

The regular meeting of the Board of Zoning Appeals was held in the Board Auditorium of the Government Center on Wednesday, September 10, 2025. The following Board Members were present; Chairman Karen L. Day; Vice Chairman Rebeccah Ballo; Daniel Aminoff; Akida Rouzi, Clair McDade (Arrived at 9:15AM); Tristan O'Savio; and Thomas W. Smith III. There was one board vacancy.

Chairman Karen L. Day called the meeting to order at 9:06 a.m. She asked if there were any Board Matters to bring before the Board. As there were no Board Matters, she then discussed the policies and procedures of the Board of Zoning Appeals. Chairman Day called the first scheduled case.

~ ~ ~ September 10, 2025, Scheduled case of:

6651 LLC, ZAPL-2023-MV-00022 (Concurrent with ZAPL-2023-MV-00023) Appeal of Notice of Violation that the appellants are allowing outdoor storage and display of goods, and outdoor storage/parking of construction equipment, vehicles, and machinery in violation of Zoning Ordinance provisions. Located on 8351 and 8357 Richmond Highway and 8334 Washington Avenue, Alexandria, VA 22309 on approx. 65,858 sq. ft. of land zoned C-8. Mount Vernon District. Tax Map 101-3 ((8)) (C) 1; 101-3 ((8)) (C) 2; 101-3 ((1)) 20. (Admin moved from 6/26/2024, 10/9/2024, and 11/20/2024)

Chairman Karen L. Day noted that appeal ZAPL-2023-MV-00022 concurrent with ZAPL-2023-MV-00023 had been administratively moved to January 7, 2026.

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~ ~ ~ September 10, 2025, Scheduled case of:

Campbell and Ferrara Nurseries, Inc. ZAPL-2023-MV-00023 (Concurrent with ZAPL-2023-MV-00022) Appeal of Notice of Violations that the appellants are allowing outdoor storage and display of goods, and outdoor storage/parking of construction equipment, vehicles, and machinery in violation of Zoning Ordinance provisions. Located on 8351 and 8357 Richmond Highway and 8334 Washington Avenue, Alexandria, VA 22309 on approx. 65,858 sq. ft. of land zoned C-8. Mount Vernon District. Tax Map 101-3 ((8)) (C) 1; 101-3 ((8)) (C) 2; 101-3 ((1)) 20. (Admin moved from 6/26/2024, 10/9/2024, and 11/20/2024)

Chairman Karen L. Day noted that appeal ZAPL-2023-MV-00023 (Concurrent with ZAPL-2023-MV-00022) had been administratively moved to January 7, 2026.

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~ ~ ~ September 10, 2025, Scheduled case of:

Leslie Chavez, SP-2021-MA-00139 to permit 1.) an increase in fence height in the front yard adjacent to Conrad Rd.; 2.) a reduction in setback requirements based on errors in building location to permit an accessory structure (detached garage) 11.8 ft. from the rear lot line and an accessory structure (shed) 0.9 ft. from the rear lot line; and ,3.) an increase in the limitations on coverage of the minimum rear setback. Located at 6200 Crestwood Dr. on approx. 13,647 sq. ft. of land zoned R-3. Mason District. Tax Map 72-2 ((3)) (Q) 31.

Chairman Karen L. Day noted that variance application SP-2021-MA-00139 had been administratively moved to October 29, 2025.

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~ ~ ~ September 10, 2025, Scheduled case of:

Matthew Gazda and Erin Gazda, SP-2025-SU-00015 to permit a reduction of setback requirements to permit an addition 11.3 ft. from the rear lot line. Located at 3011 Jeannie

Anna Ct. on approx. 10,103 sq. ft. of land zoned R-3 (Cluster). Sully District. Tax Map 25-3 ((4)) 957.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Adriana Santiago, Staff Coordinator

Brent Krasner stated that a deferral was needed due to an ad issue that has will be corrected, Mr. Smith moved to defer SP-2025-SU-00015 to September 17, 2025, at 9:00 a.m. Vice Chairman Ballo seconded the motion, which carried by a vote of 6-0. Ms. McDade was not present for the vote. Mr. Smith voted in his capacity as the alternate board member.

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~ ~ ~ September 10, 2025, Scheduled case of:

Jason Bendinelli and Varita Mateos-Bendinelli, SP-2024-FR-00029 to permit a reduction in setback requirements to permit an addition 10.0 ft. and an open deck 7.5 ft. from the northwestern side lot line. Located at 6301 Miller Dr. on approx. 27,870 sq. ft. of land zoned R-1. Franconia District. Tax Map 91-3 ((6)) (2) 3.

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Brandon McCadden, Senior Staff Coordinator
- Jason Bendinelli, Applicant

After the hearing where testimony was presented by Mr. McCadden, Mr. Krasner, and Mr. Bendinelli, and there being no public speakers Ms. Rouzi moved to approve SP-2024-FR-00029 for the reasons stated in the Resolution. Ms. McDade seconded the motion, which carried by a vote of 7-0.

Mr. Smith voted in his capacity as the alternate board member.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Jason Bendinelli and Varita Mateos-Bendinelli, SP-2024-FR-00029 to permit a reduction in setback requirements to permit an addition 10.0 ft. and an open deck 7.5 ft. from the northwestern side lot line. Located at 6301 Miller Dr. on approx. 27,870 sq. ft. of land zoned R-1. Franconia District. Tax Map 91-3 ((6)) (2) 3. Ms. Rouzi 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 September 10, 2025; and

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

1. The applicants are the owners of the property.
2. The present zoning is R-1.
3. The area of the lot is 27,870 square feet.
4. The Board finds this a reasonable request for a modest addition to a relatively small house. The proposed location for the open deck and the expansion makes sense given the position of the house in a narrow segment of the lot.
5. The Board agrees with staff's recommendation and adopts the rationale in the staff report.

