



County of Fairfax, Virginia

June 20, 2006

STAFF REPORT

SPECIAL PERMIT APPLICATION SPA 2002-LE-041

LEE DISTRICT

APPLICANT: Trustees of All Saints Episcopal Church – Sharon Chapel

ZONING: R-2

LOCATION: 3421 Franconia Road

ZONING ORDINANCE PROVISION: 3-203

TAX MAP: 82-2 ((01)) 49, 82-4 ((01)) 40

LOT SIZE: 5.95 acres

PLAN MAP: Residential, 2-3 du/ac

SP PROPOSAL: To amend SP 2002-LE-041 previously approved for a church to permit building additions and site modifications.

Staff recommends approval of SPA 2002-LE-041 subject to 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 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.

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Department of Planning and Zoning

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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 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

DESCRIPTION OF THE APPLICATION

Special Permit Request: Amend SP 2002-LE-041 previously approved for a church to permit a second story building addition with an enclosed elevator and staircase, installation of temporary trailer, and additional parking lot islands.

	<u>Existing</u>	<u>Proposed</u>
Size:	5.95 acres	No change
FAR:	0.03	0.04
Parking:	74 spaces	No change
Number of Seats:	156	No change
Gross Floor Area:	7,367 sq ft.	9, 798 sq ft.

Waivers and Modifications:

The applicant is seeking a modification of the transitional screening requirements along a portion of the southern lot line, and a modification of the transitional screening along the northern, eastern, and western lot lines, including a portion of the southern lot line, in favor of existing vegetation. The applicant is seeking a waiver of barrier requirements along all lot lines.

LOCATION AND CHARACTER

Existing Site Description: The subject property is located at 3421 Franconia Road, just west of the Franconia Road/Telegraph Road intersection in the Lee District. The site is developed with a 156 seat, 7,367 square foot church with an FAR of 0.03. The site contains 74 parking spaces, a small cemetery situated behind the church, and two small sheds along the western lot line. Access to the site is via a single paved entrance from Franconia Road in the northeastern section of the site. A 40 foot wide VEPCO easement runs diagonally through the site from the entrance drive to the west side of the church. Trees and shrubs of varying density populate the site.

BACKGROUND

Site History:

The property has been under the ownership of the church since 1849. The existing church was constructed in 1963, prior to the current Zoning Ordinance, and therefore, prior to the requirement of a special permit. Special Permit S-714-67 was granted on October 24, 1967 to permit the operation of a day school, nursery and kindergarten for approximately 30 children. Special Permit S-31-75 was granted on March 26, 1975 to permit an increase in the number of children for the nursery school from 30 to 40. The nursery school is no longer in operation; therefore, the development conditions relevant to that use are no longer applicable.

A building permit was obtained and an addition was constructed in 1970 which now comprises the eastern segment of the church. However, the addition was constructed only 12.75 feet from the eastern side lot line. In 2002, the applicant applied for, and received a special permit to construct a 920 square foot fellowship hall behind the existing church, and allow a reduction to the minimum yard requirements based on the error in building which occurred in 1970. The fellowship hall was never constructed. The resolution and approved plat for SP 2002-LE-041 are included in Appendix 4.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Single Family Dwellings, Detached and Attached	R-3, PDH-8	Residential 2-3 du/ac
South	Single Family Dwellings	R-2	Residential 2-3 du/ac
East	Single Family Attached Dwellings, church	R-8	Residential 2-3 du/ac
West	Single Family Dwellings, church	R-3	Residential 2-3 du/ac

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area IV, Rose Hill Planning District
Planning Sector: Wilton Woods Community (RH-5)

Plan Map: Residential 2-3 du/ac

ANALYSIS

Special Permit Plat (Copy at front of staff report)

Title of SP Plat: All Saints Episcopal Church, Sharon Chapel

Prepared By: Gregory J. Budnik, GJB Engineering, Inc.

Dated: March, 2006, revised through June 13, 2006

Proposed Use:

The applicant proposes to construct a 2,431 square foot second story addition to the eastern segment of the church, which is currently 7,367 square feet. This proposed addition will be used for additional Sunday school space and offices. The addition will not change the footprint of the existing building, except for the installation of a stairwell and enclosed elevator. Also, the applicant is proposing the installation of four small, landscaped parking lot islands on the northern edge of the parking area.

