

## COUNTY OF FAIRFAX, VIRGINIA

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

ST. ALBAN'S EPISCOPAL CHURCH, SPA 81-M-008-04 Appl. under Sect(s). 3-203 of the Zoning Ordinance to amend SP 81-M-008 previously approved for a place of worship and nursery school to permit change in permittee, addition of a child care center and modification of development conditions. Located at 6800-A Columbia Pike on approx. 6.0 ac. of land zoned R-2 and HC. Mason District. Tax Map 60-4 ((1)) 10. Mr. Byers 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 July 28, 2010; and

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

1. The owner of the property is the applicant.
2. The present zoning is R-2 and HC.
3. The area of the lot is 6.0 acres.
4. The staff recommends approval and the Board adopted the staff's rationale.

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 Zoning Ordinance.

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

1. This approval is granted to the applicant only, St. Alban's Episcopal Church, and is not transferable without further action of this Board, and is for the location indicated on the application, 6800 A Columbia Pike (6.0 acres), and is not transferable to other land.
2. This special permit amendment is granted only for the purposes, structures and/or uses indicated on the special permit plat Jarrett Surveys, Inc., dated May 23, 1989, as amended by Charles F. Dunlap dated June 24, 2010, and approved with this application, as qualified by these development conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance. Other by-right, special permit uses may be permitted on the lot without a special permit amendment, if such uses do not affect this special permit use.
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 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 maximum seating capacity for the sanctuary shall be limited to a total of 252 seats.
6. Parking shall be provided as shown on the special permit plat. All parking for the uses shall be on-site.
7. The hours of operation for the nursery school shall be limited to 8:30 a.m. to 12:00 p.m. (Noon) Monday – Friday for three (3) year olds; 8:30 a.m. to 2:30 p.m. Monday – Friday for four (4) year olds.
8. The hours of operation for the child care center shall be limited to 7:30 a.m. to 8:30 a.m. and 12:00 p.m. (Noon) to 5:30 p.m. Monday – Friday.
9. The total maximum daily enrollment for the child care center/nursery school shall be limited to sixty (60) children daily.
10. The existing vegetation along all lot lines shall be deemed to satisfy Transitional Screening 1 requirements.
11. The existing fencing shall be deemed to satisfy the barrier requirements.

These development conditions incorporate and supersede all previous 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 the use has been established by the issuance of a new Non-Residential Use Permit (Non-RUP). 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. Hammack seconded the motion, which carried by a vote of 7-0.