

BOARD OF ZONING APPEALS, TOWN OF VIENNA, VIRGINIA

Conditional Use Permit Application submitted by John Souser, Adtek Engineers, Inc., agent for Fairfax County Public Schools, owner, to authorize the placement of a 10-classroom modular building near the southerly property line of Louise Archer Elementary School, located at 324 Nutley Street, NW, in the RS-12.5, Single-Family Detached Residential zone.

ORDER

THIS MATTER was considered by the Board of Zoning Appeals during a public hearing held on April 20, 2005, for a conditional use permit in accordance with Sections 18-209:216 of the Code of the Town of Vienna, Virginia. Based upon testimony offered by the applicant, exhibits offered into evidence, comments offered by members of the public and other interested parties, the Board has determined the following findings of fact:

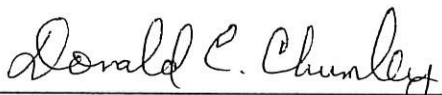
1. Portable classroom trailers have been located at Louise Archer Elementary School for the past 15 years, with the current number standing at eight. Five of these trailers are located in the side yard area south of the existing brick school building, two are located to its rear, and one is in the front yard near two existing wooden sheds. It is the desire of Fairfax County School District officials to remove five of the eight trailers and replace them with a 66-foot by 180-foot modular classroom building housing ten classrooms. The preferred location for the modular building is to the south of the school building and where five of the eight "temporary" trailers are currently sited.
2. Louise Archer Elementary School, addressed as 324 Nutley Street, NW, is located on 8.13 acres of land on the west side of Nutley Street, NW, in the block between its intersection with Knoll and Orchard streets, NW. The southerly and southwesterly lines of the parcel delineate the common boundary line between the elementary school and Madison High School as well as the corporate boundary between the Town and Fairfax County. Adjoining properties include the Sons and Daughters Cemetery to the west, and residential parcels along Orchard Street, NW, to the north of the school property.
3. The existing school building encloses 44,972 square feet, and in combination with parking areas, accessory buildings, and the front driveway and loading area (but excluding playgrounds as they are not generally paved nor are they specified in the lot coverage requirements), the total area of existing lot coverage is 114,377 square feet or 32.3 percent. Because a large portion of the remainder of the parcel is in use as playing fields, the tree canopy for the entirety of the 8.13-acre subject parcel is currently 12.8 percent.
4. A recent survey of the subject property indicates the existence of a 33-foot-wide parcel that aligns with what would be the prolongation of Knoll Street, NW, and an 8-foot outlet road that runs northwesterly along the schools' common boundary line. A gravel road exists within the 33-foot-wide tract, and it is the intent of the School District to eliminate this separate parcel through the boundary line adjustment process. A consolidation plat is being currently reviewed by the School District attorney and will be submitted shortly thereafter to the Town for review and endorsement by the Mayor and attestation by the Town Clerk, prior to recordation at the County Land Records office.
5. In an effort to meet the enrollment needs for Louise Archer Elementary School, an 11,880-square-foot modular classroom building is proposed for placement some 27 feet to the south of the existing school building. The structure—for all intents and purposes a permanent building—measures 66 feet in width and 180 feet in length and would provide enough space for ten classrooms, restroom facilities and ancillary storage and maintenance space. Access to the structure would be provided through a series of four ramps, and a side door directly to the school building itself. The building would be located approximately 165 feet from the front property line along Nutley Street, NW, and 15 feet from the southerly property/corporate boundary line. Six (6) trailers are proposed for temporary placement along the west side of the existing school building—near the two existing trailers—for "swing space" during placement and finish construction of the 10-classroom building. The staff was advised that the proposed "construction site" has been selected because it is relatively flat and is essentially the only place on the parcel that would not further encumber existing playing fields, parking lots or playground areas.

6. Six site plan modifications associated with this request were considered by the Planning Commission along with the conditional use permit application. Recommendations on those issues—all of which were recommended for approval by the Planning Commission—will be considered for approval by the Mayor and Town Council at their meeting of May 9, 2005.
7. Because the proposed improvements represent a change to the approved site plan for Louise Archer Elementary School, an accompanying **conditional use permit** application—in accordance with § 18-22 and by reference from § 18-13—must be approved by the Board of Zoning Appeals after review and recommendation by the Planning Commission.
8. The Planning Commission considered this matter at the regular meeting of April 13, 2005. The Planning Commission recommended approval of the conditional use permit application, with the proviso that it include the entirety of the property for the school, the organized recreational activities and for the removal of all temporary classroom trailers for use as swing space no later than 90 days after the issuance of the certificate of occupancy for the modular building, by a vote of 8-0. [The applicant, in a statement at the meeting of the Board of Zoning Appeals, concurred with the 90-day time limit as recommended by the Planning Commission.]

AND FROM THE FINDINGS OF FACT AS DETERMINED ABOVE, the Board of Zoning Appeals makes the following conclusions of law:

1. Granting of the requested conditional use permit will not affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use, will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood, and will be in accord with the Master Plan of the Town of Vienna.
2. It was noted, for the record, that the Town's elementary school children deserve better than the modular building, but the existing overcrowded condition within Louise Archer Elementary School and its existing trailers (some in place in excess of 15 years) demanded some form of remedial action as quickly as possible. Although the proposed new structure does not meet the desires of the Board, it represents a one-step improvement over what currently exists at this location.
3. Boardmembers noted concerns with respect to the exterior appearance and long-term life of the proposed 10-classroom building and that there had been no planning for a renovation or brick and mortar addition to the existing school. In an effort to force an evaluation of the long-term necessity of the modular building, it was determined that a 10-year time limit on the conditional use permit would best serve this purpose along with an evaluation on the usefulness and overall condition of the modular building at the end of this term. It was also requested that the Board of Architectural Review be provided with a copy of this order to document this Board's concerns with the exterior appearance of this building and to request their assistance in the softening its visual impacts.

IT IS, THEREFORE, ORDERED, this 22nd day of April, 2005, that the application as submitted by John Souser, Adtek Engineers, Inc., agent for Fairfax County Public Schools, owner, to authorize the placement of a 10-classroom modular building near the southerly property line of Louise Archer Elementary School, located at 324 Nutley Street, NW, in the RS-12.5, Single-Family Detached Residential zone, for a conditional use permit in accordance with the above-referenced Code sections shall be approved subject to the expiration of the conditional use permit for the modular building on April 20, 2015.


Donald C. Chumley, Vice-Chairman
Board of Zoning Appeals
Town of Vienna, Virginia