



FAIRFAX COUNTY

APPLICATION FILED: April 8, 1993
PLANNING COMMISSION: July 15, 1993
(SE 93-L-014)

BOARD OF SUPERVISORS: August 2, 1993
(SE 93-L-014)

BOARD OF ZONING APPEALS: September 14, 1993
(SP 93-L-015; VC 93-L-027)

V I R G I N I A

JULY 1, 1993

STAFF REPORT

APPLICATION SE 93-L-014;
SP 93-L-015; VC 93-L-027

LEE DISTRICT

APPLICANT: Burgundy Farm Country Day School

ZONING: R-4

PARCEL(S): 82-2 ((1)) 5, 6, 8

ACREAGE: 23.44 acres

FAR: 0.077

OPEN SPACE: 85%

PLAN MAP: Residential; 2-3 du/ac

SE CATEGORY: Category 3: Private School of General Education, Nursery School, and Child Care Center

SE PROPOSAL: Amend S-111-79 To Allow Building Additions to an Existing Nursery School, Private School of General Education, and Child Care Center.

SP PROPOSAL: Amend S-111-79 to Allow Building Additions, a Waiver of the Dustless Surface and Continuation of an Existing Community Pool.

VC PROPOSAL: To Allow a Partially Constructed Structure to Remain Within the Minimum Required Front Yard.

RCM/112

STAFF RECOMMENDATIONS:

Approve Special Exception subject to the proposed development conditions in Appendix 1.

Approve modification of transitional screening and barrier along the entire periphery of the site in favor of that shown on the SE/SP/VC Plat and as further specified in the proposed development conditions.

Approve Special Permit subject to the proposed development conditions contained in Appendix 1A.

If it is the intent of the BZA to approve the variance application, the BZA should condition its approval by requiring conformance with the conditions set forth in Appendix 1B of this report.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Office of Comprehensive Planning, 12055 Government Center Parkway, Suite 801, (703) 324-1290.

SPECIAL EXEMPTION APPLICATION

SE 93-L-014

(CONCURRENT WITH SP 93-L-015 AND VC 93-L-027)

SE 93-L-014
FILED 04/08/93

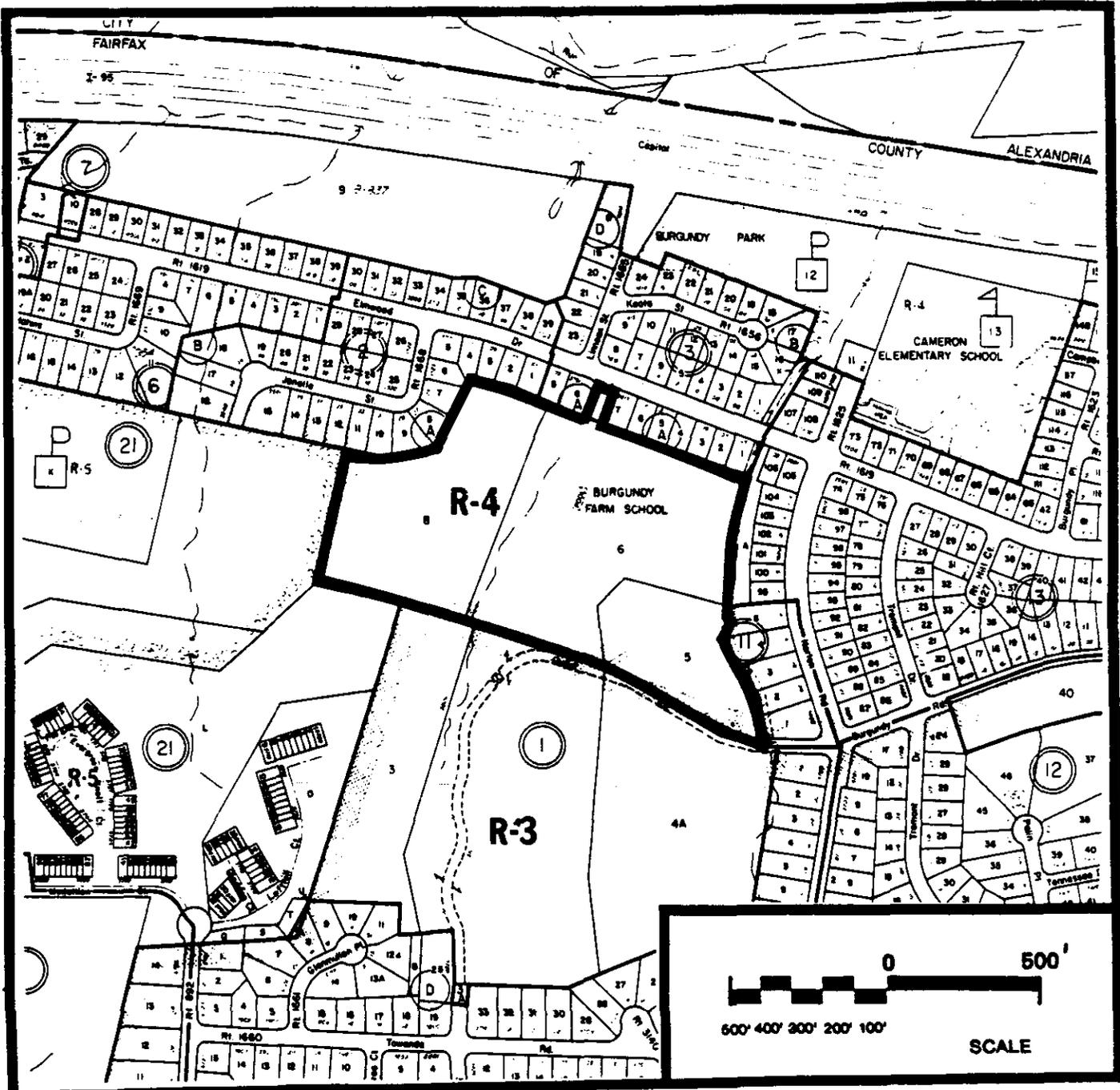
BURGUNDY FARM COUNTRY DAY SCHOOL, INC.
PERMIT BUILDING ADDITIONS FOR AN EXISTING
PRIVATE SCHOOL OF GENERAL EDUCATION, CHILD
CARE CENTER, AND NURSERY SCHOOL
ZONING DIST SECTION: 03-0404 03-0404
ART 9 CATEGORY/USE: 03-10 03-11
23.44 ACRES OF LAND; DISTRICT - LEE
LOCATED: 3700 BURGUNDY ROAD, ALEXANDRIA, VA 22303

ZONED R-4
OVERLAY DISTRICT(S):

PLAN AREA 4

TAX MAP

082-2- /01/ /0005- ,0006- ,0008-



LOCATION AND CHARACTER

Site Description: Predominantly wooded with classroom and administration buildings located in the central portion of the site. A stream flows west of existing structures into existing pond. Another stream within a floodplain flows along the eastern periphery. Existing access obtained via a gravel outlet road to Burgundy Road. This application proposes to construct a second entrance in the northern portion of the site via an existing ingress/egress easement to Elmwood Ave.

Existing Use:

- Nursery School** - 16 students
Hours: M-F 8:30 am - 3:00 pm
- Private School** - 240 students
Grades: K-8; Sept-June
Hours: M-F 8:30 am - 3:00 pm
- Day Camp** - 225 children
Ages: 3-14; June-August
Hours: M-F 9:00 am - 3:00 pm
- Child Care** - enrollment limited to Burgundy Farm school or day camp students;
Hours: M-F 3:00 pm - 6:00 pm
- Community Pool** - May - Sept.
Maximum capacity - 78 bathers
Hours: M-F 4:00 pm - 8:00 pm
Weekends - 11:00 am - 8:00 pm

Proposed Use: There is no increase in enrollment proposed with this applications. The uses which currently exist on site are proposed to remain the same. There is no change to the hours of operation proposed with this application.

Existing Structure(s): 5 classroom buildings, amphitheater, 2 administration buildings, a caretaker's residence, a temporary classroom trailer, a drama trailer, swimming pool, an animal barn, and a partially constructed maintenance building. Most structures were originally constructed as farm buildings and have been converted over time to school use. 32,377 square feet of existing building area (0.03 FAR).

Proposed Structures: Five (5) classroom buildings, one (1) administrative building, one (1) garage/woodworking shop, a pool enclosure, and a gym. An additional 46,372 sq. ft. for a total of 78,749 sq. ft. at a total FAR of 0.077 is proposed.

- Existing Parking:** Two (2) parking areas exist along the southern periphery of the site. Access to these parking areas is obtained from Burgundy Road via a 15 foot outlet road along the southerly boundary of the site.
- Proposed Parking:** A new parking area with thirty-two (32) parking spaces is proposed along the northern periphery. A second entrance to the site from Elmwood Avenue is proposed to access this parking area.
- Other Features:** Animals on site include: 9 sheep, 3 goats, 4 chickens, 2 hens, 4 pheasants, 3 ducks, and 15 geese.
- Clearing & Grading:** Limits of clearing and grading are shown around each proposed structure and in the area of the new parking area to the north. The SE/SP/VC Plat also outlines the existing clearing limits of the existing ball fields. No additional clearing of this area is proposed.
- Supplemental Vegetation:** Supplemental vegetation is noted to be provided within the northern transitional screening yard to screen the new parking area from existing dwellings. This vegetation is proposed to be provided at the time of construction of the new parking area and gym.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Residential	R-3	Res. 3-4 du/ac
South	Residential	R-3, R-5	Res. 2-3 du/ac
East	Residential	R-3	Res. 3-4 du/ac
West	Open Space	R-5	Public Park

BACKGROUND

Site History:

Date Established: 1946

Application	Date	Use	BZA Action
S-111-79	7-31-79	private school: 250 students & community pool	Approve*
S-246-79	10-23-79	building enclosure; increase in enrollment to 300 students	Approve*

* Approved with Development Conditions contained in Appendix 4.

Note: Existing Special Permit development conditions limit school enrollment to a maximum of 300 students. There is no change to the maximum daily enrollment proposed with this Special Exception application.

COMPREHENSIVE PLAN PROVISIONS (Appendix 5)

Plan Area: Area IV Rose Hill Planning District

Planning Sector: Burgundy Community Planning Sector (RH3)

Plan Map: Residential 2-3 dwelling units per acre (du/ac)

ANALYSIS

Special Exception Plat (Copy at front of staff report)

Title of SE/SP/VC Plat: Burgundy Farm Country Day School

Prepared By: CEM Consulting Services, Inc.

Original and Revision Dates: March 16, 1993 revised to June 15, 1993

The SE/SP/VC Plat shows a total of 9 new structures on-site for an additional 46,372 square feet. If approved, a total of 78,749 square feet at an FAR of 0.077 would exist on site. A gym for the exclusive use of the school and summer camp, an enclosure for the existing pool, which is also used by the surrounding community, 32 new parking spaces for faculty, staff, and community pool users, and a new access via Elmwood Drive are proposed in the north-central portion of the site. Three (3) classroom buildings, a new play area and vehicle turn-around are shown in the southwestern portion of the site. The existing administration building is proposed to be removed and replaced with a larger student services building. Two (2) classroom buildings and a garage/woodworking shop are proposed in the eastern portion of the site. The existing gravel outlet road along the southern periphery remains located within the 25 foot transitional screening yard.

