

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, SEPTEMBER 25, 1997**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Suzanne F. Harsel, Braddock District
John W. Hunter, Commissioner At-Large
John B. Kelso, Lee District
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Alvin L. Thomas, Commissioner At-Large

ABSENT: Carl A. S. Coan, Jr., Providence District
Janet R. Hall, Mason District
Ronald W. Koch, Sully District

//

The meeting was called to order at 8:27 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

//

COMMISSION MATTERS

In Commissioner Coan's absence, Commissioner Alcorn MOVED THAT THE PUBLIC HEARING ON RZ-94-P-051, J. A. LOVELESS HOMES, INC., BE DEFERRED UNTIL OCTOBER 16, 1997.

Commissioners Byers and Kelso seconded the motion which carried unanimously with Commissioners Downer and Thomas not present for the vote; Commissioners Coan, Hall, and Koch absent from the meeting.

//

In Commissioner Coan's absence, Commissioner Alcorn MOVED THAT THE PUBLIC HEARING ON SEA-93-P-010-2, ANDREW M. CHERNER, BE DEFERRED TO A DATE CERTAIN OF OCTOBER 30, 1997.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Downer and Thomas not present for the vote; Commissioners Coan, Hall, and Koch absent from the meeting.

//

Commissioner Alcorn noted that he had made a motion at last night's meeting to defer indefinitely three concurrent Providence District cases in Commissioner Coan's absence. He added that a date was now available and then MOVED THAT THE DECISION ONLY ON PCA-91-W-023, FDP-92-W-023-3, FDPA-91-W-023-1-1 BE DEFERRED TO A DATE CERTAIN OF OCTOBER 16, 1997.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Downer and Thomas not present for the vote; Commissioners Coan, Hall, and Koch absent from the meeting.

//

Commissioner Kelso, at the request of the applicant, MOVED THAT THE PUBLIC HEARING ON 456-L97-9, WASHINGTON/BALTIMORE CELLULAR LIMITED PARTNERSHIP, BE DEFERRED INDEFINITELY.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Coan, Hall, and Koch absent from the meeting.

//

FS-H97-54 - BELL ATLANTIC NYNEX MOBILE, 1977 Hunter Mill Road.

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION OF THE DIRECTOR OF THE OFFICE OF COMPREHENSIVE PLANNING THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY BELL ATLANTIC NYNEX MOBILE FOR AN EXISTING VIRGINIA POWER ELECTRIC TRANSMISSION TOWER LOCATED AT 1977 HUNTER MILL ROAD BE DETERMINED TO BE IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN", PURSUANT TO SECTION 15.1-456 OF THE *CODE OF VIRGINIA*, AS SPELLED OUT IN APPLICATION FS-H97-54.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Coan, Hall, and Koch absent from the meeting.

//

FS-V97-57 - AT&T PERSONAL COMMUNICATIONS, 10112 Furnace Road

Commissioner Byers MOVED THAT WE CONCUR IN THE DETERMINATION THAT THE FACILITY PROPOSED BY AT&T FOR THE EXISTING TOWER AT 10112 FURNACE ROAD IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN", PURSUANT TO SECTION 15.1-456 OF THE *CODE OF VIRGINIA*.

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Palatiello not present for the vote; Commissioners Coan, Hall, and Koch absent from the meeting.

//

#7699-SP-06 - GOVERNOR'S GROVE, SECTION 1

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION INFORM THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT THAT SITE PLAN #7699-SP-06 FOR SECTION 1 OF GOVERNOR'S GROVE IS DETERMINED BY THE PLANNING COMMISSION TO BE IN ACCORDANCE WITH THE CONDITIONS OF RZ-88-L-082 AND ACCEPTED FOR APPROVAL.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Coan, Hall, and Koch absent from the meeting.

//

ZONING ORDINANCE AMENDMENT (Bingo Games and Raffles) (Decision Only)

(The public hearing on this application was held on September 4, 1997. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE PROPOSED AMENDMENT TO CHAPTER 24 OF THE COUNTY CODE AND THE PROPOSED ZONING ORDINANCE AMENDMENT TO ARTICLES 2, 3, 8, 12, 18, AND 20, BINGO GAMES AND RAFFLES, AS SET FORTH IN THE STAFF REPORT DATED JULY 7, 1997.

Commissioner Byers seconded the motion which carried by a vote of 6-0-1 with Commissioner Murphy abstaining; Commissioners Downer and Thomas not present for the vote; Commissioners Coan, Hall, and Koch absent from the meeting.