6. The applicant has read, understands, and concurs with the proposed/modified development conditions.

WHEREAS, the Board has made the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the standards for the Reduction of Setback Requirements as contained in Sect. 5100.2.D(11)(e) of the Zoning Ordinance, the Board has determined that:

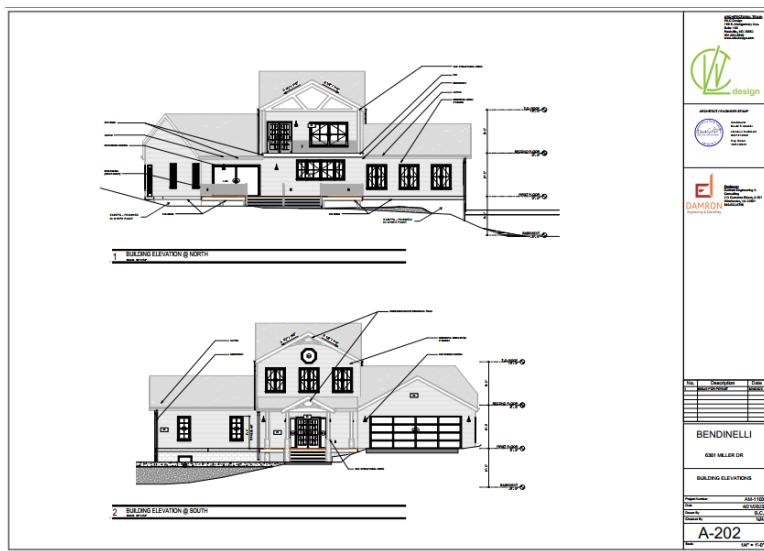
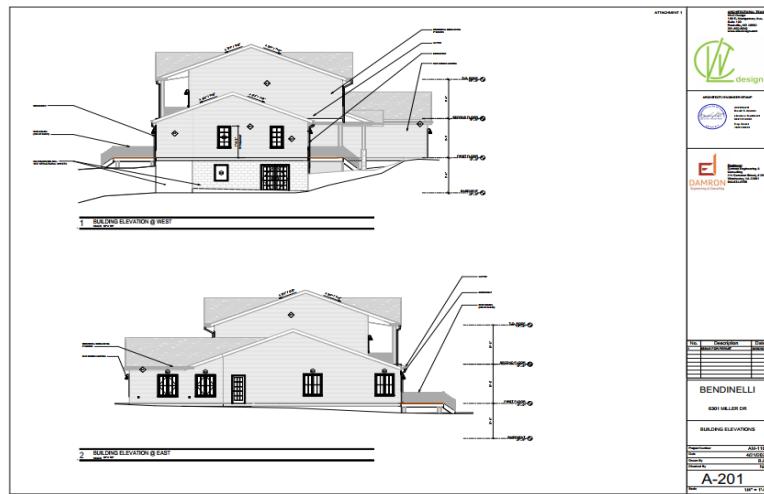
1. The application meets all the submission requirements set forth in Sect. 8101.3
2. A. The resulting gross floor area of the addition to the existing principal structure is not greater than 150 percent of the total gross floor area of the principal structure that existed at the time of the first expansion request. If a portion of the single-family detached dwelling is to be removed, no more than 50 percent of the gross floor area of the existing dwelling at the time of the first yard reduction will be removed;
- B. The resulting gross floor area of the existing accessory structure and any addition to it is clearly subordinate in purpose, scale, use and intent to the principal structure on the site.
3. The proposed scale of the development is harmonious with the existing on-site and surrounding off-site development, and the development preserves existing vegetation and significant trees, as determined by the Director, in a manner that is characteristic of surrounding off-site development.
4. The proposal does not adversely impact the use or enjoyment of any adjacent property through the creation of issues related to noise, light, air, safety, erosion, and stormwater runoff.
5. The proposed reduction represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot.

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

1. These conditions must be recorded by the applicants among the land records of Fairfax County for this lot prior to the issuance of a building permit for the addition. A copy of the recorded conditions must be provided to the Zoning Permit Section, Department of Planning and Development.
2. This special permit is granted only for the location of the proposed addition and open deck and as indicated on the plat titled "Plat, Showing The Improvements On Lot 3, Block 17, Block 2, Glynalta Park," prepared by George M. O'Quinn of Dominion Surveyors Inc., dated December 13, 2024 and as revised through July 21, 2025, consisting of one sheet, and approved with this application, as qualified by these development conditions.
3. Pursuant to Article 5100.2.D(11)(e) of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (2,556 square feet existing + 3,834 square feet (150%) = 6,390 square feet permitted) regardless of whether such addition complies with the minimum setback requirement or is the subject of a subsequent setback reduction special permit. Notwithstanding the definition of gross floor area as set forth in the Ordinance, the gross floor area of a single-family dwelling for the purpose of this paragraph will be deemed to include the floor area of any attached garage. Subsequent additions that meet minimum setbacks requirements are permitted without an amendment to this special permit.
4. The subject addition and open deck must be generally consistent with the designs as depicted in the architectural elevations and renderings as shown on Attachment 1 to these conditions.

5. Within 90 days of approval of this special permit, the applicants must either remove or relocate the 9.0-foot-tall shed in the southwestern corner of the rear yard to a conforming location on the lot.
6. The applicant is responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, liens, judgments, encroachments or other encumbrances to title affecting the subject property, shown or not shown, on the approved special permit/variance plat, as may be determined by a court of competent jurisdiction. Approval of this application does not abrogate, vacate, interfere with, or invalidate such claims.
7. Pursuant to Article 8100.4.D(6) of the Zoning Ordinance, this special permit automatically expires, without notice, 36 months after the date of approval unless construction has commenced on the addition and/or open deck and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

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~ ~ ~ September 10, 2025, Scheduled case of:

Maria Eugenia Pereyra Sosa and Edouard Jean Marie Goutay and Galipette LLC, SP-2025-DR-00017 to permit a home day care facility. Located at 1500 Mintwood Dr., on approx. 11,089 sq. ft. of land zoned R-2 (Cluster). Dranesville District. Tax Map 30-4 ((40)) 10. (Deferred from 06/25/2025)

