

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

MCLEAN SWIMMING AND TENNIS ASSOCIATION, SP 2014-DR-217 Appl. under Sect(s). 8-401 and 3-303 of the Zoning Ordinance previously approved for swim and tennis club to permit an increase in the maximum membership. Located at 1700 Margie Dr., McLean, 22101, on approx. 4.00 ac. of land zoned R-3. Dranesville District. Tax Map 30-3 ((1)) 26A. 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 April 8, 2015; and

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

1. The applicant is the owner of the land.
2. The present zoning is R-3.
3. The property is four acres.
4. The applicant is in agreement with the development conditions as modified.
5. Staff has recommended approval, and the Board adopts their rationale.
6. The applicant has been on this property since 1960, and is a part of the community.

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, McLean Swimming and Tennis Association, 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), structures and/or use(s) indicated on the special permit plat titled, "Special Permit Amendment Plat, McLean Swim and Tennis Club," prepared by Ashleigh T. Bleeker, Professional Engineer, Smith Engineering, dated July 23, 2014, as revised through September 23, 2014, 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. The maximum number of family memberships shall not exceed 500. If required, the applicant shall obtain a revised state charter reflecting this number of memberships prior to establishment of the use.
5. The hours of operation for the facility shall be limited to the following:

**Swimming Pools:** 6:00 a.m. to 7:30 a.m. for early morning adult swim  
7:30 a.m. to 10:00 a.m. for competitive teams' practice  
10:00 a.m. to 9:00 p.m. for full membership

**Tennis Courts:** 7:00 a.m. to 9:00 p.m., year round

The swimming pool and clubhouse shall only be open for use from May 15<sup>th</sup> to September 15<sup>th</sup>.

6. After-hours events that extend after 9:00 p.m. on any day shall be governed by the following:
  - a. The applicant shall be allowed a maximum of 10 outdoor after-hours events from May 15<sup>th</sup> to September 15<sup>th</sup>.
  - b. Outdoor after-hours events are permitted on Friday night, Saturday, pre-holiday Sundays, or Federal holidays only. The events shall conclude by 12:00 midnight, except clean-up activities may be extended beyond this time.
  - c. Aside from the 10 outdoor after-hours events, any indoor after-hours events shall conclude by 10:30 p.m.
7. There shall be a maximum of nine (9) swim meets to be held between May 15<sup>th</sup> and September 15<sup>th</sup> restricted to a maximum of five (5) Saturdays and a maximum of four (4) weeknights. A starter pistol shall not be used on the property. The use of loudspeakers and other devices, which produce, reproduce, or amplify sound associated with swim meets, shall not occur before 8:00 a.m. or later than 9:30 p.m.
8. Subject to the requirements of the Noise Ordinance, the applicant may use a public address system between 10:00 a.m. and 9:00 p.m. The maximum decibel level of the loudspeakers shall not exceed 72 dBA overall and shall not exceed 55 dBA at the property line.

9. The applicant shall maintain a written agreement with McLean High School to utilize the school parking lot for member and guest parking. The applicant shall inform members and guests that all parking shall be on site or in the McLean High School parking lot. The approved special permit use is contingent upon maintenance of the written agreement. There shall be 51 parking spaces provided on site as shown on the special permit plat.
10. The applicant shall appoint a community liaison as a designated point of contact for members of the public. Contact information for the liaison shall be posted in a conspicuous place on the property and made available to the public.
11. In coordination with and subject to the approval of the Urban Forestry Division of the Department of Public Works and Environmental Services, the applicant shall provide additional screening and buffering in the form of ten trees of native evergreen varieties along the northern property line in the areas adjacent to Lot 3 and Lot 4 of Cecile Court, within six months of the adoption of the resolution of approval.
12. In order to mitigate potential negative impacts resulting from the discharge of chemicals existing in the swimming pool water during the pre-season pool cleaning, the applicant shall ensure that the chemicals shall be neutralized prior to discharge into sanitary sewer lines by using the following guidelines for all pool discharge materials.
  - All waste water resulting from the cleaning and draining of the pool located on the property shall meet the appropriate level of water quality prior to discharge as determined by the Senior Sanitarian in the Consumer Services Section of the Environmental Health Division, Fairfax County Health Department. The applicant shall use the following procedure to ensure that pool waters are properly neutralized prior to being discharged during drainage or cleaning operations; add sufficient amounts of lime or soda ash to the acid cleaning solution to achieve a pH level approximately equal to that of the receiving stream and as close to the neutral (a pH of 7) as possible.
  - 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.
13. Any new lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance, as qualified below:

- The combined height of the light standards and fixtures for the tennis courts shall not exceed 22 feet. In accordance with Par. 4 of Sect. 14-904 of the Zoning Ordinance, the tennis court lighting shall be full cut-off or directionally shielded lighting fixtures, aimed toward the playing court and shielded in directions away from the court so as to minimize glare and light trespass onto adjacent properties.
- The combined height of the light standards and fixtures for all other portions of the site shall not exceed 12 feet and shall be full cut-off lights.

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 months (30) months after the date of approval unless a new Non-Residential Use Permit (Non-RUP) has been obtained. The Board of Zoning Appeals may grant additional time to obtain a Non-RUP 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 6-1. Mr. Hammack voted against the motion.

A Copy Teste:



Mary D. Padruitt, Deputy Clerk  
Board of Zoning Appeals