with early education .

The church, in Springfield, is a brick building and no new building or additions are planned.

The school conforms to all applicable ordinances, regulations, and standards. The health department has approved the facility to provide day care. Since "The Springs: Montessori Preschool" has gone through all the approvals and grants we are certain that this location is more than fit for us to provide child care . The school is applying for a state license to provide day care and will not operate without it.

Enclosed are the following documents:

- 1) 4 complete copies of the Special Permit Application Form
- 2) 23 copies of the Special Permit Plats
- 3) Conditions Assessment Report for Springfield Christian Church
- 4) 1 copy of an Official Zoning Map Fairfax County
- 5) Photographs of property (Plus: Digital photography on CD-ROM)
- 6) Written Statement of Justification
- 7) Notarized Affidavit
- 8) Letter from Church showing right to use property as proposed
- 9) Check for application fee

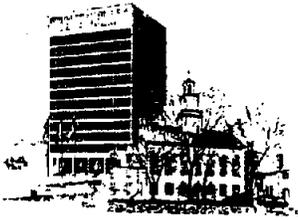
Your favorable consideration of this request will be appreciated. Should you have any questions concerning this matter, please call me at 703-243-1198 or 703-822-1327.

Sincerely

Ana E. Cespedes

President

RECEIVED
Department of Planning & Zoning
APR 23 2014
Zoning Education Division



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX



OFFICE OF COMPREHENSIVE PLANNING
BOARD OF ZONING APPEALS SUPPORT BRANCH
CITY SQUARE BUILDING
10640 PAGE AVENUE, 3RD FLOOR
Fairfax, Virginia 22030

691-4261

June 23, 1987

Merlin McLaughlin
5407 Backlick Road
Springfield, Virginia 22151

Re: Special Permit Amendment Application SPA 75-L-239-1
Springfield Christian Church

Dear Mr. McLaughlin:

At its June 23, 1987 meeting, the Board of Zoning Appeals took action to GRANT your application. A copy of the Resolution is attached. This should be posted in a conspicuous place along with a copy of the Residential or Non-Residential Use Permit.

This action does not constitute exemption from the various requirements of this County and State. The applicant is responsible for fulfilling his obligations to obtain Building Permits (691-3446); Residential or Non-Residential Use Permits, formerly called Occupancy Permits (691-2381); etc. through the established procedures.

This Special Use Permit will not be valid until a residential or Non-Residential Use Permit has been issued.

Sincerely,

Patti M. Hicks, Clerk
Board of Zoning Appeals

Enclosure As Stated

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

In Special Permit Amendment Application SPA 75-L-239-1 by SPRINGFIELD CHRISTIAN CHURCH, under Section 3-203 of the Zoning Ordinance to amend S-239-75 for a church and related facilities to permit additions, on property located at 5407 Backlick Road, Tax Map Reference 80-2((1))4, Mr. DiGiulian moved that the Board of Zoning Appeals adopt the following resolution:

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

WHEREAS, following proper notice to the public, a public hearing was held by the Board on June 23, 1987; and

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

1. That the applicant is the owner of the land.
2. The present zoning is R-2.
3. The area of the lot is 3.481 acres of land.

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

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Section 8-303 of the Zoning Ordinance.

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

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application and is not transferable to other land.
2. This approval is granted for the buildings and uses indicated on the plat submitted with this application, except as qualified below. Any additional structures of any kind, changes in use, additional uses, or changes in the plans approved by this Board, other than minor engineering details, whether or not these additional uses or changes require a Special Permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes, other than minor engineering details, without this Board's approval, shall constitute a violation of the conditions of this Special Permit.
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 departments of the County of Fairfax during the hours of operation of the permitted use.

4. This use shall be subject to the provisions set forth in Article 17, Site Plans. The Board of Zoning Appeals has no objection to the granting of a site plan waiver by DEM.
5. There shall be a maximum of 416 seats in the church sanctuary.
6. The number of parking spaces shall remain unchanged at 127. Handicapped parking spaces shall be provided and labeled in accordance with all applicable Codes. All parking shall be on site.
7. A modification of the transitional screening requirement is approved such that the existing vegetation is adequate on the full adjacent property lines.
8. The height of the steeple shall be no higher than forty (40) feet.
9. The exterior of the building additions shall be similar to the existing church in color, architectural style, and materials and shall be approved by the Department of Environmental Management prior to building permit approval.
10. A right-of-way of not more than 45 feet from the existing center line of Backlick Road to the extent necessary for planned road improvements shall be dedicated for public street purposes and shall convey to the Board of Supervisors or VDOT in fee simple upon sixty (60) days notice from these parties.
11. Temporary grading and construction easements shall be provided to facilitate the improvements to Backlick Road.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

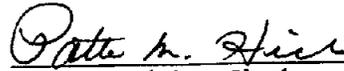
Under Sect. 8-015 of the Zoning Ordinance, this Special Permit shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Permit unless the activity authorized has been established, or unless construction has started and is diligently pursued, or unless additional time is approved by the Board of Zoning Appeals because of occurrence of conditions unforeseen at the time of the approval of this Special Permit. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

Mr. Ribble seconded the motion.

The motion carried by a vote of 4-1 with Mr. Smith voting nay; Messrs. Hammack and Hyland absent from the meeting.