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Brandon Lesko, Staff Coordinator
- Edouard Jean Marie Goutay, Applicant

After the hearing where testimony was presented by Mr. Lesko, Mr. Krasner, and Mr. Goutay, and there being no public speakers, Ms. McDade moved to approve SP-2025-DR-00017 for the reasons stated in the Resolution. Ms. Rouzi seconded the motion, which carried by a vote of 7-0. Mr. Smith voted in his capacity as the alternate board member.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Maria Eugenia Pereyra Sosa and Edouard Jean Marie Goutay and Galipette LLC, SP-2025-DR-00017 to permit a home day care facility. Located at 1500 Mintwood Dr., on approx. 11,089 sq. ft. of land zoned R-2 (Cluster). Dranesville District. Tax Map 30-4 ((40)) 10. Ms. McDade 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 September 10, 2025; and

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

1. The applicants are the owners of the property.
2. The present zoning is R-2.
3. The area of the lot is 11,089 square feet.
4. The Board finds this application meets all the requirements and is similar to previously approved application with respect to the space provided indoor and outdoor.
5. The Board finds there have been no complaints or neighborhood objections.
6. The applicant has read, understands, and concurs with the proposed/modified development conditions.

WHEREAS, the Board has made the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the standards for a home day care as contained in Sect. 4102.7.l of the Zoning Ordinance, the Board has determined that:

1. A home day care facility must be operated by the provider within the provider's primary residence. Except during emergency situations, the provider must be on the premises while the home day care facility is in operation, subject to the following exceptions:
 - a. A day care provider may operate in a dwelling other than the provider's own if the dwelling is the primary residence of at least one of the people being cared for by the provider. This day care provider will comprise the one nonresident person allowed by subsection (3) below.

- b. A substitute care provider may operate a home day care facility in the absence of the provider for a maximum of 240 hours per calendar year.
- 2. There must be no exterior evidence that the property is used in any way other than as a dwelling, except that play equipment and other accessory uses and structures permitted by subsection 4102.7.A are allowed. No sign is allowed, other than yard signs as permitted under subsection 7100.4.E.
- 3. A maximum of 12 children may be cared for in a home day care facility at any one time, excluding the provider's own children.
- 4. The BZA will review access to the site and all existing and proposed parking, including the availability of on-street parking and any alternative drop off and pick up areas located in proximity to the use, to determine if the proposed parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on-site at any one time.
- 5. The BZA may require the provision of landscaping and screening based on the specifics of each application.

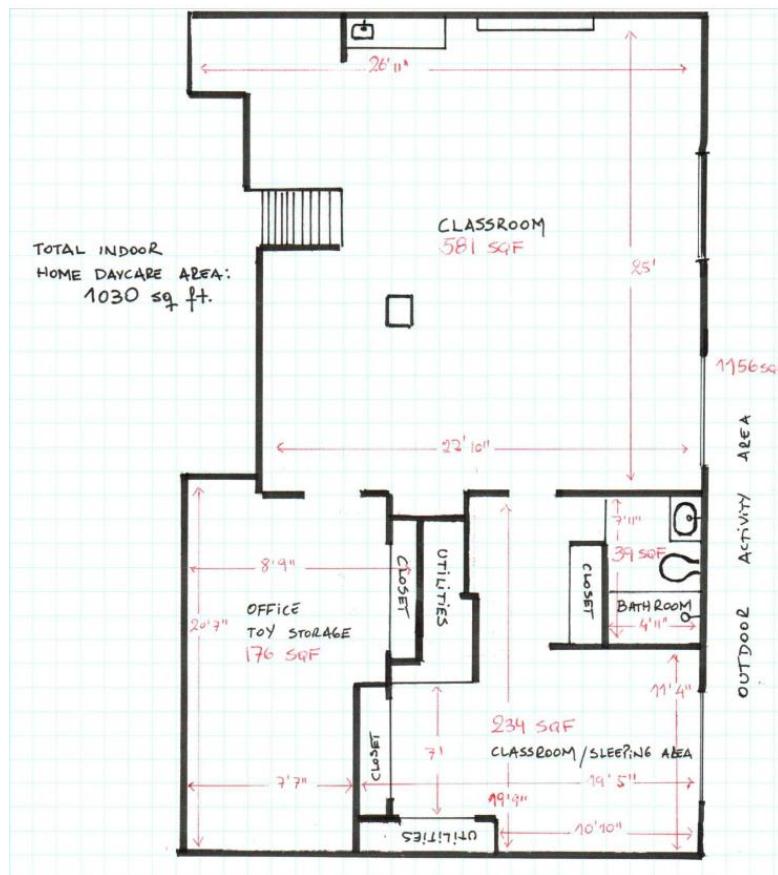
NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED**, with the following development conditions:

- 1. The home day care use is granted to the applicants Maria Eugenia Pereyra Sosa and Edouard Jean Marie Goutay and is not transferable without further action of the Board and is for the location indicated on the application 1500 Mintwood Drive, McLean, 22101 and is not transferable to other land.
- 2. This special permit is granted only for the home day care use at the property shown on the special permit plat "Special Permit Plat, Dominion Woods, Lot 10" as prepared on December 5, 2024 by Andrew N. Hornbeck
- 3. A copy of this Special Permit must be posted in a conspicuous place on the property.
- 4. The hours of operation of the home day care facility are limited to 8:30 a.m. to 5:00 p.m., Monday through Friday.
- 5. The dwelling that contains the day care facility must be the primary residence of the applicants.
- 6. Excluding the applicant's own children, the maximum number of children permitted at the home day care facility at any one time must not exceed twelve (12).
- 7. A maximum of two non-resident employees, whether paid or not for their services, may be involved in the home day care facility. The day care facility must be operated in accordance with the Virginia Department of Education staffing requirements of 8 VAC 20-800-570.
- 8. The home day care must operate only in the spaces identified as classroom, classroom/sleeping area, office/toy storage " as shown on the floor plan submitted with this application and provided as Attachment 1 to these conditions.
- 9. There must be no signage associated with the home day care facility.
- 10. All drop-off and pick-up of children must take place in the driveway located at the front of the dwelling and the driveway must be kept clear during hours of operation of the home day care facility.
- 11. Any portions of the dwelling associated with the home day care facility that are used as a children's sleeping area or rest area must be located in a room with an operable exterior window, door, or

similar device that provides for a means of escape and access for rescue in the event of an emergency. Such emergency escape and rescue openings must be of the dimension and size specified by the Virginia Uniform Statewide Building Code.

12. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number and ages of children being cared for at the home day care facility.
13. The day care facility must be operated in accordance with Chapter 30 of the County Code, entitled "Minimum Private School and Child Care Facility Standards."
14. The applicants must obtain all required building and trade permits including but not limited to electrical and framing and pass final inspections for the garage (former carport), within 180 days of approval of this special permit
15. The applicant is responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, liens, judgments, encroachments or other encumbrances to title affecting the subject property, shown or not shown, on the approved special permit/variance plat as may be determined by a court of competent jurisdiction. Approval of this application does not abrogate, vacate, interfere with, or invalidate such claims.
16. Pursuant to Sect. 8100.4.D(6)(a) of the Zoning Ordinance, this special permit will take effect upon a vote of approval by the Board of Zoning Appeals.

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~ ~ ~ September 10, 2025, Scheduled case of:

Afia Haque, SP-2025-DR-00036 to permit a home day care facility. Located at 1093 Safa St. on approx. 25,201 sq. ft. of land zoned R-1 (Cluster), HD. Dranesville District., Tax Map 6-3 ((12)) 16. (Admin moved from 7/30/2025)

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Karen Yee, Senior Staff Coordinator
- Afia Haque, Applicant
- Public Speakers:
 - Kathryn Kaufma, 1096 Safa Street Falls Church, VA 22046, Video Testimony
 - Dana de Kanter, 1084 Safa Street Falls Church, VA 22046

After the hearing where testimony was presented by Mr. Lesko, Mr. Krasner, and Mr. Haque, which was then followed by the above mentioned public speakers, Mr. O'Savio moved to approve SP-2025-DR-00036 for the reasons stated in the Resolution. Vice Chairman Ballo seconded the motion, which carried by a vote of 7-0. Mr. Smith voted in his capacity as the alternate board member.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Afia Haque, SP-2025-DR-00036 to permit a home day care facility. Located at 1093 Safa St. on approx. 25,201 sq. ft. of land zoned R-1 (Cluster), HD. Dranesville District., Tax Map 6-3 ((12)) 16. Mr. O'Savio 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 September 10, 2025; and

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

1. The applicant is the owner of the property.
2. The present zoning is R-1, cluster.
3. The area of the lot is 25,201 square feet
4. The Board agrees with staff's recommendation and adopts the rationale in the staff report.
5. The Board finds based on the applicant's testimony, once they became aware of the incorrect hours of operation posted online they corrected them.
6. The applicant will continue to operate under the hours of operation in the development conditions and has or will correct all the websites to reflect the development conditions.
7. The Board finds the applicant may operate by-right with 7 children with no development conditions the development conditions will control the applicant's hours of operation and mitigate any other potential impacts.
8. The applicant has read, understands, and concurs with the proposed development conditions.

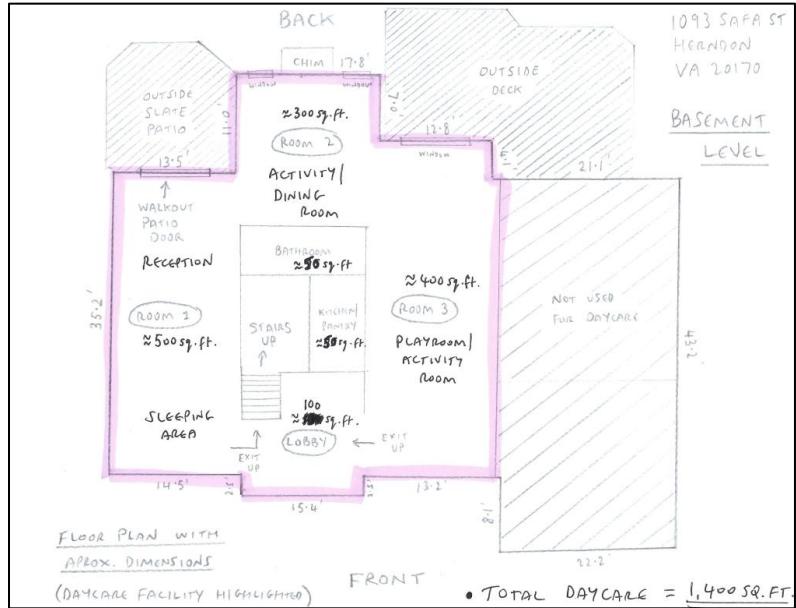
WHEREAS, the Board has made the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 4102.7.I and the standards for this use as contained in the Zoning Ordinance.

