

MARSPAN-CHRISTOPHER REAL ESTATE, LLC, SPA 97-B-024

1. This approval is granted to the applicant, Marspan-Christopher Real Estate, LLC, only and is not transferable without further action of this Board, and is for the location indicated on the application, 10998 Clara Barton Drive, 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 Dewberry and Davis, dated April 16, 1997 as revised through July 10, 1997, 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 amendment shall be in substantial conformance with these conditions. Minor modifications to the approved special permit amendment may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The area of the building utilized for an ancillary veterinary hospital shall not exceed 40% of the total gross floor area of the building. All grooming activities shall be associated with the kennel use and all grooming and veterinary hospital activities shall be ancillary to the kennel use. The kennel and ancillary veterinary hospital shall be located entirely within the structure except for the periodic walking of animals that are leashed and supervised. There shall be provisions to board a total of 70 animals, with no more than 50 animals boarding overnight.
6. The maximum number of employees shall not exceed ten (10) at any one time.
7. A minimum of 15 parking spaces shall be provided on the site. All parking for the use shall be on-site as shown on the special permit plat.
8. The hours of operation for the kennel shall be limited to 6:00 a.m. to 9:00 p.m. seven days a week. The hours of operation for the ancillary veterinary hospital shall be limited to 8 a.m. to 7:00 p.m. Monday through Saturday, and 10:00 a.m. to 2 p.m. Sunday.
9. The barrier requirements along all property boundaries shall be waived. The transitional screening requirements shall be modified to the existing transitional screening on site and maintained as follows:

North

Transitional Screening shall be provided along the northern property boundary within a planted strip with a minimum of 20 feet, as shown on the sketch contained as Exhibit A, for the purpose of maintaining the residential appearance of the building. Natural vegetation may be utilized where possible for transitional screening. The exact number, type and extent of the plant materials are subject to the determination of Urban Forest Management, DPWES.

East

Transitional Screening shall be provided along the eastern property boundary within a planted strip with a minimum of 25 feet, with the exception of the area surrounding the sanitary sewer lateral, as shown on special permit plat, for the purpose of maintaining the residential appearance of the site. Natural vegetation may be utilized where possible for transitional screening. The exact number, type and extent of the plant materials are subject to the determination of Urban Forest Management, DPWES.

South

Transitional Screening shall be provided along the southern property boundary within a planted strip with a minimum width of 25 feet, as shown on the special permit plat, for the purpose of softening the visual impact of the parking lot from the adjacent child care center. Natural vegetation may be utilized where possible for transitional screening. The exact number, type and extent of the plant materials are subject to the determination of Urban Forest Management, DPWES.

West

Landscaping shall be provided along the western property boundary within a planted strip which ranges from 13 feet to 32 feet, as shown on the sketch contained as Exhibit A, in order to maintain a residential appearance which complements the residential neighborhood on the west side of Route 123. This landscaping may be subject to the review and approval of Urban Forest Management, DPWES and if necessary, with VDOT.

10. The kennel and ancillary veterinary hospital shall be in general accordance with the conceptual elevation contained in Attachment A.
11. All signage shall be in accordance with Article 12, Signs, of the Zoning Ordinance.
12. The operation of the kennel and ancillary veterinary hospital shall be approved by the Health Department prior to the issuance of a Non-RUP.

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 the use has been established as outlined above. 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.