

DEVELOPMENT CONDITIONS

SE 2009-LE-024

June 2, 2010

If it is the intent of the Board of Supervisors to approve SE 2009-LE-024 located at 7136 Telegraph Road [Tax Maps 91-4 ((1)) Part 8A and 12] for nursery school, child care center and school of general education pursuant to Sects. 3-104 and 3-504 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Previously approved development conditions are marked with an asterisk (*).

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. A copy of this Special Exception and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Plans associated with this application as depicted in the attached exhibit. Minor modifications of the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
- *4. The maximum daily enrollment shall be limited to 105 children between the ages of 3 months to 7 years old.
- *5. The hours of operation shall be from 6:30 a.m. to 6:30 p.m., Monday through Friday.
6. Once this special exception is implemented via issuance of a Non-RUP, prior to the issuance of any new Non-RUP, the new operator shall demonstrate to the Zoning Administrator that it has met or made a good faith effort to meet with the Lee Land Use Committee and its Transportation Advisory Committee to discuss ways to further reduce any stormwater runoff from the subject site.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established through the issuance of a new non-RUP. The Board of Supervisors may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.