



APPLICATION FILED: March 2, 2007
BOARD OF ZONING APPEALS: May 22, 2007
TIME: 9:00 a.m.

County of Fairfax, Virginia

May 15, 2007

**STAFF REPORT
SPECIAL PERMIT AMENDMENT APPLICATION NO. SPA 00-D-069
DRANESVILLE DISTRICT**

APPLICANT: Trustees of Shiloh Baptist Church of Odrick's Corner and Simply...Spartime, Inc.

ZONING: R-1

LOCATION: 8310 Turning Leaf Lane

ZONING ORDINANCE PROVISIONS: 3-103

TAX MAP: 29-1 ((1)) 58C

LOT SIZE: 3.16 acres

F.A.R.: 0.06

PLAN MAP: Residential 2-3 du/acre

SP PROPOSAL: To amend SP 00-D-069 previously approved for a church to permit addition of a child care center.

STAFF RECOMMENDATION: Staff recommends approval of SPA 00-D-069 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.

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.

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.

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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).

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DESCRIPTION OF THE APPLICATION

Special Permit Request: To amend SP 00-D-069 previously approved for church to permit addition of a child care center. No physical changes to the site are proposed.

Existing Church

Size: 3.16 acres
Parking: 65 spaces
Seats: 260
Employees: 2
Hours: Sunday - 8:00 a.m. to 10:00 a.m., 10:00 a.m. to 1:00 p.m.

Proposed Child Care Center

Number of Students 50 maximum per day
Employees: 5
Hours: Monday through Friday: 2:00 p.m. to 6:30 p.m.

LOCATION AND CHARACTER

Existing Site Description: The church is located at 8310 Turning Leaf Lane and is zoned R-1. The property is developed with the church and an addition at the rear of the church approved pursuant to the approval of SP 00-D-069. A cemetery is located in the northeastern quadrant of the property. A mixture of deciduous and evergreen vegetation exists along the periphery of the property and along the edges of the parking area as well as scattered throughout the site. Sixty-five (65) parking spaces are provided on site. The site is accessed by an entrance on Turning Leaf Lane on the southeastern portion of the property.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Recreational Fields	PDH-3	Res. 2/3 du/ac
South	Elderly Housing	PDH-3	Res. 2/3 du/ac
East	Single Family Detached Residential	PDH-3	Res. 2/3 du/ac
West	Church	R-1	Res. 2/3 du/ac

BACKGROUND

Site History: Application	Date	Use	BZA Action*
SP 85-D-048	01/21/1986	Permit an addition to the sanctuary, social hall and parking facilities.	Approved (expired)
SP 91-D-064	05/06/1992	To allow existing church to remain 26.0 feet from the front lot line and parking to remain 5.0 feet from the front lot line.	Approved (expired)
SP 00-D-069 VC 00-D-169	2/27/2001	To permit a church (260 seats) and related facilities. Variance to permit church to remain 29.8 feet and steps to remain 16.5 ft. from front lot line.	Approved*

* Resolution and development conditions for SP 00-D-069 and VC 00-D-169 are included as Appendix 4

COMPREHENSIVE PLAN PROVISIONS

Plan Area: McLean Planning District; Area II
Planning Sector: Spring Hill Hall Sector (M6)
Plan Map: Residential Use 2-3 du/acre

ANALYSIS

Special Permit Plat

Title of SP Plat: Shiloh Baptist Church of Odrick's Corner. Dranesville District,
Fairfax County Special Permit
Prepared By: Harold A. Logan Associates, P.C..
Dated: June 15, 1999, revised through January 30, 2001

Proposed Use

To amend SP 00-D-069 previously approved for church to permit the addition of a child care center using the existing fellowship hall facilities. No other changes to the site or use are proposed with this application. The applicant proposes a maximum daily enrollment of 50 students. The child care center will have 5 employees and will operate from 2:00 p.m. to 6:30 p.m. Monday through Friday. Information provided with the application indicates that a play area will be provided in one of several grassy areas adjacent to the existing church and addition.

