



# County of Fairfax, Virginia

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October 2, 2015

**2015 Planning  
Commission**

**Peter F. Murphy, Jr.**  
Chairman  
*Springfield District*

**Frank de la Fe**  
Vice Chairman  
*Hunter Mill District*

**James R. Hart**  
Secretary  
*At-Large*

**Timothy J. Sargeant**  
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**Jill G. Cooper**  
*Executive Director*

**Kim A. Bassarab**  
*Assistant Director*

**John W. Cooper**  
*Clerk to the Commission*

Elizabeth Potemra  
BuildEase, LLC  
10308 Hunt Country Lane  
Vienna, VA 22182

**Re: SEA 86-C-066-03 – HUNTER MILL COUNTRY DAY SCHOOL, INC.  
Hunter Mill District**

Dear Ms. Potemra:

At its October 1, 2015 meeting, the Planning Commission voted 10-0 (Commissioners Hedetniemi and Lawrence were absent from the meeting) to **RECOMMEND APPROVAL** of the above-referenced application, subject to the development conditions dated September 17, 2015, as attached. A copy of the verbatim transcript is attached.

This letter serves as a record of the Planning Commission's recommendation to the Board of Supervisors and not as the final approval. The application is still subject to final decision by the Board of Supervisors.

This action does not constitute exemption from the various requirements of this county and state. The applicant is responsible for ascertaining if permits are required and obtaining the necessary permits such as Building Permits, Residential Use Permits and Non-Residential Use Permits. Information concerning building permits may be obtained by calling 703-222-0801.

Sincerely,

John W. Cooper  
Clerk,  
Planning Commission

cc: Catherine Hudgins, Supervisor, Hunter Mill District  
Frank de la Fe, Planning Commissioner, Hunter Mill District  
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office  
Megan Duca, Staff Coordinator, ZED, DPZ  
Robert Harrison, ZED, DPZ  
October 1, 2015 date file

 To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.



**PROPOSED DEVELOPMENT CONDITIONS****SEA 86-C-066-03****September 17, 2015**

If it is the intent of the Board of Supervisors to approve SEA 86-C-066-03 located at 2021 Hunter Mill Road, Tax Map 27-4 ((1)) 3, to permit a private school of general education, nursery school, and child care center with a maximum daily enrollment of 99 children pursuant to Sect. 3-E04 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These conditions supersede all previous conditions associated with SEA 86-C-066-02 (an asterisk identifies those conditions carried forward from SEA 86-C-066-02 with minor modifications to update page references and labels).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.\*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Amendment Plat approved with this application, as qualified by these development conditions. The use of the properties is limited to the use authorized by this Special Exception Amendment and no other use may be made of the subject property.\*
3. Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled Hunter Mill Country Day School, prepared by ATCS, P.L.C. and dated June 2015, as revised through June 30, 2015, and these development conditions.
4. A copy of this Special Exception Amendment 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.\*
5. The maximum daily student enrollment of the private school of general education, child care center and nursery school shall be ninety-nine (99) children.
6. The hours of operation of the private school of general education, child care center and nursery school shall be 6:30 a.m. to 6:30 p.m. Monday through Friday. Except due to emergencies or weather delays, arrivals by students shall not occur prior to 6:30 a.m. and student departures shall not occur after 6:30 p.m.\*
7. The maximum number of full-time employees on-site at any one time shall not exceed twelve (12).

8. The applicant shall provide temporary construction easements on Hunter Mill Road as requested by the Virginia Department of Transportation (VDOT) and/or the Department of Public Works and Environmental Services. \*
9. The applicant shall provide a minimum of 20 parking spaces on the application property.\*
10. Prior to any increase in enrollment and issuance of a Non-RUP, the applicant shall perform any upgrades to the existing onsite sewage disposal system as necessary to satisfy the requirements of the Fairfax County Health Department.
11. The number of animals kept on the property shall be in conformance with Section 2-512 of the Zoning Ordinance.\*

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 himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception 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, at a minimum, the use has been established as evidenced by the issuance of a Non-RUP for the use. 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.

Planning Commission Meeting  
October 1, 2015  
Verbatim Excerpt

SEA 86-C-066-03 – HUNTER MILL COUNTRY DAY SCHOOL, INC. (Hunter Mill District)

After Close of the Public Hearing

Chairman Murphy: Without objection, the public hearing is closed. Recognize Mr. de la Fe.

Commissioner de la Fe: Thank you very much, Mr. Chairman. Could the applicant please confirm, for the record, their agreement to the proposed development conditions?

Elizabeth Potemra, Applicant's Agent, BuildEase, LLC: Yes. We do confirm the development conditions of September 17<sup>th</sup>, 2015.

Commissioner de la Fe: Okay.

Chairman Murphy: Can you just pull that microphone down a tad? We're just having a difficult time hearing you.

Commissioner de la Fe: So you – you do confirm that you agree with the development-

Ms. Potemra: I confirm the development conditions – conditions of September 17<sup>th</sup>, 2015.

Commissioner de la Fe: Thank you – thank you very much. Mr. Chairman – again, this – we – the Board of Supervisors approved the original SE for this that we are amending tonight. All – everything that was approved back then has been constructed and all of the – you know, waivers, modifications, and so on were approved. And all we're doing tonight is permitting an increase from, I believe, 80 to 99 students and whatever additional staff is necessary. But there are no changes to the physical plan or – and VDOT has confirmed that the previous waiver that they had granted for this – for the original case was still in effect. So Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SEA 86-C-066-03, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 17, 2015.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 86-C-066-03, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG ALL PROPERTY LINES PURSUANT TO SECTION 13-305 OF THE ZONING ORDINANCE IN FAVOR OF THE EXISTING VEGETATION AND BARRIERS DEPICTED ON THE SE PLAT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF THE STREAM VALLEY TRAIL REQUIREMENT IN ACCORDANCE WITH SECTION 17-201 OF THE ZONING ORDINANCE.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: And lastly, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF CONSTRUCTION OF THE ON-ROAD BIKE LANE IN ACCORDANCE WITH SECTION 17-201 OF THE ZONING ORDINANCE.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Thank you very much.

Chairman Murphy: Thank you.

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(Each motion carried by a vote of 10-0. Commissioners Hedetniemi and Lawrence were absent from the meeting.)

JLC