



FAIRFAX COUNTY

OFFICE OF COMPREHENSIVE PLANNING
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

(703) 324-1290

Fax 324-3924

V I R G I N I A

May 30, 1994

Mr. Neil D. McCallum
Engineering Chairman,
Mansion House Club, Inc.
P.O. Box 30
Mt. Vernon, VA 22101

Re: Interpretation for SPA 77-V-247-1, Mansion House Club, Inc.
Tax Map 110-4 ((1)) 9D

Dear Mr. McCallum

This is in response to your letter of May 9, 1994 requesting an interpretation of Development Condition No. 12 approved by the Board of Zoning Appeals in conjunction with the approval of SPA 77-V-247-1. As I understand it, you are requesting that Mansion House be permitted to pipe the filter outflow from the pool pump house down the northern hillside in a buried 8" PVC pipe to the newly created rip rap stream bed which is located off-site on property to the north. Copies of your above referenced letter, the Minutes and Resolution of SPA 77-V-247-1 and a reduction of the approved Special Permit Amendment Plat are attached for reference.

It is my determination that the Department of Environmental Management (DEM) is responsible for determining the type of erosion control measure necessary on the subject property. Condition 12 states the following:

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 on the gully located behind the swimming pool pump house.

It is also noted that Condition No. 14 states that the applicant shall ensure that swimming pool water shall be discharged into sanitary sewer drains and shall meet the appropriate level of water quality prior to discharge as determined by the Health Department. Therefore, the discharge of pool water should continue to be in accordance with Condition No. 14.

Mr. Neil McCallum
May 23, 1994
Page 2

This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please feel free to contact me or David Hunter at 324-1290.

Sincerely,



Barbara A. Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

BAB/DNH:101/68

Attachments: As Stated

cc: Gerald W. Hyland, Supervisor, Mt. Vernon District
John R. Byers, Planning Commissioner, Mt. Vernon District
Jane W. Gwinn, Zoning Administrator
Edward J. Jankiewicz, Director, DRD, DEM
Bonds and Agreements Branch, DRD, DEM
Paul D. Poppen, Public Utilities Branch, DEM
Melinda M. Artman, Deputy Zoning Administrator, Permit, Plan Review Branch
File: SPA 77-V-247-1

Mansion House Club, Inc.
P.O. Box 30
Mt Vernon, Va. 22101

9 May 1994

Ms Barbara Byron
Division Director
Zoning Evaluation
County of Fairfax
12055 Government Center Parkway
Fairfax, Va. 22035

Re: Request for Interpretation
Special Permit Amendment Application SPA 77-V-247-1

Dear Ms Byron,

This letter serves as a reconfirmation of a phone conversation that I had with a Mr. Greg Riegler of your office on 5 May 1993. Relative to limitation No. 12 of the above referenced SPA Application, I requested that Mansion House Club be permitted to run the filter outflow in a buried 8" PVC pipe down the hillside to the newly created rip rap stream bed. This would eliminate the source of the erosion. Mr. Riegler indicated that this solution would be acceptable and it was installed in this manner. I did send him a memo relative to this conversation however apparently it did not make it to the file.

As we are attempting to close the file on our building project prior to our summer opening on Memorial Day Weekend, we would appreciate a quick response to this issue. If our proposal is acceptable, I would appreciate it if you would so indicate this fact to Mr. Paul Poppen, Public Utilities Branch.

Thank you for your consideration of this matter. If you have any further questions, please do not hesitate to contact me at my office (703) 683-3400.

Sincerely,


Neil D. McCallum
Engineering Chairman,
Mansion House Club, Inc.

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 1	
To	MARY DONLEY	From	N. McCallum
Co.	FAIRFAX COUNTY	Co.	
Dept.		Phone #	
Fax #	324 3924	Fax #	703 683 6146

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

MAY 09 1994

BOARD OF ZONING APPEALS
SUPPORT BRANCH

Page 1, September 22, 1992, (Tape 2), Scheduled case of:

8:00 P.M. MANSION HOUSE CLUB, INC., SPA 77-V-247, appl. under Sects. 3-203 and 8-915 of the Zoning Ordinance to amend SP 77-V-247 for swim and tennis club to permit building additions, change in hours of operation, reconfiguration of parking spaces, modification to security guard condition, and waiver of dustless surface requirement, on approx. 5.0435 acs., located at 9321 Old Mt. Vernon Hwy., zoned R-2, Mount Vernon District, Tax Map 110-4((1))9D.

Chairman DiGiulian called the applicant to the podium and asked if the affidavit before the Board of Zoning Appeals (BZA) was complete and accurate. Mr. McCallum replied that it was.

Greg Riegler, Staff Coordinator, presented the staff report, stating that the applicant wished to amend the previous special permit approval to allow a small pool house addition, add a small deck, modify the hours governing the swimming pool and tennis courts, and change the development condition concerning security arrangements at the Club. Mr. Riegler said that, with the implementation of the Proposed Development Conditions, staff recommended approval of this special permit amendment.

In answer to a question from Mr. Hammack regarding the hours of operation and their impact on neighbors, Mr. Riegler stated that the contiguous property owners would be 25 feet from the lot line and there is some high quality vegetation that appears to have been there since the Club was constructed. Mr. Ribble said that he knew that the Club had done good landscaping. Mr. Riegler said that the present application was a hybrid developed between the applicant and staff since the initial request; he stated that the result was a higher level of regulation.

Mr. Riegler noted that revised Proposed Development Conditions had been distributed to the BZA. He stated that the only substantial change allowed the applicant to use either a roving security guard or an electronic system. Mr. Riegler said that the applicant had seen the revised Development Conditions and it was his understanding that they were in agreement.

Mr. Kelley questioned Condition 6 and the reference to week-night parties, stating that he knew there were several property owners who are several hundred yards away and he did not know why they should be allowed to impact a week-night party taking place so far away that it would not impact upon them. Mr. Riegler said that the language was taken from the policy that had been adopted for all of these types of facilities by the BZA. Jane C. Kelsey, Chief, Special Permit and Variance Branch, said that Mr. Riegler was not associated with the County at the time the Policy was adopted. She said that the policy went back to 1978 and, when Supervisor Gerald Hyland was on the BZA, he wanted the policy amended in order to protect the neighbors of two separate clubs that wanted to have graduation parties. She said that she had reviewed the current application against that policy.

In answer to a question from Mr. Kelley, Mr. Riegler said that there had been no complaints about the applicant's operation.

Neil D. McCallum, President of the Mansion House Club, Inc., 9301 Allwood Court, Alexandria, Virginia, represented the applicant, stating that the Club is 25 years old and has been an asset to the Mt. Vernon community. He said that the Club now requires a lot of work and the amendment application would allow them to more easily renovate the facility in the present economic climate. Mr. McCallum said that the applicant would like to have the renovation completed by May, in time for the next pool season.

There were no speakers and Chairman DiGiulian closed the public hearing.

Mr. Kelley made a motion to grant SPA 77-V-247-1 for the reasons outlined in the Resolution, subject to the revised Proposed Development Conditions dated September 22, 1992, with a change in Development Condition 6, which is reflected in the Resolution.

Mr. Kelley made a motion to waive the eight-day waiting period.

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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 01 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.

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 Permit through established procedures, and this special permit shall not be valid until the same 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.

Page 5, September 22, 1992, (Tape 2), MANSION HOUSE CLUB, INC., SPA 77-V-247, continued
from Page 4)

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.

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