

COUNTY OF FAIRFAX, VIRGINIA

**SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS**

In Special Permit Amendment Application SPA 77-V-247-1 by MANSION HOUSE CLUB, under Sections 3-203 and 8-915 of the Zoning Ordinance to amend SP 77-V-247, on property located at 9321 Old Mt. Vernon Hwy., Tax Map Reference 110-4((1))9D, Mr. Kelley 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 September 22, 1992; and

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

1. The applicant is the owner of the land.
2. The present zoning is R-2.
3. The area of the lot is 5.0435 acres.

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 Section 8-403 of the Zoning Ordinance.

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

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location 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 Joe Keaton dated March 1992, revised through June 2, 1992 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. There shall be a minimum of 56 parking spaces provided for the swim and tennis club. All parking shall be on site. At such time as the third tennis court is constructed the six parking spaces located on the north side of the travel aisle shall be relocated to the area east of the third tennis court.
5. The hours of operation shall be limited as follows:
  - Swimming Pools: 8:00 a.m. to 9:00 p.m.
  - Tennis Courts: 8:00 a.m. to 10:00 p.m.

These hours shall apply throughout the entire year.

6. After-hours parties for the Mansion House Club Inc. shall be governed by the following:
  - Limited to six (6 per season),
  - Limited to Friday, Saturday and pre-holiday evenings,
  - Weeknight parties limited to three (3) per year, provided there are no unresolved violations,
  - Shall not extend beyond 12:00 midnight,
  - A written request at least ten (10) days in advance and receive prior written permission from the Zoning Administrator for each individual party or activity,
  - Requests shall be approved for only one (1) such party at a time and such requests shall be approved only after the successful conclusion of a previous extended-hour party or for the first one at the beginning of a swim season,

Requests shall be approved only if there are no pending violations of the conditions of the Special Permit,

Any substantiated complaints shall be cause for denying any future requests for extended-hour parties for that season; or, should such complaints occur during the end of the swim season, then this penalty shall extend to the next calendar year.
7. Lighting on the tennis courts are not to exceed 15 feet in height.\*
8. The use of loudspeakers shall be in accordance with the provisions of Chapter 108 of the Fairfax County Code. The maximum decibel level of the loudspeakers shall not exceed 55 dBA.
9. The existing vegetation shown on the plat shall be maintained and shall be deemed to fulfill the requirements for transitional screening along all lot lines.
10. The barrier requirement shall be waived along all lot lines.
11. The maximum number of family memberships shall be 350, and 50 special memberships.\*
12. Rip rap or other appropriate measures as determined by DEM at the time of site plan or site plan waiver review shall be provided to prevent erosion in the gully located behind the swimming pool pump house.
13. To prevent unauthorized entry to the clubhouse, security shall be provided year around. This system shall consist of include a roving security guard or appropriate electronic systems.
14. In order to mitigate potential negative impacts resulting from the discharge of chemicals existing in the swimming pool water during pre-season pool cleaning, the applicant shall ensure that the chemicals shall be neutralized prior to discharge into sanitary sewer drains by using the following guidelines for all pool discharge materials:

- All waste water resulting from the cleaning and draining of the pool located on the property shall meet the appropriate level of water quality prior to discharge as determined by the Senior Sanitarian in the Consumer Services Section of the Environmental Health Division, Fairfax County Health Department. The applicant shall use the following procedure to ensure that pool waters are properly neutralized prior to being discharged during draining or cleaning operations: add sufficient amounts of lime or soda ash to the acid cleaning solution to achieve a pH approximately equal to that of the receiving stream and as close to neutral (a pH of 7) as possible.
  - If the water being discharged from the pool is discolored or contains a high level of suspended solids that could effect the clarity of the receiving stream, it shall be allowed to stand so that most of the solids settle out prior to being discharged.
15. The existing gravel drive shall be maintained in accordance with the standard practices approved by the Director, Department of Environmental Management (DEM), and shall include but may not be limited to the following:
- Speed limits shall be limited to ten (10) mph.
  - During dry periods, application of water shall be made in order to control dust.
  - Runoff shall be channelled away from and around driveway and parking areas.
  - The applicant shall perform periodic inspections to monitor dust conditions, drainage functions and compaction-migration of the stone surface.
  - Routine maintenance shall be performed to prevent surface unevenness and wear-through of subsoil exposure. Resurfacing shall be conducted when stone becomes thin.
16. The gravel parking surface shall be continued for a term as specified by the Zoning Ordinance.

\* Previously imposed Development 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 begun, and has 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.

Mr. Ribble seconded the motion which carried by a vote of 7-0.

Mr. Kelley made a motion to waive the eight-day waiting period. Mr. Ribble seconded the motion, which carried by a vote of 7-0.

\*This decision was officially filed in the office of the Board of Zoning Appeals and became final on September 22, 1992. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:



Geri B. Bepko, Substitute Clerk  
Board of Zoning Appeals