The applicant is also proposing the installation of a 960 square foot temporary trailer in the parking lot behind the church until work is complete on the addition. This trailer will temporarily eliminate three parking spaces during the course of construction; the amount of parking spaces during this period will drop from 74 to 71, thus decreasing the parking ratio from 2.1 seats per space to 2.2 seats per space. The Zoning Ordinance requires a minimum of 4 seats per space.

Upon completion, the FAR on site will increase from 0.03 to 0.04. Under the Zoning Ordinance, the maximum FAR is 0.20 for an R-2 District.

Land Use Analysis

Fairfax County Comprehensive Plan, 2003 Edition, AREA IV
Rose Hill Planning District, Amended through December 6, 2004, RH-5 Wilton Woods
Community Planning Sector, page 77:

“The Wilton Woods Community Planning Sector is largely developed as stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity and in accordance with the guidance provided by the Policy Plan...
Where substantial consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.”

Additional impervious surface is proposed for the site in the form of an elevator shaft and stairwell, comprised approximately 255 square feet. The proposed use is in conformance with the recommendations of the Comprehensive Plan.

Stormwater Analysis (Appendix 5)

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Issue: Site Outfall

Staff requested that the applicant revise the Outfall Narrative to describe the condition of the site outfall channel rather than what the storm system consists of. The drainage area at the point where the analysis ceases should be included in the narrative and must be where the watershed is at least 100 times the site size of 1 square mile, as the Zoning Ordinance requires. Staff felt that an adequate outfall could not be determined to exist based on the narrative provided by the applicant, nor give an indication of the condition of the outfall. Furthermore, staff informed that applicant that a previous analysis performed in the 2002 application, or one from a nearby location would not be sufficient in demonstrating adequate outfall for this application.

Resolution

The applicant submitted a revised plat dated June 13, 2006 to the Department of Planning and Zoning on June 15, 2006. However, DPWES has not had sufficient time to review this revised plat to determine if it provides adequate outfall. Staff has provided a development condition which stipulates that the applicant must demonstrate the ability to provide adequate outfall at the time of site plan review to DPWES in order to secure approval for construction.

Transportation Analysis

There are no transportation issues associated with this application.

ZONING ORDINANCE PROVISIONS

R-2 DISTRICT REGULATIONS	REQUIRED	PROVIDED
Bulk Regulations R-2		
Lot Size	15,000 sq ft.	5.95 acres
Lot Width	100 feet	403.8 feet
Building Height	60 feet	28 feet
Front Yard (Church)	45 ABP, but not less than 35 feet	201.8 feet

R-2 DISTRICT REGULATIONS	REQUIRED	PROVIDED
Side Yard (Church)	40 APB, but not less than 15 feet	West side: 58.9 feet East side: 12.75 feet*
Rear Yard (Church)	40 APB, but not less than 25 feet	195 feet
FAR	0.20	0.04
Parking		
Parking Spaces	Church: 39	74 spaces

*Special Permit SP 2002-LE-041 approved a reduction to minimum yard requirements, based on building in error

Standard	Required	Provided
Transitional Screening		
North (single family attached and detached dwellings)	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	Natural vegetation with a width of approximately 25 feet
South (single family residential)	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	Natural vegetation with a width ranging from 50 feet to approximately 350 feet

Standard	Required	Provided
East (single family attached residential, church)	None in part (adjacent to church), and T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees (southern portion only)	Natural vegetation with a width ranging from 0 feet up to approximately 400 feet; no screening provided along the southern portion
West (single family residential, church)	None in part (adjacent to church), and T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees (southern portion)	Bamboo and natural vegetation with a width ranging from 10 feet to 30 feet
Barrier		
North (single family attached and detached dwellings)	Barrier D, E or F	None
South (single family residential)	Barrier D, E or F	None
East (single family attached residential, church)	Barrier H (adjacent to church), and Barrier D, E or F (southern portion)	None adjacent to church; 6 foot high wooden fence along southern portion
West (single family residential, church)	Barrier H (adjacent to church), and Barrier D, E or F (southern portion)	None adjacent to church; 6 foot high wooden fence along southern portion

WAIVERS/MODIFICATIONS REQUESTED

Waiver/Modification: A modification of the transitional screening requirements along a portion of the southern lot line, and a modification of the transitional screening along the northern, eastern, and western lot lines, including a portion of the southern lot line, in favor of existing vegetation; a waiver of barrier requirements along all lot lines.

Basis: Par. 3 of Sect. 13-304 states that transitional screening and barrier requirements may be waived or modified where the building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through the combination of architectural and landscaping techniques.