Land Use Analysis (Appendix 5)

The land use analysis is based on the SE/SP/VC Plat dated March 16, 1993.

Issue: Design

Existing vegetated areas will be lost with the proposed building additions. The new parking area in the northern portion of the site is located only 30 feet from the northern property line.

Resolution:

The applicant has submitted a revised SE/SP/VC Plat which shows the northern parking area approximately 47 feet from the northern property line. Further, the revised plat notes that supplemental vegetation will be provided along the northern periphery as determined by the Urban Forester to achieve a buffer area to mitigate adverse impacts on nearby residences. This issue has been addressed in the proposed development conditions. Therefore, this issue has been resolved.

Issue: Open Space

Limits of clearing and grading were not shown on the SE/SP/VC plat dated March 16, 1993. Additional landscaping should be provided where deficient along the southern periphery to mitigate visual impact upon future residential development to the south.

Resolution:

The revised SE/SP/VC Plat delineates the proposed limits of clearing and grading around the proposed structures and the new parking area in the northern portion of the site. A development condition has been included to provide additional vegetation within the 25 foot wide transitional screening yard as determined by the Urban Forester along the southern boundary from the partially constructed garage approximately 300 feet east to the gravel outlet road in order to provide more of a buffer for future residential development to the south. Therefore, this issue has been adequately addressed.

Transportation Analysis (Appendix 6)**Issue: Dedication**

Currently, there is no public street access to Parcel 4A which is south of the subject property. Access is currently obtained via a gravel outlet road shared with the Burgundy Farm school site. Although Parcel 4a may not develop in the near future, the applicant should dedicate right-of-way to 26 feet from the southern property line of parcel 5 in order to allow for public street access to Parcel 4A at such time as the improvement and extension of Burgundy Road to meet public street standards becomes necessary due to the redevelopment of Parcel 4A.

Resolution:

This issue has been addressed in the proposed development conditions.

Issue: Parking in Right-of-way

The gravel parking area in the southwest corner of the site currently exists; however, the southernmost row of spaces will be too close to the future right-of-way line at such time dedication occurs.

Resolution:

The gravel parking area should be shifted to the north approximately ten feet to provide an adequate setback from an improved and extended Burgundy Road at such time as redevelopment of the parcels south of this site occurs with public street access to Burgundy Road. This issue has been addressed in the proposed development conditions.

Environmental Analysis (Appendix 7)

The environmental analysis is based on the SE/SP/VC Plat dated March 13, 1993.

Issue: EQC/Clearing and Grading

A tributary of Cameron Run in the eastern portion of the site has a 100 year floodplain and over 70 acres of upstream drainage. The limits of the EQC and limits of clearing and grading for the proposed development should be shown on the plat to ensure protection of the EQC and other woodland vegetation on site.

Resolution:

The revised SE/SP/VC Plat shows the EQC area in the eastern portion of the site and limits of clearing and grading. There is no disturbance to the EQC proposed with this application. All proposed structures are outside the limits of the EQC. Further, the limits of clearing and grading shown around proposed structures have been minimized. Large areas of existing mature vegetation will be retained with the revised SE/SP/VC Plat. A development condition has also been included to require the Urban Forester to participate in the selection of trees and shrubs to be retained and/or provided for shade and aesthetic purposes around proposed structures within the clearing areas. Therefore, this issue has been addressed.

Issue: Water Quality

The existing pond should be improved to provide stormwater management and water quality benefits in accordance with the Chesapeake Preservation Ordinance.

Resolution:

The revised SE/SP/VC Plat notes that the existing pond will be aerated and designed as a stormwater management and BMP facility. This issue has also been addressed in the proposed development conditions. Therefore, this issue has been resolved.

Issue: Geotechnical Study

The Department of Environmental Management (DEM) may require a geotechnical study for problem soils.

Resolution:

The applicant has submitted a geotechnical report with this application. This report should be submitted to DEM, if required, for review and comment at the time of site plan review.

Issue: Air Quality

The gravel roads and parking areas may increase airborne dust unless adequate maintenance of the gravel surfaces is addressed.

Resolution:

Maintenance provisions for the gravel surfaces have been included in the proposed development conditions. Therefore, this issue has been addressed.

Public Facilities Analysis (Appendix 8)

There are no trails shown on the Trails Plan Map for this property.

The Health Department analysis notes that outside play areas must be enclosed by a three (3) foot high fence. This issue has been addressed in the proposed development conditions. There are no other public facilities issues.

ZONING ORDINANCE PROVISIONS (Appendix 9)**Bulk Standards (R-4)**

Standard	Required	Provided
Lot Size.	8,400 sq. ft.	23.4 acres
Lot Width	70 ft.	532+ feet
Building Height	60 ft.	30 ft.
Front Yard	35° ABP, not less than 25 ft.	21.2 ft.* (garage)
Side Yard	30° ABP, not less than 10 ft.	117 ft.
Rear Yard	30° ABP, not less than 25 ft.	N/A

Bulk Standards (Cont.)

Standard	Required	Provided
FAR	0.30	0.07
Open Space	None	85%

* The subject of Variance application VC 93-L-027.

Parking

Parking Spaces	67 spaces**	96 spaces
Loading Spaces	1	1

** Required parking for the private school is based on 1 space per full time employee (46), plus visitor spaces (4) for a total of 50 spaces. The parking for the community pool is based on the 78 bather occupancy load of the pool (12 spaces) plus pool employees (5 spaces) for a total of 17 spaces.

Transitional Screening

North (R-3)	25 ft. screening Supplemental Vegetation	Existing woods &
South (R-3, R-5)	25 ft. screening Supplemental vegetation	Existing woods &
East (R-3)	25 ft. screening	Existing woods
West (R-3, R-5)	25 ft. screening	Existing woods

Barrier

North (R-3) link fence, or wall	wood fence, chain	6 ft. chain link fence
South (R-3, R-5) link fence, or wall	wood fence, chain	6 ft. chain link fence
East (R-3) link fence, or wall	wood fence, chain	6 ft. chain link fence
West (R-3, R-5) link fence, or wall	wood fence, chain	6 ft. chain link fence

Modifications Requested

Modification: Transitional screening along north, east, west, and south to that shown on SE/SP/VC Plat.

Basis: Par. 3, Sect. 13-304: where land between building and property line specifically designed to minimize adverse impact. Staff supports a modification of transitional screening along the periphery of the site in favor of the existing mature vegetation which currently exists and supplemental vegetation which is to be provided along the southern and northern periphery as specified in the development conditions.

Modification: Barrier along north, east, west, and south in favor of existing fence shown on SE/SP/VC Plat.

Basis: Par. 3, Sect. 13-304: where land between building and property line specifically designed to minimize adverse impact. Staff supports a modification of the location of the barrier requirement in favor of the existing chain link fence as shown on the SE/SP/VC plat along the periphery of the site and is located within the transitional screening yard.

Other Zoning Ordinance Requirements:

Provisions for the Keeping of Animals, Par. 3, Sect. 2-512: Livestock and domestic fowl are allowed as an accessory use on any lot of two acres or more in size, in accordance with the following:

Livestock - 1 animal unit per acre
Domestic Fowl - 1 bird unit per acre

Up to 23 animal units and up to 23 bird units would be allowed by right on this 23.4 acre site. The application site contains 3 animal units and 4 bird units as an accessory use as noted in the table included in the statement of justification. Therefore, the application satisfies this provision of the Zoning Ordinance.

The variance application to allow a partially constructed maintenance garage to remain within the minimum required front yard (21.2 feet from front lot line) must satisfy all of the nine (9) enumerated requirements contained in Sect. 18-404, Required Standards for Variances. If the BZA determines that a variance can be justified, it must then decide the minimum variance which would afford relief as set forth in Sect. 18-405. A copy of these provisions is included as Appendix 9.

The Special Permit application also requests a waiver of the dustless surface requirement pursuant to Sect. 9-915 of the Zoning Ordinance. A copy of these provisions is contained in Appendix 9.

Special Exception & Special Permit Requirements (Appendix 9)

General Special Exception Standards (Sect. 9-006)
General Special Permit Standards (Sect. 8-006,
Required Standards for Variances (Sect. 18-405)
Category 3 Standards (Sect. 9-304)
Group 4 Standards (Sect. 8-403)
Group 9 Standards (Sect. 8-903)
Standards for Child Care Centers and Nursery Schools (Sect. 9-309)
Standards for Private Schools of General Education (Sect. 9-310)
Provisions for Approval of Dustless Surface Waiver (Sect. 9-915)

Summary of Zoning Ordinance Provisions

All applicable standards of the special exception and special permit applications have been satisfied with the proposed development conditions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

In harmony with the Comprehensive Plan.

In conformance with the applicable Zoning Ordinance provisions.

Staff Recommendations

Approve Special Exception subject to the proposed development conditions in Appendix 1.

Approve modification of transitional screening and barrier along the entire periphery of the site in favor of that shown on the SE/SP/VC Plat and as further specified in the proposed development conditions.

Approve Special Permit subject to the proposed development conditions contained in Appendix 1A.

If it is the intent of the BZA to approve the variance application, the BZA should condition its approval by requiring conformance with the conditions set forth in Appendix 1B of this report.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Special Exception Development Conditions
- 1A. Proposed Special Permit Development Conditions
- 1B. Proposed Variance Development Conditions
2. Affidavit
3. Statement of Justification
4. Approved Special Permit Development Conditions
5. Plan Citations and Land Use Analysis
6. Transportation Analysis
7. Environmental Analysis
8. Health Department Analysis
9. Applicable Zoning Ordinance Provisions Checklist
8. Glossary of Terms



PROPOSED DEVELOPMENT CONDITIONS

SE 93-L-014

July 1, 1993

If it is the intent of the Board of Supervisors to approve SE 93-L-014 located at Tax Map 82-2 ((1)) 5, 6, 8 for use as a nursery school, child care center, and private school of general education in accordance with Section 3-104 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions which shall supercede all previous conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with the application, as qualified by these development conditions which shall supercede all previous conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Plat entitled **Burgundy Farm Country Day School and prepared by CEM Consulting Services, Inc. which is dated March 16, 1993 as revised through June 15, 1993 and these conditions.**
4. The combined maximum daily enrollment for the nursery school, summer day camp, child care center, and the private school of general education shall ~~be~~ be limited to 300 children.
5. The combined hours of operation for the child care center, the nursery school, the summer day camp, and the private school of general education shall not exceed 8:30 am until 6:00 pm, Monday through Friday.
6. A maximum of fifty-one (51) full-time employees shall be permitted on site at any one given time.
7. All play areas shall be enclosed by a fence at least three (3) feet in height, as determined by the Fairfax County Health Department.
8. The existing pond shall be aerated and designed as a stormwater management facility incorporating Best Management Practices in accordance with the Chesapeake Bay Preservation Ordinance as determined by DEM.

