

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

TRUSTEES OF FLINT HILL CEMETERY ASSOCIATION, SP 2013-PR-091 Appl. under Sect(s). 3-203 of the Zoning Ordinance for an existing cemetery to add land area and columbarium. Located at 2845 Chain Bridge Rd., Vienna, 22181, on approx. 4.47 ac. of land zoned R-2. Providence District. Tax Map 47-2 ((1)) 118, 121B and 126B. (Concurrent with VC 2014-PR-001) (Admin. moved from 1/15/14 at appl. req.) (Deferred from 3/5/14 at appl. req.) (Admin. moved from 4/16/14 for ads.) Mr. Beard 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 May 21, 2014; and

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

1. The applicants are the owners of the land.
2. The present zoning is R-2.
3. The area of the property is 4.46 acres.
4. As was discussed, this is an older cemetery, and has some unique boundary situations.
5. There have been some issues with water runoff that have been addressed.
6. Neighbors are in concert and agreement with this special permit application.

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, Trustees of Flint Hill Cemetery, and is for the location indicated on the application, 2845 Chain Bridge Road (4.47 acres), 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 Christopher Consultants, dated August 28, 2013 as revised though March 28, 2014 (sealed April 16, 2014) and approved with this application, as qualified by these development conditions. The granting of this approval shall include existing features such as benches, decorative

walls or statuary. Installation of subsequent features other than the type of features described above may be approved by the Zoning Administrator provided that such feature does not conflict with any of the adopted development conditions or the provisions of the Zoning Ordinance.

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 department of the County of Fairfax during the hours of operation of the permitted use.
4. Hours of operation shall be limited to daylight hours, seven days a week.
5. Parking shall be limited to the gravel driveways shown on the plat. No parking shall be allowed off-site except through shared parking through prior agreement with the adjacent church.
6. The area where the columbarium shall be located is shown on the SP plat and identified as Limits of Disturbance and Area A. The overall dimensions of the columbarium shall not exceed those shown on the SP plat: 192 feet X 5 feet and the number of free-standing sections shall not exceed four. The location of the columbarium structure may be adjusted at the time of site plan to include a location within Area A subject to the review and approval of the Department of Public Works and Environmental Services (DPWES) and the Heritage Resource staff of the Department of Planning and Zoning. Adjustment of the columbarium location shall be to allow flexibility for placement of the structure along the existing gravel drive, thereby minimizing disturbance to adjacent vegetation, and to the cultural landscape by reducing the effective height of the structure. The relocation shall also optimize the siting among the existing grave stones by allowing up to four free-standing sections and to provide for drainage options given the driveway's existing change in slope.
7. Tree planting and landscaping shall be provided and maintained as shown on the special permit plat; however, tree canopy shall not be less than 10% of the overall site area.
8. Permanent stockpiling of dirt is not permitted. All excess dirt shall be removed from individual gravesites within 14 days of interment.
9. The burial of human remains shall be permitted as shown on the special permit plat.
10. Burials of human remains shall not be closer than three feet to the southwestern side lot line of Lot 126B, and 10 feet from the southern lot line, as shown on the special permit plat.

11. The columbarium shall be consistent with the architectural renderings in Attachment 1; however, the final design of the columbarium may be modified subject to the review and approval of the Heritage Resource staff of the Department of Planning and Zoning, so long as the height is not exceeded, the materials are generally consistent, and the placement of the columbarium is within the limits of disturbance shown on the special permit plat, as qualified by Condition 6.

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, sixty (60) months after the date of approval unless construction has commenced and been diligently pursued. Establishment of Phase One shall establish the use as approved pursuant to this special permit. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

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

A Copy Teste:



Lorraine A. Giovinazzo, Deputy Clerk  
Board of Zoning Appeals