A buffering width of approximately 50 to 350 feet of mature trees exist on a portion of the southern side of the site, adjacent to an established residential neighborhood and no changes are proposed within the buffer strip. A buffering width of approximately 0 to 400 feet also exists along a portion of the eastern side of the site adjacent to another church, where no transitional screening is required. Transitional screening is not required along the northern portion of the western lot line, although dense stands of bamboo and other natural vegetation exist in patches. A wooden fence is present along the eastern and western sides of the cemetery, effectively screening the rear portion of the property from the adjacent residential properties. The applicant is proposing to install four ornamental trees along the frontage of the parking lot to provide the equivalent of the peripheral parking lot landscaping requirement.

Dense vegetation exists along the eastern side of the church bordering Lot 15. This area falls within the limits of clearing and grading for the proposed addition. Staff has included a development condition which calls for the planting of a row of evergreens measuring at least 6 feet in height along the extent of the building addition. These trees will work to ensure that the church use is adequately screened from the residential lots to the east, due to the probable removal of the dense vegetation.

Staff supports a modification of the transitional screening requirements along a portion of the southern lot line, and a modification of the transitional screening along the northern, eastern, and western lot lines, including a portion of the southern lot line, in favor of existing vegetation. Staff also recommends approval of a waiver of barrier requirements along all lot lines. The proposed addition does not encroach on any lot lines.

OTHER ZONING ORDINANCE PROVISIONS

Special Permit Requirements (Appendix 6)

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

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 and Plat Approved in Conjunction with SP 2002-LE-041
5. Stormwater Management Analysis
6. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**June 20, 2006**

If it is the intent of the Board of Zoning Appeals to approve SPA 2002-LE-041 located at Tax Map 82-2 ((01)) 49, 82-4 ((01)) 40, pursuant to Section 3-203 of the Fairfax County Zoning Ordinance to amend SP 2002-LE-041 previously approved for a church to permit building additions and site modifications, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Those conditions carried forward from the previous special permit are marked with an asterisk (*). Minor edits have been made to conform to current standards. Edits have been underlined.

1. This approval is granted to the applicant only, Trustees of All Saints Episcopal Church – Sharon Chapel and is not transferable without further action of this Board, and is for the location indicated on the application, 3421 Franconia Road 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 Gregory J. Budnik (GJB Engineering, Inc.) dated March, 2006, revised through June 13, 2006, and approved with this application, as qualified by these development conditions.*
3. A copy of this special permit and the Non-Residential Use Permit (Non-RUP) SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.*
4. This special permit 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 one-hundred and fifty-six (156).*
6. Parking shall be provided in the areas shown on the Special Permit Amendment Plat. All parking for the church shall be on site.*
7. The applicant shall plant a row of evergreen trees measuring a minimum of 6 feet in height at time of planting along the eastern side of the building addition. Number and species shall be determined in consultation with Urban Forestry Management (UFM).
8. Except as noted in Condition 7, transitional screening shall be modified along all lot lines in favor of the existing vegetation on site.

9. The barrier requirement shall be waived along the northern and southern lot lines. As depicted on the SPA Plat, a barrier shall be provided along the southern portion of the eastern and western lot lines.
10. Interior and parking lot shall be provided in accordance with Article 13 of the Zoning Ordinance and as determined by DPWES.*
11. Any proposed new lighting on the site shall be in accordance with the following:
 - The combined height of the light standards and fixtures shall not exceed 12 feet and shall be full cut-off lights.
 - The lights shall be of a design which focuses the light directly onto the subject property.
 - Shields shall be installed, if necessary, to prevent the light from projecting beyond the facility.
 - The lights shall be controlled with an automatic shut-off device, and shall be turned off when the site is not in use, except for security lighting directly adjacent to the building.
 - There shall be no up-lighting of the proposed addition.*
12. Adequate outfall shall be provided to the satisfaction of DPWES. If such cannot be achieved in substantial conformance with the special permit plat and these conditions, an amendment to this special permit may be required.
13. Tree cover shall be provided pursuant to in Article 13 of the Zoning Ordinance. Final determination regarding compliance with these requirements shall be as determined by DPWES at the time of site plan review.*
14. All signs on the property shall conform to the provisions of Article 12.*
15. The limits of clearing and grading shall be no greater than shown on the special permit amendment plat.*
16. The temporary trailer shall be removed upon issuance of a Non-RUP for the second story addition, or within 5 years from the approval date of the Non-RUP for the trailer, whichever occurs first.
17. The architecture of the church addition shall be consistent with the existing building.

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.