9. Right-of-way up to twenty-six (26) feet from the southern property line along the common boundary of the site with Parcel 4A shall be dedicated to the Board of Supervisors, in fee simple, within sixty (60) days upon demand by DEM or VDOT at such time as the extension and improvement of Burgundy Road is necessary to allow public street access to Parcel 4A. All ancillary easements along the extended Burgundy Road frontage of the site shall be conveyed to the Board of Supervisors at the time of dedication. The existing parking area in the southwest corner of the site shall be shifted at least ten (10) feet to the north as determined by DEM within thirty (30) days following dedication to provide the required setback from the right-of-way of extended Burgundy Road.
10. A landscape plan shall be submitted for review and approval of the Urban Forestry Branch prior to the time of final site plan approval. This landscape plan shall include a tree supplementation plan for the transitional screening area north of the proposed new parking area and for the transitional screening area along the southern periphery west of the partially constructed garage 300 feet east to the gravel outlet road in order to mitigate adverse impacts on existing and future residential units as determined by the Urban Forester. The final location of all supplemental vegetation provided shall be determined by the Urban Forester. The Urban Forester shall review and approve a tree preservation plan for trees to be preserved within the clearing and grading areas.
11. A Phase I archaeology study shall be performed by the applicant for each area to be disturbed on the site subject to the review and approval of the Heritage Resources Branch, OCP. Phase II and Phase III archaeology studies shall be performed by the applicant, as necessary, subject to the review and approval of the Heritage Resources Branch, OCP.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

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 personally responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. Construction of at least one (1) new structure on site shall constitute establishment of this Special Exception. The Board of Supervisors may grant additional time to establish the use or 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 exception. 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.

PROPOSED DEVELOPMENT CONDITIONS

SP 93-L-015

July 1, 1993

If it is the intent of the Board of Zoning Appeals to approve SP 93-L-015 located at Tax Map 82-2 ((1)) 5, 6, 8 for an amendment to an existing special permit for a private school to allow building additions, continuation of an existing community pool use, and a waiver of the dustless surface requirement pursuant to Sect. 8-915 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions, these conditions shall supercede all previous conditions.

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 entitled **Burgundy Farm Country Day School and prepared by CEM Consulting Services, Inc. which is dated March 16, 1993 as revised through June 15, 1993** 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. A soil survey shall be completed if determined necessary by the Director, Department of Environmental Management (DEM), prior to site plan approval. If high water table soils resulting from uncompacted fill, resource removal or any other circumstances resulting in instability are found in the immediate vicinity of the pool, then the pool shall be engineered and re-constructed to ensure pool stability, including the installation of hydrostatic relief valves and other appropriate measures, as determined by DEM.
5. If determined necessary by DEM, a geotechnical study shall be prepared by, or under the direction of a geotechnical engineer experienced in soil and foundation engineering and shall be submitted and approved by DEM prior to submittal of the construction plan and approved measures shall be incorporated into the site plan.
6. The pool shall be limited to a maximum of 78 bathers at any one time.

7. There shall be no more than four (4) league swim meets conducted at this facility per year. All parking shall be accommodated on site.
8. After-hour parties for the swimming pool shall be governed by the following:
 - Limited to six (6) per season.
 - Limited to Friday, Saturday and pre-holiday evenings. Three (3) weeknight parties may be permitted per year, provided written proof is submitted which shows that all contiguous property owners concur.
 - Shall not extend beyond 12:00 midnight.
 - The applicant shall provide 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 after-hour party.
9. During discharge of swimming pool waters, the following operational procedures shall be implemented:
 - Sufficient amount of lime or soda ash shall be added to the acid cleaning solution in order to achieve a pH approximately equal to that of the receiving stream. The Virginia Water Control Board standards for the class II and III waters found in Fairfax County range in pH from 6.0 to 9.0. In addition, the standard for dissolved oxygen shall be attained prior to the release of pool waters and shall require a minimum concentration of 4.0 milligrams per liter.
 - If the water being discharged from the pool is discolored or contains a high level of suspended solids that could affect the clarity of the receiving stream, it shall be allowed to stand so that most of the solids settle out prior to being discharged.
10. The regular hours of operation for the swimming pool shall not exceed 9:00 am to 9:00 pm.

11. The gravel surfaces 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. The approval of the dustless surface shall be for the time period specified in Sect. 8-915 of the Zoning Ordinance.
 - 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.
 - There shall be pavement to a point twenty-five (25) feet into the entrance drive from Burgundy Road and to point one hundred and forty (140) feet into the entrance drive from Elmwood Drive to inhibit the transfer of gravel off-site.

12. A landscape plan shall be submitted for review and approval of the Urban Forestry Branch prior to the time of final site plan approval. This landscape plan shall include a tree supplementation plan for the transitional screening area north of the proposed new parking area and for the transitional screening area along the southern periphery west of the partially constructed garage 300 feet east to the gravel outlet road in order to mitigate adverse impacts on existing and future residential units as determined by the Urban Forester. The final location of all supplemental vegetation provided shall be determined by the Urban Forester. The Urban Forester shall review and approve a tree preservation plan for trees to be preserved within the clearing and grading areas limited to 9:00 A.M. to 9:00 P.M.

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 and been diligently prosecuted. Construction of at least one (1) new structure shall constitute establishment of this Special Permit use. 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.

PROPOSED DEVELOPMENT CONDITIONS

VC 93-L-027

July 1, 1993

If it is the intent of the Board of Zoning Appeals to approve VC 93-D-010 located at Tax Map 82-2 ((1)) 5, 6, and 8, to allow a partially constructed garage to remain within the minimum required front yard pursuant to the provisions of Sect. 18-404 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This variance is approved for the location of the garage structure south of the proposed administration building as shown on the plat entitled **Burgundy Farm Country Day School and prepared by CEM Consulting Services, Inc. which is dated March 16, 1993 as revised through June 15, 1993** submitted with this application and is not transferable to other land.
2. A Building Permit for the garage structure shall be obtained prior to any construction and final inspections shall be approved.

Pursuant to Sect. 18-407 of the Zoning Ordinance, this variance shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and has 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 variance. 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.



DATE: 5-4-93
(enter date affidavit is notarized)

I, Gerald L. Marchildon, Director, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) [] applicant
[X] applicant's authorized agent listed in Par. 1(a) below

93-40a

in Application No(s): SE93-L-014
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that to the best of my knowledge and belief, the following information is true:

1. (a). The following constitutes a listing of the names and addresses of all APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS and LESSEES of the land described in the application, and if any of the foregoing is a TRUSTEE*, each BENEFICIARY of such trust, and all ATTORNEYS and REAL ESTATE BROKERS, and all AGENTS who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in BOLD print are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
<u>Durgundy Farm Country Day School, Inc. - A Non-profit Corporation</u>	<u>3700 Durgundy Road</u>	
<u>Alexandria, Virginia 22303, Applicant/Title Owner</u>		
<u>Gerald L. Marchildon</u>	<u>1315 Constitution Ave., NE</u>	
<u>Washington, D.C. 20002</u>		
<u>Director; Authorized Agent</u>		
<u>James E. Moore</u>	<u>CEM Consulting Services, Inc.</u>	
<u>6803 Lamp Post Lane</u>		
<u>Alexandria, Virginia 22306</u>		
<u>Engineer; Authorized Agent</u>		

(check if applicable) [] There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

dy

SPECIAL EXCEPTION AFFIDAVIT

DATE: 5-4-93
(enter date affidavit is notarized)

for Application No(s): SE93-L-014
(enter County-assigned application number(s))

93.40a

1. (b). The following constitutes a listing** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Burgundy Farm Country Day School, Inc. - A Non-profit Corporation
3700 Burgundy Road
Alexandria, Virginia 22303

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

(XX) Non-profit

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, last name & title)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

ca

DATE: 5-4-93
(enter date affidavit is notarized)

for Application No(s): SE93-L-014 93-40a
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
CEM Consulting Services, Inc.
6803 Lamp Post Lane
Alexandria, Virginia 22306

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

<u>James M. Van Deusen, President</u>	<u>Kenneth L. O'Connell, Vice President</u>
<u>6803 Lamp Post Lane</u>	<u>8420 Hawkins Creamery Road</u>
<u>Alexandria, Virginia 22306</u>	<u>Gaithersburg, Maryland 20882</u>
<u>Richard M. Moore, Vice President</u>	<u>James E. Moore, Secretary/Treasurer</u>
<u>502 Dakota Drive</u>	<u>1125 Janney Street, SW</u>
<u>Herndon, Virginia 22070</u>	<u>Leesburg, Virginia 22075</u>

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

_____	_____
_____	_____
_____	_____
_____	_____

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

dt

DATE: 5-4-93
(enter date affidavit is notarized)

for Application No(s): SE93-L-014
(enter County-assigned application number(s))

93-40a

1. (c). The following constitutes a listing** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

NOT APPLICABLE

(check if applicable) [] The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS (enter first name, middle initial, last name & title, e.g. General Partner, Limited Partner, or General and Limited Partner)

Lined area for listing names and titles of partners.

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment 1(c)" form.

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

9

SPECIAL EXCEPTION AFFIDAVIT

DATE: 5-4-93
(enter date affidavit is notarized)

for Application No(s): SE93-L-014
(enter County-assigned application number(s))

93-40a

2. That no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(check if applicable) [] There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$200 or more, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

Gerald L. Marchildon

(check one) [] Applicant [X] Applicant's Authorized Agent

Gerald L. Marchildon, Director
(type or print first name, middle initial, last name & title of signee)

Subscribed and sworn to before me this 4th day of May, 19 93, in the state of Virginia.

My commission expires: 2/28/95. Gerrit J. [Signature] Notary Public

**BURGUNDY FARM COUNTRY DAY SCHOOL, INC.
SPECIAL EXCEPTION, SPECIAL PERMIT AND VARIANCE
PROPOSED USE STATEMENT**

TYPE OF OPERATIONS

Burgundy Farm Country Day School, Inc. is a private, independent, coeducational day school for children of preschool age through grade eight. It is incorporated in the State of Virginia as a non-profit institution and is governed by a Board of Trustees. It is accredited by the Virginia Association of Independent Schools. The school was established in 1946 on the site of an old dairy farm by a group of parents who renovated the farm buildings for classroom and office use. They are still in use today.

In addition, the pleasing combination of farm buildings, woodland and open space provide an ideal setting for the kind of school the founders sought, one in which the natural environment would be close at hand for children's work and play.

Use of the woods and fields as laboratories for study in the natural sciences and as places for children to explore and play continue today. The population of farm animals in the barn and barnyard is enjoyed by all children at the school.

HOURS OF OPERATION

Burgundy Farm Country Day School, Inc. conducts a number of programs. Taken together, they constitute a year round operation. Maximum total enrollment on any given day is 300, programs are as follows:

- Accredited Private Day School

This encompasses all programs at Burgundy Farm Country Day School for children ages 5 to 13 in grades Kindergarten through 8. The maximum number of students at any one time is 300, as permitted by Fairfax County Special Exception #S-111-79, amended to S-242-79. The current enrollment is 240 students. School hours are 8:30 a.m. to 3:00 p.m., Monday through Friday, from early September through early June.

- Nursery School

This program is for children under the age of 5. It is licensed by the Commonwealth of Virginia Department of Social Services (#F.X92-93) and the Fairfax County Department of Health Services (permit #24-0019 to operate with a

maximum of 30 children under 5 years of age at any one time) and permit #07-0019 to operate a catered food service establishment.) Current daily enrollment is sixteen children. Hours of operation are 8:30 a.m. to 3:00 p.m., Monday through Friday, from early September through early June.

- Accredited Summer Day Camp

This program is for children ages 3 to 14 and operates two 3-week sessions and one 2-week session between late June and mid-August, Monday through Friday, 9:00 a.m. to 3:00 p.m. with a maximum daily enrollment of 300 campers. Average enrollment of the three sessions is 225 campers.

