

At this time, Ms. Belofsky introduced Jack Spring, Assistant County Attorney, to the Board who stated that there were three members of County staff present to answer questions from the Board concerning this application.

Jack Armstrong, Sanitarian, Health Department, appeared before the Board and stated that the conditions at the kennel were poor and that a letter had been sent to the applicant listing conditions that needed to be corrected to be in compliance with the Code. Mr. Armstrong indicated that Ms. Barr had been given until June 7, 1987 to correct the situation at the kennel.

Mr. Hammack requested that all correspondence from the Health Department concerning this matter be submitted for the record.

Miles Lee, Warden Supervisor, Animal Control, appeared before the Board and stated that he had also observed poor conditions at the kennel.

Jackie Ash, Senior Zoning Inspector, Zoning Enforcement Branch, appeared before the Board and stated that his only concern was the expiration of the Special Permit but added that he had also observed poor conditions at the kennel.

Jack Spring, Assistant County Attorney, pointed out that Ms. Barr had been operating the kennel in violation since 1983 and although she had the option of requesting renewal of the Special Permit, however she had not made the request.

Katie Barr, 7121 Bull Run Post Office Road, Centreville, Virginia, appeared before the Board and stated that she had taken care of many of the problems cited. She added that she had limited funds and help and did the best she could in running the kennel.

Mr. Hyland suggested the application be deferred until after June 7, 1987 so that it can be determined if the violations have been corrected and the Board so ordered that SP 87-S-019 be deferred to July 23, 1987 at 9:00 A.M.

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Page 212, May 26, 1987, (Tape 2), Scheduled case of:

10:30 A.M. THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, SPA 81-V-066-2, application under Sect. 3-303 of the Zoning Ordinance to amend SP 81-V-066 for a church and related facilities to permit addition of a dish antenna to existing facilities and reduce parking, located 2000 George Washington Memorial Parkway, on approx. 317,988 square feet, zoned R-3, Mount Vernon District, Tax Map Reference 111-1((1))2.

Claudia Hamblin-Katnik, Staff Coordinator, presented the staff report and advised the Board that the applicant had agreed to the development conditions and staff was recommending approval with those conditions.

John Boland, 8133 Leesburg Pike, Vienna, Virginia, attorney with Rees, Broome and Diaz, P.C., appeared before the Board as the representative of the applicant. He stated that he agreed with the proposed development conditions.

Since there were no speakers to address this application, Chairman Smith closed the public hearing.

Mr. Hyland moved to grant SPA 81-V-066-2.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

In Special Permit Amendment Application SPA 81-V-066-2 by THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, under Section 3-303 of the Zoning Ordinance to permit addition of a dish antenna to existing facilities and reduce parking, on property located at 2000 George Washington Memorial Parkway, Tax Map Reference 111-1((1))2, Mr. Hyland 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 26, 1987; and

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

1. That the applicant is the owner of the land.
2. The present zoning is R-3.
3. The area of the lot is 317,988 square feet of land.

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 Section 8-303 of the Zoning Ordinance.

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 on the application and is not transferable to other land.
2. This approval is granted for the structures indicated on the plat submitted with this application, except as qualified below. 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.
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 use shall be subject to the provisions set forth in Article 17, Site Plans.
5. The dish shall be no higher than eleven (11) feet.
6. The dish shall be enclosed in a 18 x 20 x 6 foot cyclone fence with wood slats for screening.
7. Coniferous trees of no less than twelve (12) feet in height shall be placed in sufficient numbers and rows to the east and south of the fenced area so as to totally screen the use from the property to the southeast (Lot 1) and the George Washington Parkway. The type, height, and placement of trees shall be approved by the County Arborist.
8. The maximum seating capacity shall be 317.
9. The hours of operation shall be normal hours for church related activities.
10. The number of parking spaces shall be 203. All parking shall be on site.
11. No trees shall be disturbed within 170 feet of the northern right-of-way line of the parkway.
12. No tree removal or grading in any manner shall be performed within 25 feet of Prices Lane southern right-of-way line. Additional screening and supplemental plantings shall be provided along Prices Lane at the discretion of the Director of Department of Environmental Management.
13. There shall be no removal of trees or grading within twenty-five (25) feet of Prices Lane's southern right-of-way line except for tree removal or grading necessary for:
 - A. The prospective installation of utility connections provided, however, that the areas to be temporarily disturbed shall be kept to a minimum and the Arborist's Office shall be notified and shall field inspect the utility easements prior to the installation of the utilities.
14. Means of ingress and egress for all vehicles, to include service and delivery vehicles, shall be via Lucia Lane.
15. Other than that listed in Condition #7, 11, 12, and 13, there shall be no further Transitional Screening or barrier required.

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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.

Under Sect. 8-015 of the Zoning Ordinance, this Special Permit shall automatically expire, without notice, eighteen (18) months after the approval date* of the Special Permit unless the activity authorized has been established, or unless construction has started and is diligently pursued, or unless additional time is approved by the Board of Zoning Appeals because of occurrence of conditions unforeseen at the time of the approval of this Special Permit. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

Mr. Ribble seconded the motion.

The motion carried by a vote of 4-0 with Mrs. Day and Mr. Hammack not present for the vote; Mr. DiGiulian absent from the meeting.

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on June 3, 1987. This date shall be deemed to be the final approval date of this special permit.

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At 12:38 P.M., the Board called a brief recess and reconvened the meeting at 12:41 P.M.

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Page 214, May 26, 1987, (Tape 2), Scheduled case of:

10:45 A.M. RYAN HOMES INC., SP 87-C-030, application under Sect. 8-901 of the Zoning Ordinance to allow reduction to minimum yard requirements based on error in building location to allow partially constructed dwelling to remain 6.3 feet from side lot line (8 ft. min. side yard req. by Sect. 3-207), located at 16309 Bromall Court, on approx. 7,563 square feet, zoned R-5 and WSP0D, Centreville District, Tax Map 34-4((10))386. (OTH GRANTED - 4/14/87)

Lori Greenlief, Staff Coordinator, presented the staff report and advised the Board that the problem was caused by a staking error in the field. She stated that staff was recommending approval of the request since all applicable standards have been met.

Robert Boykin of Greenhorne and O'Hara, 112147 Waples Mill Road, Fairfax, Virginia, appeared before the Board and explained that there had been a staking error in the field.

Since there were no speakers to address this application, Chairman Smith closed the public hearing.

Mr. Hammack moved to grant SP 87-C-030, Ryan Homes, Inc.

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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

In Special Permit Application SP 87-C-030 by RYAN HOMES INC., under Section 8-901 of the Zoning Ordinance to allow reduction to minimum yard requirements based on error in building location to allow partially constructed dwelling to remain 6.3 feet from side lot line, on property located at 16309 Bromall Court, Tax Map Reference 34-4((10))386, Mr. Hammack moved that the Board of Zoning Appeals adopt the following resolution:

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

WHEREAS, following proper notice to the public, a public hearing was held by the Board on May 26, 1987; and

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

1. That the applicant is the owner of the land.
2. The present zoning is R-5 and WS.
3. The area of the lot is 7,563 square feet of land.

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