



# FAIRFAX COUNTY

**APPLICATION FILED:** January 25, 2007  
**BOARD OF ZONING APPEALS:** April 24, 2007  
**TIME:** 9:00 a.m.

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V I R G I N I A

**April 17, 2007**

## **STAFF REPORT**

**SPECIAL PERMIT AMENDMENT APPLICATION NO. SPA 92-V-003-02**

### **MOUNT VERNON DISTRICT**

**APPLICANT:** Trustees of St. Aidan's Episcopal Church

**ZONING:** R-3

**LOCATION:** 8531 Riverside Road

**ZONING ORDINANCE PROVISIONS:** Sect. 3-303

**TAX MAP:** 102-3 ((1)) 33

**LOT SIZE:** 7.17 acres

**F.A.R.:** 0.065

**PLAN MAP:** Residential 2-3 du/ac

**SP PROPOSAL:** An amendment to SP 92-V-003 previously approved for a place of worship and nursery school to permit building additions and site modifications.

### **STAFF RECOMMENDATION:**

Staff recommends approval of SPA 92-V-003-02, subject to the proposed development conditions contained in Appendix 1.

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

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

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.

**DESCRIPTION OF THE APPLICATION****Special Permit Request:**

An amendment to SP 92-V-003 previously approved for a place of worship and nursery school to permit building additions and site modifications. The building additions consist of the construction of a curved area behind the altar of the sanctuary, an increase in the size of the greeting and entrance area, and an addition to the space to support worship which includes uses such as choir vesting, meeting, and classroom space. Several improvements to the entrance area are proposed as is a 40 foot 9 inch tall bell tower. The additions will increase the size of the existing building by 1,600 square feet. There is no increase in the number of seats approved in the sanctuary and no additional increase in enrollment at the nursery school. .

	<u>Existing</u>	<u>Proposed</u>
<b>Size of property:</b>	7.18 acres	7.18 acres
<b>Parking:</b>	94 spaces	94 spaces
<b>Gross Floor Area:</b>	18,758 square ft.	20,358 square ft.
<b>FAR:</b>	0.06	0.065
<b>Number of Seats:</b>	300 seats	300 seats
<b>Maximum Daily Enrollment (Nursery School)</b>	99	99
<b>Employees:</b>		
Church:	2	2
Nursery School:	18	18

**Hours of Operation (Existing; no Change Proposed):  
(Church)**

Sunday services: 8:30 a.m., 10:30 a.m. and 6:00 p.m.

Administrative Offices and Church Building  
(Monday through Friday): 8:00 a.m. to 1:00 p.m.

**Hours of Operation:  
(Nursery School; Existing; no Change Proposed)**

Monday through Friday: 9:00 a.m. to 2:00 p.m.

**Waiver and Modifications Requested:**

The applicant requests that the transitional screening and barrier requirements be modified and waived along all lot lines, respectively, in favor of the existing vegetation.

**LOCATION AND CHARACTER****Existing Site Description:**

St. Aidan's Episcopal Church is located at 8531 Riverside Road to the south of its intersection with Stirrup Lane. The property is surrounded on all sides by property zoned R-3 which is developed with single family detached dwellings. The existing church, parish hall (which also contains offices) and school structures are located in the center of the site. A garage structure is located at the northwestern corner of the parking lot. The structures currently contain 18,758 square feet of gross floor area. A play area is located adjacent to the school structure in the southeastern area of the property. The combined FAR for the existing buildings is 0.06. A parking lot with 94 spaces is located between the central part of the property and the north lot line. The site is accessed by a driveway, which traverses the western part of the site, connects the parking lot to Riverside Road.

The property is heavily wooded with a concentration of existing deciduous and evergreen vegetation located along the eastern, southern, and southwestern sides of the property. Along the northwestern property line a row of evergreens is planted. The parking lot contains a series of landscaped islands and the driveway between the parking. The applicant indicates that stormwater runoff from the site drains into an existing on site ditch. The plat indicates that undisturbed open space on the site serves as Best Management Practices in terms of water quality with an efficiency of 100%. The applicant has indicated that stormwater runoff increases for this project should be minimal. The applicant has requested a waiver of stormwater management and BMP requirements. The applicant indicates in a note on the plat that the open space on site will be placed in a conservation easement if the waiver of BMP requirements is not approved.

