

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

NEW LIFE CHRISTIAN CHURCH, SP 2011-SU-011 Appl. under Sect(s). 8-501 of the Zoning Ordinance to permit commercial recreation use in conjunction with a by-right place of worship. Located at 14550 Lee Rd. on approx. 5.57 ac. of land zoned I-5 and WS. Sully District. Tax Map 34-3 ((1)) 23A. (Admin. moved from 5/25/11, 6/29/11, 2/13/13, and 4/3/13 at appl. req.) (Indefinitely deferred from 8/10/11 at appl. req.) (Reactivated on 11/20/12 at appl. req.) (Deferred from 7/10/13 at appl. req.) Mr. Hart moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on July 24, 2013; and

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

1. The applicant is the owner of the land.
2. The Board has a staff report with a favorable recommendation, and the Board adopts the rationale in the staff report.
3. This is a somewhat unusual situation in that it is an old Budweiser warehouse that has been converted to a place of worship with indoor athletic facilities.
4. Under the development conditions, the two uses would not be operating simultaneously.
5. It is in an industrial area where there probably would not be any significant impact on anyone.
6. With the proposed development conditions, any conceivable impact would be mitigated.
7. The applicant has met with the West Fairfax County Citizens Association, and they were supportive of the applicant.
8. It will provide additional recreation opportunities in the area.

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

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

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

1. This approval is granted to the applicant only, New Life Christian Church, and is not transferable without further action of this Board, and is for the location indicated on the application, 14550 Lee Road, and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat prepared by Land Development Consultants, titled "New Life Christian Church" dated January 21, 2011, as revised through July 8, 2013, and approved with this application, as qualified by these development conditions.
3. A copy of this special permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved Special Permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. Worship services shall not be held during the operational hours of the commercial recreation use. A minimum of one-half hour shall occur between the end of the worship services and the start of the commercial recreation use.
6. All parking for the commercial recreation use and place of worship use shall be provided on site as depicted on the SP Plat, subject to the parking reduction agreement and restrictions granted by the Board of Supervisors on July 27, 2010, as may be subsequently amended by the Board of Supervisors in accordance with the Zoning Ordinance, and kept clear of debris or obstructions.
7. Prior to issuance of a new Non-Residential Use Permit for the uses on site, all signage, existing and proposed, shall be in conformance with Article 12 of the Zoning Ordinance. All required permits shall be obtained. Any signage that is determined to be in violation of the Zoning Ordinance shall be removed.
8. All outdoor lighting on-site shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article IX of the Zoning Ordinance.
9. All parking lot landscaping, both peripheral and interior, shall be maintained in a healthy condition, and dead, dying or damaged vegetation shall be replaced with material that meets the requirements outlined in the Public Facilities Manual.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, **twelve (12) months after the date of approval, unless a new Non-Residential Use Permit has been obtained.** The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Smith seconded the motion, which carried by a vote of 5-0. Ms. Gibb and Mr. Hammack were absent from the meeting.

A Copy Teste:



Kathleen A. Knoth
Clerk to the Board of Zoning Appeals