

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

GREENBRIAR CIVIC ASSOCIATION & NEW HOPE FELLOWSHIP CHURCH, SPA 78-P-192-03 Appl. under Sect(s). 3-303 of the Zoning Ordinance to amend SP 78-P-192 previously approved for community center and church to permit increase in parking and site modifications. Located at 4615 Stringfellow Rd. on approx. 1.52 ac. of land zoned R-3 (Cluster) and WS. Springfield District. Tax Map 45-3 ((1)) 11. (In association with SE 2010-SP-029) Mr. Hammack 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 March 2, 2011; and

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

1. The applicants are the owners of the property.

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 (Greenbriar Civic Association and New Hope Fellowship Church) and is not transferable without further action of this Board, and is for the location indicated on the application, 4615 Stringfellow Road, 1.52 acres, and is not transferable to other land.
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by Community Association Engineering (a division of GJB Engineering, Inc.) dated February 25, 2011, and 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. 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 transitional screening requirement shall be modified to reflect the landscaping shown on the special exception plat and the following provisions:
 - A. The site plan shall depict landscaping that is in substantial conformance with the approved special exception plat.
 - B. Trees and shrubs planted along Stringfellow Road shall be an appropriate height so as to not conflict with the overhead utility lines and shall be salt-tolerant.
 - C. On the site plan, all proposed trees shall be shown at least four feet from any restrictive barrier such as curbs.
 - D. The site plan shall depict and label existing utility easements and contain a note that reads, "Planting within utility easements shall be reviewed and approved by the easement holder(s). If the easement holder(s) does not grant permission to install the proposed plants, the applicant shall work with the Urban Forestry Management Division of the Public Works and Environmental Services Department to identify suitable alternative plants and/or alternative planting locations. The transitional screening requirement shall be considered satisfied if the latter situation needs to be utilized."
6. The barrier requirement along the western property boundary shall be waived.
7. Prior to the issuance of a Non-Residential Use Permit implementing this special permit, the Greenbriar Civic Association and the Fairfax County Park Authority shall execute a shared parking and access agreement. In accordance with applicable code requirements, the agreement shall be reviewed and accepted by the Board of Supervisors.
8. Any lighting of the parking area shall be in accordance with Part 9 of Article 14 and shall not exceed 14 feet in height, as measured from the base to the top of the light standards. The lights shall be shielded and directed downward to minimize the impact of ambient light.
9. All signage shall comply with the requirements of Article 12, Signs, of the Zoning Ordinance.
10. The maximum hours of operation of the community center shall be from 8:00 a.m. to 11:00 p.m. daily. The applicant shall be allowed 12 after-hour parties per year until 1:00 a.m. with prior approval of the Zoning Administrator. The number of after hour parties may be increased with the approval of the Zoning Administrator.
11. The maximum hours of operation of the church shall be from 9:30 a.m. to 12:30 p.m. and 6:00 p.m. to 9:30 p.m. on Sundays, and from 7:45 p.m. to 9:30 p.m. on Wednesdays.
12. The maximum number of seats for the church shall be 100.

These development conditions incorporate and supersede all previous development conditions imposed by the Board of Zoning Appeals.

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.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 30 months after the date of approval unless construction has commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional time 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 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. Smith seconded the motion, which carried by a vote of 6-0. Mr. Beard was absent from the meeting.