**BACKGROUND****Site History:**

<b>Application</b>	<b>Date</b>	<b>Use</b>	<b>BZA Action</b>
SP 92-V-003	6/30/1992	Church and related facilities and nursery school to permit additions	Approved
SPA 92-V-003	9/28/1993	Amend SP 92-V-003 for church and related facilities and nursery school to permit additions, additional outdoor uses, accessory structures and reduction in parking.	Approved

A copy of the resolution and plat approved in conjunction with SPA 92-V-003 is attached at 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-3	Residential, 2-3 du/ac
East	Single family detached dwellings	R-3	Residential, 2-3 du/ac
West	Single family detached dwellings	R-3	Residential, 2-3 du/ac

### COMPREHENSIVE PLAN PROVISIONS

**Plan Area:** Mount Vernon Planning District, Area IV  
**Planning Sector:** Fort Hunt Community Planning Sector  
**Plan Map:** Residential 2-3 du/ac

### ANALYSIS

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

**Title of SP Plat:** Special Permit Amendment Plat, St. Aidan's Episcopal Church, Mount Vernon District, Fairfax County, Virginia  
**Prepared By:** R. F. Fields, Jr. and Associates  
**Dated:** December 4, 2006 revised to March 28, 2007

### Proposed Use:

The applicant proposes building additions to provide an improvement to the entrance and gathering location at the front of the church measuring approximately 600 square feet, the construction of a curved wall extending from the area adjacent to the front of the church measuring approximately 100 square feet and the addition of space for classroom and

other functions in the rear of the church measuring approximately 900 square feet. A 40 foot 9 inch tall bell tower measuring 9 feet by 9 feet at its base is proposed to be added in the area between the sanctuary and the parish hall. The applicants indicate that the use of the bell will be limited to occasions such as weddings and funerals. The existing garage structure located at the northwestern corner of the parking lot is proposed to remain. A 12 foot by 12 foot storage shed is also proposed in the southeastern corner of the parking lot. The additions will increase the size of the existing building by 1,600 square feet square feet from 18,758 square feet to 20,358 square feet and increase FAR from 0.60 to 0.65.

The number of seats in the sanctuary is 300 as previously approved and will not increase. The existing nursery school enrollment of 99 will also not increase. A portion of the parking lot will be reconfigured by removing a portion of the asphalt pavement to accommodate additional evergreen landscaping along the northern boundary of the property while maintaining the total of 94 parking spaces. The northern most travel way will be converted to one-way traffic in a west bound direction.

As previously noted the property is heavily wooded with a concentration of existing deciduous and evergreen vegetation located along the eastern, southern, and western sides of the property which will be retained. Along the northwestern property line a row of evergreens is planted. A minimum 25 foot landscaped transitional screening yard exists on all boundaries of the property except the northern side adjacent to the parking lot. This includes transitional screening yards extending up to 78 feet to the south and 200 feet to the east. The applicant is proposing to widen the landscape area to a minimum of four feet along the northern property line by removing a portion of the asphalt pavement to accommodate the planting of a row of evergreens to provide additional screening along this boundary. The parking lot contains a series of landscaped islands and the driveway between the parking. Additional evergreen plantings are also proposed adjacent to the existing storage shed structure in the northeast corner of the parking area.

### **Environmental and Stormwater Analyses (Appendix 5 and 6)**

#### **Issue:**

The environmental and stormwater analyses refer to the need to ensure that adequate on-site detention and water quality measures are provided as determined necessary by the Department of Public Works and Environmental Services (DPWES) at the time of site plan review. The applicant indicates that stormwater runoff from the site drains into an existing on site ditch. The undisturbed open space on site serves as Best Management Practices in terms of water quality. The applicant has indicated that stormwater runoff increases for this project will be minimal and has requested a waiver of stormwater management and BMP requirements. A note on the special permit amendment plat indicates that the open space on site will be placed in a conservation easement if the waiver of BMP requirements is not approved. DPWES indicates that it does not support a BMP waiver or modification since it is possible to meet the requirements without the construction of additional structures.

#### **Resolution:**

In the event that a waiver is not granted a proposed development requires that stormwater management and Best Management Practices facilities be provided as determined by DPWES, however that if structures are required, that no existing or purposed vegetation be removed to install them. With the imposition of the proposed development conditions in Appendix 1 this issue is addressed.

