



# FAIRFAX COUNTY

**APPLICATION FILED:** August 4, 2005  
**BOARD OF ZONING APPEALS:** November 1, 2005  
**TIME:** 9:00 a.m.

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V I R G I N I A

**October 25, 2005**

**STAFF REPORT  
SPECIAL PERMIT APPLICATION NO. SPA 68-M-877  
MOUNT VERNON DISTRICT**

**APPLICANT:** Wesley United Methodist Trustees

**ZONING:** R-2, HC

**LOCATION:** 8412, 8413, 8416, 8417, 8420, 8421, 8424,  
8425 Richmond Avenue

**ZONING ORDINANCE PROVISIONS:** 3-203

**TAX MAP:** 101-3 ((8)) (B) 31; 101-4 ((8)) (B) 1, 2, 3, 4, 32,  
33, 34

**LOT SIZE:** 3.42 acres

**PLAN MAP:** Residential 1-2 du/ac

**SP PROPOSAL:** Amend SP 68-M-877 previously approved for a Church with a nursery school to permit an increase in enrollment and hours of operation.

**STAFF RECOMMENDATION:** Staff recommends approval of SPA 68-M-877 with the adoption of the Proposed Development Conditions in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

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.**



## DESCRIPTION OF THE APPLICATION

**Special Permit Request:** Amend SP 68-M-877 previously approved for a church with a nursery school to permit an increase in enrollment from 25 to 75 children and increase hours of operation from 9:00 am to 12 noon & 12:30 pm to 3:15 pm, to 9:00 am to 3:00 pm.

	<u>Existing</u>	<u>Proposed</u>
<b>Size:</b>	3.42 acres	No change
<b>FAR:</b>	0.07	No change
<b>Parking:</b>	72 spaces	No change
<b>Number of Seats:</b>	150	No change
<b>Childcare Employees:</b>	Unknown	7
<b>Gross Floor Area:</b>	10,501 square feet	No change
<b>Nursery School Enrollment</b>	25	75
<b>Nursery School Hours:</b>	9:00 am to 12 noon & 12:30 pm to 3:15 pm Monday-Friday	9:00 am to 3:00 pm, Monday-Friday

### Waivers and Modifications:

A modification of the transitional screening requirements and a waiver of barrier requirements were granted along all lot lines in conjunction with SP 68-M-877 to allow existing fences and vegetation to remain.

## LOCATION AND CHARACTER

**Existing Site Description:** The subject property is located at 8412 Richmond Avenue, just south of Richmond Highway and west of Old Mount Vernon Road. The site currently contains a two story brick church, a one story brick fellowship hall, a play area, and parking lots. Trees and shrubs of varying density populate the site.

## BACKGROUND

**Site History:**

The existing church buildings were constructed in 1953. In 1967, Special Permit S-655-67 was approved for the operation of a nursery school with an enrollment of 20 children and hours of operation from 9:15 am to 12:15 pm. In 1968, Special Permit SP 68-M-877 was approved for an increase of enrollment to 25 children and hours of operation from 9:00 am to 12 noon and 12:30 pm to 3:15 pm. A copy of the Resolution approved in conjunction with SP 68-M-877 is included in Appendix 4.

**Surrounding Area Description:**

<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Single Family Dwellings	R-2	Residential 1-2 du/ac
<b>South</b>	Single Family Dwellings	R-2	Residential 1-2 du/ac
<b>South</b>	Single Family Dwellings	R-2	Residential 1-2 du/ac
<b>North</b>	Single Family Dwellings	R-2	Residential 1-2 du/ac

**COMPREHENSIVE PLAN PROVISIONS**

**Plan Area:** Area IV, Mount Vernon Planning District  
**Planning Sector:** Mount Vernon Planning Sector (MV7)  
**Plan Map:** Residential 1-2 du/ac

**ANALYSIS****Special Permit Plat** (Copy at front of staff report)

**Title of SP Plat:** Plat Showing the Improvements on Lots 1, 2, 3, 4, 31, 32, 33, & 34 Block B, Section 2, Mt. Zephyr, Mount Vernon District, Fairfax County, Virginia  
**Prepared By:** Bryant L. Robinson, Alexandria Surveys  
**Dated:** October 7, 2003, revised through October 6, 2005

**Proposed Use:**

The applicant proposes to amend SP 68-M-877 previously approved for a church with a

nursery school to permit in increase in enrollment and hours of operation. The applicant proposes to increase the enrollment from 25 to 75 students and lengthen hours of operation from 9:00 a.m. to 12:00 noon & 12:30 pm to 3:15 pm, Monday through Friday, to 9:00 a.m. to 3:00 p.m., Monday through Friday. The church contains 150 seats in the sanctuary and 72 parking spaces. No other changes or new construction is proposed with the application.

### Land Use Analysis

No new construction or additional impervious surface is proposed for the site. The proposed use is in conformance with the recommendations of the Comprehensive Plan.

### Transportation Analysis

There are no transportation issues associated with this application.