- Licensed Child Care Center

This program was established as a service to Day School, Nursery School and Summer Day Camp working parents who need child care. It is not open to non-Burgundy families. The program is licensed by the Commonwealth of Virginia Department of Social Services (#93-152) to operate at a maximum capacity of 100 children, ages 3-14. Current enrollment is 38. The center operates year round 3:00 p.m. to 6:00 p.m., Monday through Friday.

- Swimming Pool Operation

The present pool was built in 1973. Burgundy's first pool was opened in 1952 and provided swimming facilities for the racially integrated school and camp. Local pools were segregated so in 1952 the community pool operation was launched as a service to our neighbors. The pool operates under permit from the Fairfax County Department of Health Services (#09-429-0023). Maximum bathers at any one time is 78.

The Private School, Nursery School and Summer Day Camp use the pool in season from 8:30 a.m. to 3:00 p.m., Monday through Friday. The Child Care Center uses the pool in season from 3:00 p.m. to 4:00 p.m., Monday through Friday.

Burgundy Farm Country Day School, Inc. operates the Burgundy Farm Swim Club during the season from mid-May through mid-September. Hours of operation are 4:00 p.m. to 8:00 p.m. Monday through Friday and 11:00 a.m. to 8:00 p.m. on Saturdays and Sundays. There are no plans to expand the Swim Club beyond its present service as inexpensive recreation for community families. Facilities in the proposed gymnasium will not be available for community use. The gymnasium will be used for Private Day School, Nursery School, Child Care Center and Summer Day Camp physical education, recreational and sports activities.

Parking adjacent to the proposed gymnasium/pool facility will be used daily for faculty and staff parking and, between mid-May and mid-September, for community pool member parking.

ESTIMATED NUMBER OF PUPILS AND TEACHERS

Present school enrollments are 240 children in the private day school and 16 in the nursery school. It is the intention of the school to increase enrollment as space becomes available, but not to exceed the maximum allowable 300 students.

Current employees number 33 Faculty members, 11 staff members, and 1 caretaker. The student/teacher ratio will increase as enrollment is increased. At full enrollment, the faculty will increase by 1. The community pool operates with 5 seasonal part-time employees.

ESTIMATED TRAFFIC IMPACT

The existing estimated traffic generation is less than 500 Vehicles Per Day. The majority of the traffic is generated by parents dropping off their children between the hours of 7:30 a.m. to 8:30 a.m. and picking them up between 3:00 p.m. and 6:00 p.m. The proposed development will not significantly increase the traffic generation as the school will only increase the student population by a maximum of 44 students.

GENERAL AREA SERVED

Burgundy Farm Country Day School draws its students from the Washington metropolitan area to include the Virginia counties of Arlington, Fairfax and Prince William; the cities of Alexandria and Falls Church; the District of Columbia; and Prince George's County in Maryland.

PROPOSED BUILDING ARCHITECTURE AND FACADE

New buildings will be small scale buildings similar in character to the existing historic farm buildings. Roofs on the existing character defining buildings are gabled and gambrel roofs: future buildings are likely to have those roof forms. All the existing classroom buildings have exterior access and extensive glazed areas to facilitate connection to the large wooded natural site. All new classroom buildings are likely to also be characterized by large glazed areas and access to the exterior at grade.

The existing small scale buildings are currently scattered about the site tucked into grades among trees. Future buildings are sited consistently with this pattern. Some future buildings will be two story structures built into 10' grade changes to allow reduced mass and grade access at both levels. Other buildings are planned as one story structures.

HAZARDOUS SUBSTANCE LISTING

See enclosed report by Professional Services, Inc. dated June 1992.

The site also contains an underground storage tank (UST) for the refueling of the school's buses. This UST is planned to be removed from service and properly closed to the satisfaction of the Virginia State Water Control Board and any other local, state or federal agency in June 1993.

PROPOSED USE CONFORMANCE STATEMENT

The proposed use conforms with the provisions of all applicable ordinances, regulations and adopted standards with the exception of the requested waivers, special permits or variances as stated on the Special Exception, Special Permit and Variance Plan.

OWNERSHIP STATEMENT

The Property is currently in the name of Burgundy Farm Country Day School, Inc. as recorded in DB 1034/PG 339, DB 711/PG 113 and DB 1225/PG 36 of the land records of Fairfax County, Virginia, for Parcels 5, 6 and 8 respectively.

EXISTING PERMITS

See enclosed existing permits issued by Fairfax County Zoning, Fairfax County Department of Health Services, Fairfax County Fire Prevention Code and Commonwealth of Virginia Department of Social Services.

**BURGUNDY FARM COUNTRY DAY SCHOOL, INC.
VARIANCE STATEMENT OF JUSTIFICATION**

The following Statement of Justification is required, per Fairfax County Zoning Ordinance Article 18, Section 403, Item No. 6, for the requested variance to allow completion of the garage under construction located within the minimum front yard setback of 25 feet (Actual setback is 21.2 feet from closest property line):

1. The subject property was acquired in good faith and is in the name of Burgundy Farm Country Day School, Inc. as recorded in DB 1034/PG 339, DB 711/PG 113 and DB 1225/PG 36 of the land records of Fairfax County, Virginia for Lots 5, 6 and respectively.
2. The subject property meets the characteristic of Item F - An extraordinary situation or condition of the subject property in that the garage under construction was laid out in what was considered to be a side yard by the School, in which case the building would not encroach upon the minimum setback distance of 10 feet. This was a reasonable assumption as the dedicated ingress/egress easement (DB 813/PG 518) for the private gravel outlet road to Burgundy Road terminates at the Southeast corner of Lot 6, on which is located the uncompleted garage, therefore making the South property line, in which the garage is closest and parallel to, the side yard.
3. This condition for this site is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
4. The strict application of this Ordinance would produce an undue economic hardship onto the School in that it would have to demolish the partially constructed building, relocate and reconstruct the building less than four feet to be in compliance.
5. No undue hardship would be shared generally by other properties in the same zoning district and the same vicinity.
6. The granting of this variance will alleviate a clearly demonstrated hardship approaching confiscation of the existing building and all associated costs with the relocation and reconstruction of the building less than four feet to be in compliance.

- 7. The authorization of this variance will not be of substantial detriment to adjacent property in that the location and size of this existing structure has a minimal adverse impact through a combination of existing topography, undisturbed mature woodlands and that the anticipated long term use of the adjacent property is that of a single family dwelling not visible from the building location.**
- 8. The character of the zoning district, R-4, will not be changed by the granting of this variance.**
- 9. The approval of this variance request will be in harmony with the intended spirit and purposes of this Ordinance and will not be contrary to the public interest.**

USE OF EXISTING STRUCTURES**As identified on Plat**

Admn Bldg(s)
Caretaker's Residence
Meyer's Barn

West Barn

East Barn
Loft

Drama Trailer
Swallow Barn
Temp Cl Rms
Amphitheater

Animal Barn

Pool

Use

Administrative Offices
Caretaker's Residence
**Classrooms: Grade 1,
Foreign Language**

**Classrooms: Nursery
School, Kindergarten,
Transition, Grades 4&5**

Classrooms: Grades 1-4

**Fine Arts; Library;
Computer Lab**

Drama Classes

Classrooms: Grades 6-8

Classrooms: Grades 6-8

**Outdoor dramatic
productions**

Animal Barn

**Swimming Classes
Community Pool**

ANIMAL UNITS

9 SHEEP (2 ARE COMMON SHEEP)(7 ARE BARBADOS) = 2 ANIMAL UNITS

3 GOATS = 1 ANIMAL UNIT

BIRD UNITS

4 CHICKENS

2 GUINEA HENS

4 PHEASANTS = 1 BIRD UNIT

3 DUCKS = 1 BIRD UNIT

15 GEESE (13 BARNYARD GEESE)(2 CANADIAN GEESE) = 2 BIRD UNITS

R E S O L U T I O N

WHEREAS, following proper notice to the public and a public hearing by the Board of Zoning Appeals held on July 31, 1979; and

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

1. That the owner of the subject property is the applicant.
2. That the present zoning is R-3.
3. That the area of the lot is 9.8480 acres.
4. That compliance with the Site Plan Ordinance is required.

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

THAT the applicant has presented testimony indicating compliance with Standards for Special Permit Uses in R Districts as contained in Section 8-006 of the Zoning Ordinance, and

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 in the application and is not transferable to other land.
2. This special permit shall expire one year from this date unless construction or operation has started and is diligently pursued or unless renewed by action of this Board prior to any expiration.
3. This approval is granted for the buildings and uses indicated on the plans submitted with this application. Any additional structures of any kind, changes in use, additional uses, or changes in the plans approved by this Board (other than minor engineering details) whether or not these additional uses or changes require a Special Permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes (other than minor engineering details) without this Board's approval, shall constitute a violation of the conditions of this Special Permit.
4. This granting does not constitute an exemption from the legal and procedural requirements of this County and State. THIS SPECIAL PERMIT IS NOT VALID UNTIL A NON-RESIDENTIAL USE PERMIT IS OBTAINED.
5. 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.
6. Landscaping and screening may be required in accordance with Article 13 of the Zoning Ordinance at the discretion of the Director of Environmental Management.
7. The maximum number of students shall be 350 - contingent upon connecting to public sewer; and 330 students subject to Health Department approval.
8. The hours of operation shall be 8 A.M. to 5 P.M. for the school and 7 A.M. to 9 P.M. for the tennis courts, 12 months per year.
9. The minimum number of parking spaces shall be 104.
10. All other requirements of previous SUP's not modified by this action shall remain in effect.

Mr. Yaremchuk seconded the motion.

The motion passed by a vote of 5 to 0.

Page 322, July 31, 1979, Scheduled case for

8:45 - BURGUNDY FARM COUNTRY DAY SCHOOL, INC., appl. under Sect. 8-301 of the P.M. Ord. to permit private school for general education and community pool, located 3700 Burgundy Road, 82-2((1))5, 6 & 8, Lee Dist., 23.235 acres, R-4, S-111-79.
 (Deferred from June 26, 1979 for advertising of pool.)

Mr. Douglas Adams, attorney, represented the school. He indicated that this was a routine request and that the school has been operating. The application was amended to include the pool. The property has been used for a school for 33 years. He requested that the Board not impose any time limitations on the school in the future.

Chairman Smith indicated that the Board normally places a five year limitation on schools under special permit. Mr. Covington stated that was not a Code requirement. Mr. Adams stated that the present enrollment of the school was 225 students and that the special permit was limited to 250 students. The hours of operation are from 8:30 A.M. to 3:30 P.M., There are meetings that take place during the evenings.

Page 323, July 31, 1979
 BURGUNDY FARM COUNTRY DAY SCHOOL, INC.
 (continued)

With respect to the pool, Mr. Adams stated that it is a community pool for the summer on a membership basis. The hours for the pool are from 9 A.M. to 9 P.M., seven days a week. The Planning Commission reviewed the request and indicated that there should not be any access from Elmwood Drive. Elmwood Drive is a cut between lots and the school. There were only two restrictions from the Planning Commission. One called for a dustless surface. Mr. Adams stated that this was a country school and had a lot of trees around. The private road is in gravel. He indicated that the school would not wish to surface the road at this time and would prefer to retain the country atmosphere. In addition, he indicated this would slow the traffic down on the driveway. Chairman Smith indicated that the Board was not authorized to grant the waiver to the dustless surface. He indicated that the drive should be left as is but if the county staff required a dustless surface then the school would have to file a variance and come back to the Board.