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on July 1, 1987. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:



Patti M. Hicks, Clerk
Board of Zoning Appeals

- the County of Fairfax during the hours of operation of the permitted use.
4. This use shall be subject to the provisions set forth in Article 17, Site Plans.
 5. There shall be a total maximum enrollment of 112 children with a maximum daily attendance of 85 children.
 6. The hours of operation shall be 10:00 A.M. to 2:00 P.M. on Tuesdays and Thursdays.
 7. There shall be a maximum of sixteen (16) employees.
 8. No additional transitional screening shall be required. The barrier requirement shall be waived.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Under Sect. 8-015 of the Zoning Ordinance, this Special Permit shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Permit unless the activity authorized has been established, or unless construction has started and is diligently pursued, or unless additional time is approved by the Board of Zoning Appeals because of occurrence of conditions unforeseen at the time of the approval of this Special Permit. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

Mr. Ribble seconded the motion.

The motion passed by a vote of 5 - 0. (Messrs. Hammack and DiGiulian being absent)

Page 103 August 7, 1984, Scheduled 10:45 A.M. case heard at 10:45 A.M.:

10:45 A.M. THE SPRINGS, INC., appl. under Sect. 3-203 of the Ord. to amend S-13-79 for private school of general education by changing to nursery school and child care center for max. of 99 children, ages 2 1/2 to 6, hours of operation 7:30 A.M. to 6:00 P.M., and to permit continuation of the use without term, located 5407 Backlick Rd., R-2, Lee Dist., 80-2((1))4, 147,559 sq. ft., SPA 79-L-013-1.

Cheryl Hamilton reviewed the staff report for the Board. Cathy Saifer presented the application. She stated that the school had been in operation for 18 years, and they leased space from the church. Ms. Saifer stated that she would comply with all the development conditions in the staff report, but she didn't agree with number 8 which stated: "The Transitional Screening 1 requirement shall be modified to retain the existing vegetation provided that a single row of evergreens are planted along the frontage of Backlick Road." She had contacted the people at the church, and they didn't want to plant any trees because it would ruin the landscaping that had been done. Also, the trees would block the site distance for people trying to exit from the church.

Chairman Smith stated that churches wanted to be seen, not hidden by trees. The Board Members discussed the screening and decided that it was not a necessary condition to place on the school, since they didn't own the property and the church didn't want any more trees planted.

There was no one to speak in support or opposition to the application.

R E S O L U T I O N

In Application No. SPA 79-L-013-1 by THE SPRINGS, INC. under Section 3-203 of the Zoning Ordinance to amend S-13-79 for private school of general education by changing to nursery school and child care center for max. of 99 children, ages 2 1/2 to 6, hours of operation 7:30 A.M. to 6:00 P.M., and to permit continuation of the use without term, on property located at 5407 Backlick Road, tax map reference 80-2((1))4, County of Fairfax, Virginia, Mr. Ribble moved that the Board of Zoning Appeals adopt the following resolution:

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

WHEREAS, following proper notice to the public, a public hearing was held by the Board on August 7, 1984; and

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

1. That the applicant is the lessee.
2. The present zoning is R-2.
3. The area of the lot is 147,559 sq. ft.
4. That compliance with the Site Plan Ordinance is required.

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

THAT the applicant has presented testimony indicating compliance with Standards for Special Permit Uses in R Districts as contained in Section 8-006 of the Zoning Ordinance.

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

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application and is not transferable to other land.
2. This approval is granted for the buildings and uses indicated on the plat submitted with this application, except as qualified below. Any additional structures of any kind, changes in use, additional uses, or changes in the plans approved by this Board, other than minor engineering details, whether or not these additional uses or changes require a Special Permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes, other than minor engineering details, without this Board's approval, shall constitute a violation of the conditions of this Special Permit.
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 departments of the County of Fairfax during the hours of operation of the permitted use.
4. This use shall be subject to the provisions set forth in Article 17, Site Plans.
5. The hours of operation shall be from 7:30 A.M. to 6:00 P.M., Monday through Friday.
6. There shall be a maximum daily enrollment of ninety-nine (99) children.
7. A "one-way, exit only" sign shall be posted at the northern curb cut.
8. The Transitional Screening 1 requirement shall be modified to retain the existing vegetation. The barrier requirement shall be modified to retain the existing fence.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Under Sect. 8-015 of the Zoning Ordinance, this Special Permit shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Permit unless the activity authorized has been established, or unless construction has started and is diligently pursued, or unless additional time is approved by the Board of Zoning Appeals because of occurrence of conditions unforeseen at the time of the approval of this Special Permit. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

Mr. Hyland seconded the motion.

The motion passed by a vote of 5 - 0. (Messrs. Hammack and DiGiulian being absent)

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.

8-303 Standards for all Group 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

8-308 Additional Standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship with a Child Care Center, Nursery School or Private School

Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education may be approved as a special permit use in accordance with the provisions of this Part or as a special exception use in accordance with the provisions of Part 3 of Article 9. The choice of whether to file an application for a special permit or special exception shall be at the applicant's discretion. In either event, such use shall be subject to the additional standards set forth in Sections 9-309 and 9-310.