Land Use Analysis

According to the Comprehensive Plan Map, the site is planned for residential use. There are no land use issues associated with this request.

Transportation Analysis (Appendix 5)

There are no transportation issues associated with this request.

Environmental Analysis

There are no environmental issues associated with this request.

ZONING ORDINANCE PROVISIONS

Special Permit Requirements (Appendix 6)

General Special Permit Standards (Sect. 8-006)
Group 3 Standards (Sect. 8-303)
Additional Standards (Sect. 8-308)

Summary of Zoning Ordinance Provisions

Subject to the proposed development conditions, all applicable standards have been satisfied.

CONCLUSIONS

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proposed Development Conditions contained in Appendix 1 of the Staff Report.

RECOMMENDATIONS

Staff recommends approval of SPA 00-D-069 subject to 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.

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 Approved for SP 00-D-069
5. Transportation Analysis
6. Applicable Zoning Ordinance Provisions Checklist

PROPOSED DEVELOPMENT CONDITIONS

May 15, 2007

If it is the intent of the Board of Zoning Appeals to approve SPA 00-D-069 located at Tax Map 29-1 ((1)) 58C, for an amendment to SP 00-D-069 previously approved for a church to permit addition of a child care center pursuant to Section 3-103 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 applicant only, Trustees of Shiloh Baptist Church of Odrick's Corner and Simply...Sparetime, Inc., and is not transferable without further action of this Board, and is for the location indicated on the application, 8310 Turning Leaf Drive, consisting of 3.16 acres, 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 Harold A. Logan Associates, P.C., dated June 15, 1999, revised through January 30, 2001 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 two hundred sixty (260) with a corresponding minimum of sixty five (65) parking spaces as reflected on the Special Permit Plat. All parking for the church shall be on site.*
6. Upon issuance of a new Non-RUP, the total maximum daily enrollment for the child care center shall not exceed 50 children.

7. The maximum hours of operation of the child care center shall be limited to Monday through Friday: 2:00 p.m. to 6:30 p.m.
8. A play area shall be provided which meets the standards set forth by Section 9-310 of the Zoning Ordinance. The play area shall be located outside the minimum required front yards, transitional screening areas, and parking lot.
9. Transitional Screening 1 (25 ft.) shall be waived along the eastern property line adjacent to the existing cemetery. Transitional Screening 1 (25 ft.) shall be modified along the eastern property line south of the cemetery as shown on the Special Permit Plat, to screen the parking lot and minimize any headlight glare from the adjacent low density residential uses.*
10. The barrier requirement shall be waived along the eastern lot line.*
11. Additional plantings, a minimum of six (6) feet in height at the time of planting, shall be ~~provided~~ maintained between the parking lot and Spring Hill Road. Plantings a minimum of six (6) feet in height at the time of planting, shall also be ~~provided~~ maintained along the eastern edge of the parking lot, as shown on the plat, in order to screen the parking lot and minimize glare from headlights to the adjacent residential development. The species of plantings shall be as approved by Urban Forest Management. All required landscaping shall be maintained. Dead or dying plant material shall be replaced as needed with a like kind and size. *
12. Interior and peripheral parking lot landscaping shall be ~~provided~~ maintained in accordance with Article 13 of the Zoning Ordinance as determined by DPWES.
13. Any lighting of the parking area shall be in accordance with the following:
 - The combined height of the light standards and fixtures shall not exceed twelve feet.
 - The lights shall be focused directly on the subject property and shall not impact adjacent properties.
 - Shields shall be installed, if necessary, to prevent the light from projecting beyond the facility.
 - All lights shall be full cut off.
 - Any new 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.*
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14. If Stormwater Management/Best Management Practices (BMP's) requirements are not waived, such facilities shall be provided outside the transitional screening areas and cemetery as shown on the SP plat and as determined by DPWES.*
15. Tree cover shall be provided 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.*
16. All signs on the property shall conform to the provisions of Article 12.*

These conditions incorporate and 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 a new Non-RUP has been issued. 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.