



County of Fairfax, Virginia

November 7, 2006

STAFF REPORT

SPECIAL PERMIT APPLICATION SPA 77-P-091-02

PROVIDENCE DISTRICT

APPLICANT: Holmes Run Acres Recreation Association, Inc. /
Fairfax County Public Schools

LOCATION: 3451 Gallows Rd.

ZONING ORDINANCE PROVISIONS: 3-303

ZONING DISTRICT: R-3

TAX MAP: 59-2 ((09)) (1) 6-7

LOT SIZE: 3.83 acres

FAR: 0.0126

PLAN MAP: Residential, 2-3 du/ac

SP PROPOSAL: Amend SP 77-P-091 previously approved for a community swim club and parking of Fairfax County Public School buses to permit modification of development conditions.

STAFF RECOMMENDATION:

Staff recommends approval of SPA 77-P-091-02, 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.

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Department of Planning and Zoning

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/

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.**



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).

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DESCRIPTION OF THE APPLICATION

Special Permit Request:	Amend SP-77-P-091 previously approved for a community swim club and parking of Fairfax County School buses to permit a modification to the development conditions to permit the pool to open at 7 a.m. instead of 9 a.m., to permit school bus parking until the end of the school year rather than just to Memorial Day weekend, and to permit the deletion of the term limit to allow the continued parking of Fairfax County Public school buses.
Size of Lot:	3.83 acres
Hours of operation of Swim club:	Existing: 9:00 a.m. – 9:00 p.m. Proposed: 7:00 a.m. – 9:00 p.m.
Parking spaces:	86

LOCATION AND CHARACTER

Existing Site Description: The subject property is located on the north side of Gallows Road just east of I-495. Within the 3.83 acres is a recreation club including a gravel parking lot with 52 parking spaces, a clubhouse, bath house, shed containing 2,100 square feet, 2 adult swimming pools, and 1 baby pool. The majority of the site is wooded.

BACKGROUND

Site History:

The Holmes Run Recreation Association was established in 1953. In 1959, the site was granted a Special Permit to permit extension of the pool facilities. In 1968, Special Permit S-823-68 was granted to permit parking, a picnic area, bath house, tennis courts and shuffleboard. In 1977, S-91-77 was granted permitting the replacement of the existing bath house with a larger one.

On November 15, 2005, SPA 77-P-091 was approved which allowed the parking of Fairfax County Public school buses in the Holmes Run parking lot. Development condition number 11 stipulates that the approval is approved for one year in order for the BZA to review the use to ensure that the buses did not cause an unforeseen

negative impact on the community. A copy of the Resolution and plat approved in conjunction with SPA 77-P-091 is included in Appendix 4.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Single family detached dwellings	R-3	Residential, 2-3 du/ac
South	Single family detached dwellings	R-2	Residential, 1-2 du/ac
East	Single family detached dwellings	R-3	Residential, 2-3 du/ac
West	Elementary school and single family detached dwellings	R-3	Institutional use, 2-3 du/ac

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area I, Jefferson Planning District
Planning Sector: Walnut Hill (J4)
Plan Map: Residential, 2-3 du/ac

ANALYSIS

Special Permit Plat (Copy at front of staff report)

Title of SP Plat: Special Permit Plat, Bath House, Lots 6 and 7, Holmes Run Acres
Prepared By: Hamid Matin, Professional Design Group, Inc.
Dated: April 24, 2005, revised September 14, 2005

Proposed Use:

The applicant is seeking to amend SP 77-P-091 to permit the continuation of the parking of Fairfax County Public School buses at Holmes Run Acres due to insufficient space for bus storage at Woodburn Elementary School's parking lot. SPA 77-P-091, which was approved on November 15, 2005, contains a development condition which was imposed by the BZA which limited the approval of the special permit for one year. In this application (SPA 77-P-091-02), the applicant wishes to remove Development Condition 11, which limits the approval of the application for one year in favor of not having a term limit.

Holmes Run operates and hosts swimming-related activities from June through August each year between the hours of 9:00 a.m. and 9:00 p.m., Monday through Friday. During the remaining 9 months of the year (September through May), the applicant is proposing to continue parking eight (8) Fairfax County School buses in its gravel parking lot, adjacent to Gallows Road. The lot is unstriped and the spaces marked on the plat are approximate. "Bus alternate" spaces represent alternate spaces for buses to park, though no more than eight (8) buses are proposed to be on site at any one time. Fairfax County school buses parked on the Holmes Run property service Woodburn Elementary School located approximately 700 feet west of the subject property. No new buildings or construction is proposed with the application.