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

1. This approval is granted to the applicant, Afia Haque, only and is not transferable without further action of the Board, and is for the location indicated on the application, 1093 Safa Street, Herndon, 20170, and is not transferable to other land.
2. This special permit (SP) is granted for the home day care use as indicated on the Special Permit, entitled , "Plat," prepared by Dominion Surveyors, dated April 22, 2025, as submitted with this application and qualified by these development conditions.
3. A copy of this special permit must be posted in a conspicuous place on the property.
4. The hours of operation for the home day care facility are between the hours of 7:30 AM to 6:00 PM, Monday through Friday.
5. The dwelling that contains the home day care facility must be the primary residence of the provider.
6. Excluding the provider's own children, the maximum number of children on-site at any one time must not exceed twelve (12).
7. A maximum of two (2) non-resident employees, whether paid or not for their services, may be involved in the home day care facility, limited to the hours of 7:30AM to 6:00PM, Monday through Friday.
8. The home day care facility must operate in accordance with the Virginia Department of Social Services requirements of 22 VAC 40-111-570.
9. The home day care facility must operate only in the activity/dining room, reception, sleeping area, bathroom, kitchen, playroom/activity room, and lobby as shown on the floorplan and plat submitted with this application.
10. There must be no signage associated with the home day care facility.
11. All pick-up and drop-off of children must take place within the driveway of the subject property. The driveway must be kept clear during the hours of operation for the home day care facility.
12. Any portions of the dwelling associated with the home day care facility that are used as a children's sleeping or rest area must be located in a room with an operable exterior window, door or similar device that provides for a means of escape and access for rescue in the event of an emergency. Such emergency escape and rescue openings must be of the dimension and size specified by the Virginia Uniform Statewide Building Code.
13. The approval is contingent upon maintenance of a state-issued family day home license that permits the numbers and ages of children being cared for at the home day care facility.
14. The home day care facility must be operated in accordance with Chapter 30 of the County Code, entitled "Minimum Private School and Child Care Facility Standards."
15. The applicant is responsible for identifying and complying with the terms of all legally binding easements, covenants, conditions, liens, judgments, encroachments or other encumbrances to title affecting the subject property, shown or not shown, on the approved special permit/variance plat as may be determined by a court of competent jurisdiction. Approval of this application does not abrogate, vacate, interfere with, or invalidate such claims.
16. Pursuant to Sect. 8100.4.D(6)(a) of the Zoning Ordinance, this special permit will take effect upon a vote of approval by the Board of Zoning Appeals.

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~ ~ ~ September 10, 2025, Scheduled case of:

The Trustees of First Virginia Baptist Church, SPA-2004-MV-025-04 to amend SP 2004-MV-025 previously approved for a religious assembly to allow modifications to site and development conditions. Located at 8616 Pohick Rd., on approx. 3.99 ac. of land zoned R-1. Springfield District. Tax Map 98-1 ((1)) 21. (Admin moved from 5/7/2025 and 6/25/2025)

The participants in the hearing were as follows:

- Brent Krasner, Chief, Special Permit and Variance Branch
- Philip Isaiah, Staff Coordinator
- Bernard Suchicital, Agent for the Applicant
- Speakers In Support:
 - Felix Sermon 8616 Pohick Road, Springfield VA, 22153
 - Irene Lee, 6166 Kendra Way, Centreville VA, 20121

After the hearing where testimony was presented by Mr. Isaiah, Mr. Krasner, and Mr. Suchicital, which was then followed by the above mentioned public speakers, Vice Chairman Ballo moved to approve SPA-2004-MV-025-04 for the reasons stated in the Resolution. Mr. Aminoff seconded the motion, which carried by a vote of 7-0. Mr. Smith voted in his capacity as the alternate board member.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

The Trustees of First Virginia Baptist Church, SPA-2004-MV-025-04 to amend SP 2004-MV-025 previously approved for a religious assembly to allow modifications to site and development conditions. Located at 8616 Pohick Rd., on approx. 3.99 ac. of land zoned R-1. Springfield District. Tax Map 98-1 ((1)) 21. Vice Chairman Ballo 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 September 10, 2025; and

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

1. The owner of the property is the applicant.
2. The present zoning is R-1.
The area of the lot is 3.99 acres.
3. The Board adopts staff's rationale in the staff report regarding the extended use of the trailers.
4. The applicant has read, understands, and concurs with the modified development conditions.

WHEREAS, the Board has made 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. 4102.1.F.(2) and the standards for this use as contained in Sect. 4102.4.H the Zoning Ordinance.

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

1. This approval is granted to the applicant, The Trustees of First Virginia Baptist Church only, and is not transferrable without further action of this Board, and is for the location indicated on the application, 8616 Pohick Road (3.98 acres) and is not transferable to other land.
2. This special permit amendment is granted only for the religious assembly use as indicated on the special permit amendment plat entitled *SPA/SEA Plat, Site Plan, First Virginia Baptist Church* consisting of 15 pages prepared by Yung Chull Kim of Apex Solutions, LLC, dated dated April 2, 2015 and revised through August 11, 2025, approved with the application, as qualified by these development conditions
3. A copy of this special permit amendment and the Non-Residential Use Permit (Non-RUP) must be posted in a conspicuous place on the property.
4. The frontage improvements proposed along Pohick Road including, but not limited to, the installation of sidewalks/trails, ADA ramps, driveways, curb and gutter, and utility relocations as depicted on Sheet 1 of the plat and on Site plan 007056-SP-001-4 may be constructed by others, at the applicant's discretion, prior to the initiation of the Phase I new building construction without the need for a special permit amendment.
5. This special permit amendment is subject to the provisions of Sects. 8100.7 and 8101.4, Site Plans, as may be determined by the Director, Department of Land Development Services (LDS). Any plan submitted pursuant to this special permit amendment must be in substantial conformance with these conditions. Minor modifications to the approved special permit amendment may be permitted pursuant to Sect. 8100.5.A of the Zoning Ordinance.
6. A maximum of 70 seats are permitted in the sanctuary of the church with Phase 1 of the development. Upon completion of Phase 2 of the development, a maximum of 150 total seats are permitted in the sanctuary.
7. Parking must be provided as shown on the SEA/SPA Plat. All parking must be on-site.
8. All signs, existing and proposed, must be in conformance with Article 7 of the Zoning Ordinance. Pursuant to Sect. 7101.2.A (7) (b) of the Zoning Ordinance, only one freestanding sign is permitted.
9. In order to come into compliance with the Ordinance, the applicant must remove one of the existing freestanding signs within 120 days of approval of this application.

