MINUTES OF REGULAR MEETING OF
THE BOARD OF ZONING APPEALS
CITY OF FAIRFAX
CITY HALL, FAIRFAX, VIRGINIA
December 12, 2013

Members Present: John O'Brien Clarke Jr., Chairman
Ellen Brouwer
Edward Calabria
Robert Matthews
Gary Perryman

Staff Present: Michelle Coleman, Zoning Administrator and Alexis El-Hage, Secretary

1. **Call to Order:** Chairman Clarke called the meeting to order.

2. **Opening of the Public Hearing:** Chairman Clarke opened the public hearing at 7:00 p.m. and explained the procedure for the meeting.

3. **Adoption of Agenda:** Approved, 5:0

4. **SU-13090134**

Request of Fairfax Golf, Inc., by Sarah E. Hall, attorney/agent, pursuant to City Code Sections 110-843(4) and 110-366, for a special use permit to allow a commercial recreational use (private golf practice facility and instruction) in the I-2 Industrial District on the property located at 3887 Pickett Road and more particularly described as Tax Map Parcel 58-3-((02))-036.

Ms. Coleman presented the staff report which has been incorporated into the record by reference. Staff recommended approval of the application.

Ms. Coleman noted that the site was non-conforming in regards to parking with only 39 parking spaces, making it under parked. Kemper Carpet is the only business on site allowed by-right all other businesses have received Special Use Permits however the permits for the kennel and veterinary clinic are questionable regarding validity. There was also a question if the dance school was operating within the parameters of their Special Use Permits conditions.

The attorney/agent, Sarah Hall, addressed the Board and answered questions from members.

Discussion:

Mr. Calabria stated he golfed but that didn't mean he would be looking for instruction but there are many people who do. He mentioned a couple different issues including the kennel and the dance group on the opposite ends that seem to have the majority of the problems with potential trip problems, the dry cleaners and flooring are an in and out operation, and the golf business will be an in and out operation. Mr. Calabria was reluctant to hold up the use of a site like this based on previous conditions and problems we have identified. He stated we need to go after the targeted problems. He also stated in the approval conditions that were supplied by the applicant's agent, he agreed with the changes except for number 4. He was willing to eliminate the need for a parking study.

Mr. Matthews agreed with Mr. Calabria. He felt it wasn't fair to hold this applicant hostage for the problems of others. He also stated the parking study shouldn't be the burden of this applicant.

Ms. Brouwer looking at the proposed conditions felt like adding the word general conformance has led to different interpretations so she would tend not to want to add it. She was fine with adding the changes to condition number 3 and did not want to change number 4. Ms. Brouwer also wanted to add a condition to make sure a traffic study was required upon renewal of the application.

Mr. Perryman said he did not agree with anything. He stated people where crossing Pickett Rd. He said we may be barking up a dead tree if we try to handle this through enforcement and the veterinary clinic and they do have a Special Use Permit on file.

Mr. Clarke stated he agreed with Mr. Calabria except for the word general being added to the conditions but felt it allowed for too much wiggle room. He had no problems with the changes to condition number three and was willing to drop the traffic study from condition number 4 and require the other businesses to provide one.

At this time Mr. Calabria moved to approve the application, with the following conditions:

1. The applicant shall ensure that interior improvements are in conformance with the plans prepared by the applicant, dated October, 2013 and submitted with this application.
2. The applicant shall ensure no more than eight clients and two instructors are on-site at any given time.

3. The applicant shall ensure that practice times and private instruction are scheduled by appointment only, and include intervals not less than 15 minutes between appointments for different individuals in order to control parking demand.
4. The Special Use Permit shall be valid for a period of 18 months after which the Non-Residential Use Permit and may be subject to renewal provided the renewal application is submitted 90 days prior to the expiration date.

Mr. Matthews seconded the motion.
Motion Approved 3:2

5. **Consideration of November 5, 2013 Meeting Minutes:**

ACTION: Approved 5:0

6**. Staff Comments** - General discussion.

7**. Board Comments** - General discussion.

8**. Adjournment** - Meeting adjourned (8:30 pm)

ATTEST:

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Alexis El-Hage, Secretary