There was no one to speak in favor of the application and no one to speak in opposition.

Page 323, July 31, 1979
 BURGUNDY FARM COUNTRY DAY SCHOOL, INC.
 R E S O L U T I O N

Board of Zoning Appeals

Mr. Yaremchuk made the following motion:

WHEREAS, Application No. S-111-79 by BURGUNDY FARM COUNTRY DAY SCHOOL, INC. under Section 8-301 of the Fairfax County Zoning Ordinance to permit private school for general education and community pool on property located at 3700 Burgundy Road, tax map reference 82-2((1))5, 6 & 8, County of Fairfax, Virginia has been properly filed in accordance with all applicable requirements; and

WHEREAS, following proper notice to the public and a public hearing by the Board of Zoning Appeals held on July 31, 1979; and deferred from June 26, 1979 for advertisement of pool; and

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

1. That the owner of the subject property is the applicant.
2. That the present zoning is R-4.
3. That the area of the lot is 23.235 acres.
4. That compliance with the Site Plan Ordinance is required.

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

THAT the applicant has presented testimony indicating compliance with Standards for Special Permit Uses in R Districts as contained in Section 8-006 of the Zoning Ordinance, and

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 in the application and is not transferable to other land.
2. This special permit shall expire one year from this date unless construction or operation has started and is diligently pursued or unless renewed by action of this Board prior to any expiration.
3. This approval is granted for the buildings and uses indicated on the plans submitted with this application. Any additional structures of any kind, changes in use, additional uses, or changes in the plans approved by this Board (other than minor engineering details) whether or not these additional uses or changes require a Special Permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes (other than minor engineering details) without this Board's approval, shall constitute a violation of the conditions of this Special Permit.
4. This granting does not constitute an exemption from the legal and procedural requirements of this County and State. THIS SPECIAL PERMIT IS NOT VALID UNTIL A NON-RESIDENTIAL USE PERMIT IS OBTAINED.
5. 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.
6. Landscaping and screening may be required in accordance with Article 13 of the Zoning Ordinance at the discretion of the Director of Environmental Management.
7. The number of students shall be 250.
8. The hours of operation shall be school, 8:30 A.M. to 3:30 P.M., five days a week; and pool, 9:00 A.M. to 9:00 P.M., seven days a week.
9. The number of parking spaces shall be 90.

Mr. DiGiulian seconded the motion.

The motion passed by a vote of 5 to 0.

The Board deferred this application until December 4, 1979 at 10:00 A.M. for notices and for written representation from the homeowners.

//

Page 470, October 23, 1979, Scheduled case for

11:40 A.M. BURGUNDY FARM COUNTRY DAY SCHOOL, appl. under Sect. 8-301 of the Ord. to amend special permit S-111-79 to permit enclosure of lower level of multi-purpose building and increase authorized enrollment from 250 to 300 students, located 3700 Burgundy Rd., 82-2(1)5, 6 & 8, Lee Dist., 23.235 acres, R-4, S-242-79.

Mr. C. Douglas Adams, an attorney in Fairfax represented the applicant. Mr. Adams informed the Board that several months ago the school had requested routine extension of their special permit. At that time, they were not aware that they would be coming back asking for an increase in the number of students for the summer program or that they would want to enclose the lower level for additional space. Mr. Adams informed the Board that the school has been operating for 30 years. He stated that the property is largely wooded. The main request is to increase the number of students from 250 to 300. The Director of the school was also present to answer any questions the Board might have.

There was no one to speak in support of the application and no one to speak in opposition.

Page 470, October 23, 1979
BURGUNDY FARM COUNTRY DAY SCHOOL

Board of Zoning Appeals

R E S O L U T I O N

Mr. Yaremchuk made the following motion:

WHEREAS, Application No. S-242-79 by BURGUNDY FARM COUNTRY DAY SCHOOL under Section 8-301 of the Fairfax County Zoning Ordinance to amend special permit S-111-79 to permit enclosure of lower level of multi-purpose building and increase authorized enrollment from 250 to 300 students on property located at 3700 Burgundy Road, tax map reference 82-2(1)5, 6 & 8, County of Fairfax, Virginia, has been properly filed in accordance with all applicable requirements; and

WHEREAS, following proper notice to the public and a public hearing by the Board of Zoning Appeals held on October 23, 1979; and

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

1. That the owner of the subject property is the applicant.
2. That the present zoning is R-4.
3. That the area of the lot is 23,235 acres.
4. That compliance with the Site Plan Ordinance is required.

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

THAT the applicant has presented testimony indicating compliance with Standards for Special Permit Uses in R Districts as contained in Section 8-006 of the Zoning Ordinance, and

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 in the application and is not transferable to other land.
2. This special permit shall expire one year from this date unless construction has started and is diligently pursued or unless renewed by action of this Board prior to any expiration.
3. This approval is granted for the buildings and uses indicated on the plans submitted with this application. Any additional structures of any kind, changes in use, additional uses, or changes in the plans approved by this Board (other than minor engineering details) whether or not these additional uses or changes require a Special Permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes (other than minor engineering details) without this Board's approval, shall constitute a violation of the conditions of this Special Permit.

R E S O L U T I O N

4. This granting does not constitute an exemption from the legal and procedural requirements of this County and State. THIS SPECIAL PERMIT IS NOT VALID UNTIL A NON-RESIDENTIAL USE PERMIT IS OBTAINED.

5. 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.

6. Landscaping and screening may be required in accordance with Article 13 of the Zoning Ordinance at the discretion of the Director of Environmental Management.

7. The maximum number of students shall be 300.

8. All other conditions of S-111-79 not affected by this resolution shall remain in effect.

Mr. DiGiulian seconded the motion.

The motion passed unanimously by a vote of 5 to 0.

 Page 471, October 23, 1979, Recess

At 12:05 P.M., the Board recessed for lunch and for an executive session. The Board reconvened at 1:00 P.M. to take up the scheduled cases remaining on the agenda.

Page 471, October 23, 1979, Scheduled case for

11:50 A.M. RITA POWELL & MARK A. JOHNSON, appl. under Sect. 3-103 of the Ord. to permit kennel, located 33-4((1))9, Springfield Dist., 6.05 acres, R-1, S-246-79.

Mr. Dan Shaner, an attorney, represented the applicants. He requested that the Board amend the application to reflect the addition of Dulles Gateway Kennels Limited. Chairman Smith inquired as to whether Mr. Shaner had the Articles of Incorporation to be submitted in the file if it were amended to a corporate name. Mr. Shaner submitted the articles and an affidavit prepared by Dr. Powell.

Ms. Ardis moved that the Board amend the application to include the Dulles Gateway Kennels, Ltd. Mr. Barnes seconded the motion and the motion passed by a vote of 5 to 0.

Mr. Shaner showed the Board an aerial photograph of the property. He stated that it would give the Board a full view of the site. He stated that this was an application for a kennel under ~~group~~ six of the special permit uses. Mr. Shaner stated that the applicants are Rita Powell and Mark Johnson as the contract purchasers for lot 9. The lessees are the people who will actually operate the use, that being Dulles Gateway Kennels, Ltd. comprised of Rita Powell, Mark Johnson and David Haygood. At present, Dr. Powell and Dr. Johnson operate the Pender Veterinary Clinic. It has been in operation for several years. The site is located on a 50 ft. private outlet road. It is accessed off of Lee Road. The property to the north of the subject site is within the Cub Run Stream Valley. Cub Run goes down to the back of the property along the western portion of the property. The stream valley is a part of the land belonging to the Park Authority.

Mr. Shaner informed the Board that the property is located near the Upper Cub Run Sewer Treatment Plant. The Dulles Airport noise Impact Study indicated that this property was subject to certain noise exposure because of the Dulles Concord Residential development is restricted for this area. Mr. Shaner stated that a kennel is allowed in this type of residential zoning. He stated that they were excited about the opportunity to give this type of use to Fairfax County. He stated that there was a real need to have boarding establishments for small animals in Fairfax County. He stated that the applicants can offer the quality and expertise to provide a well run kennel.

Chairman Smith inquired as to the type of small animals. Mr. Shaner stated they would have the usual household pets of a domestic nature. There would not be anything larger than a dog. Chairman Smith inquired if this kennel would be only for cats or dogs or whether other animals would be involved. Mr. Shaner stated that a family might have hamsters or snakes. Chairman Smith stated that this request was only for typical household pets and would not include donkeys or goats.

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, OCP

FROM: *Bruce G. Douglas*
Bruce G. Douglas, Chief
Environment & Development Review Branch, OCP

FILE NO.: 1261 (ZONING)

SUBJECT: Land Use Analysis for: SE 93-L-014 concurrent with
SP 93-L-015 and VC 93-L-027
Burgundy Farm Country Day School, Inc.

DATE: 2 June 1993

This memorandum, prepared by Anita L. Capps, includes citations from the Comprehensive Plan that list and explain land use and design policies for this property, and an analysis of the development plan dated March 16, 1993. The application requests a private school of general education with a maximum enrollment of 300 students to allow building additions, increase in employees and to include a child care center. Approval of this application would result in a floor area ratio (FAR) of .07. Possible solutions to address identified use and design concerns are suggested. Other solutions may be acceptable, provided they are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The 23.4-acre property is located in the Burgundy Community Planning Sector (RH3) of the Rose Hill Planning District in Area IV. The assessment of the proposal for conformity with the land use and design recommendations of the Comprehensive Plan is determined by the Comprehensive Plan map which shows that the property is planned for residential use at 2-3 dwelling units per acre.

CHARACTER OF THE SURROUNDING AREA:

The subject property is developed with a private school. It is planned for residential use at 2-3 dwelling units per acre. Located to the north and east are single family detached homes that are planned for residential use at 3-4 dwelling units per acre. To the south are large parcels which are vacant except for one structure on the central parcel and townhouses located on the southwestern parcel. This area is planned for residential use at

Barbara A. Byron
SE 93-L-014, etc.
Page Two

2-3 dwelling units per acre. To the west is located vacant land and Loftridge Park. This area is planned for public park use.

PLANNING ANALYSIS:

This section characterizes land use and design concerns raised by an evaluation of this site and the proposed use. Suggested solutions are intended to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities to achieve compatibility with adjacent uses and to create a more attractive community.

If the applicant modifies the application, and/or accepts or proposes conditions comparable to the suggested solutions discussed below, the proposed development will be in harmony with the guidance of the Comprehensive Plan.

Design

Concern:

The proposed gym and classrooms will impact the vegetated open space of the site. The location of the gym parking area is too close to the northern boundary which abuts residences.

Suggested Solution:

The applicant should consider moving the proposed gym and classrooms closer to the existing structures on the site. The proposed northern parking should be buffered and screened to mitigate its impact on nearby residences.

Open Space

Concern:

The applicant does not show limits of clearing and grading, therefore the amount of vegetated open space that will be preserved cannot be determined. Additional landscaping is needed along the southern boundary to mitigate the visual impact of the school upon future residential development to the south.

Suggested Solution:

Establish limits of clearing and grading and demonstrate that an adequate amount of vegetation is maintained to mitigate the visual impact of the proposed development upon the surrounding existing and proposed residential development. Additional vegetation needs to be provided along the southern boundary.