### Environmental Analysis

There are no environmental issues associated with this application.

### ZONING ORDINANCE PROVISIONS

<b>R-2 DISTRICT REGULATIONS</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>Bulk Regulations R-2</b>		
<b>Lot Size</b>	18,000 sq ft.	3.42 acres
<b>Lot Width</b>	100 feet	Approx. 398.1 feet
<b>Building Height (Church)</b>	35 feet (maximum)	30.8 feet
<b>Building Height (Fellowship Hall)</b>	35 feet (maximum)	17.1 feet
<b>Front Yard (Church)</b>	35 feet	79.5 feet
<b>Side Yard (Church)</b>	15 feet	85.9 feet
<b>Rear Yard (Church)</b>	25 feet	222 feet

<b>R-2 DISTRICT REGULATIONS</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>Front Yard (Fellowship Hall)</b>	45 degree angle bulk plane, not less than 35 feet	97 feet
<b>Side Yard (Fellowship Hall)</b>	40 degree angle bulk plane, not less than 15 feet	67.9 feet
<b>Rear Yard (Fellowship Hall)</b>	40 degree angle bulk plane, not less than 25 feet	268.5 feet
<b>FAR</b>	0.20	0.07
<b>Parking</b>		
<b>Parking Spaces</b>	Church: 38 Nursery School: 15 Total: 53 spaces*	72 spaces

\* The required parking for a place of worship with 150 seats at one space per four seats, and 0.19 spaces per child in the nursery school.

<b>Standard</b>	<b>Required</b>	<b>Provided</b>
<b>Transitional Screening</b>		
<b>North (single family residential)</b>	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	40 to 80 foot wide area planted w/ deciduous trees and lawn
<b>South (single family residential)</b>	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	25 foot wide area planted w/ deciduous trees and lawn

Standard	Required	Provided
<b>East (single family residential)</b>	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	79 foot wide area planted w/ deciduous trees and lawn
<b>West (single family residential)</b>	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	86 foot wide area planted w/ deciduous trees and lawn
<b>Barrier</b>		
<b>North (single family residential)</b>	Barrier D, E or F	None
<b>South (single family residential)</b>	Barrier D, E or F	Approx. 89 ft. length of 6 ft. high wood fence; Approx. 111 ft. length of 4 ft. high chain-linked fence
<b>East (single family residential)</b>	Barrier D, E or F	None
<b>West (single family residential)</b>	Barrier D, E or F	None

### WAIVERS/MODIFICATIONS REQUESTED

**Waiver/Modification:** Modification of the transitional screening requirements and a waiver of barrier requirements as approved in conjunction with SP 68-M-877.

### OTHER ZONING ORDINANCE PROVISIONS

**Special Permit Requirements** (Appendix 5)

- General Special Permit Standards (Sect. 8-006)
- Group 3 Standards (Sect. 8-303)
- Additional Standards for Churches with a Child Care Center, Nursery School or Private School (Sect. 8-308)

**Summary of Zoning Ordinance Provisions**

Staff believes that the subject application has satisfied all applicable standards with the adoption of the development conditions outlined below.

**CONCLUSIONS**

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions as outlined above with the adoption of the proposed development conditions.

**RECOMMENDATIONS**

Staff recommends approval of the application with adoption of 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 applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

**APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Resolution Approved in Conjunction with SP 68-M-877
5. Applicable Zoning Ordinance Provisions

## PROPOSED DEVELOPMENT CONDITIONS

**October 25, 2005**

If it is the intent of the Board of Zoning Appeals to approve SPA 68-M-877 located at Tax Map 101-3 ((8)) (B) 31 & 101-4 ((8)) (B) 1, 2, 3, 4, 32, 33, 34, pursuant to Section 3-203 of the Fairfax County Zoning Ordinance to amend SP 68-M-877 previously approved for a church with a nursery school to permit an increase in enrollment and hours of operation, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant only, Wesley United Methodist Church and is not transferable without further action of this Board, and is for the location indicated on the application, 8412, 8413, 8416, 8417, 8420, 8421, 8424, 8425 Richmond Avenue and is not transferable to other land.
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by Bryant L. Robinson dated October 7, 2003, revised through October 6, 2005 and approved with this application, as qualified by these development conditions.
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 Special Permit Amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit, shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The maximum number of seats in the main area of worship shall be 150.
6. The total maximum daily enrollment in the nursery school shall be 75.
7. The maximum hours of operation of the nursery school shall be 9:00 A.M. - 3:00 P.M., Monday through Friday.
8. Parking shall be provided as depicted on the Special Permit Plat. All parking shall be on site.
9. Transitional screening shall be modified along all lot lines to permit existing vegetation and landscaping as shown on the special permit plat to meet the transitional screening requirements.
10. The barrier requirement shall be waived along all lot lines.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless a new Non-Residential Use Permit (Non-RUP) has been approved. The Board of Zoning Appeals may grant additional time to establish the use 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.