

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

TRUSTEES, SPRINGFIELD MASONIC LODGE 217, A.G. & A.M., SPA 77-S-189 Appl. under Sect(s). 3-103 of the Zoning Ordinance amend SP 77-S-189 to permit place of worship. Located at 7001 Backlick Rd. on approx. 1.45 ac. of land zoned R-1. Lee District. Tax Map 90-2 ((1)) 19. (Indefinitely deferred from 1/27/09 at appl. req.) (Reactivated from indefinitely deferred) (Admin. moved from 10/20/09 at appl. req.) Ms. Gibb moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on October 27, 2009; and

WHEREAS, the Board has made the following findings of fact:

1. The applicants are the owners of the property.
2. The applicant presented testimony that they are simply having several religious-type, cultural-type groups meet a couple times a month, once a month, in their building.
3. It seems to be complimentary to the use that the Masonic Lodge has.
4. It is not going to be simultaneous with their use.
5. There was testimony that there will not be any parking issues or any impact on surrounding properties.
6. The staff report is favorable, which the Board incorporated.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the appropriate sections of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This special permit amendment is granted to the applicant only, Trustees, Springfield Masonic Lodge and is not transferable without further action of this Board, and is for the location indicated on the application, 7001 Backlick Road, and is not transferable to other land.
2. This special permit amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception/special amendment plat titled Springfield Lodge # 217, A.F.A.M.”; prepared by Springfield Associates Inc. and revised by Sukwinder S. Ruprai as revised through October 7, 2009, and approved with the application, as qualified by these development conditions.
3. A copy of this special permit 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 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 lines for the proposed parking spaces shall be painted to properly delineate the parking spaces prior to issuance of the Non-Residential Use Permit (Non-RUP).
6. Upon issuance of a Non-RUP, seating capacity for the principal area of worship shall be limited to a maximum of one hundred and fifty (150). No uses shall occur simultaneously on the site.
7. All parking shall be provided on-site, as depicted on the special exception/special permit amendment plat. Approval of a parking reduction shall be obtained through the Board of Supervisors as required by Section 11-102.4B of the Zoning Ordinance prior to the issuance of a new Non-RUP for the place of worship to permit the shared use of the Masonic Lodge parking lot for both the Masonic Lodge use and place of worship uses. If approval of parking reduction request # 25098-PKS-001-1 is not obtained from the Board of Supervisors, then this special permit amendment application will become null and void.
8. Prior to issuance of the Non-Residential Use Permit, all proposed landscaping shall be installed in the northern and southern parking areas as depicted on the SE/SPA Plat. The Urban Forest Management Division of the Department of Public Works and Environmental Services (DPWES) shall be consulted prior to said installation to ensure that the appropriate size of trees and selection of species is made based on existing and proposed site conditions. All landscaping that is installed pursuant to this special permit amendment shall be maintained in good health by the applicant or successors.
9. Existing lighting, including parking lot, security, and/or other incidental lighting, may remain. All new and replacement lighting and lighting fixtures shall be in accordance with the Performance Standards contained in Part 9 of Article 14 of the Zoning Ordinance.
10. All signs shall be in accordance with the provisions of Article 12 of the Zoning Ordinance.

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 permit amendment shall not be valid until this has been accomplished.

Pursuant to Section 8-015 of the Zoning Ordinance, this special permit amendment 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 amendment. 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.

Mr. Hart seconded the motion, which carried by a vote of 4-0. Mr. Byers was not present for the vote. Chairman Ribble and Mr. Smith were absent from the meeting.