//

ZONING ORDINANCE AMENDMENT (Truck Rental Establishments) (Decision Only)
(The public hearing on this application was held on July 9, 1997. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Hunter MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE PROPOSED ZONING ORDINANCE AMENDMENTS TO ARTICLES 4, 5, 7, 9, 11, 13, AND 20, TRUCK RENTAL ESTABLISHMENTS, AS SET FORTH IN THE REVISION DATED SEPTEMBER 25, 1997.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Coan, Hall and Koch absent from the meeting.

Commissioner Hunter MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT, UPON ADOPTION OF THE PROPOSED AMENDMENT, STAFF BE DIRECTED TO NOTIFY IN WRITING THE ESTABLISHMENTS CURRENTLY SERVED WITH A NOTICE OF VIOLATION OF THE NEW SPECIAL EXCEPTION OPTION, PROVIDE TO THOSE ESTABLISHMENTS ELIGIBLE FOR SPECIAL EXCEPTION CONSIDERATION, SPECIAL EXCEPTION APPLICATION FORMS AND THAT SHOULD THEY CHOOSE TO PURSUE THE SPECIAL EXCEPTION OPTION, APPLICATIONS MUST BE SUBMITTED WITHIN SIX MONTHS OF RECEIPT OF THIS NOTIFICATION. IF THE VIOLATION IS NOT CORRECTED WITHIN THIS PERIOD, OR FOR THOSE ESTABLISHMENTS ELIGIBLE FOR SPECIAL EXCEPTION CONSIDERATION, A SPECIAL EXCEPTION APPLICATION IS NOT SUBMITTED WITHIN THIS PERIOD AND THEREAFTER ACTIVELY PURSUED, THE COUNTY SHOULD PROCEED WITH ALL LEGAL REMEDIES NECESSARY TO OBTAIN COMPLIANCE. HOWEVER, AS IS THE CASE WITH ANY VIOLATION, STAFF IS REQUESTED TO WORK WITH THE ESTABLISHMENT OPERATOR FOR THOSE ESTABLISHMENTS IN VIOLATION WHICH ARE NOT ELIGIBLE FOR SPECIAL EXCEPTION TO OBTAIN COMPLIANCE, WHICH MAY INCLUDE PROVIDING ADDITIONAL TIME TO RESOLVE THE VIOLATION.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Coan, Hall, and Koch absent from the meeting.

//

ORDER OF THE AGENDA

Chairman Murphy noted that there was only one public hearing on tonight's agenda:

1. AA-91-D-066 - THE EAGLE FAMILY LIMITED PARTNERSHIP

This was accepted without objection.

//

AA-91-D-066 - THE EAGLE FAMILY LIMITED PARTNERSHIP -
Amendment to a Local A&F District application authorized by Chapter 115 (County Code), effective June 30, 1983 to add additional parcels & for continuation of the existing A&F District. The purpose is to preserve significant agricultural and forest lands in the County on property located approx. 200 ft. N. of the terminus of Langley Ridge Rd. on approx. 50.86 ac. zoned R-E. Tax Map 20-2 ((1)) 13 & 48 & 20-2 ((13)) 4 & 5. DRANESVILLE DISTRICT. PUBLIC HEARING.

Thomas Sawyer, Esquire, with The Jefferson Law Firm, PLC, reaffirmed the affidavit dated June 4, 1997. There were no disclosures by Commission members.

Phyllis Wilson, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Sawyer explained that the Eagle family wished to both renew and amend their local agricultural and forestal district by adding two additional parcels, totaling 10.35 acres. He noted that approval of this application would increase the size of the district to 50.85 acres.

Commissioner Downer commended Mr. Sawyer and the Eagle family for their efforts in preserving a portion of Dranesville and expressed the hope that she could visit the property in the near future.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. Ms. Wilson had no closing staff comments; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Downer for action on this case. (A verbatim excerpt is in the date file.)

//

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT APPENDIX F OF THE FAIRFAX COUNTY CODE BE AMENDED TO ESTABLISH THE EAGLE 11, EAGLE FAMILY LIMITED PARTNERSHIP, LOCAL AGRICULTURAL AND FORESTAL DISTRICT, SUBJECT TO THE PROPOSED ORDINANCE PROVISIONS CONTAINED IN APPENDIX 1.

Commissioners Byers and Alcorn seconded the motion which carried unanimously with Commissioner Palatiello not present for the vote; Commissioners Coan, Hall, and Koch absent from the meeting.

//

The meeting was adjourned at 8:55 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Gloria L. Watkins

Approved on: March 17, 1999



Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission