

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

LUIS AND CARLA MARTY, SP 2011-HM-094, Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit home child care facility. Located at 1307 Deep Run Ln., Reston, 20190, on approx. 19,744 sq. ft. of land zoned PRC. Hunter Mill District. Tax Map 12-3 ((4)) (6) 46. (Decision deferred from 12/14/11, 2/1/12, and 2/29/12) Mr. Byers 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 March 28, 2012;

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

1. The applicants are the owners of the property.
2. The present zoning is PRC.
3. The area of the lot is 19,744 square feet.
4. The opposition was read in detail as well as the seven letters of support from folks who had used the daycare facility.
5. Staff recommended approval, and its rationale was adopted.

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 special permit approval is granted to the applicants only, Luis and Carla Marty, and is not transferable without further action of this Board, and is for the location indicated on the application, 1307 Deep Run 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 house location survey plat prepared by B.W. Smith and Associates, Inc., dated September 22, 2010, approved with this application, as qualified by these development conditions.
3. A copy of this special 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 6:45 a.m. to 5:00 p.m., Monday through Friday.
6. The maximum number of employees shall be limited to two (2) on site at any one time in addition to the provider.
7. A solid 6-foot tall wooden fence shall be installed along the northern property line or around the outdoor play area
8. The dwelling that contains the home child care facility shall be the primary residence of the provider.
9. There shall be no signage associated with the home child care facility.
10. The second kitchen located in the basement shall only be used for the home child care facility. All applicable permits and final inspections for the kitchen shall be obtained within 120 days. If the home child care facility is discontinued or the single family dwelling is rented or sold, an approved County demolition permit shall be obtained, and the second kitchen shall be demolished.
11. All loading and unloading of children shall occur on-site. Parking for the use shall be in the garage and /or driveway as shown on the attached exhibit (Attachment A). Any conversion of the garage that precludes the parking of vehicles within the garage is prohibited.
12. The driveway shall be expanded as shown in the attached exhibit (Attachment B) within 180 days of the approval of this special permit.
13. 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 10 minutes.
14. Any proposed or future accessory structures shall be located in accordance with all Zoning Ordinance requirements.
15. Trees or plantings will be planted in accordance with Attachments A and B of these development conditions subject to the approval in coordination with the Urban Forester.

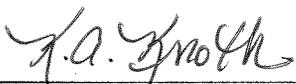
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted

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 6-0. Mr. Beard was absent from the meeting.

A Copy Teste:

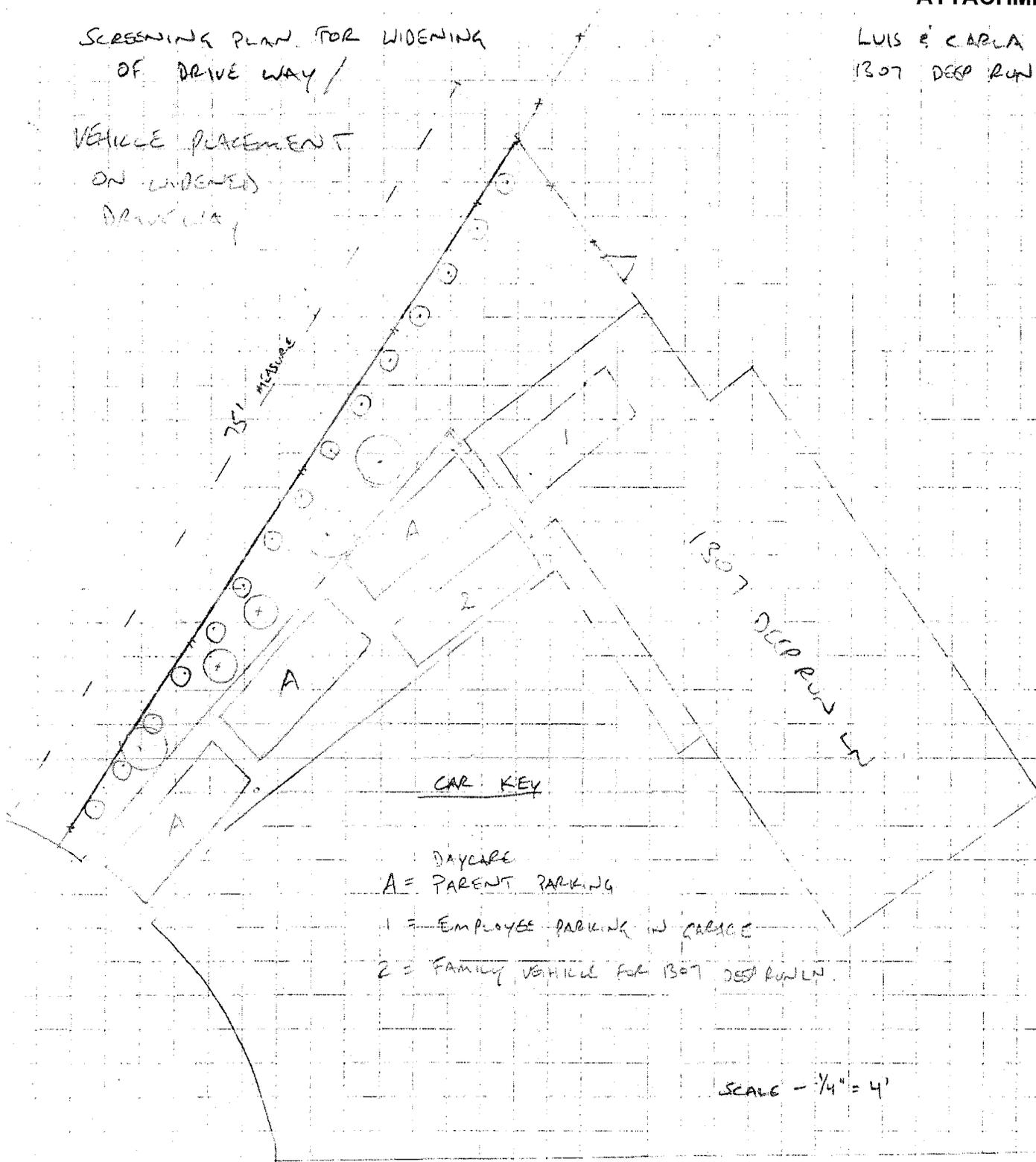


Kathleen A. Knoth
Clerk to the Board of Zoning Appeals

LUIS & CARLA MARY
1307 DEEP RUN LN

SCREENING PLAN FOR WIDENING
OF DRIVEWAY

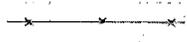
VEHICLE PLACEMENT
ON WIDENED
DRIVEWAY

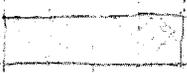


EXISTING CRAPE MYRTLE = 

DRB REQUEST - (15) / ARBOVITAE 2-3 FT TALL = 

DRB REQUEST - (2) / CYPRUS REDWOOD 4-6 FT TALL = 

FENCE = 

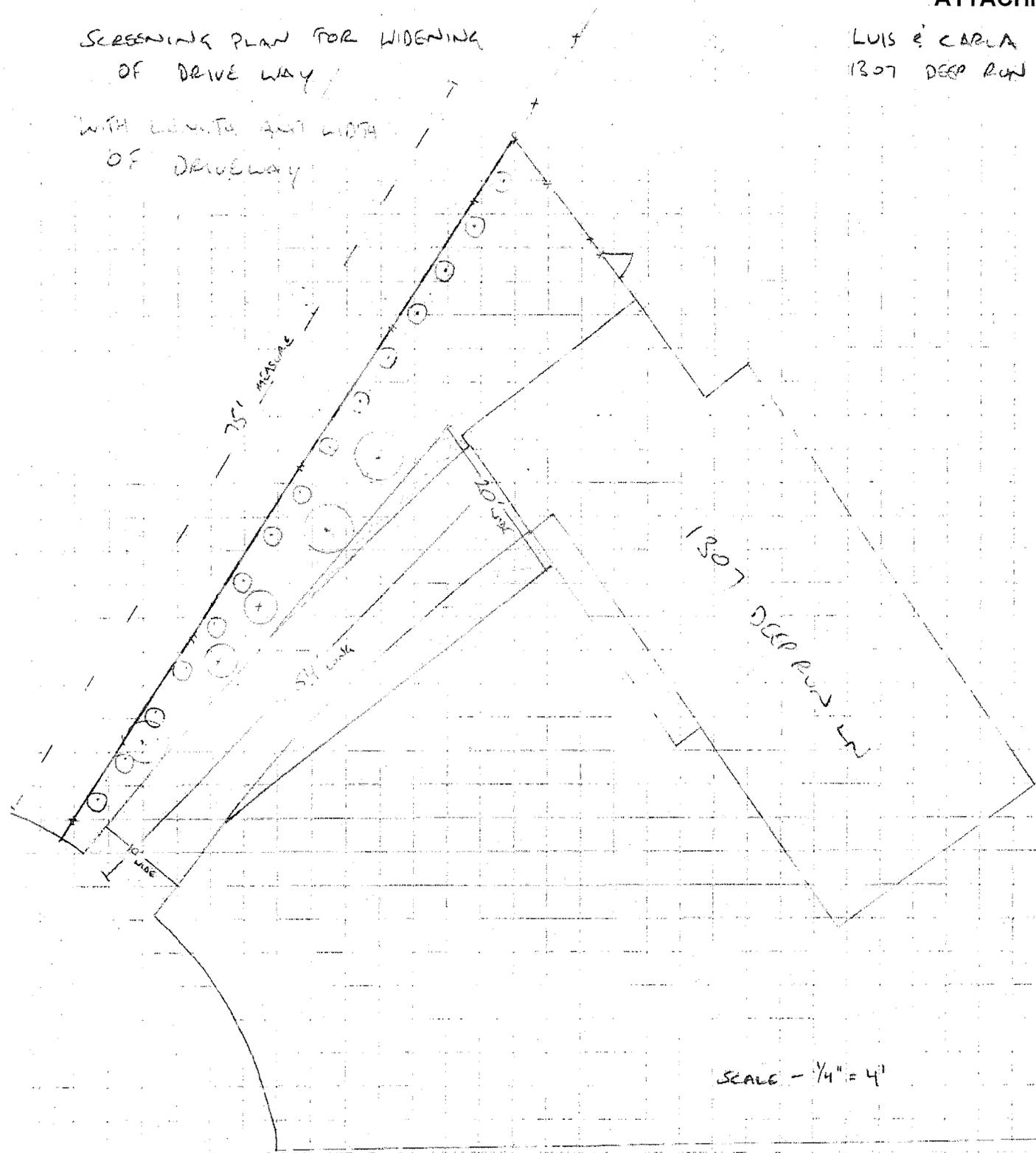
WIDENED DRIVEWAY = 

PROPERTY LINE = 

LUIS & CARLA MARY
1307 DEEP RUN LN

SCREENING PLAN FOR WIDENING
OF DRIVE WAY

WITH MINUTE AND WIDTH
OF DRIVEWAY



SCALE - 1/4" = 4'

EXISTING CRAPE MYRTLE = (•)

DRB REQUEST - (1) ALBORNIVIAE = (○)
2-3 FT TALL

DRB REQUEST - (2) CYPRUS LEBAND = (⊗)
4-6 FT TALL

FENCE = ————

WIDENED DRIVEWAY = ————

PROPERTY LINE = ————