**Trails:** It was also noted that the Countywide Trails Plan Map depicts a Minor Paved Trail along the property's Riverside Road frontage. Provision of a trail will be determined at the time of site plan review.

### **Transportation Analysis (Appendix 7)**

There are no transportation issues associated with this application.

### **Land Use Analysis**

There are no land use issues associated with this application.

### **Urban Forest Management Analysis**

There are no urban forest management issues associated with this application.

### **ZONING ORDINANCE PROVISIONS**

<b>R-1 DISTRICT REGULATIONS</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>Bulk Regulations R-2</b>		
<b>Lot Size</b>	11,500 square feet	7.17 acres
<b>Lot Width</b>	105 feet	416 ft.
<b>Building Height</b>	60 feet	40 ft.
<b>Front Yard</b>	Controlled by 40° Angle of Bulk Plane (ABP), but not less than 30 feet	185 feet

<b>R-1 DISTRICT REGULATIONS</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>Side Yard</b>	Controlled by 35°ABP, but not less than 10 feet	155 (north) 162 feet (south)
<b>Rear Yard</b>	Controlled by 35°ABP, but not less than 25 feet	267.3 feet
<b>FAR</b>	0.25	0.065
<b>Parking</b>	94 spaces	94 spaces

<b>Standard</b>	<b>Required</b>	<b>Provided</b>
<b>Transitional Screening</b>		
<b>North (single family attached dwellings)</b>	Transitional Screening (T/S) 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	Existing vegetation consisting of evergreen trees on the northern boundary of the property; T/S area 25 feet wide except for northwestern and central boundary of parking lot which is vegetated strip from 4 feet to 14 feet in width
<b>East (single family attached dwellings)</b>	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	Existing vegetation forested evergreen and deciduous trees T/S area up to 200 feet wide.
<b>South (single family detached dwellings)</b>	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	Existing vegetation forested evergreen and deciduous trees T/S area up to 78 feet wide.

Standard	Required	Provided
<b>West (Riverside Rd. - single family detached dwellings)</b>	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	Existing vegetation forested evergreen and deciduous trees T/S area up to 180 feet wide.
<b>Barrier</b>		
<b>North (single-family detached dwellings)</b>	Barrier D, E or F	6 foot wooden fence adjacent to parking lot
<b>South (Single family detached dwellings)</b>	Barrier D, E or F	None*
<b>East (single family detached dwellings)</b>	Barrier D, E or F	None*
<b>West (Riverside Rd. - single family detached dwellings)</b>	Barrier D, E or F	None*

## WAIVERS/MODIFICATIONS REQUESTED

### Waivers and Modifications Requested

Transitional Screening 1 and Barrier D, E, or F are required adjacent to all property lines. The applicant requests that the transitional screening and barrier requirements be modified and waived, respectively, in favor of the existing on site vegetation. Sect. 13-304 provides that transitional screening may be modified where the land between the buildings and the property lines has been designed to minimize adverse impact through a combination of architectural and landscaping techniques.

The existing landscaping, distance of the sanctuary and other structures from the lot lines and the landscape plantings surrounding the buildings on-site minimize the adverse visual impact of the non-residential use. The density, quantity, maturity and location of the plantings on-site satisfy the transitional screening requirements for most of the boundary lines. The large amount of vegetation on the property combined with the internal orientation of the buildings render the barrier requirement unnecessary. Since there are minimal physical improvements to the site, and the site is heavily vegetated except to the north where additional plantings are proposed, staff believes

that the modification of the transitional screening and waiver of the barrier requirements should be approved provided that the proposed additional plantings along the northern boundary of the parking lot are provided as depicted on page 3 of the SPA Plat.

## **OTHER ZONING ORDINANCE REQUIREMENTS**

### **Special Permit Requirements (See Appendix 8)**

- General Special Permit Standards (Sect. 8-006)
- Group 3 Standards (Sect. 8-303)
- Additional Standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship With a Child Care Center, Nursery School or Private School (Sect. 8-308)

### **Summary of Zoning Ordinance Provisions**

All applicable standards have been satisfied, subject to the proposed development conditions.

## **CONCLUSIONS**

Staff concludes that the subject application is in harmony with the Comprehensive Plan and is in conformance with the applicable Zoning Ordinance provisions.

## **RECOMMENDATIONS**

Staff recommends approval of the subject special permit amendment application, with the adoption of the Proposed Development Conditions contained in Appendix 1 of this 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.