10. Any new lighting or replacement lighting installed on the subject property must be provided in accordance with Sect. 5109 of the Zoning Ordinance.
11. Stormwater Management (SWM) and Best Management Practices (BMP) must be provided in accordance with the requirements of the Public Facilities Manual (PFM) as determined by the Department of Land Development Services (LDS). Prior to site plan approval, the applicant must provide a detailed comparison of existing versus proposed impervious area tabulation/map. The existing impervious area must be established based on the most recent County approved site plan. Based on this, stormwater detention requirements and Best Management Practices must be met pursuant to the Public Facilities Manual, unless waived by LDS. Within 180 days of approval of this special permit amendment, the applicant must install the interim stormwater improvements as shown on Sheet 1A of the special permit plat and further described in condition #40 herein in accordance with Chapter 124.1 of the County Code and the Public Facilities Manual (PFM).
12. The transitional screening requirements for the ultimate buildout of the site along the front and rear lot lines are modified in favor of the vegetation depicted on the special permit plat. All existing vegetation on the property is to be maintained in good condition, including the removal and replacement of all dead, dying and diseased trees, as determined by the Forest Conservation Branch (FCON).
13. The proposed interim foundation plantings and plantings along Pohick Road intended to partially screen the trailers must be installed within 180 days of approval of this special permit amendment application and maintained in good condition until such time as the trailers are removed and/or construction of the Phase I new building(s) is initiated. In addition, partial or complete removal of the interim plantings is permitted if necessary to accommodate the construction of the Pohick Road frontage improvements as described in Conditions #4 herein.
14. The barrier requirement is waved along the front and rear lot lines.
15. For the purposes of maximizing the preservation of trees in tree preservation areas shown the SPA/SEA Plat, the Applicant must prepare a tree preservation plan. The Applicant must contract with a certified arborist or registered consulting arborist to prepare a tree preservation plan to be submitted as part of the first and subsequent site plan submissions. The tree preservation plan must be reviewed and approved by FCON. The tree preservation plan must seek to preserve the trees identified on the SPA/SEA. The tree preservation plan must provide a tree inventory which includes the location, species, size, crown spread and condition rating percent of all trees 12 inches or greater in diameter, measured 4% feet from the ground, and located within 10 feet of the limits of clearing and grading in the disturbed area, and within 20 feet of the limits of clearing and grading in the undisturbed area as shown on the SPA/SEA Plat. The condition analysis must be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation must be incorporated into the tree preservation plan. Activities should include, but are not limited to, crown pruning, root pruning, mulching and fertilization. Clearing, grading and construction must conform to the limits of clearing and grading as shown on the SPA/SEA Plat, subject to the installation of necessary utility lines and other required site improvements, all of which must be installed in the least disruptive manner possible, considering cost and engineering, as determined in accordance with the approved plans.
16. The Applicant must have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree preservation walk- through meeting, the Project Arborist must walk the limits of clearing and grading with a FCON representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment must be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated must be removed using a chain saw, and such removal must be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a

stump must be removed, this must be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.

17. All trees shown to be preserved on the tree preservation plan must be protected by tree protection fencing. Tree protection fencing, consisting of four (4) foot high, 14 gauge welded wire attached to six (6) foot steel posts driven 18 inches into the ground and placed no farther than ten (10) feet apart or super silt fence, to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, must be placed at the limits of clearing and grading as shown on the Phase I and Phase II erosion and sedimentary control sheets in all areas. The tree protection fencing must be installed after the tree preservation walk-through meeting but prior to the performance of any clearing and grading activities on the site.
18. The Applicant must (1) root prune roots one inch in diameter or larger of trees to be preserved that may be damaged during clearing, demolition, grading, utility installation and/or the installation of retaining walls; and (2) mulch to a minimum depth of 3 inches within the areas to be left undisturbed where soil conditions are poor, lacking leaf litter or prone to soil erosion. Areas that will be root pruned and mulched must be clearly identified on the Tree Preservation Plan. The details for these treatments must be included in the Tree Preservation Plan and must be subject to the review and approved of FCON. All root pruning and mulching work must be performed in a manner that protects adjacent trees and vegetation that are required to be preserved and may include, but not be limited to, the following:
 - i. Root pruning must be done with a trencher or vibratory plow to a depth of 18 inches, or as specified by FCON at the pre-construction meeting.
 - ii. Root pruning must take place prior to installation of tree protection fence.
 - iii. Root pruning must not sever or significantly damage structural or compression roots in a manner that may compromise the structural integrity of trees or the ability of the root system to provide anchorage for the above ground portions of the trees.
 - iv. Root pruning must be conducted with the on-site supervision of the Project Arborist.
- v. Tree protection fencing must be installed immediately after root pruning, and must be positioned directly in the root pruning trench and backfilled for stability, or just outside the trench within the disturbed area.
- vi. Immediately after the Phase II erosion & sedimentary control activities are complete, mulch must be applied at a depth of 3 inches within designated areas. Mulch may be placed within tree preservation areas at points designated by the Project Arborist to minimize impacts to existing vegetation. Motorized equipment may be used to reach over tree protection fence to place mulch at designated points. Mulch must be spread by hand within trees preservation areas.
- vii. Mulch must consist of wood chips pine bark mulch. Hay or straw mulch must not be used within tree preservation areas.
- viii. FCON must be informed in writing when all root pruning and tree protection fence installation is complete.

19. The Applicant must provide signs that identify and help protect all areas to be left undisturbed. These signs will be highly visible, posted in appropriate locations along the limits of clearing and grading, and attached to the tree protection fencing. Under no circumstances will the signs be nailed or in any manner attached to the trees or vegetation within the areas to be left undisturbed.
20. Supplemental plantings may be required, as determined by FCON, adjacent to the limits of clearing and grading shown on the approved SPA/SEA Plat where existing vegetation may not be adequate

to provide screening as required by the Zoning Ordinance. Selected species for supplemental planting must be typical of the existing forest type. Planted stock and associated mulch must be contiguous to the tree preservation area and treated as an expansion of the existing tree line, not set apart from the forested area.

