

BOARD OF ZONING APPEALS, TOWN OF VIENNA, VIRGINIA

Request for approval of a conditional use permit, from §18-210.G for continued placement of modular classroom associated with Louise Archer Elementary School, located at 324 Nutley St NW. Application filed by Fairfax County Public Schools.

ORDER

THIS MATTER was considered by the Board of Zoning Appeals during a public hearing, held on June 17, 2020, for a conditional use permit, from §18-210.G of the Vienna Town Code. 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:

- A. 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. The property is zoned RS-12.5, Single-Family Detached Residential.
- B. On April 20, 2005, the BZA approved a Conditional Use Permit (CUP) for a modular classroom for a ten-year time period, with an evaluation of the usefulness and overall condition of the modular classroom to occur at the end of the term. The modular classroom building is 66-foot by 180-foot in size and is located to the south of the main school building. It provides additional capacity to alleviate the overcrowding at the school. The modular classroom has a gross floor area of approximately 11,880 square feet and includes ten classrooms, restroom facilities, maintenance space, and ancillary storage space. The applicant indicates that the life expectancy for the modular is 25 years, and that it is in good condition. The modular classroom replaced five of the then-eight existing classroom trailers located on the Property.
- C. Concurrent with the BZA approval, the Town Council at their meeting on May 5, 2005, approved six site plan modifications associated with the CUP request for the placement of a modular classroom along with the continued use of two existing trailers which falls under a separate purview of the Town Council.
- D. An extension of the conditional use permit was approved by the Board of Zoning Appeals on July 20, 2016 for a period of 5 years. The Board concluded the following:

“The Board voted 6-0 to approve the conditional use permit through July 20, 2020. The Board noted the applicant had clearly explained there was a continuing need for the modular classroom and questions concerning pest management and

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budget projections were adequately addressed. While it is the Town's interest and desire to have a brick and mortar expansion done as soon as possible, it is also in the interest of the Town and the families who attend Louise Archer Elementary School to allow for the continued use of the modular classroom.

One Board member did voice disappointment that the conditional use permit would not be valid for 10 years and felt it was unnecessary to have the applicant back in five years. However, the rest of the Board felt it was important to give the Town the opportunity to revisit the item."


- E. The agent is requesting continued use of the 66-foot by 180-foot modular classroom building. The planning and design of the Louise Archer Elementary School renovation is currently underway with permitting expected to be completed by 2021. Construction is expected to occur between 2022 and 2025. Based on current enrollment for the school; the applicant requests approval to continue the use of the modular classroom during the proposed construction. Once school renovations are complete the modular and existing trailers will be removed from the Property.

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

The Board voted 7-0 to approve the application for a conditional use permit to expire October 1st, 2025, from §18-210.G for continued placement of modular classroom associated with Louise Archer Elementary School, located at 324 Nutley St NW. Application filed by Fairfax County Public Schools.

If the terms and conditions are not met, then this order may be revoked per the Town Code Section 18-209.

IT IS, THEREFORE, ORDERED, this 30th day of June, 2020 that the application requesting approval of conditional use permit, from §18-210.G for continued placement of modular classroom associated with Louise Archer Elementary School, located at 324 Nutley St NW. Application filed by Fairfax County Public Schools, be approved, expiring October 1, 2025.


Jonathan Rak
Board of Zoning Appeals, Vice Chair
Town of Vienna