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

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. Development Conditions and Plat Approved for SP 92-V-003-2
5. Environmental Analysis
6. DPWES Stormwater Analysis
7. Transportation Analysis
8. Applicable Zoning Ordinance Provisions Checklist

**PROPOSED DEVELOPMENT CONDITIONS****April 17, 2007**

If it is the intent of the Board of Zoning Appeals to approve SPA 92-V-003-02 located at Tax Map 102-3 ((1)) 33, for an amendment to SP 92-V-003 previously approved for a church and nursery school to permit building additions and site modifications pursuant to Section 3-303 of the Fairfax County Zoning Ordinance, 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 these conditions to conform to current terminology. Edits have been underlined.

1. This approval is granted to the applicants only, Trustees of St. Aidan's Episcopal Church and is not transferable without further action of this Board, and is for the location, 8531 Riverside Rd., indicated on the application and is not transferable to other land.\*
2. This Special Permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat prepared by R. C. Fields and Associates, dated December 4, 2006 revised to March 28, 2007 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 is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted 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 church seats in the main area of worship shall be limited to 300.\*
6. The maximum daily enrollment of the nursery school shall not exceed ninety-nine (99) students.\*
7. Hours of operation of the nursery school shall be limited to 9:00 a.m. until 2:00 p.m., Monday through Friday.\*
8. ~~The number of parking spaces provided to serve the two uses shall be a minimum of 94 spaces including 4 handicapped spaces. All parking shall be on site. The parking shall be as shown on the special permit plat and shall be designed according to Public Facilities Manual (PFM) requirements. Parking shall be provided as depicted on the Special Permit Plat. All parking shall be on site.~~

9. Transitional Screening shall be modified along the ~~western, eastern and southern~~ all property lot lines in favor of the existing natural and supplemental landscaped vegetation as shown Page 3 on the approved special permit amendment plat. All existing landscaping shall be maintained. Dead or dying landscaping shall be replaced as needed with a like kind of plant material. \*
10. The barrier requirements shall be waived along the east, west and south lot lines. Along the north lot line, a 7.0 ft. high wood fence shall be installed and maintained between the parking lot and the north lot line.\*
11. The play area for the nursery school shall be in the area as shown on the special permit plat, as approved by the Health Department. This play area shall remain fenced and shall be located outside the required transitional screening yard. \*
12. Interior Parking lot landscaping shall be provided and maintained in accordance with Article 13.\*
13. Any new proposed lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. Any new outdoor lighting fixtures shall not exceed twelve (12) feet in height, measured from the ground to the highest point of the fixture, shall be of low intensity design and shall utilize full cut-off fixtures which focus directly on the subject property.
14. The existing church structure and additions shall remain connected to the public water and sanitary sewage systems.\*
15. Stormwater management and Best Management Practices facilities shall be provided as determined by DPWES. If any structural facilities are required, no existing or proposed vegetation as shown on the SPA plat shall be removed to install the structures.
16. Use of the equipment and the equipment garage shall be limited to 8:00 a.m. to 7:00 p.m. There shall be no major repair of equipment or machinery in or around the equipment garage or parking area of the property.\*
17. The number of outdoor events shall be limited to twelve (12) per year.\*
18. Use of amplified music for outdoor events shall be prohibited. \*
19. The sound pressure level of the bell in the bell tower shall be in accordance with the provisions of Chapter 108 of the Code of Fairfax County (the "Noise Ordinance"), which currently sets a maximum sound pressure level of 55 dBA. If the limits in the Noise Ordinance are lowered, the sound level shall conform to the new requirements; however, in no instance shall the sound pressure level exceed 55 dBA. The bell may be sounded during major religious holidays (such as Christmas and Easter), weddings and funerals, for no longer than one (1) minute in duration and no more than three (3) times in one day. The bells shall not be sounded before or after regularly scheduled services. In no event shall

the bells be sounded during hours prohibited by the Noise Ordinance, currently between 11:00 p.m. and 7:00 a.m. the following day.

20. If determined by necessary by VDOT at the time of site plan approval, the applicant shall design and construct a Minor Paved Trail (defined as asphalt or concrete, four feet to seven feet 11 inches in width) on the Riverside Road frontage of the property.
21. The church building construction shall be generally consistent with the architecture presented in the attached elevations (Attachment 1).

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

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently prosecuted. 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.