BGD:ALC

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, OCP

DATE: June 17, 1993

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section, OT

FILE: 3-5 (SE 93-L-014)
3-6 (SP 93-L-015; VC 93-L-027) SITE1 284

SUBJECT: Transportation Impact

REFERENCE: SE 93-L-014; SP 93-L-015; VC 93-L-027
Burgundy Farm Country Day School, Inc.
Traffic Zone: 1038
Land Identification Map: 82-2 ((1)) 5, 6, 8

Transmitted herewith are the comments of the Office of Transportation with respect to the subject application. These comments are based on plans made available to this Office dated March 16, 1993. Since this review is based in part on the submitted development plan, this plan should be made a condition of approval with modifications as noted below.

The applicant is seeking approval of three concurrent applications. The special permit seeks to renew a waiver of the dustless surface requirements and reauthorization of use of the community pool. The variance application is to allow a building within the front yard. The special exception application relates to the construction of various new structures sited throughout the property. The staff will be increased from 53 to 57 employees.

The 23.44 acre site is planned for residential development at 2-3 dwelling units per acre. Based on trip generation rates published by the Institute of Transportation Engineers, if developed to residential uses within the Plan range the site can be expected to generate 460-700 vehicles per day and 45 - 70 trips during the a.m. and p.m. peak hours. Data provided in the applicant's Proposed Use Statement, indicates that traffic generated from the existing use is similar to that expected to be generated if the site was developed as a residential neighborhood.

Transportation Issues

Transportation issues associated with the subject application are as follows:

1. The need to provide for public street access (by extending Burgundy Road) to parcel 82-2 ((1)) 4A in the event that this parcel should redevelop.
2. Conflicts with the planned on-site parking in the event that Burgundy Road is extended.
3. Potential negative impacts if special events are permitted at the proposed gymnasium and the community pool.

The existing Burgundy Road right-of-way terminates just west of Norton Road. As such, there is presently no public street access available to parcel 82-2 ((1)) 4A. It is unlikely that this parcel will redevelop in the near future. However, the applicant should commit to provide right-of-way dedication as may become necessary to allow for redevelopment of parcel 4A.

The applicant is proposing to enhance and enlarge the existing parking area located in the southwest corner of parcel 5. Much of this parking lot would be in conflict dedication needed to permit the extension of Burgundy Road as identified above. The parking lot should be redesigned to eliminate this potential conflict.

If special events such as swim meets and team competitions are permitted at the proposed gymnasium and the swimming pool, it is unlikely that the on-site parking adjacent to these uses will be adequate. The resulting overflow would impact the safety and operations of Elmwood Drive. As such special events involving outside groups should not be permitted unless the applicant can demonstrate that adequate parking will be available.

Summary

This Office does not support approval of the subject applications unless the following issue are adequately addressed.

1. Commitment to provide right-of-way dedication along the south property line of parcel 5, generally to 26 feet from the property line with additional right-of-way as needed to allow for roadway curvatures to PFM standards at such time as the extension of Burgundy Road becomes necessary.
2. Modification of the proposed parking within the southwest corner of parcel 5 in order to avoid conflicts with Burgundy Road right-of-way dedication in the event that dedication is requested.
3. Commit to limit meets and sporting events so that parking for such events can be accommodated on site.

Note that VDOT has requested that the applicant provide a cul-de-sac at the existing terminus of Burgundy Road.

AKR/CAA:tsb

cc: John Winfield, Deputy Director, Design Review, Department of Environmental Management



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
3975 FAIR RIDGE DRIVE
FAIRFAX, VA 22033
(703) 934-7300
May 11, 1993

RAY D. PETHTEL
COMMISSIONER

THOMAS F. FARLEY
DISTRICT ADMINISTRATOR

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

MAY 13 1993

ZONING EVALUATION DIVISION

Ms. Barbara A. Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning
County of Fairfax
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

RE: SE 93-L-014, Burgundy Farm Country Day School
Tax Map No: 082-2-/01/ 5, 6, & 8

Dear Ms. Byron:

This office has reviewed the special exception plat relative to special exception application 93-L-014 and offer the following comments.

The application has been filed for a private school of general education to permit building additions, increase employees and child care center.

Access to the existing school is afforded via an outlet road extending Burgundy Road.

With this application the applicant should either extend Burgundy Road terminating in a temporary cul-de-sac or permanently cul-de-sac the existing stub street.

If you should require any additional information, please do not hesitate to contact this office.

Sincerely,

Noreen H. Maloney
Transportation Engineer

NHM:law

cc: Mr. S. K. Pant
Mr. O. C. Deal, Jr.

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, OCP

FROM: *Bruce G. Douglas*
Bruce G. Douglas, Chief
Environment & Development Review Branch, OCP

FILE NO.: ZONING 1277

SUBJECT : ENVIRONMENTAL ASSESSMENT for: SE 93- L-014
SP 93-L-015
VC 93-L-027
Burgundy Farm Country Day School

DATE: 2 June 1993

This memorandum, prepared by Connie Chitwood Crawford, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns including a description of potential impacts that may result from the proposed development as depicted on the development plan dated 3/16/93. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

On page 86 & 87 of the 1990 Policy Plan under the heading "Water Quality", the Comprehensive Plan states:

- "Objective 2: Prevent and reduce pollution of surface waters.
- Policy c. Minimize the amount of impervious surface created as a result of development consistent with planned land uses.
- Policy f. . . . Minimization of grading shall be a preferred means of limiting erosion.
- Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

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SP 93-L-015
VC 93-L-027
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Policy a. Comply with the Chesapeake Bay Agreement and the regulations adopted pursuant to the Virginia Chesapeake Bay Preservation Act."

On page 90 of the 1990 Policy Plan under the heading "Environmental Hazards", the Comprehensive Plan states:

"Objective 7: Ensure that new development either avoids problem soil areas, or implements appropriate engineering measures to protect existing and new structures from unstable soils.

Policy a: Limit densities on slippage soils, and cluster development away from slopes and potential problem areas.

Policy b: Require new development on problem soils to provide appropriate engineering measures to ensure against geotechnical hazards."

On pages 91 to 93 of the Policy Plan for Fairfax County, the Comprehensive Plan states the following:

"Objective 10: Identify, protect and enhance an integrated network of ecologically valuable land and surface waters for present and future residents of Fairfax County.

Policy a: For ecological resource conservation, identify, protect and restore an Environmental Quality Corridor system (EQC). Lands may be included within the EQC system if they can achieve any of the following purposes:

- Habitat Quality: The land has a desirable or scarce habitat type, or one could be readily restored, or the land hosts a species of special interest.
- "Connectedness": This segment of open space could become a part of a corridor to facilitate the movement of wildlife.
- Aesthetics: This land could become part of a green belt separating land uses, providing passive recreational opportunities to people.

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Page Three

- **Pollution Reduction Capabilities:** Preservation of this land would result in significant reductions to nonpoint source water pollution, and/or, micro climate control, and/or reductions in noise.

The core of the EQC system will be the County's stream valleys. Additions to the stream valleys should be selected to augment the habitats and buffers provided by the stream valleys, and to add representative elements of the landscapes that are not represented within stream valleys. . . ."

On page 93 of the 1990 Policy Plan, under the heading "Environmental Resources", the Comprehensive Plan states:

"Objective 11: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed sites consistent with planned land use and good silvicultural practices."

ENVIRONMENTAL ANALYSIS:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the County's remaining natural amenities.

Environmental Quality Corridor

Concern:

The Burgundy Farm County Day School site contains two unnamed tributaries of Cameron Run. The tributary located on the eastern boundary of the property receives more than 70 acres of upstream drainage and has a 100 year floodplain. These two features classify this stream channel as an Environmental Quality Corridor (EQC). This segment of the property contains a floodplain forest of fairly mature mixed hardwood trees. The limits of the EQC are not delineated on this development plan. While none of the proposed buildings encroach on these limits, appropriate limits of clearing and grading for these buildings would ensure the protection of the EQC area.

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SP 93-L-015
VC 93-L-027
Page Four

Suggested Solution:

The limits of the EQC should be shown on the development plan and should not encroach upon the EQC.

Water Quality

Concern:

An old farm pond is located on the tributary that bisects the middle of this site. The development plan states that the pond will remain but is not designed to provide water quality or stormwater management benefits. The new structures shown on this development plan and the additional parking areas will increase the imperviousness of the site which will in turn increase the rate and volume of stormwater runoff from the property. The application does not address the water quality impacts that will result from the additional runoff.

Suggested Solution:

Best Management Practices should be provided to satisfy the County's Chesapeake Bay Preservation Ordinance in accordance with methods acceptable to the Director of the Department of Environmental Management.

Concern:

Much of the soil on this property is marine clay. Marine clay soils are classified as problem soils with high shrink-swell potential, poor sub-surface drainage and severe erodibility. These soils also provide poor foundation support.

Suggested Solution:

The Department of Environmental Management may require a geotechnical study for problem soils.

Air Quality

Concern:

The gravel surfaced roads and parking area associated with this development may cause an increase in airborne dust which may aggravate total ambient air quality in this area unless adequate maintenance of the gravel drive is addressed.

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SP 93-L-015
VC 93-L-027
Page Five

Suggested Solution:

If a waiver of the dustless surface requirement is granted for the driveway, the surfaces should be maintained in accordance with the standard practices approved by the Director, Department of Environmental Management (DEM), which shall include but not be limited to the following:

- Travel speeds on the drive should be limited to 10 MPH or less.
- During dry periods, application of water should be made in order to control dust.
- Routine maintenance should be performed to prevent surface unevenness, wear-through of subsoil exposure. Resurfacing shall be conducted when stone becomes thin.
- Runoff should be channeled away from and around the parking areas.
- The property owner should perform periodic inspections to monitor dust conditions, drainage functions, compaction and migration of the stone surface.

Environmental Resources

Concern:

Most of the vegetation on the property consists of upland hardwood forest and floodplain forest. The forested areas are important because of their canopy coverage, hardwood species and diversity in age and successional stage. This development plan includes statements about the preservation of these forest resources, but does not show limits of clearing and grading.

Suggested Solution:

The development plan should be modified to show the limits of clearing and grading for the building envelopes of all classrooms, facilities and recreation areas. The limits of clearing and grading should provide the maximum amount of tree preservation possible. Trees should also be planted in the parking area and around the proposed play areas to provide shade and to provide replacements for the trees that will be removed for construction.

TRAILS PLAN:

No trails are shown on the Trails Plan Map for this property.