21. Interior portions of designated tree preservation areas must remain undisturbed and survive construction in a manner that preserves the ecological functionality, health, and condition of overstory and understory tree, shrubs, and herbaceous plants, decaying leaf and woody debris, and soil conditions that are present at the time of plan submission. Invasive species that pervade the forested area to a degree that threatens the survival and regeneration of native species must be controlled with implementation of a plan that clearly identifies targeted areas and species, details removal and treatment techniques, replanting with herbaceous and woody material, monitoring, program duration in accordance with PFM 12-0404.28 and 12-0509.38.
22. The applicant must exclusively use native and non-invasive species for landscaped and other plantings on the site. The applicant must provide planting lists showing species and location of plantings.
23. The proposed traffic channelization island must be designed to meet the VDOT Commercial Entrance Channelization standards, as reviewed and approved by VDOT and LDS at the time of site plan approval.
24. The applicant must provide and maintain a clear sight distance of 390 feet to the driver's left from the proposed driveway exit per VDOT's Road Design Manual.
25. The applicant must provide the proposed Right-of-Way dedication parallel to Pohick Road centerline, the roadway pavement extension and striping, and curb and gutter, to meet VDOT road design standards.
26. The applicant must complete the vacation and re-dedication of the portion of the existing trail easement prior to site plan approval, for the trail easement to be located outside of the Right-of-Way dedication area, as reviewed and approved by LDS.
27. The applicant must install a roofing membrane with a Solar Reflectance Index (SRI) appropriate to the slope of the roof (i.e. for a low-sloped roof (S2:12) equal to or greater than 78 for a minimum of 75% of the total roof area, and for a high-sloped roof (>2:12) equal to or greater than 29). The applicant must provide proof of installation, roof area calculations, and manufacturers' product data to the Environmental Policy and Plan Development Branch of DPD.
28. The applicant must provide a light pollution reduction strategy for interior and exterior lighting as listed below - to be written as it pertains to the specific case (examples include, LED lighting for signage/interior lighting, reduction by automatic device below the interior lighting power maximum allowances per International Energy Conservation Code (IECC) Table 505.5.2 for all non-emergency interior luminaries with a direct line of sight to any openings in the envelope (translucent or transparent) between certain hours, with an after-hours override provided by a manual or occupant-sensing device provided the override lasts no more than 30 minutes, or for exterior lighting, the input power of exterior lighting must be reduced (by automatic device of) by more than the Zoning Ordinance's current minimum of 50%. The applicant must provide proof of installation and plan locations to the Environmental Policy and Plan Development Branch of DPD.
29. The Applicant must install motion sensor faucets and flush valves and ultralow-flow plumbing fixtures that have a maximum water usage as listed below (to be modified with the project-specific fixtures to be included). The applicant must provide proof of installation and manufacturers' product data to the Environmental Policy and Plan Development Branch of DPD.
 - Water Closet (gallons per flush, gpf) 1.28
 - Urinal (gpf) 0.5

- Showerheads (gallons per minute, gpm) 2.0
- Lavatory faucets (gpm) 1.5
- Kitchen and janitor sink faucets 2.20
- Metering faucets 0.25
 - When measured at a flowing water pressure of 80 pounds per square inch (psi).
 - When measured at a flowing water pressure of 60 pounds per square inch (psi).

30. The Applicant must provide an area for the separation, collection and storage of glass, paper, metal, plastic and cardboard generated by both customers and employees. There must be a dedicated area on the Property for the storage of the recycled materials. The Applicant must provide proof of installation, installation locations and a copy of the Applicant's recycling hauling contract to the Environmental Policy and Plan Development Branch of DPD.

31. To the extent reasonably feasible, and in accordance with all applicable building codes the Applicant must salvage any lighting and plumbing fixtures, signage, exterior doors, and door hardware. The Applicant must provide construction drawings and an itemized list of the reuse to the Environmental Policy and Plan Development Branch of DPD.

32. To the extent reasonably feasible, the Applicant must use building materials that have been produced or manufactured within 500 miles of the project site including concrete, brick veneer, engineered lumber, windows and doors, structural steel, and carpet. The Applicant must provide proof of installation and invoice receipts, with manufacturer's data showing the production or manufacturing location to the Environmental Policy and Plan Development Branch of DPD.

33. The Applicant must use low-emitting materials for all adhesives, sealants, paints, coatings, flooring systems, composite wood, and agrifiber products, as well as furniture and furnishings if available - to be written as it pertains to the specific case. Low-emitting is defined according to the following table:

Application	(VOC Limit g/L less water)
Carpet Adhesive	50
Rubber floor adhesive	60
Ceramic tile adhesive	65
Anti-corrosive/anti-rust paint	250
Clear wood finishes	350

The Applicant must provide proof of installation and the manufacturers' product data to the Environmental Policy and Plan Development Branch of DPD.

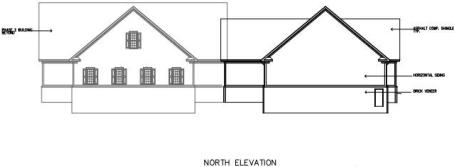
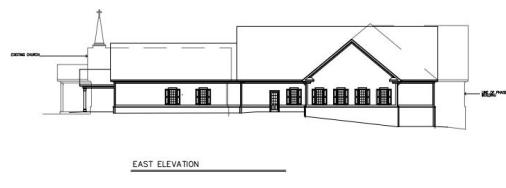
34. The Applicant must install only LED or fluorescent lamps in all interior building lighting fixtures. The Applicant must provide a maximum lighting power allowance of 1.25 watts/square foot (code maximum is 1.5 watts/square foot for retail area and 0.9 watts/square foot for the service department area). The Applicant must provide proof of installation, energy usage calculations and manufacturers' product data to the Environmental Policy and Plan Development Branch of DPD.

35. The Applicant must install Energy Star appliances and equipment for all refrigerators, dishwashers, water heaters, computers, monitors, televisions, vending machines, water coolers, and other appliances and office equipment (if available). The Applicant must provide proof of installation, installation locations, and manufacturers' product data, including the Energy Star energy guide to the Environmental Policy and Plan Development Branch of DPD.

36. The "*Phase I temporary trailers*" depicted on the Interim Site Plan sheet of the SPA/SEA plat must be removed upon issuance of a Non-RUP for the Phase I Building. There must be no more than two (2) trailers on-site at any time.

