

## PROPOSED DEVELOPMENT CONDITIONS

SEA 2002-PR-035

October 23, 2008

If it is the intent of the Board of Supervisors to approve SEA 2002-PR-035 located at Tax Map 47-2 ((1)) 91, to amend SE 2002-PR-035 previously approved for church and child care center/nursery school to permit an increase in the maximum daily enrollment from 24 to 40 children and change in hours of operation pursuant to Sect. 3-204 and 4-604 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previous conditions (those carried forward from previous approval are marked with an asterisk).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land. \*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions. \*
3. A copy of this Special Exception Amendment 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 Exception Amendment 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 exception amendment shall be in substantial conformance with the approved Special Exception Plat prepared by Robert E. Williams, Jr. of Williams Enterprises Incorporated, dated March 20, 2002 as revised through August 29, 2002, and approved with this application, and these conditions. Minor modifications to the approved special exception amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance. \*
5. Seating capacity for the principal area of worship shall be limited to three hundred and fifty (350). \*
6. The maximum total daily enrollment for the child care center/nursery school shall not exceed forty (40) children.
7. Parking spaces shall be provided on-site as shown on the GDP/SE Plat. \*
8. Transitional screening adjacent to residential areas to the east and south shall be supplemented by plantings, such as evergreen hedging, to provide additional screening as determined by the Urban Forestry Division at the time of site plan approval. \*

9. Hours of operation for the child care center/nursery school shall be limited to a maximum of 9:00 a.m. until 1:30 p.m. Monday through Friday.
10. The original Oakton United Methodist Church is listed on the Fairfax County inventory of Historic Sites. Proposals to change the exterior appearance of the church building or its setting that require a County building permit or other construction permit shall be referred to the Fairfax County Architectural Review Board for review and approval prior to approval of a building or other construction permit. \*
11. Subject to Virginia Department of Transportation (VDOT) and Department of Public Works and Environmental Services (DPWES) approval, right-of-way up to a width of 57 feet from the centerline shall be dedicated in fee simple to the Board of Supervisors along the site's Chain Bridge Road (Route 123) frontage upon request by Fairfax County as shown in the attached exhibit upon request by Fairfax County.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

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 himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. 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.