BGD:CCC

SPECIAL EXCEPTION APPLICATION

SE 93-L-014

SE 93-L-014
FILED 04/08/93

BURGUNDY FARM COUNTRY DAY SCHOOL, INC.
AMEND S-111-79 FOR PRIVATE SCHOOL OF GENERAL
EDUCATION TO PERMIT BUILDING ADDITIONS,
INCREASE IN EMPLOYEES, AND CHILD CARE CENTER
ZONING DIST SECTION: 03-0404 03-0404
ART 9 CATEGORY/USE: 03-10 03-11
23.44 ACRES OF LAND; DIS
LOCATED: 3700 BURGUNDY ROAD, ALEXANDRIA

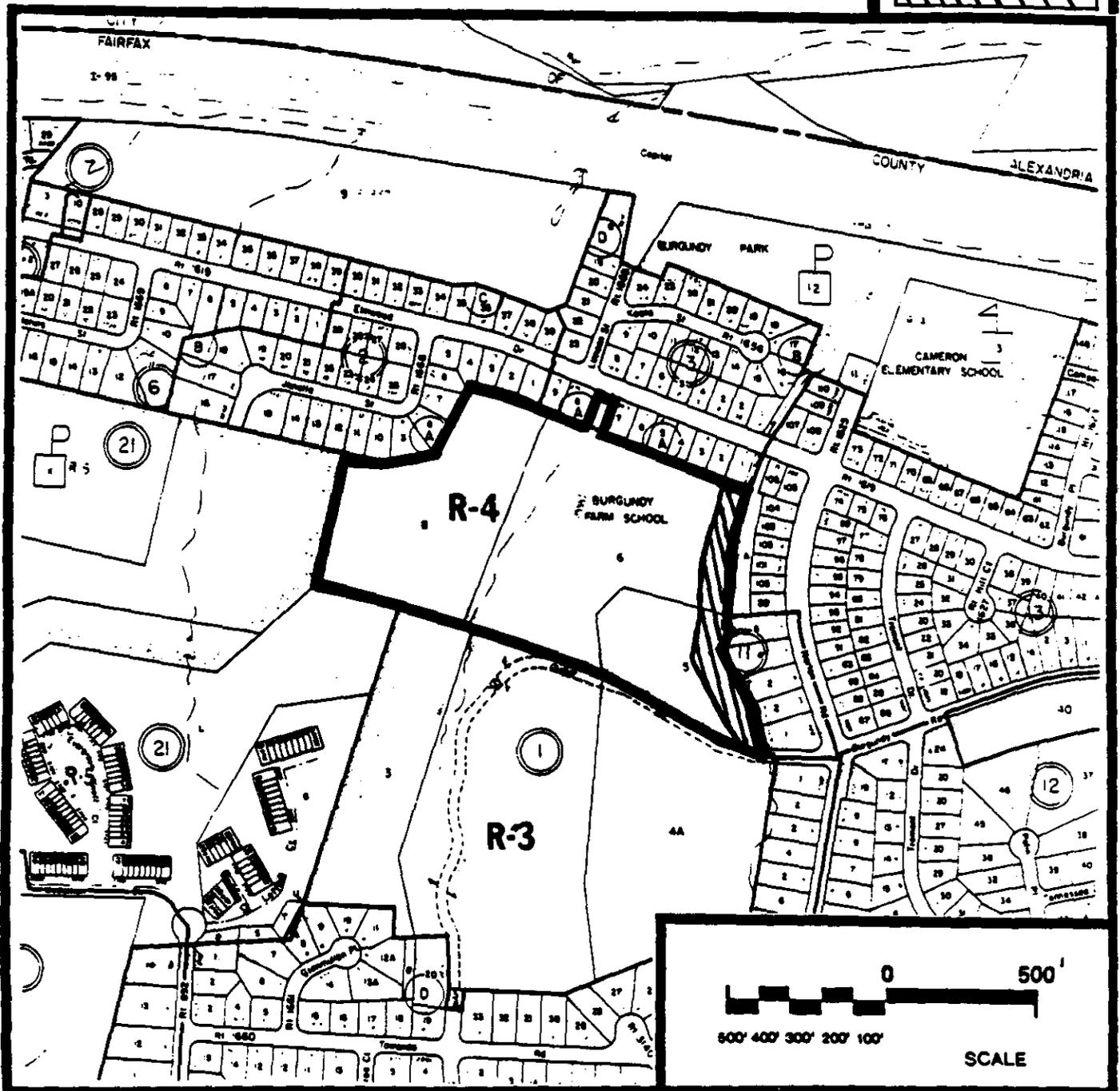
ZONED R-4
OVERLAY DISTRICT(S):

PLAN AR

TAX MAP

082-2- /01/ /0005- ,0006- ,0008-

APPROXIMATE AREA
OF ENVIRONMENTAL
QUALITY CORRIDOR





APPENDIX 8

COMPREHENSIVE PLANNING

MAR 26 1993

ZONING EVALUATION DIVISION

COMMONWEALTH of VIRGINIA

Fairfax County Health Department

DIVISION OF ENVIRONMENTAL HEALTH
CONSUMER SERVICES SECTION
10777 MAIN STREET, SUITE 111
FAIRFAX, VIRGINIA 22030

IN COOPERATION WITH THE
STATE DEPARTMENT OF HEALTH

Phone (703) 246-2444
TDD (703) 591-6435

March 25, 1993

Mr. Gerald L. Manchildon, Director
3200 Burgundy Road
Alexandria, Va. 22303

Re: Preliminary application for a Private School/Day Care Facility at Burgundy Farm Country Day School, 3700 Burgundy Road, Alexandria, Va., Tax Map 82-2/1/5,6,8

Dear Mr. Manchildon:

We have reviewed your preliminary application and Special Exception site plan for the above facility. We have no objections to the issuance of a Special Exception from the Board of Supervisors provided the following conditions are met:

1. The facility must remain connected to public water and sewerage systems.
2. The proposed swimming pool enclosure/addition must comply with Chapter 69 of the Fairfax County Code.
3. Food shall be catered to the facility from an approved foodservice establishment.
4. The outside play area appears adequately sized and must be enclosed by a three (3) foot high fence and shall be free of dangerous conditions.
5. Provide at least one child sized toilet and a hand wash sink for each twenty (20) children or fraction thereof. Separate toilets for the staff must be provided in accordance with Chapter 65 of the Fairfax County Code.
6. There shall be a minimum space of twenty (20) square feet per child exclusive of hallways, bathrooms, kitchens areas, storage areas and areas which are not normally used or accessible to the children.

Please be advised that the conditions 4,5, and 6 listed above apply to children under the age of 5 years.

This review does not constitute an operational or construction permit. If a Special Exception is approved by the Board of Supervisors, all requirements of Chapter 30 (Minimum Private School and Child Care Facility Standards), 43 (Food and Foodservices Establishments) and 69 (Swimming Pool and Health Spa ordinances) of the Fairfax County Code must be complied with.



Mr. Gerald L. Manchildon, Director
March 25, 1993
Page 2

This information is being provided for your use in obtaining the Special Exception. If you need additional information, please let me know.

Sincerely,

Elizabeth Buschle for Robert Gardner.

Robert Gardner
Environmental Health Specialist

Reviewed by

WJQ for Horace Jones, Jr.

Horace Jones, Jr., R.E.H.S.
Program Manager

BG:ms

9-005

FAIRFAX COUNTY ZONING ORDINANCE

9-005

Establishment of Categories

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

9-006

General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

9-007

Conditions and Restrictions

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

9-008

Time Limitations, Extensions, Renewals

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

SPECIAL PERMITS

PART 3 8-300 GROUP 3 INSTITUTIONAL USES

8-303

Standards for All Group 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before application can be made for a Building Permit, all uses, except home child care facilities, shall be subject to the approval of a site plan prepared in accordance with the provisions of Article 17.

PART 4**8-400 GROUP 4 COMMUNITY USES****8-401****Group 4 Special Permit Uses**

1. Community clubs, centers, meeting halls, swimming pools, archery ranges.
2. Country clubs, golf clubs, swimming clubs and tennis clubs/courts.
3. Marinas, docks and boating facilities of a private, nonprofit nature.
4. Any other recreational or social use, operated by a nonprofit organization, where membership thereto is limited to residents of nearby residential areas.

8-402**Districts In Which Group 4 Uses May Be Located**

Group 4 uses may be permitted by right in all P districts when represented on an approved development plan and may be allowed by special permit in the following districts:

All R Districts except R-A: All uses

C-1, C-2, C-3, C-4 Districts: Limited to use 2

C-5, C-6 Districts: All uses

C-7, C-8 Districts: Limited to uses 2 and 3

C-9 District: Limited to swimming clubs and tennis clubs/courts

I-1, I-2, I-3, I-4 Districts: All uses

I-5, I-6 Districts: Limited to use 2

8-403**Standards For All Group 4 Uses**

1. Except for Use 2 set forth in Sect. 401 above, all uses and their related facilities shall be under the control and direction of a board of managers composed, at least in part, of the residents of the area intended to be served by the facility. Further, no Group 4 use shall be operated on a profit-making basis, and the owner of the facility shall be a nonprofit organization where membership thereto is limited to residents of nearby residential areas.
2. All uses shall comply with the bulk regulations of the zoning district in which located.
3. All uses shall comply with the performance standards specified for the zoning district in which located.
4. Before application can be made for a Building Permit, all uses shall be subject to the approval of a site plan prepared in accordance with the provisions of Article 17.

FAIRFAX COUNTY ZONING ORDINANCE

C-7, C-8 Districts: Limited to uses 1, 2, 3, 6, 7, 8, 9, 10, 13 and 14

I-I District: Limited to uses 10 and 11

I-1 District: Limited to uses 1, 2, 3, 6, 7, 8, 10, 11, 13 and 14

I-2, I-3 Districts: Limited to uses 1, 2, 3, 6, 7, 8, 9, 10, 11, 13 and 14

I-4 District: Limited to uses 1, 2, 3, 6, 7, 8, 9, 10, 11 and 13

I-5, I-6 Districts: Limited to uses 7, 8, 9, 10, 11 and 13

9-303

Additional Submission Requirements

In addition to the submission requirements set forth in Sect. 011 above, all applications for Category 3 uses shall be accompanied by the following items:

1. For public uses, a certified copy of the law, ordinance, resolution or other official act adopted by the governmental entity proposing the use, authorizing the establishment of the proposed use at the proposed location, shall be provided.
2. For public uses, a statement by an official or officer of the governmental body shall be presented giving the exact reasons for selecting the particular site as the location for the proposed facility.
3. All applications for medical care facilities shall be filed at the same time as the application for a State Medical Facilities Certificate of Public Need. The application for the special exception shall be referred to the Health Care Advisory Board for a recommendation and report, which shall be developed in accordance with the provisions of Par. 1 and Par. 2 of Sect. 308 below and furnished to the Planning Commission and Board of Supervisors.

9-304

Standards for All Category 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Category 3 special exception uses shall satisfy the following standards:

1. For public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient governmental services to residents of properties within the general area of the location.
2. Except as may be qualified in the following Sections, all uses shall comply with the lot size requirements of the zoning district in which located.
3. Except as may be qualified in the following Sections, all uses shall comply with the bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Category 3 use may be increased.
4. All uses shall comply with the performance standards specified for the zoning district in which located.
5. Before establishment, all uses shall be subject to the approval of a site plan prepared in accordance with the provisions of Article 17.

9-305

Additional Standard for Conference Centers and Retreat Houses

1. No building shall be located closer than 45 feet to any street line or closer than 100 feet to any lot line which abuts an R-A through R-4 District.

9-306

Additional Standards for Housing for the Elderly

1. Housing and general care shall be provided only for persons who are sixty-two (62) years of age or over and couples where either the husband or wife is sixty-two (62) years of age or over.
2. Housing for the elderly may include general nursing facilities designed solely for the residents as an accessory use.