37. The applicant must provide a minimum of three (3) bicycle parking spaces in accordance with the *Fairfax County Bicycle Parking Guidelines* and the County's Bicycle Plan. The spaces must be located proximate to the main entrance of the building.
38. If adequate sight distance is provided as determined by FCDOT and VDOT, the proposed channelization island at the entrance to the church on Pohick Road may be removed to allow bi-directional egress from the church property. Alternate access configurations which may include, but are not limited to, consolidated access, shared access, and/or interparcel easements with lot 20 to the west is permitted without the need for a special permit amendment if approved by VDOT, FCDOT and/or LDS, as applicable.
39. The architectural design of Phase I and Phase II of the build out plan must be in substantial conformance with the elevations submitted with this application, included as Attachment 1 to these conditions.
40. In the interim condition, in order to manage the runoff from the trailers, the applicant must install the 15 in. CMP outlet pipe and 74 ft. x3 ft.x3 ft. stone trench as depicted on Sheet 1A of the special permit plat within 180 days of approval of this special permit amendment application. These improvements must be maintained in good condition until such time as the trailers are removed and/or construction of the Phase I new building(s) are initiated.
41. The trailers must be maintained in good condition at all times.
42. The applicant must formally abandon the potable well on the property, as shown on the plat in coordination with Fairfax County Health Department.
43. During serve weather warning events as by the National Weather Service and/or the Fairfax County Department of Emergency Management and Security, use of the trailers is prohibited. .
44. The applicant is responsible for identifying and complying with the terms of all easements, covenants, conditions, liens, judgments, encroachments or other encumbrances to title affecting the subject property, shown or not shown, on the approved special permit/variance plat as may be determined by a court of competent jurisdiction. Approval of this application does not abrogate, vacate, interfere with, or invalidate such claims.
45. Pursuant to Section 8100.4.D of the Zoning Ordinance, this special permit will take effect upon approval by the Board of Zoning Appeals.

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The meeting recessed at 10:38 a.m. and reconvened at 10:54 a.m.

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~ ~ ~ June 4, 2025, Scheduled case of:

Idara Dawat O Irshad, Usa Corp and Khat me Nubuwwat Center, Inc., ZAPL-2025-MA-00010 (Concurrent with ZAPL-2025-MA-00011) An appeal of a Notice of Violation that the appellant is operating a religious assembly on a residential property without an approved special permit, site plan, building permit, or Nonresidential Use Permit approval; locating a second principal building on the same lot as a dwelling unit; and erecting a fence exceeding the height limitation, in violation of Zoning Ordinance provisions. Located at 4803 Valley Street, Alexandria, VA 22312. Approx. 24,728 sq. ft. of land, zoned R-2, Mason District, Tax Map 72-1 ((10)) 30.

Idara Dawat O Irshad, Usa Corp and Khatme Nubuwwat Center, Inc., ZAPL-2025-MA-00011 (Concurrent with ZAPL-2025-MA-00010) An appeal of a Notice of Violation that the appellant is operating a religious assembly on a residential property without an approved special permit, site plan, or Nonresidential Use Permit approval; constructing unpermitted additions to the dwelling that do not meet setback requirements; and erecting a fence exceeding the height limitation, in violation of Zoning Ordinance provisions. Located at 4747 Valley Street, Alexandria, VA 22312. Approx. 31,232 sq. ft. of land, zoned R-2, Mason District, Tax Map 72-1 ((10)) 31.

The participants in the hearing were as follows:

- Sara Morgan, Deputy Zoning Administrator, Zoning Administration Division
- Austin Gastrell, Staff Coordinator
- Cherie Mack, Assistant County Attorney
- Jonathan Riggs, CDS Environmental Compliance Enforcement, Code Specialist
- Crystal Lamb, Department of Code Compliance, Investigator
- James Ciampini, Department of Code Compliance, Supervisor
- Kathryn Taylor, Agent for the Appellants
- Omar Khan, Appellant

After the hearing where testimony was presented by Mr. Gastrell, Ms. Morgan, Ms. Mack, Mr. Riggs, Ms. Lamb, Mr. Ciampini, Ms. Taylor, and Mr. Khan, and there being no public speakers, Mr. Aminoff moved to uphold the determination of the Zoning Administrator for the following reasons:

- There had been several moving parts to these applications over the timeline of many years.
- There were various violations identified by county staff, as outlined in the reissued notice of violation in May 2025.
- The Board supports the Zoning Administrator's findings on the violations.
- The Board found that the Zoning Administrator was correct in issuing the notice of violation.

Vice Chairman Ballo seconded the motion, which carried by a vote of 7-0. Mr. Smith voted in his capacity as the alternate board member.

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~ ~ ~ September 10, 2025, After Agenda Item:

Approval of March 5, 2025; March 12, 2025; March 19, 2025; and March 26, 2025, Minutes.

Mr. Smith moved to approve the Minutes. Ms. Rouzi seconded the motion, which carried by a vote of 7-0. There was one vacancy. Mr. Smith voted in his capacity as the alternate board member.

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~ ~ ~ September 10, 2025, After Agenda Item:

Request for Additional Time
Knox Presbyterian Church, SP-2021-PR-060

Mr. Smith moved to approve the additional time to commence construction with a expiration date of July 1, 2027. Ms. Rouzi seconded the motion, which carried by a vote of 7-0. There was one vacancy. Mr. Smith voted in his capacity as the alternate board member.

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~ ~ ~ September 10, 2025, After Agenda Item:

Request for Additional Time
La Biblia Church Ministries, Inc, SPA-2020-SP-049

Mr. Smith moved to approve the request to grant additional time to commence construction with a new expiration date of July 1, 2026. Ms. Rouzi seconded the motion, which carried by a vote of 7-0. There was one vacancy. Mr. Smith voted in his capacity as the alternate board member.

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As there was no other business to come before the Board, the meeting was adjourned at 11:56 a.m.

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Minutes by: Melissa R. Taylor

Approved: November 19, 2025