

# McLean Citizens Association Planning & Zoning Committee

## Monthly Report June 2006

The monthly meeting of the P&Z Committee was held on May 30, 2006 at the McLean Community Center. Twenty members of the committee were present, along with two guests.

**Tysons Corner Center:** John Foust presented a Draft Resolution to a joint meeting of the P&Z and Transportation Committees that addressed the many reasons why the application, RZ-2004-PR-044, should either be withdrawn by the Applicant, or denied by the Planning Commission. The reasons for this are based on the requirements of Fairfax County Comprehensive Plan that, in a nutshell, requires a number of transportation improvements to be made before there is any increase in density in the Tysons Corner Urban Center. The committee discussed the content of the Draft Resolution for more than one and one half hours and, after a number of revisions, adopted it by unanimous vote. The Planning Commission hearing date is July 27, 2006. P&Z Lead is John Foust.

**Fairfax County Zoning Ordinance Amendment – Yard Setback:** As part of the county's revision of the Zoning Ordinance resulting from the *Cochran* decision, the Planning Commission scheduled a series of hearings on the various proposed revisions, one of which, Yard Setbacks, was put on the Planning Commission's schedule for June 1, 2006. The committee reviewed a Draft Resolution on the proposed relaxation of Yard Setback requirements and, after considerable discussion, it unanimously passed the measure. The Draft Resolution expressed support for the ZOA, with some reservations about the delegation by the Board of Supervisors of its legislative authority to a non-elected body, the BZA. Because the Planning Commission Hearing was scheduled for June 1<sup>st</sup>, the Executive Committee of the Board approved the Resolution so that it could be distributed in time for the hearing. The matter came before the Planning Commission June 1. Dale Murad addressed the Commission. The Commission deferred the matter to consider several comments which, like the MCA resolution, came in at the last minute. The P&Z lead is Dale Murad.

**Halcyon Estates:** Phil Znafagna provided a brief update on this proposed development for which an application has been made for the rezoning of the 3.6-acre property at the intersection of Beulah Road and Atwood Road, RZ-2002-DR-034, to rezone from R-1 to R-2 in order to construct up to six houses. Since P&Z last heard from the applicant, there have been changes in the makeup of the development consortium and we are not sure at this time who is involved, or even if the application will continue to be pursued. The Planning Commission hearing is scheduled for July 20<sup>th</sup>, but it is uncertain when, if ever, this will eventually be held. P&Z Lead is Phil Zanafagna.

### OTHER ITEMS OF INTEREST

**McLean Bible Church** – Since early 2004, the McLean Bible Church (MBC) has had a running issue with the Zoning Administrator and the Board of Zoning Appeals (BZA) regarding the conduct of college-level courses conducted by the Capital Bible Seminary (CBC) on Church property. On March 15, 2005, the BZA rejected the MBC appeal of the Zoning Administrator's decision regarding the operation of a Seminary. The MBC Attorney sent a letter to the County Zoning Administrator on April 26, 2005, outlining the conditions under which MBC was willing to continue the seminary classes and

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why they thought it would conform to their existing Special Exception Amendment (SEA). The P&Z Committee Co-chair, and others, met with the Zoning Administrator twice and subsequently sent a letter to him reiterating MCA's concern about traffic if the county agrees to seminary classes without limits on course enrollment numbers. The Zoning Administrator made a decision on the MBC request in December, upholding the original decision, thereby requiring the MBC to submit an amendment to the existing SEA, if it desired to continue the classes. In January 2006, the MBC once again appealed the Zoning Administrator's decision and the case came up at the BZA meeting on April 18, 2006. After over three hours of statements on both sides of the issue, one of which was by MCA, the BZA deferred its decision until June 6<sup>th</sup> in order to allow time for gathering additional information from the Appellant and County Staff, and digesting same. The county Staff has submitted its report to the BZA, still holding to the position that the MBC is in violation of the existing SEA. P&Z has written a letter to the BZA in support of the Staff position. P&Z Lead is Michelle Meehan.

Jim Robertson  
Dale Murad  
Co-chairs