

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ZHANNA V. BUZOV, SP 2011-MA-065 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 6936 Regent La., Falls Church, 22042, on approx. 10,702 sq. ft. of land zoned R-4. Mason District. Tax Map 50-4 ((17)) 195. (Admin. moved from 9/21/11 for notices) Mr. Beard moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on October 26, 2011; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the property.
2. The present zoning is R-4.
3. The area of the lot is 10,702 square feet.
4. Staff recommends approval.
5. All eight of the general standards of 8-006 are met, as well as 8-303.
6. The situation with the sign has been resolved. The sign is down.
7. The Board saw no letters of opposition. No one came in opposition.
8. Seven children are permitted by right.
9. The applicant stated that she was unaware or confused by the fact that the state license notes that they can have up to 12 children and the county allows up to 10 children, only through the special permit process.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, Zhanna V. Buzov, and is not transferable without further action of this Board, and is for the location indicated on the application, 6936 Regent Lane, and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat prepared by Real Estate Surveyors & Developers, LLC, dated November 17, 2008, approved with this application, as qualified by these development conditions.
3. A copy of this special permit 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.

4. The maximum number of children permitted at the home child care facility at any one time shall not exceed ten (10) children.
5. The maximum hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.
6. The maximum number of employees shall be limited to one (1) on site at any one time in addition to the provider.
7. The dwelling that contains the home child care facility shall be the primary residence of the provider.
8. There shall be no signage associated with the home child care facility.
9. The new driveway and parking shall be generally consistent with the drawing shown as Attachment 1 to the development conditions. A minimum of four (4) parking spaces shall be provided in the driveway. All parking for the use shall be on-site. The driveway shall be widened within six (6) months after the date of approval or this special permit shall be null and void.
10. The applicant shall install tree protection fencing at the drip line of the Holly tree to the south of the driveway to protect the vegetation from construction activities. The protective fencing shall remain intact during the entire construction process and shall be the maximum limit for clearing and grading. The applicant shall monitor the site to ensure that inappropriate activities such as the storage of construction equipment and materials do not occur within the area.
11. The driveway gates shall remain open during pick up and drop off times.
12. In no instance shall be the driveway or parking area exceed 30% of the front yard.

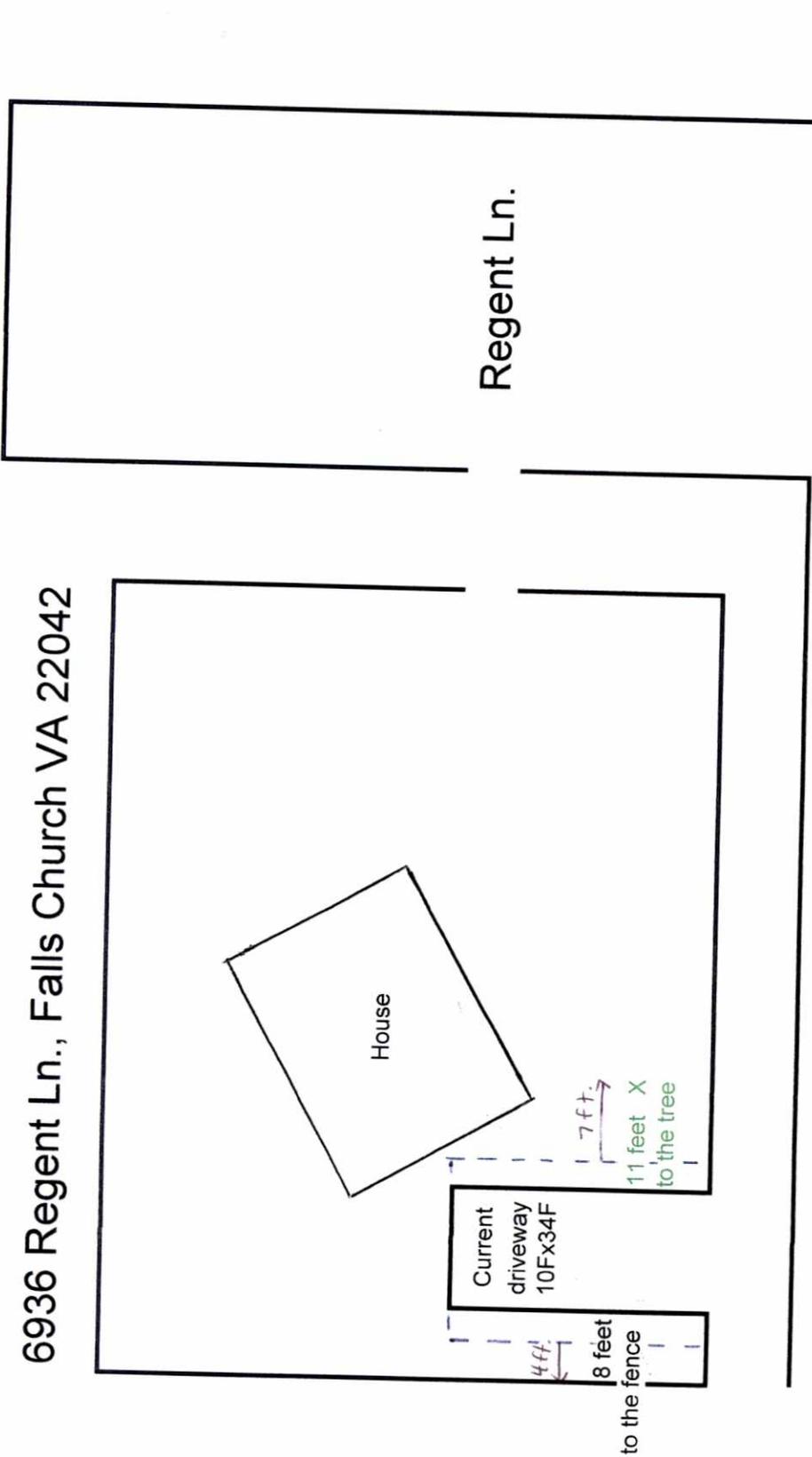
This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six (6) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals 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 permit. 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.

Mr. Smith seconded the motion, which carried by a vote of 7-0.

SP-2011

6936 Regent Ln., Falls Church VA 22042



We plan to enlarge the driveway to the size 34 feet by 18 feet.

Waine str.

Our plan is to expand the width of the driveway by 8 feet - 4 feet on each side of the current driveway. Such expansion will allow to save the tree, which is marked on the plan by the green cross, and park three to four vehicles safely within the site of the property.