The applicant is also requesting to extend the dates in which buses may be parked at Holmes Run from Labor Day to Memorial Day each year to Labor Day thru the end of the academic school year, which concludes approximately 2-3 weeks after Memorial Day.

Additionally, the applicant is proposing to extend the hours of operation for the pool use from 9:00 a.m. – 9:00 p.m. to 7:00 a.m. – 9:00 p.m. in order for patrons to lap swim, practice yoga, and perform other such activities before the workday begins. The applicant has made clear that swim team practices would not commence each morning until 8:00 a.m.

Land Use Analysis

In 2005, SPA 77-P-091 was approved which allowed the parking of Fairfax County Public school buses in the Holmes Run parking lot. Development Condition 11 stipulated that the approval was for one year in order for the BZA to review the use to ensure that the buses did not cause an unforeseen negative impact on the community.

There have been no Zoning Enforcement complaints, nor direct complaints to Zoning Evaluation staff about the parking of the school buses up to the time of the publication of the staff report.

Transportation Analysis

There are no transportation issues associated with this application.

Environmental Analysis

There are no environmental issues associated with this application.

ZONING ORDINANCE REQUIREMENTS

R-3 DISTRICT REGULATIONS	REQUIRED	PROVIDED
Bulk Regulations R-3		
Lot Size	10,500 square feet	3.83 acres
Lot Width	105 feet (minimum)	approximately 300 feet
Building Height	60 feet	22 feet
Front Yard	40 degree angle of bulk plane, not less than 30 feet	195 feet
Side Yard	35 degree angle of bulk plane, not less than 10 feet	27 feet
Rear Yard	35 degree angle of bulk plane, not less than 25 feet	105 feet 13 feet (shed)
Parking		
Parking Spaces	64 spaces for swim club	86 spaces

Special Permit Requirements (Appendix 5)

- General Special Permit Standards (Sect. 8-006)
- Group 4 Standards (Sect. 8-403)

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 applicable Zoning Ordinance provisions as outlined above with the adoption of the development conditions.

RECOMMENDATIONS

Staff recommends approval of the proposed use with adoption of all 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. Approved Development Conditions and Plat for SPA 77-P-091
5. Applicable Zoning Ordinance Provisions Checklist

PROPOSED DEVELOPMENT CONDITIONS**November 7, 2006**

If it is the intent of the Board of Zoning Appeals to approve SPA 77-P-091-02 located at Tax Map 59-2 ((09)) (1) 6-7, pursuant to Section 3-303 of the Fairfax County Zoning Ordinance to amend SP 77-P-091 previously approved for a community swim club and the parking of Fairfax County Public School buses to permit modification of development conditions, 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 bolded.

1. This approval is granted to the applicant only, Holmes Run Acres Recreation Association Inc. / Fairfax County Public Schools and is not transferable without further action of this Board, and is for the location indicated on the application, 3451 Gallows 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 Hamid Matin dated April 24, 2005, revised September 14, 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. The maximum number of memberships shall be 400.*
5. The hours of operation shall be from ~~9:00~~ **7:00** a.m. to 9:00 p.m. daily, Memorial Day through Labor Day. **No swim team practice shall be held before 8:00 a.m.** *
6. No more than eight (8) Fairfax County School buses shall be parked in the parking lot at any given time.*
7. Notwithstanding that which is marked on the plat, the alternate spaces along the eastern lot line shall be deleted **and all other bus spaces shall be removed except the eight eastern-most parking spaces in the center aisle to allow for adequate circulation on site for pool patrons.** *
8. Transitional Screening 1 shall be **maintained** along the western lot line, between the parking lot and the lot line. All plant material shall be maintained in a healthy condition and any dead, dying or damaged plat material shall be replaced with like kind.*
9. The number of After Hours Parties shall be limited to SIX (6) per year with the

prior written permission from the Zoning Administrator for each individual party.*

10. Fairfax County School buses shall park in Holmes Run Acres Association's parking lot ONLY between Labor Day weekend and ~~Memorial Day~~ **the end of the academic school year.***

~~11. This special permit is approved for ONE (1) year.~~

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 the use has been established. 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.