

DEVELOPMENT CONDITIONS

SE 2011-MV-002

September 20, 2011

If it is the intent of the Board of Supervisors to approve SE 2011-MV-002 located at 8740 Talbott Farm Drive, Tax Map 110-1 ((27)) 11A, for a home child care facility of up to ten children, pursuant to Sect. 6-105 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. Any plan or permit submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Lot 11A – Talbott Property" prepared by The Engineering Groupe, Inc., consisting of one sheet dated February 10, 2005, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed ten and the maximum daily enrollment shall not exceed ten.
5. Hours of operation for the home child care facility shall not exceed 6:00 AM to 7:00 PM, Monday through Friday.
6. A maximum of one nonresident person, whether paid or not for their services, may be involved in the home child care facility, provided that there is only one such person on the property at any one time and the hours of such attendance shall be limited to 7:00 AM to 6:00 PM, Monday through Friday .
7. All loading and unloading of children, and all parking associated with the home child care facility, shall occur on-site.
8. The garage shall not be converted to any use which would preclude the parking of vehicles. At no time during the hours of operation of the home child care facility shall vehicles used by the residents be parked in the driveway.
9. The arrival and departure times of children who are being picked up and/or dropped off by automobile shall be staggered at intervals of a minimum of 15 minutes.

10. The provider shall secure from each family who receives child care services a commitment to abide by the policy entitled “Drop Off & Pickup Policy For Sunny Day Care”, found in Attachment A to these conditions. The provider shall secure these commitments in writing and keep a copy on site and available for inspection by Fairfax County staff.
11. Any stationary outdoor playground equipment located in the rear yard shall be set back a minimum of six feet from the perimeter fence, the yard inlet, the deck, and the rear walkway that leads to the basement in accordance with 22 VAC 40-111-500 from the Standards for Licensed Family Day Homes with Interpretation Guidelines and approved by the Virginia Department of Social Services. Equipment that does not meet this locational condition shall be removed or relocated prior to the issuance of a Non-Residential Use Permit for the home child care facility. All outdoor play equipment must conform to all state regulations and standards related to outdoor play areas and equipment.
12. No more than five children, excluding the provider’s own children, may occupy the rear yard at any one time. Any children occupying the rear yard must be supervised at all times.
13. The provider shall forward a copy of the approved development conditions to the president of the Talbott Farm Home Owners Association no later than 30 days from the applicant’s receipt of the special exception approval letter from the Clerk to the Board of Supervisors.
14. The provider shall remove the nonconforming grill that restricts storm water design and eliminate access by children to the mouth of the rear yard inlet storm water inlet. Subject to the approval of the Department of Public Works and Environmental Services’ Maintenance and Stormwater Management Division, the provider shall provide a permanent barrier fence around the storm water inlet or other remedy that does not impede the flow of water under any permanent barrier and does not cause water to pond upstream on neighboring properties.

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, at a minimum, the use has been established or construction has commenced and been diligently prosecuted as evidenced by the issuance of a Non-Residential Use Permit for the use. The Board of Supervisors may grant additional time to establish the use or to commence construction 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.

Drop Off and Pick Up Policy for Sunny Day Care

Dear Parents of Sunny Day Care Children,

As all of you know, we are running our home day care in a residential community, which makes it a little bit different from commercial day care centers. One of the biggest concerns we have while running this operation, and the one which needs your support and attention, is dropping off and picking up your children. Here are some policies that need to be in compliance by all means and at all times. These rules are necessary in order to peacefully run the day care in the community. Your cooperation will be greatly appreciated.

1. We request that at no time there should be any parking, lining up, or waiting with your car on Talbott Farm Drive. Our neighbors need to be able to access or leave their residences easily. Please allow all cars leaving from the neighborhood to exit prior to your entrance.
2. Only two cars at a time can be parked in our driveway. Please park to each side of the driveway so you don't block each other.
3. When backing up from driveway, be extremely attentive to what is behind you. Depending on the day, there may be a trash can, a neighbor backing up, or somebody walking behind you. Please consider safety first!
4. Please make sure that your child is under close supervision of yourself all the time you are walking on the driveway.
5. Please allow residents of Talbott Farm Drive to have priority in their movement.
6. During normal drop off and pickup times, please do not engage in conversation with the provider or other parents. This restricts the other parents' ability to park. It also will distract staff from properly supervising the children in care.
7. We will appreciate if you give us a courtesy call five minutes prior to your pick up so we can have your child ready when you arrive.
8. Finally, please don't park in our neighbor's driveways, walk in their yards, or use their drive way to turn your car.

If you follow these rules, it will aid us in not creating a problem with our neighbors. It will also provide a safer environment for all children and yourselves.

Your signature below indicates your acceptance of the above policy.

Name of Parent or Guardian

Date