SPECIAL EXCEPTIONS

9-309

- 2. The Advisory Board, in making its recommendations, and the Board of Supervisors, in deciding on the issuance of such an exception, shall specifically consider whether or not:
 - A. There is a demonstrated need for the proposed facility, in the location, at the time, and in the configuration proposed. Such consideration shall take into account alternative facilities and/or services in existence or approved for construction, and the present and projected utilization of specialized treatment equipment available to persons proposed to be served by the applicant.
 - B. Any proposed specialized treatment or care facility has or can provide for a working relationship with a general hospital sufficiently close to ensure availability of a full range of diagnostic and treatment services.
 - C. The proposed facility will contribute to, and not divert or subvert, implementation of a plan for comprehensive health care for the area proposed to be served; such consideration shall take into account the experience of the applicant, the financial resources available and projected for project support and operation, and the nature and qualifications of the proposed staffing of the facility.
- 3. All such uses shall be designed to accommodate service vehicles with access to the building at a side or rear entrance.
- 4. No freestanding nursing facility shall be established except on a parcel of land fronting on, and with direct access to, an existing or planned collector or arterial street as defined in the adopted comprehensive plan.
- 5. No building shall be located closer than 45 feet to any street line or closer than 100 feet to any lot line which abuts an R-A through R-4 District.
- 6. In the R-E through R-5 Districts, no such use shall be located on a lot containing less than five (5) acres.
- 7. For hospitals, the Board of Supervisors may approve additional on-site signs when it is determined, based on the size and nature of the hospital, that additional signs are necessary in order to provide needed information to the public and that such signs will not have an adverse impact on adjacent properties. All proposed signs shall be subject to the maximum area and height limitations for hospital signs set forth in Article 12. All requests shall show the location, size, height and number of all signs, as well as the information to be displayed on the signs.

9-309

Additional Standards for Child Care Centers and Nursery Schools as Set Forth in Par. 10 of Sect. 301 Above

- 1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such area shall be delineated on a plat submitted at the time the application is filed.

For the purpose of this provision, usable outdoor recreation area shall be limited to:

 - A. That area not covered by buildings or required off-street parking spaces.

FAIRFAX COUNTY ZONING ORDINANCE

- B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.
- C. Only that area which is developable for active outdoor recreation purposes.
- D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.

- 2. For each person enrolled, indoor recreation space shall be provided in accordance with the provisions of Chapter 30 of The Code.
- 3. All such uses shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use as determined by the Director. To assist in making this determination, each applicant, at the time of application, shall provide an estimate of the maximum expected trip generation, the distribution of these trips by mode and time of day, and the expected service area of the facility. As a general guideline, the size of the use in relation to the appropriate street type should be as follows, subject to whatever modification and conditions the Board deems to be necessary or advisable:

Number of Persons	Street Type
4-75	Local
76-660	Collector
660 or more	Arterial

- 4. All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.
- 5. No such use shall be permitted unless it is determined by the County Department of Health Services that the location does not pose any hazard to the health, safety and welfare of the children.

9-310

Additional Standards for Private Schools of General Education and Private Schools of Special Education as Set Forth in Par. 11 and Par. 12 of Sect. 301 Above

- 1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area for a private school of general education shall be of such size that:
 - A. 200 square feet of usable outdoor recreation area shall be provided for each child in grades K-3 that may use the space at any one time, and
 - B. 430 square feet of usable outdoor recreation area shall be provided for each child in grades 4-12 that may use the space at any one time.

Such usable outdoor recreation area shall be delineated on a plat submitted at the time the application is filed.

For the purpose of this provision, usable outdoor recreation area shall be limited to:

- A. That area not covered by buildings or required off-street parking spaces.
- B. That area outside the limits of the required front yard.
- C. Only that area which is developable for active outdoor recreation purposes.

SPECIAL EXCEPTIONS

9-312

D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.

- 2. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area of a private school of special education shall be based upon a determination made by the Board; provided, however, that the proposed use conforms with the provisions set forth in Sect. 304 above.
- 3. For each person enrolled, indoor recreation space shall be provided in accordance with the provisions of Chapter 30 of The Code.
- 4. The provisions set forth in Par. 3, 4 and 5 of Sect. 309 above shall also apply to private schools of general education and private schools of special education.

9-311

Additional Standards for Alternate Uses of Public Facilities as Set Forth in Par. 13 of Sect. 301 Above

The Board may approve a special exception to allow alternate uses of County public facilities which have space temporarily in excess of current needs, but only in accordance with the following conditions:

- 1. Proposed uses shall be limited to those uses allowed by special permit or special exception in the zoning district in which the public facility is located except as may be precluded by the additional standards for a particular use.
- 2. Uses located within existing structures shall not have to comply with the minimum lot size requirements or bulk regulations set forth for the zoning district in which located.
- 3. All uses shall comply with the off-street parking requirements of Article 11.
- 4. Signs as may be permitted in accordance with the provisions of Par. 2M of Sect. 12-208 shall be limited to one building-mounted and one freestanding sign for all alternate uses in a given public facility.
- 5. The Board shall determine that the proposed uses, if located in a residential district, shall not adversely impact the adjoining residential community in terms of traffic, vehicular access, parking, lighting, signs, and outside storage, length and intensity of outside activity, or general visual or noise impact. To this end, the additional standards set forth for particular proposed uses shall be used as a guide in considering all proposed uses.

9-312

Additional Standards for Dormitories, Fraternity/Sorority Houses, Rooming/Boarding Houses or Other Residence Halls as Set Forth in Par. 14 of Sect. 301 Above

- 1. In addition to the submission requirements set forth in Sect. 011 above, the applicant shall provide a written statement addressing the plans and policies regulating the following uses and activities on the site:
 - A. Parking and loading
 - B. Trash removal and clean-up
 - C. Exterior lighting and sound
 - D. Meetings and social functions
 - E. Number of occupants
 - F. Number of students and non-student employees to serve as counselors and/or advisors

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- D. It will not be detrimental to the use and enjoyment of other property in the immediate vicinity, and
 - E. It will not create an unsafe condition with respect to both other property and public streets, and
 - F. To force compliance with the minimum yard requirements would cause unreasonable hardship upon the owner.
 - G. The reduction will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.
2. In granting such a reduction under the provisions of this Section, the BZA shall allow only a reduction necessary to provide reasonable relief and may, as deemed advisable, prescribe such conditions, to include landscaping and screening measures, to assure compliance with the intent of this Ordinance.
 3. Upon the granting of a reduction for a particular building in accordance with the provisions of this Section, the same shall be deemed to be a lawful building.
 4. The BZA shall have no power to waive or modify the standards necessary for approval as specified in this Section.

8-915

Provisions for Modifying or Waiving the Dustless Surface Requirement

The BZA may approve a modification or waiver of the dustless surface requirement for off-street parking and loading areas, including aisles and driveways, for a period in excess of two (2) years, but only in accordance with the following provisions:

1. Such parking and loading areas shall be constructed, graveled and maintained in good condition at all times in accordance with standards approved by the Director.
2. In reviewing an application, the BZA shall take into consideration the structure or use to which the off-street parking or loading area is accessory, the size of the parking and loading area, the type of vehicles which will use the facility, the projected vehicular trips, the proposed program for maintenance, and the resultant effect of the modification or waiver on the natural environment, storm drainage, water quality and erosion/sedimentation.
3. The BZA may impose such conditions and restrictions as it may deem necessary to assure that the off-street parking or loading areas will be compatible with and will not adversely impact the adjacent area. Such conditions and restrictions may include but need not be limited to the imposition of vehicle speed limits, a limitation on the size and location of the gravel area, a requirement for additional plantings, the provision of dust control techniques, and/or the requirement for periodic inspections.
4. No special permit shall be approved for a period to exceed five (5) years; provided, however, that such permit may be renewed in accordance with the provisions of Sect. 013 above for additional five (5) year periods.

8-916

Provisions for Modifications to the Regulations on Permitted Extensions into Minimum Required Yards

The BZA may approve a special permit to allow a modification to the regulations on permitted extensions into minimum required yards, as set forth in Sect. 2-412, but only in accordance with the following:

1. Such a modification may be approved if the BZA determines, based on topography of the lot and the size and bulk of the proposed extension, that the resultant development will not adversely impact the adjacent properties.

18-404 Required Standards for Variances

To grant a variance the BZA shall make specific findings based on the evidence before it that the application satisfies all of the following enumerated requirements:

1. That the subject property was acquired in good faith.
2. That the subject property has at least one of the following characteristics:
 - A. Exceptional narrowness at the time of the effective date of the Ordinance;
 - B. Exceptional shallowness at the time of the effective date of the Ordinance;
 - C. Exceptional size at the time of the effective date of the Ordinance;
 - D. Exceptional shape at the time of the effective date of the Ordinance;
 - E. Exceptional topographic conditions;
 - F. An extraordinary situation or condition of the subject property; or
 - G. An extraordinary situation or condition of the use or development of property immediately adjacent to the subject property.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
4. That the strict application of this Ordinance would produce undue hardship.
5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.
6. That:
 - A. The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict all reasonable use of the subject property, or
 - B. The granting of a variance will alleviate a clearly demonstrable hardship approaching confiscation as distinguished from a special privilege or convenience sought by the applicant.
7. That authorization of the variance will not be of substantial detriment to adjacent property.
8. That the character of the zoning district will not be changed by the granting of the variance.
9. That the variance will be in harmony with the intended spirit and purposes of this Ordinance and will not be contrary to the public interest.

18-405 Conditions

Upon a determination by the BZA that the applicant has satisfied the requirements of a variance as set forth in Sect. 404 above, the BZA shall then determine the minimum variance that would afford relief. In authorizing such variance the BZA may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guarantee or bond to insure that the conditions imposed are being and will continue to be met.

8-903

Standards for All Group 9 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 9 special permit uses shall satisfy the following standards:

- 1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
- 2. All uses shall comply with the performance standards specified for the zoning district in which located.
- 3. Before establishment, all uses shall be subject to the approval of a site plan prepared in accordance with the provisions of Article 17, or other appropriate submission as determined by the Director.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE : Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted in the zoning district if the site were developed as a conventional subdivision. See Sect. 9-615 of the Zoning Ordinance.

COUNTY 456 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.1-456 of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets, trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development: to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.1-491 of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Environmental Management.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DEM for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DEM for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDC	Planned Development Commercial
ADU	Affordable Dwelling Unit	PDH	Planned Development Housing
ARB	Architectural Review Board	PFM	Public Facilities Manual
BMP	Best Management Practices	PPRB	Permit, Plan Review Branch
BOS	Board of Supervisors	PRC	Planned Residential Community
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Central Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
DEM	Department of Environmental Management	SE	Special Exception
DDR	Division of Design Review, DEM	SP	Special Permit
DP	Development Plan	TDM	Transportation Demand Management
DPW	Department of Public Works	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPW
FDP	Final Development Plan	UMTA	Urban Mass Transit Association
GDP	Generalized Development Plan	VC	Variance
GFA	Gross Floor Area	VDOT	Virginia Dept. of Transportation
HCD	Housing and Community Development	VPD	Vehicles Per Day
LOS	Level of Service	VPH	Vehicles per Hour
Non-RUP	Non-Residential Use Permit	WMATA	Washington Metropolitan Area Transit Authority
OCP	Office of Comprehensive Planning	ZAD	Zoning Administration Division, OCP
OT	Office of Transportation	ZED	Zoning Evaluation Division, OCP
PD	Planning Division		



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